UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
FIRST SESSION

VOLUME 113—PART 1

JANUARY 10, 1967, TO JANUARY 24, 1967
(PAGES 3 TO 1422)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1967

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

TUESDAY, JANUARY 10, 1967

The 10th day of January being the day prescribed by Public Law No. 704, 89th Congress, second session, for the meeting of the first session of the 90th Congress, the Senate assembled in its Chamber at the Capitol.

HUBERT H. HUMPHREY, of Minnesota, Vice President of the United States, called the Senate to order at 12 o'clock meridian

The Chaplain, Rev. Frederick Brown Harris, D.D., of the city of Washington, D.C., offered the following prayer:

O Thou God of love and hope, through all the length of changing years Thy goodness faileth never.

In a day so full of fear and threat, save us from any panic of spirit, because our inner strength is drawn from deep wells.

With the light of Thy wisdom and the strength of Thy grace, enable those who in these baffling times have been entrusted with the stewardship of the national welfare to be true servants of Thine in the advancement of Thy Kingdom's cause.

Grant us to feel the passion of high resolve as we cherish above all else the compelling mission to which Thou hast called us as a nation—to help lead a groping world from the darkness into the light.

We ask it in the name of the Dear Redeemer, who is the light of the world. Amen.

The VICE PRESIDENT. Those who do not enjoy the privilege of the floor will please retire from the Chamber.

Mr. MANSFIELD. Mr. President, on the basis of an agreement reached on both sides, it is suggested that the Chamber be cleared of all attachés, unless they have absolutely important business to attend to in the Chamber.

The VICE PRESIDENT. The Members of the Senate have heard the remarks of the distinguished majority leader. All attachés and staff members who are not vitally needed for the next few minutes of the deliberations of the Senate will retire from the Chamber.

RESIGNATION, APPOINTMENTS, AND ELECTION CERTIFICATES—CREDENTIALS

The VICE PRESIDENT. The Chair lays before the Senate the following matters: Copies of the resignation of the Senator from Virginia, Mr. Robertson, and the certificate of appointment of WILLIAM B. SPONG, JR., to fill the vacancy; the short-term certificate of ROBERT P. GRIFFIN, of Michigan; the credentials of two Senators—namely, HARRY F. BYRD, JR., of Virginia, and ERNEST F. HOLLINGS, of South Carolina—elected on November 8, for unexpired terms; and the credentials of 33 Senators elected for 6-year terms beginning on the 3d day of January 1967.

The Chair is advised that all certificates except that of the Senator from Delaware [Mr. BOGGS], which follows a State form, are generally in the form suggested by the Senate.

If there be no objection, the reading of the aforementioned resignation, certificates, and credentials will be waived, and they will be printed in full in the RECORD.

The resignation, certificates, and credentials are as follows:

U.S. SENATE,
Washington, D.C., December 5, 1966.
The Honorable HUBERT H. HUMPHREY,
Vice President of the United States, New Senate Office Building, Washington, D.C.

DEAR MR. PRESIDENT: I herewith tender my resignation as a Member of the United States Senate from Virginia to become effective at the close of business December 30, 1966.

Respectfully,
A. WILLIS ROBERTSON.

U.S. SENATE,
COMMITTEE ON BANKING AND CURRENCY,
December 5, 1966.
Hon. MILLS E. GODWIN, JR.,
The Governor of Virginia,
Richmond, Va.

MY DEAR GOVERNOR: I herewith tender my resignation as a Member of the United States Senate from Virginia to become effective at the close of business December 30, 1966.

Respectfully,
A. WILLIS ROBERTSON.

CERTIFICATE OF APPOINTMENT
COMMONWEALTH OF VIRGINIA,
GOVERNOR'S OFFICE,
Richmond, December 19, 1966.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Virginia, I, Mills E. Godwin, Jr., the Governor of said State, do hereby appoint William B. Spong, Jr., a Senator from the State to represent said State in the Senate of the United States, to fill the vacancy caused by the resignation of A. Willis Robertson, effective at the close of business December 30, 1966, to hold said office for the unexpired term ending at noon on the third day of January, 1967.

Witness, his Excellency, our Governor, Mills E. Godwin, Jr., and our seal affixed at Richmond, Virginia, this 19th day of December, in the year of our Lord nineteen hundred sixty-six and in the one hundred ninety-first year of the Commonwealth.

MILLS E. GODWIN, Jr.

Attest:
[SEAL] MARTHA BELL CONWAY,
Secretary of the Commonwealth.

COMMONWEALTH OF VIRGINIA.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to Certify, *That on the 8th day of November, nineteen hundred and sixty-six Harry F. Byrd, Jr., was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the unexpired portion of the term of six years which began on the third day of January, nineteen hundred and sixty-five.*

In Testimony Whereof *the Governor of Virginia hath hereunto signed his name and affixed the Lesser Seal of the Commonwealth at Richmond this 30th day of November in the year of our Lord one thousand nine hundred and sixty-six and in the one hundred and ninety-first year of the Commonwealth.*

By the Governor:
MILLS E. GODWIN, Jr.,
Governor.
[SEAL] CARTER A. LOWANCE,
Acting Secretary of the Commonwealth.

THE STATE OF SOUTH CAROLINA.

By his Excellency the Governor and commander-in-chief in and over the State aforesaid:

To: ERNEST F. HOLLINGS, Charleston, South Carolina:

Whereas, in pursuance of the Constitution and the Statutes of the State, an election was held on the 8th day of November, A.D. 1966, for Member of the United States Senate and upon examination of the Returns which have been received, and by the determination and declaration of the Board of State Canvassers, it appears that you have been duly elected by the highest number of votes: I do, therefore, by virtue of the powers in me vested, commission you, the said Ernest F. Hollings, in the State aforesaid, to have hold, exercise and enjoy the said office of United States Senator for the unexpired term together with all the rights, privileges, profits and emoluments whatsoever thereunto belonging or in anywise appertaining.

This Commission to continue in force for the Term provided by Law.

Given under my hand and Seal of the State, in Columbia, this 23rd day of November in the year of our Lord one thousand and nine hundred and 66, and in the one hundred and 91st year of the Independence of the United States of America.

ROBERT E. MCNAIR,
Governor.
O. FRANK THORNTON,
Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM
THE STATE OF COLORADO,
Denver, November 14, 1966.
To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November, 1966, Gordon Allott was duly chosen by the qualified electors of the State of Colorado a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

Witness: His Excellency our Governor, John A. Love, and our seal hereto affixed at Denver, this Fourteenth day of November, in the year of our Lord 1966.

JOHN A. LOVE,
Governor.
BYRON A. ANDERSON,
Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the Eighth Day of November, nineteen hundred and sixty-six, Clinton P. Anderson was duly chosen by the qualified electors of the state of New Mexico, a Senator from said State to represent said state in the Senate of the United States for the term of six years, beginning on the Third Day of January, nineteen hundred and sixty-seven.

Witness: His Excellency, Governor Jack M. Campbell, and the State Seal hereto affixed at Santa Fe, this 23rd day of November, in the year of our Lord, nineteen hundred and sixty-six.

JACK M. CAMPBELL,
Governor of New Mexico.
DAVID W. CARMODY,
Chief Justice of the Supreme Court.
[SEAL] ALBERTA MILLER,
Secretary of State of New Mexico.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, 1966 Howard H. Baker, Jr., was duly chosen by the qualified electors of the State of Tennessee a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1967.

Witness: His Excellency our Governor Frank G. Clement, and our Seal hereto affixed at Nashville, Tennessee this thirtieth day of November, in the year of our Lord Nineteen Hundred and Sixty-six.

FRANK G. CLEMENT,
Governor.

Attest:

J. C. CARR,
Secretary of State.
GEORGE F. MCCANLESS,
Attorney General.

STATE OF ALASKA,
OFFICE OF THE GOVERNOR,
Juneau.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, 1966, E. L. Bartlett was duly chosen by the qualified electors of the State of Alaska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our Governor William A. Egan, and our seal hereto affixed at Juneau, Alaska, this twenty-fifth day of November, in the year of our Lord 1966.

By the Governor:

WILLIAM A. EGAN,
Governor.
[SEAL] HUGH J. WADE,
Secretary of State.

By Authority of The State of Delaware:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

Be it Known, *An election was held in the State of Delaware, on Tuesday, the 8th day of November, in the year of our Lord one thousand nine hundred and Sixty-six that being the Tuesday next after the first Monday in said month, in pursuance of the Constitution of the United States and the Laws of the State of Delaware, in that behalf, for the election of a Senator for the people of the said State, in the* Senate of the United States

Whereas, *The official certificates or returns of the said election, held in the several counties of the said State, in due manner made out, signed and executed, have been delivered to me according to the laws of the said State, by the Superior Court of the said counties; and having examined said returns, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for such Senator, I have found J. Caleb Boggs to be the person highest in vote, and therefore duly elected Senator of and for the said State in the Senate of the United States for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and Sixty-seven.*

I, Charles L. Terry, Jr., Governor, *do, therefore, according to the form of the Act of the General Assembly of the said State and of the Act of Congress of the United States, in such case made and provided, declare the said J. Caleb Boggs the person highest in vote at the election aforesaid, and therefore duly and legally elected Senator of and for the said State of Delaware in the Senate of the United States, for the Constitutional term to commence at noon on the third day of January in the year of our Lord one thousand nine hundred and Sixty-seven.*

Given under my hand and the Great Seal of the said State, in obedience to the said Act of the General Assembly and of the said Act of Congress, at Dover, the Eighteenth day of November in the year of our Lord one thousand nine hundred and Sixty-six and in the year of the Independence of the United States of America the one hundred and Ninety-first

CHARLES L. TERRY, JR.

By the Governor:
[SEAL] ELISHA C. DUKES,
Secretary of State.

THE COMMONWEALTH OF MASSACHUSETTS.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, nineteen hundred and sixty-six, Edward W. Brooke was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator from said Commonwealth to represent said Commonwealth in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-seven.

Witness: His Excellency our Governor, John A. Volpe, and our seal hereto affixed at Boston, this seventh day of December, in the year of our Lord nineteen hundred and sixty-six.

JOHN A. VOLPE, *Governor.*

By the Governor:
[SEAL] KEVIN H. WHITE,
Secretary of the Commonwealth.

STATE OF NEW JERSEY.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November, 1966, CLIFFORD P. CASE, was duly chosen by the qualified electors of the State of New Jersey a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

Witness: His Excellency our Governor Richard J. Hughes, and our Seal hereto affixed at Trenton, this 6th day of December, in the year of our Lord 1966.

By the Governor:

RICHARD J. HUGHES,
Governor.
[SEAL] ROBERT J. BURKHARDT,
Secretary of State.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November, 1966, Honorable John Sherman Cooper was duly chosen by the qualified electors of the State of Kentucky, a Senator from said State to represent said State in the Senate of the United States for a term of six years, beginning on the 3rd day of January, 1967.

Witness: His excellency our governor Edward T. Breathitt, and our seal hereto affixed at Frankfort this 1st day of December, in the year of our Lord 1966.

EDWARD T. BREATHITT,
Governor.

By the Governor:

THELMA L. STOVALL,
Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, 1966, Carl T. Curtis was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed this 28th day of November, 1966.

FRANK B. MORRISON.

By the Governor:
[SEAL] FRANK MARSH,
Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

MISSISSIPPI EXECUTIVE DEPARTMENT,
Jackson.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November, 1966, James O. Eastland was duly chosen by the qualified electors of the State of Mississippi a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our governor Paul B. Johnson, and our seal hereto affixed at Jackson this 17th day of November, in the year of our Lord 1966.

PAUL B. JOHNSON,
Governor.

By the Governor:
[SEAL] HEBER LADNER,
Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

STATE OF MICHIGAN,
EXECUTIVE OFFICE,
Lansing.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the Eighth day of November, 1966, Robert P. Griffin was duly chosen by the qualified electors of the State of Michigan a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our Governor George Romney, and our seal hereto affixed at Lansing, Michigan this Fifth day of December in the year of Our Lord 1966.

GEORGE ROMNEY,
Governor.

By the Governor:
[SEAL] JAMES M. HARE,
Secretary of State.

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, nineteen hundred and sixty-six, Allen J. Ellender was duly chosen by the qualified electors of the State of Louisiana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-seven.

Witness: His excellency, our Governor John J. McKeithen, and our Seal hereto affixed, at Baton Rouge, this 28th day of November, in the year of our Lord, nineteen hundred and sixty-six.

John J. McKeithen,
Governor.

By the Governor:
[seal] Wade O. Martin, Jr.,
Secretary of State.

Certificate of Election for Unexpired Term

State of Michigan,
Executive Office,
Lansing.

To the President of the Senate of the United States:

This is to certify that on the Eighth day of November, 1966, Robert P. Griffin was duly chosen by the qualified electors of the State of Michigan a Senator for the unexpired term ending at noon on the 3d day of January, 1967, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Patrick V. McNamara.

Witness: His excellency our Governor George Romney and our seal hereto affixed at Lansing, Michigan this Fifth day of December in the year of Our Lord 1966.

George Romney,
Governor.

By the Governor:
[seal] James M. Hare,
Secretary of State.

Certification of Election

To the President of the Senate of the United States:

This is to certify that on the eighth day of November, 1966, Clifford P. Hansen was duly chosen by the qualified electors of the State of Wyoming a Senator to represent Wyoming in the Senate of the United States for the term of six years, beginning on the third day of January, 1967.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of Wyoming to be affixed, at Cheyenne this ninth day of December, 1966.

Clifford P. Hansen,
Governor.

Attest:
[seal] Thyra Thomson,
Secretary of State.

Certificate of Election, U.S. Senator

State of Oklahoma,
Office of the Governor,
Oklahoma City.

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, Fred R. Harris was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the Third day of January, 1967.

Witness: His excellency our Governor Henry Bellmon, and our seal hereto affixed at Oklahoma City this 2nd day of December, in the year of our Lord 1966.

Henry Bellmon.

By the Governor:
James M. Bullard,
Secretary of State.
By Jack Wettengud,
Assistant Secretary of State.

Certificate of Election for 6-year Term

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, Mark Hatfield was duly chosen by the qualified electors of the State of Oregon a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

Witness: His excellency our governor Mark Hatfield, and our seal hereto affixed at Salem, Oregon, this 6th day of December, in the year of our Lord 1966.

Mark Hatfield,
Governor.

By the Governor:
[seal] Tom McCall,
Secretary of State.

Certificate of Election

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, B. Everett Jordan was duly chosen by the qualified electors of the State of North Carolina, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

Witness: His excellency our Governor, Dan K. Moore, and our seal hereto affixed at the City of Raleigh, State of North Carolina, this 2nd day of December, in the year of our Lord 1966.

Dan K. Moore,
Governor.

By the Governor:
[seal] Thad Eure,
Secretary of State.

State of North Carolina,
Department of State.

I, Thad Eure, Secretary of State of the State of North Carolina, do hereby certify that the State Board of Elections met on Tuesday, the 29th day of November, A.D., 1966, in accordance with Chapter 163 of the General Statutes of North Carolina, at which time the Board did open, canvass and judicially determine the returns of the votes cast in the election held on Tuesday, November 8, 1966, and certified to me that B. Everett Jordan was duly elected United States Senator from North Carolina for the term of six years, beginning January 3, 1967.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this the 30th day of November, 1966.

[seal] Thad Eure,
Secretary of State.

Executive Department,
State of Idaho,
Boise, Idaho.

Certificate of Election for 6-Year Term

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, Len B. Jordan was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

Witness, His Excellency our Governor, Robert E. Smylie, and our seal hereto affixed at Boise, Idaho, this 6th day of December, in the year of our Lord 1966.

Robert E. Smylie,
Governor.

By the Governor:
[seal] Louis E. Clapp,
Secretary of State.

State of Arkansas,
Office of the Governor,
Little Rock.

Certificate of Election for 6-Year Term

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, John L. McClellan was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His Excellency our governor Orval E. Faubus, and our seal hereto affixed at Little Rock this twenty-eighth day of November, in the year of our Lord 1966.

Orval E. Faubus,
Governor

By the Governor:
Kelly Bryant,
Secretary of State.

The State of New Hampshire,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the eighth day of November, nineteen hundred and sixty-six Thomas J. McIntyre was duly chosen by the qualified electors of the State of New Hampshire a Senator from such State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1967.

Witness: His Excellency, our Governor John W. King and our seal hereto affixed at Concord this thirtieth day of November in the year of our Lord nineteen hundred and sixty-six.

John W. King,
Governor.

By the Governor, with advice of the Council.
[seal] Robert L. Stark,
Secretary of State.

Department of the Secretary of State.
State of Montana,

To the President of the Senate of the United States:

This is to certify that on the eighth day of November, 1966, Lee Metcalf was duly chosen by the qualified electors of the State of Montana a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our governor Tim Babcock, and our seal hereto affixed at Helena this second day of December, in the year of our Lord 1966.

Tim Babcock,
Governor.

By the Governor:
[seal] Frank Murray,
Secretary of State.

Certificate of Election for 6-Year Term

State of Iowa,
Office of the Governor,
Des Moines.

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, Jack Miller was duly chosen by the qualified electors of the State of Iowa a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

In testimony whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 30th day of November in the year of our Lord one thousand nine hundred sixty-six.

Harold E. Hughes,
Governor.

Attest:
[seal] Gary L. Cameron,
Secretary of State.

State of Minnesota,
Executive Department.

To the President of the Senate of the United States:

This is to certify that on the eighth day of November, 1966, Walter F. Mondale was duly chosen by the qualified electors of the State of Minnesota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, 1967.

Witness: His excellency our Governor Karl F. Rolvaag, and our seal hereto affixed at Saint Paul this twenty-second day of November, in the year of our Lord 1966.

KARL F. ROLVAAG,
Governor.
JOSEPH L. DONOVAN,
Secretary of State.

CERTIFICATE OF ELECTION
STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November, 1966, Karl Mundt was duly chosen by the qualified electors of the State of South Dakota a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our governor Nils A. Boe, and our seal hereto affixed at Pierre this 8th day of December, in the year of our Lord 1966.

NILS A. BOE,
Governor.

By the Governor:
[SEAL] ALMA LARSON,
Secretary of State.

CERTIFICATE OF ELECTION
STATE OF KANSAS,
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, nineteen hundred sixty-six James B. Pearson was duly chosen by the qualified electors of the State of Kansas a Senator from said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred sixty-seven.

Witness: The Honorable Wm. H. Avery, our Governor, and our seal hereto affixed at Topeka, this twelfth day of December, in the year of our Lord nineteen hundred sixty-six.

WM. H. AVERY,
Governor.

By the Governor:
[SEAL] ELWILL M. SHANAHAN,
Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, 1966, Claiborne deB. Pell was duly chosen by the qualified electors of the State of Rhode Island and Providence Plantations a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our governor John H. Chafee, and our seal hereto affixed at the City of Providence in the State of Rhode Island and Providence Plantations this fifth day of December, in the year of our Lord 1966.

JOHN H. CHAFEE,
Governor.

By the Governor:
[SEAL] AUGUST P. LAFRANCE,
Secretary of State.

STATE OF ILLINOIS

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, nineteen hundred sixty six Charles H. Percy was duly chosen by the qualified electors of the State of Illinois, a Senator from said State, to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred sixty seven.

Witness: His excellency our governor Otto Kerner, and our seal hereto affixed at Springfield this fifth day of December, in the year of our Lord nineteen hundred sixty six.

OTTO KERNER,
Governor.

By the Governor:
[SEAL] PAUL POWELL,
Secretary of State.

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT.

To All Whom These Presents Shall Come, Greeting:

Know Ye That I, Otto Kerner, Governor of the State of Illinois do hereby certify that the Official Abstracts of the votes cast in the State of Illinois for Member of the United States Senate on Tuesday the 8th day of November 1966 were duly canvassed by the State Electorial Board as is provided by law, and from the canvass of said abstracts it appears,

And I do hereby Certify, That Charles H. Percy of the County of Cook was duly elected a member of the Senate of the United States from the State of Illinois, and is entitled to a seat in said 90th, 91st & 92nd Congress.

In Testimony Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of State, at the Capitol in the City of Springfield, this 5th day of December, in the year of our Lord, one thousand nine hundred and sixty six, and of the State of Illinois the one hundred and forty ninth.

OTTO KERNER,
Governor.

By the Governor:
PAUL POWELL,
Secretary of State.

THE STATE OF WEST VIRGINIA

To All to Whom These Presents Shall Come:

This is to certify that on the eighth day of November, nineteen hundred sixty six, Jennings Randolph of the county of Randolph, was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning at noon on the third day of January next.

Given under my hand and the Great Seal of the said State of West Virginia, this twenty ninth day of December, 1966.

HULETT C. SMITH,
Governor.

By the Governor:
[SEAL] ROBERT D. BAILEY,
Secretary of State.

CERTIFICATE OF ELECTION

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November, nineteen hundred and sixty-six, Honorable Richard B. Russell was duly chosen by the qualified electors of the State of Georgia as a Senator from said State to represent said State in the Senate of the United States for a term of six years, beginning on the third day of January, nineteen hundred and sixty-seven.

Witness: His Excellency our Governor Carl E. Sanders, and our seal hereto, affixed at Atlanta, Georgia, this 23rd day of November, in the year of our Lord nineteen hundred and sixty-six.

CARL E. SANDERS,
Governor.

By the Governor:
BEN W. FORTSON, Jr.,
Secretary of State.

A CERTIFICATION

This is to certify that we, the undersigned, the Governor, the Secretary of State and the Attorney General of the State of Georgia, have canvassed the vote cast for the candidate for the United States Senator in the General Election held November 8, 1966, and have found that Honorable Richard B. Russell received 631,002 votes.

Given under our hands and seals at the Capitol, in the City of Atlanta, this 23rd day of November, in the year of our Lord One Thousand Nine Hundred and Sixty-six.

CARL E. SANDERS,
Governor.
BEN W. FORTSON, Jr.
Secretary of State.
ARTHUR K. BOLTON,
Attorney General.

STATE OF MAINE,
Office of the Secretary of State.

CERTIFICATE OF ELECTION FOR 6-YEAR TERM

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the eighth day of November, 1966, Margaret Chase Smith was duly chosen by the qualified electors of the State of Maine, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 1967.

Witness: His excellency our governor John H. Reed, and our seal hereto affixed at Augusta this twenty-eighth day of November, in the year of our Lord 1966.

JOHN H. REED,
Governor.

By the Governor:
KENNETH M. CURTIS,
Secretary of State.

STATE OF ALABAMA,
GOVERNOR'S OFFICE,
Montgomery.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 8th day of November Nineteen Hundred and Sixty-six, John Sparkman was duly chosen by the qualified electors of the State of Alabama a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, Nineteen Hundred and Sixty-seven.

Witness: His excellency our Governor, George C. Wallace, and our Seal hereto affixed at Montgomery, this 17th day of November, in the year of our Lord nineteen hundred and sixty-six.

GEORGE C. WALLACE,
Governor.

Attest:
MRS. AGNES BAGGETT,
Secretary of State.

COMMONWEALTH OF VIRGINIA.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to Certify, That on the 8th day of November, nineteen hundred and sixty-six William B. Spong, Jr., was duly chosen by the qualified electors of the State of Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-seven.

In Testimony Whereof the Governor of Virginia hath hereunto signed his name and affixed the Lesser Seal of the Commonwealth at Richmond this 30th day of November in the year of our Lord one thousand nine hundred and sixty-six and in the one hundred and ninety-first year of the Commonwealth.

MILLS E. GODWIN, JR.,
Governor.

By the Governor:
CARTER O. LOWANCE,
Acting Secretary of the Commonwealth.

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, nineteen hundred sixty-six, John G. Tower was duly chosen by the qualified electors of the State of Texas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the third day of January, nineteen hundred and sixty-seven.

Witness: His excellency our Governor of Texas, and our seal hereto affixed at Austin, Texas, this the 25th day of November, in the year of our Lord nineteen hundred and sixty-six.

John Connally,
Governor of Texas.

By the Governor:

John L. Hill,
Secretary of State.

State of South Carolina,
Department of State,
Columbia, December 30, 1966.

To the President of the Senate of the United States:

This is to certify that on the 8th day of November, 1966, the Honorable Strom Thurmond was duly chosen by the qualified electors of the State of South Carolina, a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3rd day of January, 1967.

Witness: His Excellency our Governor, the Honorable Robert E. McNair, and our seal hereto affixed at Columbia, South Carolina, this 30th day of December, in the year of our Lord 1966.

Robert E. McNair,
Governor.

By the Governor:

O. Frank Thorton,
Secretary of State.

ADMINISTRATION OF OATHS

The VICE PRESIDENT. The Senators to be sworn in will present themselves at the desk in groups of four, as their names are called by the clerk in alphabetical order.

The clerk will call the names.

The legislative clerk (Edward E. Mansur) called the names of Mr. Allott, Mr. Anderson, Mr. Baker, and Mr. Bartlett.

These Senators, escorted by Mr. Dominick; Mr. Montoya; Mr. Gore; Mr. Dirksen; and Mr. Gruening, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Boggs, Mr. Brooke, Mr. Byrd of Virginia, and Mr. Case.

These Senators, escorted by Mr. Williams of Delaware, Mr. Kennedy of Massachusetts, Mr. Russell, and Mr. Williams of New Jersey, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Cooper, Mr. Curtis, Mr. Eastland, and Mr. Ellender.

These Senators, escorted by Mr. Morton, Mr. Hruska, Mr. Stennis, and Mr. Long of Louisiana, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Griffin, Mr. Hansen, Mr. Harris, and Mr. Hatfield.

These Senators, escorted by Mr. Hart, Mr. McGee, Mr. Monroney, and Mr. Morse, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Hollings, Mr. Jordan of North Carolina, Mr. Jordan of Idaho, and Mr. McClellan.

These Senators, escorted by Mr. Thurmond, Mr. Ervin, Mr. Church, and Mr. Fulbright, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. McIntyre, Mr. Metcalf, Mr. Miller, and Mr. Mundt.

These Senators, escorted by Mr. Cotton, Mr. Mansfield, Mr. Hickenlooper, and Mr. McGovern, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in in the official oath book.

The legislative clerk called the names of Mr. Pearson, Mr. Pell, Mr. Percy, and Mr. Randolph.

These Senators, escorted by Mr. Carlson, Mr. Pastore, Mr. Dirksen, and Mr. Byrd of West Virginia, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Russell, Mrs. Smith, Mr. Sparkman, and Mr. Spong.

These Senators, escorted by Mr. Talmadge, Mr. Muskie, Mr. Hill, and Mr. Byrd of Virginia, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

The legislative clerk called the names of Mr. Thurmond and Mr. Tower.

These Senators, escorted by Mr. Hollings and Mr. Yarborough, respectively, advanced to the desk of the Vice President; the oath prescribed by law was administered to them by the Vice President; and they severally subscribed to the oath in the official oath book.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 1 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from North Dakota [Mr. Burdick] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—Lister Hill and John J. Sparkman.

Alaska.—E. L. Bartlett and Ernest Gruening.

Arizona.—Carl Hayden and Paul J. Fannin.

Arkansas.—John L. McClellan and J. W. Fulbright.

California.—Thomas H. Kuchel and George Murphy.

Colorado.—Gordon Allott and Peter H. Dominick.

Connecticut.—Thomas J. Dodd and Abraham A. Ribicoff.

Delaware.—John J. Williams and J. Caleb Boggs.

Florida.—Spessard L. Holland and George A. Smathers.

Georgia.—Richard B. Russell and Herman E. Talmadge.

Hawaii.—Hiram L. Fong and Daniel K. Inouye.

Idaho.—Frank Church and Len B. Jordan.

Illinois.—Everett M. Dirksen and Charles H. Percy.

Indiana.—Vance Hartke and Birch E. Bayh.

Iowa.—Bourke B. Hickenlooper and Jack Miller.

Kansas.—Frank Carlson and James B. Pearson.

Kentucky.—John Sherman Cooper and Thruston B. Morton.

Louisiana.—Allen J. Ellender and Russell B. Long.

Maine.—Margaret Chase Smith and Edmund S. Muskie.

Maryland.—Daniel B. Brewster and Joseph D. Tydings.

Massachusetts.—Edward M. Kennedy and Edward W. Brooke.

Michigan.—Philip A. Hart and Robert P. Griffin.

Minnesota.—Eugene J. McCarthy and Walter F. Mondale.

Mississippi.—James O. Eastland and John Stennis.

Missouri.—Stuart Symington and Edward V. Long.

Montana.—Mike Mansfield and Lee Metcalf.

Nebraska.—Roman L. Hruska and Carl T. Curtis.

Nevada.—Alan Bible and Howard W. Cannon.

New Hampshire.—Norris Cotton and Thomas J. McIntyre.

New Jersey.—Clifford P. Case and Harrison A. Williams, Jr.

New Mexico.—Clinton P. Anderson and Joseph M. Montoya.

New York.—Jacob K. Javits and Robert F. Kennedy.

North Carolina.—Sam J. Ervin, Jr., and B. Everett Jordan.

North Dakota.—Milton R. Young and Quentin N. Burdick.

Ohio.—Frank J. Lausche and Stephen M. Young.

Oklahoma.—A. S. Mike Monroney and Fred R. Harris.

Oregon.—Wayne Morse and Mark O. Hatfield.

Pennsylvania.—Joseph S. Clark and Hugh Scott.

Rhode Island.—John O. Pastore and Claiborne Pell.

South Carolina.—Strom Thurmond and Ernest F. Hollings.

South Dakota.—Karl E. Mundt and George S. McGovern.

Tennessee.—Albert Gore and Howard H. Baker, Jr.

Texas.—Ralph W. Yarborough and John G. Tower.

Utah.—Wallace F. Bennett and Frank E. Moss.

Vermont.—George D. Aiken and Winston L. Prouty.

Virginia.—Harry F. Byrd, Jr., and William B. Spong, Jr.

Washington.—Warren G. Magnuson and Henry M. Jackson.

West Virginia.—Jennings Randolph and Robert C. Byrd.

Wisconsin.—William Proxmire and Gaylord Nelson.

Wyoming.—Gale W. McGee and Clifford P. Hansen.

WAIVER OF COMPENSATION BY SENATOR HATFIELD, OF OREGON

The VICE PRESIDENT laid before the Senate the following communications from the Secretary of the Senate and the Governor of the State of Oregon, which were ordered to be placed on file:

United States Senate,
Office of the Secretary,
January 5, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. Vice President: This is to advise you that the Honorable Mark O. Hatfield, elected United States Senator for the six-year term beginning on January 3, 1967, has filed a waiver of his compensation for the period January 3 through January 9, 1967, inclusive, during which time he will continue to serve as Governor of the State of Oregon.

A copy of Senator Hatfield's letter is enclosed herewith.

Sincerely,

Francis R. Valeo,
Secretary of the Senate.

Office of the Governor,
State Capitol, Salem 97310,
January 3, 1967.

Mr. Robert A. Brenkworth,
Financial Clerk, U.S. Senate,
Washington, D.C.

Dear Mr. Brenkworth: My responsibilities as Governor of the State of Oregon require that I remain here until the beginning of the Legislative Session. I will be on hand in Washington, D.C., the morning of January 10. I, therefore, wish to waive my salary as a Senator for the period January 3 through January 9.

Sincerely,

Mark O. Hatfield,
Governor.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States, transmitting a nomination, was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session, the Vice President laid before the Senate a message from the President of the United States, submitting the nomination of Alan S. Boyd, of Florida, to be Secretary of Transportation, which was referred to the Committee on Commerce.

ADMINISTRATION OF OATH OF OFFICE TO SENATOR MONDALE, OF MINNESOTA

Mr. McCARTHY submitted the following resolution (S. Res. 1) which was read, considered by unanimous consent, and agreed to:

Whereas Walter F. Mondale, a Senator-elect from the State of Minnesota, is temporarily unable, by reason of illness at the Bethesda Naval Hospital, to appear in person to take the oath required by law as a Member of the Senate; and

Whereas there is no contest or question as to his election: Now, therefore, be it

Resolved, That the Vice President be, and he is hereby, authorized to administer the oath of office to the said Walter F. Mondale, and that the said oath, when administered as herein authorized, shall be accepted and received by the Senate as the oath of office of the said Walter F. Mondale.

NOTIFICATION TO THE PRESIDENT

Mr. MANSFIELD submitted the following resolution (S. Res. 2), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT. The Chair appoints the majority leader, the Senator from Montana [Mr. Mansfield], and the minority leader, the Senator from Illinois [Mr. Dirksen], as the members of the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE

Mr. DIRKSEN submitted the following resolution (S. Res. 3), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY BUSINESS

Mr. LONG of Louisiana submitted the following resolution (S. Res. 4), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

ACTING PRESIDENT PRO TEMPORE

Mr. MANSFIELD submitted the following resolution (S. Res. 5), which was read, considered by unanimous consent, and agreed to.

Resolved, That, notwithstanding the provisions of paragraphs 3 of rule I of the Standing Rules of the Senate, the Senator from Montana [Mr. Metcalf] be, and he is hereby, authorized to perform the duties of the Chair as Acting President pro tempore until otherwise ordered by the Senate.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in accordance with the established practice of the Senate, no bills or resolutions will be introduced and no routine business will be transacted prior to the President's delivery tonight of a message to a joint session of the Congress.

I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I withdraw the request.

In accordance with a request by the distinguished senior Senator from Rhode Island [Mr. Pastore] and his colleague [Mr. Pell], I ask unanimous consent that they may be allowed to make brief remarks on a tragedy which occurred this morning.

Mr. RUSSELL. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. Yes.

Mr. RUSSELL. Will the distinguished majority leader be a little more definite as to when he expects to reassemble the Senate? It would be rather tiring to stand around until 9:30 tonight, if that is the purpose of the motion.

Mr. MANSFIELD. No; I would say that the purpose of the recess at this time is that the House concurrent resolution relating to the joint session has not been received from the other body.

Mr. RUSSELL. So it is expected that we will be back in session in the immediate future?

Mr. MANSFIELD. I would think so.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I know my able friend knows that some of us are interested in the proposal to change the rules, a subject which will be discussed after we reassemble.

Mr. MANSFIELD. May I say that that can be done today or tomorrow. No Senator will lose any privilege; it makes no difference whether it takes place today or later.

Mr. CLARK. Mr. President, reserving the right to object, I wish to propound a parliamentary inquiry.

Mr. MANSFIELD. If the Senator objects, I shall have to make a motion.

Mr. CLARK. I should like to ask the Vice President and Parliamentarian whether the ruling would be in accord with what the majority leader has just said, namely, that an opportunity to make any such motion to change rule XXII would not be vitiated or nullified in any way and that no rights would be lost.

The VICE PRESIDENT. The Chair will say that no rights of any Senator would be in any way infringed by the request of the majority leader. The right of each Senator to make such motion as he might desire to make, whenever that time comes, would be preserved. In other words, the situation to which the Senator from Pennsylvania refers, the right of a Senator to make such a motion with regard to the rules, would be preserved.

Mr. CLARK. I thank the Senator. I have no objection.

DEATH OF REPRESENTATIVE JOHN E. FOGARTY, OF RHODE ISLAND

Mr. PASTORE. Mr. President, I have the sorrowful duty to announce to the Senate the death of Representative John E. Fogarty.

My deep personal grief in the untimely passing of my beloved colleague, John E. Fogarty, is submerged in the shock of every man, woman, and child of Rhode Island, the State he served so long and so well.

John Fogarty's death robs America of one of the greatest humanitarians in the legislative history of the Congress. His life was dedicated to making life more liveable, health more universal, and death and disease less menacing for others.

The modesty of the man is seen in the simple biography he permitted in our Congressional Directory and in our Rhode Island State Manual. It reads:

> John E. Fogarty, Democrat, Harmony, Rhode Island, elected in 1940 and reelected to succeeding Congresses.

These few lines contrast with the honors beyond count that John Fogarty received from universities and national and international health bodies. Medical centers of his native Rhode Island are honored to bear his name, but John Fogarty's memorial will be in the blessing his efforts have meant and will continue to mean for the ill and underprivileged everywhere.

A powerful voice is stilled, but America's appreciation of the brave heart and gifted mind of this soldier-statesman must be shown in our will to carry on at the tasks to which John Fogarty gave his life.

I extend to his wife and his lovely daughter my profound sympathy.

I yield to my colleague.

Mr. PELL. Mr. President, I grieve the death at his desk this morning of my friend and colleague John Fogarty.

His death is an immense loss not only to the people of our State, but to our whole Nation.

He was beloved by all who knew him for his blunt honesty and his hard work for every one of our citizens.

His name was honored and esteemed through the length and breadth of our land—in fact, of the world—for the leadership he showed in seeking cures to the basic health ills of all our people, and because of his many years of service and experience, he brought to his district a remarkably large number of Federal activities.

In a more personal vein, I attest to John Fogarty's modesty and friendship. I will always remember how his love for the House of Representatives and his work there was such that he turned down the opportunity to serve in the Senate seat I now occupy.

To his lovely wife, Louise to his daughter, Mary, and to his sister and all his wonderful brothers, my wife and I extend our sincerest condolences and say that we share their grief.

Mr. MUSKIE. Mr. President, I share my colleagues' sense of shock and grief at the sudden, untimely death of Congressman John Fogarty, of Rhode Island.

I knew him as a friend and fellow New Englander who worked hard not only for his own State but for the economic development of all of New England.

John Fogarty was a national leader in developing new programs in the fields of education and health. As chairman of the House Appropriations Subcommittee on Health, Education, and Welfare he had a major hand in formulating some of the most important legislation of our time. And his long and devoted support helped make the National Institutes of Health one of the most outstanding centers for medical research in the world. The importance today of NIH is in large part a monument to Congressman Fogarty's work.

My heartfelt sympathy is with his family at this time of grief.

Mr. MONTOYA. Mr. President, it was with a feeling of profound shock and sorrow that I noted the death of Representative John E. Fogarty, of Rhode Island, a man I had the opportunity of knowing well and serving with in the other body.

As chairman of the House Appropriations Subcommittee on Health, Education, and Welfare he awoke the Nation to the need for new programs and meaningful research into the afflictions of mankind. The National Institutes of Health shall ever be a monument to his love of people, his desire to ease human suffering and his ability to help create institutions and programs that give rather than take from man.

Millions of children yet unborn will have cause to give thanks for the efforts of this man. The work he set afoot shall be felt long after bombs have ceased to fall and marching armies have cased their banners.

In a world where suffering abounds and tyranny reaches out with many hands toward the helpless, he caused other hands to reach out in compassion.

Some devote their lives to taking from the world and its people. Most live their existences out paying lipservice to the needs of their fellows. John Fogarty was that exceptional human being who lived with hope, raised up the helpless, and extended the hand of brotherhood.

He shall be greatly missed. His absence will speak louder than any speech. We shall not soon see his like again. My profound sympathy is extended at this time to his wife and child.

Mr. McGEE. Mr. President, I wish to join other Senators particularly the Senators from Rhode Island [Mr. Pastore and Mr. Pell], in paying tribute to Representative John Edward Fogarty, whose untimely death came as the 90th Congress opened its session.

For a quarter of a century, this modest man from Harmony served his State and our Nation well. Without fanfare and without seeking after wide acclaim, John Fogarty did his job well, just as he had done his job well as a mason and as a labor union president before coming to Washington to represent the people of Rhode Island's Second Congressional District in 1941.

To those of us who were fortunate to know him, the loss of John Fogarty is a very real loss, indeed. But it is a loss for all—for all the people of his district, for Rhode Island, for the people of the Nation. Mr. President, I know that the Members of this body join as one in the hopeful prayer that he rest in peace.

Mr. PASTORE. Mr. President, many eloquent and fine eulogies and tributes have been made to my former and beloved friend and colleague, Representative John E. Fogarty. One such tribute appeared in the New York Times of Sunday, January 15, 1967, entitled "Mr. Public Health," written by Dr. Howard A. Rusk. This is an excellent and eloquent tribute to Mr. Fogarty, and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

MR. PUBLIC HEALTH: DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killer of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman cf the Subcommittee on Appropriations for Labor and Health, Education and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, at 12 o'clock and 40 minutes p.m. the Senate took a recess subject to the call of the Chair.

On the expiration of the recess, the Senate reassembled at 5:10 p.m., and was called to order by the Presiding Officer [Mr. INOUYE in the chair].

ORDER FOR RECESS UNTIL 8:45 P.M. TONIGHT AND ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent, due to the fact that there does seem to be a delay of sorts in the transmission of messages between the House and the Senate, that the Senate stand in recess until 8:45 o'clock this evening.

However, before I put the question, I ask unanimous consent also, and I believe this would meet with the approval of all Senators, that at the conclusion of the President's speech tonight the Senate stand in adjournment until 12 o'clock noon tomorrow.

Before the ruling is given, I want to ask once again if by so doing the rights of every Senator will be protected, especially insofar as any resolution or proposal pertaining to rule XXII is concerned.

The PRESIDING OFFICER. The majority leader is correct in his observation.

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess until 8:45 p.m. tonight.

The PRESIDING OFFICER. Without objection, the motion is agreed to; and, without objection, the previous request, that the Senate stand in adjournment until 12 o'clock meridian tomorrow, is granted.

Thereupon, at 5 o'clock and 13 minutes p.m., the Senate recessed until 8:45 p.m.

At 8:45 p.m., under the previous order, the Senate was called to order by the Presiding Officer (Mr. RIBICOFF in the chair).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to a concurrent resolution (H. Con. Res. 1) providing for a joint session of Congress to receive a communication from the President of the United States, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a resolution (H. Res. 4) informing the Senate that a quorum of the House of Representatives has assembled, that JOHN W. MCCORMACK, a Representative from the Commonwealth of Massachusetts, has been elected Speaker, and that W. Pat Jennings, a citizen of the Commonwealth of Virginian, has been elected Clerk of the House of Representatives of the 90th Congress.

The message further announced that that the House had agreed to a resolution (H. Res. 5) informing the Senate that a committee of three Members had been appointed by the Speaker, on the part of the House of Representatives, to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The message also announced that the House had agreed to a resolution (H. Res. 6) informing the President of the United States that the House of Representatives has elected JOHN W. MCCORMACK, a Representative from the Commonwealth of Massachusetts, Speaker, and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the 90th Congress.

REPORT OF THE JOINT COMMITTEE TO NOTIFY THE PRESIDENT

Mr. MANSFIELD. Mr. President, the joint committee appointed by the Senate and the House of Representatives to notify the President that quorums of the two Houses have assembled and are ready to receive any communications he may desire to make have performed that duty and now report that at 9:30 o'clock tonight the President will deliver to Congress his message on the state of the Union.

JOINT SESSION TO RECEIVE MESSAGE FROM THE PRESIDENT

The PRESIDING OFFICER. The Senate has received a message from the House, which the Chair lays before the Senate, and which will be read.

The concurrent resolution (H. Con. Res. 1) was read, considered, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on January 10, 1967, at 9:30 o'clock p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I wish to announce to the Senate that the Senate, in a body, will proceed to the Hall of the House of Representatives at approximately 9:15 p.m. I understand that as soon as the President's state of the Union message is concluded, the Senate, even though it will be physically in the other body, will immediately adjourn until 12 o'clock noon tomorrow. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **VICE PRESIDENT.** Without objection, it is so ordered.

RECESS—JOINT SESSION OF THE TWO HOUSES—MESSAGE OF THE PRESIDENT OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess; and if that request is granted I understand that at the conclusion of the President's speech the Senate will stand in adjournment until 12 o'clock noon tomorrow.

The **VICE PRESIDENT.** The Senator is correct. Without objection the request of the Senator from Montana is granted.

Thereupon (at 9 o'clock and 12 minutes p.m) the Senate, preceded by the Secretary of the Senate (Francis R. Valeo); the Sergeant at Arms (Robert G. Dunphy), and the President pro tempore, the Senator from Arizona [Mr. HAYDEN] proceeded to the Hall of the House of Representatives to hear the address by the President of the United States on the state of the Union.

(The address by the President of the United States, this day delivered by him to the joint session of the two Houses of Congress, appears in the proceedings of the House of Representatives in today's RECORD.)

ADJOURNMENT TO WEDNESDAY

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 10 o'clock and 48 minutes p.m., the Senate adjourned until Wednesday, January 11, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 10, 1967:

SECRETARY OF TRANSPORTATION

Alan S. Boyd, of Florida, to be Secretary of Transportation.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 10, 1967

This being the day fixed by the 20th amendment of the Constitution and to Public Law 89-704 of the 89th Congress, for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 90th Congress met in their Hall, and at 12 o'clock noon were called to order by the Clerk of the House of Representatives, Hon. Ralph R. Roberts.

The Chaplain, Rev. Edward G. Latch, D.D., prefaced his prayer with these words of Scripture:

My presence shall go with Thee.—Exodus 33: 14.

Almighty God, our Heavenly Father, who art from everlasting to everlasting, whose truth endureth forever and whose love never faileth, we pause before Thee this moment as we turn another page in the history of our beloved country and in the story of our lives together as the leaders of this great Republic. Awaken within us the realization that Thou hast a purpose for each one of us, that Thou art not only the sustainer of the rolling spheres but also the supporter of our own human spirits. As we launch upon the new year, may Thy presence strengthen us, Thy spirit guide us and Thy wisdom make us wise.

Bless our President, our Speaker, and the newly elected Representatives of this Congress, together may they strive for peace in our world and for the well-being of mankind everywhere.

Before Thee we remember one who suddenly has left our midst and we are sad indeed. May the blessing of Thy comfort rest upon his family. Strengthen them with Thy spirit and give them courage and faith for the days that lie ahead.

Hear us as we unite in offering unto Thee the Lord's Prayer: Our Father who are in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil: For Thine is the kingdom, and the power, and the glory, for ever. Amen.

The **CLERK.** Representatives-elect to the 90th Congress, pursuant to the 20th amendment of the Constitution and to Public Law 89-704 of the 89th Congress, this is the day fixed for the meeting of the 90th Congress.

As the law directs, the Clerk of the House has prepared the official roll of the Representatives-elect.

Credentials covering the 435 seats in the 90th Congress have been received and are now on file with the Clerk of the 89th Congress.

The names of those persons whose credentials show they were regularly elected in accordance with the laws of the several States and of the United States will be called; and as the roll is called, following the alphabetical order of the States, beginning with the State of Alabama, Representatives-elect will answer to their names to determine whether or not a quorum is present.

The reading clerk will call the roll.

The Clerk called the roll by States and the following Representatives-elect answered to their names:

[Roll No. 1]

ALABAMA

Edwards, Jack
Dickinson
Andrews, George W.
Nichols
Selden
Buchanan
Bevill
Jones, Robert E.

ALASKA

Pollock (at large)

ARIZONA

Rhodes, John J.
Udall
Steiger, Sam

ARKANSAS

Gathings
Mills
Hammerschmidt
Pryor

CALIFORNIA

Clausen, Don H.
Johnson, Harold T.
Moss
Leggett
Burton, Phillip
Mailliard
Cohelan
Miller, George P.
Edwards, Don
Gubser
Younger
Talcott
Teague, Charles M.
Waldie
McFall
Sisk
King, Cecil R.
Mathias, Robert B.
Holifield
Smith, H. Allen
Hawkins
Corman
Clawson, Del
Lipscomb
Wiggins
Rees
Reinecke
Bell
Brown, George E.
Roybal
Wilson, Charles H.
Hosmer
Pettis
Hanna
Utt
Wilson, Bob
Van Deerlin
Tunney

COLORADO

Rogers, Byron G.
Brotzman
Evans, Frank E.
Aspinall

CONNECTICUT

Daddario
St. Onge
Giaimo
Irwin
Monagan
Meskill

DELAWARE

Roth (at large)

FLORIDA

Sikes
Fuqua
Bennett
Herlong
Gurney
Gibbons
Haley
Cramer
Rogers, Paul G.
Burke, J. Herbert
Pepper
Fascell

GEORGIA

Hagan
O'Neal, Maston
Brinkley
Blackburn
Thompson, Fletcher
Flynt
Davis, John W.
Stuckey
Landrum
Stephens

HAWAII

(at large)

Matsunaga
Mink

IDAHO

McClure
Hansen, George V.

ILLINOIS

Dawson
O'Hara, Barratt
Murphy, William T.
Derwinski
Kluczynski
Ronan
Annunzio
Rostenkowski
Yates
Collier
Pucinski
McClory
Rumsfeld
Erlenborn
Reid, Charlotte T.
Anderson, John B.
Arends
Michel
Railsback
Findley
Gray
Springer
Shipley
Price, Melvin

INDIANA

Madden
Halleck
Brademas
Adair
Roush
Bray
Myers
Zion
Hamilton
Roudebush
Jacobs

IOWA

Schwengel
Culver
Gross
Kyl
Smith, Neal
Mayne
Scherle

KANSAS

Dole
Mize
Winn
Shriver
Skubitz

KENTUCKY

Stubblefield
Natcher
Cowger
Snyder
Carter
Watts
Perkins

LOUISIANA

Hébert
Boggs
Willis
Waggonner
Passman
Rarick
Edwards, Edwin W.
Long, Speedy O.

MAINE

Kyros
Hathaway

MARYLAND

Morton
Long, Clarence D.
Garmatz
Fallon
Machen
Mathias, C. McC.
Friedel
Gude

MASSACHUSETTS

Conte
Boland
Philbin
Donohue
Morse, F. Bradford
Bates
Macdonald, Torbert H.
O'Neill, Thomas P.
McCormack
Heckler, Margaret M.
Burke, James A.
Keith

MICHIGAN

Conyers
Esch
Brown, Garry
Hutchinson
Ford, Gerald R.
Chamberlain
Riegle
Harvey
Vander Jagt
Cederberg
Ruppe
O'Hara, James G.
Diggs
Nedzi
Ford, William D.
Dingell
Griffiths
Broomfield
McDonald, Jack H.

MINNESOTA

Quie
Nelsen
MacGregor
Karth
Fraser
Zwach
Langen
Blatnik

MISSISSIPPI

Abernethy
Whitten
Williams, John Bell
Montgomery
Colmer

MISSOURI

Karsten
Curtis
Sullivan
Randall
Bolling
Hull
Hall
Ichord
Hungate
Jones, Paul C.

MONTANA

Olsen
Battin

NEBRASKA

Denney
Cunningham
Martin

NEVADA

Baring (at large)

NEW HAMPSHIRE

Wyman
Cleveland

NEW JERSEY

Hunt
Sandman
Howard
Thompson, Frank
Frelinghuysen
Cahill
Widnall
Joelson
Helstoski
Rodino
Minish
Dwyer
Gallagher
Daniels
Patten

NEW MEXICO

(at large)

Morris, Thomas G.
Walker

NEW YORK

Pike
Grover
Wolff
Wydler
Tenzer
Halpern
Addabbo
Rosenthal
Delaney
Celler
Brasco
Kelly
Multer
Rooney, John J.
Carey
Murphy, John M.
Kupferman
Powell
Farbstein
Ryan
Scheuer
Gilbert
Bingham
Fino
Ottinger
Reid, Ogden R.
Dow
Resnick
Button
King, Carleton J.
McEwen
Pirnie
Robison
Hanley
Stratton
Horton
Conable
Goodell
McCarthy
Smith, Henry P.
Dulski

NORTH CAROLINA

Jones, Walter B.
Fountain
Henderson
Gardner
Galifianakis
Kornegay
Lennon
Jonas
Broyhill, James T.
Whitener
Taylor

NORTH DAKOTA

Andrews, Mark
Kleppe

OHIO

Taft
Clancy
Whalen
McCulloch
Latta
Harsha
Brown, Clarence
Betts
Ashley
Miller, Clarence E.
Stanton
Devine
Mosher
Ayres
Wylie
Bow
Ashbrook
Hays
Kirwan
Feighan
Vanik
Bolton
Minshall
Lukens

OKLAHOMA

Belcher
Edmondson
Albert
Steed
Jarman
Smith, James V.

OREGON

Wyatt
Ullman
Green, Edith
Dellenback

PENNSYLVANIA

Barrett
Nix
Byrne, James A.
Eilberg
Green, William J.
Rhodes, George M.
Williams, L. G.
Biester
Watkins
McDade
Flood
Whalley
Schweiker
Moorhead
Rooney, Fred B.
Eshleman
Schneebeli
Corbett
Goodling
Holland
Dent
Saylor
Johnson, Albert W.
Vigorito
Clark
Morgan
Fulton, James G.

RHODE ISLAND

St Germain

SOUTH CAROLINA

Rivers
Watson
Dorn
Ashmore
Gettys
McMillan

SOUTH DAKOTA

Reifel
Berry

TENNESSEE

Quillen
Duncan
Brock
Evins, Joe L.
Fulton, Richard
Anderson, William R.
Blanton
Everett
Kuykendall

TEXAS

Patman
Dowdy
Pool
Roberts
Cabell
Teague, Olin E.
Bush
Eckhardt
Brooks
Pickle
Poage
Wright
Purcell
Young
de la Garza
White
Burleson
Price, Robert
Mahon
Gonzalez
Fisher
Casey
Kazen

UTAH

Burton, Laurence J.
Lloyd

VERMONT

Stafford (at large)

VIRGINIA

Downing
Hardy
Satterfield
Abbitt
Tuck
Poff
Marsh
Scott
Wampler
Broyhill, Joel T.

WASHINGTON

Pelly
Meeds
Hansen, Julia B.
May
Foley
Hicks
Adams

WEST VIRGINIA

Moore
Staggers
Slack
Hechler, Ken
Kee

WISCONSIN

Schadeberg
Kastenmeier
Thomson, Vernon W.
Zablocki
Reuss
Steiger, William A.
Laird
Byrnes, John W.
Davis, Glenn R.
O'Konski

WYOMING

Harrison (at large)

The CLERK. The rollcall discloses that 434 Representatives-elect have answered to their names.

A quorum is present.

STATEMENT REGARDING CERTAIN CREDENTIALS

The CLERK. The Clerk will state that credentials are on file showing the election of the Honorable SANTIAGO POLANCO-ABREU as Resident Commissioner from the Commonwealth of Puerto Rico.

VACANCY IN THE SECOND DISTRICT OF RHODE ISLAND

The CLERK. The Clerk also wishes to announce there is a vacancy in the Second District of Rhode Island occasioned by the recent death of the Honorable JOHN E. FOGARTY.

ELECTION OF SPEAKER

The CLERK. The next order of business is the election of a Speaker of the House of Representatives for the 90th Congress.

Nominations are now in order.

Mr. ROSTENKOWSKI. Mr. Clerk, as chairman of the Democratic caucus, I am directed by the unanimous vote of that caucus to present for election to the Office of the Speaker of the House of Representatives of the 90th Congress the name of the Honorable JOHN W. McCORMACK, a Representative-elect from the Commonwealth of Massachusetts.

Mr. LAIRD. Mr. Clerk, as chairman of the House Republican conference and by authority, by direction, and by unanimous vote of the Republican conference, I nominate for Speaker of the House of Representatives the Honorable GERALD R. FORD, a Representative-elect from the State of Michigan.

The CLERK. The Honorable JOHN W. McCORMACK, a Representative-elect from the State of Massachusetts, and the Honorable GERALD R. FORD, a Representative-elect from the State of Michigan, have been placed in nomination.

Are there further nominations? [After a pause.] There being no further nominations, the Clerk will appoint tellers.

The Clerk appoints the gentleman from Texas [Mr. BURLESON], the gentleman from Pennsylvania [Mr. CORBETT], the gentlewoman from Missouri [Mrs. SULLIVAN], and the gentlewoman from Illinois [Mrs. REID].

Tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their name will indicate by surname the nominee of their choice.

The reading clerk will call the roll.

The tellers having taken their places, the House proceeded to vote for Speaker.

The following is the result of the vote:

[Roll No. 2]

McCORMACK

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Ashmore
Aspinall
Baring
Barrett
Bennett
Bevill
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Casey
Celler
Clark
Cohelan
Colmer
Conyers
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan
Haley
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks

Holifield
Holland
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kyros
Landrum
Leggett
Lennon
Long, La.
Long, Md.
McCarthy
McFall
McMillan
Macdonald,
  Mass.
Machen
Madden
Mahon
Marsh
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Powell
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rarick
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Satterfield
Scheuer
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
Watts
White
Whitener
Whitten
Williams, Miss.
Willis
Wilson,
  Charles H.
Wolff
Wright
Yates
Young
Zablocki

GERALD R. FORD

Adair
Anderson, Ill.
Andrews,
  N. Dak.
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Bell
Berry
Betts
Biester
Blackburn
Bolton
Bow
Bray
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen,
  Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Frelinghuysen
Fulton, Pa.
Gardner
Goodell
Goodling
Gross
Grover
Gubser
Gude
Gurney
Hall
Halleck
Halpern
Hammer-
  schmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kleppe
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McDade
McDonald,
  Mich.
McEwen
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Moore
Morse, Mass.
Morton
Mosher
Myers
Nelsen
O'Konski
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Younger
Zion
Zwach

ANSWERED "PRESENT"—2

Ford, Gerald R.
McCormack

The CLERK. The tellers agree on their tallies. The total number of votes cast is 432, of which the Honorable JOHN W. MCCORMACK, of Massachusetts, received 246, and the Honorable GERALD R. FORD received 186, and 2 present.

Therefore, the Honorable JOHN W. MCCORMACK, of Massachusetts, is the duly elected Speaker of the House of Representatives for the 90th Congress, having received a majority of the votes cast.

The Clerk appoints the following committee to escort the Speaker-elect to the chair: the gentleman from Michigan [Mr. GERALD R. FORD], the gentleman from Wisconsin [Mr. LAIRD], the gentleman from Oklahoma [Mr. ALBERT], the gentleman from New York [Mr. CELLER], the gentleman from Texas [Mr. MAHON], the gentleman from Illinois [Mr. ROSTENKOWSKI], and the gentleman from Louisiana [Mr. BOGGS].

The Doorkeeper announced the Speaker-elect of the House of Representatives of the 90th Congress, who was escorted to the chair by the committee of escort.

Mr. GERALD R. FORD. Mr. Speaker, Members of the House, during all the victory celebrations that members of my party have been having since November 8, I have been steeling myself for this moment of defeat.

First of all, I want to say that we must do something about early election projections and predictions. Today for a very fleeting moment, the early returns on the rollcall for the speakership led me to believe that I was going to win. I hope I can take the final tally in good grace.

I am comforted by the fact that my vote was considerably better and somewhat greater than the first time I lost the speakership to you, Mr. Speaker, 2 years ago.

The mace that stands here reminds us of the heritage of our great American Republic—the heritage that it has from the Roman Republic. But there is one very big difference. Under the Roman law the vanquished were at the mercy of the victor. Under our American tradition, the vanquished has the privilege and the honor to introduce the victor, today I do so with very great pleasure.

The late, great Sam Rayburn had this same duty at the start of the 83d Congress, when he presented our beloved Republican Speaker Joe Martin to this body. I can find no better way, Mr. Speaker, to express my sentiments about the able gentleman from Massachusetts—you, Mr. Speaker—than in Mr. Sam's words when he said:

> The Speakership of the House of Representatives should be and is the second office in power in the government of the United States. I know (he) will never forget the dignity of this high office in protecting, defending and perpetuating the rights, the prerogatives and the privileges of the House of Representatives. This is a great body that comes each two years fresh from the people—

He went on to say:

> We know their wishes. We try to carry them out when they are wise and in the interest of the country.

Mr. Speaker, we of the "loyal opposition" in the temporary—and I hope very temporary—minority, will stand by our Speaker—and you are our Speaker—as well as those of your party—in the very same spirit expressed by "Mr. Sam." All of us who served in the 89th Congress or years past are very fond—and I underline, reiterate, and reemphasize "fond"—of the gentleman from Massachusetts. We have found him to be highly capable, a great leader of men, an individual uniquely equipped to fill a legislative position which is one of the cornerstones of our great American political system. His word is his bond.

May I extend my personal welcome to the new Members of the House. They are taking their seats in this body at a time of great moment in American history. They will have a voice and a hand in decisions which, hopefully, will move America forward on the path to international greatness. I extend to them the hand of friendship on either side of the aisle and assure them that they will find all incumbent Members ready to offer their best assistance.

I also extend this pledge to our Speaker and to the American people: We of the opposition will be loyal. We of the opposition will be responsible. We will work together in all that is good for America.

As you know, Mr. Speaker, the Speaker's lot is not an easy one. Everybody is always urging him to take one course or another. Abraham Lincoln, who was once a freshman Member of this House, was waited upon during his Presidency by a delegation of self-styled political experts who pressed a certain course of action upon him and wound up telling him such action would win him a lot of friends.

President Lincoln calmly replied that when he he had finished his term, he hoped that he would have one friend left, and that one friend would be deep down inside of himself.

I commend Abraham Lincoln's declaration of conscience to all of us, but I would like to amend it just a little. When I finish my term as minority leader of the 90th Congress, I hope I will have at least two friends—one deep down inside of me, and the other, the gentleman from Massachusetts, the Honorable JOHN W. MCCORMACK, the Speaker of the House of Representatives.

Fellow Members, I take great pleasure in presenting to this House a great Speaker, a great American, a great citizen of the State of Massachusetts, the Honorable JOHN MCCORMACK.

Mr. McCORMACK. My dear friends, the distinguished Republican leader, GERRY FORD, my dear friends, and colleagues, I am deeply grateful for the very generous remarks made by my good friend GERRY FORD. I was particularly impressed by his closing remarks about having at least two friends, paraphrasing Abraham Lincoln's statement of some years ago.

I said to GERRY, "You touched me very much, GERRY, because I am your friend and you are my friend." To me, as my colleagues who have served with me know, friendship is of transcendent influence.

There is no middle aisle, to my mind, where friendship is concerned. I do not see Republicans or Democrats, or any member or communicant of any religion, or any color of skin where friendship is involved.

But I was very much touched by the last statement—I was touched by all of the statements, but I was particularly touched by the last statement, because to me friendship during the journey of life is one of the closest relationships that exists between two human beings outside of the sacred atmosphere and the sanctity of family life itself.

I hope my good friend GERRY FORD will continue for many Congresses to come to occupy the role that he did today in this House of Representatives. I do not know who the Speaker will be on the Democratic side, but I hope that the present situation will continue and that GERRY FORD will be making the presentation. But if, many decades ahead, there is some other Republican leader, I hope he will be presenting the Speaker of the National House of Representatives who happens to be politically a Democrat.

I want to assure the new Members that I welcome them very much without regard to party. We are all colleagues. We can develop friendships. This is the greatest legislative body in the world. The opportunity for service is so great.

Again I stress to the Members what I did in the caucus yesterday when I made a few remarks to my Democratic colleagues on that occasion: The importance of friendship, the making of friends. We are just human beings, like everybody else. As in any activity or walk of life, friendship plays a very important part, particularly to this Chair. So without regard to party, I just simply make an observation that I have found to be of invaluable assistance to me in my 38 years of membership in this body—the meaning and significance of friends on both sides of the aisle. I could refer to so many incidents to support that, but it would only take time.

I am deeply grateful to my colleagues for electing me once again as Speaker of the House of Representatives. I am honored to assume by this action that my colleagues have declared a sense of satisfaction with my past performance in this office. Nothing could possibly please me more.

When I step onto this rostrum, I do not step onto this rostrum when the House opens, as a Democratic leader. I step here as the Speaker with the solemn responsibility to carry out a great trust. While I might be the leader of the Democratic Party in the House of Representatives, my primary duty is parliamentary. That is the main responsibility of the Speaker. I try to preside over the House with fairness, always protecting the rights of each individual Member, always protecting and, if necessary, defending the rights and prerogatives of the National House of Representatives.

As a Member of the House over a long period of time, I have had the experience of observing several distinguished gentlemen occupy the Speaker's chair. In every case the gentlemen in question conducted themselves in such a manner as to exalt further the speakership in the eyes of all who witnessed them in action.

It was therefore with humility that I first assumed the position of Speaker 4 years ago, because at that time I believed, as I do now believe, that the House of Representatives stands for much that is important in America and much that is important in the world. And to preside over such a body as ours is to experience one of the richest privileges in American political life.

This Congress may not be as numerically constituted of my political persuasion as the previous and some other Congresses I have served in, but I see in its personnel the identical qualities of skill and judgment, of patriotism and loyalty that make us competent to meet the great legislative challenges of the next 2 years.

This is not now, and never has been—and I know never will be—a monolithic legislative branch of our Government whose 435 Members think or act or vote as one man. But in this temple of government there is a mutual respect for a diversity of opinion, where all men and women Members, whatever the controversy, act from conviction and the strongest motives of patriotism and love of country.

All that has transpired in past history leads to the inevitable conclusion that man's best hope is grounded firmly in the democratic process. There is no basis for any other judgment.

And of all the democratic experiments, none has prospered more than ours.

And of all of our democratic institutions, none can be said to exceed in magnitude our governmental system sponsored and conducted by the people themselves through their elected representatives.

The House of Representatives, which I love and which I stress, can be seen to stand forth as the symbol of our greatest concern—the national will, expressed in calm, considered tones, in laws embracing principles accepted and approved by a clear majority of our people.

Symbolically, my friends, we ride the crest of popular sentiment to carry forth the banner of national action. To serve such a cause of such noble proportions is honor in itself. To assist in leading such a cause is honor beyond word.

From a grateful heart I express to you my sincere thanks.

I am now ready to take the oath of office and will ask the dean of the House of Representatives, the Honorable EMANUEL CELLER, of New York, to administer the oath.

Mr. CELLER then administered the oath of office to Mr. MCCORMACK, of Massachusetts.

SWEARING IN OF MEMBERS

The SPEAKER. According to the precedent, the Chair will swear in all Members of the House at this time.

If the Members will rise, the Chair will now administer the oath of office.

OBJECTION TO ADMINISTRATION OF OATH

Mr. VAN DEERLIN. Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. VAN DEERLIN. Mr. Speaker, upon my responsibility as a Member-elect of the 90th Congress, I object to the oath being administered at this time to the gentleman from New York [Mr. POWELL]. I base this upon facts and statements which I consider reliable. I intend at the proper time to offer a resolution providing that the question of eligibility of Mr. POWELL to a seat in this House be referred to a special committee——

The SPEAKER. Does the gentleman demand that the gentleman from New York step aside?

Mr. VAN DEERLIN. Yes, Mr. Speaker.

The SPEAKER. The gentleman has performed his duties and has taken the action he desires to take under the rule. The gentleman from New York [Mr. POWELL] will be requested to be seated during the further proceedings.

OBJECTION TO ADMINISTRATION OF OATH

Mr. DAVIS of Georgia. Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. DAVIS of Georgia. On my responsibility as a Member-elect of the 90th Congress, I object to the oath being administered to the gentleman from the Fourth Congressional District of Georgia, Mr. BENJAMIN B. BLACKBURN III. I base this on facts and statements I consider to be reliable.

The SPEAKER. The gentleman from Georgia [Mr. BLACKBURN] will step aside and remain seated.

SWEARING IN OF MEMBERS

The SPEAKER. The Chair will now administer the oath of office to the other Members-elect. The other Members-elect will rise. Raise your right hand.

The Members-elect, other than Mr. POWELL and Mr. BLACKBURN, and the Resident Commissioner-elect rose, and the Speaker administered the oath of office to them.

The SPEAKER. For what purpose does the gentleman from Arizona, Mr. UDALL, rise?

RESOLUTION AUTHORIZING AND DIRECTING THE OATH OF OFFICE TO BE ADMINISTERED TO ADAM CLAYTON POWELL

Mr. UDALL. Mr. Speaker, I offer a privileged resolution (H. Res. 1) which I send to the Clerk's desk.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved, That the Speaker is hereby authorized and directed to administer the oath of office to the gentleman from New York, Mr. ADAM CLAYTON POWELL.

Resolved, That the question of the final right of ADAM CLAYTON POWELL to a seat in the ninetieth Congress be referred to a select committee, composed of seven members, to be appointed by the Speaker, and said committee shall have the power to send for persons and papers and examine witnesses on oath in relation to the subject matter of this resolution; and said committee shall be required to report its conclusions and recommendations to the House within sixty days from the date the members are appointed.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Arizona yield for that purpose?

Mr. UDALL. I yield for that purpose.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, the gentleman from Arizona [Mr. UDALL] having moved that the gentleman from New York [Mr. POWELL] be allowed to take his seat at this time under certain conditions, am I correct in assuming that the period of debate will be limited to 1 hour during the consideration of this resolution under the rules of this House?

The SPEAKER. Under the parliamentary rules of the House, the gentleman from Arizona [Mr. UDALL] will be recognized for 1 hour.

Mr. WAGGONNER. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. Does the gentleman from Arizona yield for that purpose?

Mr. UDALL. I yield further for that purpose.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Under the rules of the House, Mr. Speaker, will the gentleman from Arizona [Mr. UDALL] have control of all time during that period?

The SPEAKER. Under the rules of the House, the gentleman from Arizona will have control of the time.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. Does the gentleman from Arizona [Mr. UDALL] yield to the gentleman from Louisiana [Mr. WAGGONNER] for that purpose?

Mr. UDALL. I yield to the gentleman from Louisiana, Mr. Speaker.

The SPEAKER. The gentleman from Louisiana [Mr. WAGGONNER] will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, at the conclusion of whatever time the gentleman from Arizona chooses to use in the consideration of this matter, under the rules of the House will the House have the usual privilege of voting up or down the previous question?

The SPEAKER. Under the rules of the House that procedure would be in order.

Mr. WAGGONNER. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. Does the gentleman from Arizona [Mr. UDALL] yield to the gentleman from Louisiana [Mr. WAGGONNER] for the purpose of a parliamentary inquiry?

Mr. UDALL. Mr. Speaker, I yield to the gentleman from Louisiana for the purpose of a parliamentary inquiry.

The SPEAKER. The gentleman from Louisiana will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, if the previous question is voted down would, then, under the rules of the House, amendments or substitutes be in order to the resolution offered by the gentleman from Arizona [Mr. UDALL]?

The SPEAKER. The Chair will state to the gentleman from Louisiana [Mr. WAGGONNER] that any germane amendment may be in order to that particular amendment.

Mr. WAGGONNER. Mr. Speaker, one further parliamentary inquiry.

The SPEAKER. Does the gentleman from Arizona [Mr. UDALL] yield to the gentleman from Louisiana [Mr. WAGGONNER] for a further parliamentary inquiry?

Mr. UDALL. Mr. Speaker, I yield for a further parliamentary inquiry to the gentleman from Louisiana [Mr. WAGGONNER].

The SPEAKER. The gentleman from Louisiana [Mr. WAGGONNER] will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, under the rules of the House would the option or priority or a subsequent amendment or a substitute motion lie with the minority?

The SPEAKER. The Chair will pass upon that question based upon the rules of the House. That would be a question that would present itself to the Chair at that particular time.

A direct answer to the question which has been posed by the gentleman from Louisiana [Mr. WAGGONNER] would be this: Until the situation arises an answer to the question which has been propounded by the gentleman from Louisiana [Mr. WAGGONNER] cannot be given by the Chair at this time. However, the usual procedure of the Chair has been to the effect that the Member who led the fight against the resolution will be recognized.

Mr. WAGGONNER. I thank the distinguished Speaker for his answers to the various parliamentary inquiries which I have propounded, and, Mr. Speaker, I express my appreciation to the distinguished gentleman from Arizona [Mr. UDALL] for his generosity in yielding to me at this point.

The SPEAKER. The gentleman from Arizona [Mr. UDALL] is recognized for 1 hour.

Mr. UDALL. Mr. Speaker and my colleagues, new and old in the House of Representatives——

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Arizona [Mr. UDALL] yield to me before he commences his speech?

Mr. UDALL. I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the fact that the gentleman from New York [Mr. POWELL] has not taken the oath of office, the gentleman from Arizona [Mr. UDALL] may, if he desires to do so, yield to the gentleman from New York for purposes of debate?

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. DICKINSON. Mr. Speaker, I object.

The SPEAKER. The gentleman who objects will have to stand so the Chair can see the gentleman.

Mr. DICKINSON. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. UDALL. Mr. Speaker, I am proud to serve in this House. I love this House, and I defend its dignity. We are confronted here today with a serious question which involves the integrity, the dignity, and the honor of the U.S. House of Representatives.

Mr. Speaker, today we sit in judgment on a colleague who has 24 years' standing in this House of Representatives, a colleague who in his service may well have abused the powers and privileges of the high office which he now occupies in this House of Representatives, but, Mr. Speaker, we sit judicially as judges and as a jury and not as a mob.

Mr. Speaker, when we have acted, when the deed is done, let it be said, let it be said that the House of Representatives acted calmly, with dignity, with fairness, and that we acted judicially; that we did what was right for our country and for the people that the gentleman from New York was elected to represent and for the people that you and I represent.

Also, Mr. Speaker, let it not be said that we acted in haste, with passion or prejudice, out of vindictiveness, fear, or the result of public clamor.

Mr. Speaker, let me make it clear that I share the feelings of most of my colleagues, the feelings of my outrage that many of you have expressed: I am tired of the Congress being run down. I am sorry that editors and other citizens seem to consider because of the acts of the few that all of us are guilty. I have supported and still support measures to strengthen our proceedings for dealing with questions of ethics. I am keenly aware of the strong public feelings that this matter has aroused. I also have had some telegrams, telephone calls, and threats from both sides of this question.

I share the concern about the accumulation of evidence which strongly suggests to me the probability that one of our colleagues has flouted the laws of the State of New York; that he is charged with criminal contempt, and that there is a warrant for his arrest in that State so that he cannot go into that congressional district. I recognize this.

I recognize the strong probability that public funds have been misused, and paid to people in violation of the laws of the United States—rules of the House of Representatives.

I recognize the strong probability that false vouchers have been filed; that airplane tickets have been used in violation of the law, and that illegal and unauthorized travel has taken place.

As a result of those feelings, yesterday I offered an unprecedented motion in the Democratic caucus—at least it is unprecedented in modern times—to strip a major chairman of his vast and extensive powers as chairman. I acted without malice, and I acted without any ideas of racial prejudice, or anything else that has been kicked around—and I will lay my record on the line in regard to civil rights with that of any Member of this

House who has been sworn in or who has not been sworn in. I did not do this because of the race of the Congressman. You would not know it from reading some papers, but there are—I started to say Negro—but I should say some other U.S. Congressmen—who happen to be Negroes. You never hear of the gentleman from Illinois [Mr. Dawson], who chairs a great committee and who has made a great record here. Or the gentleman from the State of Pennsylvania, the Honorable Robert N. C. Nix, Judge Nix from Philadelphia—I am proud to serve under him on a subcommittee; or men like Charles C. Diggs, Jr., from Michigan—or Augustus F. Hawkins, Member of Congress from Los Angeles, Calif., and young John Conyers, Jr., a vigorous and able young Member. These are respected, honorable Members of this body, whose qualifications and actions are not questioned today and never have been questioned.

Mr. Speaker, let me put into sharp focus today the clear distinction between the resolution I offer and the resolution I am advised may be presented by the minority side.

Mr. Powell appears before us today with a certificate of election, which is just as good as yours or mine. He was elected by a 3-to-1 majority. His people said that they wanted him to be their Congressman, and I presume they will send him back, if we expel him, with a 10-to-1 majority.

I propose to seat him, but I propose to seat him conditionally until a fair judicial inquiry can be held to determine if he ought to be seated in or removed from the House of Representatives. The investigation I propose is strictly limited to 60 days; we are not trying to fudge it or whitewash it, or to put it off.

This inquiry would be composed of the top lawyers in this House, and they would report back in 60 days' time, and we would then decide after the hearing what should be done.

The Republican resolution, on the other hand, from what I have been told, would probably move that he be barred from the House, and then given a trial.

I suggest that the fair and reasonable thing to do, and that which American tradition requires, is that we follow my resolution.

Both actions are drastic, and both are far reaching. The question is which one is fair and which one is right. Which way should we go?

There are really two issues here: One is fairplay for Adam Clayton Powell, and the other is fairplay for the people he represents.

Let me talk for a moment about this, and then I will yield to any of my colleagues who also wish to be heard.

Let us make a clear distinction between Adam Powell, Member of Congress from the 18th District, and Adam Powell, chairman of a powerful committee. The abuses with which he has been charged stem almost entirely from the fact that he had the power of the chairman, not the power of Adam Powell, an individual Congressman—but that he had the power of a chairman. These are the charges and these are the responsibilities that he has been charged with abusing.

Let me make it clear that the mighty has fallen, the ax has come down, the story of Adam Powell free-wheeling chairman is ended; that house has tumbled down, and nothing we do will change it. The public has won, this thing is at an end, the House is vindicated all because of what the Democratic Party did yesterday.

We may be asked—and we probably will be—to do more today.

Let me make it very clear that the gentleman is no longer chairman of that committee, and the gentleman probably never will be the chairman again. His power to travel on committee funds is gone. His power to hire a staff is gone. The committee now has new and restrictive rules to control what happens in that committee.

His wife is no longer on the payroll. This was taken care of by the Committee on House Administration. This is done.

How much more do we want to do? How much more should be do? Are we going to kick a man when he is down? Are we going to go beyond that without a trial and deny him a seat in the House?

Let me make it clear that never again will the things I have referred to be done by this Member, whether he is seated or whether he is not. Is the action which our Republican friends have proposed an action to take further steps without a trial?

I wish to discuss that for just a moment. This man has never had a hearing. There is nothing more fundamental in American law than we give a man a trial before we attempt to take away his life, liberty, or property, or his 22-year record in the Congress of the United States.

He was invited to appear before the Hays committee and he declined. But this was an investigation limited to looking into a narrow subject—expenditure of public committee funds. They had no power to recommend dismissal or anything of that kind.

The judgments of the New York courts—and I will cheerfully concede that they probably set an alltime record for appeals, motions, counterclaims, and repeated proceedings. But they are not final. I hope someday they will be. But they are not.

Adam Powell has never really had a chance to sit down and state his case to a group of his peers who hold the power to recommend what happens to him as a Member of the House. Maybe he will decline. Maybe he cannot prove a case. But he has never had a chance to state a case.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield for just 1 minute?

Mr. UDALL. I intend to yield time to the gentleman, but if this is relevant to what I am saying, I will be happy to yield to the gentleman briefly, of course, and only for the purpose of debate.

Mr. GERALD R. FORD. Something that the gentleman said a few moments ago might be interpreted to mean that as you understood it the Republican proposal would not provide for a complete and a total hearing.

Mr. UDALL. Of course, it does.

Mr. GERALD R. FORD. For all Members of the elected 90th Congress, I want it to be clear that our proposal will provide an opportunity for a full and complete hearing by a select committee composed of five from the majority side and four from the minority side.

Mr. UDALL. The gentleman is correct. Then under that proposal, first you make the decision and then you have the hearing. I say, let us first have a hearing and then make a decision.

Mr. ALBERT. Mr. Speaker, will the gentleman from Arizona yield for a question?

Mr. UDALL. I yield to the gentleman.

Mr. ALBERT. Does not the whole argument amount to this—whether the certificate of election provided by the proper officials of a State is prima facie evidence of election or whether it is prima facie evidence that a man shall not take his seat until he is investigated as to charges, however serious they may be, that are made or claimed against him?

Mr. UDALL. The gentleman is entirely correct.

We must know whether there is anything to these charges and the hearing will show whether there is or not. His certificate is as good as mine—I will tell you frankly that it is.

We have good lawyers and judges in this House. We have the kind of lawyers and judges who can hold a fair judicial hearing. We do not have the facts. We have had no judicial hearing.

I would like some of the lawyers in this House to look at the precedents and look at the rules of the House and look at the statutes and tell us what we ought to do.

Mr. GOODELL. Mr. Speaker, will the gentleman yield for a question?

Mr. UDALL. Not at this time. I would like to finish my basic statement. I am almost through and then I propose to yield time to the minority.

Mr. Speaker, I say that this is about fairplay to the people Adam Powell represents. There are 450,000 people—American citizens—in Manhattan who are represented by this man. They have said that they want him to be their Congressman. You might not have made that choice and I might not have made it. But they want him. They elected him 3 to 1 and have elected him 11 times. These people are among the poorest people and the most troubled people in this country. They are living under more difficulties and more problems than perhaps any people anywhere. If there is any constituency that needs a Congressman in this body and in these times, this is that constituency. They have said that they want him as their spokesman. I am prepared to let him sit and vote for them until we can have a full and fair hearing and a trial.

The form of the Republican resolution which I have been handed would cut off his allowance—he could not even maintain a staff while this investigation is going on.

Let me appeal in closing this presentation here to my Republican colleagues and friends, to make just a few suggestions—to give some counsel—if you will take it from one who has worked with you on civil rights legislation.

I think you will find that there are some of those of my party who feel obliged to vote for the strongest possible resolution that can be adopted—to defeat my resolution and pass your resolution.

I am sure that this is the popular thing to do. I am not so sure it is the right thing to do.

The question is not really, should he be seated. The question is—should he have a hearing before we decide whether he is going to be seated.

This other question, this question of racism, is not involved. This question of a double standard is not involved. But get this straight—cold practical fact is—rightly or wrongly—that 20 million of our fellow citizens are going to always feel that it was involved if we act hastily today.

The civil rights bills in recent years have been passed on a bipartisan basis with that great leader Bill McCulloch, and Mr. Celler and people on both sides, all fighting for civil rights.

We fought these battles together. I suggest that we now stand together; particularly those of us who are judges and lawyers should ponder on this. What is the fair thing to do? What can your party gain, the House gain, the country gain, if we act precipitously today by saying, without a hearing, "This man is not entitled to sit"? The investigation will show whether he is or he is not. I expect it may show that he is not. But what real difference would it make, when all is said and done, whether he is excluded in March or whether he is excluded on the 10th of January? What real difference does it make?

In a few moments, my colleagues and friends, we will be acting. I only suggest that when we look back on what we shall have done today, if we do a drastic thing, we shall be able to say to ourselves that we did the right thing, that we did the fair thing, that we did it after a fair and impartial judicial process, and in a manner that is worthy of this great body.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I want to yield time to the minority. If they will designate to whom they wish the time yielded, I will do so now.

Mr. HANNA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Arizona yield to the gentleman from California?

Mr. UDALL. Mr. Speaker, I yield for a parliamentary inquiry.

Mr. HANNA. Mr. Speaker, if I understand the rules of the House correctly, to expel a Member from this body would require a two-thirds vote. As I understand the gentleman's resolution, however, the question upon the final seating of Mr. Powell would require only a majority vote. Am I correct in that statement?

The SPEAKER. The gentleman's statement would be the answer of the Chair. The gentleman has stated the opinion of the Chair correctly.

Mr. UDALL. Mr. Speaker, if that argument is going to be made—and I suspect it will—I am not one that has been in favor of the cloture rule in the other body, and I am not one that is against majority rule very often, but something as drastic as this—I would be a little happier if we did it by a two-thirds vote. If someone proposed to take my seat in Congress away from me I would want two-thirds of my colleagues to do it.

If you consider the advantages of waiting 60 days in order to have a fair hearing and trial on this question, I think you will come down to the side of voting for my resolution.

Mr. Speaker, I now yield 4 minutes to the gentleman from Ohio [Mr. Hays].

The SPEAKER. The gentleman from Ohio is recognized for 4 minutes.

Mr. HAYS. Mr. Speaker, the job which the subcommittee which I chaired had to do was not an easy job. I do not think it was one that anyone on the subcommittee enjoyed. I will leave it to your judgment, because the hearings, the recommendations, the conclusions, and the full testimony is available as to whether or not you think we did a good job or an adequate job given the mandate we had.

I think the people who have read that testimony in the Democratic caucus yesterday decided that the gentleman from New York [Mr. Powell] needed to be censured and punished. They have taken away his committee chairmanship, his power, and his source of funds, his ability to appoint staff and all of that. I am sure that, politically, I cannot make any points in my district or in the country by advocating the Udall resolution. But I do because I think it is correct. I do it because I think it makes a distinction between Adam Clayton Powell, the man, and the 18th Congressional District of New York. I think it makes a distinction about whether you punish him for shortcomings alleged and which were not denied by him at any time in the hearings and whether you punish his people by depriving them of representation for the next 60 days.

It seems to me it is that fundamental.

If I correctly understand the parliamentary situation, under the terms of the resolution—and perhaps I am wrong—it takes only a majority vote in either case, and, if I am correct, I do not see that it makes that much difference.

I just say to the Members that I believe it would be incumbent upon everyone to read those hearings.

I say further that the House Administration Committee has already decided, in the 89th Congress, on the 3d of January, before noon, to implement the recommendations of the subcommittee. Every Member who was there will be, I presume, here. They were reelected as Members of the House Administration Committee in the 90th Congress.

The things that happened cannot happen again. Nobody denies that they did happen.

But I would like to say one further thing, for which I do not blame the news media, because they have only a limited space. They print the things that seem to be the most sensational and which will sell the most papers and which will draw the most viewers.

One of the allegations made against the gentleman from New York [Mr. Powell] was that he had padded his payroll. There were an inordinate number of people on that payroll, which numbered around 150.

I was criticized, and my subcommittee members were criticized along with me, for hiring a private detective agency to find out whether or not this was true, but we had no other choice in the amount of time we had. I am not standing here saying that all of these 150 people did very much work, or that some of them did very much work, but we found by this investigation that there was a body extant for every name on the payroll. In other words, the allegation that there were names on the payroll when no one existed was not true. I think that deserves to be said.

True enough, several of them testified they did not do very much for the wages, but there was not any blatant padding of the payroll and stealing of money. That charge we did disprove.

There was looseness in the handling of committee funds. There is no question in my mind that the situation involved people traveling on tickets which were bought in the name of somebody else. We have taken that power away.

I believe for the next 60 days the Udall resolution will be one that I could in deep conscience support.

Mr. UDALL. Mr. Speaker, I want to commend the gentleman from Ohio [Mr. Hays] in front of his colleagues. He has shown great courage and ability in a difficult and thankless assignment which he undertook.

GENERAL LEAVE TO EXTEND

Mr. UDALL. Mr. Speaker, I am pressed for many demands for time. We have only an hour, and, before I neglect to do so, I ask that all Members may have 5 legislative days in which to extend their remarks on the resolution now before us.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, I now yield 10 minutes for purposes of debate only to the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Speaker, in the last few months, and particularly over the last few days, this issue that is before us today has become tremendously confused. This is not a partisan issue that we face today. I illustrate that by the fact that the gentleman from California [Mr. Van Deerlin] took the action that precipitated what we actually have before us. Mr. Van Deerlin asked the gentleman from New York [Mr. Powell] to stand aside.

Second, this is not a civil rights issue. Here I echo the remarks of the gentleman from Arizona [Mr. Udall]. It is not a question of race prejudice.

Third, the issue before us today is not the question of whether or not Mr. Powell should be chairman of that great Committee on Education and Labor. The issue, as I see it, is exclusively the question of the qualifications of one of our numbers elected November 8 to sit as a Member of the House of Representatives.

This is a constitutional responsibility of every one of us.

I read article I, section 5, of the Constitution:

> Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members,

Any constitutional responsibility is exceedingly serious.

Each and every one of us, on both sides of the aisle, on this vote today, must search his soul and pray to the good Lord that our decision is right. This decision involves the integrity of the House of Representatives, the reputation of this great legislative body, the overall integrity of the Congress, the legislative body of the great American experiment in self-government.

The image, if you will, of this 90th Congress is deeply involved.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am delighted to yield to my friend from Oklahoma.

Mr. ALBERT. I believe one thing the gentleman has overlooked in saying what is involved here is the procedural matter.

I agree with everything the gentleman has said. I sat on the Subcommittee on Elections with the distinguished former minority leader many years ago.

In every instance, both as Democrats and Republicans, we respected, prima facie, certificates of election as evidence that Members were entitled to their seats.

I believe that is one of the issues involved here.

Mr. GERALD R. FORD. If I may, let me now explain what the Republican resolution would be if the previous question is defeated and the individual recognized by the Speaker does yield to me for the purpose of offering either a resolution or amendment to another resolution.

The proposal which the Republicans intend to submit would provide that there should be a select committee established composed of nine Members, five from the majority side and four from the minority side.

In the interim the gentleman from New York [Mr. Powell] would be asked to stand aside.

And let me assure the gentleman from Arizona that the resolution will provide pay and allowances for the gentleman from New York. The gentleman from New York [Mr. Powell] would be paid during the period that the committee and the House were considering the issue.

Under our resolution the committee that would be appointed would report back to the House of Representatives within five weeks after appointment by the Speaker.

Now, the essential difference between what the gentleman from Arizona [Mr. Udall] has recommended and what we are proposing is that the decision under the Udall suggestion would be a determination after the fact.

I strongly feel—and I know every Member on this side of the aisle feels—that Mr. Powell should have his day in court, that he should be given equal justice, even treatment.

We would establish the forum and give him the opportunity to come in and answer those allegations that have been made—allegations in the press, allegations by various committees, statements of one sort or another by some Members here in the Chamber.

We feel that there should be a prompt determination but in the interim while Mr. Powell is standing aside the committee should conduct a full investigation with Mr. Powell having his day in court.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield again, I am going to ask that the gentleman be given additional time.

Did the gentleman make the statement that the gentleman from New York would be entitled to his pay during the period? Did I misunderstand?

Mr. GERALD R. FORD. I stated he would be awarded his pay and allowances during the interim.

Mr. ALBERT. I would like further to call the gentleman's attention to the fact that I think, owing greatly to my own initiative, the very next issue to be disposed of in this House will be the issue involving the gentleman from Georgia [Mr. Blackburn], who was also asked to stand aside. He is a Republican. However, he comes with a certificate of election from the great State of Georgia. I went to the Georgia delegation and I told them that I could not vote to support a proposition that would make him stand aside when he had that certificate of election unless he was first given his oath of office; after that it would be entirely proper that the allegations concerning his election be investigated.

I call attention to the fact that many years ago, since this involves the Committee on Education and Labor, one of the most distinguished Members of this House, the ranking Republican member of the Committee on Education and Labor, Mr. Ayres, was challenged. He came here with a certificate of election, but it was challenged. It was said there was some disorderly procedure in listing his name on the ballot. I not only voted in favor of seating him, but I think I led the fight to report from the Committee on House Administration a resolution giving the gentleman the right to take his seat prior to an investigation.

Every charge that has been made against the gentleman from New York may be true. If it is true, the gentleman from New York should be deprived of his seat. But under the practices and the precedents of this House, I say to the gentleman that we should probably proceed under the Udall resolution. I should like to ask the gentleman from Arizona whether under his resolution, if it should be adopted, the procedure which I have been describing, will have been followed?

Mr. GERALD R. FORD. Before the gentleman from Arizona responds to what I understand is an interrogatory by the distinguished majority leader, let me point out that the citations that the gentleman from Oklahoma makes involve elections. They do not involve the qualifications of a Member. In the Constitution itself, in section 5, there is a distinction, and for the purpose of letting all Members know, let me read that section. Section 5 says:

> Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members.

This is not a question of elections or returns. This is a question of qualifications.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. UDALL. Mr. Speaker, I yield 3 additional minutes to the gentleman from Michigan.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. GOODELL. I would point out to the majority leader, also, that we have had gentlemen sitting as Members of the House in two of the election contests in the last 4 years where neither party member was seated when there was a certificate of election from the duly elected and proper officials of the State. That was an election contest where the secretary of state certified the winner. They were both ultimately paid by retroactive act of the Congress after the decision was made, but I agree with the statement of the minority leader—an election contest is entirely different and the full precedents of the House are entirely different in an election contest.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me on that very question? I am not familiar with all of the details of that issue, but I understand there was some question about who had the proper certificate of election. However, whether or not an election is involved or an allegation of misconduct is involved, the American way is first to give a man a trial and then to pass judgment on him.

Mr. GERALD R. FORD. Mr. Speaker, I raise a question, inasmuch as the gentleman from Arizona [Mr. Udall] made quite a point of the fact that we might be accused of trying Mr. Powell before the fact—I raise the question whether in the Democrat caucus Mr. Powell was given a full and complete trial? Was there not prejudgment there?

Now, Mr. Speaker, let me conclude my remarks with this observation: We have had piles of communications, we have had——

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. Excuse me for just 1 minute.

All of us have had innumerable communications, we have had one editorial after another, reaching into the hundreds, alleging instances of misconduct, instances of violations of court orders. But as of today, there has been no determination of the qualifications of Mr. Powell by the elected Members of the House of Representatives on November 8, 1966.

The SPEAKER. The time of the gentleman from Michigan has again expired.

Mr. UDALL. Mr. Speaker, if the gentleman from Michigan wishes to continue, I shall yield at this time 5 minutes to the gentleman from California [Mr. Lipscomb].

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman yield for a parliamentary inquiry?

Mr. UDALL. I yield for the purpose

of a parliamentary inquiry, Mr. Speaker.

Mr. GERALD R. FORD. Mr. Speaker, I think the gentleman, in all honesty, must admit that I was very generous in my yielding to the distinguished majority leader and I believe that out of the total time, 1 minute in addition would be a fair and equitable extension of time.

Mr. UDALL. I will say to the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], that I timed the amount of time which the gentleman from Oklahoma [Mr. Albert] used, and I am going to lose about half of my friends on this side of the aisle who have requested time if I yield too much further to the gentleman from Michigan. However, Mr. Speaker, I yield 1 additional minute to the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Speaker, what we must do today in the determination of the qualifications of Mr. Powell is to establish a committee, a blue-ribbon committee, that will investigate all of the allegations that have been made heretofore and report within the period of 5 weeks to all of us, with its recommendations.

Mr. Speaker, this procedure would represent "even justice." This is equity of the highest order. In my humble judgment we probably ought to establish, as quickly as possible—and tomorrow is not too soon—an overall select committee such as was approved in the dying days of the 89th Congress in order that all charges or allegations that have been made in the past or which might be made in the future, can be considered concerning any one of us who now serves in the House of Representatives.

But, Mr. Speaker, it is important that today we deal with this constitutional question and deal with it alone. We should vote down the previous question.

Mr. UDALL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mr. Thompson].

Mr. THOMPSON of New Jersey. Mr. Speaker, on yesterday in the Democratic caucus I voted, among others, to take the chairmanship of the Committee on Education and Labor away from the gentleman from New York [Mr. Powell], upon the basis of the Hays' committee report, and nothing else.

The people of the 18th Congressional District of New York I feel are entitled to a Representative, beginning today, and to representation beginning today. But I distinguish that from the chairmanship. They are entitled to a Representative, and to a vote, but not to a chairmanship, for a chairmanship is a national office, not a district one.

The Republican proposition, although it seems on its face to have some merit, is somewhat reminiscent of the Queen of Hearts in the story, "Alice In Wonderland," who said "A sentence first, and then a verdict."

I do not believe that with respect to the situation here today Mr. Powell has had from the House of Representatives the due process to which he is entitled. I believe the only means under which Mr. Powell can get the type of due process to which each and every one of us would be entitled under similar or other circumstances is the type proposed in the resolution presented by the Congressman from Arizona [Mr. Udall]. I strongly urge a vote for the previous question. By such a course of action Mr. Powell would have an opportunity to present his case. If the committee found him guilty of wrongdoing we could then expel him.

The SPEAKER. The gentleman yields back one-half a minute.

The Chair recognizes the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I yield to the gentleman from California [Mr. Van Deerlin] 3 minutes, and I yield to the gentleman at this time only for the purpose of debate.

Mr. VAN DEERLIN. Mr. Speaker, I thank the gentleman from Arizona for yielding to me, and I assure him that I would not think of taking parliamentary advantage of his kindness.

Mr. Speaker, the gentleman from Arizona asks what is wrong with seating the gentleman from New York today, and bringing back a committee report as to his fitness to serve some time in the future.

The only thing that I see wrong with this is that, except in contests involving the outcome of an election, there is no precedent in the entire history of the United States in which the House of Representatives has expelled a Member, once seated, for matters having to do with his conduct in a previous Congress, or with matters not concerning his status as a Member of Congress.

I believe if you wish to decide the fitness of the gentleman from New York to serve in this Congress that we had better decide today to exclude him from being seated until a committee brings back its report at a time certain, or at a time uncertain, and gives us a report on which we may vote.

Certain diversions have been made in the argument that is before us today, and among these is that the gentleman from New York has somehow or other not had his day in court.

This may be technically true, but I would point out that there are nearly a dozen judges in the State of New York who will tell you where the fault lies.

The immunity which we in Congress enjoy stems, as you know, from article I, section 6, of the Constitution. This was devised during the days when the Thirteen Colonies, very jealous and apprehensive of one another, wanted to make certain that no elected Representative from any of the Colonies could possibly be apprehended and arrested on his way to Washington.

How that section of the Constitution has been twisted and abused in recent months and years!

We who are charged with helping to write the laws of the land must, I think, show respect for those laws, show a willingness to obey then and, more importantly, a respect for that other independent branch of the Government, the judiciary, which is charged with interpreting and enforcing those laws.

If article I, section 6, is to be so twisted as to provide a protective cover—if election to the House of Representatives is to carry a license for scofflaws—if this Chamber is to provide a haven for fugitives—then, before the bar of public opinion, I say "God help the Congress of the United States."

The SPEAKER. The time of the gentleman has expired.

Mr. UDALL. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. Lipscomb] for the purposes of debate only.

Mr. LIPSCOMB. Mr. Speaker, I rise to oppose the motion on the previous question. I believe by voting down the previous question it would give the House an opportunity to vote on a substitute which will set up a nine-man investigating and study committee to report back in 5 weeks. I believe that this is the best way to bring to a conclusion the facts on which the Members of this House can make a fair and equitable decision.

The findings of the House Administration Subcommittee on Contracts with the gentleman from Ohio [Mr. Hays] as chairman, in my opinion, were done with great care. I was privileged to sit as an ex officio member of that committee and listened to almost all of the testimony. The hearings were fair and detailed.

Congressman Hays gave everyone an opportunity to be heard and their rights, their constitutional rights, were protected. But Mr. Powell did not choose for one reason or another to appear before that committee even though he was given ample opportunity. Today the conclusion and recommendations stand as the committee wrote them, without Mr. Powell having the opportunity to tell his side of the story.

The House can have an opportunity for this to be done by supporting the substitute resolution which will be offered if the previous question is voted down. I would suggest to the House and to those Members who have not had the opportunity to do so to read the Hays committee report with care because all of the facts are documented in those documents and conclusions and recommendations stand today without any answer. Therefore, I believe that the action which is proposed, to set up a special committee, will give the opportunity to go over these findings and recommendations, to give Mr. Powell and any others the chance to appear before the committee and either deny or substantiate those facts and other matters which may be required. Then for the special committee to report back to the House with their recommendations and conclusions so that every Member sitting here today will have all of the facts and can act without haste, fairly and in good judgment.

In this way we can uphold the dignity, the policy, and the practices of this House of Representatives which every Member who has the privilege to sit here respects.

Perhaps by such a study and investigation we will determine and act upon other needed reforms which have gone unnoticed.

Mr. Speaker, I think it is vital that we vote down the previous question and set up a committee which will act, and Mr. Powell will step aside until those facts are acted upon by this House. The committee will report back under the resolution within 5 weeks. We will then be acting in fairness to each and every Member of this 90th Congress as well as to Mr. Powell, and in all fairness to the American people.

Mr. UDALL. Mr. Speaker, I yield to the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. Celler] 2 minutes.

Mr. CELLER. Mr. Speaker and Members of the House, I heard nothing from the minority side which indicates anything that could successfully challenge the qualifications constitutionally of the gentleman from New York [Mr. Powell].

Now this question involves a great deal of emotion and sensationalism. The conduct of the gentleman from New York undoubtedly has caused a great deal of irritation. I think he has shown an undue spirit of bravado and defiance which has complicated this situation and has contributed greatly to this irritation. This irritation has caused much anger. I would say that the proposed resolution from the minority side seems to be born of anger.

It is a proposal that reminds me of an old adage:

> He who rises in anger usually sits down with remorse.

It would be a dangerous precedent that the Republicans would be establishing if their proposal were accepted by this House. Let us not judge first and then try later. That smacks of the proceedings of a Kangaroo court. That smacks of the proceedings of a star chamber proceedings. It is contrary to the American spirit of due process.

Much has been said about the civil and criminal contempt citations in courts of New York. Those citations are shrouded in uncertainty. For example there is a citation for criminal contempt, another for civil contempt. The difference between civil and criminal contempt in the New York courts is exceedingly thin. There has been no appropriate examination, at least from a congressional standpoint, as to the effect of those contempt citations upon Mr. Powell's qualifications. Certainly we should carefully scrutinize those contempt citations before we formulate a judgment. We should not make a judgment without knowing the true facts.

Let us find out, first, the true facts, and not rely on bits, fragments, and newspaper articles and editorials. Good copy may be good reading, but newspaper copy is not always the basis for sound judgment.

The import of the proposal of the minority is for all intents and purposes the following: oust Powell and try him after the ouster.

The Udall motion should prevail.

Mr. UDALL. Mr. Speaker, I yield to the gentleman from California.

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, I rise in support of the resolution.

The decision which we must make on this resolution to seat the gentleman from New York [Mr. Powell] goes to a narrow and simple question—his qualifications. The issue of fitness must necessarily be delayed to another day and raises different questions. Those of us who vote for the seating of the gentleman conclude merely that he is over 25 years of age, a citizen of the United States, and an inhabitant of the State of New York. To imply, as has been done by the minority leader, that the right of the gentleman to be seated raises the rather nebulous question of "his effect on the image of the House," goes clearly beyond our jurisdiction today and shows little regard for the Constitution of the United States.

Mr. UDALL. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. Multer].

Mr. MULTER. Mr. Speaker, the question before us is one of constitutional law. I am going to address myself solely to that problem at this time. I ask you, please, to take my brief statement as the advice of a lawyer who in the almost 20 years he has served here has shown that he knows something about constitutional law.

One of the first rules of construction is that you must take into account the order in which the various items appear in the legislation or, in this case, the Constitution. In the Constitution the first reference to the qualification of Members refers, not to fitness, but to qualifications, and they are citizenship, age, and not residency, but inhabitancy in the State. None of those items is in question with reference to the gentleman we are talking about today. There is no question about his election. There is no question about the returns of his election. He has been duly elected. There can be no question of his qualifications as referred to in the Constitution. That has not been raised in or outside of the Congress. No one has challenged his residence or inhabitancy in the State, his age, or his citizenship.

We have a right to pass upon the question of fitness of a Member by reviewing his behavior as a Member. The caucus did so yesterday in stripping him of his chairmanship of the powerful committee on which he has served as chairman. That was a determination of what he may do as a Member of this House after he is sworn as a Member. After the qualifications are set forth in the U.S. Constitution, we then find the statement which the minority leader has referred to accurately. It states that we are the judges of the election, returns and the qualifications of our colleagues.

That means the qualifications set forth in that document, our Constitution. We can neither add to nor detract from them. Once the voters of a congressional district have chosen their Representative, his fitness to serve is determined beyond question by us, his colleagues, providing only that he meets the three qualifications set forth.

A still later provision of that same Constitution gives us the right to punish Members for their misbehavior. Note, however, it is only a Member that may be punished and not a Member-elect.

There is grave doubt whether the 90th Congress may punish a Member for what he did as a Member of the 89th Congress.

Certainly, however, we have no right to punish one who is not a Member of this Congress.

The right to punish may include expulsion. It does not include exclusion.

The right to exclude in no event should be exercised without a full and complete hearing.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. UDALL. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. Scheuer].

Mr. SCHEUER. I believe deeply that, because the power and responsibility of committee chairmanships are ours to dispose, where no Member has an absolute right to that power and responsibility which is given to him, not by his constituents, but by his colleagues alone, we acted properly and fairly yesterday on a clear preponderance of evidence that Chairman Powell had abused his powers and responsibilities, in denying him further exercise of chairmanship powers which, I repeat, are ours alone—the collective membership of this body—to grant or withhold.

But where a Member of Congress has at risk his own status as a Member—which is not ours to grant or withhold but which flows solely from his own constituents—where he has a virtually absolute right to take the seat, I feel that the measure of wrongdoing leading to expulsion must be a far higher, deeper, and broader one, that it must be the "scintilla" rule that lawyers among us are familiar with; there must be a showing beyond a reasonable doubt, based upon detailed stated charges, and a bill of particulars, that serious wrongdoing has taken place. Such a thoroughgoing judicial proceeding, with stated documented charges, which could end in expulsion, has not been held. Until we have this full, scrupulously fair, judicial process our colleague should be allowed to take his oath of office with his certificate of election in his hand as valid as mine or that of any Member present today.

Mr. UDALL. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. Stratton].

Mr. STRATTON. Mr. Speaker, I do not pretend to be a constitutional lawyer like my colleague [Mr. Multer], but I do believe that the question before us today is a question of qualifications. In fact I believe the basic issue in the Powell case is a matter of residence, which is one of the constitutional qualifications for membership in the House. If a Representative-elect chooses to remain outside of his State rather than comply with the duly constituted orders of the courts of his own State, then I believe there is a very real question of whether he is in fact still a resident of the State which he purports to represent, as the Constitution says he must be. The Constitution says he must be an inhabitant of his State at the time when he is elected.

I believe this important question must

be determined by this House, and it must be determined before the gentleman from New York can be seated. I therefore intend to support the position of the gentleman from Michigan [Mr. Gerald Ford], and I shall oppose the motion to cut off further debate and to prevent the offering of substitutes to the pending Udall resolution.

Mr. UDALL. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. Goodell].

Mr. GOODELL. Mr. Speaker, our minority leader said this was not a partisan matter. I am amused at the colloquies that have developed and how we seem to be transferring Mr. Van Deerlin to the Republican side. The Republicans are supporting the same basic notion that Mr. Van Deerlin is supporting and has spoken for so eloquently here on the floor of the House.

The great gentleman from New York [Mr. Celler], said that our proposal—Mr. Van Deerlin's proposal and the Republican proposal—was born of anger. I wonder what happened yesterday. It seems to me that perhaps the events of yesterday were born of anger and our proposal is born of reason.

There are no precedents—no precedents—for seating a Member and putting him in limbo pending investigation. There are only three cases of expulsion in this House where qualification is the issue as distinct from election. Confusing the question of qualification with an election contest is a red herring that should not be permitted to confuse the Members.

We have an entirely distinct line of precedents with reference to election cases, but we have some very clear precedents on qualification. That is the issue here—the qualification of a Member to sit.

It has been said he should have a trial before he is convicted. I do not assume conviction in this case, because I have read the precedents and they are complicated. This is a very serious moment of history. We are establishing delicate issues before this Congress today without even going into them in depth. We are establishing them in a moment of passion.

With the Udall resolution, we are establishing a precedent that affects every one of us. It should not be that way. We should follow the established precedents of the House of Representatives and have the man step aside and have an expeditious hearing in which he has an opportunity to come forward, in which Members that we esteem and respect, our colleagues, will sit as his peers in judgment, and then come back here, looking at the precedents and fairness of this issue.

I would cite to Members the danger of violating all the precedents of this House today and seating a man before judging him. The danger is brought out in the most recent precedent there is, with reference to qualification for office. The majority report, and I quote, says:

> In the first place, the House of Representatives has always insisted upon its right to exclude Members-elect and has also consistently refused to expel a Member once he has been sworn in for any offense committed by him previous to his becoming a Member, on the ground that the constitutional power of expulsion is limited in its application to the conduct of Members of the House during their term of office.

By passing this to seat him now, whatever the intent is stated here, we may well be limiting this group that will investigate so that they do not have the freedom to make a final judgment, the kind of judgment the American people demand.

Here, my friends, we have an issue of upholding the integrity of the voting ballot, yes; the integrity of a Congressman's seat, yes; and we also have the problem and the obligation of being firm in upholding the integrity of the Congress.

We, the Democrats and Republicans who today are urging that Mr. Powell not be seated pending investigation that is fair to him and fair to the country, are not saying, "judge him first." Others are saying, "judge him first and investigate later" when they say, "seat him today and investigate later."

This is the position which I believe upholds all the traditions, the integrity and the dignity of this body, in fairness to Mr. Powell, in fairness to all of our Members here. We must look fairly at the qualifications of this man to hold office.

The issue that was decided yesterday does not affect that issue.

I hope we will vote down the previous question.

Mr. UDALL. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan [Mr. Conyers].

Mr. CONYERS. Mr. Speaker and Members, my fellow Members of this new 90th Congress, I am sure that the question before us is a matter which deeply troubles everyone in this House. And I believe it has crossed the hearts of concerned Americans from one end of this Nation to the other.

I plead with and urge each of you—with a sincerity that is born from being a very proud though a relatively new Member of Congress, this very great body—to join with those who would not leave the 18th District of a great State without a Representative in Congress. I plead with and urge each of you to join with those who are concerned that this matter be given a thorough hearing. And I know that all Members are concerned that due process be observed. I plead with and urge each of you to support the resolution offered by the gentleman from Arizona [Mr. Udall] and insure that we prove to everyone across this country that justice can be and will be served, I am sure, here in these august Halls.

Mr. UDALL. Mr. Speaker, I yield myself 1 minute.

I do so for the purpose of answering right now, while it is fresh, this argument my friend from New York [Mr. Goodell], persists in making about the precedents in regard to seating someone before an investigation.

The very next order of business, after we dispose of this matter, is going to be a resolution offered by a Democrat, our leader, Carl Albert, to seat a Republican Congressman from Georgia when we have not had the first semblance of an investigation, and when there is a serious and genuine question whether he really won the election.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield whatever is left of my 1 minute. I do not have much.

Mr. GOODELL. The gentleman is well aware that there is a long line of decisions on election cases where there is a certificate by the secretary of state on an election. This is entirely different in the precedents and in the rules of the House from the question of qualification of a Member.

Mr. UDALL. Mr. Powell's certificate is just as good, just as valid, has just as big a seal and as many ribbons on it as the certificate of the gentleman from Georgia.

Mr. GOODELL. There is not a single precedent in the annals of the House for seating a man whose qualifications have been questioned under these circumstances before his trial.

Mr. KUPFERMAN. Mr. Speaker, on July 25, 1966, in the 89th Congress, I voted to bring the 1966 civil rights bill, H.R. 14765, from the Rules Committee to the floor of the House under the 21-day rule. The vote was close, 200 to 180. [See Congressional Record, vol. 112, pt. 13, p. 16839.]

Anyone who was a resident of New York and believed in civil rights would have been present to vote at that time unless unavoidably detained. The gentleman from the 18th District of New York was reported to be in Bimini.

I believe there is a serious question of whether the Representative from the 18th District is a resident of the State of New York. He may be a resident of Bimini or Puerto Rico. The Constitution of the United States, article I, section 2, clause 2, provides as follows:

> No person shall be a Representative . . . who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Regardless of residence, there is a serious question as to whether the Representative of the 18th District is an inhabitant of the State of New York.

The problems of the gentleman with the courts of the State of New York is not the business of the Congress. As a lawyer, it is my opinion that the courts of the State have not functioned as well as they could on the question of enforcement of judgments, but that does not mean the Congress should intervene.

Problems such as employment of a wife or other forms of nepotism and lack of service for pay require action of the whole House directed toward all Members.

While I am perturbed by the poor image given to the Congress by the action or attitude of one individual Member, we must proceed properly under the Constitution.

General morality is a problem for the Congressman's constituents.

The valid basis for inquiry here is whether or not the State is represented by an inhabitant. Under the Constitution of the United States, such inquiry is, I believe, the duty of Congress.

Mr. ADDABBO. Mr. Speaker, 2 years ago, on the opening day of the 89th

Congress, we were called upon by certain factions to vote against seating the Mississippi delegation. I, though a firm believer and fighter for the equal rights of all and believing in the equal protection of the law, voted to seat the Mississippi delegation at that time, because, as a matter of law, constitutional and legislative, they were entitled to be seated pending the outcome of the contest of the validity of their election.

Today we are being asked not to seat our colleague, ADAM CLAYTON POWELL, although he has been duly elected by the people of his district—they had all the facts which were as publicized then as they are now. A certificate of election has been duly filed by the secretary of state of the State of New York with the Clerk of the U.S. House of Representatives.

We must remember that the fight for independence of this country was started and based on the proposition of "No taxation without representation." I believe that we cannot take away the representation of the people of Congressman POWELL's district, even though few of us in Congress are in sympathy with certain actions of Congressman POWELL—where action was possible, action was taken.

The accusations made against Congressman POWELL are still under investigation, court actions are still pending—until these matters are finally determined, we should not deny to his constituency the representation to which they are entitled. I have taken an oath to uphold the law and will not judge merely on newspaper headlines or television and radio stories.

Mr. HAWKINS. Mr. Speaker, I rise in opposition to any action being taken against the gentleman from New York [Mr. POWELL], which applies only to him and not to other Members of this body. While my position differs both from the Udall resolution and its alternative to deprive Mr. POWELL of his seat now, the Udall resolution is at least the lesser of the two evils and we have no other choice for a vote at this time.

Already action has been taken against Mr. POWELL as chairman of the Education and Labor Committee which restricts his conduct and practices unlike anything that applies to any other chairman. Already it has been recommended that even his chairmanship be taken away. Now it is being suggested that we further punish him by denying him a seat in this House.

To deny Congressman POWELL a seat in this session of Congress is to deprive the people of his district his leadership and service during these hectic days when those who would deny this representation have voted to cut antipoverty funds so badly needed in Mr. POWELL's district and elsewhere in this country.

Others in this Congress, guilty of numerous charges and misconduct, have been rewarded while Mr. POWELL has been punished despite during his service as chairman of the Education and Labor Committee, he has assisted in passing at least 57 important laws beneficial to the American people including the most important education bills ever to be approved by any Congress.

I strongly advocate high ethical standards and the most comprehensive rules to judge all Members. I further support modification of the wornout seniority system that has permitted chairmen to operate without strict scrutiny; but I cannot in good conscience punish any man without a fair trial and with unequal justice.

Mr. RYAN. Mr. Speaker, 2 years ago on January 4, 1965, I objected to the oath being administered to the five Representatives-elect from Mississippi on the grounds that they were not legally elected because the Mississippi electoral process systematically denied the right to register and vote to a substantial number of American citizens in violation of the 14th and 15th amendments to the Constitution. At that time the House voted 276 to 149 to seat them.

Today the proceedings and the temper of the House are in marked contrast. It is now proposed to refuse to administer the oath to a Representative-elect who has without a shadow of a doubt been duly elected by his constituents.

How can the House seat Members-elect who have not been constitutionally elected and then 2 years later deny a seat to one whose election has not been questioned?

Where an election was valid, where no deception or fraud was perpetrated, where the voters were in possession of the facts—should the House substitute its judgment for the judgment of the constituency? It may be the opinion of the House that the voters in the 18th Congressional District of New York have exercised unwise judgment. But have not they exercised their democratic right? To replace their judgment with ours would in effect disenfranchise them—an action inimical to the democratic process and perhaps unconstitutional.

In view of the action taken yesterday by the Democratic caucus which removed him as chairman of the Committee on Education and Labor, Congressman POWELL has been disciplined severely and denied the prerogatives of his seniority. To refuse to administer the oath to him would be to deny the people of the 18th Congressional District of New York their right to representation in the House of Representatives.

Mr. Speaker, if this precedent is established, the day may well come when some other duly elected Representative will find his constituents disenfranchised because the House, in its judgment, believed that his constituents erred. Today the House may record disapproval of conduct. Tomorrow it may record disapproval of views. Although the conduct may be reprehensible and the views repugnant or controversial, the democratic process is only as strong as our faith in the judgment of the voters. I urge my colleagues to allow the voters to be the final arbiters of one's eligibility to be a Member of this body, and not to perform the dangerous act of substituting our own judgment for that of the voters—thus depriving them of their right of representation.

Mr. GILBERT. Mr. Speaker, for the record, I would like to have it known that on the question before the Democratic caucus yesterday concerning the gentleman from New York [Mr. POWELL] I voted in favor of the Multer motion which would have suspended the chairman's powers pending a thorough study of charges against him, and against the Udall motion to strip the chairman of his powers outright.

On the floor today, I voted against the move to unseat the gentleman from New York [Mr. POWELL].

I took the position I did because I do not believe the House, the maker of law, has the right to ignore the most fundamental principle of law, that a man not be punished before he has had a fair hearing. I do not believe the case of the gentleman from New York has been adequately considered by the House. I feel it is unwise to judge a man before he is given a fair hearing. I believe it was improper to deprive Mr. POWELL of the prerogative which he earned in this body without first conducting a fair and judicious study of the matter.

Mr. WRIGHT. Mr. Speaker, we are acting today in a largely uncharted field. Certainly all of us recognize the overriding and imperative interest of protecting the honor and reputation of the Congress of the United States.

Yesterday I supported the move in the Democratic caucus which has resulted in divesting the Member from New York of the committee chairmanship and the prerogatives which go with it.

A committee chairmanship is a privilege, and not a right. It is a gift of this House. It is ours to bestow or withhold.

By withholding it in this case, we have clearly established the precedent that the House of Representatives will not tolerate the misuse of public funds. We will not tolerate the payment of spurious travel vouchers. We will not tolerate the payment of public moneys, in violation of the rules of the House, to persons who are not performing public duties. Nor will we permit the fictitious or fraudulent signing of names for airline passage at public expense.

All of this was established by the action taken yesterday. We deposed a committee chairman of his prerogatives of seniority and of his special responsibility over public funds. We established the point that integrity is more important than seniority.

If it be said that we are setting a new precedent, very well. Let the precedent apply to all those in the future who would hold or aspire to positions of trust in this House.

Today I support the Udall motion which would establish a competent committee to look carefully into the further alleged misconduct of the gentleman from New York insofar as it bears upon his fitness to serve as a Member of the House.

Prior to the execution of a judgment so severe as denial of membership, I believe that the Member from New York is entitled to a full hearing by his peers and a chance to defend himself.

Membership in the House is not given by us. It is given by the citizens of each congressional district. It is a gift we cannot bestow. We should act in extreme prudence and painstaking fairness whenever we presume to take it away.

For what we took away yesterday was a privilege, bestowed by the House. What we would take away today is a right, bestowed only by the people.

When we divest a duly elected Member of his right to sit and vote in this Chamber, we disenfranchise the people of an entire congressional district. We rob them of their voice and of their vote. They are the ones who are punished, and these people do not stand before us today accused of any particular malfeasance.

We indulge a powerful presumption, it seems to me, whenever we say to the people of a congressional district that they may not have whom they desire as their chosen Representative and spokesman in the Congress. However we may feel about the wisdom of their choice, this right is theirs, not through our largess but through the Constitution.

I have no more right to interpose my judgment and dictate to the people of New York whom they may have for their spokesman than a Member from New York would have to dictate to the people of Texas whom they may choose.

If the previous question should be voted down, it is possible, depending upon the length of the ensuing debate, that I shall be forced to miss the vote on the Ford substitute, because of a longstanding and irrevocable appointment at the White House at 4 o'clock this afternoon.

For this reason, I feel that I should make my position clear. I support the action taken in the Democratic caucus yesterday. I support the Udall motion today.

I believe the reputation of Congress must be preserved. I believe that no Member should be permitted administrative jurisdiction over public funds absent a strict sense of financial probity.

It is my conviction that the House has the full right to take away privileges bestowed by the House when in our judgment those privileges have been abused.

I believe that it is a much more serious thing to disenfranchise an entire group of citizens by denying them a voice and a vote in the Congress.

In keeping with the best and most honored traditions of American jurisprudence, every person is entitled to a full and openminded hearing by a jury of his peers and an opportunity to develope and present his defense before being sentenced. This applies even to the most criminal of malefactors.

Surely it should apply in the case today.

Mr. TAFT. Mr. Speaker, I take this opportunity to comment on the position I have taken on the vote on the previous question on the motion of the gentleman from Arizona [Mr. Udall], as well as upon the substitute amendment of the gentleman from Michigan [Mr. Ford].

I have opposed the previous question and voted for the substitute amendment because this is the only way by which Mr. Powell can properly be allowed to present his case and the House can properly examine his qualifications. To have permitted Mr. Powell to have taken his seat would, under the precedents of this House, have limited the examination of his qualifications to his conduct during this particular term of office, or at best, to events occurring after his most recent election on November 8, 1966. Under the procedures provided by the substitute amendment, Mr. Powell will have a full hearing and opportunity to present his case. He will also be entitled to all pay, allowances, and emoluments authorized for Members of this House. Moreover, the bipartisan committee appointed is required to report within 5 weeks upon this recommendation, and the House should then act promptly. To have ordered the previous question would have prevented forever a full consideration by the House of Mr. Powell's qualifications and the charges made against him. It would also have prevented Mr. Powell from having an appropriate opportunity to present his defense to the charges.

The action taken by this House is the responsible and proper action. It stands in strong contrast to the action of the majority caucus which acted only upon a report of the House Administration Subcommittee and stripped Mr. Powell of his chairmanship.

Mr. UDALL. Mr. Speaker, could I inquire as to the status of time?

The SPEAKER. The gentleman has 5½ minutes remaining.

Mr. UDALL. Mr. Speaker, under the unanimous-consent agreement, I yield 4 minutes of that 5½ minutes to the gentleman from New York, Adam Clayton Powell.

Mr. POWELL. My beloved colleagues with whom I have served for 24 years: I know this is an agonizing moment for all of you. I know if you could vote on a secret ballot, your vote would be different from what you have proclaimed publicly, because you know I have been here 24 years, and he who is without sin should cast the first stone. There is no one here who does not have a skeleton in his closet. I know, and I know them by name.

Now, Mr. Speaker, I will talk first about residence. When a man pays his income tax in New York State, and when he pays the new city tax now imposed upon us by our former beloved colleague, Mayor Lindsay, and when he appears in New York and preaches—and it has been in the papers regularly—then he is a resident. The law does not say how long you have to stay. I have been preaching in the Abyssinian Baptist Church up until a couple of months ago every Sunday without fail.

The next thing they talk about is criminal contempt. The dean of the House knows more about this than any lawyer here, and he says that New York is a gray area. I am in criminal contempt but not on a felony, and that is what our constitution of the House says—a felony. I am not in criminal contempt on a felony.

Next, you are prejudicing my case. There is nothing wrong with a man appealing his case, is there? I would fight for the right of anyone here to appeal his case. The appellate division right now—and the gentleman from New York [Mr. Goodell] was with the Department of Justice and knows—the appellate division right now today is handing down decisions. Also the case has been moved into the Federal court and ultimately will go to the U.S. Supreme Court. What I am fighting for is not for me but for you. I am fighting for the right of a Congressman to say what he says in this well when he leaves here, and this has never been judged or adjudicated. The makers of public opinion can print what we say, but we are not allowed to do so. That is the sole issue. That cost me thousands of dollars in legal fees, as you can well imagine.

You talk about my qualifications. There has been no bill of particulars. Someone can rise 2 years from now and use the same phrase, "qualifications" on any of you without a bill of particulars, and you would not be seated.

Gentleman, my conscience is clean. My case is in God's hands. All I hope is that you have a good sleep tonight.

Mr. UDALL. Mr. Speaker, I yield myself the remaining time.

The SPEAKER. The gentleman from Arizona is recognized for 1½ minutes.

Mr. UDALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SMITH of California. Mr. Speaker, will the gentleman from Arizona yield for a parliamentary inquiry?

Mr. UDALL. I yield to the gentleman from California for that purpose.

Mr. SMITH of California. Mr. Speaker, I still do not know whether the vote will require a two-thirds majority to seat or unseat the gentleman from New York or a straight majority vote.

Mr. UDALL. The answer is "Yes"; it takes a majority vote in behalf of this resolution; otherwise it would be a two-thirds vote.

Mr. SMITH of California. I thank the distinguished gentleman from Arizona.

Mr. UDALL. Mr. Speaker, we face a solemn moment of the kind which has not occurred in this House of Representatives in several decades.

Mr. Speaker, I shall say just two or three things:

First, the vote you take is not a vote on the merits of the case. It is a vote on whether or not we will have a hearing before we decide the case. An aye vote is not a vote of approval for Adam Powell. It is a vote for due process.

Mr. Speaker, if we have not gotten anything else over this afternoon, I hope we get that point across to the Members of this House of Representatives.

Second, Mr. Speaker, and finally, I must have had 400 letters complaining about Adam Powell, saying, "You have got to do something to punish Adam Powell."

But, Mr. Speaker, I have not had a single letter that says, "You have got to punish Adam Powell's constituents."

And, Mr. Speaker, that is what we will be doing today—punish the constituents of Adam Powell, if we do not let him be seated, as we have always done under the precedents of the House, and as we are going to do for one of our Republican colleagues in just a moment. You are going to punish not him but his constituents.

Mr. Speaker, it is my earnest and sincere opinion that we will do great damage to the great American tradition of due process of law if we follow this course.

Mr. Speaker, I move the previous question.

Mr. GERALD R. FORD. Mr. Speaker, on the vote on the previous question I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 126, nays 305, not voting 0, as follows:

[Roll No. 3]

YEAS—126

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Barrett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Carey
Celler
Cohelan
Conyers
Corman
Culver
Daddario
Daniels
Dawson
Delaney
Dent
Diggs
Donohue
Dow
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Farbstein
Feighan
Flood
Foley
Ford, William D.
Fraser
Friedel
Gallagher
Giaimo
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Helstoski
Hicks
Holifield
Holland
Howard
Irwin
Jacobs
Joelson
Karsten
Kastenmeier
Kazen
Kelly
King, Calif.
Kirwan
Kluczynski
Kyros
McFall
Macdonald, Mass.
Madden
Matsunaga
Meeds
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Pickle
Price, Ill.
Rees
Resnick
Reuss
Rhodes, Pa.
Rodino
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Sisk
Smith, Iowa
Steed
Tenzer
Thompson, N.J.
Udall
Vanik
Waldie
Wilson, Charles H.
Wright
Yates

NAYS—305

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blanton
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Duncan
Dwyer
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gibbons
Goodell
Goodling
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kee
Keith
King, N.Y.
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Patman
Pelly
Pettis
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Tunney
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Willis
Wilson, Bob
Winn
Wolff
Wyatt
Wydler
Wylie
Wyman
Young
Younger
Zablocki
Zion
Zwach

NOT VOTING—0

So the motion was rejected.

The result of the vote was announced as above recorded.

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. GERALD R. FORD].

AMENDMENT OFFERED BY MR. GERALD R. FORD

Mr. GERALD R. FORD. Mr. Speaker, I offer a substitute for House Resolution 1.

The Clerk read as follows:

Amendment offered by Mr. GERALD R. FORD as a substitute for House Resolution 1: Strike out all after the resolving clause and insert the following:

"*Resolved,* That the question of the right of Adam Clayton Powell to be sworn in as a Representative from the State of New York in the Ninetieth Congress, as well as his final right to a seat therein as such Representative, be referred to a special committee of nine Members of the House to be appointed by the Speaker, four of whom shall be Members of the minority party appointed after consultation with the minority leader. Until such committee shall report upon and the House shall decide such question and right, the said Adam Clayton Powell shall not be sworn in or permitted to occupy a seat in this House.

"For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

"Until such question and right have been decided, the said Adam Clayton Powell shall be entitled to all the pay, allowances, and emoluments authorized for Members of the House.

"The committee shall report to the House within five weeks after the members of the committee are appointed the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House."

The SPEAKER. The gentleman from Michigan [Mr. GERALD R. FORD] is recognized for 1 hour.

Mr. GERALD R. FORD. Mr. Speaker, I certainly do not intend to take anywhere near the full hour, but I do feel it wise to review very quickly what the substitute provides. It provides that the Speaker shall appoint a select committee composed of nine Members, five from the majority side and four from the minority side. In the interim the gentleman from New York [Mr. POWELL] shall not be sworn in or permitted to occupy a seat in the House.

The committee is given very broad authority for the undertaking of its investigation. I wish to restate here what I said during the principal debate; namely, that during the consideration of the question by the committee and the action by the House at a subsequent date the gentleman from New York [Mr. POWELL] shall be entitled to all of the pay, allowances, and emoluments authorized for Members of the House.

Finally, the committee shall report back to the House within 5 weeks after the committee has been appointed by the Speaker.

Mr. Speaker, it seems to me that the action taken by the House is clear; the action taken by the House today is fair.

And, Mr. Speaker, I shall announce at this time that I shall yield only during this time for the purposes of debate and not for the offering of any amendment.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Ohio for the purpose of debate only.

Mr. HAYS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, when the gentleman from Michigan [Mr. Gerald R. Ford] was speaking on the other resolution, the gentleman pointed out the fact that the Democratic caucus had deprived Mr. Powell of his chairmanship.

I would like to point out to the gentleman from Michigan—and I believe when I have finished, and I shall make it brief—the gentleman may agree with me to the effect that the committee which I had the honor to chair was mandated to look into the operations of the gentleman in question as chairman of the House Committee on Education and Labor, as well as the hiring of employees and the use of the funds appropriated by the House of Representatives.

Mr. Speaker, although I was criticized in some quarters for not going into the New York situation and into Mr. Powell's private life, I held—and the committee supported me—to the mandate of the committee. And, in fairness to the Democratic caucus—although I would have perhaps preferred a different way—I believe on the findings of that committee, they decided that enough had been testified to, without any testimony contrarywise, to warrant the depriving of Mr. Powell of his committee chairmanship.

Mr. Speaker, I simply wanted the Record to show that, and that was the action of the caucus, based upon that fact and the fact that the mandate of the committee did not go beyond that point.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from Ohio for this addition to the debate. I feel it is important to have that situation pointed out fully.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Arizona for the purpose of debate only.

Mr. UDALL. Mr. Speaker, the gentleman from Michigan need not qualify it in that way. We in southern Arizona know when we have been clobbered. The vote just taken was rather decisive. I wanted the gentleman from Michigan to yield to me for the purpose of propounding a parliamentary inquiry.

Mr. GERALD R. FORD. I yield to the gentleman from Arizona for that purpose.

The SPEAKER. The gentleman from Arizona will state his parliamentary inquiry.

Mr. UDALL. Mr. Speaker, I do not care to prolong the debate, but I intend to ask for a rollcall vote on the adoption of the resolution, and in order to request that at the proper time, I was wondering whether there will be two votes, one on the substitute and then one on the original resolution, as modified by the substitute.

The SPEAKER. There will be one on the substitute and one on the original resolution, as amended.

Mr. UDALL. I thank the distinguished Speaker for that information. It was on the second vote that I was requesting this information.

Mr. HOLIFIELD. Mr. Speaker, would the distinguished minority leader yield for a question?

Mr. GERALD R. FORD. I have agreed to yield to the gentleman from Massachusetts [Mr. Conte], for the purpose of debate only.

Mr. CONTE. Mr. Speaker, I wish to thank the gentleman from Michigan [Mr. Gerald R. Ford] for yielding to me at this time.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, I would like to ask the minority leader a question relevant to the issue before the House.

I had an amendment to his resolution which, if adopted, would set up a select committee, not only to investigate the charges against Mr. Powell of New York, but to investigate any other charges or any other transgressions by any other Member of Congress. I presented that amendment to the minority leader and he informs me that the amendment is not germane; is that correct?

Mr. GERALD R. FORD. Mr. Speaker, it is my best judgment that a possible place for the gentleman from Massachusetts to offer this proposal is at the time when the House today approves the rules for the 90th Congress, and the manner in which that might be done is as follows:

If such a proviso or provision is not included in the proposed rules for the 90th Congress, as recommended by the majority party, then the gentleman should vote to defeat the previous question so that the proposed solution can be opened up and the amendment can then be offered in the rules for the 90th Congress.

Mr. CONTE. Mr. Speaker, I want to thank the gentleman from Michigan. I intend to vote against the previous question on the rule so that I may offer this resolution to set up a standing committee to investigate any transgressions of any Member of the House of Representatives.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Florida for the purposes of debate only.

Mr. HALEY. Mr. Speaker, may I inquire, since I notice that there is no place in the resolution where funds are provided, that being so, where would the funds of this committee be forthcoming?

Mr. GERALD R. FORD. Mr. Speaker, this would require, I believe, action by the Committee on House Administration. I certainly would anticipate and expect such action if this resolution is approved by the House today.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. Mr. Speaker, I yield to the gentleman from California for the purposes of debate only.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman for yielding.

I rise to ask this question: The impact of the gentleman's motion would be that Mr. Powell would step aside for a period of how many days?

Mr. GERALD R. FORD. He would step aside for 5 weeks.

Mr. HOLIFIELD. At the end of that time, when the committee made its findings and recommendations, would the House have a chance to vote upon the acceptance or rejection of Mr. Powell as a Member of the House?

Mr. GERALD R. FORD. Let me clarify one thing, and that is that it would be 5 weeks or sooner from the time the committee is selected by the Speaker.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman answer my question? My question is, If, when that committee with its findings and recommendations reports to the House of Representatives, will the Members of the House of Representatives at that time have a chance to vote on the acceptance or rejection of Mr. Powell as a Member?

Mr. GERALD R. FORD. That would be up to the leadership.

Mr. HOLIFIELD. If the leadership offers such a resolution, will it require a two-thirds majority, or a majority, at that time?

Mr. GERALD R. FORD. At that time, as I understand, since it is a matter of seating, it would require a simple majority.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. Mr. Speaker, I yield to the gentleman from Ohio for the purpose of debate only.

Mr. HAYS. Mr. Speaker, there seem to be some extracurricular matters that have been dragged into this.

Personally, I resent the implication by the gentleman from Massachusetts [Mr. Conte] that the Committee on House Administration is trying to pick out one person and cover up somebody else.

Mr. Speaker, the Committee on House Administration proved that it could do the job. I am a little tired of reading in the press about other Members this and other Members that. There were no charges brought to that committee about any other Member. The charges about the gentleman from New York [Mr. Powell] were brought by the members of his committee, and we looked into them.

I think that it is time for the grandstanding to stop, as I said in the closing days of the previous session. If the gentleman from Massachusetts—or anybody else—has any specific charges they want to apply against any Member, then file them with the Committee on House Administration, and it can do the job.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield 5 minutes to the gentleman from New York [Mr. Multer] for the purpose of debate only.

Mr. MULTER. Mr. Speaker, I would like to conclude at this time the argument which I was unable to conclude during the previous debate on the Udall resolution.

I was, it is true, Mr. Speaker, being legalistic, having in mind the fact that we are sitting here as judges.

Mr. Speaker, we are sitting here as judges—and I use the word "judges" because that is the word used in the Constitution. Therefore, we should be legalistic in our approach to the problem.

I have indicated that in section 2 of article I of the Constitution, we find the qualifications set forth for Members of the House of Representatives. Ever since this country was born the law has been that the Constitution of the United States and only the Constitution fixes the qualifications of Members and neither the State legislatures nor the Congress can change those qualifications except by amendment to the Constitution.

I indicate to you that the qualifications there set forth are three in number and that none of them is the subject matter of the controversy being considered here today and on which we are passing judgment.

I indicate to you further that in section 5 of the Constitution we find the provision that the House of Representatives shall be the judge of the elections, returns, and qualifications of its Members.

I repeat to you, ladies and gentlemen of the House, that nothing that has been said here today goes to the matter or to the question of the elections, returns, or qualifications of the gentleman from New York [Mr. POWELL] to sit as one of our colleagues.

There is another provision in the same article of the Constitution in section 5, which gives this House the right to punish its Members for disorderly behavior; and with the concurrence of two-thirds to expel a Member.

What you are seeking to do here by the Ford amendment to the Udall resolution is to punish this man before he has had his trial. I urge that you should not do that and I urge that you should vote down the Ford amendment or Ford substitute and vote for the Udall resolution which provides for the orderly procedure as provided by the Constitution and the law—the good old American way of giving a man a hearing even if we might believe the person to be guilty. Of course, I need not remind you that this has been done so many, many times. We should give the person an opportunity to be heard and then pass judgment and execute the judgment. The way that is proposed by the Ford amendment is not the way to do it.

I will not burden you too much longer with my constitutional and legalistic argument. It is perfectly obvious that most of the Members here assembled have made up their minds as to what they are going to do on the motion and the amendment that is pending to it.

All that I can do is to urge you to bear in mind that what you are doing here will remain on the books of the Congress—it will remain on its records and in its Journal for ever and ever. I suggest to you that we will regret not having followed the good old American way and good old tradition of American jurisprudence of giving every man his trial no matter how guilty he may be, even when an indictment is presented and he pleads guilty. That is the way we usually do in this country, unlike other countries. In this country charges are made against a man and he is indicted and he is given the opportunity to plead guilty or not guilty. If he pleads not guilty, then he can present his defense and then judgment is rendered as a result of the trial and then that judgment is carried out.

I urge you not to do as is being sought here today to execute first and then render the judgment, and then after that to try the case.

Mr. GERALD R. FORD. Mr. Speaker, I feel that this very important, very serious issue has been discussed in depth, but I do feel an obligation at this point to yield to the distinguished gentleman from the State of Arizona 1 minute for a concluding observation and comment.

Mr. UDALL. Mr. Speaker, I thank the gentleman from Michigan. I simply want to say to some of my friends who are troubled about how to vote on the final disposition of this matter that I see it in this way: Of course, I am opposed to the adoption of the substitute for the original resolution, but the question will then come on whether we adopt the Udall resolution as modified by the substitute. On that question I shall vote "aye."

I do so for this reason. A motion to seat the gentleman from New York [Mr. POWELL] has been offered. It is obvious that the motion to seat him will not pass. Action on the previous question motion made this obvious. If nothing happened, if the resolution were to be beaten, nothing is done. The gentleman from New York [Mr. POWELL] would be excluded, the case would be over, and he would be gone.

On the other hand, if there is any chance for him to prove his case, to have a hearing to get his seat, we should pass the substitute resolution and have the committee appointed. If the committee should find that the gentleman from New York [Mr. POWELL] should be seated and recommends that he be seated, then a resolution could be prepared and submitted for that purpose.

For those reasons I am opposed to the substitute pro forma. It will carry. Then I favor the adoption of the resolution as modified by the substitute.

Mr. GERALD R. FORD. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the substitute amendment offered by the gentleman from Michigan.

The substitute amendment was agreed to.

The SPEAKER. The question is on the resolution as amended.

Mr. UDALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 363, nays 65, not voting—3, as follows:

[Roll No. 4]

YEAS—363

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Biester
Blanton
Boggs
Boland
Bolton
Bow
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Fascell
Findley
Fino
Fisher
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gibbons
Goodell
Goodling
Gray
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hathaway
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karth
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
St Germain
St. Onge
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wyatt

Wydler
Wylie
Wyman
Young
Younger
Zablocki
Zion
Zwach

NAYS—65

Adams
Annunzio
Barrett
Bingham
Blatnik
Bolling
Brademas
Brasco
Brown, Calif.
Burton, Calif.
Byrne, Pa.
Cohelan
Conyers
Daddario
Daniels
Dawson
Dent
Diggs
Eckhardt
Edwards, Calif.
Farbstein
Feighan
Foley
Gallagher
Giaimo
Gilbert
Gonzalez
Green, Pa.
Hansen, Wash.
Hawkins
Helstoski
Hicks
Holland
Howard
Irwin
Joelson
Karsten
Kastenmeier
Madden
Minish
Mink
Moorhead
Morgan
Multer
Murphy, Ill.
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Patten
Price, Ill.
Rees
Resnick
Reuss
Rhodes, Pa.
Rodino
Ronan
Rooney, N.Y.
Rosenthal
Roybal
Ryan
Scheuer
Thompson, N.J.
Vanik
Yates

NOT VOTING—3

Green, Oreg.
Kirwan
Wright

So the resolution as amended was agreed to.

Mr. BYRNE of Pennsylvania changed his vote from "yea" to "nay."

Mr. ANNUNZIO changed his vote from "yea" to "nay."

Mr. RESNICK changed his vote from "yea" to "nay."

Mr. DADDARIO changed his vote from "yea" to "nay."

Mr. GIAIMO changed his vote from "yea" to "nay."

Mr. RHODES of Pennsylvania changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HON. BENJAMIN B. BLACKBURN

Mr. DAVIS of Georgia. Mr. Speaker, I offer a resolution (H. Res. 2), and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 2

Resolved, That the Speaker is hereby authorized and directed to administer the oath of office to the gentleman from Georgia, Mr. Benjamin B. Blackburn.

Resolved, That the question of the final right of Benjamin B. Blackburn to a seat in the Ninetieth Congress be referred to the Committee on House Administration, when elected, and said committee shall have the power to send for persons and papers and examine witnesses on oath in relation to the subject matter of this resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MAJORITY LEADER

Mr. ROSTENKOWSKI. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected as majority leader the gentleman from Oklahoma, the Honorable CARL ALBERT.

MINORITY LEADER

Mr. LAIRD. Mr. Speaker, as chairman of the Republican conference, by unanimous vote, I am directed by that conference to notify the House officially that the gentleman from Michigan, the Honorable GERALD R. FORD, has been selected as the minority leader of the House in this 90th Congress.

ANNOUNCEMENT OF SELECTION OF MINORITY WHIP AND OTHER OFFICERS

Mr. LAIRD. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to notify the House officially that the Republican Members have selected as minority whip the gentleman from Illinois, the Honorable LESLIE C. ARENDS.

The conference has also directed me to notify the House officially that the Republican Members have selected as chairman of the Republican committee on policy the gentleman from Arizona, the Honorable JOHN J. RHODES, and has chosen as chairman of the Republican committee on research and planning the gentleman from New York, the Honorable CHARLES E. GOODELL.

MAJORITY WHIP

Mr. ALBERT. Mr. Speaker, I have the honor to advise Members of the House that the very distinguished Member and great American, the gentleman from Louisiana [Mr. BOGGS] will act as whip of the Democratic Party for the 90th Congress.

SWEARING IN OF MEMBER

Mr. BLACKBURN appeared at the bar of the House and took the oath of office.

ELECTION OF CLERK, SERGEANT AT ARMS, DOORKEEPER, POSTMASTER, AND CHAPLAIN

Mr. ROSTENKOWSKI. Mr. Speaker, I offer a resolution (H. Res. 3) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That W. Pat Jennings, of the Commonwealth of Virginia, be, and he is hereby, chosen Clerk of the House of Representatives;

That Zeake W. Johnson, Jr., of the State of Tennessee, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William M. Miller, of the State of Mississippi, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That H. H. Morris, of the Commonwealth of Kentucky, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Reverend Edward G. Latch, of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. LAIRD. Mr. Speaker, I intend to offer a substitute to the resolution.

The SPEAKER. Does the gentleman wish to divide the question on the resolution?

Mr. ARENDS. Mr. Speaker, I request that there be a division of the question on the resolution so that we may have a separate vote on the Office of the Chaplain.

The SPEAKER. The gentleman from Illinois demands a division in relation to the election of the Chaplain.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

SUBSTITUTE OFFERED BY MR. LAIRD

Mr. LAIRD. Mr. Speaker, I offer a substitute amendment for the remainder of the resolution.

The Clerk read the substitute amendment, as follows:

Amendment offered by Mr. LAIRD as a substitute for House Resolution 3:

Resolved, That Harry L. Brookshire, of the State of Ohio, be, and he is hereby, chosen Clerk of the House of Representatives;

That Richard T. Burress of the State of Maryland, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William R. Bonsell, of the State of Pennsylvania, be, and he is hereby, chosen Doorkeeper of the House of Representatives; and

That Tommy Lee Winebrenner, of the State of Indiana, be, and he is hereby, chosen Postmaster of the House of Representatives.

The SPEAKER. The question is on the substitute amendment.

The substitute amendment was rejected.

The SPEAKER. The question is on the resolution offered by the gentleman from Illinois [Mr. ROSTENKOWSKI].

The resolution was agreed to.

The SPEAKER. Will the officers elected present themselves in the well of the House?

The officers-elect presented themselves at the bar of the House and took the oath of office.

NOTIFICATION TO SENATE OF ORGANIZATION OF HOUSE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 4) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 4

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that JOHN W. MCCORMACK, a Representative from the Commonwealth of Massachusetts, has been elected Speaker; and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the Ninetieth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members of the committee to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make, the gentleman from Oklahoma [Mr. ALBERT], the gentleman from Louisiana [Mr. BOGGS], and the gentleman from Michigan [Mr. GERALD R. FORD].

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. MAHON. Mr. Speaker, I offer a resolution (H. Res. 6) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 6

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected JOHN W. MCCORMACK, a Representative from the Commonwealth of Massachusetts, Speaker; and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the Ninetieth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 7) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 7

Resolved, That the rules of the House of Representatives of the Ninetieth Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the rules of the House of Representatives of the Ninetieth Congress.

Mr. ALBERT. Mr. Speaker, I move the previous question.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield for a question?

Mr. ALBERT. Yes, I yield to the gentleman from California.

Mr. SMITH of California. It is my understanding that you would not be desirous of accepting any amendments to this resolution at this time. Is that so?

Mr. ALBERT. I would not yield for that purpose.

Mr. SMITH of California. It is my further information that if any amendment could be offered, it would be necessary that the previous question be voted down.

Mr. ALBERT. That is more properly a question for the Chair, but I would say "No."

Mr. SMITH of California. I wonder if the gentleman will yield me 5 minutes for the purpose of debating only on this resolution.

Mr. ALBERT. I yield to the gentleman for the purpose of debate only.

Mr. SMITH of California. Mr. Speaker, as I indicated to a number of Members yesterday, it was my intention today to attempt to vote down the previous question with the thought in mind of striking out the language which is commonly referred to as the 21-day rule. That was the language which was placed in the rules in the 89th Congress. It reads:

> If the Committee on Rules shall adversely report or fail to report within twenty-one calendar days after reference, any resolution pending before the committee providing for an order of business for the consideration by the House of any public bill or joint resolution favorably reported by a committee of the House, on days when it is in order to call up motions to discharge committees, it may be in order as a matter of the highest privilege for the Speaker, in his discretion, to recognize the chairman or any member of the committee which reported such bill or joint resolution who has been so authorized by said committee to call up for consideration by the House the resolution which the Committee on Rules has so adversely reported.

In other words, the Speaker of the House can recognize the chairman of the standing committee on either of the Mondays of the month—I believe it is the second and the fourth Monday—which are deemed discharge days for the purpose of considering the bill. What has actually happened, in my opinion, in the past 2 years is that the intent, which I thought was the intent when this rule was passed, has not been followed. In other words, it has been my thought and had been my thought when this amendment was placed in the rules here, and which I opposed, the interpretation that most of the Members had, I believe, when they voted on it was that if the Committee on Rules bottles something up and holds it and does not bring it to the floor after 21 days, they could then proceed in this particular manner. But what has happened on a number of occasions is that the resolution under the 21-day rule has been filed on the same day that the bill has been reported to the House.

It says that this applies to anything adversely reported 21 days after reference. As a matter of fact, my understanding is that no bill reported out of a standing committee is actually referred to the Committee on Rules. It is referred to the House Calendar. Whether by precedent or by rule 712 since 1883 the Committee on Rules, upon the request of the chairman of the committee, has then taken or assumed the authority for holding a hearing and reporting a resolution to the floor for the consideration of the matter, including the granting of time and the decision as to whether it is an open or a closed rule and waiving of points of order and substitutes and such things as that. However, on a number of occasions last year we found that the resolution was drawn up identically with a type of rules resolution by the chairman of the committee and that was then the matter which was referred to the Rules Committee. If we did not act on that resolution within 21 days, it would then be scheduled on the floor. Now, what do we do with that resolution? Do we kill it, amend it, or who handles the time on it?

Actually, the time is handled by the chairman of the standing committee, rather than by the Committee on Rules. And, in some instances, at least one instance where a rule had been granted, it apparently was not particularly to the liking of some and so a month and a half later a resolution was filed under the 21-day rule to consider a particular bill.

Mr. Speaker, as I stated, it was my thought, after discussing this, to ask the Members to support my request to vote down the previous question on the rule. But, within the last hour I have discussed this matter with our distinguished Speaker, and if we understand each other—I believe that I understand what he has in mind and desires under this particular rule and I believe that our distinguished Speaker understands the objections which I have to it—we have reached an understanding that will undertake to correct language involved in this question. If that is correct, I will have the opportunity to present it at some time in the future.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I shall be happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I am delighted that the gentleman from California [Mr. SMITH] has discussed this important matter with the distinguished Speaker. I believe when it is achieved or accomplished—and I believe it can be—it will represent a big step forward.

Mr. Speaker, I compliment the gentleman from California [Mr. SMITH] in taking the initiative in seeking to achieve a better arrangement and a more equitable way in which to handle the 21-day rule.

However, I would like to add this: The distinguished majority leader has offered a resolution to the effect that we adopt the rules of the 89th Congress, with those changes that are incorporated in the Legislative Reorganization Act of 1946. There are a number of Members on our side of the aisle who feel very strongly that there are other areas than the 21-day rule, which ought to be revised. If we are to revise the rules, as recommended by the distinguished majority leader, it will be necessary for us to vote down the previous question.

The SPEAKER. The time of the gentleman from California has expired.

Mr. GERALD R. FORD. Would the distinguished majority leader yield 3 or 4 additional minutes to the distinguished gentleman from California [Mr. SMITH]?

Mr. ALBERT. Mr. Speaker, I shall be glad to yield 5 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman from Oklahoma [Mr. ALBERT] very much.

Mr. THOMPSON of New Jersey. Mr.

Speaker, would the gentleman from Michigan yield for a clarifying question?

Mr. GERALD R. FORD. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. It is my understanding that the gentleman from California stated—and I did not quite catch it accurately—that he had discussed with the distinguished Speaker some variation of the form of the existing 21-day rule?

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from California.

Mr. SMITH of California. That is correct.

In other words—let me state it this way: As I stated before, I have no objection whatsoever to the leadership bringing bills to the floor where they are deliberately bottled up in the Committee on Rules, and I have never felt that way.

But the intent of the language is to clarify it so that the Speaker will have that power, but that his power will not be left here, which was so confused in connection with so many bills last year.

Mr. THOMPSON of New Jersey. Mr. Speaker, if the gentleman from Michigan will yield further, in other words at some subsequent time does the gentleman from California [Mr. SMITH] intend to come back before the House and offer some changes to the rules of the House?

Mr. SMITH of California. Mr. Speaker, if the gentleman from Michigan will yield further, only to this effect: Insofar as I am concerned, on the language that I read on the 21-day rule, to clarify that, with the help of the experts we have with reference to language which will accomplish this purpose, that is in the manner in which I thought it should work.

Mr. THOMPSON of New Jersey. Mr. Speaker, if the gentleman will yield further, and if I may proceed further: Is it the intention of the minority to vote against the previous question?

Mr. SMITH of California. What previous question?

Mr. THOMPSON of New Jersey. When the previous question on the resolution is pending before us.

Mr. SMITH of California. I could not answer that. I simply wanted to explain my position for the benefit of the record. But, it will be brought up at a later time.

Mr. GERALD R. FORD. Mr. Speaker, I will respond to the gentleman's question in this way:

In our Republican conference yesterday there was a rather broad discussion of a number of the proposed changes that Members on the Republican side thought should be incorporated in the rules, provisions which are not in the rules as we understood the majority leaders would submit them today, and as I understand it they are not in this rule.

Mr. ALBERT. Mr. Speaker, as a matter of clarification, the resolution which I have offered would provide that the rules of the 90th Congress would be the same as the rules of the 89th Congress. That includes whatever is in the 89th Congress rules; one of which was the 21-day rule.

Mr. GERALD R. FORD. To further respond to the question by the gentleman from New Jersey, I want to make it crystal clear that the Republican Members and the conference in voting against the previous question are not aiming all of their fire—or even a substantial part of their fire—against the 21-day rule, particularly since the clarification by the gentleman from California which was made here today. There are other areas in the House rules as we understand they are proposed today where several Members would like to offer amendments—amendments which we feel are sound—and these may be explained a little later.

Mr. THOMPSON of New Jersey. The gentleman has answered my earlier question in which I asked whether the minority intended to vote against the previous question.

Mr. GERALD R. FORD. The answer to that question, "Yes, but not exclusively under any circumstances just because of the 21-day rule, because there are other reasons."

Mr. THOMPSON of New Jersey. I understand.

Mr. Speaker, will the gentleman from Oklahoma yield further?

Mr. ALBERT. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, relative to the rules of the 89th Congress and their adoption as the rules of the 90th Congress I would state that for my part—and I think I speak for a great many others on this side—that we shall resist any modification of the 21-day rule, and we shall press for the adoption of the rules of the 89th Congress as we know them.

Obviously we do not know what other changes are to be proposed by the minority, and we cannot prejudge them. But basically, with respect to the 21-day rule, and the Calendar Wednesday rule, and the engrossment rule, I and many of my colleagues will resist any attempt to change them on the part of anyone, even though there may be an agreement.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, while I appreciate the statements made by the gentleman from New Jersey, I want to say that he does not speak for all Members on the Democratic side, by any means, because I personally oppose continuation of the 21-day rule.

At the same time I basically find myself in agreement with the statement made by my colleague, the gentleman from California [Mr. SMITH], with repect to the proper use of what we understood would be the 21-day rule at the time it was originally adopted 2 years ago.

Unfortunately, in the opinion of this Member, that was not followed in some instances in the last Congress, and on that basis, if given the opportunity, I certainly will vote to eliminate the 21-day rule from the existing rules.

But I do think that we should have a real understanding that as I say, was very well explained by the gentleman from California [Mr. SMITH] that properly used, and if attempts are made for the Committee on Rules to have adequate time to act and we do not hold up legislation, then as far as I am concerned I have no objection to seeing opportunity for the leadership to bring such legislation to the floor.

So I would hope that our positions might be clarified.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman for the purpose of debate only.

Mr. SCHWENGEL. Mr. Speaker, one of the more important matters to come before this 90th Congress will be the reorganization bill offered by the Joint Committee on the Organization of the Congress. I had the honor to testify before that distinguished panel. I have read its reports, and I have examined its recommendations.

Overall, the work of the joint committee has my wholehearted support. This Congress has an obligation to consider congressional reorganization and reform this session and to enact reasonable and long overdue legislation in that field. I hope, and confidently expect, that we will live up to that obligation.

Unfortunately, many of the recommendations of the joint committee, in my view, do not go far enough in solving the many and pressing problems affecting the organization and procedures of Congress. I was most particularly disappointed with the failure of the joint committee to come to grips with the seniority system's role in the appointment of committee chairmen.

I want to make perfectly clear at the outset that I have no wish to abolish the seniority system. That system has numerous virtues, many of which are often overlooked by superficial reformers.

On the other hand, the system also has some very serious defects. These are not minor flaws, and they will not disappear with time. But neither are they inherent defects. They can be corrected without disturbing the basic fabric and value of the seniority system.

I hope, therefore, that the Congress will give serious consideration to the following proposal, which, I believe, will bring the selection of committee chairmen into line with the needs of a properly representative legislative body.

Let us assign the responsibility for selecting chairmen to the committees themselves. Let us permit the majority members of each committee, at the beginning of each Congress, to elect a chairman by secret ballot from among their three ranking members. Furthermore, let us extend that procedure to the minority party by authorizing the minority members of a committee to choose their ranking member from among their three most senior colleagues, again, by secret ballot and at the beginning of each Congress.

Mr. Speaker, two major criticisms have been made of our present method for selecting standing committee chairmen. In the first place, it has been said, the system rewards mere longevity rather than merit. A hardy constitution, the ability to get reelected, and a little luck are the sum and substance of a committee chairman's qualifications.

Now, there is much that is unfair about this criticism. The legislative process is, as we know, an extraordinarily complex business. It is inconceivable, for example, that a new arrival in this House, no matter what his native intelligence and ability, could have the skill that is required to chair one of our great standing committees. It would be almost literally impossible for any such man to have the required broad range of knowledge and expertise in the wide variety of subject areas covered by our committees, the kind of detailed, technical, deep knowledge that comes only with long experience. It would be an extraordinary man indeed who could walk fresh into this House and know all the intricacies of our committee and floor procedure, who could guide a piece of legislation through the maze of House procedure, who could possess the judgment and the skill to manage such legislation on the floor and then take it through the conference stage and on to its fruition as a law of the land. Obviously, this kind of skill, knowledge, and judgment can come only with experience.

Mr. Speaker, while few men can master a chairman's job without experience, it does not follow that experience alone guarantees such mastery. Surely this House has seen examples of men who have had the proper schooling but who did not have the innate ability to learn from it. Experience cannot guarantee competence, nor can it promise character and fairmindedness.

The incompetents, the dictatorially inclined, and the dishonest come along infrequently, it is true, but they do come along. The great difficulty with our current method of applying seniority to the selection of committee chairmen is that it makes no allowance for those exceptions. It is too rigid, too inflexible.

The proposal I offer would give our committees the opportunity to rid themselves of such difficulties while retaining the virtues of experienced chairmen. Most often, there is relatively little difference in length of experience among the three ranking members of a committee. By any objective standard, any one of the three would have the length of training necessary for a chairmanship. Moreover, who better than the members of the committee could know more intimately the qualities of those three men?

In short, permitting the majority members of a committee to choose their chairman from among their three senior members would ensure experience while tempering the system with a flexibility that would also further responsibility.

The second major criticism of our present system points out that it permits chairmen to defy their own parties and most especially the programs to which their parties are committed. Mr. Speaker, this is a serious complaint, one for which there is so much evidence so familiar to all of us that I shall not bother to go into any great detail.

In any legislative body that pretends to be responsive to the people, it is simply intolerable that a single man, in a position of power achieved by the accident of long tenure, should be permitted to frustrate the will of the majority. Once more, we pay a heavy price for the inflexibility of the system.

The modifications I propose would make our chairmen both responsible and responsive. Men would be chosen who reflected more accurately the views of the majority of their colleagues. Furthermore, a chairman so elected, knowing his continued tenure depended upon the good will of his colleagues, would be more likely not to misuse the power of his position.

Mr. Speaker, one of the more persuasive defenses of our seniority system for choosing chairmen is that it is automatic and, therefore, does away with much personal and party strife. This is quite true, and it is certainly a worthy and valuable feature. But its worth, Mr. Speaker, must be balanced against its defects. The method by which men succeed to positions of power has been an acute problem for every society that ever existed, and will continue to be so. In other places and in other items, nations have attempted to avoid the difficulties of succession by the automatic process of having the king's eldest son take over. We have no use for any kind of automatic process that impedes responsible and responsive government. We elect our Speaker. We elect our party leaders. Of course, elections are not perfect, but at least they are democratic. Only by elections do we have some chance—the best chance—of maintaining the kind of freedom that lies at the bottom of all our aspirations as a nation and as a government.

There will be abuses in the changes I advocate, as there will be abuses in any democratic procedure. In my judgment, those abuses are worth bearing if they will correct the injustices of our present system of choosing committee chairmen.

Mr. Speaker, I put as high a value on traditions as most men do. I do not advocate abrogating tradition without good cause. But Congress is much too important an institution of the people's will to subject itself to the seniority system's potential for producing incompetence, irresponsibility, and tyranny. It must have a system in which there is a viable option to the rigidity of the present method, while maintaining its good features. I believe my suggestions will achieve that goal, and I enlist your support, Mr. Speaker, and the support of all other Members who believe in representative government.

For the purpose of clarification and further assurance, I would like to ask whether or not it would be possible to present two bills that I have introduced today that have to do with changing the rules of the House.

One has to do with the question of minority staffing, a question which I have had a great interest in while I was here and for the 2 years I have not been here. I think it would add to the functions of this legislative body and make it more effective.

Also I think in view of the experience that we had here today, it might be worthwhile to consider it and consider a change in the method of selecting committee chairmen.

My question is, Will I have a chance to present them and will they be heard and considered at the time we consider the recommendations when they come to the floor of the House when the report is made by the Joint Committee on Reform?

Mr. ALBERT. The gentleman from Oklahoma can only respond as to any program of legislation today either under privilege of the Committee on Rules or otherwise.

Beyond that the gentleman should address his remarks as a parliamentary inquiry to the Speaker of the House.

Mr. SCHWENGEL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Oklahoma yield to the gentleman from Iowa for the purpose of propounding a parliamentary inquiry?

Mr. ALBERT. Mr. Speaker, I yield to the gentleman from Iowa for that purpose.

The SPEAKER. The gentleman from Iowa will state his parliamentary inquiry.

Mr. SCHWENGEL. Mr. Speaker, I would like to have a clarification and an assurance if and when propositions that are offered by the Joint Committee on Reform would be offered that I would have an opportunity to present the question of minority staffing for the consideration of the House.

The SPEAKER. The Chair, of course, is unable to project his mind into the future as to what the provisions of any bill might be when it is reported out of a committee. It is rather difficult for the Chair to give the gentleman an answer. The Chair would like to give as complete an answer as is possible to any Member making a parliamentary inquiry. The inquiry of the gentleman places many limitations upon the Speaker, and in answering the gentleman, the Chair would not want to give an answer when later on at some future time the Chair would find that under the rules of the House a certain amendment may not be in order.

A bill of the kind that the gentleman is inquiring about probably would cover many fields and cover many subjects. The Chair cannot determine at this time what the situation would be and furthermore the Chair is constrained to say that even with reference to a future bill that might be reported at some time in the future covering a specific matter what the situation would be at that time.

Where a bill covers more than one specific matter, any amendment relative to the bill might be in order.

Mr. SCHWENGEL. Mr. Speaker, a further parliamentary inquiry.

If the recommendation of the minority on the reform committee has any reference to the improvement of the staff situation of the committees of the Congress, an amendment then would be germane?

The SPEAKER. It is rather difficult for the Chair to project his mind in answering that question as to what kind of a bill is reported out of committee.

Furthermore the consideration of a bill, as the gentleman knows, is usually in the Committee of the Whole. The Chair designates the Chairman of the Committee of the Whole and the Chairman of the Committee of the Whole will pass upon that question.

The Chair has tried as broadly as possible to convey to the gentleman that any amendment relative or pertinent to a bill certainly would be in order. Sometime perhaps the Chair might be able to talk to the gentleman outside the Chamber whereas as the gentleman knows it would be rather difficult for the Chair to place himself on record in answer to a parliamentary inquiry and making a ruling in my present position.

Mr. SCHWENGEL. Since my question deals with rules which must be approved and the effectiveness of the Congress, I hope that when the time comes serious consideration will be given to at least two of the proposals I shall offer at that time dealing with the method of selection of committee chairmen and the improvement of the situation in regard to minority staffing.

Mr. ALBERT. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Speaker, it is my understanding—and the gentleman from California can correct me if I am wrong—the gentleman would propose a modification of the 21-day rule not to remake the rule but to have the 21-day period begin not before a request is received for a hearing from the chairman of the legislative committee reporting a piece of legislation. Is that correct?

Mr. SMITH of California. That is correct; a written request.

Mr. THOMPSON of New Jersey. Then I might say to the gentleman and to the House that if in its final form the proposal is as he states it, I would see no objection.

Mr. CONTE. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. ALBERT. I yield to the gentleman from Massachusetts for the purpose of propounding a parliamentary inquiry.

The SPEAKER. The gentleman from Massachusetts will state his parliamentary inquiry.

Mr. CONTE. Mr. Speaker, if the previous question is not ordered, would it then be in order to move to amend the rules of the House to provide for a Select Committee on Standards and Conduct?

The SPEAKER. If the previous question is voted down, any germane amendment would be in order.

Mr. CONTE. I thank the Speaker.

Mr. ALBERT. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 196, nays 225, not voting 11, as follows:

[Roll No. 5]

YEAS—196

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Baring
Barrett
Bennett
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Casey
Clark
Cohelan
Conyers
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Diggs
Dingell
Donohue
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Flynt
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gettys

Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler, W. Va.
Helstoski
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kyros
Landrum
Leggett
Long, Md.
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.

O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Price, Ill.
Pucinski
Purcell
Randall
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Pogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Shipley
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Tex.
Tenzer
Thompson, N.J.
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Watts
White
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—225

Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Belcher
Bell
Berry
Betts
Bevill
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush

Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Devine
Dickinson
Dole
Dorn
Dow
Dowdy
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch

Everett
Findley
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Gathings
Goodell
Goodling
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Hébert
Heckler, Mass.
Henderson
Horton
Hosmer

Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize

Montgomery
Moore
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Nichols
O'Neal, Ga.
Passman
Pelly
Pettis
Pirnie
Poff
Pollock
Pool
Price, Tex.
Pryor
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roth
Roudebush
Rumsfeld
Ruppe
Satterfield
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Sikes

Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Whalen
Whalley
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Younger
Zion
Zwach

NOT VOTING—11

Abbitt
Celler
Dent
Derwinski

Eshleman
Holland
Kirwan
Kluczynski

Sandman
Scherle
Willis

So the motion to order the previous question was rejected.

Mr. BROWN of California changed his vote from "nay" to "yea."

Mr. BENNETT changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. GERALD R. FORD. Mr. Speaker, I wish to say as I said during the debate with the gentleman from Oklahoma [Mr. ALBERT], the distinguished majority leader, that we do now hope that there will be an opportunity for action on amendments to the House rules as proposed in the resolution. At this point I yield to the gentleman from California [Mr. SMITH] for the purpose of debate and for the purpose of offering an amendment if he so desires.

AMENDMENT OFFERED BY MR. SMITH OF CALIFORNIA

Mr. SMITH of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of California: After the last line add the following:

"In rule XI, strike out clause 23 and insert:

" 'The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when ordered reported by the committee. If such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Rules Committee may call it up as a question of privilege and the Speaker shall recognize any member of the Rules Committee seeking recognition for that purpose. If the Committee on Rules shall make an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House any such adverse report, and it shall be in order to move the adoption by the House of said resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the Member seeking recognition for that purpose as a question of the highest privilege.' "

Mr. SMITH of California. Mr. Speaker, I find myself in somewhat of a difficult position right now. As I stated when I spoke on the floor of the House relative to a possible agreement to change the 21-day rule so that the Rules Committee would not be able to bottle up legislation, I did so with the thought of presenting language on that which could come through as a resolution and be presented to the House floor. But I do not now have that language. The language of the amendment which is offered would place the rules back precisely as they were in the 88th Congress. The language on the 21-day rule would be stricken out.

I make the statement that I will fulfill my statement made on the floor of the House to attempt to draw language with the leadership to permit them to have an opportunity to bring bills to the floor if the Rules Committee holds them 21 days after written notice to the Rules Committee.

That is my statement. But being in this position, I have the amendment here, and I cannot now duck the issue of not placing it in. I make that statement here that the amendment would strike out the language which was introduced in the 89th Congress on the 21-day rule. I will fulfill my agreement to prepare language, as I have stated here, so it will be brought to the floor of the House. It will be brought to the floor in accordance with my statement. This is the only action I can take now. The Republican conference has so told me and instructed me. I must accordingly seek that action forthwith.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Mississippi.

Mr. COLMER. If I correctly understand the gentleman's amendment, from a reading thereof I assume the amendment would repeal the 21-day rule. Otherwise the rules would remain as they were in the 88th Congress.

Mr. SMITH of California. That is absolutely correct.

Mr. SISK. Will the gentleman yield further?

Mr. SMITH of California. I yield to the gentleman from California.

Mr. SISK. As I understand the gentleman's answer to the gentleman from Mississippi, the amendment would restore the rules of the House regarding this matter to the identical rules of the 88th Congress, except for those changes made with reference to congressional reports which were incorporated in the 89th Congress.

Mr. SMITH of California. I do not believe that is quite correct. The resolution coming before the House, as I understand it, will set up the rules of the 89th Congress. The only thing my amendment does is to take rule 11 in clause 23 and strike the lines therein which have to do with the 21-day rule, which are:

> If the Committee on Rules shall adversely report—

This language is still in, or this language:

> or fail to report within 21 calendar days after reference.

Mr. SISK. So that, for all practical purposes, the effect of the amendment would be simply to eliminate the use of the 21-day rule as it was used in the 89th Congress?

Mr. SMITH of California. That is correct.

Mr. SISK. I thank the gentleman.

Mr. SMITH of California. Mr. Speaker, I move the previous question on this amendment.

The SPEAKER. This amendment, or the resolution and the amendment?

Mr. SMITH of California. Mr. Speaker, I move the previous question on this amendment.

The SPEAKER. On the pending amendment?

Mr. EDWARDS of California. Mr. Speaker, is the parliamentary situation such that a further amendment is in order? If so, I have an amendment.

The SPEAKER. The gentleman from California has moved the previous question on the pending amendment.

Mr. SMITH of California. Mr. Speaker, may I withdraw that amendment and move the previous question on the amendment and the resolution.

The SPEAKER. The gentleman moves the previous question on the amendment and the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 154, noes 110.

Mr. ALBERT. Mr. Speaker, on this question I demand the yeas and nays.

The yeas and nays were ordered.

Mr. COLMER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. COLMER. Mr. Speaker, I believe there is considerable confusion here. I, along with other Members, would like to know just what we are to vote on. Are we to vote on the resolution, as amended, or are we to vote on the amendment?

The SPEAKER. The vote will be on the amendment.

Mr. HAYS. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HAYS. As I understand the position of the House, we are now to vote on the amendment offered by the gentleman from California, and if that is agreed to then the vote will come, by his motion, which was accepted on the previous question, on the rules, as amended; is that correct?

The SPEAKER. If the amendment offered by the gentleman from California is agreed to, then the question will come on the resolution, as amended.

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GERALD R. FORD. Is my understanding correct that the amendment offered by the gentleman from California is the amendment to strike the so-called 21-day rule from the resolution offered by the majority leader?

The SPEAKER. The Chair is not in a position to interpret the amendment. The Chair believes it is clear. The Members understand.

The question is on the amendment offered by the gentleman from California [Mr. SMITH].

The question was taken; and there were—yeas 233, nays 185, not voting 14, as follows:

[Roll No. 6]

YEAS—233

Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Baring
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Bevill
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan
Edwards, Ala.
Erlenborn
Everett
Fallon
Findley
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Goodell
Goodling
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halleck
Hammerschmidt
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hébert
Henderson
Herlong
Hosmer
Hull
Hunt
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDonald, Mich.
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Montgomery
Moore
Morton
Myers
Natcher
Nelsen
Nichols
O'Neal, Ga.
Passman
Pelly
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Satterfield
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shriver
Sikes
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Wilson, Bob

Winn
Wyatt
Wydler
Wylie
Wyman
Young
Younger
Zion
Zwach

NAYS—185

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Biester
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Brown, Calif.
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Clark
Cohelan
Conte
Conyers
Corbett
Corman
Culver
Daddario
Daniels
Dawson
Delaney
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Evans, Colo.
Evins, Tenn.
Farbstein
Fascell
Feighan
Fino
Flood
Foley
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gude
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Howard
Hungate
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
Kluczynski
Kupferman
Kyros
Leggett
McCarthy
McDade
McFall
Macdonald, Mass.
Machen
Madden
Mathias, Md.
Matsunaga
Meeds
Miller, Calif.
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Price, Ill.
Pucinski
Randall
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ruppe
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schweiker
Shipley
Slack
Smith, Iowa
Stafford
Staggers
Steed
Stratton
Sullivan
Taft
Tenzer
Thompson, N.J.
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waldie
Walker
Whalen
Wilson, Charles H.
Wolff
Zablocki

NOT VOTING—14

Abbitt
Cahill
Dent
Downing
Eshleman
Holland
King, Calif.
Kirwan
Long, Md.
Sandman
Williams, Pa.
Willis
Wright
Yates

So the amendment was agreed to.

Mr. ROONEY of New York, Mr. BIESTER, and Mr. McDADE changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

COMPENSATION OF CERTAIN MINORITY EMPLOYEES

Mr. LAIRD. Mr. Speaker, I offer a resolution (H. Res. 8) and ask for its immediate consideration

The Clerk read as follows:

H. Res. 8

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, six minority employees authorized therein shall be the following-named persons, effective January 3, 1967, until otherwise ordered by the House, to wit: Harry L. Brookshire and Richard T. Burress to receive gross compensation of $24,582.59 per annum, respectively; William R. Bonsell to receive gross compensation of $19,979.68 per annum; Tommy Lee Winebrenner, to receive gross compensation of $17,285.37 per annum; Walter Patrick Kennedy (minority pair clerk), to receive gross compensation of $19,476.62 per annum; and Robert T. Hartmann to receive gross compensation of $19,220.00 per annum.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON WAYS AND MEANS

Mr. ROSTENKOWSKI. Mr. Speaker, I offer a privileged resolution (H. Res. 9) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 9

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committee of the House of Representatives on Ways and Means:

Wilbur D. Mills (chairman), of Arkansas; Cecil R. King, of California; Hale Boggs, of Louisiana; Frank M. Karsten, of Missouri; A. S. Herlong, Jr., of Florida; John C. Watts, of Kentucky; Al Ullman, of Oregon; James A. Burke, of Massachusetts; Martha W. Griffiths, of Michigan; George M. Rhodes, of Pennsylvania; Dan Rostenkowski, of Illinois; Phil M. Landrum, of Georgia; Charles A. Vanik, of Ohio; Richard H. Fulton, of Tennessee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATIONS FROM HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communications, which were read:

Congress of the United States,
House of Representatives,
Washington, D.C., December 16, 1966.
Hon. Dan K. Moore,
Governor, State of North Carolina,
Raleigh, N.C.

Dear Governor Moore: This is to officially notify you that I hereby resign as a member of the House of Representatives of the United States Congress effective December 30, 1966.

A copy of this letter is being sent to the Speaker of the House of Representatives and to the Sergeant at Arms. I shall appreciate your accepting my resignation and acknowledging receipt of this letter.

With cordial good wishes for your personal welfare and happiness, I am

Sincerely yours,
Harold D. Cooley.

Congress of the United States,
House of Representatives,
Washington, D.C., December 15, 1966.
Hon. William W. Scranton, Jr.,
Governor, State Capitol,
Harrisburg, Pa.

Dear Governor: I hereby tender my resignation as United States Representative, Ninth Congressional District (Lancaster and Chester Counties), effective December 30, 1966, next.

With appreciation of your courtesy, I have the honor to be,

Sincerely yours,
Paul B. Dague.

Congress of the United States,
House of Representatives,
Washington, D.C., December 12, 1966.
Hon. Roger Branigan,
Governor of Indiana,
The Statehouse,
Indianapolis, Ind.

Dear Governor: I hereby tender my resignation as Representative in the Congress of the United States from the 8th District of Indiana, effective December 30, 1966.

Sincerely yours,
Winfield K. Denton.

Congress of the United States,
House of Representatives,
Washington, D.C., December 17, 1966.
Gov. Roger Branigin,
Statehouse,
Indianapolis, Ind.

Dear Governor Branigin: I am hereby submitting my resignation as a Member of the U.S. House of Representatives, a Representative from the Tenth Congressional District of Indiana. Would ask that this resignation be made effective as of the 30th day of December 1966.

The reason for this resignation being that the Congressional retirement benefits to which I will be entitled, will be more favorable if my term of office does not extend into 1967.

A copy of this resignation is being mailed to Mr. Zeake W. Johnson, Jr., Sergeant at Arms of the United States House of Representatives.

Kindest personal regards,
Ralph Harvey.

Congress of the United States,
House of Representatives,
Washington, D.C., December 19, 1966.
Hon. John Connally,
Governor of Texas,
Austin, Tex.

My Dear Governor: Please accept my resignation as a Representative in Congress for the Ninth Congressional District of Texas effective December 30, 1966.

Very truly yours,
Clark W. Thompson.

Congress of the United States,
House of Representatives,
Washington, D.C., December 17, 1966.
Hon. William W. Scranton,
Governor, Commonwealth of Pennsylvania,
Harrisburg, Pa.

My Dear Governor Scranton: I herewith submit my resignation as a member of the United States House of Representatives, Congress of the United States, 16th Congressional District of Pennsylvania, effective December 30, 1966.

A copy of this letter is being forwarded to the Honorable John W. McCormack, Speaker, United States House of Representatives.

Very sincerely yours,
John C. Kunkel.

Congress of the United States,
House of Representatives,
Washington, D.C., December 21, 1966.
Hon. John W. McCormack,
The Speaker, the House of Representatives,
the Capitol, Washington, D.C.

Dear Mr. Speaker: I beg leave to inform you that I have this day transmitted to the governor of Tennessee my resignation as a Representative in the Congress of the United States from the Seventh Congressional District of Tennessee to become effective at the close of business on December 30, 1966.

With much respect and kind regards, I am,

Sincerely yours,
Tom Murray.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 15, 1966.
Hon. NELSON A. ROCKEFELLER,
The Governor,
Executive Chambers,
State Capitol,
Albany, N.Y.

DEAR GOVERNOR: Please accept my resignation as Representative in Congress from the 29th District of New York, effective December 30, 1966.

With best wishes for a Happy Holiday Season, I remain,

Respectfully yours,
LEO W. O'BRIEN.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 15, 1966.
Hon. WALTER J. HICKEL,
Governor, State of Alaska,
Juneau, Alaska.

DEAR GOVERNOR: This letter is for a dual purpose:

I first extend my good wishes to you for success in your role as the second Governor of our great forty-ninth State.

Secondly, I declare my resignation from the office of U.S. Representative at Large from the State of Alaska, effective at the close of business on December 30, 1966.

With best regards, and good cheer for the Holiday Season, I am,

Sincerely,
RALPH J. RIVERS.

DECEMBER 16, 1966.
Hon. JAMES A. RHODES,
Governor, State of Ohio,
Columbus, Ohio.

DEAR GOVERNOR RHODES: I hereby resign as a member of the United States House of Representatives, 15th Distr. of Ohio, effective at the close of business on 30 December 1966.

Sincerely yours,
ROBERT T. SECREST.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington one of its clerks announced that the Senate had passed a resolution, as follows:

S. RES. 2

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The message also announced that the Senate had passed a resolution, as follows:

S. RES. 3

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

APPOINTMENT OF MEMBERS OF COMMISSION TO STUDY FACILITIES AND SERVICES TO BE FURNISHED VISITORS AND STUDENTS COMING TO THE NATION'S CAPITAL

The SPEAKER. The Chair desires to announce that pursuant to the order of the House of October 22, 1966, empowering him to accept resignations and to appoint commissions, boards, and committees authorized by law, or by the House, he did, on November 10, 1966, pursuant to the provisions of section 2, Public Law 89–790, appoint as members of the commission to study facilities and services to be furnished visitors and students coming to the Nation's Capital the following Members on the part of the House:

Messrs. GRAY, KLUCZYNSKI, PICKLE, CRAMER, GROVER, and HANSEN of Idaho.

APPOINTMENT OF MEMBERS OF THE NATIONAL COMMISSION ON REFORM OF FEDERAL CRIMINAL LAWS

The SPEAKER. The Chair desires to announce that on November 10, 1966, pursuant to provisions of section 2(a) Public Law 89–801, he appointed as members of the National Commission on Reform of Federal Criminal Laws the following Members on the part of the House:

Messrs. KASTENMEIER, EDWARDS of California, and POFF.

HOUR OF MEETING OF HOUSE OF REPRESENTATIVES

Mr. COLMER. Mr. Speaker, I offer a resolution, and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 10

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

A motion to reconsider was laid on the table.

WATERSHED PROTECTION AND FLOOD PREVENTION, VANAR WASH, N. MEX. AND ARIZ., PRIDES CREEK, IND.

The SPEAKER laid before the House the following communication, which was read and referred to the Committee on Appropriations:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, D.C., October 11, 1966.
Hon. JOHN W. MCCORMACK,
The Speaker,
The House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture on October 7, 1966, considered and unanimously approved the work plans transmitted to you by Executive Communication and referred to this committee. The work plans involved are:

WATERSHED PROJECT, STATE, AND EXECUTIVE COMMUNICATION

Vanar Wash, N. Mex. and Ariz., 705, 89th Congress.

Prides Creek, Ind., 2583, 89th Congress.

Sincerely yours,
HAROLD D. COOLEY,
Chairman.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. ALBERT. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make has performed that duty. The President asked us to report that he will be pleased to deliver his message at 9:30 o'clock this evening at a joint session of the two Houses.

JOINT SESSION OF CONGRESS

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Con. Res. 1) and ask unanimous consent for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on January 10, 1967, at 9:30 o'clock p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORITY FOR SPEAKER TO DECLARE RECESSES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on today it may be in order for the Speaker to declare recesses at any time subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

INTRODUCTION AND REFERENCE OF BILLS

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills today.

As Members are aware, they have the privilege today of introducing bills. Heretofore on the opening day of a new Congress several thousand bills have been introduced. It will be readily apparent to all Members that it may be a physical impossibility for the Speaker to examine each bill for reference today. The Chair will do his best to refer as many bills as possible, but he will ask the indulgence of Members if he is unable to refer all the bills that may be introduced. Those bills which are not referred and do not appear in the RECORD as of today will be included in the next day's RECORD and printed with a date as of today.

ANNOUNCEMENT

The SPEAKER. The Chair desires to make an announcement.

After consultation with the majority and minority leaders, and with their consent and approval, the Chair announces that at the time set for the joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open. No one will be allowed on the floor of the House who does not have the privileges of the floor of the House. The Chair suggests that ex-Members of the House seat themselves in the folding chairs so that sitting Members may find their accustomed places in the Chamber.

APPOINTMENT OF HOUSE OFFICE BUILDING COMMISSION

The **SPEAKER.** Pursuant to the provisions of 40 U.S.C. 175 and 176, the Chair appoints the gentleman from New York [Mr. CELLER] and the gentleman from New York [Mr. GOODELL] as members of the House Office Building Commission to serve with himself.

PRODUCTION OF DOCUMENTS UNDER PRIVILEGES OF THE HOUSE

Mr. **ALBERT.** Mr. Speaker, I offer a resolution (H. Res. 11) and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 11

Whereas by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

Resolved, That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That during any recess or adjournment of the Ninetieth Congress, when a subpena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, be authorized to appear before said court at the place and time named in any such subpena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

Resolved, That when any said court determines upon the materiality and the relevancy of the papers or documents called for in the subpena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant, except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied, nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpena or other orders are issued and served as aforesaid.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. **GERALD R. FORD.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. **GERALD R. FORD.** Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the legislative schedule for the remainder of this week.

Mr. **ALBERT.** Mr. Speaker, will the distinguished minority leader yield?

Mr. **GERALD R. FORD.** I yield to the gentleman from Oklahoma.

Mr. **ALBERT.** We have completed the organization program and we will meet tonight as previously announced to hear the President of the United States in his state of the Union message, which will be at 9:30 o'clock p.m.

We will meet tomorrow and Thursday so far as I know. I know that we will meet tomorrow. But so far as I know we will have no House business that will require any consequential amount of work.

Mr. **GERALD R. FORD.** I thank the gentleman from Oklahoma.

RECESS

The **SPEAKER.** The Chair is now going to declare a recess until this evening when the two Houses will meet in joint session to hear a message from the President of the United States.

The House will stand in recess until 9:10 o'clock p.m.

The bells will be rung at 8:55 o'clock p.m.

Accordingly (at 6 o'clock and 32 minutes p.m.), the House stood in recess.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 9 o'clock and 18 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the House of the following title:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on January 10, 1967, at 9:30 o'clock postmeridian, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

JOINT SESSION OF THE HOUSE AND SENATE HELD PURSUANT TO THE PROVISIONS OF HOUSE CONCURRENT RESOLUTION NO. 1 TO HEAR AN ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The Speaker of the House presided.

The Doorkeeper, Hon. William M. Miller, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The **SPEAKER.** The Chair appoints as members of the committee on the part of the House to escort the President of the United States into the Chamber the gentleman from Oklahoma, Mr. ALBERT; the gentleman from Louisiana, Mr. BOGGS; the gentleman from New York, Mr. CELLER; the gentleman from Michigan, Mr. GERALD R. FORD; and the gentleman from Illinois, Mr. ARENDS.

The **VICE PRESIDENT.** On the part of the Senate the Chair appoints as members of the committee of escort the Senator from Montana, Mr. MANSFIELD, the Senator from Louisiana, Mr. LONG, the Senator from West Virginia, Mr. BYRD, the Senator from Arizona, Mr. HAYDEN, the Senator from Illinois, Mr. DIRKSEN, the Senator from Iowa, Mr. HICKENLOOPER, the Senator from Maine, Mrs. SMITH, the Senator from California, Mr. KUCHEL, and the Senator from North Dakota, Mr. YOUNG.

The Doorkeeper announced the ambassadors, ministers, and chargés d'affaires of foreign governments.

The ambassadors, ministers, and chargés d'affaires of foreign governments entered the Hall of the House of Representatives and took the seats reserved for them.

The Doorkeeper announced the Chief Justice of the United States and the Associate Justices of the Supreme Court.

The Chief Justice of the United States and the Associate Justices of the Supreme Court entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

The Doorkeeper announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Hall of the House of Representatives and took the seats reserved for them in front of the Speaker's rostrum.

At 9 o'clock and 29 minutes p.m., the Doorkeeper announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives, and stood at the Clerk's desk. [Applause, the Members rising.]

The **SPEAKER.** Members of the Congress, I have the great pleasure, the high privilege, and the distinct and I might say personal honor to present to you the President of the United States.

[Applause. Members rising.]

THE STATE OF THE UNION—ADDRESS BY THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 1)

The PRESIDENT. Mr. Speaker, Mr. Vice President, distinguished Members of the Congress:

I share with all of you the grief you feel today at the death of one of the most beloved and respected and effective Members of this body, the distinguished Representative from Rhode Island [Mr. FOGARTY].

I have come here tonight to report to you that this is a time, a time of testing for our Nation.

At home, the question is whether we will continue working for better opportunities for all Americans, when most Americans are already living better than any people in history.

Abroad, the question is whether we have the staying power to fight a very costly war, when the objective is limited and the danger to us is seemingly remote.

So our test is not whether we shrink from our country's cause when the dangers to us are obvious and close at hand, but rather whether we carry on when they seem obscure and distant—and some think that it is safe to lay down our burdens.

I have come tonight to ask this Congress and this Nation to resolve that issue: to meet our commitments at home and abroad—to continue to build a better America—and to reaffirm this Nation's allegiance to freedom.

As President Abraham Lincoln said, we must ask "where we are, and whither we are tending."

The last 3 years bear witness to our determination to make this a better country.

We have struck down legal barriers to equality.

We have improved the education of 7 million deprived children and this year alone we have enabled almost 1 million students to go to college.

We have brought medical care to older people that were unable to afford it. Three and one-half million Americans have already received treatment under medicare since July.

We have built a strong economy that has put almost 3 million more Americans on the payrolls in the last year alone.

We have included more than 9 million new workers under a higher minimum wage.

We have launched new training programs to provide job skills for almost 1 million Americans.

We have helped more than a thousand local communities to attack poverty in the neighborhoods of the poor.

We have set out to rebuild our cities on a scale that was never attempted before.

We have begun to rescue our waters from the menace of pollution and to restore the beauty of our land and our countryside and our cities and our towns.

We have given 1 million young Americans a chance to earn through the Neighborhood Youth Corps—or through Headstart—a chance to learn.

So together, we have tried to meet the needs of our people. And, we have succeeded in creating a better life for the many as well as the few. And now we must answer whether our gains shall be the foundations of further progress, or whether they shall be only monuments to what might have been—abandoned now by a people who lacked the will to see their great work through.

I believe that our people do not want to quit—though the task is great, the work hard, often frustrating, and success is a matter of days, or months, of years—sometimes it may be even decades.

But I have come here tonight to discuss with you five ways of carrying forward the progress of these last 3 years. And these five ways concern programs and partnerships and priorities and prosperity and peace.

First, programs: We must see to it, I think, that these new programs that we have passed work effectively and are administered in the best possible way.

Three years ago we set out to create these new instruments of social progress. This required trial and error—and it has produced both. But as we learn, through success and failure, we are changing our strategy and we are trying to improve our tactics. In the long run, these starts—some rewarding, others inadequate and disappointing—are crucial to success.

One example is the struggle to make life better for the less fortunate among us.

On a similar occasion at this rostrum in 1949, I heard a great American President, Harry S. Truman declare, this: "the American people have decided that poverty is just as wasteful and just as unnecessary as preventable disease."

Many listened to President Truman that day here in this Chamber, but few understood what was required and did anything about it. The executive branch and the Congress waited 15 long years before it would take any action on that challenge as it did on many other challenges that great President presented. When, 3 years ago, you here in the Congress joined with me in a declaration of war on poverty, then I warned "it will not be a short or easy struggle—no single weapon will suffice—but we shall not rest until that war is won."

And I have come here to renew that pledge tonight.

I recommend that we intensify our effort to give the poor a chance to enjoy and to join in this Nation's progress.

I shall propose certain administrative changes suggested by the Congress—as well as some we have learned from our own trial and errors.

I shall urge special methods and special funds to reach the hundreds of thousands of Americans that are now trapped in the ghettos of our big cities—and, through Headstart, to try to reach out to our very young little children. The chance to learn is their brightest hope and must command our full determination. For learning brings skills; and skills bring jobs; and jobs bring responsibility and dignity, as well as taxes.

This war—like the war in Vietnam—is not a simple one. There is no single battleline which you can plot each day on a chart. The enemy is not easy to perceive or to isolate or to destroy. There are mistakes and there are setbacks. But we are moving, and our direction is forward.

This is true with other programs that are making and breaking new ground. Some do not yet have the capacity to absorb well or wisely all the money that could be put into them. Administrative skills and trained manpower are just as vital to their success as dollars and I believe those skills will come. But it will take time and patience and hard work. Success cannot be forced at a single stroke. So we must continue to strengthen the administration of every program if that success is to come—as we know that it must.

We have done much in the space of 2 short years working together.

I have recommended, and you the Congress have approved, 10 different reorganization plans combining and consolidating many bureaus of this Government and creating two entirely new Cabinet departments. And I have come tonight to propose that we establish a new department, a Department of Business and Labor.

By combining the Department of Commerce with the Department of Labor and other related agencies, I think that we can create a more economical, efficient, and streamlined instrument that will better serve a growing nation.

This is our goal throughout the Federal Government. Every program will be thoroughly evaluated. Grant-in-aid programs will be improved and simplified as desired by many of our local administrators and our Governors.

Where there have been mistakes, we will try very hard to correct them.

Where there has been progress, we will try to build upon it.

Our second objective is partnership—to create an effective partnership at all levels of American government. And I should treasure nothing more than to have that partnership between the Executive and the Congress.

The 88th and 89th Congresses passed more social and economic legislation than any single two Congresses in American history. Most of you who were Members of those Congresses voted to pass most of those measures. But your efforts will come to nothing unless it reaches the people.

Federal energy is essential. But it is not enough. Only a total working partnership among Federal, State, and local governments can succeed. The test of that partnership will be the concern of each public organization, each private institution, and each responsible citizen.

Each State and county and city needs to examine its capacity for government in today's world—as we are examining ours in the executive department, and as I see you are examining yours. Some will need to reorganize and reshape their methods of administration—as we are doing. Others will need to revise their constitutions and their laws to bring them up to date—as we are doing. Above all, I think we must work together and find ways in which the multitudes of small jurisdictions can be brought together more efficiently.

During the past 3 years we have returned to State and local governments about $40 billion in grants-in-aid. This year alone 70 percent of our Federal expenditures for domestic programs will be distributed through the State and the local governments. With Federal assistance, State and local governments by 1970 will be spending close to $110 billion annually. These enormous sums must be used wisely, honestly, and effectively.

We intend to work closely with the States and the localities to do exactly that.

Our third objective is priorities—to move ahead on the priorities that we have established within the resources that are available.

I wish, of course, that we could do all that should be done—and that we could do it now. But the Nation has many commitments and responsibilties which make heavy demands upon our total resources. No administration would more eagerly utilize for these programs all the resources they require than the administration that started them.

So let us resolve, now, to do all that we can, with what we have—knowing that it is far, far more than we have ever done before, and far, far less than our problems will ultimately require.

Let us create new opportunities for our children and our young Americans who need special help.

We should strengthen the Headstart program, begin it for children 3 years old, and maintain its educational momentum by following through in the early years.

We should try new methods of child development and care from the earliest years, before it is too late to correct.

And I will propose these measures to the 90th Congress.

Let us insure that older Americans, and neglected Americans, share in their Nation's progress.

We should raise social security payments by an overall average of 20 percent—that will add $4.1 billion to social security payments in the first year. I will recommend that each of the 23 million Americans now receiving payments get an increase of at least 15 percent.

I will ask that you raise the minimum payments by 59 percent—from $44 to $70 a month, and to guarantee a minimum benefit of $100 a month for those with a total of 25 years of coverage. We must raise the limits that retired workers can earn without losing social security income.

We must eliminate by law unjust discrimination in employment because of age.

We should embark upon a major effort to provide self-help assistance to the forgotten in our midst—the American Indians and the migratory farmworkers. And we should reach with the hand of understanding to help those who live in rural poverty.

And I will propose these measures to the 90th Congress.

So let us keep on improving the quality of life and enlarging the meaning of justice for all of our fellow Americans.

We should transform our decaying slums into places of decency through the landmark model cities program. I intend to seek for this effort this year the full amount that you in Congress authorized last year.

We should call upon the genius of private industry and the most advanced technology to help rebuild our great cities.

We should vastly expand the fight for clean air with a total attack on pollution at its sources. And because air, like water, does not respect manmade boundaries, we shall set up "regional airsheds" throughout this great land.

We should continue to carry to every corner of the Nation our campaign for a beautiful America, to clean up our towns, to make them more beautiful—our cities, our countrysides—by creating more parks and more seashores and more open spaces for our children to play in and the generations that come after us to enjoy.

We should continue to seek equality and justice for each citizen—before a jury, in seeking a job, in exercising his civil rights. We should find a solution to fair housing, so that every American, regardless of color, has a decent home of his choice.

We should modernize our Selective Service System. The National Commission on Selective Service will shortly submit its report. I will send you new recommendations to meet our military manpower needs. But—let us resolve that this is to be the Congress that made our draft laws as fair and as effective as possible.

We should protect what Justice Brandeis called the "right most valued by civilized men"—the right to privacy. We should outlaw all wiretapping—public and private—wherever and whenever it occurs, except when the security of this Nation itself is at stake—and only then with the strictest governmental safeguards. And we should exercise the full reach of our constitutional powers to outlaw electronic "bugging" and "snooping."

I hope this Congress will try to help me do more for the consumer.

We should demand that the cost of credit be clearly and honestly expressed, where average citizens can understand it. We should take steps to prevent massive power failures, to safeguard the home against hazardous household products, and to assure safety in the pipelines that carry natural gas across our Nation.

We should extend medicare benefits that are now denied to 1.3 million permanently and totally disabled Americans under 65 years of age.

We should improve the process of democracy by passing our election reform and financing proposals, by tightening our laws regulating lobbying, and by restoring a reasonable franchise to Americans who move their residences.

We should develop educational television into a vital public resource to enrich our homes, educate our families and to provide assistance in our classrooms. And we should insist that the public interest be fully served through the public's airways. And I will propose these measures to the 90th Congress. And now we come to a question that weighs very heavily on all of our minds—on yours and mine.

This Nation must make an all-out effort to combat crime.

The 89th Congress gave us a new start in the attack on crime by passing the Law Enforcement Assistance Act that I recommended. We appointed the National Crime Commission to study crime in America and to recommend the best ways to carry that attack forward.

And while we do not have all the answers, on the basis of its preliminary recommendations, we are ready to move.

This is not a war that Washington alone can win. The idea of a national police force is repugnant to the American people. Crime must be rooted out in local communities by local authorities. But our policemen must be better trained, and must be better paid, and must be better supported by the local citizens that they try to serve and to protect.

The National Government can, and expects to, help.

So I will recommend to the 90th Congress the Safe Streets and Crime Control Act of 1967. It will enable us to assist those States and cities that try to make their streets and their homes safer, and their police forces better, and their corrections systems more effective, and their courts more efficient. And when the Congress approves, the Federal Government will be able to provide a substantial percentage of the cost:

Ninety percent of the cost of developing the State and local plans—master plans—to combat crimes in their areas;

Sixty percent of the cost of training new tactical units, and developing instant communications and special alarm systems, and introducing the latest equipment and techniques so that they can become weapons in the war on crime;

And 50 percent of the cost of building crime laboratories and police academy-type centers so that our citizens can be protected by the best trained and served by the best equipped police to be found anywhere.

We will also recommend new methods to prevent juvenile delinquents from becoming adult delinquents and we will seek new partnerships with States and cities in order to deal with this hideous narcotics problem. And we will recommend strict controls on the sale of firearms.

At the heart of this attack on crime must be the conviction that a free America—as Abraham Lincoln once said—must "let reverence for the laws * * * become the political religion of the Nation."

Our country's laws must be respected. Order must be maintained. I will support—with all the constitutional powers the President possesses—our Nation's law-enforcement officials in their attempt to control the crime and the violence that tear the fabric of our communities.

Many of these priority proposals will be built on foundations that have already been laid. Some will necessarily be small at first, but "every beginning is a consequence." And if we postpone this urgent work now, it will simply have to be done later, and later we will pay a much higher price.

Our fourth objective is prosperity, to keep our economy moving ahead, moving it steadily and safely. We have now enjoyed 6 years of unprecedented and rewarding prosperity.

Last year, 1966:

Wages were the highest in history—and the unemployment rate, announced yesterday, reached the lowest point in 13 years;

The total after-tax income of the American families—after taxes—rose nearly 5 percent;

The corporate profits after taxes rose a little more than 5 percent;

Our gross national product advanced 5½ percent, to about $740 billion;

Income per farm went up 6 percent.

Now, we have been greatly concerned because consumer prices rose 4½ percent over the 18 months since we decided to send troops to Vietnam. This was more than we had expected—and the Government tried to do everything that we knew how to do to hold it down. Yet we were not as successful as we wished to be. In the 18 months after we entered World War II, prices rose not 4½ percent but 13½ percent. And in the first 18 months after Korea—the conflict broke out there—prices rose not 4½ percent but 11 percent. Now, during those two periods we had OPA price controls that the Congress gave us, or Labor Board wage controls. Since Vietnam we have not asked for those controls and we have tried to avoid imposing them. We believe that we have done better but we make no pretense of having been successful or done as well as we wished.

Our greatest disappointment in the economy during 1966 was the excessive rise in interest rates and the tightening of credit. They imposed very severe and very unfair burdens on our home buyers and on our homebuilders and all those associated with the home industry.

Last January, and again last September, I recommended fiscal and moderate tax measures to try to restrain the unbalanced pace of economic expansion. Legislatively and administratively we took several billions out of the economy, and with these measures on both instances the Congress approved most of the recommendations rather promptly.

As 1966 ended, price stability was seemingly being restored. Wholesale prices are lower tonight than they were in August. So are retail food prices. Monetary conditions are also easing. Most interest rates have retreated from their earlier peaks. More money now seems to be available.

And given the cooperation of the Federal Reserve System, which I so earnestly seek, I am confident that this movement can continue. And I pledge the American people that I will do everything in a President's power to lower interest rates and to ease money in this country. The Federal Home Loan Bank Board tomorrow morning will announce that it will make immediately available to savings and loan associations an additional $1 billion. And it will lower from 6 to 5¾ percent the interest rate charged on those loans.

We shall continue on a sensible course of fiscal and budgetary policy that we believe will keep our economy growing without new inflationary spirals that will finance responsibly the needs of our men in Vietnam and the progress of our people at home, that will support a significant movement in our export surplus, and will press forward toward easier credit and toward lower interest rates.

I recommend to the Congress a surcharge of 6 percent on both corporate and individual income taxes—to last for 2 years or for so long as the unusual expenditures associated with our efforts in Vietnam continue. I will promptly recommend an earlier termination date if a reduction in these expenditures permits it. This surcharge will raise revenues by some $4.5 billion in the first year. For example, a person whose income tax—whose taxpayment, the tax he owes—is $1,000, he will pay under this proposal an extra $60 over a 12-month period, or $5 a month. The overwhelming majority of Americans who pay taxes today are below that figure, and they will pay substantially less than $5 a month.

Married couples with two children, with incomes up to $5,000 per year, will be exempt from this tax—as will single people with an income of up to $1,900 a year.

If Americans today still paid the income and excise tax rates in effect when I came into the Presidency, the year 1964, their annual taxes would have been over $20 billion more than at present tax rates. So this proposal is that while we have this problem of this emergency in Vietnam, while we are trying to meet the needs of our people at home, your Government asks for slightly more than one-fourth of that tax cut each year in order to try to hold our budget deficit for fiscal 1968 within prudent limits and to give our country and to give our fighting men the help they need in this hour of trial.

For fiscal 1967, we estimate the budget expenditures to be $126.7 billion—126.7—and revenues of $117 billion. That will leave us a deficit this year of $9.7 billion.

For fiscal 1968, we estimate the budget expenditures of $135 billion. And with the tax measures recommended, and a continuing strong economy, we estimate revenues will be $126.9 billion. The deficit then will be $8.1 billion.

I will very soon forward all of my recommendations to the Congress. Yours is the responsibility to discuss and to debate them—to approve or modify or reject them.

I welcome your views, as I have welcomed working with you for 30 years as a colleague and as Vice President and President.

I should like to say to the Members of the opposition, whose numbers, if I am not mistaken, seem to have increased somewhat, that the genius of the American political system has always been best expressed through creative debate that offers choices and reasonable alternatives. Throughout our history, great Republicans and Democrats have seemed to understand this. So let there be light and reason in our relations. That is the way to a responsible session and a responsive Government.

Let us be remembered as a President and a Congress who tried to improve the quality of life for every American—not just the rich, not just the poor, but every man, woman, and child in this great Nation of ours.

We all go to school—to good schools or bad schools. We all take air into our lungs—clean air or polluted air. We all drink water—pure water or polluted water. We all face sickness someday—some more often than we wish—and old age as well. We all have a stake in this great society—in its economic growth, in reduction of civil strife—a great stake in good government.

And we just must not arrest the pace of progress that we have established in this country in these years. So our children's children will pay the price if we are not wise enough and courageous enough, and determined enough to stand up and meet the Nation's needs as well as we can in the time allotted us.

Abroad, as at home, there is also risk in change. But abroad, as at home, there is a greater risk in standing still. No part of our foreign policy is so sacred that it ever remains beyond review. We shall be flexible where conditions in the world change—and where man's efforts can change them for the better.

We are in the midst of a great transition—a transition from narrow nationalism to international partnership; from the harsh spirit of the cold war to the hopeful spirit of common humanity on a troubled and a threatened planet.

In Latin America the American chiefs of state will be meeting very shortly to give our hemispheric policies new direction.

We have come a long way in this hemisphere since the inter-American effort in economic and social development was launched by the Conference at Bogotá in 1960 under the leadership of President Eisenhower. The Alliance for Progress moved dramatically forward under President Kennedy. There is new confidence that the voice of the people is being heard, that the dignity of the individual is stronger than ever in this hemisphere, and we are facing up to and meeting many of the hemispheric problems together. In this hemisphere that reform under democracy can be made to happen—because it is happening. So together I think we must now move to strike down the barriers to full cooperation among the American nations and to free the energies and the resources of two great continents on behalf of all our citizens.

Africa stands at an earlier stage of development than Latin America. It has yet to develop the transportation, communications, agriculture, and, above all, the trained men and women without which growth is impossible. There, too, the job will best be done if the nations and the people of Africa cooperate on a regional basis. More and more our programs for Africa are going to be directed toward self-help.

The future of Africa is shadowed by unsolved racial conflicts. Our policy will continue to reflect our basic commitments as a people to support those that are prepared to work toward cooperation and harmony between races, to help those who demand change but reject the fool's gold of violence.

In the Middle East the spirit of good will toward all, unfortunately, has not yet taken hold. An already tortured peace seems to be constantly threatened. We shall try to use our influence to increase the possibilities of improved relations among the nations of that region. We are working hard at that task.

In all the great subcontinent of south Asia live more than a sixth of the earth's population. Over the years we—and others—have invested very heavily in capital and food for the economic development of India and Pakistan.

We are not prepared to see our assistance wasted, however, in conflict. It must strengthen their capacity to help themselves. It must help these two nations—both our friends—to overcome poverty and to emerge as self-reliant leaders, and find terms for reconciliation and cooperation.

In Western Europe we shall maintain in NATO an integrated common defense. But we also look forward to the time when greater security can be achieved through measures of arms control and disarmament and through other forms of practical agreement.

We are shaping a new future of enlarged partnership in nuclear affairs, in economic and technical cooperation, in trade negotiations, in political consultation, and in working together with the governments and peoples of Eastern Europe and the Soviet Union.

The emerging spirit of confidence is precisely what we hoped to achieve when we went to work a generation ago to put our shoulder to the wheel and try to help rebuild Europe. We face new challenges and opportunities then and there—we face also some dangers.

But I believe that the peoples on both sides of the Atlantic, as well as both sides of this Chamber, want to face them together.

Our relations with the Soviet Union and Eastern Europe are also in transition. We have avoided both the acts and the rhetoric of the cold war. When we have differed with the Soviet Union, or other nations for that matter, I have tried to differ quietly and with courtesy and without venom. Our objective is not to continue the cold war, but to end it.

We have signed an agreement at the United Nations on the peaceful uses of outer space.

We have agreed to open direct air flights with the Soviet Union.

We have removed more than 400 nonstrategic items from export control.

We are determined that the Export-Import Bank can allow commercial credits to Poland, Hungary, Bulgaria, and Czechoslovakia, as well as to Rumania and Yugoslavia.

We have entered into a cultural agreement with the Soviet Union for another 2 years.

We have agreed with Bulgaria and Hungary to upgrade our legations to embassies.

We have started discussions with international agencies on ways of increasing contacts with Eastern European countries.

This administration has taken these steps even as duty compelled us to fulfill and execute alliances and treaty obligations throughout the world that were entered into before I became President.

So tonight I ask and urge the Congress to help our foreign and commercial trade policies by passing an East-West trade bill and approving our consular convention with the Soviet Union.

The Soviet Union has in the past year increased its long-range missile capabilities. It has begun to place near Moscow a limited antimissile defense. My first responsibility to our people is to assure that no nation can ever find it rational to launch a nuclear attack or to use its nuclear power as a credible threat against us or our allies.

I would emphasize that that is why an important link between Russia and the United States is our common interest in arms control and disarmament. We have the solemn duty to slow down the arms race between us if that is at all possible, in both conventional and nuclear weapons and defenses. I thought we were making some progress in that direction, in the first few months I was in office, I realize any additional race would impose on our peoples and on all mankind for that matter, an additional waste of resources with no gain in security to either side.

I expect in the days ahead to closely consult and seek the advice of Congress about the possibilities of international agreements bearing directly upon this problem.

Next to the pursuit of peace, the really great challenge to the human family is the race between food supply and population increase. That race tonight is being lost.

The time for rhetoric has clearly passed. The time for concerted action is here, and we must get on with the job.

We believe that three principles must prevail if our policy is to succeed:

First, the developing nations must give highest priority to food production, including the use of technology and the capital of private enterprise.

Second, nations with food deficits must put more of their resources into voluntary family planning programs.

Third, the developed nations must all assist other nations to avoid starvation in the short run to move rapidly toward the ability to feed themselves.

Every member of the world community now bears a direct responsibility to help bring our most basic human account into balance.

I come now finally to southeast Asia—and to Vietnam in particular. Soon I will submit to the Congress a detailed report on that situation. Tonight I want to just review the essential points as briefly as I can.

We are in Vietnam because the United States of America and our allies are committed by the SEATO treaty to "act to meet the common danger" of aggression in southeast Asia.

We are in Vietnam because an international agreement signed by the United States, North Vietnam and others in 1962 is being systematically violated by the Communists. That violation threatens the independence of all the small nations in southeast Asia and threatens the peace of the entire region, and perhaps the world.

We are there because the people of South Vietnam have as much right to remain non-Communist—if that is what they choose—as North Vietnam has to remain Communist. We are there because the Congress has pledged by solemn vote to take all necessary measures to prevent further aggression.

No better words could describe our present course there than those once spoken by the great Thomas Jefferson:

> It is the melancholy law of human societies to be compelled sometimes to choose a great evil in order to ward off a greater evil.

We have chosen to fight a limited war in Vietnam in an attempt to prevent a larger war—a war almost certain to follow, I believe, if the Communists succeeded in overrunning and taking over South Vietnam by aggression and by force. I believe and I am supported by some authority, that if they are not checked now, the world can expect to pay a greater price to check them later.

That is what our statesmen said when they debated this treaty, and that is why it was ratified 82 to 1 by the Senate many years ago.

You will remember that we stood in Western Europe 20 years ago. Is there anyone in this Chamber tonight who doubts that the course of freedom was not changed for the better because of the courage of that stand?

Sixteen years ago we and others stopped another kind of aggression—this time it was in Korea. And imagine how different Asia might be today if we had failed to act when the Communist army of North Korea marched south. The Asia of tomorrow will be far different because we have said in Vietnam as we said 16 years ago in Korea: "This far, and no further."

I think I reveal no secrets when I tell you that we are dealing with a stubborn adversary committed to the use of force and terror to settle political questions.

I wish I could report to you that the conflict is almost over. This I cannot do. We face more cost, more loss, and more agony. For the end is not yet. I cannot promise you that it will come this year—or come next year. Our adversary still believes I think tonight that he can go on fighting longer than we can and longer than we and our allies will be prepared to stand up and resist.

Our men in that area—there are nearly 500,000 in that area now—have borne well "the burden and the heat of the day." Their efforts have deprived the Communist enemy of the victory he sought and that he expected a year ago. We have steadily frustrated his main forces. General Westmoreland reports that the enemy can no longer succeed on the battlefield.

So I must say to you that our pressure must be sustained—and will be sustained—until he realizes that the war he started is costing him more than he can ever hope to gain.

I know of no strategy more likely to attain that end than the strategy of "accumulating slowly, but inexorably, every kind of material resource"—of "laboriously teaching troops the very elements of their trade." That, and patience—I mean a great deal of patience.

Our South Vietnamese allies are also being tested tonight. Because they must provide real security to the people that are living in the countryside. This means reducing the terrorism and the armed attacks—which kidnaped and killed 26,900 civilians in the last 32 months—to levels where they can be successfully controlled by the regular South Vietnamese security forces. It means bringing to the villagers an effective civilian government that they can respect and that they can rely upon and that they can participate in and that they can have a personal stake in their government. We hope that government is now beginning to emerge.

While I cannot report the desired progress in the pacification effort, the very distinguished and able Ambassador Henry Cabot Lodge reports that South Vietnam is turning to this task with a new sense of urgency. And we can help, but only they can win this part of the war. Their task is to build and protect a new life in each rural province.

One result of our stand in Vietnam is already clear.

It is this: The peoples of Asia now know that the door to independence is not going to be slammed shut. They know that it is possible for them to choose their own national destinies—without coercion.

The performance of our men in Vietnam—backed by the American people—has created a feeling of confidence and unity among the independent nations of Asia and the Pacific. I saw it in their faces in the 19 days that I spent in their homes and in their country.

Fear of external Communist conquest in many Asian nations is already subsiding—and with this, the spirit of hope is rising. For the first time in history, a common outlook and common institutions are emerging.

This forward movement is rooted in the ambitions and interests of the Asian nations themselves. It was precisely this movement that we hoped to accelerate when I spoke at Johns Hopkins in Baltimore in April 1965, and I pledged "a much more massive effort to improve the life of man" in that part of the world and the hope we could take some of the funds we were spending on bullets and bombs and spend them on schools and production.

Twenty months later our efforts have produced a new reality: The doors of the billion-dollar Asian Bank that I recommended to the Congress and you endorsed almost unanimously, I am proud to tell you, are already open. Asians are engaged tonight in regional efforts in a dozen new directions. Their hopes are high. Their faith is strong. Their confidence is deep. Even as the war continues, we shall play our part in carrying forward this constructive historic development. As recommended by the Eugene Black mission, and if other nations will agree to join with us, I will seek a special authorization from the Congress of $200 million for east Asian regional programs.

Because we are eager to turn our resources to peace, our efforts in behalf of humanity, I think, need not be restricted by any parallel or by any boundary line. The moment that peace comes, as I pledged in Baltimore, I will ask the Congress for funds to join in an international program of reconstruction and development for all the people of Vietnam—and their deserving neighbors who wish our help.

We shall continue to hope for a reconciliation between the people of mainland China and the world community—including working together in all the tasks of arms control and security, and progress on which the fate of the Chinese people, like their fellow men elsewhere, depends.

We would be the first to welcome a China which had decided to respect her neighbors' rights. We would be the first to applaud her were she to apply her great energies and intelligence to improving the welfare of her own people. And we have no intention of trying to deny her legitimate needs for security and friendly relations with her neighboring countries.

Our hope that all of this will someday happen rests on the conviction that we, the American people and our allies, will—and are going to—see Vietnam through to an honorable peace.

We will support all appropriate initiatives by the United Nations, and others, which can bring the several parties together for unconditional discussions of peace—anywhere, any time. And we will continue to take every possible initiative ourselves to constantly probe for peace.

Until such efforts succeed, or until the infiltration ceases or until the conflict subsides, I think the course of wisdom for this country is that we must firmly pursue our present course. We will stand firm in Vietnam.

I think you know that our fighting men there tonight bear the heaviest burden of all. With their lives they serve their Nation, and we must give them nothing less than our full support—and we have given them that—nothing less than the determination Americans have always given their fighting men. Whatever our sacrifice here, even if it is more than $5 a month, it is very small compared to their own.

How long it will take, I cannot prophesy. I only know that the will of the American people I think is tonight being tested.

Whether we can fight a war of limited objectives over a period of time, and keep alive the hope of independence and stability for people other than ourselves; whether we can continue to act with restraint when the temptation to "get it over with" is inviting but dangerous; whether we can accept the necessity of choosing "a great evil in order to ward off a greater one"; whether we can do these without arousing the hatreds and passions that are ordinarily loosed in time of war: on all these questions so much turns.

The answers will determine not only where we are, but "whither we are tending."

A time of testing—yes. And a time of transition. The transition is sometimes slow; sometimes unpopular; almost always very painful; and often quite dangerous.

But we have lived with danger for a long time before, and we shall live with it for a long time yet to come. We know that "man is born unto trouble." We also know that this Nation was not forged and did not survive and grow and prosper without a great deal of sacrifice from a great many men.

For all the disorders we must deal with, and all the frustrations that concern us, for all the anxieties we are called upon to resolve, for all the issues we must face with the agony that attends them, let us remember that "Those who expect to reap the blessings of freedom must, like men, undergo the fatigues of supporting it."

But let us also count not only our burdens but our blessings—for they are many. And let us give thanks to the One who governs us all.

Let us draw encouragement from the signs of hope—for they, too, are many.

Let us remember that we have been tested before and America has never been found wanting.

So with your understanding and, I would hope, your confidence, and your support, we are going to persist—and we are going to succeed.

At 10 o'clock and 45 minutes p.m., the President, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Doorkeeper escorted the invited guests from the Chamber in the following order:

The members of the President's Cabinet.

The Chief Justice of the United States and the Associate Justices of the Supreme Court.

The ambassadors, ministers, and charges d'affaires of foreign governments.

JOINT SESSION DISSOLVED

The SPEAKER. The Chair declares the joint session of the two Houses now dissolved.

Accordingly, at 10 o'clock and 48 minutes p.m., the joint session of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

The SPEAKER. The House will be in order.

MESSAGE OF THE PRESIDENT

Mr. ALBERT. Mr. Speaker, I move that the message of the President be referred to the Committee of the Whole House on the State of the Union and ordered printed.

The motion was agreed to.

THE LATE HONORABLE VICTOR L. ANFUSO

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, as 1966 drew to a close, many of us were deeply saddened to learn of the sudden passing of the Honorable Victor L. Anfuso, a justice of the Supreme

Court of the State of New York, and for 10 years a distinguished Member of this body. I was particularly saddened since my relationship with Victor over many years was a warm and personal thing.

Victor Anfuso was a true son of the district he represented so well here. He was born in 1905 in Sicily. Nine years later his father, a shoemaker, died and his mother and four sisters and brothers came to this country. They found a place to live above a store in the Williamsburg section of Brooklyn and set about the business of making a living in a new country—a difficult thing for an immigrant family in those days. Working long hours after school shining shoes, Victor still managed to graduate from Commercial High School with the highest average in his class. From there he went on to peddle vegetables from a pushcart in the daytime and at night attend Brooklyn Law School. In 1928, just 14 years after coming to this country, he was admitted to the bar of the State of New York.

During World War II, he was trained by the Office of Strategic Services for a special mission to Italy for which he received the Distinguished Service Medal. Immediately following the war he was named Special Assistant Commissioner of Immigration and Naturalization for the Justice Department. It might be thought that because of his background, Victor Anfuso would be a limited man of parochial interests; nothing could be further from reality. He took a tremendous interest in foreign affairs and U.S. foreign policy, advocating an open approach to such affairs that could leave no doubt as to where this country stood. As a Member of the House of Representatives, he was sent on a special mission to study stockpiling and handling of American surplus food in Europe and the Middle East. His interests were not limited to terrestrial matters, however, as he also served as a member of a delegation to the United Nations Committee on the Peaceful Uses of Outer Space.

Victor Anfuso compiled a proud and enviable record as a man, as a lawmaker, and as a judge. He will be sorely missed in the borough of Brooklyn.

To his charming wife, Frances, and his sons and daughters, I extend my deepest sympathy and prayers.

WE MUST RAISE RATES ON THIRD-CLASS MAIL

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I have today introduced a bill to raise postal rates on third-class mail. Much of this type of mail is really "junk mail" and it is unread, unwanted, and unpaid for.

Do you know that the advertiser who uses third-class mail can get a large part of his expenses subsidized by the taxpayers? The postal rates for this type of mail are so low that this class of mail pays only 60 percent of the cost of delivery. Your 5-cent stamp for first-class mail covers over 100 percent of the cost.

When an advertiser wants to put an ad in the newspaper, or over radio or television or through other media, he pays the full cost of the ad. Why then should he expect to have the taxpayer pay 40 percent of the cost when he advertises through third-class mail?

A rate hike on third-class mail will not only bring in hundreds of millions of dollars to the Treasury, but will also set a fairer rate for private advertising through the mail. My bill will help reduce the postal deficit by hundreds of millions of dollars. It might also put a little slowdown on the piles and piles of junk which go through the mails every day and hinder the handling of more important first-class mail.

I am going to have a lot more to say on this subject in the next few weeks, and would welcome comments by my colleagues and the general public on the bill which I have introduced, which is as follows:

H.R. —

A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4452 of title 39, United States Code, is amended to read as follows:

"§ 4452. Postage rates

"(a) Except as provided in subsection (c) of this section and subject to the minimum charge per piece provided in subsection (b) of this section, the postage rates on third-class mail are as follows:

"Type of mailing	Rate	Unit
	Cents	
(1) Individual piece	5	1st 2 ounces or fraction thereof.
	2½	Each additional ounce or fraction thereof.
(2) Bulk mailings under subsec. (e) of this section of—		
(A) books and catalogs of 24 pages or more, seeds, cuttings, bulbs, roots, scions, and plants.	18	Each pound or fraction thereof.
(B) other matter	24	Do.

"(b) Matter mailed in bulk under subsection (e) of this section is subject to a minimum charge for each piece of 4½ cents, except that the minimum charge per piece on such matter mailed by qualified nonprofit organizations is 2¼ cents.

"(c) The pound rates on matter mailed in bulk under subsection (e) of this section by qualified nonprofit organizations are 50 per centum of the pound rates provided by subsection (a).

"(d) The term 'qualified nonprofit organization' as used in this section means religious, educational, scientific, philanthropic, agricultural, labor, veterans, or fraternal organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual. Before being entitled to the preferential rates set out in this section, the organization or association shall furnish proof of its qualifications to the Postmaster General.

"(e) Upon payment of a fee of $40 for each calendar year or portion thereof, any person may mail, in the manner directed by the Postmaster General, separately addressed identical pieces of third-class mail in quantities of not less than fifty pounds or of not less than two hundred pieces subject to pound rates applicable to the entire bulk mailed at one time."

SEC. 2. The amendment made by this Act shall become effective on July 1, 1967.

HORTON OUTLINES START OF HIS LEGISLATIVE PROGRAM FOR 90TH CONGRESS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the body of the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I take this opportunity to welcome you and the rest of our colleagues to this opening session of the 90th Congress. Like many Members of Congress, I have spent a good part of the adjournment period reviewing segments of the legislative horizon, with an eye toward completing some of the unfinished tasks of the 89th Congress as well as broadening our sights to include new problems which will arise in the coming 2 years.

In my own legislative folio of the last Congress, there are bills in nearly every field on which consideration had not been completed on adjournment day last October. I am today submitting some of the most pressing of these measures, so that the new Congress can continue to weigh their merits.

As a result of the great number of new programs enacted by the last two Congresses, there is a vastly increased burden on the executive branch to administer these new laws. While some consolidations and improvements have been made in the executive structure—notably the new Departments of Transportation and Housing and Urban Development which I helped to create—a proliferation of new agencies and subagencies have posed snowballing problems of duplication and inefficiency. As a start toward counteracting this trend, I am introducing a bill to create a Commission on the Organization of the Executive Branch. This body, which I first proposed in 1965, would function like the Hoover Commissions of the past two decades. At a time when cutbacks are being sought in nearly every category of Federal spending, we should make every possible effort to eliminate waste within the Federal structure itself. I believe that the 14-member blue-ribbon panel I propose can prime the pump of a Federal efficiency and reorganization drive by submitting recommendations during this 90th Congress.

Also concerned with the effective functioning of the executive branch is my proposal to create a Commission on Public Management. The Commission would concern itself with the management of the public business through the application of modern management technology and the analysis of systems interrelationships involved with public business problems. America is today confronted with a number of superproblems which will require solutions of a kind and size yet untapped by the Federal Government. In order to handle these problems without extending Government controls over new aspects of the lives of Americans, and without smothering the problems in a deluge of paperwork, public management methods, including use of sophisticated systems analysis approaches must become part of the Government's arsenal against domestic issues. By bringing the expertise of private industry to bear on such massive problems as pollution and crime, a Commission on Public Management can contribute to effective operation of the executive branch in coming decades. It can also start us off on the right foot as we attempt to solve the social and technical dilemmas facing America today.

Among the superproblems existing now, two, in particular cannot wait for the development of new Federal methods to solve them. These are the pollution of our resources and urban crime. During the last Congress, I introduced more than 10 proposals to bolster the fight against water pollution. Many were enacted or incorporated with other bills which are now public law. But the filth in our lakes and rivers persists; and harmful, noxious substances clog the atmosphere in many localities. Twice during the adjournment period, the city of New York and nearby New Jersey experienced air pollution emergencies. Even the Washington area, which has little heavy industry, is plagued with frequent and unpleasant haze from the exhaust of oil- and gasoline-burning engines.

It is my privilege today to introduce a comprehensive amendment to the Clean Air Act which would establish a system of air regions and procedures for the setting and enforcement of air quality standards for these regions. A crucial aspect of this bill is that it recognizes the regional aspect of the air pollution problem. While the bill does provide ample opportunity for States to enact their own acceptable air pollution standards, it insures the application of Federal air quality standards in the absence of State action. Thus, if a State took steps to police its air to insure the enforcement of its own standards, but was plagued by polluted air blowing in from another jurisdiction, Federal standards applicable to the entire air region would provide relief under this bill. Another important section in this bill is one which protects industries and municipalities against unwarranted public claims by the Government that a particular city or firm is polluting the atmosphere.

On prior occasions, Federal agency claims that certain industries are polluters have been made public and have proven damaging to industries which in reality had embarked on expensive and comprehensive pollution abatement programs. Later, the agency has admitted that its figures were out of date, or were borrowed from other sources and the Government has had to express regret for its inaccuracy.

My bill provides that publication by the Government of an industry's pollution figures shall be withheld until the Secretary has sought to cooperate with the industry in an investigation of its emissions into the air. This would not only foster greater cooperation between the agencies and industry, it would also prevent the recurrence of the kind of embarrassment I have cited.

In addition, I am resubmitting my bill of the last Congress which provides for a program of pollution abatement awards to industries and cities which meet certain waste treatment standards.

The first bills in the Horton anticrime package, which I am submitting today, will strengthen the hand of local law enforcement agencies in dealing with criminals. The first adds a strong provision to Federal criminal laws prohibiting the obstruction of criminal investigations by threat or other illegal means. The second provides for Federal help in modernizing police department communications and filing systems under the Law Enforcement Assistance Act of 1965.

A third bill provides a system of compensation for victims of violent crimes in Federal jurisdictions. Until we have found an effective way to greatly reduce the rate of serious violent crimes, some means of compensating persons victimized by these acts must be provided.

In the education field, I am submitting five bills which Congress has had under consideration in the past, and which have won wide support among many Members of Congress and many groups throughout the country. For the third straight Congress, I am submitting a bill to allow a tax credit for college tuition expenses from individual Federal income tax. I think this is one of the most effective and sensible ways we can open the opportunities of higher education to more Americans.

Late in the last session of the 89th Congress, I submitted a bill that would allow teachers to deduct their expenses for certain occupation-related studies and travels. Again, this is a practical and effective way of upgrading the education that our youngsters receive—by improving and continually broadening the capabilities of our teachers. A third bill allows the acquisition of existing school facilities for us in federally aided vocational education programs. A fourth bill expands the cold war GI benefits bill of last year by allowing benefit payments for certain flight training, for on-the-farm training, and on-the-job training. I am also introducing a measure designating February as "American History Month" to call attention to the many significant national events which have occurred in February. American History Month will provide a welcome and important classroom theme for the teaching and recognition of the importance of these events. Also significant for recognition of important events in our history, is my bill to declare Columbus Day a national holiday.

In the area of foreign affairs, I am submitting several bills which follow my speech of last summer citing the necessity for Congress to take a broader and more current role in the foreign policy of this Nation. The first is a bill to create a U.S. Committee on Human Rights to plan for U.S. participation in International Human Rights Year 1968. This bill was favorably reported last year by a House Foreign Affairs Subcommittee, and has the approval of the administration. Secondly, I offer a bill that would create a U.S. delegation to an Atlantic Union Convention. Such a delegation would be a step toward the rejuvenation of the Atlantic alliance on all levels—social and political as well as military.

Since I first came to the House in 1963, I have on the first day of each Congress submitted a bill to create a Committee on the Captive Nations. If Americans are to keep their commitments to the downtrodden peoples of Eastern Europe, it is essential that we in Congress be kept currently informed of events in these Communist countries, so that we may take appropriate action in helping to set and direct foreign policy in this area. Finally, I am submitting a measure which is very much related to the approach of International Human Rights Year, 1968. One of the most flagrant denials of human rights now taking place in the world is the persecution of Jews and other religious minorities inside the Soviet Union. My resolution makes it the sense of Congress that the United States do everything possible to promote free exercise of religion in Russia and elsewhere in the world.

As a beginning of my legislative efforts this Congress in other subject areas, I am submitting bills today that will: double the Hill-Burton funds available for extended care nursing homes; provide postal rate privileges to volunteer firefighting and ambulance companies, and to photographic amateurs contributing to nonprofit exhibitions; provide tax relief to volunteer fire companies and to persons who have been reimbursed by their employers for certain moving expenses.

Finally, I am submitting a bill which will give a measure of home rule to the District of Columbia by providing for a nonvoting delegate from Washington to the House of Representatives. As a member of the House District Committee, I urge the adoption of this bill to assure some measure of elected representation for the District during our deliberations which so closely affect the directions which the growth of our "National City" will take.

Mr. Speaker, I am hopeful that as we turn our attention to the daily consideration of legislation, the measures I am submitting today will win the support of my colleagues in the House.

HORTON URGES CONGRESSIONAL CHARTER FOR POP WARNER LITTLE SCHOLARS

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, it gives me great pleasure to introduce a resolution asking that a congressional charter be granted to the Pop Warner Little Scholars, Inc., the corporate body of Pop Warner Junior League Football. This organization is infinitely worthy of this honor, as is exemplified by the extraordinarily high caliber of the boys who participate in the program. Pop Warner emphasizes good sportsmanship, physical fitness, and a love of the game of football. The program strives to bring youths closer together through a common interest in scholarship, fellowship, and athletic competition.

Congress is not a stranger to the ideals which Pop Warner represents. In June of 1916, Congress granted a charter to the Boy Scouts of America and more recently in July of 1964, it granted a charter to Little League Baseball, Inc. Both of these organizations exemplify the good character, responsibility, and moral integrity which they seek to build in their members. Pop Warner Little Scholars, Inc., joins these organizations in the furthering of these goals. A brief history of the Little Scholars will serve as an illustration.

The 1966 season marked the 38th year for the program, thus making Pop Warner Junior League Football the Nation's oldest and largest boys' football and scholastic training program. The program owes its inception in Philadelphia to the efforts of Joseph J. Tomlin, an outstanding lineman during his years at Swarthmore and an alumnus of Harvard Law School. Tomlin sought through Pop Warner football to expose boys of the ages 10 to 14 to the game of safety-first football, emphasizing its qualities of building character and sportsmanship as well as pointing out the need for high equipment standards, proper coaching, and officiating.

To aid his goal, Tomlin adopted the name of the late great collegiate football coach, Glenn Scobie "Pop" Warner. Born on a farm in western New York, Warner played varsity football at Cornell and went on to coach the Indians in Carlisle, Pa. When the school closed in 1914, he went to the University of Pittsburgh, then to Stanford, and finally Temple University. In his years of coaching he provided continuing inspiration for all who worked under him and today his name remains a symbol of what the Pop Warner Junior League Football program is attempting to achieve.

A very essential part of the program is the careful matching of youthful grid opponents by strict adherence to maximum and minimum age and weight requirements. To accomplish this, the league has been split into five classifications: Peewee, junior midget, midget, junior bantam, and bantam. These divisions encompass all of the boys of pre-high-school age, with prime consideration given to the safety of every child and, secondarily, equality of competition.

As evidence of the enthusiasm for Pop Warner football, I cite my own constituency of Rochester, N.Y., as an example. Pop Warner is relatively new to the area, the first team having been organized only 4 years ago. Since then, as support has mounted each year, more teams have been added making a total today of 10 in the greater Rochester area encompassing over 350 boys. The commissioner in Rochester, Mr. Joseph P. Miller, has often remarked on the enthusiasm with which this program has been met and the overflow demand for positions on teams in the Rochester area.

No better examples exist of what Pop Warner is trying to inspire than the 32 boys who were chosen as members of the 1966 Pop Warner All-America Team of Little Scholars. The competition is open to all of the approximately 600,000 boys playing the Pop Warner brand of safety-first, academic football from coast to coast and several foreign countries. These outstanding boys were chosen on the basis of their scholastic achievement, participation in activities both inside and outside of school, and their performance on Pop Warner football elevens last fall. I was pleased to see, that two of these boys, Thomas Lapple and Arthur Pires, were from my home community and I wish to personally commend their merit in achieving this honor.

Twenty of the 32 1966 All-America boys carried an "A" or better scholastic average and 27 of the 32 boys have attained a combined academic-football rating of "A" or "A-plus" as compiled by the Pop Warner headquarters. In recognition of their achievement, these boys were invited to participate in the 1966 Pop Warner Little Scholar's pilgrimage which took them to Disneyland, Calif., and to the centennial celebration held in Vancouver, British Columbia, where they were asked by Secretary of State Dean Rusk to give the official congratulations from the United States.

With your permission, Mr. Speaker, I would like to insert at this time a letter that I received from Mr. John D. Scott, executive director of the Pop Warner Junior League Football program, which expresses very clearly its desire to be accorded the honor of a congressional charter.

POP WARNER JUNIOR LEAGUE FOOTBALL,
Philadelphia, Pa.

Congressman FRANK HORTON,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN HORTON: We sincerely hope that your efforts on our behalf to have Pop Warner Junior League Football granted a Congressional Charter of Federal Incorporation similar to that granted to Little League Baseball will meet with the same success as the efforts of you and your colleagues on behalf of that worthy organization two years ago.

Pop Warner Junior League Football is the football counterpart of Little League Baseball and like that organization has operated for many years under the non-profit corporate status of a single state, the Commonwealth of Pennsylvania, where the program was founded in Philadelphia in 1929.

The issuance of a Federal Charter will greatly broaden the scope of the Pop Warner organization and will give protection to the Pop Warner name and insignia, and the youngsters participating under their auspices.

More importantly, it will have the program fall within the guardianship of the Congress of the United States, and will see Pop Warner Junior League Football join Boy Scouts, Boys' Clubs of America, Red Cross and Little League Baseball in the select circle of organizations so honored.

The outstanding feature of Pop Warner Junior League Football which sets it apart from all other youth athletic programs is its scholastic improvement division called the Little Scholars. It is the aim of the Little Scholars phase of the program to instill in every Pop Warner player the desire to excel in the classroom as well as on the football field.

Pop Warner Junior League Football has long enjoyed the personal support and backing of many distinguished Members of the House of Representatives and the Senate of the United States. This support and backing has greatly aided the program which this fall celebrated its 38th year.

A Federal Charter will prove to be the crowning glory to an organization of humble origin which today serves more than a half million boys and girls who play and support the Pop Warner brand of safety-first football throughout the United States and in several foreign lands.

Sincerely,

JOHN D. SCOTT,
National Executive Director.

Having had personal contact with this organization and the magnificent job which it has done in aiding boys of all ages to get to know one another and themselves better through sportsmanship, scholarship, and athletic competition, I feel deeply honored to be able to introduce this bill as a fitting tribute to the men and boys that have made this great organization possible. During the last session, I was joined in the introduction of a similar bill by 15 of my colleagues who sponsored legislation to grant Pop Warner a charter. Unfortunately, Congress adjourned before our bills could be acted upon. Mr. Speaker, I urge you and each of my colleagues to give full support to my resolution, so that a congressional charter may be granted to the Pop Warner Little Scholars.

THE CHILDREN OF VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I have recently read a shocking and disturbing article concerning child casualties in Vietnam which was published in the January 1967 edition of Ramparts magazine. The article, written by William F. Pepper, director of the Commission on Human Rights of New Rochelle, graphically details the horrible results of the use of napalm and phosphorus. The article states that there have been "a million child casualties since 1961." Even if the figure, which is, of course, an estimate, is off by more than two-thirds the situation is appalling. It is also distressing that proper medical treatment is not available for the children. The article states:

> American soldiers in Vietnam who accidentally suffer serious burn injuries from napalm are rushed aboard special hospital planes—equipped to give immediate first aid treatment—and flown directly to Brooke Army Hospital in Texas, one of the world's leading centers for burn treatment and for the extensive plastic surgery that must

follow. Burned Vietnamese children must fare for themselves.

In January 1966, Chester L. Cooper, a member of the administration who is now in the State Department, was asked if Vietnamese children who suffered injuries could be taken to the United States for treatment. According to the article, he answered on White House stationery:

> The most effective way of extending assistance is on the scene in South Vietnam where children and others can be treated near their families and in familiar surroundings.

But the article points out:

> There are no "familiar surroundings" in napalm torn Vietnam, thousands of children are displaced orphans and in any case there are no medical facilities for the long and difficult rehabilitation of burned children.

Mr. Speaker, this article raises most serious questions about the policy in Vietnam and the treatment of child victims of this tragic conflict. I strongly urge my colleagues to read it.

The article follows:

THE CHILDREN OF VIETNAM

(NOTE.—*William F. Pepper is Executive Director of the Commission on Human Rights in New Rochelle, New York, a member of the faculty at Mercy College in Dobbs Ferry, New York and Director of that college's Children's Institute for Advanced Study and Research. On leave of absence last spring, he spent six weeks in South Vietnam as an accredited journalist.*)

For countless thousands of children in Vietnam, breathing is quickened by terror and pain, and tiny bodies learn more about death every day. These solemn, rarely smiling little ones have never known what it is to live without despair.

They indeed know death, for it walks with them by day and accompanies their sleep at night. It is as omnipresent as the napalm that falls from the skies with the frequency and impartiality of the monsoon rain.

The horror of what we are doing to the children of Vietnam—"we," because napalm and white phosphorus are the weapons of America—is staggering, whether we examine the overall figures or look at a particular case like that of Doan Minh Luan.

Luan, age eight, was one of two children brought to Britain last summer through private philanthropy, for extensive treatment at the McIndoe Burns Center. He came off the plane with a muslin bag over what had been his face. His parents had been burned alive. His chin had "melted" into his throat, so that he could not close his mouth. He had no eyelids. After the injury, he had had no treatment at all—none whatever—for four months.

It will take years for Luan to be given a new face ("We are taking special care," a hospital official told a Canadian reporter, "to make him look Vietnamese"). He needs at least 12 operations, which surgeons will perform for nothing; the wife of a grocery-chain millionaire is paying the hospital bill. Luan has already been given eyelids, and he can close his mouth now. He and the nine-year-old girl who came to Britain with him, shy and sensitive Tran Thi Thong, are among the very few lucky ones.

There is no one to provide such care for most of the other horribly maimed children of Vietnam; and despite growing efforts by American and South Vietnamese authorities to conceal the fact, it's clear that there are hundreds of thousands of terribly injured children, with no hope for decent treatment on even a day-to-day basis, much less for the long months and years of restorative surgery needed to repair ten searing seconds of napalm.

When we hear about these burned children at all, they're simply called "civilians," and there's no real way to tell how many of them are killed and injured every day. By putting together some of the figures that are available, however, we can get some idea of the shocking story.

Nearly two years ago, for instance—before the major escalation that began in early 1965—Hugh Campbell, former Canadian member of the International Control Commission in Vietnam, said that from 1961 through 1963, 160,000 Vietnamese civilians died in the war. This figure was borne out by officials in Saigon. According to conservative estimates, another 55,000 died during 1964 and 100,000 in each of two escalated years since, or at least 415,000 civilians have been killed since 1961. But just who *are* these civilians?

In 1964, according to a UNESCO population study, 47.5 percent of the people of Vietnam were under 16. Today, the figure is certainly over 50 percent. Other United Nations statistics for Southeast Asia generally bear out this figure. Since the males over 16 are away fighting—on one side or the other—it's clear that in the rural villages which bear the brunt of the napalm raids, at least 70 percent and probably more of the residents are children.

In other words, at least a quarter of a million of the children of Vietnam have been killed in the war.

If there are that many dead, using the military rule-of-thumb, there must be three times that many wounded—or at least a million child casualties since 1961. A look at just one hospital provides grim figures supporting these statistics: A medical student, who served for some time during the summer at Da Nang Surgical Hospital, reported that approximately a quarter of the 800 patients a month were burn cases (there are two burn wards at the hospital, but burned patients rarely receive surgical treatment, because more immediate surgical emergencies crowd them out). The student, David McLanahan of Temple University, also reported that between 60 and 70 percent of the patients at Da Nang were under 12 years old.

What we are doing to the children of Vietnam may become clearer if the same percentages are applied to the American population. They mean that one out of every two American families with four children would be struck with having at least one child killed or maimed. There is a good chance, too, that the father would be dead as well. At the very least, he is probably far from home.

When Wisconsin Congressman Clement Zablocki returned from Vietnam early in 1966, he reported that "some recent search and destroy operations have resulted in six civilian casualties to one Viet Cong." Though Secretary of Defense McNamara challenged the figure, Zablocki, relying on American sources in Saigon, stuck by them, and sticks by them today. What he didn't say is that in any six "civilian casualties," four are children.

McNamara, too, is sometimes more candid in private. A colleague of mine attended a private "defense seminar" at Harvard in mid-November, and heard the defense secretary admit, during a question period, that "we simply don't have any idea" about either the number or the nature of civilian casualties in Vietnam.

Perhaps because we see them only one at a time, Americans seem not to have felt the impact of our own news stories about these "civilian casualties." A UPI story in August, 1965, for instance, described an assault at An Hoa:

"I got me a VC, man. I got at least two of them bastards." The exultant cry followed a ten-second burst of automatic weapon fire yesterday, and the dull crump of a grenade exploding underground. The Marines ordered a Vietnamese corporal to go down into the grenadė-blasted hole to pull out their victims. The victims were three children between 11 and 14—two boys and a girl. Their bodies were riddled with bullets. . . . "Oh, my God," a young Marine exclaimed. "They're all kids . . ." Shortly before the Marines moved in, a helicopter had flown over the area warning the villagers to stay in their homes.

In a Delta province, New York Times correspondent Charles Mohr encountered a woman whose both arms had been burned off by napalm. Her eyelids were so badly burned that she could not close them, and when it was time to sleep, her family had to put a blanket over her head. Two of her children had been killed in the air strike that burned her. Five other children had also died.

"They're all kids," wrote Veteran Associated Press reporter Peter Arnett, describing in September a battle at Lin Hoc. There, in a deep earth bunker below the fury of a fierce battle, a child was born. Within 24 hours the sleeping infant awakened—and choked on smoke seeping down into the bunker. According to Arnett, the GI's had begun "systematically" to burn the houses to the ground, and were "amazed" as hundreds of women, children and old men "poured from the ground." For the baby, however, it was already too late.

Another Times correspondent, Neil Sheehan, described in June the hospital at Cantho in the Delta region where fighting is relatively light. The civilians, he said, "come through the gates into the hospital compound in ones, twos and threes. The serious cases are slung in hammocks or blankets. . . . About 300 of the 500 casualties each month require major surgery. The gravely wounded, who might be saved by rapid evacuation, apparently never reach the hospital but die along the way."

A few months before, Dr. Malcolm Phelps, field director of the American Medical Association Physician Volunteers for Vietnam, put the monthly figure for civilians treated at Cantho at about 800. That means at least 400 children, every month, in just that one hospital.

New Jersey doctor Wayne Hall, who worked at the Adventist Hospital in Saigon (he went at his own expense, as a substitute missionary surgeon), reported that overcrowding, even in this three-story Saigon institution, is a "chronic condition." No one was ever turned down: "When there were no more beds and cots, they were put on benches; when there were no more benches, they were put on the floor. Some were lying on a stone slab in the scrub room—delivery cases." Babies born on a stone slab. "Of course," Dr. Hall added, "this is the extreme—but it's a common extreme."

At the other end of the country, in Northern I Corps, David McLanahan reported that during last summer, the 350-bed Da Nang Surgical Hospital never had fewer than 700 patients. McLanahan, one of five medical students in Vietnam on an intern program sponsored by USAID, said that Vietnamese patients frequently would not talk freely to him, but that they told Vietnamese doctors and medical students enough about how they got hurt so that it was possible to estimate that at least 80 per cent of the injuries were inflicted by American or South Vietnamese action.

My first patient [McLanahan said] was a lovely 28-year-old peasant woman who was lying on her back nursing a young child. The evening before, she had been sitting in her thatched hut when a piece of shrapnel tore through her back transecting the spinal cord. She was completely paralyzed below the nipple line. We could do nothing more for her than give antibiotics and find her a place to lie. A few mornings later she was dead, and was carried back to her hamlet by relatives. This was a particularly poignant case, but typical of the tragedy seen daily in our emergency room and, most likely, in all of the emergency rooms in Vietnam.

Most of McLanahan's patients, he said, were "peasants brought in from the countryside by military trucks. It was rare that we got these patients less than 16 hours after injury. All transportation ceases after dark. A small percentage of war casualties are lucky enough to make it to the hospital."

Cantho, Saigon, Da Nang, Quang Ngai—it is by putting together reports such as these that the reality of extrapolated figures becomes not only clear but plainly conservative. **A quarter of a million children are dead; hundreds of thousands are seriously wounded. There must be tens of thousands of Doan Minh Luans.**

Manufacturer Searle Spangler, American representative for the Swiss humanitarian agency Terre des Hommes, describes what his agency has found to be the pattern when children are injured in remote villages: "If he's badly ill or injured, of course, he simply won't survive. There is no medical care available. Adults are likely to run into the forest, and he sometimes may be left to die. If they do try to get him to a hospital, the trip is agony—overland on bad roads, flies, dirt, disease, and the constant threat of interdiction by armed forces." McLanahan says that virtually every injury that reaches the hospital at Da Nang is already complicated by serious infection—and describes doctors forced to stop during emergency surgical operations to kill flies with their hands.

Torn flesh, splintered bones, screaming agony are bad enough. But perhaps most heart-rending of all are the tiny faces and bodies scorched and seared by fire.

Napalm, and its more horrible companion, white phosphorus, liquidize young flesh and carve it into grotesque forms. The little figures are afterward often scarcely human in appearance, and one cannot be confronted with the monstrous effects of the burning without being totally shaken. Perhaps it was due to a previous lack of direct contact with war, but I never left the tiny victims without losing composure. The initial urge to reach out and soothe the hurt was restrained by the fear that the ash-like skin would crumble in my fingers.

In Qui Nhon two little children—introduced to me quietly by the interpreter as being probably "children of the Viet Cong"—told of how their hamlet was scorched by the "fire bombs." Their words were soft and sadly hesitant in coming, but their badly burned and scarred bodies screamed the message. I was told later that they evinced no interest in returning to their home and to whatever might be left of their family.

I visited a number of the existing medical institutions in South Vietnam, and there is no question that the problems of overcrowding, inadequate supplies and insufficient personnel are probably insurmountable. The Da Nang Surgical Hospital is probably as well off as any Vietnamese hospital outside Saigon—but it is for surgery only; there is also a Medical Hospital not so well equipped.

Even in the Surgical Hospital, there are a number of tests that can't be done with the inadequate laboratory and X-ray equipment. Frequent power failure is a major problem (suction pumps are vital in surgery rooms; one child died in Da Nang, for instance, because during an operation he vomited and—with no suction pump to withdraw the stomach contents from his mouth—breathed them into his lungs). Though 100 burn patients every month reach Da Nang Surgical Hospital, McLanahan reported that while he was there, the hospital had only one half-pint jar of antibiotic cream—brought in privately by a surgeon—which was saved for "children who had a chance of recovery." In Sancta Maria Orphanage, I frequently became involved in trying, with a small amount of soap and a jar of Noxzema, to alleviate the festering infections that grew around every minor bite and cut.

In the nearby Medical Hospital, there are frequent shortages of antibiotics, digitalis and other equipment. While the Surgical Hospital makes use of outdated blood from military hospitals, most Vietnamese hospitals are chronically short of blood. According to another medical student, Jeffrey Mast, a hospital at Quang Ngai (60 miles south of Da Nang) occasionally "solved" a shortage of intravenous fluids by sticking a tube into a coconut—a common practice in outlying areas and, reportedly, among the Viet Cong.

The Swiss organization Terre des Hommes, which is attempting to provide adequate medical care for Vietnamese children (they were responsible for transporting Doan Minh Luan and Tran Thi Thong to England, and a few other children to other European countries), issued a report last spring which said in part that in Vietnam, "hospitals . . . show the frightening spectacle of an immense distress. To the extent that one finds children burned from head to foot who are treated only with vaseline, because of lack of a) ointment for burns, b) cotton, c) gauze, d) personnel. In places with the atmosphere of slaughter houses for people, where flies circulate freely on children who have been skinned alive, there are no facilities for hygiene, no fans, and no air conditioning."

In South Vietnam, approximately 100 hospitals provide approximately 25,000 beds to serve the ever growing needs of the civilian population. Bed occupancy by two or three patients is not uncommon (two to a bed is the rule at Da Nang). I can testify personally to the accuracy of Manchester Guardian writer Martha Gellhorn's description of the typical conditions at Qui Nhon.

In some wards the wounded also lie in stretchers on the floor and outside the operating room, and in the recovery room the floor is covered with them. Everything smells of dirt, the mattresses and pillows are old and stained; there are no sheets, of course, no hospital pajamas or gowns, no towels, no soap, nothing to eat on or drink from.

Searle Spangler, of Terre Des Hommes, says that there are only about 250 Vietnamese doctors available to treat all the civilians in South Vietnam. My own information is that there are even fewer; Howard Rusk of the New York Times gave a figure of 200 in September, and I have been told that there are now about 160. Obviously the difference hardly matters when at least five times that many children die every week. Dr. Ba Kha, former Minister of Health, told me that there are about nine nurses, practical and otherwise, and about five midwives for every 100,000 persons. He also told me that his ministry, charged with administering the entire public health program for South Vietnam, is allocated an unbelievable two per cent of the national budget.

There are, of course, American and "free world" medical teams at work, and USAID is increasingly supplying the surgical hospitals (a new X-ray machine has been installed at Da Nang, which AID hopes to turn into a model training hospital), but while their contribution is vital and welcome, it is like a drop in the ocean of civilian pain and misery. To speak of any of this as medical care for the thousands of children seared by napalm and phosphorous is ridiculous; there is simply no time, nor are there facilities, for the months and possibly years of careful restorative surgery that such injuries require. Burn patients receive quick first aid treatment and are turned out to make room for other emergency cases.

Although of course no one can talk about it openly, there are known to be cases in which pain is so great, and condition so hopeless, that the treatment consists of a merciful overdose. In an alarmingly large number of other cases, amputations—which can be performed relatively quickly—take the place of more complex or protracted treatment so that more patients can be reached in the fantastic rush that is taking place in every hospital. Any visitor to a hospital, an orphanage, a refugee camp, can plainly see the evidence of this reliance on amputation as a surgical shortcut. Dr. Hall has reported that hospitals allow terminal cases to be taken away by their families to die elsewhere, so that room can be made for more patients.

Then there are politics. A leading doctor and administrator in the I Corps area has found it difficult to get supplies for his hospital because he is suspected in Saigon of having been sympathetic to the Buddhist movement. In Hue, a 1500-bed hospital shockingly is allowed to operate under capacity because some of the faculty and students at the associated medical school expressed similar sympathies; apparently in punishment, the school and hospital receive absolutely no medical supplies from Saigon; only aid from the West German government keeps it operating at all. The dean of the medical school and some of his students were arrested last summer; a shipment of microscopes donated by West Germany was heavily taxed by Saigon. The harassment goes on.

At the present time, two groups are trying to do something about the horror of burned and maimed Vietnamese children. They are the Swiss-based international group, Terre des Hommes, a nonpolitical humanitarian organization founded in 1960 to aid child victims of war; and a newly-formed American association with nationwide representation called the Committee of Responsibility. Their approaches are somewhat different, but they are cooperating with each other wherever it seems helpful.

In the autumn of 1965, Terre des Hommes arranged for about 400 hospital beds in Europe—like the two in England paid for by Lady Sainsbury—and for surgeons to donate their services. They contacted North Vietnam, the NLF representative in Algiers and the government of South Vietnam. The first two turned down the offer, but the South Vietnamese government seemed willing to cooperate. Air fare from Saigon to Europe is about $1500, so Terre des Hommes asked for help from the United States government.

American soldiers in Vietnam who accidentally suffer serious burn injuries from napalm are rushed aboard special hospital planes—equipped to give immediate first aid treatment—and flown directly to Brook Army Hospital in Texas, one of the world's leading centers for burn treatment and for the extensive plastic surgery that must follow. Burnt Vietnamese children must fare for themselves.

It was the use of such special hospital aircraft that Terre des Hommes was hoping for, though any air transportation would have been welcome. Although American authorities in Saigon at first seemed enthusiastic, the decision was referred to the White House. In January 1966, Chester L. Cooper—now in the State Department "working," he says, "on peace"—wrote on White House stationery to issue a resounding NO.

"The most effective way of extending assistance [Cooper wrote] is on the scene in South Vietnam where children and others can be treated near their families and in familiar surroundings. . . . U.S. aircraft are definitely not available for this purpose."

Terre des Hommes wrote back to Cooper to argue the absurdity of the American position—there are, of course, no "familiar surroundings" in napalm-torn Vietnam, thousands of the children are displaced orphans, and in any case there are no medical facilities for the long and difficult rehabilitation of burned children. In November of this year, asked directly about the request, Cooper said:

"A doctor in Switzerland, of apparently good intentions but somewhat fuzzy judgment, wanted planes to take these innocent Vietnamese kids to Switzerland for treatment. [Edmond Kaiser, founder of Terre des Hommes, is not a doctor.] . . . The problem, basically, is that Terre des Hommes—and the chap involved, I want to emphasize, is a well meaning man—when we looked into it—and I worry just as much about the injured kids as the next fellow, maybe more so—what they want to do, they want to be taking these frightened little kids halfway across the world and dump them there in a strange, alien society."

"However much better a Swiss home or hospital might be, it cannot compensate for having their own families around them in familiar surroundings in their own country. Experienced social workers and hospital workers have described what happens when you take a child suddenly out of his environment: culture shock and trauma."

Either Cooper is grotesquely misinformed about medical facilities and family coherence in South Vietnam, or he would genuinely rather keep these horribly maimed children in the bosom of frequently nonexistent families, in the "familiar surroundings" of dirty fly-ridden hospitals or jammed refuge camps or burned-out villages, rather than subject them to the culture shock and trauma of clean hospital beds, relief from pain, and a chance for the kind of surgery that will give a Tran Thi Thong back her eyelids and enable a Doan Minh Luan to close his mouth.

In any case, while the argument was going on, Terre des Hommes turned to commercial airlines and asked them to donate whatever empty space they might have on flights from Saigon to Europe; they refused, possibly feeling that the experience might be psychologically difficult for their other passengers. Finally, in May, Terre des Hommes brought 32 children (including Luan and Thong) out of Vietnam at its own expense; they were both sick and wounded, and eight were burn victims. The tiny victims were brought out by arrangement with Dr. Ba Kha, the Saigon Minister of Health; when I visited Saigon, the doctor was extremely cooperative and seemed eager to implement any program that could benefit even a few of the people who, he acknowledged, are suffering terribly.

In September, Terre des Hommes arranged for another 26 children to be flown to Europe, and one of their representatives in South Vietnam chose the children. But when the planeload arrived in Geneva, the people waiting received a terrible shock. It contained no war-wounded children at all. All 26 were polio, cardiac and cerebral spastic victims, chronically ill children. Dr. Paul Lowinger of Wayne State University's medical school was on hand when Terre des Hommes officials learned what had happened, and described them to me as "disappointed and frustrated" over the violation of the terms of the agreement.

So far, no one has been able to determine what happened to the burned and other war-wounded children who were chosen by Terre des Hommes but somehow didn't arrive on the plane in Geneva. They have, seemingly, disappeared—or died. I have letters in my possession indicating that physicians who have been to Vietnam since my return fear that wounded and burned children are being hidden or kept out of sight of visiting doctors.

In the meantime, Dr. Ba Kha had been replaced, apparently for his actions in attempting to get the burned children out of the country, and his successor has demonstrated much less concern for the Terre des Hommes project. Most officials of the Swiss organization are convinced, though they cannot of course say so publicly, that the firing of Ba Kha and the substitution of the children was directly related to the fact that in England and elsewhere in Europe, the arrival of the first group of children had caused a tremendous stir about the cruel effect of the bombing. The arrival of Luan and Thong in Great Britain stimulated a large, spontaneous flow of gifts and contributions—and not a small amount of indignation about their condition.

Incidentally, Canadian reporter Jane Armstrong, who visited the Sussex hospital where the two children are being treated, wrote that "the hospital staff have been astonished by their happy dispositions," and notes that "no one can say what will happen to Luan," who has no known relatives. The culture shock and unfamiliar surroundings don't seem to be bothering the children.

In any case, Searle Spangler, Terre des Hommes representative in New York, seems firmly to believe in "spylike hanky panky" by the South Vietnamese government, including the secreting of badly injured children in order to play down the problem. He also said that "some of our Vietnamese workers have been mistreated, and we have reason to fear for them." On the adequacy of medical care in Vietnam, Spangler notes that Terre des Hommes operates the only children's hospital in the country—600 patients for 220 beds, with many of the children lying on newspapers—and that in other hospitals, some newspapers and wrapping paper are commonly used as dressings for burns, being the only material available.

The American group, the Committee of Responsibility, has only recently been formed. Its concern is specifically with children burned by American napalm and white phosphorus.

Its national coordinator and moving spirit, Helen Frumin, a housewife from Scarsdale, New York, became interested in the problem last spring when she encountered some Terre des Hommes material. Later, in Lausanne, she met Kaiser and learned more about the problem. She became convinced that Americans have a special responsibility toward the burned children of Vietnam.

"Napalm is an American product," Mrs. Frumin says. "The tragedy that is befalling children in Vietnam is all the more our responsibility where children burned by napalm are concerned; only the United States is using this weapon, and it is fitting that we should provide the care for the mutilated children."

The Committee backs up its position by citing such sources as a story in Chemical and Engineering News, last March, about a government contract for 100 million pounds of Napalm B, an "improved" product. The older forms of napalm, the article goes on to say, left "much to be desired, particularly in adhesion."

This, of course, refers to the ability of the hateful substance to cling to the flesh of the hamlet dwellers on whom it is usually dropped, insuring a near perfect job of human destruction after prolonged agony. It is because American tax dollars are behind every phase of the process, from manufacture to delivery and use, that the citizens of the Committee of Responsibility (who include prominent doctors throughout the country) feel that American dollars might best be spent in relieving the suffering they buy.

The Committee hopes at first to bring 100 napalmed children to America for extensive treatment. Hospital beds are being arranged, 300 physicians are ready to donate their services, homes have been found. But the cost for treating each child is still between $15,000 and $20,000, not including transportation from Vietnam to the United States.

The fantasy of the position that "adequate" care can be provided within South Vietnam and that "culture shock" might result from displacing a child, was pointed up in a report prepared for the Committee by Dr. Robert Goldwyn, a noted Boston plastic surgeon. He said in part:

"The children of Vietnam are the hardest struck by malnutrition, by infectious disease, and by the impact of terror and social chaos. They begin with the disadvantages implicit in a colonial society after nearly 25 years of continuing war, economic backwardness, inadequate food and medical facilities. Particularly helpless under such conditions is the burned child . . .

"A burn is especially critical in a child because the area of destruction relative to total body surface is proportionately greater than that of an adult. And in the present real world of Vietnam, his nutritional status and resistance to infection is lower than that of an adult.

"The acute phase of burn demands immediate and complex attention involving physicians, nurses, dressings, intravenous foods, plasma, often blood, antibiotics, and after the first week, wound debridement and skin grafting. Unless evacuation is simple and immediate and well-supervised, these early burns are best treated at or near the scene of injury.

". . . However, the child who has survived the initial stages of a burn would be a highly suitable candidate for treatment elsewhere. Since most of the burns are the result of napalm or white phosphorus, they are deep, and subsequent deformities and contractures are usual. These deformities, which interfere with function and offer extreme psychological obstacles for social readjustment, can be relieved by well-known and standardized plastic surgical procedures. These operations can ideally be done in a country such as the United States where facilities are adequate and where the environment is conducive to total rehabilitation.

"The child would not have to lie in a bed with two or three others; he would not be exposed to parasitic infestation or sepsis or diarrhea or epidemics which are now prevalent in most of the Vietnamese civilian hospitals. He would be out of a war-torn country and could heal his psychological wounds as well.

". . . While one is instinctively reluctant to think of taking a child away from familiar surroundings, family and friends, for medical treatment and rehabilitation, these phrases are empty in the present context; we are talking of children whose homes are destroyed, who may be orphaned, whose 'familiar surroundings' are the hell of disease, famine and flame attendant on modern warfare. . . . Further the choice is not between care at home and better care in the United States, but in realistic terms, between token care or often, no care at all, and adequate care."

To Dr. Goldwyn's analysis can be added that of Dr. Richard Stark, past president of the American Society of Plastic and Reconstructive Surgery, who agreed in a speech on October 3 that plastic surgical facilities in Vietnam are "presently inadequate."

There is, of course, an official United States position on the use of napalm in Vietnam. The Department of the Air Force set it forth on September 1, 1966, in a letter to Senator Robert Kennedy:

"Napalm is used against selected targets, such as caves and reinforced supply areas. Casualties in attacks against targets of this type are predominantly persons involved in Communist military operations."

I am compelled to wonder what military functions were being performed by the thousands of infants and small children, many of whom I saw sharing hospital beds in Vietnam, and a few of whom appear in photographs accompanying this article.

In the brutal inventory of maimed and killed South Vietnamese children one must also include those who are the helpless victims of American defoliants and gases. The defoliants used to deprive the Viet Cong of brush and trees that might afford cover are often the common weedkillers 2,4-D and 2,4,5-T. Yet the pilots spraying from the air cannot see if women and children are hiding in the affected foliage. These chemicals "can be toxic if used in excessive amounts," says John Edsall, M.D., Professor of Biology at Harvard.

The U.S. has admitted it is using "nontoxic" gas in Vietnam. The weapon is a "humane" one, says the government, because it creates only temporary nausea and diarrhea in adult victims. Yet a New York Times editorial on March 24, 1965 noted that these gases "can be fatal to the very young, the very old, and those ill with heart and lung ailment. . . . No other country has employed such a weapon in recent warfare." A letter to the Times several days later from Dr. David Hilding of the Yale Medical School backed up this point: "The weakest, young and old, will be the ones unable to withstand the shock of this supposedly humane weapon. They will writhe in horrible cramps until their babies' strength is unequal to the stress and they turn blue and black and die. . . " Once again, the children of Vietnam are the losers.

About eight per cent of Vietnam's population live in refugee shelters or camps; about three quarters of the shelter population, or over 750,000 persons, are children under 16. In shelters like that of Qui Nhon, which I visited, there is unimaginable squalor and close confinement. There were 23,000 in that camp when I was there, and I have been told that the figure has since tripled.

Father So, unquestioned leader of these thousands of refugees in Qui Nhon and in the rest of Binh Dinh province, works for 20 hours a day to provide what relief he can, particularly for the orphaned children. These usually live in a hovel-like appendage to the main camp, frequently without beds. Food and clothing are scarce.

As So's guest, I attended with him a meeting with Dr. Que, the South Vietnamese High Commissioner of Refugees, and with the USAID Regional and Provincial Representatives and the Coordinator of Refugees. So reminded the AID officials of their promise to supply badly needed food; the province representative replied that 500 pounds of bulgar had been given to the district chief with instructions that it was to be delivered to So for distribution in the camp.

So said nothing in reply. Later, he laughed softly and said to me that neither he nor the children would ever see that bulgar. The district chief had more lucrative connections.

The shelter child receives little if any education. Crossed strands of barbed wire form the perimeter of his living world. There are no sanitary facilities—those in camps near a river are lucky. Even shelters with cement floors have no privies for as many as 160 families. Plague and cholera increasingly threaten the health of the children (and of course the adults, though to a lesser degree), and I noticed an amazing amount of body infection on the youngsters, ranging from minor to extremely serious in nature. Their level of resistance is quite low, and the filth, combined with the absence of hygienic knowledge, is so universal that mosquito and ant bites quickly become infected. There is not usually medical help for the children of these camps. Tuberculosis and typhoid are evident, with periodic local epidemics; about one per cent of all Vietnamese children will have TB before reaching the age of 20.

Many of the shelter children show traces of the war. I particularly remember a tiny girl whose arm had been amputated just below the elbow, and who followed me from one end to the other. The children also display a reaching out, not in a happy but in a sort of mournful way. The shy ones frequently huddle together against the side of a hut and one can always feel their eyes upon him as he moves about. No one ever intended for them to live like this—but there they are. One small child provided for me their symbol. He sat on the ground, away from the others. He was in that position when I entered and still there several hours later when I left. When I approached he nervously fingered the sand and looked away, only finally to confront me as I knelt in front of him. Soon I left and he remained as before—alone.

Another 10,000 children—probably more by now—live in the 77 orphanages in South Vietnam. I lived for a time in Sancta Maria orphanage (in an area officially described as influenced by Viet Cong, and off limits to American military personnel). I arrived there during a rest hour, to find the children in a second floor dormitory, two to a bed, others stretched out on the floor. Their clothing consisted of only the barest necessities, though Sancta Maria was better off than other institutions I visited.

Here, too, food was scarce and there was a shortage or a complete absence of basic supplies such as soap, gauze, towels and linen. I devoted some evenings to teaching elementary English vocabulary, and I was impressed by the amount of motivation displayed by some of these children despite the horrors that frequently characterized their past—and present. Their solemnity was very real, however, as was their seeming general inability to play group games.

In most orphanages, as in the refugee shelters, there is no schooling at all, but despite this and the shortages of food and other supplies there is a growing tendency in Vietnam for parents to turn children over to the camps or to abandon them. Mme. LaMer, UNICEF representative to the Ministry of Social Welfare, expressed alarm over this tendency while I was in Vietnam; it seems to be one more example of the rapid deterioration of family structure because of the war. Officials told me that infant abandonment has become so common that many hospitals are now also struggling to provide facilities for orphan care.

Finally, there is the forgotten legion of Vietnamese children in the cities and provincial towns—clinging together desperately in small packs, trying to survive. Usually they have at best threadbare clothing, and sometimes they are naked; they go unwashed for months—perhaps forever; almost none have shoes. They live and sleep on the filthy streets, in doorways and alcoves. Despite the gradual process of animalization, in their striving to maintain a semblance of dignity, they are beautiful.

On a few occasions I took an interpreter into the streets with me and spent hours sifting histories (often, feeling that my presence might inhibit the response, I stayed away and let the Vietnamese carry out the interview).

Some had come to the cities with their mothers, who turned to prostitution and forced the children into the streets. Others, abandoned in hospitals or orphanages or placed there while ill, had merely run away. Still others had struggled in on their own from beleaguered hamlets and villages. Once on the streets, their activities range from cab flagging, newspaper peddling and shoe shining to begging, selling their sisters and soliciting for their mothers. I saw five- and six-year-old boys trying to sell their sisters to GI's; in one case the girl could not have been more than 11 years old.

With misery comes despair, and one of its most shocking forms was called to my attention by Lawson Mooney, the competent and dedicated director of the Catholic Relief Services program in Vietnam. Mooney said he had noticed, between the autumn of 1965 and the spring of 1966, a fantastic increase in the rate of adolescent suicide.

I began to check the newspapers every day—and indeed, there was usually one, frequently more than one suicide reported among the city's children. In several cases, group suicides were reported: a band of young people, unable to face the bleakness and misery of their existence, will congregate by agreement with a supply of the rat poison readily available in Vietnam, divide it, take it, and die.

"Many of these suicides," Lt. Col. Nguyen Van Luan, Saigon Director of Police, told Eric Pace of the New York Times, "are young people whose psychology has been deformed, somehow, by the war." Van Luan went on to say that in the Saigon-Cholon area alone, 544 people attempted suicide during the first seven months of 1966—many of them, of course, successfully. In that one section of the country—with about 18 per cent of the total population—that is an average of 78 a month. Last year, Luan noted, the monthly average had been about 53, so the increase was about 50 per cent. "You must remember," Luan went on, "that these are young people who have never known peace. They were more or less born under bombs."

These are the "familiar surroundings" away from which American policy will not transport the horribly burned children of Vietnam, the "frightened little kids" of whom White House aide Chester Cooper says that humanitarians want to take "halfway around the world and dump them there in a strange, alien society." One must agree with his further comment that "it is a very ghastly thing." Clearly the destruction of a beautiful setting is exceeded only by the atrocity that we daily perpetrate upon those who carry within them the seeds of their culture's survival. In doing this to them we have denied our own humanity and descended more deeply than ever before as a nation, into the depths of barbarism.

It is a ghastly situation. And triply compounded is the ghastliness of napalm and phosphorus. Surely, if ever a group of children in the history of man, anywhere in the world, had a moral claim for their childhood, here they are. Every sickening, frightening scar is a silent cry to Americans to begin to restore that childhood for those whom we are compelled to call our own because of what has been done in our name.

COMMITTEE ON URBAN AFFAIRS

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, today I have again introduced a bill to create a new standing committee of the House called the Committee on Urban Affairs. I believe that it is vitally important that we establish this committee early in this session of the 90th Congress.

In the 89th Congress we established the Department of Housing and Urban Development. I had fought for passage of such legislation since I entered Congress, introducing legislation and testifying on its behalf. The establishment of the new executive Department is evidence of the realization on the part of the administration that our urban problems have now reached a stage where they must be dealt with on an integrated basis. What is true for the administration is also true for the Congress. The legislative branch cannot afford to fall behind the executive branch. Our present committee structure in Congress predates the urban crisis by two decades. In those two decades we have seen our cities choked by traffic, plagued by rotting slums, stifled by poisoned air, and terrorized by rising crime rates. In spite of these great problems, more than 130 million Americans live in urban or metropolitan areas, and the figure is expected to increase dramatically by the end of this decade. It has been predicted that by 1970 as many as 25 million of our 30 million new citizens will settle in cities and metropolitan areas. There is no question that our cities are our future.

In order to come to grips with that future, we must establish one committee to deal with the multitude of problems facing our cities. The jurisdiction of the Committee on Urban Affairs would parallel the activities of the Department of Housing and Urban Development. It would have specific jurisdiction for housing, mass transit, air and water pollution, water supplies, and sewage facilities. As it stands today, jurisdiction for the vast array of Federal programs dealing with the problems of our cities is irrationally scattered through a host of standing committees. With the establishment of an Urban Affairs Committee not only will Congress have a more efficient instrument to oversee Federal programs, but the cities will no longer have to weave through the labyrinth of congressional committees to make their needs known.

The time is long overdue for the Congress to approach the problems of the cities in the most imaginative way possible and with the greatest degree of coordination. Of the many problems of our cities none cries out for action more than the condition of our overcrowded slums. Under my resolution the Committee on Urban Affairs would be responsible for housing and the related Federal programs of urban renewal, slum clearance, code enforcement, community renewal, and the demonstration cities program.

In addition, the committee would be responsible for urban mass transportation and the enormously complex problems of sewage disposal. Highway planning must be coordinated with the growing need for comfortable, clean yet swift public transportation facilities if these programs are not to be self-defeating. A massive effort is required to clean up our urban rivers which are too often open sewers.

Air and water pollution must be given greater attention. We have recently witnessed in New York the terrible effects of air pollution. The control of poisons in our air and water supplies in the years ahead may be critical in determining if the city is a viable place to live. A Committee on Urban Affairs should address itself to the question of waste disposal.

Mr. Speaker, with the growing crises of our cities, the establishment of a Committee on Urban Affairs is no longer a luxury but an absolute necessity. I urge that my bill receive prompt consideration.

STUDENT LETTER ON VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on December 29, 1966, student body presidents or student editors of 100 colleges and universities in the United States sent a most thoughtful and anguished letter to the President of the United States. The letter highlights the anxiety, confusion, and doubt concerning Vietnam felt by a substantial number of the finest youth of our country. It raises serious questions concerning our commitment in Vietnam and the escalation of that commitment. It questions our willingness to negotiate an honorable settlement. It also questions the sincerity of the administration's public statements concerning the war and makes reference to Harrison Salisbury's series of articles from Hanoi.

This letter warns:

> Unless this conflict can be eased the United States will find some of her most loyal and courageous young people choosing to go to jail rather than to bear their country's arms, while countless others condone or even utilize techniques for evading their legal obligations.

I believe this letter drafted by student leaders of our most important colleges and universities deserves the considered study and attention of all Members of Congress. It follows:

[From the New York Times, Dec. 30, 1966]

TEXT OF STUDENTS' LETTER TO THE PRESIDENT

Following is the text of a letter sent yesterday to President Johnson drafted by the student-body presidents or student editors of 100 colleges and universities in the United States:

In your talk to the student interns last summer, as on other occasions, you have recognized and discussed problems that have been troubling members of our generation. We have been grateful for your concern and encouraged by your invitation to express some of our thoughts.

Since many of these thoughts center increasingly on the situation in Vietnam, the New Year's renewal of the truce seems a suitable occasion to report to you that significant and growing numbers of our contemporaries are deeply troubled about the posture of their Government in Vietnam. We believe the state of mind of these people, though largely unreported, is of great importance, because there are many who are deeply troubled for every one who has been outspoken in dissent.

A great many of those faced with the prospect of military duty find it hard to square performance of that duty with concepts of personal integrity and conscience. Even more are torn by reluctance to participate in a war whose toll in property and life keeps escalating, but about whose purpose and value to the United States they remain unclear.

SERIOUS NEW DOUBTS

The truces have highlighted a growing conviction on American campuses that if our objective in the fighting in Vietnam is a negotiated settlement rather than a military "victory," continued escalation cannot be justified by the failure of the other side to negotiate.

If, on the other hand, our objective is no longer a negotiated settlement, the nature and attainability of our objectives in Vietnam raise serious new doubts. There is thus increasing confusion about both our basic purpose and our tactics, and there is increasing fear that the course now being pursued may lead us irrevocably into a major land war in Asia—a war which many feel could not be won without recourse to nuclear weapons, if then.

In this context there is widespread support for the suggestion of the Pope and others that the resumed truce be extended de facto by restraint on both sides, even if no formal agreement is reached. And there is hope that if fighting must be resumed in 1967 it will be resumed on a reduced scale.

In short, Mr. President, a great many of our contemporaries, raised in the democratic tradition of thinking for themselves, are finding a growing conflict between their own observations on the one hand, and statements by Administration leaders about the war on the other. These are people as devoted to the Constitution, to the democratic process, and to law and order as were their fathers and brothers who served willingly in two World Wars and in Korea.

DRAFT LAW CRITICIZED

Unless this conflict can be eased, the United States will find some of her most loyal and courageous young people choosing to go to jail rather than to bear their country's arms, while countless others condone or even utilize techniques for evading their legal obligations. Contributing to this situation is the almost universal conviction that the present Selective Service law operates unfairly.

We write in the hope that this letter will encourage a frank discussion of these problems. If such a discussion clarified American objectives in Vietnam, it might help reverse the drift, which is now from confusion toward disaffection. To this end, we submit for your consideration some of the questions now agitating the academic community:

There is doubt that America's vital interests are sufficiently threatened in Vietnam to necessitate the growing commitment there.

There is doubt that such vital interests as may be threatened are best protected by this growing commitment.

There is doubt that a war which may devastate much of the countryside can lead to the stable and prosperous Vietnam we once hoped our presence would help create.

There is considerable concern about apparent contradictions in the American position on certain points basic to any efforts to negotiate a settlement. High Government officials reiterate our eagerness to negotiate "unconditionally," but we remain unclear about our willingness to accept full participation by the Vietcong as an independent party to negotiations.

Similarly, Administration spokesmen reiterate our commitment to self-determination for South Vietnam, but we remain unclear about our willingness to accept a coalition (or pro-Communist) government should the people of South Vietnam eventually choose such a government under adequate international supervision.

Finally, Mr. President, we must report a growing sense—reinforced by Mr. Harrison Salisbury's recent reports from Hanoi—that too often there is a wide disparity between American statements about Vietnam and American actions there.

We hope you will find it possible to share your thoughts with us about these matters. The rising confusion about national purpose can undermine mutual trust and respect among our people. This seems to us as urgent a problem as any that confronts the nation today.

We are grateful for your interest and send our best wishes for the New Year.

PREVENTICARE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, Ben Jonson, the English dramatist and poet, writing about the importance of good health, observed that "there is no enjoying this world without thee."

It is also true that nothing is more precious than good health, but like most blessings, it is taken for granted—until it is jeopardized, or lost—especially by the devastation of chronic disease.

This physical devastation is not inevitable. It could be prevented by a program called preventicare and millions of lives would be improved, prolonged, and saved.

Leading the fight for the Adult Health Protection Act—preventicare—is HARRISON A. WILLIAMS, JR., of New Jersey, in the Senate, and our late and beloved colleague, JOHN E. FOGARTY, of Rhode Island, provided great leadership in the House. They have the gratitude of the millions of people who want and need preventicare.

The bill I am referring to would help protect the health of persons 50, or older, by establishing and operating regional and community health protection centers, where disease could be detected.

This would be the most effective and economical way of fighting and solving the serious problem of chronic disease—to detect it in its early stages before it destroys.

Many ailments would be detected by the centers—diseases of the heart, vascular system, eyes, lungs, kidneys, others, and the disease of cancer, which ranks second in the number of deaths in the United States every year.

To implement the goals of preventicare, $60 million would be authorized over a 3-year period. Federal grants would be provided for planning, establishing, and operating health protection centers, including U.S. awards to medical schools, community hospitals, health departments, and other public, or nonprofit agencies, or institutions.

I can think of no better investment than a program—both voluntary and free—that would protect and improve the health of our people. Preventicare would help accomplish this.

One of the shocking and enlightening facts reported by the U.S. Senate Subcommittee on the Health of the Elderly, was that seven out of 10 persons 45 and over are affected by chronic disease.

Besides the human anguish inflicted by chronic disease, the cost is so great, it approaches the amount spent on all U.S. defense expenditures, according to Mrs. Dorothy P. Rice, a medical economist for the Social Security Administration. It was revealed that the total cost of illness during 1966 in America was at least $68 billion. Think of the schools and hospitals that could be constructed with that.

She also cited the tremendous effect of chronic disease on manpower: As far back as 1963—it is naturally higher now—224 million man-days of work were lost; in most cases because of heart disease, cancer, and stroke.

These vast losses are a challenge to the response and compassion of Congress. It is a challenge that this resourceful Nation should not ignore. I hope that we accept and defeat that challenge, just as the 89th Congress was challenged by medicare.

Many years ago, Herbert Spencer, the English philosopher and author, reminded the world, "the preservation of health is a duty" and that "few seem conscious that there is such a thing as physical morality."

Mr. Speaker, and other Members of the House, I strongly believe that we have a duty to perform—to pass preventicare—and help our people become healthier, and therefore, happier.

I am therefore proud to join some of my colleagues as a cosponsor of preventicare.

INVESTIGATIONS INVOLVING FEDERAL JUDGES

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, during the 89th Congress, I was appointed by the Honorable EMANUEL CELLER, chairman of the Committee on the Judiciary, as chairman of a three-member ad hoc special subcommittee to conduct certain investigations involving Federal Judges Chandler, Murrah, and Bohanon, pursuant to the rules of the House and under House Resolution 19. The Honorable WILLIAM L. ST. ONGE, of Connecticut, and the Honorable RICHARD H. POFF, of Virginia, are the other two members of the subcommittee.

The problems before the subcommittee were brought to the floor of Congress as a result of an action filed with the U.S. Supreme Court, *Chandler* v. *Judicial Council of the 10th Circuit of the United States*, miscellaneous No. 34, and certain charges made during a hearing before the 10th Circuit Judicial Council.

The two main problems before the subcommittee can be stated generally as follows:

First. Whether the 10th Circuit Judicial Council has been granted legal authority to strip a Federal district court judge of his judicial powers, or whether that power was usurped by the said judicial council; and

Second. Whether any of the said judges have so conducted himself that he has committed an impeachable offense.

The seriousness of these issues requires that they be treated with the strictest solemnity.

All aspects of this subcommittee's investigation have been carried on with full regard to the flammable nature of the questions before it, and the need for a scrupulous investigation and meticulous sifting of all of the discovered evidence. For, not only are the reputations of respected men at stake, but the reputation of the whole Federal judiciary and Congress itself is vitally involved.

The first major issue referred to above—the legal powers of the judicial council over Federal district court judges—presents many complex legal questions which have no easy answers. The core of the issue is still pending before the U.S. Supreme Court in the Chandler against Judicial Council case. The subcommittee hesitates to publicly act on this issue until the Supreme Court has reached a decision in said case. This is in keeping with the policy of the Committee on the Judiciary, as expressed by its chairman, the Honorable EMANUEL CELLER, on the floor of the House:

> Until the Supreme Court acts (on *Chandler* v. *Judicial Council*), I do not think it would be meet or proper for the Committee on the Judiciary to intervene. We have an unvarying rule in the Committee on the Judiciary not to infringe upon the powers of courts if there is a proceeding in a court and we usually like to have the proceeding take its usual course rather than have the Committee on the Judiciary intervene or exercise or express its particular judgement on the particular matter or transaction in the judicial branch." (CONGRESSIONAL RECORD, vol. 112, pt. 1, p. 1355).

As to the second issue before the subcommittee relating to the conduct of certain Federal judges, this subcommittee has been conducting an exhaustive investigation. The facts are complex and cover a very substantial period of time. All evidence is being thoroughly evaluated. The investigative aspect of the subcommittee's function has not been concluded, as yet. It is the subcommittee's intention, if reauthorized and appointed, to continue its investigation.

TOWN BLUFF DAM AND B. A. STEINHAGEN LAKE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, today I am introducing legislation to designate dam B and its reservoir on the Neches River in Texas as "Town Bluff Dam" and "B. A. Steinhagen Lake," respectively.

I originally introduced this bill last year and it was approved by both Houses of Congress as part of the omnibus river and harbor and flood control bill. Unfortunately, the section in which it was included was deleted from the bill by the conference committee when objections were raised to other provisions of that section.

The damsite is near the historical community of Town Bluff, a prominent landing and landmark during the days of riverboat traffic on the Neches River.

It is most appropriate that the lake be named after the late B. A. Steinhagen, a former mayor of Beaumont, Tex., and a pioneer, from 1925 to his death in 1946, in the development of water resources on the Neches River Basin. Mayor Steinhagen promoted the establishment of numerous water conservation associations in Texas and the Lower Neches Valley Authority, which made the surveys leading to dam B. Under his leadership, the authority pledged initial construction funds for the Federal project to develop the Neches River and its tributary, the Angelina River. Work on dam B was begun in 1946, the year of Mayor Steinhagen's death.

I have long held a deep interest in the development of the Neches River complex. I remember attending, as a Member of the Texas Legislature, the groundbreaking ceremonies for dam B and have felt it should be appropriately named. However, over the years here in Congress, I have concentrated my efforts toward getting the Sam Rayburn multipurpose dam underway. With the completion of the Rayburn Dam, it is appropriate to name dam B and its reservoir for the community of Town Bluff, where the dam is located, and after the late B. A. Steinhagen, whose work and vision contributed to the complete development of the Neches River.

THE U.S. DAIRYMAN AND THE NEED FOR ADEQUATE IMPORT CONTROLS

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the urgent need for import controls to protect the U.S. dairyman can readily be appreciated when certain factors concerning foreign competition are considered.

Surplus European butter is rolling from churns at an ever-increasing rate. In mid-1965, the Department of Agriculture estimated Western Europe had 200 million pounds in surplus, equivalent to 4.23 billion pounds of milk. The butterfat is seeking a market, preferably in the United States.

The swiss cheese maker was favored years ago when our import controls were established. As a concession to Switzerland, swiss cheese was exempt from quotas. Now seven other countries are producing swiss cheese and sending it into the United States.

The New Zealand dairy industry agreed to a voluntary limit of Colby cheese shipments. But eight other countries quickly moved into making cheddarlike Colby cheese for the U.S. market, so the voluntary limitation has been scrapped. Colby imports are now 10 times greater than the current cheddar import limit.

These, and other factors, illustrate the need for adequate legislation which will protect our dairy farmer from excessive competition from abroad. I will certainly support corrective legislation which will insure an equitable income for those engaged in our all-important dairy industry.

The Hoard's Dairyman, the National Dairy Farm magazine carried in its December 25, 1966, issue an informative article on the present plight of our dairymen. I request that the article, "You Have a High Stake in Effective Dairy Import Controls" be inserted in the RECORD at this point.

The article follows:

YOU HAVE A HIGH STAKE IN EFFECTIVE DAIRY IMPORT CONTROLS!

(By E. M. Norton, secretary of the National Milk Producers Federation, Washington, D.C.)

If we have learned anything in this dairy business during the past 15 years, it is that a small surplus has a drastic effect on the price of milk. And, within the past year, we have seen how milk prices can improve if we bring supply and demand into balance.

What every dairy farmer must realize now is that a pound of surplus butterfat imported from abroad has the same depressing effect on farm milk prices as an extra pound produced here. It does not matter whether the butterfat is imported in the form of butter, butter oil, Exylone, Grapex, frozen cream, Colby cheese or some other product.

To quickly illustrate your stake in dairy imports, let me cite just two figures. This year milk production in the U.S. is down about 3.5 billion pounds. Milk prices are up where they should have been for the past decade. But in western Europe there are 200 million pounds of surplus butter looking for a market. This is equal to 4.23 billion pounds of milk! Imagine the impact on our farm milk price should we import dairy products made from this volume of milk.

It is unjust that our dairymen should be flooded with dairy products from other countries just after having reduced domestic milk production to match consumer requirements.

In a year's time, reduced U.S. milk production has resulted in an increase of about $1 per hundredweight in the farm price. The higher prices, however, have increased the pressure of foreign nations to sell in the U.S. market, and American importers are moving to obtain lower cost butterfat from abroad.

The higher prices also have affected the cost of living in the United States and, thus, many persons within the government are encouraging imports as a means of controlling (reducing) consumer prices.

It is ironic that the dairy industry is plagued with imports in view of the law which supposedly controls such imports as a means of supporting prices to farmers.

Dairy imports have been limited since 1953 by authority of section 22 of the Agricultural Adjustment Act of 1935. Under this legislation, import quotas are established for specific dairy products such as butter, cheddar cheese, Edam and Gouda, blue mold cheese, Italian type cheese, and certain other products. The total allowable imports of these prescribed products presently amount to 11 million pounds of butterfat or the equivalent of 292 million pounds of milk.

The problem lies in the fact that imports are controlled on specifically defined dairy products, such as cheddar cheese or butter. But there is no limitation on other dairy products brought into this country.

Although federal hearings have been requested time and again to further restrict imports under present law, the sad fact is that the amount of dairy products imported has been allowed to grow, and foreign exporters are gaining a stronger foothold in the American market.

FAVOR TO SWISS BACKFIRES

When the import quotas were first established, Swiss cheese was exempted. The amount of such imports from Switzerland was small. It was not long, however, before other nations began producing Swiss cheese for export to the United States. During the past year, Swiss cheese was shipped to the United States, from Finland, Austria, Norway, Sweden, Denmark, Netherlands, West Germany and, of course, Switzerland.

It just isn't logical to import Swiss cheese from all over the world, particularly when we make the best right here at home. The reason for the imports has nothing to do with need or the art of making a specialty cheese. Foreign Swiss cheese simply enters the market at a lower price [because of lower labor costs] than that produced in the United States.

Another case in point, the 1965–66 fiscal year quota on imported cheddar cheese amounts to 3.7 million pounds. Ironically, however, Colby cheese is not subject to limitation. Colby cheese is very similar to cheddar and displaces cheddar in the market. Total imports of Colby cheese during the first nine months of 1966 were 28.5 million pounds—an annual rate of 38 million pounds. This is more than 10 times the quota for cheddar cheese. If there is no restriction on the importation of Colby cheese, what is gained by placing a limit on cheddar?

Importation of butterfat for the ice cream market perhaps has been the most flagrant violation of the intent of the United States import control law. Butterfat, in constantly increasing volumes, has been imported as frozen cream, butter oil, and mixtures of butterfat and sugar.

Frozen cream imports pose a double threat. They displace sales for the domestic cream, thus serving to break the cream market. At the same time, these imports force our own cream into butter, adding to the supply and adversely affecting the market price for butter. Frozen cream is not restricted by present controls.

The butter quota, as established by the Tariff Commission, is 707,000 pounds per year. The butter quota was first circumvented through the importation of butter oil. When this fact was brought to a hearing, the Tariff Commission responded by placing an import quota on butter oil. This butter oil quota was 1.2 million pounds per year, more than doubling the established quota for butter.

Thus, a quota was established on butter oil on the basis of a history of imports, even though those imports were made in circumvention of the butter quota! Once a product has been imported, it is difficult to have it totally excluded thereafter.

After the flow of butter oil was restricted through quota, mixtures of butterfat and sugar appeared in the market for the first time. The product, called Exylone, was used by the ice cream trade, displacing our own butterfat, which then had to be made into butter.

The importation of Exylone as a circumvention of the quota on butter oil was so obvious that, after a further hearing, the Tariff Commission established a zero quota for Exylone. The quota, however, was made applicable only on products containing 45 percent or more of butterfat.

The dairy industry argued that this limitation would merely serve to invite mixtures containing less than 45 percent of butterfat, and this is exactly what happened. Junex—a product containing 44 percent butterfat and 55 percent sugar—promptly made its appearance.

In the first 10 months of 1966, 83 million pounds of Junex entered the United States market. The Secretary of Agriculture, in a recent order under the Sugar Act, limited imports of mixtures of butterfat and sugar containing more than 25 percent sugar. Both the dairy and sugar industries pointed out that this limitation would be ineffective because products containing less than 25 percent sugar would be imported on a profitable basis.

As predicted, the new regulation merely changed the combination of the product again, as mixtures with 44 percent butterfat and 24 percent sugar are now being imported at a lower butterfat cost than represented by the American market.

CHEESE AGREEMENT FAILS

The first imports of Colby cheese were from New Zealand. When the imports reached a volume which made it obvious that something had to be done, a voluntary limit was negotiated with the New Zealand government, and later was extended to Australia and Ireland.

Now expired, this agreement has not been extended. The reason is that, while exports to the United States were limited by some countries, other countries entered the market.

During the past year, Colby cheese has been shipped to the United States from France, Denmark, Belgium, Ireland, Austria, Australia, Bulgaria, and West Germany.

Thus, voluntary agreements are no answer. They merely serve to penalize those countries which are willing to cooperate with us by limiting their exports to the United States.

These are but a few examples of the dilemma which confronts the dairy industry under present law.

The National Milk Producers Federation,

after careful study, developed a new import control program which was incorporated into a bill by Sen. William Proxmire of Wisconsin and co-sponsored by 21 other senators. It was introduced in the United States Senate on April 25, 1966, as S. 3273.

Under this bill, all imports would be subject to limitation. The Secretary of Agriculture would be authorized to permit entry of dairy products for any year in amounts totaling not more than the annual quantity imported during the five calendar years of 1961 through 1965. The total quantity would be adjusted, upward or downward percentagewise, with changes in the total size of the market.

In other words, foreign countries would share in the growth of the United States market in the same proportion as United States producers, but their exports could not grow by displacing United States production.

Under the new proposal, the President may authorize the importation of additional quantities of dairy products in the public interest. No such imports, however, would be permitted if the farm price for milk were less than parity, unless the Secretary removed a corresponding amount from the domestic market. This removal would be in addition to purchases for price support and other commitments of the government.

Under the proposed bill, there would be no circumvention of import quotas. The door would be closed to any article of commerce containing any significant amount of butterfat, solids-not-fat, or any combination of the two. It would be necessary for importers to secure permits, and the amounts would be held in check by the total average annual imports during the 1961–65 base period.

Similar bills were introduced in the House of Representatives. Activities in support of the new program in 1966 were preliminary. The big push should come in 1967. Such legislation can be successful only if fully supported by all dairymen throughout the United States. It could be the most important agricultural legislation to be considered by the Congress since passage of the Agricultural Act of 1949.

UNITED STATES GIVES POLAND PLAN TO CUT DEBT

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Cleveland Plain Dealer on December 30, 1966, carried an interesting item which is illustrative of the present U.S. policy to kill the Communist countries of Eastern Europe with kindness. While Poland actively aids Ho Chi Minh in North Vietnam to kill and cripple American servicemen and Vietnamese in his campaign of terror, the United States looks the other way and cancels several million in Polish debt payments, due the United States in the coming year.

This much is certain: a review will be made in the 90th Congress of the many facets of this insane policy with a view to providing for the American voter a compelling argument for changing such policy by changing administrations in 1968.

I ask that the item, "United States Gives Poland Plan To Cut Debt," be inserted in the Record at this point:

United States Gives Poland Plan To Cut Debt

Warsaw, Poland.—U.S. Ambassador John A. Gronouski handed Poland yesterday a plan to cancel several milion dollars in debt payments, due the United States in the coming year, by spending the money in Poland.

Gronouski presented the proposal to Deputy Foreign Minister Jozef Winiewicz and Foreign Trade Minister Witold Trampczynski.

A U.S. Embassy spokesman said Gronouski had received a go-ahead from Washington to discuss the financing of "mutually beneficial" projects with Polish obligations.

The nature of the projects, requiring eventual approval by Congress, and the price tag, were not disclosed. There was no immediate reaction from the Polish government.

The proposal was described as an American initiative within President Johnson's policy of building "bridges of understanding" to Communist nations of East Europe.

Gronouski has been holding informal talks here searching for mutually beneficial projects to help Poland work off its debt to the United States. Heavy 1967 installments fall due starting Monday.

The plan was said to be a "package" of projects including some buildings and public works such as hospitals or a nursing institute, some technical equipment, and some research projects.

Technical equipment under discussion has included tape-recording studios for the teaching of English.

NATIONAL COMMISSION ON PUBLIC MANAGEMENT

Mr LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, last August more than 40 Republican Members of the House introduced legislation to create a National Commission on Public Management with the mandate of determining whether the management techniques of systems analysis, developed so successfully in our space and defense programs, could be applied to the solution of nondefense public problems such as transportation, pollution control, health services, and others. Since that time we have received considerable expressions of interest and support for the legislation and for the concept of using our most modern management tools to improve the quality of American life.

On November 4 the board of directors of the U.S. Chamber of Commerce gave its endorsement to the measure and we have been most heartened by the expressions of interest from the business community.

There is also increasing evidence at all levels of government that the old approaches are no longer sufficient. In our initial statement we commented at length on the California research contracts, and we have also been made aware of the efforts in New York State, New York City, and other areas to use these new tools to improve governmental efficiency and effectiveness. Vice President Humphrey, speaking on November 16, said:

> We have seen, too, what government research and development contracts given to the university and to private corporations have produced in overcoming scientific and technological obstacles in a remarkably short time.
>
> The same partnership concept, the same systems approach; the same investment in research and development, applied to other public needs may prove to be the way in which our rich nation may finally be able to overcome economic and social problems which have been generations in the making.

Senator Nelson of Wisconsin has also introduced legislation that would approach the application of modern management to the public sector. In short, Mr. Speaker, there is growing agreement that rational management will be required if we are to allocate our resources wisely and develop comprehensive approaches to our mammoth public problems. Right here in the Congress we made a start in this direction last year in passing the Demonstration Cities and Clean Rivers Restoration Acts, each designed to encourage a comprehensive program to revitalize our cities and clean up our rivers and streams.

I am very hopeful that we can focus attention on these new tools at our disposal in the 90th Congress and am reintroducing the bill along with 40 of my colleagues. Early hearings on the measure would help to educate the Congress and the public on the possibilities for a completely new attack on our national problems, on the dimensions for participation that these tools open up for the private sector, and on the experience of States and cities in applying these techniques.

I include in the Record at this point, a copy of the statement I made at the time of the first introduction of the bill last summer, and an article by Max Ways which appears in the current issue of Fortune magazine in which he discusses the advances in problem-solving techniques that are increasingly available to us.

The statement and article follow:

Managing the Public Business

The SPEAKER. Under previous order of the House the gentleman from Massachusetts [Mr. Morse] is recognized for 30 minutes.

Mr. MORSE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE. Mr. Speaker, today over 40 Members of the minority of this House have introduced legislation which would create, if enacted by the Congress of the United States, a Commission on Public Management.

Mr. Speaker, among the Members who filed this legislation are the following:

F. Bradford Morse, of Massachusetts; John B. Anderson, of Illinois; Mark Andrews, of North Dakota; William H. Bates, of Massachusetts; Alphonzo Bell, of California; William S. Broomfield, of Michigan; Clarence Brown, Jr., of Ohio; Howard H. Callaway, of Georgia; Elford A. Cederberg, of Michigan; Don H. Clausen, of California; James C. Cleveland, of New Hampshire.

William C. Cramer, of Florida; Glenn Cunningham, of Nebraska; Thomas B. Curtis, of Missouri; Edward J. Derwinski, of Illinois; Robert Dole, of Kansas; John J. Duncan, of Tennessee; Florence P. Dwyer, of New Jersey; Robert F. Ellsworth, of Kansas; John Erlenborn, of Illinois; Paul Findley, of Illinois; Peter H. B. Frelinghuysen, of New Jersey; Seymour Halpern, of New York.

Frank J. Horton, of New York; Craig Hosmer, of California; Theodore Kupferman, of New York; Odin Langen, of Minnesota; Robert McClory, of Illinois; Joseph M. McDade, of Pennsylvania; Charles McC. Mathias, Jr., of Maryland; Chester L. Mize, of Kansas; Charles A. Mosher, of Ohio; Albert H. Quie, of Minnesota; Charlotte T. Reid, of Illinois.

Ogden R. Reid, of New York; Ed Reineke, of California; Howard W. Robison, of New York; Donald Rumsfeld, of Illinois; Herman T. Schneebeli, of Pennsylvania; Richard S. Schweiker, of Pennsylvania; Garner E. Shriver, of Kansas; Henry P. Smith III, of New York; J. William Stanton, of Ohio; Bob Wilson, of California; and John W. Wydler, of New York.

Mr. Speaker, Congress has over the past decade enacted a host of creative programs designed to solve our public, social, and economic problems. We have made important strides forward in education, health care, pollution control and urban development, but the dimensions of our remaining problems are staggering: 10,000 of our Nation's communities will face serious problems of air pollution; the demand for water consumption may exceed the available supply before the end of this century; there are 9 million substandard housing units in the United States, most of them in urban areas; traffic jams cost the Nation over $5 billion each year, and scientific and technical information is doubling every 15 years.

It is clear that problems of this magnitude are not susceptible to the traditional solutions. We must reach beyond our history for new ways to manage the public business effectively and economically.

We have available to us already a wealth of knowledge and technology in private industry. We have seen how new techniques of management analysis—the so-called "systems approach"—have streamlined our defense establishment and brought the universe within man's reach. We must now determine whether these techniques can help clean our water, educate our children and improve the quality of life in our cities.

We are today introducing legislation to establish a National Commission on Public Management.

This Commission would bring to bear on the management of public business the very best minds in private industry, Government, labor, and education. Its mandate is to answer two fundamental questions: How can new management technology aid us in solving problems that lie in the nondefense sector? What is the best way to take advantage of the opportunities these new techniques provide?

THE SIGNIFICANCE OF THE PROPOSAL

The technological revolution of our times has brought with it the capacity to solve the most difficult problems which modern society faces. And it has brought this challenge: Can our political creativity keep pace with the relentless march of science and with the mounting complexity of an increasingly urban society?

The Commission which we propose today represents merely the first step in an entirely new departure in American political thinking. We wish to see the free enterprise system with its new capacities engaged in and responsible for the solution of public problems. In one sense the concept is as revolutionary in political science as the technological explosion has been in physical science. In another sense, the concept is as old as free enterprise and America itself.

Systems management techniques and tools have given to the private sector a capacity for problem solving that the government has not yet developed. It is imperative to recognize the opportunity that this technology in private hands affords our society to solve gnawing and longterm social problems without relying solely on government to provide the answers, the machinery, the manpower and the money.

By engaging the private sector the government can employ the most modern technology available without expanding its own influence into the everyday lives of human beings.

We should not ignore the caution urged by those who see modern technology only as the precursor of a society of robots, where individual identity is subsumed in the mass production of everything from man's comforts to his personality. We can avoid that world, the world of "1984," only if we make the new technology our servant, and not allow it to be our master. The best assurance that the progress of science will not mean the insignificance of man is to recognize the revolution in technology, to anticipate its growth, to assure adequate personal safeguards from its excesses, and to employ it for the betterment of man. We must not merely be awed by science; we must be inspired by it to summon equal creativity in the political and economic fields.

Through basic systems management approaches, the increasingly serious and complex problems of water and air pollution can be brought under control. The new technology can test for pollution; it can anticipate pollution; it can provide the techniques to prevent and correct pollution. Using the systems approach society can measure today's needs against the supply for decades to come and can provide the formulas for conservation which can allow the citizens of today to take advantage of their resources without impairing the life of future generations.

The air and surface transportation problems of today are but nothing compared to the problems which can be predicted for tomorrow. Systems management techniques can be applied to the problems of urban transportation to permit the free flow of city workers to suburban homes. And only the use of systems management techniques and equipment can resolve the incredibly complicated problems of air safety and air traffic simultaneously. Our systems are barely adequate today, and it takes no prophet to know that the growth of air travel will continue on its sudden expansion.

Increasingly, the problems of urban housing, urban renewal, and urban development will be appreciated, as they should be, as continuing concerns of an industrial society. The application of systems technology and of the equipment upon which it depends can improve the efficient design of housing, can simplify the planning of housing patterns, provide for more efficient and rapid administration of housing development programs, develop testing systems to assure the maintenance of safe standards, and promise a life of greater ease and comfort in the home of every American.

In education, in health services, in law enforcement—and equally important in rehabilitation—in the distribution of public welfare—in all these areas and more, the United States has within its grasp a completely new set of tools. We must proceed carefully; we must proceed with order. But we must proceed. That is the reason why we propose this Commission—to survey the tools at hand and to consider their application to the problems which confront our society.

Three facts have led to this initiative. First, the domestic problems of our urban society are growing more awesome and complicated everyday, and too many assume that only government can solve them. Second, there exists a technology for problem solving and administration which seems uniquely suited for application to these public problems. Third, that systems management technology is in the hands of U.S. industry, which in a fortuitous alliance with Government can solve the problems within a framework of free enterprise. There is a need for political creativity now; and thus a need for the Commission we propose.

NEED FOR A NATIONAL COMMISSION

The tasks of management in both public and private enterprise have become more difficult and complex due to the very nature of the problems inherent in a dynamic and growing society such as ours and advances in science and technology. The problems of managing even the largest Federal programs of a generation ago were small compared to those of today. All levels of government—Federal, State, and local—are finding it increasingly difficult to solve their complex management problems on a piece-meal basis, to a large extent because they lack the management techniques and skills that have been applied so successfully in private industry.

Although there are studies in progress dealing with the use of systems analysis in several specific nondefense areas, the questions of where the systems approach is most applicable and how it best can be applied are still largely unanswered. It is our belief that these crucial questions require the attention of a Commission, appointed by the President and the Congress, to include the best minds in the field of modern management technology. This Commission can complete a comprehensive study and investigation, taking utmost advantage of the assistance of such testimony and consultation from recognized experts in the field as can be obtained during its active life of 30 months.

Some of our distinguished colleagues have recently introduced legislation which would authorize the expenditure of public funds, either directly by executive departments or through grants to the States, for contracts with universities or other public or private institutions or organizations which would attempt to apply the systems analysis approach to public problems. We fully support our colleagues on the basic issue of stimulating governmental support for such endeavors, but we also believe that a national commission is required first to provide the overall analysis and informed recommendations needed by all governmental authorities who may have reason to use the systems approach in the future.

Initially this Commission must define the problems involved. Then it must determine the applicability of the many systems analysis and management techniques as they relate to a myriad of problems ranging from those relatively simple and local in nature to extremely complex national issues. Finally, it must recommend optimum means for developing government-private enterprise cooperation to encourage and support the techniques found to be applicable. Unless these crucial points are investigated thoroughly, we will not be able to provide guidelines for the many future applications of the systems approach, and instead we will be limited to trial and error procedures. We require a "conceptual definition" phase—to borrow from Department of Defense terminology—before we can move full speed into the implementation phase. This, in fact, is merely using good systems analysis procedure.

Technology will continue to expand, and the Commission should anticipate its growth. The Commission should become a repository of information on how the management techniques presently available have been applied, provide information and guidance to business and government through seminars, conferences, and appropriate publications and encourage the best talent in government, business, and the universities to study public management problems. It should consider how existing and new techniques can be fed into the legislative and administrative processes on a continuing basis. It should address itself to the question of how to insure that new legislative programs provide for data that will make systems management possible and take into account the necessary interrelationships between programs and agencies.

NEW MANAGEMENT TOOLS

What are these new management tools? Although there is no completely accepted name or definition covering the whole area of new management technology, it is generally referred to as the "systems approach". The concept has been developed primarily by the Department of Defense, the National Aeronautics and Space Administration and the aerospace industry for the development and production of major weapon and space systems. Although the term "system" is by no means a new one, the high degree of expertise in this area now available within a sizable segment of U.S. industry and the Federal defense and space agencies has only recently come of age.

The systems approach is a way of thinking about the job of management. It provides a means for arriving at the best solution to a complex problem or combination of problems by means of a logical process of identification and control of all their interrelated segments. The genius of the systems approach is its ability to bring order out of tremendous numbers of diverse and interacting elements and factors—order that not only stabilizes but creates the conditions for progress as well.

The approach has two main features. First, the problem or problems to be solved are rigorously defined, in terms of performance objectives rather than in terms of product specifications or particular technologies. Thus instead of specifying the types of garbage disposal, sewage, or antipollution devices required to provide an integrated waste management system, in a community, the system objectives would be defined in terms such as the desired purity of the water supply, the percent allowable impurities in the air, and the convenience desired by the housewife in the disposal of solid waste—all tied to a realistic cost and time schedule.

The second feature of the systems approach is its emphasis on the interrelations within a system. Rather than dividing a problem into manageable subproblems and solving each independently, the systems approach enables the managers to develop and implement a plan capable of achieving the entire objective. It provides for comprehensive planning, traces out the effect of any set of choices and decisions upon all other relevant decisions, and then arrives at the solution to the total problem. Thus the problem of water resources for any given area involves water sources, land use, urban development, waste disposal, and recreational facilities. Since each factor is so closely linked with the others, the problem must be looked at as a whole.

Systems analysis has been described as "a technology which applies the scientific method to the allocation of limited resources among a variety of competing demands. The goals of the system are defined—the train must arrive on time; the constraints and conditions are stated—cost or time limits. Systems analysis attempts to arrive at the optimum satisfaction of the goals within the stated condition."

The application of the systems approach and its related analytical tools to the solution of a large variety of national and local problems in the nondefense sector holds great promise for the future. The possibilities have already been recognized by a number of commentators.

The National Commission on Technology, Automation, and Economic Progress, in its February 1966 report, pointed out that:

"There is a strong need for the development of systems analysis capabilities in individual branches of the Government and in Congress. Beyond this, there is the broader question of how these different intellectual resources, which are being employed primarily to deal with the programs of the agencies, can be coordinated and used for the analysis of the various social problems that confront us."

In addition to specific recommendations for the application of new technologies and management techniques in such areas as health care, transportation, control of air and water pollution, and housing, the Commission pointed out the need to improve the decision-making process which determines the priority of various proposals. The Commission said:

"Such decisions are often made piecemeal with no relation to each other—vested interests are often able to obtain unjust shares, and—few mechanisms are available which allow us to see the range of alternatives and thus enable us to choose with a comprehension of the consequences of our choices."

CURRENT EXAMPLES

Examples of attempts to apply these modern management principles to State and local affairs already exist.

The so-called "California studies" make up one such set of examples. In November 1964, the State of California announced its plan for the application of systems engineering techniques to four important public problems.

This plan was predicated on three primary considerations. First, national consideration was being given to the possibility of reduced Federal spending in defense. Second, California had a particularly large investment in the defense, aerospace, and electronic industries, and was therefore particularly vulnerable to a cutback. These industries also provided the State with experienced practitioners in systems technology. Third, the State had a continuing concern with a number of problems: air and water pollution, crime, population growth and planning, welfare, education, and so on.

Preliminary discussions between the Governor's office and industry leaders indicated that there was considerable enthusiasm for initiating studies to determine the feasibility of applying "systems engineering" and "systems analysis" to socioeconomic problems. As the likelihood of reduced defense spending diminished the focus of these discussions changed somewhat from "How can we help the distressed aerospace industry?" to "How can we make a new and broader use of available skills?"

Following a round of competitive bidding in which each bidder outlined the approach he would take and the resources he would apply to the study, the State of California awarded four $100,000 study contracts to aerospace firms. The areas selected for study were transportation, waste management, crime, and information control.

The State of California is currently evaluating, with the assistance of the Ford Foundation and others, the results of these four studies. Preliminary evaluation indicates that it is feasible to apply the systems capability of the aerospace industry to socioeconomic problems and produce meaningful and valuable results. In fact, California is so enthusiastic over their success that additional studies are being initiated to utilize the systems approach in analyzing land use in Santa Clara County and statewide social welfare programs. The State anticipates conducting follow-on studies on a solid waste subsystem of an integrated waste management system, a statewide crime information system, and a federated statewide information system tieing together all State and local agencies.

One can cite many other examples of systems analysis applied by forward-thinking governments. The city of New York, under the dynamic leadership of John Lindsay, is moving toward a near real-time information system which will tie all of the city's departments and agencies into an integrated computer-based system. This system will provide data in usable form for the policymakers as well as for those at the operating level.

New York State is currently developing a computer-based identification and intelligence system for law enforcement, the first of its kind in the world. The system will provide unified information to all State and local agencies which deal with the administration of criminal justice. The agencies will have access only to that portion of the information which falls within their respective legal, right-to-know restrictions. The scope of the system is broad:

"In support of the normal daily operation of (state and local) participating agencies, the fully implemented system will provide rapid access to summary criminal history, as well as detailed criminal, social, and modus operandi data on each subject; will rapidly transmit graphic data, such as photographs and fingerprints, fraudulent checks, warrant-and-wanted notices, stolen motor vehicles, stolen property, laundry marks, stocks and auto registration forgeries; and will provide direct scanning and computer-based searching of all fingerprints on file, the arrest and disposition reports, and intelligence information."

Even in the international field the systems approach is finding adherents. The Greek Government announced last March that it is negotiating a multimillion dollar contract with a large diversified American industrial concern for regional economic development on the island of Crete and western Peloponnesus. The U.S. firm, applying the system approach and developing proposals for review and approval by the Greek Government, will provide the management capability. In 10 years it is hoped that both regions will be industrialized and transformed into tourist attractions.

These illustrations only scratch the surface of the many large system projects we can anticipate. We can reasonably predict that many other public problems as yet unheard of, will demand solution. As Mr. Karl G. Harr, Jr., president of the Aerospace Industries Association, has stated, "only if this situation is fully grasped, only if the experience in coping with such problems which are already at hand is analyzed and applied, and only if the total potential for addressing these problems is positively exploited, will future managers both in government and out have the tools with which to marry technological advances with a society of free men and free institutions."

We need to focus attention on these challenging ideas at the highest levels of government. The examples cited indicate that the systems approach can be used. However, we need to take a longer, more comprehensive, look at the total opportunity for applying the resources we have available to us. The proposed Commission can provide this necessary perspective.

THE JOB OF THE COMMISSION

What specific types of questions could such a Commission be expected to study and investigate?

One question would involve the definition and categorization of those social and economic problems in the nondefense sector to which the application of the systems approach appears to hold promise. Some of these are obvious, particularly at the national level, but others such as local community problems are more obscure and require thoughtful analysis.

The California studies provide a representative listing of the most crucial of the current problems facing a large State. But other States and local communities will have different needs which can also be approached from a total systems standpoint. At the national level, the problems of relating sometimes conflicting State and local problems into an integrated regional or national system require a thorough analysis.

The distinctions between the use of systems techniques for planning, organizing, and controlling public programs also deserve considerable attention by the Commission. Planning procedures and tools such as the Planning, Programing and Budgeting System (PPBS), cost-benefit analysis, mathematical modeling and simulation, operations analysis, and others need to be studied in the context of the real life environment of Federal, State, and local government planning operations to determine how they can best be utilized.

The planning, programing, and budgeting system—PPBS—is an adaptation of a management tool originally used by the Department of Defense to develop a clearer relationship between the planning operations of the various defense sectors and the annual budgeting operations of the Department. PPBS is currently being installed throughout the executive branch of the Federal Government and is also being studied by several State and city governments. It seems certain that the general principles of PPBS will be applicable and perhaps mandatory for most future public programs.

Cost-benefit analysis, or cost-effectiveness evaluation, is another management planning tool developed by the Department of Defense. It provides a framework of analysis enabling us to select between competing programs based on the benefits versus the cost of several alternative approaches. In the defense area, benefits or effectiveness can be defined in terms of kill probability or payload or other such quantitative measures. In the nondefense sector, the definition of effectiveness becomes extremely complicated by human factors and political consideration.

The use of mathematical modeling and simulation is widely used in management training programs to illustrate the effects of specific decisions in particular business situations. Many other variations of modeling are in use, all with the objective of eliminating the need for costly trial and error in the real world. But they all have certain limitations which need to be analyzed in conjunction with their proposed application.

These planning tools can be effective in streamlining the decision-making processes involved in any type of public program. The decisions, of course, remain the responsibility of the authorized officials, but the facts required to arrive at these decisions can be made more readily available and useful.

Other types of management techniques developed recently are concerned with the control of complex programs during their implementation. These management tools are identified by such acronyms as PERT, PERT/Cost, PAR, and many others. Basically they can be described as near real-time computer-based information systems, such as those being developed in New York State, which provide the feedback information on program activities that is necessary to quickly isolate problem areas for prompt management action. These techniques have been proven in some of our largest weapon system developments, such as the Polaris and Minuteman ballistic missile systems. They now need to be studied as they relate to public programs in the nondefense area, where success involves a large human and social element rather than the hardware-oriented output of the defense and space fields.

THE ROLE OF GOVERNMENT

Overriding all of this is the question of an optimum organization—both at the public and private level—to accomplish effective system planning and implementation. This question of organization leads logically to a Commission review of the appropriate relationships between and among several overlapping systems and the demands thus placed on intergovernmental coordination at the Federal, State, and local levels.

Should there be a program manager responsible for all activities in a given problem area and organizationally located in one level of the several State and local jurisdictions which may be involved? Or should the responsibilities be divided among several jurisdictional authorities? In either case, should an industrial prime systems contractor be hired on a turnkey basis? Or should the systems management responsibility reside within the Government, with major pieces of the job given to several associate contractors? These and many other questions need studying to determine the best of the multitude of systems management techniques for use in any given situation.

The geographic boundaries and historic charters that once created obvious administrative divisions are no longer of central importance. For example, the problem of pollution in the Merrimack River is one involving at least two States and several local communities. They must find new means for working together to solve this problem, irrespective of jurisdictional lines.

Functional interests have already been the foundation for hundreds of new governmental units: agencies and boards to run airports and ports, to administer reservoirs, to build highways and to educate children. The resident of Boston is governed not only by the city government, but by the Massachusetts Port Authority, the Metropolitan District Commission, the Massachusetts Bay Transportation Authority, and a plethora of other boards and commissions. An awareness of these revolutions in jurisdictional authority must be included in any thorough analysis of government's partnership in public programs.

We are all aware of the problems which can arise when two programs or two levels of government, in pursuit of separate but somewhat overlapping objectives, proceed with tunnel vision toward their respective goals. This situation arises on the national level as well as on the local level. The need for intersystem management to coordinate such efforts is apparent, but the optimum methods for accomplishing it need to be determined.

One source which can be tapped to assist in this endeavor is the wealth of experience in the systems approach residing within those Federal research and development agencies involved in the Nation's defense and space effort. There is a need to determine how the other Federal administrative agencies and State and local governments can best expose their own personnel to this experience by cross-training programs with the Department of Defense and the National Aeronautics and Space Administration. There are attempts now being made to accomplish some of this interagency transfer of systems experience. For example, the Institute for Defense Analysis and the Department of Defense have developed the defense systems analysis education program. Officer and civilian personnel from the Department of Defense, the Department of State, and the CIA are receiving training by IDA and University of Maryland personnel in an effort to fill the need for decisionmakers skilled in systems management techniques. The stimulus of a national commission investigating the opportunities and procedures for transfer would be most welcome in encouraging and advancing this trend for nondefense agencies.

GOVERNMENT-INDUSTRY RELATIONSHIP

Another area for Commission study would most certainly involve an appraisal of the proper relationships between the various levels of government and the private sector. The question of the proper balance between public and private investment must receive careful analysis. The level of governmental activity will vary with each class of problems and it is doubtful that the approach that satisfies one class will be useful in another. The Commission would be expected to recommend the best means for stimulating private investment wherever possible. Conversely, where direct Government investment is necessary, the Commission would provide suggested guidelines for the proper balance between Federal and local funds.

As we proceed past the initial phases in the application of the systems approach to public problems, it will become more important to use the best possible techniques for supporting private industry. The possibilities include several types of modern contracting methods, such as incentives and award fees; and various other financial transactions to stimulate private effort, such as loans, tax incentives, and cost allowances. Also needed is an analysis of which level of government is best qualified to handle the end funding and with what control from other authorities. It is likely that different procedures will be suited to different situations. It is quite possible that the Commission's efforts can lead to better methods than have yet been devised for solving the procurement problem.

INDUSTRIAL SYSTEMS CAPABILITY

Along with study of the applicability of the systems approach and the Government relationship to systems management, the Commission can investigate the requirements which will be placed on private industry—both in aerospace and nonaerospace companies. It is highly probable that even those aerospace companies with the most experience with the systems approach will find that the application of this approach to new kinds of public problems is different from their past experience. The California studies have shown that the systems approach is feasible, but that its application requires a certain amount of experimentation to determine the best way to proceed. In other words, the systems approach cannot be transferred directly from the aerospace environment to socioeconomic concerns without some modification and a learning process by all those involved.

In fact, the review of these studies by the California Department of Finance points out many problems which require further study. Systems analysts from the aerospace industry as used to working for large, rich, monolithic organizations. State or local agencies, and even the Federal agencies concerned with socioeconomic problems, must operate with limited budgets which cannot readily be expanded beyond estimates. Changes in legal authority and in budgets and procurement regulations may be required.

In the aerospace context, the value of a system is usually well defined in terms of capability versus dollars. But in government these values may be less clear. The value of murder prevention or a 50-percent reduction in air pollution is difficult to define quantitatively.

The California evaluations also noted weaknesses in certain broad areas common to each study. There was a feeling that conclusions were perhaps too positive for the brief nature of the studies and the size of the problems. There was a feeling that some of the ideas presented were imaginative and appealing and very probably workable, but not totally and adequately proven. In some cases, the cost factors for implementing the presented recommendations were considered inadequate. There was concern that many of the legal and political problems in implementing the recommendations had been slighted. It was found that the establishment of criteria for the evaluation of any activity was extremely difficult and frequently highly arbitrary. Similarly, the analysis of methods of evaluation against these criteria was often inadequate. A potentially serious problem is that of communication between the systems oriented scientists and the specialists in the substantive areas. It was found that scientists and engineers whose background is in military culture and hard sciences often find it difficult to communicate with those steeped in social, economic, political, and behavioral sciences.

These points are mentioned not to degrade in any way the notable success of the California studies and the excellent jobs done by the aerospace companies involved. They do emphasize, however, the need to iron out some of the natural problems of transition from one frame of reference to another.

ROLE OF SMALL BUSINESS

An important area for investigation is the role of small business in the solution of public problems. It is clear that the industrial teams required for implementation of these socioeconomic systems will not be made up entirely from big industry. The unique talents of small business will be required as much here as they have been in the development and deployment of weapon and space systems. Yet to be determined, however, are the specific contributions which small business can make, and even more importantly, how they can best be brought into the scheme of things.

An excellent example of one of the approaches which has already been taken in this area is a recent executive seminar entitled "The Management of Growth and Technological Change," conducted by Northeastern University and Harbridge House and sponsored jointly by the Small Business Administration, the Department of Defense, and the U.S. Arms Control and Disarmament Agency. This seminar provided a forum for 30 corporate executives, representing small technically based firms in the Boston area, to explore, by means of case studies, the experiences of firms which had responded successfully to drastic changes in their product markets. The seminar also highlighted the management techniques involved in analyzing corporate capabilities, market prospects, and the development and execution of a strategic plan for growth. Even more importantly, it served to stimulate the collection and analysis of data by the participating firms and the development of a plan for individual company growth. The program was so successful that Northeastern University is now undertaking additional case studies for use in future seminars.

The Commission could undertake an expansion of this seminar concept in cooperation with universities throughout the country. Its findings can provide an important service to the small business segment of our economy as it strives to keep pace with rapidly moving technology.

In addition, these findings can be expected to speed the adoption of modern systems analysis and management techniques by smaller companies in nonaerospace industries, so that they too will be capable of attacking public problems using the systems approach. We would expect the final Commission report to be a highly educational monograph which can be used by these companies and, in the field.

LABOR PARTICIPATION

We consider it most important that organized labor play a significant role in the activities of the Commission. There will be many questions to answer concerning the requirement for retraining and relocation of the labor force in response to the application of new technology and modern management in public programs. Other groups, such as the National Commission on Technology, Automation, and Economic Progress, have studied this area, but more effort is required. We must insure that the high productivity and capability of this Nation's labor force is utilized as efficiently as possible in any of our planning for the future. For in the end, no matter how good our scientific and management tools may be, it is the worker who digs the holes, lays the bricks, and connects the wires which give any project its final form.

USING UNIVERSITY RESOURCES

The university community can also participate in and contribute to this endeavor in several important ways. A number of colleges and universities are already offering courses and degree programs in operations research, and business and engineering administration programs reflect the emphasis on new management techniques. The number of data processing complexes in the universities has nearly doubled in the past 3 years. In fact, the requests of the 36 colleges and universities seeking assistance under the National Science Foundation computing facilities program totaled $14,664,316 for fiscal year 1966. The effectiveness of these programs should certainly be a subject for careful study by the Commission.

In addition, there is an obligation to utilize the intellectual resources of the university in both an objective determination of the problems suitable for investigation and in the applicability of the various management techniques to these problems. This will provide the universities with an important opportunity to gain intimate knowledge of the real problems confronting the managers of public programs. This knowledge will enable the universities to prepare future generations of managers through revision of current curricula and addition of new courses. One educator has called for the development of "highly qualified generalists—men able to correlate knowledge in different fields in a meaningful and predictable way. Furthermore, there is a logical argument that engineering is now taught backwards," producing specialists in various technical disciplines instead of graduates with "broad systems understanding" which puts business, engineering, economic, social, and other problems in perspective.

To counteract this tendency, the Commission could study the feasibility of Government cooperation in establishing or encouraging the formation of interdisciplinary groups within the university which would combine the study of all aspects of current and future public sector problems.

COMMISSION OPERATION

With these and many more questions and issues to study and investigate, the Commission should have a busy and fruitful existence. The Commission would conduct a full schedule of hearings, receiving testimony from the recognized experts in the systems field representing all segments of our society. It could draw on the advice of consultants as required, and could contract directly with private organizations to conduct more detailed studies of certain specific subjects, if this were deemed necessary. In addition, it would be appropriate for the Commission to sponsor one or more seminars in order to stimulate informal discussion and help to generate additional support from both public and private leaders. The seminars could be held on a geographic or functional basis.

At the end of the first year, or definition phase, the Commission will have completed its preliminary analysis of the subject and prepared an interim report for submission to the President and Congress. This report will include a precise description of the problems to which the Commission is addressing itself, a preliminary analysis of the applicability of various systems analysis and management techniques to these problems, and a detailed plan for a continuing study leading up to the final report to be submitted 18 months later.

This final report will contain explicit plans, including completed case examples, for applying particular systems analysis and management procedures to specific public problems. These plans would contain estimates of cost, staffing requirements, schedule, skills required, and other hard data for each application, so that any government agency at the Federal, State, or local level would have ready access to usable guidelines. In addition, the Commission's final report would be expected to contain recommendations for legislation, Federal executive action, and State and local governmental action in order to better facilitate the application of modern technology and systems analysis to the solution of current and future public problems.

We have attempted to describe some of the benefits and accomplishments which can be foreseen from the initiation of an effort at the national level to analyze in depth the application of these systems techniques to our many national and community problems. We are sure that none of us can forecast the full measure of worth to this Nation which such an endeavor may ultimately provide. We are equally certain that the use of modern technology coupled with the application of modern management techniques may provide solutions to many of the problems which now appear insoluble. It is up to us in the Congress to insure that these steps are taken in a timely fashion.

THE ROAD TO 1977: A BROAD ADVANCE IN ORGANIZED PROBLEM SOLVING PROMISES NOT ONLY "MORE," BUT MORE PURPOSE

(By Max Ways)

The youth pictured opposite is a student at one of the better big-city high schools. By 1977, college and graduate school behind him, he will have become a fullfledged member of American society, contributing his trained skills and using his informed values to shape its future. His starting point, 1977, is being shaped by our decisions now. What could we tell him about changes in the quality of our society in the next ten years? What can we predict and what do we intend?

The most confident predictions we can make contain the word "more"—more automobiles, more color-television sets, more sirloin steaks, more medicines and art museums, more mobility, more opportunity, more variety. Complementary statements look forward to "less." The proportion of Americans below "the poverty line" will continue its long decline. We can be sure that between now and 1977 the fatal or crippling impact of some diseases will be lessened. We intend to have less polluted rivers, less disorganized cities, fewer high-school dropouts—and we can predict some success. In short, 1967 can say that many trends and/or plans now in train will by 1977 be further advanced.

The prospect of "more" is based not only on the continuing explosion of new technologies but on a broad movement discerned by Alexis de Tocqueville. Examining the structure, environment, and national character of American society a hundred and thirty years ago, he saw in it the pattern of democratic diffusion. His prediction, that in the U.S. the many would demand what in other lands was reserved for the few, has been validated not only by mass prosperity but by universal suffrage, mass literacy, and, in our day, by mass higher education and a start toward mass intellectual employment. One-man-one-vote reapportionment and the civil-rights movement attest that democratic diffusion has not lost its vigor.

This great pattern has within the last few years been joined by another, which is the subject of this article—a new style of private and public planning, problem-solving, and choosing. This new style promises to add a missing ingredient to the quality of American life.

GLITTER IN A SWAMP

For all our success in fulfilling human needs, we have all along been haunted and even demoralized by the thought that we, like Poor Richard's friend, have paid too much for our whistle. The unprecedented pace and breadth of change revived in more disquieting form an old question, what does it all mean? And introduced a new social question, where is it all headed? Change, the product mainly of individual decisions, had a haphazard look about it in the aggregate. Our environment came to seem an archipelago of successes glittering in a swamp of unintended consequences. Anyone could look at the cities, sniff their air, understand the alienation of their poor, and say it was a world *he* never made—or, at least, never meant to make. Specialization of knowledge and work required large and complex organizations; these raised fears that individuality would be attenuated, that an "organization man," bland and malleable, might replace his admirably hard-nosed ancestor. This feared sacrifice of individuality, repugnant on democratic and moral grounds, would not even be compensated for by an augmented sense of social warmth or common purpose. We were moving, obviously, but weren't we adrift?

Such gnawing doubts about progress made the exigent past—the New England village or the prairie farm—seem attractive in retrospect to many Americans. Meanwhile, the doubts and insecurities haunting a changing world led—in the U.S. and abroad—to the rise of ideologies that promised to join change with social cohesion, progress with a sense of purpose and direction, material abundance with the moral goal of social justice. Emanating from several different points on the political compass, these were enticing promises to an uneasy world; but they turned out on all counts (including the practical) to be empty. Now the ideologies and the imitative reactions they provoked are dying in all but the more backward and frustrated parts of the world. In the U.S. they linger as components in the political positions self-described as "liberal" and "conservative," each a feeble and primitive effort to find a general way of dealing with an immense new fact of life, radical change.

Fortunately, however, the decline of ideology and its two pale heirs does not return the U.S. to the haphazard condition that originally encouraged ideology's growth. For the new ways of dealing with change can themselves generate in the public mind a sense of direction, of intelligent, effective choice, a sense that our evolving capabilities and our evolving values will move hand in hand.

The further advance of this new style is the most significant prediction that can be made about the next ten years. By 1977 this new way of dealing with the future will be recognized at home and abroad as a salient American characteristic. Compared to this development, the argument between the liberals and the conservatives, while it will retain a certain atavistic fascination, will come to seem about as relevant to the main proceedings as a fistfight in the grandstand during a tense inning of a World Series game.

The new style of dealing with the future has no accepted, inclusive name, but the names of its more highly developed techniques have become familiar in the last ten years to most businessmen, government officials, military officers, scientists, and technicians. The techniques themselves, which are apt to be called "systems analysis" or "systems planning," are now widely used both with and without the help of computers. "Cost-benefit" or "cost-effectiveness" analysis is a major ingredient of the new techniques; this involves ways of arraying ends and means so that decision makers have clearer ideas of the choices open to them and better ways of measuring results against both expectations and objectives.

Among characteristics of the new pattern are these:

1) A more open and deliberate attention to the selection of ends toward which planned action is directed, and an effort to improve planning by sharpening the definition of ends.

2) A more systematic advance comparison of means by criteria derived from the ends selected.

3) A more candid and effective assessment of results, usually including a system of keeping track of progress toward interim goals. Along with this goes a "market-like" sensitivity to changing values and evolving ends.

4) An effort, often intellectually strenuous, to mobilize science and other specialized knowledge into a flexible framework of information and decision so that specific responsibilities can be assigned to the points of greatest competence.

5) An emphasis on information, prediction, and persuasion, rather than on coercive or authoritarian power, as the main agents of coordinating the separate elements of an effort.

6) An increased capability of predicting the combined effect of several lines of simultaneous action on one another; this can modify policy so as to reduce unwanted consequences or it can generate other *lines* of action to correct or compensate for such predicted consequences.

INSTEAD OF CUT AND TRY

The history of the new style is well known. From scattered beginnings as "operations analysis" in World War II, it coalesced as an institution in the postwar Rand Corp., which did analytical work in the systematic comparison of weapons for the Air Force. Through the Fifties, this mode of presenting alternatives to decision makers had an increasing influence on the Defense Department. Beginning in 1961, Secretary Robert S. McNamara restructured the whole work of the department in this style, programing all planning and procurement around missions or objectives that cut across the boundaries of the three services and extended beyond the confines of annual budgets. (For purposes of congressional appropriations, the programs are translated into conventional annual budget terms by means of "crosswalks.") This way of administering the Defense Department proved so successful that in 1965 President Johnson directed that PPBS (planning-programing-budgeting system) be introduced into all departments of the federal government. The new techniques have been helpful in foreign-aid planning and in defining Peace Corps missions. They are beginning to be recognized as the greatest advance in the art of government since the introduction nearly a hundred years ago of a civil service based upon competence. The new style, indeed, corrects an old defect of bureaucratic organization, which was at its best when performing routine tasks, at its worst in innovating and generating forward motion.

Business schools and corporate planners began developing the new techniques at about the same time as the Rand Corp.'s early work for Defense. Since then the efficiency of the new methods has been brilliantly demonstrated in the marketplace. As Arjay Miller, president of Ford Motor Co., has put it: "Hunches and cut-and-try methods are giving way to the systems-analysis approach, a whole new way of perceiving problems and testing in advance the consequences of alternative actions to solve those problems. Computers and other technical devices, including mathematical models, have extended greatly our ability to understand and cope with the complex problems we face in today's world."

One of the problems of today's world is "the problem of bigness." The new style can deal with that by distributing to a larger and larger proportion of the population responsibility for the decisions that shape the future. It can also inculcate a common style of action among business managers, government officials, and university professors; already, more and more people are circulating freely through all three of these formerly walled-off worlds. By mobilizing specialized and value-free science to work on practical problems, the new pattern can help restore the community of scientists and scholars and build an organized link between science and value.

The new style is by no means confined to the world of Big Government, Big Business, and Big Education. At all levels, it's "in the air," and even that young man on page 92, who may never have heard of systems analysis, has been vitally affected by the new style. *His* main problem is choosing a college; and, like most of his peers, he has been engaged in a complex strategy of college entrance. He has had to think about career objectives, compare colleges in that light, reconsider them in the light of his tested performance, seek advice (less expert than it is thought to be) from guidance counselors and manuals—all this a far cry from yesterday's daydreamed wish, "It would be nice to go to Yale."

Neither for him nor for his elders will the road from 1967 to 1977 be a primrose path. Nothing in the new style offers a guarantee that blunders and frustrations will be reduced (what could?). But for this society and for many members of it, the next ten years will be less like what the mathematicians call a "random walk." Therein lies a significance even greater than the new style's efficiency. By trying to get a better grip on the future—but not strangling it with iron utopianism—U.S. society is moving up to a new level of moral and intellectual challenge.

FUTURISTS AT WORK

Among the intellectual leaders of society a new group, "the futurists," has come into view. Of the four shown on the opposite page, only Henry S. Rowen, new head of the Rand Corp., is heavily engaged with systems planning in the strict sense. Bertrand de Jouvenel is both a pioneer of the new planning and a link between futurists in the U.S. and Europe. He has tried to stimulate among intellectuals a habit of not "taking the future for granted."

In similar spirit, the American Academy of Arts and Sciences has set up a group to study the year 1976. Headed by Stephen R. Graubard, editor of *Daedalus*, this group is not seeking a consensus on agreed goals. Rather, it is trying to stir up ideas for comparison and debate in such fields as urban problems, education, health, industry and technology, recreation, and the arts.

Daniel Bell is chairman of a group that is even more ambitious in its scope, the Commission on the Year 2000, which is also sponsored by the American Academy. No substantive proposal that Bell's project, or Graubard's, will eventually formulate could be more significant than the *way* these groups conceive their tasks and go about their work. Transcripts (privately circulated) of the Year 2000 Commission's meetings may serve as source material for historians a century hence when they come to deal with a main theme of the years 1950–2000, the new planning style.

Bell, in a preliminary statement, set the stage for the commission's work: "Not only is there the awareness that we live, in the trite phrase, in an era of social change, but we begin to realize that it is possible to direct some of this change consciously, that we need to consider the anticipated consequences of change, and we need to seek to control some of the anticipated effects. More than that, we wish to specify alternative consequences of change in order to widen the area of choice, for that normative commitment underlies any humanistic approach to social policy."

When they met, the commission's members had a hard time deciding what kind of statement about the year 2000 they wished to make. Should it be mainly prediction, based upon the extrapolation of existing trends? Or should they propose what they believed would improve the quality of life by the year 2000? As discussion proceeded, the interaction between prediction and values became plain. At one point Fred C. Iklé, an M.I.T. political scientist, put the matter very simply: "Let me illustrate by using two extremes. If we had a perfect art of prediction and we knew what the year 2000 would be like, I don't think we would be here. If we had no values we wouldn't be here because we wouldn't care." Lawrence K. Frank, a retired foundation executive, worried lest "too exact forecasts" rob people of the feeling of openness "necessary for a free society." But

Harvey S. Perloff, director of regional studies of Resources for the Future, pointed out how prediction can increase a sense of opportunity.

Public understanding of the anticipated growth of the economy, he said, might make people think about goals they otherwise would ignore. "If we are not doing the things we can afford to do," he said, "and if people know it, they are likely to make different value choices." Yet all of the group seemed aware of economic limits on the total range of choice. As Martin Shubik of Yale expressed it: "It is all very lovely to talk about worlds of abundance; but it is just nonsense." Even in some future society rich enough to spend $100,000 per capita for health, education, and welfare, "There is still that allocation problem; we have to decide how to do it."

PARAMETERS OF PROGRESS

The sense of working in high tension between mounting opportunity and predictable constraints also pervades a two-year study made by the National Planning Association and reported in a recent book, *Goals, Priorities and Dollars—the Next Decade,* by Leonard A. Lecht. This is not one of those doomful prophecies that we are recklessly running out of mineral resources; neither is it an exuberant pep talk for a faster pace of progress. Rather, its concern for the "fit" of particular plans into some limited program illustrates why the new planners are so intent on selecting the best goals and pursuing them by the most effective means. The message is: we can't do everything, but we can do a lot.

The terminal year of Lecht's projection is 1975. He constructs parameters of progress by estimating to 1975 the gross national product, the population, the civilian labor force. Assuming a high growth rate, he projects a 1975 G.N.P. of $981 billion (in 1962 dollars). He then takes sixteen "goal areas" including consumer expenditures and savings, private plant and equipment, national defense, housing, urban development, health, education, social welfare, space, and transportation. He then projects their costs over the same period. Cost increases are of two kinds: "Preempted bench marks" (which derive from our existing standards) and "aspirations." In education, for instance, preempted bench marks can be calculated by taking the cost of meeting existing standards of quality and then adding the cost of necessary expansion—e.g., because we will have an increased number of students; such bench marks will require nearly half of the whole increase in G.N.P. from the actual level of 1962 to the estimated level of 1975. The rest would be available for "aspiration standards."

These are goals of improvement, in some cases stated in public policy; in others, such as private plant and equipment, derived from knowledgeable projections of demand. The total net cost of all these goals in the year 1975 comes to $1,271 billion (in 1962 dollars), or nearly 15 percent more than estimated G.N.P. For the 1962–75 span Lecht projects the following percentage increases in costs if we tried to meet our aspirations: consumer expenditures, 85 percent; national defense, 31 percent; private plant and equipment, 210 percent ; health, 164 percent; education, 176 percent; social welfare, 142 percent; housing, 111 percent; urban development, 102 percent; transportation, 113 percent; research and development, 131 percent; space, 183 percent. Note that in all the categories except consumer expenditures and national defense 1975 costs of the aspirations standards would more than double the actual expenditures of 1962; private plant and equipment would more than triple the 1962 figure. In other words, there will still be "that allocation problem."

If the U.S. does not use its predictive faculty to measure the feasibility of its aspirations, then it may run into such unintended consequences as shortages, inflation, and political disruptions. Or conversely, by failing to predict the magnitude of future problems and by underrating the society's capability to handle them, the present generation may hand over to the next a mess of avoidable crises more formidable than those with which we now desperately and belatedly deal: civil rights, air and stream pollution, etc.

A "DO MORE" SENATOR

Until the last few years, debate over the federal government's role in dealing with the future was organized almost entirely on the liberal-conservative axis, one side disposed to "buy" almost any program, the other almost none. This style of discussion persists in political statements that make the headlines. Last August, for instance, Senator Robert Kennedy called the $900-million "demonstration cities" plan, favored by the Johnson Administration, "a drop in the bucket." The Senator, who has a quick and heavy hand with the federal dipper, also believes the Administration should "do more" in the war on poverty and that there should be a 50 percent increase in social-security payments to the elderly indigent. A case can be made for each of these proposals. A weaker case can be made for doing all three. But the Senator often tosses out such proposals in a way that gives the impression he doesn't take very seriously "that allocation problem." (He was cheered at a recent meeting of poverty workers after a speaker contrasted the Senator's attitude with that of President Johnson. Apparently this went too far for Senator Kennedy; he rose to praise L.B.J.'s "compassion" and to stress the problem of holding down the overall budget.)

Old-fashioned liberal attitudes as developed in the Thirties paid little attention to how effectively the money was spent. *Time* recently quoted Vice President Humphrey as recalling how the entire population of Doland, South Dakota, turned out to watch a federal tree-planting project aimed at stopping dust storms. "I remember—we all remember what a great day it was for us. We knew that at last somebody cared." *Time* went on to say, "The trees soon died, but not the memory. Today it would take a rare federal program to rouse that kind of enthusiasm." But surely the change between then and now in public temper and in the style of official planning marks an advance? Today's programers would be much less interested in the enthusiasm but much more concerned with whether a given kind of tree would grow in Doland, South Dakota. The trouble with many such New Deal "experiments" was that they weren't. They provided material for gladiatorial contests between enthusiastic "have-nots" and "haves." The excitement generated by these political circuses buttered no parsnips and represented a disgraceful waste of the *intellectual* resources of a society that, even then, had scientific and administrative experts who could have been organized for more effective planning. There are, of course, social and moral values (as well as a political value) in letting disadvantaged people know that their government "cares." But there are higher social and moral values in caring enough to make the programs work.

It is a pleasure to report a deepening contrast between the attitudes now dominant in Washington and the New Deal style. In August, John W. Gardner, Secretary of Health, Education and Welfare, had the courage to resist a move in Congress to increase certain school funds faster than he thought they could be effectively spent. "We went from zero to $900 million last year," he told a Senate subcommittee. "We're just not geared to go from $900 million to $1.8 billion."

There is considerable administrative indigestion in Washington agencies dealing with the war on poverty and other new social programs, but critics ought to allow for the fact that it is much harder to run programs when officials have to worry about whether the trees will actually grow.

The more humble and more rational mood of today's government planners in education, in job retraining, in health research, and many other of the newly expanded activities is to feel their way forward, probing for programs that will have a recognizably high yield of social improvement per dollar of cost. The new approach has much in common with the way a corporation approaches a potential market; it tries to shape, between considerations of cost and considerations of value, those innovative programs that the users, the public, will like and "the shareholders," the taxpayers, will tolerate.

THE JEREMIAHS VS. THE SAVONAROLAS

Many of the government's social programs are connected with the presence in the U.S. of more than 30 million men, women, and children living below the "poverty line." As a proportion of the total population, this group has been receding for decades from the point where the poor were the majority. From 1959 to 1965 the group below the poverty line, as defined by the Social Security Administration, dropped from 22 percent to 17 percent of the population, and by 1977 it is expected to drop below 12 percent. Most of the long improvement is attributable to general American progress, the Tocquevillian diffusion, assisted to a substantial degree by governmental action.

Gratifying as this rate of progress is by some standards, there is plenty of evidence of a large and growing American consensus that it ought to move faster. The very fact that the poverty group is shrinking makes the problem seem more manageable. At the same time, there is recognition that as the group becomes smaller the suffering of its individual members may increase. Many citizens believe public relief, as now set up, discourages the poor from helping themselves to rise.

From these trends of condtions and opinion one can predict that in the next ten years public interest in better methods of handling "welfare" will increase. The interesting question is how the discussion will be organized. Will it be a class-and-ideological issue, dominated by such fatuous slogans as "human rights vs. property rights"? Or can this problem, too, be shifted from the politics of issues to the politics of problems? There are indications that it can. After years of sterile and bilious debate over generalities, the air is suddenly filled with quite detailed proposals, such as a guaranteed annual income and a negative income tax, for handling the poor. The public is recognizing the need for more facts, for more careful definition of what we are trying to do, and for a sharper comparison of alternative methods. There is a good chance that by 1977 the quality of the debate over welfare will have advanced markedly beyond the level of futile filibusters involving the country-club Jeremiahs vs. the faculty-club Savonarolas.

THE PUBLIC MARKET

What, meanwhile, of the part of American society which produces the wherewithal that makes the mare go? If, as is argued here, the new style of planning and problem-solving will strengthen the hand of government, won't that improvement be bad for "the other sector"—business?

It need not and, probably, it will not be. In the first place, business, for reasons internal to itself and independent of government, had reached a point where it badly needed a new way of organizing its own movement into the future. Technological complexity and the accelerating pace of change, both largely generated within the business world, had made the world unsafe for corporations using managerial methods developed to fit a more static situation (see

"Tomorrow's Management," Fortune, July 1, 1966). Whatever the troglodytes of the Antitrust Division of the Justice Department may say to the contrary, competition in U.S. business is becoming more lively year by year: more exports into markets where U.S. corporations have small shares; more imports into the U.S.; more new products and processes; more potential consumer "swing" among the rising proportion of discretionary goods and services. In those circumstances, today's milestone of corporate success could become tomorrow's tombstone if business had not in recent years discovered a mode of management more internally flexible, more attuned to deal with technological complexity, and more oriented toward the future.

In the second place, the simultaneous advance of the new style in both business and government is going to make it easier for them to deal with each other. For the next several decades, at least, dealings between business and government on all levels will probably increase, and it is important to understand why.

The true trend in the government-business relationship has been obscured by a fashion that decrees we must speak of a "public sector" and a "private sector." In the U.S. the rough-and-ready way of dividing them is to add federal, state, and local government expenditures and express the total as a percentage of G.N.P. For 1965 that gives a "public sector" of 27.3 percent; the other 72.7 percent is deemed "private sector." Whenever the "public sector" percentage rises in this crude calculation, some citizens react with horror, others with resignation, and still others with joy, in the common belief that what is going on here is "creeping socialism." This conveniently overlooks socialism's central characteristic: public ownership of the means of production. In the U.S. nothing approaching 27.3 percent of goods and services is produced by federal, state, and local governments. Of the total $186 billion spent by them in 1965, only $68 billion, or about 10 percent of G.N.P., went for "general government" expenditures. More than half the rest was used by governments to purchase goods and services produced privately—weapons, space capsules, buildings, vehicles, research, etc. The old demands that government nationalize railroads, coal mines, shipping, shipbuilding, arms-making have in the last thirty years subsided from a roar to a whisper. Instead, governments as mass purchasing agents have operated increasingly in competitive markets.

It is this trend, not "creeping socialism," that can be expected to increase for some years. Individuals cannot buy cleaner rivers or cleaner urban air for themselves. Government agencies are going to make these purchases, but corporations are going to sell the equipment that launders streams and atmosphere. A tremendous opportunity for private business expansion lies in this area, which J. Herbert Hollomon, Assistant Secretary of Commerce for Science and Technology, calls "the public market." Hollomon would like to see, for example, a profit-making organization running a chain of junior colleges under contracts with the communities in which they are located. The private company might develop a curriculum, pay what the market required to recruit teachers of quality, and sell the package in competition with other junior-college chains. Hollomon is intensely interested in research-and-development work on *de novo* cities now going on in several companies (Litton Industries, for instance). "I see no reason why you can't have privately financed entrepreneurial cities of 400,000 people," he says. "The public needs are going to be met. The question is whether or not we are going to meet them intelligently."

Moreover, the concept of "the public market" holds huge long-range opportunities for private business to "creep" into service fields traditionally dominated by government. Control of traffic flow, public-library functions, street cleaning, refuse disposal, are obvious possibilities.

Business-government relations in such expanding public markets will certainly call for an approach very different from the way municipalities now let contracts for the construction of a jail or the purchase of a truck fleet. Already there is talk of forming a Comsat-type corporation to handle the complex relations of private businesses and government agencies in urban-redevelopment projects.

The new federal Department of Housing and Urban Development is not panting to spend money as fast as possible. Its planners do not assume they have ready-made answers to the complex problems of the cities. They hope in the next three or four years to mobilize intellectual resources for an attack on those problems. The "demonstration cities" plan, that $900-million "drop in the bucket," will give them a chance to test the better programs developed by municipalities. By the early or middle Seventies, H.U.D. planners hope that the U.S. will be able to mount, through private and public efforts, a more massive drive to renew the cities. If such a drive succeeds, systematic planning will be an important part of it.

HOW THE LARCHMONTS MAY SURVIVE

A weak link can be identified in many new programs. State and local governments, though the quality of some has improved markedly, are generally lagging behind the onrush of their new problems. For decades, there has been a grave danger that the U.S. would become a politically centralized nation because of the inability of state and local governments to cope with the complex problems of change. The new style of planning and problem-solving offers substanial hope for resuscitating state and local government.

To take one category of trouble, consider the confusion created by thousands of local governments within the great and growing metropolitan areas. Up until a few years ago most students of U.S. politics believed that these local governments would have to disappear and be replaced by some consolidated form of general metropolitan government. Sensible as this conclusion might seem on paper, it presented hideous difficulties as a practical political program. Larchmont—figuratively speaking—would fight on the hills and on the beaches before it was consolidated with the Bronx—and the Bronx, indeed, might not rejoice at being engulfed (or engolfed) by all the Larchmonts. While many politicians understood the need for consolidated metropolitan government, few were willing to risk their careers in so unpopular a cause. It could be predicted in 1947 that this quiet and deep-seated stalemate would not be broken for decades. Central cities would continue their dependence on the federal government and metropolitan areas would remain helpless to deal with problems cutting across town lines.

But now a third alternative appears. Students of government have come to believe that many of the existing local political units can be effectively coordinated without losing their cherished autonomy. The metropolitan-area issue is being gradually analyzed—broken up—into a set of problems. Since it is obvious that Larchmont or the Bronx or even New York City, acting alone, cannot buy itself clean air there will have to be some coordinating regional anti-pollution authority. Similarly, metropolitan-area traffic problems cut across local boundaries, but no "traffic czar" in a central, megalopolitan hall is needed to deal with them—nor would he be capable of doing so. What it takes is systems planning of traffic flow, a sensitive and coherent network of information and of local decisions that "fit" one another. Some measure of coercion, probably from state capitals, will be needed to bring such local coordination into being—but this will be much less unpalatable to local communities than a general metropolitan government would be.

BRAINS INSTEAD OF MUSCLE

In law enforcement the chaos created by the multiplicity of police forces—local, county, and state—prompted many citizens to wish for a national police force. They said that was the only way to cope with organized crime and with the increased mobility that the automobile and the telephone gave to criminals. But as this problem is examined more closely it becomes clear that there are a great many steps that might be taken short of nationalized law enforcement. For instance, exchange of information and other forms of cooperation between police forces have been haphazard, tardy, and woefully incomplete. Now computerized communications systems are aiding police in Los Angeles, Chicago, Detroit, and other cities. In police work as in business, better information networks may make decentralization possible by providing a mode of coordination more effective than a monolithic power structure.

In this direction lies American society's response to fears, voiced by many conservatives, that recent U.S. Supreme Court decisions protecting the rights of persons accused of crime have made effective enforcement of criminal law impossible. By overhauling the antiquated techniques of police management we may be able to more than offset the police problems arising from the Court's insistence on more careful concern for individual rights. What law enforcement needs, perhaps, is not more "power" but more brains.

HOW COMPUTERS AID A MORAL ADVANCE

Turning to a very different kind of police work, one can see in the conduct of the Vietnam war how the new style of planning serves values beyond efficiency. The U.S. long ago had assumed certain responsibilities for international order. In the judgment of the President, these required military reaction to Communist aggression in South Vietnam. The question was: how much reaction? Considerations of morality and international politics demanded that we should not escalate our military response beyond the level needed to deal with the threat. But limited war has proved a difficult policy for modern democracies, including the U.S., to pursue. Inevitably, voices are raised calling for a much larger margin of superiority over the enemy. Expectable also is the clamor from a group that wants a smaller effort—or none at all. Unless the President has confidence that his Defense Department could maintain an adequate, though limited, level of military action he would be impelled toward an all-or-none choice on the magnitude of the war, a position that would be undesirable on grounds both of morality and of international politics.

That the U.S. still retains its limited-war option is due in no small measure to the confidence that a large part of the public and the White House have in McNamara's system of planning; it is deemed sensitive enough and effective enough to maintain a level of operations in Vietnam calibrated to our limited objectives there, and to changing circumstances. True, there have been shortages of specific materials and underestimations of cost. Nevertheless, the Vietnam war thus far has been the best-calculated military supply effort in twentieth-century U.S. history.

If McNamara's planning system successfully demonstrates in Vietnam that the U.S. can maintain an adequate, though limited, response, then the consequences for foreign policy in the next ten years may be profound. Our enemies have known for a long time that the U.S. had (1) overwhelming capability for total war, and (2) a strong preference for no war at all. Enemy opportunity—and U.S. weakness—lay in the wide area between these two propositions. Doubt that the U.S.

could carry out a limited military response has encouraged enemy aggressions (e.g., Korea) and has for many years inhibited the flexibility and range of U.S. policy.

The kind of defense planning now being done requires much sharpr definition of war aims than has characterized American policy-making in past conflicts. Just as "drop-in-the-bucket" comments make for sloppy thinking in domestic policy, so absolutist concepts of "total victory" and "unconditional surrender" and "all-out effort" and "peace at any price" induce a kind of foreign-policy thinking that can alternate disastrously between the poles of apathetic inaction and apocalyptic commitment. McNamara, his systems analysts, and their computers are not only contributing to the practical effectiveness of U.S. action, but raising the moral level of policy by a more conscious and selective attention to the definition of its aims.

TWO KINDS OF PLANNING

To sum up: a society committed to radical and unending change has a deep-seated need, previously almost unknown, to develop a sense that it is able to choose its own path by the light of its own values. Nations dominated by ideologies, confident that their problems have been solved by "the law of history," can seem to satisfy this need by a coercive central planning structure that, in fact, drains off the possibility of planning from all parts of society except the group at the top. For nearly fifty years the decision-making apparatus of the U.S.S.R., for instance, has run against the grain of human progress because it has not diffused among the people the power to shape their future. Now, the Communists begin to admit that their way of planning has serious deficiencies even in the relatively simple activity of distributing goods and services.

But failures elsewhere could not satisfy the U.S. need for a sense that it was using its science and technology to improve the quality of its own life. Several elements of the U.S. problem have been inherent in the way science itself is organized. Tremendous social complexity follows from the specialization of knowledge. Tremendous social frustration and confusion are byproducts of science's legitimate effort to become objective, value free. What we have needed is a noncoercive system that will bring the appropriate sciences to bear more effectively upon practical problems and at the same time put more scientists into an organized, intellectually coherent contact with the debate over values and goals.

THE WAY AND THE WHITHER

This we are getting. Even the most rigorously mathematical type of systems planning is not, strictly speaking, a science because it is directed toward action, not toward objective knowledge as such. Yet this value-oriented activity of systems planning attracts scientists and earns their respect in a way that older, less organized forms of decision making did not. (Even if one concludes that the decision to drop an A-bomb on Hiroshima was correct, the way that the choice was presented to the decision maker was so terrifying sloppy that the subsequent moral trauma of many physicists was understandable.) Moreover, as scientists and other experts are brought together in systematic projects, they are forced into serious communication across the boundaries of their specialties. This serves to integrate the total body of knowledge and it also opens science to the laymen because when scientists from various fields speak to one another about practical problems they use language that any serious citizen can understand. In this partial but vital way the new style of planning "democratizes" science.

The new style of dealing with the future offers to millions of living Americans an opportunity far more significant than material progress. Since Socrates, at least, Western civilization has respected the examined conclusion, the conscious conclusion, the conscious connection between thought and action, the intentional life. That we are now developing a set of more effective methods for shaping the future represents a fundamental advance along a main line of social and individual evolution. That most of our public and private planning is and will continue to be directed toward material ends should not mislead anybody into supposing that there are no supramaterial elements involved in the process itself. By 1977, the U.S. should understand more clearly that its highest satisfactions are derived from the way we go about forming our choices and organizing our action, a way that stresses persuasion over force and arbitrary authority, a way that extends to more and more men shares of responsibility for the future. By 1977 it may be clearer that we are not just pursuing a material "more"; that what matters to us is how we formulate our goals and how well we pursue them; that in worldly progress, as in another, the destination is inseparably bound up with the way.

NATIONAL COMMISSION ON PUBLIC MANAGEMENT

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today, along with several colleagues, a bill to establish a National Commission on Public Management. This measure was introduced in the second session of the 89th Congress by several of us and it received considerable attention both from interested public officials and in the press.

This bill envisages the eventual farming out of various complex problems of modern society by the Government to private industry which would then use the modern systems management approach and technology to develop and administer a comprehensive solution.

As a first step, this legislation would create a National Commission on Public Management to study the applicability of the systems management approach to nondefense and nonspace public problems. The commission would examine techniques developed by the defense and aerospace industries for complex problem solving and recommend how they might best be applied to equally critical domestic problems.

Mr. Speaker, this plan is an entirely new departure in American political thinking. We wish to see the free enterprise system with its new capacities engaged to a greater extent in the solution of public problems. Problems facing our society today require a comprehensive solution—not the piecemeal results following from dividing a complex problem into manageable parts and treating each of them separately.

Mr. Speaker, 10,000 American communities have serious problems of air pollution; the demand for water consumption may exceed the available supply before the end of the century; there are 9 million substandard housing units in the United States; and traffic jams cost the Nation more than $5 billion each year. The bureaucracy simply does not have the capacity to solve today's problems and to foresee tomorrow's—but private industry, with the systems management approach, is rapidly developing that capacity.

I am hopeful that the Congress will take swift action on this far-reaching measure.

HEALTH EDUCATION

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, I am pleased to sponsor two bills which will greatly improve the teaching of health in the elementary and secondary schools of this Nation.

I am convinced that the teaching of basic health facts in the schools is essential and that this teaching is in need of vast improvement.

The results of the CBS national health test shocked and appalled me, just as they did many other Members of this House, I am sure. Response to the CBS telecast demonstrated dramatically the need to get health information to the people. It demonstrated, also, that this must be done through the schools so that our young people will not grow up with the misconceptions that are held by such a large portion of our adult population. How, after all, did we expect people to know things that they had never had an opportunity, anywhere in our society, to learn? Certainly our schools to date have not provided adequate health education.

Let us be clear about what we are discussing. We are not talking about physical education, or even physical fitness. We are tálking about the improved instruction of children in our elementary and secondary school systems about the growing body of knowledge as it relates to their own personal health and to the health of their community.

There are a number of examples of what I am talking about, but let me cite just one. Studies show that a majority of smokers begin between the ages of 10 and 15. It has been estimated that every day 4,000 children try smoking for the first time. Links between smoking and lung cancer, and also between smoking and the increased risk of death from heart disease have been established. I believe it would be in the best interests of our young people, and of our Nation, if children were taught and could understand early in life what it means to their health to acquire what for many is a lifelong habit.

The bills which I am introducing today would do three things, and I would like to explain exactly what is intended by this legislation. First of all, title III of the National Defense Education Act would be amended so that equipment needed for the modern-day teaching of health education would be available in the elementary and secondary schools. This equipment would include audio-visual materials such as films, filmstrips, sildes, recordings, posters, charts, vision and hearing testing equipment, displays, and video tapes for closed-circuit television. It would also include simple laboratory equipment for practical experiments where certain essential foods are denied in the diet. These would provide a visual experience for schoolchildren that would bring home to them very graphically the precise need for a balanced diet and good nutrition habits.

Second, the bill would amend title XI of the National Defense Education Act so that institutions of higher learning could conduct short-term courses and institutes whereby teachers in our school systems could be trained in the modern techniques of teaching health education and be brought up to date on the latest scientific knowledge as it relates to health and the health of schoolchildren. Thus our health education courses would be assured of qualified teaching personnel capable of programing courses which do not needlessly repeat some items and omit important items completely, which is a hallmark of our present haphazard method of dealing with health education. A recent study of school health education, points out that inadequate time for instruction, the lack of qualified teaching personnel, and a lack of progression in what is taught with a repetition of some topics and the neglect of others is contributing to the present extremely deficient situation. Some of the correspondence which was received by the school health education study reveals that school administrators, teachers, physicians, college and university teachers and administrators, nurses from all over this country and from around the world have eagerly sought assistance in establishing meaningful health education programs.

Third, this legislation would amend section 306 of the Public Health Service Act which provides traineeships for professional public health personnel. In my opinion, the language of the act as it presently exists should cover what we are trying to accomplish here today. Unfortunately, the interpretation of the language of the act has been so narrow that people seeking to enter a school of public health to increase their competence in this area have been denied assistance if they were intending to continue their vocation as school health educators. We want to make it perfectly clear that these persons are a legitimate and very essential and necessary part of the public health program of this country.

These amendments give us an opportunity to effectively tie together, for large potential benefit, the health and education programs of this Nation. We have appropriated large sums of money for medical research and health programs. We have appropriated large sums of money to support the educational programs of the elementary and secondary and schools of higher learning in this Nation. During the past number of years, as our appropriations subcommittee has listened to hours of testimony relative to both the health programs and education programs, I have been concerned that there has not been the effective meshing of these two programs that would appear appropriate. I am pleased to be sponsoring legislation now which would accomplish a marriage between health and education that holds promise for both, and for the people of this country.

Mr. Speaker, I am convinced that this legislation is needed. Every new study and test and survey has supported and strengthened my conviction. Unless we can teach and train our young people to better care for their own personal health and the health of their families, we are going to be forced to spend increasingly large amounts of money to take care of problems that could have been prevented by enlightened citizens.

Let us bear in mind, also, that no one can place a sufficiently large price tag on the discomfort and illness and shortening of life span suffered by those who could have been healthier if they had only known how. Let us provide the means by which our schools can give to its students the information that is available and so essential to their wellbeing.

AMENDING THE DEFINITION OF A CORPORATION IN THE INTERNAL REVENUE CODE OF 1954

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, a bill I am introducing today seeks to amend the definition of a corporation in the Internal Revenue Code of 1954.

Awhile back the Internal Revenue Service promulgated regulations known as the Kintner regulations taking the position that the issuance of a charter by a State does not bring a corporation into being for Federal income tax purposes unless the legal relationships are those characteristic of a corporation as distinct from those characteristic of some other type of organization. Under the regulations, there is no corporation, although a charter is issued for professional activity, if the relationships of the professionals to each other and to the public are the same as if no corporation existed. The effect of this in practice is to deny corporate status for corporations organized under the State professional corporation provisions.

The cases I am concerned about, however, involve professional persons who have incorporated under the general business corporate laws of their States before these new regulations were issued by the Treasury Department. Whether these new regulations are valid or not is an issue that I am not attempting to deal with in this amendment insofar as they relate to professional incorporations under the professional corporation laws of the various States. However, the Internal Revenue Service proposed regulations to apply to corporations incorporated under the general business corporate laws as well as the professional corporate statutes. As a result, these regulations as so applied deprive an entity of corporate status even though it was recognized as a true corporation by the State in which it was formed under the general business corporate law and without regard to any new type of corporate statute.

This bill which I am offering merely provides that an organization incorporated under the general corporation laws of any State to supply medical, legal, or other professional services is not to be treated otherwise than as a corporation for purposes of the Federal income tax laws merely because of the professional nature of the services supplied if the organization was incorporated before February 2, 1965—the date of the proposed Kintner regulations by the Treasury Department—or before the effective date the State adopts a professional corporation statute, whichever is the earlier.

Mr. Speaker, by offering this bill I am not intending either to endorse or to oppose the application of the so-called Kintner regulations in the case of professional corporation statutes. I do believe it is clear, however, that it is inappropriate to deny corporate status for Federal tax purposes to a corporation organized under the general corporate laws of a State before a new so-called professional corporation statute was adopted by that State and before the Treasury Department had issued its regulations on this matter.

POOR STANDARD OF VALUES: THE CASE FOR TAX SHARING

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, a recent editorial in the Wausau Record Herald in my congressional district entitled "Poor Standard of Values" cites specific examples of why the tax-sharing approach is a better way for Americans to do things than the discredited approach of Federal grants-in-aid. The experience of Stevens Point, Wis., with regard to its application for a storm sewer expansion program as contrasted to Racine County, Wisconsin's probability of qualifying for Federal aid for its first county golf course dramatizes, I think, the way in which federally established priorities often defy logic.

Under unanimous consent, I include the editorial, entitled "Poor Standard of Values," in the RECORD at this point:

POOR STANDARD OF VALUES

The priorities which the Johnson Administration assigns to various federal aid programs continues to be unbelievable.

For example, from Stevens Point comes a recent report which indicates that an inquiry to the U.S. Department of Housing and Urban Development has indicated that the City of Stevens Point will not qualify for federal aid for its storm sewer expansion program now or in the immediate future. This is a shock, considering the Administration's voiced concern for the pollution problem and the acknowledged public sentiment to get the job done.

While Stevens Point can't get money to separate storm from sanitary sewers, Racine County is quite certain it will qualify for federal aid for its first county golf course. In fact, a federal application asking $107,000 toward purchase of property for the golf course has already been submitted.

A recent news story from a Democratic senator in Washington revealed that a northern Wisconsin electric cooperative had qualified for funds to extend an electric line at a cost of several hundred thousands of dollars.

This federal grant which will assist no more than 250 families, is made at the same time that federal highway funds, which affect all of Wisconsin's millions of people, are being cut in half.

We read in the Washington Post that nearly $12 million of Poverty War gold was dropped in Mississippi just before the November elections in five hasty and hectic give-away days, some even before applications were made. Rust College, a small Negro institution, was reported to have been granted $1.2 million before the college's president had completed the application showing how it would be spent.

The crowning blow to Marathon County will come if it does not qualify for federal funds to construct a new county hospital to replace one which a state official has described as "no longer fit to live in." Yet the preliminary indication to county officials is that the county may not qualify for federal funds for this worthy purpose.

Where are those who say Washington can do the job better?

LEGISLATION TO BAN THE IMPOSITION OF ADMISSION FEES

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. HALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HALL. Mr. Speaker, I have today introduced legislation to ban the imposition of admission fees on persons who wish to visit our Federal reservoirs. Members of the House will recall that these fees were imposed by Executive order early last year at virtually all of the public use areas at our Federal reservoirs. The reaction of the general public was swift, and it was quite obvious to those of us who represented areas where these reservoirs are located, that there was considerable resentment, and that the order went far beyond what most of us anticipated when the Land and Water Conservation Act was adopted.

In the seventh district of Missouri, more than 28,000 persons signed petitions calling upon me to submit legislation that would remove these fees. Many other members encountered similar resentment, and following public hearings, the House Public Works Committee reported out legislation which would have removed the admission fees, but would still have left discretion with the Secretary of the Army to impose reasonable user fees. As a result of an administration compromise offer removing the fees at roughly 80 percent of the public use areas, the bill was not pursued further by the Democrat leadership and no further action was taken.

On July 4, 1966, I made a daylong inspection of the Table Rock Reservoir with the cooperation of supervisory personnel. It was quite obvious from this inspection that the fee program was not working well, that it was almost impossible to fairly administer, that little revenue was raised in comparison with the nuisance effect on the public, that the duty of trying to collect these fees detracted from the ranger's ability to carry out their other assigned and far more essential duties, and that private concessionaires were discriminated against because they happened to be located in fee areas. The so-called compromise was not and is not the answer.

The bill I have introduced today, and in which I hope other Members will soon join, would eliminate admission or entrance fees, but would still permit user fees to be charged for the use of specific recreation facilities, if in the discretion of the Secretary of the Army a reasonable and satisfactory method of collection can be evolved. I believe, for example, that few campers would mind paying a reasonable fee for utilities, sanitation, and necessities such as firewood. I do believe, however, that the funds from such collection might well be used for the improvement of campsites, rather than for the acquisition of new land. If a user fee is to be charged for the use of specific facilities, then those who pay the fee ought to be assured that they can look forward to improvements for such things as lighting, campsites, and so forth.

I hope the Committee on Public Works will review this problem with a view toward holding hearings on this bill in the event the administration itself does not decide to remove the admission fees. I understand an analysis of the program has been undertaken by the Corps of Engineers and I am confident this study will show the wisdom of removing the fees.

CRAMER CALLS FOR ACTION ON ANTIRIOT LEGISLATION AS FIRST ORDER OF BUSINESS IN THE 90TH CONGRESS

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CRAMER. Mr. Speaker, I have today reintroduced my antiriot bill aimed at outlawing professional agitators and others who travel from State to State inciting riots and other forms of violent civil disobedience. My bill is substantially the same as the antiriot measure I introduced as an amendment to the 1966 civil rights bill and which passed this body by a vote of 389 to 25.

On October 22, 1966, in a House speech, I said that:

> One inexcusable shortcoming of this session (89th Congress) was the failure to act on anti-riot legislation.

I believe it the duty of this Congress to remedy the shortcoming of the last Congress and pass strong and effective antiriot legislation.

Mr. Speaker, I believe there is broad public support for enactment of antiriot legislation. I believe that the results of the 1966 elections are conclusive testimony to the American people's dissatisfaction with the spreading wave of riots in America. The American people want Federal antiriot legislation as a deterrent against professional agitators so that the summer of 1967 will not be a repeat performance of the long, hot riot-torn summers of the recent past.

I am also reminding this body of the pledge by our distinguished colleague and chairman of the House Judiciary Committee, the gentleman from New York [Mr. CELLER], that consideration of antiriot legislation will be the first order of Judiciary Committee business this year. I believe that immediate action by the Judiciary Committee on this bill is essential. This Congress has the opportunity to put an end to organized "mobocracy" and to meet one of the most crying needs and pressing demands in America today. The enactment into law of strong, antiriot legislation to deal with the anarchists who would take lives and destroy property is essential if domestic tranquillity is to be preserved.

Mr. Speaker, enactment of my bill is needed to cope with those riot leaders that direct the riots through interstate facilities such as the telephone but do not actually take part in the riots themselves.

It is needed to give investigative authority that has power to cross State lines.

It is needed to bring action against riot leaders where local political pressures now prevent State and local action.

It is needed to act as a deterrent because of the strong penalties it contains, as compared to many local and State laws.

It is needed to put an end to the scurrilous activities of the Stokely Carmichaels and the George Lincoln Rockwells. It is needed to put an end to all who are upsetting the order through illegal and violent means. It is needed to put out of business, those who rob the shopkeepers, burn the houses, attack the police, and injure and even kill innocent bystanders. I am hopeful that the more than 90 Members who cosponsored my bill during the last session of Congress as well as many other Members of Congress will again join me in introducing and pressing for passage of this needed legislation.

Following is a copy of my bill:

H.R. —

A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code is amended by inserting, immediately after chapter 101 thereof, the following new chapter:

"Chapter 102.—RIOTS AND OTHER VIOLENT CIVIL DISTURBANCES

"§ 2101. Riots

"Whoever moves or travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce, including the mail, with intent to—

"(1) incite, promote, encourage, or carry on, or facilitate the incitement, promotion, encouragement, or carrying on of, a riot or other violent civil disturbance; or

"(2) commit any crime of violence, arson, bombing, or other act which is a felony or high misdemeanor under Federal or State law, in furtherance of, or during commission of, any act specified in paragraph (1); or

"(3) assist, encourage, or instruct any person to commit or perform any act specified in paragraphs (1) and (2);

and thereafter performs or attempts to perform any act specified in paragraphs (1), (2), and (3), shall be fined not more than $10,000 or imprisoned not more than five years, or both."

SEC. 2. The table of contents of "Part I—Crimes" of title 18 of the United States Code is amended by inserting after the following:

"101. Records and reports_____________ 2071"

the following new chapter reference:

"102. Riots and other violent civil disturbances __________________ 2101".

SEC. 3. Nothing contained in this Act shall be construed as indicating an intent on the part of the Congress to occupy the field in which any provision of this Act operates to the exclusion of State laws on the same subject matter, nor shall any provision of this Act be construed as invalidating any provision of State law unless such provision is inconsistent with any of the purposes of this Act or provision thereof.

CRIME AND CRIMINAL PROCEDURE

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, on Tuesday I introduced a bill relating to crime and criminal procedure in the District of Columbia. This bill was passed by the 89th Congress but was vetoed by the President after adjournment. The bill that I introduce today is identical to that proposal.

The District of Columbia Omnibus crime bill vetoed by the President destroys 6 years of effort by both Houses of Congress to halt the rapid increase in crime in the District of Columbia. In fact, the Mallory case issue has been before every Congress since 1957 and has been repeatedly approved by both bodies of Congress. The Judiciary Committees of the House and Senate and the Committees on the District of Columbia for both bodies have been involved in this work. Thousands of pages of testimony from District of Columbia officials, law enforcement agencies, the U.S. attorney's office, the Department of Justice, citizens groups and expert criminologists along with careful study of Supreme Court cases have formed the reservoir of information from which this legislation was developed.

In three succeeding Congresses the House passed legislation by 2-to-1 votes favoring such legislation. The vetoed legislation in the final action on the conference report in the 89th Congress was not even brought to a rollcall vote in the Senate. There were more than nine conference sessions between the House and Senate and 14 staff conferences to prepare background and language on the instructions of the conferees. The anticrime bill was a product of long, careful, patient study and effort which resulted in a compromise of views between the two Houses but which did not compromise in any respect the basic rights and liberties and freedoms guaranteed under the Constitution.

Unfortunately the member of the President's staff who prepared his statement was poorly informed because the veto message displays a gross lack of understanding of the bill, misinterpretation of its purposes and its language, and errors of fact. The veto, by proposing more handcuffed police, betrays the trust of law-abiding citizens who look to government officials for protection for their persons and property from murderers, rapists, robbers, and thieves; it offers them the promise of shallow relief through increased public expenditures.

In the 5-year period between 1952 and 1957, the year the Mallory rule handcuffed police in the District of Columbia, the crime rate had decreased from about 23,000 offenses to approximately 11,000. The volume of crime is now at the rate of about 35,000 per year and has increased at a rate more rapid than any other comparable jurisdiction in the United States. Increases in police manpower, new equipment, and modernization of methods have not been able to reverse these criminal trends.

At the same time the District of Columbia has had one of the highest per capita expenditures in the Nation for new school facilities, has had the highest or nearly the highest per capita operating expense for schools in any major city, has doubled its relief and welfare expenditures, has spent vast sums for slum clearance and public housing, and has one of the lowest unemployment rates of any city in the Nation. These factors have shown no indication of altering the increase in crime rate in the District of Columbia.

The veto message misrepresents and misinterprets title I and title III of the bill concerning the apprehension of and questioning of arrested persons. The message states that "a policeman may pick up a person and question him for 4 hours without making an arrest." There is no such provision in the bill and there is no support for any such statement in any committee report or statement issued by any responsible Member of the House or Senate. The bill does provide that a policeman may take a person into custody where he has probable cause to believe that a crime is being or has been committed. This detention of a person is an arrest; however, the bill provides that such person must be charged with a crime or released after no more than 4 hours and if he is released his detention "will not be recorded as an arrest." The veto statement misleads the public into believing that the bill provides the unconstitutional power of detaining a person without probable cause. The statement quoted above is thus calculated to distort the language of the bill and misinform the public as to the action of the Congress.

In discussing the further provisions of title I and title III, the message states that in addition to the 4 hours detention the person may be held "6 hours, exclusive of interruptions, after an arrest—perhaps 10 hours of questioning—without taking him before a judicial officer." Nothing in the bill permits the tacking of the 4-hour period to the 6-hour period. Under no circumstances can a detained person be questioned unless he voluntarily waives his rights and offers to answer questions, in which case the 6-hour limitation applies.

Title I of the bill was drafted carefully to conform with the latest Supreme Court decisions and with the Constitution. The veto statement ingeniously avoids any acknowledgment of the fact that the provisions of the bill are in complete harmony with the controlling cases of Escobedo and Miranda. These cases are controlling over the actions of police and the terms of the crime bill comply fully with them.

Questioning provided in the bill must conform to the procedures outlined in the Miranda case. Only in cases where an arrested person has been informed of his rights not to speak and to have counsel, may any questioning be conducted. Every constitutional right is protected by the bill.

In discussing the provisions of title IV of the bill in reference to material witnesses, the veto message is misleading to the public on two counts. The text of the message would lead a person to believe that the detention of material witnesses would be a new provision of law. The fact is that there is existing District law, enacted in 1878, providing for the detention of material witnesses. This old statute provides none of the protections to such witnesses as are provided by the new language in the District of Columbia crime bill. The existing law provides for the detention of material witnesses for either misdemeanors or felonies, without regard to whether the person was taken into custody at the scene of the crime and without any requirements of subpena otherwise, with no provision for release on bail even though the person may be able to provide it. Existing law has no limitations as to the length of time for the confinement of material witnesses.

The provisions of the crime bill, however, make it possible to hold a material witness only in connection with a felony and then only where he was present on the scene of the crime or pursuant to a subpena issued as authority for his detention. Such person may not be held more than 6 hours before presentation to a commissioner for a hearing. The commissioner shall determine whether or not the person shall be held for the coming trial. The witness shall be advised of his legal rights and given the opportunity for counsel and may post bond or collateral for his appearance. If he is unable to provide bond he will be held but may by motion ask the court for release if he is detained for an unreasonable length of time. If he is detained, he must be provided with quarters other than those used for holding prisoners and he must be paid witness fees for his appearance in the court.

The public is misinformed further by statements which do not report factually the provisions of the bill. In referring to the material witness provisions of the crime bill, the veto statement says "these provisions are much more severe than existing law." From the discussion above it is very clear that the provisions of the bill are not nearly as severe as the existing law relating to material witnesses. The device used to mislead the public is reference to the Bail Reform Act of the last Congress and its provisions relating to criminals who have been arrested and arraigned before a magistrate and which act has nothing to do with material witnesses. It may be noted that the Bail Reform Act did not in any way modify rule 46(b) of the Federal Rules of Criminal Procedure relating to detention of witnesses which remains in full force and effect and which very closely parallel the provisions regarding bail and release which are in the crime bill.

It is stated in the veto message that the U.S. attorney has had no problem of detaining material witnesses because of an inadequacy of existing law. As pointed out above, the provisions of existing law in the District of Columbia provide ample power for the detention of such witnesses but without regard to the nature of the crime, to the length of time of the detention, and without any provision for bond or release pending trial. The crime bill provides the safeguards which the veto message implies are missing.

In discussing the provisions of the crime bill relating to obscene material, these provisions of the bill are described as "confusing." If there is anything confusing about the provisions in this section of the bill, the fault will have to be laid at the door of the Supreme Court since the language of the bill is drafted in strict conformity with the latest Supreme Court decisions.

The veto message states that the bill permits prior restraint to publication of material and thus threatens freedom of the press. Restraint on publication can be made only where the publisher or producer of the material has knowledge that it is obscene. The determination of the obscene character of such material can be made only after full court hearing and decision. The injunctive remedies, prohibiting the use of real and personal property apply only to those materials which have been found obscene pursuant to full court hearing and decision and where the producer knowingly continues to publish material which has been declared obscene. If such a person has been enjoined from the use of real or personal property for the production of materials which have been adjudged obscene, the injunction does not in any way prohibit him from the use of his personal or real property for printing other material unless and until such materials are likewise found obscene pursuant to court action.

The language in the crime bill dealing with obscene materials conforms with and meets every requirement of Supreme Court cases dealing with the question of prior restraint.

The veto message criticizes the provisions in the crime bill relating to minimum sentences for certain crimes. To support the criticism the statement is made that "sentences now being imposed in the District are among the highest in the United States." The national prisoner statistics published by the Federal Bureau of Prisons covering the sentencing and release of prisoners from State and Federal institutions do not support this statement. The fact is that the District of Columbia ranks approximately 17th with the States of the Union in the length of sentences imposed and ranks among the highest in the average amount of the sentence actually served. The correct statement would be that a prisoner in the District of Columbia serves a higher percentage of a shorter sentence than prisoners in the other States.

It may be observed that since 1930, the trend has been toward indeterminate sentences, easy paroles, great expenditures in rehabilitation facilities in our prisons, more education and social services and slum clearance, but clear crime trends in the Nation have shown steady increase and at an accelerated pace. A recent FBI study shows that for a 10-year period 85 percent of all persons committing crimes are repeat offenders. The crime clearance rate throughout the country probably averages between 25 and 30 percent. Simple arithmetic indicates the growing criminal population at liberty in the Nation.

STATEMENT BY REPRESENTATIVE THEODORE R. KUPFERMAN TO ELIMINATE THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I today announce my support of a resolution to amend the rules of the House eliminating the House Committee on Un-American Activities as a standing committee and transferring any functions which it might possess vital to our internal security to the Committee on the Judiciary.

I do not believe that this committee performs any function useful to the Congress or to the country.

The so-called hearings staged by this committee this past summer were a fiasco. I agree with the senior Senator from the State of Illinois, Hon. EVERETT MCKINLEY DIRKSEN, who on August 20 stated that "This spectacle can do the Congress no good." It did no good for the country either, I might add.

The only legislation offered by the committee during my short time in the House since I took the oath on February 23, 1966, as the Congressman from the 17th District, New York, was the ill-conceived H. R. 12047, to amend the Internal Security Act of 1950—also known as the Pool bill—which I found necessary to oppose as, among other things, an exercise in futility and frustration. My statement on this is at page 26224 of the CONGRESSIONAL RECORD, volume 112, part 19.

We can find better ways to spend the taxpayer's money than to continue this committee.

Whatever functions encompassed by the committee that need continuing can be performed by the Judiciary Committee in a quasi-judicial atmosphere without sensationalism.

TWO SCHOOL SYSTEMS IN EVERY SCHOOL DISTRICT

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROBISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ROBISON. Mr. Speaker, today—opening day—I reintroduced a bill which I had offered in the 89th Congress, under which 2 percent of the Federal income tax collected from the several States would be returned to them under a formula which endeavors to take into consideration their respective need; such moneys, however, to be earmarked for the general support of educational programs in those States at the elementary and secondary educational level.

My selection of this bill as the first legislative proposal I am submitting to this Congress is indicative of the high priority which I assign to this area of concern. As one who did not vote for the Elementary and Secondary Education Act of 1965, I have felt it incumbent upon me to search for and suggest an acceptable alternative to the benefits provided under that program for I am well aware of the need to find some method for supplementing State and local governmental efforts to finance the ever-increasing cost of education at this level.

Last year, in an effort to ascertain how the Elementary and Secondary Education Act was being implemented in my area, I addressed a rather extensive inquiry concerning it to all the school district superintendents in my congressional district and received back a wealth of information commenting upon the good points, and the bad, experienced to date with this program which is, of course, doing some good but which is also creating a number of administrative problems, as well as questions concerning basic policy.

This inquiry on my part did not produce, as might be expected, any sort of unanimous opinion but it, along with such supplementary information as I have since picked up at firsthand, did show that there was a consensus of sorts developing among school administrators in my area in favor of some sort of Federal tax-sharing plan—of which there are an infinite number of varieties—as representing what might, in the long run, be, a preferable approach to aid to education at this level than that embodied in the Elementary and Secondary Education Act.

Perhaps my own feelings that such an approach should be reconsidered by Congress have been best summed up in a letter from a high school principal in my district which I received only on Monday of this week. It was this letter, as much as anything else, that helped me make up my mind that this bill was the one I first wished to submit to this new Congress.

I would like to share the thoughts of that high school principal with my colleagues, Mr. Speaker, even though I do not have his authority to use his letter in this fashion. He signed off his letter with the phrase, "Your Concerned Educational Practitioner," and I shall only identify him in that fashion, but the pertinent parts of his letter to me, which I now set forth under leave to include extraneous material, were as follows:

> I am so moved by the issues at stake that I wish to communicate these views further to you with the proviso that you clearly understand—these are my personal views and that they do not reflect in any way the official view of my school or school district on this subject.
>
> It is my considered opinion that Federal Aid in its present form is a wasteful hodgepodge of legislation (NDEA-Voc. Ed. Act—ESEA—Impacted Areas—Manpower and Retraining—EOA—and so on and so on). This maze of Federal legislation has led to several significant problems in education and for the society as a whole.
>
> 1. Confusion and bureaucratic red tape is the hallmark of these many laws. The pretext of evaluation via state and national tests along with required records simply reduces the evaluation of aid results to a statistical configuration rather than to a human configuration which is so greatly needed.
>
> 2. The segmentation of education into little packages called "projects" to meet the requirements of individual and specialized aid laws often move our schools completely counter to their overall goal of a unified and balanced educational program sufficiently diverse to meet the needs of almost all pupils. It is my fervent hope that the common or comprehensive school ideal is not dead in America.
>
> The trend of separate accounting, record keeping, organization, and evaluation has in effect created a false schism between "regular" and "federal" programs in the schools. In effect, we have two school systems in every school district making use of federally-aided projects and it is most difficult if not impossible to properly coordinate the two systems.
>
> 3. There is a fundamental threat to the very concept of publicly supported, publicly controlled education in the common interest. As these federal programs erode or eradicate the constitutional provisions of "Separation of Church and State" they inevitably encourage the growth of private schools for private interests at the expense of public schools for the common good. How can we struggle for "integrated" schools on the one hand and "private" schools (publicly supported) on the other? As the old Indian used to say, "White man speak with forked tongue."
>
> 4. Federal Aid has brought into being staggering commercial competition and pressure which bears down directly upon the schools. We are hardest hit by the drain on qualified teaching personnel as teachers move into VISTA, Peace Corps, Government positions related to education, Year Institutes made attractive by liberal stipends, and industrial positions with firms who find an ever increasing percentage of their annual business is with schools due to natural growth and the millions of Federal dollars allotted education. In short, the industrial-school relationships have become "Big Business" and "Big Business" is having an ever increasing (though sometimes subtle) voice in the shaping of education itself in America. This is not necessarily bad when private business purpose coincides with the primary purpose of education in a democracy—but this is not always or even frequently the case.
>
> In short, we are attacking social and economic ills in our society through education (this is perfectly legitimate) but we are doing it in such a way as to doom the effort to failure and, even more, to shake the very foundation of our unified, locally controlled public schools.
>
> Let me say that I am in full support of the concept of Federal Aid to *Public* Education but only in terms of a general grant-in-aid to the several states for local distribution on a per-capita basis along lines of a national minimum support level for each pupil in attendance at public schools. I am irrevocably opposed to the kind of hodge-podge, wasteful, and schismatic aid we have been getting. If the trend is not reversed, I believe our educational system is in for some real trauma—perhaps calamity—five or ten years hence.
>
> Your concerned educational
> practitioner.
>
> ——— ———.

Mr. Speaker, I am well aware of the fact that others have expressed or will be expressing interest in the so-called tax-sharing approach as a substitute for some of the new Federal grant-in-aid programs recently enacted by Congress whether for educational or other purposes, and that there will be other legislative proposals—perhaps better ones—introduced along these lines.

My sponsorship of this bill should not be taken to indicate that I am wedded to its provisions, for I am not. However, I hope it will be taken as evidence of the fact that I believe, as I have often stated, that there are few other domestic concerns which should involve our early and earnest attention than that of seeking still better methods for helping to finance education at the local level than that embodied in the Elementary and Secondary Education Act, if such methods indeed exist, and of my hope that this subject will be assigned the paramount role which I feel it should command in the early days of this, the 90th Congress.

SERIOUS ECONOMIC PROBLEMS FACING NEW CONGRESS

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LANGEN. Mr. Speaker, the new Congress which convened today must immediately face the fact that there are real economic problems in financing the war in Vietnam, as well as keeping domestic programs operating at constructive and efficient levels. And all facets relating to these intertwining problems need to be the concern of Congress.

The American people have recently conveyed to Washington a message that the administration's present policies and endeavors, including our policies and objectives in Vietnam, need to be reevaluated for effectiveness. The new Congress should not conceal from public view, through enactment of late supplemental appropriations, the full cost of our military participation in Vietnam. And because the administration again failed to project the true costs, Congress will be required this month to pass another supplemental appropriation for the war.

Congress should respond to the will of the people by establishing priorities in Federal domestic spending. With the fires of inflation heating the cost-of-living thermometer to record highs, and the war in Vietnam draining more billions of dollars from the Federal Treasury, we must eliminate all wasteful and unnecessary Government expenditures. Certainly, such fiscal prudence should have been initiated long ago, as I and others have urged time and again.

We simply cannot let the economic problems of inflation, high interest rates, deficit spending, dwindling gold supply, and unfavorable balance of payments get any worse.

Therefore, it is imperative that we demand that the administration present an honest and complete analysis of the funding necessary in Vietnam, and that we insist on eliminating all waste in Federal expenditures wherever they are found.

IMPROVING THE QUALITY OF GOVERNMENT

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mrs. DWYER. Mr. Speaker, I have today introduced a series of 22 bills which are designed to meet several of what I consider to be the most pressing issues confronting the country.

On subsequent occasions, I shall discuss this and additional legislation in greater detail, but I hope that by introducing these bills on the opening day of the 90th Congress it may help to focus attention on the major challenge facing this Congress: to make the multitude of Federal programs and the Government itself serve the people of the United States more effectively.

Several of my bills, Mr. Speaker, are devoted to this objective. This legislation would, among other things, create a select House "oversight" committee, headed by the minority, to assure better administration and enforcement of the laws when both Congress and the Presidency are controlled by the same political party, provide a system of sharing Federal revenues with the States, improve the administration of Federal programs in urban areas by establishing within the Executive Office of the President an Office of Urban Affairs and Community Development, establish a commission to propose a comprehensive reorganization of Federal departments and agencies, and appoint a commission to study improved methods of systems management for the Federal Government.

Other bills would help to meet important substantive needs of our people. They would increase social security benefits, raise the limitation on earnings of social security beneficiaries, provide a tax credit for expenses of higher education, permit tax relief for teachers who pursue their professional educations, improve commuter transportation, and overcome job discrimination against older workers.

Mr. Speaker, we are investing billions of dollars in critically important efforts to improve the quality of life in America, but until we eliminate waste and duplication, provide for better coordination of existing programs, and achieve more efficient, economical, and responsible administration within the executive branch, the people's needs will not be met and our investment will not produce the dividends our people have a right to expect.

The 90th can be a historymaking Congress if we measure up to these responsibilities. We may not, and perhaps should not, produce the volume of dramatic and glamorous legislation enacted by the 89th Congress, but by enabling the cumbersome Federal bureaucracy to respond more promptly and alertly to the real needs of our people we shall have earned the respect and gratitude of the Nation.

REORGANIZATION OF THE EXECUTIVE BRANCH

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am again cosponsoring legislation introduced by the gentleman from Maryland [Mr. MATHIAS] to set up a commission on the reorganization of the executive branch.

The commission proposed by the bill is patterned after the first and second Hoover Commissions but its powers and duties, as well as the membership of the commission, are broadened to meet the needs of the present age.

Although congressional scrutiny of the executive branch is continual, there is a definite need for a comprehensive study with a broad congressional mandate and widespread public support. This need is underscored by developments at home and abroad.

Since the last overall review of the executive branch by the Congress some 10 years ago, an unprecedented number of new Federal programs have been initiated. Many of them require new or improved administrative machinery and the creation of new bureaus and offices.

The increasing need for action on problems of air and water pollution, traffic safety and congestion, and consumer interests—to mention only a few—requires a fresh look at the machinery of government that can best deal with these matters.

Further, the serious need to cut nonessential Government spending, coupled with the proliferation of Government activities, indicates a clear need to take a hard look at the whole structure of sound executive administration.

Mr. Speaker, this is a thoughtful and necessary piece of legislation and I am hopeful that the Congress will take action this year to set in motion the machinery of reform of the executive branch.

NATO—WHAT NEXT?

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REID of New York. Mr. Speaker, I believe that Members will be interested in a paper presented at a meeting of the NATO Parliamentarians' Conference—Working Party Committee on the Reform of NATO in Paris on November 15, 1966. The paper was prepared by Mr. Arthur Ross, a New York businessman who has assisted several members of U.S. delegations to these conferences for a number of years.

The structure of the European alliance in the years ahead is of paramount importance to the security of the free world, and Mr. Ross' paper—entitled "NATO—What Next?"—presents fresh and creative thinking on the whole question of NATO's future.

Among the thoughtful suggestions that Mr. Ross proposes is—

> That NATO begin to de-emphasize its primary military and defensive aspects, assume a more active and purposeful role in the political arena * * * and reduce somewhat its military expenditures which will allow member countries to make significantly larger contributions towards their own well-being, and to the economic and social welfare of the under-developed world.

Mr. Speaker, under unanimous consent I include Mr. Ross' paper in the RECORD.

NATO—WHAT NEXT?

(Presented at the NATO Parliamentarians' Conference—Working Party Committee on the Reform of NATO—Paris, November 15, 1966)

NATO has been an extremely successful undertaking. No alliance of its size and scope has previously existed in history. But clearly, it is time that we questioned some of its fundamentals, and the more closely we scrutinize NATO, the more it seems that basic changes must take place if it is to survive and maintain its vitality.

These changes should reflect present day realities. I propose that NATO begin to de-emphasize its primary military and defensive aspects, assume a more active and purposeful role in the political arena—a task for which it is ideally suited, for reasons that will be later explained and reduce somewhat its military expenditures which will allow member countries to make significantly larger contributions towards their own well-being, and to the economic and social welfare of the under-developed world.

NATO, broadly speaking, has been the victim of its own success. It was so well conceived that it has had a natural tendency to keep traveling on its original course, thus projecting, year after year, the same aggressive military posture that it adopted out of necessity at its birth. When NATO was founded 16 years ago, it was an appropriate response to the Soviet Union's militant and expansionist ambitions in Europe. NATO preserved the balance of power in Europe, and permitted its members to recover from the devastation of the Second World War, and to develop strong economies and internal political stability. It was a military alliance fitted to a particular time and set of conditions. Most of these conditions no longer exist. Thus, NATO today is a somewhat wasteful and potentially dangerous overreaction to the present international situation.

The concept of mutual cooperation in defense, as embodied in Article V of the North Atlantic Treaty is still valid, that "An attack on one country will be considered an attack on all." We must remain committed to this vital principle, but while some defensive posture will have to be maintained for the foreseeable future, it can be reduced to levels more consistent with the current situation. In the light of the massive size and sophistication of the NATO military arsenal, some reduction could be initiated unilaterally without subjecting member countries to risk. The Cold War began in Europe, it first thawed in Europe, and perhaps it can be soonest ended there.

But if NATO is to reduce its military commitments to levels more consistent with the current state of affairs, will it not then be foretelling its own dissolution? Not at all. Purely military objectives will give way to wider horizons. Such reasonable and legitimate military considerations as continue to exist, will be properly satisfied only if NATO is reunified through the pursuit of these broader political objectives.

Today, it is not our interest to isolate Eastern Europe. Instead, what is needed is an integrated relationship, with the United States and the Soviet Union cooperating to guarantee Europe's future. We must have an organization that would bind together Western and Eastern Europe. So far, NATO has done nothing towards this end. Not for want of opportunity, but because of the limitations and inhibitions imposed at the outset. Such limitations currently make it a divisive rather than a constructive force.

NATO is far more militant than its individual members, who independently and despite the existence of NATO, practice coexistence with Russia and its Eastern European allies. Yet, there is a limit to the rapprochment that is possible with NATO's weapons pointed at those with whom we attempt to have closer ties.

NATO has not played any significant role towards solving one of the basic issues remaining at the end of World War II: the problem of German unification. Tension between West Germany and East Germany looms as a constant irritant, and frustrates our efforts at permanent stabilization in Europe.

It might be argued that these are somewhat misdirected criticisms. NATO was never constituted to assume such tasks. They are raised here because in our present circumstances it is essential that some multinational organization assume these important responsibilities.

A case can be made for setting up an entirely new structure to meet these objectives, but there are good reasons for giving the job to NATO. Over the years, strong lines of communication between member countries have been created and tested under sometimes difficult circumstances—and endured. For example, the tremendously complex business of sharing costs has been worked out by continuous negotiation. The U.S., for instance, contributed approximately 44% of the cost of the Infrastructure projects in the early 1950s,[1] in contrast to this year's contribution of 24.8%.[2] The U.K. reduced its contribution from 27% initially to 13% currently.[2] In the meantime, the Continental nations increased their payments: Italy raised her share from 5.7% in 1951 to 6.6%; [2] West Germany, which was allocated 13.7% of shared costs when it first joined NATO, now contribute 21.9%.[2] There has also been active cooperation in the sharing of technical, scientific and economic information in significant areas.

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[1] "Facts about the North Atlantic Treaty Organization" by NATO Information Service, Paris, 1965 Edition, Page 137.

We should take this collective experience and expand it to create a regional entity that would also be effective in all phases of political, economic and cultural life. Such an undertaking would not be financially onerous. NATO's organizational costs, as distinct from military support and equipment furnished by member nations, were $213 million in 1965. In comparison, it is interesting to note that the organizational costs of the United Nations were only $108.5 million last year.[3] Consider how much the U.N. has accomplished with the limited funds at its disposal, and imagine what NATO could do with its economic resources, if they were unshackled from purely military goals.

In short, I am proposing that NATO be continued as a regional organization of mutual cooperation, but with broader objectives. These new objectives would not place the organization in conflict with any existing international organization, but would consist of a valuable and necessary addition.

Let us examine some of the important economic consequences of any diminution in NATO's military expenditures. The defense budgets of the NATO members totaled $74.2 billion in 1965.[4] The Warsaw Pact countries had a combined defense budget of $43 billion, of which $40 billion was contributed by the Soviet Union.[5] Of last year's total defense budget of $74 billion for NATO members, it is reliably estimated that about $30 billion was the cost of NATO's military upkeep. This is a staggering sum to maintain a strong military stance, once necessary, but now bypassed by history. Needless to say, any reduction in NATO's military spending would allow for immense social and economic gains within NATO countries.

Member countries also would have funds freed for larger contributions to existing international organizations. I would remind you that in 1965, the budget of the World Health Organization was only $39 million[6] that of UNESCO, $24 million,[7] and for the Food and Agriculture Organization, merely $19.3 million.[8] The World Food Program of FAO and the U.N., begun in 1966, raised pledges of only $208 million worth of food for the period 1966 through 1968.[9] Contrast these figures with the $30 billion for NATO's annual military expenditures.

Looking at the political picture of the world today, we find that the major tensions are no longer primarily between Western and Eastern Europe. In fact, there is visible and substantial evidence that the future challenge lies in the backward area of the world—Latin America, Africa, Southeast Asia, and overshadowing all else, Communist China. The abysmal poverty and consequent political instability of many of these countries constitute a much greater threat to world peace than we encounter in Europe.

In conclusion, a NATO redirected in the manner suggested would produce three principal benefits. Firstly, the North Atlantic Treaty Organization—and I wish to stress the word Organization—with its established areas of cooperation, and a well-trained and experienced Secretariat, could play a leading role in solving some of the outstanding problems of Europe. Secondly, if NATO reduced part of its military spending, member countries could consequently invest more heavily in their domestic welfare programs. Thirdly, funds released from NATO military commitments would allow for increased contributions to international organizations and aid to under-developed nations. Thus, NATO has in its grasp the power to promote and encourage a three-pronged attack on some of the most pressing problems of our time. I believe that if we seize these opportunities, NATO will play a role in world affairs that will be as valuable in the future as it has been in the past.

—ARTHUR ROSS.

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[2] Infrastructure Cost-Sharing Formula—Table furnished by Assistant Secretary of Defense, April 8, 1966.

[3] United Nations Chronicle, January, 1966, Page 89.

[4] NATO press release, December 15, 1965 Basic Statistical Data on the Defense Effort & Economic Development of NATO Countries, November 30, 1965, Page 8, Table II B.

[5] "The Military Balance, 1956–1966" issued by the Institute for Strategic Studies, London, England.

[6] Yearbook of the United Nations, 1964, Page 514.

[7] Yearbook of the United Nations, 1964, Page 504.

[8] Yearbook of the United Nations, 1964, Page 499.

[9] U.N. Chronicle, February, 1966, Page 14.

AIRCRAFT NOISE AND AIR POLLUTION

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am today introducing three bills to meet the clear and growing problem of aircraft noise and air pollution caused by jet-powered aircraft.

The seriousness of this situation is becoming daily more apparent, especially in the area surrounding the busy New York airports, and, more recently, here in Washington.

Specifically, one of my bills states that it is the finding of the Congress that:

> The impact of aircraft generated noise upon millions of persons beneath or near the flight paths of such aircraft interrupts and disturbs the peace and quietude of homelife, interferes with public assemblies, and, in general seriously disrupts the community life.

Further, it states that:

> The extensive operation of jet-powered aircraft is contributing to the pollution of the air, thereby creating a hazard to the health and welfare of the public.

To meet these problems, one bill empowers the Secretary of Transportation and the Administrator of the Federal Aviation Administration, consistent with the primacy of air safety—

> To prescribe and amend standards for the measurement of aircraft noise and to prescribe and amend such rules and regulations as he may find necessary for the control and abatement of aircraft noise, including the application of such standards, rules, and regulations in the issuance, amendment, modification, suspension, or revocation of any certificates authorized by this title.

In addition, the second bill authorizes the Administrator to reimburse domestic air carriers and the owners and operators of any airport for up to 30 percent of the cost of modifying their equipment to comply with such regulations, and to reimburse the States or municipalities for up to 90 percent of the cost of acquiring necessary land and making other adjustments to comply with such regulations.

My third bill would amend the National Aeronautics and Space Act of 1958 to authorize NASA to "conduct research and investigations, including the investigation of complaints, cooperate with local civic organizations and municipalities, and coordinate and consolidate current research projects" with regard to aircraft noise abatement. Among the specific duties that would be assigned to NASA are the measurement of noise as it relates to the "distress of people on the ground"; the development of quieter aircraft through research in airframe and powerplant designs; and the development of a comprehensive body of knowledge of methods and devices for noise abatement.

Gen. William F. McKee, the FAA Administrator, indicated last year that authority to prescribe and amend standards for the measurement and control of aircraft noise "is needed to assist us in alleviating a most serious problem."

The Congress can no longer ignore the major inconveniences, discomfort and hazards to health that result from excessive aircraft noise. It is incumbent upon the 90th Congress to take initial action to combat this problem before technological advances, such as the supersonic transport, compound its effects. I am hopeful that the Committee on Interstate and Foreign Commerce will make these bills its first order of business.

COMMISSION ON ARCHITECTURE AND PLANNING FOR THE CAPITOL

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am today introducing legislation which would establish a Commission on Architecture and Planning for the Capitol within the National Foundation on the Arts and the Humanities.

As Members will recall, the need for this legislation became apparent during the last session when plans were revealed for the ill-considered proposed extension of the west front of the Capitol. Hearings were held on this and related bills by the Thompson subcommittee of the Education and Labor Committee but no further action was taken. While public interest in this matter seems to have subsided during the adjournment period, I understand the Architect of the Capitol has taken the opportunity to set up a model of the proposed extension in a prominent hall of the Capitol.

Clearly, Mr. Speaker, this is an issue which requires prompt attention by the Congress before any tragic steps are made in this venture.

My bill would require the Commission's

approval for any "construction, alteration, or repair of any public building on, or landscaping of, real property comprising the U.S. Capitol Grounds." Mr. Speaker, this provision would insure that the architecture of the Capitol will be treated consistent with its historical heritage and artistic tradition.

SPACE COMES DOWN TO EARTH—MEDICAL APPLICATIONS OF NASA FINDINGS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, Quentin L. Hartwig, senior staff scientist, biological sciences communication project, the George Washington University, has recently made a comprehensive analysis of the medical applications of the NASA program to our daily lives. This article, which appeared in the George Washington University magazine in the fall of 1966, is an example of the significant role that our space program is playing in our daily lives right here on earth. Continued support of the space program can only serve to heighten and strengthen our ability to deal with the problems in our daily lives which can only be solved by the new technologies generated in this article. The article follows:

SPACE COMES DOWN TO EARTH—MEDICAL APPLICATIONS OF NASA FINDINGS

(By Quentin L. Hartwig)

A Biomedical Application Team, under contract to NASA, sat down one day last Spring with a pediatric cardiologist at the Kansas Medical Center and discussed the problems he was having in following the heart rate of small children as they performed mild exercises. One obvious difficulty was keeping the monitoring electrodes on their chests when they perspired. Since the electrode situation was hampering the advancement of his program, they began to review aerospace technology for potential solutions. The Team had recently returned from a visit to the NASA Flight Research Center at Edwards Air Force Base, where a physician daily monitors the heart rate of student test pilots while they perform difficult maneuvers in advanced aircraft. For this project a spray-on electrode was developed which could be quickly applied to the chest with a spray gun. This electrode remained firmly in place during the flight and was easily removed afterwards with a solvent. The Application Team felt that the spray-on electrode was the answer for the pediatric cardiologist and a spray can gun was made and demonstrated to him. He was immediately intrigued by this approach, and now uses it routinely in his research.

This example is illustrative of a program under the direction of the Biological Sciences Communication Project to relate aerospace technology to the needs of biologists and physicians. The primary purposes of the program are to accelerate the flow of new technology into practical use and to reduce the time required for this process.

We generally think of new knowledge as being communicated in the classroom from the lecturer to the student, but we also know that new information is constantly being sought by a much larger group in our society today. The research in the laboratory, the industrial manufacturer, and many others seek answers to technical and scientific problems which they face. Traditionally these people, the users of new information, look for answers in publications and read many pages in the search. But today there are thousands of publications in both the physical and biological fields that hold potential solutions, and it is becoming increasingly difficult for the user of new ideas to conduct a search efficiently. New ways to do it are needed.

It is one thing to come up with some ideas on how to accelerate the flow of information to reduce the lag time from conception to practical application. It is another matter to have some kind of practical situation, a sort of test bed, where one can try out new ideas for accelerating information flow.

The problem of applying new knowledge became a very practical one when the Space Act of 1958, which created NASA, not only called for a national program to explore the universe, but for identifying potential applications of the new space knowledge to all walks of life. Since then, NASA's Office of Technology Utilization has developed a rather complex system which identifies, publishes and disseminates space-generated information to a wide, mostly industrial audience

It was felt, however, that a special program should be designed to relate aerospace technology specifically to biology and medicine; and under the sponsorship of the Office of Technology Utilization, the Biological Sciences Communication Project designed such a program.

This then has become the practical test bed for new ideas, new approaches to the information problem. The present means are inadequate and the generation of new technology is rapidly out-stripping techniques to apply the information. The communication of new information is particularly difficult because of the language barrier which exists between the physical and the biological sciences. In spite of the number of organizations dedicated to speeding the flow of information into the biological sciences, there have been suggestions that the communication gap, rather than getting better, is getting worse.

In order to design a program that would improve communication, past transfers of NASA technology were studied.

A review of several applications revealed that solutions to biomedical problems can come from obvious as well as unlikely sources. Little imagination is needed to relate the NASA sight switch to the physically handicapped. Originally designed to give the astronaut added channels of communication with his environment, it can be used to operate wheel chairs, and dial telephones and to throw various switches. Other sources of useful innovations, however, are not so obvious.

One such case was the moon walker. An aerospace contractor, as part of a proposal to NASA, demonstrated a walking vehicle designed to carry instruments about the surface of the moon. A Technology Utilization Officer at a NASA field installation saw the walking vehicle, and that evening described it to his wife, a pediatrician. She became intrigued with the possibility that the device could be reengineered into a walking wheelchair, thus giving a handicapped individual far greater mobility. She discussed the possibility with her colleagues, and shortly thereafter, pediatricians from UCLA, along with aerospace engineers, applied for and received funds from the Children's Bureau of the Department of Health, Education, and Welfare to adapt this device to a walking wheelchair. The adaptation was successful and the device is now being tested in a rehabilitation center in Southern California. This transfer illustrates some obvious points. In the first place, biomedical problems can be solved with the technology of physical disciplines. The moon walker was a nonmedical instrument, redesigned with ingenuity to fill a very real need in rehabilitation. Furthermore, the transfer was speeded by virtue of person-to-person communication. These two lessons suggested that teams of physical and biological scientists should go into the medical schools and research organizations to learn of the problems impeding medical progress. Armed with an understanding of the problem, they can look to the NASA Information System for pertinent answers.

Three Biomedical Application Teams have been organized at the Midwest Research Institute, the Southwest Research Institute, and the Research Triangle Institute. The Teams have organizational ties with twelve medical schools, research institutes, and hospitals in the United States.

Their mode of operation is essentially that described in the brief story at the beginning of the paper. Each Team communicates with medical research institutions through a consultant who is a member of the institution and can converse in both the physical and biological jargon. The consultant serves as the inside contact man who can help select those researchers with the talent and facilities to apply new technology when it is brought to their attention. The consultant maintains person-to-person communication between the innovator and the user of technology.

Among the examples of transfers effected by the Biomedical Applications Teams is the respiratory helmet. The usual technique for collecting samples of breath during exercise is to have the subject blow into a tube gripped between his lips. A nose clip prevents loss of expired air through the nostrils. This procedure is a bit uncomfortable when the tendency in exercising is to open the mouth wide and breathe freely. A medical researcher wanted a new and unencumbering approach. The Applications Team began reviewing astronaut helmet design and, after some trial and error, built a respiratory helmet. It is not only works, but the children are eager to perform the test, since they can pretend to be astronauts.

The Team effort will not only provide examples of application of aerospace technology but, thorough documentation of these, will give continuous insight into the process of communicating new knowledge to potenial users.

Two more needed elements will be initiated in the near future.

A Biomedical Exchange will be started to perform computer searches in response to the Applications Teams and the public on a fee basis. The Exchange would provide expertise in searching the physical and biological literature for biologically relevant information. A research organization may not need the talents of an interdisciplinary Biomedical Application Team and wish only to have a computer search for aerospace technology that relates to its particular interests or needs. The Biomedical Exchange would perform this function, and could, if requested, conduct additional monthly searches to update the original one.

Another element will be the *Instrument Compendium*. This document will have the appearance of a catalogue and will be used to quickly look for bioinstrumentation that has already been developed within the NASA effort. If the particular instrument is not found in the "Compendium," the NASA information system will then be searched by computer. The "Compendium" will be continuously updated and contain not only information regarding present available instruments, but also instruments to be developed in the future. Therefore, if a researcher carefully plans his program over a three- or five-year period, the "Compendium" will enable him to identify instruments that will be available sometime in the future, and he can then plan his experimentation accordingly.

As can be seen, the effective use of the *Instrument Compendium* by the biomedical researcher will depend very much on careful, long-range planning. Careful planning in research is becoming more and more a requisite in the entire biomedical community. Advanced program planning is by no means new in the research world, but in no place has it reached such effective heights as in Federal research programs, particularly those of the aerospace and atomic energy agencies. There, program requirements are laid out chronologically and then a full research effort is designed and carried out to achieve each goal. In the case of instrumentation, for example, it is known at the start of the program the approximate dates at which certain models are to be completed. Experimentation can proceed in increments, and all the while instruments are being made ready to be used by experimenters at specified times in the future.

This type of planning, the kind that has made the Gemini and Apollo programs of NASA a reality, could be incorporated effectively into many biomedical research efforts. One of the benefits to be reaped from biomedical research planning is that workers in all fields can prepare themselves to incorporate technical knowledge from, for example, aerospace studies projected to be accomplished sometime in the future. This will add an important continuity to future research efforts.

The Biomedical Applications Teams, the Biomedical Exchange, the *Instrument Compendium* are each small efforts to effectively transmit new knowledge. But they are now and they are different, and it is hoped that they can shed significant light on, and suggest new approaches to problems faced by a nation which is generating new knowledge at a rate never before encountered in history.

VETERANS' ADMINISTRATION COST REDUCTIONS, FISCAL YEAR 1966

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from the Iowa?

There was no objection.

Mr. TEAGUE of Texas. I wish to insert the very interesting report which has been furnished to me by the Administrator of Veterans' Affairs, William J. Driver, on cost reduction in the Veterans' Administration for the fiscal year which closed last July:

VETERANS ADMINISTRATION COST REDUCTIONS, FISCAL YEAR 1966—ADMINISTRATOR'S MESSAGE

Finding better ways of doing our jobs at less cost, without impairment of service, has always been a Veterans Administration goal.

Tighter budgets and increasing costs make Cost Reduction a priority program. Saving money is not the only objective of the Veterans Administration Cost Reduction Program—the diversion of dollars through cost avoidance or innovation has the same high degree of importance.

The actual cost reductions for fiscal year 1966 amounted to $80,329,000. The savings of $88,481,550 covered by this pamphlet includes some savings extending into fiscal year 1967 to complete a 12 month cycle on those cost reductions effective after July 1, 1965.

We are proud of our achievements. While we have experienced favorable results to date, there still is room for improvement. Our stewardship will be judged on how we provide veterans and their beneficiaries the best possible service at the lowest possible cost to the taxpayers.

CHANGE IN ACCEPTABLE EVIDENCE FOR GI LOANS

Direct loans may be made only in rural areas, small cities and towns not now metropolitan centers, where private capital for GI loans is generally unavailable. In applying for a direct loan, a veteran must establish that he has been unable to obtain a loan from private lenders. In the past, evidence submitted oftentimes consisted of rejection letters from lenders who were not participating in the GI loan program. During fiscal year 1966, the Veterans Administration informed prospective applicants which lenders are interested in making GI loans and required that letters of rejection submitted by applicants seeking direct loan assistance be from such lenders. This procedure reduced the need fo use Government funds for housing credit. The revolving fund savings amounted to $62,387,842.

MERGED—NINE REGIONAL OFFICES

In response to the President's appeal to all Government departments and agencies to increase operating efficiency and reduce spending, a thoroughgoing appraisal of the Veterans Administration's program and structure was instituted. The determination was made that regional office activities in the states having more than one office could be reduced to a maximum of two per state. Nine consolidations were required to meet this criterion. These consolidations have substantially reduced overhead positions and provide better manpower utilization with no adverse effect on quality of service. Savings amount to $1,734,000 with $393,000 accruing during fiscal year 1966 and $1,341,000 in fiscal year 1967.

TITLE EVIDENCE FOR VA PROPERTIES

It has been the practice, on properties acquired through foreclosure of guaranteed or insured loans, to purchase title insurance and/or obtain title opinions by fee attorneys. Through extensive study and testing it was determined this practice could be discontinued with little risk to the Veterans Administration. Procedural steps were simplified to enable Chief Attorneys at the various Loan Guaranty Program locations to determine acceptability of title in connection with the conveyance of property. Revolving fund savings amounted to $1,106,691.

AUTOMATION OF PAYROLL

A centralized computer system is used to process the pay of all Veterans Administration employees. Cost accounting is also incorporated with the system. 224 stations have been converted in fiscal year 1966.

Savings in fiscal year 1966 have been $550,000. The overall project represents a major effort in modernizing manual payroll procedures by conversion to computer methods of centralization and automation. Savings have been made by elimination of certain positions and equipment. This savings will continue through fiscal year 1967 when further savings of $210,000 are anticipated.

REALINEMENT OF SUPERVISORY DUTIES

The organizational change consolidating the Adjudication and Vocational Rehabilitation and Education Divisions has made it possible to eliminate 19 positions of Assistant for Education. The administrative and supervisory duties of these positions will be absorbed by the Adjudication Officer. The savings total $292,117, with $166,950 accruing in fiscal year 1966 and $125,167 in fiscal year 1967.

C-FOLDER SEPARATION

The separation of active and inactive claims folders has resulted in a reduction of the area of search to about 29% of what it was previously, thereby improving productivity in the active records operation. An improvement in processing in the Adjudication Division has also been gained by providing a Special Unit to handle one-time actions, such as, answering non-adjudicative correspondence and furnishing information from records. Savings total $232,000 with $105,000 accruing in fiscal year 1966 and $127,000 in fiscal year 1967. The inactive records are being relocated to a centralized area and when completed, additional savings should be realized. Also, there is a savings from the reduction of need for prime office space in regional offices.

LOANS CLOSED WITHOUT COST TO VA

In an effort to reduce costs incident to the sale of Veterans Administration owned properties, the Veterans Administration has made arrangements whereby loans to purchasers of such properties are closed without cost to the Veterans Administration. To achieve maximum economy without impairing the sales program and no undue risk to the Government, loans are now being closed by sales brokers and some salaried Veterans Administration personnel. Due to these procedures, savings to the Veterans Administration amounted to $161,310 in fiscal year 1966.

CONSOLIDATION OF SUPPLY AND DIETETIC EAM ACTIVITIES

Formerly, the Electrical Accounting Machine Supply and Dietetic activities were handled at three stations under similar conditions. The supply and dietetic activities were converted to a 1401 magnetic tape system and the three servicing stations consolidated at the St. Paul Data Processing Center, where 1401 computer time was available.

Through centralization and conversion from Electrical Accounting Machine to computer methods, both Electrical Accounting Machine time and positions were saved, savings being $186,000 with $142,000 accruing in fiscal year 1966 and $44,000 in fiscal year 1967.

CROSS TRAINING OF PERSONNEL

The organizational change consolidating Adjudication and Vocational Rehabilitation and Education opened up opportunities for cross training and more efficient utilization of staff and clerical personnel. Educational advisors and adjudicators are receiving cross training to the extent necessary to complete workload requirements for benefits. This cross training will result in the absorption of the educational advisors duties by selected adjudicators and corresponding cross training of educational advisors or adjudicators to fully utilize educational advisors man-hours as educational workload varies. The result is the absorption of 12 supervisory positions in the former Benefits and Facilities function. Savings total $102,170 with $63,646 accruing in fiscal year 1966 and $38,524 in fiscal year 1967.

NEW TECHNIQUES FOR HANDLING INSURANCE AWARDS

New procedural techniques in the preparation of insurance awards without death claim folders where no additional development is required will improve the timeliness of claims. It will also eliminate status inquiry mail. These procedures will save the St. Paul's Veterans Administration Center 2⅔ man-years annually for a total of $24,000.

ELIMINATION OF EXAMINATION FOR CERTAIN PENSION CASES

Revaluation of Veterans Administration policy on official Veterans Administration examinations in pension cases has a potential savings of $12,000 annually. It has been determined through past experience that official Veterans Administration examinations are not necessary in certain cases where the veteran's personal physician sends in a complete examination report. These cases are: (1) where the veteran is in need of regular aid and attendance or is housebound and has been previously rated; (2) where the veteran is between the age of 55 to 65; and (3) the seriously ill veterans of any age. Fiscal year 1966 savings totaled $12,175.

REDUCTION IN NUMBER OF COMPLIANCE SURVEYS

Revaluation of Veterans Administration policy on compliance surveys of educational institutions training sons and daughters of deceased or seriously disabled veterans prior to Public Law 89–358 resulted in a revision of the requirements. The revision permitted savings, at that time, by reducing the frequency of personal visits to educational institutions commensurate with the reduction in the number of trainees per school. This change resulted in savings of $62,284 for fiscal year 1966.

MERGER OF DATA PROCESSING BRANCHES

The Department of Data Management has been actively engaged in the physical merging of Veterans Administration Data Processing Branches. The aim of this project is to consolidate 103 Data Processing Branches into six Data Processing Centers and five Data Procesing Branches. As a result of the merging of these Data Processing Branches, substantial savings in equipment rental and personnel costs will accrue to the Veterans Administration without impairment to required data processing service. This program has saved $450,000 in fiscal year 1966, and will continue through fiscal year 1967 when further savings of $760,850 are anticipated.

MORE PRESCRIPTIONS FILLED BY VA PHARMACIES

Efforts were intensified to encourage fee basis physicians to send more of their prescriptions for Veterans Administration patients to the Veterans Administration rather than private pharmacies. This resulted in savings amounting to $81,985 in fiscal year 1966.

CLOSING CERTAIN VA HOSPITALS AND DOMICILIARIES

Six Veterans Administration Hospitals and two Domiciliaries were closed during fiscal year 1966 in order to provide improved medical care in more modern facilities and advanced medical technology. Savings total $10,820,000 with $5,961,000 accruing in fiscal year 1966 and $4,859,000 in fiscal year 1967.

CONVERSION OF VASD WILMINGTON TO SUBDEPOT STATUS

The stock control, fiscal, and certain transportation activities were transferred from the Veterans Administration Supply Depot at Wilmington, California, to the Veterans Administration Supply Depot at Hines, Illinois. This action resulted in savings of $120,986 with $16,492 accruing in fiscal year 1966 and $104,494 for fiscal year 1967.

IMPROVED MANPOWER UTILIZATION

Through productivity measurement and special manpower studies at selected Veterans Administration stations, better manpower utilization was achieved in Registrar and Medical Administrative activities. Resultant savings amounted to $55,450 in fiscal year 1966.

D.M. & S. SYSTEMATIC REVIEWS

Systematic Reviews to improve programs and operations are required at all levels of the Veterans Administration. They are conducted under a self-appraisal system. The Department of Medicine and Surgery's accomplishments in fiscal year 1966 are noteworthy. Systematic Reviews in 25 functional areas of field operations produced 1,392 improvements, resulting in cost avoidance savings of over $840,000.

CENTRALIZED TRAY SERVICE

This system of tray service centralizes the feeding of bed patients from one location in lieu of sending the trays from several ward serving units. Installation of a centralized tray service system resulted in a reduction in cost as well as savings in space and equipment. Annual savings total $31,250.

STREAMLINED DEPOT OPERATION

To effect economy in the Veterans Administration Supply Depot operation, certain Data Processing equipment located at Somerville, New Jersey, was eliminated and the method of using other equipment was changed. The electrical accounting machine equipment retained works in conjunction with backup support provided by the Philadelphia Data Processing Center. This support by the Philadelphia Data Processing Center allowed the elimination of certain electrical accounting machines and two positions at Somerville, with an annual recurring savings of $15,000.

EMPLOYEE SUGGESTIONS

The Veterans' Administration maintains a continuing and vigorous effort at every organizational level to obtain employees' ideas for improvement. During fiscal year 1966, 17,797 suggestions were received. Almost half were adopted with measurable savings of $663,995 and significant benefits which cannot be readily evaluated in dollars.

PURCHASE OF SEVEN PHOTOCOPY MACHINES

The purchase of seven photocopy machines formerly rented, and the establishment of a self-service, monitor-controlled photocopy center with four of the machines . . . saved $62,250 . . . increased machine utilization by almost 9% . . . and resulted in disposition of 10 special purpose copiers as surplus.

Itemized list of additional cost reductions

1. Field station management improvement actions	$224, 062
2. Operation of nonhousekeeping quarters	167, 000
3. Central service performance standards program	[1]40, 667
4. Discontinued use of tablecloths	24, 800
5. Consolidation of typewriter requirements	198, 000
6. Veterans' Administration utilization of other Federal agencies excess property	3, 100, 000
7. Changes in method of supply for drugs and other items	1, 700, 000
8. Moving of file cabinets	99, 878
9. Interviewing procedures for contact representatives at Veterans' Administration hospitals	272, 600
10. Job engineering	827, 059
11. Improved administrative practices	145, 221
12. Reducing administrative costs	381, 054
13. Reprograming notices of insurance payment	4, 753
14. Changing Gobol (common business oriented language) programs to SPS (symbolic programing system)	1, 237
15. Refinement of computer processing of field station supply accounting system	11, 451
16. Introduction of ZIP codes into insurance master records	1, 186
17. Simultaneous sort of premium notices	6, 884
18. Elimination of printing duplicate transaction history lists	1, 410
19. Sale of salvage paper and cards	6, 000
20. Utilization of obsolete tab card forms	2, 000
21. Volume purchase of computer tape	11, 200
22. Teletype system changes	26, 000
23. Mechanical preparation of tape labels	1, 008
24. Computer generator replies to divided inquiries	4, 800
25. Study of Veterans' Administration's 100 most costly forms	20, 000
26. Use of black ink to print Veterans' Administration letterhead in lieu of blue ink	1, 800
27. Readjustments in Office of the Assistant Administrator for Construction Organizations	$32, 629
28. Elimination of transfer controls and claims folders	3, 943
29. Certificate of eligiblity forms printed in 1 color instead of 3	13, 500
30. Printing of 1 issue per year of Veterans' Administration Catalog No. 1	5, 000
31. Revised platemaking technique in central office plant	12, 664
32. Use of handwritten letters in suspension cases, employee travel	425
33. Reduction of employee administrative travel costs	588, 000
34. Employee uniform allowance	491, 650
35. Reduced construction costs and architect-engineer designed projects	7, 524
36. Small hospital reorganization	54, 640

[1] 3 quarters of fiscal year 1966.

CONGRESSMAN CLAUDE PEPPER INTRODUCES LEGISLATION TO INVESTIGATE THE PROBLEM OF CRIME IN AMERICA

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. PEPPER. Mr. Speaker, I would like at this time to introduce two bills, one to establish a joint committee for the study of crime and the other, if the first is not enacted, for a special select committee of the House of Representatives.

The statistics regarding all aspects of the crime picture indicate only too clearly that our current methods of dealing with crime are inadequate; that, quite simply, we do not know how to control crime. To begin with the FBI statistics, the Uniform Crime Reports for 1965 indicate that, in the 5-year period 1960–65, the crime rate increased approximately six times faster than the rate of population growth. During this period serious crime increased 46 percent; the population increased 8 percent. More than 2,780,000 serious crimes were reported last year. A murder was committed every hour, an aggravated assault every 2½ minutes, and a burglary every 27 seconds.

These appalling crime statistics are becoming familiar to us. There are statistics on other aspects of the crime picture which are less familiar and equally alarming. The figures available on recidivism indicate an extremely low rate of success in our efforts to reform those who have committed crimes. The FBI recently completed a study of 6,907 offenders released from prison between January and June 1963. Within 2 years, between June 1963 and June 1965, 48 percent of these offenders were arrested for new crimes. An even blacker picture was painted by former Attorney General

Nicholas deB. Katzenbach. He commented not long ago in a magazine interview:

> Over 70 percent of those who commit a crime, commit a crime again. If you knock it down to 60 percent, you'll make a dent in the crime picture.

A third set of statistics relating to contemporary crime, those on police employment, are also most disturbing. Across the Nation, State and local police departments are finding it impossible to keep their police departments fully staffed. A recent Wall Street Journal article reported that the Washington, D.C., Police Department was forced to recruit as far afield as New Hampshire. At the 1966 meeting of the International Chiefs of Police, police chiefs from 24 major cities reported that only 2 of their police forces were up to strength. The late Chief Parker, of Los Angeles, commented:

> I think this continued attack upon the police in this nation is one of the great tragedies of our time. The American people are destroying the power to protect themselves. In a city like Los Angeles, we are unable to employ sufficient policemen. We have the money, but we can't get a sufficient number of 21-year-old persons to come into this service because of the treatment that the police are afforded by people in America . . . throughout America, youths are turning away from police work. You're going to end up with [the] misfits of America in police uniform, because no one else will do the job.

The importance of keeping police departments up to strength is further underlined by the dramatic decrease in crime in the New York subways which followed the increase in the number of subway police, one of the few truly successful efforts in crime control in recent years.

The statistics on serious crime, on recidivism, and on police employment indicate an urgent need for new measures which must, of necessity, be preceded by more knowledge. These statistics point out all too graphically the truth of the former Attorney General's recent comment on the state of our current understanding of crime: "We know so damn little."

There are, however, hopeful signs. J. Edgar Hoover noted in the 1965 Uniform Crime Reports:

> Recent years have witnessed a marked increase in citizen awareness of the crime problem. This growing interest—particularly that shown by persons who previously have taken the position that crime is solely the responsibility of the law enforcement profession—is most encouraging. It offers promise of materially aiding police efforts in the control of crime.
>
> Individuals and organizations representing many segments of our society are displaying a keen interest in programs to assist law enforcement and, ultimately, to reduce the volume of crime. In many parts of the country, studies have been instituted and plans developed not only to achieve a better understanding of local crime conditions, but also to find solutions to the complex problems involved.

This increasing concern with the problems of crime and law enforcement has certainly been reflected in recent legislation on Capitol Hill. We have not been slow to act. In 1965, Congress passed the Law Enforcement Assistance Act; an amendment which would sizably increase the money available under this act passed the House this session and is now pending before the Senate. The 89th Congress also passed the Prisoner Rehabilitation Act and the Correctional Rehabilitation Study Act. However, it is my belief, based on the facts I have just presented to you, that we must go considerably further.

The establishment of a joint congressional committee to study crime seems to me the first and necessary step in an all-out campaign, on the part of Congress, to lead the way in a nation-wide attempt to understand and control crime or a special select House committee. Furthermore, the time for the establishment of either committee seems to be particularly ripe, following as it would on the completion of the study courrently being conducted by the President's National Crime Commission. The committee would be in a position to actively evaluate the findings of the Executive commission, giving Congress the opportunity to propose legislation of its own, rather than simply acquiescing to the administration bills proposed on the basis of this research.

The time has come for Congress to take more initiative in the war on crime, and I believe that the establishment of the special committee I have proposed is the necessary first step if we are to do so. I urge that this legislation be passed as soon as possible.

TRANSPORTATION COORDINATION AN UPHILL ROAD FOR THE NEW DEPARTMENT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. PEPPER. Mr. Speaker, the 89th Congress was remarkable for its legislative achievements. New solutions were devised for problems covering many facets of American life. One of the most notable achievements was the enactment of legislation to establish a new Cabinet-level Department of Transportation. I supported this measure, and I anticipate that the new Department will provide a new element of dynamism which is sorely needed to draw the disparate transportation sectors into a viable system.

It is apparent, however, that this will not be easy. Trains, planes, motor vehicles, and their respective facilities have evolved separately. The progress of our transportation technology has been swift. Sometimes it has overrun human requirements. Traffic within our cities is slowing to a crawl. Overhead, the sky is filled with roaring planes waiting to land at crowded airports. Transportation accidents, particularly automobile accidents, are causing us to lose thousands of our young people every year to premature death and disability.

At the rate our economy has been growing the past 6 years, transportation demand in this Nation will double in the next 20 years. We have been able to meet such challenges in the past through the ingenuity and daring of our free enterprise system. In our lifetime we have seen four new systems of transport emerge—the auto, the truck, the airplane, and the pipeline. You can see from this why we need to devote so much of our resources to research and development; also why we have to resolve to get the most out of the transportation facilities currently available to us. This really is what we mean by coordination and integration of modes and services.

These are a few of the problems that the new Department of Transportation, and the new Secretary-designate, Alan S. Boyd, will have to face. It is well that we have this able Floridian to fill this challenging and demanding post. He has had experience with toll roads and with rail regulation in Florida. As former Chairman of the Civil Aeronautics Board and, most recently, as Under Secretary of Commerce for Transportation, he has had top policy positions in the Federal Government. He is well equipped to become President Johnson's "strong right arm on all transportation matters."

Within the Department, Boyd will have a Federal Aviation Administration, Federal Highway Administration, and Federal Railroad Administration. A great deal of autonomy is still retained by the agencies concerned with the various modes of transportation. Furthermore, the merchant marine has been excluded from the Department altogether. The status of the Maritime Administration, now within the Department of Commerce, will undoubtedly be a subject for the 90th Congress to consider. Coordination of all types of transportation will be made more difficult without close links to the merchant marine.

A coordinated transportation safety program will be another very difficult task for the new Department. Government safety requirements vary widely. There are extensive safety regulations which apply to air carriers. On the other hand, motor carriers are subject to rather minimum and spotty requirements. The whole subject of motor vehicle and highway safety has, of course, been overhauled in the new safety legislation. The National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966 prescribe extensive new responsibilities for the Government in this area. A National Traffic Safety Agency has been established and will be in the Highway Administration.

Still to be established is a new National Transportation Safety Board. This Board will be independent, although it will be in the Department of Transportation. It will have five members appointed by the President for 5-year terms. The Board will be an appeal and review body for determining causes of accidents, and it will also present recommendations to the Secretary.

The new Department will encompass the previous safety functions of the CAB and FAA regarding aviation, of the ICC regarding railroads and motor carriers, and of the Coast Guard in relation to safety at sea. It will also have two new agencies—the National Traffic Safety Agency and the National Transportation

Safety Board. Secretary Boyd will have a unique opportunity to upgrade and coordinate safety activities concerning all modes of transportation.

Secretary Boyd will also have an opportunity to apply extensive research resources to safety and other transportation problems. He should be able to achieve maximum utilization from, for example, the sophisticated research that is being carried out under the high-speed ground-transportation program. This research envisions such things as trains hurtling through tubes in the ground at 300 miles an hour. Demonstration projects are also being carried on to improve more conventional rail service. One such project is the auto-on-train service, in which a specially designed train will transport automobiles carrying passengers nonstop between Washington, D.C., and Jacksonville, Fla.

The Florida Atlantic University at Boca Raton has played a part in this auto-train ferry research, too. Our university conducted the market survey to determine whether such a demonstration project carrying tourists between the Washington area and Jacksonville is feasible. These trains, with newly designed cars which will use autos as onboard seats, will soon be rolling over the Atlantic Coast Line Railroad in a demonstration project which will be of interest not only here in America but all around the world.

Research on ground transportation is expected to have some "fall-out" which could be applied to urban transportation. Although the Secretary of Housing and Urban Development still has responsibility for the research and demonstration projects concerning urban mass transportation, the Secretary of Transportation has been directed to study the organizational problem with HUD and develop close ties with that Department. In the coming year we may expect to see some new approaches to the continued automobile congestion and exasperatingly inefficient public transit in our cities.

I have touched upon only a few of the areas which will be engrossing the new Department, but they are areas of vital congressional concern. A mammoth task confronts Secretary Boyd. Nevertheless, I am sure that we will see some real progress in the next year toward achieving a coordinated transportation network for this Nation.

TAX CREDIT FOR STATE INCOME TAXES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ULLMAN. Mr. Speaker, there has been considerable interest in recent months in the revenue problems of our State and local governments. The State and local taxload on individuals has quadrupled since 1950, and corporate levies are more than twice as great as they were 15 years ago. Officials at all levels of government are aware of the crisis that confronts States and localities which must meet accelerating demands for education, fire and police protection, parks and recreation, roads, water and sanitation facilities, welfare, and housing.

In recent weeks, the Nation's press has publicized various proposals for tax-sharing plans which would return to the States a specified dollar amount or proportion of Federal income taxes. There has already arisen widespread debate over the administrative, economic, and political implications of these programs.

Today I am privileged to introduce before the 90th Congress an alternative—to permit individuals to claim credit against Federal income tax liability for 40 percent of their State and local income taxes, in lieu of deducting such taxes. As a companion, I am introducing a second bill which will authorize the Treasury to enter into mutually acceptable agreements with the States to assist in their collection of State income taxes.

Mr. Speaker, I am indebted to our former colleague, Eugene J. Keogh, of New York, for recommending this legislation. Throughout his many years in the Congress and his service on the Ways and Means Committee, Congressman Keogh was committed to developing an imaginative, equitable system of taxation for supporting our governmental requirements. I joined with Congressman Keogh in presenting this proposal to the 89th Congress, but, unfortunately, the press of business precluded its consideration.

I am convinced that the most important single step which most State governments can take today to improve their fiscal capacity is to make more effective use of the income tax. Encouragement of this means of taxation should be one of our major policy objectives in the forthcoming congressional session. At this writing, corporate and personal income taxes provide less than 10 percent of the revenues of State and local governments. By contrast, property and general sales taxes are relied upon for financing more than half of State and local government spending.

The problem today is not merely a need for revenue, but for a tax source that produces revenue growth comparable to the need for local governmental services.

Since World War II, State and local spending has expanded at over 8 percent per year while gross national product in the same period expanded at a rate of 5 percent per annum. General sales and property taxes barely keep pace with GNP increases. By contrast, the Advisory Commission on Intergovernmental Relations estimates that without a change in tax rates, State individual income tax collections automatically increase 16 percent for every 10-percent increase in gross national product.

In the light of public policy considerations adopted by this Congress since 1960, a second compelling reason for encouraging the use of income taxes by the States is to reduce the burden of taxation of the disadvantaged members of our society. Likewise, the income system of taxation permits the tax burden to be shifted away from large families, and families with medical, educational, and other obligations. These are considerations which are disregarded by property tax systems, and are actually violated by a general sales tax.

In spite of the many arguments in support of income taxation for the States, it is interesting to note that between the years of 1937 and 1960, no State adopted this mechanism for taxation. During the same period, 12 States instituted general sales taxes. The Advisory Commission on Intergovernmental Relations attributes this reluctance to the heavy use by the Federal Government of income taxation since 1940. At this time, 93 percent of all income tax revenues collected in the United States accrue to the National Government, with just 7 percent collected by States and municipalities. Therefore, any congressional efforts to encourage adoption of income taxes by local governments must avoid the deterrent effect that the massive Federal collection places upon State legislators.

Providing a more liberal writeoff for State and local income tax payments avoids stigma which has delayed the adoption of income taxes, and effectively neutralizes the deterrent effect described above.

Under the legislation I am proposing, the taxpayer may continue to itemize his State and local tax payments and deduct them from his taxable income as now permitted by the Internal Revenue Code. However, if the taxpayer resides in a State or locality utilizing an income tax, he may claim as a credit against his Federal tax liability 40 percent of the payments made to the local taxing authorities in addition to his standard 10-percent deduction.

Undoubtedly this tax credit will cost the Treasury some revenue, the extent of which is not yet known. Even under the present deductibility system, it is estimated that every $1 in income tax collected by the States results in a 24-cent reduction in Federal income tax liability. So the initial cost of the credit would be less than is generally presumed.

On the assumption that a partial credit for State income tax payments will encourage most States to make more intensive use of this tax, the loss to the Federal Government will be more than offset by the gain to State and local governments.

All of the new plans being discussed are designed to improve the revenues of State and local governments. However, the tax-sharing plans inspired by the writings of Walter W. Heller and Joseph Pechman contain a number of liabilities.

As Pechman has written:

> Essential public services are starved by governors, mayors, and legislators who naturally try to avoid the politically distasteful (and sometimes politically suicidal) choice of increasing taxes.

The tax-sharing plans do, indeed, relieve State and local legislators from these liabilities—but at the expense of shifting them to the National Legislature. The tax credit which I propose does not present these problems.

Second, the various tax-sharing plans set a fixed percentage of revenue for distribution to State and local governments—for instance, 60 percent to the State and 40 percent to localities. The diverse political and economic structures of our 50 States make such percentages very difficult to apply. In some States we have as many as seven separate taxing subunits, including sanitation districts, school districts, townships, villages, counties, and so forth. In other States, we have one or two subunits. In industrial States with large urban centers, more money may be needed by cities and less by the States than the fixed percentages allow. In rural, agricultural States, the opposite may be the case. The tax credit plan does not attempt to prescribe any percentage distributions among governmental subunits.

A great deal of concern has been raised over the number of "strings attached" in redistributing Federal tax revenues to the States. Many observers fear that the States will not use the funds wisely, or that they will use them to negate such Federal objectives as school desegregation. These problems do not enter into a tax credit plan—where no funds are directly returned to the States and localities by the Federal Government.

Perhaps the greatest objection to the tax-sharing plans is the fear that instead of improving State and local services and facilities, the Federal contribution will be used as an excuse to reduce local taxes. Some have suggested that this would not only be of use as a political gimmick, but could serve as a lure for out-of-State industry and other purposes.

A similar school of thought seeks to eventually replace Federal grants-in-aid with the Federal contribution in a tax-sharing plan.

The tax credit which I propose will not encounter these objections. Since no direct contribution is made to the State and local funds, the tax credit plan does not encourage reduction in the local responsibility for the cost of government. The Federal Government should support and buttress State and local governments—it should not replace them.

The second bill I am introducing provides the opportunity for States utilizing an income tax to avail themselves of the collection machinery of the Internal Revenue Service.

Today 20 to 25 million families and individuals must pay both Federal and local income taxes. On grounds of taxpayer convenience alone, a consolidation of the collection effort is obvious.

With the efficiencies in tax collection offered by computer technology, with its sophisticated and costly machinery, it is particularly appropriate that the Internal Revenue Service offer its facilities to the States. The Federal withholding tax system, arithmetic verification, and auditing facilities are among the services which could be utilized by the States.

I should add that the income tax collection services I have proposed are entirely voluntary on the part of the States. If they prefer to maintain their own revenue collecting apparatus, they may do so. However, if they wish to participate in the economies and expertise of the Internal Revenue Service, that option is available to them.

In closing, I would like to quote from a speech Gene Keogh delivered last fall before the 25th annual Institute on Federal Taxation:

> Congress will be legislating for a Federal system of government—not for the Federal government alone.

The bills I have introduced today will realize this worthwhile legislative goal.

SEE THE U.S.A.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. Ullman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ULLMAN. Mr. Speaker, on August 11, 1964, the President signed and enacted House Joint Resolution 658 proclaiming the "See the United States" program. On October 2, 1965, this successful travel promotion program was extended through the year 1966. As the original sponsor of this resolution, I am privileged today to recommend legislation extending the "See the United States" program through the year 1967.

Vice President Hubert H. Humphrey has headed a travel task force of Government officials and private industry representatives since this program was first initiated. I have been particularly gratified by his enthusiasm for the project, and the cooperation of Mr. Robert Short as national chairman of the promotion; Director John W. Black, of the U.S. Travel Service; and Jim Gross, of the National Association of Travel Organizations.

I am pleased to announce that Senators Warren Magnuson, of Washington, and Jacob Javits, of New York, join with me in cosponsoring this legislation today in the Senate.

As many of my colleagues will recall, this joint resolution was an expression of Congress encouraging Americans to travel in the United States and authorizing the President to appoint a national chairman to assist in coordinating the efforts of private business, industry, and Government in carrying out the "See the United States" program. An additional feature of the resolution I am recommending today authorizes the President to issue a proclamation specially inviting foreign tourists to visit the United States in recognition of 1967 as "International Tourism Year" by the United Nations.

The Members of this House are well aware of the many places of historic and scenic interest which await the traveler in our 50 States, territories, and possessions. Through efforts including the "See the United States" promotion, the National Association of Travel Organizations reports at least a 10-percent increase in travel volume from 1965 to 1966.

In addition to the growing numbers of foreign visitors to the United States, much of the success of this promotion has resulted from increased travel by Americans throughout America. It is particularly important in this fast-moving age that our citizens broaden their horizons and see this great land of ours.

In 1964, when I introduced the original resolution, there was serious consideration of imposing some very drastic restrictions on foreign travel by Americans. The balance-of-payments deficit was growing and the gold outflow was causing alarm. It was suggested that a tax be levied on overseas air fares and that currency controls be instituted. I rejected the approach of restricting the traditional concept of freedom of travel by our citizens, and offered instead this voluntary program promoting the benefits of domestic travel and encouraging foreign tourists to visit our country.

The Vietnam war and record imports of machine tools and other industrial goods are once again threatening our balance-of-payments position. Official estimates of the 1966 deficit are not yet available, but for the first three quarters it amounted to $910 million. Using this figure as a base, it is reasonable to assume that the year's deficit will be around $1.3 billion—the same deficit as 1965. Voluntary efforts such as the foreign investment guidelines promulgated by Secretary of Commerce John Connor have played an important role in minimizing this problem in the face of mounting governmental obligations. Let us not forget that the "See the United States" promotion has done its part in reducing our balance-of-payments problem, too.

The response of the American travel industry has been most encouraging. American firms which do business abroad have developed imaginative and successful campaigns to encourage tourism to the United States. Airlines, railroads, and bus lines have developed new package plans to permit travel throughout our country at truly economical fares. Motels, hotels, and recreational areas have instituted in-season as well as off-season budget rates. In administering this promotion, the Vice President has been delighted with the cooperation he has received from travel and trade associations as well as individual businessmen.

I am confident that the Congress will take early actions on the joint resolution introduced today to insure the continuation of this successful and important program.

SHORTEN THE CAMPAIGN

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MONAGAN. Mr. Speaker, today I have introduced an amendment to the Presidential Election Campaign Fund Act of 1966 which was passed in the waning moments of the 89th Congress as part of the so-called Christmas tree bill. My amendment would add a new limitation to the distribution of money from the fund set up by this act. Under this proposal no money would be distributed to political parties if their candidate for President or Vice President were nominated more than 60 days before the day established for the selection of the electors of President and Vice President.

My amendment would reduce significantly the length of presidential campaigns—an objective I have continually sought to achieve since I first came to Congress in 1959. It has been my experience that support for shorter campaigns is at its peak shortly after a presidential election, but such support and interest rapidly dissipate as the memory of the grueling campaign fades. Consequently, the bills I have introduced in every Congress since 1960 have failed of passage. It is my hope that in an effort to improve and refine the controversial Presidential Campaign Fund Act in an off year I shall succeed in focusing public attention on our anachronistic campaign practices which constitute an expensive, boring, unnecessary, and provoking imposition upon the public and an exhausting and shattering experience for the principal candidates. In so doing I hope to achieve by indirection what I have failed to accomplish directly for these many years—shortening the length of our vaudeville-circuit type of presidential campaign.

I have notified Senator LONG of Louisiana, Democrat, the author of the Presidential Election Campaign Fund Act, of my proposed amendment and have requested consideration be given my proposal for parallel Senate action. I hope prompt consideration is accorded my amendment.

RUBBER FOOTWEAR BILL

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MONAGAN. Mr. Speaker, today I have reintroduced my bill to reverse the Treasury Department's action of February 1966 adopting new and lower guidelines for the tariff evaluation of rubber-soled footwear.

During the past year I have sought administrative and legislative remedies to this action which is economically injurious to the rubber-soled footwear industry. As chairman of an ad hoc congressional committee set up by Speaker MCCORMACK in response to the revision of the ASP guidelines, I have met with Treasury Department and Tariff Commission officials, I have written to the President and I have testified before Tariff Commission hearings and investigations. Thus far my efforts have not met with success.

At the present time the President has before him the results of a Tariff Commission hearing which was conducted in September 1966 and at which I testified. The purpose of this hearing was to determine the economic impact on the domestic rubber footwear industry of the conversion of the American selling price basis of evaluation and the reduction of these newly converted rates of up to 50 percent.

In December 1966 I wrote President Johnson in regard to the decision he will make on the basis of these hearings. I urged the President's support to prevent any further reduction of tariffs on low-wage foreign imports of rubber-soled canvas footwear. Also I notified members of the ad hoc congressional committee of my letter to the President and I am grateful for the support I have received from them.

The economic well-being of the rubber footwear industry is of concern to me, for thousands of workers in my district are dependent upon it for their livelihoods. Above and beyond this, I am concerned with preventing unilateral tariff concessions by the United States which are violative of the spirit and the intent of the Trade Expansion Act of 1962.

I believe domestic industry should be protected from the unfair competition of low-wage foreign imports. I invite my colleagues who are of like mind to file bills similar to mine and ask support of my bill which will reverse an administrative action which unilaterally reduced the tariff on imported rubber footwear by 35 percent.

MASS TRANSIT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BINGHAM. Mr. Speaker, the provision of adequate and efficient transportation is one of the hallmarks—and one of the necessities—of an advanced industrial society. For many years we in the United States have allowed our transportation facilities to develop in a rather haphazard, unplanned fashion guided more by the accidents of geography and private business interests than by long-range planning and projection of future needs.

In the last decade or so, we have become increasingly concerned over the fact that our improvements in the field of transportation have not matched our phenomenal growth in many other interrelated areas of our national life. We have long lacked any overall coherent transportation policy for the allocation of resources, routes, and Government subsidies among different modes of transport. We have not yet solved the problem of moving large masses of people, at a reasonable cost and with reasonable comfort in our slowly strangling cities. At this point we have a definite shortage of trained personnel who are equipped to direct our complex transit system.

The 89th Congress did a remarkably good job in facing these problems and enacted a number of landmark bills. Most importantly, we have established a Department of Transportation which, once Allan Boyd is confirmed as its new Secretary by the Senate, will be laying down a framework of priorities and policies which should guide our transportation thinking in the future. Our authorizations for research regarding intracity mass transit and the intercity Northeast corridor project are bound to produce exciting and feasible new methods for carrying people both short and long distances. In our amendments to the Mass Transit Act last year we also included, for the first time, university grants for comprehensive research programs in the field of urban transportation and graduate scholarships for professionals working in the field.

But much as we accomplished during the last Congress, we must not deceive ourselves that we have solved all the problems of transportation facing the large urban-suburban areas. We are still investing billions of dollars on highways cutting through and around our cities, even though our air becomes steadily more polluted from exhaust fumes, our traffic jams grow more intolerable, and all complain bitterly about the woes of city living. Moreover, while we are waiting for more appealing and efficient means of commuter transportation to be developed, many of our existing systems are in a depressing cycle of fewer riders, lower revenues, deteriorating cars and equipment, and less satisfactory schedules and service.

In short, much remains for us to do. For that reason, I am introducing today three transportation bills which deal with different facets of the problem.

The first of my bills is basically a revenue-allocating measure. In the 1964–67 period, we were scheduled to spend 30 times as much on Federal aid to highways as on urban mass transit—$12 billion as compared with $360 million. During the last Congress we authorized an additional $17.1 billion for the next 5 fiscal years under the Interstate Highway System. There is no question in my mind that much of this money could more usefully be channeled into mass transit projects. Consequently, I am introducing legislation to give each State Governor the discretion to use his State's allotment of highway subsidies for mass transportation purposes.

My second bill would establish a new commuter service improvement program under the Mass Transit Act. Under this proposal, the Federal Government could contribute up to two-thirds of the operating deficit of an urban mass transit company, provided that a 10-year capital improvement plan is jointly developed and carried out by the transit company and the appropriate governmental transportation authority. In this manner, we not only help in the future modernization of railroad, bus, and subway lines, but also assure their continued operation during this crucial period.

Finally, the third bill I am putting in would make it more difficult for commuter railroads to secure cutbacks in schedules and discontinuances of runs from the ICC. It will take imagination, effort, and hard work to turn our commuter trains into profitable operations. By requiring, as my bill does, that in judging requests for discontinuances, the ICC must consider a railroad's good faith efforts to use all available Federal assistance, we guard against any premature abandonment of responsibility to the commuting public.

These three bills, taken together, would enable our urban transit authorities to tap greater financial resources and to use them within an effective framework. Our goal is to enable those who live in and around our cities to have the cheap and efficient transportation necessary for reaching their jobs as well as for enjoying the cultural and recreational gifts of the city. By keeping our urban transit going, and by insisting on its improvement and revitalization, I think we will be well on our way toward accomplishing that goal.

SENATOR PAUL DOUGLAS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BINGHAM. Mr. Speaker, Paul Douglas has been one of the most principled, articulate, and productive Senators to serve in our Congress. Over the years, he has championed many progressive causes, and the last Congress saw three of his favorite projects come to fruition. Thanks to his long-standing support and education of the public, medicare was passed by overwhelming majorities, the Economic Development Administration was established to bring hope to our own undeveloped pockets of poverty, and the truth-in-packaging bill was enacted to bring information to bewildered consumers.

One of the proposals for which Paul Douglas fought hardest, and against bitter opposition, was creation of the Indiana Dunes National Lakeshore. I was proud to have served on the House Interior Committee which reported out this legislation. As a member of that committee and a longtime admirer of Paul Douglas, I think that there is no more appropriate honor we could give him than to name this splendid park after the man most responsible for its creation. Consequently, I am introducing legislation today to rename the Indiana dunes in honor of Paul H. Douglas.

TEACHER'S TAX DEDUCTION FOR EDUCATIONAL EXPENSES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BINGHAM. Mr. Speaker, today I am introducing legislation to allow teachers to deduct necessary educational expenses from their gross income for purposes of computing their Federal income tax. Such a deduction would apply only to courses which advanced individuals' professional standing, and would include tuition and fees, books and supplies, and related travel expenses.

Under current regulations of the Internal Revenue Service, teachers are permitted, under certain circumstances, to deduct expenses involved in securing advanced degrees if they separately itemize all their deductions. It is my understanding that the Internal Revenue Service will be issuing new regulations sometime in late January or February, to clarify and correct some of the present inequities of present IRS policy.

Since many teachers take the standard 10-percent deduction rather than itemizing, the present procedure affords them no help. My legislation provides that this advanced educational expense may be deducted from gross income, and thus will be of much greater benefit to those in a position to qualify.

I have no doubt that enactment of such an amendment to the Internal Revenue Code will encourage many teachers to pursue their studies in fields of interest to them. Such advance studies can only, in the final analysis, improve the quality of our teachers and the education of our children.

THE HANDICAPPED CHILD BENEFIT AND EDUCATION ACT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CAREY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CAREY. Mr. Speaker, in the 89th Congress I had the opportunity to introduce H.R. 13, a bill for the provision of textbooks and other teaching materials to all children in all schools. As my colleagues in the 89th Congress will remember, this subsequently became the law of the land as title II of the Elementary and Secondary Education Act of 1965. The effect of this bill has been to open new doors, new areas, new vistas of learning to millions of children in all sections of the country.

Today I introduce H.R. 14, the Handicapped Child Benefit and Education Act, with the fervent hope that this measure will have the same success as H.R. 13 in the 89th Congress. The point of this bill is simple. H.R. 13 was for the benefit of all children, but it was by no means a perfect law. In fact, it does very little, or nothing at all, for those who cannot read because they cannot see, who cannot learn because they cannot hear, who cannot reason because they are disturbed, or who cannot know because they are retarded. Yet, this group is perhaps more in need than any other sector of our population; therefore, I now urge the prompt consideration and early enactment of H.R. 14 as a matter of priority legislation. The work of the subcommittee which I have been privileged to chair in the 89th Congress commits me to the presentation of this bill as an imperative.

When we started the work of the Ad Hoc Subcommittee on the Handicapped, I merely suspected that there might be areas of deficiency which were not covered by the laws and programs on our statute books. After thorough hearings, investigations and volumes of information from private organizations and public authorities in the land, this suspicion is too well confirmed, not only in statistical knowledge, but in wretched fact that is inescapable.

Despite all the things we have attempted to do at the local, State, and Federal levels for the more than 4 million handicapped children in this country, our total effort is not only inadequate as to them and their parents, it is inhumane. If we lacked the resources to meet this problem, I would say nothing. If the problem was too vast to come within our resources, we could still excuse ourselves. However, the truth of the matter is that we have the knowledge, we have the means, but we have simply lacked the money to do what surely can be done to alleviate mental and physical suffering, to broaden human understanding, and most of all to spread the burden of fateful handicapping conditions so that no parent must bear it alone and all society can share it in common. In this way no child who has felt the hand of fate will any longer be the object of unbearable neglect.

In introducing H.R. 14, my remarks cannot draw emotional strength from the presentation of a sensational, never-before-disclosed, set of facts. Instead, I must rely on the presentation of legitimate needs, long neglected; on the basic American commitment to providing equal educational opportunity; on the desire I know this Congress has to develop, to refine, and to perfect a program of assistance to handicapped children and their parents.

Our subcommittee's study of the adequacy of Federal and other programs for the handicapped disclosed many forward steps by the 87th, the 88th, and the 89th Congresses, but a basic lack of support for grassroots educational programs for the handicapped child in the day classes of public and private elementary and secondary schools. Although the Federal Government had been supporting the training of professional personnel to serve the handicapped in the schools, we have only about one-third the teachers we need. Although some handicapped children were benefiting under provisions of title I of the Elementary and Secondary Education Act, the Office of Education estimated that only 25 to 40 percent of handicapped children were receiving appropriate educational services from the schools. As our investigation proceeded, we heard instance after instance of parents finding no education facility for their handicapped child.

On August 4, 1966, I introduced a bill similar in many respects to the one I am presenting today. It was warmly received by educators and parents, and professional groups; and I am pleased to report that the bill and the hearings which preceded and followed it were not without positive results.

President Johnson appointed a special task force within the Department of Health, Education, and Welfare to study the programs of that Department and to make recommendations for legislation which might be developed in this Congress. Special coordinating committees in the Department of Health, Education, and Welfare were formed to tie together programs for the handicapped. The Congress saw fit to give its unanimous approval to my bill establishing a new model high school for the deaf which will be located here in Washington. Finally, a new title—title VI—was added to the Elementary and Secondary Education Act, paralleling closely several provisions of my comprehensive bill.

This new title VI provides an impetus for development of comprehensive legislation in this area. It begins on a small scale, $50 million for fiscal year 1967 for a program of grants to the States, and creates a new bureau and advisory committee in the Office of Education to enact and develop programs for the handicapped.

The Handicapped Child Benefit and Education Act I am presenting today will utilize these beginnings. It is essential, however, that we begin immediately the programs of this bill. We must have more trained teachers and other professionals. We must improve the training and skills of current teachers. We must explore the usefulness of professional aids to assist in meeting these almost overwhelming needs for personnel. We must begin a vigorous recruiting program.

We can no longer depend on hand-me-down materials and equipment and hit-or-miss methodology. We can begin to take advantage of the immense technological advancement to develop new materials and methods for teaching and training the handicapped.

Time and again I have heard said, "We do not really know how many children need help; we just know our best estimate is more than twice what we are now serving." My bill calls upon the States to develop a case register of every child in that State who needs special education or related services and to enumerate what number of these children are receiving those services.

Finally, Mr. Speaker, in many ways we are not fulfilling the civil rights of handicapped children—we are not allowing these children equal access to educational opportunity. We cannot assure American families of education for their children who are deaf and blind, or whose speech is not understandable, or whose emotional responses make them difficult to teach, or who have any one of a number of problems, unless we are willing to see that the money spent for educating these children is more than just a gesture of sympathy. It is affirming their educational rights, and it is practical. Dr. Howard Rusk, the Nation's leading rehabilitation physician, in testifying before our subcommittee in New York City in December, told us it has been his experience that every dollar invested in educating and making employable a handicapped person would bring back $5 in taxes each year.

I am hopeful and confident that this Congress in its wisdom will see fit to enact this program as rapidly as possible.

A section-by-section analysis of the bill I am introducing today follows:

SECTION-BY-SECTION ANALYSIS OF H.R. —, THE HANDICAPPED CHILD BENEFIT AND EDUCATION ACT

SECTION 2—DECLARATION OF POLICY

This section declares it to be the policy of the United States to provide comprehensive support for the education and training of the handicapped. Although there are a number of Federal programs benefiting the handicapped, investigations by the Ad Hoc Subcommittee on the Handicapped have pointed out the lack of a national policy for the handicapped and a need for coordinated effort.

TITLE I—AMENDMENTS TO TITLE VI OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Title I amends the Elementary and Secondary Education Act of 1965 to expand and extend the provisions for making grants to states for the education and training of handicapped children. New authorizations are $250 million for FY 1968 and $350 million for FY 1969. This Title also provides amendments calling for states to utilize the resources of all federal, state and local governmental agencies and private, non-profit, community agencies in providing education, training and related services for the handicapped. State plans must provide assurances that the program of educational services for the handicapped has been developed with consultation and the cooperation of other public and private agencies serving handicapped persons.

TITLE II—INSTRUCTIONAL MATERIALS FOR EDUCATION AND TRAINING OF THE HANDICAPPED

SEC. 201. *Duration of Program.*—This section authorizes to be appropriated for FY 1967 and 1968 such funds as may be necessary and calls for separate authorizations for each subsequent year. A program of grants to states is established for acquisition and distribution of instructional materials and equipment suitable for education and training of the handicapped. The amount to each state is proportionate to the children aged 3 to 21 in each state.

Instructional materials for the handicapped are generally not available. The relatively small number of handicapped and the expensive nature of special materials has resulted in commercial publishers offering little in this area, so that teenage children, for example, who are slow learners have to read books designed for 5-year-old interests.

SEC. 203. *State Plans.*—This section calls for state plans for the purchase and distribution of library resources, textbooks and other materials for the handicapped. It also provides for special equipment for such educational services as audiological and psychological evaluation of deaf and other handicapped children.

SEC. 208. *Development of Training Materials for the Handicaped.*—This section expands the Captioned Films for the Deaf program to include instructional films and materials for other handicapped persons. It also provides for distribution centers in each region served by a regional office of the Department of Health, Education, and Welfare.

TITLE III—EXEMPLARY PROGRAMS FOR EDUCATION OF HANDICAPPED

This title establishes a program for making grants for exemplary programs for education of the handicapped, to serve as models for regular programs.

SEC. 301. *Appropriations Authorized.*—This section authorizes for FY 1968 to be appropriated such funds as shall be necessary and calls for such sums as may be authorized by the Congress in FY 1969 and thereafter.

SEC. 302. *Apportionment Among States.*—This section provides for a basic grant of $20,000 to each state, with the remainder of sums appropriated distributed among the states as the population of children aged 3 to 21 in that state is related to the population of such ages in all states.

SEC. 303. *Uses of Federal Funds.*—This section describes kinds of projects designed to enrich and improve programs for education and training of the handicapped and aims at developing areas where the unmet needs are greatest. Particular emphasis is given to projects for early identification and enumeration of the handicapped, coordinated programs of education, training and other services, programs for the multiple handicapped and handicapped children in rural areas, etc.

SEC. 304. *Applications for Grants and Conditions for Approval.*—This section provides that each project within a state is to be awarded for not less than $5,000 to insure projects of sufficient magnitude and quality as to be exemplary. It also calls for assurances that appropriate coordination exists between schools and other community resources.

SEC. 307. *Regional Programs.*—This section earmarks funds for the development of regional programs where the interests of the handicapped children can be best served on a regional basis rather than within state or local programs. Among the programs and institutions which may receive grants under this section are prototype centers for special education and related services which are designed to evaluate the effectiveness of comprehensive programs providing services such as educational, evaluation, consultation, parent guidance, referral and pilot education and training programs.

TITLE IV—TRAINING AND RESEARCH

This title provides for future expansion of programs for training professional personnel to serve the handicapped, and for development of new educational methods and technology for educating the handicapped.

SEC. 401. *Training.*—Section 7 of the Act of September 6, 1958, as amended, is amended by increasing the authorization for FY 1968 from $34 million to $40 million, and for FY 1969 allowing such funds as the Congress may authorize.

SEC. 402. *Grants for Recruiting Personnel.*—This section authorizes such funds to be appropriated as may be determined necessary to allow the Secretary of Health, Education, and Welfare to make grants and enter into contracts with public and private organizations for the development of materials, films, television presentations and other programs of local, regional and national impact for recruiting personnel into fields of teaching or offering related services to the handicapped.

SEC. 403. *In-Service Training.*—This section authorizes the Commissioner of Education to make grants to state educational agencies for the purpose of workshops, in-service training, institutes, and other forms of training of teachers and other professional personnel in the field of education and services for the handicapped.

SEC. 404. *Professional Aides.*—This section authorizes the Commissioner of Education to carry out a program of making grants for the development of prototype programs for training professional aides and supportive personnel to assist teachers and other professional personnel offering education and related services to the handicapped. Such grants may be made for the purpose of investigating the role of professional aides in the education of the handicapped, including such activities as defining the role of professional aides, enumeration of tasks professional aides might perform, definition of appropriate forms of supervision, and development of trial curricula for training professional aides and evaluation of their effectiveness.

SEC. 405. *Research and Demonstrations.*—This section amends section 302(a) of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to allow the Commissioner of Education to make contracts with private corporations and institutions for research and demonstration projects, developing educational methodology and equipment for the handicapped. Under the present law, only nonprofit agencies can apply. Much emphasis is being given by industry in such areas as computerized programmed instruction which could be applied to the handicapped under the provisions of this amendment.

TITLE V—ADMINISTRATION OF PROGRAMS FOR THE EDUCATION AND TRAINING OF THE HANDICAPPED

SEC. 501. *Appropriations Authorized.*—This section authorizes to be appropriated such funds as may be deemed necessary to assist state education agencies in developing, expanding and maintaining administrative and supervisory units having responsibility for educating and training the handicapped. This program will allow state education agencies to establish special administrative units for handicapped children at the state, and where indicated, local levels, to assist in identifying handicapped children and providing services for them.

SEC. 504. *Case Register.*—This section describes the conditions for developing applications for funds under this Title. The application must provide for the development in that state of a case register or other listing of every child with a degree of handicapping condition which requires special education or related services, to enable him to participate in the educatonal program of that state.

SEC. 505. *Special Project Grants.*—Provides for 15 percent of the amounts appropriated to be used by the Commissioner for special projects developing state leadership and for such purposes as recruiting and retaining personnel for educating and training the handicapped.

TITLE VI—GENERAL PROVISIONS

This Title defines the terms used in the Act, including the terms "training" and "related services." "Training" and "related services" mean services in addition to classroom instruction designed to help the handicapped person partake fully in an educational program, and includes tutorial activities, medical and other professional diagnostic and referral services, psychological services, speech pathology and audiology services, guidance and counseling services, including parent counseling and guidance, transportation, instruction for the homebound, amanuensis, mobility instruction, and other services designed to provide equal educational opportunities for handicapped persons.

CONGRESSMAN HOWARD W. SMITH WARNS OF DANGEROUS TREND

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. TUCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TUCK. Mr. Speaker, Virginia and the Nation suffered one of the greatest losses in modern times when the venerable, able and distinguished Howard W. Smith, of Virginia, was defeated for renomination for membership in the House of Representatives. Judge Smith served as a Member of this body for the last 36 years and was dean of our Virginia delegation for a period of approximately 16 years. Howard Smith served his State and Nation well. He enjoys in an unusually high degree the confidence and the esteem of all who know him.

Along with his myriad activities, he found time to review his span here on Capitol Hill and to set down on paper some conclusions he has reached as a result of his long experience. His words—and they are not angry words, but the sincere thoughts of a great American statesman—have been published in Politics, the publication of the Business-Industry Political Action Committee, under the heading, "Looking Back on 36 Years in Congress."

The warnings and advice he thus has generously and magnanimously passed on to the public are sobering and should have meaning to all of us. They include sound advice not only for Members of this body, but for every American.

Therefore, under leave heretofore granted me to extend my remarks in the RECORD, I include Congressman Smith's statement, which is as follows:

When a man who has spent nearly sixty years in public service, including 36 years in the Congress of the United States, retires from the work he has been doing, it seems to be expected that he will have some remarks to make about the changes he has witnessed and what he sees for the future.

Many changes have taken place in the relation of the Federal Government to State and Local Governments and to the people since I first was elected to the House of Representatives from Virginia back in 1930. In those days, people generally believed in the kind of government laid down in the Constitution, and in Thomas Jefferson's theory that the best government was the one that governed least. They accepted the idea that the individual was pretty much responsible for his own affairs. If he lost his job, it was up to him to find another one; if he needed money for his business, he had to borrow it on his own credit; if he didn't save for his old age, his children ought to take care of him. Cities and states solved their own problems and no one had as yet come up with the notion that everything could be taken of by sending money to Washington, through virtually unlimited application of the federal income tax, and getting it back again in the form of grants-in-aid.

THE LEGACY OF THE DEPRESSION

Then came the depression and things began to change. No one would deny that some of the changes were necessary. The advance of civilization and new scientific and technological developments made some changes inevitable. As the economy grew more complex, it became difficult for many citizens to function as individuals and to cope with their own problems and those of their families without the Government backstopping them when circumstances were beyond their control. We made a commitment that no one in this country shall lack for food, clothing or shelter. We have been steadily widening that commitment ever since. Everyone now is to be assured a standard of living above an arbitrary poverty level; as much education as he or she can absorb, beginning almost in the cradle; job training and retraining; and free medical and legal services for those who can't afford to pay. We also have accepted federal responsibility for housing subsidies, slum clearance and urban renewal, beautification of the countryside, "truthful" packages in the supermarkets, and safe automobiles. There are some who think it is the Government's duty to assure everyone an equal social status and the idea has been broached that many, if not all, of these benefits we are providing for our own people should be extended throughout the world at the expense of the American taxpayer.

No one believes we could return to the simple days of 1930 even if we wanted to, but the question is how far do we go? Nobody wants to see his fellow citizens suffer hardship or deprivation, but how far can the Government go in trying to shelter and take care of everybody? I'm afraid the feeling is being fostered among the people that if they don't want to work, why should they if the Government has a duty to provide for them. Many don't stop to think that we can consume only what we produce and that if we all stopped producing and paying taxes, there wouldn't be an economy to support us or the Government.

KNOWLEDGE OF GOVERNMENT LACKING

What worries me more than anything else is that knowledge of government and how it functions has been declining among the people despite the advances of education and learning in other fields. I believe that people have less understanding of the political principles on which our government was founded than they used to have when we were a rural society and they had more time to sit around the stove or on the front porch and talk about the science and history of government. They knew then what their country was all about; they were proud of what it stood for and they were fiercely jealous of the freedoms the Constitution was designed to protect. They prized their liberty and the right to run their own lives above any benefits they might get from Washington. Their attitude was a far cry from the one prevailing today, with local and state governments and individual citizens unthinkingly surrender their right of free choice in many areas in return for handouts from federal bureaucrats.

Maybe our original concept of government wouldn't work today, but people ought to stop and think of how very dependent we all have become on the resources and directives of the Federal Government. How many people stop to think that every federal program brings with it a certain measure of control over their lives? How many realize that every dollar the Government passes out to the people must first be taken from the people—either in taxes or in the form of additions to the national debt? How many are really concerned over the way the national debt is being increased year after year, with no reductions in sight? While we congratulate ourselves on the jobs, and markets for materials and prosperity that all of this spending helps create, few people are concerned over what would happen if something goes wrong and people lose their jobs. Is the general public aware that the Government could not meet its financial obligations, such as the billions and billions of dollars of guaranteed mortgages, bank deposits, social security payments, etc., if there comes a real bad slump? It would simply have to print money in vast quantities and this would soon become nothing but worthless paper.

THE PROBLEM OF PUBLIC INDIFFERENCE

People today not only do not seem to understand these things, they do not seem to care. They can get themselves excited about issues of far less consequence, but the really vital questions of public finance and personal independence and freedom of choice cause little concern. They view without alarm the crumbling of state and local government and the transfer of power and authority and decision making to Washington bureaucrats. They give little thought to what this can mean to them and their children in the long run.

I do not think a majority of the people want these things—or would want them if they really understood what was happening—but the liberal pressure groups want them and these groups holler the loudest. There's an old saying that "the wheel that creaks the loudest gets the grease" and when the great bulk of the public is indifferent and apathetic the pressure groups get their way.

Much of the apathy, I believe, is due to the great faith and belief that most people have in the Government of the United States and the Constitution, without really thinking very deeply about it. They somehow have the feeling that the foundation of this Republic is unshakable and that things cannot go too far wrong. They fail to see the way in which this foundation, and even the Constitution, are being eroded by slow, subtle degrees.

THE LONG REACH OF FEDERAL POWER

A good illustration is what has happened with the interstate-commerce clause. When James Madison was President, he vetoed a bill which would have given the Federal Government control over the operation of steamboats on the Hudson River. His reasoning was that the Constitution gave Congress jurisdiction over goods in transit between the states, but that this didn't include supervising the operation of steamboats. Now, of course, the interstate-commerce clause has been stretched by judicial interpretation to include just about every business transaction, no matter how local, if it involves goods which have moved across state lines. Thus, the Federal Government has been given the authority by majority decisions of the Supreme Court to inject itself into and regulate almost every aspect of the economy.

Congress, of course, must act to exert this authority and it has been not at all reluctant to do so. Furthermore, Congress has seen fit to delegate to the President the power to make detailed rules and regulations to carry out the congressional intent. The President in turn redelegates the power to the head of the agency which will administer the law and he then delegates the actual drafting of the regulations to the head of the sub-agency which will have direct responsibility. These regulations have the full force and effect of law. Thus we have a process by which non-elected administrators become the actual lawmakers of the nation. Through the myriad of agencies and sub-agencies and hordes of subordinate federal officials in every state, county, town and village in the country, the long tentacles of federal power and control are extended to touch the lives of virtually everyone.

One of our prideful boasts since the nation was founded is that we live under a government of laws and not of men. The extent to which we have moved away from this concept should be a matter of serious concern to every citizen.

KIND OF EDUCATION NEEDED

It would be of concern, I think, if as much attention were given to educating the people to the basic principles and values of our political system as is given to matters of less lasting importance. Instead of the U.S. Commissioner of Education telling state educational authorities that there must be so many white teachers and so many black teachers, so many white pupils and so many black pupils in the schools—he ought to be telling them to teach children the true significance of the basic principles on which this government was founded. He ought to be telling them to teach children how unique this system is and how it has made us the greatest nation on earth; how it has given each of us, as individuals, greater freedom and wider opportunities than were ever known before, and how it has fostered more economic and social progress than was achieved in all previous history.

This kind of knowledge is what is needed for our citizens to make an intelligent choice and without this knowledge all else they learn may turn out to be futile and meaningless in man's long struggle to be a free, independent, self-reliant and self-governing human being.

CONGRESSIONAL DISCLOSURE OF INCOME AND OTHER INFORMATION

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. UDALL. Mr. Speaker, in past Congresses I have advocated legislation which would require all Members to make periodic disclosures of their incomes, financial holdings, directorships, business affiliations, and the like. I favor such legislation because I think it would do a great deal to maintain and increase public confidence in the legislative branch of the Federal Government. Rightly or wrongly, there is widespread public belief that Members in both Chambers often vote on legislation when there is a possible conflict of interest unknown to their constituents and to the American citizenry at large.

Congress has properly imposed on officers of the executive branch the most stringent standards against conflicts of interest between the public office and private financial involvements. I would not want to see Members of Congress barred from participation in the commercial and business life of the Nation, but I do believe that disclosures of the kind I advocate would promote better public confidence in this vital institution in which I am proud to serve.

Until such time as we have compulsory disclosure laws—and I firmly believe that time will come—I believe that I can do my part by joining the growing number of my colleagues who have made voluntary disclosures.

Accordingly, I am furnishing in these remarks as the 90th Congress begins, a current statement of my assets, sources of income, business affiliations, and so forth.

During 1966, my congressional salary represented more than 80 percent of my total income. The remainder came from honorariums, dividends and other investment income, royalties from sales of my law book, and one or two old legal fees earned with my former law firm prior to my election to Congress, but only recently collected.

I own stocks in the following corporations: Bank of Tucson, Catalina Savings & Loan Association, Security Savings & Loan Association, Central Arizona Bank, Tucson Gas Electric Light & Power Co., Phoenix Gems, Inc., Universal Service Life Insurance Co., Modern Pioneers Insurance Co., Cessna Aircraft Co., Piper Aircraft Corp., Massachusetts Growth Fund and Fidelity Trend Fund, and UMAR Investment Co. I would estimate the total present values of these stocks at $17,000.

As to real estate, I own one vacant 10-acre tract near Tucson, Ariz., with a present value of about $16,000. In partnership with former law partners and certain relatives, I have fractional interests in seven parcels of land in and near Tucson, Ariz., purchased at various prior times for investment purposes. All of these parcels are vacant and unimproved. I estimate my equity in these parcels at $50,000. I own a fractional interest in a tract of about 100 acres near Front Royal, Va., and estimate my equity at perhaps $4,000. I own a one-half interest in a mining claim located near Tucson, Ariz. This was taken in lieu of a legal fee many years ago and, if worth anything, does not exceed $1,000.

My personal property consists of a 1965 Mustang automobile, miscellaneous personal property, including furniture and clothing, and a 1966 Piper Cherokee airplane. I do not have values on the automobile and other personal property, except for the airplane. It is worth about $14,000 and against this, I have a mortgage of about $10,000, on which I am making regular payments. In addition, I have cash, notes collectible, and other assets of perhaps $15,000.

I am a director of Catalina Savings & Loan Association of Tucson, Ariz., a company which I helped organize in 1960. I am not a member of any legal firm and do not actively practice law. Except as may be indicated above, I hold no financial interests, directorships or offices in any corporation or business which may be subject to Federal regulation or which has contracted dealings with the Federal Government.

Mr. Speaker, this is not a particularly pleasant thing to bare one's private finances to public view. I have divulged my financial holdings because I believe that the people I represent are entitled to know of any conflicts of interest which may exist with respect to matters coming before me as their Congressman. And I believe they have a right to know if my personal fortunes somehow advance while I am holding public office.

For these same reasons, Mr. Speaker, I am introducing today a bill I hope will become the Election Reform Act of 1967. Among its major provisions is establishment of a Joint Committee on Ethics empowered to make a thorough study and investigation of the ways and means of eliminating conflicts of interest in the conduct of public business in the legislative branch.

A special feature of my bill is establishment of an interim code of ethics, with strong enforcement provisions, for the guidance of Members and employees of the Congress during the period the joint committee is carrying on its deliberations.

Mr. Speaker, I believe we stand at a point in history where more is going to be expected of the Congress in policing itself. The legislative branch has brought down severe and, I believe, justified criticism upon itself in some of the practices which have occurred. We have just taken action against one of our Members for flagrant violations of ethical standards. I believe it is incumbent upon the Congress now to proceed to put the rest of its house in order.

MATTHEW FONTAINE MAURY—1806–73

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FLOOD. Mr Speaker, as a member of the Board of Visitors of the U.S. Naval Academy, I have long been interested in revitalizing the significant facts about the careers of the officers of our Navy who, in varying degrees, have been honored with briefly inscribed memorials within the academic limits of our great naval school. In this effort, on February 25, 1964, I made a statement to the House of Representatives under the title "William Lewis Herndon: Heroic Death Added Glory to Naval Traditions."

In that article there was quoted the full text of a stirring 1857 letter to the Secretary of the Navy by Matthew Fontaine Maury, the greatly distinguished brother-in-law of Herndon, who left to posterity a vivid account of the heroic death of Herndon on September 12, 1857, in a hurricane off Cape Hatteras.

It was, therefore, gratifying to read in the June 1966 issue of Trident, the professional magazine of the brigade of midshipmen, an interesting article on Maury by Midshipman S. G. Anderson of the class of 1968.

In order that Midshipman Anderson's paper on Maury may be more widely known and thus serve to encourage others to write about our forgotten naval heroes, I quote it as part of my remarks:

MATTHEW FONTAINE MAURY

(By S. G. Anderson, '68)

Maury Hall is today one of the least fittingly named buildings here at the Naval Academy, for although Maury was a navigator, oceanographer and geographer, he was neither historian nor politician; and it is common knowledge that the EH&G department is housed in his memorial. This is not to say that Maury would be offended, though he might well be more pleased to have had what is now Luce Hall named for him.

To pay full tribute here to this outstanding man will be impossible, for his accomplishments begin with his birth on 14 January 1806, and do not end until the inverse event in February of 1873. He was outstanding as a youth in the accomplishment of his studies, and would have entered the medical profession if it had been up to his father. Maury, however, like many of us today saw something in a naval career and struck out on his own to accomplish it. His motto became, "Make everything bend to your profession," and to this end he obtained an appointment as an acting midshipman from Representative Sam Houston of Tennessee and was assigned to the new frigate Brandywine at Washington. He impressed his superiors very favorably by his diligence in learning navigation and the other skills of the naval profession. Maury studied navigation from a Spanish text in order to learn the Spanish language at the same time. He remained attached to the Brandywine until March 10, 1827 when he transferred to the Vincennes at Callao where he remained for two years. He returned to New York in 1830 having been around the world and was promoted to the rank of past midshipman. His next assignment was one of considerable importance, for during it he became aware of the need for charts for cruise planning, and he observed and recorded the meteorological phenomena at Cape Horn. Now he had been launched on a career that would be very highly successful. He married Ann Hull Herndon, published several articles in scientific journals, and lectured on science. In the course of these events, he completed a textbook of navigation which was published in 1836 and then used to train midshipmen and later used by the Naval Academy.

In 1836, he decided to remain in the navy after being appointed a lieutenant; and he became involved in a naval expedition to the South Seas. After returning and writing several critical articles on the Navy under a pen name, he took leave at Fredericksburg and was hurt in a coach wreck. This accident caused Maury to concentrate on the scientific aspects of his career, which he did with zeal while still carrying on his campaign for basic reforms in the navy including plans for the Naval Academy. His efforts aroused much spirit and were not wasted as several changes were indeed made, but he was not given another assignment for a good while. In 1842, however, he was appointed as officer in charge of the Depot of Charts and Instruments of the Navy Department. When the new buildings were completed, he assumed the command of the new Naval Observatory, and proceeded to equip it until it was one of the best in the world. His enthusiasm for his work can be seen in his own words describing the transit of a star through the telescope, "With emotions too deep for the organs of speech, the heart swells out with unutterable anthems." This enthusiasm continued, and in 1847, after pouring over a multitude of records reported the orbit of the newly discovered planet Neptune. He worked to publish the first Nautical Almanac in 1852 for the year of 1855, and simultaneously did the first work to establish reliable wind and current charts to aid in the passage of the ocean. His charts were comprehensive and done in several colors to make them easy to use. He won wide acclaim for this work, and his efforts were widely sought after in the early days of research of the great Mississippi River. His next goal was to achieve a comprehensive weather service, and he set out to unite the weather services of the various states under the administration of the Observatory and Hydrographical Office. Although his efforts met with preliminary approval, they were not met with accomplishment and he is remembered in this area only as a precursor of the Weather Bureau. He was next consulted extensively by Cyrus Field in the successful efforts to lay a transatlantic cable. His fame now being worldwide, he attended a conference in Brussels which had been undertaken by the U.S. to create a cooperation in the field of meteorology between various countries. He then published a book on the currents of the sea and a theory on the circulation of the atmosphere. It was his great work and was called *The Physical Geography of the Sea.* It was published in nine foreign languages having had eight editions published in the U. S. He next established the sea lanes for east and west bound traffic on the Atlantic to avoid collisions.

Now at the height of his fame, an effort was made by the Naval Board to retire Maury to "promote the efficiency of the Navy." In this typical disdain toward commonsense that is reserved to those in command, a career was almost insulted, but through the efforts of Sam Houston, his reinstatement was swift in coming and bringing with it the promotion from Lieutenant to Commander.

The Civil War was now due, and despite the efforts of Maury and more significant people, the schism did occur taking Maury back to his native Virginia and the Confederate Navy, poor organization that that was. His efforts here were thwarted, and though his life remained a useful one it lost the vast importance that it had had.

His efforts led mainly to more serious and overshadowing accomplishments by his followers, leaving as his main accomplishment that which had been his greatest goal, "to prove that Navy officers are fit for something else than scrubbing decks at sea and tacking ship."

EXTENSIONS OF THE AMERICAN CANAL

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WHITE. Mr. Speaker, today on the first day of the 90th Congress, it is my privilege to reintroduce legislation that authorizes an effective step forward in conserving our priceless water resources.

My legislation provides for the high priority construction, operation and maintenance of extensions of the American Canal at El Paso, Tex., recovering at least 21,000 acre-feet of water annually from seepage loss in the Rio Grande.

Water from the Rio Grande reaching the city of El Paso services Mexican water users and irrigates 60,000 acres of American land in the Bureau of Reclamation Rio Grande project. The water moves through the 2-mile American canal west of El Paso, which was constructed in 1938 to facilitate distribution of waters between the United States and Mexico. At the end of the canal one-fourth of the water is discharged for U.S. irrigation purposes and the greatest portion of the water returns to the Rio Grande running a distance of 15 miles to a point known as Riverside Heading. Seepage loss in the river through that reach averages 27,633 acre-feet a year.

My legislation proposes to extend the American Canal, totally within the United States, for 13 miles resulting in an 80 percent recovery of these losses, or 21,000 acre-feet a year.

We in west Texas and our neighbors in Mexico know that water is a most precious commodity and must be carefully protected and developed.

The U.S. treaty with Mexico of 1906 entitles Mexico to 60,000 acre-feet of water annually from that portion of the Rio Grande passing El Paso. Severe and continuing water shortages in our section of the country have prevented fulfillment of these water obligations. The water salvaged by extensions of the American Canal represents one-third of our required delivery to our good neighbors.

Extensions of the American canal have been proposed since 1938 when the first segment of the canal was constructed by the Federal Government. Until this time, however, the resource conserving action has not been possible because it required construction across lands in international dispute with Mexico. The long delay occasioned by this dispute with Mexico has caused the loss of more than 500,000 acre-feet of water, which could have been used to service the Mexican water treaty, instead of drawing upon the already short supply available to U.S. water users. The Chamizal Treaty of 1964 resolving the boundary dispute, provides for a 1.7-mile extension of the American Canal in that section affected by the treaty.

The Chamizal Treaty has now made possible the 13 miles of American Canal extensions and, indeed, the construction is a corollary to other Chamizal work. Concurrent and economical Chamizal construction demands early approval of the canal extensions.

The canal extensions, additionally, would substantially enhance public safety in and near El Paso through locating the proposed canal between the authorized Chamizal border highway and the Rio Grande.

Sound coordinated water policies will be furthered by this legislation. International comity and the water crisis facing our southwest farmers must not be ignored and I urge the Congress to focus early attention on this legislation so that work may be coordinated with the Chamizal Treaty projects now underway.

THE PRESIDENT SHOULD DECLARE ESTIMATED INCOME OF THE UNITED STATES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WHITE. Mr. Speaker, the American people, I believe, wish to see a closer relation between the income and expenditures of the Federal Government. The President and the Congress are seeking effective means to assure a more nearly balanced Federal budget. I am, therefore, today introducing legislation for the consideration of the 90th Congress, which provides an approach to solving the budgeting problem.

My bill requires that the President shall declare each January the estimated income of the United States for the next fiscal year, and from time to time shall revise this estimate.

Neither House of the Congress will then be permitted to enact appropriations to exceed the immediately previous Presidential estimated income—except in time of a Presidentially declared national emergency or for purposes directly affecting the security and defense of our Nation.

It is my hope that such a law would have a constant deterring effect on excess Federal spending and even in times of emergency, it would mean that the merits of every expenditure would be more carefully considered in the context of our Federal Government income.

I ask the Congress to direct its consideration to this measure to implement our desire for increased fiscal responsibility.

DR. EDWARD G. LOCKE, DIRECTOR, U.S. FOREST PRODUCTS LABORATORY, MADISON, WIS., NOVEMBER 20, 1904, TO DECEMBER 19, 1966

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, it is my sad duty to advise the House of Representatives of the death, on December 19, 1966, of a friend and constituent, Dr. Edward G. Locke, research administrator and director of the U.S. Forest Products Laboratory in Madison adjacent to the University of Wisconsin.

"Mr. Forest Products" to his many friends and associates, Ed Locke had the vision and skill that were needed to stimulate and guide the expanding programs and facilities of the Forest Products Laboratory, encourage the wood-using industry to develop and enlarge their programs of research, and promote and found professional wood science societies. At the time of his passing, Dr. Locke was eagerly awaiting the completion of the first major expansion in 35 years of the world-famed Laboratory's physical plant.

Dr. Locke was the sixth director in the 56-year history of the Laboratory, which is maintained here by the Forest Service, U.S. Department of Agriculture, in cooperation with the University of Wisconsin. He moved up from the position of chief of the Division of Wood Chemistry Research when his immediate predecessor, Dr. J. Alfred Hall, retired.

Death cut short Dr. Locke's career as he neared attainment of one of his most cherished goals—the first major expansion of the world-famed Laboratory's physical plant in 35 years.

A pilot plant and laboratory building now under construction for expanded research in pulp and paper are expected to be ready for use next spring, and Dr. Locke had been eagerly looking forward to their completion and use in the Laboratory's expanding program of research.

Dr. Locke joined the Laboratory staff in 1951. He came from the Pacific Northwest forest and range experiment station in Portland, Oreg., where his career in the Forest Service began in 1944.

Throughout his tenure as director, Dr. Locke put great effort into upgrading as well as expanding the research facilities and program of the Laboratory, first of its kind in the world when founded here in 1910. He emphasized the need to recruit the best possible research talent and the procurement of facilities to provide adequate outlets for these talents.

Toward this goal he moved by encouraging research at the Laboratory by graduate students of the University of Wisconsin. He also fostered a summer student-trainee program for high-caliber undergraduate college students from all sections of the United States. Some of the most promising later accepted staff positions at the Laboratory.

Dr. Locke also urged staff scientists to further their education. He was among the first research administrators in the Department of Agriculture to send staff members to schools here and abroad for advanced study when Congress passed enabling legislation.

Another major achievement was Dr. Locke's expansion and strengthening of the Laboratory's international associations. Largely through his urging, the International Union of Forestry Research Organizations reactivated its section 41, Forest Products, in 1961, with Dr. Locke as chairman. A meeting of the section in 1963 at Madison attracted some 60 forest products scientists from all continents.

The section in recent years has also held several meetings abroad, one of the most recent last year under Dr. Locke's chairmanship at Melbourne, Australia.

Dr. Locke also engaged actively in work of the Food and Agriculture Organization of the United Nations. He was permanent chairman of the Fifth Wood Technology Conference held by that organization at Madison in 1963, and he traveled extensively abroad on FAO forestry missions.

Dr. Locke's directorship was preceded by an 8-year tenure as chief of the Laboratory's Division of Wood Chemistry Research. In that position he guided important productive research on the utilization of low-quality wood for industrial acids, intermediates for plastics, and other chemicals. He also initiated basic research on tree bark and conducted experiments on rocket propellants for the Department of Defense.

Dr. Locke was a native of Portland, Oreg., where he was born November 20, 1904. His grandparents had migrated to Oregon in covered wagon days, settling there in 1845. His father was Dr. James K. Locke of Portland.

Dr. Locke obtained his Ph. D. in organic chemistry at Ohio State University, Columbus, in 1932. He did his undergraduate work in chemical engineering at Oregon State College, Corvallis.

While a student at Ohio State, he married Alice Kuney of Tulare, Calif., who had been a college classmate at Oregon State. Besides Mrs. Locke he is survived by a son, Edward G., Jr., of Longview, Wash.; a daughter, Mrs. William Heid, of Hampton, Va.; and three grandchildren; and a sister, Mrs. C. F. Hogan of Silver Spring, Md.

After completing his doctoral studies, Dr. Locke worked as a research chemist for several years for the Ohio Highway Commission at Columbus and for a coal and iron company at Pottsville, Pa.

He returned to his alma mater at Corvallis in 1936 as an assistant professor of chemical engineering. After several years of teaching, he took a leave of absence to do marketing research for the Bonneville Power Administration of the U.S. Department of the Interior. During that time, he also made his first contact with forest products research as an adviser to the Oregon Forest Products Laboratory in Corvallis.

Dr. Locke joined the Forest Service in 1944 to assist in developing a wood hydrolysis plant at Springfield, Oreg., for the production of ethyl alcohol from sawdust. Alcohol was in heavy demand for explosives during World War II, and the War Production Board financed the experimental plant.

On that assignment, Dr. Locke first became acquainted with the Laboratory he later was to direct, since the design of the plant was based on the Laboratory's research and staff members were advising on its construction.

World War II ended before the plant attained production, and Dr. Locke was assigned to a scientific team sent to Germany in 1945 to investigate research progress there in chemical utilization of wood during the war years.

The following year he was appointed to a newly created forest utilization service unit established by the Forest Service at the Pacific Northwest station. Within 2 years, he was promoted to chief of the unit.

During those years, he gained intimate insight into the problems of the forest industries in the Pacific Northwest and adjacent regions. The unit also worked closely with the Forest Products Laboratory as an agency for bringing research knowledge to industry, and Dr. Locke came frequently to Madison for consultations.

That experience deeply affected Dr. Locke's directorship of the Laboratory in later years. He fostered close working relationships with the wood-using industries, accepting many speaking engagements and encouraging industry representatives to come to the Laboratory for help on their technological problems.

He invited industry leaders to suggest needed lines of research and sought their advice in planning future projects. One result was the inauguration of annual technical meetings of various national and regional industrial groups at the Laboratory. The National Forest Products Association presented its 1965 Applied Research Award to him.

Dr. Locke also began issuance of annual reports of Laboratory research in 1961, the year after the Laboratory's golden anniversary was observed.

Dr. Locke was one of the founders and a past president of the Forest Products Research Society, which has headquarters in Madison. In 1962, at the society's 15th anniversary meeting in Spokane, Wash., he delivered the keynote address, entitled "15 Years of Forest Products Research—And a Look Ahead at the Next 15."

In that address he stressed the need for great expansion of forest products research by both industry and public agencies. Among the Nation's industrial groups, he pointed out the forest products industries were investing one of the smallest percentages of sales dollars in research and development.

Among scholastic honors earned by Dr. Locke were memberships in Sigma Xi, Phi Kappa Phi, Tau Beta Pi, Sigma Tau, and Phi Lambda Upsilon. He served on committees of such scientific organizations as the American Chemical Society, the American Institute of Chemical Engineers, and the Technical Association of the Pulp & Paper Industry. He was a member of the Cosmos Club, Washington, D.C.

Dr. Locke was a founding member of the International Academy of Wood Science. Illness prevented him from attending the organizational meeting last June in Paris, France.

Edward P. Cliff, Washington, D.C., Chief of the Forest Service, issued the following statement on Dr. Locke's career:

> I have had the privilege of knowing Ed Locke for many years as he compiled an outstanding record of public service. He has been a real source of strength and leadership in the Forest Service—especially during his years at the Forest Products Laboratory. He served with distinction as Director of the Laboratory—one of the most significant forestry research positions in the world. People everywhere gained by the stature and ability he brought to that post. For example, he was eminently successful in establishing a productive rapport with wood using industries that is unsurpassed in the long history of forest products research. The public benefits from his contributions to this vital spirit of cooperation and mutual respect will flow for years to come.
>
> Dr. Locke had the vision and skill that were needed to stimulate and guide the expanding programs and facilities of the Forest Products Laboratory. We are grateful that through his efforts we have a much better chance of keeping pace with the rising demands for more and better information and techniques in the forest products field. Ed made friends easily. He was respected and liked by people in all stations of life—both here and abroad. Of the many honors and awards that came to him, perhaps the most fitting is the enduring imprint that he left upon the people and the programs he worked with for so many years. We will miss him keenly.

ABOLISH CAPITAL PUNISHMENT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am opposed to the death penalty on moral as well as other grounds and today, I have introduced legislation to abolish capital punishment and replace it with life imprisonment for all Federal crimes punishable by death.

Modern penology has moved away from a system seeking retribution for crimes to one rehabilitating the offender. This is emphasized by the dramatic decline in the use of the death penalty in recent years. Although Federal law still includes capital punishment, no Federal prison maintains the means to carry out the death penalty. In addition, 13 States have abolished capital punishment completely or have severely limited its application.

Opposition to the death penalty also stems from the recognition that the deliberate taking of a human life by the State has not deterred others from committing similar crimes. Statistically, lower homicide rates are reflected in States where the death penalty has been abolished than the national average. Also to be taken into consideration is the probability of error for the death penalty makes it impossible for society to correct life and death mistakes once they are made.

Capital punishment is not consistent with the moral and humane goals of our society. There is no moral justification for a nation to take a life regardless of the crime committed. Human life is sacred and deliberately destroying it in the name of the State is as much a moral offense for the Nation as it is for an individual.

ST. CROIX NATIONAL SCENIC RIVERWAY

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am introducing today a bill to establish the St. Croix National Scenic Riverway. The purpose of this legislation is to preserve portions of the St. Croix River and its Namekagon tributary in Wisconsin as a wild river in a primitive condition.

The St. Croix, not far from the Minneapolis-St. Paul complex, is one of the last clean rivers near a major population center. Pollution, thus far, has not yet crept into this pristine body of water. This river and its immediate surroundings provide an infinite variety of recreational opportunities, aesthetic enjoyment and sport entertainment for thousands of visitors each year. How long, however, will it be before industrial wastes with their poisonous residues make their appearance in this primitive, wilderness?

The most effective way to combat pollution is to prevent it from ever occurring. Here is an opportunity to set aside this proud, virgin area and preserve this precious heritage for our generation and generations to come.

CONGRESSIONAL SUPERVISION IS NEEDED OVER INTELLIGENCE AGENCIES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, once again it has become necessary to emphasize the need for the creation of a Joint Congressional Committee on Intelligence.

The resolution I introduce today would establish a joint committee to be composed of seven Congressmen and seven Senators selected by the Speaker of the House and the President of the Senate on a bipartisan basis. It would make continuing studies of intelligence activities and problems. Although the committee would not expect to concern itself with the details of day-to-day operations of the intelligence agencies, the Central Intelligence Agency and similar agencies would be expected to keep it currently and adequately informed. In this respect, I could cite the work of the Joint Atomic Energy Committee of the House and Senate as an example of the direct and significant involvement that is possible by Congress in tightly controlled security areas.

At present, congressional supervision of the Nation's intelligence activities is obviously inadequate. Furthermore, there is no guarantee that the White House is exercising the necessary requisite supervision in this area.

Serious damage has been done to American relations with many foreign governments by actions carried out by the CIA in the past. These incidents clearly discredit and debase our national prestige in the eyes of the world, as well as undermine standards of morality honored by American society.

The increasing number of intelligence activities of the Federal Govenment, their overlapping jurisdictions, their involvement with our institutions of higher learning, and the present inadequate supervision provided by Congress has given rise to demands that our Nation's intelligence activities be made more responsive to traditional democratic control. Congress can no longer delay in asserting its supervision over these intelligence agencies.

NEED TO REVISE SELECTIVE SERVICE LAW—I

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, one of the most important legislative issues to confront the 90th Congress will be the future of the selective service law, which expires on June 30, 1967. The operations of the Selective Service System, as presently constituted, are highly controversial and have evoked widespread criticism as to its equitableness and effectiveness.

Ever since my first days as a Member of Congress, I have held that our present draft system needed revision to conform to the changing needs of our defense posture. While I, like most others who have had intimate experience with our Armed Forces in war and peace felt that while the draft, in the past, was necessary, I have also maintained that the draft is a wasteful, inefficient, and often unfair way of maintaining our Armed Forces and now, it is fast becoming an obsolete way to obtain our military manpower.

In a series of statements during this session, I shall set forth the reasons for my opposition to the current Selective Service System and propose what I consider to be a reasonable alternative to the present military conscription policy.

ABOLITION OF HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I am introducing today in the Congress a resolution providing for the abolition of the House Un-American Activities Committee and authorizing the transferral of its duties, responsibilities, and records to the House Judiciary Committee.

The justification for this action is overwhelming in the light of the unimpressive, unfair, and un-American record which this committee has compiled since its inception in 1938.

Specifically, the committee has released names of witnesses to the press in direct violation of it own rule 16, which prohibits releasing these names prior to the beginning of hearings. The unfavorable publicity which invariably results does irreparable damage to the reputations of our citizens.

In addition, the committee has refused to hear defamatory testimony in executive session, which is a deliberate violation of its own committee rule 26(m). It has treated both witnesses and their attorneys with complete disrespect and verbal abuse, and it has denied the right of cross-examination.

The committee also has been guilty of accusing highly respected citizens without giving them the opportunity to exonerate themselves in accordance with the full protection of our laws.

The record shows that over the years, rather than investigate propaganda, the committee has chosen instead to secure publicity for its members by intimidating and harassing those who hold views in conflict with the committee's position. The character assassination and the damage done to U.S. citizens is appalling. The unfair exposure and witch-hunting tactics employed by the committee have become commonplace. Yet, these un-American actions should have no place in our democratic way of life.

Mr. Speaker, in the closing days of the 89th Congress, the distinguished chairman of the Special Subcommittee on Contracts of the House Administration Committee, the gentleman from Ohio, Hon. WAYNE HAYS, discussed on the floor of the House the Un-American Activities Committee's practice of paying witnesses, and using the device of putting them under contract to keep their names from the public record. The gentleman from Ohio, Congressman HAYS, listed 14 different persons who had been on contract to the committee and who had been paid by public funds. All of us know that this type of entrapment of witnesses is un-American. The very committee that accuses others of being un-American operates in an un-American fashion.

More fundamental, however, than the committee's unfair actions, is the fact that the committee itself exists in direct violation of the first amendment of the Constitution, which provides that the Congress shall make no law "abridging the freedom of speech, or of the press; or the right of people peaceably to assemble and to petition the Government for a redress of grievances."

Under rule XI of the House of Representatives, the Un-American Activities Committee was given authority to investigate "the extent, character, and objects of the un-American propaganda activities in the United States." The committee, then, was given jurisdiction in the areas of speech, ideas, opinions, associations, and other forms of expression.

However, these are the same basic rights belonging to the American people which have, for so long, been protected by the first amendment and which should continue to be protected by abolishing the committee and thereby restoring the precedence of the first amendment.

Mr. Speaker, I want to say also that in the almost 28 years of its existence, the House Un-American Activities Committee has demonstrated no proper legislative purpose. Almost all of the bills it has considered have fallen into the jurisdiction of other committees and could easily have been considered by other committees. The Judiciary Committee, for instance, traditionally has dealt with matters involving espionage and our internal security. My bill would further clarify the Judiciary Committee's jurisdiction in this area and its authority to safeguard the national security.

And finally, I should like to ask my colleagues to consider that the committee's hearings are conducted on such an unruly level that they have brought the House into disrepute. Newspapers described its investigation of antiwar groups last summer as uproarious and tumultous. By the time the hearings ended on August 19, at least 56 persons had been forcibly thrown out of the hearing room. Activity of this kind only serves to bring the House of Representatives into disgrace in the eyes of the Nation.

Abolition of the House Un-American Activities Committee has been endorsed by such responsible publications as the New York Times, the Washington Post, and the Saturday Evening Post. In addition, a long list of respectable organizations, such as the American Civil Liberties Union, the American Jewish Congress, the National Association for the Advancement of Colored People, and many more subscribe to this idea.

They firmly believe, as I do, that only by abolishing the House Un-American Activities Committee can we fulfill the precepts of our democratic government to protect the innocent against tyranny and persecution.

In view of the outpouring of evidence against the House Un-American Activities Committee, there is nothing left for this body to do but to return the jurisdiction of this committee to the Judiciary Committee as outlined in the bill which I introduced in the 89th Congress and which I am reintroducing in the 90th Congress. I urge my colleagues to join together in bringing to a close the career of this committee—its career has been unfortunate both for the Congress and for the Nation.

NATIONAL COMMISSION ON OLDER WORKERS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. O'HARA of Michigan Mr. Speaker, during the 89th Congress, I joined the distinguished and very able gentleman from Pennsylvania, the chairman of the House Select Subcommittee on Labor [Mr. HOLLAND], in introducing legislation to establish a National Commission on Older Workers. The 89th Congress adjourned without taking action on this measure, and we are reintroducing it today.

In 1965, the Select Subcommittee on Labor, held hearings on employment problems facing older workers. The hearings followed by 2 months the publication of the report to Congress of the Secretary of Labor on age discrimination in employment among older workers.

The Secretary pointed out that—

> Problems of insuring employment opportunities for older workers are obviously complex and call for a variety of approaches and solutions.

The Secretary added:

> Particularly important would be an intensive informational and educational program to encourage employers to consider older applicants for employment strictly on the basis of the individual's ability to perform the job.

The legislation, which Chairman HOLLAND and I are reintroducing today, would set up a National Commission to investigate methods of improving job opportunities for older workers. It would consist of 14 distinguished citizens appointed by the President with instructions to make recommendations for appropriate Federal legislation to help meet this problem.

The Commission would be given a broad mandate to look into conditions which handicap older workers in finding jobs. It would be instructed particularly to develop proposals for expanded programs for continuing education and skill training for workers.

There is no question about the seriousness of this problem, Mr. Speaker. This was made clear by the Secretary's report in 1965.

In 70 percent of the establishments surveyed by the U.S. Employment Service for the report, less than 5 percent of new workers were 45 and over. One-fifth of the employers hired no workers over 45.

The Secretary told our subcommittee when he testified that about half of all job openings occurring in the private sector of our economy each year are, in effect, closed to those over 55. One-fourth are closed to those over 45.

As the Secretary said:

> The consequences both to the economy and to the individuals involved of this waste of human resources show up in lost potential production, human hardship and frustration.

I think it is time to move against the problems of older workers. The recommendations of the Commission, proposed by our bill, would give us the guidelines we need for effective legislative action.

Mr. Speaker, I include as part of my remarks at this point in the RECORD the text of the bill being introduced by Chairman HOLLAND and myself, and I commend it to the attention of our colleagues.

H.R. —

A bill to establish a National Commission on Older Workers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress finds that—

(1) in an age of accelerating technological change, older workers increasingly face the threat of skill obsolescence which places them at a severe disadvantage, relative to younger and more recently trained workers, in their efforts to retain employment, or to gain reemployment once they have been displaced from jobs;

(2) there is a need for more effective programs to enable workers, throughout their working lives, to improve and upgrade their skills in conformity with the changing skill requirements of their occupations;

(3) there is also a need for more effective programs of education and training to enable workers, while currently employed, to acquire the skills needed for entry into new occupations, in order to give them greater flexibility and mobility in a labor market simultaneously characterized by rapid expansion of employment opportunities in certain occupations and by rapid contractions in others;

(4) such programs of education and training should be designed to deal effectively with the critical problem of maintaining the incomes of mature, experienced workers during periods in which their employers agree to release them, on a part-time or full-time basis, to engage in such programs; and

(5) there is, moreover, a need for the elimination of abritrary barriers to employment on grounds of age, and for the development of policies to counteract those constraints upon the employment and mobility of older workers which may stem from rigidities in the terms and administration of private pension and welfare plans, overly strict adherence by employers to promotion-from-within policies, unrealistic employer evaluations of the capacity of older workers to absorb on-the-job training in new skills, and other causes.

SEC. 2 (a) There is hereby established the National Commission on Older Workers (hereinafter referred to as the "Commission"). The Commission shall be composed of fourteen members appointed by the President, by and with the advice and consent of the Senate, from among persons outside the Government with a competency in the areas to be dealt with by the Commission. The Commission shall be broadly representative and shall include not less than four members drawn equally from labor and management. One of the members shall be designated by the President as Chairman of the Commission. Eight members of the Commission shall constitute a quorum. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(b) The Commission shall make a comprehensive study of the most effective means of developing the programs and policies described in the first section of this Act, and shall present its recommendations to the Congress, in detail, for such legislation as it concludes is appropriate for the purpose of establishing and financing such programs and policies.

(c) Members of the Commission who are not employees of the United States shall each receive $100 per diem (including travel time) when engaged in the actual performance of duties of the Commission.

(d) (1) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provision of the civil service laws and the Classification Act of 1949, as amended.

(2) In addition, the Commission may procure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $75 per diem (including travel time) for individuals.

(e) Members of the Commission and individuals whose services are procured under subsection (d) (2), while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(f) The Commission, or on the authorization of the Commission, any subcommittee or panel thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places as the Commission or such subcommittee or panel may deem advisable.

(g) The Commission is authorized to contract with private organizations to carry out such studies and to prepare such reports as the Commission determines to be necessary in order to carry out its duties.

SEC. 3. The Department of Labor shall provide the Commission necessary administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of Labor.

SEC. 4. The Commission shall submit a final report of its findings and recommendations to the President and the Congress by June 30, 1969. The Commission shall cease to exist thirty days after submitting its final report.

SEC. 5. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums not in excess of $500,000, as may be necessary to carry out the provisions of this Act.

SPECIAL TRAINING PROGRAMS FOR OLDER WORKERS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOLLAND. Mr. Speaker, last year the Congress enacted the Manpower Development and Training Amendments of 1966, a very constructive series of changes in a very important basic piece of legislation. Among those amendments, which became law with the unanimous approval of both Houses of the Congress, was a provision directing the Secretary of Labor to establish special training programs for older workers—men and women in the 45-and-over age group. This provision was based upon extensive hearings which the Select Subcommittee on Labor, which I had the privilege of chairing, held on the employment problems of the older worker. Those hearings in turn, were called forth by the Secretary of Labor's excellent 1965 report on the problems of such workers—a report in which the Secretary concluded that efforts to solve such problems without new legislation were, in his good judgment, inadequate.

Secretary Wirtz said:

> The possibility of new nonstatutory means of dealing with such arbitrary discrimination has been explored. That area is barren.

I agree wholeheartedly. The barriers which confront the older worker who seeks a new job are immense. They constitute job discrimination of the most tragic kind, made especially tragic because it is not the result of bigotry but solely of misconceptions about the ability of older workers to carry their load in modern industry.

Last year's MDTA amendments, Mr. Speaker, constitute a step forward toward meeting the problem of the older worker. But it was only a step. More attention must be paid to this problem, and I can, offhand, think of no more immediately effective way to do this than to enact the legislation which, together with my able and valued colleague from Michigan [Mr. O'Hara], I have introduced today, to establish a National Commission on Older Workers. This bill is identical to a bill which my friend from Michigan and I introduced last year, and which was cosponsored by several other Members of this body. I believe the creation of this Commission could be a most valuable step toward giving the middle-aged worker in America the peace of mind and sense of belonging in the society, to which he is entitled.

HON. RALPH J. SCOTT

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Kornegay] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, as the 90th Congress convenes, I reluctantly note the absence of a former colleague who served his district, his State, and Nation well for five terms in this body before succumbing to the desire to return to the serene, clear mountain air surrounding his home in Danbury, N.C.

Former Congressman Ralph J. Scott, who represented North Carolina's Fifth Congressional District for 10 years, will be greatly missed by all who knew him and especially by members of the North Carolina delegation who valued his friendship so highly.

With his decision to retire from public service at the end of the 89th Congress, Ralph Scott capped a career of dedicated public service which spanned nearly three decades. He served his home county of Stokes in the North Carolina General Assembly for one term and then served the 21st Solicitorial District of North Carolina ably for 18 years, gaining distinction as one of our State's finest public prosecutors, before being elected to the 85th Congress. Those of us who were privileged to know him are aware of his warmth and sincerity.

All of us who knew Ralph will miss him, but all of us should take comfort in the thought that Ralph has found again what he has missed during his long and distinguished public service—peace and tranquility. He has gone back home—to Danbury—to "sit and fish" and, as he was quoted in a recent news column, " 'doin' like a man 'oughta.' "

I know that all of his colleagues would join me in wishing for Ralph in the days and years ahead happiness, peace, and prosperity.

THE MERCHANT MARINE AND FISHERIES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Garmatz] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GARMATZ. Mr. Speaker, I have today introduced a number of bills of immediate concern to the Committee on Merchant Marine and Fisheries. For the most part they are bills that were before us in the last Congress but which, for one reason or another, we were unable to handle due to pressures of other business.

During the second session of the 89th Congress, we concentrated heavily on the problems of the American merchant marine; on oceanography; on the fisheries; on the Coast Guard; on the Coast and Geodetic Survey; on the Panama Canal; and on safety of life at sea. It was a busy session and a productive one.

But there was much unfinished business.

At the beginning of last year we initiated a series of hearings in the nature of a shipping policy review pertaining to all aspects of our merchant marine situation.

The focal point was the effect of the Vietnam war on the American merchant marine.

These hearings rather shockingly emphasized the neglect which has developed in this and preceding administrations so far as adherence to national maritime policy—as laid down by the Congress—is concerned.

The 760-page record of those hearings is enough to make anyone wonder how—in the face of the obvious needs of both the economy and the security of the United States—our fleet could be permitted to continue on its present suicide course of deterioration.

Those hearings were the backdrop for the action which we initiated in opposition to the incorporation of the Maritime Administration in the Department of Transportation.

They cemented the convictions of most of our committee that unless the Maritime Administration were made an independent agency we would continue to see drift and decay in our maritime posture.

The debate on the Department of Transportation bill emphasized the importance of the legislative committees of the Congress having the responsibility of authorizing the annual maritime programs so that—for example—our committee could assist the Appropriations Committee in reviewing maritime requirements and presenting them to the House as a whole.

Thus it was that our committee reported a bill to create an independent Maritime Administration to the House. The uniqueness of maritime transportation would be recognized and dealt with in relation to the special problems and environment of ocean shipping.

Thus it was that we favorably reported a bill to the House requiring annual authorization for the maritime programs—a bill that squarely faced the fact that annual appropriations should be supported by annual authorization.

Unfortunately, the time after enactment of the Department of Transportation bill was not sufficient for us to bring up the independent agency or the authorization bill under the rules which had been granted us prior to adjournment on October 22.

These two subjects are of the highest priority for consideration early in this first session of the 90th Congress, which convenes today.

Even though we do not have a present statutory requirement for prior authorization of maritime programs, I think we should request the Secretary of Commerce, and his Federal Maritime Administration, to appear before us in the immediate future and outline their plans.

The President's state of the Union message tonight and his budget message in the very near future will give us guidance in shaping our course in this session.

Among the dozen bills I have introduced today, one of the most important and urgent is one which would stimulate this country's next step in the promotion and development of the application of nuclear power to merchant shipping. Favorable action in this field could mean the return of the United States to a position of leadership and supremacy on the sealanes of the world. Complacent inaction could mean another step toward maritime impotence. This is a luxury we can no longer afford.

Other bills which I have introduced today are designed to meet other problems of greater or lesser degree.

One of them of special importance is designed to strengthen the unsubsidized segment of the merchant marine which makes up nearly half of our seagoing fleet. It would encourage the offshore, coastwise and intercoastal, and Great Lakes operators to replace their fleets through the development of capital reserve funds. In conjunction with existing law, it will encourage shipowners to get rid of their costly and inefficient World War II tonnage in favor of highly productive new vessels and consequently higher taxable incomes.

Other bills are of varying magnitude. But they are all intended to improve our position as a maritime nation. National seapower is essential to the sustenance of our worldwide commitments.

During this Congress, I sincerely hope and believe that we can get our merchant marine and all its supporting services back on course.

The bills I have introduced today are as follows:

List of Bills Introduced in the 90th Congress

1. To amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration.
2. To amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes.
3. To amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships.
4. To promote and foster the development of a modern merchant marine by encouraging the orderly replacement of modernization of merchant vessels, and for other purposes.
5. To grant the masters of certain United States vessels a lien on those vessels for their wages and for certain disbursements.
6. To prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States.
7. To consolidate and reenact certain of the shipping laws of the United States, and for other purposes.
8. To amend the Merchant Marine Act, 1936, as amended, to permit payment in accordance with commercial practices for certain transportation services furnished for the account of the United States upon presentation of bills therefor.
9. To authorize the transfer of vessels to the Office of Economic Opportunity by the Secretary of Commerce for educational purposes.
10. To amend section 331 of title 46 of the United States Code.
11. To amend the Act of June 20, 1918, relating to the retirement age requirements of certain personnel of the Coast Guard.
12. To increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees.

MEAT INSPECTION

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I am today reintroducing two Federal meat inspection proposals. One bill is a bill that I have promoted for several years and it provides that slaughter in those plants large enough to be covered for labor-management relations purposes by the Taft-Hartley law shall be inspected to assure purchases of meat from those plants that the product is properly labeled and clean. It has seemed to me that if the Federal Government had been interested in the labor-management relations problems it should also be interested in making sure that meat from those plants does not come from diseased animals and is handled in a clean manner.

Our meat inspection laws are very unique in that under them Federal interest is determined by whether meat goes across a State line regardless of how big or small the slaughter plant may be. In some cases a tiny locker plant may be inspected while in other cases a large packinghouse is not inspected. Under other Federal laws, we determine Federal interest by the size or volume of the operation. That is the way it is determined under the Taft-Hartley law. My bill would make the determination of Federal jurisdiction over meat slaughter plants consistent with the way we determine jurisdiction under the Taft-Hartley law.

The other bill I am introducing today is the administration's bill covering extension of meat inspection. I really prefer the approach in my original bill but at least the objective is the same and I hope that one or the other or an improvement upon both does become law within the next 2 years.

RESOLUTION TO GIVE HOUSE SELECT COMMITTEE ON STANDARDS AND CONDUCT POWER TO INVESTIGATE COMPLAINTS OF VIOLATIONS OF STANDARDS BY MEMBERS OF THE HOUSE AND POWER TO RECOMMEND CENSURE TO THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FASCELL. Mr. Speaker, few will dispute the proposition that maintenance of the people's confidence in the integrity of their representatives in Congress is indispensable to the continuance of our form of government. We in Congress constitute the direct link between the people and their Government. It is to us that they must and do look for assurance that the Government will be responsive to their needs, and will not be used as a vehicle to oppress and exploit them for the benefit of a few.

If the people lose confidence in the purpose or ability of their elected representatives to promote and protect their interests, there is great danger that in their despair they will look elsewhere for help in attaining their goals. And history has demonstrated time and again that any diminution of the stature and influence of the legislative branch of a government leads to a dangerous concentration of power elsewhere.

Under the Constitution, this House has the primary responsibility for holding its Members to the highest standards of conduct in the discharge of their official duties. We are the sole judges of the qualifications of any Member to sit in this body; we alone can call him to account for what he says and does in the exercise of his prerogatives as a Member of the House. The framers of the Constitution inserted these provisions to protect us from pressures exerted by other branches of the Government, and to insure our freedom to serve the public interest according to our best judgment. They devolved upon us a responsibility we cannot shift to anyone else. It is an obligation we must not shirk. Yet all of us know that the people are not convinced that we have done our duty in this respect. They are deeply disturbed by evidence that a few of our Members have not always measured up to the high standards rightfully expected of us.

Rumor, unchecked by the disclosure of facts, has greatly exaggerated the extent of unethical conduct on the part of our Members. Our failure in the past to take corrective action against questionable practices by men who serve in this House has left the public with the impression that we are engaged in a willful coverup of our own misdeeds. People have jumped to the conclusion that many of us are afraid to let the House embark on an investigation of charges of misconduct against its Members lest such an investigation turn up evidence of our own wrongdoing.

We in the House know that this is not true for more than a minute fraction of its membership. But we have only ourselves to blame for the fact that a large portion of the public thinks otherwise. We owe it not only to the public but to the overwhelming majority of our Members who do observe the highest standards of conduct, and who work long hours and make many personal sacrifices to serve the public faithfully and well, to dispel the miasma of suspicion which has arisen from charges of misconduct too long ignored. That is the purpose of the resolution I have just introduced.

GRANT TO NATIONAL ASSOCIATION OF THE PARTNERS OF THE ALLIANCE, INC., SIGNED

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FASCELL. Mr. Speaker, on August 17, 1966, the fifth anniversary of the signing of the Charter at Punta del Este and the creation of the Alliance for Progress, I announced to the House a significant meeting to be held in Miami Beach, Fla., on September 17 of last year. At that meeting, representatives of all the U.S. States participating in the Partners of the Alliance program, met to discuss the formation of a National Association of the Partners of the Alliance. At that session, the articles of incorporation of the new association were approved. The association would give a national voice to all the partner states participating in this significant and important program.

I was very pleased that Miami Beach, Fla., was selected as the birthplace of this new national association. I was pleased because of the growing national interest in the Partners of the Alliance program and because of the fact that Miami Beach, at the gateway to Latin America, was the site to give new recognition and impetus to the partners program.

On January 6, 1967, another significant milestone in the progress of this dynamic Partners of the Alliance program was reached when an Agency for International Development grant to the National Association of the Partners of the Alliance, Inc., was signed by Vice President HUMPHREY and Mr. Edward Marcus, of Dallas, Tex., the president of the national association. The ceremonial signing was held in the Indian treaty room of the Executive Office Building and was witnessed by His Excellency Vasco Leitao da Cunha, Ambassador of Brazil; Dr. José Camacho, Chargé d'Affaires of Colombia; His Excellency Gustavo Larrea, Ambassador of Ecuador; His Excellency Ricardo Midence Soto, Ambassador of Honduras; His Excellency Dr. Guillermo Sevilla-Sacasa, Ambassador of Nicaragua and dean of the diplomatic corps; Mr. Guillermo Gerberding, Chargé d'Affaires of Peru; and His Excellency Juan Felipe Yriart, Ambassador of Uruguay; as well as a number of Members of the Congress. Also, the new executive committee of the national association was present. They are Mr. Clifford Whitehill from Minnesota, Mr. William Wright from Vermont, Mr. Edward Kingman from Washington, D.C., Dr. Will Pirkey from Colorado, Mr. Warren Huff from Michigan, Dr. Boyd Martin from Idaho, Mr. Ogden Bigelow from Connecticut, and Mr. M. Melvin from North Carolina.

Mr. Speaker, I know that Mr. Edward Marcus will bring tremendous talents to the leadership of the National Association of the Partners of the Alliance, Inc. I am sure that Members of the Congress will assist Mr. Marcus in every way possible in the task that he has undertaken on behalf of the citizen-level program now being accelerated between the peoples of the United States and Latin America by the formation of the national association and the grant from the Agency for International Development.

So that my colleagues can share the remarks made on the occasion of the signing last Friday, the proceedings at the signing follow:

PROCEEDINGS AT THE SIGNING OF AN AGENCY FOR INTERNATIONAL DEVELOPMENT GRANT TO THE NATIONAL ASSOCIATION OF THE PARTNERS OF THE ALLIANCE, INC.

REMARKS BY MR. WILLIAM S. GAUD (ADMINISTRATOR, AID)

Members of the Congress, members of the Executive Committee of the National Association of the Partners of the Alliance, and ladies and gentlemen:

It gives me a great deal of pleasure to welcome you here this morning on behalf of the Agency for International Development and to express my appreciation of your coming here on fairly short notice. It is a very important occasion for us. The strength of the AID program lies in the extent to which we can interest and engage the people in the United States and the people in the developing countries in the paths of development in which we are all interested.

The Alliance for Progress isn't a government-to-government program. The government can do a little but whether we are talking about what we in the United States can do for the developing countries or whether we are talking about what the developing countries can do for themselves, we have to be talking about people—people here, people there. It is a people-to-people program. It is a question of the number of people who are interested, the number of people who devote their time and their energies both here and there that governs how much progress we make—that governs how fast we can go.

The Partners of the Alliance is an organization that has now been in existence for three years. Individuals and groups in an American state working with individuals and groups in a Latin-American state: Connecticut working in Brazil, Texas working in Peru, Kentucky working in Ecuador, and so it goes. This has been a very successful program and recently the individuals working in the Alliance, the Partners of the Alliance, and ourselves decided that it would become even more effective if it were organized on a national basis. That was the origin of the National Association of the Partners of the Alliance whose birth, in effect, we are attending here today and we in A.I.D. hope and plan to make a grant of funds to this new organization to enable it to go forward with its work.

Mr. Vice President, we are particularly appreciative of your coming here today to help us christen this new infant and give it your blessing. We'd appreciate it very much if you would say a few words to us.

REMARKS BY HON. HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES

Thank you, Mr. Gaud.

Mr. Marcus, the members of the Executive Committee, distinguished Ambassadors, members of Congress, and friends:

Vice Presidents have many ceremonial duties but blessings I have never bestowed before, and I am delighted that it is my chance to do that this morning. I am very happy to be here on this occasion not only because of the importance of the Partners of the Alliance in our common endeavors and mutual efforts in Latin America and the Western Hemisphere but because I sense here a new dedication to the effort which is being made by all of us in trying to build a much better society and a better world, at least in our part of the world, the Western Hemisphere.

It is a real pleasure for me to honor and welcome so many distinguished friends and supporters of the Alliance for Progress. I want us to maintain the early enthusiasm for the Alliance. The birth of a child is always a very happy and exciting day and moment, but good parents take an interest in that child to the time of its maturity and the enthusiasm that comes with the arrival of a new member of the family, so to speak, should be maintained through the life of the member of that family. And I would add that the enthusiasm that we have, that we demonstrated for the Alliance for Progress from the day of the Punta del Este to this hour, that that enthusiasm should be maintained in the years ahead.

I particularly want to welcome the members of the Executive Committee who have taken of their time and resources to come here to Washington from all parts of our nation and, as I have said, the distinguished Ambassadors from our neighboring countries of Latin America.

We are beginning today a new phase of the Partners of the Alliance Program—and I see some of my friends from Congress here. I think it is fair to say that Congress has taken more interest in the Partners of the Alliance aspect of our foreign aid program than any other part of it in the recent session of Congress. They see a new dimension here, a new opportunity, a new working partnership. So let me say to those who become a little weary with the day-to-day duties of administration that the Congress of the United States sees in the Partners of the Alliance Program a real new source of strength and a commitment. In three short years the Partners of the Alliance has brought together the citizens of 31 states working in direct alliance with the people of 31 areas in 15 countries of Latin America. As Administrator Gaud just indicated, the states and the localities in the United States feel a very close family relationship to other areas, regions and localities in Latin America. My own home city of Minneapolis has a unique and friendly relationship with Santiago, Chile, and I can assure you that we consider that city to be our neighbor and our friend. I have to remind people in California that even though they feel that Chile has a special relationship to California, that in Minnesota we also feel that relationship. We have a city in our home state of Minnesota known as Montevideo—we call it Montevideo in that Scandinavian area. Of course, down in Uruguay they call it Montevideo but the mountains are a little higher down there than they are in the plains of Minnesota. But that relationship is there.

The Charter of Punta del Este calls for a partnership of peoples as well as governments, for popular participation as well as improved economic efficiency, and the Partners of the Alliance Program is providing a mechanism to which the citizens in all the Americas, North and South, can contribute to the Alliance; can bring health and hope, food and education to those countless millions struggling to achieve a decent standard of living, a more just social order, a modern economy and a progressive democratic political system. And through the Partnership Program the people of the Americas can share their educational, technical, and cultural wealth.

I would remind all of us here today that the problems that humanity faces today are so immense that no one segment of our economy, or our respective economies, is big enough to deal with those problems. No matter how much public capital you may have, it's not enough. No matter how many dedicated public officials you may have that come to grips with the problems domestically or internationally, it's not enough. So what we have learned, and what we must learn, is to develop a partnership of free institutions and free peoples to bring to bear the mobilized resources of free societies on the problems that confront us. If we keep that in mind, through a mobilization of the resources of free men, free nations, free institutions, public and private, we can combat and confront the immense problems that characterize our time.

I think it's fair to say that we wouldn't be in outer space today if it were just through government. Not in a free society. Now those who have given up their freedom, or lost it,—they have other ways of getting at these problems, but for those of us who want to preserve our identity and at the same time mobilize our resources for common objectives—partnership is the word. That is *the* word, at home and abroad, for free people.

Now this administration, the administration of President Johnson, has strongly supported the Partnership Program. I know of no word, outside of the word "opportunity" that is more used by the President than the word "partnership." I have a partnership with him as his Vice President, and I like it. The President of the United States believes in opportunity for all mankind and he knows that that opportunity is not made available easily. It's going to require cooperation—not collectivism, but cooperation. Partnership, not domination.

The Agency for International Development has encouraged and supported this Partnership Program from its inception. With the extension of this modest grant to the National Association of the Partners of the Alliance we in the government hope to assist the imaginative men and women in the United States and Central and South America in extending the program to the citizens of all states and all countries. We in the United States have as much to learn from our neighbors as we have to give. I'd like to have my fellow U.S. citizens walk humbly for awhile and remember that while we may be privileged to give of our material resources, we have much to gain from others in a host of manners and a host of ways. This is the whole basis of the Alliance for Progress and true partnership featuring mutual cooperation, not unilateral initiatives.

I wish to congratulate Mr. Edward Marcus, who is here with us today, and the distinguished members of the Board who have joined with us. I pay tribute to the pioneering efforts of Jim Boren who, with his colleague, Mr. Wade Fleetwood, has provided the inspiration and leadership in launching this amazingly successful program. Thanks to the strong support that they have received from men like William Gaud; from the Assistant Secretary of State for Latin American Affairs, Lincoln Gordon; from the Deputy Coordinator, David Bronheim—thanks to the tireless endeavor of men like those who serve on this Executive Board and, above all, thanks to the enthusiasm and cooperation of the people of Norh America, Central and South America, the program has shown real result in three short years.

Despite allegation to the contrary, we know that the Alliance for Progress is not only a government-to-government program. I have to mention that because when you read about the Alliance for Progress, most of the time you think it is nothing more or less than a few heads of government, administrators, civil servants, getting together. Well, that is a very small part of the Alliance for Progress, even though a vital part. The role of government, though necessarily large, is always to supplement and never to supplant the initiatives or activities of the private individual associations and groups.

The Partners of the Alliance Program puts this pluralistic philosophy of our free society into practice. Because of the efforts of the men and women who we salute here today, those far-sighted bold Americans who grasp both the opportunities of success and the consequences of failure, we are nearer the goal stated in the declaration of the peoples of the Americas which precedes the Charter of Punta del Este. And you know that declaration which is our common goal—to unite in common effort to bring our people accelerated economic progress and broader social justice within the framework of personal dignity and personal liberty.

Ladies and gentlemen, that's a mighty challenge, but there is no alternative to it if you want to be free. And since you have no alternative, I suggest that we set to the task of accomplishing the common goal and common purpose.

Mr. Gaud, Mr. Marcus and others, thank you very much for letting me have a share in this wonderful program which I think is a new dimension, and a very significant new dimension, to an effective working relationship and partnership in this hemisphere.

REMARKS BY MR. WILLIAM S. GAUD

Thank you, Mr. Vice President, for giving us such a clear and eloquent statement of our common purpose. And now, sir, I would appreciate it very much if you and Mr. Marcus would sign this Grant.

REMARKS BY MR. EDWARD MARCUS, PRESIDENT, THE NATIONAL ASSOCIATION OF THE PARTNERS OF THE ALLIANCE, INC.

Mr. Vice President, Ambassador Gaud, Members of the Diplomatic Corps, Members of Congress, Fellow Midwives, Ladies and Gentlemen:

Mr. Vice President, knowing of your continuing interest and your enthusiastic support of the Partners of the Alliance movement, we are particularly happy to have your signature on this document.

The Partners of the Alliance was conceived as an organization of the private sector. This Grant supporting the establishment of this National Association of the Partners of the Alliance marks one more step in the strengthening of the original concept and gives thrust to its progress. The officials of A.I.D. have been very understanding of the desirability of lending assistance to get the various state organizations started. Now it is lending support to establishing the national office. We anticipate that private businesses and foundations will give continually increasing support, to the end that the proportionate government share will gradually be reduced. The various state organizations, like individual citizens, will undoubtedly plan diverse ways of achieving the goals of mutual understanding which they seek between themselves and their partners.

While the national office will serve as a voice of the participating states, at the proper time the primary functions are to provide better communication with our partner countries, to provide an exchange place for the best ideas of all states and to assist the states in whatever way possible to achieve their aims. This organization will have the flexibility, I hope, to seek new ways of involving the private sector and to become, itself, an instrument of innovation.

And now if I may ask the distinguished Ambassador of Nicaragua and the Dean of the Diplomatic Corps to add his blessings to this occasion, I'd appreciate if Dr. Sevilla-Sacasa will come up and address you for just a moment.

REMARKS BY HIS EXCELLENCY DR. GUILLERMO SEVILLA-SACASA, AMBASSADOR OF NICARAGUA AND DEAN OF THE DIPLOMATIC CORPS

Mr. Vice President, Mr. Marcus, Members of the Congress, distinguished colleagues, ladies and gentlemen:

On behalf of my colleagues and myself, I am deeply grateful to Vice President Humphrey for his gracious invitation to attend the significant ceremony that has been held in the memorable Indian Room of this respected building this morning. The document that has just been executed is of great importance and brings us all deep satisfaction.

America marches under the banner of the Alliance for Progress. We must give dynamic impulse to this march. America needs the Alliance and the Alliance needs good partners, good supporters, good friends. The Alliance needs the cooperation of the private sector, the cooperation of us all. In one word, mutual cooperation. United together, we shall be more powerful and command higher respect. For that reason we appreciate and applaud the signing of this Grant and salute with pleasure the Partners of the Alliance.

We take this opportunity to reiterate our sincere wishes for the continued prosperity of the United States of America, this glorious nation, bulwark of peace and champion of justice in the world, and the personal happiness and good health of its illustrious President, Lyndon B. Johnson, and his worthy and respected collaborator and our very dear friend, Vice President Hubert H. Humphrey. Thank you.

REMARKS BY MR. EDWARD MARCUS

Thank you, Mr. Ambassador, for the very warm words. I should like to take the opportunity to introduce to you, Mr. Vice President, and the rest of you Members of the Executive Committee who are here today and I would like to ask them to stand as I call their names:

Mr. Cliff Whitehill from your home state of Minnesota,

Mr. William Wright from Vermont,

Mr. Ed Kingman from Washington, D.C.,

Dr. Will Pirkey from Colorado,

Mr. Warren Huff from Michigan,

Dr. Boyd Martin from Idaho,

Mr. Ogden Bigelow from Connecticut, and

Mr. Jim Melvin from North Carolina.

Thank you very much Mr. Vice President, gentlemen, for your attendance. We hope that we utilize the Grant well and serve the purposes of North and South and Central America as it is intended. Thank you.

FOOD FOR THOUGHT IN PRESIDENT'S MESSAGE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, the President has given us a great deal of food for thought in his appraisal of the state of the Union. As we reflect upon the paradox of great need in the midst of unparalleled plenty, inequities in our system of constitutional rights and freedoms, hazardous pollution of natural resources in our broad and bountiful land, and the effort that must be continued in Vietnam to assure a just and lasting peace, we realize the dimensions of our tasks. I assure the President that his recommendations will have the closest attention of the 90th Congress.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HAWKINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HAWKINS. Mr. Speaker, I am opposed to the continuation of the House Committee on Un-American Activities. While my opposition is based on my fundamental belief in the rights of free speech and fair trial, it is further supported by the recent announcement that this committee intends to investigate the civil rights movement and recent disturbances in our urban centers. I predicted this last year when this committee sought funds allegedly to investigate the Klan.

There exist in the Congress other committees better qualified to investigate these and any other matters which may require not only objective and vigilant inquiry but constructive action. As to internal security, I believe this is best left to nonpolitical agencies, or if congressional action is needed, to authorize the House Judiciary Committee to assume this role. In no event, however, can the Committee on Un-American Activities justify its existence with a record of positive results or claim the respect and objectivity needed in the explosive situations it is now entering.

On the contrary, the historic record of this committee reveals recognition of progressive ideas and social legislation as being part of a Communist conspiracy, including civil rights, social security, child care centers, minimum wages, the Supreme Court decision desegregating the schools, Federal aid, full employment and fair employment practices.

For 30 years the various House Committees on Un-American Activities have protected racists, segregationists, and

Klan elements while harassing liberals who have sought constructive social change.

As an American citizen, I resent the implication that what is good for human beings, or that any social change, or liberal thought, or intercultural and interfaith activities must be subversive and the work of Moscow. Cannot Americans be for peace, brotherhood, equality, and social justice?

And I strongly oppose any efforts to becloud the issue of violence in our urban cities and to ignore the basic causes of disorders in slum ghettos.

Violence in Southern areas has been practiced on the side of those who oppose the Negro's fight for social justice. This is a good place to act if we honestly want to expose real un-Americanism.

While violence in Northern cities is also abhorred, we should at least understand it. There is no reliable evidence to support the contention that this violence where it has occurred was premeditated or even advocated as a tactical weapon; or that someone, an agent of Moscow or otherwise, on a particular day planned a race riot. Herein lies one of the chief differences distinguishing these disorders from the violence of the Klan whose dues-paying organizations have adopted terror, brutality, and violence as their ethics and weapons.

Those arrested in the Northern disorders have reflected a population indigenous to the locality. And there has been no evidence yet produced to back up wild assertions blaming outside agitators, Communist conspirators, or Black Nationalists. Actually those arrested have generally had no ideological motives in mind. They were just plain frustrated, angry, and tired of being poor.

Theirs is a class expression protesting their underprivileged conditions: their alienation from society, high rates of unemployment, bad housing, inferior schools, economic and political exploitation. They feel rejected by both whites and the Negro middle class.

These people hear about jobs and training programs that never reach down to them, Federal antipoverty funds that get sidetracked. When they protest, they are often met by repressive and antiquated police measures which treat crime and violence as problems in law enforcement instead of problems in jobs, education, family organization, and decent housing.

I strongly recommend that if we really want to help alleviate the disorders and tensions in our slum ghettos that we not send a committee into these areas that can only issue propaganda; but that we provide more adequate Federal funds to the war on poverty, employment, and training programs; and do something more decisive to end segregation in housing and education.

Everywhere in this world today there is a yearning of peoples to be free, to govern themselves, and to live in security and human dignity.

Let us not repress this yearning in our country which remains yet the hope of free peoples everywhere.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I am today reintroducing a resolution which would amend the rules of the House, eliminating the House Committee on Un-American Activities as a standing committee, and enlarging the jurisdiction of the Committee on the Judiciary to encompass overt actions relating to internal security.

I have, along with other Members of the House, distinguished lawyers, professors, scholars, world-respected newspapers, and eminent religious leaders, long urged that the committee be abolished. Our objections to it have not changed:

First. The mandate of the committee authorizing it to investigate un-American propaganda is unconstitutional because it permits inquiries into ideas, opinions, speech, and other forms of expression. Once again this issue is before the courts in the Stamler case. However, we should not, as a responsible legislative body, rely on the courts to save ourselves from our own responsibilities.

Second. Since its creation in 1938 its primary function as a legislative committee should have been to obtain facts for the purpose of determining whether the legislation is needed, or whether existing legislation should be changed. It has, however, a minuscule record of accomplishment. Its major product—the Internal Security Act of 1950—is so filled with constitutional defects that it has, after some 17 years, been so battered by court decisions that it is practically useless. Although it was passed 17 years ago, not a single organization or individual has yet registered under its major provision, the Subversive Activities Control Act, nor has anyone yet gone to prison for failing to register.

Third. The committee, it is clear, really does not think of itself as a legislative committee, but still feels that its major function is to expose people for the sake of exposure. Its hearings have all of the trappings of a criminal trial, with none of the safeguards.

Fourth. The committee maintains extensive files and the information in them is rather freely available. Is there any Member of this House who can say with certainty that there is not a dossier on him within the Un-American Activities Committee file?

Similar resolutions to abolish the committee are being introduced by other Members of the House today. They will all be referred to the Rules Committee. In light of the continued public furor about the Committee on Un-American Activities I sincerely request that open public hearings be held by that committee on these resolutions. It is time we put our house in order.

I ask unanimous consent that all Members have 5 legislative days to extend their remarks on this subject.

HOUSE UN-AMERICAN ACTIVITIES COMMITTEE

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I present this resolution seeking to transfer the jurisdiction of the House Committee on Un-American Activities to the Judiciary Committee of the House of Representatives as I think it is in the best interest of the citizens of this country.

When I introduced a similar resolution a few years ago, and appeared in its behalf before the Rules Committee, I then stated that when the mere service of a subpena immediately surrounds the one served with an aura of guilt, irrespective of whether he is innocent or guilty, then it is time for a change.

The significance of the foregoing statement must appear very obvious. Where the service of a subpena from the Judiciary Committee would infer one meaning, if made public, service of a subpena emanating from the Committee on Un-American Activities would infer another.

Over the years the House Un-American Activities Committee has been responsible for the passage of so little legislation that its jurisdiction could easily be assumed by the Judiciary Committee without interfering with that committee's functions.

I therefore believe that the transfer of the authority of the House Un-American Activities Committee to the Judiciary Committee is not alone salutary but very necessary.

A RESOLUTION

Resolved, That clause 1 of Rule X of the Rules of the House of Representatives is amended by striking out paragraph (r) and by redesignating paragraphs (s) and (t) as paragraphs (r) and (s), respectively.

SEC. 2. Rule XI of the Rules of the House of Representatives is amended—

(1) by striking out "and counterfeiting" in paragraph (c) of clause 12 and inserting in lieu thereof "counterfeiting, and sabotage and other overt acts affecting internal security";

(2) by striking out clause 18 and by redesignating clauses 19 through 30 as clauses 18 through 29, respectively;

(3) by striking out "paragraph 26" in paragraph (j) of clause 25, as so redesignated by paragraph (2) of this section, and inserting in lieu thereof "clause 25"; and

(4) by striking out ", Rules, and Un-American Activities" in clause 29, as so redesignated by paragraph (2) of this section, and inserting in lieu thereof "and Rules".

SEC. 3. Clause 2 of Rule XIII of the Rules of the House of Representatives is amended by striking out "clause 21" and inserting in lieu thereof "clause 20".

SEC. 4. All property and records of the former Committee on Un-American Activities are hereby transferred to the Archives, not to be open for official or public inspection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Hosmer, for 14 days, on account of military leave.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. St Germain, for 1 hour, on Wednesday, January 18; to eulogize the late Honorable John E. Fogarty.

Mr. Lipscomb (at the request of Mr. Laird), for 1 hour, on Tuesday, January 17; to revise and extend his remarks and to include extraneous matter.

Mr. Conte, for 15 minutes, tomorrow; to revise and extend his remarks and to include extraneous matter.

Mr. Farbstein (at the request of Mr. Smith of Iowa), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Laird) and to include extraneous matter:)

Mr. McClory.
Mr. Martin in three instances.
Mr. Rhodes of Arizona.
Mr. Collier.

(The following Members (at the request of Mr. Smith of Iowa) and to include extraneous matter:)

Mr. Teague of Texas in two instances.
Mr. Machen in three instances.
Mr. Fraser.
Mr. Ullman.
Mr. Wolff in two instances.
Mr. Tenzer.
Mr. Bennett.

DEATH OF HON. JOHN E. FOGARTY

Mr. ST GERMAIN. Mr. Speaker, there are absolutely no words to express my grief and sorrow in announcing to the House the death of our beloved friend and colleague, John Fogarty. He died as he lived, occupied with the concerns of those he served.

John Fogarty was like a father to me. From the time of my election to the House in 1960, he was a constant source of strength and encouragement to me. His wisdom, dedication, and kindness inspired and sustained me during my freshman years in this body. In the time since then, he continued to be my foremost ideal of the truly noble public servant we all aspire to be. I cannot describe the ache in my heart as I stand here before you.

He was elected to Congress in 1940 at the early age of 27. He was a bricklayer and he was very, very proud of it. His efforts on behalf of the worker, the poor, and the young are legend. John Fogarty always remained true to his birthright. He was one of those rare individuals who personified in his own being the greatness of the American character.

The man whose loss we mourn did more to assure a healthy life for millions of his fellow citizens than any other person in the history of this country. Many people live today for the simple reason that John Fogarty cared. Never one to be content with dreams, he aroused the conscience of a nation, and helped to build the greatest public and private health service in the world. It is for this that he will be most remembered by posterity.

John Fogarty was a man of deep, vibrant religious faith. He labored long and hard, guided by the certainty that man is made to the image and likeness of God, and to Him he must return.

"Eternal rest grant unto him, O Lord, and let perpetual light shine upon him."

Mr. LAIRD. Mr. Speaker, will the gentleman from Rhode Island yield?

Mr. ST GERMAIN. Mr. Speaker, I will be very pleased to yield to John Fogarty's dear friend from the State of Wisconsin, Melvin Laird.

Mr. LAIRD. Mr. Speaker, John Fogarty, of Rhode Island, was one of my closest and dearest friends through all of my years in the House of Representatives. His passing was a terrible shock to all who knew and loved him as I did.

Mr. Speaker, all Americans who care deeply for the health and welfare of their fellow citizens will know they have lost their most eloquent champion in the House of Representatives.

The proper words can never be found at a time like this to express adequately the deep feeling of sorrow at the passing of a true friend and outstanding colleague.

His fellow members on the Appropriations Committee will miss his wise counsel and leadership sorely.

His colleagues in the entire Congress will feel a void for a long time to come.

To the family and relatives and thousands of friends John Fogarty has left behind, I would simply say that I share your deep sense of loss and sorrow at the passing of a great American.

Mr. ST GERMAIN. Mr. Speaker, I wish to make the announcement at this time that the funeral services for John E. Fogarty will be held at the cathedral of Sts. Peter and Paul at Providence, R.I., at 11 a.m., on Friday of this week.

Mr. Speaker, I offer a resolution.

The Clerk read the resolution, as follows:

H. Res. 12

Resolved, That the House has heard with profound sorrow of the death of the Honorable John E. Fogarty, a Representative-elect from the State of Rhode Island.

Resolved, That a committee of twenty-six Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expense in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The SPEAKER. The Chair appoints the following Members as the delegation to attend the funeral of our late beloved friend: Messrs. St Germain, Boggs, Kirwan, Flood, Rooney of New York, Mahon, Carey, Boland, Burke of Massachusetts, Donohue, Philbin, Macdonald of Massachusetts, O'Neill of Massachusetts, Rooney of Pennsylvania, Gerald R. Ford of Michigan, Laird, Michel, Shriver, Bates, Cleveland, Morse of Massachusetts, Conte, Keith, Rhodes of Arizona, Widnall, and Mrs. Heckler of Massachusetts.

The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 11 o'clock and 10 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 11, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Clerk, U.S. House of Representatives, transmitting a list of reports which it is the duty of an officer or department to make to Congress, pursuant to the provisions of rule III, clause 2, of the Rules of the House of Representatives (H. Doc. No. 23); to the Committee on House Administration.

2. A letter from the Adjutant General, Veterans of Foreign Wars of the United States, transmitting the proceedings of the 67th National Convention of the Veterans of Foreign Wars of the United States, pursuant to the provisions of Public Law 88–224 (H. Doc. No. 33); to the Committee on Armed Services and ordered to be printed with illustrations.

3. A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, transmitting the fourth annual report of the Advisory Commission, pursuant to the provisions of Public Law 87–256 (H. Doc. No. 32); to the Committee on Foreign Affairs and ordered to be printed.

4. A letter from the Comptroller General of the United States, transmitting a report of audit of Federal Deposit Insurance Corporation, year ended June 30, 1965, pursuant to 12 U.S.C. 1827 (H. Doc. No. 34); to the Committee on Government Operations and ordered to be printed.

5. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements, fiscal year 1965, Federal National Mortgage Association, Department of Housing and Urban Development, pursuant to 31 U.S.C. 841 (H. Doc. No. 35); to the Committee on Government Operations and ordered to be printed.

6. A letter from the Chairman, U.S. Civil Service Commission, transmitting the 45th annual report of the board of actuaries of the civil service retirement system for the fiscal year ended June 30, 1965, pursuant to the provisions of section 16 of the Civil Service Retirement Act (H. Doc. No. 36); to the Committee on Post Office and Civil Service and ordered to be printed.

7. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting a report on title I, Public Law 480 agreements, signed during August, September, October, and November 1966, pur-

suant to the provisions of Public Law 85-128; to the Committee on Agriculture.

8. A letter from the Secretary of the Interior, Chairman, Migratory Bird Conservation Commission, transmitting the report of the Commission for the fiscal year ended June 30, 1966, pursuant to the provisions of 45 Stat. 1222; to the Committee on Agriculture.

9. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the limitation on salaries and expenses, Railroad Retirement Board, for the fiscal year 1967, has been apportioned on a basis which indicates the necessity for a supplemental estimate, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

10. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Agriculture for "Forest protection and utilization, Forest Service," for the fiscal year 1967, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

11. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Post Office Department for "Transportation" for the fiscal year 1967, has been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

12. A letter from the Secretary of Defense, transmitting six reports covering the same number of violations of section 3679, Revised Statutes, pursuant to the provisions of section 3679(i)(2), Revised Statutes; to the Committee on Appropriations.

13. A letter from the Secretary of Commerce, transmitting a report of a violation in an authorization or creation of an obligation in excess of an apportionment of an appropriation, pursuant to the provisions of 31 U.S.C. 665(h); to the Committee on Appropriations.

14. A letter from the Assistant Secretary of the Interior, transmitting a report of an adequate soil survey and land classification of the lands in the Whitestone Coulee unit, Chief Joseph Dam project, Washington, pursuant to the provisions of Public Law 83-172; to the Committee on Appropriations.

15. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period January 1 to June 30, 1966, pursuant to the provisions of Public Law 79-520; to the Committee on Armed Services.

16. A letter from the Secretary of Defense, transmitting a report of "Real and Personal Property of the Department of Defense," as of June 30, 1966, pursuant to the provisions of the National Security Act of 1947, as amended; to the Committee on Armed Services.

17. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air Force Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

18. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of an additional facility project for the Naval and Marine Corps Reserves, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

19. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

20. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report with respect to certain construction projects for the Air National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

21. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report with respect to certain construction projects for the Air Force Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1), and pursuant to the authority delegated to me by the Secretary of Defense; to the Committee on Armed Services.

22. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Naval and Marine Corps Reserves, pursuant to the provisions of 10 U.S.C. 2233a(1) and pursuant to the authority delegated to me by the Secretary of Defense; to the Committee on Armed Services.

23. A letter from the Secretary, Department of the Air Force, transmitting a report showing the grade and age of all officers on flying status above the grade of major, during the 6-month period March 1 through August 31, 1966, pursuant to the provisions of section 301(g), title 37, United States Code; to the Committee on Armed Services.

24. A letter from the Secretary of the Army, transmitting a report of the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff on September 30, 1966, pursuant to the provisions of section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

25. A letter from the Deputy Under Secretary of the Army (International Affairs), transmitting an index of all enactments, as of February 28, 1962, of the Legislature of the Government of the Ryukyu Islands (GRI); to the Committee on Armed Services.

26. A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a report of actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ending September 30, 1966, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

27. A letter from the Acting Assistant Secretary of the Treasury, transmitting a report of the number of officers in the Coast Guard above the grade of lieutenant commander, or equivalent, entitled to receive incentive pay, for the 6-month period July 1 to December 31, 1966, pursuant to the provisions of section 301(g) of title 37, United States Code; to the Committee on Armed Services.

28. A letter from the Assistant Secretary for Administration, Treasury Department, transmitting a list of negotiated purchases and contracts made by the Coast Guard since April 26, 1966, pursuant to the provisions of section 2304e of title 10, United States Code; to the Committee on Armed Services.

29. A letter from the Acting Director, Civil Defense, Department of the Army, transmitting a report on property acquisitions of emergency supplies and equipment, for the quarter ending September 30, 1966, pursuant to the provisions of subsection 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

30. A letter from the Acting Director, Civil Defense, Department of the Army, transmitting the report of Federal contributions program—equipment and facilities (reporting symbol OCD-CONG(Q)2) for the quarter ending September 30, 1966, pursuant to the provisions of subsection 201(i) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

31. A letter from the Director, Selective Service System, transmitting the 16th annual report of the operations of Selective Service, for the period to June 30, 1966, pursuant to the provisions of section 10(g) of the Universal Military Training and Service Act; to the Committee on Armed Services.

32. A letter from the Adjutant General, Veterans of Foreign Wars of the United States, transmitting a report of audit of the books of the Quartermaster General of the Veterans of Foreign Wars of the United States for the fiscal year ended August 31, 1966, pursuant to the provisions of Public Law 74-630; to the Committee on Armed Services.

33. A letter from the Secretary of Commerce, transmitting the 77th quarterly report covering the third quarter 1966, pursuant to the provisions of the Export Control Act of 1949; to the Committee on Banking and Currency.

34. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement for small and other business firms for July-August 1966 pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

35. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the report on Department of Defense procurement for small and other business firms for July-September 1966, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

36. A letter from the Secretary of the Treasury, transmitting the report on the feasibility, advantages, and disadvantages of direct loan programs compared to guaranteed or insured loan programs, pursuant to the provisions of Public Law 89-429; to the Committee on Banking and Currency.

37. A letter from the President and Chairman, Export-Import Bank of Washington, transmitting the annual report of the Bank on its operations from July 1, 1965, through June 30, 1966, pursuant to the provisions of the Export-Import Bank Act of 1945, as amended; to the Committee on Banking and Currency.

38. A letter from the junior past national president, Blue Star Mothers of America, Inc., Medford, Oreg., transmitting the yearly audit report of the Blue Star Mothers of America, Inc., for the period September 15, 1965, to September 15, 1966; to the Committee on the District of Columbia.

39. A letter from the Acting Assistant Administrator for Program, Agency for International Development, Department of State, transmitting a copy of report on the programing and obligation of contingency funds, for the period July 1 through September 30, 1966, pursuant to the provisions of section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

40. A letter from the Acting Secretary of the Treasury, transmitting the semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of June 30, 1966, pursuant to the provisions of Public Law 87-195; to the Committee on Foreign Affairs.

41. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report of the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of October 1966, not previously reported, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1967, and to the

Presidential Determination of February 4, 1964; to the Committee on Foreign Affairs.

42. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report that Export-Import Bank has agreed to issue certain guarantees in connection with the sale of U.S. products and services required for the expansion of the fertilizer production facilities of chemical industry, "Pancevo" in Yugoslavia, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1966 and to the Presidential Determination of February 4, 1964; to the Committee on Foreign Affairs.

43. A letter from the Secretary, Export-Import Bank of Washington, transmitting a report with respect to the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of November 1966, not previously reported, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1967, and to the Presidential Determination of February 4, 1964; to the Committee on Foreign Affairs.

44. A letter from the Assistant Administrator for Program, Agency for International Development, Department of State, transmitting copies of a report on the programing and obligation of contingency funds for the period April 1 through June 30, 1966, of fiscal year 1966, pursuant to the provisions of section 451(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

45. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the 22d semiannual report of the activities of the Commission as of June 30, 1965, pursuant to the provisions of 62 Stat. 1246, title 50, United States Code, and 64 Stat. 13, title 22, United States Code; to the Committee on Foreign Affairs.

46. A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting a report of the activities of the Department with regard to the disposal of foreign excess property, pursuant to the provisions of Public Law 81-152; to the Committee on Government Operations.

47. A letter from the Assistant Secretary of Defense, transmitting the annual report of the Department of Defense relative to the disposition of foreign excess personal property located outside the United States, Puerto Rico, and the Virgin Islands, during the fiscal year 1966, pursuant to the provisions of Public Law 81-152; to the Committee on Government Operations.

48. A letter from the Administrator, General Services Administration, transmitting the annual report of General Services Administration for the fiscal year ending June 30, 1966; to the Committee on Government Operations.

49. A letter from the Comptroller General of the United States, transmitting a report on the feasibility of using U.S.-owned excess foreign currencies instead of dollars to pay for ocean shipment of military assistance program materiel, Department of Defense and other Government agencies; to the Committee on Government Operations.

50. Comptroller General of the United States transmitting a report concerning the review of determinations of wage rates of construction of Carters Dam, Ga., Department of Labor; to the Committee on Government Operations.

51. A letter from the Comptroller General of the United States, transmitting a report concerning management control of Nike-Hercules missile launching and handling rails, Army Missile Command, Department of the Army; to the Committee on Government Operations.

52. A letter from the Comptroller General of the United States, transmitting a report concerning the review of selected aspects of scheduling for design, integration, and test of Nimbus aircraft, National Aeronautics and Space Administration; to the Committee on Government Operations.

53. A letter from the Comptroller General of the United States, transmitting a report concerning the review of Federal grants for airport improvements at the adjacent communities of Kenai and Soldotna, Alaska, Federal Aviation Agency; to the Committee on Government Operations.

54. A letter from the Comptroller General of the United States, transmitting a report concerning potential savings through greater use of available Government gasoline outlets, General Services Administration; to the Committee on Government Operations.

55. A letter from the Comptroller General of the United States, transmitting a report concerning examination of financial statements of fiscal years 1964 and 1965, Office of the Treasurer of the United States, Treasury Department; to the Committee on Government Operations.

56. A letter from the Comptroller General of the United States, transmitting a report concerning the review of certain policies and practices followed in approving claims for noncash grant-in-aid credits, Renewal Projects Administration, Department of Housing and Urban Development; to the Committee on Government Operations.

57. A letter from the Comptroller General of the United States, transmitting a report on the review of certain procedures relating to the continuing eligibility of Federal employees for disability retirement annuities under the civil service retirement system, U.S. Civil Service Commission; to the Committee on Government Operations.

58. A letter from the Comptroller General of the United States, transmitting a report on the need to further revise regulations to minimize loss of proceeds to the Government under the wheat marketing allocation program, Agricultural Stabilization and Conservation Service and Commodity Credit Corporation, Department of Agriculture; to the Committee on Government Operations.

59. A letter from the Comptroller General of the United States, transmitting a report concerning review of procurement of detachable helicopter ground handling wheel assemblies, Department of the Army; to the Committee on Government Operations.

60. A letter from the Comptroller General of the United States, transmitting a report concerning review of policies and procedures used in determining the administrative office space to be provided in major postal facilities, Post Office Department; to the Committee on Government Operations.

61. A letter from the Comptroller General of the United States, transmitting a report on need for improving procedures to insure compliance with law regarding deposition of industrial waste solids into navigable waters, Corps of Engineers (Civil Functions), Department of the Army; to the Committee on Government Operations.

62. A letter from the Comptroller General of the United States, transmitting a report on need to resolve differences in procedures used by Federal timber management agencies in appraising timber offered for sale, Forest Service, Department of Agriculture, Bureau of Indian Affairs, Bureau of Land Management, Department of the Interior; to the Committee on Government Operations.

63. A letter from the Comptroller General of the United States, transmitting a report on review of price increases under Shipbuilding Contracts, Department of Navy; to the Committee on Government Operations.

64. A letter from the Comptroller General of the United States, transmitting a report concerning the review of the accounting system of the Communicable Disease Center, Bureau of State Services, Public Health Service, Department of Health, Education, and Welfare; to the Committee on Government Operations.

65. A letter from the Comptroller General of the United States, transmitting a report concerning procurement of printing of technical manuals for equipment contractors, Department of Defense; to the Committee on Government Operations.

66. A letter from the Comptroller General of the United States, transmitting a report concerning opportunities for increasing revenues by improving controls and procedures relating to interest paid on Federal income tax refunds, Internal Revenue Service, Treasury Department; to the Committee on Government Operations.

67. A letter from the Comptroller General of the United States, transmitting a report concerning a review of maintenance employment classifications and wage rates at selected local housing authorities in region VI, Department of Housing and Urban Development; to the Committee on Government Operations.

68. A letter from the Comptroller General of the United States, transmitting a report concerning utilization of motor vehicles in the Cape Kennedy interagency motor pool, General Services Administration, and National Aeronautics and Space Administration; to the Committee on Government Operations.

69. A letter from the Comptroller General of the United States, transmitting a report concerning potential savings through changes in legislation affecting compensation of rural carriers and consolidation of rural routes, Post Office Department; to the Committee on Government Operations.

70. A letter from the Comptroller General of the United States, transmitting a report concerning review of disability compensation payments under amendments to the Federal Employees' Compensation Act, Bureau of Employees' Compensation, Department of Labor; to the Committee on Government Operations.

71. A letter from the Comptroller General of the United States, transmitting a report concerning the opportunities for reducing costs of transporting donated commodities to State agencies, Consumer and Marketing Service, Department of Agriculture; to the Committee on Government Operations.

72. A letter from the Comptroller General of the United States, transmitting a report concerning a review of coordination between procurement of technical equipment and its ultimate utilization, Federal Aviation Agency; to the Committee on Government Operations.

73. A letter from the Comptroller General of the United States, transmitting a report concerning the review of policy and practices relating to requirements for performance and payment bonds on certain ship construction contracts, Maritime Administration, Department of Commerce; to the Committee on Government Operations.

74. A letter from the Comptroller General of the United States, transmitting a report concerning a review of justification for a Federal highway frontage road near Billings, Mont., Bureau of Public Roads, Department of Commerce; to the Committee on Government Operations.

75. A letter from the Comptroller General of the United States, transmitting a report concerning savings attainable in the use and pricing of certain nonperishable foods, Department of Defense; to the Committee on Government Operations.

76. A letter from the Comptroller General of the United States, transmitting a report concerning comparison of costs of storing grain on the farm with rates paid for such storage, Commodity Credit Corporation, Department of Agriculture; to the Committee on Government Operations.

77. A letter from the Assistant Comptroller General of the United States, transmitting a report concerning the review of financial statements, fiscal year 1966, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc.; to the Committee on Government Operations.

78. A letter from the Assistant Comptroller General of the United States, transmitting

a report concerning the review of circumstances relating to the collapse of the John Day River Bridge on Interstate Route 80N in the State of Oregon, Bureau of Public Roads, Department of Commerce, Corps of Engineers (Civil Functions), Department of the Army; to the Committee on Government Operations.

79. A letter from the Secretary of the Interior, transmitting the biennial report on continuing studies of the quality of water in the Colorado River system, pursuant to the provisions of section 15 of the act of Congress, authorizing the Colorado River storage project and participating projects; of section 15 of the act of June 13, 1962, authorizing the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project; and of section 6 of the act of August 16, 1962, authorizing the Frying-pan-Arkansas project; to the Committee on Interior and Insular Affairs.

80. A letter from the Assistant Secretary of the Interior, transmitting a report of orders and supporting documents covering cancellations and adjustments of certain debts against individual Indians or tribes of Indians, for the fiscal year 1966, pursuant to the provisions of 47 Stat. 564; to the Committee on Interior and Insular Affairs.

81. A letter from the Assistant Secretary of the Interior, transmitting a report of a proposed concession permit to continue the provision of services for the public in Muir Woods National Monument, Calif., from January 1 through December 31, 1967, when executed by the Director of the National Park Service, pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

82. A letter from the Assistant Secretary of the Interior, transmitting a report of the extension of a concession contract to provide lunchroom and souvenir shop facilities and services for the public in Wind Cave National Park, S. Dak., pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

83. A letter from the Assistant Secretary of the Interior, transmitting a report of proposed amendment, extending for 1 year, from January 1 through December 31, 1967, the concession contract to provide boat transportation service for the public between Charleston, S.C., and Fort Sumter National Monument, pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

84. A letter from the Assistant Secretary of the Interior, transmitting a report of proposed amendments extending for 1 year, from January 1 through December 31, 1967, certain concession contracts, pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

85. A letter from the Assistant Secretary of the Interior, transmitting a report of proposed amendments extending for 1 year, from January 1 through December 31, 1967, certain concession contracts, pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

86. A letter from the Assistant Secretary of the Interior, transmitting a report of an application for a loan from the Roy Water Conservancy Subdistrict of Roy, Utah, pursuant to the provisions of section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

87. A letter from the Assistant Secretary of the Interior, transmitting the 10th annual report on the status of the Colorado River storage project and participating projects, pursuant to the provisions of 70 Stat. 105; to the Committee on Interior and Insular Affairs.

88. A letter from the Deputy Assistant Secretary of the Interior, transmitting a report of a concession contract to provide accommodations, facilities, and services for the public at the Fritch Fortress site in Sanford Recreation Area, Tex., for the period from January 1, 1967, through December 31, 1986, pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

89. A letter from the Deputy Assistant Secretary of the Interior, transmitting a report of proposed amendments extending certain concession contracts, pursuant to 67 Stat. 271, 70 Stat. 543; to the Committee on Interior and Insular Affairs.

90. A letter from the Chairman, Lewis and Clark Trail Commission, transmitting an interim report on the activities of the Commission, pursuant to the provisions of Public Law 88–630; to the Committee on Interior and Insular Affairs.

91. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 342–H, *The Seneca Nation of Indians, petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

92. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 18–A, *Red Lake, Pembina, and White Earth Bands, et al. petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

93. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 340, *Tuscarora Indian Nation, petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

94. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 250, *The Fort Belknap Indian Community or The Gros Ventre and Assiniboine Tribe of Fort Belknap Indians, petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

95. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 223, *The San Carlos Tribe of Arizona, petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

96. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 327, *The Confederated Bands of Ute Indians, petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

97. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 168, *The Creek Nation, petitioner*, v. *The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C 70t; to the Commission on Interior and Insular Affairs.

98. A letter from the Chief Commissioner, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 344, *The Six Nations, et al., petitioner, v. The United States of America, defendant*, pursuant to the provisions of 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

99. A letter from the Chairman, Federal Communications Commission, transmitting a report of backlog of pending applications and hearing cases as of September 30, 1966, pursuant to section 5(e) of the Communications Act as amended; to the Committee on Interstate and Foreign Commerce.

100. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases as of October 31, 1966, pursuant to the provisions of section 5(e) of the Communications Act, as amended; to the Committee on Interstate and Foreign Commerce.

101. A letter from the Chairman, Federal Power Commission, transmitting a report of permits and licenses for hydroelectric projects issued by the Federal Power Commission during the fiscal year ended June 30, 1966; financial statements of proceeds derived from licenses issued by authority of the Federal Power Act, and the names and compensation of persons employed by the Commission, pursuant to the provisions of section 4(d) of the Federal Power Act; to the Committee on Interstate and Foreign Commerce.

102. A letter from the Chairman, Federal Power Commission, transmitting the following: Major natural gas pipelines, June 30, 1966, map; world power data, 1964; hydroelectric plant construction cost and annual production expenses, 1964; to the Committee on Interstate and Foreign Commerce.

103. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of the Commission on the public policy implications of investment company growth, pursuant to the provisions of section 14(b) of the Investment Company Act of 1940; to the Committee on Interstate and Foreign Commerce.

104. A letter from the Secretary of the Army, transmitting a report of claims settled by the Department of the Army during fiscal year 1966, pursuant to the provisions of title 10, United States Code, section 241(e); to the Committee on the Judiciary.

105. A letter from the General Manager, U.S. Atomic Energy Commission, transmitting a report of settlements of claims of employees for damage to, or loss of, personal property incident to their service, for the period July 1, 1965, through June 30, 1966, pursuant to the provisions of Public Law 88–558; to the Committee on the Judiciary.

106. A letter from the Commissioner, Federal Prison Industries, Inc., U.S. Department of Justice, transmitting the annual report of the Directors of Federal Prison Industries, Inc., for the fiscal year 1966, pursuant to the provisions of 18 U.S.C. 4127; to the Committee on the Judiciary.

107. A letter from George H. Jones, Jr., certified public accountant, McLean, Va., transmitting a report of the audit of the American Symphony Orchestra League for the fiscal year May 31, 1966, pursuant to the provisions of Public Law 87–817; to the Committee on the Judiciary.

108. A letter from the national secretary-treasurer, Sons of Union Veterans of the Civil War, transmitting a report of the proceedings of the 85th annual encampment of the national organization, together with a copy of the audit for the period July 1, 1965, to June 30, 1966, pursuant to the provisions of Public Law 83–605; to the Committee on the Judiciary.

109. A letter from the treasurer, American Historical Association, transmitting a report of the audit of the American Historical Association for the year ended August 31, 1966, pursuant to the provisions of Public Law 88–504; to the Committee on the Judiciary.

110. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning a certain claim against the United States, pursuant to the provisions of 45 Stat. 413, United States Code, section 236; to the Committee on the Judiciary.

111. A letter from the Comptroller General of the United States, transmitting a report and recommendation in a certain claim

against the United States, pursuant to the provisions of 45 Stat. 413, 31 U.S.C. 236; to the Committee on the Judiciary.

112. A letter from the executive director, National Conference on Citizenship, transmitting a report of the audit of the accounts of the National Conference on Citizenship, pursuant to the provisions of Public Law 88-504; to the Committee on the Judiciary.

113. A letter from the Acting Administrator, General Services Administration, transmitting a report of the settlement of a certain claim, pursuant to the provisions of 78 Stat. 767, 31 U.S.C. 240-242; to the Committee on the Judiciary.

114. A letter from the national adjutant-paymaster, Marine Corps League, transmitting the annual report of the Marine Corps League for the period ending July 31, 1966, pursuant to the provisions of Public Law 88-504; to the Committee on the Judiciary.

115. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report of aid and services to needy families with children, pursuant to the provisions of Public Law 85-315, as amended; to the Committee on the Judiciary.

116. A letter from the Acting Attorney General, transmitting a report on identical bidding in advertised public procurement, pursuant to the provisions of section 7 of Executive Order No. 10936, issued April 24, 1961; to the Committee on the Judiciary.

117. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of orders entered in certain cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised, pursuant to the provisions of the act; to the Committee on the Judiciary.

118. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of orders entered in the cases of certain aliens who have been found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

119. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

120. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

121. A letter from the Director [illegible]U.S. Arms Control and Disarmament Agenc[illegible]ransmitting the annual report for the calendar year 1966 on the 14 scientific or professional positions authorized for establishment in the U.S. Arms Control and Disarmament Agency, pursuant to the provisions of section 3104(c) of title 5, United States Code; to the Committee on Post Office and Civil Service.

122. A letter from the Director of Personnel, U.S. Department of Commerce, transmitting a report of scientific and professional positions established pursuant to the provisions of section 3104(c) of title 5, United States Code; to the Committee on Post Office and Civil Service.

123. A letter from the Assistant Secretary for Administration, Department of the Interior, transmitting a report of scientific or professional positions in the Department of the Interior, pursuant to the provisions of 5 U.S.C. 3104; to the Committee on Post Office and Civil Service.

124. A letter from the Librarian of Congress, transmitting a report of scientific and professional positions established in the Library of Congress, pursuant to the provisions of 5 U.S.C. 3104(c); to the Committee on Post Office and Civil Service.

125. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of those positions in grades GS-16, GS-17, and GS-18 under the jurisdiction of the commission, pursuant to the provisions of 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

126. A letter from the Secretary of Commerce, transmitting the first annual report of the Economic Development Administration, for the period September 1, 1965, through June 30, 1966, pursuant to the provisions of Public Law 89-136; to the Committee on Public Works.

127. A letter from the Chairman, John F. Kennedy Center for the Performing Arts, transmitting a status and financial report on the John F. Kennedy Center for the Performing Arts for the period July 1, 1965, through June 30, 1966, pursuant to the provisions of Public Law 85-874, as amended; to the Committee on Public Works.

128. A letter from the Board of Directors, Tennessee Valley Authority, transmitting the 33d annual report of the Tennessee Valley Authority for the fiscal year ending June 30, 1966; to the Committee on Public Works.

129. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 21, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Duck Creek, Iowa, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 9, 1960; to the Committee on Public Works.

130. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 13, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Portsmouth Harbor and Piscataqua River, Maine and N.H., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted November 18, 1958, and June 3, 1959; no authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

131. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 26, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on the Potomac River at and below Washington, D.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 9, 1957; to the Committee on Public Works.

132. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 26, 1966, submitting a report, together with accompanying papers and illustrations on a survey of Satilla River, Ga., and St. Marys and Suwannee Rivers, Ga. and Fla., in response to an item in the Flood Control Act approved May 17, 1950; the report on Suwannee River is also in response to a special act approved April 10, 1936, and to items in the River and Harbor Acts approved January 1927 and March 2, 1945; to the Committee on Public Works.

133. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 26, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Kings Bay deepwater channel, Georgia, authorized by the River and Harbor Act approved October 23, 1962; to the Committee on Public Works.

134. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 28, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Booth Point, Fla., authorized by the River and Harbor Act approved May 17, 1950; to the Committee on Public Works.

135. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 28, 1966, submitting a report, together with accompanying papers and an illustration, on a report on Fourche La Fave Basin, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted March 16, 1954; further studies toward improvement for flood control and agricultural water supply have not been recommended because watershed planning is being accomplished by the Soil Conservation Service, U.S. Department of Agriculture under Public Law 566, 83d Congress; to the Committee on Public Works.

136. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 14, 1966, submitting a report, together with accompanying papers and illustrations, on a survey of Island of Hawaii, State of Hawaii—lava flow control, requested by a resolution of the Committee on Public Works, House of Representatives, adopted September 21, 1951. It is also in response to an item of section 208 of the Flood Control Act of 1960; to the Committee on Public Works.

137. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 26, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Petit Jean River, Ark, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 13, 1956. No authorization by Congress is recommended as the desired improvement was approved by the Chief of Engineers for accomplishment under Public Law 685, 85th Congress, and has recently been completed; to the Committee on Public Works.

138. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 19, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Cuttyhunk Harbor, Gosnold, Mass., authorized by the River and Harbor Act approved July 24, 1946. No authorization by Congress is recommended as the desired improvements are being accomplished by other interests; to the Committee on Public Works.

139. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 13, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Green Harbor, Marshfield, Mass., authorized by the River and Harbor Act approved July 14, 1960. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

140. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 24, 1966, submitting a report, together with accompanying papers and illustrations, on Water Valley Reservoir, Eleven Point River, Mo., and Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 13, 1958; to the Committee on Public Works.

141. A letter from the Secretary of the Army transmitting a letter from the Chief of Engineers, Department of the Army, dated October 21, 1966, submitting a report, to-

gether with accompanying papers and an illustration, on a letter report on Barataria Bay Waterway, La., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 1, 1964, and June 23, 1964; to the Committee on Public Works.

142. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 19, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Laguna Dominguez, Los Angeles County, Calif., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted July 23, 1941; to the Committee on Public Works.

143. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 21, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Little Pigeon River at and in the vicinity of Sevierville, Tenn., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 19, 1962. No authorization by Congress is recommended as the desired improvements are being accomplished by other interests; to the Committee on Public Works.

144. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 26, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Snyder Bend, Missouri River, Iowa and Nebr., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 15, 1961. No authorization by Congress is recommended as the desired improvement has been approved for accomplishment by the Chief of Engineers under the provisions of section 207 of the Flood Control Act of 1962; to the Committee on Public Works.

145. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 14, 1966, submitting a report, together with accompanying papers and an illustration, on a report on St. Francis Basin, Ark., and Mo. (local cooperation requirements), requested by section 204, Flood Control Act of October 27, 1965 (Public Law 89-298); to the Committee on Public Works.

146. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 19, 1966, submitting a report, together with accompanying papers and illustrations, on a survey of the effects of Garrison and Oahe Reservoirs on sewage facilities at Bismarck and Mandan, N. Dak., authorized by the Flood Control Act approved October 23, 1962; to the Committee on Public Works.

147. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 25, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Topsail Inlet and Surf City, N.C., requested by a resolution of the Committee on Public Works, U.S. Senate, adopted January 22, 1957, and in response to an item in section 110 of the River and Harbor Act, approved May 17, 1950. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

148. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 21, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the report on Copper River and Gulf Coast, Valdez, Alaska, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 15, 1959, and June 9, 1960; to the Committee on Public Works.

149. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 25, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Calhoun-Victoria Soil Conservation District, Texas, authorized by the Flood Control Act approved May 17, 1950. No authorization by Congress is recommended as some of the desired improvements have been constructed by local interests and the remainder have been authorized under the Watershed Protection and Flood Prevention Act (Public Law 566); to the Committee on Public Works.

150. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 21, 1966, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Waccamaw River, N.C., and S.C., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted July 23, 1946; to the Committee on Public Works.

151. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report of research grants awarded by the Department during fiscal year 1966, pursuant to the provisions of Public Law 85-934; to the Committee on Science and Astronautics.

152. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report listing certain required information with respect to contracts negotiated during the period January 1, 1966, through June 30, 1966, pursuant to the provisions of 10 U.S.C. 2304(e); to the Committee on Science and Astronautics.

153. A letter from the Chairman, the Renegotiation Board, transmitting the 11th annual report, pursuant to section 114, Public Law 870, 84th Congress; to the Committee on Ways and Means.

154. A letter from the Acting Chairman, U.S. Tariff Commission, transmitting the 17th report on the operation of the trade agreements program, pursuant to section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

155. A letter from the Chief Justice, Supreme Court of the United States, transmitting the report of the Proceedings of the Annual Meeting of the Judicial Conference of the United States, held in Washington, D.C., September 22-23, 1966, pursuant to the provisions of title 28, United States Code, section 331 (H. Doc. 37); to the Committee on the Judiciary, and ordered to be printed.

156. A letter from the Governor, Farm Credit Administration, transmitting the 33d annual report of the Farm Credit Administration, for the fiscal year ended June 30, 1966 (H. Doc. No. 18); to the Committee on Agriculture, and ordered to be printed with illustrations.

157. A letter from the Assistant Secretary, Department of Agriculture, transmitting a report of research facilities, grants, and disbursements, for fiscal year 1966, pursuant to the provisions of Public Law 88-74; to the Committee on Agriculture.

158. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Justice for "Salaries and expenses, Immigration and Naturalization Service," for the fiscal year 1967, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

159. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Justice for "Salaries and expenses, Federal Bureau of Investigation," for the fiscal year 1967, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

160. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement for small and other business firms for July-October 1966, pursuant to the provisions of section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

161. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered, as well as a list of the persons involved, pursuant to the provisions of section 13(c) of the act of September 11, 1957; to the Committee on the Judiciary.

162. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of the orders entered in the cases of certain aliens found admissible to the United States, pursuant to the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

163. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in behalf of certain aliens, pursuant to the provisions of section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

164. A letter from the Librarian of Congress, transmitting a report of positions in the Legislative Reference Service allocated to grades 16, 17, and 18 of the General Schedule, pursuant to the provisions of section 5114 of title 5, United States Code; to the Committee on Post Office and Civil Service.

165. A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 201 of the Flood Control Act of 1965 to authorize the Secretary of the Army to construct, operate and maintain water resource development projects costing less than $10,000,000; to the Committee on Public Works.

166. A letter from the Chairman, Board of Trustees, Postal Savings System, transmitting the report of operations of the Postal Savings System for the fiscal year ended June 30, 1966, pursuant to section 1 of the act approved June 25, 1910, as amended (H. Doc. No. 38); to the Committee on Post Office and Civil Service and ordered to be printed.

167. A letter from the President, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the annual report of the work and operations of the Gorgas Memorial Laboratory for the fiscal year ended June 30, 1966, pursuant to the provisions of 22 U.S.C. 278a (H. Doc. No. 10); to the Committee on Foreign Affairs, and ordered to be printed.

168. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend titles 10, 14 and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice; to the Committee on Armed Services.

169. A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to increase the number of Assistant Secretaries of each military department; to the Committee on Armed Services.

170. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air

Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

171. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

172. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 2306 of title 10, United States Code, to authorize certain contracts for supplies and services to expend beyond 1 year; to the Committee on Armed Services.

173. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government; to the Committee on Armed Services.

174. A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

175. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes; to the Committee on Foreign Affairs.

176. A letter from the Secretary of the Treasury, transmitting the Combined Statement of Receipts, Expenditures and Balances of the U.S. Government for the fiscal year ended June 30, 1966, pursuant to 31 U.S.C. 66b; to the Committee on Government Operations.

177. A letter from the Comptroller General of the United States, transmitting a report concerning savings available by purchasing rather than leasing commercial two-way radio equipment; to the Committee on Government Operations.

178. A letter from the Administrator, General Services Administration, transmitting a supplemental report, regarding "Utilization of Motor Vehicles in the Cape Kennedy Interagency Motor Pool, General Services Administration and National Aeronautics and Space Administration"; to the Committee on Government Operations.

179. A letter from the Public Printer, U.S. Government Printing Office, transmitting the Annual Report of the Government Printing Office for the fiscal year ended June 30, 1966, pursuant to 28 Stat. 603; to the Committee on House Administration.

180. A letter from the Chairman, Securities and Exchange Commission, transmitting the 32d annual report for the fiscal year ended June 30, 1966, pursuant to applicable statutory requirements; to the Committee on Interstate and Foreign Commerce.

181. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to provide for the appointment of U.S. marshals by the Attorney General; to the Committee on the Judiciary.

182. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes; to the Committee on the Judiciary.

183. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization; to the Committee on the Judiciary.

184. A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 18, United States Code, to protect the security of the United States by providing penalties for interference with defense security systems; to the Committee on the Judiciary.

185. A letter from the Clerk, U.S. Court of Claims, transmitting copies of a statement setting forth all the judgments rendered by the U.S. Court of Claims for the year ended September 30, 1966, pursuant to 29 U.S.C. 791(c); to the Committee on the Judiciary.

186. A letter from the executive vice president, Agricultural Hall of Fame and National Center, transmitting a copy of the annual audit and report to the board of governors for fiscal years September 1965 through August 31, 1966, pursuant to the provisions of Public Law 86–680; to the Committee on the Judiciary.

187. A letter from the chairman, board of directors, Future Farmers of America, transmitting a report on the audit of the accounts of the Future Farmers of America for fiscal year ended June 30, 1966, pursuant to the provisions of Public Law 88–504; to the Committee on the Judiciary.

188. A letter from the Chairman, U.S. Civil Service Commission, transmitting a report on positions in grades GS–18, GS–17, and GS–16 existing in calendar year 1966, pursuant to 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

189. A letter from the Chairman, Railroad Retirement Board, transmitting the report for the calendar year 1966 on positions in grades GS–16, GS–17, and GS–18, pursuant to 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

190. A letter from the Chairman, Subversive Activities Control Board, transmitting the 16th annual report, pursuant to the Subversive Activities Control Act, as amended; to the Committee on Un-American Activities.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1966, the following bill was reported on December 2, 1966:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report of the Securities and Exchange Commission on the "Public Policy Implications of Investment Company Growth" pursuant to House Resolution 35, 89th Congress (Rept. No. 2337). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1966, the following bill was reported on December 27, 1966:

Mr. BENNETT: Select Committee on Standards and Conduct. Report of Select Committee on Standards and Conduct (Rept. No. 2338). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1966, the following bill was reported on December 28, 1966:

Mr. MURRAY: Committee on Post Office and Civil Service. Report on "Postal Systems of the U.S. Armed Forces—Vietnam and Thailand" (pt. II) (Rept. No. 2198, pt. II). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1966, the following bill was reported on December 29, 1966:

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on the organization and operation of the Small Business Administration, 1966 (Rept. No. 2339). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on small business investment program (Rept. No. 2340). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on small business subcontracting and set-aside programs (Rept. No. 2341). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on role of small business in the air transportation industry (Rept. No. 2342). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on small business problems in urban areas (Rept. No. 2343). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small business. Activities of regulatory and enforcement agencies relating to small business (Rept. No. 2344). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on problems of the tool and die industry, and manufacture and distribution of machine tools (Rept. No. 2345). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1966, the following bills were reported on December 30: 1966:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report on activity of the Interstate and Foreign Commerce Committee, 89th Congress, second session (Rept. No. 2346). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Final report of the Committee on Small Business (Rept. No. 2347). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of October 22, 1966, the following bills were reported on January 3, 1967:

Mr. O'NEILL of Massachusetts: Special Committee To Investigate Campaign Expenditures. Report on campaign expenditures, 1966 (Rept. No. 2348). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on House Administration. Report of the special investigation into expenditures during the 89th Congress by the House Committee on Education and Labor and the clerk-hire status of Y. Marjorie Flores (Mrs. Adam C. Powell) (Rept. No. 2349). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROONEY of New York:

H.R. 1. A bill to amend the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

By Mr. HÉBERT:

H.R. 2. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. BURKE of Massachusetts:

H.R. 3. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100-a-month benefit for certain individuals with 25 years' service, to liberalize the retirement test, to provide health insurance benefits for individuals entitled to disability insurance benefits, to increase the earnings base for benefit and tax purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 4. A bill to amend section 104 of the Revised Statutes of the United States (2 U.S.C. 194) so as to clarify the duty of the President of the Senate and the Speaker of the House in certifying reports of contempts under section 102 of such Revised Statutes; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 5. A bill to amend the Tariff Schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 6. A bill to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 7. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. POOL:

H.R. 8. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

By Mr. UDALL:

H.R. 9. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:

H.R. 10. A bill to amend section 105 of the Clean Air Act to authorize the establishment of emission standards; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 11. A bill to make the Federal Reserve System responsive to the best interests of the people of the United States and to improve the coordination of monetary, fiscal, and economic policy. It provides for (a) retiring Federal Reserve bank stock; (b) coordinating Federal Reserve bank policies and programs with those of the President of the United States in keeping with the provisions of the Employment Act of 1946; (c) reducing the number and term of office of members of the Federal Reserve Board; (d) making the term of Chairman of the Board coterminous with that of the President of the United States; (e) an audit for each fiscal year of the Federal Reserve Board and the Federal Reserve banks and their branches by the Comptroller General of the United States; (f) funds to operate the Federal Reserve System to be appropriated by the Congress of the United States; to the Committee on Banking and Currency.

By Mr. BOW:

H.R. 12. A bill to provide for the prototype construction of a commercial supersonic transport airplane, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNGATE:

H.R. 13. A bill to amend the Uniform Time Act of 1966 in order to change the period during which daylight saving time shall be in effect in the United States to the period from Memorial Day to Labor Day of each year; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREY:

H.R. 14. A bill for the education and training of the handicapped; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 15. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

H.R. 16. A bill to provide for the District of Columbia an elected mayor, city council, board of education, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

By Mr. HORTON:

H.R. 17. A bill to amend the Federal Water Pollution Control Act in order to establish an incentive award program for industries, municipalities, and other political subdivisions of States which demonstrate excellence in waste treatment and pollution abatement program; to the Committee on Public Works.

By Mr. RYAN:

H.R. 18. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

By Mr. ZABLOCKI:

H.R. 19. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. MORSE of Massachusetts:

H.R. 20. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. McCLORY:

H.R. 21. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. ERLENBORN:

H.R. 22. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. KUPFERMAN:

H.R. 23. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. MOORHEAD:

H.R. 24. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. DINGELL:

H.R. 25. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 26. A bill to amend title XVIII of the Social Security Act to include drugs requiring a doctor's prescription among the medical expenses with respect to which payment may be made under the voluntary program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 27. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DELANEY:

H.R. 28. A bill to authorize a 2-year program of Federal financial assistance for all elementary and secondary school children in all of the States; to the Committee on Education and Labor.

By Mr. BOGGS:

H.R. 29. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

By Mr. ASPINALL:

H.R. 30. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BYRNES of Wisconsin:

H.R. 31. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 32. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. LAIRD:

H.R. 33. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 34. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

H.R. 35. A bill to amend the Urban Mass Transportation Act of 1964 to remove the existing percentage limit on the amount of regular grant assistance which may be provided thereunder for projects in any one State; to the Committee on Banking and Currency.

H.R. 36. A bill to assure the fair selection of jurors and enforce the equal right to jury service, and for other purposes; to the Committee on the Judiciary.

H.R. 37. A bill to protect against violence and intimidation in the exercise of civil rights; to the Committee on the Judiciary.

H.R. 38. A bill to provide against discrimination in housing; to the Committee on the Judiciary.

H.R. 39. A bill to amend section 204 of the War Claims Act of 1948 to permit adjudication of the claims of additional persons for certain World War II losses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 40. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 41. A bill to amend the Social Security Amendments of 1965 to eliminate the provisions which deny hospital insurance benefits to uninsured individuals who are members of certain organizations or have been convicted of certain offenses, and to eliminate the provisions which deny supplementary medical insurance benefits to persons who have been convicted of certain offenses; to the Committee on Ways and Means.

H.R. 42. A bill to amend the Clean Air Act to repeal the State expenditure limitation on grant funds; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 43. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H.R. 44. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central

Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of California:

H.R. 45. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TALCOTT:

H.R. 46. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURKE of Massachusetts:

H.R. 47. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 48. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 49. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strikes at the sites of construction projects; to the Committee on Education and Labor.

By Mr. HORTON:

H.R. 50. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 51. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 52. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BARING:

H.R. 53. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 54. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 55. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 56. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 57. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. McCLURE:

H.R. 58. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 59. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. THOMSON of Wisconsin:

H.R. 60. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 61. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 62. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. MORRIS of New Mexico:

H.R. 63. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. ICHORD:

H.R. 64. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. McEWEN:

H.R. 65. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. HANSEN of Idaho:

H.R. 66. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 67. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 68. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 69. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. MORSE of Massachusetts:

H.R. 70. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. WIDNALL:

H.R. 71. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. REID of New York:

H.R. 72. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 73. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. ERLENBORN:

H.R. 74. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. ANDREWS of North Dakota:

H.R. 75. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. McDADE:

H.R. 76. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. KLEPPE:

H.R. 77. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. McCLORY:

H.R. 78. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. HOSMER:

H.R. 79. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. RUMSFELD:

H.R. 80. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. STANTON:

H.R. 81. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. ROBISON:

H.R. 82. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. REINECKE:

H.R. 83. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. STAFFORD:

H.R. 84. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. SCHWEIKER:

H.R. 85. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. CURTIS:

H.R. 86. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. BATES:

H.R. 87. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 88. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 89. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax to offset losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 90. A bill to reserve certain public lands for a national scenic rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REID of New York:

H.R. 91. A bill to amend section 302 of the Federal Aviation Act of 1958 to provide for the elimination of aircraft noise, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 92. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 93. A bill to amend section 203(a) of the National Aeronautics and Space Act of 1958 to provide for a program of research and development by the National Aeronautics and Space Administration to reduce or eliminate aircraft noise, and for other purposes; to the Committee on Science and Astronautics.

H.R. 94. A bill to amend the National Foundation on the Arts and the Humanities Act of 1965; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H.R. 95. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 96. A bill to authorize the Secretary of the Interior to conduct a program of research and development to encourage the use of underground transmission of electrical power and to undertake projects to evaluate and demonstrate the economical and technical feasibility of such transmission; to the Committee on Interstate and Foreign Commerce.

H.R. 97. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction and an increased tax credit for certain underground electrical transmission lines, and for other purposes; to the Committee on Ways and Means.

H.R. 98. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HECHLER of West Virginia:

H.R. 99. A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H.R. 100. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. ANDERSON of Illinois:

H.R. 101. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. ANDREWS of North Dakota:

H.R. 102. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. BATES:

H.R. 103. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. BELL:

H.R. 104. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. BROOMFIELD:

H.R. 105. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. BROWN of Ohio:

H.R. 106. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. CEDERBERG:

H.R. 107. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. DON H. CLAUSEN:

H.R. 108. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. CLEVELAND:

H.R. 109. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. CUNNINGHAM:

H.R. 110. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. CURTIS:

H.R. 111. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. DERWINSKI:

H.R. 112. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. DOLE:

H.R. 113. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. DUNCAN:

H.R. 114. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mrs. DWYER:

H.R. 115. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. ERLENBORN:

H.R. 116. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. FINDLEY:

H.R. 117. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. FRELINGHUYSEN:

H.R. 118. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. HALPERN:

H.R. 119. A bill to establish a National Commission of Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. HOSMER:

H.R. 120. A bill to establish a National Commission of Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. KUPFERMAN:

H.R. 121. A bill to establish a National Commission of Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. McCLORY:

H.R. 122. A bill to establish a National Commission of Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. McDADE:

H.R. 123. A bill to establish a National Commission of Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. MATHIAS of Maryland:

H.R. 124. A bill to establish a National Commission of Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. MIZE:

H.R. 125. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. MOSHER:

H.R. 126. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. QUIE:

H.R. 127. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mrs. REID of Illinois:

H.R. 128. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. REID of New York:

H.R. 129. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. REINECKE:

H.R. 130. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. ROBISON:

H.R. 131. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. SCHNEEBELI:

H.R. 132. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. SCHWEIKER:

H.R. 133. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. SHRIVER:

H.R. 134. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. SMITH of New York:

H.R. 135. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. STANTON:

H.R. 136. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. TALCOTT:

H.R. 137. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for certain expenses of providing higher education; to the Committee on Ways and Means.

H.R. 138. A bill to amend the Internal Revenue Code of 1954 to authorize a deduction from gross income by teachers for certain expenses of advanced education; to the Committee on Ways and Means.

H.R. 139. A bill to amend the Internal Revenue Code of 1954 to exclude certain moving expenses from gross income; to the Committee on Ways and Means.

H.R. 140. A bill to amend the Internal Revenue Code of 1954 to authorize a deduction from gross income for certain contributions to the support of an aged parent or divorced mother who is not gainfully employed; to the Committee on Ways and Means.

H.R. 141. A bill to amend section 213 of the Internal Revenue Code of 1954 to provide that certain expenses of child adoption shall be treated as medical expenses; to the Committee on Ways and Means.

H.R. 142. A bill to amend the Internal Revenue Code of 1954 to authorize a deduction from gross income for certain expenses of employing full-time household help; to the Committee on Ways and Means.

H.R. 143. A bill to amend the Internal Revenue Code of 1954 to authorize a tax credit for employers for certain expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 144. A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war or grave national emergency declared by the Congress, and to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. ABERNETHY:

H.R. 145. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 146. A bill to amend title 28 of the United States Code to establish certain qualifications for persons appointed to the Supreme Court and to provide that persons who have held certain Federal and State offices shall be ineligible for appointment to any Federal judgeship within 5 years after leaving such offices; to the Committee on the Judiciary.

H.R. 147. A bill to amend title 18, United States Code, to proscribe travel in interstate or foreign commerce for purposes of inciting to riot or committing other unlawful acts; to the Committee on the Judiciary.

H.R. 148. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 149. A bill to repeal the Civil Rights Act of 1964; to the Committee on the Judiciary.

H.R. 150. A bill to provide for the designation of certain Veterans' Administration facilities; to the Committee on Veterans' Affairs.

By Mrs. SULLIVAN:

H.R. 151. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LENNON:

H.R. 152. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOWNING:

H.R. 153. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York:

H.R. 154. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H.R. 155. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes.

By Mrs. SULLIVAN:

H.R. 156. A bill to require the inspection of certain towing vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HOLIFIELD:

H.R. 157. A bill to establish a Commission on Government Procurement; to the Committee on Government Operations.

By Mr. GARMATZ:

H.R. 158. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 159. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Merchant Marine Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 160. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 161. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 162. A bill to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements; to the Committee on Merchant Marine and Fisheries.

H.R. 163. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 164. A bill to consolidate and reenact certain of the shipping laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 165. A bill to amend the Merchant Marine Act, 1936, as amended, to permit payment in accordance with commercial practices for certain transportation services furnished for the account of the United States upon presentation of bills therefor; to the Committee on Merchant Marine and Fisheries.

H.R. 166. A bill to authorize the transfer of vessels to the Office of Economic Opportunity by the Secretary of Commerce for educational purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 167. A bill to amend section 331 of title 46 of the United States Code; to the Committee on Merchant Marine and Fisheries.

H.R. 168. A bill to amend the act of June 20, 1918, relating to the retirement age requirements of certain personnel of the Coast Guard; to the Committee on Merchant Marine and Fisheries.

H.R. 169. A bill to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees; to the Committee on Merchant Marine and Fisheries.

H.R. 170. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 171. A bill to establish a National Commission on Older Workers; to the Committee on Education and Labor.

By Mr. O'HARA of Michigan:

H.R. 172. A bill to establish a National Commission on Older Workers; to the Committee on Education and Labor.

By Mr. ABERNETHY:

H.R. 173. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness; to the Committee on Ways and Means.

H.R. 174. A bill to provide for the designation of a highway from Waycross, Ga., to Lubbock, Tex., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 175. A bill to provide for the designation of a highway from Mobile, Ala., to Fulton, Ky., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 176. A bill to amend title 38 of the United States Code to permit certain increased amounts received as a result of enactment of the Social Security Amendments of 1965 to be disregarded in computing income for the purpose of determining eligibility for a veteran's or widow's pension under title 38; to the Committee on Veterans' Affairs.

H.R. 177. A bill to create an Agricultural Research and Development Commission, to provide for more effective research programs designed to expand markets for agricultural and forestry products, to reduce surpluses, to increase farm income, and to benefit consumers, and for other purposes; to the Committee on Agriculture.

H.R. 178. A bill to designate the Veterans' Administration hospital at Jackson, Miss., as the "John Elliott Rankin Memorial Veterans Hospital"; to the Committee on Veterans' Affairs.

By Mr. ABBITT:

H.R. 179. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 180. A bill to provide for a revision of the boundaries of Petersburg National Battlefield, Va., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 181. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which a woman may earn while receiving mother's insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 182. A bill to authorize the Secretary of the Interior to acquire Appomattox Manor, a historic property in Hopewell, Va., for addition to the Petersburg National Battlefield in Virginia, to provide for a revision of the boundaries of the battlefield, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ADAIR:

H.R. 183. A bill to free farmers from Government control; to the Committee on Agriculture.

H.R. 184. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 185. A bill to amend section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff point for stock and securities acquired by the liquidating corporation; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H.R. 186. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

H.R. 187. A bill to provide that the U.S. District Court for the Western Division of the Northern District of the State of Illinois may hold court at Rockford, Ill.; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 188. A bill to provide assistance to students pursuing programs of higher education in the fields of law enforcement and of correctional treatment of law violators; to the Committee on Education and Labor.

H.R. 189. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 190. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

H.R. 191. A bill to provide needed additional means for the residents of rural America to achieve equality of opportunity by authorizing the making of grants for comprehensive planning for public services and development in community development districts designated by the Secretary of Agriculture; to the Committee on Agriculture.

H.R. 192. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

H.R. 193. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

H.R. 194. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 195. A bill to amend section 112 of the Internal Revenue Code of 1954 to remove the dollar ceiling on the amount of combat pay received by commissioned officers which may be excluded from gross income; to the Committee on Ways and Means.

H.R. 196. A bill to require the Secretary of Agriculture and the Director of the Bureau of the Budget to make a separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public, and for other purposes; to the Committee on Agriculture.

By Mr. ANDREWS of North Dakota:

H.R. 197. A bill to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

H.R. 198. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

H.R. 199. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training or retraining; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 200. A bill to amend section 104 of the Revised Statutes of the United States (2 U.S.C. 194) so as to clarify the duty of the President of the Senate and the Speaker of the House in certifying reports of contempts under section 102 of such Revised Statutes; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 201. A bill to amend section 2734 of title 10 of the United States Code to permit the use of officers of any of the services or qualified attorneys on claims commissions, and for other purposes; and to amend section 2734a of title 10 to authorize use of Coast Guard appropriations for certain claims settlements arising out of Coast Guard activities, and for other purposes; to the Committee on the Judiciary.

H.R. 202. A bill to amend section 2735 of title 10 of the United States Code to provide for the finality of settlement effected under sections 2732, 2733, 2734, 2734a, 2734b, or 2736 (76 Stat. 767); to the Committee on the Judiciary.

H.R. 203. A bill to amend section 2734a of title 10, United States Code, to provide for settlement, under international agreements, of certain claims incident to the noncombat activities of Armed Forces, and for other purposes; to the Committee on the Judiciary.

H.R. 204. A bill to amend subsection (b) of section 2 of the act of September 25, 1962, to protect the rights and interests of injured parties whose hospital, medical, surgical, or dental care or treatment give rise to an independent right of recovery on the part of the United States against tortiously liable third persons, and for other purposes; to the Committee on the Judiciary.

H.R. 205. A bill to amend subsection (f) of section 715 of title 32 of the United States Code to increase from $1,000 to $2,500 the authority for the settlement of claims which may be delegated to an officer of the Army or the Air Force or to a civilian attorney, and for other purposes; to the Committee on the Judiciary.

H.R. 206. A bill to amend section 2733 of title 10 of the United States Code, to include authority for the settlement of claims incident to the noncombat activity of the Coast Guard while it is operating as a service in the Department of the Treasury, to increase the authority which may be delegated to an officer or civilian attorney under subsection (g) of section 2733 from $1,000 to $2,500, and for other purposes; to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 207. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

H.R. 208. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BATES:

H.R. 209. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Ways and Means.

H.R. 210. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

H.R. 211. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

H.R. 212. A bill to amend to Internal Revenue Code of 1954 to allow a credit against income tax to employers for expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 213. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 214. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 215. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of periods of service performed as a Commissioner of the New England Interstate Water Pollution Control Commission; to the Committee on Post Office and Civil Service.

H.R. 216. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 217. A bill to amend the tariff schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

H.R. 218. A bill to amend section 112 of the Internal Revenue Code of 1954 to remove the dollar ceiling on the amount of combat pay received by commissioned officers which may be excluded from gross income; to the Committee on Ways and Means.

H.R. 219. A bill to provide a system for the return of Federal income tax revenues to the States to be used exclusively for educational purposes; to the Committee on Appropriations.

By Mr. BENNETT:

H.R. 220. A bill to provide for a program of grants to State and local governments for the construction or modernization of certain correctional institutions; to the Committee on the Judiciary.

H.R. 221. A bill to amend title 37 of the United States Code to provide that the pay and allowances of members of the Armed Forces who are killed in action shall be continued through the end of the month in which their death occurs; to the Committee on Armed Services.

H.R. 222. A bill to provide that U.S. payments to the United Nations shall not be used for programs contrary to the policies of the United States; to the Committee on Foreign Affairs.

H.R. 223. A bill to provide for the establishment of a U.S. Armed Forces Medical School, and for other purposes; to the Committee on Armed Services.

H.R. 224. A bill to correct inequities in the Civil Service Retirement Act, the Retired Federal Employees Health Benefits Act and in other laws governing civil service retirement benefits and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 225. A bill to provide more effective control of lobbying activities; to the Committee on the Judiciary.

H.R. 226. A bill to amend the Uniform Code of Military Justice to broaden the protections afforded to members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 227. A bill to amend section 222 of the National Housing Act to provide for assistance to the widows of servicemen; to the Committee on Banking and Currency.

H.R. 228. A bill to provide for a congressional Budgetary Information Service to promote fiscal responsibility in the Federal Government; to the Committee on Government Operations.

H.R. 229. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide that Federal building shall be designated and constructed to maximize fallout protection and that non-Federal construction financed in whole or in part with Federal funds may be designated to maximize fallout protection; to the Committee on Armed Services.

H.R. 230. A bill to provide Federal assistance for programs of research and experimentation in crime prevention and detection, and for the training of law enforcement personnel; to the Committee on Education and Labor.

H.R. 231. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 232. A bill to eliminate discriminatory exemptions on the Bank Holding Company Act; to the Committee on Banking and Currency.

H.R. 233. A bill to establish active duty medical and dental officer strengths in the Air Force to achieve comparable opportunities in all services; to the Committee on Armed Services.

H.R. 234. A bill to authorize the Secretary of the Interior to accept donations of certain lands when beneficial to the United States; to the Committee on Interior and Insular Affairs.

H.R. 235. A bill to exclude in national cemeteries the burial of persons convicted of treason and similar crimes; to the Committee on Interior and Insular Affairs.

H.R. 236. A bill to assure adequate grave sites for overseas wartime veterans in Arlington National Cemetery; to the Committee on Interior and Insular Affairs.

H.R. 237. A bill to establish the U.S. Agency for World Peace within the Department of State; to the Committee on Foreign Affairs.

H.R. 238. A bill to provide that the United States shall reimburse the States for that portion of the construction cost of certain schools which is attributable to Negroes; to the Committee on Education and Labor.

H.R. 239. A bill to designate the authorized Cross-Florida Barge Canal as the John F. Kennedy Canal; to the Committee on Public Works.

H.R. 240. A bill to amend title 10, United States Code, to authorize the Secretary of Defense to conduct a special educational training and physical rehabilitation program for persons with educational or physical deficiencies to enable them to serve effectively in the Armed Forces; to the Committee on Armed Services.

H.R. 241. A bill to provide assistance to individuals with low incomes by reducing the amount of income tax on individuals; to the Committee on Ways and Means.

H.R. 242. A bill to facilitate the procurement of physicians and dentists for the Armed Forces by establishing scholarships, and for other purposes; to the Committee on Armed Services.

H.R. 243. A bill to amend section 511 of the Career Compensation Act of 1949, as amended, to equalize the retired pay of certain officers of the uniformed services retired prior to June 1, 1958, under the same law and with the same service; to the Committee on Armed Services.

H.R. 244. A bill to amend the Internal Revenue Code of 1954 to provide deductions for persons engaged in trade or business who provide new jobs for the skilled and for all persons who provide new jobs for domestics and the unskilled; to the Committee on Ways and Means.

H.R. 245. A bill to amend the Small Business Act to provide for increased eligibility for and greater utilization of the displaced business disaster loan program established under section 7(b)(3) of that act; to the Committee on Banking and Currency.

H.R. 246. A bill to amend title II of the Social Security Act to provide that the remarriage of a widower or parent, or the marriage of a child, shall not prevent the payment of benefits if the marriage is annulled; to the Committee on Ways and Means.

H.R. 247. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 248. A bill to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes; to the Committee on Armed Services.

H.R. 249. A bill to amend title 38 of the United States Code to prohibit the award of contracts by the United States to certain persons; to the Committee on Veterans' Affairs.

H.R. 250. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

H.R. 251. A bill to encourage the States to hold preferential primary elections for the nomination of candidates for the Office of President, and for other purposes; to the Committee on House Administration.

H.R. 252. A bill to provide for the establishment of the *Franklin Delano Roosevelt* Institute to be a graduate school for advanced studies in American government for selected individuals of outstanding ability to pursue advanced studies in American political theory, methods, and institutions in preparation for public service with the Government of the United States, and for other purposes; to the Committee on Education and Labor.

H.R. 253. A bill to permit the release of certain veterans from liability to the United States arising out of loans made, guaranteed, or insured under chapter 37 of title 38, United States Code; to the Committee on Veterans' Affairs.

H.R. 254. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 255. A bill to provide for special programs for workers 45 years of age or older; to the Committee on Education and Labor.

H.R. 256. A bill to amend the Manpower Development and Training Act of 1962 to provide for programs of job training and education of inmates of correctional institutions; to the Committee on Education and Labor.

H.R. 257. A bill to amend certain provisions of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to landlords and tenants, and for other purposes; to the Committee on the District of Columbia.

H.R. 258. A bill to authorize the Secretary of the Interior to conduct a program of research, study and surveys, documentation, and description of the natural environmental systems of the United States for the purpose of understanding and evaluating the condition of these systems and to provide information to those concerned with natural resources management, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 259. A bill to amend section 661 of title 18 of the United States Code to provide that the punishment for larceny of livestock shall be the same as the punishment for larceny of property of a value exceeding $100; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 260. A bill to amend section 13a of the Interstate Commerce Act, relating to the discontinuance or change of certain operations or services of common carriers by rail, in order to require the Interstate Commerce Commission to give full consideration to all financial assistance available before permitting any such discontinuance or change; to the Committee on Interstate and Foreign Commerce.

H.R. 261. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H.R. 262. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

H.R. 263. A bill to incorporate the Association of American Law Schools; to the Committee on the Judiciary.

H.R. 264. A bill to amend title II of the Social Security Act to increase the amount of the monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes; to the Committee on Ways and Means.

H.R. 265. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

H.R. 266. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 267. A bill to designate the Indiana Dunes National Lakeshore as the Paul H. Douglas National Lakeshore; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H.R. 268. A bill to amend the Internal Revenue Code of 1954 to permit a gift to an educational institution to be deducted as a charitable contribution even though it is made to provide a scholarship for a specified individual, so long as such individual is not a relative of the donor; to the Committee on Ways and Means.

H.R. 269. A bill to authorize the Secretary of the Army to review the report on the Gulf Intracoastal Waterway in Louisiana and Texas to determine whether certain modifications should be made in that project; to the Committee on Public Works.

H.R. 270. A bill to provide coverage under the Civil Service Retirement Act for employment in an excluded category which follows employment subject to the act without a break in service of 30 days or less, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 271. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 272. A bill to extend the period during which amounts transferred from the employment security administration account in the unemployment trust fund to State accounts may be used by the States for payment of expenses of administration; to the Committee on Ways and Means.

H.R. 273. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

H.R. 274. A bill to grant an additional income tax exemption to a taxpayer supporting a dependent who is blind or otherwise permanently and totally disabled; to the Committee on Ways and Means.

H.R. 275. A bill to amend section 72 of the Internal Revenue Code of 1954 to permit retired employees to elect use of either subsection (b) or subsection (d) to report income from employees' annuities; to the Committee on Ways and Means.

H.R. 276. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

H.R. 277. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 278. A bill to direct the Secretary of the Army to establish a national cemetery in the southern portion of Louisiana; to the Committee on Interior and Insular Affairs.

H.R. 279. A bill to provide increases in annuities granted under the Panama Canal Construction Service Annuity Act of May 29, 1944; to the Committee on Merchant Marine and Fisheries.

H.R. 280. A bill to amend the River and Harbor Act of 1945; to the Committee on Public Works.

H.R. 281. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

H.R. 282. A bill to amend the Internal Revenue Code of 1954 to provide that, for purposes of section 270 thereof, certain income is to be included as income from a trade or business; to the Committee on Ways and Means.

H.R. 283. A bill to authorize the widening of the channel of the Gulf Intracoastal Waterway in the vicinity of Wagoner Bridge on Bayou Barataria in Jefferson Parish, La.; to the Committee on Public Works.

H.R. 284. A bill to amend section 302(b) (1) of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 285. A bill to amend the Internal Revenue Code of 1954, as amended, by provision of a deduction for expenditures for reconversion of structures in a slum clearance program or rehabilitation project; to the Committee on Ways and Means.

H.R. 286. A bill to permit duty-free treatment of dicyandiamide pursuant to the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 287. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

H.R. 288. A bill to amend title 23 of the United States Code to remove the limitations with respect to relocation payments made for moving expenses of persons and businesses displaced by highway construction; to the Committee on Public Works.

H.R. 289. A bill to amend section 201(d) of the Immigration and Nationality Act to provide that quota numbers transferred to the immigration pool shall be available for issuance of visas to nonpreference immigrant aliens; to the Committee on the Judiciary.

H.R. 290. A bill to amend section 212(a) (14) of the Immigration and Nationality Act to waive the labor certification requirement with respect to nonpreference immigrant aliens from any Communist or Communist-dominated country or area; to the Committee on the Judiciary.

H.R. 291. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 292. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 293. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 294. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 295. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

H.R. 296. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of sick leave, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. BOLTON:

H.R. 297. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 298. A bill to restore non-service-connected veterans' pensions which have been reduced or eliminated because of the receipt of increased social security benefits; to the Committee on Veterans' Affairs.

H.R. 299. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 300. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 301. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; and to provide that any such increases shall not be considered as income for purposes of determining eligibility for veterans' benefits; to the Committee on Ways and Means.

H.R. 302. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 303. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 304. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water and air pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Ways and Means.

H.R. 305. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 306. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

H.R. 307. A bill to amend title 18 of the United States Code to prohibit the transportation or use in interstate or foreign commerce, with unlawful or fraudulent intent, of counterfeit, fictitious, altered, lost, stolen, wrongfully appropriated, unauthorized, revoked, or canceled credit cards; to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 308. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. BROOKS:

H.P. 309. A bill to designate dam B and its reservoir on the Neches River, Tex., as the Town Bluff Dam and the B. A. Steinhagen Lake, respectively; to the Committee on Public Works.

By Mr. BROOMFIELD:

H.R. 310. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers; to the Committee on Ways and Means.

H.R. 311. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 312. A bill to mobilize and utilize the scientific and engineering manpower of the Nation to employ systems analysis and systems engineering to help to fully employ the Nation's manpower resources to solve national problems; to the Committee on Government Operations.

H.R. 313. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

H.R. 314. Social Security Amendments of 1967; to the Committee on Ways and Means.

By Mr. BROWN of Ohio:

H.R. 315. A bill to amend section 1072(2) (F) of title 10, United States Code, to include adoptive parents within the category of dependents eligible for medical care; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 316. A bill to amend the act entitled "An act to require certain safety devices on household refrigerators shipped in interstate commerce," approved August 2, 1956; to the Committee on Interstate and Foreign Commerce.

H.R. 317. A bill to provide elective coverage under the Federal old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 318. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 319. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 320. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BUCHANAN:

H.R. 321. A bill to amend titles X and XVI of the Social Security Act to permit blind persons to earn up to $300 a month without any reduction in the aid payable to them thereunder; to the Committee on Ways and Means.

H.R. 322. A bill to provide for the establishment of a national cemetery in the State of Alabama; to the Committee on Interior and Insular Affairs.

H.R. 323. A bill to provide that the United States shall make no payments or contributions to the United Nations for furnishing assistance to Communist countries; to the Committee on Foreign Affairs.

H.R. 324. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 325. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

H.R. 326. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him in connection with his education, or the education of his spouse or any of his dependents, at an institution of higher learning; to the Committee on Ways and Means.

H.R. 327. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 328. A bill to amend the Civil Rights Act of 1964 to make discrimination in employment because of age an unlawful employment practice, and for other purposes; to the Committee on Education and Labor.

H.R. 329. A bill to authorize the acquisition of lands for addition to the Adams National Historic Site; to the Committee on Interior and Insular Affairs.

H.R. 330. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 331. A bill to amend the Tariff Schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

H.R. 332. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 333. A bill to prevent the application or exercise of monopoly power by employers and labor organizations in employing or representing labor, to amend the Labor-Management Relations Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 334. A bill to amend section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 335. A bill to amend the Social Security Act to establish a national system of minimum retirement payments for all aged, blind, and disabled individuals; to the Committee on Ways and Means.

H.R. 336. A bill to provide that the historic San Francisco Mint shall be made a national monument; to the Committee on Public Works.

H.R. 337. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

By Mr. BYRNE of Pennsylvania:

H.R. 338. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 339. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 340. A bill to authorize the conduct of certain research and development through the Coast Guard in order to develop an effective electronic guidance system; to the Committee on Merchant Marine and Fisheries.

By Mr. BYRNES of Wisconsin:

H.R. 341. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CAHILL:

H.R. 342. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

H.R. 343. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 344. A bill to provide for the construction of a new Veterans' Administration hospital in southern New Jersey; to the Committee on Veterans' Affairs.

H.R. 345. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

H.R. 346. A bill to permit the burial in national cemeteries of mothers and fathers of deceased servicemen or veterans who died leaving no spouse or minor child entitled to be buried in a national cemetery; to the Committee on Interior and Insular Affairs.

H.R. 347. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 348. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Board-Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 349. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 350. A bill to provide the establishment of a Commission on American Shipbuilding; to the Committee on Merchant Marine and Fisheries.

H.R. 351. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. CAREY:

H.R. 352. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CARTER:

H.R. 353. A bill to provide flood control on the Big South Fork, Cumberland River Basin; to the Committee on Public Works.

H.R. 354. A bill to provide for the establishment of a new fish hatchery below but as near the Wolf Creek Dam, on the Cumberland River, near Jamestown, Ky., as is feasible and practicable; to the Committee on Merchant Marine and Fisheries.

H.R. 355. A bill to provide Federal financial assistance to public agencies and to private, nonprofit organizations to enable them to carry on comprehensive family planning programs; to the Committee on Interstate and Foreign Commerce.

H.R. 356. A bill to amend title 38 of the United States Code to increase the rates of pension payable to Spanish-American War veterans; to the Committee on Veterans' Affairs.

H.R. 357. A bill to amend title II of the Social Security Act to provide a 20 percent increase in benefits with a minimum primary benefit of $70, to permit both men and women to retire thereunder with full benefits at age 60, and to authorize payment of widow's insurance benefits regardless of age in the case of widows (otherwise eligible) whose income is within specified limits; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 358. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

H.R. 359. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

H.R. 360. A bill to amend the Federal Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

H.R. 361. A bill to amend the Internal Revenue Code of 1954 to increase the amount allowed as a child-care deduction, and to eliminate the income ceiling on eligibility for such deduction; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 362. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 363. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CHAMBERLAIN:

H.R. 364. A bill to amend the Budget and Accounting Act, 1921, to provide for the retirement of the public debt by setting aside the first 3 percent of the budget receipts of the United States for each fiscal year for the sole purpose of retirement of obligations counted as part of the public debt; to the Committee on Government Operations.

H.R. 365. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 366. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 367. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

H.R. 368. A bill to establish a free guide service for the U.S. Capitol Building; to the Committee on House Administration.

H.R. 369. A bill to amend title 39, United States Code, to prohibit the purchase or hire by the Postmaster General of vehicles for mail delivery which are manufactured outside the United States other than vehicles owned by postal employees; to the Committee on Post Office and Civil Service.

H.R. 370. A bill to terminate price supports on tobacco; to the Committee on Agriculture.

H.R. 371. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 372. A bill to amend title 37, United States Code, to authorize, under certain conditions, travel and transportation allowances for members of the uniformed services in connection with emergency leave, and for other purposes; to the Committee on Armed Services.

H.R. 373. A bill to repeal the manufacturers' excise tax on passenger automobiles and trucks; to the Committee on Ways and Means.

H.R. 374. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 375. A bill to provide a tax incentive for the employment of physically handicapped workers; to the Committee on Ways and Means.

H.R. 376. A bill to amend the Internal Revenue Code of 1954 to provide that certain tuition payments be treated as charitable contributions; to the Committee on Ways and Means.

H.R. 377. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon attainment of retirement age) will be payable to men at age 63 and to women at age 60; to the Committee on Ways and Means.

H.R. 378. A bill to amend title II of the Social Security Act to include Michigan among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

H.R. 379. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer with adjusted gross income of $7,500 or less a deduction for the expenses of tuition and certain other fees and charges paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 380. A bill to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces traveling in uniform on official leave, furlough, or pass shall be exempt from the tax on transportation of persons by air; to the Committee on Ways and Means.

H.R. 381. A bill to amend the Internal Revenue Code of 1954 to allow an individual to deduct, for income tax purposes, the expenses incurred by him for transportation to and from work; to the Committee on Ways and Means.

H.R. 382. A bill to provide a program of tax adjustment for small business and for persons engaged in small business; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 383. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 384. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 385. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 386. A bill to provide uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

H.R. 387. A bill to authorize the appropriation of additional funds necessary for acquisition of land at the Point Reyes National Seashore in California; to the Committee on Interior and Insular Affairs.

H.R. 388. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. COLLIER:

H.R. 389. A bill for the relief of the village of River Forest, Ill.; to the Committee on the Judiciary.

H.R. 390. A bill for the relief of the village of River Forest, Ill.; to the Committee on the Judiciary.

H.R. 391. A bill to amend the Internal Revenue Code of 1954 to allow credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 392. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 393. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. COLMER:

H.R. 394. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of hardwood plywood; to the Committee on Ways and Means.

H.R. 395. A bill to establish rules of interpretation of the effect of acts of Congress on State laws; to limit the appellate jurisdiction of the Supreme Court in certain cases; and to provide that confessions and other evidence shall be admissible in U.S. courts; to the Committee on the Judiciary.

H.R. 396. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 397. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 398. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirement of the executive agencies of the Government of the United States; to the Committee on Rules.

By Mr. CONABLE:

H.R. 399. A bill to authorize the Administrator of Veterans' Affairs to convey certain real property to the city of Batavia, N.Y.; to the Committee on Veterans' Affairs.

By Mr. CONTE:

H.R. 400. A bill to amend section 104 of the Revised Statutes, with respect to contempt citations in the case of witnesses before congressional committees, and for other purposes; to the Committee on the Judiciary.

H.R. 401. A bill to amend title 10 of the United States Code to provide for the presentation to certain members of the Armed Forces of a flag of the United States at the time of their retirement, discharge, or release; to the Committee on Armed Services.

H.R. 402. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 403. A bill to provide for the establishment of a national cemetery at Westfield, Mass.; to the Committee on Interior and Insular Affairs.

H.R. 404. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 405. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 406. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 407. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

H.R. 408. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 409. A bill to amend the Communications Act of 1934 to abolish the renewal requirements for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 410. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 411. A bill relating to the income tax treatment of installment sales when a taxpayer changes from the accrual to the installment basis of reporting profits; to the Committee on Ways and Means.

H.R. 412. A bill to provide for the appointment of postmasters by the Postmaster General, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H.R. 413. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 414. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

H.R. 415. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher learning and including certain travel; to the Committee on Ways and Means.

H.R. 416. A bill to prohibit the desecration of the flag; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 417. A bill to amend title 39, United States Code, with respect to the payment of postal money orders; to the Committee on Post Office and Civil Service.

H.R. 418. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 419. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 420. A bill to amend section 107 of the Internal Revenue Code of 1954 to provide that a portion of the compensation of chaplains employed by the Veterans' Administration shall be considered as a rental allowance; to the Committee on Ways and Means.

H.R. 421. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 422. A bill to establish a Joint Congressional Committee on American Manpower and National Security; to the Committee on Rules.

H.R. 423. A bill to amend the Immigration and Nationality Act to permit the waiver of the 2-year foreign residence requirement in the case of certain exchange visitors who cannot return to the country of their origin because of fear of persecution on account of political beliefs; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 424. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 425. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 426. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

H.R. 427. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska midstate division, Missouri River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 428. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 429. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 430. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 431. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 432. A bill to protect consumers by requiring that imported meat and meat food products made in whole or in part with imported meat bear a label showing the country of origin of such imported meat; to the Committee on Interstate and Foreign Commerce.

H.R. 433. A bill to amend the Postal Field Service Compensation Act of 1955 with respect to the position descriptions and salary levels of mail handlers, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 434. A bill to require that motorbuses be equipped with seat belts; to the Committee on Interstate and Foreign Commerce.

H.R. 435. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 436. A bill to grant officers and employees subject to the Civil Service Act of January 16, 1883, the opportunity to examine and reply to certain evaluations of their promotion qualifications, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 437. A bill to provide for the issuance of a special postage stamp in commemoration of the writing of the "Pledge of Allegiance"; to the Committee on Post Office and Civil Service.

H.R. 438. A bill to amend title 39, United States Code, with respect to franked mail covers of Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 439. A bill to amend the joint resolution of June 15, 1934, to enlarge the functions of the U.S. Territories Expansion Memorial Commission to provide for the encouragement of public appreciation of the inspiring heritage given to our country by the explorers and developers of the American West; to the Committee on House Administration.

H.R. 440. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 441. A bill to amend the act of October 4, 1961 (Public Law 87-383), so as to permit the use within Canada of certain funds appropriated pursuant to such act for the conservation of migratory waterfowl; to the Committee on Merchant Marine and Fisheries.

H.R. 442. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 443. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

H.R. 444. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 445. A bill to amend the Internal Revenue Code of 1954 to provide that all transportation furnished to members of the Armed Forces traveling in uniform on official leave, furlough, or pass shall be exempt from the tax on transportation of persons by air; to the Committee on Ways and Means.

H.R. 446. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 447. A bill to amend title 39, United States Code, with respect to reciprocal mailing privileges of the United States and certain countries from which foreign assistance is withheld; to the Committee on Post Office and Civil Service.

H.R. 448. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide additional choice of health benefits plans, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 449. A bill to designate Columbus Day, the 12th day of October in each year, a legal holiday; to the Committee on the Judiciary.

H.R. 450. A bill to provide for a program to advance the humane care, comfort, and welfare of laboratory animals used in scientific study; to the Committee on Interstate and Foreign Commerce.

H.R. 451. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 452. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 453. A bill to provide financial assistance to the States by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Ways and Means.

H.R. 454. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 455. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the annuities and pensions (and lump-sum payments) which are payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 456. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate and foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 457. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 458. A bill to establish a uniform national policy concerning property rights in inventions made through the expenditure of public funds, and for other purposes; to the Committee on the Judiciary.

H.R. 459. A bill to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. DANIELS:

H.R. 460. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 461. A bill to amend title 5, United States Code, to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 462. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 463. A bill to amend title 5, United States Code, with respect to the determination of average pay for retirement purposes and the computation of retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 464. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DAVIS of Wisconsin:

H.R. 465. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

H.R. 466. A bill to establish the Commission for the Study and Reform of the Federal Budget; to the Committee on Government Operations.

H.R. 467. A bill to amend the act of July 2, 1890, to make the antitrust laws and the Federal Trade Commission Act applicable to the business of organized professional baseball; to the Committee on the Judiciary.

H.R. 468. A bill to amend section 3402 of title 38, United States Code, to provide for the recognition by the Administrator of Veterans' Affairs of the Paralyzed Veterans of America, Inc., for the prosecution of veterans' claims; to the Committee on Veterans' Affairs.

H.R. 469. A bill to provide that Federal savings and loan associations shall be governed by the same branching restrictions as are applicable to competing State chartered institutions; to the Committee on Banking and Currency.

By Mr. DE LA GARZA:

H.R. 470. A bill to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande near Pharr, Tex.; to the Committee on Foreign Affairs.

H.R. 471. A bill to authorize the Donna-Rio Bravo Bridge Co. to construct, maintain, and operate a toll bridge across the Rio Grande near Donna, Tex.; to the Committee on Foreign Affairs.

H.R. 472. A bill to authorize the Secretary of Agriculture to purchase certain land from Texas Southmost College, Brownsville, Tex.; to the Committee on Agriculture.

H.R. 473. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

H.R. 474. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 475. A bill to amend section 312 of the Immigration and Naturalization Act; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 476. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 477. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Olalla division of the Umpqua project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs

By Mr. DENT:

H.R. 478. A bill to amend the Fair Labor Standards Act of 1938 to establish procedures to relieve domestic industries and workers injured by increased imports from low-wage areas; to the Committee on Education and Labor.

H.R. 479. A bill to amend section 4(e) of the Fair Labor Standards Act of 1938 to require the Secretary of Labor to investigate the effect of foreign competition on domestic employment when a complaint is filed by an employer or labor organization; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 480. A bill to amend the act of October 4, 1961, relating to the acquisition of wetlands for conservation of migratory waterfowl, to extend for an additional 8 years the period during which funds may be appropriated under that act, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 481. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 482. A bill to amend the act of March 16, 1954, relating to hunting stamps for the taking of migratory waterfowl, to require a hunting stamp for the taking of any other migratory bird, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 483. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 484. A bill to amend the Fish and Wildlife Coordination Act to require certain permits for exploring or mining oil and gas underlying the navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 485. A bill to require certain vessels operating on the navigable waters of the United States to conform to standards of waste disposal; to the Committee on Merchant Marine and Fisheries.

H.R. 486. A bill to expand and improve existing law and to provide for the establishment of regulations for the purpose of controlling pollution from vessels and certain other sources in the Great Lakes and other navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 487. A bill to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 488. A bill to provide for advance consultation with the Fish and Wildlife Service and with State wildlife agencies before the beginning of any Federal program involving the use of pesticides or other chemicals designed for mass biological controls; to the Committee on Merchant Marine and Fisheries.

H.R. 489. A bill to require the Secretary of the Interior to make a comprehensive study of the polar bear and walrus for the purpose of developing adequate conservation measures; to the Committee on Merchant Marine and Fisheries.

H.R. 490. A bill to amend the Migratory Bird Conservation Act with respect to the disposal of land and interests in land acquired pursuant to such act; to the Committee on Merchant Marine and Fisheries.

H.R. 491. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 492. A bill to amend the Land and Water Conservation Fund Act of 1965 to authorize the use of money allocated for Federal purposes for easements for public access; to the Committee on Interior and Insular Affairs.

H.R. 493. A bill to reserve certain public lands for a national scenic rivers system, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 494. A bill to amend the Federal Water Pollution Control Act, as amended, to strengthen and improve authority to enforce abatement of pollution, to provide for filing of notice with respect to discharge of matter into interstate or navigable waters and to require permits to regulate such discharge of matter, and for other purposes; to the Committee on Public Works.

H.R. 495. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for establishing standards of decomposability for pesticides which present a substantial hazard to the public health because of their failure to decompose; to the Committee on Interstate and Foreign Commerce.

H.R. 496. A bill to provide full and fair disclosure of the nature of interests in real estate subdivisions sold through the mails and instruments of transportation or communication in interstate commerce, and to prevent frauds in the sale thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 497. A bill to amend the act of June 15, 1935, to provide for the disposition of moneys in the migratory bird conservation fund, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 498. A bill to amend the Merchant Marine Act, 1936, to make construction and operation differential subsidies available to persons engaged in certain commerce on the Great Lakes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOLE:

H.R. 499. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 500. A bill to provide that where the entitlement of a veteran, widow, or child to a pension from the Veterans' Administration is based upon the veteran's having served in World War I, the beneficiary shall if otherwise eligible have the right to elect payment of pension under either the provisions of title 38 as in effect on June 30, 1960, or as amended by the Veterans' Pension Act of 1959, whichever provides the greater benefit; to the Committee on Veterans' Affairs.

H.R. 501. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 502. A bill to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway; to the Committee on Public Works.

H.R. 503. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 504. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

H.R. 505. A bill to authorize a study of methods of helping to provide disaster insurance coverage and other financial assistance to victims of future natural disasters; to the Committee on Banking and Currency.

By Mr. DORN (by request):

H.R. 506. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 507. A bill to provide additional readjustment assistance to veterans and to be designated "The Compulsory Military Service Readjustment Act"; to the Committee on Veterans' Affairs.

H.R. 508. A bill to amend title 38 of the United States Code to increase the rate of compensation which is payable to veterans with service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. DOWDY:

H.R. 509. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 510. A bill to provide for the conveyance of certain real property of the United States underlying Lake Erie to the city of Buffalo, N.Y.; to the Committee on Public Works.

H.R. 511. A bill for the relief of certain nonprofit medical research institutions; to the Committee on the Judiciary.

H.R. 512. A bill making the 12th day of October in each year a legal holiday to be known as Columbus Day; to the Committee on the Judiciary.

H.R. 513. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 514. A bill to amend title 10 of the United States Code so as to provide for the issuance of sidearms to enlisted personnel serving in Vietnam and other combat areas; to the Committee on Armed Services.

H.R. 515. A bill to require the Commodity Credit Corporation to give priority to existing terminal facilities for the storage of the Corporation's grain; to the Committee on Banking and Currency.

H.R. 516. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 517. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mrs. DWYER:

H.R. 518. A bill to establish in the Executive Office of the President an Office of Urban

Affairs and Community Development; to the Committee on Government Operations.

H.R. 519. A bill to amend the Interstate Commerce Act to prevent the discontinuance of certain commuter operations which could benefit from new governmental programs for the improvement of commuter services, or from the merger of the carrier or carriers responsible for such commuter operations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 520. A bill to amend the Tariff Schedules of the United States to provide for the free importation of certain specialized educational equipment; to the Committee on Ways and Means.

H.R. 521. A bill to guarantee equal justice under law; to the Committee on the Judiciary.

H.R. 522. A bill to amend the Tariff Act of 1930 to provide that certain forms of molybdenum be admitted free of duty; to the Committee on Ways and Means.

H.R. 523. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 524. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 525. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

H.R. 526. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 527. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

H.R. 528. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 529. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

H.R. 530. A bill to establish a Bureau of Older Workers in the Department of Labor; to the Committee on Education and Labor.

H.R. 531. A bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in employment against individuals on account of their age; to the Committee on Education and Labor.

H.R. 532. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 533. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase; to the Committee on Ways and Means.

H.R. 534. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 535. A bill to facilitate the obtaining of employment by older workers; to the Committee on Education and Labor.

By Mr. EDMONDSON:

H.R. 536. A bill to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government; to the Committee on Interior and Insular Affairs.

H.R. 537. A bill to terminate the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 538. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 539. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

H.R. 540. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the condemnation of certain property by the United States or a State, or from the sale of such property to the United States or a State under threat or imminence of condemnation; to the Committee on Ways and Means.

H.R. 541. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 542. A bill to amend the Federal Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

H.R. 543. A bill to authorize appropriations for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 544. A bill to amend title 23 of the United States Code to provide for a National Highway Academy; to the Committee on Public Works.

By Mr. EDWARDS of Alabama:

H.R. 545. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. EDWARDS of California:

H.R. 546. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

H.R. 547. A bill to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes; to the Committee on Agriculture.

H.R. 548. A bill to establish legislative standards for the guidance of Members of Congress and to promote public confidence in the integrity of Congress thereby; to the Committee on Rules.

H.R. 549. A bill to require Members of Congress, their spouses, and certain other related persons, and all employees of the Congress to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in real estate, securities, and commodities; to the Committee on Rules.

By Mr. EILBERG:

H.R. 550. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FASCELL:

H.R. 551. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FEIGHAN:

H.R. 552. A bill to facilitate the entry of alien sons and daughters of World War I veterans of the U.S. Armed Forces; to the Committee on the Judiciary.

H.R. 553. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100-a-month benefit for certain individuals with 25 years' service, to liberalize the retirement test, and to increase the earnings base for benefit and tax purposes; to the Committee on Ways and Means.

H.R. 554. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 555. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

H.R. 556. A bill to amend section 203(a)(2) of the Immigration and Nationality Act to provide that parents of lawful resident aliens shall be eligible for second preference immigrant visas; to the Committee on the Judiciary.

H.R. 557. A bill to amend the Immigration and Nationality Act to provide that the labor clearance requirements of section 212(a)(14) of that act shall not apply to certain aliens from the Western Hemisphere; to the Committee on the Judiciary.

H.R. 558. A bill to amend the Railroad Retirement Act of 1937 to provide a 7-percent increase in all annuities and pensions payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 559. A bill creating a commission to be known as the Commission for Elimination of Pornographic Materials; to the Committee on Education and Labor.

H.R. 560. A bill to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 561. A bill to amend title II of the Social Security Act to increase old-age and disability insurance benefits by $35 a month (and other monthly benefits proportionately), and to provide that full benefits (when based upon attainment of retirement age) will be payable to men at age 62 and women at age 60; to the Committee on Ways and Means.

H.R. 562. A bill to amend title II of the Social Security Act to permit payment of child's insurance benefits after attainment of age 18 in the case of a child attending school; to the Committee on Ways and Means.

H.R. 563. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

H.R. 564. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 565. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 566. A bill to amend section 212(e) of the Immigration and Nationality Act to provide additional grounds for waiver of the 2-year foreign residence requirement applicable to certain exchange aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 567. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 568. A bill to require all insured banks to clear checks at par; to the Committee on Banking and Currency.

H.R. 569. A bill to eliminate certain inequities between State and federally chartered financial institutions in the conduct of interstate business; to the Committee on Banking and Currency.

H.R. 570. A bill to provide for Federal control over foreign banking corporations operating within the United States, the District of Columbia, the several territories and possessions of the United States, and the Commonwealth of Puerto Rico; to the Committee on Banking and Currency.

By Mr. FLOOD:

H.R. 571. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 572. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to municipalities and to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 573. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. FLYNT:

H.R. 574. A bill to amend title II of the Social Security Act to provide that a beneficiary who dies shall (if otherwise qualified) be entitled to a prorated benefit for the month of his death; to the Committee on Ways and Means.

H.R. 575. A bill to amend the Social Security Act to provide that delays birth certificates and similar documents issued under State law shall constitute prima facie evidence of age for purposes of establishing eligibility for benefits or assistance under that act; to the Committee on Ways and Means.

H.R. 576. A bill proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

H.R. 577. A bill for the relief of the State of Georgia; to the Committee on the Judiciary.

H.R. 578. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 579. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

H.R. 580. A bill to amend the Internal Revenue Code of 1954 to allow percentage depletion on certain clays at the same rate as allowed on calcium carbonates and limestone used in the manufacture of cement; to the Committee on Ways and Means.

H.R. 581. A bill to amend title 38 of the United States Code with respect to the payment of certain benefits under that title; to the Committee on Veterans' Affairs.

H.R. 582. A bill to amend the Export Control Act of 1949 to provide notice, hearing, and judicial review with respect to any prohibition or curtailment of the exportation of agricultural commodities; to the Committee on Banking and Currency.

By Mr. WILLIAM D. FORD:

H.R. 583. A bill to authorize local grant-in-aid credit for urban renewal project in Garden City, Mich.; to the Committee on Banking and Currency.

By Mr. FRIEDEL:

H.R. 584. A bill to authorize the Administrator of the Federal Aviation Agency to undertake a comprehensive study of high-speed ground transportation to Friendship International Airport, Dulles International Airport, and Washington National Airport; to the Committee on Interstate and Foreign Commerce.

H.R. 585. A bill to increase the membership of the Board of Visitors to the Naval Academy, and for other purposes; to the Committee on Armed Services.

H.R. 586. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 587. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Pennsylvania:

H.R. 588. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 589. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax the interest on certain obligations of volunteer fire departments; to the Committee on Ways and Means.

H.R. 590. A bill to extend to volunteer fire companies and volunteer ambulance and rescue companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 591. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to municipalities and to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

By Mr. FUQUA:

H.R. 592. A bill to amend section 317 of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

H.R. 593. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 594. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 595. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 596. A bill relating to marketing quotas and price supports for Flue-cured tobacco; to the Committee on Agriculture.

H.R. 597. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and volunteer rescue squads, and for other purposes; to the Committee on Government Operations.

H.R. 598. A bill to provide for the designation of a highway between Montgomery, Ala., and Panama City, Fla., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 599. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government, and for other purposes; to the Committee on Government Operations.

H.R. 600. A bill to make permanent the definition of "peanuts" which is now in effect under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. GALLAGHER:

H.R. 601. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 602. A bill to prohibit the shipment in commerce of electronic eavesdropping and wiretapping devices; to the Committee on Interstate and Foreign Commerce.

H.R. 603. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 604. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain amounts paid as expenses of higher education; to the Committee on Ways and Means.

H.R. 605. A bill to amend title 38 of the United States Code to provide that World War II and Korean conflict veterans entitled to educational benefits under any law administered by the Veterans' Administration who did not utilize their entitlement may transfer their entitlement to their children; to the Committee on Veterans' Affairs.

H.R. 606. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

H.R. 607. A bill to amend the Administrative Expenses Act of 1946 to prohibit, except in certain instances, the expenditure of any funds by any executive department or agency of the United States for the acquisition or use of any electronic eavesdropping or wiretapping device; to the Committee on Government Operations.

H.R. 608. A bill to amend the Public Health Service Act to establish the position of Chief Veterinary Officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

H.R. 609. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

H.R. 610. A bill to amend section 203 of the Federal Property and Administrative Services Act of 1949 to permit the disposal of surplus personal property to State and local governments, Indian groups under Federal supervision, and volunteer firefighting and rescue organizations at 50 percent of the estimated fair market value; to the Committee on Government Operations.

H.R. 611. A bill to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 612. A bill to amend the Administrative Expenses Act of 1946 to prohibit, except in certain instances, the expenditures of any funds by any executive department or agency of the United States for the acquisition or use of a polygraph (lie detector) machine; to the Committee on Government Operations.

By Mr. GATHINGS:

H.R. 613. A bill to designate a pumping plant on the St. Francis River, Ark., as the W. G. Huxtable pumping plant; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 614. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder, and to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 615. A bill to amend the Internal

Revenue Code of 1954 to grant an additional income tax exemption to a taxpayer supporting a dependent who is permanently handicapped; to the Committee on Ways and Means.

H.R. 616. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax retirement annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

H.R. 617. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption to certain physically handicapped individuals; to the Committee on Ways and Means.

H.R. 618. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement research and regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 619. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 620. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 621. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to the Committee on Education and Labor.

H.R. 622. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 623. A bill to improve intergovernmental relations and government operations by assisting the States to carry out on continuing basis inservice training programs for officers and employees of State and local governments with a view to increasing efficiency and economy in the operations of State and local governments, including the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, and encouraging the highest standards of performance in the transaction of the public business; to the Committee on Education and Labor.

H.R. 624. A bill to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities between the Federal, State, and local levels of government; to provide for uniform and equitable relocation procedures under Federal and Federal grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

H.R. 625. A bill to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the Pan American Highway; to the Committee on Public Works.

H.R. 626. A bill to amend title 37 of the United States Code to provide that each member of the uniformed services shall be paid at least $1.25 per hour for up to 40 hours of assigned duty on each 7-day period he is on active duty; to the Committee on Armed Services.

H.R. 627. A bill to amend title 37 of the United States Code to increase the subsistence allowance for members of the uniformed services to $75 per month; to the Committee on Armed Services.

H.R. 628. A bill to increase from $600 to $900 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 629. A bill to guarantee the right to work; to the Committee on Government Operations.

H.R. 630. A bill to encourage the States to extend coverage under their State unemployment compensation laws to agricultural labor; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 631. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mrs. GREEN of Oregon:

H.R. 632. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 633. A bill to authorize the issuance and sale by the Post Office Department of a "semipostal" stamp to assist in financing American participation in the Olympic games; to the Committee on Post Office and Civil Service.

H.R. 634. A bill to amend the act of July 26, 1954, to establish a National Advisory Council on Education; to the Committee on Education and Labor.

H.R. 635. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 636. A bill to amend the Internal Revenue Code of 1954 to provide an income tax deduction for amounts paid to maintain foreign college students in the taxpayer's household; to the Committee on Ways and Means.

H.R. 637. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits; to the Committee on Ways and Means.

H.R. 638. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 639. A bill to require Members of Congress, their spouses, and certain other related persons, and all employees of the Congress to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in real estate, securities, and commodities; to the Committee on Rules.

By Mr. GREEN of Pennsylvania:

H.R. 640. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 641. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 642. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 643. A bill to provide equality of treatment for married women employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 644. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

H.R. 645. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit certain short storage or shelf life property to be declared excess, and for other purposes; to the Committee on Government Operations.

H.R. 646. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 647. A bill to amend title 38 of the United States Code to provide that monthly social security benefit payments shall not be considered as income in determining eligibility for pensions under that title; to the Committee on Veterans' Affairs.

H.R. 648. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

H.R. 649. A bill to amend the Internal Revenue Code of 1954 to provide tax-exempt status for nonprofit nurses' professional registries operated by nurses' professional associations; to the Committee on Ways and Means.

H.R. 650. A bill to amend the Internal Revenue Code of 1954 to provide that apprentices may deduct from gross income certain education expenses; to the Committee on Ways and Means.

H.R. 651. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to widows and widowers of certain employees who die in service; to the Committee on Post Office and Civil Service.

H.R. 652. A bill to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions with respect to the children of divorced parents and to make related payments; to the Committee on Ways and Means.

H.R. 653. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 654. A bill prohibiting lithographing or engraving on envelopes sold by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 655. A bill to reduce the depletion allowance for oil and gas; to the Committee on Ways and Means.

H.R. 656. A bill to revise certain provisions of law governing contests of elections of Members of the House of Representatives, and for other purposes; to the Committee on House Administration.

H.R. 657. A bill to provide for Civil Service Commission enforcement of section 9 of the Hatch Act with respect to all officers and employees of Federal agencies; to the Committee on House Administration.

H.R. 658. A bill to prohibit travel at Government expense outside of the United States by defeated or retiring Members of Congress, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GROVER:

H.R. 659. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 660. A bill to amend the Internal Revenue Code of 1954 to restore the provisions permitting the deduction, without regard to the 3- and 1-percent floors, of medical expenses incurred for the care of individuals 65 years of age and over; to the Committee on Ways and Means.

H.R. 661. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax the first $5,000 of the annual income of a totally disabled veteran; to the Committee on Ways and Means.

H.R. 662. A bill to amend the Internal Revenue Code of 1954 to provide that mutual fund shares shall be valued at their bid price, rather than at their asked price, for estate and gift tax purposes; to the Committee on Ways and Means.

H.R. 663. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 664. A bill to amend the Tariff Act of 1930 to provide that bagpipes and parts thereof shall be admitted free of duty; to the Committee on Ways and Means.

By Mr. HALL:

H.R. 665. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees being charged in connection with projects for navigation, flood control, and other purposes; to the Committee on Public Works.

H.R. 666. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 667. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

H.R. 668. A bill to amend the Clean Air Act to repeal the existing limit on the grant funds which may be expended thereunder in any one State, and to provide for a more effective apportionment of such funds; to the Committee on Interstate and Foreign Commerce.

H.R. 669. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HANLEY:

H.R. 670. A bill to amend title XVIII of the Social Security Act to provide payment for podiatrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 671. A bill to amend section 212(g) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

H.R. 672. A bill to amend the Civil Service Act of January 16, 1883, to modify the regulatory requirement that the son or daughter of an employee of a Federal agency may not be appointed to part-time, seasonal, intermittent, or other temporary employment, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 673. A bill to modify the regulatory requirement that the son or daughter of an employee of the postal field service may be appointed to summer employment in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HANSEN of Idaho:

H.R. 674. A bill to make certain reclamation project expenses nonreimbursable; to the Committee on Interior and Insular Affairs.

H.R. 675. A bill to amend the law establishing the Indian revolving loan fund; to the Committee on Interior and Insular Affairs.

H.R. 676. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; to the Committee on Interior and Insular Affairs.

H.R. 677. A bill to require fresh potatoes purchased or sold in interstate commerce to be labeled according to the State in which such potatoes were grown; to the Committee on Interstate and Foreign Commerce.

By Mrs. HANSEN of Washington:

H.R. 678. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Upper and Lower Chehalis Tribes of Indians in Claims Commission docket No. 237, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 679. A bill to provide for the construction of a new Veterans' Administration hospital at Vancouver, Wash.; to the Committee on Veterans' Affairs.

By Mr. HAWKINS:

H.R. 680. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes; to the Committee on Education and Labor.

By Mr. HECHLER of West Virginia:

H.R. 681. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 682. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100-a-month benefit for certain individuals with 25 years' service, to liberalize the retirement test, to provide health insurance benefits for individuals entitled to disability insurance benefits, to increase the earnings base for benefit and tax purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 683. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 684. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 685. A bill to amend title II of the Social Security Act to reduce from 60 to 50 the age at which widow's insurance benefits may become payable thereunder; to the Committee on Ways and Means.

H.R. 686. A bill to establish a self-supporting Federal reinsurance program to protect employees in the enjoyment of certain rights under private pension plans; to the Committee on Ways and Means.

H.R. 687. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

H.R. 688. A bill to amend the Internal Revenue Code of 1954 to provide that employers having pension plans under which payments are correlated with social security benefits shall be subject to an additional tax in cases where increases in such benefits result in a reduction in their own contributions under such plans and are not passed on to their retired employees; to the Committee on Ways and Means.

H.R. 689. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 690. A bill to provide for the District of Columbia an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives, and for other purposes; to the Committee on the District of Columbia.

H.R. 691. A bill to authorize the Secretary of the Interior to enlarge and improve the research facility near Bruceton, Pa., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 692. A bill to amend the Welfare and Pension Plans Disclosure Act to require adequate reporting of the turnover of participants in pension plans; to the Committee on Education and Labor.

H.R. 693. A bill to improve the protection against corrupt political activities in Federal elections; to the Committee on House Administration.

By Mr. HOLLAND (by request):

H.R. 694. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. HORTON:

H.R. 695. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 696. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 697. A bill to amend and extend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

H.R. 698. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 699. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

H.R. 700. A bill to extend to volunteer fire companies and volunteer ambulance and rescue companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 701. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 702. A bill to provide for a comprehensive program for the control of alcoholism; to the Committee on Interstate and Foreign Commerce.

H.R. 703. A bill to amend title 38 of the United States Code so as to increase the rates of financial assistance under the veterans' educational assistance program of that title and to broaden that program to provide for assistance in on-the-job training programs, on-the-farm training programs, and certain flight training; to the Committee on Veterans' Affairs.

H.R. 704. A bill to extend the fourth-class mail rate for books and educational materials to photographic prints mailed to and from amateur photographers and nonprofit photographic exhibitions, photographic societies, and photographic print study groups; to the Committee on Post Office and Civil Service.

H.R. 705. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

H.R. 706. A bill to amend the Internal Revenue Code of 1954 to authorize and facilitate the deduction from gross income by teachers of the expenses of education (including certain travel) undertaken by them, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

H.R. 707. A bill to amend the Vocational Education Act of 1963 to permit the acquisition of existing school facilities; to the Committee on Education and Labor.

H.R. 708. A bill to establish a National Commission on Public Management and for other purposes; to the Committee on Government Operations.

H.R. 709. A bill to strengthen the administration of the Law Enforcement Assistance Act of 1965; to the Committee on the Judiciary.

H.R. 710. A bill to amend chapter 73, title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States; to the Committee on the Judiciary.

H.R. 711. A bill to amend title VI of the Public Health Service Act (the Hill-Burton Act) so as to double the amount authorized for assisting the construction of nursing homes and other long-term-care facilities, and for other purposes; to the Committee on Interstate and foreign Commerce.

H.R. 712. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 713. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes, effective January 1, 1967; to the Committee on Armed Services.

H.R. 714. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 715. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 716. A bill to establish a Joint Congressional Committee on Ameriacn Manpower and National Security; to the Committee on Rules.

H.R. 717. A bill to clarify the relationship of interests of the United States and of the States in the use of the waters of certain streams; to the Committee on Interior and Insular Affairs.

H.R. 718. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 719. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 720. A bill to amend title 38 of the United States Code so as to provide that public or private retirement, annuity, or endowment payments (including monthly social security insurance benefits) shall not be included in computing annual income for the purpose of determining eligibility for a pension under chapter 15 of that title; to the Committee on Veterans' Affairs.

H.R. 721. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 722. A bill to authorize the construction, operation, and maintenance of the Lower Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 723. A bill to amend the Public Health Service Act to permit grants under title VI of that act to be used for self-care facilities in hospitals, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 724. A bill to permit retired personnel of the uniformed services to receive benefits under the Federal Employees' Compensation Act without relinquishing their retirement pay; to the Committee on Education and Labor.

H.R. 725. A bill to amend title 38 of the United States Code to provide for a pension of $75 per month for widows of veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 726. A bill to repeal price support subsidies and direct the sale of Commodity Credit Corporation inventory; to the Committee on Agriculture.

H.R. 727. A bill to provide for continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to, gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other mediums relating to weather, communications, travel, and other areas of information; also to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest; to the Committee on Interior and Insular Affairs.

By Mr. HULL:

H.R. 728. A bill to amend the Internal Revenue Code of 1954 to allow income tax deductions for certain payments to assist in providing higher education; to the Committee on Ways and Means.

H.R. 729. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 730—A bill to provide that Federal expenditures shall not exceed Federal revenues, except in time of war, national disaster, emergency, or economic depression, and to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 731. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 732. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ICHORD:

H.R. 733. A bill to amend the act of August 24, 1935, to require certain contractors with the United States to give an affidavit with respect to payment of subcontractors; to the Committee on the Judiciary.

H.R. 734. A bill to bring certain holders of star route and other contracts for the carrying of mail within the purview of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act of 1954, and the Federal Employees Health Benefits Act of 1959, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 735. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Un-American Activities.

H.R. 736. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 737. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance for the aged; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 738. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

H.R. 739. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H.R. 740. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 741. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

H.R. 742. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

H.R. 743. A bill to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands; to the Committee on Interior and Insular Affairs.

H.R. 744. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JOHNSON of Pennsylvania:

H.R. 745. A bill to make the birthday of Abraham Lincoln a legal holiday; to the Committee on the Judiciary.

H.R. 746. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 747. A bill to amend title 23 of the United Sates Code to increase to 60,000 miles the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 748. A bill to provide for a preliminary examination and survey of the Allegheny River and French Creek and their tributaries; to the Committee on Public Works.

H.R. 749. A bill to designate the Blanchard Dam on Bald Eagle Creek, Pa., as the "Foster Joseph Sayers Dam"; to the Committee on Public Works.

H.R. 750. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 751. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 752. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KASTENMEIER:

H.R. 753. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 754. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 755. A bill to amend section 102(a) of the Department of Agriculture Organic Act of 1944 to authorize the Secretary of Agriculture to carry out measures to eradicate ragweed; to the Committee on Agriculture.

H.R. 756. A bill to amend title 10 of the United States Code to provide for the payment of certain taxes in foreign countries on behalf of members of the Armed Forces; to the Committee on Armed Services.

H.R. 757. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 758. A bill to authorize the appropriation of $3,063,500 as an ex gratia payment to the city of New York to assist in defraying the extraordinary and unprecedented expenses incurred during the 15th General Assembly of the United Nations; to the Committee on Foreign Affairs.

H.R. 759. A bill to amend section 620 of the Foreign Assistance Act of 1961 to provide for the suspension of assistance to any country which does not protect American property and the rights of American citizens; to the Committee on Foreign Affairs.

H.R. 760. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

H.R. 761. A bill to amend the Federal Voting Assistance Act of 1955; to the Committee on House Administration.

H.R. 762. A bill to direct the Secretary of Interior to cooperate with the States of New York and New Jersey on a program to develop, preserve, and restore the resources of the Hudson River and its shores and to authorize certain necessary steps to be taken to protect those resources from adverse Federal actions until the States and Congress shall have had an opportunity to act on that program; to the Committee on Interior and Insular Affairs.

H.R. 763. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 764. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 765. A bill to amend the Civil Service Retirement Act to provide equality of treatment with respect to the survivor annuitants of male and female employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 766. A bill to prohibit the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 767. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

H.R. 768. A bill to amend title II of the Social Security Act to provide a more realistic definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 769. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 770. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purpose of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

H.R. 771. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. KUYKENDALL:

H.R. 772. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. LAIRD:

H.R. 773. A bill to provide for a national self-help dairy stabilization program and to provide for an adequate balanced and orderly flow of milk and dairy products in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

H.R. 774. A bill to provide for payments in lieu of taxes on lands in national forests; to the Committee on Agriculture.

H.R. 775. A bill to amend the National Defense Education Act of 1958 to strengthen instruction in health education and to provide for training institutes for personnel engaged in health education; to the Committee on Education and Labor.

H.R. 776. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

H.R. 777. A bill to amend section 306 of the Public Health Service Act so as to make school health educators eligible for traineeships under that section, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 778. A bill to amend the Public Health Service Act to protect the public from unsanitary milk and milk products shipped in interstate commerce, without unduly burdening such commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 779. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 780. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

H.R. 781. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 782. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education and high schools; to the Committee on Ways and Means.

H.R. 783. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 784. A bill to provide financial assistance to the States by returning to the States a portion of the Federal income taxes collected therein; to the Committee on Ways and Means.

H.R. 785. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 786. A bill to amend title II of the Social Security Act to provide that a survivor beneficiary shall not lose his or her entitlement to benefits by reason of marriage or remarriage which occurs after he or she attains age 62; to the Committee on Ways and Means.

H.R. 787. A bill to amend the definition of a corporation in the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 788. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit representing interest on amounts withheld for purposes of the Federal income tax; to the Committee on Ways and Means.

H.R. 789. A bill to donate to the Stockbridge-Munsee community some submarginal lands of the United States, and to make such lands parts of the reservation involved; to the Committee on Interior and Insular Affairs.

H.R. 790. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purpose of determining eligibility for a pension under title 38; to the Committee on Veterans' Affairs.

H.R. 791. A bill to provide that where the entitlement of a veteran, widow, or child to a pension from the Veterans' Administration is based upon the veteran's having served in World War I, the beneficiary shall if otherwise eligible have the right to elect payment of pension under either the provisions of title 38 as in effect on June 30, 1960, or as amended by the Veterans' Pension Act of 1959, whichever provides the greater benefit; to the Committee on Veterans' Affairs.

By Mr. LANDRUM:

H.R. 792. A bill to authorize the Secretary of Agriculture to cooperate with States, counties, and local public agencies in the planning and installation of works and measures to control or prevent erosion damages to the roadbeds and rights-of-way of existing State and county roads and highways; to the Committee on Public Works.

By Mr. LANGEN:

H.R. 793. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. LEGGETT:

H.R. 794. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 795. A bill to amend the Uniform Code of Military Justice in title 10 of the United States Code to require that persons accused or suspected of an offense must be apprised of their right to legal counsel before being interrogated or requested to make a statement; to the Committee on Armed Services.

H.R. 796. A bill to amend title 10, United States Code, to equalize the retirement pay of member of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 797. A bill to amend the act of September 26, 1950, to enlarge the service area of the Sacramento canals units of the Central Valley project to include Yolo and Solano Counties, Calif.; to the Committee on Interior and Insular Affairs.

H.R. 798. A bill to amend the act of September 26, 1950, authorizing the Sacramento Valley irrigation canals, Central Valley project, California, in order to increase the capacity of certain project features for future irrigation of additional lands; to the Committee on Interior and Insular Affairs.

H.R. 799. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Paskenta-Newville unit, Sacramento River division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 800. A bill to amend the act of July 4, 1955, as amended, relating to the construction of irrigation distribution systems; to the Committee on Interior and Insular Affairs.

H.R. 801. A bill authorizing the Chief of Engineers, Department of the Army, to expend certain appropriated funds to maintain harbors and waterways at depths required for defense purposes; to the Committee on Public Works.

By Mr. LENNON:

H.R. 802. A bill to amend titles 10, 14, and 32, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 803. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 804. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 805. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 806. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

H.R. 807. A bill to amend section 1913 of title 18, United States Code, to make clear that the prohibition against lobbying with appropriated funds applies to the heads of executive departments and agencies; to the Committee on the Judiciary.

H.R. 808. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 809. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 810. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 811. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 812. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 813. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

H.R. 814. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 815. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

H.R. 816. A bill to provide for the designation of the ship *Constellation* as a national historic shrine and as the first ship of the Navy; and to provide further that the flag of the United States may be flown for 24 hours of each day over the *Constellation*; to the Committee on Interior and Insular Affairs.

H.R. 817. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 818. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY:

H.R. 819. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLORY:

H.R. 820. A bill to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States; to the Committee on Science and Astronautics.

H.R. 821. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education (with a refund in the form of a redeemable certificate in cases where the credit exceeds the tax liability); to the Committee on Ways and Means.

By Mr. McMILLAN (by request):

H.R. 822. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

By Mr. McMILLAN:

H.R. 823. A bill to amend sections 902(b) and 902(c) of the Internal Revenue Code of 1954 to reduce the 50-percent requirement to 25 percent between first and second levels and to include third level foreign corporations in the tax credit structure if the 25-percent test is met; to the Committee on Ways and Means.

H.R. 824. A bill to authorize the acquisition, training, and maintenance of dogs to be used in law enforcement in the District of Columbia; to the Committee on the District of Columbia.

H.R. 825. A bill to provide that a reasonable attorney's fee will be awarded to members or officers of Metropolitan Police force in certain civil actions brought against them; to the Committee on the District of Columbia.

H.R. 826. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McMILLAN (by request):

H.R. 827. A bill to amend the Presidential Inaugural Ceremonies Act; to the Committee on the District of Columbia.

By Mr. McMILLAN:

H.R. 828. A bill to provide criminal penalties for making certain telephone calls in the District of Columbia; to the Committee on the District of Columbia.

H.R. 829. A bill to amend the District of Columbia Sales Tax Act to provide exemptions for certain operations of the House of Representatives from taxes imposed by that act and the District of Columbia Use Tax Act; to the Committee on the District of Columbia.

By Mr. McMILLAN (by request):

H.R. 830. A bill to prescribe administrative procedures for the District of Columbia government; to the Committee on the District of Columbia.

H.R. 831. A bill to amend the act of July 11, 1947, to authorize members of the District of Columbia Fire Department, the U.S. Park Police force, and the White House Police force to participate in the Metropolitan Police Department Band, and for other purposes; to the Committee on the District of Columbia.

By Mr. McMILLAN:

H.R. 832. A bill to amend section 10 of the District of Columbia Traffic Act, 1925, as amended, so as to require reports of collisions in which motor vehicles are involved; to the Committee on the District of Columbia.

H.R. 833. A bill to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

H.R. 834. A bill to amend section 5 of the act of February 11, 1929, to remove the dollar limit on the authority of the Board of Commissioners of the District of Columbia to settle claims of the District of Columbia in escheat cases; to the Committee on the District of Columbia.

H.R. 835. A bill to prohibit the intimidation, coercion, or annoyance of a person officiating at or attending a religious service or ceremony in a church in the District of Columbia; to the Committee on the District of Columbia.

H.R. 836. A bill to amend the act of March 3, 1901, with respect to exemptions from attachment and certain other process in the case of persons not residing in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MACHEN:

H.R. 837. A bill to further the completion of the George Washington Memorial Parkway in Prince Georges County, Md.; to the Committee on Public Works.

H.R. 838. A bill to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one additional place; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 839. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

H.R. 840. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 841. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARSH:

H.R. 842. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and voluntary rescue squads, and for other purposes; to the Committee on Government Operations.

H.R. 843. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 844. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MARTIN:

H.R. 845. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Nebraska midstate division, Missouri River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 846. A bill to reauthorize construction by the Secretary of the Interior of the North Loup division, Nebraska, of the Missouri River Basin project; to the Committee on Interior and Insular Affairs.

H.R. 847. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 848. A bill to amend and extend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

H.R. 849. A bill to provide additional drought disaster relief by reimbursement of one-half the cost of shipment of hay; to the Committee on Agriculture.

H.R. 850. A bill to eliminate the test of financial need as a prerequisite for the sale of feed for livestock in emergency areas; to the Committee on Agriculture.

H.R. 851. A bill to establish the Chesapeake and Ohio Canal National Historical

Park, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 852. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training or retraining; to the Committee on Ways and Means.

H.R. 853. A bill to authorize the sale of certain commemorative coins by the Historical Society of Washington County, Md.; to the Committee on Banking and Currency.

H.R. 854. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MATSUNAGA:

H.R. 855. A bill to make available to individuals having a total disability income provision under section 602(v) of the National Service Life Insurance Act of 1940 (as in effect on October 31, 1958) liberalization of coverage similar to that provided under Public Law 88–355; to the Committee on Veterans' Affairs.

H.R. 856. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 857. A bill to repeal the "coolie trade" laws; to the Committee on the Judiciary.

H.R. 858. A bill to amend section 417 of the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board to issue emergency operating authorizations to foreign air carriers to engage in air transportation between points on the west coast of the United States and points in Hawaii; to the Committee on Interstate and Foreign Commerce.

By Mrs. MAY:

H.R. 859. A bill for the relief of Public Utility District No. 1 of Klickitat County, Wash.; to the Committee on the Judiciary.

H.R. 860. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 861. A bill to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MESKILL:

H.R. 862. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 863. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 864. A bill to amend section 218 of the Social Security Act to provide that a policeman or fireman who has social security coverage pursuant to State agreement as an individual employee and not as a member of a State or local retirement system may elect to terminate such coverage if he is subsequently required to become a member of such a retirement system; to the Committee on Ways and Means.

H.R. 865. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

H.R. 866. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of treatment works to control water pollution by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such treatment works; to the Committee on Ways and Means.

H.R. 867. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

H.R. 868. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 869. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 870. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

H.R. 871. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 872. A bill to amend the tort claims procedure contained in title 28 of the United States Code to provide that the United States shall be immune from suits for tort claims by individuals confined in Federal penal or correctional institutions arising out of acts or omissions of Government employees in the operation or management of such institutions; to the Committee on the Judiciary.

H.R. 873. A bill to provide that the majority of the membership (including the chairman) of the Committee on Government Operations of the Senate and House of Representatives, respectively, shall be composed of members of a major political party other than the political party of which the President of the United States is a member; to the Committee on Rules.

H.R. 874. A bill to provide that the Director of the Federal Bureau of Investigation shall hereafter be appointed by the President, by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. MILLER of California:

H.R. 875. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

By Mr. MINISH:

H.R. 876. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

H.R. 877. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 878. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 879. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 880. A bill relative to amendment of title XVIII of Social Security Act; to the Committee on Ways and Means.

H.R. 881. A bill protecting the members of the Armed Forces and their families from threatening and harassing communications; to the Committee on the Judiciary.

H.R. 882. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. MINSHALL:

H.R. 883. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 884. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him in connection with his education, or the education of any of his dependents, at an institution of higher learning; to the Committee on Ways and Means.

H.R. 885. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 886. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 887. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 888. A bill to amend title 18 of the United States Code to prohibit the transportation or use in interstate or foreign commerce, with unlawful or fraudulent intent, of counterfeit, fictitious, altered, lost, stolen, wrongfully appropriated, unauthorized, revoked, or canceled credit cards; to the Committee on the Judiciary.

H.R. 889. A bill to make it a crime to give false information in connection with registering to vote, to pay or accept payment for registering or for voting, or to alter any ballot or voting record, with respect to a Federal election; to the Committee on the Judiciary.

H.R. 890. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

By Mr. MIZE:

H.R. 891. A bill to amend the Legislative Reorganization Act of 1946 relating to bills and resolutions introduced in the Congress; to the Committee on Rules.

By Mr. MONAGAN:

H.R. 892. A bill to amend the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 893. A bill to provide for the restoration and rehabilitation of lands damaged by surface or strip mining; to the Committee on Agriculture.

H.R. 894. A bill to amend title II of the Social Security Act to permit the payment of widow's insurance benefits at age 50 provided a woman is permanently and totally disabled and was wholly dependent on her husband at the time of his death; to the Committee on Ways and Means.

By Mr. MOORHEAD:

H.R. 895. A bill to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; to the Committee on Banking and Currency.

H.R. 896. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 897. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100 a month benefit for certain individuals with 25 years' service, to liberalize the retirement test, and to increase the earnings base for benefit and tax purposes; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 898. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 899. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education; to the Committee on Ways and Means.

H.R. 900. A bill to amend the Internal Revenue Code of 1954 to exempt servicemen from the excise tax on transportation by air; to the Committee on Ways and Means.

H.R. 901. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer or spouse who has had a laryngectomy; to the Committee on Ways and Means.

H.R. 902. A bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 903. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

H.R. 904. A bill to amend title 10 of the United States Code to provide that nationals of the United States and citizens of the Trust Territory of the Pacific Islands may be enlisted in the Armed Forces; to the Committee on Armed Services.

H.R. 905. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 906. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 907. A bill to prohibit the shipment in commerce of electronic eavesdropping and wiretapping devices; to the Committee on Interstate and Foreign Commerce.

H.R. 908. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 909. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 910. A bill to amend title 39, United States Code, to prohibit the mailing of unsolicited sample drug products and other potentially harmful items, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 911. A bill to establish the Channel Islands National Park, in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 912. A bill to amend section 211 of the Public Health Service Act to equalize the retirement benefits for commissioned officers of the Public Health Service with retirement benefits provided for other officers in the uniformed services; to the Committee on Interstate and Foreign Commerce.

H.R. 913. A bill to amend the Public Health Service Act in order to promote the detection of phenylketonuria and other inborn errors of metabolism leading to mental retardation or physical defects; to the Committee on Interstate and Foreign Commerce.

H.R. 914. A bill to repeal the "coolie trade" laws; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 915. A bill to provide that the Joint Committee on Defense Production shall develop a program of economic controls to stabilize the economy and safeguard the national defense in time of emergency; to the Committee on Banking and Currency.

H.R. 916. A bill to amend part I of title III of the Communications Act of 1934 to make it unlawful for broadcasters to make unauthorized deletions from certain matter submitted for broadcasting; to the Committee on Interstate and Foreign Commerce.

H.R. 917. A bill to provide for the issuance of a special postage stamp in honor of Col. David (Mickey) Marcus; to the Committee on Post Office and Civil Service.

H.R. 918. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act to require that any stock option issued by an insured bank or savings and loan association be made available to the general public on equal terms (or, if offered only to shareholders, be made available on equal terms to all of them); to the Committee on Banking and Currency.

H.R. 919. A bill to amend section 17 of the Federal Home Loan Bank Act and to amend section 5 of the Home Owners Loan Act of 1933 to establish an International Home Loan Bank; to the Committee on Banking and Currency.

H.R. 920. A bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes; to the Committee on the Judiciary.

H.R. 921. A bill to authorize the President, under certain conditions, to control, regulate, and allocate the use and distribution of medicinal substances for the purpose of protecting and preserving the health of the American people; to the Committee on Banking and Currency.

H.R. 922. A bill to aid in controlling inflation, and for other purposes; to the Committee on Banking and Currency.

H.R. 923. A bill to provide for fuel allocations and priorities during emergencies; to the Committee on Banking and Currency.

H.R. 924. A bill to prohibit banks from performing certain nonbanking services, and for other purposes; to the Committee on Banking and Currency.

H.R. 925. A bill to amend section 23A of the Federal Reserve Act; to the Committee on Banking and Currency.

H.R. 926. A bill to amend section 6 of the Federal Deposit Insurance Act to provide for the holding of public hearings in connection with the issuance of certain certificates and the making of certain findings and determinations and for other purposes; to the Committee on Banking and Currency.

H.R. 927. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting by means of radio or television of amateur or professional boxing matches; to the Committee on Interstate and Foreign Commerce.

H.R. 928. A bill to require that 90 percent of the net earnings of Federal Reserve banks be paid into the Treasury, and that the financial transactions of the Board of Governors of the Federal Reserve System and the Federal Reserve banks be audited by the General Accounting Office; to the Committee on Banking and Currency.

H.R. 929. A bill to amend the National Bank Act, and for other purposes; to the Committee on Banking and Currency.

H.R. 930. A bill to amend the Federal Reserve Act to provide for the retirement of Federal Reserve bank stock and the substitution of interest-bearing deposits in lieu thereof; to the Committee on Banking and Currency.

H.R. 931. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 932. A bill to permit Federal savings and loan associations to branch only to the extent permitted to State-chartered banks or thrift institutions; to the Committee on Banking and Currency.

H.R. 933. A bill to amend section 15 of the Universal Military Training and Service Act to permit certain enlistments in the Armed Forces; to the Committee on Armed Services.

H.R. 934. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

H.R. 935. A bill to establish a board (outside of the Department of Defense) to review and correct discharges and dismissals of former members of the Armed Forces; to the Committee on Armed Services.

H.R. 936. A bill to require that Congress be given notification prior to the closing of any defense installation; to the Committee on Armed Services.

H.R. 937. A bill to amend the Clayton Act to declare private antitrust suits to be impressed with a substantial public interest; to the Committee on the Judiciary.

H.R. 938. A bill to authorize payments to local governments out of tax revenues; to the Committee on Interior and Insular Affairs.

H.R. 939. A bill to abolish the death penalty under all laws of the United States relating to the District of Columbia, and authorize the imposition of life imprisonment in lieu thereof; to the Committee on the District of Columbia.

H.R. 940. A bill to fortify the antitrust policy of the United States against concentration of economic power and the use or abuse of that power to the detriment of the national economy by preventing manufacturers from financing the sales of their products; to the Committee on the Judiciary.

H.R. 941. A bill to amend the Civil Aeronautics Act of 1938, with respect to the practice of "overbooking" passenger space reservations; to the Committee on Interstate and Foreign Commerce.

H.R. 942. A bill to provide a permanent special milk program for children; to the Committee on Agriculture.

H.R. 943. A bill to provide for the grading of meat and for informing the ultimate user of such grade; to the Committee on Agriculture.

H.R. 944. A bill to amend the Administrative Procedure Act so as to require every agency of the Federal Government to furnish to certain additional persons copies of certain notices or communications; to the Committee on the Judiciary.

H.R. 945. A bill to amend section 3 of the Federal Deposit Insurance Act to include within the definition of "State banks" branches of foreign banks authorized under State law to accept deposits; to the Committee on Banking and Currency.

H.R. 946. A bill to amend section 5 of the Home Owners' Loan Act of 1933, and for other purposes; to the Committee on Banking and Currency.

H.R. 947. A bill to limit personal property leasing by banks; to the Committee on Banking and Currency.

H.R. 948. A bill to prohibit banks from performing professional accounting services; to the Committee on Banking and Currency.

H.R. 949. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

H.R. 950. A bill relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended; to the Committee on Ways and Means

H.R. 951. A bill to amend the act of April 25, 1940, to prohibit any person not licensed to do so to operate any motorboat on the navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 952. A bill to provide for the coinage and issuance of proof sets containing coins composed of 900 fine coin silver; to the Committee on Banking and Currency.

H.R. 953. A bill to amend the Federal Reserve Act to require U.S. obligations to be sold at not less than par value, and for other purposes; to the Committee on Banking and Currency.

H.R. 954. A bill to prohibit banks insured by the Federal Deposit Insurance Corporation from accepting deposits in excess of certain percentages of their outstanding real estate loans; to the Committee on Banking and Currency.

H.R. 955. A bill to amend title IV of the National Housing Act; to the Committee on Banking and Currency.

H.R. 956. A bill to require banks insured by the Federal Deposit Insurance Corporation to convert inactive demand accounts into savings accounts in certain circumstances; to the Committee on Banking and Currency.

H.R. 957. A bill to authorize the regulation of the solicitation of proxies in respect to securities issued by certain banks, and for other purposes; to the Committee on Banking and Currency.

H.R. 958. A bill to amend section 5210 of the Revised Statutes to provide that lists of the shareholders of national banks shall be available for inspection by committees of Congress, and for other purposes; to the Committee on Banking and Currency.

H.R. 959. A bill to amend section 402(a) of the National Housing Act to change the name of the Federal Savings and Loan Insurance Corporation; to the Committee on Banking and Currency.

H.R. 960. A bill to amend the Home Owners' Loan Act of 1933 to provide that certain proceedings shall be conducted in accordance with the Administrative Procedure Act; to the Committee on Banking and Currency.

H.R. 961. A bill to establish the Federal Deposit and Savings Insurance Board to manage the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation, and for other purposes; to the Committee on Banking and Currency.

H.R. 962. A bill to amend the Bank Holding Company Act of 1956; to the Committee on Banking and Currency.

H.R. 963. A bill to amend section 5155 of the Revised Statutes of the United States, relating to branches of national banks; to the Committee on Banking and Currency.

H.R. 964. A bill to protect the integrity and independence of national banks by strengthening the laws relating to ownership of stock in such banks; to the Committee on Banking and Currency.

H.R. 965. A bill to require an annual audit of each bank insured by the Federal Deposit Insurance Corporation; to the Committee on Banking and Currency.

H.R. 966. A bill to authorize the Comptroller of the Currency to establish reasonable maximum service charges which may be levied on dormant accounts by national banks; to the Committee on Banking and Currency.

H.R. 967. A bill to amend the Federal Deposit Insurance Act and title IV of the National Housing Act to prohibit banks and savings and loan associations from employing inducements other than the payment of interest or dividends to obtain deposits and similar funds from the public; to the Committee on Banking and Currency.

H.R. 968. A bill to amend the Federal Reserve Act to provide that the terms of office of the Chairman and Vice Chairman of the Board of Governors of the Federal Reserve System shall expire upon the expiration of the term of office of the President; to the Committee on Banking and Currency.

H.R. 969. A bill to establish a Federal Banking Commission to administer all Federal laws relating to the examination and supervision of banks; to the Committee on Banking and Currency.

H.R. 970. A bill to amend the Bank Holding Company Act to prohibit the approval by the Federal Reserve Board of bank holding company operations unauthorized by State law or disapproved by State authorities; to the Committee on Banking and Currency.

H.R. 971. A bill to amend section 9 of the Federal Reserve Act, section 18(d) of the Federal Deposit Insurance Act, section 5155 of the Revised Statutes, and section 5 of the Home Owners Loan Act of 1933; to the Committee on Banking and Currency.

H.R. 972. A bill to supplement the Sherman Act and the Federal Trade Commission Act by prohibiting automobile manufacturers from engaging in the businesses of financing and insuring automobiles purchased by consumers, and for other purposes; to the Committee on the Judiciary.

H.R. 973. A bill to require certificates of fitness in the sale of automobiles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 974. A bill to amend the Federal Trade Commission Act with respect to certain contracts and agreements between manufacturers of motor vehicles and their franchised dealers, to permit the establishment of exclusive representation by dealers and to restrict franchised dealers from reselling to certain unauthorized persons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 975. A bill to prohibit certain tampering with speedometers on motor vehicles used in commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 976. A bill to provide for a nationally uniform system of automobile registration; to the Committee on Interstate and Foreign Commerce.

H.R. 977. A bill to prevent the sale of automobiles with unauthorized equipment, parts, and accessories, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 978. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

H.R. 979. A bill to amend title 10 of the United States Code to authorize the payment of commercial air transportation expenses for certain members of the Armed Forces; to the Committee on Armed Services.

H.R. 980. A bill to provide for the procurement of judge advocates and law specialist officers for the Army, Navy, Air Force, and Coast Guard, and for other purposes; to the Committee on Armed Services.

H.R. 981. A bill to withhold Federal aid from National Guard organizations which practice discrimination or segregation on account of race, color, or creed; to the Committee on Armed Services.

H.R. 982. A bill to amend chapter 67 of title 10, United States Code, to provide retired pay for reservists who have 10 or more years of satisfactory Federal service and who performed active duty for 5 or more years in the aggregate during World War I, World War II, and the Korean conflict; to the Committee on Armed Services.

H.R. 983. A bill to prohibit the discharge of members of the Armed Forces under conditions other than honorable except pursuant to the sentence of a court-martial; to the Committee on Armed Services.

H.R. 984. A bill to amend section 2 of the Automobile Information Disclosure Act so as to include the Commonwealth of Puerto Rico, Guam, and the Virgin Islands within the provisions of such act; to the Committee on Interstate and Foreign Commerce.

H.R. 985. A bill to provide that the Board of Directors of the Federal Deposit Insurance Corporation shall consist of three appointive members, and for other purposes; to the Committee on Banking and Currency.

By Mr. MULTER (by request):

H.R. 986. A bill to amend section 5155 of the Revised Statutes of the United States relating to the establishment and operation of branches of national banks; to the Committee on Banking and Currency.

By Mr. MURPHY of New York:

H.R. 987. A bill to authorize the Secretary of Commerce to conduct research and development of precision equipment and systems for utilizing radio signals from space satellites to improve navigation of nonmilitary vessels at sea; to the Committee on Merchant Marine and Fisheries.

H.R. 988. A bill authorizing the admission of two citizens and subjects of the Republic of Korea to the U.S. Military Academy, the U.S. Naval Academy, and the Air Force Academy; to the Committee on Armed Services.

H.R. 989. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 990. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

H.R. 991. A bill to amend the Public Health Service Act to further promote and assist in modernization of hospitals and other medical facilities through grants for amortization of indebtedness incurred for that purpose, direct loans, and guarantees of loans, and through grants for the planning of such modernization, and to authorize grants for development of new technology systems and concepts in the provision of health services; to the Committee on Interstate and Foreign Commerce.

H.R. 992. A bill to amend the provisions of section 18 of the Shipping Act, 1916, to require the filing of tariffs by terminal operators; to the Committee on Merchant Marine and Fisheries.

H.R. 993. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses of higher education; to the Committee on Ways and Means.

H.R. 994. A bill to amend title XVIII of the Social Security Act to provide payment for podiatrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 995. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

H.R. 996. A bill to prohibit the transportation or shipment in interstate commerce of master keys to persons prohibited by State law from receiving or possessing them; to the Committee on Interstate and Foreign Commerce.

H.R. 997. A bill to amend title I of the Tariff Act of 1930 with respect to the rate of duty on parts of geared temperature and pressure gages; to the Committee on Ways and Means.

H.R. 998. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

H.R. 999. A bill to amend the National Firearms Act to impose special (occupational) taxes with respect to engaging in the business of importing, manufacturing, and dealing in destructive weapons such as bombs, grenades, rockets, missiles, bazookas, and antitank guns; to impose taxes with respect to the making and to the transfer of such weapons; and to increase the rates of special (occupational) tax, transfer tax, and making tax imposed by the act, and for other purposes; to the Committee on Ways and Means.

H.R. 1000. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

H.R. 1001. A bill to amend the Internal Revenue Code of 1954 to provide that the tax on transportation of persons by air shall not apply to uninterrupted international combined air and sea transportation; to the Committee on Ways and Means.

H.R. 1002. A bill to provide that any person who illegally sells a narcotic drug to a minor shall be imprisoned for not less than 20 years; to the Committee on Ways and Means.

H.R. 1003. A bill to prohibit misuse or exportation of the flag of the United States in certain instances and to prohibit public display of the flag of a foreign government engaging the United States in war or armed conflict; to the Committee on the Judiciary.

H.R. 1004. A bill relating to the appointment and promotion of deputy U.S. marshals; to the Committee on the Judiciary.

H.R. 1005. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1006. A bill to provide an increase in the retired pay of certain members of the former Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

H.R. 1007. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

H.R. 1008. A bill to amend the Foreign Assistance Act of 1961 so as to provide for reductions in aid to countries in which property of the United States is damaged or destroyed by mob action; to the Committee on Foreign Affairs.

H.R. 1009. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1010. A bill to establish and prescribe the duties of a Federal boxing commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests; to the Committee on Interstate and Foreign Commerce.

H.R. 1011. A bill to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require; to the Committee on Merchant Marine and Fisheries.

H.R. 1012. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 1013. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. MYERS:

H.R. 1014. A bill to provide for the issuance of a special postage stamp to commemorate the memory of Ernie Pyle; to the Committee on Post Office and Civil Service.

By Mr. NELSEN:

H.R. 1015. A bill to authorize the Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as sites for offices for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. OTTINGER:

H.R. 1016. A bill to amend title 17 of the United States Code, "Copyrights," to bar actions for infringement of copyright in certain instances, and for other purposes; to the Committee on the Judiciary.

H.R. 1017. A bill to amend title 35 of the United States Code to provide for compulsory licensing of prescription drug patents; to the Committee on the Judiciary.

H.R. 1018. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

H.R. 1019. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1020. A bill to amend title 38 of the United States Code so as to increase to $25,000 the amount of servicemen's group life insurance which may be carried by members of the Armed Forces; to the Committee on Veterans' Affairs.

H.R. 1021. A bill to amend the act of October 19, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

H.R. 1022. A bill to provide for planning, coordination, and construction of facilities to assure an adequate supply of pure fresh water for the Northeastern United States; to the Committee on Interior and Insular Affairs.

H.R. 1023. A bill to provide overtime pay for substitute postal employees for hours worked in excess of 8 hours in any single day; to the Committee on Post Office and Civil Service.

H.R. 1024. A bill to prohibit the Secretary of Commerce from approving plans, specifications, and estimates for a highway along a certain route in the State of New York, and to prohibit any obligation or expenditure of Federal funds in connection therewith; to the Committee on Public Works.

H.R. 1025. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. PATMAN:

H.R. 1026. A bill to vest in the Secretary of the Treasury all functions relating to the examination and supervision of federally insured banks; to the Committee on Banking and Currency.

By Mr. PATTEN:

H.R. 1027. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. PELLY:

H.R. 1028. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 1029. A bill to provide members of the Colville Confederated Tribes with full citizenship and to provide for vesting each tribal member with his equal cash share representing his equity in all reservation assets of the Colville Confederated Tribes in the State of Washington; to the Committee on Interior and Insular Affairs.

By Mr. PHILBIN:

H.R. 1030. A bill to provide for the reimbursement of the town of Lancaster, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on Interior and Insular Affairs.

H.R. 1031. A bill for the relief of the town of Natick, Mass.; to the Committee on the Judiciary.

H.R. 1032. A bill to promote public knowledge of progress and achievement in astronautics and related sciences through the designation of a special day in honor of Dr. Robert Hutchings Goddard, the father of modern rockets, missiles, and astronautics; to the Committee on the Judiciary.

H.R. 1033. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 1034. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 1035. A bill to enable Gold Star mothers, fathers, and widows of members of the Armed Forces who died at Bataan and Corregidor to make a pilgrimage to the Philippines for the 25th anniversary of Bataan; to the Committee on Armed Services.

H.R. 1036. A bill to amend the act of May 29, 1944, providing annuities for persons who participated in the construction of the Panama Canal, by extending the class to whom annuities may be paid; to the Committee on Merchant Marine and Fisheries.

H.R. 1037. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1038 A bill to provide for the issuance of a special postage stamp to commemorate the Military Order of the Purple Heart; to the Committee on Post Office and Civil Service.

By Mr. PIKE:

H.R. 1039. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PIRNIE:

H.R. 1040. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

By Mr. POAGE:

H.R. 1041. A bill to amend section 201 of the Agricultural Adjustment Act of 1938, as amended, in order to require the Secretary of Agriculture in certain cases to make complaint to the Interstate Commerce Commission with respect to rates, charges, tariffs, and practices relating to the transportation of farm products; to the Committee on Agriculture.

H.R. 1042. A bill to provide for a national cemetery at or near Fort Hood, Tex.; to the Committee on Interior and Insular Affairs.

H.R. 1043. A bill to authorize the establishment of the Dinosaur Trail National Monument in the State of Texas; to the Committee on Interior and Insular Affairs.

By Mr. POFF:

H.R. 1044. A bill to amend section 5 of the Administrative Procedure Act; to the Committee on the Judiciary.

H.R. 1045. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 1046. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to a taxpayer who is a student at a college for certain expenses incurred in obtaining a higher education; to the Committee on Ways and Means.

H.R. 1047. A bill to provide a credit against the Federal income tax for additional State and local taxes imposed for school purposes; to the Committee on Ways and Means.

H.R. 1048. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 1049. A bill to establish certain qualifications for persons appointed to the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 1050. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1051. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

H.R. 1052. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and and Foreign Commerce.

H.R. 1053. A bill to amend the Railroad Retirement Act of 1937 to permit an annuitant to receive his annuity even though he renders compensated service for the outside employer by whom he was last employed before his annuity began to accrue; to the Committee on Interstate and Foreign Commerce.

H.R. 1054. A bill to amend the Railroad Retirement Act of 1937; to the Committee on Interstate and Foreign Commerce.

H.R. 1055. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

H.R. 1056. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

H.R. 1057. A bill to amend the Bankruptcy Act with respect to the use of chapter XIII; to the Committee on the Judiciary.

H.R. 1058. A bill to amend the Internal Revenue Code of 1954 to provide that the deduction for charitable contributions will not be allowable with respect to contributions to certain charitable organizations which fail to make full disclosure to the public; to the Committee on Ways and Means.

H.R. 1059. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 1060. A bill to provide compensation to survivors and dependents of local law enforcement officers killed or disabled while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 1061. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 1062. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

H.R. 1063. A bill to provide a tax incentive for the employment of older workers; to the Committee on Ways and Means.

H.R. 1064. A bill to amend the Internal Revenue Code of 1954 to provide interest on certain amounts withheld from wages and certain estimated payments of tax for purposes of the Federal income tax; to the Committee on Ways and Means.

H.R. 1065. A bill to authorize the Secretary of the Interior to designate the Washington Country National Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1066. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. POOL:

H.R. 1067. A bill to provide for the issuance of a special postage stamp to express the appreciation of the American people for the sacrifices of our servicemen; to the Committee on Post Office and Civil Service.

H.R. 1068. A bill to amend title 18 of the United States Code to make it a Federal crime to transport stolen sheep or goats in interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 1069. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

H.R. 1070. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1071. A bill to provide that the fee increases prescribed by Public Law 89–83 shall not be effective in any case wherein the application was filed prior to the effective date of that act; to the Committee on the Judiciary.

H.R. 1072. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income tax exemption for individuals who have certain debilitating progressive diseases; to the Committee on Ways and Means.

H.R. 1073. A bill to amend the Export Control Act of 1949 to provide notice, hearing, and judicial review with respect to any prohibition or curtailment of the exportation of agricultural commodities; to the Committee on Banking and Currency.

H.R. 1074. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1075. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 1076. A bill to provide for a survey by the Secretary of the Interior to establish the route of the Chisholm Trail and for the establishment of markers to identify such route, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1077. A bill to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1078. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on hospital bonds; to the Committee on Ways and Means.

H.R. 1079. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by firemen for meals which they are required to eat at their post of duty; to the Committee on Ways and Means.

H.R. 1080. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer increased personal exemptions for his children while they are attending school; to the Committee on Ways and Means.

H.R. 1081. A bill to amend title II of the Social Security Act to reduce from 72 to 68 the age at which deductions on account of an individual's outside earnings will cease to be made from benefits based on such individual's wage record; to the Committee on Ways and Means.

H.R. 1082. A bill to establish and prescribe the functions of the Federal Tax Commission; to the Committee on Ways and Means.

H.R. 1083. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on church bonds; to the Committee on Ways and Means.

H.R. 1084. A bill to amend title II of the Social Security Act to increase the amount of outside income which may be earned without deductions from benefits in cases where a husband and wife are both beneficiaries but all or most of such outside income is derived by only one of them; to the Committee on Ways and Means.

H.R. 1085. A bill to amend title 39, United States Code, to encourage the use by volume mailers of ZIP code through postage rate concessions; to the Committee on Post Office and Civil Service.

H.R. 1086. A bill to amend the Civil Service Retirement Act to permit the recovery by the Government of amounts due the Government in the settlement of claims under such act, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1087. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

H.R. 1088. A bill to amend chapter 57 of title 39, United States Code, so as to authorize the free use of the mails in making reports required by law of certain payments to others; to the Committee on Post Office and Civil Service.

H.R. 1089. A bill to amend title 39, United States Code, to provide city delivery mail service on a door-to-door delivery service basis for postal patrons who qualify therefor; to the Committee on Post Office and Civil Service.

H.R. 1090. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 1091. A bill to amend the Civil Service Retirement Act to authorize the payment of annuities to secretaries of justices and judges of the United States on the same basis as annuities to congressional employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1092. A bill to include Customs Inspectors in section 6(c) of the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. PRICE of Illinois:

H.R. 1093. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

H.R. 1094. A bill to amend title VII of the Civil Rights Act of 1964 in order to make discrimination because of age in employment an unlawful employment practice; to the Committee on Education and Labor.

H.R. 1095. A bill to provide a 3-month extension of certain rights reserved by the former owners of the subsurface estate of certain real property acquired by the United States for the Carlyle Reservoir, Ill.; to the Committee on Public Works.

H.R. 1096. A bill to amend title 10, United States Code, to provide for the rank of brigadier general for an officer of the Air Force while serving as Assistant Surgeon General for Veterinary Services; to the Committee on Armed Services.

H.R. 1097. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 1098. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1099. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

H.R. 1100. A bill to authorize and request the President to award a Presidential Unit Citation to the 761st Tank Battalion; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 1101. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 1102. A bill to amend title XI of the Federal Aviation Act of 1958 to establish liability on the part of the United States for the taking of easements in the navigable airspace of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1103. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

H.R. 1104. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

H.R. 1105. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

H.R. 1106. A bill to amend title 18 of the United States Code to provide that the bombing of certain buildings will create a rebuttable presumption that a Federal criminal offense has been committed for purposes of investigation by the Federal Bureau of Investigation, and for other purposes; to the Committee on the Judiciary.

H.R. 1107. A bill to amend section 8 of the Labor-Management Relations Act, 1947, and for other purposes; to the Committee on Education and Labor.

H.R. 1108. A bill to provide for the establishment of a mint of the United States in the State of Illinois; to the Committee on Public Works.

H.R. 1109. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1110. A bill to amend section 610 of the Federal Aviation Act of 1958 so as to establish minimum standards for operation of civil supersonic aircraft through the navigable airspace of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 1111. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction for expenses incurred in making repairs and improvements to his residence; to the Committee on Veterans' Affairs.

H.R. 1112. A bill to amend title 38 of the United States Code to exclude from income pension and annuity payments under the Railroad Retirement Act of 1937 for the purpose of determining eligibility for a veteran's pension under chapter 15 of that title; to the Committee on Veterans' Affairs.

H.R. 1113. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 1114. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain other educational expenses paid by him for the education of a dependent at a private nonprofit elementary or secondary school; to the Committee on Ways and Means.

H.R. 1115. A bill to amend section 21 of the Second Liberty Bond Act to provide for the retirement of the public debt; to the Committee on Ways and Means.

H.R. 1116. A bill to direct the Attorney General to establish six centers to provide facilities for conducting research into the motivations and behavioral patterns of persons who have been convicted of crimes of violence; to the Committee on the Judiciary.

H.R. 1117. A bill to amend title 28, United States Code, to permit the Attorney General of the United States and State attorneys general to obtain orders from U.S. district courts placing reasonable limitations on the conduct of certain public mass demonstrations; to the Committee on the Judiciary.

H.R. 1118. A bill to amend the Trade Expansion Act of 1962 to provide judicial review of certain determinations of the Tariff Commission, and for other purposes; to the Committee on Ways and Means.

H.R. 1119. A bill to amend the Welfare and Pension Plans Disclosure Act to require more complete disclosure of certain investment transactions; to the Committee on Education and Labor.

H.R. 1120. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959, and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 1121. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; to the Committee on Ways and Means.

My Mr. PATMAN:

H.R. 1122. A bill to amend the Federal Reserve Act to provide for Federal Reserve support of Government bonds when market yields equal or exceed 4½ percent; to the Committee on Banking and Currency.

H.R. 1123. A bill to amend the Federal Reserve Act with respect to the terms of office of the chairman and members thereof, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATMAN (by request):

H.R. 1124. A bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; to the Committee on Banking and Currency.

By Mr. PATMAN:

H.R. 1125. A bill to create a Small Business Capital Bank; to the Committee on Banking and Currency.

H.R. 1126. A bill to require that each bank insured by the Federal Deposit Insurance Corporation be audited triennially, and for other purposes; to the Committee on Banking and Currency.

H.R. 1127. A bill to permit Federal savings and loan associations and Federal credit unions to afford checking account services to their patrons by accepting demand deposits on a 100-percent reserve basis, and for other purposes; to the Committee on Banking and Currency.

H.R. 1128. A bill to require the payment of interest on certain funds of the United States held on deposit in commercial banks, to provide for reimbursement of commercial banks for services performed for the United States, and for other purposes; to the Committee on Banking and Currency.

H.R. 1129. A bill to restore the constitutional authority of Congress over expenditures by agencies of the United States having jurisdiction over bank mergers, and for other purposes; to the Committee on Banking and Currency.

By Mr. PELLY:

H.R. 1130. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1131. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for certain taxpayers who have cerebral palsy; to the Committee on Ways and Means.

H.R. 1132. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 1133. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 1134. A bill to provide that the United States shall make no payments or contributions to the United Nations for furnishing assistance to Communist countries; to the Committee on Foreign Affairs.

H.R. 1135. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States abroad certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1136. A bill to require that a portion of Government parking facilities at national monuments and memorials and Government buildings be reserved for use by visitors confined to wheelchairs; to the Committee on Public Works.

H.R. 1137. A bill to amend title 10 of the United States Code to prohibit contracting for the construction of vessels for the U.S. Navy at places outside of the United States; to the Committee on Armed Services.

H.R. 1138. A bill to establish fishing zones of the United States beyond its territorial seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1139. A bill to amend the act prohibiting fishing in the territorial waters of the United States by vessels other than vessels of the United States in order to expand the definition of the term "fisheries"; to the Committee on Merchant Marine and Fisheries.

H.R. 1140. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1141. A bill to permit duty-free treatment of limestone, when imported to be used in the manufacture of cement, pursuant to the Trade Expansion Act of 1962; to the Committee on Ways and Means.

H.R. 1142. A bill to conserve and protect Pacific salmon of North American origin; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 1143. A bill to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress, or any committee thereof, shall constitute a misdemeanor; to the Committee on the Judiciary.

By Mr. PRICE of Illinois:

H.R. 1144. A bill to amend titles 10 and 37, United States Code, to provide career incentives for certain professionally trained officers of the Armed Forces; to the Committee on Armed Services.

H.R. 1145. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1146. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 1147. A bill to provide assistance to certain States bordering the Mississippi River in the construction of the Great River Road; to the Committee on Public Works.

H.R. 1148. Poverty area amendment; to the Committee on Public Works.

H.R. 1149. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

H.R. 1150. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

H.R. 1151. A bill to amend chapter 55 of title 10, United States Code, to authorize subsistence without charge to air evacuation patients; to the Committee on Armed Services.

H.R. 1152. A bill to provide for the issuance of a special postage stamp honoring the coal miners and coal industry of America; to the Committee on Post Office and Civil Service.

H.R. 1153. A bill to provide additional dental care for dependents of members of the uniformed services; to the Committee on Armed Services.

H.R. 1154. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

H.R. 1155. A bill to amend title II of the Social Security Act to permit States under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 1156. A bill to provide for the inclusion of Denton County, Tex., within the Fort Worth division of the northern district for the U.S. district courts in Texas; to the Committee on the Judiciary.

H.R. 1157. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1158. A bill to amend the Internal Revenue Code of 1954 to grant an additional income tax exemption to a taxpayer supporting a dependent or dependents who have intellectual limitations to the extent that ability to learn and to adapt to the demands of society is impaired; to the Committee on Ways and Means.

H.R. 1159. A bill to amend the provisions of law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains program; to the Committee on Agriculture.

By Mr. RANDALL:

H.R. 1160. A bill to amend title 38 of the United States Code to provide that veterans of any period of war and their widows on attaining age 65 shall be entitled to pensions at the monthly rate of $101.59, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REID of New York:

H.R. 1161. A bill to amend the Administrative Procedure Act to provide for the disclosure of certain communications received by Government agencies from Members of Congress with respect to adjudicatory and rulemaking matters, and for other purposes; to the Committee on the Judiciary.

H.R. 1162. A bill to provide for the disclosure of gifts and financial interests by Members of Congress; to the Committee on Rules.

By Mr. REIFEL:

H.R. 1163. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1164. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. REINECKE:

H.R. 1165. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. REUSS:

H.R. 1166. A bill to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of all levels of government, by providing Federal block grants for States and localities which take steps to modernize State and local government; to the Committee on Government Operations.

By Mr. RHODES of Arizona:

H.R. 1167. A bill to establish the calendar year as the fiscal year of the Government, and for other purposes; to the Committee on Government Operations.

H.R. 1168. A bill to provide for national cemeteries in the State of Arizona; to the Committee on Interior and Insular Affairs.

H.R. 1169. A bill to provide for the conveyance to Pima and Maricopa Counties, Ariz., and to the city of Albuquerque, N. Mex., of certain lands for recreational purposes under the provisions of the Recreation and Public Purposes Act of 1926; to the Committee on Interior and Insular Affairs.

H.R. 1170. A bill relating to the interest rates on loans made by the Treasury to the Department of Agriculture to carry out the programs authorized by the Rural Electrification Act of 1936; to the Committee on Agriculture.

H.R. 1171. A bill to amend title 38 of the United States Code to increase the amount which may be paid on account of the funeral expenses of certain veterans from $250 to $300; to the Committee on Veterans' Affairs.

H.R. 1172. A bill to authorize the disposal of surplus equipment, materials, books, and supplies under section 203(j) of the Federal Property and Administrative Services Act of 1949 to the Arizona Boys' Ranch and Epi-Hab Phoenix, Inc.; to the Committee on Government Operations.

H.R. 1173. A bill to provide that the President shall include in the budget submitted to the Congress under section 201 of the Budget and Accounting Act, 1921, an item for not less than $2 billion to be applied toward reduction of the national debt; to the Committee on Government Operations.

H.R. 1174. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 1175. A bill to establish penalties for the operation of a motor vehicle between States by a person while his motor vehicle operator's license is suspended or revoked; to the Committee on the Judiciary.

H.R. 1176. A bill to amend the Internal Revenue Code of 1954 to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1177. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on church bonds; to the Committee on Ways and Means.

H.R. 1178. A bill to amend the Internal Revenue Code of 1954 to allow employers to deduct an additional amount as compensation for the duties required of them in connection with the withholding of taxes and the performance of other administrative and clerical duties under such code; to the Committee on Ways and Means.

H.R. 1179. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ROBISON:

H.R. 1180. A bill to provide a system for the return of Federal income tax revenues to the States to be used exclusively for educational purposes; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 1181. A bill to amend the Navy ration statute so as to provide for the serving of oleomargarine or margarine; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 1182. A bill to amend title 39, United States Code, to provide for the air transportation of certain parcels mailed at or addressed to Armed Forces post offices; to the Committee on Post Office and Civil Service.

H.R. 1183. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Rules.

H.R. 1184. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 1185. A bill to provide for the establishment, under the National Science Foundation, of a National Science Academy; to the Committee on Science and Astronautics.

By Mr. ROGERS of Colorado:

H.R. 1186. A bill to grant civil service employees retirement after 30 years' service; to the Committee on Post Office and Civil Service.

H.R. 1187. A bill to amend the Internal Revenue Code of 1954 to provide that the full amount of any annuity received under the Civil Service Retirement Act shall be excluded from gross income; to the Committee on Ways and Means.

H.R. 1188. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

H.R. 1189. A bill relating to national observances and holidays, and for other purposes; to the Committee on the Judiciary.

H.R. 1190. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000 and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

By Mr. ROONEY of New York:

H.R. 1191. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States to make pilgrimage to such cemeteries; to the Committee on Armed Services.

H.R. 1192. A bill to amend the Civil Service Retirement Act, as amended, to provide annuities for additional personnel engaged in hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 1193. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 1194. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 1195. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

H.R. 1196. A bill relating to the status of volunteer fire companies for purposes of liability for Federal income taxes and for certain Federal excise taxes; to the Committee on Ways and Means.

H.R. 1197. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSENTHAL:

H.R. 1198. A bill to provide effective procedures for the enforcement of the establishment and free exercise clauses of the first amendment to the Constitution; to the Committee on the Judiciary.

H.R. 1199. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 1200. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ROUDEBUSH:

H.R. 1201. A bill to provide that common law marriages may not be contracted in the District of Columbia; to the Committee on the District of Columbia.

H.R. 1202. A bill to amend section 503 of title 38 of the United States Code to exclude from consideration as income, for the purpose of determining eligibility for pension, all amounts paid to an individual under public or private retirement, annuity, endowment, or similar-type plans or programs; to the Committee on Veterans' Affairs.

H.R. 1203. A bill to amend title 10, United States Code, to provide for an American Hero Award Medal to be awarded to the next of kin of members of the Armed Forces who lose their lives as a direct result of injuries or disease incurred in armed conflict; to the Committee on Armed Services.

H.R. 1204. A bill to provide for the issuance of a special postage stamp to commemorate the memory of Ernie Pyle; to the Committee on Post Office and Civil Service.

H.R. 1205. A bill to amend the Davis-Bacon Act to extend its protection to workers employed in the demolition, dismantling, removal, and/or salvaging of public buildings; to the Committee on Education and Labor.

H.R. 1206. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 1207. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 1208. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 1209. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for each dependent who is a full-time undergraduate student at a college or university; to the Committee on Ways and Means.

H.R. 1210. A bill to amend section 501 of title 38, United States Code, to provide that active military service on the Mexican border before World War I by persons who performed active service during World War I shall be included in determining eligibility of World War I veterans, their widows, and children for pension; to the Committee on Veterans' Affairs.

H.R. 1211. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

H.R. 1212. A bill to amend title 39, United States Code, to provide career status by appointment of certain qualified substitute rural carriers of record to fill vacancies on rural routes on the basis of noncompetitive examinations; to the Committee on Post Office and Civil Service.

By Mr. ROUSH:

H.R. 1213. A bill to promote and support representation of U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes; to the Committee on Science and Astronautics.

By Mr. RUMSFELD:

H.R. 1214. A bill to establish a Joint Congressional Committee on American Manpower and National Security; to the Committee on Rules.

By Mr. RUPPE:

H.R. 1215. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. RYAN:

H.R. 1216. A bill to amend part III of the Civil Rights Act of 1957; to the Committee on the Judiciary.

H.R. 1217. A bill to provide protection against lynchings; to the Committee on the Judiciary.

H.R. 1218. A bill to protect the constitutional rights of individuals irrespective of race, creed, color, or national origin, and for other purposes; to the Committee on the Judiciary.

H.R. 1219. A bill to amend section 104 of the Revised Statutes of the United States relating to proceedings against certain witnesses; to the Committee on the Judiciary.

H.R. 1220. A bill to amend title 38 of the United States Code to specifically provide for the guarantee of loans made to veterans to purchase dwellings in multifamily structures which are owned cooperatively or are condominimums; to the Committee on Veterans' Affairs.

H.R. 1221. A bill to amend title 38 of the United States Code in order to increase the amount of the spouse's income which may be excluded in determining a veteran's annual income for determining his eligibility for pension; to the Committee on Veterans' Affairs.

H.R. 1222. A bill to establish a new program of loans to be made from a revolving fund by the Secretary of Housing and Urban Development to assist in the provision and rehabilitation of housing for middle-income families; to the Committee on Banking and Currency.

H.R. 1223. A bill to amend title II of the National Housing Act to provide FHA mortgage insurance for individuals purchasing dwelling units in cooperative housing projects in the same way that such insurance is provided for individuals purchasing other single-family residences; to the Committee on Banking and Currency.

H.R. 1224. A bill to amend title I of the Housing Act of 1949 to prohibit the construction of luxury housing in the redevelopment of urban renewal areas; to the Committee on Banking and Currency.

H.R. 1225. A bill to amend title I of the Housing Act of 1949 to require the establishment of more effective procedures for the relocation of individuals, families, and business concerns from the area of urban renewal projects; to the Committee on Banking and Currency.

H.R. 1226. A bill to amend title I of the Housing Act of 1949 to provide that individuals, families, and business concerns displaced by an urban renewal project shall have a priority of opportunity to relocate in the project area after its redevelopment; to the Committee on Banking and Currency.

H.R. 1227. A bill to amend title I of the Housing Act of 1949 to provide more adequate relocation payments for individuals, families, and business concerns displaced from urban renewal areas; to the Committee on Banking and Currency.

H.R. 1228. A bill to amend the U.S. Housing Act of 1937 to remove the existing 15-percent limit on the amount of assistance which may be provided thereunder for low-rent public housing in any one State; to the Committee on Banking and Currency.

H.R. 1229. A bill to amend the U.S. Housing Act of 1937 to remove the existing dollar limit on the amount of annual contributions which may be contracted for by the Public Housing Administration to assist low-rent public housing; to the Committee on Banking and Currency.

H.R. 1230. A bill to amend the U.S. Housing Act of 1937 to increase by $1,000 per room the statutory limit on the cost of a low-rent housing project; to the Committee on Banking and Currency.

H.R. 1231. A bill to amend the U.S. Housing Act of 1937 to provide that a tenant in a low-rent public housing project may not be evicted therefrom without a public hearing; to the Committee on Banking and Currency.

H.R. 1232. A bill to amend the Internal Revenue Code of 1954 to require the owner of an apartment building or other multifamily structure to establish and utilize a repair, replacement, and maintenance reserve as a condition of the allowance of a depreciation deduction with respect to such structure; to the Committee on Ways and Means.

H.R. 1233. A bill to amend the Housing Act of 1949 to remove the 12.5 percentage limit on the amount of grant assistance which may be provided thereunder for urban renewal in any one State; to the Committee on Banking and Currency.

H.R. 1234. A bill to amend the Housing and Urban Development Act of 1965 to include in the rent supplement program certain housing financed (directly or through loan insurance) by States and municipalities; to the Committee on Banking and Currency.

By Mrs. SULLIVAN:

H.R. 1235. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act so as to amend certain labeling provisions of the food, drug, and cosmetic chapters to assure adequate information for consumers, including cautionary labeling of articles where needed to prevent accidental injury; prohibit worthless ingredients in special dietary foods; require new therapeutic devices to be shown safe and efficacious before they are marketed commercially; require all antibiotics to be certified; provide for the certification of certain other drugs; require records and reports bearing on drug safety; limit the distribution of sample drugs; require cosmetics to be shown safe before they are marketed commercially; clarify and strengthen existing inspection authority; make additional provisions of the act applicable to carriers; provide for administrative subpenas; provide for strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration of that act and of related State and local laws; prohibit the use of carcinogenic color additives in animal feeds; safeguard the health of children by banning sweetened or flavored aspirin from commerce; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 1236. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R.1237. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 1238. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for qualified dependent relatives of certain insured individuals; to the Committee on Ways and Means.

H.R. 1239. A bill to amend the public assistance provisions of the Social Security Act to prohibit the imposition of any durational residence requirement as a condition of eligibility for aid or assistance thereunder; to the Committee on Ways and Means.

H.R. 1240. A bill to provide coverage under the Federal old-age, survivors, and disability insurance system for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

H.R. 1241. A bill to amend section 203 of the Social Security Act to provide that the amount of an individual's medical, dental, and related expenses shall be subtracted from his outside earnings before determining under such section the amount of any reduction in his benefits by reason of such earnings; to the Committee on Ways and Means.

H.R. 1242. A bill to repeal section 14(b) of the National Labor Relations Act so as to protect the rights of employees and employers, in industries affecting commerce, to enter into union shop agreements; to the Committee on Education and Labor.

H.R. 1243. A bill to amend section 2(2) of the National Labor Relations Act to provide that the definition of "employer" therein shall include certain corporations or associations operating a hospital; to the Committee on Education and Labor.

H.R. 1244. A bill to provide a deduction for income-tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income-tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

H.R. 1245. A bill to amend the Internal Revenue Code of 1954 to remove all limitations upon the amount of the deduction allowed a taxpayer for medical, dental, and related expenses; to the Committee on Ways and Means.

H.R. 1246. A bill to amend part B of title VII of the Public Health Service Act to provide relocation payments for persons displaced from their places of residence or business as a result of construction thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 1247. A bill to amend the hospital construction provisions of the Public Health Service Act to provide relocation payments for persons displaced by construction thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 1248. A bill to amend the Higher Education Facilities Act of 1963 to provide relocation payments for persons displaced from their places of residence or business as a result of construction financed thereunder; to the Committee on Education and Labor.

H.R. 1249. A bill to establish a National Economic Conversion and Diversification Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1250. A bill to amend section 128 of title 23 of the United States Code to require at least 30 days' notice before any public hearing is held under that section, and for other purposes; to the Committee on Public Works.

H.R. 1251. A bill to amend the Public Works and Economic Development Act of 1965 to authorize parts of counties and municipalities to be designated as redevelopment areas; to the Committee on Public Works.

H.R. 1252. A bill to establish a Federal Water Commission to provide for the development, utilization, and control of the water resources of the United States for beneficial uses and for their protection in the interest of the public health, safety, and welfare, and for other purposes; to the Committee on Public Works.

H.R. 1253. A bill to amend section 4544 of the Revised Statutes of the United States to remove the 60-day restriction with respect to the distribution of the effects of a deceased seaman; to the Committee on Merchant Marine and Fisheries.

H.R. 1254. A bill to authorize the Small Business Administration to indemnify corporate sureties on bonds covering contracts of sound small business concerns where such action will further the purposes of the Economic Opportunity Act of 1964; to the Committee on Banking and Currency.

H.R. 1255. A bill to amend the Atomic Energy Act of 1954 to provide that hearings on applications for construction permits for certain facilities must be held at or near the places where such facilities are to be located; to the Joint Committee on Atomic Energy.

H.R. 1256. A bill to assist in the promotion of economic stabilizaton by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. SCHEUER:

H.R. 1257. A bill to amend the Social Security Act to permit, in certain additional cases, the use of social security records to aid in locating runaway parents who are failing to comply with court orders for the support of their children; to the Committee on Ways and Means.

H.R. 1258. A bill to amend title 38, United States Code, to permit for 1 year, the granting of national service life insurance to certain veterans heretofore eligible for such insurance; to the Committee on Veterans' Affairs.

H.R. 1259. A bill to amend the Tariff Act of 1930 to eliminate the prohibition against the importation of drugs, medicine, and other articles for the prevention of conception; to the Committee on Ways and Means.

By Mr. SISK:

H.R. 1260. A bill authorizing the residents of the District of Columbia to make known their preference on the question of home rule and, if they wish, to create a board for the purpose of preparing a municipal charter for submission to the voters and to Congress, and for other purposes; to the Committee on the District of Columbia.

H.R. 1261. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 1262. A bill to amend section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture.

H.R. 1263. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 1264. A bill to amend title II of the act of September 19, 1918 (40 Stat. 960), as amended, relating to industrial safety in the District of Columbia; to the Committee on the District of Columbia.

H.R. 1265. A bill to amend section 175 of the Internal Revenue Code of 1954 to include lined or unlined drainage ditches, pipes, or channels as soil conservation expenditures, and for other purposes; to the Committee on Ways and Means.

H.R. 1266. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the East Side division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1267. A bill to amend the Consolidated Farmers Home Administration Act to provide an alternate method of making loans for the acquisition and improvement of farms, and for other purposes; to the Committee on Agriculture.

H.R. 1268. A bill to amend the Food Stamp Act of 1964 to permit the distribution of federally owned foods and food coupons in areas in which the food stamp program is operating; to the Committee on Agriculture.

H.R. 1269. A bill to amend the Food Stamp Act of 1964 to permit the distribution of federally owned foods and food coupons in areas in which the food stamp program is operating; to the Committee on Agriculture.

By Mr. SMITH of California:

H.R. 1270. A bill relating to the appointment of the Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 1271. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 1272. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER:

H.R. 1273. A bill to provide for specific employment policies in order to promote maximum employment, to reduce unemployment to its minimum acceptable levels, to promote an adequate rate of economic growth, and to preserve reasonable price stability; to the Committee on Government Operations.

By Mr. SCHWEIKER:

H.R. 1274. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

By Mr. SHRIVER:

H.R. 1275. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase; to the Committee on Ways and Means.

H.R. 1276. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 1277. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. SISK:

H.R. 1278. A bill to designate the fourth Friday in September of every year as American Indian Day; to the Committee on the Judiciary.

H.R. 1279. A bill to provide for an appropriation of a sum not to exceed $75,000 with which to make a survey of a proposed "Sierra Way" in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 1280. A bill to amend section 301(a)(7) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 1281. A bill to provide for the renovation and modernization and an increase in the bed capacity of the Veterans' Administration hospital at Fresno, Calif.; to the Committee on Veterans' Affairs.

H.R. 1282. A bill to provide for the withdrawal of wine from bonded wine cellars without payment of tax, when rendered unfit for beverage use; to the Committee on Ways and Means.

H.R. 1283. A bill to amend the act of May 28, 1924, to revise existing law relating to the examination, licensure, registration, and regulation of optometrists and the practice of optometry in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 1284. A bill to establish a program of mutual and self-help housing in the Department of Housing and Urban Development; to the Committee on Banking and Currency.

H.R. 1285. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

By Mr. SPRINGER:

H.R. 1286. A bill to provide for the preservation of buildings in the Nation's Capital which are of historic and cultural importance, to provide that the Commission of Fine Arts shall report to the Commissioners of the District of Columbia regarding such buildings, and for other purposes; to the Committee on the District of Columbia.

H.R. 1287. A bill providing for the designation of the gravesites of Thomas and Sarah Bush Lincoln, the father and stepmother of Abraham Lincoln, in Shiloh Cemetery, Coles County, Ill., as a national historic landmark;

to the Committee on Interior and Insular Affairs.

H.R. 1288. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 1289. A bill to designate the dam and reservoir to be constructed on the Sangamon River near Decatur, Ill., as the Henry H. Bolz Dam and Reservoir; to the Committee on Public Works.

By Mr. STRATTON:

H.R. 1290. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

H.R. 1291. A bill to amend title XIX of the Social Security Act to impose certain limitations with respect to eligibility requirements under State plans for medical assistance, and to require that State medical assistance programs be designed not to discourage the growth and development of private and group medical insurance; to the Committee on Ways and Means.

H.R. 1292. A bill to provide for uniform annual observances of certain national holidays on Mondays; to the Committee on the Judiciary.

H.R. 1293. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

H.R. 1294. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

H.R. 1295. A bill to amend title 38 of the United States Code to increase by 10 percent the amount of retirement, annuity, and endowment payments excluded from income for the purpose of determining the eligibility of an individual for pension under that title, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1296. A bill to repeal the manufacturers' excise tax on fishing rods, creels, reels, and artificial lures, baits, and flies, and to make conforming adjustments in the provisions of law relating to appropriations for fish restoration and management projects; to the Committee on Ways and Means.

H.R. 1297. A bill to amend title 10 of the United States Code to require that the daily ration of members of the Army and Air Force contain at least as much butter as the daily ration prescribed for members of the Navy; to the Committee on Armed Services.

H.R. 1298. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to municipalities and to volunteer firefighting organizations, and for other purposes; to the Committee on Government Operations.

H.R. 1299. A bill to amend the Agricultural Marketing Agreement Act of 1937 with respect to procedure for amending orders; to the Committee on Agriculture.

H.R. 1300. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 1301. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

H.R. 1302. A bill to amend the Soil Bank Act to prohibit the denial of a conservation reserve contract to a producer solely on the ground of the date his farm was acquired, if it was acquired to replace a farm previously taken by eminent domain; to the Committee on Agriculture.

By Mr. SAYLOR:

H.R. 1303. A bill to establish a uniform Federal policy for repayment of costs of Federal electric power projects and to provide the Secretary of the Interior with authority to carry out his policy; to the Committee on Interior and Insular Affairs.

H.R. 1304. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 1305. A bill to enlarge the boundaries of Grand Canyon National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1306. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Veterans' Affairs.

H.R. 1307. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1308. A bill to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1309. A bill to provide for the extension of the reclamation acts, as amended, to all of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1310. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

H.R. 1311. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SELDEN:

H.R. 1312. A bill to amend title II of the Social Security Act to provide a more equitable and efficient method for obtaining administrative and judicial review of decisions of the Secretary of Health, Education, and Welfare thereunder, and a more realistic definition of "disability" for purposes of disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 1313. A bill to amend title IV of the Social Security Act to deny Federal assistance, under the program of aid to dependent children, for the families of women who are the mothers of two or more illegitimate children; to the Committee on Ways and Means.

By Mr. SMITH of Iowa:

H.R. 1314. A bill to extend Federal meat inspection and to permit cooperation with State meat inspection services, and for other purposes; to the Committee on Agriculture.

H.R. 1315. A bill to prohibit nepotism in Government employment, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1316. A bill to clarify and otherwise amend the Meat Inspection Act; to extend Federal meat inspection, and for other purposes; to the Committee on Agriculture.

By Mr. STRATTON:

H.R. 1317. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer shall have until March 15 (instead of only until February 15 as at present) to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 1318. A bill to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967; to the Committee on Agriculture.

H.R. 1319. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extensions of credit; to the Committee on Banking and Currency.

H.R. 1320. A bill to amend section 2(a) of the Commodity Exchange Act, as amended, to provide for the regulation of futures in trading in coffee, sugar, livestock, and livestock products; to the Committee on Agriculture.

H.R. 1321. A bill to amend the Meat Inspection Act to extend its coverage in certain areas; to the Committee on Agriculture.

H.R. 1322. A bill to extend and improve the laws regulating companies which own savings and loan institutions insured by the Federal Savings and Loan Insurance Corporation; to the Committee on Banking and Currency.

H.R. 1323. A bill to provide reasonable safeguards for employees working with or exposed to the dangers of hazardous materials; to the Committee on Education and Labor.

H.R. 1324. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

By Mr. TALCOTT:

H.R. 1325. A bill to amend provisions of the Tariff Act of 1930 relating to cartridges and agricultural implements; to the Committee on Ways and Means.

H.R. 1326. A bill to amend section 4181 of the Internal Revenue Code of 1954 relating to the excise tax on shells and cartridges; to the Committee on Ways and Means.

H.R. 1327. A bill to amend title II of the Social Security Act to provide that workers who become disabled before attaining age 31 may qualify for disability insurance benefits and the disability freeze on the basis of a more appropriate test of substantial and recent employment; to the Committee on Ways and Means.

H.R. 1328. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits payable thereunder; to the Committee on Ways and Means.

H.R. 1329. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in benefits payable thereunder; to the Committee on Ways and Means.

H.R. 1330. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 1331. A bill to authorize the Secretary of the Army to perform certain work to control beach erosion at Capitola, Calif., and to restore the beach to its former condition; to the Committee on Public Works.

H.R. 1332. A bill to authorize pay and benefits for members and survivors of members of the Philippine Scouts on the same basis as such pay and benefits are authorized for other members of the Armed Forces and their survivors; to the Committee on Armed Services.

H.R. 1333. A bill to revise Federal election financing and reporting laws, and for other purposes; to the Committee on House Administration.

H.R. 1334. A bill to authorize the distribution of a portion of the Federal tax revenue to the States for elementary and secondary education purposes; to the Committee on Ways and Means.

H.R. 1335. A bill to authorize inclusion of military service in the armed forces of a government-in-exile allied or associated with the United States during World War II as creditable service for purposes of the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 1336. A bill to provide for the appointment of postmasters and rural carriers on the basis of merit; to the Committee on Post Office and Civil Service.

H.R. 1337. A bill to amend title I of Public Law 874, 81st Congress, to provide financial assistance to local educational agencies for the education of children of migrant agricultural employees; to the Committee on Education and Labor.

H.R. 1338. A bill to amend title I of the Housing Act of 1949 to provide that no urban renewal project shall receive Federal financial assistance thereunder in the absence of approval of the project by residents of the affected community by referendum; to the Committee on Banking and Currency.

H.R. 1339. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. TAYLOR:

H.R. 1340. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas:

H.R. 1341. A bill to amend section 701 of title 10, United States Code, to authorize additional accumulation of leave in certain foreign areas; to the Committee on Armed Services.

H.R. 1342. A bill to provide for the administration and discipline of the National Security Training Corps, and for other purposes; to the Committee on Armed Services.

H.R. 1343. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Education and Labor.

H.R. 1344. A bill to impose certain safeguards on investigations carried out by Federal agencies; to the Committee on the Judiciary.

H.R. 1345. A bill to amend title 18 of the United States Code to prohibit certain activities in time of war or armed conflict; to the Committee on the Judiciary.

H.R. 1346. A bill to provide career status as rural carriers without examination to certain qualified substitute rural carriers of record in certain cases, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1347. A bill to authorize the Secretary of the Army to lease under certain conditions property acquired for flood control projects to the children of the former owners of such property; to the Committee on Public Works.

H.R. 1348. A bill to amend section 138 of the Legislative Reorganization Act of 1946 so as to provide for the reduction of the public debt by at least 10 percent of the estimated overall Federal receipts for each fiscal year; to the Committee on Rules.

H.R. 1349. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Ways and Means.

H.R. 1350. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1351. A bill to amend chapter 61 of title 38 of the United States Code in order to prohibit abuses in the solicitation of contributions in the name of veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1352. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to grant leaves of absence with pay to personnel of the Department of Medicine and Surgery in certain instances if he determines that it will serve the national interest, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1353. A bill to amend section 4001 of title 38, United States Code, to prescribe qualifications for members of the Board of Veterans Appeals, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1354. A bill to amend title 38, United States Code, to establish a Court of Veterans Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 1355. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to bring certain pensioners under the provisions of chapter 15 of that title (as now in effect) if it would be in their interest to do so; to the Committee on Veterans' Affairs.

H.R. 1356. A bill to amend section 314(k) of title 38, United States Code, to authorize payment of statutory awards for each anatomical loss or loss of use specified therein; to the Committee on Veterans' Affairs.

H.R. 1357. A bill to amend section 3203 of title 38, United States Code, to provide that veterans entitled to pension who are being maintained in State homes shall receive pension at the rate of $30 per month; to the Committee on Veterans' Affairs.

H.R. 1358. A bill to amend title 38 of the United States Code to increase the rates of pension payable to widows of veterans of the Spanish-American War; to the Committee on Veterans' Affairs.

H.R. 1359. A bill to amend title 38, United States Code, to provide that certain special hand or foot controls for automobiles shall be considered to be prosthetic appliances; to the Committee on Veterans' Affairs.

H.R. 1360. A bill to amend title 38 of the United States Code to provide a paraplegia rehabilitation allowance of $100 per month for veterans of World War I, World War II, or the Korean conflict; to the Committee on Veterans' Affairs.

H.R. 1361. A bill to amend title 38 of the United States Code to limit the authority of the Veterans' Administration and the Bureau of the Budget with respect to construction, acquisition, or alteration of veterans hospitals and the closing of such hospitals; to the Committee on Veterans' Affairs.

H.R. 1362. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, to provide readjustment assistance for veterans of the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1363. A bill to amend section 4107(c) of title 38 of the United States Code with respect to the minimum rate of salary payable to directors of Veterans' Administration hospitals, domiciliaries, and who are not physicians; to the Committee on Veterans' Affairs.

H.R. 1364. A bill to amend title 38 of the United States Code in order to extend to certain veterans who served in the Mexican border conflict the benefits enjoyed by veterans who served during periods of war; to the Committee on Veterans' Affairs.

H.R. 1365. A bill to amend title 38 of the United States Code so as to make certain widows of veterans of periods of war and certain children of such veterans who are deceased eligible for care in Veterans' Administration hospitals; to the Committee on Veterans' Affairs.

H.R. 1366. A bill to amend title 38 of the United States Code so as to permit the Administrator of Veterans' Affairs to employ persons under certain circumstances; to the Committee on Veterans' Affairs.

H.R. 1367. A bill to amend title 38 of the United States Code to require that the Veterans' Administration have at all times at least 5 percent of its personnel receiving training; to the Committee on Veterans' Affairs.

H.R. 1368. A bill to amend title 38 of the United States Code so as to provide for a pay differential for physicians in Veterans' Administration hospitals for periods during which they serve as officer of the day; to the Committee on Veterans' Affairs.

H.R. 1369. A bill to amend title 38 of the United States Code to authorize pay differentials for nurses in Veterans' Administration hospitals who perform night and weekend duty; to the Committee on Veterans' Affairs.

H.R. 1370. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to increase the rate of pay of certain scarce specialists such as radiologists, pathologists, and psychiatrists; to the Committee on Veterans' Affairs.

H.R. 1371. A bill to amend title 38 of the United States Code so as to establish rates of compensation for attending physicians and consulting physicians employed by the Veterans' Administration on a fee basis; to the Committee on Veterans' Affairs.

H.R. 1372. A bill to amend title 38 of the United States Code so as to increase the compensation of nurses employed by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 1373. A bill to amend chapter 73 of title 38 of the United States Code to authorize certain members of the Department of Medicine and Surgery of the Veterans' Administration to attend one professional meeting a year at Government expense; to the Committee on Veterans' Affairs.

H.R. 1374. A bill to amend section 5004 of title 38 of the United States Code to authorize the use of quarters on Veterans' Administration reservations by employees of the Department of Medicine and Surgery; to the Committee on Veterans' Affairs.

H.R. 1375. A bill to amend chapter 73 of title 38, United States Code, to credit physicians and dentists in the Department of Medicine and Surgery of the Veterans' Administration with certain service for retirement purposes; to the Committee on Veterans' Affairs.

H.R. 1376. A bill to amend title 38, United States Code, in order to credit physicians and dentists with 20 or more years of service in the Veterans' Administration with certain service for retirement purposes; to the Committee on Veterans' Affairs.

H.R. 1377. A bill to amend chapter 73 of title 38, United States Code, to make a career in the Department of Medicine and Surgery more attractive; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 1378. A bill to transfer control of Pershing Hall to the Administrator of Veterans' Affairs in order that such building may be preserved as a memorial to General of the Armies of the United States John J. Pershing while being utilized in the best interests of the United States; to the Committee on Veterans' Affairs.

H.R. 1379. A bill to transfer control of Pershing Hall to the Secretary of State; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 1380. A bill to amend title 38 of the United States Code so as to make widows of veterans of World War II, the Korean conflict, of the Vietnam era eligible for educational assistance; to the Committee on Veterans' Affairs.

H.R. 1381. A bill to amend title 38 of the United States Code to increase the base on which dependency and indemnity compensation for widows is computed; to the Committee on Veterans' Affairs.

H.R. 1382. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowance payable to veterans to include flight training in such program, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1383. A bill to amend title 38 of the United States Code to provide that certain veterans receiving additional compensation by reason of being in need of regular aid and attendance shall be furnished prescription drugs by the Administrator of Veterans' Affairs.

H.R. 1384. A bill to amend section 612(h) of title 38, United States Code, to provide for the furnishing of drugs and medicines to veterans receiving additional pension under old pension law provisions based on need for regular aid and attendance; to the Committee on Veterans' Affairs.

H.R. 1385. A bill to amend section 622 of title 38, United States Code, to require a declaration of assets and liabilities in connection with an applicant's statement of inability to defray the expenses of necessary non-service-connected hospital or domiciliary care as is now required by regulation; to the Committee on Veterans' Affairs.

H.R. 1386. A bill to amend title 38 of the United States Code to increase rates of disability compensation paid to service disabled veterans; to the Committee on Veterans' Affairs.

H.R. 1387. A bill to liberalize the provisions of title 38, United States Code, relating to the reinstatement and renewal of term policies of national service and U.S. Government life insurance; to authorize policyholders to purchase annuities with the cash surrender value or the proceeds of a matured endowment policy of such insurance; and to prohibit the payment of certain stale claims by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 1388. A bill to amend chapter 19 of title 38 of the United States Code to permit the inclusion of provisions providing for double indemnity for accidental death in national service life insurance policies, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 1389. A bill to authorize the use by policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities; to the Committee on Veterans' Affairs.

H.R. 1390. A bill to prohibit the processing of stale claims for special dividends by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 1391. A bill to liberalize the provisions of title 38, United States Code, relating to the reinstatement and renewal of term policies of national service and U.S. Government life insurance; to the Committee on Veterans' Affairs.

H.R. 1392. A bill to amend title 38 of the United States Code to provide an annual clothing allowance to certain veterans who, because of a service-connected disability, wear a prosthetic appliance or appliances which tends to wear out or tear their clothing; to the Committee on Veterans' Affairs.

H.R. 1393. A bill to amend title 38 of the United States Code to provide that veterans having a service-connected disability rated at 40 percent or more shall be entitled to additional compensation for dependents; to the Committee on Veterans' Affairs.

H.R. 1394. A bill to amend title 38 of the United States Code to assist veterans with a permanent and total service-connected disability due to the loss or loss of use of one upper and one lower extremity to acquire specially adapted housing; to the Committee on Veterans' Affairs.

H.R. 1395. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for the psychoses which develop within 2 years from the date of separation from active services; to the Committee on Veterans' Affairs.

H.R. 1396. A bill to amend section 410(a) of title 38, United States Code, to provide for the payment of dependency and indemnity compensation to certain survivors of deceased veterans who were rated 100 percent disabled by reason of service-connected disabilities for 20 or more years; to the Committee on Veterans' Affairs.

By Mr. TENZER:

H.R. 1397. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1398. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1399. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. POAGE:

H.R. 1400. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture.

By Mr. WALKER:

H.R. 1401. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture.

By Mr. RESNICK:

H.R. 1402. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture.

By Mr. WILLIS:

H.R. 1403. A bill to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress, or any committee thereof, shall constitute a misdemeanor; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.R. 1404. A bill to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress, or any committee thereof, shall constitute a misdemeanor; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 1405. A bill to amend section 104 of the Revised Statutes of the United States (2 U.S.C. 194) so as to clarify the duty of the President of the Senate and the Speaker of the House in certifying reports of contempts under section 102 of such Revised Statutes; to the Committee on the Judiciary.

H.R. 1406. A bill to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress or any committee thereof, shall constitute a misdemeanor; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 1407. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a National Veterans' Cemetery System consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 1408. A bill to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 1409. A bill to provide for the establishment of the Sonoran Desert National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1410. A bill to allow the same exemption from duty for residents returning from a contiguous country as are allowed for residents returning from insular possessions; to the Committee on Ways and Means.

H.R. 1411. A bill to amend title 39, United States Code, with respect to use of the mails to obtain money or property under false representations, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1412. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

H.R. 1413. A bill to amend and extend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. ULLMAN:

H.R. 1414. A bill to authorize the Secretary of the Treasury or his delegate to enter into mutually acceptable agreements with States and possessions of the United States for Federal collection of State or possession income taxes; to the Committee on Ways and Means.

H.R. 1415. A bill to amend the Internal Revenue Code of 1954 to permit individuals to claim against Federal income tax for 40 percent of their State and local income taxes, in lieu of deducting such taxes; to the Committee on Ways and Means.

H.R. 1416. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. UTT:

H.R. 1417. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 1418. A bill to rescind and revoke membership of the United States in the United Nations and the specialized agencies thereof, and for other purposes; to the Committee on Foreign Affairs.

H.R. 1419. A bill to abolish the Arms Control and Disarmament Agency, and repeal the Arms Control and Disarmament Act; to the Committee on Foreign Affairs.

H.R. 1420. A bill to amend the Internal Revenue Code of 1954 to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 1421. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board benefit increase, with a minimum of $100 a month for individuals with 25 years' service, to increase the earnings base for benefit and tax purposes, to liberalize the retirement test, and to cover disability insurance beneficiaries under the health insurance benefits program; to the Committee on Ways and Means.

By Mr. VAN DEERLIN:

H.R. 1422. A bill to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

H.R. 1423. A bill to amend the Communications Act of 1934 in order to prohibit the broadcasting of certain election results until all polling places at which votes may be cast in such elections are closed; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.R. 1424. A bill relative to the appointment of the Director of the Federal Bureau of Investigation; to the Committee on the Judiciary.

H.R. 1425. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 1426. A bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; to the Committee on Public Works.

H.R. 1427. A bill to amend title 23, United States Code, to increase by 10,000 miles the authorized mileage of the Interstate System; to the Committee on Public Works.

H.R. 1428. A bill to amend title 10 of the United States Code so as to provide that the Chief of the Medical Service Corps of the Navy and Air Force shall be a brigadier general or rear admiral, as the case may be, and for other purposes; to the Committee on Armed Services.

H.R. 1429. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WATTS:

H.R. 1430. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 1431. A bill relating to the reserve for bad debts for income tax purposes in the case of banks; to the Committee on Ways and Means.

H.R. 1432. A bill to postpone the application of daylight-saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALLEY:

H.R. 1433. A bill to amend the Public Health Service Act to provide for the establishment of a National Kidney Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE:

H.R. 1434. A bill to authorize the construction of extensions of the American Canal at El Paso, Tex., operation and maintenance, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1435. A bill to provide for a ceiling on the appropriations of the Congress, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITENER:

H.R. 1436. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

H.R. 1437. A bill to amend section 10 of the District of Columbia Traffic Act, 1925, as amended, so as to require reports of collisions in which motor vehicles are involved; to the Committee on the District of Columbia.

By Mr. WILLIAMS of Mississippi:

H.R. 1438. A bill to amend title 18, United States Code, to provide penalties for the false accusation of any law enforcement officer of violating the civil rights of any person; to the Committee on the Judiciary.

H.R. 1439. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 1440. A bill to amend title II of the Social Security Act to provide that a child may be entitled to benefits as the child of a deceased worker if adopted by the worker's surviving spouse within 4 years after the worker's death (rather than only if adopted within 2 years after such death as under existing law); to the Committee on Ways and Means.

H.R. 1441. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 1442. A bill to prohibit trade with Communist nations; to the Committee on Interstate and Foreign Commerce.

H.R. 1443. A bill to amend title XI of the Federal Aviation Act of 1958 to provide that certain provisions of insurance contracts covering loss of life or personal injury of passengers being transported in air transportation shall be null and void; to the Committee on Interstate and Foreign Commerce.

H.R. 1444. A bill to amend the Federal Aviation Act of 1958 so as to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public; to the Committee on Interstate and Foreign Commerce.

By Mr. BOB WILSON:

H.R. 1445. A bill to provide for the appointment of an additional district judge for the southern district of California; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 1446. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 1447. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax to offset losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 1448. A bill to direct the Secretary of the Interior to study and formulate a comprehensive plan containing recommendations regarding the action that should be taken to preserve, develop, and make accessible for public use and benefit the Long Island Sound and related shoreline areas in the States of New York, Connecticut, and Rhode Island; to the Committee on Interior and Insular Affairs.

H.R. 1449. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

By Mr. WRIGHT:

H.R. 1450. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has earned enough quarters of coverage to be fully insured for old-age benefits, regardless of when such quarters were earned, or when an individual became disabled; to the Committee on Ways and Means.

H.R. 1451. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

By Mr. WYATT:

H.R. 1452. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on strawberries from Mexico; to the Committee on Ways and Means.

H.R. 1453. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for amounts expended by firemen for meals which they are required to eat at their post of duty; to the Committee on Ways and Means.

H.R. 1454. A bill prohibiting use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

H.R. 1455. A bill to amend the Public Health Service Act to establish the position of chief veterinary officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

H.R. 1456. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Monmouth-Dallas division, Willamette River project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 1457. A bill creating as a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 1458. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WYDLER:

H.R. 1459. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

H.R. 1460. A bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government; to the Committee on Government Operations.

By Mr. WYMAN:

H.R. 1461. A bill to require the words "In God We Trust" on the Supreme Court Building; to the Committee on Public Works.

H.R. 1462. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 1463. A bill to amend title 18, United States Code, to authorize the enforcement of State statutes prescribing criminal penalties for subversive activities; to the Committee on the Judiciary.

H.R. 1464. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 1465. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 1466. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 1467. A bill to amend chapter 1 of title 18 of the United States Code to permit the publication and dissemination of information relating to the sweepstakes conducted by any State or the District of Columbia; to the Committee on the Judiciary.

H.R. 1468. A bill to amend the Internal Revenue Code of 1954 to provide one additional personal exemption for each $1,200 the taxpayer spends during the taxable year for the educational expenses of his dependent children; to the Committee on Ways and Means.

H.R.1469. A bill making it a felony to carry or attempt to carry firearms or explosives on board commercial aircraft and to amend the Federal Aviation Act of 1958 so as to require additional precautionary measures aboard certain aircraft in the interest of the safety of the traveling public; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG:

H.R. 1470. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNGER:

H.R. 1471. A bill to amend title 39, United States Code, to establish a special class of postal field service positions with reduced weight-lifting requirements; to the Committee on Post Office and Civil Service.

H.R. 1472. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 1473. A bill relating to life insurance taken out to cover estimated liability for the Federal estate tax; to the Committee on Ways and Means.

H.R. 1474. A bill to amend the Railway Labor Act to provide for a secret ballot vote after an emergency board report to determine the wishes of the employees with respect to acceptance of the carrier's last offer; to the Committee on Interstate and Foreign Commerce.

H.R. 1475. A bill to amend section 416 of the Federal Aviation Act of 1958; to the Committee on Interstate and Foreign Commerce.

H.R. 1476. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

H.R. 1477. A bill to amend title II of th Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 1478. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 1479. A bill to make it a crime to give false information in connection with registering to vote, to pay or accept payment for registering or for voting, or to alter any ballot or voting record, with respect to a Federal election; to the Committee on the Judiciary.

H.R. 1480. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1481. A bill to prevent the pollution of the San Francisco Bay by any interceptor drain from the service area of any reclamation project; to the Committee on Public Works.

H.R. 1482. A bill to create a U.S. Academy of Foreign Service; to the Committee on Foreign Affairs.

H.R. 1483. A bill to provide that certain surplus property of the United States may be donated for park or recreational purposes; to the Committee on Government Operations.

H.R. 1484. A bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or dog guides accompanying totally blind persons; to the Committee on Interstate and Foreign Commerce.

H.R. 1485. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 1486. A bill to prohibit the introduction of merchandise into interstate commerce if a guarantee is made with respect to such merchandise unless the merchandise bears a complete return address; to the Committee on Interstate and Foreign Commerce.

H.R. 1487. A bill to simplify payroll administration in the House of Representatives by providing that the salaries of certain employees of the House, and the clerk hire allowance of Members, shall consist of aggregate annual amounts rather than basic annual amounts plus additional amounts, and for other purposes; to the Committee on House Administration.

H.R. 1488. A bill to advance certain officers on the retired list without affecting retirement pay; to the Committee on Armed Services.

H.R. 1489. A bill to require the procurement of certain services by Government agencies from commercial suppliers whenever economy will result from such procurement; to the Committee on Government Operations.

H.R. 1490. A bill to amend the Internal Revenue Code of 1954 and the Internal Revenue Code of 1939 to provide that no documentary stamp tax shall be imposed with respect to any conveyance to which a State or political subdivision is a party; to the Committee on Ways and Means.

H.R. 1491. A bill to provide for the assessment and collection of fees to cover the cost of operation of certain regulatory agencies; to the Committee on Interstate and Foreign Commerce.

By Mr. COLLIER:

H.R. 1492. A bill making Columbus Day a legal holiday; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 1493. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

H.R. 1494. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 1495. Declaration of purpose and policy to reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discriminations; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Clayton Act as amended by the Robinson-Patman Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to conserve the opportunity of all persons to compete in trade or business; to the Committee on the Judiciary.

H.R. 1496. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $800 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

H.R. 1497. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 1498. A bill to establish the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

H.R. 1499. A bill to provide for the striking of medals in commemoration of the 300th anniversary of the exploration of Father Jacques Marquette in what is now the United States of America; to the Committee on Banking and Currency.

H.R. 1500. A bill to amend section 203(j) of the Federal Property and Administrative Services Act of 1949 so as to provide that certain surplus property of the United States shall be offered for sale to the States; to the Committee on Government Operations.

H.R. 1501. A bill to amend section 109 of title 38, United States Code, to provide benefits for members of the armed forces of nations allied with the United States in World War I or World War II; to the Committee on Veterans' Affairs.

By Mr. WOLFF:

H.R. 1502. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on certain real property owned by foreign governments; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H.J. Res. 1. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. LIPSCOMB:

H.J. Res. 2. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. LAIRD:

H.J. Res. 3. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. MINSHALL:

H.J. Res. 4. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. MINISH:

H.J. Res. 5. Joint resolution requesting the President to proclaim the last week in October of every year as National Student Council Week; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 6. Joint resolution requesting the President to proclaim the last week in October of every year as National Student Council Week; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H.J. Res. 7. Joint resolution proposing an amendment to the Constitution of the United State providing for the election of the President and Vice President; to the Committee on the Judiciary.

H.J. Res. 8. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 9. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 10. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

H.J. Res. 11. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person may be a Member of Congress unless such person, when elected or appointed, possesses the qualifications of electors of the most numerous branch of the legislature of the State from which he is chosen, and has been an inhabitant for at least 5 years of such State; to the Committee on the Judiciary.

H.J. Res. 12. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. BATES:

H.J. Res. 13. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. BENNETT:

H.J. Res. 14. Joint resolution to provide incentives for U.S. private enterprise to develop job opportunities and to utilize natural resources for the benefit of the people of South Vietnam; to the Committee on Foreign Affairs.

H.J. Res. 15. Joint resolution establishing the Commission on Art and Antiquities of the Capitol, and for other purposes; to the Committee on House Administration.

H.J. Res. 16. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 17. Joint resolution proposing an amendment to the Constitution of the United States allowing an item veto in appropriations; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 18. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BOGGS:

H.J. Res. 19. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

H.J. Res. 20. Joint resolution authorizing the President to proclaim the second week of March in every year as Volunteers of America Week; to the Committee on the Judiciary.

By Mr. BOLAND:

H.J. Res. 21. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. BUCHANAN:

H.J. Res. 22. Joint resolution proposing an amendment to the Constitution of the

United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. UTT:

H.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes and prohibiting the U.S. Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mrs. BOLTON:

H.J. Res. 24. Joint resolution to authorize the President to proclaim the first week of August of each year as American Youth Week; to the Committee on the Judiciary.

H.J. Res. 25. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.J. Res. 26. Joint resolution to adopt a specific version of "The Star-Spangled Banner" as the national anthem of the United States of America; to the Committee on the Judiciary.

H.J. Res. 27. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.J. Res. 28. Joint resolution to amend the Constitution to enable the Congress to function effectively in time of emergency or disaster; to the Committee on the Judiciary.

H.J. Res. 29. Joint resolution proposing an amendment to the Constitution of the United States relating to appropriations; to the Committee on the Judiciary.

By Mr. CARTER:

H.J. Res. 30. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

H.J. Res. 31. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.J. Res. 32. Joint resolution proposing an amendment to the Constitution relating to terms of Judges of the Supreme Court of the United States; to the Committee on the Judiciary.

H.J. Res. 33. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. COHELAN:

H.J. Res. 34. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. COLMER:

H.J. Res. 35. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. CONTE:

H.J. Res. 36. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. CRAMER:

H.J. Res. 37. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.J. Res. 39. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.J. Res. 40. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.J. Res. 41. Joint resolution proposing an amendment to the Constitution of the United States to provide that appropriations shall not exceed revenues of the United States, except in time of war or national emergency; to the Committee on the Judiciary.

H.J. Res. 42. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. DOLE:

H.J. Res. 43. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DOWDY:

H.J. Res. 44. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.J. Res. 45. Joint resolution proposing an amendment to the Constitution of the United States providing that prayer on a voluntary basis shall be permitted in public schools and educational institutions; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.J. Res. 46. Joint resolution proposing an amendment to the Constitution to empower the Congress to regulate the distribution of pornographic literature; to the Committee on the Judiciary.

By Mr. FLOOD:

H.J. Res. 47. Joint resolution to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management, and control of the water and related natural resources of the Susquehanna River Basin, for the improvement of navigation, reduction of flood damage, reduction and control of surface subsidence, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat, and public recreational facilities, and other purposes, and defining the functions, powers, and duties of such agency; to the Committee on the Judiciary.

By Mr. FUQUA:

H.J. Res. 48. Joint resolution proposing an amendment to the Constitution of the United States reserving to each State the exclusive power to apportion membership of its legislature; to the Committee on the Judiciary.

H.J. Res. 49. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.J. Res. 50. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.J. Res. 51. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.J. Res. 52. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GROVER:

H.J. Res. 53. Joint resolution to establish a national cemeteries site selection advisory board to govern further development of the national cemetery system; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN of Idaho:

H.J. Res. 54. Joint resolution proposing an amendment to the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 55. Joint resolution proposing an amendment to the Constitution of the United States reflecting that the United States (a traditionally Christian nation) observes tolerance (a precept of Christianity) by permitting observance of certain nonsectarian religious practices in public schools and certain other places; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.J. Res. 56. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 57. Joint resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

H.J. Res. 58. Joint resolution designating February of each year as American History Month; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 59. Joint resolution proposing an amendment to the Constitution of the United States relative to establishing as paramount the right of society in general and individual persons in particular to be protected from crimes against person and property; to the Committee on the Judiciary.

H.J. Res. 60. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 61. Joint resolution proposing an amendment to the Constitution of the United States to clarify its provisions insofar as they relate to the making of laws permitting the free exercise of religion; to the Committee on the Judiciary.

By Mrs. KELLY:

H.J. Res. 62. Joint resolution to provide for a conference consisting of Federal, State, and local officials, and members of public and private groups or organizations to consider and propose methods of, and to coordinate action for, combating the traffic in obscene matters and materials; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.J. Res. 63. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. LAIRD:

H.J. Res. 64. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. LONG of Maryland:

H.J. Res. 65. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MACHEN:

H.J. Res. 66. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MINISH:

H.J. Res. 67. Joint resolution to authorize the President to proclaim the last Friday of April of each year as National Arbor Day; to the Committee on the Judiciary.

By Mr. MIZE:

H.J. Res. 68. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MORTON:

H.J. Res. 69. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MULTER:

H.J. Res. 70. Joint resolution authorizing the award of a gold medal to Danny Kaye; to the Committee on Banking and Currency.

H.J. Res. 71. Joint resolution to enable the District of Columbia government to aid the arts in ways similar to those in which the arts are aided financially by other cities of the United States by providing funds for special concerts for children and others, by aiding in the establishment of a permanent children's theater, and by providing for competitions to discover and encourage young Americans in the pursuit of excellence, and to acquaint them with the best of our national cultural heritage, and for other purposes; to the Committee on the District of Columbia.

H.J. Res. 72. Joint resolution to create a delegation to a convention of North American nations; to the Committee on Foreign Affairs.

H.J. Res. 73. Joint resolution that the United States reaffrms its support of the United Nations; to the Committee on Foreign Affairs.

H.J. Res. 74. Joint resolution requesting the President to instruct the permanent representative of the United States to the United Nations to request the Security Council without delay to convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

H.J. Res. 75. Joint resolution providing for the reimbursement of Members of the House of Representatives for amounts expended by them for certain travel and subsistence; to the Committee on House Administration.

H.J. Res. 76. Joint resolution authorizing and directing the National Institutes of Health to undertake a fair, impartial, and controlled test of Krebiozen, and directing the Food and Drug Administration to withhold action on any new drug application before it on Krebiozen until the completion of such test, and authorizing to be appropriated to the Department of Health, Education, and Welfare the sum of $250,000; to the Committee on Interstate and Foreign Commerce.

H.J. Res. 77. Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period beginning October 2 and ending October 8 of each year as Spring Garden Planting Week; to the Committee on the Judiciary.

H.J. Res. 78. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

H.J. Res. 79. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

H.J. Res. 80. Joint resolution designating the 6th day of January of each year as Haym Salomon Day; to the Committee on the Judiciary.

H.J. Res. 81. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 82. Joint resolution proposing an amendment to the Constitution of the United States with respect to the term of office and qualifications of Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.J. Res. 83. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

H.J. Res. 84. Joint resolution to authorize the President to proclaim the 13th day of September as Commodore John Barry Day; to the Committee on the Judiciary.

By Mr. O'HARA of Michigan:

H.J. Res. 85. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 86. Joint resolution proposing an amendment to the Constitution of the United States providing that the right to vote shall not be denied or abridged on account of age in the case of citizens of the United States who have attained the age of 18 years; to the Committee on the Judiciary.

By Mr. PELLY:

H.J. Res. 87. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.J. Res. 88. Joint resolution to authorize the President to proclaim the 7th day of August of each year as Purple Heart Day; to the Committee on the Judiciary.

H.J. Res. 89. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. POFF:

H.J. Res. 90. Joint resolution to authorize transfer of a percentage of tax collections from individual and corporate income taxes to the States and territories for use for educational purposes only, and for other purposes; to the Committee on Ways and Means.

By Mr. POOL:

H.J. Res. 91. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.J. Res. 92. Joint resolution concerning a national education policy; to the Committee on Education and Labor.

By Mr. RHODES of Arizona:

H.J. Res. 93. Joint resolution providing for a study to be conducted to determine and report to the Congress on ways and means of expanding and modernizing the Foreign Service of the United States; to the Committee on Foreign Affairs.

By Mr. ROGERS of Colorado:

H.J. Res. 94. Joint resolution authorizing the President to proclaim National CARIH Asthma Week; to the Committee on the Judiciary.

By Mr. ROUSH:

H.J. Res. 95. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in Federal elections; to the Committee on the Judiciary.

By Mr. SELDEN:

H.J. Res. 96. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 97. Joint resolution providing for the establishment of a National Letter Carriers Week; to the Committee on the Judiciary.

H.J. Res. 98. Joint resolution proposing an amendment to the Constitution of the United States relating to the eligibility of certain persons to vote for any candidate for elector of President and Vice President; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.J. Res. 99. Joint resolution to authorize the President to proclaim the fourth Sunday in November in each year as John Fitzgerald Kennedy Day; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 100. Joint resolution proposing an amendment to the Constitution of the United States with respect to the appointment of postmasters; to the Committee on the Judiciary.

H.J. Res. 101. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 102. Joint resolution proposing an amendment to the Constitution providing that certain activities shall be prohibited during a period of war or armed conflict; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.J. Res. 103. Joint resolution to provide for a study by the Secretary of Housing and Urban Development of the impact of overhead electric transmission lines and towers upon scenic assets, zoning and community planning, property values, and real estate revenues; to the Committee on Interstate and Foreign Commerce.

By Mr. WAGGONNER:

H.J. Res. 104. Joint resolution proposing an amendment to the Constitution of the United States to provide for the popular election of the Judges of the Supreme Court; to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi:

H.J. Res. 105. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 106. Joint resolution proposing an amendment to the Constitution of the United States to provide that no person may be a Member of Congress unless such person, when elected or appointed, possesses the qualifications of electors of the most numerous branch of the legislature of the State from which he is chosen, and has been an inhabitant for at least 5 years of such State; to the Committee on the Judiciary.

By Mr. WOLFF:

H.J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.J. Res. 108. Joint resolution to authorize the President to designate October 31 as National UNICEF Day; to the Committee on the Judiciary.

H.J. Res. 109. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. MORTON:

H.J. Res. 110. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. UTT:

H.J. Res. 111. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. BENNETT:

H.J. Res. 112. Joint resolution to establish a court of ethics to hear complaints of unethical conduct in Government service; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.J. Res. 113. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

By Mr. STRATTON:

H.J. Res. 114. Joint resolution to prohibit any change, other than restoration, in the location or design of the west front of the U.S. Capitol; to the Committee on Public Works.

By Mr. BINGHAM:

H.J. Res. 115. Joint resolution to provide for the administration and development of Pennsylvania Avenue as a national historic site, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CUNNINGHAM:

H.J. Res. 116. Joint resolution directing the resumption of the production and sale of proof sets of U.S. coins; to the Committee on Banking and Currency.

By Mr. ULLMAN:

H.J. Res. 117. Joint resolution authorizing and requesting the President to extend through 1967 his proclamation of a period to "See the United States," and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZABLOCKI:

H. Con. Res. 2. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mrs. KELLY:

H. Con. Res. 3. Concurrent resolution establishing a Joint Committee on Intelligence Matters; to the Committee on Rules.

By Mr. BOLAND:

H. Con. Res. 4. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 5. Concurrent resolution establishing a Joint Committee on National Service and the Draft; to the Committee on Rules.

H. Con. Res. 6. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. MINISH:

H. Con. Res. 7. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. CONTE:

H. Con. Res. 8. Concurrent resolution to modify certain tariff concessions granted by the United States on papermaking machinery and parts thereof; to the Committee on Ways and Means.

H. Con. Res. 9. Concurrent resolution to reaffirm the support of Congress for a United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. BUCHANAN:

H. Con. Res. 10. Concurrent resolution reaffirming amendment 10 of the U.S. Constitution as it reserves to the States those powers not delegated to the United States by the Constitution; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. Con. Res. 11. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

H. Con. Res. 12. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mrs. DWYER:

H. Con. Res. 13. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H. Con. Res. 14. Concurrent resolution declaring the sense of Congress on the closing of Indian hospitals; to the Committee on Interior and Insular Affairs.

H. Con. Res. 15. Concurrent resolution declaring the sense of Congress or the use of a Great White Fleet and a Joint Task Force for Peace in support of American foreign policy; to the Committee on Armed Services.

By Mr. FRIEDEL:

H. Con. Res. 16. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. FUQUA:

H. Con. Res. 17. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

H. Con. Res. 18. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. GROSS:

H. Con. Res. 19. Concurrent resolution expressing the sense of the Congress that any variation in the traditional interpretation of the treaties between the United States and the Republic of Panama may only be made pursuant to treaty; to the Committee on Foreign Affairs.

By Mr. HORTON:

H. Con. Res. 20. Concurrent resolution expressing the sense of Congress with respect to the persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

By Mr. KASTENMEIER:

H. Con. Res. 21. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mrs. KELLY:

H. Con. Res. 22. Concurrent resolution expressing the sense of Congress on representation of China in the United Nations; to the Committee on Foreign Affairs.

H. Con. Res. 23. Concurrent resolution: Objective—a just peace; to the Committee on Foreign Affairs.

H. Con. Res. 24. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

H. Con. Res. 25. Concurrent resolution relating to freedom for Baltic States; to the Committee on Foreign Affairs.

H. Con. Res. 26. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Internal Revenue Service relating to elimination of tax-deductible educational expenses; to the Committee on Ways and Means.

By Mr. MULTER:

H. Con. Res. 27. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

H. Con. Res. 28. Concurrent resolution to establish a Joint Committee on Consumers; to the Committee on Rules.

H. Con. Res. 29. Concurrent resolution expressing the sense of the Congress with respect to the establishment of uniform traffic laws throughout the United States; to the Committee on Interstate and Foreign Commerce.

H. Con. Res. 30. Concurrent resolution relative to planning for peace; to the Committee on Foreign Affairs.

H. Con. Res. 31. Concurrent resolution expressing the sense of the Congress with respect to the adoption by the United Nations of a universal declaration opposing religious intolerance and discriminatory practices; to the Committee on Foreign Affairs.

H. Con. Res. 32. Concurrent resolution to favor the establishment of an international living museum of anthropology and ethnography; to the Committee on Foreign Affairs.

H. Con. Res. 33. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

H. Con. Res. 34. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. PELLY:

H. Con. Res. 35. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. POFF:

H. Con. Res. 36. Concurrent resolution to provide for an investigation and study of the administration of the Economic Opportunity Act of 1964; to the Committee on Rules.

By Mr. POOL:

H. Con. Res. 37. Concurrent resolution to authorize the President to proclaim October 6 of each year as German-American Day; to the Committee on the Judiciary.

H. Con. Res. 38. Concurrent resolution expressing the sense of the Congress that the imposition of export controls on cattle hides, calf and kip skins, and bovine leather should be rescinded; to the Committee on Banking and Currency.

By Mr. PUCINSKI:

H. Con. Res. 39. Concurrent resolution to bring justice to Cyprus; to the Committee on Foreign Affairs.

H. Con. Res. 40. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 41. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

By Mr. REID of New York:

H. Con. Res. 42. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. STRATTON:

H. Con. Res. 43. Concurrent resolution expressing the sense of Congress with respect to the persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. Con. Res. 44. Concurrent resolution authorizing the printing of additional copies of a veterans' benefits calculator; to the Committee on House Administration.

By Mr. UTT:

H. Con. Res. 45. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLFF:

H. Con. Res. 46. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 47. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H. Con. Res. 48. Concurrent resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

H. Con. Res. 49. Concurrent resolution to provide for the creation of a Joint Committee on Consumer Interests; to the Committee on Rules.

By Mr. RYAN:

H. Res. 13. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. FLOOD:

H. Res. 14. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 15. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 16. Resolution creating a select committee to conduct an investigation and study of all aspects of crime in the United States; to the Committee on Rules.

H. Res. 17. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

By Mr. BENNETT:

H. Res. 18. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. GARMATZ:

H. Res. 19. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; to the Committee on Rules.

H. Res. 20. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 19; to the Committee on House Administration.

By Mr. EDWARDS of California:

H. Res. 21. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BINGHAM:

H. Res. 22. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DIGGS:

H. Res. 23. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DOW:

H. Res. 24. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CONYERS:

H. Res. 25. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. FRASER:

H. Res. 26. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HAWKINS:

H. Res. 27. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. KASTENMEIER:

H. Res. 28. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. McCARTHY:

H. Res. 29. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MORSE of Massachusetts:

H. Res. 30. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. NIX:

H. Res. 31. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ROSENTHAL:

H. Res. 32. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ANNUNZIO:

H. Res. 33. Resolution to authorize the abolition of the House Committee on Un-American Activities; to the Committee on Rules.

By Mr. ASPINALL:

H. Res. 34. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; to the Committee on Rules.

By Mr. BENNETT:

H. Res. 35. Resolution authorizing and directing the Committee on House Administration to rent or otherwise acquire a suitable residence, within a reasonable distance from the Capitol, to be maintained as a home for pages employed by the House, and to appoint an individual or individuals of mature years to act as supervisor of the home and to be responsible for its operation under rules and regulations made by the committee; to the Committee on House Administration.

H. Res. 36. Resolution amending the Rules of the House of Representatives to require the inclusion of additional information in committee reports on certain bills and joint resolutions; to the Committee on Rules.

H. Res. 37. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. BROWN of California:

H. Res. 38. Resolution amending the rules of the House; to the Committee on Rules.

By Mr. BUCHANAN:

H. Res. 39. Resolution that it is the sense of the House of Representatives that oppression of minorities in Rumania through a systematic plan launched by the Communist regime in control of Rumania be condemned and the President of the United States is requested to take appropriate steps in our relations with the Rumanian Government as are likely to bring relief to the persecuted minorities in the controversial Transylvania region of that country; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Res. 40. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. COHELAN:

H. Res. 41. Resolution creating a nonlegislative select committee to conduct an investigation and study of the aged and aging; to the Committee on Rules.

By Mr. COLMER:

H. Res. 42. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CONTE:

H. Res. 43. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. CORBETT:

H. Res. 44. Resolution amending the Rules of the House of Representatives with respect to the organization of standing committees; to the Committee on Rules.

H. Res. 45. Resolution to amend the Rules of the House of Representatives relating to points of order of no quorum; to the Committee on Rules.

By Mr. CUNNINGHAM:

H. Res. 46. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

H. Res. 47. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

H. Res. 48. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the feasibility of requiring underground communications and powerlines; to the Committee on Rules.

H. Res. 49. Resolution to amend the Rules of the House of Representatives with respect to the consideration of appropriation bills; to the Committee on Rules.

H. Res. 50. Resolution to authorize the Committee on Post Office and Civil Service to conduct an investigation and study of the operation of the U.S. postal service; to the Committee on Rules.

By Mr. DULSKI:

H. Res. 51. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mrs. DWYER:

H. Res. 52. Resolution creating a select committee to conduct studies and investigations of the administration and enforcement of Federal laws; to the Committee on Rules.

By Mr. EVINS of Tennessee:

H. Res. 53. Resolution creating a select committee to conduct studies and investigations of the problems of small business; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 54. Resolution to amend the Rules of the House of Representatives to abolish the Committee on Un-American Activities and to enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. FASCELL:

H. Res. 55. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. CUNNINGHAM:

H. Res. 56. Resolution to authorize the Committee on Post Office and Civil Service to conduct an investigation and study of the policymaking procedures, methods, and practices of the Universal Postal Union; to the Committee on Rules.

By Mr. GIBBONS:

H. Res. 57. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mrs. GRIFFITHS:

H. Res. 58. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. GROSS:

H. Res. 59. Resolution to amend clause 6 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 60. Resolution creating a standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. HALPERN:

H. Res. 61. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. HORTON:

H. Res. 62. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mrs. KELLY:

H. Res. 63. Resolution providing for a select committee of the House of Representatives to conduct an investigation to ascertain the reasons for the rapid rise in the prices of food, including dairy products; to the Committee on Rules.

By Mr. KORNEGAY:

H. Res. 64. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. LAIRD:

H. Res. 65. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. LATTA:

H. Res. 66. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. LIPSCOMB:

H. Res. 67. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. McMILLAN:

H. Res. 68. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the government of the District of Columbia; to the Committee on Rules.

By Mr. MACGREGOR:

H. Res. 69. Resolution creating a select committee of the House to study the problems of urban areas; to the Committee on Rules.

H. Res. 70. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House; to the Committee on Rules.

By Mrs. MAY:

H. Res. 71. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. MINISH:

H. Res. 72. Resolution favoring an agreement among states of the Near East prohibiting the production of nuclear weapons and offensive missiles; to the Committee on Foreign Affairs.

By Mr. MINSHALL:

H. Res. 73. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

H. Res. 74. Resolution providing for naming a special committee to investigate security measures in the House of Representatives; to the Committee on Rules.

H. Res. 75. Resolution expressing the sense of the House of Representatives with respect to discriminatory practices by the Government of Rumania; to the Committee on Foreign Affairs.

By Mr. MULTER:

H. Res. 76. Resolution amending the Rules of the House of Representatives to provide that the Committee on Banking and Currency shall have jurisdiction over all consumer problems; to the Committee on Rules.

H. Res. 77. Resolution to increase personal income tax exemptions; to the Committee on Ways and Means.

H. Res. 78. Resolution condemning persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

H. Res. 79. Resolution to amend rule XXIV of the Rules of the House of Representatives to establish a method for the consideration of bills providing for home rule in the District of Columbia; to the Committee on Rules.

H. Res. 80. Resolution creating a Select Committee on Consumer Interests; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Res. 81. Resolution to amend clause 1 of rule X of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 82. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. POAGE:

H. Res. 83. Resolution authorizing the Committee on Agriculture to make studies and investigations within its jurisdiction; to the Committee on Rules.

By Mr. PUCINSKI:

H. Res. 84. Resolution providing for the reading of the Declaration of Independence in the House of Representatives each year in celebration of the Fourth of July; to the Committee on Rules.

H. Res. 85. Resolution to include drum and bugle corps under the Mutual Educational and Cultural Exchange Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

By Mr. QUIE:

H. Res. 86. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. REID of New York:

H. Res. 87. Resolution to establish a Select Committee on Standards and Conduct in the House of Representatives, and for other purposes; to the Committee on Rules.

By Mr. RHODES of Arizona:

H. Res. 88. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 89. Resolution amending clause 2(a) of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 90. Resolution creating a select committee to conduct a study of the fiscal organization and procedures of the Congress; to the Committee on Rules.

By Mr. RODINO:

H. Res. 91. Resolution relating to nonproliferation of nuclear weapons; to the Committee on Foreign Affairs.

By Mr. RONAN:

H. Res. 92. Resolution to amend the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 93. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. SCHEUER:

H. Res. 94. Resolution to amend the Rules of the House of Representatives to abolish the Committee on Un-American Activities and to enlarge the jurisdiction of the Committee on the Judiciary; to the Committee on Rules.

By Mr. SCHWENGEL:

H. Res. 95. Resolution to change House rules relating to staffing; to the Committee on Rules.

H. Res. 96. Resolution to change House rules relating to election of committee chairmen; to the Committee on Rules.

By Mr. SMITH of Iowa:

H. Res. 97. Resolution authorizing the Speaker of the House of Representatives to appoint a special committee to investigate, recount, and report on contested elections and campaign expenditures of candidates for the House of Representatives; to the Committee on Rules.

By Mr. STAFFORD:

H. Res. 98. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. STRATTON:

H. Res. 99. Resolution expressing the sense of the House of Representatives that the people of all Ireland should have an opportunity to express their will for union by an election under the auspices of a United Nations Commission; to the Committee on Foreign Affairs.

H. Res. 100. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 101. Resolution to authorize the Committee on Veterans' Affairs to conduct an investigation and study with respect to certain matters within its jurisdiction; to the Committee on Rules.

By Mr. UDALL:

H. Res. 102. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. WAGGONNER:

H. Res. 103. Resolution amending rule XXIII of the rules of the House to permit a yea-and-nay vote while the House is in a Committee of the Whole; to the Committee on Rules.

By Mr. WOLFF:

H. Res. 104. Resolution to end nuclear proliferation; to the Committee on Foreign Affairs.

H. Res. 105. Resolution establishing a Special Committee on the Captive Nations; to the Committee on Rules.

By Mr. YATES:

H. Res. 106. Resolution to authorize the abolition of the House Committee on Un-American Activities; to the Committee on Rules.

By Mr. PELLY:

H. Res. 107. Resolution expressing the sense of the House of Representatives with respect to the development and maintenance of a strong merchant marine; to the Committee on Merchant Marine and Fisheries.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

1. By the SPEAKER: Memorial of the Legislature of the State of Mississippi, relative to the implementation of the Social Security Act; to the Committee on Ways and Means.

2. Also, memorial of the Legislature of the State of Mississippi, relative to the reinstatement of Congressman JOHN BELL WILLIAMS to his seniority rights as a Member of the House of Representatives; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 1503. A bill for the relief of Adelina L. Bayonito; to the Committee on the Judiciary.

H.R. 1504. A bill for the relief of Mrs. Sang Lim Lee (also known as Sang Lim Hahn); to the Committee on the Judiciary.

By Mr. ADAMS (by request):

H.R 1505. A bill for the relief of Annette Lave Ostergaard; to the Committee on the Judiciary.

H.R. 1506. A bill for the relief of Ligaya M. Calacala; to the Committee on the Judiciary.

By Mr. ASHLEY:

H.R. 1507. A bill for the relief of Dr. Mahry Khavidi Mafee; to the Committee on the Judiciary.

H.R. 1508. A bill for the relief of Dr. Reza Frootan Mafee; to the Committee on the Judiciary.

H.R. 1509. A bill for the relief of Bodo Diehn, doctor of philosophy; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 1510. A bill for the relief of Maria Camilla Giuliani Niro; to the Committee on the Judiciary.

H.R. 1511. A bill for the relief of William B. Vastag; to the Committee on the Judiciary.

H.R. 1512. A bill for the relief of Dr. Panagis Kokolis; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 1513. A bill for the relief of Miss Chariclia Dede; to the Committee on the Judiciary.

H.R. 1514. A bill for the relief of Ioannis Vasiliou; to the Committee on the Judiciary.

H.R. 1515. A bill for the relief of Mr. Ng Ying Lung and Mrs. Ng Lau Kwen; to the Committee on the Judiciary.

H.R. 1516. A bill for the relief of Giuseppe Tocco; to the Committee on the Judiciary.

H.R. 1517. A bill for the relief of Mrs. Matteo Groppo; to the Committee on the Judiciary.

H.R. 1518. A bill for the relief of Mrs. Ana Augusta Lourenco Pereira; to the Committee on the Judiciary.

H.R. 1519. A bill for the relief of Giovanni Sanfilippo; to the Committee on the Judiciary.

H.R. 1520. A bill for the relief of Giuseppa Scarpino; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 1521. A bill for the relief of Maria Pagano; to the Committee on the Judiciary.

H.R. 1522. A bill for the relief of Raouf Seoud; to the Committee on the Judiciary.

H.R. 1523. A bill for the relief of Dr. Vivencio P. Baitan and his wife, Rosalina Estrera Baitan; to the Committee on the Judiciary.

H.R. 1524. A bill for the relief of Murray F. Wittichen, Jr.; to the Committee on the Judiciary.

H.R. 1525. A bill for the relief of Fernando Canlas Galang and his wife, Carmelita Pulido Galang; to the Committee on the Judiciary.

H.R. 1526. A bill for the relief of Cecil A. Rhodes; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 1527. A bill for the relief of Rachel

Stimpson; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 1528. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight; to the Committee on the Judiciary.

H.R. 1529. A bill for the relief of Mrs. Dora Fabro; to the Committee on the Judiciary.

H.R. 1530. A bill for the relief of Dr. Fe O. Isla; to the Committee on the Judiciary.

H.R. 1531. A bill for the relief of Alicia Concepcion Zea; to the Committee on the Judiciary.

H.R. 1532. A bill for the relief of Dr. Alfredo A. Navarro; to the Committee on the Judiciary.

H.R. 1533. A bill for the relief of Nadia Khalaf; to the Committee on the Judiciary.

H.R. 1534. A bill to provide for the free entry of certain medical equipment for the use of the Louisiana State University Medical Center; to the Committee on Ways and Means.

By Mr. BROWN of Ohio:

H.R. 1535. A bill for the relief of S. Sgt. Richard C. Bogardus; to the Committee on the Judiciary.

H.R. 1536. A bill for the relief of Mr. and Mrs. Howard H. Adelberger; to the Committee on the Judiciary.

H.R. 1537. A bill for the relief of Thomas M. Scanlon; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 1538. A bill for the relief of Aina Iraida McDermott; to the Committee on the Judiciary.

H.R. 1539. A bill for the relief of Roberto Perdomo; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 1540. A bill for the relief of Dr. Francisco Pascual; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 1541. A bill for the relief of Soterios J. Bougas and his wife, Evangeline Bougas; to the Committee on the Judiciary.

H.R. 1542. A bill for the relief of Mrs. Marta Cychol Mitrosz; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 1543. A bill for the relief of Alekso and Branko Lazarovski; to the Committee on the Judiciary.

H.R. 1544. A bill for the relief of George Arvantis; to the Committee on the Judiciary.

H.R. 1545. A bill for the relief of Wanda Glowacka and her son, Ryszard Piotrowiak; to the Committee on the Judiciary.

H.R. 1546. A bill for the relief of Maria Rosa Marino de Occhino, Alfio Occhino, Felippe Occhino, Franco Militello, and Ana Maria Militello; to the Committee on the Judiciary.

H.R. 1547. A bill for the relief of Eugenia Rallis; to the Committee on the Judiciary.

H.R. 1548. A bill for the relief of Nikolaos Kaperonis; to the Committee on the Judiciary.

H.R. 1549. A bill for the relief of Solon Papadiamantopoulos; to the Committee on the Judiciary.

H.R. 1550. A bill for the relief of Sofia and Christos Ikonomou; to the Committee on the Judiciary.

H.R. 1551. A bill for the relief of Samuel M. Santibanez and Patria Santibanez; to the Committee on the Judiciary.

By Mr. COLLIER (by request):

H.R. 1552. A bill for the relief of Uldarico B. Blando; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 1553. A bill for the relief of Nicholas A. Panousiaris; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 1554. A bill for the relief of Tilda Pieropan Masiero; to the Committee on the Judiciary.

H.R. 1555. A bill for the relief of Aldo Margoroli; to the Committee on the Judiciary.

H.R. 1556. A bill for the relief of Pietro Liotta; to the Committee on the Judiciary.

H.R. 1557. A bill for the relief of Nicolo Armata; to the Committee on the Judiciary.

H.R. 1558. A bill for the relief of Mrs. Joan Bramwell; to the Committee on the Judiciary.

H.R. 1559. A bill for the relief of Aurelio Papa; to the Committee on the Judiciary.

H.R. 1560. A bill for the relief of Miss Delfina C. de la Cruz; to the Committee on the Judiciary.

H.R. 1561. A bill for the relief of Ramon Angeles, Jr., doctor of medicine; to the Committee on the Judiciary.

H.R. 1562. A bill for the relief of Michael P. Buckley; to the Committee on the Judiciary.

H.R. 1563. A bill for the relief of Jan Wodecki; to the Committee on the Judiciary.

H.R. 1564. A bill for the relief of Antonina Rondinelli Asci; to the Committee on the Judiciary.

H.R. 1565. A bill for the relief of Miss Evelina Persello; to the Committee on the Judiciary.

H.R. 1566. A bill to provide for the free entry of a four-octave carillion for the use of the Northfield and Mount Hermon Schools, East Northfield, Mass.; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 1567. A bill for the relief of Mijo Zeljeznak; to the Committee on the Judiciary.

H.R. 1568. A bill for the relief of Mrs. Esther Sevilla de Soto and her children, Manuel Ricardo Sevilla and Silvia Esther Sevilla; to the Committee on the Judiciary.

H.R. 1569. A bill for the relief of Maria LoMonaco; to the Committee on the Judiciary.

H.R. 1570. A bill for the relief of Chris G. Ings; to the Committee on the Judiciary.

H.R. 1571. A bill for the relief of Sun Young Choy; to the Committee on the Judiciary.

By Mr. CORMAN (by request):

H.R. 1572. A bill for the relief of Mercedes de Toffoli; to the Committee on the Judiciary.

H.R. 1573. A bill for the relief of Franciszek Kajrys, his wife, Stanislawa Kajrys, and their minor daughters, Teresa Kajrys and Lucyna Kajrys; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 1574. A bill for the relief of Bryce A. Smith; to the Committee on the Judiciary.

H.R. 1575. A bill for the relief of T. Sgt. Steve E. Billirakis; to the Committee on the Judiciary.

By Mr. CRAMER (by request):

H.R. 1576. A bill for the relief of Mrs. Robert L. Oertle; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 1577. A bill for the relief of Panagiotis Kamboukos (Kazantzas); to the Committee on the Judiciary.

H.R. 1578. A bill for the relief of Salvatore Narzisi; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 1579. A bill for the relief of Dr. Leo Hsueh; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 1580. A bill to provide for the conveyance of certain public land held under color of title to Mrs. Jessie L. Gaines, of Mobile, Ala.; to the Committee on Interior and Insular Affairs.

H.R. 1581. A bill for the relief of Miss Marija TM Tomasic; to the Committee on the Judiciary.

H.R. 1582. A bill for the relief of Janos Peter Mate; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.R. 1583. A bill for the relief of Petroula Doula; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 1584. A bill for the relief of Pablo De Ungria, M.D., and his wife, Estrellita Gensoli Ungria, M.D.; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 1585. A bill for the relief of Luigina DiGulielmo; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 1586. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of N. M. Bentley against the United States; to the Committee on the Judiciary.

H.R. 1587. A bill for the relief of Richard L. Bass; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 1588. A bill for the relief of Dr. Hassan Vakil; to the Committee on the Judiciary.

H.R. 1589. A bill for the relief of Cesare Tambellini; to the Committee on the Judiciary.

H.R. 1590. A bill for the relief of Dr. Mohsen Zabetian; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 1591. A bill for the relief of Harry A. Murray; to the Committee on the Judiciary.

H.R. 1592. A bill for the relief of Dr. Rene Jose Triay; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 1593. A bill for the relief of Leon Levy, Mira Levy, and Moses Levy; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 1594. A bill for the relief of Chan Kwok Doon (also known as Wong Si Dip and Gordon Wong); to the Committee on the Judiciary.

H.R. 1595. A bill for the relief of Mrs. Soon Wol Yang (also known as Mary Yang); to the Committee on the Judiciary.

H.R. 1596. A bill for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras); to the Committee on the Judiciary.

H.R. 1597. A bill for the relief of Dr. Roman Bijan, his wife, Helena Bijan, and their minor daughters, Kristina Bijan and Maria Bijan; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 1598. A bill for the relief of W. R. L. Peake; to the Committee on the Judiciary.

H.R. 1599. A bill for the relief of Norman N. Nilsen; to the Committee on the Judiciary.

H.R. 1600. A bill for the relief of Gum Chong Jew; to the Committee on the Judiciary.

H.R. 1601. A bill for the relief of Alberto J. Rodriguez; to the Committee on the Judiciary.

H.R. 1602. A bill for the relief of Caroline Elizabeth Adora Rebitt and Doris Elenore Davey; to the Committee on the Judiciary.

H.R. 1603. A bill for the relief of William J. P. O'Brien; to the Committee on the Judiciary.

By Mrs. HANSEN of Washington:

H.R. 1604. A bill for the relief of Harold Gilbertson, Raymond Nelson, Lawrence Powell, Marvin Holland, Erling Ellison, Haakon Pederson, Marvel Blix, all of Cathlamet, Wash., and Charles F. Gann, of Westport, Oreg.; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 1605. A bill for the relief of Wan Do Chang and Ok Chong Lee; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 1606. A bill for the relief of John R. Groves; to the Committee on the Judiciary.

H.R. 1607. A bill for the relief of Edwin J. Repp; to the Committee on the Judiciary.

H.R. 1608. A bill for the relief of Laurence Bloom; to the Committee on the Judiciary.

H.R. 1609. A bill for the relief of Leda Kemmet; to the Committee on the Judiciary.

H.R. 1610. A bill for the relief of Madeline R. Schreiber; to the Committee on the Judiciary.

H.R. 1611. A bill for the relief of Shahin Hakim; to the Committee on the Judiciary.

H.R. 1612. A bill for the relief of John Joseph Shea; to the Committee on the Judiciary.

H.R. 1613. A bill for the relief of Phillip H. Kass; to the Committee on the Judiciary.

H.R. 1614. A bill for the relief of the estate of Mrs. Josephine W. Smith; to the Committee on the Judiciary.

H.R. 1615. A bill for the relief of Dr. Ali Mazugi; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 1616. A bill for the relief of Mrs. Teresa Bakay; to the Committee on the Judiciary.

H.R. 1617. A bill for the relief of Sabri Sungu and his wife, Hatice Necla Sungu; to the Committee on the Judiciary.

H.R. 1618. A bill for the relief of Yusef N. Musalli; to the Committee on the Judiciary.

H.R. 1619. A bill for the relief of Rene Hugo Heimann; to the Committee on the Judiciary.

H.R. 1620. A bill for the relief of Jesus Manuel Cabral; to the Committee on the Judiciary.

By Mr. HULL:

H.R. 1621. A bill for the relief of Albert L. Chapman; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 1622. A bill for the relief of Yolanda Carlotta Oneto; to the Committee on the Judiciary.

H.R. 1623. A bill for the relief of Jose Luis Calleja-Perez; to the Committee on the Judiciary.

By Mr. JONES of Missouri:

H.R. 1624. A bill for the relief of Sherman Webb, and others; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 1625. A bill for the relief of Gerald Berman; to the Committee on the Judiciary.

H.R. 1626. A bill for the relief of Enester Cox; to the Committee on the Judiciary.

H.R. 1627. A bill for the relief of Giacomo Impastato; to the Committee on the Judiciary.

H.R. 1628. A bill for the relief of Mrs. Alice Rousseau, nee Awad; to the Committee on the Judiciary.

H.R. 1629. A bill for the relief of Mrs. Raisla Stein and her two minor children; to the Committee on the Judiciary.

H.R. 1630. A bill for the relief of Rose Minutillo; to the Committee on the Judiciary.

H.R. 1631. A bill for the relief of Flory Benlolo; to the Committee on the Judiciary.

H.R. 1632. A bill for the relief of Elizabeth and Jehuda Welkovitz; to the Committee on the Judiciary.

H.R. 1633. A bill for the relief of Dr. Avenilo Aventura; to the Committee on the Judiciary.

H.R. 1634. A bill for the relief of Cecilia Taub and Resel Sara Schmerler; to the Committee on the Judiciary.

By Mr. LENNON:

H.R. 1635. A bill for the relief of Tabor City Lumber Co., and Hennis Freight Lines; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 1636. A bill for the relief of Blagoje Nikola Zlatkovic and his wife, Nevenka Zdenka Zlatkovic; to the Committee on the Judiciary.

By Mr. LONG of Maryand:

H.R. 1637. A bill for the relief of Dr. Manuel Tan; to the Committee on the Judiciary.

H.R. 1638. A bill for the relief of Dr. Narayan S. Raja; to the Committee on the Judiciary.

H.R. 1639. A bill for the relief of Dr. Nemesio Elefante; to the Committee on the Judiciary.

H.R. 1640. A bill for the relief of George G. McNeilly; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 1641. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the District of Columbia.

By Mr. MACHEN:

H.R. 1642. A bill for the relief of Lamar Elliott Kemp; to the Committee on the Judiciary.

H.R. 1643. A bill for the relief of Dr. Albert Victor Michael Ferris-Prabhu; to the Committee on the Judiciary.

H.R. 1644. A bill for the relief of Sp5c. (E–5) Luis Perez Tonson; to the Committee on the Judiciary.

H.R. 1645. A bill for the relief of Kun Pil Koh; to the Committee on the Judiciary.

H.R. 1646. A bill for the relief of Mrs. A. E. Housley; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 1647. A bill for the relief of Mrs. Wanda Ratman; to the Committee on the Judiciary.

H.R. 1648. A bill for the relief of Martina Zubiri Garcia; to the Committee on the Judiciary.

H.R. 1649. A bill for the relief of Ludmila A. Vasilenko; to the Committee on the Judiciary.

H.R. 1650. A bill for the relief of Tom Chan, also known as Cheng Pang Tong; to the Committee on the Judiciary.

H.R. 1651. A bill for the relief of Mrs. Barbara K. Diamond; to the Committee on the Judiciary.

H.R. 1652. A bill for the relief of Mrs. Hedwig Hauke; to the Committee on the Judiciary.

H.R. 1653. A bill for the relief of Omer Penner; to the Committee on the Judiciary.

H.R. 1654. A bill for the relief of Bienvenido V. Sison; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 1655. A bill for the relief of Clara B. Hyssong; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 1656. A bill for the relief of Mario T. Moncado; to the Committee on the Judiciary.

H.R. 1657. A bill for the relief of Dai Hwan Pang; to the Committee on the Judiciary.

H.R. 1658. A bill for the relief of Dong Son Kim, his wife, Hyun So Kim, and their minor children, Jung Yul Kim, Bong Kil Kim, and Mae Young Kim; to the Committee on the Judiciary.

H.R. 1659. A bill for the relief of Kinuyo Nishibayashi and the estate of her husband, Kasuke Nishibayashi; to the Committee on the Judiciary.

H.R. 1660. A bill for the relief of (Charles) Chang Kee Hong, his wife, Kerm Soon Hahm (Hong), and their minor daughters Mi Young Hong, Sun Young Hong, and Bo Young Hong; to the Committee on the Judiciary.

H.R. 1661. A bill for the relief of George K. Aikala, Lu Ella Marie Aikala, Vernis J. K. Fish, Vernon S. Fish, Vivian A. Ahmad, and Velma Solomon; to the Committee on the Judiciary.

H.R. 1662. A bill for the relief of (John) Juan N. Ganaden, his wife, Lucia Magusara Ganaden, their minor son, Ernesto Alejandro Magusara Ganaden, and their minor daughters, Lucille Magusara Ganaden, and Georgina Magusara Ganaden; to the Committee on the Judiciary.

H.R. 1663. A bill for the relief of Toy Eishin Tamanaha; to the Committee on the Judiciary.

H.R. 1664. A bill for the relief of Yoshiaki Yoshihara; to the Committee on the Judiciary.

H.R. 1665. A bill for the relief of Hideo Yahashi; to the Committee on the Judiciary.

H.R. 1666. A bill for the relief of Jesus S. Ventura; to the Committee on the Judiciary.

H.R. 1667. A bill for the relief of Young Hoon Park, his wife, Eurnhi Park, their minor daughters, Myong Ok Park and Nam Ok Park, and their minor son, Soo Jin Park; to the Committee on the Judiciary.

By Mrs. MAY:

H.R. 1668. A bill for the relief of Lawrence Ben Huie; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 1669. A bill for the relief of Sea Bong Chang, and Tae Hee Chang, his wife; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 1670. A bill for the relief of Dr. George H. Edler; to the Committee on the Judiciary.

H.R. 1671. A bill for the relief of Charles Verbeke; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 1672. A bill for the relief of Stanley Pulczynski; to the Committee on the Judiciary.

H.R. 1673. A bill for the relief of Leonardo Franchino; to the Committee on the Judiciary.

H.R. 1674. A bill for the relief of Frank I. Mellin, Jr.; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 1675. A bill for the relief of Dong Chan Kim Willingham; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.R. 1676. A bill for the relief of Antonietta Daniele; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 1677. A bill for the relief of Dr. Jacques Charbonniez; to the Committee on the Judiciary.

H.R. 1678. A bill for the relief of Boleslaw Maslach; to the Committee on the Judiciary.

H.R. 1679. A bill for the relief of Mary Kudlak; to the Committee on the Judiciary.

H.R. 1680. A bill for the relief of Mrs. Lessie Edwards; to the Committee on the Judiciary.

By Mr. MORSE of Massachusetts:

H.R. 1681. A bill for the relief of Fay Brett; to the Committee on the Judiciary.

H.R. 1682. A bill for the relief of Salvatrice Nieli; to the Committee on the Judiciary.

H.R. 1683. A bill for the relief of Francesco D'Amico; to the Committee on the Judiciary.

H.R. 1684. A bill for the relief of Mrs. Catherina Varisco; to the Committee on the Judiciary.

H.R. 1685. A bill for the relief of Antonio Bivona; to the Committee on the Judiciary.

H.R. 1686. A bill for the relief of Antonio Di Stefano; to the Committee on the Judiciary.

H.R. 1687. A bill for the relief of Pierina Ghione; to the Committee on the Judiciary.

H.R. 1688. A bill for the relief of Noel Anne Mann; to the Committee on the Judiciary.

H.R. 1689. A bill for the relief of Mr. Salehbhai Shamsi and Mrs. Sakina Shamsi; to the Committee on the Judiciary.

H.R. 1690. A bill for the relief of Mr. Herculano Osorio and Mrs. Genobeba Osorio; to the Committee on the Judiciary.

H.R. 1691. A bill for the relief of Rosa Capodilupo; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 1692. A bill for the relief of Mrs. Alejandra R. Barut; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 1693. A bill for the relief of Ruchama Lebel; to the Committee on the Judiciary.

H.R. 1694. A bill for the relief of Tack Yue Wong; to the Committee on the Judiciary.

H.R. 1695. A bill for the relief of Mrs. Frida Fallas; to the Committee on the Judiciary.

H.R. 1696. A bill for the relief of Mrs. Bozenna Czarnecka and her minor daughter, Eva Czarnecka; to the Committee on the Judiciary.

H.R. 1697. A bill for the relief of Emanuale Balestrieri; to the Committee on the Judiciary.

H.R. 1698. A bill for the relief of Emil Feuerwerker and his wife, Vera Feuerwerker, and their children, Sara Feuerwerker and Moshe Feuerwerker; to the Committee on the Judiciary.

H.R. 1699. A bill for the relief of Enrique Salem; to the Committee on the Judiciary.

H.R. 1700. A bill for the relief of Carmela Ciofalo and her minor son, Vincenzo Ciofalo; to the Committee on the Judiciary.

H.R. 1701. A bill for the relief of Aspasia Kostantinos Longovitis; to the Committee on the Judiciary.

H.R. 1702. A bill for the relief of Leon Gaj and his wife, Eduviges Gaj; to the Committee on the Judiciary.

H.R. 1703. A bill for the relief of Angiolina Condello; to the Committee on the Judiciary.

H.R. 1704. A bill for the relief of Domenico Piemonte; to the Committee on the Judiciary.

H.R. 1705. A bill for the relief of Sophie Stathacopulos; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 1706. A bill for the relief of Constantine Athanasopoulos; to the Committee on the Judiciary.

H.R. 1707. A bill for the relief of Demetrios C. Katsanis; to the Committee on the Judiciary.

H.R. 1708. A bill for the relief of Jean Wong; to the Committee on the Judiciary.

H.R. 1709. A bill for the relief of Nevenka Brajkovich; to the Committee on the Judiciary.

H.R. 1710. A bill for the relief of Nandalal Yepuri; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 1711. A bill for the relief of Joseph Assal; to the Committee on the Judiciary.

H.R. 1712. A bill for the relief of Robert Conkling, John Fox, Theodore Kachelriess, Joseph Logomarsino, William McCormick, Henry McDermott, Sabato Messina, Edward J. Miller, Henry J. Miller, Joseph Ostrowski, Albert Thorsen, Salvatore Vernaci, William Wein, and Preston York; to the Committee on the Judiciary.

H.R. 1713. A bill for the relief of Joseph Ghazar; to the Committee on the Judiciary.

H.R. 1714. A bill for the relief of Antonio Giuseppe Agozzino; to the Committee on the Judiciary.

H.R. 1715. A bill for the relief of Maria Magdalene Henriquez; to the Committee on the Judiciary.

H.R. 1716. A bill for the relief of Vito Milazzo; to the Committee on the Judiciary.

H.R. 1717. A bill for the relief of Carmelo Rodio; to the Committee on the Judiciary.

H.R. 1718. A bill for the relief of Hae Soo Pyun and In Sook Pyun; to the Committee on the Judiciary.

H.R. 1719. A bill for the relief of Elenita Alvarez; to the Committee on the Judiciary.

H.R. 1720. A bill for the relief of Radouan G. Dakki; to the Committee on the Judiciary.

H.R. 1721. A bill for the relief of Rosa E. Llobell; to the Committee on the Judiciary.

H.R. 1722. A bill for the relief of Mrs. Beatrice Jaffe; to the Committee on the Judiciary.

H.R. 1723. A bill for the relief of Stefano and Rose Perrone; to the Committee on the Judiciary.

H.R. 1724. A bill for the relief of Hwang Duk Hwa; to the Committee on the Judiciary.

H.R. 1725. A bill for the relief of Dr. Elmer D. Geniblazo; to the Committee on the Judiciary.

H.R. 1726. A bill for the relief of Georgios Demetrius Papageorgiou; to the Committee on the Judiciary.

H.R. 1727. A bill for the relief of Dr. Azak Serf Eryol; to the Committee on the Judiciary.

H.R. 1728. A bill for the relief of Anastasious Poukamissas; to the Committee on the Judiciary.

H.R. 1729. A bill for the relief of Avriel Cubas Price; to the Committee on the Judiciary.

H.R. 1730. A bill for the relief of Heide Lomangino; to the Committee on the Judiciary.

H.R. 1731. A bill for the relief of Gaetano Gandolfo, Gaetana Gandolfo, Salvatore Gandolfo, and Rino Gandolfo; to the Committee on the Judiciary.

H.R. 1732. A bill for the relief of Anastasios Alexander Holdas; to the Committee on the Judiciary.

H.R. 1733. A bill for the relief of Janina Janus; to the Committee on the Judiciary.

H.R. 1734. A bill for the relief of Frances von Wedel; to the Committee on the Judiciary.

H.R. 1735. A bill for the relief of Michele Buffa, his wife Orsola Buffa, and children Juan and Geronima Buffa; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 1736. A bill for the relief of Ivika Barisic; to the Committee on the Judiciary.

H.R. 1737. A bill for the relief of Marija Perko; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 1738. A bill for the relief of Osmundo A. Calip; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 1739. A bill for the relief of Rodolfo Respicio Decanay; to the Committee on the Judiciary.

H.R. 1740. A bill for the relief of Raymond Cheuk-Man Chan; to the Committee on the Judiciary.

H.R. 1741. A bill for the relief of Alejandro Lubrica Castillo; to the Committee on the Judiciary.

H.R. 1742. A bill for the relief of Christos A. Grivas and Despina Grivas; to the Committee on the Judiciary.

H.R. 1743. A bill for the relief of Isaac M. Atienza; to the Committee on the Judiciary.

H.R. 1744. A bill for the relief of Susie Cho; to the Committee on the Judiciary.

H.R. 1745. A bill for the relief of Roger and Sandra Wong; to the Committee on the Judiciary.

H.R. 1746. A bill for the relief of Eun Sang Lee and Min Ja Lee; to the Committee on the Judiciary.

H.R. 1747. A bill for the relief of Mun-Bae Chong; to the Committee on the Judiciary.

H.R. 1748. A bill for the relief of Rosario Pozas; to the Committee on the Judiciary.

H.R. 1749. A bill for the relief of Alfredo V. Castro; to the Committee on the Judiciary.

H.R. 1750. A bill for the relief of Harzal M. Rahmani; to the Committee on the Judiciary.

H.R. 1751. A bill for the relief of Julian S. Garcia; to the Committee on the Judiciary.

H.R. 1752. A bill for the relief of Marcelo P. Antolin; to the Committee on the Judiciary.

H.R. 1753. A bill for the relief of Liem Tong Lian; to the Committee on the Judiciary.

H.R. 1754. A bill for the relief of Theodora Gouloumis; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 1755. A bill to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio; to the Committee on Ways and Means.

H.R. 1756. A bill for the relief of Mr. and Mrs. Joseph E. Begnoche; to the Committee on the Judiciary.

H.R. 1757. A bill for the relief of George S. Exarchos; to the Committee on the Judiciary.

H.R. 1758. A bill for the relief of Richard E. Larson; to the Committee on the Judiciary.

H.R. 1759. A bill for the relief of Yue Hei-Chi (Edward Yu); to the Committee on the Judiciary.

By Mr. PHILBIN (by request):

H.R. 1760. A bill for the relief of Gary Television & Research, Inc., of Boston, Mass.; to the Committee on the Judiciary.

H.R. 1761. A bill for the relief of Mr. and Mrs. Ralph J. Messina, Sr., and John H. FitzGerald; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 1762. A bill for the relief of Dr. Lazlo Tarnoi; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 1763. A bill for the relief of Dr. Raul E. Bertrán; to the Committee on the Judiciary.

H.R. 1764. A bill for the relief of Dr. Ernesto M. Campello; to the Committee on the Judiciary.

H.R. 1765. A bill for the relief of Dr. Ubaldo Gregorio Catasús-Rodríguez; to the Committee on the Judiciary.

H.R. 1766. A bill for the relief of Manuel Dorta Duque; to the Committee on the Judiciary.

H.R. 1767. A bill for the relief of Daniel Pernas Beceiro; to the Committee on the Judiciary.

H.R. 1768. A bill for the relief of Dr. Alberto Porro Zayas; to the Committee on the Judiciary.

H.R. 1769. A bill for the relief of Luis Tapia Dávila; to the Committee on the Judiciary.

H.R. 1770. A bill for the relief of Antonio Manuel Angulo Sandoval and Maria Josefa Angulo-Medina; to the Committee on the Judiciary.

Mr. PURCELL:

H.R. 1771. A bill for the relief of Cleopatra A. Palmejar; to the Committee on the Judiciary.

By Mr. REES:

H.R. 1772. A bill for the relief of Ofelia Gamba; to the Committee on the Judiciary.

H.R. 1773. A bill for the relief of Hak Kyung Kim; to the Committee on the Judiciary.

H.R. 1774. A bill for the relief of Istvan Kelemen; to the Committee on the Judiciary.

H.R. 1775. A bill for the relief of Claudette Norma Howard; to the Committee on the Judiciary.

H.R. 1776. A bill for the relief of Harvey Hart; to the Committee on the Judiciary.

H.R. 1777. A bill for the relief of Henry Gamero; to the Committee on the Judiciary.

H.R. 1778. A bill for the relief of Regina Krengel and her children, Moshe Krengel, Israel Krengel, and Miriam Krengel; to the Committee on the Judiciary.

H.R. 1779. A bill for the relief of Mrs. Gungor Hikmet Demirezer Spillar; to the Committee on the Judiciary.

H.R. 1780. A bill for the relief of Noel John de Souza; to the Committee on the Judiciary.

H.R. 1781. A bill for the relief of Mrs. Rosa Chapiro; to the Committee on the Judiciary.

H.R. 1782. A bill for the relief of Jacques Benchay; to the Committee on the Judiciary.

H.R. 1783. A bill for the relief of Fakhr Motardjem Aalam; to the Committee on the Judiciary.

H.R. 1784. A bill for the relief of Mrs. Angela C. Alexan; to the Committee on the Judiciary.

H.R. 1785. A bill for the relief of Mrs. Rose Thomas; to the Committee on the Judiciary.

H.R. 1786. A bill for the relief of Mark Pittman, a minor; to the Committee on the Judiciary.

H.R. 1787. A bill for the relief of Woo Yeoung Park; to the Committee on the Judiciary.

H.R. 1788. A bill for the relief of Tong Chik Pak; to the Committee on the Judiciary.

H.R. 1789. A bill for the relief of Eladio Montferrer-Gil and Inocencia Juan Esteller de Montferrer; to the Committee on the Judiciary.

H.R. 1790. A bill for the relief of Henry and Roxane Mansoor; to the Committee on the Judiciary.

H.R. 1791. A bill for the relief of Maurice Schriqui; to the Committee on the Judiciary.

H.R. 1792. A bill for the relief of Kenneth Peter Sampson, also known as Kenneth Peter Henderson; to the Committee on the Judiciary.

H.R. 1793. A bill for the relief of Farida Safiehzadeh; to the Committee on the Judiciary.

H.R. 1794. A bill for the relief of Alice Franciska Rosta; to the Committee on the Judiciary.

H.R. 1795. A bill for the relief of Rosario Rodriguez and her minor son, Federico Rodriguez; to the Committee on the Judiciary.

H.R. 1796. A bill for the relief of Byung Yuk Yu and Myoung Ja Yu; to the Committee on the Judiciary.

By Mrs. REID of Illinois:

H.R. 1797. A bill to provide for the free entry of one mass spectrometer for Northern Illinois University; to the Committee on Ways and Means.

By Mr. RESNICK:

H.R. 1798. A bill for the relief of Dr. Hyung Je Yeon, Dr. Woon Bok Rhee, and En Chu Yeon; to the Committee on the Judiciary.

H.R. 1799. A bill for the relief of Miss Dobrila Makic; to the Committee on the Judiciary.

H.R. 1800. A bill for the relief of Yu Tsen Hung; to the Committee on the Judiciary.

H.R. 1801. A bill for the relief of Desanka (nee Rogic) Haen; to the Committee on the Judiciary.

H.R. 1802. A bill for the relief of Mr. Cherbin Langenstein; to the Committee on the Judiciary.

H.R. 1803. A bill for the relief of Miss Ulla Lofgren; to the Committee on the Judiciary.

H.R. 1804. A bill for the relief of Mrs. Janet Austin (maiden name Janet McIsaac); to the Committee on the Judiciary.

H.R. 1805. A bill for the relief of Francis Michael Mikio Yamaguchi; to the Committee on the Judiciary.

H.R. 1806. A bill for the relief of Rosalia Tria Tirona (Sister Mary Pia); to the Committee on the Judiciary.

H.R. 1807. A bill for the relief of I Ping Yu; to the Committee on the Judiciary.

H.R. 1808. A bill for the relief of Pasquale Provenzano; to the Committee on the Judiciary.

H.R. 1809. A bill for the relief of Mehmet Tahir Kaplan and Sevim Alton Kaplan; to the Committee on the Judiciary.

H.R. 1810. A bill for the relief of Miss Freni Bankwalla; to the Committee on the Judiciary.

H.R. 1811. A bill for the relief of Ignazio DeLeonardo and Rosa DeLeonardo; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 1812. A bill for the relief of Mr. and Mrs. Harry B. Laser and Shirley Laser; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 1813. A bill for the relief of Antonio Zichella; to the Committee on the Judiciary.

H.R. 1814. A bill for the relief of Giovanni and Francesco Urga-Ferraro; to the Committee on the Judiciary.

H.R. 1815. A bill for the relief of Luzia De Jesus; to the Committee on the Judiciary.

H.R. 1816. A bill for the relief of Benito Caldas and Carmen Caldas; to the Committee on the Judiciary.

H.R. 1817. A bill for the relief of Maj. Warren G. Ward, Capt. Paul H. Beck, and Capt. Russell K. Hansen, U.S. Air Force; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 1818. A bill for the relief of Marina Panagiotis Restos; to the Committee on the Judiciary.

H.R. 1819. A bill for the relief of Guiseppe Vitale; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 1820. A bill for the relief of Mrs. Demetria Messana Barone; to the Committee on the Judiciary.

H.R. 1821. A bill for the relief of Mario Fernando Gomes DeCarvalho; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 1822. A bill for the relief of Choi Bok Kim; to the Committee on the Judiciary.

H.R. 1823. A bill for the relief of Un Kyu Pai and Mee Kang Pai; to the Committee on the Judiciary.

H.R. 1824. A bill for the relief of Dai Bong Kang and Soon Hi Kang; to the Committee on the Judiciary.

H.R. 1825. A bill for the relief of Miss Erna Albu; to the Committee on the Judiciary.

H.R. 1826. A bill for the relief of Mrs. Lora Arguzon Cudanin; to the Committee on the Judiciary.

H.R. 1827. A bill for the relief of Miss Keum Hi Shin; to the Committee on the Judiciary.

H.R. 1828. A bill for the relief of Chun Soo Pyun and Esther Kyung Pyun; to the Committee on the Judiciary.

H.R. 1829. A bill for the relief of Miss Pramila Parasnis; to the Committee on the Judiciary.

H.R. 1830. A bill for the relief of Peter Heinrich Joehnssen; to the Committee on the Judiciary.

H.R. 1831. A bill for the relief of Mrs. Peregrina Tabor Imperial, Miss Ninfa Tabor Imperial, and Miss Marietta Tabor Imperial; to the Committee on the Judiciary.

H.R. 1832. A bill for the relief of Yong Dai Kim and his wife, Seung Ha Kim; to the Committee on the Judiciary.

H.R. 1833. A bill for the relief of Mr. Leopoldo Murillo Campos; to the Committee on the Judiciary.

H.R. 1834. A bill for the relief of Francesca D'Altan; to the Committee on the Judiciary.

H.R. 1835. A bill for the relief of Mr. Adolfo J. Torres; to the Committee on the Judiciary.

H.R. 1836. A bill for the relief of Henry Huai-Tseng Mu and his wife, Lee Jun-Chin; to the Committee on the Judiciary.

H.R. 1837. A bill for the relief of Gilberto Caldera Martinez; to the Committee on the Judiciary.

H.R. 1838. A bill for the relief of Rev. Kyung Suh Kim; to the Committee on the Judiciary.

H.R. 1839. A bill for the relief of Robert Hendrick Arnoldus Sammelius; to the Committee on the Judiciary.

H.R. 1840. A bill for the relief of Abdallah Hanna Abi-Mansour; to the Committee on the Judiciary.

H.R. 1841. A bill for the relief of Sung Nam Han and his wife, Wha Ja Han; to the Committee on the Judiciary.

H.R. 1842. A bill for the relief of Delfin S. A. Goleco; to the Committee on the Judiciary.

H.R. 1843. A bill for the relief of Miss Bettina Woon Sum Yau; to the Committee on the Judiciary.

H.R. 1844. A bill for the relief of Esperanza Corral-Marin; to the Committee on the Judiciary.

H.R. 1845. A bill for the relief of Allan Leslie Snape; to the Committee on the Judiciary.

H.R. 1846. A bill for the relief of Joung Hee Lee and his wife Jung Whan Lee; to the Committee on the Judiciary.

H.R. 1847. A bill for the relief of Him Why Lieu; to the Committee on the Judiciary.

H.R. 1848. A bill for the relief of Suk Min Pang; to the Committee on the Judiciary.

H.R. 1849. A bill for the relief of Kyung Soo Cha; to the Committee on the Judiciary.

H.R. 1850. A bill for the relief of Chong Chul Choi; to the Committee on the Judiciary.

H.R. 1851. A bill for the relief of Mrs. Carman Fahey; to the Committee on the Judiciary.

H.R. 1852. A bill for the relief of Maria Sandan Chan; to the Committee on the Judiciary.

H.R. 1853. A bill for the relief of Rafael Tabor Imperial; to the Committee on the Judiciary.

H.R. 1854. A bill for the relief of Mrs. Carmen Prado; to the Committee on the Judiciary.

H.R. 1855. A bill for the relief of Miss Jai Ok Yuh; to the Committee on the Judiciary.

H.R. 1856. A bill for the relief of Hadbo Nahas; the Committee on the Judiciary.

By Mr. RYAN:

H.R. 1857. A bill for the relief of Saleh Zen and his wife, Saripah Salmiah Zen; to the Committee on the Judiciary.

H.R. 1858. A bill for the relief of David A. Senior; to the Committee on the Judiciary.

H.R. 1859. A bill for the relief of Miss Concepcion N. Velasco; to the Committee on the Judiciary.

H.R. 1860. A bill for the relief of Rudolf Comacho; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 1861. A bill for the relief of Dimitrios J. Yiannakikos; to the Committee on the Judiciary.

H.R. 1862. A bill for the relief of Elihau Malik; to the Committee on the Judiciary.

H.R. 1863. A bill for the relief of Chana Stupinski; to the Committee on the Judiciary.

H.R. 1864. A bill for the relief of Vladimira Saveri; to the Committee on the Judiciary.

H.R. 1865. A bill for the relief of Stanislav Jackowski, Joanna Jackowski, Stefan Jackowski, Waclaw Jackowski, and Tomasz Jackowski; to the Committee on the Judiciary.

H.R. 1866. A bill for the relief of Kim Diana Moody and Delvereen Moody; to the Committee on the Judiciary.

H.R. 1867. A bill for the relief of Calvin Garvey; to the Committee on the Judiciary.

H.R. 1868. A bill for the relief of Elaine Clark; to the Committee on the Judiciary.

H.R. 1869. A bill for the relief of Van Koo Chen; to the Committee on the Judiciary.

H.R. 1870. A bill for the relief of Ena Gill; to the Committee on the Judiciary.

H.R. 1871. A bill for the relief of Samuel Castro; to the Committee on the Judiciary.

H.R. 1872. A bill for the relief of Grace Marie Gladden; to the Committee on the Judiciary.

H.R. 1873. A bill for the relief of Zereda Phillips; to the Committee on the Judiciary.

H.R. 1874. A bill for the relief of Frederica E. Barefield; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 1875. A bill for the relief of Sarwan Singh; to the Committee on the Judiciary.

H.R. 1876. A bill for the relief of Serapio de Anda-Villarreal; to the Committee on the Judiciary.

H.R. 1877. A bill for the relief of Mrs. Mitsuko Sugisaka; to the Committee on the Judiciary.

By Mr. SMITH of California:

H.R. 1878. A bill for the relief of Mrs. Ida Maud McLean; to the Committee on the Judiciary.

H.R. 1879. A bill for the relief of Stanislaw and Julianna Szymonik; to the Committee on the Judiciary.

By Mr. STRATTON:

H.R. 1880. A bill for the relief of Gerald Levine; to the Committee on the Judiciary.

H.R. 1881. A bill for the relief of Lucia A. Flocco and daughter, Antonietta Flocco; to the Committee on the Judiciary.

By Mrs. SULLIVAN:

H.R. 1882. A bill for the relief of Dimitrios Stratos; to the Committee on the Judiciary.

H.R. 1883. A bill for the relief of Vitaliano Hilario; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 1884. A bill for the relief of Virgile Posfay; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 1885. A bill for the relief of Patterson, Eagle, Greenough & Day, Esq.; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 1886. A bill to provide for the free entry of certain articles for the use of Princeton University, Princeton, N.J.; to the Committee on the Ways and Means.

By Mr. TUNNEY:

H.R. 1887. A bill for the relief of Yee Yam Pong and his wife, Wong Kam Fong; to the Committee on the Judiciary.

H.R. 1888. A bill for the relief of Mrs. Constancia D. Saso; to the Committee on the Judiciary.

H.R. 1889. A bill for the relief of Attilio and Elda Corrado and sons, Henry and Albert; to the Committee on the Judiciary.

H.R. 1890. A bill for the relief of Josephine Avecilla; to the Committee on the Judiciary.

H.R. 1891. A bill for the relief of Mrs. Sabina Riggi Farina; to the Committee on the Judiciary.

H.R. 1892. A bill for the relief of Mrs. Marie J. Saladino; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 1893. A bill for the relief of Mrs. Sophia Takacs and Sophia Kondor; to the Committee on the Judiciary.

H.R. 1894. A bill for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 1895. A bill for the relief Evena J. Roberts; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 1896. A bill for the relief of Alexander Lazar Abraham and Adeline Abraham; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 1897. A bill for the relief of Cavit Alidede; to the Committee on the Judiciary.

H.R. 1898. A bill for the relief of Kun-tsai Tung, Pen-I Chou Tung, Hen-I Tung and Pai-I Tung; to the Committee on the Judiciary.

H.R. 1899. A bill for the relief of Piotr Pankiewicz; to the Committee on the Judiciary.

H.R. 1900. A bill for the relief of Miss Marianna Mazzucco; to the Committee on the Judiciary.

H.R. 1901. A bill for the relief of Mrs. Yu-yu Lee; to the Committee on the Judiciary.

H.R. 1902. A bill for the relief of Mrs. Smilja Avakumovic; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 1903. A bill for the relief of George Panourgias; to the Committee on the Judiciary.

By Mr. ASHMORE (by request):

H.R. 1904. A bill for the relief of Mrs. Mary T. Brooks; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 1905. A bill for the relief of Eugene Horace Dietrich; to the Committee on the Judiciary.

By Mr. BOGGS:

H.R. 1906. A bill relating to the transportation and gas distribution facilities operated by New Orleans Public Service, Inc., a corporation organized under the laws of the State of Louisiana and operating in the city of New Orleans, La., and all the shares of whose common stock are owned by Middle South Utilities, Inc.; to the Committee on Interstate and Foreign Commerce.

By Mrs. BOLTON:

H.R. 1907. A bill for the relief of Gizella Erényi; to the Committee on the Judiciary.

H.R. 1908. A bill for the relief of Dr. Amit Goswami; to the Committee on the Judiciary.

H.R. 1909. A bill for the relief of Dr. Peter H. Bennett; to the Committee on the Judiciary.

H.R. 1910. A bill for the relief of Dr. Ruben D. Bunag; to the Committee on the Judiciary.

H.R. 1911. A bill for the relief of Mrs. Bracha Hamamy Kaye; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 1912. A bill for the relief of Manuel Francisco Correia de Mediros; to the Committee on the Judiciary.

H.R. 1913. A bill for the relief of Hom Gen Ngee (known as Suen Yun); to the Committee on the Judiciary.

H.R. 1914. A bill for the relief of Carmela DeFalco Bottiglieri and Fiorella Bottiglieri; to the Committee on the Judiciary.

H.R. 1915. A bill for the relief of Chu Kin Ping; to the Committee on the Judiciary.

H.R. 1916. A bill for the relief of Lina M. Chen (also known as Chen Sheung Ta); to the Committee on the Judiciary.

H.R. 1917. A bill for the relief of Anna Vissa; to the Committee on the Judiciary.

H.R. 1918. A bill for the relief of Antonio Balsamo and Maria Balsamo; to the Committee on the Judiciary.

H.R. 1919. A bill for the relief of Foreston Coal Co., Inc., of Massachusetts; to the Committee on the Judiciary.

H.R. 1920. A bill for the relief of Jose Santos Fontes; to the Committee on the Judiciary.

H.R. 1921. A bill for the relief of Camola Pulicono; to the Committee on the Judiciary.

H.R. 1922. A bill for the relief of Maria Laura Rego Torres; to the Committee on the Judiciary.

H.R. 1923. A bill for the relief of Dina Cohen (nee Levin); to the Committee on the Judiciary.

H.R. 1924. A bill for the relief of Fotios Nicolpoulos; to the Committee on the Judiciary.

H.R. 1925. A bill for the relief of Dina Cohen (nee Levin); to the Committee on the Judiciary.

H.R. 1926. A bill for the relief of Patrick Hugh McDonnell; to the Committee on the Judiciary.

H.R. 1927. A bill for the relief of Dong Ping Chin; to the Committee on the Judiciary.

H.R. 1928. A bill for the relief of Maria Angelina Bettencourt deOliveira; to the Committee on the Judiciary.

H.R. 1929. A bill for the relief of Mrs. Velina D. Lambert; to the Committee on the Judiciary.

H.R. 1930. A bill for the relief of Calogero Palermo and Adelina Turco Palermo; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H.R. 1931. A bill for the relief of Zofia Jakusz-Gostomska; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 1932. A bill for the relief of Allan Robert Speevak; to the Committee on the Judiciary.

H.R. 1933. A bill for the relief of Shigeo Imamura; to the Committee on the Judiciary.

H.R. 1934. A bill for the relief of Seok Choong Song; to the Committee on the Judiciary.

H.R. 1935. A bill for the relief Salim Makhoul; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 1936. A bill for the relief of Elwyn C. Hale; to the Committee on Interior and Insular Affairs.

By Mr. COLLIER:

H.R. 1937. A bill for the relief of Demitrios Tracas; to the Committee on the Judiciary.

H.R. 1938. A bill for the relief of Matilde Marino; to the Committee on the Judiciary.

H.R. 1939. A bill for the relief of Ming Chia and Mei Jok Phua; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 1940. A bill for the relief of Mr. Alfy Guirguis; to the Committee on the Judiciary.

H.R. 1941. A bill for the relief of Mrs. Rosalia Sobolewska; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 1942. A bill for the relief of Guiseppe Michienzi; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 1943. A bill for the relief of Alfio Narzisi; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H.R. 1944. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the District of Columbia.

By Mr. EDWARDS of California:

H.R. 1945. A bill for the relief of Robert A. Harwell; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 1946. A bill to provide for the conveyance of certain mineral rights in and under lands in Pike County, Ga.; to the Committee on Interior and Insular Affairs.

By Mr. FRIEDEL:

H.R. 1947. A bill for the relief of Elias Lambrinos; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 1948. A bill for the relief of Lim Ai Ran and Lim Soo Ran; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 1949. A bill for the relief of Theofilos Papadopoulos and his wife, Paskalina Papadopoulos, and their children, Petra Papadopoulos, Anna Papadopoulos, and Maria Papadopoulos; to the Committee on the Judiciary.

H.R. 1950. A bill for the relief of Dusan Rajnovic; to the Committee on the Judiciary.

H.R. 1951. A bill for the relief of Theodora Papadopoulos; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 1952. A bill for the relief of Melhem Elias El Khouri; to the Committee on the Judiciary.

By Mr. ICHORD:

H.R. 1953. A bill to provide for the free entry of a double neutron diffractometer for the use of the University of Missouri, Columbia, Mo.; to the Committee on Ways and Means.

By Mr. JACOBS:

H.R. 1954. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Philip J. Fichman; to the Committee on the Judiciary.

By Mr. ROGERS of Colorado:

H.R. 1955. A bill for the relief of Harry Bush; to the Committee on the Judiciary.

H.R. 1956. A bill for the relief of Panagis Razatos; to the Committee on the Judiciary.

H.R. 1957. A bill for the relief of Phebe Viola Bravo; to the Committee on the Judiciary.

H.R. 1958. A bill for the relief of Benjamin H. Seals; to the Committee on the Judiciary.

H.R. 1959. A bill for the relief of Carl F. Yee; to the Committee on the Judiciary.

H.R. 1960. A bill for the relief of Angelique Kousoulas; to the Committee on the Judiciary.

H.R. 1961. A bill for the relief of Rubert Narischkin (also known as Rubert Fink); to the Committee on the Judiciary.

H.R. 1962. A bill for the relief of Faustina Pereda; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 1963. A bill for the relief of employees of General Services Administration; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 1964. A bill for the relief of Harold Gilbertson, Raymond Nelson, Lawrence Powell, Marvin Holland, Erling Ellison, Haakon Pederson, Marvel Blix, all of Cathlamet, Wash., and Charles F. Gann, of Westport, Oreg.; to the Committee on the Judiciary.

H.R. 1965. A bill for the relief of Forest Fiber Products Co.; to the Committee on the Judiciary.

H.R. 1966. A bill for the relief of Yung-Shing Hsu; to the Committee on the Judiciary.

H.R. 1967. A bill for the relief of John Rask (Hanna Rizk); to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 1968. A bill for the relief of Edith C. H. Yang and three children, Julia Chen, Dorothy Chen, and Samuel Chen; to the Committee on the Judiciary.

H.R. 1969. A bill for the relief of Lennart Gordon Langhorne; to the Committee on the Judiciary.

H.R. 1970. A bill for the relief of Capt. Oscar W. Cleal, Jr.; to the Committee on the Judiciary.

H.R. 1971. A bill for the relief of Arline and Maurice Loader; to the Committee on the Judiciary.

H.R. 1972. A bill for the relief of Robert H. Clark, Arthur E. Field, Edward M. Leonard, Bradford A. Turcott, and Fred J. Tuck; to the Committee on the Judiciary.

H.R. 1973. A bill for the relief of Arthur N. Wells; to the Committee on the Judiciary.

By Mr. ABBITT:

H.R. 1974. A bill for the relief of Cato Bros., Inc.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By the SPEAKER: Petition of National Order of Women Legislators, Dayton, Ohio, relative to exposure of political candidates on radio and television; to the Committee on Interstate and Foreign Commerce.

2. Also, petition of Henry Stoner, Portland, Oreg., relative to article I, section 6, clause 2, of the U.S. Constitution; to the Committee on the Judiciary.

3. Also, petition of the Passaic County School Boards Association, Paterson, N.J., relative to the use of nonsectarian prayers in the public school system; to the Committee on the Judiciary.

4. Also, petition of R. L. Belisle, Santa Monica, Calif., relative to requiring the Federal court to hear the case of *R. L. Belisle* v. *United States Government et al.*; to the Committee on the Judiciary.

5. Also, petition of Mr. Irving Haimes, New York, N.Y., relative to article I, section 2, clause 5, of the U.S. Constitution; to the Committee on the Judiciary.

6. Also, petition of Ivan E. Loftis, Columbus, Ohio, relative to petition No. 309 of January 10, 1965; to the Committee on the Judiciary.

7. Also, petition of the city of Long Beach, Calif., relative to the customshouse on Terminal Island; to the Committee on Public Works.

8. Also, petition of F. Woods Beckman, Knoxville, Tenn., and others, relative to the Committee on Un-American Activities; to the Committee on Rules.

9. Also, petition of Henry Stoner, Portland, Oreg., relative to requiring the Judiciary Committee to investigate a murder case in the State of Alabama; to the Committee on Rules.

EXTENSIONS OF REMARKS

Transfer of Veterans' Administration Hospitals

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 10, 1967

Mr. TEAGUE of Texas. Mr. Speaker, the "Washington Report on the Medical Sciences," dated January 9, 1967, makes reference to a secret report given to Secretary Gardner of the Department of Health, Education, and Welfare. The report was prepared by Dr. John Corson, of the Brookings Institution, at the request of Secretary Gardner. Added weight is given to the recommendations of the Corson group because of the recent recommendations made by the same committee which led to a reorganization of the Public Health Service.

What concerns me, Mr. Speaker, is the following paragraph:

> HEW should—focus health efforts in a Department of Health; include in the new Department an environmental health bureau made up of FDA, the Division of Biologics Standards, and PHS environmental health activities; take over successful Office of Economic Opportunity demonstration health programs after 3–5 years; develop stronger regional offices with authority to approve state health plans and award funds; simplify HEW grant structure; make the PHS bureau of health manpower a key part of the new Department; and consider at a later date absorbing health programs in other government agencies such as Veterans Administration and Agriculture.

In view of the unfortunate recommendations of the administration in the last Congress concerning the closing of Veterans' Administration hospitals, I am shocked that any further tampering with the operations of the Department of Medicine and Surgery of the Veterans' Administration would be considered by any other Federal agency. I am also constrained to make the observation that in view of the magnitude of the operations of the Veterans' Administration, if there is to be any transfer of medical functions, logic would dictate that the health functions of the Department of Health, Education, and Welfare would go to the Veterans' Administration.

Adam Clayton Powell

EXTENSION OF REMARKS
OF
HON. DONALD M. FRASER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 10, 1967

Mr. FRASER. Mr. Speaker, following the Democratic caucus action against the Congressman from New York on Monday, I received a number of queries from news media in my district. And I have received a considerable number of letters and telegrams expressing opinions on the action.

In response to these queries and communications, I prepared the following statement, which I request be included in the RECORD:

> Today in the Democratic caucus of the House of Representatives, I voted with the majority to strip Congressman Adam Clayton Powell of his committee chairmanship.
>
> I did so without malice. As chairman of the House Education and Labor Committee, Mr. Powell has been instrumental in the passage of a great deal of forward-looking legislation. I respect his ability as a congressman and his accomplishments as chairman.
>
> But the record clearly shows that Mr. Powell has misused his authority. He has misspent public funds.
>
> Some persons have charged that the action against Mr. Powell was motivated by racial prejudice. Speaking for myself and the majority of my colleagues, I can say that this is simply not true.
>
> Whenever misdeeds such as these are brought to light, I think it is the responsibility of Congress to take positive action. It is our duty, whenever possible, to raise the ethical standards of Congress. Today the Democratic caucus did what it needed to do.

Completion of the George Washington Memorial Parkway in Prince Georges County, Md.

EXTENSION OF REMARKS
OF
HON. HERVEY G. MACHEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 10, 1967

Mr. MACHEN. Mr. Speaker, today I am offering again my bill to authorize the George Washington Memorial Parkway from the Capital Beltway to Fort Washington along the compromise shoreline route in Prince Georges County, Md.

My bill contains specific authority for the acquisition of parkland and right-of-way for this scenic route along the Potomac River. Entirely consistent with the original Capper-Cramton Act of 1930, the purpose for this George Washington Memorial Parkway is the preservation of the Potomac River shoreline in its natural state—nothing more, nothing less.

Each year that we delay in acquiring this parkland the higher and higher go the stakes. Land values in Prince Georges County along the river and even behind the shoreline have skyrocketed. There is no doubt in my mind that if the 90th Congress does not make good the promise of the Capper-Cramton Act of 1930 as far as Prince Georges County is concerned, we may as well hold funeral services for the parkway in my home county. Then we can bury it once and forever in the growing pile of conservation projects which were the victims of selfish land speculators and a handful of people who are blind to the overriding public benefit to be derived by all by preservation of scenic beauty.

Last year was a year of frustration for all officials—elected and appointed—and for those conservation-minded people in Prince Georges County who were battling for this long-sought and highly desirable conservation project. We saw a handful of people oppose the will of the majority with the help of an expensive lobbyist as they strangled the appropriation request for $2.9 million in committee and in the Maryland General Assembly.

This year we are going to make an even greater effort to see that this project becomes a reality. We are going to achieve our goal despite the selfish opposition and despite expensive lobbyists and the pressure and influence they try to bring against this parkway project. How long can a handful of people continue to deprive our county and all the metropolitan and suburban area residents of this scenic memorial to our first President? I expect that we shall know the final answer within the next 2 years, and if I have anything to say about it, the overriding public benefit will finally emerge the victor.

Resolution To Reestablish House Select Committee on Standards and Conduct

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. BENNETT. Mr. Speaker, today I am introducing legislation to reestablish the House Select Committee on Standards and Conduct, which was created on October 19, 1966, for the 89th Congress.

The report of the committee on this subject included the following:

DISCUSSION

1. The committee reports herewith as chapter III of this report a list of existing statutes relative to the conduct of Members of the House and officers and employees thereof which might be pertinent to the committee's function.

2. The committee has accumulated a large volume of material on the subject of standards and conduct of Government officials, but has found that in the limited period of the life of the committee in the 89th Congress it is impossible prudently to recommend changes in existing provisions of law or to suggest new ones at this time. In the opinion of the committee such recommendations should be made after the full membership of the House is available for comments, recommendations, and hearings.

RECOMMENDATIONS

1. The committee should be continued as a select committee in the 90th Congress.

2. Proposed legislation introduced in the 90th Congress in the field of standards and conduct of House Members, officers, and employees should be assigned to this committee for recommendations to the House thereon.

3. Members of the House of Representatives should be furnished copies of this report and be asked for suggested changes in existing statutes.

4. Legislation approving the continuation of the committee in the 90th Congress is forwarded herewith.

The resolution for the 90th Congress which follows, has been approved by the committee. I believe the country wants the House to have such a committee, and it is needed. I have been directed by the committee to invite Members of the House to comment on the report and the resolution creating the committee in the 90th Congress.

A RESOLUTION CREATING A SELECT COMMITTEE ON STANDARDS AND CONDUCT

Resolved, That (a) there is hereby established a select committee of the House of Representatives to be known as the Select Committee on Standards and Conduct (hereafter in this resolution referred to as the "Select Committee"). The Select Committee shall be composed of twelve Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Six members of the Select Committee shall be selected from Members of the majority party and six shall be selected from Members of the minority party.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the Select Committee, and shall be filled in the same manner in which the original appointments were made.

(c) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business, except that the Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The Select Committee shall adopt rules of procedure not inconsistent with the rules of the House governing standing committees of the House.

SEC. 2. (a) The Select Committee is authorized—

(1) to recommend to the House, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House, and by officers or employees of the House, in the performance of their duties and the discharge of their responsibilities; and

(2) to report violations, by a majority vote of the Select Committee, of any law to the proper Federal and State authorities.

(b) The Select Committee shall have power to make an investigation of any violation, by a Member, officer, or employee of the House, of standards of conduct established by the House of Representatives by law or resolution, including those standards provided in title 18, United States Code, and in the Concurrent Resolution passed July 11, 1958 (72 Stat. B12). Such an investigation may be made only upon receipt by the Select Committee of a complaint, in writing and under oath, made by or submitted to a Member of the House and transmitted to the Select Committee by such Member. No investigation may be made with reference to any complaint of a violation occurring prior to the establishment of the standards of conduct involved. After such investigation the Select Committee may recommend to the House appropriate resolutions of censure for its consideration and action thereon.

SEC. 3. For the purpose of carrying out this resolution the Select Committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is in session, has recessed, or adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, records, correspondence, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the Select Committee or any member designated by him, and may be served by any person designated by such chairman or member. The chairman of the Select Committee or any member thereof may administer oaths to witnesses.

SEC. 4. As used in this resolution—

(1) the term "officer or employee of the House" means any person whose compensation is disbursed by the Clerk of the House; and

(2) the term "Member of the House of Representatives" includes the Resident Commissioner from Puerto Rico.

Labor Union Monopolies

EXTENSION OF REMARKS

OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. MARTIN. Mr. Speaker, today, in the opening of the 90th Congress I have introduced my bill, H.R. 333, designed to eliminate labor union monopolies. I have introduced this bill in the past three Congresses.

This bill would make the labor unions subject to antitrust laws of this country and it also embodies amendments to the Sherman, Clayton, Norris-La Guardia, and National Labor Management Relations Acts.

Over the years, this country has suffered severe economic setbacks and hardships on the public as well as industry as a result of these large-scale strikes, and failures of the negotiating parties to get together, mainly because of the size of the representation. I am sure all of the Members here today recall the difficulty under which this country was forced to operate as a result of the airline strike last summer. Here again is an example of one union tying up the major airlines and working a tremendous hardship on the public and the economy of this country.

Under my bill, bargaining between the parties would have to be conducted by a single employer and representatives of the employer's employees, or as provided in some cases, group bargaining where not more than 25 percent of the industry is involved in the negotiation. Also, the featherbedding demands by unions could never become a labor issue since such restrictive practices are prohibited under my bill.

In brief, my bill would still allow strikes, but would restore union power to the local labor unions and take it out of the hands of the international unions. It would not interfere with any legitimate labor objectives, but only eliminate those activities not in the public interest. Industrywide bargaining would be eliminated. It would be illegal for two unions to confer with one another in regard to the settlement of wage disputes and likewise, it would be illegal for the management of two companies to confer with one another in regard to a settlement. You have to treat both sides fairly.

This bill would not interfere with any legitimate union activity nor destroy unions or their welfare and pension programs. It would only put an end to those abuses we have been facing daily in our Nation; it will maintain collective bargaining without granting further authority to the executive branch of the Government to dictate the terms of a labor contract through such weapons as compulsory arbitration and seizure, which, in my opinion, leads this Nation down a dangerous path of socialism.

The heads of the international labor unions whose monopolistic powers would be checked by the passage of this bill, are the only ones objecting to its passage. For this reason, I consider it a good bill and will do the job it is intended to do.

I sincerely hope that some affirmative action will be taken on this bill in the 90th Congress and allow labor and management to meet on even terms for the best interest of the public.

Federal District Court in Hyattsville, Md.

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. MACHEN. Mr. Speaker, today I am reintroducing my measure to authorize the judges of the Federal district court in Baltimore, Md., to sit in the Maryland suburbs of Washington, D.C., at Hyattsville. An identical measure will be offered in the Senate by Senator BREWSTER, of Maryland.

Introduction of this bill was the result of a meeting—January 6, 1967—I attended in the office of Senator BREWSTER with representatives of the bar associations of the District of Columbia, Prince Georges, and Montgomery Counties. It was the unanimous feeling that we should seek enactment of this bill and specify Hyattsville as the location for the additional court location.

There is wide support among members of the three bar associations for the Federal district court to sit in Hyattsville, in addition to Baltimore. We feel very strongly that there is enough legal business generated in the Maryland suburban counties to amply justify the enactment of this legislation.

Mr. Speaker, last November I sent a questionnaire to all members of the Prince Georges County, Montgomery County, and District of Columbia Bar Associations, asking them to write me about their individual positions on the question of an additional place for the Federal district court to sit.

Listed below are the questions I asked the bar members to answer, and a compilation of the responses I received. I find the results extremely encouraging:

SUBURBAN MARYLAND FEDERAL DISTRICT COURT QUESTIONS

1. Are you in favor of establishment of a Federal District Court in the nearby Maryland suburbs?
2. Have you had occasion to appear in Federal District Court in Baltimore? If so, how many times in 1966? In 1965?
3. Have you referred any cases to lawyers in Baltimore to represent in Federal District Court there? If so, how many in 1966? In 1965?
4. If you have any criticism about having to travel to Baltimore to appear in Federal District Court, what is it?
5. Have you any additional comments regarding this issue?

RESULTS OF INFORMAL POLL

Total responses: 250.
Affirmative: 213.
Negative: 16.
Neutral: 21.
From the District of Columbia: 153.
From Prince George's County: 33.
From Montgomery County: 63.
From the Eastern Shore: 1.
Of the affirmative:
Number of cases in Baltimore Federal District Court—1966: 372; 1965: 383.
Number of referrals to Baltimore lawyers—1966: 114; 1965: 132.
Specific Recommendations for Location of Court: Frederick 1, Langley Park 1, Takoma Park 2, Hagerstown 1, Rockville 6, expand District Court 1, College Park 1, Hyattsville 3, Upper Marlboro 2, Silver Spring 6, Prince George's Plaza Federal Building 1.

Midstate and North Loup Projects

EXTENSION OF REMARKS

OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. MARTIN. Mr. Speaker, today I have the great honor of introducing two bills for the authorization of both the midstate and north loup projects in my great State of Nebraska. I believe most of my colleagues have realized my great interest in both of these projects as well as reclamation in general. These two projects have received very good local support in the State and community they will serve. Not only will they be of value, conservationwise, but will serve the entire agricultural economy of the State of Nebraska and the country.

I sincerely hope that these projects can secure the necessary authorization in this fine new Congress. Both of the projects have undergone extensive review and study, and their feasibility figures are among the best of any projects in the country at this time. Not only are they feasible, but their repayment figure is extremely high. I have long worked for fiscal responsibility and economy in our Government, and would not support these projects if they did not fit this criteria.

So, Mr. Speaker, and colleagues, I ask your support for these two projects in this Congress.

Compulsory Unionism

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. RHODES of Arizona. Mr. Speaker, under leave previously granted, I should like to include in the RECORD a copy of my address delivered to the students of the law school of Duke University on December 14, 1966, on the subject of compulsory unionism. The speech follows:

Is the right to hold a job a privilege of citizenship? Does the individual citizen have the right under the Constitution to choose his own occupation, trade or profession? Under the Constitution can a man's right to earn a living be limited by a requirement that he join a labor union or pay dues to a labor union? Does the range of constitutionally protected civil rights include the right to work?

These are questions that were raised in both the Senate and the House in the last session of Congress in connection with the effort to repeal section 14(b) of the Taft-Hartley Act, the section which reserves to the states the power to enact Right to Work laws.

Although Congress turned back the effort to repeal section 14(b) it left these larger questions unanswered. But they cannot remain unanswered much longer. Compulsory union membership obviously denies certain individual liberties, and time is long overdue for a judicial determination of the Constitutionality of this denial.

Before getting into these questions, let us first take a brief look at the historical development of the right to work issue.

It comes as a surprise to many people that for the first 150 years of our country's existence there was no such thing as federal labor law. Not until 1926 when Congress passed the Railway Labor Act did the federal government take any direct action toward regulating labor or employment relations.

Prior to that the only expression of a federal labor policy occurred in 1914 when Congress enacted the Clayton Act amendments to the Sherman antitrust law. Written into the Clayton Act was a clause to the effect that "nothing in the antitrust laws shall be construed to forbid the existence and operation of labor organizations * * * nor shall such organizations or the members thereof be held to be illegal combinations or conspiracies in restraint of trade under the antitrust laws." This provision was included in the Clayton Act because the Supreme Court decision in the Danbury Hatters' case (Loewe v. Lawlor, 204 U.S. 274 (1908)) construed a labor union boycott of an employer's products as unlawful under the Sherman Antitrust Act.

The Railway Labor Act came about because of the great number of disputes in the Railroad industry after World War I which disrupted transportation of goods in interstate commerce. Its purpose was to provide a procedure for settlement of such disputes and to prevent rail carriers from interfering with efforts of their employees to form and join labor unions. The central policy of the Railway Labor Act was expressed in the statement in section 2, Fourth, that:

"Employees shall have the right to organize and bargain collectively through representatives of their own choosing." (45 USC, sec. 152, Fourth)

Nothing was said in the Act about the right of employees to *refrain* from joining or forming labor unions, and within a short time the Railroad Brotherhoods became worried about the possibility that workers could be coerced by the carriers into joining company dominated and controlled unions. As a result the unions requested that Congress amend the Railway Act to include a prohibition on any form of compulsory unionism agreements. In accordance with this request Congress in 1934 amended section 2, Fourth, to read:

"It shall be unlawful for any carrier to interfere in any way with the organization of its employees, * * * or to influence or coerce employees in an effort to induce them to join or remain or not to join or remain members of any labor organization, or to deduct from the wages of employees any dues, fees, assessments or other contributions payable to labor organizations."

It is thus an historic, if somewhat ironic, fact that organized labor itself was the first to insist upon incorporation of the right to work principle in a federal labor statute. The Railway Brotherhoods later reversed themselves, however, as will be seen in a few moments.

Until the year 1935 workers in industries other than the Railroad industry had no federal law to protect their organizing activities or their efforts to obtain collective bargaining rights from their employers. All this was changed with the enactment in 1935 of the Wagner Act, officially known as the National Labor Relations Act, which was the first comprehensive federal labor statute. It was at this point that the right to work controversy had its beginnings.

This new statute was frankly designed to encourage the formation of labor unions and to strengthen their bargaining position with employers. The Act made it unlawful for an employer to interfere with organizational activities of employees or to refuse to bargain with a union representing employees. One of its most important features was the provision that a union chosen by a majority of employees in a bargaining unit had the exclusive right to represent all workers, union and non-union alike, in the bargaining unit. Coupled with this was the provision in section 8(3) which permitted union agreements requiring all workers in the unit to belong to the union and pay union dues.

Armed with this extraordinary privilege of exclusive representation, and the concurrent right to demand agreements requiring all employees to join the union and pay union dues as a condition of employment, labor launched intensive organizing drives which skyrocketed their membership from a level of approximately two million in 1935 to an estimated high of seventeen million in the next 10 years, and swelled their treasuries with a ten-fold increase in dues payments, initiation fees and other types of assessments. How many of the newly acquired "members" were forced into the unions under compulsory union shop and closed shop contracts is impossible to determine, but conservative estimates place the figure at three million. If this is a correct estimate it means that dues and fees paid by these three million unwilling captives would be in the range of two hundred million dollars a year.

Emboldened by their success the unions began pushing their demand for compulsory unionism harder and harder and, as might be expected, these efforts did not go unnoticed by the American public, particularly those members of the public who were unwillingly forced to pay union dues. In response to the public reaction a number of states, beginning in 1944, adopted laws prohibiting compulsory unionism. The first such law was adopted as an amendment to the Florida Constitution in 1944 (Florida Constitution, Article I, section 12). Other states quickly followed suit and there are now 19 states with Right to Work laws on their books.[1] Most such laws are very concise and simple in their language. North Carolina, for example, has a statute which reads:

"The right to live includes the right to work. The exercise of the right to work must be protected and maintained free from undue restraints and coercion. It is hereby declared to be the public policy of North Carolina that the right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization or association." (Section 95–78, General Statutes of North Carolina).

Eleven of these state right to work laws were in force at the time Congress adopted the Taft-Hartley Act amendments to the National Labor Relations Act in 1947, and in order to eliminate any doubt as to the effect the federal law would have upon such state laws Congress wrote into the Taft-Hartley Act the now famous section 14(b), which expressly provides that nothing in the National Labor Relations Act "shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law."

Efforts of labor lobbyists to get this section repealed have been repeatedly rejected by Congress in every session since 1947. Even the 89th Congress, with overwhelming majorities of liberals in both houses, refused to repeal 14(b). The obvious reason for this is that the American public is not willing to accept the idea of compulsory unionism, and every opinion poll taken in recent years shows that practically all segments of the public, including rank and file union members, are opposed to the idea of forcing a man to join a union or pay dues to a union in order to keep his job. There are, however, 31 states in which compulsory union shop agreements are fully enforceable. Also, compulsory union shop agreements are enforceable in the railroad and airlines industries in all 50 states because the Rail Brotherhoods were successful in 1951 in pushing through Congress an amendment to the Railway Labor Act (section 2, Eleventh) which nullified the union shop ban previously written into the Act in 1934 at the request of the Railroad unions.

This brings us to the point of today's discussion, namely, whether compulsory unionism infringes any of the individual civil rights guaranteed by the Bill of Rights of the United States Constitution. More specifically does: (1) compulsory unionism so deprive a man the right to make his own choice in joining or declining to join a particular group as to violate his freedom of association guaranteed by the First amendment; or (2) does the use of compulsory union membership dues for the furtherance of political and ideological causes violate his freedom of speech guaranteed by the First amendment; or (3) does forced membership in or support for a particular group violate his privacy as guaranteed in the Ninth amendment; or (4) does forced extraction of membership dues and fees deprive him of property without due process of law? These are all questions that are being raised by serious Constitutional scholars, and it is quite timely to take a close look at them.

However, let us first dispose of the main argument made by union spokesmen in defense of compulsory unionism, the so-called "Free Rider" argument. The premise of this argument is that since a union chosen by a majority of employees in a bargaining unit is required under the National Labor Relations Act to bargain for all employees, union and non-union alike, in the unit, it is only fair that each employee in the unit be required to pay his share of the costs of collective bargaining.

While this argument may have a superficial plausibility it can be readily refuted by pointing out, first, that the requirement for bargaining for all employees in the unit was not thrust upon the unions. On the contrary, they zealously sought to have this requirement written into the law because it gives them the special status of exclusive representation. Secondly, the "free rider" argument would be valid only if the dues money was used by the union exclusively for collective bargaining. The fact is, however, that only a small fraction goes toward the costs of collective bargaining, and the major portion of it is used for a multitude of purposes not related to collective bargaining such as lobbying, political contributions, and promoting various ideological and sociological causes. This is where the problem of forced payment of union dues becomes most acute. For example, some large unions such as the United Automobile Workers contribute very heavily to the support of the NAACP, the Student Nonviolent Coordinating Committee, Students For a Democratic Society and other groups agitating for causes ranging from Negro rights to the Filthy Speech Movement at the University of California. Suppose a member of the union does not favor such an expenditure of his dues money. Perhaps he doesn't agree with the objectives of the NAACP and SNCC; what can he do about it? The answer is that he can do nothing immediately about it because if he refuses to pay his union dues he will be fired from his job. The question, then, is whether this forced support of social causes and political candidates, infringes his constitutional freedoms guaranteed under the Bill of Rights.

The Supreme Court has on a number of occasions declared that an individual's right to hold a job is a constitutionally protected right. This was first decided in the case of *Cummings* v. *Missouri*, 71 U.S. 277 (1866) in which the Supreme Court invalidated a provision in the Missouri Constitution under which a Catholic priest was fined for performing his religious functions without taking a prescribed oath. The court held that the state could not impose such a restriction because:

"The theory upon which our political institutions rest is, that all men have certain inalienable rights—that among these are life, liberty and the pursuit of happiness; and that in the pursuit of happiness all avocations, all honors, all positions, are alike open to everyone, and that in the protection of these rights all are equal before the law."

In many decisions following the *Cummings* case, the court struck down state imposed restrictions on the occupations of Chinese laundrymen, railroad men, teachers, and Japanese fishermen. In 1915, the right to work was declared to be plain and self-evident principle of American Constitutional Law by Justice Charles Evans Hughes in Truax v. Raich, 239 U.S. 33, holding that a state may not deny to foreign born residents the ordinary means of earning a livelihood. As therein stated:

"It requires no argument to show that the right to work for a living in the common occupations of the community is of the very essence of the personal freedom and opportunity that it was the purpose of the [Fourteenth] amendment to secure."

The Supreme Court of Florida expressed the principle very well in *Carpenters District Council* v. *Miami Chapter, Associated General Contractors*, 55 So. 2d 794 (Fla. 1952) in which the court stated:

"The right to work is equivalent to the right to eat and the right to eat and provide raimant for his dependents is man's most dominant urge. In a free country like ours such a right should not depend on one's race, color, the lodge, craft, church or other organizations to which be belongs. Such a requirement is contrary to the spirit of our institutions, the basis on which our democracy was founded and every impulse of the forefathers who gave it existence. I can think of nothing more out of harmony with true Americanism. Membership in one's lodge, craft or church may be a means of enlarging spiritual, cultural and physical assets but to make his bread depend on craft or church membership would be the worst species of anti-Americanism."

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[1] Alabama, Arizona, Arkansas, Florida, Georgia, Iowa, Kansas, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia and Wyoming.

The American Civil Liberties Union similarly supported the right to work principle in an *amicus curiae* brief filed in *Wilson* v. *Loew's, Inc.*, 26 CCH Lab. Cases at ¶68,600 (1954), a case challenging the action of a group of movie studios in blacklisting the famed "Hollywood Ten" writers who had refused to answer questions of a congressional committee as to their Communist party connections. In that brief, the ACLU pointed out that:

"The right to work is a human right, a personal right, a constitutional right; and the opportunity to earn a living cannot be unjustly withheld from a man without doing violence to the constitutional guarantees protecting his life, liberty, property and assuring him equal protection of the law."

Since there thus seems to be wide agreement that the right to hold a job in the occupation of one's choice is within the range of the protections intended by the Bill of Rights, let us examine how compulsory union membership deprives a worker of his constitutional rights.

First, it is an infringement upon his freedom of association which the First Amendment seeks to protect. Freedom of association, it has been held, is a composite right derived from freedom of speech, freedom of assembly and the freedom to petition enumerated in the First Amendment. To the extent that compulsory unionism requires a worker to make a choice between joining the union or losing his job he is thus limited in his freedom of association. The right not to join a union is a necessary corollary of the right to join, for without a right not to join there can be no such thing as a right to join. Freedom rests on choice and where choice is denied freedom does not exist. In its decision in *Board of Education* v. *Barnette,* 519 U.S. 624 (1943) the Supreme Court recognized that there are affirmative and negative sides to constitutional liberties in upholding the right of members of a religious sect to refuse to join in the oath of allegiance to the flag. The court specifically pointed out that freedom of speech carries with it a freedom to remain silent, and that it makes no difference that the majority of the people favor the particular restriction or limitation. "The very purpose of the Bill of Rights," the court said, "was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and establish them as legal principles to be applied by the courts. One's right to life, liberty and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections." This would seem to dispose of the union argument that when a majority of the workers in a bargaining unit vote for a compulsory union shop the minority must accept the results of the "democratic" process.

In *Santa Fe Railroad* v. *Brown,* 80 Kansas 312, 102 Pac. 459 (1909) the Supreme Court of Kansas said:

"It would seem that the liberty to remain silent is correlative with the freedom to speak. If one must speak, he cannot be said freely to speak."

The Supreme Court of Maine in *Pappas* v. *Stacy,* 116 A. 2d 497 (1955) held that picketing by three restaurant employees who were union members for the purpose of forcing the employer to make the other 27 non-union employees join the union infringed the freedom of association of the non-union employees. As stated by the court:

"Freedom to associate of necessity means as well freedom not to associate."

Labor union have themselves relied very heavily on the principle of freedom of association to protect their right to engage in organizing activities and to resist state laws which placed limitations upon such organizing activities. For example, in *Thomas* v. *Collins,* 323 U.S. 516 (1945), the Supreme Court reversed the conviction of R. J. Thomas, an organizer for the United Automobile Workers, for failure to comply with a Texas statute which required the licensing of union organizers. In arguing Thomas' case, the union lawyers contended that this licensing requirement infringed the freedom of association guaranteed under the First Amendment. The Supreme Court agreed in the following language:

"It was not by accident or coincidence that the rights to freedom in speech and press were coupled in a single guaranty with the rights of the people peaceably to assemble and to petition for redress of grievances. All these, though not identical, are inseparable. They are cognate rights, and therefore are united in the First Article's assurance."

* * * * *

"There is some modicum of freedom of thought, speech and assembly which all citizens of the Republic may exercise throughout its length and breadth, which no State, nor all together, nor the Nation itself, can prohibit, restrain or impede."

Having thus recognized the right to organize workers into unions as part of the protected freedom of association under the First Amendment, it must follow that the right not to join a union is a necessary corollary of the right to join, for without a right not to join there can be no such thing as a right to join. Freedom rests on choice, and where choice is denied freedom is destroyed as well.

Through compulsory unionism, the worker is also deprived of his freedom of action and of speech. It is well known to everyone that American unions have for many years been active in politics and have played a very important role in election campaigns of members of Congress, of state legislators, state officials, and local city and county officials. The union chiefs make no apologies for this. They assert that it is their right to make sure that those elected to public office are sympathetic towards the aims and purposes of labor unions. Large armies of union staff personnel are assigned to work in political campaigns at the precinct level, in getting out the vote for union-endorsed candidates, and in publishing union newspapers and other publications devoted to promoting favored candidates. And union funds derived from membership dues and fees are liberally distributed to such candidates.

Where does this leave the individual worker who is required to pay his dues and fees into the union as a necessary condition to holding his job? Is he not thus compelled to contribute money to election campaigns for candidates he opposes, and support with his dues dollar causes and ideologies with which he himself may have no sympathy? And, if so, what is the effect upon his constitutionally protected liberties? These questions were presented to the United States Supreme Court in *Railway Employees Dept.* v. *Hanson,* 351 U.S. 225 (1956), and *International Association of Machinists* v. *Street,* 367 U.S. 740 (1961) but in each of these cases the court ducked the constitutional issues. In *Hanson* the court took the position that the record did not disclose sufficient information respecting the use of union dues money for political purposes, but in rendering judgment for the unions stated that if in a later case "the exaction of dues, initiation fees, or assessments is used as a cover for forcing ideological conformity or other action in contravention of the First Amendment, this judgment will not prejudice the decision in that case."

The *Street* case which came before the court a few years later did clearly show that the union dues were used for enforcing political and ideological conformity. This case had originated in Georgia and came up from the Georgia Supreme Court (215 Ga. 27, 108 S.E. 2nd 796 (1959) on a finding that:

"(5) The funds so exacted from plaintiffs and the class they represent by the labor union defendants have been, and are being, used in substantial amounts by the latter to support the political campaigns of candidates for the offices of President and Vice President of the United States, and for the Senate and House of Representatives of the United States, opposed by plaintiffs and the class they represent, and also to support by direct and indirect financial contributions the political campaigns of candidates for State and local public offices, opposed by plaintiffs and the class they represent. The said funds are so used both by each of the labor union defendants collectively and in concert among themselves and with other organizations not parties to this action through associations, leagues, or committees formed for that purpose. (6) Those funds have been and are being used in subtantial amounts to propagate political and economic doctrines, concepts and ideologies and to promote legislative programs opposed by plaintiffs and the class they represent. Those funds have also been and are being used in substantial amounts to impose upon plaintiffs and the class they represent, as well as upon the general public, conformity to those doctrines, concepts, ideologies and programs."

In spite of these specific findings the Supreme Court, in a series of five split decisions refused to rule on the constitutional questions presented and concluded only that use of union dues money for these purposes was contrary to the intent of Congress in passing the Railway Labor Act. The appropriate remedy, the court held, would be to leave it to the union to refund to the protesting employees such portion of their dues as represented the proportionate amount the union used for political purposes. On this basis the case was sent back to the Georgia courts, which then proceeded to direct the defendant unions to produce their books and records in order that a determination might be made as to the amounts spent on political action. The unions violently resisted such order, and after four years of additional legal maneuvers proposed that as an alternative to producing their books they would refund all dues previously paid by plaintiffs and would relieve plaintiffs of all future obligations to pay dues under the compulsory union shop agreements. Plaintiffs, weary of the expense and effort of more than eleven years of litigation, accepted this proposal and a stipulation was entered on December 19, 1964 dismissing the case.

Justices Black and Douglas vigorously protested the fact that the court refused to face the constitutional questions presented in *Street*. In a sharp dissent Justice Black stated:

"There can be no doubt that the federally sanctioned union-shop contract here, as it actually works, takes a part of the earnings of some men and turns it over to others, who spend a substantial part of the funds so received in efforts to thwart the political, economic and ideological hopes of those whose money has been forced from them under authority of law. This injects federal compulsion into the political and ideological processes, a result which I have supposed everyone would agree the First Amendment was particularly intended to prevent and it makes no difference if, as is urged, political and legislative activities are helpful adjuncts of collective bargaining. Doubtless employers could make the same arguments in favor of compulsory contributions to an association of employers for use in political and economic programs calculated to help collective bargaining on their side. But the argument is equally unappealing whoever makes it. The stark fact is that this Act of Congress is being used as a means to exact money from these employees to help get votes to win elections for parties and candidates and to support doctrine they are against. If this is constitutional the First Amendment is not the charter of political and religious liberty its sponsors believed it to be."

Justice Douglas, not known for his hostility to organized labor, writing a separate opinion in the same case had the following to say:

"The collection of dues for paying the costs of collective bargaining of which each member is a beneficiary is one thing. If, however, dues are used, or assessments are made, to promote or oppose birth control, to repeal or increase the taxes on cosmetics, to promote or oppose the admission of Red China into the United Nations, and the like, then the group compels an individual to support with his money causes beyond what gave rise to the need for group action. . . . I think the same must be said when union dues or assessments are used to elect a Governor, a Congressman, a Senator, or a President. It may be said that the election of a Franklin D. Roosevelt rather than a Calvin Coolidge might be the best possible way to serve the cause of collective bargaining. But even such a selective use of union funds for political purposes subordinates the individual's First Amendment rights to the views of the majority. I do not see how that can be done, even though the objector retains his rights to campaign, to speak, to vote as he chooses. For when union funds are used for that purpose, the individual is required to finance political projects against which he may be in rebellion."

Justice Black prophesied in his dissent that:

"The constitutional question raised in this case . . . is bound to come back here soon with a record so meticulously perfect that the court cannot escape deciding it."

If such a case were presented to today's court, there is reason to believe that the majority would find compulsory unionism in any of its forms contrary to the express and implied constitutional guarantees of individual liberty. The recent trend of the court's decisions in civil rights cases has so vastly expanded the safeguards of the First, Fifth, and Fourteenth Amendments that it is almost inconceivable that the court could now fail to include the right to work within their protection.

Of particular interest in this connection is the recent discovery of the Ninth Amendment as a reservoir of individual rights not expressly or impliedly covered elsewhere in the Constitution. This short and heretofore obscure amendment reads, "the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." In a very recent decision of the Supreme Court, *Griswold* v. *Connecticut* 381 U.S. 479 (1965), three of the judges, including the Chief Justice, found that this clause protects a wide range of individual rights not expressly mentioned in the first eight amendments. Justice Goldberg, writing for himself, the Chief Justice and Mr. Justice Brennan, stated that:

"The concept of liberty protects those personal rights that are fundamental, and is not confined to the specific terms of the Bill of Rights. . . . The language and history of the Ninth Amendment reveals that the Framers of the Constitution believed that there are additional fundamental rights protected from governmental infringement, which exist along side those fundamental rights specifically mentioned in the first eight constitutional amendments."

The *Griswold* case involved a challenge to the constitutionality of a Connecticut statute which made dissemination of birth control devices a criminal offense. Two officers of the Planned Parenthood League of Connecticut were convicted in a state court under this statute, and their conviction was affirmed by the Supreme Court of Errors of Connecticut. *State* v. *Griswold,* 151 Conn. 544, 200 A. 2d 479 (1964). On appeal, the Supreme Court of the United States reversed the conviction on the ground that the statute infringed the "penumbral" protection of individual privacy contained in the Bill of Rights. The majority opinion, after citing a number of cases dealing with the protected freedom of association, stated:

"The foregoing cases suggest that specific guarantees in the Bill of Rights have penumbras, formed by emanations from those guarantees that help give them life and substance. The right of association contained in penumbra of the First Amendment is one, as we have seen. . . . The Fifth Amendment in its Self-Incrimination Clause enables the citizen to create a zone of privacy which the government may not force him to surrender to his detriment. The Ninth Amendment provides that the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

Expanding on this application of the Ninth Amendment, as a residue of rights not otherwise referred to, the separate opinion written by Justice Goldberg stated:

"In determining which rights are fundamental, judges are not left at large to decide cases in light of their personal and private notions. Rather, they must look to the traditions and collective conscience of our people to determine whether a principle is so rooted there as to be ranked as fundamental. The inquiry is whether a right involved is of such a character that it cannot be denied without violating those fundamental principles of liberty and justice which lie at the base of all of our civil and political institutions."

This language of Justice Goldberg is strikingly applicable to the right to work. There can be little question that the right of a man to work to earn a living for himself and support his family is so deeply rooted in "the traditions and collective conscience of our people . . . as to be ranked as fundamental."

Can it not be argued, however, that the Constitution is intended only to protect the citizen against *government* action affecting such rights, and that labor unions in enforcing union shop agreements are acting purely in a private capacity? Can it not be said that while such union conduct may result in an actionable tort it is not prohibited by the Constitution because it is neither an act of the state nor the federal government, nor of any other governmental entity? As stated in *Teague* v. *Brotherhood of Locomotive Firemen,* 127 F. 2d 53 (6th Cir, 1942):

"Private parties acting upon their own initiative and expressing their own will, however else they may offend and their acts give rise to justiciable controversies, do not thereby offend the guarantees of the Constitution."

Surely if one private citizen by coercion or restraint prevents another private citizen from exercising his freedom of speech or any other constitutionally protected right, there is no basis for invoking the Constitution as against the tortfeasor. Does not this apply as well to labor union efforts to enforce compulsory membership?

The answer is No. The authority which unions have to enforce compulsory unionism derives from a legislative act of the federal government, the National Labor Relations Act, which expressly authorizes union shop agreements. Moreover, the entire scheme of regulation contained in the National Labor Relations Act is directed toward encouragement of unionization and collective bargaining, and by giving unions the extraordinary status of exclusive bargaining representative, this Act has created and perpetuated the conditions under which unions may enforce compulsory unionism. As stated by the Supreme Court in *American Communications Association* v. *Douds*:

"When authority derives in part from Government's thumb on the scales, the exercise of that power by private persons becomes closely akin in some respects to its exercise by Government itself."

In the *Hanson* case referred to above the Supreme Court stated:

"If private rights are being invaded it is by force of an agreement made pursuant to federal law which expressly declares that state law is superseded. In other words, the federal statute is the source of power and authority by which any private rights are lost or sacrificed. The enactment of the federal statute authorizing union shop agreements is the governmental action on which the Constitution operates, though it takes a private agreement to invoke the federal sanction."

Although the Supreme Court in the *Hanson* case was dealing only with the union shop provisions of the Railway Labor Act, similar reasoning can be applied to the union shop provisions of the National Labor Relations Act. It is equally true that a union shop agreement entered into pursuant to section 8(a)(3) of the National Labor Relations Act has "the imprimatur of the federal law upon it." Moreover, the exclusive bargaining status which unions are given under the Act is the principal source of their power to demand and enforce union shop contracts. The value of this "exclusive" status to unions was well summarized by Professor Archibald Cox of the Harvard Law School when testifying before the Senate Labor Subcommittee in 1959. As expressed by Professor Cox:

"Labor unions enjoy their present power by virtue of Federal statutes, chiefly the National Labor Relations Act. Other voluntary associations are different in two respects: (1) they lack the statutory power of a union designated as a bargaining representative; (2) no other voluntary association has as much power over an individual's livelihood and opportunities or over the rules governing his daily life. The union bulks much larger in the life of a worker than a corporation in the affairs of a stockholder."

A direct solution to the problem would be for Congress to repeal the language of the National Labor Relations Act (the proviso to section 8(a)(3)) and the Railway Labor Act (section 2, Eleventh) and thereby restore the principle of voluntary unionism as a principal feature of federal labor policy. Since the labor committees of both Houses are still dominated by those who owe their elections to strong union support and heavy union financing, they are not likely to report any bills unfavorable to the unions. An alternative would be for more states to adopt right to work laws, but this is a slow and agonizing process which the unions will delay and divert in every way possible.

The answer thus seems to lie with the Supreme Court, and the possibility that next time around it will not refuse to face the Constitutional issues presented by compulsory unionism as it has on previous occasions.

Our Vanishing Wildlife

EXTENSION OF REMARKS
OF
HON. LESTER L. WOLFF
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 10, 1967

Mr. WOLFF. Mr. Speaker, I wish to take this opportunity to add my words of commendation to those of Secretary of the Interior Stewart L. Udall, Thomas L. Kimball, executive director of the National Wildlife Federation, and other distinguished conservationists for the excellence of a film, "Our Vanishing Wildlife."

Productions Unlimited, Inc., of New York, recognized the urgent need for conservation education and produced this color film covering the subject with truth and dignity. I invite every American to see this film to better understand why it is so important to maintain our national wetlands areas, our forest covers, and to husband our soil and water for the benefit of all living things.

National Community Senior Service Corps

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. MACHEN. Mr. Speaker, I am introducing today a bill that would establish a National Community Senior Service Corps.

This bill would authorize grants to States which establish part-time employment programs for senior citizens in projects of value to the community. Small salaries could be paid in amounts that would not interfere with full social security benefits and short-term training may be provided.

Modern medicine has prolonged the productive and useful years of Americans to the extent that retirement age often catches them by surprise. Consequently, many an alert and capable older person finds himself banished to the rocking chair on the front porch long before he is ready to go.

This often results in a feeling of discouragement so intense that physical health begins to deteriorate, to say nothing of the psychological damage that is done.

Although compulsory retirement may sometimes be a mixed blessing, involuntary unemployment is always a frightening experience and many, many senior citizens, facing discrimination on the job market because of their age, eke out an inadequate living because they are unable to secure employment.

At the same time, every community and neighborhood has unmet manpower needs. There are never enough hospital workers, or helpers for working or invalid mothers. There are many cultural and civic projects that are stalled because they need the touch of enthusiasm and the time that the fully employed work force is not able to provide.

Therefore we are faced with the paradox of available jobs and willing manpower that simply have not been brought together.

The National Community Senior Service Corps would provide the catalyst for bringing the two together. The small salaries that could be paid under its auspices would make the difference between poverty level living and modest comfort for many. For the discouraged and unwilling idle, it can return a sense of usefulness and of being needed that all humans must have.

Above all, no amount of schooling and sophisticated training can substitute for the wisdom and understanding that comes with years of living. Our Nation cannot afford to disregard the importance of these two qualities.

I hope that we will see the early passage of this sensible and compassionate legislation.

Vietnam Report

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. WOLFF. Mr. Speaker, I include in the RECORD a copy of my report to the constituents of the Third Congressional District.

A few days prior to Christmas, I returned to my home following a 25-day tour of the Far East. This factfinding tour, at my own expense, included 5 days in Saigon and the provinces of South Vietnam. This was my 18th trip to the Far East and my fourth to Vietnam since I was first elected to this House.

I could speak of the war itself today; I could speak of the sufferings of the South Vietnamese civilians; I could speak of the human misery and faltering American programs there, but I feel that there is an additional development that also calls for the immediate attention of this Congress.

On Monday, December 12, 1966, I went "shopping" in Saigon's black market. On prior trips, I saw itinerant peddlers surreptitiously dealing in illegal trade, but now I saw store after store and street stalls openly displaying their wares. On many items I saw what appears to be our commissary markings. This disgraceful operation exists at a complete loss to the American taxpayers. I have purchased U.S. Government issue pens for 25 cents apiece; GI tee shirts, with their original Government code numbers intact, sell for 50 cents; there are Eveready batteries, soap, razor blades, toothpaste, clothing, insecticides, canned foods, and a host of other items, all from American civilian or military stores, there.

Our commodity import program in South Vietnam amounted to $400 million last year and $600 million is proposed for the coming year. While our Government can and does control these imports to and through the docking facilities, control is then lost and the whole program defeated. This program is designed to stabilize prices and currency and is failing. I maintain we should carefully scrutinize any further appropriation to this program until proper and close control is a fact.

I have information of a $60,000 CARE shipment of toothpaste earmarked for distribution to the Vietnamese people being stolen and diverted. Other shipments totaling a quarter of a million dollars of CARE consignments have disappeared. The entire situation is shocking and disgraceful. Corruption festers in Saigon like an open sore. While Americans die in battle, profiteers on the black market acquire fortunes at the expense of the American taxpayer.

I call for a congressional investigation of this horrendous situation. The military and civilian authorities in Saigon, although well aware of this disgrace, seem unable or unwilling to cope with it. Surely this Nation is not so affluent that its taxpayers can underwrite this illegal and immoral traffic, this diversion of goods into a black market that affords the lowest of the low an opportunity to reap huge profits at our expense. I do not know where the profits eventually wind up, but I believe it is our duty to find out where and to bring this operation to an immediate halt.

The time has long passed for the mouthing of pious platitudes. This shocking situation merits righteous indignation and the immediate action of this Congress. If our programs are administered so haphazardly that this condition can freely exist in Saigon, it is high time that we step in and take proper remedial action.

As the 90th Congress gets underway, I find that the problems, opportunities, and tasks that lie before this Nation and our community are even more challenging than in the past 2 years.

Uppermost is the urgent need to reevaluate this Nation's efforts to bring a just and honorable peace to Vietnam. I have recently returned from a 4-week tour of this troubled part of the world. I have spoken with the people in the villages, the heads of state, our men in the field, and even enemy defectors and prisoners. While I have listened to many so-called experts, the right solution to this dilemma is still elusive and one that will require new imaginative and "Solomon-like" wisdom in its approach. I join with you this new year in praying for divine guidance in finding the right answers.

Almost as ominous in its threat to this Nation as well as the world itself is the ever-growing problems of health and well-being of our fellow man. Hunger still stalks many parts of the world. Famine and disease in many nations remain as the seedbed of discontent. Unless we are prepared to approach these common enemies of man with a massive effort, these seeds will sprout again and again.

As urgent as the need to feed man is the need to solve the threat of pollution to the air we breathe and the water we drink. Pollution of these natural resources has already reached an alarming stage. Immediate measures to correct and prevent further contamination is imperative. There is no reason why a nation that can take closeup pictures of the moon's surface can't focus some of its attention to the curing of such killers as cancer and heart disease. Mindful of the monumental gains in social legislation enacted by the 89th Congress, we must now take even greater strides to insure that these programs are properly implemented.

I am opposed to increased taxes, for I do not believe this is necessary at the present time to curtail inflation. Economies must be made, but not at the expense of essential programs. The fat, the water, and nonessentials must be deleted from Federal expenditures so we may have meaningful programs to care for our present and future needs.

The continuing war on poverty, aid to the aged, the need to educate our young, the guarantee of equality of opportunities for all of our citizenry regardless of race, creed, or color, the vexing mass transportation problems of our community and the vigilance in protecting and conserving our natural resources must be equally pursued with vigor.

Public Forum on the Draft

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. TENZER. Mr. Speaker, on December 21, 1966, I sponsored a public forum on the Selective Service Act in my congressional district. The public forum on the draft was held at Lynbrook High School in Lynbrook, N.Y. My announced purpose in sponsoring the all day conference was to afford an opportunity for those most affected by the draft—the young people—to express their views on the current debate as to the future of the Selective Service Act.

The choice of a high school as the site for the forum was most advantageous as it permitted an added educational advantage because it provided an opportunity for the political science and social studies classes of the school to attend the conference at the time of their scheduled class on the subject in the company of the teacher, and to hear college and high school students present their views to their Congressman. They had a firsthand opportunity to see democracy in action.

We were privileged to have as an opening guest speaker, Major Byron Meader, representing Col. William Boughten, the New York State Selective Service Director. Major Meader outlined the present provisions of the act and answered questions relating thereto.

The ground rules which I established for the conference permitted each speaker to address the audience for 3 minutes and to file a written statement of any length. I indicated that there would be no debate, because anyone holding an opposing view to the speaker was able to obtain time to express his own views.

Questions were permitted to clarify any statement of a previous speaker. Thus, though sharply opposing views were presented and differing proposals made, the all-day session was orderly, informative, and enlightening to me as well as to those who attended.

At the start of the conference I presented the issues to be discussed. I explained the nature of the questions raised in mail received in my congressional office and the scope of the suggestions ranging from a complete elimination of the draft to a continuation without change. Between these two viewpoints there were the following wide range of points raised in letters and during interviews:

First. The present draft law should be continued without change.

Second. The Selective Service should be continued but amended to eliminate inequities: (a) College deferments should be eliminated, (b) college deferment examinations should be discontinued, (c) married men should not be drafted, (d) the reserve system should be reviewed, (e) hardship exemptions should be granted, (f) minor physical impairments should not be cause for exemption from service, (g) educational standards should be revised—there is work for all, (h) deferment for Peace Corps Service should be allowed, (i) geographical inequities should be eliminated. Pool should be nationwide, (j) differences between draft boards in same area should be avoided, (k) punitive actions of draft boards should not be permitted.

Third. There should be a system of universal military service.

Fourth. There should be a national service corps.

Fifth. The draft should be abolished in favor of a volunteer army.

Sixth. Establish a national lottery system for selection of those who are to serve.

Thirty-seven students of high school, graduate and postgraduate levels had requested an opportunity to present their views and appeared at the public forum.

The 90th Congress will soon have, and face, the responsibility of deciding whether we are to continue the present Selective Service Act or to revise it. To prepare to formulate my own views, I thought that it would be most appropriate to hear the views of those most affected. These young men of high school, college, and postgraduate age groups, presented their views and suggestions on the above proposals. It is not possible to state that I found a consensus on any of these proposals other than that approached to by almost unanimous feeling that the Congress should correct the existing inequities when the draft law is extended.

During the conference I refrained from expressing my own views on the amendments which were proposed. Since the conference, and based on many of the statements made by the students, I have again reviewed my position.

It is my belief that the 90th Congress should not attempt to draft a universal military service plan or a national service plan at this time. The simple fact that there are over 2 million young men who reach the age of 18 each year makes these proposals costly and difficult to manage or administer.

I believe that many, if not all, of the inequities in the present system can be corrected through a form of national lottery. A lottery would apply to all young men without placing additional hardships on the Selective Service System.

Under a national lottery, students could still be deferred, but Congress should make it clear that the deferment is not to become an exemption. Students would be subject to the lottery immediately after completion of their education. The present college deferment tests could be abolished.

Once manpower requirements for the year have been filled, those young men whose numbers were not drawn from the national pool would know they would not be required to serve barring a national emergency. As a result, the uncertainly about one's future would be eliminated.

National standards under the selective service law could eliminate or reduce to a great degree the other inequities outlined above—inequities arising from geographical circumstances, the prohibition against changing one's local draft board, punitive actions taken by local draft boards and the status of married men.

I plan to make available to the House Armed Services Committee the testimony presented at the public conference for their evaluation and consideration. It is my hope that the 90th Congress will draft Selective Service Act amendments which will correct many of the inequities discussed by these young people.

Congress Needs ADP

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. McCLORY. Mr. Speaker, with the convening of this 90th Congress, we slip another notch behind the executive branch in our ability to cope effectively with the complexities of modern government. Every Member of this body is familiar with the much-publicized information explosion which confronts us daily. Congressmen see it in its most unappetizing form—paperwork. Information comes to us in reports, books, periodicals, specifications, letters, memoranda, all of which must be screened, digested and filed for future reference.

This is information on current legislation, future legislation, national issues, local issues, world problems—almost anything and everything imaginable. And perhaps the most discouraging thing of all is that much of it is useful information—most of which we cannot use. It is not that we do not want to use it; the problem is that we do not have the capability for using it.

On the other hand, the executive branch has long recognized the utility of an automatic data processing—ADP—capability for solving its own information handling problems. The number of electronic computers and punch card units in the departments and agencies of Government has risen from 90 in 1956 to a projected 2,252 for fiscal 1967. The total expenditure for ADP equipment and services in the executive branch for fiscal 1967 is estimated to be $1,292 million—an increase of $100 million from fiscal 1966.

Yet despite the vast information handling capability which now exists in the executive branch—and the impressive capability which is also found in the business community—Congress continues to plod its way through the 20th century without the advantage of these management techniques. A management study of Arthur D. Little, Inc., reveals that "the use of high-speed computers to facilitate the work of Congress and its committees is almost nonexistent." The Little report goes on to state that the very nature of Congress' work "calls for flexible manipulation of massive data into many different arrangements for many different purposes. Only with large-scale computers can this be done thoroughly and economically."

At a time when we are concerned with the inroads being made by the executive into the prerogatives of the legislative branch, we clearly have done little to equip ourselves to meet our own space-age responsibilities.

To give Congress the kind of timely, accurate, complete, and relevant information which it must have to render the decisions required of it, I introduced a measure late in the second session of the 89th Congress to authorize the Legislative Reference Service to make use of automatic data processing equipment and techniques in the performance of its functions in support of the Congress. This was the first such bill, applying ADP techniques directly to the work of the Congress, introduced in either the House or the Senate. Today, I reintroduce that bill, and I am pleased to be joined in this effort by my distinguished colleagues, Mr. ERLENBORN, Mr. KUPFERMAN, Mr. MCDADE, Mr. MOORHEAD, and Mr. MORTON.

The basic intention of the bill introduced here today is to provide the Congress with an identified capability, based on automatic data processing devices and procedures, to retrieve selected information that is of priority value to the Members and committees. By amending the Legislative Reorganization Act of 1946, specific responsibility to establish and maintain such a capability may be assigned to the Librarian of Congress. The Legislative Reference Service traditionally has provided invaluable support to the Congress in all types of research. It is the arm of the Congress that is capable of furnishing independent, professional research, and counseling support upon demand.

Although flexibility in the delineation of the congressional support facility is reflected in the wording of the measure introduced, certain exemplary applications wherein automatic data processing can benefit the Congress in the immediate future include the following:

First. Federal budgetary data. A recommendation of the Joint Committee on the Organization of Congress treats the desirability of providing access to agency budget data. Emphasis is placed on the use of automatic data processing capabilities and modern program evaluation techniques. The feasibility of handling this data in machineable form has been proven; now the nontechnical considerations need to be worked out. Certainly the Congress would welcome all possible technological assistance in dealing with this type of data. Also, the congressional budgetary review process, as influenced by the decision of the President to extend the planning-programing-budgeting system throughout the executive branch, might well be aided by the use of ADP-oriented systems.

Second. Legislative history of bills. Also featured as a recommendation by the Joint Committee on the Organization of Congress; this item requires the collection, formating, and maintenance on a current basis of key information related to each public bill or bills under consideration. Included in this legislative history would be similar relevant proposals previously introduced or considered. The ability to respond to congressional demands for information concerning legislation identical or similar in nature, in either chamber, also might be provided. It is recognized that additional staff effort on the part of the Legislative Reference Service would be required, but the benefits to be derived fully warrant such a step.

Third. Digest of public general bills and selected references. This document, well known and much used by the Members of Congress, is issued biweekly throughout the session by the Legislative Reference Service and features useful synoptic information on bills and resolutions introduced in the Congress. By utilizing automatic data processing, the time between the introduction of the bill by its sponsor and its appearance in this document could be decreased significantly. In addition, the machineable data base containing the synopses and key index descriptors would be available at all times to help answer congressional requests on an ad hoc basis. It is anticipated that since certain elements of information for this item and the legislative history of bills would be the same, an integrated file on magnetic tape would be possible. The value of ADP in indexing, storing, and retrieving this vital information which is needed by the decisionmaker time and again cannot be overstated.

Fourth. Repository of data in machine-readable form. The establishment and maintenance of selected data ranging from fiscal, as described earlier, to legal—for example, the United States Code—to economic statistics in machine-able form for use by the Congress could be very useful. Procedures for acquiring and in some cases converting the data, largely held by other Federal organizations, would have to be defined. And of course, criteria governing types of data require and accessibility controls also would be required.

I have enumerated only four possible priority areas in which automatic data processing could be utilized in assisting the Congressman in performing the myriad tasks of his office. However, the definition of Congress needs for support—both collective and individual—do not end with the examples which I discussed earlier. Applications involving the use of ADP are many: current information on issues up for vote, postvote analytical information, an automated index of congressional documents, lobbyist activity information, histories of committee action, information of Federal contract awards, and on and on.

The ultimate effect of providing Congress with a computer-oriented information system cannot be foretold completely by any expert or soothsayer, but there is no doubt in my mind that the creation of such a facility will have a measurable beneficial effect upon this body. Automatic data processing is an instrument helpful in the storage and processing of information that is useful to the Members of this body. The prerogative as to how it is used, where and when it is applied—in other words the judgmental decisionmaking function that is the essence of our existence—these remain with the Members of the Congress.

It has been said that the future of the United States resides in the efficacy of its decisionmakers, whose judgments are rendered with perspective and knowledge. Let us take that first, critical step forward by providing ourselves with the capability that is possible through the great achievements of American creativity and industry.

Hon. John E. Fogarty

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. TEAGUE of Texas. Mr. Speaker, I wish to join with my colleagues in paying tribute to the late JOHN E. FOGARTY who so ably represented his native State of Rhode Island in the U.S. Congress for the past 16 years.

Those of us who served with JOHN were well aware of his determination to make this country the world leader in all facets of health. I am sure that many of the great advances this country has made in the research on the causes of many of our killer diseases can be attributed to the determination of JOHN FOGARTY in seeing that sufficient moneys were made available to our doctors and scientists.

JOHN FOGARTY was every inch a gentleman, and a most unassuming man; in spite of the many hundreds of awards which were conferred upon him by grateful private health organizations. His presence in this body will be missed, and it is hoped that the many excellent research programs which he nurtured will be carried on by future Congresses.

National Water Commission

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. ULLMAN. Mr. Speaker, wise use and proper development of our water resources are among the most critical domestic issues that face this Nation and this new Congress. I have today introduced a bill to establish a National Water Commission to provide an effective vehicle to meet our growing problems of water supply and development.

In the 89th Congress we took a significant step forward in the establishment of the Water Resources Council under provisions of the Water Resources Planning Act of 1965. This provides for improved coordination among Federal agencies involved in river planning and development and authorizes the establishment of river basin commissions to help most local, regional, and basinwide planning needs. It is apparent, however, that our water requirements of the future will demand a degree of planning and development that goes beyond the immediate region or basin for which a particular project or solution might appear feasible and desirable. Already we are faced with problems and proposed solutions that have social, political, and economic effects of concern to the entire Nation.

The individual water problems of our communities, States, geographic regions, and entire river basins have combined to pose a problem truly national in character. Solutions can no longer be proposed without full consideration of the effects on other areas. I believe a National Water Commission, utilizing the best brains in the Nation in the field of resource planning and river development, would be best equipped to explore all the alternatives in meeting the problems of a particular area; and, by its very nature, would be best able to weigh the impact on other regions and the entire Nation to determine what is in the national interest.

We now have agencies and commissions that are committed to the solution of water problems of individual areas, but there is a need for a body to study these problems without a prior commitment to any region or particular form of solution. A National Water Commission could make these studies objectively and could make appropriate recommendations to the President and the Congress that would be invaluable in meeting the multiple problems of water development.

I would like to quote briefly from a letter by Charles L. Schultze, Director of the Bureau of the Budget, in transmitting draft legislation on the National Water Commission to the Congress:

> We are confronted with critical water shortages in many sections of our country. We are faced with the grim fact that pollution infests virtually every river system. No region is immune—from the Pacific, to the Southwest, to the Great Lakes, to the Northeast. These problems grow more complex and more difficult with each passing day.
>
> Water resource problems do not end at local, county, state, or even regional lines. Their dimensions are truly national in scope. They require intelligent long-term planning and the assessment and development of a whole range of alternative solutions. They require thorough and systematic analysis to assure that the programs undertaken by the Federal government contribute to the soundest long-range water objectives.

Mr. Speaker, the concept of a National Water Commission was proposed to the Congress in the President's message of February 23, 1966, on "Preserving Our National Heritage," and has since been fully supported by the administration through the Department of Interior and the Bureau of the Budget. Legislation introduced by Senator HENRY M. JACKSON to establish the Commission was approved by the Senate in the second session of the 89th Congress. It was considered by the House Committee on Interior and Insular Affairs and was ultimately incorporated, in revised form in H.R. 4671, to authorize the Colorado River Basin project. I objected to its enactment in that form.

I am totally opposed to having National Water Commission legislation clearly jeopardize its essential neutrality and would do violence to the intended purpose of seeking impartial and objective solutions to these problems. It is with the hope that Congress will give separate and thoughtful consideration to the establishment of the Commission that I introduce this legislation today.

Finally, Mr. Speaker, we are all aware of the controversial nature of legislation proposed in the last Congress to meet the growing needs of the Southwestern States to supplement their major water source—the Colorado River. The implications of the proposed solution on national water policy, and the potential impact on other river basins, caused serious concern to many Americans. I think I can say without reservation that the people of the Pacific Northwest were not only alarmed at what was being proposed without their acquiescence but were angered that such a proposal—adopted by a group of other States without their consultation—could be imposed upon the region without first permitting a study of our own water sources and potential future needs.

A National Water Commission, properly authorized and impartially implemented, could avoid in the future any such divisions and conflicts among the major river basins of the Nation. It would better prepare us to get on with the task of developing our water resources in the best interest of all the people of the United States and with special advantage or penalty to none.

You Can't Buy Friends or Votes

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. COLLIER. Mr. Speaker, on November 29, 1966, the General Assembly of the United Nations organization defeated a resolution which was designed to expel Nationalist China from the organization and seat Communist China in its place. The vote was 57 to 46, with 17 abstentions and one absence.

It is worth noting that the 46 nations that voted to seat Red China have, almost without exception, received assistance under the various foreign aid programs sponsored by the United States. A total of $37,592,100,000 has gone to these countries; this does not include aid that cannot be differentiated by country.

Under leave to extend my remarks, I include the breakdown by nations for the period July 1, 1945, to June 30, 1965:

	Million
Afghanistan	$307.1
Albania	20.4
Algeria	161.9
Burma	111.0
Burundi	7.4
Cambodia	343.1
Ceylon	90.9
Congo (ex-French)	2.4
Cuba	52.1
Czechoslovakia	193.0
Denmark	923.1
Ethiopia	246.5
Finland	135.4
France	9,401.6
Ghana	165.5
Guinea	70.2
Hungary	31.5
India	[1] 5,882.4
Indonesia	868.2
Iraq	99.0
Kenya	35.7
Mali	15.8
Mauritania	2.8
Nepal	[1] 86.1
Nigeria	160.7
Norway	1,254.4
Pakistan	[1] 2,937.3
Poland	548.2
Senegal	19.2
Somalia	47.4
Sudan	89.8
Sweden	109.0
Syria	83.0
Tanzania	44.0
Uganda	17.3
U.S.S.R.	186.4
United Arab Republic	1,080.9
United Kingdom	8,958.8
Yemen	39.1
Yugoslavia	2,733.3
Zambia	30.2
Total	37,592.1

[1] Military aid classified.

Byelorussia and the Ukraine, both of which voted to seat Communist China, are included with U.S.S.R., Bulgaria, Mongolia, and Rumania, received no aid from the United States.

Bill To Amend the Internal Revenue Code

EXTENSION OF REMARKS

OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 10, 1967

Mr. MARTIN. Mr. Speaker, today I have the privilege of reintroducing a bill which I introduced late in the 89th Congress. I hope very much that my colleagues will follow me and support this bill to amend the Internal Revenue Code to allow our educators to deduct educational expenses incurred by them for perfecting their teaching ability.

Last year, the Internal Revenue Service attempted to rescind their practice of allowing these deductions, but as of now, they have revised their proposed rulings. I do not think, however, that their revisions will help encourage our educators one bit, and I believe that our teachers and educators should be allowed full benefits for their labors and in securing additional education.

I hope this 90th Congress will act early to remedy this situation and encourage the educators of this country to follow their profession.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 11, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., prefaced his prayer with these words of Scripture:

Look unto Me, and be ye saved, all the ends of the earth: for I am God, and there is no other.—Isaiah 45: 22.

Spirit of God, arise within our hearts and make us ready for the tasks of this day. Help us to turn our thoughts unto Thee and to open our hearts to Thy spirit that we may always be honest in our dealings, understanding in our endeavors, and loving in our relationships.

From this moment of prayer may there come a power which will carry us through every experience with courage and with faith.

Bless our people with Thy favor, that being mindful of Thy spirit we may live together in peace and good will, and all of us work for the good of all.

May those who walk through the valley of the shadow of death find comfort and strength in Thee. In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

LETTER TO THE PRESIDENT ON VIETNAM

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, while Congress was in recess and before the Christmas holidays, 16 of our colleagues joined me in a letter to the President in which we urged the establishment of an extended holiday truce in Vietnam in order to facilitate negotiations for an honorable settlement. I would like to call to the attention of the House the full text of our letter. It follows:

DECEMBER 20, 1966.

President LYNDON B. JOHNSON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We note with approval your decision to maintain cease-fires in Vietnam at Christmas and New Year's, and your offer for a 48-hour truce during Tet, the Vietnamese New Year.

We sincerely hope that these brief truces may be extended, and we are pleased to learn that you are considering proposals to accomplish this end.

We wish to add our voices to those of Pope Paul VI and the National Council of Churches in support of an extended cease-fire. Specifically, we urge you to announce that the United States will agree to a continuous cease-fire, including ground, air, and naval warfare, from December 24 through January 2. If this truce is honored we recommend that you offer to extend it through the Vietnamese New Year which occurs on February 8, in order to facilitate negotiations for an honorable settlement.

We believe that an extended cease-fire in Vietnam might well create an atmosphere in which peace talks can begin and the war can be terminated on an honorable basis.

With best regards,

Sincerely,

JOSEPH P. ADDABBO (D, N.Y.), JONATHAN B. BINGHAM (D, N.Y.), GEORGE E. BROWN, Jr. (D. N.Y.), PHILLIP BURTON (D, Calif.), JOHN G. DOW (D, N.Y.), DONALD M. FRASER (D, Minn.), JACOB H. GILBERT (D, N.Y.), SEYMOUR HALPERN (R, N.Y.), HENRY HELSTOSKI (D, N.J.), ROBERT L. LEGGETT (D, Calif.), PATSY T. MINK (D, Hawaii), ADAM C. POWELL (D, N.Y.), THOMAS M. REES (D, Calif), EDWARD R. ROYBAL (D, Calif.), WILLIAM F. RYAN (D, N.Y.), JAMES H. SCHEUER (D, N.Y.), HERBERT TENZER (D, N.Y.).

ANTIRIOT LEGISLATION

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. The antiriot legislation I have introduced today, is identical to the bill which I submitted in the closing days of last summer. At that time, the bill was prompted by the riots which occurred in a number of our cities during that long, hot summer.

Although hearings were initiated, there was not sufficient time to complete committee studies on this subject.

But the passage of time has not weakened my conviction of the need for such legislation. Instead, I am of the opinion that early action is required so that the Federal Government may be prepared to take steps in the event of any future disturbances such as the ones of 1966 which caused widespread and costly damage to private and public property.

Without doubt, the inciting to riot has been made a crime in every State of our Nation. But in recent years, we have seen indications that certain people move from one State to another with the intention of inciting people to an unlawful course of conduct.

These activities have led to destruction of property, injuries to individuals, and even death. At the very least, we have seen the peace and quiet of neighborhoods disrupted by activities which not only breach, but shatter the right of peaceful assembly.

In my mind there is only one way in which we can deal with these persons who make it a practice to travel from one section of the Nation to another to stir up trouble by inciting to riot. We must make it possible to deal swiftly and certainly with those who deliberately fan smoldering unrest into uncontrollable conflagrations. It is my judgment that this proposed legislation will provide the means to react promptly and positively against such individuals.

NEED FOR A UNIFORM RELOCATION ACT

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, yesterday I reintroduced a bill, which I had sponsored in the last Congress, to establish a fair and uniform policy for the treatment of those forced to relocate because of Federal and federally assisted public improvement programs.

Why is this legislation needed?

The excellent studies made by the Select Subcommittee on Real Property Acquisition, the Advisory Commission on Intergovernmental Relations, and the Senate Subcommittee on Intergovernmental Relations all document the fact that the governmental displacement of persons and businesses is substantial and that in all likelihood it will continue to grow.

For the next several years, at least, Federal and federally assisted programs will require the displacement annually of approximately 111,080 households, 17,860 businesses, and 2,310 farm operations.

The burden of this displacement falls most heavily upon the elderly, the poor, the underprivileged, and the minority groups which increasingly inhabit the neighborhoods of our central cities. For them the frequent absence of adequate housing at prices or rents they can afford is particularly severe.

Another group that bears a heavy burden from displacement is the small businesses that cannot relocate without losing their established patronage. The problem here is most severe for owners, often elderly, of small retail or service establishments that depend primarily on neighborhood trade.

These and other difficulties are compounded by the fact that present Federal provisions for relocation assistance are widely inconsistent, both with regard to scope and amount. It is startling, but true, that one man may receive moving expense payments and advisory assistance while his neighbor, displaced by a different program, receives nothing. The result is that the existence, scope, and amount of relocation assistance sometimes depends more on the program involved than the loss suffered.

In addition, even in cases where relocation programs exist, they are frequently inadequate. The experience of many residents of my own congressional district with a federally assisted urban mass transportation program, bears out this fact.

In effect, our Federal and federally assisted urban and rural improvement programs commonly present us with a tragic paradox: we want to improve the lives and surroundings of our people and so we push ahead with urban renewal, mass transportation and highways; yet many of those who need to benefit most from those programs actually suffer most. I think we can and must do better.

Mr. Speaker, this legislation, which passed the other body a year ago, would not only provide a uniform relocation assistance policy for all Federal and federally assisted programs, it would make badly needly improvements in the scope and amount of relocation benefits as well.

Taking the urban mass transportation program, for example—and this is important now to several communities in my congressional district and the San Francisco Bay area—the present maximum relocation payment is $200 for an individual or a family. This legislation would allow a $200 moving cost, a dislocation allowance up to $100—$300 if the displaced person purchases a residence within a year—and an additional sum for closing costs. As an alternative, an individual or a family may elect to receive an administratively determined fair and reasonable sum.

In the case of businesses, the present limit authorized for terminated firms by the mass transit legislation is $3,000. This bill would give the businessman a choice of, first, reimbursement equal to the cost of moving personal property, or second, a sum equal to his average annual net earnings or $5,000, whichever is less. In addition, Federal reimbursement for authorized relocation expenses could go to $25,000, with Federal-State cost sharing above that amount.

The experience of numerous individuals, families, and small businesses in my district indicates that these extensions are both needed and warranted.

Mr. Speaker, I am including an analysis, prepared at my request by the Library of Congress a year ago, which discusses these and other aspects of this uniform relocation assistance legislation. I hope that all Members will take a few minutes to read and consider it.

I introduced this legislation on the first day of this new session because I believe it both deserves and demands the immediate attention of Congress.

This is not a problem that is limited to any one congressional district or area. The fact is that relocation is a serious and growing problem across the United States. The prospects are that displacement will increase in the years ahead. So, too, will the suffering if we do not act to prevent it.

Let us insure that our relocation programs are adequate, that they are characterized by equity and consistency. This bill, I believe, would enable us to move in that desired direction.

The analysis referred to follows:

THE UNIFORM RELOCATION ACT OF 1966 (S. 1681) SUMMARY, AS PASSED BY THE SENATE JULY 22, 1966, WITH SPECIAL REFERENCE TO ITS EFFECT ON THE MASS TRANSIT PROGRAM

(By Elizabeth M. Heidbreder, Analyst in Area Economics and Transportation, Economics Division, September 1, 1966)

I. BACKGROUND

As currently administered, there is no uniform policy regarding relocation payments and assistance to owners, tenants, and other persons displaced by the acquisition of real property in Federal and Federally assisted programs. The General Services Administration and the Post Office Department, for example, do not provide any relocation payments or assistance to persons affected by their programs. Programs administered by the Department of Housing and Urban Development (HUD) (Urban renewal, public housing, and mass transportation) pay substantially more than the highway programs administered by the Bureau of Public Roads under the multi-million dollar highway programs, relocation payments are optional with the States and only 32 States have elected to make payments. Of these, only 22 provide payments up to the level authorized under the highway program, and this level is below the HUD programs. Furthermore, the Federal highway programs provide very little advisory assistance for those displaced by highway projects.

These inconsistencies and injustices are thus substantial and call for legislative action to correct them. S. 1681, the Uniform Relocation Act of 1966, is a legislative attempt to deal with this problem.

The Senate Committee on Government Operations report on S. 1681 was particularly concerned with the inconsistencies of relocation policy. In addition, it listed certain other reasons for the legislation as follows:

1. The governmental displacement of persons and businesses is substantial at present, and all indications are that the rate of displacement will continue to grow. Displacements in the immediate past totaled 85,550 per year, while such displacements in the future will amount to an estimated 132,600 per year.

2. The adverse effects of relocation hit most severely those families and individuals least able to withstand them in terms of income and the ability to find other housing. The elderly, the large family, and nonwhite displacees are particularly affected.

3. Small businesses, particularly those owned and operated by the elderly, are major victims of the relocation process. The Small Business Administration has estimated that by 1972 about 120,000 businesses will have been displaced by urban renewal, and that at the present rate, 3 out of 10 of these firms will be liquidated.

4. Of growing importance in the relocation process is adequate provision for advisory assistance. For the poor, the nonwhite, the elderly, and many small business people, relocation payments are not enough to assure their making an adequate adjustment to a forced move.

5. Present Federal relocation provisions are not only inconsistent and inequitable, but their administration, particularly in the case of business relocation, is too cumbersome. Current requirements for detailed documentation are costly for the public and for the displaced person. Congress has already authorized fixed relocation payments for displaced families or individuals in certain programs. Yet administrative agency practices do not always give the displacee the opportunity to decide whether to accept the fixed payment or to prove his actual cost.

All of these findings, which were based upon extensive studies, supported the need for new legislation. The Senate Committee on Government Operations reported S. 1681 (with amendments) on July 20, 1966, and it was passed by the Senate on July 22nd.

II. PRINCIPAL PROVISIONS

The Uniform Relocation Act of 1966 has three main sections dealing with (A) Federal Programs: (B) Federally Assisted Programs; and (C) Land Acquisition Policy.

A. Federal programs

The first section deals with programs of real property acquisition which are funded entirely by the Federal Government. This would include programs of the Department of Defense, the General Services Administration, the Post Office Department, and others. Section A also gives the President responsibility for establishing relocation regulations to achieve government-wide uniformity and compliance.

In Federal programs, independent businesses and displaced persons may elect either to receive "fair and reasonable" relocation payments as administratively determined according to the uniform regulations or to accept fixed relocation payments. The amounts of the "fair and reasonable" relocation payment is not set, but the President is to be guided by the fact that $25,000 is set as the upper limit for the 100 percent Federal share of relocation payments in Federally assisted programs.

Displaced persons who elect to accept fixed payments will receive (1) a moving expense allowance up to $200; (2) a dislocation allowance not greater than the moving expense allowance or $100, whichever is the lesser; and (3) an additional payment of $300 if the displaced person purchases a residence within 1 year from the date of actual displacement; (4) an additional payment for certain reasonable and necessary expenses incurred as a result of the conveyance of his real property to the acquiring Federal agency. The wide variation in these closing costs make it impossible to establish a fixed payment.

A displaced farm operator has the option of accepting a fixed payment of $1,000 in lieu of reimbursement for his fair and reasonable expenses. This provision is designated primarily to assist the small farm operator.

In addition to the other payments, low-income displaced families, elderly individuals, or handicapped persons for whom public housing units are not available are entitled to monthly payments of not to exceed $1,000 over two years. Not more than $500 in the first 12 months and $500 in the second 12 months shall be available for relocation in "decent, safe, and sanitary housing" of modest standards.

In addition to the relocation payments, Federal agencies are to provide relocation services to displacees and to other persons occupying property adjacent to the real property acquired who have suffered substantial economic injury as a result of the Federal action. These services shall include the assurance that there will be available to displaced homeowners and tenants "decent, safe, and sanitary" housing at prices within their financial means and in areas reasonably accessible to their places of employment. Owners of displaced businesses and displaced farm operators are also to be assisted in reestablishing themselves in suitable locations. Other governmental programs are to be used to minimize hardships to displacees and to assure coordination of relocation activities.

The Housing Act of 1961 authorized the Small Business Administration to make loans on favorable terms to displaced business concerns suffering substantial economic injury. The Uniform Relocation Act (section 4d) extends this assistance to any small business concern adversely affected even though not actually displaced.

Another provision of Part A makes it clear that the same requirements for relocation payments and assistance programs shall apply when a State agency acquires real property for a Federal public improvement project.

B. Federally assisted programs

This part requires that State and local government agencies administering Federally assisted development programs provide certain relocation payments, services, and housing assurances as a condition of payment of Federal funds. These are to follow the stipulations in part A with the added provision that 100 percent Federal reimbursement may be made up to $25,000 for any displaced person. Above $25,000, Federal agencies will contribute to the additional cost according to the project's cost-sharing formula.

C. Land acquisition policy

Although the subject of land acquisition policies was considered by the Senate Committee on Government Operations, it was decided that most of the issues were too complicated to deal with along with relocation policies. Only some relatively minor provisions were incorporated into S. 1681 as part C, section 10. Section 10 is similar to section 402 of the Housing and Urban Development Act of 1965 which deals with land acquisition policies administered under Department of Housing and Urban Development programs. These provisions are now applied to all Federal and Federally assisted programs. In the case of Federal development programs, section 10 calls for negotiated purchase of property whenever possible and a 90-day notice before owners and tenants must surrender property. In the case of Federally assisted programs, it requires that both of the above policies shall apply and also requires, in cases where agreement on prices has not been reached, immediate payment of 75 percent of the appraisal value of the property to the owner, with the balance deposited with the court.

III. EFFECT OF S. 1681 ON MASS TRANSIT RELOCATION PROGRAM

Section C concerning land acquisition policy already applies to the mass transit program. This was affected through the Housing and Urban Development Act of 1965. The other provisions concerning relocation payments and assistance would, however, liberalize relocation provisions of the mass transit act.

Presently the maximum relocation payments in the transit program are $200 (principally moving costs) for an individual or family. The new legislation would allow a $200 moving cost; a dislocation allowance up to $100; an additional $300 if the displaced person purchases a residence within a year; and an additional sum for closing costs. Also, an individual or family may elect to receive an administratively determined "fair and reasonable" sum rather than the relatively fixed sums just mentioned.

As to relocation assistance, the mass transit act requires an adequate relocation program and the provision of decent, safe, and sanitary dwellings for families only; individuals are not covered. Under S. 1681, individuals would also be covered and relocation services would be increased.

In the case of businesses, the $3,000 maximum authorized for terminated firms by the mass transit legislation would be changed by S. 1681. The businessman would have the choice of (1) reimbursement equal to the cost of moving personal property, or (2) a sum equal to his average annual net earnings or $5,000, whichever is less.

If a displaced business reestablishes, under the mass transit act a maximum of $3,000 is placed on the amount payable for loss of property, or moving expenses and loss of property combined. However, a firm may receive up to $25,000 for certified moving expenses only. No relocations assistance is provided. Under S. 1681, Federal reimbursement for authorized relocation expenses (to be administratively determined) could go to $25,000. Above $25,000, there would be Federal-State cost sharing according to the formula of mass transit programs (two-thirds Federal, one-third State). Relocation services would be extended not only to displaced businesses, but to businesses which have suffered economic injury as a result of the transit project. The Small Business Administration is also authorized to make loans on favorable terms to both displaced and economically injured businesses.

Thus, it can be seen that the relocation provisions of the Urban Mass Transportation Act would be substantially extended if S. 1681 were to become law. Up to now, there has not been any substantial construction of mass transit facilities with Federal aid which required relocation payments and assistance. However, San Francisco's new 75-mile rapid transit system will probably cause some dislocation of individuals and businesses, and it is receiving Federal aid. The Department of Housing and Urban Development has just announced approval of a $13,100,000 capital grant to the San Francisco Bay Area Rapid Transit District which included $328,000 in relocation funds. As of now, these funds would be administered under the relocation provisions of the Urban Mass Transportation Act of 1964.

UNITED NATIONS ON THRESHOLD OF DISASTER

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, it is becoming increasingly obvious that the United Nations is on the threshold of disaster. Like its predecessor, the League of Nations, the world organization is guilty of too many fundamental wrongs. The latest wrong represents a compromise with legal principles in the decision to impose economic sanctions against Rhodesia.

The decision by the U.N. to impose its will on a small independent nation reflects a flagrant violation of the very charter of that organization which is explicit against the interference in the internal affairs of a sovereign country.

As the smokescreen begins to lift from the Rhodesian situation, the U.N. emerges as a child who has been caught with his hand in the cookie jar. The U.N.'s role in a subtle and well organized propaganda attempt to declare Rhodesia a threat to world peace is too preposterous for its most ardent supporters to believe. And yet, with threats to world peace coming from the majority of the nations in Africa, one of the most stable governments in the world has been cited as a "threat to the peace." It has been said that if you tell a lie long enough, you will begin to believe it. The U.N. may convince itself in time that the Rhodesian decision was legally correct, but citizens from all nations who believe in honesty and fairplay can only be nauseated when the U.N. attempts to justify the sanctions on moral grounds.

Mr. Speaker, my office has been flooded with correspondence from irate citizens who are simply appalled, not only about the U.N. decision, but the willingness of our Government to support this exercise in hyprocrisy.

It is not difficult to determine why Great Britain sought the assistance of the U.N. to bring Rhodesia to its knees. The government of Prime Minister Wilson had no real choice but to turn to the U.N. after it failed to bully Rhodesia into giving up her independence. It would appear that with a minimum of statesmanship and diplomacy, Wilson's government could have negotiated a settlement with Rhodesia. However, Wilson thrust his failures in the lap of the U.N. and the result was to draw the U.N. into an operation of sheer folly.

The real irony of this deplorable situation is that the United States gave its full support to Wilson's move and the subsequent imposition of the economic sanctions. This support came at a time when it was evident that the British Government was prepared to back a deal by a British concern to sell a $28 million fertilizer plant to Communist Cuba, a sworn enemy of the United States. And of course the British Government continues, despite our protests, to trade with the Communist government of North Vietnam, which at this very moment is locked in a mortal struggle with this Nation.

How long must it be before our Government stands up for what is right? Must we always accept this hypocritical double standard? The voices of commonsense cry out for an end to this international doubledealing. No diplomat could possibly argue with a straight face that tiny Rhodesia is a threat to world peace, and yet Americans must stand by while economic sanctions are levied against a sovereign nation who supports our policy in Vietnam while the perpetrator of those sanctions, Great Britain, lends no support to our efforts in Vietnam, and actually trades with the enemy.

The implications of the Rhodesian situation are indeed grave and could have repercussions throughout the world. There are growing indications that Africa might well become the future battleground for the forces of the Western World and communism. The newly emerging nations of that continent have clearly indicated that a break with the West is an invitation to disaster. And disaster is imminent in Africa today. Governments in Africa topple almost daily as a result of the lack of stability so characteristic of Western governments. The Government of Rhodesia is pro-Western and it has demonstrated amazing economic and political stability. The loss of that Government to African reactionism could set off a chain reaction that would dwarf any failure in southeast Asia.

It is the duty of Congress to act in the best interests of this Nation and in the name of world peace. We must decide immediately to condemn the arbitrary and illegal sanctions imposed by the U.N. on Rhodesia. To this end, I am today introducing a resolution condemning the action by the U.N. against Rhodesia. The resolution is for fairplay and justice. It is not intended as a vendetta against the U.N. But, I feel that Congress can and must do its part to correct this inequity. To do less would be a compromise with the principles of justice.

INTERPARLIAMENTARY UNION

Mr. **PIRNIE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **PIRNIE**. Mr. Speaker, I take this time, at the direction of the President of the U.S. group of the Interparliamentary Union, Senator HERMAN TALMADGE, and as its vice president, to announce to my colleagues that the meeting for the election of officers for the U.S. group of the Interparliamentary Union for the 90th Congress will take place on Monday, January 16, 1967, in Senate reception room S–203, from 10 a.m., until noon; at which time other business will be transacted.

Mr. Speaker, I yield back the balance of my time.

NFFE TAKES STRONG STAND ON HATCH ACT

Mr. **NELSEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. **NELSEN**. Mr. Speaker, I wish to draw to the attention of my colleagues an article appearing in the December 1966, issue of the Federal Employee. It discusses the "grave concern" of the President of the 60,000-member National Federation of Federal Employees, Nathan T. Wolkomir, over growing political pressures on Federal civil servants for political campaign contributions and over other evidence of failure to observe both the spirit and letter of the Hatch Act.

As a member of the new Commission on Political Activity of Government Personnel, which is slated to reexamine the Hatch Act in forthcoming hearings, I would like the House to be advised of the NFFE's strong defense of the Hatch Act.

I include the article at this point in my remarks:

PRESIDENT WOLKOMIR'S STATEMENT—NFFE'S STRONG STAND ON HATCH ACT WINS NATIONAL ATTENTION

In a statement issued on behalf of the NFFE, President Nathan T. Wolkomir recently expressed our organization's "grave concern" about the growing pressures on career employees for all-out partisan participation in political campaigns and for heavy campaign contributions.

At the same time, he pointed out mounting evidence of violations of the letter or spirit, or both, of the Hatch Act by some AFL–CIO Federal employee union leaders.

The NFFE statement evoked widespread attention in leading news media. President Wolkomir's statement was widely published in print media and also was the subject of numerous TV and radio news broadcasts. In addition, President Wolkomir was interviewed on the subject by both TV and radio broadcasters, resulting in a broad public attention to this issue, so important to NFFE members and all career Federal employees.

In addition, President Wolkomir and members of the NFFE National Headquarters staff were interviewed at our headquarters by a staff representative in preparation for the in-depth study of the Hatch Act which is to be made by the newly-named commission authorized by the last session of Congress. This commission plans to hold hearings on the Hatch Act beginning in January and the NFFE will make a documented presentation.

In his public statement, President Wolkomir had warned that the commission "undoubtedly" would be put under severe pressure by some groups to recommend critical weaking or even outright repeal of the Hatch Act, which deals with the political activities permitted public employees. He asserted that "the NFFE will oppose with all the power and persuasion at its command any substantial weakening of this vital piece of legislation." He said that there were many indications of Hatch Act infringements in recent months and "More in this election than in almost any since enactment of the Hatch Political Activities Act back in 1939.

"We view recent developments in this area with very grave concern," President Wolkomir declared.

"Violations of the spirit or letter, or both, of the Hatch Act in recent months have been increasingly conspicuous and brazen.

"For example, at conventions of various AFL–CIO Federal employee unions there has been open and heavyhanded solicitation of political campaign funds for a specific candidate or candidates.

"In the Washington, D.C., area, the National President of an AFL–CIO Federal employee union has written a letter of virtual endorsement of a candidate for the House of Representatives, a letter which is being extensively reproduced and used in the hard-fought campaign.

"This open support was given despite the fact that the union is composed of members of all political parties and of none; that its members have given their union officer no mandate to commit the union to the fortunes of any particular candidate and that the union's Constitution emphasizes its nonpartisan character and specifically forbids partisan political activity by its officers. Moreover, it is understood that the President of that union is on leave from his Government job, raising a further question of possible Hatch Act violation.

"Furthermore, that union's Department of Defense Council of lodges has formally protested the National President's action and has called upon the Executive Council to repudiate his endorsement. But obviously, the damage already has been done. Other violations of the spirit or letter of the Hatch Act might be cited.

"In some Federal employee union quarters the goal seems to be to tread as close to the line as possible . . . to skirt the edges of violation . . . while in others even more flagrant flouting of the law and nose-thumbing of the Civil Service Commission seems to be finding growing favor.

"The hazards involved in all this should be understood by all career Federal employees.

"Most Federal employees were not in the service before passage of the Hatch Act. But the 50-year old NFFE has a long memory and we are acutely aware of the dangerous pitfalls which lie directly along the pathway which some unions now seem bent on taking their members.

"The Hatch Act was passed because of 100 years of accumulated abuses which had undermined the public service, corrupted it, and victimized its employees.

"Those who oppose the Hatch Act on the wholly specious ground that it makes so-called 'second class citizens' of career Federal employees would soon change their minds if the Hatch Act were repealed or weakened—which is the direction in which we now are trending.

"Federal employees were primary targets of partisan demands at every election. They were relentlessly strong-armed for campaign contributions with quotas for every employee, from the highest to the lowest on the civil service ladder. Few if any escaped. There were, moreover, demands—which had to be met or the job war forfeited—for partisan political errands in support of this or that candidate. You attended your man's rallies, you distributed his literature, you did his political chores, you ponied up for his campaign funds—or you felt the heat and your hold on your job was tenuous whether he won or lost . . . or if you failed to do what your man thought you should do to insure his election or his retention in office.

"The NFFE strongly supported passage of the Hatch Act—as we now oppose its weakening—because we felt that the conditions which it was designed to correct had no place in a career civil service system in a truly democratic society—one in which Federal employees were to serve all the people equally.

"If some Hatch Act restrictions need modification on the basis of experience they should be the subject of careful study by the new commission. But above all care must be taken not to destroy the protections afforded by the act under the guise of 'liberalizations' which in effect will bring a return to past evils.

"It should be noted, too, that Federal employees can exercise plenty of political muscle within the letter and spirit of the Hatch Act.

"Federal employee union members should know who their friends are in Congress and out, and to vote accordingly if they so desire. They can vote to keep their friends in office and they can help to vote out of office politicians who have no interest in a square deal for Federal employees.

"Moreover, unions of Federal employees have a right and indeed a duty to let their members know who are their friends and who are not their friends. But some misguided union leaders are playing directly into the hands of those who wish to take away from career employees the protections afforded by the Hatch Act.

"Career employees have duties and obligations to the whole people of this country. So do their unions. None of these unions has given its leaders the right to speak for them or to commit them politically. Legislation affecting Federal employees is acted upon by legislators of all political persuasions. Unions are made up of members of all political parties. A union leader who ranges his organization on the side of one candidate compromises that union with his opponents, and the difficulty is compounded when the union-endorsed candidate loses. Every member of that union stands to lose as well.

"All career Federal employees should consider these facts before falling for the siren song of unrestrained partisan politics.

"The Federal employee union leader who thinks he can play with this kind of fire and not burn himself and his members is indulging in the veriest kind of political naivete. He is not being 'practical' and 'pragmatic' but rather he is being used and he and his members will live to regret it.

"Playing around with Hatch Act violations, or near-violations, seems to be an exciting game to some bitten by Potomac fever. But the record clearly shows that in that direction lies deep trouble.

"If the present trend is unhalted it could result in radical emasculation of the Hatch Act. That would mean, without any question, a catastrophic setback for the career civil service system . . . and for every career Federal employee.

"It would quickly and inevitably lead to a return to the wholesale, devastating abuses of past years . . . abuses which brought insistent demands from Congress, from employees, and from the American people for effective remedial action.

"The warning signs are up and flying . . . and they are calling more urgently for attention at this election than at any in many years. Career Federal employees and their leaders will ignore these danger signals at their peril."

DEFEND ME FROM MY FRIENDS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, many years ago, a Frenchman, upon taking leave of Louis XIV, said:

> Defend me from my friends; I can defend myself from my enemies.

Today, America might say the same thing about President Charles de Gaulle. For a friend and ally whose very life as a nation was bought at a very dear cost in American lives during World War II, France under De Gaulle suffers from a case of amnesia. In Vietnam, in NATO, in the ebb and flow of U.S. gold, and in remarks to the rest of the world about U.S. policy, De Gaulle seems determined to build France up by tearing the United States down.

But if France has a short memory in respect to the close ties which have always bound our two countries, she also has a short memory about her own debts and obligations.

She seems to have forgotten her World War I debts to the United States in the amount of over $7 billion, and is in default on principal and interest payments in the amount of almost $5 billion.

Since World War II, the United States has granted France gross military and economic aid totalling over $9 billion.

In spite of these obligations, France, apparently intent upon undermining the U.S. dollar, has, since January 1962, withdrawn $2,866,900 in gold from the United States.

Therefore, I have today introduced once again, a House concurrent resolution declaring the sense of the Congress that the President should take such steps as may be necessary to require the Republic of France to make full and prompt settlement with respect to past-due amounts—including principal and interest—of its World War I indebtedness to the United States, and such other additional steps as may be necessary to assure full and timely settlement of future installments with regard to such indebtedness.

I hope that hearings on this resolution will be scheduled to put De Gaulle on notice that while his memory may be short, ours is not.

COMPULSORY MILITARY SERVICE READJUSTMENT ASSISTANCE ACT

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, during the last Congress a so-called Vietnam-era bill was considered in the Congress and approved by the other body. The bill proposed to provide war service veterans' benefits to all who have served in the Armed Forces since the Gulf of Tonkin incident on August 5, 1964.

Mr. Speaker, obviously, the Congress wishes to extend to Vietnam veterans those benefits which are not now available to them, the most important of which are: first, disability compensation at wartime rates under all circumstances; second, pensions for non-service-connected disabilities and deaths; third, burial allowance for expenses of burial; fourth, certain medical care benefits such as drugs and therapeutic devices; and fifth, automobile allowances for the seriously disabled veteran.

The bill approved in the other body in the 89th Congress would accomplish this but it was not satisfactory in every respect. Under the bill, benefits would have been extended to veterans who have served since August 5, 1964, the day of the Gulf of Tonkin incident. Unfortunately, this date excludes many veterans who served in the Armed Forces of the United States during periods of crisis and conflict. The exclusion comes about by reason of the fact that they may not have served or have had sufficient service between dates used to delimit only the major conflicts over the past quarter of a century.

I think we must do better than has been done, heretofore, in establishing criteria for providing veterans those benefits earned by their service. The limitation of the criteria used in the Vietnam era bill of last year is evident when it is realized that casualties in the Vietnam struggle go back well beyond the date of the Gulf of Tonkin incident.

Well over 100 deaths by hostile acts were recorded in Vietnam prior to the Gulf of Tonkin date. The Armed Forces Expeditionary Medal is granted to all those who have served in the Army in Vietnam from July 1, 1958, to the present.

Actually, since the official ending of the Korean conflict, hostile acts have occurred in places such as Berlin, Lebanon, Quemoy and Matsu Islands, Taiwan Strait, Congo, Laos, Cuba, the Dominican Republic, and Thailand. More than 10 periods of service have been designated as campaign or expeditionary service since the official ending of the Korean conflict.

Because of this, the bill which I introduce today to provide war service benefits to veterans not presently eligible, provides that such benefits will be granted to all veterans who serve during periods of compulsory military service. My bill would establish the eligibility of veterans for war service benefits who have served 90 days or more since the advent of compulsory military service in the United States and who are not presently eligible for such benefits under present law. My bill proposes extending war service benefits to all who shall serve in the Armed Forces during periods of compulsory military service.

Mr. Speaker, much is said of the inequities of the military draft. We must insure that service under a compulsory military service law shall be as equitable as may be possible. However, a basic inequity will persist so long as a minority of Americans must serve the Nation under a compulsory military service law. For this reason the Congress must provide readjustment benefits to those who served during periods covered by such a law and in this way provide recompense in part for those relatively few Americans who share the honor of manning our defenses.

The extension of war service benefits to all who have served during periods of compulsory military service and are not eligible under present law would provide benefits for millions of veterans.

I urge my colleagues to support this bill. Military service is an honor and a duty. Those who are required to perform that duty during periods of crisis and conflict are entitled to receive those readjustment benefits that this Nation has approved as a partial recompense for the service that a few have performed for the many.

STATEMENT INTRODUCING VFW PENSION BILL

Mr. DORN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, during the closing days of the 89th Congress a pension bill increasing benefits for 1.9 million veterans, widows, and children was approved by the House but, unfortunately, failed of consideration in the other body.

This failure to act must be corrected as early as possible in the current session and to this end, I am today introducing a pension bill providing cost-of-living increases for veterans, veterans with dependents, widows, widows with children, and children who are presently receiving a pension under Public Law 86–211.

The bill provides improvements which will result in increased payments apart from the cost-of-living increases provided in the bill. These changes are designed to provide needed increases in pensions for widows and widows with children. My bill also provides payment of $50 additional per month for widows who are in need of aid and attendance. It also provides that every veteran will be judged to have permanent and total disability for pension purposes at age 65.

The bill provides a needed monthly rate increase for Spanish-American War widows who number approximately 56,000 and whose average age is 84 years.

A major improvement in the pension system is provided by $200 increases in the income limitations which govern the amount of pensions paid to veterans and other eligibles. The increases in income limitations will be required to compensate for social security increases proposed for consideration by the present Congress. Failure to raise income limitations mitigates against VA pensioners when social security increases are made.

I hope that my colleagues here in the House will act with dispatch to pass this pension bill, which is essentially the same as that approved in the House several months ago, and that the other body will see fit to approve the measure without delay.

Increases in cost-of-living payments are imperative to improve the precarious situation facing many veterans and their widows and children. I am sure my colleagues here in the House appreciate that pensions which are to be increased by this bill are at a mere subsistence level and it is, therefore, vital that the cost-of-living increases provided under the bill be made effective at the earliest possible date.

I recommend this pension bill and urge quick and favorable action.

THE LATE RABBI MORRIS TELLER

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is my sad duty to announce to the House the death on November 26, 1966, of Rabbi Morris Teller, who served as Chaplain of the House of Representatives of the Congress of the United States on Monday, August 9, 1954, and who from 1933 to 1957 was the spiritual leader of the South Side Hebrew Congregation, 7359 Chappel Avenue, Chicago, in the district I have the honor to represent.

Rabbi Teller was one of my dearest friends. He was the gentlest of men and his human understanding was limitless. He was a master of the written and the spoken word. His passing is a blow to Chicago and especially the South Side community to which he contributed so vastly from his wealth of spiritual values.

Mr. Speaker, on this the opening week of the 90th Congress I am extending my remarks to include the prayer offered in this Chamber on August 9, 1954, by Rabbi Morris Teller, as follows:

> Our Heavenly Father, in these soul-stirring times we need Thy guidance and Thy blessing. Serious is the challenge that freedom-loving America faces. We seek peace but we must muster all available forces to safeguard life and liberty from possible onslaughts of godless, ruthless, unprincipled aggressors. We must develop superior military might and diplomatic dexterity. But we must also be filled with Thy holy spirit. To win friends among wavering nations and to influence those that are on our side to continue to side with us we must manifest by our own righteous conduct the superiority of the American way of thinking and living.
>
> Bless Thou our glorious land, our leaders and representatives. Endow them with insight and foresight, religious faith, and moral fortitude. May America under God remain a citadel of freedom and a watchtower from which rays of light and hope shall be beamed to those who are now living in darkness and despair.
>
> Hasten the day when the millennial hope of universal, lasting peace will prevail throughout the world with justice and freedom for all people. Amen.

Rabbi Teller, born in Philadelphia, was graduated from the University of Pennsylvania and the Jewish Theological Seminary. He also did postgraduate work at the University of Chicago's Divinity School.

Before going to the South Side Hebrew Congregation he was a rabbi in Tulsa, Okla., and a B'Nai Bezelel in Chicago.

In 1954 he was chosen to open Congress with a prayer. In 1956 he received the Golden Age Hall of Fame citation from the Jewish Community Center of Chicago.

Rabbi Teller was former president of the Allied Jewish School Board, the Chicago Rabbinical Association, the Chicago Region Rabbinical Assembly of America, and the South Shore Ministerial Association.

He was a member of Zionist Organizations of America, B'nai B'rith, the South Shore Commission, and the Masons.

He leaves his widow, Nellie, and a son, Sheldon.

BIRTHDAY SALUTATION TO REPUBLIC OF CHAD

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to revise and extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the African Subcommittee of the Committee on Foreign Affairs, I take pleasure once again in extending good wishes to the people of the Republic of Chad who celebrate their independence day on January 11.

Chad is one of the former French territories which since becoming independent in 1960 have bravely struggled against extreme economic and social difficulties. While still dependent upon assistance from France and the European Economic Community, many of these countries have exercised responsible leadership on the international scene, including playing an active and constructive role in the United Nations. The United States welcomes the friendship of these nations and appreciates the support and understanding they have given our policies. We on our part are aiding them in their courageous efforts toward development.

On the occasion of Chad's anniversary celebration let us express our admiration for the millions of people throughout Africa who are demonstrating, with their daily hard work, how much their independence means to them. We wish them peaceful progress toward a happy and prosperous life.

On behalf of the Congress of the United States, I extend good wishes to President Francois Tombalbaye, of Chad, and warm personal greetings to Chad's Ambassador to the United States, His Excellency Boukar Abdoul.

THE PRESIDENT'S MESSAGE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the President is to be commended on the forceful state of the Union address he delivered last night. I know all Members and indeed, all Americans applaud his determination that the American people shall not be found wanting at this crucial point in the history of our Nation and the world.

The President last evening pointed the way for us in this Congress. He has told us of his resolve that we shall meet our commitments at home and abroad. I believe that this is also a resolve that most Americans share.

As the President recommends, there are programs to be improved and strengthened. This I trust will be done. There are new suggestions, ideas and policies to be debated and discussed. I am confident this will be done.

The President has set before us a challenging program. It is a program I believe the American people want and need. The Congress should endorse and support his efforts to improve the poverty program, to increase social security benefits and improve the social security program, to continue the effort we have made to control air pollution, to bring about election reform, and to continue our attack on crime. I am sure the Congress will meet its responsibility in giving the most careful and urgent attention to the President's proposal for a temporary surcharge on corporate and individual income taxes to better enable us to properly meet the needs of our people at home while carrying on our great burden in Vietnam.

Mr. Speaker, I congratulate the President on his great message. I hope the House of Representatives will act quickly on these proposals so vital to the American people.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. ARENDS. I wonder if the majority leader can tell us about the program for the balance of this week, if he has anything in mind or if we are going to meet tomorrow and adjourn over or whatever the situation may be.

Mr. ALBERT. So far as I know that is the situation; it is planned to meet only for the purpose of adjourning over to meet on Monday.

Mr. ARENDS. I thank the gentleman from Oklahoma.

SAN FELIPE DIVISION, CENTRAL VALLEY PROJECT

Mr. **GUBSER.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **GUBSER.** Mr. Speaker, yesterday I introduced legislation to authorize Federal construction of San Felipe division of the Central Valley project. I have been joined in sponsoring this project by three of my California colleagues, the Honorable B. F. SISK, the Honorable DON EDWARDS, and the Honorable BURT TALCOTT.

This proposed division has had long and careful study by the Federal Bureau of Reclamation under the authority of a bill sponsored by our late colleague, the Honorable Clair Engle and me. Cost of the study has been shared equally by the Federal Government and a local public agency. It has been cleared by all levels of government including the White House and the Budget Bureau.

When completed the project will feature a 10.3-mile tunnel which will take water from the San Luis Dam and divert it across a part of the coastal range to four counties of central California. Approximately 2 miles of the tunnel have already been completed under authorization of the San Luis project since it would have been virtually impossible to construct the inlet and first reaches of the tunnel once the San Luis Dam was filled.

In introducing this bill we recognize that the legislation does not in its present form address itself to the difficult problem of how to apply the acreage limitation provisions of reclamation law to this project where much of the project water is to be percolated underground and comingled with non-Federal ground water resources. We believe the matter should be fully considered by the Interior and Insular Affairs Committee in the course of its hearings. Some guideline for the application of excess lands provisions to the unique physical situation of the San Felipe division should be developed and provided the Department of the Interior, and the committee under the able leadership of the gentleman from Colorado, Chairman WAYNE ASPINALL, is best qualified to develop it.

MILWAUKEE JEWISH CONFERENCE ON SOVIET JEWRY

Mr. **LAIRD.** Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **LAIRD.** Mr. Speaker, on December 11, 1966, in Milwaukee, Wis., the Milwaukee Conference on Soviet Jewry held a mass protest rally to express their strong protest against the discriminations leveled at the Jewish community of the Soviet Union. A resolution was unanimously approved calling upon our Government to exert its effort and influence to bring about an amelioration of the plight of Soviet Jewry.

Under unanimous consent, I include the resolution in the RECORD at this point.

The full text of the resolution follows:

RESOLUTION OF THE MILWAUKEE JEWISH CONFERENCE ON SOVIET JEWRY MASS PROTEST RALLY, DECEMBER 11, 1966, MILWAUKEE, WIS.

Whereas, three million Jews in the U.S.S.R. are threatened with spiritual and cultural extinction because of the denial of their rights to develop a religious, cultural and community life; and

Whereas, there has been an official use of anti-Semitism to scapegoat Jews for the social and economic ills of the U.S.S.R.; and

Whereas, it has been the policy of the U.S.S.R. to refuse to allow the reunification of Jewish families torn by the Nazi holocaust; and

Whereas, Jews have been denied equality with citizens of other religions and nationalities in the U.S.S.R.; Now, therefore,

Be it Resolved: That we, the representatives of the Milwaukee Jewish Community, assembled here today, call upon the government of the United States to urge the government of the U.S.S.R. to permit fully the free exercise of religion and the pursuit of culture by Jews, and all others, within its borders.

AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT

Mr. **DUNCAN.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **CURTIS.** Mr. Speaker, I am today reintroducing two bills, one of general application and the other a private bill dealing with our immigration laws. Both of these proposals act in the field of the waiver of the 2-year foreign residence requirement for those who are in this country as exchange visitors.

I agree with the basic philosophy of our exchange program; namely, that visitors who come to this country as exchange students are here to learn a skill which they can take back to their home country for the use of that country and its people. I believe it would undermine this important program if we were to be too liberal in allowing those who have come to this country to remain here and thus to deprive their native countries of their talents. Nevertheless, this should not be an inflexible rule and, indeed, some exceptions to it have been developed. There are exceptions in two specific areas, one where the 2-year foreign residence would create an extreme hardship on a citizen of this country or an alien here on a permanent resident visa and the second is in the case in which some governmental agency will sponsor the specific individual because of their need of him in the agency's work.

What I am suggesting today in my general law is that a further area of exception be recognized. Basically it would permit those who have come to this country as exchange visitors to remain here without having to reside in a foreign country for 2 years when, due to a change in their home country, it would be dangerous or impossible for them to return. Perhaps the best example of this would be in the case of an exchange student in this country from Cuba at the time of the rise of Castro to power in that country. To order one outspokenly anti-Communist to return home in such a circumstance might mean his death. As the law presently reads it does not require that the exchange visitor return to his native country for this 2 years of foreign residence. It permits him to go to any other cooperating country in the program. The theory of the exchange program is to permit the native country to benefit by the training given one of its citizens. I do not believe that it would be harmful to our program of exchange education if we were to say that when the person cannot return to his native country he will not be forced to go to some third country where he has no roots simply because we feel that our exchange program is better served by helping his native land. When these visitors cannot return to the country of which they are citizens and their skills can be used in this country, I see no reason why we could not retain them in the United States to benefit by the training which they have had.

DR. LEO HSUEH

Mr. **DUNCAN.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **CURTIS.** Mr. Speaker, the second bill I am reintroducing is one which fits into the general principle of my proposal to amend the present Immigration and Nationality Act regarding the waiver of the 2-year foreign residence requirement in certain hardship cases such as that of Dr. Leo Hsueh.

Dr. Hsueh is a native of China, who fled from the Chinese mainland at the time of the Communist takeover of that country. Since that time, Dr. Hsueh has been traveling throughout the world—with roots in no land. He came to this country on an exchange program from West Germany. He has no country to which he could return. This is one example in which I believe the general policy which I have mentioned previously today could well be applicable. There are others and I have sponsored private legislation for a number of these individuals. However, I believe that it would be wiser to make a general exception in this area and leave determination in the individual cases to the proper administering authorities.

GOV. CHRISTIAN A. HERTER, FIRST SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

Mr. **DUNCAN.** Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, his absolute integrity and insistence on scholarship, regardless of its outcome or whom it affected, were among the qualities Gov. Christian A. Herter brought to his post as the first special representative for trade negotiations of the President of the United States. When Governor Herter died on December 30, 1966, the Nation lost one of its leading statesmen.

I was privileged to work closely with Governor Herter in my role as congressional delegate for trade negotiations during his tenure as a member of the House of Representatives and as Secretary of State. His contribution in his last appointment was, I believe, perhaps his greatest. His full recognition of the need for an independent trade adviser to the President was complimented by the evolution under his guidance of a new structure of decisionmaking in the trade area, one that utilized the knowledge of American business and labor and will remain as a pattern for the future sound conduct of international economic policy in a world ever more closely interconnected. His capabilities were equal to the demanding task of representing the United States in the extremely difficult and controversial Kennedy round trade negotiations at Geneva, a task which was a considerable personal sacrifice but which he felt he must complete.

Governor Herter represented at its best enlightened, responsible Republican internationalism. His careful use of the substantial powers delegated to him, his steady guidance and statesmanship will be severely missed by the U.S. delegation for trade negotiations in this historymaking year in the U.S. reciprocal trade program.

THE POLITICAL ECONOMICS OF 1967

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, in view of current interest regarding the economic health of the Nation at the present time, I believe the following address by Dr. Pierre A. Rinfret, chairman of the board of directors and head of the economics division of the Lionel D. Edie & Co., Inc., is informative and therefore include it in the RECORD at this point:

THE POLITICAL ECONOMICS OF 1967

(By Dr. Pierre A. Rinfret, chairman of the board of directors and head of the economics division, Lionel D. Edie & Co., Inc., November 1, 1966, Los Angeles, Calif.)

Gentlemen: The year 1966—the balance of this year—and the year 1967 will be more shaped by political and military considerations than by economic considerations. The trend of business, the direction of business, the level of business will be shaped more significantly by political desires and by military desires than by pure economic desires. This is one of the reasons I am going to spend some time on what you might call political economics because I think the message is coming through loud and clear about what is happening in this country. I will say this to you in advance. Economic decision in 1967 will be superseded by political decisions. All economic decisions will be secondary to political motivation. This includes the elections this November and, if you might begin to think of it, the elections of the year 1968. Political considerations will dominate over economic considerations.

Today, the Federal Government is acting from three to six months behind the economic facts in the economic moves it makes. I call this the "Reierson Syndrome" after economist Roy Reierson. It is a simple concept which says that the Federal Government will act only after the facts. It reminds me of a simple parallel. The Government is driving a car down the road of the economy watching its rear view mirror, which is the unemployment spectre, rather than looking ahead to the road of inflation which is developing. It is more concerned about what is behind it than it is with what is in front of it. The Reierson Syndrome is not only true of the United States but, much more important, it is true in the United Kingdom today and, rather surprisingly, is becoming significantly true in the country of Germany. And you have the politicians acting after the facts—and after quite a bit of time has passed, rather than in advance. You might say it this way. The enthusiasm for stimulating an expansion is not matched by a willingness to restrain an expansion. We see enthusiasm to stimulate; reluctance to restrain. And I think this is critical.

And this brings me to several basic points. Every day the Federal Government is a more important factor in our daily lives and because of the fact that from a dollar standpoint it gets bigger and bigger and because we are able to see every day of the week that what it does has meaning to us not only as a nation but as individuals, there has been a natural turning toward Washington for economic forecasts. And more and more people look to the Federal Government to say what they think is going to happen in the American economy. I don't know if you realize it but two months ago Mr. Johnson took a very straightforward position on the 1967 economy. He said one fact—that Gross National Product in 1967 will be up $50 billion over 1966. Now in my book if you are talking $740 to $790 that's a 7% increase in the American economy which the President decided last July. This forecast was not made on the basis of economic facts. It was in reality a statement of political position. One of the founders of our company used to tell me "You know, Pierre, no one cries 'rotten fish' on Friday. No one cries anything except expansion prior to an election." And the best example of this, as you may remember, was in the Fall of 1960, when Mr. Nixon was running for Presidency of the United States. In October unemployment in the United States went up 400,000 actual. And Mr. Nixon at that time was asked if the United States was going into a recession and he said "of course not. The United States is in a period of dynamic expansion." There was one little flaw in that. The recession had started in March, 1960, and here he was talking about a recession that wasn't going to come, and in fact, a country that was continuing to expand. What I am saying to you is this: All economic statements by the Administration at this time are statements largely influenced by political belief and not statements of economic analysis.

Now, this brings me to a key subject—not the only one but a critical one. What is the outlook for capital investment in the United States. I've had a lot of fun in the last three or four weeks of dodging, if you will, arrows, barbs, bullets, you name it, on the subject of capital investment in the United States. As you may know, every September now for fourteen years we've gone out and asked a broad sample of American industry "How much are you going to spend on capital expenditures next year?" We ask them "How much will you spend on capital expenditures next year in the United States and how much will you spend on capital expenditures abroad?" This is the first survey of capital spending and covers roughly 55% of all the dollars actually spent by industry in the United States. We think this is a good sample from a statistical point of view. There has been a lot of talk all over this country by some eminent economists that our survey covers only our clients. Now I'd like to rejoin to that. First of all, that would be a good sample. But, second of all, it is not true. We don't cover only our clients. In fact, you may be amused to know that the companies we have the hardest time getting answers from are our clients. We cover a broad spectrum of American industry. Third of all, this survey is not a forecast. We are reporting to you what industry says to us. Now, if industry is lying, the figures are going to be wrong. But industry doesn't lie. Industry does change its mind. And you know, after all, if economists can change their minds, industry can, too.

Our survey is the first available survey of capital spending in the United States. It's got fifteen months built into it. McGraw-Hill is thirteen months in advance. The American Government does its survey in March for the next nine months and then wonders why they get better results than private industry which does their surveys months earlier. Well, why am I bringing this all out? I am bringing this out to face up to a very simple fact that many people looked at our results for 1967 and either disbelieved them or, if they didn't disbelieve them, immediately began to cast doubt on the validity of the survey. Why are they upset? They are upset for one reason. Capital investment in 1967 according to the results of the survey will be up 3%. In 1966 capital spending was up 17%; in 1965 capital spending was up 15%. Is 3% going to be right? Is it going to be 4% or 5% or 6% or 2%? It could be. Does the survey give you an exact number? No. And anybody that's ever heard me talk over the past six years knows that I've taken that position consistently. What does the survey say? The survey says one critical fact. The boom in capital spending is over. It is finished. Big increases are no longer in the works. It also says it will be very hard for American industry to raise capital investment beyond the first quarter of 1967. If you take a 3% increase over this year's figure of $61 billion—3% would give you $63 billion for next year and the first quarter of 1967 will be $64½ billion. So either you are going down by quarters in 1967 or, as a minimum, you will stabilize. And this means the boom is over. And I think this is critical. It is not realized in the United States that in fact the last four years have been carried by the capital expenditure sector. Let me make one point to you. You take the Index of Industrial Production for capital goods. You take it in 1961 in mid-year. It was 110. In the middle of 1966 it was 185, a seventy-five percentage point expansion from 1961 to 1966 in five years. Seventy-five per cent in the production of capital goods in five years.

Now you've got to admit that's pretty good. Consumer goods in the same period went from 110 to 145—a thirty-five percentage point expansion. What has not been realized is that the American boom since 1961 has been primarily the result of a boom in capital investment. And in particular the last two years have hinged on this critical area. And I am very simple-minded. If the boom in capital investment is over, the implication is clear that the resounding boom for the entire American economy in fact is over. The rate of growth is going to slow down. The acceleration is coming to a close. We are entering a stabilization period in this key area. Now one of the interesting things about this is that this is not only true for the United States but is also true for Europe, particularly the United Kingdom and Germany. I will let you read the implications into the money market situation. If investment is dropping in the three critical industrial countries simultaneously, I think what it means for the money markets is obvious. But it means something else. Here's what's interesting about the United Kingdom. They've got a Reierson Syndrome which is unbelievable.

Here's what the "Economist" says about the Reierson Syndrome for the United Kingdom. "The real tragedy is that the downturn seems to be concentrated most heavily on the capital investment that the country needs the most. This is an exercise in debilitation, not in economic restraint." And on Germany the "Economist" says the latest surveys in Germany raise the question whether the trend toward slightly greater toughness in Germany's fiscal policy may not be about to take effect at the wrong time. The United Kingdom squeezed after the fact, Germany squeezed after the fact, and I will take a wager that there is a high likelihood that the United States will impose a tax increase in 1967 to stop the boom of 1966. And I'm dead serious. And if they do, if we get a tax increase in 1967, I will take wagers from you that it will come right out of capital investment and, in fact, it will squeeze the economy with a vengeance and I would, in fact, lower our own economic sights on 1967 if there is a corporate tax increase. It is interesting that no one talks about stopping consumption. Oh no! You stop investment. After all, you get more productivity out of consumption. You don't get anything out of investment. (Quote end quote.)

And we will, in fact, take it right out of investment and we won't take it out of consumption. And if that's what happens, I take a very simple position. A tax increase in 1967 would turn us more bearish on the economy of 1967. What are some of the reasons that they're talking about a tax increase now? Why did the Undersecretary of the Treasury last night allude to the fact that we may need a tax increase. You may be interested in some of the ideas that are circulating these days. They are rather intriguing. One: Raise taxes now so you can lower them just as much in the Fall of 1967 as you move into the 1968 election campaign. Two: If you raise them now, you have greater leeway at a later date to raise government spending. So what I'm saying to you, and I'm not being vicious or sarcastic, I'm saying the economics are being subverted to political considerations.

Now, let's go to another important area. Let's talk about the critical area which as no one knows much about including the Secretary of Defense, namely, the subject of government spending for defense. This is a fascinating subject. You know, they think economists are bad forecasters. I want to tell you we'll stand up to anybody in the Department of Defense. There are two combatants in the United States right now. There is the Secretary of Defense and then there is a Senator called Stennis. And Senator Stennis doesn't like Secretary of Defense MacNamara, to say the least. Senator Stennis last September said defense spending in 1966 calendar year would be up $10 billion. And, after all, the Secretary of Defense is a computer man and he knew better. He said it would be up $2 billion. Now you know who was right. The politican was right and the Secretary of Defense was wrong. You may remember we had a joke. We said what does an economist do when the Senator who was in charge of the appropriations says plus $10 billion, the Secretary said plus two—ten and two are twelve, you divide by two, defense is going up $6 billion. So the fact of the matter is, of course, it actually will have gone up $10 billion this year. The Secretary of Defense now says the Vietnamese spending, in fact, will not rise as rapidly in the future as it has in the past.

Well, I believe in following the track record. If we may be permitted a plug—you know, if you find a good investment counsel you stick with him. If he isn't any good, you know what do so with him. If you find a good forecaster for defense, you stick with him. The Senator is the best defense forecaster in the United States. And he says defense is going up to $10 to $12 billion. He says we'll put 500,000 troops in Vietnam by mid '67; 600,000 troops by the end of 1967. And, incidentally, he said there are not 328,000 troops in Vietnam right now. There are 380,000. And you ask where's the difference? Secretary of Defense says 328,000; Senator Stennis says 380,000. The answer is that the Senator includes 60,000 troops in the Navy and you have to admit if you're in the Navy you want to be included. At least you think you're part of the action! So I believe the Senator. And I'm going to ride with the Senator and that's my war assumption. But not only is defense spending going up. While the Federal Government is calling for restraints in all sectors it, of course, heroically marches on to increase Federal spending for essential and non-essential programs.

Did you know that Mrs. Johnson's beautification program costs us $100 million a year for shrubbery? You ought to go in the gardening business—I mean this seriously. We are spending at the annual rate—Federal spending for defense in the GNP accounts this year will be up $10 billion; non-defense will be up $4 billion in the Government; and, of course, the State and local will be up approximately $6 billion. That's a small increase of $20 billion in government spending. In 1967 it will probably be something like $12 billion, $6 billion and $6 billion which will give you something, if my numbers are right, of about $24 billion more. That is in my government spending forecast. This leaves us with two offsetting sectors. You have government spending like crazy and you have private capital investments stabilizing to possibly going down.

And let's look at the other areas of capital investment. I won't get into a long tirade on what's going on in housing but I'll merely say one thing to you. If you think housing has gone down, you ain't seen nothing yet! We think that the rate of housing starts which is currently running around 1,075,000 will between now and next July at some month get down to as low as a 600,000 to 700,000 annual rate. Who's got any money for mortgages these days? You name me an insurance company that is committing big money in the private home building market. The same is true of savings and loan companies. This means that the basic source of money to the mortgage market is, in fact, drying up. And housing will cool down with it and so will the demand for consumer durable goods. What's a house? You know, I tease my wife. A house is a nagging wife and two screaming kids. But a house is many other things. A house to an economist is not four walls. It's four walls, heating, air conditioning, a refrigerator, a dish washer, a washing machine, an oven and a stove. A house is four or more appliances. And when you pull down housing you pull down behind it the demand for consumer durable goods. And the worst in housing is not yet finished and it will bring down the demand for appliances which is a critical sector of the American economy. Construction peaked out in March of this year; it's going down and it's pulling down one sector after another. It's interesting. Housing goes down, construction goes down, the demand for construction equipment goes down. You get a chain reaction.

You are seeing a rather interesting phenomenon in the American economy today. You are seeing the civilian side progressively weakened while government spending is increased. And it's rather surprising how true that is. Let me read you some very simple numbers and they tell the story beautifully. In the first quarter of 1966, the Gross National Product went up $17 billion. Government spending accounted for $3.8 billion. So of the increase in the total economy, 23% of the increase came from the government. In the third quarter of 1966, the Gross National Product increased approximately $13.7 billion—the government accounted for $6.3 billion, or 46% of the increase. Put it simply—first quarter of the year the government accounted for a quarter of the increase. The third quarter of the year, a half. And this shows you progressively how, in fact, the civilian sector is contributing less and less and less to the economic expansion under way. And if you look at your Lead Indicators, you'll be surprised to find out that about 75% of them have either been turning down for five to six months or are now beginning to turn. So the civilian sector is weakening.

And this brings me to the consumer and this is the area that, of course, as you well know, I've had a lot of fun with this in the past. I call it the "God Bless Them" area because they have never done the wrong thing. The American consumer really is the hero of economic performance in the last twenty years. In 1954 when everybody was bearish, he turned bullish. In 1958 he was bullish. He has led the American economy out of every recession. Today the consumer tells us he is worried. If you look, there is an Index of Consumer Sentiment which is put out by the University of Michigan and this Index of Consumer Sentiment is very valuable. It is very accurate. The Index of Consumer Sentiment went down in 1953, it went down in 1957, and it went down in 1960. It has preceded every post war economic downturn in the United States. The Index of Consumer Sentiment reached a peak in August, 1965, and is now 12% below where it was in August, 1965. The consumer has turned bearish. What is he bearish on? Is he bearish on total spending? No. He always spends 95% of his income. I'm told that half of all marriages are women and you know they like to spend money. But the consumer doesn't spend money on consumer durable goods if he's bearish.

You know, everybody says automobiles are down because of safety. My answer is who puts on a seat belt? And I'm dead serious. If you look at the decline in the Index of Consumer Sentiment since last August you will get a line paralleling the decline in automobile buying. And this is where it is hitting. And now you see what I'm driving at. In business capital investment, you will have stabilization to down. In the consumer durable goods sector which is another major critical area the consumer has turned bearish. He is not increasing his spending—certainly not with his income—and I think the chances are it will go down. And you have as the main prop under the American economy today government spending and government spending only. If you look at the Lead Indicators, they are weakening. If you look at construction, it is going down. Housing is one of our key lead barometers. It's going down. And you have a rather paradoxical situation, therefore, that the American economy in 1967, in fact, will be shaped by politics and military considerations and not by what the civilian sector is doing.

This means two things to me. First, it means if government spending goes up more than we are talking about, we're going to be wrong in our economic position. If they don't spend $12 billion more for defense but spend fifteen or twenty, then there's going to be a bigger prop under the economy and our position will be wrong—no two ways about it. Now that's a hedge I can drive a truck through and I am doing it on purpose. But if they don't raise government spending this much the American economy, in fact, will soften that much quicker. So when you look at the American economy in 1967, we take a very simple position. The expansion in the major national accounts, the Gross National Product, the Index of Industrial Production will continue without interruption through the first quarter of 1967. It will begin to stabilize in the second quarter and we will turn down in the third and fourth quarters of the year. We think the GNP accounts will, in fact, stabilize in the second, third and fourth quarters, that they will grow approximately 4–5% of which a minimum of 3% will be prices; that the Index of Industrial Production between the two years will be approximately equal but will turn down in the second half of the year and we will go from a peak rate of around 162 on the Index down to around 152/154 by the fourth quarter of the year.

In other words, what we're saying is that we, in fact, think the American economy is close to a peak and that that peak will come in the first or second quarters and production will begin a decline in the latter half of the year. Do we think it is going to be a severe downturn? No. Do we think it will be as mild as 1960/61? Will it be like 1957/58? No. It will be between the two. It will be enough to be noticed and enough to be noticeable. It, in fact, will be a paradoxical downturn. One of the things that concerns us the most is that we are likely to have a recession with inflation continuing. And we think the odds on that are extremely high. I think there is one thing about the American economy of 1967, and those of you who know Edie & Company and know me, know that we've never hesitated to be bullish. Well, I think candidly the key word for the year 1967 on the economic performance is caution. Caution and care. I think there are ten major uncertainties developing in the United States. And I think they are critical. First is the uncertainty of war because I don't think even Senator Stennis really knows what's going to happen. Nobody does. It could escalate. It could de-escalate. No one knows. But it is a major uncertainty and that uncertainty of war will have a powerful impact on our economy. There is the question of continuing inflation of 3–4% a year with a downturn. And I think this is what we are going to get. Third, there is the question of wage increases of at least 6% per year in major contracts for the next three years. I am willing to take bets on that one. American labor stood too long while profits increased 45% in the past three years. Fourth, there is the question of the settlement of the war. What will the American economy do if Vietnam, in fact, is very quickly settled. I think the answer is very simple. It will come down very fast. In fact, the economy will go into a downturn much earlier. There is a continuing question of the balance of payments deficit. Have you read that the third quarter balance of payments is in very good shape? I am not going to argue about the numbers. I will just say what my French friends say that there are many ways to calculate the balance of payments. We have a new note in the United States. I don't know if you are familiar with this. A 366 day government note to foreign borrowers which now makes it long term investment because it's one day longer than short term. I think there is pressure on capitalism as you and I know it and I am dead serious about this. I think in the year 1967 one of the key facts may be the abandonment of capitalism for higher taxes for more government spending and to settling wages by forcing industry to give in. I think the G.E. situation is extremely symbolic and I think profits are going to be the scapegoat.

Seven, we are facing the rather peculiar paradox of simultaneous softening of demand for heavy industry all over the world in the key industrial countries. How far the downturn in the U.K. is going to go is a very moot question. If you don't think it's going to affect us, just watch our exports. Eight, there will remain, nevertheless, a continuing shortage of money and funds. The heyday of easy money is over. You know, I asked my banker friends a simple question. What have you got to sell next? And you have got to admit the portfolios are not bulging with assets to sell these days. Nine, a softening in the consumer demand for durable goods. Not in total spending but in the hard goods area. And tenth, the development of European socialism. This means more and more government, higher and higher wages, higher and higher prices and consistently declining profits and profit margins. I think candidly these are the rather startling and perhaps surprising ten major uncertainties we are facing for which there are really no clear-cut answers. This is why I say to you that I think the United States, in fact, is facing a very substantial period of uncertainty.

Now, let me end it with a, if you will, philosophical note. You know and I know that in the last twenty years the biggest mistake that you could make was to sell the American economy short. You may have heard me kid and say "don't ever sell the dollar short, either." The American economy may temporarily weaken in the short run and turn down and be very disappointing as in 1957/58. A rather severe cut in the economy worried a lot of people; came back in '59; went down in '60 and we then went into a major expansion wave. I think we are in for a short down cycle. How long it will last I don't claim we know. Maybe a good guess is nine months—I don't know. I do know this: that if one realizes that in 1968 there'll be Presidential elections, I suggest to you that the stimuli provided the American economy in the Fall of 1967 will be shocking. You probably will not get the 7% tax credit renewed. It will probably be 15% and I'm dead serious. If it takes a tax cut to revitalize, there will be a tax cut. If it takes more government spending, there will be more government spending. Whether a downturn or not can be avoided I think is a moot question. If there is a tax increase, there will be a downturn, and if there is a downtown as sure as "b" follows "a" there will be stimuli provided to the American economy to expand once again. And this reminds me of a thing that I'm very proud of. I have a sailboat which I call "Endymion". Now you don't know where the phrase "Endymion" comes from because I looked it up and you haven't recently. It comes from a poem by a man named John Keats who wrote the poem called "Endymion". The first line is what I think the American economy basically and fundamentally is ultimately, namely, "a thing of beauty is a joy forever."

I thank you very much.

ECONOMISTS LOOK AT SOCIAL SECURITY

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, an excellent article was carried in the Wall Street Journal of December 20, 1966, which I commend to the Members of this body. It concerns the appraisal of the social security system by two economists. It is food for thought and is very compelling reading.

I include the article at this point in my remarks:

VOLUNTARY SOCIAL SECURITY—TWO ECONOMISTS OFFER AN ALTERNATIVE TO OUR COMPULSORY, COSTLY AND UNSOUND SYSTEM

(By James M. Buchanan and Colin D. Campbell)

(Professor Buchanan, the author of several books on public finance and debt policy, is chairman of the department of economics at the University of Virginia. Professor Campbell, who has made an extensive study of Socal Security costs and benefits, is a member of the economics faculty of Dartmouth College.)

The Social Security system in the United States is compulsory, costly and commercially unsound. Are these characteristics necessary descriptive of a comprehensive national pension scheme? Or is it possible through moderate institutional changes to convert the whole system into one that is voluntary, less costly to contributors, and commercially (actuarially) sound? We shall show that such changes are possible, and we shall indicate specific steps designed to accomplish this transformation.

Can individuals be allowed to withdraw voluntarily from the system? Before he became a candidate for President in 1964, Barry Goldwater suggested that individuals should be allowed this option, provided that they present evidence indicating purchase of adequate private retirement protection. This proposal seemed plausible enough; such an option widens the range of individual choices, a desideratum for any free society. It was precisely this suggestion, however, which Governor Rockefeller (and later President Johnson) converted into a major campaign issue. He did so by predicting that voluntary withdrawal, if introduced, would destroy the whole Social Security structure.

What seems to have been overlooked in the turmoil of 1964 politics is the obvious implication that, if the Rockefeller-Johnson prediction is valid, the system is not one of social insurance at all. The system is, instead, simply a particular set of compulsory taxes and transfers.

PRIVATE SYSTEMS FAIRER?

Why should an individual, given the choice, ever choose to withdraw from the public system unless he can more efficiently purchase private retirement insurance? If large numbers could, in fact, be predicted to withdraw when given the opportunity to do so, this would be irrefutable evidence that some current contributors in the system are required to pay something more than the discounted value of their own retirement benefits, actuarially computed.

Many current contributors are supporting not only their own "insurance" but also current retirement benefits being paid out to pensioners all of whom contributed less than the discounted values of their own benefits during their own income-earning careers. Those income earners who now pay Social Security taxes finance the retirement benefits of those who have already retired, over and above the current contributions that they would have to make to "insure" their own pensions in retirement.

Because of this redistributive feature, Mr. Rockefeller was correct in his prediction. Much voluntary withdrawal would quickly produce deficits in the Old Age and Survivors Insurance trust-fund account; current rates of benefit payment could not be maintained without tax-rate increases. And, such increases would, in turn, accelerate the withdrawal.

Who would benefit by withdrawing from the Social Security system and purchasing his own private retirement insurance? The largest group is undoubtedly young persons—those in their twenties and thirties. Consider a young man who takes his first job in 1966 at the age of 22. Assume that he will, for the next 43 years, earn at least $6,600 each year. He will then pay in the maximum amount of taxes since income over $6,600 is not currently subject to tax.

In January 1966, the rate of tax for old-age, survivors, and disability insurance was raised to 7.7%—3.85% on both the employer and the employe—so that the maximum tax per worker is now $508 per year. This total will be gradually increased until it reaches $640 in 1973. Taxes at these levels paid over a working life of 43 years and accumulated at 4% interest compounded will amount to over $67,000 at the time of retirement at age 65—$27,000 in payments plus $40,000 in accumulated interest.

Half of the 7.7% is commonly referred to as a "contribution by the employer." This language is misleading. The tax is simply an ordinary payroll tax. The economic impact would be the same whether or not the law required the employer to keep figures in his accounts which divide the "contribution" between himself and his employe. The tax increases his labor costs and decreases his demand for labor. This spread over all firms causes the level of money wages to fall, so that the wage earner, in effect, pays this employer part of the tax as well as that nominally levied on the employe.

The tax payments do not provide solely for old-age benefits; they also include disability insurance and survivors insurance. These additional items must be deducted if we are to estimate the tax costs of old-age insurance alone. Twenty per cent of the total value of accumulated taxes approximates the cost of these forms of insurance other than old-age benefits. This adjustment reduces the total value of accumulated taxes for old-age insurance alone to $54,000.

WHAT HE WOULD BE PAID

Does the young man in our example get his money's worth? If he lives until age 65, he can expect to live 14 additional years. While life expectancy has increased substantially over the last half-century, experts do not predict major changes in the future. The maximum benefits that are now possible for our young worker when he attains age 65 are $3,024 per year—$2,016 for himself and an additional $1,008 for his wife. A pension of $3,024 could have been financed for 14 years with accumulated tax payments of only $33,000. Looking at this another way, a sum of $54,000 is so large that it would provide a pension of $3,024 for 14 years, and at the end of this period $38,000 would be left. This is because interest on the unused balance at 4% over the 14 year period would total $26,000, and only $16,000 would have to be taken from the principal.

Not all young persons can expect to earn the full $6,600 per year over a full working life, as the example has assumed. The benefits for those earning less than $6,600 are reduced, but not so much as their tax payments are. A person who pays in 75% of the maximum taxes secures, for example, 83% of the maximum benefits, and a person who pays in only one-half of the maximum tax receives 64% of the maximum benefits. For all such workers, the Social Security system is, of course, less of a net burden than for the worker treated in our first example. Nonetheless, these workers will still pay accumulated taxes in excess of the discounted value of benefits expected. Other groups such as married women workers, single persons and persons working after reaching age 65 also will pay more than they can expect in return.

Not all groups have a bad deal under the current system. There are more than 15 million persons now receiving Federal old-age pensions—probably not one of whom paid in the full cost of his insurance benefits. Again, consider a specific example, a person who retired in 1965 and who paid in the maximum amount of taxes possible. His accumulated tax payments amount to only $4,160 after deducting 20% for survivors and disability insurance. He has contributed, at most, for only 28 years, and for the first 14 years his maximum tax was only $60 per year. The largest annual pension possible for a married person who retired in 1965 is $2,371. Accumulated tax payments of $26,000 would have been necessary to finance a pension of this size for 14 years. And if he should try to purchase an annuity from a private insurance company, one that provides $2,371, it would cost him approximately $35,000.

Not only those who have already retired, but also those workers who will retire over the next twenty-five years may not be required to pay the full cost of their expected benefits under the system as it now operates. If they have paid in the maximum taxes, and expect to continue to do so until retirement, the break-even point is 39 years of age. Workers older than this gain; workers less than 39 lose by participation in the system. For those who have paid in, or expect to pay in, less than the maximum taxes, the break-even age is, of course, somewhat lower.

Clearly the interests of young persons and others who are not getting their money's worth conflict with the interests of present and near prospective beneficiaries who are getting the bargains. If we judge by the 1964 campaign, voters are in no mood to tinker with the system. But were they confronted with meaningful alternatives? One task of the social scientist, in his ivory tower and away from politics, is that of inventing institutional schemes. Must we conclude that the only possible arrangement for Social Security is the one presently in being?

We answer these queries in the negative. But something more than a simple option provision is required. We shall suggest basic changes that will allow the system to become voluntary as to participation less costly for contributors and commercially sound.

Our proposal is simple, so much so that it may have been made elsewhere, although not to our knowledge. The proposal can be defended on grounds of equity, honesty and efficiency, all in addition to the value of extending individual freedom of choice.

WHY COMPULSION IS NEEDED

Considered as an actuarial account, the Social Security Administration is bankrupt. Here, of course, lies the necessity of compulsion. Suppose that tax rates should be reduced to allow young workers to pay only for their own retirement insurance and nothing more. The system would not then be able to meet its current obligations because the required funds have not been accumulated in sufficient amounts to finance pensions for those already retired or who will retire over the next two decades.

In the three decades since its origin, political pressures have prevented tax rate increases adequate to finance expected benefit payments. From 1937 to 1950 tax increases from the original 2% to the planned rate of 4% in 1949 were continuously postponed. In 1939 allowances for dependents were added without increases in tax rates. There have been eight amendments raising benefits for those retiring or for those already retired. "New start" provisions, permitting persons to use high-income years and shorter periods as the basis for benefits, were adopted in 1939 and in 1950. Coverage has been expanded several times to bring in additional beneficiaries who have contributed little, if anything, to the fund. The 1965 amendment extends coverage to self-employed physicians and improves benefits for divorced wives and widows who remarry. Current discussion promises still further extensions in 1967.

We are not concerned here with the desirability or the undesirability of these changes in the basic system. But these changes point up the fact that, on any realistic appraisal, the obligations of the Social Security system represent a net national debt of sizable magnitude.

Our central proposition is based in a simple recognition of this national debt obligation, and on nothing more. The trust-fund account embodes a national debt of significant size in its guaranteed obligations to pay out future benefits to those already retired or to those near retirement, obligations over and beyond fund balances. Simple honesty dictates that this debt be made explicit.

As a first step we propose that on some given date the net national debt that is implicit in the Social Security account be computed by System actuaries. Prior to the 1965 amendment, the amount of this net debt was in the range of $321 billion. Currently it would amount to at least $400 billion.

As a second step, and one which, on its face, appears radical, we proposed that the Treasury Department be authorized by the Congress to create Special Social Security Bonds equal to the amount of this debt—some $400 billion, depending on the computed total. These bonds should not be interest bearing, since the total value of the debt is not discounted in the computation. These securities should be transferred upon issue to the OASI fund. To this point in our scheme, absolutely nothing will have changed in reality except the conversion of an implicit and covert national debt obligation into one that is open and fully recognized. However, from the moment at which the properly computed quantity of these special securities is transferred to the trust fund, this account will become actuarially sound. From this moment, the voluntary withdrawal option could be introduced.

Before this step is taken, however, current rates of tax on younger contributors can be reduced substantially because the redistributive features of the present structure will have been eliminated. For example, a worker who pays in $300 a year for 43 years accumulates a fund of $33,000 at 4% interest. This is large enough to finance a pension for him and his wife equal to the maximum pension of $3,024 per year for 14 years. If the base of the tax is $6,600, a tax rate of only 4.5% would be necessary, as compared with the present 7.7%. Other workers who are treated unfavorably under the current system could also be placed on genuine insurance principles of accumulation.

OPTION WOULD BE A CHECK

After rates are reduced and inequities in treatment eliminated it would then be appropriate to introduce the voluntary withdrawal option. No one in the system could then be compelled to pay in more than the costs of his own retirement insurance. At this point, however, withdrawal from the system would offer no threat at all to current or prospective beneficiaries. A young worker who might elect to get out would forfeit future benefit rights which are precisely equal in present value, on an actuarial basis, to his tax obligations. The fund, as such, would neither gain nor lose by his decision. And, of course, under such conditions as these, relatively few persons, of any age or group, would be predicted to exercise the option to withdraw. Presumably the national system would be operated, on balance, as efficiently as competing private systems of retirement insurance, and the larger system would, necessarily, have actuarial scale advantages. The operation of the nonprofit bureaucracy might offset these scale advantages to an extent, but the option features would, over time, serve as a check on red-tape.

With the steps outlined, Social Security becomes voluntary, less costly for contributors and actuarially sound. But our proposal is not the fiscal equivalent of the perpetual motion machine, and someone pays the piper, even under the institutional arrangements that we suggest. If the pensions of current beneficiaries and near-prospective beneficiaries are not financed by payroll taxes, they must be financed by other taxes—presumably personal or corporate income taxes. However, the financing of the net debt from these general revenue sources is considerably more equitable than the method of financing now in operation.

Who is obligated to pay off the implicit national debt as things now stand? Who owes this debt? The answer is obvious. Under present arrangements, those who pay are those from whom Social Security taxes are collected. This is where the excess of current taxes over current values of future benefits goes.

Looked at in this way, the inequities seem glaring indeed. Why should young wage and salary earners, women workers, single persons at age 65, and those who work beyond 65, be required to pay for the failure of the national Government, as collective decision-maker for all groups, to make commercially sound decisions in past years? On generally accepted standards of equity, should not all groups pay?

This is precisely what our proposal accomplishes. The Special Social Security Bonds transferred to the OASI account represent general claims against the Treasury. When benefit obligations require, OASI fund managers would find it necessary to call upon the Treasury for cash, giving up in exchange a share of their stock of bonds. The general taxpayer, and not the wage or salary earner who pays Social Security taxes, would bear the burden of past decisions not to maintain the financial integrity of the account.

From its beginnings, many have argued that the Social Security system should be independent and wholly self-financing, and that resort to general revenues should be studiously avoided. This independence could have been, and can be, justified only to the extent that actuarial integrity is maintained. As it has actually operated, Federal old-age insurance has become insurance in name only. Self-financing has come to mean taxation limited to payrolls. Independence has not freed the system from political pressure.

NO RATE INCREASE

Additional charges imposed on the general Federal taxpayer under our proposal need not be unduly severe. Actual rates of personal and corporate taxes need not be raised for this purpose. Expansion in the tax base as the economy grows could provide the revenue required.

What about expansions in benefits and extensions of coverage? How would these be handled under our proposed reform? Unless such changes are balanced off by either higher tax rates or an expanded tax base, the net debt implicit in the account is increased. Our proposal would simply make this cost clear to all concerned. Any expansion of coverage over and beyond the discounted value of the added taxes would have to be accompanied by a new issue of Special Social Security Bonds by the Treasury, bonds that would at the outset be transferred to the OASI account. The proposal that we make here in no way inhibits Congress from increasing coverage or from raising benefits. The proposal serves only to make the costs involved in so doing clear.

Our proposal is advanced for serious consideration. We should not think that those institutions which have evolved and are in being are always the most efficient that are possible, even for the specific purposes that they are designed to serve. And we should not be overly suspicious of proposals to modify long-standing fiscal arrangements. Innovations in institutions can be productive as well as harmful, and each proposal for change deserves critical examination.

There is nothing here that should generate ideological discord. Conservatives who laud fiscal integrity, libertarians who seek widened range for individual choices, technicians who value organizational efficiency, liberals who deplore regressivity in taxes—all these can join in a supporting coalition. These, plus those who pay the taxes, surely form the basis of a genuine consensus.

EXCELLENT ARTICLE BY VANCE PACKARD OUTLINES DANGERS OF SNOOPING

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Vance Packard has written an excellent article which appeared in the Sunday, January 8, 1967, issue of the New York Times. It outlines with precision and detail in the Packard manner the dangers inherent in the electronic compilation of information on American citizens. Only tonight, President Johnson placed his administration four-square against wiretapping and electronic snooping. Mr. Packard's article gives much food for thought in this vital area.

In 1961, one of my first comprehensive studies dealt with the dangers of psychological testing which brainpicked our young men and women. Mr. Packard illustrates the advanced methods which can be used to compile a dossier on every American and can conceivably one day lead to bureaucratic harassment. Mr. Packard's books "The Naked Society" and the "Hidden Persuaders" have long been must reading for anyone interested in individual privacy. This article is an up-to-date exposé of this unfolding juggernaut of Federal snooping which is now becoming apparent. I commend it to all of the Members of this body and include it at this point with my remarks:

Bureaucratic Efficiency Could Put Us in Chains of Plastic Tape—Don't Tell It to the Computer

(By Vance Packard[1])

Consider the trail of records most of us leave behind in this increasingly statistical age. Our birth is recorded not only on a birth certificate but also on our parents' income-tax return. Non-Government file keepers have information on our income, home value, debts and banks, data we often surrender when we apply for credit. There are the reports investigators make to insurance companies, which may include appraisals of our social and sex lives as well as our financial stability. Employment files have results of personality inventories and lie-detector tests. Hospital records list our medical history, and moving companies have prudently made inventories of our possessions.

State and local governments have our school records, including our grades, I.Q. scores and any reports of emotional difficulties. At least one government agency will have records of our driving, brushes with the law, property holdings and licenses (including marriage and divorce papers).

The Federal Government has our tax returns, our responses to the increasingly lengthy Census questionnaires, our Social Security record, our application for a passport, and perhaps our fingerprints. If we have been in military service, worked for a defense contractor or for the Government, there are lengthy files on us that may well indicate known associates, affiliations and religious beliefs. If we have applied for an F.H.A. loan on a home there will usually be an estimate of our marriage prospects. And this is just a small part of the total.

The citizen concerned about the erosion of his privacy has until now had some consolation in knowing that all these records about his life have been widely dispersed and often difficult to get at. Digging up a sizable file on any individual has been time-consuming and expensive. But today, with the advent of giant sophisticated computers capable of storing and recalling vast amounts of information, this consolation is vanishing.

And now the Federal Government is seriously considering the establishment of a national electronic data center, which would combine in a single computer system information on American citizens that is now scattered around 20 different Federal agencies. The center would allow various officials and outside researchers push-button access to a great mass of consolidated information.

The idea for a central data bank began in a committee of the Social Science Research Council, which recommended in April, 1965, "that the Bureau of the Budget, in view of its responsibility for the Federal statistical program, immediately take steps to establish a Federal Data Center." The White House, reacting favorably, thereupon set up a special task force headed by Dr. Carl Kaysen, of Princeton's Institute for Advanced Study, to examine the concept.

The Kaysen report, submitted to the White House in November, unequivocally urged such a center. In fact it called for a startling expansion of the proposed National Data Center to include information from state and local data-gathering agencies as well. It argued that the present Federal system of getting and using statistics was obsolete, both "inadequate—in the sense of failing to do things that should and could be done—and inefficient—in the sense of not doing what it does at minimum cost." A national data bank would give both governmental and academic analysts a much sharper view of the nation's problems and possibilities—for instance, by relating employment data now isolated in the Labor Department with industrial output information now kept by the Federal Reserve.

In discussing the hot issue of how far such a data center would reach into an individual's life, Washington officials are somewhat vague. For example, Raymond T. Bowman, Assistant Director for Statistical Standards of the Budget Bureau and the man responsible for making recommendations on the data center, has claimed that "a statistical data center would not have an interest in building up dossiers on individuals because statistical interests do not center on individual cases." But he has also stated: "I would not want to say that within the data center . . . there would be no identification of information with an individual. . . . You would not be able to use this information meaningfully unless this kind of identification were maintained." And an adviser of his has been quoted in The Washington Post as arguing that valuable information is lost if confidences are kept and statistics are made anonymous too early in the game.

The dangers in allowing the Federal Government to assemble information on individual citizens in a single center are almost self-evident.

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[1] Vance Packard wrote "The Naked Society," about the "erosion of privacy" in the United States, as well as such well-known books as "The Hidden Persuaders," "The Status Seekers" and "The Wastemakers."

We know today that information is power. As Dr. Robert Morison, scientific director for the Rockefeller Foundation, has put it: "We are coming to recognize that organized knowledge puts an immense amount of power in the hands of the people who take the trouble to master it." Bernard S. Benson, a computer expert, has conceded that the concentration of power in the form of accumulated information can be "catastrophically dangerous."

Experts in computer technology who testified in July before the Special Subcommittee on Invasion of Privacy of the House Committee on Government Operations indicated that a central data center could easily be converted into a more ominous dossier bank. The same technology that enables the machine to process information about individuals could be used for the instant retrieval of information on any one of them.

Indeed, we should be uneasy right now about the vast amount of information that the Federal Government is starting to store away on its citizens in dossiers, card files and electronic memory banks.

The Government has led the way in installing bigger and more sophisticated computers, purchasing many thousands of them, including some of the world's largest. The Civil Service Commission is now operating a center to train 2,300 Federal employes to get maximum usable information out of various computer systems.

The Internal Revenue Service, too, has made a massive investment in computers to store and assess information on taxpayers. We can all be cheered by the promised increase in fairness and efficiency that theoretically will result, but the prospect is disquieting. For the electronic memory banks can presumably store a cumulative file (or "cum") covering up to 10 years of each taxpayer's life. The vast amount of information he has provided about himself, his family and his business dealings over a decade would be subject to virtually instant retrieval. In short, I.R.S. computers will be able instantly to dredge up dimly, remembered personal affairs of the past.

Federal agencies have also developed increasingly systematic patterns for exchanging information. When a Federal agent makes a National Agency Check on a person, for example, he customarily checks the files of at least eight Federal agencies. A Congressional investigator reported that results of lie-detector tests taken by one agency were freely passed around to personnel officials in other agencies. And we know that various Government units are developing a central information on individuals involved in criminal investigations.

Unless safeguards are developed, the Government will be increasingly inclined to assemble more and more specific data about specific individuals. When the Social Security program began we were assured that our Social Security number would be kept secret, that no one could possibly use it to keep track of our movements. Today, we must not only write our Social Security number on our income tax return but supply it to banks and employers. Social Security numbers are in fact so easily obtainable that one nationwide investigating firm has a line on its standard form for the Social Security number of the person under investigation.

On top of that, the Census Bureau has now suggested that the 1970 census include every responder's Social Security number—for the express purpose of aiding the correlation of Federal information. So the Social Security number could become not only public information but the key to creating a frightening dossier on each individual.

Or consider the Census. The Constitution calls for an "enumeration" of the population every 10 years, but today the Census has gone far beyond that. Many millions of citizens in 1960 had to answer 165 questions about their lives, purchasing habits and incomes. The pressure is on to add a host of new inquiries, such as ethnic origins, religious affiliation, schooling and the like to the 1970 Census.

And failure to answer every question on the Census can result in a fine or jail sentence. This was made clear after the 1960 Census when William F. Rickenbacker of Briarcliff Manor, N.Y., was fined $100 and given a suspended jail sentence for refusing on grounds of principle to fill out the household Census form.

In all the discussion of plans for a national data center, it seems to me that the crucial question is whether we are letting technology get out of hand without a sufficient concern for human values. To my mind there are four major dangers in allowing governmental machines to pool and exchange data on individual Americans; the first two concern the nation as a whole, the others the individual citizen.

First, a central data bank threatens to encourage a depersonalization of the American way of life. Americans increasingly, and rightly, resent their being numbers controlled by a computer. Students at the vast state universities resent having their exams machine-graded and their I.D. numbers often printed twice as large as their names. Much of the same resentment may be felt by some of the hundreds of thousands of applicants for Federal jobs who find not only that their exams are machine-graded but also that an automated machine writes the letter telling them whether or not they have passed the test.

Second, the central data bank is likely to increase the distrust of citizens in their own Government and alienate them from it. People will be wary of what they tell the Government if they discover that information confided for one purpose is used to affect their life in some entirely different connection. If what they tell the F.H.A. to get a home loan prevents them from getting a job with a Government contractor they will start being distrustful.

The Kaysen report did recognize that if Federal information on individuals is thus centralized the citizens ought to be given assurance that it cannot somehow be used against them, or otherwise falsification might become rampant. But such an assurance—especially in view of the existing "credibility gap"—might have little effect, for any evidence that the Administration was increasing its power over the citizenry by centralizing files on more than 100,000,000 citizens would inevitably create disquiet.

In addition, the public will inevitably feel a suffocating sense of surveillance. One of the hallmarks of totalitarianism has been this sense that somewhere there is an all-seeing eye.

Third, a central file can absorb large batches of data about people but it is ill-equipped to correct errors, allow for extenuating circumstances, or bring facts up to date.

An acquaintance discovered quite by accident that his local credit bureau, in a litigation report on him, said he had been the target of three lawsuits for failure to meet commitments; on the record he obviously was a bad credit risk. In fact, the first case was a $5 scare suit back in the nineteen-thirties over a magazine subscription he had never ordered; the second involved a disagreement over a $200 lawyer's fee and was later compromised amicably; the third concerned a disputed fee he had charged a client, and this suit he won in court. It took my friend two days of digging to clear his record with the credit bureau.

Many employers, including the Federal Government, require a job applicant to note if he has ever been held by a law-enforcement agency for investigation. Obviously, hundreds of thousands of citizens have been momentarily held and then released without charges—but it is hard to explain innocent circumstances to a computer.

Even more serious is the computer's inability to recognize that people indeed often do change and become more responsible as they grow up. The son of a friend of mine in a Midwestern city applied to several department stores in the area for a job when he was graduated from high school at the age of 18. He had recommendations from his minister, scoutmaster, high school principal and chief of police. But no store would even give his application serious consideration, since it turned out that his name was in the stores' central file of known lawbreakers. Five years earlier, at the age of 13, the boy had been caught snitching $2 worth of fishline.

America's frontiers were settled by people seeking to make a fresh start, escaping the unpleasantness of the past. Today, with central files and computers increasingly recording the past, the possibility of a fresh start is becoming increasingly difficult. The notion of the possibility of redemption is likely to be incomprehensible to the computer.

The most disquieting hazard in a central data bank would be the placing of so much power in the hands of the people in a position to push computer buttons. When the details of our lives are fed into a central computer or other vast file-keeping systems, we all fall under the control of the machine's managers to some extent.

In recent years we have seen at least one notable case in Washington of information from a secret dossier being used in an effort to intimidate and discredit a person making statements embarrassing to certain high officials. He was an insurance man in the Washington area who had disclosed some curious insurance practices in connection with the Bobby Baker case.

The filekeepers of Washington have derogatory information on literally millions of citizens. The more it is fed into central files, the greater the danger that it will be used as a form of control.

One computer scientist, Eldridge Adams, has warned that the electronic computer systems being used by Government agencies were collecting so much information about families and individuals that those controlling the machines were achieving "truly frightening" power. He indicated that without proper control the computers would convert our society into the Big Brother regime predicted in Orwell's "1984."

Let us remember, 1984 is only 17 years away. My own hunch is that Big Brother, if he comes to the United States, will turn out to be not a greedy power-seeker but a relentless bureaucrat obsessed with efficiency. And he, more than the simple power-seeker, could lead us to that ultimate of horrors, a humanity in chains of plastic type.

Congressman Cornelius E. Gallagher, a New Jersey Democrat who heads the House invasion-of-privacy subcommittee, put the issue clearly at last summer's hearings:

"We do not want to see the intended good use of a data center distorted so that it simply makes confidential information more readily available to more people. Nor do we wish to see a composite picture of an individual recorded in a single informational warehouse, where the touch of a button would assemble all the governmental information about the person since his birth. . . .

"The presence of . . . records in Government files is frightening enough, but the thought of them neatly bundled together into one compact package is appalling. We cannot be certain that such dossiers would always be used by benevolent people for benevolent purposes.

"We also recognize the danger implicit in such power which would enable a less scrupulous person—or even a well-meaning but overzealous Government official—to delve behind the statistics, to the respondent, and learn the inner secrets of an individual. Shall we create an elite who can narrow and dominate the 'corridors of power'? And who shall they be?"

There is some question whether the Administration could informally establish a National Data Center without specific enabling legislation by Congress. In the past Congress has become aware of projects involving privacy invasion—such as the Executive Department's purchase of lie-detector and surveillance equipment—only after they had been well established.

In July Mr. Gallagher told of reports that the Budget Bureau had already tentatively earmarked funds that might be used to start a data bank program. Later, an official of the Budget Bureau advised me that if plans go forward to create such a program there will first be a request put to Congress for an appropriation. But apparently the groundwork for a central data center of some sort has already been well laid. The Kaysen report mentioned that "a sufficient beginning has been made . . . to permit the center a running start."

At subcommittee hearings, the Budget Bureau's Raymond Bowman suggested that safeguards could be established to prevent the "release" of information on individual citizens or businesses. But prohibitions against release become somewhat irrelevant—and their real effectiveness somewhat dubious—if officials at all 20 contributing agencies are permitted to have push-button access to the central bank.

While it may seem obvious to a layman that each contributing agency could be required to remove all identification of individuals or businesses before sending its statistics on to the central bank, Budget Bureau experts raise practical objections. Bowman said flatly, "It is not possible to have a meaningful data center in which the identity of the individual is deleted." For one thing, apparently, the elimination of identification would complicate the problem of "meshing" the data correctly in the first place and perhaps make impossible the adding and assigning of new data on individuals as they come in over the years. Also, there is the practical objection that the mechanics of removing identifications would multiply the costs of setting up the system.

The task force report spoke of the importance of developing (unspecified) safeguards against unwarranted "disclosure" or "publication" of information about individuals or enterprises. It mentioned vaguely that at some stage in setting up the center thought would need to be given to protecting the confidentiality of the data and acknowledged that "the question of the proper or improper use of information by different agencies is indeed a ticklish one."

But at no point did it attempt to propose specifically how foolproof safeguards could be established, and even confessed its incompetence to be precise on such matters. It mentioned only that there might be "standards of disclosure," "techniques for preserving confidentiality," "recodification" of laws and rules, procedures for "screening," and so on.

It is not enough to talk in generalities of eventual safeguards. Could the public ever conceivably be fully protected from abuses and mistakes? What assurance would the public have that administrative "techniques," "standards," "rules," etc., would not be quietly changed in some future regime reaching for greater power over the citizenry? Only a carefully drawn Federal law—enacted before the data center is established—would seem to offer any protection at all for the long term.

As Chairman Gallagher has said: "Merely stating that rules, laws, individual judgment and Congressional-Executive action should be exerted to safeguard privacy does not provide the solution."

There appears, then, to be an impasse here between the desires of the statisticians and the fears of the civil libertarians. Quite possibly it can be resolved only by abandoning the whole project or by persuading the statisticians to settle for a more modest exchange of depersonalized statistics.

(Or, interestingly enough, by technology itself. Congressman Gallagher says: "Latest refinements of modern hardware make the centralization of data dubious, rather than obvious." Experts suggest, he says, that "it might be more advantageous to build a decentralized computer system to solve the growing information-gathering crisis. Under such a system, the data could remain with the various agencies and would be fed into a central computer for statistical analysis.")

At times Administration statisticians have seemed bewildered that anyone would doubt their good intentions and their willingness to impose regulations on their procedures. A sharp answer to this comes from Charles A. Reich, professor of constitutional law at Yale University: "I believe that the real protection in this world comes not from people's good intentions but from laws."

Looking at the broader problem, Reich has argued that it is time to pass laws stipulating the kinds of questions that cannot be asked of any citizen. "A person has the right not to be defamed," he maintains, "whether it is by a machine or a man."

I believe it is time, too, that Congress, in consultation with Federal regulatory agencies moves to establish closer control over the vast empires of private and cooperative businesses engaged in investigating citizens: the credit bureaus, insurance investigating firms and private investigating enterprises. Several of these businesses gross from $40- to $125-million a year from the sale of personal information. Since the information gathered by these enterprises crosses state lines there seems to be clear Congressional jurisdiction.

In any event, Congress should soon start weighing the advantages to society of consolidating statistics against the very real threat that central data systems can imperil personal privacy, and in fact can become instruments of control over American citizens.

EMPLOYMENT OF HANDICAPPED

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, it is fitting that on this first day of the 90th Congress when the official mechanism for the functioning of our representative governing bodies begins anew, we stop for a moment to look at the unofficial mechanism on which the functioning of our Government and the welfare of our Nation also depends: people who care—people who realize the importance of human dignity, equality, compassion, and love; people with a sense of gratitude for the opportunity to enjoy good health and a good life in a free society; people with a sense of responsibility for mankind, for the Nation, and for their fellow Americans; people who give their time and effort freely to work for betterment and progress of these ideals and principles.

Mr. Sumner G. Whittier, former Administrator of Veterans Affairs, active in the past in Massachusetts State political life, and at present executive director of the National Society for Crippled Children and Adults, was asked by the President's Committee on Employment of the Handicapped to speak at the annual volunteers luncheon of April 1966. Mr. Whittier not only responded in the same sense of appreciation and responsibility with his time and effort, but delivered a speech which I feel should be widely read.

Because of the profoundness of Mr. Whittier's words, because of the relevance in an age charged with impersonalism and indifference, and because of the praise due our volunteer groups and individuals and the need for further awareness, I submit this for publication in the Congressional Record under unanimous consent:

Sumner G. Whittier Presentation at Volunteers Luncheon, President's Committee on Employment of the Handicapped, Annual Meeting, April 29, 1966

THANKS TO VOLUNTEERS

I am going to speak about volunteers. Every year the President's Committee asks someone to speak about volunteers.

There need be no feeling of suspense about which side the President's Committee is on as far as that issue goes. It is in favor of volunteers.

It follows then, as children a Good Humor cart, that if the President's Committee asked me to deliver this sermon, it felt rather confident that I supported their view. Let me erase any mystery if such exist. I do support that position. I am in favor of volunteers.

As I understand my assignment I am to praise the volunteers. I so do. Further I am to thank them for the assistance which they have this year given to the handicapped and to the President's Committee.

To the measure that you have contributed of self and are deserving, so do I for the President's Committee extend more than simple gratitude. I lavish tall beakers of appreciation upon your kindly heads.

NEED MORE VOLUNTEER EFFORT

These are courtesies usually performed, but I believe there is a further point and the most important one. The Committee would like added volunteer effort. By such effort can more handicapped be employed. Therefore, if you are a volunteer, please, if you can, next year give more of time and self. If you know others, enlist them in this fine cause and thus multiply the assistance to the handicapped.

That completes the burden of my assignment, and now, if any among you has some pressing obligation elsewhere, you have heard my speech.

VOLUNTEERS UNANIMOUSLY FAVORED

However, we do have a ritual in America, born I think around the service club programs, that luncheon speakers must talk 20 minutes to two-and-a-half hours. As to which extreme I favor depends in good part on whether I am doing the talking or listening.

In some communities I might have been able, once having delivered the essence of my assignment, to stop, but in addition to general custom I am conscious that this is Washington D.C. where, given a lectern, men must with arrayed adjectives and flamboyant nouns orate or break all Capitol traditions. Out of respect for such historic custom, I shall abide. I believe that it was on some occasion such as this that a special type of oratory familiar here had its origin—the filibuster.

When Mr. McCahill went searching for a

speaker who would support the Committee's views, he had little trouble.

I have no idea how extensive the market research on the subject has been; I've seen none, but my instinct tells me that volunteers are pretty unanimously favored both among volunteers and non-volunteers. Some may favor volunteer efforts more for others than for themselves, but in the main, I think we can rest secure that they are approved by something beyond even a Lyndon Johnson majority—speaking nationally, of course.

In fact, I believe, of the first twenty people Bill asked to give this talk, every one without exception including cabinet members was in favor of volunteers. The only objection that they voiced in refusing seemed to be that there was little that had *not* been said before on the subject. I agree with their position, except that I was modestly surprised to find that advanced as a reason for not giving a speech in Washington.

BOUQUETS TO PCEH STAFF

There are some very serious things I would like to say on the subject. Of all the words I may use polishing brightly this day the shield of the volunteer, let it be said also that staff, though it be salaried, can be and usually is deeply dedicated and highly motivated. And I could readily bestow many bouquets on that score.

HEALTH LEGISLATION

Another point—this particular speech is uttered against a backdrop of fervent discussion that is universal these months wherever people in the charities gather, be it staff, volunteer, or both. Last year was legislatively in the health field spectacular. A long list of fine bills were passed, freight carloads of pens were distributed, and several sets of rose bushes necessarily had to be replanted in the White House garden.

ROLE OF VOLUNTEER AGENCY

With government surging into the health field with such cascading vastness, the question keeps recurring: What is the role of the voluntary agency? Can it survive? Will it be totally replaced?

I do not intend to examine the questions or the answers here except quickly. It is the view of almost everyone that, though there may be some changing of roles, the volunteer agencies still have a strong part to enact on the health stage.

PARTNERS WITH GOVERNMENT

No matter how lengthy the discussions, one conclusion rises prominent as the Washington monument and that is the government *is* in the health arena, is in it hugely and energetically, and whatever the changes, all of us, remembering that our joint and basic goal is improving America's health by finding answers to the great health questions before us, must work together in complementary fashion, each in its best place, and so we shall.

The moment may arrive when voluntary contributions will decline, but as far as I can see there is to this moment no statistical evidence showing any such trend—almost all major fund raising drives seem to be at record peaks.

Among government officials I find spoken reassurance that volunteers and volunteer agencies are needed and expected to continue. Vice President Humphrey speaking of the handicapped and their need for a chance to prove themselves competitively said at this meeting a year ago:

"It is you who are providing that chance . . . you who are leaders of business, labor . . . and other voluntary organizations."

When we consider the side that is positive and what the volunteers have accomplished, we think: America, God shed His Grace on thee. And part of that Grace was the gentle human heart that cared beyond self to change and conserve this land, to endow it with more beauty, more health, more decency.

Think you not so?

IMAGINE AMERICA WITHOUT VOLUNTEERS

Come with me for a moment, let us sit atop the highest peak where the Continental Divide splits the Rockies. Let us look east and west, north and south at a different America.

What if there had been no volunteers?—in this, our land?

What if every citizen had turned his back and let the stricken die when their cries for help came agonizingly upon the air?

What if the selfish and the vested had been permitted totally to inherit the shore and plain, river and mountain?

What if there had been no voice preaching out against wrong—demanding justice, fair play, remedy for injury, at town meetings, at the assemblies of Congress?

A BARREN LAND

Look out in grim imagination at that barren land—three thousand miles east to the little towns of New England and their ledgerock shores—to the streaming rivers that hold Manhattan—to Washington, D.C.—Chicago and its pendant lake—then west to Big Sur and the Sierras and the vast tumbling Pacific.

What is it you notice first?

NO CONSERVATION

The land naked of the trees, gone the tall ponderosa and the taller sequoia, slash pine and cedar vanished from an ugly continent? For who was there to raise the protest when the spoilers came to strip the forests?

Who was there to fight the lobbies that descended upon the lawmakers?

Who to save the watershed?

See the huge dark swirling clouds rising above the dustbowl plains. For there had been no volunteers to preach conservation.

NO BEAUTIFICATION

But look beyond to the cities and the towns. What seems so strange? What's missing? Parks and flowers? Yes. No foolish garden clubs.

NO CHURCHES

But more, no steeples, no white spires rising on New England greens, no great ascending cathedral tower along New York's Fifth Avenue, no reminders to the secular world that there might have been greater forces fighting the torrent of materialism—for churches are built and manned by whole armies of volunteers, from Ladies Aid to Sunday School teachers.

NO MONUMENTS

The nation's capital seems strange—that's it, no tall obelisk rising high to honor Washington—no white columned Memorial in Lincoln's memory—for such monuments need volunteer efforts.

FEW HOSPITALS

The hospitals seem so few in every community. The state cannot build enough hospitals without volunteer help. Tuberculosis is rampant. There was no Lawrence Flick, the packer from a Los Angeles orange grove, stricken and recovered from tuberculosis, a volunteer fiercely to organize public opinion against the dread white plague.

NO MARCH OF DIMES

Yes, there was a President named Franklin Roosevelt. He was a victim of polio, campaigned held in braces, and he wanted deeply to prevent others from being struck down, but they needed volunteers to march for dimes, and after all, who would march for a dime?

When they proposed it, a certain lawyer stood up to bait them and to protest. Ringing a lot of doorbells, especially in some of the suburbs, would irritate a lot of comfortable people, who did not want to be disturbed.

Besides, if that flock of women, the lawyer said, ever got too eager, the drive might be successful. Why, the effect would be terrible—there might even be a lot of new drives springing up trying to help contain other diseases. Just think how much that might disturb suburban Americans. We must not disturb people he said. It might bother someone's conscience to pause and think that he might be his brother's keeper.

It just wasn't businesslike—it wasn't efficient—having women run around like that collecting money when they could be home playing bridge or watching some inspiring afternoon program on television. And besides, polio wasn't the biggest problem anyway.

So the criticism convinced the Volunteers and they gave up the idea . . . no Volunteers . . . no March of Dimes.

NO POLIO VACCINE

Now over there, this is the huge hospital and sanitarium—looks like a warehouse, doesn't it?—where we keep our handicapped the lame and the halt. There are certainly a lot of them. We hope that the government will appropriate money for a big research program to try and find some serum or vaccine to halt polio.

But we don't talk about it much. We conceal the handicapped. It bothers the public too much. Some people wanted to get a thing going to try and change public attitudes, but it would have taken too many volunteers, and there were none.

DISEASE RAMPANT

Oh, those social diseases . . . shhh! We don't say those words. That's another thought someone had—attempting to get frank discussion of such things. But that got killed too. Would have taken volunteers.

Gray Ladies? In hospitals to help veterans? I can see how a visitor might be a bridge in a mental hospital between hope and hopelessness, to take the patient for a ride outside, or be a companion to a halfway house helping him rehabilitate himself.

NO VOLUNTARY HEALTH AND WELFARE ORGANIZATIONS

Raise money to help in disasters? You mean like giving out food and blankets? Or finding shelter for people when there are floods and tornadoes? And getting blood for blood banks? And instructing in first aid or giving lessons in lifesaving while swimming? It sounds interesting, but who'd ever do it? Where would you find the volunteers? I'm sure someone would criticize that and discourage the volunteers right away.

And so it would have been had there been no volunteers to serve and to work and to achieve in the face of apathy and resistance.

The voluntary health and welfare organizations of America would have disappeared. Cerebral palsy, epilepsy, arthritis, multiple sclerosis, heart, mental illness, mental retardation—these and many more organizations would have vanished.

GOVERNMENT CANNOT REPLACE VOLUNTEERS

Can you imagine the vast government structure that would have had to be established to fill the gap—if they had just tried to add one person to the payroll for every vanished volunteer? Can you visualize the millions of government dollars needed to replace the money raised by volunteers through the years?

I cannot help but wonder, for all we have done in the private sector, had we done more, had we been able to inspire still others, would there have been so much for government to do?

VOLUNTEERS DO MUCH

Fortunately, there have been the volunteers doing all kinds of unbelievable tasks—cooking fudge with Brownies, lugging cookies to the office and forcing all their reluctant fellow employees to buy boxes for the Girl Scouts, coaching ferociously competitive Little Leaguers, playing nursemaid in cooperative nursery schools from morning until dusk. Who can count the bruises, the contusions, the scratches that poor middle-aged, overweight adults have accumulated—not to mention the barrels of unguentine and the tubs of arnica that have been applied to those aching bodies—because they have vigorously led flocks of energy-driven young Americans up and down hills on camping expeditions in park or mountain.

How many adults have been in nursing homes or day care centers or other institutions that give help to the aged? It is the volunteer who brings back the light and the memory and the smile.

Could there have been the symphony music to enjoy in so many cities without volunteers to raise funds to perpetuate the nation's orchestras? How much of music, how much of amateur sport, has existed because of the peculiar drive and concerned interest of whole battalions of volunteers?

HELP FOR THE CRIPPLED

I have stood in the aspen gold mountains of Colorado, have stood on the side of a great California mountain below Malibu looking out to the tumbling sea, and by a manmade lake in Des Moines, Iowa, and in other of America's states surrounded by youngsters in wheelchairs and with crutches who were working, laughing, playing because one man in one small town of Elyria, Ohio, had once—long ago—been stirred to action to provide help when the size of the need and the challenge seemed vast beyond calculation.

His son was injured in a streetcar accident, and died because there was neither the facility nor the talents in Elyria to save him. So Edgar Allen left his well paying job, motivated his fellow Rotarians to raise funds to build a children's hospital, then saw as a patient a terribly handicapped youngster in need of special help. Edgar Allen set out to provide it, and from that dedication against all the apparent impossibilities grew Easter Seals, in every state and more—1400 locals—thousands of volunteers—because one man cared and acted.

LIFE, LIBERTY AND PURSUIT OF HAPPINESS

And in this room and at this meeting, we must acknowledge the volunteer who helped make the very promise of our Declaration of Independence come true for many—that man shall have life, liberty, and the pursuit of happiness. A man who is chained by a severe handicap has little of liberty and less of the pursuit of happiness. Those who are at this meeting and others who have preached and acted across America to provide the opportunity for the handicapped at the workbench, in the laboratory, in a thousand places at a thousand, thousand jobs, have given meaning to many lives, have given self respect, confidence, and a sense of belonging more fully to a free America.

The surging horde that comes in increasing numbers every year to this conclave until we have outgrown Constitution Hall is witness to the immensity of volunteer compassion.

And now I have called the positive roll—not the total roll, but enough in the sampling so that we know there has been this great pulsing force in America that has changed its ways, that has remade its cities, that has touched the life of millions.

NOT A HAPPY ENDING

The story is magnificent and inspiring. I wish I could leave it there. I wish that, like the motion pictures I used to see when I was young and which still turn up on late television, they would all live happily ever after. I wish it were a success story, total and complete.

But the nagging, continuing, relentless persistence of something inside me will not let me be. I have seen America, and I have seen its greatness. But I have seen also its agony in too many places. It is the more terrible in its contrast when we know that the need occurs in the most affluent of societies. Never has the richness been as great, but the statistics of need are still long.

THERE IS NEVER ENOUGH

I shall not quote any columns of figures. They are dull in the listening and in the reading. But there is no one of you who works among the charities who does not know that there is never enough. Charity groups all across America and their budget committees are aware of the swelling demands and the growing requests for more, of the increasing goals that must be met and too frequently are not for the budget must be balanced.

It is difficult to make an objective balanced judgment positive or negative. There are both in the world—the caring and the careless—and I shall not weigh which are greater in number—though I know that, whatever the balance, there is need for many more volunteers, for many who care with a driving passion.

NEED TO OVERCOME INDIFFERENCE

If my assignment here is only to emphasize the positive, only to acknowledge the good men have done, this is a fine undisturbing public relations approach. If the calling of the proud roll of the honored and the compassionate, among individuals, among industries, among agencies, among government departments, among cities and among states, if that awarding of prizes, if that describing in sincere words with deserved compliments, if those accomplishments become the inspiring example, and create in other men the urge to follow—the burning need to go and do likewise, then that positive approach is one of resounding merit.

On the other hand, if not mentioning the negative permits a patch to be placed on vulcanized consciences, if mentioning only the positives hides the need for action in your town and in mine, then we have not hoisted the banner high enough, nor enlisted enough volunteers in the legions, nor done full battle against the constant enemies of mankind—indifference, preoccupation, cruelty, neglect, and the blind refusal to see or hear or do.

BIBLE CALLS FOR VOLUNTARYISM

All that I have said seems to keep adding up to full approval of volunteering—but beyond this room some division might arise. In truth voluntaryism is a question that is so old in time as to be beyond the tracing of its origin. The Bible raises it early. It was Cain who said, "Am I my brother's keeper?"

Through centuries of history man has been debating that troublesome question in his conscience for it is not easy to answer except in the doing.

It was a question asked of Christ. He gave an answer so clear it has come ringing down the centuries to us. A certain lawyer stood up trying to bait Christ—someone is always trying to bait those who preach goodness—and asked: "Who is my brother? Who is my neighbor?"

GOOD SAMARITAN

Christ told the story of the Good Samaritan: "Thou shalt love . . . thy neighbor as thyself."

Men did turn their backs on their neighbors—men did look the other way and leave a bleeding human being beaten by thieves. Dying in the dusty road until one man, as he journeyed, came where he was; and when he saw him, he had compassion and went to him and bound up his wounds.

A beaten man on the roadside—does that sound ancient and long remote? Or does it have a sound of recency to it?

Even in this hour—after all the countless years of conscience—the question is still being asked and different answers being given.

Christ lived in a brutal time. Execution was by crucifixion. It was a hedonistic, sordid, ugly, materialistic world of illness, of many beggars and many crippled, of short life and quick death for men, for women and for children.

TWENTIETH CENTURY PRIMITIVE

But what has this to do with this meeting here in the civilized 20th century in Washington, D.C.? This is a new and modern world and all is changed.

Or is it?

The things still undone, the needs yet unmet can furnish us with a long troublesome list, and a longer list of men who have turned away.

Is Kew Gardens the symbol of our age? A girl coming home from work on the streets was stabbed to death, and men pulled down their shades and went with troubled consciences back to bed, while she lay bleeding and dying on the street, her pitiful cries unanswered . . . the Samaritan, as he journeyed, came along a few thousand years too early to be of help to her.

Need I recount others?

When some future age looks back on us as now we look back to the time of Christ, and weighs in balance the good and the bad, what will history's judgment be of our century?

In terms of statistics on murder and crime, of concentration camps, and civilian deaths in wars, few ages will be able to match us in sheer numbers, much of it occurring because someone refused to see or act when, by his action, the results might have been different.

"When Jesus came to Golgotha
  They hanged him on a tree.
They drave great nails through hands and feet,
  And made a Calvary.

"They crowned him with a crown of thorns—
  Red were his wounds and deep
For those were crude and cruel days
  And human flesh was cheap.

"When Jesus came to Birmingham,
  They simply passed him by.
They never hurt a hair of him.
  They only let him die.

"For man had grown more tender,
  And they would not give him pain
They only passed him down the street
  And left him in the rain.

"Still Jesus cried
  'Forgive them for they know not what they do'
And still it rained the winter rain
  That drenched him through and through.

"The crowds went home
  And left the street without a soul to see
And Jesus crouched against the wall
  And cried for Calvary."*

Who does care? Who is the greater number—the caring or the care-less?

PAGEANT REACHES HEART AND SOUL

It is magnificent to come to this meeting in this white and columned capital of our land and be part of this warming pageant that a hundred times walks right off the platform and grabs hold of you in your heart and in your soul.

At this assembly we have seen the valiant and the caring . . .

Heard the wonderful story of the old folks and the ill who crowded excitedly into the store opened for them on a Sunday—their first shopping spree in a long, long time . . .

Heard the Handicapped American of the Year stand at a lectern and address the nation—all America—in a voice he himself could not hear—handsome and erect and gallant and confident, his blind eyes shining with dreams. He stood there the photographers crowding round. I noticed a little nun in her black habit snapping pictures like mad.

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*"Indifference," by G. A. Studdert-Kennedy.

He stood there and he put his fingers on the moving lips of the Vice-President of the United States, and you felt it, and you knew it when he said, "There is no darkness when there is the sunshine of hope. There is no silence when there is the song of dreams."

In front of me Mrs. Lyons sat, and the tears were streaming down her cheeks in a wet cascade.

And last night a Senator—and there was more to his story than he told about the decisions of whether or not to let the regiment fight at all—a Senator told his story, told it clean and swift and straight—no embellishment save humor—and you felt it in the depths of you, every pain and every aspiration, from the pack of cigarettes tossed on the bed to the tall proud moment in the well of the Congress of the United States.

Next to me was a German foreign official. He was blind—from a grenade in 1945. When Senator Inouye stopped there was a hand gripping my arm, and the German said with a sharp suddenness: "He told my story—exactly."

These are the courageous singled out for achievement.

THE VOLUNTEER COMMANDMENT

But forget you not that there are others who, if they are to take their place here, need you and you, need volunteers, need the caring to carry the inspiring story, their story, state to state, town to town, to tell others, to enlist the uncaring . . .

How did the story of the Good Samaritan end?

"Go thou and do likewise."

MESKILL BILL WOULD DOUBLE PERSONAL EXEMPTIONS FROM INCOME TAX

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MESKILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MESKILL. Mr. Speaker, on the opening day of the session, I introduced the first bill of my legislative program. This measure would double the personal exemption allowable under the income tax law—from $600 to $1,200. I chose it for my first bill in Congress for the reason that I consider it to be one of the most important tax reforms we can make.

The $600 exemption has been in existence since the days of the great depression. The exemption is supposed to bear some relationship to the cost of feeding, clothing, and educating each member of a family. In 1933, $600 was considered a reasonable allowance for this purpose.

Since that time, however, as we are all too painfully aware, the cost of living has nearly tripled. Federal red-ink spending has so raised the cost of living that the $600 exemption is hardly more than a token gesture. Although the administration has declared the level of poverty to begin at $3,000 a year, in its tax policies it seems to claim that a person can live on $600 a year. Of course, this is absurd.

Ideally, the exemption should be set much higher than the $1,200 proposed in my bill. But my proposal would grant an urgently needed measure of relief without too great an immediate reduction in the Federal revenues. The loss of revenue resulting from my bill could be more than offset by cuts in unnecessary spending. Clearly, if more of a wage-earner's income were left for him to spend in raising and educating his family there would be less need for the Government to assume these burdens and, therefore, less call for inflated Government spending.

THE PERCY PLAN: AN IMAGINATIVE PROPOSAL FOR LOW-INCOME HOMEOWNERSHIP

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. WIDNALL. Mr. Speaker, in the past year, members of both parties have begun a long overdue appraisal of the crisis in our cities and of our urban programs which have too often failed to live up to expectations. As ranking member of the Banking and Currency Committee and Special Housing Subcommittee, I have welcomed this new examination, and joined in the search for new answers to old problems. What is clearly needed is some new approach, some new catalyst by which we can benefit our cities and assist our low-income citizens by bringing them into a position of economic self-sufficiency and responsible participation in the affairs of their communities and Nation.

Last September, CHARLES H. PERCY, now the newly elected junior Senator from Illinois, advanced a plan for making homeownership available for families, who cannot now afford its advantages. Eight months of staff work and extensive consultations with experts in many fields have produced a detailed outline of the suggested proposal. As one who has worked in the field of housing for 14 years, I find the suggestions imaginative and realistic.

On the first day of hearings before the Ribicoff subcommittee investigating urban problems, this past August, I testified and noted that "we have been ignoring our two greatest assets in the fight to save our cities—the present, salvable structures and neighborhoods, and the people themselves." After urging an examination into the motivations of people in our deteriorated and deteriorating core city areas, I suggested that four factors would undoubtedly come to light:

> First, a desire to be respected and to gain self-respect. Second, a realization that financial security and the improvement of financial position through a job is one way to build respect. Third, a growing awareness that there is a need for education, for training, for schooling that will enable employment to be obtained. Finally, the search for some reason, materialistic if you will, for taking the acceptable route to winning respect. And I would suggest that for many of those who live in a world of buying on time, of renting a place to live, the goal of ownership of some significant thing, such as a home, might be a catalyst to a whole new way of life.

Senator PERCY's proposal for low-income homeownership builds on these motivational resources among our low-income citizens. The plan is based on four irrefutably sound premises:

First. The premise that the promise of homeownership provides a meaningful incentive to the initially lower income family to spur its efforts to climb the ladder to economic security and responsible citizenship.

Second. The premise that housing programs must be completely dovetailed with other programs affecting the inhabitants of slum areas, such as basic education, job training, credit counseling, employment, and the like.

Third. The premise that the responsibility for promoting homeownership and slum rehabilitation should fall to the nongovernmental sector of the economy, with Government providing reinforcement and guarantees, but not execution and control.

Fourth. The premise that no program for advancing the fortunes of slum dwellers can be meaningful or effective unless the slum people themselves have a direct and specific involvement in its planning, policymaking, and execution.

The Percy proposal calls for the creation of a private nonprofit National Home Ownership Foundation, Inc., or NHOF. This foundation would have three essential functions. First, it would include a bank for making low-interest loans to local neighborhood organizations which involve local slum residents in efforts to upgrade their housing and become its owners. Second, it would offer the technical and managerial assistance needed to enable these local organizations to conduct well-conceived and managed programs. Third, it would assist local organizations in obtaining the governmental and private funds needed to conduct a supporting program of job training, basic education, job placement, homeownership counseling, and the like, without which homeownership itself cannot be made a realistic possibility for lower income families.

There is nothing partisan or idealistic about this approach. It builds on the experience of privately financed, privately organized pilot programs such as Flanner House Homes, Inc., in Indianapolis, the Bicentennial Civic Improvement Corp. in St. Louis, and the Interfaith Interracial Council of the Clergy effort in Philadelphia. The promise of a broader, national approach is implicit in the plan. Indeed, Senator PERCY labeled his speech introducing the programs as "A New Dawn for Our Cities."

By no means is this proposal the only suggestion worth considering in our attack on the problems of the cities. Other plans have been suggested to enlist private enterprise in industrial and commercial development in slum neighborhoods, or to contract for manpower training and similar forms of technical assistance to local groups or business concerns, or to involve the residents of the area directly in the rehabilitation of their neighborhoods. These are all compatible, however, with the goal of low-income homeownership. Practical as the New Dawn plan is in concept, it is its usefulness as a vehicle for generating new ideas, new discussion on the urban problems facing the Nation that is of critical importance. The service Senator PERCY has performed in providing the skeleton on which a bold new idea can be built deserves the gratitude of concerned citizens and public officials alike.

I ask unanimous consent that the outline of the Percy plan be included in the RECORD at this point, together with Senator PERCY's speech of September 15, 1966. The material follows:

A NEW DAWN FOR OUR CITIES

(A revised outline of a home ownership achievement plan first described by Charles H. Percy, now United States Senator, in an address to the Kiwanis Club, Chicago, Illinois, September 15, 1966.)

I. THE BASIC PREMISES

A. Home ownership is both a product of and an important means of encouraging certain values, among which are:

1. Human dignity and self-esteem.
2. The motivation to achieve.
3. A feeling of security and "roots."
4. Community responsibility and stability.
5. The physical preservation and improvement of residential neighborhoods.
6. The encouragement of participation and leadership in community activities.

B. Home ownership can and should be made available to families whose present incomes and circumstances do not permit them to become home owners.

C. A sound home ownership program for initially lower income families must contain a number of components designed to prepare the families for improving their economic security and accepting the responsibilities associated with home ownership. These components include:

1. Adult basic education, including instruction in the simple skills and manners needed in seeking employment.
2. Traning in job skills for which there is an identifiable local need.
3. Assistance in obtaining suitable and productive employment.
4. Continuous counseling with employee and employer to ensure advancement in skills, income, and opportunities on the job.
5. Counseling of the entire family in the responsibilities of home ownership, including financial obligations, insurance, taxes, home economics and credit buying.
6. Encouraging the families to take part in worthwhile community activities and to help others achieve their full potential.

D. The responsibility for conducting a national program of home ownership for initially lower income families should lie with the non-governmental sector, including both private enterprise and non-profit organizations and groups. The role of government should only be one of reinforcement and guarantee, rather than execution and control.

E. Emphasis should be placed upon the upgrading of whole neighborhoods through housing rehabilitation and construction, not just on upgrading isolated units.

F. Concurrent with the physical improvement of the neighborhood must be a corresponding emergency of community spirit and joint action for community improvement by the residents themselves. Neighborhood residents and their ministers, educators and other leaders should play the leading role in the development and execution of neighborhood improvement projects.

G. Insurance to protect homeowners against foreclosure due to curtailment of income through ill health or economic recession should be made available, in addition to the more common insurance to protect mortgagees against financial loss.

H. No feasible proposal can realistically promise to rebuild our cities and cure their accumulated social ills overnight. But a major effort should begin now to encourage a rapid acceleration of new activity in this field, especially by the non-governmental sector of the economy.

II. THE NATIONAL HOME OWNERSHIP FOUNDATION, INC. (NHOF)

A. Organization:

NHOF would be a private nonprofit corporation. Since NHOF would have the benefit of certain governmental guarantees, tax advantages, and delegated obligational authority, its corporate charter would provide for some public participation through the appointment of one-third of the Board of Directors by the President of the United States, with the advice and consent of the Senate.

The remaining Directors would be national leaders drawn from the ranks of business, labor, foundations, religious organizations, universities and civic groups. Initially these persons would be those who joined together to serve as the steering committee for the establishment of NHOF.

Eventually, however, it would be desirable for the Local Nonprofit Housing Associations (LNHAs) served by the NHOF to have a voice in establishing the policies of NHOF. This could be achieved in the following way: Those LNHA's carrying out programs with NHOF aid would form a National Home Ownership Congress, analogous to the National Rivers and Harbors Congress in the United States or the non-profit housing association federation in Denmark.

Each year, as the staggered terms of some NHOF Directors expire, the National Home Ownership Congress would propose a list of persons deemed well qualified to serve as Directors. From this list the NHOF Board of Directors would co-opt replacements. The President of the United States would of course have the option of making his appointments from the same list, selecting so as to give proper balance to the NHOF Board.

Alternatively, the NHOF Board could propose a slate of Directors for appointment to the National Home Ownership Congress. The Congress could then vote yes or no on each, similar to the system used in many states for the retention of judges.

All NHOF activities would be made subject to the auditing and accounting practices of the General Accounting Office. NHOF would be required to make a comprehensive annual report to Congress and the public.

B. Functions:

1. To encourage and assist in the formation by local citizens and organizations of Local Nonprofit Housing Associations. Such local associations (whose activities, as will be seen, would go far beyond just housing) could serve an entire city, a neighborhood within a city, or even in some cases a rural area.
2. To give LNHAs technical assistance in designating their programs; in particular, making readily available the experience of similar groups and relevant research findings.
3. To train and refer executive and administrative personnel, including graduate level interns, on request to help LNHAs conduct their programs.
4. To assist LNHAs and their local contractors to secure needed financing through loans and grants.
5. To make direct loans to qualified LNHAs for the rehabilitation or construction of low cost housing for sale to families taking part in the LNHAs' home ownership preparation program.
6. Using its blanket obligational authority, to channel funds to LNHAs from existing government programs such as OEO Community Action, Small Business loans, Adult Basic Education, Manpower Development and Training, home improvement loans, and open space development.
7. To assist LNHAs in applying directly for such government aid.

C. Financing:

1. The Home Ownership Loan Fund (HOLF) within NHOF would be capitalized by selling debenture bonds to:

a) Commercial lending institutions such as banks, savings and loan associations, and insurance companies.

b) Labor union pension and retirement funds.

c) Private business.

d) University and religious group endowment funds.

e) Federal, State and local public bodies and agencies.

Such debenture bonds would bear a fixed rate of interest and would have staggered maturity dates. HOLF would retain the option of calling in the bonds for redemption. The interest rate on the bonds would be fixed to ensure a yield to the buyer equal to that of prime commercial bonds of equal term. In the unlikely case of default, bond holders would have the option of exchanging HOLF debentures for equivalent government securities.

In the case of bonds sold to institutions for which interest income is not taxable (such as pension funds), this rate would be the current market rate. Bonds sold to buyers who are required to pay tax on interest income (such as commercial banks and insurance companies) would be tax exempt. The rate on these bonds would be that needed to produce a yield equal to the after-tax yield from bonds whose interest is taxable at the maximum corporate rate.

Initially, the Federal government would purchase some $24–100 million in HOLF debentures to provide immediate seed money capital for loans to LNHAs. As private lenders bought bonds from HOLF, the initial Federal subscription could be retired, as has been done with the Federal farm credit banks.

If the rate at which loans are made by NHOF exceeds the rate at which new capital subscriptions are obtained, it will be necessary for NHOF to enter the secondary mortgage market to convert its accumulated mortgage paper into capital for new loans. In such a case, the Federal National Mortgage Association (FNMA) would be committed to purchase up to some specified amount of NHOF mortgages from its Special Assistance Funds.

2. The Administration and Technical Assistance Fund would be financed by grants and bequests from foundations, private donors, and, if necessary, government. This Fund would aid LNHAs in developing sound programs in their communities and secure competent staff personnel. The Fund would be authorized to make short term loans to facilitate surveys, architectural studies, and similar program planning needs.

3. The Training and Counseling Fund would help LNHAs set up and finance job training, basic education, counseling, community development and similar programs. The Fund's experts would seek to develop effective use of private resources and the maximum cooperation of the private sector in helping LNHAs set up these programs. As a supplement, however, the Fund would have the delegated authority to obligate specified amounts of funds from existing Federal programs, such as the Economic Opportunity Act, the Manpower Development and Training Act, and the Small Business Act, to LNHAs where appropriate. (This blanket authority is already enjoyed by certain local public agencies under the OJT provisions of MDTA, for example.)

III. THE LOCAL NONPROFIT HOUSING ASSOCIATION (LNHA)

A. Organization: A nonprofit group or corporation organized by local people to conduct and coordinate home ownership, housing rehabilitation, basic education, job training, family counseling, and similar programs for neighborhood residents. Insofar as possible lower income families from the neighborhood would be expected to play an active part in establishing the LNHA and determining its policies.

B. The Basic Procedure:

1. LNHA enlists the participation of neighborhood families (from middle income down to the "poverty" or public housing-eligible levels) that show promise of ability and desire to improve their economic level, and begins to counsel them in the practice, responsibility, and advantages of home ownership. No LNHA could deny any local family the opportunity to participate by reason of race, creed, color or national origin. Each LNHA would develop its own criteria for the enlistment of participating families; families seeking to participate would be screened by a LNHA committee including members of families already taking part in the program.

2. LNHA recruits and provides basic education to unskilled and unemployed persons, preparatory to their enrollment in on-the-job training programs in housing rehabilitation skills. In many, but not all, cases these persons would be the breadwinners of families preparing for eventual home ownership.

3. LNHA, using a NHOF loan, acquires blocks of buildings in declining neighborhoods from local governments or private owners. The below-market interest rate on the NHOF loan (made possible by its tax-exempt financing) would be determined by such factors as the borrower's purchase and rehabilitation costs, the incomes of the prospective home buyers taking part in the program, the need for rehabilitation and improvement work in the area, and the extent of state and local tax assistance. Consideration would also be given to the needs of the Fund to continue to attract capital and to the composition of the Fund's bondholders. Where LNHA acquires inhabited dwellings, it would assist in the relocation of the families displaced until decent housing is available.

4. LNHA contracts with local contractors for the rehabilitation of the dwellings into decent housing, according to a neighborhood development plan which makes allowance for such features as green space and recreational areas. Contractors and subcontractors would be required to provide on-the-job training in rehabilitation and construction skills to trainees already enrolled in the LNHA's preparatory program. This on-the-job training by contractors would be aided by tax credits, as proposed in the Human Investment Act now before Congress. Rehabilitation mechanics and trainees should where possible be allowed to convert the value of their labor into "sweat equity" in their own homes.

5. The contractor obtains a regular bank loan at market rate, rehabilitates the dwellings using low-cost techniques, and presents his bill to LNHA.

6. LNHA uses the remainder of the NHOF loan to pay the contractor and settles previously enlisted and counseled families in the new dwellings.

7. Once the home buyer has accumulated a small down payment (either in cash or in "sweat equity"), he buys his house or condominium unit from the LNHA. The LNHA transfers the mortgage thus obtained to the NHOF in repayment of the original loan. The buyer makes his monthly payments to a local mortgage management institution with which NHOF (Or FNMA, if NHOF sells the mortgage on the secondary market) has contracted for management purposes. Every five or ten years the buyer would be required to refinance his mortgage to reflect his current economic position.

8. Once the sale of a unit is made to an individual buyer, LNHA arranges with NHOF for the new owner to sign up for mortgage payment insurance, to protect him against foreclosure if he should become unable to make payments due to reasons beyond his control, such as ill health or economic recession and layoff.

9. Once the sale is complete, LNHA would continue to counsel the new home owners and their families (as well as the other owners in the neighborhood who did not undergo the LNHA program) to enable them to take maximum advantage of opportunities and to manage their investment effectively and wisely. An important part of this continuing counsel would be education in credit buying, especially in home improvements, to prevent the exploitation of relatively inexperienced home owners by unscrupulous salesmen.

10. The LNHA would take the lead in encouraging and sponsoring community activities and group organizations, taking special care to promote the involvement of the new home owners in helping others just entering the program.

11. The LNHA would continue to assist trainees completing their on-the-job training to enroll in the regular apprenticeship programs sponsored by local unions.

C. Other LNHA Programs: In addition to the Basic Procedure envisioned above, an LNHA might choose to conduct a number of additional programs. For instance:

1. Sponsor new construction for rental or sale as well as or in place of rehabilitation, where circumstances make that approach more feasible.

2. Create new recreational and open space areas in the project area, including the establishment of a common "green" in the interior of blocks and the transformation of existing streets into pedestrian malls.

3. Sponsor the conversion or construction of a neighborhood center, offering recreational opportunities and social services and serving as a center for community activities.

4. Rehabilitate retail business properties within the neighborhood for sale to small businessmen serving the area's residents, and assist them to obtain small business financing and technical assistance from private and public sources.

5. Assist local business firms and other organizations in setting up effective job training programs for area residents.

6. Assist in the formation of cooperatives to buy multifamily buildings or entire blocks of buildings for cooperative ownership.

7. Assist in the formation of other needed services for area residents, such as cooperative food buying, credit unions, medical and dental services, day care programs, etc.

8. Sponsor the conversion of existing public housing buildings into owner cooperatives.

9. Assist individuals to become owners of their public housing units, in exercising lease-with-option-to-purchase options under existing Federal leased housing and rent subsidy programs, and converting existing multifamily rental buildings to condominium ownership.

10. Sponsor recreational and social events such as athletic leagues, bridge clubs, festivals, etc. in the neighborhood.

D. Local Financing: The LNHA's administrative costs would be met from contributions raised locally from businesses, foundations, local government, and private donors. Since mortgage management, technical assistance and research are borne by NHOF, and training and counseling programs are funded through private and existing government programs, office and secretarial costs should form the bulk of the LNHA's locally subscribed expenses.

IV. THE BALANCE SHEET WITH GOVERNMENT

There are a number of ways in which government can provide significant assistance to this plan. As presented, four forms of Federal assistance are envisioned:

A. Interest on NHOF debentures would be tax-exempt, like State and municipal bonds. The Treasury would forego the opportunity for collecting the tax on the interest that taxpaying lenders would receive were the funds invested in customary commercial ventures.

B. The initial Federal seed money subscription to HOLF could be repayable without interest as private subscriptions are obtained.

C. Urban Renewal funds would be used to help local public agencies acquire building shells in Urban Renewal or concentrated code enforcement areas for low-cost resale to LNHASs, and in demolition of unsound structures in those areas.

D. In the unlikely event of default by HOLF, the government would permit the exchange of HOLF bonds for equivalent government securities.

In addition to these forms of indirect governmental assistance, a mix of additional aid might be required to make possible effective action under a wide variety of circumstances. Included might be the following:

E. Federal subscription to HOLF at below-market rates.

F. Authority to FNMA to purchase at par NHOF mortgages bearing below market interest rates (as is presently done for Sec. 221 (d) 3.3% mortgages.)

G. FHA assumption of the mortgage payment insurance for individual home buyers, thus spreading the risks over all FHA borrowers.

H. Local property tax abatement for a given period, or a tax freeze at pre-rehabilitation levels (where permissible under state law.)

On the other side of the ledger, numerous tangible advantages would accrue to the various levels of government from successful execution of the plan, even leaving aside the intangible values of enhanced opportunity and social welfare.

A. Individuals counseled, trained, and placed in steady employment would pay income and other taxes.

B. The enormous social costs of unemployment would be reduced.

C. The construction and rehabilitation program would generate taxable business income for the local construction and building materials industry.

D. Declining property values in the neighborhood would be arrested.

E. The incentives to independent action contained in the plan would reduce the need for increased public spending on such things as public housing.

V. ADVANTAGES

A. The plan would for the first time make the advantages of home ownership available to families who, because of their present economic status, cannot become home owners.

B. The plan would make a major contribution to the redevelopment and restoration of presently declining and blighted areas in both large and small cities.

C. The plan would increase the opportunities for basic education, job training, counseling, etc. for lower income families as part of an effective, integrated program.

D. The plan would help private enterprise to create vitally needed jobs in housing rehabilitation and other fields for previously unemployed and underemployed persons.

E. The plan would increase business opportunity for and make technical assistance available to small local contracting firms, many of them minority groups owned.

F. The plan, by placing primary reliance on the private sector of the economy, would encourage new non-governmental efforts to meet human needs.

G. The plan would be attractive to lenders because it promises a competitive yield and no risk, in addition to its social and philanthropic appeal.

H. The plan would lead to additional tax revenue through the enhanced stability and earning capacity of the families involved.

I. The plan would operate to discourage

social disintegration, vandalism, riots, and insurance losses by making possible a significant increase in resident-ownership and by generating in neighborhood residents a new sense of responsibility and personal aspiration.

J. The plan would encourage once-poor families to participate in LNHAs and community development activities and to help others advance along the same path.

K. The plan would generate new business for local lending institutions from whose funds contractors would finance the rehabilitation, and who would be called upon to service the resulting mortgages.

L. The plan, by opening up a mass market for housing rehabilitation products and techniques, would stimulate technological advances in those fields.

M. The plan would create a powerful national organization, the NHOF, to aid LNHAs in overcoming bureaucratic obstacles to obtaining governmental aid under existing training, anti-poverty, and similar programs.

N. The plan would provide an attractive alternative to the growth of additional public housing and rent subsidy programs.

VI. POSSIBLE STEPS FOR EFFECTUATING THE PROPOSAL

A. Form a National Home Ownership Committee of national leaders from business, labor, the professions, foundations, civil rights and civic organizations, and Congress to promote the establishment of the NHOF and become its incorporators and initial Directors.

B. Obtain a Congressional charter incorporating NHOF, providing for Presidential appointment of one third of the Directors, GAO accounting and auditing procedures, and an annual report.

C. Enact Federal legislation to:

1. Make interest from NHOF debentures tax exempt.

2. Capitalize the NHOF during the initial period until private funds are available to retire the government subscription.

3. Amend the Urban Renewal laws to permit the use of urban renewal funds for acquisition of building shells for LNHA rehabilitation in areas not presently designated as urban renewal or concentrated code enforcement areas.

4. Amend the FNMA laws to provide the FNMA purchase of a specified amount of NHOF-held mortgages in order to revolve the financing funds.

5. Amend such acts as MDTA, the Economic Opportunity Act, the Small Business Act, and the Public Works and Economic Development Act to permit NHOF to obligate program funds for appropriate programs conducted by LNHAs (with the actual contract entered into between the LNHA and the Federal agency.)

6. Authorize the holders of defaulted NHOF bonds to exchange them for equivalent government securities.

7. Provide tax credits to business to encourage job training, along the lines of the Human Investment Act now before Congress.

8. Provide if necessary such additional government assistance as discussed in Part IV to keep the carrying charges of LNHA dwellings within reach of lower income families.

D. Organize the NHOF and begin operations.

VII. SUMMARY

The plan spelled out above is not presented as the ultimate scheme for achieving the goals set forth, nor is it presented as an overnight panacea for urban ills. Obviously innumerable options are available throughout the entire procedure. Full public and Congressional discussion of this proposal, along with other similar proposals now being advanced, can be expected to yield the optimum combination of ingredients for a sound, workable program.

The extent to which overt governmental assistance will be necesary to bring decent housing within the reach of families who can afford to spend no more than about $70 a month for housing (corresponding to an annual income of $3,360, using FHA's assumption of one fourth of income for housing) is a matter for the most serious exploration. To achieve this end under the proposal set forth several elements are included:

A. low interest financing—achieved in the plan by introducing the tax exempt feature and default guarantee for NHOF bonds

B. low acquisition cost—achieved in the plan by urban renewal assistance where suitable buildings are otherwise unobtainable

C. low cost of rehabilitation materials—achieved by the promise of opening up a major new market, encouraging the development of new projects and techniques

D. low cost rehabilitation labor—achieved by training low-skill workers to become rehabilitation mechanics whose pay scales would not reflect master craftsman rates (except where licensed tradesmen are required.)

E. low taxes and insurance—achieved by tax abatement or freeze and the improvement of neighborhood stability and cohesion

F. where feasible, the substitution of "sweat equity" for mortgage financing.

Experience in at least two programs (Philadelphia and St. Louis) where the Basic Procedure was put into operation has produced the sale of decent housing units to lower income owners at carrying charges (including principal, interest, taxes and insurance) of between $50 and $65 a month *without any government subsidy*. This proves what can be done in at least some central city areas when the private sector is mobilized to make a determined effort. The whole plan presented here is designed to amplify these successful programs and adapt them to every urban area in America, choosing in each case the proper mix of aid required to achieve comparable results.

Of absolutely crucial importance to any such program is the central element of home ownership. For a man who owns his own home acquires a new dignity. He begins to take pride in what is his own, and pride in conserving and improving it for his children. He becomes a more steadfast and concerned citizen of his community. He becomes more self-confident and self-reliant. Becoming a homeowner transforms him. It gives him roots, a sense of belonging, a true stake in his community and its well-being.

Helping those who are now poor to advance to responsible home ownership is not a task to be underestimated. Many obstacles—not the least of which is the ingrained suspicion of the hard core poor themselves—will be encountered. But the time has now come for home ownership—whether single family homes, condominium units, or cooperative—to be made available to every aspiring American family that seeks it and can benefit from it. This home ownership achievement plan is no more than an attempt to mobilize the private sector, with government reinforcement at crucial spots, to make America increasingly a nation of home owners.

APPENDIX—SELECTED HOME OWNERSHIP PROGRAMS

(Prepared by U.S. Senator Charles H. Percy, January 1967)

Interfaith Interracial Council of the Clergy

Address: 1528 Walnut, Philadelphia, Penn., 215 PE 5 4444.

Administrator: Samuel Alper.

Type of project: row houses; rehab.

Initiation: 1964.

No. of units: 34 to date.

Acquisition: from city and private owners.

Acquis Cost: $500–1500/unit.

Labor: ½ from vicinity.

Finished cost: $5000–9000.

Mortgage: FHA (203[1]) 30 yrs. 6%.

Down payment: $200–300.

Monthly charges (Mortgage, taxes & insurance): $53.

Features: new kitchens; oak flooring; new wiring & plumbing; carpets, cement basement; tree.

Supporting Activities: home ownership classes credit union.

Participant's Income: $3000–6000.

Bicentennial Civic Improvement Assn.

Address: 2332 Mullanphy, St. Louis, Mo., 314 GA 1 0309.

Administrator: Lawrence Crell.

Type of project: row & single family; rehab.

Initiation: 1963.

No. of units: 57 to date.

Acquisition: from city and private owners.

Acquis Cost: $1200-2000/unit.

Labor: all from vicinity.

Finished cost: $5000–7000.

Mortgage: no FHA; 15 yrs. 6%.

Down payment: 20% (loaned by BCIC).

Monthly charges (Mortgage, taxes & insurance): $45–70.

Features: new wiring & plumbing; central heating, etc.

Supporting Activities: home ownership classes; adult ed. job training; neighborhood center; citizenship.

Participant's Income: $4000–6000.

Flanner homes

Address: 333 W. 16th, Indianapolis, 317 635 7586.

Administrator: T. H. Simpson.

Type of project: Single family new const.

Initiation: 1950.

No. of units: 331 to 1964.

Acquisition: from city Redev. Comm.

Acquis Cost: n.a.

Labor: cooperative teams.

Finished cost: $13,500 (including $3000 sweat equity).

Mortgage: some FHA; 20 yrs.

Down payment: $500 plus sweat equity.

Monthly charges (Mortgage, taxes & insurance): $75.

Features: new wood const.

Supporting Activities: neighborhood house with many services.

Participant's Income: $3800 median.

A NEW DAWN FOR OUR CITIES—A HOME OWNERSHIP ACHIEVEMENT PLAN

(An address by CHARLES H. PERCY, Republican candidate for the United States Senate to the Kiwanis Club of Chicago, September 15, 1966)

Of all the problems facing the nation within its borders today, none is greater than the challenge of our cities. Seventy percent of all Americans now live in urban centers of 2500 or more, and 53% live in the great metropolitan centers. Though the growth of the city has contributed much to American economic strength, it has also brought serious problems.

Traffic clogs our streets.

The smoke and soot and smells of our industrial society pollute the air we breathe.

Our lakes and rivers have become sludgy cesspools of raw sewage and industrial waste.

Too much of our green space has given way to the axe and grader; our children play on treeless concrete prairies, or in the streets themselves.

Once stately and respectable dwellings, as the decades pass, decay slowly—and sometimes rapidly—into wretched slums.

Buildings that could be saved fall before the urban renewal bulldozer, and the splendor of high-rise apartments for the well-to-do masks the dejected exodus of the uprooted poor.

THE HUMAN PROBLEMS OF OUR CITIES

And as whole neighborhoods degenerate, their inhabitants grow weary with despair. Their bright dreams fade; their courage flags; their self-reliance flickers and dies. And the result is all too familiar. It is the psychological decline of men and women dragged down to despair, prisoners of poverty, seemingly powerless to influence their environment, buffeted back and forth by the winds of the national economy, victims of faceless forces they cannot identify and over which they have no control—free men and women reduced to easy prey for the great dehumanizing political machines, props and not actors on the stage of life.

Many of the physical problems of the city, complex as they are, will yield to the application of genius and money. But the other kinds of problems—the intimately human problems of mass urban society—present a far greater challenge. For while man in recent years has harnessed the power of the atom and brought back astronauts from outer space, we have found no ready explanation of the subtle mysteries of the human spirit; and yet *a New Dawn for our cities depends on a rebirth of the spirit in those whom progress has passed by.*

To meet these human problems of urban society, then, we must create and fortify a new spirit of independence, of self-reliance, of self-esteem, of human dignity, of creative initiative in the people who dwell there. Throughout the history of America, one vital concept stands out as a means of forging those values.

HOME OWNERSHIP—AN AMERICAN IDEAL

That cherished concept is Home Ownership. Ever since the Pilgrims set foot on Plymouth Rock, home ownership has been an integral part of the American Way of Life. Long before the rise of the great cities, our forebears came to America because America held forth the bountiful promise of land—land a man could afford, land whose produce could make a man independent of the great lord of the estate, land on which a man could build his own home and there raise his family in self-reliance and security.

By contrast, our forefathers took a scornful view of tenantry. "Tenantry is unfavorable to freedom," wrote Senator Thomas Hart Benton of Missouri in 1826. "It lays the foundation for separate orders in society, annihilates the love of country, and weakens the spirit of independence. The tenant has in fact no country, no hearth, no domestic altar, no household god. The freeholder, on the contrary, is the natural supporter of a free government, and it should be the policy of republics to multiply their freeholders, as it is the policy of monarchies to multiply their tenants." Making the public lands available to homesteaders, Benton argued, "brings a price above rubies—a race of virtuous and independent farmers, the true supporters of their country, and the stock from which its best defenders must be drawn."

A century and more ago, the issue was between freehold and land tenantry. Today, in urbanized America, the context is different, but the basic principle involved is exactly the same. The freeholder of the 19th century becomes the home owner of the 20th, and the tenant farmer of an earlier day becomes the man with no choice but to rent his dwelling from another. Just as the giants of the 19th Century favored freehold, the leaders of the mid-20th must fight with determination to bring the opportunity to actual home ownership within the reach of every American.

For a man who owns his own home acquires with it a new dignity. He begins to take pride in what is his own, and pride in conserving and improving it for his children. He becomes a more steadfast and concerned citizen of his community. He becomes more self-confident and self-reliant. The mere act of becoming a homeowner transforms him. It gives him roots, a sense of belonging, a true stake in his community and its well-being. And as it does so, the nation gains in strength.

Thus, home ownership must be a central element in any program for resurrecting America's cities and giving new life to its people; not only for the well-to-do, with their luxury apartments, nor even for the middle class, with modest homes in well-maintained neighborhoods, but also for poor people who now live in the great blighted areas of city slums.

Can it be done? Is it really possible that men and women with low incomes can become the owners of their own homes?

There are many who say that the economics of urban housing rules out home ownership for all but the middle class and the rich.

But when asked for their answers to the problem of rebuilding our cities and helping the poor to rise out of poverty, they offer only the dreary and unimaginative solutions of the musty past, solutions that have all too often proven as undesirable as the problems they were supposed to solve.

THE ANSWERS OF THE PAST

Poor people, they say? Let us rip out blocks upon blocks of their miserable slums. Let them crowd in with their relatives for a while, and then herd them into twenty story concrete cages, isolated from established neighborhoods. And then let us investigate them regularly to make sure they are not putting anything over on us, and let us evict them when their incomes rise. Or instead of putting them in public housing, they say, we will put them in subsidized private housing and hand them an unconcealed dole to pay their rent. The mere fact that this latter scheme was considered by many to be an advance points out the bankruptcy of creative thinking in this area.

Is it any wonder that our three-story walkup slums have in many cases been replaced with twenty-story high-rise slums? These new quarters may have less rats than the old, but the crucial element of human dignity has been shoved aside in the rush to pile new concrete to the sky. Indeed, in many cases, the people packed into public housing are worse off than before; and the planners scratch their heads and wonder why.

The reason is not hard to discover. Poor people living in a landlord's slum and those living in a public housing cell block have one thing in common—they are the slaves rather than the masters of their environment. They are not tenants by choice, but by necessity. They have nothing of their own, nothing to cherish or protect. They are on the bottom of not only the economic heap, but the psychological heap as well.

If the skepticism of those of little faith was well-founded, we would have to resign ourselves to this unhappy state of affairs. But it is not.

A NEW DAWN OF OPPORTUNITY

I am proposing today a new Republican approach to meeting the challenge of our cities and their people—a plan that will make possible a New Dawn of opportunity for the thousands of today's poor people who yearn to own their own homes.

It is fitting that Republicans now come forth as champions of home ownership for all, regardless of income, race, sex, or faith. For over a century ago, the Republican Party swept to victory with Abraham Lincoln on a platform promising to open the Western frontier to the new immigrants seeking the independence of owning their own farms. The objective of the Republican Party of 1860 was to ensure that free men and freeholders settled the new states of the West, in order that the advance of slavery might be halted. In this they were bitterly attacked by the Democratic Party of their day. President Buchanan vetoed the first Homestead Act to pass Congress. Senator Mason of Virginia pointed out rightly that advocacy of free homesteads was a "political engine" adopted by the newly formed Opposition to his Democratic Party. "What is the Opposition?," he cried. "A party calling themselves the Republican Party. What is their purpose? To get control of this government that they may act directly on the condition of African bondage in the southern states."

Both purposes of the Homestead Act were achieved: The spread of slavery was halted, and then abolished altogether by a Republican President and Congress. And free men went forth to settle the great prairies of the Middle West—men who did much to continue our national character in the mold of independence and self-reliance.

Today slavery of one man to another is gone, as is all but a remnant of the public homestead lands. But can a man forced to live beholden to an absentee landlord in a ghetto slum, or regimented in the gray walls of a city-managed poverty village, be truly free?

While the Democratic Party explores new ways of making the poor man not merely dependent, but doubly dependent—once on the landlord and once on the dole—the Republican Party must again lead the way to a New Dawn of opportuntiy for the poor but honest man in whose heart still burns an unquenchable spark of pride—a golden opportunity to own a decent home of his own. Instead of a sod hut on the open prairie or a log cabin in the forest, his home may be a city house, an apartment in a multi-family building, or perhaps a condominium unit. But the values of home ownership on the prairies of 1866 and in the cities of 1966 are the same, and so is the promise: a rebirth of the human spirit and, with the passage of time, a rebirth and flowering of America's great cities.

NOW—A DETERMINED NATIONAL EFFORT

Some will say this cannot be accomplished. I say it *can* be accomplished and it *has* been accomplished where men of imagination and determination have insisted that it be accomplished. All that needs to be done is to launch a determined national effort involving private business, unions, churches, foundations, civic organizations, governments, and *the poor people themselves* to make this goal a reality.

Now let me tell you the basic premises on which this plan is based, and some of the concrete details on how it will work.

The first premise is that home ownership, as a means of encouraging human dignity, personal achievement, social stability, the physical improvement of our cities, and community participation and leadership, must be made available to aspiring low income families—and by that I mean families now eligible for public housing.

The second premise is that home ownership is an integral concept. It means not just the signing of papers, but the whole process of acquiring a sound basic education, learning needed job skills, gaining employment security, preparing to accept the responsibilities of home ownership, conserving and improving one's community, and helping to broaden the opportunities for one's neighbors.

The third premise is that private business, the independent, nonprofit sector of the economy, and concerned citizens and civic groups must accept the responsibility for putting a program for home ownership into operation. The role of government should be one of reinforcement and guarantee, rather than one of execution and control.

The fourth premise is that essential to the upgrading of neighborhoods through rehabilitation and construction of housing is a corresponding emergence of personal involvement of the residents themselves.

On these premises a sound national effort can be based. As I now envision it, we should proceed along these lines:

A NATIONAL HOME OWNERSHIP FOUNDATION

First, Congress should incorporate a National Home Ownership Foundation, in some ways similar to the Communications Satellite Corporation. The task of the Foundation would be to actively encourage the formation of local nonprofit housing associations, to provide them with technical assistance, research findings, and trained administrators, and to make direct loans to the local associations for the rehabilitation or construction of housing for sale to lower-income families.

The National Foundation would be capitalized through tax-exempt, guaranteed-return debenture bonds purchased by private business, lending institutions, foundations, private pension and trust funds, and, initially, Federal, State and local government subscriptions. To make adequate capitalization possible will, of course, require that the Administration act swiftly to relieve the present pressure on credit and interest rates, brought about by its failure to take effective fiscal steps to preserve the strength and stability of the economy.

The local nonprofit housing associations would buy up housing shells and other structurally sound but rundown buildings from private owners and municipal governments.

The association would enroll and give basic instruction to unskilled and unemployed men wishing to become rehabilitation craftsmen. It would then contract with local contractors for the rehabilitation of the buildings, with the contractors agreeing to provide regular on-the-job training to trainees who had completed the introductory instruction offered by the association. Efforts would be made by the association to facilitate the entry of trainees who have acquired the basic job skills involved in home rehabilitation into the regular apprenticeship programs of local unions, leading to journeyman qualification.

Meanwhile, the association would enlist the participation of lower income persons wishing to become owners of the completed houses or, in the case of larger multifamily dwellings, condominium apartments. These persons would be counseled in such things as improving their job situations, better homemaking, financial record keeping, and neighborhood improvement responsibilities. In many cases, the prospective buyers would be men concurrently taking job training under the association's auspices, who would become rehabilitation craftsmen for the building contractors upon completion of their training. Such persons could be given the opportunity to build up "sweat equity" by contributing their own labor as part of their investment.

The rehabilitated homes or apartments would then be sold to families taking part in the program who had accumulated a small down payment. The participating buyer would be made eligible for a regular FHA home mortgage.

The local association would continue to counsel the buyers even after completion of the sale, and to work with their employers to ensure opportunities for regular advancement, additional job training, and enhanced financial security. Consumer credit counseling and similar services would also be made available.

In order to protect new homeowners who have not yet been able to accumulate adequate savings for paying monthly carrying charges during periods of unemployment due to layoffs, ill health, or other causes beyond the buyer's control, the federal government should establish a system of mortgage payment insurance. The experience of the Federal Housing Administration indicates that such a system of insurance can be established at small cost to the insured homeowners.

Finally, the poor people themselves—now well on their way toward economic self-sufficiency and security—would be given every opportunity to contribute their own talents to helping others follow in their footsteps, and to make each new neighborhood a source of pride for all its residents.

A PROGRAM BASED ON EXPERIENCE

Now this has been a very sketchy presentation of a plan which plainly involves a great many issues and raises a great many legitimate questions. Some will undoubtedly say that this cannot be done. But let me assure you—this plan is not the product of dreamy-eyed idealists.

Every part of this plan has been developed and tested in practice by men of imagination and ability who refused to believe the skeptics who said it couldn't be done.

The program to train rehabilitation experts from the ranks of the unskilled has been tested and proven by the outstanding work of the Rev. Leon Sullivan at Philadelphia's Opportunities Industrialization Center, and by the many projects of the Board for Fundamental Education based in Indianapolis. The Board has also developed the "sweat equity" technique for helping low income workers acquire through their labor the value of a down payment on their homes.

The whole program for acquiring the building shells, contracting for their renovation, and arranging the sale to low-income families has been carried out independently by the Bicentennial Civic Improvement Corporation of St. Louis and the Interfaith Interracial Council of the Clergy in Philadelphia.

And what is perhaps most important, these programs have proven that the national effort I am proposing can be operated on a break-even basis without new government subsidies. Government at all levels would aid through tax advantages, loan guarantees, seed capital, and the rechanneling of existing Federal aid funds through the National Home Ownership Foundation, but the program can be made to work without direct government financing and domination.

There is no single part of this plan that is a brilliant new idea, for every part of it has been tried somewhere and been made to work. What is new, however, is the integration of many programs and proposals into one streamlined, coherent, well-conceived, national program to make home ownership available to lower income families in America's cities.

SOME ADVANTAGES TO BE GAINED

Let me list some of the advantages that this plan would yield.

The plan would for the first time make home ownership and all its advantages available to lower income families.

The plan would make a major contribution to the redevelopment and restoration of presently declining and blighted urban areas.

The plan would increase the opportunities for basic education, job training, counseling, etc., for lower income families as part of an effective, integrated program.

The plan would create useful jobs in private enterprise for previously unemployed persons.

The plan would strengthen small local contracting firms, many of them minority group owned.

The plan would place primary reliance on the private sector of the economy, with little additional contribution by government.

The plan would be attractive to lenders because it promises a fair rate of return and low risk, in addition to its social and philanthropic appeal.

The plan would lead to additional tax revenue through the enhanced stability and earning capacity of the families involved.

The plan would operate to encourage once-poor families to participate in community development activities and to help others advance along the same path.

No more rewarding investment could be made; for the results, in Senator Benton's words, truly bear a price above rubies. It is the price of freedom, of dignity, of independence, of all those values which ensure security and advancement to the individual and a New Dawn of progress to the society in which home ownership has given him an important and lasting stake.

PRIVATE FINANCING OF THE SUPERSONIC TRANSPORT AIRCRAFT

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BOW. Mr. Speaker, I am delighted that the Government has selected the SST airframe and engine contractors to develop and construct the SST prototype.

As the President has said, Congress will be faced with decisions this year concerning the continuation of this important project.

It is a project that will cost billions of dollars, but will yield tremendous benefits in new employment and in business for U.S. industry.

However, I believe that this project should be financed by private investment rather than appropriations, and I believe that this is the only way it can be done under present circumstances.

I am introducing today legislation, similar to my bill in the 89th Congress, to establish a Supersonic Transport Authority, a Government-owned agency, to supervise and privately finance with Government guarantee the development and construction of the SST prototype.

My bill has great merit under any circumstances, but at the present time I believe it is the only way that we can continue the orderly development of an SST.

The pressures of the war in Vietnam and growing inflation at home make it unlikely that Congress would look with favor on a request for up to $2 billion to do this job.

If it is to be continued, as I believe it should be, it can and must be done with private capital.

I am gratified to note that the New York Times, under date of January 2, 1967, editorially supports many of the principles included in my bill. An open debate is sorely needed on the costs and financing of the SST.

I have urged the President to consider joining in requesting early hearings on the bill. The experts of my staff and the great amount of research Col. W. S. Whitehead and his associates have done on this subject over the past 3 years, are available to those executive agencies having an interest in the SST.

I shall, to the full extent of my ability, press for enactment of this legislation during the first session of the 90th Congress.

My new bill differs in only two provisions from the bill of last year. One, it increases the authorized amount of private investment financing by the SST Authority to $2.5 billions. The other, exempts the indebtedness issued pursuant to such authorization, from laws administered by the Securities and Exchange Commission.

The increase of $1 billion provided for in the bill covers, first, the capitalization of required interest payments on the Authority's serial development bonds to be sold to the investing public; and, second, the cost of certification for the SST after its construction.

The exemption provision is consistent with practice, where a Government agency creates and issues publicly, its indebtedness. While the Government will guarantee "effectively" or on a "standby" basis, the payment of principal and interest on the Authority's bonds to be outstanding, they will not, nevertheless, be direct obligations of the U.S. Government.

The principal features of my bill are:

First. The administration of the Authority shall be vested in a chairman, having two deputies, each to be appointed by the President, subject to Senate confirmation.

Second. An Advisory Board of five members shall be established to advise the chairman, each to be appointed by the President, subject to Senate confirmation.

Third. The continuity of effective supervision over design refinement and prototype construction shall be assured without interruption during establishment of the Authority.

Fourth. The Authority shall create and issue not to exceed $2.5 billion principal amount of serial development bonds, which shall be exempt securities within the meaning of laws administered by the Securities and Exchange Commission.

Fifth. The bonds shall be sold to the general public through usual investment marketing channels, and the proceeds used to contract out for the construction of two prototype models embracing the one design selected by the President.

Sixth. The bonds shall not be bonds of the United States, but the United States will "effectively" guarantee the payment of both the principal and interest thereof.

Seventh. The bonds issued and sold shall not be Government obligations and, hence, will not affect the Federal debt structure, unless and except payment of the principal and interest is made with Treasury funds.

Eighth. The Authority shall determine the sources from which revenues will be obtained for the ultimate liquidation of its outstanding bond indebtedness.

Ninth. The sources of revenue may include profits resulting from the commercial production and sale of the SST; royalties on the sales price of each SST; and service charges added to the established tariffs for SST flight users.

Tenth. The Authority shall oversee and effectuate the orderly transition from Government supervision of the SST development, to commercial production and sale by private industry.

Eleventh. The Authority shall oversee the creation and establishment of a private corporate entity to commercially produce and sell the SST; and insure that the investing public be afforded maximum participation in the estimated $2 billion of financing required by such entity to engage in production activity.

Twelfth. The Authority shall insure that the services of the prime and principal tier subcontractors utilized in the development phase be continued, together with others, in the production phase.

Thirteenth. The Authority shall insure that all usable real and personal property residuals owned and leased by the Authority during the development phase will be utilized in the commercial production of the SST.

Fourteenth. The title to patents, patent rights, and so forth, created during the development phase, shall remain the property of the United States until liquidation of the total indebtedness of the Authority.

Fifteenth. The exclusive use of the patents, and so forth, shall be assigned to the private corporate entity commercially engaged in the production and sale of the SST.

PRO FOOTBALL COMES OF AGE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CONTE. Mr. Speaker, recently I was the guest of the owners of the Boston Patriots at their second annual Congressional Day game sponsored by the American Football League. I know many of my colleagues were guests at games in their areas and I want to take this means of thanking the owners and the league for myself and in behalf of my colleagues.

Professional football has truly become the all-American game. Football used to be somewhat restricted to the college student or the alumni, but now everyone, whether they have gone to college or not, can "adopt" a team. It was clearly evident at the Boston game that professional football cuts across all strata of our society and provides wholesome entertainment for all.

The American Football League has made outstanding progress during its short life span and we are all looking forward to the Super Bowl game between the Kansas City Chiefs and the Green Bay Packers. Although my favorite team, Boston, is not playing in the Super Bowl game, my sentiments and backing are for the AFL entry. Next year Boston will be the AFL entry.

I count myself among the legion of loyal Patriot supporters who are somewhat puzzled at the final outcome of the AFL regular season. It is frustrating to say the least that Boston, with so much of the league's top horsepower, should have emerged only second best.

The Pat's fine quarterback, "young" Babe Parelli, for example, was voted the comeback player of the year for the AFL. Babe did a masterful job of leading the Patriots all year, displaying a coolness and mastery of the game that few of his colleagues have ever shown.

With Babe in that illustrious backfield was big Jim Nance, a plunging fullback who shattered every ground-gaining record in the league. Jim was voted the most valuable player in the league and reminded many of his NFL counterpart, the great Jim Brown of the Cleveland Browns. It is perhaps no coincidence that both Jim Brown and Jim Nance played college football at Syracuse University.

The Patriots placed more than their share of players on the AFL all-star team this year, with middle linebacker Bonaconti polling more votes than any player in the history of the league.

And, of course, last but by no means least, is their fine coach, Mike Holovak, named by the UPI as the AFL coach of the year. Mike's record this year was a major achievement. He doubled the number of victories the Patriots were able to gain last year and brought his team home a close second in the AFL season. Mike deserves all the credit in the world and certainly we all wish him the best in 1967.

While I am passing out bouquets, a word of appreciation must also go to the Patriots' owner, Mr. Bill Sullivan. Bill has been a tireless worker on behalf of his team, his league, and professional football in general. He was a familiar figure in Washington this past season, working to secure the merger of the two leagues which would restore sanity to the hectic business of signing college players and bring about the Super Bowl game on which the eyes of the sports world will be focused this coming weekend.

Bill is largely responsible for the superb Boston hospitality shown to us during the Congressional Day game and for the continuing community spirit that has encouraged Boston to take the Patriots to their hearts.

Of course, with all of this going for the team, one might well ask: "What happened? Why didn't they win it all?" The answer is not so obscure, perhaps, for anyone who has ever played football. You know that you cannot win them all and that breaks play an important part. A break one way or the other can often spell the difference between victory and defeat.

We are reminded of a famous cliche from another professional sport: "Just wait till next year."

I cannot let this occasion pass without commending the American Football League for the fine and high type manner in which they worked during the recent merger legislation. Harold O. Lovre, a former colleague, represents the American Football League in Washington and he was of special help to me in answering questions and providing information on the merger legislation. Again, I want to thank the owners of the Patriots and the officials of the American Football League for having me as their guest and I am looking forward to next year.

KANSANS OF ACHIEVEMENT IN 1966

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. MIZE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MIZE. Mr. Speaker, the January 1 edition of Midway, the magazine of the Topeka, Kans., Capitol-Journal, is devoted to the selection of Kansans of the Year. In addition to naming newly elected Gov. George Docking as Kansan of the Year, Midway also cites five other Kansans for achievement in 1966. They are Jim Ryun, of Kansas University, in sports; R. Charles Clevenger, of Topeka, in business; Dr. Ronald W. Livers, of the Fort Hays Experiment Station, in agriculture; Gen. George Eckhardt, of the 9th Infantry Division, in military affairs; and Judge Clark Owens, of Sedgwick County, in law.

Two of these Kansans are from the Second District, and under leave to extend my remarks, I would like to call attention to what Midway had to say about R. Charles Clevenger of Topeka and Gen. George Eckhardt, who trained the 9th Division at Fort Riley and accompanied these gallant men to Vietnam. These tributes follow:

R. CHARLES CLEVENGER, BUSINESS

It's a rare day when R. Charles Clevenger, president of the First National Bank of Topeka, doesn't drop his own work to help work out some knotty problem of the newly-organized Kansas Development Credit Corp.—for free. He is the first president of the corporation, which is credited with having saved or created more than 2,500 jobs in Kansas. The private corporation—initiated by the Kansas State Chamber of Commerce and the Kansas Bankers Assn.—is a credit pool designed to supplement, not replace, existing channels to provide loans to sound Kansas industries in cases where normal bank credit may not be available. Clevenger went to Boston in 1965 to study similar corporations and to make a feasibility report to KBA. He is considered a key figure in getting KDCC underway. Since it became operative in September, 1965, 405 Kansas banks have agreed to loan KDCC $5.7 million. Of this, the corporation has loaned or committed itself to loan $2.5 million to 35 manufacturers, mainly in small communities. These industries are expanding and adding people to their payrolls. For the many hours he has spent on KDCC and for his other business and community activities, Charles Clevenger has been selected Midway's Kansas Businessman of the Year for 1966.

GEORGE S. ECKHARDT, MILITARY

Maj. Gen. George Stafford Eckhardt, rugged commander of the 9th Infantry Division in Vietnam, is Midway's Kansan of the Year in military affairs. Although he left his native state within a few years of his birth April 18, 1912, at Winfield, he still claims his Sunflower State legacy. Following graduation from the Military Academy in 1935, General Eckhardt served in the Pacific Theater during World War II and his career has taken him to Hawaii, Germany and Iran. It wasn't until he was 53 years old that he came back to Kansas to live. He returned a year ago to Ft. Riley to organize the "Old Reliables." He accepted the unit's colors when the division was reactivated Feb. 1, 1966, and he guided the training of the thousands of young draftees. In less than nine months, he and other experienced officers and noncommissioned officers molded them into a cohesive fighting unit which is holding positions east of Saigon as the new year arrives. Because the unit did all of its training in Kansas and because he is a native son, General Eckhardt expressed hopes before his departure that the 9th would be known as the "Kansas" division. It was at his suggestion that the Junction City Chamber of Commerce provided 50 pounds of sunflower seeds so the units could plant Kansas' flower among the rich in Vietnam.

CHRISTIAN HERTER, OF MASSACHUSETTS

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 15 minutes.

Mr. CONTE. Mr. Speaker, as the 90th Congress convenes, we of the Massachusetts delegation, like so many of our colleagues from other States, resume our deliberations in these historic Chambers with a heavy sense of nostalgia. We are happy to be back among familiar surroundings. We are happy to welcome the new Members and to share with them the surge of pride and resolution which is rekindled for each of us at the start of each new session.

We are sobered by the awareness that the Massachusetts delegation sits today without two of our most distinguished and recent colleagues—our beloved former Speaker, the Honorable Joe Martin, and our equally beloved Senator Lev Saltonstall. Certainly we wish them both well in the years that lie ahead for them.

We were all shocked and deeply grieved, as was all America, at the sudden, swift passing of our distinguished colleague and good friend, John Fogarty of Rhode Island, whose death was a tragic beginning to what was probably the most remarkable opening day of any session in the history of the House of Representatives. Certainly our deepest sympathies and condolences go to the members of John Fogarty's family.

Our hearts are heavier still today because we also mourn the recent passing of a more distant former colleague, one whose service in these Chambers was all too brief as he answered the call to even greater achievements in his long and illustrious career.

I speak, of course, of the late Honorable Christian A. Herter, of Massachusetts.

Chris Herter was indeed a remarkable public figure and one who lent inspiration to me on more than a few occasions. He was a man of many and powerful talents, a man of great personal courage and of a rare inner strength that needed no trumpets or fanfare to proclaim his presence.

While I know there are many in this Chamber today, on both sides of the aisle, who have been privileged to serve beside Chris Herter from time to time, I have always taken special pride in the good fortune that drew us together on several occasions.

Chris Herter was Secretary of State when I came to the Congress as a freshman in 1959. As an eager new appointee to the Foreign Operations Subcommittee of the House Appropriations Committee, it was a great thrill for me to greet him as Secretary of State and to work with him on the budgets for the State Department.

Our last official relationship had been barely 2 years before when he was Governor of Massachusetts and I was his majority leader in the State senate. I had been privileged to serve with him in that capacity for 4 years.

Prior to those years, he served here in the U.S. House of Representatives and in the Massachusetts State House of Representatives where, from 1939 to 1943, he served as speaker.

He had up to that time already compiled an active, enviable career in the diplomatic service, serving as attaché the American Embassy in Berlin in 1916 and as chargé d'affairs of the American legation in Brussels. He served in the U.S. State Department during World War I and held a number of highly sensitive assignments in various reconstruction programs following the war.

He entered the publishing business for a time and served as lecturer and overseer at Harvard University prior to entering the Massachusetts House of Representatives.

No matter what his title; Ambassador, Congressman, Governor, or Secretary of State, Chris Herter served with a distinction and a commitment that all men in public service might well emulate.

He was a man of immense personal dignity: Quiet and almost self-effacing, but capable of great inner strength when the need arose.

Chris Herter was a chronic sufferer of arthritis, and we can only guess at the dimensions of courage and will power that drove him not only to overcome the infirming aspects of the disease, but to rise to even greater heights in the service of his country; even after he was unable to move about without the aid of crutches.

He was a tall man, both physically and spiritually, a source of strength and reassurance to those who knew him and worked with him; a symbol of human dignity and wisdom to those he served so well.

We mourn Chris Herter today and we proudly honor his memory. The burden of sadness borne by the surviving members of his family is one shared by all his countrymen.

Mr. Speaker, under unanimous consent I place an article from the pages of the Berkshire Eagle at this point in the RECORD. The Eagle is published in Pittsfield, Mass., and the article recalls in vivid detail both the fact and the spirit of Chris Herter's service as Governor of Massachusetts.

The article follows:

THOSE WHO KNOW THE PITFALLS OF BAY STATE POLITICS APPRECIATE THE SUPERB HERTER LEGISLATIVE LEGACY

(By A. A. Michelson)

BOSTON.—For all the respect that was paid on the death of Christian A. Herter this week by leaders of government at the national and international levels, historians will have to look to his four-year tour of duty as governor of Massachusetts to appreciate fully his insights, his progressive approach, and his political talents.

This is not to say, of course, that he was an ineffectual diplomat or legislator in the state and U.S. House of Representatives. On the contrary, the record will show that as a state legislator he drafted an unemployment compensation law a year before the concept of jobless benefits became the law of land through the New Deal. And as a member of Congress, he filed a "medicare" plan that turned out to be 15 years ahead of its time.

But in the field of diplomacy, his personal accomplishment, by the nature of that field of government, has to remain cloudy. He is, of course, credited with a major role in the adoption of the so-called Marshall Plan for the rehabilitation of war-torn Europe, but even this was as the head of a delegation of congressional and government experts.

And it is a matter of record that President Eisenhower didn't see fit to employ the Herter talents to their full extent. As secretary of state in 1959 and 1960, Herter spent most of his time defending policy that he didn't formulate and apologizing for "incidents" resulting from that policy.

But if one can appreciate the nature of government and politics in Massachusetts, the Herter record as governor from 1953 through 1956 is something that few chief executives, before and after, at least in this century, could boast. He did it without fanfare, hoopla and breast-beating.

As a former speaker of state House of Representatives, he appreciated not only the capacity of legislators but their willingness to respond to strong, enlightened leadership. And his placid, patrician manner belied an ability to say "No!" in unequivocal terms on matters of principle while at the same time showing an adeptness at playing the political ball game when necessary.

One of many Herter monuments in state government was his reorganization of the state Department of Corporations and Taxation. It took some doing. Involved was the removal of the legendary Henry F. Long, who had ruled all he surveyed in the department under a succession of governors, Republican and Democratic, from 1921. He was considered indispensable. Herter's personal feelings for the old veteran notwithstanding, he called for a complete reorganization, and in place of Long he put in a three-member commission.

In the first year of operation, the department income-tax collections increased by 40 percent—from $65 million to $90 million.

This willingness to come to grips with a serious problem kept state government afloat for several years without an increase in taxes. And it set up a structure for tax-collection enforcement that still is adequate providing there is strong direction at the top.

Another monument to Herter is the Department of Natural Resources, which he established in place of a Department of Conservation, which had been an agency of contrived anarchy for many years. In the 13 years since being set up, the department has been operated without scandal by top-notch administrators and dedicated career personnel.

In connection with that reorganization, incidentally, Gov. Herter foresaw problems in the Division of Waterways, which he wanted transferred from the Department of Public Works. He ran into opposition, however, from such influential Republicans as the late Sen. Edward C. Stone of Cape Cod, and the reform was not enacted. The big waterways scandals followed just two years after Herter left office.

* * *

District court reform was another problem area that Gov. Herter dealt with, even though it has been constantly opposed by lawyers in the legislature. He pushed through a law prohibiting presiding justices of the larger district courts from continuing in the private practice of law. The Herter reform was supposed to represent a foot in the door, and was to be followed up by other reforms such as cutting the number of district courts from 72 to 50. But instead, succeeding legislatures and governors have simply been making other district courts, however small their case load, so-called "full-time courts" without any regard to giving the full-time judges enough work to keep them busy.

Other governors in the past 10 years have appropriated more funds than did Gov. Herter for the University of Massachusetts, but he was the first to indicate an interest in quality as well as quantity on the university's Amherst campus. Over violent opposition, he introduced the concept of "freedom" in appointments, which allowed university trustees and administrators to bypass the classified personnel system in hiring faculty. Up to that time, a professor, no matter what his experience or talents, had to be fitted into the narrow pay schedules set up for all state employes, a feature which attracted few, if any, outstanding teachers.

The state Department of Commerce, the state Rehabilitation Commission and an unusual earnestness in the selection of judges in all courts are just a few of the other legacies of the Herter administration in the State House.

* * *

It ought to be noted that during the first two years of his four-year tour in the "corner office," Gov. Herter had a Republican legislature and a Republican Governor's Council. But it also ought to be noted that succeeding Democratic governors similarly favored with a legislature and Governor's Council of their own party were accorded humiliating treatment.

His record shows, among other things, that Republicanism or conservatism does not have to be averse to change, reform, or progress. But it took Republicans of Massachusetts many years to appreciate that lesson.

THE STATE AND LOCAL GOVERNMENT MODERNIZATION ACT OF 1967: A 3-YEAR PROGRAM OF FEDERAL GRANTS TO STATES WHICH TAKE STEPS TO MODERNIZE STATE AND LOCAL GOVERNMENTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. REUSS. Mr. Speaker, I have this week introduced H.R. 1166 to provide $15 billion in Federal grants, over a 3-year period, to States which take steps to modernize State and local governments.

In preparing H.R. 1166, I have relied heavily on the proposals by former Economic Advisor Walter W. Heller and Brookings Institute Economist Joseph A. Pechman, for no-strings-attached Federal grants to the State; on the Committee on Economic Development's July 1966 statement, "Modernizing Local Government," a report on why State and local government does not work effectively; and on recent studies by the Advisory Commission on Intergovernmental Relations—ACIR—"Unshackling Local Government" and "Metropolitan America: Challenge to Federalism."

Mr. Heller and Mr. Pechman are on the right track, I believe, in urging large-scale, unearmarked Federal grants—over and beyond our present collection of grant-in-aid programs—if our federal system is to survive.

But it would be wasting Federal money unless the States first take steps to enable themselves and their local governments to make the transition into the last third of the 20th century.

I. THE PROBLEM: ARCHAIC, INSOLVENT STATE AND LOCAL GOVERNMENTS

Two crises in American Government have become apparent by 1967: our State and local governments are becoming both insolvent and archaic.

State and local governments desperately need money. The Heller-Pechman proposals have attracted attention because of growing public concern that, even though Federal revenues keep rising as gross national product mounts, State revenues are falling ever short of growing needs.

State and local governments, inefficient and archaic, need modernizing. Their many problems have been analyzed in several excellent reports, including those by the CED and the ACIR. They also state what must be done to reinvigorate two levels of our federal system.

H.R. 1166 is designed to give the States a mighty impetus toward modernizing State and local governments and to help solve their financial problems by unrestricted grants.

II. THE NEEDS OF STATE AND LOCAL GOVERNMENTS HAVE OUTSTRIPPED THEIR RESOURCES

The needs of State and local governments continue to grow, for two reasons:

First. Our population continues to grow. The baby boom of World War II years, following the depression years and their low birth rates, has continued during the past two decades because of sustained prosperity. Furthermore, the size of those two age groups which require the costliest public services—the old and the young—have increased at rates faster than that of the rest of the population. While the total population grew during the decade 1953–63 by only 19 percent, the school-age population of 5- to 19-year-olds grew by 40 percent and the over-65 population grew by 35 percent.

Second. Americans are demanding more and better public services. More children study longer in better schools. More police services are needed for a population which is restlessly mobile and is crowded into cities. Cars have outgrown two-lane country roads for expensive city throughways. Public health services cost more because of population growth, city living, and advances in medical knowledge. People seeking new jobs move from region to region, from State to State, and country to city, and from central city to suburbs. Public facilities in old communities are abandoned, but new facilities in new communities are needed. Hence, State and local government has been the country's largest growth industry.

Despite increased Federal grants, State and local government resources prove ever more inadequate.

First. Expenditures keep increasing. Annual expenditures by State local governments during the decade 1954–64 increased by $50 billion, from $37 billion to almost $87 billion. Most of this increase—72 percent—was allocated for health, education, and welfare.

Several factors account for the increasing expenditures. Unit costs rose. Costs of equipment and construction rose rapidly. Salaries of State and local government employees were raised to match salary increases in private industry. Because personal services account for so large a share of State and local government budgets, even moderate adjustments in salaries resulted in large total expenditures.

Second. Even though revenues collected by State and local governments have increased remarkably, they have proved inadequate. During the decade 1954–64 State and local governments general revenue increased by $45 billion, from $29 billion to $74 billion. While Federal tax collections were rising by 52 percent, State and local tax revenues grew by 140 percent, or $30 billion.

Property taxes supplied almost the entire increase in local tax collections, and almost half of the combined State and local increases.

Consumer taxes supplied about one-third of the combined increases. Since 1952, five States have imposed general sales taxes. In 1965, 29 States raised rates of existing taxes or adopted new taxes on consumer goods.

Income taxes supplied only about 10 percent of the increases. Most of the 31 States having income taxes have made them less progressive by raising rates at lower income levels.

These revenues have been supplemented by Federal grants, which rose during the decade 1954–64 from $3 billion to $10 billion, more than triple. By 1966 they had risen to $14.5 billion.

But even this Federal contribution accounted in 1964 for only 15 percent of State and local general revenues. The remaining 85 percent—about $63 billion—came from their own sources.

The resulting gap between growing expenditures and lagging receipts has caused State and local government indebtedness to swell steadily. It grew in 1954–64 from $39 billion to $100 billion, an increase of $61 billion. But during the same decade, Federal debt grew only $46 billion.

The forecast is for a continuing fiscal crisis. Pechman's study concludes that State and local expenditures, even by viewing past experience conservatively, will rise by 7 percent a year and reach $103 billion by 1970. But revenues, even if gross national product rises at 5 percent a year and both tax receipts and Federal grants keep pace, would reach by 1970 only about $88 billion. The unfilled gap will be $15 billion. Richard Netzer, in a projection for the CED, forecast a gap by 1970 of $10 billion even if State and local tax rates were raised 18 percent.

III. HOW TO FILL THE 1970 $15 BILLION GAP BETWEEN STATE AND LOCAL NEEDS AND REVENUES

The States and localities cannot do it.

For the States and localities to meet the $15 billion gap by borrowing is neither a sound nor a likely solution. Their debt rose to $100 billion in 1964. Many have reached the borrowing limits set by law or by their own financial capacity. The prospects of servicing partly increased debt out of regressive taxes are bleak.

Moreover, it is unlikely that State and localities, unable and unwilling to borrow further, could and would tax to fill the $15 billion gap. Three reasons argue against this course:

First. To keep raising property and consumer taxes, the leading State and local sources, is poor social and economic policy.

The Federal Government has preempted most of the income tax potential. Property taxes on homes and sales taxes on consumer goods unfairly hit lower income people. They could reduce the overall level of demand sufficiently to cause a stagnating economy.

Second. Fear of driving businesses out of the State discourages tax raising in general, and raising progressive taxes, like the income tax, in particular.

Voters of five States recently rejected income taxes or revisions.

Third. Recent elections have shown how vulnerable are State and local officials who raise or try to raise taxes. John Anderson, Jr., the Republican Governor of Kansas in 1961–64, has written:

> The rate of "tax mortality" among state and local political leaders is very high. A governor or mayor must raise taxes in order to meet his increasing responsibilities—but he is often voted out of office for doing so. Were he to choose to cut services rather than to raise taxes, he would also be likely to get kicked out.

The Federal Government, however, can and will have the revenues to fill the gap.

As the economy grows, the Federal receipts tend to grow, at a faster rate, because they come largely from the income tax rather than property taxes. The "fiscal dividend" of $6 to $10 billion annually has been forecast for the period 1970–75. A Federal surplus depends heavily, of course, upon the course of events in Vietnam; if the war escalates, all fiscal bets are off.

When the 1970–75 "fiscal dividend" appears, the proposal will be made to use it to retire part of the $330 billion national debt. The answer is that unless the "fiscal dividend" is mainly used either to reduce taxes or to increase expenditures, the fiscal drag will increase unemployment. Indeed, the resulting near recession would prevent the "fiscal dividend" from coming into being in the first place.

Moreover, public needs are so pressing that the Federal surplus should mainly be spent to meet them rather than be rebated in lower taxes. Since many public needs are of a State and local nature, part of the "fiscal dividend" must be channeled to State and local governments.

How to get part of the Federal "fiscal dividend" to State and local governments?

First. By expanding Federal grants-in-aid?

Until 1932, Federal grants accounted for only a small fraction of State and local spending. The grant device was used to rescue State and local governments bankrupted by the depression. Grants rose from $147 million in 1930 to $945 million in 1940, an increase of 650 percent. After the brief postwar interlude of abundant revenues, cold war costs caused the Federal Government once more to preempt income tax revenues, while State and local governments faced the crisis of growing population and growing demands. The Federal Government responded again by increasing grants sevenfold in 14 years, from $2.9 billion in 1953 to $14.5 billion in 1966.

Should this mushrooming of grants continue? Federal grants represented 7.3 percent of State and local general revenues raised in 1946, 10 percent in 1954, 15 percent in 1964.

Federal grants are a useful way of meeting urgent needs—highway and airport construction, education, housing and community development, sewer and water treatment facilities, community health, and welfare. Therefore, mayors and Governors, even though they call for block grants, want existing Federal categorical grants continued and expanded.

True, the grant device has disadvantages. Many programs are not properly coordinated. For example, six separate programs are available for water supplies. Some programs satisfy only marginal needs. The technique of requiring matching funds sometimes causes State, local, and private authorities to distort their priorities.

The fact that the grant device has over the years developed disadvantages is no argument that grant programs should be ended. But it does argue that the present pattern of categorical grant programs should not be much further extended to new areas, at least without improvement. The vigor and efficiency of State and local governments must be maintained. Police and fire protection, as well as the full range of local needs, should depend upon local and unrestricted financing.

Second. By redistributing Federal revenues by general tax reduction, specific tax transfer, or tax credit?

It is unlikely, because of timidity and interstate competition, that States would benefit appreciably if Federal taxes were reduced. When in the 1950's the Federal Government released tax sources by reducing the admissions tax and the electrical energy tax, recovery by State and local governments was minimal. Recovery of Federal tax reductions would probably come by regressive property or sales taxes or by not-very-progressive income taxes. Moreover, richer States would benefit disproportionately to the poorer States.

A credit against Federal income taxes for certain State and local taxes would help those States which impose no tax, or inadequate taxes, of a particular type. For example, 17 States now have no individual income taxes. A Federal tax credit for State income taxes is a justifiable interstate equalizer; but it, too, favors the wealthy States.

Third. By block grants?

The Heller-Pechman plan proposes that money be distributed to the States on a per capita basis, with a portion redistributed to the poorest States; that grants be unrestricted, except that highway expenditures be excluded and that title 6 of the Civil Rights Act of 1964 be observed; and that grants be channelled through a trust fund derived from a set percentage of Federal revenues or of the Federal personal income tax base.

The Heller-Pechman allocation among the States seems progressive and fair. But the "trust fund" seems unduly inflexible, depriving Congress, in a given year, from an overall look at the state of the Nation's economy. Most vulnerable is the complete absence of strings: it encourages State and local governments to languish in archaic inefficiency rather than to demonstrate their initiative, and thus could result in wasting Federal money.

If these defects can be corrected, the Heller-Pechman proposal offers the soundest method of making the Federal "fiscal dividend" available to State and local governments.

IV. STATE AND LOCAL GOVERNMENTS NEED MODERNIZATION

Modernization steps should be taken at three levels—regional, State, and local.

Regional: Recent Federal legislation—including the Appalachian Regional Development Act of 1965, the Public Works and Economic Development Act of 1965, and the Clean Waters Restoration Act of 1966—aims at a necessary regional approach to regionwide problems. But interstate regionalism is in its infancy. Mechanisms are lacking to deal with the 25 metropolitan areas which overlap State lines. Also lacking is interstate cooperation in education. Why, for example, should not several starved universities in sparsely populated States be replaced by one good university?

State governments: Archaic constitutions and statutes result in too many elected executive officers, needless restrictions on borrowing power, poor legislative salaries, short and infrequent legislative sessions, and outmoded personnel practices. The high political mortality rate of those Governors who raise taxes gives little incentive for reform.

Local governments: Only the States, by revising thoroughly their constitutions and statutes, can authorize reform of local governments. The weaknesses of local government are many:

First. Local units are too many and too small to be efficient. Half of all local units in the States contain fewer than 1,000 people.

Second. Overlapping layers: Overlapping layers of local government—counties, cities, townships, special districts, school districts—compete for revenues, and cause gaps and overlaps in problem-solving jurisdiction.

Third. Local voters are apathetic: Less than 30 percent of the electorate votes locally, contrasted with 60 percent Presidentially. Over 500,000 local officials are elected, many without policy-making duties, and from overlapping governments. As local government becomes less understandable and less democratic, voter apathy increases, and local government grows more ineffective.

Fourth. Most localities lack strong executive leadership and adequate regulatory and tax authority. Direct line, businesslike administrative authority is usually fragmented. Personnel is largely unqualified, the spoils system widely prevails, and pay is too low. "Home rule" is rare.

Fifth. So far, approaches to metropolitan government have been frustrating. Except for Metropolitan Toronto and Dade County, Fla., little progress toward metropolitan government has been made. A metropolitanwide approach to the problems of poverty and community development is hampered by the Balkanizing proclivity of communities under existing State law. For example, Vernon, Calif., where 236 people live but only 70,000 work, is zoned for high-taxpaying industry only, and leaves other communities to provide for its workers. In Wisconsin, communities made up almost entirely of high-income residents have 40 percent of their State income tax returned to them by the State, thus substantially relieving residents of the general property tax.

V. THE PROPOSED STATE AND LOCAL GOVERNMENT MODERNIZATION ACT OF 1967 WOULD USE BLOCK GRANTS TO ENCOURAGE INITIATIVE BY STATES TO REFORM STATE AND LOCAL GOVERNMENT

Machinery: If H.R. 1166 were enacted in 1967, during the next 2 years, 1968 and 1969, each State wishing to participate would formulate a modern governments program. The Federal Government would pay the entire cost of planning. The State plans would be completed within 18 months, and then forwarded to the appropriate regional coordinating committee—eastern, south, midwestern, and western—created by the bill. The committee would review each State program and suggest improvements through a continuing socratic dialog with State planners. After 6 months, a total of 2 years of planning, the regional coordinating committee by majority vote would send to the President, the Advisory Commission on Intergovernmental Relations, and the Congress those State modern governments programs which reflect "sufficient creative State initiative so as to qualify that State for Federal block grants."

Modern governments programs: The modern governments programs would vary from State to State. But the bill directs the Governors, while shaping their proposals and timetables, at least to consider the following:

First. Proposed arrangements, by interstate compact or otherwise, for dealing with interstate regional problems, including those of metropolitan areas which overlap State lines, and regional cooperation in health, education, welfare, and conservation;

Second. Proposed strengthening and modernizing of State governments—by constitutional, statutory, and administrative changes—including recommendations concerning more efficient executives and legislatures, State borrowing powers, taxation and expenditures, and personnel systems;

Third. Proposed strengthening and modernizing of local rural, urban, and metropolitan governments (by constitutional, statutory, and administrative changes), including steps listed in the bill; and

Fourth. Proposed uses of Federal block grants pursuant to section 3 of the bill, including provision for passing on at least 50 percent of such grants in an equitable manner to local governments.

Block grants to States with modern governments programs: States with modern governments programs qualified by both the regional coordinating committees and by the Advisory Commission on Intergovernmental Relations as reflecting "sufficient State creative initiative so as to qualify that State for Federal block grants" would begin receiving payments in 1970, or at the latest by 1971. They would receive unrestricted Federal grants from the $5 billion a year, 3-year authorization by the bill.

The funds would be distributed according to population, with not to exceed 20 percent for supplements to those States having a low per capita income; a high degree of poverty, dependency, or urbanization; and State tax effort as indicated by the amount of State and local taxes relative to personal income.

The authorized amount of $5 billion annually—congressional appropriations could be less, of course, depending upon economic conditions and the degree of participation by the States—is approximately equal to the 2 percent of individual income suggested by Heller, but without the inflexible trust fund device.

The "string" on the block grants would be good-faith initiative by the States in filing a statement of intent—their modern governments programs. The Governors themselves, through their own plans and through the regional review and decision by majority vote, and the widely respected Advisory Commission on Intergovernmental Relations, would be the qualifying agents. There would be no statutory strings with respect to compliance with the State plans, although annual reports to Congress are required, and the program runs for 3 years only. No doubt Congress, in considering whether to renew the program, would take into account the good-faith effort made by the States to fulfill their plans.

I would hope that such a good-faith effort would be made. A reform-minded Governor would, for the first time, have public opinion behind him. Reapportionment is bringing many new and modern legislators to the State capitols. Forty of the 50 States are planning to consider constitutional reforms within the next 2 years. Federal block grants, necessary for fiscal reasons, could be the incentive that catalyzes a movement for major constitutional and statutory reforms.

Planning should begin now for that time, after the economic strain of the Vietnam war eases, when substantial Federal surpluses are available.

Mr. Speaker, I sent 300 copies of the draft bill in November 1966 to Governors, mayors, national organizations, economists, and political scientists asking for their comments and suggestions for improvement . Among the 100 replies received to date, I have found broad agreement on the need for unearmarked Federal aid to the States, over and above the present grant-in-aid programs, and on the wisdom of conditioning this aid upon creative State efforts to revitalize their State and local governments. I have incorporated several of the suggested improvements into the bill.

The text of H.R. 1166 follows:

H.R. 1166

A bill to improve intergovernmental relationships between the United States and the States and municipalities, and the economy and efficiency of all levels of government, by providing Federal block grants for State and localities which take steps to modernize State and local government

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. Short Title.—This Act may be cited as the "State and Local Government Modernization Act of 1967".

Sec. 2. State Modern Governments Programs.—

(a) Planning funds for modern governments programs.—The President shall as soon as possible after the effective date of this Act, grant to the Governors of each of the fifty States which elect to participate in the State modern governments programs planning funds to cover the full cost of preparing for each State a modern governments program. There is herewith authorized to be appropriated solely for this purpose and the purpose of paragraph (d) of this section the sum of $50,000,000, with each State's share to be no less than $250,000, and with the remainder apportioned according to State population on the basis of the Bureau of the Census' current estimates of population.

(b) Preparation of state modern governments programs.—Not later than eighteen months after such planning funds have been made available to States which have elected to participate, each Governor shall file his State's draft modern governments program with the regional coordinating committee for State modern governments programs, set up pursuant to section 2(d) hereof. Within six months thereafter, the regional coordinating committee shall file the modern governments program for each participating State in the region with the President, the Advisory Commission on Intergovernmental Relations, and the Congress.

(c) Contents of state modern governments programs.—Each State modern governments program shall set forth plans and timetables for modernizing and revitalizing State and local governments, including:

(1) Proposed arrangements, by interstate compact or otherwise, for dealing with interstate regional problems, including those of metropolitan areas which overlap State lines, regional cooperation in health, education, welfare, and conservation;

(2) Proposed strengthening and modernizing of State governments (by constitutional, statutory, and administrative changes), including recommendations concerning more efficient executives and legislatures, State borrowing powers, taxation and expenditures, and personnel systems;

(3) Proposed strengthening and modernizing of local rural, urban, and metropolitan governments (by constitutional, statutory, and administrative changes), including where needed:

(A) Reducing the number of counties,

(B) Reducing the number of, or eliminating, local governments too small to provide efficient administration, and special districts not subject to democratic control,

(C) Restricting popular elections to policymakers,

(D) Concentrating on a single responsible executive for each local unit,

(E) Reform of personnel practices so as to base them uniformly on merit and competence,

(F) Granting adequate home rule powers to reformed counties and other local governments,

(G) Revising the terms of State grants-in-aid and shared taxes so as to encourage modern local governments and to minimize differences in local fiscal capacity,

(H) Easing restrictions on local power to tax property,

(I) Improving local property tax administration,

(J) Authorizing local governments to utilize nonproperty taxes, coordinated at the State or regional level,

(K) Easing restrictions on the borrowing power of local governments,

(L) Strengthening local government in metropolitan areas by:

(i) Liberalizing municipal annexation of unincorporated areas,

(ii) Discouraging new incorporations not meeting minimum standards of total population and population density,

(iii) Authorizing transfers of specified functions between municipalities and counties,

(iv) Authorizing intergovernmental contracts for the provision of services,

(v) Authorizing the municipalities to exercise extraterritorial planning, zoning, and subdivision control over unincorporated areas not subject to effective county regulation,

(vi) Restricting zoning authority in metropolitan areas to larger municipalities and to counties, in order to prevent zoning by smaller municipalities which excludes housing for lower income families,

(vii) Authorizing the formation of metropolitan councils of public officials to exchange information and ideas on problems of mutual concern,

(viii) Authorizing the establishment by local governmental bodies or by the voters directly of metropolitan area study commissions to develop proposals to improve local governmental structure and services, and to present to the voters of the area such reorganization plans,

(ix) Authorizing the formation of metropolitan planning agencies to make recommendations to local governments concerning land use, zoning, building regulations, and capital improvements,

(x) Establishing a State agencsy to assist metropolitan areas, and

(xi) Furnishing State financial and technical assistance to metropolitan areas for planning, building codes, urban renewal, and local government and finance; and

(4) Proposed uses of Federal block grants pursuant to section 3 hereof, including provision for passing on at least 50 per centum of such grants in an equitable manner to local governments.

(d) Regional coordinating committees for state modern governments programs.—Each participating State shall channel its modern governments program through a regional coordinating committee for State modern governments programs, as set forth in section 2(b) hereof. Such a regional coordinating committee shall be set up for each of the following four regions: Eastern (Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont); Southern (Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Kentucky); Midwestern (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin); Western (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming).

Each regional coordinating committee shall be set up by the participating Governors of the region, with whatever representatives of his State each Governor shall select, and shall operate by a majority vote of the participating States. Each regional coordinating committee shall review the draft State modern governments programs, and shall make recommendations concerning any possible improvements. In forwarding the State modern governments programs to the President, the Advisory Commission on Intergovernmental Relations, and the Congress, each regional coordinating committee shall designate each State modern governments program which it believes reflects sufficient creative State initiative so as to qualify that State for Federal block grants under section 3. The regional coordinating committees shall be financed by voluntary agreement by the participating States from the Federal planning funds made available under section 2(a). By unanimous agreement, and subject to equitable funding arrangements, a regional coordinating committee may undertake the preparation of all or part of a modern governments program for any State so requesting.

(e) Review of state modern governments programs by the advisory commission on intergovernmental relations.—The Advisory Commission on Intergovernmental Relations, as soon as possible and in not more than one year after the regional coordinating committees have filed with it the State modern governments programs, shall designate which State modern governments programs it believes reflect sufficient State creative initiative so as to qualify that State for Federal block grants under section 3; and shall recommend a method for distributing the Federal block grants under section 3 apportioned according to population as determined by the Bureau of the Census on the basis of its current estimates, with not to exceed 20 per centum for supplements to States with low per capita income; a high incidence of poverty, dependency, or urbanization; and State tax effort as indicated by the amount of State and local taxes relative to personal income.

Sec. 3. Federal Block Grants.—There is herewith authorized to be appropriated for the first three full fiscal years after such State modern governments programs have been filed with the President, the Advisory Commission on Intergovernmental Relations, and the Congress, and after the designations of the Advisory Commission on Intergovernmental Relations pursuant to section 2(e) have been made, the sum of $5,000,000,000 annually, to be distributed by the President among all States whose modern governments programs have been designated as qualified by their regional coordinating committees under section 2(d) and by the Advisory Commission on Intergovernmental Relations under section 2(e), apportioned according to population as determined by the Bureau of the Census on the basis of its current estimates, with not to exceed 20 per centum authorized to be set aside for supplements to States with low per capita income; a high incidence of poverty, dependency, or urbanization; and State tax effort, as indicated by the amount of State and local taxes relative to personal income. The regional coordinating committees and the Advisory Commission on Intergovernmental Relations shall report to the President and the Congress at the end of each fiscal year on the progress made by each participating State in carrying out its modern governments program, and, prior to the end of the third fiscal year, shall make recommendations to the President and the Congress concerning the future of the Federal block grant program.

THREATS POSED TO INDIVIDUALS BY ADVANCING TECHNOLOGY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the day and age of the novelty of scientific discoveries is past. We have come to a point in our national history where the advancements made in technology and science are the very core and essence of the freedom and liberty we enjoy in America. Yet, like the double-edged sword of Damocles, these wondrous and beneficial increments to our knowledge can cut back at us and corrode the very values they simultaneously foster. As chairman of the Special Subcommittee on Invasion of Privacy of the Government Operations Committee, I have become increasingly and acutely aware over the the last few years of the burgeoning threats posed to the individual by the advancing technology of our country.

We can no longer continue to permit the novelty of these techniques to escape the traditional legal and social controls which have so effectively protected the American's right to privacy in the past. No invention or device is inherently valueless, and inventions devised specifically to pry where they are unnoticed is a most outstanding example of the inherent social and moral question to be answered by us.

Science has launched us into a period of basic and radical questioning of the uses of new surveillance devices and testing processes. It is our job, as legislators, and as protectors of the inherent and inviolable right of privacy to keep pace with this new era, so as to preserve and protect the privacy of every American.

Serious attention should now be given to the legislative possibilities for controlling the modern means of invading privacy. It is for this reason that I have submitted legislation governing these vital areas of national interest. Legislation in these areas is chaotic and largely ignored. We in Congress can no longer ignore our full constitutional authority to control as much of these types of surveillance as possible.

One of the bills I have introduced today would prohibit the Federal Government from purchasing or utilizing any electronic eavesdropping or wiretapping device, unless an executive department or independent agency head authorizes such acquisition or use in writing and provided that such use is vital to the protection of the national security. A copy of such authorization would be sent to the Speaker of the House and the President of the Senate.

The definition of these devices is one of the areas of greatest concern for us here. We should hope to define not only the respective uses and abuses of these devices by congressional action, but also, and more importantly, define the core meaning of national security.

The term "electronic eavesdropping device" means any radio or other electronic device which is designed to be concealed for the purpose of overhearing the speech or televising the movements of any individual without his consent or knowledge. The term "wiretapping device" means any electrical or electronic device which is designed or used to permit the interception of telephonic communications without the knowledge or consent of the parties to such communications.

It seems obvious that the American people are looking to the Congress for the answers to the problems inherent in the use of surveillance devices by the Federal Government. I feel that this bill puts the questions and issues raised by the conflict of technology versus privacy squarely before the Congress, and I am certain that answers can be found.

The second bill I have introduced deals with use of electronic eavesdropping and wiretapping devices by the private sector. It would prohibit the interstate transportation of such devices unless destined for use by a duly authorized State agency or agency of the United States.

The use of these "bugs" and wiretaps has grown by leaps and bounds in the last few years. Now it has become necessary for some private organizations to specialize detecting the use of these devices. A private individual should never have to fear surveillance by his fellow private citizens and should not be expected to protect himself in his privacy. This is the job of the Government and it is that governmental responsibility that my bill aims at affirming.

I was especially happy, last night, to hear the President, in his state of the Union message, bring the full weight of his office into this area of consideration which we in Congress deem so important. I cannot reiterate enough the words of President Johnson:

> We should outlaw all wiretapping—public and private—wherever and whenever it occurs, except when the security of the Nation itself is at stake—and only then with the strictest safeguards. We should exercise the full reach of our constitutional powers to outlaw electronic "bugging" and "snooping."

Mr. Speaker, I am particularly pleased that the House of Representatives, led by the Committee on Government Operations, has been the chief and leading force in the development and protection of every American's right to privacy. It is most gratifying to me personally to see 4 years of work culminate in a national policy.

In conclusion, if I may quote a New York Times editorial:

> Listening devices are so cheap, so simple to come by and so eerily effective that anyone with an itch to eavesdrop can indulge it, no matter how frivolous or evil the motive . . . Clearly, a total ban on private use of electronic eavesdropping equipment is in order . . .

Mr. Speaker, I believe these bills put the question of what is the right to privacy of any individual vis-a-vis another individual squarely before the Congress. I am confident that once the issues are studied, the passage of these bills will result, and we will have moved one step forward toward preparing our children and our children's children with as much of a right to privacy as our forefathers enjoyed. These bills will help to reverse a tendency to view the citizens of this country as fair game for every type of surveillance whether warranted or not.

In the complex society of the present, and even more so in the twilight of this century, the greatest responsibility of Government must be to protect the citizen from the intrusions of his neighbor and certainly those of his Government. The devices of today already make Orwell's "Big Brother" look like a simple fellow, and yet we are still 17 years away from 1984. To prevent a total fishbowl society we must recognize how real the threat is today, and realize how necessary remedial legislation has become.

A LEAD-ZINC FLEXIBLE QUOTA

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ASPINALL. Mr. Speaker, the lead-zinc industry has perhaps the longest and most consistent record of any metal for continuing effort with the Congress and with the executive departments to achieve a minerals policy. This effort is based on three important principles.

First. Maintain a necessary segment of the domestic lead-zinc mining and smelting industry and encourage the exploration for and development of new mineral reserves.

Second. Provide the domestic lead-zinc consumer with adequate metal supplies that will in turn encourage the expanding use of these materials.

Third. In presenting programs to accomplish these two points we recognize that reasonable quantities of imported lead and zinc are required to supplement domestic production.

In 1959, the producers of lead-zinc and other domestic metals participated in a public hearing before the House Interior and Insular Affairs Committee to consider, and endorse, House Concurrent Resolution 177, that I introduced as chairman of that committee. H.R. 177 stated that:

> It is in the national interest to foster and encourage (a) the maintenance and development . . . (b) orderly discovery . . . and (c) research to promote the wise and efficient use of domestic metal and mineral reserves.

The resolution was approved by the Congress and, while not having legislative force, it did call on the executive department to advise the Congress as to relief actions proposed. You know that such a policy, formulated to include these three important factors, has not been presented or suggested, and I am not aware of any plans within the executive department to make such a presentation.

This lack of interest or leadership has placed the burden of developing a minerals policy on individual industries, acting together with the Congress, and is the reason that we have come up with a series of legislative proposals to provide a minerals policy.

Two years ago the lead-zinc import Quota Proclamation of 1958 was still with us. The inflexible nature of its provisions was causing concern here and abroad as it did not accommodate changes in domestic consumption or the changing abilities of foreign countries to supply ores and metal needed by our consumers.

In January 1965 the industry recommended a plan that would provide for liberalizing import quotas and accommodate the changes in foreign sources of supply. This was introduced by me as H.R. 3183, together with numerous companion bills of colleagues similarly interested in this plan.

During 1965, the executive departments were reviewing the relationship of the Quota Proclamation to conditions in the industry following a public hearing before the Tariff Commission, and publication of their report to the President. Members of the industry met with representatives of the Departments of State, Interior, Commerce, Treasury, Labor, and the Counsel to the President to provide the necessary and correct background information, to assist the Departments in making their recommendations to the President, regarding a change in the Quota Proclamation. The industry acknowledged that the quotas were cumbersome but strongly recommended that they not be abandoned until some comprehensive continuing plan—a minerals policy—was adopted as a replacement. This was based on solid economic reasoning. Additional metal supplies were needed, particularly at that time. This could have been assisted by liberalizing the proclamation, but Members of Congress and the industry recommended substitution of the flexible quota provisions through enactment of legislation. Consumption was strong but the planned increase in mine and smelter capacity around the world was and is even stronger. The overriding premise was to serve the consumer and maintain some controls for the future, should we once again face the world surplus of the midfifties.

The Quota Proclamation was terminated by the President on October 22, 1965, with no provision for a continuing lead-zinc mineral policy. The President did refer to the Tariff Commission as the source of action for any needed future relief and urged the Commission to expedite its procedures and proceedings. This avenue of "help" has been thoroughly explored in 20 cases, including one from the lead-zinc industry. The provisions of the Trade Expansion Act of 1962 eliminate any possibility of the Commission being able to come up with a finding of injury to this industry due to excessive imports, and, therefore, this does not provide the mechanism for establishing a minerals policy in the lead-zinc industry.

Once again the industry was faced with a reevaluation of the overall situation and preparation of a plan for further action. It was agreed between the Congress and industry that the provisions proposed in H.R. 3183 should be reviewed, based on current and future anticipated economic conditions. The conditions again were:

First. The termination of the Quota Proclamation eliminated the need for consideration of this particular system as the base for a liberalized quota plan.

Second. The economics of the industry were distinctly different from the 1958 situation when quotas were imposed, with metal stocks in 1965 at minimum levels.

Third. The increase in market prices here and abroad, since the low levels of 1962 and 1963, had stimulated exploration, development and expansion of production facilities all around the world. Substantial quantities of additional lead and zinc metal were scheduled to reach the markets during the period 1966 through 1968.

Fourth. The industry is still awaiting some practical suggestions from the executive department to encourage on a long range basis the continued search for, and production of, domestic lead and zinc. Until the executive department accepts this responsibility and acts upon it, the industry must request such a plan from the Congress.

Using these guidelines, a simplified and liberalized legislative proposal was prepared. I introduced this in the House of Representatives on July 28, 1966, as H.R. 16660, together with 32 companion bills by interested colleagues.

Here is a short summary of the provisions.

First. The term of the legislation is 5 years from enactment. This is an interim program, awaiting a minerals policy from the executive department. Legislation of this type can be extended, if needed, following evaluation by the Congress and the industry prior to the expiration date.

Second. The term of an import quota for either lead or zinc ores and metal is 3 years. The quota on lead or zinc or both will become effective during the life of the legislation only if producers' metal stocks reach levels considered excessive to market requirements. The so-called trigger for enactment of a quota is a specified ratio of metal stocks to metal shipments during a current base period.

Third. When and if conditions arise calling for an import quota, it will be calculated at 80 percent of imports during a base period of the most recent 10 quarters. This corrects a valid complaint that the 1958 Quota Proclamation did not reflect current trade patterns around the world.

Fourth. Quotas will be allocated to specific countries supplying over 10 percent of imports during the base period. Countries with an import record of less than 10 percent will participate in an "all other" quota.

Fifth. The ratio of ore to metal is specified at levels that will assist the U.S. custom smelting industry.

Sixth. A new and logical innovation is a provision for cancellation of an import quota if producers' metal stocks are reduced to levels considered below normal minimums, again specified as a percentage relationship to metal shipments during a current base period.

Seventh. Manufactured products would be placed under an import quota, if entries are excessive during the term of a quota on ores and metal for either lead or zinc.

Eighth. A minimum quota is still guaranteed, providing the importer a continuing share of our markets and also providing our custom smelters the necessary feed materials.

This is certainly the most liberal plan for limits on imports that has been proposed by domestic industry and the Congress. If placed "on the books" now, it will effectively serve as the necessary deterrent to prevent a surge of unnecessary and excessive imports such as we experienced in 1957 and 1958.

The legislation was referred to the House Ways and Means Committee, and opinions were requested from State, Interior, Commerce, Treasury, Labor, and the Tariff Commission.

The Lead-Zinc Producers Committee, representing the domestic industry, worked specifically with the Interior Department representatives on this legislation, as it is logical to look to Interior as "their voice" in the executive department. Strong representations were made to the others, particularly to State and Commerce. We have not received any official opinions on this legislative proposal but from discussions with the industry personnel, I can give you an educated guess as to the reports and rebuttals they would expect to this proposal. They will be as follows:

First. Free trade is the preferable route with the material coming from the cheapest possible source.

Second. Develop a program for administrative controls permitting the executive department to make decisions on imports as this relates to foreign policy.

Third. Adopt some type of international commodity agreement that would provide for limiting imports and impose government controls for reduction of domestic production.

Fourth. Appeal to the Tariff Commission, when or if we once again find ourselves in economic trouble.

These are actually restatements of old executive department "positions." The final summary of their reports would state that the legislative proposal is counter to the announced international trade policy of the United States. These "principles," if they can be called that, continue regardless of the current political trends. They are still unpalatable and impractical solutions.

I will not trouble you with discussing the proposal for participation in a free trade program. The industry has had its fill of executive department plans; such as barter, stockpile purchases, and partial acceptance of Tariff Commission recommendations.

I will say a word on international commodity agreements. They are antitrust, require congressional action, and are unanimously opposed by the industry. Included here are the largest U.S. consumers, representatives of importers, as well as primary and secondary producers of lead and zinc.

I have already covered the problem of further appeals to the Tariff Commission, and my remarks are prefaced with high regard for the work of both the Commissioners and their staff.

Any mineral policy for the lead-zinc industry adopted in the near future will be upon the suggestion of the industry and by the action of Congress. After 16 years of effort on the part of industry and Congress, I still believe we can accomplish our objective. Many Members of the House of Representatives of the 90th Congress are reintroducing this flexible lead-zinc quota legislation and request that it receive active consideration of the Congress in this session.

Cooperation from Members of Congress of lead-zinc mining areas is excellent, as shown by their participation in sponsoring legislation. Our problem is in initiating the hearings on the bills, and this must start with the House Ways and Means Committee. Their workload is heavy, but I call this legislation to the attention of the chairman of the Ways and Means Committee as a good program, as now proposed.

It will be of great benefit to an important domestic industry and the economy of communities, States, workers, and investors throughout our country.

BORDER TRADE AREAS ACT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITE. Mr. Speaker, in the interest of promoting U.S. trade and friendly relations with our neighbors, Canada and Mexico, with whom our own economy is directly and closely tied, I am today introducing legislation to amend the Tariff Schedules of the United States with respect to exemption from duty on tourist goods purchased in border trade areas.

The enactment in 1965 of amendments to the Tariff Schedules, seriously restricting the exemption from duty for returning American tourists has had a detrimental effect on the economy of El Paso and other border communities in my district.

It is estimated that 70 cents of every American dollar spent by our tourists in Ciudad Juarez, sister city of El Paso, Tex., is returned to the economy of the United States through El Paso. Such figures make clear to us in the border communities that the present tariff law discouraging expenditures in foreign cities located directly on our border is harmful to the economy of the American cities also located on this border.

Additionally, expenditures of American dollars just over the border into Mexico do not have the same effect on our balance of payments as expenditures in the interior of neighboring countries or countries abroad, where much less of the American dollar is returned to the United States.

Mexican border cities are greatly dependent for their economic lives on the purchases of American visitors, and the greater restrictions through tariffs imposed in 1965 on these tourists and the resultant economic decline in these Mexican cities have not served our desire for good will and friendly relations with Mexico.

My legislation recognizes the unique circumstances that exist in border areas and seeks to minimize economic repercussions of existing law. My legislation sets up border trade areas 5 miles into the interior of Mexico and Canada. For purchases made in these trade areas the amount of duty-exempt goods would be increased to $200 aggregate fair retail value in country of acquisition. In these areas the alcoholic beverage limitation would be returned to its former 1 wine gallon. The returning American tourist would have the option of taking the exemption for the border trade area or the established exemption for the remainder of that country. In all cases he would not have both exemptions. For areas in Mexico and Canada outside the specified trade zones, the limits would remain as under present law—$100 in aggregate fair retail value in country of acquisition for goods and 1 quart for alcoholic beverages.

I ask the Congress to recognize the special circumstances of our border economies and act favorably on this legislation.

REHABILITATION OF DISTRIBUTION SYSTEM IN THE RED BLUFF PROJECT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITE. Mr. Speaker, the Pecos River Basin is critically endangered by a water crisis. The water shortage is aggravated by losses of water supplies in the antiquated irrigation system of the Red Bluff project in Texas and threatens the economic existence of those counties in the Texas portion of the basin.

A constructive remedy is available to the Congress that will greatly reduce the loss of precious water in that portion of the Pecos River passing through the Red Bluff Water Power Control District.

I, therefore, ask the Congress to consider early in this session of the 90th Congress the legislation I am introducing today, to provide for the rehabilitation of the distribution system in the Red Bluff project. This bill is a revised and improved proposal from that I sponsored in the 89th Congress on this subject. The work authorized in this legislation will provide a dependable water supply for the irrigation of approximately 22,000 acres and an intermittent water supply for the irrigation of approximately 13,000 additional acres of semiarid lands.

These measures are vital to the economic redevelopment of the counties in the irrigation district—Reeves, Loving, Pecos, and Ward. This area is a large portion of west Texas and an important segment of our Nation.

We must not allow this area to perish from thirst.

Irrigation began in this area of Texas in 1888, and the Red Bluff Dam and Reservoir in Texas were completed in 1936. By the late 1940's 46,000 acres were being irrigated in the Red Bluff project area.

By the mid-1950's the district canals and structures other than the Red Bluff Dam were in poor condition. Sixty percent of the water released from the reservoir never reached the land.

The drought and losses worsened. During 4 years since 1956 it has not been possible for the irrigation district to allocate any water for irrigation because of poor quality of water in storage and high system losses. Ground water supplies have also steadily declined, because of necessary heavy pumping for irrigation.

Sixty-seven percent of this wasted water can be saved. Action has begun to increase the quality and quantity of the precious resources of the Pecos River. The Malaga Bend salinity alleviation project and the salt cedar eradication program on the Pecos River above the Red Bluff area are underway. This effort would be fruitless to Texas irrigators if the recovered water is continued to be lost in a faulty irrigation system.

My legislation provides for replacing existing diversion facilities and main canals of the Red Bluff Water Power Control District. It also provides for construction of a diversion dam on the Pecos River above Mentone, and construction of a 95-mile concrete-lined main canal. A substantial portion of the $12.8 million cost of construction of these works will be repaid by the water users within 50 years.

The productive future of the agriculture industry and the towns it supports in the Red Bluff area depend on swift enactment of this legislation. This area of our country wishes to contribute to the growth of the national economy and has every right to share in our national progress.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASHBROOK (at the request of Mr. DUNCAN), for 15 minutes, today.

Mr. GALLAGHER (at the request of Mr. MONTGOMERY), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BOW.

Mr. ST. ONGE.

Mr. ROUSH.

(The following Member (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. RUMSFELD.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. REUSS.

Mr. CELLER.

Mr. GARMATZ.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 17 minutes p.m.), the House adjourned until tomorrow, Thursday, January 12, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

191. A letter from the Sergeant at Arms, U.S. House of Representatives, transmitting a report exhibiting the several sums drawn, the application and disbursement of the sums and balances, if any, remaining, pursuant to the provisions of 2, U.S.C. 84; to the Committee on House Administration.

192. A letter from the Executive Director, Federal Communications Commission, transmitting a report of backlog of pending applications and hearing cases as of November 30, 1966, pursuant to section 5(e) of the Communications Act as amended; to the Committee on Interstate and Foreign Commerce.

193. A letter from the Under Secretary of Commerce for Transportation, transmitting a report on the highway beautification program, pursuant to the provisions of Public Law 89-285; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 1975. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H.R. 1976. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Massachusetts:

H.R. 1977. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

H.R. 1978. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 1979. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 1980. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 1981. A bill to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebr.; to the Committee on Post Office and Civil Service.

By Mr. DENNEY:

H.R. 1982. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. DINGELL:

H.R. 1983. A bill to amend title II of the Social Security Act to provide a more liberal definition of the term "disability" for purposes of entitlement to disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

H.R. 1984. A bill to amend titles I, IV, X, XIV, XVI, XVIII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to, such titles must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

H.R. 1985. A bill to amend title II of the Social Security Act to provide that a woman who is otherwise qualified may become entitled to wife's insurance benefits or widow's insurance benefits without regard to her age if she is permanently and totally disabled; to the Committee on Ways and Means.

H.R. 1986. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

H.R. 1987. A bill to amend title II of the Social Security Act to eliminate the age requirements for entitlement to wife's insurance benefits and widow's insurance benefits, and to eliminate the provisions which reduce benefits in certain cases where the recipient becomes entitled thereto before attaining age 65; to the Committee on Ways and Means.

H.R. 1988. A bill to amend title II of the Social Security Act to provide that the benefits payable thereunder shall be exempt from all taxation; to the Committee on Ways and Means.

H.R. 1989. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 1990. A bill to amend the act of May 29, 1944, providing annuities for persons who participated in the construction of the Panama Canal, by extending the class to whom annuities may be paid; to the Committee on Merchant Marine and Fisheries.

By Mr. FARBSTEIN:

H.R. 1991. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GARMATZ:

H.R. 1992. A bill to prohibit the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY:

H.R. 1993. A bill to amend title 38 of the United States Code so as to entitle veterans of World War I and their widows and children to pension on the same basis as veterans of the Spanish-American War and their widows and children, respectively; to the Committee on Veterans' Affairs.

By Mr. HICKS:

H.R. 1994. A bill to amend the Internal Revenue Code of 1954 to increase the investment credit allowable with respect to facilities to control water and air pollution, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

H.R. 1995. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. HOLLAND:

H.R. 1996. A bill to provide for the establishment of a council to be known as the National Advisory Council on Migratory Labor; to the Committee on Education and Labor.

H.R. 1997. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes; to the Committee on Education and Labor.

H.R. 1998. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Ways and Means.

H.R. 1999. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

H.R. 2000. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

By Mr. KORNEGAY:

H.R. 2001. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. KORNEGAY (by request):

H.R. 2002. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

By Mr. KORNEGAY:

H.R. 2003. A bill to transfer control of Pershing Hall to the Secretary of State; to the Committee on Veterans' Affairs.

H.R. 2004. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 2005. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 2006. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2007. A bill to amend the Internal Revenue Code of 1954 to provide that an individual may deduct amounts paid for his higher education, or for the higher education of any of his dependents; to the Committee on Ways and Means.

H.R. 2008. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. OTTINGER:

H.R. 2009. A bill designating Columbus Day as a national legal holiday; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 2010. A bill to remove the present prohibition against social security coverage for service performed by an individual in the employ of his or her spouse; to the Committee on Ways and Means.

H.R. 2011. A bill to amend title II of the Social Security Act to increase the amount of a widow's insurance benefit from 82½ percent to 100 percent of her deceased husband's primary insurance amount; to the Committee on Ways and Means.

H.R. 2012. A bill to amend title II of the Social Security Act to provide that a woman who is under a disability may (if otherwise qualified) become entitled to widows' insurance benefits without regard to her age; to the Committee on Ways and Means.

H.R. 2013. A bill to provide for the conveyance of certain real property to the Commonwealth of Puerto Rico; to the Committee on Interior and Insular Affairs.

H.R. 2014. A bill to amend the Social Security Act to provide a gradual increase in the maximum amount of the total payments which may be made to the Commonwealth of Puerto Rico in any fiscal year under the several public assistance programs; to the Committee on Ways and Means.

H.R. 2015. A bill to provide that the social security benefits provided by the Tax Adjustment Act of 1966 for certain uninsured individuals at age 72 shall apply in the case of residents of the Commonwealth of Puerto Rico; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 2016. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 2017. A bill to amend title XVIII of the Social Security Act to provide payment for podiatrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 2018. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. ROUSH:

H.R. 2019. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 2020. A bill to amend the Civil Service Retirement Act to extend to employees retired on account of disability prior to October 1, 1956, the minimum annuity base established for those retired after that date; to the Committee on Post Office and Civil Service.

By Mr. RYAN:

H.R. 2021. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 2022. A bill to provide for the establishment of a council to be known as the National Advisory Council on Migratory Labor; to the Committee on Education and Labor.

By Mr. SKUBITZ:

H.R. 2023. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mrs. SULLIVAN:

H.R. 2024. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

By Mr. WHITE:

H.R. 2025. A bill to amend the tariff schedules to provide an increased exemption from duty for goods purchased in a contiguous country and within 5 miles of the U.S. border; to the Committee on Ways and Means.

H.R. 2026. A bill to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON of Illinois:

H.R. 2027. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. de la GARZA:

H.J. Res. 118. Joint resolution proposing an amendment to the Constitution of the United States relating to the right of citizens of the United States 18 years of age or older to vote; to the Committee on the Judiciary.

By Mr. FALLON:

H.J. Res. 119. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KORNEGAY:

H.J. Res. 120. Joint resolution to authorize and direct the Secretary of Agriculture to conduct research into the quality and health factors of tobacco and other ingredients and materials used in the manufacture of tobacco products; to the Committee on Agriculture.

H.J. Res. 121. Joint resolution amending title 18 of the United States Code in order to protect the morale and efficiency of members of the Armed Forces by prohibiting the making of certain threatening and abusive communications to members of such forces or their families, and for other purposes; to the Committee on the Judiciary.

By Mr. HALL:

H. Con. Res. 50. Concurrent resolution expressing the sense of the Congress with respect to the indebtedness of the Republic of France to the United States; to the Committee on Ways and Means.

By Mr. COHELAN:

H. Res. 108. Resolution to amend the Rules of the House of Representatives to transfer the responsibilities of the Committee on Un-American Activities to the Committee on the Judiciary; to the Committee on Rules.

By Mr. DAWSON:

H. Res. 109. Resolution providing for the expenses of conducting studies and investigations authorized by rule XI(8) incurred by the Committee on Government Operations; to the Committee on House Administration.

H. Res. 110. Resolution to amend the Rules of the House of Representatives with respect to the location of activities of the Committee on Government Operations; to the Committee on Rules.

By Mr. DINGELL:

H. Res. 111. Resolution creating a Select Committee To Conduct an Investigation and Study of the Aged and Aging; to the Committee on Rules.

By Mr. FRIEDEL:

H. Res. 112. Resolution continuing the provisions of House Resolution 1029 of the 89th Congress; to the Committee on House Administration.

H. Res. 113. Resolution authorizing payment of compensation for certain committee employees; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 2028. A bill for the relief of Andrea DiStefano; to the Committee on the Judiciary.

H.R. 2029. A bill for the relief of Giovanni Di Maggio; to the Committee on the Judiciary.

H.R. 2030. A bill for the relief of Mrs. Myrtle Weir Prince; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 2031. A bill for the relief of Jai Duck Yoo; to the Committee on the Judiciary.

H.R. 2032. A bill for the relief of Nicolasa Alarcia v. de Espinosa; to the Committee on the Judiciary.

H.R. 2033. A bill for the relief of Marilyn Judith Grove; to the Committee on the Judiciary.

H.R. 2034. A bill for the relief of Mrs. Dorothy E. Kelley; to the Committee on the Judiciary.

H.R. 2035. A bill for the relief of Shahen H. Minassian and Alice M. Minassian; to the Committee on the Judiciary.

H.R. 2036. A bill for the relief of Carlos Rogelio Flores-Vasquez; to the Committee on the Judiciary.

H.R. 2037. A bill for the relief of Shoushan Sarkissian; to the Committee on the Judiciary.

H.R. 2038. A bill for the relief of Claudio Leal Gallegos; to the Committee on the Judiciary.

H.R. 2039. A bill for the relief of Zenon Hernandez Betanzos; to the Committee on the Judiciary.

H.R. 2040. A bill for the relief of Paz Ragsag; to the Committee on the Judiciary.

By Mr. FRASER:

H.R. 2041. A bill for the relief of Bernardo Giraldo; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 2042. A bill for the relief of Mirko Gros; to the Committee on the Judiciary.

H.R. 2043. A bill for the relief of Anthi Saridakis; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 2044. A bill for the relief of Crescenzo Paoliello; to the Committeee on the Judiciary.

H.R. 2045. A bill for the relief of Dr. Yung Ching Chu; to the Committee on the Judiciary.

H.R. 2046. A bill for the relief of Enrico DeMonte; to the Committee on the Judiciary.

H.R. 2047. A bill for the relief of Pietro Giuseppe Serini; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 2048. A bill for the relief of William John Masterton, George Samuel Konik, and Louis Vincent Nanne; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 11, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord and Master of us all whate'er our name or sign—new every morning is the love our waking and uprising prove.

Thou hast made and preserved us a nation; our fathers trusted in Thee and were not confounded—in Thee we trust!

Thou hast taught us to love truth, and goodness, and beauty.

Lift us above the mud and scum of mere things to the holiness of Thy beauty so that the common tasks, and the trivial round may be edged with crimson and gold.

Strengthen us to give the best that is in us against the wrong that needs resistance, for the right that needs assistance, and for the future in the distance—and the good that we may do.

We ask it in the name of the One whose light is the life of men. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, January 10, 1967, was dispensed with.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the conduct of routine morning business without the prejudice of any rights, and that statements be limited therein to 3 minutes.

The VICE PRESIDENT. Is there objection?

Mr. CLARK. Mr. President——

Mr. RUSSELL. Mr. President, I would like it restated.

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the conduct of routine morning business without the prejudice of any rights, and that statements be limited therein to 3 minutes.

Mr. KUCHEL. Mr. President——

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. RUSSELL. Mr. President, I reserve the right to say I do not understand what rights could be prejudiced, but I have no objection.

AMENDMENT OF RULE XXII

Mr. McGOVERN. Mr. President, pursuant to article I, section 5, of the Constitution, which declares that "each House may determine the rules of its proceedings," and to the advisory opinions of Vice President Nixon that rules which restrict the power of a majority of the Senate of a new Congress to change its rules are not binding on the Senate at the opening of a new Congress, I send to the desk, on behalf of the Senator from Kentucky [Mr. MORTON] and myself, a resolution to amend rule XXII, and request that it be read. The resolution would change the requirement that debate may be terminated by two-thirds of those present and voting to three-fifths.

The VICE PRESIDENT. The clerk will read the resolution.

The legislative clerk proceeded to read the resolution (S. Res. 6).

Mr. McGOVERN. Mr. President, I ask unanimous consent that further reading of the resolution be dispensed with.

Mr. RUSSELL. I object.

The VICE PRESIDENT. Objection is heard.

The legislative clerk concluded the reading of the resolution, as follows:

S. RES. 6

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

Mr. McGOVERN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the resolution.

Mr. ERVIN. Mr. President, I object.

The VICE PRESIDENT. Objection is heard.

Mr. McGOVERN. Mr. President, in accordance with the provisions of rule XL——

The VICE PRESIDENT. Will the Senator withhold?

Objection has been heard to the immediate consideration of the resolution. The Chair calls the attention of the Senate to rule XIV, paragraph 6:

> All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

With the objection, of course, the resolution will lie over 1 day.

Mr. McGOVERN. Mr. President, in accordance with the provisions of rule XL of the Standing Rules of the Senate, and without prejudice to the constitutional rights of the majority of the Senate of the 90th Congress to accept, reject, or modify any such rule, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the standing rules in the following particulars:

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged: and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

The purpose of the proposed amendment is: To provide for bringing debate to a close under certain circumstances by vote of three-fifths of the Senators present and voting.

Mr. President, all this resolution would do would be to change the phrase which provides that debate may be terminated under certain circumstances by a two-thirds vote to a three-fifths vote.

Mr. MORTON. Mr. President, I am honored to join with my colleague from South Dakota as cosponsor of this needed reform. Since the opening of the first session of the 86th Congress in January 1959, I have sought a reasonable and cautious revision of rule XXII in order that this body might more expeditiously consider issues of pressing importance. For 8 years, the senior Senator from New Mexico and I have urged a moderate liberalization of Senate rules in the firm belief that adoption of this three-fifths resolution would both head off more radical change and soften the attitude of those opposed to any rules change at all.

Today I believe the time for passage of this measure has come. It has come because the responsibilities of this body demand action as well as deliberation. It has come because the American people demand that its legislative representatives express the will of all our citizens. It has come because governmental institutions cannot properly function beset by either headlong and abrupt overthrow of tradition, or by stifling and obstructionist privilege.

There is growing sentiment in the Senate and throughout the country for reasoned rather than radical change. I believe this resolution is in tune with the times and now deserves the support of all those who favor protection of majority as well as minority rights.

Mr. KUCHEL. Mr. President, on behalf of myself and the following Senators—Mr. Clark, Mr. Case——

Mr. HOLLAND. Mr. President, will the Senator speak a little more loudly?

Mr. KUCHEL. Yes.

On behalf of myself and the following Senators—Mr. Clark, Mr. Case, Mr. Fong, Mr. Hart, Mr. Hatfield, Mr. Javits, Mr. McCarthy, Mr. Mondale, Mr. Morse, Mr. Moss, Mr. Nelson, Mr. Proxmire, Mr. Randolph, Mr. Scott, and Mr. Williams of New Jersey—and in accordance with article I, section 5, of the Constitution of the United States, and the advisory rulings of the Chair at the opening of the 85th, 86th, and 87th Congresses, I send to the desk a resolution, and I ask that the clerk read it.

The VICE PRESIDENT. The clerk will read the resolution.

The legislative clerk read the resolution (S. Res. 7), as follows:

S. Res. 7

Resolved, That rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the twentieth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all to not more than one hundred hours, of which fifty hours will controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same; *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"*Resolved, further,* That section 3 of the Standing Rules of the Senate be redesignated as section 4."

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration——

Mr. HOLLAND. I object.

The VICE PRESIDENT. Under rule XII, article 6, the resolution will lie on the table 1 day.

Mr. KUCHEL. Mr. President, I send to the desk notice of motion to amend certain rules of the Senate and I ask that the notice of motion be read.

The VICE PRESIDENT. The clerk will report.

The legislative clerk read as follows:

Notice of Motion To Amend Certain Senate Rules

In accordance with the provisions of rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend rule XXII of the Standing Rules of the Senate in the following particulars, namely:

Rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the twentieth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea or nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all to not more than one hundred hours, of which fifty hours will be controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; *provided, however,* that any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"Section 3. Redesignate section 3 of the Standing Rules of the Senate as section 4."

"The purpose of the proposed amendment is:

"To provide for bringing debate to a close by a majority of the Senators duly chosen and sworn after full and fair discussion."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the majority leader.

Mr. MANSFIELD. Just to clarify the Record, do I understand the proposal of the distinguished minority whip, the Senator from California [Mr. Kuchel] to mean that a majority of the Senate, a constitutional majority, can at any time of their own choosing and under the conditions outlined in the proposal laid before the Senate bring an end to debate on a question of transcendent national or international importance or a question which might affect the rights of any kind of minority?

Mr. KUCHEL. This is the first time, Mr. President, that this particular proposal has been offered in the Senate. We draw the constitutionality of our proposal directly from the language of the Constitution itself. It provides for an additional means by which the orderly procedures of the Senate may be followed.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may have additional time.

The VICE PRESIDENT. Is there objection?

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator may be allowed to proceed for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KUCHEL. I repeat. It provides for additional or alternative means by which the Senate may terminate debate and proceed to vote on the question pending before the Senate. It reads in part as follows:

> One hour after the Senate meets on the 20th calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days), he—

The Presiding Officer—

> shall lay the motion for cloture before the Senate—

And so forth.

I believe it is fair to say this alternative procedure would authorize a constitutional majority of 51 of the 100 Members of the Senate to proceed to vote on termination of debate 5 to 6 weeks after the question has become the pending business of the Senate.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. Do I understand the Senator to say, then, that his proposal envisages only a constitutional majority?

Mr. KUCHEL. The Senator is correct.

Mr. MANSFIELD. In that respect the Senator would take away from this body the flexibility which it has had for many decades, a flexibility which sets this parliamentary body apart from any other, by which there can be a determination to bring debate to an end and foreclose further discussion under the terms outlined by the Senator on questions of tremendous national or international importance, and on questions affecting the rights and privileges of minorities in this body.

Mr. KUCHEL. I would answer in this fashion, Mr. President. I suppose one might use the word "flexibility" in describing the rule which applied in the previous Congress, for it is true that under it two-thirds of the Senators present and voting may invoke cloture. That would mean two-thirds of 51 Senators, Mr. President, would be empowered to terminate debate.

We, however, believe that after a month, after 5 or 6 weeks' time, a majority of all the Members elected, proceeding in accordance with the provisions of the Constitution on matters of great urgency, as my able friend describes them, might decide for the entire membership of the Senate to proceed to vote.

Mr. MANSFIELD. Mr. President, will the Senator yield once more?

Mr. KUCHEL. I yield.

Mr. MANSFIELD. I express the hope that this unique institution, which is the Senate, will think very carefully and very long before it changes the rules of this body too drastically. To my knowledge, this is the only legislative body left in the world which has a degree of flexibility which can protect minorities—and I speak of no one minority—which can protect the smaller States, and which can give due and proper consideration to questions of great national and international importance. I thank the distinguished Senator for yielding.

Mr. KUCHEL. Mr. President, I yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, I should like to ascertain from the distinguished Senator from California and likewise from the distinguished Senator from South Dakota [Mr. McGOVERN] whether it is proposed after the intervention of the 1 day required under the rule to pursue this matter by asking for consideration of it and to join debate on it.

Mr. McGOVERN. It would be the intention to bring it to a decision as quickly as possible.

Mr. DIRKSEN. Today is limited. Tomorrow would be the intervening day; therefore, it seems to me that this matter could be considered on Friday of this week. I want to be sure. I want the Senator to understand what is being proposed now.

Mr. McGOVERN. My understanding is it could be considered tomorrow, I would say to the Senator.

The VICE PRESIDENT. The Chair would inform the Senator from Illinois that it would be agreeable for it to be considered tomorrow.

Mr. DIRKSEN. Tomorrow. Today, then, would be the intervening day?

The VICE PRESIDENT. That is correct.

Several Senators addressed the Chair.

Mr. DIRKSEN. Mr. President, I have the floor.

The VICE PRESIDENT. Five minutes have expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent for an additional 5 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. I want to find out from the Senator from South Dakota whether he intends to pursue this diligently and continue to do so until it is resolved one way or the other?

Mr. McGOVERN. That would be my intention.

Mr. DIRKSEN. I want to address the same question to my distinguished colleague from California.

Mr. KUCHEL. Let me say to my leader that I would want the case brought up diligently and have the matter disposed of in a forthright fashion, without any dilatory tactics whatsoever.

Mr. CLARK. Mr. President, will the Senator from California yield to me?

Mr. DIRKSEN. Let me finish first.

Mr. President, I am opposed to the proposal advanced by my friend from California. I am also opposed to the so-called three-fifths proposal of the Senator from South Dakota.

We have been through this biennial convulsion four or five different times over the past 10 or 12 years, and now it appears that we are going through this quiet agony all over again.

I believe that the Senate might be well advised to prepare itself for a rule discussion which is not going to end in a day or two, if I have anything to say about it.

I do not wish to see these rules changed so lightly.

If time permits, I invite attention to the most recent classic example which was cited, on repeal of section 14(b) of the Taft-Hartley law in the last session of Congress. When we finally got time to inform the country, I think there were as many union men as nonunion men who deluged the Senate with mail and telegrams that they were opposed to repeal of section 14(b) because it was the only disciplinary weapon that they had, ofttimes, to keep their union leaders straight.

We do not do that in a day, or a week. It takes a good many weeks to inform the electorate in a country of 195 million people. Mr. President, that is why both these proposals should be rejected. We should preserve rule XXII.

Mr. President, we never had any trouble. I speak with knowledge when I say that in the 1964 debate on the major civil rights bill we obtained cloture. We could have obtained cloture on the voting proposal in 1965, had it been necessary. We could have obtained cloture in 1963, if we had to.

Anyone who has a case can make his case to get cloture in this body, because we have proved it.

Thus, why go about lightly now changing rule XXII which is a safeguard for the minority against the tyranny of the majority?

Suppose the Senate had passed a constitutional resolution to give a 4-year term to House Members so that it would be coterminous with the President's term. At a moment when an emotional issue was before the country and there was a one-sided majority in both bodies, as it proved to be over the past few years, we could ram anything through this body. It would not make any difference what it was.

Therein lies the safeguard of rule XXII.

In 1934, I remember that President Franklin D. Roosevelt said to the House of Representatives:

> Let no doubt, however reasonable, about the constitutionality of this bill deter you from passing it forthwith.

That is what he said to Congress. That is the kind of condition we are likely to get.

When Harry S. Truman wanted to take the miners and the railroaders into the Army, unless they went back to work, it was the fellow standing right at this desk who stopped it. If necessary, the cloture proposal was there. Obviously, there would have been sufficient debate for the whole country.

The VICE PRESIDENT. The 5 minutes has expired.

Mr. KUCHEL. Mr. President, I ask unanimous consent for 5 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. History is redolent with classic examples of what a safeguard rule XXII is in its present form. Thus, I am going to do my best, within my feeble power, to see that it is not changed.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from California [Mr. KUCHEL] is recognized.

Mr. KUCHEL. Mr. President, the Republican Party knows of the profound respect I hold for the distinguished Senator from Illinois. But, there are divergent views on this question. I do not gear my own views to one kind of ideology as against another.

This is my 15th year as a Member of the Senate. In my first year I witnessed my first filibuster. At the time, I was a coauthor, along with the distinguished Senator from Florida [Mr. HOLLAND], and others, of a piece of legislation designed to overturn a decision of the Supreme Court of the United States and give back to the State from which I come, and other coastal and Gulf States, the submerged lands lying seaward 3 miles along the Pacific and the Atlantic, or in the case of the gulf, a longer distance.

Some of my friends in this Chamber mounted—let me accurately say—a filibuster against that bill. They would have defeated that bill except for the fact that one of them got a little under the weather and they decided that the physical cost to them was too high to pay. That is not the basis upon which the representatives of this free Republic should come to their own conclusions.

On the question of the Telstar communication satellite bill, I saw in the Senate a group of persons, who were not denominated as "conservatives," mount a filibuster against what the late President Kennedy asked Congress to do with respect to participation of the American people and American business in the creation of a satellite for communications and for television. That filibuster finally died, although for a long time it appeared that it was going to succeed.

Mr. President, a filibuster can be mounted by any group. What is wrong, at long last, with representatives of the people standing up to cast their votes, up or down?

Every senate chamber in the State governments in this country has a majority rule to terminate debate.

Every kind of parliamentary procedure which has been written in the history of such organizations, with the exception of this Senate, has followed that rule. The Senate of the United States followed that rule in its early days.

The mother of parliaments in the United Kingdom not only permits the moving of the "previous question" and its being upheld by a majority, but it also empowers the presiding officer, when he determines that debate has been exhausted, to put the question, "Shall the debate now conclude and shall the vote be taken?"

Surely, Mr. President, these are points which are completely valid. I believe, on the part of those of us who sincerely believe that the time has arrived when, in accordance with the language of the Constitution, we should exert our opposition and, hopefully, our persuasive powers, on our brothers, that they might see fit to find that irrelevant talkathons, perhaps after a month, or a month and a half, should be concluded.

Several Senators addressed the Chair.

Mr. KUCHEL. Mr. President, I yield the floor.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Florida [Mr. HOLLAND] is recognized.

Mr. HOLLAND. Mr. President, I wish to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Florida will state it.

Mr. HOLLAND. Does a ruling of the distinguished Presiding Officer, that this might well be in order to be decided tomorrow, or to come up tomorrow, apply regardless of whether there is an adjournment or a recess today?

The VICE PRESIDENT. Under the advice and counsel of our distinguished Parliamentarian, the situation is as follows: While under rule XIV, paragraph 6, the resolution lies over a day—which would mean that it would be susceptible of debate tomorrow—provided the Senate adjourns tonight, and after the routine morning business, because those circumstances pertain under a new legislative day. If the Senate recesses tonight or today, the Chair cannot automatically lay the business before the Senate.

Mr. HOLLAND. I apprehended that that would be the ruling. I think it would be timely to ask the distinguished majority leader what his intention is with reference to adjourning or recessing the Senate today and with reference to whether we will meet tomorrow.

Mr. MANSFIELD. Mr. President, it was and it is the intention of the joint leadership to meet tomorrow. It was and it is our hope that we will be able to adjourn tonight so that we can face up to this very important matter as quickly as possible. And I want to assure the distinguished Senator, and the Senate, that, as far as the Senator from Montana is concerned, he does not intend, if he can help it, to allow this debate to drag on for too long a time.

ORDER FOR ADJOURNMENT

So, Mr. President, with the indulgence of the Senate, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Is there objection? Hearing none, it is so ordered.

Mr. HOLLAND. I thank the majority leader. That makes the matter perfectly clear. That was the purpose of my parliamentary inquiry.

Mr. CLARK. Mr. President, as principal Democratic cosponsor of the resolution offered a few minutes ago by the distinguished minority whip [Mr. KUCHEL], I rise in support of the very able statement he has made, setting forth the reasons why a number of us have joined together in an effort to make it possible for this body to terminate debate—when a majority is ready for action after reasonable debate—which, as the Senator from California well said, would in all likelihood extend for some 4, 5, or 6 weeks.

Mr. President, this is the only legislative body in the civilized world which is presently unable to act when its majority is ready for action. That point was made most dramatically a good many years ago by a great Democratic President, Woodrow Wilson.

I noted that the Senator from California stated that this was a new type of resolution in connection with a change in rule XXII. That, of course, is technically correct, but I would point out to him what I am sure he would be willing to admit—that the able and distinguished former senior Senator from Illinois, Mr. Douglas, who to my deep regret—meaning no affront to his successor—is no longer with us, had offered a resolution of this type repeatedly for a good many years in the past. This is a successor to the Douglas resolution for majority rule, which I strongly support.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. CLARK. I yield to my friend from California.

Mr. KUCHEL. The Senator is completely correct. I wanted, however, to establish the point that the provision for 20 days other than calendar days—excluding Sundays, and so forth—was, in my opinion, a substantive change; for now, Mr. President, we can truthfully say that it would be more than a calendar month—and more nearly on the order of a month and a half—before the cloture machinery would come into play here.

Mr. CLARK. Mr. President, it is verging on the ridiculous to pretend that this resolution contemplates a gag rule, or that this resolution would deprive the Senate of needed flexibility.

In fact, the resolution would do nothing more than establish, for the first time in modern history, a rule for fair procedure in the U.S. Senate, which would enable us to perform our legislative duties with the same expedition, after adequate and complete debate, which is presently the privilege of every other legislative body in the civilized world.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from New York.

Mr. JAVITS. Mr. President, I rise, on this side of the aisle, to speak for the resolution to enforce the constitutional prerogative of the majority to close debate. I rise to mention a point which has not been mentioned by the majority leader, the minority leader, or even the proponent of the resolution itself, and that is that the Constitution of the United States provides for majority rule—not by a majority of the whole body, but by a majority of those present and voting.

A majority of those present and voting can declare war, Mr. President, and can bring about the death and destruction of millions of Americans. But we cannot pass a civil rights bill without the consent of the minority.

The question before us is, Is Calhoun's doctrine of concurrent consent finally to yield, after more than a centurn, to the march of time, or is it still to stand, in the Senate, in defiance of the Constitution of the United States? That is the real issue.

Nothing in this proposed rule, or the rule proposed by the Senator from South Dakota [Mr. MCGOVERN], would prevent or hinder full, ample, and complete debate. With all respect to the Senator from Illinois [Mr. DIRKSEN], the Senate is frustrated, and it cannot pass a bill if a minority believes it should not. That is the way the situation stands now. That is what happened on the Civil Rights Act of 1966.

I cannot tell the Senate what connection that had with the riots and deaths in the streets. I do not know. I know it was a rights bill; a majority was for it, and it should have been passed. The same may have been true on 14(b).

Even if my views were otherwise, that

would not mean that I am right and the majority is wrong. That is the Constitution of the United States. We have changed the Constitution by the Senate rules, Mr. President. I believe that is wrong. Even if the change has been proposed and defeated 12 years in succession, its consideration is in order. Sometimes it takes a long time to do these things. I believe that it is high time we did it.

The VICE PRESIDENT. The Senator's time is expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may have 1 additional minute.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JAVITS. Does the filing of notices with respect to the resolution of the Senator from South Dakota [Mr. McGovern] and with respect to the resolution of the Senator from California [Mr. Kuchel] and their respective cosponsors represent, by usage, any waiver of the right to proceed, as of the opening of a Congress, to seek to amend rule XXII?

The VICE PRESIDENT. The Chair rules that it does not.

Mr. JAVITS. I thank the Chair.

Mr. MORSE. Mr. President, I shall take a minute to reply to the statement of my beloved majority leader which seeks to argue that the Kuchel resolution is inflexible. To the contrary, the Kuchel resolution seeks to relieve the Senate of the United States from an inflexible rule that permits the minority to tie up and prevent the majority from acting.

The Kuchel resolution provides flexibility. It is because it permits the majority to finally act after the lapse of the time provided for in the resolution that I shall support it.

It is in keeping with our system of checks and balances. Do not forget the constitutional checks that will continue to face the majority of the Senate. There will be the check of House action including conference committee negotiations. There will be the check of the signature or veto of the President. The minority rights will be protected but the minority will not be allowed to rule and control the Senate.

The time has come for the Senate to be relieved from the straitjacket control of a willful minority in the Senate of the United States.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, communicated to the Senate the intelligence of the death of Hon. John E. Fogarty, late a Representative from the State of Rhode Island, and transmitted the resolutions of the House thereon.

The message informed the Senate that, pursuant to the order of the House of October 22, 1966, the Speaker, pursuant to the provisions of section 2(a), Public Law 89–801, had appointed Mr. Kastenmeier of Wisconsin, Mr. Edwards of California, and Mr. Poff of Virginia as members of the National Commission on Reform of Federal Criminal Laws, on the part of the House.

The message also informed the Senate that, pursuant to the order of the House of October 22, 1966, the Speaker, pursuant to the provisions of section 2, Public Law 89–790, had appointed Mr. Gray of Illinois, Mr. Kluczynski of Illinois, Mr. Pickle of Texas, Mr. Cramer of Florida, Mr. Grover of New York, and Mr. Hansen of Idaho as members of the Commission to Study Facilities and Services To Be Furnished Visitors and Students Coming to the Nation's Capital, on the part of the House.

ADDITIONAL APPOINTMENTS BY THE VICE PRESIDENT DURING SINE DIE ADJOURNMENT

Pursuant to Public Law 89–617, and Senate resolution 319 of the 89th Congress, the Vice President, on January 3, 1967, appointed the following two private citizens to the Commission on Political Activity of Government Personnel: Prof. Austin Ranney, Democrat, of Wisconsin, and Mr. Malcolm Moos, Republican, of New York.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report on Contracts Negotiated by National Aeronautics and Space Administration

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on contracts negotiated by that Administration, for the 6-month period ended June 30, 1966 (with an accompanying report); to the Committee on Aeronautical and Space Sciences.

Report of National Forest Reservation Commission

A letter from the Secretary of the Army, president, National Forest Reservation Commission, transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

Report on Research Facilities, Grants Executed and Disbursements

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report on research facilities, grants executed and disbursements, for the fiscal year 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

Plan for Works of Improvement in Indiana

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a plan for works of improvement on Rock Creek (Wells) watershed, Indiana (with an accompanying document); to the Committee on Agriculture and Forestry.

Report on Cooperative Farm Credit System

A letter from the Governor, Farm Credit Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration on the work of the cooperative farm credit system, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

Report on Title I, Public Law 480 Agreements

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on agreements signed during August, September, October, and November 1966, under title I, Public Law 480 (with accompanying papers); to the Committee on Agriculture and Forestry.

Reports on Reapportionment of Appropriations

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Post Office Department for "Operations" for the fiscal year 1967, had been reapportioned on a basis indicating a need for a supplemental estimate of appropriations; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Agriculture for "Forest protection and utilization," Forest Service, for the fiscal year 1967, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the "Limitation on salaries and expenses, Railroad Retirement Board" for the fiscal year 1967, had been reapportioned on a basis which indicates the necessity for a supplemental estimate; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Post Office Department for "Transportation," for the fiscal year 1967 had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Salaries and expenses, Federal Bureau of Investigation," for the fiscal year 1967, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Salaries and expenses, Immigration and Naturalization Service," for the fiscal year 1967, had been reapportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

Reports on Overobligations of Appropriations

A letter from the Secretary of Defense, transmitting, pursuant to law, reports on six overobligations of appropriations (with accompanying reports); to the Committee on Appropriations.

A letter from the Secretary of Commerce, reporting, pursuant to law, on the overobligation of an appropriation; to the Committee on Appropriations.

Reports on Export-Import Bank Guarantees

A letter from the secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the Bank had agreed to issue guarantees of not more than $24,750,000 in connection with the sale of U.S. products and services required for the expansion of the fertilizer production facilities of chemical industy "Pancevo" in Yugoslavia; to the Committee on Appropriations.

A letter from the secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia, for the month of October 1966, not previously reported, totaled $380,279; to the Committee on Appropriations.

A letter from the secretary, Export-Import Bank of Washington, Washington, D.C., reporting, pursuant to law, that the amount of Export-Import Bank insurance and guarantees issued in connection with U.S. exports to Yugoslavia for the month of November 1966, not previously reported, totaled $334,889; to the Committee on Appropriations.

Report on Loan to Chugach Electric Association, Anchorage, Alaska

A letter from the Administrator. Rural Electrification Administration, Department of Agriculture, reporting, pursuant to law, on the approval of a loan to the Chugach Electric Association of Anchorage, Alaska, in the amount of $3,946,000 (with an accompanying paper); to the Committee on Appropriations.

Reports on Final Settlement of Claims of Certain Indians

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The San Carlos Tribe of Arizona* v. *The United States of America*, docket No. 223 (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The Six Nations, et al.* v. *The United States of America*, docket No. 344 (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The Seneca Nation of Indians* v. *The United States of America*, docket No. 342–B (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The Fort Belknap Indian Community or the Gros Ventre and Assiniboine Tribe of Fort Belknap Indians* v. *The United States of America*, docket No. 250 (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The Creek Nation* v. *The United States of America*, docket No. 168 (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *Tuscarora Indian Nation* v. *The United States of America*, docket No. 340 (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The Red Lake, Pembina, and White Earth Bands, et al.* v. *The United States of America*, docket No. 18–A (with accompanying papers); to the Committee on Appropriations.

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of *The Confederated Bands of Ute Indians* v. *The United States of America*, docket No. 327 (with accompanying papers); to the Committee on Appropriations.

Report on Judgments Rendered by U.S. Court of Claims (S. Doc. No. 2)

A letter from the Clerk, U.S. Court of Claims, Washington, D.C., transmitting, pursuant to law, a report on all judgments rendered by that court, for the fiscal year ended September 30, 1966 (with an accompanying report); to the Committee on Appropriations, and ordered to be printed.

Report on Real and Personal Property of Department of Defense

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on real and personal property of that Department, as of June 30, 1966 (with an accompanying report); to the Committee on Armed Services.

Increase in Number of Assistant Secretaries of Military Departments

A letter from the Deputy Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to increase the number of Assistant Secretaries of each military department (with an accompanying paper); to the Committee on Armed Services.

Removal of Restrictions on Careers of Female Officers in the Armed Services

A letter from the General Counsel of the Department of Defense, Washington, D.C., transmitting a draft of proposed legislation to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

Simplification of Laws Relating to Members of the Armed Services

A letter from the General Counsel of the Department of Defense, Washington, D.C., transmitting a draft of proposed legislation to amend title 10, United States Code, to simplify laws relating to members of the Army, Navy, Air Force, and Marine Corps, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Confinement and Treatment of Offenders Against the Uniform Code of Military Justice

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend titles 10, 14 and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice (with an accompanying paper); to the Committee on Armed Services.

Clarification of Status of National Guard Technicians

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes (with accompanying papers); to the Committee on Armed Services.

Authorization of Extension of Certain Contracts for Supplies and Services

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend section 2306 of title 10, United States Code, to authorize certain contracts for supplies and services to extend beyond 1 year (with accompanying papers); to the Committee on Armed Services.

Report of Director of Selective Service

A letter from the Director, Selective Service System, Washington, D.C., transmitting, pursuant to law, a report on that System, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Armed Services.

Reports on Military Construction

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain construction projects for the Air Force Reserve (with an accompanying report); to the Committee on Armed Services.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain facilities projects proposed to be undertaken for the Air Force Reserve (with an accompanying report); to the Committee on Armed Services.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the proposed construction of a project for the Naval and Marine Corps Reserves, Baton Rouge, La.; to the Committee on Armed Services.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the proposed construction of projects for the Naval and Marine Corps Reserves (with an accompanying paper); to the Committee on Armed Services.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, a report on certain construction projects proposed to be undertaken for the Air National Guard (with an accompanying report); to the Committee on Armed Services.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on the proposed construction of six projects for the Air National Guard, and the withdrawal of two projects at the Hutchinson, Kans., Air National Guard Base (with accompanying papers); to the Committee on Armed Services.

Report on Strategic and Critical Materials Stockpiling Program

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on the strategic and critical materials stockpiling program, for the 6-month period ended June 30, 1966 (with an accompanying report); to the Committee on Armed Services.

Report on Federal Contributions Program, Equipment and Facilities

A letter from the Acting Director of Civil Defense, Office of the Secretary of the Army, transmitting, pursuant to law, a report on the Federal contributions program, equipment and facilities, obligations by States, for the quarter ended September 30, 1966 (with an accompanying report); to the Committee on Armed Services.

Reports on Officers on Duty With Headquarters, Department of the Army and Army General Staff

A letter from the Secretary of the Army, transmitting, pursuant to law, reports on number of officers on duty with Headquarters, Department of the Army and the Army General Staff, as of September 30, 1966 (with accompanying reports); to the Committee on Armed Services.

Report on Procurement Receipts for Medical Stockpile of Civil Defense Emergency Supplies and Equipment Purposes

A letter from the Acting Secretary of Health, Education, and Welfare, reporting, pursuant to law, on actual procurement receipts for medical stockpile of civil defense emergency supplies and equipment purposes, for the quarter ended September 30, 1966; to the Committee on Armed Services.

Report on Property Acquisitions of Emergency Supplies and Equipment

A letter from the Acting Director of Civil Defense, Office of the Secretary of the Army, reporting, pursuant to law, on property acquisitions of emergency supplies and equipment, for the quarter ended September 30, 1966; to the Committee on Armed Services.

Index of Government of the Ryukyu Islands Legislation, 1952–66

A letter from the Deputy Under Secretary of the Army (International Affairs), transmitting, pursuant to law, an index of the Legislature of the Government of the Ryukyu Islands legislation, 1952–66 (with an accompanying document); to the Committee on Armed Services.

Report on Flight Pay, Department of the Air Force

A letter from the Secretary, Department of the Air Force, transmitting, pursuant to law, a report on flight pay, for the 6-month period ended August 31, 1966 (with an accompanying report); to the Committee on Armed Services.

Report on Flight Pay, Coast Guard

A letter from the Acting Assistant Secretary of the Treasury, reporting, pursuant to law, on flight pay for the U.S. Coast Guard, for the 6-month period ended December 31, 1966; to the Committee on Armed Services.

Report on Feasibility, Advantages, and Disadvantages of Direct Loan Programs Compared to Guaranteed or Insured Loan Programs

A letter from the Secretary of the Treasury, transmitting, pursuant to law, on the feasibility, advantages, and disadvantages of direct loan programs compared to guaranteed or insured loan programs, dated November 24, 1966 (with an accompanying report); to the Committee on Banking and Currency.

Reports on Department of Defense Procurement for Small and Other Business Firms

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement for small and other business firms, for the period July–August 1966 (with an accompanying report); to the Committee on Banking and Currency.

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense procurement for small and other business firms, for July–September 1966 (with an accompanying report); to the Committee on Banking and Currency.

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on Department of Defense Procurement for Small and Other Business Firms, for the period July–October 1966 (with an accompanying report); to the Committee on Banking and Currency.

Report of Export-Import Bank of Washington

A letter from the Chairman, Export-Import Bank of Washington, Washington, D.C., transmitting, pursuant to law, a report of that Bank, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Banking and Currency.

Report on Investment Companies

A letter from the Chairman, Securities and Exchange Commission, Washington, D.C., transmitting, pursuant to law, a report on investment companies, dated December 2, 1966 (with an accompanying report); to the Committee on Banking and Currency.

Report on Contracts for Experimental, Developmental, or Research Work

A letter from the Assistant Secretary for Administration, Treasury Department, transmitting, pursuant to law, a report on contracts negotiated by the Coast Guard for experimental, developmental, or research work, since April 26, 1966 (with an accompanying report); to the Committee on Commerce.

Report of Migratory Bird Conservation Commission

A letter from the Secretary of the Interior, Chairman, Migratory Bird Conservation Commission, transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Commerce.

Publications of Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, publications by that Commission, entitled "Major Natural Gas Pipelines, June 30, 1966, map," "World Power Data, 1964," and "Hydroelectric Plant Construction Cost and Annual Production Expenses, 1964" (with accompanying documents); to the Committee on Commerce.

Report on Permits and Licenses for Hydroelectric Projects Issued by Federal Power Commission

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report on permits and licenses for hydroelectric projects issued by that Commission, during the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Commerce.

Nomination of Member of District of Columbia Redevelopment Land Agency

A letter from the President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, the nomination of Alfred P. Love for appointment as a member of the District of Columbia Redevelopment Land Agency (with an accompanying paper); to the Committee on the District of Columbia.

Combined Statement of Receipts, Expenditures and Balances of the U.S. Government

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a combined statement of receipts, expenditures and balances of the U.S. Government, for the fiscal year ended June 30, 1966 (with accompanying papers); to the Committee on Finance.

Report on Operation of the Trade Agreements Program

A letter from the Acting Chairman, U.S. Tariff Commission, Washington, D.C., transmitting, pursuant to law, a report on operation of the trade agreements program, for the period July 1964–December 1965 (with an accompanying report); to the Committee on Finance.

Report of the Renegotiation Board

A letter from the Chairman, the Renegotiation Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Finance.

Report of Balances of Foreign Currencies Acquired Without Payment of Dollars

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of balances of foreign currencies acquired without payment of dollars, as of June 30, 1966 (with an accompanying report); to the Committee on Foreign Relations.

Increases in Annuities Payable From Foreign Service Retirement and Disability Fund

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to provide certain increases in annuities payable from the Foreign Service Retirement and Disability Fund, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

Report of U.S. Advisory Commission on International Educational and Cultural Affairs

A letter from the Chairman, U.S. Advisory Commission on International Educational and Cultural Affairs, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Foreign Relations.

Report of Foreign Claims Settlement Commission

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting, pursuant to law, a report of that Commission, as of June 30, 1965 (with an accompanying report); to the Committee on Foreign Relations.

Report on Disposition of Foreign Excess Personal Property Located Outside the United States, Puerto Rico, and the Virgin Islands

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, a report on the disposition of foreign excess personal property located outside the United States, Puerto Rico, and the Virgin Islands, as of June 30, 1966 (with an accompanying report); to the Committee on Government Operations.

Report on Research Grants Awarded by Department of Agriculture

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, a report on research grants awarded by that Department, for the fiscal year 1966 (with an accompanying report); to the Committee on Government Operations.

Report on Disposals of Foreign Excess Property

A letter from the Assistant Secretary for Administration, Department of Agriculture, transmitting, pursuant to law, a report on disposals of foreign excess property, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on management control of Nike-Hercules missile launching and handling rails, Army Missile Command, Department of the Army, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal years 1964 and 1965, Office of the Treasurer of the United States, Treasury Department, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on comparison of costs of storing grain on the farm with rates paid for such storage, Commodity Credit Corporation, Department of Agriculture, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1965, Federal National Mortgage Association, Department of Housing and Urban Development, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need to further revise regulations to minimize loss of proceeds to the Government under the wheat marketing allocation program, Agricultural Stabilization and Conservation Service and Commodity Credit Corporation, Department of Agriculture, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings attainable in the use and pricing of certain nonperishable foods, Department of Defense, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through changes in legislation affecting compensation of rural carriers and consolidation of rural routes, Post Office Department, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for increasing revenues by improving controls and procedures relating to interest paid on Federal income tax refunds, Internal Revenue Service, Treasury Department, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on utilization of motor vehicles in the Cape Kennedy interagency motor pool, General Services Administration and National Aeronautics and Space Administration, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for reducing costs of transporting donated commodities to State agencies, Consumer and Marketing Service, Department of Agriculture, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need to resolve differences in procedures used by Federal timber agencies in appraising timber offered for sale, Forest Service, Department of Agriculture, Bureau of Indian Affairs, Bureau of Land Management, Department of the Interior, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for improving procedures to ensure compliance with law regarding deposition of industrial waste solids into navigable waters, Corps of Engineers (Civil Functions), Department of the Army, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report of Federal Deposit Insurance Corporation for the year ended June 30, 1965, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of printing of technical manuals from equipment contractors, Department of Defense, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on potential savings through greater use of available Government gasoline outlets, General Services Administration, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the feasibility of using U.S.-owned excess foreign currencies instead of dollars to pay for ocean shipment of military assistance program material, Department of Defense and other Government agencies, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of certain procedures relating to the continuing eligibility of Federal employees for disability retirement annuities under the Civil Service Retirement system, U.S. Civil Service Commission, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of certain policies and practices followed in approving claims for noncash grants-in-aid credits, Renewal Projects Administration, Department of Housing and Urban Development, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of Federal grants for airport improvements at the adjacent communities of Kenai and Soldotna, Alaska, Federal Aviation Agency, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of selected aspects of scheduling for design, integration, and test of Nimbus spacecraft, National Aeronautics and Space Administration, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of procurement of detachable helicopter ground handling wheel assemblies, Department of the Army, dated October 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of justification for a Federal-aid interstate highway frontage road near Billings, Mont., Bureau of Public Roads, Department of Commerce, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of coordination between procurement of technical equipment and its ultimate utilization, Federal Aviation Agency, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of policy and practices relating to requirements for performance and payment bonds on certain ship construction contracts, Maritime Administration, Department of Commerce, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of maintenance employment classifications and wage rates at selected local housing authorities in region VI, Department of Housing and Urban Development, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of accounting system of communicable disease center, Bureau of State Services, Public Health Service, Department of Health, Education, and Welfare, dated November 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of price increases under shipbuilding contracts, Department of the Navy, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of circumstances relating to the collapse of the John Day River Bridge on Interstate Route 80N in the State of Oregon, Bureau of Public Roads, Department of Commerce, and Corps of Engineers (Civil Functions), Department of the Army, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of disability compensation payments under amendments to the Federal Employees' Compensation Act, Bureau of Employees' Compensation, Department of Labor, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of determinations of wage rates for construction of Carters Dam, Ga., Department of Labor, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of policies and procedures used in determining the administrative office space to be provided in major postal facilities, Post Office Department, dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1966, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., dated December 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available by purchasing rather than leasing commercial two-way radio equipment, Department of Defense, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

Amendment of Section 202(b) of Federal Property and Administrative Services Act of 1949

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend section 202(b) of the Federal Property and Administrative Services Act of 1949 (with an accompanying paper); to the Committee on Government Operations.

Report on New Service Rates General Services Administration Will Charge Customer Agencies for Sedans and Station Wagons

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, for the information of the Senate, a report on new service rates that Administration will charge customer agencies for sedans and station wagons, effective February 1, 1967 (with an accompanying report); to the Committee on Government Operations.

Report of General Services Administration

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of that Administration, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Government Operations.

Proposed Amendments to Concession Contracts

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, proposed amendments to concession contracts in Yosemite National Park, Katmai National Monument, and Grand Canyon National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to a concession contract to provide boat transportation service between Charleston, S.C., and Fort Sumter National Monument (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to a concession contract in Wind Cave National Park, S. Dak. (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, proposed amendments to concession contracts in Glacier National Park, Hot Springs National Park, and Cape Hatteras National Seashore (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, proposed amendments to concession contracts in Yosemite National Park, Grand Canyon National Park, Hot Springs National Park, Grand Teton National Park, National Capital Region, Washington, D.C., Mesa Verde National Park, Petrified Forest National Park, Natchez Trace Parkway, Lake Mead National Recreation Area, Statue of Liberty National Monument, and Cape Hatteras National Seashore (with accompanying papers); to the Committee on Interior and Insular Affairs.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to a concession contract at the Boulder Beach Site of Lake Mead National Recreation Area, Nevada (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Concession Contract in Sanford Recreation Area, Tex.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract at the Fritch Fortress site in Sanford Recreation Area, Tex. (with accompanying papers); to the Committee on Interior and Insular Affairs.

Proposed Concession Contract in Muir Woods National Monument, Calif.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Muir Woods National Monument, Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

Report on Cancellations and Adjustments of Debts of Certain Indians

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the cancellation and adjustment of individual Indians or tribes of Indians, for the fiscal year 1966 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Certification of Adequate Soil Survey and Land Reclassification, Whitestone Coulee Unit, Chief Joseph Dam Project, Washington

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land reclassification has been made of the lands in the Whitestone Coulee Unit, Chief Joseph Dam Project, Washington (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Receipt of Project Proposal Under Small Reclamation Projects Act of 1956

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of the project proposal under the Small Reclamation Projects Act of 1956 from the Roy Water Conservancy Subdistrict, of Roy, Utah; to the Committee on Interior and Insular Affairs.

Report on Colorado River Storage Project and Participating Projects

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the Colorado River storage project and participating projects, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report of Lewis and Clark Trail Commission

A letter from the Chairman, Lewis and Clark Trail Commission, Des Moines, Iowa, transmitting, pursuant to law, an interim report of that Commission, dated December 6, 1966 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report on Colorado River System

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the Colorado River System, dated January 1967 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Report of Proceedings of the Judicial Conference of the United States

A letter from the Chief Justice, Supreme Court of the United States, transmitting, pursuant to law, a report of proceedings of the Judicial Conference of the United States, held at Washington, D.C., September 22–23, 1966 (with an acompanying report); to the Committee on the Judiciary.

Report of Identical Bidding in Public Procurement

A letter from the Acting Attorney General, transmitting, pursuant to law, a report on identical bidding in public procurement, dated July 1966 (with an accompanying report); to the Committee on the Judiciary.

Penalties for Interference With Defense Security Systems

A letter from the Under Secretary of the Air Force, transmitting a draft of proposed legislation to amend title 18, United States Code, to protect the security of the United States by providing penalties for interference with defense security systems (with an accompanying paper); to the Committee on the Judiciary.

Report on Claims Settled Under Military Personnel Claims Act

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on claims settled under the Military Personnel Claims Act, for the fiscal year 1966 (with an accompanying report); to the Committee on the Judiciary.

Report on Claim of the American Journal of Nursing

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report relating to the claim of the American Journal of Nursing (with accompanying papers); to the Committee on the Judiciary.

Report on Claim of Corbie F. Cochran, Jr.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the claim of Corbie F. Cochran, Jr. (with accompanying papers); to the Committee on the Judiciary.

Audit Report of Future Farmers of America

A letter from the chairman, board of directors, Future Farmers of America, Washington, D.C., transmitting, pursuant to law, an audit report of that organization, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on the Judiciary.

Report of Board of Directors, Federal Prison Industries, Inc.

A letter from the Commissioner, Federal Prison Industries, Inc., Department of Justice, Washington, D.C., transmitting, pursuant to law, a report of the Board of Directors of that institution, for the fiscal year 1966 (with an accompanying report); to the Committee on the Judiciary.

Report of Subversive Activities Control Board

A letter from the Chairman, Subversive Activities Control Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on the Judiciary.

Reports on Claims Under Military Personnel and Civilian Employee's Claims Act of 1964

A letter form the General Manager, U.S. Atomic Energy Commission, Washington, D.C., transmitting, pursuant to law, a report on claims paid by that Commission under the Military Personnel and Civilian Employee's Claims Act of 1964 for the fiscal year 1966 (with an accompanying report); to the Committee on the Judiciary.

A letter from the Director, General Services Administration, Washington, D.C., reporting, pursuant to law, on the claim of Basil H. Nelson, Fort Worth, Tex., under the Military Personnel and Civilian Employee's Claims Act of 1964; to the Committee on the Judiciary.

Report on Agricultural Hall of Fame

A letter from the executive vice president, Agricultural Hall of Fame and National Center, Bonner Springs, Kans., transmitting, pursuant to law, a report on the audit and report to the board of governors, for the fiscal year ended August 31, 1966 (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens, dated November 1, 1966, and January 3, 1967 (with accompanying papers); to the Committee on the Judiciary.

Temporary Admission Into the United States of Certain Aliens

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, dated November 1, 1966, December 1, 1966, and January 3, 1967, respectively, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classification of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Adjustment of Status of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered relating to the adjustment of status of certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report of Neighborhood Youth Corps National Conference

A letter from the Administrator, Neighborhood Youth Corps, Department of Labor, Washington, D.C., transmitting, for the information of the Senate, a report on the Neighborhood Youth Corps National Conference, held May 2-4, 1966, in St. Louis, Mo. (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of Board of Actuaries of the Civil Service Retirement System

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting, pursuant to law, a report of the board of actuaries of the civil service retirement system, for the fiscal year ended June 30, 1965 (with an accompanying report); to the Committee on Post Office and Civil Service.

Reports on Scientific and Professional Positions

A letter from the Director, U.S. Arms Control and Disarmament Agency, Washington, D.C., transmitting, pursuant to law, a report on scientific and professional positions in that Agency, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Director of Personnel, Department of Commerce, Washington, D.C., transmitting, pursuant to law, a report on scientific and professional positions in that Department, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office on Civil Service.

A letter from the Director of Personnel, for the Assistant Secretary for Administration, Department of the Interior, reporting, pursuant to law, on scientific and professional positions in that Department, for the year 1966 (with accompanying papers); to the Committee on Post Office and Civil Service.

Report on Positions in Grades GS-16, GS-17, and GS-18

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, reporting, pursuant to law, on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with accompanying papers); to the Committee on Post Office and Civil Service.

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

A letter from the Chairman, Railroad Retirement Board, Chicago, Ill., transmitting, pursuant to law, a report on positions in grades GS-16, GS-17, and GS-18, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

Report of Economic Development Administration

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the Economic Development Administration, for the fiscal year 1966 (with an accompanying report); to the Committee on Public Works.

Report on Highway Beautification Program

A letter from the Under Secretary of Commerce for Transportation, transmitting, pursuant to law, a report on the highway beautification program (with an accompanying report); to the Committee on Public Works.

Construction, Operation, and Maintenance of Certain Water Resource Development Projects

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to amend section 201 of the Flood Control Act of 1965 to authorize the Secretary of the Army to construct, operate, and maintain water resource development projects costing less than $10 million (with an accompanying paper); to the Committee on Public Works.

Report on Plan for Works of Improvement in Pennsylvania

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report on plan for works of improvement on Neshaminy Creek watershed, Pennsylvania (with an accompanying document); to the Committee on Public Works.

Report of Tennessee Valley Authority

A letter from the Chairman and Directors, Tennessee Valley Authority, Knoxville, Tenn., transmitting, pursuant to law, a report of that Authority, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Public Works.

Report of John F. Kennedy Center for the Performing Arts

A letter from the Chairman, John F. Kennedy Center for the Performing Arts, Washington, D.C., transmitting, pursuant to law, a report for the fiscal year 1966 (with an accompanying report); to the Committee on Public Works.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, for the information of the Senate, a report to the Subcommittee on Health of the Elderly, Special Committee on Aging, U.S. Senate, relating to examination into alleged improper practices in providing nursing home care and controlling payments for prescribed drugs for welfare recipients in the State of California, Welfare Administration, Department of Health, Education, and Welfare, dated July 1966 (with an accompanying report); to the Committee on Rules and Administration.

Report of the Public Printer

A letter from the Public Printer, Government Printing Office, Washington, D.C., transmitting, pursuant to law, his report, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the National Order of Women Legislators of the State of Michigan, Dearborn, Mich., relative to the use of more free time on television networks to candidates of the political parties; to the Committee on Commerce.

A resolution adopted by the Southeastern Airport Managers Association, Norfolk, Va., favoring the expedition of a federally managed and financed program to alleviate the problems arising from movement of aircraft through federally controlled air space adjacent to airports; to the Committee on Commerce.

The petition of William J. Erwin, of South Plainfield, N.J., requesting a hearing regarding aircraft safety on takeoff; to the Committee on Commerce.

The petition of R. L. Belisle, of Santa Monica, Calif., praying for a redress of grievances in his case against the U.S. Government; to the Committee on the Judiciary.

A resolution adopted by the School Boards Association of Passaic County, N.J., favoring the enactment of legislation to permit restoration of nonsectarian prayers in the public school system; to the Committee on the Judiciary.

A resolution adopted by the board of directors of the International Academy of Trial Lawyers, White Plains, N.Y., relating to the enactment of the proposed judicial code of the American Law Institute to the extent that it reduces the diversity jurisdiction of the U.S. district courts; to the Committee on the Judiciary.

A resolution adopted by the Legislative Research Committee of St. Louis County, Minn., relating to the curtailment of Federal highway construction funds; to the Committee on Public Works.

Resolutions adopted by the Polish Legion of American Veterans of the United States, in New York City, favoring the establishment of a Senate Committee on Veterans Affairs, and so forth; to the Committee on Rules and Administration.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Alan S. Boyd, of Florida, to be Secretary of Transportation.

ORDER OF BUSINESS

Mr. AIKEN. Mr. President, is the introduction of bills in order?

The VICE PRESIDENT. The introduction of bills is in order.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD:

S. 1. A bill to amend the Federal Firearms Act; to the Committee on the Judiciary, and then to the Committee on Commerce.

(See the remarks of Mr. Dodd when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH (by request):

S. 2. A bill to amend title 35, United States Code, to permit the issuance of patents upon inventions after certain disclosures; to the Committee on the Judiciary.

By Mr. ERVIN (for himself, Mr. Morse, Mr. Cooper, Mr. Clark, Mr. Yarborough, Mr. Smathers, Mr. Holland, and Mr. Fong):

S. 3. A bill to provide effective procedures for the enforcement of the establishment and free exercise clauses of the first amendment to the Constitution; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 4. A bill to establish the Big Thicket National Park in Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE (for himself, Mr. Morse, Mr. Lausche, Mr. Young of Ohio, Mr. Kennedy of New York, Mr. Kennedy of Massachusetts, Mr. Magnuson, Mr. Clark, Mr. Inouye, Mr. Mondale, Mr. Moss, Mr. Hart, Mr. Case, Mr. Pell, Mr. Brewster, Mr. Nelson, Mr. Dodd, Mr. Tydings, Mr. Gruening, and Mr. Yarborough):

S. 5. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN (for himself and Mr. Mundt):

S. 6. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James Division, Missouri River Basin project, South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN:

S. 7. A bill to provide a special export wheat payment to farmers for a portion of crops of wheat and to provide that price support for corn, beginning with the 1967 crop, shall be at a national average rate of not less than 90 percent of parity, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Kennedy of New York, Mr. McCarthy, Mr. Nelson, and Mr. Young of Ohio):

S. 8. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. Nelson, and Mr. Montoya):

S. 9. A bill to authorize on-the-job training programs, on-the-farm training programs, and certain flight training under chapter 34 of title 38, United States Code, to increase the educational assistance allowances paid under such chapter, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH (for herself and Mr. Muskie):

S. 10. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

By Mr. CURTIS (for himself and Mr. Hruska):

S. 11. A bill to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebr.; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 12. A bill to consent to an agreement between the State of Maine and the Province of New Brunswick, Canada, providing for the construction and maintenance of an international bridge between Calais, Maine, and Milltown, New Brunswick; to the Committee on Foreign Relations.

By Mr. CANNON (for himself and Mr. Bible):

S. 13. A bill authorizing a survey of the Virgin River at and in the vicinity of Bunkerville, Mesquite, and Riverside, Nev., in the interest of flood control, bank erosion control and allied purposes; and

S. 14. A bill authorizing a survey of streams at and in the vicinity of the Spring Mountain Youth Camp, Spring Mountain Range, Nev., in the interest of flood control, bank erosion control and allied purposes; to the Committee on Public Works.

(See the remarks of Mr. Cannon when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. COTTON:

S. 15. A bill to amend the Internal Revenue Code of 1954 to permit a deduction for certain amounts paid by individuals for the support of their parents and other relatives who have attained the age of 65; to the Committee on Finance.

By Mr. MONTOYA (for himself, Mr. Allott, Mr. Bayh, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Brooke, Mr. Burdick, Mr. Byrd of Virginia, Mr. Cannon, Mr. Carlson, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dodd, Mr. Dominick, Mr. Eastland, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Fulbright, Mr. Griffin, Mr. Yarborough, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hill, Mr. Hollings, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Kennedy of New York, Mr. Kuchel, Mr. Long of Missouri, Mr. Mansfield, Mr. McCarthy, Mr. McClellan, Mr. McGovern, Mr. Mondale, Mr. Morse, Mr. Moss, Mr. Muskie, Mr. Mundt, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Smathers, Mrs. Smith, Mr. Thurmond, and Mr. Young of North Dakota):

S. 16. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA (for himself, Mr. Bayh, Mr. Brewster, Mr. Case, Mr. Gruening, Mr. Inouye, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. Mansfield, Mr. Morse, Mr. Nelson, Mr. Tydings, and Mr. Yarborough):

S. 17. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs; to the Committee on Finance.

(See the remarks of Mr. Montoya when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself and Mr. Long of Missouri):

S. 18. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Finance.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 19. A bill to amend the National Labor Relations Act so as to prohibit the levying by labor organizations of fines against employees for exercising rights under such act or for certain other activities; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Fannin when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (for himself, Mr. Anderson, Mr. Bayh, Mr. Bible, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Eastland, Mr. Ervin, Mr. Fong, Mr. Gruening, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Inouye, Mr. Jordan of Idaho, Mr. Long of Missouri, Mr. Magnuson, Mr. Mansfield, Mr. McGovern, Mr. Metcalf, Mr. Morse, Mr. Moss, Mr. Mundt, Mr. Muskie, Mr. Nelson, Mr. Randolph, Mr. Scott, Mr. Tydings, and Mr. Young of North Dakota):

S. 20. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. FANNIN:

S. 21. A bill to amend the national emergency provisions of the Labor Management Relations Act, 1947, so as to provide for dissolution of injunctions thereunder only upon settlement of disputes; and

S. 22. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Fannin when he introduced the above bills, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. Kuchel):

S. 23. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 24. A bill for the relief of Wong Ock Wah (Sheck See Hom) and his wife, Mon Hing Wong; to the Committee on the Judiciary.

By Mr. MOSS:

S. 25. A bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

S. 26. A bill to revise the boundaries of the Canyonlands National Park in the State of Utah; and

S. 27. A bill to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above two bills, which appear under a separate heading.)

By Mr. MANSFIELD:

S. 28. A bill for the relief of Mrs. Wanda Martens;

S. 29. A bill for the relief of Col. Bruce H. Vail; and

S. 30. A bill for the relief of Cedomir Capic; to the Committee on the Judiciary.

By Mr. PELL:

S. 31. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases and decreases in the annuities, pensions and insurance lump-sum payments, which are payable thereunder; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under separate heading.)

By Mr. McGOVERN:

S. 32. A bill for the relief of Katherine L. Domaguing;

S. 33. A bill for the relief of Dr. Paulita T. Sikat; and

S. 34. A bill for the relief of Julita Dumo; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 35. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Finance.

(See the remarks of Mr. McCarthy when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 36. A bill to provide a uniform closing time for polling places in certain Federal elections; to the Committee on Rules and Administration.

(See the remarks of Mr. Curtis when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 37. A bill for the relief of Maria Cabbob; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 38. A bill for the relief of Pak Kyung Ai;

S. 39. A bill for the relief of Athanasia Argere;

S. 40. A bill for the relief of Nishan Cadirci;

S. 41. A bill for the relief of Ilija Georgievski, Marika Georgievski, Mile Georgievski, and Suzana Georgievski;

S. 42. A bill for the relief of Damiana Iemmito;

S. 43. A bill for the relief of Mi Soon Oh;

S. 44. A bill for the relief of Antonio Pazzano;

S. 45. A bill for the relief of Rosette Sorge Savorgnan; and

S. 46. A bill for the relief of Mayrani Tozan and Araksi Tozan; to the Committee on the Judiciary.

By Mr. PEARSON (for himself, Mr. Baker, Mr. Bennett, Mr. Boggs, Mr. Carlson, Mr. Cooper, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Griffin, Mr. Hickenlooper, Mr. Hansen, Mr. Hatfield, Mr. Kuchel, Mr. Lausche, Mr. Miller, Mr. Murphy, Mr. Percy, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Tower, and Mr. Young of North Dakota):

S. 47. A bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government; to the Committee on Government Operations.

(See the remarks of Mr. Pearson when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself and Mr. Tower):

S. 48. A bill to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself, Mr. Bartlett, Mr. Allott, Mr. Bible, Mr. Dominick, Mr. Fannin, Mr. Hansen, Mr. Kuchel, Mr. McGovern, Mr. Metcalf, Mr. Morse, Mr. Moss, and Mr. Mundt):

S. 49. A bill to revitalize the American gold mining industry; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 50. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. MORSE (for himself and Mr. Hatfield):

S. 51. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon, and for other purposes;

S. 52. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rogue River Basin project, Oregon, and for other purposes;

S. 53. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Olalla division of the Umpqua project, Oregon, and for other purposes; and

S. 54. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Monmouth-Dallas division, Willamette River project, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Morse when he introduced the above bills, which appear under a separate heading.)

By Mr. MORSE:

S. 55. A bill for the relief of Abraham A. Osipovich; to the Committee on the Judiciary.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself and Mr. Hatfield):

S. 56. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Eugene E. Laird; to the Committee on the Judiciary.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE:

S. 57. A bill for the relief of Kenneth Jennings Main; and

S. 58. A bill to remove a cloud on the title to certain real property in the State of Oregon owned by John Johnson; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 59. A bill to amend title V of the National Defense Education Act of 1958 in order to authorize, as part of a State program pursuant to such title, short-term training sessions for persons engaged in certain guidance and counseling in such State; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 60. A bill for the relief of Dr. Oton Socarraz;

S. 61. A bill for the relief of Dr. Jose Carlos Suarez-Diaz;

S. 62. A bill for the relief of Dr. Pablo E. Tabio;

S. 63. A bill for the relief of Dr. Enrique Alberto Rojas-Villa;

S. 64. A bill for the relief of Dr. Luis Osvaldo Martinez-Farinas;

S. 65. A bill for the relief of Dr. Miguel Alberto Rojas-Machado;

S. 66. A bill for the relief of Dr. Alfredo Reboredo-Newhall;

S. 67. A bill for the relief of Dr. Juan Ramon Diaz Zayas Bazan;

S. 68. A bill for the relief of Dr. Noel O. Gonzalez;

S. 69. A bill for the relief of Roscoe McKinley Meadows;

S. 70. A bill for the relief of Harry A. Murray;

S. 71. A bill for the relief of Dario Lorenzo Platas-Prohias;

S. 72. A bill for the relief of Carlos Miguel Calonge-Diaz;

S. 73. A bill for the relief of Armando Jose Alonso-Garcia;

S. 74. A bill for the relief of Ena Herminia Mourino de Moya; and

S. 75. A bill for the relief of Rita Maria Garmendia de Alsina; to the Committee on the Judiciary.

S. 76. A bill to provide for the conveyance under certain conditions of the phosphate rights in certain lands in the State of Florida; and

S. 77. A bill to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to extend to imported tangerines the restrictions imposed by such section on certain other imported commodities; to the Committee on Agriculture and Forestry.

S. 78. A bill to designate a navigation lock and flood control structure of the central and southern Florida flood control project in the State of Florida as the W. P. Franklin lock and control structure; to the Committee on Public Works.

S. 79. A bill to amend the Railway Labor Act with respect to the settlement of labor disputes involving common carriers by air; and

S. 80. A bill to amend the National Labor Relations Act so as to provide that nothing therein shall invalidate the provisions of State laws prohibiting strikes in public utilities; to the Committee on Labor and Public Welfare.

S. 81. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

S. 82. A bill to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands; to the Committee on Interior and Insular Affairs.

S. 83. A bill to amend section 2(a) of the Export-Import Bank Act of 1945; to the Committee on Banking and Currency.

S. 84. A bill to amend the Internal Revenue Code of 1954 to provide a form of averaging for recovery of amounts received as damages for injury to crops through pollution of air, water, or soil; to the Committee on Finance.

By Mr. HOLLAND (for himself and Mr. Smathers):

S. 85. A bill to provide that the highway running from Tampa, Fla., through Bradenton, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. NELSON:

S. 86. A bill for the relief of Emanuel E. Bloch;

S. 87. A bill for the relief of the children of Mrs. Doris E. Warren;

S. 88. A bill for the relief of Lucille P. Steele;

S. 89. A bill for the relief of Aleksandra Grozdanic;

S. 90. A bill for the relief of Haralampos Alexiou; and

S. 91. A bill for the relief of Daniel Pernas-Beceiro; to the Committee on the Judiciary.

By Mr. NELSON (for himself and Mr. Muskie):

S. 92. A bill to establish a National Commission on Federal Tax Sharing; to the Committee on Finance.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (by request):

S. 93. A bill for the relief of Angeliki Tsipouras; to the Committee on the Judiciary.

By Mr. MOSS:

S. 94. A bill for the relief of Dr. Ralph R. Stevenson;

S. 95. A bill for the relief of Capt. Rey D. Baldwin;

S. 96. A bill for the relief of Richard Wong;

S. 97. A bill for the relief of Juan Miguel Apeztegula;

S. 98. A bill for the relief of Jin Suk Yang; and

S. 99. A bill for the relief of Frank Doral Cutler; to the Committee on the Judiciary.

S. 100. A bill for the relief of Box Elder County School District, Utah; to the Committee on Interior and Insular Affairs.

S. 101. A bill for the relief of Morella M. Mitchell; to the Committee on the Judiciary.

S. 102. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090); to the Committee on Interior and Insular Affairs.

By Mr. COTTON:

S. 103. A bill to authorize the Secretary of the Department of Transportation to undertake a comprehensive study of high-speed ground transportation to Dulles International Airport, and for other purposes; to the Committee on Commerce.

By Mr. FONG:

S. 104. A bill to amend the Civil Service Retirement Act so as to permit retirement of employees with 30 years of service on full annuities without regard to age; to the Committee on Post Office and Civil Service.

S. 105. A bill to provide a method for regulating and fixing wage rates for employees of the Army, Navy, and Air Force in Hawaii; to the Committee on Armed Services.

By Mr. PROUTY:

S. 106. A bill for the relief of Serafin Singla and Teresa Tornos Singla; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 107. A bill for the relief of Cita Rita Leola Ines; to the Committee on the Judiciary.

S. 108. A bill to authorize the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the State of Maine; to the Committee on Armed Services.

By Mr. AIKEN:

S. 109. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture and Forestry.

S. 110. A bill to amend title XVIII of the Social Security Act and related provisions of law so as to eliminate the deductible and coinsurance features of the health benefits program established by such title, to permit women to qualify for such benefits at age 62, to include within the hospital insurance benefits provided thereunder services of certain medical specialists, to include prescribed drugs among the benefits provided by part B of such title, to include eye and dental care among the benefits provided under such part B, and otherwise to extend and improve such program; to the Committee on Finance.

(See the remarks of Mr. Aiken when he introduced the first above-mentioned bills, which appear under separate headings.)

By Mr. MUSKIE:

S. 111. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Eugenie II*, owned by J. C. Strout, of Milbridge, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Commerce.

By Mr. CARLSON:

S. 112. A bill to provide for the adjustment of annuities payable from the civil service retirement and disability fund;

S. 113. A bill to provide for cost-of-living adjustments in star route contract prices;

S. 114. A bill to modify the reduction in group life insurance of retired employees who have attained age 65;

S. 115. A bill to provide for recomputation of annuities payable from the civil service retirement and disability fund where persons otherwise eligible to receive survivor annuities predecease the annuitants; and

S. 116. A bill to extend the benefits of the Civil Service Retirement Act Amendments of 1966, wtih respect to termination of widow's and widower's annuities upon remarriage, to certain widows and widowers of persons retired or otherwise separated prior to July 18, 1966; to the Committee on Post Office and Civil Service.

By Mr. RANDOLPH:

S. 117. A bill for the relief of Martha Blankenship; and

S. 118. A bill for the relief of Dr. Amparo Castro; to the Committee on the Judiciary.

By Mr. CHURCH (for himself and Mr. Jackson):

S. 119. A bill to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Church when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota (for himself and Mr. Burdick):

S. 120. A bill to provide for the establishment of a mint of the United States at Bismarck, N. Dak.; to the Committee on Banking and Currency.

By Mr. YOUNG of North Dakota:

S. 121. A bill for the relief of Mariann Rugh Bjerregaard;

S. 122. A bill for the relief of Dr. Antonio S. Mimay; and

S. 123. A bill for the relief of Kathleen Styles; to the Committee on the Judiciary.

S. 124. A bill to amend the Annual and Sick Leave Act of 1951 so as to extend to employees of State agricultural stabilization and conservation service committees credit for annual and sick leave purposes for service performed as employees of county agricultural stabilization and conservation service committees; and

S. 125. A bill to provide for allowance of credit under the Civil Service Retirement Act for service as a member of a county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

S. 126. A bill for the relief of Pedro Antonio Julio Sanchez;

S. 127. A bill for the relief of Julio Dumas and his wife, Josephine Dumas;

S. 128. A bill for the relief of Andrew Loriz;

S. 129. A bill for the relief of Carlos J. Arboleya;

S. 130. A bill for the relief of Dr. Maria Yolanda Rafaela Miranda y Monteagudo;

S. 131. A bill for the relief of Dr. Julio Valdes-Rodriguez;

S. 132. A bill for the relief of Dr. Alberto Fernandez-Bravo y Amat;

S. 133. A bill for the relief of Dr. Hector Jesus Sanchez-Hernandez; and

S. 134. A bill for the relief of Dr. Rafael A. Penalver; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 135. A bill for the relief of Dr. Hilario Anido; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 136. A bill for the relief of Pedro R. Aguada;

S. 137. A bill for the relief of Mrs. Margarita L. Agullana;

S. 138. A bill for the relief of Mrs. Julia B. Briones;

S. 139. A bill for the relief of Felicidad Galetena;

S. 140. A bill for the relief of Miss Filomena Cabot;

S. 141. A bill for the relief of Mrs. Carolina M. Lacsamana;

S. 142. A bill for the relief of Arturo D. Lagasca, Jr.;

S. 143. A bill for the relief of Dr. Herminio Mercado;

S. 144. A bill for the relief of Mrs. Celestina P. Respicio;

S. 145. A bill for the relief of Mrs. Kiku Sakurai;

S. 146. A bill for the relief of Juliana Maguay Suguitan;

S. 147. A bill for the relief of Herminia F. Tambaoan;

S. 148. A bill for the relief of Lenisi Mataele;

S. 149. A bill for the relief of Dionicia Ulivas;

S. 150. A bill for the relief of Luisa G. Valdez;

S. 151. A bill for the relief of CBM Benjamin Henry Blakeman, U.S. Navy;

S. 152. A bill for the relief of Carl H. Carson;

S. 153. A bill for the relief of Fred R. Methered;

S. 154. A bill for the relief of Gus Nihoa;

S. 155. A bill for the relief of Arhur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually;

S. 156. A bill for the relief of Masayoshi Onaka;

S. 157. A bill for the relief of Chiyo Shitanishi; and

S. 158. A bill for the relief of Mrs. Ryo H. Yokoyama; to the Committee on the Judiciary.

By Mr. TYDINGS (for himself and Mr. Long of Missouri):

S. 159. A bill to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 160. A bill for the relief of Jose R. Cuervo;

S. 161. A bill for the relief of Lt. Col. Robert W. Stewart, Jr., U.S. Air Force;

S. 162. A bill for the relief of Dr. Jose Raul C. Soler y Rodriguez, and his wife, Dr. Gladis B. Pumariega de Soler;

S. 163. A bill for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired);

S. 164. A bill for the relief of Dr. Cesar A. Mena;

S. 165. A bill for the relief of Dr. Ramon Baez Hernandez;

S. 166. A bill for the relief of Agnes C. Stowe;

S. 167. A bill for the relief of Dr. Anselmo S. Alvarez-Gomez;

S. 168. A bill for the relief of Maria Jordan Ferrando;

S. 169. A bill for the relief of Dr. Roberto E. Parajon and Maria C. Florin Parajon, his wife;

S. 170. A bill for the relief of Dr. Pablo A. Suarez;

S. 171. A bill for the relief of Timothy Joseph Shea and Elsie Annet Shea;

S. 172. A bill for the relief of Mrs. Daisy G. Merritt;

S. 173. A bill for the relief of Dr. Luis G. Dediot;

S. 174. A bill for the relief of Dr. Eduardo Gonzalez;

S. 175. A bill for the relief of Dr. Sherif Shafey; and

S. 176. A bill to provide for the establishment of a U.S. Court of Labor-Management Relations which shall have jurisdiction over labor disputes which result in work stoppages that adversely affect the public interest of the Nation to a substantial degree; to the Committee on the Judiciary.

S. 177. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; and

S. 178. A bill to amend the Internal Revenue Code of 1954 to allow an exemption for a dependent who has attained the age of 65 and whose gross income is more than $600 but less than $1,200; to the Committee on Finance.

(See the remarks of Mr. Smathers when he introduced the last two above-mentioned bills, which appear under separate headings).

By Mr. FANNIN:

S. 179. A bill for the relief of Zarko Vucinich, and wife, Alexandra Vucinich; and

S. 180. A bill for the relief of Wing Yuen Wong, also known as Wing Yuen Gee; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 181. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid by him for medical care of a relative who has attained the age of 60;

S. 182. A bill to amend the Internal Revenue Code of 1954 to allow an exemption for a dependent who has attained the age of 65 and whose adjusted gross income is less than $600;

S. 183. A bill to amend section 214 of the Internal Revenue Code of 1954 to permit any taxpayer who pays expenses for the care of a dependent who has attained age 60 in order to enable the taxpayer to be gainfully employed to have the benefit of the deduction allowed by such section;

S. 184. A bill to amend section 214 of the Internal Revenue Code of 1954 to increase the amount of income which may be received by a married couple who have a disabled dependent who has attained the age of 60 without losing the benefit of the deduction allowed by such section;

S. 185. A bill to amend title II of the Social Security Act so as to permit individuals entitled to monthly insurance benefits thereunder to waive their entitlement to all or any part of such benefits;

S. 186. A bill to amend title II of the Social Security Act to provide a 10-percent increase in the benefits payable thereunder, to increase the annual amount individuals may earn without suffering deductions from such benefits, to permit certain retirement credits of Federal employees to be transferred to social security, and otherwise to improve the social security system; and

S. 187. A bill to amend the Internal Revenue Code of 1954 to encourage the construction and installation of facilities to abate water and air pollution by allowing a tax credit for certain expenditures incurred in constructing and installing such facilities; to the Committee on Finance.

By Mr. MUNDT (for himself, Mr. Allott, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Carlson, Mr. Case, Mr. Cooper, Mr. Cotton, Mr. Dirksen, Mr. Dominick, Mr. Eastland, Mr. Fong, Mr. Hickenlooper, Mr. Holland, Mr. Jordan of Idaho, Mr. Kuchel, Mr. McGovern, Mr. Morse, Mr. Prouty, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Thurmond, Mr. Tower, Mr. Tydings, and Mr. Young of North Dakota):

S. 188. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Government Operations.

By Mr. PELL:

S. 189. A bill for the relief of Juliano Barboza Amado and Manuel Socorro Barboza Amado;

S. 190. A bill for the relief of Mrs. Mary Maselli Panunzio;

S. 191. A bill for the relief of Eileen Iris Punnett; and

S. 192. A bill for the relief of Iolanda Izzo; to the Committee on the Judiciary.

S. 193. A bill to amend title II of the Social Security Act to provide that benefits payable thereunder shall be periodically increased or decreased so as to correspond to increases or decreases in the cost-of-living; and

S. 194. A bill to amend title II of the Social Security Act to increase the annual amount that individuals are permitted to earn without suffering deductions in the monthly benefits payable to them thereunder; to the Committee on Finance.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McCarthy, Mr. Nelson, Mr. Yarborough, and Mr. Young of Ohio):

S. 195. A bill to provide for the establishment of a council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McCarthy, Mr. Nelson, and Mr. Young of Ohio):

S. 196. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities; to the Committee on Finance.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McCarthy, and Mr. Young of Ohio):

S. 197. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. WILLIAMS of New Jersey (for himself, Mr. Clark, Mr. Gruening, Mr. Hart, Mr. Inouye, Mr. Javits, Mr. Kennedy of New York, Mr. McCarthy, Mr. Yarborough, and Mr. Young of Ohio):

S. 198. A bill to amend the act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. MUNDT (for himself, Mr. Scott, and Mr. Prouty):

S. 199. A bill to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to the Committee on Foreign Relations.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. 200. A bill to give farmers an additional month in which to meet the requirement of filing a declaration of estimated tax by filing an income tax return for the taxable year for which the declaration is required; to the Committee on Finance.

By Mr. MUNDT (for himself and Mr. McGovern):

S. 201. A bill to provide that certain lands shall be held in trust for the Rosebud Sioux Tribe in South Dakota;

S. 202. A bill to provide that certain lands shall be held in trust for the Crow Creek Sioux Tribe in South Dakota; and

S. 203. A bill to amend section 13(b) of the act of October 3, 1962 (76 Stat. 698, 704), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. INOUYE:

S. 204. A bill for the relief of the estate of Yoshito Ota; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself and Mr. Thurmond):

S.J. Res. 1. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BAYH (for himself, Mr. Clark, Mr. Bible, Mr. Miller, Mr. Proxmire, Mr. Lausche, Mr. Long of Missouri, Mr. Morse, Mr. Nelson, Mr. Randolph, Mr. Young of Ohio, and Mr. Javits):

S.J. Res. 2. Joint resolution to amend the Constitution to provide for the direct election of the President and the Vice President of the United States; to the Committee on the Judiciary.

By Mr. SMATHERS:

S.J. Res. 3. Joint resolution proposing an amendment to the Constitution relating to the nomination and election of candidates for President and Vice President, and to succession to the office of President in the event of the death or inability of the President; to the Committee on the Judiciary.

(See the remarks of Mr. Smathers when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DOMINICK (for himself, and Senators Allott, Dirksen, Hart, Hill, Javits, Kuchel, and Smathers):

S.J. Res. 4. Joint resolution authorizing the President to proclaim "National CARIH Asthma Week"; to the Committee on the Judiciary.

(See the remarks of Mr. Dominick when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, and Senators CLARK, GRUENING, HART, JAVITS, KENNEDY of New York, MCCARTHY, and YOUNG of Ohio):

S.J. Res. 5. Joint resolution proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice-presidential elections and for voting in elections for U.S. Senate and Members of the House of Representatives; to the Committee on the Judiciary.

By Mrs. SMITH (for herself, Mr. AIKEN, and Mr. MORSE):

S.J. Res. 6. Joint resolution proposing an amendment to the Constitution of the United States providing for nomination of candidates for President and Vice President, and for election of such candidates by popular vote; to the Committee on the Judiciary.

By Mr. HOLLAND:

S.J. Res. 7. Joint resolution proposing an amendment to the constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

AMENDMENT OF SECTION 132 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

Mrs. SMITH submitted the following concurrent resolution (S. Con. Res. 1), which was referred to the Committee on Rules and Administration:

S. CON. RES. 1

Resolved by the Senate (*the House of Representatives concurring*), That section 132 of the Legislative Reorganization Act of 1946 is amended to read as follows:

"SEC. 132. (a) Effective with the first session of the Ninetieth Congress, in each even-numbered year in which the two Houses have not adjourned sine die by August 15, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 15 in that year, or the following Monday if November 15 falls on Saturday or Sunday; and in each odd-numbered year in which the two Houses have not adjourned sine die by August 1, they shall stand adjourned on that date, or on the next preceding day of session, until 12 o'clock meridian on November 1 in that year, or the following Monday if November 1 falls on Saturday or Sunday.

"(b) The consent of the respective Houses is hereby given to an adjournment of the other for the period specified in subsection (a)."

CONTINUATION OF JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. MONRONEY (for himself, Mr. SPARKMAN, Mr. METCALF, Mr. MUNDT, Mr. CASE, and Mr. BOGGS) submitted the following concurrent resolution (S. Con. Res. 2), which was referred to the Committee on Rules and Administration:

S. CON. RES. 2

Resolved by the Senate (*the House of Representatives concurring*), That the Joint Committee on the Organization of the Congress, established by Senate Concurrent Resolution 2, Eighty-ninth Congress, agreed to March 11, 1965, is hereby continued through June 30, 1967.

SEC. 2. The Joint Committee is hereby authorized to make expenditures from February 1, 1967, through June 30, 1967, not to exceed $60,000, to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Joint Committee.

RESOLUTIONS

AMENDMENT OF RULE XXII RELATURE

Mr. MCGOVERN (for himself and Mr. MORTON) submitted a resolution (S. Res. 6) to amend the Standing Rules of the Senate, which was ordered to lie over under the rule, as follows:

S. RES. 6

Resolved, That rule XXII of the Standing Rules of the Senate is amended to read as follows:

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by three-fifths of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate."

AMENDMENT OF RULE XXII OF STANDING RULES OF THE SENATE

Mr. KUCHEL (for himself, Mr. CLARK, Mr. CASE, Mr. FONG, Mr. HART, Mr. HATFIELD, Mr. JAVITS, Mr. MCCARTHY, Mr. MONDALE, Mr. MOSS, Mr. NELSON, Mr. PROXMIRE, Mr. RANDOLPH, Mr. SCOTT, Mr. WILLIAMS of New Jersey, and Mr. MORSE) submitted a resolution (S. Res. 7), which was ordered to lie over under the rule, as follows:

S. RES. 7

Resolved, that rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the twentieth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all to not more than one hundred hours, of which fifty hours will be controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"*Resolved, further,* That section 3 of the Standing Rules of the Senate be redesignated as section 4."

CREATION OF STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. DIRKSEN (for himself and Mr. WILLIAMS of Delaware) submitted the following resolution (S. Res. 8) which was referred to the Committee on Rules and Administration:

S. Res. 8

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l), section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

Sec. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs".

Sec. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

Sec. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-eighth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

(See the remarks of Mr. Dirksen when he submitted the above resolution, which appear under a separate heading.)

CREATION OF COMMITTEE ON FILM CLASSIFICATION

Mrs. SMITH submitted the following resolution (S. Res. 9), which was referred to the Committee on Commerce:

S. Res. 9

Resolved, That there is hereby created a special committee to be known as the Committee on Film Classification and to consist of five Senators appointed by the Vice President of whom not more than three shall be members of the majority party.

Sec. 2. It shall be duty of such committee to study and survey by means of research and investigation all of the problems of film classifications as they have appeared or may appear both in this country and elsewhere throughout the world, and to obtain all of the facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation contemplating limitations upon the exhibition of certain motion pictures to minors, and to report to the Senate at the earliest practical date but not later than January 31, 1968, the result of such studies and surveys. No proposed legislation shall be referred to such committee and such committee shall not have the power to report by bill or otherwise have legislative jurisdiction.

Sec. 3. Said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, not to exceed $25,000 as it deems advisable.

Sec. 4. A majority of the members of the committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking testimony.

Sec. 5. For the purposes of this resolution the committee is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,200 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

DEATH OF HON. JOHN E. FOGARTY OF RHODE ISLAND

Mr. PASTORE (for himself and Mr. Pell) submitted the following resolution (S. Res. 10) relative to the death of the late John E. Fogarty, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Pastore (for himself and Mr. Pell), which appears under a separate heading.)

AMENDMENT OF RULE XXV of STANDING RULES OF THE SENATE

Mr. MANSFIELD submitted a resolution (S. Res. 11) to amend rule XXV of the Standing Rules of the Senate, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

MAJORITY PARTY'S MEMBERSHIP ON STANDING COMMITTEES AND SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD submitted a resolution (S. Res. 12) relating to the majority party's membership on the standing committees and the Select Committee on Small Business of the Senate for the 90th Congress, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

AMENDMENT OF RULE XXV OF STANDING RULES OF THE SENATE RELATING TO STANDING COMMITTEES

Mr. CANNON (for himself, Mr. Holland, and Mr. Morse) submitted a resolution (S. Res. 13) to amend rule XXV of the Standing Rules of the Senate relating to standing committees, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Cannon, which appears under a separate heading.)

AMENDMENT OF FEDERAL FIREARMS ACT

Mr. DODD. Mr. President, I introduce, for appropriate reference, on behalf of myself and several other Senators, a bill to amend the Federal Firearms Act. This bill would normally be referred to the Committee on Commerce, but having cleared the matter with the Senator from Washington [Mr. Magnuson], I request that it be referred first to the Committee on the Judiciary.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. CANNON. Does that mean that when it is reported back from the Committee on the Judiciary it will be referred, then, to the Committee on Commerce for further consideration?

Mr. DODD. That is correct.

Mr. CANNON. I thank the Senator.

The VICE PRESIDENT. Is there objection? The Chair hearing none, it is so ordered.

Mr. DODD. Mr. President, in addition, I ask unanimous consent that the bill be permitted to remain on the table for 5 days, so that other Senators will have an opportunity to cosponsor it.

The VICE PRESIDENT. The bill will be received and referred, as requested by the Senator from Connecticut, and, without objection, the bill will lie on the desk, as requested.

The bill (S. 1) to amend the Federal Firearms Act, introduced by Mr. Dodd, was received, read twice by its title, referred, by unanimous consent, to the Committee on the Judiciary, and thereafter to be referred to the Committee on Commerce.

Mr. DODD. In 18 of the last 19 years, the rate of juvenile delinquency has increased. In that same period, the rate of armed crimes has likewise soared.

The most recent report of the Federal Bureau of Investigation, covering the first 9 months of 1966, indicates that 59 percent of willful killings were committed with a gun. This is the highest percentage ever recorded.

The FBI summary also points out that serious assaults with a gun were up in each region of the United States.

And, armed robbery increased over 12 percent above last year's crimes.

Mr. President, in this new session, in this new year, let us eradicate, or at least limit as much as possible, the cancer of crime by gun, that has ravaged our society at the rate of 85,000 felonies a year.

Passage of a bill such as the one I present here would appear a simple act of legislation by a Congress confronted with a fact of a mounting toll of human lives. Fifteen murders each day, the increasingly frequent occurrence of mass killings, and the soaring incidence of armed robbery—all argue irresistibly for the swift passage of some controls.

But we are asked whether Federal control will wipe out this scourge.

And whether those engaged in crime will not manage to obtain a gun in spite of the law.

The answer to these questions is that we can at least make it more difficult for people to commit crimes by gun, and we can try ultimately to wipe out crimes by guns.

Last night we heard President Johnson in his state of the Union message call for "strict control on the sale of firearms."

We must begin now. We can no longer permit ourselves the luxury of doing nothing.

And during long years, Mr. President, we have done nothing to reduce the growth of this senseless and destructive blight.

In spite of 6 years of meticulous investigation into the sale across State borders of mail order firearms, in spite of personal and national loss of loved ones, in spite of all good reason, Congress has failed to act on the legislation dealing with firearms.

Mr. President, the bill which I introduce will, in brief, do these things:

Prohibit the interstate commercial sale of handguns by federally licensed dealers to nonlicensees.

Regulate the interstate sale of sporting rifles and shotguns through an affidavit provision.

Prohibit the sale of handguns by federally licensed dealers to persons under 21 years of age and prohibit the sale of rifles and shotguns to persons under 18 years of age.

Prohibit the sale of federally licensed dealers of all firearms other than rifles and shotguns to nonresidents of the licensee's State of business.

Prohibit the sale of any firearm by a federally licensed dealer in violation of State and local law at the place of sale.

Require that Federal firearms dealers be licensed at a rate of $25 initially with a $10 annual renewal fee.

Set up standards in order to obtain a Federal license to manufacture, import, or deal in firearms.

Require that Federal licensees ascertain the identity and age of purchasers of firearms.

Limit the importation of military surplus firearms and certain foreign made firearms.

In spite of what the bill's opponents say, nothing in this bill prohibits or prevents legitimate sportsmen from purchasing, transporting, and using sporting weapons. A slight inconvenience, at worst, will be no hardship to those responsible hunters and gun club enthusiasts who are deeply concerned for the safety and well-being of others.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The basis of this bill is established fact. And the fact is that in those States with intelligent gun controls, murder by gun is much less frequent than in those States with no controls or with ineffective controls.

In several States with effective gun controls, these are the gun murder rates for the last 4 years:

In Pennsylvania, 43 percent of murders were by guns; in New Jersey, 39 percent; and in New York, with the Nation's most stringent law, a relatively low 32 percent of all murders were by gun.

Each of these States' totals are significantly below the national average of 59 percent.

In States with little or no firearm control legislation these are the figures:

In Louisiana, 62 percent of murders were committed with guns; in New Mexico, 64 percent; in Arizona, 66 percent; in Montana, 68 percent; in Texas, 69 percent; and in Nebraska, 70 percent.

The fact on which this bill is based is that gun laws, as a deterrent to the misuse of firearms, do work.

Support for this bill comes from our law enforcement officers, from intelligent and well-informed sportsmen, and from responsible reporters and editors who accept their responsibility to speak out to move citizens and legislators to action.

All a person must do to buy a gun, no matter what his ability or degree of responsibility, is to fill out a magazine coupon with a name and address and to mail it with the cost of the firearms.

It is so simple children can do it. And they do it. Or madmen. And they do it. Or hysterical housewives. And they do it. Or hardened criminals. And they do it.

After nearly 3 years' research by the Senate Subcommittee To Investigate Juvenile Delinquency, I introduced in August 1963 a bill to curtail the interstate traffic in mail order firearms. That bill died in committee in the Senate on August 11, 1964.

I reintroduced the measure on January 6, 1965, and on February 18, I introduced another bill to halt the importation into the United States of foreign-made and military surplus firearms. These bills died in the committee to which they were referred.

On March 22, 1965, I introduced in the Senate a major amendment to the Federal Firearms Act which was part of the administration's effort to combat crime and delinquency. The Judiciary Committee failed to report out this bill.

Mr. President, for 6 costly years, the study of firearms in the total picture of crime in the United States and in the delinquency of children has been detailed and refined.

Legislation has been introduced, explained, discussed, revised, defended, rationalized, and each time, defeated by inaction.

In the 3½ years during which Congress did nothing to prevent wanton killing with firearms, nearly 20,000 Americans were murdered by guns—rifles and shotguns, as well as handguns.

Just since adjournment of the last Congress, these tragedies occurred in our hometowns:

A youth, armed with a shotgun, held an elderly couple as hostages after slaying a State trooper in Greensburg, Ind.

A New York Times headline on December 12 announced:

> Man Who Killed 2 in Park Bought the Rifle Only an Hour Earlier on 42nd St.

And, in New Jersey, a 15-year-old boy was arrested in the shooting of a teenage athlete. This time the rifle was a mail order product.

In similar incidents since we last met, rifles and shotguns were specifically identified as the death weapons in over half the stories in my files.

Children, known criminals, and mentally unbalanced individuals were involved as the possessors and users of guns in at least 60 percent of the same cases.

On Christmas Day alone, nine Ohio residents were victims of fatal shootings, each in separate incidents: three, at holiday parties; two, in arguments between a father and son, and between motorists whose cars nearly collided. A domestic quarrel ended in the shooting of a Dayton woman; a Middletown man was shot and killed in an apparent struggle with a woman over a gun.

All these, Mr. President, in just one State, on the day of good will toward men.

My point is that some controls must be enacted. As legislators we hold the responsibility for ending this carnage. We can prevent children, and others unable to use guns properly from obtaining firearms which may be safe when used in adult fashion for sport, but which are deadly in immature, incompetent, insane, or criminal hands.

Now, let us examine more closely the opposition to this kind of legislation. In all the arguments against this legislation, I perceive only a topsy-turvy rationale and meaningless slogans.

The gun lobby insists that guns are an integral part of the American heritage that must be preserved.

Careful study of our history reveals that blazing guns were not the measure of a man's virility and prosperity. The supposed sharpshooters are more the result of a video-taped imagination than of our forebears' way of life.

Today, mature individuals are characterized by their calm restraint and ability to bargain together. Only the insecure depend on the supposed "equalizer" to make them whole men.

Instruments of our real heritage—the spinning wheel, the covered wagon, the Wright brothers' plane—are preserved in museums and no longer used.

The National Rifle Association proclaims that the second amendment to the Constitution supports the right to bear arms.

I remind all conscientious citizens that the second amendment pertains only to the right of States to maintain a militia. This right resides in the States which exercise this prerogative by maintaining National Guard units within their borders.

In several cases, the Supreme Court has firmly dismissed the notion that the second amendment applies to the uncontrolled ownership and use of firearms by individuals.

I point out, further, that former Secretary of the Army Stephen Ailes, testified that armed civilians are not necessary to the maintenance of our borders' safety, and that they are not a part of any defense plan for this Nation.

The pseudological and pseudolegal aspects of an armed populace are further relegated to the realm of legend by other decisions of the High Court in its conclusive declarations that no individual right of the citizenry is absolute.

Our opponents cry out that the right to bear arms is infringed.

I say that the right of citizens to life and the pursuit of happiness is infringed permanently if another destroys that life in an easy split-second decision to press a trigger.

All other members of the animal species are guaranteed this right to health and lawful existence by the diligence of the Society for the Prevention of Cruelty to Animals.

Surely, we need not form a similar organization to prevent the murder and mutilation of human beings.

We must decide, however, whether we are to be responsive to that shrill choir of gun lobbyists, or whether we shall respond to the 70 percent of the American public who support gun control legislation.

We must choose between listening to this misguided chorus, or to the families of 17,000 Americans who die each year by guns; to the Nation whose loss they were; and to the towns and States whose hope they were.

Clearly, our first concern must be the welfare of our men, women, and children.

With 5,600 gun murder victims a year at stake, we cannot cater to the special interests of a willful minority. We must not be influenced by the exaggeration, misrepresentation, and emotionalism of this lobby.

We must see things as they are. We must judge our role with impartiality. As Members of Congress we must exercise our primary responsibility. This Federal law must set an example for the entire country.

Our opponents object to placing restrictions on law-abiding citizens. This does not make good sense.

A society with no restrictions on anyone is anarchy, not democracy. We operate every day with restrictions on law-abiding individuals. We stop for traffic lights. We drive on only one side of the street. We observe speed limits.

Freedom from law benefits only those without concern for the rights of others.

This bill is carefully thought out and prepared. Without haste or sentimental hysteria, it has been subjected to rational scrutiny.

The need for this legislation is demonstrated by the rising armed crime rates, by the hordes of injured and killed each year by accident, by design, or by unleashed passion.

The existing laws are antiquated. Passed in 1934 and 1938, these acts remain virtually unchanged.

In the days of professional gangsters' mobs, Congress enacted the National Firearms Act and the Federal Firearms Act to restrict the possession of arms by felons. So now, we must recognize the public's interest in stemming the torrent of firearms to immature, incompetent, insane, and criminal individuals.

Let us acknowledge the changed atmosphere from colonial days, through the settlement of the frontier, past the ruthless slaughter of the twenties, to this time and these days.

Let us fulfill the Federal responsibility by enacting this amendment to halt the mass dumping of foreign weapons and to shut off the interstate mail-order sale of firearms to individuals.

We must help States to enact and to enforce local regulations to assure every citizen's right to a peaceful and happy existence. This right to life and good health preempts any imaginary right of individuals to buy and use firearms indiscriminately.

Only after Congress does its part can we ask every community in this land to impose strict requirements on the local level.

No slick cliche can repair the indelible scar in a parent whose son has been killed by a gun, or whose child has killed another human being.

No longer can we afford the price of 50 gun-deaths a day for our inaction.

Mr. President, I urge my colleagues in this Senate to recognize the high priority of this legislation and to move with a sense of urgency to pass this bill.

And Mr. President, I have some additional material here that may be of help to my colleagues as they consider this legislation.

The first portion is a small, but representative, sampling of the editorial opinion of the American press on the need for more effective Federal gun controls.

The second portion includes recent published polls reflecting the public's view on the existing firearms traffic to criminals, addicts, and others who should not have guns.

I ask unanimous consent that the material to which I have referred be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Meriden (Conn.) Record, Sept. 2, 1966]

GET BEHIND THE GUN BILL

The reluctance of the Congress to pass a law moderately restricting the present indiscriminate sale of rifles and hand guns passes understanding.

The only explanation is that the opponents of the bill, the strong gun lobby led by the American Rifle Association, have so bullied or baffled the Senators and Representatives that these gentlemen have lost touch with the people and have even taken leave of their own good sense.

Senator Dodd has a bill pending which would ban the interstate sale of mail order hand guns and would require an affidavit for the sale of mail order rifles. The bill would set the minimum age for purchase of a rifle at 18 and for a hand gun at 21; it would also prohibit the importation of cheap hand guns and non-sporting military surplus rifles. Such a rifle was used to kill President Kennedy.

The gun lobby misrepresents the provisions of the bill. It contends that sportsmen would be unable to buy sporting rifles; it purveys a distorted interpretation of that section of the U.S. Constitution which treats of the right of the citizenry to keep and bear arms.

True, guns are part of the American tradition. Reliance upon firearms was necessary in a wild country which had to be wrested from wild beasts, wild Indians, and wild outlaws. But times change, and so do conditions; today guns are not used for the protection of society, but for its extermination. Rifles and revolvers in criminal hands are responsible for thousands of killings; in the hands of lunatics, they are responsible for other thousands; witness the recent tragedy in the Texas university tower. And even in the hands of the careless, firearms account for the maiming and the killing of thousands.

Senator Dodd's bill deserves to pass. It is a reasonable bill which sets up minimum restrictions. It will not stop the evil of guns entirely, but it will make it more difficult for criminals, for the insane, for the adolescents, and for the irresponsible to get guns.

Senator Edward Kennedy of Massachusetts has joined the forces in support of the Dodd bill. Now what is needed is the widespread expression of support from the people. Up to now, those in favor of the bill have kept mum, while the gun lobby has flooded Congress with letters opposing the legislation. Public safety and the safety of families and individuals alike demand that reasonable restrictions be placed on firearms. The Dodd bill provides such restrictions. Write not just your Senators—for both Connecticut Senators are for the bill anyway—but write other Senators and Representatives calling for the enactment of the bill.

[From the Hartford (Conn.) Times, Sept. 7, 1966]

DOWN THE DRAIN

If the legislative forecasting machinery is functioning correctly, millions of Americans are going to be keenly disappointed by congressional procrastination.

Observers foresee "scads of second-string bills about to meet a quiet death."

Included in this category are the gun control measures, all highly controversial; the patent and copyright revision proposals, hospital modernization, election campaign reforms, stiffer drug regulation, and judicial review of federal aid to education.

Some of these bills, such as drug control and firearms regulation, as well as election campaign reform proposals, are among the oldtimers still unable to clear the road blocks between introduction and passage.

This Congress, despite its accomplishments, furnishes in some respects a carbon copy of too many of its predecessors. Much of the proposed legislation covering matters closely identified with our daily lives is either lobbied to death or is side-tracked because of personal political considerations.

It is especially discouraging that on at least two items, guns and drugs, Congress apparently is not going to find acceptable means for more stringent control.

The drug traffic is skyrocketing, and vicious crimes involving the use of firearms are mounting steadily. Congress has mountains of evidence of every description bearing on both grim trends, yet the laws we need to effectively curb drug dangers and excesses are still to be passed.

[From the Westerly (R.I.) Sun, Sept. 9, 1966]

GUN LAW PRESSURES

Americans would do well to ask themselves this question: In the matter of federal gun control legislation, is Congress letting the tail wag the dog? In public opinion polls taken in 1964 and 1965, three-fourths of those questioned favored increased gun control. Yet today there is no better law to supplant the federal act of 1938 and the currently proposed legislation is having rough sledding.

The answer to this incongruity lies in the pressure brought upon Congress by the floods of protesting letters that descend on Washington each time gun controls are considered. Whether this mail is inspired by the National Rifle Association, as has been suggested, or not, it is an articulate and effective voice that so far has halted every attempt to improve gun controls at the federal level.

Let Americans consider this: Each year in the United States a larger percentage of the populace dies from gun wounds than in any other nation reporting reliable statistics to the United Nations. In 1963, the most recent year for which figures are available, approximately 17,000 persons died in this manner in the United States. This is twice the percentage of gun fatalities in Canada, the nation with statistics closest to ours.

About half the American deaths are suicides. Obviously it is impossible to say how many of these victims would be alive today if the United States had stronger gun laws. Yet it seems fair to assume that at least some of them would be, if death had not been so easily available at the touch of a trigger.

Americans who would like to see a responsible, moderate gun law enacted should write their congressmen with zeal equal to that of anti-gun law constitutents. If they fail in this they should not complain if the tail continues to wag the dog.

[From the Bridgeport (Conn.) Telegram, Sept. 12, 1966]

Hokum

(Washington Post)

For sheer hokum, sheer emotionalism, sheer submergence of substance in sentimentality, you just can't beat the National Rifle Association. It is forever slobbering about firearm safety while opposing every practical attempt to protect the lives of Americans by bringing the purchase of firearms under some sort of rational control. And now it has added effrontery to obstructionism by a slick publicity campaign aimed at identifying itself with America's heroes.

There appeared in this newspaper on Tuesday and in the New York Times on Thursday a full page advertisement showing a blown-up photograph of Franklin D. Roosevelt holding a military rifle, underneath the photograph is the legend: "America needs more straight shooters." To evoke the spirit of FDR for the purpose of touting the National Rifle Association is a piece of such ineffable sleaziness that the mind boggles at it. It would not have been much more shocking to show a picture of President Kennedy.

When he was President-elect, Franklin Roosevelt was the target of an assassin's bullet. Mayor Cermak of Chicago, riding by his side, was killed by that bullet. The gun that fired it was obtained by the assassin because of the laxity of America's gun laws. During the first Roosevelt Administration, an effort was made—against the opposition of the National Rifle Association, of course—to do something about that laxity. Attorney General Cummings appeared before the House Ways and Means Committee to urge passage of the national small arms bill. The NRA headed a fight against the measure.

President Truman, who succeeded President Roosevelt in office, was also the target of assassins' bullets. President Kennedy, tragically, was the victim of an assassin who had apparently learned to be a "straight shooter." But through all of this the NRA has learned nothing and forgotten nothing. In 1934, as in 1966, it obstinately opposed legislation to keep guns out of the hands of criminals, morons and children because such legislation would entail minor inconvenience to sportsmen.

In the face of 17,000 shootings a year, the NRA's obduracy has the sour smell of cynicism. It will take more than a public relations campaign to burnish that image. It will take nothing less than a complete turnabout.

[From the Portsmouth (N.H.) Herald, Sept. 10, 1966]

Pressures Against Gun Law

Americans would do well to ask themselves this question: In the matter of federal gun control legislation, is Congress letting the tail wag the dog? In public opinion polls taken in 1964 and 1965, three-fourths of those questioned favored increased gun control. Yet today there is no better law to supplant the federal act of 1938, and the currently proposed legislation is having rough sledding.

The answer to this incongruity lies in the pressure brought upon Congress by the floods of protesting letters that descend on Washington each time gun controls are considered. Whether or not this mail is inspired by the National Rifle Association, as has been suggested, that group is an articulate and effective voice that so far has halted every attempt to improve gun controls at the federal level.

Each year in the United States a larger percentage of the populace dies from gun wounds than in any other nation. Obviously it is impossible to say how many such victims would be saved if the United States had stronger gun laws. Yet it seems fair to assume that at least some of them would be, if death had not been so easily available at the touch of a trigger.

Americans who would like to see a responsible, moderate gun law enacted should write their congressmen with zeal equal to that of anti-gun law constituents. If they fail in this they should not complain if the tail continues to wag the dog.

[From the Chicago Sun Times, Sept. 6, 1966]

A Rifle Is To Shoot

A full-page advertisement in the New York Times the other day informed the world that Franklin D. Roosevelt was "a long time member of the National Rifle Assn.," that the association is "now approaching a century of service to the nation," and that it favors safety, conservation, "betterment of the shooting sports," marksmanship training for civilians, development of knowledge of and respect for firearms among boys and girls, and "enforceable measures to keep firearms from irresponsibles, incompetents and criminals." So, said the advertisement, won't you support the association by joining it?

Just why some people (including President Roosevelt) have insisted upon bearing arms is a matter that will no doubt always perplex us. Whatever the reason, the association was preparing its advertisement during a period in which it opposed congressional legislation that would control firearms, and in which these crimes were being committed with guns:

Park Forest—A suburban newspaper reporter critically wounded his wife and then shot himself to death.

New York—A man known as benevolent and gentle fired three revolver shots in a penthouse and killed two persons and himself.

Syracuse, N.Y.—A State Health Dept. employe, described as a "quiet fellow and a serious worker," was shot dead in a park on the city's East Side.

New Haven, Conn.—A young man with a carbine rifle stormed into an apartment and shot seven persons, killing five of them.

None of these killers, it seems, needed "marksmanship training" or "betterment of the shooting sports." Nor were they—despite the rifle association's nearly 100 years of "service to the nation"—practicing conservation or showing respect for firearms or obeying safety rules, and certainly they were not restrained in the least by "enforceable measures" to keep firearms out of the hands of dangerous persons. The fact is that there are no such measures, anywhere, and that the National Rifle Assn. opposes every legislative attempt to impose them. When it stops opposing them, we'll begin listening to its message.

[From the Milwaukee (Wis.) Journal, Sept. 29, 1966]

Weak Gun Control Bill

The gun control bill which the senate judiciary committee reported out for floor action recently is a sorry excuse for effective legislation. What Sen. Dodd (D-Conn.) and the administration want is a law flatly ending interstate mail order sale of *all* firearms to individuals. The committee endorsed the substitute bill of Sen. Hruska (R-Neb.) which would restrict (but not bar) mail order sale of handguns but leave the equally promiscuous interstate traffic in rifles and shotguns unchecked.

American public opinion appears strongly in favor of stiffer firearms controls. The Gallup poll reported recently that 68% of all persons interviewed favored a law requiring all persons to obtain police permits before buying guns. The Dodd proposal is far milder but at least it would dry up the unseen flow of mail order firearms to any child, criminal or mental defective with the money to buy them. With this ended, state and local controls could be made to work.

Dodd says he will offer his own proposal as a substitute for the Hruska bill on the senate floor. Senators, heeding the apparent temper of the nation and ignoring the self-seeking protests of the National Rifle association, would do well to accept the stronger measure.

[From the Los Angeles Times, Sept. 19, 1966]

Gun Laws Protect Public

There can never be effective local control over the use of firearms until effective federal laws are passed governing interstate sale and distribution of such weapons.

Obviously no gun regulation could be devised which would entirely eliminate crime, but there is a definite correlation between strict controls and a lower incidence of firearms crimes.

FBI reports show that 57% of the more than 9,800 homicides last year were committed with guns. In Texas, where firearms control is lax, guns were used in 72% of the homicides, where in New York, which has one of the toughest gun laws, the rate was only 25%.

The grim statistics show the need for prompt action:

There are more than 100 million concealable weapons, rifles and shotguns in private hands in the United States.

Yearly more than one million dangerous weapons are sold by mail order and another million are imported.

Approximately 2.5 million hand guns are registered in California. Over the counter sales of such weapons are running about 13,000 a month—far higher than in the past. There is no estimate as to the number of unregistered guns in the state.

Each year 17,000 Americans die by firearms. Every two minutes a crime of violence is committed with a gun.

Even though substantially watered down in committee, the administration's federal gun control bill is given little chance of passage due to extreme pressures from the gun lobby.

The 90th Congress convening in January should reintroduce the measure in its original form so as to ban mail order sales of all firearms, not just concealable weapons. It should then consider even more stringent measures, leading toward universal registration of all guns.

Although there will be loud outcries from the National Rifle Assn., and other groups, the fact is that the average citizen desires even stricter controls than embodied in the administration bill. (A recent Gallup Poll showed that 68% of all persons interviewed favored a law requiring a person to obtain a police permit before purchasing a gun.)

Some opponents of gun controls contend that the Second Amendment grants individuals the constitutional right to bear arms. That is sheer nonsense. In upholding constitutionality of the National Firearms Act in a 1939 case, the U.S. Supreme Court pointed out that the amendment relates only to maintenance of a well-regulated state militia. In other words it does not grant an absolute right to individuals, but is instead a restriction on the federal government.

At the state level, passage of stronger federal laws should be followed by legislation outlawing destructive weapons such as anti-tank guns and extending the present five-day waiting period on hand guns to cover rifles and shotguns as well. Perhaps the waiting period should be extended.

As Los Angeles Sheriff Peter Pitchess says, such a wait would not penalize hunters, because no serious sportsman buys a gun in a hurry.

In the final analysis gun laws must be geared to protection of the public, rather than to the convenience of gun buyers or the desires of manufacturers of weapons and ammunition.

[From the Scottsbluff (Nebr.) Star-Herald, Sept. 14, 1966]

MAD KILLINGS NEED ANSWER

The blood of 23 innocent victims from just two recent cases of mass slaughter by mentally deranged individuals calls us grimly to seek the solution to the unsolved problem of how to identify and defuse these individuals before they commit their bloody deeds. The following editorial from the National Rifle Association clearly points out the problem and possibly a solution.

The killing, in Chicago, of 8 nurses by Richard Speck with a knife and by strangulation and the killing, in Austin, of the 15 persons and wounding of 31 others by Charles Whitman with a knife and a gun are tragedies of modern society. Both killers were obviously deranged mentally, but man's knowledge of the human mind is so limited that even those with professional training in psychiatry can only surmise the causes of their violent actions. Almost any day one may pick up a newspaper and find reports of violent deaths wrought with various instruments, for example, knives, razors, silk stockings, axes, and guns, by individuals who are described as mentally disturbed. Certainly the time is at hand to seek means by which society can identify, treat, and temporarily isolate such individuals. Obviously, elimination of the instrument by which these crimes are committed cannot arrest the ravages of a psychotic murderer.

In our society it is a legal requirement for physicians to report to local authorities those individuals with communicable diseases so that potential sources of danger to society can be identified. Likewise, physicians who treat gunshot wounds are required to report the incidents to the local police so that proper authorities can be alerted to a danger to society.

Certainly physicians who learn of such dangers to society, through psychiatric interviews and procedures, should be required to notify the U.S. Public Health Service or the police of the potential source of danger.

The psychiatrist to whom Whitman turned earlier this year discloses that during an interview Whitman revealed his intent to climb the tower of the University of Texas to shoot those individuals he found below. In this comment, society had a warning that it did not heed. The consequence was a terrible tragedy.

From the many news reports, it is known that at the time of the shootings in Austin, there were possibly physical sources of some of Whitman's troubles. For example, the autopsy has revealed the presence of a tumor on Whitman's brain. Newspaper accounts have also revealed that at the time of death, Whitman had in his possession a supply of the amphetamine dexedrine, sometimes referred to as "goof balls." The easy availability of drugs of these types also must be seriously examined.

From the reports about the man himself, Whitman is described as an exemplary man—a former altar boy in his church, a Boy Scout leader, an above-average student, a good son and husband. No provision of the Dodd bill (S. 1592) would have prevented the young man Whitman from obtaining firearms by legal means. It is recognized that no law could be formulated that would prevent a Whitman from obtaining firearms without prohibiting firearms to all persons.

Certainly it is contradictory that those who favor passage of the Dodd bill must first explain that the S. 1592 would not have prevented the tragic shooting in Austin and then urge its passage as a means to control firearms.

Governor John Connally of Texas has a note-worthy comment:

"This man is dead, and my feelings have nothing to do with this particular instance, but we've reached the point where we tend to coddle our criminals. It's getting to the point where a policeman no longer can feel free to pursue his duties without fear of attack.

"We need substantial tightening of our laws dealing with criminals, as far as they concern treatment of crimes in this country."

Governor Connally said he was in favor of constitutional rights for accused persons "but these 15 people who also died had some constitutional rights, too. They had the right not to be killed by some maniac."

The early identification, cure, and treatment of 2½ million mentally ill in the United States assumes a new importance of tremendous dimensions. The National Rifle Association urges the Congress to fully study the question and to analyze what appropriate steps can be taken to solve the problem.

[From the Syracuse (N.Y.) Post Standard, Sept. 15, 1966]

GUN CONTROL BILL

A Gallop poll on proposed gun laws indicates that 68 per cent of persons questioned favor registration of guns, and 82 per cent would forbid the use completely or restrict use by persons under the age of 18.

The poll also shows that the intent of legislation before Congress is widely misunderstood, some citizens believing it means a ban on all guns.

In view of the heated controversy the subject provokes, the Johnson Administration bill now before the Senate Judiciary Committee should be explained.

It would ban the purchase of handguns by mail order. Purchasers of pistols or revolvers would be compelled to get from a licensed dealer, who could not sell them to non-residents of his state, to persons under 18 or to a convicted criminal.

The bill would permit purchase of rifles and shotguns by mail order. But an affidavit would have to accompany the order, to be checked by the police, stating that the buyer had not been convicted of a felony, that he is 18 or older, and that he is not in violation of any law in his own state respecting such purchases.

There is nothing in the bill to prevent a law-abiding adult from buying as many guns as he wishes. He can transport sporting weapons wherever he chooses, and the handgun restrictions which originally applied also to rifles and shotguns have been removed from the bill.

The proposed law could hardly be considered too severe. It would simply make it more difficult for murderers to buy guns. Since 17,000 Americans are shot to death every year, the need for controls can hardly be disputed.

[From the Raleigh (N.C.) Times, Sept. 2, 1966]

GUN LEGISLATION'S SAD STORY IS REPEATED

The story of gun legislation in this country is a sad parable about the frailty of public indignation.

A month ago, when Charles Whitman gunned down 46 people from the University of Texas tower, excitement bubbled once again over the Dodd gun control bill, some form of which has been banging around in Congress for more than two and a half years. Talk of gun control was as hot as Whitman's crime was heinous; much of the public was indignant and ready to see some positive action.

A little over a week ago, Louisiana's Sen. Russell Long said the Dodd bill was dead for this session. A meeting of the Senate Judiciary Committee to take up the bill had been canceled after only five of 16 members showed up. It is still bottled up in the Judiciary Committee, and even if it manages to escape there is a long road ahead through the Senate Commerce Committee and the full Senate. On the House side, House Ways and Means Committee interest in gun legislation started small and has rapidly become infinitesimal. Many who should know say there'll be no new gun laws this year.

Meanwhile, even as the Congress was involved with its empty gesturing over the gun bills, enough evidence to build an overwhelming argument for firearms legislation was lying virtually ignored right here in the two Carolinas:

Federal agents seized a $10,000-$12,000 cache of machineguns and hand grenades at a farm house in Orangeburg, S.C.

Federal men seized 25 tons of machine gun parts and bullets in a warehouse in Sumter, S.C.

Again in Sumter, S.C., raiders found 500 pounds of machinegun parts on a deserted farm.

The police chiefs of four North Carolina cities pleaded for more restrictions on the state's traffic in deadly weapons.

Thus the shameful history of American gun legislation repeats itself. A hideous crime sparks interest in new laws, but the arguments on both sides of the question are only as effective and as lasting as the emotion from which they grow. The emotion and the arguments die, and the day-in-day-out problem that the public and its representatives ought to be addressing goes on largely unrelieved.

This country and this state need new gun laws, and need better enforcement of the laws that already exist. Guns fall into the hands of criminals, incompetents and children, who use them daily to murder and maim. Surplus war weapons in scandalous variety are easily bought by untrained civilians who often use them to destroy property and, not infrequently, themselves.

There is no reason why fair, effective gun laws cannot be written to correct blatant transgressions against common sense and the public safety. The price of procrastination will be what it has always been—not the occasional horror of a Charles Whitman or a Lee Harvey Oswald, but the workaday slaughter of hundreds of thousands of firearms victims who are paying their toll this very minute.

[From the Baltimore (Md.) Sun,
Sept. 13, 1966]

It's Too Inconvenient

If the murder of President Kennedy with a mail-order rifle didn't shock Congress into passing legislation designed to regulate the sale of firearms, it seemed likely that the massacre of sixteen persons by a deranged student at Austin, Texas, wouldn't do it either. And so it hasn't. Something like 40 different weapons control bills are languishing in the Senate Judiciary Committee now, and Senator Long is no doubt correct in his prediction that no gun bill will be passed this year. The impetus given to such bills by the horror of Austin has already been diminished by a flood of angry letters from hunters and gun collectors. A few of the letters are threatening, including one to Senator Dodd, sponsor of a bill to regulate mail-order sales, which read, "You rat, if that bill passes I promise you I will shoot you."

Most, however, come from law-abiding Americans who are devoted to guns as a sport and who sincerely doubt that legislation will do what is claimed for it. The truly sad part of all this is that while few responsible citizens would be unable to purchase or possess weapons under these bills, they are completely unwilling to submit to the minor inconveniences of registration, even for the sake of saving a few lives. If a Federal gun-control bill would prevent an emotionally deranged youngster from sending off for a $10 pistol with which to shoot his parents, or if it would delay the response of a temporarily enraged mate who rushes out to buy vengeance in the shape of a revolver, innocent lives would be saved.

But, no, the inconvenience is too great, and the slaughter goes on.

[From the Chicago (Ill.) News, Sept. 26, 1966]

Guns for Everybody

Congress, reports our Charles Nicodemus, is on the way to disgracing itself once more by failing to take even the mildest step toward controlling the wide-open traffic in firearms.

Sen. Thomas Dodd (D-Conn.) has been unable to move his strong and sensible measure out of the Judiciary Committee. And the prospect for the tepid measure offered by his colleague, Sen. Roman Hruska (R-Neb.) is hardly better. Dodd got it out of committee by announcing he simply wanted to get some measure onto the Senate floor. If the Senate doesn't kill it, Nicodemus believes the House will.

The Hruska bill would require of buyers of mail order revolvers and pistols an affidavit declaring the purchaser to be over 21, mentally competent, and eligible under local laws to buy the gun. And it would provide, in the case of over-the-counter sales of handguns, a moderate waiting period to check out the buyer.

It is hard to see what any responsible citizen could find objectionable in this measure, restricted as it is to handguns and mild even as to these.

Yet such is the gun lobby's hammerlock on Congress that this measure is expected to die wtih all the rest. It's quite a lobby that can so consistently substitute its will for that of the people. And quite a body of legislators that will so consistently knuckle under.

[From the Fairmont (W. Va.) West Virginian,
Sept. 15, 1966]

"Rugged Individualism" and the Arms Traffic

"Crime in the United States," the latest crime report of the Federal Bureau of Investigation, gives the following alarming facts on Page 35:

"In 1965 all but one of the 53 policemen murdered in the line of duty died from wounds inflicted by firearms—32 were victims of handguns, 13 were killed by use of shotguns and 7 by rifles. Since 1960 firearms have been used in 96 percent of the murders of police officers in the line of duty and of those killed by firearms 78 percent were murdered by handguns."

Is it any wonder, in the circumstances, that policemen generally are in support of attempts to regulate the sale and distribution of firearms?

Those policemen were killed because of the ease with which the nation's criminals, insane, fugitives and juveniles can obtain firearms, whether rifles or shotguns, pistols or revolvers, machineguns or cannon.

It is the reason why approximately 17,000 die each year in the United States by gunshot.

In a move to halt the slaughter of the public and the police, the Dodd bill would stop the mail order traffic in arms and require those who purchase guns to do so in the state in which they reside.

It has never been suggested that the law-abiding be prevented from going to a store, identifying himself, and buying a weapon for hunting, home protection or target practice.

In the face of the foregoing, here is a letter from Charles H. Mitchell of 1616 Edgeway Drive who declares that "it so happens that many sober, responsible citizens in this country oppose the Dodd bill as being ridiculous, unenforceable, and representing the loss of one more constitutional 'guarantee' in this already highly paternalistic society. The Dodd bill can easily be visualized as the first step toward the ultimate, as idealized by New York's Sullivan law, wherein only the hoodlum owns a weapon."

Mr. Mitchell goes further than that, however. He writes: "I am not a member of the National Rifle Association but I intend to join immediately in order to effectively support one of the last bastions of rugged individualism in our country."

No doubt the association, which has the strong backing of the arms industry, will welcome Mr. Mitchell.

* * *

Meanwhile. "rugged individuals" across the nation will continue to shoot down our police and our citizens—unless deterred by such as the Dodd bill.

[From the Rutland (Vt.) Herald, Sept. 20,
1966]

Clipped From Other Papers—Defeat the Gun Lobby

The news stories from Washington are beginning to agree that any chances for real gun control laws are slim, despite the public shock over the Austin, Tex., slaughter.

Veteran Washington newsmen say the gun industry and lobbyists from the National Rifle Association are letting "smug" hints drop that they, the lobbyists, have put enough pressure to pigeon-hole the legislation once more.

Why must our senators and representatives falter before the pressure of this highly-vocal and often vitriolic lobbying?

What we need are courageous acts of political leadership to break this thrall of the gun on our way of life.

A most fearful thing about the Charles Joseph Whitman tragedy in Texas was the ease by which he was able to assemble a private arsenal.

Now, if the gun lobbyists and the newsmen of Washington are right, once more our Congress is shirking its duty to halt this ease with which men, women and children can purchase—then carry—then use—firearms, whether they be rifles, shotguns, pistols, revolvers or even cannons.

In the letters from gun owners criticizing our plea for licensing of all guns and the banning of mail order sales of firearms, much of the ire is directed at our publication of articles from a book, "The Right to Bear Arms," by Carl Bakal. This book records the current gun lore in America, and the way in which it is fed and nourished by the manufacturers, the dealers and the gun lobbyists.

After reading this book, one feels that in no other country in the world is the gun taken to be such a symbol of manhood and an insignia of virility . . .

Law-abiding sportsmen have nothing to fear from registration of all purchases of guns and a ban on mail order sales. All they have to do is register their weapons. But they and the rest of us have plenty to fear from the alarming number of gun deaths, the crime increase, the inclination of ideological nuts and insane minds to build up hidden arm caches.

This nation has no excuse for such slaughters as that in Texas as long as it allows easy access to weapons and allows gun lobbyists to frighten Congress. By our lack of controls and licensing, we actually encourage, tempt and incite the misuse of firearms.

Listen to what a noted British journalist, Henry Fairlie, says about our country:

"However much I may love and admire America, its gun laws come near to ruling it out of civilized society."

We agree . . .

[From the Fresno (Calif.) Bee, Sept. 26, 1966]

Gun Laws Protect Public

There can never be effective local control over the use of firearms until effective federal laws are passed governing interstate sale and distribution of such weapons.

Obviously no gun regulation could be devised which would entirely eliminate crime, but there is a definite correlation between strict controls and a lower incidence of firearms crimes.

FBI reports show that 57 per cent of the more than 9,800 homicides last year were committed with guns. In Texas, where firearms control is lax, guns were used in 72 per cent of the homicides, whereas in New York, which has one of the toughest gun laws, the rate was only 25 per cent.

The grim statistics show the need for prompt action:

There are more than 100 million concealable weapons, rifles and shotguns in private hands in the United States.

Yearly more than one million dangerous weapons are sold by mail order and another million are imported.

Approximately 2.5 million hand guns are registered in California. Over the counter sales of such weapons are running about 13,000 a month—far higher than in the past. There is no estimate as to the number of unregistered guns in the state.

Each year 17,000 Americans die by firearms. Every two minutes a crime of violence is committed with a gun.

Even though substantially watered down in committee, the administration's federal gun control bill is given little chance of passage due to extreme pressures from the gun lobby.

The 90th Congress convening in January should reintroduce the measure in its original form so as to ban mail order sales of all firearms, not just concealable weapons. It should then consider even more stringent measures, leading toward universal registration of all guns.

Although there will be loud outcries from the National Rifle Association, and other groups, the fact is that the average citizen desires even stricter controls than embodied in the administration bill. (A recent Gallup Poll showed that 68 per cent of all persons interviewed favored a law requiring a person to obtain a police permit before purchasing a gun.)

Some opponents of gun controls contend that the Second Amendment grants individuals the constitutional right to bear arms. That is sheer nonsense. In upholding constitutionality of the National Firearms Act in a 1939 case, the U.S. Supreme Court pointed out that the amendment relates only to maintenance of a well-regulated state militia. In other words it does not grant an absolute right to individuals, but is instead a restriction on the federal government.

At the state level, passage of stronger federal laws should be followed by legislation outlawing destructive weapons such as anti-tank guns and extending the present five-day waiting period on hand guns to cover rifles and shotguns as well. Perhaps the waiting period should be extended.

As Los Angeles Sheriff Peter Pitchess says, such a wait would not penalize hunters, because no serious sportsman buys a gun in a hurry.

In the final analysis gun laws must be geared to protection of the public, rather than to the convenience of gun buyers or the desires of manufacturers of weapons and ammunition.

[From the Winston-Salem (N.C.) Twin City Sentinel; Sept. 13, 1966]

A Substitute for Dodd?

When the Senate Judiciary Committee met at the end of August to consider the Administration's firearms control bill, Senator Thomas J. Dodd tried to break off a filibuster within the committee by offering to report a milder bill offered by Senator Roman L. Hruska of Nebraska. Though Senator Hruska appeared at first ready to agree, he subsequently joined Senator James Eastland of Mississippi in continuing the filibuster.

This may be a measure of the good faith with which the gun buffs are working in an attempt to find a tolerable compromise. Senator Hruska's bill would merely regulate the mail order sale of pistols and revolvers. Though Senator Dodd's bill would be preferable, with its broader coverage, its stronger penalties for violations and its attempt to impose restrictions on imports, the Hruska bill would have been better than nothing.

But there will be nothing this year.

Perhaps as a fresh start next year, the Administration might put the bill in someone's hands other than Senator Dodd. His effectiveness has been undermined by the Senate inquiry into his personal finances, and it has always been seriously compromised by the fact that his state, as a leading gun manufacturing center, has a vested interest in restricting the importation of guns. That conflict of interest, which is really another question apart from the control of the mail order sale of guns, helped to tangle up the bill as a whole.

Senator Edward Kennedy, who is known as a good floor man, has come forward as a new leader in the pursuit of gun control legislation. Even he may not be able to break the deadlock that has come about between Senator Dodd and some of the members of his committee. But he would have a better chance than Senator Dodd.

It is important that some such step be taken. Not every part of the Dodd bill—the higher fees for gun dealers for example—is absolutely essential. But some more effective means of controlling the sale of guns is needed. It will still be needed next year when Congress gets around to the unfinished business of this session.

[From the Mitchell (S. Dak.) Republic, Sept. 7, 1966]

It's Murder

A curious philosophy lies behind the opposition to the proposed legislation to keep guns out of the hands of felons, fugitives, juveniles and the mentally incompetent, says the *Washington Post* in a recent editorial. Specifically, the newspaper took after statements made by Franklin L. Orth, executive vice president of the National Rifle Association.

"Piously expressing support" for some gun control, said the *Post*, "Mr. Orth opposed the Dodd bill, and said blandly, 'We believe the desired goals can be attained at the state level, without interfering with the rights of law-abiding gun users.'

"Mr. Orth must know that the handful of states which have gun-control laws are completely frustrated by their inability to keep guns from being purchased by felons, fugitives, juveniles and the mentally incompetent in neighboring states or by mail order. The Dodd bill would make state laws effective by eliminating the mail order traffic and requiring those who purchase guns to do so in the state where they reside. It would not in any way whatever interfere with 'the rights of law-abiding gun users.'

"A law-abiding gun user could buy as many guns as his pocketbook could afford. He could use these guns as he pleased for hunting, for target practice, for collecting or for home protection. He could carry sporting weapons across state lines without let or hindrance. The Dodd bill would impose upon the law-abiding gun user at most a minor inconvenience. It would require him to go to a store for his purchase and identify himself as law-abiding. The only persons who would suffer any serious inconvenience under this legislation are felons, fugitives, juveniles and the mentally incompetent.

"Mr. Orth and the NRA make very light of the 17,000 persons shot to death each year in the United States—something rather more than an inconvenience—and of the immense number of crimes committed because felons, fugitives, juveniles and the mentally incompetent are nerved and armed to commit them by easy access to guns. The fact is that, literally and figuratively, they've been getting away with murder."

[From the Pocatello (Idaho) State Journal, Sept. 8, 1966]

The Arms Control Bill

After eight nurses in Chicago were murdered, one local gun fan publicly announced he was glad it wasn't done with a gun because that could have increased public support for Sen. Thomas Dodd's bill clamping down on indiscriminate traffic in firearms in this country.

After Charles Whitman gunned down 16 people at the University of Texas, opponents of the bill went to great lengths to prove that the guns Whitman used had nothing to do with the deaths of his victims.

Now the same sighs of relief are breathed because the assassin of South African Premier Heinrik Verwoerd used a knife instead of a gun. Whatever a person's feelings about Verwoerd's racial policies, the murder of a head of state is a shocking event.

Sen. Dodd's bill has lost public support in recent months because of the investigations into his activity on behalf of a German public relations man, and allegations that the Connecticut Democrat diverted campaign funds to his own use.

All of which pleases the gun lobbyists to no end, because it diverts attention from the intent of the arms control bill.

The September issue of the National Rifleman, house organ for the National Rifle Association, restates the objections of this powerful group to any legislation which does not limit its control to "those individuals who, as a class, should not possess firearms—convicted felons, drug addicts, habitual drunkards, mental incompetents and unsupervised juveniles."

The NRA, which distributes an average of 808,000 copies of The National Rifleman every month, admits that Dodd's bill will correct some abuses in firearms commerce, but "is fundamentally objectionable." Not only that, "criminals will still be able to acquire guns from friends, buy them over the counter or through the mails by deception, steal them, make them, or use substitutes to engage in criminal pursuits."

The NRA also objects to eliminating special consideration for arms and ammunition provided by the Army to authorized groups or individuals, usually chapters of the NRA, which promote target practice.

Unfortunately, there is telling evidence that much of the arms and ammunition provided by the Army finds its way into the hands of extremist groups such as the Ku Klux Klan and Minutemen. There are interesting possibilities here when one realizes it is likely that some of the guns and ammunition used against the U.S. Army at Jackson, Miss., when rioting broke out over the enrollment of James Meredith, was provided by the Army.

The table of contents of the magazine is also interesting. One of the how-to-do-it articles is "Bolt Action Operation"—the article instructs readers in rapid use of a bolt-action rifle. One of the many puzzling aspects of the assassination of President Kennedy is how the killer managed to get off three shots as quickly as he did. Some claim it isn't possible, but maybe with practice an excellent marksman could do it.

Another article concerns "British Cal. .50 Cartridges," no doubt of considerable interest since machineguns can be purchased through the mails. Inoperable, of course, because it is illegal for private citizens to own one that works. But it is also common knowledge that anyone with a knowledge of guns and some skill with tools can convert an inoperable machinegun to the real thing in a few minutes.

It would seem only common sense that control is needed over sale of all types of heavy arms—machineguns, bazookas, mortars, anti-tank guns, mines, grenades, etc.—and control is also needed over indiscriminate sale of war surplus small arms. It was a $12 Italian rifle which killed President Kennedy, sent through the mail to a man who had lived in Russia by his own choice.

The magazine also has a regular feature called "The Armed Citizen," which contains a roundup of news items about citizens who defend themselves and their property with firearms. Presumably they omit articles about children who shoot their parents and vice versa, mistaking them for burglars, or about good citizens who, in a moment of rage, run to the bedroom for the loaded gun and kill themselves, their family, or both.

So the NRA continues to oppose anything which places general restrictions on mail-order sale of firearms, preferring to discriminate against particular classes of citizens who apparently have foregone their right to defend themselves and their property with firearms.

Psychologists have documented the American preoccupation with violence, and have noted that the gun provides a satisfying amount of noise, physical shock and damage. Restrictions on the distributions of these weapons, as provided by the Dodd bill, would do nothing to prevent legitimate firearm users from pursuing their happy pasttime, and could very well do something to reduce the number of violent incidents involving guns. It is worth it to find out.—V.W.

[From the St. Louis (Mo.) St. Louis Review, Sept. 9, 1966]

Face Reality on Guns

The Whitman murders in Austin earlier this month focused attention on a bill sponsored by Senator Dodd to restrict the free flow of firearms into just about anyone's hands. Although the Dodd bill is not intended to keep firearms away from responsible people, it has produced a distressingly frenetic reaction on the part of the 750,000-member National Rifle Association. These are supposed to be—and most are—sensible

Americans who value human life and observe every caution in the possession and use of firearms.

But their spokesmen, who deny that they are a lobby, use arguments formerly employed only by extremists like the Minutemen, even to insisting that a man has the right to hand guns to protect himself and his family from possible Communist invaders. Shades of Daniel Boone! And of another Rip Van Winkle, dying with Boone in 1820 and unable to comprehend missiles and bombs upon waking today. The argument is just plain silly, and it is a discredit to the responsible members of the National Rifile Association.

The second main argument, that the "right to bear arms" is guaranteed in the Constitution is a deliberate twisting of the Second Amendment: "A well-regulated Militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." The Supreme Court has consistently interpreted this as the right of a state to have an armed militia.

The third main argument against stricter arms licensing is that licensees are automatically suspect. So, too, then, are people intending to marry, to drive a car, or practice a profession.

A law even stricter than the Dodd bill is needed. It is estimated that there are more than 100 million hand guns in this country, 100,000 in Cicero, Ill., alone. Every year more than a million guns are sold by mail order, and about the same number are imported. A registration law would not end murder by guns, no more than a reasonable speed limit ends highway accidents. But studies indicate it would reduce them.

J. Edgar Hoover insists: "Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality." We think the National Rifle Association spokesmen should face reality.

[From the Madison (Wis.) Capital Times, Sept. 17, 1966]

Need for Gun Control

Whatever the grim quirk in the mind of a youth in Austin, Texas, which led to a murderous rampage, the need for some type of federal gun control law becomes more apparent. Such a gun law, including registration, obviously cannot guarantee that such a tragedy will not happen again, but it could have purchased ammunition and And that is eminently worthwhile.

Those who oppose controls over the sale and possession of firearms will argue that such a law would not have prevented the Austin orgy of killing. They will note that even under the proposed regulations he could have purchased ammunition and guns enough for his outbreak of senseless violence. That misses the point.

The point is that a gun control law is a necessary first step in lessening the chances that criminals and psychopaths and reckless juveniles will have guns in their possession when they strike out at society. Those with criminal records would be denied at least the chance to buy firearms openly, and would be punished if guns were found in their possession.

Those with a history of psychological disturbance would find it less easy than at present to secure or keep firearms. The law would act as a deterrent to possession of weapons by those who should not have them.

Other steps would have to be taken. Our sensitivity to the warning signs of aberrant behavior would have to be increased. Here one comes to a point that applies directly to the Whitman case: he told a psychiatrist months ago that he was "thinking about going up on the tower with a deer rifle and shooting people," yet nothing was done to safeguard him and his fellow citizens against his doing just that.

To sum it up: We aren't trying to limit sportsmen in the pursuit of their enjoyable gun associated sports. We're one of them, and we admit that a federal gun control law would be no guarantee against tragedies like the one in Austin. But the possibilities wouuld be lessened, and that is reason enough for doing something.

[From the Louisville (Ky.) Courier-Journal, Sept. 28, 1966]

Gun Bill Now in Senate Mill Is a Grim Joke

For awhile it seemed that the Senate Judiciary Committee might do its duty and report out a meaningful firearms-control bill, but in the end it capitulated to the gun lobby. The measure it approved is described by *The Washington Post* as "a fraud on its face."

This is the bill submitted by Senator Hruska, who has always stood ready to parrot the propaganda of the gun lobby. It would simply impose a largely meaningless check on the mail-order traffic in handguns. It would not touch rifles, shotguns and other heavy weapons.

The bill doesn't ban the mail-order traffic in handguns. It does forbid the interstate shipment of these weapons into states in violation of their laws. Since very few states have effective laws governing the purchase of firearms, the impact of this provision would be negligible. The affidavit requirements set forth in the bill for mail-order guns are worthless.

AMENDMENT SOUGHT

Senator Dodd's bill would have banned outright the mail-order traffic in handguns. The administration wanted his bill amended to extend the ban to shotguns and rifles, too, as well as other heavy surplus military weapons. This is what we need.

Senator Dodd says he went along with the pitiful Hruska bill just to get some sort of measure on the floor, where he could either substitute a stronger bill or toughen the Hruska bill with amendments.

The prospects of doing this are slim. Furthermore, even if the Senate passes a respectable bill, it is unlikely that the House would act on it in the waning days of this session. Thus, Congress once again has refused to do anything about the scandalous traffic in firearms in this country, and the predictable slaughter will continue.

[From the Indianapolis (Ind.) Star, Sept. 14, 1966]

Frustrating

Senator Thomas J. Dodd, (D-Conn.) is sometimes carried away by his ardor for enactment of a new Federal firearm law. He was the other day when he said: "Each of the 365 days last year 16 people were murdered with a gun. How long will this carnage continue? I hope the Congress will listen to the 140 million Americans who want a new Federal law to end it as soon as possible."

The legislation under consideration would not, of course end murder by guns. It might, however, help reduce the rate. That is what recommends its passage.

Mainly, the bill would ban mail-order sales of pistols and revolvers and require persons who wish to purchase rifles or shotguns in interstate commerce to supply the dealer with an affidavit certifying that the purchaser was of age, had no felony record and was not violating state law by the purchase.

The bill also would require the dealer to notify the principal law enforcement officer in the area in which the purchaser resides and to wait seven days before supplying the weapon. The law enforcement officer might raise valid objections to the sale.

Admittedly no cure-all, the proposed restraints are worthy of adoption. If Senator Dodd seems to permit himself to be carried away by his enthusiasm, perhaps it can be laid to frustration. This Congress has spent nearly two years discussing the matter without making appreciable headway. And it will be a pity if Congress in its current session fails to enact the so-called Dodd bill. For in that event, it will be necessary again to start from scratch when a new Congress is convened in January.

[From the Parsons (Kans.) Sun, Sept. 3, 1966]

Classic Example

The grapevine from Washington has it that the gun control bill will be a victim of congressional adjournment plans. It will be put on the shelf another year and the gun lobby will have gained another victory.

Here is a clear-cut lesson for students of political science in how a minority can thwart the will of the majority.

Public opinion polls, generally adjudged to be accurate, show a clear majority of Americans favor regulation of the traffic in guns. Yet nothing happens. Why?

The gun lobbyists are well organized, particularly through the National Rifle Assn. False fears have been planted in the minds of gun owners and sportsmen.

When legislation threatens, Congress is deluged with mail from the anti-control forces. Advocates, by contrast, do little. If they do let a senator or congressman know of their views, it is more by accident than design.

It is the old story of the organized, articulate minority winning over the formless, inactive majority. The minority has skilled, full-time lobbyists on the job in Washington. They buttonhole members of Congress and direct barrages of protests to them. The majority has no lobbyists to put its case across, and the results are predictable.

The gun bill composes a classic example of the American legislative process, state and federal, and explains why many measures are passed—and aren't passed.

[From the Gary (Ind.) Post-Tribune, Sept. 9, 1966]

On Buying Guns

The Gary City Council has pigeonholed a proposed ordinance that would require purchasers of small arms to register with the police department. The bill appears to be too broad, but as with most proposed legislation, there is room for compromise. It should not be allowed to die in somebody's desk.

Police Chief Conway Mullins said the registration would give his department time to check persons wanting to buy weapons. The bill's sponsor, Councilman Richard Hatcher, said it would make purchase of small arms more difficult. Both those angles are worth considering. Perhaps the bill should be amended to include only pistols. The point is, the Council ought not to be overcome with reluctance merely because gun dealers object. Bringing the proposal out of committee for some serious discussion isn't asking too much—not when tighter rules might save a life.

One dealer told the Council that what is needed is legislation on a national level. He should tell that to the National Rifle Association, the organization whose powerful lobbying has caused the congressional reluctance to pass Sen. Thomas Dodd's proposed firearms bill.

The Dodd bill probably will stay buried in committee indefinitely, not because it isn't needed but largely because the NRA's stand against it. Dodd says the NRA opposition is "replete with misinformation," and it appears he is right. The law would prohibit interstate mail order sales of pistols and other concealable weapons to individuals and tighten restrictions on sale of shotguns and rifles. Of course, there is no proof that such restrictions would curtail violence and tragedy in America, but there is a chance it would. That's a chance worth exploiting.

NRA Executive Vice President Franklin Orth has charged that supporters of strict gun control legislation are trying to "disarm the public." That might not be a bad idea, but it is not the intent of the gun bill, nor would it be the results, as Orth knows. He is firing before he looks with comments like that.

The NRA is willing to support a bill that would tighten restrictions on "destructive" weapons such as bazookas, motars and grenades. That's fine, but what if a national bazooka club is formed and objects? Should Congress listen to it?

What is good for the National Rifle Association isn't necessarily good for the country. There is more to the issue of gun sales than the interest of a businessman or a specific organization. Attempts to control the availability of weapons should not be distorted into alleged attempts to disarm the public or to infringe on the individual's overemphasized right to bear arms. The attempts should be viewed as a possible way to save lives. It's hard to be against that, even if it does cause some inconvenience.

[From the La Crosse (Wis.) Tribune, Sept. 11, 1966]

Opposition Hard to Understand

There's some hope that legislation to control mail order gun sales will come before the Senate this year, according to Sen. Everett M. Dirksen, Republican leader. But he adds that sponsors of a measure by Sen. Thomas Dodd may have to support a weaker bill to get any control at all.

The Dodd bill is mild enough, and for the life of us, we can't see how any intelligent, law-abiding person can oppose it. All it proposes is a ban on mail order sale of pistols and revolvers; limits over-the-counter purchases to persons 21 or over in their home states; and requires affidavits to buy rifles and shotguns through the mails.

* * *

Here is no denial of the "right to bear arms," as hysterically claimed by the National Rifle Assn. and some others, as they wave the Constitution and the Flag. Here is no effort to keep sporting guns away from hunters or target shooters. Here is simply a proposal to control interstate shipment of weapons most often used by the criminal element or warped individuals who do such things as assassinate presidents or indulge in mass killings.

Under this bill any responsible adult can still buy a gun he wants in his home state, and in fact, can get a rifle or shotgun through the mails if he's willing to sign an identifying affidavit which would testify as to his character and purpose.

* * *

We can understand why mail order companies which sell weapons indiscriminately and don't care into whose hands they fall would oppose regulation which would tend to crimp their business. But we can't understand why any good citizens or responsible organizations would support such companies and want to continue a weapons traffic that constitutes such a threat to law, order and life in this country.

[From the Catholic Standard and Times, Sept. 16, 1966]

Face Reality on Guns

The Whitman murders in Austin, Texas, last month focused attention on a bill sponsored by Senator Dodd to restrict the free flow of firearms into just about anyone's hands. Although the Dodd bill is not intended to keep firearms away from responsible people, it has produced a distressingly frenetic reaction on the part of the 750,000-member National Rifle Association. These are supposed to be—and most are—sensible Americans who value human life and observe every caution in the possession and use of firearms.

But their spokesmen, who deny that they are a lobby, use arguments formerly employed only by extremists like the Minutemen, even to insisting that a man has the right to hand guns to protect himself and his family from possible Communist invaders. Shades of Daniel Boone! And of another Rip Van Winkle, dying with Boone in 1820 and unable to comprehend missiles and bombs upon waking today. The argument is just plain silly, and it is a discredit to the responsible members of the National Rifle Association.

The second main argument that the "right to bear arms" is guaranteed in the Constitution is a deliberate twisting of the Second Amendment: "A well-regulated Militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed." The Supreme Court has consistently interpreted this as the right of a state to have an armed militia.

The third main argument against stricter arms licensing is that licensees are automatically suspect. So too, then, are people intending to marry, to drive a car, or practice a profession.

A law even stricter than the Dodd bill is needed. It is estimated that there are more than 100 million hand guns in this country, 100,000 in Cicero, Ill., alone. Every year more than a million guns are sold by mail order, and about the same number are imported. A registration law would not end murder by guns, no more than a reasonable speed limit ends highway accidents. But studies indicate it would reduce them.

J. Edgar Hoover insists: "Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality." We think the National Rifle Association spokesmen should face reality.

[From the Toledo (Ohio) Blade, Sept. 8, 1966]

Trigger Happy

That never-say-die outfit known as the National Rifle Association, whose bulging treasury overflows with funds to zero in on proposed gun laws, is currently running large advertisements depicting a young and handsome Franklin D. Roosevelt decked out in hunting togs and holding a rifle. Under the caption, "America needs more straight shooters," the NRA ad pays its respects to FDR as a great president (and association member), and then proceeds to plug NRA programs and membership.

The photo of Mr. Roosevelt was taken in 1917. If this is to be a continuing theme in NRA advertising, the organization need not go back that far for photographs to illustrate the experiences of United States presidents in a gun-happy country. It might want to consider photos of the attempt on FDR's life by a gunman in Miami in 1933, who, not being such a straight shooter, missed the president-elect but killed the mayor of Chicago.

Or for something even more recent, there is no dearth of photographs made in Dallas, Tex., on Nov. 22, 1963.

[From the Madison (S. Dak.) Leader, Sept. 1, 1966]

Urges Stricter Gun Control

This column has been campaigning for stricter gun laws and has also published some comments from people who oppose any more regulations than we now have.

We can continue the argument today, with a statement from Sen. Thomas J. Dodd, Connecticut Democrat, who is on "our side" of this particular issue:

"Three weeks ago there was a massacre in Austin, Texas, when a 'shooter' with a well-stocked arsenal went berserk. He murdered 16 innocent people and wounded more than 30 others.

"Two weeks ago today in New Haven, Connecticut, a man, apparently insane, shot up the cafeteria of the Winchester Club, the employee cafeteria of the Olin Mathieson Chemical Corporation's Winchester gun factory. He wounded four persons before he was himself shot to death by the police.

"Yesterday, just two weeks later and again in New Haven, a man with a rifle shot to death five people and wounded two children and a dog.

"Because I have been working for years to pass a Federal law to make it more difficult for criminals, addicts, and the mentally deranged to arm themselves, I have been asked to comment on each of the incidents—tragedies which I believe can be reduced significantly.

"I can only repeat what I said two weeks ago:

"It happened last week. It happened this week. It will happen next week. And it will continue to happen until there are stricter gun laws.

"Each of the 365 days last year 15 people were murdered with a gun. How long will this carnage continue? I hope the Congress will listen to the 140,000,000 Americans who want a new Federal law to end it as soon as possible."

[From the Fairmont (W. Va.) West Virginian, Sept. 9, 1966]

The Radical Right Opposes Arms Control

As might have been expected, the Independent American, a publication of the Radical Right which backs Gov. Wallace for President, not only opposes the Dodd bill to control the sale of firearms but is selling pamphlets opposing the bill.

The propaganda sheet quotes with approval an editorial from the reactionary Manchester (N.H.) Union Leader which contends that this nation needs more arms, "but in the hands of the right people," but does not explain how to determine who are the right people. The editorial declares that "you cannot keep rifles and firearms out of the hands of criminals, the insane and other improper people by anti-gun laws."

Such idiocy is answered by the Washington Post in this way: "The handful of states which have gun-control laws are completely frustrated by their inability to keep guns from being purchased by felons, fugitives, juveniles and the mentally incompetent in neighboring states or by mail order.

"The Dodd bill would make state laws effective by eliminating the mail order traffic and requiring those who purchase guns to do so in the state where they reside. It would not in any way whatever interfere with 'the rights of law-abiding gun users.'"

Remember this from the Post:

"A law-abiding gun user could buy as many guns as his pocketbook could afford. He could use these guns as he pleased for hunting, for target practice, for collecting or for home protection. He could carry sporting weapons across state lines without let or hindrance. The Dodd bill would impose upon the law-abiding gun user at most a minor inconvenience. It would require him to go to a store for his purchase and identify himself as law-abiding. The only persons who would suffer any serious inconvenience under this legislation are felons, fugutives, and the mentally incompetent."

Sen. Dodd recently made this point: "Each of the 365 days last year 15 people were murdered with a gun. How long will this carnage continue? I hope the Congress will listen to the 140,000,000 Americans who want a new federal law to end it as soon as possible."

So will all responsible Americans.

[From the Salt Lake City (Utah) Tribune, Sept. 30, 1966]

Mild Handgun Bill Goes to Senate

The Senate Judiciary Committee has reported favorably on a compromise bill (S. 3767) sponsored by Senator Hruska (R-Neb.) to restrict the mail order sales of handguns.

The more stringent Dodd bill, backed by the Johnson Administration, the American Bar Association and other groups, is stalled in the Judiciary Committee and apparently dead for this session of Congress. The Hruska bill would require an affidavit and waiting period for buying handguns by mail order but would not restrict sales of rifles and shotguns. The aim of course is to keep pistols and revolvers out of the hands of minors, criminals and incompetents.

Passage of the Hruska bill certainly would be preferable to failure to tighten gun controls, though conceivably this might take the steam out of the move to keep all kinds of firearms out of reach of persons with criminal and mental illness records and of children. The Dodd bill could work a hardship on sportsmen in the Intermountain West, most of them stable law-abiding citizens who customarily cross state lines both in hunting and purchasing of firearms. Senator Hruska claims that the concealable handguns are the "real offenders" in the misuse of firearms, with some exceptions. But James V. Bennett, former director of the U.S. Bureau of Prisons and now chairman of the American Bar Association's criminal law section, cites a Federal Bureau of Investigation report to the effect that 30 per cent of willfull killings are committed with rifles or shotguns.

Writing in the September issue of the New York Times magazine, Mr. Bennett shows how the lack of adequate federal legislation cripples state efforts to cope with the firearms problem. For example, in the seven states which have acted to control gun sales, officials are frustrated by the fact that residents of all ages and degrees of mental health can buy through mail order catalogs. He argues for stronger state gun control laws, with supporting federal legislation.

Bennett urges a waiting period of seven working days before a purchased gun is delivered. This would give local police an opportunity to check on the would-be purchaser and serve as a cooling off period for persons who buy guns in fits of rage or despondency.

Reasonable gun control measures can and should be adopted. Responsible sportsmen should lend their influence to that end.

[From the Binghamton (N.Y.) Sun-Bulletin, Sept. 3, 1966]

GUN CURBS

Senator Edward M. Kennedy of Massachusetts is taking over the leadership of the fight for *gun controls from Senator Dodd,* the tarnished warrior. He thinks the proposed legislation isn't tough enough. He would prefer to see an outright ban on the mail-order sale of rifles as well as of handguns.

Every poll agrees that a majority of Americans want some form of regulation of firearms. But the opposition is headed by the powerful National Rifle Association, whose supporters are all over the country and are—as we have discovered ourselves—highly vocal. Contrary to what the association has led its supporters to believe, the present bill would not prevent sportsmen from buying guns. It would simply prohibit interstate sale of mail-order handguns, require an affidavit for mail-order sale of rifles and shotguns, and limit over-the-counter purchase of handguns to residents of the state in which the purchase is made.

This is a minimal program—too minimal, in Senator Kennedy's opinion and our own—but you would think from the outcry of the gunmen that they were being entirely prevented from playing with their deadly toys.

[From the Woonsocket (R.I.) Call, Sept. 6, 1966]

SENATOR TED CHALLENGES THE GUN LOBBY

Sen. Edward M. Kennedy of Massachusetts may find himself in the middle of a ding-dong battle if he tangles with the powerful gun lobby in Congress, but he says he's willing to try. He came out the other day in vigorous and enthusiastic support of the Dodd mail-order gun bill and predicts that it could be passed if it ever gets out of committee.

The bill has been bottled up because of pressure brought to bear by the so-called gun lobby, spearheaded by the National Rifle Association, a sportsmen's group. However, as Senator Kennedy points out, the proposed legislation would not prevent sportsmen from purchasing guns. Anyone who has a legitimate use for a gun for sport, hunting, for protection or who collects guns would not be deprived of his guns under the Dodd bill.

In view of this, it is difficult to understand why the gun lobby objects so strenuously to the legislation. Nevertheless it does. The senator notes that were it not for the opposition of members of the National Rifle Association the bill could easily be passed.

What the Dodd bill would do is to ban outright the interstate sale of mail-order handguns, and require an affidavit for mail-order sale of rifles and shotguns. It would also limit over-the-counter purchase of handguns to residents of the state in which the purchase is made. The bill also establishes a minimum age of 18 for purchase of a rifle and 21 for the purchase of pistols.

In the affidavit the purchaser would be required to furnish his correct name, age and address; affirm that he is complying with state and local laws on firearms and that he has not been convicted of a felony. The affidavit would have to be notarized.

Prohibited by the bill would be the importation of cheap handguns and nonsporting military-surplus firearms. The prohibition would be effected by setting high import standards. Quality handguns and military surplus suitable for sports purposes would be admitted provided they meet recognized safety regulations.

These regulations do not seem to be too stringent, although some objectors to the bill complain that they are "inconvenient." To which Senator Kennedy retorts that the nation is concerned about crimes committed by gun and asks, "doesn't that outweigh the inconvenience to which any honest purchaser of a gun is put?"

The aim of the bill is to keep guns from the hands of juveniles, minors and adult criminals. Senator Kennedy concedes that it will not solve the crime problem but thinks it will serve as a deterrent. In other words, the Dodd bill can certainly do nobody any harm and could possibly do some good. It merits support from the public to offset the vehement opposition of the gun lobby.

[From the Charleston (W. Va.) Gazette, Dec. 31, 1966]

GUN LOBBY TO BE CONGRATULATED FOR PRESERVING U.S. SLAUGHTER

In the nation's press it is customary at this season, when the old year scurries out and the new one hustles expectantly forward, to honor individuals and organizations for deeds of derring-do executed during the previous 12 months.

Thus, quick-witted quarterbacks are lauded, alluring actresses acclaimed, and the heroic service of Beaver Hill Patrol No. 9 recounted, lest the accomplishments of all be forgotten by an indifferent public.

It is with this thought in mind we wish to bring to public attention the peerless work of the American Rifle Assn., the firearm manufacturers of America, and their cosy champions who comprise the membership of infinite gun clubs across the length and breadth of our lovely land.

To them must go Legislative Lobby Laurels of 1966.

Three years ago President Kennedy was assassinated with a mail order rifle. Since, in excess of 50,000 Americans have died at the end of a muzzle of some type of firearm. Every day, in fact, 50 Americans leave this lovely land, victims of a firearm disaster by way of murder, suicide, or inexplicable accident.

Yet, the firearm industry, the American Rifle Assn. and their stalwart boosters have repulsed every effort of Congress to enact federal law designed to check the senseless slaughter.

Licensing firearms, insist advocates of the unrestricted sale of revolvers, pistols, shotguns, and assorted lethal musketry, is unnecessary, unconstitutional, un-American, un-Christian, and uncivil. An unarmed United States is a United States teetering on the edge of chaos, and every American by virtue and right of citizenship is entitled to possess and carry his own dandy little arsenal of instant explosive destruction.

Twice an hour in all the hours that must pass to total a year an American life is snuffed out by some high or low caliber leaden bullet, but any attempt to restrict the wholesale carnage is to the nation's gun manufacturers a bold plot to scrag the government.

Like the product it protects and profits from, the American gun lobby's pressure tactics are loud, sharp, and deadly. The gun lobby holds every established record for throttling laws inimicable to its interests. Indeed, so efficient and so powerful is the lobby, such laws are always annihilated in committee before they ever reach the floors of Congress.

Here is a lobbying organization whose influence deserves to be brought continually to the public's notice.

[From the Cleveland (Ohio) Press, Sept. 24, 1966]

GALLUP POLL—EVEN GUN OWNERS FAVOR CONTROL LAW

"Too many people are getting killed with guns that are supposedly empty," said a 51-year-old truck driver from Endicott, N.Y., "and, furthermore, too many wives and husbands are killed because a gun was handy."

"Gun laws would have no effect whatever on criminals because they could always procure all the guns they want, either, by purchase or theft," said a retired railroad engineer from Johnson City, Tenn.

These views are typical of many expressed in a recent nation-wide Gallup Poll in which adults were asked if they would favor or oppose a law requiring a person to obtain a permit before buying a gun, and if they would favor or oppose tighter restrictions on the sale of guns to persons under 18.

Few issues spark such heated reactions as gun controls, and few issues are so widely misunderstood. Some of the opposition to the registration of guns comes from those who think that this would mean banning all guns. A 61-year-old Franklin, Pa., resident complained: "I think any good American should be allowed to have a gun either for sport or protection."

Actually, the law proposed would not prohibit a person from owning a gun—either for sport or protection—but would require that a record be made of the name of the gun purchaser. The purpose of such a law would be to keep guns out of the hands of persons with a criminal record, the mentally disturbed, and others unqualified to handle weapons.

Few controls over the purchase and possession of guns exist in the U.S. today, compared to other nations of the world. New Jersey recently enacted a new gun statute, but until then no state required police permits for buying or keeping a shotgun or rifle.

The mood of the public for nearly three decades has been to impose controls on the sale and possession of weapons. Here are the latest findings:

Nearly seven in 10 persons (68%) today favor the registration of guns. On the question of the use of guns by persons under the age of 18, 82% of all persons interviewed would either forbid their use completely or put restrictions on their use.

Of particular interest is the fact that a majority of gun-owners themselves favor registration and would either forbid or put restrictions on the use of guns for persons under 18.

Greatest support for gun controls comes from women and from persons living in the largest cities.

SURVEY QUESTION AND FINDINGS

"Would you favor or oppose a law which would require a person to obtain a police permit before he or she could buy a gun?"

[In percent]

	All persons	Gun-owners
Yes	68	56
No	29	41
No opinion	3	3

Reasons of those who favor such a law: Too many people get guns who are irresponsible, mentally ill, retarded, trigger happy, criminals; it would save lives; it's too easy to get guns; it would be a help to the police, and it would keep guns out of the hands of teen-agers.

[From the Minneapolis (Minn.) Tribune, Sept. 19, 1966]

MAJORITY STILL FAVORS GUN CONTROLS

Immediately after the shooting outrage in Austin, Tex., last month, 73 per cent of all persons consulted by the Gallup Poll indicated that they would favor legislation requiring police permits for the purchase of guns. A second poll, taken a few weeks later, indicated that 69 per cent would favor firearms legislation.

In the meantime, the second Dodd bill, restricting the interstate traffic in firearms, had been allowed to die a quiet death in the Senate Judiciary Committee.

The ebb and flow of public opinion in the matter of gun controls has followed a consistent pattern over the years. Immediately after the assassination of President Kennedy, opinion favoring gun controls rose to a new peak. With the passage of time, however, it subsided as it always seems to do in the absence of any organized effort to promote such legislation. The public memory is short.

A Minnesota Poll Sunday showed results similar to those of the recent Gallup polls. Hunters and owners of firearms less strongly favor legislation than the public at large. Yet the fact remains that even at their lowest ebb—well over 60 per cent—the figures demonstrate a clear consensus in favor of gun controls.

Why, then, has no legislation been forthcoming, either in Minnesota or in Washington? The answer seems clear enough: The opponents of gun controls have proved themselves capable on almost every occasion of blocking effective legislation. Until the proponents of gun controls present their side to legislators with as much determination and effectiveness as the gun lobby does, little will be done to curb the increasing use and misuse of firearms in our country.

[From the Minneapolis (Minn.) Tribune, Sept. 18, 1966]

SEVEN OF TEN MINNESOTANS BACK FIREARMS BILL

Nearly seven out of every 10 Minnesotans recently questioned by the Minneapolis Tribune's Minnesota Poll would like Congress to pass a law that would stop the sale of firearms by mail.

Almost two out of every three state residents believed that, if the proposed firearms control bill were passed, it would help reduce murder in the United States. Sixteen per cent said it would be very effective on that score and 48 per cent thought it would be moderately effective.

There is less agreement in the survey over whether proposed legislation about firearms would compromise a citizen's right to bear arms. Fifty-four per cent of the people said it would not and 40 per cent claimed it would.

Capitol observers see little chance of the Dodd bill on firearms being passed in this session of Congress even with the force of shock generated by the shooting of 40 persons in Austin, Tex., Aug. 1 by one man. Fourteen persons and an unborn baby were killed before the killer himself was slain.

In mid-August a balanced cross-section of 1,000 men and women living in all parts of Minnesota were asked for their views on gun control. The first question was:

"Congress is considering a bill which would stop most mail-order sales of revolvers, pistols and other concealable firearms. Would you like to see Congress pass such a bill or not?"

There was a substantial difference in the opinions of men and women on questions about firearms:

[In percent]

	Total	Men	Women
Would like to see bill passed	69	61	77
Would not	27	36	19
Other answers	1	1	1
No opinion	3	2	3
Total	100	100	100

Minnesotans next were asked:

"The bill also would regulate the interstate sale of rifles and shotguns, restrict imports of surplus military arms and some foreign-made weapons, and bar the sale of revolvers and pistols to persons under 21.

"How effective do you think such a bill would be in reducing murder by firearms—very effective, moderately effective, or not effective at all?"

The replies:

[In percent]

	Total	Men	Women
Very effective	16	12	21
Moderately effective	48	42	54
Not at all effective	34	46	22
No opinion	2	(1)	3
Total	100	100	100

[1] Less than 1 percent.

The final question in the series was:

"A citizen is supposed to have the right to bear arms and to defend himself. If the firearms control bill were passed by Congress, do you think people would or would not be losing some important rights?"

The answers:

[In percent]

	Total	Men	Women
Would be losing some important rights	40	47	33
Would not	54	48	59
Other answers	1	2	1
No opinion	5	3	7
Total	100	100	100

Mr. JAVITS. Mr. President, I am pleased to join with the senior Senator from Connecticut [Mr. Dodd] in sponsoring the firearms control bill which he introduced today. The measure, in its present form, is identical to a bill which was reported by the Subcommittee on Juvenile Delinquency, of which I am a member, last year.

As originally introduced, the bill was much stronger, imposing strict limits on the sale of handguns and rifles. During subcommittee consideration, however, it was substantially amended so that the two types of guns are treated differently, sporting guns being made more readily available. This bill should now be acceptable to the many sportsmen who opposed the original version. Yet it retains most of the needed restrictions on gun traffic.

Mr. President, I shall not repeat what the Senator from Connecticut has said on this subject, except to point out that we have had a very searing incident in New York when, last fall, a mental patient on leave from a State hospital walked into a Manhattan gunshop, purchased a gun, proceeded to a public park in the middle of the city—at 42d Street and Fifth Avenue, to be precise—shot up the town, and killed two men he had never seen before, for no reason.

That tragedy emphasized, to me and to many of my constituents, the urgent need to make a beginning in a national effort to control the sale of firearms. We are not attempting to disarm the people or to eliminate hunting and sport shooting. We are most definitely trying to keep lethal weapons out of the hands of juveniles, criminals, and mental patients.

Mr. President, I hope very much that this time the bill may have successful action.

AN ACT TO ENFORCE THE FIRST AMENDMENT

Mr. ERVIN. Mr. President, on behalf of Senators Morse, Cooper, Clark, Yarborough, Smathers, Holland, Fong, and myself, I introduce for appropriate reference a bill to provide effective procedures for the enforcement of the establishment and free exercise clauses of the first amendment. I ask unanimous consent that the text of the bill together with certain editorials, be printed at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(For editorials referred to, see exhibit 1.)

The VICE PRESIDENT. The bill will be received and appropriately referred, and will be printed in the Record as requested.

The bill (S. 3) to provide effective procedures for the enforcement of the establishment and free exercise clauses of the first amendment to the Constitution, introduced by Mr. Ervin (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. ERVIN. Mr. President, in 1965 Congress enacted the Elementary and Secondary Education Act. The most far-reaching education law in the history of our Nation, it authorizes extensive allocations of Federal funds to nonsecular schools. At the same time it poses a threat to the principle of separation of church and state and to constitutional guarantees of free exercise of religion. During the debate on this bill, the senior Senator from Kentucky and I cosponsored an amendment to enforce the establishment and free exercise of religion clauses of the first amendment by providing the necessary machinery for judicial review of the legislation. The sponsors of the education bill feared that such an amendment might jeopardize its final passage. As an alternative, Senator Morse, the floor manager, offered an independent judicial review bill, which became S. 2097. This bill was the subject of extensive hearings by the Subcommittee on Constitutional Rights and was passed by the Senate on July 29, 1966. The House, however, took no action before Congress adjourned. S. 2097 was painstakingly drafted, considered, and amended to meet all legitimate objections. The bill I have introduced today is identical to the measure approved by the Senate.

This legislation makes no pronouncements as to the permissible boundaries of aid to church-related schools; rather it is designed to allow adjudication of the issue in the proper forum—the courts. It would remove the existing doubt as to the power of taxpayers, citizens, and institutions to obtain judicial review of the validity of Federal grants and loans under the first amendment provisions relating to religion. This doubt exists because of the rule of decision in *Frothingham* v. *Mellon,* 262 U.S. 447 (1923). In that case Mrs. Frothingham, an individual plaintiff, sued to enjoin the executive branch from appropriating Federal funds to the States for maternal benefits. In the course of the opinion, the Supreme Court held that a taxpayer's interest in the moneys of the Treasury "is shared with millions of others; is comparatively minute and indeterminable; the effect upon future taxpayers is so remote that no basis is afforded for an appeal to the preventive powers of the court."

The Senate Judiciary Committee in reporting S. 2097 last year concluded that this decision was not based on constitutional grounds but was rather an exercise of judicial restraint and could therefore be changed by legislation.

This bill would reverse the Frothingham rule insofar as it applies to cases involving nine enumerated acts of Congress which may conflict with the establishment and free exercise clauses of the first amendment. The acts which would be subject to review under the bill are not inclusive but are representative of legislation which affords substantial and direct financial aid to denominationally controlled and denominationally related institutions.

The report submitted to the Senate last year on this same measure contained this statement by Prof. Paul Freund, of the law school of Harvard University:

> Under this bill * * * the litigation would be brought to vindicate rights secured by the first amendment, a right to be free of a Federal religious establishment, a right closely allied to the right of free exercise of religion and one that traditionally took the form of freedom from enforced contribution to support religious activities. In this view, the quantum of the financial stake is not central to the right; any such use of a citizen's tax payemnts would constitute the heart of the offense to his autonomy in the religious sphere.

Each year billions of dollars in Federal aid are available under a multitude of programs to public and private institutions including those controlled by religious orders. This is true notwithstanding the first amendment and the interpretation placed upon it by the Supreme Court; that is, that neither a State nor the Federal Government may pass laws nor levy taxes which support religious activities either directly or indirectly.

Under the bill, loans or grants authorized under the following acts may be challenged:

First. The Higher Education Facilities Act of 1963,

Second. Title VII of the Public Health Service Act,

Third. The National Defense Education Act of 1958,

Fourth. The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

Fifth. Title II of the act of September 30, 1950—Public Law 874, 81st Congress.

Sixth. The Elementary and Secondary Education Act of 1965,

Seventh. The Cooperative Research Act,

Eighth. The Higher Education Act of 1965, and

Ninth. The Economic Opportunity Act of 1964.

Publication of the order of the Federal officer approving or disapproving a grant or loan would be a condition precedent to the effectuation of the order and would constitute official notice to a party wishing to challenge the order as unconstitutional under the first amendment. After the order is published, there is a 90-day limitation on the bringing of an action.

Section 2 of the bill permits any public or other nonprofit agency or institution which is or may be prejudiced by the order of the Federal officer making a loan or grant to bring an action for declaratory judgment to determine whether the order is consistent with the establishment clause of the first amendment.

Section 3 authorizes corporate and individual Federal taxpayers to bring a similar action. The plaintiff need only show he has paid income tax during the preceding year. Identical relief is afforded all citizens to sue to vindicate the public's interest in the observance of the first amendment.

Section 4 authorizes any public or other nonprofit institution or agency to bring a civil action to review the final decision of a Federal officer which denies a loan or grant applied for under any act enumerated in section 1. The denial must have been on the ground that such grant or loan would be inconsistent with the establishment clause of the first amendment to the Constitution.

Consistent administration of programs throughout the country is insured by the requirement in section 5 that all actions be brought in the District Court of the United States for the District of Columbia. In the event two or more actions are brought which challenge the same grant or loan, the court may consolidate them for the purpose of trial and judgment. The provisions in this section which call for expediting review and appeal should guarantee speedy and orderly processing of cases under the bill.

To avoid interrupting important education and welfare programs already in operation, none of these programs will be subject to attack through the procedures provided by this measure. Moreover, no grant or loan approved after enactment of this act may be suspended until a final judgment by the court declaring the particular grant or loan unconstitutional. The court may, in its discretion, grant an interlocutory injunction enjoining the payment of a grant or loan which is claimed to be invalid.

Upon a final determination of unconstitutionality, only the unexpended portion of a grant must be refunded for reallotment to the appropriation from which it was paid.

Mr. President, events since Senate passage of the bill last year have greatly compounded the need for its enactment. Now, more than ever, the constitutionality of many Federal programs is in doubt, and review by the courts is imperative.

Last November 14, when the Supreme Court refused to review the Maryland Court of Appeals decision in the case of the Horace Mann League against the Board of Public Works, the constitutionality of Federal programs was put into doubt. In that case, Maryland's highest court had declared three construction grants to three separate religiously controlled colleges unconstitutional under the first amendment to the U.S. Constitution. These same three colleges which cannot constitutionally receive funds from the State of Maryland have each been recipients of Federal grants during the last 2 years. The effect, then, is that while the establishment clause was originally intended to apply only to Congress, today it is only enforced against State legislatures. On religion and the first amendment, the law of the land is less majestic than ironic.

Shortly after the Supreme Court's action in the Maryland case, the U.S. Commissioner of Education, Harold Howe II, was reported in the New York Times to have called upon the courts to clarify which federally financed services are permissible. Mr. President, I ask unanimous consent that the article entitled "School Aid Issue Urged on Courts" from the New York Times, November 19, 1966, be reprinted in the Record at the conclusion of my remarks.

The Elementary and Secondary Education Act which gave rise to so much controversy in this area is now under attack in the State of New York. There, a group of taxpayers has challenged the constitutionality of that act in two separate actions—one in Federal district court—Flast against Gardner—the other in the New York State Supreme Court—Polier against Board of Education.

The plaintiffs in these two cases assert their interest in the litigation as taxpayers and thus fall squarely within the ambit of this legislation. However, a case handed down 10 days ago indicates they have no standing. If these plaintiffs are armed with legislation similar to the bill introduced today, the Supreme Court may be more responsive to their complaint and more willing to resolve this vitally important constitutional question.

Mr. President, it is within our power to open the door to the courts. As Mr. Justice Harlan recently said:

> We have passed the point where litigation is regarded as an evil that must be avoided if some accommodation short of a lawsuit can possibly be worked out. Litigation is often the desirable and orderly way of resolving disputes of broad public significance,

and of obtaining vindication of fundamental rights.

The need for judicial review has been recognized and endorsed by countless educational groups, religious bodies, bar associations, civil liberties organizations and individual citizens. As a sample of this widespread national support, I ask unanimous consent that the following editorials be printed at the conclusion of my remarks:

First. "Clarifying School Aid," New York Times, August 28, 1966;

Second. "Sectarian Aid in Doubt," Post-Gazette, Pittsburgh, Pa., November 1, 1966;

Third. "Rule on Church Schools Needed," Observer, Charlotte, N.C., November 18, 1966;

Fourth. "Boost for Aid to Church Colleges," the Wichita Beacon, Wichita, Kans., November 16, 1966;

Fifth. "High Court Ducks One Issue," New York Times, November 16, 1966;

Sixth. "Church, State, and SAM ERVIN," Sentinel, Winston-Salem, N.C., November 22, 1966;

Seventh. "School Aid Issue Urged on Courts," New York Times, November 19, 1966.

This bill is needed badly, and it is needed now. I shall do everything possible to see that consideration of it is expedited.

In conclusion, I repeat what I said in urging Senate passage last July 29. For far too long the issue of State aid to church-related organizations has been a divisive force in our society. It has created communication barriers among our religions and fostered intolerance. This is a natural consequence when the courts are prevented from carrying out their function of deciding a great constitutional issue.

Some of us who are sponsors of this bill feel there are serious doubts as to the constitutionality of many recent education and poverty programs. Others are confident that these programs meet the test of the first amendment. But one thing on which we all agree: the courts must be given the opportunity to decide. Only then will this century-long controversy end.

EXHIBIT 1

[From the New York Times, Aug. 26, 1966]

CLARIFYING SCHOOL AID

The judicial questions recently raised over Federal school aid to church-related schools give special pertinence to Senate efforts to open the way for effective clarification of the issue by the courts, and ultimately by the Supreme Court. Senate bill 2097, which would permit judicial review of Federal programs in aid of education and such related areas as anti-poverty projects, has been passed and is currently before the House Judiciary Committee.

The need for such legislation was underlined last week by New York State Supreme Court Justice T. Paul Kane. He cited the State Constitution as a basis for striking down the use of public funds to provide textbooks for parochial schools, but he also pointed to the ambiguities in past interpretations of church-state separation on the Federal level.

The Supreme Court's 1923 ruling in Frothingham v. Mellon, now makes it virtually impossible for taxpayers or their representatives to test the constitutionality of Federal measures involving welfare or educational expenditures. Congress, for its part, has been understandably reluctant to invite judicial review of its own legislation lest this might seem an abdication of its responsibilities to the courts.

The most persuasive argument against judicial review clauses has always been that they might open the floodgates to suits which could cripple all existing programs. To answer such objections, the Senate measure provides that all suits must be brought in the District of Columbia and that other complainants on the same point of law must join existing suits rather than institute their own. The bill further insures that no funds would be cut off while a suit is pending; nonpublic beneficiaries of Federal support would be protected against any requirement to refund grants already made.

These safeguards, which have the support of eminent legal experts, should be sufficient to override most past objections. Senator Sam J. Ervin, Jr., co-sponsor of the bill with Senator Wayne L. Morse, points out in a letter on this page that the granting of Federal aid to church-related schools under the shadow of serious constitutional doubt has become a divisive force in country and Congress.

This newspaper has consistently warned against the erosion of the principle of separation of church and state. Legislative compromises which attempt to circumvent the Constitution by exploiting its ambiguities, merely sow discord and suspicion. Since the issue is fundamental, it is in the national interest to speed rather than impede judicial review. Passage of this bill would help to take this vital issue out of the present twilight zone.

[From the Pittsburgh (Pa.) Post-Gazette, Nov. 17, 1966]

SECTARIAN AID IN DOUBT

The United States Supreme Court has left a highly significant constitutional question in doubt by declining to review a Maryland Court of Appeals decision invalidating public grants to church-affiliated colleges.

The Maryland case is especially relevant at this time because it involved an expenditure of $2 million in public funds for three church-related colleges under a state program of aid for private educational institutions similar to other state programs and similar to one on which the federal government has embarked on a national scale. Although state rather than federal aid for religious institutions was the issue in Maryland, the state Court of Appeals held that the public grants to church-related colleges violated the federal Constitution's ban against support for an establishment of religion. Thus a question of federal constitutional interpretation was left unanswered by the only tribunal which can provide a final ruling on a matter of this kind. Similar questions are pending in New York and Pennsylvania, where state governments are initiating programs of aid for nonpublic institutions.

More important than the state programs, however, is the question of federal aid for church-related schools under newly enacted laws. Federal outlays for institutions of higher learning, including church-affiliated colleges, now run to more than $1 billion a year; and federal allocations for elementary and secondary schools, including church-related schools, amount to another $1 billion a year.

Although the constitutionality of appropriating federal funds to religious institutions was questioned during debate on the bills, the legislation was approved. And now the acts are difficult to challenge in the courts because of a 1923 Supreme Court ruling that individual federal taxpayers lack standing to sue on the constitutionality of such expenditures of federal funds. During the 89th Congress Senator Sam J. Ervin Jr. of North Carolina sought without success to get Congress to approve a law allowing court reviews of the increasing program of U.S. aid to sectarian schools and colleges. The latest Supreme Court action suggests the need for congressional action on Senator Ervin's bill next year.

Despite the fact that the high court's refusal to review a case does not necessarily signify approval of the lower court decision, the Maryland ruling interprets the U.S. Constitution as that state's highest bench though the U.S. Supreme Court would apply it and as many citizens believe it should be applied. Regardless of which side of the issue they find themselves on, citizens are entitled to have the matter settled by the Supreme Court.

[From the Charlotte (N.C.) Observer, Nov. 18, 1966]

RULE ON CHURCH SCHOOLS NEEDED

Now that the Supreme Court has sidestepped the issue, Sen. Sam J. Ervin Jr.'s attempts to get a clear-cut test of the constitutionality of federal aid to private schools makes more sense than ever.

Earlier this week the court declined to review a Maryland decision holding that state grants to church-affiliated schools are unconstitutional. Thus that decision is allowed to stand.

The Supreme Court's justices have often cautioned against concluding that the court approves a lower court decision, simply because it refuses to review it. Other factors may be involved; the justices may feel that the issues raised are not '"ripe" for decision by the nation's highest court.

Nonetheless, the court's refusal to review the Maryland case means that state and federal grants to church-related institutions will come under increasing scrutiny in the months ahead.

The problem in determining the constitutionality of such uses of public money arises from the individual taxpayer's inability to bring suit.

Because of a Supreme Court doctrine dating from 1923, no taxpayer has sufficient personal interest in the gigantic expenditures of the federal government to acquire the necessary "standing" to challenge them as an individual citizen in court.

Sen. Ervin's proposal, approved by the Senate earlier this year, would open the way for constitutional tests of such programs as the $1.6 billion aid program to private colleges and the $1 billion program for elementary and secondary schools.

Ervin is not contriving to have these and similar programs killed by the Supreme Court. He voted for many of them in the Senate.

But he believes—and we strongly agree—that the procedural barriers to final resolutions of this important question simply exacerbate unfortunate divisions in our national life.

Congress should move in January to permit the federal courts to give all Americans the answers that are badly needed in this tangled area.

[From the Wichita Beacon, Nov. 16, 1966]

BOOST FOR AID TO CHURCH COLLEGES

The United States Supreme Court didn't actually rule one way or the other, but the very fact that it refused to review a Maryland case is likely to subject state and federal aid to church-related colleges to new scrutiny.

By refusing to review the Maryland case, the Supreme Court permitted a lower court decision to stand. And that decision was that state aid to one Methodist and two Roman Catholic Colleges was unconstitutional.

Sen. Sam J. Ervin Jr., Democrat from North Carolina, has already called for a law to allow court review of the U.S. program of aid to private education.

Actually, further court proceedings appear necessary to determine if and when state or federal aid to church-affiliated institutions is legal. The Maryland court, in the same decision ruling against aid to three colleges, approved state help for Hood College, related to the United Church of Christ. Its reasoning was that Hood's church ties were loose and its staff and student body diverse.

So there are no detailed court guidelines. Probably certain kinds of government aid to church colleges—where specific programs are aided, and not the general fund of the institution, or where the aid goes directly to students—need not worry about court challenges.

A case can be made for some kind of state and federal help for church related educational institutions. Most public universities and colleges are crowded. Schools affiliated with churches are carrying an important share of the load of educating young people and may need to increase that burden in the future. It appears in the public interest to help these institutions meet part of the need as long as our basic separation of church and state is not violated.

[From the New York Times, Nov. 16, 1966]

High Court Ducks One Issue . . .

The United States Supreme Court's refusal to rule on the constitutionality of granting public funds to church-affiliated colleges leaves this vital issue in a state of greater confusion than ever.

While the Federal court left standing a decision by the Maryland Court of Appeals that an institution is not eligible for such subsidy if its governing structure and image are closely linked to an organized religion, it gave no indication that it either agreed or disagreed with this view. Thus the ruling in effect left the interpretation of the churcn-state issue to the state courts, but it also left unresolved the crucial question whether disbursement of Federal funds to church-related institutions is in violation of the First Amendment.

As a consequence of the 1923 Supreme Court rulings in Frothingham vs. Mellon, Federal courts do not permit taxpayers' suits to test the Federal Government's right to support church-affiliated institutions. The Maryland case was clearly intended to give the Supreme Court an opportunity to tackle this issue of basic principle.

The court's refusal to do so makes even more pertinent the efforts by Senator Sam J. Ervin Jr. and Senator Wayne L. Morse to enact legislation to permit judicial review of Federal programs in aid of education. Existing conditions of doubt, fed by conflicting interpretations at state and Federal levels, render the conflict more divisive, even as the principle of separation of church and state is being daily exposed to erosion and open violation.

[From the Winston-Salem (N.C.) Sentinel, Nov. 22, 1966]

Church, State, and Sam Ervin

Senator Sam Ervin has already provided useful instruction for the people of this State in the principles that underlie the separation of church and state. Now we may hope that he will be able to extend that service by persuading Congress to authorize taxpayers specifically to test in court the aid that the federal government now gives to church schools and colleges.

Important as it was to have Senator Ervin help explain to the citizenry the meaning of the prayer decision by the Supreme Court, his attempt to lay the groundwork for a test of aid to parochial schools may be even more fundamental.

The court ducked the issue of public support for church schools when it refused to review a Maryland case involving state support for construction at church colleges. Maryland's Supreme Court had eschewed any general doctrine and attempted to define in each individual case whether a college's connection with a church was so close that public aid would constitute an establishment of religion. It found that three of the four schools aided were sectarian and that one, Hood College, was not.

It is not at all clear to us what the Supreme Court would rule, as distinct from what it *should* rule, if it ever accepted a case. But surely the time has come for the court to say *something* on a question that becomes daily more involved.

As the federal government's program of aid to parochial schools and private colleges proceeds apace, the vested interests involved are also growing. Were the court to delay a ruling, and subsequently conclude that the Federal aid was an "establishment of religion," enforcement of its finding would bring quite an upheaval.

Whether or not the Supreme Court reads the "illiction returns," let us hope that its members do read the congressional record or at least the newspapers, and that the Court will not postpone much longer the greatly needed test of aid to church schools.

[From the New York Times, Nov. 19, 1966]

School Aid Issue Urged on Courts—Howe Asks Ruling on Help to Church-Related Classes

(By Marjorie Hunter)

Washington, November 18.—The United States Commissioner of Education, Harold Howe 2d, said today he thought the courts would have to clarify what federally financed services could be given to students of church-related schools.

Without court rulings, he said, Federal and state educational agencies will continue to have problems.

Mr. Howe thus joined the increasing clamor for judicial review of what has long been a touchy church-state issue.

A suit challenging the constitutionality of the inclusion of parochial school pupils in New York City's $65-million program for disadvantaged students is expected to be filed next week by the United Parents Association and the American Jewish Congress.

URGES HEAD START SHIFT

Mr. Howe gave his views on the church-state issue at a news conference here. On other matters, he said:

Project Head Start, a program for preschool children, should be transferred from the Office of Economic Opportunity to the Office of Education. He did not say when this should be done.

His office has not changed, its policy on the desegregation of Southern schools, which drew bitter protests from Southerners during the closing weeks of Congress.

"In spite of all the turmoil," Mr. Howe said, "we have a job to do and we're going to do it. We mean business about this business."

While the desegregation problem is probably the toughest one facing the Office of Education, there are growing signs that the church-state issue may become equally thorny in the years ahead.

AID TO STUDENTS

The Administration proposed, and Congress last year passed, a program of Federal aid to disadvantaged public and private students, rather than to schools.

Last August, the New York Board of Education tentatively agreed to provide one publicly paid teacher for every 100 parochial pupils in need of remedial reading and arithmetic.

Earlier this month, Dr. Bernard E. Donovan, the Superintendent of Schools, recommended reducing this to one teacher for every 230 pupils, thus allotting 125 fewer teachers to the nonpublic schools. He said that would be closer to the ratio in public schools.

BOARD COMPROMISES

This week, after protests from parochial school leaders, the Board of Education compromised by assigning one teacher for every 157 pupils in church-related schools.

Conceding that the church-state issue is a growing problem, Mr. Howe said that he agreed with a New York Times editorial, appearing today, that an early court test is needed to clarify Federal aid to parochial schools.

Meanwhile, he said, his office has issued a new 88-page set of guidelines, "defining more clearly the nature of activities that can be offered nonpublic schools. . ."

A spokesman for the office said that the new guidelines, which do not differ from earlier ones, attempt to define the regulations more clearly.

The bill (S. 3) was ordered to be printed in the Record, as follows:

S. 3

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the approval or disapproval of an application of any public or other nonprofit agency or institution for a loan or grant under—

(1) the Higher Education Facilities Act of 1963,

(2) title VII of the Public Health Service Act,

(3) the National Defense Education Act of 1958,

(4) the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963,

(5) title II of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress),

(6) the Elementary and Secondary Education Act of 1965,

(7) the Cooperative Research Act,

(8) the Higher Education Act of 1965, or

(9) the Economic Opportunity Act of 1964,

shall be effected by an order of the Federal officer making such grant or loan which shall be conclusive except as otherwise provided in this Act. Notice of such order shall be published in the Federal Register and shall contain such information as the Federal officer issuing the order deems necessary to effectuate the purposes of this Act.

Sec. 2. Any public or other nonprofit agency or institution which is or may be prejudiced by the order of the Federal officer making a loan or grant under the authority of any of the Acts enumerated in section 1, in a particular year to another such agency or institution, by virtue of the fact that the making of such loan or grant serves to reduce the amount of funds available for loans or grants in such year to the agency or institution which is or may be prejudiced, and which deems a loan or grant to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment. Defendants in such action shall be the Federal officer and the agency or institution whose application has been approved. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register.

Sec. 3. (a) Any citizen of the United States upon whose taxable income there was imposed an income tax under section 1 of the Internal Revenue Code of 1954 for the last preceding calendar or taxable year and who has paid any part of such income tax and who deems a loan or grant made under any of the Acts enumerated in section 1 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. No additional showing of direct or indirect financial or other injury, actual or prospective, on the part of the plaintiff shall be required for the maintenance of any such action. Such an action may be brought no later than sixty days after the publication of the order of the

Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff may sue either on behalf of himself or on behalf of all other taxpayers similarly situated.

(b) Any citizen of the United States who deems a loan or grant made under any of the Acts enumerated in section 1 to be inconsistent with the provisions relating to religion in the first amendment to the Constitution, may bring a civil action in the nature of an action for a declaratory judgment against the Federal officer making such a loan or grant. Such an action may be brought no later than sixty days after the publication of the order of the Federal officer in the Federal Register with respect to such loan or grant. In suing under this subsection, the plaintiff sues not only for himself but also in behalf of all other citizens to vindicate the public interest in the observance of the provisions of the first amendment relating to religion.

(c) For the purpose of this section the term "citizen" shall include a corporation.

Sec. 4. Any public or other nonprofit institution or agency whose application for a loan or grant under any of the Acts enumerated in section 1 of this Act has been denied by the Federal officer having appropriate authority on the ground that such loan or grant would be inconsistent with the provisions relating to religion in the first amendment to the Constitution may bring an action to review the final decision of such Federal officer within sixty days after such loan or grant has been denied.

Sec. 5. (a) Any action under this Act shall be brought in the District Court of the United States for the District of Columbia, and such court shall have jurisdiction without regard to the amount in controversy. In the event two or more civil actions are brought under the provisions of this Act challenging the constitutional validity of the same loan or grant, such court may consolidate such civil actions for the purpose of trial and judgment. Any action under this Act pending before the district court or court of appeals for hearing determination, or review shall be heard, determined, or reviewed at the earliest practicable time and shall be expedited in every practicable manner. All process, including subpenas, issued by the district court of the United States for any such district may be served in any other district. In any action under this Act the court shall have authority to determine all matters of fact or law appropriate to a decision of the case. No costs shall be assessed against the United States in any proceeding under this Act. In all litigation under this Act, the Federal officer shall be represented by the Attorney General.

(b) The judgment of the district court shall be subject to review as provided in sections 1252, 1253, 1254, and 1291 of title 28 of the United States Code.

Sec. 6. (a) An interlocutory injunction enjoining the payment of a grant or loan, or any portion thereof, made pursuant to the order which is claimed to be invalid in an action under this Act may be granted by the court at any stage of the proceedings authorized by this Act.

(b) When and if any judgment becomes final that declares invalid an order of the Federal officer under this Act, the agency or institution receiving the grant made by the Federal officer pursuant to such order shall refund the unexpended portion of the same, and if a loan has been made pursuant to such order it shall be refunded with accrued interest at the rate fixed therefor, for credit to the appropriation from which it was paid. The Federal officer may in his discretion permit deferment for a reasonable time of repayment of the grant or loan including interest thereon.

Sec. 7. If any provision of any Act referred to in the first section, or the application of such provision to any person or circumstance, shall be held invalid under this Act, the remainder of such Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Sec. 8. This Act may be cited as "An Act to enforce the first amendment to the Constitution".

THE BIG THICKET NATIONAL PARK BILL

Mr. YARBOROUGH. Mr. President, I introduce a bill to establish a Big Thicket National Park in southeast Texas in Hardin, Polk, Tyler, Liberty, and San Jacinto Counties, in an area of heavy rainfall and dense vegetation.

Conservation of our unique natural areas has been one of my prime goals. Beginning in 1958, I worked for the Padre Island National Seashore bill, which I had the pleasure of seeing President John F. Kennedy sign into law September 28, 1962. In 1963, I began my efforts for establishment of the Guadalupe Mountains National Park, and had the pleasure of seeing President Lyndon B. Johnson sign that bill October 15, 1966.

The top item on my conservation agenda for Texas now becomes the conservation and preservation of a portion of the Big Thicket, a unique area of dense vegetation in the Texas gulf coastal plain that has until very recently remained an unspoiled refuge for scarce species of animals and plants. The Alabama-Coushatta Indian Tribe live on their small reservation in a part of the Big Thicket.

Increasing development of the area has begun to threaten the existence of the Big Thicket as an ecological entity. We must act very soon to preserve some of this area, at least, if we are to have something to show future generations what our land was like, and if we are to save a portion of one of the most stimulating and unique recreational areas in Texas.

There is substantial agreement in all quarters that some form of preservation of the Big Thicket is needed. Local groups and individuals have been concerned and active. The Texas Parks and Wildlife Commission has recommended a park. The National Park Service has surveyed the areas and is preparing specific recommendations. The U.S. Forest Service has already set aside over 1,000 acres of the Sam Houston National Forest as a Big Thicket scenic area. All of these efforts illustrate the concern we must have lest this area be irrevocably changed before there is action.

The proposal I introduce today is the same as S. 3929 of the 89th Congress, introduced last October 20. This bill is not a detailed proposal ready for immediate enactment; it is rather an attempt to focus attention on the need until we have available the best recommendations from all those who have an interest in conservation of the Big Thicket. Particularly needed are the recommendations of the National Park Service resulting from its on-site inspection in November 1965. Perhaps introduction of this bill will help convince that agency of the urgency of having a concrete plan for preservation of this unique biological area. But time is running out. Great destruction of natural wonders is going on at a very fast rate, and we must act soon, else all will be lost.

This area is of sufficient national importance to justify Federal recognition and assistance in preservation of at least a part of the area as a national park. However, this proposal should in no way foreclose efforts by the State of Texas toward a State park; the concepts are by no means exclusive.

A somewhat arbitrary figure of 75,000 acres has been set in the bill as a proposed target indicating the size of park that should be considered. That figure may well be adjusted one way or the other during consideration of detailed proposals. One study has recommended a park of 50,000 acres, other studies have proposed a "string of pearls" park of small tracts of special importance linked by parkways. Perhaps both a large tract and smaller special areas are most desirable, and both could be accommodated by acreage of the magnitude indicated.

I have personally inspected the Big Thicket area, with its huge trees and dense undergrowth. It has multitudes of birds, including perhaps the last of the ivory billed woodpeckers; many wild animals, including deer and wildcats; it has wild orchids and azaleas and gardenias; it even has, it is said, bears and panthers. It has sloughs and creeks, magnolia trees, palmettos, and water plants. As a whole, it is irreplaceable, but it will be lost unless action can be obtained in the near future.

As President Lyndon B. Johnson recommended in his state of the Union message last night:

> We should continue to carry to every corner of the nation our campaign for a beautiful America—to clean up our towns to make them more beautiful, our cities, our countryside by creating more parks and more seashores and more open spaces for our children to play in and for the generations that come after us to enjoy.

The Big Thicket is one such area, a new park that must be created soon.

No accounting of all the persons who are actively working toward conservation of the Big Thicket could be complete, but I do owe a debt of gratitude to many who have written and counseled with me, and who have accompanied me on excursions into the Big Thicket. Among those who have been especially helpful are Dempsie Henley of Liberty, Tex., president of the Big Thicket Association; Lance Rosier of Saratoga; Dr. Clarence Cottam of the Welder Wildlife Foundation at Sinton; Laurence Dexter, chairman of the Texas Conservation Council; Dr. Donovan Correll of the Texas Research Foundation, and many others. I hope that the best thought and support of all knowledgeable persons can be enlisted toward working out the details of this proposal.

As evidence of the need that exists for action in the near future, before this area is irretrievably changed, I ask consent to have printed in the Record at this point an article by Miss Hazel C. Green from the Austin, Tex., American-Statesman of December 4, 1966, and I request unanimous consent that the bill be printed in full in the Record also.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the Record.

The bill (S. 4) to establish the Big Thicket National Park in Texas, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 4

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve in public ownership an area in the State of Texas possessing outstanding botanical and zoological values together with scenic and other natural values of great significance, the Secretary of the Interior shall establish the Big Thicket National Park, consisting of land and interests in land not in excess of seventy-five thousand acres in Hardin, Liberty, San Jacinto, Polk, and Tyler Counties, Texas.

Sec. 2. (a) To establish the Big Thicket National Park, the Secretary of the Interior may acquire land or interests therein by donation, purchase with donated or appropriated funds, exchanges, or in such other manner as he deems to be in the public interest. Wherever feasible, land shall be acquired by transfer from other Federal agencies.

Any property, or interest therein, owned by the State of Texas or political subdivision thereof may be acquired only with the concurrence of such owner.

(b) In order to facilitate the acquisition of privately owned lands in the park by exchange and avoid the payment of severance costs, the Secretary of the Interior may acquire land which lies adjacent to or in the vicinity of the park. Land so acquired outside the park boundary may be exchanged by the Secretary on an equal-value basis, subject to such terms, conditions, and reservations as he may deem necessary, for privately owned land located within the park. The Secretary may accept cash from or pay cash to the grantor in such exchange in order to equalize the values of the properties exchanged.

Sec. 3. When title to all privately owned land within the boundary of the park, other than such outstanding interests, rights, and easements as the Secretary determines are not objectionable, is vested in the United States, notice thereof and notice of the establishment of the Big Thicket National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park.

Sec. 4. The Big Thicket National Park shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

Sec. 5. There are hereby authorized to be appropriated such funds as are necessary to accomplish the purposes of this Act.

The article presented by Mr. Yarborough is as follows:

[From the Austin (Tex.) American-Statesman, Dec. 4, 1966]

Nature Trails—Saving Big Thicket

(By the Travis Audubon Society)

Things are popping in the Big Thicket—things magic and things tragic. This unique area of Texas and the world, this magic land still filled with some of the wonders of nature and science, is about to be saved—some of it, anyway.

The Big Thicket Association of East Texas, headquartered at Liberty, has obtained an option on 548 acres of the only remaining "virgin" timberland in The Thicket and they are trying to raise $250,000 by public subscription in six months to save this natural area. This is in line with the "String of Pearls" concept they are working on—if you can't save all of it, save some of the treasured area. Sen. Ralph Yarborough introduced a bill just before the adjournment of Congress to establish the Big Thicket National Park, naming 75,000 acres as a possible size. All possible effort will be exerted to have all "ground work" done before the next Congress assembles so that no time will be lost while there is still some of The Thicket left to preserve.

The "pearls" of the Big Thicket are going fast. On Oct. 14, Louis Hofferbert in his delightful column, "Texas Notebook" in the Houston Chronicle, described the useless destruction of one of these "pearls". He said that it was something of a shock to him, and he was sure to other Texas folks since it was the magnet that pulled thousands of them every year, to learn that the legendary Ghost Road was being destroyed. A utilities company was slashing a wide swath along the road for a power line and the trees were falling fast. So the unique, legendary Ghost Road is becoming "just another country road . . . and it's a sure bet that people who drive it will never see ghost lights bouncing and flashing through trees that are gone."

Then came the glad news that the utility folks agreed not to cut any more after the Big Thicket Association intervened. But now comes sad news again. The latest word is that this "pearl", which is claimed by many to be one of the brightest in the "String," is threatened by the very people who should be using their influence to preserve it. For a paltry $2,001 the judge and Commissioners Court of Hardin County have agreed to sell the timber along Ghost Road. Again the Big Thicket Association went to battle and has voted to offer to purchase the Ghost Road timber and to present the site as a part of the Big Thicket Park.

Isn't it ironic that this threat to the Ghost Road and that of the last "virgin" forest in Texas are taking place right at the time when the Big Thicket Association was begging the State to get an easement along the Ghost Road, and at the time when the National Parks Service sent in a team of experts to study the "pearls" of the Big Thicket, and right when Sen. Yarborough was introducing his bill in Congress to make the Big Thicket a National Park?

As Dempsie Henley, president of the Big Thicket Association, says: "We simply cannot sit idly by and see everything disappear by way of the bulldozers, subdivisions, and commercial projects. The Big Thicket is vanishing at the rate of 50 acres per day."

Others who know say that there won't be any Big Thicket 10 years from now. At best it takes some time for a bill to go through Congress. Padre Island National Park was six years in the mill after Sen. Yarborough introduced his bill. Guadalupe Mountains National Park bill, which the President signed a few weeks ago, was introduced by Sen. Yarborough in 1963. The Big Thicket is a complex area and the bill won't just breeze through. We can all get behind the efforts being made to save some of this wild wonderland now.

Geraldine Watson who writes so beautifully and significantly about her beloved Big Thicket says: ". . . the end is near for the incomparably beautiful mixed pine and hardwood forests of East Texas . . . woods are more than just trees. It is a phenomenon which provokes the deepest meditation on life, death and purpose. It is a prophecy of immortality . . . Trees such as these have inspired man to create masterpieces in poetry, music and art . . . We are so surrounded and overwhelmed by our technological achievements, we have a sense of omnipotence, and there is nothing like the mighty tree, plant, nurtured, performing its purpose without the help of man to put man in his place. We need forests about us."

—Hazel C. Green.

TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, today, I introduce for myself and Senators Morse, Lausche, Young of Ohio, Kennedy of New York, Kennedy of Massachusetts, Magnuson, Clark, Inouye, Mondale, Moss, Hart, Case, Pell, Brewster, Nelson, Dodd, Tydings, Gruening, and Yarborough, a truth-in-lending bill.

I intend to discuss this legislation at some length within the next week. At that time the Senator from Maryland [Mr. Brewster], together with other Senators, will join me in pointing out the provisions of and need for this proposal.

I was delighted by President Johnson's strong support for truth-in-lending legislation, as expressed in last night's state of the Union message:

> We should do more to protect the consumer. We should demand that the cost of credit be clearly and honestly expressed.

I hope that many more Senators will join me in sponsoring the proposal.

I ask unanimous consent that the bill lie on the table for 2 weeks for additional sponsors and be printed in its entirety in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and will lie on the desk, as requested by the Senator from Wisconsin.

The bill (S. 5) to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit, introduced by Mr. Proxmire (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 5

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Truth in Lending Act".

DECLARATION OF PURPOSE

Sec. 2. The Congress finds and declares that economic stabilization would be enhanced by the informed use of credit for the acquisition of property and services. The informed use of credit results from an awareness of the cost thereof to the user. It is the purpose of this Act to assure a full disclosure of such cost with a view to promoting the informed use of credit to the benefit of the national economy.

DEFINITIONS

Sec. 3. As used in this Act, the term—

(1) "Board" means the Board of Governors of the Federal Reserve System.

(2) "Credit" means any loan, mortgage, deed of trust, advance, or discount; any conditional sales contract; any contract to sell or sale, or contract of sale of property or services, either for present or future delivery, under which part or all of the price is payable subsequent to the making of such sale or contract; any rental-purchase contract; any contract or arrangement for the hire, bailment, or leasing of property; any option, demand, lien, pledge, or other claim against, or for the delivery of, property or money; any purchase, or other acquisition of, or any credit upon the security of, any obligation or claim arising out of any of the foregoing; and any transaction or series of transactions having a similar purpose or effect.

(3) "Finance charge" means the sum of all the charges incurred by the borrower for the extension or use of credit and shall include, but not by way of limitation, loan fees, service and carrying charges, discounts, interest,

time price differentials, and investigators' fees.

(4) "Total amount to be financed" means the total credit extended excluding the finance charge.

(5) "Annual percentage rate" means the percentage rate per period expressed as a percent per annum. It shall be computed by multiplying the percentage rate per period by the number of periods per year.

(6) "Percentage rate per period" means the percentage ratio of the finance charge for the period for which the charge is made to the unpaid balance of the total amount to be financed.

(7) "Period" means the time interval between the payments specified in the credit agreement for repayment of the total amount to be financed.

(8) "Creditor" means any person engaged in the business of extending credit (including any person who as a regular business practice makes loans or sells or rents property or services on a time, credit, or installment basis, either as principal or as agent) who requires, as an incident to the extension of credit, the payment of a finance charge.

(9) "Person" means any individual, corporation, partnership, association, or other organized group of persons, or the legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

DISCLOSURE OF FINANCE CHARGES

SEC. 4. (a) Except as provided in subsection (b), any creditor shall furnish to each person to whom credit is extended, prior to the consummation of the transaction, a clear statement in writing setting forth, to the extent applicable and ascertainable and in accordance with rules and regulations prescribed by the Board, the following information—

(1) the cash price or delivered price of the property or service to be acquired;

(2) the amounts, if any, to be credited as downpayment and/or trade-in;

(3) the difference between the amounts set forth under clauses (1) and (2);

(4) the charges, individually itemized, which are paid or to be paid by such person in connection with the transaction but which are not incident to the extension of credit;

(5) the total amount to be financed (the sum of the amounts set forth under (3) and (4), above);

(6) the finance charge in dollars and cents;

(7) the finance charge expressed as an annual percentage rate to be computed as set forth in section 3(5);

(8) the time and amount of payments scheduled to repay the indebtedness; and

(9) the terms applicable in the event of advanced or delayed payments from those specified in (8) above.

(b) Any creditor agreeing to extend credit to any person pursuant to a revolving or open-end credit plan shall, in accordance with rules and regulations prescribed by the Board—

(1) furnish to such person, prior to agreeing to extend credit under such plan, a clear statement in writing setting forth the following information:

(i) the periodic dates of the balances against which a finance charge will be imposed;

(ii) the percentage rate per period of the finance charge to be imposed; and

(iii) the periodic rate of finance charge expressed as an annual percentage rate.

(2) furnish to such person, as of the end of each period following the entering into of any such agreement, a clear statement in writing setting forth to the extent applicable and ascertainable—

(A) the outstanding balance in the account of such person as of the beginning of such period;

(B) the amount of each extension of credit to such person (including the cash price or delivered price of any property or service acquired by such person) during such period and, unless previously furnished, the date thereof and a brief identification of any property or services so acquired;

(C) the total amount received from, or credited to the account of, such person during such period;

(D) the outstanding unpaid balance in the account of such person as of the end of such period;

(E) the annual percentage rate used to compute the finance charge for such period;

(F) the balance on which the periodic finance charge was computed; and

(G) the finance charge (in dollars and cents) imposed for such period.

As used in this subsection, the term "revolving or open-end credit plan" means a credit plan prescribing the terms of credit transactions which may be made thereunder from time to time and under the terms of which a finance charge may be computed on the outstanding unpaid balance from time to time thereunder.

(c) If information disclosed in accordance with this section and any regulations prescribed by the Board is subsequently rendered inaccurate as the result of a prepayment, late payment, or other adjustment in the credit agreement through mutual consent of the parties, the inaccuracy resulting therefrom shall not constitute a violation of this section.

REGULATIONS

SEC. 5. (a) The Board shall prescribe such rules and regulations as may be necessary or proper in carrying out the provisions of this Act. Such rules and regulations shall (1) include a description of (A) the methods which may be used in determining the annual percentage rate for the purpose of section 4, and (B) the size of type or lettering which shall be used in setting forth information required by such section, (2) prescribe reasonable tolerances of accuracy with respect to disclosing information under such section, and (3) require that such information be set forth in bold type and with sufficient prominence to insure that it will not be overlooked by the person to whom credit is extended. Any rule or regulation prescribed hereunder may contain such classifications and differentiations, and may provide for such adjustments and exceptions as in the judgment of the Board are necessary or proper to effectuate the purposes of this Act or to prevent circumvention or evasion, or to facilitate the enforcement of this Act, or any rule or regulation issued thereunder. In prescribing any exceptions hereunder with respect to any particular type of credit transaction, the Board shall consider whether in such transactions compliance with the disclosure requirements of this Act is being achieved under any other Act of Congress.

(b) In the exercise of its powers under this section, the Board shall request the views of other Federal agencies exercising regulatory functions with respect to creditors, or any class of creditors, which are subject to the provisions of this Act, and such agencies shall furnish such views upon request of the Board.

(c) The Board shall establish an advisory committee, consisting of not more than nine members, to advise and consult with it in the exercise of its powers under this section. In appointing members to such committee the Board shall seek to achieve a fair representation of the interest of sellers of merchandise on credit, lenders, and the public. Such committee shall meet from time to time at the call of the Board, and members thereof shall be paid transportation expenses and not to exceed $25 per diem in lieu of subsistence, as authorized by section 5 of the Act of August 2, 1946 (5 U.S.C. 73b–2).

EFFECT ON STATE LAWS

SEC. 6. (a) This Act shall not be construed to annul, or to exempt any creditor from complying with, the laws of any State relating to the disclosure of information in connection with credit transactions, except to the extent that such laws are directly inconsistent with the provisions of this Act or regulations issued thereunder.

(b) The Board shall by regulation exempt from the requirements of this Act any credit transactions or class of transactions which it determines are effectively regulated under the laws of any State so as to require the disclosure by the creditor of the same information as is required under section 4 of this Act.

CIVIL AND CRIMINAL PENALTIES

Civil penalties

SEC. 7. (a) Any creditor who in connection with any credit transactions fails to disclose to any person any information in violation of this Act or any regulation issued thereunder shall be liable to such person in the amount of $100, or in any amount equal to twice the finance charge required by such creditor in connection with such transaction, whichever is the greater, except that such liability shall not exceed $2,000 on any credit transaction. Action to recover such penalty may be brought by such person within one year from the date of the occurrence of the violation, in any court of competent jurisdiction. In any such action, no person shall be entitled to recover such penalty solely as the result of the erroneous computation of any percentage required by section 4(a)(7), 4(b)(1), or 4(b)(2)(E) of this Act to be disclosed to such person, if the percentage disclosed to such person pursuant to this Act was in fact greater than the percentage required by such section, or by the regulations prescribed by the Board, to be disclosed. In any action under this subsection in which any person is entitled to a recovery, the creditor shall be liable for reasonable attorneys' fees and court costs as determined by the court. As used in this subsection, the term "court of competent jurisdiction" means either any Federal court of competent jurisdiction regardless of the amount in controversy or any State court of competent jurisdiction.

Criminal penalties

(b) Any person who gives false or inaccurate information or fails to provide information required to be disclosed under the provisions of this Act or any regulation issued thereunder or who otherwise willfully violates any provision of this Act or any regulation issued thereunder shall be fined not more than $5,000 or imprisoned not more than one year, or both.

(c) Except as specified in subsection (a) of this section, nothing contained in this Act or any regulation thereunder shall affect the validity or enforcibility of any contract or transaction.

(d) No punishment or penalty provided by this Act shall apply to the United States, or any agency thereof, or to any State, any political subdivision thereof, or any agency of any State or political subdivision.

EXCEPTIONS

SEC. 8. The provisions of this Act shall not apply to—

(1) credit transactions involving extensions of credit to business firms as such, governments, or governmental agencies or instrumentalities; or

(2) transactions in securities or commodities in accounts by a broker-dealer registered with the Securities and Exchange Commission.

EFFECTIVE DATE

SEC. 9. The provisions of this Act shall take effect upon the expiration of one hundred and eighty days after the date of its enactment; except that section 5 shall take effect immediately.

Mr. GRUENING. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am happy to yield to the Senator from Alaska.

Mr. GRUENING. I should like to associate myself with the remarks of the distinguished Senator from Wisconsin on the subject of the truth-in-lending bill, which the President so warmly supported in his state of the Union message on last evening.

I am very happy that the Senator from Wisconsin has picked up where our beloved colleague Senator Paul Douglas, of Illinois, left off, and that the Senator from Wisconsin will promote this extremely important piece of legislation, which is long overdue, and which will furnish much-needed protection for the American consumer and save him substantial sums of money merely by having him properly informed when he buys anything on the installment plan.

Mr. PROXMIRE. I thank the distinguished Senator from Alaska. I am delighted that he has reminded me this is really the Douglas bill.

If the Senate can act affirmatively on this matter to provide a lasting tribute to Senator Douglas' great service in the Senate, this is the kind of legislation he would most deeply appreciate. He will appreciate everything we can do to pass the Douglas bill, because it was one of the great efforts on which he worked for many years.

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. MORSE. Has the Senator asked for cosponsors on the bill?

Mr. PROXMIRE. The Senator from Oregon is already a cosponsor of the bill. The Senator was one of its first cosponsors.

Mr. MORSE. I sent a message to the Senator that I wished to be a cosponsor. I was not in the Chamber as the Senator was speaking.

Mr. PROXMIRE. I beg the Senator's pardon, but he is listed. I am very proud to have him as a cosponsor.

Mr. MORSE. I am proud to be one of the Senator's cosponsors.

THE OAHE IRRIGATION PROJECT INITIAL STAGE AUTHORIZATION

Mr. McGOVERN. Mr. President, I introduce for myself and my colleague, Senator KARL MUNDT, a bill to authorize construction of a 190,000-acre initial stage of the Oahe irrigation project in South Dakota. A similar bill has been introduced in the House of Representatives by Congressmen E. Y. BERRY and BEN REIFEL. Our actions today comprise a joint effort by the congressional delegation, by officials of our State government, and by hundreds of organizations and water resources leaders in South Dakota to attain authorization of the first stage Oahe unit.

The Oahe development as originally authorized in the Flood Control Act of 1944 and 1946 envisioned diversion of Missouri River water to irrigate some 750,000 acres in eastern South Dakota. More detailed studies over the years have reduced the area deemed capable of sustained irrigated farm production to 495,000 acres. The first stage of 190,000 acres is carefully formulated to allow future construction of the full project without duplication of works.

Principal facilities of the first stage include the Oahe pumping plant on the Oahe Reservoir north of Pierre, a system of main canals, three regulating reservoirs and pumping plants, canals and laterals for distributing water to the land, numerous small pumping facilities, and drainage works.

The project plan calls for diversion of water from the Oahe Reservoir through these facilities to the irrigable acreage, located principally in Brown and Spink Counties.

The first stage will carry an investment of $200,684,000. Ten percent of that figure represents nonreimbursable costs allocated to flood control, recreation, and fish and wildlife enhancement in accordance with existing Federal policies. The remainder will be repaid to the Treasury by water and power users.

The initial stage bill is identical to S. 3001, which we introduced during the 1966 session of the 89th Congress, so we have already had the opportunity to describe it in some detail. I am confident that you will find it to be an excellent project from every standpoint.

The ratio of direct benefits to costs is 1.6 to 1. When calculable secondary benefits are considered the benefit-cost ratio is 2.5 to 1. For every dollar invested, fully $2.50 worth of progress in line with national objectives will be returned.

The economy of South Dakota is structured upon agriculture. This initial stage of the Oahe unit would stabilize and enhance agricultural production. through crop diversification and the elimination of crop failures due to periodic drought. As a direct consequence, annual farm receipts would be increased by more than $30 million, primarily through greater and more reliable production of feed, forage, and livestock.

The economic thrust would not stop at the farmer's fencelines. As new farm income is spent and invested, business volume in South Dakota would be boosted by more than $71 million. This impact would be felt, in turn, beyond the State's borders in the areas where farm capital inputs—machinery, fertilizer, fuels, and other supplies—and consumer goods are manufactured.

State and local tax revenues, as well as those of the Federal Government, would also rise substantially, and would be returned in the form of improved public services such as schools, roads, and other community facilities.

Perhaps the most important overall indication of the Oahe unit's benefits is the fact that it would support an increased project area population of 14,000. Like many rural States, we are troubled in South Dakota by the migration of many of our young people to metropolitan areas. New opportunities in rural areas are the key to meeting these concerns. In the process, they can prevent a worsening of the problems of urban congestion which are occupying so much of our attention today.

Development of the Oahe unit would mean a fuller and more abundant life for both rural and urban areas. Beyond its economic returns, associated public recreation and fish and wildlife developments would help to meet the growing needs of America's population in these areas.

I am confident that we can fully justify the first-stage Oahe project as a judicious use of public revenues and as an entirely appropriate allocation of the Missouri Basin's water resources. I am looking forward to the opportunity to justify the proposal in detail before the committees of Congress.

But we recognize, too, that there are other factors that are considered important by the Congress. For one, a high degree of local interest and support is recognized to be essential. This is as it should be, for we clearly cannot justify Federal water resources activities which are in conflict with the aspirations of the people directly affected.

Public support exists in full measure in South Dakota. Last year I reported to you that the two irrigation districts that have been formed in the first stage project area received the support of potential irrigators by a margin of over 80 percent.

Today I am able to supply additional evidence of overwhelming public backing for the project. On November 8, the voters in the Oahe conservancy subdistrict—which covers the entire project area and beyond, and includes all rural and urban voters—were asked whether the subdistrict should be granted authority to sign repayment contracts with the Bureau of Reclamation.

It is significant that this was not merely an abstract question of approval or disapproval of the project. Contracting authority for the subdistrict carries with it the ability to levy a full mill on all property within its boundaries in order to carry out its responsibilities. That is 10 times its present taxing authority.

The vote was in excess of 3 to 1 favorable. In unmistakable terms, therefore, the people of the region said "Yes" to large-scale irrigation development, and they said "Yes, we are willing—we are, in fact, eager—to accept the obligations it entails."

Members of the Congress will, of course, want to measure our project by other yardsticks. You will want to determine whether it is appropriate in light of other national policies and goals. In this respect I believe we present this proposal at an extremely opportune time.

In the past it has often been argued that Federal investments in irrigation cannot be justified because we should not be developing more food producing capacity at a time when we already have more than we can use. That suggestion has been contested on several grounds. On one hand, conversion from dryland to irrigation agriculture has been consistent with efforts to adjust supplies of farm products to demand, because the flexibility it brings allows production of crops other than those that have traditionally been in surplus. In South Dakota, farmers are confined by the climate to a limited range of crops, and when prices for those crops are low they endeavor to produce more of the same thing. Irrigation water is the key to breaking this cycle.

Also, projects of this kind take time to construct, so we should consider circumstances as they will exist a number of years hence in making judgments as to their merits. The development period of Oahe has been estimated at over 20 years, but with staged construction the Bureau of Reclamation believes that will be stretched out to 40. We have noted that the surpluses to which we have become accustomed may be only a transitory phenomenon, and that irrigation may be essential if we are to meet food needs 20 years in the future.

Actually the suggestion that we are seeking inappropriate development of surplus food producing capacity has become obsolete.

We no longer have food surpluses in this country. Nineteen hundred and sixty-six was the turning point in our efforts to deal with that problem; or perhaps more correctly, to bring that blessing within manageable bounds. Our carryovers of food commodities have been reduced to no more than safe reserve levels and in some cases even less than a safe reserve.

Our farmers can, of course, still produce more than will be used in a given year, given the incentive, so it is still necessary to retain some limitations on current output. But those limitations are made in reference to production, not productivity.

The direction we must take where productivity is concerned was firmly established in 1966. We recognized last year that there is a dangerously wide gap between growth in world population and world food production. We saw that it is entirely in the interests of the United States to deal with this situation, because its threats of famine, political disorder, and retarded economic and social development are certain to affect our own security drastically. Those dangers, we know now, are no longer the vision of the alarmist; they are the solemn predictions of serious scientific minds, and they are expected to occur within 15 years unless food production in the world is greatly expanded.

That is the grim outlook that caused the 89th Congress to vote last year for a full scale attack upon world hunger and malnutrition. The Food for Peace Act of 1966 dispenses with the requirement that our food aid be limited to the size of our shrunken surpluses. It authorizes increased food production based on urgent needs around the world.

The program is also geared to self-help and technical assistance, and that is exceedingly important. All of the resources at our command are plainly insufficient to avert a world food crisis of the proportions we can foresee today.

But food aid will have a vitally important role. Self-help measures will not transform primitive agricultural systems into thriving, modern farm plants overnight. It will be a slow, painful process, and indications are that galloping population growth cannot be held in abeyance while it is being carried out. Moreover, we can expect that nutritious food supplies will be a prerequisite to meaningful technical progress in most areas, in order to develop the physical and mental strength that people need if they are to help themselves.

We cannot, therefore, afford to be hesitant and timid in developing our own food producing capacity. At the end of the Oahe project's development period, its addition to our national food productivity will be urgently needed to help meet the demands placed upon our farmers by expanded food needs here and abroad.

We are compelled in this direction by another factor. Our total supply of land for farm uses is not constant; it is dwindling. As our population grows, large amounts of land are being devoted to other permanent uses. Ten, fifteen, or twenty years from today we will not be able to plow up homes around our cities in order to meet food needs. The concrete and asphalt highways we are building today are essential to our growing population and its growing mobility. But the land beneath them is irretrievably lost to food production.

We must therefore concentrate on gathering larger crops from the acreage remaining, by making full use of the tools that man's ingenuity has fashioned for making two blades of grass or stalks of wheat grow where only one grew before. The diversion of water that would otherwise flow to the sea onto arid and semiarid lands is one of those tools.

These considerations apply to sound water resources projects throughout the Nation. There are others which recommend the Oahe unit as an early priority including the investment already made.

In the late 1930's, the Bureau of Reclamation entered the Missouri River Basin to conduct comprehensive investigations designed to establish a plan for harnessing land and water resources on a regional scale. Concurrently the Army Corps of Engineers studied potential measures to control disastrous flooding and to improve navigation.

The plans conceived by these two agencies were merged in the Missouri River Basin project and were authorized for construction in the Flood Control Acts of 1944 and 1946. Those measures established a blanket authorization of a massive basinwide project to include flood control, power generation, irrigation, navigation, and associated benefits.

Today the balance sheet of progress on that authority shows that the flood control potential of the Missouri River Basin plan for the main stream has been fully realized. It shows that power generation facilities are in place and producing. Significantly the bulk of the energy is of primary benefit to adjacent States.

The four mainstem dams within South Dakota's borders allow regulation of the river's flow to insure the navigability of the lower Missouri from Sioux City to St. Louis. Any further navigation construction and remaining fish and wildlife and recreation benefits are now dependent upon irrigation and its associated economic benefits for further progress.

In contrast, irrigation potential authorized under the Missouri River Basin plan remains largely undeveloped. This phase, which means most to the States crossed by the river, awaits further action by the Congress.

South Dakota has supported the multipurpose development of the Missouri. Bearing witness to that support is our sacrifice of some 509,000 acres of our most fertile cropland to innundation under the four mainstem reservoirs within the State. The loss of those lands represents about $20 million a year to the people of South Dakota, and that figure neglects related reductions in tax revenues to State and local governments.

Our recognition of the importance of multipurpose regional development of the Missouri Basin's water resources is a major reason for South Dakota's willingness to make that sacrifice. But beyond that, we have relied on the ultimate economic thrust of a half-million-acre irrigation project to recover our losses.

Public Law 422, enacted by the 88th Congress, requires that construction of further units of the Missouri River Basin project be reauthorized. That measure set aside the authorization of the Oahe irrigation project that was included in the Flood Control Act of 1944, making it necessary for us to bring this measure before the Congress again.

But in view of its history, South Dakota people can feel amply justified in referring to the measure we introduce today not as something new, but as the proposed completion of a great public investment already begun.

The first stage Oahe project is to be constructed under the Federal Reclamation program, and in this connection there is another balance sheet of progress that should be of interest. South Dakota ranks 14th among the 17 Reclamation States of the West in the amount of land under irrigation through Federal reclamation.

More than 9 million acres in the Western States are today receiving project water under the reclamation program. Only about eight-tenths of 1 percent of those acres are in South Dakota. North Dakota ranks last, but the Garrison diversion unit authorized by the 89th Congress will move our sister State well up on the list. We are immensely pleased by her progress. The new record will show only Kansas and Oklahoma ranking behind South Dakota in irrigated acreage.

The role of the Federal reclamation program in the economic and social development of the West is a proud achievement. A recent study comparing the Columbia Basin irrigation project with a neighboring dryland area gives an excellent illustration of what reclamation has meant. It shows substantial growth in every major economic indicator.

The number of farms, for example, increased from 698 in 1949 to 2,500 in 1963. For the neighboring dryland region the number of farms dropped by 222.

For each 10,000 acres of cropland, the study shows that total farm wages paid in the project area were 20 times as much as in the adjacent dryland area. The property tax base was six times as large. State sales tax collections were 17 times as large, as were Federal income tax receipts.

Numerous other examples of the reclamation program's great impacts can be cited, showing that it has contributed tremendously to the well-being of the people affected. South Dakotans have been happy to support these projects because we believe that wise water resources development anywhere in the Nation benefits all Americans.

I am sure that we will continue to support the projects of other States—irrigation and other economic development works. We ask now that you support us in our endeavors.

The Oahe irrigation unit is the most hopeful economic development prospect on the South Dakota horizon. Carefully documented studies by the Bureau of Reclamation have concluded that the first stage qualifies admirably when measured by the standards used under existing law to judge the merits of projects of this kind.

This measure is fully consistent with our national objectives of a strengthened economy, of encouraging opportunities and growth in rural areas, and of assuring stable and reliable national and international food supplies.

I believe it merits authorization by the 90th Congress.

Mr. President, I ask unanimous consent to have the bill printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 6) to authorize the Secretary of the Interior to construct, operate, and maintain the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes, introduced by Mr. McGovern (for himself and Mr. Mundt), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 6

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to construct, operate, and maintain in accordance with the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto) the first stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, for the principal purposes of furnishing a surface irrigation water supply for approximately one hundred and ninety thousand acres of land, furnishing water for municipal and industrial uses, controlling floods, enhancing the generation of power, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, and other purposes. The principal features of the first stage of the Oahe unit shall consist of the Oahe pumping plant to pump water from the Oahe Reservoir, a system of main canals, regulating reservoirs, and the James diversion dam and the James pumping plant on the James River. The remaining works will include appurtenant pumping plants, canals, and laterals for distributing water to the land, and a drainage system.

Sec. 2. The Secretary is authorized, as a part of the project, to construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise make available such adjacent lands or interests therein as are necessary for public outdoor recreation or fish and wildlife use, and to provide for public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes.

Sec. 3. The Oahe unit shall be integrated physically and financially with the other Federal works constructed or authorized to be constructed under the comprehensive plan approved by section 9 of the Act of December 22, 1944, as amended and supplemented.

Sec. 4. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

Sec. 5. The interest rate used for purposes of computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations, which are neither due nor callable for redemption for fifteen years from date of issue.

Sec. 6. There is hereby authorized to be appropriated for construction of the Oahe unit as authorized in this Act the sum of $200,684,000 (based upon January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering costs indexes applicable to the types of construction involved herein. There are also authorized to be appropriated such additional sums as may be required for operation and maintenance of the unit.

INCREASE OF PRICE SUPPORT ON WHEAT AND FEED GRAINS

Mr. McGOVERN. Mr. President, I introduce a bill to amend the Agricultural Act of 1949, as amended, to increase the price support on wheat and feed grains, which I regard to be in the interests of all the people of this country.

The first section of the bill provides for the issuance of export certificates valued at 65 cents a bushel on not less than 35 percent of the production of a farmer's wheat acreage allotment. The producers now get a loan of $1.25 on all of their production. Parity is $2.60 per bushel. Producers now get domestic certificates on approximately 40 percent of their wheat. This bill is an effort to assure them a fair return on wheat produced to meet our food assistance needs abroad. I believe very strongly that farmers are just as entitled to a fair return for the products they produce for the war on hunger as the manufacturers of industrial products which are required in this effort.

Section 2 of this bill provides that the price support for corn, to which the price support of other feed grains is related, shall be at not less than 90 percent of parity with at least $1.15 of this amount provided through a price support loan. Corn is now supported with a $1.05 loan plus a 30-cent payment. My bill will increase the total support to $1.44 per bushel. Parity is $1.60 a bushel. Feed grains are in short supply and additional production is needed. I am told that the 7-percent increase in planting indicated by the Department of Agriculture study released in December will not rebuild our reserves as they need to be rebuilt. I know of no better way to assure planting of an adequate crop than a return to the 90-percent price support level which was written into national agricultural legislation for a great many years.

Mr. President, I expect to discuss this proposed legislation at greater length a little later in this session of Congress. I do not want to take the time today, when other Senators are seeking the floor to present bills, to go into great detail. Suffice it to say now that I believe these two proposals are in the interest of, not just farmers but consumers and the Nation as a whole, for a number of reasons which I shall discuss at length later, including the assurance of adequate supplies of foodstuffs. Equity to agricultural producers is in the interest of strong national economy, and at least slowing up the migration of farm people to large, overcrowded metropolitan areas already beset with problems that are going to require many billions of dollars to solve.

The 1964 Census of Agriculture shows that the number of farms in America dropped by 552,639 to 3,157,864 between the 1959 and 1964 census periods. This was a decrease in the rate of decline in the previous 5-year census period when 839,854 farms "disappeared." The number of farms in America is now less than half the number a generation ago—6.8 million in 1935.

A major factor in our urban problems today is the migration from farms to cities, overcrowding areas like Watts in California and the South Side of Chicago with citizens without the skills necessary to find urban employment.

We are enjoying the lowest cost food, at the grocery stores, of any major nation in world history. But not all the costs we are paying are included in the prices in the stores. Serious social maladjustments, a decline in rural communities, urban problems, and even disorders are traceable to inadequate returns to the agricultural sector of our economy.

Our Nation needs to review its agricultural policies in depth, going beyond research into increased efficiency of production in agriculture, and look into the social consequences of some of our farm and food policies to determine their effect on rural communities, larger agricultural supply centers, agricultural industries, and the whole fabric of our society.

We may find that we are paying a much higher price for food, when all the costs are identified, than the price of which we are aware.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 7) to provide a special export wheat payment to farmers for a portion of crops of wheat and to provide that price support for corn, beginning with the 1967 crop, shall be at a national average rate of not less than 90 percent of parity, and for other purposes, introduced by Mr. McGovern, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

PROPOSED LEGISLATION RELATING TO MIGRATORY LABOR

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and other Senators, I introduce, for appropriate reference, five bills and a joint resolution affecting various aspects of the migratory farm labor problem.

The 89th Congress, in enacting Public Law 89-601, the Fair Labor Standards Act Amendments of 1966, provided for the first time minimum wage coverage for 400,000 American farmworkers. The 1966 minimum wage law is a historic first step toward rectifying the economic and social injustices which have plagued our Nation's farmworkers. However, the task of bringing to these citizens the remaining benefits which has so long been enjoyed by American industrial workers is far from being fulfilled.

COLLECTIVE BARGAINING

Neither Federal nor State laws provide meaningful collective bargaining rights for agricultural workers. The National Labor Relations Act specifically exempts farm workers from its provisions. The migratory worker because of his brief periods of employment is particularly hard hit by this exemption. His continuous mobility and the rapid fluctuations and demands for farm labor detrimentally affect his bargaining position with prospective employers.

More than three decades ago, the Congress enacted the National Labor Relations Act in order to give our industrial work force a framework for organizing and negotiating with employers. At that time agriculture, being a family farm operation, was exempted from the act's provisions. The rapid growth of American agriculture coupled with increased mechanization has today made agriculture similar to our Nation's other large manufacturing industries. For example, between the years 1940 and 1965 the size of the average American farm increased from 175 acres to 342 acres and the value of assets used in agricultural production on the average farm increased from $6,000 in 1949 to $60,000 in 1965. Agricultural workers should, therefore, no longer be excluded from collective bargaining rights available to similarly situated workers in other large industries.

The exclusion of farmworkers from National Labor Relations Act coverage has over the past year resulted in community unrest and the loss of employment and worker productivity. This chaotic condition has been caused by an increasing number of farm labor disputes in California, Texas, and Florida. National Labor Relations Act coverage, with its proven procedures for the orderly settlement of labor disputes would bring meaningful stability to employer-employee relationships in agriculture.

By extending National Labor Relations Act coverage to agriculture, only 3 percent of those farms whose interstate shipments amount to more than $50,000 a year would be affected. However, a significant number of our Nation's farmworkers would benefit since over 30 percent of all expenditures for hired farm labor are made by the larger farms which constitute one-half of 1 percent of our Nation's farms.

The importance of agriculture as one of our Nation's major industries, coupled with its critical effect on all of our lives, further evidences the need for maintaining equitable and stable employer-employee relations.

CHILD LABOR

The harmful employment of children in agriculture is one of the most unfortunate aspects of our present farm labor situation. Federal and State legislation presently regulate the employment of children in agriculture only during school hours. However, most of these laws provide no limitation on farmwork performed by children before school, after school, or during summer and other vacation periods. Only particularly hazardous work up to age 16 is prohibited by Federal law. Today a child of any age, when school is not in session, may be employed in farmwork. This condition has all but disappeared from industry, yet today approximately 375,000 children between the ages of 10 and 13 perform hired farm labor.

Migratory children, who comprise a significant segment of the children employed in agriculture, are the most seriously affected by the absence of meaningful child labor legislation. Unlimited arduous farmwork is undoubtedly harmful to the health of young children. As early as 1951 a subcommittee of the American Medical Association urged that a general 14-year age minimum be set for employment. Long hours of tiring work such as in factories or in beet or cotton fields is harmful to children in two ways. First, a child early in life must grow and gain weight. Farm labor such as the thinning, pulling, and topping of beets, or the picking of strawberries or cotton requires constant bending, stooping, and frequent lifting. This excessive muscular activity expends the child's energy which should be used in the natural process of growth. Consequently, children who engage in arduous labor become undernourished and undersized. Second, chronic fatigue lowers a child's resistance to disease and also interferes with his educational progress. Only one of every three farm-wage workers has completed more than 8 years of schooling and only one in six has graduated from high school. One-fourth of our Nation's farmworkers have either never attended school or have not completed more than 4 years of schooling.

The continued exclusion of children working in agriculture, and migrant children in particular, from the protections against harmful child labor will continue to cause high incidence of poverty, unemployment, dissatisfied teenagers and an extensive drain on our general economy and on community welfare programs in particular.

RECRUITMENT

Recruiting an adequate farm labor force at the beginning of each new harvest season is a difficult task at best. In recent years, it has been further complicated by the extremely tight labor market prevailing in most parts of our country. The rate of unemployment for all workers did not rise above 5 percent in the first 10 months of 1966 and in September at the peak of agricultural activity it was only 3.3 percent.

Increased mechanization has not overcome the need for large numbers of workers for short periods of time and in some crop activities the need has even intensified. Thus the lack of an orderly method of channeling migratory labor to places of employment remains a continuing problem.

The migratory farm labor market in particular is characterized by its lack of steady employment. All too often during the past years there has been uncertainty as to whether enough workers would be available to harvest our Nation's crops. In the case of highly perishable commodities, such as strawberries, a serious shortage of workers at harvest time for even a few days may result in great financial loss. On the other hand, the farmworker, and the migrant in particular, due to his meager financial resources, needs assurances that work will be available as soon as he arrives in a given area.

While the basic responsibility for recruiting workers must rest with the farm employer himself, at least until we complete the transition from foreign to American farmworkers, a firm statutory base is needed to improve recruitment methods in order to assure substantial year-round farmworker employment and a more stabilized labor supply.

NATIONAL ADVISORY COUNCIL ON MIGRATORY LABOR

The 89th Congress enacted legislation affecting the wages, health, education, and housing of migratory farmworkers. These programs, as well as those previously enacted, are spread throughout the various governmental departments and agencies including the Departments of Labor, Agriculture, Health, Education, and Welfare, and the Office of Economic Opportunity. In addition, there are almost 30 different State migratory labor committees, plus almost as many private agencies and church groups.

All of these groups have undertaken many worthwhile projects. Yet despite this increased interest there are still serious gaps and inadequacies in respect to the total range and intricacies of the problems facing our Nation's migratory farmworkers. On the State, Federal, and private levels there is a lack of overall coordination and a broad overall picture of the problems facing the migrant. This has constituted a substantial impediment to the development of a logically organized network of national programs. One single body is needed to focus our Nation's systematic and sustained attention to the migratory farm labor problem in its national context.

A National Advisory Council on Migratory Labor would fulfill this presently existing need. The Council would perform a valuable function in expressing a responsible and independent viewpoint on Federal policies and on their proper coordination to the President and the Congress. The Council would also assist

State and local agencies in providing a better understanding of the continuing needs and long-range solutions to the migratory labor problems which confront our Nation.

RAPID TAX AMORTIZATION

The farmer who employs American Labor has a unique problem in that he generally must provide housing for his employees. This housing is in many instances an extra item of labor costs; it has no economic value to the farmer beyond enabling him to attract employees since in many cases it is only used for short periods of the year during the peak harvest season. Most farmers do not have adequate financial resources of their own to build the number of units necessary to house an adequate labor supply. This is especially true if the farmer wishes to construct housing on his own land. Individual farmers are not eligible for grants under the Housing Act of 1965, such grants being limited to States, political subdivisions, or public or broadly based nonprofit organizations which intend to provide the housing as a community service.

During the various field trips and hearings which I have conducted as chairman of the Migratory Labor Subcommittee, I have found that in many areas of the country American farmworkers, especially migrants who travel with their families, are reluctant to work in our Nation's fields because of a lack of adequate housing. This lack of housing has constituted an almost insurmountable barrier to Federal and State recruitment programs especially in States such as California, Colorado, Texas, Florida, and Arizona, which prior to the expiration of Public Law 78 made extensive use of foreign farmworkers. These foreign workers traveled without their families and could be housed in barrack-type structures, dormitory style, which generally were not equipped with sanitation, cooking, and other facilities required by family workers.

To increase the availability of adequate farm labor housing, an incentive in the form of a rapid tax amortization on construction costs should be made available. This would provide an added incentive for the farmer to invest in the construction of adequate farm labor housing.

REDUCED RESIDENCE REQUIREMENTS FOR VOTING

The migrant, in addition to his lack of economic and social benefits, has also, through no fault of his own, often been deprived of his eligibility to vote in presidential and congressional elections. In order to be eligible to vote, all States require both the establishment of residence and previous registration. Only in a minority of States is it possible for absent residents to both register and vote by mail. Accordingly, migrancy is likely to disenfranchise the migrant from voting in all elections in his own State without conferring upon him the right to vote elsewhere. With respect to presidential and congressional elections, a constitutional amendment should be adopted so that the migrant is not deprived of the right to vote in Federal elections for the candidate of his choice.

The legislation which I am introducing today will go a long way toward bringing the migrant farmworker into the mainstream of American life. Specifically this legislation would extend to farmworkers the rights to organize and bargain collectively under the National Labor Relations Act; strengthen the Fair Labor Standards Act's presently inadequate provisions against harmful child labor in agriculture; and improve the Federal-State farm placement service by providing new methods for voluntary use of recruitment, transportation, and distribution of farmworkers. In addition, the bills provide for the establishment of a National Advisory Council on Migratory Labor and for a tax incentive to farmers and others regarding the construction of farm-labor housing. The joint resolution proposes a constitutional amendment to prevent our mobile citizens from being disenfranchised in presidential and congressional elections because of State residence or physical presence requirements.

I ask unanimous consent that these measures be printed in the RECORD along with a summary of their provisions and that the bills lie on the desk until January 18, so that other Senators may join as cosponsors.

The **VICE PRESIDENT**. The bills and joint resolution will be received and appropriately referred; and, without objection, the bills and joint resolution will be printed in the RECORD, and will be held at the desk, as requested by the Senator from New Jersey.

The bills and joint resolution, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), were received, read twice by their titles, referred to the appropriate committees, and ordered to be printed in the RECORD, as follows:

To the Committee on Labor and Public Welfare:

S. 8. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(3) of the National Labor Relations Act, as amended, is amended by striking out the following phrase: "as an agricultural laborer, or".

SEC. 2. Section 8(f) of the National Labor Relations Act, as amended, is amended to read as follows:

"(f) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry, or an employer engaged in agriculture, to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry, or as agricultural laborers, with a labor organization of which such employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: *Provided,* That nothing in this subsection shall set aside the final proviso to section 8(a)(3) of this Act: *Provided further,* That any agreement which would be invalid, but for clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e)"

SEC. 3. Notwithstanding the provisions of any other law, the amendments made by this Act shall take effect sixty days after the date of enactment.

The summary, relating to Senate bill 8 is as follows:

COLLECTIVE BARGAINING

This bill would amend the National Labor Relations Act to extend collective bargaining rights to agricultural employees. The bill adapts some of the NLRA's provisions to take account of the seasonal nature of much agricultural work. For this purpose, agricultural workers would be placed within the same special NLRA provisions as are now applicable to workers in the building and construction industry under section 8(f) of the Act.

S. 195. A bill to provide for the establishment of a Council to be known as the "National Advisory Council on Migratory Labor":

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Council to be known as the "National Advisory Council on Migratory Labor" (hereinafter referred to as the "Council"). The Council shall be composed of fifteen members, appointed by the President without regard to political affiliations as follows:

(1) Four individuals, appointed from private life, to represent the farmer, who shall be individuals actively engaged in, and whose livelihoods are dependent upon, agriculture, and who employ migratory labor in connection therewith;

(2) Four individuals, appointed from private life, to represent the migratory agricultural workers;

(3) Two individuals, appointed from private life, who shall have a demonstrated interest in and knowledge of the problems relating to migratory agricultural labor, including the problems of the migratory agricultural worker, his employer, and the community;

(4) Two individuals, appointed from private life, who are or have been actively engaged in activities aimed at determining and solving the health, education, and welfare problems of the migratory agricultural worker and his family; and

(5) Three individuals who have had experience as State officials and who are knowledgeable of the problems relating to migratory agricultural labor.

(b) Members of the Council shall be appointed for the life of the Council. A vacancy in the Council shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) The President shall designate one of the members of the Council as Chairman, and one as Vice Chairman. Eight members of the Council shall constitute a quorum.

(d) While rendering service as a member of the Council, or as an attorney or expert in any business or professional field employed by the Council on a part-time basis or without compensation, an individual shall be regarded as a special Government employee within the meaning of chapter 11 of title 18 of the United States Code.

(e) Members of the Council shall each be entitled to receive $50 per diem when engaged in the actual performance of duties vested in the Council, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(f) The Council shall meet at the call of the Chairman or at the call of a majority of the members thereof, but not less often than once each calendar year.

Sec. 2. (a) The Council shall have a staff director who shall be appointed by the Chairman without regard to the civil service laws and the Classification Act of 1949, as amended. The staff director shall have such duties as may be imposed by the Council, and shall be compensated at a rate not to exceed $18,000 per annum.

(b) The Council shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(c) The Council may procure, in accordance with the provisions of section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), the temporary or intermittent services of experts or consultants; individuals so employed shall receive compensation at a rate to be fixed by the Council, but not in excess of $50 per diem, including travel time, and while away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Sec. 3. (a) It shall be the duty of the Council to advise the President and the Congress, with respect to (1) the operation of Federal laws, regulations, programs, and policies relating to any and all aspects of migratory agricultural labor; and (2) any and all other matters relating to migratory agricultural labor.

(b) It shall also be the duty of the Council to consider, analyze, and evaluate the problems relating to migratory agricultural labor with a view to devising plans and making recommendations for the establishment of policies and programs designed to meet such problems effectively. In carrying out such duty, the Council shall consider, among others, the following matters:

(1) The effect of existing laws, regulations, programs, and policies on the various problems relating to migratory agricultural labor, including the problems of the migratory agricultural worker, his employer, and the local area in which he is employed; and

(2) The means for improved coordination of Federal, State, county, and local policies and programs relating to migratory agricultural labor.

(c) The Council shall, on or before March 31 of each calendar year, submit an annual comprehensive report of its findings and recommendations to the Secretary of Labor for transmission by him to the President and to the Congress.

Sec. 4. The Council shall cease to exist upon the expiration of five years from the date of the initial appointments to the Council made by the President under this Act.

Sec. 5. There are hereby authorized to be appropriated such sums as may be necessary, not to exceed $50,000 in any fiscal year, to carry out the provisions of this Act.

The summary relating to Senate bill 195 is as follows:

National Advisory Council

This bill provides for a National Advisory Council on Migratory Labor, composed of 15 members appointed by the President. Appointments would be made for the life of the Council, a period of 5 years, and without regard to political affiliations. The Council members would be appointed as follows: Four to represent the farmer; four to represent the migratory worker; two who have a demonstrated interest in and knowledge of the problems relating to migratory agricultural labor; two with experience in activities aimed at determining and solving the health, education, and welfare problems of the migratory worker and his family; and three with experience as State officials who are knowledgeable of migratory worker problems.

The Council would have the duty of advising the President and the Congress with respect to (1) the operation of Federal laws, regulations, programs, and policies relating to any and all aspects of migratory agricultural labor; and (2) any and all other matters relating to migratory agricultural labor. The Council would also consider, analyze, and evaluate the problems relating to migratory agricultural labor with a view to devising plans and making recommendations for the establishment of policies and programs designed to meet such problems effectively. In addition, it would submit an annual comprehensive report of its findings and recommendations to the Secretary of Labor for transmission by him to the President and to the Congress.

To the Committee on Finance:

S. 196. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"Sec. 183. Amortization of Housing Facilities for Agricultural Workers.

"(a) Allowance of Deduction.—

"(1) Original owner.—Any person who constructs a certified housing facility for agricultural workers shall, at his election, be entitled to a deduction with respect to the amortization of the adjusted basis (determined under subsection (f)(1)) of such facility based on a period of 60 months. The 60-month period shall begin as to any such facility, at the election of the taxpayer, with the month following the month in which the facility was completed, or with the succeeding taxable year.

"(2) Subsequent owners.—Any person who acquires a housing facility for agricultural workers—

"(A) with respect to which a certificate has been issued by the Secretary of Agriculture under subsection (e) (whether such certificate is issued before or after the date such person acquires such facility), and

"(B) with respect to which an amortization deduction under this section has been allowed for less than a 60-month period,

shall, at his election, be entitled to a deduction with respect to the adjusted basis (determined under subsection (f)(2)) of such facility based on a 60-month period reduced by the number of months with respect to which an amortization deduction under this section has been allowed to any taxpayer prior to the acquisition of such facility by such person.

"(3) Amount of deduction.—The amortization deduction provided in paragraphs (1) and (2) shall be an amount, with respect to each month of the amortization period within the taxable year, equal to the adjusted basis of the facility at the end of such month, divided by the number of months (including the month for which the deduction is computed) remaining in the period. Such adjusted basis at the end of the month shall be computed without regard to the amortization deduction for such month. The amortization deduction above provided with respect to any month shall be in lieu of the depreciation deduction with respect to such facility for such month provided by section 167.

"(b) Election of Amortization.—The election of the taxpayer under subsection (a)(1) to take the amortization deduction and to begin the 60-month period with the month following the month in which the facility was completed shall be made only by a statement to that effect in the return for the taxable year in which the facility was completed. The election of the taxpayer under subsection (a)(1) to take the amortization deduction and to begin such period with the taxable year succeeding such year shall be made only by a statement to that effect in the return for such succeeding taxable year. The election of the taxpayer under subsection (a)(2) to take the amortization deduction shall be made only by a statement to that effect in the return for the taxable year in which the facility was acquired. Notwithstanding the preceding three sentences, the election of the taxpayer under subsection (a)(1) or (2) may be made, under such regulations as the Secretary or his delegate may prescribe, before the time prescribed in the applicable sentence

"(c) Discontinuance by taxpayer.—A Deduction.—

" "(1) Discontinuance by taxpayer.—A taxpayer who has elected under subsection (b) to take the amortization deduction provided in subsection (a) may, at any time after making such election, discontinue the amortization deduction with respect to the remainder of the amortization period. Such discontinuance shall begin, and may be terminated, as of the beginning of any month specified by the taxpayer in a notice in writing filed with the Secretary or his delegate before the beginning of such month.

"(2) Discontinuance by secretary of agriculture.—The amortization deduction provided in subsection (a) shall be discontinued if the Secretary of Agriculture finds and certifies, after notice to the taxpayer and opportunity for hearings, to the Secretary or his delegate that the requirements of subsection (e)(2) have not been complied with. Such discontinuance shall begin as of the beginning of the taxable year in which such finding is made and certified and shall continue until the month following the month in which the Secretary of Agriculture certifies to the Secretary that the Secretary of Agriculture is satisfied that there is no longer any failure to satisfy such requirements.

"(3) Where a discontinuance of such an amortization deduction shall have have been terminated, as provided in paragraph (1) or (2), the period with respect to which such deduction may subsequently be allowed shall be equal to 60 months minus the number of months with respect to which such deduction shall have previously been allowed.

"(4) Depreciation deduction.—The depreciation deduction provided under section 167 shall be allowed with respect to any housing facility for agricultural workers for any month for which the amortization deduction provided in this section is not allowed.

"(d) Definitions.—For purposes of this section—

"(1) Agricultural worker.—The term 'agricultural worker' means an individual (other than the taxpayer, his spouse and dependents, and members of his household) who is a citizen or permanent resident of the United States and whose primary employment is in agriculture, as defined in section 3(f) of the Fair Labor Standards Act of 1938, or performing agricultural labor, as defined in section 3121(g).

"(2) Certified housing facility for

AGRICULTURAL WORKERS.—The term 'certified housing facility for agricultural workers' means any dwelling or dwelling unit for the housing of agricultural workers—

"(A) the construction of which is completed after December 31, 1966; and

"(B) with respect to which a certificate has been issued by the Secretary of Agriculture under subsection (e).

If any facility is converted, through alteration or remodeling, into a housing facility for agricultural workers, or if a housing facility for agricultural workers is altered or remodeled so as to increase the number of dwelling units in such facility, or to improve any of the dwelling units in such facility, such alteration or remodeling shall be treated as the construction of a housing facility for agricultural workers.

"(e) CERTIFICATIONS BY SECRETARY OF AGRICULTURE.—

"(1) APPLICATIONS.—Any person who after December 31, 1966, completes the construction of a housing facility for agricultural workers may apply to the Secretary of Agriculture for a certificate under this subsection, or, if the person who completes such construction has not obtained such a certificate, then his successor in interest may apply to the Secretary of Agriculture for a certificate under this subsection. Such application shall be filed at such time, shall be in such form, and shall contain such information as the Secretary of Agriculture may prescribe by regulations.

"(2) REQUIREMENTS FOR CERTIFIED HOUSING FACILITY FOR AGRICULTURAL WORKERS.—The Secretary of Agriculture shall issue a certificate with respect to a housing facility for agricultural workers if he is satisfied that—

"(A) such housing facility has been constructed to provide decent, safe, and sanitary housing for agricultural workers;

"(B) any rentals charged an agricultural worker for the occupancy of any dwelling unit in such facility will not exceed rates within the means of the probable occupants of such unit, due consideration being given to the income and earning capacity of agricultural workers in the area; and

"(C) for a period of 5 years (commencing with the date of application for such certificate), the dwelling units in such housing facility (i) will be made available primarily for occupancy by agricultural workers, (ii) will, when rented, be rented at rates consistent with the provisions of subparagraph (B), and (iii) will be maintained in accordance with such safety and sanitation standards as may be prescribed by State or local law, or, in the absence of such standards, in accordance with such minimum requirements as the Secretary of Agriculture shall prescribe.

The Secretary shall not refuse to issue a certificate with respect to a housing facility for agricultural workers to any person solely by reason of the fact that such person intends to sell such facility to an agricultural worker within the 5-year period referred to in subparagraph (C).

"(3) PRELIMINARY CERTIFICATION.—An application under paragraph (1) may be filed with respect to any housing facility for agricultural workers prior to the completion of the construction of such housing facility. The Secretary of Agriculture may, by regulations, provide for the issuance of a conditional certificate to any such applicant if it appears from the information contained in his application that upon completion such housing facility will fulfill the requirements for a certificate prescribed in paragraph (2).

"(4) REGULATIONS.—The Secretary of Agriculture shall prescribe such regulations as he deems necessary to carry out the provisions of this subsection.

"(f) DETERMINATION OF ADJUSTED BASIS.—

"(1) ORIGINAL OWNERS.—For purposes of subsection (a)(1), in determining the adjusted basis of any certified housing facility for agricultural workers—

"(A) there shall be included only so much of the amount of the adjusted basis (for determining gain), computed without regard to this subsection, as is properly attributable to construction after December 31, 1966, which the Secretary of Agriculture certifies is attributable to the provision of housing for agricultural workers; and

"(B) if the facility is a certified housing facility for agricultural workers within the meaning of the second sentence of subsection (d)(2), there shall be included only so much of the amount otherwise included in such adjusted basis as is properly attributable to the alteration or remodeling.

"(2) SUBSEQUENT OWNERS.—For purposes of subsection (a)(2), the adjusted basis of any certified housing facility for agricultural workers shall be whichever of the following amounts is the smaller:

"(A) the basis (unadjusted) of such facility for purposes of this section in the hands of the person who constructed such facility, adjusted as if such facility in the hands of the taxpayer had a substituted basis within the meaning of section 1016(b); or

"(B) so much of the adjusted basis (for determining gain) of the facility in the hands of the taxpayer (computed without regard to this subsection) as is properly attributable to construction after December 31, 1966, which the Secretary of Agriculture has certified is attributable to the provision of housing for agricultural workers.

"(3) SEPARATE FACILITIES; SPECIAL RULE.—If any existing certified housing facility for agricultural workers (as defined in the first sentence of subsection (d)(2)) is altered or remodeled as provided in the second sentence of subsection (d)(2), the expenditures for such alteration or remodeling shall not be applied in adjustment of the basis of such existing facility but a separate basis shall be computed as if the part altered or remodeled were a new and separate housing facility for agricultural workers.

"(g) DEPRECIATION DEDUCTION.—If the adjusted basis of a certified housing facility for agricultural workers (computed without regard to subsection (f)) exceeds the adjusted basis computed under subsection (f), the depreciation deduction provided by section 167 shall, despite the provisions of subsection (a)(3) of this section, be allowed with respect to such facility as if the adjusted basis for the purpose of such deduction were an amount equal to the amount of such excess.

"(h) LIFE TENANT AND REMAINDERMAN.—In the case of property held by one person for life with remainder to another person, the amortization deduction provided in subsection (a) shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant.

"(i) LIMITATION.—No deduction shall be allowed under subsection (a) with respect to a certified housing facility for agricultural workers for any month during any part of which—

"(1) if the taxpayer is an individual (other than an estate or trust), such facility is occupied by the taxpayer or by the spouse, any dependent, or any member of the household of the taxpayer,

"(2) if the taxpayer is an estate or trust, such facility is occupied by a beneficiary of the estate or trust, or

"(3) if the taxpayer is a corporation, such facility is occupied by any stockholder or officer of the corporation or by any employee of the corporation who is not an agricultural worker.

"(j) CROSS REFERENCE.—

"For special rule with respect to gain derived from the sale or exchange of property the adjusted basis of which is determined with regard to this section, see section 1238."

"(b) The table of sections for such part VI is amended by adding at the end thereof:

"SEC. 183. Amortization of housing facilities for agricultural workers."

SEC. 2. Section 1238 of the Internal Revenue Code of 1954 (relating to amortization in excess of depreciation) is amended by inserting after "section 168 (relating to amortization deduction of emergency facilities)" the following: "or section 183 (relating to amortization deduction of housing facilities for agricultural workers)".

SEC. 3. The amendments made by this Act shall apply to taxable years beginning after December 31, 1966.

The summary relating to Senate bill 196 is as follows:

TAX AMORTIZATION FOR FARM LABOR HOUSING

This bill would amend the Internal Revenue Code of 1954 to provide a tax incentive for the construction of farm labor housing. This tax benefit, which would be available to farmers and others building such housing, would be in the form of rapid amortization of construction costs, over a period of 5 years. Under present tax laws, such construction costs must be depreciated over the useful life of the housing facility, which may be as long as 40 years.

In addition to new construction, the 5-year amortization would be available respecting the costs of alteration or remodeling to improve existing farm labor housing.

This special deduction, in lieu of depreciation, could be taken by a farmer or other owner with respect to housing completed after December 31, 1966, or by the purchaser of such housing. To qualify, the owner would obtain a certificate from the Secretary of Agriculture covering these three points.

First, that the housing facility has been constructed to provide decent, safe, and sanitary housing for agricultural workers;

Second, if the housing is to be rented, rather than being furnished to farm workers rent-free, that the rentals will be reasonable in view of the occupants' probable incomes and earning capacities; and

Third, that during the 5-year amortization period, the housing will be made available primarily for occupancy by domestic agricultural workers and will be maintained in accordance with applicable minimum standards on safety and sanitation.

The deduction could be discontinued at the election of the taxpayer, or by the Secretary of Agriculture if he finds the certification is not being complied with. The revenue loss under the amendment would not exceed $2.5 million annually.

S. 197. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13(c) of the Fair Labor Standards Act of 1938 is amended to read as follows:

"(c)(1) The provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he is so employed, if such employee is—

"(A) employed by his parent, or by a person standing in the place of his parent, on a farm owned or operated by such parent or person, or

"(B) is fourteen years of age or over, or

"(C) is twelve years of age or over and is employed on a farm to which he commutes daily within twenty-five miles of his permanent residence, and (i) such employment is with the written consent of his parent or person standing in place of his parent, or (ii) his parent or person standing in place of his parent is also employed on the same farm.

"(2) The provisions of section 12 relating to child labor shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

The summary relating to Senate bill 197 is as follows:

Child Labor

Under existing Federal law, the employment of children in agriculture is regulated only during school hours. This bill would amend the Fair Labor Standards Act to provide limitations on agricultural child labor outside of school hours and when school is not in session.

Under the bill, a child would be permitted to work in agriculture outside of regular school hours or during vacation only if (1) he is 14 years of age or over or (2) he is between 12 and 14 and commutes daily not more than 25 miles from his permanent residence and either has the written consent of his parent or his parent is employed on the same farm.

By express provision in the bill, however, no restrictions are imposed on the employment of children working for their parents on a home farm.

S. 198. A bill to amend the Act of June 6, 1933, as amended, to authorize the Secretary of Labor to develop and maintain improved, voluntary methods of recruiting, training, transporting, and distributing agricultural workers, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of June 6, 1933, as amended (48 Stat. 113; 29 U.S.C. 49 et seq.), is amended by inserting the heading "TITLE I" before the first section, and by adding at the end of such Act a new title as follows:

"TITLE II—VOUNTARY FARM EMPLOYMENT SERVICE

"LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

"Sec. 201. (a) The Congress finds that (1) an adequate supply of agricultural labor is essential to the Nation's health and welfare; (2) the insecurity and instability of agricultural employment has rendered such employment relatively unattractive; (3) in many cases agricultural workers have traveled unnecessarily long distances to obtain agricultural employment when such employment was available at relatively shorter distances; (4) shortages of agricultural labor in some areas have existed at the same time that surpluses of such labor existed in other areas; (5) the filling of such shortages with qualified, dependable agricultural workers would aid in reducing the serious rural unemployment and underemployment in this country; (6) the need for agricultural labor can be met and fuller employment for agricultural workers can be provided in many cases only through assisting such workers to travel, in many instances across State boundaries, to areas in which agricultural labor shortages exist; (7) steadily increasing mechanization has resulted in greater demand for skilled agricultural workers; and (8) the need for agricultural labor can be better met, agricultural employment can be made a more stable and attractive means of earning a living, and fuller employment can be promoted through improvements in the recruitment, training, transportation, and distribution of agricultural workers.

"(b) It is hereby declared that the policy of the Congress is to meet the Nation's needs for agricultural labor, to make agricultural employment a more stable and attractive means of earning a living, and to promote fuller employment. It is the purpose of this title to effectuate such policy by authorizing the Secretary to develop and maintain, through the voluntary cooperation and the voluntary participation of employers and workers, improved methods of recruiting, training, transporting, and distributing agricultural workers.

"SUPPLEMENTAL NATURE OF PROGRAM

"Sec. 202. The authority of the Secretary under this title shall be in addition to and not in place of any authority under title I of this Act.

"PRESERVATION OF INDIVIDUAL CHOICE

"Sec. 203. Nothing in this title shall be construed as denying (1) the right of any worker to accept or refuse agricultural employment with any employer, or his right to refuse to enter into an agreement to perform work of a nature he does not wish to perform, or (2) the right of any employer to refuse to offer agricultural employment to any worker, or the right to offer agricultural employment to any worker of his choice.

"DEFINITIONS

"Sec. 204. As used in this title—

"(1) The term 'agricultural employment' means services and activities defined in section 3(f) of the Fair Labor Standards Act of 1938, as amended, or section 3121(g) of the Internal Revenue Code of 1954, as amended.

"(2) The term 'employer' means any person for whom agricultural employment is performed, or association of such persons, but shall not include any employment or labor contracting agent.

"(3) The term 'worker' means any individual who is a permanent resident of the United States and engaged in or available for agricultural employment.

"(4) The term 'Secretary' means the Secretary of Labor or his duly authorized representative.

"(5) The term 'United States' means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

"PROGRAM AUTHORIZED

"Sec. 205. (a) In order to effectuate the purposes of this title, the Secretary is authorized to—

"(1) recruit qualified, willing, and able workers to fill orders placed by employers for workers recruited under this title;

"(2) provide for the medical examination of such workers to assure that they are physically capable of performing agricultural employment and suffering from no communicable disease;

"(3) furnish such workers with transportation to and return from areas of agricultural employment;

"(4) furnish such workers with food, housing, and emergency medical care during such transportation and while arrangements are being made for the employment of such workers or their departure from an area of agricultural employment;

"(5) provide such facilities as may be necessary to carry out the purposes of this title; and

"(6) establish a revolving fund sufficient to pay the cost of transportation, food, housing, and emergency medical care authorized under this title.

"(b) An order by an employer for agricultural workers recruited under this title shall include such information as the Secretary finds necessary to enable him to carry out the purposes of this title, including information with respect to the type of agricultural employment to be performed, the time and place at which such employment is to be performed, and any particular qualifications or experience that the employer desires the workers to possess.

"(c) No worker shall be made available under this title to an employer unless the Secretary has determined that—

"(1) sufficiently qualified, willing, and able workers who reside permanently in the area where the agricultural employment is to be performed are not available for such employment; and

"(2) reasonable efforts have been made to attract such workers for such employment (including the offering of wages, hours, and working conditions comparable to those specified under section 207 for workers recruited under this title).

"EMPLOYEE AND EMPLOYER QUALIFICATIONS

"Sec. 206. (a) No worker shall be made available under this title to an employer unless—

"(1) the Secretary has determined that such worker is (A) qualified, willing, and able to perform the agricultural employment specified in the employer's order, and (B) physically fit to perform such employment and suffering from no communicable disease, as determined by a medical examination;

"(2) such worker has been interviewed by the employer (or an opportunity for an interview has been afforded) and has not been rejected by him;

"(3) such worker has agreed (A) to accept agricultural employment, specified as to type, time, and area; and (B) to enter into an agreement, as provided in section 207, with each employer with whom he accepts such employment; and

"(4) such worker has agreed that if, without good cause, he fails to comply with any agreement entered into by him pursuant to paragraph (3) of this subsection and such failure is a material violation of such agreement, such worker will reimburse the United States for expenses incurred by it in furnishing him transportation, food, housing, and emergency medical care under this title. The amount of the reimbursement in any such case shall be determined by the Secretary, taking into account the amount of employment performed by the worker pursuant to his agreement under paragraph (3)(A) of this subsection.

"(b) No worker recruited under this title shall be made available to an employer unless such employer has agreed that if he employs such worker he will—

"(1) pay the United States a fee, not to exceed $15 (without charging the worker therefor) to cover expenses incurred by the United States in furnishing transportation, food, housing, and emergency medical care to workers recruited under this title;

"(2) furnish transportation (without charging the worker therefor) from a point designated by the Secretary in the area of employment to the point of such worker's employment and return;

"(3) enter into an agreement with the worker, or his representative, as provided in section 207; and

"(4) maintain such records relating to the earnings, deductions, and hours of employment of the worker, as the Secretary may by regulation require.

"EMPLOYMENT AGREEMENT

"Sec. 207. Any agreement between any employer and any worker, or such worker's representative, entered into pursuant to subsections (a)(3)(B) and (b)(3) of section 206, shall clearly specify—

"(1) the period of the employment, and a guarantee that the worker shall have the opportunity to work at least three-quarters of full time during the period of the employment (forty-eight hours per week to be considered full time); but in the event an agreement is terminated by an employer for reasons beyond his control, the three-quarters work guarantee shall apply only to the period beginning on the day after the worker's arrival at the place of employment and ending on the date the agreement is terminated;

"(2) the wage rate to be paid the worker, which shall be not less than the prevailing wage rate paid by employers to workers similarly employed in the area in which the work is to be performed;

"(3) the intervals at which wage payments will be made, which shall be no less frequent than those established for other workers similarly employed by the employer, and in no event less frequent than semimonthly;

"(4) that any housing and sanitary facilities made available by the employer will conform to minimum standards prescribed by the Secretary;

"(5) that the employer will provide, at no cost to the worker, workmen's compensation insurance;

"(6) that the worker will perform all agricultural work required of him with proper application, care, and diligence during the period of employment agreed upon; that he will exercise reasonable care and diligence in the use of any housing and sanitary facilities made available to him by the employer; that he will comply with all rules and regulations specified in the agreement relating to safety, discipline, and the care and maintenance of property; and that he will not, except by mutual agreement, perform work for any other employer during the period of the agreement.

"REPLACEMENT WORKERS AND REIMBURSEMENT

"SEC. 208. In any case in which the Secretary determines that a worker has failed to carry out the terms of an agreement entered into by him pursuant to section 206 (a)(3)(B), and that such failure is a material violation of the agreement, the Secretary shall—

"(1) supply a replacement worker to the employer and furnish such worker transportation to the place of employment without charging an additional fee under section 206(b)(1), or reduce the amount of the fee paid or to be paid with respect to the worker who violated the agreement by an amount that is directly proportional to the period of the agreement that such worker failed to complete; and

"(2) in any case in which a replacement worker is supplied, reimburse the employer in an amount equal to any amount expended for transportation under section 206(b)(2) in excess of the amount such employer would have had to expend if no agreement violation had occurred, or, in any case in which a replacement worker is not supplied, reimburse such employer for transportation expenses incurred under such section with respect to the worker who violated his agreement, taking into account the portion of the period of employment provided for in the agreement not completed by the worker.

"COMPLIANCE

"SEC. 209 (a) The Secretary may refuse to make the services afforded under this title available to any employer or worker upon a determination, made after notice and an opportunity to be heard, that such employer or worker has failed, without good cause, to comply with (1) any provision of this title, any rule or regulation implementing this title, or any agreement with the Secretary entered into pursuant to this title, if such failure is of such a nature as substantially to impair the effective administration of this title, or (2) any agreement entered into pursuant to section 206(a)(3)(B) or section 206(b)(3), if such failure is a material violation of such agreement.

"(b) The services afforded under this title may be furnished to an employer or worker who has previously been refused such services pursuant to subsection (a) if such employer or worker demonstrates, in accordance with regulations prescribed by the Secretary, that he will in the future comply with the requirements of this title.

"GENERAL PROVISIONS

"SEC. 210. (a) The Secretary shall provide for the establishment and maintenance of a system of recording, utilizing, and making available to employers information concerning the willingness, ability, and specific qualifications of individual workers to perform agricultural employment.

"(b) The Secretary may provide, and may require reimbursement from the worker for the expenses of, transportation, food, housing, and emergency medical care to the members of such worker's family if he determines that the furnishing of such services is a practicable and desirable means of carrying out the purposes of this title.

"(c) Private employment agencies and labor contracting agents may be permitted, to the extent authorized under regulations prescribed by the Secretary, to participate under this title in the recruitment and placement of workers.

"(d) The Secretary is authorized to enter into such agreements with State and local agencies as he deems proper for carrying out the purposes of this title, and may utilize the services of any other department or agency of the Federal Government for such purposes on a reimbursable basis.

"(e) Any money received by the Secretary pursuant to section 206(a)(4), section 206(b)(1), or subsection (b) of this section shall be credited to the revolving fund established pursuant to section 205(a)(6) of this title.

"(f) The Secretary is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this title.

"JUDICIAL REVIEW

"SEC. 211. Any person aggrieved by any other order or determination of the Secretary made under this title may obtain judicial review of such order or determination by filing in the United States district court for the district in which such person resides or has his principal place of business, or in the United States District Court for the District of Columbia, within sixty days from the date such order or determination was made, a written petition praying that the order or determination of the Secretary be modified or set aside in whole or in part. A copy of such petition shall be forthwith served upon the Secretary and thereupon the Secretary shall file in the court a transcript of the record upon which such order or determination was made. Thereupon the court shall have jurisdiction of the record and shall have power to affirm, set aside, modify, or enforce the order or determination of the Secretary, in whole or in part. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive. Service of process in such action shall be made in accordance with the rule for service of process upon the United States prescribed by the Rules of Civil Procedure for the United States District Courts.

"SPECIAL STUDIES AND PROJECTS

"SEC. 212. In carrying out the provisions of this title the Secretary is authorized to undertake such special studies and conduct such experimental, pilot, and demonstration projects as he determines have promise of leading to fuller utilization of underemployed rural Americans and to meeting the labor requirements of employers. Such studies and projects may include, but shall not be limited to, special job training, counseling, resettlement, overnight transient camps, community exchange services, and special placement services. The Secretary is authorized to expend an amount not to exceed $200,000 per annum for the purpose of carrying out such studies and projects.

"AUTHORIZATION FOR APPROPRIATIONS

"SEC. 213. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

"SHORT TITLE

"SEC. 214. The provisions of this title may be cited as the 'Voluntary Farm Employment Service Act'."

SEC. 2. The Act of June 6, 1933, as amended (29 U.S.C. 49 et seq.), is further amended by inserting at the end of title I (as designed by the first section of this Act) the following new section:

"SEC. 14. As used in this title, references to 'this Act' shall be deemed to mean 'this title', and any reference to the provisions of this Act in any other law or in any regulation shall be deemed to refer to title I hereof unless the text clearly indicates otherwise."

The summary relating to Senate bill 198 is as follows:

VOLUNTARY FARM EMPLOYMENT SERVICE

This bill would amend the Wagner-Peyser Act to provide a voluntary farm placement program supplementing the present Federal-State placement procedures. The bill is designed to meet the problems of providing fuller employment for farm workers and of assuring growers that sufficient qualified workers will arrive at, and stay for, the needed time. Under the voluntary procedures provided in the bill, assured transportation for farm workers and other means would be used to increase the mobility of the farm labor force, improve farm labor logistics, and to rationalize the labor market generally. Workers recruited under these procedures and their employers would enter into written contracts which make applicable to the domestic worker some of the same employment conditions that have long been assured to foreign contract labor.

To the Committee on the Judiciary:

S.J. Res. 5. Joint resolution proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice-presidential elections and for voting in elections for United States Senate and Members of the House of Representatives:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of any citizen of the United States to vote in any election for President or Vice President or for electors for President or Vice President shall not be denied or abridged by any State by reason of the failure of such citizen to meet any residence requirement of such State if such citizen is otherwise qualified to vote in such election in such State and such citizen has resided in such State for a period of at least thirty days preceding such election.

"SEC. 2. The right of any citizen of the United States to vote in any election for President or Vice President or for electors for President or Vice President or in any election for Senator or Representative in Congress shall not be denied or abridged by any State by reason of the failure of such citizen to be physically present to vote in such election in such State, if such citizen is otherwise qualified to vote in such election in such State and such citizen, at the time such election is held, is not with good cause, physically present in such State.

"SEC. 3. The term 'State' as used in sections 1 and 2 includes the District constituting the seat of government of the United States and the political subdivisions of each of the several States.

"The term 'election' includes any primary, general, or special election.

"SEC. 4. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of the submission hereof to the States by the Congress."

The summary relating to Senate Joint Resolution 5 is as follows:

REDUCED RESIDENCE REQUIREMENTS FOR VOTING

This joint resolution proposes a constitutional amendment liberalizing certain qualifications of the right to vote in presidential and congressional elections. These qualifications, which relate to the voter's residence and physical presence, would be affected as follows: (1) If a voter is otherwise qualified and has resided in the State for at least 30 days the State could not deny or abridge his right to vote in a presidential election because of failure to meet State residence requirements. (2) If a voter is otherwise qualified but, for good cause, is physically absent from the State or from the appropriate political subdivision, the State could not deny or abridge his right to vote in a congressional or presidential election because he is not physically present. In such a case, provision for absentee balloting would have to be made.

AMENDMENTS OF COLD WAR GI BILL OF 1967

Mr. YARBOROUGH. Mr. President, I introduce today a bill to provide for the present day veterans of the cold war as full a measure of readjustment benefits as was given to the veterans of the Korean war.

My colleagues will recall that last year when at long last we passed the cold war GI bill, many of us were disappointed that the final bill provided a lesser range and scale of readjustment educational benefits than had been voted by the Senate in passing S. 9 in July of 1965. Some 31 Senators cosponsored S. 3303, introduced last May, to provide veterans of the cold war and the Vietnamese war the same benefits given to Korean conflict veterans. Today I reintroduce an almost identical bill, and again invite my colleagues to join me in sponsorship of it.

This bill would allow present day veterans to make use of the educational assistance allowances for flight training, on-the-job training, and on-the-farm training under provisions like those of the Korean GI bill, but not in the final version of the bill passed last year. It would allow a veteran a period of education or training equal to 1½ times his period of service—not to exceed 36 months. It would provide educational allowances more suitable to today's price level than either the Korean war GI bill or the cold war GI bill passed last year. The bill provides a basic rate of educational allowance of $130 per month for a single veteran in institutional training, a figure identical to that granted under the War Orphans Educational Assistance Act. Other rates are scaled proportionately. Finally, the bill restores to educational institutions an allowance of $1 per veteran-student per month to defray the expenses of submitting reports to the Veterans' Administration.

It is very important that we grant to cold war veterans the same opportunity for various types of education that was given to Korean war veterans. It is most regrettable that the bill passed last year barred flight training and on-the-job and on-the-farm training, types of training that have been available under previous GI bills. Our need for on-the-job training has been emphasized time and time again in consideration of the Federal antipoverty and manpower training programs. Certainly on-the-farm training is no less important in light of the impending world shortage of food and the need for our country to use every bit of its farm productive capacity to meet it.

As finally passed, last year's cold war GI bill practically excluded assistance toward courses in flight training. This must have been done without awareness of the serious shortage of qualified pilots in the commercial airline industry. Some 12,000 new airline pilots will be needed by 1970, and the need has no chance of being filled by those receiving military pilot training. Pilots are one of the greatest manpower shortages in American industry, and we need to encourage the training of more of them through restoring the availability of flight training under the current GI bill. Safeguards against abuse as found in the Korean GI bill be maintained; flight training for avocational or recreational purposes will not be approved, only bona fide training toward an occupation.

Perhaps the most important provision of this bill is in restoring the amounts of educational allowances to figures which will encourage veterans to resume the educations interrupted by military service, and will allow them to remain in school.

The rates for educational assistance granted under the Korean GI bill were $110 per month, if the veteran had no dependents; $135 per month, if he had one dependent; and $160 per month, if he had more than one dependent. These rates were established in 1952 and were intended to be in the nature of assistance, and not complete subsidy. In other words, it was recognized at that time that the specified allowments would not pay the total cost of a full-time educational program. The rates currently effective under Public Law 89-358 are $100 per month with no dependents, $125 per month with one dependent, and $150 per month with more than one dependent.

In amount, the difference in the old and the proposed rates may seem small, but in total buying power, it is sizable: it counts.

In 1965, the Legislative Reference Service made a report on the increase of tuition costs and living expenses. On the basis of the allotments granted under the Korean GI bill, they prorated the grant between tuition and required fees, and other subsistence expenses. Correlating these amounts to the increases witnessed respectively in tuition costs and the cost of living, the report concluded that in 1963, $153.68 would be required to give a full-time single student the equivalent of the $110 per month allotted in 1952; that $182.50 would approximate the 1952 value of $135; and that $211.33 would equal the $160 given in 1952 for a full-time student with more than one dependent.

Let me repeat that, Mr. President. To buy for a student today what a student could purchase for $110 in 1952 would take $153.68; and for a married student, the $135 of 1952 would buy as much as $182.50 will buy today. And for a student with two or more dependents, Mr. President, to buy what $160 would buy in 1952 today would require $211.33 In light of these increases in the cost of acquiring an education, Public Law 89–358 gives an amount which is actually less than that which was felt necessary in 1952.

I therefore propose to raise the monthly allowance to $130 for a single student, $155 for a married student, and $180 for a student with a family. Other rates for part-time, cooperative, on-the-job, and on-the-farm training are adjusted accordingly. I recommend these figures, not that I feel that they are adequate alone to maintain a student in college, but in recognition that precedent is found in existing law for the $130 monthly rate under the War Orphans Educational Assistance Act. That figure was arrived at by Congress in 1965 under the leadership of the senior Senator from Massachusetts [Mr. KENNEDY] as a minimum amount needed in today's economy to attract young people to college. Certainly those who are actually veterans of service deserve no less generous an allowance than that presently available to those whose qualification is derivative on the service of a parent.

Today in Vietnam and adjacent areas we have more servicemen than we had at any one time in Korea. It is obvious that Congress has a duty to provide comparable readjustment benefits for today's veterans. I hope that we shall meet this obligation to our servicemen early in this session of Congress.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. NELSON. I ask unanimous consent that the Senator from Texas include my name as a cosponsor.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the distinguished junior Senator from Wisconsin be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. I also ask unanimous consent that the name of the distinguished Senator from New Mexico [Mr. MONTOYA] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. I ask unanimous consent to print at this point in the RECORD a detailed summary of the provisions of the bill.

There being no objection, the summary ordered to be printed in the RECORD follows:

SUMMARY OF PROPOSED YARBOROUGH AMENDMENTS TO THE COLD WAR GI BILL

Section 1. Changes the amount of entitlement from 1 day of education for each day of active duty, to 1½ days of education for each day of active duty.

Section 2. Deletes those sections of the present law which prohibit enrollment of a veteran-student in flight training, on-the-job training, or on-farm training.

Section 3. Increases the allowances for educational assistance to amounts proportional to benefits available under the War Orphans Educational Assistance Act: $130 per month for a single veteran attending college, $155 for a married veteran, $180 per month for a veteran with two or more dependents attending college. The amount for cooperative training (which is new and was not set out in the Korean bill) is increased proportionately to the other categories.

Assistance for on-farm training for a full-time course is established at $110 per month for no dependents, $125 for one dependent, and $145 for more than one dependent. This amount is allowed for 12 months, after which time the allowance is scaled downward. (The approval sections of the proposed amendment require that the GI allowance, plus farm income provide income sufficient for a reasonable standard of living.)

Allowances are made for full-time on-the-job training in the amounts of $80, $95, and $115; these amounts are scaled downward after the first 4 months. The sum of the allowance and the salary cannot exceed $310 per month.

The allowance granted for flight training is to be 75 percent of tuition costs, and the period of entitlement is used at the rate of 1 day for each $1.25 allowed; the bill states no limit on the monthly amount to be granted, but as the amount increases, the veteran's eligibility will be used up faster. If the veteran qualifies for education or training allowances under sections of the GI bill, he shall be entitled to the allowance for his other entitlement and for flight training.

Section 4. Sets out the requirements for approval of the new courses.

For on-farm training the program must involve:

1. Group instruction of at least 200 hours per year;
2. Practical work on land the veteran controls and shall continue to control until completion of the course;
3. Tailoring the course to fit the type of farm the veteran controls (e.g., dairy training for a dairy farmer);
4. Annual individual instruction of at least 100 hours, with at least two monthly visits by the instructor to the farm;
5. Nonduplication of training the veteran has already received.

The program for on-the-job training must involve:

1. Training adequate to qualify the veteran for the job for which he is training;
2. Reasonable certainty that this type of job will be available to the veteran upon completion of the instruction;
3. Promotions on the basis of skills learned through organized training-on-the-job and not on such factors as length of service and normal turnover;
4. Equivalent pay for both veterans and nonveterans;
5. Training for a length of time ranging from 3 months to 2 years, but in no case longer than that customarily needed for such training;
6. Adequate facilities for instruction, records of attendance and progress, and credit for prior training with such wage adjustments as that training warrants.

Section 5. Adjusts the statute of limitations for the time period allowed for taking advantage of the benefits—as to the benefits granted under this amendatory bill, the time limits begin to run from the date of enactment of the amendments.

Section 5. Restores to schools the right to receive $1 per month per veteran-student to help defray the expenses of preparing and submitting reports and certifications on such students.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the bill remain at the desk until the close of business January 25, 1967, for cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Texas.

The bill (S. 9) to authorize on-the-job training programs, on-the-farm training programs, and certain flight training under chapter 34 of title 38, United States Code, to increase the educational assistance allowances paid under such chapter, and for other purposes, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

COMMEMORATIVE STAMP FOR FATHER FLANAGAN'S BOYS TOWN

Mr. CURTIS. Mr. President, I am today offering for myself and my colleague, Senator HRUSKA, a bill to establish a commemorative stamp for Father Flanagan's Boys Town.

It is particularly appropriate that this stamp be issued by the Post Office Department in 1967, Mr. President, because Boys Town this year is observing the 50th year of its birth. Since 1917, this institution—which has become a city has cared for more than 10,000 homeless boys—has given them the loving care, the education, and the guidance of which they were deprived because they came from broken homes.

Father Flanagan, the founder, erected a beautiful image at Boys Town, and his work is known to millions of people in the United States and throughout the world. Every year, more than 500,000 visitors representing all States in this Nation and many foreign countries come to observe and admire this home and the work done there. It is, indeed, a miracle that has been accomplished through Christian charity and dedicated social workers.

For the past 3 years, we have been trying to get the Postmaster General to initiate the necessary action for the issuance of a postage stamp commemorating the 50th year of the founding of Boys Town. The community has its own post office, and the volume of mail handled there ranks it among the five largest post offices in Nebraska. This bill submitted by Senator HRUSKA and myself would put the support of Congress behind the effort to get the Post Office Department to issue this stamp.

For the information of this honorable body, I want to relate that Boys Town is a city which was unique at its inception and has now become the model for others around the world. In order to become a citizen, any boy, regardless of his race, nationality, religion, or place of origin who has reached the fifth grade can qualify if he is homeless, abandoned, neglected, or underprivileged.

In December of 1917, the late Right Reverend Monsignor Edward J. Flanagan, better known throughout the world as Father Flanagan, borrowed $90 and invested it in the establishment of this institution. He expressed the overriding belief that there is no such thing as a bad boy. He began a journey which culminated with his death in Berlin, Germany, in 1948, while serving his country by studying child welfare problems in Europe at the request of Gen. Douglas MacArthur and the U.S. War Department.

From its humble beginnings, this city of "little men" has turned some 10,000 deprived youngsters into useful, upright citizens. It has done this relying wholly on charity—with no Federal, State, municipal, or church aid. It now comprises 1,500 acres of land, of which 900 are under cultivation. There are more than 50 buildings in the community.

Senator HRUSKA and I feel that it is most appropriate that our Nation commemorate this fine achievement by issuing a stamp in honor of Father Flanagan's Boys Town. It is especially appropriate that this commemoration of the 50th anniversary of Boys Town coincides with the 100th anniversary of the admission of Nebraska as a State.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 11) to provide for the issuance of a special postage stamp in commemoration of the 50th anniversary of the founding of Father Flanagan's Boys' Home, Boys Town, Nebr., introduced by Mr. CURTIS (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. HRUSKA. Mr. President, I am pleased to join my colleague in sponsoring this bill and urging the Postmaster General to issue a commemorative stamp for Father Flanagan's Boys Town. There could be no more fitting tribute to that world-renowned city.

The 50th anniversary of the birth of Boys Town is an important one not only for Nebraska but for all who profess a belief in Christian charity. Since 1917, Boys Town has accepted homeless boys from throughout the Nation. More than 10,000 boys have been given the education, guidance, and loving care which prepares them for useful and rewarding lives. In the management of this community, the boys are given on-the-job training in self-government. Each year a mayor and other city officers are elected. Thus, life in Boys Town is not only a means of self-support, it is a means of self-government. The result has been an institution which serves as an inspiration for all of us and a model to demonstrate the progress which is possible through sound, privately supported, social projects.

Any reference to Boys Town would be incomplete without mention of Father Flanagan, the founder of this outstanding community. The work which was begun by Father Flanagan has been admirably carried forward by Msgr. Nicholas H. Wegner who now heads Boys Town. The boys who were welcomed to the gates of Boys Town by these men, regardless of race, nationality, religion, or place of origin, have become, and are becoming, men who exemplify the spirit of self-help which has made our country great. Boys Town has grown upon the foundation made possible by our system of government into a model from which all of us can learn.

It is my hope that early action will be taken to provide a commemorative stamp to mark the 50th anniversary of Boys Town on November 6, 1967.

PROPOSED SURVEYS IN STATE OF NEVADA

Mr. CANNON. Mr. President, I introduce for appropriate reference—for myself and my distinguished colleague and senior Senator from the State of Nevada, Senator BIBLE—a bill designed to prevent the reoccurrence of the disastrous effects of the flooding of the Virgin River on the farmlands, irrigation systems, culinary water systems, and general economic life of the residents of the Virgin Valley in Clark County, Nev.

On December 6, 1966, one of the largest floods recorded at the gaging station at Littlefield, Ariz., roared through the Virgin Valley causing damage estimated at $307,000.

The local residents have struggled against the elements to build rock and brush diversion dams only to have them taken out regularly. Over the years they have improved the type of dam construction and canal facilities to the point that a minimum of yearly maintenance has been required for the past several years. But these improvements have come through maximum personal and financial effort of these energetic farmers. The local farmer association, representing the 1,000 residents, have incurred indebtedness during recent years with the Farmers Home Administration to the extent of over $275,000 and at the present time over $180,000 is still owing.

In spite of all efforts to establish an adequate irrigation system, it was insufficient to withstand the destructive force of this most recent flood. Of the total of about 4,000 acres, 162 acres were lost through erosion; 170 acres were damaged by destruction of irrigation ditches, silt deposition, washing, and debris; and 7½ miles of fencing was lost. A large portion of the remaining farmland now lies exposed and vulnerable to a repeat performance of an unpredictable river.

What is needed is a major survey leading to the construction of more permanent type flood control facilities to prevent future continuing erosion from destroying the economic life of a stalwart and pioneer valley established at the price of the best that its citizens have had to give. This bill will authorize the Army Corps of Engineers to make a survey of the Virgin River in the interest of flood control, bank erosion control and allied purposes. I urge prompt and serious consideration in the interest of a small but determined group of humble farmers who have in the past and now still desire to make the desert blossom.

Mr. President, I also introduce for appropriate reference a bill designed to prevent the reoccurrence of the disastrous effects of a flash flood which damaged the facilities of the Spring Mountain Youth Camp in the extent of approximately $238,000.

This youth camp, operated by Clark County, Nev., has served well the need for a facility to do more than incarcerate our troubled youngsters who have run afoul of the law—it has proved itself as a rehabilitation center, giving our youth regular educational opportunities along with projects designed to develop their manual skills and give them a sense of pride in accomplishment.

I urge prompt and affirmative consideration of this bill which would authorize the Army Corps of Engineers to cause a survey to be made in the interest of flood control, bank erosion control, and allied purposes.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. CANNON (for himself and Mr. BIBLE), were received, read twice by their titles, and referred to the Committee on Public Works.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, TO PERMIT DEDUCTION FOR CERTAIN AMOUNTS PAID BY INDIVIDUALS FOR SUPPORT OF THEIR PARENTS AND OTHER RELATIVES

Mr. COTTON. Mr. President, I send to the desk for appropriate reference a bill to provide individual tax relief for those who are charged with the support of aged parents and certain other close relatives who have attained the age of 65 years.

In brief, this bill would authorize a deduction by the taxpayer for each aged relative to whose support the taxpayer contributes, in an amount not to exceed $600 annually, regardless of whether the taxpayer contributes more than half of the support of such dependent relative and regardless, except where the contributors are husband and wife, of whether other taxpayers are participating financially in the support of the aged person in question.

It is a source of pride to me that remarkable advances in medical science have had the direct result of increasing the life expectancy of all our citizens. It means that more and more of our people can rest from their burdens and enjoy a greater span of the twilight years. Admirable as this is, it does create the problem of additional financial responsibility for the children and other younger relatives of our elderly population. We can and must meet this problem in part by realistic amendment of such laws as those governing social security, and I shortly will introduce legislation designed to accomplish that end. However, this is not and should not be the sole responsibility of the Federal or State governments. Each of us fully expects and wants to contribute, within our means, to the necessary support of the older members of our families, in order that they may spend their declining years in dignity and comfort.

This objective presents no small obstacle to countless heads of families throughout the country, employed and productive although they may be, by reason of the fact that they are faced with financial obligations of a paramount nature, in housing, clothing, feeding, and educating their own children. I am convinced that within the limitations of each such taxpayer, he or she cheerfully would make greater contribution to the support of aged dependent relatives if some reasonable tax relief could be provided by way of assistance. I believe this bill suggests a realistic and responsible means of giving the taxpayer a hand and at the same time providing more comfort and better care for our elderly citizens. Accordingly, it is my hope that this bill will receive expeditious and sympathetic consideration, in order that it may be enacted into law at the earliest possible time.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 15) to amend the Internal Revenue Code of 1954 to permit a deduction for certain amounts paid by individuals for the support of their parents and other relatives who have attained the age of 65, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Finance.

VETERANS READJUSTMENT ASSISTANCE ACT

Mr. MONTOYA. Mr. President, today I am introducing a bill before this body that must stand high on the list of measures deserving swift consideration and passage. The Vietnam era Veterans Readjustment Assistance Act is a piece of legislation that affects all the young men and women who are giving so much to their country during the struggle we are now waging in Vietnam.

For each of us knows we have not yet provided fully for their return. We have not yet made available to our returning servicemen benefits received by those veterans of other wars. Each day the urgency for action on our part grows. Each day there is a greater need to provide full availability of benefits to those who are called upon to make such sacrifices—and to those dependent upon them.

The 89th Congress in its cold war GI bill of rights did excellent work, particularly in the form of providing educational benefits and opportunities to returning veterans. But this in itself is not enough.

What of the veteran who is physically disabled to the extent that he needs a special conveyance? What of drugs costs? What of psychoses arising as a result of service experience? How about the veteran who returns and needs extensive hospitalization and intensive medical and nursing care? What of the compensation rate for wartime disability or pension payments to widows and surviving children? So far we have been shortchanging our Vietnam veterans in terms of these benefits.

It would be ignoble and unworthy of our Nation to sit back and wait any longer before enacting a full spectrum of these needed benefits. There has been no outcry raised by our service personnel themselves. There should not have to be. It is quite possible that their faith in the conscience of their countrymen matches the worthiness of their present efforts. Hence a great silence on the part of those now serving. Let us take heed of the loudness of their silence and stifle injustice here and now.

The benefits of this bill conform to those presently available to veterans of other conflicts. Under its provisions, military service of 90 days or more beginning August 5, 1964—date of Tonkin Gulf crisis—and ending on a date determined by Presidential proclamation, would be considered eligible service.

The provisions of the bill are as follows:

A $250 burial allowance;

Full compensation rate for wartime disability;

Widows and surviving children would become eligible for monthly pension payments for non-service-connected disabilities;

A psychotic condition arising within 2 years after discharge or termination of the Vietnam conflict would be considered to be service connected for purposes of hospitalization by the Veterans' Administration;

Payment for prescribed drugs and

medicines would be provided for Vietnam veterans who are on the pension rolls and in need for regular aid and attention;

Payments would be made by the Veterans' Administration of an amount of up to $1,600 for autos or other conveyances, including special appliances to veterans who are amputees or blind.

This bill carries the support of every major veterans group in the country. This includes the American Legion, Veterans of Foreign Wars, AMVETS, Disabled American Veterans, and the Catholic War Veterans, all of whom testified in support of it last session.

In addition, Mr. William Driver, Administrator of the Veterans' Administration, testified in its favor, showing that he felt it a worthy and urgently needed piece of legislation.

In the last session of the 89th Congress, this bill, backed by 56 cosponsors, gained the approval of the Finance Committee of the U.S. Senate. That group passed the bill on to the full body of the Senate, where it was passed without a single dissenting vote, thus showing how this body felt about this bill and the principle behind it. I am happy to state that to date 53 of our colleagues have expressed their interest in joining me in sponsoring this bill. I know that there may be other Members who would wish to cosponsor this legislation now, and therefore, I ask that unanimous consent be left open for that purpose for 1 legislative day.

I urge speedy action on the part of this body. These people cannot wait too much longer for simple fairness on the part of their country. There is little need to belabor the obvious. Need is apparent and pressing. The silence of those immediately affected speaks louder than any further words of mine.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 16) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes, introduced by Mr. MONTOYA (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Finance.

SOCIAL SECURITY DRUG BILL

Mr. MONTOYA. Mr. President, I appreciate the opportunity to address this body on behalf of a bill I am today introducing. It is one of the most necessary pieces of social reform that is likely to be presented to this body for consideration during the course of the 90th Congress.

The bill will enable persons enrolled in part B of medicare to receive, starting January 1969, benefit allowances toward cost of drugs requiring a prescription, after they have first paid an initial $25 toward their cost. These medicines would be prescribed under their official, established and usual names. Allowances would be paid on drugs prescribed for use outside hospitals or nursing homes.

Mr. President, our country literally bulges with research laboratories, both private and public. Billions are spent to educate the most capable scientists this world has ever known. Our American scientific community contains men and women who make unique contributions through their research toward alleviation of human misery and easing of physical pain.

We have a drug industry second to none. Its accomplishments in producing wonder drug after wonder drug at times boggle one's imagination. Surely, ours is the most blessed of countries in possessing such talent, such money to develop it with and such bountiful fruits of this combination. But who is really receiving the benefits of all this? Who gains?

It is well known to every Member of this body that millions upon millions of older Americans, living on fixed incomes, which are usually composed in major part of social security benefits, are doing without drugs that sit on the shelves of every drugstore in this Nation. Warehouses of American drug companies are replete with these drugs. Yet as I speak, millions of our fellow citizens, unable to afford these remedies, suffer in silent misery the agonies we cannot allow them to endure any longer. That is the reason for my bill. A vehicle for this reform already exists, and is at hand for our instant use.

Medical care for the aged under social security should be extended and widened as the original Social Security Act was until it provides our older people not only with adequate medical care in our best facilities, but with these very same drugs I have been describing. Surely, we cannot suffer this national shame to lie upon our consciences and national life any longer. Let us widen coverage and benefits as needed until there is not a single American of advanced years who is ignored, unaided and uncared for in a medical sense.

Before any premature fears arise, let me assure Senators that as my bill is written, the American physician is free to prescribe in any manner he chooses, and it may be by brand name or established name. It would be more advantageous to the beneficiary under this legislation if his doctor prescribes by established name, for the proposed schedule of allowances is based upon price of the drug under its official name.

The bill will in no way inhibit the physician or hurt the standard of care now available. In fact, it is designed to upgrade it for those not receiving drugs that have been developed.

My bill establishes a formulary committee to set up a list of drugs approved under the program, for which benefits would be paid, which would consist of the Surgeon General of the United States, Commissioner of the Food and Drug Administration, and Director of the National Institutes of Health. They in turn would be aided by an advisory group consisting of representatives of the major private organizations concerned with pharmacy. According to the bill, when the formulary committee establishes the base price for a drug; that is, when establishing the allowance for a particular medicine, the committee would use wholesale cost to a druggist of the lowest priced version of the drug, which is of a quality acceptable to the formulary committee. Added to this will be a professional fee factor representing cost to the pharmacist for his time and compounding.

This bill, if passed, will add to the volume of business of both the drug industry and pharmacist. These drugs, now available to some older citizens who are greater consumers of them will then become available to all our older people, enlarging the market for these drugs substantially. The pharmacist will make a professional fee on each prescription, while an older citizen receives medication he or she deserves and must have.

This bill contains several additional benefits to our society. Federal standards of quality will be set on drugs made available to millions of older citizens who are especially vulnerable healthwise. At the same time, purchasing of drugs at lowest possible prices would protect these citizens from abnormal pricing policies.

Mr. President, think of the average person who does live on that fixed income mainly derived from social security. I am sure everyone in this body can immediately bring to mind someone in this category. When they fall ill, first their cash goes—then it may be a mortgage on a paid-for house, or the giving up of necessities. It may even end up with loss of everything they have worked a lifetime for and have retired on. Next comes a pauper's oath in order to receive a charitable minimum. Can we, with any kind of sense of social justice, let this continue? These are not human dregs or "welfare cheats." They are honest American citizens who have earned a secure retirement, safe from the ravages of want and agonies of financial despair. It is wistful or funny to many to see a child pressed up against the glass gazing through a store window at sweets. But how funny or wistful is it when it is an old man or woman looking at drugs that relieve pain he or she cannot afford? This is happening now. The very thought revolts any well-meaning citizen, everyone of whom is in danger of looking through a window like that himself someday. I know there may be other Members of this body who would wish to cosponsor the bill now; therefore, I ask unanimous consent that the bill remain at the desk for that purpose for 10 legislative days. I also ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from New Mexico.

The bill (S. 17) to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs, introduced by Mr. MONTOYA (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 17

A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1832(a) of the Social Security Act is amended (1) by striking out "and" at the end of paragraph (1), (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(3) entitlement to be paid for allowable expenses (as defined in section 1845(a)(2)), or, if lower, actual expenses, incurred by him for the purchase of qualified drugs (as defined in subsection (a)(1) of such section)."

(b) Section 1833(a) of such Act is amended (1) by inserting "or qualified drugs" after "incurs expenses for services", (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(3) in the case of expenses covered under section 1832(a)(3)—100 per centum of such expenses."

(c) Section 1833(b) of such Act is amended to read as follows: "(b)(1) Before applying subsection (a) with respect to expenses, for services referred to in paragraphs (1) and (2) thereof, which are incurred by an individual during any calendar year, the total amount of the expenses incurred, for such services, by such individual during such year (which would, except for this paragraph, constitute incurred expenses from which benefits payable under subsection (a), with respect to which services referred to in paragraphs (1) and (2) thereof, are determinable) shall be reduced by a deductible of $25; except that (A) the amount of the deductible for such calendar year as so determined shall first be reduced by the amount of any such expenses incurred by such individual in the last three months of the preceding calendar year (or regarded under clause (B) as incurred in such preceding year with respect to such services furnished in such last three months) and applied toward such individual's deductible under this paragraph for such preceding year, and (B) the amount of any deduction imposed under section 1813(a)(2)(A) with respect to outpatient hospital diagnostic services furnished in any calendar year shall be regarded as such an expense incurred under this part for such year.

"(2) Before applying subsection (a) with respect to expenses for qualified drugs referred to in paragraph (3) thereof, which are incurred by an individual during any calendar year, the total amount of the expenses incurred, for such qualified drugs, by such individual during such year (which would, except for this paragraph, constitute incurred expenses from which benefits payable under subsection (a), with respect to qualified drugs, are determinable) shall be reduced by a deductible of $25; except that the amount of the deductible for such calendar year as so determined shall first be reduced by the amount of any such expenses incurred by such individual in the last three months of the preceding calendar year and applied toward such individual's deductible under this paragraph for such preceding year. For purposes of determining amounts to be counted toward meeting the $25 deductible imposed by the preceding sentence, there shall not be included any expense incurred for any drug or biological which is in excess of the allowable expense (as defined in section 1845(a)(2)) of such drug or biological."

(d) Part B of title XVIII of such Act is amended by adding at the end thereof the following new sections:

"ALLOWABLE EXPENSES FOR QUALIFIED DRUGS

"SEC. 1845. (a) For purposes of this part—

"(1) The term 'qualified drug' means a drug or biological which is included among the items approved by the Formulary Committee (established pursuant to section 1846(a)).

"(2) the term 'allowable expense' when used in connection with any quantity of a qualified drug, means the amount established with regard to such quantity of such drug by the Formulary Committee and approved by the Secretary.

"(b) Amounts to which an individual is entitled by reason of the provisions of section 1832(a)(3) shall be paid directly to such individual or, if such individual has assigned his right to receive any such amount to another person, the amount so assigned shall be paid to such other person. No individual shall be paid any amount by reason of the provisions of section 1832(a)(3) prior to the presentation by him (or by another on his behalf) of documentary or other proof satisfactory to the Secretary establishing his entitlement thereto.

"(c) The benefits provided by reason of section 1832(a)(3) may be paid by the Secretary or the Secretary may utilize the service of carriers for the administration of such benefits under contracts entered into between the Secretary and such carriers for such purpose. To the extent determined by the Secretary to be appropriate, the provisions relating to contracts entered into pursuant to section 1842 shall be applicable to contracts entered into pursuant to this subsection.

"FORMULARY COMMITTEE

"SEC. 1846. (a) There is hereby established a Formulary Committee to consist of the Surgeon General of the Public Health Service, the Commissioner of the Food and Drug Administration, and the Director of the National Institutes of Health.

"(b)(1) It shall be the duty of the Formulary Committee, with the advice and assistance of the Formulary Advisory Group (established pursuant to section 1847) to—

"(A) determine which drugs and biologicals shall constitute qualified drugs for purposes of the benefits provided under section 1832(a); and

"(B) determine, with the approval of the Secretary, the allowable expense, for purposes of such benefits, of the various quantities of any drug determined by the Committee to constitute a qualified drug; and

"(C) publish and disseminate at least once each calendar year among individuals insured under this part, Physicians, pharmacists, and other interested persons, in accordance with directives of the Secretary, an alphabetic list naming each drug or biological (by its established name, as defined in the Federal Food, Drug, and Cosmetic Act, as amended, and by each other name by which it is commonly known), which is a qualified drug together with the allowable expense of various quantities thereof, and if any such drug or biological is known by a trade name, the established name shall also appear with such trade name. "(2)(A) Any drug or biological included on the list of qualified drugs shall if listed by established name, also be listed by its trade name or names, if any.

"(B) Drugs and biologicals shall be determined to be qualified drugs if they can legally be obtained by the user only pursuant to a prescription of a lawful prescriber; except that the Formulary Committee may include certain drugs and biologicals not requiring such a prescription if it determines such drugs or biologicals to be of a lifesaving nature.

"(C) In the interest of orderly, economical, and equitable administration of the benefits provided under section 1832 (a) (3), the Formulary Committee may, by regulation, provide that a drug or biological otherwise regarded as being a qualified drug shall not be so regarded when prescribed in unusual quantities.

"(3) In determining the allowable expense for any quantity of any qualified drug, the Formulary Committee shall be guided by the acquisition cost to the ultimate dispenser (generally, community pharmacists) for the quantities most frequently prescribed plus a reasonable professional fee for dispensing to the patient the prescription or other authorized lifesaving drugs, or biologicals not requiring a prescription, with a view to determining with respect to each qualified drug a schedule of prices for various quantities thereof.

"In any case in which a drug or biological is available by established name as defined in the Federal Food, Drug, and Cosmetic Act, as amended, and one or more trade names any one of which is different from such established name, the cost of such drug or biological, for purposes of the preceding sentence, shall be deemed to be the lowest cost of such drug, however named, which is of a quality acceptable to the Formulary Committee. Whenever the lowest cost (to the ultimate dispensers thereof) of a particular drug or biological differs in the various regions of the United States, the Formulary Committee shall establish, for the various regions of the United States, separate schedules of allowable expense with respect to such drug or biological so as to reflect the lowest cost at which such drug or biological is generally available to the ultimate dispensers thereof in each such region.

"ADVISORY GROUP TO FORMULARY COMMITTEE

"SEC. 1847. (a) For the purpose of assisting the Formulary Committee to carry out its duties and functions, the Secretary shall appoint an Advisory Group to the Formulary Committee (hereafter in this section referred to as the 'Advisory Group'). The Advisory Group shall consist of seven members to be appointed by the Secretary. From time to time, the Secretary shall designate one of the members of the Advisory Group to serve as Chairman thereof. The members shall be so selected that each represents one or more of the following national organizations; an organization of physicians, an organization of manufacturers of drugs, an organization of pharmacists, an organization of persons concerned with public health, an organization of hospital pharmacists, an organization of colleges of medicine, an organization of colleges of pharmacy, and an organization of consumers. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of six of the members first taking office shall expire, as designated by the Secretary at the time of appointment, two at the end of the first year, and two at the end of the second year, and two at the end of the third year, after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(b) Members of the Advisory Group, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Group, shall be entitled to receive compensation at rates to be fixed by the Secretary, but not exceeding $75 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(c) The Advisory Group is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Advisory Group such secretarial, clerical, and other assistance and such pertinent data obtained and prepared by the Department of Health, Education, and Welfare as the Advisory Group may require to carry out its functions."

Sec. 2. The amendments made by this Act shall become effective on January 1, 1969.

Mr. MONTOYA. Mr. President, our Nation has a long, glowing record of social reform. Whenever citizens of this Nation have been victims of social injustice and inequality, we have been quick to realize it and remedy the situation. This Chamber has been witness to the noblest of these acts. From the right to strike and the right of all citizens to vote, to social security and antimonopoly; from Ross of Kansas, and La Follette of Wisconsin, to Norris of Nebraska, and Johnson of California; the roll of those who stood here on behalf of the people for the righting of social wrongs and the realization of the American dream continues on and on. Let us add another page to the book before us.

ESTABLISHMENT OF SMALL TAX DIVISION WITHIN THE TAX COURT OF THE UNITED STATES

Mr. MAGNUSON. Mr. President, I send to the desk for appropriate reference a bill to establish a Small Tax Division within the Tax Court of the United States. I ask that the text of the bill be printed at the close of my remarks and that the bill lie on the table for 2 weeks for cosponsors.

Mr. President, every once in a while there comes to our attention a proposal so simple and appealing that it meets at once with the nearly unanimous approval of fairminded and objective men, regardless of party or political philosophy.

Such a proposal is that to create a nationwide system of small claims tax commissioners to whom the average citizen, without the heavy expense and legal involvement of a court case, can appeal for a fair and impartial hearing in a tax dispute involving small amounts of money.

Toward the end of the last Congress, I proposed the establishment of such a Small Tax Division within the Tax Court (S. 3344). The Senator from Missouri [Mr. Long] joined me as the principal cosponsor of that measure. Within a few weeks after its introduction, the bill had been cosponsored by a majority of the Senate. It has met with approbation by professional commentators and affected citizens alike.

I shall have more to say in a few weeks about the overriding necessity for action on this measure. The Senator from Missouri and I were anxious to introduce the bill at the earliest possible moment so that it might be among the first bills to be considered by the new Congress.

The distinguished chairman of the Finance Committee, Mr. Long of Louisiana, has assured me of his great interest in the problems of the small taxpayer faced with arbitrary action by the Internal Revenue Service. He has indicated to me his firm intention of giving this matter high priority before his committee.

Unquestionably, the Finance Committee, after hearings, will find ways to improve the machinery we have proposed. We have no great pride of authorship in the language of the bill. Nevertheless, we are convinced that the long-suffering taxpayer is entitled to the comfort of knowing that a just and inexpensive procedure for appeal from a tax audit exists. We are certain that the existence of such a procedure of itself will tend to make the agents of the Internal Revenue Service more conscious of their own responsibilities for the fair treatment of the taxpayer, small as well as large.

There should never be a well-founded need for any citizen to fear the unjust actions of his government. This proposal will go a long way toward eliminating such fears.

I ask unanimous consent that there be printed at the close of my remarks a copy of an article from the Reporter of May 5, 1966, entitled "The Tax Appeal Ordeal," by William Frye, an editorial from the Tri-City Herald of May 23, 1966, "Little Guys Need Help," an excerpt from a survey by the National Federation of Independent Business, Inc., and excerpts from several concerned citizens who have taken the time and effort to write to me of their reactions to this proposal.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Washington, and the articles and editorials will be printed in the Record.

The bill (S. 18) to establish a Small Tax Division within the Tax Court of the United States introduced by Mr. Magnuson (for himself and Mr. Long of Missouri), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 18

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter C of chapter 76 of the Internal Revenue Code of 1954 (relating to the Tax Court) is amended by adding at the end thereof the following new part:

"PART IV—SMALL TAX DIVISION

"Sec. 7476. Small Tax Division.
"Sec. 7477. Procedure; commissioners.
"Sec. 7487. Decisions of Small Tax Division.

"Sec. 7476. Small Tax Division.

"(a) In General.—There is hereby established, within the Tax Court, a Small Tax Division (hereafter in this part referred to as the 'Division'). The chief judge of the Tax Court shall from time to time assign one or more judges of the Tax Court to the Division and shall designate a chief judge of the Division.

"(b) Jurisdiction.—

"(1) Deficiencies.—Any taxpayer to whom is sent a notice of deficiency in respect of any tax imposed by this title may, if the amount of such deficiency (not including interest) does not exceed $2,500, file a petition with the Division for a redetermination of the deficiency. Any such petition shall be filed within the time prescribed by this title for filing a petition for the redetermination of a deficiency by the Tax Court. The Division shall have jurisdiction to determine the correct amount of the deficiency to the same extent as in the case of petitions filed with the Tax Court, except that the Division shall not have jurisdiction to determine a deficiency (not including interest) in excess of $2,500.

"(2) Refunds.—Any taxpayer who has filed a claim for refund of any tax imposed by this title with the Secretary or his delegate and whose claim has been disallowed (or disallowed in part) may, if the amount of such claim (not including interest) does not exceed $2,500, file a petition with the Division for the allowance of such claim (or for the part of the claim disallowed by the Secretary or his delegate). Any such claim shall be filed with the Division within the time prescribed by law for commencing a suit for recovery of such tax. The Division shall have jurisdiction to allow, in whole or in part, the amount of such claim, except that the Division shall not have jurisdiction to allow any refund of any tax (not including interest) in excess of $2,500.

"Sec. 7477. Procedures; Commissioners.

"(a) Rules of Practice and Procedures.—The proceedings of the Division shall be conducted in accordance with such rules of practice and procedure as the Tax Court may prescribe. The provisions of part II of this subchapter shall apply with respect to proceedings of the Division only to the extent provided in such rules. Nothing in such rules shall preclude a taxpayer from representing himself in proceedings before the Division.

"(b) Commissioners.—

"(1) Appointment.—The Tax Court is authorized to appoint, without regard to the civil service laws and regulations, such number of commissioners, not exceeding 20, as may be necessary to carry out the functions of the Division. Each such commissioner shall receive compensation at the rate prescribed by law for commissioners of the Court of Claims, and shall be subject to removal by the Tax Court. No person who has served as an officer or employee of the Internal Revenue Service shall be eligible for appointment as a commissioner until 5 years after he has ceased to be such an officer or employee.

"(2) Duties.—Under the supervision of the chief judge of the Division, the commissioners shall conduct all proceedings before the Division, and shall perform such other duties as the Tax Court may from time to time direct. The commissioner who conducts the proceedings on a petition filed with the Division shall render a decision thereon which shall be reviewed by a judge of the Division and which shall be final unless reversed or modified by the reviewing judge.

"Sec 7478. Decisions of Small Tax Division.

"(a) Finality of Decisions.—There shall be no review of, or appeal from, any decision of the Division.

"(b) Treatment as Decisions Made by the Secretary or His Delegate.—A final decision of the Division shall be treated as a final decision of the Secretary or his delegate for purposes of the provisions of this title and all other laws of the United States, including (but not limited to) the provisions relating to—

"(1) redetermination of deficiencies by the Tax Court,

"(2) suits for recovery of taxes erroneously or illegally collected, and

"(3) suits for recovery of taxes erroneously refunded.

"(c) Further Proceedings by the United States.—In any case in which—

"(1) the Division has determined the amount of any deficiency to be less than the amount determined by the Secretary or his delegate, and

"(2) the Secretary or his delegate certifies to the Tax Court that the decision of the Division involves a substantial question relating to the validity or meaning of a provision of this title or of the regulations prescribed thereunder,

the Secretary or his delegate may file a petition with the Tax Court for a redetermination of such deficiency. The Tax Court shall have jurisdiction to redetermine the amount of such deficiency to the same extent and in the same manner as if such petition had been filed by the taxpayer. In any proceeding commenced by the Secretary or his delegate under this subsection and in any proceeding commenced in any court for recovery of any amount allowed as a refund by the Division, the United States shall be liable for all court costs and shall pay a reasonable fee to the person or persons representing the taxpayer in such proceeding."

(b) The table of parts for subchapter C of chapter 76 of such Code is amended by adding at the end thereof the following new item:

"Part IV. Small Tax Division."

SEC. 2. The amendments made by this Act shall take effect on the 180th day after the date of the enactment of this Act, except that the provisions of sections 7476(a), 7477(a), and 7477(b)(1) of the Internal Revenue Code of 1954 (as added by this Act) shall take effect on the date of the enactment of this Act.

The articles and editorials presented by Mr. MAGNUSON are as follows:

[From the Reporter, May 5, 1961]

THE TAX-APPEAL ORDEAL

(By William R. Frye)

Pity the poor taxpayer. He assembles his records, studies the instructions, wrestles with the forms, pays his tax—and then sits back to await doomsday. Doomsday, for him, is the day Form 3R73 arrives with this message: "Your above-described tax return or document for the year indicated has been assigned to the above-named Agent for examination. Please communicate with the Agent. . . ."

The possibility of being audited is the third dimension of the income-tax nightmare. Substantiating that office at home, finding that Washington hotel bill, proving that lunch was a business entertainment—these could be more difficult than making out the return itself. They could even be impossible.

Some sixty-six million personal income-tax returns were filed in fiscal 1965; 3,092,000 —one in twenty, or just over five percent—were "examined," as the Internal Revenue Service puts it. Deficiencies, or taxes due, were found in fifty-one percent of the cases, producing $1,063,000,000 in additional revenue; refunds were paid by the government fourteen percent of the time, for a total of $47,052,000. No change was made in thirty-five percent of the returns. The average deficiency was just below $700; the average refund just above $100. Aside from gamblers and other special cases, only 1,216 of those who were examined (or .04 percent) were prosecuted for fraud.

How many of the more than 1.5 million taxpayers who were made to pay additional tax really had short-changed the government, accidentally or intentionally? How many ran afoul of an IRS overeager to maximize collections? The IRS feels sure it was practically always right (an understandable view), but many taxpayers are by no means sure.

I know how they feel. I have just been through the mill. Mine was one of the relatively rare cases—one in seven—where the taxpayer is found to have overpaid his tax. The return had been prepared for me while I was abroad and continued several major errors in the government's favor. I was due for a refund.

It was, nevertheless, a miserable experience. Day after day after exhausting day was taken up in minutely detailed, repetitive nit-picking. Accountants whom I told about the case said that they had never known an audit to be so detailed and prolonged. At the end of each session, I was assigned to prepare further data for the next visit—a task requiring long days and longer nights, sometimes running into weeks. (Everything involved had happened three years before.) My professional life was intermittently disrupted for more than seven months. The lost time was worth conservatively $4,000 to $5,000—and since I was self-employed, I had no way to cushion the loss. Moreover, legal and other fees ate up much of the refund.

The only comic relief was that each time I was ordered to dive deeper into the records, I came up with a new accounting error in the government's favor, and hence a large potential refund. This was not what the agent had in mind. "How am I going to justify my time?" he asked. Finally, as a consequence of another of his probes, I discovered a $1,500 reimbursement that had been reported both as income and as a credit against expense. Whether by coincidence or not, the roof promptly fell in.

My agent (or his supervisor) reopened the whole audit and disallowed deductions that previously had been fully substantiated. The law had not changed; the facts had not changed; nothing had, except that someone seemed to have decided that letting a taxpayer get back *that* much money would not look good at all on the report of such a prolonged audit.

I could appeal the ruling, first to a "conferee"—a higher official of the IRS—and then, if necessary, to a still higher one. I could even go to tax court. But in the process, the additional time lost and the new legal fees incurred could more than wipe out any tax recovered. It seemed I would have to take the licking; either way, I would lose. After considerable additional dispute, the agent reconsidered and an appeal became unnecessary. But in my bitterer moments, I felt my government had subjected me to a form of legalized extortion.

THE HIGH COST OF APPEALS

A spot check of accounting firms in the New York area suggests that thousands of taxpayers every year may have similar unpleasant experiences. Similar, that is, not in the denial of refunds that are due but in the levying of additional taxes which they consider unjustified but which they cannot recover economically through the normal appeal process. By comparison with the total number of returns filed, the number of these taxpayers may be small, but to the people concerned it is a serious matter.

Mr. S., a partner in a New York accounting firm that specializes in tax work (because of his continuing dealings with the IRS, he insisted on remaining anonymous), said he used to fight, on behalf of his clients, as many as fifty appeals at a time. But in virtually every case, once the appeal was over the client was so angry at the size of the accounting bill that, whatever the results of the appeal, Mr. S. would lose the account. So he made it a firm rule never to handle appeals. He now negotiates with the IRS agent as stoutly as possible the first time around, and then proposes to the client that he accept the outcome, favorable or otherwise. If the taxpayer wants to appeal, some other firm must take the case. His relationship to the client is then finished, either way.

The effect of this policy is that in cases where Mr. S.'s advice is accepted, the government has been allowed virtually to dictate its terms to the taxpayer on the issues in dispute. If Mr. S. is right, many if not most appeals are too expensive to be practical. Other accountants are not quite so sweeping; but they say that unless at least $1,500 to $2,000 in tax is involved, the taxpayer can scarcely expect to break even from an appeal to "conference," even if he wins. Unless he feels qualified to handle it on his own, he must pay an accountant $50 to $200 a day, not merely during the conference itself but throughout a period of preparation. And the taxpayer's own time is also a factor. Still higher appeals, beyond the conference stage, are not considered economical unless something in the neighborhood of $10,000 in taxes is involved. The IRS does not release figures on how many cases went to conference; but in 1965, 21,737 disputes (less than one per cent of the total) were handled at the appellate level, the next stage, and only 5,448 (roughly one quarter of one per cent) were disposed of by the tax courts. The money in question, however, was in the hundreds of millions.

The man who decides to do without costly help is, in effect, throwing himself on the mercy of the IRS. Mr. C., a partner in a Connecticut consulting firm, was on the road five days a week, year round, returning home only for weekends. He naturally had a large travel and entertainment deduction. When the return was selected for audit, he could not take time off to attend personally; his "billing rate" (the rate at which clients were charged for his services) was $250 a day, and he was fully booked. So he sent his wife to the tax auditor, armed with canceled checks and credit-card bills. The auditor contended there was no proof the travel was not personal, and disallowed the whole amount. The wife did not know how to protest persuasively. So the whole year's travel was lost.

This couple could have hired professional help, but did not. Many others cannot afford to. Few men making less than $15,000 a year care to pay $15 to $50 an hour for an accountant, let alone $25 to $100 an hour for a lawyer. A return showing a $4,000 income is not as likely to be examined as one showing $400,000, but it can happen. The test, the IRS says, is not the size of the income but whether there is anything *unusual* about the return, anything that causes raised eyebrows. If the ax falls, the little men have no choice but to fend for themselves.

Experiences vary. If the agent is conscientious and high-principled, as is sometimes the case, they get a fair deal. If he is case-hardened, callous, or young and eager to impress his superiors, taxpayers may come off badly indeed. Discouragement, dismay, fear, and ignorance all may serve to keep them from making use of the appeals machinery.

Something obviously is amiss. The IRS insists that serious injustices are very isolated cases. Agents, it is said, operate under strict instructions to collect the tax due and only the tax due. Each year, just before the Ides of April, the Bureau engages in a national advertising campaign to convince the American people of its virtue. Nice, reasonable men say soothing and high-minded things on television and radio, encouraging people to pay up and assuring them that the IRS will deal with them as gently as possible.

Somewhere between theory and practice, however, the benevolent-father image breaks down. No doubt the complexity of the tax law is in part at fault; reasonable men can and do interpret the law in differing ways. No doubt many taxpayers who believe they have a grievance have in fact been fairly treated. But the absence of a readily available appeals system creates serious doubts.

Moreover, even if the government were right fifty times for every time it does an injustice, the 3,092,000 audits that took place in fiscal 1965 would have resulted in more that sixty thousand injustices. And there may have been another half million taxpayers who came out of their experiences with the IRS believing themselves wronged, though in fact they were not. Some of them undoubtedly resolved to get the lost money back the next time they filed a return. The government thus had made dishonest taxpayers out of honest ones. Another protection of the appeals system—the easing of legitimate doubts—was therefore not fully operative.

THE AGENTS

To far too great an extent, taxpayers are forced to rely on the objectivity and competence of one man. Deny it as the IRS may, most agents find that there is a premium on getting tough with the taxpayer, on producing results for their superiors in terms of cash on the barrelhead. In private, they admit it is so. The old quota system, under which each agent had to extract a given amount in a given time, is now officially banned. But agents acknowledge that they believe their standing with their superiors and their prospects for promotion depend in part on the money they collect for the government. They must account strictly for their time, and if it is not spent productively, they fear it may be a black mark on their record. If they are inexperienced or insecure, they may be afraid to give the taxpayer the benefit of a reasonable doubt, lest they be set down as naïve or even corrupt.

IRS employees are not highly paid. Salaries start at $5,181 for trainee technicians and go up to $11,715 for experienced field agents. Supervisors get $10,000 to $13,000. Opportunities being more lucrative in private accounting practice, the government cannot always get and keep high-quality personnel. Moreover, the man making $6,000 cannot always readily believe the expenses reported by the man making $60,000, because they are too far removed from his own experience. How could a man really spend $20 for lunch or $7,000 for a boat just to entertain customers? Such figures just don't make sense to him.

One accountant says that when he runs into this kind of incredulity, he asks that the item be put aside temporarily, and then, come lunchtime, takes the agent to a nearby hotel dining room. He buys him a martini, a lobster cocktail, and a steak. When the bill is presented, the accountant inquires and "discovers" what he knew in advance—that the hotel does not honor credit cards, that the meal must be paid for in cash. He hands over a $20 bill, and the agent sees there is little or no change. A lunch can cost $10 a person, he has learned, and it may not always be easy to obtain a written record of the expense. When the agent returns to the audit, he has had an education in business expenditures.

In addition to collecting revenue and deterring cheating, the audit system is supposed to have the function of boosting the morale of the honest taxpayer. He needs to be assured that he will not, relatively speaking, be penalized for his honesty. One of the gnawing resentments of April 15 is the feeling that Joe Sharp has been getting away with murder. The majority of taxpayers, though they wail, are willing to pay what they owe (or most of it) provided everybody else does, too. But that is the rub. Many taxpayers who have been audited are not persuaded that the law has been applied fairly to them. The IRS is the only branch of government in which the basic assumption of Anglo-American jurisprudence—that a man is innocent until proved guilty—does not fully apply. By law, a deduction is subject to disallowance until it is proved allowable.

To some extent, this attitude is understandable. Some taxpayers ask agents to believe pretty farfetched stories. A man who had canceled checks showing $90 in contributions to his church claimed he had also given $1,000 in cash. A man who kept receipted bills for entertainment expense down to $2 and $3 claimed he also spent $4,000 without getting receipts. It could be true, but the agent can be forgiven for being skeptical.

Sometimes the taxpayer's records may be accurate, but he is unable to prove it; or perhaps he does not have complete records and has had to estimate. This is no longer permissible in all cases. The old "Cohan rule" of reasonability—that an entertainment expense was allowable if it was reasonable under the circumstances—has been replaced by a requirement that every item over $25 must be substantiated by a receipted bill. These new travel and expenses regulations, which went into force on December 31, 1962, have not yet been tested in the courts, but they are being strictly applied.

The taxpayer may approach the audit in a difficult frame of mind. Some panic, and prepare for disaster. Others become belligerent and self-righteous, ready to take on the Congress, the President, and the Supreme Court as well as the IRS. Still others try desperately to pull political strings, an effort that is usually highly counterproductive.

When the examination occurs, it sometimes is almost anticlimatic. The taxpayer finds he is not being summoned to court for commission of a crime; he may arrange the appointment at a convenient time. He need not go to the IRS with his papers and other records stuffed into a suitcase or a trunk. If the data involved are voluminous, the agent is willing to come to him. The agent is authorized to take into account evidence of a taxpayer's good faith, and need not check every minute detail—though some do. He has instructions to be courteous and fair.

ROUGH SAILING

If the agent is indeed reasonable and the taxpayer well prepared, the audit can be over in a few hours—a day at most. If the return is complicated, the records incomplete, and/or the agent difficult, it can drag on and on. It is then that it becomes an affliction. If in addition to being difficult, the agent misapplies the law, then the taxpayer really needs a friend.

A man who used a twenty-three-foot sailboat for entertaining business contacts deducted half the expenses on his return. He was audited, and the agent, a man in his twenties, expressed much concern about the deduction. He inquired in detail about personal use of the boat, and was shown records in a diary indicating that such use occurred less than half of the time. He asked for, and obtained, corroborative evidence that business discussions had taken place on board. He studied a record of who went sailing, and saw proof that the entertainment had led to production of income. Nevertheless, he disallowed the deduction.

Lots of people have boats on Long Island Sound, he said, and in most cases they are strictly for personal use. The taxpayer's boat must also have been largely personal. It was too expensive to have been bought primarily for business. Did the taxpayer's wife go along on the trips? She did? Then it obviously was personal. The taxpayer argued that the presence or absence of a business discussion was the test, not the presence or absence of a spouse. The agent pulled out a copy of the Internal Revenue Service regulations (a large volume) and quoted from regulation 1.274–2 (e)(4)(b): "Any use of [an entertainment] facility (of a type described in this subdivision) during one calendar day shall be considered to constitute a 'day of business use' if the primary use of the facility on such day was ordinary and necessary within the meaning of section 162 or 212 and the regulations thereunder. For the purposes of this subdivision, a facility shall be deemed to have been primarily used for such purposes on any one calendar day if the facility was used for the conduct of a substantial and bona fide business discussion (as described in paragraph (d)(3)(i) of this section) notwithstanding that the facility may also have been used on the same day for personal or family use by the taxpayer or any member of the taxpayer's family not involving entertainment of others by, or under the authority of, the taxpayer.

The agent repeatedly quoted the phrase ". . . not involving the entertainment of others." Relating it to the earlier part of the paragraph, rather than the portion in which it occurred, he said it meant that if "others" were present at the time the business entertainment took place, the facility at that time was not being used for business purposes. The fact that this interpretation was directly at variance with other regulations did not disturb him. No amount of argument could shake him from his extraordinary distortion of logic, of the law, and of the English language. It developed that the agent's personal philosophy was that all entertainment was a form of bribery; that business should be obtained strictly on its merits, so that the IRS really ought to disallow *all* entertainment expense.

It seemed that the taxpayer had no option but to bow or go to the prohibitive expense of an appeal. Then, when he was just about at the end of his tether, the agent suddenly reconsidered and allowed the expense.

THE OMBUDSMAN IDEA

The appeal procedure, spokesmen for the commissioner say, it is really not very difficult or expensive. They claim that the district conference, the first step, is just an informal discussion, with a friendly, experienced official—the father image again—who does not represent either the government or the taxpayer but is seeking pure and objective justice. The taxpayer doesn't need professional advice, they contend; he is in good hands. All this, however, is somehow at variance with the experience of most taxpayers who go "to conference." They regard it as a highly formal, even quasi-judicial proceeding, requiring extensive preparation, including legal briefs and affidavits; and they have little inclination to accept at face value the conferee's detachment and objectivity. He is, after all, an employee of the IRS.

Recently there have been some proposals for the creation of tax review boards, consisting of one or more experienced, well-paid specialists, to protect taxpayers from questionable rulings by the IRS. There is a kind of precedent in the Ombudsman system in force in Scandinavian countries and in New Zealand. The Ombudsman, a widely respected individual of national stature, is appointed by Parliament to guard against infringement of established rights. Any individual or group may petition him for relief, and he has extensive power to provide it. He may be removed by Parliament but is otherwise wholly independent. In the United States, Representative Henry Reuss (D., Wisconsin) and Senator Claiborne Pell (D., Rhode Island) have proposed a not dissimilar plan for an "administrative counsel," an employee of Congress who would investigate and seek to correct citizens' grievances, whether against the IRS or any other branch of government, when asked to do so by a Senator or a Representative. The bill was referred to the Rules Committee in February, 1965, and little has been heard from it since.

More recently, Senators Warren Magnuson (D., Washington) and Edward Long (D., Missouri) have mapped out a plan for a nationwide system of small-claims tax commissioners, under the aegis of the tax courts, to whom citizens could bring disputes with the IRS without the expense and formality of court procedure. Two commissioners would be appointed for each of the eleven regions into which the IRS has divided the United States. People who could not afford to hire legal help would be entitled to go to the commissioner, just as they now can go to small-claims court with other kinds of legal disputes involving amounts up to a few hundred dollars.

Commissioners or boards of this type are urgently needed. They should exist primarily to protect taxpayers' rights. The IRS could be forbidden to appeal their decisions if the taxpayer, for his part, also agreed in advance to accept the decision as binding. What would result would be analogous to binding arbitration.

No doubt there would be snags to be ironed out in practice. Safeguards might be needed against frivolous use of the boards. A taxpayer who appealed to them against the decisions of an agent and had his obligations to the government affirmed, or even increased, might have to assume the costs of the action—the costs, however, being scaled in proportion to his income, so that the poor could afford the risk as easily as the rich. If the taxpayer's obligations were reduced by the board, the government ought to be assessed for costs, a procedure calculated to inhibit arbitrary and ill-founded IRS rulings in the first instance. With such revenue the boards could be largely self-supporting, and they would greatly ease the case load under which many tax courts are staggering. (At the end of fiscal 1965, 10,765 cases were pending, about a two-year backlog.)

The possibility of a simple and inexpensive appeal from a tax audit would do much to restore public confidence. Taxpayers who lost would be more likely to swallow the judgment with good grace, less haunted by the suspicion of injustice, less determined to get their money back. The effect on the attitudes and behavior of agents might also be healthy. They would be under pressure to be right, as opposed to pressure to be tough. If they were proved wrong, the government would have to pay costs. To a far greater extent than at present, prestige and advancement within the IRS would logically derive from being infrequently overruled. The balance of bargaining power between taxpayer and agent during the initial audit would be restored.

What are involved are some of the textbook precepts of American democracy—that the government is a government of laws, not of men; that no citizen is ever at the mercy of an official; that if an official exceeds his authority, there must be effective remedies available. This is the way the tax system is *supposed* to operate today, but a sizable number of American taxpayers doubt it.

[From the Tri-City Herald, May 23, 1966]

LITTLE GUYS NEED HELP

Einstein would have welcomed the proposal made the other day by Sen. Warren G. Magnuson, D-Wash.

Even Einstein couldn't figure out his taxes without the help of a tax consultant. "This is too difficult for a mathematician," he is quoted as saying. "It takes a philosopher."

Sen. Magnuson wants established a Small Tax Division in the U.S. Tax Court where taxpayers would have a chance—without lawyers and accountants—to air their differences with the Internal Revenue Service.

The small taxpayer has a huge disadvantage compared with the man financially able to employ accountants and attorneys. Sen. Magnuson said that 85 per cent of the cases brought before the Tax Court are settled by the IRS attorneys rather than adjudicated in court. "So successful are the lawyers and accountants that only 43 per cent of the total personal income in the United States is subjected to the federal income tax," he said.

And that's understandable when you think that the first nine pages of the Internal Revenue Code define income. And the remaining 921 cover exceptions and preferences.

Once a taxpayer decides to go before the Small Tax Division commissioner, neither he nor the IRS can appeal the decision, though the government may petition the Tax Court for review of a question of law. But in that case the government must underwrite the taxpayers court costs and legal fees.

No person who has worked for the IRS within the preceding five years may become a commissioner.

Sen. Magnuson doesn't list the cost of employing the 20 commissioners he envisions. But that cost would probably only be a fraction of the eventual cost were the program initiated, for the senator does describe 20 as "a modest start."

The dreamer in us wonders at the sense of establishing another governmental agency to put fair play into a law already in effect, instead of taking the foul play out of the law.

Is it beyond the capability of the great minds we have in this country to rewrite the tax laws without a 921-page web of exceptions and preferences? Can't the law be made so the man-in-the-street doesn't have to choose between paying an attorney to get fair play or overpaying the government to get peace.

But that's dreaming.

Realistically, the likelihood of getting sufficient revision to make them comprehendable seems remote.

At least Sen. Magnuson's plan is a step in the right direction—and that direction is the protection of the Man against the Monster he's "feeding."

[From the National Federation of Independent Business, Inc., Oct. 15, 1966]

THE BRIEF FACTS

Senator Warren Magnuson, Washington, has before the Congress a bill known as S. 3344, which would set up a Small Tax Division of the Tax Court to handle assessments and refunds up to a maximum of $2,500. Presented to a nationwide vote by the Federation, 61 per cent of the independent business proprietors are in favor of the proposed legislation, with 32 per cent opposed and 7 per cent undecided.

As a means of helping the smaller taxpayer avoid bureaucratic bullying, the nation's independent business proprietors support the proposed legislation to set up a small tax division of the tax court to handle assessments and refund claims in amounts up to $2,500.

This legislative proposal, introduced by Senator Warren Magnuson, Washington, and supported by 52 other senators, submitted to a nationwide vote by the National Federation of Independent Business finds 61 per cent of the independent business proprietors in favor, with 32 per cent opposed, and 7 per cent undecided.

In New York the vote in favor was 65 per cent, with 28 per cent opposed, and 7 per cent undecided.

The proposed legislation, which has been held without action in the Congress for some time, would set up 20 "fair and sympathetic" special commissioners in the U.S. Tax Court to aid the smaller taxpayers who cannot afford the expense involved in a full-scale litigation in the present tax court.

Congressional backers of the measure claim there are some 55 million taxpayers with incomes under $10,000, many of whom pay unjust tax claims rather than try to fight the overpowering might and resources of the tax collecting bureaucracy.

From Mr. Vernon Hoven, lawyer, Missoula, Montana—"I believe I reflect the attitude of nearly all of the practicing lawyers in Montana, and I could even go further and state the United States, when we state that the Bill (S. 33440) is an absolute necessity to protect and to give the small taxpayer an opportunity to review any extra assessments as may be imposed by the Internal Revenue.

"As the situation sets at the present time any extra levies up to probably the sum of $2,000.00, the only advice that may be rendered by any attorney to those parties is to pay the Internal Revenue regardless of the merits of the Internal Revenue's position; this because of the costs that will be necessarily imposed upon the taxpayer to resist such actions. At the present time there is no means of such a taxpayer of obtaining compensation or damages for such action, if he be right, so it leaves no recourse open to him except to pay upon demand."

Mr. Harry Graham Balter, lawyer, Los Angeles, Calif.—"It has come to my attention that you are sponsoring a bill to create a "poor man's" tax court. I heartily endorse this move. After having practiced tax law for more than a quarter of a century, I will verify from experience that there is a need for this type of tribunal."

Elmer Fritzke, Tax Consultant, Springfield, Oregon—"I wish to compliment you on your proposed introduction into the United States Senate a bill which would be similar to that of the Oregon Tax Court which gives relief to taxpayers in such hearings and tax matters."

Mr. Joseph K. Coxe—lawyer—Philadelphia, Penna.—"I would like to see this bill passed, since I believe it is a step in the right direction toward relieving the taxpayer of the annoyances which occur all too often.

"I have been preparing tax returns for a number of people and I am admitted to practice before the Tax Court and have seen these inequities too many times.

"In many of the cases, the tax collector has gone after the small taxpayer for amounts under $100.00, and, rather than have any trouble with the Internal Revenue Service, the 'little guy' pays."

Mrs. Carroll P. McGowen—Manufacturers' Representative—Chicago, Ill.—quote from Internal Revenue Service's letter of March 21, 1966, the third to last paragraph on page 2:

"We still respect your right to appeal the adjustment to your 1964 return. This can be done by you as an individual without hiring an attorney. However, any appeal you consider should cite precedent court decisions which would support any position you take which is contrary to that held by Internal Revenue Service."

"Isn't it ridiculous to expect 'the little fellow' to cite precedent court decisions? I do hope the recital of our experiences will assist you in getting your bill through."

Mr. Clyde R. Maxwell, lawyer, Los Angeles, Calif.—"However, the purpose of this letter was not to relate my personal history to you, but rather to congratulate you on the Bill which you have initiated to bring tax litigation within the reach of the little man. As a tax lawyer, I have so many times advised a client to pay an improper deficiency because litigation expenses would be more than he could expect to gain should he undertake a petition to the Tax Court or pay the tax and sue for refund. I also believe that many small adjustments are make-work adjustments to give the examining officer 'credit' on his record for a 'change year.' "

Mr. Norman L. Hardinger, Tinley Park, Ill.—"The IRS has too long pursued the un-American principle that the accused is guilty until he proves himself innocent. This, in my opinion, negates an American concept, and I hardly believe it was the intent of Congress that they be given this power, nor does it have the approval of Congress."

Mr. Carl L. Shipley, attorney, Washington, D.C.—"'Most jurisdictions have something in the nature of a Small Claims Court in the field of civil litigation and a somewhat parallel system of procedures has developed to deal with public torts or minor police offenses, such as traffic tickets, etc.

"There is every reason in the world why there should be a Small Tax Division within the Tax Court where contributions involving small claims can be adjudicated quickly and inexpensively."

Mr. Gerald Walsh, CPA, Pittsburgh, Pa.—"Because it presently takes several years for a case to be heard by the present Tax Court, many small taxpayers decide to pay a tax deficiency rather than litigate. However, the creation of a District Tax Court would encourage both taxpayer and tax counsel to litigate these cases which are now compromised because of the time or money factors."

J. A. Baldwin, President Manufacturing Co., Kearney, Nebraska.—"We employ around 320 people and about 80% are women. It seems the tax people are always after some of these and it is usually a widow.

They garnish their pay and many times I have talked to the tax people and tried to make a deal with the employee so they could pay so much a month. This way, I thought, in time the tax would be paid and it wouldn't be too painful, but they would have no part of this. They want to take the whole pay check.

* * * "All of these people are what you would call in the low income bracket. They have no money to hire an attorney and most of them have large families. Sometimes it is very painful. I believe in people paying their just taxes, and it is the law and must be paid, but sometimes I don't think they get a fair deal."

Donald B. Podell, CPA, Chicago, Ill.—"I have one other area that I feel is of interest and that is the additional assessments against taxpayers. Many times an Agent will come in and audit a taxpayer and in so doing, will assess the taxpayer by disallowance of deductions, and additional income taxes. It could be for one, two and three years, sometimes at a time which can run into considerable amounts of money. Many taxpayers do not have this cash available or do not have the borrowing power to pay it off in one lump sum. The Internal Revenue Department will automatically put a lien against the taxpayer requiring him to come up with this money regardless of his financial situation.

"Many times arrangements could be made to pay it off monthly but the amount of interest and sometimes the penalties exceed so much the principal that a taxpayer can never get from out of under the liability."

Mrs. Eva V. Bohlinger, Fowler, Ind.—"After two long conferences with the Appellate Division, I was informed that the conferee was not accustomed to dealing with the taxpayer, and I employed an attorney to represent me. * * *

Honorable Wilbur G. Hallauer, Washington State Senate, Oroville, Wash.: "Reporter Magazine for the past week carried an article on the difficulties of taxpayers on contested income tax matters before the Internal Revenue Service. Very honorable mention was given to the bill introduced by yourself and Senator Long for a non-departmental hearing procedure to be inserted between the Internal Revenue Service and the Tax Courts. The provision for costs to be assessed to the government when the government is wrong is the best prybar I've heard suggested in order to return a bit of sanity to the IRS procedures. At the present time no justice is available to the taxpayer. He is still confronted with a very substantial penalty when he is right. It amounts at times to extortion, as one simply cannot afford the costs in time and money to contest the frequent wrong decisions of IRS."

Earl DeCamp, Chelan, Wash.: "At present the Internal Revenue Service acts as Judge, Jury and Prosecutor on audits unless the taxpayer affords himself of the facilities of the Tax Court. This affords a proper relief to the taxpayer, but, is too expensive for small cases."

Mr. J. Addison Smith, CPA, Seattle, Washington: "Later, as a reviewer (IRS) I, of course, saw the reports of closings made by the Technical Staff of protested cases. A high percentage of these were closed on the basis of 'Litigation Possibilities/Probabilities.' From personal knowledge of my own case where I was Examining Agent, but especially later when I was appearing on behalf of taxpayers—and by testimony of my six employing partners—this phrase too often meant merely that agreement had been obtained at an amount *just low* enough so that it was cheaper in time and money for the taxpayer to pay it than to carry on to trial by the Tax Court, with little or no regard to the law in the case.

"E. G. Refusal to even discuss a loss which the taxpayer claimed to have sustained on an exchange. A simple "No Loss" position, with no reasons given. It hinged on the surely debateable point of the current "fair Market Value" of the Corporate Stock that had been received—a stock as to which the possibilities were remote that ANY dividends could be paid for 20 years at least. Taxpayer had claimed a mere 10% discount from face. Certainly no one would have paid par for that stock. In his, and our, opinion he had "Been taken for a ride" by a slick stock salesman."

Mr. Walter R. Rodgers, III, Lawyer, Spokane, Wash.—"I was very interested in the tax proposal by the Senior Senator from the great State of Washington. This makes a great deal of sense to me because several years ago I represented a young man who was being harassed by the Federal Government for a $400.00 tax deficiency. I spent a considerable amount of time in researching the question involved and found that a similar question had been ruled on by the U.S. Court of Appeals for the 9th Circuit, favorably to the taxpayer. Even though Washington is in the 9th Circuit, the IRS people in Seattle refused to abide by the 9th Circuit opinion and it became obvious that in order to prove that we were right we would have to go to court. I explained to my client that this would probably cost him more than $400.00 which he owed in taxes. By this time, he had been demoralized by the tactics of the Internal Revenue Service and had little stomach for any fight, especially if it was going to cost him money. He yielded by paying a tax even though both he and I were convinced that the Government was wrong and he was being blackjacked because although the tax was of sufficient size to hurt it still was not big enough to make it profitable to fight. With this experience in mind, I am confident that some such relief as Senator Magnuson has proposed is essential."

Mr. Harvey W. Dodd, CPA, Tacoma, Wash.—"I know whereof I speak when I say that hundreds of thousands of taxpayers have paid millions of dollars of tax they did not owe because they either did not have adequate knowledge of their rights or could not afford to hire someone to represent them. Consider the fact that my fee in connection with such tax protests was nominal and yet it was often cheaper to pay the tax deficiency of $40 to $100 than to hire someone to prepare the necessary protest, research the subject matter, and then appear from one to four times, depending on the case, before settlement was obtained. We find the office cost of overhead, etc., for the mere preparation of a protest to be $40 or more and for this reason I have on a great many occasions handled obviously unfair assessments of tax without fee.

"What many tax officials overlook is the nuisance value of tax cases. Believe me the Internal Revenue Service does not. Obviously not only the expense but the fear of the unknown impels many good citizens to pay when a knowledge of the necessary steps would validate their position as taken on their tax return.

"In my work I have found the Tax Court eminently fair and sympathetic to the small taxpayer on those rare occasions when his case reached the court. I am certain the small tax court you propose would operate to the advantage of this small taxpayer and justice in our tax system."

TAX OMBUDSMAN

Mr. LONG of Missouri. Mr. President, it is again my pleasure to cosponsor the so-called tax ombudsman bill with my colleague, the senior Senator from the State of Washington. Last year, when we first introduced this bill, we were pleasantly surprised to receive the cosponsorship of a total of 51 other Senators. We hope they will join us again this year, and that early hearings will be held on this bill.

This bill which we introduce today will establish a Small Tax Division within the Tax Court of the United States. The Tax Court will be authorized to appoint regional Small Tax Commissioners who will be able to settle a multitude of problems which today face the average taxpayer. According to the bill, taxpayers who have been assessed a deficiency less than $2,500, or who claim a refund of less than $2,500 may go to the Small Tax Commissioner for relief.

Mr. President, for more than a year now I have been interested in the concept of ombudsman. Last year, my Subcommittee on Administrative Practice and Procedure heard the distinguished Swedish ombudsman, Alfred Bexelius, explain the nature and function of his office. We learn that he is, in effect, the man who fights city hall.

But who can fight our tax collector? This is not to imply that taxes need not be paid. It is the clear duty of every citizen to pay his taxes—but only those taxes which are properly due and owing. As I informed my colleagues last year, a little more than 3 million income tax returns—just over 5 percent of the total filed in fiscal 1965—were subjected to audit or "examination" by IRS agents. Deficiencies were found in 51 percent of these cases; refunds were paid by the Government in 14 percent. No change was made in 35 percent of the cases. What is significant, however, was that the average deficiency was just below $700, and the average refund just above $100. The average taxpayer cannot afford to hire a lawyer or an accountant when he is dealing with such dollar amounts because it would cost him more than he could save by winning the "case."

Accordingly, in many of these small tax cases, the taxpayer ends up paying the deficiency or forgetting about the refund. One author, writing in the May 5, 1966, issue of the Reporter, suggested that taxpayers are thus subjected to a form of "legalized extortion."

Mr. President, the concept of ombudsman has been imported to the United States. In the very near future, I intend to introduce a bill to create an administrative ombudsman for the United States with jurisdiction over such agencies as Social Security Administration, Veterans' Administration and the Bureau of Prisons.

Shortly, Senators HART and KENNEDY of New York will again join in cosponsoring my District of Columbia ombudsman bill.

Today, it is my privilege to join Senator MAGNUSON in cosponsoring the tax ombudsman measure. It is our hope that all these measures will be enacted early so as to enhance two of President Johnson's objectives, stated so eloquently last night in the state of the Union message—programs and partnership.

RESTORATION OF BALANCE BETWEEN LABOR AND MANAGEMENT

Mr. FANNIN. Mr. President, I send to the desk for appropriate reference three bills to amend the National Labor Relations Act and the Labor-Management Relations Act of 1947.

These moderate bills constitute necessary first steps toward achieving the restoration of balance between labor and management and insuring greater protection for individual workers. The areas involved are strikes affecting the national interest; secret ballot elections in union representation cases; and the matter of fines against employees who exercise their individual rights under the National Labor Relations Act.

The first bill would amend the national emergency provisions of the Taft-Hartley Act to provide for dissolution of injunctions only upon the settlement of disputes. Under existing law, injunctions are limited to 80 days. The national interest must be protected as long as is necessary. I may point out that unions will, of course, retain the right to strike a particular plant or even a segment of an industry. The injunction, as under existing law, can be enforced only where the strikes are so broad as to jeopardize the national health and welfare.

A second bill would amend the National Labor Relations Act so as to require a board-conducted election in all representation cases. Thus this bill would prevent voluntary recognition of a union by an employer, a practice which has led to many abuses. I have always believed that it is the right of the worker, and not his boss or a few union advocates, to cast his ballot secretly for or against union representation.

Mr. President, the third bill would amend the National Labor Relations Act by prohibiting the levying by unions of fines against employees for exercising their rights under the act. Under this proposal, for example, a union could not fine an employee for exceeding production quotas set by the unions, crossing union picket lines, filing decertification petitions, nor for testifying in board proceedings against a union. It seems to me that unions cannot be regarded in the same light as private voluntary associations, which are and should be free to impose on their members whichever rules they choose. This bill will carry out the intent of Congress that the rights given to unions carry commensurate responsibility and obligations on unions to act in the public interest and in the interests of their members.

I hope these proposals will receive early consideration, and I request that the bills lie on the desk until the close of business on January 18 so as to give other Senators an opportunity to join as cosponsors.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, will lie at the desk as requested.

The bills, introduced by Mr. Fannin, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

S. 19. A bill to amend the National Labor Relations Act so as to prohibit the levying by labor organizations of fines against employees for exercising rights under such act or for certain other activities;

S. 21. A bill to amend the national emergency provisions of the Labor Management Relations Act, 1947, so as to provide for dissolution of injunctions thereunder only upon settlement of disputes; and

S. 22. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases.

REVIEW OF NATIONAL WATER RESOURCE PROBLEMS AND PROGRAMS

Mr. JACKSON. Mr. President, on behalf of myself and many other Senators, I introduce for appropriate reference a bill establishing a National Water Commission to undertake a comprehensive review of national water resource requirements and supplies.

The Members of the Senate will recognize that this bill is in furtherance and fulfillment of a part of President Johnson's message of February 23, 1966, on preserving our national heritage. In the words of the President, the Commission will:

> Review and advise on the entire range of water resource problems . . . It will judge the quality of our present efforts. It will recommend long-range plans for the future. It will point the way to increased and more effective water resource measures by the Federal government, working in close cooperation with states, local communities, and private industry.

The National Water Commission will consist of seven members appointed by the President, by and with the advice and consent of the Senate. These members will be chosen from distinguished Americans from outside the Federal Government. Commission members will be chosen on the basis of a broad range of professional experience, demonstrated ability in other fields of endeavor, and the capacity to exercise independent judgment in evaluating our Nation's water problems and policies.

The Commission will have a small staff composed of the very best minds and talents available and will have the authority to utilize the services and the expertise of existing Federal water resource agencies.

In carrying out its responsibilities, the Commission will review present and anticipated national water resource problems, make projections of water requirements and supplies, and identify alternative ways of meeting these requirements. The Commission is directed to consider the economic and social consequences of water resource development, including the impact of development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people.

No region of our country is free of water resource problems. In some areas the problem is water shortage. In others it is water quality. In still other areas it is the lack of proper distribution facilities.

In recent years the areas of critical water problems were the Southwest, parts of the Midwest, the Great Lakes and the Northeast. Last summer, however, saw the Washington, D.C., area also face critical water problems. The Potomac River reached an alltime low flow. Pollution levels reached an alltime high. For the first time in the recent history of this area, restrictions were placed on water usage to conserve remaining supplies.

The advice and guidance of the National Water Commission will be invaluable to the Congress and to the President in developing and implementing policies and proposals designed to solve these and other national water resource problems. A few of the subjects which require study include:

First. Ways and means by which the benefits of new research can be effectively translated into application.

Second. How to make better and more efficient use of existing supplies.

Third. Whether existing State and Federal laws and institutions for water resource management are in need of revision and refinement.

Fourth. An examination of the role of water resources in regional economic development.

Fifth. An evaluation of the performance of existing water resource projects.

Sixth. The relationship of water resource planning and development to other planning and development fields.

Seventh. How best to integrate the technological, legal, and economic relationship of water resource management to attain the greatest benefits at the least cost.

Mr. President, I think that the National Water Commission bill is one of the most important measures which will come before the Congress this year. It will, I hope, be passed early in the first session by both the Senate and the House so that the Commission may begin the task of objectively reviewing the premises underlying our water resource policies and making recommendations in light of the broad national interest.

Late in the 89th Congress this bill was cosponsored by 49 Senators from both sides of the aisle, representing every area of the Nation. Following hearings, attended by the Nation's foremost water resource experts, and a favorable report by the Interior Committee, the National Water Commission bill passed the Senate on June 9, 1966. When considered in the House of Representatives, however, the substance of the measure was incorporated into the Colorado River Basin project bill which was not acted upon by the House.

Because of the great interest expressed in this bill in the past session and in the opening days of the 90th Congress, I ask unanimous consent that the bill lie at the desk for 10 days to enable additional cosponsors to sign the proposed legislation.

I also ask unanimous consent that the text of the proposed legislation be printed in full at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk and be printed in the Record, as requested by the Senator from Washington.

The bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes, introduced by Mr. Jackson (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 20

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Water Commission Act".

THE NATIONAL WATER COMMISSION

SEC. 2. (a) There is established the National Water Commission (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, who shall be appointed by the President, by and with the advice and consent of the Senate. Members shall serve at the pleasure of the President. No member of the Commission shall, during his period of service on the Commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) The President shall designate a Chairman of the Commission (hereinafter referred to as the "Chairman") from among its members.

(d) Members of the Commission may each be compensated at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Commission shall have an Executive Director, who shall be appointed by the Chairman with the approval of the President and shall be compensated at the rate provided by law for level IV of the Federal Executive Salary Schedule. The Executive Director shall have such duties and responsibilities as the Chairman may assign.

DUTIES OF THE COMMISSION

SEC. 3. (a) The Commission shall (1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to desalting, weather modification and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

(b) The Commission shall consult with the Water Resources Council regarding its studies and shall furnish its proposed reports and recommendations to the Council for review and comment. The Commission shall submit to the President such interim and final reports as it deems appropriate, and the Council shall submit to the President its views on the Commission's reports. The President shall transmit the Commission's final report to the Congress together with such comments and recommendations for legislation as he deems appropriate.

(c) The Commission shall terminate not later than five years from the effective date of this Act.

POWERS OF THE COMMISSION

SEC. 4. (a) The Commission may (1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) without regard to the civil service laws and regulations and without regard to the Classification Act of 1949 as amended, employ and fix the compensation of such personnel as may be necessary to carry out the functions of the Commission: *Provided,* That of such personnel no more than five persons may receive compensation equivalent to the compensation established for grade 18 under the Classification Act of 1949 as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) at rates not to exceed $100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; (7) enter into contracts or agreements for studies and surveys with public and private organizations and transfer funds to Federal agencies and river basin commissions created pursuant to title II of the Water Resources Planning Act to carry out such aspects of the Commission's functions as the Commission determines can best be carried out in that manner; and (8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this title.

(b) Any member of the Commission is authorized to administer oaths when it is determined by a majority of the Commission that testimony shall be taken or evidence received under oath.

POWERS AND DUTIES OF THE CHAIRMAN

SEC. 5. (a) Subject to general policies adopted by the Commission, the Chairman shall be the chief executive of the Commission and shall exercise its executive and administrative powers as set forth in section 4(a)(2) through section 4(a)(8).

(b) The Chairman may make such provision as he shall deem appropriate authorizing the performance of any of his executive and administrative functions by the Executive Director or other personnel of the Commission.

OTHER FEDERAL AGENCIES

SEC. 6. (a) The Commission may, to the extent practicable, utilize the services of the Federal water resource agencies.

(b) Upon request of the Commission, the head of any Federal department or agency or river basin commission created pursuant to title II of the Water Resources Planning Act is authorized (1) to furnish to the Commission, to the extent permitted by law and within the limits of available funds, including funds transferred for that purpose pursuant to section 4(a)(7) of this Act, such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with this Commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(c) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services: *Provided,* That the regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments (5 U.S.C. 46e) shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds (31 U.S.C. 665(g)) shall apply to appropriations of the Commission: *And provided further,* That the Commission shall not be required to prescribe such regulations.

APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such sums as are required to carry out the purposes of this Act.

DISPOSITION OF GEOTHERMAL STEAM AND ASSOCIATED GEOTHERMAL RESOURCES

Mr. BIBLE. Mr. President, on behalf of myself and the Senator from California [Mr. KUCHEL], I introduce, for appropriate reference, a measure to authorize the Secretary of the Interior to issue leases for the development of the geothermal steam deposits and associated geothermal resources of the publicly owned lands of the United States.

The bill I am introducing today is identical to S. 1674, as approved by both Houses of the 89th Congress. This congressionally adopted measure was the subject of a pocket veto, however, accompanied by a memorandum of disapproval, dated November 15, 1966.

It is difficult to believe that the draftsman of the memorandum of disapproval had read S. 1674 as worked out and adopted by the Senate and House, or that he had a basic comprehension of the history of legislation respecting development of the mineral resources of the publicly owned lands of the United States. The memorandum stated the bill was "flawed by six major provisions which run counter to sound public policy"—and then goes on to list the six points as well as make some general observations as to public policy with respect to natural resource development.

Mr. President, for the most part these criticisms or flaws simply are not applicable to the bill as passed by Congress. That is, the draftsman was plainly wrong with respect to the provisions of the approved bill; he said it did things it does not do, that it left undone things which it did not leave undone.

I consider it a very serious matter when an employee in the executive branch drafts what amounts to a veto message that contains glaring errors of fact with respect to the provisions of the measure being disapproved.

Also, there are some rather curious assertions regarding the history and policy of mineral resource development of our public domain. This policy has been one of development through private enterprise and initiative. Our economic and social attainments prove the wisdom of this policy, I believe, and the approach of S. 1674 was squarely in accord with this policy.

Yet we find the draftsman of the memorandum of disapproval talking sweepingly of giving away the people's interest in the wealth of their land in the bill. In fact, the philosophic approach of the bill was cited as the basic reason for veto.

It would be most interesting to know just what policy and procedures the draftsman would substitute for development of our publicly owned natural resources through the enterprise and initiative of our citizens.

One last point: There is a strong inference in the memorandum of disapproval that S. 1674 was written hastily, inadequately considered, and approved precipitously by Congress. If such is, in fact, the case with respect to the veto, then there again the draftsman erred with respect to the facts.

S. 1674 was the product of some 5 years of discussion, public hearings, field inquiries, and consideration by Senators and Congressmen quite knowledgeable in mineral resource development.

Some years ago, the Department of the Interior took the position—correctly, I think—that there was no clear-cut authority in existing law by which the geothermal resources of the public domain could be developed. In response to a growing need for the electrical energy this heat from the earth would develop, and the minerals that in many places are contained in the gases or brines, I introduced on March 27, 1962, a bill that became S. 3075, 87th Congress, which would have amended the Mineral Leasing Act of 1920 to add geothermal resources to the list of minerals leasable by the Secretary of the Interior under the act. This measure was referred for report to the several administrative agencies concerned—including the Federal Power Commission, which offered no comment.

In the 88th Congress, based on these reports, I introduced a revised bill, S. 883, which proposed a separate geothermal steam leasing act. S. 883 was the subject of two public hearings in the 88th Congress, at which the executive agencies were heard at length; the measure was amended in committee, and reported to the Senate—Senate Report No. 1508. On August 21, 1964, we passed this measure.

Meanwhile, the other body had given consideration to companion geothermal steam leasing bills, and a task force of the House Interior Committee made on-the-spot field inspections of geothermal steam development in northern Italy, Iceland, and California.

In the 89th Congress, I once again introduced a geothermal steam leasing bill which became S. 1674. This measure was drafted on the basis of the quite extensive information and views the Senate Interior Committee had amassed on the subject during the previous two Congresses. Once again public hearings were held, and the views of the executive agencies heard and considered. Once again the Interior Committee reported a geothermal steam leasing bill to the Senate—Senate Report No. 683—and once again the measure passed the Senate.

The House held very extensive hearings on companion bills, some 9 days in all, I am told. The House committee reported the Senate measure with its own amended text and the House of Representatives approved. After a series of informal conferences, the Senate concurred in the House amendment with an amendment, and the House concurred.

Thus, the record shows that the Congress gave long and careful consideration to the measure that was presented to the Executive Office of the President. One could wish that the draftsman of the memorandum of disapproval had even read the House and Senate approved bill with care and understanding.

Mr. President, I ask unanimous consent that the measure be held at the desk for a period of 10 days to enable other Senators who may wish to join in sponsorship of this measure for the development of a new natural resource to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nevada.

The bill (S. 23) to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes, introduced by Mr. Bible (for himself and Mr. Kuchel), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

GREAT SALT LAKE NATIONAL MONUMENT

Mr. MOSS. Mr. President, one of Utah's greatest underdeveloped assets is Great Salt Lake, the unique body of water which is our special landmark, and which has a special lure for almost everyone who has ever heard of it.

When I first came to the Senate in 1959, I set as one of my goals the proper development of this remarkable body of water. In each Congress I have introduced a bill to provide for some type of development, and hearings have been held on various measures in both Utah and in Washington, D.C. Out of them has come a reasonable consensus as to how the lake should be developed—the bill I am introducing today conforms with that consensus.

My bill would establish a Great Salt Lake National Monument on Antelope Island. The monument would include all of the island, and certain offshore waters. In all, it would encompass 29,000 acres of land, and 15,300 acres of relicted land and water. Its enactment would not in any way interfere with chemical and mineral exploration of the lake, the way for which was cleared through the passage of Public Law 89-441, clarifying the title to relicted lands once submerged by Great Salt Lake.

As most people know, Great Salt Lake is the living remnant of the vast Lake Bonneville of Pleistocene time. Lake Bonneville is the classic ice age lake, and is of worldwide renown. Its wave-cut shorelines, as much as a thousand feet above the present water level, were recognized in the last century. Ever since, Great Salt Lake has been the subject of intensive study—not only for its lake features, its great salt deposits, and its briny remnant waters, but also for its effect on the distribution and evolution of plant and animal life in the Bonneville Basin.

Antelope Island—a peninsula when Great Salt Lake is at its lowest—is an excellent platform from which to see and interpret the present lake and its physiographic history. Most of the lake terraces are present on the island, and in addition there are magnificent views of Great Salt Lake and of other islands, promontories, and mountain ranges that stand in and around the basin. The restricted but fascinating lake life, including reef-like algae deposits, and the products of evaporation can easily be interpreted by boat trips from this island base. The effect of Great Salt Lake, both as a barrier and as a magnet for fur trappers, explorers, Mormon pioneers, and railroad builders, is an important part of the history of westward expansion.

Antelope Island is privately owned, and the single private owner has indicated a willingness to sell it to the Federal Government.

The west side of the island is in a primitive condition, and it is on this side that the best geological display can be seen. On the eastern slope, sweeping grasslands extend to the crusted salt flats. At the northern end of the island, there is an especially attractive area, with a sandy beach, which could be used for a visitor's center, and facilities for bathing and boating. Under my bill, the State of Utah could be granted a concession to operate and develop the recreation facilities.

My bill also contains specific language which would allow the State to continue with diking activities now underway in an experimental program to create a fresh water lake on the eastern shore of Antelope Island, leaving a salt water lake on the west.

Mr. President, I sincerely believe that the measure I am introducing today is the very best possible refinement of previous bills, and offers the best possibility for Federal-State cooperation in the development of Antelope Island. It has the support of both the National Park Service and the present State administration in Utah.

Hearings were held on a similar bill by the Subcommittee on Parks and Recreation of the Senate Interior and Insular Affairs Committee last summer, in the second session of the 89th Congress. The bill is ready for action in the 90th Congress, and I most sincerely hope that the Great Salt Lake National Monument can be created this session.

I send to the desk S. 25, a bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes, and ask that it lie on the desk for 10 days for cosponsorship.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Utah.

The bill (S. 25) to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CANYONLANDS NATIONAL PARK AND GLEN CANYON NATIONAL RECREATION AREA

Mr. MOSS. Mr. President, I send to the desk, for appropriate reference, two bills which will develop and enhance America's recreational potential.

The first is a bill to expand the boundaries of Canyonlands National Park in southeastern Utah to include an additional 102,685 acres, and the second is a measure to establish by statute the Glen Canyon National Recreation Area, the giant water recreation resource created in Utah and Arizona by the Glen Canyon Dam on the Colorado River.

The two are companion bills in that together they would incorporate either into the national park or the recreation area all of the magnificent scenery known as the Maze which lies directly west of Canyonlands and north of the recreation area.

The southwestern section of the Maze, which embraces a rugged labyrinth of canyons, some of which no white man has ever penetrated, and which is amazing and unique even in the splendid scenic sweep of southeastern Utah, would be incorporated into the national park where it would have full protection.

The land to the north and west of Canyonlands, still very beautiful, but more accessible, and on which there are already winter grazing permits and some oil and gas leases, would be placed in the national recreation area, where it would be subjected to multiple use management. This means that the scenic values could be protected, while the land still could be developed for other purposes. The national recreation area bill also spells out in some detail all other land uses within its boundaries, and establishes by law, and with some boundary changes, the area already set aside by Executive order.

CANYONLANDS

There is no doubt that the boundaries of Canyonlands National Park should be pushed back in certain areas. The present park comprises 257,640 acres, and contains such outstanding features as Upheaval Dome, Grand View Point, Monument Basin, the Needles, and the celebrated Druid and Angel Arches. But because the size of the proposed park was a local issue when Canyonlands was established in 1964, the land area was cut back, and some of the most striking of the bordering scenery was left outside the boundaries. Since that time additional unique features and natural phenomena have been recognized as of truly national significance. All of these remarkable areas should be kept in their undisturbed and natural state which gives this area much of its enticement, and the best way to do this is to incorporate them into the national park.

Before Canyonlands National Park was established there already had been some vandalism in southeastern Utah of the improbable geological formations as well as of the irreplaceable Indian artifacts and pictographs. It was partly to give protection to many of these national treasures that I pressed for action on the Canyonlands National Park bill in 1964, and agreed to compromise on its size to win more support.

Now the new park is bringing thousands of tourists into the area. It is inevitable that as the park access roads open up the country leading to it, and as hiking and horseback trails are pushed into formerly remote areas, there will be new danger of vandalism and destruction—not necessarily deliberate marring of the fabulous stone arches, windows, spires and pinnacles in which the area abounds, but of thoughtless treatment of these formations. I feel it is most important that we bring the most spectacular of these still unprotected areas into the park so they can be preserved for the enjoyment of all.

For the purposes of identification, I have divided the areas which my bill would add to the Canyonlands National Park into four sections.

The largest of these—some 50,535 acres—is the Maze, which I have already mentioned. This aptly named area contains an unbelievably complex array of eroded geological forms. Natural delicate colors of the rocks make this scenically as well as geologically of national importance. This area also contains some outstanding examples of Indian pictographs and prehistoric dwellings.

The second is the Lavender Canyon area at the southeast corner of the park. The scenery there is exquisite. There are many spires and knobs of delicate color, natural arches, and prehistoric ruins. This addition would incorporate 18,455 acres of Government lands, and 80 acres of private lands, the latter the only privately owned lands in the additions I propose.

A Horseshoe Canyon detached area of 3,275 acres to the north and west of Canyonlands contains the finest gallery of Indian pictographs in the country, according to J. O. Brew, one of the Nations, leading anthropologists. By including this area, the pictographs will receive much better protection, and at the same time be made more available to the public.

The fourth and final area which my bill would add is Dead Horse Point, which is located at the northeastern corner of the park, and provides an overlook area into the outstanding, picturesque Shafer Canyon country and the Goose Neck of the Colorado River. The addition would also preserve a scenic route for a proposed park access road as it leaves spectacular Long Canyon and climbs up on "The Neck" and into the central part of the park. Since much of this country is now covered by low brush, extensive areas are necessary to preserve the tableland views. This would likewise accord full protection of other scenic areas already in the park.

Dead Horse Point is now a State park, and the Utah State Park and Recreation Commission recommended last year that it be incorporated into Canyonlands so it could be given more comprehensive development. The State has already built a visitor's center there. My bill would bring 30,340 acres of the State park, including the visitor's center, into the national park. Some sections of the State park would be omitted because oil wells have been drilled there. There are a number of potash and oil and gas leases in the area which would be incorporated. Most of the potash leases are owned by the Texas Gulf Sulphur Co., which has offered to accept transfer of the leases to other selected areas.

GLEN CANYON NATIONAL RECREATION AREA

The major feature of the Glen Canyon National Recreation Area is Lake Powell, which has a surface area of 256 miles extending 186 miles along the Colorado River and 71 miles along the San Juan River. Augmenting this prime value are the striking Glen Canyon walls, and the spectacular arches, bridges, coves, and numerous wild areas. With these features and the opportunity for a variety of recreational uses—fishing, swimming, boating, water skiing, picnicking, and sightseeing, it is expected that Glen Canyon will be equal to Lake Mead as a tourist attraction within a few years.

The National Park Service presently administers public recreation on about 1,051,055 acres of land withdrawn from public entry or acquired for the Glen Canyon Reservoir project. With about one-fourth of the development program complete, the area is already receiving about one-half million visitors annually.

The bill I am introducing today provides for a Glen Canyon Recreation area of approximately 1,160,000 acres. This includes 132,890 acres west and north of the Maze, which I have already mentioned, but excludes some 37,990 acres in the Maze which would become part of the Canyonlands National Park. These acres are now a part of the recreation area as established by Executive order.

Mr. President, both the bill to expand the Canyonlands National Park and the measure to adjust the boundaries of the Glen Canyon National Recreation Area, and establish this area by statute, should be passed if we are to fully recognize and develop the awesomely beautiful land in southeastern Utah and northern Arizona in which these two attractions are located.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. MOSS, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 26. A bill to revise the boundaries of the Canyonlands National Park in the State of Utah; and

S. 27. A bill to establish the Glen Canyon National Recreation Area in the States of Arizona and Utah.

AMENDMENTS TO THE SOCIAL SECURITY ACT

Mr. PELL. Mr. President, in this era of rising costs, it is all too clear that citizens living on fixed incomes, such as social security or railroad retirement, are those who suffer the most. While a worker's wage may increase through normal collective bargaining or the recently enacted minimum wage legislation, and while Government employees have recently received a wage increase, our elderly are penalized daily due to the rising cost of living; they have no relief in sight.

Therefore, I now introduce, for Senate consideration and appropriate reference, an amendment to the Social Security Act which would link social security benefits to the cost-of-living index compiled monthly by the Bureau of Labor Statistics.

This proposal is relatively uncomplicated and simply provides that if the Bureau index reflects a 3-percent rise in relation to a stated base period, then social security benefits would be adjusted upward by the same percentage. The legislation also provides that in the event such a cost-of-living increase should result in an actuarial deficiency in the trust fund, the Secretary of Health, Education, and Welfare shall report this fact to the Congress together with recommended changes for additional finances.

It is also worth noting, I believe, that this cost-of-living increase provision would probably be self-financing, for as the wage level rises the payments into the fund also rise; therefore, the formula increase would come out of the increased contribution.

I should also like to point out that this measure calls for a decrease in benefits if the cost-of-living index falls 3 percent compared to the same stated base period; therefore, a decreasing contribution base would not have to support the high-benefit levels.

A cost-of-living adjustment provision would not be a radical addition to the Social Security Act. Many contracts arising out of collective bargaining include such a provision. The Civil Service Retirement Act includes a cost-of-living adjustment, and it is interesting to note that this provision will result in a 3-percent benefit increase to all civil service retirees which will be reflected in their February 1967 checks. As chairman of the Senate Subcommittee on Railroad Retirement, I intend to introduce proposed legislation and would hope to hold hearings on the advisability of incorporating a cost-of-living adjustment provision in the Railroad Retirement Act.

I am also proposing under separate cover an amendment to the Social Security Act which would provide for an increase in the earnings limitation imposed on recipients of social security benefits. I propose to increase that limitation to $2,400 per year. Under the present law, an individual receiving benefits can only earn up to $1,500 per year. In this connection, we must remember that the average monthly social security retirement benefit for those over 65 is now only $144 per couple, or $84 per single individual.

I believe that these two measures are of great need to the senior citizens of our country. We pass legislation for youth and for the workingman, but those who have already contributed their talents to our Nation are all too often forgotten. Adoption of these two proposals will insure that retirees will not be caught by rising costs, and will also allow the many skills possessed by the elderly to be more fully utilized.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 31) to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases and decreases in the annuities, pensions and insurance lump-sum payments, which are payable thereunder, introduced by Mr. Pell, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXTENSION OF CERTAIN BENEFITS UNDER INTERNAL REVENUE CODE OF 1954

Mr. McCARTHY. Mr. President, I introduce for appropriate reference a bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 35) to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households, introduced by Mr. McCarthy, was received, read twice by its title, and referred to the Committee on Finance.

Mr. MONTOYA. Mr. President, I ask unanimous consent that the bill introduced earlier today by the Senator from Minnesota [Mr. McCarthy] be allowed to remain at the desk for 2 weeks for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

UNIFORM TIME FOR POLL CLOSING

Mr. CURTIS. Mr. President, I am introducing today a bill which I feel will go a long way toward eliminating one of the election injustices growing out of the advancements of the electronic age in which we are now living.

My proposal, Mr. President, would set a uniform time for closing the polls in all 50 States when the citizens of our Nation are electing a President and Vice President.

I want to begin by saying I am not in any way critical of the advances made in news reporting or the conduct of the electronic media. No incidents in my own elections to Congress over the years have prompted me to offer this bill. I have only the highest praise for the way the electronic media and in fact all the news media of Nebraska have reported election news. We have in Nebraska and I think throughout the Nation responsible editors and reporters who handle facts and figures rapidly with a minimum of error. They serve a great public function in informing the voters about the issues and the candidates.

Still, Mr. President, the coming of the electronic age has brought with it some advances which can work and have worked injustices upon candidates and voters in our election process, especially in the election of the President and Vice President.

This is evident in the effects which early reporting of returns have upon voters who have not yet gone to the polls.

When a national news commentator, drawing upon information he has received from the electronic computers, reports that one candidate is leading another by a substantial margin in certain States, the mere reporting of this can have a discouraging effect on voters in other States. The news reporter may even be reporting that his computer has indicated a winner.

The best example involves the voter or voters who must make a special effort to go to the polls. The husband may have come home from work late and tired. He listens to radio or television reports of voting in other States. He learns his candidate is either far ahead or hopelessly behind in the large Eastern States. He says to himself, "My vote would not make any difference; so why should I go out of my way to vote?" Then there is the housewife who may be at home alone with the children. Her husband is out of town on business. She must hire a babysitter to stay with the children if she goes to the polls. She hears the reports from other States and decides, "It would not make any difference in the outcome; so I am not going to waste my time or money." Other voters find it difficult to remain in a long waiting line and they may give up the idea of voting if they feel that it has already been settled.

It is common knowledge that people have a respect for the majority opinion. Even though they may not fully agree with a candidate for public office, they may feel that if the majority has voted for a candidate it must be the wisest choice.

In order to preserve the sanctity of our elections, Mr. President, I believe we must take some action to protect the voter's right to cast a ballot knowing that his vote will count and that the contest has not yet been decided. I am not objecting to the reporting of results as soon as the polls close and the votes are counted. I have no objections to the reporting of partial returns as the ballots are counted or after the polls are closed. I do not feel the communications media should withhold information.

I do feel that we can make our presidential and vice-presidential elections more fair for both political parties and for all candidates and for the voter by establishing a uniform closing time for all polls.

My proposed legislation would require all polls in the United States to close at the same time for the election of electors for President and Vice President.

It would take effect with the election of 1968 and would apply to every presidential election after that.

The closing time would be 9 p.m. in the eastern standard zone, 8 p.m. in the central standard zone, 7 p.m. in the mountain standard zone, 6 p.m. in the Pacific standard zone, 5 p.m. in the Yukon standard zone, 4 p.m. in the Alaska-Hawaii standard zone, and 3 p.m. in the Bering standard zone.

I am not unaware that this calls for a rather early closing in Alaska and Hawaii. I believe, however, that we are faced with a serious national problem and that the national interest must prevail. The fact that the bill would not become effective until 1968 would not only give the State legislatures an opportunity to act this year, but it would give a long time to advertise this change.

It must also be borne in mind that a good portion of the important business of the country is transacted during limited hours, such as banking and business at a post office window and paying taxes. And, of course, there is no Federal law proposed as to how early the polls could be opened.

The voters who reside where Pacific standard time prevails or in the Yukon time zone, or in Alaska or Hawaii or in the Bering time zone have a right to cast their vote without the problem that arises when voters feel that the election is over and their vote will be of no avail.

Mr. President, I send the bill to the desk and I ask that it be held at the desk for 10 days for additional cosponsors.

I ask that the name of the distinguished Senator from South Dakota [Mr. MUNDT] and the distinguished Senator from South Carolina [Mr. THURMOND] be added as cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nebraska, and the additional cosponsors will be added.

The bill (S. 36) to provide a uniform closing time for polling places in certain Federal elections, introduced by Mr. CURTIS, was received, read twice by its title, and referred to the Committee on Rules and Administration.

COMMISSION ON THE OPERATION OF THE EXECUTIVE ORGANIZATION

Mr. PEARSON. Mr. President, I introduce, for appropriate reference, a bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government.

Briefly stated, the purpose of this measure is to create a commission with duties and responsibilities similar to those of the widely heralded and highly successful Hoover Commissions of 1947–49 and 1953–55. It is similar to a bill I introduced in the 89th Congress, a bill which was cosponsored by 36 of my colleagues.

Mr. President, it is widely acknowledged that there is a need for a comprehensive study of duplicated and overlapping activities, organizations, methods, administration, functions, and policies of the Federal bureaucracy.

This measure would create a bipartisan commission authorized to make studies and investigations of the present organization and methods of operation of all executive agencies of the Federal Government and to submit recommendations to Congress for appropriate action.

This study would proceed with the intention of improving Government efficiency and effecting economies wherever possible and with improving the effectiveness of the bureaucracy for implementing the policy objectives enacted by Congress.

Mr. President, the original Hoover Commissions were created because it was recognized that there existed much overlapping and duplication of services as the result of the mushroom growth of Federal Government during the great depression of the 1930's and World War II during the 1940's.

Mr. President, within the past decade and particularly with the past 4 years, there has been a comparable, if not greater, growth in Government programs, agencies, personnel, services, and expenditures. Since the last Hoover Commission, Federal spending has almost doubled and the number of civilian employees has been increased by nearly 20 percent.

Even more significant has been the increase in bureaus, agencies, and program divisions. Because there has been too little planning and too much indiscriminate action, great duplication, and in many instances, outright conflict now prevails. A vivid example of the prevailing confusion was produced last fall when a Senate subcommittee studying Federal programs for the cities found that no administration official could produce a reliable estimate of just how much money the Government was spending for urban-oriented projects.

The 89th Congress, in particular, with the passage of many new major pieces of legislation, significantly expanded the structure and functions of the Federal Government. Medicare, the expanded poverty program, aid to education, civil rights legislation, air and water pollution control, new housing legislation, and the creation of the Department of Urban Affairs and Housing, and the Department of Transportation are a few examples of this new wave of growing Federal responsibility which have necessarily swelled the Federal bureaucracy during recent years.

Mr. President, I have found myself in agreement with some of these measures. Others I have opposed. But whether or not one opposes or supports the enactment of a given program once it is law we all wish it to be administered as fairly, efficiently, and effectively as possible. But, Mr. President, there is increasing evidence that in too many instances this situation does not prevail. The recent expansion has been so rapid and indiscriminate and the proliferation of bureaus and bureaucrats so great that the lines of authority and responsibility have become entangled and the ever-present problems of administrative efficiency and democratic responsibility have been necessarily compounded.

Mr. President, I share the conviction of many of my colleagues from both parties that the 90th Congress must devote a considerable portion of its efforts and energy to a thorough review of New Frontier and Great Society legislation with the view in mind of determining the effectiveness by which these programs are being executed and how nearly they are achieving the policy goals enunciated by Congress. Such a congressional review will undoubtedly demonstrate the need for new legislation to correct existing deficiencies and in other instances will suggest the needed changes in broad policy objectives.

It would seem to me that the establishment of a Hoover-type commission is an absolutely vital complement to such a review. Indeed, I believe that the need for another Hoover-type commission has been widely recognized for several years, but the enormous demands associated with the enactment of a bewildering variety of new programs over the past 2 years has delayed action on this most vital measure. But precisely because of this fact, Mr. President, I believe that further delay is no longer acceptable. And particularly in anticipation of forthcoming congressional review, I believe it is imperative that at the earliest possible date we move to establish a special commission to study and appraise the organization and operation of the executive branch of the Government.

Mr. President, I ask unanimous consent that the bill which I introduce be printed in full following these remarks and that said measure remain at the desk for a period of 7 days for those Members of the Senate who should wish to join in cosponsorship.

I also ask unanimous consent that the distinguished junior Senator from Colorado [Mr. DOMINICK] also be made a cosponsor of this measure.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 47) for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government, introduced by Mr. PEARSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 47

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. It is hereby declared to be the policy of Congress to promote economy, efficiency, and improved service in the transaction of the public business in the departments, bureaus, agencies, boards, commissions, offices, independent establishments, and *instrumentalities of the executive* branch of the Government by—

(1) recommending methods and procedures for reducing expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions;

(2) eliminating duplication and overlapping of services, activities, and functions;

(3) consolidating services, activities, and functions of a similar nature;

(4) abolishing services, activities, and functions not necessary to the efficient conduct of government;

(5) defining responsibilities of officials;

(6) eliminating nonessential services, functions, and activities which are competitive with private enterprise; and

(7) relocating agencies now responsible directly to the President in departments or other agencies if it can be shown to be more efficient as a result.

ESTABLISHMENT OF THE COMMISSION ON THE OPERATION OF THE EXECUTIVE BRANCH

SEC 2. (a) For the purpose of carrying out the policy set forth in section 1 of this Act, there is hereby established a commission to be known as the Commission on the Operation of the Executive Branch (in this Act referred to as the "Commission").

(b) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of chapter 11 of title 18 of the United States Code.

MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) Number and Appointment.—The Commission shall be composed of ten members as follows:

(1) two appointed by the President of the United States from private life;

(2) Four appointed by the President of the Senate, two from the Senate and two from private life; and

(3) Four appointed by the Speaker of the House of Representatives, two from the House of Representatives and two from private life.

(b) Political Affiliation.—Members of the Commission appointed from private life shall represent equally the majority and minority parties. With respect to members of the Commission appointed from the House of Representatives and the Senate there shall be a Representative and a Senator from the majority party and one each from the minority party.

(c) Vacancies.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

Sec. 4. The President may appoint the last two former Presidents of the United States as Cochairmen. If no such appointment is made, the Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

Sec. 5. Six members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

Sec. 6. (a) Members of Congress.—Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(b) Members From the Executive Branch.—The members of the Commission who are in the executive branch of the Government shall serve without compensation in addition to that received for their services in the executive branch, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(c) Members From Private Life.—The members from private life shall each receive $75 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

Sec. 7. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(b) The Commission may procure temporary and intermittent services of experts and consultants to the same extent as is authorized for the departments by section 3109 of title 5, United States Code, but at rates not to exceed $50 per diem for individuals.

EXPENSES OF THE COMMISSION

Sec. 8. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this Act.

DUTIES OF THE COMMISSION

Sec. 9. (a) Investigation.—The Commission shall study and investigate the present organization and methods of operation of all departments, bureaus, agencies, boards, commission, offices, independent establishments, and instrumentalities of the Government except the judiciary and the Congress of the United States to determine what changes therein are necessary in their opinion to accomplish the purposes set forth in section 1 of this Act.

(b) Report.—The Commission shall submit an interim report to the Congress ninety days after the first day of the first calendar month which begins after the date of enactment of this Act and an interim report ten days after the end of each succeeding ninety-day period. The Commission shall make its final report of findings and recommendations to the Congress not later than two years after the date of enactment of this Act, at which date the Commission shall cease to exist. The final report of the Commission may propose such constitutional amendments, legislative enactments, and administrative actions as in its judgment are necessary to carry out its recommendations.

POWERS OF THE COMMISSION

Sec. 10. (a) Hearing and Sessions.—The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C., title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) Obtaining Official Data.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

THE RED BLUFF, TEX., IRRIGATION PROJECT

Mr. YARBOROUGH. Mr. President, I am happy to introduce a bill designed to restore the economic stability and productivity in a significant area of my home State of Texas by rehabilitating the Red Bluff irrigation project on the Pecos River in western Texas.

The Red Bluff area is comprised of portions of four counties: Reeves, Loving, Pecos, and Ward. All of these are situated in the Pecos River Basin and all have traditionally made use of the river for irrigation.

The Pecos River has been the mother of development in this area. From its waters an oasis was created—an oasis which gave life to many small farms. Forty years ago one saw here a growing area of hardworking people using irrigation to sustain their crops and their hopes. Yet in the time which has elapsed since then, progress has not lived up to expectations. The reason can be found in the cold and concrete facts of water supply.

In the last 10 years the maximum acreage irrigated was 29,800. While this figure appears reasonably sizable, there were 5 years out of the 10 in which the acreage was below 5,000. It is this inconsistency which is patricularly damaging. With such a wide range of possible acreage to receive water, planning becomes virtually impossible, what plans are made are often frustrated, investments may be swallowed up by the dry earth, and many marginal farmers are hurt, if not ruined.

The Bureau of Reclamation plan for rehabilitation which this bill would authorize meets the problem in this area head on. The plan envisages a concrete-lined canal instead of the bed of the Pecos River below Mentone which is presently in use. This canal is expected to deliver 75 percent of the available water to farms. At present only 45 percent reaches the irrigation ditches due to seepage and transpiration by phreatophytes (salt cedars sucking up water). This would mean that under the rehabilitation plan farm deliveries of irrigation water would be increased by 67 percent, or 26,700 acre-feet annually. And the inception of the plan would mean a dependable source of water on which farmers could base crop plans and expectations of yield and gross income. It is estimated that this project would yield a consistent water supply for 22,000 acres and an intermittent supply for an additional 13,000 acres.

Water, however, is not an absolute good. Quality is essential to its use in irrigation. This problem is somewhat harder to attack than that of quantity, but estimates indicate that the Bureau plan will improve quality of the available water by 10 percent.

This problem cannot be discussed in terms of water and acre-feet alone. It is a problem deeply concerning the lives and happiness of farmers, their families, and the businesses they support. And these are the people who are willing to work for and cooperate in support of this project. They are agreed that their water supply be well managed in order to be well utilized. They are willing to agree that the supply will be used only on free-draining soils capable of sustained irrigation. The people of this area also agree that the distribution of benefits from this project must be handled in an equitable manner. Thus this bill provides that each of the seven irrigation districts now existing under Red Bluff Dam will receive some of the acreage allotment to be supplied with water. The equity provisions of this act extend down to the individual landowner, no one of whom may receive more water than is reasonably necessary to irrigate 160 acres of free-draining land capable of sustained irrigation.

The people of this area also are willing to support as much of the project as their financial capabilities permit. Their repayment capacity will be reviewed every 5 years to facilitate their repaying as much as possible of the Federal investment. They are also willing to undertake the rehabilitation of the laterals at their own expense.

This project contains all the ingredients for success. It is theoretically sound in providing a basis from which these people can work to improve their lives and their community. It is also well thought out to provide immediate and appropriate action. Its excellent prospects for this action being taken can be found in the people themselves who are committed to shouldering much of the burden in executing this plan. For these reasons I introduce this bill; the problem is evident, and I hope that the solution is imminent.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 48) to authorize the Secretary of the Interior to provide for rehabilitation of the distribution system, Red Bluff project, Texas, introduced by Mr. YARBOROUGH (for himself and Mr. TOWER), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

GOLD MINE REVITALIZATION ACT OF 1967

Mr. GRUENING. Mr. President, I send to the desk, for appropriate reference, a bill to revitalize the American gold mining industry, on behalf of myself, and Senators ALLOTT, BARTLETT, BIBLE, DOMINICK, FANNIN, HANSEN, KUCHEL, METCALF, MORSE, MOSS, and MUNDT.

I ask unanimous consent that the bill lie at the desk for 1 week for any additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie at the desk as requested.

The bill (S. 49) to revitalize the American gold mining industry, introduced by Mr. GRUENING, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. GRUENING. Mr. President, I wish to say that this proposed legislation, which I have introduced in two previous Congresses, has twice been reported unanimously by the Committee on Interior and Insular Affairs; and I had hoped that this long overdue rectification of injustice to our once great gold mining industry would be acted upon favorably by the Congress. This is a unique discrimination carried out under our free enterprise system against one industry, gold mining, by which it is compelled to sell at a price fixed 33 years ago, a price by which it is no longer possible to sell at a profit. In consequence, our formerly prospering gold mining industry is disappearing. In many formerly gold-producing States it has already disappeared. Ours is the only nation that has practiced this discrimination against this industry.

During World War II the provisions of War Production Board Order L–208 were invoked against our domestic gold mines. They were compelled to shut down as a result of the fancied belief of its administrators that these miners would then mine strategic minerals. Ours is the only nation where this discrimination was carried on against the gold industry and continues to be. Other gold-producing nations have not done so, and the gold industry is prospering there.

I hope that this legislation will be enacted to correct this unique discrimination against this once important industry in our country, which is so vital not only to the West, and to my State of Alaska, but because of our diminishing gold supply to the entire Nation. I hope the legislation will be considered favorably, and for that reason, I am introducing it on the first legislative day.

The reason why the proposed legislation has not been enacted by the Congress in past years is the incomprehensible opposition of the Treasury Department, which pursues the fantastic idea that, somehow, any effort to assist gold mining will adversely affect the monetary aspects of gold and cause a raid on our dollar. I have talked to many bankers and others engaged in international finance who see no justification for that attitude.

Repeatedly those of us concerned with the plight of our gold-mining industry have urged the Treasury Department, if it disapproves of this or other remedial legislation, to come up with an alternative. So far this approach has produced no result. Meanwhile, our gold supply dwindles.

It is high time that the executive department cooperated with the legislative branch in this important field.

OREGON RECLAMATION PROJECTS

Mr. MORSE. Mr. President, on behalf of my colleague [Mr. HATFIELD] and myself, I introduce, for appropriate reference, four bills designed to provide for the authorization of important Oregon Federal reclamation projects.

It is with special pleasure that we introduce these bills because they will provide not only economic development for the State of Oregon, but will bring about water resource development and enhancement of our agricultural economy in the interest of the entire Nation.

In considering bills of this type, we should recall that it will not be many years before our Nation enters an era in which we will no longer be blessed with food surpluses. Undoubtedly, before the year 2000, we will be confronted with the serious problem of providing food and fiber for our constantly increasing population. At that time, we will not be coping with problems of disposal of food surpluses; we will be trying to supply adequate nutrition for the people of our own country. For these reasons, I feel that we of this generation owe it to future generations to undertake at the earliest possible date, the prompt development of our agricultural potential through projects such as those envisaged in the four bills we have introduced today.

For the benefit of my colleagues, I provide the following details relating to the purposes and benefits to be derived upon the completion of these projects:

MERLIN DIVISION, ROGUE RIVER BASIN PROJECT

The Merlin division is designed to become a segment of the existing Rogue River Basin Federal reclamation project of which the Talent division has already been constructed. The Merlin division would be primarily for irrigation, but it would also provide recreation, flood control, and area redevelopment functions.

The main structure of this project would be Sexton Dam. This dam would impound a 39,000 acre-foot reservoir on Jumpoff Joe Creek, a tributary of the Rogue River. The project also envisages two primary canals and diversion, distribution and drainage works, as well as public outdoor recreation facilities.

Of the 9,260 acres which would be served with irrigation water under this project, only 260 acres are now irrigated. Of the remaining 9,000 acres, approximately 2,000 are dry farmed and 7,000 uncultivated. It is anticipated that about one-half of the area of this division will be developed as full-time farms with the remainder being devoted to small units.

Construction of this division is estimated to cost $16,515,000. An economic analysis demonstrates a favorable benefit-cost ratio of 1.8 to 1.

ILLINOIS VALLEY DIVISION, ROGUE RIVER BASIN PROJECT

The bill to authorize the Illinois Valley division of the Rogue River Basin project involves a project that has been under study by the Bureau of Reclamation for a number of years. It was the subject of a favorable recommendation of the Commissioner of Reclamation in 1965.

The plan for development of the Illinois Valley division includes the construction of a dam and reservoir, a diversion dam and a system of canals, laterals, drains to distribute water for the irrigation of 12,130 acres of land; 1,110 acres now have a partial supply of irrigation water in the area.

The disastrous floods of December 1964 and January 1965 caused tremendous damage in the Rogue River Basin. These floods constitute very convincing evidence of the importance of flood control projects, including flood control in connection with reclamation dams. It is estimated that the dam to be constructed on Sucker Creek in connection with the Illinois Valley division would be about 50-percent effective in flood control, depending on frequency, severity, and time of the year. It would provide flood protection benefits to Cave Junction and Selma, Oreg., as well as to farmlands, roads, bridges, and other improvements. Agnes and Gold Beach, Oreg., would also gain increased flood protection under this project.

The Illinois Valley division has an estimated cost-benefit ratio of 1.95 to 1, although this may be adjusted downward slightly because of possible deletion of benefits created under the area redevelopment program. Even without such benefits, the project has an excellent cost-benefit ratio.

The dam to be constructed at the Sucker Creek site would be an earth-fill structure rising to a height of approximately 230 feet above the bed of the stream. The reservoir of the dam would have a surface area of 465 acres and a capacity of 40,000 acre-feet of water. A storage pool of 1,000 acre-feet would assure fishery protection.

A concrete weir across Sucker Creek 2½ miles below the dam would provide diversions for irrigation through north and south canals. The plan for construction includes a fish ladder over the weir and rotary fish screen at the canal headworks.

Agricultural benefits to be derived from this reclamation project include production of feed and forage for livestock, enhancement of dairying, and the production of fruits, nuts, vegetables, and field crops. These agriculture benefits will provide greatly needed diversity and stability for the local economy.

The total estimated cost of the Illinois Valley division is $25,030,600. The project will provide a number of benefits including irrigation, flood control, recreation, and fish and wildlife enhancement.

OLALLA DIVISION, UMPQUA RIVER PROJECT

A feasibility report was issued by the Bureau of Reclamation on this project in 1965. The Olalla division would provide for multiple-purpose water resource development for the irrigation of 14,450 acres of land on the South Umpqua River and tributaries. The principal structure of the Olalla division would be Olalla Dam and Reservoir on Olalla Creek. The dam would store 73,000 acre-feet of water of which 37,000 acre-feet would be available for flood control and conservation.

The project would provide numerous benefits including irrigation, municipal and industrial water supplies, water quality control, flood control, fish and wildlife enhancement, and recreation opportunities.

The cost of the project, based upon April 1964 estimates, is approximately $21,442,000. The project has a favorable benefit-cost ratio of 1.47 to 1.

MONMOUTH-DALLAS DIVISION, WILLAMETTE RIVER PROJECT

The feasibility report on this project was issued in 1966. The project, located in Polk County, Oreg., is designed to supply irrigation water for about 28,000 acres of land in the Willamette River Valley and to augment the flow of Rickreall Creek to eliminate water pollution and to enhance the fishery of the creek.

The facilities proposed for the Monmouth-Dallas division would consist of a pumping plant designed to lift water from the Willamette River into the main canal of the division; a 25-mile main canal; three relift pumping plants; minor canals; laterals and drains; power facilities for pumping, and facilities for protecting and enhancing fish and wildlife resources.

The cost of construction of the project is estimated at $14,058,000 of which $13,252,000 would be allocated to irrigation.

The project has a remarkably high benefit-cost ratio of 2.65 to 1.

The bills which we are introducing today were introduced in the 89th Congress. They have been revised, however, to make them consistent with laws enacted in the 89th Congress.

The bills now provide, in accordance with section 2 of the act of June 14, 1966—80 Stat. 200—as amended by the Act of September 7, 1966—80 Stat. 707—that the portion of the cost of constructing the reclamation projects, which is allocated to irrigation and which is beyond the repayment ability of the irrigation water users, is to be charged to and returned to the reclamation fund from the net revenues received from the marketing of commercial power and energy through the Federal Columbia River power system. The above act established a form of basin account for the Pacific Northwest and made financial assistance from the Federal Columbia River power system available to reclamation projects thereafter authorized in the Pacific Northwest.

The provisions of the bills concerning the development of fish and wildlife resources and the enhancement of recreation have also been revised to conform to the provisions on this subject in Public Law 89–557 and Public Law 89–596. These two laws, which authorized the construction of certain reclamation projects in the States of Oregon and Washington, provided for the conservation and development of fish and wildlife resources and the enhancement of recreation under the provisions of the Federal Water Project Recreation Act—79 Stat. 213. Inasmuch as recreation and fish and wildlife are project purposes, the legislative history of Public Laws 89–557 and 89–596 indicates that no additional substantive provisions to carry out these purposes need be included in the act authorizing the project.

I ask unanimous consent that the bills be printed in the Record.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Morse (for himself and Mr. Hatfield), were received, read twice by their titles, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 51. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oreg., and for other purposes:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purposes of providing irrigation water for approximately nine thousand and three hundred acres, flood control, area redevelopment, and providing recreation benefits, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Merlin division, Rogue River Basin project, Oregon. The principal works of the division shall consist of Sexton Dam and Reservoir, diversion and distribution facilities, and drainage facilities.

"Sec. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

"Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Merlin division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

"Sec. 4. Before the works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary, as to achieve the benefits to recreation on which the allocations of costs therefor are predicated, and to operate them in accordance with regulations prescribed by the Secretary of the Army to achieve the benefits to flood control on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

"Sec. 5. There is hereby authorized to be appropriated for construction of the works herein authorized the sum of $16,515,000 (October 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works."

S. 52. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Illinois Valley division, Rouge River Basin project, Oreg., and for other purposes:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purposes of providing irrigation water supplies, flood control, water quality control, highway transportation, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Illinois Valley division, Rouge River Basin project, Oregon. The principal works of the division shall consist of Sucker Creek Dam and Reservoir, diversion and distribution facilities, and drainage facilities.

"Sec. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

"Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Illinois Valley division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

"Sec. 4. Before the works are transferred to an irrigation water users' organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary of the Interior, as to achieve the benefits to fish and wildlife and recreation on which the allocations of costs therefor are predicated, and to operate them in accordance with regulations prescribed by the Secretary of the Army to achieve the benefits to flood control on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

"Sec. 5. There is hereby authorized to be appropriated for construction of the works herein authorized the sum of $25,030,600 (January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works."

S. 53. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Olalla division of the Umpqua project, Oreg., and for other purposes:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of providing irrigation water supplies, municipal and industrial water supplies, flood control, water quality control, conserving and developing fish and wildlife resources, and enhancing outdoor recreation opportunities, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate and maintain the Olalla division of the Umpqua project, Oregon. The principal works of the division shall consist of Olalla Dam and Reservoir, diversion and distribution facilities, and drainage facilities.

"Sec. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

"Sec. 3. Before any part of the project works are transferred to an irrigation water user's organization for care, operation, and maintenance, the organization shall have agreed to operate them in such fashion, satisfactory to the Secretary of the Interior, as to achieve the benefits to fish and wildlife and recreation on which the allocation of costs therefor are predicated, and to operate them in accordance with regulations prescribed by the Secretary of the Army to achieve the benefits to flood control on which the allocation of costs therefor is predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to comply with the requirements to achieve such benefits.

"Sec. 4. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Olalla division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

"Sec. 5. There are hereby authorized to be appropriated for construction of the works herein authorized the sum of $21,442,000 (April 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works."

S. 54. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Monmouth-Dallas division, Willamette River project, Oregon, and for other purposes:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purposes of providing irrigation water supplies, water quality control, and conserving and developing fish and wildlife resources, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Monmouth-Dallas division, Willamette River project, Oregon. The principal works of the division shall consist of a pumping plant on the Willamette River, canals and relift pumps, distribution facilities, and drainage facilities. The Secretary is authorized to design and construct the facilities of sufficient capacity to permit reasonable future expansion of the irrigated acreage within the service area.

"Sec. 2. Irrigation repayment contracts shall provide, with respect to any contract unit, for the repayment of the irrigation construction costs assigned for repayment to the irrigators over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability or irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

"Sec. 3. Before the works are transferred to an irrigation water users' organization for care, operation, and maintenance, the organization shall have agreed to operate them in a manner that will, in the opinion of the Secretary of the Interior, achieve the benefits of fish and wildlife and water quality control on which the allocations of costs therefor are predicated, and to return the works to the United States for care, operation, and maintenance in the event of failure to achieve such benefits.

"Sec. 4. There is hereby authorized to be appropriated for construction of the works herein authorized the sum of $14,058,000 (January 1964 prices), plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in the costs of construction as indicated by engineering costs indexes applicable to the type of construction involved therein. There are also authorized to be appropriated such sums as may be required for the operation and maintenance of said works."

ABRAHAM A. OSIPOVICH

Mr. MORSE. Mr. President, I introduce for appropriate reference, a bill for the relief of Abraham A. Osipovich of Portland, Oreg.

This bill is designed to authorize the Secretary of the Treasury to pay to Abraham A. Osipovich, out of any money in the Treasury not otherwise appropriated, the sum of $25,963.87 in full satisfaction of all of his claims against the United States for compensation for damages arising out of his suspension and separation from his employment with the Bonneville Power Administration on March 19, 1954.

Mr. Osipovich was born in Odessa, Russia, in 1896. He came to the United States in 1922 and became a naturalized citizen in 1930. In 1938 Mr. Osipovich went to work for the Bonneville Power Administration and due to his exceptional skill and personal qualities he rose to the position of head of the transmission design section in 1943. In 1948 and 1949 certain questions were raised in connection with Mr. Osipovich's loyalty status because of some of his past associations. On both occasions after a thorough investigation the Loyalty Board concluded that there was no reasonable ground for believing Mr. Osipovich disloyal to the Government of the United States.

Despite these decisions, the old charges were brought up again in 1954 in accordance with Executive Order 10450. During these investigations Mr. Osipovich was subjected to great emotional strain which created a serious heart condition. He also incurred large personal expenses for transportation for him and his lawyer to and from Washington, D.C.

Prior to a final decision by the Department of the Interior, Mr. Osipovich resigned. The reason for his resignation is of paramount importance in the evaluation of this case. He became convinced that the final decision would be rendered against him even before an official communique from the Department of the Interior was received. Confronted with what appeared to be certain separation, he finally acceded to his physician's plea that he resign on the grounds of ill health and cease to further risk a severe heart attack. Thus his separation, although technically voluntary in form was truly involuntary when considered in light of the surrounding oppressive circumstances.

Later, Mr. Osipovich was cleared of the charges and allowed to return to the Bonneville Power Administration in 1958, at a position three grades lower than in 1954. He petitioned the Civil Service Commission for compensation for his lost pay but was advised that to qualify, his resignation must have been involuntary.

Having explored unsuccessfully all possible alternate procedures for relief, Mr. Osipovich presented his case to me. Because I consider his case to be meritorious, and one which calls for the correction of a gross injustice, I now introduce this bill, and urge that it be given prompt and serious consideration.

I ask unanimous consent that the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred and, without objection, the bill will be printed in the Record.

The bill (S. 55) for the relief of Abraham A. Osipovich, introduced by Mr. Morse, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 55

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized to pay, out of any money in the Treasury not otherwise appropriated, to Abraham A. Osipovich, of Portland, Oregon, the sum of $25,963.87, in full satisfaction of all claims of the said Abraham A. Osipovich against the United States for compensation for damages arising out of his suspension and forced separation from his employment with the Bonneville Power Administration on March 19, 1954: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

EUGENE E. LAIRD

Mr. MORSE. Mr. President, on behalf of my colleague, Senator Hatfield, and myself, I introduce for appropriate reference a bill for the relief of Eugene E. Laird of Salem, Oreg.

This bill is identical to S. 552 of the

89th Congress which was reported favorably by the Senate Committee on the Judiciary—Report No. 1844 of October 19, 1966. As indicated in Report No. 1844:

> Official records disclosed that Eugene E. Laird was commissioned as a Second Lieutenant in the Officers Reserve Corps of the United States Army on June 6, 1930. He entered on active duty on November 22, 1940. During World War II he was a prisoner of war of the Japanese from April 9, 1942 to September 7, 1945.

The purpose of this bill is to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Eugene E. Laird arising out of his services with the U.S. Armed Forces from November 22, 1940, through October 24, 1946. Unless this bill is enacted, the statute of limitations will bar any claim for increased disability benefits on the part of Mr. Laird.

The bill we are introducing today is designed to provide for Mr. Laird the same type of relief that was sought by Mr. Frank E. Lipp in S. 1407 of the 89th Congress, which became Private Law 89-215. It is my hope that the committee to which this bill is referred will take prompt action thereon to the end that Mr. Laird may be afforded his day in court before the U.S. Court of Claims.

I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 56) conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Eugene E. Laird, introduced by Mr. MORSE (for himself and Mr. HATFIELD), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 56

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled, That, notwithstanding any statute of limitations pertaining to suits against the United States, or any lapse of time, or bars of laches or any prior judgment of the United States Court of Claims, jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon any claim of Eugene E. Laird arising out of his service with the United States Armed Forces from November 22, 1940, through October 24, 1946.

SEC. 2. Suit upon any such claim may be instituted at any time within one year after the date of the enactment of this Act. Nothing in this Act shall be construed as an inference of liability on the part of the United States. Except as otherwise provided herein, proceedings for the determination of such claim, and review and payment of any judgment or judgments thereon shall be had in the same manner as in the case of claims over which such court has jurisdiction under section 1491 of title 28 of the United States Code.

AMENDMENT OF NATIONAL DEFENSE EDUCATION ACT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, a bill to amend title V of the National Defense Education Act to authorize short-term training sessions for guidance counselors in elementary and secondary schools, junior colleges, and technical institutions. Title V of the National Defense Education Act expires next year and therefore it will be incumbent upon this 90th Congress to consider renewal and revision of the statute.

This measure has been suggested to me by the New York State Department of Education as being helpful to keep these guidance counselors up to date in their work, covering such areas as employment trends, job requirements, new and changing educational opportunities and obligations, and guidance of the disadvantaged. It is contemplated that the training sessions would be of 1 or 2 weeks' duration with speakers, panelists, and other resource persons to be drawn from colleges and universities, Government agencies, business and industry.

I ask unanimous consent that the text of the bill may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 59) to amend title V of the National Defense Education Act of 1958 in order to authorize, as part of a State program pursuant to such title, short-term training sessions for persons engaged in certain guidance and counseling in such State, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 59

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 503 (a)(2) of the National Defense Education Act of 1958 is amended by inserting before the period at the end thereof a comma and the following: "and such programs may include, at the discretion of such State agency, short-term training sessions for persons engaged in guidance and counseling in elementary and secondary schools, junior colleges, and technical institutes in such State."

A NATIONAL COMMISSION ON TAX SHARING

Mr. NELSON. Mr. President, I introduce for appropriate reference a bill, on behalf of myself and the Senator from Maine [Mr. MUSKIE], which will enable us to accomplish what many people seem to agree is an urgent necessity—a system of Federal-State tax sharing.

As the 90th Congress convenes, it seems that the sharing of Federal revenues with the States is just about the most popular issue of all.

All across the Nation, Democratic and Republican leaders are vigorously enunciating plans to solve State and local fiscal problems by sharing Federal revenues. A multiplicity of proposals already have been made, and many more are on the way. A monumental partisan contest is looming to see which political party gets the credit for helping the States and cities the most.

There are serious reasons for this national phenomenon. The needs of State and local government are growing faster than their revenues. Meanwhile, the yield of the Federal income tax is growing more rapidly and it is possible to look forward to the day when the Federal Government will enjoy a surplus. It is sensible to consider using this money to meet the needs of the States.

However, I do not think we should kid ourselves. The hard fact of the matter is that talk of passing a tax sharing measure this year is just political window dressing.

Federal-State tax sharing is incredibly complicated and it would be irresponsible for Congress to rush a plan through without exhaustive consideration. Furthermore, the war in Vietnam puts such a strain on the Federal budget that there is no likelihood whatever that Congress would choose this year as the one in which to begin sharing revenues with the States.

The real question is, What can we do in 1967 to set this important new tax-sharing proposal in motion so that it can be accomplished in the near future?

In my opinion, the answer is to create a blue ribbon National Commission on Tax Sharing to work out the details of such a plan and report back to Congress in 1969.

THE STATES PROBLEM

When I was Governor of Wisconsin from 1959 to 1963, I was made constantly aware of the fact that State and local governments have increasing difficulty in raising necessary revenues.

This experience made me fully aware of the need for some kind of sharing of tax dollars between the huge and powerful Federal Government, with its growing revenue sources, and the State units of government.

It is next to impossible many times for the legislatures, city councils and county boards to face up squarely to the need to raise taxes to pay for vital State services, especially in the fields of education, health, and welfare.

Too often, Governors, State legislatures, mayors, and city councils, facing the choice of a tax increase or a cut in vital programs, must choose the latter alternative. As a result, local and State governments sometimes are unable to meet their responsibilities.

What is the answer to this problem? I do not believe any one person knows precisely—nor does any one group of economists, nor any one political party, nor does any group of Federal or State officials.

The riddle of the financing of State and local governments has no simple answer.

But this does not mean that we should not look at the problem of revenue sharing. It convinces me, however, that no plan we will see or hear about in the opening months of this Congress will be the ultimate plan we will want to approve.

BASIC CONCEPTS OF TAX SHARING

Generally speaking, all proponents of revenue sharing favor some kind of plan which returns money to the States after it has been collected by the Federal Government.

Block grants were first used in 1836 during the Jackson administration and represented even then a radical departure from the conventional method of disbursing Federal aid. The disbursement of $28 million to the States under the terms of the Surplus Distribution Act of 1836 represents the only instance in U.S. history when Federal funds have been granted to the States without conditions governing the use of the funds.

There are a few instances now where some Federal funds are returned directly to a few States for education and road aids. These are derived to begin with from those same States in the form of sale of public lands and the sharing of grazing receipts.

Since 1836, therefore, this country has made no move to enact any other method of tax sharing as we are now defining the term.

In 1960 Walter Heller, then chairman of the Department of Economics of the University of Minnesota, proposed that rising Federal revenues be distributed to State and local governments with little or no strings attached.

This recommendation did not get serious attention until the spring of 1964, but other pressing matters of fiscal nature prevented this proposal from receiving congressional consideration. The tax reduction bill of that year was one important roadblock, and also because the Federal budget had been running chronic deficits since 1960. Heller based his plan on the supposition that the budget would have surpluses for the next 2 years and would, therefore, make the proposal possible.

The Democratic platform of 1964 also stated that its candidates would further "development of fiscal policies which could provide revenue sources to hard-pressed State and local governments to assist them with their responsibilities."

The Republican candidate for President in 1964 also embraced this idea by recommending that a portion of Federal income taxes be returned to the States and that these governments be given a larger share of revenues derived from inheritance taxes.

In a statement issued on October 28, 1964, President Johnson declared the intention of the administration to carry out the pledge of the Democratic Party. He proposed that the Federal Government should make available to State and local governments "some part of our great and growing Federal tax revenues—over and above existing aids."

President Johnson then appointed a task force composed of individuals from government and business and headed by the distinguished Joseph A. Pechman, director of economics at Brookings Institution, to study the possibility of setting aside a fixed percentage of Federal revenues each year in a trust fund for distribution to State and local governments.

TWO BASIC CONSIDERATIONS ARE INVOLVED

First, when this plan was suggested in 1964, the rapid growth of the gross national product and the closing down of military bases prompted thoughts of budgetary surplus by the end of fiscal year 1966. It was feared that a surplus before full employment of manpower and resources had been achieved would cause "fiscal drag." This in turn would retard the then current high rate of business expansion.

The second factor, and still the most important one, is that State and local governments are badly in need of new revenue sources for their ever growing needs in schools, colleges, health services, and welfare problems.

State and local expenditures are still growing at an expanded rate.

During the 10-year period from 1954 to 1963, the expenditures of these governments more than doubled, increasing from $36.6 to $74.9 billion. State and local indebtedness increased even more rapidly during the same period—from $38.9 to $86.4 billion. Expenditures by State and local governments increased at an average rate of 7½ percent a year between 1958 and 1963. During that period net indebtedness increased by 43 percent. More recent figures obtained from the Library of Congress obtained from the Census Bureau show that in 1965, the State and local units expenditures were $87 billion while their indebtedness climbed to $99.5 billion.

According to recent figures attributed to Mr. Pechman, of Brookings Institution, by 1970 these expenditures should reach about $103 billion. And I have read that some sources indicate this figure is conservative. One hundred twenty billion dollars might be the more accurate amount, according to one study done for CED.

Most States have tax systems which place heavy emphasis on sales taxes, fees, and property taxes rather than progressive income taxes. Naturally, local governments find it difficult to support rising costs of necessary programs.

Nearly one-third of State and local revenue is derived from real property taxes. Almost one-half is raised through sales taxes and fees. Income taxes provide only a little more than 7 percent of the total.

Therefore, even if the difference between revenues and expenditures of some $20 to $30 billion a year could be raised from this existing State and local revenue system, the largest amount of the money would have to be derived from the highly regressive sales taxes and property taxes. Besides the fact that this penalizes the obvious groups of poor and older citizens, this would also discourage homeownership and accelerate the trend of deterioration of property in our already troubled cities.

Nearly 80 percent of this money will be spent for health, education, and welfare—areas in which States not only have maintained but should maintain principal responsibility.

Where is this money going to come from? These expenses can hardly be deferred.

EXAMPLE OF STATE TAXATION SYSTEM

Since I am most familiar with my own State of Wisconsin, let me bring the facts closer to home by citing some examples from figures compiled by the nonpartisan Wisconsin Taxpayers' Alliance. This group states that Wisconsin State and local tax collections in the last decade have grown much faster than the Federal collections—in 1954 State and local collections equaled 30 percent of all taxes collected. By 1964 they had grown to 39 percent of all taxes collected. This appears to be the average for other States as well.

Total State and local taxes raised in Wisconsin increased from $265 million in 1944 to $1,246 million in 1964. This represents an increase of 500 percent. The Federal tax collections for the same period increased from $822 million to $1,959 million or slightly more than twice.

Meanwhile, the percentage of money expended by the State of Wisconsin on education for the 5-year period ending 1964 rose from 22 to 26 percent of all money spent. Every 2 years the State must provide for approximately 100,000 more pupils than in the previous 2 years. Each biennium must provide for college classroom space equal to the entire pre-World War II enrollment at the University of Wisconsin.

Wisconsin, of necessity, had to resort to almost every possibility in order to raise the necessary revenues; the broadly based and progressive income tax, corporate and personal, a 3-percent sales tax, high property taxes in local communities, borrowing by local units to finance capital expendituress, gasoline taxes, sportsmen's licenses, tuition, and license fees.

But, after all these taxes are raised, the State only keeps about 11 percent with which to finance its operations. Eighty-three percent of the taxes collected by the State—about $1 billion total collected—were spent by the local units of government. Six percent went into the highway fund by law, leaving the State to spend the final 11 percent for all the functions of the State and government.

UTILIZATION OF REVENUES

If Federal tax revenues continue to grow as expected, these courses of action would be open to the Congress:

First. Expansion of the Federal budget to use the full increase in revenue;

Second. Tax reduction;

Third. Retirement of national debt;

Fourth. Expansion of Federal spending through grants-in-aid for specific programs. This latter method has been used more and more in increasing amounts.

In 1934, 18 grant-in-aid programs were in existence to send money back to State and local governments for specific purposes. By 1964, there were 68 programs for State and local governments plus 60 more programs for disbursement of funds to individuals and institutions. As of this year some 140—depending on how you count them—programs exist in the grant-in-aid field.

In terms of dollars expended, $126 million was spent for Federal grants-in-aid in 1934 and this had risen to $10,060 million in 1964—a rise of eightyfold. Average expenditure per program for Federal grants-in-aid increased in the same period of time from $7 million to $148 million. In 1965 the figure was $10.9 billion. By 1966, according to the Bureau of the Budget, $13.3 billion was being spent through grants-in-aid programs.

Naturally, along with the increase in the programs more and more strings have been attached and a growth in the Federal bureaucracy has been the direct result. This may or may not have resulted in some weakening of the State and local governments.

STATE GOVERNMENTS ARE AN EFFICIENT UNIT

The simple fact is that the State governments are more important to our system of government today than at any time since the founding days of the Republic. Their function has evolved into one of greater responsibility than ever before, especially in the fields of education, hospitalization of the sick and mentally incapacitated, law enforcement, the control of traffic and safety, the system of highways, regulation of utilities, insurance, and conservation of our natural resources.

We should lend more emphasis, not less, to the role of the State governments. They should be made stronger, not weaker. The State unit is the most efficient unit and the most rational form of a government dealing with regional problems of any other in existence today. They should be given ever-increasing responsibilities and nurtured so they grow in an orderly and logical fashion.

Nevertheless, State governments have a tough role ahead for them. They should modernize and reorganize their ancient way of administering their far-flung operations. In many cases they are still in the horse-and-buggy stage, still trying to serve an industrial society with a system that was designed around an agrarian economy.

The modern State government must develop, therefore, intensive plans and guidelines which will chart their future course through the expansion of our private enterprise economy, bearing in mind, of necessity, that the local governments must be made a partner in this development.

State governments should evaluate their present situation and develop comprehensive plans, projecting needs for the next half century in State facilities, recreation, land use, the State's economy, intercity and mass transportation, population growth and migration, and recreation resources and needs.

To do these things, both in the planning and in the implementation stages, States need money. And that is what all of these tax-sharing plans are designed to do—to get back to the State and local units of government, money which will enable them to do all of these things and more.

PROPOSALS EXAMINED BRIEFLY

The newspapers have been filled with ideas coming from all sides, many of them with great merit, at first glance.

The best known, of course, is the Heller-Peckman plan, which basically is a return of 2 percent of the Federal income tax base, returned to the States on a per capita basis. In 1966 this would have involved the sum of $5.6 billion based on total taxable income returned with no strings attached. I recently read that Mr. Pechman said that there was no reason why the States should not be compelled to turn over a fixed portion of such income to the cities. I believe Mr. Heller, on the other hand, feels that reapportionment of the State legislatures in time would mitigate the possible problems of rural legislatures refusing to share funds with urban centers.

HENRY REUSS, Representative from Wisconsin, has also embraced the idea of revenue sharing with his own plan, but he gets a good deal more specific and does attach a few strings. He would like to provide $25 billion over a 5-year period to States which would take steps to modernize State and local governments. He would also like to see regional coordinating committees for each of four regions set up. His plan, as I understand it, would allocate money on the basis of population with no State receiving less than $500,000. The formula also apportions funds according to total population per State with up to 20 percent of the total set aside for supplements to States with low per capita income, or a high incidence of poverty, dependency, or urbanization.

The Senator from New York [Mr. JAVITS] also introduced a plan some time ago in this House, which was designed to establish in the Federal Treasury an amount equal to 1 percent per year of all total individual income taxes. In 1965 this would have amounted to $2.65 billion. Roughly, this was to be shared by means of a formula which tied the total population of the State to its revenue-raising efforts in comparison to the rest of the States. About 85 percent to 90 percent of the total fund would be divided up in that manner. In addition, about 10 percent to 15 percent of the total fund would be distributed in an income redistribution formula. Simply stated, the State which is lowest on the list of the 50 in terms of per capita national average income would receive more than the State next higher on the list and so on, until the more affluent States would receive none. Here again a string was attached, however, because all money returned would have to be spent for health, education, or welfare programs, State payments in lieu of property taxes, debt service, or disaster relief.

The plan which the distinguished Representative from Wisconsin, MELVIN LAIRD, has suggested is that of merely returning a flat percentage of Federal taxes collected from each State to that State with no strings attached. He cites precedence in the Wisconsin plan for tax sharing. In Wisconsin all income taxes collected by the State are shared to the extent that 50 percent goes back to the community from which it was collected, 10 percent to the county, and 40 percent is retained by the State. Representative LAIRD does suggest that some kind of equalization formula similar to Wisconsin's formula applied throughout the country would insure that poorer States would receive a greater percentage of the funds they collect because of their greater need for assistance.

In addition, this plan is designed to partially supplant rather than to supplement some Federal grants-in-aid programs.

Representative GOODELL, of New York, on the other hand, would like to make specific allotments to local communities. He would distribute 50 percent for State purposes, with 45 percent to be distributed by the State to local governments and 5 percent to strengthen the executive and management functions of the State.

Several foreign governments have also engaged in tax-sharing plans with some varying degree of success. You will find that most of them are rather complicated. Germany, Canada, Australia, and Argentina all have plans which cannot be explained in a few sentences. The formulas are extremely complex. I ask unanimous consent that the documents from the Library of Congress relating to these plans be inserted in the RECORD at the close of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

ARGUMENTS FOR THESE PROPOSALS

Mr. NELSON. In an expanding economy based on 1965 tax rates Federal revenues increased on the average by about $6 billion per year. Economists fear that additional taxes would siphon off too much money from the private sector of the economy. A Federal surplus would thus result before full employment of manpower and resources is achieved. Such a surplus has the effect of retarding economic growth, and in time, the forces of recession set in. It is believed that enactment of a sharing proposal would avert this so-called fiscal drag which such surpluses may exert upon the national economy. Naturally, 1966–67 expenditures for defense and Vietnam will preclude this possibility.

Tax reduction measures would also counteract the restrictive effects a budget surplus would produce. Tax reduction bills usually take too long to get through Congress, however, and recessions can take effect faster than legislation. By making excess revenues available to State and local governments automatically, action would get underway immediately to offset the contractive effect of such surplus.

It is apparent that the largest area of unmet needs lies in the services provided by State and local governments.

State and local governments have been increasing their outlays much more rapidly than the Federal Government during the past several years in attempts to meet mounting obligations.

As I said, in 1963 they spent about $75 billion. The Library of Congress reports projected expenditures for 1972 of amounts varying from $103 to $120 billion. On the other hand, Federal spending has increased less drastically. Fiscal year 1965 showed a total of $98 billion spent, and if one disregards expenditures for Vietnam, the projected amount for 1972 is $110 to $115 billion.

Representative HENRY REUSS suggests that State and local governments may not use these Federal funds wisely if they are granted nor will they increase their own taxes and expenditures for necessary programs. Past experience, I feel, proves these fears groundless and that this would not be the case. A large proportion of total State and local outlays over the past years have been used for educational, health, and welfare purposes—an indication that they are cognizant of the needs of their people in these areas and are attempting to meet them.

As a matter of fact, of the $39 billion increase in State and local government expenditures between 1954 and 1963, 41 percent went into education; another 14 percent into health and welfare; 16 percent to highways, and 8 percent for police, fire, and sanitation—a rather good division I would venture to say.

The argument is made that grants made to State and local governments should be on a "no strings attached" basis, that these groups should be allowed to operate without tight supervision and restrictions—free from Federal control. The argument continues that the spread of "growing bureaucracy" will be halted. State and local governments will then be in a stronger financial position, and a better fiscal balance can be achieved between all three levels of government.

Other arguments for the scheme encompass the idea that unconditional grants will free Federal Government from much redtape and overhead currently necessitated under Federal programs. Present aid programs are becoming so numerous, diverse, and complex that it is difficult for the less sophisticated, governmental bodies to take advantage of them. It has been pointed out that more Federal listings appear in some phone books than do State listings.

During fiscal year 1963 the Treasury Department itemized some 66 programs of direct aid to State and local governments. These do not include numerous other programs of assistance disbursed directly to individuals and institutions within the States. During the past 10 years, direct payments to State and local governments have almost tripled—from $3.8 billion in fiscal year 1956 to $10.9 billion in fiscal year 1965. In 1965 alone, Congress added some 10 to 30 programs, depending upon how one considers a separate program. Despite the talk of "creative Federalism" and "local responsibility" every one of those dollars has a string attached—and sometimes even hawsers and cables.

Making additional revenues available, the case goes, would enable Federal officials to devote more time and energy to more pressing problems of national defense, international relations, and so forth. Loosening restrictive Federal controls would relieve Congress of overseeing the programs. The Congress would also be freed from constant pressuring of lobby groups seeking special projects or benefits for their particular districts.

And, there are arguments which say that unconditional grants will be a boon to low-income cities and States. Stringent matching requirements currently imposed on numerous programs make it difficult for some units to take advantage of some grants-in-aid, or if they do, some of their own programs must suffer. If, as some spokesmen recommend, Federal revenues are shared on the basis of population, rather than on the amount of Federal taxes paid, poorer States might be the principal beneficiaries.

ARGUMENTS AGAINST THE PROPOSALS

In 1965, the plan Heller proposed presumed continued prosperity and Federal budget surpluses. Even though we still do have prosperity, some of which is based on a war economy, the surplus is nowhere in sight right now. Between 1961 and 1965 there was a full expansion of economic activity but a full utilization of industrial capacity and full employment was not attained. Budget surpluses have always been the exception rather than the rule in the past 30 years—only six times as a matter of fact. Thus, with budget surplus a literal uncertainty the local government would have a difficult time in trying to determine their projected Federal share. Such uncertainties would certainly preclude them from projecting intelligent budgets. This would be an undesirable hardship. And once they receive a tax share, it would be difficult or impossible to cut back or cut out the program in years of budget deficits. It would not be fair to make these distributions, therefore, based on surplusage. Indeed, Congress can control its own deficits and surpluses based on the amount of spending it wants to engage in. Thus, the Heller argument for sharing based on the Federal budget surplus poses some serious problems.

Critics of tax sharing fear that without Federal supervision and control, the local governments will not use the funds in the right way. These local units may be tempted to reduce their own taxes and curtail vital programs. This has been evidenced in some sections of the country which are gearing up their economy through low local taxes, designed to attract industry and meanwhile waiting for Federal programs to help them with basic programs such as sewer and water, industrial parks, and the like.

There is apprehension that rural dominated legislatures will make allocations of funds which will not be in the best interest of the majority of the citizens. County leaders are fearful that money may never trickle down to the local level from the State level. Similarly, civil rights leaders fear that funds will be spent to support segregated schools, housing, and other facilities. Failure of the Federal Government to control the actual distribution of funds below the State level undoubtedly will cause bitter controversy among State, county, and city leaders as to just how these funds will be spent.

It is also possible that local level governments will be even more dependent upon Washington instead of becoming stronger and more self-reliant. It is also feared that Federal power will be enlarged rather than diminished by giving further aid to these governing bodies.

Rather than doling out public funds, some feel that any surplus funds should be used to reduce the national debt.

There is also strong opinion by other high Federal officials that the funds can be better spent on Federal programs such as mass transit, cancer research, welfare programs, and so forth, and that these programs should not be sacrificed for the sake of aiding State and local governments.

The main controversy, in any case, will revolve around just how much Federal control and supervision shall be exercised over the disbursement of these funds.

TAX SHARING RAISES MANY QUESTIONS

Why not simply cut taxes and let the State and local governments raise their own taxes as necessary to produce the same amount of new revenue?

Even though most plans do not advocate that Federal string, how can we be sure that asking for modernization is not really a string after all—or that the greater share going to less prosperous States is not a qualification at the outset?

Once such a program is begun, how can it ever be changed? Since each Federal legislator is affected, will this not become a giant boondoggle and porkbarrel? Would not it become as unworkable and as ungainly as some of the giant grant-in-aid programs we now have?

How can we say that the Federal programs which may suffer cuts as the result of the return of money to the States are less valuable than those which the States will spend money on?

And how will the States ever know how much is going to be allocated to them during each succeeding year of Congress? How will they ever know how to budget wisely?

Is it not possible that putting States on the Federal payroll instead of letting them raise their own revenues for their own needs might weaken States even further rather than strengthening them and might this not shift even more power to Washington?

Some officials admit to the haunting fear of tax sharing on other grounds. Many existing Federal programs are open end—that is, the cost to the U.S. Government is limited only by the ability and the willingness of the States to come up with matching funds. What would happen if the States used their tax-sharing money to match Federal grants under old programs? At least one Federal official believes that the States could bleed the Federal Treasury with its own money.

CONGRESS NOT THE PLACE TO DRAFT THE BEST PLAN

The complexities involved in tax sharing are so great, and the disparities in the plans already offered are so broad, that it seems obvious that we need a thorough examination of this subject by a blue-ribbon commission. The Congress and its own committees will still have to give a thorough review of the commission's recommendations, but at least we will have the benefit of extensive considerations and we will have a broadly acceptable proposal to use as a starting point for congressional action.

I happen to disagree with those people who suggest that we should automatically plow back 1, 2, or 5 percent of the personal income taxes to the States, with or without strings, by whatever formula they have devised thus far. This is too great a departure from the usual method of expenditure to start on a program of this sort quickly. All the ramifications should be studied in a year-long recital of fact and opinion. With the state of our economy now being controlled to a great extent by the Vietnam crisis, this is no time to begin this program. We can afford to buy the time now.

Furthermore, I am not prepared to automatically agree that a program of this kind should supplant rather than supplement the Federal aid programs.

I think that both the urgency for haste and the arguments for gradually replacing the grants-in-aid program may be politically motivated, designed to embarrass rather than to be constructive.

I urge a "go slow" attitude at this juncture.

Mr. President, I am sending to the desk a measure which will provide for a commission to study the possibilities of sharing Federal revenues with the States and local governments. This commission is designed to examine the entire issue by a cross section of the country's leading authorities; including economic leaders of the Congress, the Executive, business, labor, academicians, and the general public. In addition, a Federal interagency committee is authorized which will provide information, liaison, cooperation and coordination for the commission. The bill further provides for an executive group which will provide continuity, staff, and technicians to administer and conduct the day-to-day operations of the commission. The cost is limited to $1 million and it is to report back by January 1, 1969.

I urge again that now is the time to make haste slowly.

The war in Vietnam almost certainly precludes the possibility of enacting any kind of a revenue sharing plan in this session, at least.

There are many plans being formulated, all based on different premises, all designed to accomplish different goals, and all involving different sums of money.

The complex nature of the concept, and the somewhat radical departure from our previous way of doing business calls for a comprehensive study.

If an equitable tax sharing plan can be developed that strengthens the States and does not expand the Federal bureaucracy, then we should do it. But any such new program requires the extensive and expert study which only a blue ribbon commission can give.

Mr. President, I ask unanimous consent that the bill be printed in the Record, and, further, that the bill lie on the desk for 10 days, for additional cosponsors.

The **VICE PRESIDENT**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Wisconsin.

The bill (S. 92) to establish a National Commission on Federal Tax Sharing, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 92

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds—

(a) that in recent years there has been an ever-increasing growth in the needs for State and local governmental services in areas of traditional State-local responsibility; and

(b) that the rising demands for spending by State and local governments have strained their ability to meet all their revenue needs; and

(c) that there are now being suggested several legislative proposals under which the Federal Government would assist the States and local governments in meeting their financial problems by sharing with them certain portions of the Federal tax revenues; and

(d) that the problem of the financing of State and local governments is of great complexity and the proposals for its solution represent a radical departure from accepted methods of providing Federal financial assistance; and

(e) that there is an urgent need for a thorough study and appraisal of all questions raised by revenue sharing proposals in order to enable the Congress to determine which of the available proposals or possible alternatives are best designed to provide financial assistance to the State and local governments and meet the needs of their citizens for essential public services; and

(f) that such a study and appraisal can best be carried out by a high level commission comprised of public and private members representative of a cross-section of the economy and the citizenry of our Nation.

Sec. 2. In order to carry out the objectives of this Act, there is hereby established the National Commission on Federal Tax Sharing, hereinafter referred to as the "Commission".

Sec. 3. (a) The Commission shall be composed of twenty-seven members as follows:

(1) The Secretary of the Treasury, or his designee;

(2) The Director of the Bureau of the Budget, or his designee;

(3) The Chairman of the Council of Economic Advisers, or his designee;

(4) The Chairman of the Committee on Finance of the Senate, or his designee;

(5) The Chairman of the Ways and Means Committee of the House of Representatives, or his designee;

(6) The Chairman of the Joint Economic Committee of the Congress, or his designee;

(7) Fifteen members to be appointed by the President, by and with the advice and consent of the Senate, from among persons outside the Government, of whom three shall be drawn from labor, three shall be drawn from management, three shall be drawn from farmers' organizations, three shall be drawn from the academic profession, and three shall be drawn from among other private persons with a competency in the areas of study of the Commission;

(8) Three members to be appointed by the President from a panel of at least six persons designated by the United States Conference of Governors from among its members; and

(9) Three members to be appointed by the President from among a panel of at least six persons designated by the National League of Cities from among the Mayors of our Nation.

(b) The President shall designate a Chairman of the Commission.

(c) Fourteen members of the Commission shall constitute a quorum.

(d) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Sec. 3. The Commission shall conduct a comprehensive and impartial study and appraisal of all proposals to establish a system for the sharing of a portion of the Federal tax revenues with the States and local governments, including, but not limited to, making a determination of the following:

(a) The total amount of Federal revenues which might be available annually for sharing with the States and local governments;

(b) The portion of such revenues which should be allotted to each State and the extent to which each State should be required to distribute any of such revenues received by it to its local governments;

(c) The best manner of achieving an equitable allotment of any shared revenues among the States while helping to equalize the public services available to citizens in the different States;

(d) The extent of Federal control and supervision which should be exercised over the disbursement of any shared revenues to the States and local governments and the uses to which such revenues may be applied;

(e) The effect which the operation of any such system of revenue sharing might have upon the viability of the States as members of our Federal system;

(f) The extent to which any such system for the disbursing of Federal revenues should supplement or supplant alternative methods for the utilization of such revenues, such as specific grant-in-aid programs, direct Federal spending programs, tax reduction, and retirement of national debt; and

(g) Any ramifications which might accompany the establishment of such a revenue sharing system not otherwise considered pursuant to a determination of the preceding questions.

Sec. 4. The Commission may transmit to the President and the Congress such interim reports as it deems advisable concerning its findings and recommendations and shall transmit a final report to the President and the Congress not later than January 1, 1969. Such final report shall contain a detailed statement of the findings and conclusions of the Commission together with its recommendations for such legislation as it deems appropriate. The Commission shall cease to exist thirty days after transmitting its final report.

Sec. 5. (a) A member of the Commission who is a Member of Congress, in the executive branch of the Government, a governor of a State, or a mayor shall serve without compensation in addition to that received in his regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of duties vested in the Commission.

(b) A member of the Commission who is from private life shall receive compensation at the rate of $100 per diem while engaged in the actual performance of duties vested in the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

Sec. 6. (a) The Commission shall have power to appoint and fix the compensation of such personnel at it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates. In addition, the Commission may procure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $75 per diem for individuals.

(b) The President is authorized to appoint, by and with the consent of the Senate, an executive secretary to oversee the work of the staff of the Commission under the general direction of the Commission. The executive secretary may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.

Sec. 7. The Department of the Treasury shall provide for the Commission necessary administrative services (including those related to budgeting, accounting, financial reporting, personnel, and procurement) for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Commission and the Secretary of the Treasury.

Sec. 8. (a) The Commission is authorized to negotiate and enter into contracts with private firms, institutions, and individuals to carry out such studies and to prepare such reports as the Commission determines to be necessary to the discharge of its duties.

(b) The Commission is authorized to secure directly from any executive department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is authorized and directed to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission, upon request made by the Chairman.

SEC. 9. The Commission, or any subcommittee or panel thereof as authorized by the Commission, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places as the Commission or such subcommittee or panel may deem advisable.

SEC. 10. There is hereby established an interagency committee to be known as the Advisory Committee on Tax Sharing, consisting of the heads of any departments, agencies, and independent instrumentalities of the Federal Government (or their designees) concerned with or interested in any areas of study considered by the Commission, to advise the Commission and to maintain effective liaison with the resources of such departments, agencies, and instrumentalities. Such committee shall elect a Chairman from among its members.

SEC. 11. There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums, not to exceed $1,000,000, as may be necessary to carry out the provisions of this Act.

EXHIBIT 1

WEST GERMANY'S TAXATION SYSTEM: A BRIEF SURVEY

The foundation of the West German taxation system is set out in some detail in Title X (Finance) of the Basic Law (Constitution) of the Federal Republic of Germany (copy enclosed). Constitutional provisions are further expanded by appropriate laws and executive regulations.

There are three levels of taxation authorities in West Germany: Federal, State, and municipal. The Federal Government has the exclusive power to levy customs duties and collect revenues from fiscal monopolies (liquors, matches). In addition, the Federal Government has concurrent and, in effect, preemptive power to collect other taxes (excise, use, property, income, etc.) which can be levied also by the States.

In order to avoid overlapping incidence of concurrent taxation, the Constitution provides for an allocation of specific taxes to specific taxation authorities. Thus, in addition to customs duties and monopoly revenues, the Federal Government collects the turnover tax, transportation tax, excise taxes that are not levied by the States, equalization taxes, and non-recurrent capital levies. It can also collect a surtax on income and corporations (not yet levied) and the Berlin emergency aid tax (collection suspended).

The States collect taxes on property, inheritance, motor vehicles, transactions (to the extent that they are not levied by the Federal Government), and beer; levies on gambling establishments, and taxes with localized effect.

Revenues from income tax and corporation tax are divided between the Federation and the States according to a statutory formula. Until March 31, 1958, the respective shares were one-third and two-thirds; on April 1, 1958, they were changed to 35 percent and 65 percent; for the year 1963 to 38 percent and 62 percent; and for the years 1964 through 1966, to 39 percent and 61 percent respectively.

Revenues from taxes on real estate and businesses accrue to the municipalities or, if these are identical with State (city-States, like Hamburg), to the States. In addition, various lesser taxes (entertainment, beverage, ice cream) and license fees (dog, hunting, sale of drinks) are collected by the municipalities.

In order to remedy somewhat the inequality of tax revenues per capita existing among the various taxation authorities and align them with the needs for public revenues, the Constitution and statutes provide for equalization (sharing) of funds. This is of two types: horizontal, redistributing by means of a complex formula through the Federal Treasury a portion of tax revenues of tax-"rich" States to tax-"poor" States, and vertical, transfers and allocations of State funds to the municipalities or, in special cases only, of Federal funds to the States.

In recent years, the practical result of this tax system has been that the Federal Government has been collecting some 56 percent of all tax revenues, the States about 32 percent, and the municipalities about 12 percent. The States have been sharing almost one-sixth of their tax collections with the municipalities, thus raising the latter's share of total tax revenues by some 5 to 6 percentage points, and lowering their own by a like figure. Sharing of State funds has provided the municipalities with about one-fourth of all their revenues (tax and other).

The horizontal sharing of tax revenues among the States involves the redistribution of about 5 percent of all State tax revenues.

X. FINANCE

Article 105

1) The Federation has the exclusive power to legislate on customs and fiscal monopolies.

2) The Federation has concurrent power to legislate on:

1. excise taxes and taxes on transactions, with the exception of taxes with localized application, in particular of the taxes on the acquisition of real estate, or increments in value, and for fire protection;
2. taxes on income, on property, on inheritances and on donations;
3. taxes on real estate and businesses, with the exception of the fixing of the tax rates, if it claims the taxes in whole or in part to cover Federal expenditure or if the conditions laid down in Article 72, paragraph 2, exist.

3) Federal laws relating to taxes the yield of which accrues in whole or in part to the *Laender* or the communities (community associations) require the consent of the Bundesrat.

Article 106 [1]

1) The yield of fiscal monopolies and receipts from the following taxes shall accrue to the Federation:

1. customs duties,
2. such excise taxes as do not accrue to the *Laender* in accordance with paragraph (2),
3. turnover tax,
4. transportation tax,
5. non-recurrent capital levies, and equalization taxes imposed for the purpose of implementing the equalization of burdens legislation,
6. Berlin emergency aid tax,
7. supplementary levies on income and corporation taxes.

2) Receipts from the following taxes shall accrue to the *Laender*:

1. property tax,
2. inheritance tax,
3. motor-vehicle tax,
4. such taxes on transactions as do not accrue to the Federation in accordance with paragraph (1),
5. beer tax,
6. levies on gambling establishments,
7. taxes with localized application.

3) Receipts from income tax and corporation tax shall accrue: until 31 March 1958, to the Federation and the *Laender* in a ratio of 33-⅓ per cent to 66-⅔ per cent, and from 1 April 1958, to the Federation and the *Laender* in a ratio of 35 per cent to 65 per cent.

4) The ratio of apportionment of the income and corporation taxes paragraph (3) should be modified by a Federal law requiring the consent of the Bundesrat whenever the development of the relation of revenues to expenditures in the Federation differs from that in the *Laender* and whenever the budgetary needs of the Federation or those of the *Laender* exceed the estimated revenues by a margin substantial enough to call for a corresponding adjustment of the ratio of apportionment in favor of either the Federation or the *Laender*. Any such adjustment shall be based on the following principles:

1. The Federation and the *Laender* shall each bear the expenditures resulting from the administration of their respective tasks; Article 120 paragraph (1) shall not be affected;
2. There shall be equality of rank between the claim of the Federation and the claim of the *Laender* to have their respective necessary expenditures covered from ordinary revenues;
3. The requirements of the Federation and of the *Laender* in respect of budget coverage shall be coordinated in such a way that a fair equalization is achieved, any overburdening of taxpayers precluded, and uniformity of living standards in the Federal territory ensured.

The ratio of apportionment may be modified for the first time with effect from 1 April 1958, and subsequently at intervals of not less than two years after the entry into force of any law determining such ratio; provided that this stipulation shall not affect any modification of such ratio effected in accordance with paragraph (5).

5) If a Federal law imposes additional expenditures on, or withdraws revenues from, the *Laender*, the ratio of apportionment of the income and corporation taxes shall be modified in favour of the *Laender*, provided that conditions as envisaged in paragraph (4) have developed. If the additional burden placed upon the *Laender* is limited to a period of short duration, such burden may be compensated by grants from the Federation under a Federal law requiring the consent of the Bundesrat and which shall lay down the principles for assessing the amounts of such grants and for distributing them among the *Laender*.

6) Receipts from taxes on real estate and businesses shall accrue to the communes. In case there are no communes in a *Land* the receipts shall accrue to the *Land*. In accordance with *Land* legislation, taxes on real estate and businesses may be used to ascertain assessments and surtaxes. The receipts of the *Laender* from income tax and corporation tax shall accrue to the communes and associations of communes in a percentage to be determined by *Land* legislation. Furthermore, the *Land* legislation shall determine whether and how much of the receipts of the *Land* taxes shall accrue to the communes (associations of communes).

7) If the Federation establishes special institutions in the *Laender* or communes (associations of communes) which cause immediate higher expenditures or lower receipts to those *Laender* or communes (associations of communes), the Federation shall grant the necessary financial equalization, if and insofar it is anticipated that the *Laender* or communes (associations of communes) are unable to bear these special burdens. Compensation by a third party and financial advantages which accrue to these *Laender* or communes (associations of communes) as a consequence of these institutions shall be considered in such equalization.

8) For the purposes of the present Article, revenues and expenditures of communes (associations of communes) shall be deemed to be *Land* revenues and expenditures.

Article 107 [2]

1) Receipts from *Land* taxes shall accrue to the individual *Laender* to the extent that such taxes are collected by revenue author-

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[1] As amended by Federal Law of December 23, 1955 (Federal Law Gazette I, p. 817) and by Federal Law of December 24, 1956 (Federal Law Gazette I, p. 1077)

[2] As amended by Federal Law of December 23, 1955 (Federal Law Gazette I, p. 817).

ities within their respective territories (local receipts). Federal legislation requiring the consent of the Bundesrat may provide in detail for the determination and allotment of local receipts from specific taxes (tax shares).

2) A Federal law requiring the consent of the Bundesrat shall ensure a reasonable financial equalization between financially strong *Laender* and financially weak *Laender*, due account being taken of the financial capacity and requirements of communes (associations of communes). Such law shall provide for equalization grants to be paid to financially weak *Laender* from equalization contributions made by financially strong *Laender;* it shall furthermore specify the conditions governing equalization claims and equalization liabilities as well as the criteria for determining the amounts of equalization payments. Such law may also provide for grants to be made by the Federation from Federal funds to financially weak *Laender* in order to complement the coverage of their general financial requirements (complemental grants).

Article 108

1) Customs, fiscal monopolies, the excise taxes subject to concurrent legislative powers, the transportation tax, the turnover tax and the non-recurrent capital levies are administered by Federal finance authorities. The organization of these authorities and the procedure to be applied by them will be regulated by Federal law. The heads of the authorities at intermediate level shall be appointed after consultation of the *Land* governments. The Federation may transfer the administration of non-recurrent capital levies to the *Land* financial authorities as its agents.

2) If the Federation claims part of the income and corporation taxes for itself, it is entitled to administer them to that extent; it may, however, transfer the administration to the *Land* finance authorities as its agents.

3) The remaining taxes are administered by *Land* finance authorities. The Federation may, by Federal laws which require the consent of the Bundesrat, regulate the organization of these authorities, the procedure to be applied by them and the uniform training of the civil servants. The heads of the authorities at intermediate level shall be appointed in agreement with the Federal Government. The administration of the taxes accruing to the communities (community associations) may be transferred by the *Laender* in whole or in part to the communities (community associations).

4) Insofar as taxes accrue to the Federation, the *Land* finance authorities act as agents of the Federation. The *Laender* are liable to the extent of their revenues for an orderly administration of such taxes; the Federal Minister of Finance may supervise the orderly administration, acting through authorized Federal agents who have a right to give instructions to the authorities at intermediate and lower levels.

5) The jurisdiction of finance courts will be uniformly regulated by Federal law.

6) The general administrative rules will be issued by the Federal Government and, insofar as the administration is incumbent upon the *Land* finance authorities, will require the consent of the Bundesrat.

Article 109

The Federation and the *Laender* are autonomous and independent of each other as regards their budgets.

Article 110

1) All revenues and expenditures of the Federation must be estimated for each fiscal year and included in the budget.

2) The budget shall be established by a law before the beginning of the fiscal year. It must be balanced as regards revenue and expenditure. Expenditures will as a rule be authorized for one year; in special cases, they may be authorized for a longer period. Otherwise no provisions may be inserted in the Federal budget law which extend beyond the fiscal year or which do not relate to the revenues and expenditures of the Federation or its administration.

3) The assets and liabilities shall be set forth in an appendix to the budget.

4) In the case of commercially operated enterprises of the Federation the individual receipts and expenditures need not be included in the budget, but only the final balance.

Article 111

1) If, by the end of a fiscal year, the budget for the following year has not been established by a law, the Federal Government may, until such law comes into force, make all payments which are necessary:—

a) to maintain institutions existing by law and to carry out measures authorized by law;

b) to meet legal obligations of the Federation;

c) to continue building projects, procurements and other services or to continue the grant of subsidies for these purposes, provided amounts have already been authorized in the budget of a previous year.

2) Insofar as revenues provided by special legislation and derived from taxes, levies, or other sources, or the working capital reserves, do not cover the expenditures set forth in paragraph 1, the Federal Government may borrow the funds necessary for the conduct of current operations to a maximum of one quarter of the total amount of the previous budget.

Article 112

Expenditures in excess of budget items and extraordinary expenditures require the consent of the Federal Minister of Finance. The consent may only be given if there exists an unforeseen and compelling necessity.

Article 113

Decisions of the Bundestag and of the Bundesrat which increase the budget expenditure proposed by the Federal Government or involve new expenditure or will cause new expenditure in the future, require the consent of the Federal Government.

Article 114

1) The Federal Minister of Finance must submit annually to the Bundestag and to the Bundesrat an account of all revenues and expenditures as well as assets and liabilities.

2) This account shall be audited by an Audit Office, the members of which shall enjoy judicial independence. The general account and a summary of the assets and liabilities shall be submitted to the Bundestag and the Bundesrat in the course of the following fiscal year together with the comment of the Audit Office in order to secure a discharge for the Federal Government. The audit of accounts will be regulated by a Federal law.

Article 115

Funds may be obtained by borrowing only in case of extraordinary need and as a rule only for expenditure for productive purposes and only pursuant to a Federal law. The granting of credits and the provision of security by the Federation the effect of which extends beyond the fiscal year may take place only pursuant to a Federal law. The amount of the credit, or the extent of the obligation for which the Federation assumes liability, must be fixed in the law.

XI. TRANSITIONAL AND CONCLUDING PROVISIONS

Article 116

1) Unless otherwise provided by law, a German within the meaning of this Basic Law is a person who possesses German citizenship or who has been admitted to the territory of the German *Reich*, as it existed on December 31, 1937, as a refugee or expellee of German stock or as the spouse or descendant of such person.

2) Former German citizens who, between January 30, 1933, and May 8, 1945, were deprived of their citizenship for political, racial or religious reasons, and their descendants, shall be re-granted German citizenship on application. They are considered as not having been deprived of their German citizenship if they have established their domicile in Germany after May 8, 1945 and have not expressed a contrary intention.

Article 117

1) Law which conflicts with Article 3, paragraph 2, remains in force until adapted to this provision of the Basic Law, but not beyond March 31, 1953.

2) Laws which restrict the right of freedom of movement in view of the present housing shortage remain in force until repealed by Federal legislation.

Article 118

The reorganization of the territory comprising the *Laender* of Baden, Wuerttemberg-Baden and Wuerttemberg-Hohenzollern may be effected notwithstanding the provisions of Article 29, by agreement between the *Laender* concerned. If no agreement is reached, the reorganization will be regulated by a Federal law which must provide for a referendum

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THE FORMULA FOR WEST GERMAN TAX SHARING

(Library of Congress Reference)

There are two principal indices: (1) index of a State's taxing power (Steuerkraftmesszahl), and (2) index of equalization (Ausgleichsmesszahl).

(1) *Taxing power index* is equal to the total amount of a State's own tax revenues plus the tax (real estate) revenues of its Municipalities.

(2) *Equalization index* is the sum of the separately calculated State tax revenue index and the Municipal real estate tax revenue index. Both these indices are determined by multiplying the weighted number of inhabitants of a State by the respective Federal averages per capita.

(1) The *tax revenues of a State* consist of the revenues from the State's share of the personal income and corporate income taxes, property, inheritance, beer, and transactions taxes (with some specific exceptions). Excluded from the tax revenues of certain States are their contributions to the tax burden equalization fund; specific statutory amounts designated for the renewal of certain port-cities in Bremen, Hamburg, and Lower Saxony; specific amounts for the Saar.

Real estate tax revenues of the municipalities are calculated on the basis of real estate tax power indices, that is, basic amounts weighted by statutory percentage weights as follows: (1) basic amounts from agricultural and forestry enterprises, by 160 percent; (2) basic amounts from other lots according to the rising scale: the first 12,000 Deutsches Marks collected by a municipality, by 160 percent; the next 48,000 DM, by 180 percent; the next 90,000 by 200 percent; the next 100,000 DM by 225 percent; anything over 250,000 DM by 250 percent; (3) basic amounts from businesses, by 250 percent.

The *basic amount* is defined as the total collection divided by the current tax rate.

(2) The *number of inhabitants*, used for the calculation of the equalization index of the State tax revenues, is defined as the actual number of inhabitants of a State weighted as follows: State Bremen, by 125 percent; State Hamburg, by 135 percent; the rest of the States by 100 (no actual increase). The equalization index for the municipal real estate tax revenues is calculated by weighting the actual population of a municipality as follows: the first 5,000 inhabitants, by 100 percent; the next 15,000, by 110 percent; the next 80,000, by 115 percent; the next 400,000 by 120 percent; the next 500,000, by 125 percent; any over 1 million, by 130 percent. The number of inhabitants of the States of Bremen and Hamburg is raised by an additional 10 percent.

[From Canada Yearbook, 1965]

Section 2.—Taxation in Canada[1]

Canada is a federal state with a central government and ten provincial governments. In 1867 the principal colonies of the British Crown in North America joined together to form the nucleus of a new nation and the British North America Act of that year became its written constitution. This statute created a central government with certain powers while continuing the existence of political subdivisions called provinces with powers of their own.

Under the British North America Act the Parliament of Canada has the right to raise "money by any mode or system of taxation" while the provincial legislatures are restricted to "direct taxation within the province in order to the raising of a revenue for provincial purposes". Thus the provinces have a right to share only in the field of direct taxation while the Federal Government is not restricted in any way in matters of taxation. The British North America Act also empowered the provincial legislatures to make laws regarding "municipal institutions in the province". This means that the municipalities derive their incorporation with its associated powers, fiscal and otherwise, from the provincial government concerned. Thus, from a practical standpoint, municipalities are also limited to direct taxation.

A direct tax is generally recognized as one "which is demanded from the very person who it is intended or desired should pay it". In essence, this conception has limited the provincial governments to the imposition of income tax, retail sales tax, succession duties and an assortment of other direct levies. In turn, municipalities, acting under the guidance of provincial legislation, tax real estate, water consumption and places of business. The Federal Government levies direct taxes on income, on gifts and on the estates of deceased persons, and indirect taxes such as excise taxes, excise and customs duties, and a sales tax.

The increasing use by both the federal and the provincial governments of their rights in the field of direct taxation in the 1930's resulted in uneconomic duplication and some severe tax levies. Starting in 1941, a series of tax agreements were concluded between the federal and the provincial governments to promote the orderly imposition of direct taxes. The duration of each agreement was normally five years. Under these agreements, the participating provinces undertook, in return for compensation, not to use or permit their municipalities to use certain of the direct taxes. Under the present arrangements, the federal income tax otherwise payable in all provinces and the estate tax otherwise payable in the non-participating provinces are abated by a fixed percentage to make room for provincial levies.

The current agreement became operative on Apr. 1, 1962 and will run until Mar. 31, 1967. Basically it entails a partial federal withdrawal from the field of direct taxation and the re-entry of all provinces into the vacated area. The federal personal income tax otherwise payable on income earned in a province and on income received by a resident of a province is reduced by the following percentages: 16 p.c. in 1962; 17 p.c. in 1963; 18 p.c. in 1964; 21 p.c. in 1965;[2] and 24 p.c. in 1966.[2] In 1965 and 1966, the federal tax abatements for income earned in Quebec or received by a resident of Quebec will be 24 p.c. and 27 p.c. respectively. The additional relief of three percentage points in the case of Quebec is to allow that province to collect revenue to pay monthly allowances for students between the ages of 16 and 18. Similar allowances in the other provinces will be paid directly by the Federal Government. The special federal income tax abatements for Quebec in 1965 and 1966 have not yet been authorized by legislation. Also the Federal Government reduces its rate of corporation income tax on taxable income of corporations earned in the provinces. The reduction is 9 p.c. of taxable income earned in any province except Quebec and 10 p.c. in Quebec; the additional 1 p.c. reduction in Quebec is to compensate for the additional tax levied by the province on corporation income to provide grants to universities. These provincial grants replace federal grants which in other provinces are paid to the universities by the Federal Government through the Canadian Universities Foundation. Finally, the Federal Government abates the federal estate tax otherwise payable by 75 p.c. in respect of property situated in a province which levies its own death tax. Only Ontario, Quebec and British Columbia at present levy death taxes in the form of succession duties.[3]

These reductions in federal income tax and estate tax under the terms of the 1962–67 fiscal arrangements do not apply to the Yukon Territory or the Northwest Territories or to income earned outside Canada. The Yukon and Northwest Territories do not impose income taxes or death taxes.

The provincial tax rates are not restricted to the extent of the federal withdrawal. The constitutional position of the provinces permits them unlimited use of direct taxes for the raising of revenue for provincial purposes. However, in all but four provinces (Ontario, Quebec, Manitoba and Saskatchewan) the provincial rates of income tax coincide with the amount of the federal abatement.

As part of the 1962–67 fiscal arrangements, the Federal Government has entered into tax collection agreements under which it collects the provincial personal income taxes for all provinces except Quebec and the provincial corporation income taxes for all provinces except Ontario and Quebec.

SUBSECTION 1.—FEDERAL TAXES

Individual income tax

Every individual who is resident in Canada at any time during a year is liable for the payment of income tax for that year. Every non-resident individual who is employed or carries on business in Canada during a year is required to pay tax on the part of his income earned in Canada. Canadian taxation practice is based to a large extent on the British experience. This is reflected particularly in the fact that taxation is on the basis of residence rather than citizenship, and in tax freedom for capital gains. The term "residence" is difficult to define simply but, generally speaking, it is taken to be the place where a person resides or where he maintains a dwelling ready at all times for his use. There are also extensions of the meaning of Canadian resident to include a person who has sojourned in Canada for an aggregate period of 183 days in a taxation year, or a person who was during the year a member of the Armed Forces of Canada, or an ambassador, a high commissioner, or an officer or servant of Canada or any one of its provinces, or the spouse or dependent child of any such person.

The Canadian tax law uses the concepts "income" and "taxable income". The income of a resident of Canada for a taxation year comprises his revenues from all sources inside or outside Canada and includes income for the year from all businesses, property, offices and employments. It does not include capital gains unless they arise out of the conduct of a business or as a result of an adventure in the nature of trade.

In computing his income for a taxation year, an individual must include all dividends, fees, annuities, pension benefits, allowances, interest, alimony, maintenance payments and other miscellaneous sources of income. On the other hand, war service disability pensions paid by Canada or an ally of Her Majesty at the time of the war service, unemployment insurance benefits, compensation in respect of an injury or death paid under a Workman's Compensation Act of a province and family allowances do not have to be included in the computation of income.

[From Australia, Commonwealth Acts, 1959]

State Grants—No. 76 of 1959—An Act To Grant Financial Assistance to the States

[Assented to 1st December, 1959.]

Be it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, for the purpose of appropriating the grant originated in the House of Representatives, as follows:—

1. This Act may be cited as the *States Grants Act* 1959.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

3.—(1) The following Acts are repealed: *States Grants* (*Tax Reimbursement*) *Act* 1946, *States Grants* (*Tax Reimbursement*) *Act* 1947, *States Grants* (*Tax Reimbursement*) *Act* 1948.

(2) Any advance made to a State under the Acts repealed by this section during the year that commenced on the first day of July, One thousand nine hundred and fifty-nine and before the commencement of this Act shall be deemed to be an advance made under section eight of this Act in respect of the grant payable to that State under this Act during that year.

4.—(1) In this Act, "year" means financial year.

(2.) For the purposes of this Act—

(*a*) the average wages per person employed, in relation to a year, is the amount determined by dividing the aggregate of wages and salaries shown in the returns lodged throughout the Commonwealth by employers for the purposes of the *Pay-roll Tax Assessment Act* 1941–1957 as having been paid in respect of periods ending in that year by the sum of the mean number of males and three-fifths of the mean number of females shown by those returns as having been employed by those employers during that year; and

(*b*) the population of a State shall be taken not to include members of the Defence Force serving beyond the Commonwealth or full-blooded aboriginal natives of Australia.

5.—(1) There is payable to each State, during the year that commenced on the first day of July, One thousand nine hundred and fifty-nine, for the purpose of financial assistance, the amount specified in the following table opposite to the name of that State:

New South Wales	£83, 450, 000
Victoria	60, 625, 000
Queensland	36, 375, 000
South Australia	27, 675, 000

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[1] Revised (July 1964) in the Taxation Division, Department of Finance, under the direction of F. R. Irwin, Director of the Division, and by the provincial authorities concerned.

[2] The original agreement provided for abatements of 19 p.c. in 1965 and 20 p.c. in 1966. However, following a federal-provincial conference in April 1964, the provinces were granted an additional two percentage points in 1965 and four percentage points in 1966.

[3] The original agreement was for a 50-p.c. abatement. However, at the conclusion of a federal-provincial conference in late 1963, it was increased to 75 p.c. in respect of deaths occurring after Mar. 31, 1964. Currently, only the estates of domiciliaries of British Columbia qualify for the full 75 p.c. abatement. Quebec and Ontario estates are temporarily eligible for only 50 p.c. because these two provinces have decided for the time being to take a payment from the Federal Government on account of the additional 25-p.c. abatement rather than to increase their succession duty rates.

Western Australia	£25,462,000
Tasmania	10,913,000
Total	244,500,000

(2) There is payable to each State, during each year subsequent to the year that commenced on the first day of July, One thousand nine hundred and fifty-nine, for the purpose of financial assistance, an amount calculated—

(a) by dividing the amount of the grant under this section payable to that State during the year preceding the year concerned by the population of that State on the first day of that preceding year and by multiplying the result by the population of that State on the first day of the year concerned; and

(b) if the average wages per person employed in the year preceding the year concerned exceed the average wages per person employed in the year next before the year preceding the year concerned—by increasing the amount ascertained under the last preceding paragraph by one and one-tenth times the percentage by which the first-mentioned average wages exceed the second-mentioned average wages.

6.—(1) All statistical and mathematical calculations and determinations required for the purposes of this Act, including the calculation or determination of—

(a) the population of a State on the first day of a year; and

(b) the average wages per person employed in a year,

shall be made, not later than the thirty-first day of December in the year in respect of which the calculations and determinations are required, by the Commonwealth Statistician, after consultation, where practicable, with the official Statisticians of the States.

(2) For the purposes of a calculation or determination under the last preceding sub-section, the population of a State on the first day of a year shall, subject to the next succeeding sub-section, be taken to be the population of the State on the previous day as shown by the statistics in relation to population last published by the Commonwealth Statistician before the day on which the calculation or determination is made.

(3) If—

(a) a census is taken during the month of June in any year, the population of a State on the first day of the next succeeding year; or

(b) a census is taken during the month of July in any year, the population of a State on the first day of that year,

shall be taken to be the population of that State as shown by the results of the returns of that census last published by the Commonwealth Statistician before the day on which the calculation or determination is made.

(4) All calculations and determinations made by the Commonwealth Statistician in pursuance of this section shall, for all purposes of this Act, be conclusively presumed to be correct.

7.—(1) The Government of the Commonwealth shall, at the request of a State, or may, if it considers it desirable to do so, enter into consultation with the Governments of the States with a view to determining whether any change is desirable in the provisions of this Act, in so far as they relate to a year subsequent to the year ending on the thirtieth day of June, One thousand nine hundred and sixty-five, and to submitting to the Parliament legislation to give effect to any changes that the Government of the Commonwealth considers to be desirable as a result of that consultation.

(2) If there has occurred, or there is proposed to be, a change in the relations between the Commonwealth and any State or States having a major effect on the finances of that State or those States, the Government of the Commonwealh may review the provisions of this Act in consultation with the States with a view to submitting to the Parliament legislation to give effect to any changes that it considers to be desirable as a result of that review.

8. The Treasurer may, in any year, make monthly or other advances to any State, for the purpose of financial assistance, or portions of the grant to which it appears to him that the State will be entitled under this Act in respect of that year.

9. Payments in accordance with this Act shall be made out of the Consolidated Revenue Fund, which is appropriated accordingly.

[From Australian, Commonwealth Acts, 1959]

STATES GRANTS (SPECIAL ASSISTANCE)—No. 77 OF 1959—AN ACT TO GRANT FINANCIAL ASSISTANCE TO THE STATES OF SOUTH AUSTRALIA, WESTERN AUSTRALIA, AND TASMANIA

[Assented to 1st December, 1959]

Be it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, for the purpose of appropriating the grant originated in the House of Representatives, as follows:—

1. This Act may be cited as the *States Grants* (*Special Assistance*) Act 1959.

[From the Yearbook of the Commonwealth of Australia, 1946–47]

COMMONWEALTH CONSOLIDATED REVENUE FUND

From the accumulated excess receipts since 1931–32, special assistance to the States was provided as follows:

State	1934–35	1935–36	1936–37
New South Wales	£786,000	£205,000	£197,000
Victoria	550,000	140,000	137,000
Queensland	286,000	75,000	72,000
South Australia	176,000	45,000	44,000
Western Australia	133,000	35,000	33,000
Tasmania	69,000		17,000
Total	2,000,000	500,000	500,000

5. Commonweath Grants Commission.—In 1933 the Commonwealth Government appointed the Commonwealth Grants Commission of three members to inquire into and report upon claims made by any State for a grant of financial assistance and any matters relevant thereto.

Applications were received from South Australia, Western Australia, and Tasmania during each year from 1933 and the recommendations of the Commission in respect of the years 1938–39 and 1944–45 to 1947–48 were as follows:

State	Grant recommended				
	1938–39	1944–45 [1]	1945–46 [1]	1946–47 [2]	1947–48 [2]
South Australia	£1,040,000	£1,200,000	£1,400,000	£2,000,000	£2,318,000
Western Australia	570,000	904,000	950,000	1,873,000	2,977,000
Tasmania	410,000	742,000	646,000	875,000	747,000
Total	2,020,000	2,846,000	2,996,000	4,748,000	6,042,000

[1] Excludes special grants recommended under sec. 6(2) of the State Grants (Income Tax Reimbursement) Act 1942: 1944–45, South Australia, £553,172; 1945–46, South Australia, £1,101,365, Western Australia, £912,559, and Tasmania, £118,996, total £2,132,020.

[2] Includes additional grants recommended: 1946–47, South Australia, £400,000, Western Australia, £628,000, and Tasmania, £50,000, total, £1,078,000; 1947–48, Western Australia, £1,000,000.

6. States Grants (Income and Entertainments Tax Reimbursement) Acts.—(1) *States Grants* (*Income Tax Reimbursement*) *Act*. As compensation to the States for vacating the income tax field to the Commonwealth Government, the States Grants (Income Tax Reimbursement) Act 1942 provided for the payment to the States of the following amounts, less amounts equal to any arrears of State Income Tax collected during each year that the Act remained in operation:

New South Wales	£15,356,000
Victoria	6,517,000
Queensland	5,821,000
South Australia	2,361,000
Western Australia	2,546,000
Tasmania	888,000
Total	33,489,000

Amounts equal to the arrears collected were to be paid, with interest at a rate not less than 3 per cent., immediately prior to the expiration of the Act.

CHAPTER XV.—PUBLIC FINANCE

In section 6 of the Act provision was made for the Treasurer of any State to inform the Commonwealth Grants Commission if he considered that the payments made under the Act were insufficient to meet his revenue requirements. The Commission, after inquiry into the matter, was to advise the Treasurer as to the justice of granting additional assistance. The Treasurer of Tasmania availed himself of this provision to apply for an increase of the Income Tax Reimbursement Grant for the years 1942–43, 1943–44 and 1944–45, but in each case the Commonwealth Grants Commission did not consider that an additional grant was just. Following an application in 1944–45 by the Treasurer of South Australia, an additional grant of £553,172 was recommended by the Commonwealth Grants Commission. In 1945–46 three States applied for additional financial assistance and the following grants were recommended: South Australia, £1,101,365; Western Australia, £912,559; and Tasmania, £118,996; total £2,132,920.

(ii) *States Grants* (*Tax Reimbursement*) *Act* 1946. The States Grants (Income Tax Reimbursement) Act of 1942 came into operation on 1st July, 1942, and was repealed by the States Grants Tax (Tax Reimbursement) Act 1946.

The States Grants (Tax Reimbursement) Act 1946 revised the basis of determining the reimbursement grants for 1946–47 and subsequent years. This Act provided for the following reimbursement grants to be paid to the States.

(a) 1946–47 and 1947–48:

New South Wales	£16,477,000
Victoria	8,860,000
Queensland	6,601,000
South Australia	3,458,000
Western Australia	3,384,000
Tasmania	1,220,000
Total	40,000,000

(b) 1948–49 and subsequent years.—An amount is to be determined by increasing the aggregate grants paid in 1947–48 (£40,000,000) by the same proportion as the aggregate population of the six States at the beginning of the financial year increases over the aggregate population of the six States at 1st July, 1947. This amount is to be further increased by a percentage equal to half the percentage increase in average wages per person employed in the financial year preceding the year in which the reimbursement grants are to be paid over the average wages per person employed in 1946–47. The amount so determined will be the aggregate of the reimbursement grants and is to be distributed to the States in the following proportions:—

(i) 1948–49 to 1956–57—The weighted mean of—

(*a*) the proportion indicated by the "adjusted" population [1] for each State, and

(*b*) The proportions indicated by the distribution of the aggregate reimbursement grant in 1946–47 and 1947–48, giving the latter a weight of 9/10 in 1948–49, 8/10 in 1949–50 and thus decreasing each year to 1/10 in 1956–57.

(ii) 1957–58 and subsequent years—the proportion indicated by the "adjusted" population for each State.

It is provided that, if the application of the foregoing formula for distribution of the aggregate grants causes the amount of the reimbursement grant for any State to fall below the grant for 1946–47, the grants payable will be the same as that for 1946–47 and the balance of the aggregate grant is to be distributed between the remaining States in the proportions above.

An amount equal to arrears of State income taxes collected by the States in any year is to be deducted from the reimbursement grants for that year. The aggregate amount so deducted less any refunds of State income taxes made by the Commonwealth is to be repaid in the event of uniform taxation ceasing to operate. This amount bore interest at 3 per cent, up to 30th June, 1946, but thereafter, under the new arrangement, will bear no interest.

The provisions relating to additional grants in the State Grants (Income Tax Reimbursement) Act 1942 were repealed.

The payment of the tax reimbursement grant in any year to any State is subject to the condition that that State does not impose a tax on incomes in that year.

Under the State Grants (Tax Reimbursement) Act 1947 an additional grant of £5,000,000 was made for the year 1947–48 and provision was made to increase the aggregate grant for subsequent years to a minimum of £45,000,000.

The reimbursement grants provided in the State Grants (Tax Reimbursement) Act 1946–47 are intended to replace the grants previously made on account of both Income and Entertainment taxes.

(iii) ***States Grants (Entertainments Tax Reimbursement) Act.*** The following amounts were paid to the States by the Commonwealth for the years 1942–43 to 1945–46, following the withdrawal of the States from the entertainments tax field:—

Entertainments tax reimbursement grants

State	1942–43	Each year 1943–44 to 1945–46
New South Wales	£120,623	£160,830
Victoria	279,944	373,259
South Australia	72,782	97,043
Western Australia	73,540	98,186
Tasmania	27,352	36,469
Total	574,341	765,787

No compensation was payable in respect of Queensland because a State entertainments tax was not levied in that State.

The Act ceased to operate after 30th June, 1946, when the reimbursement grant on account of entertainments tax was included with the tax reimbursement grant. Although the Commonwealth will continue to collect an entertainments tax, payment of this grant is conditional on any State not imposing an entertainments tax.

7. Grants for Road Construction.—(i) ***Main Roads Development Act.*** Grants amounting in the aggregate to £1,750,000 were made to the States in 1922–23, 1924–25 and 1925–26 for the purpose of reconditioning certain main roads. Of this amount £1,500,000 was granted on the condition that the States spent an equivalent amount.

(ii) *Federal Aid Roads.* The Federal Aid Roads Act 1926 made provision for the construction and re-construction of roads in the several States out of moneys provided by the Commonwealth and States respectively. The original arrangement provided for a grant by the Commonwealth of £2,000,000 per annum for ten years from 1st July, 1926. The allocation to the States was based on three-fifths according to population and two-fifths according to area.

Expenditure was made in the proportion of 15s. by the States to £1 by the Commonwealth. The original agreement was varied in certain respects, the most important of which operated from 1st July, 1931, when, in lieu of the £2,000,000 per annum, the Commonwealth agreed to contribute an amount equivalent to 2½d. per gallon customs duty, and 1½d. per gallon excise duty on petrol entered for home consumption during each year, and the States were not required to make any contribution as formerly agreed upon.

The 1926 agreement, which was originally intended to remain in operation for ten years, was continued until 30th June, 1937, when a new agreement was entered into. The latter provided for the continuation of the Federal Aid Roads Agreement for a further period of ten years from 1st July, 1937, increased the amount payable to the States to 3d. a gallon customs duty and 2d. a gallon excise on petroleum and shale products (except benzol, on which the excise is only 1½d.), and stipulated that the proceeds of the extra ½d. per gallon should be expended on the construction, reconstruction, maintenance or repair of roads, or other works connected with transport. The allocation of the amount payable was in the proportion of 5 per cent, to Tasmania and the remaining 95 per cent, to the other States on the basis of three-fifths according to the population.

[From the Yearbook of the Commonwealth of Australia, 1965]

In addition, under the Financial Agreement, the Commonwealth agree to make certain contributions to the National Debt Sinking Fund for redemption of State loan securities. Details of these are given on pages 967–8 of this chapter.

(v) *Special Grants.* The Constitution provides in Section 96 for the granting of special financial assistance to the States. Prior to 1933, financial assistance of varying amounts was granted by the Commonwealth to South Australia, Western Australia and Tasmania. Details of this may be found in earlier issues of the Year Book (*see* No. 40, p. 695).

In 1933 the Commonwealth Government appointed the Commonwealth Grants Commission of three members to inquire into and report upon claims made by any State for a grant of financial assistance and any matters relevant thereto.

Applications have been received from South Australia, Western Australia and Tasmania each year from 1933 onwards, and the recommendations of the Commission in respect of the years 1960–61 to 1964–65 are shown in the following table. Commencing with 1949–50 the Commission has divided the grants recommended into two parts. One part is the Commission's estimate of the indispensable need of the claimant State for the year in which the payment is to be made after allowing a sufficient margin for safety. The other part is an adjustment of this estimate for an earlier year after an examination of the audited accounts for that year. Thus the grants for 1964–65 include an estimate of the indispensable need of the claimant State for 1964–65 and an adjustment to the estimated grant for 1962–63. South Australia agreed with the Commonwealth not to apply for special grants in other than exceptional circumstances after 1st July, 1959, when new financial arrangements under the *State Grants Act* 1959 came into operation (*see* sub-para. (vi) below).

Commonwealth Grants Commission—Grants recommended

[In thousands]

Particulars	1960–61	1961–62	1962–63	1963–64	1964–65
Western Australia:					
Estimated grant	£3,700	£5,200	£5,900	£5,900	£7,900
Adjustment [1]	600	956	310	172	660
Net grant recommended	4,309	6,156	6,210	6,072	8,560
Tasmania:					
Estimated grant	3,400	4,100	4,900	5,100	6,809
Adjustment [1]	909	975	141	278	491
Net grant recommended	4,309	5,075	5,041	5,378	7,300
Grand total	8,618	11,231	11,251	11,450	15,860

[1] Adjustment to estimated grant paid 2 years previously.

(vi) *Financial Assistance Grants.* The *States Grants Act* 1959 repealed the *States Grants* (*Tax Reimbursement*) *Acts* of 1946, 1947 and 1948, and provided for payment of financial assistance to the States in 1959–60 amounting to £244,500,000 to be distributed among the States as follows:—New South Wales, £83,450,000; Victoria, £60,625,000; Queensland, £36,375,000; South Australia, £27,675,000; Western Australia, £25,462,000; Tasmania, £10,913,000. In subsequent years the financial assistance grant payable to each State has been determined by increasing its grant for 1959–60 in accordance with a formula which takes into account movements in population in each State and the increases (if any) in the level of average wages per person employed as shown in returns submitted under the *Pay-roll Tax Assessment Act* 1941–1963.

Details of the *States Grants* (*Income Tax Reimbursement*) *Act* 1942 and the *States Grants* (*Entertainments Tax Reimbursement*) *Act* 1942 are given in earlier issues of the Year Book (*see* No. 37, pp. 635–7). These Acts provided for grants to the States as compensation for vacating the fields of income tax and entertainments tax. Grants under these Acts ceased after 1945–46 and were replaced by grants under the *States Grants* (*Tax Reimbursement*) *Act* 1946–1948 which expired after 1958–59. *See* Year Book No. 46, pages 837–8.

FEDERAL-STATE TAX-SHARING IN SELECTED FOREIGN COUNTRIES: A BRIEF SURVEY—ARGENTINA

(Library of Congress Reference)

The Argentine Constitution contains no provisions pertaining to the sharing of tax revenues between the Federal Government and the Provinces. In matters of taxation, it only gives to the Federal Government the exclusive power to levy customs (export and import) duties and the power to levy any other taxes, equitably and proportionally imposed upon the population.

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[1] In the "adjusted" population allowances are made for differences in the proportion of school children in the population and the density of the population in each State.

The sharing of taxes is based primarily on the 1935 tax reform the main purpose of which was to bring some uniformity into the tax system and provide for a more equitable distribution of the tax burden as well as tax revenues. It must be stressed, however, that the participation of a Province in the sharing program is not automatic but is contingent on a Province's acceding, by means of a law-treaty (ley-convenio), to the program.

There are four categories of tax revenues which are being shared by the Federal and Provincial Governments in Argentina. The first category contains revenues from taxes on income, capital gains, excess profits, and sales; the second consists of excise taxes; the third of taxes on gratuitous transfers (gift or inheritance) of capital stock; and the fourth of contributions to the National Highway Fund (automotive fuels tax).

The mechanics of sharing vary from one category to another, and in most cases have themselves undergone some changes during the existence of the sharing program, especially during the early years of transition between the old system and the new. In the first category, the tax collections are divided, first, into the Federal and total Provincial shares. The two respective shares have varied from year to year and in 1964 (last available) stood at 60 percent and 40 percent respectively. In addition, a constant 6-percent share, taken out of the Federal share, is allocated annually to the Federal Capital District (the City of Buenos Aires). Thus, in effect, the 1964 distribution resulted in the Federal Government's keeping 54 percent, all the participating Provinces 40 percent, and the Federal District 6 percent. The Provinces' share was further allocated according to a formula which takes into consideration a number of variables. Thus, the first 25 percent of the total Provinces' share is allocated among them according to their population; the second 25 percent according to their own revenues excluding borrowing, tax-sharing, and Federal subsidies; the third 25 percent according to each Province's expenditures; and the last 25 percent in equal parts.

A different formula is used for the distribution of the second category of tax revenues (excise taxes). Here the shares allocated respectively to the Federal Government and to the participating Provinces as a body are determined in the same ratio as that of the total national population to that of the participating Provinces (excluding the Federal Capital District which does not participate in this program). In practice the ratio is approximately 55 percent to 45 percent. The 45 percent share going to the provinces is further allocated among them according to the following formula: 98 percent of the Provinces' share is distributed on the basis of two indices: population and production of commodities on which excise taxes are levied and of primary materials used in the manufacture of the former. Currently 80 percent of the amount allocable according to these two indices is distributed according to population and 20 percent according to production.

The remaining 2 percent of the Provinces' share is distributed in proportions inverse to the amounts per capita resulting from the allocation of the first 98 percent.

The taxes of the third category are distributed among the Federal and Provincial Governments according to their tax base. This means, in effect, the Federal Treasury keeps those collected in the Federal Capital District and in the national Territory of Tierra del Fuego. In practice, some 50 to 55 percent of the revenue from this tax accrues to the Federal Government.

The Highway Fund revenues (fourth category) are shared 65 percent by the Federal Government (including Federal Capital) for the construction of trunk highways, and 35 percent by the Provinces. The latter's share is allocated as follows: 30 percent in equal parts, 20 percent in proportion to the populations, 20 percent in proportion with the Provinces' highway investments from their own sources, and 30 percent in proportion to the consumption of automotive fuels in each of them.

ANGELIKI TSIPOURAS

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference, a bill for the relief of Angeliki Tsipouras. I introduced this bill last year and the Congress adjourned before all of the necessary reports were submitted. Hence, I am reintroducing it at this time. Mrs. Tsipouras is a widow and is on a visitor's visa to this country. She has lost all three of her sons and has a daughter in Greece who, I understand, is in no position to help her.

Mrs. Tsipouras is staying with the brother of her deceased husband and his wife, Mr. and Mrs. Sam Chipouras, Washington, D.C. She has no one to return to in Greece who can help her. Congress passed the Immigration Act of 1965 which helps in bringing families together. This appears to be the type of situation that needs a special bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 93) for the relief of Angeliki Tsipouras, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

THE FAIRPLAY BILL

Mr. AIKEN. Mr. President, I send to the desk for introduction a bill previously offered by me in the 88th and 89th Congresses.

Once again the senior Senator from Ohio [Mr. LAUSCHE], and the senior Senator from North Dakota [Mr. YOUNG] join in cosponsoring this measure.

This proposal, which has become widely known as the fairplay bill, would merely give to the producers of agricultural produce the same rights and trade practices as those now enjoyed by the buyers of these products.

It was originally offered as an amendment to the Capper-Volstead Act, but after extensive hearings in the Senate Agriculture Committee last year, a revised version was offered. This would place the powers of enforcement in the Department of Agriculture rather than the Department of Justice.

The bill as now written enjoys the support of several major farm organizations, who are strongly united in the belief that they urgently need a new statute that will protect them from the monopolistic practices of a few unprincipled buyers.

I ask unanimous consent that the text of this measure be printed in the RECORD at this point, and that the bill be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The bill will be received, and appropriately referred; and will be printed in the RECORD, as requested.

The bill (S. 109) to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes, introduced by Mr. AIKEN, was received, read twice by its title, referred to the Committee on Agriculture, and ordered to be printed in the RECORD, as follows:

S. 109

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the Agricultural Producers Marketing Act of 1967.

LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

SEC. 2. Agricultural products are produced in the United States by many individual farmers and ranchers scattered throughout the various States of the Nation. Such products in fresh or processed form move in large part in the channels of interstate and foreign commerce, and such products which do not move in these channels directly burden or affect interstate commerce. The efficient production and marketing of agricultural products by farmers and ranchers is of vital concern to their welfare and to the general economy of the Nation. Because agricultural products are produced by numerous individual farmers, the marketing and bargaining position of individual farmers will be adversely affected unless they are free to band together in cooperative organizations as authorized by law. Interferences with this right is contrary to the public interest and adversely affects the free and orderly flow of goods in interstate and foreign commerce.

It is, therefore, declared to be the policy of Congress and the purpose of this Act to establish standards of fair practices required of handlers in their dealings with producers of agricultural products and their cooperative associations.

SEC. 3. When used in this Act—

(a) The term "handler" means any person engaged in the business or practice of (1) acquiring agricultural products from producers or associations of producers for processing or sale; (2) grading, packaging, handling, storing, or processing agricultural products received from producers or associations of producers; (3) contracting or negotiating contracts or other arrangements, written or oral, with producers or associations of producers with respect to the production or marketing of any agricultural product; or (4) acting as an agent or broker for a handler in the performance of any function or act specified in clause (1), (2), or (3) of this paragraph.

(b) The term "producer" means a person engaged in the production of agricultural products as a farmer, planter, rancher, dairyman, fruit, vegetable or nut grower.

(c) The term "association of producers" means any marketing, bargaining, shipping or processing organization as defined in section 15(a) of the Agricultural Marketing Act of 1929, as amended (49 Stat. 317; 12 U.S.C. 1141(a)), or in section 1 of the Act entitled "An Act to authorize association of producers of agricultural products", approved February 18, 1922 (42 Stat. 388; 7 U.S.C. 291).

(d) The term "person" includes individuals, partnerships, corporations, and associations.

SEC. 4. It shall be unlawful for any handler knowingly to engage or permit any employee or agent to engage in the following practices:

(a) To interfere with or restrain, or threaten to interfere with or restrain, by boycott, coercion, or any unfair or deceptive act or practice, any producer in the exercise of his right to join and belong to an association of producers; or

(b) To discriminate or threaten to discriminate against any producer with respect to price, quantity, quality, or other terms of purchase or acquisition of agricultural commodities because of his membership in or contract with an association of producers; or

(c) To coerce or intimidate any producer or other person to breach, cancel, or otherwise terminate a membership agreement or marketing contract with an association of producers; or

(d) To pay or loan money, give any thing of value in excess of the true market value of any agricultural commodity which is being purchased, or offer any other inducement or reward to a producer for refusing to or ceasing to belong to an association of producers; or

(e) To make false reports about the finances, management, or activities of associations of producers or interfere by any unfair or deceptive act or practice with the efforts of such associations in carrying out the legitimate objects thereof; or

(f) To conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by this Act.

SEC. 5. (a) Whenever any handler has engaged or there are reasonable grounds to believe that any handler is about to engage in any act or practice prohibited by section 4, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved. In any action commenced pursuant hereto, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.

(b) Whenever the Secretary of Agriculture has reasonable cause to believe that any handler or group of handlers has engaged in any act or practice prohibited by section 4, he may bring civil action in the appropriate district court of the United States by filing with it a complaint (1) setting forth facts pertaining to such pattern or practice, and (2) requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the handler, or handlers, responsible for such acts or practices.

(c) Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate, any provision of section 4 of this Act may sue therefor in the district court of the United States for the district in which defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages sustained, and the cost of the suit, including a reasonable attorney's fee.

(d) Any person who violates, or combines or conspires with any other person to violate, any provision of section 4 of this Act is guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding $1,000, or imprisonment not exceeding one year, or both, in the discretion of the court.

(e) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

(f) The foregoing provisions shall not be construed to deprive the proper State courts of jurisdiction in actions for damages thereunder.

SEC. 6. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

AMENDMENTS OF SOCIAL SECURITY ACT

Mr. AIKEN. Mr. President, in response to urgent pleas from many residents of my State, I am offering a bill containing 10 major changes in the medicare provisions of the Social Security Act.

I do not offer these as perfect amendments, but as the basis for further study, revision where needed, and favorable action by the Finance Committee.

It would be my hope that these amendments might be reported to the Senate at the same time as legislation proposing a substantial increase in social security benefits.

Surely nothing would contribute more to the social security of persons living in retirement on low-fixed incomes than meaningful revisions in the present medicare provisions of the Social Security Act.

If the widespread reports I have received from Vermont are any indication, medicare is in a mess.

This was to be expected, for any new legislation so sweeping in character and complex in the administrative machinery required, could not be expected to work efficiently and effectively during the first several years.

The experience so far has indicated a number of serious deficiencies in the basic medicare statute. They should be corrected without delay. My amendments are designed to do exactly that. Some may argue that these amendments are too costly. Others will say that they require further study.

Rapidly rising medical costs all down the line say that these amendments are desperately needed if the promises made to our old people are to be fulfilled.

Two of the major proposals contained in the bill I am offering today have already been passed by the Senate, but were subsequently dropped in conference with the House.

One was the amendment to pay medical specialists' fees customarily provided by the hospitals.

When the original medicare law was enacted, the Senate included this provision in its bill, but it was dropped in conference.

President Johnson, when signing the Medicare Act into law, called this the most serious deficiency in the bill.

I understand the President may request this amendment in his social security message to the new Congress.

The other amendment, passed by the Senate late in the last session and dropped in conference, is a proposal to extend drug coverage to all prescription drugs for old people whether or not associated with hospital confinement.

I submitted a drug amendment in 1965, but it was rejected on the grounds that it was too costly.

Last year the Senate passed a detailed drug amendment, and I am offering this proposal, with only slight revisions, in the bill I am introducing today.

Surely there is no field of medicine where the need for assistance is greater than in the payment of drug bills.

This is a crushing burden for old people especially, and should be corrected without further delay.

The other amendments contained in my bill would:

Eliminate all deductible and coinsurance features.

Lower the 65-year age requirement for women to age 62.

Establish physicians' fees under the medicare law to correspond to the prevailing fees of the area.

In effect, this would provide coverage for the beneficiaries of medicare similar to the service benefits now available under many Blue Shield plans.

Extend coverage to include eye glasses and all eye and dental care needs.

Extend the original amendment which I offered in 1965 to permit beneficiaries to go to the nearest hospital when stricken by illness or accident while across the border of adjacent countries.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. AIKEN. I ask unanimous consent to have 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. AIKEN. Under the law as enacted persons have to be in the United States when stricken, but may go to a Canadian or Mexican hospital if it is nearer than any U.S. hospital.

Provide medical services for beneficiaries receiving emergency hospital care across the border in Canada or Mexico.

Permit elderly people to be referred directly to nursing homes from hospital outpatient clinics, instead of requiring hospitalization prior to admission to nursing homes.

Extend coverage to authorize one routine physical checkup every year.

It was originally my plan to include a program of multiphasic screening in this bill, for I strongly believe our country needs a nationwide program of preventive medicine that actually reaches most of the people.

By checking into this, I have found that it is the consensus of expert opinion that such a law does not belong under the Social Security Act, but requires special legislation under the Public Health Service.

I understand there is a good possibility that legislation to accomplish this will be introduced during the present session.

I urge that the Finance Committee give the amendments in my bill favorable consideration at the earliest time possible, so we can move forward in our efforts to help old people who just cannot afford the high costs of modern medicine.

I ask unanimous consent to have the bill printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 110) to amend title XVIII of the Social Security Act and related provisions of law so as to eliminate the deductible and coinsurance features of the health benefits program established by such title, to permit women to qualify for such benefits at age 62, to include within the hospital insurance benefits provided thereunder services of certain medical specialists, to include prescribed drugs among the benefits provided by part B of such title, to include eye and dental care among the benefits provided under such part B, and otherwise to extend and improve such program, introduced by Mr. AIKEN, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Social Security Amendments of 1967".

ELIMINATION OF DEDUCTIBLES AND COINSURANCE

SEC. 2. (a) Section 1813 of the Social Security Act is hereby repealed.

(b) Section 1814(b) of such Act is amended by striking out ", subject to the provisions of section 1813,".

(c)(1) Section 1833(a) of such Act is amended to read as follows:

"SEC. 1833. (a) Subject to the succeeding provisions of this section, there shall be paid from the Federal Supplementary Medical Insurance Trust Fund, in the case of each individual who is covered under the insurance program established by this part and incurs expenses for services with respect to which benefits are payable under this part, amounts equal to—

"(1) in the case of services described in section 1832(a)(1)—100 per centum of the reasonable charges for such services; except that an organization which provides medical and other health services (or arranges for their availability) on a prepayment basis may elect to be paid 100 per centum of the reasonable cost of services for which payment may be made under this part on behalf of individuals enrolled in such organization in lieu of the 100 per centum of the reasonable charges for such services if the organization undertakes not to charge such individuals for such services; and

"(2) in the case of services described in section 1832(a)(2)—100 per centum of the reasonable cost of the services (as determined under section 1861(v))."

(2) Section 1833(b) of such Act is hereby repealed.

(3) Subsection (c) of section 1833 of such Act is hereby redesignated as subsection (b) and is amended (A) by striking out "in any calendar year", and by striking out "subsections (a) and (b)" and inserting in lieu thereof "subsection (a)".

(4) Subsection (d) of section 1833 of such Act is hereby redesignated as subsection (c) and is amended by striking out "(or would be entitled except for section 1813 other than subsection (a)(2)(A) thereof)".

(d)(1) Paragraph (3) of subsection (x) of section 1861 of such Act is hereby repealed.

(2) Paragraph (4) of subsection (x) of section 1861 of such Act is hereby redesignated as paragraph (3).

(e) Paragraph (2) of subsection (a) of section 1866 of such Act is amended by (1) striking out subparagraphs (A) and (C) thereof, and (2) by striking out "(B)" at the beginning of paragraph (B) thereof.

ENTITLEMENT TO HEALTH INSURANCE BENEFITS FOR THE AGED AT AGE 62 FOR WOMEN

SEC. 3. (a)(1) Section 226(a)(1) of the Social Security Act is amended to read as follows:

"(1) has attained (i) in the case of a woman, the age of 62, or (ii) in the case of a man, the age of 65, and".

(2) Section 226(b)(1) of such Act is amended by inserting "(in the case of a man) or age 62 (in the case of a woman)" immediately after "65".

(b) Section 1831 of such Act is amended by inserting "(in the case of men), or 62 years of age or over (in the case of women)," immediately after "65 years of age or over".

(c) Section 1836(1) of such Act is amended to read as follows:

"(1) has attained (i) in the case of a woman, the age of 62, or (ii) in the case of a man, the age of 65, and".

(d)(1) Section 21 of the Railroad Retirement Act of 1937 (as added by section 105 of the Social Security Amendments of 1965) is amended by inserting "(in case of a man), or age 62 (in case of a woman)," after "age 65".

(2) Section 21(b)(1) of section 21 of such Act (as added by section 111(b) of the Social Security Amendments of 1965) is amended by inserting "(in case of a man), or age 62 (in case of a woman)" after "age 65".

(e) Section 103(a)(1) of the Social Security Amendments of 1965 is amended by inserting "(in the case of a man), or age 62 (in the case of a woman)" after "age 65".

(f)(1) Subject to paragraph (2) of this subsection, the amendments made by the preceding provisions of this section shall take effect on the first day of the second month following the month in which this Act is enacted.

(2) For purposes of section 1837 of the Social Security Act a woman, who, on the effective date of the amendments made by this section, has not attained age 65 but has attained age 62, shall be deemed to first have satisfied paragraph (1) of section 1836 of the Social Security Act on such effective date. No woman shall, by reason of the amendments made by this section, be entitled to any benefits provided under title XVIII of the Social Security Act or section 21 of the Railroad Retirement Act of 1937 for any period prior to such effective date.

SPECIALISTS PROFESSIONAL SERVICES

SEC. 4. (a) Section 1861 of the Social Security Act (relating to definitions of services, institutions, etc.) is amended by adding at the end thereof the following new subsection:

"SPECIALISTS PROFESSIONAL SERVICES

"(z) The term 'specialists professional services' means professional services in the field of pathology, radiology, physiatry, or anesthesiology."

(b)(1) The heading of subsection (b) of section 1861 of the Social Security Act (relating to definition of inpatient hospital services) is amended to read "Inpatient Hospital Services and Specialists' Professional Services".

(2) Paragraph (3) of such subsection is amended by inserting after "services" the following: "(including specialists' professional services as defined in subsection (z))".

(3) Paragraph (4) of such subsection is amended by inserting before the semicolon the following: "(other than specialists' professional services which are included under paragraph (3))".

SCHEDULE OF MAXIMUM FEES GOVERNING PAYMENT FOR PHYSICIANS' SERVICES

SEC. 5. Section 1842 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(g) The Secretary, after consultation with the Surgeon General, shall establish a schedule of fees for physicians' services with respect to the various categories of such services, and, notwithstanding any other provision of this title, no payment shall be made under this title, as payment for physicians' services or for any service performed by a physician if the charge therefor is in excess of the amount so established with respect to the particular service or services performed. The schedule may provide that the amount of such fees shall differ in various localities so as to take into account differences in the prevailing fees charged therein to individuals not insured under this title. The amount of such fees shall be so established as to coincide, to the maximum extent possible, with the fees allowed in the locality by carriers for policyholders and subscribers under other health insurance programs. Each contract entered into pursuant to this section with a carrier with respect to functions involving physicians' services shall provide that payment for physicians' services shall be made in accordance with the schedule of fees established pursuant to this subsection."

COVERAGE OF EXPENSES OF CERTAIN DRUGS UNDER SUPPLEMENTARY MEDICAL INSURANCE BENEFITS

SEC. 6. (a) Section 1832(a) of the Social Security Act is amended (1) by striking out "and" at the end of paragraph (1), (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(3) entitlement to be paid for allowable expenses (as defined in section 1845(a)(2)), or, if lower, actual expenses, incurred by him for the purchase of qualified drugs (as defined in subsection (a)(1) of such section."

(b) Section 1833(a) of such Act (as amended by section 2 of this Act) is further amended (1) by inserting "or qualified drugs" after "incurs expenses for services", (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; and", and (3) by adding at the end thereof the following new paragraph:

"(3) in the case of expenses covered under section 1832(a)(3)—100 per centum of such expenses."

(c) Part B of title XVIII of such Act is amended by adding at the end thereof the following new sections:

"SEC. 1845, (a) FOR PURPOSES OF THIS PART—

"SEC. 1845. (a) FOR PURPOSE OF THIS PART—

"(1) The term 'qualified drug' means a drug or biological which is included among the items approved by the Formulary Committees (established pursuant to section 1846(a)).

"(2) The term 'allowable expense,' when used in connection with any quantity of a qualified drug means the amount established with regard to such quantity of such drug by the Formulary Committee and approved by the Secretary.

"(b) Amounts to which an individual is entitled by reason of the provisions of section 1832(a)(3) shall be paid directly to such individual or, if such individual has assigned his right to receive any such amount to another person, the amount so assigned shall be paid to such other person. No individual shall be paid any amount by reason of the provisions of section 1832(a)(3) prior to the presentation by him (or by another on his behalf) of documentary or other proof satisfactory to the Secretary establishing his entitlement thereto.

"(c) The benefits provided by reason of section 1832(a)(3) may be paid by the Secretary or the Secretary may utilize the service of carriers for the administration of such benefits under contracts entered into between the Secretary and such carriers for such purpose. To the extent determined by the Secretary to be appropriate, the provisions relating to contracts entered into pursuant to section 1842 shall be applicable to contracts entered into pursuant to this subsection.

"FORMULARY COMMITTEE

"SEC. 1846. (a) There is hereby established a Formulary Committee to consist of the Surgeon General of the Public Health Service, the Commissioner of the Food and Drug Administration, and the Director of the National Institutes of Health.

"(b)(1) It shall be the duty of the Formulary Committee, with the advice and assistance of the Formulary Advisory Group (established pursuant to section 1847) to—

"(A) determine which drugs and biologicals shall constitute qualified drugs for purposes of the benefits provided under section 1832(a); and

"(B) determine, with the approval of the Secretary, the allowable expense, for purposes of such benefits, of the various quantities of any drug determined by the Committee to constitute a qualified drug; and

"(C) publish and disseminate at least once each calendar year among individuals insured under this part, physicians, pharmacists, and other interested persons, in accordance with directives of the Secretary, an alphabetic list naming each drug or biological (by its generic name and by each other name by which it is known) which is a qualified drug together with the allowable expense of various quantities thereof, and if any such drug or biological is known by a trade name, the generic name shall also appear with such trade name.

"(2)(A) Any drug or biological included on the list of qualified drugs shall, if listed by generic name, also be listed by its trade name or names, if any.

"(B) Drugs and biologicals shall be determined to be qualified drugs only if they can legally be obtained by the user pursuant to a prescription of a physician; except that the Formulary Committee may include certain drugs and biologicals not requiring such a prescription if it determines such drugs or biologicals to be of a lifesaving nature.

"(C) In the interest of orderly, economical, and equitable administration of the benefits provided under section 1832(a)(3), the Formulary Committee may, by regulation, provide that a drug or biological otherwise regarded as being a qualified drug shall not be so regarded when prescribed below certain minimum quantities.

"(3) In determining the allowable expense for any quantity of any qualified drug, the Formulary Committee shall give due consideration to recognized pricing guides for drugs, and of other pertinent factors, with a view to determining with respect to each qualified drug a schedule of prices for various quantities thereof which reflects the cost thereof to the ultimate dispenser of the drug plus a reasonable fee for the preparation, handling, and distribution thereof to the consumer thereof. In any case in which a drug or biological is available by generic name and one or more trade names any one of which is different from such generic name the cost of such drug or biological, for purposes of the preceding sentence, shall be deemed to be the lowest cost of an acceptable version of such drug, however named.

"ADVISORY GROUP TO FORMULARY COMMITTEE

"Sec. 1847. (a) For the purpose of assisting the Formulary Committee to carry out its duties and functions, the Secretary shall appoint an Advisory Group to the Formulary Committee (hereinafter in this section referred to as the 'Advisory Group'). The Advisory Group shall consist of seven members to be appointed by the Secretary. From time to time, the Secretary shall designate one of the members of the Advisory Group to serve as Chairman thereof. The members shall be so selected that each represents one or more of the following national organizations: an organization of physicians, an organization of manufacturers of drugs, an organization of pharmacists, an organization of persons concerned with public health, an organization of hospital pharmacists, an organization of colleges of medicine, an organization of colleges of pharmacy, and an organization of consumers. Each member shall hold office for a term of three years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of six of the members first taking office shall expire, as designated by the Secretary at the time of appointment, two at the end of the first year, two at the end of the second year, and two at the end of the third year, after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(b) Members of the Advisory Group, while attending meetings or conferences thereof or otherwise serving on business of the Advisory Group, shall be entitled to receive compensation at rates to be fixed by the Secretary, but not exceeding $75 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(c) The Advisory Group is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Advisory Group such secretarial, clerical, and other assistance and such pertinent data obtained and prepared by the Department of Health, Education, and Welfare as the Advisory Group may require to carry out its functions."

(d) The amendments made by this section shall become effective on July 1, 1968.

EMERGENCY HOSPITAL SERVICES OUTSIDE UNITED STATES

Sec. 7. Section 1814(f) of the Social Security Act is amended by (1) inserting "(A)" immediately after "(1)", (2) striking out "(2)" and inserting in lieu thereof "(B)", (3) striking out the period at the end thereof and inserting in lieu of such period a semicolon followed by the word "or", and (4) adding at the end thereof the following new paragraph:

"(2)(A) such individual, at the time the emergency which necessitated such inpatient hospital services occurred—

"(1) was at a place located at a distance not greater than twenty-five miles from the continental United States,

"(2) maintained a residence within the United States, and

"(3) had been physically present in the United States within the ten-day period immediately preceding such time; and

"(B) such hospital was closer to, or substantially more accessible from, such place than the nearest hospital within the United States which was adequately equipped to deal with, and was available for the treatment of, such individual's illness or injury."

POSTHOSPITAL EXTENDED CARE SERVICES

Sec. 8. (a) Section 1814(a)(2)(D) of the Social Security Act is amended to read as follows:

"(D) in the case of posthospital extended care services, such services are or were required to be given on an inpatient basis because the individual needs or needed skilled nursing care on a continuing basis for—

"(i) any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(a)) prior to transfer to the extended care facility or for a condition requiring such extended care services which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such impatient hospital services, or

"(ii) any condition requiring such extended care, services and the existence of which was discovered or confirmed as a result of findings made while the individual was receiving outpatient diagnostic services, or, in the case of an individual who has been admitted to an extended care facility for such a condition, any other condition arising while he is in such facility;".

(b) The first sentence of section 1861(i) of such Act is amended to read as follows: "The term 'posthospital extended care services' means extended care services furnished an individual (A) after transfer from a hospital in which he was an inpatient for not less than three consecutive days before his discharge from the hospital in connection with such transfer, or (B) after he has received outpatient hospital diagnostic services, if, after reviewing the findings revealed by such services, his physician and the hospital from which he received such services certify (not later than 7 days after the termination of such services) that he is in immediate need of extended care services, and if he is admitted to an extended care facility within 14 days after the date on which his need for extended care services was so certified."

EYE AND DENTAL SERVICES, AND EYEGLASSES, DENTURES, AND OTHER DEVICES

Sec. 9. (a) Section 1861(r) of the Social Security Act is amended by striking out "but only with respect to (A) surgery related to the jaw or any structure contiguous to the jaw or (B) the reduction of any fracture of the jaw or any facial bone".

(b) Section 1861(s) of such Act is amended (1) by inserting "(A)" immediately after "(7)", in paragraph 7 thereof, and (2) by adding after such paragraph (7) the following new subparagraph:

"(B) dentures, eyeglasses, and other prosthetic devices related to the oral cavity, jaw, or to the eyes, including replacement thereof;".

(c)(1) Section 1862(a)(7) of such Act is amended by striking out "eyeglasses, or eye examinations for the purpose of prescribing, fitting, or changing eyeglasses, hearing aids or examinations therefor, or" and inserting in lieu thereof "or".

(2) Section 1862(a) of such Act is further amended (A) by inserting "or" at the end of paragraph (10) thereof, (B) by striking out "; or" at the end of paragraph (11) thereof and by inserting a period in lieu of the matter stricken, and (C) by striking out paragraph (12) thereof.

PHYSICAL EXAMINATIONS

Sec. 10. Section 1862(a)(7) of the Social Security Act (as amended by section 9 of this Act) is further amended by inserting "(in excess of one during each calendar year)" after "routine physical checkups".

MEDICAL AND OTHER HEALTH SERVICES FURNISHED DURING RECEIPT OF COVERED INPATIENT HOSPITAL SERVICES OUTSIDE THE UNITED STATES

Sec. 11. Section 1862(a)(4) of the Social Security Act is amended by inserting "other than medical and other health services (as defined in section 1861(s)) furnished to a patient while he is receiving emergency inpatient hospital services furnished outside the United States under such conditions" immediately after "section 1814(f)".

EFFECTIVE DATE

Sec. 12. Unless otherwise specified in this Act, the amendments made by this Act shall take effect on the first day of the second month following the month in which this Act is enacted.

THE WILD RIVERS BILL

Mr. CHURCH. Mr. President, I introduce for appropriate reference, on behalf of myself and the distinguished chairman of the Interior Committee [Mr. JACKSON] a bill which would preserve certain free-flowing rivers in their wild and natural state.

This is, Mr. President, actually a reintroduction of the bill, S. 1446, which was the first to pass the Senate at the start of the second session of the 89th Congress by a vote of 71 to 1. It is familiarly known as the wild rivers bill. It failed of action in the House last year because of other measures which were given priority in the House Interior and Insular Affairs Committee.

As Senators know, this proposed legislation has been requested by the President, and is an outgrowth of extensive studies conducted by the Interior and the Agriculture Departments.

Hearings in Idaho, Wyoming, and here in Washington, D.C., have been conducted on the bill by the Senate Interior and Insular Affairs Committee.

Mr. President, only a few of America's rivers remain untamed. The thrust of our economic demands threatens the destruction of this part of our scenic and cultural heritage. Indeed, even as our wild rivers disappear, our recreation need for them escalates. Cities, dams, highways, residential and industrial developments encroach upon and destroy these hitherto unspoiled streams. We need to protect some of these rivers now, or those generations which stand upon our threshold may never know the excitement of white water, or fish in crystal-clear rivers, or leisurely float down blue streams which meander between tree-lined banks.

The bill establishes a national wild river system which initially comprises segments of seven rivers. These are the Salmon and Clearwater in my own State of Idaho, the Rogue in Oregon, the Rio Grande in New Mexico, the Eleven Point in Missouri, the Cacapon and its tributary, the Lost River, in West Virginia, and that portion of the Shenandoah which flows through West Virginia. Seventeen other rivers are listed for study as possible future inclusions, and a procedure is provided for inclusion of these and other rivers.

Administration of the rivers in the system would be by either the Secretary of Interior or Agriculture, or the Secretaries jointly, based upon their administrative areas; or jointly with the States, or States and local governmental agencies, or by the States exclusively. States would be encouraged to cooperate in the planning and administration of wild river areas which include State-owned or county-owned land.

A wild river area would be administered for water conservation, scenic, fish, wildlife, and outdoor recreation values, but without limitation on such other uses as timber harvesting and livestock grazing which do not interfere with these purposes. Mining will be allowed to continue, although claims along the river banks located after the effective date of the act would be subject to regulation to prevent water pollution.

Nothing in the bill will change existing laws with respect to the construction of bridges or needed roads. In given cases property owners might need access to both sides of the river.

As used in this legislation, a wild river is a free-flowing stream in a pleasing and relatively unaltered environment, with outstanding scenic and recreational values.

The bill places a limitation on condemnation, by providing that where 50 percent or more of the acreage within the entire wild river area is owned by Federal, State, or local governments, neither Secretary can condemn for acquisition of fee title, but may condemn for scenic easements. The Senate Interior and Insular Affairs Committee approved this limitation because it believed that rivers flowing through this amount of public land could amply provide bank-land areas for public access and campgrounds without any need for acquiring private property by condemnation.

Wherever the power of condemnation is conferred, the Secretaries are limited to acquiring a maximum of 300 feet on either side of the stream, tributary, or river, in fee title, and may not exercise the power of condemnation for scenic easements in an area extending more than 1,320 feet from either side.

Nothing in the bill affects the applicability of State water laws, impairs water rights, or affects the jurisdiction and administration authority of the States with respect to fish and wildlife.

Obstruction of wild rivers by damming normally accomplished through construction or licensing by Federal agencies would be prohibited, except as expressly authorized by Congress.

An amendment adopted in committee, and sponsored by my colleague, Senator JORDAN, would establish a National Wild Rivers Review Commission to inform the Congress whenever changing public needs indicate that revisions should be made in the Wild Rivers system.

Mr. President, a National Wild Rivers System has extensive public support. There is growing concern for this particular segment of our scenic and recreational resources. And it is obligatory that we move now to preserve certain of these remarkable remnants of our original American landscape, for without statutory protection they will inevitably fall prey to obstruction, and once gone, they are lost forever.

Let us not deceive ourselves. This is part of our responsibility to all future Americans, and our husbanding of this diminishing resource will be entered on the books of their accounting. I commend the bill to the Senate and I urge its early passage.

I also ask unanimous consent that this measure be held at the desk for a period of 10 days to accommodate those Senators who may wish to become cosponsors, and that the text of the bill appear at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and lie on the desk, as requested by the Senator from Idaho.

The bill (S. 119) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes, introduced by Mr. CHURCH (for himself and Mr. JACKSON), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Wild Rivers Act".

STATEMENT OF POLICY

SEC. 2. (a) The Congress finds that some of the free-flowing rivers of the United States possess unique water conservation, scenic, fish, wildlife, and outdoor recreation values of present and potential benefit to the American people. The Congress also finds that our established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is the policy of Congress to preserve, develop, reclaim, and make accessible for the benefit of all of the American people selected parts of the Nation's diminishing resource of free-flowing rivers. For this purpose there is hereby established a National Wild Rivers System to be composed of the areas that are designated as "wild river areas" in this Act, and the additional areas that may be designated in subsequent Acts of Congress. Areas designated as "wild river areas" by subsequent Acts of Congress shall be administered in accordance with the provisions of this Act unless the subsequent Acts provide otherwise.

DEFINITION OF WILD RIVER AREA

(b) A wild river area eligible to be included in the system is a stream or section of a stream, tributary, or river—and the related adjacent land area—that should be left in its free-flowing condition, or that should be restored to such condition, in order to promote sound water conservation, and promote the public use and enjoyment of the scenic, fish, wildlife, and outdoor recreation values.

NATIONAL WILD RIVERS SYSTEM

SEC. 3. (a) The following rivers, or segments thereof, and related, adjacent lands, most of which are public lands, as depicted on maps numbered "NWR–SAL–1001, NWR–CLE–1001, NWR–ROG–1001, NWR–RIO–1000, NWR–ELE–1000, NWR–CAP–1000, and NWR–SHE–1000" are hereby designated as "wild river areas":

(1) Salmon, Idaho—the Salmon from town of North Fork downstream to its confluence with the Snake River and the entire Middle Fork.

(2) Clearwater, Middle Fork, Idaho—the Middle Fork from the town of Kooskia upstream to the town of Lowell; the Lochsa River from its junction with the Selway at Lowell forming the Middle Fork, upstream to the Powell Ranger Station; and the Selway River from Lowell upstream to its origin.

(3) Rouge, Oregon—the segment extending from the Applegate River to the Route 101 highway bridge above Gold Beach.

(4) Rio Grande, New Mexico—the segment extending from the Colorado State line downstream to near the town of Pilar, and the lower four miles of the Red River.

(5) Eleven Point, Missouri—the segment of the river extending from a point near Greer Spring downstream to State Highway 142.

(6) Cacapon, West Virginia—entire river and its tributary, the Lost River.

(7) Shenandoah, West Virginia—the segment of the river located in the State of West Virginia.

Said maps shall be on file and available for public inspection in the appropriate offices of the Department of the Interior and the Department of Agriculture.

FEDERAL-STATE PLANNING FOR ADDITIONS TO SYSTEM

(b) The Secretary of the Interior, and the Secretary of Agriculture where national forest lands are involved, after consultation with interested Federal agencies, are directed to consult with the Governors and officials of the States in which the rivers listed below are located to ascertain whether a joint Federal-State plan is feasible and desirable in the public interest to conserve segments of these rivers. They shall submit to the President their recommendations for inclusion of any or all of them in the National Wild Rivers

System, and the President shall submit to the Congress his recommendations for such legislation as he deems appropriate:

(1) Buffalo, Tennessee—the entire river from its beginning in Lawrence County to its confluence with the Duck River.

(2) Green, Wyoming—the segment extending from its origin in the Bridger Wilderness Area, south to its confluence with Horse Creek.

(3) Hudson, New York—the segment of the mainstem extending from its origin in the Adirondack Park downstream to the vicinity of the town of Luzerne: Boreas River from its mouth to Durgin Brook; Indian River from its mouth to Abanakee Dam; and Cedar River from its mouth to Cedar River flow.

(4) Missouri, Montana—the segment upstream from Fort Peck Reservoir toward the town of Fort Benton.

(5) Niobrara, Nebraska—the mainstem segment lying between the confluence of Antelope Creek downstream to the headwaters of the proposed Norden Reservoir east of the town of Valentine, and the lower eight miles of its Snake River tributary.

(6) Skagit, Washington—the Skagit from the town of Mount Vernon upstream to Gorge powerhouse near the town of Newhalem; the Cascade River from its mouth to the confluence of the North and South Forks; the Sauk from its mouth to Elliott Creek; and the Suiattle from its mouth to Milk Creek.

(7) Susquehanna, New York and Pennsylvania—the segment of the Susquehanna River from a dam at Cooperstown, New York, downstream to the town of Pittston, Pennsylvania.

(8) Wolf, Wisconsin—the segment reaching from the confluence of the Hunting River downstream to the town of Keshena.

(9) Suwannee, Georgia and Florida—entire river from its source in the Okefenokee Swamp in Georgia to the gulf, and the outlying Ichetucknee Springs, Florida.

(10) Youghiogheny, Maryland and Pennsylvania—from Oakland, Maryland, to the Youghiogheny Reservoir and from the Youghiogheny Dam, downstream to the town of Connellsville, Pennsylvania.

(11) Little Miami, Ohio—the segment of the Little Miami River in Clark, Greene, Warren, and Clermont Counties from a point in the vicinity of Clifton, Ohio, downstream to a point in the vicinity of Morrow, Ohio.

(12) Little Beaver, Ohio—the segment of the North and Middle Forks of the Little Beaver River, in Columbiana County, from a point in the vicinity of Negly and Elkton, Ohio, downstream to a point in the vicinity of East Liverpool, Ohio.

(13) Pine Creek, Pennsylvania—the segment from Ansonia, Pennsylvania, to Waterville, Pennsylvania.

(14) Delaware, Pennsylvania and New York—the segment from Hancock, New York, to Matamoras, Pennsylvania.

(15) Allegheny, Pennsylvania—the segment from the Allegheny Reservoir at Kinzua, Pennsylvania, to Tionesta, Pennsylvania, and then from Franklin, Pennsylvania, to East Brady, Pennsylvania.

(16) Clarion, Pennsylvania—the segment from where it enters the Allegheny River to Ridgway, Pennsylvania.

(17) West Branch Susquehanna, Pennsylvania—the segment of the West Branch Susquehanna from Clearfield, Pennsylvania, to Lock Haven, Pennsylvania.

RIVER BASIN PLANNING FOR ADDITIONS TO SYSTEM

(c) In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential wild river areas, and all river basin and project plan reports submitted to the Congress shall discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and and investigations to determine which additional wild river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved.

OTHER ADDITIONS TO SYSTEM

(d) The Secretary of the Interior and the Secretary of Agriculture shall also submit to the President from time to time their recommendations for inclusion in the national wild rivers system of any other river or segment thereof. The President shall submit to the Congress his recommendations for such legislation as he deems appropriate.

(e) Recommendations made under this section shall be developed in consultation with the States, those Federal agencies which normally participate in the development of recreation plans and comprehensive river basin plans, any commissions established pursuant to interstate compacts the assigned responsibilities of which would be affected, and commissions or other bodies which may be established for the purpose of developing a comprehensive plan for the river basin within which the contemplated wild river area would be located. Each such recommendation shall be accompanied by (1) expressions of any views which the agencies and States consulted pursuant to the foregoing may submit within ninety days after having been notified of the proposed recommendation, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal or Federal and State programs in the basin, and (3) in the absence of such plan, a statement indicating the probable effect of the recommended action on alternative beneficial uses of the resources of the basin.

(f) Whenever it is proposed to add a river or segment thereof to the national wild rivers system, and the river or segment runs through non-Federal land, recommendations with respect to its addition and with respect to whether it should be wholly or partly acquired, protected, and managed pursuant to exclusive State authority shall be made to the President by the Governor of each State concerned. Such recommendation to the President shall be accompanied by or based upon a general State plan which assures the effectuation of the purposes of this Act in perpetuity. The President shall submit to the Congress his recommendations with respect to the designation of such river or segment thereof as a part of the national wild rivers system and the administration of such area by State authority, together with such draft legislation that he deems appropriate.

NEED FOR LAND ACQUISITION

(g) Any recommendation for an addition to the national wild rivers systems shall indicate the extent to which land will need to be acquired by the State and by the Federal Government, and the extent to which the acquisition of scenic easements or other interests in land may be an adequate substitute for the acquisition of a fee title.

ADMINISTRATION OF SYSTEM

SEC. 4. (a) The Secretary of the Interior shall administer the wild river area designated by subsection 3(a), paragraph (4) and the Secretary of Agriculture shall administer the areas designated by paragraphs (2) and (5). The area designated by paragraphs (1), (3), (6), and (7) shall be administered in a manner agreed upon by the two Secretaries, or as directed by the President.

(b) Wild river areas designated by subsequent Acts of Congress shall be administered by the Secretary of the Interior, except that when the wild river area is wholly within, partly within, or closely adjacent to, a national forest such area shall be administered by the Secretary of Agriculture unless it is also partly within, or closely adjacent to, an area administered by the Secretary of the Interior, in which event the wild river area shall be administered in such manner as may be agreed upon by the Secretary of the Interior and the Secretary of Agriculture, or as directed by the President. The Secretary charged with the administration of a wild river area or portion thereof designated by this Act or by subsequent Acts may agree with the Governor of the State for State or local governmental agency participation in the administration of the area. The States shall be encouraged to cooperate in the planning and administration of such wild river areas where they include State-owned or county-owned lands. Any Federal land located within a wild river area may, with the consent of the head of the agency having jurisdiction thereof, be transferred to the jurisdiction of the appropriate Secretary or State for administration as part of the wild river area. Any land transferred hereunder to the jurisdiction of the Secretary of Agriculture for administration as part of a wild river area in connection with the national forest system shall become national forest land.

(c) Within the exterior boundaries of a wild river area as defined by section 3 of this Act, the Secretary of the Interior or the Secretary of Agriculture may acquire lands or interests therein by donation, purchase with donated or appropriated funds, exchange, or otherwise: *Provided*, That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 50 per centum or more of the acreage or stream bank within the entire wild river area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Lands owned by an Indian tribe may be acquired only with the consent of the tribal governing body. In the exercise of his exchange authority the Secretary of the Interior may accept title to any non-Federal property within a wild river area, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction within the State in which the river or segment thereof runs, except lands within the National Park System, the National Wildlife Refuge System, or revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, which he classifies as suitable for exchange or other disposal. The properties so exchanged shall be of approximately equal fair market value. If they are not of approximately equal fair market value, the Secretary of the Interior may accept cash from, or pay cash to, the grantor in order to equalize the values of the properties exchanged. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands. Any such lands acquired by the Secretary of Agriculture within or adjacent to a national forest shall upon acquisition become national forest lands. Money appropriated for Federal or State purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this Act. As used in this Act the term "scenic easement" means the right to control the use of land (including the air space above such land) for the purpose of protecting the scenic view from the river for the purposes of this Act, but such control shall not affect any regular use exercised prior to the acquisition of the easement.

(d) Neither the Secretary of the Interior nor the Secretary of Agriculture may acquire lands by condemnation, for the purpose of including such lands in any wild river area, if such lands are located within any incorporated city, village, or borough within such area, when such entities shall have in force and applicable to such lands a duly adopted, valid zoning ordinance that is satisfactory to the Secretary.

(e) Neither the Secretary of the Interior nor the Secretary of Agriculture may exercise any authority to acquire county-owned lands within any wild river area without the consent of said county as long as the county is following a plan for the management, zoning and protection of such lands that is satisfactory to the Secretary.

(f) Wherever the power of condemnation has been conferred by this Act, the Secretary of the Interior and the Secretary of Agriculture may acquire in fee title by condemnation an area which may not extend more than three hundred feet on either side of the stream, tributary, or river; and either Secretary may acquire by condemnation for scenic easements, or other interests in land other than fee title, an area which extends no more than one thousand three hundred and twenty feet from either side of the stream, tributary, or river.

(g) A wild river area shall be administered for the purposes of water conservation, scenic, fish, wildlife, and outdoor recreation values contributing to public enjoyment, but without limitation on other uses, including timber harvesting and livestock grazing, that do not substantially interfere with these purposes. The Secretary of the Interior, in administering such areas, may utilize such statutory authorities relating to areas of the national park system and such statutory authorities otherwise available to him for recreation and preservation purposes, and the conservation and management of natural resources, as he deems appropriate to carry out the purposes of this Act. The Secretary of Agriculture, in administering such areas, shall utilize the statutory authorities relating to the national forests in such manner as he deems appropriate to carry out the purposes of this Act.

(h) No lands, waters or interests therein other than scenic easements may be administered under this Act as a part of the National Wild Rivers System if such lands, waters, or interests were acquired by a State under its power of condemnation for the specific purpose of making such lands, waters, or interests therein a part of the national wild rivers system under this Act.

SPECIAL PROVISIONS

SEC. 5. (a) The Federal Power Commission shall not authorize the construction, operation, or maintenance of any dam or other project work under the Federal Power Act (41 Stat. 1063), as amended (16 U.S.C. 791a et seq.), in any wild river area except as specifically authorized by the Congress.

(b) Nothing in this Act shall affect the applicability of the United States mining and mineral leasing laws within the national wild rivers system, except that all mining claims located after the effective date of this Act shall be subject to such regulations as the Secretary of the Interior, or the Secretary of Agriculture in the case of national forest lands, may prescribe to effectuate the purposes of this Act. Any patent issued shall recite this limitation. All such regulations shall provide among other things for safeguards against pollution of the river.

(c) Any portion of a wild river area that is within the national wilderness preservation system, as established by the Act of September 3, 1964 (Public Law 88–577), shall be subject to the provisions of both the Wilderness Act and this Act with respect to the preservation of such a wild river area, and in case of conflict between the provisions of these Acts the more restrictive provisions shall apply.

(d) The head of any Federal or State agency administering a wild river area shall cooperate with the Secretary of Health, Education, and Welfare, and with the appropriate State water pollution control agencies, for the purpose of eliminating or diminishing the pollution of waters within a wild river area.

(e) The jurisdiction of the States and the United States over waters of any stream included in a wild river area shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time such river is included in the Wild Rivers System shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

(f) Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

(g) Nothing contained in this Act shall be construed to alter, amend, repeal, construe, interpret, modify or be in conflict with any interstate compact made by any States which contain any portion of the National Wild Rivers System.

(h) A State shall have such rights as may be necessary to assure adequate access by such State to the beds of navigable streams, tributaries, or rivers (or segments thereof) which are vested in the State, in case such beds are located in a wild river area.

(i) Designation of any stream or portion thereof shall not be construed as a reservation of the waters of such streams for purposes other than those specified in this Act, or in quantities greater than necessary to accomplish these purposes.

(j) The jurisdiction of the States over waters of any stream included in a wild river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration.

SEC. 6. In recognition of the fact that changes may occur in the circumstances of wild river areas included in the National Wild Rivers System or in the needs for the resources associated with such areas, which will require future Congresses to make changes in the system, and in order to assure that the Congress is kept informed of such changes in circumstances or needs, there is created a National Wild Rivers Review Board, to make reviews and furnish reports to the Congress as hereinafter provided.

The National Wild Rivers Review Board shall consist of the Secretary of the Interior, who shall be its chairman, the Secretary of Agriculture, the Secretary of the Army, the Chairman of the Federal Power Commission, and the Governors of the several States for the purpose of consideration of the status of any river included within the National Wild Rivers System which lies within their States.

Within sixty days after the convening of a new Congress, commencing with the second Congress after the enactment of this Act, the National Wild Rivers Review Board shall file a report and recommendations with the President of the Senate and with the Speaker of the House of Representatives. Such report shall contain a discussion of any significant developments since the date of enactment of the Act, or since the last report, including but not limited to the following subjects: Technology of passage of fish over dams; status and trends of anadromous fish runs; activities by way of construction or otherwise pursuant to international agreements relating to any basin in which wild rivers are designated; projected national, regional, or local demand for additional electrical generating capacity, particularly as related to existence or possibility of declarations of national emergency; and Federal or State legislative changes which affect the financing of river or reclamation development projects, including basin account authorizations relative to any basin in which wild rivers are designated. The National Wild Rivers Review Board is authorized and directed to conduct continuing comparative studies which would measure the balance of benefits and detriments of each wild river to the State in which it is located, and to report to Congress, as appropriate, recommendations to assure that, wherever it is found that the reclamation of arid land would better serve the public interest of such State, the same shall not be prejudiced by the wild rivers status of any stream.

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

JUDICIAL MACHINERY TO DEAL WITH MULTIDISTRICT LITIGATION

Mr. TYDINGS. Mr. President, during the last session of Congress I introduced a bill, designated as S. 3815, 89th Congress, second session, to deal with multidistrict litigation in Federal courts. My colleagues will recall that the problem involved arises when a multitude of cases sharing common questions of fact are filed in different judicial districts. The pretrial discovery in such instances becomes extremely complicated because of conflicting demands that the same documents, the same witnesses, and the same defendants be examined in different places at the same time.

The bill was the result of the experience and recommendations of the Coordinating Committee for Multiple Litigation of the U.S. District Courts. That committee was established by the Judicial Conference of the United States to deal with the mass of almost 2,000 private treble-damage actions that were filed across the country in 35 judicial districts following the successful prosecution by the Federal Government of electrical equipment manufacturers in 1961 for antitrust violations. Although the coordinating committee, comprised of nine Federal judges appointed by the Chief Justice, lacked the statutory authority to make mandatory rules, through prestige and persuasion, and in the face of initial opposition, they were able to do an excellent job of coordinating and consolidating the pretrial discovery proceedings in the electrical equipment cases. S. 3815 was an effort to refine and regularize the informal system of consolidated pretrial proceedings that was employed by the coordinating committee so that in the future the more troublesome instances of multiple litigation can be handled easily and quickly.

The bill was referred to the Subcommittee on Improvements in Judicial Machinery, and we held hearings in Chicago during October 1966. The testimony of distinguished jurists, scholars, and lawyers supported enactment of S. 3815. The hearings have been printed and may be secured from the subcommittee.

Testimony at those hearings indicated that within 4 years more than 85 percent of the electrical equipment cases had been terminated. The judges estimated that without coordinated and consolidated proceedings the cases could have tied up the Federal district courts for upward of 20 years. The bill introduced last session, and which I present again today, would provide for even more streamlined and simplified methods for handling pretrial discovery than those employed by the coordinating committee in the electrical equipment cases, and it would allow an even more efficient use of judicial manpower than was possible in that litigation.

Witnesses at the hearings made it clear that there is a continuing and growing need for this legislation. Concurrently with the hearings, the coordinating committee held 2 days of meetings in Chicago. The judges were working to coordinate more than 500 patent cases, a multitude of damage actions arising from a plane crash, and several other groups of mass litigation. They said that if the legislation that I now propose had already been enacted they probably would have been able to complete their deliberations and return to their regular duties in the district and circuit courts inside of a few hours.

I therefore introduce again, for appropriate reference, the multidistrict litigation bill. Senator LONG of Missouri, also a cosponsor of S. 3815, joins me in sponsoring this bill. I hope that this proposal will receive speedy and favorable consideration so that this much-needed machinery may soon be provided for the Federal courts.

Mr. President, I ask unanimous consent that the text of the bill be printed at the close of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 159) to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes, introduced by Mr. TYDINGS (for himself and Mr. LONG of Missouri), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 159

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, chapter 87 of title 28, United States Code, is amended by inserting therein after section 1406:

"§ 1407. Multidistrict litigation

"(a) When civil actions involving one or more common questions of fact are pending in different districts, such actions may be transferred to any district for coordinated or consolidated pretrial proceedings. Such transfers shall be made by the judicial panel on multidistrict litigation authorized by this section upon its determination that transfers for such proceedings will promote the just and efficient conduct of such actions. Each action so transferred shall be remanded by the panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred unless it shall have been previously terminated: *Provided, however,* That the panel may separate any claim, cross-claim, counterclaim, or third-party claim and remand any of such claims before the remainder of the action is remanded.

"(b) Such coordinated or consolidated pretrial proceedings shall be conducted by a judge or judges to whom such actions are assigned by the judicial panel on multidistrict litigation. For this purpose, upon request of the panel, a circuit judge or a district judge may be designated and assigned temporarily for service in the transferee district by the Chief Justice of the United States or the chief judge of the circuit, as may be required, in accordance with the provisions of chapter 13 of this title. With the consent of the transferee district court, such actions may be assigned by the panel to a judge or judges of such district. The judge or judges to whom such actions are assigned, the members of the judicial panel on multidistrict litigation, and other circuit and district judges designated when needed by the panel may exercise the powers of a district judge in any district for the purpose of conducting pretrial depositions in such coordinated or consolidated pretrial proceedings.

"(c) Proceedings for the transfer of an action under this section may be initiated by the judicial panel on multidistrict litigation by notice to the parties in all actions in which transfers for coordinated or consolidated pretrial proceedings are contemplated. Such notice shall specify the manner, time, and place of the hearing to determine whether the transfer shall be made. The panel's order of transfer and such other orders as it may make shall be entered in the office of the clerk of the district court of the transferee district and shall be effective when thus entered. The clerk of the transferee district court shall forthwith transmit a certified copy of the panel's order to transfer to the clerk of the district court of the district from which the action is being transferred.

"(d) The judicial panel on multidistrict litigation shall consist of seven circuit and district judges designated from time to time by the Chief Justice of the United States, no two of whom shall be from the same circuit. The concurrence of four members shall be necessary to any action by the panel.

"(e) No proceedings for review of any order of the panel may be entertained by any other courts than the United States Court of Appeals having jurisdiction over the transferee district court and the Supreme Court of the United States.

"(f) The panel may prescribe rules for the conduct of its business not inconsistent with Acts of Congress and the Federal Rules of Civil Procedure.

"(g) Nothing in this section shall apply to any action in which the United States is a complainant arising under the antitrust laws. 'Antitrust laws' as used herein include those acts referred to in the Act of October 15, 1914, as amended (38 Stat. 730; 15 U.S.C. 12), and also include the Act of June 19, 1936 (49 Stat. 1526; 15 U.S.C. 13, 13a and 13b) and the Act of September 26, 1914, as added March 21, 1938 (52 Stat. 116, 117, 15 U.S.C. 56); but shall not include section 4A of the Act of October 15, 1914, as added July 7, 1955 (69 Stat. 282; 15 U.S.C. 15a)."

SEC. 2. The analysis to chapter 87 of title 28, United States Code, is amended by inserting the following new section:

"1407. Multidistrict litigation."

after

"1406. Cure or waiver of defects."

AMENDMENT OF INTERNAL REVENUE CODE OF 1954 TO RESTORE TO INDIVIDUALS ATTAINING AGE 65 THE RIGHT TO DEDUCT ALL MEDICAL EXPENSES

Mr. SMATHERS. Mr. President, a bill I am introducing today would restore full deductibility to medical and drug expenses of persons who are age 65 and over.

In enacting the Social Security Amendments of 1965, which is chiefly remembered for its medicare provisions, Congress incidentally enacted an amendment to the Internal Revenue Code which impaired full deductibility of such medical expenses. It was required that in computing Federal income tax deductions for medical and drug expenses of the elderly, the deduction must be limited to that portion of such expenses which, in the case of medical expenses, exceeds 3 percent of adjusted gross income, and which, in the case of medicines and drugs, exceeds 1 percent of adjusted gross income. This amendment was enacted over the opposition of the Finance Committee, the full Senate, and its conferees.

Time has shown the fallacy of the arguments upon which that amendment was based. At the time, it was argued that with the enactment of medicare, there would no longer be any need to allow full deductibility of medical and drug expenses of the elderly. However, it is now clear that the elderly can still incur large medical expenses which are not covered by medicare, and that many senior citizens need full deductibility of such expenses as much as they ever did.

It was also argued that restricting the deductibility of medical expenses for Americans in this age group would raise revenue needed to finance medicare.

However, it is inequitable to raise taxes upon this age group to finance medicare when taxes are not being raised on any other age group for this purpose.

Again, last year, the Senate went on record in favor of the improvement proposed by this bill. In passing H.R. 13103, the foreign investors tax bill, we included an amendment which would have accomplished the objective sought by this bill. In the tactical posture of that legislation, it was not possible to convince the House conferees of the merit of this provision, and it was eliminated in conference. I am hoping that this proposal can be considered in a more beneficent tactical situation this year, and, possibly, enacted.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 177) to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Finance.

PROPOSED AMENDMENTS TO INTERNAL REVENUE CODE

Mr. SMATHERS. Mr. President, I am today introducing several bills proposing amendments to Federal income tax statutes to make them fairer to taxpayers who contribute to the support of needy older relatives, and to stimulate and encourage more contributions of this type. The Senate Special Committee on Aging, of which I am chairman, conducted a hearing last June on the subject "Tax Consequences of Contributions to Needy Older Relatives." As a result of that hearing and other information reaching the committee, we later issued a report on this subject, in which we made a series of recommendations. The bills I am now introducing would implement some of those recommendations.

The Special Committee on Aging concluded, as a result of its study of this subject, that our Nation has, in the willingness of taxpayers to contribute to the support of needy older relatives, a valuable national asset which should be cultivated and encouraged. However, we also found that, far from cultivating and encouraging this willingness to contribute to needy older relatives, Federal tax laws discriminate against and penalize many, if not most taxpayers who sacrifice to provide financial assistance to needy older relatives.

The bills which I am offering would remove some of these discriminations and would prevent undue hardship upon families of these taxpayers. My first bill would do this by permitting a taxpayer to claim as a personal exemption on his Federal income tax return a relative over 65 who has less than $1,200 taxable income a year, in lieu of the present requirement that the dependent older relative have less than $600 of taxable income.

My second bill would permit deduction by a taxpayer of his payments for medical expenses of a relative over 60 even if the taxpayer did not contribute more than one-half of the support of the older relative during the year.

My third bill would relate the income test for claiming exemptions for dependents over 65 to adjusted gross income, rather than to gross income, as at present. Some older dependent relatives receive income from businesses, farming, or other sources which entail expenditures to produce the income. At present, the code prevents taking such expenditures into consideration in determining whether the older relative received too much income for the taxpayer to claim him as a dependent. My bill would require that such expenditures be taken into account, and my bill would count as income of the older relative only the excess of his receipts from such a business or farming over his costs of producing that income.

My fourth and fifth bills would amend the section of the Internal Revenue Code which gives a special deduction for expenses of caring for children and disabled dependents, including elderly incapacitated relatives. At present, some men are ineligible for this deduction. My fourth bill would make all taxpayers eligible for the deduction. At present, the deduction of a married couple for expenses of caring for an incapacitated elderly relative are subject to reductions if their joint income is over $6,000 a year. My fifth bill would make this $7,000 a year instead, to prevent any reductions in their deductions for this purpose unless their joint income is at least $7,000.

Mr. President, indications are that these improvements in our tax laws would be very inexpensive in terms of lost revenue. It is my estimate, based upon estimates received by the Committee on Aging from the Treasury Department, that the total revenue loss from all five proposals would not exceed $100 million per annum, and might be substantially less than that amount. This so-called revenue loss might well turn out to be an excellent investment in improved material well-being of our Nation's elderly if, as I believe, fairer tax treatment for taxpayers who contribute to the support of their needy older relatives would stimulate and encourage contributions for their support amounting to several times the amount of revenue loss required for these improvements.

Our hearings indicated that there are many taxpayers throughout the Nation who prefer to take care of their own elderly relatives rather than forcing them into old age assistance and other public and private programs. It makes good sense both from a humanitarian standpoint and from a fiscal standpoint to reward and encourage taxpayers who sacrifice to care for their own elderly rather than spending their money on themselves and callously forcing their older relatives onto public relief and private charity.

I therefore offer these bills, Mr. President, with a conviction that their enactment would make a significant contribution to the improved material well-being of our Nation's elderly and to the improvement of the general quality of our American civilization.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. SMATHERS, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 178. A bill to amend the Internal Revenue Code of 1954 to allow an exemption for a dependent who has attained the age of 65 and whose gross income is more than $600 but less than $1,200;

S. 181. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid by him for medical care of a relative who has attained the age of 60;

S. 182. A bill to amend the Internal Revenue Code of 1954 to allow an exemption for a dependent who has attained the age of 65 and whose adjusted gross income is less than $600;

S. 183. A bill to amend section 214 of the Internal Revenue Code of 1954 to permit any taxpayer who pays expenses for the care of a dependent who has attained the age 60 in order to enable the taxpayer to be gainfully employed to have the benefit of the deduction allowed by such section; and

S. 184. A bill to amend section 214 of the Internal Revenue Code of 1954 to increase the amount of income which may be received by a married couple who have a disabled dependent who has attained the age of 60 without losing the benefit of the deduction allowed by such section.

PROPOSED INCREASE IN SOCIAL SECURITY BENEFITS

Mr. SMATHERS. Mr. President, I am today introducing a bill to provide a much-needed 10-percent increase in social security benefits and a minimum social security benefit of $100 a month for those who worked in employment covered by social security for at least 25 years. These increased benefits would be provided with no increase in social security contributions from employees and employers. The inflation from which the Nation is now suffering is especially severe to those who rely principally upon their social security annuities for the necessities of life, and my proposed increases will help to restore their purchasing power, which has been continually eroded by the successive waves of inflation.

While there is a need for increased benefits, it is also important to prevent further increases in social security contributions, which themselves contribute to the higher cost of doing business and thus to further inflation. With the financing provisions in my bill, it should be possible to give increased benefits on a sound basis without increasing contributions. One of the provisions in the bill which will decrease the cost of the benefit increase is a provision permitting recipients to waive the increase. There are some social security recipients who would suffer drastic reductions in other benefits, such as veterans' non-service-connected pensions, if their social security benefits are increased. My bill would permit them to decline this increase, thus not only reducing the cost of the increase but also enabling them to prevent an overall reduction of their old-age incomes.

Another financing provision in my bill would increase the rate of return on investments of social security funds not immediately needed for paying benefits. I am advised that the average rate of return on investments of social security trust funds is now about 3.5 percent, which is well below what a private investor can get on federally insured investments in banks and savings and loan institutions. My bill would guarantee the trust fund a return of at least 4 percent on its investments. Since there is now about $20 billion in the social security trust fund, an increase of only one-half of 1 percent of the rate of return on trust fund investments will produce an additional $100 million of income to the social security system each year—enough to provide a substantial increase in social security benefits.

In addition, my bill would remove the Secretary of the Treasury from any voice in investment of social security trust funds, thus making it possible to invest these funds in securities yielding considerably more than the 4-percent minimum in the bill. At present, the Secretary of the Treasury is subject to a conflict of interest. As the person with the chief voice in investing social security trust funds, he should be interested in getting the best rate of return he can for the benefit of social security recipients. However, he is also the seller of the Government securities which the fund must purchase, and, as such, is interested in selling his securities at the lowest possible interest rate. The low rate of return on social security trust fund investments is doubtless due to some extent to this conflict of interest. My bill would remove him completely from this responsibility and would give it instead to the Secretary of Health, Education, and Welfare, who is interested in only one thing—getting the best deal he can for social security beneficiaries. He could then invest in such investments as participations under the Participations Sales Act of 1966 which are yielding about 6 percent on a safe, sound basis.

It has never been intended by Congress, Mr. President, that the social security system be used as a cheap, easy way to finance the national debt, to the detriment of the social security level, and adoption of this provision would give effect to the dominant intent of Congress in enacting social security legislation that adequate incomes be provided for America's elderly.

My bill also provides that the benefit increase must be passed along to older recipients of public assistance. In the past, social security benefit increases have failed to benefit some of the poorest of the Nation's elderly, because their increases were merely deducted from their old-age assistance, leaving them where they were before. My bill would give the States a reasonable time to change their laws to permit receipt of the social security benefit increase without reductions in old-age assistance. After that time, the States would be required to disregard the social security benefit increase in fixing welfare grants.

Recipients would be permitted by a provision in my bill to earn more without loss of social security benefits than they can now. Instead of the present permission to earn $1,500 per annum without loss of benefits, they would be permitted to earn $2,400 per annum. For amounts of earnings between $2,400 and $3,000 per annum, there would be a reduction of social security benefits of $1 for each additional $2 earned. For all earnings over $3,000 per annum, there would be a reduction of benefits of $1 for each $1 earned. Enactment of these earnings liberalizations would permit the Nation's elderly to continue to work and be useful and to remain independent and self-respecting.

My bill would permit Federal civil service employees to elect social security coverage where they do not serve the 5 years in Federal service which is required for civil service retirement benefits. Where such a short-term Federal employee elects social security coverage, the funds on deposit with the civil service retirement system for him would be transferred to the social security system, and he would receive social security coverage for his Federal service. This should not cost anything to the social security system, since the funds transferred from civil service will always be at least what would have been contributed for him if he had been in private employment. In most cases, it would probably be more.

Finally, my bill would prevent using the increase merely as a windfall to private pension plans, without benefiting recipients. It would require private pension plans to permit their beneficiaries to receive future social security benefit increases without reductions in their private pensions. Plans which fail or refuse to comply would lose their favored tax status.

Those who will serve in the 90th Congress have already shown that they are keenly aware of the urgent need for improving the incomes of our older compatriots, Mr. President, and I am confident that we shall do something this year to meet this urgent need. I commend my bill to the consideration of Senators, as a sound program for increasing benefits without increasing employer-employee contributions.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 186) to amend title II of the Social Security Act to provide a 10-percent increase in the benefits payable thereunder, to increase the annual amount individuals may earn without suffering deductions from such benefits, to permit certain retirement credits of Federal employees to be transferred to social security, and otherwise to improve the social security system, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Finance.

COMMISSION ON NOXIOUS AND OBSCENE MATTERS AND MATERIALS

Mr. MUNDT. Mr. President, I send to the desk, for appropriate reference, the bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials.

This is the identical bill which was before the Senate during the last Congress. It has already passed the Senate, and it was referred to the House. However, inasmuch as this is a new Congress, the measure must receive new consideration. I ask, on behalf of myself and a large number of cosponsors, that this bill be placed on the desk for 10 days for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will remain at the desk for 10 days for additional sponsors.

The bill (S. 188) creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Government Operations.

CREATION OF FREEDOM COMMISSION

Mr. MUNDT. Mr. President, I send to the desk again new proposed legislation to create a Freedom Commission and a Freedom Academy in the United States.

This bill has had Senate approval and has been referred to the House of Representatives, where hearings were held, but no action was taken.

It seems to me that every passing day demonstrates the additional importance of providing this kind of training institution for those who represent us and who serve us abroad in this very uneasy period of world history.

I ask that the bill lie at the desk for 10 days for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie at the desk for 10 days for additional sponsors.

The bill (S. 199) to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the nonmilitary capabilities of the United States and other nations in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions, introduced by Mr. MUNDT (for himself, Mr. SCOTT, and Mr. PROUTY), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Freedom Commission Act".

CONGRESSIONAL FINDINGS AND STATEMENT OF POLICY

SEC. 2. (a) The Congress of the United States makes the following findings and statement of policy:

(1) The United States in preparing to defend its national interests in coming years faces grave and complex problems in the nonmilitary as well as military areas.

(2) First and foremost are the problems raised by the unremitting drives by the Soviet Union and Communist China seeking world domination and the destruction of all non-Communist societies. The Communist bloc and the various Communist parties have systematically prepared themselves to wage a thousand-pronged aggression in the nonmilitary area. Drawing on their elaborate studies and extensive pragmatic tests Communist leaders have developed their conspiratorial version of nonmilitary conflict into an advanced, operational art in which they employ and orchestrate an extraordinary variety of conflict instruments in the political, psychological, ideological, economic, technological, organizational and paramilitary areas enabling them to approach their immediate and long-rang objectives along many paths. This creates unique and unprecedented problems for the United States in a conflict that is being waged in student organizations, peasant villages, labor unions, mass communication systems, in city and jungle, and institutions and organizations of every description, as well as in the world's chancelleries. Recognizing that nonmilitary conflict makes extraordinary demands upon its practitioners, the Communists, for several decades, have intensively trained their leadership groups and cadres in an extensive network of basic, intermediate, and advanced schools. The Sino-Soviet conflict capacity has been immeasurably increased by the mobilization of research, science, industry, technology, and education to serve the power-seeking ambitions of Communist leaders rather than the needs of their people.

(3) Second, the problems of the United States are complicated by the emergence of many new nations, the unstable or deteriorating political, social and economic conditions in many parts of the world, the revolutionary forces released by the rising expectations of the world's people, and other factors, all of which increase the difficulties of achieving our national objectives of preventing Communist penetration while seeking to build viable, free, and independent nations.

(4) The nature of the Sino-Soviet power drive, the revolutionary and fluid world situation, the emergence of the United States as the major leader of the free world and the need to deal with the people of nations as well as governments, has compelled the

United States to employ many new instruments under the headings of traditional diplomacy, intelligence, technical assistance, aid programs, trade development, educational exchange, cultural exchange, and counterinsurgency (as well as in the area of related military programs). To interrelate and program these present instruments over long periods already requires a high degree of professional competence in many specialties, as well as great managerial skill.

(5) However, the United States has fallen short in developing and utilizing its full capacity to achieve its objectives in the world struggle. Not only do we need to improve the existing instruments, but a wide range of additional methods and means in both the Government and private sectors must be worked out and integrated with the existing instruments of our policy. Otherwise, the United States will lack the means to defeat many forms of Communist aggression and to extend the area of freedom, national independence, and self-government, as well as to attain other national objectives. However, this will require an intensive and comprehensive research and training effort first to think through these additional methods and means, and, second, to educate and train not only specialists, but also leaders at several levels who can visualize and organize these many instruments in an integrated strategy, enabling the United States to approach its national objectives along every path in accord with our ethic.

(6) There has been a tendency to look upon strategy as a series of discrete problems with planning often restricted by jurisdictional walls and parochial attitudes and too much piecemeal planning to handle emergencies at the expense of systematic, long-range development and programing of the many instruments potentially available to us. While there has been marked improvement in such things as language training at agency schools, and while university centers have made significant progress in area studies, nowhere has the United States established a training program to develop rounded strategists in the nonmilitary area or even certain vital categories of professional specialists, particularly in the area of political, ideological, psychological, and organizational operations and in certain areas of development work. Nor has the United States organized a research program which can be expected to think through the important additional range of methods and means that could be available to us in the Government and private sectors.

(7) Finally, the cause of freedom has been severely handicapped by the inhibited attitude of the United States toward the education and training of foreign nationals. Nowhere, with limited exceptions, is education and training provided for foreign nationals which will acquaint them, in depth, with the spectrum of Communist subversion and insurgency and the wide range of instruments that may be developed and utilized to defeat this while seeking to build free, independent, and viable societies. Yet, the principal burden of repelling Communist subversion and insurgency must be borne by the citizens of the nations involved.

(8) In implementing this legislation the following requirements for developing our national capacity and the national capacities of other nations for global operations in the nonmilitary area should receive special attention:

I. At the upper levels of Government, the United States must have rounded strategists with intensive interdepartmental training and experience who understand the range of instruments potentially available to us and who can organize and program these instruments over long periods in an integrated, forward strategy that systematically develops and utilizes our full national capacity for the global struggle.

II. Below them, Government personnel must be trained to understand and implement this integrated strategy in all of its dimensions. Through intensive training, as well as experience, we must seek the highest professional competence in those areas of specialized knowledge required by our global operations. Government personnel should have an underlying level of understanding as to the nature of the global conflict, the goals of the United States, and the various possible instruments in achieving these goals to facilitate team operations. We should seek to instill a high degree of elan and dedication.

III. National security personnel at all levels must understand communism with special emphasis on Communist nonmilitary conflict technique. It is not enough to have experts available for consultation. This is basic knowledge which must be widely disseminated, if planning and implementation are to be geared to the conflict we are in. (The present two weeks' seminar offered at the Foreign Service Institute is entirely too brief for even lower ranking personnel.)

IV. The private sector must understand how it can participate in the global struggle in a sustained and systematic manner. There exists in the private sector a huge reservoir of talent, ingenuity, and strength which can be developed and brought to bear in helping to solve many of our global problems. We have hardly begun to explore the range of possibilities.

V. The public must have a deeper understanding of communism, especially Communist nonmilitary conflict technique, and the nature of the global struggle, including the goals of the United States.

VI. Foreign nationals must understand the spectrum of Communist subversion and insurgency and the wide range of methods and means potentially available to defeat this while seeking to build free, independent, and viable nations; and they must be motivated to act.

(9) The hereinafter created Freedom Academy must be a prestige institution and every effort should be made to demonstrate this major effort by the United States in a vital area.

(b) It is the intent and purpose of the Congress that the authority and powers granted in this Act be fully utilized by the Commission established by section 4 of this Act to achieve the objectives set forth in subsection (a)(7) of this section. It is the further intent and purpose of the Congress that the authority, powers, and functions of the Commission and the Academy as set forth in this Act are to be broadly construed.

DEFINITIONS

SEC. 3. As used in this Act—

(1) The term "Commission" means the Freedom Commission established by section 4 of this Act; and

(2) The term "Academy" means the Freedom Academy established by section 6 of this Act.

ESTABLISHMENT OF THE FREEDOM COMMISSION

SEC. 4. There is established in the executive branch of the Government an independent agency to be known as the Freedom Commission which shall be composed of six members and a chairman, each of whom shall be a citizen of the United States. The Chairman may from time to time designate any other member of the Commission as Acting Chairman to act in the place and stead of the Chairman during his absence. The Chairman (or the Acting Chairman in the absence of the Chairman) shall preside at all meetings of the Commission, and a quorum for the transaction of business shall consist of at least four members present. Each member of the Commission, including the Chairman, shall have equal responsibility and authority in all decisions and actions of the Commission, shall have full access to all information relating to the performance of his duties or responsibilities, and shall have one vote. Action of the Commission shall be determined by a majority vote of the members present. The Chairman (or Acting Chairman in the absence of the Chairman) shall be the official spokesman of the Commission in its relations with the Congress, Government agencies, persons, or the public, and, on behalf of the Commission, shall see to the faithful execution of the policies and decisions of the Commission, and shall report thereon to the Commission from time to time or as the Commission may direct. The Commission shall have an official seal which shall be judicially noticed.

MEMBERSHIP OF THE COMMISSION

SEC. 5. (a) Members of the Commission and the Chairman shall be appointed by the President, by and with the advice and consent of the Senate. Not more than four members, including the Chairman, may be members of any one political party. In submitting any nomination to the Senate, the President shall set forth the experience and qualifications of the nominee. The term of each member of the Commission, other than the Chairman, shall be six years, except that (1) the terms of office of the members first taking office shall expire as designated by the President at the time of the appointment, two at the end of two years, two at the end of four years, and two at the end of six years; and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The Chairman shall serve as such during the pleasure of the President, and shall receive compensation at the rate of $28,500 per annum. Each other member of the Commission shall receive compensation at the rate of $27,000 per annum. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

(b) No member of the Commission shall engage in any business, vocation, or employment other than that of serving as a member of the Commission.

ESTABLISHMENT OF THE FREEDOM ACADEMY; PRINCIPAL FUNCTIONS OF THE COMMISSION AND ACADEMY

SEC. 6. The Commission shall establish under its supervision and control an advanced research, development and training center to be known as the Freedom Academy. The Academy shall be located at such place or places within the United States as the Commission shall determine. The principal functions of the Commission and Academy shall be:

(1) To conduct research designed to improve the methods and means by which the United States seeks its national objectives in the nonmilitary part of the global struggle. This should include improvement of the present methods and means and exploration of the full range of additional methods and means that may be available to us in both the Government and private sectors. Special attention shall be given to problems of an interdepartmental nature and to problems involved in organizing and programing the full spectrum of methods and means potentially available in the Government and private sectors in an integrated, forward strategy that will systematically develop and utilize the full capacity of the United States to seek its national objectives in the global struggle, including the defeat of all forms of Communist aggression and the building of free, independent, and viable nations.

(2) To educate and train Government personnel and private citizens so as to meet the requirements set forth in section 2(a)(7) of this Act. The Academy shall be the principal Government interdepartmental education and training center in the nonmilitary area of United States global operations.

(3) To educate and train foreign nationals so as to meet the requirements set forth in section 2(a)(7)(VI) of this Act, when this is

in the national interest and is approved by the Secretary of State.

(4) To provide leadership in encouraging and assisting universities and other institutions to increase and improve research, educational, and training programs attuned to the global operational needs of the United States.

(5) To provide leadership, guidance, and assistance to the training staffs of Government agencies handling United States global operations, including training programs conducted at oversea posts.

(6) To provide a center where officers and employees of Government agencies, as well as private citizens and foreign nationals, can meet to discuss and explore common and special elements of their problems in improving United States capabilities and the capabilities of other nations in the global struggle.

STUDENT SELECTION; GRANTS; ADMISSION OF FOREIGN STUDENTS

SEC. 7. (a) Academy students, other than Government personnel, shall be selected, insofar as is practicable and in the public interest, from those areas, organizations, and institutions where trained leadership and informed public opinion are most needed to achieve the objectives set forth in section 2(a)(7) IV and V. Persons in Government service coming within the provisions of the Government Employees Training Act may be trained at the Academy pursuant to the provisions of said Act. All agencies and departments of Government are authorized to assign officers and employees to the Academy for designated training.

(b) The Commission is authorized to make grants to students and to pay expenses incident to training and study under this Act. This authorization shall include authority to pay actual and necessary travel expenses to and from the Academy or other authorized place of training under this Act. The Commission is authorized to grant financial assistance to the dependents of students who hold no office or employment under the Federal Government during the time they are undergoing training authorized under this Act. Grants and other financial assistance under this Act shall be in such amounts and subject to such regulations as the Commission may deem appropriate to carry out the provisions of this Act.

(c) Foreign students selected for training under this Act shall be admitted as nonimmigrants under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) for such time and under such conditions as may be prescribed by regulations promulgated by the Commission, the Secretary of State, and the Attorney General. A person admitted under this section who fails to maintain the status under which he was admitted, or who fails to depart from the United States at the expiration of the time for which he was admitted, or who engages in activities of a political nature detrimental to the interest of the United States, or in activities in conflict with the security of the United States, shall, upon the warrant of the Attorney General, be taken into custody and promptly deported pursuant to sections 241, 242, and 243 of the Immigration and Nationality Act (8 U.S.C. 1251, 1252, and 1253). Deportation proceedings under this section shall be summary and findings of the Attorney General as to matters of fact shall be conclusive. Such persons shall not be eligible for suspension of deportation under section 244 of such Act (8 U.S.C. 1254).

INFORMATION CENTER

SEC. 8. The Commission is authorized to establish an information center at such place or places within the United States as the Commission may determine. The principal function of the information center shall be to disseminate, with or without charge, information and materials which will assist people and organizations to increase their understanding of the true nature of the international Communist conspiracy and of the dimensions and nature of the global struggle between freedom and communism, and of ways they can participate effectively toward winning that struggle and building free, independent, and viable nations. The Commission is authorized to disseminate such information and materials to such persons and organizations as may be in the public interest on such terms and conditions as the Commission shall determine.

DISCLOSURE OF INFORMATION

SEC. 9. Nothing in this Act shall authorize the disclosure of any information or knowledge in any case in which such disclosure (1) is prohibited by any other law of the United States, or (2) is inconsistent with the security of the United States.

SECURITY CHECK OF PERSONNEL

SEC. 10. (a) Except as authorized by the Commission upon a determination by the Commission that such action is clearly consistent with the national interest, no individual shall be employed by the Commission, nor shall the Commission permit any individual to have access to information which is, for reasons of national security, specifically designated by a United States Government agency for limited or restricted dissemination or distribution until the Civil Service Commission shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual, and the Commission shall have determined that employing such individual or permitting him to have access to such information will not endanger the common defense and security.

(b) In the event an investigation made pursuant to subsection (a) of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty or is a questionable security risk, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action.

(c) If the Commission deems it to be in the national interest, the Commission may request the Civil Service Commission to make an investigation and report to the Commission on the character, associations, and loyalty of any individual under consideration for training at the Academy, and if the Commission shall then determine that the training of such individual will not be in the best interest of the United States, he shall receive no training under this Act.

(d) In the event an investigation made pursuant to subsection (c) of this section develops any data reflecting that the individual who is the subject of the investigation is of questionable loyalty or is a questionable security risk, the Civil Service Commission shall refer the matter to the Federal Bureau of Investigation for the conduct of a full field investigation, the results of which shall be furnished to the Civil Service Commission for its information and appropriate action.

(e) If the President or the Commission shall deem it to be in the national interest, he or the Commission may from time to time cause investigation of any individual which is required or authorized by subsections (a) and (c) of this section to be made by the Federal Bureau of Investigation instead of by the Civil Service Commission.

GENERAL AUTHORITY OF THE COMMISSION

SEC. 11. In addition to the authority already granted, the Commission is authorized and empowered—

(1) to establish such temporary or permanent boards and committees as the Commission may from time to time deem necessary for the purposes of this Act;

(2) to appoint and compensate, as faculty or staff of the Academy, on a full- or part-time basis, such officers, employees, and attorneys as it may deem necessary to carry out the provisions of this Act, in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949, as amended, except that in the absence of suitably qualified United States citizens, it may appoint and compensate persons who are not citizens of the United States: *Provided*, That when deemed necessary for the effective administration of this Act, members of the faculty may be appointed and compensated without regard to such laws and regulations: *Provided further*, That such members of the faculty shall receive a salary at a rate based on comparable salaries provided by leading universities, but not to exceed the rate provided for GS–18 of the Classification Act of 1949, as amended;

(3) to conduct such research, studies, and surveys as the Commission may deem necessary to carry out the purposes of this Act;

(4) to make, promulgate, issue, rescind, and amend such rules and regulations as may be necessary to carry out the purposes of this Act;

(5) to make such expenditures as may be necessary for administering and carrying out the provisions of this Act;

(6) to utilize, with the approval of the President, the services, facilities, and personnel of other Government agencies and pay for such services, facilities, and personnel out of funds available to the Commission under this Act, either in advance, by reimbursement, or by direct transfer;

(7) to utilize or employ on a full-time or part-time basis, with the consent of the organization or governmental body concerned, the services of personnel of any State or local government or private organization to perform such functions on its behalf as may appear desirable to carry out the purposes of this Act, without requiring such personnel to sever their connection with the furnishing organization or governmental body; and to utilize personnel of a foreign government in the same manner and under the same circumstances with the approval of the Secretary of State;

(8) to acquire by purchase, lease, loan, or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this Act;

(9) to receive and use funds donated by others, if such funds are donated without restrictions other than that they be used in furtherance of one or more of the purposes of this Act;

(10) to accept and utilize the services of voluntary and uncompensated personnel and to provide transportation and subsistence as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons serving without compensation;

(11) to utilize the services of persons on a temporary basis and to pay their actual and necessary travel expenses and subsistence and, in addition, compensation at a rate not to exceed $100 per day for each day spent in the work of the Commission.

payable under such Act for positions of equivalent difficulty or responsibility. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

GENERAL MANAGER OF THE COMMISSION

SEC. 12. The Commission is authorized to establish within the Commission a general manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The general manager shall be appointed by the Commission, shall serve at the pleasure of the Commission, shall be removable by the Commission, and shall receive compensation at a rate determined by the Commission, but not in excess of $24,500 per annum.

ADVISORY COMMITTEE

SEC. 13. (a) To assure effective cooperation between the Freedom Academy and various Government agencies concerned with its objectives, there is established an advisory committee to the Freedom Academy (referred to hereinafter as the "Committee"). The Committee shall be composed of one representative of each of the following agencies designated by the head of each such agency from officers and employees thereof: The Department of State; the Department of Defense; the Department of Health, Education, and Welfare; the Central Intelligence Agency; the Federal Bureau of Investigation; the Agency for International Development; and the United States Information Agency.

(b) Members of the Committee shall elect a member to serve as Chairman of the Committee. The Chairman shall serve for such a term of one year. The chairmanship shall rotate among the representatives of the agencies who comprise the membership of the Committee.

(c) No member of the Committee shall receive compensation for his services as such other than that received by him as an officer or employee of the agency represented by him. Each member of the Committee shall be reimbursed for expenses actually and necessarily incurred by him in the performance of duties of the Committee. Such reimbursements shall be made from funds appropriated to the Freedom Commission upon vouchers approved by the Chairman of the Committee.

(d) The Committee shall—

(1) serve as a medium for liaison between the Freedom Commission and the Government agencies represented in the Committee;

(2) review from time to time the plans, programs, and activities of the Freedom Commission and the Freedom Academy, and transmit to the Commission such recommendations as it may determine to be necessary or desirable for the improvement of those plans, programs, and activities;

(3) meet with the Freedom Commission periodically, but not less often than semiannually, to consult with it with regard to the plans, programs, and activities of the Freedom Commission and the Federal Academy; and

(4) transmit to the President and to the Congress in January of each year a report containing (A) a comprehensive description of the plans, programs, and activities of the Commission and the Academy during the preceding calendar year, and (B) its recommendations for the improvement of those plans, programs, and activities.

(e) The Committee shall promulgate such rules and regulations as it shall determine to be necessary for the performance of its duties.

(f) The Commission shall furnish to the Committee without reimbursement such office space, personal services, supplies and equipment, information, and facilities as the Committee may require for the performance of its functions.

APPROPRIATIONS

SEC. 14. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

PRAYER IN PUBLIC BUILDINGS

Mr. DIRKSEN. Mr. President, prior to the adjournment of the 89th Congress I called the Parliamentarian and the bill clerk and asked them to reserve for me, if it were appropriate and within the rules, the first number for a joint resolution in the 90th Congress. They have done so and today I am introducing that joint resolution. It will bear the caption "Senate Joint Resolution No. 1." The joint resolution deals with prayer in public buildings and very particularly prayer in public schools.

I could make an extended statement today but I prefer to withhold that for later.

I request that the joint resolution be held at the desk until the first day of February so that there will be ample time for cosponsors. When the joint resolution was introduced in the 89th Congress there were 47 Senators, as I recall, who joined in cosponsorship of the joint resolution.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be held at the desk, as requested by the Senator from Illinois.

The joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO ELECTION OF PRESIDENT AND VICE PRESIDENT

Mr. SMATHERS. Mr. President, I introduce for appropriate reference a joint resolution proposing an amendment to the Constitution relating to the electoral college and the nomination and election of candidates for President and Vice President, as well as Presidential inability and succession.

Since coming to Congress as a Member of the House in 1947 I have been advocating improvements in our method of nominating and electing candidates for President and Vice President of the United States. Beginning with the 80th Congress I have introduced no less than 10 joint resolutions similar to this one. The fact that so little progress has been made over a period of so many years has not diminished the need for legislation one whit. This year, however, there are hopeful indications that indifference has been overcome and that a concerted effort will be made to rectify the inequities and shortcomings of our present system.

I would like to take this opportunity to commend the special commission of the American Bar Association for the interest it has taken and the work it has done in calling for an amendment to abolish the electoral college system. While my proposal differs, it does not differ widely from that of the commission. The interest in reform shown by the bar association and a number of my distinguished colleagues has helped create an encouraging climate for change.

Specifically, the resolution I offer today contains three proposals. First, it would establish a direct national primary for the selection of presidential nominees of each political party; second, it would abolish the electoral college and apportion the electoral votes of a State among the candidates for President on the basis of the popular vote; and third, set up provisions for a special election to fill any vacancy in the Presidency or the Vice-Presidency when death or inability occurs with 2 years or more remaining until the date on which the next regular election for President is to be held.

Mr. President, the need for such reforms is apparent. The evidence has been presented many times in past discussions of the inequities and antiquities of the system and there is no point in traveling that road again.

The practice of choosing candidates for the Presidency by State primaries and national party conventions is archaic and should be relegated to the history books.

With the Supreme Court's one-man, one-vote decision as handed down in Wesberry against Sanders, Congress has a clear and compelling responsibility to correct the serious defects in the present method of electing the President who is the special representative of the people.

Mr. President, if we are to assure that the results of a presidential election truly reflects the will of the people, we must eliminate the present winner-take-all system. It is in this spirit, in keeping with our democratic principles that I propose this constitutional amendment.

I sincerely hope that the committee to which this resolution is submitted will act speedily and favorably on it.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 3) proposing an amendment to the Constitution relating to the nomination and election of candidates for President and Vice President, and to succession to the office of President in the event of the death or inability of the President, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on the Judiciary.

NATIONAL CARIH ASTHMA WEEK

Mr. DOMINICK. Mr. President, I send to the desk a joint resolution authorizing and requesting the President to issue a proclamation designating the week beginning May 1, 1967, as National CARIH Asthma Week, inviting the Governors of the States and territories of the United States to issue proclamations for like purposes and recognizing the outstanding contributions being made in asthma treatment, care, and research by the Children's Asthma Research Institute and Hospital—CARIH—which is located in Denver, Colo. This resolution is cosponsored by Senators ALLOTT, DIRKSEN, HART, HILL, JAVITS, KUCHEL, and SMATHERS. The integrated program of clinical and basic research at the Children's Asthma Research Institute and Hospital—CARIH—is the only program working solely in the field of allergic diseases, of which asthma is the most severe. The incidence of asthma in the United States was estimated to be 5,020,000 in 1961 to 1963. With the population increase since then, there are approximately 5,400,000 bronchial asthmatics in this country. This figure may be compared with the 830,000 people in the United States under treatment for cancer in 1964. The patients treated at this center are ones who do not improve at home but who in many instances improve markedly when placed in a specialized treatment care center such as CARIH. Only children with intractable asthma are eligible for the free care and treatment offered at CARIH.

I am personally acquainted with this fine institution and have supported its work for a number of years. It is truly a remarkable and unique institution. It combines an asthma research center with a hospital for intensive care in a home where group living becomes part of the therapy.

Established in 1907 as the Denver Sheltering Home, CARIH was originally a haven for orphaned or homeless children of tubercular parents who had come to the high, dry mountain city of Denver in hopes of a cure. Founders of the home had been a small group of philanthropic Jewish women, who shortly developed it into the National Home for Jewish Children. Then when TB was virtually conquered in the late thirties, the trustees decided that the facilities and services of the home should be used for the treatment of intractable asthma in children. Since then the home has been open to severely asthmatic children of every race, color, and creed, from every State in the Union and several foreign countries.

The care at Children's Asthma Research Institute and Hospital is free. Selection of applicants is based on the severity of the disease and a number of other factors as well as need.

The institution is concerned with the whole child, not just his asthma. Dentists, dermatologists, eye specialists and other consultants regularly check on the youngsters. Still every child is treated more as a child than as a patient and goes to school every day that he possibly can.

When a visitor arrives at CARIH for the first time, the reaction is usually one of surprise because the center does not reflect the normal image of an institution. The buildings are situated on a large, well-groomed, tree shaded campus reflecting more of an atmosphere of a private school. The rolling foothills and jagged skyline of the magnificent Rocky Mountains form a picturesque background for the campus.

There is a hospital with complete intensive care facilities, special asthmatic treatment rooms, medical laboratories, examination rooms, physicians and psychologists and nursing services. A dental clinic and X-ray service complete the total treatment and care rendered free of charge to each young patient at CARIH. There is a new modern research building, completed in 1959, where dedicated physicians and scientists carry on important research in this area. Attractive recreation areas are provided and CARIH maintains its own powerplant and laundry facilities on the premises.

Children live in a number of residential cottages with other youngsters of their own age, sex, and degree of maturity. House parents live with them, serving as counselors, tutors, advisors, and in a sense as substitute parents. To keep the atmosphere as much like home as possible, the children are allowed to hang pictures and decorate their living quarters as they want. Outside activities are provided for the children which range from team sports to scouting.

Unfortunately, a great deal still remains to be learned about the care, treatment, and cure of asthma. CARIH's research center is attempting to answer many of the questions still left unanswered about this disease. This clinical research is backed up and paralleled by the only basic research program in the United States exclusively devoted to asthma.

This remarkable institution is well deserving of our recognition and full support. Mr. President, I ask unanimous consent that this joint resolution be allowed to lie on the table for 10 days for additional cosponsors, and that it be printed in the RECORD at this point.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will lie on the desk and will be printed in the RECORD, as requested by the Senator from Colorado.

The point resolution (S.J. Res. 4) authorizing the President to proclaim "National CARIH Asthma Week," introduced by Mr. DOMINICK (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 4

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation (1) designating the week beginning May 1, 1967, as "National CARIH Asthma Week", (2) inviting the Governors of the States and territories of the United States to issue proclamations for like purposes, and (3) recognizing the outstanding contributions being made in asthma treatment, care, and research by the Children's Asthma Research Institute and Hospital (CARIH), the national facility situated at Denver.

COMMITTEE ON VETERANS' AFFAIRS

Mr. DIRKSEN. Mr. President, if we are going to have the biennial contortion on rules, we might as well have a little more. In the 89th Congress I submitted Senate Resolution 20 to create a Committee on Veterans' Affairs. The resolution had 19 sponsors.

Jurisdiction over veterans' affairs has been divided between the Committee on Labor and Public Welfare and the Committee on Finance. It occurs to me that we could do well by having a single committee and entrusting to it all jurisdiction over all veterans' matters. In so doing, I believe we would follow a precedent that was established in the executive branch, for at one time there were a number of agencies that handle, veterans' matters, but at long last all of them were consolidated into the Veterans' Administration. I believe the Senate could do well to take this step, notwithstanding my general hostility to the idea of augmenting the number of standing committees in the Senate, but in this case I believe it ought to be done in the interest of efficiency of handling veterans' matters.

The American Legion, the Veterans of Foreign Wars, and other veterans' organizations have been following this matter and urging the Senate to do this for a couple of years.

All things being equal, when the time comes, I shall submit the matter for the consideration of the Senate, and I submit it now.

The resolution (S. Res. 8) was referred to the Committee on Rules and Administration.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS of Delaware. I wish to join as a cosponsor of that resolution.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the resolution be allowed to remain at the desk until the first of February.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will be held at the desk as requested by the Senator from Illinois.

Mr. WILLIAMS of Delaware. Mr. President, for many years I have advocated that we have a separate committee to handle these matters. I am a member of the Committee on Finance which handles various tax problems and social security legislation, and it does not get to act on these matters until they have been acted upon in the other body. Consequently, there is always confusion in the last days and hours of Congress, with the inevitable result that the veterans' bills are not given the proper attention that they deserve by a standing committee of the Senate. I say that as a member of the committee, not in criticism of the committee because we have tried diligently to handle these matters; but we are handicapped by virtue of the fact that we get much of our business in the last months and weeks of the session.

I believe that to have a separate committee would be a constructive step from the standpoint of the business of the Senate, as well as from the standpoint of protecting the interest of veterans' organizations. I wholeheartedly join the Senator from Illinois.

Mr. DIRKSEN. I am delighted to have the Senator from Delaware [Mr. WILLIAMS] as a cosponsor. I trust that we will be able to urge other Senators to append their names.

STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CANNON. Mr. President, I submit a resolution to amend the standing rules of the Senate to provide for a standing Committee on Veterans' Affairs.

As Senators know, this is far from a new proposal. In fact, similar resolutions have been introduced in every Congress since 1950, and have enjoyed widespread bipartisan support.

I am aware, Mr. President, that questions have been raised periodically about the proliferation of committees. In this regard, the establishment of any new committee should be studied carefully to insure that the work load and the need for specialization justifies a new committee.

There is no doubt in my mind that the

need has been demonstrated for a standing Committee on Veterans' Affairs. This is not to imply that the standing committees presently exercising jurisdiction over veterans' matters are not meeting their responsibilities. But as the distinguished Senator from West Virginia [Mr. RANDOLPH] noted on January 26, 1965:

> . . . with the growing population of our country, with the growing complexity of Government, the workload of all standing committees is being increased and necessitates greater specialization. At the same time, there are approximately 23 million veterans and their dependents, whose problems do not have the attention of a specialized committee in the Senate.

The need for a standing Committee on Veterans' Affairs has become even more evident in the last 2 years because of our commitment in Vietnam.

While we have made strides, notably the cold war GI bill, signed into law last year, it is evident that the increasing number of veterans, and their needs and problems justify creation of a Veterans' Affairs Committee.

Those who have served their Nation with honor deserve from a grateful country the best and most specialized attention possible. This can best be accomplished by a new standing committee.

It was my pleasure and privilege several years ago to serve as cochairman of a subcommittee that held hearings on creating a Veterans' Affairs Committee. We recommended favorably on the proposal, but no further positive action was taken. Our recommendation for creation of such a committee is supported by the Special Committee on the Organization of the Congress, which also calls for a Standing Veterans' Affairs Committee.

It is my hope that 1967 will be the year in which the dreams of millions of veterans and those who have supported realistic veterans measures are realized. There would be no better way to reaffirm our interest in and commitment to our millions of veterans than prompt and favorable action on this resolution, or the recommendation of the special committee with respect to the Veterans' Affairs Committee.

Mr. President, I ask unanimous consent that this resolution lie on the table for 10 days for additional sponsors.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Nevada.

The resolution (S. Res. 13) was referred to the Committee on Rules and Administration, as follows:

S. RES. 13

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out the comma and the words "and national cemeteries." in subparagraph 5 of paragraph (k) of section (1);

(3) striking out subparagraphs 16 through 19 in paragraph (m) of section (1); and

(4) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

"9. National cemeteries."

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and the Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and the Committee on Veterans' Affairs."

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs . . . For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly feasible after its appointment and organization confer with the Committee on Finance, the Committee on Interior and Insular Affairs and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance, the Committee on Interior and Insular Affairs and the Committee on Labor and Public Welfare during the 90th Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

SENATOR RANDOLPH ANNOUNCES HEARINGS ON APPALACHIAN REGIONAL DEVELOPMENT ACT

Mr. RANDOLPH. Mr. President, on January 24, the Ad Hoc Subcommittee on Regional Economic Development of the Senate Committee on Public Works will begin hearings on the Appalachian regional development program. The purpose of these hearings is twofold:

First, it is time to refund the program. When the legislation creating this ambitious undertaking was passed early in 1965, with the exception of the Appalachian highway program, Congress made authorizations through fiscal year 1967 only. If we are to fulfill the promise of the excellent beginnings that have been made, we must authorize the needed additional funds.

Second, this program is one of the cornerstones of the Great Society. It is the embodiment of a new approach in intergovernmental relations. When one speaks of creative federalism, one looks to the Appalachian regional development program as the prototype. This program is designed to engender, foster, and facilitate local self-help for a region which has been for too long deprived of the rich growth which many other regions of the country have enjoyed. The Appalachian regional development program, under the capable leadership of Federal Cochairman, John L. Sweeney, is strengthening local initiative so that the people of Appalachia can achieve a more prosperous and satisfactory level of living. This program is a helping hand not a Federal handout. As it was conceived and established, it is a partnership of the States involved and the Federal Government designed to "assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis."

This cooperative program has been one of the most successful governmental undertakings of this or any administration and I am proud to be associated with it. As I said when I announced these hearings:

> The subcommittee looks forward to a meaningful discussion of the Commission's activities. Such a discussion, we know, will provide an excellent opportunity to gage the impact of the program on the Appalachian region and will give the subcommittee members a chance to measure the accomplishments of this multifaceted Federal-State cooperative program.

We shall hold hearings on January 24, 25, and 26, and, if necessary, we will extend them into the following week.

NOTICE OF ELECTION OF OFFICERS OF U.S. GROUP OF THE INTERPARLIAMENTARY UNION

Mr. TALMADGE. Mr. President, as president of the U.S. group of the Interparliamentary Union I wish to announce that the election of officers for the 90th Congress will take place on January 16, at 10 a.m., in room S-207 of the Capitol.

REPUBLICAN LEADERSHIP

Mr. DIRKSEN. Mr. President, the minority conference has completed its work on the party committees, which includes the policy committee, the campaign committee, the committee on committees, the personnel committee, and the calendar committee, and, of course, the officers who constitute the Republican leadership.

I now submit the list for inclusion in the RECORD along with my remarks and ask unanimous consent that it be printed.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

REPUBLICAN LEADERSHIP, 90TH CONGRESS, FIRST SESSION

Margaret Chase Smith, Chairman of the Conference.

Milton R. Young, Secretary of the Conference.

Everett McKinley Dirksen, Floor Leader.

Thomas H. Kuchel, Whip.

Bourke B. Hickenlooper, Chairman of Policy Committee.

POLICY COMMITTEE

Bourke B. Hickenlooper, Chairman.
Margaret Chase Smith.
Milton R. Young.
Everett McKinley Dirksen.
Thomas H. Kuchel.

George Murphy.
Frank Carlson.
Norris Cotton.
Thruston B. Morton.
George D. Aiken.
Wallace F. Bennett.
Peter H. Dominick.
Jacob K. Javits.
John J. Williams.
Karl E. Mundt.

CAMPAIGN COMMITTEE

George Murphy, Chairman.
Hugh Scott, Vice Chairman.
Roman L. Hruska.
John Sherman Cooper.
Strom Thurmond.
Hiram L. Fong.
J. Caleb Boggs.
Jack Miller.
John G. Tower.
James B. Pearson.
Howard H. Baker, Jr.
Edward W. Brooke.
Charles H. Percy.
Mark O. Hatfield.

COMMITTEE ON COMMITTEES

Frank Carlson, Chairman.
Carl T. Curtis.
Clifford P. Case.
Gordon Allott.
Thruston B. Morton.
Winston L. Prouty.
Len B. Jordan.
Paul J. Fannin.
Robert P. Griffin.
Clifford P. Hansen.

PERSONNEL COMMITTEE

Norris Cotton, Chairman.
Wallace F. Bennett.

CALENDAR COMMITTEE

Paul J. Fannin, Chairman.
Howard H. Baker, Jr.

INCREASED SOCIAL SECURITY BENEFITS

Mr. PROUTY. Mr. President, I approached the state of the Union message last night with some apprehension for the older people of this country, but with considerable hope that the President might relax the position which his administration took on what has become known as the Prouty amendment to the social security law which was enacted by the Congress last year.

I came away from the state of the Union message with a sense of elation over the President's resolve to join with those of us who have for so long made a determined effort to provide additional social security benefits to the older Americans who so richly deserve this assistance.

Two years and three days ago I introduced legislation to achieve precisely what the President is now asking—raising the minimum benefits to $70 a month. What I sought then, and what the President seeks now, is nothing more than a decent monthly benefit that will permit millions of retired citizens to escape the specter of utter poverty in their years of retirement.

Finally, on October 12, 1966, I introduced for myself and the senior Senator from New Hampshire [Mr. COTTON] a bill, S. 3902, which was a considerably broader approach to our combined thinking on the matter of revising social security benefits. The state of the Union message has convinced me that the President will now look somewhat more kindly on that legislation.

I, therefore, anticipate that very shortly the senior Senator from New Hampshire [Mr. COTTON] and I will reintroduce the substance of our proposals of last year for expansion of social security benefits.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. COTTON. Mr. President, I join heartily in the feelings expressed by the distinguished Senator from Vermont. I have precisely the same sense of satisfaction and gratitude that the administration now has approved, of an objective for which we have been fighting during two sessions of the Congress.

I well recall that last year spokesmen for the administration in my State attacked me as being utterly irresponsible for advocating the $70 minimum social security benefit provision, and trying to provide adequately for the older citizens of New Hampshire and the entire country.

I rejoice that they have seen the light, and I welcome their evident intention of joining our ranks. We can now hope for the victory to which our older people are entitled.

I look forward to joining Senator PROUTY in the reintroduction of this highly desirable legislation. It fully warrants favorable action by the Congress, as it puts the money straight to those who need it most. I have always contended that help for the elderly on small incomes is the proper place to start the war on poverty.

Mr. PROUTY. Mr. President, I am very grateful for the statement of the Senator.

PLEDGE TO PLEAD DAILY FOR RATIFICATION OF GENOCIDE TREATY

Mr. PROXMIRE. Mr. President, 18 long years ago the then President of the United States sent to the Senate a treaty, unanimously approved by the United Nations, to outlaw the terrible international crime of genocide. Since that time 69 nations throughout the world have ratified this basic human rights convention.

But the United States of America has not ratified it. The President favors its ratification, but properly says it is up to the Senate. The Senate has failed, again and again, to act. The Senate's failure to act has become a national shame.

In 1963, the President of the United States sent to the Senate three other human rights conventions. For 4 long years, the Senate has failed to act on these treaties.

What would the treaties do?

One would outlaw human slavery.

One would prohibit forced labor.

One would guarantee the political rights of women.

Mr. President, the Senate has failed the Nation and the world on these vital human rights proposals.

I serve notice today that from now on I intend to speak day after day in this body to remind the Senate of our failure to act and of the necessity for prompt action.

Also, I expect to do all that I can to work in behalf of human rights groups throughout the Nation to bring to the attention of the Senate the deep interest and widespread support in the Nation for these proposals.

Mr. PELL. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. PELL. I should like to raise my voice in complete and full support of the words just uttered by the Senator from Wisconsin.

It is long past due that we approve these conventions, and I am very glad indeed that the Senator from Wisconsin is undertaking to make this effort.

Mr. PROXMIRE. I thank the distinguished Senator from Rhode Island. I certainly cherish and appreciate his support, as he is a member of the Committee on Foreign Relations.

Mr. MORSE. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. MORSE. Let me say to the Senator that when he gives his daily speeches on this subject, he will be speaking for me. I will be associating myself with his remarks on that subject. He has my full support.

It is long overdue for the Senate to take action on the issue the Senator has just raised.

Mr. PROXMIRE. I thank the distinguished Senator from Oregon. He is a great friend of human rights. I know that he has felt for many years that action should have been taken on these matters a long time ago.

TOBIN—OPPOSED TO TAX INCREASE

Mr. PROXMIRE. Mr. President, much of the intellectual steel and professional prestige behind the proposed tax increase stems from its sponsorship by Walter Heller, who served both Presidents Kennedy and Johnson as Chairman of the Council of Economic Advisers.

Mr. Heller is indeed a distinguished economic policy expert.

But I call the attention of the Senate this morning to two developments that weaken the apparent Heller support.

First, the most recent Heller advice on tax policy was to suggest that any action for a tax increase be postponed until July 1 of this year. This, to me, is a way of saying—let us not have a tax increase now. If on July 1 a clearer picture of the economy has emerged—if it is resurgent, perhaps, a tax increase.

The second development was an article published in last Sunday's Washington Post by James Tobin, an economist as distinguished as Mr. Heller—in fact, one of the original Heller-Gordon-Tobin trio of advisers that were appointed by President Kennedy in 1961.

Mr. Tobin has written the most comprehensively persuasive disagreement with the tax increase approach that I have read anywhere.

As Tobin puts the case:

> Nineteen sixty-six would have been a happier year if the policy mix had been different in the first place. But that is an argument for raising taxes a year ago, not now. Shift-

ing the mix at this juncture would be a delicate and risky operation. The rise in taxes would be concrete, certain, and quick in its effects. The compensating easing of monetary policy would be vague, uncertain, and slow. The "Fed" likes to feel its way mysteriously and cautiously, and its actions affect the economy with considerable lag. A tax increase in 1967 could bring recession before the offsetting monetary ease took effect.

I might add, Mr. President, that one of the most widely quoted witticisms of Chairman Martin of the Federal Reserve Board in response to the argument that an easier monetary policy will stimulate the economy is to argue that we can tighten and choke off an economy with monetary policy but we cannot stimulate it—as he has put it, "You can't push a string." And this is just what the proposal to increase taxes in a time of worsening economic conditions, to be followed by easier monetary policy, would mean.

The **PRESIDING OFFICER.** The time of the Senator from Wisconsin has expired.

Mr. **PROXMIRE.** Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. **PROXMIRE.** Mr. President, what neither Mr. Tobin nor Mr. Heller mentioned in discussing fiscal policy is that there are very large areas of Federal spending which can easily be reduced and which can provide exactly the same anti-inflationary effect as a tax increase.

Some of this spending is subject to temporary postponement and prompt resumption on the basis of Presidential decision. This is a far swifter and more decisive way in dealing with the puzzling economic situation than to have to fight a long battle in Congress for a tax increase and then later a tax reduction.

I ask unanimous consent that the article by Mr. Tobin be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Jan. 8, 1967]

Tax Boost Would Be Bad Medicine—Tobin

(By James Tobin, Sterling professor of economics, Yale University)

Should President Johnson ask Congress to raise income taxes? The answer seems clearly no. Indeed, to diminish uncertainty, the President would do well to assure the country that he has no intention of recommending a tax increase in 1967 unless economic circumstances or defense requirements change drastically from current expectations.

In the year-long debate on this subject several arguments for a tax increase have been advanced. Some of them now seem obsolete, but others probably still have persuasive power both inside and outside the Administration.

The primary economic argument some months ago was that the economy was suffering from overheating and excessive inflation. No respite was in sight, especially because large increases in Vietnam war spending were known to be in prospect. Additional restraint on private spending seemed necessary and a tax increase the obvious way to get it.

But in the last few months of 1966 the private economy cooled off, and indications now are that the defense expansion in 1967 will not be as large as earlier guesses. Few people would now say that the economy needs a bigger dose of anti-inflationary medicine. I will elaborate the reasons for the change in outlook later in this article.

A more sophisticated economic argument is that raising taxes would permit the Federal Reserve to ease credit and lower interest rates. The size of the anti-inflationary dose may have been right, but its composition evoked great discontent. The large amount of tight money in the mixture placed most of the anti-inflationary burden on homebuilding.

Nineteen sixty-six would have been a happier year if the policy mix had been different in the first place. But that is an argument for raising taxes a year ago, not now. Shifting the mix at this juncture would be a delicate and risky operation. The rise in taxes would be concrete, certain, and quick in its effects. The compensating easing of monetary policy would be vague, uncertain, and slow. The "Fed" likes to feel its way mysteriously and cautiously; and its actions affect the economy with considerable lag. A tax increase in 1967 could bring recession before the offsetting monetary ease took effect.

The customary caution of the monetary authorities in easing credit conditions will be buttressed by their concern for the balance of payments. In 1966 tight money dramatically strengthened the dollar in the foreign exchange markets by making it profitable for U.S. banks to borrow rather than to lend abroad. This was a welcome offset to the dollar drains of U.S. imports and foreign investments, and the "Fed" will be reluctant to abandon it.

For the domestic economy, the question is no longer whether to change the mixture of a dose of given strength. Evidently the present dose of anti-inflationary medicine is too strong. Monetary policy needs to be relaxed whether taxes are increased or not. We no longer need a tax increase in order to avoid the tight money pains of 1966.

A persuasive non-economic reason for a tax increase is that otherwise the administrative budget will show a deficit this fiscal year and a larger deficit, perhaps $10 to $15 billion, in fiscal year 1968. The President is understandably reluctant to preside over such deficits. They would be a political weapon in the hands of economy-minded opponents of the Great Society both in Congress in 1967 and in the election of 1968.

The administrative budget is the one that makes the headlines, and it is deficits in this budget that increase the official national debt. The pernicious irrelevance of this budget concept was never clearer. The national income accounts budget, which measures economic impact, will show much smaller deficits in both years. This is largely because the administrative budget counts Federal loans as expenditures and fails to give credit for surpluses of social security trust fund receipts over outlays.

Over the years both Republican and Democratic administrations have made budgetary cosmetics a fine art, developing gimmicks (notably accelerating tax payments and selling Federal loans or "participations" in Federal loan portfolios) to improve the appearance of the administrative budget. Some of these gimmicks have been exhausted, but the ingenuity of the budgetary cosmeticians should not be underrated. A new vista has been opened by the realization that if Federal trust fund buys a participation instead of a regular government bond the administrative budget deficit and the Federal debt proper (the one to which the ridiculous Congressional ceiling applies) are that much lower.

The whole business is silly, and budget cosmetics is an unworthy occupation for able and devoted public servants. By now they have made it perfectly clear that the administrative budget and the technical Federal debt are arbitrary and meaningless figures. These concepts should not be guides to economic policy at all. It would certainly be a tragedy if the President asks for a tax increase that would damage the economy simply because his aides have run out of salable budget gimmicks. The time has come for a straightforward and candid approach. The Administration should make and defend its fiscal policy on economic criteria alone. On those criteria there is now no case for a tax increase.

Another non-economic reason advanced in favor of a tax increase is to provide a tangible symbol of civilian sacrifice in support of the Vietnam war. The social psychology of this suggestion is almost as dubious as its economics. A tax increase would not really affect the contrast between the affluence and comfort of most Americans and the hardships and perils of our men in combat.

Already the war on poverty is bearing an undue share of the cost of escalation of the war in Vietnam—on the false theory that when government defense spending rises it is other government programs, rather than private claims on resources, which must give way. The Administration would have good reason to ask the country for additional taxes if it were really prepared to fight both wars at once and to scale its budget accordingly. But if the President and the Congress are not prepared to do this, a tax increase will simply magnify the problems of poverty at the same time that the budget is limiting the means of coping with them.

Why is a tax increase dangerous economic medicine at this time? Why is it that the economy now seems capable of absorbing, with reduction rather than increase in inflationary pressure, the considerable expansion of defense spending that is in prospect?

There are several reasons:

The tight money of 1966 will still be having important consequences for homebuilding in 1967. The drastic decline of housing starts already registered means that residential construction expenditures will be low through most of 1967.

Surveys indicate that business plant and equipment spending, which powered the 1965–66 boom, will increase much more slowly in 1967. Private fixed investment was increasing at more than 15% per year in 1965 and 1966. Now its rate of increase will fall to 5 per cent, quite possibly less. In part this is another delayed effect of the tight money and high interest rates of 1966, and of the stock market decline to which these monetary developments contributed. In part it is due to the suspension of the investment tax credit—those who call for a tax increase now seem to forget that one rise in 1967 taxes has already been enacted.

Inventory investment was high in 1966 and should be expected to decline next year even if the economy were growing normally. Moreover, any slowdown in the growth of demand could easily lead to serious reductions of inventories—this is the classic mechanism that converts slowdowns into recessions.

Consumer demand was strong relative to consumer incomes through most of 1966, but there are indications that tight money, both indirectly through its effects on homebuilding and directly through its effects on availability of consumer credit, is already weakening the markets for consumer durables.

Total demand must grow at 6 or 6½% per year just to absorb the growth in the labor force and its productivity. This figure allows for a 4% increase in the economy's real capacity to produce and for an average rise in prices of 2 or 2½%.

From present indications of the course of government and private spending in 1967, it is hard to foresee a 6 or 6½% growth in total spending. Compare, for example, the third quarter of 1967 with the third quarter of 1966. A growth of demand of about $50 billion annual rate, from $745 billion to $795 billion, would be needed to prevent a rise in unemployment. Government purchases may account for $18 billion, of which $10 is the growth of Federal defense; private fixed investment may increase $3 billion, but this is likely to be offset by declines in inventory accumulation and residential construction. We are left with $32 billion for consumption.

With present fiscal and monetary policies the more likely outcome seems to be a shortfall in the growth of demand, yielding a rise of perhaps half a point in the unemployment rate (from just under 4% now to 4½%) before the end of the year. And there is always the danger that the excess capacity and excess inventories resulting from a slowdown will generate a real recession.

That is why a tax increase now would be inappropriate and dangerous fiscal policy. That is why monetary policy should be significantly and promptly eased even though tax rates are unchanged, and why the Administration should be prepared to advance the date of restoration of the investment tax credit if business investment weakens during the year. (Of course all bets are off if defense expenditures rise substantially more and faster than indicated by December newspaper stories about Pentagon plans.)

INTERNATIONAL FISHERIES AND FREEDOM OF THE SEAS

Mr. MAGNUSON. Mr. President, for more than a third of a century the distinguished attorney, Mr. Edward W. Allen of Seattle, Wash., has been one of the world's foremost authorities on international fisheries and the law of the sea.

From 1932 to 1955 Mr. Allen was a Commissioner, Secretary, or Chairman of the International Fisheries Commission, and for most of this period he also was the U.S. Commissioner on the International Salmon Fisheries Commission.

Mr. Allen in 1951 participated as a U.S. adviser in the Tokyo negotiations resulting in the North Pacific Fisheries Treaty, and in both 1948 and 1955 was adviser to the U.S. fisheries delegations at Food and Agriculture Organization sessions abroad. He had a similar important role at the United Nations Law of the Sea Conference at Geneva in 1958.

Both as an active member and former chairman of the International Law Section of the American Bar Association and as a frequent contributor to international law journals, Mr. Allen has continued to give valuable time and interest to the problems and complexities of maintaining orderly use of the seas which cover 70 percent of earth's surface. One of his services is to review the books of contemporaries in international law publications.

Among these is a review of "The Commonwealth in Ocean Fisheries," a recent work by Francis T. Christy, Jr., and Anthony Scott. Mr. Allen, whose review appears in the American Journal of International Law, states that the author of "The Commonwealth in Ocean Fisheries" repeats "a common misconception of the Truman fishery proclamation—that it asserts no high sea rights"; contends that it definitely does forcefully assert such rights in certain areas, and that the Departments of State and Interior, disliking this Presidential proclamation "completely failed to carry out the express mandate to implement it."

Mr. President, I ask unanimous consent that this review by Mr. Allen be printed in the RECORD at this point in my remarks.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

[From the American Journal of International Law]

THE COMMON WEALTH IN OCEAN FISHERIES

(By Francis T. Christy, Jr., and Anthony Scott. Baltimore: The Johns Hopkins Press, 1966. pp. xiii, 281. Index. $6.00; 48 s.)

Uniquely, authors of two separate themes justify their jointure in one book by their united advocacy of solving the world's fishery problems by a social science approach. In the first portion Mr. Christy, a research analyst, deals with fishing processes, statistics and economics. It contains many tables. Mr. Scott, an economics professor, then discusses treaties, fish commissions and the law of the sea. Though neither purports to be a lawyer, both freely assume full competence in international law.

The book is sponsored by Resources For the Future, Inc., whose president, Joseph I. Fisher, in the preface indicates the tone of the book, commenting on the inadequacy of present scientific knowledge of the seas, the lack of co-operation among nations, and that the absence of individual and national rights on the high seas creates serious problems for management and an obstacle to an economically efficient system of exploitation.

Pointing out that the two basic concepts of Grotius that the high seas are "inappropriable" and their resources "inexhaustible" are obsolete, the authors discuss international law from the standpoint of what it ought to be (*lex ferenda*). The conclusion is not clear except that the answer will come through social scientific research. Five prevalent doctrines they consider questionable—keeping the seas free, looking after the special interests of coastal states, paying respect to historic rights, conserving fish stocks, abstaining from fishing where other states are fully utilizng a fishery.

The authors repeat a common misconception of the Truman fishery proclamation—that it asserts no high sea rights. This completely overlooks the facts that the proclamation was evolved under Cordell Hull to supplement his forceful assertion of American rights to Bristol Bay salmon, that it includes the meaningful word "control" which the proclamation enemies consistently ignore, and that it was officially claimed by the accompanying White House release that the proclamation would protect American rights to North American salmon. To be sure, the Departments of State and Interior apparently did not like the proclamation and completely failed to carry out the express executive mandate to implement it, but that does not change the proclamation.

Sustained maximum yield is criticized as a goal inferior to maximum economic yield. This alternative theory has many academic supporters, but thus far has made little impression on administrators or fishermen, largely because of the comparative complexity of its application. There can be little question but that the authors are sound in their criticism of present excessive fishery manpower, but this is difficult to remedy under our American attitude that anyone who wishes to has the right to enter any fishery.

In conclusion, much emphasis is placed upon the necessity for social and economic research in every aspect of fisheries to develop new concepts of high seas fishery management and of pertinent international law. Although new material in the book is not extensive, what is presented is set forth in a clear and useful manner, making it worth reading.

EDWARD W. ALLEN.

Mr. MAGNUSON. Mr. Allen also reviews "The International Law of Fisheries," by Douglas M. Johnston, in the 1966 Canadian Yearbook of International Law, giving the book and also the foreword by Dr. Myres S. McDougal high marks, and pointing out that there is similarity between Dr. Johnston's position that certain concepts of the law of the sea have now been rendered obsolete and that of the American Bar Association as expressed in resolutions.

Mr. President, I ask unanimous consent that Mr. Allen's review of "The International Law of Fisheries," as published in the Canadian Yearbook of International Law, be printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

THE INTERNATIONAL LAW OF FISHERIES

(By Douglas M. Johnston. New Haven and London: Yale University Press. 1965. Pp. xxiv, 554. ($12.50).)

This book is a splendid compendium of legal piscatorial philosophy but, like *The Public Order of the Oceans* by McDougal and Burke, it is not brief. For a practicing lawyer or a practical fisherman to sit down and read it word for word would be like attempting to count the roe of a shad with a needle.

One may well agree with the apparently basic thesis of the book that historical law of the sea is inadequate to meet the changed conditions of today, though one might wish to qualify this assertion by changing the language to "historical law of the sea as interpreted by many text writers" inasmuch as the decision of the International Court of Justice in 1951 in the *Fisheries* case (*United Kingdom* v. *Norway*) interpreted existing international law more liberally than most text writers, certainly differently from the United States Department of State which, even after that decision, continued to agree with the loser.

Even with such liberal view, however, Dr. Johnston correctly notes that the United Nations 1958 and 1960 Conferences on the Law of the Sea point out "the need for a broader conspectus than is normally found in the texts of international law or in diplomatic exchanges" (p. xv) and he seeks to guide the way.

The reviewer cannot improve on the summary of Dr. Johnston's conclusion as expressed on the dust cover of the book that "progress in developing a system of law that recognizes national interests and yet preserves adequately the world community and regional interests of fishery resources depends on a reassesment of existing law from a functional point of view, focusing upon the needs of the fisheries and of the communities dependent upon them." It is not clear, however, just how the divergent interests are to be reconciled.

Professor Myres S. McDougal in his excellent Foreword questions "the priority accorded to physical and biological factors over economic and social considerations among the recommended 'determinants' of decision" (p. xi). From a practical standpoint, however, "economic and social considerations" are not at all devoid of adequate champions these days and it may be well to emphasize the physical and biological aspects.

The work stresses comparative evaluation of all elements concerned with fisheries as essential to the adjustment of legal rights—physical, geographic, economic, biological, political, social, historical. Utilization the author divides into exploitation and conservation with elaborate discussion of each. Rights are expressed either as shared or unshared and much point is made of the distinction.

Recently the American Bar Association by resolution pointed out that the concept that the law of the sea must be territorially identical in its application to navigation and fisheries has been rendered obsolete by changed conditions. Dr. Johnston takes the same view; he says: "The clear-cut distinction between 'territorial limits' and 'fishing limits' not only signals an intellectual victory of 'functionalism' over 'legalism,' offering the hope of a more realistic and more rational international law of the sea, but also loosens a logjam of juridical problems. For example, solutions to certain fishing problems need no longer be frustrated by ancient emotions vested in the concept of uniformity, for there is much less reason for insisting on uniform fishing limits than on a uniform territorial sea" (p. 448). And he adds: "There is, for example, no reason on earth—nor on sea—why the coastal state's unshared conservation authority should be geographically coextensive with its unshared authority over fiscal or sanitary matters; sometimes there is merely an aesthetic pleasure in uniformity" (p. 458). "Identical" would be a preferable word to "coextensive."

Dr. Johnston summarizes his general principles and presumptions as follows: "1. The first concern of the international law of fisheries is to facilitate the development of the world's marine resources . . ." (p. 149); "2. Practices that tend to impair the productivity of particular stocks are contrary to the interest of the world community" (p. 149); "3. . . . a physically shareable fishery resource in a non-domestic domain should be shared on an inclusive basis . . ." (p. 151); "4. . . . certain states may have a special interest in a fishery resource, on which some kind of prior right might be founded" (p. 152); "5. Most solutions to fishery disputes should be negotiated freely . . ." (p. 152); "6. It is necessary to have universally acknowledged procedures for settling fishery disputes, recourse to which in the last resort should be obligatory upon contesting claimants" (p. 153).

The book evidences intensive research on the part of the author, together with commendable independent thinking, but like similar works by academicians it is weighted with theory. It is well to bear in mind the limitations of theory in this field. Though Hugo Grotius as an exceedingly able lawyer called on religion, ethics, history and whatever he could think of to strengthen and popularize his view of the law of the sea, he was probably not motivated by service to humanity but by service to the Dutch East India Company as to navigation and to his country's herring monopoly as to fisheries. England's advocacy of narrow territorial seas was to serve her own merchant fleet. So too the 1958 Geneva Conventions were largely the result of the pressures of special interests; consider, for example, the sparring between the southern California tuna industry and Chile, Ecuador and Peru.

The book contains a detailed table of contents and an index as well as appendices which include the four 1958 Geneva Conventions. It is a useful contribution to the subject covered.

EDWARD W. ALLEN,
Of the Seattle Bar, Seattle, Wash.

Mr. MAGNUSON. Mr. President. In a brief but significant article in the American Journal of International Law, Mr. Allen discusses the historic development of the "freedom of the sea" concept, which originally was primarily applicable to navigation, fisheries then being almost universally confined to coastal waters.

Advances in fishery craft and technology which in turn has made wide-ranging fishing fleets economically practical has created a new factor so that the concept of "freedom of the seas" now involves two separate problems, Mr. Allen states: one, navigation, and the other ruthless exploitation by nationals of one country of the coastal fisheries of others.

Mr. Allen notes that the American Bar Association has proposed a new conference at which the two divergent problems should receive separate instead of joint consideration, and that the U.S. Senate has recommended, by a resolution which I introduced, that a new international conference be held on conservation of fisheries resources.

Mr. President, I ask unanimous consent that this article, titled: "Freedom of the Sea," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREEDOM OF THE SEA

The catchy phrase "Freedom of the Sea" bespeaks a noble concept, that is, if applied with noble aspirations, but it can be a deceptive cliché if utilized to conceal ignoble motivations.

As is well known, application of the concept was successfully promoted by the great Dutch advocate, Hugo Grotius, and it does not lessen the merit of his contention that he probably was being employed by an aggressive client, the Dutch East Indies Company, to justify the Dutch disregard of the Portuguese claim of the exclusive right to navigate the Indian Ocean with the particular Dutch objective of shattering the Portuguese monopoly of the exceedingly profitable Molucca spice trade.

Regardless of whatever materialistic motives may have inspired Grotius, his able advocacy rendered great and lasting service to humanity at large. Thereafter the concept that all the oceans of the world should be open to free navigation of the peoples of all nations gained practically universal approval.

To be sure, Grotius himself realized that from a practical standpoint people who live adjacent to an ocean shore have a special seaward interest differing from that of others. He did not define this interest, but over the years it gradually developed into recognition of ownership by each coastal nation of a strip of coastal water now called the territorial sea, generally conceded to be at least three miles in width. Even then, however, the advantage of freedom of navigation caused this narrow strip to be subject to the privilege of innocent passage.

In his masterpiece, *Mare Liberum*, though he did not specifically mention the almost monopolistic pursuit by the Dutch of the herring fishing off the British and Scottish coasts, Grotius did refer to ocean fishing generally as if it were analogous to ocean navigation, and it might reasonably be suspected that he had the North Sea situation well in mind. Practical objectives generally do, and for that matter should, have as much place in the development of international law as idealistic theory; so, although Grotius appealed to Heaven in support of the righteousness of his course, obviously it was not immune from mundane motives; hence, not sacrosanct. At that, insofar as fishing was concerned in those days of oars and sails, it was not unreasonable to have believed that ocean fisheries were inexhaustible and required no protection. Fishery conservation being both unknown and unnecessary, it is not surprising that freedom of the seas was thought to be applicable to fishing.

The wildest imagination in the time of Grotius could not even have conceived of today's mechanical power, refrigeration systems, floating canneries, mid-water trawls, radar, sonar, power blocks, nylon nets, electronic devices and other fishery appliances with their aggregate almost unbelievable efficiency, marvelous when properly utilized, but with terrific potential for the destruction of living resources of the sea when uncontrolled.

The maxim that "when reason ceases the law ceases" may not be applicable to domestic statutory law, but applies appropriately to the unwritten law of nations. This should be true particularly when there is at stake an enormous food resource which may mean survival to millions of human beings.

Ponderous tomes have been written concerning the technical application of the terms "inclusive" and "exclusive" rights in the oceans. Beautifully expressed theories are based on the assumption that, to make the world happy, there must be perfect uniformity throughout the universe. Attractive though this sounds, history unfortunately discloses no such uniformity among peoples, nor among the physical conditions of different parts of the world, nor even among fishes. Just why should Bering Sea, with only two abutting nations, be treated identically with the North Sea with seven abutting nations?

The Japanese have fished the Japan Sea for centuries and it seems illogical that as a result of World War II they were restricted in fishing in that region, but would this justify their sending a hundred trawlers thousands of miles across the Pacific Ocean to scoop up the fishery population of Mexico's Gulf of California? More than conservation is involved; important as that is, there should be some sense of equity and justice. Yet most of the arguments at Geneva in 1958 seemed to be directed either to conservation (although practical results of its compromises in this direction are not obvious) or to the horror of any change in the unrestricted application of "freedom of the sea" as something which should be considered untouchable.

And so the wholly antiquated and illogical tie-up between two fundamentally different problems—freedom of the seas for navigation and the handling of the current ocean fishery situation—thwarted the endeavor to adopt a narrow territorial sea so as to leave the greatest extent of seas for navigation, and at the same time failed adequately to deal with the matter of ruthless exploitation by nationals of one country of the coastal fisheries of others.

Doubt of the effectiveness of the Geneva Fisheries Convention may well have contributed to the fact that it was the last of the four conventions drafted there to receive enough ratifications to be put into effect, and it still represents only a fraction of the nations now Members of the United Nations. Even the United States attached a reservation to this treaty, and it is not necessarily the last word on the subject.

The American Bar Association has proposed that a new conference be held at which the two divergent problems should receive separate instead of joint consideration, and the United States Senate has recommended a new international conference on conservation of fisheries. It is not surprising that those who prosper from present unrestricted operations should oppose such conferences and fear that the many new nations created since 1958 would join with those at Geneva which sought for more adequate coastal fishery protection and that a rational, not an obsolete, application be made of the otherwise useful phrase "freedom of the sea."

EDWARD W. ALLEN.

WHAT ABOUT RHODESIAN SANCTIONS?

Mr. MUNDT. Mr. President, during the adjournment of Congress the Sturgis Tribune, of Sturgis, S. Dak., published an editorial on our participation in the Rhodesian embargo.

In my opinion, this is a timely editorial which appeared in an outstanding biweekly newspaper in South Dakota. I ask unanimous consent that the editorial be printed in the RECORD. I commend it to the reading of all Senators.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

We Blew It

President Johnson is considered to be an unusually astute politician.

Many of his Great Society programs, for instance, are steeped in politics. But this political astuteness seems to be lacking in directing the country's foreign affairs.

This is apparent from his eagerness to go along with the United Nations' economic boycott of Rhodesia without bargaining for greater UN support of the American effort in Viet Nam. It appears he missed a golden opportunity to drive a hard bargain on behalf of the country he heads.

Last week, it will be recalled, the UN Security Council ordered all of its 122 member nations to quit shipping specific items to Rhodesia in an effort to topple the Ian Smith regime which declared its independence last month. The embargo came at the insistence of Great Britain which favors majority rule in Rhodesia. The Smith regime, of course, represents the white minority there.

The Johnson administration, through UN Ambassador Goldberg, has agreed to join in the embargo.

It would seem this would have been an ideal time for President Johnson and Ambassador Goldberg to demand a halt to shipment of goods to North Viet Nam by the UN countries. At least the goods being shipped to Rhodesia aren't being used in warfare against the United States or any other UN member. We can't understand why the United States should support Britain's insistence for economic sanctions against Rhodesia, although we obviously share its aims there, when Britain is among the worst offenders in shipping goods to the communists fighting against American troops in Viet Nam.

It just doesn't make any sense.

The Johnson administration has displayed no qualms about insisting on certain conditions in disbursing federal funds to the states and other local sub-divisions of government. It is ironic, however, that no strings are attached to the huge foreign aid sums granted to countries all over the world, all of whom are members of the UN.

It would seem reasonable to ask the UN, which is chiefly supported by the U.S., to impose the same kind of embargo on goods to North Viet Nam as it intends to place on Rhodesia. We had a good bargaining position, but we obviously blew it by neglecting to attach some strings to our own participation.

Perhaps President Johnson isn't such a hot politician after all!

THE THIRD ALTERNATIVE

Mr. INOUYE. Mr. President, there was an obvious flaw in the letter 100 student leaders recently addressed to President Johnson on the subject of Vietnam.

Bob Considine, the columnist, stated it concisely when he wrote that the students' curious letter neglected to tell the President how to "ease" the conflict.

Mr. Considine reports on a conversation in which the President reiterated his belief that there are other solutions besides the extreme alternatives of either running out of Vietnam or bombing the North to smithereens. In between, Mr. Considine points out, there is a field of honor whereon we apply restrained pressure, prove to the enemy that he cannot win and trust that he will come to his senses.

Here, for the RECORD, is the complete Considine column as it appeared in the Baltimore News American, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore News American, Jan. 5, 1967]

The Third Alternative in Vietnam

(By Bob Considine)

There was one flaw in the letter the 100 student leaders sent to President Johnson.

It neglected to tell him how to end the war in Vietnam. He'd give his right arm to know the answer.

The President has a way of confronting visitors to his office with the enormity of his dilemma. He gives them the heavy-lidded stare and asks, "All right, now what would you do? Would you run out of there like a scared rabbit in the field, or are you going to bomb Hanoi, Haiphong, and everything else they got? Let me have your answer right now."

I was relieved he didn't hit me with the question the night he gave three hours of his time to Marianne Means, Frank Conniff, and myself. He was looking at Frank.

"I don't see those two extremes as the only alternatives," Frank said.

The President wheezed, leaned forward in his rocking chair, and patted Frank on the knee.

"You said it," he said fervently.

He has sent every peacemaker he knows to every chancellory where he thinks a key to peace may be hidden. He has been in touch repeatedly, directly or indirectly, with Ho, Mao, and the Russians. He has begged UN to take the matter under its hesitant wing. He has virtually asked U Thant to write out a peace settlement with or without the man's rose-colored glasses. We recently dropped 13 million leaflets on North and South Vietnam solemnly pledging that American forces would be out of there six months after the last shot is fired.

The determined young men who signed the letter to the President warned him as follows:

"Unless this conflict can be eased, the United States will find some of her most loyal and courageous young people choosing to go to jail rather than to bear their country's arms."

One prays those loyal and courageous young people, en route to Duranceville, put their minds to the task of defining what "easing the conflict" means.

It could be eased in two strikingly different ways, as suggested by the President's blunt questions. We could quit in the next hour. Or we could blow them to hell in the next hour. The war, as such, would be eased either way. But would our conscience?

If the President bowed to the 100 collegians, shouted "about face," and marched every American serviceman out of Vietnam, he would be spitting on the graves of every man who died there in the cause of living up to a solemn pact to protect a weak friend from a strong foe.

Such a move would say to the wives and parents of the dead that those men died in vain, victims of a fradulent friendship, prey to a paltry posture that was phony from the start.

Such an order would tell dozens of allies that we'll happily be their friends until such time when they count desperately upon us to prove that friendship, live up to those pledges. We'd spend a thousand years trying to explain that streak of rot in us.

Or we could win it with one shocking, terrible show of strength. Any great power in history would have exerted that strength, would have drooled over having at its command a fraction of our almighty punch. There is a tacit admiration for Khrushchev still left in Washington for the way he moved his tanks into Budapest, ruthlessly killed about 30,000, and never had any more trouble with Hungary.

In Washington, too, there must be thoughts of the brutal finality of our wars against Germany and Japan. We "eased" both those wars. We killed 200,000 Japanese—children, old women, intellectuals, priests—with just two bombs. But it ended the war, made unnecessary the invasion of Japan which most of our planners conceded would cost 600,000 American casualties and maybe ten times that many Japanese.

Somewhere in between is a field of honor whereon we keep a restrained pressure on the stubborn foe, show him day and night that he cannot possibly win, spare him the full brunt of our muscle in the hope that he'll come to his senses in time.

One hopes the college leaders will, too.

SPRUCE KNOB-SENECA ROCKS

Mr. BYRD of West Virginia. Mr. President, because I believe that the new Spruce Knob-Seneca Rocks National Recreation Area of West Virginia will become one of the most popular vacation sites on the east coast, I have again written of its wonders in a national magazine.

The article, entitled "Spruce Knob-Seneca Rocks National Recreation Area," appeared in the December 1966, edition of the National Parks magazine, which is the official publication of the National Parks Association.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Spruce Knob-Seneca Rocks National Recreation Area

(By Robert C. Byrd, U.S. Senator, West Virginia)

If you live in a city where the stars try to twinkle through a haze of smog, let me invite you to enjoy the crystal air that blankets the new Spruce Knob-Seneca Rocks National Recreation Area of West Virginia. At night you will almost feel able to reach out and touch a star from an elevation of nearly 5000 feet, the highest point in West Virginia.

During the day, activities for the work-weary man and his family will range from swimming, fishing, canoeing, hiking, and sight-seeing to "just plain relaxing" among some of the finest scenery of the American East.

The new 100,000-acre Spruce Knob-Seneca Rocks National Recreation Area sprawls in two units over a large section of the Monongahela National Forest, as shown in the map on page 10, representing an innovation by the Federal Government in providing much needed recreational sites for the nation's ever-increasing urban population. The area was created in 1965 as the first of its category to be established entirely within a national forest.

With the land already owned by the Government, designation of the scenic and historic sections of the forest as a national recreation area allows the U.S. Forest Service to proceed with a development plan for visitor facilities within the rules for good conservation of natural resources.

The potential of a recreation plan within a national forest was the principal reason why I worked for the project in Congress for many years, succeeding last year as legislation which I had introduced into the Senate was adopted by both houses of Congress and signed into law by President Johnson.

The new recreation area is only three or four hours from the nation's capital at a safe driving speed, and it has been estimated that some 65 million people live within a radius of 350 miles—more than a third of the nation's population today. It is believed that at least a million tourists will visit the area annually within the next few years, and that ultimately some 5 million a year will enjoy its relaxing qualities.

I believe that Spruce Knob-Seneca Rocks will complement rather than compete with the national parks of the country, and that all the variously designated areas will offer recreation and scenic beauty in a program designed to perpetuate wide-open space atmosphere for a growing number of Americans that the Government would like to see vacationing at home.

Let me talk about some of the attractions. In the new recreation area you can literally sit atop the Appalachian world of West Virginia—on Spruce Knob, at an elevation of 4,860 feet. Looking into the distance there are five other high mountain peaks which burst with color during the fall season—Fore Knobs, North Fork Mountain, Shenandoah Mountain, Massanutten Mountain and Blue Ridge Mountain.

HISTORY IN STONE

If you enjoy reading the history of a land on the face of its rocks, what more imaginative setting could you find than the famed Seneca Rocks? Rising some 1000 feet above a branch of the Potomac River, these rocks, which are pictured on the front cover of this magazine, are considered one of the most spectacular and interesting natural features east of the Mississippi. History tells us that they were a principal shelter for the Seneca Indians of the area. They are sometimes compared in appearance to a ruined castle; but they have the geological history of the land indelibly described on their face.

You will find company along the scenic trails of the new area. Gray squirrels and cottontail rabbits abound, greeting visitors with their light-hearted antics. Quail, wild turkey and ruffed grouse make their homes among the trees and along the water's edge; and you will no doubt see a white-tailed deer every now and then. An occasional black bear may be encountered in the higher elevations of the recreation area.

Spruce Knob-Seneca Rocks has a typical central Appalachian diversity of floral wealth. For example, in the little biological enclave on Spruce Knob which is called "Hermit Island" a botanist, visiting the locality in 1933, counted a total of 283 species of plants. The tall stems of the Appalachian trees bring a bit of Canada to West Virginia at the higher elevation—red spruce, for the most part—with the usual mixture of hardwoods at lower levels. Some 30 airline miles south of the area's two units, but still within the Monongahela National Forest, natural-history oriented visitors will find an additional attraction, the Forest Service's 750-acre Cranberry Glades Botanical Area, a high-altitude, boggy terrain that has served as a natural refuge since many northern plants and animals were left "stranded" by a warming climate at the close of the most recent Ice Age. A visitor information station is under construction at this scientific site to explain its significance. (It may be of interest to note that, in West Virginia, a "glade" is an open bog or expanse of peatland.)

Several tributaries of the Potomac—a river that has played a large role in the history of the country—add enjoyment to the national recreation area. These are the Potomac's South Branch and the North and South Forks of the South Branch, which criss-cross the region's valleys and are fed by dozens of clear, cold streams flowing from forested watersheds. As it wends its way between the rocky cliffs of the gorge, the South Fork creates some of the most spectacular fishing water and scenic beauty to be found anywhere in the eastern United States. The South Branch is widely known among enthusiasts for its fishing and whitewater canoeing.

Among many other attractions of the recreation area are the Seneca Caverns, a series of subterranean rooms located only a few miles from the highest peak in the State and containing such named sights as the Statue of Liberty, Niagara Falls and the Metropolitan Opera; Smoke Hole Cave, located on a mountain top, a maze of corridors and side rooms which were once used by the Indians; and Big Cave, in which Confederate soldiers prepared gunpowder more than a hundred years ago.

In addition to the scenic and historic interests of the new national recreation area, I believe that this area stands as a monument to the nation's growing respect for nature and to its efforts to preserve at least some of its natural treasures.

UP FROM THE RUINS

The Monongahela National Forest is sometimes called West Virginia's "do-it-yourself" forest, because it has been literally created from the ashes of a burned-out terrain. In the early part of this century, the primeval trees of these mountains were cut without thought of replacement and the needs of the future. Timber was stripped off recklessly to feed hungry mills, and in conjunction with that devastation great sod areas were plowed up to grow food for loggers and millhands.

Then fires swept the cut-over lands, destroying forest remainders as well. So complete was the destruction that the area was once called the "Monongahela National Burn." Floods were spawned on denuded slopes to roll into the valleys with tragic regularity. The location of many farms on steep slopes, with their thin soil, added to the ruin of the land.

During the past 50 years the Federal Government has purchased and restored more than 800,000 acres of lands in West Virginia, and it is in this area that Chief Edward P. Cliff of the United States Forest Service will develop the new Spruce Knob-Seneca Rocks National Recreation Area.

TRIBUTE TO VICE ADM. JOHN SIDNEY McCAIN, JR.

Mr. YOUNG of North Dakota. Mr. President, among the reasons why the United States became the greatest nation in all the history of the world is because of our system of government, the many fine qualities of our people, and particularly the great fighting men who have made up our military forces throughout the year.

One of the great military men of my time is Vice Adm. John S. McCain, Jr. He has distinguished himself in every military naval undertaking he was ever assigned. He is the kind of a person who just does not know what fear is.

His dynamic personality and great leadership have become a legend throughout naval and other military circles. He has been a forceful advocate of seapower and much of the seapower we have today can be rightfully credited to his efforts.

Mr. President, Admiral McCain has served with great credit and distinction in a new and very different field as head of the Navy mission to the United Nations. A column by Mr. Ray McHugh, in the San Diego Union of Sunday, December 18, very appropriately gives Admiral McCain great credit for the outstanding service he is rendering in this—another most important field. This is an article that I am sure everyone would want to read. Mr. President, I ask unanimous consent to have this article placed in the body of the Record as a part of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

"Mr. Seapower" Heads Navy Mission to U.N.—Admiral Gets Diplomat's Role

(By Ray McHugh)

New York.—When Vice Adm. John Sidney McCain Jr. was sent to join the U.S. Mission to the United Nations a year ago more than one eyebrow was raised.

The spunky little two-fisted, cigar-chewing sailor who had won the nickname "Mr. Seapower" would hardly be cast as the typical diplomat.

Even his attractive and intensely loyal wife, Roberta, admits: "I didn't know what to expect."

Now every one knows. McCain has fit into the U.N. picture as easily as into a naval command.

The three-star admiral has been praised by Ambassador Arthur Goldberg as "the cream of the crop." A strong personal friendship has sprung up between the former submarine commander and the former Supreme Court Justice.

UNDERSTANDING ESSENTIAL

"When I came to the U.N. I had my doubts," says McCain with his typical candor. "But I've been convinced. This is a fine organization made up of dedicated people. It has its weaknesses but too often people overlook its strengths.

"If we are ever to have true international understanding it's going to have to start here. It's our responsibility to keep that hope alive."

McCain waved his ever-present cigar at the towering U.N. building and the massed array of flags along First Avenue that were being whipped by a chill autumn wind.

Despite the cold weather, the admiral spurned a top coat. He just jammed a well-worn slouch hat on his greying, close-cropped hair for the walk across United Nations Plaza to the headquarters of the U.S. Mission.

McCain makes the walk every day, sometimes several times, for sessions of the United Nations military staff committee and other business.

As military representative to the U.S. Mission, McCain advises on military matters and serves as Ambassador Goldberg's link to the Joint Chiefs of Staff.

As vice chairman of the U.N. Military Staff Committee, McCain is the American link with U.N. counterparts from Russia, Britain, France, Nationalist China and other countries.

CONTACTS IMPORTANT

The committee was organized in the optimistic early days of the United Nations. Military representatives of the permanent members of the Security Council were to form a sort of high command for peace-keeping operations. There was to be a special U.N. Armed force.

The cold war, however, soon spiked these ideas. Although the committee has not been able to function as originally planned, the high-level exchange with other Security Council nations remains important.

"We establish important contacts," said McCain, "and sometimes we can discuss military matters without political overtones.

"Tangible accomplishments may be few but, like so many things here at the U.N., we are working for tomorrow, trying to keep all the channels open. The opportunity for eventual understanding must be protected."

The patent outlook that McCain has developed at the U.N. surprises some old friends.

The admiral is noted for his energy and his zest for action. He will admit in an unguarded moment that he has tasted frustration at the U.N. But frustration only seems to fuel his determination.

WALKS ACROSS BRIDGE

McCain also escapes the world of diplomacy every day for a few hours with the Navy he loves so well.

In addition to his duties at the U.N., McCain wears the "hats" of commander, eastern sea frontier and commander, Atlantic reserve fleet. He lives in the 1805 frame commandant's house in the Brooklyn Navy Yard.

He begins his work day with a walk across Brooklyn Bridge to 90 Church St., the lower Manhattan headquarters of the Navy in the world's busiest port.

It is late morning before he moves to his fourth-floor office in the U.S. Mission building and puts aside his duties as a Navy commander for those of a diplomat.

Several times a month McCain returns to the Navy by nightfall. He is still the most popular speaker of flag rank and his peppery lecture on America's "four-ocean challenge" is in demand from coast to coast.

Navy experts regard the speech as the strongest, most articulate argument for American seapower that has been heard since McCain's idol, Rear Adm. Alfred Thayer Mahan, was preaching that the nation's future lay on the oceans of the world.

HEADED TASK FORCE

For McCain to be cast in this role is not surprising. His namesake father was graduated from the Naval Academy in 1906. And while the father was on convoy duty during World War I his wife and young son lived in a Brooklyn boarding house—not far from the commandant's house which the son now calls home.

The senior McCain was commander of a task force in the Pacific during the last two years of World War II and won a reputation as "a man who gives only one order: 'Attack!' "

His exploits won him the Navy Cross and three Distinguished Service Medals. On his death Sept. 9, 1945, he was posthumously promoted to the rank of admiral.

While his father's carrier planes were pounding the Japanese, the junior McCain was making his own reputation as a submarine commander.

Graduated from Annapolis in 1931, the son became a submarine officer in 1933.

He took the USS Gunnell out of the Electric Boat Co., at Groton, Conn., in 1942 and sailed to North Africa. There he carried out hazardous reconnaissance in advance of the allied landings.

Then he proceeded to the Pacific where the Gunnell inflicted heavy losses on the Japanese.

McCain was one of the first submarine commanders to penetrate the Japanese-dominated East China Sea and the Formosa Straits. He was awarded the Silver Star and Bronze Star for heroism.

DIRECTED LANDINGS

Since World War II McCain has held a variety of surface and submarine commands and has served in the office of chief of naval operations. He spent a year at the Pentagon as Navy chief of information and was commander of amphibious forces, Atlantic when he was ordered to the United Nations.

As amphibious commander he directed U.S. landings during the 1965 crisis in the Dominican Republic and was awarded the Legion of Merit.

"You never have to worry about Adm. McCain forgetting the Navy while he's here at the U.N." joked U.S. Ambassador George Killion. "Sometimes I think he's going to recruit everyone here."

"What's wrong with that?" growls McCain.

The fiery little admiral is one of those rare men who can growl and grin and chew on a cigar all at the same time. No wonder the diplomats like him!

TRIBUTE TO THE LATE SAM FORE, JR., "MR. DEMOCRAT OF TEXAS"

Mr. YARBOROUGH. Mr. President, on Christmas Eve, 1966, Texas lost one of its best-loved and most distinguished citizens with the death of Sam Fore, Jr., owner and publisher of the Floresville Chronicle-Journal for 50 years and more recently an owner of the Robstown Record, and a man who earned the accolade from the Texas Legislature in 1965 of "Mr. Democrat of Texas."

The stature of Sam Fore, Jr., in both Texas politics and Texas newspapering was that of a statesman. He was a friend of such Presidents as Franklin D. Roosevelt and Lyndon B. Johnson and I am proud to say that he was a friend of mine. He supported me in all of my races for the Senate as well as in other races. He was always for progress for the people.

He was a dedicated newspaperman who counted his ability to help rural people obtain the good things of life and his publishing of the activities of young people as his two chief pleasures.

Sam Fore, Jr., was born at Cuero, Tex., on May 3, 1891. In his lifespan of 75 years he won numerous honors and awards for his outstanding accomplishments. He became the editor of the Floresville Chronicle at the age of 20 and was the youngest publisher ever elected president of the Texas Press Association. He sought no political rewards despite his long devotion to the Democratic Party, but his concern for the people made him a cherished neighbor and friend among those who knew him best in his own town and county. The life of Sam Fore, Jr., was aptly characterized by the Reverend A. A. Carter as one which left an imprint on the small and the great.

Mr. President, I ask unanimous consent to have printed in the body of the Record articles concerning Mr. Fore from the Corpus Christi Caller-Times of December 25, 1966, the San Antonio Express of December 27, 1966, the San Antonio Light of December 25, 1966, the Pleasant Express of December 28, 1966, the New York Times, and the Dallas Morning News of December 25 and December 28, 1966, News Service of December 27, 1966, and an editorial from the San Antonio Express of December 27, 1966, under the title "Sam Fore, Jr., Did a Great Job."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Corpus Christi (Tex.) Caller-Times, Dec. 25, 1966]

Sam Fore, Jr., Publisher, Dies in Floresville

Floresville.—Sam Fore Jr., a South Texas newspaper publisher for more than 50 years and an influential Democratic Party leader, died at about 3 p.m. Saturday while sleeping at his home here. He was 75 years old.

Fore was owner and publisher of the Floresville Chronicle-Journal from 1913 to 1963, and at the time of his death owned half interest with his daughter and son-in-law, Mr. and Mrs. Carroll Keach, in the Robstown Record.

He had been active in Democratic Party politics most of his adult life and in 1965 was voted "Mr. Democrat of Texas" by the Texas House of Representatives.

Among his personal friends during the years were several presidents and other national and state leaders, including President Lyndon B. Johnson and Gov. John Connally.

Fore was born in Cuero on May 3, 1891, and moved to Wilson County with his family in 1903. He began his career as a newspaper man at the age of 12, when he exchanged his service for the opportunity to learn the printing trade with the Stockdale Enterprise.

Later he left school in the eighth grade to work full-time on the Floresville paper. His early ambition to become a lawyer gradually gave way to his zeal for newspaper work.

He worked on the newspaper as printer's devil, hand typesetter, pressman and editor. Then in 1913, at the age of 22, he purchased and combined the Floresville Chronicle and the Wilson County Journal. He was owner and publisher of the paper until he sold it to Joe H. Fiestsam on Sept. 1, 1963.

Fore became publisher of the Robstown Record in 1926, and owned half-interest in the paper at the time of his death.

Although Fore became influential from the White House to the Wilson County Courthouse, he once said he still considered himself "just a country editor," and while he was owner of the Floresville paper wrote news and editorials and solicited ads and commercial printing.

The publisher became actively interested in politics at an early age. He soon became a staunch supporter of the Democratic Party and later one of the party's most powerful leaders in the state.

STANCH DEMOCRAT

"I've never scratched a Democratic Party nominee in my life from the White House to the courthouse," he once said. "When I go into the Democratic Party primary, I am giving a promissory note to pay in full when it comes due. I take this literally—exactly as I would a note at the bank."

He attended his first Democratic Party national convention at Houston in 1928 and his fourth in 1964 at Atlantic City.

Fore served two terms on the Democratic State Executive Committee, and led his county's delegation to Democratic Party state conventions many years.

In spite of his influence in political circles, Fore sought and held only one public office during his life. That was as Floresville city secretary. He assumed the post in 1913 and still held it at the time of his death.

MET PRESIDENT IN 1930'S

Fore's friendship with President Johnson, which has been described by many as a father-son relationship, began when Johnson became secretary to U.S. Rep. Dick Kleberg of Kingsville in the early 1930's.

Recalling the first time he met Johnson, Fore once said, "I was never so impressed with a young fellow as I was with Lyndon in my whole life. I knew he was going to amount to something."

The friendship grew through the years. When Johnson was inaugurated to his first full term as president in 1965, Fore and his family flew from Austin to Washington, D.C., for the ceremonies with the presidential party aboard Air Force 1, the President's official jet plane.

Another longtime friend of Fore was Gov. Connally. Connally once declared that Sam Fore, next to his own father, was closer to him than any other man.

He never got past the eighth grade, but Fore took an active interest in education. He was a member of the advisory committee of the School of Journalism at the University of Texas and for 14 years served on the board of directors of Texas A&I College in Kingsville.

In March of this year a new office and classroom building at the Kingsville college was named Sam Fore Jr. Hall in his honor.

PRESS ASSOCIATION PIONEER

Until his death Saturday, Fore was the oldest living past president of the Texas Press Association. He held the highest office in that organization from 1919 to 1920. He also helped organize the South Texas Press Association and held nearly every office in the association, including that of president.

Fore was the first chairman of the Wilson County March of Dimes and held that position for many years, was a charter member of the Wilson County Red Cross Chapter, a past president of the Floresville Chamber of Commerce and an honorary life member and director of the South Texas Chamber of Commerce.

He was a member of the First Methodist Church in Floresville and served as president of the church's board of stewards for 25 years. Fore also was a 32nd Degree Scottish Rite Mason and a member of the Knights Templar and Alzafar Shrine in San Antonio.

Fore served on the board of directors of the Texas Rehabilitation Center at Gonzales for about 12 years and helped organize the Wilson County Fair and the Wilson County Peanut Festival. He received some 50 plaques and awards during his life.

Fore married the former Elma Teas on July 27, 1911. His wife is still living. Also surviving are two daughters, Mrs. Carroll Keach of Robstown and Mrs. Robert F. Spruce of Floresville, and four grandchildren.

Funeral services will be at 2 p.m. Monday in the Floresville Methodist Church.

Dr. R. F. Curl, superintendent of the San Antonio Methodist Church district, and the Rev. A. A. Carter of San Antonio, a retired Methodist minister, will officiate. Burial will be in Floresville Cemetery, under the direction of Vinyard Funeral of Floresville.

The family has requested that contributions be made to the Wilson County Library fund in lieu of flowers.

[From the San Antonio (Tex.) Express, Dec. 27, 1966]

MANY MOURN SAM FORE, JR.

(By Arthur Moczygemba)

FLORESVILLE.—Sam Fore, Jr.'s, funeral services Monday afternoon were a comprehensive reflection of the life of the 75-year-old weekly newspaper publisher who was known as "Mr. Democrat."

President and Mrs. Johnson, Gov. and Mrs. John B. Connally, merchants, bankers, government officials, farmers, ministers of many faiths—all came to pay respects to a man who became a legend in his own time.

Fore, who died Saturday, was a personal friend of presidents, governors, state and national officials, and yet his highest office was that of city secretary of Floresville, a position he held for over half a century.

The Johnsons arrived promptly at 2 p.m., having landed in the presidential helicopter in a pasture on the outskirts of Floresville. After the church service, the Johnsons and Connallys visited briefly with the family and returned to their respective ranch homes.

Tears streamed from the President's eyes after the service for a man who was his close friend and staunch supporter, since Johnson spent a night at Fore's home prior to accepting a position as U.S. Rep. Richard Kleberg's secretary in the early 1930's.

Mrs. Johnson briefly consoled Mrs. Fore, when words seem futile, for the two women have been close friends since the Johnsons spent a night of their honeymoon in the Fores' home.

The Gov. and Mrs. Connally came to their neighbor's funeral, along with the governor's mother, Mrs. Lola Connally, and most of the Connally family.

"We shall miss him in 1,001 ways. He left his imprint on the small and the great," Rev. A. A. Carter of San Antonio, former Methodist minister of Floresville and a long-time friend of the Fore family, said in his eulogy.

"He was a man of integrity. A man of convictions," the minister said, pointing out that "Sam Fore, Jr., was proud of the sons of Floresville and Texas."

The Methodist Church was filled to overflowing with over 500 persons attending. Bishop Eugene Slater of San Antonio led the prayers, and Dr. Floyd Curl of San Antonio, district Methodist superintendent, assisted in the 35-minute service.

"He leaves a goodly heritage. He loved his family, church, community, state and nation," Rev. Carter continued. "He wasn't one who made great speeches . . . When he had a heart-to-heart talk with someone, problems were resolved, and the other man was the better for it."

"He wasn't afraid to commit himself. He wasn't afraid to become involved," Carter said.

Fore was born in Cuero and the family moved to Floresville in 1903. Although Fore only finished the 8th grade in school, he was a strong advocate of excellent education and was instrumental in the growth of Texas A&I College in Kingsville, where a residence hall is named after him. A large number of A&I faculty attended the services.

At the age of 19, Fore became editor of the Floresville Chronicle-Journal, a weekly newspaper he owned and published for over 50 years. He sold the paper in 1963, but remained semi-active as editor emeritus.

He purchased another weekly newspaper 30 years ago in Robstown, which is now managed by his daughter and son-in-law, Mr. and Mrs. Carroll Keach. Another daughter, Mrs. Robert Spruce, lives in Floresville, and she also worked in the family newspaper for many years.

Grandchildren include Sam Fore Keach of Edinburg, a newspaper editor; Bill Keach, who is a Rhodes scholar in England; and Misses Susan and Jane Spruce of Floresville.

Pallbearers were I. D. Flores Jr., Harry F. Woolsey, John H. Mayes, Jr., W. H. Sheehy, Clark Murray and Joe Fietsam, all of Floresville. Burial was in Floresville Cemetery.

It was Fore's acquaintance with weekly newspaper publishers that helped launch Johnson on his political career at a time when weekly newspapers were dominant molders of public opinion.

Johnson was best man at the Keach's wedding. Keach also was once Johnson's secretary. During the Presidents 1965 inauguration, the Fores were special guests in Washington.

Sam Fore Jr. had compiled a list of personal friends that reads like a who's who in American and Texas history, yet he found time to be active in Boy Scouts, March of Dimes, the Methodist Church, and was an avid sports fan.

He took equal pride in describing a trip with President Johnson to Washington in Air Force One or in showing the latest accomplishment of one of his grandchildren.

Often chided for never having voted anything but straight Democratic, Fore responded that "if you work for your party, give it all the support you can, you should be proud of the party. In 1965, the Texas House of Representatives passed a bill recognizing Fore officially as "Mr. Democrat of Texas, 1965."

"His friendship extends to every walk of life. He left his imprint on small and great," Rev. Carter said.

[From the Pleasanton (Tex.) Express, Dec. 28, 1966]

SALUTE TO MR. SAM

A little old lady, in an old-fashioned black hat, stood near the church steps and grieved. Inside the church, the President of the United States grieved also. Their common bond: sorrow at the passing of Sam Fore, Jr., editor-emeritus of the Floresville Chronicle-Journal, which he had published for more than 50 years.

The little old lady and the President were but two of hundreds—from all walks of life—who came to say goodbye Monday afternoon to Mr. Sam. It was a gray day that complemented the somber mood of those present.

Mr. Sam, 75, succumbed Saturday afternoon at his Floresville home while taking a nap. Behind him was one of the most illustrious careers ever enjoyed by a Texas weekly newspaper publisher.

The sphere of the influence of this multi-talented man, with his great warmth of personality, radiated far beyond the boundaries of Floresville and Wilson county. "He left his imprint on the small and the great," said the Rev. A. A. Carter at the funeral services.

That Mr. Sam did.

He was an elder statesman in the Texas newspaper field—deservedly so. He was born at Cuero on May 3, 1891. The Fore family moved to Stockdale when Sam was a boy. He hung around the Stockdale Enterprise office so much, liking the smell of printer's ink, that he was put to work as a printer's devil.

A year later, in 1903, the Fore family moved to Floresville. Printer's ink still lured him. He worked after school and during vacations at one of the newspaper offices.

When he had finished the ninth grade, he withdrew from Floresville high school to work full-time for the Chronicle. He felt that he had found his niche. Evidently Dr. John Blake, owner of the Chronicle, felt the same way because he appointed Sam as editor after the death of H. C. Thompson in 1911.

In Jan., 1913, Dr. Blake sold both the Chronicle and the Wilson County Journal to Sam who merged the newspapers into the Floresville Chronicle-Journal which he published until 1963.

Mr. Sam was 20 years old when he became a newspaper editor. He was also 20 when he married Miss Elma Teas of Floresville. He made some fine decisions during his long career but none more fortunate than this.

No so long ago, Mr. Sam said, "Elma has been my strong right arm in everything that I've accomplished."

His accomplishments were many. The Floresville Chronicle-Journal won numerous awards during his long tenure. He was the first to win the South Texas Chamber of Commerce community service trophy.

He was the youngest publisher ever to be elected as president of the Texas Press Association. He was a past president of the South Texas Press Association. He received the Silver Beaver award—highest in the nation—for his Boy Scout work.

In a reflective mood, Mr. Sam once said, that he counted his two chief pleasures as (1) being able to help the rural people attain the good things of life; and (2) publishing the activities of young people especially Boy Scouts and students working their way through college.

One of those students was John Connally now Gov. Connally of the state of Texas. The Governor has been quoted as saying that next to his own father, no man influenced him more than Sam Fore.

When Connally kicked off his gubernatorial campaign at his mother's farm several years ago, Mr. Sam was there to make the first nominating speech. More important, so far as the outcome of the campaign was concerned, were the telegrams which Mr. Sam sent to newspaper publishers and others over the state lauding Connally as "the best man for governor in Texas." The impact of these telegrams, signed by Mr. Sam, was more than considerable.

Gov. Connally was there—and in tears—at Mr. Sam's funeral.

So was President Johnson. He and Ladybird had been friends of the Fores since his days as secretary to Representative Dick

Kleberg. The Johnsons spent one night of their honeymoon at the Fore home and Mr. Sam's devotion to LBJ had never flagged.

Mr. Sam was a friend of President Franklin D. Roosevelt. He sat in the President's box at the inauguration of Vice President John Garner in 1933. Sharing the box with him were Denver Chestnutt of the Kenedy Advance, Mrs. Franklin Roosevelt, James Roosevelt, and Mrs. Henry Morgenthau.

His devotion to the Democratic party was legendary although he sought no political reward. "I've always voted for the best man," he said, not so long ago, "but I've always found that man in the Democratic party."

Mr. Sam did not go unhonored in recent years. The Texas Legislature voted him "Mr. Democrat of Texas" in 1965. A dormitory at Texas A&I College was named after him. He was on the A&I board of regents for more than a dozen years and had served on advisory board for the University of Texas school of journalism.

It seems to us that political interests and his friendship with national and state leaders—genuine and important as they are—have been permitted to overshadow Mr. Sam's real work: Putting out a newspaper that was a credit to his town and county.

No one ever worked with more dedication for "his people" than Mr. Sam. He was a drumbeater extraordinary for the Floresville Peanut Festival. He lent himself to every promotion, large and small. He chronicled the joys of "his people" and he grieved with them in their sorrows.

This is not headline material. But it is fact and it is the essence of being "a country editor" which was all that Mr. Sam claimed or wanted to be.

He leaves a wonderful heritage to a fine family. His son-in-law and daughter, Mr. and Mrs. Carroll Keach, edit and are co-owners of the Robstown Record which Mr. Sam purchased in 1928. Another daughter, Mrs. Robert Spruce, lives at Floresville. There are four grandchildren including a grandson who is following in Mr. Sam's chosen field.

Texas is just a little bit better because of Sam Fore, Jr., a cherished neighbor and friend. As the Rev. Carter so eloquently said, "He left his imprint on the great and small."

[From the San Antonio (Tex.) Light, Dec. 25, 1966]

"Mr. Demo," Sam Fore, Is Dead at 76

Floresville, Tex.—Sam Fore Jr., 76, longtime South Texas Newspaperman, died at his Floresville home Saturday.

Fore, a native of Cuero, was part owner of the Robstown Record at the time of his death.

He was publisher of the Floresville Chronicle-Journal for 50 years when he retired in 1963. He had lived in Floresville since his teens.

MR. DEMOCRAT

Active in politics, Fore was known as "Mr. Democrat of South Texas." Last year, he received a 50-year certificate from the Texas Election Bureau.

Fore was Floresville city clerk when he died. He served on the Board of Regents of Texas A&I College at Kingsville several years and recently the Sam Fore Jr. Building as the campus was dedicated in his honor.

He was a member of the Methodist Church and served on its board of stewards.

Survivors include his widow, two daughters, Mrs. Robert Spruce of Floresville and Mrs. Carroll Keach of Robstown, four grandchildren and one greatgrandchild.

Services will be at 2 p.m. Monday in the Floresville Methodist Church. Interment will be in Floresville Cemetery.

Former Vice President John Garner was also on his list of personal friends.

NEVER VOTED GOP

Fore is said to have never voted opposite the Democratic ticket in his life.

Fore served two terms as head of the State Department Executive Committee during the administration of Gov. James V. Allred and was a member of the SDEC for many years. He attended three national Democratic conventions as a delegate and served as a member of the U.S. Electoral College for the 19th Congressional District.

In 1919 Fore became the youngest president of the Texas Press Association and helped organize the South Texas Press Association.

[From the New York Times, Dec. 27, 1966]

President at Funeral for Fore—Tearful Johnson Bids Farewell to Friend, Mentor

(By Max Frankel)

Floresville.—Sam Fore Jr. was not a rich man, as Texans go, nor a powerful man, as Democrats go, but he was buried Monday after a funeral service that drew the President of the United States from 80 miles away and left him in tears.

Fore, who died Saturday at the age of 75, was for 50 years the owner and publisher of the Floresville Chronicle-Journal, a weekly paper with a press and four cluttered desks. But he was also one of those expansive personalities whose friendship and charities extended throughout Wilson County here in South Texas and whose political charm made him a leading official of many statewide press and political organizations.

SPRAWLED ON RUG

That's why back in the depression when young Lyndon Johnson was shopping around for a political career, he was sent to see Fore. And, as the publisher recently recalled, the young man sprawled out on the rug of his home, took off his shoes, and talked and talked until he had made a profound impression.

Fore told his wife that night, he said, that "that young fellow will be president of the United States some day—and I'm going to see him inaugurated." He did, too, flying up to Washington in 1965 aboard Air Force One with another Floresville boy, Gov. Connally, and a half dozen other associates who gathered again Monday to bury their old mentor.

The President and Mrs. Johnson flew by helicopter from their ranch and landed in a cow pasture. Then they rode by limousine to the Methodist church, where the governor and county leaders and 500 friends had already gathered and to which they had sent enormous floral tributes.

TEAR STREAKED

When the Johnsons came out of the yellow brick church, the President's eyes were glazed, and his wife's were red and tear-streaked.

They walked to a car bearing Fore's nearest survivors to embrace his wife, Elma, and two daughters, Mrs. Robert F. Spruce, whose husband heads the town's power utility, and Mrs. Carroll Keach, whose husband edits another Fore property, the Robstown Record. The President and Mrs. Johnson then drove back to the cow pasture, whence they were airborne only 45 minutes after landing.

[From the Dallas (Tex.) Morning News, Dec. 25, 1966]

Sam Fore, Publisher, Dies at 76

Floresville, Tex.—Sam Fore, Jr., 76, longtime South Texas newspaperman, died at his home here Saturday.

Mr. Fore, a native of Cuero, De Witt County, was a part owner of the Robstown Record at the time of his death. He had been publisher of the Floresville Chronicle Journal for 50 years when he retired in 1963. He had lived in Floresville since his teens.

Active in politics, Mr. Fore was known as Mr. Democrat of South Texas. Last year he received a 50-year certification of appreciation from the Texas Election Bureau. He was city clerk at the time of his death. He was a longtime friend of Gov. Connally and President Johnson.

Mr. Fore had served on the board of regents at Texas A&I College in Kingsville for several years. Recently the Sam Fore Jr. Building on the campus was dedicated to him.

He was a member of the Floresville Methodist Church and its board of stewards. He was active in the Masonic Lodge, and a member of Knights Templar.

Survivors include his wife; two daughters, Mrs. Robert Spruce of Floresville and Mrs. Carroll Keach of Robstown, four grandchildren and one great-grandchild.

Funeral services will be held at 2 p.m. Monday in Floresville Methodist Church. Burial will be in Floresville Cemetery.

[From the Dallas (Tex.) Morning News, Dec. 28, 1966]

Honor Old Mentor—President, Governor Attend Fore Funeral

Floresville, Tex.—Sam Fore Jr. was not a rich man, as Texans go, nor a powerful man, as Democrats go, but he was buried Monday after a funeral service that drew the President of the United States from 80 miles away and left him in tears.

Fore, who died Saturday at the age of 75, was for 50 years the owner and publisher of the Floresville Chronicle-Journal, a weekly paper with a press and four cluttered desks. But he was also one of those expansive personalities whose friendships and charities extended throughout Watson County here in South Texas and whose political charm made him a leading official of many statewide press and political organizations.

That's why back in the depression when young Lyndon Johnson was shopping around for a political career, he was sent to see Fore. And, as the publisher recently recalled, the young man sprawled out on the rug of his home, took off his shoes, and talked and talked until he had made a profound impression.

Fore told his wife that night, he said, that "That Young fellow will be President of the United States some day—and I'm going to see him inaugurated." He did, too, flying up to Washington in 1965 aboard Air Force One with another Floresville boy, Gov. John A. Connally Jr., and a half dozen other associates who gathered again Monday to bury their old mentor.

The President and Mrs. Johnson flew by helicopter from their ranch and landed in a cow pasture. Then they rode by limousine to the Methodist Church, where the governor and county leaders and 500 friends had already gathered and to which they had sent enormous floral tributes.

When the Johnsons came out of the yellow brick church, the President's eyes were glazed, and his wife's were red and tear-streaked.

They walked to a car bearing Fore's nearest survivors to embrace his widow, Elma, and two daughters, Mrs. Robert F. Spruce, whose husband heads the town's power utility, and Mrs. Carroll Keach, whose husband edits another Fore property, the Robstown (Texas) Caller.

The President and Mrs. Johnson then drove back to the cow pasture, whence they were airborne only 45 minutes after landing.

[From the San Antonio (Tex.) Express, Dec. 27, 1966]

Sam Fore, Jr., Did a Great Job

Sam Fore Jr. of Floresville cast a long shadow in his lifetime of 75 years. He came to be known as "Mr. Democrat of Texas," a name given by political friends for his unflagging zeal for his party, but that was not the main direction of his influence. That was reserved for his enthusiasm for making the sandy farmland of Wilson County produce diversified crops.

It could probably be successfully argued that if there were any Republicans in Wilson County Sam Fore regarded them as some kind of hazard to overcome as he regarded the arid climate of the place. As the publisher of a small-town newspaper, Fore made it his business to know the people and their problems. As agriculturalists, the people needed cash crops and Fore gave abundant encouragement to anything that would produce them.

He regarded the birth, achievement and death of Wilson County residents as the important events they were.

He won friendships among persons of high and low estate. He was dynamic, a builder and an organizer. His death last week ended a remarkable career that fostered many good things for the entire South Texas area.

CHRISTMAS GREETINGS SENT TO MEMBERS OF ARMED SERVICES

Mr. SPARKMAN. Mr. President, the Alexander City, Ala., Jaycees addressed a Christmas letter to Tallapoosa County men and women in the armed services of the United States. In this letter these Alabama Jaycees attempted to put into words the appreciation which all must feel for the sacrifices and risks which are the daily routine of our service men and women stationed around the world.

I ask unanimous consent that the Jaycees' letter may be included in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ALEXANDER CITY JUNIOR
CHAMBER OF COMMERCE,
Alexander City, Ala.

DEAR ———: We, the Alexander City Jaycees, would like to thank you for insuring all of the citizens at home a Merry Christmas and a Happy New Year. Through your efforts the people of the United States and most of the world are free from tyranny and communist aggression this Christmas Season.

The Jaycee creed states that the brotherhood of man transcends the sovereignty of nations and calls for a government of laws rather than of men. With these thoughts in mind, we believe that the future of mankind lies in your hands. Therefore, at this time, the holiday of holidays, when you are thousands of miles away from your home, family, friends, and loved ones, we want you to know that we sincerely appreciate and wholeheartedly support the United States' efforts in Vietnam—in Europe—in Asia, and throughout the entire world. Without your blood, sweat and tears, we cannot remain free.

So, as you crawl through the jungles of Vietnam, sail the seven seas in constant defense, and preserve the freedom of the skies on Christmas Day, we, the Alexander City Jaycees give you a vote of confidence and a Twenty-One Gun Salute!

We want to wish you a Merry Christmas, a Happy New Year, and a safe return home after your tour of duty. Our prayers are with you.

May God Bless You!
Yours very truly,
THE ALEXANDER CITY, ALA., JAYCEES.

U.S. COAL SPARKS NEW EUROPEAN INTEREST

Mr. BYRD of West Virginia. Mr. President, as we all know, increased exports of American products can greatly improve the distressing balance-of-payments problems which have plagued our country's economy for the past few years.

I recently reviewed this situation in an article entitled "U.S. Coal Sparks New European Interest," which appeared in the October edition of the magazine Coal—Wherever Coal Is Concerned.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. COAL SPARKS NEW EUROPEAN INTEREST

(By Robert C. Byrd, U.S. Senator, West Virginia)

With the vast natural resources of coal available in our country, it is my personal belief that we would miss a multi-billion dollar opportunity if we failed to make use of this source of energy.

I am pleased to say that in recent months, European steel producers—as well as other types of industries there—have shown greater interest than ever before in the long-term availability, dependability, and low cost of American bituminous coal. I can see signs on the horizon which almost surely point to significant increases in U.S. coal sales to Europe and to a resultingly good impact upon our Nation's balance of payments.

It is not possible to determine when this welcome new tide of interest in our coal began to rise in Europe, but it appears to be the direct result of efforts of responsible officials in our Government and of representatives of the U.S. coal industry. They have sought to convince their counterparts in Europe that coal imported from the United States can compete effectively in their energy markets, and that the economy of Europe stands to benefit.

The dynamic nature of the modern American coal industry was demonstrated at first hand last June when the National Coal Association and its affiliate, the Coal Exporters Association of the United States, in cooperation with the Departments of State and the Interior, co-sponsored a coal industry study tour for representatives of member nations of the Coal Committee of the United Nations Economic Commission for Europe. Included as invited participants were representatives of the High Authority of the European Coal and Steel Community.

The 12-day tour covered every phase of coal industry operations, from mine to market, and from the present to the future. The participants from many nations saw how coal is mined with modern marvels of machinery, how it is tailored to customers' needs, and how it is transported in bulk at low cost to consumers at home and abroad. They saw how free enterprise, in cooperation with the government, is preparing to handle greater tonnages of U.S. coal moving to foreign destinations through ports such as Hampton Roads. And they saw how coal is looking to the future through research sponsored by the government and private industry.

The tour participants also were honored guests at the 49th anniversary convention of the National Coal Association in Washington. They had ample opportunity to talk at length with officials of coal mining and coal sales companies, and with coal exporters as well, obtaining first-hand impressions of the character of the industry and its leaders.

One effect of this tour may be seen in a report filed with the Coal and Steel Community's High Authority by its two representatives who were participants. They stated that U.S. coal reserves are sufficient to meet demands for several centuries to come. In my home State of West Virginia alone, they reported, proven reserves of low-sulfur, low-ash coking coal amounting to 6.5 billion metric tons—about 7.2 billion short tons. Of this amount, about 4 billion metric tons can be recovered, they estimated conservatively.

The ECSC representatives also observed that U.S. coal prices, at the mines, have remained stable for the last dozen years, and even have shown a tendency to drop. In their estimation, there is little chance that coal prices in this country will increase significantly in the years ahead.

They also reported on steps being taken at Hampton Roads and Baltimore to expand coal-handling capabilities at these ports, thereby improving the Nation's ability to export more coal at low cost.

In conclusion, the ECSC representatives had this to report to the High Authority:

"It appears that the expression of fear about insufficient availability in the long-term of (U.S.) coking coal of a good quality and with a low content of volatile matter can be set at rest."

In the words, therefore, of two knowledgeable representatives of the European Coal and Steel Community, who have seen at first hand what the modern U.S. coal industry is all about and who have talked with its leaders, steel producers in this six-nation area can look with confidence to the United States as a source of dependable, economical coking coal for use in their steel mills.

At about the time this report was filed with the High Authority offices in Luxembourg, other expressions of interest in U.S. coking coal were being expressed in West Germany where the problem is becoming critical. West German steel mills now must use domestic coal which costs nearly $4 more per ton than U.S. coal delivered in that country.

According to reports from Bonn, a group of West German steel companies recently asked the government for authority to import 8.5 million tons of duty-free U.S. coking coal annually. It is encouraging to note that the application is still under study by government authorities in Bonn, and it is certainly to be hoped that the companies' application will be approved.

The reasons behind this move are apparent in comments—not directly related to the application—which were made at about the same time by a leading West German steel executive in Dusseldorf. He was quoted in the press as having stated that the West German steel industry cannot remain competitive if it continues to be denied access to lower-cost U.S. coking coal. Industry earnings have declined 10 percent in the last five years, he said, and if West German steel is to remain competitive, free importation of coking coal from the United States must be permitted. Otherwise, he said, the Bonn government will have to subsidize the West German coal industry at the rate of about $75 million a year in order to help steel producers to survive.

Also encouraging for the U.S. coal industry is the fact that the West German Ministry of Economics is reported to be making a thorough investigation of domestic steel industry problems, particularly those relating to the higher-cost coking coal its mills now are required to use. A report to the cabinet in Bonn is expected to be submitted in September, at which time the prospects for increased American coal sales in West Germany may become clearer.

Meanwhile, across the English Channel concern about the high cost of coking coal used in production of British-made steel also is being expressed. In a special study published recently, the British Iron and Steel Industry Federation pointed out that costs of British-mined coking have increased 66 percent since 1953, while U.S. coking coal costs have gone up only 4 percent. The study indicated that since foreign sales of British steel account for more than half of Britain's export earning, steel production costs are critically important in terms of that country's current economic crisis.

The Federation's study observed that Britain's National Coal Board is attempting to improve mine efficiency and cut production costs, but it said "the relative cost advantages of imported coals do not seem likely to disappear up to 1975." The Federation called on the government to lift the total ban on coal imports into England, and said:

"Any foreseeable economies in the freight costs on home coal seem small in relation to the freight cost savings which could be secured by the regular importation of coal in bulk carriers."

It is not known at this time, of course, whether the British government will yield to the urgings of its steel manufacturers and permit them to benefit by the lower cost of abundant, high-quality coking coal available in the United States. Ports through which our coal moves to overseas destinations are well-suited to rapid loading of not just large but huge bulk carriers which are designed to move large quantities of coal over great ocean distances at low cost.

Steel producers in West Germany and Great Britain are well aware of the attractiveness of U.S. coal. By lowering production costs through use of coal from the United States, they appreciate the unassailable fact that thus they can remain competitive in world steel markets at a time when the economies of their nations—particularly in Britain—can benefit materially from the strengthened export capabilities that will surely result. It becomes, in essence, a matter of simple arithmetic in which the cost of American coal, delivered almost anywhere in the world, is the determining figure.

These signs mean much to us here at home, and to the economy of our Nation. We are told by no less an authority than Vice President Humphrey that foreign sales of all U.S. coal are contributing about $500 million a year to the country's balance of trade payments. Any significant increase in U.S. coal exports in the years immediately ahead will produce a corresponding increase in this figure; and it will be needed.

It may be beneficial to examine for a moment the effect of allowing West German steel producers to import 8.5 million tons of U.S. coking coal. In 1965, coal exports to West Germany amounted to about 4.7 million tons. The amount now sought by steel producers would increase our sales to that country by about 81 percent over 1965.

Considering total coal exports, including shipments to Canada, of about 50.2 million tons in 1965, the 8.5 million tons which West German steel mills would get under the application now pending in Bonn would increase total foreign sales by a remarkable 17 percent. And this would be just one expanded market alone. The U.S. coal industry's annual contribution to our balance of payments situation would increase to about $585 million, even if all other markets remained at current levels.

These are possibilities not to be taken lightly, for they represent growing interest in and demand for high-quality, low-cost American coal, a product of American free enterprise which has the potential of contributing substantially to the economic well-being of people and nations in all corners of the world.

Not to be taken lightly, either, are the benefits to be derived here at home from the expanded market opportunities apparent in the signs we now can see in West Germany and Britain and perhaps elsewhere. Increased contributions to the national economy and to the economies of our States and local communities probably would run into many hundreds of thousands of dollars a year as new miners are hired, trained, and put to work to meet rising foreign demands for our coal. That such a development would help Appalachia cannot be doubted.

The opportunities open to us now, as evidenced in the expressions of interest from West Germany and Britain, and in the recent report to the Coal and Steel Community High Authority by recent visitors to our coal fields, should be pursued with vigor by all concerned. Our official government representatives abroad should continue to urge upon our friends overseas the view that they have little to lose and much indeed to gain by placing well-deserved reliance on the abundance and economic attractiveness of coal produced in the United States.

Our governmental and private efforts to increase our capacity to move coal overseas in greater volume should be speeded up wherever possible. The Nation must be prepared to meet the demands these signs seem likely to impose.

In many quarters, coal is overlooked as a commodity important to the economy of the United States and the nations it serves. But as one of mankind's biggest energy bargains, the coal produced in modern American mines by skilled American labor can bring untold benefits to many millions of people around the world.

As is apparent in their co-sponsorship of the recent study tour for the U.N. Economic Commission for Europe, the members of the National Coal Association and the Coal Exporters Association of the United States are aware of their responsibility to the industry, its employees, its investors, and to the people of the Nation as a whole. They are to be commended for their determination that representatives of an important area of the industrialized world come to realize at first hand the contributions that coal from America can and will make to industrial growth and strengthened economies. Their efforts, and those of others in the government, appear to be paying off.

That this is true is seen in a letter to NCA President Stephen F. Dunn from Assistant Secretary of State Joseph J. Sisco, who wrote:

"I am sure that the overall effect of the ECE Coal Study Tour in the United States has advanced our policy interests in a number of ways, perhaps the most important in demonstrating how a free society functions. I am also confident that it has strengthened our trade prospects and promises increasing exports."

P. O. Kjellstrom, chief of the Coal Section, Energy Division, Economic Commission for Europe, had this to say:

"We saw, I think, a cross-section of what has been accomplished in mining and the transportation of coal, as well as the research work being carried out. We are all very impressed by what we saw and by the readiness with which explanations were given."

Many comments and letters of appreciation from participants have been received at NCA and at offices of government agencies which cooperated in the tour. But the measure of appreciation that is best understood and welcomed is the new interest being shown in U.S. coal as a source of dependable and economical energy needed for industries around the world.

These signs, and perhaps others not yet apparent, point to rising exports of American coal to Europe and other foreign destinations. Things are looking up for our coal in world energy markets, and everyone—producer, shipper, consumer—stands to benefit.

COMPLETE DISCLOSURE OF FINANCIAL ASSETS AND ACTIVITIES

Mr. YOUNG of Ohio. Mr. President, it happens that I was the very first Member of either branch of the U.S. Congress to report in writing a complete statement of my financial status and holdings so that citizens of my State may be able to judge for themselves whether there is even the slightest conflict of interest in the performance of my duties. Early in 1959, directly after my election to the Senate, I made such complete report and I have followed that policy at intervals since.

Mr. President, I ask unanimous consent that a letter I wrote to the Secretary of the Senate on January 4, 1967, wherein I certified as true a complete statement of my financial holdings and status, be included in and made a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
January 4, 1967.

HON. FRANCIS R. VALEO,
Secretary of the Senate,
Washington, D.C.

DEAR MR. SECRETARY: My purpose in writing this is to report to you in your official capacity a complete statement of my financial status and holdings.

In 1958, as a candidate for United States Senator, I denounced my opponent for organizing and maintaining a law firm throughout his years as U.S. Senator stating that he was involved in a direct conflict of interest as his law firm represented railroad corporations, television and radio stations and other corporations directly regulated by the government. I denounced his vote against the St. Lawrence Seaway as a vote in favor of his railroad clients and against the public interest, calling attention to the fact that he alone of Ohio's Republican and Democratic legislators voted for the railroads and against the Seaway. At that time I pledged that if elected I would close my law office, dissolve my law firm, devote full time to my duties as Senator and throughout my service as Senator disclose my financial holdings.

On December 15, 1958, I closed my law firm, removed my name from the office door, and I have not engaged in the practice of law directly or indirectly since then.

Early in 1959 I became the first member of either branch of the Congress to fully disclose his financial status and holdings. Since that time I have frequently and regularly reported my financial situation to my constituents in detail. I feel a representative or senator is taking a sound position when he fully informs the citizens of his state details of his personal finances so they may know and determine for themselves whether his votes and statements are in any manner influenced by a selfish personal interest and whether there is ever a conflict of interest. I assert that none of my votes has or will be influenced to any degree whatever by reason of any personal or selfish interest.

Now, as the 90th Congress is about to convene for its first session, I report my present financial status and holdings as follows:

I own stock in the following corporations: 2823 Lucky Stores; 800 South Puerto Rico Sugar (common); 700 South Puerto Rico Sugar (pfd); 100 Bethlehem Steel; 900 Stauffer Chemical; 400 Tenneco Inc.; 500 Martin Marietta; 104 Occidental Petroleum; 300 Northern Pacific Rwy.; 320 Radio Corp. of America; 100 Ferry Cap & Set Screw; 300 Lerner Stores; 300 Lamb Industries; 400 Phillips Petroleum; 400 General Fireproofing; 205 Clevite Corp.; 20 Ohio Radio Inc.; 1500 Seilon, Inc.; 60 Ashland Oil & Ref. (common); 27 Ashland Oil & Ref. (pfd); 100 Chesapeake & Ohio Rwy.; 1010 W. R. Grace & Co.; 338 Monsanto; 400 Federal Pacific Electric (pfd); 620 Robbins & Myers; 100 British Petroleum; 200 United Fruit; 1100 Airport Parking Co. of America; 500 Sinclair Oil; 100 Tidewater Oil (pfd); 160 Atlantic Refining; 100 Rainbow Oil Ltd.; 30 Communications Satellite Corp.; 2 Mobil Oil Corp; 1

Alco Chemical Corp. I own U.S. Government bonds and bonds of W. R. Grace and Co.; Airport Parking Company of America; Stauffer Chemical Company; Murphy Oil Company and Occidental Petroleum Corp. in the sum of approximately $34,000.

In addition to the stock I hold in various corporations, I own real estate in Cuvahoga County, Ohio; in New Smyrna Beach, Florida; acreage in Mississippi; and my residence in Washington, D.C. The value of this real estate somewhat exceeds $75,000. There is an oil lease on acreage I own in Mississippi.

If an oil producing company should drill successfully, I would be recipient of 12½% of the profits from such drilling.

Frequently in letters or statements accompanying dividends, corporation officials of oil producing companies in which I own stock suggest "write your Congressman and urge that he vote to retain the present 27½% depletion allowance for oil and gas producing corporations". As a member of the Committee on Ways and Means of the House of Representatives of the 81st Congress, I voted to reduce this depletion allowance from 27½ percent to 15 percent. I have always been opposed to the 27½ percent depletion allowance. I have not changed my views. As Senator I have voted against this depletion allowance and hope to have an opportunity soon again to vote to reduce this to 15 or 10 percent or to eliminate it. As my views on this subject are a matter of record, there is no reason I should sell oil stock I own.

I have some money in checking and savings accounts. I owe no unsecured notes to anyone. I owe current bills on charge accounts. I am indebted to the Union Commerce Bank of Cleveland in the sum of $131,000 plus some interest. This indebtedness is more than adequately secured by the deposit of stocks and bonds valued at more than twice the amount owed.

The foregoing, Mr. Secretary, I attest as being a true and accurate statement of my financial situation.

With every good wish.

Sincerely,

STEPHEN M. YOUNG.

Mr. YOUNG of Ohio. Mr. President, in my considered judgment any statement that our congressional salary, $30,000 per year, is inadequate is definitely not true. Granting it is expensive for a Senator or Representative to maintain homes in Washington and in his home State, and that there are substantial charitable, political, and other expenditures we are required to make, I take exception to any claim that the salary is inadequate for a Member of Congress to maintain his family and himself properly and adequately. Such claims are unfair to younger colleagues of mine, who have been underpaid university professors before coming to the Congress or who have been in similar positions and who have youngsters in schools and colleges and have accumulated little, if any, savings. I can tick off the names of these and other colleagues who find our salary entirely adequate and very fair. I repudiate any statement to the contrary.

Admittedly Congressmen such as myself who have over the years met with some degree of success in our professions or businesses, and have been able to save some money, find having this or additional income from such savings helpful. Despite the high cost of campaigning, and of expenses such as contributions to charities and to friends who are campaigning for office, these savings are not essential.

Some of us receive fees for lectures made in States other than our own. No one, I feel certain, need hold any benefit for any Representative or Senator. Some Senators have very wisely set a limit on the value of any gifts which they do not return to the donor. Senator Paul Douglas set a fine example. He placed $2.50 as his limit. My rule is not to accept gifts costing more than $5.

Mr. President, may I interpolate, scotch whisky costs more than $5 a bottle; bourbon usually less. I do not drink scotch.

INAUGURAL ADDRESSES BY GOV. RONALD REAGAN AND LIEUTENANT GOVERNOR FINCH, OF CALIFORNIA

Mr. MURPHY. Mr. President, last week a truly historic event happened in my State of California when, as a result of an overwhelming mandate from the people in last November's election, a new administration took office.

I am pleased to say that I have been privileged to know all the members of this new administrative team for many years and know them to be people of high character, integrity, and outstanding ability, who will bring to all the people of the State of California imaginative and progressive leadership, solutions to their problems, and hopefully progress and prosperity for one and all.

On this memorable occasion, I believe that Gov. Ronald Reagan expressed eloquently and forcefully the wishes and desires of all the citizens of California, and I find his remarks most impressive, as I did those of Lt. Gov. Robert Finch.

I therefore ask unanimous consent that Governor Reagan's inaugural address and Lieutenant Governor Finch's remarks be printed at this point in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

TEXT OF REAGAN INAUGURAL TALK, SACRAMENTO, CALIF., JANUARY 5, 1967

To a number of us, this is a first and hence a solemn and momentous occasion and yet, on the broad page of state and national history, what is taking place here is almost commonplace routine. We are participating in the orderly transfer of administrative authority by direction of the people. And this is the simple magic which makes a commonplace routine a near-miracle to many of the world's inhabitants: the continuing fact that the people, by democratic process, can delegate this power, yet retain custody of it.

Perhaps you and I have lived with this miracle too long to be properly appreciative. Freedom is a fragile thing and is never more than one generation away from extinction. It is not ours by inheritance; it must be fought for and defended constantly by each generation for it comes only once to a people. Those who have known freedom and then lost it have never known it again.

Knowing this, it is hard to explain those who even today would question the people's capacity for self-rule. Will they answer this: if no one among us is capable of governing himself, then who among us has the capacity to govern someone else?

MEANS OF PRODUCTION

Using the temporary authority granted by the people, an increasing number lately have sought to control the means of production as if this could be done without eventually controlling those who produce. Always this is explained as necessary to the people's welfare. But, "The deterioration of every government begins with the decay of the principle upon which it was founded." This is as true today as it was when it was written in 1748.

Government is the people's business and every man, woman and child becomes a shareholder with the first penny of tax paid. With all the profound wording of the Constitution, probably the most meaningful words are the first three, "We, the People." Those of us here today who have been elected to Constitutional office or legislative position are in that three word phrase. We are of the people, chosen by them to see that no permanent structure of government ever encroaches on freedom or assumes a power beyond that freely granted by the people. We stand between the taxpayer and the tax spender.

It is inconceivable to me that anyone could accept this delegated authority without asking God's help. I pray that we who legislate and administer will be granted wisdom and strength beyond our own limited power; that with Divine guidance we can avoid easy expedients as we work to build a state where liberty under law and justice can triumph, where compassion can govern and wherein the people can participate and prosper because of their government and not in spite of it.

PATH NOT EASY ONE

The path we will chart is not an easy one. It demands much of those chosen to govern, but also from those who did the choosing. And let there be no mistake about this; we have come to a cross-road—a time of decision—and the path we follow turns away from any idea that government and those who serve it are omnipotent. It is a path impossible to follow unless we have faith in the collective wisdom and genius of the people. Along this path government will lead but not rule, listen but not lecture. It is the path of a Creative Society.

A number of problems were discussed during the campaign and I see no reason to change the subject now. Campaign oratory on the issues of crime, pollution of air and water, conservation, welfare and expanded educational facilities does not mean the issues will go away because the campaign has ended. Problems remain to be solved and they challenge all of us. Government will lead, of course, but the answer must come from all of you.

We will make specific proposals and we will solicit other ideas. In the area of crime, where we have double our proportionate share, we will propose legislation to give back to local communities the right to pass and enforce ordinances which will enable the police to more adequately protect these communities. Legislation already drafted will be submitted, calling upon the Legislature clearly to state in the future whether newly adopted laws are intended to pre-empt the right of local governments to legislate in the same field. Hopefully, this will free judges from having to guess the intent of those who passed the legislation in the first place.

PLEDGES SUPPORT

At the same time, I pledge my support and fullest effort to a plan which will remove from politics, once and for all, the appointment of judges . . . not that I believe I'll be overburdened with making judicial appointments in the immediate future.

Just as we assume a responsibility to guard our young people up to a certain age from the possible harmful effects of alcohol and tobacco, so do I believe we have a right and a responsibility to protect them from the even more harmful effects of exposure to smut and pornography. We can and must frame legislation that will accomplish this purpose without endangering freedom of speech and the press.

When fiscally feasible, we hope to create a California crime technological foundation utilizing both public and private resources in a major effort to employ the most scientific techniques to control crime. At such a time, we should explore the idea of a state police academy to assure that police from even the smallest communities can have the most advanced training. We lead the nation in many things; we are going to stop leading in crime. Californians should be able to walk our streets safely day or night. The law-abiding are entitled to at least as much protection as the law-breakers.

While on the subject of crime . . . those with a grievance can seek redress in the courts or Legislature, but not in the streets. Lawlessness by the mob, as with the individual, will not be tolerated. We will act firmly and quickly to put down riot or insurrection wherever and whenever the situation requires.

WELFARE MAJOR PROBLEM

Welfare is another of our major problems. We are a humane and generous people and we accept without reservation our obligation to help the aged, disabled and those unfortunates who, through no fault of their own, must depend on their fellow men. But we are not going to perpetuate poverty by substituting a permanent dole for a pay check. There is no humanity or charity in destroying self-reliance, dignity and self-respect . . . the very substance of moral fibre.

We seek reforms that will, wherever possible, change relief check to pay check. Spencer Williams, administrator of health and welfare, is assessing the amount of work that could be done in public installations by welfare recipients. This is not being done in any punitive sense, but as a beginning step in rehabilitation to give the individual the self-respect that goes with performing a useful service.

But this is not the ultimate answer. Only private industry in the last analysis can provide jobs with a future. Lt. Gov. Robert Finch will be liaison between government and the private sector in an all-out program of job training and education leading to real employment.

STATEWIDE PROGRAM

A truly great citizen of our state and a fine American, Mr. H. C. McClellan, has agreed to institute a statewide program patterned after the one he directed so successfully in the "curfew area" of Los Angeles. There, in the year-and-a-half since the tragic riots, fully half of the unemployed have been channeled into productive jobs in private industry and more than 2,600 businesses are involved. Mr. McClellan will be serving without pay and the entire statewide program will be privately financed. While it will be directed at all who lack opportunity, it offers hope especially to those minorities who have a disproportionate share of poverty and unemployment.

In the whole area of welfare, everything will be done to reduce administrative overhead, cut red tape and return control as much as possible to the county level. And the goal will be investment in, and salvage of, human beings.

This administration will cooperate with the state superintendent of education in his expressed desires to return more control of curriculum and selection of textbooks to local school districts. We will support his efforts to make recruitment of out-of-state teachers less difficult.

SUBJECT OF EDUCATION

On the subject of education . . . hundreds of thousands of young men and women will receive an education in our state colleges and universities. We are proud of our ability to provide this opportunity for our youth and we believe it is no denial of academic freedom to provide this education within a framework of reasonable rules and regulations. Nor is it a violation of individual rights to require obedience to these rules and regulations or to insist that those unwilling to abide by them should get their education elsewhere.

It does not constitute political interference with intellectual freedom for the taxpaying citizens—who support the college and university systems—to ask that, in addition to teaching, they build character on accepted moral and ethical standards.

Just as a man is entitled to a voice in government, so he should certainly have that right in the very personal matter of earning a living. I have always supported the principle of the union shop even though that includes a certain amount of compulsion with regard to union membership. For that reason it seems to me that government must accept a responsibility for safeguarding each union member's democratic rights within his union. For that reason we will submit legislative proposals to guarantee each union member a secret ballot in his union on policy matters and the use of union dues.

There is also need for a mediation service in labor-management disputes not covered by existing law.

There are improvements to be made in workmen's compensation in death benefits and benefits to the permanently disabled. At the same time, a tightening of procedures is needed to free business from some unjust burdens.

A close liaison with our congressional representatives in Washington, both Democratic and Republican, is needed so that we can help bring about beneficial changes in Social Security, secure less restrictive controls on federal grants and work for a tax retention plan that will keep some of our federal taxes here for our use with no strings attached. We should strive also to get tax credits for our people to help defray the cost of sending their children to college.

We will support a bi-partisan effort to lift the archaic 160-acre limitation imposed by the federal government on irrigated farms. Restrictive labor policies should never again be the cause of crops rotting in the fields for lack of harvesters.

Here in our own Capitol, we will seek solutions to the problems of unrealistic taxes which threaten economic ruin to our biggest industry. We will work with the farmer as we will with business, industry and labor to provide a better business climate so that they may prosper and we all may prosper.

PROBLEM BEFORE COURT

There are other problems and possible problems facing us. One such is now pending before the United States Supreme Court. I believe it would be inappropriate to discuss that matter now, but we will be prepared with remedial legislation we devoutly hope will be satisfactory to all of our citizens if court rulings make this necessary.

This is only a partial accounting of our problems and our dreams for the future. California, with its climate, its resources and its wealth of young, aggressive, talented people, must never take second place. We can provide jobs for all our people who will work and we can have honest government at a price we can afford. Indeed, unless we accomplish this, our problems will go unsolved, our dreams unfulfilled and we will know the taste of ashes.

I have put off until last what is by no means least among our problems. Our fiscal situation has a sorry similarity to the situation of a jet liner out over the North Atlantic, Paris bound. The pilot announced he had news—some good, some bad—and he would give the bad news first. They had lost radio contact; their compass and altimeter were not working; they didn't know their altitude, direction or where they were headed. Then he gave the good news—they had a 100-mile-an-hour tail wind and they were ahead of schedule.

BUDGET $4.6 BILLION

Our fiscal year began July 1 and will end on the coming June 30—six months from now. The present budget for this 12-month period is $4.6 billion, an all-time high for any of the 50 states. When this budget was presented, it was admittedly in excess of the estimated tax revenues for the year. It was adopted with the assurance that a change in bookkeeping procedures would solve this imbalance.

With half the year gone, and faced now with the job of planning next year's budget, we have an estimate provided by the experienced personnel of the Department of Finance. We have also an explanation of how a change in bookkeeping could seemingly balance a budget that called for spending $400 million more than we would take in.

Very simply, it was just another one-time windfall—a gimmick that solved nothing but only postponed the day of reckoning. We are financing the 12-month spending with 15-month income. All the tax revenues for the first quarter of next year—July, August, and September—will be used to finance this year's expenses up to June 30. And incidentally, even that isn't enough, because we will still have a deficit of some $63 million.

Now, with the budget established at its present level, we are told that it, of course, must be increased next year to meet the added problems of population growth and inflation. But the magic of the changed bookkeeping is all used up. We are back to only 12 months' income for 12 months' spending. Almost automatically we are being advised of all the new and increased taxes which, if adopted, will solve the problem. Curiously enough, another one-time windfall is being urged. If we switch to withholding of personal income tax, we will collect two years' taxes the first year and postpone our moment of truth perhaps until everyone forgets we did not cause the problem—we only inherited it. Or maybe we are to stall, hoping a rich uncle will remember us in his will.

If we accept the present budget as absolutely necessary and add on projected increases plus funding for property tax relief (which I believe is absolutely essential and for which we are preparing a detailed and comprehensive program), our deficit in the coming year would reach three-quarters of a billion dollars.

CALIFORNIANS BURDENED

But Californians are already burdened with combined state and local taxes $113 per capita higher than the national average. Our property tax contributes to a slump in the real estate and building trades industries and makes it well nigh impossible for many citizens to continue owning their own homes.

For many years now, you and I have been shushed like children and told there are no simple answers to the complex problems which are beyond our comprehension.

Well, the truth is, there are simple answers—there just are not easy ones. The time has come for us to decide whether collectively we can afford everything and anything we think of simply because we think of it. The time has come to run a check to see if all the services government provides were in answer to demands or were just goodies dreamed up for our supposed betterment. The time has come to match outgo to income, instead of always doing it the other way around.

The cost of California's government is too high; it adversely affects our business climate. We have a phenomenal growth with hundreds of thousands of people joining us each year. Of course the overall cost of government must go up to provide necessary services for these newcomers, but growth should mean increased prosperity and thus a lightening of the load each individual must bear. If this isn't true, then you and I should be planning how we can put up a fence along the Colorado River and seal our borders.

GOING TO SQUEEZE

Well, we aren't going to do that. We are going to squeeze and cut and trim until we reduce the cost of government. It won't be easy, nor will it be pleasant, and it will involve every department of government starting with the governor's office. I have already informed the Legislature of the reorganization we hope to effect with their help in the executive branch and I have asked for their cooperation and support.

The new director of finance is in complete agreement that we turn to additional sources of revenue only if it becomes clear that economies alone cannot balance the budget.

Disraeli said: "Man is not a creature of circumstances. Circumstances are the creatures of men." You and I will shape our circumstances to fit our needs.

Let me reaffirm a promise made during the months of campaigning. I believe in your right to know all the facts concerning the people's business. Independent firms are making an audit of state finances. When it is completed, you will have that audit. You will have all the information you need to make the decisions which must be made. This is not just a problem for the administration; it is a problem for all of us to solve together. I know that you can face any prospect and do anything that has to be done as long as you know the truth of what you are up against.

We will put our fiscal house in order. And as we do, we will build those things we need to make our state a better place in which to live and we will enjoy them more, knowing we can afford them and they are paid for.

If, in glancing aloft, some of you were puzzled by the small size of our state flag . . . there is an explanation. That flag was carried into battle in Vietnam by young men of California. Many will not be coming home. One did, Sgt. Robert Howell, grievously wounded. He brought that flag back. I thought we would be proud to have it fly over the Capitol today. It might even serve to put our problems in better perspective. It might remind us of the need to give our sons and daughters a cause to believe in and banners to follow.

If this is a dream, it is a good dream, worthy of our generation and worth passing on to the next.

Let this day mark the beginning.

Statement of Robert H. Finch, Inaugural Ceremonies, January 5, 1967

Here on the historic steps of our State Capitol—down the trail from Donner Pass and hard by Sutters Fort—there is a temptation to think of California in terms of its rich and romantic history, so much of which is centered here in Sacramento.

But this morning our concern is with California's future. In testimony to that concern, all three branches of our government, the Executive, the Legislative and the Judicial have come together in common assembly. In January, 1967, those challenges are great, but it is a happy fact that the governmental structure has never been healthier than on this January day. Consider that the people of California, in that massive vote of November, 1966, did not only chose new leaders; they confirmed the independence of the Judiciary and they enlarged the responsibilities of the Legislature.

It is my pleasure now to introduce to the Legislature and the Judiciary—and to the people of California—the constitutional officers of the Executive branch. In so doing, may I express the earnest hope that the sense of partnership and common purpose which is reflected in this joint session this morning will provide strength, direction and accomplishment in the weeks and months ahead.

A COMPARISON OF "RIGHTS"

Mr. BYRD of West Virginia. Mr. President, as the debate continues in this country on the rights of individuals to organize and participate in public demonstrations, I believe it is well to look at the rights of privacy for all individuals in a society.

I have analyzed this situation in an article entitled "The Right to Assembly Versus the Rights of Privacy" which appeared in the November 1966 edition of the Student Lawyer Journal.

I ask unanimous consent to have the article printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Right to Assembly Versus the Right of Privacy

(By Hon. Robert C. Byrd, U.S. Senator, State of West Virginia)

Privacy is a precious commodity. We here in America are peculiarly aware of this because we have created a civilization from a wilderness and during this process came to recognize the individuality of every man and his inherent right to be left alone.

Times have changed since those early days of our history when Daniel Boone felt compelled to move westward because he could hear the sound of his neighbor's rifle. Today our country is growing as never before. While the available land remains the same, the population is burgeoning. Solitude, which was once a commonplace, has become a rarity, and the pleasure of a neighbor's company, once the excuse for sewing bees, barn raisings and turkey shoots, has dulled to the point that pleasure has, in general, been replaced by resigned tolerance. Because of the rapid inroads being made on our privacy and solitude by telephone, rapid transportation, and urban sprawl, they have become items to be cherished and protected as much as it is within our power to do so.

Today the rights of assembly and freedom of speech, as guaranteed by the First Amendment, have come into direct conflict with our right to privacy. The term generally used to describe this confrontation is residential picketing. By use of this device, those who wish to present their grievances to the public and to public officials do so by picketing the home of the public official involved.

The history of picketing is most often thought of in relation to the labor movement. However, in recent years the leaders of the civil rights movement have adopted the tactic in conjunction with mass meetings and marches to express their dissatisfaction with certain policies and situations throughout the country.

That the people of this nation have a constitutional right to such activity no one can deny. However, the question necessarily arises, upon this admission, of the extent to which these rights may be exercised and under what conditions.

Until this century, the right to picket was severely limited, and subject to being enjoined by the courts. Early in the 1900's, labor leaders and lawyers began to equate, the right to picket with the First Amendment but it was not until 1940, in *Thornhill* v. *Alabama*, 310 U.S. 88 (1940) and *Carlson* v. *California*, 310 U.S. 106 (1940), that the first major breakthrough along these lines occurred. The opinions in these cases were written by Justice Frank Murphy, a former Governor of Michigan and United States Attorney General who had mediated an especially severe labor dispute while Governor. In the opinion in *Thornhill*, which struck down an Alabama statute which strictly prohibited all labor picketing by declaring such to constitute criminal conduct. Justice Murphy wrote that:

"We concur in the observation of Mr. Justice Brandeis, speaking for the Court in *Senn's Case* (301 U.S. al. 478): 'Members of a union might, without special statutory authorization by a State make known the facts of a labor dispute, for freedom of speech is guaranteed by the Federal Constitution'." and in *Carlson*:

"The carrying of signs and banners, no less than the raising of a flag, is a natural and appropriate means of conveying information on matters of public concern . . . . publicizing the facts of a labor dispute in a peaceful way through appropriate means, whether by pamphlet, by word of mouth or by banner, must now be regarded as within that Liberty of communication which is secured to every person by the Fourteenth Amendment against abridgement by a State."

The broad language of *Thornhill* and *Carlson* was limited in *Carpenters Union* v. *Ritter's Cafe*, 315 U.S. 722, wherein the Court held that:

. . . . "recognition of peaceful picketing as an exercise of free speech does not imply that the States must be without power to confine the sphere of communication to that directly related to the dispute. Restriction of picketing to an area of the industry within which a labor dispute arises leaves open to the disputants other traditional modes of communication."

Nowhere in American law has it been held that a union has the right to picket the home of an employer or any other disputant. This is in accord with the notes of Justice Murphy when he wrote the second draft of *Thornhill* and *Carlson* decisions, and these notes appear in the *Thornhill* opinion only slightly altered. In the second draft the marginal notes read:

. . . . "picketing in such numbers or otherwise conducted to present a threat of violence or injury or (which) constitutes annoyance or substantial interference with the right of privacy or free exercise of other rights may not be regulated by a statute narrowly drawn to cover the precise situation." [Howard, *Justice Murphy: The Freshman Years*, 18 Vand. L. Rev., 473 al. 491 (1965).]

In the final draft the provision appeared as:

"The power and duty of the State to take adequate steps to preserve the peace and protect the privacy, the lives and the property of the residents cannot be doubted.

Thus, even in the early cases the right of the State to regulate picketing by limiting it to a certain area and to protect the privacy of the citizenry is recognized, and the very term *privacy* is the one used by the Courts in setting forth its position.

The generally recognized purpose of picketing being to inform, and given the power of the States to regulate such activity, it is obvious that picketing can be regulated by the State to insure the privacy and to protect residential areas from inundation by picketers seeking to influence public officials at home. In fact, nine States have enacted statutes which prohibit residential picketing. These nine States are Colorado, Connecticut, Florida, Hawaii, Kansas, Michigan, Nebraska, Utah, and Wisconsin.

The wisdom of such legislation may be seen when we consider what residential picketing is designed to accomplish and what it actually accomplished.

The avowed purpose of such picketing is to pressure for reforms which the picketers think are needed. However, with the rising sophistication of pressure groups the purpose generally becomes to seek publicity. Residential picketing is the perfect vehicle for this type of activity. The sight of a hundred or more persons marching, carrying signs, and sometimes singing in an upper-middle class area around the home of some public official is definitely newsworthy, and, more often than not the publicity sought is gotten. This publicity is not something to be shrugged off because it is estimated that the two leading network television newscasters have thirty million viewers, 70 per cent of them adults. Unfortunately, also, the more outrageous the picketing, the more likely it is that there will be news coverage by television.

Meanwhile, what of the neighborhood? Must the neighbors of public officials be forced to submit to such treatment? Have they not a right to enjoy their homes in peace and quiet? I believe so and I would extend this to the public officials also. If we are to demand the very best that a public official can give, then we must protect him from undue pressures and influence such as these. No one will disagree with President Truman's admonishment to those who hold public office that, "If you can't stand the heat, get out of the kitchen." But this does not mean that the official must stay in the kitchen twenty-four hours a day or that his family, friends, and neighbors must be subjected to the same pressures that he is.

No constitutional right is without limits, and this applies to rights under the First Amendment as it does to all of the others. Reasonable restrictions on picketing are necessary to preserve the order of our society and the peace of our homes. As Alfred Kamin stated in his article on residential picketing. ". . . I cannot agree that because many Americans do not have decent and quiet housing, that those who do should have their quiet and privacy expropriated." (61 Northwestern Univ. Law Review 177, 266.) Destruction of the peace and privacy of residential areas is not going to accomplish any more than to harden pre-existing attitudes thus making change all the more difficult.

Denial of residential picketing will not impair the right to assemble or to picket. It will merely limit it to those areas where such picketing will accomplish the basic recognized purpose of picketing. That is to inform the public, and to express views before city officials. It is said that, "to everything there is a season and a time to every purpose under the heaven". This is the time to preserve what little portion of privacy and solitude there is left to us in this modern society, and it is the season for restraint on the part of those who would, in seeking a better life for themselves and others in their situation, destroy this privacy and solitude.

How these goals of protecting privacy may be secured while assuring freedom of speech and freedom of assembly is one of the challenges which faces the legal profession. Resolving constitutional issues is never an easy task but ever a necessary one in our changing world, and this is as much the problem of the practitioner as of the legislator because it is from the courts that the guidelines for solutions to this problem will come, and until the legislatures have acted, it will be the task of the local practitioner to protect the rights of all involved while preserving the freedoms guaranteed to us by our Constitution.

TRIBUTE TO ADM. H. ARNOLD KARO ON RETIREMENT FROM ESSA

Mr. MAGNUSON. Mr. President, several hundred of the Nation's most respected marine and meteorological scientists last month saluted Vice Adm. H. Arnold Karo at a banquet held in his honor at one of the Capital's leading hotels.

The occasion was the impending retirement of Admiral Karo as Deputy Administrator of the Environmental Sciences Services Administration after 43 years of service with one of ESSA's major components, the Coast and Geodetic Survey, and with ESSA.

Admiral Karo was Director of the Survey when it was merged several years ago with the U.S. Weather Bureau and several smaller Government agencies.

Washington State and Seattle have good reason to applaud Admiral Karo who raised the Coast Survey to one of our major oceanographic agencies and who, more than anyone else, was instrumental in having its Pacific base permanently located in Seattle.

I sincerely regret that because of my absence from the Capital during the congressional recess I could not attend the banquet and join in the fine tribute to Admiral Karo paid by Dr. Robert M. White, Administrator of ESSA, which I shall shortly ask to be printed in the RECORD. I do know that Senator JACKSON and members of the Washington State delegation in Congress will share in Dr. White's views and sentiments as ably expressed in his address.

Admiral Karo was sworn in as a member of the Coast Survey in Seattle on June 25, 1923, and was sent to Alaska from Bellingham on the old *Catherine D*, a commercial vessel, to join the early Coast Survey ship *Surveyor*. After serving in Alaskan waters and in the Philippines for several years he returned to Seattle, serving on the *Discoverer* until he was placed in command of the U.S.S. *Westdaho*. It was during this period that he married Miss Elsie Cooper of Everett, then attending the University of Washington. During World War II he transferred to the U.S. Army Air Force, where he held a number of important posts prior to the conclusion of hostilities. He returned to the Coast Survey, and for a number of years was stationed in Seattle, commanding several Coast Survey ships that were based there.

Although he is officially retiring, Admiral Karo, at the request of Dr. White, will retain an office at ESSA headquarters, and will also serve as Dr. White's personal representative on the world cruise of the new Coast Survey flagship, the 3,800-ton *Oceanographer*, which will commence later this month and terminate next December in Seattle where it will be based.

Mr. President, I ask unanimous consent that Dr. White's address at the retirement banquet for Admiral Karo be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TRIBUTE TO VICE ADMIRAL KARO

We are gathered here to pay tribute to Vice Admiral Karo on the occasion of his retirement from active duty. All of us who have in any way been associated with Admiral Karo are deeply aware of his courage, integrity, and foresight.

I have personally worked with Arnold Karo for only the past two years and in that short time I have come to admire and depend upon him greatly.

The Environmental Science Services Administration, as you know, was formed of many different groups and in the short period of two years Admiral Karo has gained the loyalty, respect and affection of all of the personnel in our far-flung organization. We are a large organization, and we are scattered over the face of the earth from the Arctic to the Antarctic and throughout the United States and its adjacent oceans.

Many of the people who did want to pay tribute to Admiral Karo could not be here this evening. These include not only the people in ESSA but also many individuals outside of ESSA who have worked closely with Admiral Karo. I think an indication of the regard in which he is held is given by the many messages we have received on the occasion of this retirement banquet. I should like to read some of them, for they clearly express some of my deepest sentiments.

"I am indeed pleased to be able to join tonight in honoring one who has written a brilliant chapter in the evolution of marine science and technology. Your many friends have told me of your efforts over the years to move oceanography forward. The initial breakthrough following the National Academy's report resulted in no small way from the efforts of dedicated men like you. Your work both foreshadowed and facilitated the renaissance we are seeing today as we begin a new and promising phase of ocean exploitation.

"Please accept my congratulations on your career and my best wishes as you enter a new and enriching time in your life. I hope you will continue your vigorous and articulate interest in all you undertake.

"HUBERT H. HUMPHREY,
"The Vice President."

"DEAR ADMIRAL KARO: I want to take this opportunity on your pending retirement to express my own personal appreciation for the long and dedicated service you have rendered to our government and more specifically the Department of Commerce.

"Your major contributions to the strengthening of the commissioned corps and to the improvement of our oceanographic and hydrographic capabilities will go down in the annals of the history of the U.S. Coast and Geodetic Survey.

"During my tenure as Secretary of Commerce I have come to recognize how important the integration of the studies of the over-all environment is to the people of the world. The cooperative spirit in which ESSA was established to enhance the integration was one of the first significant accomplishments which I observed after I became Secretary. I continue to be impressed with ESSA's approach to this problem and I am indeed grateful for your own personal efforts in establishing ESSA and for your guidance and leadership in these trying initial years of operation.

"JOHN T. CONNOR,
"Secretary of Commerce."

"DEAR ARNOLD: Your imminent departure from the Washington scene closes a chapter on one of the most distinguished careers in the history of marine science and technology. I feel sure this chapter will be followed by other, equally inspiring, contributions to the enhancement of oceanography.

"As a plankowner on the Interagency Committee on Oceanography, your leadership has been in large part responsible for recognition at the highest levels of government in 1966, of the potential which exploitation of the oceans offers to the American people.

"Most officers never really retire, and I hope that you are one of these. The Interagency Committee on Oceanography will miss your sagacity and your ability to forge unanimity from many divergent views, but we know that others in the oceanographic community will benefit materially from your 'second' career. I do want you to know that, through your contributions to the departmental and national oceanographic programs, you have left a major legacy to your country.

"ROBERT A. FROSCH,
"Chairman, Interagency Committee on Oceanography."

"Please relay to Admiral Karo at retirement dinner 12/8/66 the Pacific Region Headquarters of the USWB send you best wishes for a most pleasant retirement and extend an open invitation to visit us and resume the aloha which we have shared on many past occasions.

"Osmun,
"Weather Bureau Pacific Region Honolulu, Hawaii."

"Sorry I can't be there tonight to help celebrate your 44 great years with the Coast and Geodetic Survey and ESSA. Congratulations and good sailing in the years ahead.

"Harris Stewart and Site
Evaluation Committee,
"Cambridge, Mass."

"C&GS personnel in Alaska join me in wishing you happiness and fulfillment of your many hopes and plans for retirement.

"Alaska Field Director,
"C&GS."

"For Admiral Karo on the occasion of his retirement dinner—it has been a pleasant and rewarding experience to work with you in ESSA. Best wishes for great measures of gratification in your new role as an alumnus of the organization.

"Roy L. Fox,
"Director, Weather Bureau Central Region."

"We express our warm appreciation for your many fine contributions to ESSA. Your distinguished career serves as an inspiration to all of your colleagues. With best wishes from the staff of the Institutes.

"George S. Benton,
"Director, Institutes for Environmental Research."

"Employees of Pacific Marine Center send best wishes in your retirement with many happy days ahead.

"Captain Seaborg,
"Director, Pacific Marine Center, C&GS, Seattle, Wash."

"On behalf of the members of the Weather Bureau Western Region, we wish you every enjoyment in your retirement. You have made many contributions to the ESSA program during the past two years, and I am sure your guiding hand will be greatly missed by your associates. We wish you health and prosperity in the years ahead, and may they be many.

"H. H. Bedke,
"Director, Western Region."

"All members of Eastern Region, Weather Bureau, join me in sending best wishes to Admiral Karo on the occasion of his retirement. May he enjoy many happy years in whatever pursuits he undertakes.

"Karl R. Johannessen,
"Director, Weather Bureau Eastern Region."

"To Admiral Karo on this occasion of your impending retirement the personnel of the Atlantic Region want you to know that you will be greatly missed. Through the years your untiring efforts have given new horizons to the scientific community and have assisted in the development of a greater ESSA. We wish you well and Godspeed in your retirement.

"Personnel—Atlantic Region."

"The entire Weather Bureau Southern Region joins me in extending congratulations on your long and valuable service to the C&GS and more recently to ESSA. To you and Mrs. Karo our best wishes in the years that lie ahead.

"Thompson,
"Director, Weather Bureau Southern Region."

"The Director, Weather Bureau; Alaska Field Director, C&GS; Scientific Director, Space Disturbance Monitoring Station; and all members of the ESSA family in Alaska extend congratulations and best wishes for a fruitful and healthy retirement. We will miss the steady hand at the wheel that has guided us over the shoals of the sometimes turbulent waters of our state.

"Emerson,
"Director, Weather Bureau Alaska Region."

It is clear that the Government will lose the services of one of its most dedicated and able administrators, an expert in the field of oceanography and cartography, and surveying and mapping.

Admiral Karo has over 43 years of service, over half of which has been spent at sea. Arnold has a reputation for never ordering any of his men to do a job he would not do himself, and he has traveled from Arctic Alaska to the South Pole, and around the world from east to west, inspecting the operations of the Coast and Geodetic Survey and ESSA and in participating in international Oceanographic, Cartographic, Surveying and Mapping, and other scientific meetings. He has headed the United States Delegations to many of these international meetings. He is known by his foreign associates and students for his willingness and great interest in exchange of knowledge and the passing on of the expertise of this country for the advancement of all. His friendly and helpful attitude has won for him friends throughout the world.

He became the head of the U.S. Coast and Geodetic Survey at one of the critical points in its 150 year history. Almost singlehandedly he revitalized the Survey. And at an age when most of us would be sitting back, he joined in bringing to fruition the exciting concept of ESSA. In the year and a half that I have worked with him, I have been stimulated by his energy and have become dependent on his insight—Arnold, I will miss you.

Arnold's contributions have been many, but he was most successful in breathing new life into the C&GS and ESSA oceanographic efforts. Through Arnold's efforts—after 150 years working without a home of its own for its ships, modern ship base facilities for its fleet of ships—a Pacific Marine Center at Seattle and an Atlantic Marine Center at Norfolk were acquired.

He has been directly responsible for the planning and construction of 14 new ships for the Coast Survey; four have been delivered, four or five are expected to be delivered during the balance of this calendar year, and all but one are to be delivered during 1967. The final ship presently under construction contract is scheduled to be delivered in 1968.

These ships range from the 176-ton Rude to the 3800-ton Oceanographer, the largest, most completely equipped and extensively automated oceanographic research ship of the United States.

In a way, the Oceanographer represents much of Admiral Karo's ideas, ideals, and ambitions. Known during his sea-going days as a frustrated oceanographer because he could not obtain official sanction to devote more sea time and effort to greater oceanographic pursuits and operations, his first action after taking over the helm of the U.S. Coast and Geodetic Survey was to more extensively instrument oceanographically, the Survey's fleet of ships and to establish research and development as a recognized entity. He also instituted a program of advanced oceanographic education for selected officers, sending many officers full time to the Universities for advanced oceanographic courses of study.

Much as he takes pride in the overall accomplishments of the Survey during the last ten or twelve years, it is easy to see that the Oceanographer and its sister ship, the Discoverer, are his real pride and joy. Nor can we blame him. They represent a dream and ambition that has come to full flower (nearly). Karo's heart and soul are wrapped up in his ships. From conception to delivery, his was the motivating force behind these ships.

Those of you who have seen the Oceanographer agree that Admiral Karo has every right to be proud. Additional quarters for visiting scientists and for cooperating university professors and students from universities not possessing ships of their own, were provided in the Oceanographer and Discoverer at Karo's insistence. Cooperation with other agencies and with the scientists of universities and private institutions has always been vital to him.

On scientific cruises, all bunks on Karo's ships are filled, even to the point of "hot sheets" in some instances. This cooperation was extended to foreign scientists on the "Tropical Atlantic" cruise of the Explorer and the "International Indian Ocean Expedition" cruise of the Pioneer. Both were eminently successful. Now with quarters expressly provided for these cooperating scientists on the Oceanographer and Discoverer, and to be provided on all future ships constructed, and the exceptionally large laboratory space on the oceanographic research ships, this cooperation will be expanded.

Arnold, we all wish you success in the years that lie ahead. We look forward to continuing to work with you.

A LETTER FROM VIETNAM

Mr. MUNDT. Mr. President, recently I had an opportunity to read an address by Dr. Max Rafferty, superintendent of public instruction and director of education of the State of California, the theme of which is developed around a letter from a serviceman in Vietnam and Dr. Rafferty's suggested reply to this man.

Dr. Rafferty points up a great void in our classroom teachings to which I believe all of us can subscribe. The reply to the man in Vietnam is food for thought for all of us as we encourage that defender of freedom in Vietnam to continue to fight for a free way of life.

I ask unanimous consent that the address be printed in the Record and commend it to the reading of all Senators.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Letter From Vietnam

(By Dr. Max Rafferty, superintendent of public instruction and director of education, State of California, address delivered, national defense evening, 75th Continental Congress, April 19, 1966)

Your distinguished National Defense Chairman quoted from a letter which she had received not too long ago, and like her, I, too, get lots of letters. I get them in my capacity as an educator from mothers whose children are spending too much time on home work, and from fathers whose children aren't spending enough time. I get complaints from teen-agers who are being put out of school and complaints from other teen-agers who aren't being allowed to get out.

Parents write me agonizingly about school discipline and teachers write me bemoaningly about home discipline, and so it goes. Over the years, I have learned to answer these as best I can, meanwhile developing the attitude of objective detachment recommended by certain of the great philosophers; but once in a great while, once in a blue moon, I get a letter which none of my nicely prepared form answers will fit at all, one which makes ridiculous any attempt at philosophical detachment on my part.

Such a letter came across my desk quite recently. It was soiled and stained and a little the worse for wear. With its San Francisco Armed Forces postmark, it had obviously come a long way and here is what it said:

"I hope you will excuse two things: first that I am using a pencil, and second that I am writing to somebody I have never met. The first is easily explained. I am sitting in a little Viet Nam village somewhere north of Saigon and the other guys in my platoon are using the only ballpoint pen in the outfit.

"It would take a little longer to explain why I picked you to write to. Maybe it is because we were all talking a few minutes ago about where we went to school—you know, stuff about teachers we had known, football, basketball, courses we have taken, why some of us dropped out of high school early—things like that.

"Now that I am off duty for a while I have been doing some thinking and some wondering, too. Anyhow, I happen to know your name. I know you are the head of the schools in my home state, and I figured if anyone could answer my questions you ought to be the man. I told the guys I was going to write you because they are the ones who thought up most of the questions they want to know the answers to, so here goes.

"1. The first one is real simple: How come none of us ever heard of this place before we took off for it? Oh, sure, we knew it was somewhere in Asia, but Asia is a mighty big place. Shouldn't our teachers somewhere along the line have told us at least where it was and what its capital is, and how the French used to own it and how it was they got thrown out eleven or twelve years ago by the same bunch of commies we are fighting today? Why did we have to spend so much time down in the grades studying all about the home and the community, and the trip to the dairy and all that stuff?

"I remember my class used to take field trips to the bakery and up to the mountains to see the lake. We had us a ball, but somehow over here most of us think we got short-changed somewhere in school. Oh, they taught us a lot about how to be a good committee member and how to share democratically with our peers, and even how to build the Panama Canal out of blocks; but this sort of thing just doesn't seem to help us very much over here.

"What we needed to know was who these people are and how they got here in the first place, and how many of them there are and what they call their cities, and what they eat and what they wear, and a whole mess of things like that. Quite a few of us don't really know what is coming off over here, and we've got a hunch the guys over by the Berlin Wall may be in the same spot as far as all those European countries are concerned.

"My school spent a lot of money on me, I guess, and I liked school fine while I was in it. I'm not quite so sure I like it now. I found out, you see, how much it didn't teach me. My question: Why didn't it?

"2. We were all arguing a little while ago about what communism really is and why the Vietcong is ready to die for it. Our Captain sat in on part of the bull session and he reminded us that people have been willing to die for all sorts of crazy causes over the years. Look at all those Germans who died for Hitler, of all people, and the Japanese who died because they thought their Emperor was some kind of a god.

"This answered one of our questions, I guess, but it raised a lot more. Why was it that the Captain had to be the one to tell us this? Why hadn't we heard 'way back in school about the Crusaders and the Huns and all those other people the Captain told us about today, who went into far countries centuries ago to fight and die? Most of us had never heard of any of them. As far as we knew, we Americans were the very first to do this kind of thing.

"But the thing that really bugged me was that nobody seemed to be able to tell exactly what communism is. One guy said it was atheism. Another one said it wanted to rule the world. Somebody else said it was kind of like socialism, but a lot of us figured out that couldn't be because the English have socialism and they aren't commies. Even our Captain wasn't much help at this; he started looking at his watch about then and finally had to take off, he said.

"We didn't talk about it but I'm willing to bet that none of us could have told what capitalism is. I had read a little about it since I was sent out here, but nearly all the guys would say it was democracy or American business, or something like that. This doesn't really tell what it is, does it? How come we Americans bog down when we try to define the thing we are fighting for as well as the thing we are fighting against?

"How can we fight as well as these commies who have been taught ever since they were kids to worship communism and to die for it gladly? You know, I just can't remember any one of my teachers I ever had who told me straight out I ought to love my Country just like I love my mother, and for the same reason. Oh, I'm sure a lot of them felt that way, they were fine people, but they just didn't seem to want to talk to us kids much about that.

"Why not? Is there something in the law that prevents our teachers from telling their pupils how grand and how great and how free the United States of America really is?

"No wonder some of our fellows come back brainwashed from the commie prison camps. I'd trade all the courses I ever had back in school in social living and senior problems and ninth grade orientation and student leadership for some good solid classes in economics and civics and world geography. These are the things we need over here. How come I never got them?

"3. Ever since I was back in the first grade I heard all about the importance of cooperating with the rest of the world. We were taught that the United Nations had been set up to keep the peace and all we Americans had to do was cooperate with it and do our share and there wouldn't be any more war, ever.

"From what I hear, we did our share pretty well. We loaned everybody money and got darned little of it back. Every time any country anywhere got into any trouble, we were the ones to help bail it out. I never heard of anybody else doing it—just us. We taxed ourselves more than any other people in all history, and most of the taxes went to bolster up a bunch of little countries most of us had never heard of, and that turned out to be the very first to kick us out and burn down our embassies and insult our Flag just as soon as they got half a chance.

"I guess my question here is: Why didn't our teachers tell us that cooperation has to be a two-way street? These communists over here don't cooperate worth a darn. They poison their bullets and they sow the jungle trails with spiked boobytraps, and they slaughter our wounded. They throw bombs into our barracks and kill us while we sleep. They torture and dismember their own countrymen who refuse to go along with them. They don't talk peace because they don't want peace. They never have. They never will.

"This isn't what I was taught in school. They told me there that everybody wanted peace more than anything else in the whole world. I've learned out here that this just isn't so. They told me down in the grades that if we Americans just helped everybody else out and didn't go around starting any wars, there wouldn't be any wars. This was a downright lie, as it turned out. What I want to know now is: Why were we lied to?

"Finally, what's with these college professors and these university presidents who are stabbing us in the back these days? Don't they know that every time they permit their campuses to be used for this 'give blood to the Vietcong' rally stuff, and everytime they let their students out of classes to lie down in front of troop trains and burn their draft cards, it encourages Ho Chi Minh and Mao Tse-tung to prolong this war out here just that much longer? Don't they know this—or is it just that they don't care? But every single day this war is prolonged, more of us over here are going to get killed.

"They told me back in school that treason consists of giving aid and comfort to the enemy. Well, I can testify to two things right now: First, that the commies are our enemies, all right; and, secondly, that these demonstrations back home give them one heck of a lot of aid and comfort. If this isn't treason, what is?

"Now, I can't understand our college authorities permitting their students to help our enemies, but there is one thing I can understand even less: why the folks back home let them get away with it! After all, these colleges and universities are mostly tax-supported, aren't they? Why aren't our mothers and our fathers and our cousins and our neighbors out demanding that these friends of our enemies be booted out, whether they turn out to be students getting a free education at public expense when they ought to be over here helping us, or professors drawing fifteen-to-twenty-thousand-dollar-a-year salaries to preach aid to communism and sick surrender to those who are trying to destroy us?

"Maybe it's just that there aren't enough of us over here yet. Maybe when another 100,000 or 200,000 or half a million of us are over here in the jungles, the college authorities and the legislators back home will listen to us then and do at long last what they should have done in the first place: Clean that mess up!—that mess which is turning our colleges and our universities into breeding grounds for treason and nesting places for sabotage and for subversion.

"Well, these are the things my friends and I would like to know the answers to. Maybe nobody knows the answers; but if you do, will you let us know? A lot of us over here are beginning to wonder."

He signed his name and gave his outfit. In due time and across long distances, his letter came to me. I puzzled over it. I don't mind telling you I worried over it. Yes, I guess I even prayed a little over it. Finally, after a whole lot of soul-searching I wrote some kind of letter in reply, but I knew even as I sent it that I hadn't really answered him. There's a big difference, you know. And even my lame and inadequate reply never reached him, as it turned out. By the time my letter had been passed along to that little village north of Saigon, my G.I. correspondent had moved on—permanently, his questions forever unanswered.

And yet they must be answered by all of us for the sake of all of those who serve us overseas, in silence, in obscurity, too often in pain. Someday they will come back to us, the young men who survive the green hell which we, their elders, have sent them to, and when they do the answers must be ready, not only for their sake but for their children's sake after them.

So will you join me this evening in a letter to Viet Nam? It goes this way:

"DEAR JOE: Did you ever notice how parents who love their kids so often seem to spoil them? They want things to be so good for the youngsters in the years ahead that they tend to lose sight of how things really are. We wanted everything to be so right for you—a world of peace, a Nation where tolerance and helpfulness and comfort and abundance would be the rule, not the exception; a way of life in which everyone would be happy and at ease, and would walk shoulder to shoulder into a future fair beyond all the dreams of men. This is what your grandfather wanted for his kids after he had licked the Kaiser in 1918. What he got, instead, was the Great Depression and World War II.

"It was what your Dad wanted for you in '45 after he had smashed the Nazi octopus. What he got was the Cold War and Little Rock and Watts, in installments.

"He saw his younger brothers march off to Lebanon and Korea and to the Dominican Republic, and now he sees you struggling there in the quicksands of Southeast Asia and his heart bleeds a little inside him. 'What went wrong?' he asks; and so do you.

"Well, what went wrong was what always goes wrong when you live in a dream world. The public schools as I have watched them and worked with them for a quarter of a century were given over, lock, stock and barrel almost a generation ago to a bunch of educational theorists from Columbia University Teachers College who had decided, unilaterally, that the only thing worth teaching to children was the ability to adjust comfortably and happily and easily to their environment.

"The assumption, you see, was the one we were all making at the time, namely, that our future environment was going to be so affluent and so secure, and above all so peaceful, that adjustment to it would constitute the supreme goal in life. History and geography were old stuff. So was civics. After all, we were going to have a new world now, weren't we? The new spirit of perfect international understanding and brotherhood would see to that, wouldn't it? Besides, there was only one really major power in the whole world then which could ever disturb the peace again, that power which had all the A-bombs and all the Navy and all the Air Force and, above all, all the money—us.

"So feed the kids cooperation—cooperation at any cost. Get them to love everybody under the sun, and in order to do this make them believe that everybody under the sun loves us. Never mind if it isn't quite true yet. Surely—surely, if our American children grow up loving the world, the rest of the human race is bound to reciprocate, isn't it?

"And if the schools just don't have enough hours in the day to teach arithmetic and spelling and English grammar, history and geography, and to get in all this new 'life adjustment' stuff like social studies and social living and senior problems, group dynamics and democratic sharing and peer group socializing, why then the fundamentals of human learning will just have to take a back seat for a while—and they did, Joe; for twenty-five years and more they did.

"This is why you didn't know the capital of Indochina. You were too busy back along the years building igloos like Muk-Muk, the Eskimo boy. This is why you didn't know whether Berlin was in East or West Germany. You were too busy learning how llamas were harnessed like little Pedro from Peru.

"This is why you didn't learn a lot of things, Joe, and one of these things was why America is worth dying for, and always has been. It got to be kind of square after World War II to admit you loved your Country. We had been openly and unashamedly patriotic for too long, I guess, from 1941 to 1945, for some of us to hold still for, so we kind of soft-pedaled the Spirit of '76 and 'My Country, right or wrong.'

"It looked, after all, as though before too long all the nations of the world were going to beat their swords into plowshares and join in one big planetary union, and in a One World universal peace like this national patriotism would be a bit out of place—downright embarrassing.

"We were so sure it was coming, Joe—so sure—that we educated you for a world which never was and which never came to pass. You see, we forgot one thing: that the rest of the world was teaching its kids something entirely different. The Russians? They were raising a generation to believe that they were destined to bury us and their leaders told them that every day. The Chinese youngsters? They were conditioned from birth to regard Americans as devils out of hell. South Americans in many places were told from infancy that we North Americans should be spat upon at sight.

"Much of the rest of humanity, thanks to the films we exported to them so thoughtfully, regarded us as half fools, half gangsters.

"We were the only ones, Joe, to preach tolerance and cooperation—yes, and love—to our children in the schools. Was this wrong? No. It is never wrong to love your enemies. It's just that your generation, Joe, was brought up to believe, not just that you should love your enemies, but that there were no longer going to be any enemies to love. We taught you to be decent and kindly and charitable, and I think overall we succeeded pretty well; but we should have taught you, too, to be armed and ready to defend your lives and your liberties in a world which too often returned neither your decency nor your love. In a word, we should have given you the facts. Instead, we gave you our own hopes, our own dreams, our own fatal illusions.

"We teachers tried to give you education in your schools, Joe. Sometimes it was a little watered down, that's true, but it was education, nonetheless, while across the Atlantic and the vast Pacific the children of Asia and much of Europe were being given not education at all but indoctrination. The solution was not to have indoctrinated you but it was to have prepared you for life in an indoctrinated world, and this we did not do, and herein lies the shame and the folly of all of us who sent you half around the world to learn at the cost of your tears and your blood what we should have taught you as a little child.

"We didn't lie to you deliberately. We didn't mean to hurt you, God knows. We just ended up kidding you, that's all, and it is no real defense to say that all the while we were kidding ourselves, too, all of us—kidding ourselves by letting twenty-five years of life adjustment progressive education adjust immortal lines like these right out of the curriculum of your school, Joe:

" 'Ay, tear her tattered ensign down!
Long has it waved on high,
And many an eye has danced to see
That banner in the sky.

'By the rude bridge that arched the flood,
Their Flag to April's breeze unfurled,
Here once the embattled farmers stood,
And fired the shot heard 'round the world.'

'The breaking waves dash'd high
On a stern and rock-bound coast.' "

Try these lines on the children in your own neighborhood if you want first-hand proof of what a generation of life adjustment education has done to America's young. I know, it may be argued that the mere mouthing of rhymed couplets and the parroting of phrases from great speeches by children will do nothing to instill understanding of our Nation's past and faith in her future. This is true, but to the same extent that reciting the wedding vows in itself will do little to insure a happy marriage. Few of us would feel genuinely married without this moving spiritual experience at the outset of our voyage across the perilous seas of matrimony, even so is the case of the great stories, the great poems, the great speeches which summarize so eloquently and so dramatically the adventures of the American people down through the centuries. We commit a crime, not only against the child but also against the Country itself when we remove these grand reminders of yesterday from the curriculum of today.

"I wonder what you would say, Joe, if you knew over there where you are now about the current threat, the strangest thing I have ever been called upon to speak or write abut in all my long career as an educator, and one which I never thought I would have to comment on in this Country—the current threat, of all things, to our national songs posed by interpretations of the recent Supreme Court ruling barring state-prescribed prayers in school classrooms."

As a public educator, I certainly hold no brief for any sort of sectarian religious practices in the public schools. In fact, I would be the very first to oppose such practices. We teachers have no business preaching or trying to interpret the Scriptures, that's not our job; but nobody can tell me that the legal separation of church and state, which the Founding Fathers wisely wrote into our Constitution, was ever intended to justify the attacks on our patriotic music which we are now witnessing on all hands.

For instance, in one of our greatest eastern states it has within the last few months or so become illegal to require the recitation in school of these lines:

"Oh, thus be it ever when free men shall stand
Between their loved homes and the war's desolation!
Blest with vict'ry and peace, may the heav'n rescued land
Praise the Pow'r that hath made and preserved us a Nation!
Then conquer we must when our cause it is just,
And this be our motto: 'In God is our trust!'
And the Star-Spangled Banner in triumph shall wave
O'er the land of the free and the home of the brave."

In my own state, just a short time ago, a certain organization which specializes in this sort of thing demanded that one of our school districts eliminate several songs contained in the music programs in the local schools because they were written originally in the form of prayers and state-mandated prayers are now illegal. One of these songs contained in our California music textbooks and now apparently to be ruled out has been sung by millions of Americans for a hundred years without any ill effects until now:

"Mine eyes have seen the glory
Of the coming of the Lord,
He is trampling out the vintage where
The grapes of wrath are stored."

This may be a prayer, I don't know; I don't care. It fought with Grant in the wilderness, that song. It rode with Sheridan on that breathless gallop to Winchester twenty miles away. It fell like welcome balm upon the anguished soul of Lincoln when he stood on that day of all days gazing up Pennsylvania Avenue, straining his eyes while the fresh young troops marched out of the West, flowers in their muskets, chanting that mighty tune and adding to its words of their own choosing—"We are coming, Father Abraham, three hundred thousand more."

Another of our little kindergarten songs out there begins with a quotation from Charles Dickens which has gladdened the hearts of mankind ever since Tiny Tim spoke it out of the fullness of his heart and in reverence of the Christmas Season. "God bless us everyone," it starts—and so presumably, it is illegal.

The move to outlaw Christmas carols in the schools is well known, I am sure, to all of us despite the fact that these innocent, joyous folksongs are among our most precious musical treasures, sung alike by Christians and non-Christians during the Yuletide holidays. I well remember my own childhood in the Midwest where we sang these lovely little songs without any thought of sectarianism. Alongside me was a little girl, we were in the third grade, and I loved her madly. I remember her today. She was the daughter of our Jewish Rabbi and her name was Mina Slotsky. She was a beautiful little girl and she sang those Christmas carols in the most beautiful little soprano voice you ever heard, in the fullness of her heart, and I well remember one, because, of course, her heritage did come in and she insisted on singing it—"The world in Solomon stillness lay."

All these songs and many more are now under increasing attack across the land. What alarms me are the implications for the future if education is to be prohibited from teaching music written in the form of prayers. What happens, I ask you, to such verses as these?

> "Our father's God, to Thee,
> Author of liberty, to Thee we sing.
> Long may our land be bright,
> With freedom's holy light;
> Protect us by Thy might,
> Great God our King."

And

> "America, America, God shed His Grace on thee
> And crown thy good with brotherhood
> From sea to shining sea."

And even that song written by the best-loved of all of our modern Jewish composers:

> "God bless America, land that I love,
> Stand beside her and guide her
> Through the night with a light from above."

These are all prayers, ladies and gentlemen; that's all they are, that's all they ever were. They are our most precious musical heritage. Do you begin to see the cleft stick on which education is now caught? It seems to me that all these amputations of the great poems and the songs which every former generation of Americans would have defended literally to the death have somehow something in common. They represent a gnawing away at a once mighty tradition, an erosion of everything out of our past which was at once wonderful and glamorous and soul-stirring; the substitution of the dull, the humdrum, the trite, for the thrilling, the mysterious, the breathtaking.

It is a trend which, unfortunately, seems to be accelerating. It is a trend which both school people and the lay public must resist with every legal means at our disposal if the Nation's schools are to continue to fulfill their ancient role as the transmitters of the cultural, the historical, the patriotic tradition which has always in the past been part and parcel of the inheritance of every American. The rights of minorities in this land must always be protected, no matter how microscopically small and vocal some of these minorities may be, but nothing in this concept confers upon any minority, no matter how tiny or tyrannical, the right to dictate to the vast majority, particularly when nothing less than the survival of the great Republic itself in the years ahead may well be the issue now at stake.

"And so it is, Joe. I have left the poor, bedraggled misfits you mentioned until last, those spindly, bearded, round-pegs-in-square-holes who parade in straggling, evil-smelling lines with misspelled placards to help your enemies, because they know down in their hearts they cannot hold a candle to you; and they envy you because you are something they can never be—a man.

"You wouldn't hate them, Joe, if you could be over here where we are and just see them with their lank-haired, burning-eyed female counterparts. Every country has its loose nuts, Joe. These are ours.

"But the professors who lead them and who justify them, and who egg them on to treason—these prostitutes of my profession, I cannot excuse. They cannot plead ignorance. They know how their actions give aid and comfort to the enemy. They cannot claim that life and success have passed them by, leaving them to chew on the cold bones of frustration and acquire vicarious status through showing off. Neither can they take refuge in youth and inexperience.

"We cannot silence them, Joe. To do so would be to sully the very cause you are fighting for. But your revenge on these seducers of the young is already complete, whether you know it or not, for around the neck of each one of them hangs like an albatross the terrible picture of our American wounded, hands trussed behind them, shot in the face in cold blood by the bloody butchers whom these cap-and-gown agitators have preferred to their own countrymen.

"It's not the kind of memory I should like to have accompany me through life, I can tell you; but never sell my profession short, Joe. For every professor who plays footsie with the Vietcong, there are hundreds, thousands more who are loyal, decent, patriotic Americans, as evidenced by the recent and vigorous protest enunciated by the University of California at Berkeley's faculty against the few, fortunately the few among them who have so coldly and cynically abused the privileges of academic freedom.

"And for every American school today which still clings stubbornly and blindly and stupidly to the outworn, exploded dogmas of progressive education, there are many, many more now swinging over daily to the basic educational philosophy which we in California call 'education in depth,' and which, please God, will help to spare your children what you have had to undergo.

"In countless high schools across the land new, different courses in economics, in world geography, are taking the place of the outworn pablum of social studies. Those who come after you, Joe, will understand more clearly the real nature of the world we live in, and they should be better armed and better guarded against its ancient pitfalls.

"But above all else, we educators are rising above the terrible temptation to go to the other extreme, to teach hatred to the children, and intolerance and narrow nationalism. We teachers are still teaching America's children to hope and to aspire and to love their fellow men, while advising them all the while against the perils implicit in a fool's paradise.

"We have faith, we educators, that sometime in the days beyond tomorrow, education in the other lands of this earth will cast off its shackles and join us in this great mission.

"That's about all I can tell you, Joe. Nearly all of us here are thinking of you and praying for you. God bless you."

This, then, is my letter to Viet Nam. It will take you and millions like you to change its promises to realities. As the grim struggle escalates, as more and more of our sons and brothers are cast into the scales, isn't it about time we did a little escalating of our own right here at home?

I can't think of a better or more rewarding place to start than our own schools, our own colleges; above all, our own universities. It is you, after all, who must answer at last to our boys who come home again. See you do it!

"MINI-STYLE PILEDRIVER"

Mr. BYRD of West Virginia. Mr. President, with the new public awareness regarding automobile safety, I am pleased to note that new experiments conducted by the U.S. Forest Service at Princeton, W. Va., have indicated that highway guardrails be installed with less cost by using wood posts.

In an article entitled "Mini-Style Piledriver Puts Wood Posts Back Into Highway Guardrails," I have reviewed the experiments and the cost analysis of using wood as highway guardrails. The article was reported in the December 1966 issue of the Contractors and Engineers magazine.

I ask unanimous consent to have the article printed in the Record.

There being no objection the article was ordered to be printed in the Record, as follows:

Mini-Style Piledriver Puts Wood Posts Back Into Highway Guardrails

(By U.S. Senator Robert C. Byrd, of West Virginia)

Spurred by native pride, West Virginians have wondered why the sturdy timbers of their state were not represented in any way in the construction of new highways.

Since 1958, steel posts have been used almost exclusively in highway guardrails in my state. Road builders disclaimed any talk of discrimination, explaining that the sole reason for using steel rather than wood was cost. Wood may be less expensive than steel, but it took less time and less manpower to drive steel posts.

Today, the picture is about to change. I am happy to say this is due to some outstanding cooperation between the U.S. Forest Service, which conducted research into the problem, and private industry, which produced the power equipment that will close the installation-cost gap between wood and steel posts.

The new device is a simple adaptation of a conventional machine for demolishing concrete or macadam surfaces. It is a miniature pile driver.

I am told that field tests proved that wood posts can be put in place with this machine at a rate of 25 to 30 per hour. This is approximately the same rate as that required for setting the steel posts used for guardrail by most contractors in the business.

If wood posts are acceptable, and I am told they are, and if they are less expensive, as a 1964 study revealed, then it is important to find an economical method to install the posts. I believe we have found it now.

Estimates of savings to be realized by the use of this small pile driver have been placed at $2.50 per post, or up to $2,000 per mile of guardrail installation. From my membership on the Senate Appropriations Subcommittee, which funds the U.S. Bureau of Public Roads, I am elated to believe that some of the $465 million annually spent for highway uses may be saved through this development.

As a West Virginian who is strongly interested in developing new markets for the natural resources of my state, I might add that I am more than just slightly pleased at the thought of having a greatly expanded use of wood in highway construction. It will provide needed markets for the increasingly greater abundance of raw material available in the Appalachian forest of West Virginia and other states.

HOW IT CAME ABOUT

May I mention briefly some of the background activities leading to this development? In 1962, Congress appropriated $450,000 for the U.S. Forest Service's Forest Products Marketing Laboratory at Princeton, W. Va. It was designed primarily to scout around for new uses for wood.

Researchers at the new laboratory, led by Frank R. Longwood, soon discovered that one of the potentially large markets for locally grown wood was for guardrail posts along the tens of thousands of miles of old and new highways in eastern states. They also found that steel posts were used in preference to wood because of the difference in setting rate for the two materials. Steel posts could be installed with a truck-mounted driver at the rate of about 240 per day by a 5 or 6-man crew. In comparison, a 7 or 8-man crew could install only 80 to 100 wooden posts per day because they could not be driven satisfactorily with power equipment. Still, the total in-place cost of treated wood posts was approximately 75 cents to $1.34 less than in the in-place cost of primed steel, galvanized steel, or concrete guardrail posts. Why, then, were all the contractors in West Virginia using steel posts?

In answer to this question they stated that their choice of post is governed mainly by production considerations. Guardrail installation normally represents but a small portion of the total cost of a project. It is also normally the last operation on a job. It must be completed before inclement weather begins in November. Because of the greater time required to install wooden posts, the contractors apparently chose the type that can be installed most quickly.

Since speed in installation is the contractors' primary reason for using steel posts, it was obvious to researchers that efforts should be directed at improving setting techniques and increasing the number of wooden posts that can be set per day. One of the obvious solutions to the problem was to develop a machine that could mechanically install wooden guardrail posts at a rate comparable to the rate for steel posts.

This line of research was followed, and scientists at the laboratory produced the equipment that may result, hopefully, in the widespread use of Appalachian-grown wood guardrail posts along state and federal highways.

HIGHWAY TESTS

Research in cooperation with Cross Lanes Construction Co. of Nitro, W. Va., and the West Virginia State Road Commission has proved that either pine or hardwood posts can be driven along the berm of major and secondary highways at a rate that makes wood more economical to use than other materials.

During a recent test both round and sawn wood posts were driven along four stretches of state highway near the Mercer County Airport at the rate of 25 to 30 an hour. No difficulty was encountered in the alignment of the posts, nor was there any noticeable damage to the tops.

The posts are driven without pointing or shaping the ends. Researchers found that blunt posts drive straighter and are better aligned than those that are pointed or cut to a wedge shape. The tops are left flat or sloped, according to the preference of the highway department.

I am pleased that scientists at the Marketing Laboratory are continuing their research to develop more use of wood in highway construction.

A report on the initial analysis of the relative costs and difficulty of setting guardrail posts of different material in West Virginia is contained in U.S. Forest Service Research Note NE–36. Copies are available from the Forest Products Marketing Laboratory at Princeton. A second report on recent tests with the pile driver will be available soon.

PRESIDENT JOHNSON REEMPHASIZES THE URGENCY OF ACTION TO MEET THE POPULATION PROBLEM

Mr. GRUENING. Mr. President, last night in his state of the Union address before Congress President Johnson again correctly called to our attention the grim fact that at this moment the world is losing the race between food supply and population increase.

The President has reminded us of this problem no fewer than 27 times publicly. In his 1965 state of the Union address he said:

> I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources.

In his 1966 state of the Union address he said; in part:

> . . . I have come to ask of you . . . to give a new and daring direction to our foreign aid program designed to make a maximum attack on hunger, disease and ignorance in those countries determined to help themselves—and to help those nations trying to control population growth . . .

And he said he would propose legislation to bring modern skills and knowledge to the uncared-for suffering of the world and to earmark funds for research.

In his 1967 state of the Union address on last January 10 he said:

> Next to the pursuit of peace, the really great challenge to the human family is the race beteen food supply and population increase. That race tonight is being lost.
>
> The time for rehetoric has clearly passed. The time for concerted action is here, and we must get on with the job.
>
> We believe that three principles must prevail if our policy is to succeed:
>
> First, the developing nations must give highest priority to food production, including the use of technology and the capital of private enterprise.
>
> Second, nations with food deficits must put more of their resources into voluntary family planning programs.
>
> Third, the developed nations must all assist other nations to avoid starvation in the short run and to move rapidly towards the ability to feed themselves.
>
> Every member of the world community now bears a direct responsibility to help bring our most basic human account into balance.

I ask unanimous consent that the text of the President's 27 public remarks calling for solutions to the population explosion at home and abroad appear as exhibit 1 at the close of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, our responsibility is clear and does involve all mankind and generations yet unborn. As former President Eisenhower told the Government Operations Subcommittee on Foreign Aid Expenditures when hearings on the population crisis started on June 22, 1965:

> If we now ignore the plight of those unborn generations which, because of our unreadiness to take corrective action in controlling population growth, will be denied any expectations beyond abject poverty and suffering, then history will rightly condemn us.

Ten years earlier President Eisenhower had not believed the Federal Government should be concerned about the population explosion, and that governmental action was not desirable, but facts which subsequently became available caused him to change his opinion.

During the 89th Congress the Subcommittee on Foreign Aid Expenditures held 28 public hearings on the population crisis and S. 1676, my bill to coordinate and disseminate birth control information upon request at home and abroad. Those hearings evoked a tremendous outpouring of enlightened testimony by leading figures of the world. Ninety-eight distinguished men and women testified. They included world leaders and concerned private citizens.

Their comments and pertinent related materials appear in the printed hearings which include 2,362 pages in 1965 plus an in-depth index of 258 pages which will be published within the next few days.

The index to the 1965 hearings will, the subcommittee believes, provide the resource material necessary to persons concerned about the worldwide population explosion. The index to the 1966 hearings is now being prepared and the 1966 printed hearings will include two or three more volumes.

The subcommittee was particularly pleased when the December 1966 issue of the Population Bulletin published by the Population Reference Bureau, Inc., summarized the subcommittee's 89th Congress population hearings and termed the hearing record "the most comprehensive single collection of information on population and birth control ever assembled."

I believe as the bulletin suggested that the index will enhance the research value of the hearings and help readers prepare articles and speeches and guides to developing responsible action programs.

But we must not be complacent. As Mr. Robert Cook, editor of the Population Bulletin, writes:

> . . . time is short. The race between mouths to be fed and calories to feed them is not being won . . .
>
> Senator Gruening is correct in pointing out that a major reason for the population explosion is increasingly effective control of mortality in the first two decades of life. This control has come about as medical, agricultural, and economic revolutions have wholly altered ancient patterns of early mortality. Billions of dollars have been expanded in the operation. The total medical and health budget—public and private—for the United States alone has been put at approximately $30 billion a year.
>
> At the present time, the federal government is reported to have 11 persons assigned to deal with the population crisis. The total cost of population control operations by the government will probably not exceed $25 million in the current fiscal year.

The contrast in scale is appalling.

> There are hundreds of causes of death, but only one cause of birth. Hence an effective fertility control operation will certainly not have to be matched man-for-man and dollar-for-dollar with what has been expended to reduce the death rate. But a ratio of from 1,000-to-2,000 to 1—or perhaps very much more than that—in favor of mortality control obviously cannot succeed in creating a tolerable balance, and the essence of success is not dollars, but brains and skills.
>
> Despite the hearings, and perhaps to an extent because of them, the United States has on occasion been strenuously criticized for seeking to control population growth overseas while there is no comprehensive domestic program of family planning at the federal level. The truth is that in about a century, the widespread effects of individual initiative have already reduced the U.S. birth rate from 55 to 19 per 1,000. Granting that serious pockets of unplanned reproduction still exist, the U.S. is definitely moving toward a stabilized population.
>
> The situation is entirely different in nations whose rate of increase remains virtu-

ally uncontrolled at a dangerous 2.0 to 3.5 percent a year. It is to meet these needs that our government is ready to offer advice and assistance when and if called upon to do so. The present and largely unexplored challenge before the government is to get on with the difficult business of finding the precise legislative and administrative formulae for moving promptly toward achieving a voluntary world balance between human members and natural resources.

To do this properly and responsibly, to enable those persons concerned to select the family planning method of their choice, we must make certain that the programs are administered competently and that those charged with the responsibility have the legislative authority necessary.

Congress has responsibility in this area. Congress is the agency which must make certain that the specific mandates of the President in this field are properly implemented staffwise and financially.

I will, shortly, again introduce proposed legislation to coordinate and disseminate birth control information upon request and calling for modest reorganization in the executive branch. The bill, as did S. 1676, will propose the creation of specific population offices and officers. Members of the Senate and House tell me they will cosponsor or introduce the bill again because they are concerned.

The population crisis hearings reveal that the President's concern has gained tremendous popular support, but regrettably, is not being implemented adequately by the executive agencies concerned.

Let us, for example, do our best to prevent famines and population explosions in any land, but as we do, let us also find the reasons for past failures so they may not be repeated. To do this we must seek new solutions for these problems even as we use the tools available to us.

Mr. President, I submit as exhibit 2 to my remarks today a summary of Senate and House action on proposed population and family planning legislation last Congress which was prepared at my request by the Legislative Reference Service of the Library of Congress. Its author is Mr. Thomas C. Lyons, Jr. And I ask unanimous consent that it may be printed in the RECORD.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

STATEMENTS BY PRESIDENT JOHNSON CONCERNING POPULATION

Subcommittee on Foreign Aid Expenditures, Senator Ernest Gruening, Chairman

YEAR 1965

1. *State of the Union Address before Congress,* January 4, 1965:

"I will seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources."

2. *20th Anniversary of the United Nations at San Francisco,* June 25, 1965:

"Let us in all our lands—including this land—face forthrightly the multiplying problems of our multiplying populations and seek the answers to this most profound challenge to the future of all the world. Let us act on the fact that less than five dollars invested in population control is worth a hundred dollars invested in economic growth."

3. *Swearing-in Ceremony of John W. Gardner as Secretary of Health, Education, and Welfare in Rose Garden, The White House,* August 18, 1965:

"This Administration is seeking new ideas and it is certainly not going to discourage any new solutions to the problems of population growth and distribution."

4. *Text of letter to U.N. Secretary General U Thant at Second United Nations World Population Conference opening in Belgrade,* August 30, 1965:

"My Dear Mr. Secretary General:

"The United States Government recognizes the singular importance of the meeting of the second United Nations World Population Conference and pledges its full support to your great undertaking.

"As I said to the United Nations in San Francisco, we must now begin to face forthrightly the multiplying problems of our multiplying population. Our government assures your conference of our wholehearted support to the United Nations and its agencies in their efforts to achieve a better world through bringing into balance the world's resources and the world's population.

"In extending my best wishes for the success of your conference, it is my fervent hope that your great assemblage of population experts will contribute significantly to the knowledge necessary to solve this transcendent problem. Second only to the search for peace, it is humanity's greatest challenge. This week, the meeting in Belgrade carries with it the hopes of mankind."

YEAR 1966

5. *State of the Union Address before Congress,* January 12, 1966

"That is what I have come to ask of you . . . to give a new and daring direction to our foreign aid program, designed to make a maximum attack on hunger, disease and ignorance in those countries determined to help themselves—and to help those nations trying to control population growth. . . ."

6. "I will also propose the International Health Act of 1966:

"to strike at disease by a new effort to bring modern skills and knowledge to the uncared-for suffering of the world—and by wiping out smallpox, malaria, and controlling yellow fever over most of the world in this decade . . ."

"to help countries trying to control population growth, by increasing our research—and by earmarking funds to help their efforts."

7. Ceremony held at the Harry S. Truman Center for the Advancement of Peace, January 20, 1966, Independence, Missouri:

". . . we will increase our efforts in the great field of human population. The hungry world cannot be fed until and unless the growth in its resources and the growth in its population comes into balance. Each man and woman—and each nation—must make decisions of conscience and policy in the face of this great problem. But the position of the United States of America is clear. We will give our help and our support to nations which make their own decision to insure an effective balance between the numbers of their people and the food they have to eat. And we will push forward the frontiers of research in this important field."

8. *Foreign Aid Program Message to the Congress,* February 1, 1966:

"Yet today the citizens of many developing nations walk in the shadow of misery;

"—half the adults have never been to school;

"—over half the people are hungry or malnourished;

"—food production per person is falling;

"—at present rates of growth, population will double before the year 2000.

"These are the dominant facts of our age.

"They challenge our own security.

"They threaten the future of the world.

"Our response must be bold and daring. It must go to the root causes or misery and unrest. It must build a firm foundation for progress, security and peace."

9. "Only these people and their leaders can:

"—invest every possible resource in improved farming techniques, in school and hospital construction and in critical industry;

"—make the land reforms, tax changes, and other basic adjustments necessary to transform their societies;

"—face the population problem squarely and realistically;

"—create the climate which will attract foreign investment and keep local money at home."

10. ". . . in many other countries food output is also falling behind population growth. We cannot meet the world food needs of the future, however willing we are to share our abundance. Nor would it serve the common interest if we could."

11. "We stand ready to help developing countries deal with the population problem.

"The United States cannot and should not force any country to adopt any particular approach to this problem. It is first a matter of individual and national conscience, in which we will not interfere.

"But population growth now consumes about two-thirds of economic growth in the less-developed world. As death rates are steadily driven down, the individual miracle of birth becomes a collective tragedy of want.

"In all cases, our help will be given only upon request, and only to finance advisors, training, transportation, educational equipment and local currency needs.

"Population policy remains a question for each family and each nation to decide. But we must be prepared to help when decisions are made."

12. "Technical Cooperation: This request—$231 million—will finance American advisors and teachers who are the crucial forces in the attack on hunger, ignorance, disease, *and the population problem.* The dollar total is relatively small. But no appropriation is more critical. No purpose is more central."

13. *International Education and Health Acts Message,* February 2, 1966:

"We have committed ourselves for many years to relieving human suffering. Today our efforts must keep pace with a growing world and with growing problems."

14. "Therefore, I propose a program to—

"Create an International Career Service in Health;

"Help meet health manpower needs in developing nations;

"Combat malnutrition;

"Control and eradicate disease;

"Cooperate in worldwide efforts to deal with population problems."

15. ". . . Food production has not kept pace with the increasing demands of expanding population."

16. In Part 5, the President carefully spells out his proposal "to cooperate in worldwide efforts to deal with population problems."

"By 1970, there will be 300 million more people on this earth. A reliable estimate shows that at present rates of growth the world population could double by the end of the century. The growing gap—between food to eat and mouths to feed—poses one of mankind's greatest challenges. It threatens the dignity of the individual and the sanctity of the family.

"We must meet these problems in ways that will strengthen free societies—and protect the individual right to freedom of choice.

"To mobilize our resources more effectively, I propose programs to—

"(1) *Expand research in human reproduction and population dynamics.* We are supporting research efforts through the Department of Health, Education, and Welfare, AID, and the World Health Organization. I am requesting funds to increase the pace and scope of this effort. The effort, to be successful, will require a full response by our scientific community.

"(2) *Enlarge the training of American and foreign specialists in the population field.* We are supporting training programs and the development of training programs through the Department of Health, Education, and Welfare, and AID. We will expand these programs at home and abroad.

"(3) *Assist family planning programs in nations which request such help.* Here at home, we are gaining valuable experience through new programs of maternal and infant care as well as expansion of private and public medical care programs. Early last year we made clear our readiness to share our knowledge, skill, and financial resources with the developing nations requesting assistance. We will expand this effort in response to the increasing number of requests from other countries."

War Against Hunger Message, February 10, 1966:

17. "Populations are exploding under the impact of sharp cuts in death rate. . . ."

18. "A balance between agricultural productivity and population is necessary to prevent the shadow of hunger from becoming a nightmare of famine. In my message on international health and education, I described our increased efforts to help deal with the population problem."

19. *Domestic Health and Education Message,* March 1, 1966:

"Family Planning

"We have a growing concern to foster the integrity of the family, and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of their children within the dictates of individual conscience.

"In the fiscal 1967 budget, I have requested a sizable increase in funds available for research, training and services in this field. The National Institute of Child Health and Human Development will expand its own research and its grant program to study human reproduction. The Children's Bureau and the Office of Economic Opportunity will support family planning to the maternal and infant care programs in local communities when requested. State agencies will be aided by federal welfare funds to provide family plannnig services to mothers."

20. *Economic Aid to India Message,* April 1, 1966:

"The Indian Government believes that there can be no effective solution of the Indian food problem that does not include population control. The choice is now between a comprehensive and humane program for limiting births and the brutal curb that is imposed by famine. As Mrs. Gandhi told me, the Indian Government is making vigorous efforts on this front."

21. *President's Report on Food for Peace Program to Congress,* June 30, 1966:

". . . The increasing pressure of world population growth was the most disturbing indicator in a year otherwise highlighted with promise in the war against hunger and malnutrition. Population growth of 2 percent a year—increasing to 3 percent in some of the underdeveloped countries—made it difficult to increase per capita food consumption. There was more food grown in 1965 than in 1964. But there were 64 million more mouths to feed.

"In simplest terms, the task of bringing food and population into balance—while maintaining progress in health, education, and economic growth—is the most critical challenge many countries are facing today. It will probably remain their most urgent challenge in the immediate years ahead. The world's capacity to respond will dramatically affect the course which individuals and nations choose in confronting their problems and their neighbors in coming generations.

"This is a world problem . . .

"The U.S. Congress recognizes the moral and practical implications of hunger and malnutrition . . .

22. ". . . The critical food shortage in India, though aggravated by drought, should be read as a warning that a crisis in food and population trends is already at the world's doorstep."

23. *Speech on World Food Shortages and Vietnam War—in Omaha, Nebraska,* June 30, 1966:

". . . Here today in the center of the greatest food-producing area anywhere on this globe, we Americans must face a sobering fact: Most of the world's population is losing the battle to feed itself. And if present trends continue we can now see the point at which even our own vast productive resources, including the millions of acres of farm lands that we now hold in reserve, will not be sufficient to meet the requirements of human beings for food.

"We will lend America's technical knowledge. We will lend America's practical experience to those people who need it most and who are willing to prove to us that they are willing to try to help themselves."

24. *President's Remarks Honoring the Battle Creek Sanitarium, Michigan,* September 5, 1966:

"He (Rep. Paul Todd) has drafted and pushed through the House of Representatives, the first term that he served there, the most important population amendments to the Food for Freedom Bill.

"But Congressman Todd made a courageous and pioneering effort to come to grips with the world's single most pressing problem. Even under conditions as inhumane as war, we are mounting a ceaseless effort to care for the health of human beings."

25. *The President's Remarks at the International Rice Research Institute,* October 26, 1966:

"Man's greatest problem is the fearful race between food and population. If we lose that race our hopes for the future will turn to ashes.

"These are danger signals we can ignore only at our peril. For between now and 1980 we must prepare to feed one billion more people."

26. *Statement by the President Upon Signing H.R. 14929—Food for Freedom Bill,* November 13, 1966:

"Most of the developing world is now in crisis—one that is more serious than any ideological disagreement. Rapid population growth is putting relentless pressure on food supplies.

"For six consecutive years world food consumption has exceeded production.

"But even the food-producing capability of U.S. farmers—unmatched in history—cannot suffice indefinitely in a world that must feed a million new human beings each week.

"The only long-term solution is self-help. Our new Food for Freedom program will provide American food and fiber to stimulate greater productivity in the developing countries * * *."

"The sound population programs, encouraged in this measure, freely and voluntarily undertaken, are vital to meeting the food crisis, and to the broader efforts of the developing nations to attain higher standards of living for their people."

YEAR 1967

27. *State of the Union Address before Congress,* January 10, 1967:

"Next to the pursuit of peace, the really great challenge to the human family is the race between food supply and population increase. That race tonight is being lost.

"The time for rhetoric has clearly passed. The time for concerted action is here, and we must get on with the job.

"We believe that three principles must prevail if our policy is to succeed:

"First, the developing nations must give highest priority to food production, including the use of technology and the capital of private enterprise.

"Second, nations with food deficits must put more of their resources into voluntary family planning programs.

"Third, the developed nations must all assist other nations to avoid starvation in the short run and to move rapidly towards the ability to feed themselves.

"Every member of the world community now bears a direct responsibility to help bring our most basic human account into balance."

Exhibit 2

Proposed Population and Family Planning Legislation: 89th Congress

Library of Congress,
Legislative Reference Service.

The following chart indicates in a ready-reference form, the extent to which legislation dealing with population and family planning was considered in both Houses of the 89th Congress (January 4, 1965–October 22, 1966).

During both sessions, 51 Members in both Houses were associated with legislation in one form or another (as sponsors of bills, identical bills, similar bills, amendments or as co-sponsors) relevant to population or family planning. These bills and the names of the sponsors and co-sponsors are found under 17 entries on the following table, and are listed by House and consecutive number within each House.

The bills considered in this study received *hearings* in ten separate committees or subcommittees; five in the House of Representatives (Foreign Affairs, Education and Labor, Agriculture, Armed Services and Interstate and Foreign Commerce) and five in the Senate (Foreign Relations, Labor and Public Welfare, Agriculture and Forestry, Armed Services, and Government Operations).

Although five of the considered measures eventually became law (Foreign Assistance, Food for Peace, Economic Opportunities Amendments, Health Services, and Military Medical Benefits), strong impact in terms of public awareness and press coverage was aroused by the introduction of S. 1676 on April 1, 1965 by Senator Ernest Gruening (D.-Alaska). S. 1676 received 12 co-sponsors, and in the House of Representatives, ten Members submitted identical or similar bills. Senator Gruening as Chairman of the Subcommittee on Foreign Aid Expenditures, Senate Committee on Government Operations, conducted 28 hearings during both Sessions, at which time 98 witnesses appeared before the Subcommittee. Testimony, exhibits and appendix for hearings in the First Session have been published in four parts covering 2,362 pages, not including an extensive index which will be published later. Testimony and exhibits for the Second Session are in the process of being printed with two parts covering 544 pages available as of the date of this paper.[1]

One word about the use of the Table is necessary; namely, the information contained under "Brief Description" is not a description of the entire bill or law, but only the portions that deal with the subject of this table—population and family planning.

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[1] The full citation for these hearings is: U.S. *Congress. Senate. Population Crisis.* Hearings before the Subcommittee on Foreign Aid Expenditures, Committee on Government Operations. 89th Congress. 1st & 2nd Sessions.

Legislation proposed during 89th Congress on population and family planning

Bill No.	Brief description	Introduced	Additional or cosponsors	Committee	Committee action	Final disposition
S. 1676	To authorize new positions of Assistant Secretary for Population Problems in the Departments of State and Health, Education, and Welfare, and to ask the President to convene a White House Conference on Population in January 1967.	Apr. 1, 1966, Senator Ernest Gruening.	Senators Tydings, Bass, Bartlett, Douglas, Moss, Yarborough, Young of Ohio, Byrd of West Virginia, Dominick, Hart, Simpson, McGovern. (House companion: H.R. 7073.)	Committee on Government Operations, Subcommittee on Foreign Aid Expenditures.	28 hearings during both sessions. 98 witnesses appeared. Hearings (Population Crisis) for 1st sess. printed in 6 volumes. Hearings for 2d sess. in printing process.	None.
S. 2433	Provides for a population census in 1966, 1975, and a mid-decade census every 10 years thereafter.	Aug. 18, 1965, Senator Daniel K. Inouye.	None	Committee on Post Office and Civil Service.	None	Do.
S. 2917	Provides for a mid-decade population census beginning in 1967, followed by 1975 and every 10 years thereafter.	Feb. 10, 1966, Senators George A. Smathers and Thomas H. Kuchel.	do	do	do	Do.
S. 2933	Food for Freedom Act of 1966. See H.R. 14929.	Feb. 17, 1966, Senator Allen J. Ellender.	(House companion: H.R. 14929.)	Committee on Agriculture and Forestry.	Hearings held in March and June 1966; reported out as H.R. 14929.	See H.R. 14929.
S. 2992	To authorize Federal assistance to public agencies and private nonprofit organizations for use in family planning programs.	Feb. 28, 1966, Senator Joseph D. Tydings.	Senators Clark, Gruening, Hartke, McGee, Moss, Neuberger, Simpson, Yarborough.	Committee on Labor and Public Welfare, Subcommittee on Employment, Manpower, and Poverty.	Hearings May 10, 1966; reported out July 26, 1966, to parent committee; no other action.	None.
S. 3008	Comprehensive Health Services Act. To authorize funds for State health services including *family planning services* and project grants for family planning.	Mar. 2, 1966, Senator Lister Hill.	(H.R. 18231)	Senate Committee on Labor and Public Welfare; House *Committee on Interstate and Foreign Commerce.*	Hearings Mar. 16–17, 1966; ordered reported July 22, 1966; *H. Rept. 2271; S.* Rept. 1665.	Passed House Oct. 17, 1966; passed Senate Oct. 3, 1966; Public *Law 89–749, Nov. 3,* 1966.
H.R. 7072	Seeks to make organizational changes in the executive branch to enable the Government to deal more effectively with population growth in the world and other problems that are a consequence of that growth. Deals largely with the Departments of State and Health, Education, and Welfare.	Apr. 1, 1966, Representative Paul Todd.	Identical bill: H.R. 9065 (Representative Rosenthal).	Committee on Government Operations.	None	None.
H.R. 7073	See Senate companion: S. 1676	Apr. 1, 1966, Representative Morris K. Udall.	Identical bills: H.R. 10707 (Representative Long of Maryland); H.R. 8465 (Representative Brown); H.R. 8403 (Representative Moss); H.R. 8435 (Representative Mackay); H.R. 8430 (Representative Conyers).	do	do	Do.
H.R. 8052	Seeks to make certain changes in the executive branch to enable the Government to more effectively deal with problems of world population growth mainly in the Departments of State and Health, Education, and Welfare.	May 11, 1965, Representative Charles C. Diggs.		do	do	Do.
H.R. 8440	To amend title XVIII, to remove prohibitions against importing, transporting, and mailing in U.S. mails, articles for preventing conception, and advertisements dealing with such articles.	May 25, 1965, Representative James H. Scheuer.		Committee on the Judiciary.	do	Do.
H.R. 8451	To amend the Tariff Act of 1930 to eliminate the prohibition against the importation of drugs, medicine, and other contraceptive articles.	do		Committee on Ways and Means.	do	Do.
H. Con. Res. 419.	Seeks to ask the President to create a Presidential commission to study population matters and to report the findings to the people and the Congress.	May 25, 1965, Representative Chet Holifield.		Committee on Interstate and Foreign Commerce.	do	Do.
H.R. 13441	To amend the Food for Freedom Act of 1966 (initially H.R. 12785 by Mr. Cooley, but later H.R. 14929) to include use of counterpart funds for programs of maternal health, child welfare, and family planning.	Mar. 9, 1966, Representative Paul Todd.	Senate amendment No. 488 by Senator Joseph D. Tydings.	Committee on Agriculture.		See H.R. 14929 (Public Law 89-808).
H.R. 14088	Military Medical Benefits Amendments of 1966 removed the language of sec. 1077, ch. 55, title 10, United States Code which, prohibited military medical facilities from providing family planning services to dependents served by these facilities.	Mar. 29, 1966, Repre sentative L. Mendel Rivers.		Armed Services Committee in both Houses.	House hearings, March; Senate hearings, June and August; H. Repts. 1407 and 2064; S. Rept. 1434.	Passed House May 11, 1966; passed Senate Aug. 11, 1966; conference accepted Sept. 28, 1966; Public Law 89–614, Sept. 30, 1966.
H.R. 14920	Food for Freedom Act[1] of 1966. Authorizes 2-year program of food assistance to developing areas. Authorizes use of counterpart funds to support programs of maternal health, child welfare and other programs related to problems of population growth. (See title I, sec. 104(h) and title IV, sec. 405.)	May 9, 1966, Representative Harold D. Cooley; superceded H.R. 12785 submitted Feb. 14 1966.	(Senate companion: S. 2933); H.R. 14939 (Representative Matsunaga); H.R. 14945 (Representative Springer).	House Committee on Agriculture; Senate Committee on Agriculture and Forestry.	House hearings: February, March, April, May; Senate hearings: March, June; House reported: May 27, 1966; Senate reported: Aug. 25, 1966.	Passed House June 9, 1966; passed Senate Aug. 31, 1966; conference; cleared Oct. 21, 1966; Public Law 89–808, Nov. 11, 1966.

See footnote at end of table.

Legislation proposed during 89th Congress on population and family planning—Continued

Bill No.	Brief description	Introduced	Additional or cosponsors	Committee	Committee action	Final disposition
H.R. 15111	Economic Opportunities Amendments of 1966, title II, sec. 211, provides for grants for programs in family planning, through community action programs.	May 17, 1966, Representative Sam Gibbons.	S. 3164 (Senator Clark); H.R. 13391 (Representative Powell); H.R. 13392 (Representative Gibbons); H.R. 15066 (Representative Gibbons); H.R. 16572 (Representative Roybal).	House Committee on Education and Labor; Senate Committee on Labor and Public Welfare.	House hearings: April 1965, March 1966; Senate hearings: June; H. Rept. 1568; S. Rept. 1666.	Passed House Sept. 29, 1966; passed Senate Oct. 4, 1966; Public Law 89-794, Nov. 8, 1966.
H.R. 15750	Foreign Assistance Act of 1966. Sec. 462 authorizes assistance for population control and sec. 612 use of excess foreign currencies for voluntary family planning programs by foreign countries and nonprofit organizations.	June 16, 1966, Representative Thomas E. Morgan.		House Committee on Foreign Affairs; Senate Committee on Foreign Relations.	House hearings: March, April, and May; Senate hearings: April and May; H. Rept. 1651; S. Repts. 1358 and 1359.	Conference report accepted: House, Sept. 1, 1966; Senate, Sept. 7, 1966. Public Law 89-583, Sept. 19, 1966.
	Initially H.R. 12449 and H.R. 12540.	Feb. 2, 1966, Representative Morgan.				
	Initially S. 3583 and S. 3584	July 7, 1966, Senator Fulbright.				

[1] Introduced as Food for Freedom Act but finally passed as the Food for Peace Act of 1966.

Source: Library of Congress, Legislative Reference Service.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. MANSFIELD. Mr. President, with the concurrence of the distinguished minority leader, I should like to move shortly that the Senate stand in recess subject to the call of the Chair. The reason is that I would like to present to the Senate the new committee assignments on the Democratic side, and they will not be ready for 15 or 20 minutes.

Mr. DIRKSEN. That is agreeable.

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and, at 1 o'clock and 39 minutes p.m., the Senate took a recess, subject to the call of the Chair.

On the expiration of the recess, the Senate reassembled and was called to order by the Presiding Officer (Mr. SPONG in the chair).

AMENDMENT OF RULE XXV OF THE STANDING RULES OF THE SENATE

Mr. MANSFIELD. Mr. President, by direction of the steering committee of the Democratic majority, and with the concurrence of the distinguished minority leader, I send to the desk a resolution, and ask for its immediate consideration.

The **PRESIDING OFFICER.** Is there objection?

Without objection, the resolution (S. Res. 11) was read, considered, and agreed to, as follows:

Resolved, That rule XXV of the Standing Rules of the Senate be amended as follows:

In paragraph (c) (dealing with the Committee on Appropriations) of subsection 1 of rule XXV, strike out the word "twenty-seven" and insert in lieu thereof "twenty-six".

In paragraph (d) (dealing with the Committee on Armed Services) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "eighteen".

In paragraph (g) (dealing with the Committee on the District of Columbia) of subsection 1 of rule XXV, strike out the word "seven" and insert in lieu thereof "eight".

In paragraph (j) (dealing with the Committee on Government Operations) of subsection 1 of rule XXV, strike out the word "fourteen" and insert in lieu thereof "fifteen".

In paragraph (k) (dealing with the Committee on Interior and Insular Affairs) of subsection 1 of rule XXV, strike out the word "sixteen" and insert in lieu thereof "seventeen".

In paragraph (o) (dealing with the Committee on Public Works) of subsection 1 of rule XXV, strike out the word "seventeen" and insert in lieu thereof "sixteen".

COMMITTEE ASSIGNMENTS

Mr. MANSFIELD. Mr. President, I send to the desk another resolution under the same conditions, and ask for its immediate consideration.

The **PRESIDING OFFICER.** Is there objection?

There being no objection, the resolution (S. Res. 12) was read, considered, and agreed to, as follows:

Resolved, that the following shall constitute the majority party's membership on the standing committees and the Select Committee on Small Business of the Senate for the Ninetieth Congress:

Committee on Aeronautical and Space Sciences: Mr. Anderson (Chairman), Mr. Russell, Mr. Magnuson, Mr. Symington, Mr. Stennis, Mr. Young of Ohio, Mr. Dodd, Mr. Cannon, Mr. Holland, and Mr. Mondale (temporary).

Committee on Agriculture and Forestry: Mr. Ellender (Chairman), Mr. Holland, Mr. Eastland, Mr. Talmadge, Mr. Jordan, Mr. McGovern, Mr. Montoya, Mr. Mondale, Mr. Byrd of Virginia, and Mr. Hollings.

Committee on Appropriations: Mr. Hayden (Chairman), Mr. Russell, Mr. Ellender, Mr. Hill, Mr. McClellan, Mr. Magnuson, Mr. Holland, Mr. Stennis, Mr. Pastore, Mr. Monroney, Mr. Bible, Mr. Byrd of West Virginia, Mr. McGee, Mr. Mansfield, Mr. Bartlett, Mr. Proxmire and Mr. Yarborough.

Committee on Armed Services: Mr. Russell (Chairman), Mr. Stennis, Mr. Symington, Mr. Jackson, Mr. Ervin, Mr. Cannon, Mr. Byrd of West Virginia, Mr. Young of Ohio, Mr. Inouye, Mr. McIntyre, Mr. Brewster, and Mr. Byrd of Virginia.

Committee on Banking and Currency: Mr. Sparkman (Chairman), Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. Long of Missouri, Mr. McIntyre, Mr. Mondale, Mr. McGee, and Mr. Spong.

Committee on Commerce: Mr. Magnuson (Chairman), Mr. Pastore, Mr. Monroney, Mr. Lausche, Mr. Bartlett, Mr. Hartke, Mr. Hart, Mr. Cannon, Mr. Brewster, Mr. Long of Louisiana, Mr. Moss, and Mr. Hollings.

Committee on the District of Columbia: Mr. Bible (Chairman), Mr. Morse, Mr. Kennedy of New York, Mr. Tydings, and Mr. Spong.

Committee on Finance: Mr. Long of Louisiana (Chairman), Mr. Smathers, Mr. Anderson, Mr. Gore, Mr. Talmadge, Mr. McCarthy, Mr. Hartke, Mr. Fulbright, Mr. Ribicoff, Mr. Metcalf, and Mr. Harris.

Committee on Foreign Relations: Mr. Fulbright (Chairman), Mr. Sparkman, Mr. Mansfield, Mr. Morse, Mr. Gore, Mr. Lausche, Mr. Church, Mr. Symington, Mr. Dodd, Mr. Clark, Mr. Pell, and Mr. McCarthy.

Committee of Government Operations: Mr. McClellan (Chairman), Mr. Jackson, Mr. Ervin, Mr. Gruening, Mr. Muskie, Mr. Ribicoff, Mr. Harris, Mr. Kennedy of New York, Mr. Metcalf (temporary), and Mr. Montoya (temporary).

Committee on Interior and Insular Affairs: Mr. Jackson (Chairman), Mr. Anderson, Mr. Bible, Mr. Church, Mr. Gruening, Mr. Moss, Mr. Burdick, Mr. Hayden, Mr. McGovern, Mr. Nelson, and Mr. Metcalf.

Committee on the Judiciary: Mr. Eastland (Chairman), Mr. McClellan, Mr. Ervin, Mr. Dodd, Mr. Hart, Mr. Long of Missouri, Mr. Kennedy of Massachusetts, Mr. Bayh, Mr. Burdick, Mr. Tydings, and Mr. Smathers.

Committee on Labor and Public Welfare: Mr. Hill (Chairman), Mr. Morse, Mr. Yarborough, Mr. Clark, Mr. Randolph, Mr. Williams of New Jersey, Mr. Pell, Mr. Kennedy of Massachusetts, Mr. Nelson, and Mr. Kennedy of New York.

Committee on Post Office and Civil Service: Mr. Monroney (Chairman), Mr. Yarborough, Mr. Randolph, Mr. McGee, Mr. Brewster, Mr. Hartke, Mr. Burdick, and Mr. Hollings.

Committee on Public Works: Mr. Randolph (Chairman), Mr. Young of Ohio, Mr. Muskie, Mr. Gruening, Mr. Jordan of North Carolina, Mr. Inouye, Mr. Bayh, Mr. Montoya, Mr. Tydings, and Mr. Spong.

Committee on Rules and Administration: Mr. Jordan of North Carolina (Chairman), Mr. Hayden, Mr. Cannon, Mr. Pell, Mr. Clark and Mr. Byrd of West Virginia.

Select Committee on Small Business: Mr. Sparkman (Chairman), Mr. Long of Louisiana, Mr. Smathers, Mr. Morse, Mr. Bible, Mr. Randolph, Mr. Bartlett, Mr. Williams of New Jersey, Mr. Nelson, Mr. Montoya, and Mr. Harris.

DISCRIMINATION IN THE EMPLOYMENT OF THE ELDERLY

Mr. JAVITS. Mr. President, I noticed with great interest that the President's state of the Union message dealt with legislation to prohibit discrimination with respect to the employment of the elderly.

This is a subject which I have pressed many times. I have tried to amend a civil rights bill to include this provision without success. I have tried to include the provision in other bills. I have had proposed legislation with many cosponsors.

We do this in New York and in other States.

I shall introduce shortly legislation with the maximum possible number of cosponsors. I hope that with the backing of the President at this time we can secure such legislation.

I just came from a great meeting of the National Council of Senior Citizens.

The elderly want a chance for a job to keep them ambulatory. Their talents deserve that they be given this chance.

I hope very much that, with the backing of the President, we can do in the National Establishment what so many States have seen it practical to do—to eliminate or bar discrimination in employment on account of age. Generally the age fixed is 45.

I thank the majority leader.

DEATH OF REPRESENTATIVE JOHN E. FOGARTY

Mr. PELL. Mr. President, on behalf of my colleague [Mr. PASTORE] and myself, I send to the desk a resolution and ask for its immediate consideration.

The **PRESIDING OFFICER.** The resolution will be read.

The resolution (S. Res. 10) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOHN E. FOGARTY, late a Representative from the State of Rhode Island.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now——.

Under the second resolving clause, the Presiding Officer appointed Mr. PASTORE and Mr. PELL as members of the funeral committee on the part of the Senate.

REPRESENTATIVE JOHN E. FOGARTY—A LOSS TO THE CONGRESS AND THE NATION

Mr. JAVITS. Mr. President, the brightness of the opening day of the 90th Congress has been considerably darkened for the Nation and for his colleagues in Congress by the sudden demise of Representative John E. Fogarty of Rhode Island.

Those of us—such as myself—who were privileged to have served with him in the House of Representatives are particularly saddened, for we had the opportunity to appreciate at firsthand the integrity, wisdom, and devotion to principle with which he pursued his congressional career.

John Fogarty, a Member of the House since 1940, never forgot his early years as a bricklayer, remaining throughout his congressional career sensitive to the needs of those of modest means. He is particularly noted for being in the forefront of the battles for programs to benefit the health of the people of this Nation.

Representative Fogarty will be deeply mourned by his colleagues in this and the other body. And he will be sorely missed by the Nation.

Mr. WILLIAMS of New Jersey. Mr. President, John E. Fogarty was known throughout the Nation as a hard-working, effective Member of Congress. He certainly deserved that reputation; and I am sure that many of the tributes to him today will pay due attention to his work, especially to his leadership in health and education advances.

But to me John Fogarty's passing brings to mind one of his fundamental qualities, his ability to remain in touch with the people he served. To him, a proposed law was not merely a legal instrument for dispassionate discussion. Laws were John Fogarty's response to people—to their needs, to their hopes, to their ideals, and their sense of justice.

Most of us, if we give enough time and thought to any problem, will finally arrive at some plan to end or reduce that problem. That part of life is fairly simple. But such plans will not get very far unless they are pushed by determination and dedication. John Fogarty was effective in Congress first because he saw what needed to be done, and then he had the force of will and the knowledge needed to make things happen.

And his driving force, was that deep understanding of people and his compassion for those in need of help.

I remember a visit that John Fogarty made to my home county in 1954. He came to speak for me during my campaign for reelection in the House. From the moment he began to talk, it was clear that he and the audience were in full harmony and in full understanding of each other. I will never forget the applause; I will never forget the look in his face and the look in the faces of the audience.

Mr. President, John E. Fogarty has left us too suddenly and too soon. We grieve with his family and share his loss with the Nation.

Mr. INOUYE. Mr. President, few men will match the record of the late Congressman John E. Fogarty, of Rhode Island. I was privileged to count him as a friend early in my career in Washington and was deeply saddened by his sudden death. Countless Americans, including the very old and the very young, are indebted to John Fogarty for his lifelong devotion to the development and improvement of many national health programs.

His work in the field of mental retardation alone will stand as a monument to his dedication long after his passing. John Fogarty truly served his nation well.

Mr. KENNEDY of New York. Mr. President, the death of Congressman John Fogarty saddened us all. When he was first elected to Congress over a quarter of a century ago, the Bricklayer's Union, from whose ranks he had come, gave him a testimonial dinner. From that time on, he neither permitted nor needed any more dinners. He built his own testimonial, laying bricks of solid achievement, mortared with care and love.

If the question was who led the Congress in the cause of mentally retarded children and in countless other struggles for the poor and the sick, the answer would unhesitatingly be John Fogarty. He raised his voice for the mentally retarded when there were few who shared his concern, when mental retardation was thought hopeless. As chairman of the Appropriations Subcommittee with responsibility for public health matters—as well as education and welfare—he was a consistent and successful champion of increased funds for medical research, especially for cancer research and the work of the National Institutes of Health generally. As the New York Times said this morning, he was "Mr. Public Health." For his leadership in the cause of health, he was honored time after time, winning, among others, the Albert Lasker Award and the Leadership Award of the Kennedy Foundation.

He was a great friend of President Kennedy and of the entire Kennedy family. We had no better friend. All of us—all Americans—will miss John Fogarty.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, in accordance with the order previously entered, and as a further mark of respect for our beloved deceased colleague, John E. Fogarty, of Rhode Island, I move that the Senate now adjourn until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 2 o'clock and 53 minutes p.m.) the Senate adjourned until Thursday, January 12, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 11, 1967:

ASSISTANT SECRETARY OF DEFENSE

Phil G. Goulding, of Maryland, to be an Assistant Secretary of Defense, vice Arthur Sylvester, resigned.

IN THE AIR FORCE

Gen. John P. McConnell, FR611 (major general, Regular Air Force) U.S. Air Force, to be reappointed as Chief of Staff, U.S. Air Force, for a period of 2 years beginning February 1, 1967, under the provisions of section 8034, title 10 of the United States Code.

COMPTROLLER OF THE CURRENCY

William B. Camp, of Maryland, to be Comptroller of the Currency.

NEW ENGLAND REGIONAL COMMISSION

John J. Linnehan, of Massachusetts, to be Federal Cochairman of the New England Regional Commission (new position).

MISSISSIPPI RIVER COMMISSION

Subject to qualifications provided by law, Rear Adm. James C. Tison, Jr., USESSA, Director, Coast and Geodetic Survey, to serve as a member of the Mississippi River Commission.

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Pursuant to the provisions of section 4(a) of Public Law 592, 79th Congress, approved August 2, 1946, as amended, we the Commissioners of the District of Columbia nominate the following named person for appointment as a member of the District of Columbia Redevelopment Land Agency:

Alfred P. Love, to fill the unexpired term of Richard R. Atkinson, resigned, whose term expires March 3, 1968.

EXTENSIONS OF REMARKS

Presidential "E" Award to Baltimore Copper Paint Co., of Baltimore

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. GARMATZ. Mr. Speaker, our flourishing economy has made it possible for our citizens to spend more time in recreational activities, and when these are active ones, this is greatly to be desired. As a resident of a State which has excellent boating facilities, I have been agreeably surprised at the tremendous increase in boating activities on the Chesapeake Bay and its tributaries and I understand, throughout the country. This has, of course, resulted in a greatly increased volume of boatbuilding, especially pleasure boats—power and sail. The mass production of these boats had made them available to a wide cross section of our population and also has awakened an interest in foreign markets.

In line with increased boatbuilding, a firm in my district, the Baltimore Copper Paint Co., has contributed greatly to the industry by supplying all types of coatings for commercial vessels and the manufacture and merchandising of paints for the pleasure and fishing boat industries.

By its initiative and ingenuity, the company has become a supplier, not only to a large segment of the domestic boatbuilding industry, but also to a large foreign market and is consistently increasing its exports.

This enterprise has won for the company the Presidential "E" Award, and a few weeks ago it was my privilege to represent the Secretary of Commerce in presenting the award. My remarks at that time, commenting further on the outstanding achievements of the Baltimore Copper Paint Co., follow:

PRESENTATION OF DEPARTMENT OF COMMERCE "E" AWARD TO THE BALTIMORE COPPER PAINT CO., BALTIMORE, MD., DECEMBER 17, 1966

It is indeed a pleasure to be permitted to be with you today to represent the Secretary of Commerce in presenting the "E" citation to the Baltimore Copper Paint Company.

As chairman of the Merchant Marine and Fisheries Committee of the House of Representatives, all matters pertaining to vessels from the largest sea-going passenger and freight vessels to the various size pleasure boats, are naturally of considerable interest to my committee. It is, therefore, extremely gratifying to know that a Baltimore company is supplying one of the very important needs of the shipbuilding industry, not only in our own country but practically world-wide.

By its resourcefulness and ingenuity, the company has not only met the foreign competition, but has succeeded in distributing its products in almost every corner of the globe where vessels of any size are built or used.

The company is supplying the largest marine paint manufacturer in Norway; an Italian company, with import connections with Italian shipping, and the largest independently-owned marine paint company in the United Kingdom.

Through extensive market research, liberal credit terms, judicious licensing arrangements, quality products, and prompt and efficient delivery, the company has consistently increased exports of its marine coating.

The tremendous success achieved reflects great credit on management and employees, and the American free enterprise system, and should be emulated by other domestic concerns.

With the award from the Department of Commerce, I would like to extend my personal hearty congratulations on this achievement and to express the hope that this success will be continued and increased.

Lindsay Hoben: A Truly Great American Journalist

EXTENSION OF REMARKS

OF

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. REUSS. Mr. Speaker, the integrity, the independence, and the forward-looking approach to the news that together have made the Milwaukee Journal one of the truly great American newspapers are a fitting memorial to Lindsay Hoben, who died Sunday, January 8, a week after he retired as its editor and vice president.

A product of the Journal organization, Mr. Hoben's career spanned 40 years of dedication, not only to his profession, but to the community, the State, and the Nation. His sound judgment, wise leadership, and keen sense of truth and justice, have left a permanent mark on both the contents of the Journal and the staff that produces it.

Although Mr. Hoben's death leaves a void that will be difficult to fill, his foresight in educating and training younger executives for the responsibilities that lie ahead bodes well for the future of the Milwaukee Journal. That too is a great tribute to Mr. Hoben.

He joined the Journal staff as a church writer in 1926. Later he toured much of the world, and was one of the first American newspapermen to visit the Soviet Union. His knowledge of local, national, and world affairs eventually led him into the editorial writing field. He became chief editorial writer in 1949. Many felt the sting of his penetrating analysis of the news, yet he was respected equally by friends and critics.

Mr. Hoben was a product of the great traditions and accomplishments of the Milwaukee Journal. Just as surely, those who follow will be a tribute to the genius and ability of Mr. Hoben.

Save the New Metropolitan Opera Company Instead of the Old Opera House

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter I have addressed to the Honorable Anthony J. Travia, speaker of the New York State Assembly, on Thursday, January 5, 1967. The text of the letter follows:

DEAR MR. SPEAKER: Because you are a devotee of opera and Speaker of the New York State Assembly, this letter is written to you.

The Court of Appeals of our State has declared unconstitutional a law, passed by the Legislature at its last session, aimed at preventing the demolition of the Old Metropolitan Opera House. During the period that this Statute was considered by the Legislature and reviewed by the Courts—from the Supreme Court to the Court of Appeals—this sole asset of the Metropolitan Opera Company was frozen. The Opera Company could not exercise full control over this property on Broadway at 39th and 40th Streets, Borough of Manhattan. It could not use it for security to meet its current financial difficulties. It faces a deficit of staggering sum. About $500,000 annually, to be used to reduce its current deficit, may be lost to the Metropolitan Opera Company unless it can go forth with its contract of sale of this old structure. Most of us, who are subscribers to seats at the Opera have liberally contributed towards making up this deficit. Many others have made contributions, but the deficit still lingers.

It would be impossible to operate two huge Opera Houses in New York City on any profitable basis. The Old Opera House could not possibly compete with the New House at Lincoln Center. Oscar Hammerstein, some years ago, tried to operate a second Opera House on West 34th Street—the Manhattan Opera. He woefully failed. Even the glittering operatic stars that Hammerstein gathered together could not make the venture pay. A similar fate awaits any new attempt to salvage the Old Metropolitan Opera House.

It is said that ballet, Comic Opera as well as Grand Opera, concerts, and orchestras could perform there. But could it be done profitably? Town Hall, Carnegie Hall, the Lincoln State Theatre, City Center Theatre, Philharmonic Hall, Madison Square Garden, many theatres, and hotel ballrooms would all compete.

It would cost a King's ransom to recondition and air-condition the Old House. Where is the money to come from?

Although I understand full well the objectives of those who seek to extend cultural activities in New York City, I do not believe that the so-called "Old Met Committee" is anxious to provide additional facilities. If they were, they would contribute to the new Metropolitan Opera House instead of seeking to preserve, for sentimental reasons, an ugly, outmoded, and by now, dilapidated building. I believe the enthusiasm of the members of this Committee is misguided.

Undoubtedly, a bill or bills will be offered to replace the Statute declared unconstitutional. In the interest of the aesthetic and cultural values of New York City and in the interest of strengthened opera, as now produced at Lincoln Center, I urge your opposition to any legislation that would interfere with the legitimate use by the Metropolitan Company of its asset, namely, the Old Opera House on Broadway.

Very truly yours,

EMANUEL CELLER.

President's State of the Union Address

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. ST. ONGE. Mr. Speaker, the President's state of the Union message last evening gave the Nation and the world renewed hope and inspiration for dealing with the challenges that lie ahead. It was a brave report which in no way sidestepped the dangers and problems facing this country, and at the same time it proposed solutions free from any partisan flavor.

The course charted by the President is a brilliant corollary to the very impressive accomplishments of the 89th Congress. It provides the means of implementing and extending the vital areas of domestic programs, especially those dealing with the budget, Government organization and efficiency, civil rights, social security, health, and crime. None of us enjoys paying taxes, but all of us understand the need for taxation in order to finance the programs we want at home, and our commitments abroad. The President has proposed a tax measure to meet our increasingly expensive obligations in Vietnam, and at the same time maintain the high level of domestic prosperity.

The President's address focused particular attention on this Nation's involvement in southeast Asia, a problem which overshadows all others at the present time. I believe that the ultimate hope in Vietnam lies in proving conclusively to our adversary that force cannot be tolerated as a means of achieving their goals. At the same time we shall pursue every avenue for an honorable and negotiated settlement.

President Johnson treated with extreme candor the problems that always accompany progress. There may be some squeaks and rattles in the new machinery for social progress and the President calls on Congress to help in correcting them. The best of man's ideas are wasted unless experiments are tried. Fortunately, most of our experiments have been extremely successful and a great benefit to the American people. This President is not going to yield to the harsh criticism of chronic complainers and neither is this Congress.

In particular, we all must remember that to fight poverty is not a simple or easy undertaking. More than any other nation in the history of mankind, the United States is committed to the struggle to eliminate poverty and this may well be the greatest and most elevating experiment ever undertaken.

I call on all our people and their elected representatives in this Congress to put aside factional differences and unite behind our President in securing an honorable peace in Vietnam, and a prosperous, orderly society at home free of the scourge of prejudice and crime.

Supersonic Transport

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. BOW. Mr. Speaker, the New York Times of January 2 commented editorially on the present program of construction of a supersonic transport plane, and I wish to place that editorial in the RECORD today.

The Times has presented forcefully many of the arguments in support of a new look at this program. These arguments also lend support to my bill, H.R. 12, which would provide for private financing of the SST project. I am including with my remarks my letter to Mr. John B. Oakes, editorial page editor of the Times, in which I call his attention to H.R. 12 and to the fact that there are many similarities between my proposal and the editorial comments in his newspaper.

I hope that H.R. 12 will receive early and serious consideration by the appropriate committee.

The letter and editorial follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., January 11, 1967.

Mr. JOHN B. OAKES,
Editorial Page Editor,
The New York Times,
New York, N.Y.

DEAR MR. OAKES: I am delighted to note the position the Times has taken as expressed in the editorial, "Paying for the SST", January 2, 1967.

Many of the principles you enunciate are contained in a bill I introduced in the 89th Congress and in H.R. 12, which I introduced on the opening day of this Congress.

I am sending under separate cover a copy of H.R. 12, together with a copy of my remarks when H.R. 12, was introduced.

I welcome any constructive criticism the Times' staff members may wish to offer to improve H.R. 12. A great deal of research and effort has been expended in the preparation of H.R. 12, but I always take the position that it may be possible to improve any projected plan or program.

I heartily agree that open debate in the Congress on the SST costs and financing is sorely needed, and long overdue. To this end, I recently urged the President to join with me in requesting early hearings on H.R. 12.

I earnestly hope the Times will continue to lend strong support toward achievement of the objectives we mutually support in the SST matter.

Sincerely yours,

FRANK T. BOW,
Member of Congress.

[From the New York Times, Jan. 2, 1967]

PAYING FOR THE SST

As winner in the competition for design of a supersonic passenger plane, Boeing will acquire a Government-endowed monopoly on sales of an American SST designed to carry 300 passengers at upward of 1700 miles an hour.

Until recently the race to build an SST had not aroused much attention, perhaps because the whole idea of flying two or three times the speed of sound seemed a little too far out to be taken seriously. Now, the SST is coming—and it should come. But so important and expensive a project must be accompanied by much fuller and more open debate over its costs and consequences.

The key issues to be explored are not technological. The aerospace industry is confident it can solve the complex and intricate problems involved in transporting human beings from New York to Tokyo in less time than it now takes to travel by subsonic jet from New York to Los Angeles. Given the industry's past record of accomplishment, there is no reason to doubt its ability to overcome potential stumbling blocks, including the perplexing problem of sonic boom.

But development of the SST does raise serious financial and ethical questions: Should the nation's taxpayers pay almost all the development costs for the SST without knowing just what the final bill will be? If no single company has the financial and technological resources to build the SST without Government help, should the Government's competition to end competition give Boeing an unassailable—and undesirable—technological lead at the expense of the rest of the industry? Does the threat of foreign competition—both from the French-British Concorde and a Soviet SST—make the development of an American commercial model so essential that Federal expenditures for it cannot be reduced or postponed when the soaring costs of Vietnam call for utmost budget stringency?

The SST's priority is debatable and so is its financing. The industry may be right in asserting that the costs of development are so huge that no company can afford to take the risk on its own. It points out that the backing of both Britain and France has been required to launch the Concorde. But if the combined efforts of two countries and their aircraft industries are needed for that much less ambitious project, the American SST might be more safely and soundly developed if it commanded the combined resources of the entire American industry and the Government.

There are obvious advantages in industry-wide cooperation. It would promote a spread, rather than a narrowing, of technology. It would mean less cost—and less risk—to taxpayers. And it would remove the threat that Government participation might eventually lead to Government control.

In 1964, when the SST was still largely in the dream stage, we suggested that a joint venture would be preferable to a competition that would give one firm a commercial monopoly with Washington as its sole—and perhaps not so silent—partner. We still consider a joint venture the best way to produce the SST at the most economical cost. With the first generation of SST already planned and a second generation being studied, questions of cost and technology can no longer be swept under the rug.

The possibility that SST may not be able to operate at a profit, as one expert involved in the negotiations for its development predicted the other day, makes it essential to put a limit on Government's risk with the taxpayer's money. If the Treasury is to advance most of Boeing's development costs, which seems to be the Administration's plan, there must be iron-clad guarantees that it will be repaid.

It would be preferable if the entire aerospace industry participated, along with the Government, in this big and speculative project. By setting up a new corporation along the lines of Comsat, the SST would have more chance of being a success while strengthening the industry without undue risk to the taxpayer.

What is at stake is not the commitment to proceed with SST. That decision has been made and cannot—and should not—be reversed. But if the SST is to be sound economically as well as technologically, the Administration and the industry must be less secretive and indefinite about costs and how they are to be financed. An open debate is needed on how to get the most for the taxpayers' money.

The Future of the Great Lakes Waterways

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. ROUSH. Mr. Speaker, I take great pleasure in submitting to the RECORD a fine speech by our distinguished junior Senator from Indiana, Senator BIRCH BAYH. His speech before the Great Lakes Commission's annual meeting concerns a subject of interest to all of us in the Midwest—the future of the Great Lakes Waterways.

The speech follows:

THE FUTURE OF THE GREAT LAKES WATERWAYS

(Speech by Senator Birch Bayh, of Indiana, before the Great Lakes Commission annual meeting, Indianapolis, Ind.)

I am pleased to have this opportunity to speak to you tonight on a subject of particularly vital importance to the continued economic prosperity of the Midwest—and therefore a subject of great importance to the nation's economic health as well—the future of the Great Lakes Waterways.

It is especially fitting, it seems to me, that today the Great Lakes Commission is meeting in Indianapolis. For, as you know, Indiana was the only state bordering the Great Lakes which, until recently, did not have a deep-water public harbor. During the 89th Congress, however, we were fortunate in passing a measure authorizing the construction of the Burns Waterway Public Harbor. I am happy to report that work has already begun on this project. As a result, Indiana is now a full-fledged partner in the development of the Great Lakes Region.

The Great Lakes Waterways provide economical transportation for an immediate area of 300,000 square miles, and extend their facilities to a tributary region totaling over 1 million square miles—or about one-sixth of the North American continent. Living within the Great Lakes complex are more than 70 million people; one-third of the total combined populations of the United States and Canada. It is a region producing 50 per cent of all U.S.-Canadian manufacturers, including 70 per cent of the steel output, and over 40 per cent of the agricultural produce. The Great Lakes States alone provide the Federal Government with more than 40 per cent of its tax dollars.

The opening of the St. Lawrence has transformed the Great Lakes from a poorly-connected waterways network into a prized fourth seacoast for the United States.

In 1960, the St. Lawrence carried a meager 20 million tons. In 1965, tonnage had jumped to 43 million, and in 1966, it is expected to handle almost 48 million tons. Grain traffic along the St. Lawrence has increased 80 per cent since 1961.

In the State of Minnesota alone the Seaway is directly responsible for a 75 per cent increase in farm exports since 1959. In 1965, Minnesota's foreign trade jumped 32 per cent. And in previously land-locked North Dakota, foreign trade has increased 50 per cent since 1960. Similar increases were reported for South Dakota, Wisconsin and Iowa.

The Chicago Board of Trade estimates that the opening of the Seaway has resulted in a savings of $60 million on grain shipments from the Midwest. The total savings in reduced transportation costs for all Seaway traffic exceeds $200 million.

The St. Lawrence Seaway is the key to the economic development of the previously land-locked "Bread Basket" of America. The Seaway is the Midwest's window on the world, providing us with access to the all-important markets of Europe and beyond. Naturally, we in Indiana would like to share in this tremendous expansion for which the St. Lawrence is largely responsible. The importance of the Seaway to Indiana's economy is pointed up by the fact that 22 cents of every dollar's worth of farm products sold by Indiana farmers originates from export sales.

Our future economic development as a region, as you can see, depends upon the ability of the St. Lawrence to retain, and exploit, its competitive advantages.

In conjunction with the expansion of the Seaway, the individual Great Lakes States have undertaken extensive programs to develop the full potential of their ports. The success of these programs is seriously threatened, however, by a proposed 10 per cent toll increase on the Seaway. According to Commerce Department officials, the increase is necessary in order to retire the Seaway Corporation's debt.

To tamper with the toll rates at this point, it seems to me, is dangerous, too dangerous for the continued growth of the Seaway. As a 1965 report by the Stanford Research Institute pointed out, "important traffic patterns are still in a state of flux. . . . a long run pattern has not yet been established." This was particularly true with respect to grain shipments, the Report concluded. And grain shipments, it should be pointed out, constitute the single most important item in Seaway tonnage.

The present toll, in terms of cost per bushel of wheat, is approximately one cent—a 10 per cent increase would neutralize the Seaway's natural advantages, and result in the loss of shipments to the Gulf ports whose outlet would otherwise be the St. Lawrence.

It seems fairly certain, then, that a toll increase now would disrupt emerging traffic patterns. It would curtail our foreign trade at a time when we already have a delicate balance of payments problem.

The Stanford University Study on which the Commerce Department has based its recommendation for an increase points out that "in general, it appears that the routing of grain shipments for export is responsive to fairly small differences in the shipping charges on alternative routes." It went on to say, however, that "While it appears that routing of marginal grain shipments would be influenced by changes in the present level of tolls, moderate toll rate changes probably would have only a small influence on total tonnages moved via the Seaway." It seems to me that this is having the best of both possible worlds—in most cases a toll increase would very definitely affect traffic, but in this case it doesn't!

What the Stanford Study doesn't say is probably just as important as what it does say. It fails to point out, for example, that the Seaway would have even greater competitive advantages if, in the first instance, it was not required by statute to set relative high toll rates. The lag in Seaway revenues is due, for the most part, to gross miscalculations on projected tonnage. For the period 1959 to 1966 traffic is approximately 52.5 million tons lower than the original estimates. Could excessively high toll charges have been responsible for this failure to live up to expectations?

The St. Lawrence Seaway is the only public waterway in the United States to bear the original costs of construction and operation. I repeat—the Seaway is the only public waterway in the history of the United States whose traffic must bear the total cost of construction and operation, with repayment due in 50 years.

Why has the St. Lawrence been singled out for such a dubious distinction? What was the economic rationale behind a self-liquidating Seaway? These are questions to which I have no answers.

Recently, in discussing the Seaway's unique financial arrangement with the man directly responsible for administering the nation's transportation system, Under Secretary of Commerce for Transportation Alan Boyd, the Secretary offered this observation: "It is my understanding that the policy of the Congress today is that transportation plans generally should be paid for by the user as a matter of policy, but as a matter of implementation, except in the case of the Seaway and the sum of the user charges on the passengers and freight of airlines, the Congress has not implemented this policy." In short, there is no logical explanation as to why the St. Lawrence alone must bear these burdens.

It was a costly mistake for the supporters of the Seaway to have succumbed to political expediency. Selling the St. Lawrence on the basis of self-liquidation was wrong. The Seaway was, and continues to be, an economically justifiable undertaking.

Remove its financial straight-jacket—let the Federal Government treat the Seaway the same way it treats the New Orleans Industrial Canal, which has already received $100 million and which charges no tolls; or the Delaware River Basin, in which we have invested over $170 million, and which is toll free—treat the Seaway in this manner and we will have a prosperous St. Lawrence and an economically healthy Midwest.

I do not ask that these projects bear the burden of construction costs. Our tax dollars invested in these waterways have resulted in substantial public benefit. But I do ask that the St. Lawrence be included in this category. It is no less a national, and no more regional, waterway than the Houston Ship Canal or the Delaware River Basin.

While I sympathize with the Seaway Corporation in its present predicament—at the end of 1965, the outstanding balance was $141.7 million, or about $8.2 million more than the original cost with one-seventh of the repayment period already elapsed—I do not agree that the proposed toll increase is the solution. The Seaway's current indebtedness is evidence enough that the repayment scheme is not feasible.

Faced with the prospect of a toll increase, the bipartisan Great Lakes Conference of Senators supported a measure introduced by our colleague from Minnesota, Senator Mondale, which was designed to relieve the St. Lawrence of the onerous and discriminatory financial burdens imposed upon it by the Seaway Act of 1954.

The Mondale Plan, with which many of you are undoubtedly familiar, proposed to refinance the Seaway Corporation debt by converting the outstanding principle and interest owed to the Treasury into interest-bearing capital stock owned by the Federal Government. Under this proposal the Seaway Corporation would save $1.8 million annually, and at the end of 60 years will have paid into the Treasury a total of $285.5 million.

The Great Lakes Conference of Senators is the first to admit that the "recapitalization" formula is not the only possible solution. It is only a beginning. In fact, as I mentioned during the hearings on the Mondale bill, "I just wonder if, maybe, we are not asking for too little."

Another possibility which has often been suggested is the imposition of a nominal "user charge." Of course, I see no reason for singling out the Seaway for a "user charge" when other federal waterways remain toll free. But this is a possibility that needs to be explored. Hopefully, a comprehensive review would result in a uniform federal waterways policy.

With the tragic death earlier this year of Senator Pat McNamara, we lost a valuable public servant whose efforts in behalf of the Great Lakes States, I'm sure, are well known to all of you here tonight. He was Chairman of the Senate Public Works Committee, which has major responsibility for navigational problems. Now with his passing, only Senator Steve Young and myself represent the Great Lakes States on this all-important Committee.

For this reason, in recent months I have focused more of my attention on Seaway problems than ever before. I would like to list some of the trouble spots, in addition to the toll question, which continue to plague the operation of the Seaway and the Great Lakes Waterways. And I would like to offer, what I feel, is a very definite step toward solving these problems.

From the standpoint of operations, we have a problem which has only recently come to light. In testimony before the Senate Public Works Committee, the Seaway Corporation admitted for the first time, publicly, that the Eisenhower Lock was built to faulty specifications, and as a result, the Seaway's operations are being hampered. This requires immediate attention, and it should be repaired with Treasury funds, for the Army Corps of Engineers is solely responsible.

The Great Lakes Ports, as I am sure you know, have not engaged in as extensive a promotional campaign as they should. The Port of New York spends over $1 million annually for advertising and promotion. How much are the Great Lakes States spending? Is it $100,000 or $200,000? Whatever the exact figure is, we need to do more—substantially more.

The Seaway Development Corporation, of course, is limited in its promotional activities because it is an official government agency. But this restriction does not extend to the individual port authorities and the Great Lakes Task Force, who should be joined together for their mutual benefit.

Then there is the pilotage problem. Increasing the tolls 10 percent is not going to help ships experiencing delays because of the difficulties in securing pilots.

And who knows how much traffic has been lost to the Seaway because of the discriminatory rate schedules of inland carriers. Some of the trunk lines servicing the Great Lakes ports have improved their service—but most of them have not.

Finally, there is the problem of United States flag-vessels on the Great Lakes—or, more appropriately, the lack of U.S. vessels. Why can foreign carriers operate so profitably plying the Seaway and American shippers find they can not. Is it profit or expedience that keeps them from serving the Great Lakes.

This lack of American flag ships, naturally, has resulted in a tremendous loss of government cargo. Government purchased goods produced in the Midwest are being diverted from their natural outlets along the Great Lakes. The cheapest and shortest way to ship Kaiser Corporation products produced in Toedo, provided there is adequate rail service, is through the Port of Toledo. Not the Port of New York or Baltimore—as is now being done.

In January, 1962 a Defense Department task force published a report entitled "Study of Surface Movement of Export of the Department of Defense to Europe and the Mediterranean Area." Behind that lengthy title, which was probably designed to scare away prospective readers, was a recommendation that the Military Sea Transportation Service begin providing service to the Great Lakes Ports with controlled ships if the U.S. flag carriers continue their de facto boycott of the Lakes.

This recommendation was based upon the fact that American flag service was so poor that the Department of Defense was not able to take advantage of reduced transportation costs on the Seaway.

I am sorry to report that the Defense Department has not acted on this recommendation. It is an area that merits further study.

These are problems that require immediate attention, as does the toll question. Hopefully, this matter can be brought to the attention of Congress, and the necessary remedial action taken before the Seaway is strangled.

Ukrainian Independence Day

EXTENSION OF REMARKS

OF

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 11, 1967

Mr. RUMSFELD. Mr. Speaker, 49 years ago, on January 22, 1918, patriots of the Ukraine proclaimed their freedom and independence after centuries of subjugation by the Russians. For the Ukrainian people, this is a memorable day—a day on which honor and tribute are paid to the Ukrainian dead and the Ukrainian living, all of whom have served with glory in the forefront of the fight for freedom against Communist oppression.

For 3½ years following the proclamation of the sovereign and independent Republic of the Ukraine, the people of that nation fought valiantly against the overwhelming forces of the Soviet Union. Their determination to retain their freedom and their valor will be long remembered. But the might of the Soviet Union prevailed, and the light of freedom was extinguished in the Ukraine. Since then, the Ukrainians have suffered under Red tyranny, but their dream of liberty remains strong.

In honoring this valiant people on this anniversary of Ukrainian Independence Day, let us reaffirm our hope to see freedom for all oppressed people and the liberation of the Ukrainian Nation from Soviet domination.

SENATE

THURSDAY, JANUARY 12, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord, Thou has been our dwelling place in all generations.

For a thousand years, in Thy sight, are but as yesterday, when it is past and as a watch in the night.

So teach us to number our days that we may apply our hearts unto wisdom.

Let Thy work appear unto Thy servants and Thy glory unto their children.

And let the beauty of the Lord our God be upon us: Yea, the work of our hands establish Thou it.

Steel our wills and steady our hands with power, and wisdom, that with eager joy we may dedicate the Nation's strength to throw open the gates of a new life for Thy children everywhere.

As here we face the questions which confront us, and almost confound us, give us to know clearly the things that belong to our peace and to the peace of the world in righteousness and justice.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 11, 1967, was dispensed with.

ATTENDANCE OF A SENATOR

Hon. QUENTIN N. BURDICK, a Senator from the State of North Dakota, appeared in his seat today.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS—CONSIDERATION OF SENATE RESOLUTION 6

Mr. MANSFIELD. Mr. President, may I have the attention of the Senate?

Mr. President, I have discussed with the distinguished minority leader the proposal which I am about to make, and it has his concurrence. I also have discussed the proposal with Senators on both sides of what will shortly become the pending question.

I ask unanimous consent for the transaction of routine morning business, with statements limited to 3 minutes; also that Senate Resolution 6, a resolution coming over, under the rule, from yesterday be laid before the Senate upon the completion of routine morning business; and, if it is not disposed of by 2 p.m., that it be placed on the calendar at that time.

Mr. LONG of Louisiana. Reserving

the right to object, has the Senator from Georgia [Mr. RUSSELL] been consulted about this proposal?

Mr. MANSFIELD. Both sides have been consulted.

Mr. LONG of Louisiana. Very well.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

NOMINATION OF ALAN S. BOYD AS SECRETARY OF TRANSPORTATION

Mr. MANSFIELD. Mr. President, in a short while the nomination of Mr. Alan S. Boyd to be Secretary of Transportation will be brought up. However, because certain Senators wish to be in the Chamber at that time, the consideration of the nomination will be delayed temporarily.

HOLIDAY RECESS SCHEDULE, 1967

Mr. MANSFIELD. Mr. President, I send to the desk a holiday recess schedule for 1967, the 90th Congress, and ask that it be read.

The VICE PRESIDENT. The holiday recess schedule will be read.

The legislative clerk read the holiday recess schedule, as follows:

HOLIDAY RECESS SCHEDULE, 1967

Lincoln's Birthday (Sunday, February 12, 1967)—From conclusion of business Thursday, February 9, until Noon, Wednesday, February 15. *Pro forma meeting, Monday, February 13.*

Washington's Birthday (Wednesday, February 22, 1967)—No business after reading the Farewell Address.

Easter (Sunday, March 26, 1967)—From conclusion of business, Thursday, March 23, until Noon, Wednesday, March 29. *Pro forma meeting, Monday, March 27.*

Memorial Day (Tuesday, May 30)—From conclusion of business, Thursday, May 25, until Noon, Wednesday, May 31. *Pro forma meeting, Monday, May 29.*

July 4 (Tuesday)—From conclusion of business, Thursday, June 29, until Noon, Wednesday, July 5. *Pro forma meeting, Monday July 3.*

Mr. MANSFIELD. Mr. President, not only will a copy of the schedule appear in the RECORD, on the basis of its having been read, but a copy also will be sent to each Senator.

JOINT RESOLUTION TO LOWER VOTING AGE

Mr. MANSFIELD. Mr. President, on my own behalf I should like to be recognized not only for 3 minutes but also for several additional minutes, for the purpose of introducing a constitutional amendment.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none and it is so ordered.

Mr. MANSFIELD. Mr. President, it is my understanding that at present in the States of Georgia and Kentucky, citizens of the age of 18 are allowed to vote; that in the State of Alaska, at the age of 19, they are allowed to vote; and that in the State of Hawaii, at the age of 20, they are allowed to vote. What I have just said is subject to correction, but that is my understanding.

Mr. President, since the First World War a number of measures have been introduced in Congress which have been designed to extend the franchise to citizens 18, 19, and 20 years old. In my opinion, the adoption of a constitutional amendment along these lines is long overdue. The joint resolution which I offer, therefore, represents another effort to remedy what I believe to be a serious inadequacy in the electoral processes of the Nation.

There is no reason to assume that citizens who have attained the age of 18 are any less capable than any other age group of casting a responsible vote. Not only are these younger citizens no less worthy than other Americans of sharing in the basic decisionmaking process of representative government, but their participation may well improve the process.

Thanks to the growing efficacy of the educational systems of the Nation and the spread of media of public information, the 18-to-21 age bracket clearly comprises an intelligent, well informed, and responsible constituency. More of these young people have completed high school, more are attending college, than any similar age grouping in the Nation's history. Indeed, a summing up of the general characteristics of these young citizens leads to the conclusion that they ought to be at least as capable as the rest of us in the effective employment of the franchise.

Their interest in public affairs and their potential for highly creditable public service at home and abroad are attested to by the personal dedication that is characteristic of such voluntary programs as VISTA and the Peace Corps. About 7 percent of the Peace Corps enrollees, for example, are 20 years of age and below. Finally, their capacity for mature patriotic commitment to the Nation is nowhere more manifest than in their service in the Armed Forces of the United States.

Beyond obvious and demonstrated capacity, there is a fundamental consideration which strongly suggests the desirability of the enfranchisement of our younger citizens. They are bound, along with the rest of us, by the decisions which are reached by the Government of the United States. Vietnam illustrates that these decisions may well involve a grim life or death bond for many of these young people. Surely, when citizens of the United States reach an age when they can be so clearly and directly bound by policies of government, they ought to be able to participate in the choice of political representatives. In the end, these representatives are the responsible source of foreign as well as domestic policy, of the waging of war and of the pursuit of peace.

Where is the rationale in considering an American old enough to fight in Vietnam but not old enough to vote in the selection of those who determine the basic commitments in Vietnam? By the same token, it may well be asked why an 18- to 21-year-old taxpayer should be expected to bear a portion of the burdens of long-range domestic programs which elective officials initiate, while at the same time he is precluded from any say in the choice of those officials. In passing, it is possible to sense the frustration which must be engendered among the youth of the Nation by statements of political leaders who call for the establishment of one kind or another of compulsory national service for all 18-year-olds while these young people are excluded from any voice in the selection of those who issue these statements.

I realize that it is possible to reduce to absurdity a suggestion that the age of enfranchisement be lowered. It can be noted that much of what is said of 18-year-olds may be said of 16-year-olds. Why not the vote, then, at 16 or 12 or 6?

Any age cutoff is obviously an arbitrary selection. That would be as true of 18 as it is of 21, which now generally prevails in the Nation. I would hope, however, that the current Congress will not be deterred from action on that basis. I would hope that this Congress will face up to the question of enfranchisement of Americans at the age of 18. There is a single and compelling reason for that arbitrary selection. Eighteen is the age when Americans become liable for compulsory military service. If they are old enough to face a bullet, they are old enough to cast a ballot.

Lowering the voting age to 18 is at least as much a matter of effective and responsible government as it is of justice, because it will tend to bring about a better and more equitable balance in the electorate of the Nation. As life expectancy rises, the number of older voters increases. A corresponding expansion in the number of younger voters not only will broaden the political base of the Government, but may well provide concurrently a more balanced approach in the Nation's general political outlook.

The constitutional amendment which is proposed, Mr. President, will put to the States the question of lowering the voting age to 18. It is brief and, I hope, clearly to the point. I send to the desk a Senate joint resolution cosponsored by Senators NELSON, INOUYE, BIBLE, METCALF, and CANNON and ask that it be read.

The VICE PRESIDENT. The joint resolution will be read.

The legislative clerk read as follows:

S.J. RES. 8

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if such a citizen is eighteen years of age or older. The Congress shall have power to enforce this article by appropriate legislation.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress."

Mr. DIRKSEN. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Mr. President, I am delighted to yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, it was 4 or 5 years ago that I introduced an identical joint resolution. We had two or three hearings before the Committee on the Judiciary, to which it was referred. No action was taken by the committee. No action was taken by the Senate. However, I have never lost my interest, and if the majority leader so desires I would be delighted to be a cosponsor of this proposal.

Mr. MANSFIELD. Mr. President, I am honored to have the distinguished minority leader as a cosponsor.

I ask unanimous consent that the name of the distinguished senior Senator from Wisconsin [Mr. PROXMIRE] be added to the original proposal; and I ask unanimous consent that the proposal lie at the desk for a week for other cosponsors.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be held at the desk, as requested by the Senator from Montana.

The joint resolution (S.J. Res. 8) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. MANSFIELD (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. PROXMIRE subsequently said: Mr. President, earlier today the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD], introduced a joint resolution proposing a constitutional amendment to provide an opportunity for 18-year-olds to vote. I am delighted to be a cosponsor of that proposed amendment. I say that for three reasons.

First, educational psychologists have urged that the ability to grasp new ideas reaches its peak at the age of 18, and then it proceeds on a plateau. This, of course, does not mean that wisdom does not increase throughout life—it does. But the capacity to grasp new ideas and developments readily in this so rapidly changing world was never more essential.

Second, it is my experience from speaking to high school students—in our States and I have done so to many thousands each year for 10 years—that never have we had a better informed group of high school students than today. We have a much higher proportion of young people finishing high school and receiving a high school education than ever before. This means that the 18-year-old vote will significantly elevate the educational level of our national electorate.

The third reason is the well known fact that we are asking boys to serve in the Armed Forces at the age of 18, and to go to Vietnam to fight and if necessary die at the age of 19. It seems to me that these boys through their vote should have something to say about the policies that send them there.

For those reasons I am delighted to be a cosponsor of the proposed constitutional amendment establishing 18 as the voting age.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces, pursuant to Public Law 87–759, the appointment of Senator HOWARD H. BAKER, JR., as a member of the Battle of New Orleans Centennial Commission.

The Chair announces the appointment of Senators PASTORE, BYRD of Virginia, COTTON, and BROOKE as members of the American Revolution Bicentennial Commission.

Pursuant to the provisions of title 20, United States Code, section 4243, the Chair appoints Senator HUGH SCOTT as a member of the Board of Regents of the Smithsonian Institution.

ADMINISTRATION OF OATH TO SENATOR-ELECT WALTER F. MONDALE

The VICE PRESIDENT. The Vice President having been authorized by the Senate in accordance with the provisions of Senate Resolution 1, agreed to on January 10, 1967, to administer the oath of office to the Hon. WALTER F. MONDALE, a Senator-elect from the State of Minnesota, I wish to report that I have performed that service, and have obtained a signed copy of the oath in addition to the oral affirmation made by the Senator, as required by law.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Securities and Exchange Commission

A letter from the Chairman, Securities and Exchange Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Banking and Currency.

Amendment of Federal Aviation Act of 1958, To Authorize Aircraft Noise Abatement Regulation

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Report of the Chesapeake & Potomac Telephone Co.

A letter from the Vice President, the Chesapeake & Potomac Telephone Co., Washington, D.C., transmitting, pursuant to law, a report of that company, for the year 1966 (with an accompanying report); to the Committee on the District of Columbia.

Drafts of Proposed Legislation Relating to District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend an act to provide for the establishment of a public crematorium in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended, and the Motor Vehicle Safety Responsibility Act of the District of Columbia, as amended, so as to bring within the provisions of such acts any person operating a motor vehicle while under the influence of a drug rendering such person incapable of operating the motor vehicle safely (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes", approved February 4, 1925 (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the registration of names assumed for the purposes of trade or business in the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board

of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, as amended (with an accompanying paper); to the Committee on the District of Columbia.

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended (with an accompanying paper); to the Committee on the District of Columbia.

Proposed Raise of Debt Limit

A letter from the Secretary of the Treasury, proposing that the debt limit be raised; to the Committee on Finance.

Amendment of Title 10, United States Code, To Permit Members of the Armed Forces To Accept Fellowships, Scholarships, or Grants Offered by a Foreign Government

A letter from the Acting Secretary of the Army, transmitting a draft of proposed legislation to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government (with an accompanying paper); to the Committee on Foreign Relations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of effort to collect or otherwise settle certain debtors' accounts, Farmers Home Administration, Department of Agriculture, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

Report on Cooperative Water Resources Research and Training

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on cooperative water resources research and training, for the year 1966 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Amendment of Immigration and Nationality Act

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

Amendment of Act Relating to Participation of the United States in the International Criminal Police Organization

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization (with an accompanying paper); to the Committee on the Judiciary.

Proposed Appointment of U.S. Marshals by the Attorney General

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to provide for the appointment of U.S. marshals by the Attorney General (with accompanying papers); to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

S. 205. A bill for the relief of Ramona Gomez Villa; and

S. 206. A bill for the relief of Kwok On Ong, also known as Seto Doo Jew; to the Committee on the Judiciary.

S. 207. A bill to authorize the construction, operation, and maintenance of the Buttes Dam and Reservoir, Middle Gila River project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KENNEDY of Massachusetts:

S. 208. A bill for the relief of Radojka Sljivich; to the Committee on the Judiciary.

By Mr. LONG of Missouri:

S. 209. A bill for the relief of Zoe P. "Bithos" Gavrilis;

S. 210. A bill for the relief of Shui Lee Wong; and

S. 211. A bill for the relief of Loung Yue Tse; to the Committee on the Judiciary.

By Mr. LONG of Missouri (for himself and Mr. Symington):

S. 212. A bill for the relief of Albert Jelenic; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 213. A bill to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (by request):

S. 214. A bill for the relief of Erman-Howell Division, Luria Steel & Trading Corp.; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself and Mr. Percy):

S. 215. A bill for the creation of the Lincoln Homestead National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for himself, Mr. Bennett, and Mr. Sparkman):

S. 216. A bill relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended; to the Committee on Finance.

By Mr. LAUSCHE (for himself, Mr. Fulbright, Mr. Bartlett, Mr. Scott, Mr. Tydings, and Mr. Young of Ohio):

S. 217. A bill to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Lausche when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS (for himself, Mr. Bayh, Mr. Brewster, Mr. Burdick, Mr. Church, Mr. Cotton, Mr. Curtis, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Griffith, Mr. Hart, Mr. Hickenlooper, Mr. Inouye, Mr. Kuchel, Mr. Long of Missouri, Mr. McGee, Mr. Miller, Mr. Moss, Mr. Mundt, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Scott, Mr. Thurmond, Mr. Tydings, Mr. Williams of Delaware, Mr. Yarborough, and Mr. Young of North Dakota):

S. 218. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN:

S. 219. A bill to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes; to the Committee on Agriculture and Forestry.

S. 220. A bill to authorize the sale of certain public lands; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bills, which appear under separate headings.)

By Mr. CARLSON:

S. 221. A bill for the relief of Dr. Armando Perez Simon; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 222. A bill to ensure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped; to the Committee on Public Works.

S. 223. A bill to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Bartlett when he introduced the above bills, which appear under separate headings.)

By Mr. BARTLETT (for himself and Mr. Gruening):

S. 224. A bill to provide for the rehabilitation of the Eklutna project, Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CARLSON:

S. 225. A bill to provide for the control of noxious plants on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture and Forestry.

S. 226. A bill to establish Huron Cemetery, Kansas City, Kans., as a national monument; to the Committee on Interior and Insular Affairs.

S. 227. A bill to provide that certain highways extending from Laredo, Tex., to the point where U.S. Highway 81 crosses the border between North Dakota and Canada shall be known collectively as the "Pan American Highway"; to the Committee on Public Works.

S. 228. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses paid during the taxable year for repair, maintenance, alterations, and additions to his residence;

S. 229. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption of $1,000 for a taxpayer, spouse, or dependent who is a student at an institution of higher learning; and

S. 230. A bill to amend title II of the Social Security Act to permit an otherwise qualified disabled widow to receive widow's insurance benefits thereunder even though she has not attained retirement age; to the Committee on Finance.

S. 231. A bill for the relief of Dr. Antonio J. Gomez;

S. 232. A bill for the relief of Dr. Mohamed Taher Ahmed Fouad;

S. 233. A bill for the relief of Chester E. Davis; and

S. 234. A bill for the relief of James W. Adams; to the Committee on the Judiciary.

By Mr. CARLSON (for himself and Mr. Pearson):

S. 235. A bill to amend title 23 of the United States Code to provide an additional 150 miles of highway in the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. BARTLETT:

S. 236. A bill to amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. COOPER:

S. 237. A bill for the relief of Milagros Garcia Nunez;

S. 238. A bill for the relief of Max Ratibor;

S. 239. A bill for the relief of Dr. Yuen Zang Chang;

S. 240. A bill for the relief of Mohammad Z. Assadi;

S. 241. A bill for the relief of M. Sgt. Ray S. Molen, U.S. Air Force; and

S. 242. A bill for the relief of Mrs. Virgie M. Bailey; to the Committee on the Judiciary.

By Mr. HART:

S. 243. A bill for the relief of Stanislaw Bialoglowski;

S. 244. A bill for the relief of Dr. Mauro B. Velilla;

S. 245. A bill for the relief of Resan Tokad;

S. 246. A bill for the relief of Dr. Emiliana L. San Diego;

S. 247. A bill for the relief of Modesta Ogoy;

S. 248. A bill for the relief of Dr. Sesinando G. Nazareno, his wife, Aurora Padilla Nazareno, and their child, Mary Agnes Nazareno;

S. 249. A bill for the relief of Dr. Ahmad Kafi;

S. 250. A bill for the relief of Margaret Yueh Chiao;

S. 251. A bill for the relief of Dr. Nasser Barkhordari and his wife, Susan Barkhordari;

S. 252. A bill for the relief of Romeo D. Brion, his wife, Anita Brion, and their child, Arden Brion;

S. 253. A bill for the relief of Helen Chien Wu; and

S. 254. A bill for the relief of Dr. Syed Akram Ali; to the Committee on the Judiciary.

By Mr. JAVITS (for himself and Mr. YARBOROUGH):

S. 255. A bill to amend title VII of the Public Health Service Act to authorize direct student loans to be made to certain students studying outside the United States; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 256. A bill for the relief of Rosa Anna Genovese; and

S. 257. A bill for the relief of Rear Adm. William D. Wright, U.S. Navy, retired; to the Committee on the Judiciary.

By Mr. MOSS:

S. 258. A bill to authorize the Secretary of the Interior to conduct, in cooperation with the States and interested Federal agencies, a development survey of the recreational resources of the Golden Circle of National Parks and Monuments and associated science, recreation, and Indian areas in the States of Arizona, Colorado, New Mexico, and Utah, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 259. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. Moss when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. HART:

S. 260. A bill to strengthen the antitrust laws by prohibiting the sale by licensed practitioners of drugs, or devices, prescribed by such practitioners and the knowing receipt of rebates, refunds, discounts or commissions in connection with the supplying to patients of such products, with certain exceptions, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 261. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BAYH when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri (for himself and Mr. KUCHEL):

S. 262. A bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945, and to serve as a symbol of peace; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. LONG of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 263. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Commerce.

By Mr. BIBLE:

S. 264. A bill for the relief of Jafar Shoja; and

S. 265. A bill for the relief of Manuel de Benito Supnet; to the Committee on the Judiciary.

S. 266. A bill to provide for consideration of the productive potential of irrigable project lands in determining excess and nonexcess acreages on Federal reclamation projects; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. BIBLE when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. PELL:

S. 267. A bill to amend title 39, United States Code, with respect to the transportation between points of origin or destination and points of embarkation and debarkation of mail to or from Armed Forces post offices; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. PELL when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Missouri:

S. 268. A bill for the relief of Dr. Fernando N. Pino; to the Committee on the Judiciary.

By Mrs. SMITH:

S. 269. A bill to authorize an exchange of lands at Acadia National Park, Maine; to the Committee on Interior and Insular Affairs.

By Mr. KUCHEL (for himself, Mr. ANDERSON, Mr. JACKSON, Mr. MURPHY, Mr. JORDAN of Idaho, and Mr. FANNIN):

S. 270. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KUCHEL when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 271. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BREWSTER when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF (for himself, Mr. BURDICK, and Mr. MCGOVERN):

S. 272. A bill to amend the U.S. Grain Standards Act, as amended, to permit the inspection of certain grain thereunder upon the basis of submitted samples; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK (for himself and Mr. METCALF):

S. 273. A bill to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. BURDICK when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself and Mr. FONG):

S. 274. A bill to amend section 4005 of title 39, United States Code, relating to fraudulent, false, or misleading and lottery mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. MUSKIE, and Mr. MONDALE):

S. 275. A bill to provide full and fair disclosure of the nature of interests in real estate subdivisions sold through the mails and instruments of transportation or communication in interstate commerce, and to prevent frauds in the sale thereof, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. CLARK, Mr. FONG, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. MORSE, Mr. NELSON, Mr. PELL, Mr. RANDOLPH, and Mr. SMATHERS):

S. 276. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. CASE, Mr. BYRD of Virginia, and Mr. SPONG):

S. 277. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on Rules and Administration.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 278. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. BREWSTER when he introduced the above bill, which appear under a separate heading.)

By Mr. PROUTY:

S. 279. A bill for the relief of Wanda Radlinska; and

S. 280. A bill to effect entry of a minor child adopted by a U.S. citizen; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 281. A bill to increase the amount of real property which may be held by the American Academy in Rome; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. MAGNUSON) (by request):

S. 282. A bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. ANDERSON:

S. 283. A bill to amend the Social Security Act to assist the States in conducting continuing programs of planning for the need for health-care facilities in the State and for assuring that certain amounts payable to health-care facilities pursuant to titles XVIII and XIX of such act will be expended in accordance with such programs; to the Committee on Finance.

S. 284. A bill to amend the act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project;

S. 285. A bill to amend the Indian Long-Term Leasing Act; and

S. 286. A bill to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable; to the Committee on Interior and Insular Affairs.

S. 287. A bill for the relief of Wen Shi Yu; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. Montoya):

S. 288. A bill to provide for establishment of the Trinity National Historic Site in the State of New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself, Mr. Jackson, and Mr. Metcalf):

S. 289. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Anderson when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 290. A bill for the relief of Tru Man Jung; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 291. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Finance.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. GRUENING (for himself and Mr. Bartlett):

S. 292. A bill to amend section 27 of the Merchant Marine Act, 1920 in order to exempt from the provisions of such section certain transportation of merchandise which is in part over Canadian highways; to the Committee on Commerce.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 293. A bill for the relief of Chun Moon Hee (Hi);

S. 294. A bill for the relief of Eloy C. Navarro;

S. 295. A bill for the relief of Dr. Pham Chung;

S. 296. A bill for the relief of Luciano Vittorio Guiseppe Giomo; and

S. 297. A bill for the relief of Johann Klassen, his wife, Katharina Klassen, and their seven children; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 298. A bill for the relief of Sixto M. Pagaran; to the Committee on the Judiciary.

By Mr. MUSKIE:

S. 299. A bill to amend the Economic Opportunity Act of 1964, as amended; to the Committee on Labor and Public Welfare.

By Mr. THURMOND:

S. 300. A bill to amend section 401 of title 18 of the United States Code, dealing with the power of the courts of the United States to punish for contempts of its authority;

S. 301. A bill to amend section 1651 of title 28 of the United States Code governing the issuance of writs by the courts of the United States; and

S. 302. A bill to amend section 1292 of title 28 of the United States Code governing appellate jurisdiction of courts of appeals from interlocutory decisions of the district courts of the United States; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 303. A bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes;

S. 304. A bill relating to the Indian revolving loan fund and the Indian heirship land problem;

S. 305. A bill to provide for guarantee and insurance of loans to Indians and Indian organizations; and

S. 306. A bill to increase the amounts authorized for Indian adult vocational education; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bills, which appear under separate headings.)

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 307. A bill to amend the Indian Claims Commission Act of 1946, as amended; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 308. A bill for the relief of Dr. Sang Won Park;

S. 309. A bill for the relief of Dr. Arsenio M. Orteza;

S. 310. A bill for the relief of Dr. Eun Sook Hahn; and

S. 311. A bill for the relief of Dr. Constancio D. Katigbak and his wife, Imelda Katigbak; to the Committee on the Judiciary.

By Mr. RANDOLPH:

S. 312. A bill to name the Veterans' Administration hospital located in Clarksburg, W. Va., the "Louis A. Johnson Memorial Veterans' Hospital"; to the Committee on Labor and Public Welfare.

By Mr. MORSE:

S. 313. A bill to require Members of Congress, certain other officials and employees of the United States to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities; to the Committee on Rules and Administration.

S. 314. A bill to amend the Employment Act of 1946 to establish policies with respect to productive capital investments of the Government; to the Committee on Government Operations.

(See the remarks of Mr. Morse when he introduced the above bills, which appear under separate headings.)

By Mr. MORSE (for himself and Mr. Clark):

S. 315. A bill to provide for the District of Columbia an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives; to the Committee on the District of Columbia.

By Mr. MORSE (by request):

S. 316. A bill to provide for the regulation in the District of Columbia of retail installment sales of consumer goods (other than motor vehicles) and services, and for other purposes; to the Committee on the District of Columbia.

By Mr. MORSE:

S. 317. A bill to amend the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946; and

S. 318. A bill to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children; to the Committee on the District of Columbia.

By Mr. MANSFIELD (for himself, Mr. Nelson, Mr. Inouye, Mr. Bible, Mr. Metcalf, Mr. Cannon, Mr. Proxmire, and Mr. Dirksen):

S.J. Res. 8. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. Mansfield when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Morse, Mr. Brewster, Mr. Dominick, Mr. Fannin, Mr. Fong, Mr. Hatfield, Mr. Kuchel, Mr. Miller, Mr. Monroney, Mr. Murphy, Mr. Pearson, Mr. Percy, Mr. Prouty, Mr. Scott, and Mr. Thurmond):

S.J. Res. 9. Joint resolution to direct the Secretary of Labor to study the operations and adequacy of the emergency labor disputed provisions of the Labor-Management Relations Act and the Railway Labor Act and to make appropriate recommendations for improvements in such laws; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S.J. Res. 10. Joint resolution to establish the Golden Spike Centennial Celebration Commission; to the Committee on the Judiciary.

(See the remarks of Mr. Moss when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. RANDOLPH:

S.J. Res. 11. Joint resolution to designate the third Sunday in June of each year as Father's Day; to the Committee on the Judiciary.

RESOLUTIONS

ESTABLISHMENT OF STANDING COMMITTEE ON URBAN AFFAIRS

Mr. WILLIAMS of New Jersey (for himself and Mr. Javits) submitted a resolution (S. Res. 14) establishing a Standing Committee on Urban Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Williams of New Jersey, which appears under a separate heading.)

AMENDMENT OF RULE XXV, TO CREATE A COMMITTEE ON VETERANS' AFFAIRS

Mr. McGOVERN submitted a resolution (S. Res. 15) to amend rule XXV, to create a Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. McGovern, which appears under a separate heading.)

CREATION OF COMMITTEE ON VETERANS' AFFAIRS

Mr. RANDOLPH (for himself and Mr. Byrd of West Virginia and Mr. Morse) submitted a resolution (S. Res. 16) to create a Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. RANDOLPH, which appears under a separate heading.)

STUDY OF ALL MATTERS PERTAINING TO POVERTY BY COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. CLARK submitted a resolution (S. Res. 17) authorizing the Committee on Labor and Public Welfare to make a complete study of all matters pertaining to poverty, which was referred to the Committee on Labor and Public Welfare.

(See the above resolution printed in full when submitted by Mr. CLARK, which appears under a separate hearing.)

RESTORATION OF RIGHTS TO INDIVIDUALS OVER 65 TO DEDUCT ALL EXPENSES FOR THEIR MEDICAL CARE

Mr. DIRKSEN. Mr. President, I submit a bill which passed the House of Representatives last year, and which was reported by the Committee on Finance, but not in time to have action before Congress adjourned. This was the outcome of one of the loose ends that was left when we enacted the Bank Holding Company Act which was approved July 1, 1966.

Mr. President, at this time I offer the bill. It is, in fact, properly speaking, within the jurisdiction of the Committee on Ways and Means, but I would note for the record that at the appropriate time I shall offer it as an amendment.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 213) to amend the Internal Revenue Code of 1954 to restore to individuals who have attained the age of 65 the right to deduct all expenses for their medical care, and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on Finance.

LINCOLN HOMESTEAD NATIONAL RECREATION AREA

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference, a bill to authorize the creation of the Lincoln Homestead National Recreation Area. This proposed 25,000 acre recreation area would be located near Charleston, Ill. in Coles County and would encompass the Lincoln Reservoir which is to be located on the Embarrass River. As proposed, this area would provide an opportunity to respond to the recreational demands of the area by utilizing the possibilities which will result from the construction of the reservoir. The cost of this project would be minimal because most of the land will be acquired by the Federal Government in connection with the Lincoln Reservoir.

Just as important, this area would contain many items of historical signficance. The Lincoln Heritage Trail will connect all sites of historical importance within the recreation area. It would also include within its boundaries the cabin and farm of the father and stepmother of Abraham Lincoln and would adjoin Shilo Cemetery, which was the Lincoln family cemetery. There are a number of original houses, cabins, and farm implements scattered throughout Coles County, Cumberland County and surrounding areas which could be resettled and restored within the recreation area. It may be pointed out that the Moore House is located in nearby Farmington, Ill., where on January 20, 1861, Sarah Lincoln last visited with her famous son before he departed for his first inauguration.

There is existing in the proposed area the Fox Ridge State Park. This 739-acre park was once the hunting grounds of the Plankashaw Indians and now includes camping facilities, deer preserves and Indian burial mounds.

The State of Illinois is one of the very few States which does not have any National Park facilities. I think that the Lincoln Homestead National Recreation Area would be a very fitting "first" within that State.

Mr. President, I send the bill to the desk for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 215) for the creation of the Lincoln Homestead National Recreation Area, and for other purposes, introduced by Mr. DIRKSEN (for himself and Mr. PERCY), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

MINED LANDS CONSERVATION ACT

Mr. LAUSCHE. Mr. President, I send to the desk a bill known as the Mined Lands Conservation Act. Sponsoring the bill with me are my colleagues, the Senator from Ohio [Mr. YOUNG], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Maryland [Mr. TYDINGS], and the Senator from Alaska [Mr. BARTLETT].

Mr. President, the bill contemplates establishing a system of control over the strip mining of coal. Mr. President, our Government, through the Congress, has undertaken the responsibility for underwriting extensive nationwide programs for highway beautification, soil conservation, building of new parks, and recreational areas, rehabilitation of slum areas in the cities, and many other programs entailing huge expenditures of the taxpayers' money.

While we have been speaking of beautifying the countryside, we have stood idly by while the strip miners of coal are destroying the land, removing the coverage, eliminating the trees, polluting the waters, and otherwise rendering useless the land which has been stripped of its surface.

Today, in Illinois, there are strip mining machines 20 stories high capable of taking bites out of the land at 200 tons per bite.

Senators who have traveled through Pennsylvania, Ohio, Indiana, Illinois, Kentucky, and Tennessee have witnessed the ravages of what coal strip miners have done.

Harrison County in Ohio was once the richest sheep raising county in the United States with beautiful, rolling hills, covered with grasses, trees, and vegetation. The strip miners came in with their shovels and removed the topsoil, the grasses, the shrubs, the flowers, and drove out the wildlife; and now there are areas existent there in which no one will live.

I submit to you, Mr. President, and hope that you will convey this message to President Johnson, that it is folly to speak about spending money for beautification, for planting trees and otherwise, while at the same time we allow to go unregulated the strip miners who are doing such damage to the land.

Unless the Federal Government does something, ghost towns will be the result.

Let me say to those who advocate State's rights that my bill does not contemplate the invasion of the rights of the State, if and when laws are passed adequate to take care of preventing this damage to our land.

Mr. President, I have prepared an outline of what my bill will accomplish. In substance, it contemplates regulating the strip mining of coal. I have not included regulation of stripping for copper, for iron ore, for limestone, and many other substances taken out of the land.

Mr. President, I ask unanimous consent to have printed in the RECORD the specific details of what my bill will do.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

A brief description of the provisions of the bill is as follows:

1. The Congress finds that there are coal mining operations which continue to cause adverse effects upon the lands and waters of the Nation; that such effects counteract efforts to conserve the land and water, and other natural resources, are detrimental to property rights of citizens and the economy of the Nation and should be remedied; and that present Federal programs to assist in the reclamation and conservation of mined lands are not broad enough in scope and need to be supplemented.

2. The Secretary of the Interior is authorized to administer and coordinate all activities under a long-range comprehensive program to reclaim lands and waters damaged by coal mining in the past, to promote an effective continuing land use program and to prevent further detriment to the Nation from such mining operations. This program includes the reclamation and conservation of State-owned mined areas; financial assistance to provide for research and technical advisory assistance; reclamation and conservation of privately-owned lands; reclamation and conservation of Federally-owned mined areas, and acquisition of previously mined areas; the establishment of standards for the reclamation, protection and management of future surface and strip-mined areas; the construction of demonstration projects; and the promotion of water pollution control, public recreation, economic development, restoration and preservation of natural beauty, enhancement of fish and wildlife habitat, and public health and safety.

3. All coal mines, the products of which enter commerce or the operation of which affect commerce, are subject to the bill if enacted.

4. The Secretary of the Interior is required to cooperate to the fullest extent possible with other Federal agencies, State and local governments, interstate agencies and compacts.

5. To assist in the development of standards and reclamation requirements the Secretary is directed to appoint a national ad-

visory committee, composed of members qualified to present the viewpoint of coal mine owners and operators, other interested groups, and Federal, State and local agencies.

In addition, the Secretary is authorized to appoint such regional advisory committees as he deems necessary, to be composed of members with qualifications similar to those on the national advisory committee.

6. Under Title I the Secretary of the Interior, after consultation with appointed national and regional advisory committees is directed to establish and from time to time revise Federal standards and reclamation requirements for (1) the reclamation, conservation, and management of previously mined areas, (2) standards, mining and reclamation requirements for the administration of all future strip and surface coal mining operations in the Nation, and (3) criteria and priorities for the selection of projects and programs for affected areas of land and waters most in need of reclamation.

7. Under the procedure in Title I the Secretary and the national advisory committee, which may in turn consult regional advisory committees, in establishing Federal standards and reclamation requirements relating to future strip and surface mining operations must consider requirements that meet certain specific objectives set forth in the bill at Section 101(b). Before the Secretary adopts any standard, rule or regulation he must publish the same in the Federal Register and invite interested persons to comment. If objections are filed the Secretary must hold a public hearing if such hearing is requested. After the hearing the Secretary will make public his decision, which in turn must be based only upon substantial evidence of record at the hearing and must set forth detailed findings of fact on which the decision is based. A further appeal to the courts is provided aggrieved parties.

8. Following the adoption of Federal standards all future strip and surface coal mining operations in those States in which the standards are determined to be in effect must conform to them or the mining operators will be subject to a fine and/or imprisonment. However, at any time a State wishes to develop and enforce standards and mining and reclamation requirements for the administration and regulation of future strip and surface coal mining within its boundaries, it may submit to the Secretary a State plan for the development of such standards and their enforcement. If the Secretary determines that the plan submitted meets or exceeds the adopted Federal standards, and four other requirements enumerated in the bill, he may approve the State plan.

When a State plan is approved the Federal standards pertaining to the administration and regulation of strip and surface mining are no longer applicable and the State government alone shall exercise administrative control over coal mining operations within its boundaries. In other words, it is not proposed that there be concurrent Federal and State control. Note, however, that the Secretary is directed to maintain a continuing evaluation of the manner in which a State is carrying out its State plan, and whenever he determines, after a public hearing, that a State has failed to comply substantially with any provision of its State plan he must notify the State that approval of the plan is withdrawn and upon receipt of such notice the plan shall cease to be in effect, and Federal regulation of strip and surface coal mining within the State shall thereupon become effective.

9. Title II of the bill authorizes the Secretary to enter into agreements with State and local governments for the conservation and reclamation of lands and waters adversely affected by past coal mining operations and not reclaimed in accordance with modern standards. Under these agreements the Federal government would contribute up to 75 percent of the costs of the project, or it could undertake to do the necessary work itself if the Secretary and the State agree. A right of access to and use of the reclaimed lands could be required at the discretion of the Secretary.

10. Title III permits the Secretary to make grants to States or local agencies, nonprofit agencies and institutions for research to the development of improved coal mining, reclaamation and conservation techniques and practices. It also permits grants to States to establish programs of technical assistance to coal mine operators to assist them in complying with State regulations relating to the preplanning of mining operations and reclamation procedures.

11. The bill provides that financial assistance from the Federal Government under Titles II and III may not be made unless and until such time as a satisfactory State plan is approved by the Secretary of the Interior.

12. Title IV authorizes the Secretary to enter into agreements with owners of private lands, which were adversely affected by coal mining operations in the past and not reclaimed in accordance with modern standards, to reclaim such lands.

Normally, under such agreements the work would be done by the owner with a Federal contribution toward the costs of the project. However, under special circumstances the Federal government would be authorized to execute the project in its entirety and pay all the costs. In either event, the funds expended by the Government would constitute a lien against the land until repaid with interest. The Secretary is authorized to waive the lien in special circumstances, conditioned upon faithful compliance with the terms of the agreement. Public access to the reclaimed land could be required at the discretion of the Secretary. Further coal mining upon or beneath reclaimed lands would not be permitted until such time as the lien is repaid. However, owners of the land could petition the Secretary to permit further mining under an agreement obligating them to restore the land to at least the condition prevailing at the time the reclamation work was complete. Provision is made for publication in the Federal Register of the petition and an intention on the part of the Secretary to approve it. If justified a public hearing may be held to take testimony and evidence in favor of and opposed to the petition.

13. Title V authorizes the Secretary to acquire title to previously mined coal lands by purchase or exchange or eminent domain, and reclaim to useful purposes. Owners of land so acquired could reserve a right of use and occupancy of improved property for noncommercial residential purposes. The Secretary is authorized to sell, exchange, or lease property so acquired or transfer it to public or nonprofit agencies with or without consideration. Under this Title the Secretary would develop and carry-out a program to reclaim Federally-owned lands affected by coal mining operations.

14. Title VI defines certain pertinent terms used in the bill, and directs that all appropriations, monies from sale of Federally-owned reclaimed lands, donations, repayment of liens, fines and forfeitures and other revenues shall be credited to a special revolving fund in the Treasury.

Mr. LAUSCHE. Mr. President, this bill is not one that has been hastily drafted but is the result of long, studious thought and intensive research. May I provide you with some of the background.

Upon three different occasions I introduced bills—in 1962, S. 3304; in 1963, S. 1013; and, again in 1965, S. 368. These bills provided that the Secretary of the Interior make a study of surface and strip mining operations in the United States and make a report to the Congress of the results and conclusions of such study. The bills received widespread interest and support. Finally, in 1965, the contents of S. 368 were incorporated as an amendment to S. 3 and thus became section 205(c) of the Appalachia bill, which passed the Congress and was signed into law that year and is now known as Public Law 89–4. Complying with the provisions of section 205(c) of the Appalachia bill, the Secretary of the Interior on June 30, 1966, made an interim report to the Congress clearly proving that in the national interests the Federal Government has a responsibility to not only cooperate with States in enacting laws to properly require strip mined land reclamation by the industry. but also to substantially assist in reclaiming pre-State law spoil banks.

Mr. President, while the final report to the Congress by the Department of the Interior will not be made until mid-1967, it is felt that sufficient factual information is now available that there should be no further delay in consideration of a bill dealing with this subject. Last October, I introduced S. 3882, which is similar to the bill I am introducing today, except that today's bill deals only with the mining of coal. The principal objectives, however, remain the same. They are:

First, to establish Federal laws and regulations requiring the industry to adequately reclaim lands to be mined in the future, meanwhile avoiding concurrent Federal and State regulation; and

Second, to provide for Federal assistance in the reclaiming of the approximately 3.6 million acres of pre-State law spoil banks.

I have stated the two principal objectives of my bill—to require the industry to reclaim future mined lands and to provide Federal assistance in the reclaiming of lands mined prior to any State law. I again want to repeat, however, that the intent of the bill is to avoid concurrent Federal and State regulation. No doubt existing laws in some States will come well within any Federal minimum standards. You will note that the bill does not propose uniform regulation requirements for all coal mining across the country. Specific area situations will be considered by the National Advisory Committee, and, if created, the Regional Advisory Committees. Furthermore, the purpose of Federal regulation and Federal standards is to protect the public interest in preventing future damage to the lands and waters by inducing the States to enact or strengthen strip mining laws, just as has been done in regard to water and air pollution. The bill provides, as a condition precedent to financial assistance from the Federal Government, that strong State laws must be in effect.

Mr. President, the Federal Government has taken the responsibility for underwriting extensive nationwide programs for highway beautification, soil conservation, building new parks and recreational areas, rehabilitation of slum areas in cities, and many others, none of which, on the local level, are more important than complete reclamation of strip mine lands. Communities in unreclaimed soil bank areas, too, suffer from blight, reduced tax revenues, and general deterioration. The Federal Government can no longer close its eyes to this spreading, cancerous situation.

Mr. President, Ohio is perhaps one of the most ravaged States resulting from strip mining and inadequate reclamation. Of the estimated 200,000 acres that have been churned by monster machines, more than 33,500 acres remain unclaimed; 22,000 acres have been partially reclaimed; and of the 123,000 acres listed as reclaimed, many would not meet general land and water conservation standards. With wise management policies, many of the mined acres in affected States could have been the richest part of America today. Instead, they have become synonymous with poverty of land and people. This did not occur by accident; it is the result of many years of remorseless exploitation. Picture, if you can, the land havoc that can be rendered by modern power shovels with booms 20 stories high and scooping up 250 tons of earth in every bite. Such machines are being used in strip mining operations in some areas today.

Mr. President, I ask unanimous consent that the bill lie on the desk for a period of 2 weeks so that other Senators who may think there is merit in my bill may be permitted to join as cosponsors.

My bill does not contemplate spending money to restore. Its intention is to require reclamation concomitant with the stripping of land.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie on the desk for 2 weeks, as requested.

The bill (S. 217) to authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes, introduced by Mr. LAUSCHE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXTENSION OF CERTAIN RATES OF POSTAGE TO VOLUNTEER FIRE COMPANIES

Mr. BOGGS. Mr. President, I send to the desk for appropriate reference a bill to help volunteer fire companies by extending to them the lower rates of postage on second-class and third-class mailings which are applicable to certain nonprofit organizations.

This bill would amend laws pertaining to operations of the Post Office Department to add volunteer nonprofit fire companies, as well as volunteer nonprofit ambulance and rescue companies, to the group of qualified nonprofit organizations already entitled to use preferential second and third-class postage rates.

Other groups already authorized by statute to use such preferential rates include religious, educational, scientific, philanthropic, agricultural, labor, veterans and fraternal organizations.

Every State has volunteer fire companies and their unselfish service in behalf of their communities is beyond calculation. Of the total of approximately 21,500 fire departments in the United States, about 1,500 are paid and nearly 20,000 are volunteer. More than 1 million men volunteer their time, undergoing training and performing the hazardous task of firefighting. In many cases the companies also provide ambulance and rescue service.

Members of these volunteer fire companies are dedicated to helping their neighbors. And, while it is the men who do the actual firefighting, they are backed up by the hard-working ladies' auxiliaries of the companies.

These volunteer fire companies depend largely on the communities they serve for the funds to buy and service equipment. A prime method of fundraising is to solicit contributions by mail. Enactment of this bill would be of immediate and specific assistance in connection with bulk-mail solicitations under third-class rates.

The minimum per-piece charge for bulk third-class mail is 1¼ cents for nonprofit organizations and 2⅞ cents for other groups.

The savings, of course, could be used toward improving the service and effectiveness of the fire companies.

One further point of explanation, Mr. President:

The Internal Revenue Service exempts volunteer fire companies from tax and allows as a personal deduction any contributions to volunteer fire companies. Postal authorities have from time to time said that they use the Internal Revenue Service definition of a nonprofit organization as a guide for permitting nonprofit mailings by organizations.

I have introduced similar bills in the 88th and 89th Congresses. Both times the bills were passed by the Senate but not by the House of Representatives. It is my earnest hope that this third try will be successful.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 218) to extend to volunteer fire companies the rates of postage on second- and third-class bulk mailings applicable to certain nonprofit organizations, introduced by Mr. BOGGS (for himself and other Senators) was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

SALE OF LAND IN LANDER, WYO.

Mr. HANSEN. Mr. President, I introduce for appropriate reference a bill to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo.

A bill, S. 433, which passed the Senate in the 89th Congress but failed to receive action in the House, would have provided for the sale at not less than fair market value of lots 4 and 5, block 16, in the town of Lander, Wyo. The proceeds of that sale would go toward the purchase of more suitable land and construction of similar improvements. The Department of Agriculture, which recommended enactment of this legislation, is hopeful, as am I, that the final passage of the bill will be secured in the 90th Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 219) to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes, introduced by Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SALE OF CERTAIN ISOLATED OR DISCONNECTED TRACTS OF LAND

Mr. HANSEN. Mr. President, I introduce for appropriate reference a bill relating to the sale of certain isolated or disconnected tracts of land.

In the 89th Congress, my good friend and the man who preceded me in this seat in the Senate, Senator Milward Simpson, introduced S. 625, which authorized the sale of certain public lands. That bill passed the Senate July 28, 1965. Unfortunately, the bill was not acted upon in the House. I am hopeful that the Senate will again pass this measure, which I reintroduce now with only technical changes to the old bill, S. 625.

A problem has developed in Wyoming, and I am sure in other States, concerning agricultural trespass. This comes about because in years gone by our pioneers and settlers had difficulty in laying out their homesteads and in fencing irrigable land. Often the settler would fence a unit of land which could be irrigated profitably, even though he might have known that a portion of that fenced-in area was Government land. More often than not the Bureau of Land Management knew of this, but, because no one's rights were being damaged by the action, did not correct the fence lines. Now, after many years of such technical trespass, the Bureau of Land Management has been resurveying the lands and ordering the ranchers to build their fences on the boundary lines and pay fines for the back trespasses.

For the most part, these lands are isolated or disconnected tracts of public land which are of little, if any, value to the U.S. Government. However, the loss of these agricultural lands to the individual ranches involved would be severe.

Through the cooperation of local officials, Bureau of Land Management officials, and Department of Interior representatives in Washington, an adequate remedy for this situation was found in the Senate Committee on Interior and Insular Affairs in the last Congress. The bill as reported by that committee would have afforded relief to land owners who have fenced in, or utilized with their lands, adjacent tracts of land owned by the United States. The bill would permit preference sale under the 1958 public sale law of public domain in tracts of 760 acres or less which contain some land suitable for cultivation, but which cannot be classified for disposal under the desert land and homestead laws.

I ask unanimous consent that the bill lie at the desk until January 18 for the addition of further cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie at the desk as requested.

The bill (S. 220) to authorize the sale of certain public lands, introduced by

Mr. HANSEN, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PUBLIC BUILDINGS FOR ALL THE PUBLIC

Mr. BARTLETT. Mr. President, the physically handicapped are the same as you or I—except for their handicap. With proper rehabilitation, with adequate medical care as necessary, the handicapped can lead normal lives, they can hold down a job, support their family, maintain their independences.

They can do all these things if they are not barred from a normal life by unnecessary and stupid architectural barriers.

Every flight of steps that keeps a heart patient from his job is unnecessarily restricting his independence.

Every washroom door which is too narrow to allow a man in a wheelchair to enter, unnecessarily keeps him from a normal self-reliant life.

There are today in this Nation hundreds and thousands of people who are tied down, held back and demoralized by unnecessary architectual barriers.

There is no extra cost to construct a building which is accessible to the handicapped. No additional materials or labor are required. What is required is a consciousness of the problem, an interest in its solution and a little forethought in the planning stage of construction.

For over 10 years it has been the expressed policy of the Federal Government that planning for the handicapped shall be required on all Federal projects. Although this has been administration policy under Presidents Eisenhower, Kennedy, and Johnson, it has been a policy honored more in good intentions than in fact. As a government in this regard, we talk a good policy but we do not enforce it.

And in this regard, we are behind the States. The States are acting. As of 1966 over 25 States have passed legislation insuring the elimination of architectual barriers in buildings financed by the State governments. Some of these laws are stronger than others but all of them are good. They are good because they acknowledge by act of the legislature, the intent of the State and its legal government to make its public buildings accessible to all the public. Some State laws are more effective than others but each of these States has acknowledged it is trying to solve the problem.

Mr. President, I ask unanimous consent that a table prepared by the President's Committee on the Employment of the Handicapped detailing the status of architectural barriers legislation in the States may be made a part of the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

THE PRESIDENT'S COMMITTEE ON
EMPLOYMENT OF THE HANDICAPPED,
Washington, D.C.

ARCHITECTURAL BARRIERS LEGISLATION

Alabama: Legislation passed in 1965.
Alaska: Legislation passed in 1966.
Colorado: Legislation passed May 1965.
Connecticut: Legislation passed June 1965.
Delaware: Legislation passed in 1966.
District of Columbia: Executive Order issued March 1965.
Florida: Legislation passed in 1965.
Hawaii: Legislation passed in 1965.
Idaho: Legislative action planned.
Illinois: Legislation passed in 1965.
Iowa: Legislative action passed April 1965.
Kansas: Proposed legislation to be presented in 1967.
Kentucky: Legislation passed in 1966.
Louisiana: Legislative action planned.
Maine: Joint Resolution passed April 1965.
Massachusetts: Legislation passed in 1962.
Michigan: Legislation signed into law February 1966.
Minnesota: Legislation passed in 1963.
Missouri: Legislative action is planned.
Montana: Legislation passed.
Nebraska: Legislation passed in 1965.
Nevada: Proposed legislation to be presented in 1967.
New Hampshire: Legislation passed in 1965.
New Jersey: No legislation planned.
New Mexico: Legislation passed in 1965.
New York: Executive Order of Governor signed in 1961.
North Carolina: Executive Order of Governor signed December 1964.
North Dakota: Legislation passed in 1965.
Ohio: Legislation passed in June 1965.
Oklahoma: Legislation effective January 1, 1966.
Pennsylvania: Legislation passed 1965.
Rhode Island: Legislation passed in 1964.
South Carolina: Legislation passed in 1963.
South Dakota: Legislation effective March 1965.
Tennessee: Joint Resolution passed in 1965.
Utah: Legislation is planned.
Vermont: Legislation is planned.
Washington: Legislation has been introduced.
Wisconsin: Legislation passed in 1963.
Wyoming: Legislative action is planned.
No response to questionnaire: Arizona, Arkansas, California, Georgia, Indiana, Maryland, Mississippi, Oregon, Puerto Rico, Virginia, and West Virginia.

Mr. BARTLETT. Mr. President, the Federal Government has not been entirely remiss in this matter. The Congress has authorized and there now exists a National Commission on Architectural Barriers. This Commission is expected to complete its work by autumn of next year. I sincerely hope that it will see fit to endorse the legislation which I am introducing today—legislation to require as a matter of law planning for the handicapped in all public buildings constructed wholly or in part with Federal funds. More than this, I hope the Commission will recommend increased planning and research into how most efficiently and economically the handicapped can be reintegrated into society. There is much to be achieved with intelligent research.

A small example will perhaps make clear what I mean by this. It is impossible to build a ramp for a full staircase in a private house. An individual in a wheelchair can cope with a rise of about only 1 foot in 8. A ramp from the first to the second floor of a house would have to be something close to one to one. This is not possible for a person in a wheelchair to handle even with assistance. Elevators are immensely expensive. Until now, therefore, it has been virtually impossible for a wheelchair-bound person to live in a two-story house—unless he was willing to be carried up and down the stairs and this is not only impractical, it is demoralizing. Yet perhaps there is an easy answer. I read about an invention, small and obvious. A small steel track is set into the wall siding of the staircase. A platform the size of a card table is folded flat against the wall except when in use. As needed, the person in the chair pulls down the platform and rolls his chair onto it. He is conveyed up the stairs easily and without embarrassment. This installation costs less than $500. I do not know whether all the flaws are out of this invention. I do know that the existence of this mechanism is unknown to most handicapped persons in the United States. This invention constitutes a step forward in the struggle to bring the handicapped out into the world. This is the sort of thing which is needed. And this is what I hope the National Commission will press for.

The Appropriations Committee last year, because of the interest of the senior Senator from Alabama [Mr. HILL] and myself, requested a full report on what the Department of Health, Education, adn Welfare is doing to insure that the needs of the handicapped will be included in the planning of buildings constructed with HEW funds. It is my understanding that as a result of our interest the Hill-Harris construction program at long last requires that hospitals constructed with its funds have at least some facilities accessible to the handicapped. Believe it or not, until now this has not been the case.

Today I introduce a small, simple proposal. It seeks only to make it part of Federal law that public buildings constructed wholly or in part with Federal funds shall recognize the needs of the handicapped. It authorizes the administrator of the General Services Administration to assure such regulations as may be necessary to see that this law is carried out. The costs will be absolutely minimal. There is no reason whatever why there should be any costs over and above those of the preparation and issuance of the regulations.

I believe many Senators are unaware that such a law is needed. I am sure that all Senators will support and endorse the premise of this proposed law—that public buildings should be accessible to the public, all the public, not just the physically fit. For this reason I ask unanimous consent that the text of the bill may be printed in full at the conclusion of my remarks.

I also ask unanimous consent that the bill may lie on the desk for 2 weeks so that other Senators may add their names and cosponsor as they wish.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill lie on the desk, as requested by the Senator from Alaska, and will be printed in the RECORD.

The bill (S. 222) to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 222

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) The term "public building" means any building:

(A) constructed by the Federal Government, or any department or agency thereof, after the date of enactment of this Act, or

(B) financed in whole or in part with funds provided by a grant or loan made by the Federal Government, or any department or agency thereof, after the date of enactment of this Act, if the use for which such building is intended will require that it be accessible to the public.

(2) The term "Administrator" means the Administrator of General Services.

SEC. 2. The Administrator is authorized to prescribe regulations establishing such standards for design and construction of public buildings as may be necessary to insure that all public buildings will be reasonably accessible to persons who are physically handicapped.

SEC. 3. (a) All contracts for the construction of public buildings entered into by or on behalf of the Federal Government or any department or agency thereof shall contain express provisions requiring compliance with the regulations prescribed under section 2.

(b) All grants or loans made by the Federal Government or any department or agency thereof, for the purpose of financing the construction of public buildings shall be made upon the condition that the design and construction of such buildings shall comply with the regulations prescribed under section 2.

COMMUNICATIONS IN ALASKA

Mr. BARTLETT. Mr. President, I am introducing today a bill authorizing the disposal of Government-owned long-lines communication facilities in Alaska.

The bill is identical to S. 2444, which passed the Senate last October. The House Armed Services Committee did not have time to consider the measure before adjournment.

Mr. President, prompt enactment of this bill is of great importance to Alaska. In a developing economy, particularly one which is located at some distance from outside business centers, good communications are vital. Businesses need quick certain communications with markets and processing centers, not only for voice, but to transmit and receive data.

Not only does economic growth demand improved services, it also demands cheaper services. Despite recent rate deductions, telephoning in Alaska costs, on a mile-to-mile basis, a great deal more than calls in the lower 48.

At present, the long lines which carry long distance interstate and intrastate calls are Government-owned and operated by the Air Force. This situation evolved from a 1900 law which authorized use of military telegraph cables in Alaska for commercial business. This arrangement has served the State well in the past when there was insufficient commercial business to support a private carrier.

Now the situation has changed. Operation of the commercial portion of the long-lines system in Alaska is a full-time job and a full-time business. Military personnel needed elsewhere are tied to running a business which in other States is operated by the civilian sector.

More important, major capital improvements are required if the system is to meet the twin demands of more service and cheaper rates. Clearly, it is not the job of the Air Force to invest time and money in upgrading a commercial communications system. For example, experience in other States has shown a direct correlation between advertising promotional rates and increased business at lower tolls. Alaskans should have the opportunities to benefit from such practices, but the Air Force would be going far afield, indeed, to become involved in a telephone advertising campaign.

And also, enactment of this bill would be in keeping with regulations barring Government engagement in commercial-industrial activities which private enterprise can furnish.

Of course, in any transaction of the size envisioned in this bill, guidelines and safeguards must be established to protect the public interest. I believe the bill, as amended by the Committee on Armed Services, and its legislative history stipulate the necessary safeguards.

Of primary concern are national defense considerations. The bill provides that the Secretary of Defense must determine that the transfer of any property will not adversely affect the national security. In addition, high Air Force officials have endorsed the plan to sell the commercial portion of the system.

Next, the interests of the using public must be protected. The bill provides that prospective buyers include in their bids their plans of operation and schedule of charges which must remain in effect for 1 year. To insure that service to the public is of primary concern, the Air Force has said it will fix upset prices on its equipment which all bidders must meet. After that, the competition for the contract will be based on the bidders' plans and rate schedules. This approach will eliminate bidding which could drive the cost sky high and make it impossible for the successful bidder to reduce rates.

And finally, the upset price procedure will guarantee that the Government will receive a fair price for the equipment it sells.

Mr. President, I repeat my hope that the bill will receive prompt consideration. The Air Force wants to and should get out of the commercial telephone business. The State needs an updated communications system and the tax income from a private utility. At least seven firms have indicated interest in bidding for the system. In short, the time is ripe for a transaction which will serve the public interest.

I ask unanimous consent that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 223) to authorize the disposal of the Government-owned long-lines communication facilities in the State of Alaska, and for other purposes, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Communications Disposal Act".

TITLE I—DEFINITIONS

SEC. 101. In this Act—

(1) "Transfer" means the conveyance by the United States of any element of ownership, including but not restricted to any estate or interest in property, and franchise rights, by sale, exchange, lease, easement, or permit, for cash, credit, or other property, with or without warranty.

(2) "Long-lines communication facilities" means the transmission systems connecting points inside the State with each other and with points outside the State by radio or wire, and includes all kinds of property and rights-of-way necessary to accomplish this interconnection.

(3) "Agency concerned" means any department, agency, wholly owned corporation, or instrumentality of the United States.

TITLE II—TRANSFER OF UNITED STATES GOVERNMENT-OWNED LONG-LINES COMMUNICATION FACILITIES IN AND TO ALASKA

SEC. 201. (1) Subject to the provisions of section 202, and notwithstanding provisions of any other law, the Secretary of Defense or his designee, with the advice, assistance, and, in the case of any agency not under the jurisdiction of the Secretary of Defense, the consent of the agency concerned, and after approval of the President, is authorized to and shall transfer for adequate consideration any or all long-lines communication facilities in or to Alaska under the jurisdiction of the Federal Government to any person qualifying under the provisions of section 202, and may take such action and exercise such powers as may be necessary or appropriate to effectuate the purposes of this Act.

(2) Transfers under this title shall be made in accordance with the procedures and methods required by sections 203(e), (1), (2), and (3) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484(e)), except that "the Secretary of Defense or his designee" shall be substituted for all references therein to "the Administrator".

(3) The requirements of section 207 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 488), shall apply to transfers under this title.

(4) The head of the agency concerned or his designee shall execute such documents for the transfer of title or other interest in property, except any mineral rights therein and take such other action as the Secretary of Defense deems necessary or proper to transfer such property under the provisions of this title. A copy of any deed, lease, or other instrument executed by or on behalf of the head of the agency concerned purporting to transfer title or any other interest in public land shall be furnished to the Secretary of Agriculture.

(5) No interest in public lands, withdrawn or otherwise appropriated, may be transferred under this title without the prior consent of the Secretary of the Interior, or, with respect to lands within a national forest, of the Secretary of Agriculture.

(6) In connection with soliciting offers to purchase such long-lines facilities of the Alaska Communication System the Secretary of Defense or his designee shall:

(a) Provide any prospective purchaser who requests it data on (i) the facilities available for purchase, (ii) the amounts deemed to be the current fair and reasonable value of those facilities, and (iii) the initial rates which will be charged to the purchaser for capacity in facilities retained by the Government and available for commercial use;

(b) Provide, in the request for offers to purchase, that offerors must specify the rates they propose to charge for service and the improvements in service which they propose to initiate;

(c) Provide an opportunity for prospective purchasers to meet as a group with Department of Defense representatives to assure that the data and the public interest requirements described in (a) and (b) above, are fully understood; and

(d) Seek the advice and assistance of the Federal Communications Commission, the Federal Field Committee for Development Planning in Alaska, and the Governor of Alaska or his designees, to assure consideration of all public interest factors associated with the transfer.

SEC. 202. No transfer under this title may be made unless the Secretary of Defense or his designee determines that—

(1) the United States does not need to retain the property involved in the transfer for national defense purposes;

(2) the transfer is in the public interest;

(3) the person to whom the transfer is made is prepared and qualified to provide, without interruption, the communication service involved in the transfer; and

(4) the long-lines communication facilities will not directly or indirectly be owned, operated, or controlled by a person who would legally be disqualified by the Federal Communications Commission from holding a radio station license under any of the terms of the Communications Act of 1934, as amended.

SEC. 203. The agreements by which a transfer is made under this title shall include a provision that—

(1) the person to whom the transfer is made shall, subject to the rules and regulations of any body or commission established by the State of Alaska to govern and regulate communication services to the public and of the Federal Communications Commission and all applicable statutes, treaties, and conventions, provide without interruption, the communication services involved in the transfer, except those services reserved by the United States in the transfer;

(2) the rates and charges for such services applicable at the time of transfer shall not be changed for a period of one year from the date of such transfer unless approved by a governmental body or commission having jurisdiction; and

(3) the sale will not be final unless and until the purchaser shall receive the requisite certificates of convenience and necessity to operate interstate and intrastate commercial communications in Alaska from the appropriate governmental regulatory bodies.

SEC. 204. Transfers under this title do not require the approval of the Federal Communications Commission except to the extent that the approval of the Federal Communications Commission may be necessary under section 202(4).

SEC. 205. Notwithstanding the provisions of any other law, the gross proceeds of each transfer shall be covered into the Treasury of the United States as miscellaneous receipts.

SEC. 206. The Secretary of Defense or his designee shall report to the Congress and the President—

(1) in January of each year, the actions taken under this title during the preceding twelve months; and

(2) not later than ninety days after completion of each transfer under this title, a full account of that transfer.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. Except as provided in section 204, this Act does not modify in any manner the provisions of the Communications Act of 1934, as amended.

SEC. 302. There is authorized to be appropriated to the Secretary of Defense such sums as may be necessary to carry out the provisions of this Act.

TRAINING FOR CONGRESSIONAL EMPLOYEES

Mr. BARTLETT. Mr. President, I introduce for appropriate reference a bill to amend the Government Employees' Training Act. This bill is identical in text and purpose to S. 2345 which I introduced in the last Congress.

The measure would extend to congressional employees the benefits of the 1958 training act now available to employees of the executive departments of the Federal Government. These benefits include inservice training programs, participation in interagency conferences and, on a very selective basis, the opportunity to return for a year's training at a university or scientific institution if such training will assist the employee in dealing with his professional responsibilities.

This bill was first introduced by me on July 29, 1965. It received, I am happy to say, support from numerous Senators from both sides of the aisle. It is clear that in no way is this a partisan measure. It is an attempt to expand the experience and upgrade the training of the professional staff members who assist us as we handle our ever more complex legislative duties.

The Government Employees' Training Act was passed in 1958 and since then it has been, as John Macy, Chairman of the U.S. Civil Service Commission explains, "a valuable management tool" which the Federal departments "have used to insure that their employees are kept abreast of the latest developments and technological changes in the scientific, managerial, educational and professional fields in which they have mission responsibilities." Mr. Macy, in the Commission's report on my bill, gave "strong support" to its "purposes and objectives."

I have served in the Congress since 1945. This is the beginning of my ninth year in the Senate. I have seen the workload which Congressmen and Senators must bear increase substantially over this period. The Post Office reports that in 5 years the amount of franked mail has increased by 131.6 percent. Seventy percent of this increase was recorded in last year when 198,399,000 pieces of franked mail were sent. Not only has the volume of mail and work increased, it has become more technical, more sophisticated and—in this nuclear scientific age—more important.

At one time a Senator and his clerk could handle the mail, legislation, and distribution of flower seeds and be home in time for supper. That time is long past.

If the Senate is to operate efficiently, if the Congress is to function responsibly, it is vital that its staff be competent, professional, highly trained, and aware of the latest developments in the fields in which it works. The Federal Government has found that the Employees' Training Act is helpful in this regard and that the training provided is a valuable and most worthwhile investment. It would be an equally good investment for the Congress.

It is not intended that the Congress should establish or operate its own inservice training programs. This bill provides, however, that congressional employees would be allowed to participate in executive training programs now in operation. I have especially in mind the 2-week interagency conferences which have been successful in upgrading the professional and managerial competence of the Civil Service. Lastly, the bill allows legislative employees to spend up to a year in training at a university or other professional institution. No more than 1 percent of legislative employees may undergo training at any one time—this is the same limitation of the Employees' Training Act. No legislative staff member with less than a year's service would be eligible and no employee would be able to receive more than 1 year's training over any 10-year period.

The Congress needs all the help it can get. This is a modest proposal, but it could be most useful to us all. Mr. President, I ask unanimous consent that the bill may lie on the desk for 2 weeks should other Senators wish to cosponsor the measure.

Mr. President, I also ask unanimous consent that the text of the bill, an analysis of the bill and a summary of the Federal training program and the report of the Civil Service Commission may be made a part of the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, and the bill, analysis, report, and summary will be printed in the RECORD, as requested by the Senator from Alaska.

The bill (S. 236) to amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives, introduced by Mr. BARTLETT, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government Employees' Training Act (5 U.S.C. 2301–2319) is amended by adding at the end thereof a new section as follows:

"OFFICERS AND EMPLOYEES OF SENATE AND HOUSE OF REPRESENTATIVES

"SEC. 24(a). Subject to the provisions of this section and sections 11, 12(a) (1), (2), and (3), 13, and 14, officers and employees of the Senate and House of Representatives may be selected and assigned for training by, in, or through Government facilities or non-Government facilities, and the expenses for training may be paid in the same manner and to the same extent as authorized by sections 8, 9 (a) and (b), and 10 for employees of the departments in accordance with regulations of the President pro tempore of the Senate with respect to officers and employees of the Senate and in accordance with regulations of the Speaker of the House of Representatives with respect to officers and employees of the House of Representatives. These regulations shall specify the extent to which section 19 shall apply to the officers and employees of the Senate and the House of Representatives.

"The requirement in section 11(c) and

12(a)(2) of this Act that action by the head of a department be in accordance with regulations of the Commission does not apply to the President pro tempore of the Senate or the Speaker of the House of Representatives. The Commission shall provide the President pro tempore and the Speaker with such advice and assistance as they may request in order to enable them to carry out the provisions of this section. As used in this section, the term 'officers and employees of the Senate and House of Representatives' means any person whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, but does not include a Member of either House.

"(b) For the purposes of this Act, a reference to the head of a department means—

(1) the President pro tempore of the Senate with respect to officers and employees of the Senate, and

(2) the Speaker of the House of Representatives with respect to officers and employees of the House of Representatives.

"(c) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section."

The analysis, summary, and report, presented by Mr. BARTLETT, are as follows:

ANALYSIS OF BILL DRAFT

A bill to amend the Government Employees Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives

Section 24(a): This section brings under the provisions of the Government Employees Training Act officers and employees of the Senate and the House of Representatives including those working in offices of Members, for committees, for joint committees, for officers of the Senate and the House, for the Architect of the Capitol, in the U.S. Capitol Police, and for other miscellaneous officials of the Capitol.

For the section to take full effect, the President pro tempore of the Senate and the Speaker of the House would issue regulations governing training. These regulations would specify who would be authorized to act under section 9 of the Government Employees Training Act to make "appropriate arrangements for training in universities and other non-Federal facilities." For example, the Speaker's regulations could designate the Representatives as the officials designated to arrange for training of employees in their offices, the chairmen of the House committees for employees on committee staffs, and House officials for employees in such offices as those of the Sergeant at Arms. The President pro tempore's regulations would similarly cover Senate employees.

For joint committees, when a committee chairman is a Senator, the President pro tempore's regulations would govern and when he is a Representative, the Speaker's regulations would govern. The President pro tempore and the Speaker would agree among themselves as to the regulations which would apply to employees of miscellaneous officials such as the Architect of the Capitol and the U.S. Capitol Police.

This section authorizes the officers, when designated in the regulations of the President pro tempore and the Speaker, to send congressional officials and employees to interagency training conducted by Federal departments and to enter into agreements for the reimbursement of the expenses of such training. It permits the use of facilities of the legislative branch for the training of executive branch officers and employees.

The section directs these designated officers to make available to employees information on the selection and assignment of such employees for training and on the limitations and restrictions established by the act, as amended.

The section authorizes congressional officials and employees to accept, subject to the appropriate regulations issued by the President pro tempore for the Senate and the Speaker of the House, contributions and awards incident to training in non-Government facilities. The regulations issued to govern this shall limit the grantors to nonprofit, nonlobbying organizations as set forth in section 19.

This section authorizes designated officers to use appropriations available to them for expenses of attendance by congressional employees and officers at professional, scientific, technical, managerial, and other meetings when such meetings are concerned with congressional functions or would contribute to improved conduct, supervision or management of congressional offices and committees.

The section exempts training under its provisions from regulation by the U.S. Civil Service Commission. However, it directs the Commission to provide the President pro tempore and the Speaker with such advice and assistance as they may request.

The section applies to all officers and employees of the Senate and the House of Representatives who are on full time or part time employment if their compensation is disbursed by the Secretary of the Senate or the Clerk of the House, but it does not apply to Senators and Representatives.

Section 24(b): This section provides that when a reference is made to the head of a department in the Government Employees Training Act, that shall mean the President pro tempore for officers and employees of the Senate and the Speaker of the House for the officers and employees of the House.

By regulation, the President pro tempore and the Speaker may delegate these powers to other appropriate officers, such as the Members of the two Houses.

This section authorizes the Commission, within the limits of available funds and resources, to assist the officers to whom these delegations are made in a review of training needs and requirements. Such officers would be expected to provide training for employees for whom they have training responsibility under provisions of the regulation issued under this section. They would be authorized to jointly operate such training.

This section makes such officers subject to the limitations in the act in 11 through 14. It places authority for granting certain waivers and exceptions in the President pro tempore and the Speaker.

Section 24(c): This section authorizes appropriation of funds necessary to carry out its provisions. Officers who are delegated training authority by the President pro tempore and the Speaker may also use funds appropriated to them or otherwise available to them for such training.

SUMMARY OF PROGRAM

The bulk of this training was conducted by departments on an inservice basis by their own personnel. Included in these areas of training were: Orientation and induction of new workers; clerical skills training; apprenticeship and technical skills training; training in administration, management, supervision; executive development; development of scientists and engineers; profession development.

In addition, extensive use was made of interagency training. This program is coordinated by the Commission in Washington, D.C., and by the regional offices of the Commission in the field. The most valuable features of these interagency training programs are that through the pooling of training resources, opportunities are provided for agencies to reduce costs and to meet their training needs within available resources; these programs are more oriented toward Government operations than are programs that are available in non-Government facilities, thereby helping agencies meet their specialized needs; these programs provide trainees with an excellent forum for the mutual exchange of job rated ideas and experiences with their counterparts in other agencies.

When needed training cannot be readily or economically conducted in Government facilities, arrangements are then made by departments for training in non-Government facilities. Much of this training takes place at our leading universities and colleges.

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., September 14, 1965.
Hon. A. S. MIKE MONRONEY,
Chairman, Committee on Post Office and Civil Service, U.S. Senate, New Senate Office Building.

DEAR MR. CHAIRMAN: This is in further reply to your request of August 10, 1965, for the views of the Civil Service Commission on S. 2345, a bill "To amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives."

The Commission strongly supports the overall purposes and objectives of this bill.

The Government Employees Training Act has been in effect since 1958. Since that time, it has provided departments and agencies with a valuable management tool which they have used to insure that their employees are kept abreast of the latest developments and technological changes in the scientific, managerial, educational, and professional fields in which they have mission responsibilities.

The Civil Service Commission believes that extending the Act to cover officers and employees of the Senate and House of Representatives would similarly benefit Congressional staff members, thereby enabling them to assist the Congress to discharge its responsibilities in a creative and productive manner.

The Commission, as provided for in the bill, will furnish whatever assistance is required.

The Bureau of the Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

DIRECT STUDENT LOANS TO AMERICAN MEDICAL STUDENTS ABROAD

Mr. JAVITS. Mr. President, I introduce for myself and Mr. YARBOROUGH, for appropriate reference a bill amending title VII of the Public Health Service Act to authorize direct student loans to students studying outside the United States at a school of medicine, osteopathy, dentistry, or optometry approved by the Secretary of Health, Education, and Welfare. Under the Health Professions Education Assistance Act, American medical, osteopathic, dental, and optometric students may obtain direct loans from HEW of up to $2,500 annually. My bill would extend this to Americans studying abroad. No additional funding authorization is required.

Our Nation is short some 50,000 doctors today. Even with projected expanison of medical schools in the United States, the shortage will still be 50,000 in 1970 due to population increases and increased demand. Some 12 percent of American medical students are now in foreign universities because there are not enough medical schools in this country. A foreign medical education does meet U.S. standards as illustrated by the fact that some 1,600 foreign-educated foreign doctors are "imported" each year and the large number of foreign-educated interns and residents in U.S. hospitals.

The GI bills of World War II, the Korean war, and the cold war all extend benefits to eligible veterans studying abroad. Thus, for over a generation the concept of aiding eligible American students attending a foreign school has been well established and operated successfully. It should be pointed out that the authority granted to the Secretary of Health, Education, and Welfare to approve courses of medical study abroad is not intended to establish any new precedent with respect to accreditation of institutions of higher education. This provision is necessary because of the unique nature of study in foreign institutions, and it is anticipated that in exercising this authority the Secretary will consult with appropriate professional and accrediting groups within the United States.

This bill is identical in language with section 205 of the International Education Act as approved by the Senate on October 13. However, the provision was dropped by the House without prejudice and solely for jurisdictional reasons and hence was not included in the bill as signed into law. As the distinguished chairman of the Senate Subcommittee on Education [Mr. MORSE] explained during Senate debate on the conference report on the International Education Act:

> Section 205 was dropped by the House without prejudice and solely for jurisdictional reasons without reference to the merits of the provision. In the Senate, the Labor and Public Welfare Committee has jurisdiction over both health and education matters. However, the House Committee on Education and Labor exercises no jurisdiction over health. Since section 205 amends a health law and normally comes within the area of responsibility of the House Committee on Interstate and Foreign Commerce, the House Committee on Education and Labor dropped it from the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 255) to amend title VII of the Public Health Service Act to authorize direct student loans to be made to certain students studying outside the United States, introduced by Mr. JAVITS (for himself and Mr. YARBOROUGH), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

GOLDEN CIRCLE DEVELOPMENT SURVEY

Mr. MOSS. Mr. President, in the past two Congresses—the 88th and 89th—I have sponsored legislation to authorize the Secretary of the Interior to make a development survey of the recreational resources of the magnificent Golden Circle area which surrounds the Four Corners area of Utah, Colorado, Arizona, and New Mexico.

I have not pressed for action on this legislation because we had in the making, under the provisions of the Public Works and Economic Development Act, a Four Corners economic development region and the multistate regional commission which would be set up would have the authority to make the type of survey I was recommending in my bill.

The Four Corners region was established last December 19, with the Governors of the four States participating in the ceremony, and a commission is now being formed to develop the basic strategy, and plan of action to insure that the Four Corners region will in future years realize its full economic potential.

It is my earnest hope that one of the first projects the commission will recommend will be the survey of the recreational resources of the Golden Circle. However, I am today reintroducing my bill in case the survey is delayed, so the legislation can be moved quickly if this seems advisable. The Department of the Interior has given favorable reports on my bill in the past, and I assume they would be favorable again.

Under my bill, the Secretary of the Interior would be called to cooperate in making the survey with the Governors of the four States, and the Secretary of Agriculture, the Secretary of Commerce, and appropriate State, local, and Indian agencies.

At present, separate Federal and State agencies are making isolated plans for the development of this area. A program should be devised for overall, related development, so that both Federal and State agencies, as well as private enterprise, and local tourist and recreation groups in the various communities, can work more closely together. We need to assess the present situation and future needs so that all can begin to move toward a common goal.

This area is famous as the only place in our country where four States touch. More important, it is without question the most spectacular area of erosional grandeur in America. Secretary of the Interior Stewart Udall named it "The Golden Circle" after he and I traveled it on foot, by boat, and by helicopter in the summer of 1961. He observed at that time that it "included the greatest concentration of scenic wonders to be found in the country, if not in the world."

A major objective of the survey would be to study efforts now underway to establish easier public access to the national parks and monuments and to the associated scenic, recreation, and Indian areas of the four States. Recommendations would be made for additional roads or trails which must be built if the area is to be provided with the network of roads it must eventually have. Our aim should be to provide easy access not only to each of the scenic areas, but between them, so that a visitor to one of the golden circle attractions will be encouraged to go on and see others, and to stay in the area for several days.

Additionally, the study would be aimed at finding ways and means of stimulating economic development of the region through increased tourism and recreation activities. To do this we need an inventory of present resources and facilities, which, tied in with the inventory of present roads the recommendations for future ones, will point the way for coordinated development by government and private agencies, and by private capital. For example, the survey should serve as a guide for private investors who want to develop tourist accommodations and other commercial enterprises to serve the greatly increased tourist trade expected in the area.

Within the circle are 17 national parks and monuments, and just outside within an easy drive are eight others.

As if this were not enough, the miracle of modern engineering in the very center of the area is great Lake Powell back of Glen Canyon Dam which has become a mecca for boating and outdoor enthusiasts.

My bill asks $150,000 for the survey, which, I again emphasize, would be directed not only toward helping both the State and Federal agencies plan toward a common goal, but to pointing out opportunities to private capital in the area.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 258) to authorize the Secretary of the Interior to conduct, in cooperation with the States and interested Federal agencies, a development survey of the recreational resources of the golden circle of national parks and monuments and associated science, recreation, and Indian areas in the States of Arizona, Colorado, New Mexico, and Utah, and for other purposes, introduced by Mr. MOSS, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

MEDICAL RESTRAINT OF TRADE ACT

Mr. HART. Mr. President, a Greek philosopher once remarked that the market is "a place set aside where men might fool each other."

An oversimplification, of course; but it is true that one thing men find stimulating about the marketplace is the challenging give and take—the need for quick thinking in a constant round of decisions on whether to buy or not buy.

The system of offering and bidding is a good one as long as buyers are free to pay the price or shop for a lower one.

But when the buyer's freedom is stifled, the whole system goes out of joint, all the chips drift to one side of the table and some sort of regulation becomes necessary to put the market machinery back into balance.

The machinery is out of balance right now in those areas of the medical trade where doctors sell at a profit the products that they prescribe.

The buyer, clearly, is in a position where he can neither shop around nor refuse to buy. The temptations to overprescribe and to overcharge are obvious and there is considerable evidence that on occasion they have been yielded to.

Much of this evidence was developed during hearings the Senate Antitrust and Monopoly Subcommittee held in 1964 and 1965. Cases of overcharging and overprescribing were uncovered in the sales of both drugs and eyeglasses. In some instances, these products sold by doctors were even of doubtful quality.

The doctor-merchants who sell their own glasses and drugs often force the shutdown of independent optical stores and pharmacies, thus further reducing the competition that consumers must rely on for low prices.

These facts are well documented in the

printed volumes of those hearings and in a report on doctor-owned pharmacies and repacking companies.

The American Medical Association at one time handled the problem effectively and simply through a code of ethics prohibition on prescription profits by any doctor. That regulation was changed in 1955, and in the last Congress I introduced a medical restraint of trade bill that would have been a substitute for the vanished AMA code.

From the start, I admitted the approach of that bill seemed to have some undesirable side effects. For example, it made no allowances for rural areas where no independent pharmacies or optical stores were available. Also, the accounting problems involved in determining what made up profits were complex.

As it turned out, circumstances prevented the subcommittee from holding planned hearings on the bill. Two things occurred during this delay: the AMA emphasized that it either cannot or will not cope with the problem, and the bill was redrafted to be more equitable.

The new bill, which I ask unanimous consent to have printed in full at the conclusion of my remarks, prohibits a physician from selling any drugs, devices, or any items which he himself prescribes. Doctors also would be prohibited from owning interests in optical companies or drug companies if their intent was to prescribe the products for their own profit.

However, physicians would be allowed to sell drugs and eyeglasses if no other source is available to the patient and in certain other circumstances. Physicians also may own stock in drug or optical companies for investment purposes like any other stock investor.

This bill is not perfect either. But I do think it is an improvement. And I have asked the subcommittee staff to prepare hearings in the next few weeks so we may begin at once to examine it, perfect it and, I hope, present Congress with a solution to the problem of doctor-merchants which will be beneficial to the medical profession, competition, and consumers.

Mr. President, these hearings are scheduled to begin January 24. Anyone who wishes to testify should contact the Subcommittee on Antitrust and Monopoly.

Mr. President, I ask unanimous consent to have the bill printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 260) to strengthen the antitrust laws by prohibiting the sale by licensed practitioners of drugs, or devices, prescribed by such practitioners and the knowing receipt of rebates, refunds, discounts or commissions in connection with the supplying to patients of such products, with certain exceptions, and for other purposes, introduced by Mr. Hart, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 260

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Medical Restraint of Trade Act".

FINDINGS OF FACT

Sec. 2. The Congress finds and declares that the sale of drugs, or devices, directly or indirectly, or the knowing receipt of rebates, refunds, discounts, or commissions by practitioners in connection with the supplying of such products to patients tends to lessen competition and substantially to restrain and to monopolize trade and commerce and constitutes a burden on interstate commerce in such products.

DEFINITIONS

Sec. 3. As used in this Act—

(a) The term "practitioner" shall mean any person licensed by any State, District of Columbia or any Territory of the United States, any governmental division thereof, or any association or society authorized under any law of any State, District of Columbia or any Territory of the United States, to issue such a license qualifying such person to administer drugs, or devices in the practice of medicine in the diagnosis, cure, mitigation, treatment or prevention of disease in man or to affect the structure or any function of the body of man.

(b) The term "drug" shall mean (1) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man; and (3) articles intended to affect the structure or any function of the body of man; and (4) articles intended for use as a component of any article specified in clause (1), (2) or (3) of this paragraph; but does not include devices or their components.

(c) The term "device" shall mean instruments, apparatus, and contrivances, intended (1) for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man; or (2) to affect the structure or any function of the body of man.

(d) The term "community pharmacy" shall mean an office, pharmacy, drugstore or other establishment which engages in the sale of drugs or devices.

(e) The term "optical dispensary" shall mean an office, shop, or other establishment which engages in the sale at retail or wholesale of optical devices which affect any function of the human eye.

(f) The term "leasehold interest" shall mean rental for space leased from a practitioner or practitioners by a community pharmacy or optical dispensary based in whole or in part on a percentage of income from drugs or devices sold or furnished by the tenant or an unreasonably high rental for such space in lieu of such percentage of income.

PROHIBITIONS

Sec. 4. It shall be unlawful for a practitioner directly or indirectly to: (a) sell drugs or devices; or (b) own a legal, beneficial, or leasehold interest in a community pharmacy or optical dispensary, except that nothing herein shall apply (1) to a practitioner furnishing a patient any drug or device in an emergency; or (2) to the administration of a unit dose of a drug in any form to a patient by or under the supervision of a practitioner; or (3) to the sale of drugs by hospitals, nursing homes, or sanitariums to patients confined therein; or (4) where there is no community pharmacy or optical dispensary reasonably available as a source of such drugs or devices in the trading area of the practitioner's place of practice or the patient's place of actual residence, taking into account the needs and reasonable convenience of the patient.

Sec. 5. It shall be unlawful for a practitioner directly or indirectly to knowingly receive from a community pharmacy or optical dispensary or a community pharmacy or optical dispensary to knowingly pay to a practitioner any rebate, refund, discount, commission, or other valuable consideration on income received or resulting from the sale or furnishing to patients of drugs or devices by such community pharmacy or optical dispensary.

Sec. 6. It shall be unlawful (a) for a drug company to give or sell to practitioners any legal or beneficial interest in the company with the intent or for the purpose of inducing those practitioners to prescribe to their patients the drugs of the company; or (b) for a practitioner to acquire or own a legal or beneficial interest in any drug company with the intent or for the purpose of prescribing its drugs to his patients and thereby gain financial benefits for himself; or (c) for a drug company to pay to a practitioner or a practitioner to receive from a drug company any rebate, discount, refund, or commission in connection with the prescribing of the company's drugs by the practitioner.

As used in this section a "drug company" shall mean any person, partnership, firm, or corporation which manufactures drugs, or buys drugs from another and processes or packages them, and sells the drugs under its labels or trade names.

JURISDICTION OF COURTS; DUTY OF DISTRICT ATTORNEYS

Sec. 7. The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this Act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceeding may be by way of complaint setting forth the cases and praying that such violations shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such complaint the court shall proceed, as soon as may be, to the hearing and determination of the case.

SUITS BY PERSON INJURED; LIMITATION OF ACTIONS

Sec. 8. Any person, firm or corporation who shall be injured in his business or property by reason of anything forbidden in this Act may sue therefor in any district court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

Any action to enforce any cause of action under this section shall be forever barred unless commenced within three years after the cause of action arose.

EFFECTIVE DATE OF ACT

Sec. 9. This Act shall take effect on the first day of the sixth month beginning after the date of enactment of this Act.

REGISTRATION OF MAILING LIST BROKERS

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to require registration with the Post Office Department of mailing list brokers and others who sell or exchange lists of addresses. In a modest way this measure is designed to bring some reduction in the vast quantity of obscene and pornographic materials sent through the mail.

In recent years there has been an increasing amount of unrequested and unwanted advertisements for and inducements to buy smutty publications sent to American homes. Investigation has shown that mailing lists of legitimate enterprises frequently come into the hands of peddlers of filth, often unknown to the original owner of the list. At present there is no organized way of checking on those who buy and sell or who compile mailing lists for their own profitmaking purposes.

This bill, which is identical to S. 2496, which I introduced in 1965, and similar to others which were introduced in the House of Representatives, would require registration of mailing list brokers whose primary business is the buying and selling of these names and addresses. Records of transactions would have to be kept for at least 5 years by all persons who buy, sell, or use mailing lists in a profitmaking activity. For those who violate the terms of the bill, a maximum fine of $5,000 and/or a jail sentence up to 1 year in length is provided.

Let me stress that this measure would not censor self-expression or directly curtail production or distribution of any material. Any attempt by Congress to ban the interstate shipment or the mailings of any publication would immediately be confronted with constitutional and practical administrative problems which would guarantee its failure. Americans are too steeped in the concept of freedom of speech and press to countenance outright governmental censorship.

The purpose of this bill is not to prohibit publication or shipment but to focus official attention on those who sell or exchange mailing lists which might come into the possession of those who traffic in obscene literature. Such brokers would have to provide the Postmaster General with the names under which they do business, the scope and character of their business, the relationship of mailing list operations to other businesses, the locations of their principal offices, and the names and addresses of their directors and chief executive officers. Those who use, buy, sell, lease, rent, exchange, or otherwise make available mailing lists for profitable purposes would likewise have to provide similar information about their operations. Bringing the spotlight of publicity on the organizations which are buying and using mailing lists, and requiring that complete records of all transactions be kept for 5 years, would greatly diminish the opportunity for those who deal in smut to acquire the mailing lists of legitimate operators.

It is my understanding that the direct mail industry would favor a measure of this type. I do not believe that it would place any burdensome restriction on any person engaged in a legitimate direct mail business, nor would it impose heavy administrative tasks on the Post Office Department. If the bill were enacted it would not eliminate all distribution of pornography and obscenity through the mails, but it would be extremely helpful in controlling one large source of trouble—the present unregulated and widespread traffic in mailing lists. For this reason, I urge that favorable consideration be given this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 261) to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

USE OF ALCATRAZ ISLAND AS MONUMENT TO COMMEMORATE FOUNDING OF UNITED NATIONS AT SAN FRANCISCO

Mr. LONG of Missouri. Mr. President, in the early spring of 1963, the last Federal prisoner was removed from Alcatraz and the island property was declared excess to Federal needs. Today, this penitentiary, a symbol of crime and depravity, still stands in San Francisco Bay rotting and crumbling at the hands of the elements. It is a blight on one of our Nation's most beautiful harbors and a dangerous threat to any stranger who steps on shore. How tragic it is that the Federal Government continues merely to oversee the deterioration and collapse of this antiquated prison facility.

In 1963, Congress recognized the uniqueness of Alcatraz Island and established a commission to make recommendations as to its disposition. It was my honor to serve as chairman of the commission which recommended that the island be used as the site for a monument to commemorate the founding of the United Nations in San Francisco in 1945 and to serve as a symbol of peace.

Due to the condition of the island and the failure of Congress to act on the commission's recommendations, the General Services Administration, custodian of the property, recently requested the advice of the Interior Committees of the Senate and House as to proceeding to dispose of the island under normal procedures.

In my opinion, it would be most unwise for GSA to do this because I believe the commission's recommendations would achieve the greatest potential of the island property. The commission received hundreds of letters and heard over 40 witnesses during its 2-day public hearing in San Francisco. Many ideas were suggested but the proposal submitted by the San Francisco chapter of the American Association for the United Nations and agreed to by the commission stood head and shoulders above any other.

GSA has expressed the opinion that if the island were disposed of through normal procedures, it would be put to a worthwhile use. In view of some of the proposals made to the commission, there is substantial reason to have doubts about this. Among others, it was suggested that the island be used for a candy store, a nudist colony, a gambling casino, and a wax museum displaying such notable past residents as Al Capone, "Machine Gun" Kelly, Alvin Karpis, and the "Birdman." I am convinced that if the island should be placed on public sale, it would attract a host of speculators. Public sale would undoubtedly enrich the Government monetarily but possibly at a much higher cost to the public interest.

There are numerous reasons why the commission reached the decision it did. All members were determined that the former prison island not be used to glorify or glamorize crime or criminals. From the cost standpoint, the proposal suggested by the San Francisco chapter of the A.A.U.N. would cost the taxpayers practically nothing, since the organization offered to raise the money necessary to remove or demolish the prison structures, to conduct the architectural competition to select the monument design, and to construct the monument. Of course, upon completion the National Park Service would administer the monument. As to its theme, the United States can be proud that the U.N. was founded here, and it would be most fitting to establish in San Francisco a permanent memorial to this occasion. As the U.N.'s representing man's hope for permanent peace rose out of the worst war in history, it would be most appropriate that this monument to the best in men rise from a place formerly used to confine the worst of men. No time would be better than the present for taking this action, for it would signify clearly our Nation's continued determination that the U.N. succeed and our continued determination to serve the cause of world peace. The U.N. is currently in need of a boost, and the construction of this monument could have a most healthy effect on our troubled world.

The Board of Supervisors of the city and county of San Francisco has endorsed by resolution the proposal of the A.A.U.N. chapter, and there is every reason to believe that it has the wholehearted support of the vast majority of people in the San Francisco Bay area.

Mr. President, I am greatly pleased that the senior Senator from California [Mr. KUCHEL] is joining with me today in introducing a bill to carry out the commission's recommendations. Representative JEFFERY COHELAN, a colleague of mine on the commission, is introducing an identical bill in the House of Representatives. The Federal agencies have failed to submit reports on earlier bills. However, I am hopeful this situation will be corrected, and that congressional action can be taken on this legislation soon.

Mr. President, on behalf of myself and the senior Senator from California, I introduce for appropriate reference a bill to erect a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco in 1945 and to serve as a symbol of peace.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 262) to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945, and to serve as a symbol of peace, introduced by Mr. LONG of Missouri (for himself and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. KUCHEL. Mr. President, I am honored to join the distinguished Senator from Missouri [Mr. LONG] in sponsoring legislation to provide an everlasting monument to the principles of freedom and peace.

Several years ago my late colleague,

Senator Clair Engle, of California, and I sponsored legislation to create a Commission on the Disposition of Alcatraz Island. The bill which we introduce today embodies the recommendations of that commission, on which, I might add, the Senator from Missouri served with distinction as chairman.

Alcatraz Island is the focal point of the entire San Francisco Bay and of the city in which the United Nations was founded more than 20 years ago. No finer sight could greet the eye of one entering the Golden Gate than a memorial affirming America's dedication to peace and to cooperation among men. The United Nations is man's greatest endeavor in the struggle to achieve that cooperation. Before there can be agreement, there must be communication—communication which we seek in the United Nations. Like our own Nation, the United Nations has seen times of crisis and times of glory. We hope and pray that the future holds accomplishment, success, and the realization by the United Nations of its noble aims for the benefit of the United States as a nation, as well as for the benefit of all mankind.

What more fitting use for an island with a varied and colorful history than for it to stand as the solid foundation for a monument to peace, erected by a people dedicated to peace and to cooperation among nations?

PRODUCTION POTENTIAL OF IRRIGABLE PROJECT LANDS IN DETERMINING EXCESS AND NONEXCESS ACREAGES ON FEDERAL RECLAMATION PROJECTS

Mr. BIBLE. Mr. President, I introduce, for appropriate reference, a bill to provide for consideration of the productive potential of irrigable project lands in determining excess and nonexcess acreages on Federal reclamation projects.

The bill would amend reclamation law to permit an overall modification of the 160-acre limitation requirement in areas where soil and climate so restrict the productivity of the soil as to make it impossible to provide a living for a family.

I would like to point out, Mr. President, that as long ago as August 1962 the Interior and Insular Affairs Committee, then under the chairmanship of the distinguished senior Senator from New Mexico [Mr. ANDERSON], adopted the following resolution:

> *Be it resolved by the Committee on Interior and Insular Affairs of the Senate of the United States,* That the Secretary of the Interior is hereby requested to initiate a study and on the basis of said study to make a report to the committee setting forth the history of the laws, regulations, and policies of the Federal Government respecting limitations on the delivery of water from Federal projects to lands for irrigation purposes in excess of a specified or limited number of acres in individual or family ownership.
>
> It is requested that the report note the specific instances in which the 160-acre limitation has been modified, changed, or omitted in Federal water projects, and the value of the lands served and the type of crops grown in projects in which the limitation has been waived and in projects in which the policy has been adhered to. It is further requested that the report describe the relationships which the various land classifications and types of crops irrigated bear to the economic size of individual or family farm units under present and prospective future irrigation farming practices.
>
> 2. *Be it further resolved,* That the Secretary is requested to include in said report detailed statements of the advantages and disadvantages of the acreage limitation policy as presently in effect, and his recommendations for desirable change or modification, if any.
>
> 3. *Be it further resolved,* That the Secretary is requested to submit the study, report, and recommendations requested herein to the committee by January 31, 1964.

On June 30, 1964, in response to the resolution, the Secretary of Interior transmitted to the committee his acreage limitation policy study. This comprehensive study became a committee print of the Senate Interior and Insular Affairs Committee at the direction of its very able chairman, Senator HENRY M. JACKSON. I would urge anyone interested in the subject to secure a copy of the print for complete and comprehensive background material on this controversial subject.

The transmittal contained two recommendations from the Secretary as follows:

> We recommend at this time that Congress consider for early enactment legislative measures (1) to authorize general use of the Class I equivalency concept in determining nonexcess and excess acreages on all reclamation projects; and (2) the establishment of an excess land purchase and sale fund. We are drafting legislation to accomplish these purposes, which legislation will be transmitted to the Bureau of the Budget for executive review in the near future.

Two and one-half years have passed and as of now no draft legislation to accomplish the recommendations has been received.

Because of my interest and personal knowledge of the inequities that exist through the strict application of the present 160-acre limitations in areas of short growing seasons, low value forage crops and poorer quality soils I am offering a bill that would accomplish at least one phase of the double-barreled proposal of the Secretary in his original transmittal.

I trust that the introduction of this bill will force some response from the executive agencies to the many requests for modification of the 160-acre limitation requirement for landholders within reclamation projects.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 266) to provide for consideration of the productive potential of irrigable project lands in determining excess and nonexcess acreages on Federal reclamation projects, introduced by Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF POSTAL REGULATIONS—MAILING PRIVILEGES IN COMBAT ZONES

Mr. PELL. Mr. President, in the closing days of the 89th Congress provision was made to expedite the transmittal of parcels to servicemen stationed overseas in actual combat zones—that is, Vietnam. Packages could be sent at the fourth-class parcel post rate to the service post office and then be forwarded by air, space available, to the final destination. This provision also applies to parcels sent from an overseas area. I supported this measure, for it was a step in the right direction. However, I believe that we should now take the next logical step needed to expedite the handling of packages to and from our service personnel.

While it is helpful for parcels to be flown from the service post office to their final destination, the swiftness of transmittal still depends upon the expeditious handling of the mail from its original point of origin to the service post office. I have become aware of the fact that, in certain instances, a parcel mailed from the eastern seaboard can take a month to reach the embarkation point on the west coast. One can readily envision that it could therefore take anywhere from 4 to 6 weeks for a package to make the complete transit.

Imagine the morale factor involved; a young soldier in Vietnam receives a letter in which his family tells him about the package they are sending. The letter took a week to reach him, and he waits a month longer to receive the package. Many of us here can well remember the joy which receipt of mail and packages meant while serving overseas, and we can also recall the frustration felt when an expected parcel did not appear.

I believe that our Nation can well afford the added expense which would be incurred if air transmittal on a space available bases were accorded to this type of mail while in transit within the United States and its territories. I now introduce, for appropriate referral, legislation to amend the pertinent postal statute to provide this mailing privilege to those serving in combat zones.

In closing, Mr. President, I urge swift action on this matter, for it is inconceivable to me that those who are on the frontlines should be penalized by having to suffer this needless and harmful time lag in mail delivery.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 267) to amend title 39, United States Code, with respect to the transportation between points of origin or destination and points of embarkation and debarkation of mail to or from Armed Forces post offices, introduced by Mr. PELL, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

FRESH WATER FROM THE SEA FOR SOUTHERN CALIFORNIA

Mr. KUCHEL. Mr. President, I am pleased to introduce, along with the Senator from New Mexico [Mr. ANDERSON], the Senator from Washington [Mr. JACKSON], my colleague from California [Mr. MURPHY], the Senator from Idaho [Mr. JORDAN], and the Senator from Arizona [Mr. FANNIN], a bill to authorize the Department of the Interior to participate in the construction and operation of the world's largest desalination plant and nuclear power generating facility to be built off the coast of southern California.

An identical bill, S. 3823, passed the Senate in the closing days of the 89th Congress. However, no action was taken on the bill in the House of Representatives.

This proposed legislation would authorize the Department of the Interior to contribute a total of $57.2 million toward the design, construction and operation of this massive plant. Of that amount, $45.7 million would be applied to capital costs, the remainder to the operation and maintenance of the plant.

The able chairman of the Joint Committee on Atomic Energy [Mr. Holifield] sponsored a companion measure, which passed the last Congress, authorizing the Atomic Energy Commission to contribute $15 million toward the construction of the facility. The combined amounts to be contributed by these two Federal agencies would be less than 15 percent of the total cost of the project. The balance of the cost of the $444.3 million project will be borne by the Metropolitan Water District of Southern California, the San Diego Gas & Electric Co., the Southern California Edison Co., and the Los Angeles Department of Water and Power.

The combination nuclear electric power and sea water conversion plant is to be owned and operated by these local, private, and public agencies. The Federal Government, in turn, will gain valuable technological experience in the field of sea water conversion. This unique partnership of private and governmental agencies will make it unnecessary for the Department of the Interior to seek funds for all-Federal construction of such a massive prototype plant.

In a study report submitted in December 1965, the Bechtel Corp., of San Francisco, stated that the project was technically feasible and could produce fresh water at a cost of 21.9 cents per 1,000 gallons at plant site, and 27 cents per 1,000 gallons delivered to the metropolitan water district system. The present minimum cost of fresh water from existing desalination plants is about $1 per 1,000 gallons.

There is no substitute for having a large prototype plant operating if we hope to measure the cost savings to be achieved by large-scale operations. Although the plant is not expected to produce any dramatic technological breakthroughs, a demonstration that water can be taken from the sea and converted to fresh water at a low cost will have a great impact on future water resource development.

Upon completion, the plant will provide southern California with 150 million gallons of fresh water each day. This is over 100 times the 1.4 million gallons per day capacity of the former San Diego-Point Loma experimental plant which was moved to the Guantanamo Naval Base in Cuba late in 1964. The proposed plant would have more than twice the combined capacity of all the salt water conversion plants in existence today.

In addition, the nuclear reactors and turbine generators will generate approximately 1,800 megawatts of electricity—enough to supply the domestic needs of 2 million people. Even mighty Hoover Dam produces less power than will the proposed plant. The plant will be built on a 43-acre manmade island about one-half mile off the Bolsa Chica State Beach in Orange County. A two-lane causeway will carry water and power transmission lines to the mainland. The water will then be pumped 25 miles to the Diemer filtration plant where it will be blended with other water in the existing distribution system.

Those of us who have studied California's water resources for many years do not expect desalination to solve all of our State's water problems. It will, however, help to ease our critical water shortages.

Reliable estimates foresee a doubling of California's population within a mere 25 years. This, coupled with the fact that per capita water consumption is ever increasing, makes it imperative that we test every promising approach to assure a reliable water supply for future generations.

Mr. President, I believe that this would be a great step forward. It is approved by the appropriate agencies downtown.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 270) to provide for the participation of the Departmeent of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes, introduced by Mr. Kuchel (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior Affairs.

LIBERALIZED LIFE INSURANCE BILL

Mr. BREWSTER. Mr. President, I am today introducing, for appropriate reference, a bill to liberalize the Federal employee life insurance program which contains the same provisions as the Senate- and House-approved measure of the 89th Congress.

Under my bill, the amount of life insurance available to each Government employee would be raised to equal approximately one and one-third of his annual basic pay. This would thereby raise the ceiling on the maximum limit of insurance carried from $20,000 to $40,000.

In addition, an extra $2,000 would be added to the face value of the employee's policy. The particular value in this provision, aside from increasing the amount of insurance carried during the working years, is that the $2,000 would not be affected by the reduction formula which goes into effect upon retirement and reduces the face value of the policy to a percentage of that previously carried. Mr. President, I am sure you and my colleagues can appreciate the reassuring effect this arrangement would have on the retiree and his family in planning for their later years.

My bill provides that 60 percent of the cost of insurance would be borne by the employee, while the Federal Government would pay for the remaining 40 percent of the premium. This is a decrease of about 7 percent for the employee and an increase of 7 percent for the Government.

Mr. President, as I have here described it, my bill providing a one-third increase in insurance coverage, liberalized retirement coverage and increased Government contribution to the program, is vitally needed legislation. We must continue in our efforts as the Nation's leading employer, and whenever possible, provide our employees with progressive and forward-looking programs of benefit to them and their families. I do feel great benefit can be derived from this legislation and that the cost should not be prohibitive during this coming legislative session.

Some young employees are able to afford no life insurance protection other than that provided by the Federal Government. They are raising families and would face certain financial crises if anything should happen to the breadwinner and the insurance premium paid was based only on his beginning salary under the present program's rate. The former Life Insurance Act was enacted in 1954 and is the one fringe benefit program of the Government which has not received significant change or improvement since that date.

I question the adequacy of our existing life insurance program for the worker and the retiree alike, and I strongly urge this 90th Congress to take prompt and positive action on this legislation of such vital concern to the dedicated public servants in our Federal system.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 271) to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes, introduced by Mr. Brewster, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF U.S. GRAIN STANDARDS ACT

Mr. METCALF. Mr. President, on behalf of the junior Senator from North Dakota [Mr. Burdick], the junior Senator from South Dakota [Mr. McGovern], and myself, I introduce for appropriate reference a bill to amend the U.S. Grain Standards Act to permit the inspection of certain grain thereunder upon the basis of submitted samples.

This bill is identical to S. 3585, which the distinguished junior Senator from Nebraska [Mr. Curtis] and I introduced last year.

A principal effect of the enactment of the proposed legislation would be the addition of thousands of boxcars to available rolling stock, in that automatic grain sampling, replacing the old-fashioned, time-consuming probe test, would reduce costly delays of cars in terminals.

Mr. President, I ask unanimous consent to have printed at this point in the Record two articles concerning the value of automatic sampling. One article, entitled "A Proposal to Alleviate the Boxcar Shortage," appeared in the fall 1966 issue of Inside Story, published by International-Stanley Corp., of Omaha. The other, entitled "USDA Approves Sampling of Grains With Machines," appeared in the November–December 1966 issue of Northwest, published by the Northern Pacific Railway.

Mr. President, I ask unanimous consent that the bill lie on the desk for a period of 1 week to permit other Senators who wish to cosponsor to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie at the table as requested; and, without objection, the articles referred to will be printed in the RECORD.

The bill (S. 272) to amend the U.S. Grain Standards Act, as amended, to permit the inspection of certain grain thereunder upon the basis of submitted samples, introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The articles presented by Mr. METCALF are as follows:

A PROPOSAL TO ALLEVIATE THE BOXCAR SHORTAGE—BILLS, BOXCARS, AND THE GRAIN TRADE—NEW LEGISLATION AIMED AT MODERNIZING GRAIN MERCHANDISING

Times do change, as the old saying goes, and change brings its inevitable Pandora's Box of new problems and new needs to all people and all things.

Such is certainly the case in the merchandising of grain, a vital piece of the nation's commerce largely governed by a 50-year-old Act that, though still sound in many of its essential provisions, has somehow avoided the architects of modern method.

Unfortunately, maintenance of the status quo in this case has served only to clog the arteries of commerce, since the merchandising and transportation of grain have undergone considerable change in the past half-century.

The current United States Grain Standards Act was passed in 1916 long before the advent of high-capacity freight cars, trainload rates, automated operations, and sampling techniques that can now "apply modern technology to the handling of grain," in the words of one U.S. Senator.

But change, it seems, thanks to the understanding support and prudent action of Congressmen, government officials, and leaders in the grain trade and transportation industry, has at last caught up with the half-century-old legislation.

In June of this year two bills designed to amend and modernize the Act were quietly ushered into the legislative stream.

One, identified as S. 3585, was introduced in the Senate of the 89th Congress by Senators Lee Metcalf (D., Mont.) and Carl T. Curtis (R., Nebr.). Designed to amend the United States Grain Standards Act, it would permit "the inspection of certain grain thereunder upon the basis of submitted samples."

This provision, as intended, aims directly at one serious discrepancy in the current Act. As it now stands there is no proviso that would permit a shipper to forward a small sample of grain for official inspection. Rather, he must suffer the delay of having an entire car sidetracked for this purpose so that "manual" probed samples can be obtained. Setting cars aside for sampling consumes an estimated 10 million car days annually and puts a sizeable squeeze on the boxcar fleet. The development of reliable and efficient grain sampling devices in the past few years makes the practice even more questionable.

S. 3585, the Metcalf-Curtis Bill, provides for using submitted samples for official inspection, and opens the way for greater use of mechanical samplers. As Senator Metcalf stated on the floor of the Senate in introducing the bill, "We simply desire to make possible the use of mechanical grain sampling devices at country elevators in carrying out grain inspection procedures required by law." He further noted that "Present inspection methods cause a loss of time and aggravate the boxcar shortage."

The brevity of the Metcalf-Curtis Bill is in keeping with this modest but significant objective. Its solitary sentence spaces out to 10 lines of large type and barely fills a single page of Congressional parchment. It reads:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the United States Grain Standards Act, as amended (39 Stat. 483, 7 U.S.C. 76) is amended by adding at the end thereof the following: 'Notwithstanding any other provisions of this Act, inspection and grading under this Act of grain shipped or to be shipped in interstate commerce may be based upon a sample or samples obtained (by probe or other mechanical device), and submitted, by or on behalf of the shipper of the grain.'"

Refreshingly brief in appearance, the Metcalf-Curtis Bill packs a lot of favorable potential. The nationwide benefits that could accrue if Congress passes the measure have helped to muster considerable support for the bill.

These benefits include dramatic alleviation of the boxcar shortage now plaguing the grain trade; more representative samples of grain; greater flexibility and efficiency in freight car utilization; decided economic advantages to shippers, carriers, and taxpayers in less costly procedures, fewer delays, and more effective operations.

International-Stanley Corporation, with an awareness of sampling problems experienced during two decades of service to both railroads and the grain trade, enthusiastically lists itself among the staunch supporters of legislation such as that embodied in the Metcalf-Curtis Bill.

A second proposed bill, sponsored by the United States Department of Agriculture, also recognizes the need for changes in the Grain Standards Act to keep pace with the changing requirements of the grain trade. This bill was transmitted to Speaker of the House, John W. McCormack, on June 27, 1966, and has now been identified as H.R. 16918. It provides for a uniform National Inspection System for grain and abolishes the so-called mandatory inspection provision for interstate shipments now required by Section 4 of the existing Act.

In an effort to encourage appropriate legislative action, two of International-Stanley's key executives, William Bruning and Joe Garrett, have made frequent trips to the nation's Capitol to discuss the situation with Congressmen and government officials. At the United States Department of Agriculture, Edward J. Overby, director of the Grain Division, Consumer Marketing Service, told Bruning and Garrett, "better sampling is the first step in reducing delays." This involves, he explained, legislation to permit official lot inspection on submitted samples. If this were done, development of a workable mechanical sampler and suitable trade rules to encourage buying and selling on such samples should follow to improve the movement of grain in commerce.

Currently, International-Stanley Corporation in conjunction with the Milwaukee Road, is engaged in a research program throughout the northern Great Plains area to determine the feasibility of using mechanical spout devices to sample grain at country elevators. The program is also designed to evaluate the advantages of providing a nationwide grain sampling service to expedite the movement of grain and maximize the use of railroad grain hauling equipment.

Support for remedial legislative action, Bruning and Garrett quickly discovered, is strong and enthusiastic. Modernization of grain sampling procedures, they found, has the blessing of virtually all government, agriculture, and transportation groups concerned about adequate, timely and efficient movement of grain.

Stimulating endorsement is the knowledge that initiation of mechanical grain sampling procedures and services could add thousands of boxcars a year to the nation's hard-pressed freight car fleet.

Senator George McGovern (D., So. Dak.) said that amendment of the Act is obviously in the best interests of the producer and local elevators. He feels that mechanized sampling techniques will be even more important next year and help support our country's Food for Peace Program as well as the additional crops that should result from expansion of grain acreage under cultivation.

Senator Curtis, co-sponsor of S. 3585, expressed a decided interest in International-Stanley's "pilot" program, and is hopeful that the results of these tests, plus favorable analysis of the bill's impact on established marketing patterns, will assure quick passage.

"Legislation already passed by the Congress this year will help relieve the boxcar shortage," said Senator Curtis, "but the shortage will be acute for some time to come. A service that speeds the handling of boxcars so that more shippers can be served is in the public interest. It is my hope that this development can be utilized in such a way that it will be a benefit to all segments of our economy but particularly to the grain industry, which has long been hampered by a shortage of equipment to move its products to market."

John W. Bush, chairman of the Interstate Commerce Commission, another enthusiastic supporter of legislative action, favors any prudent tool or method that would help reduce the pinch in grain transportation and improve freight car utilization. "If it were possible," he stated, "to reduce the number of inspections by only 25 percent, it would be the equivalent of adding 7,500 boxcars to the railroads' car fleet."

As of this writing, the Metcalf-Curtis Bill appeared closest to passage this year. Passage of either bill, however, and acceptance of the new legislation by all parties involved in the marketing and transportation of grain, can only signal a new era of more boxcar availability, better sampling, less delay, and lower costs.

And that is a change for the better that everyone wants.

USDA APPROVES SAMPLING OF GRAINS WITH MACHINES

Early last summer an announcement was made to the effect that, henceforth, the U.S. Department of Agriculture would approve the taking of grain samples by mechanical methods.

Among those within and close to the world of grain shipping and marketing this word was received, for the most part, with something akin to satisfaction, if not unbounded enthusiasm. To a few, it was something to be accepted with resignation and good grace.

On the other hand, the fact meant little, if anything, to the man on the street, even if he did find it "written up" in his local newspaper. And yet, grain sampling has much to do with the prices we pay for and the nutritional quality of many items in our daily diets.

To understand the significance of what has to be regarded as a revolutionary step forward in grain sampling, it would be helpful to know something about sampling and inspecting, why it is done and what the approved methods of sampling were prior to June 10, 1966. The State of Minnesota, which operates the largest grain inspection agency in the world, according to its chief of grain inspectors, N. W. Peterson, provides a good starting point.

Minnesota's State Grain Inspection department was established by law in 1885 and charged with sampling, inspecting and grading any grain consigned to a public elevator in the state, as well as grain that is resold and moved from one elevator to another within the state's boundaries.

At that time, and for several years afterward, cars of grain moving to terminal elevators at the Twin Cities and Duluth were held at freight yards near the elevators until the required samples were taken. However, this soon led to serious congestion in the yards and consequent delay in the movement both of grain and other kinds of freight. This, in turn, greatly affected car supply on all the railroads involved. Thus, when requested by the Northern Pacific, Great Northern and Soo Line railways in 1906, the State agreed to establish "outside" sampling points at Staples, Wilmar, St. Cloud, Glenwood, Sandstone, Thief River Falls and Cass Lake.

At these stations, small armies of official samplers file among long lines of cars, collecting samples of grain to send to the inspection and weighing departments in Minneapolis and Duluth. In every case, the procedures followed are the same.

A sampler crew foreman, carrying a list of car numbers, moves down designated sampling tracks, breaking seals and opening car doors. He looks for leaks, notes any that may exist, and marks the cars' destinations on one of their grain doors.

When a sampler arrives at the car with his ladder and five-foot brass sampling probe, he selects a green sack and a white one (green for the State inspection office at Minneapolis or Duluth, white for the Grain Exchange at either city). Then he climbs into the car and collects grain at several standardized locations to obtain a uniform sample from the entire carload. He empties the contents of each probe onto a canvas sheet, examining each probeful carefully for obvious defects. The whole sample is then poured into a sack. In the green sack he also places an official state triplicate inspection form on which he has noted the station, car number, car owner, the date, and his own initials.

After the samples have been collected, the cars are resealed with State seals, and the numbers of these are recorded, along with the numbers of the railroad seals which were broken when the cars were opened. The samples, together with their seal records, are packed in specially constructed boxes, which also are sealed with State seals. These boxes are then placed on the first passenger train leaving the sampling point for the terminal to which the grain cars are consigned.

Upon arrival of the train at the terminal, the sample boxes are picked up by an inspection department employe and delivered directly to the office where inspection and grading are performed. If a particular sample arrives in time for the 9 a.m. inspection, it is labeled, say, Dec. 1 A.M. and must be ordered by 4 p.m. that day. If not ordered, the car begins to accrue demurrage charges (unless it is a car that is being held for sale). Samples received after 9 a.m. and up until the grain market closes, are marked as P.M. samples and must be ordered by 4 p.m. the next day.

At the inspection office the grain samples are graded by federally-licensed inspectors. These men, experts in their field, run the samples through dividers known as Boerner Samplers. Primarily, this is to reduce the sample to a workable size while making sure that it is representative of the carload.

In this operation, the grain is poured into a funnel-shaped hopper at the top of the machine, then released to slide down the sides of an inverted cone. Around the base of this cone are 36 pockets, or openings. As the grain falls, then, it is divided into 36 separate streams which, a bit farther on, merge into two streams. The grain from pockets 1, 3, 5, etc., run into the first of these, and the grain from the even-numbered pockets runs into the second. Each of these half-samples is then identical to the other.

If the grain is wheat, it is then run through a machine mill or dockage tester to clean out the foreign material by mechanical screening. From here the sample goes to an inspector who determines the test weight per bushel by weighing 1⅛ quarts of the grain. Later, the moisture content is measured with an electronic meter, and after all these facts and the percentages of foreign material and other classes of grain mixed in the sample are determined, the wheat is graded from No's. 1 through 5 or "sample grade."

No. 1 wheat, for example, weighs not less than 60 pounds per bushel (except Hard Red Spring wheat: 58 pounds), has no more than 0.1 per cent heat damaged kernels, 2.0 per cent damaged kernels (other than by heat), 0.5 per cent foreign material, and a maximum of 3.0 per cent shrunken and broken kernels. Overall, its defects may not exceed 3.0 per cent. At the same time, it may not contain more than 1.0 per cent grain of contrasting classes nor more than 3.0 per cent other classes of wheat.

The grade level goes down as the percentages of these various defects increases and as the weight decreases, until sample grade is reached. The latter is said to be "of distinctly low quality," and often contains what is termed a "commercially objectionable foreign odor."

Additional tests on wheat include a determination of its moisture content as well as the amount of protein it contains. Wheat that is more than 13.5 per cent moisture is labeled "tuff," in inspection parlance, a faster way of writing "tough."

To establish a grade for each car of grain is really what sampling and inspection are all about. The grade slip which was inserted in the green bag by the sampler is completed by the inspectors, and a copy of it is sent to the buyer or prospective buyers at the Grain Exchange, along with the protein test results.

A commission man at the Exchange, to whom the white bag was sent, runs identical tests to verify the State inspection. With all of this information on hand, as well as an actual sample of the grain, a buyer knows exactly what he is buying and what price he should pay. Obviously, he expects to pay more for higher quality grain. So what's with mechanical sampling?

One such sampler is now in daily use at the Marquette Elevator in Minneapolis, an operation of the Louis Dreyfus Corp. It is a diverter type unit in which a narrow scoop is passed through the grain stream automatically every 19 to 50 seconds to siphon off part of the product. The interval is determined by the capacity of the car being loaded, then set on an electric timer. In this manner, a standard 80-pound sample is taken from each car and split by the machine into three portions. One is for the State, one for the customer, and the third for Marquette itself.

There are a number of such units being marketed, but the operating principle is prettty much the same in every case. They may be purchased outright, or may be leased from a firm such as Commodity Verification Services, Inc., which charges a flat monthly rate for the installation plus a charge for each car sampled.

Most of the grain trade is in agreement on one point: mechancial sampling more accurately represents the contents of a car of grain than that performed with a probe or pelican, provided that all the grain loaded into the car got there through the spout in which the mechanical sampler is operated. In other words, it eliminates human error entirely and dishonesty to a degree. (As one elevator operator put it, "If a man really wants to make an attempt at palming off some inferior grain, he can still bypass the sampler and throw his junk into the bottom of the car with a shovel or something.")

A researcher with the Department of Agriculture made tests in Minneapolis to compare the results of sampling done mechanically, with the probe and a hand pelican (a scoop resembling a pelican's bill which is passed through the grain stream periodically to obtain a sample). His report shows that the probe was inaccurate, the pelican was erratic, but three different brands of mechanical samplers brought excellent results.

Representative samples grow more difficult to obtain, too, with the growing use of the large grain hoppers holding 12 to 14 feet of grain, which places much of the grain beyond the reach of most probes. Furthermore, use of the probe in such cars is somewhat restricted by uniformly narrow hatch openings on the top of the hoppers. In this situation, nothing can compare with a controlled mechanical sample.

By and large, the railroads support use of the machine method as a means of achieving faster turn around of cars, especially in these days of costlier equipment, i.e., the big hopper cars. As noted above, the official probe sample currently in use requires that grain cars be halted at "hold points." This always results in delays, but especially so during peak grain shipping periods. Samples mechanically obtained at loading points could eliminate this problem. A spokesman for one Midwestern railroad has suggested that his company might even be able to offer a rate reduction of $8 per car of grain on point-to-point shipments where the mechanical sampler is used, simply because of the gains rising out of better utilization of cars.

Additional advantages of mechanical sampling include faster delivery of samples, quicker payoffs for the elevator operator, significant savings in sampling expenses, and earlier delivery of grain to the buyer.

The State of Minnesota also has approved the use of the sampler at Marquette Elevator, with the proviso that an official sampler is on hand to supervise the operation and remove the samples from the security box where a rotating battery of cylinders receives the samples. If a State employe is not present, the grain is inspected and graded as with "official" samples, but is labeled as a "submitted" sample and the grade applies only to the sample, not to the grain lot from which the sample may have been taken.

A number of elevator operators in the Midwest are conducting trials with mechanical samplers, but the system hasn't made probes and pelicans obsolete yet. In fact, machine samplers are still in the minority. However, many in the grain trade feel that the economy, accuracy and speed which mechanical samplers afford will bring them to the cash market in increasing numbers and that, ultimately, all sampling will be performed with them.

ISSUANCE BY SECRETARY OF AGRICULTURE OF A 25-CENT-PER-BUSHEL EXPORT MARKETING CERTIFICATE ON WHEAT FOR THE 1967, 1968, AND 1969 WHEAT CROPS

Mr. BURDICK. Mr. President, I introduce, on behalf of myself and the Senator from Montana [Mr. METCALF], a bill to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat.

I ask unanimous consent that the text of the bill be included in the RECORD and that the bill lie at the desk up to January 20, for additional cosponsorship by other Senators.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed and will lie at the desk as requested.

The bill (S. 273) to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat introduced by Mr. BURDICK (for himself and Mr. YARBOROUGH), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 273

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 379c(a) of the Agricultural Act of 1938, as amended, is amended by striking out the fifth and sixth sentences and inserting in lieu thereof the following: "The Secretary shall also provide for the issuance of export marketing certificates to eligible producers for the portion of the wheat marketing allocation used for commercial and food-for-freedom exports."

SEC. 2. Section 379c(c) of such Act is amended by adding at the end thereof a new sentence as follows: "The face value per bushel of export marketing certificates issued to eligible producers shall be 25 cents per bushel."

SEC. 3. Section 107 of the Agricultural Act of 1949, as amended by section 506 of the Food and Agriculture Act of 1965, is amended by adding at the end of paragraph (2) thereof a new sentence as follows: "The 25-cent-per-bushel export marketing certificate provided for under section 379c(c) of the Agricultural Adjustment Act of 1938, as amended, shall be made available only to cooperators."

SEC. 4. The amendments made by this Act shall be effective with respect to the 1967, 1968, and 1969 crops of wheat.

AMENDMENT TO POSTAL FRAUD STATUTE

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, on behalf of myself and the Senator from Hawaii [Mr. FONG], for appropriate reference, an amendment to the administrative section of the postal frauds statute. This amendment would eliminate the requirement of proving intent by deleting the word "fraudulent" from the statute and substituting the word "misleading."

This bill is identical with S. 1364, which I introduced on March 4, 1965. And it is identical with H.R. 16706, which was passed by the House on August 15, 1966.

Passage of this bill is essential if we are to remove one of the burdensome obstacles now facing the Post Office Department in its efforts to stop the fraudulent and deceptive use of the U.S. mails.

The need for such a bill became very clear to me during inquiries made in 1963 by the Senate Special Committee on Aging, of which I am a member. During 3 crowded days of hearings, the committee members heard, in disturbing detail, descriptions of many schemes that defraud or deceive older Americans.

We heard about health frauds and quackery, mail-order land sale schemes, and dancing studio deceptions that often literally took life savings from elderly victims, and we received information on so-called investment opportunities or second career plans.

The Special Committee on Aging, which, as you know, does not act on legislation but makes recommendations based on its factfinding hearings, quickly authorized establishment of a subcommittee to specifically deal with victimization of the elderly. I was named chairman of the Subcommittee on Frauds and Misrepresentations Affecting the Elderly, since renamed the Subcommittee on Consumer Interests of the Elderly.

In 1964, I conducted hearings on four subjects: "Installment Sales of 'Retirement Sites,'" "Quackery and Medical Deceptions," "Deceptive Methods of Selling Health Insurance," and "Preneed Burial Plans."

While I will not attempt to set forth all the details of our subcommittee's findings and recommendations, I will say that we were moved and often angered by what we saw and heard. The voluminous evidence given at these hearings made it clear that our older citizens have become a clearly defined market—not only for reputable businessmen with new and valuable services and products for the elderly—but also to those who are looking for a vast new group to victimize.

It has been estimated that elderly Americans now have an annual income of almost $40 billion. Many of them are desperate for cure of illness or relief from pain; many invest in questionable schemes because of anxiety about waning physical resources and energies; many become victims of pitchmen simply because they are lonely and want to hear someone's voice.

One of the most useful and effective means of doing business for these purveyors of grief has become the U.S. mails. They are fast, reliable, and can cast a wide net for those wishing to ensnare the gullible and ill informed. Despite the conscientious and vigorous efforts of the Post Office Department to keep fraudulent businessmen from using the mails, these schemers have used existing legal loopholes with great skill, our subcommittee learned.

Consequently, the subcommittee urged, on pages 78 and 79 of its 1965 report, passage of remedial legislation to enable our postal inspectors to take swifter action against those using the mails to defraud innocent victims.

The legislation I am introducing today, will, I am confident, further the Post Office's efforts to stop fraudulent and deceptive use of the mails without in any way jeopardizing or infringing the rights of those who may be affected.

Under the present statute, the Post Office Department is empowered to proceed criminally or civilly against alleged defrauders. Any prosecution brought under the criminal fraud sections naturally requires the traditional elements of clear and specific intent to defraud.

However, the Post Office Department can also take administrative action against a suspected defrauder by intercepting his mail, marking it "fraudulent," and returning it to the sender. In this way, those who might have been lured into certain unsavory schemes, will have their moneys or applications returned and will be on clear notice that they were dealing with shady operators.

Until now, the postal inspectors have been required to apply the criminal standards of specific intent to defraud to these administrative sanctions. The legislation before us today would remove that obstacle to the Department's enforcement efforts.

Let me emphasize: the legislation we are discussing today concerns only the administrative and not the criminal section of the existing fraud statute. So long as the Post Office Department makes an administrative determination that an advertisement is false and misleading as a factual matter, this amendment will allow the Department to stop the fraudulent advertiser from receiving his ill-gotten gains and to return them to the victimized senders. Moreover, the accused is fully protected: he receives the protection of the Administrative Procedure Act during proceedings at the departmental level; upon receiving an adverse ruling from the Department he can go into Federal district court to get an injunction against the Department's administrative determination; an adverse ruling from the Department can be appealed all the way through the Federal courts up to the Supreme Court if the accused so wishes.

I think that one rather pitiable example will vividly highlight this entire problem area.

The Post Office Department tried to stop the advertisement of a product claiming to be a "sex energizer tablet." There was clear medical evidence from physicians and a psychiatrist at the Department's hearing that these tablets were absolutely worthless for the advertised purposes, and that at present no group of drugs is effective as a safe aphrodisiac. The promoter testified in his own behalf, merely denying any intent to defraud and claiming that he had based his claims for the pill's potency on some conversation he claimed to have with a doctor at some prior time. But because of this vague and unspecific testimony, the Department was unable to prove the requisite fraudulent intent, and these highly suggestive ads are still being sent to gullible and hopeful victims throughout the country.

Mr. President, I think it high time that we give the Department the tools it needs to protect the public interest before more money is lost and more hopes dashed through these shady schemes. The Department is primarily concerned with protecting the public before the fact; before the hard-earned money of those living on small incomes is thrown away on foolish schemes.

I ask unanimous consent for the bill to lie on the table for 1 week for additional cosponsors, the text of the bill to be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie on the table for 1 week for additional cosponsors, as requested; and, without objection, the bill will be printed in the RECORD.

The bill (S. 274) to amend section 4005 of title 39, United States Code, relating to fraudulent, false, or misleading and lottery mail matter, and for other purposes, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 274

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) Subsection (a) of section 4005 of title 39, United States Code, is amended by striking out the word "fraudulent", and substituting instead thereof, the word "misleading", and inserting after the word "promises" the following: "(without any regard to whether or not such pretenses, representations, or promises are intentional)".

(2) Subsection (a)(1) of section 4005 of title 39, United States Code, is amended by deleting therefrom the words "fraudulent" or "lottery mail" and inserting instead thereof the word "unlawful".

(3) The caption of section 4005 of title 39, United States Code, is amended to read:

"§ 4005. False or misleading, and lottery mail matter".

(4) The table of contents of chapter 51 of title 39, United States Code, is amended by deleting after "4005." the words "Fraudulent and Lottery Matter" and inserting instead thereof "False or misleading, and lottery mail matter."

INTERSTATE LAND SALES FULL DISCLOSURE ACT

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and other Senators, I introduce, for appropriate reference, a bill to provide "full disclosure" information to those who buy certain land through the "mail order land sales industry," usually on the installment plan.

This bill is much-needed now, and it will be even more essential as the land sales industry continues to grow. It is an industry with both pitfalls and promise. Fair and effective regulation now would promote orderly growth and public confidence.

As many of us know, the industry has, within recent years, been jarred by the activities of a few promoters who sold land in highly questionable fashion.

We have read about promises made in the bright, slick brochures issued for the $10 down and $10 a month lots in the desert, in the swamp, or in bleak and remote areas.

We have also read about actions taken against some of the most blatant of these promoters. Some have been so outrageous in their distortions and in the outright lies that they have been convicted of mail fraud. Others come very close to violations, but stay within the letter of the law.

I should like to compare the interstate land sales industry today with the securities industry of more than three decades ago.

In the early thirties, public confidence in the securities industry had been thoroughly shaken. It took enactment of Federal regulation to help restore investor confidence.

Not that investors through all sharp practices had been wiped out, but they had good reason to believe that reasonable ground rules had finally been established.

Just as in 1933, when it became necessary for the Federal Government to aid small investors in securities who had little or no knowledge of corporate finance, the time has now come to extend similar protection to small investors in real estate, many of whom have been subject to high-pressure sales techniques which the securities acts did so much to halt elsewhere.

Today's interstate land sales industry has inspired both confidence and forebodings.

Confidence exists among the many thousands of individuals who have invested in good, solid companies with adequate capital to build entire new communities on land that, only a few years ago, may have been regarded as unpromising or even marginal.

Forebodings arise when we consider those who have bought land in swamps, deserts, high arid plateaus, mountains, remote valleys, and—in some cases—actual jungles or lava beds outside the continental United States.

What have such buyers actually bought? Too few actually know. Many have not yet seen to this day the land they are paying for or have already purchased. In today's buy-by-mail or buy-by-telephone market, many hundreds of millions of dollars have been pledged by men and women on land they are buying for retirment, for investment returns, or perhaps for sheer speculation.

Difficult as it is to obtain satisfactory estimates on the size of the interstate land sales industry, there is impressive evidence of its magnitude. Recently, for example, a State official in Florida estimated that land for sale in that State alone is worth $1 billion. Oregon, according to a recent statement, has about 400,000 acres up for sale. California, with a law generally regarded as more stringent than any other State's, had to issue 33 desist-and-refrain orders last year relating to out-of-State developments illegally offered for sale in that State. The subdivisions were offered in such widely scattered sites as Arizona, Arkansas, Florida, Hawaii, Idaho, Maine, Nevada, Oregon, Tennessee, Utah, Washington, Australia, Bahamas, and Brazil.

Finally, at a hearing of the Subcommittee on Frauds and Misrepresentations Affecting the Elderly to the Special Committee on Aging in 1964, it was estimated that the annual sales volume for such sales had been about $700 million.

That hearing, incidentally, yielded much information directly pertinent to the subject of today's bill. Its report issued in January 1965 led directly to introduction of my land sales bill of 1966.

I might also add here that the subcommittee, a unit of the Special Committee on Aging, was primarily concerned with exploitation of the elderly. This bill has a broader interest. We are concerned not only with retirement havens, but also with other kinds of promotion.

Installment buyers, for example, are now purchasing vacation lots, undeveloped "investment acreage," homesites in developing communities, and even farmland—and on the basis of what they are told in advertising, telephone conversations, sales "parties," and by salesmen who take them near to their site, but sometimes not quite to it.

I again emphasize that most developers or subdividers are honest businessmen who have a right to earn a profit for well-financed and farsighted business enterprise.

But the very variety of offerings, and the very great need for such sales to a highly mobile and growing population, suggest to me that the interstate land sales industry, now in its infancy, could become far more important to our economy and to our investors than it now is—if generally it can deliver on its promises.

Federal legislation can help to make the promises come true, and Federal legislation can help some of the States that have passed legislation, only to find that protection is still inadequate.

California, for example, has probably the most far-reaching State law on remote subdivision control, but its real estate commissioner has written the following to me:

> While theoretically California may have the means to bring these developers to justice if they flaunt the order, as a practical matter, by remaining out of the State, the developers can avoid the imposition of effective sanctions.

I also read from the introduction of a valuable research paper prepared by a professor of law at the University of California. I believe that he summarizes the basic issues very well indeed:

> Never in the history of real estate transactions has a buyer of land stood so naked of legal protection as does the purchaser of remote promotional subdivision land. He has no lawyer to advise him, for the amount of money involved does not justify such an expenditure. No title search is made in his behalf, no title insurance policy is procured, and no escrow procedure is entered into. He has no assurance that the money he pays in each month is applied against the existing encumbrances on the land.
>
> Usually the land is sold to the buyer on contract whereby the buyer receives no title until he makes the final installment payment. Often his contract is not recorded, leaving record title in the seller, thus raising the possibility that subsequent purchasers from and creditors of the seller may take free of the buyer's interest. Moreover, the buyer may find that when he has made all of his payments he will have difficulty in obtaining a deed from his seller who may then be dead, or in bankruptcy, or out of state. If the buyer goes into default on his payments, he will find that under terms of the contract he loses all his interest in the land and forfeits all the money he has paid in.

Responsible subdividers and some States have already begun to protect investors against some of the dangers listed above, but less scrupulous promoters can, if they wish, find much opportunity to feed on confusion, misinformation, and wishful thinking of prospective buyers.

PROVISIONS OF THE BILL

The measure proposed today would, I am convinced, offer protection to buyers without imposing unreasonable burdens upon reputable land developers and land sellers.

The bill would require registration of real estate subdivisions, sold through the mail or by the instrumentalities of interstate commerce, with the Securities and

Exchange Commission. This bill is primarily aimed at correcting abuses in the "mail order" land sales industry. It is based on the full disclosure principle established by the Securities Act of 1933 and in many instances this bill parallels the provisions of that act. As this bill is intended to regulate the sale of lots in large tracts of land, which are often raw and undeveloped, certain types of land sales are especially exempted from its provisions. For example, sellers of land for industrial and commercial use, the owner selling his own property, or a developer selling lots on which houses were already built or selling a lot with an agreement to build would not be required to register with SEC.

A developer of a subdivision, defined as land divided into five or more lots, would file a registration statement with the SEC. The registration statement would contain a legal description of the land, its topography, the availability of sewage facilities, utilities, proximity to towns and villages, state of the title, and a description of encumbrances on the land, the names of persons having an interest in the land, and the extent of their interest and other information.

It would be illegal to sell the land unless the registration statement was in effect. If it appeared to the SEC that the registration statement contained omissions or misstatements of fact or was inaccurate and incomplete, the Commission could prevent the sale of the land by issuing an order refusing to permit the registration statement to become effective.

After a hearing, the SEC could require appropriate amendments to the registration statement before allowing it to become effective. Even if the registration statement were in effect, the SEC could suspend its effectiveness if misstatements or omissions of fact or misleading statements were discovered.

The developer would be required to give the prospective buyer of a lot in a subdivision prospectus containing the information contained in the registration statement. Although the prospectus would not constitute approval of the merits of the land by the SEC, it would give the buyer clear and accurate information on the condition of the land he was buying. It would be a realistic companion piece to the glossy brochures and high-pressure sales pitches which are often used to sell "retirement paradises" and investment acreage.

Agents selling land for a developer would also register with the SEC, which could deny or revoke registration for past criminal activity or violation of the provisions of the act.

The SEC would have the power to investigate statements made in the registration statement of the developers or in an application for registration as an agent. As in the Securities Act of 1933, opportunity for a hearing is provided during these administrative proceedings. And, of course, the bill provides for review by the courts of the actions of the SEC.

Another protection for the purchaser would be the right to sue the developer for damages if his purchase was made on the basis of misstatements or omissions of fact. In addition, this bill would make it unlawful to sell lots in a subdivision by the use of fraudulent devices or practices, or by using misstatements of facts or misleading facts.

Mr. President, this bill is not intended to eliminate State regulatory action, but to encourage it. The Securities Exchange Commission is directed by section 8 to cooperate with the appropriate State authorities and may accept registration of a developer with a State agency in lieu of registration with the Commission if it is in the public interest.

Mr. President, this bill applies to the sale of land the same method of investor protection which has worked so well in the securities industry. For the past 30 years, the buyer of common stock has had available to him the full facts concerning a new stock issue. He can buy stock, confident that the facts he has are true and accurate. The full disclosure principle has the support of the securities industry and the investing public. It is my belief that this legislation will be welcomed by the many hundreds of real estate developers, who have been conscientiously seeking to rid their industry of the unscrupulous and deceitful salesmen of worthless land. I know it will be supported by the thousands of prospective buyers of lots as investments or as sites for their retirement homes. We are not attempting to tell anyone what he can or cannot buy. We are simply making sure that when a person does buy he is in full possession of all the facts and that the facts are honestly and fairly described.

SECURITIES SUBCOMMITTEE HEARINGS

Mr. President, the Subcommittee on Securities of the Banking and Currency Committee conducted hearings last year on June 21, 22, and August 18 on S. 2672, the predecessor to the bill I am introducing today.

We are fortunate to have the testimony taken at that hearing. It gave added new force to arguments that an interstate land sales full disclosure act is vitally needed. It also resulted in several constructive changes which were embodied in the bill as reported favorably by the subcommittee and also embodied in the bill offered at this time.

To summarize some of the major statements made at the hearing:

Manuel F. Cohen, Chairman of the Securities and Exchange Commission, said that the bill offered a practical and workable plan for reasonable regulation of the part of the industry designated in its provisions.

We heard detailed reports on the activities of one promoter who was selling swampland lots that could be flooded at any time to a depth of several feet.

Planners and journalists concerned about land use in their home State expressed very great reservations about whether promises made for certain kinds of land sale promotions could be fulfilled.

State officials from California asked for an even stronger bill. As I have already noted, California has a strong State law but is powerless to act against out-of-State promoters.

Perhaps the most detailed statement of problems came from Alton W. Van Horn, president of the New Jersey Real Estate Commission. The commission administers the State law on installment selling, but Mr. Van Horn and other commission members believe that Federal law is needed to end the temptation to those who make use of present gaps to sow confusion in buyers' minds. Mr. Van Horn also noted that members of the commission are active real estate brokers—their experience aggregates 205 years—and "we do not regard it—the bill—as impeding clean, decent real estate practice of the type we expect of our licensees in intrastate practice."

I ask unanimous consent to have printed in the RECORD several excerpts from Mr. Van Horn's testimony. His comments are especially helpful, I believe, because they are based on broad experience and they give a clear account of the difficulties that face a buyer of land on the installment plan, sight unseen.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

The interstate land sales operations generally involve land in a distant area—very different from that in which the "investor" resides, hence he usually buys sight unseen and with no firsthand knowledge of the facts.

In the typical real estate transaction, the buyer would no more think of buying a parcel without seeing it than he would of buying, sight unseen, a used car of a make and model totally unknown to him. In the case of the interstate land sale, the distance, time, and cost make prepurchase inspection impractical—if not impossible.

The dependence is thus solely upon that which the developer and salesman present to him—visually or orally.

The difference between the impression created—in the mind of a typical and reasonable reader—by the promotional material and the true fact is often shocking. I say this from repeated personal experiences reviewing these promotions under New Jersey's procedure, which now involves at-site and on-site investigation and the preparation of a public report covering each development released for physical sale within New Jersey.

* * * * *

Reviewing the matter of reasonable impression as opposed to the facts at or in the vicinity of the promoted lands, some comment on typical criticisms of the promotional material seems in order:

Artists' conceptions (not labeled as such) and allegedly or suggestedly nearby—but actually quite distant—scenes are routinely used, instead of on-site or accurately labeled photos.

What pass to the uninformed as maps are too frequently prepared with monumental disregard to scale and proportion. Recreational areas, water bodies and places where shopping, schools, usual community facilities, et cetera, might be available are pictured much closer than they are.

Distances tend to be indicated as "minutes away" instead of hours (at legal speeds) or in miles over travelable roads. Which brings to mind an instance a development advertised as being an easy 45 minutes from Las Vegas which was actually 68 miles away. That calls for some rather rapid driving.

The fact that flash floods, windstorms, temperature extremes and other weather phenomena affects some areas is not usually revealed; nor are such things as water depth (and cost to reach it), absence of vital services, et cetera.

Elevations are not stated unless they would appear to be appealing.

The "money back" and the "transfer privilege" (known in trade as the switch privilege) deserve special comment because they generally are far more useful to the promoter than to the "investor" or the retiree. They lull one into thinking it must be safe but, on close scrutiny, the money is returnable only in inspection and often only at the property, rather than at the point of sale. The exercise of the switch privilege—in order to reduce by many miles the distance between your lot and the nearest human abode, a water source, or powerline—may add to or multiply your cost. Investigation often reveals that the "pool" of close-in lots for switching purposes is totally inadequate or, as a practical matter, nonexistent.

Usually one on the mail list gets not one piece of material, but the saturation approach—a shower of pamphlets, brochures, "expert opinions," statements on "leverage," growth potential, "reliable statistics" (so they say), news clips (often from the developer's own "newspaper" and similar matter).

The developer often leaves half-hidden "outs" for himself from some of his claims and implications. One interesting escape device (or way of juggling price at will) is to indicate lot prices by color coding and then say, "Not responsible for errors in color printing. We reserve the right to correctly price such categories as may be improperly color printed."

Sales terms and contracts frequently used are another interesting subject. The small downpayment makes it easy to take. The long term postpones the day of discovery (of just what one has purchased). This is like a long-delayed fuse on a potentially explosive situation. Quite general is the nonacceleration clause which prevents taking of title and delivery of deed before it meshes with the developer's convenience or his ability to release his mortgage or get subdivision approval. Some would take the money and give a "certificate of ownership" because they can't deliver a recordable deed. The matter of a firm declaration of exactly what improvements will be installed—and when—is omitted more often than not and seems a very painful area even for discussion. The "fine print" is sometimes very fine indeed and occasionally in very pale ink to boot, and perhaps on a part of the document quite remote from the signature line.

Existing restrictions and reservations (for example, reserving mineral or drainage rights to others and granting to those others the right to enter where, when, and in a manner suiting the others to extract minerals or effectuate drainage by creation of canals, etc.) are referred to only on a basis of "subject to certain restriction, etc., on file at ———," and then naming the place.

The telephone pitchmen seem to operate by guidelines which might be encapsulated thus: "Say whatever is necessary (to make the sale)—no more, no less."

The "sales party" or the "anniversary party" (just what anniversary being celebrated is often far from clear) appear to be on the increase as a means of bringing to contract the ones who won't take the bait by mail.

This is an interesting scheme and an ingenious exercise in applied group psychology—sometimes not altogether accidentally approaching induced group hysteria. These "parties" can be nothing short of fascinating to observe.

Though billed as a party, believe me, it's a deadly serious business and anything but an evening of spontaneous revelry.

The format is something like this:

A group of individuals receive by mail (often originating in another State) invitations—usually advising that the invitees are a "select group."

The invitations are for a free dinner, with or without cocktails, and sometimes throw in a door prize.

"Your Golden Future" or some such topic is to be discussed.

You "must reply early so that seating arrangements can be made." (If you don't, that man from "WATS" may snap into action to keep you from neglecting your "opportunity.") In reality, this appears to be so that one of the developer's "consultants" or "counselors"—whatever they are—can be seated with each two or three couples. (This is a "couples only" deal.) Incidentally, investigation discloses that these "experts" on the facts about the tract have usually never seen it—merely some material used in their "training"—whatever that may consist of.

The guests are dined—perhaps wined.

Then comes the piece-de-resistance—the presentation—with films, slides, sound tracks extolling the virtues, detailing the advantages of leverage, warning about the ever-rising prices, etc. Perhaps the big pitch will be by one introduced as a "national speaker." (The "national" part of it develops, arises out of the fact that, as an employee of the developer, he rides the circuit making his pitch in several States.)

After the merit of the development has been unstintingly revealed, the fortunate are advised that a "chronic allotment" of "selected" lots has been set aside for them alone. (The choice is said to have arrived by TWIX.) Incidentally, the "counselors" or "consultants" have been busily pointing out to their tablemates lots on sectional maps which rarely give any idea of just how far they are from any existing road, utility, or human habitation.

Now, so that no anxious buyer can take unfair advantage of the less aggressive value-grabbers, before anyone can go for any of this choice allotment, a novel set of "ground rules" is announced—the cry of "hold" followed by a lot and block number will, if it's accepted by the M.C., secure to that counselor a "hold" for a given number of minutes so that the lucky couple he's interceding for can make up their minds.

In operation, the timing is precise; and if no final decision is reached, anyone else can beat the laggard to the bargain.

Here's where the group "therapy" really begins—as soon as the allotment is declared officially open, several "holds" cries are sure to be heard. Who sought what first is ruled upon and duly recorded. Then the "consulting" and "counseling" begins in earnest. It is really quite a thing to watch.

Mr. WILLIAMS of New Jersey. Mr. President, the subcommittee was also fortunate in having the Senator from Minnesota [Mr. Mondale] as a member and as a witness. His testimony was especially pertinent because the Senator is an authority on land sales problems. As attorney general of Minnesota, he attempted to arouse national concern about land sales abuses when they first begun to occur in significant numbers a few years ago. I ask unanimous consent to have his entire statement and related discussion printed in the Record. The Senator was not only knowledgeable, but forcefully eloquent.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Walter F. Mondale, U.S. Senator From the State of Minnesota

Senator Mondale. Mr. Chairman, Senator Thurmond: I appreciate this opportunity to testify on S. 2672, because I have been concerned about the problem of fraudulent land sale since 1961.

The consumer protection unit, which I established in the Minnesota Attorney General's Office, made a thorough and intensive study of this matter while I served as Attorney General. I asked my Consumer Advisory Council, after presenting this information to them, to recommend State legislation. I am happy to say that the legislation suggested by them, with the counsel and support of the real estate industry in Minnesota, was subsequently adopted by the Minnesota legislature in early 1963. In 1962 I spoke to the National Association of License Law Officials in Minnesota on this problem, and as well participated in bringing this matter up for discussion by the National Association of Attorneys General in their meeting in San Francisco.

Incidentally, Mr. Chairman, today Mr. Weinig from the State of California will be testifying. He has had as much experience as any person in the country, and I would say from first hand we will learn much from his testimony.

I submitted testimony to the Senate Special Committee on Aging in January of 1963, urging the adoption of a complementary Federal law to support State legislation. I said in my statement then that "I have repeatedly emphasized that improvement in State laws on the subject will not fully cover the problem. Jurisdictional problems often prevent State officials from fully protecting the people of their State."

At that time, Mr. Chairman, I recommended to the Special Subcommittee on Aging that a measure almost precisely like the one now being proposed was the most advisable way to proceed. I am happy that I am now in a position to accept my own advice.

So, as a former State official who worked with this problem, I believe I can reinforce the testimony of Mr. Van Horn of New Jersey and Mr. Dickson of Indiana that Federal regulation is indeed necessary if we are to effectively prevent flagrant abuses from recurring and protect both the ethical land seller and the consumer. I might add here that our own Minnesota commissioner of securities, Mr. Elmer Borgschatz, serves as the national president of the National Real Estate Law Licensing Officials, and he, too, concurs that Federal legislation of the sort we are considering is necessary.

I believe there is a very real need for legislation of this type. In requiring full and complete disclosure of all the relevant facts surrounding the purchase of land, this bill is in the pattern of what Congress is coming to realize—that the consumer has a right to know the contents of packages in the supermarket, about safety defects in the automobile he drives, what rate of interest he is paying on credit, and I might add here, the salient and important facts surrounding the sale of real estate so that the purchaser can make a rational judgment.

And this is where I disagree to some extent with yesterday's witness representing the National Association of Realtors. Fraud statutes meet a fundamental problem here of the person who affirmatively misrepresents a fact, who openly lies about something that is false. The fraud statutes will help reach that problem, but we are trying to get at a different objective here, one in addition to fraud. That is the affirmative responsibility on one who sells real estate in interstate commerce, in most cases sight unseen, to affirmatively tell all of the facts, the bad as well as the good, and it is a different principle that we are trying to achieve in this measure that has to be clearly understood.

And on this line, it must be borne in mind that real estate, in the main, is still back in the old, early common law days in terms of buyer protections. For many years now the sale of chattels or personal property has been subject to consumer protection in terms of the Uniform Sales Act. So that regardless of what the seller says when he sells personalty, there are certain protections such as fitness for the purpose and other implied warranties that go with the sales to protect the purchaser. Not so with real estate. So there is a double need to protect the consumer in the light of this condition of the law, especially here where we have had example after example of unscrupulous, outrageous, indefensible sales of junk lands in interstate commerce through a colored brochure which fails to mention the facts which if they were mentioned would destroy the sales, to people who, sight unseen, purchase these properties, only later to find out that they have been victimized.

Senator **Williams**. When you say sight unseen that is both s-i-g-h-t and s-i-t-e.

Senator **Mondale**. Sometimes it is hard to see the site when it is under water, but in any event they have not seen it. That is one characteristic that is common to most of these schemes. They depend upon sales to people who have neither seen nor are familiar with the real estate involved.

We are moving away from the caveat emptor or "Let the buyer beware," and requiring that the buyer be given the information on which to base an intelligent choice.

This bill does just that. It provides to the buyers of land—whether through the mails, over long-distance telephone, or by other solicitations through interstate commerce, complete facts about the land he is buying and enough information on which to make a wise purchase.

The information required to be disclosed in the bill may not be enough. A witness who testified yesterday, Mr. Sam Frear, of Oregon, suggested that additional information be required in the registration form and in the prospectus. I am sure the committee will consider this closely and require whatever basic information is necessary to an intelligent choice, because this is what the bill is all about—full and fair disclosure of all relevant facts.

The bill requires filing of a registration statement and sending a prospectus to buyers before purchase. But I believe that any prospectus—if it is couched in technical, dry, legalistic language—may fall short in providing the meaningful information that is desired. And I think that is one of the most crucial needs of our bill, to be sure that the information provided to the prospective purchaser is in such a form that a reasonably endowed layman can understand the bad as well as the good facts. I am afraid that a dry, long prospectus may not in all circumstances fulfill that objective. A prospectus that a buyer can understand only with difficulty has obvious shortcomings. I believe there should be a requirement in the prospectus of a "fair comment" section, or a capsulized summary of the contents, describing in clear layman's language the pertinent facts. Yesterday we discussed Golden Palm Acres. The sales promotion pitch neglected to point out that it was a flood compound, that there was a State easement that would permit the flooding of this land. It doesn't seem to me to be unfair to permit the authorities to put in black type, "This land is subject to being flooded by legal authority of the State," and in such a fashion that the consumer is sure to see it.

This "fair comment" section could be prepared by the SEC in a fashion similar to the "Public Reports" now prepared by the States under some State subdivision laws, or by the developer under the supervision of the SEC. For example, this section could contain statements similar to the following: "This land has at the present time no access roads, no utility connections, no police or fire protection, only scattered development on the tract, but is platted, surveyed, and marked, and development of access, utilities, police, and fire is planned for the future as indicated on pages *x* through *y* of this prospectus."

Or it might say: "This lot has blacktop access, electricity, and water, police but not fire protection, and is 60 percent developed in single-residence homes, and will further be developed in accordance with pages *a* through *z* of the prospectus."

Or even: "This land lies within the flood conservancy district in this area, and is subject to an easement permitting flooding to any depth to drain waters from adjacent park areas." In other words, the salient points should be stated in layman's language and in a fashion that the consumer can understand.

I strongly urge that attention be given to this most important problem, for otherwise the benefit a layman gets from legalistic or technical jargon will be limited. Several States, among them Minnesota, California, and Arizona, prepare under State law a public report—written by them, which is sent to prospective purchasers rather than a formal prospectus. It is possible for a regulatory agency to participate in making the information required for the purchaser easily understandable.

No one denies that a problem exists in this area. Swampland, arid desert, and pipedreams can still be sold to the public without informing a buyer of the facts which he needs to know in order to make a wise investment. The real estate promoter attacks a particularly vulnerable segment of our society. His target is usually the man or woman or couple who is nearing the age of retirement and who has managed to put together some small part of their lifetime income. They are offered thousands of acres of nearly valueless land at prices and estimates showing the possibility of a thousandfold increase in value over a few years. The promoter paints a glowing picture of the future development and prospects of the tract. He will not reveal the unfavorable characteristics of the land or development. He confines himself to predictions based on artists' conceptions of how it might look or pictures of a few houses built solely for promotional purposes without sewer, water, telephone, or electricity. Thousands of citizens, both elderly and younger, have invested savings—not current earnings, but the money saved a dollar or two at a time—in worthless properties.

The witnesses who testified before this subcommittee yesterday and testimony received in hearings in 1963 and in 1964, point up eloquently the fact that there are outrageous abuses in the mail-order land sale business. Land located miles from any roads, valueless for any commercial or residential expansion, often on slopes or gullies or underwater, is sold by the grossest kind of high-presure sales techniques, misinformation, and omissions of information.

I might say at this same point that many times the land is encumbered to the point it is hopeless that any title could effectively be transferred and other similar devices which could effectively deny in other ways, other than the value of the land itself, any effective sale and render purchase ineffective.

Since almost universally they must buy sight unseen, they are forced to rely on the representations of fanciful brochures and the high-pressure commission salesmen, whose philosophy is "tell them anything to make the sale."

Not only do these indefensible practices exist, but there are also subtler techniques of distortion, omission, and incomplete descriptions. Although less sensational, this sort of fraud is distinguishable only by the sophistication of its techniques.

The mail-order land business is big business. Although there are no exact figures on the total annual sales volume, estimates range from a minimum of $700 million to considerably in excess of $1 billion a year. Increasing population pressures, longer lifespan and retirement years, and the decay of our cities have created a vigorous demand for the "new way of life" offered by such promotions.

A need exists—and I believe this subcommittee will act reasonably and responsibly to meet it.

I find it particularly disheartening that some critics of this proposal here have adopted an attitude of what can only be called opposition—without contributing to the solution of the problem that exists. It is no solution to ask that more vigorous prosecution be undertaken under postal mail fraud statutes, although I think that should be done. For, as with all criminal prosecutions, they necessarily take place after the fact, after possibly hundreds or thousands of innocent purchasers have been bilked. Even were all such prosecutions successful, and they are not, it is of little consolation to people whose life savings have been lost to know that the guilty promoter now resides in a Federal penitentiary.

Such prosecutions are based on the ability to prove a material misrepresentation of a fact—with criminal intent to defraud—beyond a reasonable doubt. Not only does this not cover omissions of pertinent facts, the failure to affirmatively disclose the negative aspects surrounding a land sale, but the criminal intent must be proved beyond a reasonable doubt. This is an exceedingly demanding and exacting standard, and certainly prevents the mail fraud laws from being an effective regulatory tool. And even if the criminal intent requirement is present, it is still a basically after-the-fact remedy and does not require any writing affirmatively expressing the facts which permit a rational choice by the prospective purchaser.

In 1963, before the present Minnesota land subdivision law was passed, about 75 land sales firms from both inside and outside the State of Minnesota were operating and doing a $10 million volume business with Minnesotans. If we assume even a like number of firms in presently unregulated States, the number of prosecutions that would be required to stamp out the problems would be staggering—certainly beyond the overstrained resources of the postal authorities.

Those opposing this legislation have also stated that State law—and not Federal law—is the answer. But not all States have regulatory laws, and it is doubtful whether the remaining unregulated States (26) will ever adopt such regulation. I think it is significant here that none of the officials of the licensing law regulatory bodies appeared. Even if every State adopted some law, they would still be unable to reach across State lines into other jurisdictions to enforce their laws—or they will be saddled with loopholes and restrictions. It is difficult to prosecute out-of-State criminals, even with the intent, if they resort to the use of the telephone or through the mail, which is normally the way it is done. It is very, very difficult, if not impossible, for the States to effectively reach those sales.

It is my understanding that Florida, for example, has a law which applies only to installment sales of land and that promoters may avoid the effect of the law by carrying on sales by deed and mortgage transactions.

Self-regulation by the industry is an unlikely hope—first, because not all developers are member of the organized professional associations or subject in any way to disciplinary action by the industry as a whole and second—because the success of fraudulent operations places tremendous pressure on ethical businessmen to use the same techniques to meet competition.

I might say at this point, Mr. Chairman, that I would have thought that the National Association of Realtors would come in here strongly in supporting such demands, because, as in all consumer protection problems, there is a clear identity of interests between the consumer and the ethical businessman. Just as bad money drives good money out of circulation, so the unethical competitor injures and drives out the good competitor. Ethical realtors should be strongly opposed to this kind of outrageous activity, as is the consumer. I think they are. I think the association is more timid than it should be in helping us reach a solution of this problem. I have no doubt that they abhor these unethical tactics. Indeed, they testified so yesterday. But I believe and I hope that they will propose other measures to help meet this obvious problem.

The present situation places a great burden on reputable sellers in unregulated industries and States because by comparison with the unscrupulous hucksters, their offers appear unattractive and unglamorous.

Therefore, I believe a full disclosure law—which will operate before the fact—and give information to the consumer is necessary for the appropriate remedy. I urge adoption of S. 2672, with such modifications as may be necessary to make it workable and effective. Thank you.

Senator **Williams**. The statement that Senator Mondale just made comes from great experience as attorney general in the State of Minnesota. This was one of your areas of responsibility?

Senator **Mondale**. Yes.

Senator **Williams**. And Minnesota is not known as one of the areas important in interstate land sales, but, as a matter of fact, it is, isn't it?

Senator **Mondale**. That is correct, and one of the reasons we are not known for such is that promoters in fact came to Minnesota on two or three occasions, tried to buy thousands of acres of junk land. We heard about it on an informal basis and created so much fuss on an informal basis that they decided Minnesota was no place to resort to such business.

Senator **Williams**. Now, you are up for reelection. We will not call it "junk land"; let us call it "remote land."

Senator **Mondale**. I will take my chances with "junk," of which we have so very little. [Laughter.]

Senator **Williams**. But you lived with this day by day for your term of office as attorney general?

Senator **Mondale**. Yes.

Senator **Williams**. You were a lot closer to the problem in practice than I have been. That is why your statement is so highly valuable, and I think that your counsel on the subcommittee, on the full committee, and on the floor will also be invaluable.

You mention the harshest effect of the abuses here in the sale of remote and junk lands as it affects older people who have a dream of retirement. It is far broader than that. Yesterday, after our hearings, a radio correspondent asked to interview me, and I did. He was a young man, and he told me how he and his roommate, when he was in college, bought an acre—this happened to be in Texas. They have not seen it and they probably never will. He said, "I don't know whether it is still in Texas; maybe it went over to Mexico. It only cost us $100." But, you know, this is an example of it. A hundred dollars is a lot of money for anybody, and this student was laughing it off and putting it on the balance sheet of experience. But when you get down to retirement, a hundred dollars, $5 down, $5 a month can make a lot of difference.

Senator **Mondale**. I think it is significant that this proposal was first generated in your subcommittee on the issue because, like so many consumer problems, there is often an issue not only of needless loss of the consumer's spending power, but actual human cruelty as well, because when a person approaches retirement age, when this person and this couple are no longer able to earn money to correct for purchasing errors, when they have used up the limited reserves which the average wage earner is able to accumulate during the lifetime and that is taken from them through swindles such as this, it is more than just the loss of the money, it is a cruel, cruel thing to do. That couple, who thought they were going to be able to retire in an area as attractively described in these puffed-up colored brochures, find out after they have spent their money, after they have spent the $200 or $300 it takes to travel to what they hope will be their retirement home, only to find out it is junk land unsuitable for living and in other respects just not appropriate for retirement, it must be an embittering and heartbreaking day for that couple.

Mr. WILLIAMS of New Jersey. Mr. President, I hope that early action will be taken on this bill in 1967. All across this Nation, prospective buyers are subject to advertisements and other blandishments that promise profits, security, or even a retirement homesite. We should do all possible to help give them the information that will help them make the right decisions.

I ask unanimous consent that the bill lie on the table for 1 week for additional cosponsors, and that an explanation and text of the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; without objection, the bill will lie on the desk for 1 week for additional cosponsors as requested; and, without objection, the bill and explanation will be printed in the Record.

The bill (S. 275) to provide full and fair disclosure of the nature of interests in real estate subdivisions sold through the mails and instruments of transportation or communication in interstate commerce, and to prevent frauds in the sale thereof, and for other purposes, introduced by Mr. Williams of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Interstate Land Sales Full Disclosure Act".

DEFINITIONS

Sec. 2. For the purposes of this Act, the term—

(1) "Commission" means the Securities and Exchange Commission;

(2) "Person" means an individual, any unincorporated organization, partnership, association, corporation, trust, or estate;

(3) "Subdivision" and "subdivided lands" means any land which is divided or proposed to be divided into twenty-five or more lots, parcels, units or interests, whether contiguous or not, for the purpose of offer, sale, or lease as part of a common promotional plan;

(4) "Developer" means any person (i) who, having an interest in land, causes it, directly or indirectly, to be divided into a subdivision, or who acquires an interest in a subdivision, (ii) who, directly or indirectly, sells or leases, or offers to sell or lease, or advertises for sale or lease any interest, lot, or parcel in such subdivision, and (iii) who is directly or indirectly controlled, controlled by, or under direct or indirect common control, with any of the foregoing;

(5) "Agent" means any person who represents, or acts for or on behalf of, a developer in selling or leasing, or offering to sell or lease, any interest, lot, or parcel in a subdivision; but shall not include an attorney at law whose representation of another person consists solely of rendering legal services;

(6) "Blanket encumbrance" means a trust deed, mortgage, or any other lien or encumbrance, including an option or contract to sell or trust agreement, affecting a subdivision or affecting more than one lot or parcel offered within a subdivision; except that such term shall not include any lien or other encumbrance arising as the result of the imposition of any tax or assessment by any public authority;

(7) "Interstate commerce" means trade or commerce among the several States, or between the District of Columbia, Commonwealth of Puerto Rico, the Canal Zone, the Virgin Islands, or any possession of the United States or between any foreign country and any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, the Virgin Islands, or any possession of the United States".

(8) "Investors" means actual and prospective purchaser or lessees of any interest, lot, or parcel in any subdivision;

(9) "Prospectus" means a written brochure or circular meeting the requirements of section 8 of this Act;

(10) "Offer" includes every inducement, solicitation, or attempt to encourage a person to acquire an interest in a subdivision;

(11) "Sale" or "sell" means any contract of sale or disposition for value of an interest in a subdivision.

EXEMPTIONS

Sec. 3. (a) The provisions of this Act shall not apply to—

(1) the sale or lease of real estate not pursuant to a common promotional plan to offer or sell 25 or more parcels of subdivided land.

(2) the sale or lease of any improved land on which there is a residential, commercial, or industrial building, or to the sale or lease of land under a contract obligating the seller to erect a dwelling thereon within a period of two years;

(3) the sale of real estate under or pursuant to court order;

(4) the sale of evidences of indebtedness secured by a mortgage or deed of trust on real estate;

(5) the sale of securities issued by a real estate investment trust and subject to any State or Federal statute;

(6) offers to sell or dispositions by any government or government agency;

(7) offers to sell and dispositions of cemetery lots or interests;

(8) any interest, lot, or parcel which is a part of a subdivision within, and offered and sold only to persons resident within, a single State or territory, where the developer of such subdivision is a person resident and doing business within, or, if a corporation, incorporated by and doing business within, such State or territory.

(b) The Commission may from time to time by its rules and regulations, and subject to such terms and conditions as may be prescribed therein, exempt from the provisions of this Act any interests in a subdivision, if it finds that the enforcement of this Act with respect to such interests is not necessary in the public interest and for the protection of purchasers by reason of the small amount involved or the limited character of the public offering; but no interests shall be exempted under this subsection where the aggregate amount at which the lots, parcels, or interests within the subdivision are to be sold or leased exceeds $300,000.

PROHIBITIONS RELATING TO THE SALE OR LEASE OF INTEREST IN SUBDIVISIONS

Sec. 4. (a) It shall be unlawful for any developer or agent, directly or indirectly, to make use of any means or instruments of transportation or communication in interstate commerce, or of the mails, to sell or lease, or offer to sell or lease any interest, lot, or parcel in any subdivision unless a registration statement with respect to such interests, lots, or parcels is in effect in accordance with section 7 of this Act.

(b) While a registration is in effect with respect thereto it shall be unlawful for any developer or agent, directly or indirectly, to make use of any means or instruments of transportation or communication in interstate commerce, or of the mails, to sell or lease, or offer to sell or lease, any interest, lot, or parcel in a subdivision unless a prospectus is furnished by such developer or agent to the investor sufficiently before any contract or agreement for the sale or lease of such interest, lot, or parcel becomes binding on the purchaser to afford him a reasonable opportunity to examine it; but in no event shall the time be less than forty-eight hours.

REGISTRATION OF INTERESTS IN SUBDIVISIONS AND SIGNING OF REGISTRATION STATEMENT

SEC. 5. (a) Any interest, lot, or parcel in a subdivision may be registered with the Commission under the terms and conditions hereinafter provided, by filing a registration statement in triplicate, at least one of which shall be signed by each developer, its principal executive officer or officers, and the majority of its board of directors or persons performing similar functions (or, if there is no board of directors or persons performing similar functions, by the majority of the persons or board having the power of management of the developer). Signatures of all such persons when written on the said registration statements shall be presumed to have been so written by authority of the person whose signature is so affixed and the burden of proof, in the event such authority shall be denied shall be upon the party denying the same. The affixing of any signature without the authority of the purported signer shall constitute a violation of this Act. A registration statement shall be deemed effective only as to the interests, lots, or parcels specified therein as proposed to be offered.

(b) At the time of filing a registration statement the developer shall pay to the Commission a fee of one-fiftieth of 1 per centum of the maximum aggregate price at which such lots, parcels, or interests are proposed to be offered, but in no case shall the fee be more than $1,000.

(c) The filing with the Commission of a registration statement, or of an amendment to a registration statement, shall be deemed to have taken place upon the receipt thereof, but the filing of a registration statement shall not be deemed to have taken place unless it is accompanied by payment of the fee required by subsection (b).

(d) The information contained in or filed with any registration statement shall be made available to the public under such regulations as the Commission may prescribe and copies thereof, photostatic or otherwise, shall be furnished to every applicant at such reasonable charge as the Commission may prescribe.

INFORMATION REQUIRED IN REGISTRATION STATEMENT

SEC. 6. (a) The registration statement shall contain the information and be accompanied by the documents specified hereinafter in this section:

(1) the name and address of each person having an interest in the subdivision and, the extent of such interests and the purchase price thereof;

(2) a legal description of, and a statement of the total area included in, the subdivision, together with a map showing the division proposed and the dimensions of the interests, lots, or parcels to be registered, the topography of the subdivision, and its relation to existing streets and roads;

(3) a statement of the condition of the title to the land comprising the subdivision, including all encumbrances thereon;

(4) a statement of the terms and conditions, including the selling price or rent at which it is proposed to dispose of the interests in the subdivision.

(5) a statement of the present condition of access to, and sewage disposal facilities and public utilities (including water, electricity, gas, and telephone facilities) in, the subdivision and the proximity of the subdivision to cities, towns, or villages, and of improvements to be installed by the developer and his schedule for completion;

(6) in the case of any subdivision or portion thereof against which there exists a blanket encumbrance, a statement of the consequences for an individual investor of a failure by the person or persons bound to fulfill obligations under the instrument or instruments creating such encumbrance and the steps, if any, taken to protect the investor in such eventuality;

(7) (a) copy of its articles of incorporation, with all amendments thereto and of its existing bylaws or instruments corresponding thereto, whatever the name, if the developer be a corporation; (b) copy of all instruments by which the trust is created or declared, if the developer is a trust; (c) a copy of its articles of partnership or association and all other papers pertaining to its organization, if the developer is a partnership, unincorporated association, joint stock company, or any other form of organization, or if the purported holder of legal title is a person other than developer, copies of the above documents for such person;

(8) copies of the deed or other instrument establishing title to the subdivision in the developer or other person and copies of any instrument creating a lien or encumbrance upon the title of developer or other person and copies of any instrument creating a lien or encumbrance upon the title of developer or other person;

(9) a copy of the opinion or opinions of counsel in respect to the title to the subdivision of developer or other person, or a copy of the title insurance policy guaranteeing such title;

(10) copies of all forms of conveyance to be used in selling interests, lots, or parcels to investors;

(11) copies of instruments creating easements or restrictions or other incumbrance;

(12) such certified or uncertified financial statements as the Commission may by rule or regulation require; and

(13) such other information and such other documents as the Commission may by rules or regulations require as being necessary or appropriate for the protection of investors.

(b) If any engineer, or appraiser, or any person whose profession gives authority to a statement made by him, is named as having prepared or certified any part of the registration statement, or is named as having prepared or certified a report or valuation for use in connection with the registration statement, the written consent of such person shall be filed with the registration statement. If any such person is named as having prepared or certified a report or valuation (other than a public official document or statement) which is used in connection with the registration statement, but is not named as having prepared or certified such report or valuation for use in connection with the registration statement, the written consent of such person shall be filed with the registration statement unless the Commission dispenses with such filing as impracticable or as involving undue hardship on the person filing the registration statement.

TAKING EFFECT OF REGISTRATION STATEMENTS AND AMENDMENTS THERETO

SEC. 7. (a) Except as hereinafter provided, the effective date of a registration statement shall be the thirtieth day after the filing thereof or such earlier date as the Commission may determine, having due regard to the public interest and the protection of investors. If any amendment to any such statement is filed prior to the effective date of such statement, the registration statement shall be deemed to have been filed when such amendment was filed; except that an amendment filed with the consent of the Commission, prior to the effective date of the registration statement, or filed pursuant to an order of the Commission, shall be treated as a part of the registration statement. When the subdivider registers additional lands to be offered for disposition, he may consolidate the subsequent registration with any earlier registration offering subdivided land for disposition under the same promotional plan. At the time of consolidation, the subdivider shall include in the consolidated registration statement any material changes in the information contained in the earlier registration statement.

(b) If it appears to the Commission that a registration statement is on its face incomplete or inaccurate in any material respect, the Commission may, after notice by personal service or the sending of confirmed telegraphic notice not later than ten days after the filing of the registration statement, and opportunity for hearing (at a time fixed by the Commission) within twenty days after such notice by personal service or the sending of such telegraphic notice, issue an order prior to the effective date of registration refusing to permit such statement to become effective until it has been amended in accordance with such order. When such statement has been amended in accordance with such order the Commission shall so declare and the registration shall become effective at the time provided in subsection (a) or upon the date of such declaration, whichever date is the later.

(c) If, at any time subsequent to the effective date of registration, a change shall occur affecting any material fact required to be stated in the registration statement or which makes any such fact misleading, the developer shall promptly file an amendment thereto. An amendment filed after the effective date of the registration statement, if such amendment, upon its face, appears to the Commission not to be incomplete or inaccurate in any material respect, shall become effective on such date as the Commission may determine, having due regard to the public interest and the protection of investors. Upon receipt of any such amendment, the Commission may, if it determines such action to be necessary or appropriate in the public interest or for the protection of investors, suspend the registration until the amendment becomes effective.

(d) If it appears to the Commission at any time that the registration statement includes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, the Commission may, after notice by personal service or the sending of confirmed telegraphic notice, and after opportunity for hearing (at a time fixed by the Commission) within fifteen days after such notice by personal service or the sending of such telegraphic notice, issue a stop order suspending the effectiveness of the registration statement. When such statement has been amended in accordance with such stop order the Commission shall so declare and thereupon the stop order shall cease to be effective.

(e) The Commission is hereby empowered to make an examination in any case in order to determine whether a stop order should issue under subsection (d). In making such examination the Commission or any officer or officers designated by it shall have access to and may demand the production of any books and papers of, and may administer oaths and affirmations to and examine, the developer, any agents, or any other person, in respect of any matter relevant to the examination. If the developer or any agents shall fail to cooperate, or shall obstruct or refuse to permit the making of an examination, such conduct shall be proper ground for the issuance of a stop order.

(f) Any notice required under this section shall be sent to or served on the developer.

INFORMATION REQUIRED IN PROSPECTUS

SEC. 8. (a) A prospectus relating to interests, lots, or parcels in a subdivision shall contain the information contained in the registration statement, but need not include the documents referred to in paragraphs (6) to (11), inclusive, of section 6 of this Act and shall contain such further information as may be contained in amendments filed pursuant to and declared effective under section 7(c) of this Act. A prospectus shall also contain such other information as the Commission may by rules or regulations require as being necessary or appropriate in the public interest or for the protection of investors.

(b) The prospectus shall not be used for any promotional purposes before registration becomes effective and then only if it is used in its entirety. No person may advertise or represent that the Commission approves or recommends the subdivided lands or sale thereof. No portion of the prospectus shall be underscored, italicized, or printed in larger or bolder type than the balance of the statement unless the Commission requires or permits it.

COOPERATION WITH STATE AUTHORITIES

SEC. 9. (a) In enforcing this Act the Commission shall cooperate with State authorities charged with the responsibility of regulating the sale of interests in subdivisions which are also subject to this Act and may accept for filing under section 5 of this Act and declare effective as a registration statement, if it finds such action to be appropriate in the public interest or for the protection of investors, material filed and found acceptable by such authorities.

(b) Nothing in this title shall affect the jurisdiction of the real estate commission (or any agency or office performing like functions) of any State or territory of the United States, or the District of Columbia, over any subdivision or any person.

CIVIL LIABILITIES ON ACCOUNT OF FALSE REGISTRATION STATEMENT

SEC. 10. (a) In case any part of the registration statement, when such part became effective, contained an untrue statement of a material fact or omitted to state a material fact required to be stated therein or necessary to make the statements therein not misleading, any person acquiring such interest, lot, or parcel in a subdivision (unless it is proved that at the time of such acquisition he knew of such untruth or omission) may, either at law or in equity, in any court of competent jurisdiction, sue—

(1) every person who signed the registration statement;

(2) every person who was a director of (or person performing similar functions) or partner in, the developer at the time of the filing of the part of the registration statement with respect to which his liability is asserted;

(3) every person who, with his consent, is named in the registration statement as being or about to become a director, person performing similar functions, or partner; and

(4) every engineer, or appraiser, or any person whose profession gives authority to a statement made by him, who has with his consent been named as having prepared or certified any part of the registration statement, or as having prepared or certified any report or valuation which is used in connection with the registration statement, with respect to the statement in such registration statement, report, or valuation, which purports to have been prepared or certified by him.

(b) Notwithstanding the provisions of subsection (a) no person, other than the developer shall be liable as provided therein who shall sustain the burden of proof—

(1) that before the effective date of the part of the registration statement with respect to which his liability is asserted (A) he had resigned from or had taken such steps as are permitted by law to resign from, or ceased or refused to act in, every office, capacity, or relationship in which he was described in the registration statement as acting or agreeing to act, and (B) he had advised the Commission and the developer in writing that he had taken such action and that he would not be responsible for such part of the registration statement; or

(2) that if such part of the registration statement became effective without his knowledge, upon becoming aware of such fact he forthwith acted and advised the Commission, in accordance with paragraph (1), and in addition, gave reasonable public notice that such part of the registration statement had become effective without his knowledge; or

(3) that (A) as regards any part of the registration statement not purporting to be made on the authority of an expert, and not purporting to be a copy of or extract from a report or valuation of an expert, and not purporting to be made on the authority of a public official document or statement, he had, after reasonable investigation, reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading; and (B) as regards any part of the registration statement purporting to be made upon his authority as an expert or purporting to be a copy of or extract from a report or valuation of himself as an expert, (i) he had, after reasonable investigation, reasonable ground to believe and did believe, at the time such part of the registration statement became effective, that the statements therein were true and that there was no omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, or (ii) such part of the registration statement did not fairly represent his statement as an expert or was not a fair copy of or extract from his report or valuation as an expert; and (C) as regards any part of the registration statement purported to be made on the authority of an expert (other than himself) or purporting to be a copy of or extract from a report or valuation of an expert (other than himself), he had no reasonable ground to believe and did not believe, at the time such part of the registration statement became effective, that the statements herein were untrue or that there was an omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, or that such part of the registration statement did not fairly represent the statement of the expert or was not a fair copy of or extract from the report or valuation of the expert. The Commission shall for the purposes of this subsection by rules and regulations define and prescribe the means reasonably designed to prevent such transactions, practices or courses of business as are fraudulent and deceptive; and (D) as regards any part of the registration statement purporting to be a statement made by an official person or purporting to be a copy of or extract from a public official document, he had no reasonable ground to believe and did not believe, at the time such part of the registration statement became effective, that the statements therein were untrue, or that there was an omission to state a material fact required to be stated therein or necessary to make the statements therein not misleading, or that such part of the registration statement did not fairly represent the statement made by the official person or was not a fair copy of or extract from the public official document.

(c) In determining, for the purpose of paragraph (3) of subsection (b) of this section, what constitutes reasonable investigation and reasonable ground for belief, the standard of reasonableness shall be that required of a prudent man in the management of his own property.

(d) The suit authorized under subsection (a) may be to recover such damages as shall represent the difference between the amount paid for the interest, lot, or parcel (not exceeding the price at which it was offered to the public) and (1) the value thereof as of the time such suit was brought, or (2) the price at which such interest, lot, or parcel shall have been disposed of in the market before suit, or (3) the price at which such interest, lot, or parcel shall have been disposed of after suit but before judgment if such damages shall be less than the damages representing the difference between the amount paid for the interest, lot, or parcel in a subdivision (not exceeding the price at which it was offered to the public) and the value thereof as of the time such suit was brought: *Provided*, That if the defendant proves that any portion or all of such damages represents other than the depreciation in value of such interest, lot, or parcel resulting from such part of the registration statement, with respect to which his liability is asserted, not being true or omitting to state a material fact required to be stated therein or necessary to make the statements therein not misleading, such portion of or all such damages shall not be recoverable. In any suit under this or any other section of this title the court may, in its discretion, require an undertaking for the payment of the costs of such suit, including reasonable attorney's fees, and if judgment shall be rendered against a party litigant, upon the motion of the other party litigant, such costs may be assessed in favor of such party litigant (whether or not such undertaking has been required) if the court believes the suit or the defense to have been without merit, in an amount sufficient to reimburse him for the reasonable expenses incurred by him, in connection with such suit, such costs to be taxed in the manner usually provided for taxing of costs in the court in which the suit was heard.

(e) All or any one or more of the persons specified in subsection (a) shall be jointly and severally liable, and every person who becomes liable to make any payment under this section may recover contribution as in cases of contract from any person who, if sued separately, would have been liable to make the same payment, unless the person who has become liable was, and the other was not, guilty of fraudulent misrepresentation.

(f) In no case shall the amount recoverable under this section exceed the price at which the interest, lot, or parcel was offered to the public.

CIVIL LIABILITIES ARISING IN CONNECTION WITH PROSPECTUSES AND COMMUNICATIONS

SEC. 11. Any developer or agent who—

(1) offers, sells, or leases an interest, lot, or parcel in a subdivision in violation of section 4 of this Act, or

(2) offers, sells, or leases an interest, lot, or parcel in a subdivision by the use of any means or instruments of transportation or communication in interstate commerce or of the mails, by means of a prospectus or other communication, written or oral, which includes an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements, in the light of the circumstances under which they were made, not misleading (the purchaser not knowing of such untruth or omission), and who shall not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of such untruth or omission, shall be liable to the person purchasing such interest from him, who may sue either at law or in equity in any court of competent jurisdiction, to recover the consideration paid for such in-

terest with interest thereon, less the amount of any income received thereon, upon the tender of such interest, or for damages if he no longer owns such interest.

INELIGIBILITY OF CERTAIN PERSONS

Sec. 12. (a) It shall be unlawful for any person to act as developer or agent who within ten years has been convicted of any felony, misdemeanor, or is subject to a stop order, or permanent injunction involving the purchase or sale of any interest in land, or of any security, or arising out of such person's conduct as a developer, or agent, or as an underwriter, broker, dealer, or investment adviser as defined in title 15, United States Code, or involving embezzlement, fraudulent conversion, or misappropriation of funds, securities, or interests in land, or involving the violation of sections 1341, 1342, or 1343 of title 18, United States Code, or who has been found by the Commission to have willfully violated any provision of any Act which it administers or who has been found to have been a cause of such violation.

(b) Any person who is ineligible, by reason of subsection (a), to act as developer or agent, may file with the Commission an application for an exemption from the provisions of that subsection. The Commission shall by order grant such application, either unconditionally or on an appropriate temporary or other conditional basis, if it is established that the prohibitions of subsection (a), as applied to such person, are unduly or disproportionately severe or that the conduct of such persons has been such as not to make it against the public interest or protection of investors to grant such application.

COURT REVIEW OF ORDERS

Sec. 13. (a) Any person aggrieved by an order of the Commission may obtain a review of such order in the Court of Appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty days after the entry of such order, a written petition praying that the order of the Commission be modified or be set aside in whole or in part. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Commission, and thereupon the Commission shall file in the court the record upon which the order complained of was entered, as provided in section 2112 of title 28, United States Code. No objection to the order of the Commission shall be considered by the court unless such objection shall have been urged before the Commission. The finding of the Commission as to the facts, if supported by evidence, shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the hearing before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file such modified or new findings, which, if supported by evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of of the original order. The jurisdiction of the court shall be exclusive and its judgment and decree, affirming, modifying, or setting aside, in whole or in part, any order of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (28 U.S.C. 346–347).

(b) The commencement of proceedings under subsection (a) shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

LIMITATION OF ACTIONS

Sec. 14. No action shall be maintained to enforce any liability created under section 10 or 11(2) unless brought within three years after the discovery of the untrue statement or the omission, or after such discovery should have been made by the exercise of reasonable diligence, or, if the action is to enforce a liability created under section 11(1), unless brought within three years after the violation upon which it is based. In no event shall any such action be brought to enforce a liability created under section 10 more than five years after the sale of all the interests, lots, or parcels which are the subject of a particular offering (other than any as to which the offering has been withdrawn), or under section 11(2) more than five years after the sale.

CONTRARY STIPULATIONS VOID

Sec. 15. Any condition, stipulation, or provision binding any person acquiring any interest, lot, or parcel in a subdivision to waive compliance with any provision of this title or of the rules and regulations of the Commission shall be void.

ADDITIONAL REMEDIES

Sec. 16. The rights and remedies provided by this Act shall be in addition to any and all other rights and remedies that may exist at law or in equity.

FRAUDULENT INTERSTATE TRANSACTIONS

Sec. 17. It shall be unlawful for any developer or agent in the offer or sale or lease of any interests, lots, or parcels in any subdivision by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, directly or indirectly—

(a) to employ any device, scheme, or artifice to defraud, or

(b) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, or

(c) to engage in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the investor.

INVESTIGATIONS, INJUNCTIONS AND PROSECUTION OF OFFENSES

Sec. 18. (a) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this Act, or of any rule or regulation prescribed thereunder, it may, in its discretion, bring an action in any district court of the United States, or the United States District Court for the District of Columbia to enjoin such acts or practices, and upon a proper showing a permanent or temporary injunction or restraining order shall be granted without bond. The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney General who may, in his discretion, institute the appropriate criminal proceedings under this Act.

(b) The Commission may, in its discretion, make such investigations as it deems necessary to determine whether any person has violated or is about to violate any provision of this title or any rule or regulation thereunder, and may require or permit any person to file with it a statement in writing, under oath or otherwise as the Commission shall determine, as to all the facts and circumstances concerning the matter to be investigated. The Commission is authorized, in its discretion, to publish information concerning any such violations, and to investigate any facts, conditions, practices, or matters which it may deem necessary or proper to aid in the enforcement of the provisions of this title, in the prescribing of rules and regulations thereunder, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this title relates.

(c) For the purpose of any such investigation, or any other proceeding under this title, any member of the Commission or any officer designated by it is empowered to administer oaths and affirmations, subpena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memorandums, or other records which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such records may be required from any place in the United States or any State at any designated place of hearing.

(d) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Commission may invoke the aid of any court of the United States within the jurisdiction of which such investigation or proceeding is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memorandums, and other records. And such court may issue an order requiring such person to appear before the Commission or member or officer designated by the Commission, there to produce records, if so ordered, or to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memorandums, and other records, if in his power so to do, in obedience to the subpena of the Commission, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than $1,000 or to imprisonment for a term of not more than one year, or both.

(e) No person shall be excused from attending and testifying or from producing books, papers, contracts, agreements, and other records and documents before the Commission, or in obedience to the subpena of the Commission or any member thereof or any officer designated by it, or in any cause or proceeding instituted by the Commission, on the ground that the testimony or evidence, documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or foreiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

HEARINGS BY COMMISSION

Sec. 19. All hearings shall be public and may be held before the Commission or an officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

UNLAWFUL REPRESENTATIONS

Sec. 20. Neither the fact that the registration statement for interests, lots, or parcels in a subdivision has been filed or is in effect nor the fact that a stop order is not in effect with respect thereto shall be deemed a finding by the Commission that the registration statement is true and accurate on its face or that it does not contain an untrue statement of fact or omit to state a material fact, or be held to mean that the Commission has in any way passed upon the merits of, or given approval to, such interests, lots, or parcels. It shall be unlawful to make, or cause to be made, to any prospective purchaser any representation contrary to the foregoing provisions of this section.

PENALTIES

Sec. 21. Any person who willfully violates any of the provisions of this title, or the rules and regulations promulgated thereunder, or any person who willfully, in a registration statement filed under this title, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than $5,000 or imprisoned not more than five years, or both.

RULES, REGULATIONS, AND ORDERS

Sec. 22. The Commission shall have authority from time to time to make, issue, amend, and rescind such rules and regulations and such orders as are necessary or appropriate to the exercise of the functions and powers conferred upon the Commission elsewhere in this Act. For the purpose of its rules and regulations the Commission may classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters.

JURISDICTION OF OFFENSES AND SUITS

Sec. 23. (a) The district courts of the United States, the United States courts of any territory, and the United States District Court for the District of Columbia shall have jurisdiction of offenses and violations under this title and under the rules and regulations promulgated by the Commission in respect thereto, and concurrent with State and territorial courts, of all suits in equity and actions at law brought to enforce any liability or duty created by this title. Any such suit or action may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, or in the district where the offer or sale took place, if the defendant participated therein, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (28 U.S.C. 225, 347). No case arising under this title and brought in any State court of competent jurisdiction shall be removed to any court of the United States. No costs shall be assessed for or against the Commission in any proceeding under this title brought by or against it in the Supreme Court or such other courts.

The explanation of the bill follows:

EXPLANATION OF INTERSTATE LAND SALES FULL DISCLOSURE ACT

This bill is based on the Securities Act of 1933 and many of its sections are identical to those contained in the 1933 Act.

Sec. 1—Short Title: The "Interstate Land Sales Full Disclosure Act".

Sec. 2—Definitions: "Subdivision" and "subdivided lands" means any land which is divided or proposed to be divided into twenty-five or more lots, parcels, units or interests, whether contiguous or not, for the purpose of offer, sale, or lease as part of a common promotional plan. A "developer" is defined as any person who, having an interest in land, causes it, directly or indirectly, to be divided into a subdivision, or who acquires an interest in such a subdivision; or a person who sells or leases subdivided lots. An "agent" means any person who represents, or acts for or on behalf of, another person in selling or leasing, or offering to sell or lease, any interest, lot, or parcel in a subdivision; but shall not include an attorney at law whose representation of another person consists solely of rendering legal services.

Sec. 3—Exemptions: The following transactions are exempted from the coverage of the Act:

1. The sale or lease of real estate not pursuant to a common promotional plan to offer or sell 25 or more parcels of subdivided land.
2. The sale or lease of any improved land on which there is a residential, commercial, or industrial building, or to the sale or lease of land under a contract obligating the seller to erect a dwelling thereon within a period of two years.
3. The sale of real estate under or pursuant to court order.
4. The sale of evidences of indebtedness secured by a mortgage or deed of trust on real estate.
5. The sale of securities issued by a real estate investment trust regulated under any State or Federal statute.
6. Offers to sell or dispositions by any government or government agency.
7. Offers to sell and dispositions of cemetery lots or interests.

The bill also includes an intrastate exemption which exempts sales to a person resident within a state by a person or corporation incorporated by and doing business within the same state.

The SEC is given authority to exempt from registration subdivisions where the aggregate amount at which the lots will be sold is less than $300,000.

Sec. 4.—Prohibitions Relating to the Sale or Lease of Interest in Subdivisions:

4(a) Prohibits any developer or agent to use the mails or interstate facilities to sell or lease any lot in a subdivision unless a registration statement has been filed and is in effect in accordance with Section 7.

4(b) Prohibits the use of the mails or interstate facilities by a developer or his agent unless a prospectus, described in Section 8, has been furnished to the investor before he signs a contract or sales agreement.

Sec. 5.—Registration of Interests in Subdivisions:

5(a) Provides for the filing of a registration statement with the SEC by the developer.

5(b) Provides for a registration fee of 1/50th of one per cent of the maximum aggregate price at which the lots, parcels, or interests in the subdivision will be offered. In no case can the fee be more than $1,000.

5(c) Requires that the filing be accompanied by the fee.

5(d) Provides that the information in the registration statement be available to the public.

Sec. 6.—Information Required in Registration Statement:

Provides that the registration statement must contain:

(1) The names of persons having an interest in the subdivision, the extent of the interest, and its purchase price.

(2) A legal description of the subdivision, including a map showing the size of the lots to be sold, the topography of the land, the relation of the lots to existing streets and roads.

(3) A statement of the condition of the title including encumbrances.

(4) A statement of the selling price of the lots and the terms and conditions of sale.

(5) A description of the sewage facilities and public utilities in or available to the subdivision, and a statement of the proximity of the subdivision to cities, towns or villages.

(6) A description of the consequences to the investor if the developer fails to fulfill the obligations of blanket encumbrance, and what protection the investor would have if that happened.

(7) A copy of the articles of incorporation.

(8) Copies of the developer's deed to the subdivision.

(9) Opinion of counsel as to title, or title insurance.

(10) Copies of forms to be used in selling.

(11) Copies of instruments creating easements or restrictions or other incumbrance.

(12) Such certified or uncertified financial statements as the Commission may by rule or regulation require.

(13) Such other information as the SEC may require.

Sec. 7—Taking Effect of Registration Statement and Amendments Thereto:

7(a) Provides that a registration statement becomes effective thirty days after filing.

7(b) Empowers the SEC, after opportunity for a hearing, to stop registration from becoming effective if it appears incomplete or inaccurate, and to require that the registration statement be amended before becoming effective.

7(c) After the effective date of registration, requires the developer to file an amendment if there is any change in the material facts. The SEC could stop further sales until amendment became effective.

7(d) Empowers the SEC to issue a stop order suspending effectiveness of a registration statement, after opportunity for a hearing if the statement contains untruthful statements or omissions of fact.

7(e) Gives the SEC the power to make an examination to determine whether a stop order should issue.

Sec. 8—Information Required in Prospectus:

Requires that prospectus contain the same information as registration statement.

It prohibits the use of prospectus for promotional purposes until registration becomes effective and then only if used in its entirety.

Sec. 9—Cooperation with State Authorities:

(a) Requires cooperation of the SEC with state authorities regulating the sale of interests in subdivisions, and allows the SEC to accept a state registration statement, in lieu of the registration statement described in Section 6, if it finds it appropriate in the public interest.

(b) States that the Act does not affect the authority of any State real estate commission or agency performing a like function.

Sec. 10 & 11—Civil Liabilities on Account of False Registration and on Account of a False Registration Statement: These sections give the purchaser the right to sue the developer and his associates if the registration statement contained untrue statements or omissions of fact for damages. The purchaser could also sue anyone who sold lots in unregistered subdivisions or who used false or misleading statements either orally or in a prospectus.

Sec. 12—Ineligibility of Certain Persons:

12(a) Prohibits any person from acting as a developer or agent if, within ten years, they have been convicted of any felony or misdemeanor or is subject to a stop order or permanent injunction involving the purchase or sale of any interest in land, or of any security or arising out of such person's conduct as a developer or agent or as an underwriter, broker, dealer or investment adviser.

(b) Provides for appeal from this ban to the SEC and for exemptions in certain circumstances.

Sec. 13—Court Review of Orders: Provides for review by the Court of Appeals of the United States or any orders obtained by the SEC under this Act.

Sec. 14—Limitation of Actions: Limits actions arising under Section 10 to three years after the discovery of an untrue statement or material omission, but in no event more than five years after the offering is closed. Limits action under Section 11(1) to three years after the violation occurs. Limits action under Section 11(2) to three years after discovery of the untrue statement or material omission, but in no event more than five years after the sale.

Sec. 15—Contrary Stipulations Void: Prohibits waiver by stipulation of any of the provisions contained in this Act.

Sec. 16—Additional Remedies: Provides that the rights and remedies provided for by this Act shall be in addition to all other rights and remedies that concurrently exist at law or in equity.

Sec. 17—Fraudulent Interstate Transactions: Makes it unlawful for any person to use the mails or the means and instruments of interstate commerce to sell lots in subdivisions by fraudulent devices, to obtain money by misstatements of fact, or to use practices which defraud or deceive the purchaser.

Sec. 18—Investigations, Injunctions & Prosecution of Offenses:

18(a) Empowers the SEC to seek an injunction in a District Court enjoining acts or practices in violation of this Act.

18(b)&(c) Provides the power, including subpoena power, to investigate violations of provisions of the Act.

Sec. 19—Hearings by Commission: Provides for public hearings by the SEC.

Sec. 20—Unlawful Representations: Makes it unlawful to make any representation that registration with SEC means that SEC has passed on the merits of, or approved of, the lots in the subdivision.

Sec. 21—Penalties: Violations of the Act can be punishable by imprisonment for not more than five years, or a fine of not more than $5,000.

Sec. 22—Rules, Regulations, and Orders: Provides the SEC with the authority to make such rules and regulations which it deems appropriate to exercise the functions and powers conferred upon it by the Act.

Sec. 23—Jurisdiction of Offenses and Suits: Provides for concurrent jurisdiction among the state and federal courts.

OLDER AMERICANS COMMUNITY SERVICE PROGRAM

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, on behalf of Senators CLARK, FONG, HART, HARTKE, INOUYE, JAVITS, KENNEDY of Massachusetts, KENNEDY of New York, MORSE, NELSON, PELL, RANDOLPH, and SMATHERS, a bill to establish an older Americans community service program within the Administration on Aging in the Department of Health, Education, and Welfare.

The purpose of the bill should be clear to anyone who has given any thought at all to the strange situation that confronts so many of the people we call the elderly.

On one hand, many millions of our older Americans find, at age 65 or even earlier, that they are expected to live on the sidelines of life. They may feel just as vigorous as they did the day after retirement as they felt the day before, but they are supposed to slow down, to turn off their curiosity, to adjust to enforced idleness.

On the other hand, however, there are great opportunities in every community for service to others. All that is needed is an organized effort to provide that service.

The program proposed in this bill would match a desire to serve with an opportunity to serve.

At the same time, it could shake ingrained attitudes about the elderly, who are now so often excluded from any opportunity to give service to their fellow man.

Admittedly, the bill is modest. But it is big in terms of goals. As one administrator of a State agency on aging has said, the program could become "the foundation upon which a new and significant way of life can be built for retired people in all the years to come, perhaps one day even for thee and me."

PROVISIONS OF THE BILL

The program would work this way:

On the local level, potential sponsors of service programs—and the sponsors could be public agencies or nonprofit private organizations—would study the service needs of their communities, and they would undoubtedly find that there is much that could and should be done.

The Senate Special Committee on Aging, for example, has said that obvious needs are legion. They include:

Aids, receptionists, and visitors in hospitals and nursing homes, especially in those for the long-term ill.

Aids in health screening programs and to the aged and others returning to the community from mental hospitals.

Assistants in day care centers for children and for the aged.

Classroom assistants in schoolrooms, particularly to help potential school dropouts.

Teachers of functionally illiterate adults.

Workers in central meal services for older people and information-referral centers.

Companions and visitors to homebound elderly persons, assistants in libraries extending their services to older people.

Organizers and workers in community improvement programs.

And, as the president of the National Association of State Units on Aging has pointed out:

> When a source of help becomes known, unimagined possibilities for services evolve.

Once the high-priority needs of a community have been identified, the potential sponsor would be in a position to plan the organization of a work force, which would be open to persons of age 60 and over.

The sponsor may decide that a small force of older persons should be given short-term training and be paid a modest sum. The bill makes it possible to pay up to $1,500 a year for each participant. This amount would keep all individuals within the present social security maximum, yet allow sponsors the flexibility to pay varying rates of pay, if circumstances warrant.

In some communities, a private organization may well be the logical sponsor of a service program. Several senior citizen corps programs are, in fact, already underway in cities of widely varying populations. Directors of such programs have discovered that their very worthy activities often face a fundamental difficulty—the participants find that it costs them money to give service. Bus fare, for example can be a burden to a person who lives on a tight budget. Perhaps clothing requirements and other expenses can cause problems.

Private organizations often find, too, that the directors of such programs begin on a part-time basis but often find themselves working around the clock. Even a small infusion of funds would help keep such programs going and growing; but usually there is no help to be found.

The bill introduced today would make it possible to provide some help for private organizations when their objectives meet the specifications of the older Americans community service program.

Sponsors, public or private, would submit their proposals to the State agency responsible for formulating State plans for the elderly as provided in the Older Americans Act of 1965. Upon approval by the designated State agency, the proposal would be submitted to the Administration on Aging in HEW.

Among the criteria to be considered by the AOA in considering proposals are the following:

First. There must be close coordination, wherever appropriate, with the Department of Labor, the Office of Economic Opportunity, and all other relevant Federal and State programs, and there must be efficient use of the experience and programs of these agencies.

Second. The program must include whatever short-term training—and no long-range job training projects are contemplated here—necessary for effective use of skills and talents of participants.

Third. The programs would be developed, conducted, and administered with maximum feasible participation of persons of age 60 or over.

Nine million dollars would be authorized for the first fiscal year and $15 million for the second. Local sponsors would have to make a 10-percent matching payment in the second year.

LEGISLATIVE HISTORY

Mr. President, the bill introduced today was passed by the Senate just before adjournment in October.

Its approval by the Senate was the culmination of an evolutionary process which began with deliberations by the U.S. Senate Special Committee on Aging a few years ago. The special committee, which is nonlegislative, recommended in 1964 that a National Senior Citizens Corps be established to "serve the needs of both older adults who would welcome opportunity for useful activity and their communities which would need their services."

The interest of the committee in service opportunities for the elderly was further intensified in 1965 when the committee conducted a broad study of the war on poverty as it affects older Americans. The committee heard vivid accounts of limited, but very promising programs authorized by the Office of Economic Opportunity.

Under the foster grandparent program, for example, men and women 55 years or older were enlisted to serve in institutions primarily for younger persons. The "grandparents" were able to give time and attention to individuals who—because of the heavy demands upon full-time institutional employees—had come to feel neglected or lonely. The committee records have dozens of examples of good work done by the foster grandparent program. One doctor, for example, told a committee staff member that a patient in a pediatrics ward had been totally withdrawn and defensive until his elderly "grandmother" restored his interest in life, simply by talking to him and making him feel wanted. Doctors, nurses, directors of institutions, and others familiar with the program have high praise for it.

Even more dramatic success was achieved by Operation Medicare Alert, authorized late in December 1965. Elderly participants were mobilized to inform persons eligible for medicare about the rights and opportunities that would be available when the hospital insurance program took effect in July 1966. The workers went to work with zest. They contacted more than 3.8 million persons, including 18,048 who were escorted to social security offices and 55,597 who were referred to local antipoverty offices for help.

OEO funds were used for two other programs that made use of older Americans. Project Green Thumb put retired farmers to work on highway beautification projects. Training for a home health aid program was also authorized.

Encouraging as such programs are, it must be remembered that they enlist only participants whose incomes are technically below poverty levels. Thus, their impact is limited by OEO funds and by fundamental purpose.

The enthusiasm and experience of the elderly must be used on a wider basis, using the lessons learned from the OEO projects. Many more older Americans, working in their own communities, should be given an opportunity to serve.

Such was the purpose of the bill I introduced last February 4 with broad cosponsorship in the Senate and widespread introduction of identical bills in the House. Soon after, Senator GEORGE SMATHERS introduced a bill similar in purpose, but differing in important provisions.

Hearings on the two bills were conducted by the Subcommittee on Aging, Senate Committee on Labor and Public Welfare, May 24, May 25, and June 15, 1966. The subcommittee was able to combine the best provisions of the two bills, and on October 13 reported the bill in the form in which it was passed by the Senate and in which it appears today in this draft.

STRONG, WIDESPREAD SUPPORT

Testimony taken at the subcommittee hearings was heartening, not only because it so well established the need for the proposed program, but also because it so well expressed enthusiasm for its fundamental purposes and practicality.

Statements or testimony in support of the concept of the bills were received from numerous organizations, including: AFL–CIO, National Council on the Aging, National Council of Jewish Women, National Council of Senior Citizens, National Association of Social Workers, National Recreations and Park Association, National Association of State Units on Aging, National Committee for Day Care of Children, National Farmers Union, American Library Association, American Public Health Association, American Public Welfare Association, B'nai B'rith, B'nai B'rith Women, Federation of Protestant Welfare Agencies, National Education Association, National Conference of Catholic Charities, National Federation of Settlements and Neighborhood Centers, National Council of Catholic Women, and the UAW Retired Workers Centers of Detroit.

In addition, favorable statements were received from 25 State officials concerned with the elderly. The States represented are: Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, New Jersey, New York, Oklahoma, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Washington, and Wisconsin.

The hearings were lively and helpful. The National Council on the Aging, for example, gave us additional reasons for giving adequate consideration to the needs of private organizations that might need some form of assistance under terms of the bill:

> Adequate funding is important to enable local programs to enlist those who are poor and need the income as well as those who are on the fringes of poverty or have limited income, who may not need or wish to be paid for their services but who require reimbursement for the expenses which every such program participant incurs for transportation, meals, and other out-of-pocket expenses. Volunteerism generally is having difficult days throughout the country, and if we are to attract substantial numbers of new participants from among the elderly and the retired, many of whom walk a taut tightrope between a lengthening longevity and a shrinking bank balance, such expenses will have to be reimbursed.

We also heard from representatives of organizations either now operating volunteer programs or contemplating such action.

The National Council of Jewish Women was especially informative. The council organized pilot Senior Service Corps programs as early as 1960, and at the time of the hearing it had programs in 13 communities. The exhibits at the end of these remarks will give additional information about the projects, including one in my native community of Plainfield, N.J.

Testimony from the council was welcome, too, because it provided an excellent summary of purposes of the bill. Mrs. Sylvia Barg, past director of the Helpmate Volunteer Bureau of Philadelphia, spoke for the council when she said:

> The appropriation for this act can be the first step in creating a new way of life in the later years. We believe that life is meaningful to the extent that each of us has his place among his fellow men. Ultimately, we believe that it is the duty of a society to make it possible for each of us to live fully all our days.

Representative JONATHAN BINGHAM, one of the sponsors of the House bill, was similarly eloquent when he said:

> The truth is, I am convinced, that our older people want continued commitment, not enforced idleness.

Much as I would like to draw from the stirring testimony at length, I will recommend instead a reading of Senate Report No. 1728, issued on October 13. It gives a good summary of the testimony and the need for the bill.

Another report, issued last autumn, has a direct relationship to the bill introduced today.

The report, "Needs for Services Revealed by Operation Medicare Alert," was the outcome of hearings conducted by the senior Senator from Massachusetts, EDWARD M. KENNEDY. As chairman of the Subcommittee on Federal, State, and Community Services in the Senate Special Committee on Aging, Senator KENNEDY performed a valuable service by turning national attention upon the fine work done by Operation Medicare Alert workers.

Even more fundamentally, however, the hearings and report clearly demonstrated that older Americans could find many other ways in which they could be of service to their communities if they were given the means to do so. Accordingly, the subcommittee report, in its very first recommendation, said that legislation should be enacted to establish a senior service program.

The subcommittee action gives authoritative support for a much-needed program. I am pleased indeed by the timeliness, tone, and helpfulness of the report.

Mr. President, I will conclude today by referring once more to projections for the future.

One out of every two senior citizens in this Nation is now more than 72.6 years old.

The number of persons past 65 will probably rise by 6 million—from 19 million today to 25 million—within the next 20 years.

Life expectancy for women is now 73.4 years. For men it is 66. And there are some biochemists who say that an average life expectancy of 100 could theoretically be possible within 35 years.

Already the average retiree can expect 14 years in retirement, the equivalent in hours of free time to the length of an entire working life.

What will we as a nation do with the energy, imagination, and experience of Americans who are technically beyond retirement age, even though they feel they have something yet to give for others?

We should answer that question in the most positive terms we can. This bill is an attempt to provide part of the answer.

Mr. President, the Senior Service Corps at Newark, N.J., is one of the demonstration projects operated by the National Council of Jewish Women. Mrs. M. K. Weinstein, executive director of the Newark corps, has been kind enough to give me several case studies that vividly describe the splendid work done by the participants.

I ask unanimous consent that the bill lie on the table for 1 week for additional cosponsors, and that the attached case histories and the text of the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; without objection, the bill will lie on the desk for 1 week for additional cosponsors, as requested; and, without objection, the bill and case histories will be printed in the RECORD.

The bill (S. 276) to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 276

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Older Americans Act of 1965 is amended by redesignating title VI as title VII and sections 601, 602, and 603 as sections 701, 702, and 703, respectively, and by adding after title V a new title as follows:

"TITLE VI—OLDER AMERICANS COMMUNITY SERVICE PROGRAM

"STATEMENT OF FINDINGS AND PURPOSE

"SEC. 601. The Congress hereby finds and declares—

"(1) that there are millions of Americans aged sixty or over who are forced into idleness and inactivity by unemployment, compulsory retirement policies, or lack of opportunities for meaningful community service projects;

"(2) that certain grave consequences of such enforced idleness are impaired morale and physical, mental, and psychological health among members of this age group who are forced to endure the frustration, feeling of futility, and loss of self-respect;

"(3) that another consequence of such enforced idleness is inadequate incomes for this age group, many of whom receive pensions and other retirement incomes which are totally inadequate, and others of whom have not yet reached ages of eligibility for such pensions;

"(4) that there are needs in every community and area of the Nation which are not now being met, not because of the lack of manpower to meet those needs, but rather because of the lack of adequate arrangements for utilizing available manpower to meet them;

"(5) that individuals aged sixty or over are capable and qualified to perform services which would meet many of those needs and that there is an important potential national asset in the talents, abilities, experience, training, and energy of Americans in that age group who have been forced into unwanted inactivity; and

"(6) that providing this age group with opportunities for service will better their morale, will benefit their physical, mental, and psychological health, can, in many cases, provide them with needed income supplementation, and will be a means of providing services needed by all age groups which are not now being provided.

"DEVELOPMENT OF PROGRAMS

"SEC. 602. (a) In order to carry out the purpose of this title the Secretary is authorized to assist and cooperate with State agencies designated pursuant to section 303(a) (1) in developing programs meeting the requirements of section 603.

"(b) The Secretary's functions under this title shall be carried out through the Commissioner.

"AUTHORIZATION FOR OLDER AMERICANS COMMUNITY SERVICE PROGRAM

"SEC. 603. (a) The Secretary may enter into agreements providing for the payment by him (subject to subsection (b)) of part or all of the cost of older Americans community service programs, approved by the State agency designated under title III, if he determines, in accordance with such regulations as he may prescribe, that—

"(1) only individuals aged sixty and over will provide services in the program (except for administrative purposes) and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

"(2) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided;

"(3) the program will not result in the displacement of employed workers or impair existing contracts for services;

"(4) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of those individuals aged sixty and over who are participating;

"(5) any rates of pay and other conditions of service, which may be fixed by the sponsor of each individual project, will be appropriate and reasonable, and except in unusual circumstances no individual will receive payments in excess of $1,500 per annum;

"(6) the program is being established and will be carried out with the advice of competent specialists in problems of older persons;

"(7) the program provides that the State agency will administer or supervise its administration, will make such reports to the Secretary, in such form and containing such information, as may reasonably be necessary to enable him to perform his functions under this title, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports;

"(8) the program is closely coordinated with, wherever appropriate, and makes the most efficient use of the experience and programs of, the Department of Labor, the Office of Economic Opportunity, and any other relevant Federal and State programs; and

"(9) the program is developed, conducted, and administered with maximum feasible participation of persons who have attained sixty years of age.

"(b) The Secretary shall not pay, pursuant to an agreement entered into under subsection (a), more than 90 per centum of the cost of any program which is the subject of such agreement out of funds which are appropriated for the purpose of carrying out this title for any fiscal year which begins after the fiscal year ending June 30, 1967. In determining, for purposes of the preceding sentence, the cost of any such program, the Secretary shall attribute fair market value to services and facilities contributed to such program from non-Federal sources.

"PARTICIPANTS IN OLDER AMERICANS COMMUNITY SERVICE PROGRAMS ARE NOT FEDERAL EMPLOYEES

"SEC. 604. Individuals providing their services under any State program pursuant to this title shall not be Federal employees and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

"EQUITABLE DISTRIBUTION OF ASSISTANCE

"SEC. 605. The Secretary shall establish criteria designed to achieve an equitable distribution of assistance under this title among the States.

"PAYMENTS

"SEC. 606. Payments under this title may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

"APPROPRIATIONS AUTHORIZED

"SEC. 607. There are authorized to be appropriated for the fiscal year beginning July 1, 1967, $9,000,000, and for the fiscal year beginning July 1, 1968, $15,000,000 to carry out the provisions of this title."

The case histories are as follows:

Mrs. M. Spell is a blind woman who sits on the board of the East Orange Community Action Committee. She told her board she had been unable to get a competent reader through the conventional Blind organization to help in her studies at Upsala where she goes at night to study Sociology and Anthropology.

A member of the SSC Steering Committee who also sits on that board asked if we could get a Corps volunteer to read for Mrs. Spell. Mr. John H. Shephard, Jr., 61, lives at the V. A. Restoration Center in East Orange due to a back and hip disability. During his recuperation he had done some volunteer work at the hospital and was referred to the SSC by the Social Service Dept. there to enable him to get out of the hospital setting and into the community.

Since he has a musical background we had tried placing him with a group where we had a request for a teacher of opera. Although his musical background was in popular music he was willing to do research in bringing this program to a group of senior citizens.

The placement with Mrs. Spell was such an urgent one that he has been going there twice a week since September in good and bad weather despite the fact he uses a cane and public transportation. He has done such an outstanding job that the head of Upsala's Sociology Dept. asked to meet and congratulate him. Mrs. Spell was one of three students to get a B in that difficult course.

Mr. Anthony Lewis, 81, is a retired contractor who has been a Corps member since May 1965. In February 1966 he was shown on a TV program on Channel 13 in a job he had done with the Corps with the Newark Commission for Neighborhood Conservation and Rehabilitation in advising a church with limited funds on a reconstruction program. This placement was included in the testimony before Congress.

However, since then Mr. Lewis has helped in a variety of jobs for the Corps. He has manned booths for us at Hobby Shows and has spoken before groups of Senior Citizens in recruitment drives to tell others of the satisfaction he is getting from being in the Corps. He was referred by us to the Interracial Council Business Opportunities where he is listed as a consultant with them to assist any Negro going into business where Mr. Lewis' background can be helpful.

He is also working with the Essex County Heart Association since October and the Director, Mr. Tewart wrote us: "Mr. Lewis is helping in our public education activities in South Orange. We thank you. Please send us more."

Mr. and Mrs. Isadore Bashover, both in their 70's had tried the conventional club activities for the elderly. Their family had given him paints and he worked as a "primitive" long enough to develop enough knowledge of art to know that he was dissatisfied with his skill. He had no formal schooling but a variety of business experience, including being a restaurateur. They are now revelling in operating the Doctor's Snack Shop at the Presbyterian Hospital two days a week to the mutual delight of all concerned. "It's so good to be useful and to be appreciated".

Mr. D. R. 65, intelligent and personable, was retired from a government agency. However, he had stayed home long enough to have lost all confidence in his ability to again hold a job. He was placed at the Beth Israel Hospital doing a variety of clerical jobs, where gradually his responsibilities were increased. He also increased the number of days per week he served from two to four a week. He served there for eight months and just before Christmas called to tell us he had taken a full time paid job. He was most grateful for the "therapy" offered by SSC.

Mr. Erich Guttzeit had been an apprentice of engineering in Germany, had gone to college at night here in the U.S. and been in the building and home repair trades. He has been helping the Essex County Welfare Board in a Homemakers Group, teaching their clients to repair small appliances and furniture. Our report from their Home Economist: "Mr. G. was very helpful in describing the various tools and equipment needed, always keeping in mind the limited budget of group members. He explained how various marks, dents, etc. could be removed from furniture. The women are bringing small appliances, lamps, chairs and other small articles to our next meeting and Mr. G. is planning to show them how these can be fixed. The women are so pleased they have asked to meet weekly instead of every two weeks."

Mrs. Martha Messing is an energetic, widowed, retired school teacher of 78, who comes to the SSC office three days a week for four hours. She makes calls to Corps members, does clerical work and is being trained to become an interviewer to assist in the administration of this program.

Mrs. Helen Kaplan, widowed, 65, retired from V. A. and legal secretary work has been working as a receptionist with the YMCA since May 1965. In July 1966 Mr. Goldt, her supervisor, wrote us: "Mrs. Kaplan is always punctual and responsible. She seems to enjoy her duties as a receptionist and performs her functions well. She is cheerful and cooperative and interested in the functions of the "Y". In October Mrs. K. had a heart attack. In December she called our office to say she had recovered and that her sole wish was to completely recover so she could resume working. "That is the most important part of my life now. My son lives in Canada, my sister out west. All the friends I have are those I have made at the "Y". All of them were wonderful to me through my illness." She went back to work there this week.

RANDOLPH COSPONSORS OLDER AMERICAN COMMUNITY SERVICE PROGRAM BILL—CITES ARTICLE BY WEST VIRGINIA UNIVERSITY PROFESSOR ON "EMPLOYMENT OPPORTUNITIES FOR THE ELDERLY"

Mr. RANDOLPH. Mr. President, it is my privilege and responsibility to join the distinguished Senator from New Jersey [Mr. WILLIAMS] in sponsoring the older Americans community service program bill, which I also cosponsored in the 89th Congress.

As chairman of the Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging, I have gained much insight into the needs of our older Americans—both financial and psychological—and in my view this proposal, if enacted, would form a good base for the attempts to satisfy those needs.

Mr. President, an assistant professor in marketing from West Virginia University, now enjoying an internship at Duke University, wrote to me some time ago asking assistance in locating research materials on the needs of our Nation's elderly. Dr. Raymond M. Haas has since published an excellent paper entitled "Employment Opportunities for the Elderly," in which he details many avenues open to our senior citizens who wish to remain useful to their communities and themselves. This article, in the Michigan State University Business Topics, further substantiates the need for the proposal Senator WILLIAMS and I have just submitted, and I ask unanimous consent that it be printed following my remarks, with two articles from the Dominion News of Morgantown, W. Va.

The VICE PRESIDENT. Without objection it is so ordered.

The article and newspaper clippings follow:

REBIRTH OF THE OLDER EMPLOYABLE: A NOTE TO RETAILERS—A LOGICAL BUT NEGLECTED ANSWER TO THE PRESSING PROBLEM OF STAFFING

(By Raymond M. Haas and Edwin W. Crooks)

(NOTE.—*Ramond M. Haas is Associate Professor of Marketing, College of Commerce, West Virginia University. Edwin W. Crooks is Professor of Business Administration, Indiana University.*)

Pearl Bailey attained stardom by singing, among other things, a blues tune called "A Good Man Is Hard to Find." And, while her warbling entertained many fans, the basic truth of her song has frustrated personnel managers for decades, if not centuries. In fact, some persons classify "Pearl's lament" among that small list of items known as eternal verities—true forever, Whatever the enduring qualities of the lyrics, however, many personnel managers in retailing believe that the words are especially apropos to their situation at the present. Good men (and women) have always been hard to find; but with recent changes in retailing, the situation is getting ever more difficult.

As a result of certain sociological and economic changes in the general consumer market, stores have been forced to remain open additional hours on additional evenings. It used to be that a Monday night opening was sufficient for family shopping. Then a competitor began to stay open on Thursday nights and soon all merchants had to follow suit. Today in some shopping centers the stores are open every evening including Sunday.

The longer hours have caused difficult staffing problems, and opening later in the morning has been only a partial solution. Some stores have increased their full-time work force and put their employees on various types of split shifts, thus allocating the unpopular hours. Still other firms, wishing to avoid shift work and the morale problems that it creates, have hired vast numbers of part-time employees to fill the gap created by the extra hours.[1]

Regardless of the approach to the problem of longer hours, the personnel manager has been faced with the need to secure many additional workers, both nonselling and selling, but especially selling. It has been an especially difficult task because of retailing's poor image as a suitable career and its inability to match salaries paid in other fields.

POTENTIAL EMPLOYEES

We believe that in their search for additional help, especially for part-time sales people, personnel managers have either neglected or, at least, have not given proper attention to one pool of potential workers. This neglected reservoir of employables consist of retirees and other older persons released from discontinued jobs.

Profile of the older employable

Potential employees in this pool are not the doddering, crotchety stereotype that exists in the minds of many persons. Rather, they are typically viable, eager, and fiercely loyal. Because age at separation varies between industries, persons in this group range in age from 45 on up to about 75. More typically, they are between 55 and 70. The one thing they have in common as concerns their age is that they have found employment opportunities restricted in their customary occupations because of their having passed some chronological benchmark that was meaningful in their sector of the business world.[2] However, the chronological benchmarks of other industries may not apply to retailing. Writing about the experiences of some West Coast retailers, Dorothy G. Smith said, and we agree, "There is one area where age does not constitute an insuperable barrier—the department store."[3]

A student was once overheard saying to a friend, "You know, professors are just like people—they're all different." Much the same can be said for unemployed older persons. Each member of this potential employee pool is unique. To be sure, some are unable to work and some do not want to work. Some are honest workers and some are not. Some are personable and some are out-and-out bores. But, these statements are true of every sector of the labor force. What personnel men are looking for are the potential employables in the older age brackets—the persons who are ready, willing, and able to work. What are they like, and just as important, are there enough of them available to make it worthwhile for personnel managers to attempt to tap the reservoir?

Reliability. An age old problem of the retailer is employee absenteeism, especially among young females. Grandparents and out-of-town aunts have been buried, seemingly exhumed, and reinterred more often by retail employees than those of probably any other profession. Whether it is a baseball game or a missile shot, children with measles or husbands with lumbago, whatever the reason, retail workers do absent themselves occasionally from their work. On this basis, older employees are superior to their younger counterparts. Joseph Arkin, in an article in *Business Management*, reported that older workers are less likely to be absent from their jobs.[4] Not only are the oldsters more mature and therefore more reliable, but, they also experience less of the possible causes of absenteeism. They are less likely to be hunting enthusiasts and do not have small children at home.

Admittedly, disabilities increase with age. A U.S. Department of Labor Study, done within the past ten years, shows that one in every ten workers under 45 years of age reported some physical handicap. The proportion increases to one in seven among job seekers 45 to 50 years of age and to one in four for those over 65.[5] However, three separate studies by three reputable organizations—Temple University, Prentice-Hall Inc., and the National Office Management Association—have reached the same conclusion: older employees are clearly less likely to be absent from their work than their younger counterparts.[6] Elizabeth Breckenridge, in her study on the *Effective Use of Older Workers*, concluded that "older workers do not have more accidents and greater sickness, although their illnesses tend to last longer."[7] Of the two types of absences, the less frequent, but protracted, type is easier for personnel managers to adjust to than those of a more sporadic, short-term nature.

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[1] The U. S. Department of Labor reported in 1963 that "part-time workers constitute close to 30 percent of sales and service employees, and, for the economy in general, between 1949 and 1962, while full-time employment rose to 20 percent in America, part-time employment rose 62 percent, three times as great a rise." Hearings before the Subcommittee on Employment and Retirement Incomes of the Special Committee on Aging, U. S. Senate, 88th Congress, Part 1, December 19, 1963, pp. 4, 8.

[2] Slavick and Wolfbein report in Clerk Tibbits, *Handbook of Social Gerontology* (Chicago: University of Chicago Press, 1960), that 40 percent of all retired males were let off from work involuntarily.

[3] D. G. Smith, "Hurdling the Age Barrier," *Personnel Journal*, March, 1964, p. 152.

[4] Joseph Arkin, "Are Older Workers Too Expensive?" *Business Management*, May, 1962, p. 155.

[5] *Older Workers Adjustment to Labor Market Practices: An Analysis of Experience in Seven Major Labor Markets*, U. S. Department of Labor, Bureau of Employment Security, BES No. R 151, September 1956, p. 2.

[6] Arkin, *op. cit.*, p. 57.

Longevity and Turnover. Another facet of reliability is that of longevity. Once hired, how long can a new employee be expected to stay on the job? The United States Department of Labor, after an analysis of seven major labor markets, concluded the following about older workers:[8]

"An outstanding quality of older workers is their dependability. They are not job hoppers. Their work histories showed them as less inclined to change jobs than young workers; they also show longer job tenure for the older group.

"Once employed, an older worker holds on to his job more and quits less than younger workers. Older workers held about 35% of the jobs, but experienced less than a quarter of the annual total separations. They quit their jobs less than half as often as younger workers."

The above data refer primarily to full-time employees. However, considering only part-time workers, the older employables came out even farther ahead of their rivals. Part-time work is exactly what the older members of the labor force have in mind. A recent study shows that 85 percent of the men and women over 65 who are working part-time prefer that arrangement.[9] They need to supplement a modest retirement income or perhaps build up social security credits. For many, part-time work matches their physical abilities, and for others, work, in small doses, is a needed therapy to relieve the boredom encountered in the twilight of life. In summary, the older employables take their part-time work seriously because, for them, intermittent work is either a social or economic necessity. In addition, the younger segment of the labor force has a higher rate of job turnover than the older segment, and so, on the basis of both longevity, and turnover, older workers are superior to their juniors.

Cost. In a study of 11,054 members of the American Association of Retired Persons, 22.7 percent of the men and 16.9 percent of the women reported that they had experienced difficulty in securing work because prospective employers believed that older persons added disproportionately to the firm's cost of insurance and pensions.[10] Yet, in all our research on this topic, we have found only statements to the contrary. The following testimony by the personnel manager of the Lockheed-California Company, before a congressional subcommittee, is typical of statements by those who have studied the problem:[11]

"Some employers are reluctant to hire older workers because they consider them high-cost employees. Most employee costs are determinable, and if a company avoids hiring of older people for reasons of cost, I would suggest that it conduct a study of the relationship of employee age to cost. It may be found that cost differentials based on age are not really significant, or are compensated for by other factors. Some cost items that might be considered are: State unemployment insurance, State disability insurance, workmen's compensation, and group insurance, and retirement benefits.

"While younger people tend to be laid off more frequently than older ones—because they have less seniority—the latter tend to be unemployed for a somewhat longer period of time. In California the cost of unemployment insurance is paid from funds accumulated as the result of taxes paid by the employer, and the rate of this tax is determined ultimately by the experience rating of the company.

"Concerning State disability insurance and workmen's compensation, I believe it is industry's experience that older workers are more careful on the job and take better care of themselves off the job than others. Although the frequency of accidents and illnesses of older workers may be less than or the same as that of their younger counterparts, the recuperative period of older people is longer. In retirement and group insurance plans, costs do increase with an increase in the average age of employees.

"I believe this is a good time to point out that an employer who uses the full range in hiring can hire older workers without affecting significantly the average age of his work force. Every company needs the vigor, drive and enthusiasm of the young recruit for its apprenticeship and other trainee posts. These young men and women will in time form the backbone of an organization. Furthermore, the hiring of young people makes possible—or to be emphatic, makes necessary—the hiring of those with maturity with their correlative attributes of experience, application, and stability."

A no less profit-oriented organization than the National Association of Manufacturers had this to say on the question of the cost of older employees:[12]

"In any consideration of possible increased costs, while it may be desirable to have a low insurance and pension rate, it is insignificant when one compares it with the costs involved in turnover, poor or indifferent performance, absenteeism, lack of job interest and application and the fact that the company is cutting itself off from the services of able, mature people."

COMPARATIVE ADVANTAGE

To this point we have attempted to demonstrate that it is "good business" to hire older job applicants for part-time positions in retail stores. They cost no more to employ and are reliable as concerns regular attendance and low turnover. Effectively, this means that they are at least equal to their younger competitors in three of the most important criteria used in selecting new employees. However, it must be recognized that older employees cannot do everything that younger workers can do. In turn, it seems logical to assume that there are some tasks for which older persons are more especially suited.

To paraphrase David Ricardo's famous hypothesis, the theory of comparative advantage for personnel men might be stated as follows: "Use each employee in the job for which he is best suited."

Prior Training and Experience. A look at the characteristics of older employees gives some hint as to which jobs they can do especially well. Older workers have generally had some prior experience or training in the production or sale of a particular product line or business sector. Every attempt should be made to make the best use of any previous experience in that it reduces training costs to the store. Books on salesmanship give a great deal of emphasis to "knowing one's product." The store generally must not only teach new young sales employees how to sell but also give them a good course on the selling points of the items to be sold. The costs of training an older, new-employee can be cut by a fraction coming close to one-half if he is carefully assigned. To summarize this point, we can say that older sales-workers have a comparative advantage in certain product lines where they may have had prior experience or training. For instance, a retired employee of an electronics firm should be at least one step ahead in a selling job in the radio and television department of a store, provided, of course, that he receives some training in sales work.

Of course, sales work is not the only area for which older workers may be qualified through prior training. Mail rooms in department stores have been more than adequately managed by retired postal clerks, and the telephone order desks have been ably manned by retired telephone operators starting on a second career in customer service. Oldsters are also often found at wrapping desks, check rooms, work rooms, and other places where their skills and dependability are important.

Dexterity and Flexibility. If older workers offer an advantage because of their prior training, some certainly are at a comparative disadvantage when it comes to manual dexterity. But, again as with the case of training as an advantage, dexterity is an individual thing. Daniel H. Kruger, in an article on the "Employment Problems of the Older Worker" had this to say.[13]

"Older persons can and do learn new techniques. In a rote performance task by age groups, it was found that some persons in their fifties and sixties required more trials, made more errors and required more time to complete the task than did persons in their twenties. There were, however, significant variations between individuals in the higher age groups. Some of the persons in the fifties and sixties were learning as readily as the majority in the younger age ranges."

Kruger reports as follows on another study:[14]

"Output data were obtained for about 2,200 production workers in eight manufacturing establishments in two industries: footwear and men's clothing. Because of the difficulties involved in such a study, only limited conclusions can be made. The data show that output per man-hour remained fairly stable through age 54 and declined slightly for the 55–64 age group. When individual performance records were examined it was found that variations, in fact, were greater than the differences in average output among age groups. Many workers in the older age group (55–64) had a higher output than younger persons doing comparable work."

Like managers in any occupation, however, personnel men must work on the basis of probabilities, and the probability of the presence of dexterity is surely in the favor of younger workers. However, in many positions manual dexterity or strength is unimportant, and mental flexibility is the important characteristic. As the above data would indicate, many older persons are surprisingly flexible and adaptable—able to work easily and pleasantly in helping customers satisfy their needs.

Maturity. Older employables' maturity is often advantageous. For retailers, this quality is especially desirable in positions that require customer contact of a service nature rather than "selling" per se. For instance, older persons command respect in the garden supply center where advice is desired as much as the merchandise. Purchasers of yard goods and sewing supplies seem to prefer the more senior salespeople. Maturity of the staff is definitely a plus factor in building the image of the domestics' department, the infants' accessories department, or any other areas where extensive experience is expected of the sales person by the customer.

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[7] Elizabeth L. Breckenridge, *Effective Use of Older Workers* (Chicago: Wilcox and Follet Company, 1953), p. 72.

[8] *Older Workers Adjustment to Labor Market Practices: An Analysis of Experience in Seven Major Labor Markets, op. cit.*, pp. 1, 4.

[9] Statement of Hon. Daniel P. Moynihan, Assistant Secretary of Labor, Hearings before the U. S. Senate Subcommittee on Employment and Retirement Incomes, *op. cit.*, Part 1, December 19, 1963, p. 4.

[10] Information supplied by William S. Fitch, Executive Director of the American Association of Retired Persons, Hearings before the U. S. Senate Subcommittee on Employment and Retirement Incomes, *op. cit.*, Part 1, December 19, 1963, p. 38. Reprinted from *Modern Maturity*, April–May, 1963.

[11] Statement of Karl Kunze, Hearings before the U.S. Senate Subcommittee on Employment and Retirement Incomes, *op. cit.*, Part 2, January 10, 1964, pp. 76, 77.

[12] Arkin, *op. cit.*, p. 57.

[13] Daniel H. Kruger, "Employment Problems of the Older Worker," *Business Topics*, Autumn, 1959, p. 33.

[14] Kruger, *op. cit.* p. 32.

SIZE OF OLDER WORK FORCE

During that portion of our nation's history when slums in New York and Boston were bulging with immigrants from Ireland, classified newspaper ads soliciting job applicants frequently ended with the acronym *NINA*—"No Irish Need Apply." A great number of our nation's elderly believe that today the letters *NOPNA*—"No Older Person Need Apply"—should be included, for they are similarly discriminated against. Our purpose in writing this article has been to convince retail personnel managers that older job applicants should be considered on an equal basis with other job applicants; and that it is not just good public relations but also good business to do so. In addition, we have attempted to demonstrate that, in the case of certain full-time and part-time jobs, older persons should not only be considered, but should actually be sought after to fill them.

This last point raises a question, namely, "are there enough older employables to make it worthwhile for stores to solicit their services as a matter of policy?" In other words, "how large is the older sector of the American labor force?"

In 1963, there were 125,000 persons over 65 years of age seeking work and three-fourths of them were in the largest industrial states,[15] where, incidentally, are located the largest stores. Until they reach 65, most employables desire full-time work. However, about 16 percent of the unemployed persons over 55 wanted only part-time employment, either seasonally, spasmodically, or on a regular but abbreviated work schedule. By sex, about one-eighth of these men and one-fifth of the women wanted part-time work.

The future

These figures are impressive, but those for the future make the case for seeking out older part-time workers even more convincing. The U.S. Department of Labor predicts that by 1970 there will be 33.4 million persons over 45 in the labor force, up 5.5 million or 20 percent from 1960.[16] At the same time, during the decade in question, the labor force will decline 1 percent in the bracket 35 to 44 years of age, and there will be a relatively small increase of 12 percent in the sector aged 25 to 34. Of course, the largest gain will be in the group under 25 years, which will burgeon by a full 46 percent. However, more importantly and despite the above rates of increase, the largest single sector of labor force in 1970 will still consist of men and women 45 and over. This is the group most receptive to part-time job offers and, in our opinion, the group that constitutes a significant answer to the personnel manager's dilemma: how to man the store during its ever-lengthening hours of business.

BALANCE

In developing and implementing long-range manpower plans, the prudent manager strives for balance. And, as he searches for balance, the planner discovers that "balance," like a rare gem, has many facets. There must be balance in sex, balance in skill levels, balance in potential, and, while the list could be extended, finally, balance in age. In explanation of this latter point, balance in age means that the firm wants its work force to reflect a full range of age levels. If a firm's work force has an average age skewed toward the high side, then an accelerated death rate can soon debilitate the organization. Similarly, a young work force will produce results commensurate with its lack of experience. To achieve balance in age, an organization can study longevity in each occupation and hire according to its needs in any occupation that is out of balance. When balance is achieved, the firm can then implement a policy of hiring new employees from every band of the relevant age spectrum.

For certain jobs in retailing, the relevant age spectrum should be skewed toward the older end. However, because of some widely, but not universally, held misconceptions, personnel managers have been reluctant to hire older employables. Dr. Donald P. Kent, Director of the Office of Aging of the Department of Health, Education, and Welfare, has made the following observation: [17]

"'It is one of the anomalies, that every time we go to an employer and we say to him, 'Tell us who are your most valuable employees,' he will almost invariably name his older employees, the people who have been with the company for many years. But if for some reason or other, because of automation or because of change in techniques, these people are thrown out of work, the older person finds the greater difficulty in becoming employed."

We suggest that for many of the ever-increasing number of job openings in retail stores, older employables let out of other careers, are the logical answer to the firm's need.

[From the Morgantown (W. Va.) Dominion News, Dec. 29, 1966]

STORES NEGLECT TO EMPLOY OLDER PERSONS, PROFESSOR SAYS

A West Virginia University commerce professor claims that department stores, which have been forced to open their doors for longer evening hours, have generally neglected to hire retirees and other older persons released from discontinued jobs.

Dr. Raymond Haas, associate professor of marketing, said the vast number of jobs becoming available at department stores have caused employers many headaches when searching for additional help. Dr. Haas said this one pool of potential older workers would greatly ease the situation. Ranging from ages 45 to 75, this group of people is described by Haas as "typically viable, eager and fiercely loyal."

Dr. Haas made these statements in an article published in the fall edition of "Business Topics," a journal printed by Michigan State University. Entitled "Rebirth of the Older Employable: A Note to Retailers," the article was co-authored by Dr. Edwin W. Crooks. Before becoming dean of Indiana University's Southeastern campus in February, Dr. Crooks was a professor of marketing at WVU. Dr. Haas is on leave from WVU this year, affiliated with Duke University as an American Council on Education Intern in Academic Administration.

The authors say the longer hours brought on by recent changes in retailing, have caused difficult staffing problems and opening later in the morning has been only a partial solution.

[From the Morgantown (W. Va.) Dominion News, Dec. 31, 1966]

EMPLOYING OUR SENIOR CITIZENS

We are glad to see someone is thinking of our elder citizens. Dr. Raymond Haas, West Virginia University commerce professor, recently lamented the fact that department stores neglect to hire older persons and retirees during the evening hours.

Department stores aren't the only culprits. Many of our senior citizens could be usefully employed in a variety of business and industrial positions—even if only on a part-time basis. But no one seems to want them. They are forced to vegetate during a period of their lives when they often are capable of performing useful tasks.

We are not suggesting that full-time employment be given to these older citizens. But they would provide a good part-time work force for department stores and others which operate late into the evening. It would be another step in encouraging self-reliance and would enable many senior citizens to rely less on charitable agencies and welfare groups. We hope Professor Haas' comments reach the right quarters.

MEMORIAL TO WOODROW WILSON

Mr. WILLIAMS of New Jersey. Mr. President, I am introducing today for myself, for Senator Case of New Jersey, Senator Byrd of Virginia, and Senator Spong of Virginia, a bill intended to implement the recommendations made by the Woodrow Wilson Memorial Commission in its report of September 29, 1966.

That report, later reprinted as Senate Document No. 123, offered a proposal which, in the words of the Commission, "reflects both appreciation of the great President in whose honor a suitable remembrance is to be made, and perception of the social and political needs of succeeding generations to which his heritage is bequeathed."

Furthermore, declared the Commission report, the proposal could be fulfilled in complete harmony with plans for the future development of an historic area within the District of Columbia.

The Commission thus discharged the assignment given to it by Public Law 87–364, enacted on October 4, 1961.

That law declared that Woodrow Wilson had won the enduring gratitude of the people of the United States and throughout the world for his farsighted and tireless efforts to achieve a lasting peace with justice and freedom for all.

Wilson, said the preamble to the statute, had "eloquently phrased the principles for which this country stands; and provided, with his own high standards of integrity, vision, and compassionate good will, an inspiration for generations to come."

To honor the 28th President of the United States appropriately, the Commission members were directed to consider two fundamental questions:

Should the memorial be monumental, similar to those which honor Presidents Washington, Jefferson, and Lincoln?

Or should it be instead a building of a functional nature or, as it is often called, a living memorial?

The Commission members given this responsibility were: Francis B. Sayre, Jr., chairman, dean, Washington Cathedral; Harrison A. Williams, vice chairman, Senator from New Jersey; David K. E. Bruce, U.S. Ambassador to Great Britain and Northern Ireland; Clifford P. Case, Senator from New Jersey; Cornelius E. Gallagher, Representative from New Jersey; Peter H. B. Frelinghuysen, Representative from New Jersey; George B. Hartzog, Jr., Director, National Park Service; Chester

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[15] Much of the following data came from the testimony of the Hon. Daniel Moynihan, *op. cit.*, pp. 2–13.

[16] These data are from "Manpower Challenge of the 1960's," Washington, D.C., U.S. Department of Labor, 1960, p. 6.

[17] Testimony of Dr. Donald P. Kent, Hearings before the U.S. Senate Subcommittee on Employment and Retirement Incomes, *op. cit.*, Part 1, December 19, 1963, p. 21.

R. Huntley; Douglas M. Knight, president of Duke University.

Well aware of the magnitude of its assignment, the Commission gave due consideration to merits of both monumental and "living" memorials and concluded that the two might well be combined.

Its decision was based on lengthy studies and testimony taken at hearings on March 2 and 10, 1966.

Distinguished witnesses—including Secretary of State Dean Rusk; President Robert Goheen of Princeton University; Dr. S. Dillon Ripley, Secretary of the Smithsonian Institution; and Maj. Gen. E. Walton Opie, chairman of the Wilson Centennial Commission in 1955–57—addressed the Commission. Their respect for Wilson's memory was matched by the thought and imagination they gave to their testimony.

Given strong arguments for both the living and monumental memorials, the Commission found itself in the fortunate position of being able to recommend that the two could well be combined.

Briefly summarized, the Commission recommendations were:

RECOMMENDATION 1

Site: The area designated as "Market Square" in the report of the President's Advisory Council on Pennsylvania Avenue, opposite the Archives and bounded on the north by E Street, the south by Pennsylvania Avenue, the west by Ninth Street, and the east by Seventh Street, should be designated as Woodrow Wilson Memorial Square.

RECOMMENDATION 2

Sculptural work: A suitable sculpture, expressive of the spirit and accomplishments of Woodrow Wilson, should be constructed at the top, north level of the square; and possibly a display area depicting new ideas in international understanding could be established in the center of the lower level.

RECOMMENDATION 3

An adjacent center for scholars: The permanent agency charged with continuing development of Pennsylvania Avenue should be authorized by Congress to make a full study of the costs, architectural design, and nongovernmental sources of funds for a Center for Scholars which would become the most prominent structure among the buildings adjacent to the west, north, and east sides of the square. Priority should be given to the development of this center as the first of several buildings to be developed on available sites on the periphery of the square. The agency should also determine whether the Center for Scholars should be managed by the Smithsonian Institution.

RECOMMENDATION 4

Administering agency: The permanent successor agency to the President's Temporary Commission on Pennsylvania Avenue shall prepare detailed plans for development of Woodrow Wilson Memorial Square.

RECOMMENDATION 5

Discharge of Wilson Commission: The Woodrow Wilson Memorial Commission should be discharged, upon transmittal of this report.

Commission members clearly intended that the square and the sculptural work should be the prominent features of the center. The report even gives guidelines specifying that the sculpture should be visible from all parts of the square and "of sufficient grandeur and scale to remove all possibility of domination by the Archives building or by other nearby structures."

As for site, Commission members found arguments for the Pennsylvania Avenue square overwhelmingly convincing. The square is compatible with plans for overall downtown redevelopment; it will become a superlative crossroads for visitors; it is on the site of inauguration processions; and it will become a major component of plans for development of a section of Pennsylvania Avenue already designated as a national historic site.

The Pennsylvania Avenue Commission has already expressed enthusiasm over the proposed use of the square. We have also received expressions of friendly interest from organizations, individuals, and agencies in the months since the Commission issued the report.

Fortunate in finding a site both appropriate and available, the Commission also benefited from what President Goheen described at the hearing as a "remarkable convergence of academic and cultural interests" in support of a "center for scholars who need to work on the incomparable assemblages of materials here in Washington relating to the study of American history and the analysis of public and international affairs."

Other eminent authorities agreed on the need for a center, although differing somewhat in approach. The Commission report recognizes that the final decisions on the center can be made only after additional studies and possibly additional public hearings.

OUR DEBT TO WILSON

Mr. President, the United States has been blessed with great men to lead us during times of testing and crisis.

Wilson came to the Presidency as a reformer. As a college administrator and as a Governor of New Jersey, he had had the courage to be an innovator. His goal was always to bring justice, enlightenment and a better life to those he served.

Once in the White House, he led efforts to make government work more effectively for people. His legislative triumphs in the early years of his administration were broad and historic.

As a war leader, he planned for the peace. Once again he saw far beyond the limited issues of combat and the negotiations that came with an end of fighting. We are still trying to be worthy of the goals he saw for us and all people of all nations.

Through it all, Wilson regarded himself as a teacher.

Through example or by force of his words, he could open doors of understanding. A center for scholars, as proposed by the Commission would certainly be an appropriate part of a memorial to a man so closely associated with scholarship and free, soaring thought.

Mr. President, we from New Jersey have an obvious reason to be especially interested in the bill offered today. I am happy that Senator Case is joining in the introduction of this bill, and I understand that Members of the House delegation from New Jersey are taking similar action today or in the near future.

We from New Jersey must admit, however, that Virginia has a prior claim. Senators Robertson and Byrd of Virginia were among those who testified at the hearings last year, and I know that Commission members were stirred by their proud testimony. Another Virginian who testified was General Opie, who is also a former president of the Woodrow Wilson Birthplace Foundation—Staunton, Va. General Opie was a strong advocate of a "monumental" memorial at the hearings and I am pleased to say that he found much to praise in the Commission recommendations. In an editorial written for his Staunton newspaper, General Opie urged Congress, however, to heed the Commission's recommendations that the sculpture be both prominent and appropriate.

I hope that Congress will act quickly on the proposal offered today. Our debt to Wilson is great, and more than 40 years have passed since his death. We should act now to put into tangible form an expression of our respect, our admiration, and our conviction that his ideals continue to serve all mankind.

I ask unanimous consent that the bill lie on the table for 1 week for additional cosponsors, and that the text of the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, will lie on the desk for additional cosponsors for 1 week, as requested; and, without objection, the text of the bill will be printed in the Record.

The bill (S. 277) to authorize the preparation of plans for a memorial to Woodrow Wilson, introduced by Mr. Williams of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

S. 277

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the recommendations contained in the report of the Woodrow Wilson Memorial Commission, transmitted to Congress on September 29, 1966, and in furtherance of plans for the development of the Pennsylvania Avenue National Historic Site, the Temporary Commission on Pennsylvania Avenue, or its successor in interest, in consultation with other interested agencies of the Federal Government, shall prepare detailed plans and cost estimates for the development, within the area in the Northwest section of the District of Columbia bounded on the north by E Street, on the south by Pennsylvania Avenue, on the east by Sixth Street, and on the west by Ninth Street, of a memorial to Woodrow Wilson, the twenty-eighth President of the United States. The area bounded on the north by E Street, on the south by Pennsylvania Avenue, on the east by Seventh Street, and on the west by Ninth Street is hereby designated as Woodrow Wilson Memorial Square. The Commission shall include in such plans, as a memorial to Woodrow Wilson's contributions toward world peace, provisions for:

(a) a suitable sculpture expressive of the spirit and accomplishments of Woodrow Wilson;

(b) a full study of the cost, architectural design, nongovernmental source of funds, and plans for the appropriate development of the area hereinbefore designated as "Woodrow Wilson Square";

(c) a full study of the cost, architectural design, nongovernmental source of funds, and plans for the operation of a center for scholars to be located within the Woodrow Wilson Memorial area. Such study shall be based on the recommendations of the Woodrow Wilson Memorial Commission referred to above.

SEC. 2. Within one year after the date of this Act, the Temporary Commission on Pennsylvania Avenue, or its successor in interest, shall submit to the President the detailed plan and cost estimates referred to in section 1 of this Act, together with such other information as may be necessary. The President shall submit to Congress such recommendations, including further legislation, as he deems appropriate.

SEC. 3. The Woodrow Wilson Memorial Commission is hereby abolished.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

STRENGTHENING OF SOCIAL SECURITY SYSTEM

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to permit social security recipients to earn up to $3,000 annually without suffering the penalty of reductions in their regular cash benefits.

In previous Congresses, I have introduced a similar bill to allow yearly outside earnings up to $2,400. My decision this year to seek an increase in this limit to $3,000 is based on a recognition of the rising cost of living. I continue to feel that the present law, which results in a penalty on outside earnings above $1,500, is both inadequate and unfair.

I am concerned not only by the need for action to help our older citizens to meet the burden of rising living costs, but by the fact that the present limitation serves to rob these citizens of the initiative to better their own circumstances. With the miracles of modern medicine, more Americans than ever before can look forward to financially productive years beyond the age of 65. Yet many, who could otherwise attain a higher standard of living by augmenting their social security incomes, hesitate to do so because of the penalty of reduced benefits. For those who must work to meet the expense of illness or for other reasons, the current law works a particular hardship.

For these reasons, I am introducing my bill to strengthen our social security system to benefit those who have paid money into it and who are now counting upon it. I urge early and favorable consideration to correct a present genuine hardship situation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 291) to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance payable to them under such title, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

RECLASSIFICATION OF CERTAIN POSITIONS IN THE POSTAL FIELD SERVICE

Mr. BREWSTER. Mr. President, I am today introducing a bill that has for its purpose the correction of an injustice in Public Law 84–68, passed by the Congress in 1955.

The Postmaster General at that time sent up a classification bill, which gave very little recognition to the carriers and clerks who play such a key role in the movement of the mail. The proposed classification bill provided for 19 levels. It put the carriers and clerks in level 3. The Congress, however, felt this was improper and sought to place them in level 4. A compromise was effected which created a new level 4, closer to level 3 than to level 5. This, I believe, initiated an injustice that has persisted to this time.

In an attempt to keep up with salary increases in private industry, the Congress has enacted a number of pay bills. I might note that these measures have not made post office salaries competitive with those in private industry.

Conversion features have been made a part of each bill. In each one of these conversions, credit for some of the time that postal employees have spent in the postal service has been taken away from them, and, as a result, many of them have found themselves steps behind the salary they should have been receiving.

All of these conversion features have been based upon administrative convenience, since it is supposedly too complicated to give each employee his due. But we have now equipped the Government administrative groups with computers that make it possible for the Post Office Department to correct these injustices.

Accordingly, the bill I am introducing today will:

First. Advance letter carriers and clerks in level 4 to level 5; advance mail handlers from level 3 to 4; and give a number of other smaller groups like advancement.

Second. Provide full credit for all of the time served for the purpose of being placed in pay step, and correct the injustices brought about by these inadequate conversion programs.

This legislation is merely corrective legislation, but it is legislation that is long past due. I intend to do everything I can to secure early action within the committee on this vital bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 278) to reclassify certain positions in the postal field service, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF THE CONFEDERATED TRIBES OF COLVILLE INDIANS

Mr. JACKSON. Mr. President, I send to the desk, for appropriate reference, a bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes.

I introduce this legislation for myself and my colleague [Mr. MAGNUSON], at the request of the Colville Tribal Business Council which, by the adoption of Resolution 1966–379, has asked that this be done. Identical legislation—S. 1413—was acted upon by the Senate on July 22, 1965, but was not approved by the House of Representatives.

It is my hope that the Committee on Interior and Insular Affairs will consider this proposal early in the first session of the 90th Congress and that it will receive favorable consideration by the entire Senate.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 282) to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereto, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

A REVISED FLEXIBLE LEAD-ZINC IMPORT QUOTA PLAN

Mr. ANDERSON. Mr. President, I introduce for myself, the Senator from Washington [Mr. JACKSON], and the Senator from Montana [Mr. METCALF], for appropriate reference, a bill to provide for a stable and prosperous lead and zinc industry. The proposed legislation is another step to assure a continuation of favorable market conditions for this important mining industry in the United States. The proposal has the support of the great majority of the representatives of the industry. I am firmly convinced that it is fair to the importer as well as to the producers and consumers of these minerals.

The legislation is intended to bring a stability to the marketplace. The record is clear that recently the lead and zinc industry has enjoyed relatively good times, as have other segments of our economy. However, we can also remember just a few short years ago when the conditions existing in these basic mineral industries could be described at best only as "depressed." This happened at the same time we were generally enjoying prosperity as we are today.

To attempt to alleviate the poor condition of the industry, a quota on imports was established. Now the quota has been removed, and we see signs which indicate that increasing production around the world can cause the same type of imbalance of supply and demand that led to the virtual cessation of activity in this industry in the 1950's. We do not wish to see this happen again. The time to take precautions and to plan against future recession is now while the industry is enjoying relatively good business conditions.

My proposal, which is identical to one introduced in the House of Representatives by the chairman of the House Interior and Insular Affairs Committee [Mr. ASPINALL], provides for a temporary flexible quota plan. The main purpose of the bill is to insure that adequate supplies of lead and zinc ores and metals are available from all sources at reasonable prices. This plan would hopefully prevent an oversupply on the market which would drive down the price to such an extent that our mines would close. This happened before; we do not want it to happen again.

I ask unanimous consent that the bill lie at the desk for 10 days to allow additional sponors to sign it.

I also ask that an explanation of the proposal and the text of the bill be printed at this point in my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will lie at the desk as requested and the statement will be printed in the Record.

The bill (S. 289) to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes, introduced by Mr. Anderson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The statement presented by Mr. Anderson is as follows:

A Revised Flexible Lead-Zinc Import Quota Plan

Increasing consumption of lead and zinc in the United States and abroad during 1964, 1965 and 1966 has resulted in a recovery from the 1958–1963 period of excessive metal stocks, unprofitable price levels and reduced mine and smelter production. The increased consumption has encouraged the domestic industry to re-open mines, develop and produce from new ore resources and expand concentrating and smelting facilities. This process is going on all around the world. The temporary shortage of metal in 1965 can easily change to a surplus of supplies in foreign markets. This surplus can, once again, result in excessive and unneeded imports into the United States as the import quota controls, imposed in 1958, were terminated in October, 1965 with no provision for a continuing import control plan to be available when needed.

Since 1950, the domestic lead-zinc industry has proposed several plans as a United States mineral policy, but to date there has been no favorable action by the Executive Departments. It is readily apparent from the domestic lead-zinc industry business experience that until a mineral policy is enacted, some type of short-term plan is essential to serve as a deterrent, when needed, to regulate imports at levels required to supplement domestic production. Timing is important in providing such a plan. The economics of the domestic industry are now favorable to maintain and expand production facilities. We should act now to retain this position. Increasing production around the world can cause the same type of imbalance of supply and demand that led to the 1958 quota proclamation—but that action was too little, too late. With the proclamation terminated, a new plan should be "on the books" now, to be available—if required.

Legislation was introduced in Congress early in 1965 to liberalize the inflexible quota system in effect at that time. Following the cancellation of the quota proclamation in late 1965, a new plan for legislation was prepared to provide effective import quotas, if and when needed, based on current industry business conditions. This proposal has been reviewed once again by the representatives of the domestic lead-zinc producing industry, with agreement that the provisions will provide a readily available and a practical import quota plan.

SUMMARY OF PROVISIONS

1. A five year term is proposed to permit re-evaluation of the program at proper intervals and to serve until a minerals policy for the lead-zinc industry has been enacted.

2. During the life of the legislation, a quota regulating imports of lead and/or zinc ores and metals could become effective for a term of three years, if the lead and/or zinc stocks of United States primary lead-zinc producers reach levels considered excessive to normal requirements as compared to smelter shipments (an indicator of consumption) of either metal.

3. If during the term of a lead or a zinc import quota enacted as indicated above, there should occur a shortage of the metal in the United States, again determined by the relative level of producers' metal stocks, the import quota would be canceled.

4. Specific import quotas would be assigned to countries with an import record in excess of 10% of imports during a current base period determined at the time a quota plan became effective. Countries with a lower level of imports would participate in an "all other country" quota.

5. Individual lead or zinc manufactured products would be placed under an import quota during the period that a quota is in effect on lead ores and metal or zinc ores and metal, respectively, if the item is entering United States markets at rates defined as being excessive.

6. A minimum quota is provided to assure the importer a share of participation in United States markets.

The plan is simple, fair to producer, consumer and importer alike and would only be in effect when necessary to stabilize the supply-consumption ratio at proper levels.

Lead-Zinc Producers Committee.

S. 289

A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Lead and Zinc Act of 1967".

TITLE I—LEAD

Sec. 101. As used in this title—

(a) The term "lead" means lead metal, as defined in subsection (b), plus lead ore, as defined in subsection (c).

(b) The term "lead metal" means the dutiable lead content of all unwrought lead and lead waste and scrap which, if imported into the United States, are subject to duty under part 2G of schedule 6, Tariff Schedules of the United States.

(c) The term "lead ore" means the dutiable lead content of lead-bearing ores and other materials which, if imported into the United States, are subject to duty under part 1 of schedule 6, Tariff Schedules of the United States.

(d) The term "imported into the United States" means entered, or withdrawn from warehouse, for consumption within the meaning of the Tariff Classification Act of 1962, as amended.

(e) The term "Tariff Schedules of the United States" means the Tariff Schedules of the United States established pursuant to section 201, Tariff Classification Act of 1962.

(f) The term "ton" means two thousand pounds.

(g) The term "quarter" means a calendar quarter.

(h) The term "quarterly quota for lead" means 80 per centum of the quarterly average of the total general imports as reported by the Bureau of the Census of lead imported as lead metal and lead ore during a quota base period consisting of the ten consecutive quarters prior to the quarter preceding the effective date of such quota as provided in Sec. 103.

Sec. 102. No lead shall be imported into the United States in any quarter after the amount of lead imported into the United States during such quarter equals the import quota for lead for such quarter established under section 103.

Sec. 103. For purposes of section 102—

(a) If for any period of three consecutive calendar months, the stocks of refined soft lead and lead content of antimonial lead owned by the United States primary producers, at their own plants and elsewhere, at the close of each month exceed 250 per centum of the average monthly domestic shipments of refined lead by such producers during the same three month period, a quarterly quota for lead metal and lead ore shall be applied effective the first day of the quarter following this determination, as provided in section 101(h).

(b) The import quota for lead ore shall in no event be less than thirty thousand tons.

(c) Except as provided in section 103(b), 50 per centum of the total quarterly quota for lead established under the provisions of this section shall be allocated to lead ore.

(d) The quarterly quotas for lead ore and for lead metal established under the provisions of this section shall be allocated by the Secretary of the Interior to principal supplying countries in proportion to imports from such countries during the quota base period described in section 101(h). Specific quotas shall be established for lead ore or lead metal as the case may be, for each country supplying more than 10 per centum of the total such lead ore or lead metal imported during such period and the unallocated balance of the lead ore quota and the lead metal quota shall be assigned to all other countries.

(e) If, while the import quota established under section 103(a) is in effect, stocks of refined soft lead and lead content of antimonial lead owned by the United States primary producers, at their own plants and elsewhere, at the close of any three consecutive months are less than 100 per centum of average monthly domestic shipments of refined lead by such producers during those same three months, the quarterly quotas established under provisions of this section shall be terminated, effective on the date of such determination by the Secretary of the Interior: *Provided, however,* That, in making a determination of the relationship of primary producers' metal stocks to domestic shipments, the Secretary of the Interior shall consider the effects of any temporary and significant loss of lead production.

TITLE II—ZINC

Sec. 201. As used in this title—

(a) The term "zinc" means zinc metal, as defined in subsection (b), plus zinc ore, as defined in subsection (c).

(b) The term "zinc metal" means the dutiable zinc content of all unwrought zinc (except alloys of zinc and zinc dust) and zinc waste and scrap which, if imported into the United States, are subject to duty under part 2H of schedule 6, Tariff Schedules of the United States.

(c) The term "zinc ore" means the dutiable zinc content of all zinc-bearing ores and other materials which, if imported into the United States, are subject to duty, under part 1 of schedule 6, Tariff Schedules of the United States.

(d) The term "imported into the United States" means entered, or withdrawn from warehouse, for consumption within the meaning of the Tariff Classification Act of 1962, as amended.

(e) The term "Tariff Schedules of the United States" means the Tariff Schedules of the United States established pursuant to section 201, Tariff Classification Act of 1962.

(f) The term "ton" means two thousand pounds.

(g) The term "quarter" means a calendar quarter.

(h) The term "quarterly quota for zinc" means 80 per centum of the quarterly average of the total general imports as reported by the Bureau of the Census of zinc imported as zinc metal and zinc ore during a quota base period consisting of the ten consecutive quarters prior to the quarter preceding the effective date of such quota as provided in section 203.

Sec. 202. No zinc shall be imported into the United States in any quarter after the amount of zinc imported into the United States during such quarter equals the import quota for zinc for such quarter established under section 203.

Sec. 203. For purposes of section 202—

(a) If, for any period of three consecutive calendar months, the stocks of slab zinc owned by the United States primary producers, at their own plants and elsewhere, at the close of each month exceed 175 per centum of the average monthly domestic shipments of slab zinc by such producers during the same three-month period, a quarterly quota for zinc metal and zinc ore shall be applied, effective the first day of the quarter following this determination, as provided in section 201(h).

(b) The import quota for zinc shall in no event be less than one hundred and thirty thousand tons.

(c) Eighty per centum of the total quarterly zinc import quota established under the provisions of this section shall be allocated to zinc ore.

(d) The quarterly quotas for zinc ore and for zinc metal established under the provisions of this section shall be allocated by the Secretary of the Interior to principal supplying countries in proportion to imports from such countries during the quota base period described in section 201(h). Specific quotas shall be established for zinc ore or zinc metal, as the case may be, for each country supplying more than 10 per centum of the total such zinc ore or zinc metal imported during such period and the unallocated balance of the zinc ore quota and the zinc metal quota shall be assigned to all other countries.

(e) If while the import quota established under section 203(a) is in effect, stocks of slab zinc owned by the United States primary producers, at their own plants and elsewhere, at the close of any three consecutive months are less than 75 per centum of average monthly domestic shipments of slab zinc by such producers during those same three months, the quarterly quotas established under the provisions of this section shall be terminated, effective on the date of such determination by the Secretary of the Interior: *Provided, however,* That, in making a determination of the relationship of primary producers slab zinc stocks to domestic shipments, the Secretary of the Interior shall consider the effects of any temporary and significant loss of zinc production.

TITLE III—MANUFACTURED LEAD AND MANUFACTURED ZINC

Sec. 301. (a) The Secretary of the Interior shall establish quarterly import quotas for any "manufactured lead article" or "manufactured zinc article" not to exceed 100 per centum of average imports for such articles during the quota base period as provided in sections 101 and 201, where (1) more than 50 per centum of the gross weight of the article is attributable to its lead or zinc content, respectively, and (2) the manufactured lead article or manufactured zinc article is imported in any calendar quarter subsequent to the date that a lead or zinc quota, respectively, becomes effective under provisions of sections 103 or 203, in quantities equal to 100 per centum or more of the average quarterly imports during the quota base period as provided in sections 101 or 201.

(b) No manufactured lead article or manufactured zinc article shall be imported into the United States in any quarter after the amount of such manufactured lead article or manufactured zinc article imported into the United States during such quarter equals the quarterly import quotas established under this section.

(c) Import quotas for a manufactured lead article or manufactured zinc article established under provisions of this section shall terminate effective the date of termination of quotas for lead metal and lead ore or zinc metal and zinc ore as provided in sections 103(e), 203(e), or 405 of this Act.

(d) Any quota established in accordance with this section shall become effective the first day of the quarter following the quarter in which the Secretary determines that the conditions set forth in this section are met.

TITLE IV—GENERAL PROVISIONS

Sec. 401. The import quotas provided for in titles I, II, and III of this Act shall be determined and published by the Secretary of the Interior. The determination of quarterly import quotas provided for in sections 103 and 203 of this Act shall be made as promptly as possible after the close of the period of three consecutive months as provided in sections 103(a) and 203(a) that precede the quarter for which such quotas are determined.

Sec. 402. Whenever merchandise containing lead or zinc is exported and duties are refunded as drawback with respect to such lead and zinc under the provisions of section 1313 of title 19, United States Code, the exporter of the merchandise containing the material on which duty had been paid shall be permitted to enter or withdraw from warehouse for consumption within a period of one year from the date of such exportation, a quantity of lead or zinc equivalent to the quantity as to which duties are refunded and such quantity shall not be subject to the quotas established under titles I and II of this Act.

Sec. 403. The quotas provided in this Act, as determined by the Secretary of the Interior, shall be administered by the Secretary of the Treasury.

Sec. 404. The Secretary of the Interior and the Secretary of the Treasury are authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

Sec. 405. Quotas for lead metal and lead ore, or zinc metal and zinc ore, that may be established as provided by the provisions of sections 103 and 203 of this Act shall be in effect for a term of three years unless sooner terminated by the provisions of sections 103(e) and 203(e). Such quotas can only be established during the five-year period which begins on the date of enactment of this Act.

UNTANGLING THE LIFE LINES—ALASKANS NEED AN AMENDMENT OF THE JONES ACT

Mr. GRUENING. Mr. President, for the people of Alaska water transportation of virtually all commodities required for the sustenance of life is, in a very real sense, the lifeline of the State and its people. In Alaska we are almost totally dependent on the transportation by water of everything we need. Far from centers of manufacturing and distribution, Alaskans must look constantly to means of improving transportation to and from the State in order not only to develop our resources but, also, to maintain such economy as we have been able to develop.

This has been an historic struggle for the Alaskans. Long before statehood, patterns of water transportation were developed which have caused damaging and costly reliance by Alaskans almost solely on water carriers operating from the port of Seattle. The result has been the existence of a monopoly of the Alaska trade until recently by a single carrier—the Alaska Steamship Co., owned by a Seattle family—which has been able, historically, to charge the rates the traffic would bear. In recent year Alaskans have found some relief from ever higher and higher water freight rates caused by lack of competition and an accompanying lack of regulatory control of the water carriers. This has occurred with the introduction of competitive services in the railbelt area and the improvement of policies and standards governing regulation of water carriers by the Federal Maritime Commission.

A root cause of the high costs of water transportation to Alaska remains the restrictive provisions of the Merchant Marine Act of 1920, the Jones Act, so named for Senator Wesley Jones, of the State of Washington. Senator Jones naturally represented the interests of his Seattle seaport constitutents by preventing enactment of legislation that might have allowed Alaskans to take advantage of lower cost foreign carriers rather than being forced to rely on the expensive service offered by powerful Seattle interests. Although the Merchant Marine Act of 1920 allowed certain exceptions to its prohibition against movement of cargo in interstate commerce via foreign ships when transported via certain Canadian routes, the exception permitting use of foreign carriers carefully and specifically excluded the extension of benefits of this from the Territory of Alaska. Despite repeated appeals of territorial legislatures to remove the two words in section 27 of the Jones Act which excluded Alaska from its benefits, it was not until enactment of the Statehood Act in 1958 that Alaskans were finally able to accomplish this. However, in the long years between enactment of the Jones Act in 1920 and the coming of statehood, the Alaska Steamship Co. of Seattle was able to entrench itself firmly as the only water carrier operating to Alaska, and, thus, a threat which remains to the progress of the State.

The removal of the exclusion from section 27 of the Jones Act which was accomplished with statehood has, thus, not yet resulted in the beneficial effects we hoped to accomplish. Shipping patterns both for carriers and merchants were too well established to introduce foreign shipping into the Alaska trade immediately.

Something else is now needed and is entirely feasible.

Under the leadership of Gov. William A. Egan, the State of Alaska inaugurated, in 1963, a brilliant new marine service for southeastern Alaska. The State, without a penny of Federal help, built a marine highway of ferries constructed to carry automobiles, trucks and passengers from Prince Rupert, British Columbia, to the Alaskan ports of Ketchikan, Wrangell, Petersburg, Sitka, Juneau, Haines, and Skagway.

This has been an enormously successful service and one that deserves the praise and respect of all its beneficiaries.

Now we can make it possible to use our ingenious marine highway to serve even more fully the needs and desires of Alaskans for improved freight service. Last spring the British Columbia Government inaugurated a new ferry service that operates between Vancouver Island and Prince Rupert. Use of this could make it possible for Alaskans to reduce greatly the costs of shipment of commodities from the other States to Alaska by using the combined ferry services of British Columbia and Alaska, via connecting Canadian highways, instead of high-cost steamship service from Seattle.

Only one thing is needed. That is an amendment to section 27 of the Jones Act that would make it possible to use the Canadian ferries. This is an improvement which is greatly desired by the people of Alaska, particularly in southeastern Alaska. It is an intention I share with my distinguished colleague from Alaska that this be achieved at this session of Congress.

Accordingly, on behalf of Senator BARTLETT and for myself, I now introduce a bill which will permit Alaskans to enjoy the benefits of both the Alaska State ferry service and the British Columbia ferry service; and ask that it be appropriately referred.

I urge early and favorable action on this measure.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 292) to amend section 27 of the Merchant Marine Act, 1920, in order to exempt from the provisions of such section certain transportation of merchandise which is in part over Canadian highways, introduced by Mr. GRUENING (for himself and Mr. BARTLETT), was received, read twice by its title, and referred to the Committee on Commerce.

CONTINUANCE OF CIVIL GOVERNMENT FOR TRUST TERRITORY OF THE PACIFIC ISLANDS

Mr. JACKSON. Mr. President, I send to the desk for appropriate reference a bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes.

In 1966 the Department of the Interior submitted to the Congress a proposed 5-year program of capital improvement for the trust territory. The Committee on Interior and Insular Affairs held hearings on this proposal and reported legislation that would provide a substantial increase in the funds for administering Micronesia. It was not possible to consider the bill in the final days of the 89th Congress, but it is my hope that prompt action will be taken on the bill in order that economic and social programs in the territory may be expanded to meet the needs of the 90,000 people who reside there.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 303) to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

INDIAN REVOLVING LOAN FUND AND THE INDIAN HEIRSHIP LAND PROBLEM

Mr. JACKSON. Mr. President, I send to the desk for appropriate reference a bill relating to the Indian revolving loan fund and the Indian heirship land problem.

Identical legislation (S. 2196) was passed by the Senate in the second session of the 89th Congress, but because of the lateness of the session it was not possible for the House and the Senate to hold a conference on the legislation. The subject of this bill, which involves the multiple ownership of Indian allotments, has been before the Committee on Interior and Insular Affairs for many years, and it is our hope that it may be acted upon very soon in order that a solution may be found for this very difficult and complex problem. Additional funds which are authorized in the bill would increase the Indian revolving credit loan fund from $20 million to $55 million.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 304) relating to the Indian revolving loan fund and the Indian heirship land problem, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

GUARANTEE AND INSURANCE OF LOANS TO INDIANS

Mr. JACKSON. Mr. President, I send to the desk for appropriate reference a bill providing for guarantee and insurance of loans to Indians and Indian organizations.

This proposed legislation was submitted to Congress by the Department of the Interior in 1965. It was considered by the Senate Interior Committee in 1966, but no final action was taken. However, the committee adopted several amendments which it believes would improve the program authorized, and those amendments are included in the present bill.

Mr. President, among the urgent needs of most Indian communities is an adequate supply of funds for financing economic enterprises. Many projects could be developed on reservations if loans from private institutions and lending agencies could be insured and guaranteed by the Federal Government. The present bill would authorize the establishment of a $15 million Indian loan guaranty and insurance fund in the Treasury. This fund in turn will not only generate $100 million or more in private investment but will also encourage Indians to seek the same sources of financing as are utilized by other private citizens, and reduce the pressures on the government-financed Indian Revolving Credit Loan Fund.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 305) to provide for guaranty and insurance of loans to Indians and Indian organizations, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

INCREASE OF AMOUNTS AUTHORIZED FOR INDIAN ADULT VOCATIONAL EDUCATION

Mr. JACKSON. Mr. President, I send to the desk for appropriate reference a bill to increase the amounts authorized for Indian adult vocational education.

In 1956 Congress established the Indian vocational training program and authorized $3.5 million annually for its operation. In the ensuing years this program has become one of the most, if not the most, important and worthwhile programs operated by the Bureau of Indian Affairs. Indians in ever-increasing numbers are applying for training in order to improve their skills and their ability to become economically independent. Although current authorization for the program is set at $15 million, it is my understanding that this sum is inadequate to meet the needs of all applicants. This legislation would provide for an additional $5 million increase up to a total of $20 million annually, which I believe will go a long way in meeting the needs of our Indian citizens.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 306) to increase the amounts authorized for Indian adult vocational education, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF INDIAN CLAIMS COMMISSION ACT OF 1946

Mr. JACKSON. Mr. President, I send to the desk for appropriate reference a bill to amend the Indian Claims Commission Act of 1946, as amended.

The Indian Claims Commission was established more than 20 years ago for the purpose of providing a forum before which tribes of Indians who had claims against the Federal Government could have their cases adjudicated. The life of the Commission has been extended on two different occasions and is due to expire on April 10, 1967. The Committee on Interior and Insular Affairs considered legislation in 1966 to grant an additional 5 years for the Commission to complete its work. That bill (S. 3068) was passed by the Senate, but it was not possible for the Senate and House to confer in order to work out differences on the bill.

The proposed legislation I introduce today will receive prompt action by my committee in order that the Commission may be continued and the Indian tribes of this Nation afforded an opportunity to have their long-pending claims decided.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 307) to amend the Indian Claims Commission Act of 1946, as amended, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

FILING OF FINANCIAL STATEMENTS BY MEMBERS AND EMPLOYEES OF CONGRESS

Mr. MORSE. Mr. President, I introduce a bill, and ask to have it appropriately referred and printed in the Record as a part of my remarks, which is also a bill, in principle, which I have introduced since 1946.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the Record.

The bill (S. 313) to require Members of Congress, certain other officials, and employees of the United States to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities; introduced by Mr. Morse, was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the Record, as follows:

S. 313

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each Member of the Senate and House of Representatives (including each Delegate and Resident Commissioner); each officer and employee of the United States who (1) receives a salary at a rate of $10,000 or more per annum or (2) holds a position of grade GS-15 or above, shall file annually with the Comptroller General a report containing a full and complete statement of—

(1) the amount and resources of all income and gifts (of $100 or more in money or value, or in the case of multiple gifts from one person, aggregating $100 or more in money or value) received by him or any person on his behalf during the preceding calendar year;

(2) the value of each asset held by or entrusted to him or by cr to him and any other person and the amount of each liability owed by him, or by him together with any other person as of the close of the preceding year; and

(3) the amount and source of all contributions during the preceding calendar year to any person who received anything of value on his behalf or subject to his direction or control or who, with his acquiescence, makes payments for any liability or expense incurred by him.

Sec. 2. Each person required by the first section to the reports shall, in addition, file semiannually with the Comptroller General a report containing a full and complete statement of all dealings in securities or commodities by him, or by any person acting on his behalf or pursuant to his direction, during the preceding six-month period.

Sec. 3. (a) Except as provided in subsection (b), the reports required by the first section of this Act shall be filed not later than March 31 of each year; and the reports required by section 2 shall be filed not later than July 31 of each year for the six-month period ending June 30 of such year, and not later than January 31 of each year for the six-month period ending December 31 of the preceding year.

(b) In the case of any person required to file reports under this Act whose service terminates prior to the date prescribed by subsection (a) as the date for filing any report, such report shall be filed on the last day of such person's service, or on such later date, not more than three months after the termination of such service, as the Comptroller General may prescribe.

Sec. 4. The reports required by this Act shall be in such form and detail as the Comptroller General may prescribe. The Comptroller General may provide for the grouping of items of income, sources of income, assets, liabilities, and dealings in securities or commodities, when separate itemization is not feasible or not necessary for an accurate disclosure of a person's income, net worth, or dealings in securities and commodities.

Sec. 5. Any person who willfully fails to file a report required by this Act or who willfully and knowingly files a false report shall be fined $2,000 or imprisoned for not more than five years, or both.

Sec. 6. (a) As used in this Act—

(1) The term "income" means gross income as defined in section 22(a) of the Internal Revenue Code.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U.S.C., title 15, sec. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U.S.C., title 7, sec. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

(5) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(b) For the purposes of any report required by this Act, a person shall be considered to be a Member of the Senate or House of Representatives, an officer or employee of the United States and of the armed services as described in the first section of this Act, or a member, chairman, or other officer of the national committee of a political party, if he served (with or without compensation) in any such position during the period to be covered by such report, notwithstanding that his service may have terminated prior to December 31 of such calendar year.

Sec. 7. The Comptroller General shall have authority to issue, reissue, and amend rules and regulations governing the publication of reports, or any part of them. He shall prescribe fees to cover the cost of reproduction. In formulating such rules and regulations, he shall seek to maximize the availability of reports for purposes of informing the public and agencies and officials of the Federal and local governments, and to minimize use of such records for private purposes.

Mr. MORSE. Mr. President, for a long time we could not even get a hearing on the bill. I hope we will have early hearings this year. I think certain events of public notice going on in the country at the present time require early hearings.

It is a bill to require Members of Congress, and certain officials and employees, to file statements disclosing the amounts and sources of their income, the value of their assets and their dealings in securities and commodities.

As I have said at great length in the past, and as I say briefly tonight, it does not violate the right of privacy of a public official, because no public official is entitled to privacy when it comes to the sources and amounts of his income.

He does not have to be a public official if he does not want to disclose those financial sources. Unfortunately, history is spotted with a good many examples of public officials who have corrupted themselves because of the sources of their income. No one has to be a public official. He becomes one by his own volition. But if anyone moves into that glass bowl of pubic life, then he should be willing to disclose the amount and sources of his income. I have sought previously, for many years, to have a full public disclosure bill and have asked Congress to adopt it.

I offer it again, and again I shall press, for it. I say to my colleagues in the Senate: There is a rising insistence on the part of increasing millions of American voters that such a bill become the law of the land.

AMENDMENT OF THE EMPLOYMENT ACT OF 1946

Mr. MORSE. Mr. President, I send to the desk for appropriate reference, and ask to have printed in the Record at this point as a part of my remarks, a bill to amend the Employment Act of 1946, to establish policies with respect to productive capital investments of the Government.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 314) to amend the Employment Act of 1946 to establish policies with respect to productive capital investments of the Government, introduced by Mr. Morse, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the Record, as follows:

S. 314

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Act Amendments of 1967."

DECLARATION OF POLICY

Sec. 2. Section 2 of the Employment Act of 1946 is amended by inserting "(a)" after the section number and by adding thereto the following subsection:

"(b) To assistant in achieving these objectives it is the further policy of the Federal Government (1) to distinguish between its operating expenditures and capital investments, (2) to exclude certain productive capital investments from the public debt, and (3) to retire the public debt."

FUNCTIONS OF COUNCIL OF ECONOMLC ADVISERS

Sec. 3. Section 4(c) of such Act (relating to the duties and functions of the Council of Economic Advisers) is amended by changing the designation of paragraph (5) to (6) and inserting after paragraph (4) a new paragraph (5) to read as follows:

"(5) to evaluate each year the Federal budgetary situation as related to the prospective gross national product and other economic indicators and needs, and to recommend, for inclusion in the Economic Report, a minimum and maximum program of proposed capital investments, including, on a segregated basis, productive capital investments for the next fiscal year, and a six-year projection of such proposed investments;".

CAPITAL BUDGET

Sec. 4. (a) Such Act is further amended by adding at the end thereof the following new section:

"Sec. 6. (a) In transmitting to Congress the estimates called for in section 201 of the Budget and Accounting Act, 1921, as amended, the President shall also—

"(1) to the extent in such detail as he shall designate by Executive order (and so far as practicable consistent with the practices of the Internal Revenue Service) distinguish between operating expenditures and capital investments of the Government, and further set forth the productive capital investments, including mortgage loans, which have a useful economic life of more than ten years and which are revenue producing of self-liquidating in nature;

"(2) advise the Congress as to the progress made in identifying and computing capital investments and more particularly such productive capital investments; and in computing the public debt exclude therefrom an amount equal to such productive capital investments;

"(3) advise the Congress as to a minimum and maximum program of proposed capital investments, including, on a segregated basis, productive capital investments for the next fiscal year, and a six-year projection of such proposed investments; and

"(4) advise the Congress as to the amount of the public debt as computed in accordance with this section and of the effect of the proposed budgetary program upon the retirement of the public debt.

"(b) The amount of obligations issued to finance productive capital investments shall not be considered a part of the public debt for the purpose of limitations on the public debt contained in section 21 of the Second Liberty Bond Act, as amended."

(b) The amendment made by this section shall be effective with respect to each budget transmitted to the Congress pursuant to section 201 of the Budget and Accounting Act, 1921, as amended, after the date of enactment of this Act.

APPLICATION OF GOVERNMENT CORPORATION CONTROL ACT

SEC. 5. The provisions of the Government Corporation Control Act, as amended, with respect to budgets, reporting, auditing, and accounting, shall apply to the functions exercised by any officer or agency of the Government proposing the investment of Federal bond proceeds in productive capital, to the same extent as applicable to wholly owned Government corporations.

Mr. MORSE. This is known as the Morse capital budget bill. I have said so many times that the presentation of our budget in the present form that we present it to the American people really is a misnomer. No business in this country maintains such a budget. No business in this country includes in its presentation of its fiscal policies its capital investments with its administrative and daily budgetary costs.

My bill seeks to set off to one side the capital investments, so that they are not included in the budgetary accountings. When that is done, there will be a great deal of difference in the revenue picture and the fiscal picture that is presented to the American people as to the stability and solvency of their Government. I hope that at an early date hearings will be held on the bill, and that this will be the year that we can pass it. There is growing support for a capital budget bill, and I hope that we can pass it this year.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, once again, as I have so many times during my years of service in the Senate, I send to the desk, and ask to have appropriately referred and ask unanimous consent to have the bill printed in the RECORD as a part of my remarks, what is annually known as the "Morse home rule bill for the District of Columbia," a bill to provide the District of Columbia an elected mayor, a city council, a school board, and a nonvoting Delegate to the House of Representatives.

The VICE PRESIDENT. The bill will be received and appropriately referred and, without objection, will be printed in the RECORD.

The bill (S. 315) to provide for the District of Columbia an elected mayor, city council, school board, and nonvoting Delegate to the House of Representatives introduced by Mr. Morse, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 315

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Subject to the retention by Congress of the ultimate legislative authority over the Nation's Capital which is granted by the Constitution, it is the intent of Congress to restore to the inhabitants of the District of Columbia the powers of local self-government which are a basic privilege of all American citizens; to reaffirm through such action the confidence of the American people in the strengthened validity of principles of local self-government by the elective process; to promote among the inhabitants of the District the sense of responsibility for the development and well-being of their community which will result from the enjoyment of such powers of self-government; to provide for the more effective participation in the development of the District and in the solution of its local problems by those persons who are most closely concerned; and to relieve the National Legislature of the burden of legislating upon purely local District matters. It is the further intention of Congress to exercise its retained ultimate legislative authority over the District only insofar as such action shall be necessary or desirable in the interest of the Nation.

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TITLE I—DEFINITIONS

Definitions

SEC. 101. For the purposes of this Act—

(1) The term "District" means the District of Columbia.

(2) The terms "District Council" and "Council" mean the Council of the District of Columbia provided for by title III of this chapter.

(3) The term "Chairman" means the Chairman of the District Council provided for by title III.

(4) The term "Mayor" means the Mayor provided for by title IV.

(5) The term "qualified voter" means a qualified voter of the District as specified in section 807, except as otherwise specifically provided.

(6) The term "act" includes any legislation adopted by the District Council, except where the term "Act" is used to refer to this Act or other Acts of Congress herein specified.

(7) The term "District Election Act of 1955" means the Act of August 12, 1955 (69 Stat. 699), as amended.

(8) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(9) The term "capital project", or "project", means (a) any physical public betterment or improvement and any preliminary studies and surveys relative thereto; (b) the acquisition of property of a permanent nature; or (c) the purchase of equipment for any public betterment or improvement when first erected or acquired.

(10) The term "pending", when applied to any capital project, means authorized but not yet completed.

(11) The term "Board of Elections" means the Board of Eelections created by section 3 of the District Election Act of 1955.

(12) The term "election", unless the context otherwise indicates, means an election held pursuant to the provisions of this chapter.

(13) The term "domicile" means that place where a person has his true, fixed, and permanent home and to which, when he is absent, he has the intention of returning.

(14) The terms "publish" and "publication", unless otherwise specifically provided herein, mean publication in a newspaper of general circulation in the District.

(15) The term "municipal courts of the District of Columbia" means the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, the District of Columbia Tax Court, the juvenile court of the District of Columbia, and such other municipal courts as the District Council may hereafter establish by Act.

(16) The terms "Delegate" and "District Delegate" mean the Delegate from the District of Columbia provided for by title XV.

TITLE II—STATUS OF THE DISTRICT

Status of the District

SEC. 201. (a) All of the territory constituting the permanent seat of the Government of the United States shall continue to be designated as the District of Columbia. The District of Columbia shall remain and continue a body corporate, as provided in section 2 of the Revised Statutes relating to said District. Said Corporation shall continue to be charged with all the duties, obligations, responsibilities, and liabilities, and to be vested with all the powers, rights, privileges, immunities, and assets, respectively, imposed upon and vested in said Corporation, the Board of Commissioners of the District of Columbia, any person appointed from civil life as a member of the Board of Commissioners of the District or the Engineer Commissioner of the District of Columbia.

(b) No law or regulation which is in force on the effective date of part 2, title III, of this chapter shall be deemed amended or repealed by this chapter except to the extent that such law or regulation is inconsistent with this chapter: *Provided*, That any such law or regulation may be amended or repealed by legislation or regulation as authorized in this chapter, or by Act of Congress.

(c) Nothing contained in this section shall affect the boundary line between the District of Columbia and the Commonwealth of Virginia as the same was established or may be subsequently established under the provisions of title I of the Act of October 31, 1945 (59 Stat. 552).

TITLE III—THE DISTRICT COUNCIL

PART 1—CREATION OF THE DISTRICT COUNCIL

Creation and membership

SEC. 301. There is hereby created a Council of the District of Columbia consisting of nineteen members, one elected from each of fourteen wards and five elected at-large, all as provided in title VIII.

Qualifications for holding office

SEC. 302. No person shall hold the office of member of the District Council unless he (1) is a qualified voter, (2) is domiciled in the District and, if he is nominated from a particular ward, resides in the ward from which he is nominated, (3) has, during the three years next preceding his nomination, resided and been domiciled in the District, (4) if he is nominated from a particular ward, has, for one year preceding his nomination, resided and been domciled in the ward from which he is nominated, (5) holds no other elective public office, (6) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (7) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. A member of the Council shall forfeit his office upon failure to maintain the qualifications required by this section.

Compensation

SEC. 303. Each member of the District Council, except the Chairman, shall receive compensation at a rate of $9,000 per annum, payable in periodic installments. The Chairman shall receive compensation at a rate of $10,000 per annum, payable in periodic installments. All members shall receive such additional allowances for expenses as may be approved by the Council to be paid out of funds duly appropriated therefor.

Changes in membership and compensation of District Council members

SEC. 304. The number of members constituting the District Council, the qualifications for holding office, and the compensation of such members may be changed by act passed by the Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified voters of the District voting at an election on the proposition set forth in any such act.

PART 2—PRINCIPAL FUNCTIONS OF THE DISTRICT COUNCIL

Board of Commissioners abolished and functions transferred to District Council

SEC. 321. (a) The Board of Commissioners of the District, the offices of Commissioner, Engineer Commissioner, and Assistants to the Engineer Commissioner of the District are hereby abolished.

(b) Except as otherwise provided in this chapter, all functions granted to or imposed upon the Board of Commissioners of the District are hereby transferred to the District Council except those powers hereinafter specifically conferred on the Mayor.

Functions relating to certain agencies

SEC. 322. (a) Subject to the provisions of subsection (b) of this section—

(1) The Zoning Commission created by the first section of the Act of March 1, 1920, creating a Zoning Commission for the District of Columbia, as amended District of Columbia Code, 1951 ed., sec. 5-412), is hereby abolished and its functions are transferred to the District Council.

(2) The first sentence of section 2 of the Act of June 4, 1948 (62 Stat. 339), is hereby amended to read as follows: "There is hereby established an Armory Board, to be composed of three members who shall be appointed by the Mayor, by and with the advice and consent of the Council, and who shall serve at the pleasure of the Mayor."

(3) All functions and authority vested in the President by the Act of June 12, 1934 (48 Stat. 930), as amended, are hereby transferred to and vested in the Mayor.

(4) The District of Columbia Redevelopment Land Agency, a body corporate of perpetual duration, established by the District of Columbia Redevelopment Act of 1945 (60 Stat. 790), as amended, is hereby transferred to and continued in, the municipal government of the District of Columbia. Section 4(a) of said Act is hereby amended to read as follows: "The District of Columbia Redevelopment Land Agency is hereby established and shall be composed of five members who shall be appointed by the Mayor by and with the advice and consent of the Council. Each appointee shall be a resident

of the District of Columbia and at least three members shall be engaged or employed during tenure of office in private business or industry or the private practice of a profession therein. Appointees shall serve at the pleasure of the Mayor. The members shall receive no salary as such, but those members who hold no other salaried public position shall be paid a per diem of $20 for each day of service at meetings or on the work of the Agency and may be reimbursed for any expenses legitimately incurred in the performance of such service or work; except that the amount authorized as per diem may be changed by act passed by the Council."

(5) The Public Service Commission of the District of Columbia; the Recreation Board; the Board of Zoning Adjustment; and the Zoning Advisory Council are hereby abolished and their functions transferred to the District Council for exercise in such manner and by such person or persons as the Council may direct.

(b) Notwithstanding the provisions of subsection (a) of this section, the agencies referred to therein shall, for a period of one hundred and eighty days from the effective date of this section, unless within such period the District Council shall otherwise direct, continue to exercise the functions imposed on them by the laws in effect on the effective date of this section, except that insofar as such laws refer to a Commissioner or Commissioners of the District of Columbia the terms shall mean, after the effective date of this section, the Mayor or such other District officer or officers as he may designate.

Certain delegated functions

SEC. 323. No function of the Board of Commissioners of the District which such Board has delegated to an officer or agency of the District shall be considered as a function transferred to the Council by section 321. Each such function is hereby transferred to the officer or agency to whom or to which it was delegated, until the Mayor or Council, or both, pursuant to the powers herein granted, shall revoke, modify, or transfer such delegation.

Powers of and limitations upon District Council and the qualified voters of the District of Columbia

SEC. 324. (a)(1) The legislative power granted to the District by this chapter shall be vested in the Council, and in the qualified voters of the District of Columbia (as provided in section 1701 of title XVII of this chapter).

(2) Except as provided in subsection (b) of this section, the legislative power of the District shall extend to all rightful subjects of legislation within the District, consistent with the Constitution of the United States and the provisions of this chapter, subject, nevertheless, to all the restrictions and limitations imposed upon States by the tenth section of the first article of the Constitution of the United States; but all acts of the Council and the qualified voters of the District of Columbia shall at all times be subject to repeal or modification by the Congress of the United States, and nothing herein shall be construed to deprive Congress of the power of legislation over said District in as ample manner as if this chapter had not been enacted: *Provided*, That nothing in this section shall be construed as vesting in the District government any greater authority over the Washington Aqueduct, the Commission on Mental Health, the National Zoological Park, the National Guard of the District of Columbia, or, except as otherwise specifically provided in this chapter, over any Federal agency than was vested in the Board of Commissioners of the District prior to the effective date of part 2, title III, of this chapter.

(b) Neither the Council nor the qualified voters of the District of Columbia may pass any act contrary to the provisions of this chapter, or—

(1) impose any tax on property of the United States;

(2) lend the public credit for support of any private undertaking;

(3) authorize the issuance of bonds except in compliance with the provisions of title VI;

(4) authorize the use of public money in support of any sectarian, denominational, or private school except as now or hereafter authorized by Congress;

(5) enact any Act to amend or repeal any Act of Congress which concerns the functions or property of the United States or which is not restricted in its application exclusively in or to the District;

(6) pass any Act inconsistent with or contrary to the Act of June 6, 1924 (43 Stat. 463), as amended by the Act of April 30, 1926 (44 Stat. 374), by the Act of July 19, 1952 (66 Stat. 781), and the Act of May 29, 1930 (46 Stat. 482), as amended, and the Council shall not pass any act inconsistent with or contrary to any provision of any Act of Congress as it specifically pertains to any duty, authority, and responsibility of the National Capital Planning Commission; except insofar as the above-cited or other referred to Acts refer to the Engineer Commissioner of the District of Columbia or the Board of Commissioners of the District, the former of which terms, after the effective date of this part, shall mean the Mayor or some District government official deemed by the Mayor to be best qualified, and designated by him to sit in lieu of the Mayor as a member of the National Capital Planning Commission and the National Capital Regional Planning Council, and the latter term shall mean the Council.

(c) Every act shall include a preamble, or be accompanied by a report, setting forth concisely the purposes of its adoption. Every act shall be published within seven days after its passage, as the Council may direct.

(d) An act passed by the Council shall be presented by the Chairman of the Council to the Mayor, who shall, within ten calendar days after the act is presented to him, either approve or disapprove such act. If the Mayor shall approve such act (which he shall do by affixing his signature thereto), he shall present the act to the President. If the Mayor shall disapprove such act, he shall, within ten calendar days after it is presented to him, return such act to the Council setting forth his reasons for such disapproval. If any act so passed shall not be returned to the Council by the Mayor within ten calendar days after it shall have been presented to him, the Mayor shall be deemed to have approved such act and he shall present the same to the President. If, within thirty calendar days after an act has been returned by the Mayor to the Council with his disapproval, two-thirds of the members of the Council vote to pass such act, the Chairman of the Council shall again present the act to the Mayor, who shall, within five calendar days, present the same to the President.

(e) Any act which has been passed by the Council, and which, in accordance with subsection (d), has been presented to the President, shall become law unless, within ten calendar days after it is so presented to the President, he shall, in accordance with this subsection, disapprove the same. The President may, if he is satisfied that any such act adversely affects a Federal interest, disapprove such act, in which event he shall return the act to the Mayor with his objections and, notwithstanding any other provision of this chapter, such act shall not become law. The Mayor shall inform the Council of any such disapproval.

(f) The Congress of the United States reserves the right, at any time, to exercise its constitutional authority as legislature for the District of Columbia, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the District Council and the qualified voters of the District of Columbia by this chapter, including without limitation, legislation to amend or repeal any law in force in the District prior to or after enactment of this chapter and any act passed by the Council or by the qualified voters of the District of Columbia.

(g) Upon the effective date of this title, jurisdiction over the municipal courts of the District of Columbia shall vest with the District Council in all matters pertaining to the organization and composition of such courts, and to the appointment or selection, qualification, tenure, and compensation of the judges thereof: *Provided*, That the Council shall not transfer or modify any function performed by the United States marshal or the United States attorney for the District on the effective date of this section. Nothing in this chapter shall be construed to change the tenure of any persons occupying positions as judges of the municipal courts of the District of Columbia on the effective date of this part, except that their compensation may be increased.

(h) On or after the effective date of this part, any person appointed or elected to serve as judge of one of the municipal courts of the District of Columbia shall not (1) be appointed or elected to serve for a term of less than ten years, or (2) receive as compensation for such service an amount less than the amount payable to an associate judge of the District of Columbia Court of General Sessions on the effective date of this part.

(i) Nothing in this section shall be construed to curtail the jurisdiction of the United States District Court for the District of Columbia or any other United States court other than the municipal courts of the District of Columbia.

(j) Nothing in this section shall be construed as prohibiting the Council from enacting legislation conferring upon the District of Columbia Court of Appeals exclusive jurisdiction to review orders and decisions of administrative agencies of the District denying, revoking, suspending, or refusing to renew or restore any license or registration to engage in any profession, vocation, trade, calling, or business, which under law is now or hereafter required to be licensed or registered.

PART 3—ORGANIZATION AND PROCEDURE OF THE DISTRICT COUNCIL

The Chairman

SEC. 331. The District Council shall elect from among its members a Chairman who shall be the presiding officer of the Council and a Vice Chairman, who shall preside in the absence of the Chairman. When the Mayor is absent or unable to act, or when the office is vacant, the Chairman shall act in his stead. The term of the Chairman shall be for the remainder of his term as a member of the Council.

Secretary of the District Council; records and documents

SEC. 332. (a) The Council shall appoint a secretary as its chief administrative officer and such assistants and clerical personnel as may be necessary. Notwithstanding any other provision of this Act, the compensation and other terms of employment of such secretary, assistants, and clerical personnel shall be prescribed by the Council.

(b) The secretary shall (1) keep a record of the proceedings of the Council, (2) keep a record showing the text of all acts introduced and the ayes and noes of each vote, (3) authenticate by his signature and record in full in a continuing record kept for that purpose all acts passed by the Council and by the qualified voters of the District of Columbia, and (4) perform such other duties as the Council may from time to time prescribe.

Meetings

SEC. 333. (a) The first meeting of the Council after this part takes effect shall be called by the member who receives the highest vote in the election provided in title VIII. He shall preside until a Chairman is elected. Following each such election, but not later than December 15, of the year of the election, the secretary of the Council shall call the first meeting of the Council elected in such election for a date not later than January 7 of the next year.

(b) The Council shall provide for the time and place of its regular meetings. The Council shall hold at least one regular meeting in each calendar week except that during July and August it shall hold at least two regular meetings in each month. Special meetings may be called, upon the giving of adequate notice, by the Mayor, the Chairman, or any three members of the Council.

(c) Meetings of the Council shall be open to the public and shall be held at reasonable hours and at such places as to accommodate a reasonable number of spectators. The records of the Council provided for in section 332(b) shall be open to public inspection and available for copying during all regular office hours of the Council secretary. Any citizen shall have the right to petition and be heard by the Council at any of its meetings, within reasonable limits as set by the Council Chairman, the Council concurring.

Committees

SEC. 334. The Council Chairman, with the advice and consent of the Council, shall determine the standing and special committees which may be expedient for the conduct of the Council's business. The Chairman shall appoint members to such committees. All committee meetings shall be open to the public except when ordered closed by the committee chairman, with the approval of a majority of the members of the committee.

Acts and resolutions

SEC. 335. (a) The Council, to discharge the powers and duties imposed herein, shall pass acts and adopt resolutions, upon a vote of a majority of the members of the Council, unless otherwise provided herein. Acts shall be used for all legislative purposes. Resolutions shall be used to express simple determinations, decisions, or directions of the Council of a special or temporary character.

(b)(1) The enacting clause of all acts passed by the Council shall be, "Be it enacted by the Council of the District of Columbia:".

(2) The resolving clause of all resolutions passed by the Council shall be, "The Council of the District of Columbia hereby resolves,".

(c) A special election may be called by resolution of the Council to present for referendum vote of the people any proposition upon which the Council desires to take such action.

Passage of acts

SEC. 336. The Council shall not pass any act before the thirteenth day following the day on which it is introduced. Subject to the other limitations of this chapter, this requirement may be waived by the unanimous vote of the members present: *Provided*, That the members present constitute a majority of the Council.

Procedure for zoning acts

SEC. 337. (a) Before any zoning act for the District is passed by the Council—

(1) the Council shall deposit the act in its introduced form, with the National Capital Planning Commission. Such Commission shall, within thirty days after the day of such deposit, submit its comments to the Council, including advice as to whether the proposed act is in conformity with the comprehensive plan for the District of Columbia. The Council may not pass the act unless it has received such comments or the Commission has failed to comment within the thirty-day period above specified; and

(2) the Council (or an appropriate committee thereof) shall hold a public hearing on the Act. At least thirty days' notice of the hearing shall be published as the Council may direct. Such notice shall include the time and place of the hearing and a summary of all changes in existing law which would be made by adoption of the Act. The Council (or committee thereof holding a hearing) shall give such additional notice as it finds expedient and practicable. At the hearing interested persons shall be given reasonable opportunity to be heard. The hearing may be adjourned from time to time. The time and place of the adjourned meeting shall be publicly announced before adjournment is had.

(b) The Council shall deposit with the National Capital Planning Commission each zoning Act passed by it.

Investigations by District Council

SEC. 338. (a) The Council, or any committee or person authorized by it, shall have power to investigate any matter relating to the affairs of the District; and for that purpose may require the attendance and testimony of witnesses and the production of books, papers, and other evidence. For such purpose any member of the Council (if the Council is conducting the inquiry) or any member of the committee, or the person conducting the inquiry, may issue subpenas and may administer oaths.

(b) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Council, committee, or person conducting the investigation shall have power to refer the matter to any judge of the United States District Court for the District of Columbia, who may by order require such person to appear and to give or produce testimony or books, papers, or other evidence, bearing upon the matter under investigation; and any failure to obey such order may be punished by such court as a contempt thereof as in the case of failure to obey a subpena issued, or to testify, in a case pending before such court.

TITLE IV—MAYOR

Election, qualifications, and salary

SEC. 401. (a) There is hereby created the office of Mayor of the District of Columbia. The Mayor shall be elected as provided in title VIII.

(b) No person shall hold the office of Mayor unless he (1) is a qualified voter, (2) is domiciled and resides in the District, (3) has, during the three years next preceding his nomination, been resident in and domiciled in the District, (4) holds no other elective public office, (5) holds no position as an officer or employee of the municipal government of the District of Columbia or any appointive office, for which compensation is provided out of District funds, and (6) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. The Mayor shall forfeit his office upon failure to maintain the qualifications required by this section.

(c) The Mayor shall receive an annual salary of $27,500, and an allowance for official reception and representation expenses, which he shall certify in reasonable detail to the District Council, of not more than $2,500 annually. Such salary shall be payable in periodic installments.

(d) Notwithstanding any other provision of this Act, the method of election, the qualifications for office, the compensation and the allowance for official expenses pertaining to the office of Mayor may be changed by acts passed by the Council: *Provided*, That no such act shall take effect until after it has been assented to by a majority of the qualified voters of the District voting at an election on the proposition set forth in any such act.

Powers and duties

SEC. 402. The executive power of the District shall be vested in the Mayor, who shall be the chief executive officer of the District government. He shall be responsible for the proper administration of the affairs of the District coming under his jurisdiction or control, and to that end shall have the following powers and functions:

(1) He shall designate the officer or officers of the executive department of the District who shall, during periods of disability or absence from the District of the Mayor, the Chairman, and the Vice Chairman of the Council, execute and perform all the powers and duties of the Mayor.

(2) He shall act as the official spokesman for the District and as the head of the District for ceremonial purposes.

(3) He shall administer all laws relating to the appointment, promotion, discipline, separation, and other conditions of employment of personnel in the office of the Mayor, personnel in executive departments of the District, and members of boards, commissions, and other agencies, who, under laws in effect on the effective date of this section, are subject to appointment and removal by the Commissioners. All actions affecting such personnel and such members shall, until such time as legislation is enacted by the Council superseding such laws and establishing a permanent District government merit system or systems, pursuant to section 402(4), continue to be subject to the provisions of Acts of Congress relating to the appointment, promotion, discipline, separation, and other conditions of employment applicable to officers and employees of the District government, to section 1001(d) of this Act, and where applicable, to the provisions of the joint agreement between the Commissioners and the Civil Service Commission authorized by Executive Order Numbered 5491 of November 18, 1930, relating to the appointment of District personnel. He shall appoint or assign persons to positions formerly occupied, ex officio, by one or more members of the Board of Commissioners of the District and shall have power to remove such persons from such positions. The officers and employees of each agency with respect to which legislative power is delegated by this Act and which, immediately prior to the effective date of this section, was not subject to the administrative control of the Board of Commissioners of the District, shall continue to be appointed and removed in accordance with applicable laws until such time as such laws may be superseded by legislation passed by the Council establishing a permanent District government merit system or systems pursuant to section 402(4).

(4) He shall administer the personnel functions of the District covering employees of all District departments, boards, commissions, offices, and agencies, except as otherwise provided by this Act. Personnel legislation enacted by Congress, prior to or after the effective date of this section, including, without limitation, legislation relating to appointments, promotions, discipline, separations, pay, unemployment compensation, health, disability and death benefits, leave, retirement, insurance, and veterans' preference, applicable to employees of the District government, as set forth in section 1002(c), shall continue to be applicable until such time as the Council shall, pursuant to this section, provide equal or equivalent coverage under a District government merit system or systems. The District government merit system or systems shall be established by legislation of the Council. The system or systems may provide for continued participation in all or part of the Federal Civil Service system and shall provide for persons employed by the District government immediately preceding the effective date of such system or systems personnel benefits, including but not limited to, pay, tenure, leave, residence, retirement, health and life insurance, and employee disability and death benefits, all at least equal to those provided by legislation enacted by Congress, or regulation adopted pursuant thereto, and applicable to such officers and employees immediately prior to

the effective date of the system or systems established pursuant to this Act. The District government merit system or systems shall take effect not earlier than one year nor later than five years after the effective date of this section.

(5) He shall, through the heads of administrative boards, offices, and agencies, supervise and direct the activties of such boards, offices, and agencies.

(6) He shall, at the end of each fiscal year, prepare reports for such year of (a) the finances of the District, and (b) the administrative activities of the executive office of the Mayor and the executive departments of the District. He shall submit such reports to the Council within ninety days after the close of the fiscal year.

(7) He shall keep the Council advised of the financial condition and future needs of the District and make such recommendations to the Council as may seem to him desirable.

(8) He may submit drafts of acts to the Council.

(9) He shall perform such other duties as the Council, consistent with the provisions of this Act, may direct.

(10) He may delegate any of his functions (other than the function of approving or disapproving acts passed by the Council or the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Mayor, or to any director of an executive department who may, with the approval of the Mayor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction.

(11) There shall be a City Administrator, who shall be appointed by the Mayor and who may be removed by the Mayor. The City Administrator shall be the principal managerial aide to the Mayor, and he shall perform such duties as may be assigned to him by the Mayor.

(12) The Mayor or the Council may propose to the executive or legislative branches of the United States Government legislation or other action dealing with any subject not falling within the authority of the District government, as defined in this Act.

(13) As custodian he shall use and authenticate the corporate seal of the District in accordance with law.

(14) He shall have the right, under the rules to be adopted by the Council, to be heard by the Council or any of its committees.

(15) He is authorized to issue and enforce such administrative orders, not inconsistent with any Act of the Congress or any act of the Council or of the qualified voters of the District of Columbia, as are necessary to carry out his functions and duties.

TITLE V—THE DISTRICT BUDGET

Fiscal year

SEC. 501. The fiscal year of the District of Columbia shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year. Such fiscal year shall also constitute the budget and accounting year.

Budgetary details fixed by District Council

SEC. 502. (a) The Mayor shall prepare and submit not later than April 1, to the District Council, in such form as the Council shall approve, the annual budget estimates of the District and the budget message.

(b) The Mayor shall, in consultation with the Council, take whatever action may be necessary to achieve, insofar as is possible, (1) consistency in accounting and budget classifications, (2) synchronization between accounting and budget classifications and organizational structure, and (3) support of the budget justifications by information on performance and program costs as shown by the accounts.

Adoption of budget

SEC. 503. The Council shall by act adopt a budget for each fiscal year not later than May 15, except that the Council may, by resolution, extend the period for its adoption. The effective date of the budget shall be July 1 of the same calendar year.

Five-year capital program

SEC. 504. (a) Prior to the adoption of the annual budget, the Council shall adopt a five-year capital program and a capital budget.

(b) The Mayor shall prepare the five-year capital program and shall submit said program and the capital budget message to the Council, not later than February 1.

(c) The capital program shall include:

(1) a clear general summary of its contents;

(2) a list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the necessity for such improvements;

(3) cost estimates, methods of financing and recommended time schedules for each such improvement; and

(4) the estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(d) The capital program shall be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

(e) Actual capital expenditures shall be carried each year as the capital outlay section of the current budget. These expenditures shall be in the form of direct capital outlays from current revenues or debt service payments.

Budget establishes appropriations

SEC. 505. The adoption of the budget by the Council shall operate to appropriate and to make available for expenditure, for the purposes therein named, the several amounts stated therein as proposed expenditures, subject to the provisions of section 702.

Supplemental appropriations

SEC. 506. The Council may at any time adopt an act by vote of a majority of its members rescinding previously appropriated funds which are then available for expenditure, or appropriating funds in addition to those theretofore appropriated to the extent unappropiated funds are available; and for such purpose unappropriated funds may include those borrowed in accordance with the provisions of section 621.

TITLE VI—BORROWING

PART 1—BORROWING FOR CAPITAL IMPROVEMENTS

Borrowing power; debt limitations

SEC. 601. The District may incur indebtedness by issuing its bonds in either coupon or registered form to fund or refund indebtedness of the District at any time outstanding and to pay the cost of constructing or acquiring any capital projects requiring an expenditure greater than the amount of taxes or other revenues allowed for such capital projects by the annual budget: *Provided*, That no bonds or other evidences of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued in an amount which, together with indebtedness of the District to the Treasury of the United States pursuant to existing law, shall cause the aggregate of indebtedness of the District to exceed 12 per centum of the average of the aggregate of the assessed values (as of the first day of July of the ten most recent fiscal years for which such assessed values are available) of the taxable real and tangible personal property located in the District, nor shall such bonds or other evidences of indebtedness issued for purposes other than the construction or acquisition of capital projects connected with mass transit, highway, water and sanitary sewage works purposes, or any revenue-producing capital projects which are determined by the Council to be self-liquidating exceed 6 per centum of such average assessed value. Bonds or other evidences of indebtedness may be issued by the District pursuant to an act of the Council from time to time in amounts in the aggregate at any time outstanding not exceeding 2 per centum of said assessed value, exclusive of indebtedness owing to the United States on the effective date of this title. All other bonds or evidence of indebtedness, other than bonds to fund or refund outstanding indebtedness, shall be issued only with the assent of a majority of the qualified voters of said District voting at an election on the proposition of issuing such bonds. In determining the amount of indebtedness within all of the aforesaid limitation at any time outstanding there shall be deducted from the aggregate of such indebtedness the amount of the then current tax levy for the payment of the principal of the outstanding bonded indebtedness of the District and any other moneys set aside into any sinking fund and irrevocably dedicated to the payment of such bonded indebtedness. The Council shall make provision for the payment of any bonds issued pursuant to this title, in the manner provided in section 631 hereof.

Contents of borrowing legislation; referendum on bond issue

SEC. 602. (a) An Act authorizing the issuance of bonds may be enacted by a majority of the Council members at any meeting of the Council subsequent to the meeting at which such act was introduced, and shall contain at least the following provisions:

(1) A brief description of each purpose for which indebtedness is proposed to be incurred;

(2) The maximum amount of the principal of the indebtedness which may be incurred for each such purpose;

(3) The maximum rate of interest to be paid on such indebtedness; and

(4) In the event the Council is required by this part, or it is determined by the Council in its discretion, to submit the question of issuing such bonds to a vote of the qualified voters of the District, the manner of holding such election, the manner of voting for or against the incurring of such indebtedness, and the form of ballot to be used at such election. The ballot shall be in such form as to permit the voters to vote separately for or against the incurring of indebtedness for each of the purposes for which indebtedness is proposed to be incurred.

(b) The Council shall cause the proposition of issuing such bonds to be submitted by the Board of Elections to the qualified voters at the first general election to be held in the District not less than forty days after the date of enactment of the act authorizing such bonds, or upon a vote of at least two-thirds of the members of the Council, the Council may call a special election for the purpose of voting upon the issuance of said bonds, such election to be held by the Board of Elections at any date set by the Council not less than forty days after the enactment of such act.

(c) The Board of Elections is authorized and directed to prescribe the manner of registration and the polling places and to name the judges and clerks of election and to make such other rules and regulations for the conduct of such elections as are not specifically provided by the Council as may be necessary or appropriate to carry out the provisions of this section, including provisions for the publication of a notice of such election stating briefly the proposition or propositions to be voted in and the designated polling places in the various precincts and wards in the District. The said notice shall be published at least once a week for four consecutive calendar weeks on any day of the week, the first publication thereof to be not less than thirty nor more than forty days prior to the date fixed by the Council for the election. The Board of Elections shall canvass the votes cast at such election and certify the results thereof to the Council in the manner prescribed for the canvass and certification of the results of general elections. The certification of the result of the election shall be published once by the Board of Elections within three days following the date of the election.

Publication of borrowing legislation

Sec. 603. The Mayor shall publish any act authorizing the issuance of bonds at least once within five days after the enactment thereof, together with a notice of the enactment thereof in substantially the following form:

"NOTICE

"The following act authorizing the issuance of bonds published herewith has become effective, and the time within which a suit, action, or proceeding questioning the validity of such bonds can be commenced as provided in the District of Columbia Charter Act will expire twenty days from the date of the first publication of this notice (or in the event the proposition of issuing the proposed bonds is to be submitted to the qualified voters, twenty days after the date of publication of the promulgation of the results of the election ordered by said act to be held).

"________________,

"Mayor"

Short period of limitation

Sec. 604. Upon the expiration of twenty days from and after the date of publication of the notice of the enactment of an act authorizing the issuance of bonds without the submission of the proposition for the issuance thereof to the qualified voters, or upon the expiration of twenty days from the date of publication of the promulgation of the results of an election upon the proposition of issuing bonds, as the case may be, all as provided in section 603—

(1) any recitals or statements of fact contained in such act or in the preambles or the titles thereof or in the results of the election of any proceedings in connection with the calling, holding, or conducting of election upon the issuance of such bonds shall be deemed to be true for the purpose of determining the validity of the bonds thereby authorized, and the District and all others interested shall thereafter be estopped from denying same;

(2) such act and all proceedings in connection with the authorization of the issuance of such bonds shall be conclusively presumed to have been duly and regularly taken, passed, and done by the District and the Board of Elections in full compliance with the provisions of this chapter and of all laws applicable thereto;

(3) the validity of such act and said proceedings shall not thereafter be questioned by either a party plaintiff or a party defendant, and no court shall have jurisdiction in any suit, action, or proceeding questioning the validity of same, except in a suit, action, or proceeding commenced prior to the expiration of such twenty days.

Acts for issuance of bonds

Sec. 605. After the expiration of the twenty-day limitation period provided for in section 604 of this part, the Council may by act establish an issue of bonds as authorized pursuant to the provisions of sections 601 to 604, inclusive, hereof. An issue of bonds is hereby defined to be all or any part of an aggregate principal amount of bonds authorized pursuant to said sections, but no indebtedness shall be deemed to have been incurred within the meaning of this Act until the bonds shall have been sold, delivered, and paid for, and then only to the extent of the principal amount of bonds so sold and delivered. The bonds of any authorized issue may be issued all at one time, or from time to time in series and in such amounts as the Council shall deem advisable. The act authorizing the issuance of any series of bonds shall fix the date of the bonds of such series, and the bonds of each such series shall be payable in annual installments beginning not more than three years after the date of the bonds and ending not more than thirty years from such date. The amount of said series to be payable in each year shall be so fixed that when the annual interest is added to the principal amount payable in each year the total amount payable in each year in which part of the principal is payable shall be substantially equal. It shall be an immaterial variance if the difference betwen the largest and the smallest amounts of principal and interest payable annually during the term of the bonds does not exceed 3 per centum of the total authorized amount of such series. Such act shall also prescribe the form of the bonds to be issued thereunder, and of the interest coupons appertaining thereto, and the manner in which said bonds and coupons shall be executed. The bonds and coupons may be executed by the facsimile signatures of the officer or officers designated by the act authorizing the bonds, to sign the bonds, with the exception that at least one signature shall be manual. Such bonds may be issued in coupon form in the denomination of $1,000, registerable as to principal only or as to both principal and interest, and if registered as to both principal and interest may be issuable in denominations of multiples of $1,000. Such bonds and the interest thereon may be payable at such place or places within or without the District as the Council may determine.

Public sale

Sec. 606. All bonds issued under this part shall be sold at public sale upon sealed proposals at such price or prices as shall be approved by the Council after publication of a notice of such sale at least once not less than ten days prior to the date fixed for sale in a daily newspaper carrying municipal bond notices and devoted primarily to financial news or to the subject of State and municipal bonds published in the city of New York, New York, and in a newspaper of general circulation published in the District. Such notice shall state, among other things, that no proposal shall be considered unless there is deposited with the District as a downpayment a certified check or cashier's check for an amount equal to at least 2 per centum of the par amount of bonds bid for, and the Council shall reserve the right to reject any and all bids.

PART 2—SHORT-TERM BORROWING

Borrowing to meet supplemental appropriations

Sec. 621. In the absence of unappropriated available revenues to meet supplemental appropriations made pursuant to section 505, the Council may by act authorize the issuance of negotiable notes, in a total amount not to exceed 5 per centum of the total appropriations for the current fiscal year, each of which shall be designated "supplemental" and may be renewed from time to time, but all such notes and renewals thereof shall be paid not later than the close of the fiscal year following that in which such act becomes effective.

Borrowing in anticipation of revenues

Sec. 622. For any fiscal year, in anticipation of the collection or receipt of revenues of that fiscal year, the Council may by act authorize the borrowing of money by the execution of negotiable notes of the District, not to exceed in the aggregate at any time outstanding 20 per centum of the total anticipated revenue, each of which shall be designated "Revenue Note for the Fiscal Year 19 ". Such notes may be renewed from time to time, but all such notes, together with the renewals, shall mature and be paid not later than the end of the fiscal year for which the original notes have been issued.

Notes redeemable prior to maturity

Sec. 623. No notes issued pursuant to this part shall be made payable on demand, but any note may be made subject to redemption prior to maturity on such notice and at such time as may be stated in the note.

Sale of notes

Sec. 624. All notes issued pursuant to this part may be sold at not less than par and accrued interest at private sale without previous advertising.

PART 3—PAYMENT OF BONDS AND NOTES

Sec. 631. (a) The act of the Council authorizing the issuance of bonds pursuant to this title, shall, where necessary, provide for the levy annually of a special tax without limitation as to rate or amount upon all the taxable real and personal tangible property within the District in amounts which, together with other revenues of the District available and applicable for said purposes, will be sufficient to pay the principal of and interest on said bonds and the premium, if any, upon the redemption thereof, as the same respectively become due and payable, which tax shall be levied and collected at the same time and in the same manner as other District taxes are levied and collected, and when collected shall be set aside for the purpose of paying such principal, interest, and premium.

(b) The full faith and credit of the District shall be and is hereby pledged for the payment of the principal of and the interest on all bonds and notes of the District hereafter issued pursuant to this title whether or not such pledge be stated in the bonds or notes or in the act authorizing the issuance thereof.

PART 4—TAX EXEMPTION—LEGAL INVESTMENT

Tax exemption

Sec. 641. Bonds and notes issued by the Council pursuant to this title and the interest thereon shall be exempt from all Federal and District taxation except estate, inheritance, and gift taxes.

Legal investment

Sec. 642. Notwithstanding any restriction on the investment of funds by fiduciaries contained in any other law, all domestic insurance companies, domestic insurance associations, executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia may legally invest any sinking funds, moneys, trust funds, or other funds belonging to them or under or within their control in any bonds issued pursuant to this title, it being the purpose of this section to authorize the investment in such bonds or notes of all sinking, insurance, retirement, compensation, pension, and trust funds. National banking associations are authorized to deal in, underwrite, purchase and sell, for their own accounts or for the accounts of customers, bonds and notes issued by the District Council to the same extent as national banking associations are authorized by paragraph seven of section 5136 of the Revised Statutes (title 12, U.S.C., sec. 24), to deal in, underwrite, purchase and sell obligations of the United States, States, or political subdivisions thereof. All Federal building and loan associations and Federal savings and loan associations; and banks, trust companies, building and loan associations, and savings and loan associations, domiciled in the District of Columbia, may purchase, sell, underwrite, and deal in, for their own account or for the account of others, all bonds or notes issued pursuant to this title: *Provided*, That nothing contained in this section shall be construed as relieving any person, firm, association or corporation from any duty of exercising due and reasonable care in selecting securities for purchase or investment.

TITLE VII—FINANCIAL AFFAIRS OF THE DISTRICT

PART 1—FINANCIAL ADMINISTRATION

Surety bonds

SEC. 701. Each officer and employee of the District required to do so by the District Council shall provide a bond with such surety and in such amount as the Council may require. The premiums for all such bonds shall be paid out of appropriations for the District.

Financial duties of the Mayor

SEC. 702. The Mayor, through his duly designated subordinates, shall have charge of the administration of the financial affairs of the District and to that end he shall—

(1) prepare and submit in the form and manner prescribed by the Council under section 502 the annual budget estimates and a budget message;

(2) supervise and be responsible for all financial transactions to insure adequate control of revenues and resources and to insure that appropriations are not exceeded;

(3) maintain systems of accounting and internal control designed to provide—

(A) full disclosure of the financial results of the District government's activities,

(B) adequate financial information needed by the District government for management purposes,

(C) effective control over and accountability for all funds, property, and other assets;

(4) submit to the Council a monthly financial statement, by appropriation and department, and in any further detail the Council may specify;

(5) prepare, as of the end of each fiscal year, a complete financial statement and report;

(6) supervise and be responsible for the assessment of all property subject to assessment within the corporate limits of the District for taxation, make all special assessments for the District government, prepare tax maps, and give such notice of taxes and special assessments as may be required by law;

(7) supervise and be responsible for the assessment and collection of all taxes, special assessments, license fees, and other revenues of the District for the collection of which the District is responsible and receive all money receivable by the District from the Federal Government, or from any court, or from any agency of the District;

(8) have custody of all public funds belonging to or under the control of the District, or any agency of the District government, and deposit all funds coming into his hands, in such depositories as may be designated and under such terms and conditions as may be prescribed by act of the Council;

(9) have custody of all investments and invested funds of the District government, or in possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the District and the receipt and delivery of District bonds and notes for transfer, registration, or exchange.

Control of appropriations

SEC. 703. The Council may provide for (1) the transfer during the budget year of any appropriation balance then available for one item of appropriation to another item of appropriation, and (2) the allocation to new items of funds appropriated for contingent expenditure.

Accounting supervision and control

SEC. 704. The Mayor, through his duly authorized subordinates, shall—

(1) prescribe the forms of receipts, vouchers, bills, and claims to be used by all the agencies of the District government;

(2) examine and approve all contracts, orders, and other documents by which the District government incurs financial obligations, having previously ascertained that moneys have been appropriated and allotted and will be available when the obligations shall become due and payable;

(3) audit and approve before payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government and with the advice of the legal officials of the District determine the regularity, legality, and correctness of such claims, demands, or charges; and

(4) perform internal audits of central accounting and department and agency records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the respective agencies.

General fund

SEC. 705. The general fund of the District shall be composed of the revenues of the District other than the revenues applied by law to special funds. All moneys received by any agency, officer, or employee of the District in its or his official capacity shall belong to the District government and shall be paid promptly to the Mayor, or his duly authorized subordinates, for deposit in the appropriate funds.

Contracts extending beyond one year

SEC. 706. No contract involving expenditure out of an appropriation which is available for more than one year shall be made for a period of more than five years; nor shall any such contract be valid unless made pursuant to criteria established by act of the Council.

PART 2—AUDIT BY GENERAL ACCOUNTING OFFICE

Independent audit

SEC. 721. (a) The financial transactions shall be audited by the General Accounting Office in accordance with such principles and procedures and under such rules and regulations as may be prescribed by the Comptroller General of the United States. In the determination of the auditing procedures to be followed and the extent of the examination of vouchers and other documents, the Comptroller General shall give due regard to generally accepted principles of auditing, including consideration of the effectiveness of the accounting organizations and systems, internal audit and control, and related administrative practices. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the District and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. The District of Columbia shall reimburse the General Accounting Office for expenses of such audit in such amounts as may be agreed upon by the Mayor and the Comptroller General, and the amounts so reimbursed shall be deposited into the Treasury of the United States as miscellaneous receipts.

(b) (1) The Comptroller General shall submit his audit reports to the Congress, the Mayor, and the Council. The reports shall set forth the scope of the audits and shall include such comments and information as may be deemed necessary to keep the Mayor and the Council informed of the operations to which the reports relate, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The reports shall show specifically every program, expenditure, and other financial transaction or undertaking which, in the opinion of the Comptroller General, has been carried on or made without authority of law.

(2) After the Mayor and his duly authorized subordinates have had an opportunity to be heard, the Council shall make such report, together with such other material as it deems pertinent thereto, available for public inspection and shall transmit copies thereof to the Congress.

(3) The Mayor, within ninety days after the report has been made to him and the Council, shall state in writing to the Council, with a copy to the Congress, what has been done to comply with the recommendations made by the Comptroller General in the report.

Amendment of Budget and Accounting Act

SEC. 722. Section 2 of the Budget and Accounting Act, 1921 (31 U.S.C. 2), is hereby amended by striking out "and the municipal government of the District of Columbia".

PART 3—ADJUSTMENT OF FEDERAL AND DISTRICT EXPENSES

Adjustment of Federal and District expenses

SEC. 731. Subject to section 901 and other provisions of law, the mayor, with the approval of the Council, and the Director of the Bureau of the Budget, are authorized and empowered to enter into an agreement or agreements concerning the manner and method by which amounts owed by the District to the United States, or by the United States to the District, shall be ascertained and paid.

PART 4—FEDERAL CONTRIBUTION

Authorization of appropriations

SEC. 741. In recognition of the unique character of the District of Columbia as the Nation's Capital city, regular annual payments are hereby authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District, and such annual payments, when appropriated, shall be paid into the general fund of the District. The annual payment authorized shall be an amount equal to 25 per centum of the sum of all tax revenues, including that portion of the motor vehicle registration fees but excluding fees from licenses and other charges, which the mayor estimates will be credited during each fiscal year to the general fund of the District of Columbia, including, by way of illustration and not as a limitation, revenues estimated to be derived from those categories of taxes (including penalties and interest thereon) of which the following are representative: property taxes, both realty and personal tangible; sales and gross receipts taxes; income taxes—individual, corporation franchise, and unincorporated business franchise; the real estate deed recordation tax; inheritance and estate taxes; and so much of the motor vehicle registration fees as the mayor from time to time determines shall be credited to the general fund.

Mayor to compute amount of Federal payment

SEC. 742. The Mayor shall annually compute the amount of the Federal payment authorized to be appropriated under this part, and the amount of such authorization so computed, as approved by the Director of the Bureau of the Budget, shall be submitted to the Congress together with any request for the appropriation of such payment. Each such computation shall be determined on the basis of estimates of the tax revenues referred to in section 501 of this part which are expected to be credited to the general fund during the fiscal year for which the annual payment is being computed: *Provided*, That the amount so determined shall be subject to review after such fiscal year, and if the Federal payment appropriated on the basis of the amount so determined is in excess of the amount determined on the basis of revenues actually received and credited to the general fund, such excess shall be refunded to the United States by the District of Columbia.

Repeals

Sec. 743. Title V of the District of Columbia Revenue Act of 1966 is repealed.

Initial Federal payment

Sec. 744. For the first fiscal year in which this part is effective, the amount of the annual Federal payment may be computed on the basis of preliminary estimates: *Provided,* That such amount shall be subject to later adjustment in accordance with the provisions of this part.

TITLE VIII—ELECTIONS IN THE DISTRICT

Board of elections

Sec. 801. (a) The members of the Board of Elections in office on the date when the Mayor first elected takes office shall continue in office for the remainder of the terms for which they were appointed. Their successors shall be appointed by the Mayor by and with the advice and consent of the Council. The term of each such successor (except in the case of an appointment to fill an unexpired term) shall be three years from the expiration of the term of his predecessor. Any person appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. When a member's term of office expires, he may continue to serve until his successor is appointed and has qualified. Section 3 of the District Election Act of 1955 is hereby modified to the extent that it is inconsistent herewith.

(b) In addition to its other duties, the Board of Elections shall also, for the purposes of this Act—

(1) maintain a permanent registry;

(2) conduct registrations and elections;

(3) in addition to determining appeals with respect to matters referred to in sections 808 and 811, determine appeals with respect to any other matters which (under regulations prescribed by it under the subsection (c)) may be appealed to it;

(4) provide for recording and counting votes by means of ballots or machines or both and, not less than five days before each election held pursuant to this chapter, publish a copy of the official ballot to be used in any such election;

(5) divide the District into fourteen wards as nearly equal as possible in population and of geographic proportions as nearly regular, contiguous, and compact as possible, and establish voting precincts therein, each such voting precinct to contain at least three hundred and fifty registered voters, and thereafter, within six months after the publication by the United States Census Bureau of the population of the District at each decennial census or any more recent official census of the population of the District, redivide the District into fourteen wards in accordance with the criteria in this paragraph;

(6) operate polling places;

(7) certify nominees and the results of elections; and

(8) perform such other functions as are imposed upon it by this Act.

(c) The Board of Elections may prescribe such regulations not inconsistent with the provisions of this Act as may be necessary or appropriate for the purposes of this title, of title XIV, and of section 602, including, without limitation, regulations providing for appeals to it on questions arising in connection with nominations, registrations, and elections (in addition to matters referred to it in sections 808 and 811), and for determination by it of appeals, and regulations permitting qualified voters, for the purpose of voting in any election held pursuant to this Act, to register at times when such persons are temporarily absent from the District, or, in the case of persons not absent from the District, but who are physically unable to appear personally at an official registration place, to register in the manner prescribed in such regulations: *Provided,* That the Board of Elections shall accept as evidence of registration any Federal post card application for an absentee ballot prescribed in section 204 of the Federal Voting Assistance Act of 1955 (69 Stat. 584) when such application is duly executed and filed with the Board by any person included within one of the categories referred to in clauses (1), (2), (3), or (4) of section 101 of such Act.

(d) The officers and agencies of the District government shall furnish to the Board of Elections, upon request of such Board, such space and facilities in public buildings in the District to be used as registration or polling places, and such records, information, services, personnel, offices, and equipment, and such other assistance and facilities, as may be necessary to enable such Board properly to perform its functions. Subject to the approval of the Council, privately owned space, facilities, and equipment may be rented, or donations of such space, facilities, and equipment may be accepted for registration, polling, and other functions of the Board.

(e) In the performance of its duties, the Board of Elections shall not be subject to the authority of any non-judicial officer of the District.

(f) The Board of Elections, each member of such Board, and persons authorized by it, may administer oaths to persons executing affidavits pursuant to sections 801 and 808. It may provide for the administering of such other oaths as it considers appropriate to require in the performance of its functions.

(g) The Board of Elections is authorized to employ such permanent and temporary personnel as may be necessary within the limit of funds therefor. The appointment, compensation, and other terms of employment may be set by the Board of Elections without regard to the provisions of section 402 of this Act: *Provided,* That the Council may set maximum rates of compensation for various classes of employees of the Board of Elections.

(h) In lieu of the compensation provided by section 4(b) of the District Election Act of 1955, each member of the Board of Elections shall be paid at the rate of $1,500 per annum in periodic installments, provided that the rate of compensation may be changed by act passed by the Council.

(i) Notwithstanding the provisions of the District Election Act of 1955 providing (1) that qualified voters shall register during the calendar year in which a Presidential election is held, (2) that the Board of Elections shall keep the registry open only during such calendar year, and (3) that the Board of Elections shall keep the registry closed during certain periods immediately preceding elections held under the District Election Act of 1955, the Board of Elections is authorized and directed, for the purposes of this Act, and the District Election Act of 1955, to provide for permanent registration of voters, to keep the registry open as provided in this chapter, and to permit qualified voters to register in accordance with applicable laws and regulations, at any time when the registry is open.

(j) No member of the Board of Elections may be a candidate at an election held under this Act.

Elections to be held

Sec. 802. (a) The Board of Elections, in addition to elections conducted by it pursuant to the District Election Act of 1955, shall conduct the following elections:

(1) A primary election to be held on the first Tuesday in May of each even-numbered calendar year commencing after this title takes effect.

(2) A general election to be held on the first Tuesday following the first Monday in November in each even-numbered calendar year commencing after this title takes effect.

(3) Special elections and referendum elections held pursuant to sections 335(c), 602, 806, 812(b), 812(c), or 1701(b).

Elective offices; terms of office

Sec. 803. (a) The offices of the District to be filled by election under this chapter shall be the members of the Council, the Mayor, the Board of Education, and the District Delegate.

(b) The term of an elective office on the District Council shall be four years beginning on January 2 of the odd-numbered calendar year following such election; except that of the members of the District Council first elected following the effective date of this title, nine shall serve for terms of two years and ten for terms of four years. The members who shall serve for terms of four years shall be determined by lot.

(c) The term of office of the Mayor shall be four years, beginning on January 2 of the odd-numbered calendar year next following his election.

(d) The term of office of the District Delegate shall be two years beginning at noon on January 3 of the odd-numbered calendar year following such election.

(e) The term of an elective office on the School Board shall be four years beginning on January 2 of the odd-numbered calendar year following such election; except that of the members of the School Board first elected following the effective date of this title, seven shall serve for terms of two years and seven for terms of four years. The members who shall serve for terms of four years shall be determined by lot.

Vacancies

Sec. 804. (a) If the office of Delegate becomes vacant, the Mayor, by and with the advice and consent of the Council, shall appoint a Delegate to fill the unexpired term.

(b) A vacancy in the office of Mayor shall be filled at the next general election held pursuant to this title for which it is possible for candidates to be nominated, under any procedure provided for in section 809 following the occurrence of such vacancy. A person elected to fill any such vacancy shall take office as soon as practicable following the certification of his election by the Board of Elections and shall hold office for the duration of the unexpired term to which he was elected but not beyond the end of such a term. Until a vacancy in the office of Mayor can be filled at a general election, as prescribed in this subsection, such vacancy shall be filled by appointment by the District Council.

(c) (1) A vacancy in the District Council shall be filled by appointment by the Mayor, by and with the advice and consent of the Council.

(2) A vacancy in the School Board shall be filled by the Mayor, by and with the advice and consent of the Council.

(d) No person shall be appointed to any office under this section unless he is a registered voter and meets the residence and other qualifications required on the date of his appointment of a person filling such office. A person appointed to fill a vacancy under this section shall hold office until the time provided for an elected successor to take office, but not beyond the end of the term during which the vacancy occurred.

Election of candidates

Sec. 805. (a) The two candidates receiving the highest number of votes validly cast for each office in each of the several primary elections shall be declared the winners, and their names shall be placed on the ballot in the next general election.

Sec. 805. (a) In the general election, the candidate receiving the highest number of votes validly cast for each office shall be declared elected.

(b) In the event two or more candidates receive the same number of votes validly cast for the same office, the winner shall be determined by lot.

(c) Subject to the provisions of section 812, the Board of Elections shall promptly announce to the public the results of every election and shall certify all such results to the Mayor and the Secretary of the Council. It shall also certify the results of all elections for the office of the District Delegate to the secretary of the House of Representatives of the United States.

Recall

SEC. 806. (a) Any elective officer of the District of Columbia shall be subject to recall by the qualified voters of the District. Any petition filed demanding the recall by the qualified voters of the District of any such elective officer shall be signed by not less than 25 per centum of the number of qualified voters of the District voting at the last preceding general election. Such petition shall set forth the reasons for the demand shall be filed with the Secretary of the District Council. If any such officer with respect to whom such a petition is filed shall offer his resignation, it shall be accepted and take effect on the day it is offered, and the vacancy shall be filled as provided by law for filing a vacancy in that office arising from any other cause. If he shall not resign within five days after the petition is filed, a special election shall be called by the Council to be held within twenty days thereafter to determine whether the qualified voters of the District will recall such officer.

(b) There shall be printed on the ballot at such election, in not more than two hundred words, the reason or reasons for demanding the recall of any such officer, and in not more than two hundred words, the officer's justification or answer to such demands. Any officer with respect to whom a petition demanding his recall has been filed shall continue to perform the duties of his office until the result of such special election is officially declared by the Board of Elections. No petition demanding the recall of any officer filed pursuant to this section shall be circulated against any officer of the District until he has held his office six months.

(c) If a majority of the qualified voters voting on any petition filed pursuant to this section vote to recall any officer, his recall shall be effective on the day on which the Board of Elections certifies the results of the special election, and the vacancy created thereby shall be filled immediately in a manner provided by law for filling a vacancy in that office arising from any other cause.

(d) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of a petition for recall filed pursuant to this section, and (2) with respect to the conduct of any special election held pursuant to this section.

Qualification of voters

SEC. 807. No person shall vote in an election held under this chapter unless he meets the qualifications of a voter specified in this section and has registered pursuant to section 808 of this chapter or section 7 of the District Election Act of 1955. A qualified voter of the District and a qualified elector of the District for the purposes of the District Election Act of 1955 shall be any person (1) who has resided in the District continuously during the one-year period ending on the day of the election, (2) who is a citizen of the United States, (3) who is on the day of the election at least twenty-one years old, (4) who has never been convicted of a felony in the United States, or, if he has been so convicted, has been pardoned, (5) who is not mentally incompetent, as adjudged by a court of competent jurisdiction, and (6) who certifies that he has not, within six months immediately preceding the election, claimed the right to vote or voted in any election in any State or territory of the United States (other than in the District).

Registration

SEC. 808. (a) No person shall be registered under this Act unless—

(1) he shall be able to qualify otherwise as a voter on the day of the next election; and

(2) he executes a registration affidavit by signature or mark (unless prevented by physical disability) on a form provided by the Board of Elections showing that he meets each of the requirements of section 807 of this Act for a qualified voter: *Provided,* That the Board shall accept as evidence of registration any Federal post card application for an absentee ballot prescribed in section 204 of the Federal Voting Assistance Act of 1955 (69 Stat. 584) when such application is duly executed and filed with the Board by any person included within one of the categories referred to in clause (1), (2), (3), or (4) of section 101 of such Act.

(b) If a person is not permitted to register, such person or any qualified candidate may appeal to the Board of Elections, but not later than three days after the registry is closed for the next election. The Board shall decide within seven days after the appeal is perfected whether the challenged voter is entitled to register. If the appeal is denied the appellant may, within three days after such denial, appeal to the District of Columbia Court of General Sessions. The court shall decide the issue not later than eighteen days before the day of the election. The decision of such court shall be final and not appealable. If the appeal is upheld by either the Board or the court, the challenged elector shall be allowed to register immediately. If the appeal is pending on election day, the challenged voter may cast a ballot marked "Challenged", as provided in section 811.

(c) For the purposes of this Act and of the District Election Act of 1955, the Board of Elections shall keep open, during normal hours of business, as determined by the Council, a central registry office and shall conduct registration at such other times and places as the Board of Elections shall deem appropriate. The Board of Elections may suspend the registration of voters, or the acceptance of changes in registrations for such period not exceeding thirty days next preceding any elections under this Act or under the District Election Act of 1955.

Nominations

SEC. 809. (a) Nomination of a candidate to be included on the ballot for a primary election shall take place when the Board of Elections receives a declaration of candidacy, accompanied by the filing fee in the amount required in subsection (d).

(b) No person shall be a candidate for more than one office in any election. If a person files a declaration of candidacy for more than one office he shall within three days after the last day on which such declarations may be made notify the Board of Elections, in writing, for which office he elects to run.

(c) A candidate may withdraw his candidacy in writing if his withdrawal is received by the Board not more than three days after the last day on which declarations may be made.

(d) Filing fees to accompany a declaration of candidacy of a candidate for inclusion on the ballot in a primary election shall be $200 for a candidate for District Delegate or Mayor and $50 for a member of the District Council or a member of the School Board. No fee shall be refunded unless a candidacy is withdrawn as provided in subsection (b) or (c).

Nonpartisan elections

SEC. 810. (a) Ballots and voting machines shall show no party affiliations, emblems, or slogans.

(b) The form of ballot to be used in any election under this Act shall be determined by the Board of Elections: *Provided,* That in any such election, the position on the ballot of the candidates for each office shall be determined by lot.

Method of voting

SEC. 811. (a) Voting in all elections shall be secret.

(b) Each voter shall be entitled to vote for one candidate for the Council from the ward in which the voter is a resident and for five Councilmen-at-large, for one candidate for the School Board from the ward in which the voter is a resident, for one candidate for Mayor and for one candidate for District Delegate. The ballot shall, where applicable, show the wards from which each candidate for office as a member of the Council or of the School Board has been nominated.

(c) The ballot of a person who is registered as a resident of the District shall be valid only if cast in the voting precinct where the residence shown on his registration is located.

(d) Absentee voting under this Act shall be permitted to the same extent and subject to the same rules and regulations, including penalties, as absentee voting is permitted under the District Election Act of 1955.

(e) At least ten days prior to the date of any referendum or other election, any group of citizens or individual candidates interested in the outcome of the election may petition the Board of Elections for credentials authorizing watchers at any and all polling places during the voting hours and until the count has been completed The Board of Elections shall formulate rules and regulations, not inconsistent with provisions of this title, to prescribe the form of watchers' credentials, to govern their conduct, and to limit the number of watchers so that the conduct of the election will not be unreasonably obstructed.

(f) If the official in charge of the polling place, after hearing both parties to any challenge or acting on his own with respect to a prospective voter, reasonably believes the prospective voter is not qualified to vote, he shall allow the voter to cast a paper ballot marked "challenged". Ballots so cast shall be set aside, and no such ballot shall be counted until the challenge has been removed as provided in subsection (g).

(g) If a person has been permitted to vote only by challenged ballot, such person, or any qualified candidate, may appeal to the Board of Elections within three days, after election day. The Board shall decide within seven days after the appeal is perfected whether the voter was qualified to vote. If the Board decides that the voter was qualified to vote, the word "challenged" shall be stricken from the voter's ballot and the ballot shall be treated as if it had not been challenged.

(h) If a voter is physically unable to mark his ballot or to operate the voting machine, the official in charge of the voting place may enter the voting booth with him and vote as directed. Upon the request of any such voter, a second election official may enter the voting booth to assist in the voting. The officials shall tell no one what votes were cast. The official in charge of the voting place shall make a return of all such voters, giving their names and disabilities.

(i) A voter shall vote only once with respect to each office to be filled.

(j) Copies of the regulations of the Board of Elections with respect to voting shall be made available to prospective voters at each polling place.

(k) Before being allowed to vote the voter shall sign a certificate, on a form to be prescribed by the Board of Elections, that he has duly registered under the election laws of the District and that, to his best knowledge and belief, he has not since such registration done any act which might disqualify him as a voter.

Recounts and contests

SEC. 812. (a) The provisions of section 11 of the District Election Act of 1955 with respect to recounts and contests shall be applicable to any election or referendum held under this act, except that in the case of any referendum, any qualified voter who has voted in any such election may petition the Board of Elections for a recount of the votes cast in one or more precincts under the same conditions required for a candidate for office under section 11(a) of the District Election Act of 1955.

(b) If, pursuant to this section, the court voids all or part of an election, and if it determines that the number and importance of the matters involved outweigh the cost and practical disadvantages of holding another election, it may order a special election for the purpose of voting on the matters with respect to which the election was declared void.

(c) Special elections shall be conducted in a manner comparable to that prescribed for regular elections and at times and in the manner prescribed by the Board of Elections by regulation. A person elected at such an election shall take office on the day following the date on which the Board of Elections certifies the results of the election.

(d) Vacancies resulting from voiding all or part of an election shall be filled as prescribed in section 804 unless filled by a special election held pursuant to subsections (b) and (c) of this section.

Interference with registration or voting

SEC. 813. (a) No one shall interfere with the registration or voting of another person, except as it may be reasonably necessary in the performance of a duty imposed by law. No person performing such a duty shall interfere with the registration or voting of another person because of his race, color, sex, or religious belief, or his want of property or income.

(b) No registered voter shall be required to perform a military duty on election day which would prevent him from voting, except in time of war or public danger, or unless he is away from the District in military service. No registered voter may be arrested while voting or going to vote except for treason, a felony, or for a breach of the peace then committed.

Voting hours

SEC. 814. Polling places shall be open from 8 o'clock antemeridian to 8 o'clock postmeridian on each day when elections are held pursuant to this Act.

Prohibition of the sale of alcoholic beverages on election days

SEC. 815. The second sentence in the second paragraph of section 7 of the District of Columbia Alcoholic Beverage Control Act, as amended (sec. 25–107, D.C. Code, 1961 ed.), is amended to read as follows: "Notwithstanding any other provision of this Act, neither the District Council nor the Commissioners shall authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on the day of the presidential election or of any election in the District of Columbia held under the District of Columbia Charter Act during the hours when the polls are open, and any such sales are hereby prohibited."

Violations

SEC. 816. Whoever willfully violates any provision of this title, or of any regulation prescribed and published by the Board of Elections under authority of this Act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than $500 or imprisoned for not more than six months, or both.

TITLE IX—MISCELLANEOUS

Agreements with United States

SEC. 901. (a) For the purpose of preventing duplication of effort or of otherwise promoting efficiency and economy, any Federal officer or agency may furnish services to the District government and any District officer or agency may furnish services to the Federal Government. Except where the terms and conditions governing the furnishing of such services are prescribed by other provisions of law, such services shall be furnished pursuant to an agreement (1) negotiated by the Federal and District authorities concerned, and (2) approved by the Director of the Bureau of the Budget and by the Mayor, with the approval of the District Council. Each such agreement shall provide that the cost of furnishing such services shall be borne in the manner provided in subsection (c) by the government to which such services are furnished at rates or charges based on the actual cost of furnishing such services.

(b) For the purpose of carrying out any agreement negotiated and approved pursuant to subsection (a), any District officer or agency may in the agreement delegate any of his or its functions to any Federal officer or agency, and any Federal officer or agency may in the agreement delegate any of his or its functions to any District officer or agency. Any functions so delegated may be exercised in accordance with the terms of the delegation.

(c) The cost of each Federal officer and agency in furnishing services to the District pursuant to any such agreement shall be paid, in accordance with the terms of the agreement, out of appropriations made by the Council to the District officers and agencies to which such services are furnished. The costs to each District officer and agency in furnishing services to the Federal Government pursuant to any such agreement shall be paid, in accordance with the terms of the agreement, out of appropriations made by the Congress or other funds available to the Federal officers and agencies to which such services are furnished.

Personal interest in contracts or transactions

SEC. 902. Any officer or employee of the District who is convicted of a violation of section 208 of title 18, United States Code, shall forfeit his office or position.

Compensation from more than one source

SEC. 903. (a) Except as provided in this Act, no person shall be ineligible to serve or to receive compensation as a member of the Council, or the Board of Elections because he occupies another office or position or because he receives compensation (including retirement compensation) from another source.

(b) The right to another office or position or to compensation from another source otherwise secured to such a person under the laws of the United States shall not be abridged by the fact of his service or receipt of compensation as a member of the Council or such Board, if such service does not interfere with the discharge of his duties in such other office or position.

Assistance of the United States Civil Service Commission in development of District merit system

SEC. 904. The United States Civil Service Commission is hereby authorized to advise and assist the Mayor and the Council in the further development of the merit system required by section 402(3) and the said Commission is authorized to enter into agreements with the District government to make available its registers of eligibles as a recruiting source to fill District positions as needed. The costs of any specific services furnished by the Civil Service Commission may be compensated for under the provisions of section 901 of this Act.

Authority of President to assume command of police force

SEC. 905. (a) Whenever the President deems it necessary or appropriate in order adequately to protect the Federal interest in the maintenance of public order in the District of Columbia, he may, through such official or agency as he may designate and until he otherwise directs, assume command of the police force of the District of Columbia. Such action shall not affect the status of the members of the police force as employees of the District of Columbia or the authority vested in them by law.

(b) Whenever the President deems it necessary or appropriate in order adequately to maintain public order in the District of Columbia, he may designate such persons as he may deem appropriate, including members of the Armed Forces of the United States, as special policemen in the District of Columbia. Such special policemen shall serve under the command of such official or agency as the President may designate and shall have the same powers as members of the police force of the District of Columbia and the United States Park Police.

TITLE X—SUCCESSION IN GOVERNMENT

Transfer of personnel, property, and funds

SEC. 1001. (a) In each case of the transfer, by any provision of this Act, of functions to the Council, to the Mayor, or to any agency or officer, there are hereby transferred (as of the time of such transfer of functions) to the Council, to the Mayor, to such agency, or to the agency of which such officer is the head, for use in the administration of the functions of the Council or such agency or officer, the personnel (except the members of Boards or Commissions abolished by this Act), property, records, and unexpended balances of appropriations and other funds, which relate primarily to the functions so transferred.

(b) If any question arises in connection with the carrying out of subsection (a), such question shall be decided—

(1) in the case of functions transferred from a Federal officer or agency, by the Director of the Bureau of the Budget; and

(2) in the case of other functions (A) by the Council, or in such manner as the Council shall provide, if such functions are transferred to the Council, and (B) by the Mayor if such functions are transferred to him or to any other officer or agency.

(c) Any of the personnel transferred to the Council, the Mayor, or any agency by this section which the Council or the head of such agency shall find to be in excess of the personnel necessary for the administration of its or his functions shall, in accordance with law, be retransferred to other positions in the District or Federal Government or be separated from the service.

(d) No officer or employee shall, by reason of his transfer by this Act or his separation from service under this Act, be deprived of a civil service status held by him prior to such transfer or any right of appeal or review he may have by reason of his separation from service.

Existing statutes, regulations, and other actions

SEC. 1002. (a) Any statute, regulation, or other action in respect of (and any regulation or other action issued, made, taken, or granted by) any officer or agency from which any function is transferred by this Act shall, except to the extent modified or made inapplicable by or under authority of law, continue in effect as if such transfer had not been made; but after such transfer, references in such statute, regulation, or other action to an officer or agency from which a transfer is made by this Act shall be held and considered to refer to the officer or agency to which the transfer is made.

(b) As used in subsection (a), the term "other action" includes, without limitation, any rule, order, contract, compact, policy, determination, directive, grant, authorization, permit, requirement, or designation.

(c) Unless otherwise specifically provided, nothing contained in this Act shall be construed as affecting the applicability to the District of Columbia government of personnel legislation relating to the District government until such time as the Council may otherwise elect to provide equal or equivalent coverage as provided in section 402(4).

Pending actions and proceedings

SEC. 1003. (a) No suit, action, or other judicial proceeding lawfully commenced by or against any officer or agency in his or its official capacity or in relation to the exercise of his or its official functions, shall abate by reason of the taking effect of any provision of this Act; but the court, unless it determines that the survival of such suit, action, or other proceeding is not necessary for purposes of settlement of the questions involved, shall allow the same to be maintained, with such substitutions as to parties as are appropriate.

(b) No administrative action or proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this Act, but such action or proceeding shall be continued with such substitutions as to parties and officers or agencies as are appropriate.

Vacancies resulting from abolition of Board of Commissioners

SEC. 1004. Until the first day of July next after the first Mayor takes office under this Act, no vacancy occurring in any District agency by reason of section 321, abolishing the Board of Commissioners, shall affect the power of the remaining members of such agency to exercise its functions; but such agency may take action only if a majority of the members holding office vote in favor of it.

TITLE XI—SEPARABILITY OF PROVISIONS

Separability of provisions

SEC. 1101. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE XII—TEMPORARY PROVISIONS

Powers of the President during transition period

SEC. 1201. The President of the United States is hereby authorized and requested to take such action during the period following the date of the enactment of this Act and ending on the date of the first meeting of the District Council, by Executive order or otherwise, with respect to the administration of the functions of the District of Columbia government, as he deems necessary to enable the Board of Elections properly to perform its functions under this Act.

Reimbursable appropriations for the District

SEC. 1202. (a) The Secretary of the Treasury is authorized and directed to advance to the District of Columbia the sum of $750,000, out of any money in the Treasury not otherwise appropriated, for use (1) in paying the expenses of the Board of Elections (including compensation of the members thereof), and (2) in otherwise carrying into effect the provisions of this Act.

(b) The full amount expended out of the money advanced pursuant to this section shall be reimbursed to the United States, without interest, during the second fiscal year which begins after the effective date of title V, from the general fund of the District of Columbia.

TITLE XIII—EFFECTIVE DATES

Effective dates

SEC. 1301. (a) As used in this title and title XIV of this chapter the term "charter" means titles I to XI, both inclusive, and titles XV, XVI, and XVII, of this chapter.

(b) The charter shall take effect only if accepted pursuant to title XIV of this chapter. If the charter is so accepted, it shall take effect on the day following the date on which it is accepted (as determined pursuant to section 1406) except that—

(1) part 2 of title III, title V, title VII (except part 4), and title XVII, of this Act, shall take effect on the day upon which the Council members first elected take office;

(2) section 402 shall take effect on the day upon which the Mayor first elected takes office;

(3) part 4 of title VII of this Act shall take effect with respect to the first fiscal year beginning next after the Mayor first elected takes office and with respect to subsequent fiscal years; and

(4) title XVI of this Act shall take effect on the date on which the eighth member of the first School Board takes the oath of office; except that section 1609 shall take effect on the effective date of the charter.

(c) Titles XII, XIII, and XIV of this Act shall take effect on the day following the date on which this Act is enacted.

TITLE XIV—SUBMISSION OF CHARTER FOR REFERENDUM

Charter referendum

SEC. 1401. (a) On a date to be fixed by the Board of Elections, not more than four months after the enactment of this Act, a referendum (in this title referred to as the "charter referendum") shall be conducted to determine whether the registered qualified voters of the District of Columbia accept the charter.

(b) As used in this title, a "qualified voter" means a person who meets the requirements of section 807 on the day of the charter referendum.

Board of elections

SEC. 1402. (a) In addition to its other duties, the Board of Elections established under the District Election Act of 1955 shall conduct the charter referendum and certify the results thereof as provided in this title.

(b) Notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 801 of this Act shall govern the Board of Elections in the performance of its duties.

Registration

SEC. 1403. (a) All registrations which were valid for the election held in the District of Columbia on November 3, 1964, shall be valid and sufficient for the charter referendum, subject to compliance by registrants with requirements prescribed by the Board of Elections sufficient to satisfy the Board that no such registrant shall, between November 3, 1964 and the date of the charter referendum, have become disqualified for registration or to vote under this Act.

(b) The Board of Elections shall conduct within the District of Columbia for a period of thirty days a further registration of the qualified voters commencing not more than sixty days after the enactment of this Act and ending not more than thirty days nor less than fifteen days prior to the date set for the charter referendum as provided in section 1401 of this title.

(c) Prior to the commencement of such further registration, the Board of Elections shall publish, in daily newspapers of general circulation published in the District of Columbia, a list of the registration places and the dates and hours of registration.

(d) The applicable provisions of section 808, notwithstanding the fact that such section does not otherwise take effect unless the charter is accepted, shall govern the further registration of voters for this charter referendum.

Charter referendum ballot: notice of voting

SEC. 1404. (a) The charter referendum ballot shall contain the following, with a blank space appropriately filled:

"The District of Columbia Charter Act, enacted ——, proposes to establish a new charter for the District of Columbia, but provides that the charter shall take effect only if it is accepted by the registered qualified voters of the District in this referendum.

"By marking a cross (X) in one of the squares provided below, show whether you are for or against the charter.

[ ] For the charter

[ ] Against the charter".

(b) Voting may be by paper ballot or by voting machine. The Board of Elections may make such changes in the second paragraph of the charter referendum ballot as it determines to be necessary to permit the use of voting machines if such machines are used.

(c) Not less than three days before the date of charter referendum, the Board of Elections shall mail to each person registered (1) a sample of the charter referendum ballot, and (2) information showing the polling place of such person and the date and hours of voting.

(d) Not less than one day before the charter referendum, the Board of Elections shall publish, in newspapers of general circulation published in the District of Columbia, a list of the polling places and the date and hours of voting.

Method of voting

SEC. 1405. Notwithstanding the fact such sections do not otherwise take effect unless the charter is accepted under this title, the applicable provisions of section 811, 812, 813, 814, 815, and 816 of this Act shall govern the method of voting, recounts and contests, interference with registration or voting, and violations connected with this charter referendum.

Acceptance or nonacceptance of charter

SEC. 1406. (a) If a majority of the registered qualified voters voting in the charter referendum vote for the charter the charter shall be considered accepted as of the time the Board of Elections certifies the result of the charter referendum to the President of the United States, as provided in subsection (b).

(b) The Board of Elections shall, within a reasonable time, but in no event more than thirty days after the date of the charter referendum, certify the result of the charter referendum to the President of the United States and to the Secretary of the Senate and the Clerk of the House of Representatives.

TITLE XV—DELEGATE

District delegate

SEC. 1501. (a) Until a constitutional amendment and subsequent congressional action otherwise provide, the people of the District shall be represented in the House of Representatives of the United States by a Delegate, to be known as the "Delegate from the District of Columbia", who shall be elected as provided in this Act. The Delegate shall have a seat in the House of Representatives, with the right to debate, but not of voting. The Delegate shall be a member of the House Committee on the District of Columbia and shall possess in such committee the same powers and privileges as he has in the House of Representatives, and may make any motion except to reconsider. His term of office shall be for two years.

(b) No person shall hold the office of District Delegate unless he (1) is a qualified voter, (2) is at least twenty-five years old, (3) holds no other public office, and (4) is domiciled and resides in the District and during the three years next preceding his nomination (A) has been resident in and domiciled in the District, and (B) has not voted in any election (other than in the District) for any candidate for public office. He shall forfeit his office upon failure to maintain the qualifications required by this subsection.

(c)(1) Subsection (a) of section 601 of the Legislative Reorganization Act of 1946, as amended, is hereby amended by striking out "from the Territories".

(2) The second paragraph under the heading "House of Representatives" in the Act of July 16, 1914 (2 U.S.C. 37), is hereby amended by striking out "from Territories".

(3) Paragraph (1) of section 302 of the Federal Corrupt Practices Act, 1929, as

amended (2 U.S.C. 241), is hereby amended by inserting after "United States" the following: "and the District of Columbia".

(4) Section 591 of title 18, United States Code, is hereby amended by inserting "and the District of Columbia" before the period at the end thereof. Section 594 of such title is hereby amended by inserting after "Territories and Possessions" the following: "or the District of Columbia". The first paragraph of section 595 of such title is hereby amended by inserting after "from any Territory or possession" the following: "or the District of Columia".

TITLE XVI—DISTRICT OF COLUMBIA INDEPENDENT SCHOOL BOARD

Creation of school board

SEC. 1601. (a) There is hereby established the District of Columbia Independent School Board, which shall have control of the public school system of the District. Such Board shall consist of fourteen members, one elected from each ward, as provided in title VIII. The School Board shall be an independent agency of the government of the District.

(b) On the effective date of this title the control of the public school system of the District and the functions of the Board of Education shall vest in the School Board and the Board of Education shall be abolished.

Transfer of personnel, funds, and property

SEC. 1602. (a) The vesting of such functions referred to in subsection (b) of section 1601 shall be deemed to be a transfer of the personnel necessary for the administration of such functions and of the records and unexpended balances of appropriations and other funds which relate primarily to the functions so transferred.

(b) All the right, title, and interest in and to the personal property and real property (including any buildings thereon) which is under the control of the Board of Education immediately prior to the effective date of this title shall, on and after such effective date be held by the School Board. The Director of the Bureau of the Budget shall decide any question arising out of this section.

Qualifications

SEC. 1603. No person shall hold the office of member of the School Board unless he (1) is a qualified voter, (2) is domiciled in the District and resides in the ward from which he is nominated, (3) has, during the three years next preceding his nomination resided and been domiciled in the District, (4) has, for one year preceding his nomination, resided and been domiciled in the ward from which he is nominated, (5) holds no other elective public office, (6) holds no position as an officer or employee of the government of the District or any appointive office, for which compensation is provided out of District funds, and (7) holds no office to which he was appointed by the President of the United States and for which compensation is provided out of Federal or District funds. A member shall forfeit his office upon failure to maintain the qualifications required by this section.

Pending proceedings, existing statutes

SEC. 1604. (a) No suit, action, or other judicial proceeding nor any administrative proceeding lawfully commenced shall abate solely by reason of the taking effect of any provision of this title. Such proceeding shall be continued with such substitutions as to parties and officers or agencies as the court or agency deems appropriate.

(b) Any statute concerning, or administrative action concerning or taken by, any officer or agency from which any function is transferred under this title shall, except to the extent made inapplicable by or under authority of law, continue in effect as if such transfer had not been made. After such transfer references in a statute or administrative action to an officer or agency from which a transfer is made shall be deemed to refer to the officer or agency to which the transfer is made.

(c) As used in subsection (b), the term "administrative action" includes any rule, regulation, order, contract, policy, determination, directive, grant, authorization, permit, requirement, or designation.

Repeal of laws

SEC. 1605. To the extent that any provision of law is inconsistent with any provision of this title such provision of law is repealed.

General powers

SEC. 1606. (a) The School Board shall manage and control the public school system of the District. In carrying out its responsibility for the management and control of the public school system of the District, the School Board shall have power to sue and be sued, complain, and defend in its own name in any court of competent jurisdiction and to take such action as it determines is necessary to carry out such responsibility.

(b)(1) The School Board may take any action (including the disposition of any real or personal property which the School Board determines is excess to its needs) with respect to (A) any real and personal property transferred to the School Board under this title, and (B) any other real or personal property acquired by the School Board under this title, as the School Board determines is necessary for the purpose of carrying out the powers and duties granted or transferred to it by this title.

(2) The School Board may acquire by condemnation or otherwise real property in the District which the School Board determines is necessary for the purpose of carrying out the powers and duties granted or transferred to it by this title. Condemnation proceedings for the acquisition of real property for such purposes shall be conducted in accordance with the procedural provisions of the Act entitled "An Act to provide for the acquisition of land in the District of Columbia for the use of the United States", approved March 1, 1929 (D.C. Code, secs. 16-619-644). The title to properties acquired under this title shall be taken by and in the name of the School Board and proceedings for condemnation or other acquisition of property shall be brought by and in the name of the School Board.

(c) The School Board is authorized to make such rules and regulations as may be necessary for it to carry out its responsibility for the management and control of the public school system of the District.

Superintendent of Schools

SEC. 1607. (a) The School Board shall appoint a Superintendent of Schools who shall have a term of office of three years.

(b) The School Board shall have power to remove the Superintendent at any time for adequate cause affecting his character and efficiency as Superintendent.

(c) The members of the School Board shall hold a meeting to appoint a Superintendent on the date the office of Superintendent becomes vacant after the effective date of this title. Subsequent meetings of the School Board, at which a Superintendent shall be newly appointed or reappointed, shall be held on the date of expiration of the term of office of the individual holding the office of Superintendent on such date.

(d) The Superintendent may attend all meetings of the School Board (except those meetings held to consider the appointment of a Superintendent), and shall have the right to speak on all matters before the School Board, but he shall not be a member of the Board or have the right to vote.

(e) The Superintendent shall, subject to direction by the School Board, administer the school system of the District. In administering such school system, the Superintendent shall—

(1) have the direction and supervision of all matters pertaining to instruction in all the schools under the School Board,

(2) recommend in writing to the School Board the appointments of, and all other personnel actions affecting, all officers, teachers, and other subordinate to him, and

(3) perform all such other duties as the School Board may prescribe.

Personnel

SEC. 1608. (a) The School Board shall have the power on the written recommendation of the Superintendent to appoint, and take other personnel actions affecting, the employees of the School Board. The School Board may take such other action in accordance with the provisions of this section with respect to the employees of the School Board as it determines is necessary to carry out its responsibility for the management and control of the public school system of the District.

(b)(1) The provisions of the District of Columbia Teacher's Salary Act of 1955 and any other law relating to the appointment, salary, assignment, and position classification, advancement and promotion, tenure, status, seniority, dismissal, and other personnel matters pertaining to teachers, school officers, and other employees of the School Board applicable to such employees immediately prior to the date of their transfer under section 1603 to the School Board shall remain applicable to such employees after their transfer until the School Board adopts by resolution a substantially equivalent personnel employment system, covering salary and other items set forth in this sentence.

(2) The Act of January 20, 1920 (relating to retirement of District public school teachers before July 1, 1946) and the Act of August 7, 1946 (relating to retirement of District public school teachers after June 30, 1946), shall continue to be applicable until such time as the School Board may by resolution provide a substantially equivalent retirement system for the employees covered by such Acts, and the funds created by such Acts shall at the time such retirement system is provided by the School Board be transferred to the jurisdiction of the School Board.

(3) Nothing in this title shall be held or considered to effect any reduction in salary, or any reduction in employment rights or benefits pertaining to appointment, assignment and position classification, advancement and promotion, tenure, status, seniority, retirement, dismissal, and other personnel matters pertaining to any employee in a position under the Board of Education immediately prior to the date of his transfer to the School Board under section 1603, until—

(1) he leave such position, or

(2) he is entitled to receive salary at a higher rate or increased or additional employment rights and benefits pertaining to the items referred to above, by reason of the operation of this title or other applicable law,

but, when such position becomes vacant, the salary and employment rights and benefits applicable thereto shall be fixed in accordance with this title.

(c) Contracts with teachers shall be in writing, and shall state the length of time the school is to be taught, the compensation per week or month, and such other matters as may be agreed upon, including payment by the calendar or school month. The contract shall be signed by an officer of the School Board and the teacher, and shall be filed with the Secretary of the School Board before the teacher enters upon performance of the contract.

(d) On the written recommendation of the Superintendent the School Board may discharge any teacher for incompetency, inattention to duty, partiality, or any other good cause. A teacher may be discharged only after a full and fair investigation made at a meeting of the School Board held for that purpose. A teacher shall be permitted to be present at such meeting and to make a defense, and he shall be allowed a reasonable time to prepare his defense.

Meetings; officers

Sec. 1609. (a) The members first elected to the School Board shall hold a meeting on the second Monday in January 1969, at which time they shall take the oath of office and elect officers. Thereafter the School Board shall annually hold a meeting on the second Monday in January of each succeeding year at which time new members shall take the oath of office and officers shall be elected. The officers of the School Board shall consist of a President and Secretary chosen from the members of the School Board. The School Board shall also hold meetings every month on a date set at the previous meeting. Special meetings may at any time be called by any officer upon notice to members, by registered or certified mail, mailed not less than five days before the meeting.

(b) Meetings of the School Board shall be open to the public, except that the School Board may close to the public those meetings dealing with the appointment or the termination of contracts of employees of the School Board, plans for the acquisition of real property, or the licensing of institutions to grant degrees. Voting at any meeting open to the public shall not be by secret ballot. A quorum shall consist of eight members. If a quorum is present, a majority of the members present may decide any question, except those questions requiring, by reason of any provision of this title, more than a majority vote of those present and voting.

Expenses

Sec. 1610. The members of the School Board shall receive no salary as such, but shall be paid a per diem of $20 for each day of service at meetings or while on the work of the Board and may be reimbursed for any expenses legitimately incurred in the performance of such service or work.

Liability of members

Sec. 1611. The members of the School Board shall not be personally liable in damages for any official action of the School Board performed in good faith in which the members participate, nor shall any member of the School Board be liable for any costs that may be taxed against them or the School Board on account of any such official action by them as members of the School Board; but such costs shall be charged to the District and paid as other costs are paid in suits brought against the municipality; nor shall the School Board or any of its members be required to give any supersedeas bond or security for costs or damages on any appeal whatever.

Fiscal year

Sec. 1612. The fiscal year of the School Board shall begin on the 1st day of July and shall end on the 30th day of June of the succeeding calendar year.

Budget

Sec. 1613. The School Board shall annually on the first day of October transmit to the Mayor of the District of Columbia an estimate in detail of the amount of money required for the public school for the ensuing year and the Mayor shall transmit such estimate to the District Council.

General account

Sec. 1614. The School Board's general account shall consist of all the Board's funds except those in the capital construction account. Funds in the general account shall be used for the operating expenses of the School Board, except that the School Board may by resolution transfer funds from the general account to the capital construction account.

Capital construction account

Sec. 1615. (a) The capital construction account shall consist of funds appropriated to the capital construction account by the Council, and funds transferred by resolution from the general account to the capital construction account.

(b) Funds in the capital construction account may be expended for acquisition of land, construction of buildings and improvements, and purchases of school equipment.

Revenues for operating expenses

Sec. 1616. The operating expenses of the School Board (including expenses incurred with respect to the general administration of the District public school system, supervision of School Board employees, and instruction of pupils in such system, the District of Columbia Teachers College, vocational education, operation of buildings and grounds and maintenance of equipment, repair and maintenance of buildings and grounds, and contributions to the teachers' retirement and annuity fund) for the first fiscal year beginning after the members first elected to the School Board take office shall be financed in the same manner as such expenses of the Board of Education for the prior fiscal year were financed.

Statutes repealed

Sec. 1617. The following Acts are hereby repealed:

(1) The Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906 (D.C. Code, sec. 31–101).

(2) The Act entitled "An Act to authorize the appointment of public school employees between meetings of the Board of Education", approved April 22, 1932 (D.C. Code, sec. 31–106).

Technical amendment

Sec. 1618. The first section of the Act of March 1, 1929 (D.C. Code, sec. 16–619), is amended by inserting after the words "any board or commission of the United States" a comma and the following: "including the District of Columbia Independent School Board,".

Definitions

Sec. 1619. As used in this title, the term—

(1) "School Board" means the District of Columbia Independent School Board created by section 1601 of this title.

(2) "Board of Education" means the Board of Education of the District, created by section 2 of the Act of June 20, 1906 (D.C. Code, sec. 31–101).

(3) "Superintendent" means Superintendent of Schools appointed by the School Board under section 1607 of this title.

(4) "School election" means any regular election for members of the School Board.

(5) "Employees of the School Board" includes teachers, school officers, and other employees of the School Board.

TITLE XVII—INITIATIVE

Power to propose and enact legislation

Sec. 1701. (a) Subject to the provisions of section 324 of this Act, the qualified voters of the District shall have the power, independent of the Mayor and Council, to propose and enact legislation relating to the District with respect to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this Act.

(b) In exercising the power of initiative conferred upon the qualified voters by subsection (a) of this section, not less than 10 per centum of the number of qualified voters voting in the last preceding general election shall be required to propose any measure by an initiative petition. Every such petition shall include the full text of the measure so proposed and shall be filed with the Secretary of the District Council to be submitted to a vote of the qualified voters. Any such petition which has been filed with the Secretary, and certified by him as sufficient, shall be submitted to the qualified voters of the District at the first general election which occurs not less than thirty days nor more than one year from the date on which the Secretary files his certificate of sufficiency. The Council shall, if no general election is to be held within such period, provide for a special election for the purpose of considering the petition.

(c) Upon receiving the certification of the Board of Elections (as provided in section 805(d) of this chapter) of the results of any election held with respect to any measure proposed by an initiative petition, the Secretary of the Council, if such measure was approved by a majority of the qualified voters of the District voting thereon, shall, within five calendar days thereafter, present the petition containing such measure so approved, which was filed with him pursuant to subsection (b) of this section, to the President of the United States. Such measure shall become law unless, within ten calendar days after it is so presented to the President, he shall, in accordance with this subsection, disapprove the same. The President may, if he is satisfied that such measure adversely affects a Federal interest, disapprove it, in which event he shall return it, with his objections, to the Secretary and, notwithstanding any other provision of this Act, such measure shall not become law.

(d) If conflicting measures proposed at the same election become law, the measure receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(e) If, within thirty days after the filing of a petition, the Secretary has not specified the particulars in which a petition is defective, the petition shall be deemed certified as sufficient for purposes of this section.

(f) The style of all measures proposed by initiative petition shall be as follows: "Be it enacted by the People of the District of Columbia."

(g) The Board of Elections shall prescribe such regulations as may be necessary or appropriate (1) with respect to the form, filing, examination, amendment, and certification of initiative petitions, and (2) with respect to the conduct of any election during which any such petition is considered.

(h) If any organization or group request it for the purpose of circulating descriptive matter relating to the measures proposed to be voted on, the Board of Elections shall either permit such organization or group to copy the names and addresses of the qualified electors or furnish it with a list thereof, at a charge to be determined by the Board of Elections, not exceeding the actual cost of reproducing such list.

TITLE XVIII—TITLE OF CHAPTER

Sec. 1801. This Act, divided into titles and sections according to table of contents, and including the declaration of congressional policy which is a part of such Act, may be cited as the "District of Columbia Charter Act."

Mr. MORSE. Mr. President, at a later date I shall speak at some length on the bill. I only want to say in passing this afternoon that once again I call the attention of the Congress and of the American people to the fact that we are denying over 800,000 fellow Americans first-class citizenship in the District of Columbia.

I call to the attention of the American people and of Congress that the more than 800,000 fellow Americans in the District of Columbia constitute a larger population than exists in 11 States of the Union.

As a member of the Foreign Relations Committee, I repeat, as I have said so many times in the past, that one cannot go to international conferences anywhere in the world and talk about freedom in America without being asked the question, "When are you going to start giving freedom to the inhabitants of your own Capital City?"

It is a shocking disgrace that more than 800,000 Americans in the District of Columbia are not allowed to elect a mayor, or a school board, or a city council, or other municipal officers.

We must remove the allegation—which I shall always continue to believe, and want to believe, is false—that we do not allow first-class citizenship and the rights of free government in the Capital City of the Nation because 58 percent of its residents are Negroes; 90 percent of the children in the public schools are Negroes. We are permitting the allegation to be made and the suspicion to be raised that the Congress of the United States is racist on the home-rule issue.

The sad thing is that too often in hearings on various Morse home-rule bills during the last 20 years in the Senate racism has cropped up in the testimony of the witnesses. The expression has been made that self-government should not be given to the people of the District of Columbia because a Negro may be elected as mayor of Washington. My reply at this time, as it has been for 20 years or more, is that if the people of the District of Columbia decide the best qualified candidate for mayor of the District of Columbia is a Negro, that mayor should be elected.

Speaking respectfully now and with continued patience to the Members of the Senate on the Democrat side of the aisle, the Democratic Party has a solemn responsibility in regard to granting home rule to the people of the District of Columbia. We have pledged and pledged and pledged, ad infinitum, that we Democrats will grant home rule to the District of Columbia. I hope the pledges are not hypocritical. I hope the reason we have not given home rule in the past is that sincere people, forming a majority in the Congress, have come to a conclusion that it should not be given.

I shall always point with great pride to the fact that on six occasions the Senate has passed home-rule bills, bills which have been the Morse home-rule bills, or home-rule bill which consisted of almost all of the major provisions of the bill which I have introduced this afternoon.

I want to say that at this present moment in American political life questions are being raised among people from coast to coast as to where the Democratic Party stands in regard to the rights of Negroes in America. Embarrassing questions are being raised these troublesome hours as to where the Democratic Party stands in regard to the effectuation and implementation of civil rights laws already on the statute books.

The questions are proper ones, because the sad, ugly reality is that a Democratic administration is not proceeding as this administration ought to be proceeding in giving assurances that the Negroes and the white people of America are entitled to, that we are going to implement the Constitution of the United States, through the civil rights laws already passed, to see to it that Negroes will not be denied their full rights and full citizenship in this Republic.

So there will be those in the Senate and elsewhere who will not be happy because the senior Senator from Oregon has drawn the issue in regard to home rule being granted to more than 800,000 people in the District of Columbia.

I shall continue, from coast to coast, as I have for so many years, to say to the people of the North, the South, the East, the Middle West, and the West, that they should remove this shocking blot from the history of this Republic and make sure that their elected representatives in Congress do their long overdue job and vote home rule rights to the people of the District of Columbia, so that no longer are we going to be faced with the embarrassing question, wherever we go in the world in international conferences, "When are you going to start giving freedom and the protection of freedom to the people in your own Nation's Capital City?"

Mr. CLARK. Mr. President, will the Senator yield briefly?

Mr. MORSE. I yield.

Mr. CLARK. Mr. President, as I have done at the beginning of each Congress, beginning with the 85th, with respect to the Senator's District of Columbia home rule bill, I ask unanimous consent that I may be joined, I think for the sixth time, as a cosponsor of the bill.

I wish to commend the Senator from Oregon for the able presentation he has just made with respect to the necessity for the passage of such legislation as essential in our national interest.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I am always honored when the Senator from Pennsylvania joins in the sponsorship of the District of Columbia home rule bill. He has performed a service to the people of the District of Columbia, of his own State, and of the Nation, in his ardent support of the home rule bill. I am glad to have him join as a cosponsor of the bill.

REGULATION IN THE DISTRICT OF COLUMBIA OF RETAIL INSTALLMENT SALES OF CONSUMER GOODS

Mr. MORSE. Mr. President, by request of the District of Columbia Board of Commissioners, I introduce a bill to provide for the regulation in the District of Columbia of installment sales of consumer goods other than motor vehicles and services.

I introduced an identical bill in the last session of Congress on September 1, 1966, for the purpose of allowing people in the District of Columbia to study the proposal.

I introduced the bill so late in the session that there was no possible opportunity for committee hearings. At the time I introduced the bill, I announced that I would reintroduce the bill in January. I am hopeful that the Senate Committee on the District of Columbia will see fit to hold hearings on the bill as expeditiously as possible.

Mr. President, I ask unanimous consent that the bill be appropriately referred and that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be appropriately received; and, without objection, the bill will be printed in the RECORD.

The bill (S. 316) to provide for the regulation in the District of Columbia of retail installment sales of consumer goods (other than motor vehicles) and services, and for other purposes, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 316

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Retail Installment Sales Act".

SEC. 2. For the purpose of this Act, unless the context requires a different meaning—

(1) "Commissioners" means the Commissioners of the District of Columbia, or their designated agent.

(2) "District" means the District of Columbia.

(3) "Consumer goods" means tangible chattels bought for use primarily for personal, family, or household purposes, including certificates or coupons exchangeable for such goods, and including consumer goods which, at the time of the sale or subsequently, are to be so affixed to real property as to become a part of real property whether or not severable therefrom, but the term "consumer goods" does not include goods acquired for commercial or business use or for resale, nor shall such term include any motor vehicle as such term is defined in the first section of the Act approved April 22, 1960 (74 Stat. 69; title 40, ch. 9, D.C. Code), providing for the regulation of finance charges for retail installment sales of motor vehicles in the District of Columbia.

(4) "Person" means an individual, firm, concessionaire, partnership, joint stock company, corporation, association, incorporated society, statutory or common law trust, estate, executor, administrator, receiver, trustee, conservator, liquidator, committee, assignee, officer, employee, principal, or agent.

(5) "Retail buyer" or "buyer" means a person who buys consumer goods from a retail seller in a retail installment transaction and not principally for the purpose of resale, or who, under a retail installment contract, buys services from a retail seller.

(6) "Retail installment contract" means a contract entered into in the District evidencing a retail installment transaction.

(7) "Retail installment transaction" means any retail transaction between a retail seller and a retail buyer in which there is an agreement for the purchase of consumer goods or services, or both consumer goods and services, for which the price is to be paid in one or more deferred installments, and such term shall include any transaction involving a contract in the form of a bailment or a lease if the bailee or lessee contracts to pay compensation for the use of the consumer goods which are the subject of such contract and it is agreed that the bailee or lessee is bound to become, or, for no further, or a merely nominal, consideration, has the option, upon full compliance with the provisions of the bailment or lease, of becoming the owner of the consumer goods; except that the term shall not include any re-

tail transaction in which the purchase price is to be paid in full within not more than ninety days from the initial billing date, and no security interest in the consumer goods is retained by the seller and no other collateral or security is required or accepted by the seller, and no service charge or other charge is made as consideration for the deferral of payment or extension of credit.

(8) "Retail seller" or "seller" means a person engaged in the business of selling consumer goods or services to retail buyers.

(9) "Revolving charge account agreement" means an agreement prescribing the terms of retail installment transactions which may from time to time take place thereunder and under which the buyer's periodic unpaid balance is payable in installments.

(10) "Service charge" means the amount, however denominated or expressed, which the retail buyer contracts to pay or pays for the privilege of purchasing consumer goods or services to be paid for by the buyer in installments, but such term shall not include the amounts, if any, charged for insurance premiums, delinquency charges, attorneys' fees, court costs, collection expenses, or recording and filing fees.

(11) "Services" means work, labor, or other kind of activity furnished, or agreed to be furnished, primarily for personal, family, or household use, and not for commercial or business use, whether or not furnished or agreed to be furnished in connection with the delivery, installation, servicing, repair, or improvement of consumer goods, including such work, labor, or other activity furnished or agreed to be furnished in connection with repairs, alterations, or improvements upon or in connection with real property, but the term "services" shall not include work, labor, or other activity furnished or agreed to be furnished for which the price or tariff charged or to be charged is required by law to be determined or approved by, or to be filed, subject to approval or disapproval, with the United States or the District, or a department, division, agency, officer, or official of either of such governments.

Sec. 3. This Act and the regulations adopted and promulgated by the Commissioners under the authority of this Act shall be applicable to retail installment transactions which take place and retail installment contracts and revolving charge account agreements entered into on or after the effective date of this Act, notwithstanding the provisions of any retail installment contract, refinancing contract, revolving charge account agreement, promissory note, or other instrument to the contrary.

Sec. 4. (a) The Commissioners are hereby authorized to make and enforce such regulations as they deem appropriate to carry out the purposes of this Act and to prevent unconscionable practices in connection with retail installment transactions, including, but not limited to, regulations containing definitions, whether or not used in this Act, insofar as such definitions are not inconsistent with the provisions of this Act. Such regulations may include, without limitation, provisions—

(1) respecting the form, execution, and delivery of retail installment contracts and revolving charge account agreements, including, without limitation, provisions which shall be contained in such contracts and agreements, and providing for the inclusion therein of notice to the retail buyer concerning his rights under the contract or agreement;

(2) requiring the showing in retail installment contracts of the amount, if any, to be charged retail buyers as a service charge, or the basis on which such charge is to be determined, and the amounts, if any, to be charged such buyers for insurance premiums, delinquency charges, attorneys' fees, court costs, collection expenses, and recording or filing fees, such amounts to be itemized separately or to be grouped, as the Commissioners may determine;

(3) requiring the showing in revolving charge account agreements of the schedule, rate, or basis upon which the payments and service charge will be computed, and the basis on which will be determined the amounts to be charged the buyer for insurance premiums, delinquency charges, attorneys' fees, court costs, collection expenses, and recording or filing fees;

(4) specifying or limiting, or both specifying and limiting, the types and maximum amounts of insurance which may be required, at the expense of the retail buyer, to protect from loss the seller or his assignee, or any other person entitled to payment from a retail buyer in accordance with the terms of a retail installment contract, revolving charge account agreement, promissory note, or other written promise to pay the unpaid balance of the total amount to be paid by the retail buyer;

(5) governing the form, execution, and delivery of promissory notes and other instruments whereby a retail buyer agrees or promises to pay the unpaid balance of the total amount to be paid under a retail installment contract or revolving charge account agreement;

(6) requiring that payments, other than the downpayment, under retail installment contracts be made in substantially equal amounts and at regular intervals, except that (i) the interval for the first installment payment may be longer than the other intervals, (ii) the final installment payment may be less in amount than the preceding installment payment, and (iii) where a buyer's livelihood is dependent upon seasonal or intermittent income, the seller and the buyer may agree that one or more installment payments in the schedule of payments included in any such contract or agreement may be reduced or deferred;

(7) specifying the conditions under which there may be cancellation of retail installment contracts and revolving charge account agreements, and providing for the refund of payments and deposits made thereon;

(8) requiring that amounts due under instruments evidencing retail installment transactions may be prepaid in full, and providing the manner in which the unearned charges, whether service charges, insurance, or for other purposes attributable to or resulting from such prepayments, shall be refunded or credited;

(9) respecting the form and procedure to be followed in connection with the consolidation with previous purchases of subsequent purchases under retail installment contracts, and the allocation of installment payments to such purchases; and

(10) respecting the manner and methods of repossessing consumer goods, and the sale or disposition of such goods, including, without limitation, rights of redemption.

(b) No provision shall be inserted in any retail installment contract or revolving charge account agreement designed to nullify and make ineffective the provisions of this Act or regulations adopted pursuant thereto, or otherwise depriving a retail buyer of the protection afforded him by this Act or such regulations, nor shall any provision be inserted in any such contract or agreement whereby the buyer waives or purports to waive any provision of this Act. The insertion in any such contract or agreement of a provision designed or intended to nullify this Act or the regulations adopted and promulgated pursuant to this Act, or to waive the requirements of this Act and such regulations, shall constitute a violation of this Act, and, in addition, such provision shall be void and of no effect.

Sec. 5. Notwithstanding section 28:1–208 of the District of Columbia Code, payments owed under a retail installment contract or revolving charge account agreement may only be accelerated in the case of a default in payment or performance by the buyer, or on the same grounds as would authorize an attachment before judgment under paragraphs (2) through (5) of subsection (d) of section 16–501 of the District of Columbia Code.

Sec. 6. The Commissioners may by regulation require that retail installment contracts shall contain a more detailed description of the consumer goods or services to which any such contract relates than is required by section 28:9–110 of the District of Columbia Code.

Sec. 7. Section 28:9–203(2) of the District of Columbia Code is amended by inserting immediately after the word "subject" where it appears the second time the following: "to the District of Columbia Retail Installment Sales Act,".

Sec. 8. Notwithstanding section 28:9–204 of the District of Columbia Code, the consumer goods which are the subject of a retail installment contract shall serve as security only for the obligation arising out of the sale of such goods and related collection and default charges, and such goods shall not be made to secure any past or future advance or obligation of the buyer to the seller or to seller's assignee. This section shall not affect the right of a seller to take a security interest in accessions or in other goods to which such accessions are to be installed or affixed and shall not affect the right to place an encumbrance upon fixtures or real estate.

Sec. 9. (a) Notwithstanding section 28:9–206 of the District of Columbia Code, no retail installment contract or revolving charge account agreement shall contain any provision by which the buyer agrees not to assert against an assignee a claim or defense arising out of the sale of the consumer goods or services which are the subject matter of such contract or agreement.

(b) Notwithstanding sections 28:3–301 through 307 of the District of Columbia Code, no claim or defense arising out of a retail installment transaction which the buyer has against the seller, and which would be cut off by negotiation, shall be cut off by a provision in the contract or by transfer or negotiation of the contract or of a related promissory note to any third person, unless such contract or note is accompanied by a certificate, in such form as the Commissioners may by regulation prescribe, signed by both the buyer and the seller or their respective representatives and indicating the date each of them so signed, stating that the consumer goods which are the subject of the contract have been delivered to and received by the buyer or his representative and appear to be those consumer goods which he purchased, or, if the contract is one for services, that the services which are the subject of the contract have been completely performed in accordance with the terms of the contract.

(c) If, as part of or in connection with a retail installment transaction, a note is taken by the seller, such note shall refer to the retail installment contract out of which it arises, and no subsequent holder shall be entitled to hold such note as a holder in due course unless the note or the contract out of which the note arose is accomplished by the certificate referred to in subsection (b).

(d) No person shall, in advance of the full delivery of the consumer goods which are the subject of a retail installment contract, or in advance of the full performance of services which are the subject of such a contract, require or permit the buyer to sign the certificate referred to in subsection (b), nor shall any person indicate or permit to be indicated on such certificate any date other than the date on which the buyer and the seller or the representatives of each of them, respectively, signed such certificate. Any person who requires or allows the buyer to sign such certificate in advance of delivery of the consumer goods or the performance of the services, as the case may be, and any person who places on such certificate a date other than the date on which the seller and the buyer, or the representatives of each of them, respectively, signed such certificate, shall be in violation of this Act.

(e) The execution by the buyer of the certificate referred to in this section shall not estop the buyer from asserting against the seller such rights and defenses as the buyer may have against the seller.

(f) The Commissioners are authorized by regulation to prescribe the form and content of the certificate referred to in this section, and to make such other regulations as may be necessary to carry out the purposes of this section.

Sec. 10. Notwithstanding section 28:9–208 of the District of Columbia Code, a buyer shall be given a written receipt for any payment when made in cash. Upon the written request of the buyer, the holder of a retail installment contract, whether such holder be the seller or an assignee of the contract, shall give or forward to the buyer a written statement of the total amount paid by him during such period as he may designate, but not in excess of three years prior to the date of such request, and also including either (1) a statement of the dates and the amounts of each of the payments made by him or on his behalf, or (2) the sum of the payments made by him or on his behalf during each billing period, depending on the manner in which the holder of the contract maintains his records. Such requested statement shall be given the buyer without charge not more often than once every six months. If any additional statement is requested by the buyer, it shall be supplied by the holder of the contract at a charge not in excess of one dollar for each additional statement so supplied.

Sec. 11. Notwithstanding section 28:9–504 of the District of Columbia Code, in cases of repossession of consumer goods which are serving as collateral, no debtor shall be liable for such amount of expenses, attorneys' fees, and legal expenses arising out of the retaking, holding, or resale of such goods as may exceed the amount realized from the sale of the collateral, nor shall any debtor be liable for any deficiency remaining after the disposition of the collateral in excess of the balance which, at the time of repossession of such collateral, remained unpaid under a retail installment contract or revolving charge account agreement, but nothing herein contained shall be construed to relieve the debtor of liability for reasonable costs accruing in connection with the collection of such unpaid balance.

Sec. 12. In any action brought by a debtor under the authority contained in the third sentence of paragraph (1) of section 28:9–507 of the District of Columbia Code, based on the alleged failure of the secured party to dispose of collateral in accordance with the provisions of part 5 of the Uniform Commercial Code for the District of Columbia, the prevailing party shall be entitled to reasonable attorneys' fees and legal expenses incurred by him which shall not, in the aggregate, exceed 50 per centum of the amount in issue, as provided by such third sentence of paragraph (1) of such section 28:9–507.

Sec. 13. With the exception of the function of making regulations to carry out the purposes of this Act, the Commissioners are authorized to delegate, with power to redelegate, any of the functions vested in them by this Act.

Sec. 14. No regulation shall be adopted by the Commissioners under the authority of this Act until after a public hearing has been held thereon.

Sec. 15. No person shall, with respect to any statement required or authorized by this Act, or required or authorized by regulations promulgated under the authority of this Act to be filed with the Commissioners, knowingly include therein any false information.

Sec. 15. (a) Any person who shall willfully violate any provision of this Act or of any regulation promulgated by the Commissioners under the authority of this Act, shall be punished by a fine not exceeding $500 or by imprisonment for not more than six months, or both.

(b) Prosecutions for violations of this Act, or of the regulations made pursuant thereto, shall be conducted in the name of the District by the Corporation Counsel or any of his assistants.

Sec. 17. In case of failure by a seller to comply with the provisions of this Act, except as a result of an inadvertent or bona fide error, such seller shall be barred from recovery of any service charge or of any delinquency, collection, extension, deferral, or refinance charge imposed in connection with a retail installment contract or revolving charge account agreement, and the buyer shall have the right to recover from such seller an amount equal to any of such charges paid by the buyer either to the seller or to any subsequent holder, plus reasonable attorneys' fees not to exceed the amount recovered; but nothing herein contained shall be construed as relieving the buyer from paying to the seller or such subsequent holder an amount equal to the cash price of the consumer goods or services and the cost to the seller of any insurance included in the transaction.

Sec. 18. The authority and power vested in the Commissioners by any provision of this Act shall be deemed to be additional and supplementary to authority and power now vested in them, and not as a limitation.

Sec. 19. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or the application of this Act which can be effected without the invalid provision or application, and to this end the provisions of this Act are severable.

Sec. 20. This Act shall take effect on the first day of the first month which begins more than ninety days after the date of enactment of this Act.

INTRODUCTION OF BILL AMENDING DISTRICT OF COLUMBIA PUBLIC SCHOOL TEACHERS RETIREMENT ACT

Mr. MORSE. Mr. President, I introduce for appropriate reference a bill to amend the act entitled "An Act for the retirement of public school teachers in the District of Columbia," approved August 7, 1946.

The purpose of the bill is to permit teachers upon retirement to have their unused accumulated sick leave added to the length of their service in computing their annuity benefits, and to allow schoolteachers with 30 years of service to retire at the age of 55 without any reduction in their annuity.

I ask unanimous consent that the bill be appropriately referred, and that the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and without objection, will be printed in the Record.

The bill (S. 317) to amend the act entitled "An Act for the retirement of public school teachers in the District of Columbia," approved August 7, 1946, introduced by Mr. Morse, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the Record, as follows:

S. 317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (60 Stat. 875), as amended (D.C. Code, sec. 31–723), is amended (1) by striking out ", reduced by one-twelfth of 1 per centum for each full month such teacher is under sixty years of age" in subsection (b); and (2) by adding at the end thereof the following new subsection:

"(e) The total number of days of accrued and accumulated sick leave of any teacher, remaining unused at the time of his retirement under this Act, shall be considered a part of his term of service for the purpose of computing his annuity under this Act."

Sec. 2. The amendments made by this Act shall be applicable only in the case of persons retiring on or after the date of the enactment of this Act.

INTRODUCTION OF BILL TO PROVIDE FOR PUBLIC DAY AND FOSTER HOME CARE SERVICES FOR CHILDREN IN DISTRICT OF COLUMBIA, AND SO FORTH

Mr. MORSE. Mr. President, I introduce for appropriate reference a bill to authorize the District of Columbia Commissioners to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children.

The first title of the bill provides specific authorization for the government of the District of Columbia to provide public day care services for children in such manner as to enable them to qualify for allotments of Federal funds under section 527 of the Social Security Act. Title II amends the District of Columbia Public Assistance Act of 1962 so that in administering its provisions relating to aid to dependent children, the District government shall provide public assistance in the form of foster home care to the dependent children described in section 408(a) of the Social Security Act as amended in 1962.

This bill is identical to S. 2212 which was reported unanimously by the District of Columbia Committee to the Senate. The Senate passed the bill on June 30, 1965, by unanimous vote. I plan to hold early hearings on this proposal by my District of Columbia Subcommittee on Public Health, Education, Welfare, and Safety.

Mr. President, I ask unanimous consent that the bill be appropriately referred and that the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 318) to authorize the Commissioners of the District of Columbia to establish and administer a plan to provide for the care and protection of children through public day care services, and to provide public assistance in the form of foster home care to certain dependent children introduced by Mr. Morse, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 318

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—PUBLIC DAY CARE SERVICES

SEC. 101. (a) In order to provide adequately for the care and protection of children whose parents are, for part of the day, working or seeking work, or otherwise absent from the home or unable for other reasons to provide parental supervision, the Commissioners of the District of Columbia are authorized, within the availability of appropriated funds, subject to the provisions of section 102 of this title, to establish and administer a plan providing for public day care services in the District of Columbia, including the provision of day care in facilities (including private homes) which are licensed by the District of Columbia.

(b) Any plan established by the Commissioners under subsection (a) of this section shall, subject to the provisions of section 102 of this title, provide—

(1) for the administration of such plan by the Department of Public Welfare, which shall set standards requiring operation of the program by personnel professionally trained in the fields of welfare, education, and health;

(2) for cooperative arrangements by the Department of Public Welfare with the Department of Public Health, Board of Education, Department of Recreation, and the National Capital Housing Authority to assure their maximum utilization in the provision of necessary services for children receiving day care and in the setting of standards for daycare agencies;

(3) that the Department of Public Welfare may purchase care from private organizations or individuals which are licensed by the District of Columbia and which are operating under standards approved by the Department of Public Welfare;

(4) for the payment by the parent of that portion of the fee which the Department of Public Welfare determines that the parent is able to pay; and

(5) that the Department of Public Welfare shall give priority to members of low-income groups and in particular to such members who are in work-training programs.

SEC. 102. In establishing any plan pursuant to this title, the Commissioners of the District of Columbia shall do so with a view to having such plan qualify for Federal funds under part 3 of title V of the Social Security Act.

TITLE II—FOSTER HOME CARE FOR CERTAIN DEPENDENT CHILDREN

SEC. 201. The District of Columbia Public Assistance Act of 1962 (76 Stat. 914; D.C. Code, sec. 3-201), is amended by inserting immediately after section 22 the following new section:

"SEC. 22A. In administering the provisions of this Act relating to aid to dependent children, the Commissioners shall provide public assistance in the form of foster home care to dependent children who are described in subsection (a) of section 408 of the Social Security Act and who are considered to be dependent children under this Act. In providing public assistance to such children, the Commissioners shall meet all the requirements contained in such section 408, as a condition to Federal payments under title IV of such Act on account of expenditures with respect to such children; except that the Commissioners shall not deny such assistance to any child otherwise eligible therefor because of the failure or refusal of the unemployed parent of such child to seek or accept employment or to participate in any program of vocational education, training, or rehabilitation."

SEC. 202. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

BIPARTISAN JOINT RESOLUTION TO REQUIRE THE ADMINISTRATION'S EMERGENCY STRIKE RECOMMENDATIONS

Mr. JAVITS. Mr. President, on behalf of myself and Senators MORSE, BREWSTER, DOMINICK, FANNIN, FONG, HATFIELD, KUCHEL, MILLER, MONRONEY, MURPHY, PEARSON, PERCY, PROUTY, SCOTT, and THURMOND, I introduce, for appropriate reference, a joint resolution to require the administration to make a complete study of existing emergency strike laws and to make recommendations to the Congress within 4 months for improvements in such laws.

The full text of the joint resolution is as follows:

The Secretary of Labor is hereby directed to commence immediately a complete study of the operations and adequacy of the emergency labor disputes provisions of the Railway Labor Act and the Labor-Management Relations Act, and to report to the Congress, no later than 120 days after enactment of this Joint Resolution, the findings of such study together with appropriate recommendations for such amendments to the Railway Labor Act and the Labor-Management Relations Act as will provide improved permanent procedures for the settlement of emergency labor disputes.

It is regrettable that the President neglected to include in his state of the Union message the need to remedy one of the most glaring deficiencies in our laws—the absence of means to protect the public interest when a national emergency strike or a lockout occurs after all "cooling off" periods have been exhausted.

This is regrettable not only because action to protect the public in such instances is long overdue, but because most experts believe that the Nation this year will face an unusually large number of difficult labor-management negotiations in industries crucial to the health and safety of the country.

Just a year ago, in his 1966 state of the Union address, the President announced his intention to propose improvements in our emergency strike laws. These proposals were never made to the Congress, and they were not even mentioned in last Tuesday's message.

A political leader with the wide and long experience of the President cannot possibly believe that this problem will somehow go away if no mention is made of it. And he certainly cannot believe that the likelihood of major crises in this field is any less this year when our economy is strained by inflation and the prospect of many difficult labor-management negotiations.

The resolution I introduce today with Senator MORSE and others is, I believe, a fair way to proceed and does not prejudice anything. It is essential that it be acted on now before the Nation is actually faced with a strike or lockout that could imperil the national interest because we have no adequate law on the books, and then the administration and the Congress together can debate corrective legislation on its merits, without becoming entangled in the politics of a particular labor-management dispute.

This resolution provides that the Secretary of Labor shall study the existing laws we have concerning emergency labor disputes and give us within 120 days of enactment the administration's recommendations for improving them.

The provisions of this resolution are identical to those contained in an amendment I proposed to the minimum wage bill, which the Senate adopted but which was lost in conference. The identical provisions were also offered by me as an amendment to the joint resolution on the 1966 airlines strike, and again they passed the Senate but died when the bill itself became unnecessary because of the strike settlement.

We in the Senate face a crucial issue before the people of the United States and we still have an opportunity—and a clear duty—to get this measure enacted into law this year on its own merits.

At least three aspects of our present situation are clear:

First, existing laws on national and regional emergency labor disputes are inadequate. Every American knows it, and the President is no exception, for he has acknowledged it on previous occasions.

Second, unless we pass general laws to protect the public, we will inevitably end up, time after time, with "crisis" bills satisfying no one.

And third, it is crystal clear that the administration is presently caught in the paralysis of a dilemma of its own making, for the administration has acknowledged that we need new laws and yet is unwilling to proceed without a consensus. But it ought to be clear beyond question that a consensus as to this type of legislation is next to impossible—and in any event, this is one legislative area where the best bill is not always the most popular.

We ask only for the administration's best judgment. That is all we need, but we need it now, not when we are faced with other emergency situations and are forced again to play "hide and seek" with an administration unwilling to say what it wants or even whether it wants anything at all.

We in the Congress owe it to the American people first, to demand that the administration take a stand, one way or the other; and second, to move deliberately to enact legislation to prevent a repetition of the sorry spectacle of last year, with Congress desperately seeking a solution to the airline dispute and the administration absolutely powerless under existing law and absolutely unwilling to ask for new laws and equally unwilling to say that it did not want new laws.

We need to avoid a repetition of the 1963 rail work rules bill and the 1966 airline strike bill by finding a general mechanism which can be invoked without resort to Congress each time the public health or safety is in danger. And we need to know where the administration stands and what it wants.

This resolution is in no sense "buck passing," for it is an affirmative assumption of responsibility by the Congress in an area where only the Congress can legislate. Yet there is no escaping the fact that the administration's views are important and we are entitled to have them.

All we ask is that the administration give us the benefit of its experience, its expertise, and its best judgment. With that as a starting point, I have no doubt that we can fashion sound legislation to protect the public interest when strikes or lockouts imperil the national health and safety.

I send the resolution to the desk, with the hope that it will be agreed to and will receive the attention and careful consideration of the President of the United States.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

Mr. JAVITS. Mr. President, I ask unanimous consent that this joint resolution be held at the desk for 10 days for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

The joint resolution (S.J. Res. 9) to direct the Secretary of Labor to study the operations and adequacy of the emergency labor disputed provisions of the Labor-Management Relations Act and the Railway Labor Act and to make appropriate recommendations for improvements in such laws, introduced by Mr. JAVITS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

GOLDEN SPIKE CENTENNIAL CELEBRATION COMMISSION

Mr. MOSS. Mr. President, I am today introducing a joint resolution to provide for the establishment of a Golden Spike Centennial Celebration Commission to work with a similar group set up by the Utah State Legislature in planning an appropriate commemoration of the 100th anniversary of the linking of the United States by transcontinental railroad.

I introduced a similar resolution in the 89th Congress which was passed by the Senate, but on which the House of Representatives did not take action. I am reintroducing the resolution early in this Congress in the hope that both houses will consider and pass it in the first months of the session.

The Golden Spike Centennial comes up May 10, 1969. That is just 2 years and a few months from now. We need at least 2 years to make adequate plans to properly celebrate that momentous day at Promontory, Utah, when twin bands of steel were joined together with a golden spike, welding the Nation from sea to sea.

The hundredth anniversary of this union offers us an opportunity to pay tribute to the leadership and vision which produced the railroad and to the endurance of the men who laid the rails. It also gives us a time and a place to pay special tribute to the railroad industry of today and all of the men and women who are a part of it.

Utah is already planning to make the centennial a great event. The colorful history of the laying of the rails, and of the driving of the spike itself, offer an opportunity for drama and pageantry. The passage of my bill in the first session of the 89th Congress to establish the Golden Spike National Historical Site has given the National Park Service the authority to undertake, and I trust complete, a broad program of development in time for the celebration.

The purpose of the resolution I am introducing today is to provide the machinery through which the Federal Government can cooperate with the Utah Golden Spike Centennial Commission, with patriotic and civic organizations, and with the railroads themselves in planning the most appropriate and effective celebration possible. The driving of the golden spike was not only an event of national importance, it was a turning point in our history. It marked the end of an era, and the beginning of a new one. The day of the covered wagon and stagecoach was largely over; America was on the way to becoming a modern industrial giant.

The resolution calls for the establishment of a 13-member Commission, composed of eight members from the House and Senate and five members appointed by the President. It authorizes a modest sum of money for payment of the expenses of those who participate in its work, and provides for its dissolution as soon as the celebration has been concluded.

STANDING COMMITTEE ON URBAN AFFAIRS

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and Senator JAVITS, I submit for appropriate reference a resolution to create a standing Senate Committee on Urban Affairs.

The single most salient fact of our domestic society today is this: More than 70 percent of the American people live in cities and suburbs.

The second most salient fact is that this is going to increase rapidly, both in percentage and in numbers of people. Well before the turn of the century, the demographers say there will be more than 200 million urban Americans. Thirty years ago, this would have been inconceivable. Thirty years hence it will be a fact.

Unfortunately, Congress, when it comes to dealing with the cities, is organized to deal with the America of 30 years ago. The result is ineffectiveness and confusion today. It will be chaos tomorrow.

The hearings so ably conducted by Senator RIBICOFF are beginning to focus national attention on the failure of Congress to deal effectively with the cities. A picture is beginning to emerge of creative but isolated efforts to cope with the problems—and the potential of the city. The picture shows that while individual programs have had some success, these successes have had small impact on the cities as an entity.

Perhaps the story of the three blind men asked to describe an elephant will illustrate what I mean. The first blind man felt the elephant's trunk and described the animal as being very much like a very large snake. The second grasped the elephant's leg and described him as being very much like a tree trunk The third blind man chanced to get hold of the elephant's tail and said the resemblance to a broom was amazing.

In a sense, we in Congress have been like those blind men. We have attacked crime in the cities, poverty in the cities, transit, housing, schools, and an almost endless number of other problems. But the living, breathing entity which is the cities has eluded us.

It will continue to do so until we organize ourselves to meet the realities of today and tomorrow. That is why I testified before Senator RIBICOFF last year that Standing Committees on Urban Affairs ought to be established in both Houses of Congress.

That is why I subsequently introduced a resolution to create a standing Committee on Urban Affairs in the Senate.

That was in September, too late for congressional action last year.

Since Congress adjourned, I have been in touch with mayors and city managers all over the country, seeking their advice and comment on the proposal to establish a standing Committee on Urban Affairs in the Senate.

I have received letters from more than 75 of them. Almost unanimously, they favor the establishment of such a committee. Most of the letters are highly enthusiastic. And a good many either offer to contact their representatives in Congress, seeking their support for this proposal, or say they have already done so.

Several themes run through these letters:

First. Many city officials are dismayed at the gap between congressional authorization and appropriation for city programs. They point out that the intent of Congress, as expressed in money authorized, is often frustrated in the appropriation process.

Second. Because of this and for other reasons, many of them favor the widely discussed proposal to turn a portion of the Federal revenues back to the lower jurisdictions without strings attached.

Third. Many are concerned over the lack of coordination in Federal programs for the cities.

Fourth. They express concern over the lack of congressional review of city programs.

Fifth. They are concerned that the Department of Housing and Urban Development will be hampered in its efforts to launch sound, effective programs by lack of a sympathetic ear in Congress.

Sixth. City officials are unhappy because there is no designated committee in Congress for them to go to with their ideas and problems and no designated spokesman for them.

Mr. President, I should like, at this point, to introduce a sampling of these letters, some only in part, some in full:

Mayor Kenneth A. Schmied, of Louisville, Ky:

I agree with you that this is not only desirable, but necessary and concur with every argument you have advanced in support of this proposition.

James L. Caplinger, city manager of Springfield, Ohio:

At the present time when problems are encountered by a city in dealing with the various Federal programs, the city may contact its own senators or representatives. However, it would seem desirable to me to have a committee in the Senate so that constructive criticism and any ideas might be brought to the attention of such a body.

In summary, I would like to say that I completely agree with your proposal and would be happy to support it in any way possible.

Joseph A. DeGuglielmo, city manager of Cambridge, Mass.:

There is no question but that the problems of the cities have become so complicated and demand specialized treatment, research and solutions that in my judgment a Committee of Legislators specifically dedicated to the performance of this task would be a step in the right direction.

I am sending a copy of this letter to both Senator Kennedy and Senator-Elect Brooke, of Massachusetts, together with an expression of hope that they can see their way clear in endorsing your program.

Mayor Milt Graham, of Phoenix, Ariz.:

The City of Phoenix supports your resolution proposing to create a committee on urban affairs.

We feel that it is essential that the Congress look at our urban communities as a total entity. Various Federal programs affecting urban areas must be considered as a part of a total program to solve our urban ills. Without a standing committee that could look at the total impact of proposed Federal programs affecting an urban area, it is difficult for us to understand how the Congress could determine the effectiveness and total impact of the proposed programs. Separate committees of Congress are considering specific Federal programs in the urban area and no one committee is looking at the totality of urban programs as the committee's major assignment.

From the local standpoint a major advantage of the proposed Committee would be that local officials would have one Senate Committee to which they could bring most of their urban problems. At the present time, with a multitude of nearly 200 Federal programs affecting urban areas, it is very difficult for an official of a large city to know to which congressional committee he should turn for assistance and advice in a Federal program of vital importance to his community. Establishment of the type of committee you propose would at least give the local official a major point of contact on urban problems in Congress.

We strongly support your proposal and hope that the Senate will establish a standing committee on urban affairs at an early date.

A. P. Hamann, city manager of San Jose, Calif.:

For your information, I agree one hundred percent with your views and will be very happy to support you in any way possible relative to this matter.

Mayor Richard C. Lee, of New Haven, Conn.:

Your statement on a standing committee in the Congress to deal with urban affairs strikes a responsive chord with me. Believe me, it has a great deal of merit.

Count on me for any help, assistance, testimony, etc., you may wish to support such an idea.

Mayor J. D. Braman, of Seattle, Wash.:

I would certainly support any move that will make it possible for a better understanding to exist in Congress, leading hopefully to more concrete action. I am sure you are aware that a great feeling of frustration exists among those of us in city administration due to the well publicized authorizations for fine programs which do not seem to reach the point of implementation through appropriation.

Mayor John V. Lindsay, of New York, N.Y.:

Thank you for your letter regarding your resolution to establish a Standing Committee on Urban Affairs in the Senate. It is time that the Congress organized itself to deal effectively with the cities of the nation and I commend your leadership in this effort.

I have long advocated the establishment of permanent committees to oversee urban affairs in both Houses of Congress. Only the expertise and continuity of a permanent committee can insure that the complex legislation needed to deal with the problems of urban America will receive the attention it requires.

I pledge my full support to your resolution.

Mayor Lauris S. Parker, of Juneau, Alaska:

Thank you for your letter of November 23 citing the necessity for establishment of Standing Committees to deal with city problems. I will personally support your efforts. Further, we are taking this matter to the directors of our Municipal League for their study and action.

Mayor William V. Musto, of Union City, N.J.:

Thank you for the September 8, 1966 copy of the Congressional Record. Your statement was excellent and has my full support. There is no question but that the Federal government has for too long neglected the cities of America. While of late there has been some change in attitude, it is still apparent that we have a long way to go if we want to save our cities.

Be assured your proposal for a Standing Committee on Urban Affairs has my full support and I trust the support of all the local officials in America.

Mayor Carmen J. Armenti, of Trenton, N.J.:

This is to inform you that I will heartily support your statement to the United States Senate on September 8, 1966, regarding the creation of a Committee on Urban Affairs in both Houses of Congress.

Your enthusiasm and concerted efforts in trying to revitalize the undernourished cities of the United States are certainly encouraging to those of us who are in the every day fight.

I will do everything that I can do to persuade the other Mayors of New Jersey to support you, and to persuade the members of the Senate to act favorably upon your Resolution.

W. B. Browning, city manager of Champaign, Ill.:

Your proposal to create standing committees in both Houses of Congress to deal with the problems of the cities certainly makes good sense to me and I heartily endorse the idea. Certainly if the problems of agriculture are deserving of consideration by standing committees, the urban problems of our nation which affect a much greater number of American citizens should receive no less attention.

Should you proceed with your plans to reintroduce the proposal in the next session of Congress, I am sure Mayor Dexter would join with me in urging Senator Dirksen and Senator Percy to support you in the matter.

Mayor James M. Beck, of Valdosta, Ga.:

I was quite happy to receive your letter of November 23rd regarding the creation of a Senate Committee on Urban Affairs.

Each session of Congress creates new Federal Aid Programs and then fails to fund them adequately to accomplish the purpose for which they are intended. A Committee such as you propose should be created. It should endeavor to review all urban programs, and it should recommend that those for which funds are not sufficiently provided be terminated.

The multitude of programs in existence and the lack of coordination between them is probably the direct result of our failure to have any specific group to study and evaluate the various proposals that are presented—weighing the intent and success of one as related to the other.

The problems of our municipalities are indeed increasing at a rapid rate and deserve immediate recognition and assistance from both the State and Federal level. Be assured of my support for your resolution. I shall communicate my feelings on this to our distinguished Senators from Georgia.

Mayor John J. Nosser, of Natchez, Miss.:

I am in hearty agreement with you in creating standing committees in both Houses of Congress to deal with the cities problems. However, I suggest that the Federal Aid should be given to the cities on a percentage or per capita basis without any strings attached by the Federal Government. This will materially cut down the expenses of the ever growing Federal governmental bureaus handling the Federal Aid Grants and give the cities who know more about their problems than anyone else a chance to utilize the Federal Aid Grants to their best interests and advantage.

Mayor Frank Slattery, of Wilkes-Barre, Pa.:

I am writing to both Pennsylvania Senators and to all House members known personally to me. You are right. May you prevail.

Kester L. Dotts, city manager of Petersburg, Alaska:

The City of Petersburg operates on a five (5) year capital improvement program which is updated each year and we call on HUD and other Federal Agencies for assistance at all times. We are not now faced with many of the problems that our Cities in the lower 48 states have but from all indications their problems will be ours in a very few years. Such a committee as you have suggested would, I am certain, be most beneficial in assisting Cities regardless of their size or location.

Mayor Alfonso J. Cervantes, of St. Louis, Mo.:

I believe that your proposal for a standing committee on Urban Affairs would be highly advantageous and necessary for the implementation of the ideals held out in the Demonstration Cities and Metropolitan Development Act of 1966.

I am forwarding copies of this letter to you to the Missouri Senators and Representatives.

Cornelius Bodine, Jr., city manager of Sioux City, Iowa:

I have distributed copies of your letter and your Senate Resolution 302 to the members of the City Council and other concerned parties here, and we have an appointment with Congressman-elect Wiley Mayne, Republican of the Sixth District of Iowa, to discuss your proposal, among other things.

I personally believe your proposal would make for improved committee structure in Congress. We appreciate your letter of November 23, 1966 and will advise you of any further developments here.

Mayor Mary Alberta Bennett, of Jackson, Mich.:

Your remarks on the importance of creating a Committee on Urban Affairs in the Senate, delivered on Sept. 8, 1966 before that body, expressed very well indeed the problems faced by cities. I agree wholeheartedly with all you said, and certainly would want to support the creation of Standing Committees on Urban Affairs in both Houses. Please let me know if there is any way I can help in connection with this resolution.

Mayor M. C. Benton, Jr., of Winston-Salem, N.C.:

It would appear that the newly organized Department of Housing and Urban Development might function with more dispatch and efficiency under such a committee.

Mr. President, the Supreme Court, in its one-man, one-vote decision has recognized the changed structure of American life by restoring to the once gerrymandered city dweller the full power of the ballot.

The executive branch has recognized the changed structure of American life by establishing a Department of Housing and Urban Development.

And this Congress must recognize the changed structure of American life by creating standing Committees on Urban Affairs in both Houses.

As we look to the future of our life in America, we must think of the style and quality of the life we are building for future generations. The migration to the cities has fundamentally changed the structure of America from rural to urban. These people deserve the full time and attention of the Congress. They deserve a committee to study their problems and make appropriate legislative recommendations to the full Senate. They need, if you will, an in-house lobby to speak and to argue for their interests, as the Agriculture Committee does for the farmer and the Space Committee does for the space program. They need the help that a full-time staff can give to the Congress in developing new and better programs for our hard-pressed cities.

Mr. President, there are two very practical reasons for the establishment of such a committee now. The funds we authorize for use in our cities are already vast and are growing each year. We have a serious responsibility to exercise the closest legislative oversight of what funds are authorized and how they are ultimately used. This body should have the advice and assistance of a committee adequately staffed, to study the total impact of Federal aid on our cities, to review the successes and failures of the existing programs, and to develop bold and imaginative new proposals for the years ahead.

I am also gravely concerned about the course the newly developed Department of Housing and Urban Development will take. It is my deep conviction, which I am sure is shared by Secretary Weaver and his able assistants, that the emphasis of the Department should be at least as much on urban development as it is on housing. In supporting the creation of this Department, it was not my intention just to give the FHA a glamorous new title and a prestigious letterhead. I wanted and supported a department that will imaginatively explore the area of mass transportation, proper land use, better zoning laws, and good urban design. It should not be, and I am confident it will not be a mere housekeeping or moneylending agency.

But to perform its task, to survive and to grow in the internecine jungle warfare of downtown bureaucracy, it needs the assistance and support that only a full standing committee of the Congress can give it. It seems strange to me that the newly born space program very promptly received the help of a full-time legislative committee. Surely if one agency and the expenditure of $5 billion can justify the attention of a full committee, the millions of Americans and the billions of dollars at work in our cities deserve as much or more attention and study. I, for one, am much more interested in abolishing the cancerous ghettos of our cities, than I am in exploring the craters of the moon.

Lunar mineralogy and navigational stuntsmanship in outer space is all well and good, but it seems to me that our order of priorities and of values is seriously out of kilter if we spend more time on the beauties of pure scientific research than we do on the ugliness and the deprivation that scar and destroy the lives and the happiness of the city dweller.

Mr. President, the reform I am offering is long overdue. Those who are in positions of responsibility in our cities, large and small, are beginning to clamor for Congress to recognize the duty it owes to the millions of Americans who work and live in our cities.

They, and I, seek the creation of a Senate Standing Committee on Urban Affairs. I ask unanimous consent to have the text of this resolution printed in the RECORD. I also ask unanimous consent to have the resolution held at the desk for cosponsors until January 20.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, will lie on the desk for cosponsors until January 20; and, without objection, the text of the resolution will be printed in the RECORD.

The text of the resolution is as follows:

S. RES. 14

Whereas more than three quarters of the population lives in cities or in urban areas; the problems of the cities continue to increase and our cities are in crisis, and

Whereas the Congress has given increasing attention and importance to assisting the citizens of our cities to improve the quality of their life and the places where they live,

Whereas the Congress, through transportation and housing, education, air and water pollution, and urban development has recognized the needs of our cities and moved to help our cities,

Whereas the Congress has created a Cabinet Department of Housing and Urban Development whose principal responsibility is the development and improvement of the quality of life in our cities,

Whereas to fulfill its responsibilities to our cities and their inhabitants, the Congress should be prepared to devote its full attention and study to the problems of cities, to exercise continuing and informed legislative oversight of the expenditures of Federal funds to assist our cities, and to assist the Department of Housing and Urban Development to fulfill the mission assigned to it by the Congress: Therefore be it

Resolved, That (a) paragraph (e) of section 1 of rule XXV of the Standing Rules of the Senate is amended by striking out subparagraph 4 and by redesignating subparagraphs 5–9 as subparagraphs 4–8, respectively.

(b) Section 1 of such rule is further amended by inserting after paragraph (p) a new paragraph as follows:

"(q) Committee on Urban Affairs, to consist of fifteen Senators, to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Public and private housing.

"2. Recreation and open space in urban areas.

"3. Urban mass transportation.

"4. Measures relating to urban planning and development.

"5. Air and water pollution originating in urban areas."

(c) Section 4 of such rule is amended by striking out "and the Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and the Committee on Urban Affairs."

SEC. 2. This resolution shall take effect on the first day of the first session of the Ninety-first Congress.

STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. McGOVERN. Mr. President, I submit for appropriate reference a resolution to create a Standing Senate Committee on Veterans' Affairs.

My resolution calls for the establishment of a nine-member Senate committee which will have exclusive jurisdiction over all veterans' matters and legislation relating to veterans. In the past, this responsibility has been divided between the Committee on Labor and Public Welfare and the Committee on Finance. In spite of the dedicated efforts of the members of these two committees, serious problems have resulted from this division of responsibility. Far too often, in the closing days of Congress, important veterans' bills are not given the careful attention which they would receive from a Standing Committee on Veterans' Affairs. This was never more evident than last year, when a much-needed veterans' pension bill died on the Senate calendar at adjournment.

It seems to me that the more than 23 million veterans and their dependents deserve to have their problems considered by a specialized committee in the Senate. Such a committee has existed for some time in the House.

Not only would a Standing Committee on Veterans' Affairs facilitate the business of the Senate, but it would reaffirm our commitment to assure our Nation's veterans of the best possible treatment.

The resolution which I am introducing has the wholehearted support of the major national veterans' service organizations and many thousands of veterans in my State of South Dakota. I strongly urge the Senate to approve it.

Mr. President, I ask unanimous consent that the text of my resolution may be printed at this point in the RECORD.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 15) was referred to the Committee on Rules and Administration, as follows:

S. RES. 15

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (1) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs."

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Ninetieth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

RANDOLPH INTRODUCES RESOLUTION TO CREATE COMMITTEE ON VETERANS' AFFAIRS IDENTICAL TO S. RES. 55 OF 89TH CONGRESS AND EARLIER RESOLUTIONS

Mr. RANDOLPH. Mr. President, in 1961 and 1963 I joined with my colleagues, particularly Senators DIRKSEN and CANNON in cosponsoring legislation to create a standing Committee on Veterans' Affairs. In 1965, I introduced Senate Resolution 55, which was cosponsored by many of my distinguished colleagues, to give full committee representation, and consideration of the affairs of our more than 23 million veterans, to one single, responsible legislative unit.

I did not want then, and I do not want now, to suggest that the present Senators on the various subcommittees of different Senate committees are not performing their duties in an entirely commendable manner in the area of veterans' legislation. Our record as a body is certainly respected in this regard.

However, Mr. President, I have consistently urged that we create a single committee to supervise all veterans' legislation, as we have done in other important areas of concern. For this reason, while I am pleased to be among the cosponsors of Senate Resolution 8, introduced yesterday by Senator DIRKSEN, and Senate Resolution 13, introduced yesterday by Senator CANNON, I am taking this opportunity to introduce a resolution identical to my resolution in the 89th Congress—in order to emphasize the fact that I continue to be convinced that we should have such a committee. I state this in my present position of Chairman of the Subcommittee on Veterans' Affairs of the Senate Committee on Labor and Public Welfare. I further believe we would gain experience in having a full committee to deal with veterans' legislation.

Mr. President, my colleague, Senator BYRD of West Virginia, joins me as a cosponsor of this resolution.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD, and, without objection, will lie on the desk.

The resolution (S. Res. 16) was referred to the Committee on Rules and Administration, as follows:

S. RES. 16

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (1) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and Committee on Veterans' Affairs".

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Ninetieth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

PROPOSED INVESTIGATION INTO THE WORKINGS OF THE POVERTY PROGRAM

Mr. CLARK. Mr. President, I send to the desk on behalf of myself and the senior Senator from New York [Mr. JAVITS], for referral to the Committee on Labor and Public Welfare, a resolution providing for an investigation into the workings of the poverty program, and ask that it be printed in the RECORD.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 17) was referred to the Committee on Labor and Public Welfare, as follows:

S. RES. 17

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to poverty including, but not limited to, such matters as (a) the provisions of the Economic Opportunity Act of 1964 and other acts pertaining to poverty with a view to ascertaining the extent to which changes in such Acts are desirable; (b) the nature and effectiveness of and the relationships between the programs of the Federal Government and the programs of State and local government and the activities of private organizations dealing with the problems of poverty and; (c) the degree of additional Federal action desirable in this area.

SEC. 2. For the purposes of this resolution the committee, from the effective date hereof to October 31, 1967, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, *to utilize the reimbursable services,* information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall present a report on its findings, together with recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than July 31, 1967.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $252,510, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AMENDMENT OF RULE RELATING TO CLOTURE—AMENDMENT TO SENATE RESOLUTION 6

AMENDMENT NO. 1

Mr. MORSE submitted an amendment, intended to be proposed by him to Senate resolution 6, relating to amendment of the rule relating to cloture, which was ordered to lie on the table and to be printed.

AMENDMENT OF RULE XXII—AMENDMENT OF SENATE RESOLUTION 7

AMENDMENT NO. 2

Mr. MILLER. Mr. President, I send to the desk an amendment to Senate Resolution 7, and ask that it be printed.

I understand that either Senate Resolution 7 or Senate Resolution 6, relating to the amendment of the cloture rule of the Senate will probably be motioned up at a later hour or a later date. By filing this amendment I wish to serve notice that in the event consideration is given to either of these resolutions I shall propose my amendment to these resolutions to change the proposed rule XXII to provide that a constitutional three-fifths vote of the Members of the Senate will be sufficient to invoke cloture, with this proviso: That a majority of the Members of the Senate from the two major political parties also have voted in the affirmative.

In my judgment present rule XXII is defective in that under certain circumstances, such as existed during the past 2 years, it would be possible for all Members of one political party in the Senate to invoke cloture and time limitation on the debate of the minority Members.

In my judgment, Mr. President, anything that comes before the Senate that merits a cloture vote should be a bipartisan measure of great national interest. I think that it ill behooves us to continue with a rule that lays a foundation for a lack of bipartisanship in the Senate on major national issues.

Therefore, I hope that Senators who are proposing both Senate Resolution 6 and Senate Resolution 7 will be on notice that if they are able to obtain consideration by the Senate of their resolutions, my amendment will be offered to their resolutions.

I believe that my proposal would be a step forward in that by requiring a three-fifths vote, it would make it a little easier, perhaps, to obtain cloture; and on the other hand it would have the plus value of assuring bipartisan support of time limitation in the Senate for the sake of bipartisanship on great national issues.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

EXTENSION OF TIME FOR BILLS TO LIE ON THE DESK

Mr. AIKEN. Mr. President, yesterday I introduced a bill to be known as S. 110 which provides several amendments to the medicare program. Since that bill has not already been printed I ask that it may remain at the desk until Friday, January 20, 1967, for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. COTTON. Mr. President, I ask unanimous consent that S. 15, which I introduced yesterday, and which I understand has not been printed, may lie at the table for 1 week to permit additional Senators to be cosponsors of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CLARK. Mr. President, I ask unanimous consent that the bill introduced earlier today by the Senator from West Virginia [Mr. RANDOLPH] which would create a standing Senate Committee on Veterans' Affairs may remain at the desk for an additional 10 days for cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

EXTENSION OF TIME FOR JOINT RESOLUTION TO LIE ON THE DESK

Mr. CLARK. Mr. President, I ask unanimous consent that the Senate Joint Resolution 2, introduced by the junior Senator from Indiana [Mr. BAYH] may remain at the desk until January 24 for the addition of cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

John F. Henning, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand.

David S. King, of Utah, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Robert L. Payton, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Cameroon.

William B. Buffum, of Maryland, a Foreign Service Officer of Class one, to be the Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Arthur E. Goldschmidt, of New York, to be the United States Representative to the Economic and Social Council of the United Nations, vice James Roosevelt.

Eugene Victor Rostow, of Connecticut, to be United States Alternate Governor of the International Monetary Fund for a term of five years and United States Alternate Governor of the International Bank for Reconstruction and Development for a term of five years.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

THE WALT DISNEY MEMORIAL CONSERVATION CENTER—TRIBUTE TO A UNIQUE AMERICAN GENIUS

Mr. KUCHEL. Mr. President, while the Congress was in adjournment, the world mourned a most unique and talented individual, a true international citizen, when Walt Disney passed from mortal life.

Disney was, of course, an outstanding resident of my native State. Far more than California was plunged into sorrow by word of his sudden death, for he had achieved through the play of his fertile imagination and virtuosity a degree of affection and prestige which is the lot of few human beings.

Just as earlier generations relished the precious contents of Edward Lear's "Nonsense Book" or learned from Kipling how the elephant got his trunk, so have innumerable persons been veritable subjects of the realm ruled by Mickey Mouse. Disney enchanted and delighted children of all ages and, I daresay, every nationality by giving versimilitude to a legion of fancied characters.

Modest and shy, yet at the same time bold and venturesome, Disney created his own memorials. The most conspicuous, of course, is an outstanding feature of my home community of Anaheim, where Disneyland's world of legend and fantasy has lured tourists from virtually every corner of the globe.

Before his death, only a few days following his 65th birthday, Walt Disney was engrossed in two other comparable undertakings. Both were conceived and designed to yield rewarding pleasure to fellow beings. Probably the most fabulous dream upon which he had barely embarked was for Disney World in Florida. At the same time, he was deeply committed to building a most ambitious winter-summer resort in our State, the $35 million Mineral King enterprise in Sequoia National Forest.

On this occasion, Mr. President, I feel it appropriate to include in a eulogy of this remarkable creator a suggestion that our Government acknowledge Disney's dedication to the cause of natural resources conservation and development. The Mineral King undertaking was not planned primarily for pecuniary return; in truth it was to be a facility which would enable hosts of people to get closer to nature and enjoy healthful, inspiring recreation. When this project comes into being, under a permit from the U.S. Forest Service there will be need for a public information center. Already preliminary plans are being formulated for such a facility by the Forest Service and the National Park Service. It would be fitting to name that facility "The Walt Disney Memorial Conservation Center," which could inform the world of the wonders and purposes of conservation in a manner harmonizing with Disney's ideals.

The tributes poured out to Walt Disney around the world are both imposing and heart moving. America loved and revered him; so did residents of many lands. I ask unanimous consent to have included in these remarks news accounts summarizing the romantic career of this versatile creator and a sampling of editorial expressions provoked by his lamented passing

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 16, 1966]

WALT DISNEY

Starting from very little save a talent for drawing, a gift of imagination that was somehow in tune with everyone's imagination, and a dogged determination to succeed, Walt Disney became one of Hollywood's master entrepreneurs and one of the world's greatest entertainers. He had a genius for innovation; his production was enormous; he was able to keep sure and personal control over his increasingly far-flung enterprise; his hand was ever on the public pulse. He was, in short, a legend in his own lifetime—and so honored many times over.

Yet none of this sums up Walt Disney. It is perhaps more meaningful just to say that he was the man who transformed the simple story of comic animals into a universal language. Or, even more simply, he was the father of Mickey Mouse and Donald Duck.

All of it, everything Walt Disney put his hand to, conjures up a sense of innocent, skipping gaiety and childlike curiosity; his achievements epitomize what is called "good, clean, American fun" that need be neither dull nor dour. This is what Walt Disney gave to us and the world, and it is all summed up in that friendly, engaging mouse named Mickey. It is not a small bequest.

[From the Philadelphia Inquirer, Dec. 16, 1966]

HE BROUGHT THE GIFT OF LAUGHTER

Walt Disney brought pleasure and wholesome entertainment to millions. He wrote once: "We are interested in doing things that are fun—in bringing pleasure and especially laughter to people." He succeeded to an extent impossible to measure.

He died on Thursday in a hospital close to the studio in Burbank where he had created hundreds of films, starting with a cartoon starring a certain Mickey Mouse. There have been many other Disney characters in the years since then: Snow White, the Seven Dwarfs, Donald Duck, even Mary Poppins, but his favorite always was Mickey.

Walt Disney arrived in Hollywood in 1923 with very little money and very big ideas, centering at first on a lively, talkative mouse. The mouse and his creator have become world celebrities since that meager beginning. Disney was to pioneer feature-length color cartoons, popularize nature films, become a mainstay of television, enter the recording and animation fields, and build Disneyland. He had been planning an even more fabulous amusement park in Florida.

Children, big and little, will always be in his debt. He brought them the gift of laughter.

[From the Los Angeles Times, Dec. 16, 1966]

WALT DISNEY: MAN AND MONUMENT

He was Aesop with a magic brush. Andersen with a color camera. Barrie, Carroll, Grahame, Prokofieff, Harris—with a genius touch that brought to life the creatures they had invented.

He was Walt Disney.

Walt died Thursday just 10 days after his 65th birthday. There will be grief in Bangkok and Bangor, in Cairo and Chicago, in Paris and Philadelphia, as grownups and moppets alike realize that this man's wonderful talent has been stilled.

And yet, in scores of films which must surely be revived, and in the concrete artifices of the marvelous Kingdom of Disneyland, his memory will endure. Mostly Walt will be remembered by the generations of children who glimpsed a more beautiful, more meaningful world through the gentle images he projected for them on countless screens around the globe.

Somehow it seems wrong to write a sad epitaph for Walt Disney, whose life was dedicated to sheer joy.

No man in show business has left a richer legacy than Walt Disney. One wonders how a greater legacy will ever be accumulated by one person, for bestowal upon those he leaves behind.

His own deserved rewards were substantial, of course, in the form of wealth, 29 Academy Awards, university degrees, and citations from all around the world. We think, though, that Walt's real joy must have come from seeing the flash of delight sweep across a child's face, and hearing his sudden laughter, at the first sight of Mickey Mouse, or Snow White, or Pinocchio.

In an era when too many moviemakers seemed to be outbidding each other for sensationalism, Walt Disney proved beyond a doubt that genuine entertainment did truly exist. His imprimateur on a film was the surest guarantee for wholesome fun, worth a dozen production seals.

Walt Disney's fruitful career is detailed elsewhere in The Times today. Read it. For therein lies inspiration, a sort of challenge, for those skeptics who think that we have become too sophisticated to understand that the simple good things of life are, after all, the best.

[From the San Francisco Examiner, Dec. 16, 1966]

WALT DISNEY

Walt Disney left the world a legacy of cheerful laughter, a most welcome commodity due to its short supply.

Who would have thought that a cartoon character, and a trouble-prone mouse at that, could become as durable a world figure as most in classical literature? Or that his "Snow White and the Seven Dwarfs," lending melodic substance to a fairy tale, would become as much a classic as the original tale?

After Disney had breathed life into a whole new art form, the animated cartoon replete with such delightful outrages against reality as Mickey Mouse, Donald Duck, Pluto and the others, he applied his own airy touch to the more conventional motion picture.

An unpretentious and engaging sentimentality marked these. "Mary Poppins" was a fantasy with a lilt to it and a gentle moral at the end. It filled the theaters. So did the other Disney movies, including his superb nature films, proving that despite a torrent of cinematic salacity, the American public has a strong taste for wholesome entertainment and will pay to satisfy it.

That may be Disney's best contribution to the contemporary scene.

[From the San Diego Evening Tribune, Dec. 16, 1966]

WALT DISNEY LET US SEE THE JOY, GOOD IN LIVING

Walt Disney personified the American dream. His life was a rags-to-riches story, a success based on hard work, brilliant ideas and strong ideals.

For Disney, obstacles were in life to be overcome. Dreams were there to pursue. And most of all, joy was to be shared.

Probably no man brought so much joy to so many people in this world as Disney. His business was entertainment and no one has done it better.

Everything Disney was connected with was designed to make life brighter, to show the good side of this world, to illustrate the virtues and ideals of the American way of life.

People knew they could go to any Walt Disney production and when it was over they would feel happy, their spirits lifted.

The American public knows only one sadness in connection with Walt Disney and that is in his death yesterday.

Disney was born in Chicago in 1901, grew up there and in Kansas City. He had his first real job at 15, although he had started working, helping his father, when he was nine.

Disney was a mail carrier in 1917 when he joined the American Red Cross and drove an ambulance in France in World War I. Even then he was trying to brighten life for others, despite the pain they might feel. He dressed his ambulance up with drawings and cartoon characters.

Disney had studied drawing and photography when he was in high school. After the war he returned to Kansas City and got a job as an artist in an advertising company.

Later Disney started experimenting with drawings and a camera. Thus, the Disney animated cartoons were born. There were many ups and downs, mostly downs, though, before his idea caught on.

But when they did catch, his animated cartoons spread across the country like a prairie fire—or rather they scurried like a mouse.

When he was still struggling in Kansas City, so the story goes, a mouse appeared in what he was then using for a studio.

Disney first named the creature Mortimer Mouse. Later he change the name to Mickey Mouse, the little character that catapulted Disney to fame.

After finally gaining success with his animated features, Disney started making full length films. Then he did nature studies such as "The Vanishing Prairie." Later he made household words and national heroes of Davy Crockett and Mary Poppins.

Disney realized another long-held dream when he combined history and entertainment in his giant amustment park, Disneyland. It was such a success there was almost an international incident when the head of one of the world's most powerful nations, Khrushchev of Russia, was not allowed to visit Disneyland.

Walt Disney, the man, is dead. The organization and companies he founded will continue his work and perpetuate his name.

The spirit of Walt Disney, though, will still be found in the eyes of all people everywhere—not in the tears they shed at his death, but in the twinkle of joy he put in those eyes.

[From the Los Angeles Times, Dec. 16, 1966]

WIZARD OF FANTASY WALT DISNEY DIES—DEATH COMES IN HOSPITAL NEAR BURBANK STUDIO

(By Harry Trimborn)

Walt Disney, the one-time Missouri farm boy who for more than a quarter of a century created fantasies that made a troubled world laugh, died Thursday.

Disney, 65, succumbed at 9:35 a.m. in St. Joseph's Hospital, Burbank, across the street from Walt Disney Productions, where more than 4,000 employes under the famous showman's driving leadership created worlds of make-believe.

Hospital and studio spokesmen declined to state the specific cause of death, saying only that he died of "acute circulatory collapse." A cardiologist was at his bedside when he died, the hospital said.

UNDERWENT LUNG OPERATION

Disney entered the hospital Nov. 2 and underwent surgery 19 days later for removal of a portion of his left lung. At the time, a studio official said Disney was admitted for treatment of an old neck injury received while playing polo.

"During the preliminary examination, a lesion was discovered . . ." stated a medical bulletin issued at the time. "A tumor was found to have caused an abscess which, in the opinion of doctors, required a pneumonectomy."

Studio officials, however, declined to say whether there was any malignancy.

Disney later was released, but was readmitted Dec. 5—his 65th birthday—for what was described as a routine post-operative checkup.

He never left the hospital again.

Funeral services will be private.

Since he began commercial cartooning in a Hollywood garage in the late 1920s, Disney created hundreds of characters out of ordinary barnyard animals, fashioned pure-hearted heroes and awesome villains that are instantly recognized in the remotest corners of the world.

There was Mickey Mouse, the squeaky-voiced rodent which carried Disney to fame and fabulous wealth after years of penny-pinching and frustration.

There was Donald Duck, Goofy, Horace the Horse, Pegleg Pete. There were characters of the classics—Snow White, Winnie the Pooh, Mary Poppins—who mouldered on library shelves until Disney brought them into the light of movie and television screens.

There was "Fantasia" and the imagination-capturing documentaries the "True Life Adventures," the films of the animal world, Davy Crockett and a new word, "supercalifragilisticexpialidocious."

There was Disneyland, 70 acres of the past, present and future wrapped up in a smile in Anaheim.

In all there were more than 600 films, ranging from full animation to a mix of live and cartoon characters, to works of flesh and blood actors.

The creations of Disney and his artists, musicians and actors brought an unending stream of honors to the soft-spoken showman, who liked to be addressed simply as Walt.

He won 31 Academy Awards, and more than 900 other citations from presidents, kings and queens, world statesmen and neighborhood service clubs.

A French magazine once proposed Disney for the 1964 Nobel Peace Prize. His characters knew no politics, and received affection from the young at heart of whatever political persuasion or ideology.

Yet Donald Duck and Mickey Mouse served their country in time of war. Millions of World War II GIs learned aerial bombardment or the mathematics of field artillery from training films peopled by Disney characters.

The password at Allied Supreme Headquarters in Europe on D-Day was: "Mickey Mouse."

ENGAGED IN PEACETIME PURSUITS

Mickey and his barnyard pals also engaged in serious peacetime pursuits. Disney made films for overseas distribution on methods of improving housing, sanitation, disease control and agricultural improvements.

There was more to come.

Disney has been engaged in creating a $40 million year-around recreation facility at Mineral King, a spectacular mountain area in the Sierra, 55 miles east of Visalia.

And last year his organization launched a three-year project, Disney World, at Orlando, Fla., which the governor of Florida called the biggest single undertaking in the state's history.

When completed, the $100 million project—the East Coast's answer to Disneyland—will cover 27,000 acres twice the size of Manhattan Island.

Disney and his staff were constantly seeking new ways to amuse, enlighten, and entertain the world. One of his latest projects was electronic, three dimensional characterizations, such as the Abraham Lincoln at Disneyland.

To brainstorm and test new ideas for presentation to Disneyland visitors, Disney created WED Enterprises in Glendale. He called it his fun factory where a staff of nearly 200 experts—architects, engineers, artists, sculptors and designers—created and perfected new displays and programs. The facility gets its name from Disney's initials.

"We keep moving forward, opening up new doors and doing new things, because we're curious," wrote the showman who was once described as a Walter Mitty who make all his daydreams come true.

"Curiosity keeps leading us down new paths," Disney said in a 1965 stockholders report. "We're always exploring and experimenting."

At another time the man who thought like a boy all his life declared:

"There's no magic to my formula. I just make what I like—good, human stories in which you can get with people and which prove that the better things of life can be as interesting as the sordid things."

In commenting on the life-in-the-raw type motion picture, Disney once said:

"I hate to see a downbeat picture so that when I come out (of the theater), it makes me feel everything's dirty around me. I know it isn't that way, and I don't want anybody telling me it is."

Yet Disney insisted that his films and television shows were not only for the young and unsophisticated.

"I never did make films just for the children," he said.

Disney's death stunned millions around the world.

FLAG AT HALF-STAFF

The Flag was lowered to half-staff at all county facilities by order of the Los Angeles Board of Supervisors. It was also lowered at Disneyland, but the park remained open to accommodate the throngs of visitors seeking to enjoy the creation that Disney repeatedly vowed would never be completed.

Roy O. Disney, Walt's 73-year-old brother, who is president and chairman of the board of Walt Disney Productions, declared:

"Walt Disney's preparation for the future is a solid creative foundation. All the plans for the future that Walt had begun through motion pictures, the expansions of Disneyland, television production and our Florida and Mineral King projects will continue to move ahead.

"That is the way Walt wanted it to be."

And the show will go on.

NBC–TV, which presents Disney's "Wonderful World of Color," said the annual Disney Christmas television program will be shown as scheduled Sunday. The program, "Disneyland Around the Seasons," was filmed several weeks ago, and now will include a special tribute to the amusement park's creator.

To Walt Disney, life and work were "fun," the word he repeatedly used to describe his far-flung activities. Once when pressed by a reporter about his most rewarding experience, Disney replied:

"The whole damn thing. The fact that I was able to build an organization and hold it. Some of the people at the studio have been with me for 35 years."

But manufacturing "fun" was serious business. At the studios he was a hard-driving executive who liked to say: "I don't get ulcers, I give them."

He frequently poked around his sprawling studio to check operations. Usually he was cheerful to his employes. But on occasion he could be grumpy.

A wisecrack among his Burbank workers was a question: "Who's boss today?"

Sometimes it was: "It's the one with the harp and halo."

Other times it was: "Look out, he's wearing the wounded-tiger suit."

Disney was not even officially a corporate officer of Walt Disney Productions. He left the financial operation of the firm which last year grossed $116 million in the hands of his older brother.

NO KEY MAN

But Walt was active in every facet of the artistic end of the business. A competitor once tried to hire away Disney's "key man" and asked employees for his identity.

He was told there wasn't any key man.

Disney was proud of his work, even in early days of struggle and hardship.

He recalled that a passenger on a cross-country train once asked him his occupation.

"I told him I made cartoons and all he said was 'Oh.' That's all, just 'Oh.' but his tone was enough. I still think about that guy. Things like that used to get my goat," he said.

Walter Elias Disney was born Dec. 5, 1901, in Chicago where his father Elias, an Irish-Canadian, was employed as a contractor. His mother, the former Flora Call, was of American-German descent.

Later the Disneys moved to a farm near Marceline, Mo., where young Walt developed a love for farm animals. He attended a small country school for a time, then went to the Benton Grammar School in Kansas City.

Disney returned to Marceline in 1960 for the dedication of an elementary school in his name.

"I'm not modest," he said at the ceremoney. "I'm scared. I'm not funny. I hide behind the mouse, the duck and a lot of other things. I'm still a farm boy—a small town boy."

Last June Disney shipped an amusement ride to the town's Walt Disney Municipal Park.

He got his first job at 9—delivering papers. As a boy he like to draw, and his works paid for his haircuts. A barber liked them so well that he displayed them in his shop window, giving the boy free haircuts in exchange.

As a boy Walt was stage-struck. His idol was Charlie Chaplin, and he frequently impersonated the famed comedian on amateur nights at local vaudeville houses.

Later, at McKinley High School in Chicago, he studied art and photography. At night he studied cartooning at the Academy of Fine Arts.

During summer vacations, he hawked newspapers, fruits and candies on trains between Kansas City and Chicago.

"It wasn't a very profitable venture," he once recalled. "You see I was only 15 and I ate up all my profits."

When World War I came, Disney became a postman in Chicago, and later tried to enlist, but was turned down because he was too young.

He was not quite 17 when he became a Red Cross ambulance driver and served in France for a year.

With the war over, Disney decided against returning to school and went to work for a Kansas City advertising company, where his job was to draw sketches of farm equipment and livestock.

He later took a $35 a week job as a cartoonist for a Kansas City firm that made slides for projection on theater screens.

In the early 1920s, Disney began experiments in filming animated cartoons. He later sold several one-reelers to theater owners.

It was while engaged in these early experiments, that Disney first met "Mickey Mouse."

He recalled that he always liked mice, and was amused by their antics in his workshop. He captured some and kept them in cages.

One, bolder than the rest, would crawl over his drawing board. Disney called him Mortimer, but later decided that name was too formal, and decided on Mickey instead.

Joined by several other young cartoonists, Disney later formed his own company and created animated fairy tales, starting with Little Red Riding Hood. But the venture flopped, and Disney moved to Hollywood.

He arrived with a two-year-old suit, a sweater, some drawing materials and $40.

Forming a partnership with his brother, Roy, Disney began another attempt at cartooning. He created a one-a-month cartoon series, "Alice in Cartoonland," which combined child performers with cartoon characters. Then came "Oswald the Rabbit."

Disney at last seemed on the road to success, but when he attempted to expand his operations he fell into a disagreement with a New York distributor and lost the "Oswald" series.

On the way back to California from New York with his wife, the former Lillian Bounds, one of his cartoonists, Disney hit upon the idea of using his old friend Mickey Mouse as a cartoon character.

Mickey was featured in a series of cartoon sketches called "Steamboat Willie." The first one was shown in 1928. After setbacks, mainly due to the introduction of sound in the film industry, Disney was at last on his way.

Next came "Silly Symphonies" and experiments with color cartooning, then Donald Duck, who challenged Mickey's popularity.

During World War II, virtually the entire production of the Disney studios consisted of training films and other war work.

Disney's first postwar feature was a musical, "Make Mine Music," which utilized the voices and instruments of some of Hollywood's top entertainers. The film was the first of its kind.

OTHER NOTABLE FILMS

Then came other notable Disney films—"20,000 Leagues Under the Sea," "Sleeping Beauty," and a series of family-type films without cartoon characters.

In addition to his wife and brother, Disney leaves two daughters, Mrs. Ron Miller and Mrs. Robert Brown; another brother, Raymond A. Disney, and a sister, Mrs. Ruth Beecher. The family requested that that in lieu of flowers, contributions be made to the California Institute of the Arts, care of Walt Disney Productions. Disney was instrumental in founding the institute, a college-level school of the creative and performing arts.

Disney looked upon the institute, now being built on the Disney Ranch in the San Fernando Valley, as his single most important contribution to posterity.

"That's the principal thing that I hope to leave when I move on to greener pastures," he said. "If I can provide a place to develop talent of the future, I think I will have accomplished something."

DISNEY DESCRIBED AS GENIUS BY PRODUCER

"If there is such a thing as genius, Walt Disney was a genius. And the special quality of that genius was heart."

Such was the description of Disney by motion picture producer Mervyn LeRoy, a long-time friend and close associate of the world-famous showman who died Thursday.

"Walt's warmth and kindness showed in everything he did," LeRoy said. On his office wall hung a sketch of the Seven Dwarfs that Disney presented to the producer more than 20 years ago.

"Disneyland, his pictures—they were more than business ventures," LeRoy said. "They were a gift to all the children—and all the grownups—of the world."

LeRoy said the spark which gave impetus to Disney's creative imagination was the showman's unquenchable capacity for youthful enthusiasm.

"He was Walt Disney, the boy—not Walt Disney, the man," LeRoy said.

The drive to improve and expand the wonderful world of Disney never left the showman, LeRoy said.

"The last time I saw him, at a party a few weeks ago, he was still talking enthusiastically about what he was doing and planning to do," the producer said.

[From the San Francisco Examiner, Dec. 15, 1966]

NOTED ARTIST SUCCUMBS AT 65

BURBANK.—Walt Disney, who built an entertainment empire based on a mouse named Mickey and won a reputation as the movies' most versatile creator, died today.

He was 65.

His studio declined to announce the cause of his death, but Disney underwent surgery last month for removal of part of his left lung, after a lesion was found.

Disney, founder of Disneyland and producer of more than 600 films ranging from the animated cartoon "Snow White" to the lavish color musical "Mary Poppins," died at St. Joseph hospital.

He is survived by his wife Lillian, and two married daughters, Mrs. Ron Miller and Mrs. Robert Brown.

Disney, born Walter Elias Disney, was entertainment's most successful practitioner. He made a meager start as an artist with an idea for a comedy cartoon featuring Mickey Mouse—and saw the lively rodent become a worldwide institution.

A PIONEER

He pioneered feature length color cartoons, popularized nature films, expanded into adventure, comedy and musical films. He became a mainstay of television.

The fabulous success of his huge amusement park, Disneyland, set the pattern for others elsewhere. He built a studio that in facilities and volumes of production rivaled the majors.

Disney was a stubborn nonconformist who brought his imaginative dreams to reality.

In the 1965 annual report of Walt Disney Productions to shareholders and employes he wrote: "We're interested in doing things that are fun—in bringing pleasure and especially laughter to people."

Young men, he once advised, should "get into a business they actually can love."

Success and honors piled up in profusion. From organizations and governments around the world he received more than 900 awards including 31 of the Motion Picture Academy's Oscars.

A leading French magazine proposed Disney for the 1964 Nobel Peace Prize. President Johnson gave him the Presidential Medal of Freedom, the U.S. government's highest decoration for a civilian.

Disney thrived with simple tales about animals, children and Victorian characters.

The titles of his cartoons and their characters evoked fond memories for more than a generation of Disney fans—"The Three Little Pigs," "Donald Duck," "Snow White and the Seven Dwarfs," "Fantasia," "Peter Pan," "The Lady and the Tramp."

The Disney empire included:

Some 80 feature films since Walt and his brother Roy opened their cartoon studio in 1923. "Snow White and the Seven Dwarfs," who bore names like Happy, Grumpy, Sneezy and Dopey, was the first animated feature film; an immediate success, it has been reissued repeatedly. The rollicking "Mary Poppins" brought Julie Andrews to the screen as a gravity-defying governess.

By 1966, more than 1,900 hours of television entertainment, including the weekly "Wonderful World of Color," with grandfatherly Walt as host.

Disneyland, the 160-acre, $35 million amusement park at suburban Anaheim that became a must-see item for every tourist visiting Southern California.

By 1965 Disney was involved in plans for what he called his biggest, most ambitious project yet—Disney World, at Orlando, Fla.

Also on the drawing boards was a $35 million summer and winter recreation facility at Mineral King, in Tulare County, with 14 ski lifts, 10 restaurants, a village and two large hotels.

BORN IN CHICAGO

He was born Dec. 5, 1901, in Chicago, of Irish-German descent. There were five children.

His father, Elias Disney, was a carpenter and housebuilding contractor.

The family moved to Kansas City, and Walt carried papers, earned haircuts by drawing sketches, drew illustrations for the high school paper and took his first motion pictures. Nights, he studied cartooning.

In World War I he drove a Red Cross ambulance in France for a year.

Returning at 18, he became an apprentice artist for a Kansas City advertising company. Later he opened his own commercial art studio but soon took a $35-a-week job as cartoonist for a Kansas City firm that made still-picture slides for projection on theater screens.

ANIMATED

With an old movie camera he experimented with animated films. Several young cartoonists joined him at his garage studio in the animation of fairy tales, starting with Little Red Riding Hood. Disney formed his own company and sold seven such films to a New York distributor, but the venture was not successful.

Disney arrived in Hollywood in 1923 with a mismatched suit, a sweater, some drawings and $40.

He couldn't get a job, so he and brother Roy former a partnership. Using drygoods boxes for tables, they filmed a once-a-month "Alice in Cartoonland" series combining child performers with cartoon characters.

A STAFF OF TWO

Two girls were hired as animators at $15 a week. One of them, Lillian Bounds, later became Mrs. Walt Disney. Two daughters, Diane and Sharon, were born.

The "Alice" cartoons were followed by the "Oswald the Rabbit" series. Disney lost that one in a disagreement over his desire for more money with which to expand.

He pondered a new cartoon character, thinking of the mice in his Kansas City studio.

"Other people would leave lunch scraps in the wastebaskets," he later recalled. "What I didn't eat the mice came around to eat. One of them seemed bolder than the rest. There was a shelf above my drawing board, and he wouldn't move off of it."

He called the mouse Mortimer. His wife renamed it Mickey for the screen.

He couldn't sell the first two Mickey Mouse cartoons, both of them silent. He put the third into sound, personally supplying Mickey's squeaky voice.

"Steamboat Willy" caught on immediately with the public. From that time, 1928, Mickey Mouse was a continuing hit who knew no race or nationality.

In France he was "Michel Souris," in Latin America "El Raton Miguelito," in Japan "Mikki Kuchi," in Germany "Mickey Maus," in Italy "Topolino," in Sweden "Musse Pigg."

Mickey Mouse became a password at Allied Supreme Headquarters in Europe on D-Day of World War II. Years later children all over the U.S. joined a television Mickey Mouse club, donning cardboard mouse ears.

The raucous-voiced Donald Duck crowded Mickey for popularity. Along came the Silly Symphony series, the Three Little Pigs and Pluto the Dog.

In 1962 Disney named his two greatest thrills: winning his first Oscar for Mickey Mouse. And having his second grandson—one of five grandchildren—named after him: Walter Elias Disney Miller.

[From the Chicago Tribune, Dec. 16, 1966]

WALT DISNEY DIES AT 65—CREATED A MOVIE EMPIRE WITH THE HELP OF A MOUSE—EX-CHICAGOAN ENTERTAINED MILLIONS

(By Seymour Korman)

BURBANK, CALIF., December 15.—Walt Disney, 65, who created an entertainment empire from a cartoon character and was host to children and kings alike, died today in St. Joseph hospital.

The Chicago born master of films, television, and amusement park innovations in his Disneyland playland died from an "acute circulatory collapse," said Dr. Bart Cotton, his physician.

Disney had undergone surgery in the hospital for removal of part of his left lung a month ago. Physicians refused to say whether any malignancy had been discovered. He reentered the hospital Dec. 5, his 65th birthday, for a post-operative checkup.

STARTED WITH MOUSE

The hospital is across the street from the studio where Disney conceived and directed hundreds of films and cartoons beginning with a character named Mickey Mouse.

Even in the interval between the lung surgery and his return to the hospital, Disney was full of plans for his newest and most ambitious venture, a 100 million dollar amusement center near Orlando, Fla.

In buying the 27,500 acres, a territory twice the size of Manhattan Island, he had said: "We want it to be an entire community, designed solely for total family enjoyment. It would combine the Disney type of entertainment with Florida's famous and popular life."

CONDOLENCES POUR IN

A Disney spokesman said the Disneyland project will continue as will plans for a playground in the Mineral King mountain area of central California. Disneyland, a 68 acre park opened in 1955 at Anaheim, 32 miles southwest of Los Angeles, will continue to expand according to the wishes of Disney who said it would never be completed.

Messages of condolence poured in from thruout the world.

Flags on all Los Angeles county buildings were lowered to half staff in tribute to the memory of the man whose Mickey Mouse and Donald Duck had delighted adults and youngsters the world over, and whose "Mary Poppins" was one of the most successful movie musicals ever made. Since 1932 Disney had amassed 423 honors and awards, including 34 movie Oscars, four Emmies from television, and citations from universities and governments.

BORN IN CHICAGO

The man of medium height, with graying brown hair and mustache, was a familiar sight on television as the host of his Wonderful World of Color and as he roamed Disneyland, as excited as his guests at the park's attractions.

Walter Elias Disney was born in Chicago Dec. 5, 1901. His family later moved to Marceline, Mo., but returned to Chicago, where Walt became interested in drawing and photography at McKinley High school. He studied cartooning at night at the Chicago Academy of Fine Arts.

Returning at 18 to Kansas City, he got a job with a company that made still-picture slides for projection on theater screens. He experimented with animated films, using an old movie camera. He sold seven films to a New York distributor, but the venture was not successful and, in 1923, he arrived in Hollywood with mismatched coat and trousers, a sweater, drawing materials, and $40.

Walt and his brother Roy, formed a partnership which was to endure to the end. They first filmed an "Alice in Cartoonland" series, combining child performers with cartoon characters. One of two girls hired as animators for the film was Lillian Bounds, later to become Walt's wife. They had two daughters, Diane and Sharon.

Traveling from New York to Hollywood by train, and musing over a new cartoon character, Walt remembered the mice who had romped in his Kansas City studio.

WIFE NAMED MOUSE

"Other people would leave lunch scraps in the waste baskets," Walt recalled later. "What I didn't eat, the mice came around to eat. One of them seemed bolder than the rest. There was a shelf above my drawing board, and he wouldn't move off it. I called the mouse Mortimer. My wife renamed it Mickey for the screen."

The first two Mickey cartoons were silent and Walt couldn't sell them. He made the third in sound, titled "Steamboat Willie," and himself supplied the mouse's squeaky voice.

From that time in 1928 Mickey became a hit, transcending race and nationality. He was "Michel Souris" in France, "El Raton Miguelito" in Latin American, "Mikki Kuchi" in Japan, "Mickey Maus" in Germany, "Topolino" in Italy, "Musse Pigg" in Sweden.

OTHER POPULAR CHARACTERS

On D-Day of World War II, June 6, 1944, Mickey Mouse was the password at allied supreme headquarters in Europe. His movie fan clubs had more than a million members in the United States, and, later, youngsters all over the country joined a TV Mickey Mouse club, and donned cardboad mouse ears.

The raucous-voiced Donald Duck was able to contest Mickey for popularity, and the ungainly dog Pluto and the Three Little Pigs were other popular Disney animated characters. Others of Walt's creations were "Snow White and the Seven Dwarfs," "Peter Pan," "The Lady and the Tramp," "Fantasia," "Pinocchio," "Cinderella," and "The Sleeping Beauty."

In the mid-1950s Disney made Fess Parker a star in two films "Davey Crocket, King of the Wild Frontier," and "Davey Crockett and the River Pirates." Youngsters couldn't get enough of the buckskin clad pioneer and Crockett recordings and souvenirs sold in the millions.

Others of Disney's live action films included "Song of the South," "Treasure Island," "20,000 Leagues Under the Sea," "Old Yeller," "The Shaggy Dog," "Swiss Family Robinson," "The Parent Trap," "The Absent-Minded Professor," and "The Miracle of the White Stallions." The "Mary Poppins" box office smash teamed Julie Andrews of Broadway's "My Fair Lady" and Dick Van Dyke, television comedian.

SUCCESS OF DISNEYLAND

Disney also produced true life adventure dramas, among them "The Living Desert," "The Vanishing Prairie," "The African Lion," "Secrets of Life," and "White Wilderness."

Disneyland was a success from the day of its opening, July 18, 1955. Walt's original investment was 17 million dollars, and by 1965, the figure topped 50 million dollars and much more is budgeted. The acreage has grown to 300. Nearly 60 million people have passed through the turnstiles.

Among the visitors have been the king of Belgium and the queen of Greece. Adults outnumber children by 4 to 1 at Disneyland. Disney once said: "You're dead if you aim only for kids. Adults are only kids grown up."

One of those who didn't get inside the gates was Nikita Khrushchev, who was then premier of Russia, when he visited the west coast in 1959. Park officials said they would welcome Khrushchev, but state, county, and city police said they could not guarantee his security. Khrushchev raged at being deprived of a Disneyland visit.

FRENCH URGE NOBEL

In 1964 a French magazine proposed Disney for the Nobel peace prize. President Johnson gave him the Presidential medal of freedom, the United States government's highest decoration for a civilian.

After his 63d birthday, Disney was asked what had been the most rewarding thing in his life.

"The whole damned thing," he retorted. "The fact that I was able to build an organization and hold it. Some of the people at the studio have been with me for 35 years."

Another time he said of his success: "There's no magic to my formula. I just make what I like—good human stories in which you can get with people and which prove that the better things of life can be as interesting as the sordid things."

Surviving besides the widow are two daughters, Mrs. Ron Miller and Mrs. Robert Brown, and seven grandchildren.

WILL CARRY ON

Private funeral services will be held at a time to be announced. The family asked that in lieu of flowers contributions be made to the California Institute of the Arts, a professional school for the creative and performing arts which Disney helped found.

Roy Disney, 74, who is board chairman of Walt Disney Productions, promised he would carry on with his younger brother's projects.

"All of the plans for the future that Walt had begun," Roy said, "such as new pictures, the expansion of Disneyland, television production, and our Florida and Mineral King projects will continue to move ahead. This is the way Walt wanted it to be.

"It was Walt's wish that when his time came he would have built an organization with the creative talents to carry on as he had established and directed it through the years."

Mouse That Roared for Disney, World

Burbank, Calif., Dec. 15 [Special]—Walt Disney, who died today, once said: "Sometimes I've tried to figure out why Mickey Mouse appealed to the whole world. Everybody's tried to figure it out. So far as I know, nobody has. He's a pretty nice fellow who never does anybody any harm, who gets into scrapes through no fault of his own, but always manages to come up grinning. Why, Mickey's even been faithful to one girl all his life. Mickey is so simple and uncomplicated, so easy to understand that you can't help liking him."

[From the Chicago Tribune, Dec. 16, 1966]

Disney Never Forgot His Chicago Days

Walt Disney, who died in Burbank, Calif., yesterday, used to tell friends that the first house he remembered living in was on Milwaukee avenue on Chicago's north side. He said he remembered it so well because it was defaced with his juvenile attempts at making pictures.

Disney was born on Dec. 5, 1901, when the family resided at 1249 N. Tripp av. [now 2156 N. Tripp st.]. His father was Elias Whitney, an Irish-Canadian contractor, and his mother was Flora Call, of German-American descent.

The Disney family left Chicago and moved to a farm near Marceline, Mo., shortly before Walt began school. His early education was in Kansas City, Mo.

GOT THE HOOK

Young Disney took part in several amateur shows in Kansas City and when the family returned to Chicago, he tried to work up a Dutch comedian act for vaudeville but got the hook.

Disney continued his education at McKinley High school and later at the Academy of Fine Arts.

In the summer of 1917, Disney worked as a train butcher on the Chicago to Kansas City run.

MAKE-UP WINS JOB

The following year, with a shortage of manpower, Disney applied for a job at a Chicago postoffice and tried to pass him self off for 21. After he was turned down, he went home put on make-up, which included a false mustache, and returned to the postoffice.

So convincing was he in the make-up that the man who had originally refused him the job hired him.

A short time later, he tried to enlist in the army but was turned down, again because of age. He did manage to join the

Red Cross and was sent overseas as an ambulance driver in World War I.

After the war, Disney went to Kansas City for a job with an advertising firm.

[From the Los Angeles Times, Dec. 16, 1966]

MONUMENT TO A CREATIVE GENIUS: DISNEYLAND—A TAJ MAHAL AND NIAGARA FALLS

(By Jerry Cohen)

A writer called it the "world's biggest toy"—an enchantment created, ruled over and cherished by the "world's biggest boy."

Nikita Khrushchev stormed when forbidden to visit it. Presidents and princes who toured it went away captivated.

It became the world's most celebrated tourist attraction and turned a small Orange County town, Anaheim, into a big-league city.

Millions visit it annually.

"It may be just another amusement park," said an American father, "but to my kids it's the Taj Mahal, Niagara Falls and Sherwood Forest all rolled into one."

The man who built it described it simply as "the world's happiest place." Few would argue.

And Disneyland will survive as an enduring monument to the genius of its creator—Walt Disney, the man who died Thursday.

"All who come to this happy place—welcome," he said in 1955 when the park opened.

"Disneyland will continue to grow, to add new things, as long as there is imagination left in this world."

His prophecy was an understatement.

For the next 11 years, the Disney imagination worked overtime making Disneyland "a source of joy and inspiration to all."

It didn't just happen. Walt Disney made it happen.

He originally conceived of Disneyland as a $5 million venture, peopled by his creations—Mickey Mouse, Snow White, Donald Duck.

But when many American firms expressed an interest in developing concessions and promotions at Disneyland, he and his businessman brother, Roy O. Disney, raised their sights.

When 30,000 persons crowded Disneyland for the July 18, 1955, dedication, it had ballooned into a $17.5 million investment—but only after Walt Disney borrowed $250,000 on his insurance policies to get the show on the road.

Disneyland opened with 22 major attractions when Anaheim had one 60-room hotel . . . 11 years ago.

Today the investment in Disneyland is more than $75 million, and the major attractions number more than 50. Within a five-mile radius of Anaheim are 125 hotels and motels.

Walt Disney, who had borrowed $250,000, ended up spending more than $1 million annually just for live entertainment at the 70-acre park.

It is a place where, as one man put it, "the past melts with the future"—Frontierland blends into Tomorrowland and Tomorrowland into Fantasyland.

"It is a wonder-world of spaceships and riverboats, mechanical monkeys and moated castles, make-believe jungles and wilderness forests."

"By the time Walt gets through," an associate remarked a few years ago, "this not only will be the seventh wonder of the world—but the eighth, ninth and tenth as well."

Walt Disney's earlier prophecy concerning his attraction came true . . . as do all visitor's expectations at Disneyland.

[From the Los Angeles Times, Dec. 16, 1966]

COLLEAGUES, ADMIRERS MOURN PASSING OF FAMOUS SHOWMAN

Walt Disney's bereaved colleagues, friends and admirers Thursday spoke of love and admiration for the world's famous showman.

In Sacramento, Gov. Brown said, "I knew Walt as a friend and as a dedicated Californian.

"I shall miss Walt Disney. Our state, our nation and the world have lost a beloved and a great artist."

Another personal friend, Gov.-elect Ronald Reagan, said in Los Angeles, "There just aren't any words to express my personal grief. The world is a poorer place now."

Sen. George Murphy (R-Calif.), whose election campaign Disney had strongly supported, said, "I know of no individual who has contributed more to the general welfare of mankind . . . Walt Disney was a beloved friend . . ."

Veteran producer Samuel Goldwyn reflected Hollywood's esteem for Mr. Disney when he said, "I have lost a great friend. The world has lost a great man.

"But in a larger sense Walt Disney has not died because he will live for all time through his work."

Richard D. Zanuck, vice president in charge of production at 20th Century-Fox Film Corp., said, "No eulogy will be read or monument built to equal the memorial Walt Disney has left in the hearts and minds and imaginations of the world's people."

Producer Jack L. Warner said Disney "contributed as much as any single man to the pure enjoyment of people everywhere."

Speaking for the Assn. of Motion Picture and Television Producers, board chairman Lew Wasserman called Disney one of the few irreplaceable men of our time.

It was not only the moguls of the entertainment industry who mourned.

Henry Storm, a screen extra for 30 years, said every extra in movie was fond of Disney.

"Whenever a call went out for Disney extras, everyone jumped to go," he said. "He treated us as equals at all times."

Mayor Samuel W. Yorty, in New York to address a college of police science, said, "Walt Disney has been part of growing up for every human being on this earth."

City Councilman John P. Cassidy introduced an adjourning resolution in Disney's memory.

RESOLUTION INTRODUCED

City Councilman John P. Cassidy introduced an adjourning resolution in Disney's memory.

The Board of Supervisors also adjourned in tribute to Disney.

Lt. Gov.-elect Robert H. Finch said, "With the death of Walt Disney every American feels he has lost a member of the family. His influence for good on several generations has been profound."

In Orange County, the home of Disneyland, Alton E. Allen, chairman of the Board of Supervisors, said:

"I'm shocked and saddened at his passing.

"More than any other man he has brought Orange County to the attention of the people of the world, and he made a tremendous contribution to the county's growth."

Bishop Gerald Kennedy of the Methodist Church said:

"The death of Walt Disney is a very great loss to all the citizens of the nation and to none more than those who fight for good and decent films."

Actress Julie Andrews, who starred in Disney's "Mary Poppins," said she was "deeply shocked and saddened by Walt Disney's passing."

Actor Fred MacMurray, star of six Disney films, said, "There can be no bigger loss to people all over the world than that of Walt Disney . . . None of us who knew Walt and worked with him can ever forget him."

Actress Greer Garson, who co-starred with MacMurray in Disney's last production, "The Happiest Millionaire," said Disney was "a man of true goodness of heart who has given us much beauty and laughter and kindness."

Actress Annette Funicello, whose career started as a Mouseketeer in the Mickey Mouse Club, said, "It makes me so sad to think my daughter will never know him. He was truly the leader of our industry and there will never be another one like him."

French entertainer Maurice Chevalier said in Paris that Disney's death was "a disaster for the whole movie world."

In England, actress Susan Hampshire, who starred in a recent Disney film, hailed Disney as one of the few true geniuses of the film industry.

[From the New York Times, Dec. 16, 1966]

WALT DISNEY, 65, DIES ON COAST—FOUNDED AN EMPIRE ON A MOUSE

LOS ANGELES, December 15.—Walt Disney, who built his whimsical cartoon world of Mickey Mouse, Donald Duck and Snow White and the Seven Dwarfs into a $100-million-a-year entertainment empire, died in St. Joseph's Hospital here this morning. He was 65 years old.

His death, at 9:35 A.M., was attributed to acute circulatory collapse. He had undergone surgery at the hospital a month ago for the removal of a lung tumor that was discovered after he entered the hospital for treatment of an old neck injury received in a polo match. On Nov. 30 he re-entered the hospital for a "post-operative checkup."

Just before his last illness, Mr. Disney was supervising the construction of a new Disneyland in Florida, a ski resort in Sequoia National Forest and the renovation of the 10-year-old Disneyland at Anaheim. His motion-picture studio was turning out six new productions and several television shows and he was spearheading the development of the vast University of the Arts, called Cal Art, now under construction here.

Although Mr. Disney held no formal title at Walt Disney Productions, he was in direct charge of the company and was deeply involved in all its operations. Indeed, with the recent decision of Jack L. Warner to sell his interest in the Warner Brothers studio, Mr. Disney was the last of Hollywood's veteran moviemakers who remained in personal control of a major studio.

Roy Disney, Walt Disney's 74-year-old brother, who is president and chairman of Walt Disney Productions and who directs its financial operations, said: "It was Walt's wish that when the time came he would have built an organization with the creative talent to carry on as he had established and directed it through the years.

"We will continue to operate Walt's company in the way that he had established and guided it. All of the plans for the future that Walt had begun will continue to move ahead."

Besides his brother, Mr. Disney was survived by his widow, Lillian, two daughters, Mrs. Ron Miller and Mrs. Robert Brown.

A private funeral service will be held at a time to be announced.

WEAVER OF FANTASIES

From his fertile imagination and industrious factory of drawing boards, Walt Elias Disney fashioned the most popular movie stars ever to come from Hollywood and created one of the most fantastic entertainment empires in history.

In return for the hapipness he supplied, the world lavished wealth and tributes upon him. He was probably the only man in Hollywood to have been praised by both the American Legion and the Soviet Union.

Where any other Hollywood producer would have been happy to get one Academy Award—the highest honor in American movies—Mr. Disney smashed all records by accumulating 27 Oscars.

"We're selling corn," Mr. Disney once told a reporter, "and I like corn."

David Low, the late British political cartoonist, called him "the most significant figure in graphic arts since Leonardo."

Mr. Disney went from seven-minute animated cartoons to become the first man to mix animation with live action, and he pioneered in making feature-length cartoons. His nature films were almost as popular as his cartoons, and eventually he expanded into feature-length movies using only live actors.

The most successful of his non-animated productions, "Mary Poppins," released in 1964, has already grossed close to $50-million. It also won an Oscar for Julie Andrews in the title role.

From a small garage-studio, the Disney enterprise grew into one of the most modern movie studios in the world, with four sound stages on 51 acres. Mr. Disney acquired a 420-acre ranch that was used for shooting exterior shots for his movies and television productions. Among the lucrative by-products of his output were many comic scripts and enormous royalties paid to him by toymakers who used his characters.

Mr. Disney's restless mind created one of the nation's greatest tourist attractions, Disneyland, a 300-acre tract of amusement rides, fantasy spectacles and re-created Americana that cost $50.1 million.

By last year, when Disneyland observed its 10th birthday—it had been visited by some 50 million people. Its international fame was emphasized in 1959 by the then Soviet Premier, Nikita S. Khrushchev, who protested, when visiting Hollywood, that he had been unable to see Disneyland. Security arrangements could not be made in time for Mr. Khrushchev's visit.

Even after Disneyland had proven itself, Mr. Disney declined to consider suggestions that he had better leave well enough alone: "Disneyland will never be completed as long as there is imagination left in the world."

He didn't rest with Disneyland. Last year he purchased 27,000 acres of land near Orlando, Fla., for a projected Disneyland East, to be called Disney's World. He was also in the process of developing a giant, $35-million summer-winter resort, Mineral King, in California's Sequoia National Forest.

IDEAS MET SKEPTICISM

Repeatedly, as Mr. Disney came up with new ideas he encountered considerable skepticism. For Mickey Mouse, the foundation of his realm, Mr. Disney had to pawn and sell almost everything because most exhibitors looked upon it as just another cartoon. But when the public had a chance to speak, the noble-hearted mouse with the high-pitched voice, red pants, yellow shoes and white gloves became the most beloved of Hollywood stars.

When Mr. Disney decided to make the first feature-length cartoon—"Snow White and the Seven Dwarfs"—many Hollywood experts scoffed that no audience would sit through such a long animation. It became one movie history.

Mr. Disney was thought a fool when he became the first important movie producer to make films for television. His detractors, once again were proven wrong.

Mr. Disney's television fame was built on such shows as "Disneyland," "The Mickey Mouse Club," "Zorro," "Davy Crockett" and the current "Walt Disney's Wonderful World of Color."

He was, however, the only major movie producer who refused to release his movies to television. He contended, with a good deal of profitable evidence, that each seven years there would be another generation that would flock to the movie theaters to see his old films.

Mickey Mouse would have been fame enough for most men. In France he was known as Michel Souris; in Italy, Topolino; in Japan, Miki Kuchi; in Spain, Miguel Ratoncito; in Latin America, El Raton Miguelito; in Sweden, Muse Pigg, and in Russia, Mikki Maus. On D-Day during World War II Mickey Mouse was the password of Allied Supreme Headquarters in Europe.

But Mickey Mouse was not enough for Mr. Disney. He created Donald Duck, Pluto and Goofy. He dug into books for Dumbo, Bambi, Peter Pan, The Three Little Pigs, Ferdinand the Bull, Cinderella, the Sleeping Beauty, Brer Rabbit, Pinocchio. In "Fantasia," he blended cartoon stories with classical music.

Though Mr. Disney's cartoon characters differed markedly, they were all alike in two respects: they were lovable and unsophisticated. Most popular were big-eared Mickey of the piping voice; choleric Donald Duck of the unintelligible quacking; Pluto, that most amiable of clumsy dogs, and the seven dwarfs, who stole the show from Snow White: Dopey, Grumpy, Bashful, Sneezy, Happy, Sleepy and Doc.

His cartoon creatures were often surrounded with lovely songs. Thus, Snow White had "Some Day My Prince Will Come" and the dwarfs had "Whistle While You Work." From his version of "The Three Pigs," his most successful cartoon short, came another international hit, "Who's Afraid of the Big Bad Wolf?" Cliff Edwards as Jimmy Cricket sang "When You Wish Upon a Star" for "Pinocchio." More recently, "Mary Poppins" introduced "Supercalifragilisticexpialidocious."

EXHIBITION AT MUSEUM

Mr. Disney seemed to have had an almost superstitious fear of considering his movies as art, though an exhibition of some of his leading cartoon characters was once held in the Metropolitan Museum of Art in New York. "I've never called this art," he said. "It's show business."

One day, when Mr. Disney was approaching 60 and his black hair and neatly trimmed mustache were gray, he was asked to reduce his success to a formula. His brown eyes became alternately intense and dreamy. He fingered an ashtray as he gazed around an office so cluttered with trophies that it looked like a pawn shop.

"I don't really know," he said. "I guess I'm an optimist. I'm not in business to make unhappy pictures. I love comedy too much. I've always loved comedy. Another thing. Maybe it's because I can still be amazed at the wonders of the world.

"Sometimes I've tried to figure out why Mickey appealed to the whole world. Everybody's tried to figure it out. So far as I know, nobody has. He's a pretty nice fellow who never does anybody any harm, who gets into scrapes through no fault of his own, but always manages to come up grinning. Why Mickey's even been faithful to one girl, Minnie, all his life, Mickey is so simple and uncomplicated, so easy to understand that you can't help liking him."

But when Dwight D. Eisenhower was President, he found words for Mr. Disney. He called him a "genius as a creator of folklore" and said his "sympathetic attitude toward life has helped our children develop a clean and cheerful view of humanity, with all it frailties and possibilities for good."

HONORED BY UNIVERSITIES

When France gave to Mr. Disney its highest artistic decoration as Officier d'Académie, he was cited for his "contribution to education and knowledge" with such nature-study films as "Seal Island," "Beaver Valley," "Nature's Half Acre" and "The Living Desert."

From Harvard and Yale, this stocky industrious man who had never graduated from high school received honorary degrees. He was honored by Yale the same day as it honored Thomas Mann, the Nobel Prizewinning novelist. Prof. William Lyon Phelps of Yale said of Mr. Disney:

"He has accomplished something that has defied all the efforts and experiments of the laboratories in zoology and biology. He has given animals souls."

By the end of his career, the list of 700 awards and honors that Mr. Disney received from many nations filled 29 typwritten pages, and included 29 Oscars, four Emmys and the Presidential Freedom Medal.

There were tributes of a different nature. Toys in the shape of Disney characters sold by the many millions. Paris couturiers and expensive jewelers both used Disney patterns. One of the most astounding exhibitions of popular devotion came in the wake of Mr. Disney's films about Davy Crockett. In a matter of months, youngsters all over the country who would balk at wearing a hat in winter, were adorned in 'coonskin caps in midsummer.

In some ways Mr. Disney resembled the movie pioneers of a generation before him. He was not afraid of risk. One day when all the world thought of him as a fabulous success he told an acquaintance. "I'm in great shape, I now owe the bank only eight million."

A friend of 20 years recalled that he once said, "A buck is something to be spent creating." Early in 1960 he declared, "It's not what you have, but how much you can borrow that's important in business."

Mr. Disney had no trouble borrowing money in his later years. Bankers, in fact, sought him out. Last year Walt Disney Productions grossed $110-million. His family owns 38 percent of this publicly held corporation, and all of Retlaw, a company that controls the use of Mr. Disney's name.

Mr. Disney's contract with Walt Disney Productions gave him a basic salary of $182,000 a year and a deferred salary of $2,500 a week, with option to buy up to a 25 percent interest in each of his live-action features. It's understood that he began exercising these options in 1961, but only up to 10 per cent. These interests alone would have made him a multi-millionaire.

Mr. Disney, like earlier movie executives, insisted on absolute authority in the business. He was savage in rebuking a subordinate. An associate of many years said the boss "could make you feel one inch tall, but he wouldn't let anybody else do it. That was his privilege."

Once in a bargaining dispute with a union of artists, a strike at the Disney Studios went on for two months and was settled only after Government mediation.

DID NOT DRAW MICKEY MOUSE

This attitude by Mr. Disney was one of the reasons some artists disparaged him. Another was that he did none of the drawings of his most famous cartoons. Mickey Mouse, for instance, was drawn by Ubbe Iwerks, who was with Mr. Disney almost from the beginning.

However, Mr. Iwerks insisted that Disney could have done the drawings but was too busy. Mr. Disney did, however, furnish Mickey's voice for all cartoons. He also sat in on all story conferences.

In one important aspect Mr. Disney was quite different from the Hollywood founders. He did not like ostentation. He shunned expensive limousines and drove his own car. He preferred to skip night life and did not seek to attract attention to himself in public.

Although Mr. Disney's power and wealth multiplied with his achievements, his manner remained that of some prosperous, midwestern storekeeper. Except when imbued with some new Disneyland project or movie idea, he was inclined to be phlegmatic. His nasal speech, delivered slowly, was rarely accompanied by gestures. This manner often masked his independence and tenacity.

Walt Disney was born in Chicago on Dec. 5, 1901. His family moved to Marceline, Mo., when he was a child and he spent most of his boyhood on a farm. As a boy he used to get up long before sunrise to deliver newspapers before school. After school he distributed newspapers again.

He recalled that he enjoyed sketching animals on the farm. Later, when his family moved back to Chicago, he went to high school and studied cartoon drawing at night at the Academy of Fine Arts. He did illustrations for the school paper.

However, by 15, formal schooling was finished for the boy. He got a job selling candy and magazines on trains between Chicago and Kansas City. Later he worked in the post office.

When the United States entered World War I he was turned down by the Army and Navy because he was too young. So he went to France as an ambulance driver for the Red Cross. He decorated the sides of the ambulance with cartoons and had his work published in Stars and Stripes.

After the war the young man used his cartooning for advertising companies. But he was always looking for something better. Mr. Iwerks, who worked with him then, recalled that "Walt always had tremendous vitality and was very enterprising."

When Mr. Disney got a job doing cartoons for advertisements that were shown in theaters between movies, he was determined that was to be his future. He would say to friends, "This is the most marvelous thing that has ever happened."

In 1920 he organized his own company to make cartoons about fairy tales. He made about a dozen but could not sell them. He was so determined to continue in this field that at times he had no money for food and lived with Mr. Iwerks.

The Dream Merchant—Disney, the Fantasist of Our Times, Was Both Cinema Artist and Tycoon

(By Bosley Crowther)

The popular image of Walt Disney as a shy and benign miracleman who performed varied feats of movie magic to entertain young and does not do justice nor honor to this remarkable cinema artist and tycoon who rightly achieved an eminence as great as that of that of any star in Hollywood. Shy and benign he was, at one phase of his extraordinary career. That was beginning of a maker of animated cartoons. That was when he was conceiving and giving birth to Mickey Mouse, his miraculous cartoon character, which took the world by storm. And that was even into the bright years of the creation of Pluto and Donald Duck and all that swarm of zoological creatures that were so greatly enjoyed and loved.

As a weaver of juvenile fancies with his anthropomorphic cartoons, which turned out to be as delightful to grown-ups as they were to the young, Mr. Disney was toiling in the medium that gave him the greatest joy and stimulated his inventiveness and skill to its finest works. There isn't much question among artists that his most original and tasteful films were his animated shorts made in the nineteen-thirties, when he was still fairly diffident and benign.

It is not to Mr. Disney's discredit that, when success and fame rightly came to him, he began to expand as a person and as an ambitious businessman. It was natural that he should have flourished under the warm and tinkling rain of public praise, that he should have managed to throw off his shyness, that he should have found it quite pleasant to take bows. Mr. Disney himself often noticed that there was "a lot of the Mouse in me." He was indigenously an actor. He loved to act the father of his brood.

A FATEFUL MIGRATION

Furthermore, he loved success and what went with it. And, as he and his brother, Roy, took stock, they agreed that the future of their business and of Walt's creative energies lay in the direction of the then undreamed-of feature-length story cartoon. That was a terra incognita that Mr. Disney approached with the delight of a pioneer. For his first venture in this area he chose the familiar fairy-tale, "Snow White and the Seven Dwarfs."

The enterprise was successful. But it marked a major departure in Mr. Disney's work. It was not an original Disney story, worked out by him and his genii on their story-board, and it called for animation of human figures as the principal characters.

This, as we now look back upon it, was the Continental Divide in Mr. Disney's creative career. It marked his fateful migration into a new and less personal fantasy realm. He began working with the stories of other people—old familiar ones mostly—and he took to a kind of representational animation that was not esthetically felicitous. Not to him.

He was now moving in the area of the big producer, the Hollywood tycoon, and this was a role that he managed with more pretension than with comfort and ease. More work was delegated to others. His associates, whom he credited, did the things that he himself formerly executed. The Disney plant was a factory.

THE BIGGEST FANTASY

In this situation, which was inevitable, you might say, and pressed by economic circumstances that were discouraging to the making of cartoons, it might well have been that Mr. Disney would have quietly withdrawn into a shell, committed his business to his brother, and lived happily ever after on television residuals. And, indeed, I recall an occasion of a visit to him at his studio back in the early nineteen-fifties when I got the distinct impression that something of this sort was going on.

He seemed totally disinterested in movies and wholly, almost weirdly, concerned with the building of a miniature railroad engine and a string of cars in the workshops of the studio. All of his zest for invention, for creating fantasies, seemed to be going into this plaything. I came away feeling sad.

I needn't have been. Mr. Disney, the cinema artist and tycoon, was even then joyously gestating another Mouse. It was born as Disneyland. This great amusement park may be a symbol of mass commercialism in our day. It may be an entertainment supermarket. It may be many things that high-brow citizens frown on. But it is tasteful, wholesome and clean. It is a place of delight for millions, who escape into its massive fantasies.

It and "Mary Poppins," which he produced and in which he took a hand, were the final achievements of Mr. Disney, the most persistent and successful fantasist of our age. He managed to come out very nicely for an artist in Hollywood.

THE MANCHESTER BOOK "DEATH OF A PRESIDENT"

Mr. TOWER. Mr. President, in this morning's edition of the Washington Post, distinguished columnist William S. White has cogently and concisely summed up the profuse shortcomings and misleading and apparently deliberate insults of the Manchester version of history.

I commend Mr. White's factual analysis to the attention of the Senate and of all Americans, and I ask unanimous consent that it be printed at this point in my remarks, along with comments I made earlier on this matter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 12, 1967]

A City Indicted—Dallas Is Manchester's Chief Target

(By William S. White)

Now that the Kennedy family-sponsored book on the assassination of President John F. Kennedy is at last appearing in reasonably responsible form—in type, at any rate, rather than in selected and anonymous leaks—some conclusions can be drawn.

The book so long heralded as "beautiful" and "sensitive" and a major work of American literature turns out to be a pedestrian, if incomparably savage, exercise by author William Manchester in the sort of yellow journalism that was a great social problem 50 years ago.

The principal victim of installment No. 1 is not Lyndon B. Johnson, though Manchester does take preliminary cuts at the President. Rather, it is Dallas, the scene of the tragedy.

Manchester levels at the entire city an emotionalized indictment; it is a place seething with "presidential hate" with a "history of political violence." The factual basis for this, so far as there may be one, rests upon two incidents. In the first of these, about two dozen right-wing extremists—in a city of three quarters of a million people—jeered and jostled the Lyndon Johnson's in a Dallas hotel in the 1960 campaign. In the second, a handful of hysterical women spat at the late Adlai Stevenson.

There is nothing new in this. Though the assassin of President Kennedy, Lee Oswald, was neither a Texan nor a right-winger but a Marxist indoctrinated both in Moscow and Castro Cuba, the more extreme among the Kennedy cultists have long sought to embed it in folklore that some ultra-conservative "climate" in Dallas anyhow was responsible for this ghastly tragedy.

It can be supposed that Dallas will survive this unexampled attempt at guilt by geography. All the same, the mental processes of Manchester, or more probably of those who gave him his information, can hardly fail to raise honest question as to who it is that really hates whom.

His treatment of President Johnson is in several instances a classic use of the smear term. For one illustration, President Kennedy's casual associates in Texas are presented, and rightly so, as decent people. As to President Johnson, however, those around him become "members of his tong." A tong, of course, is a Chinese gang and in common usage a criminal gang as well.

Johnson's "Tong" on the occasion thus cited by Manchester was made up of brutal, smoke-filled room henchmen, indeed. One of these was Mrs. Lyndon B. Johnson. Among others was a gentle and excessively shy young secretary, Marie Fehmer.

The long and short of it is that this is not so much a book as a bitter assault upon Texans who had always supported President Kennedy as well as those who had opposed him; upon a whole city which had the sad lot to form the unwitting locale of a left-winger's brutal act of murder; and upon a man who succeeded to the heavy obligations of the Presidency in a somber hour for all this Nation's people.

[Senator TOWER's comment on the publicity surrounding the first installment of the Manchester book]

Realizing that the Manchester book is a highly subjective, highly emotional account of an emotional time being published during continuing emotional stresses, I nevertheless feel it incumbent on me to suggest that the American people read it and consider it in a context of fact. To do so, they will have to keep in mind the more objective and unemotional truths which Mr. Manchester does not choose to point out.

Mr. Manchester's contention that the city of Dallas helped cause the assassination of President Kennedy is as false, unsupportable and intellectually dishonest today as it was when first proclaimed in 1963.

Mancester's contention that ". . . there was something in Dallas unrelated to conventional politics . . . a disease of the spirit, a shrill hysterical note suggestive of a deeply troubled society . . tribal instincts," is a misleading, untrue and apparently deliberate insult to a great American city.

The majority of the people of Dallas could be truthfully said to have been in 1963 *anti-New Frontier*, but they certainly were not, as this author claims, opposed to "diversity, tolerance, and non-conformity."

Dallas was and is a city of churches and schools; a clean and progressive community; a city of considerable style and erudition; a warm and friendly city unplagued by race riots or civil unrest. Dallas people are nonconformists only in that they believe in doing things through local and individual initiative rather than always supinely depending on others to solve their problems for them.

Dallas has been painted otherwise in this "authorized and approved" book that sees only the history it has been directed to see. I do not know for what purpose this book has been planned or what impact its sponsors intend it to have. But, as a former university teacher of history I do know a few of the facts that an eventual objective account of the assassination will point out.

There was an atmosphere of hate, all right. It came immediately and was viciously vociferous and strident. It came from the knee-jerk, ultra-liberals of Mr. Manchester's stripe. And, it was violently directed—before the facts were in—at myself, my family, political conservatives in general and Texans in particular.

Threatening calls came to my Senate office. A fake bomb was sent to my Washington office. Nasty and vitriolic hate letters filled my mail. I was forced to move my family from our Bethesda home for their own safety.

This was the atmosphere of sweet reason, of dispassionate objectivity, and of generous self-control which radical, left-wing extremists demonstrated after the assassination. And this is the truth Mr. Manchester ignores as he perpetuates "history."

I call upon more reasonable Americans to remember today what they remembered in 1963.

People who say that something wrong in our American society bred Lee Harvey Oswald simply overlook the fact that Lee Harvey Oswald was not fashioned by our society. His mind in fact succumbed to the propaganda of Marx. He rejected everything our society stands for. He went to the U.S. Embassy in Moscow, threw his passport on the table, and renounced his American citizenship, expressing his loyalty to the Soviet Union.

He supported Fidel Castro's communist regime.

Oswald was a man who disapproved of our society and our way of life. He was a man who advocated the diabolical concepts of Marxism. He read and was influenced by Marxist literature—not conservative literature.

Let us remember that the real purveyors of hate in this world, the real fomenters of class war and bigotry are the communists. The real disease of this world is communist imperialism. This was true in 1963 and is true today.

Dallas can hardly be blamed for this.

Neither could any so-called "atmosphere" in Dallas in 1963 have had any motivating influence on Oswald. He lived in Dallas less than two months immediately preceding the assassination.

Oswald was born in October, 1939. He subsequently spent approximately: 52 months in New Orleans, 30 months in Dallas, 4 months in Covington, La., 66 months in Fort Worth, 18 months in New York City, 31 months in New Orleans, 5 months in Fort Worth, 3 months in San Diego, 15 months in Japan, 10 months in Santa Ana, California, 33 months in the Soviet Union, 3 months in Fort Worth, 7 months in Dallas, 5 months in New Orleans.

He then spent a mysterious six days in Mexico City and returned to Dallas on October 3, 1963.

It is simply ridiculous to claim—as Manchester blithely does—that those 50 days of late 1963 in Dallas influenced Oswald more than 18 months in New York City or 33 months in the Soviet Union.

Whether Mr. Manchester, himself, desires to promote an inaccurate view of history, or whether he simply is a puppet controlled by others for their own motives, I cannot say. I am a political opponent of President Johnson. It is well known that I do not agree with many of President Johnson's domestic programs. I can say without equivocation that as an American I am proud of the way Mr. Johnson acted with dignity and dispatch to assume and operate the office of the presidency in those drastic circumstances. I think President Johnson acted with absolute correctness.

I trust that the American people will take the Manchester version of "history" with the many grains of salt it deserves.

MALADMINISTRATION OF JOB CORPS

Mr. YOUNG of Ohio. Mr. President, throughout last year I supported most enthusiastically all administration legislative proposals in the war against poverty.

I was proud of the fact that I spoke out and voted in support of creation of the Job Corps, hoping to give training and opportunity to underprivileged youngsters and to open for them opportunity and hope which had not been theirs in the past.

We in the Congress provided good legislation. Unfortunately, bad administration of this program in some particulars has shocked me. I know that Americans generally will have reason to question the Job Corps and its operation if this maladministration is continued. Very likely, Mr. President, like Moses on Mount Horeb, I am treading on holy ground when I speak out in denunciation of some of the operations of the Job Corps under the administration of Sargent Shriver.

The men and women of the Job Corps receive approximately $80 per month in addition to their clothing, food, and lodging. In addition to that, 8,596 of these youngsters were permitted to return to their homes during the Christmas season at the expense of our Government. More than $1 million of taxpayers' money went down the drain to provide transportation so that Job Corpsmen could enjoy a happy holiday at their homes. In fact, many of them enjoyed the privilege of having a happy holiday more quickly at home, as the Government paid for the airplane flights of more than 2,500 of these young people. The average cost to our taxpayers for the round trips bestowed on these youngsters approximated $120. The average distance of the trips home was 1,275 miles.

Mr. President, while Job Corpsmen were being flown home for Christmas, many at the expense of the Government, GI's at Army, Navy, and Air Force bases in the United States, who sought a trip home by airplane at their own expense at reduced rates for servicemen, had lowest priority on airline flights and could only make the speedy trip by plane or a space-available basis. An Ohio GI I know of starting for his home at his own expense, hoping to spend Christmas with his parents, was deprived of that opportunity and pleasure. He had to leave the plane to make room for a traveling basketball team and for other civilians holding regular airline tickets.

Yesterday, I received a letter from the mother of three boys in our Armed Forces complaining of the fact that her youngest son, a veteran of 8 months in Vietnam, who was home on 7 days leave over the Christmas holiday, was "bumped" from the plane flight on which he had a half-fare serviceman's ticket. This young man, along with several other servicemen, had a standby ticket on a flight between San Diego, Calif. and Cleveland Hopkins airport. The mother relates that after the first-class passengers were aboard, the servicemen were allowed to board the plane. Then, a few minutes later they were asked to leave the plane after other civilian late-comers had arrived. As the young man had to report for duty early the next morning, this family suffered a great deal of anguish and distress, until much later in the evening their son finally was able to obtain an airline seat. The Job Corpsmen encountered no such delays. They had it made to the tune of a million dollars of our taxpayers' money.

As Congressman at Large from Ohio in the early 1930's, I was proud that I voted for the Civilian Conservation Corps that took hungry and jobless young men into CCC camps. The accomplishments were solid, mostly in forestry and conservation. I think the Job Corps should have been modeled on the Civilian Conservation Corps of FDR's administration. Greater emphasis should be placed today by the Job Corps on the establishment of conservation programs and centers. I supported that great national experiment. It was one of the most successful projects of the New Deal era, acclaimed by both political parties. Brains and raw muscle, willing and enthusiastic, became available, almost overnight, for the work of forest fire prevention, erosion control, new outdoor recreational facilities, and earth dam reservoirs. Hundreds of thousands of youths were physically and mentally rehabilitated by reason of the outdoor activities of the CCC. Today, many of them are scattered throughout the leadership of American industry, government, and education—testimony to the social values of that great experiment.

I criticize Sargent Shriver and his administration of the Job Corps for giving nearly 9,000 corpsmen the pleasure of abandoning their training for a period of approximately 2 weeks to fly home by chartered flights, commercial planes, or by train at a cost to our taxpayers of approximately $1,100,000. This was an unnecessary extravagance. Why are Job Corpsmen stationed at such great distances from their homes in the first place? This in itself appears to be an unnecessary extravagance and an example of poor administration. Why should it even have been necessary for the average Christmas flight to approximate 1,275 miles—and this is only an average figure?

Furthermore, the 113 Job Corps centers are all top-heavy with staffs that are not directly engaged in the crucial counseling and teaching of trainees. Also, the total number of expensive vocational programs—as many as 15 in some camps—should be cut down to a more manageable number. I call upon the administrator to reappraise this situation.

Mr. President, I intend to be vigilant in seeking to end such extravagances. I shall continue to support the war on poverty. I shall also continue to support the war on waste and frills in the administration of this effort. Incidentally, Mr. President, it is with surprise that I learned in the Office of Economic Opportunity, of which Sargent Shriver is presently the administrator, there are 25 other executives or administrators whose annual salaries equal or exceed $25,000. Whether all these men and women earn these high salaries may be demonstrated. I do not know. It appears there may be justification for that, but there was no justification whatever to compel our taxpayers to pay more than $1 million for the pleasure of Job Corpsmen to make long return trips for happy holidays at the expense of hard working Mr. and Mrs. John Q. Citizen.

We in the Congress provided good antipoverty programs. The administration of these programs has been bad. Too many offices were set up; too many consultants hired; too many high salaries; too much pampering of Job Corps enrollees; and too little concern for the taxpaying public.

SENATE'S 17-YEAR FAILURE TO ACT ON GENOCIDE A DISGRACE

Mr. PROXMIRE. Mr. President, in this the second of the daily series of speeches I intend to make on the failure of the Senate to act on human rights treaties recommended years ago by Presidents of the United States, I want very briefly to discuss the Genocide Treaty; a treaty initiated by this Government in the United Nations more than 20 years ago.

As we know, genocide is the systematic, organized, planned extermination of an entire people by murder. It has been practiced throughout the ages, and never with greater or grimmer ferocity than in this century when Adolph Hitler directed the systematic murder of more than 6 million Jews and 2 million Poles.

The Convention on Genocide was unanimously adopted by the General Assembly of the United Nations on December 9, 1948, and signed in behalf of the United States on December 11, 1948.

On June 16, 1949, President Truman submitted the Genocide Convention to the Senate for ratification. It was immediately referred to the Foreign Relations Committee. A subcommittee of the Foreign Relations Committee considered the convention on January 23, 1950. In the intervening 17 years, there has been neither explanation nor excuse from the committee on its failure to act.

One historical fact should be of special interest to the Senate, the State Department, and the administration. On January 23, 1950, the State Department sent to the Foreign Relations Committee as its advocate in behalf of ratification, a most articulate and persuasive spokesman, the then Deputy Under Secretary of State—Dean Rusk.

Secretary Rusk's case for ratification was compelling in 1950. In 1967 it is irrefutable.

It is a cruel paradox as well as a national disgrace that the United States, which has proved conclusively to the world the practical effectiveness of our own Bill of Rights, must hang our national head in shame at our irresponsible unwillingness to lead the fight for the establishment of basic human rights for all men.

The fundamental human protection guaranteed by the Genocide Covenant, to prevent the organized destruction of human beings on racial, religious, or cultural grounds, remains unratified by this Senate.

The responsibility cannot be placed with others. We cannot criticize the usual whipping boys; the State Department, the executive, the House. The Senate and each of us as Senators must accept individual responsibility for our collective failure to act. Seventeen years is too long an engagement for any couple. There comes a time to marry, to go through with the ceremony. The time is here for this Senate to fulfill our pledge to all Americans, to the United Nations, and to all humanity by moving immediately to ratify the Genocide Convention.

FINANCIAL HOLDINGS OF SENATOR PROXMIRE

Mr. PROXMIRE. Mr. President, on December 3, 1963, and again on January 29, 1965, I submitted for the record the history of my financial holdings from the time I was first elected to the Senate in August of 1957, until January 1965.

In order to bring the full record up to date, I submit herewith the history of my financial holdings since January 1965.

There has been no significant change in my assets. The bulk of my assets are still in U.S. Treasury bonds and notes as they have been since late 1963. The value of these holdings is about $155,000.

My other assets include ownership of my home and furnishings in Washington, on which I owe a substantial mortgage to the Perpetual Building Association of Washington, D.C.; ownership of my home and furnishings in Madison, Wis., on which I owe a mortgage to the Credit Union National Association in Madison, Wis., and from which home I receive $150 a month rental; ownership of one 1967 automobile; ownership of checking accounts in one Washington and two Madison banks with balances of about $3,000.

I have trust custody of a small savings account of my son Ted and daughter Elsie; and trust custody over 11 shares of stock in the Milwaukee—now Atlanta—Braves, 10 shares in American Motors, and four shares in Allis Chalmers—all for my son Ted; and four shares of stock in Associated Dry Goods for my daughter Elsie.

The value of my holdings has not changed substantially since my last report 2 years ago. I still estimate it to be under $200,000.

EXECUTIVE SESSION

Mr. HART. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the clerk will state the nomination on the Executive Calendar.

DEPARTMENT OF TRANSPORTATION

The legislative clerk read the nomination of Alan S. Boyd, of Florida, to be Secretary of Transportation.

Mr. HOLLAND. Mr. President, it is with great pleasure that I take the floor of the Senate today in full support of the nomination and confirmation of Alan S. Boyd to be the first Secretary of Transportation.

The confirmation of Alan Boyd will mark the first time a Floridian has held a Cabinet post in the United States of America since Florida became a State in 1845. It is interesting to note, however, on this historic occasion, that there was another Floridian who served as a Cabinet member in the Confederate States of America—Stephen Russell Mallory, Senior. Senator Mallory served in the U.S. Senate from 1851 until January 1861, when Florida seceded from the Union. His most outstanding service here was as chairman of the Committee on Naval Affairs. Later he accepted from President Jefferson Davis the office of Secretary of the Navy of the Confederacy.

Well versed in the advanced naval experiments he had fostered here for the use of armor in the construction of naval ships he was the dominant figure in the continuing effort which led to the building of the renowned *Merrimac*.

Mr. President, I heartily endorse the confirmation of Alan Boyd as Secretary of Transportation as reported to the Senate by the Commerce Committee. He will render great service to our Nation in this new and heavy responsibility. I ask unanimous consent that my statement before the committee in support of Alan Boyd's nomination be printed in the RECORD at this point as part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Statement of Senator Spessard L. Holland Before Commerce Committee, U.S. Senate, on Behalf of the Nomination of Alan S. Boyd as Secretary of Transportation, January 11, 1966

Mr. Chairman, it is a pleasure and honor, as one of my first activities in the 90th Congress, to appear before your distinguished committee to strongly recommend to you a Floridian who has distinguished himself in the public service at both the state and Federal levels.

My colleague, Senator Smathers, and I and, I am sure, all other Floridians are proud that the President has nominated Alan S. Boyd to be the first Secretary of Transportation and incidentally Florida's first member of the Cabinet of the United States of America.

Mr. Boyd was born in Jacksonville, Florida, on July 20, 1922. The family home was at the nearby small town of Macclenny where he was raised and which remained his home until his World War II days. During the period 1942–45 he served as a pilot in the Troop Carrier Command in World War II and later served in the Korean Conflict.

He attended the University of Florida from 1939–41 and after military duty he completed his formal education at the University of Virginia, receiving his LL.B. degree in 1948 and then practiced law in Miami.

Recognizing his ability, Governor Collins appointed Mr. Boyd Chairman of a civilian committee for the development of aviation in Florida. He also served as General Counsel for the Florida Turnpike Authority in 1955.

Mr. Boyd is also a former member of the Florida Railroad and Public Utilities Commission, to which he was appointed by the Governor in July 1955. Subsequently, in 1956, he ran statewide and was elected to a full term on the Commission where he served as its Chairman in 1957–58.

His Federal service began when he was named by President Eisenhower to membership on the Civil Aeronautics Board on November 16, 1959. He was reappointed by President Kennedy to a full six year term beginning January 1, 1963. He served as Chairman of the Board beginning in 1961.

Subsequently, Mr. Boyd was named by President Johnson Under Secretary of Commerce for Transportation taking the oath of office on June 1, 1965.

Mr. Chairman, Alan Boyd has made an outstanding record in his various capacities in the public service at both the State and Federal levels and I am firmly convinced that the knowledge and experience he has gained in these capacities qualifies him admirably for the new and high position for which he has been now nominated.

Mr. Chairman, my colleague, Senator Smathers, and I strongly endorse the nomination of Alan S. Boyd to be Secretary of Transportation.

Mr. HOLLAND. Mr. President, I know that my colleague from Florida had expected to be here to make the same request, and I ask, first, that my comments be considered as comments by both of us, and second, that he be permitted to file his able statement, made before the committee yesterday in support of this nomination.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Smathers Before Senate Interstate and Foreign Commerce Committee on Behalf of the Nomination of Alan Boyd To Be Secretary of the Department of Transportation

Mr. Chairman and Members of the Committee: It is a distinct pleasure and privilege for me to come before you today in support of the nomination of my longtime friend, Alan S. Boyd, for the position of Secretary of the newly created Department of Transportation.

Mr. Chairman, I am sure that you and all members of your Committee are very familiar with Mr. Boyd's accomplishments since he was appointed to membership on the Civil Aeronautics Board in 1959. As you know, he was reappointed by President Kennedy to a full six-year term on the CAB on January 1, 1963. He served with distinction as Chairman of the Board from 1961 until 1965 when he was appointed Under Secretary of Commerce for Transportation. In both of these positions Mr. Boyd has rendered exemplary service, carrying out his duties with fairness and with a deep sense of responsibility as a public servant. Both Florida and the nation can be justly proud of his accomplishments.

I have known Alan personally for many years. He is a man of impeccable integrity and outstanding ability. With his vast background of experience, there is no question but that he is eminently qualified for the position of Secretary of the Department of Transportation. I am confident that he will continue to render invaluable service to the nation in this position of high public trust.

Without any reservation whatsoever, I commend Alan Boyd to you and your Committee and sincerely hope that his nomination will be reported favorably to the Senate without delay.

Mr. JORDAN of North Carolina. Mr. President, although Mr. Alan Boyd is not a native of North Carolina, I must speak in his behalf. He cannot help the fact that he comes from the grand State of Florida.

I join with my good friend, the distinguished Senator from Florida [Mr. Holland] in endorsing the nomination of Alan Boyd.

I know Mr. Boyd very well. I have had some experience with him. I know that he is a very fine, capable, and outstanding man. I know that he will do a great job in the new Department of Transportation.

I join in endorsing his nomination, and I am sure that his nomination will be confirmed without any problem.

Mr. HOLLAND. Mr. President, I warmly thank the distinguished Senator from North Carolina.

In my statement yesterday and in that of my colleague, we outlined the experience of Mr. Boyd as a member of the Railroad and Public Utilities Commission in Florida, as a member of the CAB, as an Under Secretary in the Department of Commerce for Transportation, and in other positions of honor.

I am sure that he will render very fine service to our Nation. It is in that spirit that we support the confirmation of his nomination.

Mr. PELL. Mr. President, I wish to express my wholehearted support and approval of the nomination of Alan Boyd. He is experienced in all fields of transportation. He has given completely of himself to his State and the Nation. I know his pioneering role in this new job will produce great advances in the field of transportation, and I hope it will finally achieve that cohesive transportation policy which our great country has sought for many years.

Being especially interested in the problems of transportation between the great cities in our area, I shall be following his work with the utmost interest.

NEW SECRETARY OF TRANSPORTATION SHOULD WORK CLOSELY WITH MIDWEST SENATORS ON SEAWAY PROBLEMS

Mr. PROXMIRE. Mr. President, over the past few months I have expressed concern from time to time over the policy that the President's nominee for Secretary of Transportation will follow toward the St. Lawrence Seaway. As we all know, this facility is essential to the economic health and growth of the Midwest. Yet at this time there is a serious possibility that seaway tolls may be increased.

As chairman of the Great Lakes Conference of Senators, I am delighted to say that Mr. Boyd yesterday indicated to my Midwest colleagues on the Commerce Committee, during the hearings on his nomination, that he would work closely with all of us representing the Midwest on the problems of the seaway. I am especially pleased that he indicated that he had an open mind on any proposals to recapitalize the seaway as an alternative to an onerous toll increase.

I should like to direct an inquiry to the distinguished Senator from Michigan [Mr. Hart], who is a member of the committee.

I read in the newspaper this morning that Mr. Boyd expressed enthusiasm for the development of a supersonic transport. Is that statement correct?

Mr. HART. I must confess that, while I attended the hearing, my only question of Mr. Boyd involved determining whether he would be responsible for the development of an urban transportation program. He said he would.

I should be glad to see the two departments under one head because, while it would be nice to get to London in 2 hours, it would be very nice to get downtown in 2 hours also.

Mr. PROXMIRE. It is my understanding that Mr. Boyd was reported in the newspaper as supporting the supersonic transport.

I want to make it clear that while I am delighted to vote for his nomination, I vehemently disagree with any support that he has expressed for what I think is a frill and a wasteful luxury.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

Mr. HART. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Hart, and by unanimous consent, the Senate resumed the consideration of legislative business.

OUR TRUE DEFICIT FOR FISCAL 1967

Mr. WILLIAMS of Delaware. Mr. President, in order that I may discuss certain phases of the President's message to the Congress last Tuesday I ask unanimous consent that I may proceed for 15 minutes.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, last January when the President submitted his message to Congress he stated that there was to be a deficit of $1.8 billion for fiscal 1967.

Two days ago, when the President addressed the joint session of Congress, he revised his estimate of the 1967 deficit and increased it to $9.7 billion. He then requested a 6-percent tax increase to reduce the projected deficit for fiscal 1968.

I think this is a belated recognition by the administration of a serious deficit.

Many of us for the past several months have been insisting that the administration was underestimating its deficit and that we were spending at the rate of more than $1 billion a month beyond our income.

I point out today that this new revised figure of $9.7 billion still does not tell the American people the true facts and all of the story as to the deficit spending program of this administration.

They are still underestimating the true deficit for the current fiscal year.

If we use the same accounting methods that have prevailed in this country for the past 150 years we find that the deficit for fiscal 1967, based upon the administration's own reports and figures, is not $9.7 billion, as they now claim, but is actually $18.77 billion.

I give a breakdown of this $18.7 billion figure. These figures have been developed with the assistance of the staff of our committee.

The $9.7 billion is arrived at by taking into consideration the items which I shall enumerate, all of which are nonrecurring income but which are treated by the administration as normal revenue.

The first item that is erroneously included as normal income to get up the $9.7 billion figure is the $3.2 billion that was picked up by the accelerated corporation payments. This is as a result of the 1966 act. It is nonrecurring income. After this fiscal year it will be washed out and should not be treated as normal revenue for budgetary reporting.

In addition, we have a speed-up in withholding tax collections by executive order. This amounts to an additional $100 million for fiscal 1967. A revision of the graduated withholding taxes passed by Congress advances another $395 million in this year's budget.

A speed-up of excise tax collections by executive order brings in an additional $275 million for fiscal year 1967.

In this fiscal year we will have a profit on the seigniorage of our coins. That is the profit that accrues to the Treasury Department by reason of reducing the silver content of our quarters, half dollars, and dimes. This profit had been estimated first to be $1.5 billion for the 1967 fiscal year.

I have discussed this matter with officials of the Department, and I am informed that we are running about one-third behind on that estimate. So there will be about $1 billion additional profit accruing to the Treasury Department on this item in fiscal 1967.

In addition, they have actually sold $1.1 billion in participation sales this year. According to the budget estimate presented last year it was estimated that they would sell $4.2 billion during fiscal 1967. I have been advised that in arriving at the new $9.7 billion figure the Department included plans to sell another $3 billion of these participation sales certificates during the current fiscal year; that is, prior to July 1. This means that a total of $4.1 billion from the sale of these assets will be counted as normal income for the purpose of reducing the amount of the reported deficit for fiscal 1967.

This is not normal revenue and should not be treated as such for budgetary reporting.

One national magazine recently described the operations of selling our assets and using the proceeds as though they were normal revenue as comparable to pawning the family silver to buy this week's groceries.

When we add all these items of nonrecurring income which are included in the figures for this year as though the amount constituted normal revenue we find that rather than a $9.7 billion deficit, we actually have an $18.77 billion deficit during the current fiscal year, 1967.

I think that Congress and the American people should be made aware of that fact and should realize that these are nonrecurring items of income. The American people should be told that if our expenditures and our income were computed in the same manner as they had been for the past 150 years, prior to this new, fancy bookkeeping, juggling system of the Great Society, the reported deficit for fiscal 1967 would be $18.7 billion instead of that $9.7 billion now claimed.

As we approach the question of whether we must increase taxes, it would be well for us to recognize that a tax increase alone will not solve our deficit problems. What we need above all is the recognition that we cannot afford many of the fancy ideas which we are receiving from the executive branch today. This Great Society is too expensive for our pocketbooks.

We must curtail expenditures even in programs that we all like. We must cut back on many of these domestic programs. Otherwise we face a financial catastrophe in this country. Inflation is still the No. 1 threat in this country.

I think the President was negligent in not recognizing this danger a year ago instead of trying to perpetuate the farce that we were only operating with a $1.8 billion deficit.

Certainly no man who studied these figures ever thought that we could finance a war on such a basis. Even now they are only admitting half of the true picture; namely, that we have in excess of an $18 billion deficit. Why try to deceive the American people?

I was very disappointed in the President's message on Tuesday night when he failed to admit the real deficit confronting us for fiscal 1967. Instead of recommending and encouraging a cutback on some of the domestic programs, he actually asked for an acceleration of spending. He has given every indication of promising more and more of everything for everybody on the premise that the Federal Government is a bottomless pit when it comes to getting money.

I believe that the President should remind the American people that this Government does not have access to any mysterious source of income.

The only money that the Federal Government can give to the American people, either as individuals or as State or local agencies in the form of grants, is money which has first been taken from their pockets as taxpayers, directly or indirectly, in the form of taxation or in the form of creating a larger national debt.

I have been very disappointed with this administration, which insists upon ignoring its deficits.

When the figures are adjusted to realistic and proper accounting methods one finds that this Great Society—this administration, under President Johnson—in the years 1964, 1965, 1966, and 1967 has spent a total of $40½ billion more than it has taken in. That is an average of $10 billion a year that the administration is running this country in the red—an average of $800 million a month, or $40 million a day for every day this administration is in office on the basis of a 5-day workweek. Carrying the figures further, it comes to $5 million per hour.

Let us face it—the American people cannot afford the extravagance of this Great Society.

I cite one example of how the American people are being misled by the propaganda that is coming from the executive branch as to how expenditures are being cut. These attempts to mislead the people, rather than restoring confidence, are largely contributing to the credibility gap, a gap which is being enlarged.

I refer to December 1965, at which time President Johnson, speaking from his Texas White House, promised to cut back Federal civilian employment by 25,000. He promised that the executive branch would insist upon a 25,000 rollback in employment during the rest of that fiscal year, which ended last June 30.

Mr. President, I ask unanimous consent that the New York Times article of December 2, 1965, confirming the President's promise to cut back employment by 25,000 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT BACKS A CUT IN U.S. JOBS—APPROVES PLAN TO RETIRE 25,000—SPENDS QUIET DAY

AUSTIN, TEX., December 1.—President Johnson approved this afternoon a plan that could eliminate 25,000 Government jobs.

The plan, contained in a memorandum from the Budget Bureau and released here, instructs the heads of Government departments and agencies to reduce their employment by 1 to 1.25 per cent by the end of the fiscal year 1966, which ends next June 30.

Joseph Laitin, assistant White House press secretary, said the plan did not mean that present employees would be dismissed. It is designed, he said, to take advantage of stepped-up retirements from Government jobs.

> These retirements have been increasing because of a new law offering certain inducements, including larger pensions, to employees who retire before the first of the year.
>
> "The vacancies thus created," the memorandum said, "present an opportunity to take new specific action to carry out the President's long-standing instructions to hold Federal employment at the minimum necessary to carry out Government operations effectively."
>
> The President spent a quiet day at his ranch studying reports and preparing for a meeting tomorrow with Secretary of Agriculture Orville L. Freeman and Secretary of State Dean Rusk.
>
> The main topic at the meeting is expected to be the world food situation and Mr. Johnson's forthcoming talk with President Mohammad Ayub Khan of Pakistan.
>
> Mr. Rusk is expected to join Mr. Johnson and Defense Secretary Robert S. McNamara for a discussion of world problems this weekend or early next week. The White House announced yesterday that this meeting would be held tomorrow or Friday. However, officials explained today that administrative work at the Pentagon would keep Mr. McNamara in Washington longer than expected.
>
> The President also spoke by telephone with his special assistant for national security affairs, Mr. McGeorge Bundy. Mr. Laitin, in response to a question, said that the subject of Mr. Bundy's future had not been discussed and that, to the best of his knowledge, the two men had never discussed it. Mr. Bundy has been offered a post as head of the Ford Foundation.

Mr. WILLIAMS of Delaware. Instead of cutting employment by 25,000, we find that between December 1, 1965, and July 1, 1966, the administration actually added 187,506 new employees to the payroll. That was an average of 26,000 a month, 6,500 a week, or 1,300 a day for every day during the 7-month period following a promise of a cutback.

Then during the last campaign, on September 20, 1966, an Executive order was issued freezing employment at the level that prevailed on June 30 for the temporary appointees and at the level that prevailed on July 31 for all permanent employees. Much was said about this great promise of economy by the administration. They would freeze employment at the level prevailing at the beginning of this fiscal year.

Mr. President, I ask unanimous consent that this Executive order, signed by Charles L. Schultze, the Director of the Budget, be printed at this point in the RECORD.

There being no objection, the Executive order was ordered to be printed in the RECORD, as follows:

> EXECUTIVE OFFICE OF THE PRESIDENT,
> BUREAU OF THE BUDGET,
> *Washington, D.C., September 20, 1966.*
>
> MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISMENTS
>
> Subject: Fiscal year 1967 employment ceilings.
>
> 1. The President has directed that the head of each agency take necessary steps to:
>
> a. Hold employment in *full-time permanent positions* for the remainder of fiscal 1967 to a level at or below that prevailing as of July 31, 1966. (Those agencies whose employment is already above the July 31, 1966, figure should reduce their employment to the July 31 level as expeditiously as possible by not filling vacancies.)
>
> b. Hold employment in *temporary, part-time, or intermittent positions* for the remainder of fiscal 1967 to a level at or below that prevailing as of June 30, 1966, except for meeting normal seasonal changes in agency workloads. In no event should such employment on June 30, 1967, exceed that on June 30, 1966.
>
> 2. These actions are an essential part of President Johnson's efforts to reduce Federal expenditures.
>
> 3. Each agency head should make every effort to achieve the lowest possible level of employment. We must increase our productivity, redeploy our personnel, simplify our procedures and strip work to essentials in order to meet the employment ceilings established by this memorandum.
>
> 4. In view of the personnel requirements involved in the Viet Nam conflict, the Department of Defense and the Selective Service System are specifically exempt from paragraph 1 of this memorandum. For these two agencies, employment ceilings heretofore in effect will remain in effect subject to adjustment during review of the 1968 budget.
>
> 5. In the case of the Post Office, the June 30, 1967, employment ceiling established in the January budget review will remain in effect.
>
> 6. Requests for exception to the levels established by this memorandum will be presented to the Director of the Bureau of the Budget by the agency head under the following circumstances *only:*
>
> a. When the need for employment increases can be related directly to requirements for Southeast Asia, or
>
> b. When employment increases are needed for new programs which were not in existence on July 31, 1966, and for which appropriations or other funds have been provided and have been apportioned by the Bureau of the Budget, or
>
> c. When employment increases are needed for emergency situations involving the protection of life, property, or the national security, or
>
> d. When transfers of functions from one agency to another or from headquarters to the field result in a need to adjust employment levels.
>
> In any of the above cases, *exceptions will not be requested* until the *agency head* has determined that it is clearly not possible to meet the required employment needs by redeploying personnel from other areas so as to remain under the employment level established by this memorandum. *Exceptions will not be granted* unless agencies clearly demonstrate that such shifts have been evaluated and that they are not feasible.
>
> CHARLES L. SCHULTZE,
> *Director.*

Mr. WILLIAMS of Delaware. Now what happened? Instead of cutting back on the number of employees on the Federal payroll or holding the number at the level as stated by the Executive order, 96,692 employees were added during the first 5 months of this fiscal year. This was during the period that this Executive order has been in effect.

In the month of October 24,488 were added to the public payroll. In November, the most recent month for which we have an accounting, 36,728 more were added.

Altogether 96,692 employees were added during the present fiscal year while this Executive order, freezing the level at that of July 1, was in effect.

I repeat, the administration for the past 5 months has been adding employees at the rate of 19,000 per month, or an average of 950 a day. Reducing the figures further to a 40-hour workweek it means that since July 1, two employees have been added every minute. This padding of the public payroll was at a time when the President had in effect an Executive order purportedly freezing employment. The fact that this was an election period cannot be overlooked.

The time has come when the American people should be told the truth. I notice that in his message to Congress earlier this week the President recommended a truth-in-lending bill. There is merit in the proposal to have truth in lending, but I say most respectfully that what we need above all is more truth in Government. Let the administration tell the American people the truth as to what is being spent. Then the people can more intelligently decide whether or not they can afford the luxury of maintaining this extravagant administration in office. Extravagant administration, yes, Mr. President—the most extravagant administration that has ever had control of the White House in the history of this country.

The total expenditures of the U.S. Government during the first 6 years of the New Deal administration, 1933 through 1938, were $40.6 billion—or about the same amount as the actual deficit created by the Johnson administration during its first 4 years in office.

HEADING OFF THE NUCLEAR ARMS RACE

Mr. KUCHEL. Mr. President, in his state of the Union message on January 10, 2 days ago, the President said:

> The Soviet Union has in the past year increased its long-range missile capabilities. It has begun to place near Moscow a limited antimissile defense. My first responsibility to our people is to assure that no nation can ever find it rational to launch a nuclear attack or to use its nuclear power as a credible threat against us or our allies.
>
> I would emphasize that that is why an important link between Russia and the United States is our common interest in arms control and disarmament. We have the solemn duty to slow down the arms race between us if that is at all possible, in both conventional and nuclear weapons and defenses. I thought we were making some progress in that direction, in the first few months I was in office. I realize any additional race would impose on our peoples and on all mankind for that matter, an additional waste of resources with no gain in security to either side.
>
> I expect in the days ahead to closely consult and seek the advice of Congress about the possibilities of international agreements bearing directly upon this problem.

Americans are gratified, Mr. President, at this recognition by the administration of a crucial problem which so directly and crucially affects the entire human race. I believe the United States should try to open full and frank discussions with the Soviet Union, in an endeavor to find common cause in heading off an arms race threatened by Soviet deployment of an antiballistic missile system—the so-called ABM. If this were to prove impossible, Mr. President, then our country would, of course, have no alternative; and the appropriate means of military response would, indeed, be provided. As a member of the Subcommittee on Department of Defense, of the Committee on Appropriations, I would support such a step, whatever the cost.

Ambassador Llewellyn Thompson, the distinguished veteran American diplomat, has arrived in Moscow to begin another tour as representative of our country. All Americans wish him every success in efforts to make clear the deep concern of the American people and the American Government for maintenance of a rational nuclear balance. His discussion ought to form the first step in the opening of the high-level discussions which I believe are vitally necessary at this crucial moment in world history.

On December 9, 1966, I sent the President a telegram, calling on him to employ the most expeditious diplomatic channels to take up with the Soviet Union the question posed by deployment of the Soviet antiballistic missile system. I ask unanimous consent that the text of my telegram to the President on that occasion be printed in full in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

[Text of Senator Kuchel's telegram]

Soviet decision to proceed with development and deployment of anti-ballistic missile system threatens a new and ominous round in nuclear arms race. As Commander-in-Chief of Armed Forces and elected leader of our Nation, you are most keenly aware among all men of grave portent for peace posed by this Soviet initiative.

In past years Soviet leaders have indicated that they would be willing to take necessary steps to avoid global nuclear war, but their actions respecting production and development of nuclear weaponry contradicts this claim.

I am firmly convinced that no useful steps can be taken toward achievement of man's dream of peace on earth without support of world's major nuclear powers. Whatever their political and ideological differences, they must agree to a common interest in avoiding nuclear holocaust, if not, indeed in preserving fertile and productive atmosphere in which men can live on this earth.

I respectfully urge you to employ most expeditious diplomatic channels to convey to leaders of Soviet Union at highest level the deep concerns of American people on these issues. I also urge that, without conceding any valid American interests, you call for full and frank discussions with Soviet leaders in order to seek common cause to reverse trend in weaponry which Soviet actions may have started. If successful, such discussions could lead to a further exploration of current assumptions of world nuclear policy with a view to taking the necessary steps toward peace, something which could be rendered impossible if the nuclear arms race is to be resumed.

FREE PRESS AND FREE BROADCASTER

Mr. ERVIN. Mr. President, one of America's most forthright television and radio officials is Charles H. Crutchfield, president of the Jefferson Standard Broadcasting Co., of Charlotte, N.C. Southern Advertising and Publishing for October 1966 carried an article by Mr. Crutchfield entitled "The Free Press and the Free Broadcaster," which sets forth in a graphic fashion the necessity of preserving free speech in the television and radio industry.

This article merits the thoughtful consideration of all Americans who are concerned about various proposals for censorship of the press and broadcasting. For this reason, I ask unanimous consent to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FREE PRESS AND THE FREE BROADCASTER

(By Charles H. Crutchfield)

I suspect that—when the perspective of time has drawn the social revolution of the 1960's into sharper focus—historians will marvel at the maturity which characterized the movement. I further suspect that they will conclude that this comparatively bloodless revolution was made possible, in large part, by the free press and the free broadcaster.

I say this, realizing fully that—as is always the case when two opposing sides are presented—much of what has been said and written has been shaded by the reporters' own personal preferences and opinions.

Nonetheless, the fact that reporters *were* able to report and interpret events and actions as they saw them, instead of being bound by the "official line" in what they wrote and said, lent credibility and a certain dignity to reports emanating from scenes of crises. In short, readers and viewers received a cross-section of fact and opinion—a composite picture as it were—and by application of their own intelligence and reasoning to the varied reports were able to get as clear and as truthful a picture of what was happening as was possible.

Obviously, had citizens been exposed only to the "official line," a completely one-sided account would have been forthcoming.

It is therefore alarming—and somewhat ironic—that there now are in our midst those who would diminish the rights and duties of the media to gather and report the facts.

Two blatant examples have occurred recently. Some two years ago, the Massachusetts legislature enacted into law a bill limiting the activities of newspapers and broadcasters in reporting court and criminal news. This legislation empowered the attorney general to "set up an adequate staff to check the publication of all news media operating throughout the commonwealth, day by day, week by week, thoroughly and methodically, and cite for contempt those news media breaking the existing laws of the commonwealth regarding the reporting of court and criminal news."

In recent months, two North Carolina judges issued an order which severely restricts the dissemination of information about criminal cases. The directive states, in part, "After arrest and before final determination in this court of any criminal case which may come before it, no accused, counsel, prosecutor, witness, law enforcement officer, court staff, court official or any person engaged in or assisting in the investigation, preparation or trial of the case shall make any statement for the purpose of publication . . . concerning the fact of or contents of any confession or statement of the accused, or concerning any prior criminal record of the accused, or the fact of or the results of any tests, or what the evidence is expected to be, or comment upon the credibility of any witness, or express any opinion as to the guilt or innocence of the accused."

Editor and Publisher, that staid old Bible of the newspaper industry, barked its disapproval in each instance in its usual succinct manner, saying of the Massachusetts law, ". . . to give such a code the sanction of Law is to make every newspaper responsible to the government and to the attorney general's office for what it prints. In this instance, the reference is to court and criminal news. The next time—and there could be a next time once the precedent is established—it might concern news of the legislature or the governor's office. This is the very thing the First Amendment was designed to guard against."

Commenting on the North Carolina order, Editor & Publisher said, "It is so extensive that if complied with thoroughly by all concerned, the police and judiciary can operate in secrecy to the detriment of the uninformed electorate who put them in office."

It is interesting to contrast the thinking of authorities in Massachusetts and North Carolina with that of such men as former President Herbert Hoover, who said, "Absolute freedom of the press to discuss public questions is a foundation stone of American liberty."

Scarcely a half-century after America gained its independence, Alexis de Tocqueville, the French genius who authored "Democracy in America," wrote: "The more I consider the independence of the press . . . the more I am convinced that, in the modern world, it is the chief, and . . . the constitutive element of liberty. A nation which is determined to remain free is therefore right in demanding, at any price, the exercise of this independence."

William L. Shirer, who chronicled the rise to power of that Twentieth Century madman, Adolph Hitler, outlined in "The Rise and Fall of the Third Reich" how easy it was for Hitler to control public thinking, once he controlled Germany's newspapers and radio stations.

Shirer wrote, "I myself was to experience how easily one is taken by a lying and censored press and radio . . . It was surprising and sometimes consternating to find that notwithstanding the opportunities I had to learn the facts . . . a steady diet over the years of falsifications and distortions made a certain impression on one's mind and often misled it."

Fortunately for us, the elective process generally has tossed to the top men of conviction who believe that the media should be unrestricted in their efforts to report the facts and inform the public. For this we should be grateful, licensed as we are by the federal government and open as we are to the politically appointed "sharp-shooters," and yes—to the genuinely sincere—who see the role of government as that of master, and not of mate.

When the Federal Communications Commission attempted to dictate to broadcasters the length and frequency of commercials they could air, newspapers rose almost as one to denounce such tactics. The Dallas Morning News, in an editorial entitled, "Thought Control," said: "If the American people are to be told—by official government regulation—what advertising they can hear or see, won't they be told what advertising they can read in the newspapers, and how much? If they can be told that, can't they be told what they are to read in the news columns and on the editorial page? Is this free enterprise? Is it even America?"

The St. Louis Globe-Democrat, in a tersely-worded editorial, said, "Let us hear no more of men in Washington telling the broadcaster in Walla Walla just how much time he is to allot for commercials, or we shall one day hear the same men tell him just what he is to put on the air."

The Seattle Post-Intelligencer said: "The broadcast industry would suffer through loss of one of the freedoms inherent in our form of government. More important, the public would suffer. For FCC dictatorship must inevitably mean programming control by the government."

These newspapers are right in their fears, of course. The Supreme Court, in FCC vs. Sanders Bros., 309 U.S. 470, decided in 1949: "The Communications Act does not essay to regulate the business of the licensee. The Commission is given no supervisory control of the programs, of business-management or of policy . . . The Congress intended to leave competition in the business of broadcasting where it found it."

The Supreme Court, in the Esquire Case said, "Under our system of government there is an accommodation for the widest varieties of tastes and ideas. What is good literature, what has education value, what is refined public information, what is good art, varies with individuals as it does from one generation to another. But a requirement that literature or art conform to some norm prescribed by an official smacks of an ideology foreign to our system . . . from the multitude of competing offerings the public will pick and choose. What seems to one to be trash may have for others fleeting or even enduring values."

FCC Chairman Rosel Hyde, in a 1963 speech before the Georgia Association of Broadcasters, said, "My thesis is that the public interest requires that program judgments be made through democratic process rather than through the application of authoritarian procedures."

In 1950, a Board established by Presidential Order to study overall communications policy, said: "One of the bulwarks of a free society is freedom of communications. Its commerce, its education, its politics, its spiritual integrity, and its security depend upon and unimpeded and unsubservient exchange of information and ideas."

But still the fight continues. Still with us are those who would replace the imperfect tastes and judgments of the press and the broadcaster with their own imperfect tastes and judgments—who would foist upon the public *their* ideas and *their* beliefs, not by education and leadership, but by decisions which would make information and entertainment conform to a norm prescribed by *them*.

For these very near-sighted and very dangerous gentlemen, a word from Thomas Jefferson might be in order. Jefferson wrote, "I know no safe depository of the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

Amen!

Mr. JORDAN of North Carolina. Mr. President, I join my distinguished colleague [Mr. ERVIN] in endorsing the article written by Charlie Crutchfield. This is a very fine article and I am delighted that it is going to be printed in the RECORD.

It is well worth reading. This is a subject which needs to be followed very closely. There is no question that when we begin to censor broadcasting in any of its phases, we are headed for trouble.

I am therefore mighty glad that my distinguished colleague has placed this article in the RECORD.

A CONGRESSIONAL SALMAGUNDI

Mr. ERVIN. Mr. President, on October 28, 1966, I had the privilege of addressing the North Carolina State Bar at its annual meeting in Raleigh, N.C. I ask unanimous consent that a copy of my remarks on that occasion be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A CONGRESSIONAL SALMAGUNDI

Senator ERVIN. President Wilson, Chief Justice Parker, and Fellow Members of the Bar:

It is a great privilege to be here. It's always good to be with judges and lawyers, because the truth is, in my heart, I have never been able to get an absolute divorce from my first love, the practice of law.

About two years ago I had an unexpected invitation to preside as toastmaster at a luncheon meeting at the National Lawyers' Club in Washington given in honor of the newly-appointed Attorney General Nicholas Katzenbach and the newly-appointed Deputy Attorney General Ramsey Clark. I discovered when I got to the luncheon that my right-hand luncheon companion was Chief Justice Warren. I looked around the room and saw that about five or six of the Associate Justices of the Supreme Court were present. So I said to myself in the words of the old hymn, "This is the day I long have sought, and wept because I found it not."

When it became time for me to make some remarks as toastmaster, I stated that I was delighted to have the opportunity to be with so many members of the District of Columbia Bar; that I loved to be with lawyers because of the fine fellowship they afforded; and, also, because of a habit they sometimes indulged which I didn't know I was permitted to speak of in the presence of the Chief Justice and the Associate Justices of the Supreme Court, and that was the habit of prayer. I said I didn't know any profession that could pray, when it really prayed, with more sincerity than lawyers; and that that fact was illustrated by the story of the young lawyer who went out to a revival service one night and was suddenly and unexpectedly called upon to lead in prayer. I said, "He prayed a prayer that came straight from the lawyer's heart." He said, "Stir up much strife among Thy people, Lord, lest thy servant perish."

I said, "It may be appropriate for me to say in the words of the old hymn that the Lord moves in mysterious ways His wonders to perform. Undoubtedly the Chief Justice and his associates on the Supreme Court of the United States will be surprised that the Lord even uses them as instruments to answer the young lawyer's prayer."

I said, "When they hand down a majority opinion and four concurring opinions setting out five different reasons for the decision, and such majority opinion and concurring opinions are accompanied by four dissents, dissenting from the conclusion reached on four different grounds, they stir up much strife among the Lord's people and answer the young lawyer's prayer."

And I said, "When they explain in a new opinion what they meant when they wrote an old opinion, they make confusion more confounded than ever and answer the prayer much more effectively."

I said, "It's very fortunate for the Bar of the United States that the Supreme Court cannot explain its own prior decisions with the clarity with which a North Carolina school teacher explained the recent school prayer cases." I said, "This teacher went into her classroom about fifteen minutes before the class was supposed to begin work and caught a bunch of her boys down in a huddle on their knees in the corner of the room. She demanded of them in a stern tone of voice what they were doing, and one of them hollered back and said, 'We are shooting craps.' She said, 'That's all right, I was afraid you were praying.' "

I am certainly delighted to be here with my friend of long standing and former associate on the Supreme Court, the present Chief Justice. I thought when he became Chief Justice that never had the man and the office met in such an ideal fashion as they met in him.

I will make a confession about some of the things that go on in the North Carolina Supreme Court conference room. When you get an opinion against you so positive in its terms that you wonder why you took the position you did when you lost the case, I would like to assure you that the chances are that you came pretty close to winning. There is a lot of argument in the conference room sometimes. Some of the decisions are very close—although they may be handed down as unanimous. The Supreme Court of North Carolina has so much hard work to do, it doesn't have much time to engage in dissenting. So it hands down a lot of unanimous opinions that are arrived at by very narrow margins. And sometimes there are some other things that occur.

On one occasion we had a conference in which Justice Denny had written an opinion in a will case which required an interpretation of the will of an old lady who resided in Wake County, and who wrote her own will. Her nouns and verbs where she had them both in the same sentence were like Maud Muller's—they didn't agree; and in many sentences where she had a subject, she didn't have a predicate; and in many sentences when she had a predicate, she didn't have a subject. And so it was a very difficult will to construe. Justice Denny had written one opinion, and I had written another to the contrary. The majority voted to adopt Justice Denny's opinion, and for this reason, mine became a dissenting opinion.

At the same time I had written an opinion in a silicosis case from Mitchell County where I had to construe the provisions of the law about silicosis. The Legislature had written about the same kind of words in the Act that this old lady had written in her will—the nouns and verbs didn't agree, and the sentences that had subjects and no predicates, and vice versa. But in my opinion, I had elucidated with positiveness the intent of the Legislature in enacting the Act. And I patched up the law so it became a pretty good Act, I think, because all the Court agreed with me. But, anyway, when the majority of the Court voted to take Judge Denny's opinion instead of mine in the will case, I said: "Well, this is a good will that Judge Denny has fixed up for this old lady."

I said, "Of course, it's not hers, and it wasn't written until after her death when this case came here. When the conference adjourns today, I am going to tack up a little sign on Judge Denny's office door which says, 'Postmortem Wills a Specialty'."

And Justice Denny said, "If you do, I am going to retaliate. I'm going to put a sign on your office door." And I inquired as to what sign he was going to put up at my office door, and he said he was going to put up, "Legislative Repair Shop now Open for Business."

Marion Allen has explained to you the meaning of the word "salmagundi," which is in my subject, "A Congressional Salmagundi.'" He gave you a definition which he says he obtained from the Chief Justice. And it is correct. But I think that as far as lawyers are concerned perhaps a more accurate description of the meaning of the term would be "a whole lot of irrelevancy bound together in a haphazard fashion."

I want to give you something in the nature of an account of my stewardship in the field of law reform as a member of the Senate. I don't know why I still persist in trying to improve the administration of justice. I first embarked on that course as the result of a personal experience I had in a case in Watauga County many years ago. The case arose in the State of Tennessee, and it turned on the law of Tennessee. At that time in North Carolina the law of a foreign state was a question of fact for the jury. We had a very fine judge presiding who could have read the Tennessee decisions and instructed the jury on the law, but he was not permitted to do so under the rule then prevailing. As a consequence, we had lawyers from Tennessee on both sides of the case as expert witnesses; and as Chief Justice Stacy would have said, the brethren had read the same books, but had drawn different conclusions from them. And so it seemed to me as a result of that experience it was rather absurd to have the law of a foreign state a question of fact for the jury instead of a matter of which the Court should take judicial notice.

I was elected to the Legislature a short time after that, and I introduced a little bill, which was passed, providing, in substance, that whenever the law of another state came in question in the courts of North Carolina, the Court would take judicial notice of that law in the manner it would do if the question arose under the law of North Carolina. I was rather proud of my little statute. I thought I had improved the administration of justice by it. But nobody paid any attention to it. And after I became a Superior Court Judge, which was some years later, I went to Ashe County to hold court and called a case in which Thomas Bowie was appearing for the plaintiff and Bill Austin and Ira Johnston were appearing for the defendant. After we had empaneled the jury and read the pleadings, I discovered that the case was an action for damages for an alleged false arrest in the State of Virginia, and the defense was a justification that the arrest had been made in conformity with a Virginia statute relating to fugitives from justice.

I thought about my little statute, and I asked the lawyers in the case if they had any statutes of Virginia or any decisions of the Court of Appeals of Virginia dealing with the subject, and they confessed they did not. And I said, "I don't see how we can try this case in the absence of Virginia statutes and Virginia decisions." Thomas Bowie arose and said, "If Your Honor pleases, if no evidence is introduced about the law of Virginia, it will be presumed to be the same as the law of North Carolina."

Well, that gave me a chance to bring out my little statute, and I said, "That used to be the law, but a few years ago the Legislature in its great wisdom passed this statute." And I read my statute. Thomas looked rather non-plused for a moment, and then he made this observation: "I don't know who passed that law, but he sure was a fool!" I replied, "While the Court is not able to do what the statute requires it to do and take judicial notice—in the present state of its ignorance—of what the law of Virginia is, I am going to take judicial notice of the accuracy of your description of the author of that law, because I happen to have been its author."

That experience should have ended my desire to assist in the reformation of the administration of justice, but it did not. During the past few years I have been much concerned with several pieces of congressional legislation which have something to do with the administration of justice. One of them has some relevancy to the question that was discussed so well by Claude Jones: "Aid to the Indigent."

We passed in the last part of 1964 a bill introduced by Senator Hruska of Nebraska and myself called "The Criminal Justice Act of 1964" which made provision for the payment of counsel fees in the Federal Court for indigent defendants in all cases other than petty misdemeanors as defined in Section 1 of Title 18, United States Code.

Since this statute provided that the program should be established by enforcing regulations of the Circuit Courts of Appeals, it has not yet been fully implemented, but when that is done it will take care of the furnishing of counsel in the Federal Courts to those who are financially unable to furnish counsel for themselves except in the case of petty offenses.

Another bill I worked on for about five years which was passed in the present Congress is the Bail Reform Act. I was prompted to introduce that bill by the recollection of the experience of an old friend who has long since gone to his reward and who served for eight years as a Prohibition Agent during Woodrow Wilson's administration. In those days many of my fellow citizens in Burke County were arrested for "moonshining." This Prohibition Agent had a practice he followed when he arrested moonshiners. He didn't take them to jail. He would always tell them to come to the United States Commissioner and give bond the next day. And he told me in that eight years of his service he had made hundreds of arrests and that in only one case did the person he arrested fail to keep his promise and come to the commissioner and make bail. I have long been convinced of the fact that the great majority of people who are arrested and charged with crime in our courts have such ties to the community that they are not going to flee justice anyway, and that it is a gross imposition upon the poor, who have such ties to a community that they are not going to flee, to require them to give bail in the conventional sense of the term.

We worked on the bail reform bill for approximately five years. Congress sometimes is like the mill of the Gods: it grinds very slowly. But I think in this case it ground exceedingly fine.

This bill does not disable a Federal Judge to require bail in the conventional sense from those who are charged with serious crimes, or from those who are repeaters, or from those whom he has reason to believe will not appear at the trial, which is, of course, the fundamental purpose of bail. But it does provide that a Federal Judge, in the exercise of his discretion, may take into consideration the facts that the accused has a job, that he has a family, and that he has other ties in the community; and in such case the Judge has a wide variety of methods he can use in lieu of conventional bail. The Judge can set bail and take the accused's own signature without sureties or let him make a small deposit in money on the bond, which is returned to him if he appears for trial; or parole him into the custody of a friend or another member of his family, or release him on his own recognizance.

I think this is an Act which will contribute much to the administration of justice. Most lawyers do not have the facilities to investigate the merits of cases, and consequently they have to depend in large measure upon their clients to do this. If the client is free instead of being confined awaiting trial, he can be of material assistance to his counsel in preparing his case for trial. This Act provides that a man who jumps his bond or fails to appear at the trial when he has been released on his own recognizance or in the custody of a friend is guilty of another crime for which he can be tried and punished.

This Act will obviate in most cases the great injustice which imprisonment on account of inability to give bond inflicts on an accused who is found not guilty at his trial.

Congress passed other statutes at its last session which I have worked on ever since I went to the Senate—statutes amending the bankruptcy law. The bankruptcy laws are designed to rehabilitate the debtor and provide for a fair distribution of his assets among his creditors. It has been a part of the Bankruptcy Act through the years that tax claims of the Federal Government take priority over other claims even though they are not reduced to liens and even though they are not known to the other creditors of the bankrupt. This provision of the Act didn't create too much economic havoc in the old days when Federal taxes were light. But with the increase in Federal income taxes virtually to the point of confiscation as they are now, this provision became a serious problem not only to creditors but also to the bankrupt who could not get a discharge in bankruptcy which would free him of his liability to federal or state taxes. The result was that the individual bankrupt was very much discriminated against as compared with the corporate bankrupt. This was so because when a corporation became bankrupt, it usually went out of existence. But the individual bankrupt continued to live, and his taxes pursued him not only to his grave but beyond his grave in the form of claims against his estate after death. That seemed to me to be unjust to the bankrupt with taxes as high as they are. So I introduced bills which were passed after a great fight.

One of the salient provisions of these bills is that a bankrupt's discharge releases him from all liability for taxes which accrued more than 3 years before his bankruptcy unless they are reduced to liens—of which public record is made.

My effort to secure the enactment of the changes in the Bankruptcy Act was fought very hard by the Department of Justice and by the Finance Committee of the Senate. It seems to me that it is just for the bankrupt to be discharged of his taxes to the extent stated. The change also promotes fairness to his creditors. Since the Federal Government did not have to reduce its tax claims to liens under the old law, a person who dealt with a prospective bankrupt could employ the finest lawyer available to examine the records showing the title to the property of the prospective bankrupt, and the lawyer would be wholly without any method of determining the truth in respect to the amount of unpaid taxes of the bankrupt. As a result when a debtor went into bankruptcy, the Federal Government came in with vast Federal income tax claims and swallowed up the entire estate, leaving others who had dealt with the bankrupt without remedy. So these amendments to the law also serve the creditors of the bankrupt.

They also make for fairer distribution of the assets in another respect. A great many states have liens which attach on bankruptcy. These liens are not recorded, and for this reason, there is no way to ascertain their existence from public records. The amendments to the Act outlaw liens of this character and give priority protection to those who have the foresight to record chattel mortgages and conditional sales. For these reasons, the amendments promote the rehabilitation of the bankrupt and also protect those who deal with the bankrupt prior to bankruptcy.

A thing which bothered me when I last practiced law was the fact that whenever a lawyer wanted to practice before a federal agency, he was required to answer long questionnaires, and to get friends to vouch for his integrity. The procedures were ridiculous. Sometimes it took a lawyer 6 or 7 months to get permission to practice before a federal department or agency. Sometimes, as in the case of tax matters, a lawyer might have to secure admission to practice before more than one agency. For example, he had to be admitted to practice before the Tax Court and before the Treasury Department. It took me months with my good friend Colonel Will Joyner's assistance to get qualified before the Tax Court. And then I had a question of assessment before the Treasury Department, and I had to get admitted a different way to practice before the Treasury Department. The result of this was that in many cases a client was disabled to have a lawyer of his choice represent him before a federal department or agency, and Washington lawyers who specialized obtained practice before the Federal departments and agencies to the exclusion of the Bar generally.

Senator Long of Missouri and myself introduced a bill, along with other Senators, which became law during the last Congress and which provides that any attorney who has been licensed to practice in the highest court of any federal or state jurisdiction can represent any client before any federal department or agency without further ado, which is as it should be. This Act secures to each client the right to select his own counsel and to be represented by the counsel of his choice. I think the Act gives the average person who has business with the Federal Government more confidence in it. He can now be represented by his own lawyer instead of having to employ some lawyer he does not know in the District of Columbia who has specialized in practice of that kind.

One of the queer things about the Federal Government to me—and particularly about the executive departments and agencies—is that they like to exercise power. I ran into one situation where the Securities Exchange Commission wanted to tell a person who had a proceeding brought against him before it that he couldn't employ an attorney of his choice. It happened that this attorney was a specialist in practice before the Securities Exchange Commission, and he had been retained by another party in the same proceeding. The Securities Exchange Commission took the position that the second client would not employ the same attorney because it thought there might be a conflict in interest. I thought the client raised a valid point; he said "If the Securities Exchange Commission doesn't know that we have a joint defense, and doesn't know what our defense is, how is it going to pass on that matter in advance?"

The second client called for my assistance, and I took it up with the Commission, and told it I thought that the Constitution permits a man to have the right to select his own counsel and not to have his counsel selected by the agency which is going to judge the charge against him.

There is another rule of law which has always seemed to me unjust in large measure. It is the rule that the United States is entitled to the privileges which the common law gave the British Crown in litigation. Under this rule when the United States sued an individual or a private corporation and won its case, the United States recovered costs; but when the individual or the private corporation won a case when sued by the Federal Government, they could not recover costs in the great majority of cases against the Federal Government, which was manifestly unjust. Then another thing was since the Federal Government was considered to be a sovereign, a statute of limitations didn't run in most cases against the Federal Government, while a statute of limitations would run in favor of the Federal Government as against the claim of an individual or a private corporation.

It seemed to me that this law ought to be changed, and I introduced bills—and there were companion bills introduced in the House—to provide that in all cases unless otherwise specified by law, the statute of limitations, other than in fraud cases and cases of that nature, should run against the Federal Government as well as in its favor, and that claims of the Federal Government against individuals or private corporations should ordinarily be barred after three years. Also another bill provided for the recovery of costs against the Federal Government.

Moreover, there has been great difficulty arising out of claims of the individual or the private corporation against the Federal Government because authority to make settlements in ordinary cases was limited to claims of $2,500 or less. As a result, there had to be litigation in respect to any claim which exceeded that amount. That seemed to me to be an unwise provision of law, and so I introduced a bill which provided that the United States could settle claims of that nature without litigation and which also raised the amount of counsel fees allowable where the claim was settled with the agency without litigation from a maximum of 10% to a maximum of 20%. These bills were passed and have been signed into law.

Having lived in Morganton where we have a hospital for the mentally ill, and having been an attorney for a private sanitorium which treated drug addiction, I have thought for a long time that the law looked at those who were addicted to the use of narcotics from the wrong angle. The federal law had waited until they committed some crime before it stepped in; and then the emphasis was made in large measure—notwithstanding public health hospitals offering treatment—upon regarding them as criminals rather than as sick persons. I have felt for a long time that there was something wrong in that attitude, the legal attitude; and that the law should regard these unfortunate persons as persons who were medical problems rather than criminal problems.

As a consequence, I was glad to join Senator John L. McClellan of Arkansas in a bill which was designed to write this concept into federal law and which became law a few days ago. It provides that, except in the most serious crimes, a narcotic addict shall be given an opportunity to rehabilitate himself in a hospital rather than to be tried as a criminal when he runs afoul of the minor infractions of the federal law. And the Act contains another provision which embodies the concept that the addict is a medical problem rather than a criminal problem. It provides that he may be committed either voluntarily or involuntarily just as a mentally ill person is, for the purpose of treatment.

It has another provision I think wise, and that is the provision that when an addict is discharged from a hospital after receiving treatment, he will remain under the supervision of the Surgeon General for a limited period of time. It is foolish to send a former addict back to the surroundings where he acquired the addiction and expect him to be able not to repeat. As a result of the provision for supervision, the Act gives more promise of the rehabilitation of persons of this character.

I would like to mention one other thing which concerns me. One of the most serious problems we have in this nation today is the problem of crime. The increase in crime has largely outstripped our growth in population. Virtually every major crime has increased each year, both numerically and in its atrocity.

For some strange reason, which it is hard for me to fathom, a majority of our Supreme Court as now constituted has seen fit—in the Escobedo case and in the Miranda case—to tilt the scales of justice in favor of the criminal and against society and the victims of crime. It has apparently even forgotten that society and the victims of crime are entitled to justice as much as the accused. In so doing, the majority of the court has twisted—to be perfectly frank—the plain English words in the Constitution out of their true meaning and given them a meaning that they do not bear.

Marion Allen was so kind as to refer to me as something of a Constitutional lawyer. I'll have to confess right here that the Supreme Court of the United States has reversed everything I knew about the Constitution and left me in a state of total ignorance on that point.

The Supreme Court started its present trend about confessions in the Mallory case where the Court took a rule created to govern the action of an arresting officer—a rule of procedure—and converted it into a rule of evidence to exclude voluntary confessions. I have been much impressed with the wisdom of the law of evidence where it has developed as a result of reasoning rather than legislative enactment. And I think if there is any law of evidence that is wise, it is the old law that a voluntary confession of guilt is admissible in evidence and an involuntary confession of guilt is inadmissible. I think that law is sufficient protection for any man. And any trial judge who hasn't intelligence enough to determine without difficulty in most cases whether a confession is voluntary or involuntary hasn't intelligence enough to decide any other question coming before him, and should not be barred by judicial fiat from deciding that question any more than the other questions he has to decide.

I have had to pass upon that question many times as a trial judge, and normally it is not a very difficult factual question. But although the Constitution says that in all criminal prosecutions a person is entitled to the assistance of counsel, the Supreme Court says in the Escobedo case that a person does not even have to be subjected to a criminal prosecution to have that constitutional right; that despite the words of the Constitution, when an officer begins to suspect in his mind that a party in custody may be guilty his right to the assistance of counsel arises. In other words, the Supreme Court interprets the Constitution to mean something which is incompatible with the meaning of the language which says "in all criminal prosecutions."

Then the Supreme Court does the same thing with respect to the self-incrimination clause, which says that no person shall be compelled in any criminal case to be a witness against himself. A person can't be a witness against himself in a criminal case unless there is some kind of investigation being conducted by those having authority under the law to conduct an investigation in the nature of a trial where his guilt or innocence is involved to some extent, and he is compelled to give testimony as a witness tending to incriminate himself. Certainly when a police officer starts questioning a man, the man is not a witness. Moreover, the man is not in any criminal case or in any case that can be approximated to a criminal case. And yet the Supreme Court devises and lays down rules in the Miranda case that an arresting officer has to tell a suspect in his custody that he doesn't have to say anything, that anything he says can be used against him, and that he doesn't have to say anything at all until he has a lawyer and his lawyer is present; and that he can't waive these requirements in any way except by an express statement that he wants to talk and does not want a lawyer.

If a legal Solomon had spent his whole life trying to devise a way in which no man would ever make a voluntary confession of guilt, he couldn't have devised better rules to accomplish it than the majority of the Supreme Court devised in the Miranda case. And the majority recognized it was making law and not interpreting it. That provision of the Constitution had existed since 1791, and nobody had discovered it had meant anything like that until the Miranda case was handed down. The majority of the court confessed one week later in the case of Johnson v. New Jersey that it was making law when it said that a provision of the Constitution which had been in existence for 175 years did not apply to anything that happened before a certain date in May 1965. So it is a funny kind of a Constitution that changes its meaning like that!

I think this decision not only goes against good, sound rules of evidence, but it goes against human psychology. The psychiatrists tell us—just like the Scriptures do—that an honest confession is good for the soul. People talk about what they are thinking about; and the normal man, when he commits a crime, thinks about the crime he has committed, and has an impulse to talk about it; and the effort of the Supreme Court to keep a man from talking about his crime is bad for his soul as well as bad for the administration of justice.

I have introduced a Constitutional Amendment to provide that the sole test of admissibility of an admission or confession in a criminal case shall be its voluntary nature, and that the decision of the trial judge admitting an admission or confession as voluntary shall not be disturbed on appeal by the Supreme Court of the United States or by any court created by the Congress, if it is supported by testimony. I put that in the proposed amendment because an appellate court has to act on a printed or mimeographed record; and when you get the testimony of a George Washington and the testimony of an Ananias down on a printed or mimeographed record, they look just alike. But a judge who sits and sees the witnesses and observes their demeanor upon the stand can tell who is truthful. And the trial court is the place where that question is to be determined in the first place, and, I will add, it ought to be the last place if any reasonable view of the testimony supports its ruling.

Judges ought not to let an over-zealous solicitude for the protection of criminals make them forget that while our criminal laws are designed to make it as certain as possible that no innocent man is convicted, the primary purpose of the criminal laws is to protect society and to prevent persons from becoming the victims of crime. And so I am going to press for this Constitutional Amendment.

It takes a lot of effort to get the Constitution amended, but this proposed amendment in my opinion undertakes to answer the crying need of this hour. I close with the observation that the reason I think this proposed amendment is important may be stated in this way: Enough has been done for those who murder, and rape and rob. It's time to do something for those who do not wish to be murdered or raped or robbed.

GOVERNOR TIEMANN MAKES IMPRESSIVE BEGINNING

M. HRUSKA. Mr. President, it was my privilege, together with my colleague from Nebraska [Mr. Curtis], to attend the inauguration on January 5 of Nebraska's Centennial Governor, the young and able Norbert Tiemann.

It is particularly appropriate that as Nebraska enters its second century of statehood it should have the progressive and dynamic leadership of Governor Tiemann.

In his inaugural address which was widely praised for its frankness and its forthright assessment of Nebraska's strengths and weaknesses, Governor Tiemann proposed a broad gage program of achievement, a program to meet what he termed "a time of challenge and a time of opportunity in State government, not only in Nebraska but across the Nation."

His address outlined a sound and practical approach to the chronic State problems of education, taxes, research, highways, economic development, and recreation. For the past eight years many of these problems have been neglected in Nebraska by Mr. Tiemann's predecessors. Governor Tiemann said:

> I do not foresee a significant decrease in the powers or activities of the Federal Government. However, I do see the development of more responsive and more responsible State governments as the only alternative to even greater Federal management of State and local functions.

This message was well received by Nebraska's unique unicameral legislature which will have the responsibility of acting upon Governor Tiemann's recommendations and responding to his leadership.

The Governor, the Omaha World-Herald observed editorially, "obviously begins with the good will of those who will act on his proposals and his direct, businesslike way of talking to his fellow citizens gives him a running start with the people. A new Governor could scarcely ask for more."

Because the problems to which Governor Tiemann addressed himself are so much like those faced by almost every State, I ask unanimous consent to have printed in the Record the text of his remarks, together with a representative sampling of editorial comment about his inaugural address.

There being no objection, the material was ordered to be printed in the Record, as follows:

Text of Governor Norbert Tiemann's Inaugural Address, January 5, 1967

This inauguration and this time are of great significance to me, to my Administration and to the people of Nebraska. This is the point of beginning of our second century of statehood and will be the bench mark from which we will measure our success in meeting the problems now confronting our state.

This is a time of challenge and of opportunity in state government, not only in Nebraska but across the nation. After a generation of unparalleled expansion in the functions and activities of the Federal Government, we can now feel a new impetus toward finding local solutions for local problems. This is, in part, a protest against mistakes and inadequacies in the conception and management of past and present Federal programs.

But this thrust is not merely a reaction nor a political maneuver to discredit political opponents. It is a growing sense of the ability of a strong and well-administered state government to achieve state goals. It is an awareness of the increasing competition between states for the services of skillful people and the attention of progressive industries. It is, most importantly, a challenge to compete with the Federal Government for the responsibility of managing the resources of government and, ultimately, for the confidence and reliance of our people.

ONLY ALTERNATIVE

I do not foresee a significant decrease in the powers or activities of the Federal Government. However, I do see the development of more responsive and more responsible state government as the only alternative to even greater Federal management of state and local functions.

Let us look at our state, then, in this competitive situation, so that we can identify our strengths and recognize where we need to reinforce our positions.

We have, first of all, a strong and hardy population—people with diverse backgrounds and a heritage of hard and honest effort. We have a central geographic position which is suitable for the location of transportation industries and for the development of other industries with nationwide distribution systems. We have a balanced and stable agricultural industry which has the resources and technical capability to become the leader and the model for our country and the world. We have a proven education system and a major university which can train our young people and provide scientific assistance to our industries. And we have a tradition of honest state government.

On the other hand, our population has declined in comparative terms. Our state highway system is inadequate. Our natural and human resources have not been fully appreciated or employed. We have a student explosion in our colleges and university and have not increased the size of our faculties sufficiently to give adequate instruction to these young people. We have made virtually no provision for the scientific research facility necessary to attract and support modern industry. And we have been neither imaginative nor aggressive in the operation of state government.

FIRST CONCERN

We have, on balance, the people and the tools to move Nebraska forward. Let us accept the challenge of our time.

Our first concern in meeting this challenge must be education. We need to review the structure of our educational system, particularly with regard to our colleges and universities, and to make such changes as are necessary to provide for the greatest possible use and co-ordination of available funds, facilities and staff.

At the college and university level we must commit ourselves to paying competitive salaries to attract and retain quality faculties. We must provide time and support for scholarship, which is the basic tool of both teaching and research, so that we can reasonably expect our faculties to supply leaders in the marketplace of ideas. We must establish a research facility which can give technical assistance to our present industries, stimulate the broadening of our industrial base, and enlist scientific personnel to our faculties.

Our goals in the area of research have been much too limited. We should be equipped to scan the horizons of scientific thought and should possess the capability to pursue various lines of scientific inquiry. The selection of research projects should be made on the basis of feasibility and soundness of conception by an independent institute outside of the state's political administration. This institute should be co-ordinated with our university but should be separately funded and should have a separate, professional administrative staff. Research projects could then be placed with either public or private research facilities.

IMMEDIATE NEED

Additionally, we should undertake to establish a system of junior colleges and vocational technical schools to relieve the pressure of increased enrollment at our colleges and university and to provide trained manpower for present and future industries. There is clearly an immediate need for such a vocational technical school in Omaha's Near North Side to improve the employment opportunities of citizens in that area and to provide additional skilled workmen in the most industrialized part of the state.

In transportation, we need a program for upgrading our state highway system. Such a program will require a review of our long range planning, together with a careful examination of the highway study which will be presented to this Legislature in the near future. A determination will be required on both the quantity and the quality of our highway needs and on the most appropriate means for financing our highway program. As I have often stated, I favor the issuance of highway revenue bonds to finance this program, and I recommend to the Legislature that a constitutional amendment be placed on the ballot at the next general election which would permit the Legislature to authorize the issuance of revenue bonds for highway purposes. I am confident that if the people of Nebraska are given an opportunity to express themselves on this issue, they will approve a program for the construction of a modern highway system.

In the area of highways we should also be aware of the requirements imposed by recent Federal legislation with regard to both highway safety and highway beautification. We need to conform to this legislation to make our highways safer for our citizens and to preserve our state's right to participate in Federal highway programs.

RECREATION AREAS

We need also to make our position strongly felt in the Federal Government in those instances where proposed regulations on highway beautification are unrealistic or unduly restrictive of local commerce.

Also in the area of highways, we should recognize that our efforts to develop recreational areas and promote tourist attractions are directly dependent on our progress in improving our roads. Recreational areas are an immediate benefit to our citizens and should have priority over attractions for tourists from other states, but both of these programs are good and are of long range importance to the environment and economy of our state. Neither of these programs, however, can have any great success until we can provide adequate access roads to the parks, camp sites and monuments which we are developing and seek to promote.

Turning now to commerce we presently have a division of resources within our Department of Agriculture. This divsion performs several functions, some of which are only collaterally related to agriculture. This division should be raised to departmental status. The department, then, could provide the Governor with a direct arm for marshalling economic data and for implementing programs of rural and urban development. Our cities and towns have significant problems, but each of our communities can be strengthened if technical information and assistance is provided to supplement local initiative and leadership. The department should participate in state and regional planning to provide organization and focus for economic development. It should also encourage co-operation between local communities in establishing programs of wide geographic benefit.

PRIME FACTOR

One of Nebraska's major resources is water. Although the state appears to be blanketed with irrigation wells and canals, we are only on the threshold of significant water development. If effectively harnessed, Nebraska's water supply would be a prime factor in the state's agricultural and industrial expansion. We need, then, to establish a comprehensive state water plan and to reorganize our watershed districts on a hydrologic basis, rather than along county lines, so that we can identify and utilize our water resources economically and effectively for the benefit of all water users.

In our state institutions we have already begun to plan for a realignment of our administrative structure. Specifically, we expect to place our penal and correctional facilities under the supervision of a trained penologist and to place our facilities for the treatment of mental illness and mental retardation under the immediate direction of a professional psychiatrist. A single director will continue to have responsibility for the overall administration of this department.

Great advances can be made and are being made in both penology and the fields of mental illness and mental retardation. Proposals have been made in other states, looking toward the rehabilitation of criminal offenders, which involve carefully supervised work release plans and basic revisions in the structure of parole boards.

COMPETITIVE SALARIES

Increasing attention is being paid throughout the nation to the care and treatment of mentally ill persons and to the training of those people, particularly children, who are mentally retarded. We must place ourselves in a position to take advantage of gains in scientific knowledge and improvements in institutional procedure by providing adequate facilities and staff, again at competi- of our institutionalized citizens into a situa- We must move beyond mere warehousing tive salary levels, for our state institutions. tion where we can return as many of these people as possible to productive useful life within a reasonable period of time. This would clearly be an economy in human resources and ultimately in state expense.

In terms of the general administration of state government, we shall proceed with all the resources at our command to implement the programs of the Department of Administrative Services. This department was established by a far-reaching and far-sighted act passed by the 1965 session of the Legislature and is the key to sound fiscal administration. I recommend the strongest possible legislative support of this innovation in state government. I would also recommend that data processing, which is presently under the supervision of the accounting Division of the Department of Administrative Services, be established as a separate division within the department. This organizational change will make the data processing division directly responsible to the director and should provide greater flexibility in applying computer techniques to the problems of government.

We also need to lay the groundwork for a state personnel system to standardize state hiring practices and pay grades. Great disparities now exist among the departments of government in both job classifications and rates of pay, and the requirements for state employment are various and uncertain. A state personnel office should be located in the Department of Administrative Services and should be responsible for the administration of qualification exams and the maintenance of comprehensive personnel records.

In the interests of promoting competence in government and of attracting qualified personnel to state employment, a uniform system of job descriptions, qualifications and pay grades is essential immediately.

BALLOT PLAN

I anticipate many of the legislative proposals to be submitted during this session will require constitutional changes. The number of proposed amendments to our Constitution has grown year by year. At this past election, the number and complexity of proposals on the ballot precluded a careful consideration of each change. It, therefore, seems clear that a constitutional convention is both desirable and necessary, and I recommend to the Legislature that a proposition be placed on the ballot at the next general election calling for a state constitutional convention.

The proposals I have made will require an expenditure of funds and, will necessitate an increase in general fund appropriations. As all of us know, we have at the present time no basic source of general fund revenue. I recommend to the Legislature the enactment of a broad-base, low-rate combination sales and income tax to provide the revenues necessary to run the government of the State of Nebraska. We will supply to the Legislature such an act. We propose a sales tax on all retail sales of tangible personal property at the rate of 2½ per cent, with exemptions for prescription medicines, feed, seed, agricultural chemicals, livestock and certain other production items. We propose an income tax on the Federal taxable income of all individuals at a rate no greater than 2 per cent on the first one thousand dollars, at a rate no greater than 3 per cent on the second and third one thousand dollars, at a rate no greater than 4 per cent on the fourth through sixth thousand dollars, at a rate no greater than 5 per cent on the seventh through tenth one thousand dollars, and at a rate no greater than 6 per cent on taxable income in excess of 10 thousand dollars. Each of these rates is a proposed maximum. Thus, the Legislature will have the necessary flexibility to adjust rates to meet appropriations. This act includes an income tax on the Federal taxable income or corporations at the rate of 3 per cent.

RATES STUDIED

We have researched this act with great care. We have investigated the laws and rates of other states. We have sought out information on the revenues which we can expect from various rates of tax. And we will make available to the Legislature whatever information and assistance you may require and we can provide.

We need also to revise and repeal certain state laws governing the taxation of tangible and intangible personal property, I specifically recommend that the tax on household goods and the head tax be repealed and that the rate of tax on intangible personal property be reduced to a low level or eliminated. so that this tax does not continue to drive investment capital out of our state and discourage prospective new industries.

I further support a program of state aid to our school districts so that each area in our state may provide quality education for our children. I recommend to the Legislature that such a program of state aid be established in conjunction with our new tax system.

In addition, a reduction in personal property taxes will necessitate a system of replacement income to our counties and municipalities which have relied on this source of revenue. We further recommend a program of state aid to local governmental subdivisions to alleviate the acute fiscal plight of these areas.

In each of the areas of governmental concern which I have discussed, my Administration will present to the Legislature possible or suggested approaches to our mutual problems and assist the Legislature in developing factual information on which decisions can be based. We also hope for your counsel in establishing and maintaining the various operations of state government.

BUDGET PROPOSALS

The proposals which I have made call for a substantial investment in Nebraska and in ourselves. We pledge in return a sound, business-like administration and a policy of hiring qualified professionals to undertake the responsibilities of state government.

We will submit to the Legislature an executive budget which will be consistent with our proposals. The budget request of each of the departments of government will conform to the executive budget and will be supported by my office before the Legislature and to the people of Nebraska.

Our goals are greater opportunities for all Nebraskans, a stable and growing economic base, an equitable sharing of both the benefits and the responsibilities of government by all our citizens, and a significant place for Nebraska in the hierarchy of states.

I am honored and proud to be inaugurated today as the Governor of the great State of Nebraska.

Thank you.

[From the Lincoln (Nebr.) Journal, Jan. 6, 1967]

CHALLENGE AND OPPORTUNITY

Proclaiming this "a time of challenge and opportunity" for Nebraska, the state's new governor wasted no time in notifying his constituents just how serious he is about meeting both the challenge and the opportunity.

Norbert Tiemann, first Republican governor to be sworn into office for 10 years, has supplied the people and the legislators of the state a remarkably frank and realistic appraisal of Nebraska's strengths and its shortcomings. He clearly intends to exploit the strengths and remedy the deficiencies.

In his inaugural address, the 42-year-old Wausa banker spoke with rare candor of the things that should be accomplished if Nebraska is to be equal to its challenge and its opportunity. Many of the programs he advocated have been obivous needs for many years but political leaders generally have shrunk from pushing the obvious actions.

If Tiemann's plans sound especially ambitious, it is mainly because he proposes to catch up with programs too long deferred and come to grips with needs too long unmet. It will take an uncommonly ambitious effort to bridge this gap and it is to the great advantage of Nebraska that it has a governor anxious to lead in this effort.

[From the Scottsbluff Star-Herald, Jan. 7, 1967]

CHANGE TO MARK TIEMANN REGIME

It would appear to us that Norbert Tiemann has started his term as governor of Nebraska on a sound, healthy basis.

He has been forthright in his approach to the Legislature and to the people, and he has already displayed a disposition to attack the problems of the state, as he views them, directly and honestly.

His comment Thursday, when inaugurated as Nebraska's thirty-second governor, that "we have a traditionally honest state government" may become a distinguishing, but not the chief, characteristic of his administration.

Rather, we think his four years as Nebraska's head of government will be marked by change.

These changes will be both technical and philosophic in nature. They will occur because of the need to establish an entirely different system of state revenue and the corresponding need for the state to assume responsibility in areas of concern where local or state solutions are preferable to federal intervention.

The main thrust—to "meet the needs of our time," as Tiemann described it—will witness higher rates of spending at the state level to implement the investments required by the challenge and opportunities of the second century of Nebraska's existence. The innovations may spark controversy, but they'll come. They cannot be avoided, if our state is to move forward in its ambitions for sound growth and development, using our own muscle.

Mr. Tiemann called for "imaginative and aggressive operation of state government," and we hope he is permitted to follow the pathway he hopes he and the Legislature can chart. We feel sure that the people will support him.

There's much still to come in the unfolding story. Next will be the Tiemann budget, still unrevealed but certain to be larger than ever before in the history of the state; then followed by the specifics of a program outlined in the inaugural address. We should look forward to them in a spirit of friendly anticipation.

[From the Norfolk (Nebr.) Daily News, Jan. 7, 1967]

GOVERNOR TIEMANN VIEWS CHALLENGE

Gov. Norbert Tiemann has promised Nebraskans the type of administration which will work toward local and state solutions to problems as a means of avoiding further intrusions from the federal government. It is an approach which has had bi-partisan appeal to Nebraskans in the past. As Gov. Tiemann sees it a "more responsive and more responsible state government" is the "only alternative to even greater federal management of state and local functions."

Thus far, this fight to retain local responsibility has been a rear-guard action, successful only in the sense that the federal government has not taken over as many functions as people who have no fear of its power have proposed. What makes the fight especially difficult is that federal assumptions of broader responsibility have been made possible (albeit with large deficits) despite a steady lessening of the proportion of income that goes for federal taxes. There have been, instead, several major tax reductions in the past 14 years along with increases in incomes.

No such situation exists at the state level in Nebraska, or, perhaps, any other state. Levies have risen at faster proportionate rates than income has increased. Still, this post-war period has been marked by what Gov. Tiemann correctly characterizes as "a generation of unparalleled expansion in the functions and activities of the federal government." Despite the assumptions of state and local responsibilities by the federal government, state and local government outlays in the nation rose from $112 to $145 per $1,000 of personal income in the decade from 1955 to 1965.

In his inaugural address, Gov. Tiemann noted and accepted the "challenge to compete with the federal government for the responsibility of managing the resources of government . . ." It is a difficult assignment because, despite Nebraska's great strengths, the resources which its people can make available to ward off federal intrusions, are, and should remain, limited. He will need the help and good wishes of all.

[From the Lincoln Star, Jan. 7, 1967]

TIEMANN KEEPS HIS WORD

(By William O. Dobler)

The battle has only started but the initial foray by Gov. Norbert Tiemann is a telling blow. Tiemann campaigned on a program of progress for Nebraska and he delivered exactly that in his inaugural address to the Legislature. He spelled out the things he wanted to see accomplished and he provided the means through taxation by which they could be done.

His programs call for an assault on the weaknesses in our educational system, our institutions and research. To pursue these three programs alone would demand a real sacrifice on the part of taxpayers. In addition to this, the governor has spoken of the need for improvement throughout many other areas of state government and this will not be accomplished at present levels of spending. And beyond this, yet, lies the matter of state aid to education and to municipalities, both recommended by the incoming governor.

Clearly, he intends to pursue a progressive course for the state of Nebraska. In doing this, the governor pays heed to two principles. One of these principles is of long standing—that Nebraska has a potential for its citizens that has never been realized, that its people can have a better and more rewarding way of life. This, of course, is based largely on growth and a state's growth will be in proportion to its investment. Secondly, Governor Tiemann has bought the new mood of local responsibility. This means recognition of the fact that government has a vital role to play in the lives of people and that the federal government will fill whatever voids or vacuums exist. The only way to curtail activities at the federal level is to meet responsibilities at the local level.

This is a philosophy which dominated the last national election and which is seen in various states throughout the nation. It is a philosophy of confidence, determination and moral responsibility.

Therefore, it can be said without doubt that Governor Tiemann has to this point fulfilled the promises of his campaign and the promise of his election. The future, the end results of it all, will depend upon his capacity for leadership, his final decisions and the temper of the Legislature. His four-year term has opened on a dynamic note and should be well received.

[From the Omaha World-Herald, Jan. 7, 1967]

THE TIEMANN PROGRAM

The new Governor of Nebraska was brisk and, with one notable exception, thorough, in laying his program before the Legislature and the people Thursday.

The inaugural speech was an impressive performance in which he repeated briefly the concern he had expressed in the campaign about strengtening and re-structuring higher education, about rebuilding the state highway system through revenue bonds, about a state water plan, about realigning the administrative structure of penal and mental institutions.

He would upgrade data processing to a division within the troubled Department of Administrative Services. He would promote competence, and try to attract able men in all departments of state government, and he would make a number of other businesslike moves.

But the heart of Mr. Tiemann's proposals was his revenue program.

Here the new Governor was forthright and precise about maximum rates for a combination sales-income tax, but silent about:

—How much money is needed to run the state government as he wants to run it, and

—How much revenue his tax programs are expected to raise.

The Unicameral, of course, will decide Nebraska's new tax program. A Governor proposes; the Legislature disposes. The Legislature, leaning on its Revenue Committee, will decide what taxes are to be adopted and what the rates will be. The Legislature, relying on its Budget Committee, will decide what the appropriations for the biennium will be.

Along with many other Nebraskans, we hope that the Legislature will regard the coming of a broadened tax base as an opportunity to meet the state's needs without looking upon it as a tax bonanza.

Nebraska is about to make great changes. An untried Governor is leading the way. He obviously begins with the good will of those who will act on his proposals, and his direct, businesslike way of talking to his fellow citizens gives him a running start with the people. A new Governor could scarcely ask for more.

FREEDOM OF INFORMATION, 1967

Mr. LONG of Missouri. Mr. President, freedom of information and freedom of the press are watchwords of our democracy. As this 90th Congress begins, we see many disturbing questions as to what this freedom really means, 1967 style. Recently, it was reported that the Freedom of Information Center at the University of Missouri released surveys of a poll which indicated that the United States was not in the top three countries with respect to freedom of the press. Additionally, there is today a serious controversy over the conflict between the first amendment and the sixth amendment—the so-called free press-fair trial issue.

One of the persistent, but quiet champions of freedom of information is the Freedom of Information Center which is at the University of Missouri. Its director is Dr. Paul L. Fisher.

Mr. President, the January 1, 1967, issue of the Bulletin, a publication of the American Society of Newspaper Editors, carries an article by Arthur R. Bertelson, managing editor of the St. Louis Post-Dispatch, discussing the FOI Center. I ask unanimous consent to insert, at this point in the RECORD, the article entitled "In the Vanguard of the Unremitting Battle."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE VANGUARD OF THE UNREMITTING BATTLE

(By Arthur R. Bertelson)

There is no "all quiet" on the Midwestern front in the unending war in defense of the people's right to know.

From the Freedom of Information Center at the University of Missouri daily flows a stream of factual data to embattled newspapers, broacasters, legislators and students. Available to anyone who asks for it is a vast file of material bearing on the freedom of the press.

In 1965 the FoI Center set forth its program in part, this way:

Printed monthly publications reporting actions by governments, societies and communications industries affecting the acquisition, presentation and dissemination of information, available at no cost to anyone asking to be placed on the mailing list.

A bimonthly survey of news on current aspects of freedom of the press, also available at no cost.

Forwarding letters and packages on call for information or materials filed at the Center. No cost except for photocopying (10 cents a sheet).

An annual conference of meetings and speeches exploring a single facet of the people's right to know. These are subsequently compiled in booklet form and available on request.

Mimeographed position papers summarizing problematical situations involving the communications industries with governments and societies as these situations take on urgency due to special pressures of legislatures and/or other organized groups. (These mailings mostly restricted to sustaining members.)

Testimony before government committee hearings where these touch concerns of the Center as indicated above.

Since this program was announced, however, financial problems have made it necessary to discontinue free mailings. A subscription fee of $3 has been instituted for the bimonthly FoI Digest and reports and the minimum sustaining membership fee is $25.

The Center started in 1958 with a bank account of about $80,000 left from gifts to the University of Missouri School of Journalism during its "Fifty Years of Journalism Education Celebration." The financial situation has never been wholly resolved and the sustaining memberships provide most of the Center's funds. There are more than 400 sustaining members who contribute from $25 to $100 a year and a few of the larger newspapers give $500 [The ASNE board voted a $200 contribution at its September meeting.]

Foundations provide another $10,000 a year, but the amounts given vary. The largest such gift was $5,000 from an anonymous foundation. Total income of the Center this year will be about $30,000.

The FoI Center was born in 1959 after a spasm of false labor pains in 1958, when some 24 representatives of newspapers, broadcasting operations and other interested parties met on the University of Missouri campus to determine the course that a Freedom of Information Center should take. But it was not until 1959 that an advisory committee was formed and the direction of the Center determined.

The major arguments revolved around the question of whether the Center should be a purveyor of facts or also assume the stance of an advocate. The first decision was to "stick with the facts. File them, make them available on request, use them as the basis of publications."

In 1963, however, the Center asked for and received its advisory committee's approval to "venture into opinion when (this) seemed desirable or useful" to the Center's director, Dr. Paul L. Fisher.

"Since then," says Fisher, "we've testified before congressional and state legislative committees. The Center is not free with opinion. It will never have that much wisdom. But when we've thought it through, are sure of the basic facts, we take our stand."

Fisher superimposes his duties as director of the FoI on those of a full-time faculty member and spends "many hours nearly every day of the year in scanning the hundreds of publications, confidential bulletins and other communications received monthly at the Center." He adds, with a plaintive note, that "the director, obviously, is not advancing his cause academically."

The boniest of skeleton staffs handles the "million details" of the Center. There is one full-time worker, the office manager, and a variable number of graduate and student assistants.

The problems that the Center tackles are thorny. A few years ago it was asked to determine whether actions of anti-discrimination boards might conflict with the guarantees of press freedom. The issue was simply this: Could pressure be brought to bear on news media to delete racial identifications from a crime story?

Fisher referred the question to a fellow faculty member who is an expert in constitutional law. This colleague took two weeks to search out court decisions that might have a bearing on the limits of authority of the anti-discrimination boards or commissions.

There have been so many requests to the Center for a working definition of the rights of privacy that it has prepared a printed list of the outstanding books and law review articles on the subject. Even the volumes themselves are available for loan if the sender of the request cannot find them elsewhere.

From all around the globe, the requests filter in. The editor of the Cameroon Times in West Africa asks for materials to help train his staff in vigilance against encroachments on the rights of his readers to know.

Reporters who find themselves on the wrong side of the door at closed meetings ask for information on what states have anti secrecy legislation and what enforcement procedures apply. Public officials seek to be "kept alert to the need for freedom of information."

A few years ago I took part in the annual conference which, in this instance, was devoted to the question of a free press and a fair trial. Represented were the news media, the bar and the Missouri Attorney General's office. As might be imagined, there were widely divergent views as to where the responsibilities lay and the conference engendered as much heat as light. But immortal, as well as a few immoral words were recorded and are today available in the files of the Center.

The ninth annual conference was held this December 4 to 6 on the theme of Freedom of Information in the Market Place. The speakers list was a bluebook of the academic and business world. One session presented Mrs. Esther Peterson, special assistant to President Johnson for Consumer Affairs; Representative Catherine May of Washington and Representative Leonor Sullivan of Missouri.

While the Center continues with its modest resources to maintain its sector of the front in the unremitting battle, its generalship, Dr. Earl F. English, dean of the U. of M. Journalism School, and Dr. Fisher wistfully hope for reinforcements.

Dean English wants a benefactor. "What better memorial could there be," he asks, "than for a person to have his name associated with a Freedom of Information Center?"

Dr. Fisher would settle for a full-time lawyer, one who could command a now vulnerable salient.

TRIBUTE TO CASPER JOB CORPS CONSERVATION CENTER, WYOMING

Mr. McGEE. Mr. President, last fall, on the occasion of my 100th trip back home to Wyoming since first coming to the Senate, I made a special point of touring an expanding recreational complex located at the Alcova Reservoir on the North Platte River, upstream from Casper, Wyo. I was, at that time, greatly impressed with the developments there which are credited to the young men enrolled in the Casper Job Corps Conservation Center.

Indeed, I think anyone viewing these developments would be impressed with the work done. Also, anyone in such a position would have an opportunity to reflect upon the obvious skills of these young men—skills which will stand them in good stead when they leave the Job Corps and when they leave central Wyoming. A bit harder to assess, perhaps, but only because they are intangibles, are the values gained by the young men whose experiences, by and large, had been less than encouraging. I think it can be stated with virtual certainty that as physical facilities are being built at such places as Alcova, character, too, is being built for the future of America.

These remarks are to introduce an article entitled "The Corpsmen Are Mighty Proud Workers," which appeared in the November 1966 edition of Reclamation Era, published by the U.S. Bureau of Reclamation, which operates the Casper Job Corps Center. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CORPSMEN ARE MIGHTY PROUD WORKERS

An attractive new recreation area has been created along the once remote south shore of Alcova Reservoir, a half-hour's drive from Casper, Wyo.

Started and completed with their own hands, the beautification project has been a significant milestone for the heterogeneous group of young men from the Bureau of Reclamation's Casper Job Corps Conservation Center. Seldom before had they felt the glow of real accomplishment. And this was the first unit completed in their vast conservation and beautification program. The Corpsmen are mighty proud of it, and so are the people of Casper.

The daily Casper Star-Tribune, which has been conservative in praise of the Job Corps, said it this way:

"As clouds of controversy concerning their relative worth swept the State, the 100 enrollees of the Casper Job Corps Conservation Center bent their backs behind pick, shovel, and trowel and in 58,000 man-hours completed work on the development of Cottonwood Recreation Area at Alcova Lake, southwest of Casper.

"Today the 60-acre picnic and camping area and adjacent boating facilities and some 2 miles of road will be turned over to the Natrona County Park Board and the Board of County Commissioners.

"The Park Board estimates that the work done by the Corpsmen would have cost the county government some $250,000."

ENCOURAGEMENT

More difficult to measure is the value of encouragement to young men whose lives had been marred by deprivation, frustration, and failure.

Nor is anyone more pleased than John D. (Dale) Anderson, Director of the Casper Center.

The Casper Job Corps Conservation Center was activated April 15, 1965, in an area that offers exceptional opportunity both for the enhancement of nature and the development of young Americans.

A chain of reservoirs created by the Bureau of Reclamation along the North Platte River has become extremely popular with outdoor enthusiasts from Wyoming and neighboring States. But facilities have proved wholly inadequate in the face of the recreation explosion.

Shorelines offer little shade, comfort, or beauty. Still, almost 435,000 persons visited the Alcova Reservoir area last year—swarming along the developed north shore.

To relieve the crowded situation, the Casper Corpsmen were assigned the development of the south shore and other tasks of conservation and beautification.

The newly completed Cottonwood Recreation Area will accommodate several hundred persons at a time, without crowding.

COTTONWOOD AREA FACILITIES

In work that started in the fall of 1965 and continued on a limited basis during the winter, the Corpsmen built a 2-mile all-weather road, erected 65 sturdy picnic tables, 5 steel and stone picnic shelters, several latrines, 50 charcoal grills and a similar number of trash racks.

They also developed 30 acres of campgrounds, a half-mile beach and two swimming areas.

Near the center they constructed a 200-foot jetty from native stone and concrete, and flanked it with a boat dock and ramp. They also developed nine auto parking areas embracing a total of 80,000 square feet.

In this inviting expanse they planted 2,000 tiny Ponderosa pines and seeded 20 acres in grass.

An additional 15,000 Ponderosa pines were planted by the Corpsmen on the hillsides and along the North Platte River and on reservoir shores in the Alcova, Seminoe, Kortes, and Glendo areas.

They represent not only future beauty and shade but also wind and water erosion protection.

H. P. (Pat) Dugan, Regional Director of the Bureau of Reclamation's Region 7 in Denver, has pronounced the Cottonwood Area a "recreational gem" of Anderson's imaginative planning. Anderson passed the compliment on to his staff and the Corpsmen.

"You can appreciate the project only when you know what the enrollees were like when they came here," Anderson said. "Some were belligerent, some scared, many were homesick.

"But with this large number of active young men as a work force we anticipated accomplishments to start showing quickly, and the initial approach was to send out a work leader with a groups of Corpsmen to perform a job. However, followup inspections revealed that not much was being done.

"The work leaders reported only a few would work. This was further examined and we decided only about 10 percent knew *how* to work. The scheduled projects were temporarily shelved and we started all over.

"We had to train the boys in work attitude and even the most basic work skills. The answer, I think, was motivation—the installation of pride in a job well done.

"The training included use of hand tools—axes, shovels, picks and saws—and, later, the use of machinery, from concrete mixer to power shovel."

PROMOTIONS TO LEADERS

As the training period entered the 10th week and all Corpsmen had been given the opportunity to function as group leaders, the staff began selecting Corpsmen for promotion to leaders and assistant leaders.

This increase in faith and responsibility was a tremendous challenge to those who had never before felt the obligation of leadership and the trust of adults.

The selection of leaders had a good reaction among those not chosen, as they wanted to be on future promotion lists.

Originally, only four or five Corpsmen could be trained by a staff member, leaving between 20 and 25 men to be supervised by one work foreman. As leaders gained confidence and experience, they began assisting in the training of others. This permitted the staff instructor to maintain only visual control over groups and individuals actually operating heavy equipment.

The early dreams of glamorous adventure have been replaced by pride in accomplishment and there's great rivalry among individuals and groups on work projects.

"Corpsmen who once wanted to loiter in the dormitories now clamor to get out into the field," added the Center Director.

Anderson said several enrollees have developed a high degree of skill in the operation of heavy equipment and that many others have taken an intense interest in carpentry and masonry.

It was their work on the jetty in Alcova Reservoir that introduced them to the challenge of masonry, which is patiently taught by Charles E. Galyan, one of the Casper Center's work leaders.

Galyan is a former contractor who served with the Armed Forces in Greenland during World War II.

Borrowing from this experience, he made use of a sturdy prefab shelter during the winter months at Alcova, directing work within the heated building which was moved several times directly over the site on which the Corpsmen labored.

MASTER PLAN

Continuing under a master plan that will keep them usefully engaged for several years, a minimum of 25,000 seedling shrubs and trees will be planted next spring. This number will serve as a goal annually thereafter.

But already underway is the development of a second recreation area north of Cottonwood on Alcova Reservoir along a shore known as Black Beach. As at Cottonwood, the work involves construction of roads and trails, picnic and camp grounds, boat ramps and docks, signs, shelters, overlooks, picnic tables, and latrines.

The facilities are prefabricated in the Casper Center's carpentry and welding shops, with indoor and outdoor crews rotating to give each man full exposure to the wide variety of tasks.

Next on the schedule is a third recreation area at Pathfinder Reservoir, immediately upstream from Alcova. The development started this fall, along with a number of projects for the Bureau of Land Management.

These will include riprapping six livestock dams in the Powder River country north of Casper; the development of springs for livestock water; the fencing of 10 range study plots embracing from 1 to 3 acres each, and the clearing of 3 miles of fire breaks across BLM land on Muddy Mountain south of Casper.

Recent fires in that area have destroyed timber and threatened scenic recreation areas.

Dugan noted that Camp Director Anderson and the Center's Work Director, George E. Davis, are uniquely qualified to serve both as youth leaders and conservation planners.

Anderson was born just across the Wyoming line in Henry, Neb., but received his high school education at nearby Torrington, Wyo. He attended the University of Wyoming and was graduated with a B.S. degree in Engineering in 1942. During World War II he commanded an infantry company in Europe.

On his return to civilian life he spent 4 years with the Soil Conservation Service as construction engineer on flood control projects.

He was recalled to service during the Korean conflict and served as assistant professor of military science and tactics at Central and Centennial High Schools in Pueblo, Colo.

Anderson joined the Bureau of Reclamation in 1961 as hydraulic engineer in the Soil and Moisture Conservation Branch.

George Davis is a Wyoming native who received a B.S. degree in Agriculture and an M.S. in range management from the University of Wyoming. He also was a high school teacher, construction worker, and range management specialist for SCS.

With these and other such men—as well as some Job Corps enrollees with a talent for beautification—the Casper Center will complete considerably more units of work with pride.

AMBASSADOR THOMPSON RETURNS TO MOSCOW

Mr. BREWSTER. Mr. President, as I am sure is the case with other Senators, I have been pleased by the enthusiasm with which the country received the President's appointment of Llewellyn Thompson to another tour of duty as our ambassador to the Soviet Union.

His return to Moscow has been noted with equal enthusiasm by the Hearst newspapers. One of those papers, the Baltimore News American, of my own State of Maryland, commented recently that Ambassador Thompson is a leading practitioner of the "calmness, patience and firmness" which are vital to his assignment.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Baltimore News American, Jan. 4, 1967]

OUR MAN IN MOSCOW

The announcement of Llewellyn Thompson's return to the Soviet Union as ambassador there is welcome news indeed. He will be returning to a post he held with distinction from 1957 to 1960.

Ambassador Thompson, who speaks Russian, possesses a rare blend of diplomatic acumen and homespun practicality. Once, during a reported Moscow political crisis, a newsman telephoned the United States embassy there from New York. Ambassador Thompson came to the phone and, on being asked if Moscow was calm or otherwise, reportedly looked out of the window and replied that it looked pretty calm to him.

This is the kind of temperament needed in a post such as Moscow, where the principal watchwords are calmness, patience, and firmness. Ambassador Thompson is a leading practitoner of all three of these, and what has become perhaps the most difficult and important of all American diplomatic jobs is in outstanding hands.

AN APOLOGY TO DEAN RUSK

Mr. McGEE. Mr. President, I invite attention to an item in the "Editor's Corner" of the American Legion magazine for December 1966. It really needs no expansion, no explanation. Entitled

"An Apology to Dean Rusk," the Legion editorial serves as an example of honest recognition for our able Secretary of State and for the policies our Government has pursued with regard to Indonesia—and I would add other nations to the list, as well—over the past few years. It is a welcome item, indeed, and should, I think, gain the attention of the Members of the Senate.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN APOLOGY TO DEAN RUSK

Years ago we concluded that the State Department should have nothing further to do with Indonesia. That country, under Sukarno, seemed plainly to be nothing but an undeclared extension of Red China. The State Department, including Secretary of State Dean Rusk, believed that it should maintain all contacts possible, and did so with an unbelievable (to us) show of patience and hope. It was hard to do. If *we* were critical (and we were) Indonesia was harder on the State Department than we were. Sukarno smiled while mobs attacked our libraries and consulates in his land. We finally gave up the libraries. Sukarno and his ministers assailed our country day in and day out in language no different from Red China's. But the State Department never burned all the bridges between Indonesia and the United States.

On page 8 in this issue is a narrative account of the great uprising against Communism in Indonesia that started in October a year ago—which is fittingly titled "The Story of the Great Indonesian Blood Bath." Following the slaughter of perhaps a half-million Communists, Indonesia has rejoined the family of nations and divorced itself from the Red Chinese line.

Quite frankly, Mr. Rusk, we never thought the day would come. Perhaps it would not have come if you had cut *all* ties with *all* Indonesians, for then you might have isolated them all in the Communist world.

It is hard to take the slaughter of a half million of *any* people. Perhaps that was necessary in view of the Communists' own way of doing things. Kill or be killed is their religion.

But it is easy to take a new Indonesia emerging from the darkness. Let us hope that with her still unsolved problems she continues to enter into a new day. And to you, Mr. Rusk, our apologies. A nation that seems to be lost to Communism *can* cut free from it after all—and that's worth working for. Even if it requires the patience of Job.

WORK-STUDY COOPERATIVE EDUCATION

Mr. **HARTKE**. Mr. President, the last two sessions of the Congress have given education more attention, more legislation, and more money than at any time in the past of this country or any other country.

We have opened wide the doorways of financial support, talent, energy, and commitment to education on all levels throughout the country. Those of us who were in the forefront of this mission were motivated then as we are now by the conviction that education is the Nation's primary resource.

Our society is in transition, dislocated by the rapid advances of technology, the science revolution, the knowledge explosion, by demands for new skills and by the mounting call from all sides for brain power. The challenge to us is enormous and only education can meet it.

At the moment, educators and administrators of Federal, State, and local education programs are groping for answers to the problems caused by the new forces in our society.

Despite all that we have done, there are thousands and thousands of eager, qualified boys and girls for whom the door to higher education is closed.

Despite the voracious hunger of our technology for young people trained in the new vocations, the supply continues to fall short of the demand.

Despite the encouragement and stimulation we have given to the sons and daughters of poor families, there are untold numbers of them who just do not have the means to go forward in learning.

Again and again we face the impasse of the mounting unmet needs of a nation in change and the programs devised to meet them.

It must be finally acknowledged that the social problems of our time cannot be solved by old formulas and old truths. Money in and of itself is not enough. What we need is innovation, new thinking, and bold approaches. And the one area where these must be attempted is in education.

One such innovation is the concept of work-study cooperative education in which students go to college and alternate between classroom study and off-campus work on jobs related to their academic interests.

This form of curriculum is an uniquely American invention which has been adopted thus far by some 105 institutions of higher learning throughout this country. There are 50,000 college students in this program and in 1966 they earned over $90 million in payrolls. More than 3,000 American companies, government agencies and public service institutions employ work-study cooperative education students. One leading company—the Ford Motor Co.—alone employs more than 800 students in cooperative education programs.

The students work in every field of economic value. They are in the engineering departments of the great industrial concerns, in the laboratories and X-ray departments of hospitals, in various departments of local, State, and Federal Government; they are in agriculture, schools, banks, advertising agencies, the news media, merchandising enterprises and, indeed, almost every form of enterprise we have.

The idea of work-study cooperative education demonstrates a fundamental principle of sound public programing. It feeds back to the Nation multiple values which repay the effort many times over.

A good illustration of this same principle is the experience of the World War II GI bill of rights, which is as we all know, the only bill sponsored by every Member of both Houses of the Congress. It is estimated that the GI bill of rights has cost the Nation $20 billion, but has returned to the Nation over $200 billion in increased income, and I might say, taxable income. It did more than that though, it produced the means by which thousands and thousands of young people were given the chance to become educated and then to move forward into responsible positions in business, Government, and the professions. No one can possibly estimate the value of the GI bill and what it did to provide the leadership we now have on all levels of our national life.

The excess values made possible by work-study cooperative education are categorically very similar to those produced by the GI bill. The concept makes it possible for students to earn enough to pay their way through college. Because of the principle of alternating semesters, there are two students for every seat in the schools where the program is in force, and this is equivalent to a de facto expansion of facilities without additional capital expenditure. It makes it possible for the young people of disadvantaged families to go to college because they not only do not drain a meager family budget, but in many instances are able to contribute to it.

These are the economic values; but the work-study cooperative education formula also has the transcendent merit of adding a high factor of high quality to the education process. In their work experience, students in the program leave the protective cloister of the classroom to plunge into a real life experience. This alternating connection with the adult world of reality adds maturity, sharpens judgment, inculcates responsibility and expands knowledge.

My interest in work-study cooperative education was reflected in my work for the Higher Education Act of 1965. I have since followed the burgeoning of the idea, and have become increasingly more impressed with its effectiveness. I have studied the program and operation at such places as Northeastern University in Boston, and at Antioch College, Yellow Springs, Ohio, and I have seen how it enhances the stature of both students and faculty. I have also seen how it provides motivation almost instantaneously to the disadvantaged youngster. In such a program he can go to college and earn a degree. And while he is achieving his baccalaureate he works at full wages in a job previously beyond his reach or expectation. Under such conditions, by no stretch of the imagination may he any longer be listed as "disadvantaged." Nor can he be viewed anymore as one without hope of a future.

Work-study cooperative education is precisely the kind of innovation, the kind of bold imaginative programing we need now and shall need later to solve the problems of our time.

For my part, I have endorsed this concept in legislation. I have presented the case for cooperative education in private meeting with the Secretary of Health, Education, and Welfare and the Commissioner of Education. I have spoken about it from the public platform and written about it in the public media. I am sponsoring a statewide meeting in Indiana on January 18 to introduce it there to our colleges and universities and to our major employers. And I now take the opportunity of encouraging my colleagues to familiarize themselves with this educational innovation not only for its potential adoption in their own States, but as an illustration of the kind of social inventiveness so much needed for so many other problems.

The first Indiana Statewide Conference on Cooperative Education has been called for next Wednesday, January 18, 1967, at the Indiana University Medical Science Auditorium in Indianapolis. Cohost with me will be the able president of Indiana University, Dr. Elvis J. Stahr.

The presidents of all accredited Indiana colleges and universities have accepted invitations to join with representatives of major employers in business, industry, and utilities from throughout Indiana and adjacent industrial centers. To date some 120 such business and industrial leaders have accepted, indicating their enthusiasm for this program by private industry. A single letter has resulted in this wholehearted response from private employers—not only from Indianapolis, South Bend, Evansville, Gary, Fort Wayne and other Indiana cities, but from Detroit, Chicago, Cincinnati, Louisville, and Akron. Meeting with them for the first time will be leading educators from Indiana University, Purdue, Ball State University, Notre Dame, Indiana State, Butler, Earlham, Evansville, Franklin, Hanover, Manchester, Indiana Institute of Technology, St. Joseph's, Vincennes—and other institutions of higher learning for which our State is so justly noted.

It is our purpose that this 1-day symposium may become a model for the Nation in encouraging greater adoption of an educational program in which students alternate semesters between on-campus academic schedules and off-campus employment related to their studies.

I am setting out to prove something; that by creating a mutuality of interest between educators and business and industrial leaders we may all learn a fundamental truth:

The value of work-study cooperative education is that it affords an opportunity, at little or no cost to the Government, for more and more of our young men and women to avail themselves of higher education in preparation for productive responsibility as adults.

I ask you now to consider the application of cooperative education in your own States. Already, New Mexico, Oregon, and Alabama are intensively interested. I shall be happy to provide an analysis of the Indiana conference to any of my colleagues who see application for their own States.

CLARE BOOTHE LUCE URGES VOLUNTEERISM TO FIGHT UGLIFICATION OF AMERICA

Mr. HRUSKA. Mr. President, on November 11 of last year, it was my privilege to appear on the same program with Mrs. Clare Boothe Luce, our former Ambassador to Italy, former Member of the House of Representatives, and distinguished author. The occasion was the Nebraska Centennial community betterment awards dinner in Lincoln, Nebr.

Mrs. Luce presented a challenging address concerning the growing "uglification" of our country, resulting, ironically, from our tremendous technological advances. Noting that beauty in man's environment has suffered from industrialization, she advocated "volunteerism" as one method to "save our Nation from a technological mess." Nebraskans participating in the community betterment program were described as "blessed revolutionaries."

Lewis Mumford's belief that man is a slave to his machines and that this is a reason for the crisis in our cities was discussed by Mrs. Luce. She concluded that "while Americans are not yet abject slaves to the machine, they are in grave danger of becoming so." I was interested to see that Mr. Mumford lives his beliefs. Recently, it was reported that when asked to supply some taped recollections on a particular subject, he answered that he would not waste his time talking into one of those "confounded machines." He did supply what was described as "a splendid 19 pages."

Of several meaningful anecdotes, one recalled by Mrs. Luce impressed me greatly. A delegate at a conference on astronautics and oceanography held in Hawaii remarked that if archeologists in the year 3000 discovered the remains of the huge vehicle assembly building at Cape Kennedy, they would probably identify it as a 20th century cathedral. If there happened also to be the ruins of a Saturn V inside this building, our descendants would say the missile was either a great idol, worshipped by the American people in the 20th century, or an image of what they thought God looked like.

The delegate concluded that, "of course, it would be a natural mistake." Mrs. Luce asked whether it really would: "Don't we Americans idolize our machines? Hasn't technological progress, as against spiritual and cultural progress, and even as against progress in making man more comfortable on earth, become our religion? Are Americans offering up the beauty of our whole country as a sort of living sacrifice to the great god, technology?"

Mrs. Luce, consistent with her reputation for effective contributions toward a better America, not only posed questions. She also suggested answers:

> If I had to say in a single sentence the one most important thing I have learned in my life, it would, I think, be this: The best and fastest way to reform man is to reform his environment, because this permits the child and man to develop safely, behave logically, and grow spiritually. What should make you blessed revolutionary reformers happiest is that your efforts will not be forgotton. You will be remembered in history because you are building your own monuments—which are lovely and liveable communities. Thank you, dear Nebraskans, for permitting me to be present tonight. Thank you for making me proud to be an American.

The awards dinner addressed by Mrs. Luce was the culmination of a program which demonstrates that the strength of this country lies in its local communities.

In 1962, the first statewide program of community betterment was organized by the Division of Nebraska Resources and the University of Nebraska in cooperation with the private natural gas industry.

The first tentative steps envisioned a program of possibly 50 communities and a final awards banquet which, hopefully, could attract as many as 100 persons. The people of Nebraska responded to this program in a manner which far exceeded the sponsors' highest expectations. It was an idea whose time had come.

After the completion of the second competition in 1964, it was decided that the program should be expanded to include the State's centennial efforts.

The centennial community betterment awards dinner culminated this 4-year program—a program which in 1965-66 involved 126 communities and 31 counties. It was the first statewide activity celebrating Nebraska's Centennial Year of Statehood which formally begins March 1. Awards were presented to those cities and counties whose outstanding efforts in their preparation for Nebraska's centennial year have resulted in substantial, meaningful improvements to their part of the State—and for which all Nebraskans can be proud.

The nine investor-owned natural gas companies, which joined the State division of resources, State centennial commission, and University of Nebraska in sponsoring the contest, provided the prize awards. Eleven prominent Nebraskans served as judges. North Platte was selected Nebraska's Centennial City and Webster County named Centennial County.

North Platte, the home of Buffalo Bill, was cited for tourism promotion, motel and hotel developments, summer youth programs, development of Buffalo Bill's Scout Rest Ranch, a new city library, recodification of city ordinances, city park expansion, establishment of a beautification committee and planning commission, and improvements of streets, lighting, sewers, and modernization of its municipal airport. Accepting the award for North Platte were Mayor Ken Huebner and Mrs. Billie Silver.

Webster County—with its communities of Red Cloud, Guide Rock, Blue Hill, Bladen, Cowles, and Inavale—was lauded for its promotion of the Willa Cather Pioneer Memorial, Catherland and Pike's Pawnee Village historical markers, centennial celebration planning, participation in weed control and predatory animal control programs, microfilming of county records, improvement of rural cemeteries and help in the establishment of the Central Nebraska Vocational Technical School. Accepting the award for Webster County was Mrs. Don Secrest of Red Cloud.

County winners in the population categories were:

Under 6,000: Stanton, first, represented by Marlin Waechter; Deuel, second, represented by Mrs. Hjalmer Carlson; Sioux, third, represented by Charles E. Mumby.

From 6,000 to 13,000: Webster, first, represented by Mrs. Virginia Secrest; Polk, second, represented by Robert W. Bryan; honorable mention went to Butler, Cuming, Kearney, and Keith Counties.

Over 13,000: Madison, first, represented by Mrs. Irene Zimmerman; Lincoln, second, represented by Howard Nelson; Hall, third, represented by R. E. Spelts, Jr.,

City winners in population categories were:

From 5,000 to 30,000: North Platte, first, represented by Mrs. Billie Silver; Beatrice, second, represented by Walter Braun; McCook, third, represented by Kenneth McGooden.

From 2,000 to 5,000: Ogallala, first, represented by Rev. Louis Poppe; David City, second, represented by Everett McCracken; Gordon, third, represented by Ken Christophersen.

From 800 to 2,000: Grant, first, represented by George Gengenbash; Humboldt, second, represented by Art Wherry; Stromsburg, third, represented by G. E. Ekstrand.

Under 800: Dodge, first, represented by Edward W. Uher; Wallace, second, represented by William Sullivan ; Emmet, third, represented by Donald Kloppenborg.

Ogallala, winner in its population class, was not only the sweepstakes winner a year ago but also won the All America City Award and was named Nebraska's Youth Community.

Madison County's victory in its class had special significance for Mrs. Irene Zimmerman of Battle Creek. She was county betterment chairman and 3 years ago she was chairman of the Battle Creek program that won the initial sweepstakes award.

A Distinguished Native Son Award was presented to Mr. Peter Peterson, president of the Bell & Howell Co., of Chicago. Mr. Peterson is a native of Kearney and a graduate of Kearney State College.

Mrs. Luce was presented an Honorary Nebraska Citizen Award. This award was similar to the one given to the late Sir Winston Churchill.

Far too many fine Nebraskans were involved in the community betterment program to mention each by name. Certainly, as was observed at the awards dinner, it is not important whether a community was among those selected for a prize. The labor done to improve the counties, cities, and towns in Nebraska makes everyone a winner.

This is an excellent example of what can be done on a local level without infusion of Federal funds and concomitant controls.

I ask unanimous consent that the timely address by Mrs. Clare Boothe Luce be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by the Honorable Clare Boothe Luce Before Nebraska Centennial Community Betterment Awards Banquet at Pershing Municipal Auditorium, Lincoln, Nebr., November 11, 1966

Mr. Chairman, Governor Morrison, Senator Hruska, Mr. Peterson, Ladies and Patrons of the Community Betterment Program, Distinguished Guests, Ladies and Gentlemen, it is a great honor to speak on this occasion. Your Community Betterment contests, and the success you are having with them, are serving as inspiring pilot projects for a whole nation sorely in need of similar efforts. Indeed, there are many States far more in need of Community Betterment than Nebraska. And because this is so—I wish tonight to discuss three relevant questions with you.

First, is it true that America is getting rapidly uglier, dirtier, and more unliveable all the time?

Second, who, or what is responsible for this uglification?

And third, what can we, the people, do about it?

The first question is easily disposed of: Yes, large parts of America are, heartbreakingly enough, growing more hidious all the time.

I have just come, as you know, from New York, my home city. New York City, today, is perhaps the biggest urban mess on the face of the globe. But, by no means is it the *only* fouled up American city.

When the Pan American Congress of Architects met in Washington, D.C., not too long ago, the prevalent note of the conferees was one of profound alarm, if not hopelessness, about the physical conditions of America. Phrases like "the urban crisis," the "catastrophe of the cities," the "metropolitan mess," the "nightmare of Megalopolis," abounded in the papers read by some of the world's most distinguished architects.

Who, or what is to blame for the urban crisis? Lewis Mumford, perhaps the best known critic today of our urban culture, sought to put his finger on the root cause of the uglification of America: Man's slavery to the thing he created to be his slave—*the machine*. "One component of the New World promise, the machine," he said, "has become dominant, and has replaced human choice, variety, autonomy and cultural complexity, with its own kind of uniformity and automation. The result is an urban environment that is both biologically and culturally deficient." And he made this devastating comment about our ugly cities: "Only one thing need be said about such cities: those who have a free choice are constantly moving out of them, although they must sacrifice the social facilities of the city in order to insure—all too temporarily—a better biological environment."

Is Lewis Mumford right when he says it is man's slavery to his machines that is destroying our cities and desecrating the beauty of our landscape?

Ladies and gentlemen, permit me to tell you of a fairly recent personal experience that shed much light on that question for me.

Not too long ago, I received an invitation from Governor Burns, of Hawaii, to attend as a lay observer, a conference on Astronautics and Oceanography. The conference was called to explore what profitable part the newest State in our Union might play in man's conquest of outer and inner space.

I participated in three conversations at that conference which made it quite clear to me that while Americans are not yet abject *slaves* to the machine, they are in grave danger of becoming so.

The first conversation was very brief: It occurred when I arrived ten minutes late at the Conferees' luncheon. As I slipped into my seat which was between a National Aeronautics and Space Administration scientist and an Hawaiian State legislator, I murmured my excuse. "Sorry," I said, "I was waiting for a message from Mars."

"Oh? And did it come through?" the scientist inquired. I replied that it had. Whereupon, he and the legislator resumed their interrupted conversation.

Was I being facetious about that "waiting for a message from Mars" bit? Or was it, perhaps, the accepted euphemism in scientific circles for saying that you were detained because you "had to see a Chinaman about *buying* a dog"? Not at all. I *was* waiting for a message from Mars. And it *did* come through. Howzat, you say?

Now, one of the Conferees was Dr. William H. Pickering, Director of the Jet Propulsion Laboratory at Caltech, responsible for unmanned explorations of the moon, the planets, and interplanetary space: It was Dr. Pickering's habit, when traveling, to telephone Washington each morning to be sure that the unmanned U.S. satellite, Mariner IV, is still in orbit around Mars, 190 million miles away. At regular intervals, our Space Agency sends Mariner IV a signal. This takes 17½ minutes to reach the craft. It seems that Mariner IV then emits some sort of beep, or ping, which is received back on earth just 17½ minutes later.

Just before luncheon, together with several journalists, I had been waiting with Dr. Pickering in his room while he tried to complete his telephone call to Washington. In passing, this took almost as long to come through as it did for Mariner IV's signal to reach earth. When it came through, however, Dr. Pickering was happy: His billion dollar astral baby was winging along, singing its song, in the vast uninhabited reaches of our solar system.

Now let us return to the conversation between the scientist and the Hawaiian legislator, which my message from Mars had interrupted.

The legislator had been wondering what—*on earth*—Hawaii could do about the mounting, indeed mountainous, problem of its hideous automobile junkyards. The population of Hawaii is expanding at an even more rapid rate than in the mainland states; 60,000 tourists are now arriving annually on the Islands in search of Hawaii's greatest commodity—its Beauty; and the Chamber of Commerce projects one-and-a-half million tourists annually in another decade. Consequently, every year thousands of *new* automobiles are landed on the relatively small island of Oahu. And, of course, thousands of old cars are left in roadside junkyards.

The Hawaiian legislator was telling the somewhat bored scientist that the Islands could not export these mechanical corpses for scrap, could not drop them into the sea, bury, burn or melt them down because it was not "economical" to do so. This was terrible, he said, because if *some* economical way of disposing of the automobile graveyards was not found, the Hawaiian countryside would be obliterated by junk and litter, and well, of course, if that happened, it would certainly affect the tourist trade. It would, of course, affect the whole quality of life in Hawaii.

At this point, his laments were interrupted by the luncheon speaker. This was Astronaut Walter Cunningham. He described, step by step, how the seemingly insuperable problem of a manned moon-fall is being solved. With the aid of slides and movies, he showed his audience how, before many more years run their course, three Americans will (hopefully) put down safely on that cold distant planet.

When Astronaut Cunningham had finished, I leaned over to the scientist on my right and said, "Do you mind telling me whether or not you think that we Americans can afford to spend 40 or 50 billion dollars to reach the moon? I mean, is the program *economic?*"

"Economic or not, what man can do, man must do," he murmured, a little irritably.

And now the second episode from the Governor's Conference on Oceanography and Astronautics: A scientist-submariner, describing the progress made in underwater explorations and research, told us it was only a question of time before men could live and work comfortably at great depths under the ocean. Then he happened to remark that the Aquanauts who had just about then completed their 30-day underwater stint in the Navy's Sea-Lab off San Diego, had been breathing far purer air than their families were breathing topside. "Making fine air with proper mixtures of oxygen, helium, and other inert gases is about one of the easiest things science can do," he said.

And the third conversation: An astronautical engineer, discussing our projected space flights, happened to mention that the new Moon Port at Cape Kennedy is the largest building in the world—larger than those two secular temples of our time combined—the Pentagon, consecrated to War, and the Merchandise Mart in Chicago, consecrated to Business. The Vehicle Assembly Building, or VAB as it is called, was designed by a 300-man design team. It is probably the first great building in the world deliberately designed to avoid any proportional relation to the human figure. Its design scale is based not on the human form, but on a Saturn-V vehicle. Each of its four doors is large enough to move the United Nations building through it without nicking a brick. An inhuman structure created for non-human occupants, it naturally has no windows. The engineer who described it said, "I sometimes wonder—if our civilization were wiped out by a nuclear war, what archeologists—say in the year 3,000, would make of the ruins of VAB."

Another delegate to the conference commented, laughingly, "Oh, that's easy! Throughout history mankind's biggest buildings have always been his places of worship. So the archeologists would probably identify the VAB as a 20th century cathedral. And if there happened also to be the ruins of a Saturn-V left inside VAB, they would say the missile was either a Great Idol, worshipped by the American people in the 20th Century, or an image of what they thought God looked like. Of course, it would be a natural mistake."

Suddenly I found myself wondering: "Would these archeologists really be making a *mistake?* Don't we Americans idolize our machines? Hasn't technological progress, as against spiritual and cultural progress, and even as against progress in *making man* more comfortable on earth, become our religion? And, unless most Americans believe today that man was made for the machine, and not the machine for man, why do we put up with air and water pollution, traffic jams, and the ruination of our countryside? Are Americans offering up the beauty of our whole country as a sort of living sacrifice to the great god, Technology?"

And now, the last conversation: This one was with a computer expert. He made the rather obvious remark that our generation is living through the greatest revolution in the history of mankind—the Scientific and Technological Revolution, that gained terrific momentum during World War II, and is proceeding at an ever-accelerating pace. "Our computers show," he said, "that the rate of scientific discovery and technological progress will be sixteen times greater every year than the year before. There is, literally, almost nothing (he said) that our test tubes, and computers, or cybernated machines will not be able to do before this century is ended. We need only to program our goals.

"Our machines can build us magnificent new cities—or they can blow up the world. Or they can continue the way they are doing. For example if we go on permitting our machines or 'industrialization' to ruin our cities and despoil our landscape, we must expect that each year they will become 16 times uglier, dirtier, noisier, and more unhealthy—physically, morally, spiritually, than they were the year before. Our machines are simply slaves. *They* don't decide what they want to do. *We* decide what we *want* them to do. And the trouble, today, is that we just haven't decided."

Ladies and gentlemen, at that Hawaiian Conference I was bewildered by the paradox presented by a nation that has the will to land on the moon, orbit satellites 190 million miles from earth, and plumb the ocean depths, but doesn't have the will to rid its own landscape of wrecked and abandoned automobiles, or to clean up its own cities. I was baffled by a civilization that has the will to make pure air and water for men who wish to live under the ocean, or out of the stratosphere, but only provides its city dwellers with polluted water and air saturated with carcinogenic substances; a civilization that has the will to see a few men walking safely in vast uninhabited space, but does not have the will to see its women walk safely on the streets; that can build machines with a 250-million horsepower thrust capability to send missiles orbiting the globe, and equipment to plumb the ocean's depths, but cannot (or will not) provide enough schools, libraries, playgrounds, parks or plazas for its own citizens; in short, a civilization that can spend billions upon billions to make inner- and outer-space travel safe for a mere handful of men, but which in one decade has killed more young people on its highways than we have lost in all the wars of our country. And what shall be said of a culture whose greatest, or rather, largest, feat of architecture is not a cathedral, a government house, or even a university or a center of the arts, but a building to shelter machines for landing a small corps on the cold, infertile moon?

I was astonished, and ashamed, by the fantastic rate of scientific and technological progress we are now making, contrasted with what seems to be our diminishing capacity to provide our citizens with an environment in which they can decently live, move, work—no less cultivate their minds and spirits.

To what ideology must we turn to reverse and remedy this situation?

If we are honest with ourselves, we will confess that no pure "ism" will do. Neither capitalism nor socialism, political federalism nor political decentralization, rugged individualism nor collectivism will alone suffice to save this nation from becoming a technological mess so great that, in the end, the only piece of scientific technology that can wipe it off the face of the earth will be a nuclear holocaust; and that would make the greatest mess of all.

In many places and in many situations there is, for example, a crying need for larger and more costly federal projects: such as the decontamination of mighty river systems and our cities' air. But everywhere there is even a greater need for individuals to want and to will a better America.

But there is one "ism" that if it is not a cure-all, will nevertheless keep things from getting worse.

Perhaps the first person in history to recognize *volunteerism* as an American technique for changing a man's world was a 19th century foreigner the Frenchman, Alexis de Tocqueville, author of one of the most perceptive books ever written on the American political character. After a visit to our shores in 1830, de Tocqueville observed (I quote): "Americans are the most peculiar people in the world. You will not believe it when I tell you how they behave. In a local community in their country, a citizen can conceive of some need which is not being met. What does he do? He goes across the street and discusses it with his neighbors. Then what happens? A committee comes into existence, it begins functioning on behalf of that need—and you won't believe this, but it's true—all of this is done without reference to any politician or bureaucrat. All this is done by the private citizen of his own initiative."

If the kindly ghost of de Toqueville still haunts our shores, as the words of his prescient book still haunt all our political scholars, that ghost would certainly be on hand to applaud the winners of the Nebraska Centennial Community Betterment contests. *He would congratulate the losers, too, for they have won a better Nebraska.* And I suspect he would be looking around, with a very self-satisfied smile, for other ghosts—mayhap Marx's or Lenin's—to whom he would have the exquisite pleasure of saying, "Ha, ha. I told you so, my dear fellow! I told you, you were wrong when you said that these Americans couldn't lick the evils of the Big Society, surmount the dangers of technology and industry, and nevertheless preserve benefits *and* their freedoms! That's exactly what they are going to do, and by just the sort of volunteerism I described 166 years ago. If you don't believe it, look at the beginnings these Nebraskans have made!"

Ladies and gentlemen, winners of tonight's Community Betterment awards, do you mind if I call you Revolutionaries? For that is what you are. You are the Paul Reveres of the Technological and Scientific revolution, riding hard, as it were, in the black night of the Urban Crisis to warn your neighbors. To warn them that they must spring to action to stay ahead of the Industrial Blight that will otherwise overtake Nebraska's fair cities and towns. You are, thank God, peaceable revolutionaries. Your most violent gestures (and most effective) are to buttonhole and harangue businessmen and industrialists, argue with mayors, architects, politicians, and stir your own communities to action! action! action!

If I had to say in a single sentence the one most important thing I have learned in my life, it would, I think, be this: The best and fastest way to reform man is to reform his environment, because this permits the child and man to develop safely, behave logically, and grow spiritually. What should make you blessed revolutionary reformers happiest is that your efforts will not be forgotten. You will be remembered in history because you are building your own monuments—which are lovely and livable communities. Thank you, dear Nebraskans, for permitting me to be present tonight. Thank you for making me proud to be an American.

THE MAN FROM WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, Mr. Monroe Worthington, one of my fine West Virginia constituents, writes a column titled "Today—and Tomorrow." His column for release today was titled "What West Virginia Looks Like to a 'Critical Furriner'." Mr. Worthington wrote this piece in 1936 and revised it 10 years ago and again last week. According to its author, it is not exactly patterned "on any one man," but, as Mr. Worthington says, "Several people who have read it have seen themselves in it, in part, at least, and that is all to the good. It should be an ideal for every West Virginian."

I ask unanimous consent to insert Mr. Worthington's column in the RECORD that my Senate colleagues may read "The Man from West Virginia," written by a man who is not a native West Virginian, but most of whose life has been spent in that fascinating hill country.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

WHAT WEST VIRGINIA LOOKS LIKE—TO A "CRITICAL FURRINER"

(By Monroe Worthington)

Even if he had the tongue of an angel, a native West Virginian could not tell how he feels about the state, lest he be accused of being immodest and vain.

As one who was not fortunate enough to have been born in either of the Virginias, I can tell freely what I think about the State and its people. And as I am not running for office, have never run for office, I can speak without suspicion of self-interest.

I saw West Virginia for the first time on the morning of July 1, 1915. A Norfolk and Western train was carrying us eastward, from Columbus, Kenova, Williamson (where we awoke) toward Bluefield. There were mountains to the right, mountains to the left. They were the first mountains I had ever seen, and to someone who has spent his earlier years on the trackless plains of Kansas and the equally flat land of the Texas coast, they were awe-inspiring, wonderful.

When, some years later, I heard a preacher discussing the text "I will lift up mine eyes to the hills, whence cometh my strength" I could easily understand the meaning of his talk.

But to get back to the train. The tracks followed the valleys, and they were curved. It was a real experience to be able to look out a car window—and see the engine and the last car of the train.

Up the line a little way the train stopped—perhaps it was at Iaeger—and a strange device without a smokestack moved by. It was an electric locomotive. After it coupled on to the overworked steam engine, the train moved up the mountains with amazing speed. The first tunnel I had ever seen was along the route.

To a boy who was five or six years old before he ever saw a tree, the giant oaks, pines, sycamores and the others were wonderful indeed. The chestnuts were still alive and (later, that fall) they were full of the best-tasting nuts one could imagine. The hickories and the black walnuts were food beyond compare, too.

The trees were just a part of the wonders of the West Virginia woods. The wild honeysuckle—which some people call the azalea—, the dogwood, the trailing arbutus, the lady slipper, the violet, the golden rod, the red bud, all were lovely beyond compare.

Then there were wild strawberries, "sarvice berries", wild grapes, the lip-puckering persimmons, the banana-like pawpaws. Yes, West Virginia was kind to its people. But the greatest miracle of all, perhaps was the springs and the mountain brooks, full of cool and tasty water.

As the years went by, there were other discoveries—not to eat, but to use in building new industries, new payrolls, when investor money becomes available. West Virginia had 116 billion tons of coal to begin with, a little more than seven billion tons having been mined so far. But in the *ash* of this coal it is sometimes possible to find both germanium and gallium, and they can be worth more than the coal itself. Then there is hafnium, valued at $30 to $175 per *pound*, depending on quantity and quality. And—in addition to a number of other unappreciated mineral resources, there was monazite, with its 14 rare and precious elements: cerium, $20 per pound; dysprosium, $450 per pound; erbium, $450 per pound; holmium, $360 per pound; lanthanum, $110 per pound; lutetium, described in scientific journals only as "one of the most costly natural elements;" neodymium, $120 per pound; praseodymium, only $13 per pound; samarium, $150 per pound; terbium, $750 per pound; thulium, $900 per pound; ytterbium, $200 per pound; and the somewhat similarly named yttrium, $200 per pound.

But the greatest wealth of West Virginia is in its people. The mountaineers, who taught me to say "you all", are, indeed, free. Some of their names show they are almost certainly the direct descendants of the nobles, the warriors, the members of parliament, the good honest bowmen and yeomen of Merry England. Their forebears helped win independence for the United States; have acted the quiet role of heroes in each war since then.

They are as honest, as candid, as the day is long. A person would trust them with his life—or even his money. I've had the chance to compare them—over and over again—with the people from New York, the people from California, and many of the states between. I have nothing against these people from the other states; but the West Virginian stands head and shoulders over most of them. And this applies to many of the hard-working, freedom-seeking immigrants of later years, too, for West Virginia has always attracted the strong and the able. Here's the ideal Mountaineer.

When savage foes assailed our land, then patriots armed to save our homes. And far up front you'd find The Man from West Virginia.

With courage rare he dares both shot and shell, for true men know the price for staying free is sometimes paid by death alone.

The war being o'er, he comes back home and joins the greater fight—the search for food to feed the hungry land, the need for clothes, for pleasant homes.

Men seek him out, to ask advice on how to end their quarrels. They hail his words as just and right.

A man must pay his debt to Life by siring sons to take his place, and daughters, too. A fair-haired mountain girl becomes his well-loved mate. Straight they stand, a pleasant sight against the azure sky.

Alert he is to what his children learn. They best could learn from him; but he lacks time to take the teacher role. He gives his aid to schools where all may learn.

But to this man, the sky, the woods, tell truth as well as books. And men confide in him.

"Come, be our chief" the people cry, for they admire his daring, his know-how. And though it means a sacrifice, he heeds their call. He leads in ways of peace. The rich learn how their workers live, and all share in good times.

The State is hailed through all the land as where true justice dwells. And loud is sung the praise of this man's acts—The Man From West Virginia.

Rumblings fill the nation's skies, for problems must be met, but few can see the way and fewer yet dare tell the truth.

The Man for years has worked for State and fellow man, and feels the need of rest. But can he rest, when the wide world has need of him?

So on the nation's stage he sets his foot, and turmoil starts to die. For every man respects the faith, the word of him we call The Man From West Virginia.

Undying fame will be his due, the thanks of humble workers, too; for with God's Light he seeks the Right—The Man From West Virginia.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF RULE XXII

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator suspend his request for one moment?

Mr. RUSSELL. I am glad to do so, Mr. President.

The PRESIDING OFFICER. Pursuant to a previous unanimous-consent agreement, the Chair lays before the Senate Senate Resolution 6 which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A resolution (S. Res. 6) to amend the standing rules of the Senate.

Mr. RUSSELL. Mr. President, I renew my suggestion of the absence of a quorum, and I desire that it be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 2 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], and the Senator from New York [Mr. KENNEDY] are necessarily absent.

I further announce that the Senator from Minnesota [Mr. MONDALE] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from California [Mr. MURPHY] and the Senator from South Dakota [Mr. MUNDT] are necessarily absent.

The Senator from New Jersey [Mr. CASE] is absent because of a death in his family.

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the resolution.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Chair recognizes the Senator from Georgia.

Mr. RUSSELL. Mr. President, if the proponents of the resolution do not wish to address themselves to the question at this time, I wish to make a few brief references to the importance of the issue that is at stake before the Senate in this proposal to rewrite the rules of the Senate.

This proposal goes much deeper, Mr. President, than the right of an individual Senator or a group of Senators to engage in a prolonged discussion that might be labeled a filibuster. The real issue, the real nub of the question before the Senate, is whether we are to alter the role and the position of this body in our great scheme of government.

Mr. President, it was said on the floor of the Senate yesterday that the Senate is the only parliamentary body in the

United States where a Senator could not rise to his feet and make a motion that could be carried by a transient majority of one, to gag the other Members of that body and prevent them from speaking. It was said that a rule existed in all other parliamentary bodies on earth, including the House of Commons of the British Parliament, by which a motion carried by one vote would gag the remainder of the body. And that statement is true.

It is true, Mr. President, because the Senate has individuality. It has qualities that are different from those of any other parliamentary body ever created by the mind and ingenuity of man.

Mr. President, the greatest difficulty confronted by the Constitutional Convention that wrote our basic charter—a charter which receives rather short shrift these days, not only in the courts but here in the Congress and at the hands of the executive departments, and, indeed, at the hands of some of the teachers of political science—the greatest difficulty they encountered in reaching agreement and accord on the basic charter of our liberties and the bulwark of our rights, the Constitution of the United States, was on the question of the composition of the parliament of this country, or, as they designated it, the Congress of the United States. The little States would not go along with the proposition that it should be based purely on population, and it took a long time to work out a compromise.

The compromise they eventually reached places on this body an indelible stamp that differentiates it from any other parliamentary body on earth; because under that agreement, the smallest State has the same representation in this body as the largest and most populous.

That is true today. Not only did they make that provision, but they provided the only limitation in the Constitution that is not subject to amendment without the consent of the States, because they went further and said in article V:

> And that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

So when Senators speak lightly of invoking a gag rule in the forum of the States of this Union, on the ground that it is different from other parliamentary bodies, I say, Mr. President, that that is the strongest reason for not tampering with these rules, and for not shutting off or stifling the voice of any representative of any State, be it great or be it small, until he has had an opportunity to discharge his responsibilities here.

Why do men wish to be U.S. Senators? Why, Mr. President, do Members of the other body, which is a coordinate branch of this Congress with the Senate, so often desire to offer for the Senate of the United States? Why do men desire to come from Governors' chairs to the Senate of the United States? I submit that it is because of the very differences that distinguish this body from every other legislative body on earth.

Yet we are told that because the Senate is different, we have got to change it and make it like all the others, even though to do so would be a serious invasion of the whole theory of our republican form of government, as contemplated by the Founding Fathers. Now we are being asked to whittle away and destroy the powers and the rights of those who serve here. In the old days, they were referred to as ambassadors of their respective States. Now we are told we should make the Senate just another parliamentary body, exactly like any other. Now we are told that because in the senate of the State of Georgia a member can rise, move the previous question, and shut off debate when Senators have not had an opportunity to express themselves, the same rule should apply in the Senate of the United States.

Mr. President, I have never heard a more fallacious argument. Yet Senators absorb it. You see them drink it in.

Here we are, Members of the greatest deliberative body on earth, bearing an honor in the parliamentary field that is greater than any that has ever existed except in the earlier days of the Roman Senate; yet some Senators are pressing us into destroying this body, into eroding their own powers, into disfranchising their own States, and preventing their States from being represented properly here.

It was done first, Mr. President, in the name of civil rights. They came forward and said, "We have got to make these changes because we can't pass any civil rights bills." Well, a number of sweeping civil rights bills have been passed in the last few years. The last one proposed, the open housing bill, did not pass. I do not know whether or not it would have been enacted if we had had the majority gag cloture rule that is being urged on the Senate. But we passed bills that dealt with every other subject. We voted on, I think, some 70 amendments in 1964, dealing with every facet of the relationships between the races, and between the races and their government, and we did it under the present rules of the Senate.

Mr. President, I have waited a long time for a Senator to come forward with a list of bills vital to the security and progress of the United States that have been killed because of the right of free speech in the Senate of the United States. I have never seen one example brought out here. But I have sat in the Senate for the past 34 years and have seen the exercise of that right prevent the passage of many bad bills, bills that would have been injurious to the people of the United States.

Make no mistake about it. If we go ahead and pass this majority gag cloture, we will soon be met with a change in the rules that will deny or limit or restrict the right of amendment in this body. Mark that prediction. We will have a situation in the Senate in which a mere majority, a bare majority, a temporary majority of one will get some kind of rule, such as they have in the other body, that will keep a Senator from offering an amendment to a bill. It will make a U.S. Senator run around and beg to get the chance to speak for 3 minutes on a bill.

That is where the proponents are trying to take us with this type of change in the rules. It will destroy the prestige of the Senate. The Senate has had prestige in this country despite the efforts of many Senators to shatter or destroy that prestige.

This would destroy or impair the greatest element of checks and balances among the three divisions in our Government, the judicial, the legislative, and the executive.

The Senate is the foundation of that division of powers. It is the balance wheel on which the division of powers in the system of checks and balances revolves.

It is because of the fact that it is different from all other parliamentary bodies that it has been able to make its contribution in war and in peace under rules permitting more freedom of debate than the present rules would permit, without impairing the welfare of the Nation, but contributing mightily to the building of the greatest society that has ever existed under the canopy of Heaven.

It has contributed to the making of the American way of life that is the envy of mankind everywhere. It has been done under these rules, and yet they say, "we come in here now with a form of gag to deny the right of meaningful debate in the Senate. And do it in the name of democracy."

Mr. President, when they talk about amending the rule because it is necessary to pass civil rights bills, that is sheer hypocrisy. It has been demonstrated that they can pass such bills under the present rules. Not only that, but a determined majority in the Senate has passed every bill they desired to pass when in the hearts and minds of the majority of the Senators they wanted the bill, since I became a Member of this body.

Where are we going to have our debate? How are we going to take the question to the people of this country? Make no mistake about it, we are not living in the simple days of the early life of this Republic, and I admit that, but I say that that is all the more reason to have the right of free speech in the Senate.

It is hard to get through to the people of this country what is involved in the very complex and complicated issues that pass through here in the way of legislation. However, if the proponents can just get a gag rule through, they can then go forward and destroy or limit the right of amendment in the Senate of the United States. They can then pass the economic and social legislation they want, legislation that will revolutionize this country and will destroy this system that has afforded men the opportunity to make progress and to go forward and to succeed in accordance with their abiilties, in accordance with their talent and their energies, the opportunity that has made this great country of ours.

Mr. President, Senators talk about a majority of the Senate having the right to vote at any time. There are a number of things that have been put beyond the limit of the majority. The right of private property in this country was supposed to be protected in the Constitution of the United States. Founding Fathers did not leave it to the mercy of a simple majority in the House of Representatives or in the Senate of the United States. They put it in the Constitution, where it would require not only a vote of two-thirds of all the Senators, but also the approval of three-fourths of all the States.

They did the same thing with respect to the right of religious liberty and the right to worship God according to one's own wishes and ideas, or the right not to worship any god if one saw fit.

They said that that could not be changed by any mere statute, but must be changed by a two-thirds vote.

Even the Founding Fathers, with all their brilliance, could not look down the lane 190 years and anticipate what would happen. Even with all their brilliance, they could not possibly have predicted or envisioned what we have done in this country and the developments of the 20th century that have within the period of 60 years changed the manner of living and habits and thinking of mankind to a greater extent than in any other period of a thousand years in human history.

So please, I beg, Senators, even those who in a moment of weakness have made some commitment with respect to this matter, to go over it in your minds and think over again what the effect would be.

I know about the frustrations of long debate here. I suppose I have been involved in my share of it on both sides of the fence.

It is human nature that if you have a bill up and have a majority of one in the Senate, you are ready to vote then, and any debate against that bill is something that is irritating and frustrating, because you cannot bring the bill to a vote immediately with that majority of one.

Mr. President, the majority is not always right. Down through the years there are great monuments, tragic monuments, to the failure of the majority to be right, the errors of a temporary majority such as it is proposed to subject the Senate to, a proposal to turn loose all the fires of partisanship to a mere majority, to close off debate and silence the opponents before they have had a full and fair chance to make their case before the American people.

It is sometimes hard to let it seep through. Sometimes when you are defending what you believe in, but which may be unpopular for the moment, you do not have the great media of communications to support you. They have a way of getting together sometimes, and they will exalt statements in favor of the issues they support and will minimize statements in opposition to those issues.

It is more difficult today than ever before to get both sides of the case before the American people. But I can assure, Senators, on the basis of almost 35 years of service in this body, that there are two sides to every question.

Maybe most of us think, "There is my side and there is the wrong side," but often the side you are for and the side I am for is the wrong side—it happens time and again.

Mr. President, the Senate was created to give a full chance to expose here the errors of the other branches of the Government. One of its main purposes was to permit a complete revision or canvass of the acts of the other body, to have full sway to offer amendments, and to make speeches to point out those mistakes.

Over the years, when you balance it up, the right of free speech in this body has been vastly more beneficial in the preservation of our system of Government, in maintaining our system of checks and balances, in trying to maintain the division of powers between the three separate branches of the Government, than the action of any army. The Senate is the last bulwark of the minority in this land.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the resolution, pursuant to the unanimous-consent agreement, now goes to the calendar.

The Senator from Georgia still has the floor.

Mr. RUSSELL. Mr. President, I shall not delay the Senate much longer.

I have sat in this Chamber with men who were real liberals. They did not have to get a big badge and write on it, "I am a liberal," and run around saying, "I am a liberal. Look at it. Here is my badge." I mean men like Bill Borah, George Norris, and Hiram Johnson. I did not serve with the elder La Follette, but I served with his distinguished son, who was completely indoctrinated with his father's political philosophy. Every one of them defended the right of free speech in this body as the last defense of a minority that might be oppressed.

Now, the majority will work its will. It may have a little trouble. It may have delays. The members of the majority may get tired of sitting around listening to debate that men of good faith are making; to speeches made in the Senate, with which I thoroughly disagree, but upon which Senators had spent hours of labor. They rendered a public service, because they helped to open up before the American people both sides of the question.

This is not a partisan matter. This is a matter that goes to the heart of our system. The Senate of the United States is a unique body. It has been the most useful instrumentality of government down through the years. It has served this Nation well as a continuing body, with two-thirds of its Members going over from election to election, as the Founding Fathers provided, to carry with them experience and an understanding of the operations of the other branches of the Government, so that they might help to protect the people of this country from the excesses of the executive branch of the Government or to undo some excess or wrong that was worked by the decisions of the judicial branch of the Government.

The Senate has had a proud history. Oh, we have made mistakes, because we are human. We are fallible, as are all other men who are born of women, and as are women who are born of women. But, Mr. President, the Senate owes its greatness to the right of the representatives of the States of this Union to stand up and speak their pieces. This is the only place where that can be done.

I do not guarantee these figures, but I think they are correct. The last time I checked them they were correct. In the other body, the solid votes of nine States can overcome the resistance of all the Representatives of the other 41 States in affairs of legislation that would be beneficial to those larger States.

In the general scheme of things, the smaller States are always disadvantaged and handicapped. That is true in the organization of our political parties. It is true in the other body. Until recent years, very few men from very small States were even appointed to the President's Cabinet. The one place where the small States had a right to be heard, where they could defend the interests of their people, was the Senate of the United States.

I never cease to be amazed when I see representatives from some of the smaller States come into the Senate and attempt to denigrate the only power of the small States which equalizes them with the larger. It is not true anywhere else. It is not true in an election. It is not true in the other body. It is true only in the Senate of the United States.

Let those who wish to have gag rule that is more inflexible than the existing rule XXII bring a bill of particulars, and say: "Here are the bills that are vital to our people, that were defeated because we did not have immediate gag rule to shut off debate in the Senate of the United States."

Let them bring a bill of particulars. Certainly in over 190 years there must have been a number of such bills. If the situation is so bad that we have to go through this procedure at the beginning of every Congress, and it is said, "The Senate is not a continuing body; therefore we have a right to shortcut the rules," even though the rules specifically provide that they shall carry over from one Congress to the other, let the proponents bring in a bill of particulars.

In spite of all that, this drive goes on and on and on. I can understand it on the part of Senators from the very large States.

Mr. President, from the standpoint of the Senate itself as a body—I have great respect for the Senate of the United States as an institution—I think the right of free speech in this body has been one of the factors that has made this Government, this system of ours, the oldest operating system of government on earth today. Our Constitution is the oldest charter. I do not like to see Senators take lightly these proposals to so drastically change the rules.

As a matter of fact, up until 1917 there was no way on earth to prevent any Senator or group of Senators from speaking as long as they wished. During the First World War and afterward, in connection with the so-called armed-ship bill and two or three other measures, rule XXII has been modified two or three times. Now it is proposed to strike it out almost completely, with a great statement of words. The proponents say that to do so will protect the rights of Senators. Mr. President, the only way the rights of Senators can be protected in representing the States that sent them to the Senate is to preserve the right of free speech in the Senate. When that right is limited, the power of every Senator is limited, and the rights of the State that sent him here are circumscribed.

I realize that there are those who are committed to the doctrine that the States no longer serve any useful purpose and that it would be much more efficient and much better to have everything, from parking regulations on up to the treaties that, under the present Constitution, must be submitted to the Senate, decided by some vast bureaucracy on the banks of the Potomac. But if that is true, it flies in the teeth of human experience; because the shores of history are littered with the wrecks of civilizations that have tried that, that have enticed men to surrender their rights to someone who is going to be able to be more benevolent to a person than he could be to himself—the old "something-for-nothing" theory.

That is the objective of some of those who are seeking to bring about various changes in our system. This rule has worked no great wrong on the American people. To change it and institute gag rule in the Senate will work great wrong on them.

If the Senate in a moment of weakness adopts this gag rule, I do not doubt that a time will come when the authors will have the unfortunate end of Haman, who built the gallows for Mordecai and was hanged on it himself.

Mr. McGOVERN. Mr. President, I move that the Senate proceed to the consideration of Senate Resolution 6.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 6) to amend rule XXII of the Standing Rules of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota [Mr. MCGOVERN].

Mr. McGOVERN. Mr. President, the resolution which has been motioned for consideration, submitted yesterday by the Senator from Kentucky [Mr. MORTON] and myself, retains all of the present language of Senate rule XXII relating to the termination of debate, except that it changes from two-thirds to three-fifths the number of Senators present and voting required to terminate debate and to vote cloture.

This effort is, in my judgment, aimed at the improvement of the Senate and is based on the conviction that a new Congress should have the right to decide the rules under which it wishes to operate in that Congress.

Mr. President, I wish to say at the outset that I have joined in this effort because of my conviction that it will enable me to represent the State of South Dakota more effectively in this body, that it will enable other Senators to represent more effectively their States, and that beyond that it will enable the Senate as a body to discharge the business of the American people in a more expeditious and effective manner.

Mr. President, whatever this body may ultimately decide as to the substance of rule XXII which it desires to govern its deliberations during the 90th Congress, there is no question that the proper time to consider a rules change is at the beginning of the Congress. There is no pressing legislative business at this moment with which a discussion of the rules can interfere. The distinguished Senator from Georgia [Mr. RUSSELL] referred to the fact that sometimes the discussions that develop around rules changes have a civil rights overtone, but at the present time no such emotion-charged issue is pending before the Senate. No section 14(b) measure is pending. No communications satellite bill is pressing for action. This is a time, early in the session, with a number of new faces present in the Chamber, when it is most appropriate to consider a change in the rules.

I hope that the amendment to the rule offered by the Senator from Kentucky [Mr. MORTON] and me can be made the pending business of the Senate without unreasonable delay.

I shall, therefore, address myself briefly this afternoon to the merits of the three-fifths amendment to rule XXII.

Mr. President, I have given a great deal of thought to the advisability of adhering to the present rule of a two-thirds vote for cloture. This is not a decision I have arrived at hastily. While I have been in the Senate only a relatively short time, I have now been in this body for 4 years without once mentioning the rules of the Senate, and I speak to the matter before us this afternoon only after considerable thought.

Likewise, I have given a great deal of thought to the argument that a constitutional majority, as suggested by the distinguished Senator from California [Mr. KUCHEL] and his cosponsors, and by many other distinguished Senators, should be the basis on which debate can be terminated under certain circumstances.

After considering these various alternatives, I have chosen the middle way of three-fifths cloture for the 90th Congress. This is a moderate position in the sense that it is a conservative position. It is an untried position, and I submit it for the consideration of the Senate.

The long history of the filibuster has demonstrated that two-thirds is frequently too difficult an obstacle for a majority to surmount. Too often there has been the very clear implication in debate on the floor of the Senate or in the Senate cloakroom to the effect: "Yield on this point or on that point, make this concession or that concession, or we will filibuster, and you know you would not be able to get a two-thirds majority."

In that fashion legislation is often modified or even controlled by a very small percentage of Members. The harm flows, in other words, not just from the bills that have been blocked and have been prevented from ever coming to a vote and have been delayed or defeated by filibuster, but the filibuster on many pieces of legislation is an ever-present pressure to dilute the work of the Senate and to dilute the work of the United States.

I believe deeply that the Senate will be stronger and more effective when a reasonable number of Senators can close debate and get to a vote. Far from diminishing the stature and prestige of the Senate, I think the change in the rule which we are now considering is one that will elevate the stature of all Members of this body, and of the Senate itself.

As I have indicated, I am not presently prepared to support majority cloture. There is no evidence from experience that a three-fifths rule will not work effectively. I believe on the vital issues facing the Nation, three-fifths of the Senators would be willing to vote cloture after full and fair debate.

Mr. President, let us give the three-fifths rule a try in the 90th Congress. Three-fifths may not be the magic number. I see nothing sacred about it. I gather from the implication of some of the things said on the floor of the Senate that there are some Senators who feel there is something magic about a particular formula that has been worked out in relation to two-thirds, or a constitutional majority, or some other figure. There is nothing sacred, inviolate, or magic about any of them. I believe that the same reasoning applies to the proposal that is before us now. Perhaps in the 91st Congress we will want to go back to the two-thirds rule after testing the three-fifths proposal, if that proves to be too facile a weapon to close debate. Perhaps Senators will want to proceed in the next Congress to a constitutional majority, as so many of my friends believe, if three-fifths should prove too difficult to surmount. But for the 90th Congress, let us try the middle way of three-fifths.

Some may ask why a Senator from a State with a small population is willing to give up the present two-thirds cloture rule and try a lesser number. I treasure the interest of my own State just as does every Member of their Senate, but the strength of my State, the strength of any State, can be no greater than the strength of the Nation. We are Americans first. We will stand or fall on the basis of the strength and the well-being of this great country in which we live. We are all U.S. Senators as well as Senators from our several States.

The filibuster has seldom, if ever, proved to be an effective weapon to defend the interests of the smaller States; what it has been is an instrument to defeat or blunt urgently needed national legislation. Let us not, through blind adherence to the mistaken concept of defending our own States through unreasonable delay of Senate procedures, so weaken the country that it cannot go forward in the interests of all 50 States. As I have already said, we are Americans first, and I believe that America in the 1960's needs a Senate that can act.

As important as it is to write a three-fifths cloture rule for the 90th Congress, what is even more significant is the importance of establishing the principle that the 100 Senators who today comprise this great body are the masters of their own destiny.

I maintain that a majority of the 100 Members of the Senate have the right and the duty under the Constitution to adopt the cloture provision they deem to be best for the 90th Congress without

hindrance from rules laid down by the Senate of an earlier Congress. The Senators of the 90th Congress are not second-class Senators. They are not limited in the way that previous Congresses were, or in any way that lessens their power as compared to previous Congresses. They have the same right to determine the rules which shall bind them during the next 2 years as the Senate of the First Congress had when it met in 1789, or the right that the Senate had in 1917 which set the two-thirds rule under which we now operate.

The Constitution provides, in article I, section 5, that "each House may determine the rules of its proceedings." No reason has been or can be adduced to interpret this constitutional provision as a grant of rulemaking authority to the Members of the Senate meeting for the first time in 1789 or in 1917, and a withholding of this same authority from the Members of the Senate of later Congresses. Both language and logic lead to the conclusion that the constitutional authority to make rules is granted to each House of each Congress.

When the Senate of the First Congress met in 1789, it was perfectly clear—and no one challenged this—that the majority was clearly in control of its destiny for that Congress; a filibuster against adopting rules would quickly have been overruled by majority vote—although that was one of the most important, perhaps the most important session of a Congress, because it was the very first session.

No less can a majority of the Senate of the 90th Congress be in control of its destiny. Every precedent since 1789 has supported the right of the Senate of a new Congress to determine its own affairs as Vice President Nixon made so clear in his rulings in 1957, 1959, and 1961.

The dead hand of the past cannot control the 100 Senators who today comprise the Senate of the United States.

Let us suppose, for example, that the Senate meeting a generation ago had provided that no statehood bill could ever be voted upon while any Member was ready to talk, so that the rule could not be changed by any Member who was prepared to talk. I think that no one would contend that a majority of the Senate meeting today could not change that rule; no one would contend that the dead hand of a generation ago could prevent a majority from working its will today.

So it is with rule XXII. The effort by the Senate in 1959 to make the two-thirds rule self-perpetuating by providing that it can only be changed by two-thirds cloture is but a slightly more subtle and refined method of seeking to prevent the Senate in 1967 from acting.

Thus we have the right today, under the Constitution, to act by majority will.

We have the duty to act if it is the belief of the majority of Senators—as in my view it is—that a new cloture rule should now be adopted.

Mr. President, we shall hear talk that the Senate is a continuing or a continuous body. Of course it is, in the limited sense that two-thirds of the Members carry over from Congress to Congress; although it is conceivable that a situation could develop so that would not be true. If a catastrophe wiped out a large number of Senators at any given time this might not be true. Then, of course, we would be faced with a situation where the membership was not carried over.

Of course, it is not a continuing body in the sense that all consideration of bills, all consideration of resolutions, treaties, and nominations, start afresh at the beginning of each new Congress, without reference to or continuation of what has taken place in the past; new officers of the Senate are elected at the beginning of each new Congress; new Members are elected in each new Congress; and when the Senate finally adjourns, the slate is wiped clean and the proceedings begin anew in all of these areas with a new Congress. But, whether we call the Senate a continuing body or not, the fact that two-thirds of the Senators might carry over does not support the proposition that the Senate of an earlier Congress can prevent the Senate of a new Congress from acting upon such rules as the majority may determine at the opening of that Congress.

That is clearly an interpretation of the ruling, to which I referred earlier, by Vice President Nixon.

The argument for the carryover of the rules seems to come down to this: Because two-thirds of Senators carry over, the Senate is a continuous body; because the Senate is a continuous body, the rules, therefore, carry over.

Striking the words "continuous body" out of this formula, the argument comes down to this: Since two-thirds of the Senators carry over, the rules carry over. But this is a patent nonsequitur. It assumes that the carryover of two-thirds of the Senate always carries over a majority in favor of the rules. The infusion of one-third newly elected Senators—both by their numbers, by their convictions, and by their powers of persuasion—may very well change the majority view on rules, and it is this majority view that is determinative under our constitutional democracy, not who carries over into the new Congress. That the new one-third may change the majority on any matter is well illustrated by the shifting of the Senate from party to party over the years.

The argument that the two-thirds carryover prevents the new majority from acting on the rules disenfranchises not only the newly elected one-third, but also the new majority who are prevented from exercising their powers and duties to make the rules for their own work, and laws for the people of the United States.

Article I, section 5 of the Constitution does not disenfranchise today's majority.

Mr. President, I hope we can act, and act quickly, on this matter. The struggle for the right of the Senate in a new Congress to work its will on the rules was actually started some 14 years ago by 19 great Members of the Senate, led by the distinguished Senator from New Mexico [Mr. ANDERSON].

I wish the Senator from New Mexico [Mr. ANDERSON] were here today, leading this effort for the three-fifths rule, because he is, in fact, the leader of that proposal; and he would be here speaking today were it not for personal considerations that required him to divert his energy and attention to other matters. I have agreed to undertake this effort on his behalf and on behalf of other like-minded Senators.

The Senator from New Mexico has been in the struggle to improve the rules of the Senate ever since January 3, 1953, when he became one of 19 great Senators who first made the effort to strengthen the Senate's capacity to adopt its own rules.

That list of 19 Senators reads like a roll of honor. Earlier the Senator from Georgia [Mr. RUSSELL] referred to great Senators of the past—and, indeed, they were great Senators—who had views on this issue, but among the 19 Senators who led off this great effort in modern times to enable the Senate to adopt new rules or change its rules at the beginning of each Congress were:

Senator ANDERSON, a former Cabinet member who has been chairman of the Interior and Insular Affairs Committee, and who is now chairman of the Aeronautical and Space Sciences Committee.

Also in that effort was the then Senator from Minnesota, Mr. HUMPHREY, now Vice President of the United States.

The distinguished Senator from Montana [Mr. MANSFIELD], now the majority leader of the U.S. Senate, who commands the respect of every Member of the Senate, was one of the group. Others included:

The late John F. Kennedy, then a Senator from Massachusetts, later President of the United States.

The late Senator Theodore Green, who was later to become chairman of the Committee on Foreign Relations.

The other distinguished Senator from Rhode Island who was a part of that effort in 1953, Senator PASTORE, who is vice chairman of the Joint Committee on Atomic Energy, and who keynoted the 1964 Democratic National Convention.

Senator WARREN G. MAGNUSON, who was later to become chairman of the Commerce Committee, over which he still presides; who also was chairman of the Democratic Senatorial Campaign Committee.

Senator HENRY M. JACKSON, his distinguished colleague from Washington, chairman of the Senate Committee on Interior and Insular Affairs, and a former national chairman of the Democratic Party.

The late Senator James E. Murray, of Montana, who was to become chairman of the Interior and Insular Affairs Committee, representing one of the smaller, less sparsely populated States in the Union.

Senator WAYNE MORSE, of Oregon, who is recognized as one of the brilliant and respected constitutional authorities in the Senate, a former law school dean.

Senator Paul Douglas, who became chairman of the Joint Economic Committee, whom I think we all recognize as one of the great minds to come to the Senate in recent years.

Senator Herbert Lehman, former Governor of New York State; Administrator of the UNRRA program, which did so much to rebuild Western Europe after the war.

Senator Francis Neely, a former president of the University of West Virginia.

Senator Harley Kilgore.

Senator Lester Hunt.

Then there were these great Republican Senators:

Senator Ives.

Senator Tobey.

Senator Hendrickson.

Senator Duff.

All of them were distinguished Members of the Senate.

Some of these Senators were from large States, some were from small States, some were from the East, some were from the West; but all had in common, as is true of the Senators now identified with this effort, from the very beginning, that the Senate should be able to proceed in an orderly manner and should be free from the crippling effects of efforts that can frustrate and defeat the wishes of even a substantial majority of the U.S. Senate.

I think we are all indebted to the foresight of the 19 men who began this fight 14 years ago. Now, it seems to me, we are at an appropriate time to consider possible improvements in the rules of the Senate.

The three-fifths rule is a reasonable compromise. It is a moderate proposal.

The fundamental issue is not so much whether we should have a three-fifths rule or a two-thirds rule or a simple majority rule; the fundamental issue is whether the Senate is able to exercise its constitutional power to adopt new rules or change its rules at the beginning of a session.

I hope we will proceed, on that basis, with our efforts in the best interest of the Senate, in the best interest of our effectiveness as individual Members of the Senate, and in the best interest of the Nation.

Mr. KUCHEL. Mr. President, I think in this debate reference should be made to the Constitution of the United States. It does provide in article I that—

> A majority of each (House) shall constitute a quorum to do business.

It does provide that—

> Each House may determine the rules of its proceedings.

What those of us who sponsor two resolutions relative to Senate rules seek in common to do is to have the U.S. Senate, exercising the constitutional authority to which I have just referred, determine what the rules of the Sneate shall be.

We have an opportunity, in these beginning days of the 90th Congress, to make progress and to write realistic rules. The opportunity is greater than it has been in some years gone by.

Fourteen years ago, in January of 1953, an attempt was made by some Members of the Senate, Democrats and Republicans together, to change the rules.

In those days, the rules provided that 64 Senators, constituting two-thirds of the membership in 1953, would be required to invoke cloture in all instances save one, and the rules provided that if any Member moved to change the rules, cloture was not available at all, under any circumstances.

In other words, if you wanted to try to eliminate part of the farce that has all too often been connected with "unlimited debate" in the Senate, you could not touch the rules of the Senate, under the very verbiage of the rules themselves.

In the intervening years, however, rule XXII has been amended. Some of us believe that on this occasion it should be amended again.

It was said a little earlier that the rules also provide that they shall carry over into the new Congress, and that therefore they themselves may be used as evidence that the Senate is a continuing body. Under that theory there is no right to rely upon the provisions of the Constitution in order to bring the question of adopting rules before the Senate, as is the case each 2 years in the House of Representatives.

Mr. President, it is true that every bill that is introduced in a session of a Congress, first or second, dies at the conclusion of the second session. It is true that every resolution, every attempt to invoke the legislative process, which has not run its full cause die. It ceases to exist.

Suppose, Mr. President, that the rules purported to provide that all bills not acted upon shall carry over into the next Congress. I think that it would be quite clear to every Senator that that kind of provision would be a nullity. By the same token, Mr. President, I do not believe any Senate in a prior Congress could purport to tie the hands of a new Senate in exercising its responsibility under the Constitution—and that is precisely what we wish to do.

I repeat what I said yesterday—this matter ought not to be equated with problems of ideology. The theory of legislation by physical exhaustion, the theory of legislation by irrelevance, is equally abhorrent to all reasonable people, in the Senate Chamber and outside.

Mr. President, my purpose in speaking briefly on this occasion is to say that what we wish to do—those of us who believe that after a month or a month and a half has elapsed, a constitutional majority should have the right to terminate debate, and then permit every Senator an additional hour, upon the conclusion of which each Senator should be prepared to cast his vote up or down on the pending question—is to offer our resolution at an appropriate time as a substitute for that introduced by the distinguished junior Senator from South Dakota and the distinguished junior Senator from Kentucky. We believe that an appropriate time would be after the resolution has been set down as the pending business.

Those are the only comments I wish to make today, Mr. President. I hope to speak further next week as the debate progresses.

Mr. PROXMIRE. Mr. President, I expect to speak very briefly on this matter.

The distinguished senior Senator from Georgia, who is certainly one of the most eloquent and persuasive men I have ever heard in any body, and who is rightly considered one of the real leaders of the U.S. Senate, has made his usual very effective speech; and I am sure that it carries enormous weight with all Senators. I heard all of it, and I must say I was again very much impressed by the persuasiveness of the Senator from Georgia.

However, Mr. President, I do think that the very heart of the Senator's speech raises a question that must be answered. He said that what we who favor majority cloture are intending to do is impose a gag rule on the Senate, to destroy the distinctive and unique feature that has made the Senate the outstanding body that it is. Mr. President, I deny that, and I point out that the Kuchel resolution would no nothing of the kind.

It is true, as Prof. Lindsey Rogers, of Columbia University, among other historians has pointed out, that this is the one body in the country, and perhaps in the world, in which debate can secure national attention, in which there is an opportunity for discussion and difference of opinion which will get the attention of the Nation and hold it, on the great issues that come before us. This has been true throughout the 19th century and the 20th century, and is something that all of us should wish to preserve.

Mr. President, what the Kuchel resolution seeks to do is not to chop off debate, end debate, cut debate without an opportunity to speak. What does it provide? It provides, on the motion to take up—and we know that on the filibustered bills it is necessary to invoke cloture on the motion to take up, in order to get to the issue itself—on such motion, the Kuchel motion provides for 20 days of debate.

Now, 20 days of debate means 4 weeks. And after the 20 days of debate, and after cloture is voted, if it is, at that point, there will then be an additional 1 hour for each Senator—100 hours which take several more days, and after that period, when we get to the substance of the matter, there will be another 20 days of debate, another 4 weeks, and after that is another hundred hours. So altogether, I think it is fair to say that there can be something like 8 or 9 or 10 weeks of debate on any issue, under the Kuchel resolution.

Mr. President, if a matter is so complicated and so controversial that it is impossible to get it to the attention of the Nation when you have 2 months to do it, it seems to me that that is probably something on which you could speak forever, and you would never get it to the attention of the Nation. You would never have an opportunity to develop your argument fully, if you cannot do it in 2 months.

I have been in the Senate now for 10 years. I have followed the Senate, as all of us have, throughout a lifetime; and I cannot recall any issue ever to have come before this body, except when there was deliberate delay with the purpose of killing it, that was not handled in far, far less than 2 months. Usually even the most important of such matters are handled in a week or two

There is not any question that this process of education, of information, of getting your message before the country as well as before the Senate, is a vital function of this body that we should do our best to preserve. But the Kuchel resolution would preserve it.

Mr. President, the difficulty with the present rule is not that one-third plus one will stand up on the floor of the Senate and talk everybody in the Senate into exhaustion. It is simply the fact that as we move along in this body, we all know that most of the important legislation comes before us in the closing days of a session. It begins to develop in July, August and September. We know that as we move toward the close of the session, any determined group—and it does not take a third plus one; it takes 10 or 15 Senators, because a number of Senators will always vote against cloture—10 or 15 Senators, then, are in the powerful position of being able to stop this body, stop the House of Representatives, stop the President, when a very substantial majority of the Senators wish to act.

It seems to me that the Kuchel resolution is about as reasonable as one could provide. Frankly, there are people who share our view that we should have majority cloture, but who feel that the Kuchel procedure provides far too much time, and that it should provide not more than a maximum of 20 days altogether, or perhaps 15 days, not the 2 months or more of debate it does provide.

There has been a kind of humorous teasing and good-humored criticism of some of us who are taking the position I am taking today, to the effect that we have used the filibuster ourselves in the past.

I plead guilty to that. On the so-called one-man, one-vote fight, we did this. I was one of those who played a part in delaying the vote in order to try to defeat the position taken by the distinguished minority leader in his effort to permit the States to apportion their legislatures on some basis other than population.

With respect to the Chicago water diversion fight a few years ago, I used the rules to talk that legislation to death.

It seems to me that one plays by the rules. If we are playing football and do not believe that the goal posts should be 10 yards back of the goal line as they are in college ball, we still play by the rules. We do not refuse to try for field goals or kick points after touchdowns. We try hard to change the rules and play to the full by them until we can change them. That is just what we are doing here.

There will be legislation in the future that I will very vehemently oppose that would be more likely to pass if we vote for the Kuchel resolution. However, it seems to me that this is the kind of sacrifice we must make in a democracy. It is the very heart and essence of a democracy that a majority can determine when to move and when to act after there has been an opportunity to debate the matter to the fullest possible extent of any reasonable listener's patience.

I hope that consideration will be given to the Kuchel resolution and that it will be recognized that this is in no sense a gag rule, that there will not be the denial of an opportunity for the fullest kind of educational debate.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. KUCHEL. Mr. President, I congratulate my colleague for the comments he has made.

The Senator is eminently correct in describing what we seek to do here as reasonable and rational. As a matter of fact, as the Senator well knows, the Constitution speaks in terms of action in either branch of the legislature by a majority except in specific instances.

As has been said, a majority of a quorum can transact business in the Senate. A quorum is 51. A majority of 51 votes can commit this country to war.

The Senator and I are sponsoring a resolution to provide a means, after a month or a month and a half of debate, to terminate debate, not by a majority of a quorum, but by a constitutional majority of 51 Senators.

I take it that the Senator will agree with me that ours is the reasonable and rational and midroad approach to this problem.

Mr. PROXMIRE. Mr. President, I very much welcome that point. Right now, it is possible under the present rules of the Senate to invoke cloture with 34 votes, because that is two-thirds of the 51 votes that constitute a quorum.

Mr. KUCHEL. The Senator is absolutely right.

Mr. PROXMIRE. The Kuchel resolution provides for invoking cloture by 51 votes. And it provides a much longer opportunity for debate.

Mr. President, I yield the floor.

Mr. HART. Mr. President, I thank very much the able Senator from South Dakota [Mr. McGovern] for the tempered and, I think, very good presentation he made in support of his resolution.

I thank also the able and effective Senator from California [Mr. Kuchel] and the Senator from Wisconsin [Mr. Proxmire] for their comments in support of the constitutional majority resolution which I would hope very much the Senate will adopt.

I listened—not merely today, but also every other day on which the Senator speaks—with great attention to the very effective senior Senator from Georgia [Mr. Russell].

His remarks came from deep conviction. I believe with an equally deep conviction, Mr. President, that we can take up one theme of his remarks and apply it to the situation in which we find ourselves, and, I would suggest, come to a different conclusion.

The Senator cautioned that the majority is not always right. How very well we know that to be true. I do not argue that there is any moral imperative that suggests that we should act by majority decision. However, I do suggest that in a society such as ours, except as our Constitution provides for some other formula, it is right to abide by the majority decision.

Mr. President, if we were to take the approach that a minority could prevent and obstruct action because a majority might be wrong, we would be arguing that a minority, which also could be wrong, shall prevail.

This, in my book, does not make sense.

I do defend the proposition that full and adequate opportunity should be given each side to make its case to the Senate, to the public, and to the Nation, but if that case cannot be made in 40-plus days, something is wrong. That is quite an adequate time in which to make a case, and by that time the clock of history should strike and a majority of the Senate should be permitted to say yes or no with respect to the case.

We pray that the answer be right. We acknowledge that it could be wrong. But I argue that it would be better that we abide by the majority than that we accept the verdict of the minority which also could be wrong, each side having in its army those who are fallible.

That is what this is all about, and I hope that we will have this in mind as we approach a vote.

ORDER FOR RECESS UNTIL MONDAY

Mr. President, at the request of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in recess until Monday noon.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. HOLLAND. Mr. President, I am sure that every Senator knows that the proposed Senate resolutions to change Senate rule XXII both present a constitutional question—nothing is clearer than that.

The authors of the proposed Senate resolutions make this question abundantly clear in their statements to the Senate at the time of their introduction of the resolutions. The distinguished Senator from South Dakota [Mr. McGovern], in introducing Senate Resolution 6 for himself and the Senator from Kentucky [Mr. Morton], used the following words to open his clear statement in behalf of his Resolution 6:

> Mr. President, pursuant to article I, section 5, of the Constitution, which declares that "each House may determine the rules of its proceedings," and to the advisory opinions of Vice President Nixon that rules which restrict the power of a majority of the Senate of a new Congress to change its rules are not binding on the Senate at the opening of a new Congress, I send to the desk, on behalf of the Senator from Kentucky [Mr. Morton] and myself, a resolution to amend rule XXII, and request that it be read.

That was the opening sentence of the Senator from South Dakota.

There could have been no doubt in the mind of the distinguished Senator from South Dakota that his resolution was based upon his own interpretation of article I, section 5, of the Constitution and likewise upon the advisory opinion of former Vice President Nixon interpreting that provision. The Senator from South Dakota clearly stated the matter in the opening sentence of his statement to the Senate on January 11 which I have just quoted.

The same is true with reference to Senate Resolution 7 as offered to the Senate by the distinguished Senator from California [Mr. KUCHEL] for himself and other Senators. The opening sentence of the statement of Senator KUCHEL to the Senate on January 11 in this matter contains the following words:

> In accordance with article I, section 5, of the Constitution of the United States, and the advisory rulings of the Chair at the opening of the 85th, 86th, and 87th Congresses, I send to the desk a resolution—

Meaning Senate Resolution 7.

The distinguished Senator from California could not have made it clearer that it was his understanding that his Senate Resolution 7 presented a constitutional question, and was based upon the interpretation of article I, section 5, of the Constitution by former Vice President Nixon. There could be no doubt whatever that Senator KUCHEL realized and stated to the Senate that his resolution did relate to a constitutional question, and also to the advisory ruling of the former Vice President on that constitutional question.

Other statements were made by supporters of one or both of the Senate resolutions—Senate Resolution 6 and Senate Resolution 7—one of the clearest of which is as follows:

The distinguished Senator from New York [Mr. JAVITS], as shown on page 183 of the CONGRESSIONAL RECORD of January 11, had this to say:

> Mr. President, I rise, on this side of the aisle, to speak for the resolution to enforce the constitutional prerogative of the majority to close debate.

Later he said:

> The question before us is, Is Calhoun's doctrine of concurrent consent finally to yield, after more than a century, to the march of time, or is it still to stand, in the Senate, in defiance of the Constitution of the United States? That is the real issue.

It could not be clearer, Mr. President, that those Senators who have offered Senate Resolution 6 and Senate Resolution 7, and those who support the enactment of one or the other of these resolutions, realize and understand that they are raising a constitutional question. They could not have stated that fact more clearly. I am sure that the presiding officer, the distinguished Vice President, noted these facts as he heard the statements of the distinguished Senators whom I have mentioned, and others, made on January 11, and clearly set forth in the CONGRESSIONAL RECORD covering the proceedings of that day. But since he will probably be called upon to make a ruling on this matter, I wanted the RECORD to show at this time the clear fact that the offerers of Senate Resolution 6 and Senate Resolution 7, and those supporting those resolutions have already shown in the pending debate just as they have shown in earlier debates in the Senate upon this same subject that they base their position completely upon a constitutional question, and upon their belief as to what an applicable provision of the Constitution means as well as upon the belief of the former Vice President, Mr. Nixon, as to what it means as expressed in his advisory opinion already mentioned by me as it was mentioned by them.

Of course, the Vice President is fully familiar with the fact that the opinion of Vice President Nixon was merely advisory and does not constitute a precedent of the Senate and that the opinion of a later Vice President, Lyndon Johnson, now President of the United States, which did become a precedent of the Senate by becoming a ruling of the Vice President upon a question pending before him at the time of his ruling, differed diametrically from the advisory opinion of Vice President Nixon. Vice President Johnson's ruling became a precedent and, in my opinion, a binding precedent of the Senate. Without confusing the RECORD by reading in great detail from the ruling of Vice President Johnson, made on the 28th day of January 1963, and appearing in the CONGRESSIONAL RECORD in volume 109, part 1, page 1214, I do wish to quote briefly the following words of the Vice President in making his ruling which I think state clearly the substance of his ruling that these attempts to change rule XXII of the Senate by a majority vote of the Senate at the beginning of a Congress do present a constitutional question which Vice President Johnson ruled should be submitted to the Senate, itself, for decision. I quote verbatim the ruling of Vice President Johnson:

> Our Constitution leaves the rule-making authority in the Senate itself, not in its Presiding Officer. Therefore, it would be improper for the Vice President to arrogate this authority to himself.
>
> The proposition that has been placed before us is that under the Constitution the Senate has the right to decide the very issue contained in the motion itself.
>
> The Chair acts under the direction of the Senate. In this instance there is no direction from the Senate until the question of constitutionality has been decided. Therefore, the Chair now submits this issue to the Senate for its decision, and will carry out the directives of the Senate as expressed by a majority vote of the Senate.
>
> Article I, Section 5, of the Constitution states:
>
> *Each House may determine the rules of its proceedings.*
>
> This the Senate can do by a majority vote. Therefore, the Chair submits the question:
>
> Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of the existing Senate rules?

Mr. President, I have stated this for the RECORD because I want the record of this debate to clearly assemble not only the position of the offerers and the supporters of the two resolutions which have now been offered to the Senate to change rule XXII, but also to state the substance of the ruling by former Vice President Nixon and the exact wording of the ruling by Vice President Johnson, which became, and is now, a controlling precedent of the Senate.

Mr. President, I have only one other matter that I wish to mention briefly, and I shall conclude.

I have studied the Constitution a long time. I have studied the remarks of those who drafted it carefully and prayerfully.

I have studied, in particular, the remarks of the writers of the various papers about the Constitution that have appeared in the Federalist and that have become the guiding stars of people who want to understand what the prinicipal drafters of the Constitution were aiming at, what were their objectives, what they thought they had incorporated in the Constitution.

I have been particularly impressed in reading the fundamental Senate concept as stated by Mr. Madison, in his letters LXII and LXIII in the Federalist. Mr. Madison, later President Madison, was more nearly the father of the Constitution than anyone else as it relates to the Senate. In some detail, he sets up the arguments for the setting up of the Senate as it was set up. I shall not go into those in detail at this time. They may be appropriate subject matter for discussion later in the debate. I wish to point out just one thing, and that is that in one paper alone Mr. Madison stated four different times that one of the principal objectives in connection with the setting up of the Senate as it was set up—Senators to be elected for 6-year terms, a third of the Senate to be elected every 2 years, Senators to represent States, the big States to have the same number as the smaller, and so forth—was to attain stability; stability as compared with the other body, which was all to be elected every 2 years; stability as compared with a body which was answerable solely on the basis of population support or popularity. Madison used the word "stability" or "stable" four times in one paper alone.

The point of my mentioning it now, Mr. President, is simply this: If there is any one thing which the Senate could ever do to break down the objective of the attainment of stability by the Senate it would be to adopt a practice and make it a part of the procedure of the Senate which allowed each Senate in each Congress at the beginning days of that Congress to rewrite the rules of the Senate by a simple majority vote. There could be nothing so encouraging to those who have a temporary majority to change the rules so as to fulfill their own aspirations, ambitions, and objectives, which I would hope would be conscientious objectives, but which might not always be so, as to have the rules interpreted in such a way as to invite the rewriting of not only one rule, rule XXII, but all rules of the Senate with the beginning of each and every Congress.

There could be no greater destruction of the stability of the Senate as planned by the Founding Fathers and as attained in considerable measure by this body in which we are honored to have seats, and there could be nothing more destructive of the stability of the Senate, than to adopt and approve a practice under which each recurring Senate in each recurring Congress could redraft the rules of the Senate in such a way as to meet its temporary objectives, or the temporary objectives of a majority, even though it might be the barest sort of majority in the Senate at that particular time. I cannot see how anybody who has thought the matter through could help but realize that he may not always be on the majority side but may be sometimes in the minority, and his party may be a minority and may be easily controlled by redrafting the rules. I cannot see how any Senator who has thought this matter through would want this new and destructive principle to be written into the rules of practice and procedure of the Senate, and I shall never be a party to writing that provision into the rules of the Senate.

Mr. President, I shall mention one instance which indicates how a majority of the Senate and a majority of the Congress, and in this instance a large majority, can take action against a State or a group of States for any reason which seems good at the time. In my State of Florida we had a constitutional provision prohibiting estate taxes, inheritance taxes. Florida was gaining population very heavily from some other States, particularly from well-to-do people, because of that provision. If Senators have not read the debate which took place when Congress passed the law allowing each State credit up to a certain amount or certain percentage of the Federal inheritance tax credited to a State, provided it levied an inheritance tax of that amount, they should read it, because it is very clear there what the objective was. The proposal was aimed against Florida and one or two other States in that fortuitous situation. As I recall, it took us 5 years to overcome the difficulty and for the people and the legislature to agree and finally get a constitutional amendment, which my State ratified, under which in the next legislature we could levy a modest estate tax for our State which would allow us to take advantage of that provision.

Mr. President, that is only one instance. Another instance since I became a Member of the Senate was an effort to penalize a single State, the State of Nevada, which had certain procedures of chance going on in that State which were not approved by all Senators. I remember with a good deal of satisfaction how the two Senators from that State kept that measure from coming up. The matter did not come up until the last day or the last days of the session, and those Senators were able to prevent action which would have been very hurtful to the State of Nevada.

I do not want to see the Senate in the position of destroying this particular rule, rule XXII; but above all I do not want to see us in a position of striking down the stability of the Senate itself by writing into our practice and approving a practice under which each recurring Senate is offered an open invitation to rewrite the rules so as to substitute its own views at that time or the views of a simple majority of that Senate at that time. That would be more destructive of the stability of this great establishment in which we are honored to serve than any other thing we could do.

Mr. FANNIN. Mr. President, I wish to commend the distinguished Senator from Florida [Mr. HOLLAND] for his profound statement on the subject of rule XXII.

Mr. HART. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, once again the Senate of the United States is going through the biennial ritual of self-criticism imposed by a small band of self-styled "liberals" within its ranks and encouraged by a somewhat larger group of nonmembers. It has now become natural to expect that every 2 years upon the reconvening of a new Congress, a number of Members of the U.S. Senate will attempt to remake the Senate into little more than a streamlined version of the House of Representatives. The character, dignity and unique nature of the Senate of the United States are at stake on these periodic occasions. This year is no exception, but for one thing.

The atmosphere in which these proposals are being discussed this year is perhaps more conducive to a consideration of these measures based solely upon their merits. This year the debate should be free of any undertones of emotion as when the issue is portrayed as purely a matter of being for or against civil rights. The announced lineup of those who do not favor a change in rule XXII obviously prevent such a characterization of the issue at this time. In addition, the President in his state of the Union message gave no indication that any legislation of this nature will be requested by him this year.

Assuming, therefore, that civil rights legislation is not an issue in this debate, we may proceed to a more calm discussion of these proposals, free of this underlying influence. There is certainly no reason why any responsible observer in or out of Congress should characterize any Senator's position on this question as being motivated by racial or other prejudices.

The issue at stake in this debate is one of great importance to all people of this country and should be of the greatest importance to the minority groups of this country. It is most unusual that the Members of the Senate who are proposing restrictions upon freedom of debate in the Senate and, thereby, curtailment of the right of minorities, are the very ones who are the most eloquent and loquacious in their defense of minority rights in other areas. It is also an anomalous situation in that a number of the proponents of the proposals for greater restrictions upon debate are noted for their longwindedness on other issues when they feel strongly either for or against them.

One of the two proposals to amend rule XXII which have been introduced provides for an affirmative vote of three-fifths of the Senators present and voting in order to apply cloture to any issue.

The other proposal would be even more restrictive upon freedom of debate in that it would ultimately provide for only a simple majority, 51 Senators, in order to apply cloture on any issue. I feel reasonably certain that most of the advocates of limited debate would prefer the proposal calling for a simple majority to invoke cloture. However, the chances of adopting this proposal are naturally not as good as are the chances of adopting the three-fifths proposal. With this in mind, most of the proponents of a rule XXII change would be content to settle for the resolution offered by Senators McGOVERN and MORTON.

There is no solace in the fact that those attempting to limit debate by a majority vote in the Senate are satisfied to do so by stages. At the beginning of the session in 1959, they succeeded in returning to a provision for cloture by the smallest number of Senators who have ever in the history of this body held such power, and it is under that rule that the Senate now operates. Just as the Senate is a continuing body, the attempts to provide a cloture rule by a majority vote of Senators is a continuing effort. This effort has already been too successful and even were further concessions made to the proponents of change at this session, they would be right back in January 1969, making the same fight. They will not be satisfied until the Senate can be controlled by a bare majority of Senators.

As a matter of fact, I would imagine that even if the proposal calling for a simple majority were adopted this year, at some time in the not too distant future there would be an attempt to liberalize this even further by requiring only a simple majority of those present and voting to adopt cloture.

It is my firm opinion that the rule by which two-thirds of the membership can limit debate is as restrictive of free discussion as it can be, at the present time, without seriously infringing on the right of the minority to be heard, the right of the States to equal representation, and the preservation of the Senate as a great and unique institution.

The Senate is the last forum on earth where men can discuss matters of vital importance without severe restrictions on debate. This circumstance is one reason, perhaps the major reason, why the Senate has become known as the world's greatest deliberative body and why the great English statesman, Gladstone, described the Senate as "that remarkable body, the most remarkable of all inventions of politics."

I willingly accept the fact, so frequently pointed out by those who would impose gag rule on the Senate, that the rules of this body are unusual. Indeed, the Senate is unique among parliamentary bodies. It is a great legislative body, and all the greater because it has not been constrained to bend to any popular notion of what rules a parliamentary body should follow.

The roots of the Senate rules are founded in history. At the time our Constitution was being framed, there was a great reluctance, on the part of the individual States, to surrender any of their cherished liberties to a Federal Government.

At that time, there were some unusual laws and customs in most of the individual States. The people within these States were wary of surrendering State sovereignty to a Federal Government which might arbitrarily and hastily nullify State laws. They had recently freed themselves from tyranny and secured for themselves individual liberty in a great fight for independence. Consequently, numerous safeguards to protect the rights of the States were built into the Constitution.* Before they would assent to the ratification of this supreme law, however, they won assurance of early approval of the first 10 amendments to the Constitution. These amendments, commonly referred to as the "Bill of Rights," constitute the greatest set of civil and individual rights to be found anywhere.

Probably the most important of these 10 amendments to the present discussion is the first. It reads as follows:

> ARTICLE I
>
> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

This amendment contains one of the most important restrictions placed upon this Congress, in that Congress is prohibited from enacting any law which abridges the freedom of speech. The importance of free and open debate was foremost in the minds of the authors of this amendment.

One of the principal safeguards built into the original Constitution was the formation of a Senate in which every State was given equal representation. The Senate was envisioned by the Founding Fathers as a body where the rights of States and the views of minorities would be given unusual consideration. During the course of the debates of the Philadelphia Constitutional Convention of 1787, the delegates reached agreement upon a House of Representatives to be elected by the people every 2 years and based upon a population ratio divided into congressional districts. After this action was taken, the smaller of the participating 13 States wondered how their minorities could be adequately protected from the capricious whims of a majority in the House.

After long debate, which was at times most acrimonious, and which actually threatened to break up the Convention, the solution was offered by the wise and venerable Benjamin Franklin; namely, equal representation in the Senate for every State. And, to make sure that that representation would be of a character that would calmly consider and patriotically and unselfishly act on laws under which all the people would have to live, it was provided in the original instrument that Members of the Senate should be elected by State legislators and not by popular vote and given a term of 6 years.

The Founding Fathers also wrote into the original Constitution other safeguards against what the advocates of a rules change term "majority rule." They provided in certain instances for votes requiring a majority of two-thirds. Here are some of these provisions as found in the Constitution:

> No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present (art. I, sec. 3).
>
> Each House, with the concurrence of two-thirds, may expel a Member (art. I, sec. 5).
>
> A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds (art. I, sec. 7).
>
> The President shall have power, by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur (art. II, sec. 2).
>
> Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States (art. V).
>
> Congress shall propose amendments to the Constitution whenever two-thirds of both Houses shall deem it necessary (art. V).
>
> When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union (amendment 12).
>
> A quorum of the Senate when choosing a Vice President shall consist of two-thirds of the whole number of Senators (amendment 12).

The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control.

By analogy it requires a two-thirds vote of the Senate to expel one single Member.

Thus, we can see from a glance back into history how concerned our forefathers were for protecting the rights of individuals, minorities, and the States in drafting the fundamental principles of our Government. From the start, too, our forefathers recognized that these rights could only be secured if adequate protection was provided by established rules of procedure. They had the wisdom to realize that substantive rights contained in the supreme law might be later mutilated or trammeled if procedural safeguards were not provided to insure long and careful deliberations of the legislative issues which, if approved, might restrict the rights of the individuals, minorities, and the States.

Thus we find the great statesman and political philosopher, Thomas Jefferson, saying in the preface to his "Manual," which he deposited with the Senate and which became the recognized guide for all our legislative bodies:

> Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measure proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are to become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities.
>
> And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body.

On a subsequent occasion, Mr. Jefferson had this to say concerning the protection of minority interests:

> Bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression.

In accordance with the advice of Jefferson, the rules of the Senate were framed to provide for a check on the tyranny of the majority. The tradition has been preserved to the present day, although the rules of the Senate have been altered on some few occasions. Perhaps one of the best recent commentaries on how well the Senate rules have served their purpose in preserving minority rights without adversely affecting the rights of the majority was written by Mr. William S. White, distinguished journalist and author of the book "Citadel—The Story of the U.S. Senate." It is appropriate that his conclusions be presented to the Senate at this time as follows:

> Conscious though one is of the abuse of senatorial power, one glories nevertheless in the circumstances that there is such a place, where big Senators may rise and flourish from small States.
>
> For the institution protects and expresses that last, true heart of democratic theory, the triumphant distinction and oneness of the individual and of the little State, the infinite variety in each of which is the juice of national life.
>
> It is perhaps often forgotten that the democratic ideal is not all majority; that, indeed, at its most exquisite moments the ideal is not for the majority of all but actually for the minority of one.
>
> The Senate, therefore, may be seen as a uniquely constitutional place in that it is here, and here alone, outside the courts—to which access is not always easy—that the minority will again and again be defended against the majority's most passionate will.
>
> This is a large part of the whole meaning of the institution. Deliberately it puts Rhode Island in terms of power, on equal footing with Illinois. Deliberately by its tradition and practice of substantially unlimited debate, it rarely closes the door to any idea, however wrong, until all that can possibly be said has been said, and said again. The price sometimes is high. The time killing, sometimes, seems intolerable and dangerous. The license, sometimes, seems endless; but he who silences the cruel and irresponsible man today must first recall that the brave and lonely man may in the same way be silenced tomorrow.
>
> For illustration, those who denounce the filibuster against, say, the compulsory civil rights program, might recall that the weapon has more than one blade and that today's pleading minority could become tomorrow's arrogant majority. They might recall, too, that the techniques of communication, and with them the drenching power of propaganda, have vastely risen in our time when the gaunt aerials thrust upward all across the land. They might recall that the public is not always right all at once and that it is perhaps not too bad to have one place in

> which matters can be examined at leisure even if a leisure uncomfortably prolonged.
>
> It is, in the very nature of the Senate, absolutely necessary for the small States to maintain the concept of the minority's veto power, having in mind that it is only within the institution that his power can be asserted or maintained.
>
> Where a powerful majority really wants a bill it will find means to have its way, cloture or no cloture.

Throughout the history of our country, majorities have assailed the rules of the Senate, because the rules of the Senate act as a brake on the will of the majority, especially a radical majority.

I shall not assign base motives to the various majorities who, down through the years, have attempted to change the rules of the Senate. Fortunately for the United States, there have been relatively few cases in which a group of Senators, pressing for legislation, was not motivated by a sincere desire to benefit the country. We can take it as a general rule that the majority always thinks it is right.

Believing themselves to be right, the majority side, in any issue, is naturally vexed and even angry when it finds its will frustrated by a minority. It resents seeing a group which it believes to be in the wrong obstructing and delaying the enactment of legislation it believes to be useful.

This is a frustration which can cause a great mind to go astray and fall into error.

I think of Woodrow Wilson, for example. Wilson was one of the great students of our Government long before his election to the Presidency. Writing in 1881, in his "Congressional Government," he observed:

> The Senate's opportunities for open and unrestricted discussion, and its simple, comparatively unencumbered forms of procedure, unquestionably enable it to fulfill with every considerable success its high functions as a chamber of revision.

In further expressing his views on free debate in the Senate, Mr. Wilson made this statement:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.
>
> The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of there being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

Long afterward, a minority of the Senate killed President Wilson's armed neutrality ship bill. We all remember, I am sure, his classic excoriation of the Senate:

> The Senate of the United States is the only legislative body in the world which cannot act when the majority is ready for action. A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States helpless and contemptible.

This is one example, a classic one. There have been many cases of Senators who have argued for greater restrictions on debate while pressing for a majority point of view, who changed their opinions when the heat of debate had cooled.

This point was deeply impressed on my mind when I recently made a thorough study of the issue of free debate in the Senate. I am sure that many others have come to this same conclusion after their research efforts on this subject. The distinguished senior Senator from Georgia [Mr. RUSSELL], one of the Senate's most able parliamentary experts of all time, made a very similar observation when testifying before the Senate Rules Committee in 1952. Here is what he had to say:

> I have studied this question of the proposal to institute a more restrictive gag rule in the Senate. I once spent a couple of weeks in going back over the various occasions in the history of the Senate when these motions, these efforts, have been made to change the rules. I was interested to note two things: That almost always those who sought to change the rules to gag his adversary of the minority when he was in power became a great advocate of freedom of debate when he was translated from the majority to the minority. Further, almost invariably men who came to the Senate determined to change the Rules of the Senate, if they stayed there long enough, came to defend the rules.

Perhaps the best so-called proof of the pudding on this point lies in a statement made by a former President of the United States while serving as a Member of this distinguished body during the period of 1915–20. Listen to these words of the late Warren G. Harding:

> I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.
>
> But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this body, the more convinced do I become that the freedom of debate in the U.S. Senate is one of the highest guarantee we have of our American institutions.
>
> Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit.
>
> While the Senate may not listen, because the Senate does not listen very attentively to anybody. I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic.

More than a half century ago Senator Hoar, of Massachusetts, made this point on how experience can change minds:

> There was a time in my legislative career when I believed that the absence of a cloture in the Senate was criminal neglect, and that we should adopt a system of rules by which business could be conducted; but the logic of my long service has now convinced me that I was wrong in that contention. There is a virtue in unlimited debate, the philosophy of which cannot be detected upon a surface consideration.

I believe that I understand the desire of some of my colleagues to change the rules of the Senate. They are anxious to rush into law certain proposals which they believe to be right and for which they believe they can count on the support of a majority of the Senate.

Let us suppose, for the sake of argument, that the majority has been right on every occasion during the deliberations in the previous sessions of Congress. I do not believe this for a moment, but let us suppose it. If we accept this supposition, it follows that the work of the Senate would have proceeded more quickly, and more legislation would have been passed, if debate had been severely restricted. However, those who believe that the majority has always been right would hardly have the temerity to predict that the majority will always be right in future sessions of Congress.

There inevitably come times when the majority is dead wrong, and these are times when the will of the majority, if unchecked, can destroy our American Government. Some of the best examples of majority mistakes and wrongs were best summed up by former Senator James A. Reed, of Missouri, during the 1917 debate over rule XXII with these words:

> Majority rule. Where is the logic or the reason to be found back of majority rule except in the mere necessity to despatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ. The majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.
>
> Majority rule without any limitation or curb upon the particular set of fools who happen to be placed for the moment in charge of the machinery of government. The majority grinned and jeered when Columbus said the world was round. The majority threw him into a dungeon for having discovered a new world. The majority said that Galileo must recant or that Galileo must go to prison. The majority cut off the ears of John Pym because he dared to advocate the liberty of the press.

Many other such examples could be cited down through the years of history. Since Senator Reed made his great fight to preserve free debate in the Senate, an outstanding example of majority action has cost the world the most devastating war of all times. I refer to the action of the majority in placing Hitler in power. Soon after this occurred he had a 100-percent majority in the German Parliament, but even this did not make Hitler's policies right. Nor does the alleged 99-percent votes of the people of Soviet Russia in support of the Communist Party—together with the unanimous approval of the Supreme Soviet Presidium—make the policies of the Kremlin leaders best for the people or right, in any sense of the word.

There is no worse form of tyranny than the tyranny imposed by 51 percent of the people on the other 49 percent.

The Senate rules, as they stand, are an important safeguard to individual liberty.

No doubt there have been times when desirable legislation was delayed because a minority of the Senate took advantage of the opportunities which the rules afford to block legislation. But there have been few times, if any, when important legislation of a genuinely desirable nature was permanently defeated because a minority stood against it.

The rules provide opportunities for delay. They do not provide a method for the minority to impose its will permanently on a majority. In fact, the record shows that very few pieces of legislation have been defeated by resort to extended debate.

The Senate is not an ordinary parliamentary body. Analogies to the procedure of other parliamentary bodies have little, if any, relevancy to the question before us. For instance, the House of Representatives is exclusively a legislative body. The Senate is far more. In addition to being a legislative body, it performs, by constitutional mandate, both executive and judicial functions. Article II, section 2 of the Constitution provides that the President shall share with the Senate his executive treatymaking power and his power of appointment of the officers of the United States. Article I, section 3 of the Constitution requires of the Senate a judicial function by reposing in the Senate the sole power to try all impeachments.

The uniqueness of the Senate is not confined, by any means, to its variety of functions. There are innumerable other aspects about this body which prevent its orderly operation at any time under parliamentary law other than its own rules, adopted in accordance with the provisions of those rules. For example, almost all parliamentary procedures presuppose that any main question, after due notice, can be decided by at least a majority of the members of the particular body using the parliamentary procedure. Any Senate rules which presupposed such a conclusion would be inoperable, for the Constitution itself specifies the necessity for two-thirds majority for action on many matters.

It is this very uniqueness which has compelled so many to conclude that the Senate had a degree of continuity unknown to other parliamentary bodies.

The Founding Fathers themselves, in drafting the Constitution, provided for this continuity by establishing a 6-year term of office for each Senator, so that a minimum of two-thirds of the entire body would continue from one session to the next. Had the Founding Fathers desired continuity only, but less than a continuing body, they could have provided for a staggered term of 4 years for a Senator with one-half of the Senate returning from one session to the next. This would not have provided the necessary quorums to do business at all times, and the Senate would not have been a continuing body.

The Senate has always jealously maintained its authority to continue its committees in their operations between adjournment and the commencement of the next ensuing session. The Supreme Court in the 1926 case of McGrain against Daugherty specifically ruled that the Senate was a continuing body and that, therefore, its committees were authorized to act during the recess after the expiration of a Congress.

Is the purpose sought to be accomplished by the drastic action proposed so worthy as to justify the risk of stripping the Senate's committees of their authority to function after the date of adjournment? Is it so imperative that it justifies the abandonment of orderly procedure for the jungle of "general parliamentary law"?

The opponents of the present rule XXII aver that the real target for this all-out effort is one Senate rule, and only one—the one which primarily governs the limitation of debate. This much maligned rule has been made the scapegoat by many groups. Its greatest distinction, however, appears to be its seclusion from objective consideration.

In discussing the history of limitation of debate in the U.S. Senate, many newspapers and newspaper columnists appear to be under the impression that a limitation of debate existed in the United States in the period between 1789 and 1806. Their assumption is based on the fact that, during that period, the Senate rules allowed the use of a motion called the previous question. During the debate on this subject in previous years, the point was discussed, and it appears that the debate would have established in the mind of a reasonable person that there was no limitation on debate in the Senate during this period. Nevertheless, some newspaper editorials and columnists apparently still labor under the misapprehension that "the previous question," in "Robert's Rules of Order" have not been presented in debate on this subject previously. The passage to which I refer appears on page 117 of "Robert's Rules of Order, Revised," 75th anniversary edition, as follows:

> Note on the previous question: Much of the confusion heretofore existing in regard to the previous question has arisen from the great changes which this motion has undergone. As originally designed, and at present used in the English Parliament, the previous question was not intended to suppress debate, but to suppress the main question, and therefore, in England, it is always moved by the enemies of the measure, who then vote in the negative. It was first used in 1604, and was intended to be applied only to delicate questions; it was put in this form, "shall the main question be put?" and being negatived, the main question was dismissed for that session. Its form was afterward changed to this, which is used at present, "Shall the main question be now put?" and if negatived the question was dismissed, at first only until after the ensuing debate was over, but now, for that day. The motion for the previous question could be debated; when once put to vote, whether decided affirmatively or negatively, it prevented any discussion of the main question, for, if decided affirmatively, the main question was immediately put, and if decided negatively (that is, that the main question be not now put), it was dismissed for the day.
>
> Our Congress has gradually changed the English previous question into an entirely different motion, so that, while in England, the mover of the previous question votes against it, in this country he votes for it. At first the previous question was debatable; if adopted it cut off all motions except the main question, which was immediately put to vote; and if rejected the main question was dismissed for that day as in England. Congress, in 1805, made it undebatable. In 1840 the rule was changed so as not to cut off amendments but to bring the House to a vote first upon pending amendments, and then upon the main question. In 1848 its effect was changed again so as to bring the House to a vote upon the motion to commit if it had been made, then upon amendments reported by a committee, if any, then upon pending amendments, and finally upon the main question. In 1860 Congress decided that the only effect of the previous question, if the motion to postpone were pending, should be to bring the House to a direct vote on the postponement, thus preventing the previous question from cutting off any pending motion. In 1860 the rule was modified also so as to allow it to be applied, if so specified, to an amendment or to an amendment of an amendment, without affecting anything else, and so that if the previous were lost the debate would be resumed. In 1880 the rule was further changed so as to allow it to be applied to single motions, or to a series of motions, the motions to which it is to apply being specified in the demand; and 30 minutes' debate, equally divided between the friends and the enemies of the proposition, was allowed after the previous question had been ordered, if there had been no debate previously. In 1890 the 30 minutes' debate was changed to 40 minutes. The previous question now is simply a motion to close debate and proceed to voting on the immediately pending question and such other pending questions as it has been ordered upon.

From this discussion it should be clear that between 1789 and 1806 "the previous question" used in the Senate was not intended to suppress debate, but to suppress the main question, and, therefore, to avoid a vote on a particular piece of legislation.

In 1816, the House of Representatives debated the issue of free debate. They adopted a strict cloture by a perversion of the meaning of "the previous question."

Mr. Gaston, speaking in favor of free debate, pointed out that the original purpose of "the previous question" was to postpone one subject in order to take up another. In other words, it was simply a demand that the House should first announce whether it was then expedient to decide the question under debate or to turn temporarily to other business.

The Continental Congress had followed this procedure and had made proper use of "the previous question."

Over the years after the First Congress, there were attempts to pervert the meaning of "the previous question." That was the reason for the debate in 1816. Mr. Gaston pointed out at that time that the House, in attempting to change the historic and true meaning of "the previous question," was abandoning its true principles.

On this particular question the elder Senator Henry Cabot Lodge said in 1893:

> There never has been in the Senate any rule which enabled the majority to close debate or compel a vote. "The previous question," which existed in the earliest years and was abandoned in 1806, was "the previous question" of England, and not that with which everyone is familiar today in our House of Representatives. It was not in practice a form of cloture, and it is, therefore, correct to say that the power of closing debate in the modern sense has never existed in the Senate.

Through the years the Senate has debated the pros and cons of unlimited debate, but it remains a fact that for 125 years, from 1789 to 1917, the Senate had no cloture rule at all. During that time the parade of great men to the Senate continued, and most of them were firm advocates of free debate. Since 1917, we have had a two-thirds requirement for cloture in one form or another.

In the interest of objectivity, let us compare rule XXII with rule XXIX, "The Previous Question," of the popular Reuther proposal of "Robert's Rules of Order."

Rule XXII require a two-thirds vote of the membership to end debate on any particular measure, except the rules themselves. A parliamentary body acting under "Robert's Rules of Order" can end debate and force a vote on the pending question by passing a motion of the previous question by a two-thirds majority of those present and voting. Even under "Robert's Rules of Order," a majority vote, even with notice, cannot end debate.

The difference, in practical effect, is not overly large. For example, had the limitation of debate in the Senate always been governed by "the previous question" in the present "Robert's Rules of Order," no result on previous efforts to invoke cloture would have been different from the result under the rules as they have existed. Had the present rule XXII of the Senate always controlled the limitation of debate, only in one instance would the result on cloture attempts have been changed. The particular instance to which I refer was a cloture vote which prevailed in 1927 under a rule requiring two-thirds of those present and voting to end debate.

The distinction between rule XXII and "the previous question," though slight in practical effect, is not without a strong basis in reason. "Robert's Rules of Order" was designed for the general use of societies, which, not being governmental bodies, have no authority to compel attendance of delegates. "Robert's Rules" therefore recognize the impractically of making the actions of those bodies for whom his rules were designed contingent on membership. Robert used the most practical basis for his purposes for protecting the rights of minorities in societies generally.

The U.S. Senate, to understate the matter, occupies a position greatly different from the general societies for which "Robert's Rules" was designed. Its membership is under oath to support the Constitution and well and faithfully to discharge the duties of their offices. Surely a presumption by the rules of regular attendance is not unduly harsh. If it be too harsh, why has there been no attack on the provision of rule V which authorized the Sergeant at Arms to compel the attendance of absent Senators?

Mr. President, the issue before us as a result of the proposals to change the Senate rules calls for the utmost in statesmanship from the men of this body. The traditions and heritages of the Senate as an institution, once renounced, will be difficult to reinstate. The Members of this body, American citizens, and, indeed, the entire world will suffer should the distinctive features from which inure the greatness of this institution be sacrificed to expediency. Now is the time for the Senate to reaffirm its confidence in a system which has been a boon to individual liberty by rejecting the proposed alterations in the character of this body.

AMENDMENT NO. 1

Mr. MORSE. Mr. President, I send to the desk for printing an amendment to Senate Resolution 6, which is the McGovern amendment, and which reads as follows:

> On page 3, line 12, insert the following: after the words "germane" or "motion to table any germane amendment offered to the said measure, motion, matter, or business"

The **PRESIDING OFFICER.** The amendment will be received and printed and will lie on the table.

RHODESIA

Mr. FANNIN. Mr. President, it is with a strong feeling of indignation that I rise to protest recent U.S. policy regarding Rhodesia—particularly the administration's support of U.N. action imposing mandatory economic sanctions.

Already I have received hundreds of telegrams and letters from constituents, and the flow increases in intensity each day. Americans of both political parties—including some distinguished fellow Members of Congress—are incensed and are demanding a reasonable explanation. Unfortunately, a reasonable answer does not exist.

The U.N. policy is dictatorial, deceitful, and dangerous and is destined to involve the United States—with the United Nations stamp of approval—in a showdown with the whole of southern Africa.

The Security Council's action, in which it for the very first time voted in favor of sanctions against a government with whose policies it disagrees, is only the latest in a series of reprehensible acts to topple the sovereign Government of Rhodesia.

Predictably, the editorial writers of the New York Times hailed the decision and announced that the United States was left with no reasonable alternative to supporting the sanctions resolution. Yet many Americans, myself included, remained unconvinced. By what right, by what legal authority, either in our own or in international law, can the United States support United Nations action against Rhodesia?

The answer, which was not long in coming, was supplied by former Secretary of State Dean Acheson, who told readers of the Washington Post that the U.N. sanctions have no legal basis—none whatever.

Mr. Acheson pointed out that Rhodesia's assertion of independence did not violate any charter provision and, therefore, did not provide a basis for the United Nations to act.

Attempting to defend the U.N. policy, Ambassador Goldberg, in a statement even a Philadelphia lawyer would find wanting in judicial reasoning, stated:

> The international community will not tolerate the existence of a discriminatory system based on minority rule and in defiance of the United Nations and its principles.

But Mr. Acheson again supplied the correct answer. He reminded Ambassador Goldberg that, irrespective of what member nations might think of the Smith government, the Security Council's action completely violated the United Nation's own first commandment—which obliges all members to refrain from the threat or use of force against the territorial integrity or political independence of another state.

Nevertheless, Ambassador Goldberg assured the American people that the domestic jurisdiction of Rhodesia had not been violated because, of all reasons, Rhodesia remains a British territory and is therefore not a state with its own sovereignty.

Mr. Goldberg's reasoning completely lacks a historical basis, and demonstrates a degree of misunderstanding seldom found in intelligent discussion, even among those who are the principal architects of American foreign policy.

Even a modicum review of history would prove to Mr. Goldberg, and to the President, that the British Government has conceded since 1923, 34 years after it had granted the original charter to Cecil Rhodes and the British South Africa Company, that Rhodesia is self-governing, headed by a freely elected Prime Minister who, together with his Cabinet, is responsible to a legislative assembly.

History would also show that after World War II, the Negroes of Northern Rhodesia and Nyasaland began to demand independence. The outnumbered whites in those two areas asked for help, whereupon London joined them in a federation with Southern Rhodesia.

That federation lasted 10 years, until 1963. Afterward Northern Rhodesia became the independent nation of Zambia, while Nyasaland became Malawi.

Southern Rhodesia became simply Rhodesia. She remained part of the British colonial empire because London, listening to the "winds of change" then blowing across the Dark Continent, refused Rhodesia independence so long as her 220,000 white minority ruled the 4 million Negro majority.

In 1961, Rhodesia revised its constitution to permit an increase in the number of seats in the legislative assembly to 65, guaranteeing 15 of them to Negroes and establishing conditions by which Negroes might eventually compete for the 50 white seats as well.

When negotiations between Salisbury and London failed to bring the two capitals any closer together, the so-called white government of Smith, Rhodesia's first native-born Prime Minister—on November 11, 1965, declared its unilateral independence of England, even as Smith ended his speech with the words, "God Save the Queen."

This side trip through history shows, I believe, that Rhodesia's claim as an independent sovereign nation was as legitimate after 1965 as was America's Declaration of Independence after July 4, 1776. Each country possessed at the time of its call for sovereignty all the attributes by which one ordinarily recognizes a State—an established government, established laws, a condition of domestic peace and order, and a system of courts.

But if Rhodesia's claim to sovereignty is in fact invalid, as Mr. Goldberg and others claim, and if the United Nations cannot be criticized for intervening in Rhodesia's domestic affairs, as Mr. Goldberg assures us it cannot, what about the matter of intervening in the domestic affairs of Great Britain—the nation to whom Rhodesia's critics claim it still owes allegiance? It matters not at all that Britain herself brought the Rhodesian question before the world body for solution. What does matter is that the U.N. Charter provides unequivocally that the United Nations shall not intervene in matters which are within the internal jurisdiction of any State, and that the security council, however reprehensible it might have judged conditions in Rhodesia to be, acted illegally in imposing mandatory economic sanctions.

It is particularly interesting to me that Britain asked for and obtained sanctions against Rhodesia under Chapter VII of the United Nations Charter—which empowers the security council to impose sanctions "if there exists a threat to the peace, breach of the peace or act of aggression."

Surely, whatever their opinion of Rhodesia's present Government, no one can contend that there has been any breach of the peace or act of aggression by Rhodesia, one of the very few African nations that has lived peacefully with its neighbors. Supporters of the U.N. action have failed to show even one instance in which Rhodesia, by doing what it has done for nearly half a century, has threatened the peace or acted aggressively. No, not even one such instance.

Where is the logic, to say nothing of the law, asked Mr. Acheson, in the policy that Rhodesia becomes a threat to the peace and must be coerced simply because, by doing what it has always done and with which the United Nations cannot constitutionally interfere, it incites less law-abiding members to violate their solemn obligation not to use force or the threat of force in their international relations? Quite obviously there is no logic, and certainly no law.

In a blistering editorial the Washington Star said that the U.N.'s action amounted to a resurrection of the doctrine that might makes right—a doctrine which flies in the face of the notion that the U.N. under its charter is dedicated to respect for law.

Personally, I cannot help wondering why the Fulbright doctrine for Cuba—the assertion that the United States has no proper quarrel with any nation so long as its doctrines are practiced within its own frontiers—should not apply equally to Rhodesia and to other white-ruled nations of Africa.

The question we must ask ourselves is why Rhodesia's nonaggression should be militarily punished, while nothing whatever is done about India's aggression in Goa, or Indonesia's against Dutch New Guinea or Malaysia, or Cuba's against Latin America—to say nothing of the routine aggressiveness of the major Communist states once again the U.N. has applied its now infamous double standard, and once again the United States has given it an aura of respectability. Why?

Mr. Goldberg's explanation that the United States supports the U.N. sanctions in the honest conviction that we must drive home to Rhodesia that the international community will not tolerate the existence of a discriminatory system based on minority rule is an affront to our intelligence and to his integrity.

Fewer than half of all the 122 U.N. members have governments clearly based on majority rule.

Political or military dictatorships exist in such U.N. countries as Soviet Russia, Poland, Rumania, Hungary, Czechoslovakia, Bulgaria, Yugoslavia, Burma, Cuba, Indonesia, Haiti, Iran, Iraq, Portugal, Paraguay, Saudi Arabia, Pakistan, Egypt, as well as Nigeria, Ethiopia, Guinea, Ghana, and other small nations of Africa that have assumed independence in recent years.

Outside the U.N., there are Communist dictatorships in East Germany, Red China, North Korea, and North Vietnam.

Will Mr. Goldberg endorse and take part in U.N. actions to bring majority rule to these nations? I doubt it.

The respected military historian, S. L. A. Marshall, reminded us of this folly when he said:

> Our spokesmen tell us that one man, one vote now has the weight and sanctity of universal law. In the campaign to shove it down Rhodesia's throat, one of our working partners is the Soviet Union and now please name just one Communist nation that practices one man, one vote. But the U.S.S.R. knows what it's doing. Communism thrives on chaos while democracy starves.

Marshall also noted that the United States began as a white autocracy, and required almost a century to become anything better. In fact, our system of government was controlled by a male minority against a female majority at least until 1920, and the principle of one man, one vote, spelled out in Baker against Carr, was made applicable only a few years ago. Given America's almost 200 years of self-government, are we to assume therefore that our contemporary standards can, or should, automatically be dispensed to all nations of the world, even those now living in the stone age? Obviously not.

Recently, Frank Johnson, foreign policy expert for the respected American Security Council said:

> By any reasonable comparison, the Negroes of southern Africa are infinitely better off than their brethren in the north, where independence has invariably been followed by a return to tribal warfare, economic loss for those in the money economy, and political dictatorship. There has yet to be a single change of government by constitutional means in newly independent Africa. Whatever "majority rule" means in theory, in the African context it has meant one man rule and in many cases, it has meant irresponsible rule.

To recognize this fact is not to believe, as racists do, that Africans are incapable of self-government. Nor is it to argue in favor of colonialism or white supremacy. Obviously, these concepts are morally and factually indefensible.

America should encourage Rhodesia to permit its citizens, all citizens, maximum freedom—both economic and political. But we should not impose our beliefs by force, nor should we support a policy which does—even if that policy were applied equally to all nations, which it is not.

Another question with which we must concern ourselves is what will happen if the new sanctions fail to break Rhodesia's will to resist, as is widely predicted they will fail. Will our submissive concern for "world opinion"—masked behind the incessant demands of "Africa for Africans" voiced by nations of the Afro-Asian bloc, together with the Communist—will our concern for that opinion force us into the position of supporting total sanctions not only against Rhodesia but against South Africa and Portuguese Africa as well? And if total sanctions fail, what then?

An answer to these questions was supplied by Mr. Johnson, who said recently:

> Total sanctions, when and if applied, will not work either since they can only be enforced by a blockade, and even then, the people of southern Africa will only redouble their destination to resist. At this point questions of prestige will become paramount.
>
> To admit defeat and call off sanctions, it will be argued, will mean the end of the U.N. "Save the U.N." will become the battle cry of those who call for a military attack against all of southern Africa. Obviously—

Johnson concludes—

> only the United States will have the power to carry out such an attack, so the United States will be asked to lead the U.N. into war.

Will this small group of Afro-Asian states—in which there is less freedom for all people than there is for the Negro majority in Rhodesia—will these states lead the United States into blindly supporting a U.N. war against the whites in Rhodesia, as it earlier had waged war against the Belgians in the Congo? If we manage to topple Rhodesia—and we can, if we want to badly enough—we will not have improved the lot of the Negro majority. Rather, we will have destroyed one of the very few governments in Africa capable of providing some measure of economic and racial progress for all its citizens, Negro and white alike.

Furthermore, we will have created the very sort of chaotic vacuum which, as Mr. Marshall warned, the Communists alone have proved capable of exploiting and diverting to their ends.

Consider this for a moment. Only weeks after the United States voluntarily joined in the initial boycott of Rhodesian goods, Washington announced that we had agreed to aid the Communist government of Yugoslavia with credits and debt postponements amounting to more than $57 million. Aid to all Communist countries has increased at an alarming rate, and the President as outlined in his state of the Union speech, wants Congress to expand it even more. And now the United States may have to turn to the Soviet Union for chrome, which is urgently needed to prosecute the war in Vietnam. Reason: our major supplier of chrome to date has been Rhodesia.

While we freeze Rhodesian assets and join the world in a trade blockade against Rhodesia, England, and the Commonwealth nations have stepped up trade with Cuba and North Vietnam, which, as one writer noted, is busily engaged not merely affronting our abstract ideas on democracy but is also killing U.S. marines.

Even if we were to concede that the Rhodesian government is bad, is it not madness to pretend it is worse than the Communist governments—especially the one killing our Nation's finest young men?

If Washington and Great Britain are determined to underwrite Yugoslavia's and North Vietnam's economy, as well as to give their stamp of approval to those Governments, why can it not at least keep out of Rhodesian affairs?

The forcible overthrow of the Rhodesian government will plunge that nation, and neighboring Zambia, into economic chaos that perhaps never can be repaired. The United States will be required to underwrite much of southern Africa's economy, and Rhodesia's Negroes—the very people Washington and Great Britain are ostensibly concerned about—will suffer every bit as much as the vanquished whites.

What the United States should do is to remind the U.N. that Rhodesia's policies, so long as they do not affect other states, are not the rightful concern of the U.N., and that the United States will not enforce the sanctions.

And why should we?

If the U.N.'s action regarding Rhodesia is in fact legal, what is to prohibit the majority of nations from voting at at some later date to impose sanctions against another country, our own for instance, with whose domestic policies the members disagree. Nothing can prohibit it, unfortunately.

We should encourage Mr. Wilson to meet once again with Mr. Smith in the hope that a solution will be reached, especially in view of the fact that Smith had, during the recent negotiations, agreed on the major issue—eventual Negro rule.

The United States cannot remain indifferent to the fate of the Negro in Rhodesia, or anywhere else—any more than it can justly remain indifferent to the fate of the white and yellow captives of communism.

No responsible American can support a policy which establishes a social or political order on the basis of ethnic or racial differences. These policies are wrong, and 2,000 years of Judaic-Christian tradition have shown them to be wrong.

But neither can we turn our backs on 200 years of our history, a history which clearly shows that right will best prevail within the framework of established laws, the same kind of laws the U.N., and to no less an extent the United States, seeks in Rhodesia's case to undermind. Why?

Surely the answer is not morality, as some have suggested, because to impose mandatory economic sanctions against Rhodesia today on moral grounds, would be to admit that the U.N.—perish the thought—was in fact immoral in not imposing similar sanctions yesterday, or last year, or any time since 1923, which is when Rhodesia embarked on its present course of action. No, the answer surely is not morality.

I am not convinced that the United States, nor most other members of the United Nations, ever has marshaled together its full range of moral resources in an attempt to dissuade man from discriminating against his fellow men, black, yellow, or white.

The United States must use its prestige and influence to help insure that the Negro Rhodesian is given equal opportunity to develop his educational, political, cultural, and social potential in order ultimately to assume the burden of government.

But that is all we must do in our attempt to impose our notions of justice on people who are struggling with a problem of enormous magnitude. Any other course will bring turmoil and suffering and hardship into a world—ours—which already possesses more than sufficient quantities of each.

Plato once counseled a young man of his acquaintance:

> You are young, my son, and as the years go by, time will change and even reverse many of your present opinions. Refrain, therefore, awhile from setting yourself up as a judge of the highest matters.

That advice, I think, is particularly appropriate for all U.N. members, including the United States, which are convinced that they have found the only answer to the awful, agonizing problem which is tearing at the heart of a troubled nation.

Let Congress be the voice of the people in condemning this action.

THE WAR IN VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD certain articles concerning the war in Vietnam, and foreign policy in general.

The first is a column by Pete Hamill, which appeared in the New York Post on December 22. It is entitled "Poor Tribute."

The second is an article by Haig Bosmajian, "Foreign Policy and Demons," which appeared in the December issue of Frontier magazine.

The third is a story by John Leo, who is a member of the editorial staff of Commonweal. Mr. Leo's story, headed "Bad Day in Vietnam," appeared in the Delmarva Dialog of December 16, 1966.

The next item is a portion of a press conference of Prince Sihanouk of Cambodia with four visiting journalists from India. The question and answers relate to American activities in Asia. This interview was reprinted in the Cambodian Monthly Illustrated Review for December 1966.

The fifth item is an article from the book review section of the Washington Post for January 8, 1967, "Them and Us" by Frederic Morton.

Next is an editorial from the St. Louis Post-Dispatch from its editorial summary of the last week of December 1966. It is entitled "Stop the Bombing Now."

The final item is an editorial by Dan Griffin, assistant editor, which appeared in the January 14, 1967, issue of Ave Maria. It is headed "The World of Mythology and Nonintervention."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Post, Dec. 22, 1966]

POOR TRIBUTE

(By Pete Hamill)

No snow falls there. No ice slicks the roads. No fierce waves of sleet beat against the face. There are no children sleighing on white hills, no smell of wax and pine, no murmurs of bells and organs, no rock candy in the chill of morning. It's another country.

But Vietnam is part of us now. We are committed to her for the rest of the century. It no longer matters that in Harlem this afternoon the wind is battering tenement windows and men are stuffing them with cardboard and towels against the winter. It no longer matters that the roads are down in eastern Kentucky and men with defeated faces in pineboard houses are telling children that Christmas is for other people. They don't matter.

It doesn't matter that in New York State there are more than 7,000,000 living below the poverty line. No it doesn't matter that the only people warm in Bedford-Stuyvesant tonight could well be the rats. It doesn't matter that the hospitals are dirty and the air charged with garbage. We've got better things to do with our money.

Take a look at the new issue of Ramparts if you want to see what the priorities in this country are. There is a photograph of a Vietnamese kid on one page that should end the war tomorrow, but won't. The kid is about 8 years old, and has been hit either by napalm or white phosphorus. The bones in his jaw have been melted, and the jaw is partially jammed into his throat. He can't close it. He might never be able to again.

But we've saved him from the Communists. That is the important thing. He was probably the son of a Viet Cong anyway. And there aren't any surgeons left where he is. Madame Ky hired the last one. To have her eyelids fixed. Merry Christmas, son. I hope you never fall in love with a pretty girl.

The billions are going there, 12,000 miles away, to a country smaller than the state of Michigan, ruled by a claque of perfumed brigands. It does not matter that the cities of the United States are moving towards a state of murderous desperation. The billions are going to a war. That's what is most important. Not the poor on the next block. They don't matter.

It doesn't matter that on Christmas Eve you will see men in car coats and dark faces walking along 14th St. in Manhattan, looking for the leftover toys, the damaged Christmas trees, the last scraps of decoration, hoping for a bargain, hoping to give a kid what he sees in movies and ads and television.

It doesn't matter that all over this town this weekend there will be kids with long-gone fathers depending on the kindness of strangers. It doesn't matter that young guys are off at war in a place they never heard of two years ago, fighting for a cause that has been half explained to them, against an enemy they'll never know.

The politicians will tell us that to be a patriotic American you must believe that we are dying for the freedom of Vietnam. If you express the heresy that for Americans the unfinished business of America is more important, you have no right to talk. The politicians and the generals want silence. They need the silence. Because what they are doing is near criminal.

The Cold War could have been over by now if this ugly little war had not happened. The War on Poverty might have been more than a slogan.

At least the issues are now clear. In any contest between guns and butter, we will choose the guns. Perhaps I'm naive, but I think the cost of that idiotic underground nuclear explosion the other day could have renovated Avenue D, and I think Avenue D is more important. You can't come on about liberty and freedom while you're slipping the strychnine to the poor in an upstairs room.

The terrible thing, of course, is that so many people are being promiscuously hurt. The men fighting in our name in Vietnam are as brave as any; they are certainly not the people who are hurting our reputation, and anything I write is poor tribute indeed. But the men who are moving them around, who are trying to say that in 1990 Vietnam won't have the same relationship to China that Nicaragua has to us, are causing desperate trouble.

Not only are innocent people being bombed, napalmed, crippled and killed; not only are our own men dying every day; not only have we once again come out on the wrong side of a revolution. But we are also betraying the citizens of our own country. I wish the world were as fortunate as we have been. I hope no one starves in India next week, and Africa is freed from yaws, and that every peasant in Asia has steak on his table every night.

But I'm an American. I've been a lot of places, and this country is still the one I love more than all others, as un-hip as that might sound. And if I think Jimmy Green in Brownsville and Joe Lopez in the Bronx are more important than Li Yuan in Cam Ne, then maybe love is basically selfish. I'd rather see a tapped-out American with 100 bucks in his pocket this afternoon than have anyone killed in the name of liberty in a country beyond the snows.

[From Frontier magazine, December 1966]

FOREIGN POLICY AND DEMONS

(By Haig A. Bosmajian)

J. William Fulbright, Chairman of the Senate Foreign Relations Committee, has stated that there is a kind of voodoo about American foreign policy: "Certain drums have to be beaten regularly to ward off evil spirits—for example, the maledictions which are regularly uttered against North Vietnamese aggression, the 'wild men' of Peking, communism in general, and President De Gaulle. Certain pledges must be repeated every day lest the whole free world go to rack and ruin—for example, we will never go back on a commitment no matter how unwise; we regard this alliance or that as absolutely 'vital' to the free world, and, of course, we will stand stalwart in Berlin from now until Judgment Day."

The voodoo, the beating of the drums, the maledictions and pledges are nothing new in the relationships between nations and between the political, social, and religious institutions within those nations. When they are pointed out to us, we can recognize the magic and mythmaking, the voodoo and ritual in the institutions and movements with which we have no personal commitment. We are aware that in some primitive societies injury done to a man's clothing is also inflicted thereby upon that person, that certain Indians believe that by concentration they will be able to see quantities of dentalia and will thereby come into possession of large numbers of these coveted objects, that other Indians believed that by drawing the figure of a person in sand or clay and then pricking it with a sharp stick they inflict a corresponding injury on the person represented. Coming into the 20th Century, we find an industrialized, civilized nation succumbing to a persuasion glutted with magic, myth, and ritualizing; the German people fell under the Nazi spell with its "Blood Flag," goose-stepping, consecration of the standards, "Jewish bacillus," "Bolshevist Dragon," fire, martyrs, flags, emblems, legends, book burnings. The Nazi torchlight parades seemed to magically rid the nation of the "Jewish plague"; the Nazi eagle attacked the "Red Dragon"; fire destroyed diseased intellectualism; the "Blood Flag" took care of the "blood contamination"; the resurrection of the Nazi martyrs seemed to lead Germany out of the darkness.

Recognizing, evaluating, and admitting the use of such persuasive devices in our own environment, especially in our relations with other nations, is another matter. No doubt most Americans see no voodoo in American foreign policy; no drums being beaten to keep away the evil spirits; no chants, pledges, and maledictions which are uttered to ward off the foreign pestilence and demons. It is difficult, of course, for 20th-Century Americans, who see themselves as realistic, level-headed beings who act only after they have the "facts," to admit that much of their behavior is the result of beliefs in magic and myth. However, our daily lives are permeated with such beliefs. The child places his pulled tooth under the pillow and finds money there the next morning when he awakes; we say, "Don't think such a thought!" fearing that thinking the thought will transform it into reality; the power, whether mustang or tiger, of that shiny new automobile is somehow transferred to the driver sitting in his bucket-seat; the magic words of Oral Roberts will cure the sick; yearly beauty contests assure us that there is such a thing as eternal youth; honeymooners throw coins into the fountain and divorcees in Reno throw their rings into the Truckee River; through the euphemisms we have concocted for diseases and death we can ward off their effects on us.

MYTH AND MAGIC IN POLITICS

There is little reason to believe that this turn to magic, mythology, and ritual behavior stops when we get into politics and the affairs of state. Philosopher Ernst Cassirer has explained in his *The Myth of the State* that there are aspects of the role of magic and mythology in primitive society which apply "equally well to highly advanced states of man's political life. In desperate situations, man will always have recourse to desperate means—and our present-day political myths have been such desperate means. If reason has failed us, there remains always the *ultima ratio*, the power of the miraculous and mysterious."

Political scientist Charles E. Merriam wrote in his *Political Power* that "magic is now found in the legerdemain of verbalisms and the jugglings with logic which is so common a feature of mass assemblies, for obviously many of the orator's verbalisms are incantations rather than arguments, intoned for the benefit of the mass as a part of the music of the occasion. There is also a form of magic in the ceremonies themselves with their weird impressiveness and their incalculable forms of influence upon the great masses assembled." Such verbalisms and incantations are today an integral part of our affairs of state; slogans have been raised to the dignity of political and social policy.

Like primitive medicine-men repeating incantations to ward off the evil spirits and doom, our politicians utter words and phases not to convey semantic meaning, but to produce effects through their recitations. Cassirer has stated that the first step toward creating political myths is a change in the function of language. "If we study the development of human speech," he writes, "we find that in the history of civilization the word fulfills two entirely different functions. To put it briefly, we may term these functions the semantic and the magical use of the word. Even among the so-called primitive languages the semantic function of the word is never missing; without it there could be no human speech. But in primitive societies the magic word has predominant and overwhelming influence. It does not describe things or relations of things; it tries to produce effects and to change the course of nature." American and South Vietnamese political and military leaders, month after month, year after year, have been chanting, as if to cast a spell, "We are winning in Vietnam." These words individually used once in a descriptive, logical and semantic sense, are now used as magic words that do not convey meaning, but instead are intended to produce effects and stir up emotions. Writing of the situation in Vietnam in 1962, David Halberstam says in his *The Making of a Quagmire:* "Some general or official would arrive in Vietnam, would spend one day in Saigon being briefed and meeting the Ngo family, and another day or two in the field inspecting selected strategic-hamlets and units. Then he would hold an airport press conference in which he would say that the war was being won, that the people were rallying to the government, that he had been impressed by the determination of President Diem, who was a great leader." All through 1963, officials in Saigon and Washington recited the words, "We are winning in Vietnam." In May, 1964, South Vietnamese General Khanh had taken the offensive and South Vietnamese casualties were rising, the Pentagon reported that the General was "on the right track." In August, 1965, officials in Saigon and Washington expressed optimism over the course of the war. In June, 1966, Americans were told, "We now have the initiative in Vietnam." In July 1966, Vice-President Humphrey said: "We are gaining on all four major fronts—the economic front, the political front, the diplomatic front and the military front." Such recitations would do justice to any primitive medicine-men casting a spell over the tribal enemies.

In his famous March 25, 1964, speech delivered in the United States Senate, Fulbright asserted that "our national vocabulary is full of 'self-evident truths' not only about 'life, liberty, and happiness,' but about a vast number of personal and public issues, including the Cold War. It has become one of the 'self-evident truths' of the postwar era that just as the President resides in Washington and the Pope in Rome, the Devil resides immutably in Moscow. We have come to regard the Kremlin as the permanent seat of his power, and we have grown almost comfortable with a menace which, though unspeakably evil, has had the redeeming virtues of constancy, predictability, and familiarity. Now the Devil has betrayed us by traveling abroad and, worse still, by dispersing himself, turning up now here, now there, and in many places at once, with a devilish disregard for the laboriously constructed frontiers of ideology."

The devils and self-evident truths, the magicians and incantations are most evident and reach their ultimate in the nightmarish world of the American far right. It is a world in which communism and socialism are not like cancer, they *are* cancers; liberalism is not like a disease, it *is* a disease. Christian Crusader Billy James Hargis writes in *The Far Left* that "today we find Satan incarnate in international communism, and in its offshoots in the United States, the 'far left.'" In *Communism, the Total Lie,* Hargis argues: "As Christ became the Living Word of God, Lenin became the Living Word of Communism. Thereby he became the Living Word of Satan." According to Hargis, "Satan, clothed in Communist garb, is waging bitter war against the Kingdom of God. . . . You can't negotiate with the Devil."

GRAPPLING WITH A HOST OF GOBLINS

The hocus-pocus in this phantasmagoria created by the far right reaches the now-you-see-it-now-you-don't stage when the leader of the John Birch Society, Robert Welch, reveals his "Principle of Reversal," which tells us that people who least appear to be Communist are really the Communists. "One of the hardest things for the ordinary decent American to realize is that a secret Communist looks and acts like anybody else, only more so; or that anybody he, the ordinary decent American, happens to know personally, could possibly be a Communist," writes Welch in his *Blue Book*. If all this might appear to be fantasy, Welch explains that "we are in circumstances where it is *realistic* to be *fantastic*." The American who wants to enter further into the nightmarish world of demons, evil, conspiracy, and blood can find his way there by reading *The Thunderbolt*, the "official White Racial Organ of the National States Rights Party," which warned in its July, 1962, issue:

"Stop and think [sic]! The Chinese Communist regime has successfully kept the borders closed at Hong Kong for years. All of a sudden these borders are thrown open! Why? China is fantastically overpopulated. Could this not be an escape valve for the unloading of this problem onto the shoulders of white nations? Is it not a coincidence that at the very same time the Kennedy Administration introduces legislation to allow hundreds of thousands (if not millions) of Chinamen to come into America during the next fifty years? . . . Want to help stop this yellow invasion of America? Then write for: The NSRP report on the Hart bill, which would bring millions of Chinese to America—startling, but true. Only 25c."

Americans who have succumbed to this gibberish, who have entered this "realistic-to-be-fantastic" world are contributing millions of dollars so that the medicine men can destroy the threatening demons; however, the demons continue to lurk and the medicine men continue to demand more money and sacrifices.

BENUMBED BY OUR OWN SLOGANS

No less mythical than this world is the "Free World" as opposed to the "Captive Nations," the latter to be freed not with "appeasement," but through the contributions of "Truth Dollars." When an old scrub woman, down on her hands and knees scrubbing the floor, insists that she is the Queen of England, we say that she has lost touch with reality. Yet in the affairs of state we talk of a "Free World" in which we find societies and governments that are hardly "free." We hear Americans of certain political persuasions insisting that the "freest" nations in the "Free World" are Salazar's Portugal, Chiang Kai-shek's Taiwan, and Vorster's Union of South Africa. Somehow it all strangely comes out that the people most free in this world are those who have the most restrictions on their freedoms of assembly, speech, and press. We insist on withholding recognition of China, and, in effect, try to ignore her presence in this world, but like it or not, the ritual and incantations denying the existence of China will not make the Chinese government disappear. Like it or not, the scrub woman will not be transformed into the Queen of England, no matter how much she verbalizes the assertion that she is the Queen.

FOREIGN POLICY BY INCANTATION

We have created a world of our own where discussion with the National Liberation Front in Vietnam constitutes another "Munich" and the idea of "appeasement" is satanic in origin. Regarding the Munich-Vietnam analogy, Fulbright has said: "The treatment of slight and superficial resemblances as if they were full-blooded analogies—as instances, as it were, of history 'repeating itself'—is a substitute for thinking and a misuse of history." Americans have regularly chanted the "Munich" incantation and have thereby cast the dreaded spell. We heard the chorus cry, "Munich," during the 1960 Presidential campaign in reference to the Quemoy-Matsu issue, in 1962 during the Cuban crisis, and now we hear it again in reference to talks with the National Liberation Front. Even though the situations in Munich, 1938; Quemoy, 1960; Cuba, 1962; and Vietnam, 1966; are removed from each other in time and space and circumstances, even though they differ in cause and effect, the "Munich" incantation is equally used as a description of foreign policy, as a substitute for thinking and discussion.

Similarly, the term "appeasement" carries with it some magical quality and apparently is part of the devil's work. Too often the cry, "Appeasement," is uttered when a policy suggestion is made which does not comply with the shibboleths, "We must save face" or "Why not victory?" As Fulbright wrote in the *New York Times Magazine* (May 15, 1966): ". . . The word 'appeasement,' for example, comes as near as any word can to summarizing everything that is regarded by American policymakers as stupid, wicked, and disastrous." Yet, "in a free and healthy political atmosphere it [the word 'appeasement'] would elicit neither horror nor enthusiasm but only interest in what precisely its proponent had in mind. As Winston Churchill once said: "Appeasement in itself may be good or bad according to circumstances. . . . Appeasement from strength is magnanimous and noble and might be the surest and perhaps the only path to world peace." Even though "appeasement" is recited like some primitive incantation, it too is dignified as a substitute for serious policy debate.

Whether it be the Chinese creation of the "The U.S. is a paper tiger" or the Nazi inventions of "Jewish bacillus" and "Bolshevik disease" or our own concoction of myths—all such gibberish leads to sloppy thinking, away from discursive thinking and responsible debate. Tigers, bacilli, and demons just do not lend themselves to policy debate; instead, they call for witch doctors, dragon slayers, and medicine men.

[From Delmarva Dialog, Dec. 16, 1966]

BAD DAY IN VIETNAM

(By John Leo)

The Tonkin Gulf incidents of August 1964 are among the most mysterious and critical of the entire Vietnam war—critical because they came at precisely the moment (we now know) when Russia, China, North Vietnam and the Viet Cong had all approved peace talks. This remarkable agreement, achieved mainly by U Thant after months of effort, was shattered by the US "retaliatory" raids on the North Vietnamese coast.

The incidents were critical in another sense: they led to the first US attacks on the North, a harbinger of things to come, and they won for President Johnson approval for the "Tonkin Bay Resolution," a congressional blank check that he has pointed to several times since as authority for various escalations, including the secret and massive buildup in Thailand, which now bristles with a billion-dollar US military presence and more US troops (30,000) than we had in Vietnam itself until early last year.

Our Tonkin Gulf raids, then, have meant the end of the highest hopes yet for negotiated peace, a supra-constitutional blank check for escalation, and the real possibility of another Vietnam all over again in Thailand.

The Administration has just released the transcript of the 1964 closed hearing in the Senate on Tonkin Gulf. Characteristically, the Administration waited until Congress was out of town, and broke the news on Thanksgiving Day, when a great many Americans don't read papers at all. The transcript is heavily censored, but we are now able to piece together bits of information that put the incidents in a wholly new light.

According to the Administration's account, American warships were on a routine patrol in international waters on August 2, when three North Vietnamese patrol boats engaged in an unprovoked attack on the U.S.S. Maddox; a similar unprovoked attack was launched two days later against the Maddox and the C. Turner Joy whereupon President Johnson ordered retaliatory raids against the tiny North Vietnamese fleet and its oil supplies and coastal installations. Now it appears that the words unprovoked, international waters and routine patrol are all open to some debate.

International Waters: The U.S. recognizes a three-mile territorial limit, but it knew that North Vietnam, like many other nations, claims sovereignty over 12 miles of coastal waters.

In the Senate hearing, Wayne Morse asked Secretary of State Dean Rusk how far out the U.S. ships were. The answer was censored, but Morse has since made public the figure "6 to 11" miles out, and he did so in a way that suggested it was the figure mentioned by Rusk in the censored reply. If so, the presence of the Maddox inside claimed territorial waters was a clear provocation, and it might help explain the puzzle of why three tiny patrol boats were challenging the mighty U.S. Navy. They could simply have been warning the U.S. to get out of their waters.

Unprovoked: In addition to any provocation implicit in disregarding territorial waters it now comes out that the Maddox fired the first shot. The commander (far after the event) said it was a warning shot across the bow. In the case of a merchant ship, this would be a warning to halt; in the case of a naval vessel, particularly under the circumstances, it was an act of war entitling the PT boat to return fire.

Routine patrol: At the exact moment the Maddox was unprovocatively and routinely patrolling in the Gulf, a group of South Vietnamese vessels happened to be bombarding some North Vietnamese coastal islands nearby. "Was the U.S. Navy standing guard while vessels of South Vietnam shelled North Vietnam?" asked Senator Morse. "That is the clear implication of the incident." Yes, indeed, it is. Radio Hanoi had been complaining for days that the U.S. Navy was shepherding its client South Vietnamese ships in close for attacks on the north coast.

And the New York Times for Aug. 3, 1964, quoted "Defense Department officials" as admitting that "destroyers on patrol have sometimes collaborated with South Vietnamese hit-and-run raids on North Vietnam cities . . ." Routine? Unprovoked? Senator Fulbright helped push through the Tonkin Bay resolution after getting assurances from Rusk that the attacks on the U.S. ships were unprovoked. Now he feels he was had. Small wonder.

There is more to the mystery. Hanoi admitted the incident of August 2 (though of course it had a different version), but it insisted that the incident of August 4 was a total US fabrication. The incidents were almost exactly the same, according to the US, and occurred under similar conditions.

Why would Hanoi admit the first and then deny the second so heatedly? Many have suggested that the second incident did not, in fact, take place. The US has produced no evidence that it did—no eye witnesses, no photographs, although the US is accustomed to produce photographic evidence in such cases, and surely could not have been caught with its photographers asleep. The tiny patrol boats might have been surprised to have been shot at on August 2; would they be likely to attack two highly armed destroyers that they knew were ready to shoot? At any rate, the US threw a tight security blanket over the alleged incident, and even censored all sailors' mail home. Why all the secrecy if its account is correct?

The heavy US reprisal against the North Vietnamese coast is also odd. If a stranger takes an unprovoked swing at your head, it is usually considered reprisal enough if you knock him flat (as the Maddox did by sinking *two or more of the PT boats*); it is not normally good form to proceed to his home and beat up his wife and kids as well. Unless, of course, it was not a "reprisal" at all, but a calculated manipulation of a minor event.

Schurmann, Scott and Zelnik incline to this interpretation in their book, The Politics of Escalation in Vietnam: "Careful study of these facts suggests that the US attack on the North was no simple act of "reprisal" (but) . . . in fact a response, a negative response, to international political developments, specifically to the appeals in late July 1964 by de Gaulle, U Thant and the Soviet Union for a reconvened Geneva Conference."

I. F. Stone, whose digging has produced a number of interesting nuggets about the incidents suggested additional reasons: "A reexamination of the Tonkin Bay affair by the Senate Foreign Relations committee will show that it served three purposes. It gave Johnson the blank check for war he needed to negotiate the use of Thai bases for bombing. It enabled him to satisfy the cries coming from Khanh and Ky that the US by some strong action show that it was not a paper tiger. It also gave Johnson a chance to steal some of Goldwater's thunder in the presidential campaign. It would be interesting to know whether the resolution had actually been drafted before the events in Tonkin Bay."

It was. In Esquire magazine for November, 1965, the Washington bureau chief for the New York Times, Tom Wicker, wrote: "Usually, his (Johnson's) timing is precisely his own—as when he presented his Vietnam resolution to Congress the day after the Gulf of Tonkin crisis. He had been carrying it around in his pocket for weeks waiting for the moment."

It would appear that Senator FULBRIGHT is not the only one who's been had.

One more point. The "Defense Department officials" quoted by the Times on August 3 described the first (and perhaps only) Tonkin Bay clash has "unwelcome but not especially serious." Yet the President, with the Tonkin Bay resolution in his pocket (as Wicker tells us), decided to turn it into a big international incident by grave statements and an emergency television appeal to the nation. Whatever his motives, he must have known about the impressive peace opening provided by Thant and de Gaulle; if he had been at all interested in this opportunity, the ambiguous and unimportant Tonkin Gulf incident(s) could have been played down. No damage at all had been done to U.S. personnel or facilities.

He preferred to play them up and produce the artfully worded resolution that tied the hands of the Congress and rallied the nation for another round of escalation. It was at this point that the "credibility gap" began to widen into a gaping fissure.

[From the Cambodian Monthly Illustrated Review, December 1966]

MY ANSWERS TO A GROUP OF INDIAN JOURNALISTS

(By Norodom Sihanouk)

Do ways and means exist to promote Khmero-Indian relations, more especially in the economic sphere?

In my opinion, there is only limited scope for promoting economic relations, due to the fact that our two countries are at present engaged in developing economies, which are not complementary, but indeed parallel.

Thus, Cambodia and India have oriented their industrialization in identical fashion with a view to satisfying to the maximum the home demand for consumer goods and capital equipment in order to husband our hard currency reserves.

We must admit, however, that our products cannot compete with those offered us by very advanced countries in respect to quality, finish and—in many cases—price. It is natural enough, therefore, that India—and this is the case with Cambodia—should turn in the first place to these countries for their essential imports.

The same rule applies in regard to the marketing of our agricultural products. Our major concern being to find markets where payment can be made in the hard currency we require to pay for imports of equipment, and industrial machinery or imports of a similar nature.

But, although the possibilities of increasing trade between India and Cambodia are strictly limited, there is no impediment in my opinion to increasing our co-operation in cultural, scientific and political affairs. Thus, not only exchanges of general information but, also, of the results of experiments of a cultural, scientific and economic nature would undoubtedly be to the advantage of both our countries. In order to promote this objective, we might—for example—send students and probationers to India, receiving in exchange Indian friends interested in some specific aspect of the methods we are employing to modernize our country.

Doctor Zakir Hussain's visit to Cambodia is certainly, both from political and diplomatic point of view, a good thing. I am likewise of the opinion that it would serve a useful purpose to increase such opportunities for contact between the leaders of our two countries for the purpose of exchanging views on specific international problems and—more especially—on problems affecting Asia and, also, to adopt the practice of taking counsel together more often at important international conventions etc.

What views do you hold on the Vietnamese problem?

Cambodia deplores more especially the glut of speeches, official commentaries, appeals, suggestions, proposals, offers to mediate, convene conferences and invitations of various sorts occasioned by the Vietnamese problem. This problem is widely, far too widely discussed. Many personages have not hesitated to propose solutions without reference to the wishes of the Vietnamese people, without any prior attempt to ascertain either the root-cause of the Vietnamese affair, or the realities of the Vietnamese situation.

It is natural enough that all and sundry should seek to find some way to settling the war in Vietnam. But, assuming that their love of peace and justice is sincere, would it not be more fitting for them to adopt an equitable and simple approach. And it seems to me that such an approach could only be the recommendation that pressure should be brought to bear by all the countries of the world upon the United States for the purpose of compelling this country to renounce their present policy of seeking, by brute force and barbarian methods, to impose their neo-colonialist domination over other countries. In this connection, I feel compelled to remind you that Cambodia has already proposed—without success—that the American aggressors should be put in political, economic and cultural quarantine.

It can be readily understood that the ambiguous attitude adopted in certain quarters revolts the Vietnamese people. Furthermore, such an attitude merely serves to complicate a very simple problem and to conceal from world-opinion the nub of the problem, which is the violation of the Geneva Agreements by the United States.

These Agreements provided for the evacuation of all foreign troops from Vietnam and for an end to be put to further foreign interference in Vietnamese internal affairs, whether this was directed at the formation of a government in Saigon or at influencing the reunification issue. The United States never had and, in consequence, do not have any right to impose their presence on South Vietnam. Did China or Russia intervene in Indonesia following the Generals' "coup d'état" and the massacre of hundreds of thousands of communists? Why do the *Americans*, therefore, arrogate to themselves the right to forbid the Vietnamese to settle their affairs in conformity with their wishes?

I felt compelled not long ago to put the following question to a representative of Radio Monte Carlo, who had been intoxicated by American propaganda: "What would Monegasque citizens think were France or Italy to decide, regardless of their wishes in the matter, to install a republican régime in the Principality?" It seems to us frankly incomprehensible that people are to be found prepared to justify the policy being pursued by the United States; which denies the Vietnamese people the right to set up the régime to which their preference goes, and to live a life in conformity with their conceptions.

On another recent occasion, a Western diplomat who had come to present his credentials, assured me that the United States was not under any obligation to respect the Geneva Agreements on the grounds that the American Government was not a party to them. But does this constitute a valid excuse to violate them in such cynical fashion? Cambodia's independence derives from agreements signed with France. But does this give Holland, Japan or Thailand the right to consider them invalid on the grounds that they did not sign them and, in consequence, to occupy our country? And yet this is precisely what the Americans are doing in Vietnam.

I felt called upon to draw the attention of this diplomat to the fact that the United States' representatives at Geneva had explicitly declared that, although they were not prepared to sign the Agreements in question, they would give a formal undertaking not to obstruct their implementation. Now it is a well-known fact that, despite this declaration, the Americans lost no time in installing themselves in South Vietnam immediately after the French had left, subjecting it in due course to a military occupation, coupled with a "de facto" protectorate.

That is the heart of the problem. I cannot conceive how anyone can arrogate to himself the right to discuss Vietnam and to invoke the cause of peace and justice unless he is prepared to recognize the fact that the Americans must shoulder the entire guilt for this affair.

Do the consequences of the Chinese cultural revolution represent a danger and a threat to the outside world?

I am unable to see in what way the Chinese cultural revolution constitutes a threat to other countries. I admit that the Chinese have adopted a more austere mode of life and have made it conform more closely to the Spartan pattern. But this is understandable enough at a time when they are anticipating an unprovoked attack on the part of the United States, which is in the process of stepping up its bombardment of North Vietnam. The American danger is on their very threshold. It is natural, therefore, that they should combat any tendency to relax, and make preparations to defend themselves with a view to ensuring their country's survival.

There is far too much talk of China's aggressiveness, and not enough attention is paid to the fact that it is ringed by bases occupied by American naval, air and land forces, while American nuclear missiles are trained on their towns. Let us suppose for a moment that a powerfully armed China had set up bases, similar to those manned by the Americans at the present time, in Mexico, Cuba and Canada. Would not the United States be justified in considering itself threatened, and in bracing itself to meet this threat?

For my part, I am unable to recall a single instance—either before, or during the cultural revolution—of China overstepping its territorial limits. On the other hand, the Americans remain in occupation of Taiwan, the English of Hong Kong and the Portuguese of Macao . . .

[From the Washington Post Book Week, Jan. 8, 1967]

"THEM" AND US

(By Frederic Morton, author of "The Rothschilds: A Family Portrait" and "The Schatten Affair" (both Atheneum))

"How wonderful to see you!" Frau Masch said. "You've no idea how often we talked about you, your whole family!"

I had returned to my native Vienna in 1952, and Frau Masch, the grocery lady on my old block, couldn't get over it. "Just the other day I was thinking of you again," she said. "What a clever man your nice father was!"

"Clever?" I said.

"But he could foresee the whole thing, your father! He knew what we would all have to go through under the Nazis. I mean the war, such hunger and the bombs and everything. If we'd been clever like him, we would have gone to America too."

"You're not Jewish," I said. "You weren't put in a concentration camp like my father."

"Oh yes, awful," she said. "But he got out again just in time, didn't he? I trust he is well?"

"Comparatively," I said.

"Well, we all had troubles with the Nazis," Frau Masch said. "Only we had no initiative. We should have emigrated. What a clever man!"

Blackout. Fourteen years later, in 1966, I was leaving the Ambassador Theater with a friend after a performance of Peter Weiss' *The Investigation*. We were silent, until we reached the nearest bar and had gotten a Scotch down our throats. Only then one of us—I'm not sure who—said:

"You know, Tom Pedi was just right in that part!"

The friend with whom I had seen *The Investigation* is one of our most sensitive literary critics. I am supposed to be articulate and had—shall we say?—an autobiographical relationship with the theme. Yet, in a way, we both pulled a Frau Masch. Her subterfuge was crass, vulgar, and transparent. Our response can be described more politely as an attempt not to demean what we had just been through with the inadequately sentimental. Still, my critic friend, Frau Masch, and I had this in common: when our three noses were rubbed in enormity, our instinctive reflex was to try—according to our several lights—to hold enormity at arm's length.

That is, as the phrase goes, only human. It's only human to deflect from yourself the import of the recent German trial which dealt with the murder of four million people in Auschwitz. There is a tendency to defend yourself against the sheer existence of the theme, against its almost insupportable oppressiveness in the courtroom. And the documentaries coming out of the Auschwitz trial must be judged by the degree to which they undermine our defenses; by the effectiveness with which they interdict the Frau Masches within us; by the power with which they make us honor the past with our pain.

Peter Weiss' *The Investigation*, though an ingeniously conceived (and in New York perceptively directed by Ulu Grosbard) dramatization of the trial, can't help being a *performance*. What fortifies us against the reality it projects is the framework of make-believe that tinsels this play no less than the next show up the block: the box office, the ushers, a glossy program gorgeous with fur ads, the varying proficiencies of the actors (this last being a subtopic particularly convenient for reducing the theme to chit-chat).

The book version of the play would seem to escape such distractions, except that the scenes are billed as "The Song of the Fire Ovens," "The Song of *S. S.* Corporal Stark," etc. Courtroom minutes have been forced into free-verse lines. (Judge: How did the delivery of prisoners to the gas ovens proceed?) *This suggests an arty libretto*, intoning a *Gotterdammerung* grandeur with material that is defaced by anything but simplicity.

Simplicity was the strong point of Bernd Naumann's reportage of the trial in the *Frankfurter Allgemeine Zeitung*. A fine instinct of when to skip, where to paraphrase, and what to quote verbatim let him present the 182 days of the Auschwitz trial with all the highlights intact, none colored and therefore clouded by editorializing. But, published in a daily newspaper, the discussion of mass gassings had to compete with stock-market bulletins or the shocking new hemlines. All kinds of prosperous *derniers cris* helped drown the sounds that were made in Auschwitz 20 years before.

The Naumann series has now been consolidated into a book, *Auschwitz* (Praeger, $7.95), which allows no such relief. Its sustained flow aligns a scattering of dreadful vignettes into a single intolerable epic. Yet even here, one reads and tries to mitigate the blackness of it all by giving it romantic or literary shapes. Somehow one seizes on melodramatic monsters. *S. S.* man Wilhelm Boger, for instance, head of the intelligence unit at Auschwitz, who invented a versatile torture instrument called the "Boger swing," who often bicycled around the camp with a breathlessly running prisoner roped to his bike, and who once smashed a child's head against the wall and then finished the apple the child had just been eating.

Or Pery Broad, a more sophisticated demon; this half-Brazilian German, born in Rio, was known as "death in kid gloves." He had exquisite manners, never hit anyone unless he meant to kill. After the war he wrote, by way of a Rousseauesque flourish, the "Broad Report" (included in the book)—a description of Auschwitz, its layout, its program, its atmosphere, and, last not least, his own rather deftly verbalized remorse. At the other end of the scale from such elegance is Oswald Kaduk (his very name means "devil" in Polish), the ex-butcher and drunkard who lurched about with a smoking pistol, leaving corpses in his wake.

While *Auschwitz* sticks to egregious personalities, it is still bearable. Boger, Broad, and Kaduk inflame our righteousness without threatening it. You can construe them as greatly heightened and Teutonically twisted versions of the Bad Guys in movie folklore, of Cagney, Edward G. Robinson and William Bendix as the hairy ape. They confine evil nicely within the picaresque.

Then we find among the accused one or two who are much blander and more clerklike engines of destruction. Their genre reminds us of Eichmann, whose terrible banality so much struck Hannah Arendt. Still, the kind of bureaucratic, prissy impassivity with which these people applied themselves to human slaughter—I always imagine them with Himmler's schoolmarmish eyeglasses—this, too, classifies them as bizarre, absurdly apart from the ruck of humanity. It abets the impression that fiendishness is something played by a good character actor, and can probably be turned off by a twist of the right knob.

Many of the accused, however, seem without the faintest tinge of the sinister. They keep insisting, quite rightly, that they are "little men," pilloried so publicly here while the "big fellow" always get away. These little men are like the men in the street intercepted by the inquiring photographer; ready to state their opinions on higher taxes, but bitterly resenting all these questions about the massacre of four million people.

"If I were the kind of man depicted here," says *S. S.* man Bruno Schlage, "I would have always been like that. A murderer isn't made like that, especially if he comes from a decent family. A murderer is born. I have no criminal record."

It's not an altogether preposterous assertion. Witness after witness testified that the warm decency of their previous lives continued to cling almost obscenely to a number of guards long after they took up their duties in the death camp. Tenderness, joviality, humor, and nostalgia did not desert your average *Untersturmfuhrer* just because he happened to usher his daily freight-carload of Jews toward the gas chambers. His chores turned him into a professional mass murderer, but only sort of incidentally, and only during working hours. "The atmosphere," a former prisoner testifies, "wasn't rigidly Prussian. *S. S.* men kidded around and talked about their girlfriends." On the station ramp where newly arrived prisoners were divided between those to be gassed immediately and those to be spared a while longer—on that ramp where, to the neat mind, nothing but tragedy of awesome pureness could have come to pass—on that ramp, again and again, casual little kindnesses broke out. A selecting *S. S.* doctor would recognize a home-town face, save him (at least temporarily), encourage and joke with the man, and then, lips still smiling, turn back to doom thousands. Most pregnant women were incinerated, but those who did manage to give birth often got flowers from the guards. Who can resist a new-born babe?

It is here that the full ghastliness of the book begins to hit home. At first the uniqueness of Auschwitz protects the reader. Its very extremity makes it a black sport quarantined from the rest of experience, isolated the better from our conscience the more it arouses our outrage. (The verdict of the postwar judges continues a sense of grotesque unreality. Dr. Willi Frank, for example, is found guilty of complicity in the joint murder on at least six separate occasions of at least one thousand persons each—and is sentenced to a total of seven years at hard labor. This scale of justice ought to condemn a "simple" murderer of a single person to about 10 hours in the penitentiary.) The dimensions of the abomination are so peculiarly, surrealistically German, so safely nonpareil. The guards grimace on the far side of nightmare. All we want to understand is the emotions of the prisoners.

Yet as long as our contact point is simply "These deaths and tortures could have been inflicted on *me!*" our participation in the book is incomplete. We are, however, appalled, snug inside the morally comfortable stance of the victim. But wait. The courtroom minutes produce men who wore not only the death's-head cap of the *S.S.* but, just as persuasively, the trappings of the folks next door. Too many all too human *S.S.* killers appear. And our participation changes to a more fatal key: "These deaths and tortures—could I have inflicted them?"

Once this happens, *Auschwitz* bursts out of the Third Reich, out of the 1940s into tomorrow's *New York Times*, into Selma, Indonesia, and Saigon. Of a sudden you look differently at the fellow who goes bike-riding with his kids in Central Park on Sundays and writes chewing-gum ads during the week. You wonder: has he enough complex humanity in him to become one day at least a cog in the technology of mass murder? How different is he from the decent, hard-working, tax-paying, soccer-playing acquiescent German in 1939? And what about the phrases that are familiar to the biker in Central Park when it comes to defining the great political issues of the day; like Achieving Security in Southeast Asia by Defoliation and by Pacification of Villages? All those sanitized idioms which are still compatible with kiddie bicycle riding—how different are they from the white-washed language that culminated in the extermination camp, the Special Treatment of the Racially Undesirable for the sake of the New Order?

I don't think we ought to equate, simplistically, one society with the other. In the *other* society, for instance, this review could not have been printed. But neither do I think that we should, simplistically, consider Auschwitz a nightmarish fluke. I think this book should make us do something that wasn't done much in Germany a quarter of a century ago—namely, wonder. I hope many will suffer their way through these pages and end up by doing much wondering soon. For you have not read *Auschwitz* right if you think that it's only about "them," way back when. Brother, it just could be about all of us, right now.

[From the St. Louis Post-Dispatch, December 1966]

Stop the Bombing Now

The American people have not been given the whole truth about United States bombing of civilians in North Vietnam and the facts, as revealed by Harrison Salisbury of *The New York Times*, are shocking enough to bring widespread demands for an immediate end to this immoral—and useless—form of attack.

As Mr. Salisbury makes startlingly clear in on-the-scene dispatches from Hanoi, not only are large numbers of civilians being killed and their homes destroyed, whether intentionally or not, but the bombing is having virtually no military effect. This verifies at first hand what objective analysts have maintained for months—the bombing is a military and political failure.

It may be worse than that inasmuch as it has strengthened the resolve of the North Vietnamese to fight back against what they regard as an aggressive white colonial power. They have developed an extensive system of shelters; they have dispersed as much as possible; they have developed facilities for the quick repair of roads and bridges. The mood of Hanoi, as reported by Mr. Salisbury, is that of a "wartime city going about its business briskly, energetically, purposefully."

The Pentagon has tried to cover up what it has been doing. After the facts were disclosed, the Department of Defense acknowledged that American pilots had accidentally hit civilian areas when attempting to bomb military targets. Previously the Administration had conceded only that this was *possible*. In view of the record, what weight should be given to the denial that civilian areas were bombed on purpose?

Mr. Salisbury cites the case of Nam Dinh, a city 60 miles south of Hanoi, 20 miles from the coast. Says his dispatch: "Nam Dinh has been systematically attacked by United States Seventh Fleet bombers since June 28, 1965. The cathedral tower looks out on block after block of desolation. The city's 90,000 population has been reduced to less than 20,000 by evacuation; 13 per cent of the city's housing has been destroyed; 89 persons have been killed and 405 wounded."

Why? The U.S. has never identified a military objective in Nam Dinh. A textile plant, the principal industry, has been bombed 19 times and the homes nearby laid waste. The center of the silk industry was blasted by a number of heavy bombs about 6:30 a.m. April 14, just as factory shifts were changing, resulting in heavy loss of life and property damage. Irrigation dikes near the city have been attacked.

Mr. Salisbury was offered two North Vietnamese explanations for the unannounced assaults: One, that the Americans thought they could intimidate the populace by continuous attacks, and, two, that the attacks were intended to be an object lesson to Hanoi, showing what U.S. airpower could accomplish if directed more powerfully at the Vietnamese capital. Whatever the reason, it would be stretching a point a long way to call any targets in Nam Dinh "military."

It becomes clear in the dispatches (as it has always been clear to those who know Asia) why the effort to interdict by bombing the supply routes from north to south has utterly failed—and why it can never succeed. A highway and a railroad run straight south from Hanoi over flat delta ricelands. Both have been bombed repeatedly. And yet—"it is doubtful that rail traffic has ever been held up more than a few hours and the highway seems capable of operating almost continuously no matter how many bombs are dropped."

Indochina is not an industrialized area of compact factories, rail marshaling yards and a sensitive mechanized economy that might be upset by bombing. It is a land of bullock carts and trucks, tiny factories and small farms, bicycles and human backs. Trying to get at it with bombs, as Walter Lippmann once said, is like punching one's fist into a bucket of water.

It is reported from Washington that private evaluations by the Pentagon and Central Intelligence Agency admit the bombing is a military and political failure. Now eyewitness reports by one of the most respected newspapermen in America demonstrate the same conclusion. So why cannot the bombing be halted, as United Nations Secretary General U Thant has urged as a first step toward a negotiated settlement? This would be the wise and moral course, as well as the practical one.

No doubt the generals are reluctant to admit the failure of these massive, expensive and morally indefensible bombing raids. But they have failed and everyone knows it, and the longer they are continued the worse the United States will look in the eyes of the world. They must be stopped at once.

[From Ava Maria magazine, Jan. 14, 1967]

The World of Mythology and Nonintervention

In today's mythology, the Chinese now play the role that once was Russia's—the embodiment of evil. We, of course, continue as protagonist: It falls to us to save mankind, to struggle with the forces of darkness, to—in contemporary terms—help the little guys of the world get and keep the right of self-government.

All mythologies—ours not excepted—need to be reexamined from time to time, to see if they still fit the realities of the world. Ours, at the moment, doesn't seem to.

For example, in 1955 China promised not to help subvert nationalist leadership in any Asian country—not even non-Communist leadership—so long as that country maintained neutrality. Afghanistan, Bhutan, Burma, Cambodia, India, Indonesia, Laos, Malaysia, Nepal, Pakistan, Thailand, Viet Nam—none of these countries would have anything to fear from China unless they turned from her to the U.S. Then, especially if they permitted America to use their land for bases which China cannot help but consider threats to her own security, they would make themselves natural targets for Communist attempts to neutralize the threat by overthrowing the government . . . with China's help.

Since that time there have been cases of China-backed subversion in South Viet Nam and in Laos, and there are rumblings in the backlands of Thailand. And all these countries were, at the time the subversion began looking to the United States for guidance.

At the same time, China has not moved against the Cambodian government—though the Communist Party is outlawed in Cambodia. Nor against Indonesia, where one might have expected massive retaliation when the streets ran red with the blood of slaughtered Communists.

At the same time, what are we, the good guys, doing? Sadly, the record of our relations with Latin America make grimmer reading than good mythology ought to.

To take just the period since 1961, there have been military coups or American interventions or both in the following of our neighbor-nations: Argentina, Bolivia, Brazil, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras and Peru And we've been mixed up in most of them, if not all.

For example, our government's Latin America expert, Thomas C. Mann, publicly changed our policy toward governments installed by force on March 25, 1964; less than a week later, on April Fool's Day, Brazil's government was changed by force—and the United States recognized the new military government before the deposed President Goulart even managed to depart into exile.

Our attempt at intervention in Cuba is notorious, our invasion of the Dominican Republic equally so—as well as our about-face as regards the elected President Juan Bosch. Just as much a part of public knowledge is our helping to overthrow two Guatemalan governments in a decade: That of Jacobo Arbenz in 1954 and that of Miguel Ydigoras Fuentes in 1963. As a matter of fact, 1963 was a busy year: Besides the Dominican Republic and Guatemala, Ecuador and Honduras suffered military takeovers.

At the same time, General Alfredo Stroessner, who took power in Paraguay in 1954 by force, has reigned undisturbed in his country even though he has repressed any and all opposition and has maintained a declared "state of siege" (permitting suspension of constitutional guarantees) virtually unbroken throughout his rule.

Earlier in the Dominican Republic, Rafael Leonidas Trujillo was accepted on the same terms—despite a savagery in power that the Red Guards will have to struggle to match. His savagery—and his rule unbothered by American intervention—stretched out over more than 30 years. Undoubtedly, the *junta* representing the landed and wealthy oligarchy that deposed the Republic's first democratically elected president in more than a century would have ruled equally undisturbed had there been no attempt to reinstall President Bosch. We entered the battle, not surprisingly, "neutral in favor of the oligarchy," as some Latin American commentators put it.

Less spectacular, probably—but in the same vein—is the long sway we permitted Fulgencio Batista to hold in Cuba.

Our mythology, then, is dead, though it still refuses to lie down. Who killed it? That's hard to say, though the death knell could be heard in the words of Mr. Mann, when he said—for publication—that "in times of crisis, stability is worth more than democracy."

One wonders if that's our Asian policy, too.

Dan Griffin,
Assistant Editor.

HIGHER EDUCATION IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I ask unanimous consent that a letter that I wrote to the President of the Board of Commissioners of the District of Columbia, Mr. Tobriner, on November 23, 1966, urging early action in regard to the establishment of the two city colleges which were authorized by legislation passed by the Congress in the closing days of the last session, be printed at this point in the Record. I further ask unanimous consent that Mr. Tobriner's replies to my letter on the city college matter, dated November 30, 1966, and

January 5, 1967, be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

November 28, 1966.

Hon. Walter N. Tobriner,
President, District of Columbia Board of Commissioners, District Building, Washington, D.C.

Dear Mr. Commissioner: As you know, President Johnson signed into law the District of Columbia Public Education Act on November 7, 1966. The President's signature on this extremely significant legislation brought to fruition many, many years of diligent work on the part of some members of Congress and many people within the community in behalf of higher education legislation which was and is urgently needed in the District of Columbia.

Now that the Act has been enacted into law, I believe that it is almost imperative that the President of the United States and the District of Columbia Board of Commissioners act without unnecessary delay in appointing a Board of Higher Education to supervise and control the Federal City College, and appointing a Board of Vocational Education to supervise and control the Washington Technical Institute. It is my position and the position of other members on my subcommittee on Public Health, Education, Welfare, and Safety that these schools of higher education should, if at all possible, be in operation by next fall.

I cannot say what possibility there may be that the Federal City College may, by next spring, be judged by appropriate authority to offer reasonable assurance of progress toward accreditation. If such a judgment is possible, however, and if the College develops estimates of enrollment and makes application in December, there is a possibility that the College may qualify for student financial assistance under three programs administered by the Office of Education. I am advised by the Office of Education that if the College files application under these programs in December, the application will be reviewed and the College will not automatically be excluded from consideration for awards to be announced next spring.

A considerable amount of work and planning will be necessary if one or the other institution is to apply for Federal assistance under other programs next year—for example, the Higher Education Facilities Act of 1963 and the programs for strengthening developing institutions and for improving undergraduate instruction under the Higher Education Act of 1965. I presume that the two institutions will wish to begin operation in rented facilities to get started next fall. However, intensive academic and architectural planning is needed if these institutions are to be ready to file application for assistance with the construction of academic facilities which they will use in the long term.

If both institutions are to take full and timely advantage of the opportunities for Federal assistance for which they may be eligible, the two above-mentioned Boards should be appointed as expeditiously as possible, allowing just that amount of time which is necessary to make deliberate and careful decisions. I would hope, and I earnestly urge, that the District of Columbia Board of Commissioners make the selection of the members to the Board of Higher Education a top priority matter.

It would appear to me to be almost a tragedy if, through any unnecessary delay in appointing Board members, the many hundreds of young men and women in the District of Columbia who desperately seek a higher education, would not be given that opportunity next fall and each succeeding year. In other words, I believe that every single step that can be taken to preserve the possibility that the Federal City College and the Washington Technical Institute will be in operation next fall should be undertaken by the District of Columbia Board of Commissioners, the President, and the Congress.

It would be very helpful to me and my Subcommittee if you would advise me on a monthly basis what steps have been taken by the Board of Commissioners to establish the two colleges authorized by the District of Columbia Public Education Act.

I want to assure you and your colleagues on the Board that my Subcommittee and the staff of the full District of Columbia Committee stand ready to give you and the Board of Higher Education, which you are authorized to appoint, every possible assistance that we can in developing these two institutions of higher learning into educational institutions of which the people of the District of Columbia and the entire nation may be justly proud.

If there is anything that I can do, or my Subcommittee on Public Health, Education, Welfare, and Safety can do, to assist in developing these two institutions into outstanding institutions of higher learning as expeditiously as possible, we stand ready and willing to do whatever we can at any time.

Sincerely,

Wayne Morse.

The District of Columbia,
Washington, D.C., November 30, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: This is in response to your letter of November 23, 1966, regarding the D.C. Public Education Act of 1966. Let me state at the outset that my fellow Commissioners join with me in expressing our deep appreciation to you and the members of your Subcommittee for the legislative authorization for a Federal City College and a Washington Technical Institute in the District of Columbia.

We are in full accord with your suggestion that the appointments of both the Board of Higher Education and the Board of Vocational Education be made without delay and that every effort should be made to have the colleges operational at the earliest date, consistent with the purpose of providing superior educational opportunities for the youth of the District.

I want to assure you that the Board of Commissioners is giving the highest priority to the selection of members to the Board of Higher Education. One of the first steps that we are taking is the development of criteria for the selection of Board members. Our objective is to appoint individuals who are not only outstanding in their particular fields but who will be responsive to the social and related educational requirements and problems of the young people in the District of Columbia.

Our appointments to the Board will be made in December if at all possible. This will enable the Board and its staff to begin academic planning and make preliminary arrangements for architectural planning. It will also enable the staff to develop estimates of enrollment and make application toward accreditation, thus paving the way for the College to qualify for student financial assistance under programs administered by the Office of Education.

We also anticipate taking full advantage of other Federal assistance programs. For example, we have revised our State Plan for the administration of funds under the provisions of the Higher Education Facilities Act of 1963, in order to provide the maximum possible flexibility for their use in the construction of the two colleges.

We are prepared to support the two Boards in any efforts they may initiate to get the academic program underway as quickly as possible. To finance these arrangements, at least in part, we are seeking funds from various sources, on an interim basis, including Federal and private grants as well as possible reallocation of existing budgeted funds. However, since the availability of these funds is limited, they will only serve as a start in meeting immediate operating expenses such as the employment of administrative and clerical staff. More substantial and permanent funding to meet major and continuing operating expenses will be included in the annual budget estimates, beginning in fiscal year 1968.

Through these means we hope the new educational opportunities can be launched expeditiously and you may be assured that we will give our full support. As to exact schedules, I am sure you will agree that we must await the appointment and organization of the two Boards who will have the responsibility for making these and other commitments.

We shall be pleased to advise you monthly on what steps have been taken, and what progress is being made to establish the two colleges, insofar as the Commissioners are concerned. I will also transmit your request for monthly information to the Board of Trustees when appointed.

Again, may I express our deep appreciation for your interest and continuing support on behalf of the deserving young men and women of the District of Columbia who are looking forward to the educational opportunities that will soon be available to them.

Sincerely yours,

Walter W. Tobriner,
President, Board of Commissioners.

Government of the District of Columbia,
Washington, D.C., January 5, 1967.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We are happy to inform you that we are making substantial progress toward the establishment of the Federal City Colleges.

The selection of the Board of Higher Education commands, of course, the highest priority. To ensure an effective Board, we have solicited recommendations from many public and private sources, hoping in this way to secure a sufficiently large reservoir of suitable candidates. We have also requested the views of the Office of Education and other relevant organizations as to the qualifications for membership on the Board. All the sources and the organizations we have canvassed have been most cooperative and we now have, we think, both firm criteria and a sufficient list of possible candidates, and have begun the task of selecting individuals, evaluating their qualifications and ascertaining their interest in joining the Board.

We have also been concerned with furnishing the Board with immediate technical assistance so that no time would be lost in carrying out the Board's decisions. The District's Board of Education has been very responsive to this problem and has agreed to provide $100,000 from lapsed funds for the hiring of the staff we felt would be necessary. Additionally, our Personnel Office has begun to develop staff specifications and will take whatever steps are necessary to initiate staff applications.

Finally, we have held a number of discussions with Office of Education staff regarding the possibility of Federal funding for planning the college and developing an appropriate curricula. These discussions will continue and we hope to have some fairly well developed recommendations to lay before the new Board of Higher Education for its consideration.

We have now entered, as you can see, a very active phase. It would be difficult to set a deadline since our primary concern is an effective Board and we cannot predict just how long it will take to check the individuals whose names have been submitted to us. We can assure you, however, that we will proceed just as rapidly as we can.

Sincerely yours,

WALTER W. TOBRINER,
President, Board of Commissioners.

Mr. MORSE. Mr. President, Mr. Tobriner's letter does not satisfy me fully that the District of Columbia Commissioners are proceeding with the dispatch with which the young people of the District of Columbia are entitled to have them proceed. I understand the problems that confront the Board of Commissioners, but they are the same problems that confront those who are entrusted with the responsibility of establishing community colleges elsewhere across the land.

The District of Columbia is the only political entity in the Nation in which the young people do not have available to them a publicly supported college in which they can pursue higher education. I have already, in connection with another matter, pointed out that the District of Columbia has a larger population than 11 States. There is not a State in this Union in which there is not at least one educational institution, and in most instances several educational institutions, of higher learning, publicly supported, in which young people can prepare for further educational training.

Mr. President, in the District of Columbia we have also an out-of-proportion number of young people of college age from poverty-stricken homes. Here, too, an overwhelming proportion of them are Negroes; and one of the great difficulties in meeting some of the Negro problems in the District of Columbia is the matter of adequate schooling: the educating of these young people who have come up in the ghettos of Washington, D.C. I know of no ghettos anywhere in America—in Harlem, Chicago, Los Angeles or any other great metropolitan area—that are as shocking in their awfulness as the ghettos of the Capital City of the Republic. As chairman of the District of Columbia Subcommittee on Public Health, Education, Welfare, and Safety, the subcommittee that has surveillance over the schools, I am shocked by what I see in the schools of the District of Columbia. Some of those schools for little colored boys and girls are nothing more than daytime custodial institutions, not educational institutions at all. That is not the fault of the truly outstanding Superintendent of Schools, Dr. Carl Hansen, and his staff, nor of the teachers; it is the fault of the District of Columbia Board of Commissioners, the White House, and of the Congress of the United States. Congress has been so parsimonious in its denial to the people of the District of Columbia of the funds necessary to maintain decency, not only in education but in so many other human affairs in the District, that we have these shocking, inhumane situations existing in the Capital City of the country.

Congress knows that as recently as 1957, when the Senator from Pennsylvania was a member of my subcommittee, we found more than 200 little boys and girls in the District of Columbia who were dependent 100 percent, for their daily food supply, on garbage cans and backdoor handouts, in the shocking Negro areas of this city, in the alleys in this city, which at that time were lined with outdoor toilets. There has been some improvement since what became known as the Morse hungry children report, the report of my subcommittee; but we have a long way to go before we take Washington, D.C., out of the depths of national disgrace.

In making a plea again on the floor of the Senate, in reply to Mr. Tobriner's letter, I say, "Time is a-wasting, Mr. Tobriner. I can take you to city after city in America where city officials are moving as deliberately and much more expeditiously than you are. I can take you to my own hometown of Eugene, Oreg., where I gave the dedication speech last week for the building of a community college—a community college already in operation, and not a brick has been laid yet, because those officials responsible for seeing to it that a community college is made available to the young people who cannot afford to go on to the universities and colleges, those people responsible for that college are renting offices and warehouses. They have the cooperation of the churches, and they are using the Sunday school classrooms. They have the cooperation of the public schools, and are using the public school facilities at night. They are using, from the businesses of Eugene, extra space that they can make available for classes. We have classes all over the area."

I say to the President of the Board of Commissioners of the District of Columbia and the White House, "Time is a-wasting." As the chairman of the subcommittee of the District of Columbia Committee that has jurisdiction over this matter, I do not intend to let up on my insistence that the Board of Commissioners and the White House proceed much more rapidly than they are proceeding today to start getting ready to rent separate spaces come September 1967, to start operating a liberal arts college and a vocational institute as provided for in the law.

I say to the Federal administration, "Your cooperation is needed, deserved, and you should not deny it."

I say to the White House, "Put someone to work to find out why these vacant buildings of the old Bureau of Standards can't be turned over, at least on a temporary basis, to be used for the beginning of classes in a community college as provided for in the legislation passed."

Mr. President, I am an old hand at detecting dilatory tactics and delay. I have not been in the Senate for 22 years without developing a keen sense of smell.

I say on the floor of the Senate this afternoon that there is no justification for the Johnson administration not proceeding with an insistence on the part of the President himself that this Board of Commissioners that falls under his jurisdiction be told directly from the White House, "Get busy. Time's a-wasting. Get busy and start planning to rent the facilities necessary to start the classes come September 1967, and we will get on with constructing the buildings thereafter."

Mr. President, I also point out that in his letter, Commissioner Tobriner talks about the problem of getting a board appointed for what he calls the general college, the community college. The law gives the President of the United States the authority to appoint the governing board for the vocational institute. I do not know what the President is waiting for.

Mr. President, Commissioner Tobriner points out in his letter:

> We have also been concerned with furnishing the Board with immediate technical assistance so that no time would be lost in carrying out the Board's decisions. The District's Board of Education has been very responsive to this problem and has agreed to provide $100,000 from lapsed funds for the hiring of the staff we felt would be necessary. Additionally, our Personnel Office has begun to develop staff specifications and will take whatever steps are necessary to initiate staff applications.

It is fine to get the $100,000 in lapsed funds from the District Board of Education. But I am very much interested in how that $100,000 happened to be available. It is not because the Board of Education does not have a need for the money. I would ask, "What about the lapsed funds in other District agencies? What about the Highway Department? The Department of General Administration? What about each and every one of the other agencies of the District of Columbia, Mr. Commissioner? Did you ask them for lapsed funds? Why did you ask just the Board of Education?"

All I am trying to say here on the floor of the Senate by way of advice to the District Commissioners is that they have a responsibility for speed in getting the classes ready to start next September in order to implement the law already on the statute books.

I also say in behalf of the President of the Board of Commissioners that I am well aware of the many problems that confront him. I realize the bombardment that he receives day after day for doing things in the commission form of government when we ought to have a municipal government by way of home rule. I say to this man with all the problems that Congress puts upon his shoulders—because we pass the buck to the President of the Board of Commissioners—that if Congress had been doing its job with respect to home rule, he would not be so harassed by the responsibility to get underway with these two city colleges. I think he owes it to the younger people of this city to have those classes ready for them to study in come September 1967.

ARTHUR FLEMMING VIEWS POSITION AS PRESIDENT OF THE NATIONAL COUNCIL OF CHURCHES AS A CHALLENGE

Mr. MORSE. Mr. President, Oregon was honored recently by the election of its university's president to be president of the National Council of Churches. I refer to Dr. Arthur Flemming. Dr. Flemming is well remembered nationally as Secretary of the Department of Health, Education, and Welfare in the administration of President Eisenhower.

He was a great Secretary of the Department of Health, Education, and Welfare. He is also, in my judgment, one of a list, may I say, of 25 top educational statesmen in this country today.

I ask unanimous consent to have printed at this point in the RECORD the article "UO President Sees Position as Challenge," which appeared in the Eugene Register-Guard on December 18, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UO President Sees Position as Challenge

(By Karen Waggoner)

Ideas ranging from the dynamic evangelism of a Billy Graham to the religious liberalism of social activists flowed from the platform at the recent General Assembly of the National Council of Churches, meeting in Miami Beach, Fla.

In its new president the National Council may have found the best of both worlds.

Named as chief spokesman of the diversified council—composed of 34 major denominations with some 42 million members—was University of Oregon President Arthur Flemming.

The 61-year-old administrator, veteran of more than 30 years active service in education and government, calls his position as head of the theological potpourri "an interesting opportunity."

Flemming, said Time magazine, was a perfect choice to head the organization, "a man who matches the new mood" of the council.

As an administrator, his experience has included presidency of his alma mater, Ohio Wesleyan University; directorship of the Office of Defense Mobilization in Washington, D.C.; and service as Secretary of Health, Education and Welfare during the Eisenhower administration.

As a layman, he represents a new spirit of lay involvement in religious life. Flemming is the second layman to serve in the council's top post.

And as a Christian, Flemming refuses to relegate his religion to Sundays.

"For a minister to have a layman like Arthur Flemming is one of the joys of being a minister," the Rev. Norman Conard, Flemming's pastor in the First Methodist Church of Eugene, commented last week.

Flemming, described by Conard as "an exceptional person," serves as church school superintendent at First Methodist, teaches an adult class and takes active part in the church's long-range planning. He often flies back to Eugene for meetings at the church, Conard said.

In the traditional style of John Wesley, Methodism's founder, Flemming neither smokes nor drinks.

The New York Times called him a "political Methodist," but he is also a Methodist politician, believing in "both/and rather than either/or."

Flemming refutes the belief of some churchmen that there is an unbridgeable dichotomy between evangelism and social action.

"You can get a discussion along that line without a great deal of difficulty any time ministers meet," Flemming said, but he prefers to change heated arguments into healthy discussions.

From healthy discussions at the General Assembly came a workable balance between evangelism and social action, Flemming said.

The chief interest of the official delegates in 1966 was evangelism, the new president said, but continuing action will be carried out in areas of civil rights, peace, the war against poverty and the mission of the church in the city.

"There is a tremendous opportunity for the church in the inner city," Flemming said. "Instead of running to the suburbs the church must go back to the city."

Highlighted in Flemming's address to the assembly and in his actions for many years was his concern for the "religious illiteracy rampant in this country."

"People do not have any understanding of the role religion has played in the development of our civilization," said the educator, "and the only way we can offset this is to offer courses about religion in the public schools."

"This is the great thing about the Supreme Court decision," he said. "It prohibited compulsory prayer and Bible reading in the public schools, but it also clarified the long-clouded issue of teaching about religion."

Flemming said that for the last 40 years school boards and teachers have been afraid to introduce the study of religion because many people feel it cannot be taught non-evangelistically.

"But it's just like a course in government—my field—if you're presenting a particular issue you will make available all points of view. You may indicate where you stand as an individual, but you make sure that the student obtains a well-balanced point of view.

"It would be different," he chuckled, "if you were teaching a course in government to a group of Young Republicans." Then, like Sunday Schools, he said, "you'd try to get them to go out and get additional converts to the cause.

"This is obviously not the role of government or the public schools," he emphasized.

Flemming's belief in healthy and intelligent discussion applies also to his concern for peace. As former head of the NCC's commission on peace and as a sponsor of the Lane County Clergy and Laymen Concerned About Vietnam, he believes that "the church—of all the institutions in our society—should create a climate for intelligent and meaningful dialogue to help persons arrive at sound conclusions."

"People who take advantage of this climate will arrive at different conclusions," Flemming said, "but all of them will be sounder conclusions."

RECESS UNTIL MONDAY

Mr. CLARK. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 56 minutes p.m.) the Senate recessed, until Monday, January 16, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 12, 1967:

Department of Transportation

Everett Hutchinson of Texas, to be Under Secretary of the Department of Transportation (new position).

John E. Robson of Illinois, to be General Counsel of the Department of Transportation (new position).

Diplomatic and Foreign Service

John F. Henning of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to New Zealand.

David S. King of Utah, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Malagasy Republic.

Robert L. Payton, of Missouri, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Cameroon.

United Nations

William B. Buffum, of Maryland, a Foreign Service officer of class 1, to be the Deputy Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Arthur E. Goldschmidt, of New York, to be the U.S. Representative to the Economic and Social Council of the United Nations, vice James Roosevelt.

International Monetary Fund

Eugene Victor Rostow, of Connecticut, to be U.S. Alternate Governor of the International Monetary Fund for a term of 5 years and U.S. Alternate Governor of the International Bank for Reconstruction and Development for a term of 5 years.

Federal Coal Mine Safety Board of Review

Elzie H. Wooten, of Tennessee, to be a member of the Federal Coal Mine Safety Board of Review for the term expiring July 15, 1969.

In the Marine Corps

The following named (Army Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Conway, Blair P.
Yaghoobian, Charles, Jr.

The following named (Naval Reserve Officer Training Corps) for permanent appointment to the grade of second lieutenant in the Marine Corps, subject to the qualifications therefor as provided by law:

Acly, Peter A.
Alexander, William S.
Allen, Joe E.
Anderson, Gary K.
Anuszewski, John W.
Ashman, John W.
Bank, John D.
Barnes, Robert C., Jr.
Beeler, Park L., II
Begun, Lawrence C.
Bently, Jon R.
Bradstreet, Bernard F.
Brodrick, Steven P.
Brown, David T.
Broz, Charles F.
Burton, Ronald L.
Buechler, Robert J.
Calderas,, John, Jr.
Connor, Michael C.
Cooper, "C" Richard, Jr.
Cress, John P.
Daigle, Paul R.
Decker, Andrew P.
Deggendorf, Terrence T.
De Vylder, Edgar P., Jr.
Doyle, Kevin M.
Dunn, Charles C.
Eckenrode, David J.
Engelman, Robert A.
Ertwine, Carl H.
Ewing, James J., Jr.
Faro, Donald R.
Feltner, Jonathan P.
Ferguson, Michael J.
Fitzgerald, Kenneth W.
Friese, William P.
Fuller, James R.
Gernert, Royce G.
Gettman, James A.
Gibson, Carl R.
Gingrich, David M.
Goslin, Gary J.
Graves, Terrence C.
Greenfield, Charles A.
Grischkowsky, Roger S.
Gustafson, Grant P.
Hadar, Steven P.
Hagan, John R.
Hager, Hampton C., Jr
Hansen, Robert W.
Harrington, Partick J.
Haughey, David W.
Hayes, John E.
Henry, Floyd P.
Higgins, William R.
Howe, Dennis K.
Holmes, Michael
Hudock, John M., Jr.
Huntington, Frederick L.
Hutchinson, Robert H.
Ingram, Thomas M.
Jackson, Charles B.
James, Albert E., Jr.
Jones, Stuart C.
Kadolph, Harold D.
Kehrli, Bruce A.
Kirkpatrick, William J.
Knestrick, Martin E.
Kuhrtz, Steven G.
Kurth, Richard C.
Kuzniewski, Gregory S.
Kyle, Albert S.
Lancaster, John A.
Lawson, John F.
Lewis, James T.
Linkous, Harry A., III
Lipson, Merek E.
List, Robert W.
Lovett, Connie B.
Lyman, Donald R.
Macknis, John F.
March, Donald F.
Masters, John H., Jr.
McAtee, Keith C.
McCarver, Dennis M.
McGaughey, George L., Jr.
Metli, Richard
Morrow, Michael K.
Moyher, Cyril V.
Munyon, William H.
Murphy, Edward J.
Narney, John K.
Neal, Richard O.
Nelson, Jan H.
Nelson, Robert R.
Newlin, Robert B.
Nickerson, Douglas W.
Norton, Raymond J.
Nyderek, Joseph M.
O'Shaughnessy, Edward M., Jr.
Oswald, Edwin L.
Packard, Robert A., Jr.
Parker, Paul D., II
Peake, David B.

Pearson, Thomas R., Jr.
Peterson, Paul W.
Polnaszek, David A.
Pribbenow, Merle L.
Radcliffe, Harry Q.
Randall, David S., Jr.
Reed, Nathaniel H.
Reilly, Thomas "L"
Renaghan, Joseph F.
Roberson, Larry E.
Roepke, Craig S.
Rowen, Charles G.
Sammons, Jack L., Jr.
Sanborn, James C.
Sandberg, Michael B.
Seagraves, James F.
Schmid, John A.
Schroeder, Karl R.
Shaw, Stephen C.
Smaldone, Joseph P.
Smith, Clinton A.
Smith, Michael D.
Snocker, Frederick G.
Steel, Charles (n)
Stephien, Edward R.
Steury, Jack E.
Stocker, Norman R.
Sullivan, John J., Jr.
Sute, John R.
Tait, Robert, Jr.
Tarbet, Dale M.
Taylor, Joseph Z.
Tehan, William J.
Terry, Joseph B.
Titcomb, Warren S.
Toyama, Thompson R. T.
Tucker, Courtney L.
Ulrich, Carl W.
Waller, Robert W.
Warford, Charles F., Jr.
Warren, Clifford B., III
Williams, James G.
Wilson, Bruce B.
Wojtasek, James D.
Wolfe, Charles E., Jr.
Wroblewski, Ronald J. P.
Wzorek, James F.
Zimmerman, Jeffrey M.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 12, 1967:

DEPARTMENT OF TRANSPORTATION

Alan S. Boyd, of Florida, to be Secretary of Transportation.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 12, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Let the words of my mouth, and the meditation of my heart, be acceptable in Thy sight, O Lord, my strength, and my Redeemer—Psalm 19: 14.

Our Father who art in heaven and on earth, we pause in Thy presence once again to acknowledge our dependence upon Thee, and to offer unto Thee the devotion of our hearts. Make plain to us what we should do this day and give us courage to walk in that way. In all our thinking, in all our speaking, in all our doing, may Thy love motivate us, Thy strength support us, and Thy spirit guide us for the good of our country and for the well-being of all mankind. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution, as follows:

S. RES. 10

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. John E. Fogarty, late a Representative from the State of Rhode Island.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

VIETNAM

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, just what is going on in our country? How is it that a miscellany of self-appointed experts and crackpots from this country now have the run of North Vietnam and are permitted to fill the news media at home with their strange concepts of the war? These people seem to be doing their very best to discredit our flesh and blood who risk their lives daily in Vietnam. How does it happen that these "experts" always seem to parrot the Communist line when they return from their "inspection" trips? How does it happen that the State Department is not seeking to prevent these nondescripts from traveling over the world while supposedly in good standing at home?

War is not a pretty business. The U.S. forces have held back in every way possible from inflicting death and injury to North Vietnam civilians. Some of it cannot be avoided in our efforts to reduce the load on the GI's in the jungles of South Vietnam. At the very least, these "experts on war" should be required to visit South Vietnam villages and see the willful atrocities committed each day there against civilians by the Communists. This is a deliberate, cruel, and vicious butchery of noncombatants of a type which we have never engaged in.

Still, there is only one side to the Vietnamese war. It is the American side. We are committed; we must win, and win as speedily as possible. It is most disturbing to see the fanfare which accompanies every antiwar demonstration and statement, when the net result of these efforts is only to build up sympathy for the Communists and prolong the agony which American servicemen must undergo to win the war.

HIGHWAY FUNDS NEEDED

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I wish to direct a strong plea to the President of the United States and to the Under Secretary of Commerce for Transportation to release the frozen balance of Indiana's unobligated Federal highway funds. It is my understanding that the case of Indiana as it was affected by this freezing of unobligated balances is presently under review, and so I consider this decision to be crucial to the future highway construction program of Indiana.

The 17½-percent national cutback on the Federal aid highway expenditures seriously affects Indiana's allocation, but our highway program for fiscal 1967 is dangerously crippled by the freeze on unobligated balances. Last year and this year were to be big years in the interstate and Federal highway construction program for Indiana which meant that the backlog of unobligated balances accumulated over the past several years was to be utilized completely. This cutback barely had an effect on some States who have already completed most of their highway program; however, it grossly penalizes Indiana. A total of $82 million will be withheld as workable funds.

At the time the administrative decision to freeze these funds was announced last November 1966, Indiana had already obligated approximately $54 million of its $72 million allocation for fiscal 1967. This left Indiana with a balance of funds for new highway construction of only $15 million.

Our last Congress passed two new laws in the interest of highway safety, but how is Indiana to take its part in fighting the war against death on our highways if its highway improvement and expansion program cannot be allowed to progress at the same rate as in other States? By the time the 41,000-mile Interstate Highway System for the United States is to be completed, it is estimated that 8,000 lives a year will be saved. I want the State of Indiana to have the opportunity to benefit equitably from the traffic safety value of this system. Postponement of the Indiana highway program for this year will victimize the citizens of Indiana.

GUARANTEEING EQUAL RIGHTS FOR MEN AND WOMEN

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I am happy to have introduced on the first day of the 90th Congress a joint resolution (H.J. Res. 63), which I introduced in the 89th Congress to propose an amendment to the Constitution to guarantee equal rights under the law for men and women—see CONGRESSIONAL RECORD of January 11, 1967, at page H 130. The joint resolution in section 1 declares that:

> Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Mr. Speaker, the purpose of this joint resolution, which in order to be operative would have to be ratified as an amendment to the Constitution by the legislatures of three-fourths of the States, is to establish equality of rights for men and women under the Constitution and the Federal and State statutes. Moreover, it would guarantee the equality of rights which have already been won.

The history of the struggle of women to achieve equality of rights is a long one, fraught with disappointments and frustrations, but also with some degree of success. Today, American women have advanced to a higher status than in any other country.

The 19th amendment passed 45 years ago gave women the right to vote—but little else. First-class citizenship means more than voting rights, as we are learning from the struggle for civil rights being waged currently. First-class citizenship also requires the lifting of barriers in other areas, such as employment and educational opportunities.

While women have made great strides in both these areas, it took legislation enacted just 3 years ago to give them—at least on paper—the same rights as men in seeking employment.

Title VII of the 1964 Civil Rights Act, to which I refer, prohibits discrimination in employment on the basis of sex as well as race, but does not cover all potential situations. Despite the efforts of the Equal Employment Opportunity Commission to establish guidelines for enforcement of this provision, this mandate can be and is circumvented. The Commission, I understand, is presently reviewing these guidelines.

There are other aspects of civil rights which are not covered, even in a limited way, by these two pieces of legislation and which are still denied women in varying degrees in States and localities of our country. Discrimination for women remains in such matters as property rights, the right to own and control one's earnings, and, in some States, the right to serve on a jury. These are rights accorded unquestioningly to men.

Past experience indicates that the only way women will achieve equal rights with men is through the passage of this constitutional amendment and the subsequent ratification of it by the States.

Another approach to this problem could be, however, to look upon this amendment as one for "equal rights for men," because, in addition to granting women their full legal rights on an equal basis with men, it also grants men equal rights in circumstances where they are discriminated against and experience the results of immunities traditionally enjoyed by women. Or, looked upon in another way, it will mean the end to what I would consider to be in this context "reverse discrimination," which exists in some aspects of life where women are favored over men.

For example, passage of this amendment would allow women to serve on juries where they are now prohibited from doing so. At the same time, this means that women may no longer be excused from jury duty, as they are in some States, by virtue of their sex. States and localities would benefit from this just by being able to increase the number of citizens who could be called upon to perform this public duty.

There is another important and controversial aspect to the question of corresponding rights and duties—namely, that of conscription into the military service—from which women in this country are exempted. It has been suggested in the past that this amendment would extend to equal treatment for men and women in compulsory service. It may be agreed that women could serve in various clerical or administrative capacities as well as men.

This amendment does not overlook the natural or physical distinction between men and women. It has been said that "equal rights" does not necessarily mean sameness or identical rights between men and women.

Another form of "reverse discrimination" exists in the employment field. Discrimination against men is standard policy in many professions but goes virtually unnoticed.

In the medical profession, women have received increasing acceptance as doctors, and men as nurses. It has been only in the past few years, however, that some schools have admitted men into their nurses' training program. The male nurse training and employment situation is further discussed at the end of this statement in an article by Howard G. Earl entitled "Your Next Nurse May Be a Man."

The public conception of nursing as "a woman's profession" seems to be the prime factor in keeping men out of this field of employment.

From the examples I have cited, I think we can see how calling this amendment "equal rights for women" tells only half the story of its effect upon American life. A clear pronouncement of equality of rights for both sexes is long overdue in this country, notwithstanding the support it has received from both major political parties. I hope the 90th Congress will remedy this situation by passage of this joint resolution.

The previous resolution, House Joint Resolution 1073, appears with statement in the April 19, 1966, CONGRESSIONAL RECORD at page 8452. It was recently mentioned in articles appearing in Reader's Digest, July 1966, and Look magazine, January 10, 1967.

There follows a copy of House Joint Resolution 63 that I introduced together with the article by Howard G. Earl, "Your Next Nurse May Be a Man," mentioned above and which appeared in the February 1966 issue of Today's Health:

H.J. RES. 63

Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex. Congress and the several States shall have power, within their respective jurisdictions, to enforce this article by appropriate legislation.

"SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States.

"SEC. 3. This amendment shall take effect one year after the date of ratification."

[From Today's Health, February 1966]

YOUR NEXT NURSE MAY BE A MAN

(By Howard G. Earl)

A report in 1963 by the U.S. Surgeon General's Consultant Group on Nursing stated: "A severe shortage of nurses exists in the United States today. It is both quantitative and qualitative. Quantitatively, the shortage makes it impossible to supply hospitals and other health facilities and organizations with sufficient numbers of adequately prepared nurses. Qualitatively, it impairs the effectiveness of nursing care."

The report added that the number of nurses in practice had increased substantially. However, demands for nursing service have increased at even a faster rate. The result has been a continuing short supply of nursing services.

Unfortunately, the situation at this date, three years since the report was issued, shows no improvement. Two continuing developments are mostly responsible for the increasing demands made on nursing care.

Each year upwards of 25 million individuals are hospitalized and the number is climbing, principally because more and more people are carrying hospitalization insurance. More than 70 percent of the nation's population has hospitalization insurance today, almost double the number 10 years ago.

Most hospitalized patients require nursing care. To meet this need there are slightly more than half a million registered nurses in the country, a figure which leaves the profession in short supply to meet the demand.

One of the major reasons for this, according to specialists in the field, is a dogged refusal to tap the available rich reservoir of the men nursing potential. When encouraged, many men make satisfactory careers in nursing.

Discrimination against men in nursing has been a prevalent factor in dissuading men from entering the profession. Fortunately, the shored-up dikes against men nurses are showing cracks under the constant pressures exerted by forces waging the battle against the prosaic custom of wrapping nurses in the cloak of womanhood, and also by the increasing demands made on the profession to supply more nurses.

One of the early breakthroughs against the antiquated custom came on August 9, 1955. That was the day that former President Dwight D. Eisenhower signed the amendment to the Army-Navy Nurse Act of 1947, authorizing the appointment of qualified men nurses as commissioned officers in the Army, Air Force, and Navy Nurse Corps.

Lest anyone be led to believe that the armed forces actually utilized the services of trained men nurses during World War I or II, it is pointed out that such was not the case. In fact, the Selective Service Act disregarded the need for men nurses in the war areas and at home during World War II. The act resulted in taking young men from their nurses' training schools and placing them in military service where their special nursing qualities and training were not employed. Most of the 2,000 men nurses serving in the armed forces were deprived of practicing their skills and were used instead as pharmacist mates in the Navy and medical technicians in the Army.

The record of the armed forces in recognizing men nurses has never been encouraging. In 1956, men nurses were given reserve commissions in the Army, however, they are *not* commissioned in the Regular Army. In the Air Corps, the Code does not mention sex at all, therefore men nurses may become commissioned. No man nurse had ever been commissioned in the Navy, at least, not up to the time this article was written. Law authorizes a commission but administrative decisions are such that *no* men are in the corps. However, as of January 1, 1965 the Navy has authorized commission of men nurses.

This discrimination against men nurses is baffling. There is nothing really new about men in the nursing profession. They have been in modern nursing since 1888 when the first school of nursing for men in this country was organized at Bellevue Hospital in New York City. It admitted its first men students (three) December 18, 1888. Since that time, men nurses have been on the increase but not at a sufficient acceleration to close the gap between demand and supply of nursing services.

Sandy F. Mannino, R.N., M.S., made a survey of men nurses. Brother Maurice Wilson, R.N., M.S., director of nursing, Alexian Brothers Hospital School of Nursing, Chicago, participated in the study, which disclosed the 1958–1960 U.S. Census figures showed a total nurse population of 440,355. Men nurses comprised one percent of that total.

"This was a smaller percentage than that of the women osteopaths, which comprises 17 percent of the osteopaths in this country," commented Mannino. "It also was smaller than that of women physicians which came to about 6.5 percent of total physician population, and even smaller than that of women dentists, who represented about 2.8 percent of the dental profession."

Although the ratio of men compared to women nurses has improved since the 1958–1960 survey, the improvement has not been as rapid as many in the field would like. Attitude toward men nurses has been one of the principal deterrences. But even this attitude, which at times amounts to animosity, is slowly fading away before the onslaught of men nurses proving they are capable and efficient.

An example of the progress man is making in the still predominant women's field is found in New York State, where a survey was made in 1964 by the American Nurses' Association Research and Statistics Unit. The survey disclosed that among 67,199 actively employed nurses residing in New York State, 1646 were men. Of the men nurses, 22 percent were in general duty or staff positions compared to 33 percent of women nurses. However, 24 percent of the men nurses had achieved the rank of head nurse or assistant, while only 8.5 percent of their women counterparts were in like positions.

Similarly, in the management echelons, the men also held a slight advantage percentage-wise. And among instructors, two percent of the men nurses had reached this category as compared with only one percent of the women total.

How men nurses are winning acceptance perhaps is best told by Lois M. Harden who reported her experience as child-health nursing instructor at Memorial Hospital School of Nursing, Pawtucket, Rhode Island. She disclosed her surprise experiences in the April, 1963 issue of *The American Journal of Nursing*. Nurse Harden reported that she was in full agreement with the decision that the school's nondiscriminatory admission policy did not permit rejection of men applicants merely on the basis of sex.

Even though Miss Harden enjoyed working with men and respected men nurses' contribution to the profession, initially she had some serious qualms about her ability to teach obstetrics to men, and some question about the suitability of their working in the maternity unit.

During their freshmen year, instructor Harden listened to other instructors discussing the fresh viewpoint the three men brought to the classroom. She heard how well they did in their classes but still resented making adaptations for them in her program. Then came the obstetrics classes, which Nurse Harden feared most of all. But she was in for a real surprise. She writes:

"Classes went well. The faculty enjoyed my complete about-face on the subject of men students, as I shared some of the high points from classes with them. But I was apprehensive about the clinical phase."

The men student nurses scrubbed and circulated for deliveries. They checked labor progress and supported mothers during labor. They gave medication to mothers and set up delivery rooms. They quickly learned to bathe babies and neatly put on diapers that stayed in place.

The babies seemed to have no objections to the tender care given them by men student nurses, who became adept in teaching mothers to tub-bathe their babies and prepare formulas. New fathers saw the men students caring for the babies, even to changing them, and dressing them to go home. Many mothers were delighted with this development because it demonstrated that the fathers could become just as adept at these chores with a little practice.

Nurse Harden professed that her experience completely changed her attitude toward the advisability of teaching men to become nurses. Eagerly she awaited the start of the next nursing classes with men students in attendance.

Miss Harden's experience probably is being repeated many times throughout the country today as men-nurse enrollment is on the upswing in many nursing schools. Three years ago, the University Schools of Nursing in Michigan set out to raise the number of men in its programs to 25 percent of the enrollment. The stepped-up program included an intensive recruitment effort, aimed at informing high-school counselors, prospective students, and the general public. The school plans to stress opportunities for men as clinical nurses, administrators, teachers, and researchers in hospitals, schools, industry, and public health agencies.

A speaker's bureau of men nurses, all of whom had key professional positions, was established to aid in exploring the many opportunities for men in nursing. In addition, six $2000 scholarships were offered to prepare men for leadership in nursing. The scholarships, provided by the McGregor Fund, were to be used at Michigan State University, University of Michigan, and Wayne State University.

The University of Michigan has continued this initial impetus by setting a goal of at least a 25 percent male enrollment for the School of Nursing.

"In some states the impetus to recruit men is stronger than others," says Luther P. Christman, R.N., Ph. D., associate professor of nursing. School of Nursing, University of Michigan. He adds, "Even though men are becoming increasingly active professionally, the key to successful recruitment still is the support that women nurses give to the movement."

Christman thinks that over the past several years nurses have shown an increasing interest in having men recruited into the profession. However, although the readiness to have men enrolled in schools of nursing is higher than ever now, there has not been a rapid response by men to the recruitment process. Christman forwards two reasons for not obtaining a greater response to the recruitment program.

He believes at fault is the image that nursing is a woman's profession, and the low economic rewards. In examining nursing as a prospective career, men students probably look at the low beginning salary, which is less than for most professions. Career-wise, however, men tend to advance rapidly. The unusually fast advancement is due primarily to the efforts and hard work put forth by men nurses in order to prove their value to the profession.

"Men who enter the profession and become career committed usually earn a salary that compares favorably with other occupations," emphasizes Christman. "For instance, I know men directors of nursing in Michigan who are earning from $10,000 to $18,000 a year. Men nurses hold other key positions. The director of one of the successful community college nursing programs is a male nurse."

Holding closely to Christman's viewpoint is Edward G. Benz, R.N., director of nursing, Embreeville State Hospital, Embreeville, Pennsylvania. He says more diploma and collegiate nursing schools are opening to men. The big problem is attracting men into the field.

"I think that with the many types of federal funds now available for assistance to men who wish to enter nursing," says Benz, "that we will see more men attracted to the profession."

Benz, who received his B.S. and M.S. degrees from the University of Pennsylvania, says that the programs leading to a diploma in nursing are conducted by schools of nursing under the auspices of hospitals, or are independently incorporated. The course usually takes 36 months to complete. There are two other types of basic educational programs that prepare nurses for licensure as registered professional nurses—college and university programs leading to the baccalaureate degree, and junior college programs leading to a diploma and associate degree.

Benz explains that men nurses, like their women counterparts, also may go beyond the basic programs to the master's and doctoral degrees which provide graduate training for the more responsible professional positions. It might be well to add here, too, that public vocational educational systems or hospitals, offer preparation for examination and licensure as a practical nurse.

Summarizing nursing education is given in a variety of settings and at various levels. Basic professional education is provided in 176 4-year baccalaureate programs, in 875 3-year hospital diploma programs, and in 84 2-year junior college programs. One-year programs are offered primarily under public vocational educational auspices with about a fourth of the programs conducted by hospitals. All of these basic programs include substantial amounts of clinical experience in hospitals.

Benz believes that the greatest opportunity for men nurses exists in the administrative and supervisory fields. This means they must be attracted first to the collegiate education where a degree may be earned.

"I have talked with members of hospital staffs and men nurses," says Benz, "and find there are very few problems with doctors. Neither are there any problems with women nurses. Practically everyone in the medical profession agrees that men with proper credentials—that means academic background and experience in nursing—can go anywhere they want in nursing in the country."

Benz stated without any qualifications that he knows from experience and professional contacts around the country that the field for men nurses is wide open in administrative positions.

"It may be odd," commented Benz, "but from most of those with whom I have talked, and again from my own experience, I have found that women nurses find it difficult to take orders from other women. This is especially true among those on the way up in the nursing profession."

In a large Eastern hospital, a group of nurses from the same college graduating class worked on one floor under an older woman supervisor. One day the supervisor was moved to another floor. A woman from among the group was selected to take over as supervisor. The other nurses resented taking orders from a member of their graduating class. They considered it merely a stroke of luck that she was selected when each one of them was as fully qualified.

Consequently, there was constant bickering and trouble until the hospital administrator named a man nurse as floor supervisor. Immediately all the ill feelings and jealousies disappeared. The nurses willingly took their orders from their man counterpart, and many went out of their way to make the new supervisor know he was accepted.

"Of course, there is another side to this opening for men in the nursing profession," points out Benz. "The greater opportunities for men in supervisory and administrative positions stems from a rather well documented fact that most women are willing to remain bedside nurses. They do not want to move up to the higher positions. To be sure, there are some exceptions. But, by and large, a great many of the women choose the nursing profession as a means of a livelihood until they find a husband."

Since love and marriage are human traits, the woman nurse usually begins thinking about a family after her marriage. When the baby comes, she most often finishes her days as a nurse and devotes her attention to the home and rearing a family. This removes her from the role of an active nurse. Multiply this normal human pattern by the thousands of women nurses marrying each year and leaving the profession, and some idea is gained of how many capable nurses with promising futures are lost.

"Quite the reverse takes place when a man nurse marries," explains Benz. "Men marry, father children, and accept their position in society as one with added responsibilities. They become more desirous to advance in their profession, and most of them do."

Benz explained that he did not intend to give the impression that women were not just as capable as men. However, the very make-up of a woman dictates that she place a husband, home, and family ahead of all else; whereas the man places his career first because it provides the means of livelihood for his family and for him.

It has been suggested repeatedly that more men be brought into the nursing professional associations and that they be encouraged to try for top offices. It is believed the men would help make the associations more effective. Many nursing leaders today are sold on the idea that men nurses make good administrators in the profession.

Benz was asked how he would go about inducing more men to enter the nursing field. He explained the first step would be for the men and women in the profession to work together to improve the salaries and to be represented at meetings with management. He suggested that as the economic situation is bettered, more men and women, too, will be attracted to nursing. Another feature would be the recruitment field, with utilization of recruitment material pointing to the men in the nursing profession today who are accomplishing much and contributing even more to nursing. A big step has been made in the procurement of men as nursing directors at many hospitals.

"When the older men and I were nursing students," emphasized Benz, "we would have felt more a part of nursing if there had been a man among our instructors. In my school we were the first men the nursing instructor had ever taught. She felt insecure and reacted at first by disciplining the men more severely than she did the women. You can imagine how that made us feel. These are the types of discouraging reactions which must be eliminated from the nursing profession."

Benz believes there is an additional hurdle to be overcome if more men are brought into the nursing profession. He thinks women nurses will have to change their attitudes toward a number of things. One he listed is abandonment of the idea that men should be limited mainly to psychiatric nursing and to nursing that requires physical strength. He added that men for example, will have to be accepted in such areas as public-health nursing.

When asked about the patient's attitude toward men nurses, Benz replied by citing his own experience.

"One of the first and most frequent questions asked by a patient is, 'Why weren't you a doctor?' Now if I had wanted to be a doctor I would have been one. I wanted to be a nurse and that is what I am. That's what I tell the patients. I can't be bothered with resentment. If a patient has a problem about me as his nurse, let's talk about it."

What about sex entering into the picture?

"Sex does not enter the situation when a really sick patient is involved," said Benz. "The truly sick person doesn't care whether a man or woman is caring for him. It's purely care and skill that's required, and the nurse who can meet the requirements is acceptable regardless of the sex of that nurse."

Benz pointed out that in basic training men do get experience in nursing women patients. But most men are more comfortable nursing men just as most women are more relaxed nursing women patients. This conception in nursing compares favorably with the findings at Alexian Brothers Hospital in Chicago, where all the 125 nursing students are men. Alexian Brothers is a Catholic order of men nurses with hospitals throughout the world. The nursing school in the Chicago Hospital, under the direction of Brother Maurice Wilson, C.F.A., offers a three-year diploma program, qualifying graduates to take the state examination for registered nurse.

"Previous to hospital acceptance of women patients two years ago," said Brother Maurice, "we had only a few women nurses. Now that we have female patients we also have many more women nurses. Men nurses give selective care to women patients—such as injections in the hip, patient teaching, temperature-taking, and similar chores—but do not give personal care. They also receive practice in obstetrics and gynecology nursing."

Brother Maurice said it was found at Alexian Hospital that it is more difficult for the relatives of patients to accept men nurses than for the patients. He added that there have been no problems in the delivery room or in obstetrics. The doctors at Alexian Brothers Hospital accept men nurses very well.

What might be termed as a reverse of the Alexian Brothers Hospital experience is taking place at another religious institution in the Chicago area. The Seventh-day Adventist-operated Hinsdale Sanitarium, which comprises a hospital and nursing school, is accepting men student nurses and men nurses. The nursing course is a 24- to 27-month program with a high school diploma and a year or so of college in pre-nursing as the prerequisites.

The course for men nurses is the same as for women, with the actual practice of men nursing limited to male patients. Men, however, do take the OB part of the training course, although they are not allowed to nurse women patients.

Actually, this limiting of women nurses to female patients and men nurses to male patients seems on the surface to be a little too prosaic. We're living in the jet age today. Modesty remains a virtue but in a matter of life and death, what patient asks whether his or her physician is man or woman? All a patient wants is relief from pain or a cure for the ailment. Whether a man or woman nurse is attending you should make little difference if you are ill enough to require nursing.

That's the theory of Edward Benz. When the public accepts this theory and looks upon nursing as a profession without gender, the same as physicians are regarded, then perhaps more men will turn to nursing. Then, too, that promising untapped reservoir will pour into the nursing field enough nurses at the bedside and in administrative, teaching, and other capacities to more than meet the demands placed upon nursing by an increasing population and the progress in health care made possible by medical science.

CONGRATULATIONS TO STEVE SPURRIER, 1966 HEISMAN TROPHY WINNER

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, the opening sessions of this Congress prevent me from returning to my district to participate in honoring Steve Spurrier, one of the finest athletes and gentlemen to step from east Tennessee into national prominence in his early years. Since I cannot be there to personally honor Steve, I am calling to the attention of the Congress and the Nation the attributes of this outstanding young man.

Today is Steve Spurrier day in Tennessee, and especially in Steve's hometown in my district, Johnson City, which began daylong activities at 10 o'clock this morning to show its pride and admiration for the winner of the 1966 Heisman Trophy, which is the symbol of the best college football player in the Nation.

On January 10, the Tennessee Legislature passed the following resolution:

> Be is resolved by the Senate of the 85th General Assembly, the House concurring, that in honor and recognition of one of the finest young athletes that Tennessee has ever produced Thursday is hereby declared as Steve Spurrier Day in Tennessee.

The resolution went on to state that Steve's gridiron fame "reflects great credit on his family, on his teachers, his coaches, and his native State and it is appropriate that the State officially recognize this outstanding athlete."

After shattering records at Science Hill High School in Johnson City, Steve went to the University of Florida, where he led the Gators during his junior and senior years as an All America quarterback. His coach, Ray Graves, called Steve "not only the best quarterback I have ever coached, he's the best I've ever seen."

Adding to his many awards as All America, All Southeastern Conference quarterback, Steve will receive today the trophy as "UPI Player of the Year" and will be given certificates as "UPI Back of the Year" and as a member of the UPI All America team for 1966. This is the maximum number of UPI awards a college football player can win.

In recent weeks, Steve has been the most honored college football player in the country, and at the same time, he led his team to victory in the Orange Bowl and played a great game for the South in the Hula Bowl. During all the ceremonies and additional pressures, Steve has remained himself. I sincerely meant what I wrote Steve when he received the Heisman Trophy, and I repeat my remarks here:

> Your accomplishments on the football field have been tremendous, but the way you have handled fame is even more commendable. While piling up honors week after week, you

have remained the same humble young man, always sharing the glory with your teammates and holding fast to your high standards of conduct. You are indeed a fine example for other boys to follow, and you richly deserve this coveted award.

All America has applauded Steve, and today Tennessee pays him special tribute. Our hearts are bursting with pride, and I might add gratitude, for Steve has made it known throughout the country that there is another Johnson City besides the one in Texas.

While we congratulate Steve for his athletic triumphs, I believe we are most impressed and edified by the spirit of Christian sportsmanship that Steve has exemplified on and off the field. My deepest wish for Steve is that he will always hold fast to this spirit and continue to be an all-American hero to all those who strive for success and fame in their chosen fields of endeavor.

Steve, we thank you for being you, and I extend my very best regards to you, your wife, Jerri, your parents, your brother and sister, and all those who have assisted you on this road to distinction. May your day and those in the future be very happy ones for you.

FOR THE RELIEF OF DR. PETER K. LEKKAS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am today introducing a bill in behalf of Dr. Peter K. Lekkas, a competently trained thoracic surgeon, who, because of the dilemma in the medical practice laws in Missouri, and their interrelationship with the laws relating to naturalization of foreign-born persons, finds himself doing the same job that he did when he first came to this country in 1954.

Dr. Lekkas' case is one that has its counterpart in many States of our country. Those States, such as Missouri, require that a person must be a citizen of the United States before he can be issued a certificate to practice medicine in the State or take the examination which is a prerequisite to the issuance of a medical certificate. Dr. Lekkas, not yet being a citizen, though having filed his declaration of intention to do so, finds that he is relegated to the job of "resident in general practice" at the St. Joseph Hospital in Kirkwood, Mo., a job which he held in 1954.

Since those first days in this country, Dr. Lekkas has served as an assistant resident in surgery at St. Luke's Hospital in St. Louis, as chief resident of that same hospital, and as a fellow in thoracic and cardiovascular surgery at Barnes Hospital, which is also in St. Louis. He has passed the examination of the Educational Council for Foreign Medical Graduates, and, in 1962 became a diplomate of the American Board of Surgery and the American Board of Thoracic Surgery.

This amounts to fairly formidable training that the doctor has had; yet he is unable to register with the Missouri State Medical Board because of his citizenship status.

This would be a matter which might properly be characterized as a State matter except that the time that Dr. Lekkas has spent here has not counted toward his required time for naturalization purposes due to the fact that he has been under the exchange visitor program. Dr. Lekkas has in fact spent nearly 10 years in this country, yet has several more years to go before he can complete the requirements of the law. It is for this reason that I am introducing a bill which would have the effect of holding that his time in the country will be considered in compliance with section 316 of the Immigration and Nationality Act as it relates to residence and physical presence.

The bill follows:

H.R. —

A bill for the relief of Dr. Peter K. Lekkas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Peter K. Lekkas, doctor of medicine, shall be held and considered to have complied with the requirements of section 316 of that Act as they relate to residence and physical presence.

FOR THE RELIEF OF DR. MASASHI KAWASAKI AND FOR THE RELIEF OF DR. MANUEL MENDEZ

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, two of the private bills that I am introducing are for the relief of Dr. Masashi Kawasaki and for the relief of Dr. Manuel Mendez—both of whom are medical doctors. Dr. Kawasaki is presently engaged in research and teaching at the Washington University School of Medicine, Department of Otolaryngology. The specific project he is engaged in is the substitution of a new larynx, the voice box for one which is removed from the patient in order to stem the tide of cancer of the throat. In order that such a transplant may ultimately become a successful operation, studies are presently being conducted on the interaction of deglutination—the act of swallowing—the physiological relationship between the upper and lower respiratory tracts, and the voice. These studies are being financed in part through grants of the National Institutes of Health, the American Cancer Society, and the Office of Vocational Rehabilitation of the Department of Health, Education, and Welfare. This particular research is not being carried on in Canada, from which Dr. Kawasaki comes, nor is it being carried on elsewhere in the United States.

Dr. Mendez is presently engaged in research in psychiatry and care of mental patients at the St. Louis State Hospital for mental disease. Particularly he is engaged in research work on the institutionalized, chronic mentally ill, especially those of advanced age. This research is not very developed in our own country, let alone Mexico, from where Dr. Mendez hails. He also fills a very urgent need for doctors at the St. Louis State Hospital where, according to my last information, the doctor-patient ratio was 1 to 125.

These two cases illustrate one of the points that I would like to make about the present administration of the exchange visitor program, foreign residence requirement. Both of these men are engaged in work that is primarily being conducted in the United States and the success or failure of their specific projects depends to a great extent on them. Both of these cases illustrate situations where the alien became part of a team which is producing a breakthrough in the scientific unknown which will be of tremendous benefit to all mankind. Under the terms of the law, as strictly interpreted, after the expiration of 5 years in this country they should be returned to their countries regardless of the progress of their research. Due to the lack of facilities in these countries, this could easily spell the end to their research projects. This could be a substantial setback to mankind.

Furthermore, it is not the siphoning off of the cream of the crop of these countries as some may contend. Rather, it should be a great source of national pride as these particular people forge ahead in their scientific endeavors. It would be my suggestion that the Subcommittee on Immigration and Naturalization work out criteria to take into account the nature of the work that is being conducted by the exchange student, as well as the consequences to the successful completion of that work if the alien were to return to the country from which he came in order to fulfill a rigid requirement of the law.

The bills are as follows:

H.R. —

A bill for the relief of Doctor Masashi Kawasaki

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Masashi Kawasaki shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

H.R. —

A bill for the relief of Doctor Manuel Mendez

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Manuel Mendez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of enactment of this Act, upon payment of the required visa fee.

SENATOR JAVITS WITHDRAWS FROM THE COMMITTEE OF ONE MILLION

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the interest of my colleagues and all the members of the Committee of One Million, I believe that it is appropriate to record for their review a letter from Senator Jacob Javits to that committee withdrawing from membership. Senator Javits raises some important points in explaining his reasons for withdrawing his support of the committee's declaration of policy on United States-Communist Chinese relations. These points, particularly that relating to the need for an open discussion of the issues of Communist Chinese admission to the United Nations, diplomatic recognition, and trade relations merit our serious and continuing consideration.

December 14, 1966.

Committee of One Million,
New York, N.Y.

Attention: Mr. Marvin Leibman, Secretary.

Gentlemen: It is most heartening to me that you have been re-evaluating the position of those with responsibilities like mine who have been members of the Committee but can no longer continue. For, I deeply believe that I must now, in any case withdraw from membership in the interest of my duty as a United States Senator to retain freedom of action regarding Communist China; and I hope very much that my action will be understood for what it is—the need for freedom of action. I do feel that the Committee has played a most useful role and whatever the decision as to its continuance, this should be gratifying to its officers and members.

According to the Committee's declaration of policy, published in the press on October 31, 1966, the Committee is opposed to the admission of Communist China to the United Nations, to diplomatic recognition, to trade relations, and "to any policy of accommodation which might be interpreted as U.S. acquiescence in our approval of" the Peking regime. Obviously this position is so categoric as to require re-evaluation under present conditions.

The problem is, for example, that I have urged the U.S. Government to make clear its willingness to negotiate on any problem facing Asia—including U.S.-Communist Chinese relations, admission of Communist China to the United Nations, consistent with our obligations to the Republic of China—within the context of a just peace in Vietnam. I fully realize that under present conditions, it is highly improbable that any such offer would be accepted, but as a matter of good faith, I cannot continue to subscribe to a policy which, in categorical terms, forecloses even the hope of negotiation on these matters.

Yet, we must not allow ourselves to be distracted even by the intransigence and the hostility which Communist China has shown for so long. We must learn to negotiate what is negotiable, and we must learn to talk in some areas while we may be the subject of bitter antagonism in others.

The vote in the United Nations in favor of making the seating of Communist China an "important question" and the subsequent vote against seating Communist China indicate to me that the great majority of nations believe that many issues remain to be settled before the Peking regime can claim respectable status in the eyes of the world. These votes can be construed as disapproval of Peking's words and actions. The excesses and cruelties of the Red Guard were not lost on the world. But, these votes in the United Nations should not be construed as signifying that the nations of the world desire to cease efforts to bring Communist China into the community of nations. Indeed, most nations believe that reconciliation and peace must be our ultimate goal.

There is no doubt that Communist China is an aggressive power bent upon the physical and political domination of its neighbors and ideological domination within the Communist world itself. Because of this, Peking's threat to world peace is likely to grow in the immediate future, not diminish. Its leaders are uncompromising on international matters even though they are taking their country through a period of intense inner turmoil. Even in the midst of their plight, they show no signs of accommodation with their fellow Communists let alone with the rest of the world.

Yet, precisely because Communist China is a world power, a developing nuclear power, and a threat to world peace, the U.S. must deal with it realistically. We cannot afford to be doctrinaire when so much is at stake. We have two responsibilities: 1) to contain Communist China militarily, to maintain security and stability and the right of self-determination for its neighbors who want this right; and 2) to seek out areas of agreement in the interest of peace by chipping away at the wall of hostility that separates us.

Communist China, no matter how much we deplore its domestic and foreign policies, is the key factor in Asia and a major factor in the world; it is a fact that probably could not be changed without World War III—if then.

Our problem is to bring Peking to the realization that not only has its dogmatism failed, but that its refusal to recognize this failure will be dangerous—to every one concerned. As long as the Peking leaders remain entrapped by their own propaganda, every conflict runs the risk of escalation. As long as their own ideology provides no room for peaceful coexistence, every dispute Communist China has with another nation can become a full-blown confrontation.

My own view is that we must work around our confrontation with Communist China in such a manner as neither to prejudice our security requirements nor to threaten the territorial inviolability of Communist China itself. To this end, as I see it:

(1) Within the context of peace in Vietnam and Asia, we could offer unconditional discussions with Peking on all Asian problems, including those matters specifically suggested by the President in his Johns Hopkins speech of 1964;

(2) We could invite Peking to the 18-Nation Disarmament Conference in Geneva, if it will sign the partial Nuclear Test Ban Treaty as a sign of good faith;

(3) We could continue to seek arrangements for cultural, educational, and medical exchanges;

(4) We could express our willingness, within the context of unconditional discussions as indicated above in (1) to reappraise the issues of U.N. membership for and diplomatic recognition of Communist China, consistent, of course, with our commitments to and the rights of the Republic of China on Taiwan.

Also, we should restudy the economic potential of Communist China and the questions of trade in non-strategic goods; indeed, these will be the subject of hearings by the Joint Economic Committee early in the next Congress.

Perhaps nothing will come of proposals such as these in the near future. Yet, we must make and follow through on them. The world must never believe that the United States is the stumbling block of some kind of reconciliation. History should record that the United States made every reasonable effort at seeking peace with Communist China. As a U.S. Senator I must be free to pursue this effort.

Much evidence points to the fact that the people of the United States are ready to discuss these questions openly. For the first time in over a decade we can discuss Communist China without fear and hysteria. Because of this, our Government has been able to institute a new policy of "containment without isolation," a policy which may in time lead to improved relations. As a Senator from the State of New York I want that debate to go forward.

With best wishes,

Sincerely,

Jacob K. Javits,
U.S. Senator.

THE KENNEDY ROUND AND BEYOND—REMARKS OF ERIC WYNDHAM-WHITE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, Dr. Eric Wyndham-White, Director General of the General Agreement on Tariffs and Trade—GATT—the international organization centered in Geneva which formulates international trading principles and under which nations conduct international tariff and trade negotiations, spoke on October 26, 1966, in Germany, on "The Kennedy Round and Beyond." Dr. Wyndham-White's 20 years of experience in the field of international trade qualify him to speak with authority on this subject, and I commend his statement to the attention of my colleagues and others who are interested in foreign trade and in the future of the U.S. reciprocal trade program.

With unanimous consent, the text of the above referred to statement follows:

International Trade Policy—The Kennedy Round and Beyond

(Address given by Mr. Eric Wyndham White, Director-General of the General Agreement on Tariffs and Trade, to the Deutsche Gesellschaft für Auswärtige Politik, at Bad Godesberg, on October 27, 1966)

The Kennedy Round of trade negotiations, which have entered their final and decisive phase, mark a climax in the process of international trade co-operation over the last two decades. The restoration of a multilateral trade and payments system stands out as one of the major achievements of postwar international co-operation. The enormous advances in economic activity achieved during that period—and the greater material well-being that this has made possible—have been due to the dynamism and energy which have characterized the process of economic reconstruction within national boundaries. It is, however, significant that this rising tide of prosperity has been accompanied by a constant and spectacular growth of world trade. In this development the international agreements and institutions have provided the essential framework for international co-operation in the field of trade and payments and, among these, the IMF, the GATT—and in the earlier years the OEEC—have played a vital role.

The word "climax" is perhaps misleading in so far as it suggests a summit from which the road forward must necessarily lead downwards. The sense in which I use it here is that of an apotheosis which should cause us to take stock and to prepare the way for perfecting the machinery and methods of co-operation which have proved so fruitful in the past, but which remain increasingly necessary to enable us to consolidate the ground that has been won and to move forward to further advances. President Kennedy, with characteristic political perception, invited the world to prepare for an era of interdependence. The full implications of this interdependence have perhaps not yet been fully envisaged nor the consequences absorbed and accepted. Some of these I propose to examine today, in order to relate them to changes and improvements in the machinery and technique of international co-operation which they suggest. While I shall limit my principal observations to the field of international trade, it is abundantly clear that international trade and payments are inseparable, and that progress in one depends upon parallel progress in the other. The successful confrontation of the problems which I shall discuss here is, therefore, clearly dependent upon the successful handling of adjustments in the payments mechanism which is currently under discussion in the IMF, the Group of Ten and elsewhere.

The role assigned to GATT over the last two decades has been the reduction, through negotiations, of tariffs and other barriers to trade and the elimination of discriminatory treatment in international commerce. The most spectacular manifestation of GATT's response to this mandate is the series of tariff conferences starting in 1947 and culminating in the Kennedy Round. Less spectacular has been the constant pressure for the elimination of quantitative restrictions, other non-tariff barriers, the simplification of customs formalities and the provision of facilities for the settlement of trade disputes without recourse to retaliatory measures. The GATT, by its very existence, has introduced an important degree of orderliness and stability in trading relationships between its members.

There is every reason to hope that, at the end of the Kennedy Round, a substantial measure of tariff disarmament will have been achieved and that the general level of tariffs will have been so far reduced as to set the stage for a further significant growth in international trade. This would in any event be a step of major importance. Its importance is enhanced, however, by the development of powerful regional trading groups which will shortly achieve their objective of total elimination of tariffs between the adherent States. I refer in particular, of course, to the EEC and EFTA. These are such powerful trading groups that unless, parallel with the dismantling of internal tariffs, they proceeded simultaneously with the reduction of external tariffs, there would be a serious risk of substantial distortion of the international trading system. This in itself would be wasteful and would jeopardize the realization of the trade-creating effects which these regional groups undoubtedly have and indeed which, from the point of view of GATT and of international trade, is their major justification. As serious perhaps is the danger of political frictions which would be engendered in the wake of a significant distortion of strongly entrenched traditional trade patterns and ties and which, moreover, would be intensified if there were to develop a proliferation of special trading arrangements devised primarily as measures of defence and retaliation.

This being said, the question arises whether the Kennedy Round marks the end of the road. In my view clearly not. In the first place a successful Kennedy Round will still leave a large number of problems to be resolved, even if only in the limited area of tariffs and other trade barriers and even if one looks at the industrial field alone. Some of these problems are relatively minor; others are far-reaching. For example, after the Kennedy Round, there will be large numbers of duty rates which will be very low indeed, say 5 per cent or less. In modern conditions of industrial production duty rates of this level often have little or no protective effect and could be described as "nuisance" tariffs. Nuisance they undoubtedly are, since they involve in most countries a series of documentary and other formalities which are more serious than the customs duty itself. These, it seems to me, should be marked out for early elimination.

Secondly, it has become apparent in the course of the Kennedy Round that there are certain sectors of industrial production—characterized by modern equipment, high technology and large-scale production, and by the international character of their operations and markets—where there are evident gains to all in arriving, within a defined period, at free trade. As has been seen in the EEC and EFTA, a "defined period" is extremely important since it provides industry with a clear indication both of the need for adjustment and adaptation to conditions of free trade, and an assurance of a reasonable period in which to make these adjustments. While, initially, the period has to be made sufficiently extensive to provide this assurance to industry, experience in the EEG and EFTA suggests that, in practice, it is likely to be curtailed. Industry tends to adjust more quickly than its fears suggest and once the adjustments are made, there is evident advantage in moving more rapidly to attain the benefits of freedom of trade.

I therefore see progress in the field of tariff reduction as being best sought through the promotion by the major industrialized countries of a Free Trade Arrangement covering, (a) the consolidation of all existing duty-free items, (b) the "nuisance" duties I have earlier referred to, (c) certain sectors of industrial activity which are ripe for a move towards free trade and (d) additional sectors or products on which duties could be eliminated from time to time through negotiation or agreement, or by unilateral action. This would not be an exclusive arrangement since, being negotiated in GATT, the benefits would extend through the m.f.n. clause to other GATT countries. When these countries were significant—even though minor—factors in trade in the third category of products covered by the FTA, they would be expected to make such contributions as were appropriate and necessary to the smooth operation of the Arrangement.

Clearly the significance of the FTA would depend upon what content could be given to the third heading. It is unlikely that successful results could be achieved if international cooperation were limited to tariff and trade barriers alone. In today's world, exchanges and co-operation in technology and research and development are also necessary. In these fields European industry is at present, by and large, not in a position of equality with United States industry. Moreover, there is a serious danger that the technological gap between the United States and Europe, clearly apparent, could widen to serious proportions. Many enlightened United States business leaders are aware of this and concerned at its implications. They are willing, even anxious, to share their technological progress with their European counterparts. It will be necessary, however, to bring about—at both government and industry level—an extensive and confident co-operation on investment policy, corporate structure, exchange of technology (including some pooling of research and development resources), and on cartel policy. A conscious effort will be required on the European side to match the high degree of co-operation which exists in the United States between industry, government and the universities. The effort must also be a European one. Difficulties may persist about European political integration. They should not be allowed to inhibit its industrial integration. In particular, it is vital that the resources of British industry should be brought into the European effort. Without this, it is doubtful whether Europe can mobilize a sufficient degree of industrial strength—particularly of technology and research—to match the United States in a partnership of equals.

Amongst the most complex and urgent questions which confront us is the problem of trade in temperate-zone agricultural products. Largely neglected in the liberalization process, agricultural trade can no longer be left on one side in a forward-looking international trade policy. Here again, international co-operation will have to extend beyond traditional protectionist measures applied at the frontiers. National policies must become the subject of international discussion and negotiation. Because the aim of national policies in the industrialized countries center on assuring adequate levels of return to farmers, so as to avoid too sharp a contrast with the growing prosperity of the industrialized population, national and international prices are at the heart of the problem.

An alternative has to be found to national policies tending towards self-sufficiency, subsidized exports and the generation of surpluses which have to be marketed by various devices, most of which have, or risk having, a detrimental effect on commercial markets. In immediate effects the results of the Kennedy Round will probably be modest. But the negotiations already represent a major advance in that, for the first time, the participating countries have recognized that the approach to the problem must involve commitments on national price and production policies, on international prices, on subsidies and on surplus disposal, as well as on the traditional measures of commercial policy.

This intensified international co-operation on agricultural policies offers the best possibility of avoiding some of the more extreme ingredients of national policies which tend to result from domestic pressures. If, therefore, the more specific commitments in the Kennedy Round are buttressed by agreements and institutions for continuous collaboration and negotiation in this field, the Kennedy Round may mark a decisive step in advance. It will have laid the groundwork of international co-operation in an area which has hitherto obstinately resisted all attempts at rational treatment. It will have opened the way to the elaboration over a period of time of an international policy for the production and distribution of the basic foodstuffs. Important as this is for the countries most directly concerned with international trade in these products, it is even more vital as the world gets set to tackle the basic problems of providing food for an ever-growing world population, a large part of which will not, for the foreseeable future, be able either to feed itself or to acquire the necessary supplies on normal commercial conditions.

So far I may be reproached with concerning myself too exclusively with relations between the industrialized countries. These are not, however, as irrelevant to the interests of the rest of the world as is sometimes assumed in polemical discussion. A sustained high level of economic activity in the industrial world is a major prerequisite of rapid economic growth in the less-developed countries. The greater the resources that are generated in the industrialized countries, the greater will be the amount which they will be able to transfer so as to assist economic development elsewhere. More indirectly, a high level of economic activity is essential to provide a strong demand for the exports of the less-developed countries, whether of primary products or the more diversified exports, which find a reasonably receptive market in times of prosperity but are extremely vulnerable in periods of relative decline in the buoyancy of the world economy.

There nevertheless remains the urgent need to tackle with vigour the pressing problems of the less-developed countries, and to pass increasingly from the painful process of diagnosis to that of active remedial treatment. The most urgent problems are those which relate to trade in primary products which, for the time being, constitute the major resource of the less-developed countries. Here the central problem is one of the level and stability of prices. As to the level, I remain convinced that this has to be responsive to market forces. On the demand side, any attempt to fix prices at artificial levels poses a number of problems.

The first is feasibility. Unless this trade is to be forced exclusively through governmental channels it is difficult to see how prices can be dictated by governmental fiat. The second is desirability in the interest of the primary producer. If raw material prices are maintained at artificial levels, a great stimulus will be given to substitution by synthetics and to increased investment in processes aimed at economy in the use of primary raw materials. Those who underestimate this danger might well study postwar developments in the use of raw rubber versus synthetic, and the emergence of man-made fibres as a rival to cotton. Neither case suggests the wisdom of an ill-considered policy of artificial stimulation of the price of the raw material. On the production side there are real limitations to the ability of raw material producers—many with an administrative structure which is ill-equipped for even less sophisticated tasks—to control increases of production which are triggered off by a sharp upward movement of prices. The reaction of sugar production to a rise in prices is a mournful precedent of recent date.

Stabilization is another matter. There is everything to be said for a determined effort to bring about a greater stability of prices for the major primary products within a realistic price range; and when this is not possible, for reinforcing the existing arrangements for compensatory financing for primary producers during times of financial stringency arising from periodic declines in the prices of their basic exports.

There remains the problem of the countries who, having had the benefit of sheltered markets in the past, find it impossible to produce remuneratively at world market prices. These countries must be encouraged to shift into more suitable lines of production and, in the meantime, they should be assisted by deficiency payments internationally financed.

Every encouragement must also be given to diversification in the primary producing countries. Apart from financial and technical assistance, this implies that the developed countries should be prepared to open their markets to the industrial exports of the less-developed countries. It has been suggested that this policy should be expressed in the form of preferential treatment for these exports. Whilst this idea, conceptually and emotionally, has much appeal it raises a number of very serious complications which it would take a long time to resolve. Above all at a time when the tendency is, in the sectors where the less-developed countries are already competitive, for the developed countries to discriminate against the export products of these countries, it may be questioned whether this is—in the immediate future—the most obvious line of attack. Much can and should be done at once to improve the access of less-developed countries to markets of the developed countries. This can be achieved without any of the complications inherent in a preference scheme.

The Kennedy Round presents a major opportunity for comprehensive and early action. The extensive reductions of tariffs and trade barriers on products of interest to less-developed countries for which the Kennedy Round affords the occasion could be applied immediately, without phasing the reductions over a period of years as is proposed for the concessions as a whole. Insofar as hesitations in granting concessions of interest to less-developed countries arise from the fear that the effective benefits would, in fact, accrue to developed countries, there may be room for negotiations of special arrangements which would obviate this difficulty by limiting the concessions in these cases to products of less-developed countries. Finally, although the working hypothesis in the Kennedy Round is a 50 per cent across-the-board reduction, this is an auto-limitation for most participants and should not be allowed to rule out deeper cuts for products of special concern to less-developed countries.

The negotiations could also be the occasion for sweeping away the remaining discriminatory restrictions on export products of less-developed countries. Unhappily this is an unrealistic target for cotton textiles, where a number of less-developed countries are in a position to exploit a competitive advantage—even though probably an ephemeral one. The Long-Term Arrangement on Cotton Textiles, negotiated under the aegis of GATT, is an unhappy recognition of the political problems which force the developed countries to adopt an anomalous and inappropriate attitude towards the less-developed countries. The latter, in accepting it, have shown great political wisdom and restraint. They do not wish to disrupt the markets of the developed countries nor to provoke social and political problems for them. They accept orderly growth and an opportunity for orderly adjustment. The preamble to the Long-Term Arrangement sets out in eloquent and unexceptional language the agreed philosophy of the Arrangement, which looks towards increased access for the less-developed countries' exports of cotton textiles. Unfortunately, experience so far, which has seen a proliferation of restrictions without any very strict regard to the criteria for determining the existence of market disruption, has not offered encouragement to the less-developed countries. Nevertheless, their judgment will probably be that it is too early to jettison the Arrangement altogether, provided that there can be greater assurance in the future that the Arrangement will be administered with more regard than hitherto to its positive and expansionist objectives.

Also high on the agenda of international trade problems of the future is trade between the free enterprise and the socialist economies. So far this trade has continued to be conducted on a bilateral basis. It has been marginal in volume but is showing an upward trend and clearly has great potential for growth. With this prospect in mind it is high time to question whether bilateralism is an acceptable, or possible, basis for an expanded trade between the two types of economy. Even in present circumstances the efficacy of the system may be questioned. It is inclined to compress trade into narrow channels, the free enterprise economies tending to be limited to furnishing machinery and equipment, and being obliged to accept in return consumer goods which might or might not find a market in normal conditions, or to reserve for the socialist countries a part of their jealously restricted markets for agricultural produce. Hardly a formula for growth. And growth itself poses a problem. So long as the volume of this trade is small, it is possible for the countries whose external trade is based on multilateralism and non-discrimination to handle their marginal business on a bilateral basis. But if the volume of this business grows considerably, the possibilities of riding two horses at once will become increasingly difficult. Bilateralism will tend to impinge on multilateralism. Gresham's law is also applicable to trade policies. Nor should we underestimate the changes which are taking place in the socialist economies. There is a growing recognition—which is translating itself into national policies—that there is no substitute for market forces and the price mechanism in bringing about an optimum use of resources. It is also recognized that, to be fully effective, these must operate on an international basis. Hence, concurrently with economic reforms aimed at decentralization of economic activity, there has been a quickening interest in re-entering the multilateral trading system and in the substitution of multilateralism for bilateralism as the basis for economic relations with the western trading nations.

This movement found its earliest and strongest expression in Yugoslavia which proceeded to a systematic decentralization of its economic system, the adoption of monetary reforms culminating in the establishment of a single and realistic exchange rate, and the restoration of the customs tariff in its traditional rôle. At an early stage Yugoslavia sought admission to GATT by progressive steps, to be consummated as and when the reconstructing of her economic system enabled her to play a normal rôle in the multilateral trading system. This process has recently been completed by the admission of Yugoslavia by an overwhelming majority as a contracting party to the General Agreement on Tariffs and Trade.

Poland has also been closely associated with the GATT for some years on a somewhat more platonic basis. Poland took the view that her economic system did not debar her from participating effectively in a multilateral trading system. Her interlocutors in GATT did not share this view with the result that the Polish association has not ripened into provisional, still less into full, accession. But the forces of change are at work in Poland too, and many people in that country also see the advantages of effective integration into the multilateral system and of making adjustments in national economic policy and organization in order to make this possible. The Kennedy Round may well see significant progress in the relations between Poland and GATT with consequences of much wider significance. Recent developments in Hungary and Rumania are also evidence of very important changes, the significance of which the international trading community should not ignore. The integration of these countries in the multilateral trading system is one of the most obvious steps toward that peaceful co-existence which all now appear to accept as the bright successor to the bleak years of the cold war.

If, therefore, we successfully pass the climax of the Kennedy Round there will be no lack of subjects to engage the attention of the international institutions having special responsibilities for international trade. There will be much business—particularly pertaining to agriculture—which will have been hopefully begun in the Kennedy Round, but which will call for followup and development. Some questions may have to be left aside for the time being, as all efforts are concentrated on resolving the essential issues of the negotiations. Preparations will also have to be put in hand for surveying the possibilities ahead and devising the techniques for achieving them. Indeed, one of the lessons of the present negotiations has been to underline the importance of adequate preparation of the basis of negotiations before they are actually engaged.

The Kennedy Round, therefore, is not only a climax to a period; it is also a doorway to the future, to the translation into practical arrangements of the concept of interdependence, the validity of which grows increasingly apparent in the context of the economic realities which press upon us. Even the greater economic powers can no longer pursue their destinies in disregard of others. Still less can they seek solutions to their economic problems by narrow nationalistic policies. Nor can one escape the impact of the economic difficulties of others. When the bell tolls for one it tolls for all.

PHIL GOULDING MOVES UP

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MINSHALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MINSHALL. Mr. Speaker, I am deeply gratified at the announcement by the Department of Defense that my very good friend, Phil G. Goulding, will assume the post of Assistant Secretary of Defense for Public Affairs upon the retirement of the present Secretary, Arthur Sylvester.

Few men are better equipped to move into this demanding and controversial spot at the Pentagon. Phil has a brilliant background in the military field, with 15 years as a Washington correspondent for the Cleveland Plain Dealer, eight of them covering the Pentagon exclusively. For nearly 2 years he has served as Sylvester's deputy.

He assumes a difficult job during difficult times, but those of us who know Phil well are assured he will handle the tasks with intelligence, aplomb, and a deep sense of patriotism.

I ask permission to include the January 7 editorial from the Plain Dealer which salutes its alumnus with pardonable pride:

GOULDING MOVES UP

Phil G. Goulding brings 15 years of experience (including eight at the Pentagon) as a Washington correspondent, first-hand knowledge gained by active service in the United States Navy in World War II and three years in the Department of Defense to his new post as assistant secretary of defense for public affairs.

These are substantial credentials.

Goulding, 45, joined The Plain Dealer staff in 1947 and in 1950 was assigned to its Washington Bureau. Much of the time his job was covering military affairs. He left newspaper work in 1965 to become an aide to Arthur Sylvester and served as his deputy until this week when Sylvester, a controversial official, resigned and Goulding was named to replace him.

The job of first line public information officer in a vital government department is challenging and demanding but Goulding has the ideal training and background for the task. We congratulate him on his promotion and express our full confidence in his ability to handle the job.

WILLIAM A. STEIGER INTRODUCES LEGISLATION TO PLACE POSTAL APPOINTMENTS UNDER CIVIL SERVICE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I would like at this time to introduce a bill to provide for the appointment of postmasters and rural mail carriers in the postal service on the basis of merit rather than on a basis of politics. My bill provides for the filling of postmaster and rural mail carrier vacancies through the competitive procedures of the Civil Service Commission which will insure that the most qualified applicant will be selected.

In October of this year, we were plunged into the Chicago mail crisis. Officials in the Post Office Department said the foulup was due to unexpected quantities of pre-Christmas advertising. This unexpected mail produced what post office officials optimistically termed a 10-day delay in third- and fourth-class deliveries. There was such a rush of mail, in fact, that 10,000 sacks of it had to be rushed to the Milwaukee post office in an attempt to relieve the Chicago situation.

The October Chicago mail crisis was not the only mail crisis to which this country has been subjected. It did, however, serve to emphasize that we have developed a second- or third-rate mail system for this country. And, I might add, we have developed this mail system in an era of advanced technology in which we are sending rockets to the moon.

The mail service is one that touches each and every one of us. Communications are this Nation's foundation and life blood. We should no longer tolerate the type of system that has, unfortunately, become commonplace in this country.

We cannot, of course, blame the entire malfunctioning of the postal system on management. There are other factors which must be considered in delivering annually more than 75 billion pieces of mail. There are other negative factors in a service which had a surplus of revenues over expenditures only once between 1900 and 1964.

In any other organization, Mr. Speaker, where would we start to make some sense out of chaos? We would start at the management level, the so-called firstline management level.

With this in mind, I have introduced a bill to take politics out of the post office. A bill which will make some real sense out of the system of appointing those who conduct the handling of our mail.

This bill will compel the Postmaster General to make postmaster and rural mail carrier appointments on the basis of competitive examinations and promotions from within the postal service. It will make it a violation for the Postmaster General or any other person to solicit the support of a Member of Congress for a candidate for a vacant position in the postal service. An applicant, in fact, making such a solicitation or request for support will be disqualified for appointment to the position of postmaster or rural mail carrier.

The time has come for appointments to an important position in the postal service to be taken out of the realm of political patronage. The time has come to make these selections on a merit basis. Mr. Speaker, this is an important piece of legislation and I am hopeful the Congress will carefully consider it.

"WHERE WE STAND"—ADDRESS BY HERBERT V. PROCHNOW, PRESIDENT OF THE FIRST NATIONAL BANK OF CHICAGO

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. YOUNGER. Mr. Speaker, at a time when we are considering the budget for fiscal 1968, I think we should review an address made by Mr. Herbert V. Prochnow, president of the First National Bank of Chicago. This address was given at the annual meeting of the Life Insurance Agency Management Association on November 9, 1966.

To me, Mr. Prochnow presents some very worthwhile and intelligent suggestions. His address follows:

WHERE WE STAND

(Address by Herbert V. Prochnow, president, the First National Bank of Chicago, at the annual meeting of the Life Insurance Agency Management Association, November 9, 1966)

Many centuries ago a great nation was struggling to determine the course it should follow. The distinguished prophet who was the head of that nation was deeply concerned about where the leaders and elders of his nation stood on the vital issues confronting them. He challenged them to choose this day where they stood and to declare their position firmly and clearly. He himself stated precisely and in unmistakable language the principles he would serve and the high ideals he would follow. There was no confusion in his position. There was no slick political subterfuge in his language.

In a sense every person is confronted with such choices in life. Every nation must also choose where it will stand as it faces the difficult problems of national existence and leadership, and as it writes its history among the civilizations of the world.

Three hundred and fifty years ago a small company of men and women in Europe had to choose where they would stand. Their animating spirit was a deep religious conviction and a belief in self-government. They chose to cross the Atlantic in December and bring a small boat to anchor in Plymouth Harbor. If you measure their choice in terms of ease and safety, it was a disastrous decision. But with their decision they launched the conquest of a wilderness and established a new nation.

Thus began a new venture in faith and ideals to determine whether any nation so conceived and so dedicated could long endure. This small company of men and women did not subscribe to the philosophy that power is the goal of government and pleasure the goal of the people. There was no thought that the conditions of life ought to be anything but a challenge or that the rewards of life could be possessed except through valiant effort. They had made their choice and they went their individual ways without dismay and with a definiteness of purpose and high aspiration. The march to empire and world leadership was on its way, manned by people generally poor in the goods of this world but rich in the qualities that make men and nations great.

A century and a half later the representatives of the American colonies met in Philadelphia. They faced a critical situation involving their lives and fortunes. They were there to choose where they would stand on the great issues of their time. A tall, rangy, auburn-haired Virginian was appointed to prepare the statement of principles which would guide them. In less than a month, he produced a document which was to change the course of world history. These men in solemn assembly chose to risk their lives and fortunes and to declare their independence. They chose to reaffirm their belief in the great truths that men are created equal, that they have certain inalienable rights and that among these are life, liberty and the pursuit of happiness.

There followed a war with eight years of bitter sacrifice and a seemingly hopeless future. No one knew whether this was one nation or thirteen. The country was impoverished. The debt was great. Soldiers were unpaid. The Continental Congress itself fled from Philadelphia to Princeton. Riots broke out. The country was flooded with paper money that was to become worthless.

And yet, in that chaotic situation the people had the courage again to choose which way they would go and which principles they would serve. Out of their population of only three million they chose 55 men to draft a constitution. They were men of unquestionable integrity and statesmanlike purpose. They completed the first written constitution of any nation defining the rights of a free people.

As we march down through the years we see booms and depressions, crop failures and crises, triumphs and the tragedy of a Civil War. But once the people understood a great issue they chose wisely the course they would follow. We see Robert E. Lee struggling with those heartbreaking decisions in Virginia, and Lincoln at his second inaugural choosing to spread the wings of his generous spirit over the scenes of carnage, urging malice toward none and charity for all. Once again our people had struggled to find and choose the course this nation would follow and the ideals it would serve.

Then came the fabulous years from 1870 to 1914 when, despite the crises of 1873 and 1893, our people were choosing the course of dynamic economic expansion. They were choosing the course of risk-taking with losses for failure and rewards for successful business venture. They were spanning a continent with covered wagons and railroads, as they conquered the forests and rich prairies with their dreams. By 1880, the value of manufactured products and the capital invested in manufacturing industries had each increased to over five times the level of 1850, only 30 years earlier. A wilderness was pouring forth its riches from farm and factory. The vast solitude of a continent was becoming a great and powerful nation. In this period of enormous expansion, human nature was swinging the pendulum high. There were economic excesses, but each time the people departed from sound principles, they returned to them. They took the slack out of extravagance. They paid off their losses from highly speculative ventures and got back on solid ground. The thrifty, those who work, those who save, and those who accumulate new capital for financing expansion soundly, have always finally swayed the issue.

In the half century from 1914 to the present, we have had one of the most amazing chapters in our history. By 1914 we stood at the threshold of world leadership. Then we emerged as victors in two world wars. Our ships, our planes, our investments are now in every part of the world. They are helping to weave the economic life of the world into a single fabric. Today we are the most powerful nation in history. We have come to world leadership not merely because of our resources. Other areas also have vast resources. But in the development of this nation our people chose a government and a constitution that gave them political freedom and encouraged initiative, enterprise, responsibility, industry, thrift and inventive genius.

Working hours are at their shortest, and leisure and its luxurious use are at the highest point ever known in any nation. In terms of a dollar of constant value, our total real national product has on average nearly doubled every 20 years. The average worker in this nation receives better wages, has shorter hours, produces more goods and has more plant, equipment and energy working for him than any worker in the world. One hundred years ago one farmer produced enough to feed five persons. Today he can feed 34. Less than 7 percent of our workers are required to feed our people, and 93 percent are free to produce other goods and services to raise our standard of living.

Our people are wealthier than ever before. Average family income, in constant 1958 dollars, has risen from $4,222 in 1929 to an estimated $8,270 in 1965. The amount saved per family in current dollars was $545 in 1965. Over 20 million of our people are shareholders in American industry.

We are also healthier than ever. The average male life expectancy has risen from 48 years in 1900–02 to 59 years in 1927–31 and to 68 years in 1963.

Health has come to be a very broad subject in the world, but nowhere else so broad as in this nation. More than 7,100 hospitals, 297,000 physicians and 107,000 dentists look after our health. Private business corporations and great research foundations with large expenditures fight back the horizons of medical and scientific knowledge.

The American people have created a great insurance industry, amazingly widespread in its ownership and amazingly varied in its protective uses. Nowhere else in the world is there such eagerness to provide for the future of the family and such resolute individual initiative in so doing. Life insurance in force amounts to over $900 billion and averages $14,700 per family.

We are healthier and wealthier, and by the measurable standards we are wiser. The average years of schooling have risen from 8.6 years in the 1940's to 11.7 years in 1964. Holders of a college degree now comprise over 9 per cent of the population, approximately double the number in 1940.

Thirty years ago only one out of every eight employed Americans had been to high school. Today four out of five children of high school age attend high school. Thirty years ago only 4 per cent of the young people of college age were in college. Today the figure is 35 per cent for the entire country and closer to 50 per cent for metropolitan areas. An estimated 55.9 million students, or about 28 per cent of the total population, are enrolled in our 126,168 schools and colleges, a number of students greater than the entire population of France or Italy. Almost 50 million are in elementary and high schools with over 2 million teachers. Approximately 6 million are enrolled in colleges and professional schools with 466,000 teachers. There are over 2.5 million teachers in our entire educational system. We shall spend about $48.8 billion on education in the current school year.

Approximately 10,000 public libraries put a book education just around the corner from millions of American homes.

With our increased wealth we have also bought homes. In 1900, only 47 percent of the nation's families owned their own home. By 1960, 62 percent of our families were home owners. Total occupied housing units expanded from 15 million in 1900 to 53 million in 1960, and the persons living in each unit dropped from 4.8 to 3.4. More of us are living in our own homes and there are fewer of us in each home. Our homes are better than ever before.

We have also used a part of our wealth in acquiring material objects—some gadgets, some necessities, and some gadgets turned into necessities. We are becoming air conditioned, from too few units to be counted in 1950 to almost 14 million dwellings in 1965, or 24 percent of our total dwellings. Only 14,000 families owned a television set in 1947, and now 56 million families, over 95 percent of all families, own at least one set. More than 99 percent of our families own radios and 98 percent own refrigerators. Eighty percent of the nation's households have washing machines.

From 8,000 registered automobiles in 1900, we now have more than 75 million, or one automobile for every 2.6 people in the United States. We travel over 814 billion miles a year by car which is up over 500 billion miles since 1940. Deaths by automobile accidents are up because there are so many more people alive each year, and they are driving so many more miles. But contrary to popular opinion the number of automobile deaths has been going up at a slower rate than that of population growth. The death rate per mile driven is also down.

Almost 2 million of our people go abroad each year and they spend about $2 billion, which affluence gives us some trouble with our balance of payments. Our people are also spending over $26 billion a year just for recreation. They travel and tour as no people in history ever did.

By saving and investing we have vastly increased our productive plant. We are able now to add to our wealth at the same time that we reduce our hours of work. In 1900, a working man earned $400 to $500 a year. Today a worker in manufacturing, earns $5,770 a year. An unskilled worker in 1900 received $1.50 a day and worked 10 hours a day, six days a week. No one had heard of a five-day week. Machines now supply 98 per cent of the power for our industry. Average weekly hours of work in manufacturing have dropped from 51 in 1909 to 41 in 1965. With additional holidays and longer vacations, the average work year has also shortened. Moreover, the average man enters the labor force later and leaves it earlier than ever before. Our work lives are shortening. Our leisure lives are lengthening.

No other nation can approach in magnitude the industrial power of the United States and its capacity to improve the economic welfare of the people of the world. The gross national product of the United States is approximately twice that of its nearest rival, Russia, and six times that of the third largest economy, West Germany. It has been modern private industry which has been the major instrument for the economic enrichment of our people. We are witnessing the beneficent social ministry of a machine civilization under a system of private capital and private enterprise which is making increasingly available to the masses the comforts, conveniences and cultural advantages that once were the privilege of the few.

The people of this nation have heeded well the words of the ancient prophet who told his people that they must choose the course they would follow and the principles they would serve. Over the decades our people have chosen wisely the course this nation should follow and the principles it should serve. If an economic system is judged by how it enriches and makes secure the life of the masses, we have every reason to be proud of the achievements of the nation.

We have our problems and our areas where standards of living are not as good as they should be. However, if one measures the American economy by its gross national product, personal income, wage scales, property, insurance, savings, travel, education, health, recreation, transportation, communication, highways, housing, food, clothing and the whole standard of living, history reveals no comparable record where so many have fared so well.

And yet, as this nation stands at the peak of its power, it is confronted with some of the most difficult problems in its history. We stand in the conduct of our national affairs at one of those critical and decisive moments in history when as the prophet centuries ago said, "This day you must choose." We must choose between what may be greatness and what may be mediocrity. We must choose between expediency and principle. In the processes of history, nations as well as men are finally judged. Nations succeed and nations fail.

Consider then some of the major choices that now confront us. We say that the federal government may have a deficit in its budget when the economy needs to be stimulated. But we strongly declare that the budget must be balanced and show a surplus in times of business prosperity. This is the economic faith of this generation. But the hard realities are that we really do not believe it, or we lack the self-discipline to practice what we profess. We incur budget deficits for spending programs even in the most prosperous periods. We have complacently accepted budget deficits when the nation's labor, plant, equipment and credit facilities have been operating at optimum capacity. Even under these conditions, we have shown no willingness to bring government income into line with government spending and balance the budget. By our failure to use fiscal policy more fully we have further stimulated an over-heated economy and added to the inflationary pressures. The expansion in the economy did produce revenues that equaled the rise in defense spending resulting from Vietnam. But unfortunately there has also been a large increase in non-defense expenditures so we have a budget deficit which has contributed significantly to the excessive demand in the economy.

The present inflationary trends result in hardships to millions of thrifty persons who have no adequate means of protecting themselves against the erosion of their purchasing power and the value of their life savings. Moreover, inflation destroys the incentives to thrift which provides the funds necessary to keep our productive facilities efficient and adequate to meet the increasing demands made upon them for defense and for the economic progress of our people.

The result of the failure of fiscal policy has been to place upon the monetary authorities almost the complete responsibility for restraining the inflationary pressures. Confronted with the inflationary impact of inadequate fiscal policies and with heavy credit demands from both the public and private sectors, the monetary authorities have felt impelled to impose increasingly severe restraint upon credit. The result has been the highest interest rates, the tightest credit situation in almost forty years, and decreasing liquidity for financial institutions.

A firm determination to deal with the present situation is imperative. We have not only experienced rising prices, but we also face the probability of a number of wage settlements in the months ahead that will exceed average gains in productivity as they frequently have in recent months. The result will be higher costs in the economy. It is doubtful whether monetary policy can deal effectively with inflation resulting from an increase in costs.

Moreover, there is evidence that defense spending is rising and may increase further in the months ahead. If we assume also that the costs of Vietnam are high and may rise further, then prudent management of the nation's economy would seem clearly to require that steps be taken by fiscal measures to restrain the inflation and balance the budget. The first essential is to reduce non-defense expenditures. If this does not balance the budget, it would then require a temporary across-the-board increase in taxes.

To achieve this objective would mean the submission of a budget that would be balanced. This should be accomplished without resort to the sale of government assets. To the extent that the government reduces its expenditures—especially the high level of non-defense expenditures—it can reduce the amount of the temporary tax increase. If the budget is balanced, we might then begin to lessen the high degree of credit restraint and move in the direction of lower interest rates. A public statement that these are our definite objectives would in itself be helpful.

There is some evidence that the strong upward thrust in the economy is lessening. Consequently, it is said that with some uncertainties in the current business outlook a tax increase might come at a time when the economy is declining. The expansion in 1966 was substantially in excess of most business forecasts at the end of 1965. Thus an entire year has passed without taking fiscal measures adequate to meet the problems of an overheated economy. No one can be certain that 1967 will not be comparable to 1966 in the volume of business activity. Is it conceivable that we would then again attempt to control the inflationary pressures largely by monetary policy with still tighter credit and still higher interest rates? When one considers the large expenditures for Vietnam, a probable substantial deficit in the budget, the deficit in our balance of payments, and further wage increases forcing costs still higher, can we delay putting our fiscal house in order? Can we decline to accept at least this degree of economic and financial self-discipline?

However, let us assume that sometime in 1967 business begins to turn down. The President can be given authority to remove any temporary across-the-board tax increase should there be a significant unexpected development affecting the economy adversely.

Despite statements that no one favors price and wage controls, they are a threat if we do not meet our present problems by a better combination of monetary and fiscal policies. Another real danger as we consider fiscal policy in the months ahead is that we shall temporize and accept measures which will not meet our problems.

We need also to meet the problem of the deficit which has persisted for fifteen years in our balance of payments. Our expenditures in Vietnam are making the problem more difficult. In the fluctuating requirements of international trade and commerce, we may properly experience occasional deficits in our balance of payments, but the time has clearly arrived for us to demonstrate that we have the capacity, the determination, and the self-discipline to eliminate this deficit.

It is said that our repeated annual deficits result from outlays that are essential to the nation's welfare and to the protection of our interests in the world. However, they are bringing us steadily closer to the point at which the use of the dollar as the principal reserve currency of the world may be subjected to serious strains. The fact that our balance of payments deficit in 1966 has not been worse is not due to fundamental changes for the better, but to flows of short term funds which may bring only temporary relief. These funds may at some time also flow out of the country.

Our international trade surplus has actually shown a sharp deterioration and is down almost 50 percent from the high. Rising costs and prices and a heavy domestic demand for goods are presently a threat to our trade surplus. A major reason for the diminishing trade surplus has been the overheating of the domestic economy. Imports have risen at approximately twice the rate of exports. Here again the use of fiscal policy would help to reduce the demand for imports and lessen wage and price pressures.

Greater fiscal discipline in the domestic economy is required but it may not be enough. We need also to increase our efforts to obtain a more equitable distribution of defense and aid burdens among the major nations of the world. If such efforts are not successful, we may have to reappraise our own commitments in certain areas of the world. There are hard problems in eliminating the deficit, but these problems are no more difficult than those that may arise from a failure finally to restore equilibrium in our balance of payments. If we do not succeed in solving this problem, there is the great danger that the temptation to impose more severe controls on capital outflows will prove irresistible.

There are still other choices confronting us as a nation. When we do not have the self-discipline in a period of prosperity to balance our budget, ought we not at least set down our priorities for expenditures? If we cannot do everything, which things come first? In what order do we place defense, highways, schools, housing, health, welfare, transportation, the conservation of water resources, agriculture and space programs? We need to establish clearly which are the most urgent budget priorities in relation to a commitment such as Vietnam.

Our international relations also constitute an area we need to re-examine constantly and critically. World leadership has brought with it responsibilities we had neither anticipated nor sought. The shattering of the great world empires following two world wars has resulted in the emergence of dozens of new nations with over one billion persons. This may be the single most important economic and political development of our time. In their struggle against poverty and ignorance, these people, with their shaky social and economic orders, will constitute for years a continuing threat to the peace of the world. We cannot ignore this threat nor is there any assurance that we can meet it.

With only 195 million people, can this nation possibly solve problems of poverty, illiteracy, disease, inadequate tax systems, inflation, and land reform for almost one and one-half billion people? Eight hundred million of these people live in India, Pakistan, Indonesia and Southeast Asia, 50 million in the Middle East, 240 million in Africa and 230 million in Latin America.

If current population trends continue for only 15 years, there will be five or six billion people in Asia, Africa and Latin America, and they will constitute well over 80 per cent of the world's population. Are we to conclude that the opportunity of these nations to defeat poverty, illiteracy, hunger and disease will steadily become less probable in the years ahead?

How can we assure even the necessary food when per capita food production in various areas now is less than it was before World War II? Nearly two-thirds of the world's people have inadequate food supplies. World food production has been lagging behind population growth. In Latin America, Africa, and the Far East, food production is growing only two-thirds as fast as population. In Latin America food production is below the levels of 25 years ago. In the last five years, the population of Latin America has increased almost twice as fast as food production. Medical science has brought about a sharp decrease in infant mortality in the less developed nations, and children under 15 years of age who are unable to add to production constitute 40 to 45 per cent of the population, compared to 20 to 30 per cent in the developed industrial countries.

Can we provide pure water supplies and drainage systems soon for hundreds of millions of these people? Can we supply means of transportation, communication and power to many countries that are completely without such facilities? There is not sufficient available investment capital in the entire world to accomplish these objectives within a reasonably short time.

The per capita rate of growth of the national product in the less developed countries averaged 2.5 per cent annually between 1950 to 1955. It declined to 1.9 per cent over the next five years and is estimated at about 1 per cent now. In recent years, the average income per person in the less developed nations increased by only one dollar a year. The difference between the incomes of the peoples of the developed and the underdeveloped nations is widening at an increasing rate.

As one considers the problems of the less developed nations, it seems inevitable that we shall face a turbulent and politically unstable world for years. Consequently, this is a time to be certain that we are strong. But can this nation alone ever be sufficiently powerful to maintain order wherever trouble may arise in the entire world? If not, what are the dimensions of our responsibility? What course do we choose to follow? Where do we stand on this issue?

We are a nation with a substantial surplus in its international trade and yet unable to balance its international payments. A nation at the peak of its greatest prosperity and yet unwilling to balance its budget. A nation with its plant, equipment, labor and capital operating close to optimum capacity, and yet reluctant to accept economic discipline. A nation with $65 billion of defense expenditures and with vast programs for the welfare of its people now faced with the hard reality of establishing priorities for its expenditures if it is not to be overwhelmed by its fiscal problems. A nation thrust into world leadership but uncertain of the character and magnitude of its responsibility. Where do we stand on these issues? Have we the vision and courage to choose now the course of wisdom in their solution?

These are great issues which confront us. They are issues on which we must make a choice. There is a time for the discussion of such issues. But there also is a time when we must firmly choose the course we will follow, or the relentless drift of events will make the decision. The time to choose where we stand is here.

THE INAUGURAL MESSAGE OF GOV. RONALD REAGAN, OF CALIFORNIA

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. YOUNGER. Mr. Speaker, the inaugural address of Gov. Ronald Reagan, of California, is a refreshing document. It was delivered at the inaugural ceremonies at the State capitol in Sacramento on January 5, 1967. It outlines the policies of his administration for the No. 1 State of the Union.

The address follows:

INAUGURAL ADDRESS OF RONALD REAGAN, GOVERNOR OF CALIFORNIA

Lieutenant Governor Finch, fellow Constitutional Officers, Justice McComb, Honorable Members of the Congress, President pro Tem Burns and Members of the Senate, Speaker Unruh and Members of the Assembly, Distinguished Guests:

To a number of us, this is a first and hence a solemn and momentous occasion, and yet, on the broad page of state and national history, what is taking place here is almost commonplace routine. We are participating in the orderly transfer of administrative authority by direction of the people. And this is the simple magic which makes a commonplace routine a near miracle to many of the world's inhabitants: the continuing fact that the people, by democratic process, can delegate this power, yet retain custody of it.

Perhaps you and I have lived with this miracle too long to be properly appreciative. Freedom is a fragile thing and is never more than one generation away from extinction. It is not ours by inheritance; it must be fought for and defended constantly by each generation, for it comes only once to a people. Those who have known freedom and then lost it have never known it again.

Knowing this, it is hard to explain those who even today would question the people's capacity for self-rule. Will they answer this: If no one among us is capable of governing himself, then who among us has the capacity to govern someone else? Using the temporary authority granted by the people, an increasing number lately have sought to control the means of production as if this could be done without eventually controlling those who produce. Always this is explained as necessary to the people's welfare. But, "The deterioration of every government begins with the decay of the principle upon which it was founded." This is as true today as it was when it was written in 1748.

Government is the people's business, and every man, woman and child becomes a shareholder with the first penny of tax paid. With all the profound wording of the Constitution, probably the most meaningful words are the first three, "We, the People." Those of us here today who have been elected to constitutional office or legislative position are in that three-word phrase. We are of the people, chosen by them to see that no permanent structure of government ever encroaches on freedom or assumes a power beyond that freely granted by the people. We stand between the taxpayer and the taxspender.

It is inconceivable to me that anyone could accept this delegated authority without asking God's help. I pray that we who legislate and administer will be granted wisdom and strength beyond our own limited power; that with divine guidance we can avoid easy expedients as we work to build a state where liberty under law and justice can triumph, where compassion can govern and wherein the people can participate and prosper because of their government and not in spite of it.

The path we will chart is not any easy one. It demands much of those chosen to govern, but also from those who did the choosing. And let there be no mistake about this: We have come to a crossroad—a time of decision—and the path we follow turns away from any idea that government and those who serve it are omnipotent. It is a path impossible to follow unless we have faith in the collective wisdom and genius of the people. Along this path government will lead but not rule, listen but not lecture. It is the path of a Creative Society.

A number of problems were discussed during the campaign and I see no reason to change the subject now. Campaign oratory on the issues of crime, pollution of air and water, conservation, welfare and expanded educational facilities does not mean the issues will go away because the campaign has ended. Problems remain to be solved and they challenge all of us. Government will lead, of course, but the answer must come from all of you.

We will make specific proposals and we will solicit other ideas. In the area of crime, where we have double our proportionate share, we will propose legislation to give back to local communities the right to pass and enforce ordinances which will enable the police to more adequately protect these communities. Legislation already drafted will be submitted, calling upon the Legislature clearly to state in the future whether newly adopted laws are intended to preempt the right of local governments to legislate in the same field. Hopefully, this will free judges from having to guess the intent of those who passed the legislation in the first place.

At the same time, I pledge my support and fullest effort to a plan which will remove from politics, once and for all, the appointment of judges . . . not that I believe I'll be overburdened with making judicial appointments in the immediate future.

Just as we assume a responsibility to guard our young people up to a certain age from the possible harmful effects of alcohol and tobacco, so do I believe we have a right and a responsibility to protect them from the even more harmful effects of exposure to smut and pornography. We can and must frame legislation that will accomplish this purpose without endangering freedom of speech and the press.

When fiscally feasible, we hope to create a California crime technological foundation utilizing both public and private resources in a major effort to employ the most scientific techniques to control crime. At such a time, we should explore the idea of a state police academy to assure that police from even the smallest communities can have the most advanced training. We lead the nation in many things; we are going to stop leading in crime. Californians should be able to walk our streets safely day or night. The law abiding are entitled to at least as much protection as the lawbreakers.

While on the subject of crime . . . those with a grievance can seek redress in the courts or Legislature, but not in the streets. Lawlessness by the mob, as with the individual, will not be tolerated. We will act firmly and quickly to put down riot or insurrection wherever and whenever the situation requires.

Welfare is another of our major problems. We are a humane and generous people and we accept without reservation our obligation to help the aged, disabled and those unfortunates who, through no fault of their own, must depend on their fellow man. But we are not going to perpetuate poverty by substituting a permanent dole for a paycheck. There is no humanity or charity in destroying self-reliance, dignity and self-respect . . . the very substance of moral fiber.

We seek reforms that will, wherever possible, change relief check to paycheck. Spencer Williams, Administrator of Health and Welfare, is assessing the amount of work that could be done in public installations by welfare recipients. This is not being done in any punitive sense, but as a beginning step in rehabilitation to give the individual the self-respect that goes with performing a useful service.

But this is not the ultimate answer. Only private industry in the last analysis can provide jobs with a future. Lieutenant Governor Robert Finch will be liaison between government and the private sector in an all-out program of job training and education leading to real employment.

A truly great citizen of our state and a fine American, Mr. H. C. McClellan, has agreed to institute a statewide program patterned after the one he directed so successfully in the "curfew area" of Los Angeles. There, in the year and a half since the tragic riots, fully half of the unemployed have been channeled into productive jobs in private industry, and more than 2,600 businesses are involved. Mr. McClellan will be serving without pay and the entire statewide program will be privately financed. While it will be directed at all who lack opportunity, it offers hope especially to those minorities who have a disproportionate share of poverty and unemployment.

In the whole area of welfare, everything will be done to reduce administrative overhead, cut red tape and return control as much as possible to the county level. And the goal will be investment in, and salvage of, human beings.

This administration will cooperate with the State Superintendent of Public Instruction in his expressed desires to return more control of curriculum and selection of textbooks to local school districts. We will support his efforts to make recruitment of out-of-state teachers less difficult.

On the subject of education . . . hundreds of thousands of young men and women will receive an education in our state colleges and universities. We are proud of our ability to provide this opportunity for our youth and we believe it is no denial of academic freedom to provide this education within a framework of reasonable rules and regulations. Nor is it a violation of individual rights to require obedience to these rules and regulations or to insist that those unwilling to abide by them should get their education elsewhere.

It does not constitute political interference with intellectual freedom for the taxpaying citizens—who support the college and university systems—to ask that, in addition to teaching, they build character on accepted moral and ethical standards.

Just as a man is entitled to a voice in government, so he should certainly have that right in the very personal matter of earning a living. I have always supported the principle of the union shop even though that includes a certain amount of compulsion with regard to union membership. For that reason it seems to me that government must accept a responsibility for safeguarding each union member's democratic rights within his union. For that reason we will submit legislative proposals to guarantee each union member a secret ballot in his union on policy matters and the use of union dues.

There is also need for a mediation service in labor-management disputes not covered by existing law.

There are improvements to be made in workmen's compensation in death benefits and benefits to the permanently disabled. At the same time, a tightening of procedures is needed to free business from some unjust burdens.

A close liaison with our congressional representatives in Washington, both Democratic and Republican, is needed so that we can help bring about beneficial changes in social security, secure less restrictive controls on federal grants and work for a tax retention plan that will keep some of our federal taxes here for our use with no strings attached. We should strive also to get tax credits for our people to help defray the cost of sending their children to college.

We will support a bipartisan effort to lift the archaic 160-acre limitation imposed by the federal government on irrigated farms. Restrictive labor policies should never again be the cause of crops rotting in the fields for lack of harvesters.

Here in our own Capitol, we will seek solutions to the problems of unrealistic taxes which threaten economic ruin to our biggest industry. We will work with the farmer as we will with business, industry and labor to provide a better business climate so that they may prosper and we all may prosper.

There are other problems and possible problems facing us. One such is now pending before the United States Supreme Court. I believe it would be inappropriate to discuss that matter now, but we will be prepared with remedial legislation we devoutly hope will be satisfactory to all of our citizens if court rulings make this necessary.

This is only a partial accounting of our problems and our dreams for the future. California, with its climate, its resources and its wealth of young, aggressive, talented people, must never take second place. We can provide jobs for all our people who will work and we can have honest government at a price we can afford. Indeed, unless we accomplish this, our problems will go unsolved, our dreams unfulfilled and we will know the taste of ashes.

I have put off until last what is by no means least among our problems. Our fiscal situation has a sorry similarity to the situation of a jetliner out over the North Atlantic, Paris bound. The pilot announced he had news—some good, some bad—and he would give the bad news first. They had lost radio contact; their compass and altimeter were not working; they didn't know their altitude, direction or where they were headed. Then he gave the good news—they had a 100-mile-an-hour tailwind and they were ahead of schedule.

Our fiscal year began July 1st and will end on the coming June 30th—six months from now. The present budget for this 12-month period is $4.6 billion, an all-time high for any of the 50 states. When this budget was presented, it was admittedly in excess of the estimated tax revenues for the year. It was adopted with the assurance that a change in bookkeeping procedures would solve this imbalance.

With half the year gone, and faced now with the job of planning next year's budget, we have an estimate provided by the experienced personnel of the Department of Finance. We have also an explanation of how a change in bookkeeping could seemingly balance the budget that called for spending $400 million more than we would take in.

Very simply, it was just another one-time windfall—a gimmick that solved nothing but only postponed the day of reckoning. We are financing the 12-month spending with 15-month income. All the tax revenues for the first quarter of next year—July, August, and September—will be used to finance this year's expenses up to June 30th. And incidentally, even that isn't enough, because we will still have a deficit of some $63 million.

Now, with the budget established at its present level, we are told that it, of course, must be increased next year to meet the added problems of population growth and inflation. But the magic of the changed bookkeeping is all used up. We are back to only 12 months' income for 12 months' of spending. Almost automatically we are being advised of all the new and increased taxes which, if adopted, will solve the problem. Curiously enough, another one-time windfall is being urged. If we switch to withholding of personal income tax, we will collect two years' taxes the first year and postpone our moment of truth perhaps until everyone forgets we did not cause the problem—we only inherited it. Or maybe we are to stall, hoping a rich uncle will remember us in his will.

If we accept the present budget as absolutely necessary and add on projected increases plus funding for property tax relief (which I believe is absolutely essential and for which we are preparing a detailed and comprehensive program), our deficit in the coming year would reach three-quarters of a billion dollars.

But Californians are already burdened with combined state and local taxes $113 per capita higher than the national average. Our property tax contributes to a slump in the real estate and building trades industries and makes it well nigh impossible for many citizens to continue owning their own homes.

For many years now, you and I have been shushed like children and told there are no simple answers to the complex problems which are beyond our comprehension.

Well, the truth is, there are simple answers—there just are not easy ones. The time has come for us to decide whether collectively we can afford everything and anything we think of simply because we think of it. The time has come to run a check to see if all the services government provides were in answer to demands or were just goodies dreamed up for our supposed betterment. The time has come to match outgo to income, instead of always doing it the other way around.

The cost of California's government is too high; it adversely affects our business climate. We have a phenomenal growth with hundreds of thousands of people joining us each year. Of course the overall cost of government must go up to provide necessary services for these newcomers, but growth should mean increased prosperity and thus a lightening of the load each individual must bear. If this isn't true, then you and I should be planning how we can put up a fence along the Colorado River and seal our borders.

Well, we aren't going to do that. We are going to squeeze and cut and trim until we reduce the cost of government. It won't be easy, nor will it be pleasant, and it will involve every department of government, starting with the Governor's office. I have already informed the Legislature of the reorganization we hope to effect with their help in the executive branch and I have asked for their cooperation and support.

The new Director of Finance is in complete agreement that we turn to additional sources of revenue only if it becomes clear that economies alone cannot balance the budget.

Disraeli said: "Man is not a creature of circumstances. Circumstances are the creatures of men." You and I will shape our circumstances to fit our needs.

Let me reaffirm a promise made during the months of campaigning. I believe in your right to know all the facts concerning the people's business. Independent firms are making an audit of state finances. When it is completed, you will have that audit. You will have all the information you need to make the decisions which must be made. This is not just a problem for the administration; it is a problem for all of us to solve together. I know that you can face any prospect and do anything that has to be done as long as you know the truth of what you are up against.

We will put our fiscal house in order. And as we do, we will build those things we need to make our state a better place in which to live and we will enjoy them more, knowing we can afford them and they are paid for.

If, in glancing aloft, some of you were puzzled by the small size of our State Flag . . . there is an explanation. That flag was carried into battle in Vietnam by young men of California. Many will not be coming home. One did—Sergeant Robert Howell, grievously wounded. He brought that flag back. I thought we would be proud to have it fly over the Capitol today. It might even serve to put our problems in better perspective. It might remind us of the need to give our sons and daughters a cause to believe in and banners to follow.

If this is a dream, it is a good dream, worthy of our generation and worth passing on to the next.

Let this day mark the beginning.

"IS THE BELL TOLLING FOR FREE ENTERPRISE?"—ADDRESS BY RICHARD C. CAPEN, JR., DIRECTOR OF PUBLIC AFFAIRS OF THE COPLEY NEWSPAPERS, LA JOLLA, CALIF.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. YOUNGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. YOUNGER. Mr. Speaker, Mr. Richard G. Capen, Jr., director of public affairs of the Copley newspapers, La Jolla, Calif., on December 23 addressed the Commonwealth Club of California at their Friday luncheon, on the subject "Is the Bell Tolling for Free Enterprise?" I think his address is most timely and entitled to the scrutiny of all Members of the House in connection with our legislation for the 90th Congress. It follows:

IS THE BELL TOLLING FOR FREE ENTERPRISE?

(An address by Richard G. Capen, Jr., director of public affairs, Copley newspapers, La Jolla, Calif., before the Commonwealth Club of California, San Francisco, Calif., December 23, 1966)

It is appropriate, during the Holiday Season, to reflect upon the events of the year. Thankfully, we pause to count the personal blessings of life we have enjoyed. However, no individual achievement can be appreciated without recognizing our own deep-rooted concern as to the crises surrounding us at home and abroad.

There is an uneasiness across our land.

In 1966, we have seen dramatic increases in our essential commitment in Southeast Asia. At the same time, we have witnessed disturbing trends in our nation's economy.

There has also been a downward spiral in our moral standards, reflected by the social irresponsibility of some citizens.

Today, our military and economic strength is being tapped around the globe as we attempt to meet the mounting threats to Freedom.

Our casualty lists rise daily. In Viet Nam, there have now been more than 6,000 Americans killed, and some 33,000 wounded. This brings to more than 958,000 the number of Americans who have died since the Revolution in defense of our American Way of Life.

Domestically, there is an increased reliance on centralized government to somehow provide personal security and solutions to local problems. This drift away from self-reliance has developed because too many believe that, for every problem, there must exist a political solution.

There is also a decline in morality at home. Established authority is scorned, whether it be the policeman on the corner, the written law of our constitution, or the word of God.

"Is God Dead?" has become the dialogue of our time. While some 97% of our citizens affirm their belief in God, only 44% attend church services weekly, only 27% consider themselves to be deeply religious.

We seem to live in an era of permissive parents. We tolerate a code of liberal morals which this past year caused 300,000 illegitimate births in the United States.

Let's look at the problems of law enforcement.

Today, there is undue leniency in the courts. Such an attitude has placed more emphasis on the conduct of the policeman than on the conduct of the criminal.

General disrespect for the law has been encouraged under a banner of civil rights. The theory, of obeying only those laws which a person happens to like, has unquestionably contributed to our crime rate.

Today, crime is going up six times as fast as our population. In the past seven years our national crime rate increased 58%, with California leading the nation.

Only recently, the FBI announced that crime for the first nine months of this year increased 10% over the same period in 1965.

What about the demonstrators?

Today, the ungodly, the pornographers and the unpatriotic demand something for everyone, whether it is deserved or whether it can be afforded.

It used to be that when a person wanted something, he worked to earn it. Today he stages a riot, insisting that it be given at your expense.

It used to take a lifetime of plain hard work to provide a family with a little surplus and a resulting sense of security. Today mobs demand that they be given it out of our earnings and with little effort on their part!

We find bearded pickets protesting against capitalism and yet they are first in line to demand their share of the American Way of Life. They burn their draft cards but would never hesitate to accept unemployment checks or social security benefits.

Most of us want to see genuine progress for all Americans, including so-called minority groups. However, too many believe that racial problems can be settled in the streets, that they have a "right to riot." Too many expect, from someone else, that which they must earn for themselves.

Unfortunately, too many have been led to believe that Washington can somehow legislate this morality and personal security.

Let's look at education.

Our nation has made great strides in the intellectual development of our youth. However, there is an inclination to assume that one is educated once he has received his diploma or degree. Self-education, following graduation, is often an insignificant part of daily living.

One 1963 study, for example, showed that nearly two-thirds of all U.S. adults had not read one book all the way through during the previous year.

This same lack of interest in current affairs is reflected in another survey which showed that only one-third of a college graduate sampling could guess the population of Russia within 25%. Only slightly more than one-half had an accurate idea of the population of the United States.

In some cases it might be far more effective if we were to provide young people with more specific skills in trades for which we know there will be a demand on the job market. This training, in turn, would perhaps reduce unemployment problems.

In discussing education, I cannot resist the opportunity to comment upon recent developments on the campus at Berkeley. First, all of us should commend Chancellor Heyns and the Board of Regents for their success in restoring student discipline!

There is no question in my mind that this action has the full support of the vast majority of Californians.

To me, it is a serious situation when an instructor himself supports the student strikers by refusing to show up for class and, thus, denying responsible students of their educational rights.

Effective leadership must continue if Berkeley is to continue its top academic standing. Unfortunately, many students do not fully appreciate the value of the education available. This, in part, is due to the fact that our State has traditionally supported a tuition-free system.

We cannot tolerate the near-anarchy brought about by irresponsible campus groups. Their grasp for "power" shows that they have neither the aptitude nor the intelligence to use it in a constructive fashion.

Despite our criticism, however, we should remember that those who actively protest represent only a small minority of students, and include numerous off-campus rabble rousers who are not even registered at the university.

When a student enjoys the privilege of attending any university or college, he accepts the obligation of obeying certain minimum standards of campus conduct. If he doesn't like the rules, he should leave and make room for those who would gladly devote their energy to more constructive, academic pursuits.

The recent election returns reflected bipartisan concern as to many of these social and moral problems.

First, I believe the voters expressed their wholehearted support of our military efforts in Viet Nam. They approved taking whatever steps may be required to bring this war to an honorable conclusion as soon as possible.

They were against civil disorders by irresponsible groups, quick to criticize our society, but unwilling to assume any responsibility to improve it.

They were opposed to the concept that endless federal funds could solve all our domestic problems. They were unhappy with the waste and extravagance of the anti-poverty "grab bag."

In short, voters demanded moderation in federal domestic programs at a time of deep military involvement and inflation.

In view of these past problems and recent public expressions, what does the future hold?

First, our country will be led by an entirely new power group. Its leaders will be young, affluent, used to great security, and highly educated.

Unlike any generation of the past, they will be taught to expect change, to be prepared for change, and, in fact, to seek change.

Unless we are willing to anticipate the future, we will be tackling supersonic problems with horse-and-buggy techniques. Current statistics dramatize the impact of changes ahead.

In the coming decade, man's total knowledge will double! There is roughly 100 times as much to know today as there was in 1900, and there will probably be over 1,000 times as much to be learned by the end of the century.

Today, 90% of all scientists who ever lived are alive and working. In America alone the number of scientists has tripled in the past 20 years.

As a result, technology has advanced more rapidly in the past 50 years than in the previous 5,000. We may soon learn more about the surface of the moon than we know about most of the peoples of our own planet who are not Americans.

One-third of all products manufactured today did not even exist ten years ago.

As to our population make-up, the mid-age of our citizens will drop from 33 in 1960 to 25 by 1968. In 1970 our nation will be the youngest in the Free World, with 50% of our population under 26 years of age.

At that time there will be 40% more teenagers than today.

By 1985, the number of college graduates in the U.S. will be double today's figures. While expanding higher education, advanced training for our gifted youngsters will be improved. We also will develop better methods for educating the subaverage students.

It is disturbing to note that 25% of our draftees today are rejected for "functional illiteracy."

How can we prepare these young people, living in this age of expanding technology?

First, we should respect their idealism. Some young people will truly want to "save the world." We have seen such laudable goals reflected in the Peace Corps.

We should also realize that young people will be looking for a greater meaning to life—something more than a home in the suburbs and two cars in the garage.

While they may be exasperated with present conditions around them, their impatience should not lead to a repudiation of the past. These young people should not accept the theory that the best way to build a better world for tomorrow, is to tear down every institution in it today.

We should encourage young Americans to set their sights on the challenge of opportunity rather than the false hopes of security.

We must guide them to respect and understand the principles of our American Way of Life and Free Enterprise system.

We should challenge deliberate violations of law in the name of so-called civil rights, because such attitudes turn peaceful demonstrations into violent riots and free speech movements into filthy speech tirades.

Those who protest should realize that the way to make good laws is not to break the bad ones in the streets but to seek redress in the courts or legislatures.

In the long run, America will be much the better if the sidewalk demagogues would help others to help themselves, rather than to rip up society by creating a climate for riots!

There is a critical need for building an informed and active citizenry. Regardless of our efforts to the contrary, only a small proportion of U.S. adults take the trouble to vote. Of those who do, many do not know the issues or candidates.

In Los Angeles, for example, 86,000 votes were cast recently for an admitted Communist leader. Added to this are the results of a recent poll which found that 57 percent of those questioned did not know their Congressman's name. More than 40 percent could not name the party to which he belonged, and 86 percent did not know how their representative voted on any major bill in the past year.

We should also realize that welfare does not automatically give birth to hope. Frequently, it breeds only despair and degradation. While it may provide a few necessities of life, it adds nothing to a man's stature nor does it relieve his frustrations.

When government makes it more profitable not to work than to work, it's time for a reappraisal of our welfare programs!

I do not believe that government has a responsibility to help those who continually refuse to help themselves. This is not to suggest that we can close our eyes to human misery, hoping that it will disappear.

If we are to be truly effective in solving these local social and political problems, we must devise ways of making volunteer service more attractive.

One survey indicated that there may be as many as 61 million Americans who would be willing to contribute time and effort to problems that beset their communities, if they knew how.

Thus, we are faced with the challenge of how to best tap and organize this reservoir of volunteer manpower.

As another suggestion for the future, business leadership will be essential to solving metropolitan problems.

Problems of pollution, transportation, industrial growth, and urban renewal are not likely to lessen in the foreseeable future. One city planner has even suggested that we should build 100 new cities in the U.S., each with an average of one million inhabitants.

Solutions to most municipal problems will depend on sound local leadership with close cooperation between industry and government. In the long run, state government must effectively compete with the federal government with its own imaginative and well organized programs, tailored to the local need.

What we should aspire to is a belief in the people's ability to govern themselves, coupled with a government that lectures less and listens more.

However, overshadowing our most serious domestic problems are the mounting threats to Freedom abroad. Today, two systems of society and ethics confront each other, with the outcome in doubt. A godless materialism takes issue with the great moral doctrines of the Western World.

Viet Nam is the current battleground in this struggle for Freedom. We did not choose it—the Communists did.

In this time of crisis, we are united in support of the young men risking their lives to defend our Heritage.

However, as we pursue such military efforts, we will have to be much more intelligent in fighting a crucial ideological war if Freedom is to survive.

Unfortunately, we lack a clarity of image abroad. We lack an ability to effectively "sell" America, even to our present allies, much less to the uncommitted nations around the world.

So, I would like to conclude with these thoughts.

First, I believe that America is resolved to meet this ideological challenge to Freedom.

On the positive side, there appears to be a rebirth in family life, hard work, and religious faith. Voluntary contributions to charity and churches are at all-time highs.

Rather than discuss the 11% of our young people who have crime records, we should praise the 89% who are upstanding citizens.

Rather than reflect on the one out of four families riddled by divorce, we should be proud of the 75% that have made a success of family life.

Despite demonstrations to the contrary, millions of Americans have shown their positive support of our military efforts.

Thus, this month we pause to count our blessings and respect our responsibilities. We also celebrate the brotherhood of man.

More than 20 centuries ago a torch was lit over Bethlehem as a great religion was born. This flame has never gone out—not even through the Dark Ages, nor during the days of Hitler.

From Trotsky to Lin Piao the enemy has never successfully overcome the humble deeds of a young man born in an obscure village 1,966 years ago.

One of the Communists' first "gods" was Trotsky, then Lenin, then Stalin. Eventually even the Russians managed to de-Stalinize Stalin, and Khrushchev became their god for several years.

Today, however, the Communists don't even know where he lives!

With America's religious heritage, we can no more afford to be part-time citizens than we can afford to be part-time church goers. God may be missing from some lives today, but you can be sure He was not missing at Valley Forge, nor is He absent from the jungles in Viet Nam today.

As early as 1600, town criers' bells comforted or warned American villagers. This Christmas season these bells toll again—with both good news and serious warnings.

It is my belief that the future for Free Enterprise, and our American Way of Life, will be bright if we respect two essentials:

First, a very young population will soon be responsible for our nation's future.

Secondly, America is great today not because of what government has done for the people, but what the people have done for themselves.

Thank you and Merry Christmas!

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND, HIS EXCELLENCY AUGUST ZALESKI

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, in his New Year's speech in London on January 1, 1967, His Excellency August Zaleski, President of the Republic of Poland, addressed Members of the Polish Government in Exile, the Council of the Republic of Poland, and representatives of Polish organizations and of the Polish community in Great Britain as follows:

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND, LONDON, JANUARY 1, 1967

It must be stated with regret that the past year brought no improvement in the international situation. It can in fact be said that for more than twenty years none of the difficulties which arose after the second World War has been settled. A peace treaty has yet to be signed.

This is because Russia does not wish to withdraw from the occupation zone allotted her after the armistice, until peace is concluded. For, this enables her to occupy a sizable part of Germany where—having imposed a Communist authority which the great majority of the population does not desire and which survives solely thanks to the Russian military occupation—Russia has quite lawlessly set up a separate, Communist eastern German state. Russia acted similarly with quite a number of countries which enjoyed full independence before the War, and even directly incorporated some of them within the Soviet Union.

The Republic of Poland was subjected to both methods: part of her territory was incorporated within the Soviet Union direct whilst the rest was transformed into an allegedly independent state which is, however, governed by the Soviet Union through the intermediary of a Communist regime imposed by Russia and which is nothing else than a Russian agency.

Yet this mass of lawlessness—an outcome of the second World War—is not only tolerated but even recognized by the democratic countries of the West and by the so-called United Nations Organization supposed to act as the guardian of the rule of international law in relations between countries. But then, the membership of the Organization includes on a footing of equal rights with the others likewise those who violated this rule of law in order to deprive nine independent European countries with their pre-War hundred-million inhabitants of their freedom.

News from Poland leaves no doubt that, both in the religious and in the political field, the Polish nation is not submitting to Russian pressures. Poland's millenial celebrations gave the best proof of this. Although the Communists who rule Poland on behalf of Russia did all possible to transform the occasion into a secular celebration of the millennium of Poland's statehood, the whole nation made it quite clear that both millennia are inextricably linked in the hearts of the Polish pople. This is an outcome of Poland's history in its entirety. Despite the great religious tolerance which marked Poland throughout the centuries, the Roman Catholic faith was always that of the enormous majority of the Nation as it is to this

> day. Thus, Poland was rightly recognized by the Church as the "ever faithful" country.
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> In these circumstances, what else can we desire than the end of this state of affairs in the international situation and that justice and freedom prevail in the world, for without these there can be only one alternative: either the continued sufferings of millions of people under the yoke of an authority imposed by violence, or a new war more terrible than the two world wars.
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> Hence, apart from personal happiness, we must all wish each other that the present state of affairs end as soon as possible. Only then the ideals of freedom and justice could prevail in relations between the nations. It is for the attainment of this high purpose that we must labour, and implore Almighty God.

Mr. Speaker, throughout history Poles have demonstrated their perseverance and I strongly believe we will have ultimate restoration of freedom to Poland and other captive nations of communism. The current upheaval in China demonstrates the failure of communism in that land and the upheaval that invariably takes place against tyrannical rule.

NEED TO REVISE SELECTIVE SERVICE LAW—II

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the principles that guide our military conscription policy, stemming from experiences derived from World War II and Korea, are no longer applicable at the present time. In 1940, the need for an enormous expansion of our Armed Forces was readily apparent; the 300,000 men then under arms were clearly inadequate to insure even neutrality. The country, just beginning to recover from a 10-year depression, did not have the wealth to bid competitively in the labor market for the military manpower that was necessary. Given the national danger, the probability that the demand for this buildup would utilize all available human resources and the inability to meet it by other than summary means, some form of draft was the only plausible step at that time.

Again, in 1951, the exigencies of the Korean police action demanded a considerable increase for our military forces. The Korean emergency, together with strong sentiment for constant military readiness and easily mobilized reserves to meet the threat of Communist aggression led to the passage of the Universal Military Training and Service Act. The title, however, was a misnomer because the act did not establish a universal military training mandatory for every male upon reaching a given age, but rather, a general peacetime "selective" conscription. Congress declared, however:

> In a free society the obligations and privileges of serving in the Armed Forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just.

Approximately 1.8 million young men are presently being added to the 18½ to 26 age pool each year. This figure will climb to 2.1 million by 1974. As a consequence of this trend in men reaching age 18, a steadily decreasing percent of the Nation's manpower in the draft ages 19 through 25 has been called on to serve. Of those draftable age men who have reached the age of 26, the percentage who have entered the service, voluntarily or otherwise, has declined from 57.7 percent in 1962 to 46.4 percent in 1966. By 1974, Department of Defense studies project this figure to be only 34 percent.

What we have then is a system of limited military recruitment, coupled with liberal deferments for those who qualify and a high rejection rate. The principle of all qualified males 18½ to 26 sharing generally the obligations of serving in the Armed Forces has become a farce. The recruitment policies have become so selective because of the growing imbalance between supply versus requirement that they have, in the process, become highly discriminatory. These practices must be corrected. The law must be revised.

LEGISLATION TO REQUIRE THE RESTORATION OF ANNUITY REDUCTION WHEN A RETIREE'S SPOUSE PREDECEASES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DANIELS. Mr. Speaker, it is a constant source of irritation to me and a great many Members of Congress that the civil service retirement law requires a retiree to continue to suffer a reduction in annuity when his potential surviving spouse predeceases him.

It is an undeniable act of prudence for a retiring employee to accept a reduced annuity so as to provide a survivor annuity for the spouse who assisted him during all or part of his active service. However, when the Government's obligation to pay costly survivor benefits is absolved by virtue of the potential survivor-annuitant predeceasing the retiree, it seems to me that an inequitable condition remains when the retiree is forced to continue to suffer the penalty initially imposed.

To correct this obvious inequity I am introducing legislation that would restore to the retiree, in the event his designated survivor predeceases, the single life rate of his or her annuity entitlement.

LEGISLATION PROVIDING FOR SETOFFS FOR INDEBTEDNESS FROM RETIREMENT FUNDS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DANIELS. Mr. Speaker, I am today introducing legislation identical to that which was unanimously passed by the House in the 88th and 89th Congresses, an official administration request to authorize the liquidation of debts owed to the Government by former employees from their retirement funds.

While judicial precedents recognize that amounts payable to former Federal employees may be applied in liquidation of indebtedness to the United States, such rule has not been applicable to the government of the District of Columbia, such municipal government being held to be a legal entity separate and distinct from the Government of the United States.

The purpose of the bill is to provide the specific legislative authority deemed to be desirable governmentwide, and designed particularly with respect to the municipal government of the District of Columbia.

LEGISLATION TO CORRECT AN ERROR IN CLASSIFICATION OF NATION'S POSTAL EMPLOYEES

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DANIELS. Mr. Speaker, on January 10, the opening day of the 90th Congress, I introduced legislation which, I feel sincerely, merits the attention and the support of this entire body.

The bill—H.R. 462—corrects an error in classification which has plagued the Nation's postal employees for 12 years—or ever since Public Law 68 was enacted by the 84th Congress in 1955.

The inequities in that public law have conspired for a dozen years to make postal employment unattractive to young persons of talent and ambition. As the Federal Government has refused, or neglected, to remedy the situation, year after year, the quality of young postal employees has become proportionately depressed.

Today, as a result, we have a crisis situation in the Postal Establishment. The great mail failure which centered around Chicago but which affected the entire Middle West and most other parts of the country last autumn was caused, for the most part, by the fact that there were not enough good, experienced men available to move the mail. Postal officials were reported as complaining that the Post Office is being forced to scrape the bottom of the labor barrel and that the only new employees available were little more than "warm bodies," almost totally uninterested in the quality of service they were hired to perform.

I feel, Mr. Speaker, that my bill will go a long way to remedy this situation.

The inequities in Public Law 84–68 came about because the Postmaster General of that time had little sympathy for the economic well-being of the postal employees. He wanted to put post office clerks and letter carriers in level 3 of the Postal Field Service. Since clerks and carriers comprise approximately 80 percent of the employee force, this drastic move would have had a serious and damaging effect on the postal service.

Congress, to its credit, insisted upon putting the letter carriers and clerks in level 4. The Postmaster General, and the President of the United States, and the Bureau of the Budget opposed this move strenuously.

A deadlock between the executive and the legislative branches was threatened. If Congress did pass legislation embodying its own convictions, it would certainly have been vetoed. And, in 1955, a Presidential veto could not have been overridden in the way the President's veto was overridden in 1960.

As we all know, the art of legislation is the art of compromise. In order to get some kind of legislation passed, Congress agreed to place letter carriers and post office clerks in a new kind of level 4—a level 4 which was much closer to level 3 than it was to level 5.

It was thought that the injustices perpetrated by this compromise would be remedied by Congress over the ensuing years. However, Congress has never got around to restoring equity to the carriers and the clerks. My bill, Mr. Speaker, will, at long last, perform this duty.

There is another continuing inequity which my bill will correct.

As we all know, there have been a number of pay increases for postal employees, voted by Congress, since 1955. Each of these bills was designed—as far as possible—to help postal employees draw abreast with workers, in comparable jobs, in private industry. Each bill failed to accomplish this end.

In addition, each of these bills has had conversion features which have robbed the postal employees of credit for some of the time they have spent in the postal service.

These conversion features have been designed for the convenience of the postal administration. They certainly were not designed for the convenience of the postal employees. Many employees have found themselves steps behind the salary they should rightfully be receiving, just because it was more convenient, that way, for postal management in administering the law. It added up to more convenience for management and less money for the employees. My bill will eliminate that injustice, too.

What exactly does this legislation accomplish?

First of all, it will advance all letter carriers and all post office clerks from level 4 to level 5, thus bringing them closer to the relative economic position which Congress desired for them in the first place. It does the same thing for the mail handlers, by raising them from level 3 to level 4.

It performs a similar service for several other groups, smaller in number, who have suffered from the inequities of Public Law 84–68.

It will also provide full credit for all time served for the purpose of being placed in a pay step and will correct inequities that have occurred because of inadequate conversion programs.

The legislation, Mr. Speaker, is corrective and constructive. It simply remedies the errors that were made 12 years ago, and which have been repeated and aggravated ever since.

It is not only a just bill, it is a necessary bill. The present condition of the postal service—which is the essential system of communications in the Nation—is deeply disturbing. There are many things which must be done to restore it to its former excellence. One of the first things must be to make the service attractive to the best talent available—and to make it sufficiently attractive to retain the best people we have. Without first-class people we cannot operate a first-class service—and the only way to attract and retain first-class people is to treat them as first-class citizens.

CONGRESSMAN HORTON SUBMITS OVERTIME PAY BILL FOR POSTAL SUBSTITUTES

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, in 1965, the House passed the Government Employees Salary Comparability Act by an overwhelming vote of 370 to 7. In the bill passed by the House, substitute employees in the Post Office Department were entitled to overtime pay for work—

> (A) in excess of 8 hours a day or (B) in excess of 40 hours a week.

The Senate later limited this section to an allowance of overtime pay for substitutes only in excess of 40 hours per week. The Senate version was approved in conference and became law, eliminating overtime pay for substitutes working over 8 hours per day. It is this provision which my bill would restore.

Regular postal employees paid on an hourly rate already receive overtime for work in excess of 8 hours in one day. The fact that substitutes do not encourage the employment of substitutes for longer hours, to avoid payment of overtime rates to regular employees. In addition to encouraging this practice, the present law discriminates by paying employees at different rates for the same work.

My bill would not only put substitute employees on the same footing as regular postal employees; it would also put the Post Office Department on the same basis as industry generally. This would improve the "comparability" status of postal employees in general, and would eliminate the opportunity to select recipients of long-hour work on the sole basis of a quirk in the Federal pay laws. No longer could substitute employees be called upon to work 12 hours a day for as many as 3 days a week without fair remuneration, and no longer would regular, full-time employees be passed over for overtime work in favor of less-experienced but lower paid substitutes.

For these reasons, Mr. Speaker, I urge the prompt consideration and adoption of this bill.

CONGRESSMAN HORTON SUBMITS EMERGENCY PLAN TO STOP LAKE ONTARIO-LAKE ERIE POLLUTION

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I offer for the consideration of my colleagues a bill providing for a special pollution abatement program for Lake Ontario and Lake Erie. It is well known that Lake Erie is presently in danger of becoming irreparably polluted. From my work as ranking minority member of the House Government Operations Natural Resources and Power Subcommittee in past Congresses, I know that Lake Ontario does not lag far behind in its degree of pollution.

My bill provides $3,500,000 per year, effective immediately, to support emergency research efforts designed to find feasible ways of reviving these once-beautiful lakes along our northern border. Long-range programs of research and waste treatment will not bear fruit in time to save these two lakes. The frightening fact is that if we wait for effects of these long-range efforts, the lakes may be beyond recovery—they may already have developed into vast, biologically dead sewers of our highly industrial Great Lakes cities.

On July 12 of last year I testified before the House Public Works Committee on Great Lakes pollution, and I told the committee:

> Preservation of the levels of the lakes is vital to navigation upon which a great proportion of the economy of the region depends. Preservation of the equality is equally vital for domestic and industrial use. Today the lakes are becoming polluted to a dangerous degree, progressively greater as the water flows toward the east. Lake Erie, according to the latest findings of the International Joint Commission, is a dying lake. It is becoming saturated with pollution and algal growth. It is the most shallow of the lakes and therefore the most vulnerable. Domestic and industrial wastes deposited by the great metropolitan centers of Milwaukee, Chicago, Detroit, Cleveland, Toledo, Buffalo and many lesser communities, as waters flow east, become more and more concentrated until we see the disgraceful sight of the beautiful falls of Niagara filled with flotsam and jetsam of waste in many forms, streaked with streams of concentrated and odoriferous waste substances, mostly chemical, and decaying marine vegetation which are beyond the natural ability of the water to cope.
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> The lakes have become almost useless for fishing, and are far from useful for recreational purposes. The water can be used for domestic and industrial purposes only after very expensive and complicated methods of treatment. It is a serious situation which demands immediate and adequate consideration.
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> While Lake Erie presents the most immedi-

ate problem because of its relative shallowness, much the same conditions have been on the increase in Lake Ontario with the accumulation from above Erie added to by effluents from communities bounding that Lake. Algal growths are increasing and effluents from nearly 2 million people are being discharged into Lake Ontario on the American side and from 2.5 million on the Canadian side. The vigor of industry and health of the people dependent upon the waters of the Lake is dependent upon preservation and improvement of the quality of its water. Necessity drives us to find a solution to the problem of pollution in the great lakes. The problem is an international one, requiring the cooperation of the United States and Canada. Already the International Joint Commission (IJC) has begun a study of the problem. It is to be hoped that action will result from their study.

But while international agreement will be necessary to completely solve the problem, fast and immediate steps to halt pollution must be taken. 25 million Americans are vitally involved here—we can't wait for complex international agreements, which though ultimately necessary, will take time. Less than three months ago I shared the platform at Michigan State University with 2 members of the Canadian Parliament, and stressed the need for shared responsibility in this field. They were in general agreement. But right now, we must take immediate, unilateral action.

JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, today I have introduced a House concurrent resolution to continue the life of the Joint Committee on the Organization of the Congress until such time as the Congress has taken action on the recommendations of that committee.

As many of you know, the joint committee, after almost 2 years of deliberations, made more than 100 recommendations designed to improve the effectiveness and efficiency of the Congress. It is our hope that Members will give very careful attention to these recommendations and that action can be taken promptly to implement all of them.

Especially for those who are new to this Congress, I would like to point out that the committee held 41 days of public hearings and heard the testimony and considered the presentations of 200 witnesses, including 85 Representatives and 21 Senators. This testimony is contained in 16 volumes of hearings comprising 2,435 pages and is available at the office of the joint committee, room S–146, the Capitol, telephone extension 2245.

The committee work, including 60 executive sessions to consider reform proposals, culminated in the filing of the final report, Senate Report No. 1414, 89th Congress, second session, on July 28, 1966, which was unanimously approved by the 12 members of the bipartisan joint committee.

I understand my Republican colleague on the joint committee, the Honorable Thomas B. Curtis, of Missouri, is introducing a companion resolution to reactivate the Joint Committee on the Organization of the Congress.

It is our informal understanding with the leadership that an omnibus bill incorporating the recommendations of the joint committee will be acted on first in the Senate and when messaged over to the House after Senate passage will receive House consideration under appropriate procedure.

It is our hope that the Congress will receive favorably the various recommendations made by this committee after its many months of work and that meaningful congressional reform will become law in the first session of the 90th Congress.

JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am glad to join my colleague on the Joint Committee on the Organization of the Congress, the Honorable Ray Madden of Indiana, in introducing a House concurrent resolution today to continue the life of the Joint Committee on the Organization of the Congress.

Mr. Speaker, on September 21, 1966, I introduced an omnibus bill to carry out the recommendations of the joint committee, H.R. 17873, and discussed at some length the work of our committee and the provisions of the bill, as well as certain recommendations of minority members which were not agreed to by the joint committee. My minority House colleagues on the joint committee, the Honorable Durward Hall, of Missouri, and the Honorable James Cleveland, of New Hampshire, likewise made statements. These appear in the Congressional Record, volume 112, part 17, pages 23450 and 23453.

We urged strenuously at that time that the Congress take action on congressional reform prior to adjournment. In this effort we were vigorously supported by the Republican policy committee—see Congressional Record, volume 112, part 18, pages 26145–26146. This, however, turned out to be impossible as a practical matter. It was agreed in the Senate, however, that consideration would be given to this legislation in the early days of the 90th Congress.

It is my hope that all Members of the House of Representatives on both sides of the aisle who desire to strengthen the institution of which they are a part will give their attention and also their support to the improvement of the structure and the procedures of the Congress during this first session of the 90th Congress.

Strengthening, modernizing, and enhancing the Congress and its role as the people's instrument in our tripartite Federal Government should be a matter of top priority. Therefore, I am pleased to join with my colleague from Indiana, cochairman of the Joint Committee on the Organization of the Congress, in pressing for prompt action by the 90th Congress to achieve congressional reform.

A PLEA FOR OUR SENIOR CITIZENS

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, as I endorse and support the administration's blueprint for improved social security benefits, I urge that our senior citizens must be assured of a more adequate return on their involuntary retirement investments and greater opportunity for continued employment.

As a matter of fact, I believe that over the next 2 years, benefits should be raised by 50 percent and a greater share borne by Treasury surpluses in the fund. I also will support a move to allow full retirement at age 60 with no limit on the amount of additional earnings.

In these times of maximum employment, we need the skills of our experienced men and women, and they should be encouraged to lead useful, productive lives. I fully endorse the recommendation that we should bar discrimination in employment because of age, because it seems inconsistent with national policy to enact such a law and force older persons to forgo their present "poverty line" retirement incomes. We do not require our Federal, our military, or the vast host of citizens on private retirement plans to forgo their benefits after age 60.

At age 60, our workers are fully entitled to maximum returns on their social security investments as a reward for lifelong productivity and ingenuity. At the same time, we should not overlook the self respect, the dignity, and the great, life-extending hope that accrues to those able to continue their contributions to our ever-expanding industrial and agricultural economy.

This reasoning coincides with recent findings that under our present social security system, future retirees will not receive benefits commensurate with their contributions over a normal working span, and also, with the fact that industry is becoming more and more mindful of the usefulness of persons over 50. It also recognizes a balancing of inequities that have too long been neglected. At the present time, the system is a better bargain for the young family worker.

Finally, it truly reflects my concept that most men would prefer to go out with their boots on.

RESOLUTION TO PERMIT THE TELEVISING AND BROADCASTING OF HOUSE COMMITTEE HEARINGS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, I am today introducing a resolution that will permit television coverage of House committee hearings. In all frankness, Mr. Speaker, I strongly believe that this legislation is long overdue. The fantastic electronic miracle that is television has come of age. We cannot continue to ignore it. We must come to grips with the fact that television should be and must be a part of the legislative process.

For many years now, the other body has permitted some of its committee proceedings to be reported through the microphone and camera. Yet, it is the House that from the time of the Founding Fathers has served as this Nation's principal democratic institution. It is in the House that we are most directly accountable to the electorate. Why, then, should we not make available to every American citizen the opportunity to view his elected representative functioning in a typical committee hearing?

In the past 20 years, most Americans have come to rely on television for an accurate account of major public events. Through the eye of the camera, we have had a front row seat at major political conventions, at Presidential press conferences, at missile launchings, and at the great debates of the presidential campaign of 1960.

Through the combination of television and orbiting communications satellites, we have been invited guests in the offices and living rooms of many famous world personalities. But today, television and the American people remain excluded from a cornerstone of our democratic government—a committee hearing of the House of Representatives.

This policy is both unwise and unjust. The citizens right to know is a sacred tenet of any truly democratic society. But perhaps even more important is his need to know. We must work to educate the American people—to spark their interest in the day-to-day operations of the Congress. Our system of government will remain strong only if we foster an alert, concerned, and active public, and television can be a useful partner in helping to build that kind of a public. In short, television can be the key to a healthier relationship between the people and their elected representatives.

LEGISLATIVE HISTORY

Before discussing in more detail the pros and cons of this proposal, I should like to take a minute to review its historical background.

To begin with, the House rules are silent concerning the use of television in committee meetings or on the House floor. In the past, the Speaker has interpreted the existing rules of the House to mean that television is not allowed in the House Chamber or in the committee room. The first such ruling took place on February 25, 1952. In response to a parliamentary inquiry propounded by the minority leader, Mr. Martin, concerning the telecasting of hearings of the Un-American Activities Committee, the Speaker interpreted the rules of the House as denying committees and subcommittees the privilege of televising their respective hearings. At the same time, Speaker Rayburn indicated that if the House adopted a rule authorizing the televising of committee hearings, he would abide by that rule and enforce it.

The second occasion upon which this question was formally posed was on January 24, 1955. Mr. Meader, in an inquiry similar to Mr. Martin's, asked for a new ruling concerning the authority of House committees to permit the televising of hearings. The Speaker held that—and I am quoting:

> There is nothing new with reference to this, because the same rules are in effect now in the House of Representatives as they were on February 25, 1952, and until the rules are changed, which would have to come from a resolution reported by the Committee on Rules and adopted by the House changing the rules of the House, the Chair still thinks that it is not in accordance with the rules of the House of Representatives or its committees to televise or broadcast hearings or actions before any committee of the House, and so holds and will hold unless and until the rules of the House are amended.

It should be noted that for a period between the two rulings of Speaker Rayburn, Mr. Martin, Speaker of the 83d Congress, held informally that the rules of the House did permit committees and subcommittees the right to telecast selected hearings; and during that period there were a number of House committees that did in fact permit the televising of hearings.

The next major action occurred in February of 1961. The Committee on Rules, after holding hearings, defeated by a vote of 8 to 6 a resolution introduced by Mr. Meader that would have granted the option of televising committee hearings to the individual committees concerned with the question.

As a footnote, in the interim between 1955 and 1961, the Doyle resolution of March 23, 1955, had been adopted. In part, this resolution—rule XI–26j—stated:

> A copy of the committee rules, if any, and paragraph 26 of rule XI of the House of Representatives shall be made available to the witness.

This reference to "committee rules" by implication indicates that committees are authorized to make rules—and thus it is possible to deduce that they can adopt a rule authorizing the telecasting of their own proceedings.

However, to date such an interpretation of the rules has not been propounded by the Speaker. Additional hearings were held in 1963 by the Rules Committee on a resolution introduced by Mr. Oren Harris that would have permitted the televising of committee hearings. Once more, the committee refused to report. Other resolutions with the same or similar language have been introduced from time to time, but the fact remains that today the television camera is still denied entrance to the committee room.

MAJOR ARGUMENTS IN OPPOSITION

Now what have been the major arguments in opposition to this proposal? I list the following as examples of some of these arguments:

First. The use of television is primarily limited to entertainment. The networks allocate air time on the basis of viewer interest—thus congressional hearings would be more likely regarded as shows rather than as news. In this atmosphere, the participants would tend to act or show off rather than do responsible work. Those Members and witnesses with the attractive personalities would soon dominate the hearings—attracting the most attention while the quiet but hard-working Members were overshadowed. Because it is primarily an entertainment medium, television tends to emphasize conflict—especially between right and wrong. Congressional hearings seldom reveal a right or wrong pattern, yet there is nothing to prevent television broadcasters through electronic or verbal editorializing from subtly distorting a hearing.

Second. The attempt to equate the value of the press and of television broadcasting as news media is misleading. The reporters who cover congressional hearings are experienced observers who are familiar with the background of the matter at hand. Their reports, while brief, are often worded so as to supply a context to the description of the hearing. Television, on the other hand, allows for intermittent viewing, and under these conditions, no such briefing is available and the public fails to receive a well-rounded picture of the proceedings.

Third. Because television costs money, the networks would tend to feature those segments of testimony that are primarily exciting and entertaining. During dull periods, sponsored programs would be run, and thus the televising of committee hearings would serve largely as an entertainment function rather than as an informative or educational service.

Fourth. Because of the large number of standing committees and subcommittees, it would be very difficult to select which committee hearings should be shown. Again, this would require an arbitrary decision that, in most cases, would be predicated on which committee hearing would have the most entertainment value rather than the most educational value.

Fifth. Finally, the television camera is a force that could destroy an innocent witness' reputation through careless accusations. Even if the consent of the witness is granted, there would be an element of unfairness in putting upon him the burden of consent or protest. In short, the test should not be whether the exclusion of television is fair to the broadcaster, but whether the televising of committee hearings is fair to the witness.

Now these represent some of the major objections to televised hearings. Undoubtedly, in part, some have merit. I should like to think, however, that I would be among the first to insist that every precaution be taken to protect the witness from unfounded and damaging accusations.

I, too, recognize that, in some cases, the public has been more entertained than educated, but I also know that a good deal of educational spin-off can result from putting congressional hearings on television. Certainly the experience of the Senate has not been an unfavorable one. In short, many of these objections are greatly exaggerated. Admittedly, the camera is not without its problems; but on the other hand I am confident that television's benefits far outweigh its disadvantages.

To begin with, a legislative hearing is a factfinding proceeding. The more publicity accorded a legislative inquiry, the more likely the committee is to receive full information. A televised hearing receives the utmost in publicity, and other witnesses may well be encouraged to come forward and offer testimony of value. At the same time, the wide publicity that television provides makes it most difficult for a witness deliberately or inadvertently to misstate facts without immediate contradiction.

While insuring more accurate testimony, television can also promote congressional reform. A few years ago, the televising of committee hearings helped to spur the revision of committee procedures. In the past, committees made their own rules and often treated witnesses as they saw fit. With the advent of television, the public could and did take an increased interest in committee procedures. Their reaction to these procedures created pressures for change. In some cases reforms were instituted—in others they were not. But I should hope that we are sophisticated enough not to be afraid of public scrutiny. Frankly, I believe that more public criticism makes for a healthier atmosphere; and the important point, gentlemen, is that television can provide the kind of public criticism that the legislative process so desperately requires.

Some have complained in the past about the inconvenience of television—too much equipment—too many wires. Today, however, with modern and compact equipment, radio-television reporting can be accomplished with very little or no obtrusiveness. Broadcasters recognize the nature of congressional responsibilities, and they have pledged themselves to conform to the established procedures and customs of the hearing rooms. Where space is limited, broadcasters can pool their efforts and thereby reduce the amount of equipment utilized. The networks are willing to cooperate in every possible way—and we should give them the chance to show us what they can do. I know we will not be disappointed.

But perhaps the strongest argument favoring the televising of congressional hearings is based on the right and the need of the people to see their representatives in action. It is a sad fact that it is physically impossible for 99 percent of the adult population to observe a committee hearing in progress—and it is in committee that the real work of Congress is done. It is in committee, therefore, that the electorate should be given the opportunity to judge the way in which their elected representatives discharge their obligations—and the only medium that can bring the committee room into the living room on a mass basis is television. As I said at the outset, we cannot afford an uneducated and uninformed citizenry. There are bound to be occasional problems in televising anything, but I do not believe that we can turn our backs on the people who have elected us. Let us give them a chance to see what democracy is all about.

Finally, I should like to point out that the recommendations of the Joint Committee on the Organization of Congress included a section that stated:

> We do not favor a rigid rule that either prohibits or requires televised hearings. Each case should be decided on its own merits. The chairman of a committee, with the concurrence of a majority of its members, should be empowered to determine whether television coverage of the hearings is to be allowed. It may not always be appropriate. The committee should insist on fair coverage of all sides of an issue. Modern techniques permit such coverage without destroying the dignity of the proceedings and the committee should insist that those techniques be utilized.

I urge you to give the broadcaster a wider range of responsibility to work with—not merely for his own good, but also for the good of the entire Nation. If the public is to discharge its civic duties in a responsible and informed manner they need to see more and hear more—then they can do more.

ALCATRAZ ISLAND COMMISSION BILL

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, in the spring of 1963, that small rocky island in San Francisco Bay known as Alcatraz became surplus Federal property.

The United States has owned Alcatraz for more than 100 years. During that time it has been used as a lighthouse, fort, and convalescent home for troops. But unquestionably it is best remembered as the maximum-security prison for such hardened criminals as "Machine Gun" Kelly and Al Capone.

In early 1963 the Federal Bureau of Prisons removed the last prisoner from Alcatraz and the island since then has been under the custodial care of the General Services Administration.

In October 1963, Congress created a five-man Commission to study possible future uses of Alcatraz. The distinguished junior Senator from Missouri, Mr. LONG, was named to represent the Senate on this Commission, while I was privileged to represent the House. Senator LONG was subsequently elected chairman of the Commission.

The legislation which I am introducing today incorporates and carries out the Commission's unanimous recommendations.

Mr. Speaker, after inspecting the island, after listening to more than 40 witnesses in public hearings and after reading more than 400 written proposals, the Alcatraz Island Commission came to the conclusion that the island should not be disposed of through the normal public-sale procedures of the General Services Administration.

The island possesses many unique characteristics that mitigate against public sale. It occupies a prominent position in one of the great harbors of this country. Its use for 30 years as a prison for notorious criminals is well known and makes it highly susceptible to improper exploitation. The Commission felt, and stated in its report, that under no circumstances should anyone be allowed to use the island to glorify the criminal acts which brought men to Alcatraz or to exploit the human misery associated with crime. Yet, a number of the proposals made to the Commission would have done just that.

The Alcatraz Island Commission recommended that the Federal Government accept the offer of the San Francisco chapter of the American Association for the United Nations to build a monument on the island commemorating the founding of the United Nations in San Francisco in 1945, and as a symbol of peace. The AAUN would finance all of the necessary demolition, design, and construction costs. The design of the monument would be selected through an international architectural competition. Both the monument and the island would be administered by the National Park Service.

The Commission decided to recommend the AAUN proposal because it was one of the few that recognized the formidable costs of demolishing the present buildings and constructing any new project on the island, yet did not look to any public source for money. In addition, the proposal was in accord with a majority of the serious proposals presented that the most appropriate and fitting use would be some type of memorial to the principles of peace and human dignity.

The Commission also felt that the AAUN proposal was particularly fitting, for it was at the historic San Francisco Conference in 1945 that 50 nations met to write the charter for the envisioned United Nations.

The charter of the world organization reasoned that a United Nations was needed to save succeeding generations from the scourge of war, to reaffirm faith in a fundamental human rights, to establish conditions under which justice and respect for obligations arising from treaties and other sources of international law could be maintained, and to promote progress and better standards of life. Regardless of what the future may hold, it certainly is appropriate that a monument memorializing this great undertaking be erected at the point of its birth.

Mr. Speaker, I hope that this proposal will receive early consideration. It has already been carefully screened by a Commission acting at the direction of Congress. It would entail only minimal expense to the Federal Government.

It recommends a program committed to the highest ideals of man, yet offered with no thought of personal gain.

It is a proposal which represents our own great tradition of freedom and our hopes for a freer and more peaceful world for all men.

The text of the bill follows:

H.R. 2058

A bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, California, in 1945, and to serve as a symbol of peace

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of providing for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, California, in 1945, and to serve as a symbol of peace, there is hereby established a commission to be known as the United Nations Monument Commission (hereinafter referred to as the "Commission"), to be composed of seven members as follows:

(1) Five members who shall be appointed by the President of the United States of whom one shall be appointed from nominees submitted by the Governor of California, one from nominees submitted by the mayor of San Francisco, and two from nominees submitted by the San Francisco Chapter of the American Association for the United Nations;

(2) One member who shall be appointed by the President of the Senate; and

(3) One member who shall be appointed by the Speaker of the House of Representatives.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as Chairman. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) Members of the Commission shall serve without additional compensation by reason of their services as members, but shall be reimbursed for their actual and necessary traveling and subsistence expenses incurred by them in performing their duties.

(d) The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, an executive director who shall be compensated at a rate not to exceed $18,000 per year, and such other employees as may be necessary in carrying out its functions.

(e) Expenditures of the Commission shall be paid by the executive director, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission.

SEC. 2. (a) The function of the Commission shall be to develop and execute suitable plans for the erection on Alcatraz Island of a monument to commemorate the founding of the United Nations in San Francisco, California, in 1945, and to serve as a symbol of peace. In formulating and developing such plans, the Commission shall consult and cooperate with the Secretary of the Interior. The design of such monument shall be selected, subject to final approval by the Commission, through an international architectural competition conducted in accordance with the provisions of clause (3) of section 3 of this Act, but no design submitted in such competition shall be selected if it would result in a hazard to navigation.

(b) No appropriated funds shall be used in connection with the construction of such monument, including the demolition or removal of structures on such island, or the holding of such competition, but any proceeds from salvage of existing structures or other property on such island may be applied to the cost of such demolition and construction.

SEC. 3. In carrying out its function under this Act, the Commission is authorized to—

(1) construct, or provide for the construction of, a monument as provided for in this Act;

(2) accept donations of money, property, or personal services; to cooperate with State, civic, patriotic, and other groups; and to call upon other Federal departments or agencies for their advice;

(3) negotiate or arrange with the San Francisco Chapter of the American Association for the United Nations or others for the early demolition or removal of the structures on the island, and for the holding of an international architectural competition for the purpose of selecting the design of such monument;

(4) make such expenditures for the purpose of carrying out the provisions of this Act as it may deem advisable from funds appropriated or received as donations for such purpose, subject to the provisions of subsection (b) of section 2; and

(5) exercise, subject to the provisions of this Act, such additional powers and functions as may be necessary to carry out the purposes of this Act.

SEC. 4. The Commission shall, not later than February 1 of each year, transmit to Congress a report of its activities and proceedings for the preceding year, including a complete statement of its receipts and expenditures. A final report of the activities of the Commission, including a final accounting of its receipts and expenditures, shall be made to the Congress not later than ninety days following the completion of the monument authorized by this Act. The Commission shall terminate thirty days following the date of the submission of such final report.

SEC. 5. The authority granted by this Act shall cease to exist, unless within five years after the date of enactment of this Act (1) the erection of the monument is begun, and (2) the Commission certifies to the Secretary of the Interior the amount of funds available for the purpose of the completion of the monument and the Secretary determines that such funds are adequate for such purpose.

SEC. 6. The State of California is authorized, subject to the approval of the Secretary of the Interior, to use a part of Alcatraz Island for public purposes, if any such use is compatible with and does not detract from the monument established pursuant to this Act.

SEC. 7. Any funds acquired by the Commission remaining upon its termination shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 8. The monument established pursuant to this Act shall be the property of the United States and, together with the land comprising Alcatraz Island, shall be set aside as a national monument and designated as the United Nations Monument. The National Park Service, under the direction of the Secretary of the Interior shall administer, protect, and develop such monument, subject to the provisions of this Act and the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535), as amended and supplemented.

SEC. 9. The land comprising Alcatraz Island is hereby transferred to the administrative jurisdiction of the Secretary of the Interior, without consideration, for use by him in carrying out the provisions of this Act.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

CRITICISMS OF U.S. POSITION BY SECRETARY GENERAL OF THE U.N.

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, in my maiden speech for this session I want to lament the fact that the so-called Secretary General of the so-called United Nations, really the modern "Tower of Babel," has thrown whatever weight and whatever worth his position has and this organization has against this country in our bombing of North Vietnam. This is regrettable. If the press accounts and radio accounts are accurate, Mr. Speaker, the Secretary General, by making his position public on Vietnam, is giving credence and lending dignity to those so-called Americans who have gone over to Hanoi and lambasted America from the fountainhead of our enemy. It is disgraceful, it is regrettable, and it is deplorable, Mr. Speaker, that the President of the United States should have his position undercut after he, the President of the United States, did what he did to get this so-called Secretary General's tenure of office extended for another 5 years.

Mr. Speaker, if America must stand alone fighting for the freedom of Vietnam and for the right of another nation to live, we should know it now. If we are to be deserted by our so-called allies, if we are to be stabbed in the back by an organization we created, we should know it now. Then it is high time to reappraise our position in the United Nations. We should certainly consider discontinuing financing the actions of an organization which is gutting the position of America everyday in southeast Asia.

LOWER INTEREST RATES MEAN MORE HOME CONSTRUCTION

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, as one who has urged at every opportunity that the Congress and the President make every possible effort to secure some relief for the home construction industry and our lending institutions from the adverse effects of the so-called tight money policy, I was very pleased to hear the President make the statement in his state of the Union message that he will do everything in a President's power to lower interest rates and make more money available for home construction.

The President's announcement that the Federal Home Loan Bank Board will make immediately available to savings and loan institutions an additional $1 billion in loan funds and that the Bank will lower from 6 to 5¾ percent the interest rate charged on its loans will be well received by our lending institutions, the home construction industry, and, above all, by those who have had to wait so long for a home of their own due to the lack of adequate loan funds.

I have been informed by the Federal Home Loan Bank Board that the funds required for the program announced by the President are at the various Federal

Home Loan Banks. In the months to come we should see accelerated activity in the home construction industry.

In the event the hopes of those of us who have worked for adequate mortgage funds for the home construction industry do not materialize, I strongly recommend that the Congress take whatever action is necessary to improve the situation. Adequate housing is essential to the general welfare of our people and a vigorous economy.

TIGHT MONEY HURTING CHURCHES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, every sector of our society has felt the damaging effects of the Federal Reserve Board's artificially created tight money situation. We all know how this policy has devastated the homebuilding industry and created severe disruption in the flow of savings funds.

As I so often stated in the past, everyone at one time or another will feel the effects of tight money and high interest rates. An article in Christianity Today has been brought to my attention, which demonstrates the fact that many of our churches find that their plans to build must be set aside due to the impossibility of obtaining building funds. Many churches must forgo plans that were many years in preparation and embodying great hope. For those churches that plan to proceed, the greater expense of building will be borne by the public which has paid for the Federal Reserve's tight money-high interest rate policy.

The article follows:

[From Christianity Today, Jan. 6, 1967]

TIGHT MONEY CRIMPS CHURCH CONSTRUCTION

The prospects are dim for construction of new churches during 1967. Church-builders, like home-builders, are caught in the squeeze between inflation in construction costs and the "tight money" market with its scarce loans and high interest rates.

The director of the National Council of Churches building commission, S. Turner Ritenour, says "almost every denomination" finds tight money has slowed its church construction program, although he and other spokesmen think other, non-economic forces such as denominational strategy or lay interest may be factors as well.

Figures now being compiled in denominational offices are almost certain to slow a significant drop-off in church building during 1966. Some churches are putting building plans on ice, and fewer loan requests are coming to denominational headquarters. But other officials find "tight money" has sent churches rushing to national funds for help they would normally seek from local banks.

B. P. Murphy of The Methodist Church says that the increase in requests is "tremendous" but that virtually none of the Methodists' $30 million revolving fund is available. And Richard Kent of the Episcopalians' American Church Building Fund says, "We are just about at the bottom of the barrel." He expects all his loan money (a mere $1.7 million, although the Episcopal Church Foundation makes some non-interest loans through bishops) will be "tied up until the middle of 1967." The Southern Baptists' Robert Kilgore says he has "little leeway" for loans.

Dale Lechleitner, home missions chief of The American Lutheran Church, reported three weeks ago that tight money has cut sharply the denomination's program of building new churches. In 1965, sixty-five missions were established, but there were only thirty-eight in 1966. He fears the number will drop below twenty this year.

At least two major denominations, however, are sitting pretty during the current economic doldrums. Astute United Presbyterians floated a $20 million loan a year ago from New York Life Insurance Company at 5⅛ per cent interest. If the 1966 loan-request rate holds up, this will tide the Presbyterians over the next two years, says D. Allan Locke, treasurer of the Board of National Missions.

The United Church of Christ is not hit by the current crisis because it needs no bank or insurance-company loans to buttress its $16 million revolving fund. John Morse, church building and finance chairman, says confidently, "We'll get by all right," although even with this handsome loan fund, the UCC has had its "share of troubles."

For one thing, a large number of projects are costing from 20 to 50 per cent more than architects' estimates a year ago. And a number of banks are reneging on tentative commitments to back congregational plans.

The jitters in the U. S. economy do not affect just big denominations. Even the 48,000-member Wesleyan Methodist Church—which regularly is at the top of the NCC's listing of per capita giving in U.S. denominations—is feeling the squeeze. Church extension executive C. Wesley Lovin says many churches are delaying building plans because of high costs or lack of available money. At the same time, requests to the national loan fund, which totals $1.1 million, rose one-fourth during 1966. But the fund is geared to handle only the usual flow of business—two or three loans a month—and overflow appeals had to be turned down. Lovin expects 1967 will be worse.

This week, the Wesleyans hiked their interest charge on loans to 6½ per cent, reflecting the higher rates the denomination must pay its own creditors—those who invest in the church fund. The Methodist Church's rate of 6 per cent is also rather high, reflecting the 5½ per cent interest it must pay to attract investors in today's market. The Methodists hope they won't have to borrow from banks, Murphy said.

The Southern Baptist Convention, which has about $20 million on loan to 1,000 congregations, shows the problem of denominations that must depend on bank or insurance loans. The home mission board last month removed the 6 per cent ceiling on what it charges churches for loans, and interest rates may now go as high as 7 per cent.

There is a considerable range in interest charged by denominations, based on such factors as need, strategic location, size, length of loan repayments, and whether the money is for a new congregation or an addition to a building. The United Church charges 4 per cent, with three-fifths of its loans going to new churches. United Presbyterians charge between 2 and 5½ per cent. The Episcopal range is 4½ to 5¼ per cent.

Even the higher church charges, however, are appealing in the current money market. Kent says some Episcopal parishes recently have paid 7 per cent or more to banks. Murphy says that some Methodist churches have been asked as much as 10 per cent in the South and that 7 to 8 per cent is "pretty much of a going rate on the West Coast." And Morse says a UCC congregation in California is seriously considering a loan at 10 per cent.

PROFESSOR GALBRAITH HITS FEDERAL RESERVE'S RELIANCE ON TIGHT MONEY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, Prof. John Kenneth Galbraith of Harvard, in an interview appearing in a recent issue of Challenge magazine, cites the problems that the overreliance on monetary policy has caused for our economy and particularly for the average wage earner and small businessman.

Professor Galbraith hits at the mystique, the almost supernatural aura which central bankers, big business, and the money interests hold this means of economic guidance. Monetary policy is unpredictable; there is no measure of the effects that it has on various sectors prior to its introduction. The curtailing effects on housing investment, inventories, small businessmen and consumers can by no means be measured until the torturous effects have been experienced.

Interest rates should be kept at a moderate level, Professor Galbraith proposes, to reflect some general equity between the creditor and debtor. I am very pleased that such an eminent economist as Mr. Galbraith has clearly outlined an economic fact of life that monetary policy is an ally of the rich and big business, since it hardly affects it as it does the small businessman whose survival depends on his line of credit from the banks. I urge all Members to read the following interview with Professor Galbraith:

AFTER SIX YEARS OF THE NEW FRONTIER AND THE GREAT SOCIETY THE PUBLIC SECTOR IS STILL STARVED

(Challenge Interview—John Kenneth Galbraith)

(In the nine years since his "The Affluent Society" decried America's "private affluence and public squalor," John Kenneth Galbraith feels that the problem, while more widely recognized, has actually gotten worse. Galbraith, U.S. Ambassador to India, 1961–63, is now Paul M. Warburg Professor of Economics at Harvard University. His other books include "American Capitalism" and "The Great Crash, 1929.")

Q *Mr. Galbraith, when you decried the starvation of our public sector in The Affluent Society almost nine years ago, there was a rather conservative Administration in Washington. Since that time we have had the New Frontier and the Great Society. Has this changed your view any?*

A Much has been done. But we still face the problem of maintaining some kind of balance in resource allocation between the private and public sectors. The drift of economic ideas and evidence now strongly supports the notion that our public sector is undernourished. There is awareness that with increasing population and urbanization, the demands on the public sector are becoming more urgent—more urgent than one would have guessed even in 1958. And it is more and more obvious that the problem of unemployment and poverty is a problem of manpower quality and thus a problem of the public sector—or the starvation of the public sector.

Q *In other words, the problems you pointed out nine years ago are even greater today.*

A Yes, that is right. But they are better recognized, I think.

Q *What about the New Frontier and the Great Society? Didn't they come to grips with the question of resource allocation?*

A Yes, they did. But, without question, the intensity of the problem has increased much more rapidly than the recognition of the problem. I had two principal objectives in the book. One was to destroy, if I possibly could, the atavistic doctrine that showed signs of gaining considerable strength after the war—the notion that public services are a menace to liberty and are somehow inferior to private services. This nonsense reached its apex (one hopes) in the nomination of Sen. Barry Goldwater, or before. In any case, I think this battle has been largely won. I don't think the American people are now in danger of buying the notion that public services are a menace to liberty.

Q *What was your second objective in The Affluent Society?*

A I was coming to that. It was to move the Keynesian discussion one step—but a fairly large step—further along. The Keynesian discussion at that time showed a strong tendency of getting into a kind of sterile, quantitative mood in which the volume of undifferentiated production and the amount of unemployment were the only tests of achievement. This is a battle which, of course, is not quite won yet. But I think we are making progress.

Q *Wasn't it implicit in the Kennedy-Johnson tax cut of 1964 that the private sector was superior to the public sector?*

A I don't know that this was implicit, but what Robert Lekachman has called "commercial Keynesianism" certainly came to the fore at that time. In the discussions that proceeded the tax cut, the only test of performance was the potential increase in gross national product and the potential decrease in unemployment. Everything was measured quantitatively. What this would do to the allocation of resources didn't matter. I had hopes at the time that although that battle was lost, we wouldn't lose the war. Now I venture to think that we are winning—that the importance of the public sector allocation is becoming evident.

Q *Of course, Walter Heller and Company argued that, yes, you may be right about increased public expenditures being preferable to a tax cut, but this route is politically impossible. And since something had to be done to solve the fiscal drag problem, a tax cut was the only practical solution.*

A Yes, but though all excellent men, they were looking at the problem in too narrowly economic terms. How do we get higher public expenditure? Well, there is a lot of history on this. Whenever the unemployment rate has risen appreciably, this has provided a case for larger public expenditures. Meanwhile, our thorniest unemployment problem, which is basically concerned with upgrading the labor force, through education and retraining, can only be solved through the public sector. Gardner Ackley has now recognized this publicly. This was the argument that Charles Killingsworth and I advanced during the discussions that preceded the tax cut. The counterargument was that in World War II we got down to minimal unempolyment; even the unskilled found jobs. But in World War II there was a system of price and wage controls that helped keep the economy from boiling over. And nobody was desirous of instituting such controls in 1963 and 1964.

Q *You feel, then, that President Kennedy misjudged the political temper of Congress.*

A A tax cut was easier to put across than more spending, that I agree. And some unemployment would be eliminated more rapidly with a tax cut. I believed that we needed to eliminate it in a socially desirable way, and in a way that tackled hard-core unemployment, and that the only way to do this was by keeping up the pressure for public expenditures. Another argument I advanced at the time was that if we cut taxes, it would be a difficult action to reverse, if we ever had to reverse it. But I wasn't deeply committed to that argument. No more than anyone else did I foresee the Vietnam war. I enjoy praising my own foresight, but I mustn't overdo it. Very few do this sort of thing gracefully. A further argument which I did advance much more energetically on a matter which worried me much more was that when the conservatives found out that Keynes could be had by tax cuts, they would embrace the faith with too much fervor. If that happened, it would become permanently more difficult to implement Keynes through the expenditure route.

Q *The 89th Congress, to most observers, was one of the most productive since the New Deal. Do you still feel that the public sector is starved after the massive legislation that came out of the 89th?*

A Without any questions—as I have said. The problems associated with the public sector—population growth, urbanization, etc.—are increasing more rapidly than the solutions. Or than anyone forecasted. No one, and certainly not I, saw how very quickly the problems of the cities would multiply. And while the legislation that came out of the 89th was a step in the right direction, there is a great deal more that has to be done if we are to speak with any meaning of a Great Society.

Q *Just because money is spent through the public sector doesn't make it well spent; it depends on how it is spent.*

A That is right. You can have very large defense outlays and great starvation in the public sector. To some extent, the large Vietnam expenditures have, in fact, been charged against the civilian sector.

Q *Do you think because of Vietnam the nondefense public sector could become more starved in 1967 and 1968 than it was in the 1950s?*

A There is a very real danger that this will happen. The Vietnam burden plays into the hands of one kind of conservative. It is those who do not quite have the moral courage to come out and say, "Let's cut Head Start, let's cut the Youth Corps, let's cut back on school construction." But they can, without bad conscience, say, "We have a war on our hands, so we must postpone this kind of civilian expenditure." It's an outrageous argument, because personal income, after taxes, is at an all-time high. It is at an all-time high, in part, as the result of the stimulation of the Vietnam war. So what they are saying is, because we are getting rich with the help of Vietnam, we must cut down spending for the poor.

Q *These same conservatives don't seem to be particularly bothered by heavy defense expenditures.*

A This is a very important distinction. Big expenditures on the south side of the Potomac are not socialism. Defense expenditures underwrite a whole range of technological activity, which otherwise would be too costly and too risky to be brought within the planning activities of the private corporation. Schools, hospitals and welfare expenditures work on aggregate demand just as well as defense expenditures, but they are not carriers of research and development funds that underwrite new technology.

Q *While Eisenhower didn't find it too difficult politically to hold down public expenditures, the expectations of minority groups and the poor have certainly been raised during the past decade. Don't you think Johnson will find it difficult to hold the line in the mid-1960s?*

A I think it will be progressively more difficult to starve the public sector because the problems, for the reasons that I mentioned, are much more urgent. The needs of the cities are multiplying far faster than local revenues. Walter Heller, as on so many matters, has performed a great service in drawing attention to a basic defect in the American federal system. With growth and urbanization, the federal government gets the revenues, but the cities get the problems. But Walter is wrong, I have now concluded, in suggesting that federal revenues be redistributed to the states; it must be to the cities. The states are not as urgently in need of revenue as the cities, and we would waste too much money filtering it to the cities through the states. The 1930s were the years of the great rural crisis when a great many of the problems associated with rural America, including income maintenance and farm price supports, rural education, farm-to-market roads, among others, were taken over by the federal government. Thus, in large measure, the most pressing problems of rural America were nationalized. Now, the 1960s are the years of the great urban crisis. The obvious answer is a redirection of federal revenue to the areas of present crisis. The reapportionment decisions of the federal courts should help this along.

Q *Do you think that President Johnson can build a Great Society here and fight a war in Southeast Asia without raising taxes?*

A I have never been a friend of the Vietnam conflict, as you perhaps know. I have been opposed to our expanding involvement there ever since President Kennedy sent me to Saigon in 1961. But I cannot claim to have been very persuasive. The dangers of getting bogged down in that quagmire seemed obvious enough, but apparently not to those who must make the decisions. As long as we are there, it certainly is going to be more difficult to give our nondefense public services the kind of money they require. Men who are capable of worrying about communism and insurrection in a basically bad social structure in South Vietnam—one that encourages a good deal of dissatisfaction—are not so good at worrying about social unrest in the United States. They are the more ardent about saving liberty and democracy the further it is away.

Q *What about the question of a tax increase to pay for Vietnam and even the limited amount of civilian expenditures the President will undoubtedly propose?*

A I think that the President will soon ask for a tax increase. But here we run into an interesting and very important psychological problem that has never been fully explored. Action for fiscal restraint is very different from action for fiscal expansion. The need for fiscal expansion is suggested by objective circumstances that are measurable, such as the volume of unemployment and the rate of growth. But when it comes to restraint, this is not so. And there are always some soft indicators that suggest that the economy might be slowing down. Hence, there is always a great temptation for a politically conscious President to postpone action, especially when it involves the nasty business of raising taxes. We were walking the sunny side of the Keynesian street at the time of the 1954 tax cut. It is the chilly side we are now on.

Q *Do you think recessions are a thing of the past for the United States?*

A This is an open-end question. To say no is to exclude every unforeseen circumstance—and that is scientifically unwise. And it is also tactically unwise. To deny that depressions are possible is the kind of reckless forecast that people have a peculiar capacity for remembering. The most distinguished, interesting and certainly the most ingenious American economist of the early decades of this century was Irving Fisher. And it is one of the great tragedies of Irving Fisher's life that he is remembered principally for saying, in late October, 1929, that stocks had reached a new high plateau from which they would proceed to go up. This was, as I recall, a day or so before Black Thursday. He was never able to escape it for the rest of his life. One can easily devise some models for depression. I think that the most probable one again would be a situation associated with the stock market. It is part of the legend that the 1929 stock market crash was a fiduciary phenomenon that had no further consequences, no income consequences. This is nonsense. The stock market crash was the single most deflationary influence in the early days of the depression. And it had a direct and visible effect on all kinds of hiring and purchasing. Sales of radios, which were a luxury item at that time, dropped drastically in the last half of 1929. So did the durables.

Q *Given all the securities regulations that have been instituted since that time, could you imagine another such crash today?*

A It is possible. Far too many people have been interested in the stock market in these last years. This could extend to another few million innocents. All would be attracted by the fact that the stock they bought yesterday went up today. This would encourage others and continue the rise. These speculators would become uneasy about the market at the same time. This could then start a sell-off of crash proportions. Such a crash could have wide spread deflationary effects, both on consumer spending and on business investment, and it would be very hard for fiscal expansion to come along rapidly enough to offset it. I don't think this is probable, but I don't think it should be entirely ruled out.

Q *Are there any other circumstances which might set off a depression?*

A One can also work out a model that would come from unwise use of monetary policy. It is deceptively attractive, for its management is subject to quick and anonymous decision. But monetary policy is also very unpredictable. Nobody, not even William McChesney Martin, with all the assistance of his Maker, knows what the consequences of a given increase in the discount rate will be. One can imagine circumstances in which monetary policy would be used in the absence of fiscal policy to the point where it would bring a sharp contraction in investment. And fiscal policy would not be able to move rapidly enough to offset it.

Q *Do you think the way we have used monetary policy in the last year is approaching this kind of situation?*

A I am avoiding prediction. But there is no doubt about the overemphasis on monetary policy in recent months and that it has been unwise.

Q *What would the alternative have been?*

A To rely on fiscal policy instead. Economists, or some, have always been unduly fascinated by monetary policy, partly because it has great pedagogical value. There is a certain mystery about it. It is one of the few areas of our profession which has a seeming association with the mystical, even the supernatural. So, therefore, we rather cherish it. And we talk a great deal about it. The one thing that we have never really reckoned with is its unpredictability. One can tell about the direction, but one cannot tell about the amount. We have been using this policy this past year without any exact knowledge of the point at which we might put such a squeeze on housing investment, or inventories, or on smaller businessmen, or on consumers that it would bring a much larger curtailment of spending than we want. In contrast, fiscal policy is far more certain. We know within much narrower limits what the effect of a given tax increase or a given expenditure increase will be. And it makes great sense to use the instruments of policy that are certain. What I would do is perfectly clear; and it will eventually be the policy. That is to put interest rates at a moderate level, reflecting some general equity as between the creditor and debtor community. Then fiscal policy in combination with the guidelines will be employed as the major instruments of control.

Q *Wouldn't this reduce considerably the power of the Federal Reserve?*

A Ultimately, the Federal Reserve will be a minor instrumentality of the state concerned with accounting and administrative matters, standing in importance somewhere between the Bureau of Printing and Engraving and the Interstate Commerce Commission. The sooner this day comes, the better it will be for all of us. I say this with natural regret because I hold a professorship here at Harvard which is named for a founder of the Federal Reserve System, Paul M. Warburg. So I naturally will participate in this general decline in prestige. But I will face it with such nobility of character as I can muster.

Q *Monetary policy has not only held a good deal of allure for economists. It has also been attractive to many conservatives. Why?*

A I suppose they are also attracted by the mysticism. But, in addition, there is a large element of naked self-interest here. It is a great mistake to assume men of substance are lacking in a clear view of their own self-interest. High interest rates are very good for people who have money to lend. As a broad, but I think impeccable, rule, people who lend money have more money than people who borrow money. An active monetary policy means that, recurrently, interest rates will be wonderfully high. Second—and this is also very important—monetary policy is a marvelous ally of big business. Taxation, including the corporate income tax, hits large firms as well as small. It affects General Motors as it affects the small housebuilder or the small retailer. Since taxation in this country is generally progressive, it hits unincorporated citizens with money even more. Monetary policy, on the other hand, doesn't much affect large corporations. They are likely to have exempted themselves from dependence on the capital market by establishing sources of internal financing; and they are the favored customers at the bank. And they can run far higher interest costs if they must, so they have minimized their vulnerability to the power of the bankers. Monetary policy does hit the small businessman who generally operates on limited capital and who is much farther down the credit line at the bank. The residential builder is a very good example. So it is obvious why conservatives—Galsworthy's men of property—like monetary policy. And, again, while I never like to be critical of my fellow economists, they have been very, very slow in emphasizing this point. They are men of compassion. They cherish the market and the little man. I would hope that they would not continue to avert their eyes where this discrimination is concerned.

Q *Getting back to the current situation, do you think that pressures for more federal monies from hard-pressed mayors and governors, and from the poor, could have an important effect on U.S. foreign policy? In other words, could domestic demands for a larger slice of the federal budget force the Administration to ease its policy in Southeast Asia?*

A In defense of President Johnson, he has so many better reasons for wanting to get out of Vietnam—and I think, he does want to get out of that mess—that these pressures would be marginal, at most.

Q *Won't this pressure increase if he has to raise taxes?*

A Maybe a little bit. But I think there is a tendency among those who strongly oppose a tax increase—they are generally conservatives—to skirt the war issue. They usually call for cutting "unnecessary federal expenditures." They do not say, "Oh, God, let's settle this war or else I will have to pay more taxes." It seems rather indecent to react that way—at least publicly.

Q. *Aren't they really thinking that way, nevertheless?*

A They would be thinking that, but private thoughts don't create political pressure. Such pressure can only come when conservatives who don't like paying the bill for Vietnam start writing their Congressman. And this is highly unlikely. Nobody likes to have his patriotism impugned because he is to cheap to pay the bill.

Q *Thank you, Mr. Galbraith.*

BANK STOCK OWNERSHIP AND CONTROL—RECENT WASHINGTON POST EDITORIAL

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on last Saturday, January 7, 1967, the Washington Post ran an editorial commenting on the recently published Domestic Finance Subcommittee staff report on "Bank Stock Ownership and Control." In discussing this study the Post editorial raised an important question: "Is there a danger that excessive power will be concentrated in the hands of the fiduciary institutions, that a relative small group of men will exercise inordinate power over corporate management?" The editorial went on to conclude that:

> Congress, which is concerned with the maintenance of competition as well as with the protection of investors, would do well to delve more deeply into these matters.

I feel, as does the Washington Post editorial, that the Congress should explore in more detail the entire area of fiduciary control of bank stocks as well as other corporate securities so that we can determine whether the public is adequately protected against self-dealing and anticompetitive practices. Therefore, I plan to propose to the Domestic Finance Subcommittee in the near future that further detailed studies in this area be carried out.

The full text of the Washington Post editorial follows:

BANK TRUST HOLDINGS

In a more individualistic era, it was assumed that persons who invested in the voting shares of corporations exercised two basic property rights, that of voting in corporate affairs and that of sharing in corporate profits. But with the growth of pension funds which are managed by banks that act in a fiduciary capacity, there is a divorce between the right to receive corporate profits and the right to vote. A. A. Berle Jr., in his *Power Without Property,* remarks that with the "intervention of fiduciary institutions" a pensioner's "right is to receive money only . . . He would not know—and it would be immaterial if he did know—what voting power . . . his pension trust held with respect to the management of Union Pacific or United States Steel. He could not influence the situation in any case."

For Professor Berle the intervention of bank trust departments and other fiduciary institutions is another step in the separation of corporate ownership from corporate control which he and Gardiner C. Means analyzed in their classic study of *The Modern Corporation and Private Property* which appeared in 1932. But it is to be wondered whether this latest development is salutary. Is there a danger that excessive power will be concentrated in the hands of the fiduciary institutions, that a relatively small group of men will exercise inordinate power over corporate management?

Before anyone can even begin to give intelligent answers to such questions, something must be known about the extent of fiduciary control. And here the staff of the House Banking and Currency Committee has made a useful contribution in their recent report.

At the end of 1965 the assets held by bank trust departments amounted to $215 billion, having increased by $25 billion over the previous year. This is an impressively large bundle of assets. At the same time the combined assets of the Nation's mutual funds were $35 billion, those of the mutual savings banks $52.7 billion, and the total assets of all the savings & loan associations only $123.5 billion.

The trust departments of the Federally chartered National Banks are expressly prohibited from voting the shares which they hold in a fiduciary capacity. But the state-chartered banks, which hold more than half of all trust assets, are not so restricted. Only seven states specifically prohibit bank trustees from voting stock held in a fiduciary capacity and one of them, Texas, is a major banking center.

There is no reason to conclude that the state bank trust departments are exerting a conscious influence in the affairs of other corporations. But clearly the growth of bank-managed pension funds has created a potential for the exercise of such power. And the Congress, which is concerned with the maintenance of competition as well as with the protection of investors, would do well to delve more deeply into these matters.

LEGISLATION TO INCREASE SOCIAL SECURITY BENEFITS AND PROVIDING FOR AUTOMATIC INCREASES IN THE FUTURE

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I have introduced a bill calling for an 8-percent increase in social security benefits effective January 1, 1967, and also providing for automatic increases in the future whenever the price index increases 3 percent or more.

It has been clear for some time that the inflation we have been experiencing has been working a severe hardship on our citizens who depend on social security benefits. Along with many other Republicans, I introduced legislation in the last session of Congress to provide automatic increases in social security benefits commensurate with increases in the Consumer Price Index. My bill was patterned after similar "escalator provisions" contained in the civil service pension and military retirement laws. Under the escalator provision contained in the civil service retirement laws, civil service retirees are now receiving a 3.9-percent increase. If my bill had been enacted in the last Congress, social security beneficiaries would already have received a comparable increase.

Despite the continued erosion of social security benefits by inflation, the administration did not feel it was necessary to enact legislation adjusting social security benefits to increases in living costs.

In view of this double standard for social security and civil service retirees and the failure of social security benefits to keep pace with increased living costs, it became apparent that Congress should enact benefit increases before adjourning last fall. Shortly before Congress adjourned, I introduced legislation calling for an immediate 8-percent increase in benefits. If the administration's sense of concern matched the urgency of its rhetoric, social security beneficiaries would currently be receiving increased benefits. Unfortunately, the administration was successful in delaying action on increased benefits until this year.

My bill is necessary to compensate our social security beneficiaries for the failure of benefit increases to keep pace with increases in the cost of living, and also to insure prompt adjustment of benefits to increased living costs in the future. The last two increases in social security benefits, enacted in 1958 and 1965, were not as large as the increases in living costs that had occurred since the previous benefit increased. Additionally, since the effective date of the 1965 increase, the Consumer Price Index has increased from 108.8 to 114.6—an increase of 5.3 percent. The 8-percent increase provided by my bill more than makes up for the failure of social security benefits to keep pace with living costs, and brings social security benefits up to date as of January 1 of this year.

My bill provides that benefits will be automatically adjusted in the future to compensate for increased living costs. As soon as possible after the beginning of each calendar quarter, the Secretary of Health, Education, and Welfare is directed to determine the amount by which the average consumer price index during the preceding calendar quarter exceeds the average consumer price index during the base period. If the average consumer price index has increased 3 percent or more over the base period, social security benefits will be increased by a corresponding amount.

The first base period established by my bill is the calendar quarter that commenced October 1, 1966. After each increase granted under the provisions of my bill, a new base period is established, consisting of the calendar quarter on which the increase was based.

The increases in benefits are effective for months beginning after the calendar quarter during which the Secretary determines that an increase is required.

Mr. Speaker, Congress has always been guided by the philosophy that when the cost of living increases significantly, social security benefits should be raised. Congress has periodically increased benefits through the years to maintain the purchasing power of social security beneficiaries. In view of the increasing congressional workload and to insure prompt adjustment of benefits, I propose that congress provide for these periodic increases through an "escalator provision," such as we have already provided in the civil service and military retirement laws.

Increases in the cost of living create a special hardship for our retired elderly citizens who are living on a small fixed pension. During the period from 1958 until 1965, the Consumer Price Index increased nearly 8 percentage points. The cost of services, which elderly people are more likely to need than our younger citizens, increased twice this amount. Yet, during this 7-year period, social security beneficiaries received no increase in social security benefits.

This administration must bear the responsibility for the plight of our older citizens during these years. While inflation robbed our social security beneficiaries of a decent standard of living, this administration prevented a benefit increase by insisting that any increase be delayed until the medicare program could be enacted. If the social security laws had contained an "escalator provision" such as I am now proposing, this delay would have been avoided.

The chief actuary of the Social Security Administration has advised me that the latest actuarial estimates of the social security fund show that an immediate 8-percent increase in benefits can be enacted with no increase in social security taxes. The chief actuary has also advised me that since wages are an important part of the Consumer Price Index, social security tax revenues increase when living costs go up. This increased revenue will finance automatic increases in social security benefits tied to increased living costs. Therefore, no increased taxes are necessary to finance my bill.

Mr. Speaker, I hope all Members will recognize the need for Congress to move quickly in enacting benefit increases for our social security recipients. For reasons of sound administration and individual equity to our social security beneficiaries, I urge prompt enactment of this measure.

CORRECTION OF RESOLUTION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that in the engrossment of House Resolution 7 the Clerk of the House be authorized and directed to make the following corrections:

First. On line 2 of the resolution strike "Ninetieth Congress" and insert "Eighty-ninth Congress";

Second. In line 5 of the resolution strike out the period, insert a comma, and add the following:

> With the following amendment, to wit: "In rule XI, strike out clause 23 and insert: "23." "

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, as I understand it, the request of the distinguished majority leader is solely for the purpose of perfecting what the House intended to do on Tuesday last; is that correct?

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, the gentleman from Michigan is correct. Most of them are obvious. Obviously, we were working last year under the rules of the 89th Congress, but there were two or three clerical errors and the only purpose is to correct clerical errors.

Mr. **GERALD R. FORD**. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRINTING OF CORRECTED RESOLUTION IN THE JOURNAL AND IN THE RECORD

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the resolution as just corrected be printed in the Journal and in the RECORD at this point.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The corrected resolution is as follows:

H. RES. 7

Resolved, That the rules of the House of Representatives of the Eighty-ninth Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the rules of the House of Representatives of the Ninetieth Congress with the following amendment as part thereof, to wit:

In rule XI, strike out clause 23 and insert:

"23. The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when ordered reported by the committee. If such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Rules Committee may call it up as a question of privilege and the Speaker shall recognize any member of the Rules Committee seeking recognition for that purpose. If the Committee on Rules shall make an adverse report on any resolution pending before the committee, providing for an order of business for the consideration by the House of any public bill or joint resolution, on days when it shall be in order to call up motions to discharge committees it shall be in order for any Member of the House to call up for consideration by the House any such adverse report, and it shall be in order to move the adoption by the House of said resolution adversely reported notwithstanding the adverse report of the Committee on Rules, and the Speaker shall recognize the Member seeking recognition for that purpose as a question of the highest privilege."

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule for next week be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT TO MONDAY NEXT

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LET US NOT FORGET THE VETERAN

Mr. **GURNEY**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **GURNEY**. Mr. Speaker, in the rush of legislation that moved past our weary eyes at such a rapid pace during the 89th Congress, there was, it seems, something for everybody. Everyone, that is, except the aging disabled veterans on fixed incomes. All they got from the "fabulous 89th" was a shrinking dollar to buy higher priced goods. While inflation soared, the retirees paid for it.

I am therefore introducing legislation to provide richly deserved and long-overdue relief for those veterans and widows receiving pensions, by raising the unbelievably low outside income limits. By increasing these long out-dated limitations, many will receive higher pensions.

In addition, the legislation I propose would increase by 10 percent the amount of pension paid to a veteran's widow. These pensions, at their highest rate under present law are only $80 a month for a widow with children.

This legislation is not new. I introduced identical bills a year ago and pressed for their enactment, but the administration had made it more than clear that the aging and disabled veterans were not to share in the Great Society. They were, it seemed, to pay for it instead. As inflation grew steadily worse last year, more and more of the necessities of life became luxuries to our older citizens.

A survey I made late last year showed many veterans and their widows in ill health doing without medical attention, prescribed drugs, even food, in an attempt to keep body and soul together.

It became a matter of amazement to me as I read on through the returned questionnaires that these men who have given so much for our country were able to survive at all on the meager pittances their country provides them. A disabled veteran with an outside income of $605 a year receives $75 a month from his grateful Government. His total yearly income is $1,505.

Here is real poverty—and striking those who are either too old or ill to fight back. Yet the Johnson administration ignores these men and women to whom, if to anyone, we all owe a great debt, and talks of spreading the wasteful poverty war to the rest of the world.

A disabled veteran with a wife and two children to support whose wife is able to earn only $1,005 a year, receives $960 a year. The grand total of $1,965 a year is far below the President's $3,000 "poverty" base. But where is he when these people ask for help?

The recent inflation has made an almost unbearable situation impossible. A 14-cent pound of apples in 1963 costs 22 cents this year; 10 pounds of potatoes costs 23 cents more than it did 3 years ago. Even cabbage has risen over 35 percent since 1963. And yet Secretary of Agriculture Freeman advises Democrat candidates to "slip, slide, and duck" any mention of higher food costs, and the President continues slipping, sliding, and ducking the question, "What can the retirees do if this goes on?"

The bills I am introducing would ease this overwhelming burden for a large group of these forgotten warriors. The amount of a pension is determined by the amount of other income the veteran or widow receives. There are three categories, and those whose income from social security, private pensions, modest savings, and so forth, places them in the lowest of these, receive the largest pension.

By increasing the limits, those in the lowest levels of each would be included in the next lower category and thus would receive a larger pension. In addition, the legislation I propose would increase by 10 percent the pension rate for widows.

The limits would be increased on the following scale:

	New
Veterans and widows without dependents:	
Present income limit of $600	$1,000
Present income limit of $1,200	1,700
Present income limit of $1,800	2,600
Veterans and widows with dependents:	
Present income limit of $1,000	1,600
Present income limit of $2,000	2,700
Present income limit of $3,000	3,800

Under the bills I propose the veteran mentioned above with an outside income of $605 a year would fall within the lowest limits and receive a pension of $100 a month. His yearly income would then be $1,805 instead of $1,505. Still no room for luxuries, but at least a few more of the necessities.

Mr. Speaker, the time for this legislation is right now, with no more of the foot dragging that has so characterized our treatment of our older citizens in the past. These are but the first two of several bills I plan to introduce to aid retirees. I hope I will be joined by the great number of my colleagues who are concerned over our treatment of our older citizens.

TO ESTABLISH A U.S. COMMITTEE ON HUMAN RIGHTS

The **SPEAKER**. Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. **HALPERN**. Mr. Speaker, during the 89th Congress, I was privileged to introduce H.R. 12306, legislation to prepare for U.S. observance of International Human Rights Year in 1968.

Unhappily, although the Foreign Affairs Committee approved the bill in modified form, it was not acted upon by the whole House. However, the Senate passed the measure shortly before final adjournment, on October 17, 1966.

I now reintroduce this bill. Despite the fact that a year has evolved since I first presented this legislation, this delay has not removed the importance nor the appropriateness of clearly defined action to make American observance of International Human Rights Year a constructive endeavor.

The legislation is similar to that passed by the Senate last October 17. I have made some necessary technical alterations in order to update references. An expenditure ceiling has been added of $300,000.

The General Assembly of the United Nations has proclaimed that 1968 shall be International Human Rights Year. A report of the White House Conference on International Cooperation recommended that the United States take action to implement International Human Rights Year so that its purpose and goals can be furthered in a meaningful manner.

Here in the House, the Subcommittee on International Organizations and Movements held 2 days of hearings last August. In testifying, I presented correspondence and other documentation to the subcommittee reflecting the widespread interest and support the bill had mustered among all segments of the American people.

The proposed committee which the bill envisages will have several interlocked responsibilities. It will be the prime vehicle through which the United States can, during the year 1968 and prior thereto, awaken interest in and further official adherence to the practices of international law. The committee, as prescribed in the bill, shall conduct studies and seminars throughout the United States; explore the role of the United States in furthering the application of human rights; and furnish the President with a report, not later than September 1, 1967, recommending certain concrete steps whereby the United States can officially strengthen its own observance of international human rights.

Mr. Speaker, the fresh bill I am introducing contains amendments suggested by the Budget Bureau and seconded by the Department of State, as reported to the Foreign Affairs Committee last year. Both of these executive agencies recommended passage of the bill. Their suggestions were technical in nature, and did not infringe upon the intent or substantive language of the bill.

I urge my colleagues to assist in securing passage of this legislation. I need not remind Members of the House that, as a great power, we should not be found wanting in this vital area of human rights. Unless we can move sincerely and constructively in this field of international law and world human rights, our reputation will indeed be tarnished. The Senate, as I have already said, approved the measure last year, and I fervently urge that the House act favorably early in this 90th Congress.

THE MISSING SUGARBEET ACREAGE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous mater.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, results of the sugarbeet harvest in Maine and New York show that the acreage set aside to provide beets for two eastern refineries was almost totally wasted, and represented lost opportunities for other sugarbeet producers this year.

I warned from the beginning that giving a green light to unproven areas was a mistake which would benefit no one, and would penalize established growers. Now it is apparent that the whole dubious experiment is a total flop.

U.S. Department of Agriculture figures show that allotments to the Maine and New York refineries should have provided more than 62,000 acres of beets. But a total of only about 9,000 acres were harvested this past year—with an average per-acre yield far below the national average.

Had this acreage been assigned to established high-quality beet producing areas such as the Red River Valley of Minnesota and North Dakota, instead of to these two new and unproven ones, our farmers could have planted enough additional sugarbeet acreage to supply two processing plants, each with a capacity of 50,000 raw tons of sugar a year. And it would have benefited the American consumer. This action has deprived other potential producers from participating in the sugar program.

It also should be noted that Maine this year harvested about 9½ percent of the potential acreage set aside for that growing area, and obtained a yield per acre that was around 61 percent below the national average. New York harvested less than 21 percent of its potential acreage with a yield almost 45 percent below the national average.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Duncan), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Kupferman (at the request of Mr. Duncan), for 30 minutes, January 18; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Hanley.

(The following Members (at the request of Mr. Duncan) and to include extraneous matter:)

Mr. Harsha.

Mr. Saylor.

(The following Members (at the request of Mr. Pryor) and to include extraneous matter:)

Mr. St. Onge in two instances.

Mr. McCarthy.

ADJOURNMENT

Mr. PRYOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, January 16, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

194. A letter from the Comptroller General of the United States, transmitting a report of review of effort to collect or otherwise settle certain debtors' accounts, Farmers Home Administration, Department of Agriculture; to the Committee on Government Operations.

195. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend section 202(b) of the Federal Property and Administration Services Act of 1949; to the Committee on Government Operations.

196. A letter from the Secretary of the Interior, transmitting a proposed extension of the concession contract to provide accommodations, facilities, and services for the public at the Boulder Beach site of Lake Mead National Recreation Area, Nev., pursuant to the provisions of 70 Stat. 543; to the Committee on Interior and Insular Affairs.

197. A letter from the Secretary of the Interior, transmitting the second annual report on cooperative water research and training, pursuant to the provisions of Public Law 89-404; to the Committee on Interior and Insular Affairs.

198. A letter from the Administrator, Federal Aviation Agency, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Joint Committee on Defense Production. Sixteenth report on the activities of the Joint Committee on Defense Production (Rept. No. 1). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS:

H.R. 2049. A bill to provide for uniform, fair and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Government Operations.

H.R. 2050. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Illinois:

H.R. 2051. A bill for the establishment of the Commission on the Organization of the

Executive Branch of the Government; to the Committee on Government Operations.

By Mr. BENNETT:

H.R. 2052. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. BRAY:

H.R. 2053. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. BROOMFIELD:

H.R. 2054. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUCHANAN:

H.R. 2055. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 2056. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CAHILL:

H.R. 2057. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 2058. A bill to provide for the erection of a monument on Alcatraz Island to commemorate the founding of the United Nations in San Francisco, Calif., in 1945, and to serve as a symbol of peace; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 2059. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

H.R. 2060. A bill to establish a Federal Commission on Alcoholism, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS:

H.R. 2061. A bill to repeal section 14(b) of the National Labor Relations Act, as amended, and section 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended; to the Committee on Education and Labor.

H.R. 2062. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 2063. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 2064. A bill to amend title 5, United States Code, to permit the recovery by the Government of amounts due the Government in the settlement of civil service retirement claims; to the Committee on Post Office and Civil Service.

H.R. 2065. A bill to amend title 5, United States Code, to eliminate the reduction in annuity when the potential survivor-annuitant predeceases the retired employee, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2066. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 2067. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

By Mr. DORN (by request):

H.R. 2068. A bill to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2069. A bill to amend title 38 of the United States Code so as to broaden the veterans' educational assistance program under that title to provide for assistance in on-the-job training programs, on-the-farm training programs, and certain flight training; to the Committee on Veterans' Affairs.

H.R. 2070. A bill to amend title 38 of the United States Code to provide an increase in compensation for veterans having certain service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. DULSKI:

H.R. 2071. A bill to amend title 39, United States Code, to extend the book rate to books issued to supplement other books; to the Committee on Post Office and Civil Service.

By Mr. FARBSTEIN:

H.R. 2072. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 2073. A bill to amend title 10 of the United States Code to prohibit the purchase by the United States of arms and ammunition from foreign firms which have used slave labor, unless compensation has been made to the individuals involved or their heirs; to the Committee on Armed Services.

H.R. 2074. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2075. A bill to amend the act of August 21, 1935, in order to establish a grant-in-aid program for the preservation of buildings having archeological, architectural, or historical significance; to the Committee on Interior and Insular Affairs.

H.R. 2076. A bill to amend the Bankruptcy Act to increase the amount of wages entitled to priority to $2,000, to provide that pension, welfare, and other fringe benefits shall be treated as wages, and to increase the priority period from 3 months to 12 months with respect to certain wage components; to the Committee on the Judiciary.

H.R. 2077. A bill to amend chapter 115 of title 28, United States Code, to provide that courts of the United States shall not take judicial notice of arrests of persons engaged in peaceful activities in furtherance of rights under the Constitution of the United States; to the Committee on the Judiciary.

H.R. 2078. A bill to amend the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 2079. A bill to provide that arrests of persons engaged in peaceful activities in furtherance of their rights or the rights of other persons under the Constitution of the United States shall not be a bar to their employment by the Federal Government; to the Committee on Post Office and Civil Service.

H.R. 2080. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

H.R. 2081. A bill to amend the Social Security Amendments of 1965 to eliminate the provision which denies hospital insurance benefits to uninsured individuals who are members of certain organizations; to the Committee on Ways and Means.

By Mr. WILLIAM D. FORD:

H.R. 2082. A bill to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes; to the Committee on Armed Services.

H.R. 2083. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

H.R. 2084. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 2085. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALPERN:

H.R. 2086. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

H.R. 2087. A bill to amend the Urban Mass Transportation Act of 1964 to repeal the existing limit on the grant funds which may be used thereunder in any one State, and to provide for a more effective apportionment of such funds; to the Committee on Banking and Currency.

H.R. 2088. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency.

H. R. 2089. A bill to permit a State to elect to use funds from the highway trust fund for purposes of urban mass transportation; to the Committee on Public Works.

By Mr. HANLEY:

H.R. 2090. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2091. A bill to amend title 38 of the United States Code to provide for presumptive service connection in cases where certain veterans contract progressive muscular atrophy within 7 years of separation from service; to the Committee on Veterans' Affairs.

H.R. 2092. A bill to amend section 312 of title 38, United States Code, to provide a presumption of service connection in the case of veterans suffering from amyotrophic lateral sclerosis developing a 10-percent degree of disability within 7 years from the date of discharge or release; to the Committee on Veterans' Affairs.

H.R. 2093. A bill to amend section 312 of title 38, United States Code, by providing a 2-year presumptive period of service connection for malignant tumors (cancer) which develop within 5 years from the date of separation from active service; to the Committee on Veterans' Affairs.

H.R. 2094. A bill to amend title 38 of the United States Code so as to increase the period of presumption of service connection for certain cases of multiple sclerosis from 7 to 10 years; to the Committee on Veterans' Affairs.

By Mr. HANNA:

H.R. 2095. A bill to require all insured banks to clear checks at par; to the Committee on Banking and Currency.

H.R. 2096. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HATHAWAY:

H.R. 2097. A bill to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands; to the Committee on Agriculture.

H.R. 2098. A bill granting the consent of the Congress to the State of Maine to negotiate and enter into an agreement with the Dominion of Canada relating to the construction of a certain road, and for other purposes; to the Committee on Foreign Affairs.

H.R. 2099. A bill to consent to an agreement between the State of Maine and the Province of New Brunswick, Canada, providing for the construction and maintenance of an international bridge between Calais, Maine, and Milltown, New Brunswick; to the Committee on Foreign Affairs.

H.R. 2100. A bill to amend the Vessel Exchange Act by eliminating the trade-in requirement in certain cases where national defense purposes require; to the Committee on Merchant Marine and Fisheries.

H.R. 2101. A bill to amend the act of August 31, 1916, so as to provide a standard for a dry 1½-quart container; to the Committee on Science and Astronautics.

H.R. 2102. A bill to repeal certain acts relating to containers for fruits and vegetables, and for other purposes; to the Committee on Science and Astronautics.

By Mr. HELSTOSKI:

H.R. 2103. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 2104. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 2105. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2106. A bill to amend title XVIII of the Social Security Act to provide payment for podiatrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 2107. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 2108. A bill to provide overtime pay for substitute postal employees for hours worked in excess of 8 hours in any single day; to the Committee on Post Office and Civil Service.

H.R. 2109. A bill to provide grants for assistance in the research and development of methods to abate pollution of the water of Lake Ontario and Lake Erie; to the Committee on Public Works.

By Mr. LANDRUM:

H.R. 2110. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2111. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 2112. A bill to amend the Internal Revenue Code of 1954 to permit the withholding of Federal income taxes for employees of certain water districts; to the Committee on Ways and Means.

By Mr. MORSE of Massachusetts:

H.R. 2113. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals; to authorize the award of an exemplary rehabilitation certificate; and for other purposes; to the Committee on Armed Services.

H.R. 2114. A bill to amend title 10 of the United States Code in order to accord to certain persons, who suffered the loss of a hand or foot in World War II, benefits and perquisites similar to those enjoyed by persons suffering such a loss during the Korean conflict; to the Committee on Armed Services.

H.R. 2115. A bill to amend the Universal Military Training and Service Act with respect to the exemption of the sole surviving able-bodied son in certain families; to the Committee on Armed Services.

H.R. 2116. A bill to amend the Internal Revenue Code of 1954 to allow a 30-percent credit against the individual income tax for amounts paid for tuition, fees, or services to certain public and private institutions of higher education or for occupational training or retraining; to the Committee on Ways and Means.

H.R. 2117. A bill to provide social security coverage as self-employed individuals for State and local public officers, not otherwise covered under Federal-State agreement, who are paid on a fee basis by persons other than the State or local government; to the Committee on Ways and Means.

H.R. 2118. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 2119. A bill to amend the Tariff Act of 1930 to provide that certain imported footwear uppers shall be marked with country of origin; to the Committee on Ways and Means.

H.R. 2120. A bill to amend the Internal Revenue Code of 1954 to provide that the cost of maintaining a retarded child in a professionally qualified custodial institution shall be deductible as a medical expense; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 2121. A bill to amend the U.S. Grain Standards Act, as amended, to permit the inspection of certain grain thereunder upon the basis of submitted samples; to the Committee on Agriculture.

H.R. 2122. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2123. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 2124. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

By Mr. O'NEILL of Massachusetts:

H.R. 2125. A bill to provide for national cemeteries in the Commonwealth of Massachusetts; to the Committee on Interior and Insular Affairs.

H.R. 2126. A bill to authorize liens of value of secured equipment used solely for navigation or fishing on a vessel of the United States and to permit the recording of such liens; to the Committee on Merchant Marine and Fisheries.

H.R. 2127. A bill to permit certain employees of a State or political subdivision thereof to elect coverage under the Federal old-age and survivors insurance system, as self-employed individuals; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 2128. A bill to preserve the jurisdiction of the Congress over construction of hydroelectric projects on the Colorado River below Glen Canyon Dam; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER:

H.R. 2129. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PIRNIE:

H.R. 2130. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. REUSS:

H.R. 2131. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RIVERS:

H.R. 2132. A bill to amend title 37, United States Code, to provide moving expense benefits for members of the uniformed services; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 2133. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Affairs.

H.R. 2134. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 2135. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a National Veterans Cemetery System consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 2136. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

H.R. 2137. A bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes; to the Committee on the Judiciary.

H.R. 2138. A bill to amend section 319 of the Immigration and Nationality Act to permit naturalization for certain employees of U.S. nonprofit organizations engaged in disseminating information which significantly promotes U.S. interest, and for other purposes; to the Committee on the Judiciary.

H.R. 2139. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. ROUSH:

H.R. 2140. A bill to amend the Food and Agriculture Act of 1965; to the Committee on Agriculture.

By Mr. ROYBAL:

H.R. 2141. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 2142. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2143. A bill to amend title II of the Social Security Act to increase benefit amounts, to raise the wage base, to provide for cost-of-living increases in benefits, to increase widows' benefits, to provide wife's or widow's benefits for certain additional divorced women, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes; to the Committee on Ways and Means.

By Mr. SHIPLEY:

H.R. 2144. A bill to authorize the Secretary of the Interior to establish the Lincoln Homestead National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 2145. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 2146. A bill to authorize family housing units at or in support of military installations or activities to be leased for periods of up to 10 years; to the Committee on Armed Services.

H.R. 2147. A bill providing for the leasing of facilities for housing bachelor military personnel; to the Committee on Armed Services.

By Mr. SISK:

H.R. 2148. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Iowa:

H.R. 2149. A bill to protect domestic consumers against an inadequate supply of soybeans and soybean products; to maintain and promote foreign trade; to protect producers of soybeans against an unfair loss of income resulting from the establishment of a reserve supply; to assist in marketing soybeans for domestic consumption and export; and for other purposes; to the Committee on Agriculture.

By Mr. STEIGER of Wisconsin:

H.R. 2150. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 2151. A bill to amend title 38 of the United States Code to make the children of certain veterans having a service-connected disability rated at not less than 50 percent eligible for benefits under the war orphans' educational assistance program; to the Committee on Veterans' Affairs.

H.R. 2152. A bill to amend the act incorporating the Disabled American Veterans so as to provide for an annual audit of their accounts; to the Committee on Veterans' Affairs.

By Mr. TENZER:

H.R. 2153. A bill to amend the act of October 19, 1949, entitled "An act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

By Mr. UDALL:

H.R. 2154. A bill to provide long-term leasing for the Gila River Indian Reservation; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN:

H.R. 2155. A bill to amend the Tariff Schedules of the United States with respect to the classification of Chinese gooseberries; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 2156. A bill to authorize the President to proclaim the first Saturday in May of each year as a "day of recognition" for firefighters; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 2157. A bill to authorize the International Monorail Corp. to construct, maintain, and operate a monorail service in El Paso, Tex., and across the Rio Grande between El Paso and Ciudad Juarez, Mexico; to the Committee on Foreign Affairs.

By Mr. WILLIS:

H.R. 2158. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 2159. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. WHITENER:

H.R. 2160. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 2161. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 2162. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 2163. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 2164. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 2165. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 2166. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 2167. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. WOLFF:

H.R. 2168. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WRIGHT:

H.R. 2169. A bill to revise the Federal elections law, and for other purposes; to the Committee on House Administration.

By Mr. WYATT:

H.R. 2170. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BERRY:

H.J. Res. 122. Joint resolution proposing an amendment to the Constitution of the United States pertaining to the offering of prayers in public schools and other public places in the United States; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.J. Res. 123. Joint resolution proposing an amendment to the Constitution of the United States providing that the term of office of Members of the U.S. House of Representatives shall be 4 years; to the Committee on the Judiciary.

H.J. Res. 124. Joint resolution to authorize the President to designate October 31 of each year as "National UNICEF Day"; to the Committee on the Judiciary.

H.J. Res. 125. Joint resolution designating the 14th day of March of each year as "Albert Einstein Memorial Day"; to the Committee on the Judiciary.

H.J. Res. 126. Joint resolution designating the fourth Sunday in September of each year as "Interfaith Day"; to the Committee on the Judiciary.

By Mr. MORSE:

H.J. Res. 127. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. REID of Illinois:

H.J. Res. 128. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 129. Joint resolution requesting the President to proclaim the last week in October of every year as National Student Council Week; to the Committee on the Judiciary.

H.J. Res. 130. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. MADDEN:

H. Con. Res. 51. Concurrent resolution to continue the Joint Committee on the Organization of the Congress; to the Committee on Rules.

By Mr. CURTIS:

H. Con Res. 52. Concurrent resolution to continue the Joint Committee on the Organization of the Congress; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Con. Res. 53. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

H. Con. Res. 54. Concurrent resolution expressing the sense of the Congress with respect to prosecutions for war crimes in the Federal Republic of Germany; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Con. Res. 55. Concurrent resolution to suspend regulations on diet supplements until Congress acts; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H. Con. Res. 56. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 57. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

H. Con. Res. 58. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. Con. Res. 59. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. WALDIE:

H. Con. Res. 60. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON:

H. Con. Res. 61. Concurrent resolution expressing the sense of Congress with respect to the imposition of economic sanctions against Rhodesia by the United Nations; to the Committee on Foreign Affairs.

By Mr. WYATT:

H. Con. Res. 62. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. ASPINALL:

H. Res. 114. Resolution to provide funds for the expenses of the investigations authorized by H. Res. 34; to the Committee on House Administration.

By Mr. DORN:

H. Res. 115. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 116. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

By Mr. MARTIN:

H. Res. 117. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. MORSE:

H. Res. 118. Resolution creating a select committee to conduct an investigation and study of the jurisdiction, powers, and duties of the standing committees of the House of Representatives; to the Committee on Rules.

H. Res. 119. Resolution authorizing a Representative in Congress who is a member of a certain committee to designate one of his employees to be cleared for access to classified information available to the Representative in his capacity as a member of such committee; to the Committee on Rules.

H. Res. 120. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Urban Affairs; to the Committee on Rules.

H. Res. 121. Resolution creating a select committee of the House to study the problems of urban areas; to the Committee on Rules.

By Mr. PEPPER:

H. Res. 122. Resolution authorizing under certain circumstances the broadcasting and telecasting of public hearings conducted by House committees; to the Committee on Rules.

By Mr. SIKES:

H. Res. 123. Resolution to authorize the Committee on Agriculture to conduct an investigation and study of the recent increases in the retail price of milk; to the Committee on Rules.

By Mr. RIVERS:

H. Res. 124. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; to the Committee on Rules.

H. Res. 125. Resolution to provide for the expenses of the investigation and study authorized by House Resolution 124; to the Committee on House Administration.

By Mr. TEAGUE of Texas:

H. Res. 126. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 101; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Alabama:

H.R. 2171. A bill for the relief of Antonio Jose Moreno; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 2172. A bill for the relief of Majda Brinovec; to the Committee on the Judiciary.

H.R. 2173. A bill for the relief of Sofia Cascarano; to the Committee on the Judiciary.

H.R. 2174. A bill for the relief of Emanuel Ebroom; to the Committee on the Judiciary.

H.R. 2175. A bill for the relief of Ioannis Saltaris; to the Committee on the Judiciary.

H.R. 2176. A bill for the relief of Bienvenido Tan; to the Committee on the Judiciary.

H.R. 2177. A bill for the relief of Pantelis Vakidis; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 2178. A bill for the relief of Gonzalo Ramirez Villa; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 2179. A bill for the relief of Nikola Sudar; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 2180. A bill for the relief of Mr. Frank Miccoli; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 2181. A bill to confer jurisdiction on the U.S. Court of Claims to reopen and continue case No. 66–55; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 2182. A bill for the relief of Antonio Crincoli; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2183. A bill for the relief of Amado Buenconsejo Budy and Sonia Lin-Budy; to the Committee on the Judiciary.

H.R. 2184. A bill for the relief of Carmine Serleti; to the Committee on the Judiciary.

H.R. 2185. A bill for the relief of Mrs. Anna Benes-Szoverffy; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 2186. A bill for the relief of Mr. Giuseppe Cannata; to the Committee on the Judiciary.

H.R. 2187. A bill for the relief of Mr. and Mrs. Eliseo Cidre; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 2188. A bill for the relief of Khatchadour B. Palandjian; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 2189. A bill for the relief of Dr. Manuel G. Pena; to the Committee on the Judiciary.

H.R. 2190. A bill for the relief of Perouze Tentunian; to the Committee on the Judiciary.

H.R. 2191. A bill to authorize the use of vessel *Annie B.* in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

H.R. 2192. A bill to authorize the use of vessel *Ocean Delight* in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

H.R. 2193. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Eugenie II*, owned by J. C. Strout, of Milbridge, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee Merchant Marine and Fisheries.

By Mr. KUPFERMAN:

H.R. 2194. A bill for the relief of Shlomo Zack; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 2195. A bill for the relief of Rafael and Olimpia Aybar; to the Committee on the Judiciary.

H.R. 2196. A bill for the relief of Dr. Renato R. Espina; to the Committee on the Judiciary.

H.R. 2197. A bill for the relief of Maria Felicia; to the Committee on the Judiciary.

H.R. 2198. A bill for the relief of Bok Sin Kim; to the Committee on the Judiciary.

H.R. 2199. A bill for the relief of K. S. Krishnaswami; to the Committee on the Judiciary.

H.R. 2200. A bill for the relief of Dr. Santiago Leyte-Vidal, his wife, Nocidia J. Negreira-Leyte, and their minor children, Lourdes I. Leyte-Vidal and Santiago M. Leyte-Vidal; to the Committee on the Judiciary.

H.R. 2201. A bill for the relief of Peter K. Newman; to the Committee on the Judiciary.

H.R. 2202. A bill for the relief of Neil Bernard Poole; to the Committee on the Judiciary.

H.R. 2203. A bill for the relief of Valentina Samson; to the Committee on the Judiciary.

H.R. 2204. A bill for the relief of Hideo Uchiyama; to the Committee on the Judiciary.

H.R. 2205. A bill for the relief of Sui Tsai Zee; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 2206. A bill to confer jurisdiction on the United States Court of Claims to reopen and continue case No. 66–55; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 2207. A bill for the relief of Elmer G. Erickson; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 2208. A bill for the relief of Jung Ja Hahn; to the Committee on the Judiciary.

By Mr. O'KONSKI:

H.R. 2209. A bill for the relief of Josef Enzinger; to the Committee on the Judiciary.

H.R. 2210. A bill for the relief of Kaghanoosh Hagop Tatian; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 2211. A bill for the relief of John Rask (Hanna Rizk); to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 2212. A bill for the relief of Salvador Esperon A.; to the Committee on the Judiciary.

H.R. 2213. A bill for the relief of John Vincent Amirault; to the Committee on the Judiciary.

H.R. 2214. A bill for the relief of Hermano Braz de Andrade; to the Committee on the Judiciary.

H.R. 2215. A bill for the relief of Manuel Andrade; to the Committee on the Judiciary.

H.R. 2216. A bill for the relief of Domenico Annibale; to the Committee on the Judiciary.

H.R. 2217. A bill for the relief of Monica G. Anvoner; to the Committee on the Judiciary.

H.R. 2218. A bill for the relief of Salvatore Arsena; to the Committee on the Judiciary.

H.R. 2219. A bill for the relief of Gaetano Simoes Barboso; to the Committee on the Judiciary.

H.R. 2220. A bill for the relief of Laura Barrios; to the Committee on the Judiciary.

H.R. 2221. A bill for the relief of Anna and Efrant Charles; to the Committee on the Judiciary.

H.R. 2222. A bill for the relief of Joao Manuel Borges Soares Da Mota; to the Committee on the Judiciary.

H.R. 2223. A bill for the relief of Edmundo Jacome Monteiro De Medeiros; to the Committee on the Judiciary.

H.R. 2224. A bill for the relief of Pedro Luiz DeMelo; to the Committee on the Judiciary.

H.R. 2225. A bill for the relief of Oli-Gario Lobo Depina; to the Committee on the Judiciary.

H.R. 2226. A bill for the relief of Irvia DiFiore; to the Committee on the Judiciary.

H.R. 2227. A bill for the relief of Rodolfo Camilo Farias; to the Committee on the Judiciary.

H.R. 2228. A bill for the relief of Manuel Furtado Gabriel; to the Committee on the Judiciary.

H.R. 2229. A bill for the relief of Wassify Michael Hanna; to the Committee on the Judiciary.

H.R. 2230. A bill for the relief of Guglielmo and Filomena Iannuzzi; to the Committee on the Judiciary.

H.R. 2231. A bill for the relief of Antonio Iocco; to the Committee on the Judiciary.

H.R. 2232. A bill for the relief of Isak and Luiza Kazez; to the Committee on the Judiciary.

H.R. 2233. A bill for the relief of Gaetano La Bella; to the Committee on the Judiciary.

H.R. 2234. A bill for the relief of Ta Wah Lee; to the Committee on the Judiciary.

H.R. 2235. A bill for the relief of Paul R. Levesque; to the Committee on the Judiciary.

H.R. 2236. A bill for the relief of Carlo Marotta; to the Committee on the Judiciary.

H.R. 2237. A bill for the relief of Manuel Marques; to the Committee on the Judiciary.

H.R. 2238. A bill for the relief of Aurora

Matessieh; to the Committee on the Judiciary.

H.R. 2239. A bill for the relief of Domenico, Serafina, and Maria Mazzei; to the Committee on the Judiciary.

H.R. 2240. A bill for the relief of Fernanda Mendonca; to the Committee on the Judiciary.

H.R. 2241. A bill for the relief of Salvador Vieira de Mendonca; to the Committee on the Judiciary.

H.R. 2242. A bill for the relief of Carmela Santoro; to the Committee on the Judiciary.

H.R. 2243. A bill for the relief of Octavio Francisco Miranda; to the Committee on the Judiciary.

H.R. 2244. A bill for the relief of Maria N. Nunez; to the Committee on the Judiciary.

H.R. 2245. A bill for the relief of Joao Borges Tavares de Oliveira; to the Committee on the Judiciary.

H.R. 2246. A bill for the relief of Aurora Macedo de Faria de Ornelas; to the Committee on the Judiciary.

H.R. 2247. A bill for the relief of Teresina Mancini Pantanella; to the Committee on the Judiciary.

H.R. 2248. A bill for the relief of Alfredo Pepe; to the Committee on the Judiciary.

H.R. 2249. A bill for the relief of Carolina Pereira; to the Committee on the Judiciary.

H.R. 2250. A bill for the relief of Maria de Fatima Dias Pereira; to the Committee on the Judiciary.

H.R. 2251. A bill for the relief of Riziero Pesce, Giuseppa Pesce, Zina Pesce, and Enrico Pesce; to the Committee on the Judiciary.

H.R. 2252. A bill for the relief of Gaetano Sacco; to the Committee on the Judiciary.

H.R. 2253. A bill for the relief of Gilfroia Sacco; to the Committee on the Judiciary.

H.R. 2254. A bill for the relief of Herman Hyman Sanderson; to the Committee on the Judiciary.

H.R. 2255. A bill for the relief of Lina Silva; to the Committee on the Judiciary.

H.R. 2256. A bill for the relief of Maria Odete Silva; to the Committee on the Judiciary.

H.R. 2257. A bill for the relief of Jose Sepulveda Suarez; to the Committee on the Judiciary.

H.R. 2258. A bill for the relief of Calogero Tardanico; to the Committee on the Judiciary.

H.R. 2259. A bill for the relief of Adolf L. Vandendorpe; to the Committee on the Judiciary.

H.R. 2260. A bill for the relief of Maria de Fatima Gouveia Victoria; to the Committee on the Judiciary.

H.R. 2261. A bill for the relief of Nikolaos Vrotsos; to the Committee on the Judiciary.

H.R. 2262. A bill for the relief of Franca Zazzera; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.R. 2263. A bill for the relief of Henry E. Bullock; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 2264. A bill for the relief of Orlando Fidel Ray; to the Committee on the Judiciary.

H.R. 2265. A bill for the relief of Luis Barca Ruiz; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 2266. A bill for the relief of Dr. Chin Jo Tseng; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 2267. A bill for the relief of Elma Eiola Tobitt; to the Committee on the Judiciary.

H.R. 2268. A bill for the relief of Michael Tsimenoglou and his wife, Arety Tsimenoglou; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 2269. A bill for the relief of Arlene W. Chang; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 2270. A bill for the relief of Lt. David Campbell; to the Committee on the Judiciary.

H.R. 2271. A bill for the relief of Crystal Julia Fuller; to the Committee on the Judiciary.

H.R. 2272. A bill for the relief of Vincente LaRuffa and his daughters, Rosa (Rosita) LaRuffa and Pascualina LaRuffa; to the Committee on the Judiciary.

H.R. 2273. A bill for the relief of Leo Temmer, M.D.; to the Committee on the Judiciary.

H.R.2274. A bill for the relief of Dr. Yoshio Watanabe; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2275. A bill for the relief of Dr. Ricardo Vallejo Samala; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 2276. A bill for the relief of Allan Michael Charak and Nadya Marie Charak; to the Committee on the Judiciary.

H.R. 2277. A bill for the relief of Reginald Robert David Hitchcock; to the Committee on the Judiciary.

H.R. 2278. A bill for the relief of Morris L. Kaiden; to the Committee on the Judiciary.

H.R. 2279. A bill for the relief of Vivian Cohen Kaiden; to the Committee on the Judiciary.

H.R. 2280. A bill for the relief of Dr. Madjid Yaghmai; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 2281. A bill for the relief of Dwayne C. Cox and William D. Martin; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 2282. A bill for the relief of certain employees of the Naval Weapons Center, Concord, Calif.; to the Committee on the Judiciary.

H.R. 2283. A bill for the relief of Dr. Ray F. McMillan; to the Committee on the Judiciary.

H.R. 2284. A bill for the relief of Luisa Caridad Roque de Rasmussen; to the Committee on the Judiciary.

H.R. 2285. A bill for the relief of Armindo Santos-Ferreira; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 2286. A bill for the relief of Mrs. Joana Krasnauskas (also known as Krasnauskiene); to the Committee on the Judiciary.

H.R. 2287. A bill for the relief of Sp. E-4 Daniel A. Paradeza U.S. Army; to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi:

H.R. 2288. A bill for the relief of Charles B. Franklin; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

10. Mr. CONTE presented a petition of the Massachusetts Chiefs of Police Association, relative to enactment of S. 3740 to provide Federal support for the program to equip police departments with the most modern devices for crime prevention, and to provide additional frequencies for the safety and special radio services, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Ten-Point Program To Improve the Social Security System

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 1967

Mr. ST. ONGE. Mr. Speaker, a most urgent domestic problem facing the 90th Congress is that of providing an adequate income for our retired citizens living on fixed incomes under our social security system in a time of rapidly rising prices. These people have worked long and have looked forward to comfortable and secure years of retirement. Instead of security, however, they have more and more been plagued by the specter of being unable to provide the minimum necessities of a decent life.

Social security today constitutes the principal or sole income for most retirees. Even after a decade and a half of far-reaching liberalization of the program, its benefits still fall dismally short of the needs of the elderly people. The present act, even considering the new creditable earnings, will not significantly ameliorate the lot of lower-paid workers, their dependents and their survivors. At no level will present social security benefits enable a retiree and his wife to avoid serious reduction in the standard of living they achieved while working.

Our society has the responsibility to provide for our older citizens, the widows, and all those unable to provide for themselves because of old age and disability, so that they may be able to face the future with security and dignity. The Nation owes the retired people a decent standard of living for their past efforts in helping to build the country and achieve its present economic development.

From an economic standpoint it is sound and desirable that this group of citizens receive additional income. Their funds are spent on services or consumer items, and thus the economy as a whole is continuously primed. Even more important is the social and human good that comes from providing a minimum standard of living through the social security program, rather than supplementing inadequate benefits with relief and welfare subsidies.

I am today introducing a bill to amend our present social security system to provide the following increases in benefits:

First. The minimum benefits payable are to be raised from the present $44 to $90 per month, effective January 1, 1968.

Second. There is to be an increase in overall retirement benefits by an average of approximately 50 percent, as of January 1, 1968. The increase will be slightly greater for those whose lifetime earnings were lowest. Thus, persons whose lifetime earnings averaged from $95 to $250 a month will receive a 50-percent increase in benefits, while one who has earned $500 a month during his lifetime will receive an increase of just under 40 percent. In the case of those whose lifetime wages have averaged under $95 a month, they will be entitled to receive the minimum of $90 or $135 a month if there is a wife who is 62 and therefore qualifies for marital benefits. For these low-income persons the benefits will be more than doubled.

Third. Widows' benefits are to be increased under this bill from the present level of 82½ percent of the amount received by her deceased husband to 100 percent. It will allow her to receive her widow's share, as well as any old-age or disability benefits to which she may be entitled.

Fourth. The limitation on the amount of outside income that a retired person may earn is to be raised to $2,400 instead of the present $1,500 while receiving benefits under the social security system.

Fifth. An alternative method is provided for computing benefits, based upon the individual's average monthly earnings during his 10 highest consecutive years of employment. Therefore, benefits will more directly reflect a man's productivity during his best working years, and thus will increase the monthly pension checks for millions of beneficiaries.

Sixth. The amount of time a divorced woman must have been married in order to be considered a wife or widow for social security purposes is to be reduced to 10 years from the present requirement of 20 years. This is intended to help women who were divorced too late in life to be able to work long enough to qualify for adequate old-age insurance benefits based on their own earnings.

Seventh. The payroll tax will be increased from its present level of 3.85 percent, not including medicare, to 5 percent each for the employer and the employee, in order to finanace the additional benefits enumerated above. This is to be done by a series of step increases over the coming years.

Eighth. The earning and benefit levels will be increased to $12,000 upon enactment and $15,000 in 1968, thus returning to the original concept of social security when first introduced; namely, that those contributing to the fund would be doing so on the basis of their full salary. At present, only about 65 percent of those who pay into the social security fund do so on their full salary. To prevent imbalance in the future, my bill provides for the automatic adjustment of contributions and earnings base to reflect changes in national earning levels.

Ninth. A provision for an automatic adjustment of benefits to meet changes in the cost of living is contained in the bill. The adequacy of the social security program in the past has been seriously weakened because the benefits have remained more or less stationary, while the cost of living has risen. Under the bill, benefits will rise 1 percent with each corresponding rise in the consumer price index. The benefits granted by Congress under this bill will therefore continue to keep abreast of inflationary trends, rather than merely make up for what has been lost. The bill does not consider all possibilities for automatic adjustments to keep pace with changing economic conditions. It does not, for instance, provide for additional benefits to reflect the increases in real income that others in the economy receive when productivity rises. This is one of several far-reaching questions which the Congess may want to explore in re-examining the social security program. However, by including automatic adjustment features, the bill will do far more than provide for current needs, and will be responsive to reasonably expected future requirements.

Tenth. Benefits are to be financed partly out of general tax revenues. The bill provides a formula whereby equal amounts will, for the first time, be contributed out of general revenues beginning in fiscal year 1969. By 1977, general revenues will finance 35 percent of the social security system. The partial financing of benefits from general revenue, while a significant new feature, is not a new approach. It was in fact anticipated by the first Presidentially appointed Council of Economic Security, whose deliberations preceded the enactment of the original legislation. Attempting to meet all of the social security costs by means of a payroll tax would be regressive taxation and put a disproportionate burden on those we are trying to help most, and those least able to meet such a burden. Financing cost in part from general revenues would represent progressive taxation, and would take advantage of the broadly based graduated individual and corporate tax structure and place more of the burden on those best able to pay.

These, then, are the 10 essential features and provisions of my bill to revise and improve the social security system. Passage of this bill as soon as possible is essential, in order to provide immediate increases in benefits to the large segment of the population living at or below the poverty level. The bill is also important for its proposed innovations in the use of automatic adjustments to meet changes in the economy, and for financing part of the cost from general revenues. Finally it provides the basis for an intensive and very necessary review of this all-important area of domestic legislation.

An Invitation To Ski in Pennsylvania

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 1967

Mr. SAYLOR. Mr. Speaker, this is Pennsylvania Ski Week, and I should like to advise that the Commonwealth invites everyone to come up and take advantage of the winter wonderland of the East.

The long trips to New England for winter sports thrills are no longer necessary or practical. Pennsylvania is fast becoming the year-around recreation headquarters for the Middle Atlantic States and their neighbors because our ideal topography and weather have been complemented with necessary facilities and equipment to offer the finest weekends and vacations that nature and man can provide.

Forty-five ski slopes, which include 37 with snowmaking equipment, were planned to satisfy beginners as well as veterans. There were only eight slopes in the State in 1962, and the increasing number has been accompanied by the growth of thoroughly modern lodges, motels, dining rooms, and services for total enjoyment. Most of our attractive skiing sites can be reached in 2 to 4 hours of safe driving from Washington, Baltimore, Philadelphia, or New York.

For up-to-the-minute news of weather conditions in Pennsylvania, you may call the Harrisburg Ski Desk of the State's travel department. The number is 717-238-5161, a number every winter sports enthusiast should have on file for use from the middle of December until the latter part of March.

Pennsylvania welcomes you.

Tribute to Charles Burchfield

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 1967

Mr. McCARTHY. Mr. Speaker, on Monday, January 9, 1967, the world lost a blazing talent with the death of Charles Burchfield. It was my honor and privilege to count this master watercolorist among my constituents in the 39th District of New York State and to assist in the dedication last month in the opening of the Burchfield Center at the State University College of New York at Buffalo.

Charles Burchfield was a reticent, bespectacled man who lived and painted in a modest little studio at an unspectacular address in Gardenville, N.Y. He never grew a beard, or abandoned his family to expatriate to Europe, he took buses when he had no car, he raised five children during the great depression and he worked 9 years in a wallpaper factory.

Yet this man has left us an ecstatic, flamboyant wealth of painting. He was a original, an artist of singular vision, a wanderer, an explorer, a patient watcher when he undertook his mission of painting—the first frond of a wood fern, the black terror of a half-iced grotto in March, the iridescent dragonfly's arch through the summer's languor were his ardent obsessions.

His vision of our world, be it the streets of the city, the barren unknown of the "north" beyond the woods, a sagging melancholy house, the terrifying power of the searing sun at high noon in September, or the gentle fantasy of the wondering child with his check on the fragile network of a half-spun spider web were where the real world lay for him.

Charles Burchfield has given his inner visions back to us; we the myopic inhabitants who can see when we are shown, and can remember when one of us can retain his child's eye and endure the tortures of a visionary.

He said last year:

If I could be assured of a fairly good physical condition and a sound mind, I think I would like at least another half century in order to carry out some of the ideas fermenting in my brain.

The world has been the beneficiary of his 73 years of awakening and recreating. I wish he could have had that additional 50, for with his death comes the profound realization that there will never be another Burchfield painting.

The Late Representative John E. Fogarty

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 1967

Mr. ST. ONGE. Mr. Speaker, the sudden and untimely death of our beloved colleague, Representative John E. Fogarty, of Rhode Island, was a grievous shock to those of us who knew him personally and worked with him in the U.S. Congress.

He was an ardent and conscientious worker who, in his 26 years of service in the House of Representatives, gained great stature as a leader and much prestige as a statesman. Many of us in the Congress looked to him for guidance and advice on vital problems facing the Nation. Only 2 days before his death, I came down to Washington with him on the plane from Providence, R.I. He seemed to be in excellent spirits and looked forward to the new session of Congress with much expectation and high hopes.

Congressman Fogarty was a man of humble origin, a great humanitarian, and a true servant of the American people. His services to the Nation in the fields of health and education are well known and have earned for him universal recognition.

The Nation has lost a great patriot, a capable leader, and a fine citizen. Rhode Island has lost a very able and devoted son, a man known for his honesty and integrity. I was privileged to know John Fogarty for a number of years and regarded him as one of my closest friends and advisers. Now I have lost this very sincere friend and shall miss him, his wise counsel, his good judgment, for many years to come.

To his wife Louise and to his daughter Mary I extend my sincerest condolences in these moments of their bereavement. We share their sorrow and their great loss.

Mr. Speaker, I wish to insert into the Record the text of a statement issued by the Honorable John M. Bailey, chairman of the Democratic National Committee, on the death of Congressman Fogarty. His statement follows:

Statement by Democratic National Committee Chairman John M. Bailey on the Death of Congressman John E. Fogarty of Rhode Island

The sudden passing of Congressman John E. Fogarty of Rhode Island will be felt as a great void among those in our country who care about the health and welfare of people everywhere.

As an individual, Congressman Fogarty believed that his government should care about people who lacked access to good health and adequate opportunity. As Chairman of the Congressional subcommittee that appropriated funds for the Departments of Labor and Health, Education, and Welfare, he provided the leadership that gave his fellow man the opportunity to live a healthier and richer life. His only regret was that he could not do more.

Congressman Fogarty was a Democrat. He was a man of such great integrity and personal courage that he made all of us proud that he served as a member of the Democratic Party.

We shall miss his presence. But his work will live on in those millions of people who have a better life because of his outstanding efforts in the Congress.

Vice President Calls for New "Partnership" To Meet Public and Private Need

EXTENSION OF REMARKS

OF

HON. JAMES M. HANLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 1967

Mr. HANLEY. Mr. Speaker, last December 7, Vice President Hubert Humphrey delivered a most momentous and timely speech before the seventh general assembly of the National Council of Churches. In his message the Vice President laid before the assembly the great tasks involved in aiding our less fortunate citizens. In cogent and forceful language, he profiled the need for greater involvement by our churches.

Mr. Speaker, I am proud to represent a congressional district whose religious community has responded to the needs of the poor, has taken a firm constructive approach to the task, and has become involved. We are aware of the great social ills of our day and we are working diligently toward their alleviation.

I believe the eloquent program outlined by the Vice President is worthy of consideration by every American and wish to include it at the close of my remarks. I also believe the efforts of our combined religious-lay community in Onondaga County are worthy of consideration, and in this context, I wish to include an editorial from a recent edition of the Catholic Sun, the official organ of the Roman Catholic diocese of Syracuse. This latter was written by my good friend, John C. McGuire, one of the most outstanding and dedicated Catholic laymen in central New York.

The material follows:

Vice President Calls for New "Partnership" To Meet Private and Public Need

Miami, Fla., December 7.—Vice President Hubert H. Humphrey, addressing the National Council of Churches meeting here, called tonight for creation of a new "partnership" between the public and private sectors to meet demands too large for either to meet alone.

"We are beset by physical and social problems, at home and in the world, which demand a far more efficient and effective allocation of resources than those available either to government or the private sector alone," the Vice President said. "Our pluralism is a source of strength. It must be preserved. But it must be preserved in such a balance that it truly meets the priority needs of the times.

"What is needed is a partnership in which our public and private institutions, working together, can meet public and private need without any one institution becoming a dominant monolith."

The Vice President replied in his text to charges that the Administration had failed in its responsibilities in domestic programs.

"If there is criticism that we must do better, we welcome it," he said. "For we know that what has been done is only the beginning of what *must* be done if we are to reach the state of opportunity we seek."

"We recognize our responsibility to higher levels of effort, creativity and performance," he said. "Yet we recognize other responsibilities, too—and here it is time for some plain talk."

"We have the responsibility to meet our obligations in the world," he said. "We have, too, the responsibility to help keep on a sound footing the economy which underpins everything we undertake. To fail in either of these responsibilities would be the surest way I know to guarantee the failure of the course in America to which we are all so deeply committed."

The Vice President called on church and other voluntary organizations to carry a greater share of meeting urgent community needs.

Remarks of Vice President Hubert H. Humphrey to the National Council of Churches, Miami, Fla., December 7, 1966

Churchmen are accustomed to taking a longer view than politicians. We political leaders often feel we are doing well if we can see to the end of next year—or to the end of our term of office.

But you churchmen look at events in the aspect of eternity.

Suppose we compromise tonight and talk about what is happening in this decade and in this century.

What has happened in the 1960's is a rebirth of American idealism. It has come under this banner: Equality of opportunity.

What has happened in this century is that we have been forced to recognize the interdependence of the human race. And we must one day go beyond that recognition to march under another banner, the one that reads: Community.

We are seeking to make equality of opportunity real—to create the living, vital, available opportunity that is so much a part of our American aspiration.

The author Thomas Wolfe, writing in a time of despair and hopelessness, described it in these words: "To every man his chance, to every man, regardless of his birth, his shining, golden opportunity. To every man the right to live, to work, to be himself, and to become whatever things his manhood and his vision can combine to make him. This . . . is the promise of America."

I have learned from my old friend Reinhold Niebuhr that a more equal justice is a sort of stand-in, a local representative in the area of politics, for the higher ideal of Christian love.

There is another, even farther-reaching implication of the ideal of love: The fact of our interdependence; the need for community. We will be reminded of that if we look at the date tonight—Dec. 7, 1966.

It has been exactly a quarter of a century since we Americans were blasted out of our isolation. We were forced, in a most painful way, to acknowledge what a preacher said a long time ago: That no man is an island, entire of himself . . . that every man's death diminishes me, for I am involved in mankind.

Since December 7, 1941, we Americans have been struggling to define the meaning of our involvement with mankind, in many fields.

The story of our American effort to help the unfortunate and poorer nations is a great one.

But long before there were any government programs, the churches were there. So were volunteer organizations, philanthropic foundations, socially-conscious business enterprises and trade unions.

But the hardest field, of course, is international politics and national security. We have fought two wars since Pearl Harbor: we are now fighting a third.

We are a long way from achieving a worldwide community of peace with justice.

I am sure the members of this conference would disagree about the ways we should exercise our responsibility to work for that world-wide community. But we all now agree that we *must* work for it.

That we do have that responsibility.

That we cannot escape that involvement.

In these fields, most of all we need what one of your most distinguished lay leaders, John Foster Dulles, used to call the "discipline of the achievable."

But along with the discipline there must also be *vision* . . . the vision of a just and durable peace . . . the vision of the day toward which we should be moving.

In the nuclear age a phrase very familiar to you takes on an almost *literal* meaning: Where there is no vision, the people perish.

That may be true here at home too.

We have come right now to a very important moment in that effort. It is a moment of change, of decision, and of danger.

The question is this: Will the forward movement of the 1960's continue?

When I ask that question I do not have in mind the results of the past election, nor am I predicting what a new Congress will do.

I have in mind something deeper: The mood and purpose of the American people.

What has brought about the remarkable out-pouring of progressive social action in the years just past?

I would want to see due credit given to our political institutions. But the roots lie deeper. One of the most important roots is the work of this organization, of one of its predecessors, the Federal Council, and of all the member churches—shaping the social conscience of America for more than half a century.

To read through the famous old Social Creed of the Churches that the Federal Council took over from the Methodists is to see how visionary and ahead-of-its-time that document was. And a good deal of it is yet to be achieved.

The point is: You have been preparing the way for a long time.

You passed a resolution endorsing an anti-poverty program two years before we enacted it in Washington.

Churchmen have been writing about the moral outrage of abject poverty in the midst of fabulous riches for much longer than that.

And there is a more direct role of the churches in the recent recovery of social idealism than the writing of books and the passing of resolutions.

You have preached, lobbied, marched, carried out bold and difficult programs from the Mississippi Delta to Chicago, from Watts to Roxbury.

Churchmen have stirred the conscience of the nation when they have "put their bodies on the line" . . . and some whom we remember with the deepest respect have paid with their lives.

If we ask what groups in the American public led in the recently renewed commitment to social justice the answer I think would be these: The American Negro; American young people; and American churchmen.

Now, what about the government's role?

It has been one of your chief agents, to carry out the purposes of the American people.

There is one theory that puts government on one side, under a cloud of suspicion, and the action of private and voluntary groups on the other side, as purer, better, somehow more righteous and desirable.

And there is the implication that government action and nongovernmental action are competitive, the more of the one the less of the other.

But I suggest to you that it isn't like that at all. Rather, the two go together. Especially, today, they go together.

We are beset by physical and social problems, at home and in the world, which demand a far more efficient and effective allocation of resources than those available either to government or the private sector alone.

Our pluralism is a source of strength. It must be preserved. But it must be preserved in such a balance that it truly meets the priority needs of the times.

What is needed is a partnership in which our public and private institutions, working together, can meet public and private need without any one institution becoming a dominant monolith.

Finally, I would point out that the periods of great government action have also been periods of venturesome action by churches and private groups.

The days of the doldrums have been static times for both church and state.

Think of the difference between 1956 and 1966.

Back then we were not talking about the subjects on your agenda here this week—the crisis of the cities, the desperate needs of the poor, the next steps in civil rights. Or, if we were talking about those matters, there weren't many listening.

But now the atmosphere has been transformed.

The public has been made aware of the new demands of social justice—by the parallel and cooperating work of church and state; of foundations; private corporations, labor unions, of volunteer groups and individual writers, preachers and leaders; of federal, state, and local governments.

Something important began when in 1955 a young minister in Montgomery, Alabama, organized a moving, powerful and disciplined social protest—a bus boycott.

But the movement became much broader with the sit-ins by college students in the spring of 1960—actions in which student Christian leaders played a larger role than is generally recognized—and with the Freedom Rides of the spring 1961, in which clergymen participated.

The movement has grown and spread since then, in what is really one of the most remarkable stories in the history of American social movements.

It came to great peaks in the Washington March for Jobs and Freedom in 1963; in the passage of the Civil Rights Act of 1964; and in the Selma March and Voting Rights Act of 1965.

Churchmen were of fundamental importance in the passage of the Civil Rights Act two and a half years ago . . . to the point that one of my beleagured Senate colleagues struck his brow and said, "Oh, the Clergy!"

Many veterans of that disciplined effort are here today, I know. All of us who participated in that historic event will be proud that we did so all of our lives.

In 1965, Catholics, Protestants, and Jews marched together down an Alabama road. One nun was asked by an angry citizen, "What are you trying to do to the white race?" She calmly replied, "Educate it!"

That's what you have been doing—educating all of our citizens arousing our conscience, pointing to social injustices that are a stench in the nostrils of God.

But now we have come to 1966. And it turns out—there is still more educating that needs to be done.

The mood of the public has changed. There are two parts in this change of mood, I think—reaction and disillusionment. You are needed to counteract both.

The reaction was there waiting, frustrated, scared.

The American people haven't turned into angels.

There is prejudice, in all sections of the country; there are vested interests; there are fears—some legitimate, most illegitimate.

There is, among some, the age-old "hardness of heart"—the contempt for the poor, the fear of the victim of the ghetto, the grudging attitude toward the woman on welfare.

In 1966 all this has begun to come out in the open again.

And there is also disillusionment.

After all the court decisions and all the laws, most Negro children still go to segregated schools, and twice as many Negroes as whites are unemployed.

Thirty-five million Americans still live in poverty; slum schools still turn out children who can't read the labels on a medicine bottle; many of the children in the Head Start program identify the Teddy bear on the chart as a rat.

And now we learn that for many children the Head Start doesn't stick. Thrown back in a poor inner city school, the early advantage they've had soon washes away.

You can conclude one of two things from that: You could abolish Head Start or you could transform the inner city schools. I vote for the latter—and I know you do too.

But many people, learning how hard it is to overcome slumism, have begun to be cynical and despairing about our efforts. Right now is when we need your leadership most of all.

We are now in stage two of this wave of social reform—the tough, working stage of the follow-through, when we find out how hard the job is, how long it will take, how much money it will cost, how many of our efforts need to be revised and improved.

It is a time when all too many crusaders are inclined to leave the march.

As Thomas Paine said so well: "These are the times that try men's souls. The summer soldier and the sunshine patriot will, in this crisis, shrunk from the service of their country; but he that stands it now, deserves the love and thanks of man and woman. Tyranny, like hell, is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph."

In the Reconstruction period many of the Northern reformers decided after the war and Emancipation that the job was done, and they withdrew, leaving the Negro to the segregationists, and leading to the lost 100 years of civil rights.

Let us not do that again.

In one of the excellent documents prepared for this conference there is a quotation relevant to this point. The quotation, you will remember, comes from Yale historian C. Vann Woodward:

"Americans have developed over the years a curious usage of the law as an appeasement of moralists and reformers. Given sufficient pressure for a law that embodies reputable and popular moral values, the electorate will go to great lengths to gratify the reformers. . . . But having done this much, they are inclined to regard it as rather tedious of the reformers to insist on literal enforcement. Under these circumstances the new law is likely to become the subject of pious refer-

ence, more honored in the breach than in the observance, a proof of excellent intentions rather than a means of fulfilling them."

I'm afraid that has often been true. We all now have the responsibility to see that it is *not* true of the battery of opportunity programs we have started in the sixties.

We in government bear a heavy responsibility to provide the funds, the leadership, the programs, and the follow-through that are necessary.

I believe that we in government, during the 1960's can justifiably assert that we *have* provided these things on a scale never before attempted.

Yet if there is criticism that we must do better, we welcome it. For we know that what has been done is only the beginning of what *must* be done if we are to reach the state of opportunity we seek.

We recognize our responsibility to higher levels of effort, creativity, and performance.

Yet we recognize other responsibilities, too—and here it is time for some plain talk.

We have the responsibility to meet our obligations in the world.

We have, too, the responsibility to help keep on a sound footing the economy which underpins everything we undertake.

To fail in either of these responsibilities would be the surest way I know to guarantee the failure of the course in America to which we are all so deeply committed.

Thus, it is more than ever important that institutions and people outside of government meet their responsibilities in building our freer and better America. I think of the opportunities, for example, that confront you.

You can be the shaper of the public conscience in each city, in each Southern county and each Northern metropolitan area, in each town and region. More and more, that is where the battles will now be fought.

You can leap across the political boundaries of our formless metropolitan areas in a way that government cannot.

You can provide the leaders—the pragmatic idealists, who stick to the job—whom we desperately need in every community.

You can encourage those sensitive citizens in the suburbs who care about what is happening in the inner city.

You can pick up the possibilities offered by new federal legislation and make those real in your own community—the housing projects for black and white, poor and not-so-poor; the supplementary educational centers; the community action agencies to fight poverty.

You can help provide (and I know how much of this you are already doing) the teachers and leaders for Head Start and Upward Bound and remedial reading and basic literacy and foster grandparents.

You can take action within your own institutions—to examine your investments, your hiring policy, your budgets.

We have been urged by religious leaders recently to move toward the day when we will devote two per cent of our national income to economic development in the poorer nations.

I'm for that. It raises the question about how the churches spend their money.

One statistic I have seen puts the total of Catholic and Protestant expenditure on services to others outside the churches at about 500 million dollars per year—only 41 cents per month for everyone who belongs to a church in America.

Recently churches have been urging corporations to place the funds they have for investment in socially constructive places such as low and middle income housing. This is a wonderful idea.

But many people have been disappointed at how slow the churches and non-profit groups have been to take up the government offer to make long-term, low-interest loans available under the 221D3 provision of the Housing Act—a provision making possible construction of low rent housing.

How much of its own money is the church investing in community organization among poor people in city and country?

How much of the church's budget is going to experiment with new ways of serving the old, the poor, the sick—ways which go beyond our present welfare practices?

There is much for all of us to do before we reach the day when every man is treated as he should be treated, as a child of God.

What I have been trying to say in this message is the essence of my religious conviction: Namely, that the way you treat people is the way you treat God.

We are bound together in the common faith of the Fatherhood of God and the Brotherhood of Man.

How, then, can we be true to our faith in our daily lives?

To me, religious faith must be more than an exercise in theology, dogma, ritual or doctrine. It must be a part of one's life. And the Christian faith, to be an effective force in the modern world, must have practical meaning in the lives of those who inhabit the earth.

I believe that each of us has an obligation to serve God at each level of his existence and within each institution of his society—from doing honor to one's parents and children . . . to performing his work with dignity and honesty . . . to playing his role within his school, his neighborhood, his church, his community and nation.

The building of a better and more peaceful world will never come from any diplomat's ingenious plan. It will come only from the cumulative acts of men who live their lives in respect for their fellow man, and thus, for God.

I believe it is thus that all men may one day march proudly under the banner: Community.

[From the Catholic Sun]

CHRISTIANS IN ACTION

The Vice-President of the United States in his remarks before the General Assembly of the National Council of Churches at Miami Beach, Florida called for greater effort on the part of the Church to aid the poor.

Specifically Mr. Humphrey stated, as one example, that in the field of low rent housing, under governmental programs religious groups or non-profit corporations could give relief to middle income persons. He reminded those in attendance that the Government cannot solve the social problems of the day, acting alone.

We do not believe that the Vice-President is saying the Christian Churches in America are penurious in their treatment of their respective flocks. Rather we feel in his capacity as Vice-President he is calling for assistance not only from the churches themselves but from the laity, in group action, to provide leadership in tackling the social problems in a fast changing world.

He talks of "low rent housing" and recommends the churches give more support to section 221-d-3 of the Federal Housing Act.

In relating this to the Syracuse Diocese what does it mean?

We remind our readers that as far back as 1962 a segment of the Syracuse Catholic laity was wide awake and attuned to the Community need in low rent housing.

PILOT PROGRAM

This group was familiar with the 1961 Housing Act to which Mr. Humphrey refers. They developed a plan, formulated their program and began to act. Comprised of Syracuse business and professional men this band incorporated under the name "Mount St. James Corporation" set out to construct a 140 unit apartment project on Jamesville Ave., at a cost of approximately two million dollars. This was a pilot program, the first initiated in the State of New York. Today it stands completed and fully rented. The performance of this project by the sponsor has been consistent with the objectives of the program. A notable degree of integration has been achieved without fanfare.

Quite an undertaking for these men with such great responsibility. We believe this is what Mr. Humphrey is talking about.

Supreme Court Justice William E. McClusky, President of Mount St. James Corporation sums it up this way. "Our sole motive is outlined in our Certificate of Incorporation."

"To alleviate the hardship and distress of persons and families residing in the City of Syracuse and its environs due to inadequate and obsolute housing accommodations and related social recreational facilities and services for persons and families of low and moderate income."

Justice McClusky added, "The corporation is not organized for profit and does not have any power to issue certificates of stock or declare dividends. Under its Certificate of Incorporation all income must be used exclusively for charitable, religious, scientific, literary or educational purposes."

DIOCESAN PARTICIPATION

This is fine and noble indeed. But is Mr. Humphrey's call for help to the church answered here?

In order to interest the Federal Government to lend support the sponsor group must stand stringent and lengthy scrrutiny by the Washington FHA office before approval is granted. In addition recommendation and endorsement of the objectives must receive approval by the Diocese.

Bishop Foery recommended to the FHA the individual members in the Mount St. James group. He endorsed the objectives outlined. Further in response to a request by FHA and Mount Saint James Corporation he appointed a member of the laity to serve on the Board of Directors of Mount St. James. His letter to FHA in August of 1962 states in part:

"I feel that while this activity is not essentially religious in character, it nevertheless is a most appropriate manifestation of the basic social philosophy of the Catholic Church. We are proud of and we encourage the efforts of Catholic laymen in lending their time and talents toward charitable undertakings whose objectives are the betterment of the economic and social conditions of their less fortunate brethren."

"That the purpose of Mount St. James Corporation is laudable cannot be disputed; that the need exists in the Syracuse area cannot be denied; that the membership of the corporation is responsible and dedicated I am pleased to certify."

Isn't this Syracuse's answer, in 1962 and 1963, to Vice-President Humphrey's call to arms in 1966?

But it does not end here.

In 1964, this same group felt the objective of safe, sanitary and decent housing for persons of low and moderate income was not only meritorious but there was still a dire need for this type of project in our community. Believing that nonprofit sponsorship of such projects need not necessarily be religiously oriented they felt that the objective of such a program was a matter of primary Christian concern. Should not our religious bodies through a dynamic laity be the first to wrestle with (and hopefully solve) one of the great social problems of our time? A mere civic benevolence cannot ever be an adequate substitute in this field for the deep moral conviction which impels all Christians.

Therefore, in a true ecumenical spirit did this Mount St. James group seek to join hands with a similar group of the Episcopal laity, headed by Hon. John Farnham. The purpose was the same, only the site was to be different. The City was seeking help in the downtown Urban Renewal area for this same type project. The arduous task of planning, programming and designing for buildings began for the Trinity House arrangement. The hours of 1964 and 1965 were short indeed as this unique group solicited the support of all interested organizations for encouragement and assistance in the development of this program.

FOUR BISHOPS AGREE

In behalf of the Trinity House concept Most Rev. Walter A. Foery and Most Rev. David F. Cunningham, Bishops of the Catholic Diocese of Syracuse and Rt. Rev. Walter M. Higley and Rt. Rev. Ned Cole, Jr., Bishops of the Episcopal Diocese of Central New York joined together in their statement of collective endorsement. Said the Bishops:

"The Sponsor Corporations, composed of laymen of our respective Communions, have our complete moral support and we appoint representatives to serve on their Board of Directors. . . . We are sure that the members of the Sponsor Corporation will bring to this task all the sympathy, compassion and dedication which have characterized the Christian ethic of the Brotherhood of man under the Fatherhood of God. . . . In addition, the benefits of this program to this community will be an inestimable good, and we hope of great satisfaction to Almighty God. We commend those who stand poised to undertake this task."

Though the Trinity House concept was not selected by the City award committee to develop the downtown Syracuse Urban Renewal Site, the idea of this unique church union is but a seed, planted, yet to sprout into reality.

However, the grown child of the Mount St. James family, now fully developed and exercising a responsible existence in our community—even now acts in an advisory capacity in other undeveloped areas as far west as Chicago.

This accomplishment would give comfort and cheer to our Vice-President were he aware of this activity in the Syracuse Diocese.

Yes, Mr. Humphrey, we in Syracuse know of what you speak. We are actually working with our Government—both Church and laity—towards alleviating some of our social ills.

This editorial is not written to take credit for the efforts advanced as of this date, but rather to serve as a reminder to both the Church and laity that there is a continuing problem, with many projects to be faced.

—J.C.M.

Representative Cramer of Florida Calls for Accelerated Air and Water Pollution Control Programs by the States

EXTENSION OF REMARKS

OF

HON. WILLIAM H. HARSHA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 12, 1967

Mr. HARSHA. Mr. Speaker, on October 31 of last year, Congressman WILLIAM C. CRAMER, of Florida, addressed the 17th annual joint conference of the Florida Pollution Control Association and the Florida section of the American Water Works Association in Hollywood, Fla., on the national problems of maintaining adequate water quality and water supplies to meet the needs of the Nation.

As the top ranking Republican member of the House Committee on Public Works which has jurisdiction over legislation pertaining to the major Federal water pollution control programs, and as the author of several key provisions of the Federal Water Pollution Control Act, as amended, Congressman CRAMER has distinguished himself as one of the most informed Members of Congress on the intricate problems of maintaining adequate supplies of good water.

Through the efforts of Congressman CRAMER and the other Republican members of the Committee on Public Works, many significant amendments to the Federal Water Pollution Control Act were enacted during the last Congress, including amendments providing additional inducements to the States to more fully participate in the program of constructing sewage treatment works, providing additional bonuses for adopting certain basinwide plans and for enforcing certain water quality standards, and providing reimbursement procedures of State and local funds for construction of sewage treatment works in advance of the availability of Federal participating funds.

Congressman CRAMER's analysis of the nature of the water quality and water supply problems, the extent of the Federal effort, the character of Federal legislation and programs, and the need for the States to assume their rightful responsibilities in the area of air and water pollution control is highly perceptive of the genuine needs in this area of water resources development.

The concepts underlying Congressman CRAMER's proposals on what the role of the State of Florida should be in maintaining adequate supplies of good water and in controlling air and water pollution are ones which should be closely examined by all the States for possible application by their respective governmental machinery.

Mr. Speaker, I have unanimous consent that the address to which I have made reference be printed at this point in my remarks, and I commend it to all Federal, State, and local officials involved in water resources development and to all Americans concerned over the pollution of our air and water.

The address follows:

PHILOSOPHIES OF THE NATIONAL WATER RESOURCES PROGRAMS: WATER QUALITY AND WATER SUPPLY

(Remarks of the Honorable William C. Cramer, before the 17th Annual Joint Conference of the Florida Pollution Control Association and the Florida section of the American Water Works Association, Diplomat Hotel, Hollywood, Fla., October 31, 1966)

Ladies and Gentlemen. Since enactment of the historic Federal Water Pollution Control Act of 1956, our Nation's increasing awareness of its water quality and water supply problems has been reflected in the activities of all levels of government to control and abate water pollution and to provide our citizens with a sufficient supply of good water.

Federal, State, interstate, municipal, and intermunicipal agencies have devoted millions of man-hours attempting to solve water quality and water supply problems. Legislative bodies have expanded the authorities of agencies and have broadened the provisions of statutes and ordinances. Hundreds of millions of dollars have been spent on research and development and demonstration projects, water quality control, and the construction of sewage treatment plants, water purification works, and collector and distributor systems. Greater strides have been made to strengthen Federal water pollution control programs during the past few years than ever before, and the government in Washington has similarly addressed itself to the needs for more adequate water supply systems, but the manifold problems of water pollution and inadequate water supply are still very much with us.

THE NATURE OF WATER QUALITY AND WATER SUPPLY PROBLEMS

You are authorities on water pollution control and water supply management. I do not need to discuss with you the startling statistics which reflect the magnitude of our water resources problems and which alert us to the great tasks which lie ahead.

You are well aware that our Nation has a critical water resources problem, for there just is not enough water of adequate quality at all the places where it is needed. Our water has been so polluted, in many instances, that taxpayers must pay ever-increasing taxes and user charges to meet the demands for sewage treatment and water purification. As you well know, poor quality water and insufficient water supplies menace public health, reduce property values, raise taxes and water consumer charges, destroy natural beauty and fish and wildlife, drive away existing industry, and discourage the location of prospective industries and residents.

Congress has proclaimed that our water resources problems cannot be ignored; but just because they are national problems, we cannot and should not reply upon the Federal Government alone to correct them. Only by concerted actions on all levels of government can we insure that there will be an adequate supply of clean water. The answer lies in the effective use and reuse of water which cannot be fully achieved without sincere cooperation between all levels of government, without earnest anti-pollution efforts by all present and future pollutors, and without support from all concerned public, semi-public, and private organizations, private enterprise, and aroused citizens.

I will address myself this morning to the present status of the major Federal water resources programs and to what State and local agencies have done and should do to enhance efforts to solve these problems.

FEDERAL LEGISLATION AND PROGRAMS

The Congress has been responsive to the need for controlling and abating water pollution and for enhancing our water supplies.

Enactment of the Federal Water Pollution Control Act of 1956, which I cosponsored, better known as Public Law 660, was the first really significant step taken by Congress towards eliminating water pollution. As you know, this Act established a Federal grant program for the construction of waste treatment works and provided for some enforcement procedures for abatement of pollution.

THE WATER QUALITY ACT OF 1965

Additional legislation was enacted in 1961, but the second most significant action taken by Congress was the enactment of the Water Quality Act of 1965.

As you know, last year's Act provided for creation of the Federal Water Pollution Control Administration, through which the Secretary of Health, Education, and Welfare was to administer the Federal Water Pollution Control Act. The transfer of this new Administration in May of 1966 from the Department of Health, Education, and Welfare to the Department of the Interior, as a result of a reorganization act, necessitates my references hereafter to the Secretary and the Department of the Interior.

Under the Water Quality Act, authorizations for appropriations for each of the fiscal years 1966 and 1967 were increased from $100 to $150 million, of which the first $100 million to be appropriated was to be allocated to the States under the formula based on population and income, with all amounts appropriated in excess of $100 million to be allocated on the basis of population alone. The Act provided that 30% project grants could be made from the latter allotment without regard to the dollar ceiling limitations, if the State matched the full Federal contribution made to all projects from such annual allotment.

This provision to encourage State financial participation in the construction of sewage treatment works constructed with P.L. 660 funds is of great importance. Since 1959, I have been in the lead on the House Committee on Public Works urging that increased annual authorizations for the construction grant program be coupled with inducements to bring the States into the P.L. 660 construction program. I offered motions to accomplish this on the House Floor on two separate occasions. Twice my measures were defeated, but at last the States were brought into the P.L. 660 construction grant program in 1965, as far as the additional $50 million annual authorizations were concerned.

Last year's Act doubled the dollar ceiling limitation on grants for construction of waste treatment works for an individual project from $600,000 to $1.2 million and for a joint project from $2.4 million to $4.8 million. As I have indicated, project grants could be made for a full 30 percent of the cost of projects, without regard to the dollar ceiling limitations, if the State matched the full Federal contribution made to all projects in the State from the annual appropriations over $100 million. This was the forerunner of the proposals embodied in the Clean Waters Restoration Act of 1966. The 1965 Act further permitted the Secretary to increase the basic grant by an additional ten percent of the amount of the grant, if the project conformed to the comprehensive plan for a metropolitan area.

The most controversial aspect of last year's Act pertained to enforcement provisions. After extended debate, a change in enforcement provisions was finally arrived at which was acceptable to most and which was the best compromise obtainable. Thankfully, the House position on enforcement provisions was generally upheld in conference committee.

As you know, the 1965 Act provided that if the Governor of a State or a State water pollution control agency filed by October 2, 1966, a letter of intent that such State, after public hearings, would before June 30, 1967, adopt water quality criteria applicable to interstate waters or portions thereof within such State, together with a plan to implement and enforce such criteria, and if the Secretary determined that such criteria and plan were consistent with the provisions of the Act, then such criteria and plan would thereafter be the water quality standards applicable to those interstate waters and portions thereof in that State. All States filed such letters of intent, and Florida was among the first to do so. To me this is an indication that the States will effectively meet their water pollution control problems.

CLEAN WATERS RESTORATION ACT OF 1966

The latest action taken by Congress to improve and make more effective the Federal program was the enactment this month of the Clean Waters Restoration Act of 1966, which now awaits the President's signature.

Inasmuch as you might not yet be fully aware of the many provisions of this year's Act, I would like to briefly discuss its most important provisions with you.

This year's Act authorizes the Secretary of the Interior to make grants to pay up to 50 percent of the administrative expenses of a basin planning agency for a period of not to exceed three years, if such agency provides for adequate representation of appropriate State, interstate, state, local, or, when appropriate, international interests in the basin or portion thereof involved, and if it is capable of developing an effective, comprehensive water quality control and abatement plan for the basin. The grant is to be made only upon the request of the Governor of a State or a majority of Governors when more than one State is involved. The term "basin" is defined with sufficient latitude to encompass most, if not all, areas with clean waters problems in Florida.

RESEARCH AND DEVELOPMENT BROADENED

The 1966 Act authorizes the Secretary to make grants to States, municipalities, intermunicipal or interstate agencies, private institutions, and individuals for the purpose of assisting in developing projects to demonstrate new or improved methods of controlling the discharge of untreated or inadequately treated sewage or other wastes from sewers carrying storm water or both storm water and sewage or other wastes; to make grants to those entities to assist in developing projects to demonstrate advanced waste treatment and water purification methods or new or improved methods of joint treatment systems for municipal and industrial wastes; and to make grants for the purpose of reports, plans, and specifications in connection therewith.

The Act further authorizes the Secretary to make grants for research and development projects for prevention of pollution of water by industry, including the treating of industrial wastes. The Act authorizes a total of $60 million annually for these three types of research and development projects for each fiscal year 1967 through 1969.

Of importance to the Sunshine State, the Act authorizes the Secretary, in cooperation with appropriate government, public, and private entities, to make a comprehensive study of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States. The study should result in recommendations to Congress for effective means to control and abate water pollution in our estuaries and estuarine zones.

SEWAGE TREATMENT WORKS CONSTRUCTION MONEY INCREASED

Authorizations for appropriations for the construction of sewage treatment works have been substantially increased. The Secretary is required to submit a report to Congress by January 10, 1968, on the reasonable estimated cost of needed waste treatment facilities, which will reveal to what extent these new monetary authorizations may need to be adjusted. In addition to the $150 million previously authorized for fiscal year 1967, the Act authorizes appropriation of the additional sums of $450 million for fiscal year 1968, $700 million for fiscal year 1969, $1.0 billion for fiscal year 1960, and $1.25 billion for fiscal year 1971. This constitutes additional authorizations of $3.4 billion over the next four fiscal years. Dollar ceiling limitations on project grants have been stricken from the existing law; however, the Federal share of the total cost of projects is still not to exceed 30 percent, unless the State agrees to pay not less than 30 percent of the costs of all projects for which Federal grants are to be made from an annual allocation for the construction of projects in that State, in which event the Federal share can be increased to a maximum of 40 percent of the total cost. Furthermore, if a State agrees to pay not less than 25 percent of the total cost of all projects for which Federal grants are made in the State from an annual allocation for project construction therein and if enforceable water quality standards have been established for the waters into which the project discharges in accordance with the water quality enforcement provisions of P.L. 660, as amended, in the case of interstate waters, and under State law in the case of intrastate waters, the Federal maximum share can be increased to 50 percent of the total project cost. The adequacy of enforceable water quality standards established by the State for intrastate waters shall not be subject to review by the Secretary.

The Act makes provision for reimbursements in varying degrees to State and local entities, under conditions set forth in the Act, for the Federal share of the costs of construction of sewage treatment works undertaken in advance of the availability of Federal funds. This section, however, for obvious reasons, is not to be construed to constitute a commitment or obligation of the United States to provide funds or to make or to pay any grant for such project; and by the enactment of this new provision, the Congress has no intent to create a preferred class of projects that would be entitled to reimbursement at the higher percentages provided for in this year's Act. The section was written into the Act on my motion and is consistent with the separate bill on reimbursement which I had introduced.

ENFORCEMENT OF WATER QUALITY STANDARDS FURTHER STRENGTHENED

Enforcement provisions have been slightly changed also. It shall now be the responsibility of the chairman of a conference to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the conference which may be required to be filed in writing rather than given orally in every instance.

The amended enforcement provisions further provide that at the request of a majority of the conferees in any conference, the Secretary is authorized to request any person whose alleged activities result in discharges causing or contributing to water pollution to file with him a report based on existing data, furnishing such information as may reasonably be requested as to the character, kind, and quantity of such discharges by the person filing this report; however, no one is to be required in such report to divulge trade secrets or secret processes, and all information reported is to be considered confidential for most purposes. If a person required to file a report fails to do so within the time fixed by regulation, he may be subject to forfeiture of up to $100 per day. The House conferees clearly spelled out in their statement on the conference substitute bill that it is their intention that nothing in this new additional enforcement provision shall be construed to require any person to submit a report to the conference if he does not wish to do so; if, however, he agrees to file such a report and thereafter fails to do so, he shall be subject to the penalties provided for in the new provision.

This year's Act amendments on enforcement procedures also declare that it shall be the responsibility of the hearing board to give each person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the hearing board and that in connection with any hearing the Secretary is authorized to require any person alleged to be contributing to water pollution to file a report concerning the character, kind, and quantity of such discharges and the measures taken by the pollutor to abate the pollution. Penalty for failing to comply is $100 per day.

OIL POLLUTION CONTROL

Of interest to our coastal State, this year's Act amends the Oil Pollution Control Act of 1924 by transferring the administration of that Act from the Secretary of the Army to the Secretary of the Interior, by making it unlawful for any person to cause or permit the willful or grossly negligent discharge from any boat or vessel of oil by any method, means, or manner into or upon the navigable waters of the United States and adjoining shorelines of the United States, by increasing fines and penalties, and by establishing certain arrest procedures for oil pollutors.

INDUSTRIAL INCENTIVES STUDY

This year's Act also authorizes the Secretary of the Interior to make a full and complete investigation and study of methods to provide incentives for the construction of facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives. This will be a very important study.

I think from my brief discussion of this year's Act that everyone can see the magnitude of it.

OTHER FEDERAL ACTS PROVIDING WATER POLLUTION CONTROL ASSISTANCE

In addition to P.L. 660, as amended, there are also other Federal financial assistance programs in this area. Federal grants for the construction of water pollution control, water supply, and related facilities can be obtained under the Housing and Urban Development Act, the Public Works and Economic Development Act, the Demonstration Cities Act, the Consolidated Farmers Home Administration Act, and, although not applicable to Florida, the Appalachian Regional Development Act. Loans are also available under the public facilities loan program.

EXEMPTION FROM INVESTMENT TAX CREDIT SUSPENSION

The recognition by Congress of the need for industry to control its pollution was reflected this year in the suspension of the 7 percent investment credit under the Federal tax code. The legislation, as enacted, specifically exempts from this suspension those capital expenditures for facilities, installations, machinery, and equipment which contribute to the elimination, control, or prevention of air and water pollution.

RECENT FEDERAL LEGISLATION ON ADEQUATE WATER SUPPLIES

The increasing awareness of the "water famine" has recently been reflected in the enactment of the Northeast Water Supply Act, the enactment of the Water Resources Planning Act, the creation of a Water Resources Council, the maintenance of full appropriations for the small watershed development program, the provision for Federal grants and loans for basic water supply facilities, and in several other important actions.

THE EXTENT OF THE FEDERAL EFFORT

I have directed my remarks up to this point to the Federal effort to control or abate water pollution and to maintain sufficient water supplies, but I am not trying to make you think that the Federal Government has done, is doing, and will do everything that needs to be done throughout the Nation in this field. That is not and should not be the role of the Federal Government in this program. The Federal Government's efforts have been enormous, but, in my opinion, we are probably very close to the maximum extent of the Federal effort.

There are several philosophies on the Federal role in controlling water pollution and in insuring adequate water supplies. There are those who say the Federal Government should do everything, and there are those who say it should do nothing. There are those, like myself, who say that the Federal Government does have a responsibility in these areas, but I also say the programs will be a success only if all levels of government assume their proper responsibilities.

In my opinion, the Federal Government is largely meeting its responsibilities in the construction of sewage treatment works and pollution abatement enforcement. You have seen in the Water Quality Act and in the Clean Waters Restoration Act several distinct trends which, I am sure, are obvious to you. They are trends toward greater State participation; toward full cooperation among all levels of government; toward bringing the largest single source of pollution—industry—into the picture through incentives; and toward greater reliance on the States to enforce water quality standards.

The recent increase in the Federal effort is not a sign that the Congress is permitting the Federal Government to take over responsibility for the entire program. Rather the intent runs, in my opinion, in the opposite direction. As one of the drafters and principal supporters of workable Federal water pollution control legislation, I say to you that the non-Federal interests must now assume their rightful responsibilities and fully implement effective programs.

THE NEEDED FLORIDA EFFORT IN THE FUTURE

My purpose here today is not only to tell you what the Federal Government has done but also to leave with you some thoughts on what the future role of the State of Florida should be in these programs, if Florida is to meet its responsibilities.

Toward such an end, I offer the following proposals for your consideration in the course of this week's conference:

1. *I propose the creation by the next session of the Legislature of a Florida State Natural Resources Commission,* headed by a person with Cabinet rank and with full responsibility for air and water pollution control and natural resources development programs. It is time to elevate these programs from the bureaucratic jungles of Florida boards to their proper level in responsible State government.

2. *I propose State and Federal tax incentives* for any industrial facilities, installations, machinery, or equipment, which contribute to pollution treatment and provide for the elimination, control, or prevention of air and water pollution, provided those units meet certain standards established by the appropriate Federal and State agencies.

3. *I propose the appropriation by the Legislature of adequate funds* to permit the State to meet its responsibilities under Federal law and to take maximum advantage of the Federal grant program to abate water and air pollution and also to permit the State to take such other action as may be needed to attack air and water pollution, including the training of additional State technical personnel, provided such trainees agree to remain in the State's employment for at least a minimum specified period of time.

4. *I propose the requirement by State statute that all county, metropolitan area,* or *regional planning agencies must provide* for *minimal air and water pollution control* and *abatement requirements.*

5. *I propose that all developers of industrial parks and housing developments of specified size to be constructed in the future by required to construct adequate waste treatment works to treat the discharge from such industrial facilities and residences.*

There are, of course, other proposals which could be made, but I consider the ones which I have just enumerated to be the most important, although their relative importance is not necessarily in the order in which I presented them. Unfortunately, I cannot be with you for the duration of your conference, but your consideration of these and other proposals should be a worthwhile effort. Although the realization of my proposals will require a substantial expenditure by the State, I am confident that the benefits which would accrue to the State, if these proposals are carried out, would more than offset the expenditures. Furthermore, I think these programs should have a higher priority than some of the items we now find in the Florida budget.

IN CONCLUSION

The Federal Government has done much to control and abate water pollution and to provide measures to insure against inadequate water supplies, but the responsibility lies now, more than ever before, on the State and local governments, public and private organizations, industries, and concerned citizens.

It will be groups like the Florida Pollution Control Association and the American Water Works Association and citizens like yourselves on whom will rest the ultimate success of this effort. Like any governmental program, the realization of the goals envisaged in the enactment of statutes and ordinances to rectify our critical water problems ultimately rests with the people in a free society.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 16, 1967

The House met at 12 o'clock noon.

The Reverend (Father) Walter J. V. Schmitz, Sulpician priest, and dean of the School of Theology of the Catholic University of America, Washington, D.C., offered the following prayer:

Let us pray: Lord, Jesus Christ, who said to Your apostles: *In whatever home you enter, greet it saying, "Peace be in this house"*; may this same peace abide here. Be pleased, O God, to shield and to free from any harm all those here dedicated to serving their country. Fill these legislators, these chosen leaders of our country, these representatives of our good people with the spirit of wisdom, prudence, and strength, and instill in them a holy fear, so that they may faithfully use their talents for Your glory and for the benefit of their fellow men.

Our legislators, Lord God, rely on You as their source of knowledge and understanding, and so we earnestly beg You to put Your blessing on their every effort and project, so that mankind will deepen their convictions of charity and good will toward their fellow men and ultimately be nearer to their God who is the way, the truth, and the life. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 12, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Vice President, pursuant to title 20, United States Code, sections 42 and 43, appointed Mr. SCOTT as a member of the Board of Regents of the Smithsonian Institution.

The message also announced that the Vice President, pursuant to Public Law 89-491, appointed Mr. PASTORE, Mr. BYRD of Virginia, Mr. COTTON, and Mr. BROOKE as members of the American Revolution Bicentennial Commission.

RESIGNATION OF ASSISTANT DISBURSING CLERK

The SPEAKER laid before the House the following communication from the assistant disbursing clerk, minority, U.S. House of Representatives:

DECEMBER 6, 1966.

HON. JOHN W. MCCORMACK,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: *I feel that the time* has come for me to retire from active employment, and it is therefore requested that you accept my resignation as assistant disbursing clerk (minority), United States House of Representatives, as of December 30, 1966.

You may be assured that my nearly twenty years service as an employee of the House has been a most pleasant and gratifying experience.

With all good wishes.

Sincerely yours,

FREDERICK M. KISSINGER.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 14, 1967.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the United States District Court for the District of Columbia, the Clerk of the House of Representatives has received a subpoena duces tecum, directed to him as such officer, to appear before said court as a witness in the case of U.S. v. Robert G. Baker, and to bring with him certain and sundry papers therein described in the files of the House of Representatives.

The rules and practice of the House of Representatives indicates that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely yours,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

(Note: Report to room No. 3825, 3d floor, United States District Court Building, Third and Constitution Avenue, NW., Washington, D.C.)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Spa ad Test—Court of Chief Judge Curran. United States of America v. Robert G. Baker, Criminal Case No. 39–66.

The President of the United States to the Honorable W. Pat Jennings, Clerk, House of Representatives, Washington, D.C.

And bring with you: All records of any nature relating to reports filed by the Democratic Senatorial Campaign Committee for the years 1962 and 1963 pursuant to the Federal Corrupt Practices Act.

You are hereby commanded to attend the said Court on Friday, January 13, 1967, at 9:00 O'Clock A.M., to testify on behalf of the United States, and not depart the Court without leave of the Court or the United States Attorney.

WILLIAM O. BITTMAN,
MARVIN R. LOEWY,
Attorneys for the United States.

STerling 3–5700, ext. 7073.

Witness, the Honorable Edward M. Curran, Chief Judge of said Court, this 13th day of January AD., 1967.

By MARJORIE W. VANDIVIER,
Deputy Clerk.
ROBERT M. STEARNS,
Clerk.

Marshal's Return

Summoned the above-named witnesses____.

____________________,
U.S. Marshal,
District of Columbia.
By ____________________,
Deputy U.S. Marshal.

RESOLUTION RELATING TO PRODUCTION OF CERTAIN DOCUMENTS BY THE CLERK OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 127) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 127

Whereas in the case of United States against Robert G. Baker, (Criminal Case No. 39–66), pending in the United States District Court for the District of Columbia, a subpena duces tecum was issued by the said court and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear as a witness before said court at 9 antemeridian on the 13th day of January 1967, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That W. Pat Jennings, Clerk of the House, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of this House, and take copies of any documents or papers; and the Clerk is authorized to supply certified copies of such documents and papers in possession or control of said Clerk that the court has found to be material and relevant, except minutes and transcripts of executive sessions and any evidence, of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MEMBERSHIP OF STANDING COMMITTEES

Mr. ALBERT. Mr. speaker, I offer a resolution (H. Res. 128) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H.R. 128

Resolved, That during the Ninetieth Congress the Committee on Agriculture shall be composed of thirty-five members;

The Committee on Appropriations shall be composed of fifty-one members;

The Committee on Armed Service shall be composed of forty members;

The Committee on Banking and Currency shall be composed of thirty-three members;

The Committee on Education and Labor shall be composed of thirty-three members;

The Committee on Foreign Affairs shall be composed of thirty-six members;

The Committee on Government Operations shall be composed of thirty-five members;

The Committee on Interior and Insular Affairs shall be composed of thirty-three members;

The Committee on Interstate and Foreign Commerce shall be composed of thirty-three members;

The Committee on the Judiciary shall be composed of thirty-five members;

The Committee on Merchant Marine and Fisheries shall be composed of thirty-three members;

The Committee on Post Office and Civil Service shall be composed of twenty-six members;

The Committee on Public Works shall be composed of thirty-four members;

The Committee on Science and Astronautics shall be composed of thirty-one members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. LAIRD. Mr. Speaker, I offer a resolution (H. Res. 129) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 129

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committee of the House of Representatives:

COMMITTEE ON WAYS AND MEANS: John W. Byrnes, Wisconsin; Thomas B. Curtis, Missouri; James B. Utt, California; Jackson E. Betts, Ohio; Herman T. Schneebeli, Pennsylvania; Harold R. Collier, Illinois; Joel T. Broyhill, Virginia; James F. Battin, Montana.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE HONORABLE JOHN E. FOGARTY

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KIRWAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include an article written by Howard A. Rusk, M.D., which appeared in the New York Times of Sunday, January 15.

I believe this to be a most worthy article depicting some of the worthwhile things accomplished for his fellow man in the short, but full life, of the late, beloved, John Fogarty.

The article follows:

MR. PUBLIC HEALTH—DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killers of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

HAIL TO THE PACKERS

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, hail to the Packers. As one of the Members who represents the Kansas City metropolitan area, it would be a happier thing to be able to say today, "Hail to the Chiefs" as a poetic parallel to that great band music which is played whenever our Chief Executive appears.

Yesterday, the first "Gridiron World Series" was witnessed by 63,000 in the Los Angeles Coliseum and was seen on nationwide TV by 45 million for a sports event record. It was Green Bay most of the way or certainly after the entertaining halftime activities.

In the second half the Packers exhibited such methodical, machine-like play that they kept the Chiefs under constant pressure. Green Bay exhibited fine team play but the difference was Bart Starr's performance. His timing was so perfect it appeared he could have thrown those passes blindfolded.

The first Super Bowl was really two games. For all Kansas Citians, the first half was a dandy ball game and the second half was something else. For this reason some of us from the Kansas City area now believe the length of professional games should be shortened so they play just half as long.

Those who have talked about the superiority of the National Football League will now be able to continue to refer to the American Football League as the "other league" or the "juniors." The Packers were rather rude to our Chiefs but if we did not compare so well in yesterday's game, remember one game is not a true test of the ability of both leagues. The AFL will catch up after we have the opportunity for common drafts of collegians.

Our Kansas City Chiefs have nothing to be ashamed of. We won the American League title and as matters turned out, it was no disgrace to be beaten by a great team such as the Green Bay Packers. As several of the Chiefs players promised after the game, "We will be back next year." On behalf of all Members of the House who represent American League Football cities, I know I can say, like those who enjoy another great national game, "Just wait until next year."

But on this day following the first Super Bowl game in history, all those who love professional football and every true sportsman can join in the salute, "Hail to the Packers."

All loyal Kansas Citians felt the sting of the loss by our Chiefs but we will be good losers, as we would have been good winners. It is a pleasure to bow with lifted hat to my counterpart, the gentleman from Wisconsin [Mr. BYRNES], who today enjoys the privilege to bask in the glory of a truly great world champion professional football team from the district he has the privilege to represent.

HAIL TO THE WORLD CHAMPION GREEN BAY PACKERS

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

The SPEAKER. The Chair will recognize our good friend, the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise with a real sense of pride.

Yesterday, the Green Bay Packers became the world professional football champions by defeating the Kansas City Chiefs in Los Angeles, 35 to 10.

I am proud to represent this magnificent football team and the Green Bay community in Congress, and I extend to every Packer, on behalf of the entire Eighth Congressional District of Wisconsin, heartiest congratulations on their historymaking achievement.

The Packers yesterday became the first team to win the world's championship in a playoff between the champions of the American and National Football Leagues. It is fitting that Green Bay should be the first world champions. The team has a long and proud history. They were one of professional football's first teams. They have won 10 previous championships. They have become a synonym for excellence. They have shown by their conduct, on and off the field, in victory and in defeat, that they are true champions in every sense of the word.

I congratulate each member of the team. I congratulate Vince Lombardi, general manager and coach, for a victory which climaxes a truly remarkable coaching career at Green Bay. I congratulate the officers and directors who have provided leadership for this community-owned team. I congratulate the people of Green Bay, the Eighth District and all of Wisconsin, who have supported the Packers through thick and thin and who, in the final analysis, have made the success of this team possible.

At the same time, I want to pay tribute to the Kansas City Chiefs, a fine football team, who showed, in the way they took their defeat, that they, too, are real champions. Kansas City can be proud of them.

Mr. Speaker, I know every Member of this House joins me in extending congratulations to the world champion Green Bay Packers.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. It might be a little premature to claim that championship until the Green Bay Packers have played Alabama.

THE FEDERAL-AID HIGHWAY PROGRAM SHOULD PROCEED

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia.

There was no objection.

Mr. FLYNT. Mr. Speaker, today I introduce a House concurrent resolution expressing the sense of Congress that the Federal-aid highway program should proceed as rapidly as available revenues to the highway trust fund permit, and that the integrity of the highway trust fund should be preserved.

I introduce this resolution because in November 1966 the U.S. Bureau of Public Roads announced that Federal funds for highways would be reduced substantially because of increased costs associated with the Vietnam war.

While we all are concerned about inflation resulting in part from increased Government spending necessitated by this war, it is doubtful that the announced cutback in the amount of Federal funds which can be committed for highway construction in fiscal year 1967 will have any great effect on current inflationary trends.

Mr. Speaker, the national interest will continue to be served if the Federal-State highway program is allowed to proceed as planned. Early restoration of the cutback in Federal highway expenditures is essential in view of the ever-mounting number of traffic injuries and fatalities which improved highway facilities can help to reduce.

If this important program is cut back and funds are withheld at this time, it will be more expensive to build the same highway 1 year from now than it is today, because of constantly rising construction costs.

It would seem only just that adherence to a Federal program, paid for by special taxes which are held in trust for one specific purpose, should be given first consideration in an assessment of national economic policy.

WILDERNESS AREAS AND OUTDOOR RECREATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, one of the permanent achievements of the 88th Congress was its adoption of the Wilderness Act. Not only did that act extend protection to a vast acreage of national forest land that had already been classified as wild or wilderness but it also provided for review of other lands in the national forest system, the national park system, and the fish and wildlife refuge system to see which could properly be classified for inclusion in the wilderness system. That review is now going forward in the departments, and we can expect quite a number of bills this year and next as a result of this review. Extension of the wilderness system is a matter in which both our Committee on Interior and Insular Affairs and the Public Land Law Review Commission are taking and will take a great interest.

Two statements have recently been made by Mr. John F. Buchanan, of Del Norte, Colo., which deserve consideration by all persons interested in wilderness legislation. One was presented at a hearing held by the Public Land Law Review Commission in Albuquerque, N. Mex., on November 11 last year. The other was presented at a hearing on the Washakie wilderness proposal in Riverton, Wyo., on December 8. I commend them to my colleagues for the information they convey and the point of view they espouse:

STATEMENT OF JOHN F. BUCHANAN, PUBLIC LAND LAW REVIEW COMMISSION, ALBUQUERQUE, N. MEX., NOVEMBER 11, 1966

Members of the commission, Commission Staff, Advisory Council, Governors' Representatives, Ladies and Gentlemen:

I am John F. Buchanan, a lumberman; I live in Del Norte, Colorado. We of the Rocky Mountain region welcome you to the heartland of the "public domain" West. We thank you for coming to us to listen to our views as to future public land use and administration. We are grateful you have come to this land and its people for the destinies of both, in no small measure, rest with the decisions of this Commission.

Today, I wish to talk about a new and dangerous philosophy in land use, the causes and motivations underlying this philosophy, the disastrous consequences that lie ahead, if it prevails, and the injury it will do to balanced recreational use of our public lands.

What is this new philosophy, a philosophy being ever louder drummed into the ears of an uniformed public? It is the philosophy of "de facto wilderness", propagandized by a small but very skillful group of people.

And what is "de facto wilderness?" Bluntly stated, shorn of half-truths, stripped to bare-bone facts, "de facto wilderness" simply means that all public domain lands, other than waterless and treeless desert, now unroaded and under-developed in multiple-use management, should, forthwith, be incorporated in the Wilderness Preservation system.

With apparent total disregard for sound, proven conservation practices, heedless of the need for a balanced recreation use of our public lands, unmindful of other multiple uses, these individuals and groups incomprehensibly cry, "more, more, evermore."

Well they know that no responsible user-group or individual is, today, opposed to the incorporation of existing primitive areas into the Wilderness Preservation system. Over the years, to their credit, they have educated a majority of our people to the need of preserving unique areas having true wilderness quality, in a permanent preservation system.

What, then, is the underlying cause in this shift from responsible advocacy of quality wilderness preservation to an irresponsible advocacy of vast increases in the wilderness system, with the sole criteria that of quantity? What is at the root of this apparently insatiable demand for more wilderness, to the point of public assertion that any large area of presently unroaded, forested, federal land is "de facto wilderness?"

What has motivated these groups and individuals to demand, far beyond the acreages in our present primitive areas, these increases to the point that never before in our history have so many been asked to give so much to so few?

The root of the problem lies in what has been happening, over the last twenty to thirty years, in our large cities. No need to document, here, the sociological, physical, moral, and racial changes overwhelming our metropolitan areas. No need to document, here, the abdication of social and civic responsibility by the affluent and the moderately well-off, the so called responsible citizens, who have fled from the cities to the suburbs, taking with them their churches, their schools, and their culture.

In their desertion of civic and social responsibility, they have left behind, today's crisis problems of social frustration, racial tensions, ethnic and racial ghettos, ballooning crime, moral and physical decay. The resulting guilt complex has brought on a psychotic trauma that must have relief in some direction. Unwilling to face peril where peril is, unwilling or unable to cope with rot and blight in their cities, they go far afield to exercise the trauma that engulfs them.

Having permitted blight to overcome their cities, these groups and individuals embrace a cause to stop imagined blight elsewhere. To expiate their guilt complex, they turn their backs on the tough, hard job of the rejuvenation of their cities, and in self-exoneration rush headlong to the cause of quantity wilderness preservation and loudly cry, "There shall be no blight here—no devastation like unto our cities—no vandals to destroy—no mobs to desecrate—no use but for the enlightened few."

Does it not follow, then, that the greater the guilt complex, the deeper the trauma, the more frustrating the feeling of shame because of the blight of their cities, the more pronounced is the dedication to preserve, in sterile bondage, not only true, quality wilderness, but all forested areas as yet unroaded and not fully developed under dynamic, multiple-use management?

The tragedy is that rushing headlong, with misguided zeal, to freeze vast acreages in static preservation, they are sowing the seeds of destruction that will destroy the very thing they seek to preserve.

These groups and individuals glibly argue that such single-use preservation will maintain the ecological purity of these locked-up areas. Little do they realize that, long ago, civilization's demands and needs irrevocably destroyed nature's ecological balance of our forested lands—be they public or private.

Over the centuries, the true cyclical pattern of our forests has been growth, disease, decay, death, followed by the cleansing purge of natural wildfire with resulting re-birth and new growth. Man has, and rightly so, subverted this natural cycle. We can no longer tolerate unchecked wildfire as a balancing agent.

What, then, must we do to correct the imbalance in the ecological cycle created by our suppression of fire? Man must substitute man's management instead of nature's age-old management to maintain balance in our forest. What are the tools of scientific forest management? They are access, harvest, insect control, fire prevention and suppression, and tree planting—Access, above all, as it is the key to sound, many-use, resource management—Harvest, to remove diseased and decadent trees, to increase water production, to improve game habitat—Insect and fire control, to prevent catastrophic destruction—Tree planting, to hasten the renewal of our forest wealth.

The miners, stockmen, water users, the vast majority of our recreationists, timber harvesters, and public land managers ask only that resource facts prevail over resource folly. A forest, like a city, is an ever-changing, living organism. Lock-up the Western Forests in barren, single-use preservation, neglect them, subject them to non-management, look the other way when they are ravaged by uncontrolled fire, disease and insects, and as surely as God made them, they will suffer the blight and devastation of our cities.

The proof, you ask. What better proof than the White and the Routt Forests, up where I come from, where some twenty years ago, these healthy, flourishing forests were attacked by the spruce bark beetle. Unchecked by management controls, we have, today, in the Flat Tops Primitive Area, some 60,000 acres of whitened sepulchres bearing mute but forceful testimony to the futility of sterile preservation.

Again, look at our Rocky Mountain Lodgepole pine forests where dwarf mistletoe is twice-over destroying more timber than is being harvested.

On all our National Forests, fire, disease, insects, blowdown, animals and other causes are taking an annual toll greater than the annual harvest for all the wood using industries.

In the light of these facts, with loss greater than harvest on our managed public lands, it is not crystal clear this nation simply cannot afford to put additional vast acreages, over and above the presently designated wild, wilderness, and primitive areas, into single-use, non-managed, "de facto" wilderness.

On the contrary, we must place greater emphasis in achieving full resource-utilization on those public lands now designated for multiple-use management. In the field of recreation alone, we are neglecting that great majority of our people who cannot take advantage of wilderness type recreation. Because of cost, family make-up, physical attributes, time, and inclination, most people are restricted to, and prefer, that kind of recreation requiring roads, campgrounds, readily accessible lake and stream side areas.

We must seek compatibility and balance between the multiple-use choices on our public lands. We must avoid those choices that lead to conflict and strife in the use of our public lands. Let us preserve our heritage through true conservation, that of sound, multiple-use, forest management. Let us re-dedicate ourselves to those multiple-use, management practices that will enhance, protect, and perpetuate the one principle, above all others, governing Public Land policy, that of achieving the greatest good, for the greater number, over the long run.

The overwhelming majority of us, the stockman, miner, water user, lumberman, hunter, fisherman, and roadside recreationist, have confidence this Commission—coming to the people, as it has, for our views and opinion—will establish in its ultimate decisions, those objectives, principles, and policies that will assure the well-being of the land and its people.

STATEMENT—WASHAKIE WILDERNESS HEARING, RIVERTON, WYO., DECEMBER 8, 1966, BY JOHN F. BUCHANAN, DEL NORTE, COLO.

Mr. Chairman, Distinguished Guests, Ladies and Gentlemen: My name is John F. Buchanan. I reside in Del Norte, Colorado.

I wish to commend the Forest Service, in its proposal on the Stratified Primitive Area, for giving increased emphasis to the needs of America's largest, but least recognized and most under-privileged, vacationing class making use of our public lands—the family camping and sight-seeing groups.

I direct your attention to three significant areas described in the Washakie Proposal. In Area "A"—South Fork Wood River (an addition)—the recreation potential of the Running Cedar is recognized by establishing the boundary approximately a mile above this area. In Area 2—Lean-To Creek (an exclusion)—634 acres are recognized as "lands predominantly valuable for developed recreation." And finally, in Area 3—Wiggins Park (an exclusion)—the Forest Service again recognizes "lands which are primarily valuable for potential developed recreation."

These areas, relatively unimportant, in themselves, have an importance, beyond that of their size or location. Their importance, I believe, lies in the indication of a trend, both on the part of the Forest Service and the National Park Service, toward a major increase in facilities for the forgotten people in the public land recreation picture—the camping, picnicking, and recreation-travel families.

Today, I want to plead the cause of that vast majority of those American families whose voices are never heard in wilderness hearings, who, though they have the most compelling interest in a vacation opportunity suited to their needs, are unremembered and unrepresented in hearings such as this.

I'm going to make some comparisons between wilderness, wild, and primitive acreages and their visitor-day use, on the one hand, and campground, picnicking, organization-camp use, resort use, and recreation-residence use acreages and their visitor-day use, on the other hand. And I'm going to present other comparisons that should bring home to the thoughtful, responsible, and reasonable people of this country, the realization that there is a great and growing disparity in the public-land vacation opportunity for the majority of our people.

All of the statistics as to acreages and visitor-day use are taken from the latest available Forest Service and National Park Service publications.

First, let's examine the magnitude of today's set-asides by the Forest Service in wilderness, wild, and primitive areas and the National Park set-asides in tentative wilderness designation. The combined total, both agencies, is 21,758,800 acres. To give some perspective to 21,758,800 acres: this is more than the combined total acreage of Connecticut, Delaware, Massachusetts, Maryland, New Jersey, Rhode Island, and Chester County, Pennsylvania. These six states and one county have a population of 18,367,600, which is over 10% of the total population of the United States. Place every man, woman, and child—all 18,367,600 of them—simultaneously on today's reserved wilderness and each of them would be the sole occupant of 1.3 acres.

In 1965, 160,336,100 visitor-days were spent on National Forest lands. Of this total number of visitor-days only 4,522,400, or 2.8%, were visitor-days of wilderness use. Certainly, there is no indication here that we need an expansion in the present wilderness, wild or primitive areas.

By way of contrast, let's see how the other 97% of visitor-days were spent by National Forest visitors in 1965.

	Visitor-days	Percent
Camping	40,065,000	25.4
Picnicking	9,444,800	6.0
Recreation travel (mechanized)	29,325,400	18.6
Boating and water sports	8,482,300	5.4
Hunting and fishing	30,296,300	19.2
Organization, resort, and residence use	18,530,300	10.8
Other	19,669,600	11.8
Total	155,813,700	97.2

These visitors—over 97%—did not want or could not use a wilderness type of vacation.

What, then, do they need? The greatest need is campground facilities—40,065,000 nights were spent by 40,065,000 people in campgrounds. 30,296,300 days were spent hunting and fishing; this use, also, requires camping facilities. The balance, boating, water sports, picnicking, organization, resort, and residence use, all require developed recreation areas. All of these uses are family vacation uses and all can be participated in and enjoyed on the multiple use portion of the Forests. All of these uses need road access, developed areas for safety, sanitation, and people convenience.

What facilities are offered by the Forest Service for this vast majority of public-land vacation-users? They offer 7,228 developed campsites occuping 41,015 acres. Visualize these comparative figures: For the 4,617,461 visitor-days of wilderness use, which is only 2.8% of the total use, the Forest Service provides 14,617,461 acres, or 7.8% of the total National Forest Area. Compare this wilderness vacation opportunity with the vacation opportunity of the campground user. For the 40,065,000 visitor-days of campground use, which is 25.4% of the total use, the Forest Service provides only 41,015 acres, or .022% of the total National Forest area.

Let me repeat. Wilderness use 2.8%—Campground use 25.4%; Wilderness acres 14,617,461—Campground acres 41,065 acres; Wilderness 7.8% of total acres—Campground .022% of total acres. For each acre of visitor-day campground use the wilderness user has 3,545 acres for each visitor-day use, over three thousand to one available recreation opportunity in terms of acres.

In terms of people, we have ten times as many people who want and use a campsite as the people that want and use wilderness areas. By 1972, the Forest Service estimates it will need facilities for 80,000,000 visitor-days use of campgrounds.

In spite of this tremendous inequality in acreage, people-use, and future demand, no responsible land user groups (with minor exceptions) are advocating reduction in the present acreage of wilderness, wild, or primitive areas. No one here today, I venture to say, will call for elimination or substantial reduction of the Stratified Primitive Area.

Not so with those, who in spite of the self-evident, gross imbalance in vacation opportunity, continue to press for ever-increasing acreages devoted to single-use in sterile, wilderness preservation.

Let's look at the record. "The Wilderness Society" report, dated October 24, 1966, Page 2, lists the following tabulation entitled "Nine Hearings Completed, 40 to Go by Mid-1967."

Area	Agency's acreage recommendation	Wilderness Society's acreage recommendation
San Rafael Wilderness Area	110,403	154,000
Great Smoky Mountains National Park	247,000	350,000
San Gabriel Wilderness Area	36,137	36,137
Spanish Peaks Wilderness Area	54,894	78,000
Mount Baldy Wilderness Area	6,975	8,500
Craters of the Moon National Monument	40,800	40,800
Lassen Volcanic National Park	49,800	101,000
Flat Tops Wilderness Area	153,245	250,000
High Uintas Wilderness Area	322,998	374,000

The Agency's recommendations, which in most cases, were for greater acreages than are now in the reserved area, totaled 1,022,252 acres. The Wilderness Society's recommendations totaled 1,392,437 acres—a 37% increase over the Agency's recommendations.

With seemingly total disregard for the vacation opportunity of 97% of those who vacation on the National Forests, this willful minority of less than 3%—the wilderness advocates—are relentlessly pushing the implementation of a "de facto" wilderness policy.

If you have any remaining doubts as to the policy and plans of this minority of less than 3%, let me quote from an address delivered in Seattle in April, 1966, by Mr. Stewart M. Brandborg, Executive Director of the Wilderness Society, entitled "The Future of the Wilderness Act." He says, and I quote: "Our job now is to see that this nine-million-acre National Wilderness Preservation System grows to its proper size—perhaps 50 million acres by 1974."

Fifty million acres is approximately two and one-half times more than the twenty-one million acres now classified as wilderness, wild and primitive areas by the Forest Service and National Park Service.

This small minority of less than 3% continue to build straw men to mask their bold and thoughtless pursuit of "de facto" wilderness preservation. They continue to create "bogey men" where none exist. They state they "must fend off attacks by the lumber industry," "must fend off schemes of dam builders."

They attack where no force opposes them. Where has a responsible voice been raised these last few years against preservation of existing wilderness under the Preservation Act?

Let them take heed, however, that there is an increasing awareness, by the overwhelming majority, of those public-land vacationists, who desire and need developed recreation areas, that "de facto" expansion of wilderness will, in the end, short-change them out of their rightful place in the recreation picture.

The wave of the future lies not in the increase of public lands devoted to single-use preservation, but rather it lies in the preservation of existing single-use areas, with a many-fold intensification of multiple-use on non-reserved public lands, including accelerated development of multiple-purpose vacation areas.

AFRICA, CONTINENT OF CHANGE, AND AMERICAN INTEREST

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include two addresses by Assistant Secretary of State Palmer.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am extending my remarks to include the full text of two recent addresses by the Honorable Joseph Palmer II, Assistant Secretary of State for African Affairs, with the strong recommendation of their careful and thoughtful reading by my colleagues.

Africa, with its large domain, its great natural wealth, and the spirit of restless drive that characterizes its people, is certain to occupy a position of ever-increasing importance. It is no exaggeration to say that the nations of Africa will contribute in no insignificant measure to the building of the world of tomorrow. It is my hope and prayer that the United States and the new nations of Africa will continue to work together in understanding for the goals that are ahead and have mutual attraction.

Assistant Secretary Palmer has had more than 20 years of experience in African affairs. From 1960 to 1964 Mr. Palmer was U.S. Ambassador to Nigeria.

Born on June 16, 1914, in Detroit, Mich., where his family lived for a brief interval, Mr. Palmer went to school in Boston, Mass., area. He attended Harvard University where he received a bachelor's degree in 1937. The following year he did graduate work at Georgetown University's School of Foreign Service.

Mr. Palmer's long experience in African affairs began in June 1941, when he was assigned as vice consul in Nairobi. He served there until 1945 when he returned to the Department where he worked in the Division of African Affairs and was concerned with Ethiopian matters and the disposition of the former Italian colonies in Africa.

He was promoted to Assistant Chief of the Division in October 1947 and later became Acting Chief. He went to the Embassy in London in May 1949, where he served as an African, Near Eastern, and South Asian specialist. During his tour in London he was promoted to first secretary and consul. Returning to the Department in October 1953, he was appointed Deputy Director of the Office of European Regional Affairs and in March 1955, became Acting Director.

When it was decided in 1956 to set up a separate Bureau of African Affairs, Mr. Palmer was named Deputy Assistant Secretary of State for African Affairs and given the responsibility for organizing it.

Upon completion of this task he was assigned as consul general at Salisbury, capital of the then Federation of Rhodesia and Nyasaland, in Septmber 1958. He was accorded the personal rank of minister for this assignment.

Mr. Palmer's appointment as Ambassador to Nigeria followed in 1960. In July 1962, he was promoted to the rank of career minister in the Foreign Service. He returned to the United States in 1964 to take up his duties as Director General of the Foreign Service. His son, Joseph Woodbury, now serving with the Navy in Vietnam, was born in Africa.

Following is the address of Hon. Joseph Palmer II at Brandeis University, Waltham, Mass., on November 9, 1966:

THE NEW AFRICA: CONTINENT OF CHANGE

I. INTRODUCTION

I am deeply honored to have been invited to participate in the Harry B. Helmsely Lecture Series. I know that you will understand me, moreover,, when I say that as a public servant with "a passion for anonymity"—to use Franklin Roosevelt's words—I am not a little overawed to be following such an impressive list of distinguished philosophers, educators, and religious leaders as those who have graced this platform before me.

Nevertheless, I am comforted by the fact that I am speaking in the area in which I grew up and which I therefore know to be traditionally egalitarian in its outlooks.

I also am most pleased to be able to speak to you tonight on *The New Africa: Continent of Change* at Brandeis University. I think this is particularly appropriate because this great institution has in a very short period of time acquired a well-deserved reputation for sensitive understanding of the need for change and for creative thinking, both of which are so essential to a comprehension of present day Africa.

II. THIS NEW AND CHANGING AFRICA

The emergence of 35 nations in fifteen years is—as the mathematicians might say—the outward and visible sign of a progression of change in Africa which is reaching geometric—and even exponential—proportions. The full dimensions of this change are as elusive to calculate as the definitive value of pi. Yet if we are really to understand the New Africa, this change is so all important that we must attempt to factor it however imperfectly.

New aspirations

In the comparative isolation of a colonial cocoon for generations, the African saw himself and his world in a peculiar optic. In a changing world, he found that certain of his time-honored traditions lost at least a portion of their relevance, while many of the colonial innovations failed satisfactorily to replace them. To change the verb tense of the title of a book by the Nigerian writer, Chinua Achebe, "Things Fell Apart". One of the most striking elements of the new Africa, however, is the rediscovery by Africans of themselves. Reflected most eloquently in writings of poet and political leader Leopold Senghor, the African has found a new dignity in his freedom, in his history, and in his color. It is a fascinating coincidence that in these same years the evidence is mounting that Africa may well be the cradle of earliest man. The African thus finds himself both the oldest and, in a sense, the newest of mankind.

Coinciding with the achievement of African independence and the revitalization of an African personality, there has been opened up to the people of this continent the new world of education and technology. The revolution of independence brought an explosion of education—a threefold increase in literacy in those fifteen years.

The influx of ideas has so stimulated the change in African minds that the span of generations, as far as outlook was concerned, has become as short as four or five years.

All of this has involved an acceleration of aspirations with respect to almost every aspect of human life: individual rights, economic growth, national goals and continental unity, international understanding and world peace. This is hardly surprising, particularly when one takes into account the past isolation of Africa from progress in these fields. For what independent people can justify to themselves—or to others—foregoing the fruits of the great intellectual and material advances which are the common heritage of all mankind—or of failing to make their own unique contributions to these challenging developments?

The fact that these many nations obtained their independence in such a short time represents retrospectively the end of three major colonial empires—British, French and Belgian. Although the process of decolonization is not yet completed, the die has been cast and the significance of this great historical process belongs largely—if not yet completely—to the past. In a far more meaningful sense for the present, the end of this colonialism marks the beginning of 35 major experiments in the government of men. This experimentation is bound to produce its share of problems along with its successes. It is plagued by contradictions and disappointments along with its consistencies and achievements. And, just as in older independent societies, the process of adapting to change will be a never ending one. In spite of a bewildering variety of developments, there appear to be three trends which predominate. Together they give Africa a distinctive pattern which will probably condition its political life for the foreseeable future.

First, the dialogue between the modern and the traditional in political life has entered a new phase, both on the national and at the local level of these new nations. In the eyes of new nations, the colonial officials—hitherto the purveyors of the modern—suddenly became old-fashioned. Overnight, new powers and responsibilities were acquired, new goals were set, and an intensive sorting began out of what was really important in the body politic. The political leaders no longer were constrained to rule under benevolent governors or impelled to agitate as opponents of a foreign power. They were free to govern and propelled by the very nature of their societies to transform their governments into instruments which reflected the mores of their people. This brought into a new perspective the modern and the traditional, the national and the tribal, and the efficient and the less effective. But quite understandably, there has been no clear single answer to these conflicts. Instead, the dialogue—which occasionally has moved to dispute and disorder—has already provided a variety of responses. For example, monarchies have been renewed in some cases, parliamentary responsibility has continued in others; while presidential executive in various forms have flourished in still others. But under all of these institutional rubrics, indigenous political systems are undergoing far-reaching transformation to evolve institutions that are African in their inspiration and expression.

This thought leads to a second post-independence development which characterizes the African search for self-expression. In most of the new nations, a one-party government in one form or another has consolidated its power. But even here the pattern has not been rigid, ranging from the highly authoritarian structure in Nkrumah's Ghana to the far more flexible system obtaining in states such as Zambia. It is no surprise that the debate on the merits of this change has been widespread. For example, President Nyerere has persuasively defended the establishment of a single party in terms of need for fully utilizing all available leadership in the development of his country. And almost everywhere, the African respect for dissent has fostered an atmosphere for exposing and debating opposing ideas.

Third, another manifestation of change has been the emergence of the military as a dominant force in a number of new stations. Except in Algeria, independence came with relative speed and with minimal organized fighting. The leaders of almost all of the other states came from civilian professions. For many reasons, however, the military elements in a number of the new nations lost confidence in their civilian leaders. In some cases, they disapproved of corruption or became frustrated because of inefficiency. In others, they were unprepared to accept restrictions on their positions; and in still others, personal elements in a struggle for power were undoubtedly important. In the eight countries where this has taken place, however, there has been no single pattern of development. One military government has yielded to civil power; two have yielded to other military officers; some have retained important elements of the civilian government; while at least one has clearly expanded rather than restricted the political powers of civilian elements in the country.

There is little reason to believe that this process of experimentation in government and politics has any more than just begun. To underline this point, I need only refer to the concluding chapter of the study of Political Parties in French-Speaking West Africa by a distinguished Africanist, Ruth Schachter Morgenthau, in which she notes both the dynamics which developed within the parties during the surge toward independence and the implications for the future inherent in this change.

Economic change

While economic change in the New Africa has in some ways been less dramatic than the political transformation, it has certainly not been less complex. In the period of decolonization, political preparation for independence was increasingly compressed in time through crash programs of progressive self-government. The pace of economic advancement was never commensurate with this trend and the resulting situation confronted the new leadership with a tremendous gap in the task of modernizing largely subsistence, low productive and highly vulnerable economies.

The nature of Africa's economic problems can be illustrated, if not solved, by looking at the changing patterns of its production, its communications, and its trade.

In the period of colonial dependence, the pattern of African production was asymmetrical, in that the economic life was not directed toward the whole needs of the country. For example, one of the largest and most advanced activities concerned the production of sub-surface resources, with little relationship to their use in Africa. Thus, the copper, diamonds, iron ore, and other minerals were produced in terms of external use by a metropole. Alongside this modern exploitation of Africa's resources, plantation crops received heavy emphasis as part of the export activity. It is true that all of this production for foreign markets produced the foreign exchange required to import consumer goods, but there was little incentive for the colonial power to encourage the manufacture of even the simplest of these locally. And we still have the anomaly of a potentially rich agricultural continent having to import a considerable part of its food needs.

With the advent of independence a new symmetry of economic activity is emerging—one which continues a basic emphasis on exportation of mineral and agricultural resources, but which also recognizes the changing situation in Africa. Agriculture, for example, is slowly and sometimes unevenly being transformed from subsistence to cash crop production. Greater stress is being placed on indigenous food production and the need for correcting dietary deficiencies in crop concentration. One needs only see the products available in remote markets or watch the cattle coming from hundreds of miles to be sold at central points to mark the increase of the money economy throughout the Continent. Also noteworthy is the expansion of manufacturing in the new Africa. A trend in production from simple to more complex consumer goods is already evident, followed by the beginning of heavier industry and basic processing of raw materials.

Similar changes flowing from independence can be found in other areas of economic activity. The lines of communication, for example, were formerly oriented to the needs of the colonial power. Telegraph and telephone links went to the metropole, instead of to neighboring countries. Roads and railroad nets tended to be developed in conformity to the geography of political control, rather than on an economic or regional basis. With independence, the need for communication among Africans has become imperative. Hence, new African nations are most eager to link their telecommunications and enlarge the transportation facilities with each other. No more dramatic example can be cited than the preoccupations of Zambia and Tanzania with their road, rail, and pipeline links.

The pattern of African trade traditionally developed within the framework of colonial purchases, preferences and investments. Hence, the new African nations find themselves not only seeking to achieve freedom from complete dependence upon a principal external power, but they see an urgent need to develop economic relations among themselves. A common market for the whole continent may, in fact, be a goal which will take decades to reach, but as an aspiration it is high on the list of African desiderata.

III. ITS NATION-BUILDING TASKS

The building of new nations is a hazardous business. African leaders, in particular, must carry with them burdens of an onerous past. Suffering from long periods of internecine warfare and drained of generations of manpower through slavery, much of Africa has undergone a colonial occupation which entailed, among other things, a division of peoples and regions on the basis of great-power politics.

The resultant boundaries, of course, were a blend of diplomatic compromise and imperial conquest. They served purposes that were primarily extraneous to Africa, and they not only disregarded the elemental principles of tribal cohesion but they became linguistic walls between French and English, trading barriers between otherwise complementary economies, and sources of discord among governments and peoples.

In the new Africa, they pose so many problems that the sheer complexity of trying to give the continent sensible frontiers makes it necessary for African statesmen to affirm their sanctity. In fact, one leader is reported to have remarked that the boundaries of African countries were so absurd that it was impossible to consider changing them.

In spite of this advice, however, the question of frontiers has erupted into several disputes in the continent. The most notable have been the long-standing differences between Ethiopia and Somalia—which spill over to the south with respect to Kenya and on the north with respect to French Somaliland—and the Algerian-Moroccan boundary dispute. These, however, merely highlight the exceptions to the general rule. On the whole, the Africans deserve great credit for their mutual forbearance in accepting present borders.

The pull of the past, however, is much more than the patch-work quilt of international frontiers; it also derives from tribal inheritance, which in its original form sought to regulate the entire life of all its members. Shaken by missionary efforts—both Christian and Islamic—baffled and often broken by colonial administrators, and finally penetrated by modern communication—from press to transistor radios—tribalism is frequently able to resist change but it is rarely able to provide an enduring alternative. Hence, it has usually hampered rather than helped Africans in their task of nation building. While tribal virtues and loyalties are frequently of value to the individual in his personal life, collectively they tend to be resistant to the integrative imperatives of the modern nation state.

Nevertheless progress is being made and for every identifiable case of tribal resistance to national integration, there is a host of lesser publicized cases where the transition is taking place.

The problems of the past—and I've mentioned only two of a much larger number—have been particularly onerous to many of the leaders of Africa, whose aspirations have been equaled only by the pressures for change which have been placed upon them. Exhilarated by the momentum of rapid independence, impelled by a desire for rapid and general success, buoyed up by faith that their leaders could quickly move these mountainous problems, the peoples of many new nations quickly found out what many of their leaders already understood, namely, that independence did not in and of itself provide answers to their pressing problems. It is under these circumstances that the glamour of panaceas has been irresistible in the case of several nations.

There is another pressure on the leadership of the New Africa which is often overlooked. It might be called the Kleig-light approach to both domestic and foreign affairs. With communications much more rapid than anyone imagined a few years ago, and with travellers, journalists, international committees and diplomats in every part of the globe, the struggling leader with real problems of nation building has no alternative but to work them out in circumstances in which each untoward development is instantaneously reported—and usually interpreted—for a vast world audience of Monday morning quarterbacks. My objective in saying this is to emphasize how important it is for recipients of these reports to keep these problems in perspective and to provide an opportunity for the same considered approach to their solutions that older nations enjoyed.

Despite these problems, there is good reason to view the political prospects of nation-building in Africa with much more than just forbearance. Given the speed of independence, the limited size of administrative cadres, and the centrifugal pressures we have mentioned, the record of achievements is impressive. If the problem of cohesion within the new states is not yet solved, and that of transition from one government to another is not always peaceful, we must recognize that these are problems which have long plagued mankind in its effort to govern itself equitably and efficiently.

Economic growth in Africa, as elsewhere, is connected with the eternal triangle of man, his soil and his productive capabilities. While in many ways Africa is no different in this respect than the rest of the world, it has five particular characteristics which hold promise of beneficial change.

First, its sub-soil resources are substantial and assuming a new importance within the context of independent Africa as geological surveys are extended. The prospects in many parts of the continent are therefore bright for earning the foreign exchange resources which are so badly needed in economic development. For example, production is rapidly increasing in the copper from Zambia and the Congo, the iron ore from Gabon and Liberia, the bauxite from Guinea and Ghana, and most dramatically the oil from Algeria, Libya and Nigeria. Along with its agricultural production, these minerals have helped Africa increase its exports by one-third since the independence movement got under way.

Second, the problem of over-population is not yet as acute as in many other parts of the world. Even though some countries such as Burundi are directly afflicted and signs of large unemployment in urban centers are multiplying, the continent has at least a limited period of grace before the population increase threatens to overtake its economic expansion. We should not be complacent, however, for Africa's birth-rate is the highest of any of the underdeveloped continents. Its death-rate is bound soon to drop as sanitation and health measures such as mass inoculation programs become more effective. As we prepare a program of smallpox eradication and measles control for 100 million persons in West Africa, we hope that the states of the area will also begin thinking about the basic issues of population control.

Third, the population question underlines the paramount importance to Africa of a genuine agricultural revolution. During the past thirty years Africa has changed from an exporting area in food products to an importing continent of even such necessities as grain and rice. Having some advantages over other parts of the world in the nature of its land ownership and exploitation, Africa nevertheless must achieve basic land reform, apply scientific knowledge, often available in the research station but not known to the farmer, counteract the frequent droughts and overcome the widespread poverty of soil. Only by such fundamental changes in its most important of all economic activity can the continent expect to advance its economic growth faster than its population increase.

Fourth, the external assistance to Africa during the past five years has totaled over $7.8 billions, which is a higher per capita assistance than elsewhere in the underdeveloped world. Measured in terms of need, of course, this assistance has only begun to meet Africa's problems. Nevertheless, external aid has done its major share in preparing the base in a number of African countries for significant growth. Its expansion is necessary if Africa is to obtain the essential infrastructure and capital assets. As the President of the IBRD, Mr. Woods, wrote in Foreign Affairs: "The underdeveloped countries are seeking to enter the twentieth century, but many of them, in some respects, have not yet reached the nineteenth." He warns the developed nations that "it would be unthinkable for the richer nations, by their inaction, to let the developing world lose hold of its hard-won gains and lose sight of its goals."

Fifth, the substantial increase in education is one of the most heartening developments in the New Africa. For example, south of the Sahara the universities have multiplied in the past decade from a handful of small colleges to some twenty-five fully qualified institutions. Equally important, secondary education has almost tripled during this same period.

While education itself is no panacea—and the problems of school-leavers, of the wrong kind of training, and of literacy without education exist in Africa as elsewhere—it is, in the eyes of all of Africa, the greatest hope for the future. From these ranks come the new generations of leadership; from such training must come the new direction for Africa's development; from these elites will come the molders of African opinion—whether on government or economics, or on the world at large. These young men and women will be the mainsprings of further African change; they, more than anyone else, will fashion the destiny of their country, for in no continent is the past more open to new leadership than in Africa.

Intellectual ferment

One of the exciting aspects of this new and changing Africa is the intellectual ferment which accompanied its emergence and which is pacing its growth.

I have already mentioned Leopold Senghor as a prophet of Negritude, but he should also be described as a president and nation-builder. In addition to his poetry, which in its glorification of one people is also speaking of mankind—Senghor is, as you know, the President of a new nation and one of the great leaders seeking to achieve a synthesis of what is good in both European and African civilization. We should also recall that Jomo Kenyatta was an anthropologist before he was caught up in the maelstrom of politics. Moving from prison to presidency in Kenya, he has also brought with him the encouragement of learning and the support of multiracial concepts of government. In Tanzania, President Julius Nyerere is a political scientist and practical humanist, who as one of the most articulate exponents of African ideals is also the translator of Shakespeare into Swahili.

In unofficial spheres of African life, we see a burgeoning of many kinds of artistic expression. Interestingly enough, this is reflected in our own interests in African art. Not only has a Museum of African Art opened in Washington, but Howard University recently presented a special exhibit of the Nigerian sculptor Fakeye, and the Harmon Foundation in Philadelphia is presently sponsoring a major exhibition of African art. One of the more contemporary aspects of our admiration of Africa's artistic creation is discovery of African designs, colors and fabrics by America's fashion industry.

The most exciting display of the artistic upsurge of New Africa, however, was the First World Festival of Negro Arts, held at Dakar last April. Over ten thousand visitors gathered for almost a month to immerse themselves in the dance, drama and poetry of the African continent. The world also saw how it owed an artistic debt to Africa. The American participation included some of our remarkable artists in music and literature, and when they performed they spoke for both continents.

IV. TWO CHALLENGES TO ITS FUTURE

A continent as diverse as Africa cannot help but have a dynamic future. The problems which 39 nations will face in their many interrelations could not possibly be all anticipated, let alone discussed in a single evening. I would like, however, to pick out two important challenges which are increasingly facing the continent: that of continental cooperation, more frequently called the challenge of unity; and the problems of Capricorn Africa.

Just as there developed during the emergence of independent Africa aspirations concerning human dignity, political freedom and economic well-being, there also developed an affinity among Africans and a common need to support each other in their aspirations. Thus the desire for African unity became part of the struggle for national independence. If there had been a coin for all African nationalists, it might well have had the head of the national leader on one side, while the reverse would have been a map of all of the continent.

It should be added that while the most obvious manifestation of this aspiration has been the series of political conferences beginning in the late fifties, the urge has also extended to the economic area—where human rights and racial equality were projected on to the continental screen.

The Organization of African Unity, established at Addis Ababa in May 1963 was the practical result of this movement. It appropriately dedicated itself both to the defense of national sovereignty and to the achievement of continental unity. It made an eloquent appeal to the conscience of mankind in the area of human rights. Described by observers at the conference as a remarkable feat of the nearly impossible, the OAU is a reflection of both what unites and divides the continent.

In spite of crises of various sorts—varying from who shall participate to territorial disputes—the OAU has shown both endurance and adaptability. In each of its annual Summit meetings, and through its more frequent meetings of Foreign Ministers, the OAU has strengthened its organization, increased its capabilities to settle disputes, and acted as the conscience of the continent in a number of issues. Having rejected the panacea of early confederation, it has nevertheless tried repeatedly and with considerable success to develop consensus and cooperation in matters of deep importance to the African people.

The economic counterpart of African cooperation is the UN Economic Commission, with its headquarters also at Addis Ababa. Born in 1958, this body has the exceptionally difficult task of trying to chart and guide the economic growth of the continent. Moving with some difficulty—in part because its budget does not come directly from its members but from the United Nations—the Commission has sought to strengthen institutional cooperation throughout the continent. One offshoot of this effort has been the Development Institute at Dakar. Another recent effort is the African Development Bank, whose headquarters has opened at Abidjan.

The African approach to cooperation is above all pragmatic—a realization that welfare is not subject to territorial boundaries. African leaders, moreover, are interested in working together in many different ways. Thus, under ECA auspices subregional economic communities are being planned for different parts of the continent. Under UN auspices a series of river basin groups are being developed for several of the great arteries of Africa. In the east, there continues to be a common services organization which may well eventually provide the basis for an East African federation in one form or another. In the north, Maghrebian unity remains more of a vision than a reality, but elements of increased cooperation are present on an ad hoc basis. Other plans for regional institutional development in other parts of the continent—such as West and Central Africa—are proceeding in spite of language and historical differences. The theme often heard of "African Solutions for African Problems" is thus a challenge for the cooperative effort of the new nations of this changing continent.

Capricorn Africa

This same theme has special relevance to the second challenge to the future of Africa. The African—whether he is a student meeting you over coffee, a Foreign Minister greeting you in his office, or a clerk in a local bank—is likely to get around to the problems in the southern sixth of his continent.

Those countries and territories lying near the Tropic of Capricorn pose to the African the most basic issues affecting his life, his country, and his race:

There is a clash between the political and economic aspirations which motivate him as an individual and the tenets of the authorities of that area.

There is a denial of the principles which underlie the emergence of his new nation.

There is a challenge to accepted standards of human equality and dignity which have been written into the charters of the world community.

There is the dilemma of peaceful or violent change in each of the particular problems.

In view of these thematic problems throughout the Southern Sixth of the continent, the African naturally tends to consider the questions of Southern Rhodesia, Portuguese Territories, South West Africa and South Africa as all part of the challenge to the existence of his New Africa.

In Rhodesia, he views the domination of 94% of the population by a white minority as an affront to the principle of racial equality and majority rule.

In Angola and Mozambique, Portuguese colonialism appears to the New Africa as an example of the past frustrating the hopes for the future in an effort to reverse direction.

In South West Africa, he looks with hope on the recent UN decision terminating South Africa's mandate over this international territory and expects the realization of the territory's "inalienable right to self-determination."

In South Africa, he sees a bastion of officially sponsored political and human inequality, which is also a principal source of strength for the perpetuation of minority rule in nearby territories.

Finally, he does not believe that these problems and these dilemmas are his alone. He sees them as the common responsibility of the world conscience. So, I am glad to be able to say, does the United States.

V. AFRICA AND THE WORLD

The New Africa has been preoccupied with its own national and continent problems, but this does not mean that it has had no interest in the rest of the world. In fact, one of the dramatic results of the independence movement in Africa was to change drastically its representation in the United Nations—from four to thirty-nine members. The African leaders, however, faced their new role in the world with minimum of training and a maximum of handicaps. Having little prior experience in the field of foreign affairs, they had to pull men from all professions to represent them abroad and to train additional staff almost instantaneously. With many problems of rapid change and even instability at home, these new diplomats and their leaders found themselves called upon to deal with some of the major international issues of all times.

In choosing a foreign policy path, the Africans have all elected non-alignment. Admittedly, this meant many things to many leaders, but it has certain common elements. Essentially non-alignment has sought to do four things:

It has tried, first, to achieve on a continental basis what President Washington advised early in our own history on a national basis, an avoidance of entangling alliances.

It has been concerned, second, with obtaining the time and opportunity for African nations to concentrate on their own internal political and economic development.

It has searched, third, for an African consensus with respect to important world issues, for while most African nations wish to avoid individual alignment they have not sought neutrality or isolation. Instead, they want to exercise together an influence which they know they cannot expect to exert as single states.

It has hoped, fourth, to obtain for the continent a certain immunity from dangers to its existence through such arrangements as a nuclear free zone.

VI. CONCLUSION

I have this evening tried to give something of the feel of the New Africa in a changing continent. In so doing, I have deliberately avoided the specifics of our policies towards the continent. In turning from these comments to my conclusion, however, I would like to recall to you certain essential themes which President Johnson elaborated last May, on the occasion of the third anniversary of the Organization of African Unity.

First, that there is a close identity between the people of the United States and those of Africa in their aspirations for freedom, equality, justice and dignity.

Secondly, that there is a close bond between our two continents in our common experiences with political development, economic progress, and search for human rights.

Thirdly, that we wish to see Africa succeed in the tasks that it is setting for itself and that we stand prepared to assist it in this great undertaking.

Responding to the best of our ability to African hopes and aspirations, the President proposed that we strengthen our assistance to Africa in those areas, such as regional organization, telecommunications, transport, education and agriculture, where we have a special contribution to make, and which are also essential for the advancement of the African continent as a whole.

It is our fervent hope that, together with other nations which wish Africa well, we can effectively assist the New Africa to achieve its goals and to realize its full potential as a vital, dynamic force in a world of change.

Following is the text of the address by the Honorable Joseph Palmer II, Assistant Secretary of State for African Affairs, at Muskingum College, New Concord, Ohio, on November 10, 1966:

AMERICAN INTERESTS IN AFRICA

I am indeed happy to be here with you in New Concord this evening. I consider it a signal honor to be invited to address such a distinguished audience of scholars and students of Africa.

Speaking on behalf of those in your Government who are concerned with African affairs, I wish to congratulate President Manley and the members of the faculty at Muskingum who have had the vision to organize this conference and to bring together so many of the outstanding authorities on Africa. The emphasis given to African art, literature and drama, which so well illustrates the creativity of the African peoples, is particularly to be commended.

This conference—and others like it held each year in the United States—is indicative of the intense interest in this country in Africa—a continent which has become such a significant factor in the global relationships of the United States in the post-war period. There is every indication that this trend will continue and intensify—a fact which underlines the strong national interest of deepening our understanding of and sensitivity to the aspirations and motivations of the African peoples.

UNITED STATES INTERESTS IN AFRICA

We risk a double error in considering the interests of the United States in Africa. Those of us in government and private life who deal with Africa's problems throughout the day—and frequently at night, for crises have a habit of ignoring union hours—perhaps too often take these interests as being widely understood and accepted. They are in fact the matrix of our activities—the premises on which we formulate our policies and programs. To others, whose exposure to this vast and often bewildering continent may be somewhat less intensive, the interests of the United States in the fifty nations and territories making up Africa may not be as apparent. It might therefore be helpful to outline what I believe to be the essential American interests in Africa.

The initial—and indeed underlying—interest of the United States in Africa springs from the practical implications of common aspirations. We realize that in the long run we cannot expect to enjoy peace and prosperity unless the people of Africa can also realize the same fundamental goals which we ourselves seek. The time is long past—if it ever existed—when nations can practice the self-deception of double standards. Our nation was founded on the right of self-determination; we cannot do otherwise than support that aspiration for others. We have committed ourselves to government by the consent of the governed and to individual rights and dignity at home; we have no alternative, consistent with our national character, to seeking their realization abroad. We have recognized the fundamental congruity between the well-being of every citizen and the health of our nation; we cannot ignore the imperatives of a similar relationship in Africa where the gap is often too wide between economic and social progress on the one hand and political responsibility for achieving such advancement on the other.

It is significant, in my opinion, that President Johnson, with his deep dedication to the effective realization of human rights and of economic and social opportunity in this country, emphasized these points at the beginning of his speech last May 26, on the occasion of the Third Anniversary of the Organization of African Unity, when he said:

"The United States has learned from

lamentable personal experience the waste and injustice that result from the domination of one race by another. Just as we are determined to remove the remnants of inequality from our own midst, we are also with you [the Africans]—heart and soul—as you try to do the same."

The American interest has a second cornerstone, with roots that also run deep into our history. From the tragic generations of men and women brought to this country in bondage, we have gained in strength as we have increasingly realized the potential for a dynamic contribution to *our* national life of the second largest emigrant population of African origin in the world. Only Brazil outranks the United States in this respect. But it is the role and contribution of the Negro American that gives this interest in Africa a special importance. Not only are these Americans naturally proud of their ancestral origins and heritage; they are also making their national contribution to American policy and presence in Africa—some as Ambassadors and Foreign Service Officers, others as AID officials, still others in our information services and Peace Corps, while many more serve in the wide ranging activities undertaken by private endeavor. In holding high the banner of civil rights and human dignity in a country which reads and responds to responsible demands, the American Negro also lends encouragement and inspiration to those seeking such rights in Africa and, indeed, elsewhere in the world.

A third element of our interest in this continent is a direct result of Africa's changing role in world affairs. In an explosion of independence, colonial Africa has produced thirty-five new nations in less than two decades. One dramatic result of this is the transformation of Africa's role in the United Nations. The African Group of 38 members casts more votes than any other continent. Along with Asians, the Africans can, if they wish, command a majority in the General Assembly. The fact that on most issues they do not wield this weapon, but vote according to their national consciences and interests is often obscured by the far fewer occasions on which they feel a compelling sense of solidarity on a given problem. It is not enough for us in such circumstances to write their viewpoints off as emotionalism. Rather, we must try to probe for the premises that lead them to the conclusions they reach—and to assure that they understand ours.

Fourthly, there are the more material interests which assume importance in this increasingly interrelated world at a time of rapidly advancing technology. African facilities are important to our worldwide communications network, and we have important space-age ties with Africa. Our manned space flights are tracked by stations in Africa, and African facilities are cooperating in other space experiments and operations which hold great promise for the advancement of their—as well as our—knowledge and development.

Moreover, from Africa's extensive mineral resources we purchase products of critical importance to our science and technology. Our machine tool industry, for example, relies heavily on Africa's industrial diamonds. Other rare African metals, such as beryllium, columbium and tantalum, are essential to our industrial and scientific community because of their ability to resist heat and corrosion. From Africa's agricultural capacity, we buy increasing quantities of coffee and cocoa. In Africa's commerce and investment we are finding larger opportunities for mutually advantageous business arrangements which contribute substantially to development and understanding. Even though our volume of trade and investment with Africa is relatively small in relationship to the total, it has both more than doubled in the past decade and a half, and has opened up with vast new areas which were closed to use during the colonial era. Two dramatic examples suffice: American companies have helped the Government of Libya to transform the economy of that country through their discovery and production of oil; similarly, in Liberia, large American investments have been instrumental in developing the great iron ore resources and natural rubber potential to the benefit of that oldest republic in Africa.

Fifth, world geography and world security give Africa still another significance to the United States and to all other nations who seek peace and freedom. One need only glance at the map to realize the interrelationship between the security of Africa and that of Europe and Asia. Similarly, one need only compare the latitudes of Africa with those of the Western Hemisphere to verify the extent of the Atlantic proximity of the two land masses—from the Carolinas on the north to the lower part of Argentina on the south. In today's world, the Mediteranean and Red Seas have become ponds, while the Atlantic and Indian oceans have shrunk to lakes. It is vital to the mutual interest of both Africa and the United States that these contracted bodies of water—and the even more constricted airspace above them—should be roads of peaceful intercourse to the advantage of all.

AFRICAN REALITIES

Because of our significant interests in Africa, let us be certain we have a clear understanding of the basic realities of African life. In these realities we find problems that are both obvious and obscure, and characteristics which are both common to mankind and unique in their African context.

Africa is enormous and blessed with great human and natural resources. But the realization of this huge potential is too widely limited by poverty, disease and illiteracy. The reasons for this are to a considerable extent locked in the colonial past. But they are also found in tradition and resistance to change that become entrenched by Africa's long isolation. Whatever the explanation, incomes average less than $125 per capita annually; chronic illness debilitates much of its population; and illiteracy persists in almost 85% of its peoples.

Moreover, most African states are basically producers of primary products, whose foreign exchange earnings are their principal means of obtaining the manufactured products required to raise their standards of living. Often single crop countries, African states depend upon the world prices for their economic welfare. The wide fluctuations in price-levels of cocoa, coffee, peanuts, cotton and copper—to mention a few—do two things to African countries: they recurrently jolt and demoralize their economies, and they cause frustration and bitterness between the African and industrialized nations. The former makes planning difficult; the latter accentuates the psychological gap between the Rich Nations and the Poor.

All African nations suffer from inadequately trained manpower. This inhibits production, restricts ability to absorb aid, curtails reform, detracts from efficiency, and limits mobilization of even the modest capital resources available. In no area is this more true than agriculture, where primitive methods are often made still more ineffective by outmoded land systems, inefficient tools and lack of water.

Every African nation needs better transportation, and truly regional networks of any sort have hardly been started. Communications links persist from the colonial periods, still tieing many African nations more closely to their former metropoles than to their neighbors.

These are the realities of the past. But the new Africa—the recently independent Africa along with its older nations—reflects present and future realities of a very different nature.

The first, and most important, of these newer realities is the continuing drive for freedom and independence. Having achieved this independence in most of the continent, African peoples are determined to consolidate their gain. Benefitting from the largely peaceful nature of this transition, African leaders are intent on achieving real political and economic development.

A second reality is independent Africa's abiding concern with self-determination and majority rule for all of its peoples. There are major territories, especially in Southern Africa, in which neither the principle of self-determination nor of majority rule has been applied. On this issue, the African consensus is clear. They want responsible, effective and timely action, and they expect others to match their professions with their deeds.

A third reality is the African aspiration for unity. This assertion may sound questionable, in light of the disputes and divisions which persistently exist in Africa. But this view fails to take into account both the trends of events in Africa and the way Africans look at this aspiration. A broad basis for continental cooperation is emerging in the Organization of African Unity and the UN Economic Commission for Africa. While the ideal of full unity remains a distant goal, Africans are developing the practical steps of cooperation in both the political and economic spheres. The pressure for greater cooperation lies in their realization of their individual weaknesses; the benefits of regional effort are being more widely recognized; and the institutions to make this cooperation meaningful are being constructed.

A fourth reality is Africa's desire to be free of foreign intervention. Occasionally, taking the form of emotional attacks on neocolonialism, this spirit is most generally reflected in the African desire for non-alignment. Springing historically from two sentiments—an instinctive suspicion of colonialism and an intense desire to stay out of great power conflict—non-alignment has different meanings for different African leaders. At its core, however, it is generally a search for genuine independence and a desire as Africans to express themselves in their own ways—both aspirations with which we can completely identify ourselves.

U.S. OBJECTIVES

Against the background of these African realities, and in light of the United States interest in Africa, let us define our fundamental foreign policy objectives in Africa.

The primary objective of all U.S. foreign policy is, of course, the security and well-being of the United States, and this consideration is basic to our African policy. Fortunately for the peoples of both continents, there is nothing inconsistent between this basic concern and what Africa wants for itself. In today's interdependent world, we can best guarantee our own safety and prosperity by directing our policy toward the building of a world of peace and freedom. Our credentials are enhanced by the fact that we have no territorial or other special ambitions in Africa, nor elsewhere. We understand that the best guarantee of our own independence and prosperity is the independence and prosperity of others. These are the guarantees of American national interests.

Our basic objectives in Africa are, therefore:

1. Responsiveness to the efforts of Africa to develop effective governments reflecting their own aspirations and capable of bringing about peaceful and sustained progress for the African people. We believe that such governments will place their own interests ahead of those of any foreign power and will reject imperialism and subversion, whatever their forms.

2. Assistance to African nations in their efforts to develop economic, educational and social institutions which will provide the means of meeting the peoples' needs for a better life.

3. Support to African efforts to develop national, regional and inter-African political institutions which will permit African countries to play increasingly constructive roles in the world community of nations.

4. The long-term growth of American trade and investment in a manner that will serve the needs of both Africans and Americans.

5. The development of comprehensive African-American ties which will enhance U.S.-African friendship.

U.S. POLICY IN AFRICA

Having defined our objectives, the problem is: what policies should we adopt to govern our relations with African countries? The United States has developed a broad, and I believe realistic, policy toward Africa. It is calculated to further American interests in the most favorable long-range sense of the word.

Five basic principles govern American policy toward Africa. Of those five principles, self-determination—and the several corollaries that flow from it—is the first and most important.

We support the right of African peoples to choose their own future. American policy has consistently supported the right of the African people to opt for independence or self-government. Whenever political change is indicated, the United States strongly supports a peaceful transition. We believe that the interests of all concerned can best be served by a progressive approach, over a reasonable period of time, within a framework of agreement by all parties. This continues to be our policy with respect to those areas of the continent that continue under colonial rule.

For example, the recent transition to independence by Botswana and Lesotho, which was worked out between the people of those states and the Government of the United Kingdom, fulfills not only our definition of self-determination, but also our belief as to the best means of realizing it.

On the other hand, we have given every encouragement and support to the efforts of the United Kingdom and the United Nations to restore legitimate government in Southern Rhodesia following last year's illegal declaration of independence by the Smith regime. What has happened in Southern Rhodesia is a complete negation of what we mean by self-determination. As President Johnson said on May 26 in emphasizing the importance of restoring legitimate government in Southern Rhodesia: "Only when this is accomplished can steps be taken to open the full power and responsibility of nationhood to all the people of Rhodesia—not just six per cent of them."

Another aspect of United States support of self-determination is that we believe in government by the consent of the governed, which is broader even than formal independence. The Republic of South Africa has independence, but it certainly does not have consent of the majority of the governed. Nor does South Africa's policy of apartheid—to which the United States is completely and unalterably opposed—portend that there will soon be a government with consent of the governed. American policy has sought by every appropriate means to convince the South African Government that apartheid contains the seeds of its own destruction. We seek to suggest no special formula to South Africa, but rather we would hope in due course to see a dialogue develop between the government and representatives of all citizens, including those with no present effective representative voice in government.

Our policy of self-determination also embraces our support for the free choice by African peoples of their own form of government and society as long as they respect the rights of others. We applaud the fact that the new African governments are desirous of developing their own political and social institutions in their own image and likeness and in a manner best calculated to reflect the traditions and aspirations of the African peoples. We hope that they—as we hope others—will in this process accord equal rights and opportunities to all persons residing in their country.

United States understanding of and respect for a policy of nonalignment is a logical extension of our support of self-determination. There is sometimes a tendency to categorize foreign countries as being "pro-this" or "pro-that" without fully realizing that a country can be seeking the same kind of a world we seek without necessarily being aligned with us on all international issues. To view Africa's current problems as though they were primarily manifestations of the East-West conflict is a dangerous over-simplification of Africa's preoccupations.

Perhaps the reason for our relative diplomatic successes in Africa—as compared to communist countries—has been precisely because we have understood that the first task of the leaders of Africa was to protect the interests of Africa. Thus, we have gone to great lengths to encourage this kind of healthy non-involvement, as for example, in our support of the UN effort in the Congo.

The second main principle of United States African policy is encouragement of African solutions to African problems and support of institutions through which solutions can be reached. The United States has welcomed and encouraged the Organization of African Unity in its efforts to bring about responsible solutions to disputes among its members, such as the border problems between Algeria and Morocco and between Ethiopia and Somalia. Moreover the Organization subsumes a wide range of other cooperative activities supportive, in the words of its charter, "of the inalienable right of all people to control their own destiny." As President Johnson has said "My country knows what these words mean. To us, as to you, they are not abstractions. They are a living part of our experience as men and as nations."

The United States has also welcomed and encouraged the creation of the United Nations Economic Commission for Africa, which is actively seeking ways to boost African economic growth. The two major results of this growing activity have been the establishment of the African Development Institute at Dakar and the African Development Bank at Abidjan. The ECA has also sponsored the development of subregional economic communities to integrate efforts of the nations in four subregions of the continent.

The third principle of our African policy is our support of African economic development and independence through aid and trade.

In Africa, aid is a vital addition to indigenous efforts to achieve a rate of economic and social growth responsive to the requirements of political stability. Any government—however progressive and constructive and however cloaked with the prestige of having won independence—that fails to reckon with its people's desire for progress will find itself in jeopardy, with order and stability gravely disturbed. This not only adversely affects the country involved, but, as I said earlier, could create a situation affecting the peace and security of the United States as well.

African governments are not yet of and by themselves able to generate the thrust required for the economic and social improvement to meet the needs of their peoples. They must obtain aid or risk deepening troubles. The key questions are from whom aid will be sought, whether it can be obtained on acceptable terms, and when it can be delivered and put to work. It is worth noting that in almost every instance the newly independent nations of Africa turn first to the West as their preferred primary source of aid, and look elsewhere either to demonstrate their non-alignment or because they are disappointed by the Western response.

In recent years our over-all aid program for Africa has embraced a variety of methods—grants and loans, technical and supporting assistance, development and research, help through international organizations, Food for Peace, and the Peace Corps. The emphasis has generally been on a bilateral, rather than multilateral or regional approach.

One important guiding principle of our assistance to Africa is to make available skills and experience rather than to try to transplant American methods and institutions. It is up to the Africans who are responsible for building their continent to decide whether our particular talent and accomplishments are adaptable to what they are trying to achieve. If they believe they are, we are ready to assist to the extent we can. If they believe our concepts are not suitable to their environment, we look to them to tell us so, since to apply what won't work is neither in their interests nor ours.

Within this context of responding to African desires and initiatives, the President last May suggested the paths along which the United States might work in assisting African development. They were, in particular—

(1) To strengthen the regional economic activities already emerging in Africa.

(2) To increase the number of trained Africans through helping expand regional centers of excellence and assisting students to attend them.

(3) To help develop Africa's regional infrastructure, such as regional power and air, road and rail links.

(4) To assist the growth of agriculture, the expansion of investments, and other essential needs.

(5) And to put to work in Africa the great technological advances that are being made, particularly in the field of telecommunications and communications satellites.

Under the President's directive, representatives of the various agencies concerned with aid to Africa are undertaking a comprehensive review of American development assistance in order to find ways and means of making it more effective and responsive to Africa's needs. We are restudying, with international institutions and other governments, means by which our aid, in conjunction with aid from other donors, can best maximize assistance to Africa in its national, subregional, and continental dimensions.

The fourth main principle of our policy toward Africa is our desire to discourage arms build-ups beyond the needs of internal security or legitimate self defense. Given the very limited economic resources of the newly independent countries, most of them realize the importance of concentrating their resources on economic and social development, rather than on expensive and non-productive weaponry. Regrettably this simple rule of thumb is not everywhere applied, and in a few areas the race is already on with escalating acquisitions as one state tries to get ahead of its neighbor. The key to this problem is mutual self denial and cooperative restraint, concepts which we hope the nations of Africa will examine and adopt before local tragedies ensue.

The fifth, and final, principle of our African policy is to encourage other free world countries, and particularly the former European metropoles, to enlarge their responsibilities toward assisting Africa. With few exceptions, colonial ties have been laid aside for new types of cooperative arrangements between Africa and Europe based on equality, mutual respect and reciprocal advantage. And, where African aspirations for independence and dignity have been satisfied, it has been the African nations themselves who have sought fruitful and continuing relations with former metropoles. We consider this sound policy, and we are pleased that the new cultural, economic and other cooperative relationships between the former metropoles and the newly independent African countries are, in most instances, close, cordial and mutually beneficial.

CONCLUSION

There are, of course, strong external forces which seek to frustrate the principles which I have described during the course of this talk. We have seen them at work in various parts of the continent. Their methods are sometimes blatant but more often subtle and deceptive. Nevertheless, the events of the past few years have demonstrated clearly that Africa's leaders themselves are generally alert to unacceptable encroachments on their hard-won independence and prepared to act to resist them. While the danger remains of African miscalculation regarding an acceptable level of communist influence, it can generally be said that our support of African efforts to strengthen their independence and advance their development is, in the long run, the surest guarantee we could have that Africa will remain in the world of free choice.

In closing, I would like to recall the words of a wise African leader who once said to me, "I hope that you Americans will look upon our efforts to build a nation in the full light of your own early history. If you do, you will understand the excitement we feel as we assume the responsibility for the conduct of our own affairs. And you will also better understand the magnitude of the challenge which we face in building a cohesive and prosperous society from many diverse elements. So as you watch our efforts, please remember these elements of your own history."

If we keep in mind this perspective, we can have well-founded confidence in the continent of Africa, and we can also have well-founded confidence that the principles of our policy will have a relevance to Africa beyond the crisis of the moment as we move together towards goals to which both of our continents are committed.

PRESIDENTIAL UNIT CITATION FOR THE 761ST TANK BATTALION

Mr. **ANNUNZIO**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ANNUNZIO**. Mr. Speaker, I am reintroducing in the Congress today a bill to authorize and request the President of the United States to award a Presidential Unit Citation to the 761st Tank Battalion because I feel this recogniton of the gallant 761st is long overdue.

It was during World War II that the 761st compiled its impressive record of almost 400 battle awards, including Purple Hearts, Silver Stars, Bronze Stars, Certificates of Merit, and the high praise of the War Department.

The 761st Tank Battalion was the first armored unit in the history of the American Army to enter combat with Negroes manning its weapons and vehicles. The battalion was activated in April 1942 at Camp Claiborne, La., and in its first encounter with the enemy, the 761st lived up to the highest expectations. The men fought gallantly and their ingenuity and ability carried them through the grimmest and most difficult situations.

The records shows that after the 761st had been in combat less than 2 months, the commanding general of the Headquarters XII Corps, issued a special commendation, saying:

> I consider the 761st Tank Battalion to have entered combat with such conspicuous courage and success as to warrant special commendation. The speed with which they adapted themselves to the front line under most adverse weather conditions, the gallantry with which they emerged from their recent engagements in the vicinity of Dieuze, Morville le Vic, and Guebling entitle them surely to consider themselves the veteran 761st.

Mr. Speaker, it is a matter of record that in the battles of Morville, Metz, Obreck Dieuze, Guebling, Tillet, and countless others, the men of the 761st conducted themselves admirably under stress and the relentless fire of the enemy. I want to refer particularly to the rugged fighting at Tillet, the heavy casualties sustained by both sides, and finally, the retreat of the crack German 13th SS Panzer Division as the 761st Tank Battalion pushed forward and turned the tide.

Courage and bravery of this high caliber deserves to be remembered. Indeed, the pages of American military history would not be complete without official recognition of the 761st Tank Battalion, which fought with valor in France, Belgium, Luxembourg, Holland, Germany, and Austria.

Therefore, I am requesting my colleagues to give their support to my measure providing for a Presidential Unit Citation for the 761st Tank Battalion. This recognition is long overdue and should be extended now.

WASHINGTON POST RECOMMENDS CHAIRMAN MARTIN RETIRE FROM FEDERAL RESERVE BOARD

Mr. **PATMAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PATMAN**. Mr. Speaker, the current Chairman of the Federal Reserve Board, William McChesney Martin, Jr., just last week publicly launched his campaign for reappointment by President Johnson. Mr. Martin's 4-year term as Chairman expires this March 31 and his 14-year term as a Board member expires on January 31, 1970. He is ineligible to serve on the Board beyond that time.

While espousing an almost pathological fear and distrust of "politics" and popular rule, particularly as related to the Nation's monetary policies, Mr. Martin is generally regarded as one of Washington's most astute politicians. By publicly announcing his willingness to step aside if President Johnson desires to appoint another as Chairman, Mr. Martin has thus sought to bring Wall Street pressure to bear on President Johnson to keep him on. The profits of the large Wall Street banks set new records for 1966, a year when Mr. Martin's high interest rates broke a 40-year record. Mr. Martin really outdid himself. Naturally, the Rockefellers and the Morgans like to have Mr. Martin running the Federal Reserve because it lines their pockets with gold, even if it results, among other things, in the devastation of the homebuilding industry, as actually happened.

It is truly remarkable that Mr. Martin should indulge in this little game of political intrigue. Just 13 months ago he openly defied the President, acting despite Mr. Johnson's low interest program. President Johnson strongly reiterated the dangers of high interest rates and tight money in his state of the Union message just this week. Will Martin once again impose his high interest bias in the face of President Johnson's remarks that—

> Our greatest disappointment in the economy during 1966 was the excessive rise in interest rates and the tightening of credit . . . And I pledge the American people that I will do everything in a President's power to lower interest rates and to ease money in this country.

Hopefully, Chairman Martin will follow the suggestion in the Washington Post editorial of January 10 that he resign from the Federal Reserve Board and "give the Board a greater opportunity to refashion its defective tools of monetary policy." While devoted and dedicated to his principles, Mr. Martin's ideas are those one associates with 19th century European central bankers, rather than the problems and goals of an active and growing 20th century American economy.

The entire Washington Post editorial follows:

CHAIRMAN MARTIN'S TENURE

Speculation about the tenure of Mr. William McChesney Martin, the Chairman of the Board of Governors of the Federal Reserve System, is something of a quadrennial event in Washington. He has served in the post for 16 years and because of the aura of virtue with which myth surrounds him, the reappointment of Mr. Martin is regarded by some as a test of a President's allegiance to "sound" monetary policy. "Soundness" in this context connotes a morbid fear of inflation and the assignment of so high a priority to price stability as to purchase it through excessively high unemployment and a very low rate of economic growth.

Although he espoused opposite views, the late President Kennedy not only reappointed Mr. Martin to the chairmanship in 1963 but strengthened his position on the Board with the appointment of a stout supporter to an unexpired term. President Johnson, notwithstanding the criticisms that are now leveled against him by wrong-headed purveyors of the "new economics," perceived the conflict between a chronically restrictive monetary policy and the requirements for rapid economic growth and never attempted to conceal it. The three Johnson appointments to the Board were calculated to achieve a more expansionary monetary policy.

Mr. Martin is a thoroughly admirable gentleman and a devoted public servant. But it is highly unlikely that he will ever again exert so strong an influence on this country's monetary policies as he did in the 1950s. His reappointment, in view of the changes that have been made in the Board and its professional staff, would not be so harmful at this juncture as it would be under different circumstances. Yet it would be far better to give Mr. Martin a well-deserved respite from public responsibilities and to give the Board a greater opportunity to refashion its defective tools of monetary policy.

RURAL ELECTRIC PUBLICATIONS ATTACK HIGH INTEREST RATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, members of rural electric cooperatives throughout the Nation have always been in the frontlines of the battle against high interest rates and tight money.

Their concern can be well understood. It is always the rural areas and the farmers who are hit hardest and first by the destructive consequences of high interest rates. The farmer depends heavily on credit and interest charges are always a substantial part of his budget.

Rural communities are hard pressed for loan funds to meet the most basic development needs. When credit gets tight, it is invariably the rural school district and the small town that are cut off first.

In recent days, two outstanding publications in the rural electric field—the Indiana Rural News and the East River, S. Dak., Guardian—have analyzed the interest rate situation as it affects their areas. Both of these editorials are excellent and reflect opinion at the real grassroots of America.

I place these editorials in the Record, as follows:

[From the East River (S. Dak.) Guardian, November 1966]

Tight Money Policies Endanger Farm, Business

Times are critical for the American farmer. He is being forced to walk a financial tightrope.

The Agriculture Department points out farmers spent $1 out of every $7 they earned last year to pay interest charges on loans. Prospects appear darker after the Federal Reserve Board "seized independence," without benefit of law, creating chaotic financial conditions on the farm and throughout the country.

At the request of President Johnson, the Farm Credit Administration is cooperating with federal lending agencies to limit loans, supposedly reducing "inflationary pressures." But on the other hand, the Farm Credit Administration says it wants to supply money to farmers and farmer-cooperative borrowers for 1967 production needs.

The Farm Credit Board has adopted a policy stand which said inflationary pressures can be lessened most effectively by making loans that result in maximum agricultural production. The board said the President asked that loans be made only to meet essential and non-postponable needs and that the agencies reduce borrowings in the private money market.

An overpowering fact remains: farm and other credit needs will be higher in 1967 than this year. Tight money is behind the high interest rates being clamped down on farmers.

High interest costs prevailing throughout the economy are the results of actions by a single agency—the Federal Reserve Board. The board, acting in defiance of the President and Congress, raised interest rates 37½ per cent on Dec. 6, 1965.

Since 1953, the Federal Reserve Board has become more and more defiant. The board has warped and twisted the laws governing its operation, to move it closer to complete control by a handful of big banks holding $16.5 billion in certificates of deposit.

What can we do about this? The Federal Reserve System must be brought back under the control of Congress. The Federal Reserve must be made to come to Congress for appropriations. Its books must be made subject to the General Accounting Office, as are other agencies of the government. Open market operations must be carried out in the public's interest and not in big bankers' interests.

East River resolutions the last two years make it clear that we feel the Federal Reserve Board is endangering the economic well-being of the entire nation through its actions.

Rising interest rates are siphoning off billions of dollars that should be channeled into productive projects. Instead, the money goes only to money lenders.

Frankly, Congress has not been doing its duty in the area of monetary affairs. Congress should take action now to make sure that monetary matters are brought under the control of the people. Only a strong demand for action from the grass roots can bring this about.

Let our congressional delegation know how you feel. They want to know your views.

[From the Indiana Rural News, December 1966]

Decision Is Ours

With monetary conditions worsening, what can the average Hoosier do to fight for lower interest rates and relieve the "tight money" policy that has been adopted by the Federal Reserve Board?

This country, as a result of high interest rates, is facing a serious problem and a possible major disruption in its economy.

Laying full blame on the Federal Reserve Board and its closed door operations for the current monetary crisis, Representative Wright Patman of Texas declares:

"Outside of the top secret Central Intelligence Agency, no agency in our Federal Government operates with more secrecy than the Federal Reserve."

All other agencies of the Government, points out Mr. Patman, come before Congress each year for authorizations and appropriations. This permits the activities of the agencies to be reviewed in great detail. Through the years this has prevented the bureaucratic processes from becoming out of balance with the public interest. As a further safeguard, these same agencies are subject to the audit by the General Accounting Office.

But, emphasizes Congressman Patman, the Federal Reserve Board does not come to Congress for appropriations. Its books are not audited by the General Accounting Office. As a result, Mr. Patman says, the Congress, the President and the American People are completely in the dark about what is going on at the Federal Reserve.

In the 90th Congress, Mr. Patman plans to introduce legislation to bring the Federal Reserve System back under the control of the people and their elected representatives. His proposal will require that the terms of the members of the Federal Reserve Board be reduced from fourteen to five years and that the term of the chairman be made coterminous with that of the President of the United States. The Patman bill also would direct the Federal Reserve to come to the Congress for annual appropriations and that most of the $42-billion in bonds, presently being held by the Federal Reserve, be retired. The bill, in addition, would direct the Federal Reserve to open its books to a General Accounting Office audit and to make public the records.

One of the most fantastic examples of the attitude of the Federal Reserve as far as the public is concerned is its portfolio of $42-billion in U.S. Bonds which are held by the Federal Reserve Bank in New York. These are bonds which have been paid off once, yet the Federal Reserve continues to hold them and to charge American taxpayers $1.7-billion in interest annually.

The Federal Reserve uses these interest payments, says Congressman Patman, to carry on its far-flung operations, including salaries, huge expense accounts and other incidentals of the Board. Also included are about $90,000 in annual dues to the American Bankers Association and various state and local banking associations, which, in turn, lobby for the bank interests.

Whatever is done about returning our monetary system to the people will depend largely upon the people themselves. If Hoosiers want action, they must let their elected representatives at all levels know their desires. The 90th Congress will act if the demand from the people grows strong enough.

The real decision is in our hands.

STUDY OF BANK STOCK OWNERSHIP AND CONTROL—EDITORIAL COMMENT AND REPLY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on January 4 of this year the Journal of Commerce printed an editorial which was highly critical of a House Banking and Currency Committee report entitled "Bank Stock Ownership and Control." This editorial contained several inaccuracies and drew some erroneous conclusions. Therefore, I wrote a letter to the Journal of Commerce discussing these points. This letter was published on Wednesday, January 11. My letter was accompanied by a short editor's note.

While the editorial, my letter, and the editor's note speak for themselves, it seems to me quite significant that the Journal of Commerce now acknowledges that a potential conflict of interest may exist when a commercial bank holds and votes a large block of its own shares held in trust for the benefit of others. Since this seems to be a widespread practice among large commercial banks, both national and State chartered. I think it is clear that further investigation and consideration of congressional legislative action be given to this problem.

Under unanimous consent, I include the editorial, my letter, and the editor's note at this point in the Record:

[From the Journal of Commerce and Commercial, New York, Jan. 4, 1967]

To Go to So Much

After wasting for several years a considerable amount of taxpayers' money in exploring something that didn't really need to be explored, the House Banking and Currency Committee headed by Rep. Wright Patman has come up with a staff report which Mr. Patman says reveals a "startling degree" of interlocking stock ownership among commercial banks, insurance companies and mutual savings banks. If the staff report is not a lot of twaddle, Mr. Patman's deductions from it certainly are. It is a matter of going to so much to come to so little.

Mr. Patman notes that, according to the report, 5 per cent of the stock or more in almost three-fourths of the nation's largest banks is held by other financial institutions, including banks. Mr. Patman then makes the startling observation that "in corporations where stock is widely held, this 5 per cent often represents actual control."

That, of course is pure nonsense. We have heard that in some corporations 20 per cent of stock in a single place may, under favorable conditions, represent working control. We have never heard of anybody controlling a corporation of any kind by owning 5 per cent of it.

The staff report on which Mr. Patman has made such reckless deductions utilized a net which caught only a few minnows. It was based upon reports from some 3,200 banks, bank nominees, brokerage firms, insurance companies, mutual savings banks and various foundations, together with various corporations. The questionnaires sent out were aimed at determining who "beneficial owners" were.

Let us assume that this cross section of stock ownership represents a varied number of true investors, who obviously included bank trust accounts, in which enormous amounts of stock are held for single or multiple investors. What is so surprising in the fact that as much as 5 per cent or even more of the stock in financial and other institutions should be so owned? People invest in bank stocks as well as in industrial stocks, and they naturally tend to buy stocks which have a long record of excellent earnings and dividends. Banks are pre-eminent on the list of long time dividend payers.

Two years ago Mr. Patman tried hard to draw wrong conclusions from a survey of the 20 largest stockholders of record in member banks of the Federal Reserve system. The study was concentrated upon the 300 largest banks in the United States. It produced nothing of startling import and got nowhere. Not even eyebrows were raised.

Now, on the basis of the wider sampling, Mr. Patman says that his staff report "raises serious questions concerning the use and management of trust funds by banks." Also, that this aspect needs another close look by his committee to determine the need for future legislative action. Let us hope that Congress will not authorize more money to be poured down this particular rathole. Apparently Mr. Patman is hopeful of more unnecessary appropriations for this purpose.

After all, what stocks banks hold for others and how they vote them are determined by the real owners of the securities. The banks are merely agents. With some clearly defined exceptions banks are not allowed to hold stocks for their own accounts.

Mr. Patman professes to find something unhealthy in the fact that between 70 and 75 per cent of 275 large banks report 5 per cent or more of their stock held by financial institutions and that over 54 per cent of them have 10 per cent or more of their stock so held. Well, why shouldn't sophisticated investors naturally gravitate toward successful and money-making institutions such as these large banks? Some of the banks have 25 per cent to 50 per cent of their stock so held. Presumably "financial institutions" include bank holding companies, some of which own all but directors' qualifying shares of banks included in their groups.

The idea that all big banks control each other is something that one would expect to be stressed 50 years ago, when everything connected with Wall Street, LaSalle St. or Montgomery Street was supposed to be hot stuff politically. But in this day and age, when so many billions of stocks are held by institutional investors, usually on behalf of somebody else, we feel Mr. Patman's alarm is fanciful; he is, in fact, getting scared over will-o-the-wisps. Like will-o-the-wisps, modest holdings by other financial institutions in banks are quite harmless and in fact, to be expected. We are hopeful he won't persuade a nervous House to get excited about it.

[From the Journal of Commerce, Jan. 7, 1967]

THE SKIRMISH LINE—MR. PATMAN SAYS WE ARE WRONG

To the EDITOR:

Your editorial of Jan. 4, 1967, attacking the study of commercial bank stock ownership and control recently published as a staff report by the Domestic Finance Subcommittee of the House Banking and Currency Committee was frankly amazing in its intemperate tone as well as its almost total diregard of the most important specific points made in the study.

You completely fail to point out, for example, the serious problem of banks holding in trust and voting large blocks of their own stock, a serious built-in conflict of interest. Seven states have by statute seen fit to protect the beneficiaries of trusts from this potential abuse by prohibiting trustees from voting their own shares.

In another state, Ohio, there is at this time a controversy over this very point.

However, most large banking states, such as New York, Illinois, Pennsylvania and California, provide no such protection, thus leaving thousands of people, who are almost totally at the mercy of the judgment of bank trustees, unprotected from this potential abuse. At least 198 of the 300 largest banks in the country hold some of their own shares, according to the report, and 63 of these banks exercise complete or partial control over the voting of 5 per cent or more of their own shares. If the study exposed no other problem, this problem of potential self-dealing alone would be enough to justify it.

But this is not the only serious problem uncovered by this study which your editorial chose to ignore. The report not only points out the extent to which funds managed by various types of financial institutions are invested in commercial bank stock, but also the extent to which these shares are voted by these institutions. The data on this point clearly support the conclusion that the heavy investment in and voting control over commercial bank stock by these institutions raises serious questions about the true level of competition among commercial banks and among financial institutions in general.

Let me also point out two misstatements of fact in your editorial. You state that ". . . what stocks banks hold for others and how they vote them are determined by the real owners of the securities. The banks are merely agents." This statement, as the study clearly points out, is not correct in a very large number of cases, and shows a complete lack of understanding of the powers of the trustee holding securities for the benefit of others. Voting control as well as investment powers often resides in the hands of bank trust departments. This is one of the major points brought out in the study, that control in many cases resides with the banks.

EXCLUDES HOLDING FIRMS

Another incorrect statement in your editorial is that the figures quoted in the study include the bank stock held by bank holding companies. Nowhere is this stated to be the case. In fact, if the data did include the bank stockholdings of bank holding companies, the figures would show an even greater degree of concentration of bank stockholdings in financial institutions. A quick check of the tables in the study would have shown that bank holding company stockholdings were not included, as is evidenced, for example, by the very small number of shares shown for banks in the Marine Midland group.

There are other points in your editorial that might be disputed, but the truth of the matter is that most of the banking industry and those who serve it take the attitude that they should be exempt from all public scrutiny, should be free to do virtually anything that they want to do in order to serve their own interests, and should be completely free from the public interest investigations and regulations that other industries have been subjected to. A thoughtful critique of the specific points made in this report and other criticisms of the banking industry rather than an automatic defensive negative reaction to every criticism levelled at the banking industry would far better serve the public interest.

WRIGHT PATMAN,
Chairman, House Committee on Banking and Currency.

EDITORS NOTE

(We have never argued that the banking industry and those who serve it should be exempt from all public scrutiny. We are glad to be corrected in our assumption that the Patman committee investigation included bank holding companies. We feel that Mr. Patman's own figures that only 63 of 198 large banks control voting of 5 per cent or more of their own shares indicates they realize there may be some conflict of interest. We still feel no substantial federal question is involved in the control of 5 per cent or thereabouts of their own bank stock by bank trust departments and that this is a matter for state laws or regulations. And we still feel that Mr. Patman and his committee are making a mountain out of a molehill.—ED.)

BIRTHDAY RECOGNITION FOR CONGRESSMAN ANNUNZIO

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I want to apologize for being a bit tardy in recognizing the birthday of the gentleman from Illinois, the Honorable FRANK ANNUNZIO, who celebrated his 52d birthday last Thursday.

Congressman ANNUNZIO is one of the rising young Members of Congress and an important member of the Banking and Currency Committee.

Congressman ANNUNZIO was one of the leaders in the committee's investigation of loan sharks and sharp-practice operators in their dealings with servicemen. He has been hailed by a large number of veterans, civic, and industrial groups for his efforts in this field. He is a tireless worker and the 80-percent plurality by which he was returned to the 90th Congress indicates that he will be celebrating a number of birthdays in this body in the years to come.

NATIONAL SENIOR SERVICE CORPS

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, I am happy to join with my distinguished colleagues, the gentleman from New York, Representative JONATHAN BINGHAM, and the gentleman from New Jersey, Representative PETER RODINO, in sponsoring legislation to create a National Community Senior Service Corps.

The need to encourage our senior citizens to participate more fully in our society is clear, for if they do not the loss is ours as well as theirs. The growth of our older population, and its increased percentage of our total population, are matters requiring immediate attention. We are faced with a double problem: How to accord to these men and women the dignity and comfort they deserve, and how to insure that their talents and rich experience are not lost to us because we isolate them from meaningful activity in our society.

The Senior Service Corps bears on both these problems. It would make possible the useful participation by senior citizens through the performance of needed community services, and would help to provide such services that would not otherwise be available. The bill I am introducing today would provide funds and technical assistance to nonprofit private organizations, municipalities, counties, and States to develop and implement programs meeting this dual purpose.

The programs would be administered by the State agency responsible for State plans for the elderly under the Older Americans Act of 1965, and close coordination will be required with Government agencies having duties in this area, such as the Department of Labor and the Office of Economic Opportunity. In this way previous experience relevant to the new programs can be brought to bear efficiently.

Under this legislation, programs would be required to be developed with the advice of competent specialists in the problems of the elderly, and would require the greatest possible participation by persons 60 and over in the planning and conduct of the programs.

The legislation would provide for short-term training necessary to utilize available skills in particular programs, but since the emphasis is upon the employment of existing skills, there will be no long-term job-training projects. Payment may be made for services, at the discretion of the local sponsoring agency, but, except in the most unusual circumstances, no individual would receive more than the maximum figure permitted under social security.

The bill would authorize an appropriation of $9 million for the first fiscal year, and $15 million for the second. It would authorize the Secretary of Health, Education, and Welfare to pay 100 percent of program costs during the first fiscal year, and 90 percent for the second year. The bill provides for a 2-year authorization.

Mr. Speaker, I believe this legislation is a promising new approach to the increasing urgent problem of how to enrich the lives of our senior citizens, which would also add to the resources upon which we can call to meet the needs of our communities.

TO LOWER THE VOTING AGE

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, each year since I came to the Congress as Representative of Montana's First Congressional District I have supported legislation calling for a constitutional amendment to lower the voting age from 21 to 18. It is noteworthy, I believe, that enthusiasm for such an amendment has grown over the years among my colleagues and throughout the Nation.

Naturally I was pleased last week when my fellow Montanan, Senator MIKE MANSFIELD, introduced a joint resolution in the Senate to put to the States the question of lowering the voting age to 18. Today I introduced this measure in the House of Representatives and I ask that my colleagues in the House and the Senate give careful consideration and attention to this important proposal.

Educational psychologists have informed us that the ability to grasp new ideas reaches its peak at the age of 18. I believe this is significant in light of the fact that our educational system—the finest in history—is doing a remarkable job of producing well-informed graduates. Our high schools are succeeding in instilling in our young citizens an interest in their Government, and it is my conviction that we are discouraging this important, vibrant segment of our population if we continue to insist that young Americans remain on the sidelines for 3 years after many of them have reached the peak of interest and enthusiasm.

Such programs as VISTA and the Peace Corps have indicated the interest our young people have in public affairs and demonstrated their potential for valuable public service. I know many of my colleagues agree that our Nation would be strengthened if our young people are given an active role in selecting their representatives in government.

These points alone are, I think, dramatic support for the proposal to lower the voting age, but there is another basic consideration. Our young people become subject to the draft and compulsory military service at the age of 18. Certainly if our 18-year-old citizens are subject to governmental decisions which, in time of war, are matters of life and death for them, they deserve a voice in choosing the leaders responsible for making such important decisions.

The proposal I have introduced today requires the concurrence of two-thirds of the House and Senate and ratification by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.

INCREASING EDUCATIONAL OPPORTUNITIES THROUGHOUT THE NATION BY PROVIDING GRANTS FOR CONSTRUCTION OF ELEMENTARY AND SECONDARY SCHOOLS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I have today introduced a bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and for supplemental educational centers. No greater need faces this Nation today than the need to assure all citizens appropriate opportunities to obtain the best possible education that technological developments and new teaching methods and techniques can provide. The 89th Congress made a great stride forward in legislation to authorize grants to local educational agencies to fund programs to strengthen educational opportunities, particularly on the elementary and preschool levels.

While I have been greatly disappointed that many of these programs have not been funded until late in the school years in 1965 and in 1966, the accomplishments to date forecast positive results in increasing educational achievement and progress in literally hundreds of thousands of classrooms throughout the Nation, as a direct result of the support being given schools under the Elementary and Secondary Education Act of 1965—Public Law 89-10—as extended and amended under Public Law 89-750.

The funds provided under that act envision a wide variety of special educational programs devised by local school districts and a strengthening of existing educational programs to meet the special needs of schools impacted with disadvantaged children and children coming from low-income families. In too many instances the ability of local school districts to operate effective programs has been handicapped by the lack of appropriate facilities. The lack of facilities is most apparent in those areas least able to finance their construction. Thus in extensive hearings conducted by the General Subcommittee on Education during the 89th Congress, it was disclosed from a variety of sources that obsolete, dilapidated, hazardous, and overcrowded school facilities in the core of our Nation's cities and in hard-pressed, small rural and isolated communities dilute the effect that the special programs authorized under title I of ESEA would otherwise have had. Of course, in some instances the construction of facilities is authorized by title I of Public Law 89-10 as well as title III. However, situations are limited in which the urgent needs of educationally deprived children for program improvement will justify the use of title I funds for bricks and mortar.

Many of our school facilities today are themselves stark examples of poverty and it is difficult for the best education programs to meet the needs of disadvantaged children in a setting which is characteristic of poverty itself. If a real breakthrough is to be achieved in providing good educational opportunities in these needy areas of our Nation, it is essential that school facilities be up to date, safe, healthy, modern, and convey to children the importance with which our Nation regards the educational process and academic achievement. Little wonder to me that our dropout rates are high in low-income areas when we have placed so little value on the educational system as to house this most important activity so poorly.

Evidence submitted to our subcommittee during the 89th Congress indicated that there were approximately 28.8 million pupils or about three out of every four pupils attending school in buildings with two or more of the following gross deficiencies: First, structural defects; second, heat deficiencies; third, fire alarm deficiencies; fourth, stairway nonfire resistive; fifth, inadequate exits; sixth, no fire detection systems nor sprinklers; seventh, no electrical services; eighth, improper lighting.

Further evidence reveals that 5.5 million pupils or approximately one out of every eight are assigned to schools where the site and the buildings are not considered free of health, sanitation, fire safety, and structural deficiencies. Moreover, studies presented to our committee indicated that three out of every 10 pupils or 12.1 million are adversely affected by crowding of school facilities.

Mr. Speaker, the following charts disclose some of the findings of our subcommittee as to classroom construction needs:

TABLE 1.—*Conditions of public school plants, 1964–65—Specific highlights*

	Totals, 50 States—	
	And District of Columbia	District of Columbia, and 4 outlying areas
1. ------ million pupils attend schools where lighting is rated as partly satisfactory by local school officials	9.323	9.67
2. ------ pupils attend schools where lighting is rated unsatisfactory	831,000	920,000
3. ------ pupils are currently housed in school plants with combustible school buildings, constructed before 1928 and have reported structural, fire, and site deficiencies	448,000	461,000
4. ------ percent of the pupil population does not have access to hot water at most handwashing lavatories	29.4	30.3
5. ------ pupils are in buildings that have no electric service	10,000	64,000
6. ------ million pupils attend schools which are unable to maintain temperatures in instructional rooms between 68° and 74° F., about one-half of these are in elementary school buildings	9,023	7,785
7. ------ million pupils are in buildings in which the fire alarm system is not audible throughout the building	35,972	19,785
8. ------ million pupils attend school in buildings without fire alarm systems (excludes 1-room schools)	39,739	1,686
9. ------ million pupils are in buildings with extensive structural deterioration	==	1,865
10. ------ million pupils are in buildings with combustible stairways and stairwells	3,207	3,223
11. ------ pupils occupy buildings with major infractions of local and/or State existing standards	361,000	474,000
12. ------ percent of the pupils are housed in buildings without fire detection or sprinkler systems in high fire hazard areas	71.6	72.0
13. ------ pupils are on school sites where water supply does not meet local or State health requirements	707,000	850,000
14. For ------ pupils, toilets on the school site are located in outdoor privies	248,000	518,000
15. ------ million pupils are attending school with 30 or more pupils per room	12.115	12.645
16. ------ pupils attend school on sites which have no water piped into the ------ buildings	133,000 4,100	183,000 4,600
17. ------ school plants need science facilities	5,330	5,085
18. ------ school plants need industrial, vocational, or technical shops	4,195	4,810
19. ------ additional classrooms would be needed to eliminate overcrowding ------ according to local school officials and to replace ------ makeshift, ------ nonpermanent and ------ offsite facilities	183,000 107,000 30,000 31,000 15,000	183,000 109,000 31,000 32,000 15,000
20. ------ buildings have 4 or more defects	8,300	9,720

TABLE 2.—*Additional instructional rooms needed in public school plants based on varying methods of pupil accommodation*[1]

Population area	25 elementary, 20 secondary	Median—27.6 elementary, 26.3 secondary	30 elementary, 30 secondary
Total	268,249	115,298	64,611
Urban	105,472	51,078	30,604
Suburban	79,010	30,177	15,340
Outside SMSA's	83,768	34,043	18,667

[1] Source of data: 92,006 individual school plant records in the National Inventory of School Facilities and Personnel, spring 1962 and updated in 35 States to spring 1964 by adding new school plants and eliminating abandoned school plants.

TABLE 3.—*Additional pupil schoolrooms to eliminate certain deficiencies in school buildings for the 50 States, District of Columbia, and 4 outlying areas, 1964–65*

[Number of additional rooms]

	Pupil-room ratios			
	25 per elementary, 20 per secondary	Determined locally with local appraisal	27.4 per elementary, 27.5 per secondary, with U.S. median	30 per elementary, 30 per secondary
To eliminate selected deficiencies	376,000	187,000	185,000	135,000
To eliminate off site	15,000	15,000	15,000	15,000
To eliminate nonpermanent	32,000	32,000	32,000	32,000
To eliminate improvised or makeshift	31,000	31,000	31,000	31,000
To achieve pupil-room ratio	298,000	109,000	107,000	57,000

Source: "Condition of Public School Plants, 1964–65," George J. Collins and William L. Stormer, Washington, D.C., U.S. Department of Health, Education, and Welfare, Office of Education, 1965.

TABLE 4.—*School plants and pupils enrolled, by organizational level and pupil per room interval for 50 States, the District of Columbia, and 4 outlying areas, 1964–65*

[Data for plants are rounded to nearest 100 and pupils are rounded to nearest 1,000]

Pupils per room[1]	Number of plants							
	Total[2]		Elementary		Secondary		Combined	
	Plants	Pupils	Plants	Pupils	Plants	Pupils	Plants	Pupils
Grand total[2]	87,800	40,011,000	60,600	21,284,000	13,300	12,056,000	13,700	6,672,000
1 to 9	4,100	168,000	1,600	85,000	400	44,000	2,200	60,000
10 to 14	7,100	977,000	4,800	381,000	800	247,000	1,300	350,000
15 to 19	13,100	3,675,000	8,200	49,000	2,100	1,042,000	2,300	1,140,000
20 to 24	21,900	9,462,000	15,300	4,000	3,500	2,720,000	3,100	1,823,000
25 to 29	23,500	13,084,000	17,800	7,736,000	3,700	3,803,000	2,100	1,550,000
30 to 34	12,100	7,985,000	9,300	4,858,000	1,700	2,340,000	1,000	787,000
35 to 39	3,400	2,820,000	2,000	1,086,000	800	1,250,000	500	484,000
40 to 44	1,300	943,000	800	333,000	200	344,000	300	266,000
45 to 49	500	346,000	300	177,000	100	101,000	100	69,000
50 to 54	200	186,000	100	42,000	(3)	66,000	100	78,000
55 to 59	200	105,000	100	66,000	(3)	20,000	(3)	19,000
60 to 64	100	103,000	100	62,000	(3)	15,000	(3)	26,000
65 to 69	100	48,000	100	24,000	(3)	11,000	(3)	13,000
70 and over	100	109,000	100	49,000	(3)	52,000	(3)	8,000

[1] Pupils in nursery and kindergarten are counted as ½ the total number reported in each plant to approximate the practice of providing ½-day instruction for these pupils.

[2] Columns may not add to exact totals because of varying inflation factors applied to individual school plants and because of rounding.

[3] Less than 50.

The following is a summary of the major provisions of H.R. 2365 which I have introduced today which is designed to take a step forward in meeting the pressing school construction needs of our Nation:

DISTRIBUTION OF FUNDS UNDER TITLE I

Title I of the bill would distribute funds to local public educational agencies on the basis of a formula similar to the formula contained in the Elementary and Secondary Education Act of 1965 as amended and extended by Public Law 89–750.

USES OF FUNDS TITLE I

A local educational agency could use funds granted pursuant to this title for the construction of school facilities of the local educational agency which are designed to serve school attendance areas having high concentration of children from low-income families including facilities for special projects conducted by the local educational agency in which children from such areas who are enrolled in nonpublic elementary or secondary schools may participate as authorized by title I of Public Law 89–10.

The State educational agency in approving applications by local public educational agencies for the use of funds under title I of the bill would follow basic criteria which would give priority for projects that provide for:

(1) The replacement or restoration of hazardous or unsafe facilities;

(2) Consolidation of school facilities;

(3) The modernization or replacement of facilities which are antiquated or functionally obsolescent; and

(4) The modernization or replacement of facilities to provide innovative facilities or equipment.

OTHER USES OF FUNDS UNDER TITLE I

In those local school districts where a maximum effort is being made by the local public educational agency to provide broadened educational opportunities for children in school attendance areas where there are concentrations of educationally deprived children, the local public educational agency could use construction grants provided by title I for the construction of any needed school facility in the district.

Such maximum effort must be evidenced by—

(1) The local educational agency is making a reasonable tax effort and is exercising due diligence in availing itself of state and other financial assistance and

(2) The facilities in the school district for carrying out the provisions of section 205 of Public Law 89–10 relating to education programs for educationally deprived children, are adequate and appropriate.

These determinations are to be made by the State educational agency under broad criteria prescribed by the Commissioner of the U.S. Office of Education. The State educational agency also makes the determination with respect to the need for the construction of a facility other than one to carry out the program authorized by section 205 of Public Law 89–10 in the event that the local education agency qualifies for this special use of funds granted pursuant to title I of the bill.

DISTRIBUTION OF FUNDS FOR CONSTRUCTION UNDER TITLE II

Title II of the bill would amend section 301 of title III of the Elementary and Secondary Education Act of 1965 by adding additional authorizations for the purpose of constructing facilities to house programs authorized by title III of such act.

Authorizations for construction grants for this purpose would be as follows:

[In millions]

Fiscal year:	*Amount of grant*
1967	$250
1968	500
1969	500
1970	500
1971	500

In addition, authorizations for regular program operation under title III of Public Law 89–10 would be as follows:

[In millions]

Fiscal year:	*Amount of grant*
1967	$150
1968	200
1969	250
1970	300

GENERAL PROVISIONS

The language under title I of the bill would become a permanent title II of Public Law 815 of the 81st Congress, title I of which upon the enactment of H.R. 9948 would deal with school construction in areas affected by Federal activities and title II would deal with school construction in areas where there are concentrations of educationally deprived children.

BAD PRECEDENT IN POWELL CASE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, I am very pleased to call attention to a couple of editorials which have recently appeared in two distinguished newspapers in the State of New Jersey—namely, the Daily Home News of New Brunswick, N.J., on Thursday, January 12, 1967, and the Newark Evening News of Newark, N.J., on Wednesday, January 11, 1967.

[From the Daily Home News, New Brunswick (N.J.), Jan. 12, 1967]

BAD PRECEDENT IN POWELL CASE

"Each House shall be the judge of the elections, returns and qualifications of its own members. . . .

"Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with a concurrence of two-thirds, expel a member."

These are quotations from the Constitution of the United States which should be considered with regard to the Adam Clayton Powell case.

The first quotation rather clearly refers directly to the seating of members, and it seems to be directed solely to the fact of election and to the meeting of qualifications presumably those set by the Constitution with regard to age, citizenship and residence. It does not appear to authorize the members of a legislative house to go beyond those facts.

The second quotation refers to a house's punishment of its members, even to expulsion.

Neither quotation seems to bulwark the House majority which has refused to seat Adam Clayton Powell, pending a committee investigation. He is not a member of the House until he is seated, and thus does not appear now subject to House punishment.

What the House seems to have done is to refuse to Powell the protection of the traditional presumption of innocence until guilt is proved. He is not being permitted to represent his constituents until a House group probes his actions. No proof has been adduced in the House.

A proper procedure would have been to seat Powell, who has met the constitutional requirements of election and qualifications, and then, if it be the House's will, proceed to investigate him and expel him by the two-thirds vote if reason for expulsion is found.

We bear no brief for Powell. We do not believe he is being persecuted for his color's sake. We think his attacks on Congress this week have been intemperate to the point of slander.

But our disappointment at the mess Powell is making of his promising congressional life, our sense of outrage at his defiance of the law, should not lead us to set a dangerous unconstitutional precedent and bar from House membership, if only for a day, a man legally elected to represent a constituency.

[From the Newark Evening News, Jan. 11, 1967]

MR. POWELL'S FALL

Adam Clayton Powell, by his irregular conduct, had disqualified himself for the chairmanship of the House Education and Labor Committee, and the Democratic caucus was on sound ground in removing him. Going his freewheeling way, Mr. Powell had offered little in defense except his race.

Now Mr. Powell finds himself in deeper trouble. He has been denied a seat by the House membership, pending outcome of an investigation which presumably will range over the full course of his affairs. Here, however, the House seems on less solid ground, even though it holds the constitutional power to judge the qualifications of its members. Instead of affording Mr. Powell fresh opportunity to cry prejudice, as he did so arrogantly immediately after the vote, the House, without further damage to its reputation, could have seated him to represent his constituency while the inquiry proceeded.

Yet his impatient colleagues are in part responsible for Mr. Powell's troubles. Congress has consistently refused to adopt standards necessary to prevent abuses of public trust, conflicts of interest and otherwise to police the ethical conduct of its members. Neither house can satisfy its honor by prosecuting only conspicuous cases.

THE KENNEDY DREAM

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, Miss Isabel M. Brylawski, of the Home News, of New Brunswick, N.J., wrote me:

> It (a letter-to-the-editor by Stephen G. Callas on the late President John F. Kennedy) expresses what is the opinion of many people in the United States and all over the world and deserves insertion in the CONGRESSIONAL RECORD. It is a moving and beautiful tribute to one of our greatest Presidents, the late and beloved John F. Kennedy.

The writer of the article, Stephen G. Callas, of Edison, N.J., is my legislative assistant in Washington and was office manager of Middlesex County, N.J., Citizens for Kennedy-Johnson in 1960, when the county produced a plurality of 32,000 for those two outstanding and victorious candidates.

Mr. Callas' article, which was entitled "The Kennedy Dream" by the Home News, and written on November 30, 1966, is hereby inserted in the CONGRESSIONAL RECORD:

THE KENNEDY DREAM

"The dreamer dies," wrote Burnet, "but never dies the dream."

John F. Kennedy's dream did not perish. It lives on. It was not an impractical dream, for Kennedy, though an idealist, was also a pragmatist. And dreams should not be disparaged, for often the dreams of the past become the programs of the present and future.

He envisioned, ". . . a new world of law where the strong are just and the weak secure and the peace preserved."

That was the goal he sedulously worked for, and although he did not live long enough to reach it, he brought it closer to realization.

The courage and judgment of John F. Kennedy during the Cuban missile crisis helped produce "one of the great turning points in history," Harold Macmillan told the House of Commons. This one act alone may have saved millions of lives.

To the millions who mourn John Kennedy, there are at least two consolations:

—In those brief but memorable years he gave America and the world a new hope, which Robert F. Kennedy told West Berliners, remains "a living force."

—The work that John Kennedy left unfinished may be completed by his brother Robert, who may lead the nation some day.

There was once a tribute to the assassinated president, which ended with these thoughtful words of solace: ". . . for what is remembered is never lost."

John F. Kennedy left much to be remembered—more than anything else, his unlimited promise. That is why those who loved him in life, love him even more in death, for only now do they fully appreciate him—for what he was, what he represented, and what he might have achieved if he had served for eight years.

What beautiful memories he left with us. Perhaps never again with the United States have a president who had "everything"—the brilliant mind, the engaging personality, the brave and compassionate heart, the vigorous leadership, the handsome appearance, the lovely family, these and more.

The years will pass and some memories will dim, but to many Americans, John Fitzgerald Kennedy will forever be remembered as young and eloquent and smiling—and, above all, unconquerable.

His moving words, notable deeds and inspiring ideals will arouse this and future generations—to hope and work and fight—until his dream of ". . . a new world . . ." comes true.

And because dreams and hopes help sustain us in the battles we face in life and death, Burnet's words can help give us the strength and faith needed to prevail:

"Still shall the vision live! Say nevermore
That dreams are fragile things. What else
endures
Of all this broken world save only dreams!"

STEPHEN G. CALLAS.

EDISON.

THE DOW REPORT

Mr. **DOW**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **DOW**. Mr. Speaker, a number of times during the recent campaign in my district we debated aspects of the U.S. involvement in Vietnam. While I tried on several occasions to summarize my views on this difficult subject, due to the heat of the campaign and the complexity of the problem no such statement was ever put out.

However, it seems to me that the man in the street in my district wants to know in an overall way the position of his Congressman on the critical issue of Vietnam. This is all the more so because this particular Congressman believes that the policy of our country is a mistaken one and that we should take measures to reduce our part in the conflict. Accordingly I submit as an extension of my remarks, the summary of my views that is being sent to all papers and news media in my congressional district at this time.

I do not mean to imply that a summary completes the case in all particulars. Much more of detail could be filled in. I merely contain herein remarks which were sent to the press:

THE DOW REPORT

Many times in newspapers and on radio, I have discussed Vietnam for I take it very seriously. This statement to you is as important as anything I have said or done since being in Congress.

Vietnam is becoming more critical to us all the time. A crossroad may soon be reached where our nation will face a decision of the gravest sort—whether to expand the conflict or reduce it.

To me, the one bright spot in America's involvement is the courage and devotion of our fighting men. All the rest of it seems to me a colossal mistake, that Americans, fine as they are, have difficulty in admitting. In order to judge about Vietnam you do not need to know bookfuls of facts. All you need in order to understand the problem in Vietnam is some knowledge of the situation over there as given over and over again in the press, some common sense, and a sense of morality.

AGGRESSION EXAGGERATED

The infiltration of Vietnamese from the North zone of Vietnam to the South zone was used by the United States in 1965 as a reason for increasing our military actions in Vietnam. We called the infiltration "aggression," although all the infiltrators were Vietnamese and a high proportion were originally South Vietnamese. And all this movement was happening inside Vietnam, not outside.

Unlike Pearl Harbor, this movement of Vietnamese was not a very obvious "aggression." Our State Department published a book to "prove" that it was "aggression." Without a book to explain, the world evidently didn't see it as "aggression."

I would like to know how the nations can get along safely in the nuclear age, if one nation such as the United States decides on its own to punish another people for something which does not suit it? This is even more serious when we punish these people for actions inside their own country. And it is more serious still when the "aggression" we object to was not directed against us.

These are the regretable circumstances of Vietnam.

In addition, a good deal is said in order to link Red China with "aggression." Yet it must be stated that Red China today has no troops fighting outside her own borders. I do not care for Red China, but I also think this whole problem is so important that we must look at it accurately.

A further justification for American involvement has been offered because the Viet Cong are so cruel. No doubt they are, and do torture civilians. However, our side is hard put to point a finger at this as long as innocent civilians are being burned by the jellied gasoline and white phosphorous that is dropped from American planes. When I see pictures of little children burned and without limbs, I wonder how long our nation wants to continue this warfare of which the rightness is seriously questioned. This does not add any lustre to the American heritage.

FEAR OF RED CHINA

For the United States to fear that Red China will overwhelm small countries in Southeast Asia, like Vietnam, shows that we have a kind of unhealthy belief in Communism. All nations in the world today are nationalistic. Even if they accept Communist doctrine they are unlikely to knuckle under to China. Moreover, Communist enemies could not strike our shores any quicker if they were intrenched in Southeast Asia than they could right today from many missile bases.

Our actions in Vietnam are not preventing alien ideology from arising in South America, Africa, or elsewhere. As a matter of fact, by fighting in Vietnam, we are not stamping out Communism at the roots in Peking and Moscow. I do not advocate war on Peking or Moscow. I just regret that fellow Americans are making terrible sacrifices in Vietnam for so little gain.

RISK TO WORLD PEACE

The United States' exaggeration of aggression in Vietnam is all the more to be regretted because it is a threat to world peace. Peace was never so important as today, when any small incident could trip off the destruction of the world.

For example, there might be an accidental dropping of bombs on China by American planes; or the sinking of a Russian freighter in a harbor of North Vietnam; or possibly an effort by China to oust American warships from Hong Kong harbor. Any of these occurrences could set the world aflame.

Is it right for the United States to allow this risk in our world? All nations are deeply alarmed about the danger in Vietnam to world peace. Pope Paul has prayed for no more war. Mr. U Thant, Secretary General of the United Nations, has asked us to stop the bombing. The Prime Ministers of England and India and the President of France have spoken in like terms. Nowhere does any great leader of another nation support the United States' action.

It is all right to respect our own leadership, but we owe it to other people to listen also to their leaders. Remember, they have no democratic voice in the decisions about Vietnam. Even though we may be acting as a world policeman, the other nations have not selected us for that role. Their existence is threatened by errors which United States forces may make—and clearly it troubles those nations.

OUR COMMITMENT TO ALL

It seems to me that the very first commitment the United States has is to work for peace in this world of three billion human beings. This tremendous commitment to the world comes far ahead of any commitment in Vietnam.

There are some who say we are fighting in Vietnam for freedom. But we can fight for freedom best in our own back yard by helping our many Negro and white brethren in this country who have neither political, economic, or social freedom. You will find people without these freedoms in nearly every American community. I can show you some in our own district, in your own community. To our own fellow Americans we owe more than any commitment in South Vietnam.

VIETNAMESE WANT PEACE

It is beginning to appear that even the Vietnamese want peace rather than "freedom" as we speak of it. The South Vietnamese army is twice the size of their opponent's and better armed.

Our South Vietnamese government has hardly shown that it deserves the special sacrifice of Americans. The South Vietnamese government feuds within itself. Its promise of land reform has not been kept. Well-fixed Vietnamese stay in Paris while American boys fight for them in Vietnam. Black markets thrive in Saigon on goods pilfered from American shipments. And so it goes. The picture among South Vietnamese is scarcely one of universal dedication and sacrifice. I think this is basically because the present South Vietnamese government is not one that commands their respect. It is their responsibility to work out their own problems. That is not our commitment.

OUR OBLIGATION

We have an immense obligation to our own men in Vietnam for they are serving in a spirit of dedication and sacrifice. Most importantly we owe it to them to provide statesmanship that is wise. Let us keep them out of the jungles of Asia as General MacArthur warned us to do. We should not send them into combat against other men who are dedicated fighters for a cause of reform. That dedication has been shown by the enemy, the Viet Cong, whether we believe their idea of reform is good or not.

We should not send our men 8,200 miles from home to the edge of a hostile continent, where there is no ocean or span of water to give them the strategic advantage. We have allowed our opponent to choose the battleground.

Finally, it is claimed that we owe our men in Vietnam a victory, a win. This is said even though our actions in Vietnam may cause the world as we know it to go up in flames. When we talk about a "win," let us remember that the situation in Vietnam is not an athletic contest. It is an immense problem of great social and political complexity that is unlikely to yield to such a nice, trim ending.

Even though, after years of effort and expenditure of more thousands of our men, the United States manages to occupy some major part of Vietnam, can we ever go away and leave it—or leave a puppet Vietnamese government there? As soon as we do, those guerrillas will come back again.

In fact, it's my belief that there can be no peace for us, and none for the world, as long as we keep our forces in Vietnam. They are too much a thorn in the side of Asia. Only recently the British, French, and Dutch empires have been expelled from Asia. A number of United States bases still form a ring around China and eastern Asia. Our American effort to set up another base in Vietnam on the mainland, is an invitation to never-ending warfare. In order to help ourselves in Vietnam we're now building a second base in Thailand. Asiatics will give us no peace whatsoever as long as we stay in those bases.

COST OF THE CONFLICT

We must not count the cost of warfare when defense of our country is at stake. The appalling cost must certainly be counted, however, in a case like Vietnam where we have so little reason to be there. That cost is believed close to two billion dollars a month. It is certainly a principal reason for the high prices noted when we go to the supermarket. War always raises prices.

One newspaper has divided the cost of our operations in Vietnam by the number of Viet Cong who have been slain. According to this it costs $332,000 to kill one Viet Cong. That is enough to send 30 young men and women to college.

WHAT IS THE SOLUTION?

I believe the solution for us in Vietnam is a clear-cut decision, like the cutting of the Gordian Knot by Alexander of Macedonia. Since an expansion of the hostilities has so little to commend it, the best advice would be to begin reducing our military activity in Vietnam. This would mean an end to bombing. Then we should schedule a withdrawal. No doubt it would take time. Such time could be employed to encourage negotiation.

Our Generals Gavin and Ridgway have advised us to pull back to set positions along the coast. This would be a good beginning of an end to the war. After that we should, it seems to me, plan a complete withdrawal on our own initiative, regardless of whether this, that, or the other group is willing to negotiate.

It is rather weak of us to stake peace, as we do, on the answers of the North Vietnamese leader, Ho Chih Minh, to the many peace suggestions that have been showered upon him. When we put such decisions up to Ho Chih Minh we are really leaving world peace, and even our destiny as a nation, in his hands.

Let us make our own American decision to be done with that fruitless, needless, and dangerous conflict.

LOWERING THE LEGAL VOTING AGE TO 18

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, there has been increased sentiment over the past year or two toward lowering the voting age to 18. Along with a number of my House and Senate colleagues, I have introduced a joint resolution for a constitutional amendment to lower the voting age to 18. I noted with great interest that both the majority and the minority leaders of the other body have introduced similar resolutions, which have received considerable public support throughout the Nation and also in the legislatures of the various States. I believe the fact that we have so many young men between the ages of 18 and 21 who are fighting in Vietnam gives added emphasis to the need for lowering the voting age.

I would also point out that when the voting age was first set at 21 in the early years of our Republic, our educational system was far inferior to what it is now. Young men and young women at the age of 18 are far better educated today than they were in the early years of our Republic when the voting age was set at 21. As we all know, the States of Georgia and Kentucky now allow 18-year-olds to vote, and two other States, Alaska and Hawaii, have set the voting age below 21. I would urge my colleagues to give support to a constitutional amendment lowering the voting age to 18.

In the near future, I will ask for a special order to elaborate on the many reasons why we should now proceed toward adoption of such an amendment to the Constitution.

PROPOSAL TO EXCLUDE FROM INCOME CERTAIN REIMBURSED MOVING EXPENSES

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I introduced on January 10, 1967, H.R. 47, a bill to exclude from income certain reimbursed moving expenses. This bill is identical to H.R. 13070 which I introduced in the 89th Congress. As you know, there were 148 bills of a similar nature introduced in the House, including 19 by other members of the Committee on Ways and Means. Moreover, eight members of the Senate Committee on Finance joined with 16 other Senators in the sponsoring of a similar Senate measure. I am confident, Mr. Speaker, that support for this measure has grown in the past year and that H.R. 47 should and will be enacted this year.

For a number of years confusion has existed with respect to the treatment for income tax purposes of moving expenses reimbursed to employees. The prevailing practice, until the IRS announced its present position in 1965 (Rev. Rul. 65-158, C.B. 1965-1, 34), had always been to exclude reimbursed moving expenses from income of the employee.

The uncertainty began when the IRS issued a rule in 1954 (Rev. Rul. 54-429, C.B. 1954-2, 53), permitting employees to exclude reimbursed "moving" expenses from income, without defining such expenses. After a number of years it became apparent that employers and the IRS were defining "moving" expenses differently. To employers this term included all reasonable out-of-pocket expenses incurred by the employee in moving since the purpose of reimbursement was to make the employee whole. Anything less than full reimbursement of moving expenses would be a deterrent to acceptance by employees of changes in assignment requiring relocation. The free mobility of employees is essential in modern business.

On the other hand, "moving" expenses were finally defined by the IRS in Rev. Rul. 65-158, after years of inaction in clarifying its position, to mean only the direct costs of transporting a person, his family and personal property from one location to the other. This interpretation, which is highly unrealistic, most likely was strongly influenced by the then existing rule applicable to civil service employees which permitted the Government to reimburse only the direct costs of transportation, which rule, of course, was made obsolete by Public Law 89-516.

Over the years there has been considerable litigation. When the Supreme Court denied a petition for certiorari in January 1966, in the England case (382 U.S. 986), upholding the position of the IRS, it was believed that this might dispose of the issue so far as litigation was concerned. However, now that the Starr case (46 TC —, No. 78, Sept. 26, 1966), has been decided by the Tax Court in favor of the taxpayer, substantially accepting the view that reimbursement of reasonable out-of-pocket expenses incurred in moving were excludable from income, the uncertainty has been raised anew. The uncertainty will likely continue until the court of appeal of two circuits are in conflict at which time the U.S. Supreme Court would no doubt hear the case on the merits and finally resolve the issue. This process, however, will take many years.

In these circumstances, legislation is clearly the best course for quick clarification of the existing uncertainty. As I have already indicated, legislation was attempted during the previous Congress. There was much congressional support, particularly since the Civil Service Commission requested and Congress passed legislation—Public Law 89-516—granting reimbursement to Government employees for moving expenses over and above the direct costs of transportation. It was made clear by the Chairman of the Civil Service Commission that taxing the employee on the additional reimbursement nullified, to the extent of his tax liability, the objective of the reimbursement.

The principal opposition to clarifying legislation comes from the Treasury Department and its objection is not based on the merits but, primarily, on the revenue loss involved. The revenue loss is hardly an adequate basis for objection since the Government's right to the revenue has not been finally established in litigation.

Further, I am well aware of the necessity for minimizing tax revenue loss but I am equally well aware of the necessity for maintaining taxpayer confidence in the operation of our self-assessment system. Most of us, I am convinced, believe that existing law represents an attempt to tax something that is not really income. The attitude of harassment that these employee-taxpayers derive from present enforcement endeavors seriously jeopardizes the voluntary aspects on which our entire self-assessment system is founded. The tax revenue loss involved in this bill is a loss of tax revenue to which the Treasury has no right in equity or commonsense.

Each year of delay in solving this problem creates mounting inequity if litigation ultimately favors the taxpayer. As I have already pointed out, it is essential to business that employees be reimbursed their moving expenses. Since the IRS is now adamant in its position that such reimbursements over and above the direct costs of transportation constitute taxable income, the employers in most cases have increased the amount of the moving expense reimbursement to include the income tax on the reimbursement in order to make the employee financially whole. This, of course, is a cost of the employer. If the courts ultimately hold that reimbursed moving expenses are excludable from income of the employee, it is not likely that very many employees will exercise the right to recover tax for past years since they already have been made whole and any refund would have to be returned to the employer or included in the taxable income of the employee. Thus, the Treasury Department will have received a windfall because the employer, the one who has absorbed the cost, has no standing to claim a refund. The question of revenue loss, since the Government may yet be ruled by the courts not to be entitled to the tax it claims, should not influence the desirability of legislative action.

I feel it is unconscionable that this sort of uncertainty and increasing inequity should be allowed to continue. I hope the Congress will recognize its responsibility in this matter and legislate the governing rules.

SUMMARY OF PROVISIONS OF H.R. 47

Under present law, expenses of moving the employee, his family and household goods to the new place of work are clearly nontaxable.

This bill would also make nontaxable the following reimbursed expenses:

First. House-hunting trip of employee and spouse when both the old and the new job locations are located within the United States.

Second. Temporary living expenses at the new employment location while awaiting occupancy of permanent quarters. Reimbursement here cannot exceed a period of 30 days except that the period is extended to 60 days when a taxpayer is moved from or to a foreign country such as Puerto Rico, the Canal Zone, or one of the possessions of the United States.

Third. Selling commissions and other residence or to the settlement of an unexpired lease on the employee's old residence.

Fourth. Out-of-pocket expenses incident to the purchase of a residence at the new job location.

Fifth. Other miscellaneous expenses directly attributable to the transfer but not to exceed the lesser of 2 weeks' pay or $1,000 in the case of a family man or the lesser of 1 week's pay or $500 in the case of a single employee.

The benefits of the special exclusion for employees who were reimbursed for the above items are limited under the bill to those employees who have worked for the same or a related employer for at least 1 year at the time of the transfer.

THE LINDBERGH KIDNAPING ACT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, news reports late last week included the decision of a Federal district judge holding the Lindbergh Kidnaping Act unconstitutional. The Lindbergh Act prescribes the death penalty, but only if the verdict of the jury so recommends. The judge sees in this proviso somehow a limitation on the constitutional right to trial by jury. If a defendant pleads guilty, the judge reasons, the death sentence cannot be imposed against him, because there has been no jury to recommend it. Thus, according to the judge, the exercise of his right to trial by jury subjects him to the possibility of greater punishment than if a jury trial is waived.

The Lindbergh Act has stood as the law of the land for 35 years. It is a necessary weapon in combating crime againt the safety of persons. Congress should not tolerate any loss of the act's effectiveness under a cloud of unconstitutionality.

I am today introducing a bill to remove the jury proviso in the Lindbergh law. As amended, the act would permit the court to impose the death sentence or life imprisonment if the kidnaped person is not released unharmed, or to impose life imprisonment or for a term of years if the person is released without harm.

The Congress should act with all deliberate speed to plug up the loopholes which the courts bore in our criminal law.

CONGRESSMAN HORTON SUBMITS PLAN FOR EASING TENSIONS IN MIDDLE EAST

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, we have all noted with a great deal of concern the buildup of tensions in the Middle East over the last few months. As I address you today, increasing numbers of Syrian and Israel troops face each other across the U.N. armistice line near the Sea of Galilee.

We cannot wait until the day that bullets replace the blistering charges and countercharges which have been regularly exchanged across the frontiers. It is time that our Nation took affirmative action to soften the tensions in this area. Just yesterday, U Thant, Secretary-General of the United Nations, urged a meeting between Israel and Syrian officials as a first step toward reducing military clashes. Today, Israel expressed its agreement to such a meeting, but the latest statements from Damascus appear to add up to a rejection of U Thant's plea. The solution to the present crisis, and prevention of a large-scale war in the Middle East cannot be allowed to depend on the whim of Arab militance. There is far too much at stake for the rest of the world's people to sit idly by waiting for the nations of that area to work out their own problems, by whatever means they are driven to use.

Thus, Mr. Speaker, I have today proposed that the United States through its delegation at the United Nations, should take immediate steps toward agreement on a joint guarantee of present Middle Eastern frontiers by our country and the Soviet Union. By stating clearly that neither America nor Russia will tolerate the creation of another "hot spot" over Arab-Israel boundaries, will be serving notice on the aggressors that there is nothing to be gained from continued attack or harassment.

Last August, I went to the Middle East as a representative of this House to the dedication of the new Israel Capitol Building. At that time, I visited the border area where current clashes are occurring. I can tell my colleagues from firsthand conversations that the people on the Israel side of the border live in constant fear for their security from Syrian guerrilla attacks. Israel is a nation which is constantly on the alert; her men and women stand guard in watchtowers which dot the border. Since Israel gained her independence in 1948, U.N. truce teams and military patrols have been an ever-present fact of life. As Arab attacks continue, the pressure on Israel policymakers to retaliate reaches a point beyond the realm of measured restraint.

It is important that we not allow Israel to be pushed into a war of face-saving or a war to defend her territory against intermittent slaughter. One way we can ease this pressure is to put world opinion squarely behind maintaining the territorial status quo in the Middle East. A frontier guarantee agreement between the United States and Russia would have this effect; but we must act quickly if we are to succeed. I hope my colleagues will take prompt and favorable action on the measure I have submitted today, as a demonstration of the desire of the American people to prevent an armed flareup in the Middle East.

CONGRESSMAN HORTON SUBMITS PROPOSAL TO EXCLUDE MOVING-EXPENSE REIMBURSEMENTS FROM TAXABLE INCOME

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, last year, we enacted a provision of law which allows the Federal Government to reimburse its employees for certain expenses incurred in moving as a result of a Government requested transfer. Our passage of that law is important because it encourages mobility in the American labor force.

Private industry has recognized the importance of mobility for many years, and most firms have liberal moving-expense reimbursement policies. The bill we enacted last year brought Federal policies up to date by adding many items to the list of reimbursable moving expenses. Prior to this law, house-hunting trips, temporary living costs, costs of selling one home and buying another, and certain other miscellaneous expenses were not considered reimbursable by the Government. Now a Federal employee, like his counterparts in private industry, stands to lose far less when he transfers from one job to another at his employer's request.

But the enactment of H.R. 10607 last year did not complete the job of updating Federal law on this subject. There remains the very important question of tax treatment of these reimbursement payments. While we have broadened the concept of what expenses should be reimbursed, the state of income tax law on this subject lags far behind. Only the actual costs of travel to the new home and shipment of household effects have been exempt from taxation under present law. Thus, reimbursements for other moving-expense items which are now paid by the Federal Government as well as by private industry are treated as taxable income to the employee.

This tax policy has serious effects on the reimbursement practice which has grown up in the past few decades. First of all, the reimbursement for expenses, when taxed, does not fully cover the paid-out costs to the employee of moving from one place to another, as his employer intends it to. Second, the employer is forced to treat the payment as taxable, and thus withhold the appropriate tax from the employee. Thus, the tax law works against the principle of full-expense reimbursement which we adopted for the Federal Government last year.

In a recent case where the taxpayer sought to test this tax policy before the Supreme Court, the Attorney General argued that Congress, and not the Court should decide this issue. A hearing before the Court was denied on these grounds. Thus, Mr. Speaker, I have introduced again in the 90th Congress a bill that would exclude from gross taxable income reimbursements for certain costs of moving, in keeping with the premise that we in Congres must take the responsibility for updating this law.

For two reasons: First that it is manifestly inconsistent for the Government to recognize the legitimacy of these expenses for reimbursement on the one hand, while taxing these employer payments as income on the other; and second, that it is not proper policy for the Government to impose a drag on the necessary mobility of our society and economy, I urge my colleagues to consider closely the need for prompt passage of this legislation.

THE LATE HENRY F. SCHRICKER

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BRAY. Mr. Speaker, in Indiana's long history of great political leaders, few men have made such a mark, and few have left such a fine heritage, than did former Gov. Henry F. Schricker. The State of Indiana mourns the passing of one of her noblest sons.

The respect and admiration accorded to this man was not limited by party or class. He was known and looked up to throughout the State as one whose life was an enduring symbol of good government.

America needs more men in public life like Henry Schricker, and his service and devotion to his State and his country will never be forgotten.

[From the Ellettsville (Ind.) Journal, Jan. 4, 1967]

ELLETTSVILLE COMMUNITY LOSES A LOYAL AND LONGTIME FRIEND

Former Governer Henry F. Schricker, who died last Wednesday, was a loyal friend of the Ellettsville community throughout the years and he will always be remembered here for his many contributions for the betterment of this community as well as the advancement of the Hoosier state and the nation.

Henry F. Schricker, who became a legend in his own life time, had become a vital part of this community and the annual Monroe County Fall Festival.

He made his first official visit here in 1937 at Ellettsville's Centennial celebration which was held in connection with the third annual Fall Festival. This was his first year as lieutenant-governor. He was impressed by the Festival and by Ellettsville and its people, and Ellettsville and its people were impressed by him. Since that first visit in 1937 he never missed a Fall Festival, and in the years that the Festival was not held, he attended a Festival-sponsored or community-sponsored event each year.

His visit here in 1966 was his twenty-ninth annual. He drove his own car a distance of 180 miles from Knox last fall to crown the Fall Festival Queen and to participate in a number of programs that marked the sesquicentennial year of the State of Indiana. The Edgewood High School Library was named the Henry F. Schricker Library and dedicated in his honor during the 1966 Festival. The beloved elder statesman spoke on the opening night program of the Festival and addressed an all-school convocation in connection with the library dedication ceremonies, and both addresses were considered masterpieces.

During the past twenty-nine years the former Governor had made a hundred speeches in the Ellettsville community. He spoke here during World War II at the dedication of Memorial Park and at the Victory Service following the end of World War II; he participated in the dedication of the Edgewood High School building in May, 1965 and at the dedication of Ellettsville's new fire station in the fall of 1964. He also spoke here at a number of union church services.

Many of these trips were made when he really was not physically able to come or when he had other commitments; but still he came.

Aside from the Festival, Henry F. Schricker supported this community in various ways. He was a strong supporter of the Richland-Bean Blossom School District, and he contributed to the new fire station and boosted various community projects.

He had worshipped in our churches and visited with our people and was truly loved by the citizens of this community.

Henry F. Schricker, by official action of the Town Council, was an adopted citizen of Ellettsville and in 1949 was elected honorary president of the Monroe County Fall Festival Association.

We could go on and on telling of his many good deeds and contributions to this community, but we think a statement of a young gas attendant made Friday night as some of our people were preparing to leave for Knox for the funeral sums up the feeling this community had for Henry F. Schricker. This young man said, "I know where you're going—you're going to the funeral of the man who was everybody's friend."

Yes, Henry F. Schricker was everybody's friend—the great, the near great, and the lowly. He has been lauded by many as the state's greatest governor and Indiana's first citizen. We believe history will prove these statements true. He was not only the only man in Hoosier history to be elected Governor of Indiana twice, but, his record was also one of accomplishment, thrift, and honesty in government. Henry F. Schricker was a great man because he was always close to the people. He had the common touch, and he was a Christian gentleman in all his dealings.

His contributions to this community, to the state, and to the nation were great, and his memory will live on in the hearts of thousands here and throughout the Hoosier state he loved so much and served so well.

[From the Martinsville (Ind.) Daily Reporter, Dec. 29, 1966]

An Honest Man

Perhaps the most perceptive tribute to Henry F. Schricker, was made by former Governor Ralph F. Gates. Gates said of Schricker: "He never let politics interfere with doing what he thought was the right thing for the state of Indiana."

We don't know what else to say about the late distinguished governor that could throw more light on his career, except to note that he was a politician whose primary reputation was for honesty; and that's not a reputation that's easy to come by nowadays.

[From the Lebanon (Ind.) Reporter, Dec. 29, 1966]

Henry F. Schricker

Henry Schricker was a man of many talents who leaned heavily on common sense during his eight years as Indiana's Chief Executive.

He was a good listener . . . willing to hear the views of others and give them careful consideration. But when he made up his mind on the course he felt would do the most good for the most people, he acted with finality. "The voters put me in this high office, but I am beholden to no politician, for my duty is to represent all the people," he once told me.

He well could go down in history as Indiana's greatest non-partisan Governor. He liked people, and people liked him. You couldn't help but respect his executive ability, honesty, sense of fair play and sense of humor.

Our paths crossed frequently on the banquet trail. Near the end of his second term he was trying to make up his mind whether to return to the banking business, go into insurance or retire to his Knox home "just to catch up on Maude's (his wife) sensible cooking."

After participating in three dinner meetings within a week, we were comparing notes. At French Lick I noticed he passed up the vegetables on his plate. "I hope I never see another green pea as long as I live," he said.

We had a controversial squirrel law in Indiana and when Mr. Schricker was running for the State Legislature he closed one of his speeches with: "Now, does anyone have a question?"

One fellow in the crowd yelled out: "Yeah, Henry, how do you stand on the squirrel law?"

Other candidates on the platform trembled, because it was a loaded question.

Mr. Schricker said calmly: "Glad you asked asked me, Charlie. I understand that half of my friends are for it and half are against it. I want it definitely understood that I'm for my friends."

The Man in the White Hat has passed on. Indiana is richer for his unselfish public service, and friendly interest in his fellowman.

AL WYNKOOP.

[From the Indianapolis (Ind.) Star, Dec. 29, 1966]

Man in the White Hat

Small town boy, hard worker, dutiful son, quietly ambitious, modestly proud, possessed of grass-roots shrewdness and a down-to-earth approach to the problems of politics and life, Henry F. Schricker was, in the most flattering sense, a "typical Hoosier."

His father was a German immigrant. The boy always needed money. Being busy sun-up to sundown became part of him at an early stage. But he had something else—political magic. Hard to define, it came from inside.

He spoke the people's language. He talked at county fairs, state fairs, church meetings, pitchin-in dinners, political rallies on the Main Streets of Indiana. He was at home on the banks of the Wabash, among the two-story buildings of towns where the courthouse and grain elevators were the only towering structures, among farmers still dusty from cornfields, barns, silos and hog lots. He understood the Hoosiers and they understood him.

Henry Schricker was above politics but not too haughty to join the rough-and-tumble. When he had to he did, facing a hostile majority, like lions waiting to devour a martyr in a Roman coliseum.

Need always spoke loudly to Henry Schricker, and he answered it, clerking in his father's grocery store, lacking funds to study law at the university. After high school he worked in the Starke County clerk's office and "read law" at night. He was admitted to the bar. He ran for county clerk and lost, a Democrat in a Republican stronghold. He became cashier of a small bank. Two years later he bought a weekly newspaper, and by pitching in and helping out with all jobs, he made it a success. He joined the Indiana Democratic Editorial Association and rose to president. He ran for the General Assembly and lost.

Everyone who wanted a job done well wanted Henry Schricker. He headed his county's Liberty Loan Drive in World War I. He was on the school board, was chief of the volunteer fire department, helped organize and was first president of the Knox Chamber of Commerce, was at the forefront of endless civic campaigns and programs.

He married a schoolteacher. They had three children.

Henry Schricker won his political spurs in the Democratic landslide of 1932, helped push through emergency legislation as a state senator in the 1933 General Assembly and made big enough impression to be nominated and elected lieutenant-governor in 1936. This helped pave the way for his first term as Governor in 1941.

But it was a Republican year in Indiana. He won by only 4,000 and faced a hostile GOP majority in the legislature which rammed through a series of "ripper" bills stripping his authority. Henry Schricker fought back tenaciously. He vetoed the bills. The GOP passed them again. This time he fought through legal channels. The State Supreme Court finally declared them unconstitutional.

Pearl Harbor came and the Governor—whose spotless white hat was now a trademark—spent most of his time turning Indiana's energies and resources to the war effort. In 1948 he became the first man to be elected to a second term as Indiana's Governor.

He hated, denounced and fought corruption with the zeal of a country preacher. He kept Indiana government on a pay-as-you-go basis and each year he was in office the state had a tidy surplus.

In the fullness of his years he was given many honors. He had won the trust and love of many thousands. He deserved it all, the slender, white-haired, blue-eyed man in the white hat.

It has been said that this nation is as great as the sum of its Main Streets. As long as its Main Streets produce men like Henry Schricker, its heart will be sound.

[From the Indianapolis News—Dec. 29, 1966]

Henry F. Schricker

The people of Indiana took Henry Frederick Schricker to their hearts with pride and reserved for him a respect and trust they extended to no other man in our time.

Now that he is gone it will be said, as it is often said carelessly, that we will not see his kind again. But in the passing of this man, it is true. Throughout his long and distinguished life he managed to retain the best of the eras in which he lived, and carried those qualities forward with an admirable grace and style and wisdom.

The confidence the people placed in him he earned. He did not merely talk of the old virtues. He practiced them, with his family, in his business and his public life, in the varied relationships he had with so many thousands of people in his lifetime.

When he said that public office was a public trust, when he talked of the meaning of freedom and democracy, when he spoke of a dedication to honest and efficient government those who listened, and many listened, came to know he meant what he said. They knew, regardless of party, and his support always cut across party lines, that very little would go wrong in the statehouse as long as Henry Schricker was there. And very little ever did.

State senator, lieutenant governor, the only man in Indiana history twice elected to four-year terms as governor, twice his party's nominee for the U.S. Senate, he dominated Democratic politics in Indiana for two decades and after his active days were past his counsel and support continued to be sought.

His standing in Indiana and his appeal, though, went far beyond politics or even public service. He maintained a simple serenity, a sense of duty and a steadfast faith in the principles in which he believed, in whatever he did, and whether he was in or out of office.

Born of immigrant parents, Henry Schricker knew better than most what it meant to live in freedom. He chose, early in life, to do what he could to preserve and enlarge that freedom. He kept the faith.

[From the Indianapolis News, Dec. 30, 1966]

"His People" Pay Schricker Tribute in Knox Mortuary—Loved by All

(By Gerry Lafollette)

KNOX, IND.—Henry F. Schricker passed through here from his home town of North Judson in 1905 on his way to college, and he never really left.

Schricker first left this Starke County seat town in the early 1930s to go to Indianapolis and serve a term in the state Senate.

In 1936 he was elected lieutenant governor and four years later governor. In 1948 the voters again chose the man with the white hat to run the state.

No matter where he was—talking with Dwight D. Eisenhower at a 1950 dinner in the Columbia Club in Indianapolis or nominating Adlai Stevenson at the 1952 Democratic convention in Chicago—Henry F. Schricker always remained a man of the people.

The people who came last night to the Harry Price Funeral Home, in Knox, were his people.

On the announcement board at the funeral home was a list of three funerals—George H. Schmidt, Friday 2 p.m.; Henry F. Schricker, Saturday 1 p.m. and Edward D. Cowen, Sunday 1 p.m.

Price said Schmidt had worked "for the Chicago City Transit Authority as a conductor, or something, and had a heart attack and died. Cowen, who owned a filling station, slumped over in his chair Tuesday night and they found him next morning—his wife was in Chicago."

Wednesday afternoon Schricker died in Starke Memorial Hospital, just a few blocks up U.S. 35 from a sign that reads, "Welcome to Knox" and then, underlined, "Home of the Honorable Henry F. Schricker."

Last night, the family arrived about 7 p.m.; Mrs. Schricker, her two sons, Henry F. Jr. and George, her daughter, Mrs. Lewis C. Robbins, and most of their families.

The notice in the newspapers had said the public could come after 7 p.m. but some people had come earlier.

Two state troopers, Don Harner and Leo Comminskey from the Dunes Park Post, arrived at 6:30 p.m. Harner said their orders were to stand near the bronze casket "as long as it is open for public viewing."

TROOPERS SERVE AS HONOR GUARD

Until after 9:30 p.m., when the last person had left, the two troopers alternated standing at parade rest in their dress uniforms and white gloves.

Arthur Campbell, executive secretary to Schricker in the Governor's second term, said, "The Governor was always close to the state police, you know he introduced the bill in 1935 which set up the department."

Another early arrival was Ernest Zank, a small man in his early 60's, who took off his cap but wore his overcoat, scarf and rubber overshoes and held onto his cane. Price said, "Ernie shovels walks and mows lawns and takes care of the old folks in town, right, Ernie?"

Zank answered "Yep, I shoveled his walk just yesterday morning."

In answer to a question about Mrs. Schricker, Campbell said, "She's holding up pretty well. They took her to Plymouth this afternoon to buy her a new dress."

George Schricker said to one man, "It was nice of you to come." The man, pointing with his hat in his hand to the casket said, "It was nice of him . . . many times."

Ward Lane, warden of the State Prison at Michigan City, came in, shook his head, and said to Campbell, "I should have come down to see him the day before he died."

Lane, a career man with the Correction Department, was made superintendent of the Indiana Reformatory at Pendleton by Schricker. As Lane left he said, "I never went to him in my life that I didn't get consideration."

State trooper Howard Bashore, who lives here, said, "I drove the governor many times to Indianapolis. We went to Adlai Stevenson's memorial service together. I got to be real fond of that man."

FARM FOLKS SHOW RESPECT

One young man in a crew cut greeted Mrs. Schricker. She said, "Now, let's see, you're married." He answered, "Yes. Got two daughters. I'll bring them down to see you sometimes." Mrs. Schricker, seated on a couch, a small pink handkerchief clutched in her left hand, answered, "You do that."

William E. Shaw said, "I was his county chairman in 1948 when he was elected. I'll bet 50 to 60 per cent of this town turns out on Saturday. I never knew a man more respected or loved by his community.

Shaw identified some of the other callers: "That's Arnie Singleton. He's a farm boy from north of town. You'll see a lot of farmers in here tonight.

"He's Vance Good, runs a filling station. His father, Alvin, was about the governor's age and they were good friends.

"They're Mr. and Mrs. Earl Zechiel, lived right across the street from the governor for many years.

"He's a factory worker from the south end of town."

Henry F. Schricker:
Born Aug. 30, 1883.
Died Dec. 28, 1966.

Last night he belonged to the townspeople.

Today, he will belong to the Roger Branigins, the Matthew Welshes, the Harold Handleys, the Frank McKinneys, the Frank McHales and the other dignitaries.

And then to history.

[From the Indianapolis Star, Jan. 1, 1967]

Schricker Buried as State's Leaders Bow Their Heads

(By Robert P. Mooney)

Knox, Ind.—The Honorable Henry Frederick Schricker, Hooser political immortal who was elected twice Governor of Indiana, yesterday was buried beneath a patch of snow-covered ground about one mile east of Knox in Starke County under a gray wintry sky.

The 83-year-old patriarch of the Indiana Democratic Party died Wednesday in Starke Memorial Hospital.

A white hat, the symbol Mr. Schricker made famous during his long and popular career, was laid on top of a flower-blanketed casket as he was eulogized for "honesty, freedom and obedience."

The eulogy was made before more than 1,000 persons in the Knox Center Gymnasium by Dr. Otto P. Kretzman, a Lutheran minister and president of Valparaiso University.

"His simple, yet profound faith, had little use for theological argument but his honest and open faith in Jesus Christ as his Saviour must be mentioned in any biography," Dr. Kretzman said.

As a man who walked among both the great and lowly, Mr. Schricker had learned two great fundamentals for leading a successful Christian life, starting as a boy in his native North Judson, Dr. Kretzman said.

"The words, 'freedom and obedience' were the two words Mr. Schricker used as the touchstones for an honest life," he added. "These two words are seldom coupled in this modern and sometimes neurotic, self-centered age."

"Mr. Schricker knew that there could be no true freedom without true obedience and he used it in his daily task, to his friends and to his Founder in which he found wisdom and guidance," Dr. Kretzman said.

"And so the flags are flying at half mast all over the great state of Indiana today . . . not only for a former Governor . . . but for a good man, a man who for a half century reminded us that America can be great, if her sons and daughters are great . . . great in the knowledge of their manifest destiny . . . and in their freedom and obedience under God."

The son of German immigrants, Mr. Schricker's political career included election as a state senator, lieutenant-governor, and twice Governor. His two attempts to become United States senator were unsuccessful.

Mrs. Schricker, whom the late Governor married 52 years ago, and their two sons, Henry F. Schricker, Jr., and George Schricker, both of Indianapolis; a daughter, Mrs. Margaret Robbins of Washington, D.C., and six grandchildren sat together at the funeral ceremony.

Before the ex-Governor's casket was moved from the gymnasium for burial in Crown Hill Cemetery at Knox, the casket was opened briefly for the family only.

Mr. Schricker's great integrity and strict adherence to Jeffersonian principles gave him particular strength to conservative-minded Hoosiers from both political parties.

Dr. Kretzman opened the service with the reading of the 23d Psalm, "The Lord is my Shepherd."

A local quartet sang, "Nearer My God to Thee," and the minister opened his eulogy by saying that in the Christian ethic, "death brings no sorrow to those who die; it brings sorrow only to those who live."

Despite the family's request that flowers be omitted and that contributions be made to the Boys and Girl Scouts of America, the gymnasium stage and area surrounding the casket was covered with floral decorations.

The former Governor was buried with two high scouting awards—the Fleur de Lis, a gold badge imbedded with a diamond, presented in recognition of more than 50 years of scouting activity, and the Silver Buffalo medal, which was hung around his neck on a ribbon sash, the highest national award given by the Boy Scouts.

Troop 13 of the Knox Boy Scouts, second oldest troop in Indiana, which Mr. Schricker helped found more than 50 years ago, served as honor guard along with troopers of Indiana State Police.

Indiana political leaders of both parties attended the funeral. Governor Roger D. Branigin was the only man on the platform behind the casket with Dr. Kretzman.

Others attending included former Republican Governor Ralph F. Gates, who served between the two Schricker terms, and former Governors Harold W. Handley, a Republican, and Matthew E. Welsh, a Democrat.

U.S. Senators R. Vance Hartke and Birch E. Bayh, Jr., Indiana Democrats, headed a delegation of Hoosiers from Washington which included Democratic Congressman John Brademas of South Bend, Andrew Jacobs, Jr., of Indianapolis, and J. Edward Roush of Huntington, and Republican Congressmen William G. Bray of Martinsville, Richard L. Roudebush of Noblesville and Charles A. Halleck of Rensselear.

Also John J. Barton of Indianapolis; State Treasurer Jack L. New; John A. Watkins of Bloomington, lieutenant-governor in Mr. Schricker's second term; Federal Judges S. Hugh Dillin and James E. Noland; former State Democrat chairman Ira L. Haymaker; Indiana attorney general John J. Dillon; Dr. Herman B. Wells, chancellor of Indiana University, and Arthur Campbell, Mr. Schricker's executive secretary when he was Governor.

Sheriffs' deputies from four surrounding counties helped form the honor guard.

Dr. Kretzman recalled in his eulogy that when the elder statesman returned to Knox after his second term as Governor he was asked why he chose to leave the State capital for a rural community.

Mr. Schricker replied: "Mom and I are at home here."

EXECUTIVE BRANCH REVIEW AND REFORM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Mathias] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, many commentators, in surveying the tasks ahead for the 90th Congress, have concluded that one of our most important jobs will be to review and refine the operations of the executive branch. Last Tuesday night, in his state of the Union message, the President gave this effort top priority when he declared:

> We must see to it, I think, that these new programs that we have passed work effectively and are administered in the best possible way.

Because of the gravity and scope of this challenge, I am very pleased to announce that more than 20 of my colleagues have already joined me in reintroducing legislation—H.R. 69 and others—to establish a new, Hoover-type Commission on the Organization of the Executive Branch of the Government to conduct a comprehensive, objective assessment of all Federal administrative operations and recommend overall reforms.

The need for such a review is unquestionable. During the past few years, the President and Congress have vastly expanded Federal activity in many fields, including urban development, health care, transportation, and education. These larger commitments have brought great administrative difficulties. Federal civilian employment by the end of 1966 had risen over 2.8 million; Federal paperwork last year cost more than $8 billion. The sheer bulk of Federal operations has produced increasing confusion, inefficiency, and poor coordination, clear symptoms that the entire Federal Establishment is under tremendous strain. Many agencies, for example, are now unable to deal efficiently and effectively even with the most routine local and State applications for information and aid.

Of course, some efforts to reform, to increase coordination and to reduce redtape have been made within individual departments and agencies, but these attempts have been fragmented, intermittent, and too often inconclusive. The Congress, too, has tried in particular cases, and will, I trust, be exercising its oversight powers even more energetically this year. Congressional review, however, is also fragmented by the divisions inherent in the committee system, and is seldom free from partisan considerations and the pressures of time.

Mr. Speaker, it is time for us to establish a body capable of taking a long look at the entire scope of Federal administrative operations. It is time for us to enlist in this work the best talents available in every field of American business, industry, education, and the professions. It is time for us to insist that the most advanced tools of modern management be applied in all aspects of the public business.

H.R. 69 would thus establish an independent, 14-member Commission to conduct a comprehensive, objective review, similar to those undertaken so successfully by the two Hoover Commissions of 1947–49 and 1953–55. The Commission would include two Senators, two Representatives, two Governors, two members from the executive branch, and six individuals from private life. It would be fully authorized to hire an expert staff, to conduct hearings and investigations, and to secure access to all relevant documents and information within all Federal departments, agencies, bureaus, and offices. The Commission would be required to submit period interim reports, including recommendations for changes and reforms, and to submit a final report to the Congress within 2 years.

In my judgment, such a review is fully in the public interest. The Commission's work would be tremendously helpful to the Congress, for it could supplement and integrate the inquiries made by individual congressional committees. It would aid the executive branch itself, by looking into problem areas which cross present jurisdictional lines, and by evaluating many proposals for reform which have not received top-level scrutiny or approval. It would have special importance for State and local officials, who must now struggle with far too many intricate Federal forms and requirements, and who often find their best efforts undermined by Federal delay and indecision. Finally, the Commission's efforts would serve the American people by helping to guarantee that every taxpayer gets his full dollar's worth from his Government.

Finally, I am convinced that such a blue-ribbon Commission would approach the great task of review in a constructive, independent, and open-minded spirit, and would be by far the most appropriate and effective vehicle for identifying and advancing far-ranging reforms. I urge the Committee on Government Operations to give serious consideration to this bill, for in my judgment the alternative to such a reassessment will be simply creeping chaos and dangerous policy difficulties.

I would like to include at this point the names of the Members who, according to the RECORD of Thursday, have joined with me by sponsoring an identical or very similar measure this year:

Mr. MORSE of Massachusetts, Mr. WIDNALL, Mr. REID of New York, Mr. HALPERN, Mr. ERLENBORN, Mr. ANDREWS of North Dakota, Mr. MCDADE, Mr. KLEPPE, Mr. MCCLORY, Mr. HOSMER, Mr. RUMSFELD, Mr. STANTON, Mr. ROBISON, Mr. REINECKE, Mr. STAFFORD, Mr. SCHWEIKER, Mr. CURTIS, Mr. CAHILL, Mr. CONTE, Mr. CRAMER, Mrs. DWYER, Mr. HORTON, Mr. KUYKENDALL, Mr. MORTON, Mr. WYDLER, Mr. WYMAN, Mr. DENNEY, and Mr. ANDERSON of Illinois.

CONGRATULATIONS TO ALLEGHENY AIRLINES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. CAHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CAHILL. Mr. Speaker, it is always encouraging to observe a real effort to service the needs of the general public by franchised companies who have exclusive rights. Many times such companies interpret these exclusive rights as absolute authority to conduct business as they see fit without regard to the public at large.

I, therefore, wish to compliment Allegheny Airlines and its president, Leslie O. Barnes, for recognizing the needs of the traveling public between Washington and Philadelphia, and by their act in providing better equipment and more service in the early evening hours when commuters are in the greatest need of accommodations.

Together with Congressmen BARRETT and SCHWEIKER, of Pennsylvania, I brought to the attention of Mr. Barnes some of the problems facing the commuter between Philadelphia and Washington in the early evening hours. His investigation confirmed our observations and the resulting implementation of new scheduling will, I believe, be of great service to the commuting public.

Congressman BARRETT and Congressman SCHWEIKER have asked me to say that they, too, join in congratulating Allegheny Airlines and Mr. Barnes.

REMARKS BY THE HONORABLE WILLIAM M. McCULLOCH TO THE COUNCIL OF THE INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION IN GENEVA, SWITZERLAND

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. CAHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CAHILL. Mr. Speaker, I was privileged to be a congressional delegate to the 26th session of the Council of the Intergovernmental Committee for European Migration in Geneva, Switzerland, during November 1966. A major item on the Council agenda was the review of ICEM's record of performance and consideration of a possible extension of ICEM's activities. The remarks of the ranking minority member of the Judiciary Committee, the gentleman from Ohio, WILLIAM M. MCCULLOCH, on this subject were warmly received by the delegates from the 31-member nations of ICEM. I am pleased to have his speech inserted in the Record.

Mr. MCCULLOCH's speech follows:

STATEMENT BY CONGRESSMAN MCCULLOCH

Mr. Chairman, Members of the Council, its officers and its friends everywhere, I am honoured to have this opportunity to join in tribute to the achievements of the great humanitarian organization whose work you are carrying on.

The record of moving a million and a half refugees and migrants to freedom and opportunity, since the birth of ICEM at Brussels in 1951, is eloquent testimony both to the need for the organization and to its success. I am pleased, yes, even proud of what my country has done in this tremendous accomplishment.

Today, as we review this record we must also face the obvious fact that the nature of the refugee problem has changed and changed materially, and the needs of some of the people throughout the world for resettlement are much different from what they were only a few years ago.

I endorse the remarks of my long time, distinguished friend, Congressman Celler, which I view as a challenge to this organization—a challenge to re-evaluate its mission—to adjust its sights, in view of these unbelievably changing times. The expertise and "know-how" of ICEM must not be allowed to wither and die. The needs of the world and the problems of the dispossessed and depressed—the miseries of millions—cry out for solutions.

As an illustration of a new area of need, I recite to you the record of my country in reference to Cuban refugees. Since 1959 more than 300,000 Cubans fleeing oppression have been welcomed to our shores. We have spent more than $215 millions for transportation, adjustment allowances, welfare payments, vocational training and other services to the Cubans.

The orderly United States airlift, in which we have had experience you know, which began December 1, 1965, day after day, regularly as clockwork, is bringing in Cuban refugees at the rate of 4,000 each month. Of the more than 222,251 Cubans who have registered at our refugee centre in Miami up to November 4, 1966, some 119,529 have been resettled in more than 2,100 communities throughout the 50 states of our Union. The adjustment of these Cuban refugees with the invaluable assistance of the voluntary agencies and their absorption into the stream of our economic, social and cultural life has been a remarkable thing. I pay tribute to the energy, the initiative, and the creative ability of these Cuban refugees; thousands of whom have elected permanent residence and citizenship in my country. The Congress of the United States only recently enacted legislation to assist the Cubans in acquiring this United States citizenship.

As of this date, all of the "priority A" class of close relatives of Cubans in the United States have been admitted into the United States and reunited with their families. However, the list of those expressing a desire to come to the United States numbers approximately 750,000—one tenth of the total population of Cuba. Three-fourths of those admitted to the United States to date, other than housewives, children and students, have been classed as professional, semi-professional, managerial, clerical, sales, and skilled workers.

It is reasonable to conclude that those waiting in Cuba for escape from oppression represent a vast reservoir of similar skills.

Latin America urgently needs skilled and professional people. Why cannot this tremendous pool of manpower in Cuba, in addition to those of the European skilled workers, be directed where the need is greatest?

At the present rate of approximately 50,000 per year, the Cuban airlift will continue for a number of years. My country has welcomed and has absorbed a large number already. Why cannot ICEM lend its staff, its machinery and its "know-how" to assist in relocating these capable, energetic people in the Latin American countries where they are so badly needed? This is but an illustration of a situation where ICEM's experience and expertise will and should be most helpful. I challenge the Council to direct its attention to this area as well as to the other refugee problem areas of the world. Because ICEM has accepted responsibility and acquitted itself well, because it has the capability and the experience to meet the needs of refugees and migrants, wherever they may be, ICEM must accept the new challenges of our changing world. Thank you.

AVOIDABLE BANKRUPTCIES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. POFF] may extend his remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. POFF. Mr. Speaker, during the past 25 years consumer credit in the United States has risen from an aggregate of $9.2 billion to about $93 billion. This has greatly contributed to the expansion of our national economy. Continued growth of sound and constructive consumer credit is being seriously jeopardized by the rapidly increasing rate of consumer bankruptcies filed in the country each year. In 1940, 39,073 nonbusiness bankruptcies were filed. In fiscal 1966, the figure was 176,000. Nonbusiness filings in 1940 amounted to 74.79 percent of the total bankruptcy filings. In 1966 nonbusiness filings was 91.5 percent of the total. This startling rate increase will apparently continue as long as our consumer credit expands.

Today, many bankruptcy petitions are filed by individuals who have either lost interest in the orderly payment of their debts or have no knowledge of an alternative solution. Studies conducted by several universities have revealed that from 25 to 50 percent of wage-earner debtors who petition courts for a discharge in bankruptcy could pay their debts out of future earnings without undue hardship.

The Bankruptcy Act presently permits a wage-earner debtor who chooses not to proceed in straight bankruptcy to use a chapter XIII wage-earner plan under which such debtor can either pay his creditors in full over an extended period of time or effect a composition under which a percentage of his debts will be satisfied over a period of time. Taking the chapter XIII route benefits a wage earner in many ways: the stigma and consequences attached to a personal bankruptcy are avoided; contracts into which he has been induced through fraud or misrepresentation to enter may be entirely set aside or reformed; and payment of interest and finance charges on all claims classified by the court as unsecured may be eliminated. Chapter XIII wage-earner plans are also sufficiently flexible to allow the court to reduce payment by a debtor in case of unforeseen occurrences.

Chapter XIII, in the areas where its use has become widespread, has proven to be effective and of great value. Creditors in many instances have made substantial recoveries where chapter XIII has been used, whereas less than 10 percent of the straight bankruptcy cases throughout the Nation produce anything at all for creditors.

Unfortunately, utilization of chapter XIII has not been increasing as rapidly as one might hope. The reasons for failure to make use of chapter XIII appear to be threefold: First, a hesitancy on the part of referees to undertake supervision of chapter XIII plans; second, lack of knowledge of the existence of chapter XIII by the debtor; and third, a tendency to pursue straight bankruptcy as the easiest way out.

On the first day of the current session, I introduced H.R. 1057. This proposed amendment to the Bankruptcy Act would give the bankruptcy courts discretionary authority in appropriate situations to dismiss a voluntary bankruptcy proceeding where the wage earner fails to show that adequate relief cannot be obtained through a chapter XIII wage earner plan. Any debtor who shows that adequate relief could not be afforded by chapter XIII would in no way have either his right to file a bankruptcy petition or his right to a straight discharge affected by this amendment. The proposed amendment is designed only to improve the handling of cases involving wage earners by encouraging or stimulating implementation of chapter XIII in those instances where it reasonably appears that a debtor could pay his obligations out of future earnings without causing undue hardship.

Responsible judicial, business, civic, and church leaders have long been concerned over the demoralizing and detrimental effects of avoidable bankruptcies. H.R. 1057, which is similar to H.R. 292 introduced in the last Congress by the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER] will help improve the situation.

A BUSINESSMAN AND HIS GOVERNMENT

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, one of the most gratifying developments in the past decade has been the very alert and effective public affairs programs augmented by our major corporations.

One of my constituents happens to be one of the pioneers and new leaders in the field of corporation public affairs.

Jim Patterson received a B.S. from Birmingham-Southern University in 1936 and a master's degree from Emory University in 1937. He became a supervisor of youth activities in the public relations department of Standard Oil Co., Indiana, in 1946. He later served as assistant director of public relations and director of field services in Standard's public relations department. In 1958 he moved to New York City as director of public relations of American Oil Co. Returning to Chicago in 1961, he transferred to the marketing department in 1963 and became manager of the Eau Claire, Wis., sales district. He again became director of public relations at Chicago in 1965. Mr. Patterson has played a leading role in petroleum industry public relations. He has served as national chairman of API's public relations advisory and employee information committees. Last October Mr. Patterson addressed the annual meeting of the National Lubricating Grease Institute in Chicago on the subject of "A Businessman and His Government." I felt this was an especially effective message and ask unanimous consent that it be reprinted in the RECORD at this point:

A BUSINESSMAN AND HIS GOVERNMENT

(By J. M. Patterson, American Oil Co., presented at the NLGI 34th annual meeting in Chicago, October 1966)

I'm very pleased that you've asked me to talk about business and government. Because I am sure that viscosity and pourpoint are more familiar terms to you than, say, caucus and cloture, I'm particularly encouraged by the interest you're showing in the subject.

Since my speciality is public relations and public affairs, I may not be altogether unbiased—but I am thoroughly convinced that a knowledge of government and a concern for governmental activities ought to be a part of every businessman's intellectual and educational equipment.

This was important yesterday. Today and in the future, it is absolutely essential.

Businessmen—and I mean anyone involved in the management of a business or industry, whatever their background may be—are going to have to learn to live successfully with government. It is closer to their lives now than ever before, and I see no signs that it won't be still closer in the future.

Already I can hear myself sounding like some of the speakers I've heard so often over the past 30 years. The burgeoning power of big government, they say, is leading us to socialism and bankruptcy and ruin. Federal regulation and encroachment on free enterprise, they add, are stifling the economy. If government would just go away and leave us alone . . .

Well, now—I think that as businessmen we have every right to be concerned about the tremendous growth in the power and influence of government. Certainly we can't ignore the way our activities, private as well as business, have become increasingly subject to some form of control by one or another agency at one or another governmental level. But at the same time, we might as well recognize two things: First, it is absolutely futile merely to complain about the trend. Second, it is equally futile to regard all government officials as fuzzy-minded bureaucrats, guided by a personal commitment to oppose business at every turn.

These, I'm afraid, have been the twin attitudes of all too many management people in American industry over the past three decades: complaint and suspicion. At best they have been grossly inadequate; often they've proved positively harmful.

What we must develop—what I think we are, slowly, developing—are some new and positive approaches to this relationship between business and government.

I've said that I was encouraged by your interest in this subject, and that's especially true because what I'm going to suggest will involve you—and people like you—much more deeply than most of you have been involved before. The approaches we need are not going to be easy to follow, and they can't be handled by the company president and his public affairs officer alone. Increasingly they are going to require the committed, active participation of others in the company, especially middle and upper management.

Business generally and businessmen individually are going to have to learn to spot potential trouble. This would be the first of the new, positive approaches: *to identify those social and economic problems which, if they're left uncorrected, will lead inevitably to government-imposed solutions.*

A case in point: Had the automobile industry had its ear a shade closer to the ground during the past few years, it might have heard the rumblings about auto safety. It might then have taken some action in advance to make some of the changes that now are being forced on the industry by government edict.

Case two: Business management had a hundred years to understand that the Negro, freed from slavery and awarded his constitutional rights as an American citizen, was entitled to equal opportunity for employment. This was a long time to have abdicated a social responsibility—and, in the end, government moved to speed up the process of correction which was moving all too slowly.

Air and water conservation is an area where our own oil industry is taking some effective steps to identify and help solve problems that concern all our citizens.

George Champion, chairman of the Chase Manhattan Bank, put the situation this way: "I can think of nothing that would put the brakes on big government faster than for business to identify critical problems and take the initiative in dealing with them before Washington felt the need to act."

And in that quote is the clue to a second new, positive approach I believe that business—and businessmen—must take toward their relationship with government. After the problem is identified, take action—take it quickly—and take it locally wherever possible.

I'd like, if you'll forgive me, to use one illustration from my personal experience. As it happens, I'm opposed in principle to federal aid to education. I was equally opposed to it some years ago when I first moved to the community of Park Forest, Ill. The village was the newest of Chicago's south suburbs then—and it needed a good high school.

I was fortunate. I found a good many other citizens who, like me, didn't want the federal government to help us build a school under the federal impactment provision. We wanted our own, and we were determined to have a good one. In short, we'd rather do it ourselves.

If any of you have ever worked to pass a very substantial bond issue in a small community, you probably know something of what's involved. It takes time—time to study the problem, to canvass the neighborhoods, to talk to people, to round up support. It takes money and effort, too—to produce the materials, to make the telephone calls, to argue and persuade, and then to get people to vote. I found, too, that it takes a very considerable knowledge of politics on the local level. This is knowledge, believe me, that you acquire very quickly on a job like this.

In any event—to make a short story happy—we were able to pass the bond issue that gave us our own school.

It's a far cry, of course, from a school bond election in a Chicago suburb to some of the tremendous economic and social problems our people face in America today. And the third positive approach of a businessman to government is, I believe, to concede this basic difference.

After identifying problems and acting locally where we can, we must recognize that some problems are just too widespread and too complex for local solutions alone. *In these cases, we have to be willing to cooperate with others—including our government—to find and carry out solutions that are reasonable, practical and in the public interest.*

Air and water conservation is such an issue. A lot can be done—and responsible industry is doing a lot—on the local level to see that wastes from specific factories or refineries don't contribute to hazardous pollution. But over-all, the difficulties have been too great to allow us to depend on individual action by enlightened companies.

Here is an area where industry—consciously or not—faced a choice. It was not a choice of whether or not government would take action; that much was assured. The choice lay between cooperating with government or waiting until government felt compelled to assume full control and direction of the air-water conservation effort. For the most part, industry wisely chose to cooperate.

Sometimes the cooperation came on a project of relatively small scale. A paper company, for example, has worked directly with a commission of the state of Maryland to finance and build a four and one-half million dollar plant to clean up industrial wastes—and treat municipal sewage at the same time. And when communities along the lower end of Lake Michigan decided that something had to be done about lake and stream pollution, representatives of several industries in the area sat down with conservation officials and worked out a set of standards for water purity.

At other times, government-industry cooperation can be carried out on a much broader scale. ORSANCO—the Ohio River Sanitation Commission—has been a very effective combination of government and private-industry efforts to clean up serious pollution problems along the Ohio River.

The oil industry itself has provided one of the best examples of broad-scale cooperation with government in this field of conservation. There was a threat—and it still exists to some extent—that federal agencies would take the advice of "instant experts" and write into federal law all the tight, local restrictions developed in places like California to solve specific problems.

Oilmen agreed that something needed to be done—and they did two things: offered their cooperation to the federal agencies studying the issue and then took the initiative in seeking some practical solutions. First of all, they urged caution in adopting nationwide conservation rules that would be more restrictive and more costly than necessary. Then, through the API, the industry began its own research program—tied in with government efforts in the same direction. The purpose wasn't to prevent action, but to get the facts that are needed to take intelligent action.

Particularly this is true of air conservation, where the oil industry helped convince the Department of Health, Education and Welfare—and others—that we still know all too little about the real causes and effects of air pollution. In one instance, when government was studying a very restrictive regulation on the sulfur content of fuel oil the industry developed a monitoring plan designed to enable a community to take steps to avoid at much lower cost the kind of "killer-smog" incidents that made headlines in London, England, and Donora, Pa.

Cooperating with government—on this issue or any other—doesn't mean accepting uncritically what the government experts suggest and making the best of it. This informal partnership I'm talking about is like any other: It works best when both sides have something valuable to contribute. Business has much of value to contribute to a new working relationship with government.

One of the most valuable is the successful businessman's ability to evaluate and judge the effectiveness of a program. Our urban society has some vastly complex problems. They're going to be solved by someone. It seems to me that the role of the businessman is to deal with our every-day business problems. We examine any particular solution to determine whether it will be efficient or wasteful, practical or unrealistic. In our own work, we know well enough that a problem doesn't go away just because we can prove that one particular solution is too expensive or impractical. We just look for something better.

What we must do, I'm convinced, is to take this same analytical approach to the problems of society. Business can offer a great amount of expertise—and a considerable measure of creativity—in problem-solving. By doing so, it can play a significant part in the new, cooperative role with government in today's society.

Besides identifying problems and cooperating on solutions, there remains a third kind of positive approach that I'm suggesting for the businessman and his relations to government. It's a change in his traditional attitude toward the people in government—the public servants, if you will.

That attitude has all too often been one that divides all government people into two classes: politicians and bureaucrats. And just by using those two words, we've implied that politicians are interested only in votes, while bureaucrats want only to boost their own power and prestige. We haven't been willing to recognize that these are people facing big problems.

Particularly we've tended to kid ourselves that government people, when they talk or act in a way we don't like, are just perversely anti-business through some quirk in their own nature. Granted—there have been some horrible examples of just this kind of lawmaker or administrative officer in Washington. There have also been some horrible examples of businessmen to whom every move, every suggestion emanating from the government is automatically wrong.

Today's times and conditions demand a different response. We'd better learn—and learn soon—that government officials represent people. Elected officials, of course, depend for their survival on responding to the wishes of their constituents. But more than that—the administrative officers in agencies and bureaus, whose job is to carry out government policy, must also respond at least indirectly to what the majority of American people want.

If Congress and government agencies call for action on stream pollution or highway beautification and safety, we'd better believe that it's because the citizens back home want action on stream pollution and highways. And we'd better not forget that these people back home are our customers—we're just as dependent on responding to their needs and opinions as any government official.

What's more, we stand to gain a great deal by treating representatives of government as if they were the rational, reasonable people that, in fact, they are. One of the things our industry's representatives have learned in recent dealings with Washington is that the technicians and specialists in government are eager to hear from all sides of an issue—particularly from business. They will listen to the reasoned, practical solution of a problem—if we offer it to them.

The same thing is true of legislative bodies. Ted Sorenson, as former special counsel to President Kennedy, had plenty of opportunity to work with and to judge Congress and Congressmen. Here's what he says about the men and women on Capital Hill:

"Today, compared with a generation ago, those men and women are better educated and better informed; better acquainted with more issues . . . better staffed and briefed . . . less likely to be new members and more likely to be re-elected. . . more responsible to the public interest . . . (and) more responsive to public opinion."

And while I'm quoting, here's what Ben Heineman, chairman of the Chicago and Northwestern Railway, says about the same subject:

"I have never believed that political bodies are inherently unreasonable. I am convinced that if our arguments are rational, if we are discriminating in what we oppose and propose, and if we admit that there are problems that must be solved by government, we will get a much fairer hearing in the legislative halls . . ."

I agree with Mr. Heineman—and I would add this thought, too: We businessmen will get a much fairer hearing if we talk less loudly about the evils of all government regulation of business. Not only do we sound as if we're living in the past, we leave ourselves open to the charge of hypocrisy.

For, after all, we accept—and even embrace—some forms of federal regulation. We accept the protection the Food and Drug Administration offers our health. And we accept the regulation of currency by the Federal Reserve Board, of the stock market by the Securities Exchange Commission, and of competition by the antitrust laws.

We have no more reason, of course, to accept all forms of government regulation without protest than we have to condemn them all without study. What we must do, once again, is to bring reasoned judgment to bear—reasoned judgment of any new proposal for solving a difficult problem, reasoned judgment of the man or men who are making the proposal.

When we can do that—and the job isn't an easy one—we're on the right road to a profitable and positive new relationship between business and government in this country.

Now, this is all very well so far. Business should do this, government should do that. All rather ethereal and not very practical to a man who's attending the annual meeting of the National Lubricating Grease Institute.

Let's get this matter straightened out now. My title today isn't "Business and Government;" it's "*A* Businessman and *His* Government."

There are some things that you as a businessman can do to help carry out these new, positive approaches to dealing with government. And you don't have to be a board chairman or a president to do them. Likewise—you don't have to hop the next plane for Washington and start trying to lobby your Congressman.

You begin, like charity, at home. You take part in the public affairs of the community where you live.

I don't, in this particular instance, mean by taking over that vacant job as Scoutmaster or by leading the fund-raising efforts of your local Community Chest. These are civic affairs—and worthy ones. What's more, I expect most of you are already doing a fine job in this kind of work. But is this enough?

Suppose, in your town, you had the same relationship with the mayor that you have now with, say, the head of the United Fund or the president of the local university. Suppose the city council, looking at a proposed ordinance involving the oil business, knew you and respected your opinion enough to ask your advice. There's no reason why these hypothetical cases can't be real. And it doesn't take much imagination to see how this kind of friendly relationship between local business and local government could be beneficial to all concerned.

Why not begin by asking yourself a few questions about the government of the town where you live. Are your public officials honest and efficient? Does the city provide the services it should—the police and fire protection, the water, the streets and sewers? Is the law enforced impartially? How reasonable are the budgets of the local taxing bodies? Does the community have enough facilities such as hospitals, parks, shopping areas and libraries?

Now, as your next step in civic responsibility, find the answer. As you search for them, you're going to find yourself more and more deeply involved with the administration of local government. You'll be attending the meetings of the city council, or the board of zoning appeals, or some special committee appointed to handle a specific problem. You'll be meeting the people who are in government. And while you'll probably do most of the listening and little of the talking in the early stages, you'll find that soon they'll be listening to you. Provided, of course, that you've taken a reasonable attitude and offered some constructive ideas.

Out of this knowledge of local people and local issues you'll be able to spot potential problems before they become acute. And perhaps, too, you'll be able to offer some reasonable solutions before someone else steps forward with one of those grandiose, appealing, but completely unrealistic ideas that so often appear.

One of the things that *won't* help you, or your company, is the attitude that you can get out of your responsibilities with little money. I know there are some people who openly boast that a donation of a thousand dollars will get practically anybody off their backs. But money doesn't do for you—or for your community—what work and service do.

Rousseau made the point in these words: "As soon as public service ceases to be the chief business of the citizen, and they would rather serve with their money than with their persons, the State is not far from its fall."

Inevitably—as you do begin to take an active part in community affairs—you will find yourself involved to some extent in party politics. Don't let the idea frighten you. Welcome it.

There's nothing disreputable about party politics. There can be, and sometimes are, disreputable *men* in politics. But the system of parties itself has been the operating basis of our government for most of our history as a nation. Party politics is a fact of life in our society today—and any businessman who deals with government deals with politics and politicians.

There are a couple of good reasons why it will pay you, as a businessman, to take an active role in the work of a political party. One of them is your own education. Unless you're already a party worker, by becoming one you can learn a lot about what makes a political party—and a government—work.

You may be one of the people who has complained that "government ought to be run the way I run my business." This is usually followed by the observation that "the trouble with government people is that they never had to meet a payroll."

Perhaps. But it may not have occurred to you that the government people have been saying to themselves that "the trouble with businessmen is that they never had to carry a precinct." And they're right.

Don't hesitate to volunteer for some work with the party of your choice. Your education will start the first time you work on a voter-registration campaign—or the first time you have a talk with a precinct captain.

At the same time, you'll learn to know the local political leaders—to know them as personalities, and to know what they stand for.

Finally—in time—your continued activity in the party will earn for you the right to speak—to offer your opinions—to exert your own influence on the choice of candidates and on the stand which your party takes on important public issues. It's at this point that you will begin to make the kind of creative contribution that each of us ought to be trying to make toward good government.

There still remains one effort which the individual businessman should be willing to make in his search for a meaningful relationship with government—an effort to know and understand the elected officials who represent him in local government, in the state legislature and in Congress.

The more active you become in party politics, of course, the more likely you'll be to know a legislator—even a Congressman—on a first-name basis. But even more important than knowing him personally is your ability to recognize the problems he faces, the pressures under which he operates, and the knowledge he may or may not have about a particular issue.

Even the most well-meaning Congressman can be led into a serious error in judgment if he hears arguments on only one side of an issue. He needs your information and your help when the issue at stake is one on which you're qualified to speak. Sometimes he'll ask for your opinion. With his busy schedule, however—with the multitude of issues he has to deal with—it's not likely that he will. But he'll welcome a constructive idea when you volunteer it. And if it's a good idea, he'll be encouraged to seek you out the next time he's faced with a bill that affects your business.

In the words of C. E. Reistle, board chairman of Humble:

"Businessmen have got to learn that government people don't have horns . . . Few Washington officials really want to be unreasonable. They are trying—most of them—to do a conscientious job of public service. But they can use assistance from business, and we should be willing to provide it in an atmosphere of tolerance and understanding."

Now—how often you, personally, will have the chance to appear on Capitol Hill on behalf of your company is problematical. But

I would remind you of two things: One—you can make known your opinions as an individual and offer your informed judgment on an issue where you're concerned and knowledgeable. Two—professional lobbyists, even the highly touted ones, are rarely as effective with a member of Congress as a knowing, concerned businessman himself.

It's much easier, of course, for a businessman to hide behind his trade association. We in the oil industry can, if we want, rely on the API to deal with the issues at the federal level. But we can often do more—and be more effective—by knowing and helping our own Congressmen. And certainly we can't expect the API to handle our problems with the city council or the zoning board.

Officials at the local level of government—even more than those in Washington—are likely to need the kind of technical information you can provide. Before they can make sound decisions, they have to have the same kind of data a businessman needs to solve his problems—but it's not often that they have either the time or the money to get it.

One formula that has worked successfully is the formation of a local research council to provide technical know-how to municipal and county governments. Several companies with major plants along the Texas Gulf Coast joined in an effort like this a few years back. They formed what was called the Galveston County Research Council.

When the county tax assessor's office needed technical information on tax records and data processing, for example, experts from the cooperating companies were able to provide it. Purchasing people from the industries helped the county set up a more efficient system of buying stores and equipment. Engineers were able to provide technical data to help evaluate proposals for capital improvements.

In all these ways, and more, businessmen like you were able to contribute some of the know-how of modern industry to the solution of public problems. And for those of you who might still hesitate at the prospect of diving headlong into partisan politics, this kind of cooperative effort makes a good place to start broadening your participation in public affairs.

I'm sure this isn't the first time you've heard an appeal for you to become active in public life, to discharge your duty as a business citizen. I wouldn't be at all surprised if, on these occasions, you had protested to yourself that your duty as a company manager is to help produce a profit for the company stockholders, not to spend time and effort trying to pass bond issues or win elections.

But business management, it seems to me, has a dual responsibility—to the stockholders, of course, but to the public as well. And there's no reason to consider that the two are mutually exclusive. It's obvious that a successful company should be making a current profit for its stockholders. But—in addition—its management should be concerned with creating that economic and political environment in which *future* profits are possible.

And there is no better way that I know of ensuring a favorable public climate in the future than by carrying out our responsibility to the public today.

The new breed of businessman recognizes this. And the new relationship that's developing between business and government rests on this point: that being a good businessman and being a good business citizen are both part of the same role. To be one is to accept the responsibility of the other.

Your ability to take on this new role requires of you two things: One is a knowledge and understanding of public problems; this you get by becoming a part of your community, by being active in its development. The other is a willingness to become involved with people, to help them work out solutions to the issues they face in our society.

How do you acquire that willingness to be involved? I'm not sure that I can give you any formula that will help if you don't already recognize the basic obligation. But I do know that the root of the word "businessman" is "man." And I know that the relationship of a businessman and his government is—at its best—the same as that of any other man to his government: a relationship of active participation, reasoned cooperation, and real understanding.

For a man and his government are going to remain very close neighbors in the years ahead. They'll do well to know each other and live peaceably together.

HISTORICAL LESSONS FOR EAST-WEST TRADE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, it is quite evident that the administration and some circles in this country are determined on liberalizing trade with the Red empire in the naive hope that this would appease the totalitarian Red regimes and render them more peaceable. Through Executive decree and action we have already gone too far in shipping goods of strategic military and cold war value to Moscow and its Red associates. All this, while the U.S.S.R., Poland, Czechoslovakia, Rumania, East Germany and others shore up the Hanoi regime to kill Americans in South Vietnam.

REPETITION OF OLD ERRORS

The directions of our present trade policy toward Eastern Europe are not only irrational in the present context but they also defy all the historical lessons we should have learned from our trade with similar totalitarian powers in the thirties. Old errors are being repeated with the same illusions that such trade contributes to peace, understanding, and good will.

A very interesting study on "Historical Lessons in Totalitarian Trade" appears in the November–December 1966 issue of the Intercollegiate Review. Based largely on hitherto classified papers in the Department of Commerce, the study was prepared by Dr. Lev E. Dobriansky, professor of economics at Georgetown University. In the forthcoming debate on East-West trade I urge all Members to read this documented article carefully. The lessons we have forgotten or never learned should be sufficient to call for a complete, critical review of our present policy and to formulate a realistic political trade policy based on political freedom concessions. I request that the article "Historical Lessons in Totalitarian Trade" be printed in full in the Record:

HISTORICAL LESSONS IN TOTALITARIAN TRADE

(By Lev E. Dobriansky)

(Note.—Dr. Dobriansky *is professor of economics at Georgetown University. The originator and author of the Captive Nations Week Resolution enacted by Congress, he is the author of* The Free Ideal *and* Veblenism: A New Critique.)

Those who cannot remember the past are condemned to repeat it.

Santayana's wise dictum cannot be repeated too often when it comes to present pressures for liberalizing trade with the totalitarian Communist Empire. As are many in Western Europe, a number of circles in the United States are prepared, at whatever cost, to repeat the errors of the not-too-distant past.

Concerning the present, there is no mystery about the needs and goals of all sectors of the Communist Empire: their desperate need for advanced Western technology, their economic deficiency in both capital and consumer goods, their aim in overcoming glaring economic defects for general psycho-political reasons, their requirements of surplus resources *destined for intensive* and *extensive* Cold War aggression, and their continuous improvement of space technology and the military machines strewn about the empire. One would think the heavy Russian material commitment in Viet Nam is in itself sufficient cause not only to drop the liberalization idea but also to wage a Free World campaign for curtailed trade with the empire. However, the Bear and his associates have set an economic trap for us, and we are prone to fall into it. The nature and outline of this trap require a separate discussion; our concern here is with certain prominent, historical lessons for the present, drawn from U.S. trade with other imperio-colonialist totalitarian powers.

Research into U.S. trade with the totalitarian states of Japan, Germany, and Italy before World War II discloses several powerful truths which many persons involved in the current discussions of East-West trade do not know or have completely forgotten. The logical period covered is that of the 1930's, after Japan had begun its aggression in Manchuria, Germany had come under Hitler's rule, and Mussolini's Italy had embarked upon its imperialistic adventure in Abyssinia.

The chief focus of attention is on the strategic commodities furnished by the United States through normal export channels to these powers. To some extent imports are also considered since they constitute a source of dollar balances available to the aggressive powers for purchases elsewhere. Strange as it may seem, much of the material presented here was only recently declassified upon my own request. No one had bothered to tap these sources and approach the subject from the angle developed here.

Although no two historical periods or occasions are ever precisely alike, in certain essential respects they can be rationally compared, particularly in terms of the repitition of human error. At this moment we can profit immensely from the 1930's and their historical lessons in totalitarian trade. True, Japan, Germany, and Italy were have-not nations, heavily dependent on trade and raw material imports: on this limited scale the Soviet Union and Communist China are not so dependent. However, Japan, Germany, and Italy were basically nation-states; the Soviet Union and Communist China are fundamentally empire-states, with all the potential disadvantages accruing to such a status.

On the broader scale of an imperialistic Cold War economy, both the Soviet Union and Communist China with the inclusion of their "external satellites" are have-not states in terms of capital, latest technology of a broad spectrum, and even certain strategic raw materials. Significantly, all of these totalitarian states were and are punctuated by self-sufficiency drives and *ersatz* developments. Of supreme importance is the sharp difference between the blunt, crude, aggressive behavior of the earlier totalitarian powers and the studied, subtle political warfare of the present totalitarian states, for whom trade is a vital Cold War instrument.

By way of introductory generalizations, the following selected and only partial data reveal (1) unmistakable U.S. contributions were made to the war economies of Japan, Germany, and even Italy prior to World War II; (2) the weight of our economic influence was far greater over Japan than over Germany or Italy, though in combination with Great Britain, France, and several Latin American countries our decisive influence could have been exerted over Germany and Italy, too; (3) marked discrepancies exist between the observations and conclusions of several hitherto classified studies and the judgments and decisions of the leadership in the 1930's; (4) a review of the arguments and counterarguments in the 1930's suggests that we are going through another cycle, with a generation that in some areas has forgotten the arguments and lessons of that period as concern trade with imperialistic totalitarian states; and (5) projecting the lessons of the 1930's to the present, we see a need for even tighter controls, since under global Cold War conditions the nature of a strategic good is far more extensive than it was three decades ago. Regarding the last, we are better armed now with certain trade controls, but because of our inadequate grasp of what the Cold War means and involves, we are still unsure about the scope of a "strategic good;" we are vulnerable to helping the enemy today. As will be shown, some executive analysts in the 1930's knew then what the nature of a strategic good meant in relation to an imperialistic totalitarian economy.

UNITED STATES AND JAPANESE WAR ECONOMY

The tremendous economic assistance we gave to the Japanese war economy, either directly or indirectly through Manchuria, Korea, or China, suggests the possibility of a striking parallel with the present totalitarian states. The commodities we shipped to Japan and the "yen bloc" enabled Japan to prosecute its wars in Manchuria and China, to liquidate American businesses in those areas, and to prepare for general war. The parallel intimated for today would be our growing economic assistance to the USSR and the "Soviet bloc," enabling this sector of the Communist Empire to intensify its Cold War in targeted areas of the Free World, to negate progressively our foreign aid in many underdeveloped areas, and eventually to squeeze out any American or Western business interests and prepare for the oft-repeated "Communist takeover."

Literally ten years have to be accounted for in our contributions to the build-up of the Japanese war economy. Without controversy or contradiction, one can determine the beginning of this period with Nippon's conquest of Manchuria in 1931. The year marks not only the start of Japan's imperialist advances but also the unfolding of its plans for economic self-sufficiency and a closed economic sphere in the New Order of the Far East.[1] It was the beginning drive for a self-sufficient "yen bloc." With the steady expansion in Japan's industry since 1931, Japanese demands for scrap iron, steel, crude oil, copper, and tin plate increased.[2] But, as had been shown time and time again, "The most serious weakness in Japan's industrial self-sufficiency insofar as a war economy was concerned was her deficiency in important industrial raw materials, notably iron ore, pig iron, and petroleum products."[3]

In 1932, Secretary of State Henry L. Stimson sought economic sanctions against Japan, but it was evident that he and other advocates found few allies among the members of the Fourth Estate.[4] Walter Lippmann, for example, writing in his *New York Herald Tribune* column, "Today and Tomorrow" (March 26, 1932), said of the United States: "It should oppose a one-sided embargo on munitions as inconsistent with the general policy of non-intervention by force." The theme, "Embargo would mean war," ran through all of the opposition, right up until 1940. Lippmann himself changed his tune by 1937, after Roosevelt's Quarantine Address.

Prior to 1932 every year indicated a trade balance in favor of Japan. After 1933 it favored the United States. The depreciation and devaluation of the dollar helped Japan considerably. In 1933–34 it imported larger quantities of machinery of all kinds from the United States and Germany. In 1934 the Japanese Government adopted a Petroleum Industry Law, which placed the industry under close governmental control. As one analyst put it, "Lack of oil resources was perhaps the most vulnerable aspect of Japan's economy and steps were taken early to attempt to overcome this handicap."[5] For the "Greater East Asia Coprosperity Sphere," the "yen bloc," stockpiling, and war, a top priority was oil. American exports to the end of the decade helped immensely.

Beyond any shadow of doubt, Japan's policy in the 1930's was designed not only to organize production for self-sufficiency and strengthen the military, but also to conquer areas rich in materials which Japan lacked. In the latter half of 1936 and early 1937, marked shortages of pig iron and steel developed. From 1936 on, when cotton accounted for 43% of total Japanese imports from the United States, Japan concentrated on the expansion of industries supplying military necessities and imposed severe restrictions on imports of cotton, wood pulp, and other commodities entering into the production of consumers' goods. Before Pearl Harbor a Commerce Department analyst observed, "Since that year (1936) however, Japan has concentrated on the expansion of its heavy industries at the expense of its export industries, purchasing increasing quantities of scrap iron, steel-mill products, machine tools and petroleum products largely from the United States."[6] Significant, too, is the fact that after 1936 Japan instituted a statistical blackout on its imports of ore, metals, autos, parts, and the like.

In July, 1937, the Japanese Army moved into China. Through its representatives China raised the question of economic sanctions against Japan but received no support.[7] Tightening its trade controls, on September 9 Japan passed an Emergency Trade Control Law, intensifying the development of its imperial self-sufficiency program. In that period official and unofficial observations make for interesting reading and reflection. A State Department analysis pointed out, "Although during the first half of 1937 the expansion in U.S. export trade with Japan was inclusive in its scope (with cotton sharing in the general rise), increases were most marked in the metal, iron and steel, petroleum, machinery, and vehicle groups, reflecting the accumulation of stocks of war materials and the government's program of speeding up the development of heavy industries. During the last half of 1937, when selective import controls became effective under conditions of actual war, American exports to Japan showed a predominantly military character."[8]

SOME SELECTED DATA

A Commerce Department analysis then stressed these many points: (1) our trade with Japan for 1937 showed an unusually large expansion over 1936—$288,378,000, the highest figure since 1920 and an advance of $84,030,000 or 41.1% compared with 1936; imports increased by 18.8% over 1936, and for the sixth consecutive year the United States enjoyed an export excess with Japan; (2) in 1937, Japan was our third principal export market, accounting for 8.6% of our total export trade; (3) crude materials and semi-manufactures for Japan's expanding industries constituted the bulk of American goods supplied to that country, semi-manufactures about 43.3% of total to Japan, raw materials 32%; (4) scrap iron and steel and tin scrap increased to $39,278,000 from $14,177,000 in the previous year, with an equally sizeable increase in tonnage; (5) exports of refined copper jumped from 79,852,000 pounds valued at $7,293,000 in 1936 to 145,689,000 pounds valued at $17,997,000 in 1937; (6) these gains plus smaller increases in exports of wire rods, tin plate, scrap copper, and lead brought total exports of metals and manufactures, except machinery and vehicles, up to a value of $104,423,000 compared with $28,842,000 in 1936; (7) exports of nonmetallic minerals increased from $29,769,000 in 1936 to $44,821,000 in 1937, largely due to heavier shipments of crude oil; and (8) shipments of American machinery and vehicles to Japan assumed large proportions, $34,202,000 in 1937 compared with $20,459,000 in 1936, with power-driven metal-working machinery accounting for most of the increase.[9]

It is quite evident that analysts in our executive agencies were acutely cognizant of what was then transpiring. To cite another example, State Department papers reveal that:

> *in 1937 Japan was engaged in building up large stocks of raw materials and materials of a military and heavy industry character. During the latter part of the year 1937 and throughout 1938, Japan was engaged in hostilities in China. The increased imports of Manchuria in 1937 and 1938 from non-Japanese sources were obviously connected with Japan's preparation for an execution of military operations, and the figures for those years warrant no inference that Japans' occupation of Manchuria has more widely opened the doors of commercial opportunity or benefited America enterprise in Manchuria. By administrative measures of a discriminatory character, Amreican business enterprises have been excluded from the field of distribution within Manchuria. Preferences in force, favoring Japanese enterprises, have compelled many American enterprises to withdraw from Manchuria and have discouraged other American enterprises from operating in Manchuria.*[10]

Meanwhile, as statistics show, U.S. exports of strategic goods to Manchuria increased substantially in this period.

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[1] Isoshi Asahi, *The Economic Strength of Japan* (Tokyo, 1939), p. 324.

[2] *Trends in United States-Japanese Trade*, U.S. Department of Commerce, Special Circular No. 333, June 1, 1935.

[3] Kate L. Mitchell, *Japan's Industrial Strength* (New York, 1942), p. 26.

[4] An illuminating record on this in Richard Grigg, *Japanese-American Relations, 1930–1937* (Washington, 1950).

[5] Jerome B. Cohen, *Japan's Economy in War and Reconstruction* (1949), p. 23.

[6] Victoria C. Hungerford, *Effects on American Economy of an Embargo on Exports to Japan*, Department of Commerce, February 26, 1941.

[7] Arnold Toynbee, *Survey of International Affairs*, 1937, p. 289.

[8] *Analyses of United States Import Trade with Japan in 1937*, U.S. Department of State, April 12, 1938.

[9] *United States Trade with Japan, Including Taiwan and Chosen—1937 Compared with* 1936, U.S. Department of Commerce, 1938.

[10] *Papers Relating to the Foreign Relations of the United States, Japan:* 1931–1941 (Washington: U.S. Government Printing Office, 1943), I, 156.

There are many angles from which statistical data may be viewed and evaluated, but in this case the data point largely and conclusively in one direction: Japanese war preparations and our heavy contribution to them. In terms of the percent distribution of U.S. trade with selected Far Eastern countries, Japan ranked second producer of our imports for 1926–30 with 9.4% of the total; by 1937, it ranked third with 6.6% of the total. As concerned our exports to the Far East, Japan ranked fourth for the earlier period, with 5.2% of the total, and third in 1937 with 8.6%. Viewing the subject from the angle of Japan's total volume of imports and exports after the Manchurian crisis, Japan's percentage of import trade with the United States was 36.5% in 1931–32 and 33.6% in 1937, ranking first among selected Far Eastern countries in both periods; its export trade showed the same rank for the two periods, with 32.1% in 1931–32 and 20.6% in 1937.

One fairly accurate, private analysis shows that between 1936 and 1937, U.S. exports to Japan increased by 41%, but a breakdown of the export figures by commodities discloses an increase of about 124% in shipments of war essentials. The American share in Japan's imports of materials essential for war purposes was in 1937 the following: as a percentage of total Japanese imports in copper, 92.9%; automobiles and parts, 91.2%; all oil, 60.5%; pig iron, 41.6%; other iron, 59.7%; machinery and engines, 48.5%; zinc, 20.4%, with a total in the aggregate 54.4%.[11] In other words the weight of the U.S. contribution to the war economy of Japan was almost twice what Japan's aggregate figures of imports from the United States indicates.

Some recognition of these dangerous trends was registered in President Roosevelt's Quarantine Speech in 1937. However, by all accounts, the speech was vigorously opposed by major segments of the press and, we shall see, the President retreated and his Administration shrank from economic measures as had the Hoover Administration in 1931–33. Nevertheless, reports then and many years later continued to relate the same story. One forthright report submitted by a Far Eastern expert in the Department of Commerce stated, "Let us, then, in our realistic interpretation of statistic call Japan's *heavy industries* by their right name—war industries—and let us recognize that our sales of scrap iron and steel are going into aerial bombs for final 'distribution' in China to an unwilling 'consuming public'—the defenseless Chinese civilians, men, women, and children."[12]

When some speak of the "good customers" in the present Red Empire, they should read this report on the "good" Japanese cash customer. Confirming much of this from hindsight, another analyst, in her coverage of Japanese trade from 1937 into the first nine months of 1940, wrote, "During this period, Japan was seriously preparing for war, and its trade figures reflect these preparations."[13]

CONGRESSIONAL AND ADMINISTRATION VIEWS

Certain developments in 1938 shed further light on this whole issue. Congressional restlessness with the existing situation began to appear. For instance, in June, Senator Pope of Idaho spoke out in this vein: "It is just as well . . . for us to recognize the bitter fact that it is America which is supplying 54.4 per cent of the materials absolutely necessary in order that Japan may continue her aggression against China."[14] Figures compiled from the Commerce Department's *Far Eastern Financial Note* (No. 246, January 19, 1938) disclose that the British Empire supplied 17.5% of such materials. The following month, in July, the United States finally initiated a hesitant policy of economic pressure against Japan.

A "moral embargo" was put into effect despite the objections of Ambassador Grew, our representative in Japan. As a matter of fact, until the latter part of 1940, Mr. Grew was against economic sanctions, because they would worsen our relations with the aggressive power and would lead to war.[15] He urged a new commercial treaty with Japan when later the 1911 treaty was scrapped. It was not until September 12, 1940, that in a long dispatch he finally called for stern economic measures.[16] However, in light of the situation a "moral embargo" was scarcely adequate for the purposes intended. Pointing out a fact reiterated by many others, a well-known scholar recently wrote, "With the exception of the 'moral embargo,' which had been in force since the summer of 1938 and which effectively prevented aircraft, aircraft equipment, and aerial bombs from going to Japan from the United States, Japan could still secure from this country all the oil, copper, scrap iron and steel, automotive equipment, and other materials useful to a military machine that it wished."[17] Right up to 1940, Japan maintained its third place in U.S. export trade, yielding its place in that year to France because of the latter's war demands for goods.

Commodity-by-commodity data substantiate what a Department of Commerce report on Japan stated in 1940, that "there has been a greater demand over the past few years for metal-working machinery, petroleum products, iron and steel products, copper and other materials entering into its heavy industries—petroleum and products $45,290,000 in 1939 amounted to 19.6% of our total exports to Japan; metal-working machinery $24,578,000 in 1939 and $23,627,000 in 1938, 1939 being 10.6% of total export value. Also exceeding 1938 values were exports of iron and steel scrap, steel bars and rods, refined copper. . . ." This report merely extended by one year the general conclusion arrived at in an earlier one: "In the past two years Japan has concentrated its efforts on the expansion of heavy industries rather than on the export industries."[18]

On April 27, 1939, the Senate Foreign Relations Committee had before it the Pittman Resolution (S.J. Res. 123), authorizing the President to end trade with Japan. There were a number of such resolutions. Secretary of State Cordell Hull suggested that they be deferred. Senate Resolution 166, submitted by Senator Vandenberg, called for the abrogation of the 1911 commercial treaty in six months. By July 26 the United States notified Japan by formal notice of its intention to terminate the Treaty of Commerce and Navigation on January 26, 1940. Thus, after six months we would be free to control or cease our exports to and imports from Japan. It is noteworthy that at the beginning of 1939 the Secretary of State planned to denounce some sections of the treaty and to substitute for these certain short-run and commercial agreements.[19] There can be no question that expression of Congressional sentiment led to a stronger stand, such as it was.

Even at that, when the Secretary announced our intent to abrogate, there was a degree of equivocation. The Japanese seized upon this and sought a new agreement since Hull intimated some "new consideration" for a treaty. Toward the close of the year, on December 20, 1939, he advised Ambassador Grew that the United States did not wish to enter into negotiation for a new treaty. As indicated earlier, Grew's position was well know then. In October, 1939, he stated it as follows: "In both my talks with the President I brought out clearly my view that if we once start sanctions against Japan we must see them through to the end, and the end may conceivably be war." After several months of absence from his post the Ambassador nevertheless expressed America's growing concern when, in an address to the American-Japan Society in Tokyo, he declared, "An effort is being made to establish control, in Japan's own interest, of large areas on the continent of Asia and to impose upon those areas a system of closed economy."[20]

It is also important to note several other developments at this late hour. A survey of newspaper clippings for the period shows much publicity given to U.S. exports of iron and steel scrap to Japan. With allowances made for item classifications, many papers pointed out that in the years 1933–1941 the United States exported over 10 million tons of iron and steel scrap to Japan. Relying on Department of Commerce estimates at the time, we tabulated the exports for 1936–40 as follows: 1936—1,184,536 tons, 1937—2,140,889, 1938—1,547,617, 1939—2,279,315, 1940—1,079,141, or a total of 8,231,498 tons in this short period of time. Moreover, the Gallup Poll of the day indicated general public opposition to such exports.

Some areas of business also expressed their opposition to these exports. For example, on March 23, 1939, Mr. E. T. Weir, then chairman of the National Steel Corporation, urged a complete stoppage of these exports. The following year, when an embargo was finally ordered on the export of scrap steel, Mr. Weir openly declared on October 15, "It should have been done long ago. The exported scrap that has been permitted thus far has brought inventories of this vital resource to a point where they are dangerously low." On this issue, there was a sharp clash between Weir and Secretary of Interior Ickes when the United States was already in the heat of war with Japan, and accusations of blame and responsibility were rife. Countering the Secretary's accusation that the steel industry was to blame for shipping scrap iron to Japan, Weir demanded from Ickes a public retraction of the charge, maintaining, "It would be natural to expect you to help alibi the shameful record of the Roosevelt Administration which, by permitting the export of millions of tons of scrap steel to Japan, helped Japan prepare for its war against the United States."[21] Obviously, whoever was to blame, the great wrong had been done.

TOO LATE, TOO LITTLE

Then, and in subsequent years, a favorite argument circulated about to the effect that severe economic restrictions by the United States alone would not have curbed aggressive Japanese designs and actions. In itself the argument is purely speculative, for the restrictions that were imposed came far too late and even then, as additional evidence reveals, they might at least have caused a Japanese withdrawal from China. Furthermore, the argument clearly fails to exonerate us from the undoubtedly substantial contributions we made toward the practical advancement of these designs and aggressions.

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[11] Ethel B. Dietrich, *Far Eastern Trade of the United States* (New York, 1940), p. 18.

[12] Bland Calder, *Japan Is a "Good" Cash Customer*, U.S. Department of Commerce, Special Report "E", June 8, 1938.

[13] Edythe M. Garber, *Japan's Prewar Foreign Trade*, U.S. Department of Commerce, International Reference Service series, May, 1946, p. 1.

[14] James P. Pope, "Sales of War Materials by the United States to Japan," U.S. Senate, June 8, 1938.

[15] Ambassador Grew to Secretary Hull, *Far Eastern Military Tribunal*, Defense Document No. 1400–U–2, Exhibit No. 58, Reject No. 315.

[16] Anthony Kubek, *Japanese-American Relations* 1937–1945 (Washington, 1956), p. 188.

[17] Meridith C. Cameron, *China, Japan and the Powers*, 2d ed. (New York, 1960), p. 483.

[18] Footnote not supplied.

[19] Herbert Feis, *The Road to Pearl Harbor* (Princeton, 1950), pp. 21–22.

[20] "The Far East," address by the American Ambassador to Japan, *Department of State Bulletin*, November 11, 1939.

[21] "Challenges Ickes on Scrap for Japan," *The New York Times*, November 2, 1944.

Also, in view of our own behavior, it is almost gratuitous to point out the blatant absence of any serious attempt on our part to obtain a collective embargo against Japan. Nothing could be clearer in this respect than the British attitude toward American vacillation in the Far East. As one author discloses, "On September 13 Lothian had told Morgenthau that in view of the delicacy of the situation, neither the Dutch nor British could be expected to antagonize Japan by interfering with the flow of oil from the Indies, unless they were able to count on American support in the Far East." [22] This fact was recorded in Secretary of Treasury Morgenthau's diary for September 13, 1940. Applying all this to the present situation, it can be reasonably argued that many are repeating the same argument in relation to East-West trade and are in the process of committing the same mistake.

From July 1940 on, the United States proceeded to tighten the economic strings on Japan. A succession of executive orders on licenses for exports ensued, though Secretary of State Hull continued to oppose suggestions for full-scale economic warfare. On July 2, Roosevelt signed the Export Control Act, authorizing the President to license or prohibit exports of essential defense material. By this act Roosevelt issued his first order that day, placing under license all arms and certain basic raw materials like aluminum, specified chemicals, aircraft parts, armor plate, glass, plastics, and machine tools. On July 25, he ordered the same for petroleum products, tetraethyl, lead, iron and steel scrap. An instructive note here is that only two days before, General De Witt, who commanded the military forces on the Pacific Coast, had reported Japanese stockpiling of aviation gasoline and their signing of contracts with American companies for the delivery of 1,200,000 drums of gasoline.[23] Other Presidential orders followed in the remaining months of 1940 and into 1941, but their full application and effect were partly offset by the objections of Sumner Welles, Hull and others, who still felt that they would lead to war.

The war in Europe made Japan even more dependent on the United States, Japanese trade with Germany fell off. Exports to the United States, particularly Japanese raw silk, continued as an important source for Japan's acquisition of dollar balances for the purchase of materials here and elsewhere. According to a Department of Commerce study, in 1940 American exports to Japan of commodities under export license totaled about $125 million.[24] As of February, 1941, the remainder of U.S. exports not under export control included raw cotton, a number of petroleum products, wood pulp, lumber, automobiles, auto parts, and so forth. Meanwhile, numerous memoranda were directed at Japan for interference with U.S. trade in China. For example, a note delivered by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs stated the case as follows: "I have the honor to refer to the representations made by my Government to the Japanese Government on frequent occasions during the last three years regarding interference with American enterprise and trade in China by the local Japanese authorities, as well as by local regimes under Japanese control. . . . Abundant indications have appeared in the course of recent weeks that the Japanese military authorities intend to institute similar controls over the very important trade of Shanghai." [25]

Just a few months before Pearl Harbor and the outbreak of American-Japanese hostilities, Roosevelt issued several more executive orders designed to tighten the economic restrictions against Japan. For example, on July 26 he froze all Japanese assets in the United States. On August 1 another order was issued prohibiting exports of wood pulp, metals, manufacturing machinery, and vehicles. Despite the fact that many viewed such sanctions as posing a critical choice for Tokyo between retreat and resistance, Japan soon moved for satisfactory negotiations, even involving its withdrawal from China.[26] The United States proved to be indifferent to this move. The Konoye cabinet resigned on October 16. The succeeding Tojo government, though it also sought negotiations, was not prepared to yield easily.

Another illuminating analysis was made that year in the Department of Commerce.[27] Most appropriate to our present conditions regarding trade with Communist totalitarian regimes, the study in effect expanded the "strategic goods" concept to include supplies for food consumption, clothing, and housing requirements. It showed how substantial our contributions were in these respects. Japan was wholly dependent on cotton and wool imports which the United States supplied. We also supplied the fertilizing material for Japanese food production. And to the pronounced relief of Japanese industry and its necessary diversion of resources, U.S. exports met a good portion of the housing requirements. The analyst did not exaggerate when he stated, "The United States has for many years contributed more to the national economy of Japan than has any other nation." [28] He also concluded that as an importer the United States could have seriously disrupted Japan's war economy by denying it approximately $135 million with an embargo on imports of silk, aquatic products, tea, toys, and other Japanese goods.

It is quite evident, then, that had we had a firm policy of economic restriction and embargo early in the 1930's, had we as a consequence allied others in this collective effort against imperialistic Japan, had political judgments been based on official economic studies in the executive area itself, the course of developments would have been radically different and war itself could have been staved off between the United States and Japan. This in turn could conceivably have produced entirely different results in Europe. "Generally," as one author puts it, "we failed to appreciate Japan's vulnerability to blockade and the extreme degree of her dependence on imported raw materials." [29] He goes on to show how we overestimated Japan's raw material reserves and emphasizes the "fact that Japan's productive machine had come virtually to a standstill by mid-1945 came as a major surprise to U.S. observers who surveyed the scene in Japan immediately after the surrender." [30] Progress toward such a standstill in the mid-30's was a real possibility.

Our experience with Japan leading up to Pearl Harbor is sufficient in and of itself to demonstrate the need for a sensible economic policy in dealing with aggressive, imperialistic powers. The irrationality of aiding such powers even in areas beyond the arbitrary limits of "strategic good" definitions becomes more impressive as facts, such as the selected few given above, are carefully reviewed. But, as though this were not enough, the United States also made its economic contributions to the totalitarian economies of Germany and Italy.

UNITED STATES-AXIS TRADE EXTENDED

In the 1930's many observers had insight and foresight as to the road being traveled by Hitler and Mussolini. Looking at their records today, it becomes evident that U.S. economic policy was equally unsound in relation to the imperialist powers of Germany and Italy. To be sure, U.S. trade patterns were different in these two cases, and countries such as Great Britain and France could have had a more determinative effect on the two totalitarian European economies if an economic embargo had been imposed. However, if U.S. leadership had been the order of the day, which of course it was not, collective sanctions would have been enormously effective. As it turned out, in the cases of the German and Italian war economies we made our contributions to their development and to world disaster.

About a year and a half after Japan invaded Manchuria, Adolf Hitler became chancellor of Germany, and that country was directed along a new, aggressive course. To be well impressed by the patent discrepancy between that course and our economic relations with Nazified Germany, one should review the rapid succession of aggressive events leading to the outbreak of World War II in September, 1939: (a) 1933—Germany withdrew from the League of Nations, October 14; (b) 1934—with the death of von Hindenberg, on August 2 Hitler consolidated the offices of chancellor and president and became the Fuehrer; (c) 1935—Hitler rejected the Versailles Treaty and German military conscription was ordered on March 10; (d) 1936—March 7, German troops reoccupied the demilitarized Rhineland zone in violation of the Locarno Pact; on November 25, Japan and Germany signed an anti-Comintern pact, to which Italy joined the following year on November 6; (e) 1938—on March 11, Hitler invaded Austria and on September 30, after the Munich conference, he occupied the Sudetenland; and (f) 1939—September 1, Germany, aided by the Stalin pact, declared war on Poland, and World War II began.

From 1933 on, Hitlerian Germany's policy was girded to rearmament, growing self-sufficiency, expansionism, and war. These formed the props of Germany's international economic relations. As one scholar assessed part of the pattern, "Payments made under the civil public works programs were large, but they were nothing compared with the enormous expenditures incident to the rearmament program." [31] Taking just the period of 1933–36, he added, "Therefore practically the whole of the increase in employment and investment over 1932 has been due to rearmament, strategic roads, and stimulus to industries which are of military importance." The German economic upswing after 1934 was abnormal, as "producers' investment goods," automobiles, and building construction rose violently but current consumption goods remained practically stationary. In the words of another close analyst, "The main line of policy adopted by the government was simple: to channel the increase of production primarily into those industries that were important for the realization of military goals." [32]

Confronted by raw material shortages,

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[22] Fels, *op. cit*., p. 103.

[23] Kubek, *op. cit*., pp. 185–186.

[24] Victoria C. Hungerford, *op. cit*.

[25] *Papers Relating to the Foreign Relations of the United States, Japan:* 1931–1941, (1943), II, 883–884.

[26] Kubek, *op. cit*., p. 277.

[27] Halleck A. Butts, *Effect on Japan's Economy of an American Embargo on Exports to Japan*, U.S. Department of Commerce, February 26, 1941.

[28] *Ibid*., p. 28.

[29] Cohen, *op. cit*., p. 48.

[30] *Ibid*., p. 49.

[31] Kenyon E. Poole, *German Financial Policies* 1932–1939 (Cambridge, 1939), pp. 100–101.

[32] Arthur Schweitzer, *Big Business in the Third Reich* (Bloomington, Ind., 1964), p. 335.

Germany resorted to all sorts of economic manipulations, including extensive bartering, *ersatz* substitute development, and selective importation, such as seen in the Communist Empire today. Normal foreign trade did not harmonize with a planned war economy. An observer at the time reported accurately when he said, "Yet, the barter system has found recognition and admiration even in the United States," [33] Analyses of reports by German industrial leaders reveal conclusively that Germany could not win a major war because of raw material dependence and relatively low stockpiles.[34] On the basis of this, if there had been an Allied embargo early in the period, it would certainly have deeply affected Hitler's war plans. Significant comparisons between Germany's economic posture prior to 1914 and that before 1939 reveal severe shortages in the latter period that Goering's Four Year Plan was supposed to have overcome.[35] *Ersatz* production, e.g., producing oil from coal, was another technique used in the plan, and so was the process of selective importation. It is here that the American contribution was made.

This part of the story is well summarized in a paragraph of a very instructive analysis of the period:

> *Many raw materials which are scarce in Germany are being imported in greater quantities than at any time before. During 1929, a year of prosperity, when barter trade was unknown, German industry had reached a high level of production. Yet in 1938 Germany had a net import of 30% more iron ore than in 1929, 143% more lead ore, 330% more chrome ore, 50% more copper ore, 140% more nickel ore, 26% more flax, 76% more hemp, and so on. The greater part of these raw material imports is needed for armaments.*[36]

The author presents aggregate statistics of raw material imports gathered from official German sources.

On the basis of statistical data furnished by our own Department of Commerce, it is clear that certain U.S. exports to Nazi Germany in the period of 1933–39 inclusive contributed to the German war machine. They disclose many illuminating facts frequently associated with our trade with Japan but not with Germany. For many of these vital commodities the cumulation of German imports from the United States reached sizable amounts.

Germany ranked high in imports of certain goods exported by us: (a) it ranked high in U.S. exports of gas oil and distillate fuel oil, $1.1 million in 1935, $3.5 million in 1936, $4.4 million in 1937, and $6.3 million in 1938; (b) it ranked third in U.S. exports of lubricating oil, red and pale, $3.4 million in 1937, $2.7 million in 1938, $2.0 million in 1939; (c) it was second in imports of U.S. lubricating oil, cylinder, bright stocks, $3.4 million in 1937, $3.3 million in 1938, and $2.4 million in 1939; (d) it was second, after Great Britain, in imports of U.S. lubricating oil, refined stocks, $1.1 million in 1937, $0.8 million in 1938, and $0.6 million in 1939; (e) in 1937–38 it was first in imports of miscellaneous U.S. lubricating oils, $1.4 million in 1937, $1.7 million in 1938, $1.1 million in 1939; (f) German imports of U.S. aluminum ingots, scrap and alloys were $1.2 million in 1937, $1.7 million in 1938, $2.0 million in 1939; (g) Germany was top importer of U.S. rubber scrap in 1937 with 28.9 million pounds and second to Japan with 10.1 million in 1938; (h) it ranked high in imports of U.S. refined copper, with 75.0 million pounds in 1937, 148.6 million in 1938, and 42.5 million in 1939; (i) and for imports of U.S. old and scrap copper, Germany outranked Japan in 1937 with 23.7 million pounds, or more than 50% of total U.S. export, 23.6 million or over 50% in 1938, and 11.0 million or about 40% in 1939.

Turning now to Mussolini's Italy, it is well to bear in mind that Mussolini began to flex his muscles in 1935 with the invasion of Ethiopia on October 2; he joined the Anti-Comintern Pact in November, 1937, and the following month, on December 11, Italy gave notice of withdrawal from the League of Nations; in 1938–39, Italy was in effect an Axis partner. Though on a lower level of economic power, Italy displayed all the characteristic signs of an aggressive totalitarian economy—self-sufficiency, armed strength, and controlled trade. Pertinent to our subject, an Italian fascist publication states it as follows: "In carrying out the commercial policies outlined above the Government avails itself of the organised forces of the Totalitarian State. Thus imports of staples essential to national defense—solid and liquid fuels, iron ore and scrap, non-ferrous ores and metals—are made through special semi-official bodies. . . ." [37] Some of these items came in substantial amounts from the United States.

Not generally known is the fact that U.S. foreign economic policy in the 1930's contributed not only to Italy's war economy but also to the undermining of collective sanctions against Italian exports after the invasion of Ethiopia. Economic sanctions went into effect in November, 1935, supported by 52 members of the League of Nations and one non-member, Egypt. They ceased purchases of Italian goods and naturally restricted exports to Italy. "Although it is true," writes one keen analyst, "that while sanctions lasted they failed to achieve their objective, the damage done by them to Italy's international economic position was, nevertheless, considerable." [38] He also points out, "It is interesting to note . . . that during sanctions non-sanctionist countries bought 88.7% of Italy's total exports (37% of this going to Germany and 17% to the United States) and sold her 66.4% of her total imports (29% being sold by Germany and 13% by the United States). These figures show clearly that, had Italy not had the support of the non-sanctionist countries (the trade with whom amounted, even before the sanctions, to about 48% of her total foreign commerce), her foreign trade would in all probability have been completely paralyzed by the sanctionist measures." [39]

As in the case of Germany, a detailed commodity-by-commodity breakdown based on Department of Commerce data shows the strategic materials the United States was shipping to the Italian war economy during this whole prelude to war and even after the outbreak of World War II. From a cumulative, summational viewpoint, these values aggregate substantially over the years. As examples: (a) in 1937 Italy imported 0.2 million tons of U.S. old and scrap copper, in 1938 the figure jumped to 2.6 million tons, and in 1939, 3.9 million tons; (b) in 1939, U.S. exports of ferro-alloy ores to Italy amounted to $580,749; in 1940 after the outbreak of World War II they increased to $865,130; (c) Italy lagged behind top-importing Japan in U.S. refined copper exports but surpassed Germany in 1939, importing 41.6 million tons in 1937, 43.7 million tons in 1938, and 56.0 million tons in 1939; (d) Italy's imports of U.S. iron and steel scrap were less than 10% of total U.S. exports in 1937—381,000 tons—but in both 1938–39, they exceeded this percentage, with 435,000 tons in 1938 and 426,000 tons in 1939; (e) similar comparisons and the same tendency apply to Italian imports of U.S. residual fuel oil (257,000 barrels in 1937, 1,201,000 in 1938, and 1,402,000 in 1939) and lubricating oil (28,000 barrels in 1937, 30,000 in 1938, and 68,000 in 1939). And as in the two other cases these are only a few examples.

A CONCLUSION

The lessons of our experiences with aggressive powers before World War II must be understood more than ever now. The totalitarian Communist Empire is a far more insidious and sinister enemy than were any of our World War II adversaries. In the nebulous context of the Cold War the nature of a strategic good far surpasses what was construed as such in the 1930's. The lessons learned then should be firm guidelines for our trade policy toward the Communist Empire now.

ADDITIONAL HIGHWAY SEGMENTS NEED TO BE ADDED TO THE INTERSTATE SYSTEM THIS CONGRESS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CRAMER. Mr. Speaker, I have introduced two bills today, which, if enacted, would provide for the designation of two important highway segments in the State of Florida as parts of the National System of Interstate and Defense Highways. Since the designation of the 41,000 miles of highway routes in 1956 for the Interstate System, it has become increasingly evident that certain links and segments in the national network of multi-laned, limited-access, interstate highways do need to be added to the presently authorized mileage of 41,000 miles on that Interstate System.

Section 3 of the Federal-Aid Highway Act of 1965, Public Law 89–139, requires the Secretary of Transportation, inasmuch as the functions of the Bureau of Public Roads were transferred last year from the Department of Commerce to the Department of Transportation, to report to Congress in January 1968, and in January of every second year thereafter, his estimates of the future highway needs of the Nation. I introduced a resolution and cosponsored the effort to enact this particular requirement so that there would be an orderly development of the Federal-aid highway programs after 1972 when the then-authorized Interstate System authorizations would expire.

The Committee on Public Works, on which I have the privilege of serving as the ranking minority member, made it clear in its report accompanying the legislation which was to become the Federal-Aid Highway Act of 1965 that the committee expected the January 1968 study of future highway needs to include specific route designations for any proposed increases in mileage on the Interstate System. Missing links and segments of highways, such as those which I have proposed to be included as part of the Interstate System in my bills today, should definitely be included in any additional authorizations recommended by the administration and enacted by the Congress.

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[33] Karl Robert, *Hitler's Counterfeit Reich* (New York, 1941), p. 77.

[34] Louis P. Lochner, *Tycoons and Tyrants* (Chicago, 1954), pp. 191–197.

[35] Fritz Sternberg, *From Nazi Sources: Why Hitler Can't Win* (New York, 1939), pp. 87–100.

[36] Guenter Reimann, *The Vampire Economy* (New York, 1939), pp. 53–54.

[37] *Fascist Era, Year XVIII*, Fascist Confederation of Industrialists (Rome, 1939), p. 119.

[38] William G. Welk, *Fascist Economic Policy* (Cambridge, 1938), p. 176.

[39] *Ibid.*, p. 211.

The first of the bills which I introduced today provides for the construction of an interstate highway from the Interstate 75 terminus at Tampa, Fla., and from the Interstate 4 terminus at St. Petersburg, Fla., through Bradenton, Sarasota, Venice, Punta Gorda, Fort Myers, Naples, and Miami, to Fort Lauderdale and Homestead. In my judgment, this missing link is one of the most obvious inadequacies in the Interstate System. There is no interstate route whatsoever linking the west coast of Florida with the lower east coast area, despite the fact that the west coast would be the shortest route from many Midwestern and Eastern cities to the Fort Lauderdale-Miami area. In addition, the west coast of Florida is one of the fastest growing areas of the entire Nation. Interstate 75, which links such populated areas as Atlanta, Birmingham, Chattanooga, St. Louis, New Orleans, Dallas, and Chicago, with the west coast of Florida, presently deadends in Tampa. Interstate 4, which links many populous areas of the eastern United States to the Tampa-St. Petersburg-Clearwater area presently deadends in St. Petersburg. I therefore feel it essential that a new interstate highway be constructed so that the interstate traffic presently terminating in the Tampa-St. Petersburg area can be funneled down the lower west coast to the Fort Lauderdale-Miami area.

The second bill which I have introduced today would provide for the construction of an interstate highway between Interstate 65 in the vicinity of Montgomery, Ala., to the vicinity of Ocala, Fla., through Tallahassee, Fla. This highway would accommodate the large volumes of traffic from the Alabama, Tennessee, Kentucky, Ohio, Michigan, Indiana, and Illinois areas southeasterly from Montgomery to Interstate 10 in the vicinity of Mariana, on I–10 to Tallahassee and thence southeasterly to Ocala where the proposed extension would connect with Interstate 75 to Tampa-St. Petersburg and the Sunshine State Parkway to Miami. It is through the panhandle section of Florida that families travel by car from the great southwestern part of the United States. I believe that an interstate highway from Montgomery to the vicinity of Tallahassee and thence to Ocala is warranted and in the best interests of the motoring public.

I would expect that the routes designated by my two bills will be included as proposed additions to the Interstate System in the "after 72" study of future highway needs presently underway. I shall continue to press for their inclusion and subsequent enactment.

TOLL FACILITIES ON THE INTERSTATE HIGHWAY SYSTEM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CRAMER. Mr. Speaker, the relationship of toll facilities to the Federal-aid highway programs, particularly the National System of Interstate and Defense Highways program, has been a matter of concern to me for a number of years.

One of my major concerns has been the fact that under existing law the Federal Highway Administrator does not even have to be consulted about the construction of a toll facility—a toll road, bridge, or tunnel—upon the route of a Federal-aid highway, including one on the Interstate System, unless Federal-aid highway funds have been expended on the section of the highway involved.

In 1961, during the first session of the 87th Congress, I learned that certain actions, and certain proposed actions concerning the Sunshine State Parkway in my own State of Florida were having an adverse impact on the interstate program in the State. At that time I introduced two bills: one to require congressional approval of the designation of toll roads as part of the Interstate System; and the other to prevent the possible abandonment of Interstate Route I–95 between Fort Pierce, Fla., and Daytona Beach, Fla., as a result of an extension of the Sunshine State Parkway which parallels it.

Hearings on the two bills were held by the Committee on Public Works; and although neither bill was enacted into law, the hearings served to pinpoint problems which exist, not only in Florida but in many other States as well, regarding the relationship between toll facilities and the Federal-aid highway systems.

On October 5, 1962, on the occasion of inserting in the CONGRESSIONAL RECORD considerable factual data concerning "toll traps" and the effect of toll roads on the Federal-aid highway systems, I commented:

> A careful and searching congressional review of this problem is long overdue. Under these circumstances, I feel that the Committee on Public Works of the House of Representatives should undertake a detailed investigation of the entire subject of toll facilities on the routes of the Federal-aid highway system. As a member of that committee, I intend to press vigorously for such an investigation.

The committee members began to agree with me more and more that public hearings were badly needed on this complex problem. As problems arose throughout the Nation from the location of toll facilities on the Federal-aid highway systems, the cries for detailed hearings increased.

Last spring, the Special Subcommittee on the Federal-Aid Highway Program and the legislative Subcommittee on Roads, both of which are subcommittees of the Committee on Public Works, held 17 days of public hearings on the relationship of toll facilities to the Federal-aid highway programs. Those hearings were exactly the kind of hearings I envisioned in 1962 when I called for a detailed investigation and careful, searching congressional review of the entire subject of toll facilities on the routes of the Federal-aid highway systems. The testimony we heard, which numbers some 944 printed pages, showed conclusively the need for corrective legislation concerning several aspects of this matter.

The fact that under existing law the Federal Highway Administrator does not even have to be consulted about the construction of a toll facility upon the route of a Federal-aid highway, including one on the Interstate System, unless Federal-aid highway funds have been expended on the highway section involved was graphically illustrated during these hearings by the disclosure that the construction of Interstate Route 95 in Georgia as a toll road was being seriously considered and by the disclosure that the Boston extension of the Massachusetts Turnpike was actually constructed as a toll road when it could have been constructed as a toll-free road with the Federal Government paying 90 percent of the cost. In my opinion, these examples serve to further emphasize the need for legislation such as that embodied in the bill which I have introduced today.

There is another serious matter in this area which I would like to call to the attention of the House. I am very troubled because of the lack of any clear understanding of the meaning and effect of the agreements entered into under section 129(d) of title 23 of the United States Code dealing with toll road approaches. The Bureau of Public Roads interprets these agreements in one way, while in some cases the State highway departments and toll authorities interpret them in an entirely different way. The committee heard witnesses who have entered into such agreements and who readily admit that they did not understand the Bureau's position relative to the limitations imposed upon them by the agreements. It seems obvious to me that when public officials enter into an agreement, particularly one involving the expenditure of large sums of money, limiting the construction of urgently needed highway improvements, and affecting the vested rights of bondholders and many others, the officials are delinquent in their duties if they do not have a clear and precise understanding—a true meeting of the minds—as to exactly what rights, obligations, and responsibilities are created by the agreement.

Mr. Speaker, since I first introduced legislation concerning toll facilities in 1961, a total of 798 miles of new toll highway facilities were opened to traffic in the United States through 1965. We can expect many more miles of toll facilities, particularly if the Congress does not take early action to solve the financial problems confronting the Federal-aid highway program and to complete the Interstate System at a reasonably early date. Under these circumstances, it is essential that Federal laws and policies provide for effective and rational coordination of toll-free highway facilities.

I am satisfied that the hearings provided the committee with detailed information which will enable it to devise clarifying, corrective legislation at the earliest possible date.

Toward such an end, Mr. Speaker, I have introduced a bill today to amend section 129(b) of title 23 of the United States Code, which bill, if enacted, will clarify this situation. The bill which I introduced today is identical to my bill, H.R. 11685, of the last Congress. The text of the bill reads as follows:

H.R. 2304

A bill to amend section 129(b) of title 23, United States Code, relating to toll roads, bridges, and tunnels on the National System of Interstate and Defense Highways

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 129, United States Code, is amended by adding the following material after the last sentence of the subsection: "After the date of enactment of this Act, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll road, bridge, or tunnel will be constructed on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he shall affirmatively find that, under the particular circumstances existing the construction of such road, bridge, or tunnel as a toll facility rather than a toll-free facility is in the public interest."

CANAL ZONE SURRENDER AND PANAMA CANAL GIVEAWAY MUST BE BLOCKED

The SPEAKER. Under a previous order of the House, the gentleman from Iowa [Mr. GROSS], is recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, one of the gravest policy questions with which I have been associated for a number of years is that of the Panama Canal where U.S. treaty-based sovereignty over the Canal Zone now stands imperiled because of a series of blunders that are worse than crimes. It is important, especially for new Members of the Congress, to know that the present crisis affecting the Panama Canal enterprise was not suddenly thrust upon us but that it has a long history.

When the question of the formal display of the Panama flag in the Canal Zone first came up following anti-U.S. riots in Panama, the subject was studied at length by the House Committee on Foreign Affairs, which reported out House Concurrent Resolution 459, 86th Congress, in opposition to such display. On February 2, 1960, after considerable debate, the House adopted this resolution by the overwhelming vote of 381 to 12.

Seven days later, on February 9, this body unanimously agreed to an amendment, introduced by myself, to the 1961 appropriations bill for the Department of Commerce and related agencies. This measure provided that:

No part of any appropriation contained in title II of this act shall be used to construct a flag pole, platform, or any other device for the purpose of displaying the flag of Panama in the Canal Zone, the sovereign control of which is vested in the United States Government by virtue of long standing treaty.

What happened? In the Senate, House Concurrent Resolution 459, because of opposition of the Department of State, was pigeonholed in the Committee of Foreign Relations. The Senate, however, when given an opportunity to vote on the amended appropriation bill, passed it unanimously. Thus, the amendment became law.

As predicted on the floor of the House near the close of that session by my distinguished colleague the gentleman from Pennsylvania [Mr. FLOOD], soon after the Congress adjourned and in total disregard of the formally expressed intent of the Congress, the then President of the United States on September 17, 1960, authorized the display of one Panama flag at Shaler Triangle in the Canal Zone. Apparently this action was taken on the recommendations of his brother, Dr. Milton Eisenhower, and the Department of State that such token recognition would beguile Panamanian leaders from their radical demands.

Since that time succeeding Presidents have extended the number of Panamanian flags displayed in the zone, thereby giving full credence to extreme Panamanian claims of full sovereignty over the zone, which is now in a condition of chaos.

Unfortunately, the mass news media of our country, apparently dominated by the White House and State Department, has not only failed to present the Canal Zone sovereignty issue but also has declined to publish vital facts. These, if known by our people, would present the giveaway of the Canal Zone and canal under present administrative plans.

The facts incident to the current canal treaty negotiations have been wholly suppressed in Panama by the Panamanian Government and every attempt has been made by our own Government to assure a similar condition of affairs in the United States. Thus we have in both countries the tragedy of silence, and this on one of the gravest questions in diplomatic history.

Our Department of State, sad to relate, has long been—and is now—timid, servile, weak, obsequious, unmindful of the best interests of the United States, and altogether indifferent to our just and indispensable rights, power, and authority over the canal enterprise, which are vital for the protection of the free world.

The result is that the conspirators in Panama and their collaborators in the executive branch of our Government have been able to advance the long-range Red program for undermining our legal position in the Canal Zone virtually unopposed.

Flying the first Panamanian flag on the U.S. Canal Zone territory in 1960 was the thrust of the camel's nose into the tent and now, through the process of piecemeal erosions, the whole body of the brute is almost within the tent. If the new treaties now being negotiated are ratified that means that the entire body will be enclosed.

Fortunately, some of the Nation's most gifted publicists have been able to obtain a knowledge of the situation and thus to oppose what is taking place at Panama and in Washington.

In the November 7 and 14, 1966, issues of the Dan Smoot Report are two admirable articles on the Panama Canal situation by Dan Smoot, one of our best informed and most fearless commentators on public events. In these, he summarizes the preparations for the giveaway at Panama now in process and the plan to haul down the U.S. flag.

Mr. Speaker, because of the managed news procedures that now feature the operations of our Government, special attention is invited to the revealing description in the November 14 article of the atrocities committed during the January 1964 riots in which five Americans are reported as having been hanged. Although there have long been rumors of atrocities against U.S. citizens in Panama during the January 1964 mob attacks on the Canal Zone, we do not yet know the extent of them because of the controlled press and the silence imposed by the two governments.

During the last decade, the conduct of our Isthmian Canal policies has, indeed, been tragically inept. For those who wish to obtain authentic information, the scholarly and splendidly documented addresses and statements in the CONGRESSIONAL RECORD by the gentleman from Pennsylvania, Representative DANIEL J. FLOOD, are an unsurpassed source of information. An assembly of his significant contributions, 1958–66, pursuant to a House Concurrent Resolution 925, 89th Congress, unanimously adopted by both Houses, was published in one volume as House Document No. 474 under the title of "Isthmian Canal Policy Questions," and has been distributed to all Members of the Congress.

Because of the pertinence and timeliness of the two previously mentioned articles by Dan Smoot, I shall quote both as parts of my remarks and commend them for reading by all concerned with the canal question. Also I urge citizens of our country, in and out of this body, to write their views on the canal treaty question to Members of the Senate as recommended by Dan Smoot. Only an aroused public sentiment can prevent the un-American and pusillanimous attempt by the executive branch of our Government to surrender its indispensable authority with respect to the Canal Zone and Panama Canal.

The two indicated articles by Dan Smoot follow:

[From the Dan Smoot Report, Dallas, Tex., Nov. 7, 1966]

PREPARATION FOR THE PANAMA GIVEAWAY

On October 7, 1966, the foreign minister of Panama said that talks with U.S. negotiators are well on the way toward an agreement to abrogate the treaty of 1903.[1]

The importance of that statement is incalculable. President Johnson—sacrificing American lives in Vietnam under pretext of fighting communism and protecting American security interests—is preparing to surrender vital American interests to Panama, in compliance with demands which Communists have been making for years.[3]

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[1] "New Canal Treaty Said Well Along," by Sam Pope Brewer, *The Dallas Morning News*, October 8, 1966, p. A3.

The Panama Canal Zone is United States territory as clearly and completely as the city of Washington is. President Johnson has no more right to grant Panama sovereignty over our Canal Zone than to cede the State of Alaska to the Soviet Union.[3]

The current talks which are "well on the way" toward our final surrender in Panama have been going on since April 1964. Piecemeal surrender, for the purpose of appeasing Communists and other agitators, has been going on since the days of Franklin D. Roosevelt.

It is a twice-told tale which needs to be told again.

Prior to 1903, the Isthmus of Panama was a province of Colombia. The revolution which separated Panama from Colombia was promoted by a New York lawyer and five ambitious men in Panama, three of whom were United States citizens. This group, backed by the United States Government, created the nation of Panama in 1903.[2]

At that time, Panama (a land of chronic political instability, owned by a few wealthy families) was the pesthole of the world. Virulent tropical diseases had to be conquered before we could wrench worthless land from the voracious jaws of a steaming jungle and convert it into a mighty waterway to lift ships over the bedrock of the continental divide. Many American lives and millions of American tax dollars went into that dual miracle of sanitation and engineering.[3]

The Republic of Panama was not a partner in the Panama Canal enterprise: she was the principal beneficiary.

In our 1903 treaty with the new Republic of Panama, we *bought* the Panama Canal Zone—a ten-mile-wide strip across the Isthmus, from the Atlantic to the Pacific—for 10 million dollars plus an annuity. The annuity was not a *lease* or *rental* fee: it was a guarantee of revenue to keep the Panama government alive. We acquired full ownership and sovereignty, by grant in perpetuity, making the Canal Zone United States territory forever.[3]

When Roosevelt extended diplomatic recognition to the Soviet Union in 1933, he gave a boost to communist activity throughout the world. Most Latin American nations followed Roosevelt's lead in recognizing the lawless Kremlin gang as a lawful government. Communist agitators who had been operating illegally, came out in the open with their "yankee imperialism" propaganda; and many became successful politicians.

The ground swell of anti-United States propaganda, which developed south of the border after our recognition of the Soviet Union, was one reason for F.D.R.'s "good neighbor" policy in Latin America. F.D.R. presented his "good neighbor" policy in a way which implied that the United States had formerly been a bad neighbor. This encouraged more anti-United States activity until everyone, north and south, was ready for us to "make amends" for past behavior.

The most important consequence was a renegotiation of our treaty agreements with Panama. In the Hull-Alfaro Treaty (signed March 2, 1936, but not ratified by the U.S. Senate until July 25, 1939), the United States raised annuity payments to Panama from 250 thousand dollars to 430 thousand, to compensate for the 40% loss in purchasing power of the dollar which had resulted from Roosevelt's taking us off the gold standard in 1934. This concession was reasonable.[3]

In the 1936-39 treaty, we renounced the 1903 treaty provision which made Panama a protectorate of the United States; and we renounced our right to maintain public order in Panama, outside of the Canal Zone. These concessions were incongruous, because we must protect Panama from anarchy as long as we maintain and defend the Canal. Now we have the responsibility without clear treaty authority.[3]

The most harmful concessions Roosevelt made in the treaty of 1936–39 were: (1) renunciation of our right of eminent domain for the acquisition of property, in Colon and Panama City, needed for canal purposes; and (2) renunciation of our right to build defense bases in Panama outside the ten-mile Canal Zone. Roosevelt's treaty of 1936–39 left us with the responsibility of defending the Canal Zone—for ourselves, Panama, and every other maritime nation—but with no room to stand and fight. In less than two months after the treaty was ratified in 1939, World War II began in Europe; and we were begging Panama for defense sites to protect the Canal. We had to pay heavily for 134 base-sites which had been ours under the 1903 treaty provisions.[2]

Before the guns of World War II were silent, Panama was demanding evacuation of American bases, and more changes in U.S.-Panama treaties. President Truman evacuated most of the bases and *gave* them to Panama. President Eisenhower, his first year in office, sent a team to change the treaties.[2]

The result was the Eisenhower-Remon Treaty of 1955, in which the United States: (1) increased annuity payments from $430 thousand to $1.93 million; (2) gave Panama land and other properties—including the Panama Railroad Company's yards and terminal stations in the cities of Colon and Panama; (3) promised to build a $27 million bridge across the Canal on the Pacific side. The only thing Panama gave us in the 1955 treaty was the right to use, for 15 years, the Rio Hato Air Base—which we had built for World War II and had given to Panama in 1948.[2]

The American property which Eisenhower gave Panama (valued at about $20 million) quickly deteriorated into uselessness.[3] Before 1955, the United States, in order to enforce sanitation rules necessary to public health in Panama, collected garbage in the cities of Colon and Panama. Panamanians considered this service an affront to their national dignity. We permitted them to collect their own garbage—and Colon and Panama became filthy places, their streets littered with refuse.

As soon as the 1955 treaty was ratified, Panama started agitating for more concessions—specifically for recognition of Panama sovereignty in the Canal Zone and for 50% of *gross* revenue from the Canal. Gross revenue from the Canal is about $43 million a year; net revenue is less than $3 million. Panama—with no investment, or responsibility for operating, maintaining, defending the Canal—gets, in annuity alone, more than half of net revenues. Corollary benefits of Canal operations are the very life blood of Panama's economy.

In May, 1958, mobs of Panama "students," incited and led by communists, demonstrated for "Panama sovereignty in the Canal Zone" by invading the U.S. Zone and planting 70 Panama flags. U.S. authorities removed the flags and gave them to the Panama government. Riots in Panama ensued, and lasted some 3 weeks. Our State Department tried to appease Panamanians: by announcing that Dr. Milton Eisenhower would soon visit Panama on a "good-will" trip.[2]

On November 3, 1959, Panama mobs again demonstrated for Panama sovereignty by invading our Canal Zone to plant the Panama flag. They also pulled down the American flag at the U.S. Embassy in Panama, mutilated it, and hoisted the Panama flag. During the day, 82 people were injured. Some of the injured were American soldiers who had been pelted with rocks. The mobs were led by communists and prominent Panama politicians who apparently had the sanction of the Panama government, which had ordered Panama police to stay away from the scenes of violence.[2]

Our State Department tried to appease Panamanians by ordering U.S. Embassy personnel in Panama to "curtail" the flying of the American flag in front of our Embassy. Eisenhower tried to appease them by announcing that Panama does have "titular sovereignty" over the Canal Zone.[3]

Congress reacted angrily to Eisenhower's announcement. On February 2, 1960, the House passed a Resolution (381 to 12) which in essence, said that we should not permit the flag of Panama to be flown in our Canal Zone. On February 9, 1960, the House, in an amendment to an appropriations bill, prohibited the expenditure of tax money for any flagpole to fly Panama's flag in our Zone. On September 17, 1960, (after Congress, had adjourned) Eisenhower, defying Congress, ordered the flag of Panama to be flown at key places in the U.S. Canal Zone to demonstrate Panama's "titular sovereignty" over the whole Zone.

On October 25, 1960, Senator John F. Kennedy expressed approval of Eisenhower's action, but said it should have been taken 18 months earlier.[2]

On June 15, 1962, President Kennedy and President Chiari of Panama signed a secret memorandum agreeing to renegotiate the 1903 treaty.[4]

On October 12, 1962, the Thatcher Ferry Bridge at Balboa (which the U.S. had promised in the 1955 treaty) was dedicated. During the ceremonies, a riot erupted, and a Panama mob desecrated the American flag.[2]

On October 29, 1962, President Kennedy ordered the raising of the Panama flag at the American Canal Zone Administration Building.[3]

On January 10, 1963, the State Department announced that the United States had agreed: (1) to permit the Panama flag to be flown with the U.S. flag anywhere in the Canal Zone; (2) to recognize Panama's sovereign right to issue papers of authorization (exequaturs) to foreign consuls operating in the Canal Zone; (3) to use Panama postage in the Canal Zone; (4) to grant Panamanians in the Canal Zone opportunities and privileges equal to those of U.S. citizens, including U.S. Social Security benefits.[2]

On July 23, 1963, the State Department announced another agreement conferring more benefits and concessions on Panamanians employed in the Canal Zone. On October 29, 1963, the Panama government announced official arrangements for Panama Independence Day parades, *inside the Canal Zone.* On November 5, 1963, the City Council of Panama held an official Council meeting *on the steps of the United States District Court House in the Canal Zone.*[2]

In December, 1963, the American Canal Zone Governor (Robert J. Fleming, Jr.) ordered that the U.S. flag could no longer be flown at the U.S. Court House or at American schools in the Canal Zone. Americans were even ordered not to fly the American flag at the Gamboa War Memorial inside the Canal Zone—a memorial to American soldiers who died in World War II.[3]

On January 7, 1964, American students raised the American flag at the American Balboa High School in the American Zone. The principal and a Canal Zone official took the flag down. The students raised another flag, and gave the pledge of allegiance. Officials announced that the flagpole would be removed. Students kept raising the American flag each morning, taking it down at night, and keeping vigil over the flagpole to prevent its removal.[2]

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[2] "Panama—Part I," and "Panama—Part II," *The Dan Smoot Report*, January 20 and 27, 1964, pp. 17–32 (1 copy for 25¢, 6 for $1.00).

[3] "U.S. Giving Up Canal; Agrees to Scrap Panama Pact, Write New One," *Chicago Tribune*, September 25, 1965, pp. 1, 2.

[4] "The Panama Canal—It Must Remain American," by Dr. Charles Callan Tansill (Committee on Pan-American Policy, 60 East 42nd Street, New York, New York 10017; price: 15¢), 12 pp.

On January 9, 1964, mobs of Panamanians rioted to protest the flying of the American flag at Balboa High School. The riots spread throughout Panama and the American Canal Zone. When they ended on January 13, an immense amount of American property had been destroyed or damaged. Twenty-one people were dead (including 4 American soldiers), and 300 injured.[2]

Present negotiations, already "well on the way" toward total surrender of American sovereignty in the Canal Zone, were initiated by President Johnson as a result of the 1964 riots.

[From the Dan Smoot Report, Dallas, Tex., Nov. 1, 1966]

OUR FLAG IS COMING DOWN IN PANAMA

Present U. S.-Panama negotiations of a new treaty (to meet demands of Panama politicians and of international communism that the U. S. surrender sovereignty over the Panama Canal Zone) were initiated by President Johnson as a result of the bloody Panama riots in January, 1964. Those riots were precipitated by Panama mobs protesting because American students raised an American flag, at an American high school, in the American Canal Zone. Here are excerpts from a contemporary log kept by a La Crosse, Wisconsin, radio commentator who was in Panama as a tourist at the time of the riots:

> "The Canal Zone radio went off the air at 11 last night. . . . The radio announcers [on Panama stations outside the American Canal Zone] are screaming at the top of their lungs . . . 'to kill all the Americans you see.' Thelma King, a deputado (congress-woman) and Communist, screaming for two hours on the radio and loudspeakers in the city—to hunt out all the Americans and butcher them in the streets. . . .
>
> "All kinds of armament . . . in the hands of the mob: pistols, clubs, Molotov cocktails. . . . Snipers previously posted on the surrounding rooftops . . . [firing] with rifles at the [American Canal Zone] police. . . . The looters . . . running in mobs . . . looking in the streets and in windows for Americans to kill. . . .
>
> "Then they attacked the U. S. Embassy. We . . . phoned there, and were told to hang up as they were busy evacuating. So, there we were—no protection, and it appeared the U. S. didn't give a damn about us. . . .
>
> "A show of force any time during this anti-American Red-inspired riot would have brought a quick end . . . and saved how many American lives? How many Americans are now dead in their apartments, or torn to pieces and hacked to bits? How many are dead in the outside villages hanging from trees and lamp posts? How many? . . . We know for sure the Panamanians hanged five Americans. Cut one more up in little pieces with machetes. This news . . . has been classified as secret and the . . . classifying is being done by our own government. . . ."[1]

All fighting in which Americans were involved occurred inside our Canal Zone where American troops were trying to protect American lives and American property from foreign mobs which had invaded American soil. Nonetheless, the Panama President accused the United States of "aggression," and broke diplomatic relations saying he would not resume relations until the U.S. promised to renegotiate U.S.-Panama treaties.

President Johnson said he would not yield to force and that violence was no basis for talks; yet, he rushed Thomas Mann to Panama for talks. On January 23, 1964, Johnson made an appeal for Panama to restore diplomatic relations with us, promising to discuss or renegotiate anything. Commenting on the riots, Johnson placed as much blame on American youngsters who had raised an American flag as on communist-led Panama mobs who had murdered, vandalized, and pillaged for more than a week.[2]

On March 21, 1964, Johnson sent Panama another conciliatory message re-emphasizing his willingness to discuss anything desired by Panama.

On April 3, 1964, Johnson resumed diplomatic relations with Panama—on Panama's terms—and began negotiations for "prompt elimination of the causes of conflict between the two countries, without limitations or preconditions of any kind." [3]

On April 5, 1964, when General Douglas MacArthur died, the American and Panama flags were lowered to half-mast in our Canal Zone. A few Panama "students" objected. The U.S. State Department, on orders from Johnson, had the Panama flag raised to full staff, above the American flag—in defiance of American military regulations, which forbid the flying of *any* flag above ours on American soil or at any American military installation.[4]

On July 10, 1964, an Alliance for Progress team submitted *to the government of Panama* a report saying that Panama should be given a more important role in the operation of the Canal; that Panamanians should be promoted to positions of high responsibility in the Canal organization; and that the U.S. should return to Panama all land in the Canal Zone that is not indispensable for maintenance, defense, and sanitation of the Canal.[5] Alliance for Progress is the organization which dispenses United States tax money to Panama and other Latin American countries.

On July 15, 1964, the government of Panama released a report revealing its future plans for the Canal Zone. Among other things, Panama will force all Canal Zone residents (Panamanians and non-Panamanians alike) to move out. This will require them to live somewhere in the Republic of Panama where the government of Panama can levy income taxes on them. This plan is supported, in part, by the Alliance for Progress.[6]

On December 18, 1964, President Johnson—with the election safely behind him—announced that he would negotiate a new treaty to recognize Panama's sovereignty over the Canal Zone.[7]

On September 24, 1965, Johnson gave a progress report, saying that, after 18 months of negotiations, the U.S. and Panama had decided to abolish the 1903 treaty, replacing it with a new one which would recognize Panama's sovereignty over the Canal Zone and permit "political, economic, and social integration" of the Zone into the Republic of Panama. The new treaty will also provide for a new sea-level canal across Panama—if the commission studying the problem decides that Panama is the best place for a new canal.[8]

Johnson says he thinks the new sea-level canal being planned can be built on the site of the present Canal; but he promises that Panama will receive "adequate compensation for any economic damage suffered" if the new canal is built elsewhere. The implication of this promise is enormous. Panama's two largest cities—Colon and Panama City, at the Pacific and Atlantic terminals of the Panama Canal—will die if a bigger Canal is built elsewhere. Johnson's promise of "adequate compensation" can mean nothing less than putting Panama's two major cities on the American dole forever.[9]

On October 7, 1965, Diogenes de la Rosa (an admitted marxist who is Panama's negotiator in treaty talks with the U.S.) spoke to the Panama National Assembly, giving Panama's official reaction to the promises President Johnson had made on September 24. De la Rosa said that Panama's objective is "a Panamanian canal in Panamanian territory under the Panamanian flag." He acknowledged that in 1964, Panama's direct income from the Canal was $115.4 million, which generated activities totaling another $233 million for Panama. This income derived from the Panama Canal Zone was 39% of the Republic of Panama's gross national product ($578.8 million)—a "fearful figure," de la Rosa said.[10]

Panama demands that the U.S. continue to supply technology, experience, and money to operate the Canal, but under Panamanian direction and sovereignty, guaranteeing to Panama whatever economic benefits Panama *feels she should receive.* Panama also demands that we pay for the privilege of rendering such vital services to Panama by: (1) constructing another bridge across the Canal—this one on the Atlantic side; (2) providing ports, piers, and auxiliary installations for the cities of Panama and Colon; (3) improving and expanding our facilities for furnishing sanitary water to the Republic of Panama; (4) providing short-range and long-range "training of Panamanians in all occupations." [10] In other words, they want us to pay for a poverty program that will embrace the total population of Panama.

On February 3, 1966, Dr. Arnulfo Arias (former President of Panama who was defeated by Marco A. Robles in 1964) said the Panamanian people will accept no treaty with the U.S. which is negotiated by the Robles administration. Asked whether he would support a Robles-negotiated treaty that conformed with his own position, Arias said, facetiously:

> "If the treaty is very good—if they give us a few little things like New York City—we accept it." [11]

When the January, 1964, riots erupted in Panama, a propaganda campaign *against* the Panama Canal erupted in the United States. The theme of the campaign was that the Panama Canal, great in its time but now inadequate and obsolete, should be replaced with a larger sea-level canal. On September 2, 1964, Congress hastily passed a bill appropriating a large amount of tax money for studies of sea-level canal alternatives to the present Canal.[12]

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[1] "La Crosse Man, Caught in Panama Riots, Writes Home," by Don Athnos, *The La Crosse Tribune*, January 30, 1964, p. 1 and the editorial page

[2] "Johnson Talk on Panama," *The New York Times*, January 24, 1964, p. 13.

[3] "Texts on Panama Accord," *The New York Times*, April 4, 1964, p. 2

[4] "Humble Pie," editorial, *The Dallas Morning News*, April 28, 1964, Sec. 4, p. 2

[5] "RP Needs Bigger Role in PC, Alliance Says," *Panama American*, July 10, 1964, p. 1

[6] "Shift Zonians To RP, Levy Taxes, RP Asks," *Panama American*, July 15, 1964, p. 1

[7] "U.S. Decides To Dig A New Canal At Sea Level In Latin America and Renegotiate Panama Pact," by Tad Szulc, *The New York Times*, December 19, 1964, pp. 1, 10

[8] "U.S. to Scrap 1903 Treaty With Panama," by Mike Quinn, *The Dallas Morning News*, September 25, 1965, p. 1

[9] "U.S. Giving Up Canal," by Michael Pakenham and Jules DuBois, *Chicago Tribune*, September 25, 1965, pp. 1, 2

[10] "RP's Sweeping Treaty Agenda Revealed," *Star & Herald* (English-language newspaper published in Panama), October 8, 1965, pp. 1, 8

[11] "Arias Says Government Lacks Support To Get Treaty Passed," *Star & Herald*, February 4, 1966, p. 1 ff.

The propaganda (preparing Americans to accept without protest the giveaway of one of their most valuable possessions, by convincing them it is no longer useful) does not recognize, much less answer, the critical question: If our government will not hold on to the Panama Canal which it has owned and operated for 52 years, will our government protect a multi-billion-dollar investment in a new canal?

Surrendering our Canal Zone territory and giving away our present Canal will whet foreign appetites for more. If we build a new canal (in Panama or elsewhere in Central America) the nation that provides the right-of-way will demand full sovereignty and ownership.

In all Central American nations where a sea-level canal might be built, general political instability is so commonplace, and communist influence so strong, that a canal operated under *any* authority except the *exclusive* authority of the United States would be a detriment, not an asset, to our nation.

From the day the Republic of Panama was born, her economy has revolved around benefits provided by the United States. Her military security, and the health of her people, depend on us. Our treatment of Panama has *always* been magnanimous. Our only disservice to that nation has resulted from our government's efforts to comply with the outrageous demands of Panama politicians—thus encouraging them to keep their country in turmoil, making it profitable for them to play politics with the "yankee imperialism" propaganda of communism.

The treaty of 1903—the birth certificate of the Republic of Panama—did not give us too much in comparison with what Panama got.

When we acquired right to build the Canal, we accepted responsibility to maintain, operate, and defend it. A vulnerable, critically-important, ten-mile-wide strip of land such as the Canal Zone cannot be easily defended by military bases confined within the strip itself. Our government did not insist on a wider Canal Zone in 1903, because the Treaty gave us the right to *acquire any property anywhere in Panama* which might be needed for operation, sanitation, or defense of the Canal.

In the treaty of 1936–39 and in the treaty of 1955, the Republic of Panama promised to cooperate in every way feasible to demonstrate mutual understanding and cooperation between the two countries and to strengthen bonds of understanding and friendship between their respective peoples.

Panama has blatantly and continuously violated the expressed intent of both treaties. Hence, we should declare both treaties null and void. We should return to the terms of the original treaty of 1903, and enforce them meticulously, with the military might of our nation if necessary.

The present Panama Canal is not obsolete. It is too small for a few of our aircraft carriers, but will handle most of our naval craft and commercial vessels. We should keep the Canal, as well as the Zone surrounding it, exclusively under our jurisdiction and control, making whatever improvements *our* national interests may require. We do not need the consent or approval of Panama. All we need is an aroused and determined public which will compel our government to assert our national rights.

Suggestion: Begin *now* demanding that Congress stop spending tax money on plans for a new transisthmian canal. Begin *now* bombarding U.S. Senators with demands that the Senate reject the new U.S.-Panama treaty when President Johnson submits it.

A DAY TO REMEMBER

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RODINO. Mr. Speaker, last December 5 was a landmark day in the history of Montclair, N.J. For it was on that day that Lt. Col. Edwin E. (Buzz) Aldrin returned to his hometown to receive a hero's welcome. There were numerous difficulties in arranging a reception for this courageous American astronaut, but I am proud to say the citizens of Montclair met the challenge with superb ability and speed. I would like to include in the RECORD an editorial from the Montclair Times of December 15 commenting on this historic occasion and the local effort which made possible this unforgettable event. As the editorial concludes, it was "a day which showed that this community, given a good reason and a sound purpose, can do a matchless job."

The editorial follows:

A DAY TO REMEMBER

In its constant effort for perfection, Montclair has never come closer than it did on Dec. 5 when Lieutenant Colonel Edwin E. (Buzz) Aldrin returned home as the principal figure in a welcome whose size and warmth surprised even him.

There were all sorts of potential obstacles when the idea was first broached by Commissioner Theodore MacLachlan who became chairman of the committee in charge. There was no assurance, for instance, that Buzz would be allowed to take the time for a hometown visit. Later, when the assurance arrived, the date was problematical. When the date was finally fixed, the time was short. In addition, Montclair had never done anything quite like it.

But Montclair's citizenry has talent, experienced talent, willing talent. This talent went to work with unstinting effort. Montclair's citizenry has warmth and pride in its own. Both were shown on Dec. 5, beyond any question.

The crowning touch was the honored guest, himself. He is an astronaut to the world, a lieutenant colonel to the Air Force, a doctor of philosophy to Massachusetts Institute of Technology. But to friends and associates of his boyhood he was, and will ever remain, Buzz.

Dec. 5 was a day Montclair will forever remember. Not only was it a day when one of its own sons was honored, but a day which showed that this community, given a good reason and a sound purpose, can do a matchless job.

NEED TO REVISE SELECTIVE SERVICE LAW—III

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the Defense Department has been caught between the long range need to tailor the military to the increased technological demands of warfare in a nuclear age and a flooding manpower pool. Military strategy and tactics are continually undergoing radical changes in anticipation of future developments. The machinery of modern defense is increasingly becoming fantastically more intricate and technical, and the weapons systems of the present age are regarded as but a passing stage in the headlong rush to technological discovery. America's defense is now so complex, its demands for highly skilled and specialized manpower so great, that the old-fashioned conscript army, in which many men serve short terms of duty, is becoming less and less suited to the needs of modern arms and it is becoming more and more expensive to maintain. The mission of the Defense Department is to make the National Defense Establishment as efficient as possible. Yet, strangely enough, the principles and practices which guide the recruitment, motivation, compensation, and development of men have not changed substantially or kept pace with other changes over the years.

The principles upon which our military conscription are based have not received a public airing since 1951. Congress has not been willing to take the responsibility of trying new approaches to manpower procurement, or, for the most part, even admit that the situation now may be too complex to rely upon a conscription policy developed primarily for a total mobilization situation. It has been clear for some time, however, that the inequities arising from the present law have bred dissatisfaction and cynicism.

There have been, in the past, too many piecemeal investigations of the military manpower problem. If there is to be an improvement upon the allocation of our human resources, we must devote more thought and study to our present and future needs. Congress should start now to anticipate tomorrow's difficulties with an extensive and comprehensive study of the procurement policies and needs of the Military Establishment.

ARE WE ON THE BRINK OF ANOTHER ARMS RACE?

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, undoubtedly one of the main issues in the foreign policy field to confront the 90th Congress will be the question of whether the United States should promptly embark on the deployment of the antiballistic missile system.

My own conviction is that we should find some other way to respond to the reports that the Soviets have begun to construct such a system. Quite possibly, this is an area where our effort should be concentrated on seeking to slow down the arms race by including the question of antiballistic systems in the agenda of our arms control discussions. The alternative would seem to be for us to embark, at enormous expense, on a new phase of the arms race, which is likely in the long run, to provide increased, rather than lessened danger, of a nuclear holocaust.

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[12] Help! Save The Panama Canal," by Harold Lord Varney, *American Opinion* reprint, March, 1965, 16 pp.

Yesterday the New York Times magazine contained a most interesting discussion of the subject by Roswell L. Gilpatric, of New York, who served as Under Secretary of the Air Force under President Truman and President Eisenhower and as Deputy Secretary of Defense under President Kennedy and President Johnson. This well-reasoned article is, I believe, worth careful study by all those who have an interest in this most vital issue.

I insert it herewith:

Are We on the Brink Of Another Arms Race?

(By Roswell L. Gilpatric)

For many people, the idea of an "arms race" acquired its sinister connotation some 20 years ago with the beginning of the nuclear-weapons age. Yet in fact rivalry in arms, even in its earlier and simpler manifestations, has alway been a bane of mankind. Whenever two nations have found themselves in competition to develop, produce and deploy new arms, the results have been to divert national energy, resources and time from peaceful uses, to exacerbate relations between those nations in other fields by engendering fear and distrust, and, above all, to provide the ingredients of easily ignited conflict.

Notwithstanding the almost universal desire to contain competitive armament struggles, our generation has never been free of them. Since World War II the United States has gone through two cycles of competition with the Soviet Union in strategic armaments, and the signs are multiplying that we may be on the brink of engaging in still another arms race.

The first step-up in U.S. armaments after World War II grew out of Soviet actions and attitudes during the Berlin blockade of 1948–49 and the general intransigence of the Stalin regime on all international-security issues. When it became evident that the United States would have to provide itself with a strategic deterrent against Soviet aggressiveness, a decision was taken in the early nineteen-fifties to develop and produce a post-war generation of medium- and long-range jet bombers, first the subsonic B-47's and B-52's and later the supersonic B-58's. These manned-bomber programs were paralleled by other major technological advances, such as the development of more compact nuclear weapons through improvement in the yield-to-weight ratio of atomic warheads, and also by the production of jet tankers and the introduction of air-refueling techniques to make it possible for our bomber fleets to reach the heartland of Russia.

The Soviets reacted in two ways. First, they developed their own fleet of medium- and long-range bombers, the so-called Bears and Bisons; second, they installed elaborate defensive systems consisting of wide belts of antiaircraft cannon and missile emplacements supplemented by large fleets of interceptor aircraft.

These moves, in turn, led to extensive U.S. countermeasures, including the establishment of a far-flung radar network, known as the Distant Early Warning Line, whose outer perimeter extended from Alaska across the northern reaches of Canada to Greenland, Picket ships and plane-borne radar extended the bomber-warning systems along both the East and West Coasts. The U.S. also set up, under joint command with Canada, numerous air-defense centers consisting of fighter aircraft and antibomber surface-to-air missiles. Finally, to tie together all of the elements in this vast complex for the defense of North America, there was installed during the mid-nineteen-fifties what was called the Semi-Automatic Ground Environment (SAGE) system.

All these offensive and defensive measures cost the U.S. many billions of dollars before much of the equipment involved was rendered obsolete by the advancing state of the military art.

From the start of the first post-World War II arms race, fundamental differences became apparent in the Soviet and U.S. responses to each other's strategic-weapons programs. The U.S. sought to emphasize and to invest more of its resources in offensive capabilities, whereas the Soviets have always stressed defensive measures. In consequence, as the Russians built up stronger defenses, the U.S. added to the numbers of its strategic forces and provided them with the capacity to penetrate Soviet defenses. At the same time we learned that beyond a certain level of defense, the cost advantage lies increasingly with offense.

The next lap in the arms race, beginning in the late fifties and continuing into the early sixties, was characterized chiefly by a partial shift from manned bombers to ballistic missiles, in both offensive and defensive roles, and by improved intelligence through satellite-based reconnaissance about what the other power was up to. After what at first appeared to be, but never in fact materialized as, an early Soviet lead—the so-called "missile gap" of 1950 and 1960—the U.S. forged ahead in both the quantity and the quality of its intercontinental ballistic missiles (ICBM's).

Quickly on the heels of the first generation, liquid-fueled Atlas and Titan missiles, launched from "soft"—that is, vulnerable—land-based sites, came the Minuteman and Polaris families of ICBM's solid-fueled and fired either from "hardened"—protected—underground silos or underwater from submarines. With a force destined soon to comprise 1,000 Minutemen and 656 Polaris missiles, U.S. ICBM's have consistently outnumbered the Soviet missile force by a ratio of 3 or 4 to 1. Moreover, for some time Soviet missiles were of less advanced types, being liquid-fueled and deployed in soft or semiprotected sites and hence vulnerable to attack.

During this same period of the early nineteen-sixties, both U.S. and Soviet defenses against bomber attacks were strengthened by the development and installation of successively improved models of surface-to-air missiles of which, characteristically, the Soviets deployed by far the greatest number. To cope with toughter Soviet defenses, U.S. bombers were modified to carry air-launched missiles in addition to gravity bombs and were equipped with electronic countermeasures to confuse Russian radar.

Both sides began developing antiballistic missile (ABM) systems, but it was only toward the end of 1966 that our Government acknowledged publicly that the Soviets had moved from the development stage to the quantity production and deployment of ABM's. In contrast, the U.S. has kept its ABM effort at the engineering design and development level and continued to place its principal reliance on the capacity of its strategic-weapons-delivery systems, whether bombers or missiles, to penetrate any type of Soviet defense, no matter how sophisticated.

After the Russians had been stood down during the Cuban missile crisis of 1962 and had reached an accord with the U.S. for a partial test ban treaty in 1963, it appeared that the Soviets might accept the then-existing military equation with the U.S. and not challenge us to another round in the strategic arms race.

For a period after the present Soviet leadership headed by Brezhnev and Kosygin took over from Khrushchev, it seemed to be Soviet policy to seek a *détente* with the U.S. Our Government therefore felt safe in leveling off its strategic forces at least until the time—not expected before 1975–80—when the Chinese Communists might develop their own nuclear weapons to the point of being able to threaten the continental United States.

As 1966 drew to a close, however, the American people were told that not only were the Soviets proceeding with a comprehensive installation of ABM's, but in addition were setting out to build a larger force of solid-fueled and invulnerably sited ballistic missiles. Such a build-up might, it was indicated, reach a point, beginning in 1968, where the U.S. strategic force of some 1,650 Minutemen and Polaris missiles would no longer enjoy its present overwhelming margin of superiority.

It thus became apparent that, in determining how to respond to these new developments, the U.S. is once again facing the possibility of a stepped-up arms race with the Soviet Union of even more critical and dangerous proportions than the two previous cycles.

As he reviews the coming year's military proposals and budgets, President Johnson is therefore confronted with some hard choices regarding new weapons systems. Among them are the following:

(1) Should the U. S. now produce and deploy, either on a full or limited scale, an antiballistic missile system? The current version is known as the Nike X (consisting of two nuclear-tipped interceptor missiles, one short-range called Sprint and the other extended-range, the improved Zeus), supplemented with large numbers of a new high-performance interceptor aircraft, the F–12, and an extensive Civil Defense program for providing on a nationwide scale fallout shelter protection.

(2) Or should the U. S. instead rely for the maintenance of its "second strike" strategic deterrent on a new generation of ICBM's consisting of Minuteman III and Poseidon missiles, together referred to as Improved Capability Missiles (ICM's)—with the capacity to penetrate or saturate the new Soviet missile defenses?

(3) Should the U.S., in addition to procuring the new ICM's, equip its Air Force with quantities of an Advanced Manned Strategic Aircraft (AMSA) to take over the bomber role from the aging B–52 fleet and ultimately from the new supersonic jet bomber, the B–111, that will become operational a few years hence?

A go-ahead decision on the first, or the first and third, of these proposals will signalize a U. S. determination to do the Soviet Union one better in a new struggle for world power through force of arms and to base its relations with the Soviets more on a philosophy of conflict than on one of accommodation. Let us first consider the military implications of such a choice.

Defense Secretary McNamara states that the currently planned U.S. offensive force of missiles and bombers was specifically designed to hedge against several different contingencies, including the possibilities "first, that a Soviet ballistic-missile defense might be greater than expected by the intelligence estimates; and, second, that the Soviets might embark upon any one of several possible offensive build-ups, including variations in their target doctrine, variation in the technological sophistication of their weapons systems, and variations in the speed of deployment of those systems."

In thus taking into account possible Soviet threats over and beyond those projected in the latest national intelligence estimates, Secretary McNamara explains that "we have done so because an assured destruction capability, a capability to survive the first strike and survive with sufficient power to destroy the attacker, is the vital first objective which must be met in full regardless of the cost under all foreseeable circumstances and regardless of any difficulties involved."

His position is that, with the development of Minuteman III, the accelerated development of the Poseidon missile and moving ahead on new penetration aids to insure our weapons getting through any defenses the Soviets may put in place, the U.S. has in effect anticipated and insured against the latest moves by the Soviet Union. Notwithstanding a Russian ABM system and more and better Soviet ICBM's, he concludes that the U.S. strategic forces will continue to maintain their present power to survive a Soviet first strike with sufficient capability to destroy the attacker, which is the foundation of the deterrent power upon which our national security depends.

The conclusions of the Secretary of Defense are being severely questioned in a number of quarters. In the first place, there are indications that most of the professional military organization, from the Joint Chiefs of Staff on down, believes that the United States should go ahead with both production and deployment of an ABM system and also with a new generation of manned bombers as well as the new ICM's.

This military judgment will find strong support in the Congress, especially among the influential leaders of the Armed Forces committees, and will be backed by substantial sectors of public opinion, particularly in the South and on the Republican right. There is also likely to be considerable pressure from segments of the defense industry, backed by the communities that would benefit from increased armament production, for this nation to embark on a new round of strategic weapons building. It is possible that the Secretary of Defense's position may not enjoy undivided support even within the Johnson Administration.

But apart from the military implications of these new weapons choices, there are a number of political and economic issues which, so far as the public knows, may not have been fully considered.

If the U.S. decides to install ABM's to protect its population, should such systems also be placed in Europe, and if so, will not the countries on the other side of the Iron Curtain respond in kind? In that event, will the ABM's be furnished to our allies by ourselves, and to the bloc countries by the Soviets, and at whose cost?

Will our action to go ahead with an ABM deployment play into the hands of the Communist Chinese efforts to disrupt U.S.-U.S.S.R. relations? How far will we and the Soviets go beyond ABM's in building active defenses when the costs involved are measured by tens of billions of dollars, with enormous strategic implications and a long-lasting political impact?

The effects would be felt especially in Europe but also, as Communist Chinese nuclear capabilities develop, in India, Japan and other countries on the periphery of the Chinese mainland.

A new arms race will produce other casualties. Besides the hoped-for nuclear weapons nonproliferation treaty, toward which the Soviets and the U.S. have of late been making progress, there have long been under discussion between Russian and American disarmament negotiators a series of other arms-control measures. These include the extension of the partial test ban to include underground testing, the establishment of nuclear-free zones, a cut-off in the production of nuclear materials and a freeze on—or possibly a reduction in—strategic delivery vehicles.

In the event of a new arms race, all this effort, and the partial foundations thereby constructed for further disarmament moves, will go by the board, and whatever headway has been built up, both at the U.N. and in the 18-nation disarmament conference at Geneva, will be lost. Indeed, even if the Soviet Union and the U.S. should in their own interests come to terms on a nonproliferation treaty, it is hardly to be expected that the major nuclear have-not nations, such as India and Japan, will sign away their rights to join the nuclear club at a time when its two charter members, Russia and the U.S., are building up rather than cutting down their nuclear arsenals.

Still another danger inherent in a renewed arms race lies in its short-term effect in Europe. For the U.S. to press ahead with a new strategic armament program would further weaken the NATO alliance, whose last meeting in Paris stressed the twin themes of *détente* with the Soviet Union and the "diminished threat of military aggression" rather than the need for greater defensive measures. The alliance already under strain because of our allies' concern over the heavy U.S. involvement in the Vietnam war, would suffer another blow if U.S.-U.S.S.R. relations took a turn for the worse.

In approaching its decisions, the Administration will presumably take into account positive as well as negative emanations from the Soviet Union. Among the favorable developments in U.S.-U.S.S.R. relations are the recently announced agreements for commercial air services between the two countries and for banning weapons of mass destruction from outer space.

Apart from their intrinsic significance, these developments indicate that the Soviet Union has not considered itself entirely inhibited from reaching agreements with the U.S. despite its predicament over Vietnam. This condition cannot, however, be expected to last if the Soviets feel themselves put in the position of countenancing U.S. bombing raids in the Hanoi area which produce civilian casualties. Undoubtedly, the present state of U.S.-U.S.S.R. relations would rapidly worsen if a significant intensification occurred in the scale of our air attacks against North Vietnam.

At worst, Soviet intentions regarding a renewed arms race should be treated as ambivalent and unclear rather than entirely negative. Their ABM deployment can be accounted for otherwise than as indicating a desire to alter the strategic power balance. It not only is in keeping with the ultimate in defensive postures but may also have resulted from military pressures within the Soviet regime rather than from a far-reaching decision to abandon the *détente* objective.

The latest increase in the Soviet defense budget is likewise equivocal. The announced rate of increase, 8.2 per cent, is not in itself of menacing proportions, although in announcing the rise in defense spending the Soviet authorities spoke of "recently sharpened international tensions" and the increased "danger of a new world war" because of "aggressive acts" of U.S. "imperialists."

Aside from these vital questions affecting international relations, the effect on our economy of a U.S. decision to proceed with ABM deployment and new strategic weapons would be tremendous. Depending on the timing and extent of these programs, the U.S. defense budget would be inflated by at least $5-billion to $6-billion a year, with the probable result that the present level of military expenditure, which will stay in the $70-billion to $75-billion-a-year range during the period of the Vietnam war, would thereafter remain at that order of magnitude instead of receding to the pre-Vietnam budget level of around $50-billion a year.

The effect of this Federal spending and diversion of national resources might well be to reduce or delay further funding of U.S. space and supersonic transport programs as well as to forestall further financing of the Great Society programs such as antipoverty projects, Federal aid to education, demonstration cities and the like.

It is not, however, the economic cost of a decision to deploy ABM's as well as to all to the level of our bomber and missile forces that is the most disturbing aspect of a renewed arms race. With the U.S. gross national product estimated to rise to $790 billion during 1967 and to grow at 4 per cent a year thereafter, projecting defense expenditure at 9 per cent of G.N.P. (compared to 15 per cent of G.N.P. during the Korean War) would produce a defense budget of over $70-billion a year, which should not prove an intolerable burden on our economy. The price tag of another arms race, while staggering, is not in itself an argument against it.

What the United States faces is a major watershed in national security policy. Should it re-engage in an armament contest with the Soviet Union, or should it strive for more progress toward arms control and the substitution of political, economic and sociological measures for military force as means for insuring world peace?

In these terms, the question comes down to how the United States will exercise its acknowledged strength and world leadership—whether toward heightening the tension that will come from renewed emphasis on armaments and accelerated advances in weapons technology or in the direction of arms limitation and the solution of world problems through peaceful means.

Should the decision be reached during 1967 to proceed with any of the major new weapons systems now being pressed upon the President by some of his advisers, their opposite numbers in the Soviet would obviously be in a stronger position to insist on corresponding increases in Russian weapons projects.

The reaction in political terms would be even more dangerous, jeopardizing not only the *détente* so ardently sought after by our allies but also the fragile gains achieved through Soviet restraint in recent years in such troubled areas of the world as Africa, Latin America and on the India-Pakistan subcontinent.

The decisions which the President now faces are made doubly difficult by the national mood of frustration over the way the war is going in Vietnam. All-to-ready distrust of the Soviets' intentions, coupled with anger at their growing aid to Vietnam, would prompt many of our people to view with suspicion or antagonism a national policy of forbearance in dealing with the Soviet Union. For others, an effort to moderate the competition in arms would be regarded as a sign of weakness and a peril to our national security.

Yet President Johnson has recognized, as did President Kennedy, that if a third world war is to be avoided the United States, as the most advanced of the superpowers, must take the lead in demonstrating a willingness to practice self-discipline both in the use of force and in providing itself with the power to apply force. The present situation puts to a critical test our national determination not to be swerved from the rightness and sanity of that course.

REPORT ON VIETNAM

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BINGHAM. Mr. Speaker, early last December my wife and I visited Vietnam for almost a week. I sent back to the weekly newspapers in my district two reports on this visit, as follows:

Letter From Saigon, December 1966

We are leaving Vietnam today, after almost a week here, and, believe it or not, we are sorry to leave. We have met scores, perhaps hundreds, of Vietnamese and Americans that we liked and admired. They are working well together and they believe in what they are doing. To our own surprise, we can well understand what it is that causes many Americans, especially if they are working in civil action programs, to sign up for second and third tours of duty in Vietnam.

During our visit, we saw not only Saigon, but also Danang and Hue in the north. I was able to spend a day in the Mekong delta region southwest of Saigon and a morning at Vungtau, on the coast south of Saigon, where there is a huge training camp for the new Vietnamese "revolutionary development" teams. I met with Ambassador Lodge, General Westmoreland, and many other Americans, as well as with Vietnamese, both military and civilian.

I want to say at the outset that I have not changed my mind about the vital importance of finding a peaceful solution to the conflict or about the impossibility of concluding this war by a military victory in the usual sense. But I did reach some new conclusions about what is going on in South Vietnam itself which I will outline for you in my next letter.

In this letter, I should like to give you a few vignettes which will, I hope give you some idea of what our visit was like.

Saigon's Tansonhut airport, which we saw as we arrived and left, and several times in between, is said to be the busiest in the world. Aircraft of every size and shape—my wife called it "a zoo of airplanes"—are landing and taking off every few seconds, using merging and even crossing runways. The planes often seem to be tail-gating each other, but the accident rate is remarkably low, a tribute to the joint Vietnamese-American control-tower operation and to the skill of the pilots. The main airport building is crowded with GIs, most of them waiting to go on "R & R" (rest and recreation) in Bangkok or Hong Kong. Tansonhut airport was attacked while we were in Vietnam, but little damage was done. Eighteen Vietcong were killed and three captured.

In Saigon itself, the traffic has to be seen to be believed. Thousands of trucks, jeeps, cars, "cycles" (pedal-operated top-less hansom cabs), motor scooters, bicycles, and a few horse-drawn vehicles compete for driving space on the wholly insufficient and very dirty streets. Nobody pays attention to the center-line of a two way street, so that all are playing "chicken" (to see who will give way first) constantly. They do this with no change of expression and without shouting or getting angry. Among the serenely aggressive cyclists are many beautiful girls, gliding along in their lovely, full-length, billowing dress. To be sure, accidents are not infrequent, but most of the time the people get where they want to go. All this is characteristic of the Vietnamese people: they are proud, determined and courageous and, most of the time, effective.

Our American host and hostess in Saigon live in a downtown second-floor apartment in a building which they have owned for years. He is co-owner of an importing business. Their three children are now away at school but have spent long periods in Saigon. This family lives the normal routine of an American family abroad. They admit that their friends and relatives cannot understand why they choose to live in Saigon.

In Danang we stayed in the house of another old friend, a man who is head of our AID program for the region. His wife, under present policy, is not allowed to live there and has to stay in Bangkok where he visits her once a month or so. He thinks Danang is now safe enough for her at least to be allowed to visit. The evening we were there he happened to be giving a farewell party for the Marines' second in command. It was heartwarming to see the close relationship between the military and civilian personnel who have to work together.

That day Lieutenant-General Walt, Commanding Officer of the Marines in Vietnam, had given us an unexpected tour of the Danang area in his "helicopter." He also arranged for us to see a "Combined Action Company" (CAC) outpost where four or five Marine enlisted men and thirty or so Vietnamese militia live together and protect the security of the area together against guerrillas. In a village nearby, we were greeted with dazzling smiles from the school children, and we listened to them sing "Row Row Row Your Boat" led by a young Marine Captain who was in charge of civic action for the area.

We saw many schools built or under construction with materials supplied by USAID and labor donated by the local community. One such school, with 8 or 10 classrooms being built of reinforced concrete, was proudly shown me by a tough-looking Vietnamese major who has been given the job of district chief. (This word "chief," to the extent that it suggests a tribal chief, is wholly misleading; as used in Vietnam, it is based on the French word "chef" and simply means "head" or perhaps "governor".) Laying brick at the school were, working side by side, parents of the children and local militiamen. The U.S. had supplied most of the materials and would supply many of the paper-back textbooks (nine million of these have already been distributed in Vietnam by USAID; they are written by Vietnamese; we help with the layout and pay for the paper and printing). Like virtually every building in the delta countryside at this time of year, the school was surrounded by flooded rice fields and had to be reached from the road by a little causeway.

Not all sights were so pleasant, by any means. For example, a sizeable hospital in Danang was filled to over-flowing with civilian casualties of the fighting. A general practitioner from North Carolina, who volunteered for a year, showed us around. He was full of praise for the job an AMA-recruited team of surgeons was doing. The hospital was pleasantly casual with lots of family members visiting. One little boy of about nine followed us about on crutches, cheerfully practising his few words of English. His right foot was gone.

Much more encouraging was the hour we spent at a receiving station for Vietcongs who come in under the "Chu Hoy" (open arms) program. We talked to a highly sensitive Major from Boston in charge, to his Vietnamese counterpart, and to two of the "returnees," who seemed bright and cheerful in their new status. They said, in response to questions, that they had been conscripted into the Vietcong from their villages. (Often this is the case, but we were aware that they might be saying this just to please us.) In recent months, the flow of "chu hoys" has grown rapidly. By the end of this month, some 16,000 will have come in during 1966. They are retrained and settled in jobs or areas where they will hopefully be safe from Vietcong retaliation.

The U.S. is helping with teacher training in a big way, to staff the thousands of new schools being built. In the delta town of Vinh hong, I watched a young Negro girl from Michigan teaching English to a class of young men and women in a normal school. She is doing a two-year stint with the International Volunteer Service, a kind of smaller, privately run Peace Corps that is doing a fine job in Vietnam and Laos.

The only mishap that occurred on the trip was when one of our pilots (we had to fly by small plane or "chopper" everywhere, because most of the roads are still considered insecure) got his face scalded when he opened a thermos of hot water for coffee at high altitude and the pressure blew the water all over him!

On several occasions, I sought out and met boys from the Bronx. These were all in the Armed Services and seemed to be getting along fine. I said I would be glad to call their parents when I got back and I am looking forward to doing so."

II. Final Report on Vietnam, December 1966

Our strongest single feeling about Vietnam was one of admiration and indeed affection for virtually all the Americans and Vietnamese we met there, both military and civilian. They are working together with skill and dedication at a task they believe in, cheerfully accepting the risks involved. That task (for we were looking primarily at the civil rather than the purely military side) is the political, economic and social development of a country in the midst of a war.

(The last time we had had a similar feeling of inspiration from observing a gigantic effort being made under the threat of danger was when we first visited Israel in 1952, when Israel's survival was even more in danger than it is today.)

The size and scope of the USAID program in Vietnam is often not realized in the U.S. We are, for instance, helping with the construction of about 2,000 classrooms this year (mainly by providing the building materials; most of the labor is contributed by the town and village people themselves). We are helping to train the teachers needed (about 3200 in 1966) and to print the paperback textbooks.

Through representatives located in every one of South Vietnam's 44 provinces, and who work with the Vietnamese provincial governors, USAID is providing millions of dollars worth of materials for local self-help projects; depending upon what the village or hamlet councils decide they want most, these can be, in addition to schools, concrete washing platforms at the river's edge, basic housing, wells, market places, simple clinic dispensaries.

Our medical-surgical teams, along with similar teams from a number of European and Asian countries, are caring for civilian patients and upgrading standards of care in most of the province hospitals. Hundreds of American youngsters, who have joined the International Volunteers Service (like the Peace Corps Volunteers in other countries), are living in small towns and villages around the country, teaching, working with farmers, helping with community development.

With advice and logistical and financial support, the U.S. is helping the Vietnamese government with the training of hundreds of 59-man "revolutionary development" teams to work in rural areas at the complex job of defense against terrorism combined with civic progress. The main training camp at Vungtau, south of Saigon, has 5,000 young men, mostly with a fourth or fifth grade education, and several hundred young women, currently engaged in a 14-week course.

When they go to live in the villages to which they will be assigned for 3 to 6 months at a time, their main objective will be to give the villagers a sense of identification with their own government as an entity of which they are a part and which wants to and can help them to achieve their own local goals. (Historically, the Vietnamese villagers have regarded the central government as a foreign agency that brought only trouble—tax collectors, conscriptors, and badly behaved soldiers.)

The biggest obstacle to success in all of these efforts is lack of security. While in recent months, our forces, with help from the Vietnamese army, have stopped cold any effective action by the Viet Cong "main forces" and North Vietnamese Army units, the problem of continued VC guerrilla activity in the cities, villages and countryside has not been solved; it is in fact not much better than it was a year or 18 months ago when the overall military situation was much worse.

Vietcong guerrillas can and do carry out limited operations in Saigon and other cities; they make most country highways unsafe for unescorted Vietnamese government or American travelers; they effectively control a large percentage of the hamlets and they can and do conduct raids and assassinate local officials in many if not most of the rest.

Local villagers that are determined to prevent this kind of terrorism can do so, because they can always identify VC (better than city people can) and report them to the authorities. Thus the VC can do nothing in the area where the members of the strongly anti-communist Hoa-Hao sect live.

Most villagers are not yet that highly motivated. Hopefully, they will be in time, if the "revolutionary development" program succeeds in giving them a stake in their government, a sense of participation, and also if the VC continues the kind of senseless terrorism that creates antagonism and that is now increasingly common (such as blowing up a local passenger bus jammed with villagers).

Meanwhile, if the "revolutionary development" and other programs are to be able to operate, so as eventually to win the active support of the villagers, they must have better protection than they have now.

Providing this protection is the most urgent need in Vietnam at present, and it is a job that must be done by the Vietnamese army (American forces should usually be reserved for major military operations). For this task, which is irksome as well as dangerous, involving a lot of night duty, the Vietnamese army must be retrained. The Vietnamese troops must, above all, be taught to work with the villagers, and not to molest them. This retraining and re-orientation will take time and a lot of effort, on the part both of the Vietnamese government and the American military. I am afraid that the necessary priority has not yet been assigned to this task by either group.

On the political side much progress is being made. I am satisfied that the Constituent Assembly elections demonstrated wide-spread desire of the people to participate in the political process, in spite of threats by the VC, and in spite, in some cases, of actual VC firing at people waiting in line to vote. The voting did not, on the other hand, mean support for the Ky regime. We talked with some of the leading delegates to the Constituent Assembly, including the President, Than Khac Suu, and the well-known physician-politician, Dr. Phan Quang Dan. They are taking their work very seriously and making good progress. It is of the utmost importance that nothing be allowed to interfere with the further growth of a constitutional and basically democratic government in Vietnam. On the big question of how best to bring the war in Vietnam to an end, I am more convinced than ever that it cannot be done by a military victory in the usual sense. As one of our top generals put it to us, "this war will not be won by bullets."

Since U.S. military operations against major enemy units have been going so well, I see no need for intensification of our purely military efforts, and I would therefore oppose any such expansion or intensification as wasteful of human and economic resources and as risking a wider war. In Vietnam Americans and Vietnamese alike are prepared for a long war. They do not expect Hanoi to show any interest in negotiations, and almost without exception they favor our present policies, including bombing of the north (although some feel the cost of the latter is becoming excessive) they do not believe suspension of bombing or an offer for a mutual cease-fire would change Hanoi's attitude or bring about any lessening of military efforts by Hanoi or the VC.

In any case however, we simply cannot give up on the chance of achieving a cessation of hostilities (including local terrorism). A total cease-fire would be a blessing from a humanitarian point of view. It would also permit the work of political, economic, and social development in South Vietnam, which has now been well started, to go forward much more rapidly.

Accordingly, I feel that every step that might get negotiations started and the shooting stopped should be taken so long as we do nothing to jeopardize the right of the Vietnamese people to control their own destiny. One such step would be a clear statement by the U.S. that the N.L.F. would sit, in their own right, at the negotiating table. Another would be an offer of an indefinite mutual cease-fire, to include, necessarily, terrorist attacks. A third would be for an indefinite suspension of bombing in the north.

While I realize in the short-run such a suspension might mean greater difficulties (and higher casualties) for our forces in south Vietnam, I believe the effort must be made in the hope of saving many more lives, American and Vietnamese, in the long-run. Our newly re-elected Secretary-General of the U.N., U Thant, says our bombing of the north is an absolute block to any negotiations. Many others, including the Soviets, say the same thing. How can we know they are not right?

NATIONAL CONSUMER INFORMATION FOUNDATION

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, Congress has a special responsibility to seek new ways of enabling the American consumer to make intelligent, well-informed choices in the marketplace. It is the declared policy of Congress, as stated in the Fair Packaging and Labeling Act of 1966, that "informed consumers are essential to the fair and efficient functioning of the free market economy."

To give effect to that policy, I am introducing a bill today to establish a National Consumer Information Foundation. Its mission will be to develop and disseminate unbiased information about the performance, content, safety, and care characteristics of consumer products. In particular, the Foundation will be authorized to develop a system of information labeling which would be open to all manufacturers to join. Participating manufacturers would be authorized to attach a label to each product, the label bearing the seal of the Foundation and whatever information concerning the characteristics of the product was required by the Foundation.

Although initially launched with the Federal funds, the Foundation would be self-supporting—its income generated by the sale to manufacturers of the labeling tags. It would be managed by a Board of Directors appointed by the President with the advice and consent of the Senate.

The system to be known as "Info-Tag," resembling the British "Teltag," literally refers to a tag on the product which provides information about its performance. The voluntary labeling system proposed in the legislation would not grade or otherwise classify products as "best buys." But it would describe the characteristics of interest to the consumer, leaving the final choice or selection up to him. You might be interested in some examples of how it would work:

First. The Foundation, upon deciding that carpets should be more adequately labeled, would proceed to identify that product's most important performance characteristics. A carpet manufacturer interested in using the Foundation label would submit his product for testing. On the basis of its findings, the Foundation would then issue a label on which, for example, it might include information on the following characteristics: the durability of the rug, its color fastness, its resistance to stains, and its washability or cleanability. Depending on where the consumer wants to use the rug, he would determine which particular characteristics are relevant to his needs. For instance, in a rug to be used in a children's playroom he might be more interested in durability and washability than in any other characteristics.

Second. Electric coffee pot manufacturers wishing to use the Foundation label might be required to supply the following information for the label: how many cups of coffee the pot will make, how long it will take to percolate, the length of time the coffee stays warm once it is made, and whether or not the pot is immersible in water for cleaning. Here again, depending on the use intended, one consumer may be more interested in the length of time the coffee can be kept warm; another, with the time the coffee takes to percolate. Thus, the label enables the consumer to make an intelligent, informed choice on the basis of his particular requirements.

An objective and impartial labeling system such as this could be immensely useful to both consumers and manufacturers. For the consumer, it would provide the kind of hard information he rarely gets from advertising. For the manufacturer, the label, though not a mark of quality, would indicate that he has enough confidence in his product to declare its characteristics and is willing to adhere to the standards printed on the label. Such a system of voluntary labeling will facilitate competition among existing producers and foster entrance into the marketplace of small entrepreneurs now excluded because of prohibitive advertising requirement and costs.

I urge that Congress give favorable consideration to my bill during this session. The consumer is daily confronted by a bewildering array of choices between new materials, products, and services.

Given the complex and rapidly changing nature of our economy, his task will become even more difficult in the future. The Info-Tag system proposed here would bring to the consumer the information he needs to make an intelligent choice.

The text of the bill follows:

H.R. 2374

A bill to establish a National Consumer Information Foundation as an independent agency in the executive branch of the Federal Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SHORT TITLE

SECTION 1. This Act may be cited as the "National Info-Tag Act".

ESTABLISHMENT

SEC. 2. There is established in the executive branch of the Federal Government a foundation which shall be known as the National Consumer Information Foundation (hereafter in this Act referred to as the "Foundation").

BOARD OF DIRECTORS

SEC. 3. (a) The Foundation shall be headed by a Board of Directors composed of five Directors appointed by the President by and with the advice and consent of the Senate. The President shall designate one Director as Chairman of the Board. A vacancy in the Board of Directors shall be filled in the same manner as the original appointment was made.

(b)(1) Except as provided in paragraphs (2) and (3) of this subsection, Directors of the Foundation shall be appointed for terms of three years.

(2) Of the Directors first appointed, two shall be appointed for terms of one year, two shall be appointed for terms of two years, and one shall be appointed for a term of three years, as designated by the President at the time of appointment.

(3) Any Director of the Foundation appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A Director may serve after the expiration of his term until his successor has taken office.

(c) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(78) Directors, National Consumers Information Foundation."

(d) Three Directors of the Foundation shall constitute a quorum.

ADMINISTRATOR AND STAFF

SEC. 4. (a) The Foundation shall have an Administrator who shall be appointed by the Board of Directors. The Administrator shall administer the Foundation in accordance with directives of the Board of Directors.

(b) The Board of Directors may appoint and fix the compensation of such additional personnel as it deems advisable to carry out the provisions of this Act.

INFO-TAG SYSTEM

SEC. 5. (a) The Foundation shall establish and operate a system under which it may grant authority to a person who manufactures for sale at retail a nonperishable manufactured consumer product to affix to such product a label to be called an info-tag.

(b) The Foundation shall have the authority to develop and approve a standard info-tag which specifies the kind of information to be provided for each type of product for which info-tags are to be made available. A standard info-tag shall bear (1) the name, seal, or other distinctive mark of the Foundation and (2) such information with respect to performance, content, safety, durability, care, and other characteristics as the Foundation determines to be necessary or useful to permit a reasonably prudent consumer to evaluate a particular product for purposes of purchase.

(c) The standard info-tag for any type of product shall be developed by the Foundation after consultation with interested manufacturers, distributors, and users, and shall be prescribed in rules of the Foundation. The Foundation may, if it determines it to be in the public interest, prescribe data formulated by reputable standard-making bodies, including trade associations and similar groups.

(d) At least ninety days before any such rules are prescribed by the Foundation for any product, such rules shall be published in the Federal Register.

(e) Any person may file written objections to the adoption of any such rules until the sixtieth day after the date of publication of such proposed rules in the Federal Register. After reviewing such objections and other pertinent information, the Foundation may, by order, adopt and promulgate such rules, amend such rules, or refuse to adopt such rules. Such an order of the Foundation shall not be subject to review.

(f) The Foundation shall by rule establish schedules of fees and charges which shall be paid by persons participating or seeking participation in the info-tag system. Such fees and charges shall be related to the cost to the Foundation of carrying out the function or providing the materials or services for which they are paid, but shall include such surcharge as the Foundation determines to be equitable but necessary in order to place the Foundation on a self-sustaining financial basis.

(g) Before authority is granted to any applicant to affix info-tags to any product, the Foundation must (1) have on file a report from a laboratory maintained by it or a certified report from an independent testing laboratory determined by it to be reliable setting forth the information which should be on the info-tag to be affixed to such product, and (2) have received payment of all fees and charges fixed by it and due in connection with the granting of such authority.

(h) The Foundation shall not evaluate one product as being superior to or less expensive than another.

(i) The Foundation shall maintain constant surveillance over products to which info-tags are affixed to assure that such products conform to information on the info-tags affixed to them and may require additional testing to assure that specimens of the product to which an info-tag has been affixed conform in every respect with information on such info-tag.

(j) The Foundation may revoke or suspend authority granted under this section for willful or repeated violations of rules issued by the Foundation in connection with the info-tag system under this section.

(k) The Foundation may by rule exclude any nonperishable manufactured consumer product or class of such products from the info-tag system under this section if it determines that inclusion of such product or class of products would not be beneficial to a substantial number of the consumers of such product or class of products, or would not lend itself to such a system.

PENALTIES

SEC. 6. Whoever counterfeits an Info-Tag, or knowingly and willfully affixes an Info-Tag to any product other than a product with respect to which authority granted by the Foundation is in effect therefor, for the purpose of selling such product to another person, shall be fined not more than $5,000.00 or imprisoned not more than one year, or both.

POWERS

SEC. 7. For the purpose of carrying out its functions under section 5, the Foundation may—

(1) Establish and maintain a laboratory, reference library, and related facilities;

(2) Make such investigations as it deems necessary (a) to determine if any person has violated or is about to violate any provision of this Act or any rule or order of the Foundation or (b) to aid in enforcing this Act or in formulating rules or orders;

(3) Use, on a reimbursable basis, the services, equipment, personnel, supplies, and facilities of Federal departments and agencies and, on a reimbursable or other basis, other public or nonprofit persons, institutions, or organizations;

(4) Enter into and perform such contracts, leases, cooperative agreements, or other transactions as it may determine to be necessary on such terms as it may determine to be appropriate;

(5) Appoint such advisory committees and consultants for such periods of time as it determines;

(6) Make, issue, rescind, or amend rules governing the manner of its operation and the exercise of its functions;

(7) Publish and disseminate reports and publications;

(8) Establish an official seal which shall be judicially noticed;

(9) Establish and maintain such field offices in the United States and abroad as it may determine to be necessary; and

(10) Engage in, and support, by grant or contract, research with respect to, and development of, objective or quantitative standards for nonperishable manufactured consumer products.

ANNUAL REPORT

SEC. 8. The Foundation shall transmit to the President and the Congress in January of each year a report which shall include a comprehensive statement of the activities of the Foundation during the preceding calendar year, together with such recommendations for additional legislation as it may deem useful or necessary to carry out any of the provisions of this Act.

APPROPRIATIONS AUTHORIZED

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act until the Foundation is operating on a financially self-sustaining basis.

THE PROGRESS OF THE MERIT SYSTEM

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, it was my great privilege to listen to a most comprehensive, yet concise, history of the Civil Service Act of 1883, at the annual dinner of the American Federation of Government Employees, AFL–CIO, last Saturday evening, January 14, 1967, in observance of the 84th anniversary of the passage of the act and the fifth anniversary of the issuance of Executive Order No. 10988. The speaker was none other than our beloved Speaker of the House, the Honorable JOHN W. MCCORMACK. He was introduced by Mr. Ralph

Biser, national vice president of the association and later praised by Mr. John F. Griner, its national president. A crowd of over 1,500 Federal employees and their guests received the Speaker's message with great enthusiasm in a standing applause. It was clearly evident that John W. McCormack was held in the highest esteem and most beloved by those present. The words of Dr. Edward Gardiner Latch, Chaplain of the U.S. House of Representatives, in his invocation perhaps best expressed the prevailing sentiments when he said:

> We thank Thee for our Speaker—for his integrity of spirit, for his understanding heart, his sympathetic mind, his willingness to listen and yet to stand firm for what he believes is right. Underneath it all we thank Thee for his untiring and undying devotion to our Country. May his spirit be the spirit of us all.

Knowing that there are many who would want a copy of the Speaker's address, I have asked unanimous consent to insert it into the Record at this point. It will, I am sure, serve as a useful reference for all Members of Congress and those interested in the civil service. It follows:

The Civil Service: The Progress of the Merit System

(An address by the Honorable John W. McCormack, Speaker of the U.S. House of Representatives)

I am indeed pleased to be with you this evening. On this occasion, we celebrate the 84th anniversary of the establishment of a sound system of public service—the signing of the Civil Service Act. This one single event in 1883 provided the basis for Government employment policies which has stood the test of time and which remains valid in principle to this day. The act itself—although by no means a panacea for all of the ills which had plagued Government service until that time—was nonetheless a blueprint for the future, and, for the first time in our history, gave statutory recognition to the concept that appointment to government service ought to be based upon merit—rather than upon ability to pay or upon past political activity.

Concurrently, we also celebrate the fifth anniversary of the issuance of Executive Order 10988. This order, issued by President Kennedy in 1962, for the first time gave official recognition to right of Federal employees to be represented by employee organizations and provided for a form of collective bargaining, granting public employees the same protection in employee-management relations enjoyed by workers in private industry. The significant growth in the membership rolls of your own organization attest to the substantial effect that this order has had.

You who are here this evening represent two and a half million government employees who, like yourselves, benefit directly from what the Civil Service Act and Executive Order 10988 have accomplished.

The Nation, in turn, directly benefits, since it is only due to the efforts of dedicated, honest, and intelligent employees that the government is able to provide the multitude of services which its citizens expect—indeed, demand—of it. As the country grows in wealth, in population, and in world responsibility, more and more demands are made upon the government, and upon you as government employees. Yet had it not been for what was accomplished by the signing of the Civil Service Act, the superior talents which the Government so desperately needs might never have been encouraged into its service.

The establishment of a formal civil service system based upon merit did not occur overnight. It was a long and tedious journey—nor did that first act accomplish anywhere near the benefits which are enjoyed today, but it was the start, and as in the case of other great legislative advances held back for years through determined and selfish opposition, it was easier to make advances. The story of civil service reform in the United States is replete with some of the seamiest and most scandalous chapters in our history. Before we saw even the beginnings of a solid reform movement, the Government service had sunk to such an all-time low in prestige that Abraham Lincoln was caused to remark, "I'm afraid this thing is going to ruin republican Government, this incessant human wriggle and struggle for office."

The scandals of the spoils system of government appointments soil the early pages of our history. Even before the American Revolution, it was not uncommon that jobs in the British colonial service were given to political friends, mostly unqualified, or even sold to the highest bidder.

The framers of the Constitution quite specifically provided that certain Government officials—ambassadors, ministers, consuls, and judges of the Supreme Court—were to be appointed by the President with the advice and consent of the Senate. However, they were somewhat less specific about the method of appointing the remainder of the Government work force:

"The Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law or in the heads of departments."

For nearly 80 years thereafter, however, congress made little use of this constitutional grant of power, and the matter of filling governmental positions remained largely at the President's discretion.

In general, our early Presidents followed the precedent set by George Washington in granting appointments to Government service on an unofficial and—if not entirely pure—at least a relatively workable merit system. Washington himself made his appointments on the basis of a "fitness test" which inquired into the applicant's honesty, efficiency, and capability. Preference was given to former officers of the Revolutionary Army, but only if they had first passed the other tests of fitness.

Although following Washington's policy of appointment on the basis of fitness, the emergence of political parties added an additional dimension to certain appointments. On the eve of the Democratic-Republican Jefferson's taking office, in an attempt to retain some measure of Federalist control of the judiciary, a number of Federalists were appointed to circuit-court judgeships and justice of the peace positions. These were the famous "midnight appointments", and one, the appointment of William Marbury as justice of the peace in the District of Columbia, was the basis of a most important Supreme Court decision in the Nation's history.

Throughout the following decades, however, the system worked with a reasonable minimum of abuses, having in mind the conditions that existed at that time. Although appointments were certainly made on the *basis of* political party affiliation, appointees were generally well-qualified, and incumbents were rarely removed from office arbitrarily without just cause.

We then turn the corner into what is known as the "dark ages of the spoils system." The use of patronage positions which was firmly established in many States and city governments as a weapon of party strength and control crept into the Federal Government and for over fifty years became destructive. Thus began more than sixty years of untrammeled greed and avarice in the securing of appointments to Government service. It was an era when exorbitant sums were paid for positions carrying small annual stipends—in many cases, of course, when the influence gained was well worth the price. It was an era when each change of administration brought about wholesale removal of Federal officials and appointment of party faithfuls to fill the vacancies. It was an era when—as the Nation was growing in population, wealth, and responsibility, and therefore needed the finest talents available—the Federal Government was staffed largely by incompetents who cared only for the personal advantage that could be derived from Government service.

By the time Lincoln took office, the clamour of office-seekers at the White House was so intense that they virtually dogged his every step. Engrossed with the cares of the Civil War on the one hand, and besieged by the hordes pleading for patronage on the other, his patience was sorely tried. While recovering from an attack of small pox, he is said to have remarked to an aide, "tell all the officeseekers to come in at once, for now I have something I can give to all of them."

The scandals caused by the spoils system in the post-Civil War years became so noxious that public opinion began to demand that something be done. President Grant, after several fruitless attempts to obtain a reform bill from Congress, finally succeeded on the closing day of the 1871 session in obtaining a bill which authorized him to "prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof." Under this power, the President appointed an "advisory board of the civil service," which recommended a merit system based on competitive examinations, classifications of positions for purposes of promotion, and a 6-month probationary period following appointment. The board functioned for two years, until its meager funds were eliminated by a Congress which was coming to appreciate the advantages that the spoils system provided it.

Reform of the civil service was ignored by Congress for the next several years. Although public groups formed to promote reform, and President Hayes did what he was able through Executive orders to establish a merit system of appointment, it took a Presidential assassination fully to awaken the realization that reform of the civil service could be avoided no longer.

Charles Giteau, an eccentric election worker in the 1880 campaign of President James Garfield, had been unsuccessful in his attempts to convince the President that for his efforts he deserved to be appointed to a consulship in Paris. On July 2 of 1881, as Garfield waited for a train in a Washington station, Giteau fired two bullets into the President which took his life in September of that year.

Three months later, Senator George H. Pendleton, of Ohio, introduced a bill drafted by the newly formed Civil Service Reform League. This bill looked likely to languish until organized public indignation forced civil service reform as a campaign issue in the fall elections of 1882. Congress was finally convinced. In December of that year, the Pendleton bill was passed by both Houses, and signed by President Arthur on *January 16, 1883*.

The new act, although far from perfect, nevertheless was a beginning. It established a Civil Service Commission of three members. It provided that appointments were to be made from those graded highest in merit examinations. It confirmed existing statutory veterans' preference provisions. And it stipulated that the recommendation of an applicant by a Member of Congress could be based only upon character and residence.

At the beginning, however, only 13,900 positions were covered by the new merit system—representing a mere 10.5 percent of the total Government work force. Thus, the new act did not, in a single stroke, abolish the spoils system, but the intervening 84 years have produced, first, a steady increase in the number of Government positions covered by civil service, and, second, a constant improvement of the benefits to those covered by the system.

In 1888, President Cleveland added 5,3000 positions of the railway mail service to coverage by the classified system. In succeeding years, the Indian Service, the Fish Commission, additional post offices, and the Weather Bureau were "blanketed in." President Theodore Roosevelt, himself a Civil Service Commissioner, was a stanch advocate of civil service reform. By the end of his administration as President, the percentage of Federal positions placed on a competitive basis was 63.9 percent—contrasted to the 10.5 percent which were covered by the original act. The trend has continued steadily, spurred on by the demands of the great depression, World War II, governments and the expanded postwar programs in space, the military, and welfare. Today, over two and a half million persons have received and maintained their appointments to Government service under the basic rules formulated by the act of 1883.

Employee benefits, too, have kept pace. In the last decade alone, seven pieces of legislation providing for increased salary scales for Federal employees have been enacted. To encourage and maintain the finest possible talents in Government service, the pay must be at least competitive with that in the private sector of our economy.

Programs of health and life insurance and a retirement system have been added for the protection of Government employees. On-the-job training programs, incentive programs, equal opportunity for all regardless of race, creed, or sex—these are all positive concepts which we take for granted today, but which have taken years of the combined efforts of many people to accomplish.

As Government employees, you here this evening represent a corps of the best trained, best qualified—and, I might add, enjoy more benefits—of any group of people which has ever served the U.S. Government. However, the job is not finished. It will take the continued efforts of all of us to insure that the Government service continues to be the proud profession it is today. The critical and ever-increasing demands made upon the Federal Government in this revolutionary age can be met only if the ablest and most competent and dedicated people can be attracted and retained in the Government service. And that is our charge—to protect and improve the system of merit which has taken so many years to accomplish.

EQUAL EMPLOYMENT OPPORTUNITY AMENDMENTS OF 1967

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WHITE. Mr. Speaker, this country was forged by the efforts of many peoples. Our Nation continues to be strengthened today by the amalgamation of peoples of many national origins. Our Constitution and Declaration of Independence recognize the value of all peoples and provide that each individual shall have the same opportunity to pursue the American dream. Crucial among the rights of each American is the equal opportunity to be productive and successful in his labors.

We have become aware that this equal opportunity of employment has not always been afforded to every group of citizens of the United States. The Congress recognizing this national shortcoming and seeking to correct it, created the Equal Employment Opportunity Commission in the Civil Rights Act of 1964. The Commission was designed to study problems of minority groups in securing equal employment opportunity and eliminate all discrimination specified by the act.

However, even in the establishment and operation of this agency of Government, there has been practiced an unconscious discrimination by excluding from the membership of this Commission representation and understanding of one of the principal minority groups of our country—those of our good Americans who are of Mexican descent.

These Americans seek and deserve the opportunity to fully participate in the work and advancement of our Nation. Their dedication to American ideals has been demonstrated again and again. Just one, but a very important example is their dedication to the defense of our country. It is well known that the rolls of honor of those killed in military action and those wounded in service to their country have a high percentage of Americans of Mexican descent. Eleven Congressional Medals of Honor for World War II and six for the Korean conflict were awarded to citizens of Mexican descent. Today in Vietnam members of this group continue to heroically defend our national interests.

These American citizens do not fail to rise to the needs of their country and their country must not fail to understand their needs.

Therefore, I have this day introduced a bill which calls for expansion by two members of the Equal Employment Opportunity Commission. The legislation expressly states that the introduction is to further eliminate discrimination in employment opportunities wherever it exists and to insure a full understanding of the problems of the citizens of the United States of Mexican descent.

The bill states that in making appointments to the Commission the President shall give due consideration, among other reasonable factors, to whether there is maximum feasible representation provided among the membership of the Commission for persons of all the various groups throughout the Nation, including large, identifiable, cohesive groups of national origin who as a minority group possess particular problems *pertinent to the purposes of this act.*

With the passage of this bill and the inclusion of an American of Mexican descent on the Equal Employment Opportunity Commission I am confident that this group of Americans will be able to add even greater strength to our Nation and more fully share in our successes.

PROPOSAL FOR NEW U.S. MINT IN CHICAGO

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was nc objection.

Mr. ANNUNIZIO. Mr. Speaker, today I introduced a bill to provide for the establishment of a U.S. Mint in Chicago, Ill. I am inserting into the Congressional Record a press release which was issued from my office today in order to explain to my colleagues in the House the merits and the need for this legislation.

My press release follows:

Congressman Annunzio Proposes New U.S. Mint in Chicago

Congressman Frank Annunzio, Democrat, of Chicago, a member of the House of Representatives Committee on Banking and Currency, has introduced legislation in the new Congress to construct a United States Mint in Chicago.

The legislation would authorize construction of a Chicago Mint to supplement the ultra-modern $37,000,000 Mint now being built at Philadelphia—the only Mint of its type currently authorized by law.

In addition to the old Philadelphia Mint that is soon to be replaced, other Mint facilities are operated at Denver and San Francisco. The Denver Mint would need extensive remodeling and expansion to meet future Mint requirements, Mr. Annunzio said, while the San Francisco operation—closed down during the Eisenhower Administration but re-opened in 1965 to meet heavy coinage demand—is legally authorized to continue as a temporary facility only until the coin shortage is completely overcome.

"Chicago is the perfect location for the kind of Mint this country will need for the coming decades," Congressman Annunzio declared. "Most of our coinage demand is in the area of the country east of the Mississippi. Thus, a Mint located in Chicago could ship coins into that areas as needed to supplement Philadelphia supplies, and to all parts of the country, from a central and economical location. Transportation costs are a tremendous factor in coin distribution, and Chicago's unequaled transportation facilities, as well as its strategic location, make it the perfect site for a second jet-age Mint."

In introducing his bill, Congressman Annunzio conceded that Western State Members of Congress will undoubtedly fight hard to keep their present Mint facilities in operation indefinitely, and to expand their production capabilities. He said there would probably be good reasons for retaining the older coinage equipment, at least on stand-by, even if a second ultramodern Mint is built at Chicago "because no one knows what future needs of the economy may be for coins in the operation of automatic vending equipment of all kinds."

"The abandonment of the San Francisco Mint was a big mistake a decade ago," he said. "When we needed its production in these last few years, to meet unprecedented coin demands, the equipment just wasn't there, and it took great imagination and enterprise to find usable presses and other machinery."

MORE COINS NEEDED

"I look forward confidently to a steadily expanding American economy, bringing more of the good things of life to more Americans. This will mean ever-greater use of coins to speed the flow of commerce. Extensively rebuilding the Denver Mint to make it more efficient would undoubtedly not be nearly as economic and practical as building a completely new plant—one which I hope to see come to Chicago."

Representative Annunzio, as a member of the Banking and Currency Committee, helped to shape the final form of the Coinage Act of 1965 which met a crisis in the world-wide silver supply shortage by authorizing new types of dimes, quarters and half-dollars using little or no silver. This law also authorized temporary resumption of coinage operations at the San Francisco Assay Office (the old Mint). The 1965 Act furthermore substantially increased the authorized ceiling on construction costs of the new Philadelphia Mint to permit installation of equipment necessary to handle all phases of the production of the new "clad" coins. At present, the bonded copper-nickel cladding on a copper base, used in the dime and quarter, and the copper-silver alloys used in the "sandwich" half-dollars must be purchased in strip form from private industry.

In the course of the development of the legislation which became the Coinage Act of 1965, Congressman Annunzio made a personal inspection of the old Philadelphia Mint leading to further study of the coinage needs which in turn led to his introduction of the bill to establish the world's most modern Mint in Chicago.

Although Congressman Annunzio's Committee handles all legislation dealing with coinage policy matters, the bill for a new Mint has been assigned under House rules to the Committee on Public Works, which has jurisdiction over all legislative proposals for construction of new public buildings. Mr. Annunzio said he will pursue every avenue for expediting the bill's consideration by the latter Committee, while utilizing his position on the Banking and Currency Committee to develop the facts pointing to the advantages of a Chicago location.

A LETTER TO A BOY IN VIETNAM

Mr. STUCKEY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PEPPER. Mr. Speaker, in this time of crisis and conflict in Vietnam we seldom read or hear a statement of compassion and understanding for the soldier who is carrying out the policies of this country in defending freedom against communistic aggression. This dirty war in Vietnam is on everyone's mind nowadays but I would like to call to my colleagues attention an editorial broadcast over WTVJ, channel 4, in Miami, by Mr. Ralph Renick.

Mr. Renick is a leading figure in the community in the south Florida area and WTVJ is one of the outstanding TV stations of its kind in the South. Ralph Renick is a past president of Radio TV News Directors Association. His thought-projecting editorial on this past Christmas Eve made many of us stop and think and pay tribute, as well as thanks, to those boys who are risking their lives so that we can enjoy a happy and prosperous Christmas with our loved ones.

Mr. Speaker I include Mr. Renick's editorial "A Letter to a Boy in Vietnam" at this point in the Record:

A Letter to a Boy in Vietnam

We have a letter from Mrs. Amber Mary Scott. She says her grandson James Donaldson is serving in Vietnam with an Air Force group setting up radio and TV stations there.

Mrs. Scott says after hearing and reading reports of our boys in the mud in Viet Nam she wondered what we could do to let them know we appreciate what they are doing for us and our country.

Mrs. Scott asks that I write a few words to Jim that he can read over the air to those lonely men so far from home.

Well Mrs. Scott this is not an easy assignment but I'll do the best I can. Here are a few words which I hope please you and Jim.

"Dear Jim: Your grandmother has written to me suggesting that perhaps during this season when everybody seems so intent on forgetting their troubles that I write to you in Viet Nam. I'll be honest, it's difficult to write these words from the comfort and safety here at home to someone who's got his life on the line every minute performing the hardest, roughest job in the world.

"I'm sure you know that those closest to you, your parents, grandparents, brothers, sisters, and sweethearts have their hearts with you this Christmas season as they do all the time, but maybe you'd be surprised to know that a lot of other citizens are thinking of you, too. You are not being taken for granted.

"My children are too young to be touched by this unhappy, dirty war in which you and your buddies are risking your lives but like most other parents I can imagine my feelings if my boy was serving in Viet Nam.

"This nation has never been quick to make war. Our citizen soldiers have always longed for home, not the battlefront. But since this country was founded it has been men like you that have preserved our heritage and made possible peace and freedom. Tomorrow it might be my boy doing the fighting.

"Forget what you hear about pickets and protests, the fact remains that all of us are aware of the debt we owe you. A debt we can never repay.

"I just hope that next Christmas we will have an honorable peace in Viet Nam and you'll be back here for the holidays.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Pepper (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Monagan, for 1 hour, on January 17, and to revise and extend his remarks and include extraneous matter.

Mr. Hall, for 40 minutes, on Tuesday, January 17, and to revise and extend his remarks and include extraneous matter.

Mr. Gross, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Arends) and to include extraneous matter:)

Mr. Steiger of Wisconsin.

Mr. Mailliard.

Mr. Lipscomb.

(The following Member (at the request of Mr. Stuckey) and to include extraneous matter:)

Mr. Bingham.

ADJOURNMENT

Mr. STUCKEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 17, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

199. A letter from the vice president, Chesapeake & Potomac Telephone Co., transmitting the annual report of the Chesapeake & Potomac Telephone Co. for the year 1966; to the Committee on the District of Columbia.

200. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath; to the Committee on the District of Columbia.

201. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia; to the Committee on the District of Columbia.

202. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia"; to the Committee on the District of Columbia.

203. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended, and the Motor Vehicle Safety Responsibility Act of the District of Columbia, as amended, so as to bring within the provisions of such acts any person operating a motor vehicle while under the influence of a drug rendering such person incapable of operating the motor vehicle safely; to the Committee on the District of Columbia.

204. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended; to the Committee on the District of Columbia.

205. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the registration of names assumed for the purposes of trade or business in the District of Columbia; to the Committee on the District of Columbia.

206. A letter from the President, Board of Commissioners, District of Columbia, trans-

mitting a draft of proposed legislation to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1915; to the Committee on the District of Columbia.

207. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend an act to provide for the establishment of a public crematorium in the District of Columbia; to the Committee on the District of Columbia.

208. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer; to the Committee on the District of Columbia.

209. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended; to the Committee on the District of Columbia.

210. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended; to the Committee on the District of Columbia.

211. A letter from the Comptroller General of the United States, transmitting the annual report on the activities of the U.S. General Accounting Office during the fiscal year ended June 30, 1966, pursuant to the provisions of section 312(a) of the Budget and Accounting Act of 1921; to the Committee on Government Operations.

212. A letter from the Comptroller General of the United States, transmitting a report of need for prompt adjustment in compensation payments to injured Federal employees from total to partial disability rates, Bureau of Employees' Compensation, Department of Labor; to the Committee on Government Operations.

213. A letter from the Secretary of Commerce, transmitting the ninth semiannual report on the activities of the U.S. Travel Service, pursuant to the provisions of section 5 of the International Travel Act of 1961; to the Committee on Interstate and Foreign Commerce.

214. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend section 27 of the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

215. A letter from the Assistant Administrator for Legislative Affairs, National Aeronautics and Space Administration, transmitting a report with respect to certain civilian positions established, pursuant to the provisions of section 1581, title 10, United States Code; to the Committee on Post Office and Civil Service.

216. A letter from the Librarian of Congress, transmitting a report of positions in the Library of Congress in grades GS–16, GS–17, and GS–18, pursuant to the provisions of Public Law 89–632; to the Committee on Post Office and Civil Service.

217. A letter from the Secretary of the Treasury, transmitting a proposal to increase the debt limit; to the Committee on Ways and Means.

218. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to establish a working capital fund for the Department of the Treasury; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 2289. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. BLATNIK:

H.R. 2290. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H.R. 2291. A bill to provide for the establishment of a national cemetery in Los Angeles County in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 2292. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 2293. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 2294. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans to include flight training in such program, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURKE of Massachusetts:

H.R. 2295. A bill to extend to nonprofit retirement organizations certain third-class mailing privileges; to the Committee on Post Office and Civil Service.

H.R. 2296. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 2297. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

H.R. 2298. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 2299. A bill to amend the tariff schedules of the United States with respect to the rates of duty on certain fabrics containing wool and silk; to the Committee on Ways and Means.

By Mr. CABELL:

H.R. 2300. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 2301. A bill to provide for the issuance of a volunteer's medal to each individual who enlists in the Armed Forces of the United States during a period of war or armed conflict involving the United States; to the Committee on Armed Services.

By Mr. CLARK:

H.R. 2302. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 2303. A bill to provide that the highway running from Tampa, Fla., and St. Petersburg, Fla., through Bradenton, Fla., Sarasota, Fla., Venice, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Fort Lauderdale, Fla., and Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2304. A bill to amend section 129(b) of title 23, United States Code, relating to toll roads, bridges, and tunnels on the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. EDWARDS of California:

H.R. 2305. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2306. A bill to provide for Federal lotteries to raise funds to provide for a reduction in the national debt and a reduction in the Federal individual income taxes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 2307. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2308. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 2309. A bill to provide that Interstate Route No. 80 shall be known as the 80th Division Memorial Highway; to the Committee on Public Works.

By Mr. HORTON:

H.R. 2310. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 2311. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H.R. 2312. A bill to amend the Housing Act of 1949 to provide that the full cost of opening, widening, and improving streets along the boundary of an urban renewal project shall be includible as a part of the local grant-in-aid for such project; to the Committee on Banking and Currency.

H.R. 2313. A bill to amend the National Housing Act to fix the premium for the insurance of cooperative housing mortgages at the minimum permissible level (one-fourth of 1 percent per annum); to the Committee on Banking and Currency.

H.R. 2314. A bill to amend section 608 of the National Housing Act to prevent the charging of excessive rents, resulting from unduly high estimates of costs, in the case of property covered by a mortgage insured under such section; to the Committee on Banking and Currency.

H.R. 2315. A bill to provide all citizens of the District of Columbia, particularly its low- and moderate-income families, equal access to and participation in the arts by establishing neighborhood art centers and supporting neighborhood advisory and working art groups, and by providing greater support for the National Symphony Orchestra, the Corcoran Gallery of Art, the Children's Theater, and other nonprofit art programs of the District of Columbia; to the Committee on the District of Columbia.

H.R. 2316. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2317. A bill relating to the practice of law in the District of Columbia; to the Committee on the District Columbia.

H.R. 2318. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit false advertising in the District of Columbia relating to alcoholic beverages; to the Committee on the District of Columbia.

H.R. 2319. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 with respect to the deduction of medical expenses; to the Committee on the District of Columbia.

H.R. 2320. A bill to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2321. A bill to provide for the establishment of a municipal arts council representative of local nonprofit organizations and institutions, including educational organizations and institutions, in the District of Columbia with active programs in the arts, to set aside for such local cultural activities 1 mill out of each $1 of tax revenue of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2322. A bill to authorize the Commissioners of the District of Columbia to acquire, contract, operate, and regulate a public offstreet parking facility; to the Committee on the District of Columbia.

H.R. 2323. A bill to amend the District of Columbia Redevelopment Act of 1945; to the Committee on the District of Columbia.

H.R. 2324. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

H.R. 2325. A bill to require the registration of pistols in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2326. A bill to amend the District of Columbia Alcoholic Beverage Control Act for the purpose of prohibiting certain sales below cost; to the Committee on the District of Columbia.

H.R. 2327. A bill to amend the District of Columbia Alcoholic Beverage Control Act for the purpose of prohibiting certain sales below cost; to the Committee on the District of Columbia.

H.R. 2328. A bill to provide certain incentives for the repair, improvement, renovation, and restoration of residential and commercial property under the tax laws of the District of Columbia, to provide that existing housing in urban renewal areas in the District of Columbia shall be rehabilitated, restored, and preserved in all possible cases, and for other purposes; to the Committee on the District of Columbia.

H.R. 2329. A bill to require proof of financial security with respect to each person who registers a motor vehicle in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2330. A bill to amend the act of July 8, 1932, relating to the control or possession in the District of Columbia of dangerous weapons, and for other purposes; to the Committee on the District of Columbia.

H.R. 2331. A bill to amend the District of Columbia Redevelopment Act of 1945, and for other purposes; to the Committee on the District of Columbia.

H.R. 2332. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

H.R. 2333. A bill to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substances to determine the alcoholic content of his blood, and for other purposes; to the Committee on the District of Columbia.

H.R. 2334. A bill to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs; to the Committee on the District of Columbia.

H.R. 2335. A bill to amend the act of July 8, 1932 (relating to dangerous weapons in the District of Columbia), to create a presumption in connection with the possession of certain dangerous weapons; to the Committee on the District of Columbia.

H.R. 2336. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide an exemption for students, and for other purposes; to the Committee on the District of Columbia.

H.R. 2337. A bill to license and regulate private employment agencies in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2338. A bill to permit certain proceedings supplementary to judgment in the U.S. District Court for the District of Columbia and in the municipal court for the District of Columbia; to the Committee on the District of Columbia.

H.R. 2339. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit certain advertising with respect to price, and to prohibit false advertising in the District of Columbia relating to alcoholic beverages; to the Committee on the District of Columbia.

H.R. 2340. A bill to amend the Federal Employees' Compensation Act to extend coverage to certain persons engaged in civil defense; to the Committee on Education and Labor.

H.R. 2341. A bill to amend the National Defense Education Act of 1958 to provide for a college scholarship program; to the Committee on Education and Labor.

H.R. 2342. A bill to encourage and promote the establishment of an Inter-American Court of Justice; to the Committee on Foreign Affairs.

H.R. 2343. A bill to amend the International Peace and Security Act of 1961 to provide for the establishment and support of a Western Hemisphere Police Force; to the Committee on Foreign Affairs.

H.R. 2344. A bill to create a National Peace Agency and to prescribe its functions; to the Committee on Foreign Affairs.

H.R. 2345. A bill to establish a Foreign Service Officers' Training Corps; to the Committee on Foreign Affairs.

H.R. 2346. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on House Administration.

H.R. 2347. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 2348. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing for fair competitive acts, practices, and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2349. A bill to designate the Tuesday next after the first Monday in November in every even numbered year as election day and to make it a legal public holiday; to the Committee on the Judiciary.

H.R. 2350. A bill to amend the Immigration and Nationality Act to provide that clergymen who are naturalized citizens shall not lose their nationality by residence abroad, even though they are not representatives of American organizations, if they devote full time to their clerical duties, and for other purposes; to the Committee on the Judiciary.

H.R. 2351. A bill to amend the Immigration and Nationality Act to impose a limitation upon the time for the institution of deportation proceedings, and a limitation upon the time for the loss of U.S. nationality; to the Committee on the Judiciary.

H.R. 2352. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 2353. A bill to amend the act of August 11, 1939, relating to domestically produced fishery products to establish a fund for the advancement of commercial fisheries; to the Committee on Merchant Marine and Fisheries.

H.R. 2354. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 2355. A bill to provide that certain Government officers and employees shall be excused from duty for a sufficient period of time to vote in elections; to the Committee on Post Office and Civil Service.

H.R. 2356. A bill to amend the Classification Act of 1949, as amended, so as to authorize longevity step increases for officers and employees in grades above grade 15 of the general schedule; to the Committee on Post Office and Civil Service.

H.R. 2357. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment; to the Committee on Post Office and Civil Service.

H.R. 2358. A bill to extend the benefits of the Retired Federal Employees Health Benefits Act in certain cases; to the Committee on Post Office and Civil Service.

H.R. 2359. A bill to provide for the separation from the service of certain Government employees who have unpaid judgments against them, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2360. A bill to authorize the retirement under the Civil Service Retirement Act, without reduction in annuity and regardless of age, of employees who have completed 30 years of service; to the Committee on Post Office and Civil Service.

H.R. 2361. A bill to provide a retroactive effective date of July 1, 1965, for the severance pay provisions in section 9 of the Federal Employees Salary Act of 1965 so as to extend the application of such provisions; to the Committee on Post Office and Civil Service.

H.R. 2362. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 2363. A bill to extend veteran benefits to persons serving in the Armed Forces between November 12, 1918, and July 2, 1921; to the Committee on Veterans' Affairs.

By Mr. O'NEAL of Georgia:

H.R. 2364. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 2365. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers and for other purposes; to the Committee on Education and Labor.

H.R. 2366. A bill to amend the Vocational Education Act of 1963; to the Committee on Education and Labor.

H.R. 2367. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 15 percent and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60, and for other purposes; to the Committee on Ways and Means.

H.R. 2368. A bill to provide that individuals entitled to disability insurance benefits (or child's benefits based on disability) under title II of the Social Security Act, and individuals entitled to permanent disability annuities (or child's annuities based on disability) under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 2369. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 2370. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2371. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 2372. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 2373. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 2374. A bill to establish a National Consumer Information Foundation as an independent agency in the executive branch of the Federal Government; to the Committee on Interstate and Foreign Commerce.

By Mr. STUBBLEFIELD:

H.R. 2375. A bill to amend the Food and Agriculture Act of 1965; to the Committee on Agriculture.

By Mr. TUNNEY:

H.R. 2376. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 2377. A bill designating the fourth Friday in September of each year as National Indian Day; to the Committee on the Judiciary.

H.R. 2378. A bill to extend preferential postage rates to qualifying museums for the mailing of educational materials, loan exhibits, and other materials; to the Committee on Post Office and Civil Service.

H.R. 2379. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds in the Riverside-San Bernardino area of the State of California; to the Committee on Veterans' Affairs.

H.R. 2380. A bill to amend section 170(c) of the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to or for the use of certain conservation organizations; to the Committee on Ways and Means.

H.R. 2381. A bill to amend the Internal Revenue Code of 1954 to provide that construction workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new location; to the Committee on Ways and Means.

Mr. ZABLOCKI:

H.R. 2382. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2383. A bill to authorize on-the-job training and apprenticeship programs under the veterans' educational assistance program embodied in title 38 of the United States Code; to the Committee on Veterans' Affairs.

By Mr. ANNUNZIO:

H.R. 2384. A bill to authorize and request the President to award a Presidential Unit Citation to the 761st Tank Battalion; to the Committee on Armed Services.

H.R. 2385. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 2386. A bill to amend the Internal Revenue Code of 1954 to allow a deduction, for income tax purposes, based on expenses incurred by the taxpayer for the higher education of his children; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 2387. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. DENNEY:

H.R. 2388. A bill to provide for an extension of Interstate Highway 29 into Nebraska, including a bridge; to the Committee on Public Works.

By Mr. ESHLEMAN:

H.R. 2389. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 2390. A bill to strengthen democratic processes respecting the calling of strikes, to protect employees against unjustifiable pay losses from strikes, to protect employers from needless production interruptions arising out of strikes contrary to the wishes of employees, and to minimize industrial strife interfering with the flow of commerce and the national security by amending the National Labor Relations Act to require economic strikes to be authorized by a secret ballot; to the Committee on Education and Labor.

H.R. 2391. A bill to limit and prevent certain concerted activities by labor organizations which interfere with or obstruct or impede the free production of goods for commerce or the free flow thereof in commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 2392. A bill to create a new division for the western district of Texas, and for other purposes; to the Committee on the Judiciary.

H.R. 2393. A bill to amend the Internal Revenue Code of 1954 to provide that the value of a decedent's real property (or interest in real property) which was used as a ranch or farm or in some other trade or business may at the election of the executor be determined, for estate tax purposes, solely by reference to its value for such use; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 2394. A bill to amend section 501 of title 38, United States Code, to provide that under certain conditions, service on the Mexican border before World War I may be included in determining whether a veteran meets the service requirements applicable to the payment of pension; to the Committee on Veterans' Affairs.

By Mr. GURNEY:

H.R. 2395. A bill to amend title 38 of the United States Code so as to increase by 10 percent the rate of pension payable to certain widows of veterans of World War I, World War II, and the Korean conflict, and to increase the income limitations applicable with respect to the payment of such pensions; to the Committee on Veterans' Affairs.

H.R. 2396. A bill to amend title 38 of the United States Code so as to raise the income limitations applicable with respect to pensions payable under that title; to the Committee on Veterans' Affairs.

By Mr. HICKS:

H.R. 2397. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

H.R. 2398. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. HUTCHINSON:

H.R. 2399. A bill to amend the provisions of the Criminal Code relating to kidnaping to relieve juries of the duty of deciding whether the death sentence should be imposed; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 2400. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 2401. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 2402. A bill to require the Secretary of the Army to remove certain abandoned ships from the Potomac River; to the Committee on Public Works.

By Mr. MULTER:

H.R. 2403. A bill to authorize the Board of Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as a headquarters site for the Organization of American States, as sites for other international organizations, and as sites for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. RHODES of Arizona:

H.R. 2404. A bill to amend the act of May 11, 1954 (ch. 199, sec. 1, 68 Stat. 81, 41 U.S.C. 321), to provide for full adjudication of rights of Government contractors in courts of law; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2405. A bill to authorize a preliminary hearing and survey to determine the justification for a small boat channel from Santa Rosa Sound to the Gulf of Mexico in the vicinity of Fort Walton Beach, Fla.; to the Committee on Public Works.

By Mr. SMITH of New York:

H.R. 2406. A bill to amend the tariff schedules of the United States to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 2407. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 2408. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 2409. A bill to permit the disposal of certain Federal real property for use for educational purposes; to the Committee on Banking and Currency.

H.R. 2410. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 2411. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2412. A bill to protect funds invested in series E U.S. savings bonds from inflation and to encourage persons to provide for their own security; to the Committee on Ways and Means.

H.R. 2413. A bill to amend title IV of the Social Security Act to permit Federal grants for aid to dependent children to be made thereunder even though the parents or other relatives with whom such children are living are required to perform services in a work relief program as a condition of such aid; to the Committee on Ways and Means.

H.R. 2414. A bill to increase the personal tax exemptions of a single taxpayer or head of household from $600 to $1,200; to the Committee on Ways and Means.

H.R. 2415. A bill to amend the Internal Revenue Code of 1954 to exempt certain farm vehicles from the highway use tax; to the Committee on Ways and Means.

H.R. 2416. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 2417. A bill to conserve and protect Pacific salmon of North American origin; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 2418. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. MAILLIARD:

H.R. 2419. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 2420. A bill fixing the representation of the majority and minority membership of the Joint Economic Committee; to the Committee on Government Operations.

By Mr. PELLY:

H.R. 2421. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SIKES:

H.R. 2422. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2423. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. TUCK:

H.R. 2424. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. TUNNEY:

H.R. 2425. A bill to grant, subject to certain conditions, a preference right of reentry under the desert land laws to entrymen, their heirs or assigns, with desert land entries within the Imperial Irrigation and Coachella Valley County Water Districts, where such entries have been canceled subsequent to December 1, 1965; to the Committee on Interior and Insular Affairs.

By Mr. WHITE:

H.R. 2426. A bill to amend section 705 of the Civil Rights Act of 1964 in order to increase the membership of the Equal Employment Opportunity Commission from five members to seven members, and for other purposes; to the Committee on Education and Labor.

By Mr. WHITTEN:

H.R. 2427 A bill to authorize an additional 41,000 miles for the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2428. A bill to amend the Internal Revenue Code to remove the limitations on the amount of medical and dental expenses which may be deducted, to permit taxpayers to deduct such expenses, to arrive at their adjusted gross income, and for other purposes; to the Committee on Ways and Means.

H.R. 2429. A bill to provide aid to States for roads and schools; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 2430. A bill to amend section 215 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.R. 2431. A bill to amend section 215 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 2432. A bill to provide for the establishment of a mint of the United States at Chicago, Ill.; to the Committee on Public Works.

H.J. Res. 131. Joint resolution to authorize the President to issue annually a proclamation designating the first week in November of each year as American Art Week; to the Committee on the Judiciary.

By Mr. BERRY:

H.J. Res. 132. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.J. Res. 133. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.J. Res. 134. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens 18 years old or members of the Armed Forces of the United States shall not be prevented from voting in certain elections on grounds of their age; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 135. Joint resolution to authorize the President to proclaim the 22d of April of each year as Queen Isabella Day; to the Committee on the Judiciary.

By Mr. OLSEN:

H.J. Res. 136. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.J. Res. 137. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 138. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.J. Res. 139. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 140. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.J. Res. 141. Joint resolution to authorize the President to proclaim the second week of November 1967, as National Date Week; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 142. Joint resolution to establish a commission to investigate the increase in riots and law violations, including loss of life and property, damage to or threat of damage to or destruction of the economy of States, counties, municipalities, or other political subdivisions, the causes thereof, and to recommend legislation that would grant States, counties, municipalities, or other political subdivisions additional rights to obtain injunctive and other relief to the end that the public welfare be protected; to the Committee on the Judiciary.

H.J. Res. 143. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 144. Joint resolution to establish the Commission for Reestablishing Constitutional Principles; to the Committee on the Judiciary.

H.J. Res. 145. Joint resolution to establish a commission to investigate the increase in law violation, to determine the causes and fix responsibility for the breakdown in law enforcement, with the resulting destruction of life and property, to recommend corrective legislation, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 146. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

H.J. Res. 147. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

H.J. Res. 148. Joint resolution to restore to the States certain rights affected by recent Supreme Court decisions; to the Committee on the Judiciary.

H.J. Res. 149. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 150. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.J. Res. 151. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. YOUNGER (by request):

H.J. Res. 152. Joint resolution designating the Luther Burbank Shasta Daisy as the national flower of the United States; to the Committee on House Administration.

By Mr. FLYNT:

H. Con. Res. 63. Concurrent resolution expressing the sense of Congress that the Federal-aid highway program should continue without interruption; to the Committee on Ways and Means.

By Mr. HORTON:

H. Con. Res. 64. Concurrent resolution expressing the sense of the Congress with respect to a joint United States-Union of Soviet Socialist Republics guarantee of Middle Eastern frontiers in the interest of world peace; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H. Con. Res. 65. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

By Mr. RODINO:

H. Con. Res. 66. Concurrent resolution to provide for a permanent United Nations Peacekeeping Force; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Res. 130. Resolution to include drum and bugle corps under the mutual Educational and Cultural Exchange Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BERRY:

H. Res. 131. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CELLER:

H. Res. 132. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. QUILLEN:

H. Res. 133. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. WHITTEN:

H. Res. 134. Resolution creating a select committee to conduct an investigation and study of the Commissioner of Education's policies and guidelines on school desegregation, and to stay action until such study is completed; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 2433. A bill for the relief of Antonino Ciullo; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 2434. A bill for the relief of Nora Austin Hendrickson; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 2435. A bill for the relief of Masayoshi Arashiba; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 2436. A bill to provide for the free entry of certain neckties for the use of the Victorian Club of Boston; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 2437. A bill for the relief of Janina Morawska; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 2438. A bill for the relief of Mohammad Maqsood Alam; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 2439. A bill for the relief of S & S Vending Machine Company; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 2440. A bill for the relief of Benjamin Alexander Shafran; to the Committee on the Judiciary.

H.R. 2441. A bill for the relief of Dr. Hooshang Behroozi; to the Committee on the Judiciary.

H.R. 2442. A bill for the relief of Lucia Cruz Pineda; to the Committee on the Judiciary.

H.R. 2443. A bill for the relief of Semir Herschel Ghamar; to the Committee on the Judiciary.

H.R. 2444. A bill for the relief of Irena Romkowska Pol; to the Committee on the Judiciary.

H.R. 2445. A bill for the relief of Ahouva Rubinstein; to the Committee on the Judiciary.

H.R. 2446. A bill for the relief of Elaine Minerva Hylton; to the Committee on the Judiciary.

H.R. 2447. A bill for the relief of Charles B. Murray and Maisie M. Murray; to the Committee on the Judiciary.

H.R. 2448. A bill for the relief of Ljubica and Zorka Stipcevic; to the Committee on the Judiciary.

H.R. 2449. A bill for the relief of Wong Yue Hong; to the Committee on the Judiciary.

H.R. 2450. A bill for the relief of Chan Che Ming; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 2451. A bill for the relief of Pasqualina Silvaroli (Linda) Fiore; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 2452. A bill for the relief of Mrs. Mary C. Ryan; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 2453. A bill for the relief of Fedor Frank Bacskai and his wife, Susanne Kostyal Bacskai; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 2454. A bill for the relief of the children of Mrs. Doris E. Warren; to the Committee on the Judiciary.

H.R. 2455. A bill for the relief of Dean P. Bartelt; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 2456. A bill for the relief of Shaoul Shammah; to the Committee on the Judiciary.

H.R. 2457. A bill for the relief of Serafino Tomassetti and his wife, Luisa Maria Tomassetti; to the Committee on the Judiciary.

H.R. 2458. A bill for the relief of Hazel Ann Smith; to the Committee on the Judiciary.

H.R. 2459. A bill for the relief of Pamalet Maxian Garth; to the Committee on the Judiciary.

H.R. 2460. A bill for the relief of Frida and Jacobo Goldstein; to the Committee on the Judiciary.

H.R. 2461. A bill for the relief of Wan Tao Liu; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 2462. A bill for the relief of Mrs. Irene Florence Lamey; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 2463. A bill for the relief of Itzhaq Feldman; to the Committee on the Judiciary.

H.R. 2464. A bill for the relief of Yoo Young Hui; to the Committee on the Judiciary.

H.R. 2465. A bill for the relief of Dyung-Ki Kim; to the Committee on the Judiciary.

H.R. 2466. A bill for the relief of Gerasimoida Nisidin; to the Committee on the Judiciary.

H.R. 2467. A bill for the relief of Lem Buck You, Lem Soo Ying, and Lem Stanley; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 2468. A bill for the relief of Dr. Morelly Maayan; to the Committee on the Judiciary.

H.R. 2469. A bill for the relief of Mrs. Deborah Gisela Trinezer de Sperber; to the Committee on the Judiciary.

H.R. 2470. A bill to provide for the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass.; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 2471. A bill for the relief of Dr. Albert Victor Michael Ferris-Prabhu; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 2472. A bill for the relief of Mrs. Agnes Chin-An Sun and her daughter, Paulina Sun, and her son, John Sun; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 2473. A bill for the relief of Efstathia Marinakos; to the Committee on the Judiciary.

H.R. 2474. A bill for the relief of Ileja Kalember; to the Committee on the Judiciary.

H.R. 2475. A bill for the relief of Harry Chuen Lee and his wife, Corinne Lee; to the Committee on the Judiciary.

H.R. 2476. A bill for the relief of Konstantionos Kasanis; to the Committee on the Judiciary.

By Mr. O'NEAL of Georgia:

H.R. 2477. A bill for the relief of John J. McGrath; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 2478. A bill for the relief of Josefina Pilcar Abutani Fuliar; to the Committee on the Judiciary.

H.R. 2479. A bill for the relief of Saydi Issa Ghazal; to the Committee on the Judiciary.

H.R. 2480. A bill for the relief of Mrs. Hechmat Barkohani Nehorayan; to the Committee on the Judiciary.

H.R. 2481. A bill for the relief of Alejandro Ham Chea; to the Committee on the Judiciary.

H.R. 2482. A bill for the relief of Roman Padua; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2483. A bill for the relief of Antonio Garcia Sola; to the Committee on the Judiciary.

H.R. 2484. A bill for the relief of Mrs. Katharina Doermer; to the Committee on the Judiciary.

H.R. 2485. A bill for the relief of Elisabeta Horwath; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 2486. A bill for the relief of Seok Yul Han; to the Committee on the Judiciary.

H.R. 2487. A bill for the relief of Hung Shik Park and his wife, Myoung Hee Park; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2488. A bill for the relief of Robert Baldwin Lloyd; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2489. A bill for the relief of Mrs. Laurette Mae Dunn; to the Committee on the Judiciary.

H.R. 2490. A bill for the relief of Adolfo Lopez Mendez, doctor of medicine; to the Committee on the Judiciary.

H.R. 2491. A bill for the relief of Fumihiro Morikawa, Masamitsu Kaneko, and Masakatsu Kawano; to the Committee on the Judiciary.

H.R. 2492. A bill for the relief of Manuel J. Vicent; to the Committee on the Judiciary.

H.R. 2493. A bill for the relief of Reyes Cardona-Banuelos; to the Committee on the Judiciary.

H.R. 2494. A bill for the relief of Hamaka Nakamura; to the Committee on the Judiciary.

H.R. 2495. A bill for the relief of Rene Paulo Rohden-Sobrinho; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 2496. A bill for the relief of Frank Brothers; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 2497. A bill for the relief of Mario Antonio Ramirez; to the Committee on the Judiciary.

H.R. 2498. A bill for the relief of Sophia Panagiotis Iosifidou; to the Committee on the Judiciary.

H.R. 2499. A bill for the relief of Antonio Manuel de Rezende de Sousa Andrade; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 2500. A bill for the relief of Constantine George Xidaris and his wife, Ismini Xidaris; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 2501. A bill for the relief of Dr. Jinks Einstein Walter; to the Committee on the Judiciary.

SENATE

MONDAY, JANUARY 16, 1967

(Legislative day of Thursday, January 12, 1967)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by Hon. WILLIAM B. SPONG, JR., a Senator from the State of Virginia.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of all men, Thou hast taught us that in quietness and in confidence shall be our strength. In the midst of these feverish days we pray Thou wilt breathe through the heats of our desire Thy coolness and Thy balm.

Take from our souls the strain and stress and let our ordered lives confess the beauty of Thy peace. Send us forth as sons of the morning to bring Thy light to every shadowed life we meet. As every ray of sunshine leads back to the sun, so this hour teach our thoughts to travel up the road of Thy benedictions to Thyself.

"For every virtue we possess
And every victory won,
And every thought of holiness,
Are Thine alone."

For Thine is the kingdom and the power. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 16, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM B. SPONG, JR., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. SPONG thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Thursday, January 12, 1967, was approved.

ATTENDANCE OF A SENATOR

Hon. WALTER F. MONDALE, a Senator from the State of Minnesota, appeared in his seat today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AMENDMENT OF STANDING RULES OF THE SENATE

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota [Mr. MCGOVERN] to proceed to the consideration of Senate Resolution 6.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ASSIGNMENT OF MINORITY PARTY'S MEMBERSHIP ON STANDING COMMITTEES

Mr. DIRKSEN. Mr. President, I send to the desk a resolution setting forth the names of Senators who shall constitute the minority party's membership on the standing committees of the Senate for the 90th Congress, and I ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 18) was read, considered, and agreed to, as follows:

S. RES. 18

Resolved, that the following shall constitute the minority party's membership on the standing committees of the Senate for the Ninetieth Congress:

COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mrs. Smith, Messrs. Hickenlooper, Curtis, Jordan, Brooke, Percy.

COMMITTEE ON AGRICULTURE AND FORESTRY

Messrs. Aiken, Young, Boggs, Miller, Hatfield.

COMMITTEE ON APPROPRIATIONS

Messrs. Young, Mundt, Mrs. Smith, Messers. Kuchel, Hruska, Allott, Cotton, Case, Javits.

COMMITTEE ON ARMED SERVICES

Mrs. Smith, Messrs. Thurmond, Miller, Tower, Pearson, Dominick.

COMMITTEE ON BANKING AND CURRENCY

Messrs. Bennett, Tower, Hickenlooper, Brooke, Percy.

COMMITTEE ON COMMERCE

Messrs. Cotton, Morton, Scott, Prouty, Pearson, Griffin.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Messrs. Prouty, Dominick, Morton.

COMMITTEE ON FINANCE

Messrs. Williams of Delaware, Carlson, Bennett, Curtis, Morton, Dirksen.

COMMITTEE ON FOREIGN RELATIONS

Messrs. Hickenlooper, Aiken, Carlson, Williams of Delaware, Mundt, Case, Cooper.

COMMITTEE ON GOVERNMENT OPERATIONS

Messrs. Mundt, Curtis, Javits, Hansen, Baker.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Messrs. Kuchel, Allott, Jordan of Idaho, Fannin, Hansen, Hatfield.

COMMITTEE ON THE JUDICIARY

Messrs. Dirksen, Hruska, Fong, Scott, Thurmond.

COMMITTEE ON LABOR AND PUBLIC WELFARE

Messrs. Javits, Prouty, Dominick, Murphy, Fannin, Griffin.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Messrs. Carlson, Fong, Boggs, Fannin.

COMMITTEE ON PUBLIC WORKS

Messrs. Cooper, Fong, Boggs, Murphy, Jordan of Idaho, Baker.

COMMITTEE ON RULES AND ADMINISTRATION

Messrs. Curtis, Cooper, Scott.

SENATOR SMATHERS ELECTED CHAIRMAN OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Without objection, the resolution (S. Res. 19) was read, considered, and agreed to, as follows:

Resolved, That Mr. Smathers, of Florida be, and he is hereby, elected chairman of the Select Committee on Small Business, in lieu of Mr. Sparkman, of Alabama, resigned.

STATEMENT OF THE MAJORITY LEADER AT THE DEMOCRATIC CONFERENCE

Mr. MANSFIELD. Mr. President, on January 10, just prior to the convening of the new session, the Senate Democratic conference held its first meeting of the year. At that meeting I made some brief remarks on Vietnam and other problems confronting the 90th Congress. I also indicated my thoughts on the course of action the Senate, and, in particular, its Democratic Members, should endeavor to pursue in the new Congress in order to meet the responsibilities which devolve upon us to make a contribution to the leadership of the Nation. I ask unanimous consent, Mr. President, that the text of my statement to the Democratic conference be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE MAJORITY LEADER AT THE DEMOCRATIC CONFERENCE, JANUARY 10, 1967

There is no point in blinking at the fact that we enter upon the 1st session of the 90th Congress at a time of deep national concern. It is a concern which traces to Viet Nam, and it will not lighten very soon or very easily. The preoccupation will continue because the commitment of lives and resources in Viet Nam will continue. That is the case despite the widespread desire to bring the war to a prompt and satisfactory conclusion.

The Conference is aware, I am sure, that there are no panaceas for the situation in Viet Nam. Even if circumstances should permit the opening of negotiations for peace in the near future, a fortuitous outcome is not to be expected, at least not for many, many months. Looking beyond the end of hostilities, moreover, there is the immense task of restoration, after the shattering devastation to which Viet Nam—North and South—has been subjected. The longer the conflict persists, obviously, the greater will be the rubble of human life, hope and achievement and the more prolonged and costly will be the aftermath of rehabilitation and reconstruction.

As the people of the nation are disturbed over Viet Nam, so the Senate in the 90th Congress will be concerned with Viet Nam. That is as inevitable as it is proper. In the coming session, therefore, it is to be anticipated that there will be discussion of the conduct of military and other affairs in Viet Nam, of costs and manpower, of military means and political ends, and of the worldwide and domestic ramifications of this prolonged and brutal struggle. There will be discussion, finally, of negotiations as a way to bring to an end the massive destruction of life and property.

It would be my hope and anticipation that every member of the Conference will bear in mind the weight of responsibility which rests upon the President of United States with respect to Viet Nam. To be sure, in the Senate, we may discuss, we may consider and we may resolve. In the end, however, the decisions of the President are the irrevocable decisions. The decisions of the President are the decisions which involve the lives not only of Americans in Viet Nam but, in the end, the life of every inhabitant of the nation.

Beyond Viet Nam, there are other aspects of the nation's foreign relations which will engage the attention of the Senate. I would note, in particular, the question of U.S. military forces stationed in Europe. On yesterday, there was a meeting of the 13 Senators, members of the Majority Policy Committee, who last year formed the nucleus of the 32-sponsors of a resolution calling for a substantial reduction in these forces. Once again, they agreed unanimously that the resolution should be re-introduced in the near future and that members of both parties should be invited to co-sponsor.

Speaking for myself alone, may I say that I believe we have for too long tolerated an anachronistic and costly inertia with respect to the consignment of U.S. forces to Nato-Europe. I would point out that a Senate resolution in 1951 was a key factor in raising the U.S. force commitment in Europe from two to its present six divisions. It seems to me that the Senate has an equal responsibility at this time to express itself just as unequivocally on the question of whether or not there should now be a substantial reduction in these divisions.

With respect to domestic matters, the Senate will await with attention and interest the message on the State of the Union which will be presented this evening to a joint session by President Johnson. Let it be known now, however, that whatever recommendations the President may make for the stability, well-being and progress of the nation will be most respectfully received by the Senate Majority. His legislative program will have the thoughtful and sympathetic consideration of the Leadership, the Committee Chairmen and every member of the Conference.

We are, as the President would say, Americans before we are Democrats. But we will also say that, along with the President, we are also all Democrats as well as Americans. We will look to the President—to a Democratic President—to supply the leadership which the nation requires if it is to remain abreast of the times and capable of meeting their ever-changing demands.

May I add that the Senate, too, also has its own responsibilities to make a contribution to the leadership of the nation. That is why I asked the Chairmen of the Committees in a recent letter to consider with their colleagues, the Senate's oversight function as it might apply to their committees. It seems to me that an obligation rests upon us to take a careful retrospective look at what has emerged in administrative practice from the new federal programs which have been set in motion during the past three or four years. We have a responsibility to see to it that these programs are off on the right foot and that they are doing what they were designed to do, in an effective and equitable fashion. If there are rough spots, it is incumbent upon us to help to sand them down.

I would hope that in the 90th Congress we would also begin to look at some of the older undertakings of the federal government such as the military draft, Indian affairs, or trade controls which have not had a thorough top-to-bottom study for many years. We have a responsibility to see to it that these older enterprises are functioning in terms of the requirements of 1967, rather than the needs or expectations of 1947 or 1917.

In my judgment a periodic and thorough look backward, such as is suggested, is an essential element in maintaining an appropriate federal initiative—amply but not wastefully financed—in grappling with the ever-changing requirements of the nation.

If they are to be discharged at all, the Senate's responsibilities for oversight must be discharged through the legislative committees. It is an immense load to ask the Chairmen and members of the Committees to assume, but I do not know of any other way that the job can be done in the Senate. I must say that the responses which I have so far received from the Committee Chairmen to my suggestions have been most encouraging. I assure the Chairmen that they will have full cooperation from the Leadership in whatever they may require. But I reiterate, if we are to make an effective contribution, it will be made preponderantly as the result of the hard work, dedication, and the perseverance of Chairmen and members of the Committees. The chief responsibility will rest there.

In closing, let me say that I do not know how others may interpret the results of the last election. I know only how I feel about them. In my judgment, the election of 1966 in no sense calls upon the Democrats in the Senate to sound retreat from the exceptional record of the past two Democratic Congresses. In no sense does it call for the blowing of taps over the immensely constructive legislative programs of the Kennedy-Johnson Administrations. Rather, the election of 1966 tells us—as the responsible federal party—to take soundings. It tells us in the Senate not to ignore the nation's needs but to exercise a soberness of judgment and a thoughtful restraint in weighing those needs. It tells us to work carefully and conscientiously to refine and perfect the federal government's means of responding to those needs. It urges us to cooperate with the President in giving every possible sustenance and support to the men whose lives have been committed in Viet Nam. Finally, it compels us, with the President, to search for the only way in which the safety of those men and the nation's safety and, in the last analysis, the world's safety can really be secured. That is by ending the conflict in Viet Nam at the soonest possible moment in a just and honorable peace.

SENATOR MANSFIELD INTERVIEWED ON "ISSUES AND ANSWERS"

Mr. MANSFIELD. Mr. President, on January 8, it was my privilege to appear on the ABC television and radio program "Issues and Answers." In the hope that the content of the program will be of interest to my colleagues and others, I ask unanimous consent that the transcript of the broadcast be inserted in the Record at this point.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

"Issues and Answers," Sunday, January 8, 1967

Guest: Senator Mike Mansfield (D. Mont.) Senate Majority Leader.

Interviewed by: Bill Lawrence, ABC Political Editor and Bob Clark, ABC Capitol Hill Correspondent.

Mr. Lawrence. Senator Mansfield, as Majority Leader, do you foresee any general tax increase this year?

Senator Mansfield. It is a possibility. I think the President is trying to decide at the moment just how the income to the government will match with the necessary out-go and upon that basis will make up his mind. I don't think he has made it up as yet.

Mr. Lawrence. Do you think if the President wants a tax cut, do you think the Congress will be inclined to go along?

Senator Mansfield. Yes, I do.

Mr. Clark. You proposed an extension of the holiday truce in Vietnam into February, but you didn't get any takers either in the Johnson Administration, or the Viet Cong.

Would you still like to see some sort of suspension of the fighting?

Senator Mansfield. Yes, I would if it would lead toward negotiations and I think no one would like to have it more than the President himself because he is exploring every avenue, and he has said if there was any possibility he was prepared to go anywhere any time to discuss it.

Mr. Clark. Do you see any pointed sign that any suspension of the fighting or suspension of the bombing or any such thing would lead the Communists to the negotiating table?

Senator Mansfield. Only on the basis of what they have said indirectly and their friends in Eastern Europe and the Soviet Union and U Thant, the Secretary General, have said directly.

I have been very much encouraged by the—well, I won't say very much encouraged; but encouraged by the interview which Pham Van Dong, the North Vietnamese Foreign Minister, gave to Harrison Salisbury. I think that could well be the sign which the Administration has said from time to time it is seeking from the other side.

Mr. Lawrence. Do you really think then that maybe we are moving toward the conference table?

Senator Mansfield. I can't say that I really think it. All I can say is, I hope we are moving in that direction. No angle is being left uncovered. Every effort is being made, both publicly and privately, and perhaps Pham Van Dong who, of course, would act with the full recognition of Ho Chi Minh, the Chief of State of North Vietnam, might have done this deliberately. But I think it is indicative, I think it is worth exploring and I am very sure the Administration is looking into it very thoroughly and carefully.

Mr. Lawrence. I was about to ask, sir, whether you thought the Administration had given any response that would indicate that it has caught this "hint" from the North Vietnamese and would, therefore, now be willing to entertain a new round of suggestion?

Senator **Mansfield**. Yes, I think so. I think they are going over Salisbury's articles with a fine tooth comb. They are probably asking for clarification through various indirect sources and in private, and I think they are very interested in this latest proposal, if we can call it that, which indicates that the four points laid down by the North Vietnamese consistently are not necessarily pre-conditions to negotiations, but subjects to be discussed at a negotiating session.

Mr. **Lawrence**. Senator, at several times in recent months and over the past few years you have said things about Vietnam that were at least ahead of, if not in opposition to the thinking of the Administration. Does this cause you any troubles in your day to day dealings as Majority Leader with the White House?

Senator **Mansfield**. No, not at all, nor with the President either, because the President is not averse to constructive criticism or to proposals which may have some merit and I must say that the President has been more than kind in considering all these proposals which I have made because he has understood that I have been trying to be helpful. He knows, of course, that as far as I am concerned, and I am sure as far as he is concerned, that—I can't speak for him—but I would say that our chief worries are Vietnam because it overshadows everything else in our relations with the rest of the world and also with the domestic economy as well.

Mr. **Clark**. The Senate Foreign Relations Committee will shortly start a new round of hearings on Vietnam. Even though you are a member of that committee, you did not participate last year in the public hearings, presumably because it might cause some embarrassment to your relations with the President?

Senator **Mansfield**. No, not at all, but because my duties as Majority Leader precluded giving me the opportunity to participate in these hearings which I would have very much liked to.

Mr. **Clark**. Do you expect this year to participate in the public hearings?

Senator **Mansfield**. I certainly intend to make every effort, but there again you come into conflict with two jobs.

Mr. **Lawrence**. Senator, what is your assessment of Communist China's current internal problem?

Senator **Mansfield**. I think it is a situation which calls for the most careful consideration. We don't know yet just what is going on inside of Mainland China, but it is a possibility that there is a power struggle between Mao Tse-tung, Lin Piao on the one side, and others. It is also a possibility that this thing could get so much out of control that the answer to it, to bring it under control, might well be a foreign adventure of some sort against somewhere outside of China itself. So I think we had better act carefully, cautiously and with the greatest discretion until we are absolutely sure as to what is happening in Communist China.

Mr. **Lawrence**. What information do you get about the depth of this cleavage?

Senator **Mansfield**. What I read in the newspapers is the only information I get.

Mr. **Clark**. You were predicting at this time last year that the Vietnam War might explode into a general war on the Asian Mainland.

Senator **Mansfield**. Yes, indeed.

Mr. **Clark**. Do you still entertain such fears?

Senator **Mansfield**. Yes, the possibilities are still there because we have just under 400,000 troops in South Vietnam itself. We have 37,000 in Thailand; we have 50,000 to 60,000 men in the Seventh Fleet in the South China Sea. We have back-up forces in Guam, the Philippines and Okinawa, and the danger is that the more you escalate, the closer you get to China, the possibility of an incident, accidentally or otherwise, arising which might carry this conflict beyond its present confines.

Mr. **Clark**. Of course, we have escalated very sharply this last year in a sort of troop commitment.

Senator **Mansfield**. We have, indeed.

Mr. **Clark**. Would you say then a war in Asia is greater now than it was a year ago?

Senator **Mansfield**. Just as great.

Mr. **Lawrence**. Senator, is it possible that going into the Southeast Asia might be the foreign adventure that you spoke of——

Senator **Mansfield**. That is a possibility that we should not foreclose and we know of other countries who have used outside adventures to bring peace and harmony at home, at least for the time being.

Mr. **Clark**. You have proposed in the past an all-Asia conference on Vietnam and the President was apparently trying to please you to a certain degree when he held his Manila conference——

Senator **Mansfield**. No, not pleasing me, because after all that idea was advanced by President Ferdinand Marcos of the Philippines, it was a Philippine initiative. The President felt that he had to, and I think he did the right thing, to attend the conference and to do what he could. And you may recall that the President stayed pretty much in the background and tried to let the Asians themselves take the lead in the discussions.

Mr. **Clark**. Did that conference satisfy you, or would you now like to see a full-blown Asian conference with others participating other than our allies in Veitnam?

Senator **Mansfield**. Oh, yes, I would, but the Manila Conference did satisfy me because I think it was a step forward and I was very pleased with the emphasis on peaceful initiatives rather than escalation. I would hope that the idea, again propounded by President Marcos of the Republic of the Philippines, to expand this conference would take shape, so that an all-Asian conference with the Occident excluded could get underway.

Mr. **Lawrence**. Senator, just how do you think the President can continue to resist all these demands from the Pope, from Secretary General U Thant and from many others that at least we stop the bombing of North Vietnam?

Senator **Mansfield**. Well, I don't think the President is continuing to resist them in the sense that you seem to indicate, Bill. It appears to me that he is willing to go along with U Thant, the Pope and the others if he can get some sign from the other side, or if somebody's antenna catches up some signals and it appears to me that the first sign of any significance, at least in recent years, are the interviews which have been had most recently with Pham Van Dong in Hanoi.

Mr. **Clark**. Would you agree with the White House, with the State Department and with Secretary of State Rusk that the next move is still up to the Communists, that they have to demonstrate to us in some way that they are ready to deescalate the war?

Senator **Mansfield**. Not necessarily up to the Communists. I think it is up to both North Vietnam, the NLF and ourselves as well as Saigon, to see if we can't make some move in unison.

Mr. **Lawrence**. Do you yourself feel that it might be useful on a unilateral basis to suspend the bombing?

Senator **Mansfield**. Not at the moment. I would like to see a suspension of the bombing based on the suggestion which I made which would fill in the gaps between the various holidays ending with the Vietnamese Lunar New Year on February 12. So if that could be done then maybe we could enter into a better negotiating stance with the North Vietnamese and the NLF, relative to the suggestions made by Pham Van Dong in his most recent interview.

Mr. **Clark**. Senator Mansfield, you are sponsoring a Senate Resolution which would call for reduction of American forces in Europe. Do you see this as a priority item in the new session of Congress?

Senator **Mansfield**. Yes, I do, and I see it as a matter of principle with no connection with Vietnam or the gold outflow, because I think for too many years we have maintained too many troops and their dependents in Europe. The European nations have recovered substantially. They should take over the primary responsibility of their defense, which does not mean we would not honor our commitments to NATO. We would. But I do think it is overdue as far as troop reductions are concerned——

Mr. **Clark**. Do you see that as a matter to be hashed out before the Foreign Relations Committee? Senator Fulbright has already said that he will get into NATO, among other foreign policy problems.

Senator **Mansfield**. Well, I would hope that when I introduce the resolution it will be brought up before the Senate as a whole and then the Senate either can dispose of it or refer it to a committee or committees as it desires.

Mr. **Lawrence**. The last I heard the President and the Secretary of State were still opposed to your resolution. Have you heard of any change?

Senator **Mansfield**. No, they are not in favor of it.

Mr. **Lawrence**. Well, would you anticipate that you would have a chance of getting serious action in the Senate then without a nod from the White House and the State Department.

Senator **Mansfield**. Oh, yes, oh, yes, because it was a Senate resolution which increased the troops in Europe from two divisions to six, and I think that we are well within our sphere of responsibility. As a matter of fact, this resolution would strengthen the President's hand, give him greater flexibility in dealing with our allies and allow him to determine what "substantial troop reductions" means.

Mr. **Lawrence**. In other words, he wouldn't have to reduce the troops; it would simply give him this authority. It is not an order to the executive to do anything?

Senator **Mansfield**. It is not an order, but it is a pretty strong request.

Mr. **Lawrence**. What about the suggestion of some of the opponents of this, Senator, that this should be tied—any American troop reduction should be tied to a similar reduction in forces by the Warsaw Pact Nations?

Senator **Mansfield**. I don't see any justification for that. I have an idea that if we were to reduce our forces that the Soviet Union might correspondingly, without publicity, reduce theirs. If we are going to get into negotiations with them about mutual withdrawals, I don't know how you are going to come to the right definitions. Do you mean one American division withdrawal is the equal of five or ten Soviet divisions in East Germany, or what?

You can get into all areas and I think we ought to keep it sharp and clean and settle it on its merits up or down.

Mr. **Clark**. How about those Senators who disagree with you on this issue and feel a reduction of American forces at this time, coming on top of the French pull-out from NATO, could be a mortal blow to the whole NATO organization?

Senator **Mansfield**. I don't think so. The only nation which has fulfilled its commitments consistently has been the United States. Every other nation has failed to meet its promises and I think that the time is long overdue for action of this kind.

Mr. Lawrence. Senator, the Congress convenes on Tuesday; the President comes before it Tuesday night to deliver the State of the Union Message. How do you see the state of the Union?

Senator Mansfield. It is hard to say. I would imagine the President is struggling with this matter of what he is going to say up to the last minute, because he has so many questions and problems on this mind. He is going to make himself as up-to-date as he possibly can, and be prepared on that basis to give a State of the Union Message on Tuesday.

Mr. Lawrence. Do you anticipate any surprise legislative proposals?

Senator Mansfield. Well, with the President, you never can tell.

Mr. Clark. You have said that the major business of this Congress should be a reexamination of Great Society Programs passed by the last Congress. Do you think the President agrees with you generally on this?

Senator Mansfield. I don't know, but I would imagine that he wants to see programs effectively enforced, money wisely expended, and I want to see the Congress carry out its responsibilities. We authorized the laws; we know their intent. We appropriate the monies and say where they are supposed to go so we ought to take the third step and make certain that the laws are being administered as we said they should, that the money is being spent as we indicated it should, and to to make sure that there is greater efficacy and efficiency in the carrying out of these programs and that assistance when called for goes to the people who had been designated in the first place; not only the Great Society programs, but programs going back beyond the Great Society as well.

Mr. Clark. You have talked about rough edges and overlapping of some Administration programs, Great Society and otherwise. Can you give us any examples of what you are thinking about?

Senator Mansfield. Well, I think in the Poverty Programs, for example, we have had areas where the administrative personnel has been too heavy in carrying out the functions of office. I think now that they have had a year or so to settle down, so to speak, that it is time for us to take a look at the programs to make sure that they are being administered as we would like to see them, and I think this would be helpful to a man like Sargent Shriver and that he would welcome it.

Mr. Lawrence. Do you expect any meaningful Civil Rights Bill this session, including another try at open housing?

Senator Mansfield. That I think would be up to the Administration, Bill. I have had no word from them but I would not be surprised if another Civil Rights Bill was sent up.

Mr. Lawrence. Now, you lost the last one at the end of the last session because you couldn't impose cloture. If you get such a bill, would this be a first order of business that would get up early in the session so that you could wear out a filibuster, or would it——

Senator Mansfield. No. You can't wear out a filibuster. If you are referring to the fact that we ought to go around the clock the advantages are always on the side of the antagonists and those who are in favor of such legislation are the ones who will not be there when you need them. When they are called on, they are somewhere else and the difficulty is in maintaining the necessary numbers to pass legislation of that kind. But it would not be called up early because we have the Rule 22 fight first, then we have the Monroney Reorganization Bill second, and then I believe somewhere along the line we will have to consider an increase in Social Security payments.

Mr. Lawrence. Why do you say, Senator, that those who want the legislation are always those you can't find when you need them?

Senator Mansfield. Because they just aren't there, to be honest with you.

Mr. Clark. You mentioned, Senator, the Rule 22 fight which will be the first order of business of the Senate, the move by the Liberals to tighten the anti-filibuster rules of the Senate. Is this just the same old story, what has become almost an annual fight in the Senate, or do you think it might be won this year?

Senator Mansfield. I don't know what will happen. We will have our debate; we will have some votes. I will let you know when the votes have been cast, how it comes out.

Mr. Clark. Have you heard of any commitments by Vice President Humphrey who may be the key man in this fight, and that he might have to rule on whether the new Senate has the right to set its own rules by majority vote?

Senator Mansfield. No, but I imagine he is giving it an awful lot of thought.

Mr. Lawrence. Well, do you think that there could be a successful anti-filibuster rule?

Senator Mansfield. Well, I lean toward the three-fifths rule rather than the two-thirds rule. I would never vote for a straight majority rule because there has to be a degree of flexibility and a stop, look and listen attitude on the part of the Senate so that nothing is passed too quickly without proper consideration. And when you get to the great issues, we do need that amount of space to thoroughly debate a subject and to make sure that we know what we are doing. If we were to get down to a bare majority, it would be possible for two or three Senators to shift from one side or the other and that, I think, would be most unsatisfactory on extremely critical issues.

Mr. Lawrence. As I understand it, the new Republican crop of Senators reflects an infusion of moderates. Do you think they might be willing now to go along with a stronger anti-filibuster rule in conjunction with these Northern Democrats?

Senator Mansfield. That is a question I can't answer, Bill, but all I have heard about Senators Baker, Hatfield, Brooke, Hansen, and Percy is good. They do seem to be moderates in the sense that you have indicated and I think they will furnish a shot in the arm to the Republican Party.

Mr. Clark. A number of Senators seem to be having second thoughts about the heavy cost of the Space Program. Senator Dirksen for one, Clinton Anderson another, the Chairman of the Space Committee, have talked about the Space Program as a possible area where substantial money could be saved as you move into a critical problem of budget deficits because of the high cost of the Vietnam War. Do you have any feelings along this line?

Senator Mansfield. I would be prone to go along with them and I would have great respect for the judgment of Senator Anderson of New Mexico, who is the Chairman of the Space Committee.

Mr. Clark. Do you think this is a place where you might—Senator Anderson I believe has said the anticipated space budget for the new year is something like $6-½ billion, that he could see this cut as low as $4-½ billion. Do you think that is a possibility?

Senator Mansfield. I would agree with him.

Mr. Lawrence. Would this reflect a determination to slow down our race to the moon, Senator?

Senator Mansfield. Well, I wonder sometimes if we aren't placing too much emphasis on our race to the moon and not enough emphasis on the problems which confront us here on earth.

Mr. Lawrence. That was, as I remember it, the commitment to get to the moon in the '60's.

Senator Mansfield. Why? What is the reason for it?

Mr. Lawrence. Well, Senator, that really wasn't my question. It was not "Why" to me, but "Why" to you. President Kennedy threw this out as a challenge to the Congress and said "If you don't want to do it, say so now."

Senator Mansfield. That is true, but other matters have come up since. We have to take cognizance of these new programs. The situation in Vietnam and the difficulties which confront us in various areas.

Mr. Clark. You would actually abandon the race to get to the moon first, if necessary, for budget reasons?

Senator Mansfield. No, I would postpone it, slow it down a little bit.

Mr. Clark. Couldn't that well mean losing the race to the moon?

Senator Mansfield. Well, that remains to be seen, and I am wondering just what would be gained by getting on the moon first. As far as getting on the moon is concerned, I don't think the country which lands there first ipso facto gets to raise its flag and assumes control of it.

Mr. Lawrence. I remember though, Senator, and I am sure you do too, the national, well, apprehension I guess is a good word for it, when the first sputnik was fired.

Senator Mansfield. Concern, yes.

Mr. Lawrence. You don't think there would be a similar national reaction if the Russians——

Senator Mansfield. No.

Mr. Lawrence. Now beat us to the moon?

Senator Mansfield. I do not.

Mr. Clark. If we don't have a tax increase pretty early in this year there is obviously going to be a pretty big budget deficit in the next fiscal year. Do you have an educated guess of how big that deficit might go?

Senator Mansfield. I haven't the slightest idea.

Mr. Lawrence. Do you have any feelings about how big it should be? Senator Dirksen has said he could go along with a reasonable budget deficit. Would you like to define "reasonable" for Mr. Dirksen?

Senator Mansfield. I would if I could, but I can't.

Mr. Lawrence. Senator, in the last elections the Republicans made gains across the country and a few in the Senate, not very many. Do you anticipate more trouble for the President in getting his legislation through this year?

Senator Mansfield. No, I wouldn't think so because the President, I believe, has gotten through the greater part of the program which he envisaged and wanted passed and what we will get this year, I think, are those elements which we did not take up over the past three years—at least did not pass—such as an increase in Social Security, crime bills, other measures of that sort; truth in lending, truth in packaging. But I would point out that the President has really made a magnificent record in the Congress, a record which I think will stand up with the record of any other administration in the history of the Republic.

Mr. Lawrence. Well, you sound, though, as if you do not expect very much big in the way of new legislation.

Senator Mansfield. That is my assumption, yes.

Mr. Lawrence. And, as you have suggested before, largely a repair and review and "oversight" as the phrase is in Congress?

Senator Mansfield. That is right.

Mr. Lawrence. Look at what has been done before.

Senator Mansfield. I think it is our responsibility. I think it will make these programs, which we have passed, better, and I think the benefits will be more widespread among the people.

Mr. Lawrence. Senator, there seems to be some speculation around the country now, and I wonder if you would join in it? Do you think President Johnson will run again in '68?

Senator Mansfield. Oh, yes, and I hope he does.

Mr. Lawrence. Do you foresee any possibility, including health, that might bar him from such——

Senator Mansfield. No, I do not. I expect without question that he will be a candidate in 1968, and he should be.

Mr. Clark. We hear reports coming back from people close to the President, people at the White House and people on the Hill, who have gotten the strong feeling that he might not run. Have you ever discussed this point with the President?

Senator Mansfield. Oh, no. No, no.

Mr. Clark. Never at all?

Senator Mansfield. No.

Mr. Lawrence. Senator, you have heard, I suppose, from the New York Times reports, for example, the division within the party as to whether or not he should run in view of——

Senator Mansfield. Oh, I have read those stories, but I think the press, generally speaking, has taken a most unfair attitude towards the President. It seems to me there is almost a crusade to find fault with him and to pick every little bit they can to try and put him in a lesser light. I think he has acted well. I think he has been honest in what he has told the American people; I place no faith in this credibility gap and while he is not responsible for everything his subordinates say in other departments, he is responsible for what he says and he has been as honest as he could be with the American people in telling them facts as they are, and as he knows them.

Mr. Clark. Senator Mansfield, it has been a great pleasure having you with us on ISSUES AND ANSWERS. I am sorry our time is up.

Next week: Hon. Everett McKinley Dirksen, (R-Ill.), Senate Minority Leader.

INVITATION FOR A CONGRESSIONAL DELEGATION TO VISIT GREAT BRITAIN

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Lord Chancellor and Speaker of the House of Commons of Great Britain, expressing cordial greetings to the President of the Senate and the Speaker of the House of Representatives, and inviting them to arrange for a delegation from the U.S. Congress to pay a visit to Great Britain; which was ordered to lie on the table.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of U.S. Travel Service

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the U.S. Travel Service, for the calendar year 1965 (with an accompanying report); to the Committee on Commerce.

Amendment of Intercoastal Shipping Act of 1933, To Provide for Accounting at the Expiration of a Rate Suspension

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension (with accompanying papers); to the Committee on Commerce.

Amendment of Section 27 of Shipping Act, 1916

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 27 of the Shipping Act, 1916 (with accompanying papers); to the Committee on Commerce.

Establishment of Working Capital Fund for Department of the Treasury

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to establish a working capital fund for the Department of the Treasury (with an accompanying paper); to the Committee on Finance.

Reports of Comptroller General of the United States

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report on the activities of the U.S. General Accounting Office, during the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for prompt adjustment in compensation payments to injured Federal employees from total to partial disability rates, Bureau of Employees' Compensation, Department of Labor, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

Third Preference and Sixth Preference Classification for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according third preference and sixth preference classification to certain aliens (with accompanying papers); to the Committee on the Judiciary.

Report on Scientific and Professional Positions

A letter from the Assistant Administrator for Legislative Affairs, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on scientific and professional positions in that Administration, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Capitol Hill Southeast Citizens Association, Washington, D.C., regarding crime and new anticrime legislation; to the Committee on the District of Columbia.

A letter in the nature of a petition signed by Edward Russaw, of San Bernardino, Calif., relative to his employment in his community; to the Committee on the Judiciary.

The petition of Richard H. Davis, of New York, N.Y., relating to procedures in certain impeachment cases; to the Committee on the Judiciary.

A resolution adopted by the National Historical Publications Commission, Washington, D.C., expressing regret at the retirement of Senator Leverett Saltonstall; ordered to lie on the table.

LEGISLATIVE REORGANIZATION ACT OF 1967—REPORT OF A COMMITTEE (S. REPT. NO. 1)

Mr. MONRONEY. Mr. President, I am most pleased to report an original bill, the Legislative Reorganization Act of 1967, on behalf of the Special Committee on the Organization of the Congress. I am also filing the Report of the Special Committee recommending favorable Senate action on the bill.

The bill is in substantial conformity with S. 3848, the Legislative Reorganization Act of 1966, which was introduced last session. The legislation implements the recommendations made in the 18-month study of the Joint Committee on the Organization of the Congress. Unfortunately, the pressures of the last months of the session precluded consideration of this important bill before adjournment.

The bill omits two jurisdictional changes which appeared in S. 3848 and which had been recommended by the joint committee. One was the proposal for a new Committee on Education with jurisdiction taken primarily from the Committee on Labor and Public Welfare. The other was the recommendation for the expansion of the jurisdiction of the Aeronautical and Space Sciences Committee. The hearings held by the special committee last fall and discussions with a large number of Senators since that time have indicated wide opposition to these proposals and a view that sufficient consideration had not been given to potentially detrimental effects on existing committee operations. The committee has concluded that the inclusion of these provisions would seriously jeopardize the passage of the bill.

It is imperative that the Senate proceed with consideration of the many important provisions of the bill. This is a particularly appropriate time to do so. The President has emphasized the need for sound organization at all levels of government in his state of the Union message. Our distinguished majority leader has urged the committees of the Senate to intensify their statutory obligation to review existing programs. Indeed, the pundits have suggested that this should be a "stop, look, and listen" Congress.

Passage of this bill would be a major step forward in providing the organizational tools which are necessary to meet our many responsibilities. The bill provides for a legislative assistant to aid each Senator in the analysis of issues in committee and on the floor. It provides a new staff position of review specialist for each standing committee—an individual to be directly charged with the evaluation of existing programs under the committee's jurisdiction. It creates the opportunity for congressional access to a much higher level of budget information—in both quantity and quality—for the analysis of spending measures. It strengthens the informational facilities available through the Legislative Reference Service of the Library of Congress. These, and many other provisions, are designed to make Congress better equipped to meet the challenges of a complex and technical age.

It is not my intention today to detail the many provisions of the Legislative Reorganization Act of 1967. However, my distinguished colleagues on the spe-

cial committee and I look forward to discussing the bill with you after you have reviewed its provisions. Of course, we expect many Senators to have other suggestions—and perhaps differing views—when the bill is considered on the floor. I am confident that the Senate will work its will in such a manner that the bill sent to the House for consideration will ultimately be landmark legislation.

The committee is grateful to the distinguished majority leader for his agreement to make this bill one of the first orders of business when the current discussion of the rules of the Senate has been concluded and that issue decided. In this connection, I ask unanimous consent that an article appearing on December 29, 1966, in the Washington Daily News be included with my remarks, as it expresses the importance of this legislation in implementing some of the major responsibilities of the Congress during this and future sessions.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"LEGISLATIVE OVERSIGHT"—GREAT SOCIETY CHECK ASKED

(By Marshall McNeil)

The Senate will have a chance early next year to provide itself with power and personnel for one of its most important, but often neglected jobs.

The job is checking on laws already on the books and ways they are administered to pinpoint changes required to meet present-day needs.

This is called "legislative oversight," a function of the standing committees of the Senate.

Chairmen of these committees were prodded this week by Democratic Leader Mike Mansfield (Mont.) to use authority they already posess to check on Great Society welfare and relief programs, some of which were hastily approved in the last Congress, as well as farm subsidy, tax and draft programs that have been in existence for years.

More specific authority for such review is included in the Congressional reorganization bill drafted last session but shelved by the leadership. However, in shunting the bill aside, Sen. Mansfield promised Sen. Mike Monroney (D., Okla.), its principal sponsor, he would call it up soon after the new congress convenes Jan. 10.

The measure, drafted by a joint committee and covering both Houses, provides for mild revisions in Congressional procedures. But several of these have aroused the jealousies of congresmen anxious to keep all their present prerogatives.

So, while some portions of the bill probably will be killed or amended, its provisions for better "legislative oversight" may be approved.

Existing law providing for such review failed to achieve the desired result, Sen. Monroney told the Senate. Altho some committees have carried out "extensive oversight activities," he added, "most are preoccupied with new legislative programs."

The bill would allow each standing committee to appoint a permanent, non-partisan review specialist. He would help the committee determine what existing programs are being efficiently administered in accordance with Congressional intent. He would be required to keep tabs on hundreds of reports on specific Government programs made by the auditing experts of the General Accounting Office.

RECOMMENDING

Every year, not later than March 31, each committee would report on its review activities, evaluating programs under its jurisdiction, assessing the qaulity of administration, and recommending organizational or program changes, and elimination of unnecessary activities.

The reviews also would check on program spending. Reports would be sent to the President, the Budget Bureau and the Executive agencies involved. In this way, ground work would be laid for any changes Congress might want to make.

The Monroney bill authorizes $924,000 to pay the salaries of review specialists for all House and Senate committees.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished junior Senator from Delaware [Mr. BOGGS], who has been so helpful in preparing the study and report.

Mr. BOGGS. Mr. President, I thank my distinguished chairman, the Senator from Oklahoma [Mr. MONRONEY].

Mr. President, the intent of the proposed Legislative Reorganization Act of 1967 is clear. Simply stated, it is to help Congress do a better job.

What the Joint Committee on the Organization of the Congress did in its lengthy hearings during the last session was stand back and examine the operations of the legislative branch. It collected the thoughts and advice of experts, including those now serving in Congress. It distilled these many suggestions to produce the bill which has been introduced here today by the distinguished senior Senator from Oklahoma.

Independent and informed judgments by Congress of legislation proposed by the executive branch depend chiefly on the study given that legislation by the committees of Congress. Therefore, the main thrust of the Reorganization Act is to strengthen the committee system.

How the bill proposes this be done will be discussed in detail later when the bill is called up.

Particular attention is focused on the need to examine carefully, and more independently and fully, the budget proposed by the executive.

Since the validity of the individual and committee study depends greatly on the sources of information available to to the Members of Congress, the bill also proposes to strengthen this area.

It should also be mentioned that Congress cannot again afford to let 10 Congresses pass by before taking another critical look at its operations. Therefore, this bill would set up a Joint Committee on Congressional Operations to keep under constant review methods of making Congress more effective.

Mr. President, we all know how quickly events move today. We know that there is increasing emphasis on Federal-State cooperation to tackle domestic problems. We know that business and private organizations are more and more being called to join in a cooperative partnership with government to improve our society and achieve the promise of excellence which lies ahead.

This bill will help Congress perform its function more effectively in this great enterprise which is the responsibility of all levels of government and all sectors of our society.

It is a pleasure to be associated with the distinguished chairman of the Special Committee on the Organization of the Congress and the other members of that committee, and I am hopeful of speedy action by the Senate on this most important bill.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield to the distinguished junior Senator from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. President, I wish to join with the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Delaware [Mr. BOGGS] in the good things being said regarding the bill which the chairman of the committee, the Senator from Oklahoma [Mr. MONRONEY], has just reported.

I believe that I have never been associated with a committee that worked harder and more conscientiously in preparing a program that would provide at least some degree in needed overhaul of Congress, and particularly the committee system, as has been mentioned by the Senator from Delaware [Mr. BOGGS].

Mr. President, the bill is not a perfect bill. I do not believe that anyone claims that it is, but I think that it makes progress of the kind we need.

I wish to pay tribute to the able Senator from Oklahoma [Mr. MONRONEY] for the tremendous job which he has done in steering the joint committee of the Senate and the House of Representatives through weeks and months of study and work; to the individual members of the committee from both sides of the Capitol; and to the very able staff that we have. I believe that a good job has been done and I hope that very soon we may be able to take action on the bill.

Mr. MONRONEY. I thank the distinguished Senator from Alabama [Mr. SPARKMAN], who was so faithful and helpful in this effort, and I also wish to thank him for his remarks about the staff.

The entire committee, which was bipartisan in both the Senate and the House of Representatives, attended regularly and worked sincerely in an effort to prepare as good a bill as possible to present to the Senate.

Mr. President, I now yield to the distinguished Senator from Montana [Mr. METCALF], who is a member of the committee, and who worked faithfully in the preparation of this legislation.

The ACTING PRESIDENT pro tempore. The time of the Senator from Oklahoma has expired.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the time of the Senator from Oklahoma [Mr. MONRONEY] be extended for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I thank the Senator from Oklahoma for yielding. I wish to join Senators who are members of the committee, and I concur with them in their praise of the chairman for his wisdom, knowledge of legislative procedures, and, of course, the background he had in connection with the reorganization act that preceded this one.

I believe that we have brought forth legislation which is a notable achievement, with the concurrence, help, and assistance of the Members from the House of Representatives, and the leadership of the cochairman, Representative MADDEN. I believe we have a bill that will answer many of the questions and problems that have been presented as to the future of this legislative body.

Many of our colleagues have written textbooks about the future of Congress, and also its functions. This is a bill which will strengthen committee organization, which will strengthen the role of each individual Member, and will go a long way toward answering many of the objections which have been raised by our colleagues and have been presented to us by students of our form of government.

Especially I want to point out that many of the committees in Congress today—powerful and important committees—were not even in existence or thought of when Congress passed the present Reorganization Act, which bears the name of the Senator from Oklahoma [Mr. MONRONEY]; namely, committees on atomic energy, space, and so forth—all those matters upon which we spend so much money and upon which we take so much time. As I said, they were not even thought of at the time of reorganization.

Thus, I believe that one of the most important things which will come out of this study will be the need for constant attention to changes in jurisdiction of committees, changes in procedures themselves, and changes in the many concepts in this ever-changing world. I believe that the bill will accomplish all this. During the course of debate on the bill, it will be the privilege of all Senators to bring out many other things which have been learned in the course of hearings, in the course of debate, and in the course of the long and considered discussion which we have had on this legislation.

This is landmark legislation, as the chairman has described it. Much of the credit for bringing this important legislation to the floor of the Senate in the form of a bill today belongs to the distinguished Senator from Oklahoma, who has done so much to iron out disputes and to bring about what is virtually a unanimous report after so much consideration.

Mr. MONRONEY. I thank my distinguished colleague for his complimentary remarks. The committee worked on this bill with the greatest of harmony. It worked long hours to try to get an agreement and a consensus as to the best suggestions which would equip Congress to meet its present-day problems.

Mr. HOLLAND. Mr. President, I wish to express my very great appreciation to the distinguished Senator from Oklahoma for his persistence in this second effort to reorganize congressional functioning. I hope that this effort will be successful, as was the former one. I know that the Senator has spent a great deal of time and effort on it.

I join in complimenting and congratulating the Senator from Oklahoma, as well as the Senator from Delaware and other members of this special committee on both sides of the aisle.

I hope that we may come up with an excellent reorganization bill which will accomplish the objectives which the Senator from Oklahoma and his associates have in mind.

The ACTING PRESIDENT pro tempore. The report will be received and printed, and the bill will be placed on the calendar.

The bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, reported by Mr. MONRONEY, was read twice by its title, and placed on the calendar.

ADDITIONAL FUNDS FOR COMMITTEE ON FINANCE—REPORT OF A COMMITTEE

Mr. LONG of Louisiana, from the Committee on Finance, reported the following original resolution (S. Res. 21), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Finance is authorized from February 1, 1967, through January 31, 1968, to employ six additional clerical assistants, to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

REPORT ON BATTLE OF NEW ORLEANS SESQUICENTENNIAL CELEBRATION

Pursuant to Public Law 87-759, 87th Congress, Mr. ELLENDER submitted a report on the Battle of New Orleans Sesquicentennial Celebration.

REPORT OF ACTIVITIES OF JOINT COMMITTEE ON DEFENSE PRODUCTION—REPORT OF A JOINT COMMITTEE

Mr. SPARKMAN, from the Joint Committee on Defense Production, Congress of the United States, submitted a report entitled "Sixteenth Annual Report of the Activities of the Joint Committee on Defense Production, Congress of the United States," with material on mobilization from departments and agencies.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

John J. Linnehan, of Massachusetts, to be Federal cochairman of the New England Regional Commission.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 319. A bill for the relief of Branko "Bronco" Balic; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 320. A bill to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of North Carolina in order that such land may be used in connection with a proposed water supply lake, and for other purposes; to the Committee on Armed Services.

By Mr. HART:

S. 321. A bill for the relief of Charles Bernstein; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. HRUSKA, and Mr. TYDINGS):

S. 322. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS:

S. 323. A bill to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States; to the Committee on Armed Services.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 324. A bill for the relief of Jesse C. Johnson; to the Committee on the Judiciary.

By Mr. HILL (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BAYH, Mr. BIBLE, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. DIRKSEN, Mr. DOMINICK, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MCGEE, Mr. MONDALE, Mr. MONRONEY, Mr. MONTOYA, Mr. MORSE, Mr. MORTON, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SMATHERS, Mrs. SMITH, Mr. TOWER, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota):

S. 325. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HILL when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL (for himself, Mr. COTTON, Mr. JAVITS, Mr. MORSE, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, and Mr. YARBOROUGH):

S. 326. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration as elements of a comprehensive whole; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. RANDOLPH relating to the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 327. A bill for the relief of Dr. Carlos Victor de la Concepcion Garcia;

S. 328. A bill for the relief of Dr. Oscar Lopez;

S. 329. A bill for the relief of Dr. Oswaldo F. Lopez;

S. 330. A bill for the relief of Kwok Ching Yee (also known as Ip Kwok Ching);

S. 331. A bill for the relief of Heather Gwendolyn Boyd-Monk; and

S. 332. A bill for the relief of Nariko Susan Duke (Nakano); to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 333. A bill to amend the Watershed Protection and Flood Prevention Act, as amended, so as to permit Federal cost sharing for certain uses of water stored in reservoir structures constructed or modified under such act; to the Committee on Agriculture and Forestry.

S. 334. A bill to authorize the payment of pension under section 541 of title 38, United States Code, to the widow of a veteran of World War I, World War II, or the Korean conflict without regard to the period of time such widow was married to the veteran, if the veteran committed suicide; to the Committee on Finance.

S. 335. A bill to amend the Act of July 1, 1948 (62 Stat. 1215), providing for the furnishing of Government headstones and markers; to the Committee on Armed Services.

S. 336. A bill for the relief of Dr. Rammurti S. Mishra;

S. 337. A bill for the relief of Tommie Shou; and

S. 338. A bill for the relief of Mario Inoue; to the Committee on the Judiciary.

S. 339. A bill to provide for retroactive payment of annuities payable under the Civil Service Retirement Act to the survivors of Members of Congress who died between February 29, 1948, and March 5, 1954; to the Committee on Post Office and Civil Service.

By Mr. BREWSTER:

S. 340. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Commerce.

S. 341. A bill to provide for improved employee-management relations in the Federal Service, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the first above-mentioned bill, which appear under a separate heading.)

(Note.—The first above-mentioned bill (S. 340) was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. BREWSTER (for himself and Mr. Tydings):

S. 342. A bill to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one additional place; to the Committee on the Judiciary.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself and Mr. Griffin):

S. 343. A bill to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966; to the Committee on Public Works.

By Mr. ELLENDER:

S. 344. A bill for the relief of Louis Beaud (Brother Amable); and

S. 345. A bill for the relief of Dr. Benito V. Odulio and his wife, Dr. Brunhilda G. Odulio; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 346. A bill for the relief of George Orfanoudis;

S. 347. A bill for the relief of Charles R. Hartew;

S. 348. A bill for the relief of Bertha Delia; and

S. 349. A bill for the relief of Daill Park; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. Hansen):

S. 350. A bill to provide for the establishment of a national cemetery in the State of Wyoming; and

S. 351. A bill to authorize the establishment of the Fossil Butte National Monument; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under separate headings.)

By Mr. INOUYE:

S. 352. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Finance

By Mr. DIRKSEN (for himself and Mr. Percy):

S. 353. A bill to authorize and direct the Secretary of Agriculture to make a preliminary survey of the proposed George Rogers Clark Recreation Way within and adjacent to the Shawnee National Forest in the State of Illinois; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of Delaware:

S. 354. A bill for the relief of Peter Drossos; to the Committee on the Judiciary.

By Mr. MONRONEY:

S. 355. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; placed on the calendar.

(See the remarks of Mr. Monroney when he reported the above bill, which appear under a separate heading.)

By Mr. HART:

S. 356. A bill to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.; to the Committee on Banking and Currency.

By Mr. WILLIAMS of Delaware:

S. 357. A bill to amend section 504(a) of the Labor-Management Reporting and Disclosure Act of 1959 which prohibits the holding of union office by persons convicted of certain offenses, so as to make such section applicable with respect to convictions of certain additional offenses; to the Committee on Labor and Public Welfare.

S. 358. A bill to provide for the appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

S. 359. A bill for the relief of Mrs. Mary C. Ryan; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 360. A bill for the relief of Dr. Ashwin Vaiodya; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 361. A bill for the relief of Marija Malnar; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 362. A bill for the relief of Sofia Dorr; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 363. A bill for the relief of Milorad Segrt; and

S. 364. A bill for the relief of Julianno Rado; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 365. A bill for the relief of Mrs. Mary Geromi; to the Committee on Foreign Relations.

By Mr. PELL:

S. 366. A bill to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete two academic years of higher education; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. PELL (for himself and Mr. Cooper):

S. 367. A bill to promote excellence in education and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON (for himself and Mr. Mondale):

S. 368. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 369. A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder; to the Committee on Finance.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 370. A bill to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself, Mr. Thurmond, Mr. Morton, Mr. Tower, Mr. Stennis, and Mr. Dominick):

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

(Note.—The above joint resolution was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. HOLLAND (for himself, Mr. Allott, Mr. Curtis, Mr. Dominick, Mr. Hruska, Mr. Tower, and Mr. Young of North Dakota):

S.J. Res. 13. Joint resolution to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Holland when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. RANDOLPH:

S.J. Res. 14. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. Randolph when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BURDICK:

S.J. Res. 15. Joint resolution proposing a nationwide popular vote for election of the President and Vice President of the United States; to the Committee on the Judiciary.

RESOLUTIONS

MINORITY PARTY'S MEMBERSHIP ON STANDING COMMITTEES

Mr. DIRKSEN submitted a resolution (S. Res. 18) designating the minority party's membership on standing committees, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

APPOINTMENT OF CHAIRMAN OF SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD submitted a resolution (S. Res. 19) appointing Mr. SMATHERS as chairman of the Select Committee on Small Business, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

EXTENSION OF SPECIAL COMMITTEE ON AGING

Mr. MANSFIELD submitted the following resolution (S. Res. 20), which was referred to the Committee on Rules and Administration:

S. RES. 20

Resolved, That the Special Committee on Aging, established by S. Res. 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1968, except that thirteen members of such Committee shall be appointed from the majority party and seven members from the minority party.

SEC. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

SEC. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpenas or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

SEC. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 5. For purposes of this resolution, the committee is authorized (1) to employ on a temporary basis from February 1, 1967, through January 31, 1968, such technical, clerical, or other assistants, experts, and consultants as it deems advisable: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (2) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, to employ on a reimbursable basis such executive branch personnel as it deems advisable.

SEC. 6. The expenses of the committee, which shall not exceed $221,000 from February 1, 1967, through January 31, 1968, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968. The committee shall cease to exist at the close of business on January 31, 1968.

ADDITIONAL FUNDS FOR COMMITTEE ON FINANCE

Mr. LONG of Louisiana reported an original resolution (S. Res. 21) to provide additional funds for the Committee on Finance, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. LONG of Louisiana, which appears under the heading "Reports of Committees.")

STUDY OF ENTRY OF NONIMMIGRANT ALIENS INTO THE UNITED STATES TO PERFORM SERVICES OR LABOR

Mr. TOWER submitted a resolution (S. Res. 22) to provide for a study of the entry of nonimmigrant aliens into the United States to perform services or labor, which was referred to the Committee on the Judiciary.

(See the above resolution printed in full when submitted by Mr. TOWER, which appears under a separate heading.)

(NOTE.—The above resolution was ordered to be held at the desk until January 23, 1967, for additional cosponsors.)

AMENDMENT OF MIGRATORY BIRD CONSERVATION ACT

Mr. METCALF. Mr. President, as I have previously pointed out, the Congress in 1929 created the Migratory Bird Conservation Commission, on which I have the honor to serve.

As you know, the Commission passes on recommendations of its Chairman, the Secretary of the Interior, for additions to the migratory bird refuges within the national wildlife refuge system. Members of the Commission include the Secretary of Agriculture, the Secretary of Commerce, another Member of this body, the senior Senator from Nebraska [Mr. HRUSKA] and two Members of the House [Mr. KARSTEN and Mr. CONTE].

We of the Commission are trustees of the funds of American duck hunters and other contributing conservationists who came to the Congress and asked that we provide for a duck stamp and use the proceeds to acquire the land necessary for migratory bird refuges. In addition, we are trustees of the funds of organizations and private individuals, who have contributed millions of dollars for acquisition, and in some cases, development of these refuges.

While we trustees are consulted on proposed additions to the refuge system, no such approval is required when refuges are eliminated, reduced, or portions are taken for other than wildlife uses, such as highways. It may be that there are units in our wildlife refuge system which on the basis of experience should be reduced or eliminated—despite the fact that the basic statute, the Migratory Bird Conservation Act, provides in its title for the acquisition of these areas of land and water "in perpetuity." But this is a program set up by the Congress and administered only in part by a Commission created by the Congress.

In the 89th Congress, the senior Senator from Nebraska [Mr. HRUSKA] and I introduced S. 2192, to require that land gets out of the refuge system the same way it now gets in—by Commission approval. The measure—H.R. 8807—was introduced in the House by the gentleman from Michigan [Mr. DINGELL].

We also would require that the migratory bird conservation fund be reimbursed in the amount of fair market value of any refuge lands taken for nonwildlife purposes. Conservationists buy duck stamps and make other contributions to expand the national wildlife refuge system. When land passes from that system, the duck stamp fund should be reimbursed for the value of the land taken. Otherwise we are picking the pockets of our duck hunters, investing their money in additions to the national wildlife refuge system while, at the same time, relinquishing land already in this system.

Mr. President, on behalf of the senior Senator from Nebraska [Mr. HRUSKA] and the junior Senator from Maryland [Mr. TYDINGS], I am reintroducing the bill to amend the Migratory Bird Conservation Act. I ask unanimous consent that the bill be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 322) to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) is amended by inserting "(a)" immediately after "SEC. 2." and by inserting at the end of such section the following new subsection:

"(b) (1) No land located within any wildlife refuge, wildlife range, game range, wildlife management area, or waterfowl production area, administered by the Secretary of the Interior through the Fish and Wildlife Service, Department of the Interior, shall be sold, transferred for any other use, or otherwise disposed of—

"(A) without the approval of the Commission, and

"(B) without the payment by the Secretary of the Interior to the migratory conservation fund (established under section 4 of the Act of March 16, 1934 (16 U.S.C. 718d)) of the fair market value of such land.

"(2) Except for a road constructed for the sole purpose of maintaining and protecting any such refuge, or area, no road, shall be constructed within any such refuge, range, or area—

"(A) without the approval of the Commission, and

"(B) without the payment by the Secretary of the Interior to such migratory bird conservation fund of the fair market value of the right-of-way.

"(3) Any funds transferred to such migratory bird conservation fund under paragraphs (1) and (2) of this subsection shall be used exclusively for the acquisition of areas for migratory bird refuges."

THE NATIONAL WILDLIFE REFUGE SYSTEM

Mr. METCALF. Mr. President, I wish to bring to the attention of the Senate an editorial in the New York Times of August 4. It supports the Hruska-Metcalf bill (S. 1816) which would forbid removal of land from the national wildlife refuge system except with approval of the Migratory Bird Conservation Commission.

The editorial points out the vital difference between closing a military installation and closing a wildlife refuge. One can be rebuilt or replaced, the other cannot. When the Bureau of the Budget sought economy, by closing 11 refuges in 12 States, it was not only ignoring other values but it was not economizing at all. It did not consider the dollar income from sale of timber and other resources on wildlife refuges.

I wish to commend the Times for its editorial. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Retreat on Wildlife

> Although the record of the Johnson Administration on major conservation issues has thus far been excellent, it has introduced an oddly regressive note into its management of the Nation's wildlife refuges.
>
> For the sake of economy, the Bureau of the Budget this year has compelled the Interior Department to get rid of five wildlife refuges, cut back its work on four and turn two others over to the States. The purpose of these closings was to save the sum of $200,000. This squeeze on the refuge system is part of the much-publicized economy drive that has produced some closings of shipyards, army bases and veterans' hospitals. But there are two significant differences between those installations and the refuges.
>
> If a new hospital or military base is needed, it can always be built or the old one reactivated. But once land and water areas reserved for migratory birds and wild animals are gone, they are usually gone forever.
>
> The second difference is that land in refuges has either been given by private individuals and organizations or has been acquired with public funds from the proceeds of the duck stamps that hunters buy. By either financial route, the refuges have the character of a special trust. Indeed, the Migratory Bird Conservation Act provides for the acquisition of these lands and water areas in perpetuity.
>
> Not every wildlife refuge that was closed in this economy drive represented a real loss. Like every large operation, the National Wildlife Refuge System makes changes as conditions change. But some of the refuges were still useful. Moreover, changes should be dictated by the needs of the system and not by the arbitrary pressure of periodic economy drives.
>
> Under these circumstances, we endorse the bill recently introduced by Senators Metcalf, of Montana, and Hruska, of Nebraska, to forbid removal of land from the system except with approval of the Migratory Bird Conservation Commission. The Commission's approval is needed to add land to the system; its approval should be necessary to take land out of it. This year's squeeze from the Budget Bureau proves that this elementary protection for the wildlife refuges is essential.

TRANSPORTATION PAY FOR MEMBERS OF UNIFORMED SERVICES WHEN ON EMERGENCY LEAVE

Mr. CURTIS. Mr. President, I am today introducing a bill similar to the one I introduced in the last Congress. This proposal, if enacted into law, will provide that the members of our uniformed services shall have their transportation paid when they come home on emergency leave or when they come home just before they go overseas.

At the present time, servicemen on leave from Vietnam or military posts receive no Federal pay for transportation in the United States. They must pay their own way. This is true when they come home because of a death or illness or other emergency. The bill I am introducing would correct this.

Mr. President, I am sure that every Senator has observed our servicemen waiting around in the airports for a chance to buy a ticket at a reduced rate with their own funds on a space-available basis. Other Government personnel are not so treated.

I call attention to the fact that the U.S. Government spent $1,920,910 for sending Job Corps enrollees home for Christmas in December 1965. The amount spent for transportation for Job Corps enrollees for Christmas in 1966 was $1,200,000. We should do no less for our servicemen who are fighting for us or who are prepared to fight for our country.

Mr. President, the January 12, 1967, issue of the Stars and Stripes carries a letter by Commander in Chief Leslie M. Fry of the Veterans of Foreign Wars on this subject of transportation payments for our servicemen. I wish to include in my remarks the pertinent parts of that letter, as follows:

> The purpose of this letter is to bring to your attention, and in so doing express the vigorous opposition and resentment of the Veterans of Foreign Wars over a Government policy that discriminates against U.S. servicemen.
>
> I am referring specifically to the procedure, as reported in the press, of the Government paying the transportation for Job Corpsmen to go home on vacation during the Christmas holidays.
>
> The Veterans of Foreign Wars would like to point out that there is something inherently and fundamentally wrong when Job Corpsmen enjoy vacation travel at the taxpayers' expense and, at the same time U.S. fightingmen are denied such privileges as those accorded the Job Corpsmen.
>
> * * * It is the belief of the Veterans of Foreign Wars that there should be prompt corrective action in this matter which discriminates so viciously against our men in uniform.
>
> The Veterans of Foreign Wars has proposed and supports such administrative or legislative action as would provide government payment of transportation to their homes and return to duty for servicemen who are on: (a) emergency leave; (b) convalescent leave from hospitalization resulting from injury in the line of duty; (c) leave immediately prior to departure for overseas; and (d) leave immediately on return from overseas duty.
>
> It is the firm belief of the Veterans of Foreign Wars that such assistance to our servicemen is long overdue; that the cost would be insignificant in terms of the dividends which would be realized in increased morale and higher reenlistment rates; and would be fully justified in view of the fact that Job Corpsmen, whose duties do not involve the obligations and risks of military service, already receive vacation travel at the expense of the U.S. taxpayer.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 323) to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States, introduced by Mr. Curtis, was received, read twice by its title, and referred to the Committee on Armed Services.

NATIONAL EYE INSTITUTE

Mr. HILL. Mr. President, I am introducing a bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health.

The bill is identical to S. 3514, which I introduced in the 89th Congress in cosponsorship with 52 Members of this Chamber.

Briefly, Mr. President, the bill would authorize the establishment of a National Eye Institute to mobilize an attack on blindness and other visual disorders. Through research and the training of research scientists, the new Institute would develop new treatments and cures for visual disorders, and more important, discover how to prevent blindness and other visual disorders that take such a toll.

The dimensions of the problem of visual disorders in this country demonstrate the need for the new institute:

About 400,000 persons have 10 percent vision or less, including 50,000 persons who are totally blind;

More than one million persons are unable to read regular newspaper print, even with the help of glasses;

Nearly 90 million persons have, to some degree, impaired eyesight;

About 30,000 adults and children become blind each year, and most important of all—

Eighty percent of all blindness is the result of diseases whose causes are not known to science.

In addition, Mr. President, we are all familiar with the economic consequences of blindness:

The cost of providing public assistance to nearly 100,000 needy blind persons;

The cost of special facilities, teachers, books, and materials needed in the education of more than 20,000 elementary and secondary-school-attending blind children.

The cost of centers and facilities providing adjustment to blindness and other services to the newly blind and the long-neglected blind;

The cost of vocational rehabilitation agencies, programs and training facilities to provide occupational retraining and job placement help to the employable blind;

The cost of braille and recorded books for the blind, the buildings to house them, the personnel to distribute them.

The human and economic toll of blindness is a burden that we need not endure if we take advantage of the opportunities offered by medical research. Let me cite an example. In 1953 we made the discovery that too much oxygen administered to premature infants resulted in retrolental fibroplasia, a cause of blindness. As a result of this finding, the incidence of retrolental fibroplasia fell dramatically from 1,900 cases in 1952 to only 28 in 1958. Today, the condition is a rarity.

If this medical advance had been discovered 1 year later, the lifetime cost of care for the additional number of blind persons would have amounted to more than $120 million. If the discovery had come 10 years later the cost would have exceeded $1 billion.

But costs alone are a poor measure of the problem of blindness, for they do not portray the human suffering nor the disadvantages and difficulties of blind people in a sight-oriented world.

Mr. President, our goal must be the eradication of blindness from our society. Even though blindness can be lived with successfully in our society, it is not a condition that should be needlessly continued in America nor in the world. I urge my colleagues to support the bill I am introducing today to establish a National Eye Institute that we may effectively work to prevent blindness and develop new treatments and cures for visual disorders.

I ask unanimous consent that the text of the bill be printed in the RECORD, along with the names of the 50 Senators who are joining with me in sponsoring the legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the names of Senators will be printed in the RECORD.

The bill (S. 325) to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health, introduced by Mr. HILL (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BAYH, Mr. BIBLE, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. DIRKSEN, Mr. DOMINICK, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MCGEE, Mr. MONDALE, Mr. MONRONEY, Mr. MONTOYA, Mr. MORSE, Mr. MORTON, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SMATHERS, Mrs. SMITH, Mr. TOWER, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, together with the names of the cosponsors, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C., ch. 6A, subch. III) is amended by adding at the end thereof the following new part:

"PART F—NATIONAL EYE INSTITUTE

"Establishment of National Eye Institute

"SEC. 451. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research for new treatment and cures and training relating to blinding eye diseases and visual disorders, including research and training in the special health problems and requirements of the blind and in the basic and clinical sciences relating to the mechanism of the visual function and preservation of sight. The Surgeon General is also authorized to plan for research and training, especially against the main causes of blindness and loss of visual function.

"Establishment of advisory council

"SEC. 452. (a) The Surgeon General is authorized, with the approval of the Secretary, to establish an advisory council to advise, consult with, and make recommendations to the Surgeon General on matters relating to the activities of the National Eye Institute.

"(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to the council established under this section, except that the Surgeon General, with the approval of the Secretary, may include on such council established under this section such additional ex officio members as he deems necessary.

"(c) Upon appointment of such council, it shall assume all or such part as the Surgeon General may, with the approval of the Secretary, specify of the duties, functions, and powers of the National Advisory Health Council relating to the research or training projects with which such council established under this part is concerned and such portion as the Surgeon General may specify (with such approval) of the duties, functions, and powers of any other advisory council established under this Act relating to such projects.

"Functions

"SEC. 453. The Surgeon General shall, through the National Eye Institute established under this part, carry out the purposes of section 301 wtih respect to the conduct and support of research with respect to blinding eye diseases and visual disorders associated with general health and well-being, including the special health problems and requirements of the blind and the mechanism of sight and visual function, except that the Surgeon General shall, with the approval of the Secretary, determine the areas in which and the extent to which he will carry out such purposes of section 301 through such Institute or an institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter. The Surgeon General is also authorized to provide training and instruction and establish and maintain traineeships and fellowships, in the National Eye Institute and elsewhere in matters relating to diagnosis, prevention, and treatment of blinding eye diseases and visual disorders with such stipends and allowances (including travel and subsistence expenses) for trainees and fellows as he deems necessary, and, in addition, provide for such training, instruction, and traineeships and for such fellowships through grants to public or other nonprofit institutions."

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. KUCHEL. Mr. President, there is no bill that will be introduced in this Congress, or, for that matter, in any other Congress, which will have a more moving effect on the Senator from California than the bill just introduced by the Senator from Alabama.

I doubt that I should hesitate in simply saying that my own beloved mother is now 96. She was blind for a number of years. By an almost miraculous operation last year, her eyesight was restored.

I think the Senator, in the introduction of his bill, is participating in a field which needs more scientific research than we have had in the past.

I simply rise to pay him once again the just metes of respect by his colleagues for the interest he has taken in all problems of health and welfare of human beings.

Mr. HILL. I thank the distinguished Senator from California for his interesting statement about his mother. I rejoice that her eyesight has been restored to her. The distinguished Senator from California is one of the sponsors of the bill. He and I are marching together in the effort to try to save people from blindness through research and training.

RANDOLPH SUPPORTS ANOTHER MEASURE TO AID THE BLIND AND NEAR-BLIND: JOINS SENATOR HILL IN SPONSORING BILL TO CREATE NATIONAL EYE INSTITUTE

Mr. RANDOLPH. Mr. President, it is a distinct pleasure for me to cosponsor, once again, a bill to creat a National Eye Institute in the National Institutes of Health.

As Senator HILL knows, I have been concerned with aid to the blind and near-blind for many years. Since 1936, when the Randolph-Sheppard Act was passed, I have been working in both public and private life to help ameliorate the conditions under which our blind citizens live and work and to assist them in better performing useful roles in our society.

But I am also cognizant of the fact that many are blind who need not have lost their eyesight. Many eye defects and diseases can be cured, and the eyesight of thousands more could be saved each year with adequate knowledge and treatment. It is my hope that by creating a separate Institute in our National Institutes of Health for research into eye sicknesses only, we will assist countless thousands of our citizens—many now living, many yet unborn—to enjoy the soft glow of a sunrise, the graceful flight of a swallow, and the breathtaking view of creation best known to a mountaineer.

RANDOLPH PRAISES HILL—DELIGHTED TO COSPONSOR COMMUNITY SERVICES ACT OF 1967—CITIES PROGRESS BROUGHT BY APPALACHIAN REGIONAL DEVELOPMENT ACT (S. 326)

Mr. RANDOLPH. Mr. President, before I comment on the bill which I am privileged to cosponsor with the distinguished Senator from Alabama [Mr. HILL], I would like to express my profound admiration for that gentleman as both a legislator and a friend. There is no other Senator here today whose contributions to the cause of improved health facilities for our citizens are as well known and as far reaching as those of LISTER HILL'S. It is a source of delight to me, and a responsibility which I cherish, to be able to sponsor with my dear friend this vital piece of legislation he introduced today.

As the sponsor of the Appalachian Regional Development Act in this body several years ago, I have maintained close contact with the community services being discussed and proposed under that landmark legislation. That these services will be of inestimable value to the citizens of our Appalachian States is certainly beyond doubt. That there is a need for similar services to other States, is also beyond doubt. And the bill just introduced will be responsive, I believe, to this need.

Mr. President, I want the Senator from Alabama [Mr. HILL] to know that I will work with him for the enactment of the community services legislation. It is my hope that we will have the support of our colleagues in bringing to fruition a proposal which offers hope to young and old alike in all geographical areas of this vast land of ours. We must each try, with the help of our Creator, to see the promise of America fulfilled for all.

ON AUTHORIZATION OF MERCHANT MARINE FUNDS

Mr. BREWSTER. Mr. President, I introduce, for appropriate reference, a bill which would require the annual authorization of merchant marine funds by the Commerce Committee, which is charged with general oversight of our merchant marine. This bill is identical to one which I introduced last year.

There are two reasons which I feel that this particular change would be appropriate. First, there is substantial precedent for such a move. Second, the need for such a change is urgent.

Congress has, for a number of years, followed the practice of authorizing annual appropriations for military construction of bases and facilities. In 1959, this procedure was extended to the procurement of aircraft, missiles, and naval vessels.

In 1963, the same procedure was adopted for the Coast Guard, whose annual appropriations are to be authorized by the Commerce Committee. The bill which I am introducing would place the merchant marine—the fourth arm of the Nation's defense—on the same basis as the Coast Guard and the naval vessels.

There is, of course, ample other precedent for this proposal. The Peace Corps, the NASA program, the Atomic Energy Commission, certain housing programs, and a number of other activities are subject to both authorization and appropriation.

Granted that the precedent exists, why should merchant marine funds be authorized by a legislative committee? It seems to me that there are two valid reasons why.

First, it assures effective congressional scrutiny of executive policy decisions. The committee which is charged with legislative oversight of the agency in question can determine whether the policy involved in a particular appropriation is a proper one. It can give the time and the expertise required to scrutinize executive discretion.

Thus, in 1959, the conferees on the military authorization proposal stated:

> An effective method for maintaining proper surveillance over this procurement would be in the manner described above (annual appropriations).

Second, the bill I am proposing would effectively spotlight the need for merchant marine appropriations. As I have often stated to the Senate, our merchant marine is being sunk.

We should have the individuals who really know the maritime picture up to testify each year before a legislative committee on what they feel to be an appropriate level of congressional funds. Needless to say, the Appropriations Committee would retain its power to cut the allotment, in view of overall budgetary considerations.

Mr. President, I do not intend to go through the dreary picture of the merchant marine in depth. It is, I assure the Senators, a very dreary picture.

The United States was once the principal maritime power of the world. We have fallen far in recent years. We now transport only 8 percent of our foreign commerce.

What is worse, we do not seem to be able to learn from history. George Santayana, the noted philosopher, wrote that those who will not learn from history are forever condemned to repeat it.

We allowed our shipping to decline in the early colonial days until we found ourselves with no fleet at the time of the Revolutionary War. We built up a fleet for that conflict, but dismantled it immediately thereafter.

Thus we entered the War of 1812 helpless at sea. Once again, a high-powered shipbuilding effort—ended after the war. In the Civil War, the same story. In World War I, World War II, the Korean war—every battle finds us unprepared to fight it and supply it at sea.

Now we are embroiled in southeast Asia. We send the vast majority of our men by sea. Ninety-eight percent of our cargo goes in ships—most of them non-Government vessels, our private merchant marine. But our fleet, once again, is a disgrace.

I do not know that we are ready to wake up now. I would hope that we are. It is time that we learn from our past mistakes.

One step in this direction would be to require annual hearings and authorizations by the committee which oversees the merchant marine. I urge the Senate to do so.

Mr. President, I ask that the bill lie on the table for 10 days.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Maryland.

The bill (S. 340) to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Commerce.

TO HOLD DISTRICT COURTS IN MARYLAND SUBURBS

Mr. BREWSTER. Mr. President, I introduce, for appropriate reference, a bill which would provide that the U.S. District Court for the District of Maryland shall sit at one additional place. My colleague, Senator TYDINGS, joins me in sponsoring this legislation.

Of the 3.6 million people in the State of Maryland, approximately a third live in the Washington suburbs. Frequently litigation arises which they would like to take to the Federal court.

But for a Maryland citizen living in the Washington suburbs, taking a case to Federal court usually means taking it 60 miles away, to Baltimore.

The United States Code already provides that the judges from the Federal district court in Baltimore can also sit in Cumberland and Denton, Md. The bill which I am introducing would merely provide that the court—if and when it so chooses—would be authorized to sit in nearby Hyattsville, as well.

This bill, which is a companion to one being offered by Congressman HERVEY MACHEN in the House, would not establish a new district, for a new division within a district. It would cost little or nothing, for I am reliably informed that there is an office building in the Hyattsville area with space available for the court to use.

In brief, this bill would merely grant to residents of this area the access to Federal court facilities which other Maryland citizens have already. It would make unnecessary the 60-mile trip to Baltimore to make a 5-minute appearance at a hearing. It would make it possible to obtain expert witnesses willing to go to court nearby, instead of devoting an entire day to an exhausting trip to Baltimore.

What is more, this measure would partially alleviate the crowded courts of both Washington and Baltimore, by allowing suburban cases to be tried here. The District of Columbia District Court is already several years behind in its caseload. Some of these cases could doubtless be handled by a Federal court sitting in Hyattsville.

This proposal has the solid support of the bar associations of the District, Prince Georges, and Montgomery Counties. The need for the bill has been established by studies conducted by Prof. Robert Goostree, of American University Law School.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 342) to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one additional place, introduced by Mr. BREWSTER (for himself and Mr. TYDINGS), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. TYDINGS. Mr. President, I join Senator BREWSTER in introducing this to allow the District Court for the District of Maryland to sit in Hyattsville. The bill is identical to one introduced in the last two sessions of Congress by Representative MACHEN. I support this bill because I believe there is a real need for a place of court in Maryand suburbs of Washington, and I hope that adequate quarters can be provided for a court.

It is my understanding that the judges of the Maryland court are quite willing to sit in the District of Columbia suburbs if adequate facilities are made available. I am certain that hearings on this bill will establish whether and where such facilities exist. I also recognize that the Judicial Conference of the United States last September disapproved bills which would have provided for the holding of court in Hyattsville because of the lack of adequate facilities there.

I want to make clear that I support the establishment of a place for sitting of the Maryland District Court in the District of Columbia suburbs. But any such place for holding court must have as an absolute minimum both adequate facilities and equal accessibility to Montgomery and Prince Georges Counties.

ESTABLISHMENT OF A NATIONAL CEMETERY IN THE STATE OF WYOMING

Mr. McGEE. Mr. President, in behalf on myself and my colleague from Wyoming [Mr. HANSEN], I introduce, for appropriate reference, a bill to authorize the Secretary of the Army to establish a national cemetery in the State of Wyoming.

Mr. President, Wyoming is a State which today lacks such a facility though the desirability is apparent, I would say, to everyone familiar with the State. As for siting such a cemetery, there should be no difficulty. As the proposed legislation makes clear, the Secretary would be authorized to use any federally owned lands surplus to the needs of the Government. And there is a plentiful supply of such land in Wyoming, I would observe. Wyoming very much desires, Mr. President, to have on its soil a national cemetery—a place where we can honor our young men who have given the ultimate sacrifice for the people of this State and this Nation. I trust that this measure will gain consideration from this body and be looked upon with favor.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 350) to provide for the establishment of a national cemetery in the State of Wyoming, introduced by Mr. MCGEE (for himself and Mr. HANSEN), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ESTABLISHMENT OF THE FOSSIL BUTTE NATIONAL MONUMENT, LINCOLN COUNTY, WYO.

Mr. McGEE. Mr. President, in behalf of myself and Senator HANSEN, I send to the desk, for appropriate reference, a bill to authorize the establishment of the Fossil Butte National Monument in Lincoln County, Wyo.

This bill is identical to S. 83, which I introduced in the 89th Congress. It is intended to preserve for the benefit and enjoyment of the people some outstanding paleontological sites and geological phenomena near Kemmerer, Wyo. Establishment of the monument has been endorsed by the Secretary of the Interior, and local differences chiefly over the size of the monument have been resolved.

Mr. President, it is my hope that this bill will be given early consideration by the Senate and passed this session so that the truly significant fossil remains to be found here will be safeguarded for the future.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 351) to authorize the establishment of the Fossil Butte National Monument, introduced by Mr. MCGEE (for himself and Mr. HANSEN), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

THE GEORGE ROGERS CLARK RECREATION WAY

Mr. DIRKSEN. Mr. President, I introduce on behalf of myself and the junior Senator from Illinois [Mr. PERCY], for appropriate reference, a bill to authorize and direct the Secretary of Agriculture to make a preliminary survey of the proposed George Rogers Clark Recreation Way within and adjacent to the Shawnee National Forest in the State of Illinois.

One of the necessary prerequisites of a satisfactory recreation way is public control of the right-of-way and adequate lands along it to assure scenic conservation and development of desirable public recreation areas. Last year, the National Forest Reservation Commission extended the Shawnee National Forest Purchase Unit to connect the two segments of the National Forest.

This 100-mile proposed recreation way, sometimes referred to as the River-to-River Road, would extend from Fountain Bluff on the Mississippi River to the general area of Old Shawneetown, Ill., on the Ohio River.

This preliminary survey would be a major step toward accomplishing the desires of the local sponsors of this scenic highway. The study is estimated to cost approximately $40,000. This road and the attractions along the way across lines of seven counties, and Federal and State agencies are involved. It also has an important place in the State's program of development through the board of economic development in Illinois, the department of conservation, and other agencies. George Rogers Clark, a Revolutionary War figure, is closely associated with this general area of southern Illinois. Mr. John Allen in his book "The Legends and Lore of Southern Illinois" stated:

> It was through his efforts, more than those of any other, that Illinois along with the remainder of the whole northwestern territory became a part of the United States. Most of the military activities that Clark conducted to accomplish this objective were enacted in Illinois.

I ask unanimous consent that the text of the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 353) to authorize and direct the Secretary of Agriculture to make a preliminary survey of the proposed George Rogers Clark Recreation Way within and adjacent to the Shawnee National Forest in the State of Illinois, introduced by Mr. DIRKSEN (for himself and Mr. PERCY), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to make a preliminary survey of a possible route for a recreation way to be known as the George Rogers Clark Recreation Way, extending from the vicinity of Fountain Bluff on the Mississippi River to the general area of Old Shawneetown on the Ohio River, in the State of Illinois, and traversing a scenic route along the Shawnee Hills through the Shawnee National Forest, the recently approved additional national forest purchase unit of the Shawnee National Forest, and adjacent areas. An estimate of the cost of construction of an appropriate recreation way over the indicated route, together with all other pertinent data, shall be obtained through such preliminary survey for the purpose of determining the feasibility and desirability of constructing the proposed recreation way. A final report of such survey, accompanied by full information and data, with recommendations, shall at the earliest possible date he made and submitted to Congress for its consideration.

SEC. 2. There is authorized to be appropriated such amount as is necessary to carry out the provisions of this Act.

THE HIGHER EDUCATION SCHOLARSHIP ACT OF 1967

Mr. PELL. Mr. President, legislation to aid education at all levels, both public and private, has been a major congressional consideration almost from the founding of the Republic. From the Morrill Land Grant Act to the latest amendments to the Elementary and Secondary Education Act, the Senate has shown its deep concern about the quality and status of those institutions charged with the responsibility of educating our youth.

While it is true that congressional concern has brought about the enactment of various programs, it is also a fact that the concept of the free public school is one of local origin and administration. Each city, town, and county operates its school system which is generally of 12-year duration.

It has always puzzled me as to just why free public education must cease after 12 school years, or around a youth's 17th or 18th birthday. In any event, however, this is the system as it now operates and here is an area in which I believe the Federal Government can step into the breech, so to speak.

I refer to the concept that free public education should not cease at the 12-year, secondary education level, but should be extended to 14 years. And this would be accomplished through the adoption of the Higher Education Scholarship Act of 1967, which I now offer for introduction.

Basically, this bill is an across-the-board act to give scholarship assistance for 2 years to every student who has, or will be, accepted by an institution of higher education. It would provide up to $1,000 for each of the 2 years to be applied toward tuition, fees, and books. The definition of institution is broadened to include accredited private business, trade, technical, or vocational schools, much as did the GI bills.

Today's complex world calls for skills which are not to be learned in a 12-year school system. All too often we are told that a high school diploma simply is not enough. And on the other hand, we are informed that in a recent study called Project Talent, 80,000 high school graduates who ranked in the upper 20 percent of their class did not go on to higher education. True, some may not have been motivated to do so, but I am concerned that many missed the opportunity to further their education due to a lack of funds.

The Higher Education Scholarship Act of 1967 would give each and every student the absolute right to an extra 2 years of education. And, indeed, this is the very heart of the matter. Those youths whose parents can afford the prevailing expensive tuitions go on to college. The brilliant student is the recipient of scholarship aid, NDEA funds are available to others. However, Mr. President, I plead for the average student with moderate means. His grades do not quality him for scholarship aid. And yet this is the person who, if given the proper stimulus could and probably would do a creditable job in an institution of higher education.

I believe that our Nation should not let the talent of our youth go to waste. Let us give all an equal opportunity to reach those peaks which would otherwise be denied to them due to the lack of higher education—education which should be his as a matter of right and not privilege.

I ask, Mr. President, that this bill be appropriately referred, and that its text be printed in full in the Record at the conclusion of these remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 366) to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education, introduced by Mr. Pell, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Higher Education Scholarship Act of 1967".

Sec. 2. The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is hereby authorized, in the manner hereinafter in this Act provided, to award scholarships to undergraduate students to enable them to pursue their courses of study for not more than two academic years or its equivalent at institutions of higher education.

Sec. 3. The total amount paid to any student awarded a scholarship under this Act shall be based upon the aggregate amount of his costs for tuition, course fees, and books during any academic year or its equivalent, as defined in the regulations of the Commissioner, but in no event shall the amount paid to such student exceed $1,000 for such academic year or its equivalent.

Sec. 4. A student awarded a scholarship under this Act shall continue to be entitled to payments only if the Commissioner finds that such student (1) is maintaining good standing in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution which he is attending, (2) devotes essentially full time to such course of study, during the academic year or its equivalent, in attendance at an institution of higher education, except that failure to be in attendance at an institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines, in accordance with regulations, that there is good cause for his nonattendance (during which periods such student shall receive no payments), shall not be deemed contrary to this clause, and (3) is using payments under such scholarship only for costs of tuition, course fees, and books necessary to pursue his course of study. In no event shall any student receive payments for in excess of two complete academic years or its equivalent.

Sec. 5. In order to carry out the policy of sections 3 and 4, the Commissioner may (1) award a scholarship during any academic year or its equivalent in such installments as he may deem appropriate and (2) provide for such adjustment of scholarship payments under this Act as may be necessary, including, where appropriate, total withholding of payments.

Sec. 6. (a) An individual shall be eligible to compete in any State for a scholarship under this Act if he (1) is living in the State or, if not living in any State, is domiciled in such State; (2) make application at the time and in the manner prescribed by the State commission; and (3)(A) is enrolled full time in any course of undergraduate study at an institution of higher education or (B) is attending a public secondary school in, or a private secondary school accredited by, any State. The State commission established under, or designated pursuant to, section 7(a) may, in accordance with regulations of the Commissioner, for good cause waive or modify the requirements of clause (3)(B).

(b) From among those competing in any State for scholarships for any academic year or its equivalent, the State commission shall, in accordance with the provisions of the State plan approved under section 7, select persons who are to be awarded such scholarships and determine the amounts to be paid to them. Within the amounts appropriated for scholarships under this Act, the Commissioner shall award a scholarship to a person so selected, and in the amount so determined, if—

(1) the State commission certifies that such person (A) has received a certificate of graduation, based on completion of the twelfth grade, from any public secondary school in, or any private secondary school accredited by, a State, or (B) in the case of an individual who has not received such a certificate, is determined by such State commission to have attained a level of advancement generally accepted as constituting the equivalent of that required for graduation from secondary schools accredited by such State; and

(2) such person has become enrolled for a course of undergraduate study in an institution of higher education or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate student.

In the event the total amount of all such scholarships to be awarded pursuant to this subsection for any fiscal year exceeds the amounts appropriated for such scholarships for such fiscal year, the Commissioner shall proportionately reduce the amount of each such scholarship to the extent necessary so that the amounts so appropriated are sufficient to contribute toward all such scholarships.

(c) In awarding scholarships under this Act, the Commissioner shall endeavor, by advice and consultation with State commissions and institutions of higher education, to promote an equitable distribution of scholarships among the States.

Sec. 7. (a) Any State desiring to participate in the scholarship program under this Act may do so by establishing a State commission on scholarships broadly representative of secondary schools and institutions of higher education, and of the public, in the State, or designating an existing State agency with equivalent representation to serve as the State commission on scholarships, and by submitting, through such commission, a State plan for carrying out the purposes of this Act which is approved by the Commissioner under this section. The Commission shall approve any such plan which—

(1) is designed to carry out the intent of this Act;

(2) provides for certification to the Commissioner of—

(A) individuals selected pursuant to the State plan for scholarships and the amounts thereof, and

(B) the amounts of payments under their scholarships to individuals previously awarded such scholarships;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under subsection (b); and

(4) provides for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this Act.

(b) The Commissioner shall pay to each State such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan) approved under this Act. There are hereby authorized to be appropriated such sums as may be necessary to make such payments.

(c) No school or institution of any agency of the United States shall be eligible to receive any payment under this Act.

SEC. 8. An individual awarded a scholarship under this Act may attend any institution of higher education which admits him.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 10. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

SEC. 11. In administering this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary or the head thereof, and to pay therefor, in advance or by way of reimbursement as may be provided in the agreement.

SEC. 12. Payments under this Act to any institution of higher education, State commission, or Federal agency may be made in installments and in advance or by way of reimbursement.

SEC. 13. As used in this Act—

(a)(1) The term "institution of higher education" means an educational institution, whether or not such institution is a nonprofit institution, which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, and (4) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of this subsection such term includes any private business or trade school or technical or vocational institution which meets the provisions of clauses (1), (2), and (4), except that if the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit any category of such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions as meeting this definition and shall also determine whether particular institutions meet such standards.

(2) For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in any State, as determined by the Commissioners except that it does not include any education provided beyond grade 12.

(c) The term "State" includes, in addition to the several States, the District of Columbia, the Canal Zone, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

QUALITY IN EDUCATION ACT OF 1967

Mr. PELL. Mr. President, we, in the Congress, have long recognized that legislation affecting the education of our youth is perhaps one of the most important responsibilities with which we are charged. A brief perusal of the actions of the last three Congresses will demonstrate that elementary and secondary education has been of major congressional concern.

The ultimate aim of this legislative activity has been to improve the quality of the basic education available to the youth of our Nation. However, at the present time, there is, in effect, no national, uniform method of determining how successful these legislative efforts have been. However, reports from many sources indicate that the quality of education in different sections of the country is not at a uniform level; the selective service rejection rates are one indication of this variance.

I believe that it is incumbent upon the Congress to provide a voluntary method whereby the school systems throughout the Nation have a gage with which to make an attainment comparison. It is with this in mind that I introduce on behalf of Senator COOPER and myself, the Quality in Education Act of 1967. It attacks the problem through two avenues of approach.

Provision is made for the establishment of a President's Advisory Council on Education, composed of eight members and the Commissioner of Education, to advise the Chief Executive on the means needed to improve the quality of education in this country. This Council of distinguished educators would be available for consultation with Governors, State, and local officials, and other interested organizations on the means of improving curriculums; raising standards of scholarship, quality and effectiveness of teaching; raising the levels of educational achievement, and determining areas of priority.

A body of highly qualified, distinguished educators can be invaluable to both the Federal Government and the States. There are ways, invariably, by which we can improve our education system, and it apparently needs improving, when we consider the fact that as recently as 1961, 42 percent of our high schools did not teach trigonometry; 21 percent did not teach physics; and 13 percent did not even teach world history.

The bill also provides for the establishment of a national secondary education examination. To be devised by the Department of Health, Education, and Welfare, this exam would be administered, on a voluntary basis, by the local school systems throughout the country. Such an examination would give the school system an indication of how its students compare with those in other areas; that is, pointing out weaknesses or strengths in the program. The Secretary of Health, Education, and Welfare would have the authority to issue a certificate to those students who passed the examination; this could serve to identify talent which would otherwise not be recognized.

Our willingness to enact legislation of this type may eventually result in an improved educational system that can accommodate a fast-moving, space age society. Our unwillingness can result only in greater problems of uneducation and undereducation, the loss of opportunities for many of our young citizens.

I request that the text of the bill be printed in full in the RECORD at this point.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 367) to promote excellence in education, and for other purposes, introduced by Mr. PELL (for himself and Mr. COOPER), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Quality in Education Act of 1967".

SEC. 2. The Congress declares that education of the highest quality is essential to the security and economic strength of the Nation, as well as to the full realization of the individual capacities of its citizens.

The Congress recognizes that the quality and extent of education must keep pace with the needs of the future.

The Congress finds that public and private studies since World War II have established the need for improving the quality of education in the United States. These studies have shown that greater emphasis should be placed on the quality and content of curriculums, on higher standards of scholarship, and on the effectiveness of teaching.

The Congress reaffirms the principle that the States and local communities have the primary responsibility for public education. It is consistent with this principle to provide means for the States to draw upon the experience and abilities of a distinguished body of educators, and to authorize a nationally recognized certificate for academic excellence.

Therefore, it is the purpose of this Act to promote excellence in education by establishing the President's Advisory Council on Education and by authorizing the award of a national certificate for passing a test of academic excellence.

SEC. 3. (a) The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized and directed, after consultation with the President's Advisory Council on Education, to prepare or approve a comprehensive test of academic excellence designed to identify students with outstanding aptitude and ability who are in the twelfth grade of secondary schools. The Commissioner shall prescribe a passing grade for such test.

(b) The Commissioner shall establish a program, through arrangements with appropriate State educational agencies, local educational agencies, or secondary schools throughout the Nation, whereby the test of academic excellence prepared or approved by him may be given by such agencies or schools, on a voluntary basis, to students described in section 3 of this Act who have filed applications therefor by such time and in such manner as the Commissioner may prescribe. Upon application by any appropriate agency or school by such time and in such manner as the Commissioner may determine, the Commissioner shall pay to such agency or school the cost of the administrative expenses it has incurred pursuant to an arrangement made under this section.

(c) The Commissioner is authorized and directed to prepare a certificate, of such appropriate design as he shall prescribe, and in such numbers as are necessary, for issuance to students who have successfully passed the test of academic excellence prepared or approved by him and given in accordance with arrangements made under this Act. Each student who has so passed such test shall be awarded such a certificate within sixty days following the date on which he was given the test. Each certificate awarded pursuant to this Act shall be signed by the Commissioner.

SEC. 4. (a) In order to provide a permanent advisory body of distinguished educators which will be regularly available for consultation with the President of the United States and with State and local educational agencies on means of improving the quality of education in the United States, and in order to bring continuing public attention to the importance of academic excellence and higher standards of education, there is hereby established the President's Advisory Council on Education (hereinafter referred to as the "Council").

(b) The Council shall be composed of eight members appointed by the President, by and with the advice and consent of the Senate, who are leaders in the field of education. The President shall designate the Chairman from among such members. The Commissioner shall be an ex officio member of the Council.

(c) Each member shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of members first taking office after the date of the enactment of the Quality in Education Act of 1967 shall expire as follows: Two shall expire with the close of the first calendar year which begins after such date of enactment, two shall expire with the close of the second such calendar year, two shall expire with the close of the third such calendar year, and two shall expire with the close of the fourth such calendar year, as designated by the President at the time of appointment.

(d) Members of the Council shall receive no compensation for their services, but while away from their homes or regular places of business while attending conferences or meetings of the Council, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Council may appoint, without regard to the civil service laws, consultants and such other personnel as may be necessary to carry out its duties under the provisions of this Act.

(f) The Council shall meet at the call of the President or the chairman, but not less often than three times each calendar year.

(g) The Council shall transmit to the President and the Congress annually a report of its activities under the provisions of this Act.

SEC. 5. For the purpose of assisting State and local efforts to improve the quality of education in the United States, the Council shall—

(1) be available for consultation with Governors, the chief officials of State or local educational agencies or institutions, and appropriate groups of other interested citizens, on—

(A) means of improving the quality and content of curriculums,

(B) means of raising the standards of scholarship expected of and attained by students,

(C) means of improving the quality and effectiveness of teaching,

(D) determination of areas of priority in education, and

(E) other means of raising levels and increasing the extent of educational achievement;

(2) encourage meetings of, and upon request consult with, regional educational associations and organizations of State education officials held to exchange and disseminate information on means of improving the quality of education;

(3) advise and consult with the Commissioner on the initial preparation or approval and subsequent revision of the comprehensive test of academic excellence authorized in this Act;

(4) examine the results of the comprehensive test of academic excellence in order to identify areas of national concern in the field of education.

SEC. 6. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

SEC. 7. The Act entitled "An Act to establish a National Advisory Committee on Education", approved July 26, 1954 (68 Stat. 533), is hereby repealed.

ST. CROIX NATIONAL SCENIC RIVERWAY

Mr. NELSON. Mr. President, for myself and the Senator from Minnesota [Mr. MONDALE], I introduce, for appropriate reference, a bill to establish the St. Croix National Scenic Riverway in the States of Wisconsin and Minnesota. With the exception of a few technical changes, this is the same bill which passed the Senate in its last session. Unfortunately, the bill was not acted upon in the House.

There is no need to repeat all the reports, facts, and statistics which have been presented recently that point up the great need for and the interest in recreational land. The St. Croix River represents in the Midwest a truly unique resource—it is the only large, unpolluted river near a major metropolitan area.

It is inevitable that unless something is done quickly, the beauty that is the St. Croix will be swallowed up in the urban and industrial growth of the Twin Cities of Minneapolis and St. Paul.

There was a time not long ago when the cries of the conservationists fell on deaf ears. That is no longer the case. When this legislation was originally proposed, there was a groundswell of popular support not only in Wisconsin and Minnesota but also across the Nation. The public has become aware of the need for conserving those few precious natural resources that remain.

In recent years the Federal Government has taken major strides in the field of conservation. There is still much to be done. We must not stop now.

North from its confluence with the Mississippi for some 100 miles, the St. Croix River marks the boundary between Wisconsin and Minnesota. Nature has divided the St. Croix into two distinctive physiographic provinces, a factor which this legislation recognizes.

The upper St. Croix north of Taylors Falls, Minn., as well as its main tributary—the Namekagon—is an outdoorsman's paradise. There are many miles of riverbank covered with a mixed hardwood and conifer forest; along these stretches is some of the finest white water for canoeing in the entire United States. Smallmouthed bass and walleyed pike abound in these waters. Wildlife is abundant along the banks and adds an exciting dimension to a canoe trip down the river.

One purpose of this legislation is to preserve the upper St. Croix and its tributary, the Namekagon, as a wild river in a primitive condition.

The wild river portions extend 102 miles along the St. Croix north from Taylors Falls, Minn., to Gordon, Wis., and along the Namekagon from its meeting with the St. Croix north 87 miles to Lake Namekagon.

I point out that the Northern States Power Co. has owned and preserved in a primitive condition land on both banks of the St. Croix for some 70 miles north of Taylors Falls.

The bill is designed to provide a Federal umbrella under which State, county, and municipal, as well as Federal development of the scenic and recreational potential of this unique river valley can go forward in an orderly and cooperative manner.

Interstate Park, south of Taylors Falls, is an example of a small part of the river that has been preserved.

About this park, Howard Mead, in the spring 1965 issue of Wisconsin Tales and Trails, said the following:

> A geologist's paradise, a camper's haven, and a sightseer's playground, this gift of nature, molded by the forces of time and weather and preserved by the thoughtfulness of responsible men offers to each of its visitors the chance to pursue his own personal outdoor pleasure in one of the most magnificent settings in all Wisconsin.

It is my fervent hope that some day soon this statement can be applied to the entire St. Croix River. This would be a fitting heritage for our grandchildren.

The lower St. Croix south of Taylors Falls is a quiet, slow-moving river. Timbered, gently sloping banks surround the river and its many narrow, winding sloughs. This area has been developed to some extent and the purpose of the bill is to allow broad recreational use of the lower river.

Zoning rather than land acquisition and easements would be used to protect the intensive outdoor recreation portion of the St. Croix south of Taylors Falls. This portion of the St. Croix has several communities along its banks including Hudson and Osceola in Wisconsin, and Stillwater, Marine, and Oak Park Heights in Minnesota.

Acquisition in the recreation area would be limited to small, key parcels needed for public access to the water and for adequate parking facilities.

Zoning to protect the recreation area would require approval of the Secretary of the Interior.

The bill includes these provisions designed to facilitate cooperation of Federal, State, county, and local authorities.

State land within the waterway will not be acquired by the Secretary of the Interior without consent of the State involved, and the Secretary may agree not to acquire any land which either State plans to acquire and develop.

City, town, and village land within the waterway would not be acquired as long as accepted zoning ordinances for the protection of the river and its environment remain in force.

The St. Croix River is an outstanding example of the kind of land use crisis we face coast to coast as pressure for both recreational land and industrial sites grows with increasing wealth and population.

It is our hope that this bill, with its concept of Federal, State, and local cooperation, will prove a good example of what reasonable people can do to solve this kind of problem.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 368) to provide for the establishment of the Saint Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes, introduced by Mr. NELSON (for himself and Mr. MONDALE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXTENDED MEDICAL CARE

Mr. BAYH. Mr. President, I introduce for appropriate reference a bill which would eliminate in certain cases the requirement that an insured individual must first have been admitted to a hospital in order to qualify for extended care services. This bill is nearly identical to S. 2926 which I submitted on February 16, 1966, some 11 months ago. However, in line with a separate measure which it is my intention to introduce in the near future, the new version of the bill contains language which would contemplate expanding posthospital extended care services to include therapeutic as well as nursing care services under certain circumstances.

It is well known that Public Law 88–97 now provides that in order to qualify for extended care service a person must first have been a patient in a hospital for not less than 3 consecutive days. No doubt in the majority of cases elderly persons who become seriously ill may require hospitalization, but there are many other instances in which the nature of the specific illness may not be of sufficient severity to justify the specialized treatment provided by a medical hospital.

Under these circumstances it does not make sense to me to require a prior 3-day stay in a hospital for all older patients who are in need of extended care. I fully realize that medicare is not intended to provide mere custodial care for persons confined to convalescent homes, but in the case of those elderly who are sick enough to require medical attention but do not require specialized hospital treatment, I see little reason to insist in all cases that at least 3 days must first be spent in the hospital.

It is entirely proper, of course, that procedures be established to certify that a patient's physical condition is such that he would need and could benefit from extended care. However, this objective can be achieved without requiring, as the law now does, that persons must first be admitted to a hospital and stay a minimum of 3 days in such an institution. My bill proposes that extended care would be made available to an eligible person who has received outpatient hospital diagnostic services, who has been certified within 7 days that he is in need of extended care, and who has been admitted to an extended care facility within 14 days after that need was certified. In my opinion this would provide adequate safeguard against any possible lessening of standards, because each patient would have to be certified that he was in need of extended care services by both the hospital and the patient's physician.

Mr. President, this relatively minor change in the law ought to help relieve some of the pressures for space in our hospitals, but at the same time it would not reduce the standards for eligibility for care nor would it complicate administration of the act. There is no reason why hospital beds, which are both scarce and very costly, should be occupied by elderly persons even for 3 days, if they can receive adequate care and treatment in extended care facilities. I urge that this proposal be given prompt and serious consideration, along with other changes which have been suggested in this important act.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 369) to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended-care services provided thereunder, introduced by Mr. BAYH, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 369

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1814(a)(2)(D) of the Social Security Act is amended to read as follows:

"(D) in the case of post-hospital extended care services, such services are or were required to be given on an inpatient basis because the individual needs or needed skilled nursing care on a continuing basis for—

"(i) any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(e)) prior to transfer to the extended care facility or for a condition requiring such extended care services which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services, or

"(ii) any condition requiring such extended care services and the existence of which was discovered or confirmed as a result of findings made while the individual was receiving outpatient diagnostic services, or, in the case of an individual who has been admitted to an extended care facility for such a condition, any other condition arising while he is in such facility;".

(b) The first sentence of section 1861(i) of such Act is amended to read as follows: "The term 'post-hospital extended care services' means extended therapeutic and/or nursing care services furnished an individual (A) after transfer from a hospital in which he was an inpatient for not less than three consecutive days before his discharge from the hospital in connection with such transfer, or (B) after he has received outpatient hospital diagnostic services, if, after reviewing the findings revealed by such services, his physician and the hospital from which he received such services certify (not later than 7 days after the termination of such services) that he is in immediate need of extended care services, and if he is admitted to an extended care facility within 14 days after the date on which his need for extended care services was so certified."

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the bill introduced by the Senator from Indiana [Mr. BAYH] relative to medicare remain at the desk for 10 days for additional cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

KENNEWICK DIVISION EXTENSION, YAKIMA PROJECT, WASHINGTON

Mr. JACKSON. Mr. President, I introduce for appropriate reference on behalf of myself and my colleague, Senator MAGNUSON, a bill to authorize the Secretary of the Interior to construct, maintain, and operate the Kennewick division extension, a 6,300-acre irrigation development of the Yakima project, in the State of Washington.

This project has an extremely high benefit-cost ratio. It is in excess of 4 to 1. When authorized, it will bring an additional 6,300 acres of land under irrigation in the southern part of the State. This land is especially suited to the cultivation of fruit, specialty crops, and row crops. When completed, the project will make a valuable contribution to the economy of my State.

Water for the Kennewick division is available from extra capacity built into the division's main canal, the construction of which was recognized as a deferred cost in the original authorizing legislation.

The Senate considered and passed this bill during the 89th Congress on February 10, 1965, but final action was not taken in the House prior to adjournment.

This measure is consistent with our national objectives of a strengthened economy, of encouraging development and growth in rural areas, and of assuring a stable supply of national and international food supplies.

I believe it merits authorization by the 90th Congress.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 370) to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ELECTORAL COLLEGE REFORM

Mr. MUNDT. Mr. President, I introduce for appropriate reference a joint resolution (S.J. Res. 12) which has borne that name in the last several Congresses—I hope it may bear the same label in this Congress—the so-called district plan for the electoral college reform so basically needed in this country.

Considerable additional support has developed for electoral college reform as a result of the attempt of the distinguished attorney general of the State of Delaware to bring this matter before the Supreme Court, and also by a recent report of the American Bar Association.

The district plan, it seems to me, has the virtue and the value of meeting the problem with a minimum of constitutional changes.

On behalf of myself and cosponsors, I send this joint resolution to the desk, and ask that it be printed at this point in the RECORD, and that it lay on the table for 10 days for additional cosponsors.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and held at the desk for additional cosponsors, as requested by the Senator from South Dakota.

The joint resolution (S.J. Res. 12) proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, introduced by Mr. MUNDT (for himself, Mr. THURMOND, Mr. MORTON, Mr. TOWER, Mr. STENNIS, and Mr. DOMINICK), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 12

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The electors to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. Before being chosen elector, each candidate for the office shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein.

"The electors shall meet in their respective States, fill any vacancies in their number as directed by the State legislature, and vote by signed ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, excluding therefrom any votes for persons other than those named by an elector before he was chosen, unless one or both of the persons so named be deceased, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having th greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such a number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the three highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual Members of one body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution and section 4 of the twentieth article of amendment to the Constitution. Except as herein expressly provided, this article does not supersede the twenty-third article of amendment.

"SEC. 4. Electors appointed pursuant to the twenty-third article of amendment to this Constitution shall be elected by the people of such district in such manner as the Congress may direct. Before being chosen as such elector, each candidate shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. Such electors shall meet in the district and perform the duties provided in section 1 of this article.

"SEC. 5. This article shall take effect on the 1st day of July following its ratification."

REMOVAL OF CERTAIN AGRICULTURAL PRODUCTS FROM NEGOTIATION OF TARIFF REDUCTIONS

Mr. HOLLAND. Mr. President, on behalf of myself and Senators ALLOTT, CURTIS, DOMINICK, HRUSKA, TOWER, and YOUNG of North Dakota, I send to the desk, for introduction and appropriate reference, a joint resolution identical to Senate Joint Resolution 171 of the 89th Congress and ask that it lie on the table for 1 week for additional cosponsors.

This joint resolution provides for the removal of certain agricultural products from the Presidential list of items to be considered for tariff reduction under the Trade Expansion Act of 1962.

Florida is one of the leading producers of fruits and vegetables in this country. It is primarily an agricultural State and its economic well-being and prosperity are overwhelmingly linked to products of the soil.

The immediate, as well as the long-range effect of certain national policies are of deep concern to all agricultural interests.

The first of the adverse actions that affected the fruit and vegetable growing in my State, was the virtual elimination of imported workers who prior to 1965 had been brought into the State under appropriate regulations to help in the growing and harvesting of various crops. Severe hardship was caused by the precipitate manner of the cutoff and the inflexibility of the Department of Labor in acceding to emergency needs.

The second is the Fair Labor Standards Act Amendments of 1966—Public Law 89–601—with its provisions for extended coverage of farmworkers.

Already there have been outcries from the public against the rise in food prices in this country since a year ago. I have reliable reports to the effect that farm wages in Florida have risen greatly since 1965 in efforts to attract additional domestic labor. At the same time the growers have been plagued with a higher labor turnover and lower productivity per man-day or man-week.

The overall net effect has been to increase the cost of production and to stimulate imports. Not only have imports increased but acreage devoted to fruit and vegetable crops in Mexico and the Caribbean islands and Central America has been rising sharply.

As if this were not enough to bring discouragement to Florida growers or to lure them to offshore plantings of their own, the tariff on fruits and vegetables under the so-called Kennedy round, which is under negotiation in Geneva, might be reduced a full 50 percent across the board with a bare minimum of exceptions.

Mr. President, I confess to an inability to understand the reason for this triple assault on the fruit and vegetable industry. What has this industry done to incur so high a degree of hostility from our Government and administrative officials? I believe that it is imperative if our fruit and vegetable industry is to survive that these policies be reviewed in the light of their effects on this branch of agriculture that is so important to the consumer health of this country.

Florida is the source of a high proportion of our citrus products, in the form of oranges, grapefruit, limes, and tangerines. It also contributes heavily to the supply of tomatoes and a large variety of other vegetables such as green beans, cabbage, celery, cucumbers, strawberries, sweet corn, green peppers, and so forth. These items are all recognizable as elements of the national diet of which they are a vital constituent.

The question is threefold:

First. Are we in the United States to continue using our land resources to their best advantage in growing such crops or is an increasing part of the supply to be shifted to low-wage areas that lie close at hand across our national boundaries or offshore at no great distance? Second, is the American housewife to be saddled with the higher costs forced by the cutoff of imported workers and the extension of minimum wages to farm labor, thus again increasing costs? Third, are we to hasten the mechanization of growing and harvesting of our crops to the point of displacing farmworkers more rapidly than production expands, in feverish efforts to meet import competition?

Let me say a word about each of these three questions. As for the utilization of our land resources to their best advantage in producing fruits and vegetables, this will be greatly discouraged by the strong impetus, already felt, that will send more and more dollars into farm purchase and operation in Mexico and the islands and lands in or adjacent to the Caribbean and the gulf.

In a recent report of the Foreign Agricultural Service of the U.S. Department of Agriculture—May 1966—it is estimated that planting of orange trees in Mexico has doubled in the past 5 years. Several reasons are given for this expansion, one being the "many press articles on the problems in harvesting U.S. citrus following the end of the bracero program." Another reason is given as "the need in Mexico for crops that require more hand labor than the basic field crops."

The attraction to American capital is obvious. The same report gives the minimum wages paid in various parts of Mexico per 8-hour day. For 1965–66 these are reported as $1.72 per day on the west coast of Mexico, $1.48 in Veracruz, and $1.42 in Montemorelos. Social security adds about 10 percent to these rates, the report says. Skilled wages are higher, it adds, but few are paid over $3 per day.

Compare this pay with the domestic wages and we find that hourly wages on the farms in Florida are nearly as high as the daily wages in Mexico.

The upsurge in citrus production—oranges and tangerines—in Mexico is illustrated by the jump of the number of trees from 14,500,000 trees in 1961 to 34,900,000 in 1966. Over half of these are concentrated in the state of Veracruz and close to water transportation to this country.

The expansion aimed at the American market is, however, not confined to citrus crops. Fresh tomato production has also climbed sharply and other vegetable products are on the upgrade. Fresh tomato exports from Mexico have risen to a record high.

The trend in strawberry production in Mexico is also alarming for our growers. Mexican production has more than doubled in the last 4 years. U.S. imports of frozen strawberries have risen from 23 million pounds in the 1959–61 period to 51.8 million pounds in 1965. In 1966 they ran ahead of 1965. Meantime Mexico is pushing us out of the Canadian market.

Mr. President, what more do we need to point up the trend which I believe to be a direct result of the policies adopted by our Government toward our growers? The outlook for greater expansion in nearby countries and islands is very bright. The outlook for the American grower is proportionately bad.

The answer to my first question then is that a growing share of the American consumption of fruits and vegetables of the kind grown in Florida, with the intensive utilization of the State's land resources, will in the future shift beyond our boundaries if present policies are allowed to continue.

The second question has to do with higher costs. Unquestionably increased costs in the past year have been sufficient to denote a trend. This will be aggravated as a result of Public Law 89–601. Costs will rise, and this will produce two effects that will be injurious to our farm labor. One of these is feverish exertion to achieve greater mechanization of both growing and harvest operations, thus leading to massive displacement of workers. The other will be acceleration of investment of American capital in farming operations in Mexico and the islands and other areas already mentioned. This is already well underway. It means essentially that while we have virtually cut off the access of foreign workers to our farms, we are taking our work to them on their home grounds.

This course of investment effectively circumvents the higher costs incurred in this country by the policies designed in theory to help American farm labor. Thus we produce some bizarre effects through legislative and administrative action that refuses to be guided by the facts in the premises.

Mr. President, it seems unthinkable that on top of this evidence of rising imports and increasing farm costs in this country, it would be proposed to cut our tariffs on fruits and vegetables. Yet, under the Kennedy round, and under the ground rules agreed to in Geneva, we are committed to a 50-percent tariff cut "across the board with a bare minimum of exceptions."

I must repeat that I find it difficult to believe that we should knowingly commit ourselves to such a course as I have described. Therefore, I have introduced the joint resolution, cosponsored by some of my colleagues, that would remove all agricultural products that prior to 1965 were grown or harvested with the substantial help of foreign workers admitted lawfully into this country for the purpose, from the possibility of further tariff reduction.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 13) to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes, introduced by Mr. HOLLAND (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

RANDOLPH INTRODUCES HIS EIGHTH JOINT RESOLUTION FOR CONSTITUTIONAL AMENDMENT TO EXTEND FRANCHISE TO 18-YEAR-OLD CITIZENS IN FEDERAL ELECTIONS

Mr. RANDOLPH. Mr. President, I regret that I was not present on the floor of the Senate on Thursday to express my delight that our majority leader, the distinguished Senator from Montana [Mr. MANSFIELD] introduced Senate Joint Resolution 8, to lower the voting age to 18. I am, of course, also delighted to note that his resolution has so many splendid Senators as cosponsors—including my beloved friend, Senator DIRKSEN. Since 1942, when I introduced my first resolution on this subject, Mr. President, the extension of the franchise to our citizens of 18 years and older has been a cause quite dear to my heart.

I am introducing today my eighth joint resolution proposing such an extension through the process of amending the Constitution of the United States. My thinking on this subject has not changed since, as a Member of the House of Representatives in 1942, I introduced House Joint Resolution 354. I had then, as I have now, the utmost confidence in our young citizens' ability to think, to weigh issues, and to make judicial decisions on matters closely affecting their futures. That this opinion is shared by many official and quasi-official groups—within the Government as well as in the private sector of our Nation—is made abundantly clear by the following partial list of those responsibilities which our 18-year-old citizens now share with the rest of society:

They share the burden of fighting our wars;

They share the burden of paying our taxes;

They stand responsible in adult, not juvenile, courts of law;

They stand responsible for the welfare and the lives of their own wives and children;

They stand responsible for the lives of their fellow citizens traveling on our streets and highways, for we allow them to operate motor vehicles;

They bear the burden of the future of their families, for we allow them to make wills and to purchase insurance;

They bear the burden of the financial consequences of their own actions, for we allow them to be sued;

And they are, finally, responsible for their own ultimate social future, for we allow them to choose their own professions.

Mr. President, I shall not speak at length in support of this measure. The arguments for this extension of the franchise are well known and numerous. The arguments raised by opponents of this proposal are equally well known and, I believe, unconvincing in view of the foregoing statements relating to the responsibilities we already extend to our youthful citizens.

I ask, however, that I may have unanimous consent to include in the RECORD at this point the following items:

The White House press release of December 20, 1963, on the report of the Commission on Registration and Voting Participation, with appendix 1.

A list of proposals lowering the age limit for voting—69th to 88th Congresses.

Article from the Christian Science Monitor, "Is an 18-Year-Old Ready To Vote?" July 23, 1965.

Remarks by the Senator from West Virginia [Mr. RANDOLPH] on April 3, 1961, upon introduction of Senate Joint Resolution 71.

Article from the Christian Science Monitor, Friday, January 13, 1967, "Responsible Students at Berkeley."

I would like to add one brief comment with reference to the last article mentioned, Mr. President. For many, many years I have been involved with students on the campuses of this great Nation. I have met with them, spoken with them, and listened to them. And I want to state unequivocally that the vast majority of our college students today are serious-minded, hard-working, idealistic young men and women—for whom I cannot help but have the very highest regard.

Mr. President, although Senate Joint Resolution 8 has been referred, already, to the Committee on the Judiciary, the joint resolution I now introduce will soon follow it.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and without objection, the items referred to by the Senator from West Virginia will be printed in the RECORD.

The joint resolution (S.J. Res. 14) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. RANDOLPH, was received, read twice by its title, and referred to the Committee on the Judiciary.

The articles presented by Mr. RANDOLPH are as follows:

[A White House press release, Dec. 20, 1963]

REMARKS OF THE PRESIDENT UPON ACCEPTANCE OF THE REPORT OF THE COMMISSION ON REGISTRATION AND VOTING PARTICIPATION

I am pleased to receive today the Report of the Commission on Registration and Voting Participation. The Commission is here with me this morning to witness the signing of the extension of the President's Commission on Registration and Voting Participation. Very shortly I will sign that Executive Order.

President Kennedy's action in appointing this Commission was motivated by his deep commitment to the principles of democracy. This Report is the result of a very long and very serious study. I want to express my gratitude to this bipartisan Commission for the excellent job they have done and for the results of their efforts.

We should be deeply concerned that less than two-thirds of the Americans of voting age cast ballots in Presidential elections. In other words, one out of every three qualified Americans do not vote in a Presidential election, and less than half do so in elections for Members of Congress. So it is disturbing that our National record of voter participation compares so unfavorably with other democratic countries. This Report identifies many of the causes for this. It calls attention to the little recognized fact that restrictive statutes and procedures deny many of our citizens the right to register and vote, or at least make it difficult or virtually impossible for them to do so. Such denials contradict one of the basic principles upon which this Nation was founded, the principle of government by the consent of the governed.

The Commission has made an important contribution to improving our democratic system by offering specific recommendations to meet the problem. These recommendations are directed to the States. Great disparity exists among the States in their election laws and practices, but even the most advanced State can profit by measuring its own electoral machinery against these recommended standards that we have put in the Report. In that regard, the Commission's proposal that each State establish a State body to review its election laws in the light of this Report is both constructive and desirable. I am hopeful that in each State where such a review is not already underway the Governor and legislative leaders will give serious consideration to this suggestion. I shall send a copy of the Report to each governor with that request.

The Report is useful in that it points out the problem and suggests remedies, but the solution depends upon further action. In order to provide impetus for consideration of the Commission's proposals by the individual States and to provide further information and services for those States desiring assistance, I am today issuing an Executive Order extending the life of the Commission on Registration and Voter Participation until March 30, 1964. The members of the Commission have graciously consented to continue serving. I am also very hopeful after a conversation with Senator Holland, who is author of the repeal of the poll tax amendment, that by that time we can have action taken by other States that will assure that the poll tax will be repealed. I call upon both political parties, Republicans and Democrats, the governors and officials of each State in the Union, and all citizens, to join this effort. Only through concerted action can we secure for all the right to vote without unnecessary or unreasonable restrictions.

For instance, I am told that it is easier today to buy a destructive weapon, a gun, in a hardware store, than it is to vote. The whole problem that we have in each State in this Union, in each precinct in each State, is to make it easier for people to vote instead of harder. Why should we make it difficult for people to vote? It is easier now to register and enlist in the Service in many cases than it is to vote. Why should a man have an easy path provided for him to go and fight, but a difficult path for him to go and vote?

I would say that we should make it as easy for a man to vote as for a man to serve in the Armed Services. I am hopeful that in the next Presidential election three out of every three eligible voters will vote for their President instead of only two out of every three.

APPENDIX 1

Members of the Commission: Richard M. Scammon, Chairman; Bert L. Bennett, Brendan Byrne, Robert A. Forsythe, Evron M. Kirkpatrick, Bradshaw Mintener, John A. Perkins, Ruth Schertz Phillips, Roy L. Reuther, Victoria Schuck, Leon H. Washington, Jr.

Recommendations:

I. Each State Should Create a Commission on Registration and Voting Participation, or Utilize Some Other Existing State Machinery To Survey in Detail Its Election Law and Practices.

II. Voter Registration Should Be Easily Accessible to All Citizens.

III. State Residence Requirements Should Not Exceed Six Months.

IV. Local Residence Requirements Should Not Exceed 30 Days.

V. New State Residents Should Be Allowed To Vote for President.

VI. Voter Registration Should Extend as Close to Election Day as Possible, and Should Not End More Than Three or Four Weeks Before Election Day.

VII. Voter Lists Should Be Kept Current.

VIII. No Citizen's Registration Should Be Cancelled for Failure to Vote in Any Period Less Than Four Years.

IX. Voter Registration Lists Should Be Used Only for Electoral Purposes.

X. States Should Provide Absentee Registration for Voters Who Cannot Register in Person.

XI. Literacy Tests Should Not Be a Requisite for Voting.

XII. Election Day Should Be Proclaimed a National Day of Dedication to Our American Democracy.

XIII. Polling Places Should Be So Equipped as To Eliminate Long Waiting Periods.

XIV. Polling Places Should Be Open Throughout the Day and Remain Open Until at Least 9 p.m.

XV. The State Should Provide Every Possible Protection Against Election Fraud.

XVI. Voting by Persons 18 Years of Age Should Be Considered by the States (full text given here).

The Commission is concerned over the low-voter participation of the age group from 21 to 30. We believe a major reason for this low turnout is that, by the time they have turned 21 (the minimum voting age in 46 of the 50 States) many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned. Some may be lost as voters for the rest of their lives.

Despite the growing enrollment in institutions of higher education, it is a fact that only a minority of Americans are still in school when they near or reach their 21st birthdays. We believe that each State should carefully consider reducing the minimum voting age to 18.

If 18 is adopted as a minimum age, we also recommend programs under which registration of students could be facilitated, perhaps through voter registration days at high schools themselves.

States might also incorporate in the curriculum of high school senior classes a three-point plan of action to inspire good citizenship:

(1) Explanation of the importance of a single vote to the American way of life.

(2) Information on the requirements and mechanics of registration.

(3) Demonstration of the actual process of voting in the local community.

If such citizenship programs are to be developed, it is clear that teacher training must be improved also to insure that teachers have a firm grasp of the principles upon which good citizenship rests.

XVII. Candidacy Should Be Open to All.

XVIII. The Right to Vote Should Be Extended to Those Living on Federal Reservations.

XIX. Absentee Voting by Mail Should Be Allowed for All Who Are Absent From Home on Primary or General Election Day.

XX. The Poll Tax as a Qualification for Voting Should Be Eliminated.

XXI. Each State Should Keep Informed on Other States, Practices and Innovations in Election Administration.

[From the Library of Congress]

LIST OF PROPOSALS LOWERING THE AGE LIMIT FOR VOTING (69TH–88TH CONGRESSES)

THE 77TH CONGRESS

S.J. Res. 166. Suffrage for citizens 18 years of age or older. October 19, 1942. Introduced by Mr. Vandenberg. Referred to the Committee on the Judiciary.

H.J. Res. 352. Suffrage for citizens 18 years of age in all elections for Federal Officers. October 19, 1942. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 354. Suffrage for citizens 18 years of age or older. October 21, 1942. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary.

H.J. Res. 356. Suffrage for citizens 18 years of age or older. October 27, 1942. Introduced by Mr. Johnson. Referred to the Committee on the Judiciary.

THE 78TH CONGRESS

S.J. Res. 7. Suffrage for citizens 18 years of age or older. January 7, 1943. Introduced by Mr. Vandenberg. Referred to the Committee on the Judiciary.

S.J. Res. 89. Suffrage for citizens 18 years of age or older, October 25, 1943. Introduced by Mr. Kilgore. Referred to the Committee on the Judiciary.

H.J. Res. 8. Suffrage for citizens 18 years of age or older. January 6, 1943. Introduced by Mr. Fish. Referred to the Committee on the Judiciary.

H.J. Res. 33. Suffrage for citizens 19 years of age or older. January 6, 1943. Introduced by Mr. Snyder. Referred to the Committee on the Judiciary.

H.J. Res. 34. Suffrage for persons 18 years of age in all elections for Federal Officers. January 6, 1943. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 39. Suffrage for citizens 18 years of age or older. January 7, 1943. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary. (*Hearings held on Oct. 20, 1943*)

H.J. Res. 71. Suffrage for citizens 18 years of age or older. January 26, 1943. Introduced by Mr. Lane. Referred to the Committee on the Judiciary.

H.J. Res. 167. Suffrage for citizens 18 years of age or older. September 28, 1943. Introduced by Mr. Furlong. Referred to the Committee on the Judiciary.

THE 79TH CONGRESS

S.J. Res. 17. Suffrage for citizens 18 years of age or older. January 18, 1945. Introduced by Mr. Kilgore. Referred to the Committee on the Judiciary.

H.J. Res. 40. Suffrage for citizens 18 years and older. January 3, 1945. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary.

H.J. Res. 45. Suffrage for citizens 18 years of age and older to vote for all Federal Offices. January 3, 1945. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 357. Suffrage for all citizens of age 18 or older. May 23, 1946. Introduced by Mr. Johnson. Referred to the Committee on the Judiciary.

THE 80TH CONGRESS

S.J. Res. 71. Extending the right to vote to citizens 18 years of age or older. February 19, 1947. Introduced by Mr. Vandenberg. Referred to the Committee on the Judiciary.

S.J. Res. 73. Extending the right to vote to citizens 18 years of age or older. February 19, 1947. Introduced by Mr. Kilgore. Referred to the Committee on the Judiciary.

H.R. 2120. Extending the right to vote to citizens 18 years of age or older. February 20, 1947. Introduced by Mr. Klein. Referred to the Committee on the Judiciary.

H.J. Res. 148. Extending the right to vote to citizens 18 years of age or older. March 10, 1947. Introduced by Mr. Klein. Referred to the Committee on the Judiciary.

THE 81ST CONGRESS

H.J. Res. 122. Extending the right to vote to citizens 18 years of age or older. January 31, 1949. Introduced by Mr. Klein. Referred to the Committee on the Judiciary.

THE 82D CONGRESS

S.J. Res. 127. Suffrage for citizens who are 18 years of age or older. February 4, 1952. Introduced by Mr. Moody. Referred to the Committee on the Judiciary.

(Reported in the Senate on July 1, 1952, accompanied by S. Rept. 2036.)

H.J. Res. 103. Suffrage for citizens 18 years of age or older. Introduced by Mr. Klein, Referred to the Committee on the Judiciary.

H.J. Res. 497. Suffrage for citizens who are 18 years or older. July 5, 1952. Introduced by Mr. Doyle. Referred to the Committee on the Judiciary.

THE 83D CONGRESS

S.J. Res. 53. To grant to citizens of the United States who have attained the age of 18 the right to vote. March 2, 1953. Introduced by Mr. Langer. Referred to the Committee on the Judiciary.

(Reported in the Senate on March 15, 1954 accompanied by S. Rept. 1075.)

S.J. Res. 64. To grant to citizens of the United States who have attained the age of 18 the right to vote. April 1, 1953. Introduced by Mr. Humphrey. Referred to the Committee on the Judiciary.

S.J. Res. 103. To grant to citizens of the United States who have attained the age of 18 the right to vote. July 18, 1953. Introduced by Mr. Morse. Referred to the Committee on the Judiciary.

S.J. Res. 112. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 7, 1954. Introduced by Mr. Knowland. Referred to the Committee on the Judiciary.

H.J. Res. 30. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 3, 1953. Introduced by Mr. Doyle. Referred to the Committee on the Judiciary.

H.J. Res. 265. Granting to citizens of the United States who have attained the age of 18 the right to vote. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

H.J. Res. 274. To grant to citizens of the United States who have attained the age of 18 the right to vote. June 10, 1953. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 288. Granting to citizens of the United States who have attained the age of 19 the right to vote. June 30, 1953. Introduced by Mr. Wainwright. Referred to the Committee on the Judiciary.

H.J. Res. 311. To grant to citizens of the United States who have attained the age of 18 the right to vote. July 27, 1953. Introduced by Mr. Rabaut. Referred to the Committee on the Judiciary.

H.J. Res. 341. Relating to the right of citizens of the United States, 18 years of age or older, to vote. January 7, 1954. Introduced by Mr. Rogers. Referred to the Committee on the Judiciary.

H.J. Res. 342. Relating to the right of citizens of the United States, 18 years of age or older, to vote. January 7, 1954. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

THE 84TH CONGRESS

S.J. Res. 40. To grant to citizens of the United States who have attained the age of 18 the right to vote. February 8, 1955. Introduced by Mr. Langer. Referred to the Committee on the Judiciary.

H.J. Res. 12. Relating to the right of citizens of the United States, 18 years of age or older, to vote. January 5, 1955. Introduced by Mr. Diggs. Referred to the Committee on the Judiciary.

H.J. Res. 37. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1955. Introduced by Mr. Grant. Referred to the Committee on the Judiciary.

H.J. Res. 51. Granting to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1955. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

H.J. Res. 89. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1955. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 93. Relating to the right of citizens of the United States 18 years of age or older to vote. January 5, 1955. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

THE 85TH CONGRESS

S.J. Res. 11. Extends the right to vote to citizens 18 years of age or older. January 7, 1957. Introduced by Mr. Dirksen. Referred to the Committee on the Judiciary.

H.J. Res. 34. Extends the right to vote to citizens 18 years of age or older. January 3, 1957. Introduced by Mr. Doyle. Referred to the Committee on the Judiciary.

H.J. Res. 51. Extends the right to vote to citizens 18 years of age or older. January 3, 1957. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

H.J. Res. 109. Extends the right to vote to citizens 18 years of age or older. January 3, 1957. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

THE 86TH CONGRESS

S.J. Res. 81. Extends the right to vote to citizens 18 years of age or older. March 24, 1959. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

S.J. Res. 179. Extends the right to vote to citizens 18 years of age or older. March 29, 1960. Introduced by Messrs. Randolph and Byrd. Referred to the Committee on the Judiciary.

H.J. Res. 193. Extends the right to vote to citizens 18 years of age or older. January 26, 1959. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

H.J. Res. 515. Extends the right to vote to all citizens 18 years of age or older. September 1, 1959. Introduced by Mr. Hechler. Referred to the Committee on the Judiciary.

THE 87TH CONGRESS

S.J. Res. 20. Granting to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1961. Introduced by Mr. Kefauver. Referred to the Committee on the Judiciary.

S.J. Res. 54. Granting citizens of the United States who have attained the age of 18 the right to vote. February 24, 1961. Introduced by Mr. Dirksen. Referred to the Committee on the Judiciary.

S.J. Res. 67. Granting to citizens of the United States who have attained age of 18 the right to vote. Introduced by Mr. Keating. March 22, 1961. Referred to the Committee on the Judiciary.

S.J. Res. 71. Granting the right to vote to citizens 18 years of age or older. April 3, 1961. Introduced by Messrs. Randolph and Byrd. Referred to the Committee on the Judiciary.

H.J. Res. 81. Relating to the right of citizens of the United States 18 years of age or older to vote. January 3, 1961. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

H.J. Res. 350. Relating to the right of citizens of the United States 18 years of age or older to vote. March 29, 1961. Introduced by Mr. Diggs. Referred to the Committee on the Judiciary.

H.J. Res. 368. Relating to the right of citizens of the United States 18 years of age or older to vote. April 13, 1961. Introduced by Mr. Ellsworth. Referred to the Committee on the Judiciary.

THE 88TH CONGRESS

S.J. Res. 2. Extending the right to vote to citizens 18 years of age or older. January 14, 1963. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary.

S.J. Res. 38. Extends the right to vote to citizens 18 years of age or older. February 5, 1963. Introduced by Messrs. Keating and Kefauver. Referred to the Committee on the Judiciary.

H.J. Res. 941. Granting the right to vote to citizens of the United States 18 years or older. March 4, 1964. Introduced by Mr. Gallagher. Referred to the Committee on the Judiciary.

GROVER S. WILLIAMS,
Legislative Attorney, American Law Division, January 4, 1965.

[From the Christian Science Monitor, July 23, 1965]

IS AN 18-YEAR-OLD READY TO VOTE?

(By Gall Matthews)

Instead of sitting back and wishing 18-year-olds could vote, a group of young adults is doing something about it. The newly founded Connecticut Organization for 18-Year-Old Voting hopes more young people will join the cause. Shortly after the Connecticut organization started rolling, a group of Massachusetts teens started a similar program in the sister state. (A bill has been filed on the issue and is before the Bay State Legislature now.) However, in fighting to lower the voting age from 21 to 18, their role as reformers won't be an easy one. For they are trying to upset a centuries-old tradition.

The law setting the voting age minimum at 21—drafted by pioneer English settlers of the United States—seems downright medieval in the space era. No wonder. It is actually based on statutes dating back to the Middle Ages.

Ancient English Common Law, from which many United States laws were derived, states that there were several ages at which men of different classes of medieval English society reached the legal status of adulthood.

"The young burgess is of full age when he can count money and measure cloth; the young spokesman when he is 15; the tenant by knight's service when he is 21," it explains in the "History of English Law" by Pollock and Maitland.

In those times, a serf could till his own land at 21, and a soldier who had some relationship to the Crown could become a knight at 21.

This, then, is the archaic concept the young members of the Bay State and Connecticut VOTES (Vindication of Twenty-Eighteen Suffrage) organizations are striving to condemn to the scrap heap.

The idea for such an organization began when Joe Dolan of Wethersfield, Conn., was cochairman of his high-school political-affairs association. The history teacher presented the question on 18-year-olds voting and Joe thought the issue was absurd! He reviewed the whole issue as it would affect the 18-to-20-year-olds (some 85,000) in Connecticut.

The Connecticut organization feels that most young people have sufficient and substantial maturity to allow them to vote. It cites several instances where 18 is the age to assume responsibility.

Insurance companies state an adult is 18 years and older. Penal codes affect the 18-year-old just as the 21-year-old. Pension and welfare cases are treated equally regardless of whether the person is 18 or 21. Eighteen is also the age when a young man can be drafted to fight for his country. One can enter the Civil Service at 18, one is taxed at 18 without representation, and one can marry at 18.

In the time span between 18, when a person is just out of high school, to 21, when eligible to vote, is when apathy and indifference set in.

The habit of voting should be formed at the ripest time. Those for 18-year-old voting point out that we need proper balance. "Older folks vote who cling to the past and old ideas and ways. We need the young, honest approach without political strings," claims a supporter.

Recorded as favoring 18-year-old suffrage are: President Kennedy, former President Eisenhower, former Vice President Nixon, Ambassador Stevenson, Governor Rockefeller, Senators Kefauver, Margaret Chase Smith, and Dirksen, along with United States Supreme Court Justice Douglas.

European historian and outstanding scholar, H. Stuart Hughes, a Havard professor, feels: "Physically, socially, and intellectually, youths are maturing faster and earlier than a generation ago. In our society, the standard of what constitutes 'coming-of-age' should be lowered to 18. Eighteen-year-olds read more and know more than many adults. In many instances, a person of 18, graduated from high school, is better informed on vital world and national problems than older people. Adults are frequently too occupied with private lives and problems of family and finances to worry about matters seemingly far removed from them."

Why do 18-year-olds think they have substantial maturity and sufficient experience to vote? "Experience is a continual process in life," VOTES replies. "Real experience does not come from observation, but from participation. An 18-year-old today is much more mature than his parents were when they were 18." A much higher percentage of 18-year-olds have a better education than their parents, let alone their forebears.

The history of the 18-year-old suffrage dates back to 1770 when there were attempts to draft a lower voting age in state constitutions. In 1954, President Eisenhower advocated the 18-year-old suffrage and in the same year a constitutional amendment bill failed to get two-thirds passage by the United States Senate with five votes. It failed only because the Senate felt it involved states rights. In 1961, the Justice Department advocated a constitutional amendment to give 18-year-olds the ballot.

Votes supporters feel that a nation distrustful of its youth, "is a nation that does not have the vision to endure." They point to Kentucky, a state that gave their 18-year-olds that ballot in 1956 and 80 percent of almost 200,000 between 18–20 went to the polls. Georgia juniors made up 20 percent of the electorate after being given the right to vote. Gallup Polls in 1954 showed that 77 percent would go to the polls if given the chance.

Votes backers have got a hard struggle ahead to fight the old clichés—cynicism, and Congress. Lowering the voting age has been a high-school debating issue for many years. Some adults are ignoring the group, feel their cause will never be legislated, or are laughing at it. But, the issue shouldn't be quickly shoved aside. The groups advocating the 18-year-old voter are alive and spouting with intelligent, alert, go-getting youth. Some laughed, too, at the Woman's Suffrage Movement which ended with the 19th Amendment, and until 1870 the Negro's right to vote was thwarted. Eighteen other countries, including the Soviet Union, Israel, Turkey, and Brazil allow their 18-year-olds to vote.

It's really interesting to talk to someone who is vehemently against the 18-year-old voter. His reason? Generally that "the 18-year-old lacks maturity and judgment to cast a vote . . . what will the country come to?" Then ask that same person why he wants a certain candidate to win an election. Sometimes he makes a lightweight attempt to point out the candidate's experience, and then often includes a personality judgment rather than a judgment based on facts. "Oh, he's so good looking"; "He's a family man"; "His family's store sells such good eggs and butter," etc., etc. Some voters today base their decisions on what kind of a television actor the candidate is. Does this make an intelligent electorate?

Clinton Rossiter in "Goals for Americans" writes:

"The American future rests rather on the quality of our votes . . . and of our participation of every kind . . . than it does on the quantity. What America needs is not more voters, but more good voters, men and women who are informed, understanding and reasonable. To produce such men and women in ever larger numbers should be a major goal of all labors to preserve American democracy."

VOTING RESPONSIBILITY SHOULD BE EXTENDED TO 18-YEAR-OLD CITIZENS; CONSTITUTION SHOULD BE AMENDED

(Remarks of Senator RANDOLPH, Apr. 3, 1961)

Mr. **RANDOLPH.** Mr. President, when a Member of the House of Representatives I introduced a resolution more than 18 years ago to amend the Constitution and extend voting rights to 18-year-olds. My interest in this matter has not abated during the almost two decades which have intervened. On March 29, 1960, I presented Senate Joint Resolution 179 for this purpose. Senator BYRD, of West Virginia, joined me in introduction of the measure to amend the Constitution to provide for such voting.

It is gratifying, therefore, to observe that this concern is shared by other members of this body, and particularly by our able colleagues, the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from New York [Mr. KEATING] and the leader of the minority, the eloquent junior Senator from Illinois [Mr. DIRKSEN]—each of whom has independently submitted such a resolution during this session of Congress.

I shall not presume upon the time of the Senate in order to relate the arguments which are well known to all of us. However, I believe it would be of more than passing interest and value to summarize the actions of the individual States in this field, and to note the present status of age requirements that prevail in the various States.

ALASKA AND HAWAII ACT

It is, perhaps, not mere coincidence or an accident of history that the two States most recently admitted to the Union, and hence the two which have achieved statehood under distinctively modern conditions of education and communication, are among the few with voting limitations of less than 21 years. The State of Alaska entered the Union under a constitution approved by a 2-to-1 majority which established the voting age at 19 years or above. During the same year our friends in Hawaii were admitted to the Union under a constitution which provided for voting at the age of 20 or above.

However, the first State to take positive action in this field was the State of Georgia, which lowered the voting age to 18 by referendum in 1943. The State of Kentucky, after several inconclusive efforts in the legislature during the forties and early fifties, finally succeeded in having the issue put to a referendum test, and in 1955 the citizens of Kentucky voted to lower the voting age to 18.

This is the roster of the States, Mr. President, where a voting age of less than 21 prevails. But it is not an accurate index of the actions taken by the other individual States, nor is it an adequate gage of the interest and sentiment among the American people in favor of lowering the voting age.

Since October 21, 1942, when I first submitted my resolution (H.J. Res. 354) in the other body—a time which I use as a benchmark simply because it relates to my own actions in this field—all but three of the States have taken some legislative action to lower the voting age, many of them having made repeated efforts. And in no less than 14 States—according to a study performed by the Library of Congress—measures to lower the voting age to 18 have passed in at least one house of the legislature. In three States—Indiana, Pennsylvania, and Tennessee—such measures have passed both houses, but have failed for lack of meeting other requirements of the amendment procedure.

The Presiding Officer (Mr. Humphrey in the chair). The time of the Senator has expired.

Mr. Randolph. Mr. President, may I ask unanimous consent to have 1 additional minute, since there are few Senators who wish to make speeches?

The Presiding Officer. Without objection, the Senator is granted 2 additional minutes.

TWENTY-THIRD AMENDMENT IS RATIFIED

Mr. Randolph. These actions have been taken, Mr. President, without benefit of the added momentum which would accrue if there were a national movement to amend the Federal Constitution. We have recently seen how effective such an effort can be in the record time in which the 23d amendment was ratified by the States.

Gratifying though it is to see the enfranchisement of the citizens of the District of Columbia, their plight was no less real or urgent than that of the millions of 18 to 21 year olds who bear so many of the responsibilities of citizenship without this most essential prerogative. It is, therefore, in the hope of correcting this inequity that I submit this resolution to amend the Constitution and extend the right to vote to citizens 18 years of age or older.

I ask that the joint resolution be appropriately referred and printed in the Record at the conclusion of these remarks.

The Presiding Officer. The joint resolution will be received, appropriately referred, and, without objection, printed in the Record.

The joint resolution (S.J. Res. 71) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. Randolph (for himself, and Mr. Byrd of West Virginia), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (*two-thirds of each House concurring therein*), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

" 'Article —

" 'Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age. The Congress shall have power to enforce this article by appropriate legislation.

" 'Sec. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.' "

[From the Christian Science Monitor, Jan. 13, 1967]

Mirror of Opinion: Responsible Students at Berkeley

(From a talk by Prof. Garff B. Wilson, University of California, Berkeley)

The student on the Berkeley campus has been defamed and caricatured. The representative student is not a beatnik or a weirdie or a rebel. He is a clean-cut, serious, intelligent, idealistic student deeply involved in his studies, proud of his university, and keenly aware of his responsibilities as a citizen. News media seldom give the representative student any notice. Newspapers, TV, and radio record what is bizarre and sensational. For example:

You are aware that in December, 1964, 773 people were arrested in Sproul Hall sit-in. Do you know that in that same semester 3,540 undergrads made the honor roll with B average or better? A year later the percentage was raised one point—to 22 percent.

You read that hundreds of dollars were raised in December, 1964, to bail out sit-in students. Do you know that in the same semester $9,062 were raised by students for Cal Camp for underprivileged children, staffed by 50 volunteer students?

You read that last year four students were suspended for participation in so-called "dirty word" demonstration. Do you know that in the same year, 262 students spent 20,000 hours in Resource Volunteer Program tutoring students in Berkeley public schools?

You read that this year three or four students were disciplined for defying campus rules. Do you know that 10 times that number cleaned off 200 cubic feet of refuse from a Berkeley hillside, removed 200 old tires from Albany mud flat, and cleaned up the east side of Aquatic Park? This was volunteer work.

You read that this year mobs, including some students, have marched in parades protesting Vietnam war. Did you know that there are now serving (or have recently served) overseas in Peace Corps 560 Cal students, far more than from any other campus in the nation—and do you know that this spring more than 1,000 additional Cal students applied to serve?

You read that Vietnam Day Committee held a "rowdy" dance in the campus gym. Do you know that last year 205 students joined VISTA (Volunteers in Service to America), and many more are in process of joining?

You read that last March about 800 students walked out of the Greek Theater to protest appearance of Ambassador Arthur Goldberg, but are you aware that 12,000 remained to give him more standing ovations than any Charter Day speaker has had.

You have read that frats hold beer busts, break windows, and swipe street signs. Do you know that for more than 30 years the frats at Cal have financed a Big Brother Program in Berkeley to help rehabilitate delinquent boys? Do you know that last term, all-frat scholastic average was 2.61 compared to an all-living group average of 2.55?

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the joint resolution introduced earlier today by my distinguished colleague, the senior Senator from West Virginia [Mr. Randolph], concerning the Federal voting age of 18 years remain at the desk for 2 weeks for additional cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

STUDY OF ENTRY OF NONIMMIGRANT ALIENS INTO THE UNITED STATES TO PERFORM SERVICES OR LABOR

Mr. TOWER. Mr. President, I send to the desk a resolution providing for a study of the provisions and administration of several sections in the Immigration and Nationality Act.

This legislation directs the Judiciary Committee, or appropriate subcommittees, to review the interpretation being given to certain specific sections of the act affecting so-called "green-card holders."

The term "green-card holders" refers to citizens resident of countries along our borders who have obtained permission from the Attorney General of the United States to cross into the United States on a daily or other periodic basis to perform labor or services in the United States.

As presently written, the law allows such travel to the United States by nonimmigrant aliens for employment purposes if their employment does not adversely affect other American wage earners. The determination as to what constitutes an adverse effect is left up to the Attorney General.

As a result of leaving this determination to the discretion of the Attorney General, a history of conflict and disagreement has developed. My bill would merely provide at this time for a study by the appropriate Senate committee or subcommittee, but does not embody any legislation or suggestions.

Mr. President, I have received a number of complaints from many good friends of Mexican origin who live along the Texas border and who are citizens of the United States, that their jobs are being preempted by people who are citizens and residents of Mexico and who come across the border and take jobs away from them.

It is likely that at a later date I may offer some remedial legislation. For the time being, I should like the Judiciary Committee to look into this matter.

I ask unanimous consent that the resolution lie on the table for 1 week so that other Senators may cosponsor it as they see fit.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, will be held at the desk, as requested by the Senator from Texas, and, under the rule, will be printed in the Record.

The resolution (S. Res. 22) was referred to the Committee on the Judiciary, as follows:

S. Res. 22

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and review of those provisions of the Immigration and Nationality Act which authorize entry into the United States of nonimmigrant aliens for the purpose of performing services or labor, as well as the administration of such provisions, with a view to recommending such legislative or administrative modifications with respect to such provisions or their administration as it deems necessary or desirable in the public interest.

Sec. 2. The Committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than July 31, 1967.

Sec. 3. For the purposes of this resolution the Committee, through July 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the Committee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

EXTENSION OF TIME FOR COSPONSORS—TAX-SHARING BILL

Mr. NELSON. Mr. President, there is a bill (S. 92) on the desk which I introduced last week on tax sharing. I ask unanimous consent that that bill remain at the desk until Wednesday of next week. I previously requested it be held there until the end of this week; but I now ask unanimous consent that that time be extended until Wednesday of next week, for the purpose of permitting additional cosponsors.

The **ACTING PRESIDENT** pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Mr. KUCHEL. Mr. President, last week I introduced, along with a number of my colleagues, S. 270, which provides for Federal participation in the construction of a 42-acre manmade island off the coast of California, actually off the coast of my home county of Orange, in which nuclear energy will be used to create electric power and also to transform salt water of the sea into potable water to the extent of 150 million gallons a day.

I ask unanimous consent that the name of our esteemed colleague, the junior Senator from Wyoming [Mr. Hansen], be added as coauthor of the bill at the next printing.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Richard F. Pedersen, of California, to be Deputy Representative of the United States of America in the Security Council of the United Nations.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

SPAIN, SOUTH AFRICA, UNITED STATES ALONE FAIL TO RATIFY ANY HUMAN RIGHTS TREATY

Mr. PROXMIRE. Mr. President, today I continue my daily effort to rivet attention upon the failure of the United States to ratify a single one of the Human Rights Conventions on Slavery, Forced Labor, Political Rights of Women, or Genocide.

It may be both interesting and revealing to my colleagues that of the charter members of the United Nations, the United States—which hosted the founding conference in San Francisco and has provided a home for the United Nations—is one of only three nations which has failed to ratify a single one of these human rights conventions.

Who have been our companions in apathy and indifference toward the cause of human dignity? The Union of South Africa and Spain. The former nation's record in the area of human rights requires no lengthy statement here. It must be said of Spain, in that nation's defense, that until the recent national referendum enabling the creation of a legislature, Spain lacked the ratifying machinery.

But the United States has neither the tragic history of South Africa nor the constitutional impotence of Spain. Our Ambassador to the United Nations signed these treaties and our President submitted them to the Senate.

But what has happened? Is the United States truly indifferent to the cause of human rights?

I have perceived a most disconcerting phenomenon—"a certain circle of nonresponsibility."

The Foreign Relations Committee will not report the treaties until there is assurance of a two-thirds majority in the Senate. The White House "believes" this is a Senate matter. The State Department "supports" U.S. ratification.

We have a Tinker-to-Evers-to-Chance juggling act. In short, nobody is doing anything. This might be amusing if it were not so tragic.

These treaties are not concerned with academic or esoteric subjects. They deal with matters vital to our own national history and tradition. Surely, of all the members of the family of nations, the United States should assume our rightful position in the front rank—fighting for the basic human rights of political equality for women, the elimination of slavery and forced labor, and the international drive to assure that never again on our earth will there be the horrible nightmare of genocide.

The ultimate responsibility for Senate ratification resides in the Senate. I shall continue to speak until the Senate meets that responsibility and puts the United States squarely on record in support of these vital human rights.

KUCHEL-CLARK RULE XXII RESOLUTION NO GAG RULE

Mr. PROXMIRE. Mr. President, on Friday the Washington Post published an editorial that in the mind of any thoughtful reader should end the notion that the Kuchel resolution will impose gag rule on this body.

As the Post editorial states:

> The most striking aspect of the antifilibuster fight is the extreme conservatism of the reforms offered.

Mr. President, the most striking aspect of the editorial is that it then proceeds to understate the conservatism by 100 percent.

The editorial states that the Kuchel resolution would permit 20 days of debate. The fact is that on any significant issue, the opposition can and will debate the motion to "take up" for 20 days under the pending resolution. If cloture is invoked, they would have another 20 days for a second marathon debate.

Anyone who calls this gag rule is being funny. They certainly are not being accurate in any sense.

I ask unanimous consent that the editorial entitled "Fighting the Filibuster" be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Fighting the Filibuster

The most striking aspect of the antifilibuster fight in the Senate is the extreme conservatism of the reforms offered. Senators McGovern and Morton are asking only that the number of Senators required to end debate be reduced from two-thirds to three-fifths, or, if all were present, from 67 to 60. Senators Kuchel and Clark would permit debate to be ended by a constitutional majority (51) regardless of how many members might be present and voting. And this cut-off could be invoked only after discussion of the issue had been in progress for 20 days or more.

The more liberal of these measures stops somewhat short of meeting the argument that any systematic frustration of majority action is unconstitutional. A rule that would permit the Senate to chew over every highly controversial issue for 20 days or more without restraint could be a potent source of obstruction. No doubt Senators Kuchel and Clark have made their resolution extremely lenient in the hope of establishing the principle of majority cloture. But in practice it would require substantial refinement before the Senate could be regarded as a modern legislative body.

We agree, however, with the view that the most important thing is to establish the principle of majority cloture. With that once recognized, the Senate would be free to bring about further changes by majority action wherever the need for it might arise.

The right of the majority to work its will in the Senate has become the foremost issue before that body. We think it ought to be decided this time before the Senate turns to other business. There is a strong hope that Vice President Humphrey will rule, when the right moment comes, that the Senate has a constitutional right to modify its rules by majority action in disregard of the odious Rule 22. The whole country has an interest in demanding that Mr. Humphrey stand by his convictions of the past on this issue and that the Senate sustain him.

Nothing is to be gained by further procrastination. The question is one of preparing the Senate to meet its broadened responsibilities in addition to reinstating the constitutional principle of majority rule. It is a principle worth fighting for, and those who are carrying the burden of the battle ought to have unflagging support until their objective has been won.

WHY THE WASHINGTON POST OPPOSES THE TAX HIKE

Mr. PROXMIRE. Mr. President, the Washington Post has published a series of some of the finest and most thoughtful editorials in the Nation in opposition to the proposed tax increases.

The Washington Post has been thoughtfully sympathetic to the President and to the so-called new economics. It enthusiastically favors the use of fiscal policy—taxing and spending—to influence economic growth and retard inflation. Its voice on the tax increase deserves thoughtful attention.

Recently the Post published an editorial entitled "The Wrong Fiscal Path." This editorial makes the vital point that the tax increase will not achieve the end its proponents fervently want. They want lower interest rates. But interest rates are already beginning to move down and they can and will continue to move down if the Federal Reserve Board simply increases the money supply. Whether taxes are raised or lowered will have little effect.

What the Federal Reserve Board does will have the only significant effect on interest rates.

Proponents want a tax increase to save Great Society programs. The tax increase, as a matter of cruel political fact, is far more likely to kill such programs, as Members of Congress and the public recognize the price.

Finally, the tax increase could lead us to a recession, unemployment, an end to this long, happy period of economic growth.

I ask unanimous consent that the Post editorial, entitled "The Wrong Fiscal Path," be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Wrong Fiscal Path

Some observers believe that President Johnson proposed the 6 per cent surcharge on income taxes in an effort to buy more monetary ease. Others lean toward the view that he wished to keep the administrative budget deficit below $12.4 billion, the record established by the Eisenhower Administration in the fiscal year 1959. But whatever the motives, it is difficult to defend the Administration's proposal on either economic or political grounds. If the proposal has any virtue, it is the July 1 effective date which gives the Congress ample time to debate the issue in the light of economic developments that unfold during the course of this year.

The economic objection to the higher taxes is that the economy is exhibiting unmistakable signs of sluggishness and is more likely to require a fiscal stimulant than a sedative in the months ahead. On the day that the President delivered his message, it was announced that retail sales declined in December. There is a slump in the construction industry. Capital expenditures will not rise significantly in the first half of this year and are likely to decline in the second.

In view of these trends, the tightening of fiscal policy, by diminishing the stream of consumer expenditures and dampening business expectations, involves the very real risk of precipitating a deep recession. There is a widespread—and erroneous—belief that such a recession could not occur in the face of high defense expenditures. But defense expenditures—and more importantly, defense production—are leveling off.

There are those of the President's advisers who cling to the view that a tighter fiscal policy, however inappropriate, is the price that must be paid for a reversal of the Federal Reserve Board's monetary policy. In addition to viewing the Board as if it were somehow a sovereign power instead of a creature of the Congress, this view overlooks the fact that interest rates have already fallen as a consequence of the softening of the demand for credit. And with the decision of the German Bundesbank to lower its discount rates and the prospect that other European central banks will follow there is no balance-of-payments reason why market force should not be permitted to lower rates on this country.

Professor J. Kenneth Galbraith and others who believe that the attainment of the highest good is predicated on shifts of resources from the private to the public sector of the economy, are supporting the surcharge. But they are blind to the dangers of tying specific programs to tax increases. Raising taxes to continue Great Society programs is a move hardly calculated to increase their popularity, and the difficulties will be compounded if the economy is also depressed in the process.

President Johnson said that he would soon send his specific proposals to the Congress and added that: "Yours is the responsibility to discuss and debate them—to approve or modify or reject them." Congress made a mistake by rushing through the suspension of the investment tax credit. There is no reason at all for haste on the income tax surcharge.

JOINT ECONOMIC COMMITTEE HEARINGS ON THE CHINESE ECONOMY

Mr. PROXMIRE. Mr. President, dramatic and momentous events are occurring in China today, events that may not only shape history for many years in the Far East, but could have a most serious effect on our own military and foreign policy.

The Milwaukee Journal spelled out in an editorial yesterday how serious is the gap in our knowledge about developments in this immense Communist dictatorship.

This Government has a responsibility to the security of our country to find out all we can about China, not only about its attitudes and the tendencies of its political developments, but the more basic facts about its economy—what kind of potential threat or promise China really represents.

What limits does the Chinese economy really place on its military capacity, on its ability to help or hurt other nations in Asia and throughout the world?

Senator Javits suggested to the Joint Economic Committee last year that the committee should study and hold hearings on the Chinese economy.

The Javits suggestion made excellent sense. The Joint Economic Committee has made some of the very best and most authoritative studies of the Russian economy. They are highly prized among university experts as well as in Government.

Since Senator Javits made his suggestion last summer, the committee has been busily following up with a series of studies of the Chinese economy by the Nation's top experts. Those studies are now being printed. And hearings will begin before the Joint Economic Committee on the Chinese economy after hearings are held on the President's Economic Report.

What we learn about the Chinese economy should contribute greatly to our evaluation of our military and foreign policies throughout Asia, and, indeed, the world.

I ask unanimous consent that the editorial from the Sunday Milwaukee Journal be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

News Coverage of China

The news stories out of Communist China reported mostly from Hong Kong or Tokyo are blood chilling. The nation is apparently in a power struggle and in great turmoil. What is really happening? We don't accurately know. The sources of news are so limited and restricted that coverage is all but impossible.

Much of the news now comes from Red Guard posters displayed in the cities. These are political documents meant to serve political ends and cannot be accepted as factual. Many may not even be posted by the Red Guard but by their opponents.

At a recent meeting of the International Press Institute in India, news coverage of China was discussed in depth.

There are only 30 foreign correspondents in Peking and nearly half are from Communist countries. Nine represent Japan, four the west. None is from the United States. All are restricted to within 25 miles of the center of Peking. Their sources are confined to Peking newspapers, New China News reports and official publications. They may not buy any provincial publications not sold in Peking. They may not talk with Chinese on the streets. Their interpreters are supplied by the diplomatic service bureau, a government agency. There are almost no press briefings. When there are, the Chinese officials talk in a mixed jargon of Chinese obscurities and their brand of Marxism. Radio Peking broadcasts drab, unnewsworthy programs that tell little or nothing.

The basic fact is that, as an Israeli editor said, one does not cover China, one seeks to uncover it and with little success because the Chinese don't want outsiders peering around. The Chinese trust no one. The Chinese people get so little outside news that they know nothing of the world. What news there is has to be read between the lines for the most part. When the Communist coup in Indonesia was crushed there was no mention of it for almost two weeks in Chinese papers. Then the only indication that something had happened came in a letter reprinted in the press in which President Liu Shao-chi congratulated President Sukarno on his being in good health in spite of what has happened. Only later was the coup discussed.

The United States has almost no contact at all with China. Our nationals don't travel there, nor theirs here. We have no diplomatic contact save occasional meetings in Warsaw. It is indeed the "mysterious east." And the problem is all the more aggravating now when momentous things may be happening but no one knows for sure what they are or what they mean.

DICKEY CHAPELLE MEMORIAL DISPENSARY

Mr. PROXMIRE. Mr. President, on November 4 the Dickey Chapelle Memorial Dispensary was dedicated in Vietnam. This dispensary is a most appropriate memorial to a native of Milwaukee who was a great war correspondent. She died as she lived, in a war zone on patrol with a group of marines.

General Walt made an excellent speech at the dispensary dedication ceremonies highlighting the ingredients that made Dickey Chapelle a unique human being, who brought great pride to my State of Wisconsin. Her uncompromising honesty as well as her great courage should be an inspiration to all who follow in her footsteps.

I ask unanimous consent that the speech be printed at this point in the RECORD so that Senators can better understand the sorrow Wisconsinites felt at the death of this unique woman.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY LT. GEN. LEWIS W. WALT, USMC, CG, III MAF, DELIVERED AT DEDICATION OF DICKEY CHAPELLE MEMORIAL DISPENSARY, NOVEMBER 4, 1966

A year ago today, not far from here, the world lost a dedicated and professional combat correspondent—and American fighting men lost a true friend.

For more than twenty years, Dickey Chapelle could be found where the action was; Iwo Jima, Okinawa, Lebanon, Hungary, Cuba, Quemoy, India, Laos, the Dominican Republic, and finally South Viet Nam.

Mr. Jim Lucas has spoken this morning about Dickey Chapelle from his correspondent's point of view. She was a professional from any point of view—highly respected by her contemporaries, her readers, and by the men whom she accompanied into battle. The front lines was her beat.

It is difficult to say just when the mutual romance and respect between this reporter from Milwaukee and the American fighting man began. Perhaps it was aboard a hospital ship off Okinawa or on the black beaches of Iwo Jima. But wherever it had its start, it compelled her to travel the world over to be with our fighting men and to tell the story of what they were doing.

She wore baggy utilities—a jauntily set jungle hat—and a perpetual smile. She was half the size of the Marines she followed into combat, until she spoke; then suddenly she grew in stature, speaking with the authority of a combat veteran—which, of course, she was.

When this frail looking woman showed up on the front lines, tough veterans would shudder. Who was going to take care of her, they wondered.

"Forget that I'm a woman," she would say. "I'll lug my own stuff and ask no favors." And she was true to her word. She asked no quarters, and would have been offended had it been offered.

As General Krulak noted shortly after her death, "The Marines are a fraternity, and if a woman can belong to a fraternity, Dickey Chapelle managed to do it."

Never complaining, determined always to carry her share of the load, ever enthusiastic, she had the ability to convey the reality of war to film and paper in a degree seldom matched. She had a deep-seated feeling for people and events. She showed no fear and had a total disregard for her personal safety.

For twenty years her life was one of being with the fighting men and telling their story to the world.

It is most fitting that we here today dedicate this dispensary to her memory—the memory of a woman who loved people and hated the violence which causes hurt and pain and misery.

For this facility is, by its very nature, dedicated to overcoming the physical ravages of war and disease and pestilence.

Today marks a beginning—for this building is only the central portion of a dispensary that will eventually grow to encompass a 44-bed facility.

Built by the 9th Engineer Battalion, the dispensary will serve our Vietnamese friends, staffed by both Vietnamese and American medical personnel. It has been made possible by funds which have been provided through CARE and donated by friends of Dickey Chapelle.

Anyone who met Dickey Chapelle could not forget her. Her willingness to involve herself with the crises of our time showed a rare spirit. As a result, thousands of Americans at home lived closer to our men in Viet Nam and came to know the struggle for dignity and freedom of the Vietnamese people.

She had dinner at my quarters the day before she was killed. Several of my officers and myself had a wonderful evening listening to her tell of her many experiences with our Marines. As she left my quarters that evening, she mentioned she was going out on patrol the next day. I told her to keep her head down and not to take chances. She said, "When the time comes for me to go, I want it to be on a patrol with Marines." And that's the way it was.

And so we dedicate this building to the memory of Dickey Chapelle—combat correspondent, patriot, and humanitarian.

DEATH OF MRS. BESSIE STALEY CHEATHAM

Mrs. SMITH. Mr. President, Saturday, one of the outstanding women of our times passed away—Mrs. Bessie Staley Cheatham. She died at the age of 86, as she was born on April 11, 1880.

It was almost 7 years ago, on April 11, 1960, when I made a statement on this floor calling the attention of the Senate to her 80th birthday that day. In observing that she was a grand lady well known and beloved to the Members of the U.S. Senate, I said that the shortest and best description that we could give her was the unofficial title of "the 101st Senator" for she had truly become one of the fixtures of the Senate.

For decades, Bessie Staley Cheatham was as constant in her attendance of the sessions of the U.S. Senate as was any of the Senators. She faithfully took her place in the Senate Gallery near the clock. She followed the debate ever so closely with her ever keenly analytical mind.

She was probably a better parliamentarian than most Members of the Senate. In fact, at times, fellow galleryites overheard her "quarterback" remarks intended for her favorite choice for President, and then Senate majority leader, Lyndon Johnson.

The Senate will not seem the same without the glowing presence of Bessie Staley Cheatham in the Senate Gallery. It has lost one of its most beloved fixtures with her passing. We have lost a good counselor and a loyal friend who constantly gave inspiration to us.

The church services in Washington will be held tomorrow morning at 11 at the All Souls Memorial Episcopal Church. The next day, the afternoon of Wednesday, January 18 at 2 o'clock, final rites will be conducted at the Suffolk Christian Church in Suffolk, Va., where her father was pastor for nearly 50 years. The service will be conducted by a minister, who assisted her father and was later pastor at that church.

Among her survivors is her son, William S. Cheatham, former administrative assistant to the Sergeant at Arms of the Senate. Eight Senate doorkeepers will serve as honorary pallbearers.

I ask unanimous consent to have printed in the RECORD at this point an article about Bessie Staley Cheatham published in the May 31, 1958, issue of the Burlington, N.C., daily Times-News.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MRS. BESSIE CHEATHAM COMES BACK TO AREA FOR VISIT AND GRADUATION

(By Ruth Rush)

Not every college can boast of an alumnae of the class of 1898 who attends reunions regularly.

But Elon College has that distinction because of Mrs. Bessie Staley Cheatham of Washington, D.C. She attended the Elon commencement this week after a trip from Raleigh where she visited Peace College, her school from 1888 through 1890.

Today she is on her way to Chapel Hill to renew friendships with fellow graduates from the class of 1900 at the University of North Carolina where she was the school's second coed to register.

Mrs. Cheatham, a native of Graham, also is doing quite a bit of visiting in this area where she has numerous friends and relatives. Her father, Dr. W. W. Staley, was the second president of Elon College.

At present, the 78-year-old lady resides in Washington, D.C., and leads an active life working for civic groups, visiting hospitals and taking part in church work.

Friends say she also can act as an excellent guide any place in the city. Her son, William Staley Cheatham, is assistant to the Sergeant at Arms of the U.S. Senate, and her daughter-in-law is secretary to Justice Harold Hitz Burton of the U.S. Supreme Court.

The active little lady who follows a rigorous schedule all year long, hasn't missed a University of North Carolina reunion in 10 years.

Commenting on a reception this week at Elon College, Mrs. Cheatham told of a companion who suggested they "pull up a chair and rest a bit" during the long periods while waiting in the receiving line.

"I had no idea of doing that," she exclaimed. "Couldn't let people think I'm getting old. I may call myself old, but I'm not ready to act that way yet."

And proof of that statement comes to light when Mrs. Cheatham tells a little of her background.

She went to Washington after the death of her husband and when her son "was just a youngster in rompers." She continued working there until her son was educated.

"They finally retired me from my Government job. But then I went right to work in a printshop, doing proofreading from midnight until 8 a.m. And the graveyard shift didn't bother me a bit—not even when we had dinner at 4 o'clock in the morning," she asserted.

Describing her life in Washington, Mrs. Cheatham says she has seen all the presidents since Theodore Roosevelt. She speaks of meeting Wilson, Taft, Harding, Hoover, and Coolidge at open houses held at the President's home every New Year's.

Going a little further back, Mrs. Cheatham's first job after graduating from college, was teaching school, and she held positions in Raleigh, Suffolk, Va., and Greenville, N.C. And all through her life, she notes that there has been a great deal of traveling.

"My father used to say that travel was the best way to educate—next to studying books. First, you have to learn what's in the books, and then you can appreciate what you see while traveling," she stated.

Mrs. Cheatham's first big trip was a tour of Europe—her father's present to her after she graduated from the university.

And she's kept up with her traveling through the years with excursions to South America, Canada, Cuba, Jamaica, Mexico, and 40 States in the United States.

Mrs. Cheatham pointed out that her son took numerous trips with her that all began when he first saved enough money to buy a model T coupe.

"It was quite a surprise when he told me he had bought a car," she said. "But, of course, I was proud of him."

She explained that he began working as a Senate page when he was 12 years old. And Mrs. Cheatham remarked that she still remembered the valedictory address he gave when he graduated from night grammar school.

Her son was one of the first Washington officials to arrive here for the funeral of the late Kerr Scott.

Commenting on friends and family ties in this area, Mrs. Cheatham expressed her pleasure returning for visits each year.

"It's something I always look forward to—I have a special interest in the people here and, of course, in Elon College," she said.

Mrs. Cheatham showed a ring she was wearing—a miniature pansy enameled in royal purple and lavender with a tiny chip diamond in the center, set on a thin gold band.

She explained that it was the ring she designed for her graduating class at Elon College. Underneath the tiny flower, petals bear her initials, and the initials for Elon College, and the year, 1898.

"A good year," remarked Mrs. Cheatham. And her friends will agree: a good year for Elon when a cum laude graduate became one of the most loyal alumnae.

Mr. ERVIN. Mr. President, I wish to join my distinguished colleague, the Senator from Maine, in the very beautiful tribute which she has just paid to Mrs. Bessie Staley Cheatham.

Mrs. Cheatham was a remarkable person. It can be said of her that she was more constant in attendance upon meetings of the Senate than any other person except those who are members of the staff of the Senate.

For years, she sat in the gallery just behind the clock and gave complete attention to the proceedings of the Senate.

Mrs. Cheatham was a native of my State of North Carolina. She came of a family which made rich contributions to culture, education, and religious life in my State. She was, in many respects, one of the most remarkable persons I have ever been privileged to know.

Notwithstanding the fact that she had passed the age of four score years, she maintained a youthful interest in everything which was going on in the world around her, particularly in respect to the affairs of our National Government in Washington and also in respect to the personal lives of her many friends. No person was more devoted to those who were privileged to know and to love her than she was.

On special occasions, such as birthdays, wedding anniversaries, and the like, she always remembered her friends with notes or with greetings. It is rather remarkable that at the time she was stricken by the illness which culminated in her death, she was attempting to return to her apartment after having mailed a greeting to a friend.

She lived life to the fullest. Those of us who were privileged to call her friend will miss her very much and recognize that her passing will leave in our lives a great void which cannot be filled.

On behalf of my wife and myself, I wish to extend to her son, Bill Cheatham, who was for a long time a member of the staff of the Senate, our deepest sympathy in the irreparable loss which the members of her family and her friends have sustained.

Mr. JORDAN of North Carolina. Mr. President, all of us lost a dear friend with the passing of Mrs. Bessie Staley Cheatham on Saturday.

"Miss Bessie" was a beloved friend of a great many Members of the Congress and others who knew her for the many years she lived in Washington.

She was also the mother of William S. Cheatham, who for many years served with distinction as an officer of the Senate. All of us have long had deep respect and admiration for Bill Cheatham for the outstanding service he gave for so many years as administrative assistant to the Sergeant at Arms of the Senate, and our thoughts and our prayers are with him in this hour of such great loss.

I am proud of the fact that Miss Bessie's roots were deep in North Carolina. We in North Carolina took pride in the fact that she was the second woman to graduate from the University of North Carolina, and she always dearly loved our State as she dearly loved her Nation.

Her father, the Reverend William Wesley Staley, served as the second president of Elon College in North Carolina, and he provided the leadership which makes that college today one of the fastest growing and most highly respected church-related institutions in the Nation. While he served as pastor of the Christian Church in Suffolk, Va., he also served as president of Elon College, and he made weekly trips back and forth between Elon and Suffolk.

Miss Bessie carried on in the same vigorous manner of her father. She was a schoolteacher, and among other places taught at Peace Institute at Raleigh, another of our fine church-related institutions in North Carolina.

After she moved to Washington, Miss Bessie became an employee with the Department of Agriculture where she worked for 27 years until her retirement in 1945.

During all these years Miss Bessie went through life with great spirit and great enthusiasm. For many years she was a Sunday school teacher at the All Souls Episcopal Church here in Washington. On one occasion when she won a contest by naming the winner in the Kentucky Derby, she took the cash prize and bought new Bibles for all of her Sunday school pupils.

Until her death, Miss Bessie was a familiar figure around the Capitol. She took tremendous interest in the activities of Congress, and she spent many, many hours in the galleries of the Senate listening to debate.

All of us will miss Miss Bessie a great deal, but we will never forget her quick smile and the active interest she took in the world around her.

SENSIBLE APPROACH TO AUDIENCE SUITABILITY RATINGS FOR MOTION PICTURES

Mr. KUCHEL. Mr. President, last year, the Motion Picture Association took a forward step toward solving the aged conundrum of how to protect our children from unsuitable influences and yet maintain our cherished freedom of expression. The MPA's new production code is based essentially on a system of public classification which leaves the ultimate decisions regarding a child's motion picture diet to his parents. President Jack Valenti of the MPA has stated:

> The final responsibility in the control of film attendance rests with the parents.

I would add that the alternative of censorship is repugnant to our society. Such rigidity could mark a disastrous decline in public confidence in our democracy.

The MPA's innovation has met a warm response across the Nation. I am delighted to state that one of the leading newspapers of California, the Los Angeles Times, which has long been deeply interested in the motion picture industry, has just announced the publication of a weekly feature listing current films according to audience suitability. The Times grading system establishes three categories of suitability according to the emotional maturity of the audiences. These categories are to be carefully checked by the newspaper's own expert staff, which has been studying for decades the problems of the film industry at first hand.

The Times merits congratulations for this constructive step. Mr. President, I ask unanimous consent that a column appearing in the Times of January 8, 1967, by the distinguished Times newspaperman, Mr. Charles Champlin, explaining the new grading system, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GRADING FILMS: A NEW GUIDE FOR READERS

(By Charles Champlin)

This week's Calendar (Page 4) carries a new feature: a list of current films graded according to their audience suitability and appeal.

The list will appear in Calendar every Sunday and in the daily entertainment pages of The Times on Wednesday and Friday as a guide to mid-week and weekend moviegoing.

We have established three categories: Family, Mature Audiences and Adults Only. They are for the most part self-explanatory. Family films are those which in our best judgment contain no material unsuitable for viewing by young children (although some of the pictures in this category may be less interesting than others to young children).

Adults Only films are just that films so unsparing in candor and content as to be unsuitable only for adult audiences.

The Mature Audiences category reflects, essentially, an awareness that not all teenagers come of age at the same rate intellectually and emotionally. The films in this category contain material which certainly rules them out for the very young, but which does not rule them out for today's mature young people—those who are in, let's say, their middle teens.

PARENTS RESPONSIBLE

But, as the Motion Picture Assn. recognized in formulating its new Production Code last year and as we recognize in offering this classification, the ultimate responsibility in the control of film-going resides with the parent.

Under the new code, certain films must carry the identification "Suggested for Mature Audiences" in all their advertising, as a guideline for parents. This system is a considerable improvement on the old code's inflexible Yes/No workings, which in effect forced all films to seek to be acceptable to all audiences and which placed sharp limitations on American filmmakers. But by no means all current films come under Production Code review, and a more inclusive listing has been needed.

Indeed, to judge by the volume of inquiries we receive, a good many parents are aware of their responsibilitity in the control of film-going and are eager to exercise it. While a frequent complaint is that there aren't enough films for the whole family these days, there are quite a number, as the listings indicate.

The difficulty lies in the middle ground area, north of Disney and south of "Night Games." "Alfie," for instance, is a portrait of a charmingly promiscuous cad, yet the film on balance hardly makes the case for promiscuity, quite the reverse. "The Blue Max," on the other hand, carries some matchless aviation footage calculated to delight a young audience, but also has some steamy and explicit love scenes which distinctly aren't for the immature. "Virginia Woolf" is a relentless portrayal of a warring yet oddly dependent couple, but at that some parents might well and rightly find it preferable for their teen-agers to this larger-than-life fun and games of "Thunderball."

On one recent day, The Times carried ads for nearly 230 different films in its pages. To list them all would consume enormous space. In Calendar and in our daily pages we will carry the new films in their first runs and the films which are appearing in multiple locations around Southern California.

The actual classifications reflect the opinions about the films expressed by various national organizations, double-checked by The Times' own staff of film reviewers. The responsibility for the classifications is finally our own.

Underlying this new service is our conviction that the film audience is not a monolithic body with a mentality of 12—or 36 or 6. Films do not exist in that kind of intellectual or emotional straight-jacket, nor should they. There is a wide and admiring audience for "Born Free" or "Follow Me Boys." There is an audience, not so wide but presumably as admiring, for "Loves of a Blonde" and "Dutchman." In a free society which increasingly recognizes the film as an art form, all four films have a right to be shown and be seen.

But in a responsible free society which would rather police itself than be policed, the alternative to an imposed censorship is a voluntary control on who sees what. In particular, there is a voluntary parental control on what their children can usefully see or should in their own best interests avoid. The motion picture remains a potent shaper of attitudes and understanding.

This truth is universally recognized. Other nations, indeed, feel as strongly about the adverse influence of excessive violence on the screen as we have traditionally felt about sexual candor or nudity. (Both areas of concern will be reflected in our listings.) What is universally acknowledged is that the films have the power to move us and change us.

It is quickly possible for reasonable men to argue about specific decisions in the Calendar listings, for they occur at a time when manners and mores are shifting in society at large. But they are a guide and the parents, to whom they are primarily addressed, should regard them as such.

DEPARTMENT OF STATE SHOULD NOT WAIVE POLAND'S OBLIGATION TO PAY UNITED STATES IN DOLLARS FOR PUBLIC LAW 480 SALES

Mr. GRUENING. Mr. President, recent newspaper articles have reported that the Department of State is considering a proposal to waive the dollar payments which Poland is obligated to make to the United States for agricultural commodities delivered in past years to that country under Public Law 480. The Department of State had previously deferred about $32 million due the United States through October 1966. According to newspaper accounts, the Department of State is now considering a plan whereby the $26 million due the United States in 1967 would not be collected. Instead, the United States would give this amount to Poland, in Polish zlotys, for what was described as "mutually advantageous projects."

Since 1957, the United States has "sold" to Poland agricultural commodities amounting to $538.2 million. In payment for the commodities, the United States has collected Polish zlotys, which have been held in Polish banks. Poland had agreed to convert these zlotys to dollars over a 40-year period. The agreement required Poland to convert over $66 million in zlotys in the next 5 years. Because this represented a sizable drain on Poland's balance of payments, the Department of State has been considering ways to alleviate their problem.

My concern that the Department of State might agree to turn back a substantial amount of the $66 million in zlotys to Poland, as a form of economic assistance to that country, led me to undertake a careful analysis of this matter, which resulted in my forwarding a lengthy letter to the Secretary of State on December 6, 1966.

I pointed out in this letter that:

The substantial economic assistance provided Poland in the form of over half a billion dollars in commodity deliveries has not moved that country away from communism;

Poland is a major supplier of assistance to North Vietnam;

Poland has taken unconscionable advantage of the United States in other financial dealings;

Public Law 480 sales to Poland have been represented to the Congress as dollar sales;

To permit Poland to avoid its obligation to repay the United States in dollars might well have the effect of setting a precedent which other countries would want to follow;

That a grant of U.S.-owned zlotys to Poland for mutually advantageous projects would be giving that country economic assistance which would be specifically prohibited if the Department of State attempted to provide it under existing foreign aid legislation.

It is my understanding that the Department of State has entered into further discussions with the Government of Poland, and has proposed terms for meeting the dollar payments due the United States in 1967 which are substantially different from those first reported to me. Nonetheless, I believe it important that the Senate be apprised of this matter and that the Department of State be put on notice that any agreement worked out with Poland which does not protect U.S. interests fully will be subject to strenuous objection on my part.

I ask unanimous consent that Mr. Henry Kamm's article in the New York Times of December 30, 1966, and my letter to Secretary of State Rusk dated December 6, 1966, be printed in the RECORD at the conclusion of my remarks.

There being no objection, the article and the letter were ordered to be printed in the RECORD, as follows:

[From the New York Times, Dec. 30, 1966]

UNITED STATES WOULD EASE WARSAW'S DEBTS—OFFERS TO ACCEPT ZLOTYS FOR MOST OF 1967 PAYMENTS AND SPEND FUNDS IN POLAND

(By Henry Kamm)

WARSAW, December 29.—The United States offered Poland an unrequested helping hand today and thus posed a delicate diplomatic problem.

Ambassador John A. Gronouski submitted to senior officials a proposal to free Poland from a substantial part of her dollar debt repayment to the United States during the coming year by accepting payment in zlotys and to use this Polish currency, called counterpart funds, for "mutually advantageous projects."

Although the nature of the projects was not disclosed, it is understood that the advantage to Poland would be direct and concrete and the hoped-for advantage to the United States would consist largely of good-will.

TWENTY-SIX MILLION DOLLARS DUE THE UNITED STATES

The problem for the Polish Government is how to accept an act of generosity from a nation that it vilifies daily for its acts in Vietnam and elsewhere.

No immediate reply was given, and hours after Mr. Gronouski had called on Deputy Foreign Minister Jozef Winiewicz and Foreign Trade Minister Witold Trampczynski a Foreign Ministry press spokesman said he had no knowledge of a United States offer.

American sources said the officer covered "a substantial part, but not all" of $26-million due to the United States between Jan. 2, 1967, and Jan. 2, 1968, for purchases of surplus agricultural commodities, mainly grain and cotton, under a 1964 agreement. The accord provided for a three-year interest-free loan under Public law 480.

Any possible savings of her scarce hard-currency holdings tempting to Poland, which badly needs dollars or other convertible funds, for purchases outside the Communist bloc. But, United States sources emphasized, Poland has always met her dollar obligations on her debt to the United States—now a little short of half a billion dollars—on time.

The Polish Government has not asked the United States to help it ease the debt burden. Total payments due in 1967 amount to $31.2 million, a post-war "hump," as United States officials call it. In 1968, the obligation will go down to $24-million.

However, Polish officials are reported to have reacted with keen interest to the debt-relief idea, which Mr. Gronouski espoused vigorously even before he assumed his post here in November, 1965.

CONGRESS STILL A HANDLE

The plan has been one of the main supports of the "bridge" between Poland and the United States that Mr. Gronouski has assiduously tried to build. President Johnson called for such a "bridge of understanding" when he named Mr. Gronouski, a former Postmaster General, to be ambassador here.

Mr. Gronouski staked much of his credit as an envoy on the proposal. He is known to have discussed the idea widely with Polish officials since his arrival, but he had to make a 24-hour trip to Washington a week ago to get the approval of Secretary of State Dean Rusk and other officials involved.

Final White House approval did not come until yesterday, five days before Jan. 2, when an initial payment of $9-million is due to the United States.

Having won over the Administration in Washington, Mr. Gronouski still faces the hesitations of the Polish Government and the eventual hurdle of Congress, which has to approve spending for any project that United States and Poland agree on.

The contents of the offer to the Poles today were not made known. Possible components are projects similar to the American-Polish Children's Hospital opened in Cracow last year, public works, subsidizing of English-language studies and other educational and cultural programs.

Mr. Trampczynski has promised an initial reply next week. Even if it is positive, a delicate negotiating process is believed to be the best the United States can hope for before its largesse is accepted.

Based on the experience of the Cracow Hospital, which cost the United States Government more than $12-million, informed American sources do not look forward to much public acknowledgement of American generosity by the Polish Government or its press.

DECEMBER 6, 1966.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: As part of its continuing study of the Food for Peace program, the Subcommittee on Foreign Aid Expenditures staff has reviewed certain aspects of the agricultural sales agreements with Poland under Public Law 480. This review has disclosed that the United States has received payment in dollars for only a very small part of the dollar obligation assumed by Poland at the time the initial sales agreements were negotiated.

Of some $35 million due the United States through October 1966, only about $3 million has actually been collected, payment on the remaining $32 million having been deferred until 1967 and thereafter. Further, I understand that the Department of State is now giving consideration to additional waivers of the requirement for dollar payments in calendar year 1967 and thereafter.

Eight agreements have been entered into with Poland since 1957 for the sale of agricultural commodities totaling $538.2 million. The agreements provided that Poland would pay the United States in Polish currency for the value of the commodities and that the local currency could be converted to dollars over a 30 to 40 year period. The following table lists the sales agreements and shows the dates on which dollar payments were scheduled to start in accordance with the terms of the original agreements.

Public Law 480 sales agreements with Poland requiring payment in U.S. dollars

Date of agreement	Amount (millions)	Dollar payment due starting—
June 7, 1957	$18.9	June 1, 1962
Aug. 14, 1957 (amendment)	46.1	Do.
Feb. 15, 1958	73.0	Mar. 1, 1963
June 10, 1959	44.0	June 1, 1964
Nov. 10, 1959 (amendment)	11.8	Do.
Feb. 11, 1960 (amendment)	41.5	Do.
June 21, 1960	130.0	July 1, 1970
Dec. 15, 1961	44.6	Jan. 1, 1972
Apr. 19, 1962 (amendment)	15.8	Do.
Feb. 1, 1963	51.6	Jan. 2, 1973
Feb. 3, 1964	30.7	Jan. 2, 1974
Feb. 3, 1964	30.2	Jan. 2, 1965
Total	538.2	

Dollar payments on the first three agreements and on the last agreement were to be made at various times beginning on June 1, 1962. Had these payment schedules been adhered to the United States would have received $35,080,000 through October 1966. However on July 1, 1960, agreements were negotiated with Poland which deferred the start of dollar payments on the first three sales agreements for five years. The dollar payment on the first agreement was scheduled for June 1967 and payments on the second and third agreements were deferred until 1968 and 1969. A payment of $3 million on the last agreement due on January 2, 1965, was the only one not deferred and I understand that the Treasury has received this amount from Poland.

As matters now stand, Poland is required to make payments in dollars in the next five years totalling $66,150,000 and it is these amounts which I understand the Department of State is considering deferring for an additional five years or longer.

The adverse effects on the United States balance-of-payments of the Department's decision in 1960 to grant Poland a five year moratorium is so obvious that there is no need for me to discuss it at any great length.

The $538 million in agricultural sales is payable in dollars over a 30 to 40 year period with no interest. This represents a loss of $27 million each year in interest which would otherwise have been available to alleviate our balance-of-payment difficulties. The 1960 decision of the Department of State to defer dollar payments due from Poland in 1962 through 1966 has resulted in a loss of dollar interest earnings of about $5,000,000.

Nor do I believe it would serve any useful purpose at this time to discuss the rationale of the policy to provide over half a billion dollars in commodity assistance to a member of the Warsaw Pact countries, an alliance which we have considered a sufficient threat to the security of the United States and its allies to justify fully the expenditure of billions of dollars for the buildup and the maintenance of NATO forces to counter such threat. Suffice it to say that the expectations that our Public Law 480 assistance would make a significant contribution to the development of free institutions in Poland have not been realized. As our former Ambassador to Poland, John M. Cabot has said: "We must recognize that since the heady days of 1956, the general trend has been for the Polish authorities to tighten the screw over Polish nationals rather than loosen it further." The material aid in military supplies which Poland has been sending to North Vietnam and the considerable number of ships which Poland has assigned to carrying supplies from other communist countries to Haiphong are further indications, subsequent to Ambassador Cabot's observations, that our Public Law 480 assistance has not moved Poland out of the communist camp by one iota.

However, even apart from these questions of broad policy, if one examines significant aspects of United States-Polish financial relations it becomes apparent that this has been a one-sided affair with all the benefits flowing to Poland and very little in the way of tangible benefits accruing to the United States. A few examples may serve to illustrate my point.

Data obtained from the Department of the Treasury show that there is a total of $337 million in pre-World War II debts still unpaid and outstanding. Poland has made no payment on either the principal or the accrued interest in more than thirty years and it is not likely that the United States will ever receive any payment on these obligations of the Polish Government.

The United States Government has obtained an eighty year lease on land for its Embassy at a price fixed by the City of Warsaw which Ambassador Cabot has described as "preposterously expensive" and a "hold-up." It is estimated that equivalent land in Washington could be obtained at one-tenth the cost. Similarly, Ambassador Cabot has protested the extremely high cost of rental housing for the Embassy staff under rates set by the City of Warsaw, which, according to the Ambassador, must be paid for in dollars.

The terms of the Public Law 480 agreements have been extremely favorable to Poland, to put the matter mildly. Terms of payment have been set generally over a thirty-year period and for one agreement the terms are over forty years. In most cases no payment is required until the tenth year after delivery of the commodities. Further, none of the agreements provide that any interest will accrue on unpaid balances, nor will the Polish Government pay any interest on the zlotys which have been paid to the U.S. and which are being held in Polish banks.

Finally, the Public Law 480 agreements provide for payment in Polish zlotys, later convertible to dollars, at a rate of 24 zlotys to one U.S. dollar. This vastly overvalues the zloty since the realistic rate, as evidenced by other transactions approved by the Polish Government in converting dollars to zlotys, places the exchange rate at closer to 80 to one. Ambassador Cabot has summed up this situation correctly in my opinion when he stated that "Whether prices expressed in present zlotys or in dollars payable without interest in 10 to 40 years, we are getting only a fraction of commercial value of our products."

My own view is that many of the foregoing matters are not of major consequence *provided* that there is assurance that the Polish currency which the United States now holds as payment for sale of agricultural commodities will be converted to dollars in accordance with the terms of the sales agreements. The fact that the Department of State has waived dollar repayments in the past in the amount of $35 million and is currently considering additional waivers, provides no such assurance and is deeply disturbing in its portent for the future.

The dollar payment provisions of the Public Law 480 sales agreements with Poland have been presented repeatedly to the Congress as firm and fixed, and it comes as a shock to learn that the U.S. Embassy and the Department of State are now considering further deferral of dollar payments and large scale use of U.S.-owned zlotys for various projects in Poland which would be of benefit to that country. It seems clear to me that when the United States gives Poland convertible zlotys for the construction by the Polish Government of hospitals, schools, and cultural centers which that Government will own and control, it is giving Poland economic assistance in every sense of that term. I question whether the Congress would approve of such economic assistance if it were part of the administration's annual request for authorization and appropriations for foreign aid.

I believe it worthwhile to bring to your attention the numerous representations which have been made by the Executive Branch to the Congress and its committees to the effect that the Public Law 480 sales to Poland will be paid for in dollars. For example, on October 11, 1963, the Secretary of the Treasury wrote to Senator John L. McClellan, Chairman of the Senate Government Operations Committee in reply to a letter from Senator McClellan in which the Chairman expressed his concern about the unfavorable exchange rate specified by the Public Law 480 sales agreements. After describing the unsuccessful efforts of the U.S. negotiators to secure a more favorable rate, Secretary Dillon assured Senator McClellan that since the zloty sales proceeds would be converted to dollars, no loss would occur as far as the U.S. Government is concerned. Secretary Dillon stated:

"Since 1957, the Public Law 480 agreements with Poland provide that, to the extent that the zlotys are not used by the United States, they will be repurchased by Poland with dollars at this same rate over a specified period of years in the future. Since relatively few of the zlotys are being used, the bulk of them will be subject to this provision and, to the extent that the zlotys are repurchased, no loss to the U.S. Government will result."

Mr. Raymond Iones, Director, Foreign Agricultural Service, Department of Agriculture, testified before the Senate Appropriations Committee in 1962 as follows:

"*Senator Russell.* How long do we hold this soft currency, like in Poland, before we turn it back to the country for public works projects, or is it a continuous problem?

"*Mr. Iones.* In Poland there is no legal authority to turn the currency back to the Polish Government. . . . In Poland it is illegal under present law for the U.S. Government to make grants of Public Law 480 local currency for loans of Public Law 480 currency to the Polish Government. So that all the currency acquired under that program will either be used to meet U.S. expenses or at some future date will be repurchased for dollars by the Polish Government."

Mr. David Bell, AID Administrator testified before the House Appropriations Committee in 1964 as follows:

"*Mr. Conte.* This may be a little out of your jurisdiction but let's start out this way: What can we use these local currencies for?

"*Mr. Bell.* It varies by country. . . . In the Polish case the arrangement with the Government of Poland is such that gradually they will become convertible in future years. They gradually will be turned into dollars so that in effect they represent a deferred dollar payment.

"*Mr. Conte.* Does that mean we will be able to use those dollars outside of Poland?

"*Mr. Bell.* Yes."

It is clear from the foregoing that the Congress and its committees were led to believe that the United States would receive dollars in payment for the agricultural commodities sold to Poland. I have been unable to find any statement by a responsible administration official which even hinted at the possibility that a significant part of the $66 million due the United States in the next five years will be given back to the Government in Poland in order to assist that country in its balance of payments difficulty.

I am aware of the arguments being made in justification of the proposed give-away of convertible zlotys owned by the United States. It has been said that the large amount of dollars coming due in the next few years will pose great difficulties for Poland in light of its limited foreign exchange holdings. This was foreseen by Ambassador Cabot in 1963 when he cautioned against additional large Public Law 480 sales. Yet some $60 million in additional sales were negotiated in 1964. It has been said that to press Poland for dollar payments will impair that country's ability to expand trade with the United States. But data which I have obtained from official sources show that Poland's commercial purchases of agricultural commodities from the United States has not increased appreciably since 1957, although such increase is a basic objective of the Public Law 480 legislation. It is contended that by alleviating Poland's foreign exchange difficulties by further deferral of dollar payments or by waiving such payments entirely, the United States may be able to acquire some influence over Polish policy. Ambassador Cabot summed up the great difficulties in doing so when he stated:

"The benefit of all of this on the $477,000,000 of agricultural commodities we have sold to Poland under PL 480 accrues to the Polish communist regime. It is no trifling benefit, but just so much help to the regime to achieve its economic objectives. In other words, if we are to extend material help which importantly strengthens the communist bloc we should be very certain that what we are receiving in return is worth as much to us as what Poland is getting.

"We must not fool ourselves as to what we can accomplish. We are not going to change the essential character of orientation of the regime. It is going to remain communist and it is going to maintain its adherence to the Warsaw Pact. If it differs from other communist regimes in its agricultural policy, its treatment of the church and the relatively greater freedom it gives its citizens, this is not primarily because of United States policy—it is due to domestic considerations. Important as it is for us to take Poland's special position and interest into account, it is unlikely that we can induce Poland to adopt markedly more favorable policies from our viewpoint no matter what we do. In short the communist regime in Poland is going its own way in accordance with its own concepts of its interests. If from time to time it adjusts its course somewhat to take our views and interests into account this is primarily to get what it can out of us."

I have not seen anything since Ambassador Cabot wrote these words which require a modification of his evaluation.

On the other hand, waiving the rights which the United States has to dollar payments for past Public Law 480 sales may well establish an unfortunate precedent in other dealings with Poland and with other countries. Poland has obtained large Export-Import Bank loans, repayments on which are scheduled to run through 1976. If Poland's foreign exchange shortages are an acceptable reason for waiving Public Law 480 dollar payments, the United States leaves itself open for Poland to advance the same reason for not repaying its Export-Import loans.

The new Public Law 480 legislation enacted during this past session of the Congress proposes to shift from local currency sales to sales for dollars on credit terms. Waiver of Poland's dollar obligations on past Public Law 480 sales may well be taken by other countries as an indication that dollar obligations assumed as a result of sales under the new legislation are subject to waiver whenever foreign exchange difficulties are experienced. This can easily turn the "sales" program into a grant program—a situation clearly not contemplated by the Congress when it enacted the new legislation.

At a time when the United States is involved in a costly war and when severe cuts are being made in expenditures for our domestic programs, it is astonishing to find the Department of State even contemplating forgiving a half billion dollars of Poland's indebtedness to the United States—an indebtedness incurred by Poland to buy food to feed its own people because the communist agricultural system has failed, as it has in other communist countries.

Your careful consideration of the foregoing points is suggested before you arrive at a decision on waiving Poland's obligations. I would appreciate any comments you may wish to make on this matter.

With best wishes, I remain

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

AWARDS OF HONORARY LIFE MEMBERSHIP TO PRESIDENT JOHNSON AND GOV. JOHN CONNALLY IN ORGANIZATION OF RETIRED MILITARY, OF KILLEEN, TEX.

Mr. TOWER. Mr. President, last October, as the 89th Congress was ending, the Organization of Retired Military, of Killeen, Tex., awarded honorary life membership in the organization to President Johnson and Gov. John Connally.

I ask unanimous consent to have printed at this point in the RECORD an article published in the Killeen Daily Herald which reports this event as well as other important news of the activities of this growing organization.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Killeen (Tex.) Daily Herald, Oct. 21, 1966]

ORM CHAPTERS GIVEN CHARTERS

Charters were presented to three chapters of the Organization of Retired Military, and the organization's colors were received in the first state level meeting of the ORM Thursday night during a dinner at the officers' club at Ft. Hood.

The ORM, which came to life in Killeen in July of 1965, has since organized chapters in Temple and Copperas Cove, but charters had not been officially presented.

Herman H. Morrison, state chairman, told the directors and their wives that ORM now has a membership of more than 500 and a potential of 700,000.

Members can be found as far away as California in one direction and Maryland in the other, he said.

"We should have organizations wherever there is a concentration of retired military," he added.

Morrison announced that chapters are planned in El Paso, San Antonio, Waco and Dallas in the near future and said that everyone must push the newly adopted motto of "Strive For One Another" by seeking new members.

William G. Hoffman, ORM state secretary, made a report on his recent visit to Washington, D.C., where the ORM program was discussed with congressional leaders, he said.

It was agreed there that the retired military have no direct leadership or voice and that the ORM "could take the lead" in this area.

Resolutions adopted by the state board conferring life memberships in the ORM to President Lyndon B. Johnson and Governor John Connally were read by Hoffman.

Morrison presented the Killeen charter to W. J. Richard; Harry F. Lane, vice chairman, presented the Temple charter to Mike Muirhead, and W. J. O'Brien made the presentation of the Cove charter to James T. Adams. Receiving the awards were the chapter chairmen.

The Temple chapter was organized in December, 1965, and the Cove Chapter was activated in June of this year.

The Killeen and Temple chapters now have ladies auxiliaries and the Cove is taking steps to organize such a unit.

Other state officers present included Norman York, Temple, and George LaFountain, Copperas Cove.

Ladies Auxiliary presidents, Mrs. L. G. Meridith, Temple, and Mrs. Charles Denny, Killeen, were introduced.

HON. RICHARD B. RUSSELL: "THE GREAT AMERICAN FOR 1966"

Mr. TALMADGE. Mr. President, it was my privilege and pleasure on December 28 to attend a banquet in Atlanta, Ga., honoring the senior Senator from Georgia as "The Great American for 1966." This well-deserved salute to our beloved colleague was sponsored by the Atlanta Federal Savings & Loan Association and WSB radio.

For more than three decades, Senator RUSSELL has tirelessly devoted all his being to service to his State and Nation. In the preservation of our republican form of government and the strengthening of the Senate as a great deliberative institution, no other Member in modern history has had a more significant role or exerted a greater influence. He has been at the vanguard as a stalwart supporter and leader in the enactment of legislation which has advanced the security and well-being of this Nation and the American people. In the area of national security, Senator RUSSELL has especially served with great distinction. Thanks in large part to his efforts, this Nation has remained the mightiest in the world, with a strong and alert Defense Establishment second to none.

All Georgia looked on with a great deal of pride on Tuesday of this week when DICK RUSSELL took the oath of office in the Senate for the seventh consecutive time, becoming one of only three Senators in the entire history of the Senate ever to take the oath that many times.

On January 9, the Dublin, Ga., Courier-Herald published an excellent editorial commending Senator RUSSELL for the Great American Award and praising him for his work in the Senate. I proudly bring it to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Senator Russell and Another Award

To present Senator Richard B. Russell with another award for praising him editorially are like carrying coals to Newcastle. But when one views the great stature of the Senior Senator from Georgia and realizes that the entire nation looks upon him as one of the country's greatest statesman, it is never superfluous to add another word.

The recent Great American Award made in Atlanta could not have gone to a more worthy recipient than Senator Russell.

Georgians have long realized that his abilities were such that the state and the nation, even the world, needed him in the Senate. So this week Senator Russell will be sworn in for the seventh time, a record that has been equaled by few and excelled by fewer. Georgians have done themselves proud by their continued returning of the gentleman from Winder to the Senate of the United States.

Though he has served long over the span of many years, Senator Russell still looks to the future. In his award acceptance speech, he stated again this ever forward looking philosophy he has. Said he:

"In the past 35 years, the South, with Georgia in the forefront, has undergone an economic miracle that has transformed our section from a region of economic problems to a region of economic opportunity . . .

"We have diversified our agriculture and discovered new uses for the products of the farm and forest.

"We have learned how to make wiser and more productive use of our human and natural resources.

"We have worked to achieve an harmonious relationship between the races based on the worth and the dignity of the individual.

"And we have at great sacrifice, built an educational system to open doors of opportunity for our young people.

". . . The beckoning promise of the future is written in the face of the land and the rising skyline of our cities. The South today is indeed the land of the future."

Georgia and the South owe a great debt to Senator Russell and men like him, men who have realized the leadership qualities of the Georgia Senator and followed his guidance.

We are convinced that in the 90th Congress and in the Congresses that will follow with Senator Russell in his accustomed place, there will be men who will seek his counsel and be ready to follow his leadership.

This is the man that Georgians have named again as their Senator in the U.S. Congress.

No other state has done so well so long.

THE CIVIL DELINQUENT

Mr. DODD. Mr. President, today's complex world is alive with men and issues; it is alive with protests and demonstrations, and involved philosophies which often amount to nothing more than that if what is demanded is not given, violence will ensue.

If students are not permitted to control the universities, certain members of the new left tell us, then the universities will not be permitted to function. If certain laws meet with our disapproval, other protestors have said, then such laws need not be obeyed. Each of us is obligated not to obey the laws duly passed by Congress or the State legislatures, according to this view, but simply to obey the so-called higher moral law. Those who advocate this view, of course, hold themselves out as the sole determinant of what that higher moral law is to be.

Morris Liebman, chairman of the American Bar Association's Standing Committee on Education about Communism, has given an address which highlights this phenomenon. He has called individuals who embrace such philosophies "civil delinquents" and notes that—

> Once upon a time freedoms and rights, debate and discussion, meant stability, reason, and responsibility. Somehow, today, these basic concepts have been debased to include coercion, provocation, incitement, violence, and destruction.

Mr. Liebman notes that today we no longer concern ourselves with a serious analysis of complex problems. We have reverted to labels and rather than reply to critics, we often call them names. This can be done in many ways:

> The civil delinquent can do it by pigment of skin—the other fellow is anti-Negro or anti-White; an integrationist or a segregationist. And, of course, the other fellow is always a liberal or a conservative, or a leftist or rightist. The civil delinquent doesn't want to stop to analyze the issues. He just invents new labels. In order to classify the complexities of foreign policy, our label makers have turned to ornithology. You're either a "hawk" or a "dove", with subclassifications of "owls", "chickens", or "pigeons"—and don't forget we also have a few "parrots."

Mr. Liebman's plea is that we consider issues on their own merits and not resort to name calling and generalization. He urges that those who disagree with particular laws use the democratic process to change such laws. To obey laws which have been duly passed is to challenge not those laws individually, but the very system of rule by law itself. Mr. Liebman stated:

> Civilization is the victory of reason over force and law is the only possible instrument in the search for justice. We are alive now because of civilization. It is a unique and delicate process. Our civil rights were created by a very few civilized men and, once gone, would be as thoroughly lost as if they were blasted to bits by a nuclear bomb. The issue is clear. Aristotle says that only two kinds of beings can live outside of civil society—gods and beasts. Let us never dare to pretend that we are gods, let us ever remember our heritage so that we never become beasts.

Mr. Liebman's speech was made before the Chicago Crime Commission, and I wish to share it with my colleagues.

Mr. President, I ask unanimous consent to enter into the RECORD at this point the entire text of Mr. Liebman's remarks.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Introduction of Speaker at Annual Public Meeting of the Chicago Crime Commission, October 10, 1966

(By William B. Browder, president, Chicago Crime Commission)

It is most appropriate that our speaker today at the start of Chicago Law Enforcement Week should be Morris I. Leibman. He believes that an understanding and respect for the rule of law by every citizen is a basic requirement for successfully waging war against crime and preserving the free society.

As senior partner in the law firm of Leibman, Williams, Bennett, Baird and Minow, he is one of Chicago's most distinguished lawyers. At the same time he is serving the larger community as a Civilian Aide at Large to the Secretary of the Army, as a member of President Johnson's Panel of Consultants on International Affairs and National Security, as Chairman of the American Bar Association's Standing Committee on Education about Communism and its Contrast with Liberty under Law, just to name a few of his many consulting activities.

Whether the problems are international or local in scope, Mr. Leibman's incisive and penetrating mind gets to the heart of the problem. As you will now see.

The Year of the Civil Delinquent

(Address by Morris I. Leibman, at annual public meeting of the Chicago Crime Commission, October 10, 1966)

Many of our citizens seem to be suffering from a new malady—civil delinquency. This ailment—civil delinquency—seems to strike all ages.

Some of the kids are involved in political questions in a new way—a kind of panty raid approach to policy. The first stage of this disorder is called "wayout." The more "wayout" it gets, the more "in" it is. This is a new kind of logic that seems to mean that the sillier it is the better it is. Some of the common symptoms of civil delinquency are tantrums and exhibitionism. Other symptoms include violent pacifism and dirty tricks. Also, one of the aspects is worship of fire—burning crosses or burning draft cards, burning stores or burning cars.

Among the middle-aged, one of the most widespread symptoms appears in the form of the self-appointed expert with all the instant solutions. These people conduct a kind of off-Broadway political voodoo show that represents a modern Don Quixote riding in a souped-up sports car. We need these self-appointed experts as much as we need "do it yourself" brain surgeons. At least such a "do it yourself" surgeon risks only one person at a time.

Mind you, I am delighted that our free society permits this childish nonsense, but we have the right—probably the duty—to challenge this foolish behavior.

Once upon a time freedoms and rights, debate and discussion, meant stability, reason and responsibility. Somehow, today, these basic concepts have been debased to include coercion, provocation, incitement, violence and destruction.

Once upon a time if a dog bit a man that wasn't news—but if a man bit a dog that would make headlines! Today you probably couldn't get that kind of headline because we seem to be in an era when all the news is about man biting man. We seem to be involved in a national bad dream—an LSD orgy—a kind of escape from reality into the world of mirage—the world of UFO's and IFO's.

You know about UFO's—Unidentified Flying Objects? I cannot get very excited about UFO's because I am much more troubled about IFO's—Identified Flying Objects—mischievous immaturity, infectious ignorance, "chip on the shoulder" protest, and arrogant irresponsibility. These IFO's are manned by pilots. These IFO pilots can be properly described as the civil delinquents.

THE LABEL MAKERS

Let's look at some of these civil delinquents. What about the label makers? You know them. The label makers suffer from a tyranny of categories. This civil delinquent doesn't want to think about issues. He just wants to make categories. He can do it by color—the other fellow is red, pink, or pinkish. The civil delinquent can do it by pigment of skin—the other fellow is anti-Negro or anti-White; an integrationist or a segregationist. And, of course, the other fellow is always a liberal or a conservative, or a leftist or rightist. The civil delinquent doesn't want to stop to analyze the issues. He just invents new labels. In order to classify the complexities of foreign policy, our label makers have turned to ornithology. You're either a "hawk" or a "dove," with subclassifications of "owls," "chickens," or "pigeons"—and don't forget we also have a few "parrots."

The civil delinquent is not only a label maker but he talks in cliches.

1. "He" is law abiding; "they" are the criminals. "He" never violates the spirit or letter of the law. "He" obeys traffic rules. "He" doesn't fudge on his income tax; "he" never shuns jury duty; "he" always cooperates with the police; "he" is very willing to testify in any case; "he" doesn't mind getting involved; and "he" never avoids controversy.

The civil delinquent has a preconceived notion of what hate is. Of course, "he" has no hate or prejudice. It is the other fellow. But just imagine what the civil delinquents would have said if the accused killer of eight nurses had not been white; or the mad killer as Houston or the assassin at Dallas had not been white men. Remember the morning after the shock of Watts? As the civil delinquent walked down the street and saw non-whites going to work, can you imagine what he was thinking?

THE HOOTERS AND THE SHOOTERS

Another type of civil delinquent is the hooter. I have never understood that free speech involved the right to disrupt public hearings of any kind. I don't think the spectators at the UN, or at a House Committee hearing, or a Senate Committee hearing, or a City Council, have a right to shout, interrupt or interfere with the procedures as conducted by the authorities. If the civil delinquents have any objections of substance or form this should be handled through legislation and legal process.

THE SHOOTERS

We've mentioned the "hooters," now what about the "shooters"?—I mean the "weapon-happy" men in your own community. Among all forms of civil delinquency, this is the worst. Whether he's a Minute Man, a Ku Kluxer, or a RAM, the civil delinquent who relies on weapons to affect social justice really merits only one epithet—criminal. Let's start a sensible disarmament program at home.

POLICE BRUTALITY

Among the civil delinquents it is the fad to claim "police brutality" on every occasion. You notice they always use the same two words "police brutality"—never manhandling by police, assault by police, beating by police. This concept of police brutality stems from a special freedom granted in America and a few other societies in the history of the world. Simply stated it is that even if you are a criminal, the law officer, who is the only one who has a right to use force, may not use excessive force. This special freedom has now been perverted by the civil disobedient into a notion that the policeman cannot use any force.

Let's get this straight. The creator of brutality is the man who fails to obey a police command, whether it is "come with me" or "move on." The moment that person, of any color or race, refuses to comply peacefully and promptly, he is the man who compels force to be brought into play.

One of the basic theories of the Judeo-Christian Code and Western civilization is reason—not force—and the citizen who fails to obey a police command is violating a basic fundamental of civilized society. The minute that he forces the officer to touch him, the civil delinquent has transformed a conflict of opinion into a conflict of physical violence.

Thus, the refusal to move, the lying down, the sitting down—though passive actions in themselves—are actually active criminal brutality for they demand the use of physical force. We have performed many miracles in this society, but until now we have not found a nonviolent way to pull a living deadweight body from under a car or out of a doorway.

Let us be clear, once and for all, that the culprit is not the officer; it is the civil delinquent. If the arrest or command is improper, the resort must be to legal remedies.

THE SITDOWN STUDENT

What about the striking student? Where does he fit into this picture of civil delinquency? Hasn't one of the really shocking spectacles of recent times been the students sitting-in at academic institutions?

The history of civilization is the struggle of reason over force, and the right of an individual to attain his highest potential as a human being by the development of his mind. One of the majestic symbols of this historic struggle is the idea of a free university where men can study and search for the truth. It is the sanctuary of the human mind. The academic struggle is with the forces who believe in the physical and the muscular—not in the moral or the intellectual.

The student civil delinquent violates the whole concept of reason by using physical obstruction. Any student guilty of such physical activity fails to understand the nature and importance of the university to a free society. He ought to be treated accordingly.

Let's get straight on the youth issue.

I know it is going to be their world. It has to be their world; and I want them to have every opportunity to learn and prepare.

What I resent is the refusal of the minority to use their great opportunities for equipping themselves for tomorrow.

I don't object to having them now and then stuff themselves into Volkswagens, but let's not make the mistake of letting anyone think that this is how you solve serious problems.

THE CIVIL DELINQUENT

Now—for the last and most common of the civil delinquents—the civil disobedient.

It is claimed by some that civil disobedience is one of man's highest moral acts; that a truly moral man is one who, encountering a law he deems unjust, will disobey that law. The moral man, they argue, is the man who transcends the law for the higher moral justness beyond. We would then be faced with each man making his moral decision outside of our system.

I believe that the democracy we have created in this country is the most ideal system and environment a moral man could hope to find. For his concern with the natural law, the higher law, he is not banished—frustrated—from society. Rather, he is given maximum avenues of protest. He is given the remarkable opporutnity to present his moral opposition to the law of the land through machinery provided by the democratic framework. He is allowed—even encouraged—to improve man-made laws and bring them closer to a higher moral law. The voice in the courts, not on the streets, will strike the "immoral" laws.

Some supporters of civil disobedience ask, "Isn't disobedience to a law one of the most accepted legal procedures for the testing of our substantive rights?" "Isn't it true," they ask "that disobedience fits well into this theory of democracy?"

Certainly democracy allows us to challenge laws in order to test them in the courts through our unique machinery of justice. Remember that only one court decision is needed to change a law. The test case has never been considered civil delinquency. Civil delinquency is the counterfeit of orderly challenge!

Should the entranceways of this room be blocked by pickets or demonstrators using the excuse of free speech, they would not—in my eyes—be civil demonstrators, but rather, criminal demonstrators.

In effect they would be committing assault and battery on our right to assemble here peacefully because such mob action destroys the dialogue. Can you seriously accept that it is necessary to bring out the latent hostility in the streets to advance the public interest? Do those who practice and promulgate disobedience to the law offer us a new system, a new society—a meaningful choice?

Civil disobedience is impractical because it makes an enemy of the law and offers no valid substitute. When used as a mass tactic it verges on anarchy. Anarchy is the antithesis of freedom and justice. To continue to practice it in the face of this reality and where social reform is operative, is fanaticism.

And a fanatic has been well defined as one who redoubles his effort while forgetting his aim.

Civil disobedience is not a civil right. Civil disobedience is an implicit denial of the very political process that insures most of the rights that those who disobey enjoy. Law protects the minority. That process deserves and requires something better from both the minority and majority. Demagoguery is not democracy. Provocation is not dissent.

Unfortunately, however, it is much easier and far more exciting to cause social disturbances than to undertake the painfully hard work for social progress. Any idiot can cause a riot and riots can become fads. And since when are riots not an abomination?

Since when are Molotov cocktails ever justified? Since when, in a free society, with all of its imperfections, is it a badge of honor to go to jail? Marching on jails? The first step in lynching. Is this the kind of society we want? It is the kind of society we are going to get if we continue to be satisfied with street politics, with the substitution of drama for dialogue. Make no mistake about it. What is happening is aimed directly at the structure of our society. And it cannot end soon enough.

I think it is most appropriate that the Chicago Crime Commission has this year taken a firm stand against the lawlessness called "civil disobedience." We in Chicago are proud of our Citizens Crime Commission and most grateful for its strong, unswerving leadership in the battle against all forms of crime.

WHAT IS TO BE DONE?

Now what can we do about all of this? What is the cure for the civil delinquency malady and for the civil delinquent? First, we will have to adjust our perspective.

Thomas H. Huxley, the eminent English biologist and political philosopher, in a speech at Johns Hopkins University some 90 years ago—get that date—said: "You Americans and your descendants, who reasonably can be expected to number 200 millions at your second centenary, have to ascertain whether this great mass will hold together under the forms of a republic. . . . Your one condition of success, your whole safeguard, is the moral worth and intellectual clearness of the individual citizen."

Our priority allegiance must be to our system of law, which is not only the best, but the only system ever invented to reconcile the continuing struggle for justice and the individual's privilege to follow his moral conscience. It is the greatest multi-remedy government ever created. Therefore, you must play it by its rules. The more individualistic you are, the more you must subscribe to lawful methods.

Ours is a society that accommodates change peacefully because it knows that the law of life is change. It makes provision for change through system—not leaving it to whims.

History teaches us that there are only two ways of effecting deliberate social change: evolution and revolution. Again and again we have chosen to accommodate change through political evolution rather than through violence and the secret of our success has been our devotion to law as the only meaningful instrument by which to seek justice.

The only purpose of revolution is to create this system which the true revolutionaries dreamed of. If we revolt against this, we have no place to go.

Not only are we required and duty-bound to obey the technical law of the system, but we owe even a higher duty—we must elevate the spiritual and moral requirements of the unwritten law of manners and civility.

Civility is required and it is more than mere obedience to the law. The tradition of civility in our society is bound up with respect for law. Respect not only precludes civil disobedience, but goes beyond mere technical obedience to the law. Respect means, at least, that the law is not looked upon as an enemy or a necessary evil. Respect means that the law is regarded as the primary medium of change in a free society. Respect means realizing that the alternatives to law are coercion, intimidation and, eventually, violence.

Respect means, above all, that one is concerned with the spirit as well as the letter of the law.

Civility also requires a personal plus factor. By personal plus I mean:

1. Let's not be trapped by labels.
2. **The complex problems must be handled issue by issue.**
3. Avoid superficiality; instant solutions; pseudo and anti-intellectualism; nihilism; insist on standards of excellence.
4. Organized crime is your enemy because it is against our system. We must avoid its support or even a suspicion of support.
5. Stay away from group defamation—Maddox is not the South—and Carmichael is not the Negro.
6. Don't apologize for, or excuse stupidity, violence or criminality.
7. Look out for the wrecker in any movement who attacks his own moderates. Don't compromise any movement by permitting the wreckers to join it. It's your duty to keep the Nazis and the Reds, the hooters and the shooters and the kooks out of your movement. The justness of the cause does not justify joining forces with the enemies of society.

If we don't have self-discipline plus, then we agree with those who assert that men need masters.

Our individual responsibility at all levels also will require higher standards. My emphasis today is that the times require even more care; that our conduct must be even more meaningful than it has been, particularly in a dangerous world of instant communication and instant transportation. Our law enforcement will only be as strong as the courage and commitment of our citizens. The citizens are "us" not the mythical "they."

With respect to the whole series of problems involving use of the streets and hounding public officials in their homes, the time has come to distinguish between freedom of speech and provocation; between petition and lawful assembly; as opposed to physical pressure and coercion. The right of free speech is not a club to deny others their rights. Our rights to use the streets and the rights of public officials to enjoy the privacy of their homes need not be counter to the First Amendment—when all these rights can co-exist without conflict.

Civil delinquency offers no solutions; it merely interferes with them. We have to spell out a newly marked and complex path with civility and decency. The remedies are here in the courts—many courts with many views—we can begin to chart out the balance of rights where millions of people are clustered in closely packed cities. Let's have a whole series of law suits on a whole series of specific situations. Our legislative bodies of all kinds and the courts are the proper civil forums to test out the new issues and the new problems.

Civilization is the victory of reason over force and law is the only possible instrument in the search for justice. We are alive now because of civilization. It is a unique and delicate process. Our civil rights were created, by a very few civilized men and once gone, would be as thoroughly lost as if they were blasted to bits by a nuclear bomb. The issue is clear.

Aristotle says that only two kinds of beings can live outside of civil society—gods and beasts. Let us never dare to pretend we are gods; let us ever remember our heritage so that we never become beasts.

RECENT SPEAKERS AT CHICAGO CRIME COMMISSION ANNUAL PUBLIC MEETINGS

Right Honorable Lord Shawcross, former Attorney General of England, 1965.

Honorable J. Edward Lumbard, Chief Judge, U.S. Court of Appeals, Second Circuit—New York, 1964.

Honorable John L. McClellan, Member United States Senate, 1963.

ADDRESS BY SECRETARY OF AGRICULTURE FREEMAN BEFORE HAWAIIAN SUGAR PLANTERS ASSOCIATION

Mr. INOUYE. Mr. President, early last month, the Hawaiian Sugar Planters Association was honored by the presence of Secretary of Agriculture Orville L. Freeman, who addressed association members in Honolulu.

In his address, Secretary Freeman clearly delineated world food needs in the next three decades and outlined what we can do as a nation to help to alleviate the growing problem of hunger in underdeveloped nations.

I commend Secretary Freeman's remarks to the Senate and ask unanimous consent that they be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT 86TH ANNUAL MEETING OF HAWAIIAN SUGAR PLANTERS ASSOCIATION, AGEE HALL, HSPA EXPERIMENT STATION, HONOLULU, HAWAII, DECEMBER 6, 1966

Walt Mason once wrote that "Little grains of sugar mingled with the sand, make the grocer's assets swell to beat the band."

Let's substitute the word "Hawaii" for "the grocer" in Mr. Mason's satire, and see what we have. Now it reads, "Little grains of sugar mingled with the sand, make Hawaii's assets swell to beat the band."

That's exactly what has happened in Hawaii. Your assets have been swollen for a hundred years by the "grains of sugar" which, added together, make up your most important trade commodity. "Sand," as exemplified by Waikiki and other famous beaches on these lovely islands, has become another of your principal income producers—tourism.

I need not remind you people meeting here today of the overriding importance of sugar in the Hawaiian economy and society. Your industry is a marvel of efficiency and organization; your mechanized operations are without a peer in the sugar world; your sugar workers are the highest paid anywhere, at home or abroad, and on top of that you furnish fringe benefits that are virtually unknown in most agricultural operations. Still you are highly competitive with other sugar-growing regions and nations.

How were you able to achieve this remarkable record? We both know—both you people responsible for it, and I—that it didn't just *happen*. A century ago you began to recruit a working force from all over the world, and this ethnic fusion, or blending, produced a healthy, tolerant, and efficient society that long has been a model for all the world to see and admire. I'd like to insert here a personal note of regret that not all the world has yet seen fit to emulate it.

Almost from the beginning, research has bulked large in your progress—and promises to continue to do so, in the future, in advancing sugar and other products. Your Association established this grower-financed Experiment Station where we meet today, more than 70 years ago. In it, your scientists have developed new plant varieties and weed and insect controls. Your insistence upon efficient organization has opened the door to better work methods and to improved technological skills in your mills.

Research supported by your Association is presently being conducted on the physiology and biochemistry of sugarcane. You are investigating chemicals to control plant ripening. You are exploring the mysteries of photosynthesis, including the influence of nitrogen and sunlight on the process and the role of water on the conversion of nutrients into plant growth and sugar yield.

I'm glad to learn also that you are doing research in mechanical harvesting equipment. When you are able to minimize the expensive cleaning operations presently required to remove trash brought to the mills with the cane, you will have improved immeasurably the efficiency and economics of sugarcane production.

Your own wide-ranging chemical and technical curiosity, combined with research of the Hawaiian Agricultural Experiment Station and studies being made by the Agricultural Research Service of the U.S. Department of Agriculture, holds great promise of future gains for the industry.

Finally, not the least of the factors contributing to your success has been the dauntless determination of your people to *be* successful.

I relate these factors not because I am a guest who wishes to flatter you—although certainly you are entitled to flattery on many scores—but to cite your historical experience as an example of what can be done with the aid of determination and enterprise.

American agriculture—perhaps the greatest production marvel in the history of mankind—is another such example. I think you will agree that it is little short of miraculous that fewer than 8 percent of our people are able to produce food that: (1) Feeds the residents of 50 States at the lowest real cost and highest quality level in the world; (2) furnishes quality food, at welfare rates or free, to about 5 million needy people at home; (3) provides commercial exports of food and fiber worth $5.1 billion a year; and (4) contributes to the diets of many millions of people in more than 100 less-developed nations around the globe.

Since 1960, the per capita rate of increase of farm productivity in the U.S. has been almost double the rate of increase in the nonagricultural economy.

While this miracle of agricultural production has contributed hugely to the American image of world leadership, it has not been without its problems, to be sure. You have only to think back to the burdensome surpluses and low farm prices of the 1950's—only half a dozen years ago—to recall a widespread belief that the so-called "farm problem" was all but insoluble.

We learned to live with those problems—by abolishing them. Today we have no food surpluses. Gross farm income is the highest in history, and net income in 1966 will have been exceeded, by a small amount, in only one other year: 1947.

One of our early remedies for the "farm problem" was establishment of a goal—a National Food Budget—that still guides our agricultural policies. The Food Budget concept is a key in determining the best "mix" of food products needed for commercial markets at home and abroad and for domestic and foreign aid as well. Last year, the Congress gave us a four-year agricultural program—the best in history—that enables us to adjust acreage so we can produce what we need for *use* at home and overseas rather than to under-produce or to over-produce for *storage*, as too often was the case in the past.

The "do-much" 89th Congress also gave us a Food for Freedom program that provides both continuity and new direction to U.S. food aid efforts.

With these tools in our agricultural kit, we are confident that the gains racked up for American farmers in the past six years were only a beginning.

Now we are mightily challenged by a threat of worldwide famine in the dangerously-near future—unless we can produce more food to nourish the million-plus persons added every week of the year to the billions of people in the world.

This food crisis lacks the high visibility of the confrontation in Vietnam. Incipient hunger on a world scale is harder to visualize than in a single individual—in a starving child, say, who is too weak to cry for food.

This imminent food crisis compels us to ask these questions:

What is the greatest challenge of our age? Is it the conquest of space? Final victory over disease? Permanent peace?

These are all great goals, to be sure, and all to be sought. But unquestionably the greatest challenge of our age is to banish hunger from the earth in our time. If we fail . . . and widespread famine erupts . . . global catastrophe and another Dark Age lie ahead.

If we win, this age, our age, could well be immortalized as the Age of the End of Hunger, and all succeeding ages of man will call it blessed.

In this strange new war, the strategists are more concerned with demographers' charts than with topographical maps. Last year these charts showed a gain of 65 million persons in the world population. Unfortunately, most of those millions were born in the underdeveloped nations least able to feed them.

President Johnson expressed it this way when he signed the Food for Freedom bill into law last month: "Most of the developing world is now in crisis—one that is more serious than any ideological disagreement. Rapid population growth is putting relentless pressure on food supplies.

"For six consecutive years, world food consumption has exceeded production.

"A precarious balance has been maintained through our surplus stocks. Seventy million tons of surplus grain have been used since 1961. But today the surpluses are gone."

It is estimated that in 3 to 4 years 2½ billion people will be living in the food-short developing countries of Asia, Africa, and Latin America. Nearly one-third—or about 800 million—will be in Communist Asia. Nearly one-fourth—some 600 million—will be in India.

This hunger war is global, striking hardest at the South American barrios, African villages, and embattled Asia. Eventually it will affect all of us.

While population growth of 3 percent a year doesn't sound like much, it means that a population growing at this rate doubles within a generation and multiplies *18 times* within a century. Each new female has a potential of producing six children. Often this potential is realized in the less-developed Nations.

Much has been said and written about the population explosion. But there is a second explosive force that is generating additional demand for food production—production which last year was static as the world's population grew by 65 million.

The second explosive force is a rapid rise in per capita income. It is occurring in many countries, and particularly in the more advanced ones. Rising incomes exert pressure on the world's food-producing resources largely because they generate an additional demand for meat and other animal products.

The use of grain for direct consumption—that is, for human food—rarely exceeds 400 pounds per person per year, regardless of income. Once annual incomes reach several hundred dollars a year, the consumption of grain as food begins to decline, dropping to the 150–200 pound level where it seems to level off.

But a higher-quality diet requires greater quantities of grain.

That is true because it takes only about 400 pounds of grain a year to sustain a diet of some 2,000 calories a day in countries where most of the grain is consumed *directly* as food. It takes about 1,600 pounds a year to support the U.S. diet of 3,000 calories daily, since most of our grain is eaten *indirectly* as meat, milk, and eggs. That amounts to four times more grain for one-half more calories.

So, in this decade of the '60s, two factors are at work: Sharp population gains in the less developed nations are causing rising demand for *food* grains; rising income is pushing up demand for the *feed* grains. Taken together, these forces are causing an explosion in demand that the world's farmers are not equipped to meet at this time.

In the past, the excess of consumption over production was satisfied in food-deficit countries by using surplus stocks held by the major exporting nations, particularly the United States. Today, however, our stocks are down to the level of prudent reserve, and next year we are bringing back into production more than half of the acreage we have been holding in ready reserve.

This situation has led to a basic re-thinking of our food aid policies.

A half-dozen rules of conduct have been adopted as guidelines in American food aid policy. Not all of them are in full operation, but soon they will be.

We must, first and most importantly, help developing nations to stimulate their own agricultural production. This, in the end, is the only way in which to win a lasting victory in the silent war against hunger, malnutrition, and famine.

The ability of the United States and other so-called developed countries to feed the world is strictly limited. In the long run, the two billion-plus people in the less-developed world must learn to feed themselves.

President Johnson proposed this principle of "self-help," in his Food for Freedom approach to food aid, as a major long-term factor in averting a global food crisis.

We must continue our food aid temporarily to ward off famine and to buy time during which the developing world may upgrade its own agriculture.

We must bring new lands into cultivation in whichever of the less developed nations it is feasible in terms of economics and conservation.

We must do more to make available birth control information to those nations that request it. The new Food for Freedom program authorizes the use of foreign currencies from export sales in support of family planning program.

We must expand our efforts to develop new sources of protein foods. Under Food for Freedom, we have placed additional emphasis, especially in donation programs, on foods for children that meet their requirements of proteins, minerals, and vitamins.

As a corollary to this final point, *we must* recognize that a first cousin of hunger—malnutrition—is an insidious foe of normal physical and mental growth in children. Hunger is related to the *quantity* or calories of food, malnutrition to the *quality* of it. We don't know how many millions of children suffer permanent mental and physical impairment because of malnourishment before the age of 5 years.

Now we have stated the problem. What can we do about it?

Most of the food increase to meet projected increases in demand during the next three decades must come from increased crop yields—principally in the underdeveloped nations.

How can this be achieved?

The vast potential for increased productivity is illustrated—to cite one example—by the fact that in India there are some 90 million acres sown to rice. Average yield is 1,300 pounds per acre. If only 5 percent of this acreage were made to produce at the U.S. rate of yield and if that land were double-cropped (one of the advantages of agriculture in the tropics), 16 million additional tons of rice could be grown each year.

The fertilizer industry says such an increase could be accomplished within two years with varieties of rice and other agricultural practices already existing in India. If so, it could eliminate the Indian grain deficit which has been such a burden on the U.S. foreign aid program.

You in Hawaii have pointed out the right direction . . . with your application of research and advanced agricultural technology in the production of sugarcane. You have proved that tremendous increases in productivity can be found in greater capital investments and wider use of adaptive research and advanced technology.

Three basic efforts, then, are required in food-deficit regions seeking to become more nearly self-sufficient in agriculture:

1. Adaptive research, followed by education of producers at the farmstead and rice paddy level to accept and employ advanced agricultural technology developed by research centers.

2. Action by their own governments to improve farm prices, and thus to give local farmers an incentive to use the products of research and technology.

3. A sharp change of policy and attitude in many developing nations. Agriculture must be assigned greater priority—and prestige. To do this may well mean postponing spectacular industrial projects that heretofore have received a lion's share of the national investment and interest.

The leadership in food-deficit nations will have to make some hard and unpopular political choices in order to achieve these ends. Food price policies must be changed so that farmers will find it profitable to use fertilizer and other essential production investments. And, if farmers in developing lands are to receive massive help in the form of technical and capital aid, their governments must create a far more favorable climate for foreign investment than exists in most of them today.

Winning the war against hunger will require the compressing of a hundred years of agricultural progress into 10 or 15 years. It means, in some nations, a leap from primitive to modern—from the stick-plow to the tractor and combine—in a single generation.

Recent rapid progress of Israel, Mexico, Taiwan, and a number of other developing nations has shown it can be done.

Between 1942 and 1964, Mexico changed from a wheat-importing nation to a wheat exporter. Average wheat yields rose from 11 bushels per acre to 39 bushels, and total wheat output went up 6½ times.

Mexico's program was balanced to increase soil fertility, to suppress pests and diseases, and to use irrigation and improved wheat varieties. Equally important: The government gave farmers an incentive by supporting farm prices.

Other nations in the developing world can do as well. We are prepared to help them . . . with technical assistance and food aid to those countries that seek to improve their own production . . . thereby meeting reasonable standards of self-help.

I shall conclude my remarks with several examples of what is taking place in the effort to meet the serious protein deficiency in the world.

Since less developed nations cannot afford to obtain their protein from animal sources, our scientists are seeking to convert vegetable proteins—such as soybean flour or cottonseed—into tasty food mixtures that will provide nutritionally adequate diets at low cost. At the same time, we are trying genetically to breed more protein into grains and seeds.

Perhaps you have heard of Incaparina. USDA scientists in the Agricultural Research Service (ARS) helped to develop this protein food product which has produced remarkable results in curing protein deficiency diseases in children of Latin America. Incaparina is used to make a thin gruel drink, to make non-bread foods, to enrich soups, puddings, and other foods.

The U.S. Department of Agriculture laboratory at Peoria, Ill., recently achieved a breakthrough in developing a simple hand process that can be used in the remotest villages to make high-protein soybean flour. Also at Peoria, ARS scientists learned to ferment cereals and soybeans to make a food that resembles tempeh. This is of great value in food-short Indonesia, where tempeh is a dietary staple heretofore made entirely from soybeans.

A simple, practical process for making peanut flour is being developed at our Southern Laboratory in New Orleans. Our Western Utilization Research Laboratory (WURL) in Albany, Calif., has developed a high-protein food known as WURLD wheat. A soy coating is steamed onto the whole or cracked wheat kernel from which the bran has been removed by lye-peeling.

Many more such products have been developed by USDA scientists working with the Agency for International Development (AID), the United Nations Children's Fund (UNICEF), and the food industry.

My personal staff adviser in this nutrition field—so vital to the undernourished populations of the developing world—is a distinguished scientist from our Southern Laboratory, Dr. Aaron M. Altschul. He is working with scientists in India and other developing countries. He is also seeking to enlist private industry to produce protein-enriched foods tailored to the traditional eating habits of the less-developed countries and then actively to promote a market for them where needed. This dual approach is necessary because eating habits are deep-rooted and hard to change.

Research has shown the value of fertilizer in stimulating grain production. Under proper conditions, one pound of fertilizer yields on the average 10 pounds of additional food grains. The Indian government has recognized this in setting a production goal of 2.4 million tons of nitrogenous fertilizer by 1970–71. Equally important, it has taken steps to insure fair prices to the Indian cultivator so he will find it worth his while to use fertilizer.

You, in Hawaii, know that enough water used at the right time is often the answer to greater production. You have set an example here with your well-planned systems of irrigation. With adaptation, what you have learned about sugarcane irrigation can be exported to other regions where water is the vital ingredient for production gains.

Here in Hawaii you have an ideal instrument not only for carrying on research, but for the exchange of scientific findings and ideas as well. Your East-West Center, with its magnificent concept, offers facilities for interchange of technical skills, of experimentation with the new, and probing of the unknown. Dedicated as it is to helping to satisfy fundamental human needs, it provides a training ground to bring into active service people from many Asian and Pacific nations and our 50 States.

The subject of adaptive research and technology in tropical agricultural production is one of interest to the Federal Government. In recent legislation containing the President's Food for Freedom proposals, it was stated that laboratories should be established in the United States and abroad.

This authorization has been discussed in the USDA and other agencies and with members of Hawaii's Congressional delegation. The Administrator of the Agricultural Research Service has visited these Islands and discussed the matter here. There is little immediate prospect of financing such developments in the United States or abroad, but I have directed Dr. George Mehren, Assistant Secretary of Agriculture and Director of Science and Education, to work with appropriate officials in the Agency for International Development (AID) to launch a location study, including the merits of Hawaii. When this has been completed and the Congress has appropriated construction funds, we shall be ready to proceed without delay.

Meantime, I am gratified at the strong emphasis that agriculture continues to have in the economy of Hawaii. You have performed a miracle of development that should stand as inspiration and guidance to tropical agriculture everywhere. If the less-developed countries could do with their farming resources what you have done here in Hawaii, the world would not be faced with a shortage of food.

You have given agriculture the emphasis it needs . . . and the stature it deserves.

You have carried out that adaptive research so fundamental to advancing agricultural proficiency.

You have provided inspiration for greater capital investment . . . and at the farm level you have given the right incentives for greater use of the products of research and technology.

The next step is to adapt what you, and others, have done in research and production and make it usable in less fortunate lands. This is one reason we shall give constructive and sympathetic consideration to your proposal for a research center that will help to serve the world . . . as your earlier work has so well served your State and Nation.

The world must take heed of the lesson you and the others can teach if it is to survive as the domain of civilized man.

If that lesson is not learned in time . . . ahead lies terror and despair. For there is neither security nor serenity in a world gone mad with hunger.

Let me close now by quoting two lines I came across just the other day. In their simplicity lies eloquence . . . for they sum it all up in just 15 little words:

"When my stomach was full
They called me Man
When empty,
They called me Beast."

ADMINISTRATION OF PUBLIC LANDS UNDER DIRECTION OF BUREAU OF LAND MANAGEMENT — ADDRESS BY PHIL HARVEY

Mr. TOWER. Mr. President, late last year, a prominent El Paso businessman and constituent of mine, Mr. Phil Harvey, addressed the Public Land Law Review Commission in Albuquerque, as a representative of the New Mexico Cattle Growers' Association.

I secured a copy of Mr. Harvey's address, and after reviewing his comments I came to the conclusion that the address is of sufficient import to share with my colleagues in the Senate and in the House.

The subject of Mr. Harvey's remarks is the administration of public lands under the direction of the Bureau of Land Management, especially grazing lands. I urge Senators to read and consider his valuable comments.

Accordingly, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE NEW MEXICO CATTLE GROWERS' ASSOCIATION

I am Phil Harvey, Secretary Treasurer of the New Mexico Cattle Growers' Association, an organization of 3500 ranchers in the State of New Mexico. The statement I am presenting is the feeling of the Association regarding public lands and their future operations.

The Public Lands of the United States with which we are concerned are largely made up of National Forests, Military Reservations, and those lands administered by the Bureau of Land Management. The perennial question is the dilemma of what, if anything, to do with or about the lands administered by the Bureau of Land Management, commonly referred to as the Public Domain. An excellent series of articles appeared in AMERICAN FORESTS in the January, February, March, and April 1966 issues titled "The Public Domain—Heart of the Republic" by William W. Porter II. It is our understanding that this material has been made available to you. We most urgently request that you read and study it. We will refer to portions of it as we proceed.

We will generally confine our remarks to the grazing lands administered by the Bureau of Land Management. The first question is what is the nature of these lands. They are best described as residue, or better yet, they are what is left after all of the original lands have been picked through by government and individuals. Those lands having greater economic value, most esthetic value, etc. have been pulled out. The Forest and Parks were reserved, and Homesteaders, holders of scrip, and others entitled to select land chose nearly all the rest which would support a family. Mining claims have been patented where there was sufficient mineral value and the States have made their selections. As stated, this land *is the residue.* The average acre or section is virtually worthless when taken alone. This is due to any number of natural factors such as lack of sufficient moisture at the right time or at all, lack of water—either in quantity or quality, geographical location remote from those factors which lead to concentrations of people, poor soil, rough terrain, etc. About the only exception to this is in the proximity of certain growing communities. In these areas, land values are very inflated due to a simple economic fact; supply and demand. It has been most difficult to acquire Federal land for private development, thus driving up the value of what little private or State land happened to be in the area. As a matter of fact, these vast Federal landholdings are a significant factor in the inflated value of all lands in the United States.

This history of the administration of these lands is of none in the beginning and has developed into the present pattern of too little and too much. At the outset, the prospective homesteader was assured that he could own his homestead and at the same time have the free use of the land around him upon which to graze his livestock. He proceeded to do just this. In addition, the inhabitants of the Spanish Land Grants grazed much of this land. In the Southwest, huge migratory bands of sheep were grazed, according to the season, from the central Arizona area to near El Paso in the winter and up to the high country to the North as far as Colorado in the summer. They used up the available forage as they moved. There was no incentive for conservation in that if the first band did not eat it up, the next one would. The settlers who had a home base were greatly damaged by this. They were unable to keep a grass reserve for winter nor storage water. Any attempt to segregate an area and develop it was contrary to law, and some ranchers who tried to fence in an area and protect it were tried in Federal Court. This intolerable situation led to the passage of the Taylor Grazing Act. This Act is first and foremost a conservation measure to prevent the abuse of the land and to improve it. It recognizes that what is everyone's business is no one's business—that if land is operated in common, it will be abused, but that if areas of responsibility are laid out and the responsible one may reap the benefit of his labor, the land will also benefit. The lands were used and abused, until the advent of the Taylor Grazing Act. This was then the turning point. There has been a steady, but slow, reclamation. In New Mexico, the records will show that individual allotments have been better cared for and are in much better condition than community allotments.

The Taylor Grazing Act provides for the allotment of the grazing privileges in much the same manner as the old water laws—on the basis of the first in time is the first in right. The permittee has a privilege to graze a given area—and the grave responsibility to conserve the area. If he does not conserve it, he will lose his privilege, fail financially, or both. His tenure is uncertain. There is no certain time. His own acts may cause the loss of his privilege, but he has control of these. Grazing is mistakenly considered by Government to be the lowest use of the renewable resource. He may lose his privilege at any time, based upon the character of the land, there is considered to be any higher use for the land. The permittee has done virtually all conservation and improvement work on the land until, very recently, the Federal Government has started spending some money. In the past, most Federal money has been used in administrative overhead rather than on the land itself. As a matter of fact, it is doubtful that there is need for the Federal Government to spend money on these lands if there were sufficient encouragement for the permittees to do so. This encouragement might well take the form of security of expectation that they would be able to enjoy the fruits of their labor and investment.

The idea of "security of expectation" is nothing new. It is the basic theory upon which this Nation has been built. Because of this, the American People have been willing and eager to work and build. One of the greatest examples as it applies to land use and development is the growth of the States which were originally carved out of the Public Domain and put into private ownership. The Public Domain residue remains today for the previously discussed reasons—economic mostly—but for an additional very strong reason. The laws allowing transfer to private ownership do not fit the character of the land nor the economics of the time. It appears that the development process of the Federal Land has reached a point of stagnation and is effectively blocking the growth and development of the Public land States and Communities. "The Public Domain" in Part III goes into the question of disposal, methods, prices, and various effects very well. This lesson applies now and to the future just as well as it did to the past. Federal ownership under our form of government is a very disruptive influence to good government. Public interest generated in the Federal Lands, while well intentioned, was and is generally uninformed and misinformed as to the true character, location, and situation of the lands. This leads to problems in government such as the perennial changes in personnel in the Bureau of Land Management and Interior Department and the Teapot Dome Affair. The result is no consistent management of the land or minerals. The very existence of the Public Land Law Review Commission can be partly attributed to this. Generally Nations have never successfully managed, and worked their resources as nations. Only has this been done by individuals within the nation. Private ownership or security of expectation in the form of certain tenure is the incentive and spur for development.

Federal ownership cannot be compared with private ownership. Government owns land absolutely to the extent that it can physically defend it against an aggressor. This applies to all aspects of title. An individual holds land only to the extent permitted by the sovereign. It may be taken away under certain circumstances, it is taxed, it may be physically violated in various ways, and certain aspects of title may never have passed from the sovereign. The right to tax the land and its products is many times more valuable than the land itself. The point is that the sovereign never completely gives up the land—it merely permits certain use and manipulation under prescribed rules. Taxes on land and its produce are in essence a form of rent. The prescribed rules under which private ownership operates in this country are what has made this nation great and productive. We repeat—federal ownership and management is so inflexible that it stifles development and the area involved stagnates. This is especially true where the permit system in indefinite in time and there is no certainty as to continued use or of reasonable compensation for investment made. The land and the community suffer.

Disposal of land has many aspects. It can be for a short time as under a lease or for an indefinite period as under a patent. The extent of disposal is a huge question. By extent is meant what parts of title would be relinquished. Title has been compared to a bundle of sticks—each stick being one part of the title such as the surface, minerals, oil and gas, fissionable materials, water (surface or sub-surface), timber, grazing, ability to limit access onto or across, hunting and fishing rights, grazing rights for wildlife, control of air space, sand and gravel, rights of way control, etc. In Eastern States, title is assumed to be whole title, but even there it is much less than this due to rights of eminent domain, right to tax, usurpation of air space, and other rights of sovereignty. In the West, title is now much less than in the East with few exceptions. Most titles reserve some or all of the minerals to the government, as well as certain rights of way, etc. The precedent has long been set for the granting of only limited title. This might be carried somewhat further in disposing of the federal land or rights to it.

We have, here in New Mexico, an interesting example of this in the Northern extension of the White Sands Missile Range. The military has leased the right to impact missiles and do certain other things in this area. All inhabitants move out on firing days and the military has exclusive possession. They pay for any damage to possessions, livestock, and do what is necessary to preclude erosion caused by their activities. The system has worked well. The area remains in full economic production, the land remains on the tax rolls, and the military conducts its mission. This method of handling land needs of the military and others is highly recommended for use wherever possible.

Disposal should take the form of what the individual wants, needs, and is willing to pay for in one form or another; whether as a lease or a patent. The grazing permittee generally needs the surface or grazing rights, certain water, a small percentage of the minerals, and a limited ability to control public use. Each individual case is different and should be variable accordingly. Some would want only a lease of these things while others would want a patent. The form of payment could well be in a number of ways. There is adequate precedent in the Homestead Laws for a form which could consist of an agreement to do range improvement work and conservation work on a set area within a set time. This method would be of great benefit to the community. Upon completion, title would issue. Another form could be an exchange of parts of title. The permittee holds certain "base" lands to which he has title. In some cases, these lands have values of interest to the public. The values may be scenic, access onto or across, hunting or fishing, unique features such as petrified wood, pictographs, cliff dwellings, ancient burials, timber or vegetation species, and many other things. In exchange for these things, the government would grant title to the things needed by the permittee on federal lands. Another form of payment could be cash. The cash sale method has problems which need attention.

The Federal Government has long had the policy, in land sales, of using "fair market value" as the standard for minimum prices. It seems that the usual method of determining this is by appraisal. "Representative current" private sales are located and used as a standard. This is fine in an area where most property is privately owned, and similar land does sell regularly and freely. In this case, the values set are more nearly economic values. In the case where a substantial part of the land is publicly owned, the values of all land are affected due to scarcity of private land in relation to demand. Public land does not sell as freely, nor in the same channels as private land. This creates scarcity, which drives up the prices of any land which can be traded freely. Private sales of range land in this type of area are generally "based land", carrying grazing privileges. It is practically impossible to fairly separate the various values and arrive at pure land prices. The "based lands" have a unique value when compared to surrounding lands. They are base lands for very good reasons. If the land was acquired from Federal ownership, this particular land was selected. It would qualify as a homestead due to terrain, irrigability, potable water, fertility, unique features (existence of a site for a water storage facility), or was acquired from the State, or was purchased for the same reasons. These features are well known to the purchaser and are key tracts. If the land adjoining were of equal value, it would have been acquired in the same manner, but generally it is not economically useful alone and is totally dependent, for use, upon the land having the needed features. The key features makes the grazing operation possible on the whole area. The present method of appraisal does not take these things into consideration and one acre is assumed to be generally the same as another. We feel that there is an immediate need to correct this appraisal method in that many exchanges and other transactions are taking place currently. We would suggest that values be based upon the productive value of the land in question.

To protect the local and State economy, some preference to purchase must be given the permittee. Such preference is also a matter of pure justice. The permittee has spent all he can on the "base lands" to make the whole a working operation. He has spent all that he is able on conservation measures and range improvements on the Federal lands. This has been done based upon the original proposition and continuing policy that if he worked his original holdings and settled, he could graze his livestock on the surrounding lands. He is now in a trap. If he should lose his outside grazing, his "base" is virtually worthless except for salvage value of the improvements and the value of a small tract of land which alone will not support economic activity. This proposition was the basic for most of the communities and led to the formation of the Western States. Today, it is still the tax base and basic economic support of a substantial part of the West. Private improvements on federal land as well as private land and water are taxed. This problem of loss of grazing on Federal lands has been recognized by Congress in many instances on a case by case basis. Where grazing privileges have been cancelled due to certain Federal activity, the permittees have been compensated fairly. This is specifically set out in the case of military acquisition in Sec. 315q of the Taylor Grazing Act, and compensation was made in the takings for Dinosaur National Monument, Glen Canyon Dam, and others. There has been no compensation in many other cases. The result is serious insecurity.

A preference for the permittee is needed for another substantial reason. A large proportion of permittees owe money and have mortgages. The lenders look to a going operation for payment. The security is the "base" which carries the grazing privileges. Loss of or the threat of loss on this grazing would create financial havoc in the communities, and in the general financial world. Many lenders are our larger insurance companies and other institutions far from the range country.

In any sales of these lands in sufficient volume to significantly involve the permittee, proper credit is essential. The credit resources of this country are at near capacity. Any further demand from private sources could not be met in volume. It should be possible for the permittee to buy on a down payment with twenty or thirty years to pay. The interest should be set at not less than the Federal Government pays on its borrowing but not more. Many States sell their land in a manner similar to this.

This discussion of "base" property values has an interesting sidelight. The development of water in the Southwestern areas and of winter feed in the North have made it possible for wildlife to greatly increase in numbers, and to, in fact, live in quantity where there was little or none before the settlers came in. Numerous writings by the early explorers and members of military expeditions bear this out. Reference is suggested to the report of Lt. Emery of the "Mormon Battalion" in 1846 and to reports of the Spanish explorers and of Coronado to King Philip V of Spain in 1565. In essence this shows that wildlife is quite dependent upon what the permittees furnish, and that wildlife would not do very well in the absence of the range livestock operator unless someone else furnished the same feed and water and predator control. It is a matter of fact that the increase in numbers of wildlife has become a problem in many areas and it is becoming necessary to control the numbers. For this reason, there is growing interest in opening to hunting lands previously closed. This brings up the question of public access to lands.

Lands are posed for a number of reasons—natural desire for privacy, to protect against damage, pure "cussedness", etc. Actually exclusion of the public is not generally the aim at all. The aim is really regulation of public activities. This is quite difficult, so exclusion is resorted to. Most Federal Land Managers agree that a degree of posting, or regulation of public activity is very necessary for sound management and conservation. Great amounts of damage is done through ignorance, a small amount is vandalism. Indiscriminate travel by Jeep and motorcycle causes erosion, shooting at improvements causing loss of water can be catastrophic to game and livestock, killing of livestock, leaving gates open or closed improperly, camping too near water, setting grass fires, "chousing" livestock, etc. are all damaging. In areas where theft is a problem, travel over a ranch without a notice to the rancher causes him to spend much time "trailing" to find out where the people went and what they did. There is a great need for some means of regulation of public activities on the land. At present even the Federal managers can do little to prevent damage. The only ones who can do much about it, if given some authority are the livestock operators. This is what is meant previously by the reference to "limited posting". It is necessary even if the present system should be continued on all Federal Lands.

The situation of the permittees and wildlife has a parallel in many of the other potential and actual uses of the land. The country has been opened up by the settlers, and they have made it accessible and useful. The livestock people have built roads and developed water. This has made it possible for others to reach the land for their own purposes. These others that come expect certain services and facilities. To use the land, they need water. The areas are quite remote, as a rule, and strangers very frequently get lost. The permittee, being the only person around, is expected to act as the rescue service, retrieve and repair broken down vehicles, supply gasoline, deliver emergency messages, furnish directions, be an expert on flora, fauna, and geology, collect the garbage, and put out the fires. Until recently, he has done most of the conservation and range improvement work, and is the usual recipient of most of the criticism and abuse from those who feel that the situation is not just as they think it should be—valid or not. He uses what time is left to try to conduct a livestock operation—hopefully at a profit. What makes the whole affair most frustrating is that neither he nor the Federal Range Manager (if he were on the spot) have virtually no authority to influence the activities of these visitors other than to try to prevent damage to private property or government improvements. Even this frequently brings a flood of abuse.

There are several areas in dealing with the lands which need attention. In the matter of mineral rights, and by this is meant oil and gas, minerals below and at the surface, rock, sand gravel, and anything that might be removed from the land, there should be modification in the laws. Many patents have reserved certain parts of the minerals to the Government. This has created a serious checkerboard pattern and great inequity. The owner of the surface is damaged in tangible ways and must be compensated in most forms of mineral development. The most serious damage is intangible and most difficult to assess. If the surface owner holds some interest in the minerals, he is willing to accept this damage, but if he does not, he is in a poor position. Any development brings people, surface damage, traffic, etc. All of these things create day to day problems and are costly to the surface owner. As a matter of equity, it is recommended that some small overriding royalty interest be granted the present owners where interests have been retained by the Government, in the case of suspected mineral. The full estate should be granted where no mineral is anticipated. The type of work to be done in the case of mining claims in order to hold them should be regulated by the Advisory Boards and Range Managers.

We feel that the Commission should look into the field of "payments in lieu of taxes". This is a large field and should not be confined to Public Lands only. It should cover Federal ownership of real property of all kinds, wherever located. It appears to us that payment in kind is not generally germane to the issue. There is no real difference to the community whether the property is owned by the Government or a large corporation. This applies to a Post Office, Park, or range land. The City, County, and State are entitled to exactly the same revenue from the property, regardless of ownership. The same benefits and liabilities accrue to a community whether land or buildings are owned by Government, an Insurance Company, or ranchers. The same is true whether range land is owned privately in fee simple or by the Government in New Mexico. Both conduct activities within and without their boundaries which are "services in kind". The Government conducts myriad activities everywhere ranging from Federal aid for highways to the Poverty Program. What it chooses to do in relation to its property holdings or because of them should have no bearing on the revenue to support the community. Private improvements on Federal Land are taxed and the States and communities are entitled to fair revenue from the land themselves just as if they were privately owned.

There is a related problem to the "in lieu of taxes" question. Recently, some States have instituted the practice of taxing "possessory interests." This means that permittees and lessees of Federal lands are being taxed on their lease or permit. This would indicate that the community is not receiving revenue in lieu of taxes in an equal amount to that from private lands. This creates a very undesirable situation—permittees are put in very unequal positions and some are at a great disadvantage. It is generally accepted that real estate is taxed to the land lord or owner, and in any event, only once. This is a matter that should be investigated and steps taken to require uniformity of action. Regardless of the method, the result should be uniform and equitable.

State-Federal land exchanges are becoming a problem in some areas. The State proposes these exchanges for various reasons—to get better land, better mineral opportunity, to "block up" their holdings, or in order to sell land. This can be undesirable in that it disrupts the land pattern, changes theory of administration, reduces the chance of the State to participate in new discoveries of valuable features (reduced "spread"). It is recommended that such exchanges be allowed only with the concurrence of the users, and then only after full examination of the circumstances.

We in the Southwest are very preoccupied with water. The States have developed a body of water right laws to suit their needs, and it has been accepted that the States have the right to control the water within their boundaries except for interstate streams. The entire economy and society of the West is dependent upon the security of the orderly use, control, and allotment of water. The rights to water have been considered to be property rights. This entire concept was shattered a few years ago by a Federal Court decision in the "Camp Pendleton" case. The courts held that water rising on Federal Land is owned by the Government, and can be appropriated without compensation to the users of long standing. This is a serious matter in that most water in the West rises in the high country, which happens to be National Forest Land in most cases. In areas of high percentage Federal landholdings, this means that nearly all the water may be declared Federal and taken for Federal purposes. This is a Sword of Damocles hanging over the head of practically every community. Under this doctrine, the greater part of the flow of the Colorado or Rio Grande could be diverted to some Federal activity leaving Los Angeles, Albuquerque, El Paso, and many other communities literally high and dry. We doubt that this country intended this doctrine to result from its landholdings. Congressional action is the only cure.

In summary, we feel that, in essence, the Federal Government should, as rapidly as possible and to the greatest reasonable extent, withdraw from the ownership of land and its management. It should hold no full title nor part of title that does not have a very strong overriding reason for retention. There should be devised a means to put as much of this land into private ownership or under regular leases as can be taken up by individuals as soon as possible. For the protection of the community, state and nation, there must be some form of preference to protect the present land users. The economy of the Public Land States is so heavily and vitally involved with present uses that its protection is essential. It is not suggested that all of this land go into private ownership. This question will best be settled by economics and the character of the land on an area basis. The main point is that it is essential that the lands be used and developed and that this can best be done under private control and management. If public needs for the land to develop, the Government certainly has the means to reacquire them or the needed rights. In the mean time, they will be contributing immeasurably more to the general good of the nation.

The retained title and parts of title should be administered, if possible under long term lease under the direction of advisory boards elected by the local user groups much in the manner of the boards that exist under the Taylor Grazing Act. There should be a basic law setting out the uses and conditions of use, and the elected boards should administer the law. The boards should have full administrative authority within the guidelines of the law. The law should set out the guidelines for all types of uses as the Taylor Act now does for grazing. A frame-work for fees should be set out in the law so that economic uses of the resources would pay in relation to the economic facts. Fees for public uses, if any, would be set in the law or at a national level. Economic uses would be charged with the responsibility of conversation applicable to the use, and if operating without title, would operate under leases of suitable duration. In the case of grazing, leases should be from thirty to fifty years duration. They should be transferrable, heritable, and suitable as pledges as security. The best features of the mining laws should be preserved to encourage discovery, but the method of doing assessment work on claims should be subject to approval by the boards. Recreation and wildlife development should be the responsibility of the State and community. Federal payments in lieu of taxes would be at a level corresponding to the taxes on similar values in the area.

Exchanges should be facilitated with private interests and consideration given to granting of title to the surface in return for improvement and conservation work. Sales to any interest should be limited to economic areas such as a ranch unit to avoid speculation. Sales in the immediate area or rapidly expanding communities should be in any size area up to a limit of forty or so acres, with one unit to the customer unless he has developed and sold his previous purchase. There should be no strings attached to the patent in this case, and title should be full. Sales should not have to wait on community planning or zoning. When land is sold away from a lessee or permittee, he should be paid the economic value of his loss out of the proceeds of the sale. The minimum price for urban or suburban sales should be the productive value of the land, with public auction setting the final price. Local governments should have a preference at the productive value, on credit, only for land needed for public purposes with a reverter in the patent should the land be put to any economic use.

EXTENDING THE RIGHT OF SUFFRAGE TO THE 18- TO 20-YEAR-OLD GROUP

Mr. BAYH. Mr. President, I am pleased to add my name as one of the cosponsors of Senate Joint Resolution 8, Senator MANSFIELD's proposed constitutional amendment which would lower the voting age to 18. As a member of the Indiana General Assembly, I twice introduced resolutions which would have extended the franchise to young men and women 19 years of age or more, and I expressed my support this year for a similar proposal which has been made in my home State.

It has been my privilege for many years to work closely with young people throughout Indiana. I have made hundreds of speeches at high schools and colleges, have employed dozens of young college students in my office as interns, and have observed the increasing amount of responsibility which has been placed upon young people in political campaigns by both major political parties.

My associations with these young leaders of tomorrow has always been invigorating and informative. Their discussion of current issues demonstrates knowledge as well as interest; their questions are intelligent and incisive; they do not hesitate to challenge the views of others; and they demand rational and explicit arguments in support of controversial viewpoints. Persons over 18 today are being called upon to make decisions as students, members of the Armed Forces, wives, and employees which require the same capacity and judgment as those who are over 21. Those who argue that these people are not yet ready, whether physically, emotionally, or mentally, to participate in popular elections ignore the tremendous changes in education, communication, travel, and culture which have occurred in the last half century.

It is a well-known fact that the voting participation record of those who are in the 21 to 30 age bracket is the lowest for all groups. Although many factors no doubt contribute to this, it seems to me that a very important element is the present 3- or 4-year gap between the conclusion of secondary school and the attainment of voting age. At the very time when a young man or woman graduates from high school, eager and willing to participate fully in the prerogatives of citizenship, he is denied the right of expressing his will and convictions at the ballot box. His study of history, government, and other subjects has impressed upon him the importance of taking an active role in his Nation, his State, and his community, yet he must wait several years before he can vote.

By the time they have achieved the age of 21, many young people have become deeply involved in military, educational, family, or vocational activities. Consequently, their previous interest in public affairs has diminished or has been overshadowed. Absentee voting laws of some States also impose obstacles which discourage or prevent exercise of the franchise. Lowering the qualifying age to 18 could help to establish a pattern of voting behavior which would improve the record of participation at the polls in later years.

Mr. President, a series of three articles on the 18-year-old vote was recently published in the Bloomington-Bedford, Ind., Sunday Herald-Times. These articles, which were written by Philip Werdell, of the Moderator, examine some of the questions involved in this issue and call attention to the opinions of a number of student groups and public officials. I ask unanimous consent that the articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Bloomington-Bedford Herald-Times, Jan. 8, 1967]

YOUTH EYES BALLOT—"OLD ENOUGH TO FIGHT, OLD ENOUGH TO VOTE"

EAST LANSING, MICH.—(NEA)—It did not make the newspapers nationally because it was only a minor issue to the Michigan voters last November.

But Michigan students were extremely disappointed when a proposal to grant suffrage to 18-, 19- and 20-year-old Michigan citizens was voted down 2 to 1 in a statewide referendum last November.

"The major reason we lost is because not one politician campaigned actively for us," said Ed Robinson, student body president at the University of Michigan.

"The issue of the 18-year-old vote could easily pick up again by election time in 1968."

Student interest in the issue already is picking up around the country.

At the University of Colorado, the Young Democrats have taken up the task of organizing support among the student body for the 18-year-old vote. Club Vice President Terry Jones said, "I think that if the 18-year-olds were given the vote, placing more responsibility on them, high schools would have to become more responsible in making students aware of politics."

At the University of California at Los Angeles a student referendum was held on the 18-year-old vote. Students voted 2 to 1 in favor, just the opposite of the returns from the Michigan referendum. "It showed that it is not a dead issue," said Ron Javor, who originated the UCLA referendum.

Rallies have begun by students at Adelphi College in New York to develop student support for the votes.

Ken Davis of Drake University has been elected by a group of student governments in Iowa and Nebraska colleges to lobby for the vote with the Young Democrats in that region.

At the University of Mississippi, the student newspaper has begun an editorial campaign for it.

The Redlands University Bulldog editorialized recently in favor of the vote. Student editor Hal Hedrick wrote, "The 18-year-old who is deemed mature enough to accept the rigors of war is said to be too young to defend and lead his country in more peaceful times."

Everybody, just about, thinks 18-year-olds should be allowed to vote. President Johnson thinks so and the late President Kennedy thought so. In fact, no one running for national office since World War II has not endorsed lowering the voting age.

Most of the House of Representatives and most of the Senate now favor the 18-year-old vote, and so do most of our governors, according to a poll taken in September by Moderator magazine. More than 55 per cent of America's adults favor lowering the voting age. And so do most 18-to-20-year-olds.

So why aren't 18-year-olds voting?

Former President Eisenhower proposed that 18-, 19- and 20-year-olds be given the right to vote. A constitutional amendment to that effect was passed by the House in 1954.

But in the U.S. Senate, the amendment failed by five votes. Five of the senators who voted against the amendment favored extending the suffrage, but they favored "states' rights" more. Senators John F. Kennedy, Lyndon B. Johnson, Russell Long, Price Daniel and Richard B. Russell thought that the decision about voting age should be left up to the individual states. And the issue was dropped.

Gov. George Romney proposed the 18-year-old vote for Michigan. The Michigan House and Senate followed by putting the issue up for referendum on the Nov. 8 ballot.

With war comes the slogan, "Old enough to fight, old enough to vote." The war in Vietnam has made many people question whether the youngsters fighting for Uncle Sam shouldn't have the right to vote.

Many agree with that sentiment. "It is my judgment that the high schools and colleges are doing a better job of teaching the sciences than in previous decades. I think this generation of young people is better informed about government problems and more actively concerned about national and international issues than my generation was at that age," says Congresswoman Edith Green of the House Committee on Education and Labor.

"Our expanded communications systems has made today's young person much more aware of what is happening in the United States and throughout the world than was his grandfather, even at age 25," Rep. J. Arthur Younger (R-Calif.) adds. There are facts supporting the vote:

Experienced educators observe that students are taking their education more and more seriously.

Increasing specialization of employment today places heavier demands on the fresh-out-of-high-school students who enter the labor market, and they have responded well to these demands.

Young people have become increasingly active in local and national political campaigns of both parties since the presidential candidacies of John F. Kennedy and Barry Goldwater.

Most members of the Peace Corps and Vista come from the under-21 age group. Over 200,000 American students are tutoring culturally deprived children in America's slums and ghettos.

"America is young and getting younger," says Rep. Donald Rumsfeld (R-Ill.). "Half of the population increase in the last five years has been in the 14–24 age group. Thirty-four million Americans are between 14 and 24, many of them serving their country in the military services. There is a growing awareness on the part of young America of the importance of the democratic way of life, and that this interest may be nurtured and encouraged through access to the ballot box."

Dick Gasperini, president of the Student Council at Michigan Technological University, put it this way: "Today's youth are the real leaders of this country. People no longer strive to keep up with the Joneses but with youth."

YOUNG "VOTERS" WOULD CAMPAIGN FOR RIGHT

NEW YORK—(NEA)—To be a knight in King Arthur's court, a man was required to be 21. The English tradition of common law, established in the United States more than 150 years ago, says that the minimum age for voting is 21.

At 21, we say, youngsters become adults. But then, youngsters between the ages of 18 and 21 assume a wide range of adult responsibilities:

All can sign job contracts and all are required to pay property and income taxes. Over half do.

All are tried in adult courts and, if found guilty, committed to state or federal prisons.

All are excluded from most of the aid to dependent children. However, they are considered adults by insurance companies and can sign contracts for coverage which are legal and binding.

Almost all are considered by their society to be mature enough to marry without their parent's consent.

All males can be drafted into the Army, and both males and females can independently contract for numerous branches of the military.

Between the ages of 18 and 21, youngsters begin to raise questions about America's political system.

They wonder about the fact that the nation's citiznery is growing younger while the average age of the electorate is rising.

Many learn that public officials in Georgia and Kentucky, after more than 10 years experience with 18 as a minimum voting age, universally praise their state's action to let its younger citizens vote.

All hear about the theory of democracy by consensus. They read national opinion polls which since 1954 have found more than 55 per cent of America's voting citizens in favor of suffrage for 18–20-year-olds. They wonder why they aren't voting.

Young men and women 18, 19 and 20 years of age aren't children and aren't adults. What are they, then?

Students are especially perplexed. In our technological society, they must commit more time to an education which that society demands. Yet, while making that commitment, they have no opportunity of tasting the rewards and responsibilities of being full-fledged citizens in that society.

Their responses are understandable, though paradoxical. Some have taken their commitment to society seriously, even though they have no official responsibility. America heralds their praises with special scholarships, trips to the Olympics, headlines about voter registration, Voice of America stories on the Peace Corps, citizenship awards and the occasional acknowledgement that youthful idealism carried a particular social movement beyond what anyone saw as possible in the near future.

Others have taken their lack of social responsibility seriously. Adults observe with frustration their glimpses of defiance and delinquency—the use of psychedelic drugs, joy riding, stealing unrelated to need and having "too much" fun.

Both of these groups talk of alienation from a society that refuses to include them formally in its decisions. Some students belong to both groups, who represent perhaps 20 per cent of the young people in America. Many of the remaining bear their alienation more quietly, being neither delinquents nor idealists.

How do they all feel about lowering the voting age? Last summer, soon after a two-thirds vote in both the Michigan state houses placed the 18-year-old vote issue up for referendum. Moderator magazine polled students across the nation.

Only 37 of 415 student government officers who replied were not in favor of suffrage for 18–20-year-olds. The 18-year-old vote got near unanimous support from over 1,000 student leaders of over 250 schools at the National Student Congress in August.

Moderator asked a second question: "Do you expect that students on your campus would take an active part in a campaign for the 18-year-old vote?"

The answers were many and varied, but they generally presented two opinions. First, they indicated that a very large majority of students are in favor of the vote. Second, and especially on larger, more well-known, urban campuses, there is a significant minority of students who would work actively in a campaign for the vote.

The students who would work to get the vote are mainly those already politically involved. "At almost every political gathering on campus, I hear at least one student remark, 'If I only had the vote . . .' Many of these students would and will work for a constitutional amendment giving the 18–20-year-old the vote," wrote Steve Finestein, treasurer of the Student Council at Temple University.

Even among those students who won't or can't campaign for the issue, most support it.

POLITICIANS DON'T OPPOSE THE IDEA

NEW YORK—(NEA)—Politicians don't oppose the 18-year-old vote. Neither do they actively work for it, mainly because they have difficulty in finding practical reasons to do so.

Young people, it is reasoned, pack little political power. There are few practical political gains in youthful enthusiasm and honesty. Since both parties would support 18-year-old voting in an election, the issue is not a vote-getter for one candidate as opposed to the other.

A politician has plenty to lose by opposing the 18-year-old vote, because if it passes he has offended the new members of his constituency, but he has little to gain from vigorous support.

The majority in support of the issue is unorganized. But the minority opposed to it is organized, in a sense. Until the Supreme Court decision on reapportionment, senators from rural areas controlled state Senates. While state houses favored the 18-year-old vote, the issue failed to pass the state Senates because of rural senators' opposition.

Why? Most of the new voters live in the cities. With reapportionment, the situation has changed.

A very powerful minority of one opposing the issue is Rep. Emanuel Celler, D-N.Y., chairman of the House Judiciary Committee. Bills supporting the 18-year-old vote must pass through his committee. Celler has consistently opposed any move to call for public hearings of the issues and has not allowed any resolutions to be reported by the Judiciary Committee.

The "States Rights" senators are the third minority. Robert Kennedy stands among them, saying, "I personally favor lowering the voting age to 18 . . . But, I do not think we should amend the Constitution of the United States to require an 18-year-old voting age generally.

"This is a matter which each state should be free to decide for itself. It is in accordance with that principle that I would support a decision by New York to lower the voting age."

Kennedy's fellow senator from New York, Republican Jacob Javits, speaks for most Americans: "I believe that the minimum voting age should be 18 rather than 21 . . . In order to change the minimum voting age, I believe that a constitutional amendment granting suffrage to those who reach the age of 18 would be far more equitable than state action.

"I do not believe that the citizens of some states should have the right to vote at 18 while persons in other states do not vote until they are 21."

Why aren't the large minority of 12 million Americans between 18 and 21 working for the 18-year-old vote? There never has been a successful suffrage movement in the United States without strong initiative and organization from those who want the vote. But it looks as if students are beginning to take that initiative.

Student organizations are forming around the 18-year-old vote. More than one intercollegiate attempt has been made in California, though none have been particularly successful as yet.

The New Jersey Student Committee for Undergraduate Education (CUE), which pushed through New Jersey's tuition-free college plan, shifted its focus to the 18-year-old vote last year at a state constitutional convention.

The University of Minnesota's student government has taken a strong stand on the vote and is organizing on other campuses in the state.

The students in Michigan have been most active, however, indicating that students will respond to the issue of the young vote when it is a realistic possibility.

At a statewide conference about the issue, held before classes to inform and organize student leaders about 18-year-old vote, a record 45 student leaders from 13 colleges appeared. Twelve other student governments indicated strong interest but were not able to attend the short-notice call.

State officers of the Young Democrats and Young Republicans pledged their support. Civic leaders were led to donate over $10,000 to the ad hoc student organization. The University of Michigan student government contributed $1,000 and similar contributions were pledged from a number of other student governments. In two short months, students were more organized and the organization was better financed than any comparable student issue in Michigan's history.

But the Michigan referendum was beaten. Its passage doubtless would have spurred the 18–20 age group in other states. But then, its defeat isn't exactly hurting the issue.

A GUIDE FOR THE HANDICAPPED TO THE NATIONAL PARKS

Mr. BARTLETT. Mr. President, I am delighted that the "Guide to the National Parks and Monuments for Handicapped Tourist" has at last been printed. It is now available through the President's Committee on the Employment of the Handicapped, the Veterans Employment Service and the National Crippled Children's Association.

Many thousands of copies have been printed. Should more be needed I have been assured that they will be printed so that those who may have a use for the guide will always find them available.

It was over 2 years ago that I first proposed the gathering of the information on which this publication is based. The National Parks Service has cooperated to the fullest extent in gathering the material. The Veterans' Employment Service is performing a great service; it has published the guide and is handling its distribution. The staff of the President's Committee and the Multiple Sclerosis Association of Greater Washington, D.C., performed the almost herculean task of editing and organizing the information which flooded in from parks and monuments across the country. Thanks should go to all of these organizations. Particular thanks should go to Mr. Edmond Leonard, of the President's Committee, without whose determination and leadership this guide would not have been possible.

The guide is not perfect. Not every park or monument is reported nor are the existing reports as detailed or useful as we might wish. This guide, however, is the first; it is not the last. There will be new editions of the guide in years ahead as more information is obtained and as more facilities for the handicapped are provided.

At the present time in far too many parks there is for all effects and purposes a sign at the gate which reads "Closed to the handicapped."

We are taking this sign down.

As new facilities are constructed and old ones remodeled thought is being given to the needs of the handicapped. This is a good thing. It has my full support. Perhaps—who knows?—in the years ahead it will be possible to restore the ramps at President Franklin D. Roosevelt's house at Hyde Park. These ramps were, of course, in place when the President was alive. He was restricted most of the time to living in a wheelchair, and without these ramps he would not have been able to live at Hyde Park. It is ironic to find that when Hyde Park became a national park the President's ramps were removed.

Mr. President, I ask unanimous consent that the preface to this guide, written by President Lyndon Johnson; the foreword, written by Harold Russell, chairman of the President's Committee; and the introduction, written by myself, may be made a part of the RECORD at the conclusion of my remarks.

Mr. President, I urge all Senators and Representatives to assist in seeing to it that this guide receives as wide a distribution as possible.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington.

The grandeur and heritage of this proud land belong to all its people. The only limitation to the enjoyment of our scenic beauty is that dictated by the capacity of our spirit.

Persons with physical handicaps have demonstrated the almost limitless capacity of their spirit.

I urge them, as I do all of our citizens, to discover the inspiring saga of our historic past as preserved in our national monuments. I urge them to experience the remarkable beauty of our national parks.

I am hopeful that this Guide will offer a convenient means for tourists with physical limitations to plan their trips and visits. And I hope that their visits will be rewarding and refreshing.

LYNDON B. JOHNSON.

FOREWORD

Recent years have brought the public to the realization that a startling revolution is taking place among severely handicapped persons. No longer are paraplegics in wheelchairs or persons with ambulatory impairments content to stay at home and remain out of sight. They are going places and doing things. And they are living independently and unassisted . . . or, at least, they prefer to, as much as possible.

One of the biggest obstacles in their path to independence is the problem of architectural barriers—thoughtless design features which are taken for granted by the average able-bodied person, but which shut out thousands of disabled people from the mainstream of public life. These barriers might be an imposing flight of steps which a visitor in a wheelchair, or who uses crutches or braces, cannot negotiate. Or, the barriers might be narrow doors at an entrance to a building or at a restroom which cannot admit someone who uses a wheelchair.

Anyone with a little imagination, by putting himself mentally in a wheelchair for a day, can encounter many more barriers which the handicapped must surmount in their ordinary, day-by-day living . . . water fountains out of reach, telephone booths designed like accordions, elevators shaped liked closets . . . just to mention a few.

The number of people caught in this problem involve more than the 250,000 in wheelchairs, 200,000 with heavy leg braces, or the 140,000 with artificial limbs. Over 5 million persons with heart conditions and 17 million persons over 65 would also benefit by easier access to buildings.

After watching a growing army of disabled persons take their rightful place in the world of work during the past two decades, the President's Committee on Employment of the Handicapped saw the need for organized action to try to eliminate or reduce the problem of architectural barriers. The *severely* handicapped were still being excluded from places of work and from places intended for public use where they had a legitimate right to enter.

The President's Committee in 1959 teamed up with the National Society for Crippled Children and Adults, and with the assistance of about 60 interested organizations, developed a set of specifications which were approved in 1961 by the American Standards Association. These specifications, entitled "Making Buildings and Facilities Accessible To, and Usable By, the Physically Handicapped," have been well received and widely adopted in the ensuing years by government agencies and by private builders, contractors, and architects.

Although employment opportunities for the handicapped is the primary mission of the President's Committee, its concern for their acceptance in all facets of daily living brings the Committee to this present project of compiling a directory for the handicapped to our national parks and monuments. Leisure time activities are a natural adjunct to the working day, and the Committee through firm conviction wishes to cooperate with the President's advice to "Discover America."

The magnificent resources of our National Park Service should be available to all American citizens. It would seem most useful for our handicapped citizens to have some information on the accessibility of the park facilities. Forewarned with such information, the handicapped traveler would be able to plan his travels with confidence and assurance. He would also be entitled to enjoy the grandeur of our natural resources without facing the embarrassment of being rejected at the end of his journey.

The information contained in this directory was taken from questionnaires sent to over 200 units of the National Park Service at the request of Senator E. L. (Bob) Bartlett of Alaska, who for many years has championed the cause of the handicapped by promoting their acceptance into public life. Assistance to the staff of the President's Committee in compiling and editing the directory is acknowledged and gratefully credited to the Multiple Sclerosis Association of Greater Washington, D.C.

The President's Committee is deeply appreciative of the cooperation of the Veterans Employment Service, Bureau of Employment Security, Manpower Administration, U.S. Department of Labor, for making possible the publication of this guidebook.

HAROLD RUSSELL,
Chairman, the President's Committee on Employment of the Handicapped.

INTRODUCTION

A Senator from Alaska knows well what beauty and pleasures exist in our national parks and monuments. The stark, awesome heights of Mount McKinley National Park, the eerie moonlike landscape of Katmai National Monument, the shimmering, changing blues of Glacier Bay National Monument: Alaska offers the visitor everything to intrigue the eye and rest the spirit.

No less is true of the other 229 national parks and monuments located across the country, in every State, not far from every city. As a nation, one of our greatest treasures is our park system. Last year alone, 121 million people visited one or more parks or monuments. These people know how valuable, how restful, how pleasant is such a visit.

They are lucky.

The handicapped are not so lucky.

Unfortunately, most of our parks are built for the physically fit. The young and the strong may ride the trails, climb the hills, camp out under the stars. It, of course, would be inappropriate to ask that the trails climbs, and remote camping grounds be made accessible to those who can no longer carry a pack or hike a trail.

In too many of our parks, however, it is only the young and the strong who can make use of the museums, the exhibits, the restaurants, the hotels, the cabins, and the restrooms. The handicapped are unnecessarily barred from these facilities because of simple, thoughtless, and stupid architectural barriers.

Too often there are steps leading up to the entrance.

Too often the doorway into the bathroom is too narrow for a wheelchair.

Too often there is no readily available parking place close to the building.

Too often there are no guardrails, staircases are too steep, or facilities are inaccessible.

Too often, in fact, there might as well be a great big sign at the park entrance saying, "Closed to the Handicapped."

This is a sad but not permanent state of things. In a memorandum sent to all regional directors and field design offices of the National Park Service from its Washington headquarters, these encouraging words were included:

> The Director has instructed that the Service adopt at once an architectural code that will, in the future, make all public use type buildings erected in the parks usable by the handicapped. In those instances where it is feasible to make modifications or additions to present visitor centers and other public use buildings that will render them usable to the handicapped, it should be considered and programed.

Accessible facilities for the handicapped are not enough. The handicapped must know where they are and how to make use of them. It is for this reason that I suggested that such information be gathered and put in booklet form. The preparation of this booklet has taken much time, effort, and cooperation. The National Park Service, the President's Committee on Employment of the Handicapped, and the Multiple Sclerosis Association of Greater Washington, D.C., deserve our grateful thanks.

Not all of our parks are yet accessible to the handicapped but some of them are. This booklet tells which, where, and how.

I hope it has the largest possible circulation.

E. L. (BOB) BARTLETT,
U.S. Senator.

WATER QUALITY STANDARDS

Mr. BAYH. Mr. President, with the country growing more and more conscious of the desperate need to take remedial action to control water pollution, it is appropriate to invite the attention of Senators to a speech on this vital subject by the distinguished Representative from Indiana [Mr. ROUSH]. The address was delivered before the annual meeting of the Great Lakes Commission, December 15, 1966—a meeting which I also was privileged to address.

It was particularly fitting that the commission chose to hold this year's meeting in Indiana. Until recently, Indiana was the only State bordering the Great Lakes which did not have a deepwater public harbor. In the closing days of the 89th Congress, however, we were fortunate in passing a bill authorizing the construction of the Burns Waterway Harbor. As a result, Indiana has become a full-fledged partner in the development of the Great Lakes region.

I ask unanimous consent that the speech be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

RESPONSIBILITIES FOR WATER QUALITY STANDARDS

(Address by Hon. J. Edward Roush, Representative from Indiana, at the annual meeting of the Great Lakes Commission, Indianapolis, Ind., December 15, 1966)

As attention has focused more intensely on the state of man's environment of late there have been highlighted a number of obstacles to optimum progress toward its improvement through the abatement and control of water pollution. There can be no question as to the importance of the quality of nation's water supply for it is of vital concern to each and every one of us.

Obstacles in the way of attaining and maintaining quality of water to desirable standards include incomplete basic data, unclear lines of demarcation of responsibility, shortage of trained technical personnel, and that bug-a-boo of all creative endeavor, lack of sufficient money.

The amendments to the Federal Water Pollution Control Act which the Congress approved in 1965 and 1966 will I firmly believe go far toward ameliorating some of these problems, but not all by any means. I shall continue as I have in the past, to work toward the eventual conquest, so far as possible, of the multi-faceted problems affecting our water resources, especially the abatement and control of pollution.

The 1965 amendments increased funds available for all phases of Federal activities concerned with pollution control but the 1966 Act provides an even more powerful weapon of attack on the problem of finance. The 1966 Act authorized a total of $3.4 billion to be appropriated for use as Federal construction grants to municipalities through fiscal year 1971. At the same time it removed the ceiling on individual grants. This should prove to be a valuable incentive for larger cities to get busy on construction of waste treatment facilities which were heretofore not eligible for Federal assistance and were being held in abeyance because of financial difficulties. Under varying circumstances the Federal grants may be increased to as much as 55 percent of construction cost, provided the States also extend financial assistance.

Funds were also increased for the training of technical personnel of public agencies. For the first time Federal funds are to be made available to States and local agencies for up to 50 percent of administrative costs for planning for a period of three years, if it is believed that the agency is capable of developing an effective, comprehensive water quality control and pollution abatement program for a drainage basin.

Another first is the authorization for grants to industry for research and demonstration projects for the prevention of pollution of water by industry. A study is called for of possible methods of furnishing incentives to industry to construct treatment works, by tax preference or by other means.

A previously neglected area—estuaries and the estuarine waters—is to be studied and recommendations are to be made concerning the effects of pollution on all beneficial uses of those waters. The study, limited to three years, is to be conducted by the Federal Water Pollution Control Administration with the cooperation of all interested parties, Federal, State and local governments, and private interests.

The report to Congress following completion of this study is to make recommendations for a comprehensive national program for the preservation, study, use and development of the estuaries of the Nation and the respective responsibilities which should be assumed by Federal, State and local governments and by all public and private interests.

The Oil Pollution Act was extended to apply to all navigable waters of the United States and its enforcement transferred to the Secretary of the Interior.

A matter of particular interest to the Great Lakes region is the provision contained in Section 17 of the 1966 Clean Rivers Act which directs the Secretaries of the Interior, Health, Education, and Welfare, and the Army and the Coast Guard to conduct a full and complete study and investigation of the extent of pollution of all navigable waters from litter and sewage deposited by watercraft, and of methods for combatting it. A report, together with recommendations for action is called for by July 1, 1967.

The gaps in basic data will require time and sustained effort to close. The 1966 Act provides for increased funds for research. The Federal regional research laboratories, of which there are now four; one being constructed in Duluth, which is expected to be completed in May 1967; and possibly as many as seven others, to be constructed, will broaden and extend Federal activities in this field.

It should be the responsibility of State water pollution control, what resources, and public health agencies to be extremely active in this area. The local agencies will contribute substantially to the total knowledge by providing local data to be correlated and coordinated on a basin wide basis, later to be utilized and coordinated by the Federal Government in consideration of interstate pollution problems.

Stated in as brief terms as possible the responsibility for the establishment of water quality standards lies in the States. This has long been the viewpoint of Congress and that body has stated in successive legislative acts that water pollution control is the primary responsibility of the States.

In the Water Quality Act of 1965 authority was given to the Secretary of the Interior to establish standards of water quality to be applicable to interstate waters or portions thereof only in the absence of effective State action. The standards were to be formulated in accordance with accepted administrative procedures calling for public notice, public hearings, and consultation with affected public and private interests. The standards would then be subject to revision either by the Secretary on his own or when petitioned to do so by the Governor of any affected State.

Once the standards have been established, by June 30, 1967, as specified in the Act, any discharge of matter which reduces the quality of the waters below the established standards is subject to existing provisions of law which authorize the Attorney General, at the request of the Secretary of the Interior, to bring suit on behalf of the United States to obtain abatement of interstate pollution, and with the written consent of the Governor, to bring suit to abate intrastate pollution.

The Secretary's authority is not arbitrary. The States have ample authority to act, and there must be a conference of affected interests before Federal standards may be set.

It is the responsibility of municipalities and other local agencies to make their wishes known as to the type of water quality they desire that will meet their requirements for all legitimate uses. This is done through the medium of appearances or presentation of statements at public hearings held by the State agency responsible under State law for establishing quality standards. These presumably and customarily are held at various times and places within the affected State so that all who desire may be heard.

The keystone to this process is that the local interests, private as well as public, must make their wishes known and the State must recognize and consider all legitimate beneficial uses of water in establishing state-wide water quality standards.

Where Congress has established multistate compacts, such as the Delaware River Basin Compact, with authority to establish water quality standards, the Secretary's authority does not supplant that of the commission. Rather his authority is held in reserve, for use only if the commission fails to meet its responsibilities. This no doubt will be equally true of the River Basin Commissions to be established under the Water Resources Planning Act. The Northeast River Basin Commission is the only one fully established at this time but there are several others that have been approved in principal and will be established in fact in the near future.

However, the fact remains, as it always has, that primary responsibility resides in the States.

The Secretary of the Interior on the occasion of assuming jurisdiction over the Federal Water Pollution Control Administration as accomplished by Executive Order effective May 10, 1966, addressed identical letters to the Governors of the 50 States.

This letter called the Governors' attention to the provision of the 1965 Act which called upon the States to signify their intention by October 2, 1966 to establish State-wide water quality standards by June 30, 1967.

Accompanying the letters were Guidelines for establishing water quality standards for interstate water.

The Secretary indicated that it was the position and purpose of the Federal Water Pollution Control Administration to encourage and support the States in establishing their own standards and that the guidelines were to assist the States in that formulation and outline the factors which the Secretary would consider in his determination of whether the criteria, their subsequent adoption, and plans for implementation and enforcement are consistent with the purposes of the Act.

On October 7, 1966, the Secretary announced that all 50 States had signified their intention to establish the required criteria by the June 30, 1967 deadline.

It was my very great privilege to serve as a member of the Subcommittee on Science, Research, and Development of the Committee on Science and Astronautics this past summer which held a series of hearings on the Adequacy of Technology for Pollution Abatement.

During the course of these hearings the viewpoints and knowledge of those active in the field were presented and discussed. Representatives of the Federal Government, of State water pollution control and public health agencies, of private industry, and of research organizations and some individuals testified or submitted statements.

Following this, and after considering answers to questions put to various groups and individuals a report was made to the Committee.

The hearings indicated that environmental quality has not yet attracted sufficient attention from the scientific and engineering community. The technology available today is capable of meeting any technical goal for purifying water. What it cannot do is to simultaneously provide extreme purities at a cost that fits the value judgments of the society to be served.

It pointed out the need for standards that would set goals towards which municipalities and industry might work and it was recommended that the present level for research, development and demonstration funding, or $30 million per year, be expanded about ten times in the next five years to bring waste management properly under control.

Among the conclusions reached were:

(1) Present inadequacies of knowledge about the kind of natural surroundings we want and need and the cost and means of obtaining these qualities are frustrating the further definition of the problem and are a barrier to abatement progress.

(2) An "early warning system" for unwanted consequences of ecological changes is extremely important. We do not now have such a system.

(3) There is insufficient information available to set ultimate objectives, criteria and standards except in the case of gross and obvious pollution.

(4) Firmly established criteria and standards are necessary to intelligent planning and action.

(5) Immediate research needs are for improved abatement methods for gross and obvious pollution, an ecological and human health data for criteria and standards setting.

(6) Federal Government scientific activities are not yet channeled to support announced goals in pollution abatement.

(7) Technical manpower will be a limiting factor in abatement progress unless added effort is expended for retraining graduate education and transfer of skills from other technology programs.

(8) Ecology, as an organized profession, is not in good condition to become an umbrella for increased research.

(9) Complete solution of pollution problems may not be possible, but two trends are discernible; more receiving of materials, and the controlled transport of unusable wastes to some type of perpetual safe storage.

(10) Large scale demonstration of new and improved abatement methods will be necessary to establish efficiency and costs.

(11) Industry may be alert to its responsibilities in research, but Federal support will be needed to stimulate development of abatement methods to show when standards can be met and to bring about improvements in a timely manner. Beyond these points, abatement technology should be in the control of normal commercial enterprise.

In full contemplation of these findings the Committee recommended:

(1) Scientific activity in ecology and related fields should be immediately expanded.

(2) Ecological surveys and research should be centralized as to management in some one science-based Federal agency.

(3) Systems analysis and management capability should be established within the Federal Government.

(4) To improve and enhance waste treatment practice, an abatement extension service should be established with Federal funds to provide information and technical advice to local governments, regional compacts, and industry.

(5) To stimulate the acquisition and deployment of new technology, Federal contracts for research, development and demonstration should employ a cost recovery principal where commercial success occurs.

(6) The Federal Government should undertake an analysis to identify and separate those abatement action programs which are well supported by facts and for which practical answers are available from those problem areas where more research and development are needed.

(7) The Congress should endeavor to review its broad authorizations and appropriations for water, reclamation, transportation and conservation in the context of environmental quality goals.

(8) The scientific and engineering community should respond to the challenge of the pollution problem as a major opportunity to serve a public need.

In the light of these findings it appears that the current situation with all of the States establishing state-wide water quality criteria will constitute a foundation upon which to build a program of activities aimed at eventually cleaning up the nation's vital water resources. It can hardly be expected that they will ever attain the pristine, sparkling purity which was the particular joy of the early explorers of this continent. However, with the sustained vigorous effort of all levels of government, of industry, and of individuals, the day may not be too far off when the quality of water will be sufficiently high as to meet all of the needs for all legitimate beneficial uses of water whether it be for drinking, swimming, boating, irrigation, industry, navigation or disposal of waste, for the latter is still a necessary function.

MAJOR FAILURES OF NATION IN PAST DECADE—ADDRESS BY E. M. STEVENS

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the RECORD a speech made by the distinguished president of the Great Western Loan & Trust Co. of San Antonio, Mr. E. M. Stevens.

Mr. Stevens' remarks, made in a speech to the Space Center Rotary Club, cover a broad range of national and world problems. I think he has summed up, in a most coherent, logical, and constructive fashion, several of our major failures as a Nation, over the past decade.

In our fiscal affairs and in our international relations, we have suffered, and we continue to suffer, a leadership gap.

I commend Mr. Stevens' exposition of these problems to the attention of Senators.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

MR. STEVENS SPEECH TO SPACE CENTER ROTARY CLUB, AUGUST 8, 1966

I am glad Harry invited me to speak here today and I chose a subject "Management by Responsibility", which we term "Bottoms Up Management". I chose that subject because I have spoken so many times on it to my own organization and to other organizations, and have always ended it with a few comments with some academic profound platitudes. I threw a few barbs at our favorite political whipping boys of the times—made some optimistic forecasts, and I suppose it was pretty good "listening". When I started taking an objectional look at our country now, I was first—confused—then amazed—and then Frightened!

Getting back to "Bottoms Up Management", as it is a part of life as much as our government, it is "Management by Responsibility". Management from the bottoms-up, putting the responsibility and decision making as near the bottom as possible—where we have found that men develop better and faster and soon give the uncommon performance that I feel has been more responsible than any other one thing for the accomplishments that have been made by our company.

Let's see how these things fit into the government—how responsibility from the ground up may be the key to the confusion in which we now find ourselves. I am going to visit with you today by asking questions, of which, unfortunately, I have been unable to fathom the answer. They are not in order of importance, because they are all definitely correlated, and the solution of one only creates another.

We in America are prone to look on the result or the effect rather than the cause. My first inclination in this review was to blame our politicians and our government. The state follows the society rather than causes the society—our laws are but memorandum of the era, and our government—its image . . . so, if there be something wrong with our government, fundamentally then, the fault is with the system that created it.

Have we outlived it? Are we no longer responsible enough for self-government? The politician is in the image of the thinking and moral fibre of his constituents—or the lack of them. First, to predict our future, let's examine the past: Unfortunately, nothing in a society ever happens dramatically, but follows a trend. What is the trend of our Nation? We emerged from World War II almost unscathed. We had the only army, the only accepted currency, a great productive society, with no one even in second place. What is our position today? We are still the greatest power, but we are challenged all over the world—not only militarily, but economically, and our dollar is weakened to the critical point. Our gold reserve has dropped from 20.8 billion, with only 6.9 billion claim against it, to 13 billion, which is the lowest point since 1938—while Europe has accumulated 19 billion and the world has now a 29.3 billion claim on our dwindled gold supply reserves—a deficit of almost 16 billion. If things be strong or good by comparison, our trend is definitely in the wrong direction and we are becoming weaker by the hour.

Let's begin by looking first at the Executive Department. Have the demands of that office exceeded one man's capacity? Is it too dangerous to trust to luck to find a man with the capacity to fill it? In other words, is our system of election correct? Is it right that one man should have at his fingertips the power of our atomic stockpile? Only last week in Austin, a man's mind slipped, and you all know the human carnage that was the result. We can thank our God that man was not the head of state . . . think of that! You will hear our leaders trying to correct by blaming the gun—again, we are looking on the effect rather than the cause. A similar instance with the student nurses was with a knife. It was neither the fault of the gun or the knife! If our Executive Department is for criticism—should we blame the executive or the system that put him there? What is the answer? Is it our two-party system that is a suspect—should there be five men in the Executive Department from different areas, with staggered elections, so that there is an orderliness in our society, that we in America could better understand and the world could fathom?

What about the halls of Congress and its motivations? Is all of our legislation now passed on fear and tribute? No one wants to take the responsibility for the strike legislation or for laws that would cure our racial strife. Payments for appeasement are never on the principal—but on interest that accelerates with each tribute, and there will never be a receipt "paid in full". Our courts seem no longer to be the Umpire, but have been becoming legislative by their decisions to the point where that the American people never know exactly what the law is or will be tomorrow. If the supreme law of the land with their decisions on a five to four basis, can they read the English language or can Congress write it? We cannot legislate society—each generation forms its own laws and laws written otherwise are on tablets of sand. Rights and privileges given the anti-social—the criminal—is subtracted from the orderly social by Harper High School arithmetic.

If our government is a product of our society, let's think of our social gains over the past few years. Let's keep in mind—first—our currency, which is what the world guages us by mostly. Currency is a nebulous thing and can never be stronger than the moral fibre of the society it represents. What would that society do to defend its value? It is a medium of exchange—it is a "promise to pay". It is by that token itself property and inflation is the most vicious erosion. Planned inflation is dishonest on its face. A society should defend its currency and at all times be willing to pay in kind. It should be repurchased with the same moral and physical energies of which it represented when it was issued. If that be true, we have terribly shirked our responsibility since World War II. Purchasing power has dropped since 1945 on consumer prices from 170 to slightly over 90 and in construction cost, a house cost slightly over $2,500 would now cost over $11,000. Gentlemen, where are we headed? Will it be as it was in Germany when the worker received his salary twice a day so that he could have enough substance in his currency to buy the food for the evening? What has happened to the insurance policy you bought in 1945? Let's talk about the Great Society . . . What is its objective? Is it to be the Confucius . . . the Greek or the Roman under Caesar, or the feast and circus before the fall of the Roman Empire? A society is known by its progeny, and cruel history is the appraiser. Any society that is built on anything but purpose and challenge will not succeed. Character, as muscle, is strengthened only by exercise. What could create the Great Society? Could it be a privilege to be born poor?

Our President should have examined his and the adjoining counties of his generation, he would have found over a half dozen entrepreneurs above the million dollar class without the benefit of Texas oil, and the President of the United States, produced from what would now be considered poor families. It is the challenges of youth that prepares us for the vicissitudes of life.

Let's take a look at our war on poverty and unemployment. Again, we are looking at the effect and not the cause. There is no unemployment in the United States today—only unemployables. There is no poverty—only maladjusted people, and it is that maladjustment that causes the Ghetto, and the Ghetto not the poverty. Today it is rights by might, rather than responsibility. A thing is not right because it is strong—it is strong because it is right.

Let's have a look at our military. We cry—and I think sincerely—for peace; yet, we have catapulted into a position of policemen of the world and nobody loves a policeman. We cannot attempt to give the Christ-like image with the peace dove, with the necessary "45" on our hip. We have been involved in more wars during our short life than any other nation during that time—so, let's face it—we must make defense a part of the education of our youth—through Universal Military Training. Let's equip him for national self-protection, because we have created all over the world these small Dictatorships before they were ready for self-government. In our anti-colonialism successes, we have created a void instead of giving them a stable government. We have created a defenseless society in a world that reckons only with power—ready to be captured by the first world Dictator—who will capture them by notification without a shot being fired. Castro is now entrenched in Nigeria. Could he become Alexander the Great, or Genghis Khan of Africa? What defense do they have? I could go on and on, and you can see why the superficial study that I made excited me.

What should we look for in our future? As society ebbs and flows each score of years, it will turn back to responsibility—but only when it has run its course. The loose morals of today will be replaced, maybe, by the morals of the Victorian era. It is then time for us to be up and doing and take our full share. It is time for good men to do something! It is time that we met force with reason, or force with force until we arrive at reason.

I would suggest American Federation of Management, so that we give our legislative moulders a choice that in society action will be met by a reaction and sometimes more violent, and we shall continue our role of the leaders of men—not with words, but with deeds—not with tributes, but with example—and we can do it.

When I hear the American people question whether or not we can have guns and butter, whether we can win and survive our war in Viet Nam—I am disgusted! A people aroused belie the statistics. We have examples in modern history—a Germany without money—a decayed country in '33, rallied to the symbol of Hitler and created an economy that challenged the world and at the same time built a military force that almost conquered it. Japan joined Germany after the war in survival and each challenges us economically, and set an example of a productive people with a purpose, and you do not hear anyone question their currency. England, the victor, at the same time, is ripping at the seams.

It is now that we advent into another unknown era. The children born after World War II are becoming of age. We are going to become a young virile nation. By 1970, one-half of our population will be 27 years old or younger. Probably by 1975 half the voters will be 35 years old or younger. What kind of a nation will they give us? What are we doing to help them? Are we leading, or letting them drift into unknown fathoms of the deep of a chaotic world we have created? Could it be that we are coming to the time that was predicted by the great Alfred Tennyson before anyone had thought of the airplane?

"For I dipped into the future, far as human eye could see
Saw the Vision of the world, and all the wonder that would be
Saw the heavens fill with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rain'd a ghastly dew

From the nations' airy navies grappling in the central blue.
Far along the world-wide whisper of the southwind rushing warm,
With the standards of the peoples plunging through the thunderstorm;
Till the war drum throbbed no longer and the battle flag was furled
In the Parliament of man, the Federation of the world."

It seems that he had extrasensory perception when he spoke of a ghastly dew—could that be the atomic bomb?

We have a purpose—we have a challenge, and we will meet that challenge! We will take freedom—not as a legacy, but as an obligation handed by our forefathers.

To be born a free man is an accident.
To live one—a responsibility.
To die one—an obligation!

THE UNDECLARED WAR IN VIETNAM: EFFECTS ABROAD—EFFECTS AT HOME

Mr. GRUENING. Mr. President, the mounting objections being heard throughout the country against U.S. intervention in an illegal, immoral, and undeclared war in Vietnam were evidenced in the last few days by the protests printed in the papers.

There was the protest by the Ad Hoc Faculty Committee on Vietnam, listing more than 2,900 faculty members, whose plea was simple and direct, "Mr. President: Stop the Bombing." The chairman of this ad hoc committee is Prof. Hilary Putnam, of Harvard, and its secretary-treasurer is Prof. S. E. Luria of the Massachusetts Institute of Technology.

The second protest, over the past weekend, was by the Lawyers Committee on American Policy Toward Vietnam, which analyzed the legal bases for our involvement in the undeclared war in Vietnam and came to the conclusion that such involvement is illegal. The legal analysis of the U.S. position was prepared by the consultative council of the committee, composed of the following eminent lawyers: Richard A. Falk, chairman, Milbank professor of international law, Princeton University; John H. E. Fried, rapporteur, professor of political science, City University of New York; Richard J. Barnet, codirector, Institute for Policy Studies, Washington, D.C.; John H. Herz, professor of international relations, City University of New York; Stanley Hoffmann, professor of international law, Harvard University; Saul H. Mendlovitz, professor of international law, Rutgers University School of Law; Wallace McClure, professor of international law, World Rule of Law Center, Duke University; Richard S. Miller, professor of international law, Ohio State University College of Law; Hans J. Morgenthau, Michelson distinguished service professor of political science and modern history, University of Chicago; William G. Rice, professor of international law, University of Wisconsin Law School and Quincy Wright, professor of international law, University of Chicago; Rice University.

The third protest was reported in the New York Times this morning, and indicated that 462 members of the faculty of Yale University had signed a letter to the President of the United States calling for a halt in the bombings of North Vietnam and urging the President "to consider that now the potential benefits—of a cessation of bombing—far outweigh the risks, and that the gamble is a necessary one."

There is more to the steady escalation of the war in Vietnam than its destructiveness, its illegality, and its immorality.

It is necessary to consider, in purely practical terms, what such escalation is doing here at home.

On the domestic front, President Johnson in the early days of his Presidency wove for himself on the domestic front a record of accomplishments that far outshone that of any President in the history of the United States. That was the time when the blueprint for the Great Society was enacted into legislation and the country started to move forward in the war against poverty. That legislation and its early administration were part of President Johnson's "total commitment to pursue victory over the most ancient of mankind's enemies"—poverty.

All that is now being steadily eroded. It is, as Progressive magazine called it in an editorial in its January 1967, issue, a "Retreat at Home." That total commitment, the editorial states, "has become a tragic retreat."

I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks the advertisements from the New York Times of January 15, 1967, by the Ad Hoc Faculty Committee on Vietnam and the Lawyers Committee on American Policy Toward Vietnam; the report appearing in the New York Times for January 16, 1967, concerning the letter sent to the President by some of the faculty members of Yale University, and the editorial entitled "Retreat at Home," which appeared in Progressive magazine for January 1967.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 15, 1967]

MR. PRESIDENT: STOP THE BOMBING

AMHERST COLLEGE

Gerald W. Barnes, Howell Chickering, Robert D. Cottrell, C. W. Dempsey, James Q. Denton, Richard Duffy, Charles H. Ellis, Jr., Harold Fruchtbaum, Hugh Hawkins, William M. Hexter, Philip T. Ives, George Juergens, Frank L. Kidner, Jr., Allen Kropf, Gilbert Lawall, Edward R. Leadbetter, M. Gordon Levin, Jr., Allison W. Marsh, Leo Marx, Ray A. Moore, Lewis S. Mudge, Donald S. Pitkin, John ———, Jon ———, Oscar E. ———, Norton Starr, Dudley Towne, Henry T. Yost, Jr., John William Ward, Colston E. Warne, Carroll W. Westfall.

UNIVERSITY OF ARIZONA

Donald W. Gieschen, Naomi M. Hardward, Thomas F. Hoult, Robert L. Rein'l, Robert E. Shaffer, Susanne M. Shaffer, Morris J. Starski.

ASSUMPTION COLLEGE

John E. Burke, Bernard P. Farragher, Joseph G. Green, Jr., Michael J. O'Shea, Joseph Meier, Norman Meiklejohn, Michael D. True.

BELKNAP COLLEGE

Royal M. Frye, Henry V. Muse, Noel E. Paradise, J. Paul Shenk, Sterling Tracy, Ruth Wiggins.

BERKSHIRE COMMUNITY COLLEGE

Frank Deane, Donald Lathrop, Arthur Phinney, Robert Pollock.

BOGAN JUNIOR COLLEGE

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Marilyn Kapeloff, John H. Lavely, Louis Lawy, Harold P. Lee, Charles K. Levy, Paul Lipsett, Joe Brown Love, Robert E. Luccock, Banks McDowell, Jr., Celia M. Millward, Betty Milhendler, Jean Murphy, Paul Nash, William Overholt, Freda Rebelsky, James A. Riddel, Henrik Rosenmeier, Rose Segel, Armand Siegel, John F. Smith, Robert H. Sproat, John Stachel, Ely Stock, Marx Wartofsky, John Wilson, Howard Zinn.

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Arthur Richardson, Barbara Riddle, Larry Rosenborn, Miriam D. Rosenthal, Marie

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BRYN MAWR COLLEGE

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Bill Colt, Peter A. Collier, Daniel Coren, Peter Cressman, F. C. Crews, Alan Curtis, Monura Dass, Elizabeth F. Davids, Elizabeth Davidson, Mark Dawson, Richard R. Day, Clare Denton, Lucia G. Dick, Richard Dillon, John Donald, Lee Drago, Erwin Dreesen, Elizabeth Dubravac, Vincent Duckles, Harris Dunkelberger.

Jeffrey L. Dye, Stephen Engleman, D. Epstein, Robert J. Epstein, Susan Erwin-Tripp, Robert Estes, Marilyn Fabe, Margery Farrar, Frederick Feied, Robert J. Flanagan, Thomas Flanagan, Jack Foley, Joseph Fontenrose, Alan Fox, Rena A. Fraboni, Michael Frank, Marc A. Frauenfeld, Donald Friedman, Jane Friedman, Sarah Fuller, Bernardo A. E. Garcia-Plandavenes.

Hugh Garnett, David A. Gay, Lawrence Gershwin, David Gilson, Rose Glickman, Derald Glidden, Joseph A. Gaguen, Ellen Goldensohn, George Goldman, Donald Goldsmith, Victor Goodman, Robert Gorman, Michael Gottlieb, Alfred Gray, Kate Shattuck Green, Simon R. Green, Charlotte Greenspan, Virgil Grillo, Kathryn B. Guberman, Lawrence T. Gurley, Robert S. Haller, Conn W. Hallin, David Handel, T. Heaps, Anthony Herbold, D. W. Heroa, Joan Heyetz, Robert H. Hirst, Douglas Hoitch, Brantley Holt 3d, Peter B. Howard, John Huntington.

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Oiars Kratins, Ward Labler, Mary Land, Michael Landa, Nancy Larsen, David Lawton, Donald Lazere, Lucien Le Cam, E. L. Lehman, Carolyn P. Levine, Chuck Levine, David Levine, J. A. Levine, Lawrence W. Levine, David Lewin, Mary Lewis, Esther Leysorek, Karl Lindberg, Peter Lindenbaum, Leon F. Litwack, M. Loeve, Lawrence Loewinger, Judy Lowder, Florence Lowenberg.

Martin Lowenthal, Eugene Lunn, David W. Lyon, Robin MacGowan, Christopher John Macie, Brian MacWhinney, John Makrupoulos, Robert Mandel, John M. Manion, Harold Mankin, Edward Manougian, Peter Manso, James W. Margruis, Henry F. May, Nelson May, Henry Mayer, Margaret McCarthy, June McKay, T. R. Metcalf, Jonathan Middlebrook, Anne Middleton, Keith Miller, Masdo Miyashi, Lynn Monsanto.

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Oscar Penanth, Alan Pistorius, Margaret Pollock, Dennis D. Porter, Carol Potter, Gardiner Potts, Ronald Pratt, Elaine Price, Roger Purves, Ron Rabin, Norman Rabkin, Ralph W. Rader, Margaret J. Radin, Ray Raphael, John Rasmussen, Edward Rechter, James Rieger, David Robbins.

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Enid Rokaw, William Romig, Eugene Rosenberg, Ronald Sederoff, Eli Sercarz, John Seward, Anthony Shermoen, John Snoke, E. G. Straus, D. Ian Thiermann, Bruce J. Turner, Kathy Watanabe, J. Richard Whittaker, Jerrel Wilkers, Mortan Wurtele, R. M. Yost, Jr., Irving Zabin, Patrice Joy Zamenhof.

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Secretary-Treasurer.
BELMONT, MASS.

[From the New York Times, Jan. 15, 1967]

LEADING AMERICAN AUTHORITIES ON INTERNATIONAL LAW REPLY TO THE PRESIDENT.—U.S. INTERVENTION IN VIETNAM IS ILLEGAL

The President, in his State of the Union Message, advanced as basic grounds for our involvement in Vietnam, our "commitment" under the SEATO Treaty, "aggression" by North Vietnam, and the Korean "precedent". These same grounds have been advanced by the Legal Adviser of the State Department in a detailed Memorandum, "The Legality of the U.S. Participation in the Defense of Vietnam", issued in March 1966—and more recently in an address to the University of Pittsburgh Law School on December 13. Ten days ago our Committee submitted to the Secretary of State a comprehensive 45,000-word Analysis prepared by its Consultative Council* demonstrating that the Administration's legal justification of U.S. involvement in Vietnam is based on misleading presentations of fact and unwarranted interpretations of law. Observance of the law would have spared the American people as well as the Vietnamese a cruel war. So that the American people may gauge the legality or illegality of our involvement in Vietnam, our Council's Analysis is summarized on this page in Points I to V—as briefly as is possible for a responsible understanding of the issues. Point III deals with the SEATO "commitment." Point I (1) deals with "aggression" by North Vietnam. Point I (5) deals with the Korean precedent. Other points deal with our commitments under the United Nations Charter, the 1954 Geneva

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Accords, and our own Constitution. At stake are not "legalisms".

At stake are the norms of behavior essential for world order. Therefore our government must, we plead, conduct its foreign relations in conformity with international law. We have requested the Senate Foreign Relations Committee to hold hearings on the legality of U.S. involvement in Vietnam. We urge your support.

Consonant with international law, and in support of Secretary General U Thant's peace plan, we urge the United States Government to take immediately the following specific steps:

1. *Unconditional* termination of bombings in North Vietnam.
2. Cooperate in replacing U.S. military forces with personnel of the International Control Commission which is legally responsible for supervising the execution of the 1954 Geneva Accords.
3. De-escalation of military operations in South Vietnam starting with the cessation of offensive operations.
4. Recognition of the National Liberation Front as possessing belligerent status, and hence negotiating status, equal to that of the Saigon regime.
5. Commitment to negotiate on the basis of the 1954 Geneva accords, including the withdrawal of all foreign military forces and the elimination of all foreign bases in South and North Vietnam within a specified period of time.

United States intervention in Vietnam constitutes a series of violations of the United Nations Charter and of other fundamental rules of international law governing the use of force in international relations.

The United States has a duty—embodied in our Constitution—to abide by general international law and by the treaty obligations it has freely and sovereignly accepted.

In the nuclear age, the survival of the United States and the world requires that we become again a nation "of laws and not of men," as truly in international affairs as in domestic life.

Therefore, we, the undersigned, call upon the United States Government to cease its present conduct and to heed the counsels of restraint prudently built into international law as protection against the ever-worsening scourge of war; we call upon the United States Congress without delay to exercise its prerogatives toward these ends; and we call upon fellow Americans and men and women everywhere to support this effort to promote the cause of peace.

POINT I—THE UNILATERAL MILITARY INTERVENTION OF THE UNITED STATES IN VIETNAM VIOLATES THE CHARTER OF THE UNITED NATIONS. THE CHARTER'S EXCEPTIONAL AUTHORIZATION OF INDIVIDUAL AND COLLECTIVE SELF-DEFENSE "IF AN ARMED ATTACK OCCURS AGAINST A MEMBER OF THE UNITED NATIONS" DOES NOT APPLY IN THE CASE OF VIETNAM

The Charter of the United Nations is a treaty that specifically obligates the United States (1) to refrain from the unilateral use or threat of force in international relations (Article 2(4)) and (2) to settle international disputes by peaceful means.

The Charter creates a very narrow exception to the broad prohibition of unilateral force. This exception (Article 51) affirms the "inherent right of individual or collective self-defense if an *armed attack* occurs against *a Member of the United Nations*. . . ."

The Department Brief seizes upon the word "inherent" to argue that prior to the adoption of the United Nations Charter, states possessed a broad right of self-defense; that this right is not diminished by Article 51. Hence, it argues, the exercise of this right of "collective self-defense" by the United States on behalf of South Vietnam is not inconsistent with the Charter.

This contention is fallacious for several reasons:

1. There has been no "armed attack" upon South Vietnam within the meaning of Article 51 of the Charter

The question crucial for world order is—What kind of grievance permits a state to act in "self-defense"?

The right of self-defense under the Charter exists only if an "armed attack" has occurred. The language of Article 51 is unequivocal. The concrete term "armed attack" was deliberately introduced into the Charter to eliminate the discretion of states to determine for themselves the scope of permissible self-defense—that is, to wage war without *prior* U.N. authorization. A claim for self-defense is permissible only "when the necessity for action is instant, overwhelming, and leaving no choice of means, and no moment for deliberation." This definition of self-defense was stated in classic form by Secretary of State Daniel Webster in the *Caroline Case,* (VII Moore's Digest of International Law, 919) and was affirmed in the Nuremberg judgment and by unanimous vote of the U.N. General Assembly at its First Session. Res. 95(1).

The State Department Memorandum acknowledges that a *specific* form of aggression, namely, an *"armed attack"* is an essential condition precedent to the use of force in self-defense, and that a mere allegation of indirect aggression does not entitle a state to wage war by unilateral discretion. However, the Memorandum blurs the essential distinction between the broad and vague *general* concept of aggression and the narrow one of armed attack. Evidently endeavoring to justify the U.S.'s open combat actions against North Vietnam and in South Vietnam which started on February 7, 1965, the State Department merely alleges the occurrence of an armed attack by North Vietnam "before February 1965," without providing a convincing demonstration of why its allegations about the gradual infiltration of North Vietnamese guerrillas over a period of ten years in support of the Vietcong insurgency should be regarded as an armed attack.

The Department Brief quotes selectively from the reports of the International Control Commission to support its claims of subversion and infiltration over the "years." It fails, however, to acknowledge passages in the reports of the ICC that criticize the forbidden, and progressively increasing, military build-up of South Vietnam by the United States that commenced almost immediately after the Geneva Accords of 1954. It is in the context of this gradually increasing American military build-up of South Vietnam and American military presence in South Vietnam that one must assess the contention that the infiltration of 40,000 North Vietnamese between 1954 and 1965 should be viewed as an armed attack.

The Department Brief itself provides the reasoning with which to reject its charge of "armed attack" by North Vietnam. The long-smoldering conditions of unrest, subversion and infiltration in South Vietnam that it describes is an example of the very opposite of an emergency demanding immediate response "leaving no choice of means, and no moment for deliberation" and justifying a claim of self-defense. The State Department's argument, if accepted, would broaden Article 51 far beyond either its intended or desirable meaning. Whereas the Charter limits the use of force, by unilateral decision to specific emergencies where there is no time to seek authorization from the Security Council, the State Department's doctrine would grant all states—and even "entities" which are not sovereign states—a dangerous and virtually unlimited discretion to decide when force shall be used. This is in clear contrast to the letter and spirit of the Charter.

The Department Brief does not even sustain its charge of indirect aggression, it indicates that prior to 1964 the "infiltrators" were South Vietnamese that had previously moved North after July 1954. Moreover, the lumping together of "40,000 armed and unarmed guerrillas" is not meaningful. How can an unarmed Vietnamese who moves from one zone of his country to another be classified as a "guerrilla" and "infiltrator", contributing to "armed attack"? Above all, the implication that by 1964 the Southern insurgents had been reinforced by 40,000 guerrillas from the North is altogether misleading; for this figure, even if correct, fails to deduct all those who during a whole decade died, became incapacitated; were taken prisoners, deserted, or simply withdrew from or never participated in the insurgency.

The Mansfield Report shows that before 1965 infiltration from the North, "was confined primarily to political cadres and military leadership." On the other hand it notes that by 1962, "United States military advisers and service forces in South Vietnam totaled approximately 10,000 men. The Report makes plain that significant armed personnel were introduced from the North only *after* the United States had intervened when "total collapse of the Saigon government's authority appeared imminent in the early months of 1965." It states (at p. 1):

"United States combat troops in strength arrived at that point in response to the appeal of the Saigon authorities. The Vietcong *counter-response* was to increase their military activity with forces strengthened by intensified local recruitment and infiltration of regular North Vietnamese troops. With the change in the composition of the opposing forces the character of the war also changed sharply." The Report (p. 3) underscores that significant forces from the North followed and did not precede the direct involvement of the United States.

To summarize this crucial point—self-defense is legally permissible only in response to a particularly grave, immediate emergency—described in international law and the Charter as "armed attack." The kind of force allegedly employed by North Vietnam in South Vietnam cannot appropriately be regarded as an "armed attack" within the meaning of Article 51. Therefore a claim to act in self-defense is unavailable to South Vietnam; and, *a fortiori,* unavailable to the United States as an ally acting in collective self-defense.

2. The United States failed to fulfill its charter obligation to seek a peaceful solution in Vietnam

The State Department also ignores the obligation under the Charter to seek *first of all* a peaceful solution by any method of the disputant's own choice, within or outside the machinery of the United Nations. This legal requirement is elaborated in Article 33(1): "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall *first of all,* seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

The United States has had many years within which to seek a peaceful solution of the Vietnam situation. Indeed, a report prepared for the American Friends Service Committee—"Peace in Vietnam"—discussing "The Negotiation Puzzle", points out that "a careful reading of the *New York Times* shows that the United States has rejected no fewer than seven efforts to negotiate an end to the war" (p. 51), citing efforts by U Thant, President de Gaulle, Hanoi and others, made long before the United States embarked upon an active combat role in February, 1965.

Ever since the mid-1950's the reports of the International Control Commission contain many complaints about South Vietnam's deliberate and systematic sabotage of the machinery created by the Geneva Accords to prevent dangerous developments. The United States has done little to dispel the belief that it has favored a "military solution" to the conflict in Vietnam.

3. *The doctrine of "collective self-defense" cannot justify the United States military intervention in the civil war in South Vietnam*

If the conflict in South Vietnam is a civil war the intervention of the United States is a violation of the undertaking, fundamental in international law, that one state has no right to intervene in the internal affairs of other countries.

It seems most correct to regard the present conflict in South Vietnam as essentially a civil war among, what James Reston has described a "tangle of competing individuals, regions, religions and sects . . . [among] a people who have been torn apart by war and dominated and exploited by Saigon for generations." (*New York Times*, April 3, 1966.)

The Charter of the United Nations is silent or the subject of civil war. It has been generally assumed, however, that a civil war is a matter essentially within the domestic jurisdiction of a state (Article 2(7)), and that therefore even the United Nations is obliged to refrain from intervening unless the civil war is identified by a competent organ of the U.N. as a threat to international peace. Certainly if the United Nations must stay aloof from civil wars, then it is even clearer that individual states are likewise obliged to refrain from interfering in civil wars. The weight of opinion among international lawyers lays stress upon a duty of non-intervention in ongoing civil wars.

Even if North Vietnam and South Vietnam are accorded the status of separate entities in international law, approximating the status of independent countries, rather than being "temporary zones" of a single country as decreed by the Geneva Accords, the United States may not respond to the intervention of North Vietnam in the civil war in the South by bombing the North. There is no legal basis for an outside state to respond to an intervention by another state in a civil war with a military attack on the territory of the intervening state. Neither Germany under Hitler nor Italy under Mussolini claimed that their intervention in behalf of Franco during the Spanish Civil War would have vindicated their use of military force upon the territory of the Soviet Union, a state intervening in behalf of the Loyalists. Correspondingly, the Soviet Union, intervening in behalf of Spain's legitimate government, did not claim any right to use military force against Germany or Italy. It is sobering to realize that if the United States was lawfully entitled to bomb North Vietnam in response to North Vietnam's intervention in the Southern civil war, then North Vietnam or any of its allies would have been lawfully entitled to bomb the United States in response to the United States' much more massive intervention in that civil war.

4. *The "request" of the "Government" of South Vietnam does not provide a legal basis for "collective self-defense."*

The evidence shows that in many respects the present Saigon regime, just as its predecessors since 1954, is a client government of the United States. These governments seem to have been incapable of independent action, as regards either inviting American assistance or requesting modification or termination of American assistance. Furthermore, these regimes have been unable to act on behalf of their people or even to rule effectively the territory under their control.

The present government has no constitutional basis, and is incapable even of achieving stability on its own side in the face of the emergency represented by the ongoing civil war, a factor that normally postpones protest movement until the civil war is settled. The recurring protests of Buddhists, Catholics, business leaders, students, intellectuals, and other civilian groups in South Vietnam are dramatic evidence of the tenuous existence and the repressive quality of Premier Ky's regime.

If the United States were to withdraw from South Vietnam the Ky government would collapse. In what sense, then, is such a regime sufficiently constituted as a government to authorize military intervention of the United States on its own behalf? It is hardly comforting to rely upon the Soviet suppression of the Nagy uprising of 1956 in Hungary as a useful precedent to support what the United States is doing in Vietnam on a far larger and sustained scale.

5. *The Korean precedent does not justify the unilateral intervention of the United States in Vietnam*

The State Department's reliance upon the Korean precedent to sustain "the right to organize collective defense" is inadequate to establish a legal basis for the unilateral U.S. military intervention in Vietnam. General Ridgway, among others, has pointed to some of the important differences between Korea and Vietnam (Look Magazine, April 5, 1966, p. 82):

"In South Korea, we had a workable government . . . We acted in concert with many nations and had been deputized by the United Nations to repel the aggressor in its name."

In Korea, a massive invasion (armed attack) from the North had occurred, as attested to by United Nations observers; nevertheless, the United States did not claim a right of "collective self-defense" on behalf of the South but brought the case before the United Nations Security Council, and thereafter acted in the name of the United Nations.

POINT II—THE MILITARY PRESENCE OF THE UNITED STATES IN VIETNAM VIOLATES THE GENEVA ACCORDS OF 1954

The State Department claims that the U.S. military intervention in Vietnam is compatible with the Geneva Accords of 1954 and, in fact, is based on U.S. assurances made at the time of their signing.

The Geneva Conference dealt with the situation created by the defeat of the French in their 8-year war against the Viet Minh for control over the whole of Vietnam. After the battle at Dien Bien Phu in June 1954, the Viet Minh occupied the major part of the country north of the thirteenth parallel. However, Ho Chi Minh agreed to withdraw his forces to the north of the seventeenth parallel in exchange for two central commitments: (1) the unconditional promise that all foreign military forces in Vietnam would be removed, and (2) that within two years elections would be held under international supervision to unify the country, so that the temporary division of Vietnam into a northern and southern zone would end by July 1956.

The United States pledged on July 21, 1954 not "to disturb" the Geneva Accords. Article 6 of the Final Declaration of the Geneva Conference explicitly stated that the military demarcation line is provisional and shall not in any way be interpreted as constituting a political or territorial boundary.

It is generally acknowledged that Hanoi initially carried out the central provisions of the Accords and eschewed violence south of the seventeenth parallel because it expected to win the elections and did not wish to alienate those whose electoral support it sought. (See, e.g., Fourth Interim Report of the International Control Commission, Vietnam No. 3, Command Paper 9654 [1954]). Nevertheless, on July 16, 1955, the Diem regime, with United States backing, announced that it would not participate in the prescribed nation-wide elections and would not even negotiate with Hanoi, as also prescribed in the Accords, about their modalities. The fact that the Accords granted Diem a full year (July 1955–July 1956) to demand any safeguards for fair elections refutes the State Department's assertion that Diem's obstruction of the central provision of the Geneva Settlement—reunification—was justified because the elections would not have been fair in the North.

As late as September 18, 1961, the International Control Commission (ICC) insisted upon compliance with the obligation to hold elections for reunification. In a Special Report of June 2, 1962, the ICC declared that the United States "increased military aid" to South Vietnam and that the United States' "factual military alliance" with South Vietnam violated the Geneva Agreement.

POINT III—THE UNITED STATES IS NOT COMMITTED BY THE SEATO TREATY OR OTHERWISE TO INTERVENE IN VIETNAM

The State Department's claim that the United States military involvement in Vietnam is in fulfillment of its obligation under the Southeast Asia Collective Defense Treaty is untenable. The argument is a late discovery. SEATO was not mentioned in the official U.S. announcements in February 1965, when the bombing of North Vietnam commenced. In March 1965, the State Department, in a Memorandum entitled "Legal Basis for the United States Actions Against North Vietnam," did not refer to SEATO. Neither Secretary of State Rusk, in an address on Vietnam before the American Society of International Law in April 1965, nor President Johnson, in a statement on July 28, 1965 explaining "Why We Are in Vietnam," made any reference to SEATO.

In fact, the SEATO Treaty does not enlarge the legal basis for the use of force contained in the U.N. Charter. The State Department misleadingly asserts that the Treaty's Article 4(1) creates an "*obligation* . . . to meet the common danger in the event of *armed aggression*". The term "*armed aggression*" is not contained in the Treaty. Repeating the language of the U.N. Charter, Article 4(1), speaks of "aggression by means of *armed attack*." Since an armed attack has not occurred, SEATO does not authorize defensive action; if an armed attack *had* occurred, SEATO would be redundant, as the use of force would be permissible under Article 51 of the Charter.

In the event of an "armed attack" the United States would have had, at most, the legal *right*, but certainly not an *obligation*, to assist South Vietnam. None of the other SEATO parties regard military intervention in Vietnam as legally required by SEATO. On the contrary, two leading members of SEATO—Pakistan and France—have publicly denounced the United States' role in the Vietnam war.

Article 4 (2) of the SEATO Treaty makes clear that if South Vietnam were threatened "in any way *other* than by armed attack," the (SEATO) parties "shall consult immediately in order to agree on the measures which should be taken for the common defense." And Article 2 of the Treaty makes clear that "subversive activities directed from without" does *not* constitute "an armed attack," but call for consultation by the treaty members. *Consultation* is not unilateral military assistance. Indeed, the Treaty presupposes unanimous *agreement* among the other seven partners before any SEATO power would be authorized to offer military support. In 1964, the unanimity requirement was reinterpreted by the United States to mean that "measures" could be taken in the absence of a dissenting vote among the SEATO partners.

As regards "commitments" of former Presidents, the Department Brief fails to point out that President Eisenhower initially offered limited *economic* aid to the Diem regime if it would be "prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied," and only on condition that the American "aid will be met by performance on the part of the Government of

Vietnam in undertaking needed reforms." (Department of State Bulletin XXXI, November 15, 1954, pp. 735–736). President Eisenhower has stated categorically that his Administration had made no commitment to South Vietnam "in terms of military support or programs whatsoever."

President Kennedy insisted that the war in Vietnam was "their war" and promised only equipment and military advisers. His view of the United States involvement in Vietnam was summed up in the statement he made in September 1963:

"In the final analyses, it's their war. They're the ones who have to win or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it, the people of Vietnam."

It is strange legal logic retrospectively to construe these carefully guarded offers of limited assistance as commitments for military intervention.

POINT IV—THE INTENSITY AND DESTRUCTIVENESS OF UNITED STATES WARFARE IN VIETNAM IS CONTRARY TO INTERNATIONAL LAW

The intensity, indiscriminateness, and destructiveness of United States war actions in Vietnam violate basic rules of warfare that have been part of international law at least since the formulation of the Hague Conventions in 1907.

These actions are particularly reprehensible so far as North Vietnam is concerned. It has never been denied that the United States military presence vastly exceeds that of the North in South Vietnam. Under the Geneva Accords, the United States is not entitled to introduce military personnel and equipment anywhere in Vietnam (except man-for-man and piece-for-piece replacements as of the status of July 1954) and much less to participate in active fighting in that country. Even if, as the Department Brief contends, reprisal or response to violations of the Geneva Accords by North Vietnam were justified, the United States would be entitled to disregard these Accords only in proportion to their disregard by North Vietnam.

Long before the advent of the United Nations, it was a basic rule of international law that force used in reprisal must be proportional to the illegal provocation. In the leading case of the pre-United Nations era on the subject (the *Naulilaa Incident*, involving the shelling of Portuguese forts by Germany in 1914), a German-Portuguese Mixed Tribunal emphasized that reprisals "are limited by considerations of humanity and good faith"; and more generally, that, "One should certainly consider as excessive, and therefore illegal, reprisals out of all proportion with the act which motivated them." Bombing North Vietnam, as of February, 1965, in alleged reprisal for Vietcong attacks on two American airbases in South Vietnam, certainly seems to flaunt this rule of proportionality.

POINT V—UNITED STATES ACTIONS IN VIETNAM VIOLATE TREATIES WHICH ARE PART OF THE SUPREME LAW OF THE LAND, AND HENCE VIOLATE THE UNITED STATES CONSTITUTION

Since United States actions in South Vietnam and North Vietnam violate treaties to which the United States has become a party by ratification pursuant to the Constitution, they violate the Supreme Law of the Land. No branch of the Government, alone or together, may, under the Constitution, authorize actions in violation of treaties or delegate power to do so. There is no Constitutional authority to violate the Charter of the United Nations, a treaty of which the United States was a principal architect, which embodies the conscience of mankind, and which is legally binding on all its members.

The reliance of the Department Brief upon alleged past precedents as applicable to the Vietnam situation is wholly unfounded, and the assertion that, since 1789, Presidents have at least 125 times ordered "armed forces to take action or maintain positions without prior Congressional authorization" is misleading. None of these incidents, except possibly the Korean conflict, involved U.S. war actions comparable in magnitude to those in Vietnam. None involved the dispatch of military forces for combat to a territory from which, by solemn international compact, foreign military personnel, foreign equipment, and foreign bases were to be excluded. Moreover, most of these instances were the product of "gunboat diplomacy" undertaken before the United Nations Charter limited the permissible use of force under international law to self-defense against an armed attack.

The Korean precedent is especially inapposite, as President Truman's actions were authorized by a Security Council Resolution, and were not unilaterally undertaken as are the actions in Vietnam.

We petition the Congress to adopt the council's 5 point program and thus, by adhering to the precepts of international law, help to bring peace to our country and to Vietnam.

The signers of this statement agree with its general tenor and conclusions, although not necessarily with every formulation that it contains. Names of institutions are listed for identification only.

LAWYERS COMMITTEE ON AMERICAN POLICY TOWARDS VIETNAM,
WILLIAM L. STANDARD, *Chairman*,
CAREY MCWILLIAMS, *Vice Chairman*.
JOSEPH H. CROWN, *Secretary-Treasurer*.

[From the New York Times, Jan. 16, 1967]

BOMBING HALT URGED BY 462 ON YALE FACULTY

NEW HAVEN, January 15.—A letter signed by 462 members of the Yale University faculty was mailed last night to President Johnson urging "most respectfully" that the United States "declare an unconditional halt to the bombing of North Vietnam."

The letter, which circulated among Yale faculty members during the week, included signatures by 15 department chairmen, the university chaplain, the university librarian and the deans of the Schools of Medicine, Law, Divinity, Nursing and Drama.

Typed in four paragraphs, the letter identified the signers as "members of the Yale faculty," but a spokesman for the signers said they "by no means purport to represent the position of the university." The signers were listed in alphabetical order, without rank or department.

TEXT OF LETTER

The text of the letter follows:

"The signers of this letter, members of the Yale faculty, write to urge most respectfully that you declare an unconditional halt to the bombing of North Vietnam.

"We are aware of the difficulties this decision entails for you. We recognize that you must assess important military and political risks before you can make such a move.

"But we believe we speak for men of goodwill everywhere in the world when we urge you to consider that now the potential benefits outweigh the risks, and that the gamble is a necessary one.

"We are very much strengthened in this view by the events of the last few days, particularly U Thant's growing conviction that the cessation of bombing is the necessary key to the opening of peace talks, and Pham Van Dong's interview with Harrison Salisbury in which a new flexibility seems to have been indicated.

"We know that you are as anxious for peace as the rest of us and we fervently hope you'll agree that the cessation of bombing is now essential for the achievement of that peace."

Mr. Thant, Secretary General of the United Nations, was reported on Jan. 4 to have completed two weeks of intensive secret diplomacy. He was reported as having hopes, based on what were described as hard fact, of a positive response from North Vietnam to negotiations if the United States unconditionally ended the bombing.

QUOTE BY DONG

In that same day's editions of The New York Times, Harrison Salisbury, an assistant managing editor of The Times, quoted Premier Dong as having said in an interview in Hanoi.

"The moment the United States puts an end to the war, we will respect each other and settle every question."

The signers of the letter included the following:

Prof. Paul Weiss of the philosophy department and copresident of the American Philosophical Association.

Prof. Robert A. Dahl of the political science department and president of the American Political Science Association.

Prof. Samuel Ritvo of the psychiatry department and president of the American Psychoanalytic Association.

William S. Coffin Jr., university chaplain.

Dr. Vernon W. Lippard, dean of the Yale Medical School.

Louis H. Pollak, dean of the Yale Law School.

Robert C. Johnson, dean of the Yale Divinity School.

Mrs. Florence S. Wald, dean of the Yale School of Nursing.

Robert S. Brunstein, dean of the Yale School of Drama.

Prof. John Morton Blum, history department chairman.

Prof. George A. Schrader Jr., philosophy department chairman.

Roy A. Miller, chairman of the department of East and South Asian languages.

Dr. Frederick C. Redlich, psychiatry department chairman.

Dr. Philip K. Bondy, chairman of the internal medicine department.

Dr. Charles D. Cook, pediatrics department chairman.

Dr. Carlton C. Hunt, physiology department chairman.

Prof. Nathan Jacobson, mathematics department chairman.

Prof. Maynard Mack, English department chairman.

Prof. Victor Erlich, chairman of the department of Slavic languages and literature.

Associate Prof. Robert L. Herbert, chairman of the art history department.

Prof. Jack Tworkov, art department chairman.

Prof. John Rodgers, geology department chairman and editor of the American Journal of Science.

Prof. Christopher Tunnard, acting chairman of the city planning department.

Prof. Eric A. Havelock, classics department chairman.

[From Progressive, January 1967]

RETREAT AT HOME

Two news reports in the last weeks of 1966 illuminated the road the United States can be expected to travel in 1967. The first was the announcement by President Johnson that he was canceling or deferring $5.3 billion worth of domestic programs in the current fiscal year. The second was the disclosure by the Chief Executive that the war in Vietnam will require—and get—in the current fiscal year $9 to $10 billion more than was estimated last January.

Even before it was known precisely where the axe would fall on needed programs at home, it had become clear that the first casualty of the distorted emphasis on the war in Vietnam would be "the other war"—the war on poverty here in the United States.

On March 16, 1964, President Johnson sent a memorable message to Congress summoning it to join him in declaring war on poverty. This challenge, he declared, is the "great unfinished work" of "the richest and most fortunate nation in the history of the world." Between thirty and forty million Americans—one fifth of the nation—he told Congress and the country, still live on the ragged edge of subsistence with little or no opportunity to break out of their hopeless plight.

"This program," the President emphasized, "is much more than a beginning. Rather it is a commitment. *It is a total commitment* by this President and this Congress, and this nation, to pursue victory over the most ancient of mankind's enemies." (Emphasis added.)

Now, less than three years later, the "total commitment" has become a tragic retreat. It started early in 1966 when President Johnson proposed to appropriate little more than half the amount that the Office of Economic Opportunity, which administers the war on poverty, had hoped to get. "Because of Vietnam, we cannot do all that we should or all that we would like to," said Sargent Shriver, director of the OEO, in the philosophical language of a loyal member of the Administration team.

The next backward step came in the closing weeks of the Eighty-ninth Congress last fall when that body cut the President's modest request and seriously diluted the community action program, which is the heart of the anti-poverty program. During the struggle on Capitol Hill, President Johnson seemed indifferent to the fate of the vital appropriation and made no effort to come to the rescue of the embattle OEO.

The results of Congressional action and White House neglect were recently revealed to the nation by Shriver, whose team spirit wilted understandably under the impact of the blow from some members of the team.

"Congressional action has curtailed the war on poverty in 1,000 communities . . . for fiscal 1967," he said. "And hundreds of additional communities, especially in rural America, will be unable to join the battle.

"The poor will feel they have been shortchanged. They will feel they have been double-crossed. The poor will feel that democracy is only for the rich. The impact will be especially harsh on those cities which were able to organize themselves early and which now have successful, ongoing programs."

Shriver had hardly finished his unprecedented expression of dismay over the crippling blows struck by Congress when the axe fell again. This time it was wielded in person by the architect of the "total commitment" to wage war on poverty. President Johnson announced that the twice reduced budget of OEO would be further reduced for this fiscal year. He ordered a $32 million program reduction and "deferment" of an additional $100 million.

This hacking away at the only-too-modest appropriation for the war on poverty is all the more tragic because it comes even before new, and presumably more conservative, Congress convenes. Certainly if the Administration itself reneges on its commitments to OEO, it can hardly hope for enlightened funding of the program from the coalition of conservative Republicans and Dixie Democrats that hopes to rule the House of Representatives during the next two years.

Nobody contends, as far as we know, that the war on poverty is a perfect operation. The original legislation was faulty in some respects. Its administrators have made mistakes, some serious. But the program deserves a far better fate than starvation by degrees. It deserves a chance to prove itself, and this it has not had. Considering its brief existence and pitifully inadequate funds, it must be reckoned a significantly hopeful beginning—if for no other reason than the fact that it is the first serious attempt by our government to make available to the poor something more hopeful and meaningful than a permanent welfare check.

The cut in funds for the war on poverty at the very moment that the Administration is planning to demand billions more for the endless war in Vietnam reminds us that it was less than a year ago that Mr. Johnson assured the nation no such choice between guns and butter would be necessary—and if by any chance it were, it would not be the poor who were sacrificed.

"This nation is mighty enough," the President asserted in his state of the Union message last January, "its society is healthy enough, its people are strong enough to pursue our goal in the rest of the world while still building a Great Society here at home." He scolded those who demanded more guns and less butter. "Whom will they sacrifice?" the President asked. "Will they sacrifice . . . opportunity for the distressed . . . the hope of our poor? . . . In the name of justice, let them call for the contribution of those who live in the fullness of our blessing, rather than strip it from the hands of those in need."

The harsh realities of January, 1967, stand in dismal contrast to the stirring rhetoric of January, 1966. The leader who cried out against sacrificing "the hope of our poor" seems bent on doing precisely that as he becomes obsessively involved in the war in Vietnam and ignores the other war at home.

Unless Mr. Johnson reverses his present role, unless, as Washington columnist Charles Bartlett put it, "he wraps a strong, protective arm around" the anti-poverty program, it will be starved by budget reductions and devoured by its enemies in the new Congress.

The President, it seems to us, should not only stop his post-election pursuit of consensus with the conservative, penny-pinching, budget-slashing Dirksen-Ford leadership in the Republican camp. He should also reread and rediscover—and perhaps believe again—the eloquent appeals to build the Great Society which only yesterday dominated his finest speeches. If he does this, he will come out fighting as the new Congress convenes—fighting for the social programs he has insisted he believes in but has lately placed in the greatest peril. If he chooses the other course—collaboration and compromise with the conservative Republican leadership in its commitment to a false economy—Mr. Johnson, we believe, will destroy the all-too-fragile foundations of his Great Society and place his own political future in even graver jeopardy than it is now.

INAUGURAL ADDRESS DELIVERED BY DR. PAUL W. COOK, JR., 10TH PRESIDENT OF WABASH COLLEGE

Mr. BAYH. Mr. President, on December 3, 1966, Dr. Paul W. Cook, Jr., was inaugurated as the 10th president of Wabash College. Although this outstanding liberal arts college, which is located in Crawfordsville, Ind., was founded in 1832, during the first 134 years of its existence only nine persons had served it as president.

For more than a century Wabash has been recognized as one of the leading undergraduate institutions of its type in the Nation. Although comparatively small in size, this private liberal arts college has always strived to provide the highest quality education possible for its all-male student body. In recent years sizable financial support from private foundations, alumni and friends, has enabled it to attract eminent scholars to its faculty, to construct new, more modern facilities, to revise and experiment with its curriculum, and to greatly expand its scholarship and financial aid programs. Wabash College has been rightly proud of its devoted faculty, its excellent study body, and its distinguished alumni.

At his inauguration, Dr. Cook spoke eloquently about the role of and prospects for the small, independent college in the United States. His analysis of the problems to be faced by and the values to be found in institutions of this type is worthy of widespread attention. In view of its significance I ask unanimous consent that Dr. Cook's inaugural address be printed in full in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

ADDRESS BY DR. PAUL W. COOK, JR., ON THE OCCASION OF HIS INAUGURATION AS THE 10TH PRESIDENT OF WABASH COLLEGE, CRAWFORDSVILLE, IND., DECEMBER 3, 1966

Mr. President, Members of the Board of Trustees, Faculty, Honored Guests—Thank you for your kind and inspiring words. I accept your charge with total personal commitment; that is easy, it envelops me, I could not do otherwise. I also accept with complete intellectual conviction the idea that Wabash College will prosper, will grow in significance and reputation, and will come to be more cherished not only by its immediate family but by all who benefit from its being what it is. This is not to forecast that I will be a great president, but to reply to those who, noting that I am forty years old, might say that I was to be the "tenth and last president of Wabash College."

There are many thoughtful people who say the private liberal arts colleges, with only a few exceptions, will not survive my generation. Some say that, with our limited curricula, we will not be able to attract good students, an idea which no facts that I have seen will support. The best students are too smart for that; they want to go to the school that offers the best total experience, so long as they are convinced their education will not suffer.

Their education will not suffer, though these same people may say a small college cannot offer a quality education. Perhaps they don't know that we can start a student as high as his Advanced Placement scores permit and can let him run as far as he can go. If a program needs tailoring to meet an exceptional need, in a good small college it just happens in the ordinary course of events. If they looked at a Wabash graduating class, they would see many who came as students and are leaving as respected associates, having acquired a great many things other than their specialty along the way.

Some say we won't be able to attract and hold good faculty. Perhaps they cannot imagine a faculty of scholarly distinction that is also devoted to a school; they should meet the Wabash faculty.

What the faculty question boils down to is a question of resources, since there is a limit to the sacrifice a professor can impose upon his family in order to work where his satisfactions are greatest. On the question of resources, Wabash has been much blessed. Following World War II, which for Wabash was simply an extension of the Great Depression, our Board of Trustees acted with raw courage and the confidence that a job well done would find support. The job was well done, the support was forthcoming, and through the years, pure nerve could yield somewhat to reasoned expectation and conscious planning, with the result that our plant is nearly complete and our academic programs are strong. I hope those who took part in this great venture feel in their hearts the satisfaction they have so amply earned.

Despite our many blessings and our relative strength, let there be no doubt that these are extremely competitive and difficult times for all private colleges, including Wabash. All of them, and especially those west of the Appalachians, are caught between the hammer of the low charges at state schools and the anvil of costs that are rising faster than family incomes. The inundation of students is the root of the problem, since it has caused a shortage of qualified teachers which will persist through the next decade. Since the private colleges traditionally hope to keep the ratio of students to faculty relatively low, the pressure on them will be relatively high.

Programs aimed at helping serve all too often to make matters far worse for the colleges rather than better. Since the supply of teachers is limited, a great deal of the money is simply directed toward moving people doing the same sort of work from one institution and grant to another, or from teaching into research, or from undergraduate teaching into graduate schools. This is not the first time the government has entered into competition with itself, causing a tight little inflationary spiral, and producing unintended consequences. It is, on the whole, a better time to be a professor than to be a president.

Of course, there is no malice in anyone's heart, but my lawyer friends tell me that the word "intent" refers not to a state of mind but to the logical consequences of a course of action. Certainly an organization is presumed to have intended the results that its actions produce. In that sense of the word, we must conclude that there are massive forces at work in American society that intend to put the small private colleges out of business. If that puts the matter perhaps too strongly, I hope that it is at least and at last clear.

We are entering a decisive decade for private education in general and Wabash in particular. It is the world of Alice and the White Queen, where we will have to run faster than ever before simply to stay where we are, and to stay where we are is not good enough.

For me and for Wabash, this is more a matter of concern than outright worry. It vexes and challenges, but does not produce pessimism or despair. One major reason is that the men of Wabash have never quit fighting yet, they have never run from any competition. Just as in darker days in our history, they and others will see the value of an institution that not only does its educational job well but produces such spirit. When devotion and dedication are mixed together with quality, most people know that there is something there that is worthy of support. I unfortunately cannot answer for all small colleges, for each must find its own way. For Wabash, however, there will be an answer.

But, why? What is the genius of the place that generates for it the determination, the enthusiasm, the will, and, I am convinced, the ability not merely to survive a hazardous future, but to shine more brightly than ever before?

One answer is its history. We celebrate December 3 as Founders Day, for it was 134 years ago today that Wabash had its beginnings as an expression of faith in education held by men of faith in God. Curiously, though Presbyterian through and through, it was not church related. The young State of Indiana apparently feared the combining of secular and religious institutions; perhaps Hanover, founded some five years before, presented something of a menace at the time. So from its earliest beginnings, Wabash was as much on its own as any college could be, which meant it drew its support only from those who had personal knowledge of it and had made a personal commitment to it.

Wabash has always been blessed by a committed and informed community of teachers, students and friends dedicated to its excellence, through the happy accident of history which left it orphaned with no other resources and no other masters. It gained from what it lacked, because its support, its leadership and its distinctive character from the beginning were wholly derived from the personal conviction that it was important for itself, that it must be preserved and cherished, and that to serve it was an act of service to a society that needed it. Wabash does not hold and has never held the idea that a private college was a place of sanctuary for a privileged class. Quite to the contrary, it is now what it has always been, a college dedicated to serving society through the good that young men of character and high aspirations and abilities can do. We do not exist simply to broaden our students' opportunities or to reward their special graces. We exist to secure from them their best, not for themselves alone, but for the sake of the future of their world.

This ethic, infused into faculty and students alike, produced early what seems to be still the college's outstanding characteristic—a spirited, bullheaded, proud, indeed occasionally arrogant insistence on its own integrity, worth and independence. Wabash is, and has always been in the eyes of those associated with it, a unique and important agency for the service of a high calling, an end beyond one's self.

Social psychologists would undoubtedly add a number of other things that act to build distinctive spirit of the College. Men's colleges for a number of complex reasons seem to breed this outlook. Also, any institution prospering in active competition on all fronts with bigger, better publicized, and in many ways more powerful rivals tends to exhibit the same characteristics. Lastly we cannot forget the imprint of great individual personalities, dedicated men, so numerous that none can be mentioned without slighting many; however, I am sure all of them would want me to say that Wabash shaped them as much as they shaped it.

So we have dedication and a high purpose; is that enough? Does cold reason say that a college that admits 250 freshmen in a country whose colleges and universities admit 1.5 million can't amount to enough to be worth the trouble it will take?

It can be significant and indeed the chances of significance would decline if Wabash or the other small colleges were to get substantially larger. We must work hard to stay small, work hard because it is more difficult to do that than to grow. I base my belief in our significance on a belief in the leverage of leadership, the belief that a few individuals of character, with a sense of dedication and responsibility and armed with an education of highest quality can have immense impact. Similarly, I believe that a college that leads, that holds to a sound principle and sets an example, can have significance far beyond its size. Finally, I conclude, and this from eleven years' experience being charged with the job of training men for responsible leadership, that the historic mission of the liberal arts colleges, that of training responsible leaders and developing men of character, has its greatest chance of success in small college setting.

There is so much that is obvious here that it is difficult to believe it is so often forgotten. Perhaps people worry so much about the minutes when a student may be acting like an irresponsible boy that they forget the weeks and months when he is acting like a mature and dedicated man. I know many people worry far too much about what is said to students and have far too much confidence in its effectiveness for good or evil. There are many finer points, but the basic truth is simple. Men develop a sense of responsibility when they are required by their situation to bear responsibility. They acquire character when they are placed in situations that require character of them. They learn organization and leadership when they are in situations where they must organize and lead, not when they sit and listen to leaders paraded before them for their benefit. They acquire moral values when they learn that they cannot live effective lives without them.

Of course, the educational programs must reflect these truths, but that is only the beginning. At Wabash, as at similar schools, there is no mass, no student proletariat, where they can sink or must be sunk in anonymity. There are more positions requiring responsible student participation than there are students; they must double up and accept more than one. The pressures to participate on the young man who is academically only average or below is many times that in larger schools, which after all still have only one newspaper, one national debate team, one glee club, one band, one intercollegiate team in each sport, one theater group, and so forth, and increasingly fewer opportunities to take part in student government or in the leadership of small scale, autonomous living units which have important social and, at least here, educational functions. Our relatively low rate of student failures is due in substantial part to their concern for academic performance. In such a situation a man may observe less, but he does more. His satisfactions are not vicarious, but lie in his accomplishments. Even if he were to learn nothing of a substantive nature from the experience, which is highly unlikely, he develops as a man. To speak of such experiences as being merely extracurricular, as if they were entertainment of some kind, seems wholly to miss the point.

To this, of course, must be added the intimacy of contact between faculty and students that such a setting permits. We still believe the teacher should be in the classroom with his students. Indeed there should be times, perhaps once or twice in a student's career, when the professor's head should be about twelve inches away and his speech should be both loud and very much to the point. More than that, he should be capable of inspiring, both as a teacher and as a man. His heart, his home, his office and his mind should be open to his students. He should have neither so many colleagues nor so many courses or projects that all his interests are absorbed, leaving neither time nor energy for students as individuals. He is not just a fountain of knowledge, he is a "fisher of men."

These are old-fashioned virtues. They can be implemented; we can and will make more of them. They do not, however, lend themselves to the efficient handling of large numbers. They are expensive. They cannot be presented as projects or innovations which have appeal to sources of outside support, although the mere act of preserving them seems more radical each day.

They are however right, and we are very stubborn when it comes to doing things right. They are right because the concern for the total individual, the concern for the development of his own, unique, distinctive individuality, is the single foremost lesson that the liberal arts of the Western World have taught us. Without that concern, a student is an object, a number, something to be processed and passed on. No idea could be more alien to our tradition.

I focus on the opportunity for personal development only because I believe that the other main business of undergraduate education, that of simply informing the young, can be a virtual stand-off. Some things a good small school can do better, other things a good big school can do better; certainly both can achieve academic excellence. Undoubtedly some students of equal intellectual qualifications but different personalities should go to one and some to the other. We gain much in this country from having educational institutions that are almost as diverse as the students attending them.

The proposition is, however, quite simply stated; with the student and his educational advantages being equal, and I certainly would not settle for less than that, who do the odds favor to make the most useful, fulfilled, responsible and contributing citizen? Who will make best use of what he has learned? Who do the odds favor to work easily with others without losing himself? Who do the odds favor to have the stability, the drive and the fortitude to persevere, not to be thrown by life's inevitable disappointments or frustrations?

These things are not learned in classrooms, though they may be reinforced there. They do emerge from the total experience of a good liberal arts curriculum in a small college setting. They are what the liberal arts are all about, for without a synthesis in the personality and the work and life-style of an educated man, the liberal arts are nothing but a miscellany of subject matter. A really good educational experience scars the psyche, it marks the man for life.

The economics of small scale education may be against us; the idea that an educational experience is only acquisition of knowledge, a form of social and private capital to be received like an injection, may be against us; the sheer weight of the numbers of people who must have more knowledge than they can gain in high schools has released forces that work against us. But if the small colleges should fall before these pressures, it could only mean we no longer cared about the development of the total individual personality which once we held so sacred. Were that to happen, not just the liberal arts colleges but the liberal arts themselves would be truly dead, a business for scribes.

Those who know Wabash know better; if they did not already know better, Wabash has taught them so. They are marked for life. The men of Wabash will not break faith with the humane tradition or with their history. We will be relentless in our pursuit of excellence. We will continue to develop men to lead and to serve. We will not compromise our sense of high purpose. We will do whatever we have to do to achieve our goal, not for ourselves, but for the greater benefit of mankind.

Mr. President, I accept your charge, humble in the knowledge that this is a great college made by great men, inspired by their example, and with the full faith of my heart and the full conviction of my mind.

PRELIMINARY REPORT ON TRIP TO THE FAR EAST AND MIDDLE EAST

Mr. SYMINGTON. Mr. President, upon my return to the United States the first part of this month, at a news conference on January 6, I gave impressions of my trip to the Far East and Middle East. I ask unanimous consent that an article written by John Cauley with respect to this news conference, and published in the Kansas City Star, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Kansas City Star, Jan. 7, 1967]

SHIFT IN VIEW: MISSOURI SENATOR RETURNS FROM SOUTHEAST ASIAN TRIP

(By John R. Cauley)

WASHINGTON.—Sen. Stuart Symington (D-Mo.) said yesterday that he was now more favorably inclined toward a political settlement for ending the war in Vietnam than he was a year ago.

Symington, who returned Thursday from a trip to Southeast Asia, also said that "this is going to be a long and expensive war. I am not as optimistic on the long pull as I was last year."

CHOICE IN 1966

In 1966, Symington said that the United States should either move forward or get out of Vietnam.

At a news conference the senator said he still felt this way but that "the monetary situation and other problems have increased my desire for a political settlement more so than before, if it can be arranged on a proper basis. This should be given serious study.

"The war looks to me like a long drawn out effort, very expensive, and it is difficult to see how it can be terminated in any way in a short period of time.

In Vietnam, Symington conferred with embassy officials, American military commanders and visited many areas of the country.

The United States is not attacking meaningful military targets in the North "as much as I would like to see," Symington said, and that there had been "no outstanding success" in stopping the infiltration of Communists into the South by bombing raids.

"The number of troops coming down from the North today is considerably greater than we were told last year would be coming down at this time," Symington said.

DOES NOT ELABORATE

The senator declined to elaborate on what precise steps he would suggest to obtain a political settlement.

Asked if the United States was winning the war in Vietnam, Symington said that this was difficult to answer. He explained that American troops now were more successful on the ground in daytime than they were in the past but that there still remained the problem of handling the guerrillas at night.

To a question as to whether he would advocate strategic bombing of the North, Symington replied "If you hit more meaningful military targets you would make certain of less infiltration from the North to the South.

"But whether the reaction in some other countries would make it detrimental to do so, that's another matter."

In citing the possible reaction of "other countries" Symington obviously was including Red China.

BACKS AIR POWER USE

Symington, the first secretary of the Air Force and now the only member of the Senate who is on both the foreign relations and armed services committees, stoutly defended the use of air power in Vietnam.

He said that the American military commanders there told him they could not possibly do as much on the ground as they were doing without the support of aircraft.

Asked whether a bombing lull might contribute to peace negotiations, Symington said that he was in Vietnam last year during the lull and that there was a great deal of conviction then that we were getting little out of the pause and that the Communists were benefiting from it.

"We will be under just as much criticism for bombing trucks and roads in the North as we would be for hitting more meaningful targets," Symington said.

Asked what he thought of the proposal of Senator Mansfield to seal off South Vietnam, Symington said the American military leaders in Vietnam were opposed to it.

TOO MANY REQUIRED

"A seal-off would require tens of thousands of additional troops," Symington said.

Senator Mansfield said yesterday he believes "the opening has been enlarged" for possible negotiations to end the war in Vietnam.

But Senator Everett M. Dirksen of Illinois said in a separate interview there have been "no hard evidence and no firm clues" that Hanoi wants to negotiate.

Mansfield said he believed the "great degree of flexibility" President Johnson gave U Thant, the U.N. secretary-general, in seeking peace negotiations might already be paying off.

But Dirksen said "nothing has come from that quarter that I can see to raise any new hopes."

EFFECTIVE FIREARMS CONTROLS—EDITORIALS

Mr. DODD. Mr. President, I ask unanimous consent to insert into the Record at this point editorial material on the need for Congress to enact effective firearms controls. These two articles, the lead story in the January edition of Reader's Digest and a strong editorial from the January 13 issue of Life magazine, represent the views of important segments of the American press on the need for the kind of laws Congress has been attempting to adopt for the third consecutive Congress.

These articles are concise and exhibit an unusual insight into the problem of crime. The publishers should be commended for the service they have rendered the public in focusing attention on the toll of innocent victims killed by guns, a toll which exceeds by three times that of our servicemen lost in Vietnam.

Mr. President, I commend these articles to the attention of my colleagues as they consider the Senate bill 1, which I recently introduced to amend the Federal Firearms Act.

There being no objection, the matters were ordered to be printed in the Record, as follows:

[From Life, Jan. 13, 1967]

WHO NEEDS AN ANTITANK GUN?

Nearly five thousand Americans died in Vietnam last year—the expectable result of a shooting war. Here at home, more than three times as many people were shot to death—many of them victims of a traffic in guns that is unregulated by even the most basic of safeguards—any child, maniac or parolee can buy a gun about as easily as a pack of flower seeds.

Each year a million weapons come flooding into this country—outmoded relics of every military action from the Crimea to Korea. Here the guns are frequently advertised in the sleaziest of the pulp and girlie magazines, with promises of warped fulfillment in owning a Japanese Nambu 8-mm automatic—"the gun that won the Far East"—or "the acme of all German ordnance. The original Bazooka used by German troops to smash American-British forces all over Europe."

Any village idiot, or a Lee Harvey Oswald, can order such a weapon—and have it delivered by an express company even in those states or cities that have laws restricting the purchase of weapons. As long as there is no effective federal law limiting the interstate shipment of everything from derringers to bazookas, state and local laws are useless. In a recent study Chicago police were able to trace the destinations of 4,000 "mail-order" weapons. They found that 23% of them had gone to purchasers with criminal records ranging from murder to sexual molestation.

Gun nuts justify the sale of surplus 20-mm antitank guns as a constitutional right. They base their case on Article Two of the Bill of Rights, but quote just half the sentence, " . . . the right of the people to keep and bear Arms, shall not be infringed." The Supreme Court has long held that right to be a collective one, reflecting the first words of Article Two, "A well regulated Militia, being necessary to the security of a free State. . . ."

Polls have consistently shown that over two thirds of all Americans want some form of control over the gun trade. But that majority of Americans so far has not had its way because Congress chooses to listen instead to the vocal minority which opposes any real controls. Speaking most forcefully through the National Rifle Association, the gun buffs have lobbied to death every attempt at a sensible bill.

We need a federal law that will:

Ban the sale of surplus monstrosities, the bazookas, grenade launchers and anti-tank guns for which no citizen can have a conceivable need.

Ban the interstate sale of weapons to minors.

Require any mail-order purchaser to file a notarized affidavit that his order does not violate the laws of his own state or locality—and include the name of his principal local police official. Delivery of the weapon then would be delayed until the dealer has returned a copy of the order to the named police official and he in turn clears it.

None of these restrictions would hinder the legitimate hunter or target shooter. But they would make it possible for states and localities to frame meaningful regulations that could not be circumvented with a coupon and a five-cent stamp.

The hearings have been held, the statistics are known. The Congress has a duty to pass a strong firearm control bill. It could literally be a lifesaver for some of the 17,000 Americans who otherwise will lose their lives to guns this year.

[From Reader's Digest, January 1967]

We Need a Firearms-Control Law—Now

(By Alan Barth)

The toll of death by shooting is mounting steadily. Whether the deaths are accidental, calculated or the result of psychopathic rages, the lesson is the same:

Guns have played a dramatic role in American history. They armed the Minutemen who won American independence; they are intimately associated with the winning of the West and the expansion of our nation's frontier. But for most Americans living in today's crowded cities, the frontier has become part of the national folklore, and the indiscriminate possession of firearms has become a threat to their very lives.

More than 100,000 U.S. civilians were shot during 1966. About 17,000 of these shootings proved fatal. Each year guns figure in some 25,000 aggravated assaults and about 60,000 robberies. They are used to commit more than half of the nearly 10,000 annual murders. Moreover, the trend of casualties is consistently upward.

The United States is one of the few advanced countries to permit an almost wholly unregulated proliferation of firearms. Except for some local restrictions—made ineffectual by mail-order houses and by laxity in neighboring states or counties—firearms are available to anyone who can pay for them, including responsible sportsmen, fools, hopheads, drunks, thugs, children, burglars, homicidal maniacs, angry spouses, and persons who feel like sniping at their fellow citizens from rooftops during a riot.

Shootings can be divided into three categories:

Accidents, when the killing or wounding was unintended. This kind of mishap is so commonplace that, unless it involves a newsworthy person, it is relegated to inside pages of the newspaper and accorded little space.

A couple of illustrative items can be offered from a single issue of the Washington *Post*. One tells of a 12-year-old boy who was shot and killed by an 11-year-old friend while the two were watching television in the friend's home. The 11-year-old approached the 12-year-old with a .38-caliber pistol, saying. "Look what I found." At that point, according to the story, the pistol went off. The 11-year-old's mother said that the pistol belonged to another of her sons, and that she thought it was unloaded.

The second story that day recounts the death of a 14-year-old girl shot by her stepbrother, who was playing with a rifle which he had found on a wall rack in the home of a neighbor they had visited. The owner of the gun kept it loaded, he said, "for protection."

A word should be said about the use of guns for protection. In the first place, attempts by the average householder to defend his home against armed criminals rarely succeed. Criminals are more accustomed to handling guns than are ordinary householders and less squeamish about killing. And the sight of a householder, gun in hand, is likely to add an unintended murder to a lesser crime. In this kind of dueling, the record runs heavily against householders.

In the second place, pistols kept at home for self-protection will be used more often [illegible] shoot friend, by mistake, than foe. Journ[illegible]ism is full of these cases: Mother, hearing footsteps on the stairs, blazes away and learns that she has shot Junior trying to creep home quietly after a late date; or Father, seeing a silhouette on the draperies, takes quick aim—and finds himself a widower.

A pathetic illustration appeared in a recent Associated Press story from Indianapolis: "A high-school girl who arose before dawn to quiet the family dog was shot to death when her father mistook her for a burglar. Larna Kay Wilson, 18, cried, 'Oh, Daddy,' then collapsed and died. Her father, Jack Wilson, 45, was sobbing beside the body when police arrived."

Another familiar type of "accident" stems from the unfortunate propensity of hunters to mistake one another for deer, bear and other forms of wildlife. According to the Metropolitan Life Insurance Co., shooting accidents occur with special frequency during the October-through-December hunting season. Residents of rural areas in northern New England have come to consider it almost suicidal to venture outside their farm homes during this period.

The second category of shootings can be called acts of desperation. These range from suicides (some 10,000 a year by guns) to the slaying of a loved one by a rejected suitor, lover or husband to the wanton slaughter of complete strangers. Such a desperation case shocked the nation last summer when a demented University of Texas student first killed his wife and mother with a gun, then shot 31 fellow human beings from a tower on the university campus, killing 13 before he was himself killed by a policeman's bullet. One of the weapons for this massacre was purchased at a local store just an hour before it was put to its terrible employment.

A further illustration of desperation shooting is found in this newspaper account of tragedy: "William A. Thorpe, a carpenter known to his friends as 'a quiet and kindly man,' went berserk today and killed his mother, his sister, his young son and finally himself with a .25-caliber automatic. Thorpe had been worried over custody of his son since he became estranged from his wife six months ago."

The third and most common category of shooting includes killings and woundings committed in the course of another crime. Such shootings occur most frequently during robberies and holdups, when the armed holdup man becomes frightened or is indifferent to the taking of human life.

The Great Equalizer. One common denominator runs through all these categories. Guns may not have prompted the killings, but they made the accidents possible, the suicides easier, the resentments more lethal, the crimes more feasible.

Gun enthusiasts argue that the problem has nothing to do with guns. If the human will to kill is present, they say, and if no gun is handy, a kitchen knife, sash weight, rope or even bare hands will do just as well.

It is unquestionably true that the human will to kill lies at the root of all non-accidental killing. But guns afford peculiarly apt implementation for that will. Appropriately called an "equalizer," a pistol can give a heady sense of power to many who, without it, would never dare defy the law. It is the standard weapon of the criminal. It makes a boy equal to a man, the village idiot equal to the sage, and the thug equal to the police officer.

The Secret Service is capable of protecting Presidents from knives, sash weights, ropes and bare hands, but the assassins of Presidents Lincoln, Garfield and McKinley all used guns. So did the Puerto Ricans who shot at President Truman in Blair House. And so did Lee Harvey Oswald when he decided to end the life of President Kennedy.

Yet today, despite the publicity and the public outrage over the ease with which Oswald obtained his rifle, no questions are asked by the mail-order merchants—or, at any rate, no questions requiring meaningful answers. Some request their customers to sign this statement, recommended by the National Rifle Association: I certify that I am 18 years or more of age; that I have never been convicted of a crime punishable by imprisonment for a term exceeding one year; that I am not a mental incompetent, drug addict or adjudged drunkard; and that I am not prohibited from legally acquiring a firearm by state or local laws.

Since no notarization, official certification or witness is required, the statement is worthless.

Aim. It has been demonstrated that cities with gun-control laws have a markedly lower homicide rate than cities without them. James V. Bennett, formerly director of the U.S. Bureau of Prisons and an ardent advocate of firearms-control legislation, pointed out that in 1962 the homicide rate per 100,000 population in New York City was 5.4. That year the homicide rate in the city of Dallas, which has no gun controls, was 13.4. Firearms fatalities *can* be reduced by firearms control, and the reduction can be dramatic if federal and local controls supplement each other so that local legislation is not nullified by mail-order sales or by the laxity of neighboring jurisdictions.

This is precisely the aim of legislation introduced in the Senate by Connecticut's Sen. Thomas J. Dodd in 1965 and advocated by President Johnson and by law-enforcement authorities all across the land. The bill proposes three major reforms:

1. It would stop the flood of firearms from abroad. More than a million foreign military weapons are dumped in this country annually—because other countries will not let them in—and are made available at cut-rate prices as a potential arsenal for crime.

2. It would stop the mail-order gun business by providing that guns could be shipped across state lines only by one licensed dealer to another. License fees would be high enough to keep individuals who wished to evade the provision from designating themselves "dealers," as some 99,544 persons did in 1964, in order to buy guns at wholesale prices.

3. It would permit retail, over-the-counter sale of a handgun (pistol) only to a resident of the state where the purchase is made and who is eligible by state and local law to purchase such a weapon. It would operate, in short, to help the states enforce their own gun-control laws by forbidding other states to frustrate them.

The Dodd bill came to naught in the 89th Congress. After extensive hearings and approval by the Juvenile Delinquency Subcommittee, the full Judiciary Committee last September scuttled it and proposed a meaningless substitute that would regulate mail-order sale of handguns but not of carbines, rifles or shotguns. This makes about as much sense as a narcotics law restricting the sale of cocaine but ignoring the sale of heroin.

To Lessen the Consequences. Why was the Dodd bill killed? The answer lies, partly at least, in the opposition of the National Rifle Association, which has persistently mobilized its membership—now numbering about three quarters of a million—to thwart every genuinely effective attempt at firearms control during the past 30-odd years.

In the light of the NRA's adamant, and successful, opposition to the Administration firearms bill, it should be noted that there is nothing in the bill that would curtail present ownership in any way or keep responsible, law-abiding adults from buying firearms—whether for sporting purposes, for target shooting, for self-protection or for the simple pleasure of collecting guns. It would inconvenience the responsible, law-abiding adult to the extent of requiring him to make his purchases in the state of his residence and to wait a few days to let the police check his identity. It would cause serious inconvenience only to felons, juveniles, habitual drunkards, drug addicts and the mentally ill. Can responsible Americans really be unwilling to undergo such minor inconvenience in order to keep deady weapons out of the hands of the irresponsible?

The NRA has managed to imbue many of its members with the quite mistaken notion that effort at effective regulation conflict with the Second Amendment to the U.S. Constitution, which provides that "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." The Supreme Court has made it clear that the second part of this amendment must be read in relation to the first part. The Court ruled, in approving the existing National Firearms Act, that the right to bear arms must have "some reasonable relationship to the preservation or efficiency of a well-regulated militia." The organized militia of the states is today the National Guard, armed and equipped by the federal government. Proposed federal legislation would not interfere with this; and as far as local legislation is concerned, the Second Amendment of course imposes no restraint.

Laws, admittedly, cannot of themselves put an end to crime and folly. But they *can* lessen the tragic consequences of human frailties. What possible sense is there in making it easy for any criminal, any suicidal or homicidal madman, even any child, to obtain guns that can be used at whim to maim and kill?

Let Americans who want to do something to lessen the tragic toll of shootings in this country write to their Congressmen and Senators, to their state legislators and municipal councillors, to their local newspapers. Let them make known that they have had enough of this senseless slaughter and want something done about it—now.

IMPORTATION OF FOREIGN-MADE WATCHES A THREAT TO DOMESTIC WATCH INDUSTRY

Mr. TOWER. Mr. President, I was gravely concerned late last week upon being informed that the Office of Emergency Planning had determined that importation of watches, watch movements and watch parts poses no threat to national security. I must strenuously dissent with this analysis, Mr. President, just as I must take exception to President Johnson's immediate order that tariffs on watch movements entering the United States be reduced. The President's action was issued in direct response to the report from the Office of Emergency Planning.

During the Second World War our country found itself without adequate facilities for production of timing devices and mechanisms for military and weapons use. Until that time we had been depending on European-made timing devices, and had not had the forethought to nurture a domestic watch industry.

It was the recollection of that unfortunate situation 25 years ago which led me to request the President several months back to take a good hard look at our domestic watch industry and its capabilities in light of the threat being posed by the continued high level of watch imports.

It is the recollection of our historic experiences which leads me to question the report of the Office of Emergency Planning, that our domestic watch industry is thriving in its competition with imports.

In my own State, in the city of Abilene, a large number of workers are in danger of losing their jobs in a watch manufacturing company—one of the town's largest employers—due to the President's decision upon receiving this report.

In this report, it was observed that "the military production capability of the domestic watch industry has not only been unimpaired by imports in the past decade but is currently at its maximum and is expanding."

I do not believe that the shutting down of plants and the laying off of workers is symptomatic of an industry enjoying an expanding production capability.

The unavoidable result will be a slowdown in the growth and stability of our domestic watch industry and a decline in the number of U.S. and Texas jobs available in that industry. I long have joined in urging protection of this industry and these jobs, and I do not believe that the administration has proved its case for reduced tariffs at this time when recessionary straws are in the wind and other major industries are curtailing production and laying off workers.

For the benefit of all concerned, I urge that the administration withhold its ruling until Congress has had a chance to explore the problem and arrive at a less malevolent decision.

At stake are jobs of hundreds of Americans.

CONCLUSION OF MORNING BUSINESS

The **ACTING PRESIDENT** pro tempore. Is there further morning business? If not, morning business is closed.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, if the Senator will withhold that request for a moment, does the Senator contemplate having a live quorum?

Mr. SMATHERS. Not at this time.

Mr. KUCHEL. I thank the Senator.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

AMENDMENT OF STANDING RULES OF THE SENATE

The **PRESIDING OFFICER** (Mr. BURDICK in the chair). The question is on agreeing to the motion of the Senator from South Dakota [Mr. McGOVERN] to proceed to the consideration of Senate Resolution 6.

Mr. ERVIN. Mr. President, I rise in objection to this motion.

Mark Twain is reputed to have said:

> Truth is precious. Use it sparingly.

But I do not propose to take Mark Twain's advice. Instead, I expect to be rather extravagant in the use of truth, both in the amount of the dosage which I should like to give to the Senate and also in the number of words which I expect to employ in administering it.

I expect to look to history, despite the fact that some of my brethren have said we should not look back to the words of Jefferson or Washington or the other great men of the past.

Mr. President, I am not the only person who has some veneration for history. The founder of the Democratic Party, Thomas Jefferson, said, on one occasion:

> History informs us of what bad government is.

One of my purposes in looking back to history is to let Senators know what some may have forgotten. In times past, we have had some bad government in our great Republic.

The great French philosopher Lamartine said:

> History teaches everything, even the future.

One of the reasons I expect to look backward to history is that we may know from the history of the past what the future may be.

The great German philosopher Von Schlegel emphasized that point. He said:

> A historian is a prophet looking backward.

The reason I wish to look back to history is the hope that we might avoid the misfortune which George Santayana predicts for those who ignore the lessons of history. He said:

> Those who cannot remember the past are condemned to repeat it.

So I look to the past, that is, to history, because I want the Senate to look to the future and appreciate what the result might be, if the Senate should repudiate all of its history since 1789, and change rule XXII so that Senators can be silenced in the hope that impatient men and organizations will get their way.

When the rulers of a nation ignore the lessons of history, they condemn their nation to repeat the mistakes of the past.

I wish our country to have a great future. I wish my little grandchildren and their contemporaries to enjoy life in a nation which has institutions that safeguard the people against governmental tyranny. Every time a new Congress comes to Washington, we repeat the performance we are witnessing concerning rule XXII. I am convinced that there is no popular demand abroad in our land for a change in rule XXII. I think that the effort which is made every 2 years by those who seek to change the rule and to destroy the only thing that makes the Senate a distinctive legislative body comes from a few organizations dominated by impatient and, I fear, sometimes intemperate men. If it were not for such organizations, dominated by impatient and, as I fear, sometimes intemperate men, the Senate could proceed immediately to its work whenever a new Congress convenes.

We live in a rather dangerous age for America, because we have abroad in our land many men who give their allegiance to what may be called the cult of conformity. For some strange reason those men no longer put value on such things as the right of any American to dissent from the views of the majority. If they had their way, they would compel every American to quit thinking his own thoughts and to adopt theirs, and they would compel every American to conform his actions to their wishes rather than to his own honest convictions.

We sometimes see the cult of conformity accepted among men in high places. The impatient organizations which demand that the Senate lay aside its work every 2 years and discuss a proposed change in rule XXII apparently suffer under the delusion that if they could find some way to keep Senators from pointing out the folly of some of the notions they entertain, they could induce the Senate to put their ideas of conformity into law and impose them upon all the American people. They suffer under a delusion, because I think the reason Members of the Senate will not vote for their proposals is that Senators recognize that the proposals are unwise.

As I have stated, there is a controversy about rule XXII every time a new Congress meets. We had it asserted on the Senate floor last week that the rules of the Senate should be changed so that the Senate might be made like all other legislative bodies on the face of the earth.

We have had it asserted by one of the proponents of the change that the rules of the Senate ought to be changed so that it would operate like the House of Commons.

God forbid such a calamity. The House of Commons has had a great part in the liquidating of a great empire, of which it could formerly be said that the Sun never set upon its flag and that its ships controlled the seven seas.

England was once the mightiest power on earth. But it has been converted, by acts of Parliament in large measure, into what is now a second-rate nation.

For this reason I cannot accept the suggestion that the Senate ought to be changed in its nature and converted into a place where majority rule prevails on all occasions, as is the case in the House of Commons. Our Nation has steadily grown in power during all its history, and this is true in large part because the Senate has never limited debate otherwise than by rule XXII.

As I have stated, there is a controversy about rule XXII every time a new Congress meets.

I have been much intrigued by the reasons given in times past, during my service in the Senate, by those who seek a change in this rule.

When I first came to the Senate the proponents of change in rule XXII said that we should change the rule because the southerners thwart the will of the Senate. I do not claim to be an expert in mathematics, but I have not been able to comprehend how anyone can delude himself into believing that 22 southerners can thwart the will of 78 other Senators. As a matter of fact, rarely do 22 southerners stand together on this proposition. Usually several secede from the Confederacy. The charge that a few sinful southerners who never number more than 22 can thwart the will of 78 other Senators is preposterous. It always makes me think of the story which I have told before in the course of these discussions.

I think all Senators have enjoyed at times seeing the cartoons which depict Jiggs and his wife Maggie. On one occasion one of these cartoons showed Jiggs and Maggie on a visit to Spain. They were walking along the streets of Madrid when Maggie became irritated with Jiggs and proceeded to visit her irritation upon his person. It happened that a few days before Jiggs had learned about the existence of a society in Spain called the Kazooks. The Kazooks were composed of married men who had developed some idea of forming a self-protective organization to guard themselves against injury at the hands of their wives. Jiggs had become a member of this organization. Each Kazook had taken a blood oath to come to the relief of any brother Kazook when that brother was threatened by his wife and gave the word of distress, "Kazook." On this occasion when Maggie started to vent her irritation upon Jiggs, Jiggs remembered this fine and great organization which he had joined, so he gave the word of distress, "Kazook." The cartoon then showed about a thousand fellow Kazooks running to Jiggs' assistance. The cartoon then depicted the fact that Maggie took her umbrella and laid all the Kazooks out. The last picture in the cartoon on that occasion showed Jiggs in the hospital, all bandaged up, and philosophizing thus, "The idea behind this Kazook Society is pretty good, but the trouble with the society is it hasn't got enough members."

That is one trouble about the southern Members of the Senate. I think it would be a good thing for the country if there were more of them in the Senate, provided they entertained the same sound views on all subjects that I do. I am bound to confess, however, they do not all do that.

When I first came to the Senate the excuse was that rule XXII had to be destroyed, that the freedom of debate that has existed in the U.S. Senate since George Washington was inaugurated as President, had to be abolished, to keep 22 sinful southerners from thwarting the will of all other Senators. That excuse became somewhat threadbare when a person used only a little mathematics, so the proponents of rules change abandoned that insupportable contention as the basis for demanding a rules change.

The next thing the proponents of rules change did was to come in at the beginning of a session of a new Congress with a very eloquently phrased document saying that the rules of the Senate had to be changed, particularly rule XXII, because the rules of the Senate were conceived by the minds and written by the hands of men who were sleeping in "the voiceless silence of the dreamless dust." The proponents of rules change evidently came to the conclusion that there was no wisdom on earth until the present generation arrived.

I may be guilty of some heresy in saying this, but I happen to entertain the view that there was a considerable amount of wisdom on this earth before my colleagues and I reached this earth or reached the U.S. Senate; but the proponents of rule changes came in at the opening of the particular Congress to which I refer with the demand that the rules of the Senate be rewritten, and particularly rule XXII, because they were conceived by the minds and written by the hands of dead men.

This movement did not get very far in that particular Congress, because, after some days of debate, it slowly began to dawn upon certain Members of the Senate that the Ten Commandments were brought down off Mount Sinai by Moses, and that Moses had been sleeping the everlasting sleep on the top of Mount Nebo for many generations. So that conviction, which came to Members of the Senate as the debate progressed, tended to weaken the contention that the rules of the Senate had to be changed merely because some of them had been written by men who had passed into the Great Beyond.

Then after some days of debate, it occurred that those who embrace most of the great religions of the earth, and particularly Christianity, received their religious doctrines from the Man of Galilee and His successors, such as St. Paul. It dawned upon the Senate, after some days of debate, that the Man of Galilee, St. Paul, St. Peter, and the rest of the apostles and disciples, had vanished from human life many centuries ago. The realization of that truth tended to minimize the appeal of those who urged that rule XXII ought to be changed, and that other rules of the Senate ought to be rewritten because they had been conceived by the minds and written by the hands of men now dead.

It was further called to the attention of the Senate, during the debates on that occasion, that the barons who exacted Magna Carta from King John at Runnymede in about the year 1215 had also descended into the "voiceless silence of dreamless dust" many generations and centuries ago; and even those who did not like documents such as the Senate rules, which had been conceived in the minds and written by the hands of men now dead, had to concede that there were some things in Magna Carta that they were not willing to rewrite.

As the debate on that occasion continued, the contention that the rules of the Senate had to be rewritten because they were conceived in the minds and written by the hands of men now dead became even weaker. It suddenly dawned upon the proponents of rule changes in that session that Thomas Jefferson, the author of the Declaration of Independence, as well as all the men who framed the Constitution of the United States, were likewise sleeping in the "voiceless silence of dreamless dust." So the effort to rewrite the rules of the Senate, and particularly rule XXII, because they were written in part by the hands of men now dead, lost its driving force; and the majority of the Senate decided that perhaps, after all, the Ten Commandments, the Gospel, Magna Carta, the Declaration of Independence, the Constitution, and the rules of the Senate had much virtue in them notwithstanding that the hands which wrote those great documents or those great rules originally had crumbled into dust in the grave.

The next argument that was made to justify a change in the rules was that rule XXII prevents majority rule. This argument is based fundamentally on the proposition that the way the Government ought to be conducted is not on the basis of debate, not by reason, not by adherence to principles, not by correctly appraising the welfare of the American people, but by counting the number of noses on one side and the number of noses on the other side of a proposition.

So the proponents of rule change say, "We want majority rule. We want to count the noses on this side of the question and the noses on the other side of the issue and decide the issue on that basis, without debate, without reasoning together, without determining on which side wisdom lies and on which side folly is to be found."

Mr. President, the Founding Fathers were great students of the history of men's bitter struggle for the right of self-rule. They knew that man had wrested every right he had in this area—the right of freedom, the right of freedom of speech, the right of freedom of religion, the right of self-government—from tyrants. Anyone who reads the Constitution of the United States and studies the speeches and writings of the men who framed that immortal document, and anyone who studies the debates which raged around the ratification of that document by the States, and anyone who reads "The Federalist" knows that the Founding Fathers were seeking to establish a government to preserve liberty and prevent tyranny.

We are told on the floor of the Senate by some of the proponents of the proposed rule change that our Government does not work fast enough, that it does not pass laws fast enough, and that it is not efficient enough. Those who make those assertions overlook one thing which was well known to the Founding Fathers, and that is that if we want an efficient government, we must have a dictatorship. If the Founding Fathers had been concerned primarily with establishing an efficient government, they would not have established a House of Representatives and a Senate; they would have established only one legislative body. One legislative body can pass a law a great deal faster than two legislative bodies. However, the Founding Fathers know that any one legislative body can make mistakes. Therefore they created the Senate, in order that the Senate might remedy the mistakes in legislation committed by the House, and they created the House, in the hope that the House might cure any errors which the Senate might make in legislation.

There is a familiar story relating to a conversation supposedly had between George Washington, who had just completed his service as the Presiding Officer of the Convention which framed the Constitution, and Thomas Jefferson, who had just returned to America from France. According to the story these two famous men were drinking coffee together and discussing the recently drafted Constitution of the United States.

In accordance with the fashion of the day, Thomas Jefferson had poured some of his coffee into a saucer to cool it. Thomas Jefferson asked George Washington why the Convention had created the Senate, instead of reposing all legislative power in the House of Representatives. George Washington replied:

> The Convention created the Senate in order that it might do the same thing that your saucer is doing. You are cooling off your hot coffee in your saucer. The Constitutional Convention created the Senate in order that the hot legislation passed by the House might be cooled before it is poured down the throats of the people of America.

If that was a wise course of action for 1789, it is a far wiser course of action for 1967. At that time America consisted of 13 sparsely settled Colonies along the Atlantic coast. Today America consists of 50 different States which contain a population rapidly approaching 200 million persons.

We are told by the proponents of rule change that we do not pass laws fast enough. The American people are perhaps the most law-ridden people on the face of the earth. They are certainly the most law-ridden people ruled by a legislative assembly such as Congress. I think that instead of devoting itself to a proposal to change rule XXII, the Senate might well give some consideration to the question of what laws we should retain which have been passed in time past, as well as to what laws we should pass in the future.

When I was elected to represent my county in the North Carolina legislature many years ago, the town philosopher, Lum Garrison, visited me to give me some fatherly advice before I left to go to the capitol in Raleigh. Lum gave me this advice: "Pass no more laws and repeal half of those we have already gotten." There was, and is, much wisdom in his advice.

It is serious business to pass laws to govern the conduct of 200 million people, and Congress should be a little slow about passing such laws. I say that because of the difficulty of ever repealing a law, no matter how foolish it is, when once it is placed on the statute books of the Nation.

The Founding Fathers did two things to preserve liberty and to prevent tyranny. They used what is properly called the doctrine of the separation of governmental powers in the Constitution. They also inserted in the Constitution what we know as the system of checks and balances. Why did the Founding Fathers do that when they drafted our Constitution and created the Government of the United States? They did it because they had read the history of man's long and bitter struggle to escape from governmental tyranny, and they had found this lesson written in letters of blood on each page of history: "Government itself is the deadliest foe of liberty."

The Founding Fathers separated the powers of government in a twofold manner. In the first place, they separated the powers of government between the Federal Government and the States by assigning to the Federal Government the powers necessary to be exercised on a national level, and by preserving to the States the powers which in equity and in good conscience, and in commonsense ought to be exercised on the local level. They employed the doctrine of the separation of powers in the second sense by separating the powers of the Federal Government among the executive department, the legislative department, and the judicial department of the Federal Government.

In their wise efforts to establish a government under which men could remain free, and a government of laws rather than of men, they also inserted in the Constitution what we call the system of checks and balances.

The Constitution provides that all the legislative power of the Federal Government is vested in the Congress, but the Founding Fathers wanted to put some check on possible abuses in legislation by the Congress, so they vested in the President the power to veto measures. Then, in order to put a countercheck upon the President and thus prevent the President from vetoing wise legislation as distinguished from foolish legislation, the Founding Fathers inserted in the Constitution the provision that Congress could override Presidential vetoes by a two-thirds vote.

Incidentally, the vote which the Constitution requires to override a Presidential veto is identical with the vote which rule XXII requires for a majority of the Senate to silence a minority of the Senate.

Another illustration of the system of checks and balances placed in the Constitution by the Founding Fathers to prevent governmental tyranny is found in the provisions which say that the President is the Commander in Chief of the Army and the Navy, but that the Congress shall have control of power of the purse and make appropriations for the Army and Navy, but that no appropriation made by the Congress for the Army or the Navy shall endure for more than 2 years.

The purpose of that provision was to prevent a President from being able to become a dictator by control of the Armed Forces of the Nation.

I could go on at great length to point out how careful the Founding Fathers were to draw a Constitution which would prevent oppression of the people by any governmental power.

One of the finest documents on government, particularly on the American system of government, was written by a Frenchman who visited America and acquired a very profound knowledge of our system of government, and who already possessed a profound knowledge of human nature. I refer to Alexis de Tocqueville's book "Democracy in America." This is a book which contains some very sage advice for those of us who believe the Founding Fathers were wise in recognizing that the most important thing they could do for the benefit of their fellow Americans was to establish a system of government which would be devoted primarily to the preservation of liberty, rather than efficient government.

We talk about the majority rule, which, as I have said, in the eyes of those who disagree with us who think we should debate public questions, is regarded as a counting of noses rather than the use of human reason and human powers of persuasion. Such majority rule is fraught with danger. De Tocqueville, on page 259 of volume 1 of his "Democracy in America," said this concerning the fact that majorities cannot safely be trusted:

> A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength.

That is a very sage observation. I am very much impressed by what the writer said, that the patience of men does not increase with their power. I believe there are illustrations in the Senate which indicate that even some of the fine Members of the Senate are somewhat impatient.

They wish to put their reform into effect before the sun goes down and are willing to destroy the only thing that makes the Senate a distinctive legislative body in order to do so. I am delighted to yield to the distinguished Senator from Louisiana.

I shall read one more extract from page 269 of De Tocqueville's book entitled "Democracy in America." It relates to the dangers of majorities. De Tocqueville said:

> If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.

I have discussed three of the reasons advanced for asking for rule changes. The first was that a rule change is needed because there is a danger that a few simple Southerners, who at most never constitute more than 22 percent of the membership of the Senate, are controlling the other 78 percent. As a matter of mathematics, that contention is without foundation.

Then I discussed their contention that the rules of the Senate should be changed because some rules of the Senate, like the Ten Commandments, the Bible, Magna Carta, the Declaration of Independence, the Constitution, and George Washington's Farewell Address to the American people, were written by men whose hands have crumbled into dust in the grave.

The third reason given for a change was that rule XXII prevents majority rule in the Senate.

There was another argument, which was made a few years ago. It was said that the Senate was a kind of governmental atom, sailing aimlessly upon the sea of chaos. It was said that the Senate, like the House of Representatives, had no rules at the beginning of a new Congress; that the Senate is not a continuing body; that actually it had no rules and had to adopt rules at the beginning of a new Congress.

If I may change the metaphor, the proponents of a change in the rules were saying, in effect, that the Senate was like Josh Billings' mule: It "didn't kick according to no rules"; and the reason why the Senate could not act was that, like Josh Billings' mule, the Senate had no rules.

This argument was made notwithstanding that under the Constitution the Senate is a continuing body, that two-thirds of its Members are always in office, and that the Senate has had rules since 1789 and has been operating under those rules. Those who disliked rule XXII said that since the Senate had no rules, the majority of the Senate had constitutional power to change the rules or to adopt rules at the beginning of a Congress, but did not have that power at any other time in a Congress. Of course, that argument had no validity, for two reasons. In the first place, the Senate came into existence in 1789. It adopted rules in 1789. It has had the rules ever since 1789, and those rules have been changed on several occasions.

The Senate has always proceeded according to those rules at the beginning of each new Congress, as well as at the later stages of each Congress. So the proponents of a rule change who said the Senate had no rules were confronted with the fact that the Senate had had rules long before they were born, and that the Senate had always regarded those rules as continuing from session to session.

Another obstacle confronted those who advanced this argument. They argued that the Senate could change its rules by a majority vote at the beginning of each session, but not later in the session. It is an obvious absurdity that the Constitution of the United States changes its meaning from the first part of a session to other stages of a session. The constitutional truth is that the Senate is empowered to make the rules of its own proceedings, and this provision of the Constitution applies at the beginning of a session and during every day of the session. So far as the Constitution itself is concerned, it applies when there is no session of Congress, because the Constitution does not change from day to day, as the advocates of this very fantastic proposal contend.

I shall discuss another reason that is given for the proposed rule change. Some of the proponents stand upon the floor of the Senate and say that the reason why a change is needed in rule XXII is that under the rule the Senate cannot give any consideration to so-called civil rights bills. There is a great deal of propaganda in the world. Those who advocate changes in the rule have been listening to their own propaganda for so long that they have actually reached the point where they accept it.

Their propaganda reminds me of a custom we have in the rural areas of North Carolina. At certain times of the year, it is customary in North Carolina for people whose relatives are buried in the little country cemeteries to meet and clear out the weeds which have grown up. It happened on one occasion that a man, somewhat like the Senator from North Carolina, who was somewhat opposed to too strenuous physical work, attended a gathering at a little country churchyard to assist in removing the weeds from the cemetery. Being opposed to strenuous physical labor, he hired a boy named George to go along with him and do his work for him. George was down on the ground, pulling the weeds off the grave. All at once he burst into laughter.

The man who had employed him said, "George, what are you laughing about?"

George said, "I am laughing about the funny words written on this tombstone."

George's boss said, "I don't see any funny words written on the tombstone."

George said, "Boss, just look there at what it says. It says, 'Not dead but sleeping.'"

The boss said, "I don't see anything funny in that."

George said, "He ain't foolin' nobody but himself."

Those who say it is necessary to change rule XXII to get civil rights bills through the Senate are fooling nobody but themselves. If they look at the history of what has happened in the past few years, they will not even fool themselves any longer. Since 1957, when I came to the Senate, the Senate has spent more time debating so-called civil rights bills on the floor of the Senate than it has spent in connection with the foreign policy of the United States in the very precarious world in which we live. It has spent more time arguing about civil rights bills on the floor of the Senate since 1957 than it has spent in building, creating, and legislating the Great Society. It has passed some of the most drastic legislation in the history of this country in the form of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

If those who make those arguments will just consider the facts, they will, unlike the decedent whose gravestone said, "Not dead but sleeping," stop fooling themselves any longer on this proposition.

Mr. President, I have thus far today discussed the reasons assigned by the proponents of the proposed rule change to justify their position. I respectfully submit that for the reasons I have already stated none of those arguments made in favor of the rules changes is valid. I shall now devote myself to showing that the history of our country shows the advisability of having safeguards which will prevent hasty and impatient and intemperate action by those in positions of authority. It was my purpose to refer to American history for a striking illustration of the desirability, nay, the necessity, of protecting the people of this Nation against impatient and intemperate actions on the part of their officials.

Rule XXII of the Senate is one of the few restraints left. Many of the great Senators of the past have stated that no good legislation has ever been prevented by the rule of the Senate permitting free debate, but that, on the contrary, much bad legislation has been prevented by this rule.

I might add that a very good case may be made for one proposition; this rule prevented two of the worst pieces of legislation ever proposed to the Congress of the United States from passing at the last session.

The first was the bill to repeal section 14(b) of the Taft-Hartley Act. That proposed piece of legislation would have compelled every American, eventually, to pay dues to a union for the simple privilege of eating his own bread in the sweat of his own brow. And as one who is opposed, on principle, to compelling any man to make any contribution of money in any form save in the form of taxes for the support of government, I condemn that proposed piece of legislation as something wholly incompatible with freedom and something which countenances the highest degree of tyranny.

The other piece of legislation was a proposal that every American owning a piece of residential property anywhere in the United States be robbed, by an act of Congress, of the power to determine for himself to whom to sell or to rent his property.

I say that any rule that prevented either of those pieces of legislation from being enacted by Congress is a rule which should be preserved inviolate for the protection of liberties of the people of the United States.

I see no distinction in principle between the proposal to establish a majority cloture rule and the proposal to establish a 60-percent cloture rule. The people who need protection are minorities; and the smaller the minority is, the more it stands in need of protection. To my mind, it would be repugnant to the continuance of freedom in the Nation for 51 percent of the Members of the Senate to have the power to silence the other 49 percent of the Members of the Senate when that 49 percent insists on speaking what they think should be said for the preservation of the Nation.

Likewise, there is very little difference, in effect, and no difference whatever in principle, between saying that 51 percent of the Senate shall have the power to silence 49 percent of the Senate and saying that 60 percent of the Senate shall have the power to silence 40 percent of the Senate.

I grant you, Mr. President, that sometimes some of us may stand on the floor of the Senate and speak when some of our colleagues want to vote, and in so doing we may make nuisances of ourselves in the eyes of our colleagues. But a great commentator upon the passing scene, William S. White, has well stated the desirability of maintaining this condition in his book on the Senate entitled "The Citadel," in which he says it is well to remember that a rule which can be invoked today to silence a man whom we deem to be a troublesome demagog can be invoked tomorrow to silence a brave man fighting for a just cause.

I stand for the preservation of the two-thirds rule. As a matter of principle and also as a practical matter, I do not think the future interest of our Nation will permit the Senate to sanction any fewer than two-thirds of the Senate to silence one-third of its Members.

I invite attention to a similar rule that is in the Constitution of the United States. First I wish to read from section 4 of article II of the Constitution these words:

> The President, Vice President, and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

It will be noted that this paragraph in the Constitution sets forth three conditions, and three conditions only, for which a President, a Vice President, or a civil officer of the United States can be impeached. They are: treason, bribery, or other high crimes and misdemeanors. The other provisions of the Constitution relating to impeachment are found in subsections 6 and 7 of section 3 of article I of the Constitution. I read subsection 6 of section 3 of article I:

> The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the Concurrence of two thirds of the Members present.

Subsection 7 of section 3 of article I reads as follows:

> Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

I shall later discuss these constitutional provisions in more detail. At present, however, I wish to emphasize that the provision of subsection 6 of section 3 of article I of the Constitution, which prescribes that "no person shall be convicted without the concurrence of two-thirds of the Members present," is the only thing which saved the United States at one of the most crucial hours of its history from witnessing a total blackout of constitutional government.

In speaking for the retention of rule XXII in its present form, I say it is not beyond the realm of possibility that the two-thirds provision of rule XXII may serve like subsection 6, section 3, article I of the Constitution, and some day again prevent a total blackout of constitutional government in the United States.

The scene which I propose to discuss in this connection was enacted in this very Senate Chamber. If it had not been for the two-thirds provision of subsection 6, section 3, article I, and the courage of a handful of Senators, constitutional government in the United States would have been destroyed on the very floor of the Senate.

In order to discuss this subject, I shall have to go back a little into American history. On one occasion on this continent and in this Nation a terrible fratricidal war occurred, in which thousands of the flower of the youth of our land, both in the South and in the North, died. My study of American history has convinced me that that terrible war and its carnage would never have occurred if it had not been for intemperate and impatient men in the North and impatient and intemperate men in the South. If ever there was an event which ought to teach all Americans the virtue of patience, it was that terrible war and the terrible carnage it caused.

One of the great men in American history was Abraham Lincoln. I often wonder what would have happened to Lincoln, after Lee's surrender, if he had not fallen by an assassin's bullet. I suspect that perhaps he would have been more maligned at the hands of Members of Congress and at the hands of the American press than any other man in our history. Sometimes a tragic event, such as Lincoln's assassination, spares the man who suffers such an event from great future tragedy. Abraham Lincoln was a merciful man. He was a man who loved his fellow men.

After the surrender of Lee at Appomattox, the question naturally arose as to what was to be done to adjust the relations between the Union and the 11 Confederate States. Lincoln had a very fine plan for the rebuilding of the relationship between the Union and the 11 so-called Confederate States. I shall read a brief statement of his plan from page 804 of the Concise Dictionary of American History, which was edited by Wayne Andrews and published by Charles Scribner's Sons:

> In his proclamation of December 8, 1863, President Lincoln offered pardon with certain exceptions, to those who would take oath to support the Constitution of the United States and abide by Federal laws and proclamations touching slaves. When oathtakers equal in number to one-tenth of the State's voters in 1860 should "re-establish" a government in a seceded commonwealth, Lincoln promised executive recognition of such government without commitment as to congressional recognition. Both the "plan" and the whole southern policy of Lincoln were denounced as far too lenient, and there followed a storm of controversy with the radical Republicans who by their control of Congress prevented any settlement of this vital question during Lincoln's life. The hopeless deadlock between President and Congress was seen in the Radical Wade-Davis bill which Lincoln killed by a pocket veto. After this Lincoln issued a proclamation (July 8, 1964) explaining that

> he could not accept the radical plan as the only method of reconstruction and was promptly answered by Wade and Davis in a truculent manifesto.

It would be quite interesting to know why Lincoln pocket-vetoed the Wade-Davis bill. Those who advocate majority rule on the spur of the moment and in haste ought to ponder the Wade-Davis bill which Lincoln denounced and vetoed.

Now I read a very brief description of the provisions of that bill, from the "Encyclopedia of American History," by Richard B. Morris, on page 246:

> The Wade-Davis bill, which was passed by Congress on the 4th of July 1864, represented the congressional blueprint for reconstruction. It required a majority of the electorate in each Confederate State to take an oath of past as well as future loyalty as a condition precedent to restoration.

That condition precedent to restoration under the Wade-Davis bill, would have prevented any of the 11 Southern States from again being admitted to their rights as States of the Union, because that bill required the taking of an oath of both present loyalty and past loyalty; and a majority of the people of the Southern States could not have truthfully taken such an oath. This is very well illustrated by the situation in the State of North Carolina. In 1860, North Carolina had a total population of approximately 629,000, counting all the men, women, and children, and both the white people and the Negro people. Out of that population, North Carolina had sent into the Confederate Army 125,000 of its men and boys—a number far in excess of the total electorate of that State. Under that condition of the Wade-Davis bill, it would have been impossible for any more than a very negligible part of the electorate of North Carolina to have taken the oath required by the terms of the bill as a condition precedent to readmission as part of the Union. In fact, the bill was designed to prevent any of the Southern States from being readmitted to the Union.

Mr. President, a moment ago, when I said that perhaps the assassin's bullet spared Lincoln from much abuse and suffering, I had in mind the fact that even during his lifetime he was maligned by the authors of the Wade-Davis bill and by the other supporters of that bill for his wise action in vetoing it.

After the assassin's bullet felled Lincoln, Andrew Johnson, the Vice President during Lincoln's administration, who was a native of North Carolina, succeeded Lincoln in the Presidency. At that time there was in existence what was known as the Joint Committee on Reconstruction. It was composed of six Senators and nine Members of the House of Representatives, and was dominated by Thaddeus Stevens, a Member of the House of Representatives from the State of Pennsylvania. That Joint Committee acquired domination over Congress; and it was not long before the Joint Committee found itself able to ride roughshod over Members of the Senate and Members of the House of Representatives who did not agree with its plans.

Some day, Mr. President, history will recognize that Andrew Johnson was one of the truly great men of America. When he became President of the United States, he undertook to carry into effect Lincoln's plan for the so-called reconstruction of the Confederate States. Andrew Johnson made a slight modification in the plan, in that he added a provision that those who had been disqualified as electors in those States by the Lincoln plan for reconstruction of the States should include those who owned $20,000 or more in property. But Andrew Johnson did a superb job in carrying out that plan, which, in effect, provided that the persons residing in those States who were qualified to vote by State laws should establish a State government, should outlaw the debts incurred by the Confederate States for war purposes, and should approve the laws and the amendment abolishing slavery.

Andrew Johnson was privileged to act, by reason of the fact that Congress was not in session at the time he assumed the Presidency and at the time he undertook to put into effect Lincoln's plan for reconstruction. Before Congress assembled in December 1865, all of the 11 Southern States, except Texas, had reorganized their State governments in accordance with the Presidential plan of reconstruction and were maintaining law and order within the borders of their States and were operating civil courts for the trial of civil and criminal cases. The last Confederate soldier had laid down his arms and returned to peaceful pursuits. The people of the Southern States were looking forward to resuming their old place in the Union.

But Congress met. Congress immediately entered into a controversy with Andrew Johnson, claiming that the Congress, and not the President, had the power to reconstruct the government in the Southern States.

About that time the Supreme Court of the United States entered the picture by handing down the most courageous decision ever rendered by that body. I refer to the decision in Ex parte Milligan.

Ex parte Milligan was a case which involved a civilian who was a resident of the State of Indiana. He had been tried before a military commission created by President Lincoln as Commander in Chief of the Army. Milligan had been convicted of treason and other charges and had been sentenced to death. Milligan's attorneys filed a petition in the circuit court for habeas corpus, contending that the courts of Indiana were open for the trial of criminal cases, that Milligan was not within the jurisdiction of the military commission, and that Milligan was surrounded by the protection of the constitutional provisions which required indictment by a grand jury and conviction by a petit jury before he could be punished for the charges preferred against him.

Milligan was defended in the Supreme Court of the United States on the review of the habeas corpus proceeding by Jeremiah Black, one of the greatest lawyers of America. The opinion of the Supreme Court in Ex parte Milligan was written by one of the greatest judges our Nation has ever known—Judge Davis, an Associate Justice of the Supreme Court. He was known not only for his great legal learning and his devotion to constitutional government, but also for his great courage, which never failed him.

Before reaching the main body of his opinion, Judge Davis set out some of the facts. Incidentally, his opinion is reported in 4 Wallace. The case begins at page 1 and runs through to page 142. The opinion of Judge Davis covers only a portion of those pages. It begins on page 107 and ends on page 131. It is an opinion which every person who believes in constitutional government ought to read and reread.

Beginning on page 118, Judge Davis said:

> The controlling question in the case is this: Upon the facts stated in Milligan's petition, and the exhibits filed, had the military commission mentioned in it, jurisdiction, legally, to try and sentence him? Milligan, not a resident of one of the rebellious States, or a prisoner of war, but a citizen of Indiana for 20 years past, and never in the military or naval service, is, while at his home, arrested by the military power of the United States, imprisoned, and, on certain criminal charges preferred against him, tried, convicted, and sentenced to be hanged by a military commission, organized under the direction of the military commander of the military district of Indiana. Had this tribunal the legal power and authority to try and punish this man?
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> No graver question was ever considered by this court, nor one which more nearly concerns the rights of the whole people; for it is the birthright of every American citizen when charged with crime, to be tried and punished according to law. The power of punishment is, alone through the means which the laws have provided for that purpose, and if they are ineffectual, there is an immunity from punishment, no matter how great an offender the individual may be, or how much his crimes may have shocked the sense of justice of the country, or endangered its safety. By the protection of the law human rights are secured; withdraw that protection, and they are at the mercy of wicked rulers, or the clamor of an excited people. If there was law to justify this military trial, it is not our province to interfere; if there was not, it is our duty to declare the nullity of the whole proceedings. The decision of this question does not depend on argument or judicial precedents, numerous and highly illustrative as they are. These precedents inform us of the extent of the struggle to preserve liberty and to relieve those in civil life from military trials. The founders of our government were familiar with the history of that struggle; and secured in a written constitution every right which the people had wrested from power during a contest of ages. By that Constitution and the laws authorized by it this question must be determined. The provisions of that instrument on the administration of criminal justice are too plain and direct, to leave room for misconstruction or doubt of their true meaning. Those applicable to this case are found in that clause of the original Constitution which says, "That the trial of all crimes, except in case of impeachment, shall be by jury;" and in the fourth, fifth, and sixth articles of the amendments. The fourth proclaims the right to be secure in person and effects against unreasonable search and seizure; and directs that a judicial warrant shall not issue "without proof of probable cause supported by Oath or affirmation." The fifth declares "that no person shall be held to answer for a capital or otherwise infamous crime, unless on presentment by a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public

danger, nor be deprived of life, liberty, or property, without due process of law." And the sixth guarantees the right of trial by jury, in such manner and with such regulations that with upright judges, impartial juries, and an able bar, the innocent will be saved and the guilty punished. It is in these words: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor; and to have the Assistance of Counsel for his defense." These securities for personal liberty thus embodied, were such as wisdom and experience had demonstrated to be necessary for the protection of those accused of crime. And so strong was the sense of the country of their importance, and so jealous were the people that these rights, highly prized, might be denied them by implication, that when the original Constitution was proposed for adoption it encountered severe opposition; and, but for the belief that it would be so amended as to embrace them, it would never have been ratified.

I now come to the portion of this opinion which I think contains the greatest judicial language ever uttered on this continent, Judge Davis continued:

> Time has proven the discernment of our ancestors; for even these provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

Then, after discussing the fact that men in naval and military service were subject to trial by military courts rather than by juries in civil courts, Judge Davis says:

> All other persons, citizens of States where the courts are open, if charged with crime, are guaranteed the inestimable privilege of trial by jury. This privilege is a vital principle, underlying the whole administration of criminal justice; it is not held by sufferance, and cannot be frittered away on any plea of State or political necessity. When peace prevails, and the authority of the Government is undisputed, there is no difficulty of preserving the safeguards of liberty; for the ordinary modes of trial are never neglected, and no one wishes it otherwise; but if society is disturbed by civil commotion—if the passions of men are aroused and the restraints of law weakened, if not disregarded—these safeguards need, and should receive, the watchful care of those instructed with the guardianship of the Constitution and laws. In no other way can we transmit to posterity unimpaired the blessings of liberty, consecrated by the sacrifices of the Revolution.

Judge Davis then proceeded and showed that in the military trial Milligan had been denied his constitutional rights to be indicted by a grand jury before he could be put on trial, and his constitutional right to a trial by jury, and held that his trial before a military commission was a nullity under our Constitution.

As I speak in favor of the retention of rule XXII, which is one of the safeguards erected not for the benefit of individual Senators but, as former Senator Joe O'Mahoney said, "for the benefit of our country," I cannot help thinking that we ought to heed the words of Judge Davis when he said:

> Those great and good men—

Who drew up our Constitution—and the same applies to the great men who wrote the rules of the Senate—

> foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper.

As I have said, in my judgment this was the greatest decision ever handed down by the Supreme Court of the United States. It proclaims a great constitutional principle. It was written by a judge of the highest legal learning, of the greatest character, and of the stanchest courage.

When this decision was handed down the Joint Committee on Reconstruction and the other radicals in the Congress of the United States, and a considerable portion of the American press, heaped vituperation upon the Supreme Court of the United States. As a result of this decision the radicals, in control of the Congress, concluded that the Supreme Court of the United States had entered into a conspiracy with the President, Andrew Johnson, to thwart the will of the radicals.

They came to that conclusion because the purpose in the minds of the radicals was to destroy the State governments which had been erected in the Southern States under the Presidential plan of reconstruction, and to establish military government in the South.

So, in July 1866 the radicals in Congress enacted a law for the purpose of keeping President Johnson from filling any vacancy on the Supreme Court. At that time there was one existing vacancy, and President Johnson had designated as his appointee for the vacancy Henry Stanbery, one of the greatest lawyers this country has ever known. When the bill was brought up in the Congress, one of the Representatives, who was piloting the bill through the House, was asked if the bill was intended to keep Stanbery from becoming a member of the Supreme Court. He frankly said, "Yes; and to prevent further appointments from being made by President Johnson."

The bill would have reduced the number of judges on the Supreme Court Bench by two, so as to take care of the then existing vacancy and those which might occur in the future during Johnson's Presidency.

Not only did the radicals in Congress make this proposal to prevent President Johnson from filling vacancies on the Supreme Court, but they began to demand that the Supreme Court be reorganized. They threatened to take away all of the appellate jurisdiction of the Supreme Court, and some of them went so far as to threaten to abolish the Supreme Court by constitutional amendment.

The radicals in Congress had such complete control over Congress that they would undoubtedly have been able to carry out their threat, so far as Congress was concerned, to enact a proposed constitutional amendment by a two-thirds vote, with a view to abolishing the Supreme Court of the United States.

It is not altogether surprising that some of the members of the Supreme Court began to lose their courage. The Court handed down only two other courageous opinions in this period. One was the decision in the case of Cummings against Missouri, and the other was the decision in Ex parte Garland.

The first of these decisions involved the law of the State of Missouri. The legislature of that State had enacted a law providing that no man could practice his profession unless he was able to take an oath to the effect that he had never aided the Confederacy in any way.

It is a rather strange thing that the Missouri law was applied to a preacher. Cummings was a preacher, and he undertook to preach the gospel. For some reason, the Legislature of Missouri thought it was better for sinners to go to the devil than to be brought to the Lord through the agency of a minister who could not take an oath that he had not aided the Confederacy in any manner. It is a rather strange conception that the State legislature could ever reach the conclusion that a man ought not to be able to preach the gospel of Christ if he had had anything to do with the Confederacy. The Legislature of Missouri had evidently forgotten something of the record of Saul of Tarsus, who became Paul, the great apostle to the gentiles.

The other case involved one of the great lawyers of this Nation, Augustus H. Garland, who was noted for his appearances in many cases before the Supreme Court of the United States.

In those two cases, the Supreme Court, which had not been frightened entirely away from courageous action by radicals in Congress, held that the law of Missouri and a Federal statute enacted by Congress which attempted to apply the same rule to attorneys were ex post facto laws and therefore unconstitutional.

But thereafter too much courage was not exhibited by the members of the Supreme Court, with the possible exception of Judge Davis, Judge Grier, and one or two others, because, as Benjamin R. Curtis, a great lawyer from Massachusetts, wrote about this time, "The Congress, with the acquiescence of the country, has subdued the Supreme Court as well as the President."

In other words, the radicals in Congress had threatened to impeach members of the Supreme Court or to rob them of their jurisdiction, and even to abolish the Court by a constitutional amendment, because they were displeased with the courage the Court had displayed in Ex parte Milligan, in Cummings against Missouri, and in Ex parte Garland. That was the way they dealt with the Supreme Court.

Just to elaborate on that particular point, let me say that the radicals in Congress took control of the Congress and rode roughshod over those Members of Congress who dared to oppose them. They subdued the Supreme Court to such an extent that it practically withdrew from the constitutional field insofar as the Southern States were concerned. They prevented the Southern States from defending themselves by denying them representation in the Senate and in the House of Representatives. Then they undertook to enact laws under which they would take charge, through military forces, of local government in all of the Southern States except Tennessee. Tennessee was allowed representation in the Senate and in the House, while the other 10 Southern States were denied such representation, because Tennessee had ratified the 14th amendment and the other 10 Southern States had rejected the 14th amendment.

In March 1867 the radicals, who controlled Congress, passed the most monstrous legislation ever passed in American history.

I refer to the so-called Reconstruction acts under which all Southern States, except Tennessee, were placed under military government. Also at that time a statute was enacted which was directed against President Johnson. I refer to the Tenure of Office Act.

President Johnson had inherited, as a part of Lincoln's Cabinet, the Secretary of War, Edwin M. Stanton, who proved himself to be in alliance with the radicals in Congress and unfaithful to his chief, the President.

The radicals in Congress were afraid that President Johnson would do what any person in his situation desired to do, and remove Stanton from office as Secretary of War. Therefore, Congress passed the Tenure of Office Act, which provided in substance that the President could not remove from office any appointee whose appointment had been confirmed by the Senate. Andrew Johnson felt that this act was unconstitutional, and he removed Stanton from his post as Secretary of War. That act on his part was the chief cause of his later impeachment by the House of Representatives, controlled as it was, by the radicals.

I come now to the Reconstruction acts, which I consider the most monstrous and unconstitutional legislation ever enacted in this Nation.

I should like to read from a book written by one of my former teachers of history, Dr. J. G. de Roulhac Hamilton, entitled "Reconstruction in North Carolina." The book was published at Columbia University in 1914. But before I read a passage from that book, I wish, to state that the 10 Southern States, when they were represented by legislatures elected by voters possessing constitutional qualifications, that is, qualifications prescribed by State law, all rejected the 14th amendment.

I now read from pages 216 to 219 of "Reconstruction in North Carolina":

> The fate of the 14th amendment, when submitted to the North Carolina Legislature, has been noticed.[1] It met with rejection in all the other Southern States except Tennessee. When Congress met in December 1866 enough of the Southern States had rejected the amendment to show the prevailing opinion in the South, and consequently the question at once arose as to what policy should be adopted. The uncertainty in regard to this became less as the remaining Southern States in turn rejected the amendment. Consequently, in February 1867 it became a determined fact that the State governments, as organized by the President, should be superseded by others organized under military authority; that the political leaders of the Southern States should be disqualified from taking part in the reorganization of the governments; and that the right of suffrage should be extended to the Negro by national legislation, in utter defiance of the constitutional right of the individual States in the matter.

I digress from a reading of the text to say that in North Carolina there had been an election in 1865, conducted under the Presidential plan for reconstruction, and the State government had been reestablished by its people, with officers coming largely from those North Carolinians who had opposed secession from the Union. The State Legislature of North Carolina, like the State legislatures of other Southern States, had ratified the 13th amendment prohibiting slavery, and had outlawed the Confederate debt, and had also accepted in good faith all the other conditions prescribed by the Presidential plan for reconstruction.

This government had been in existence for approximately 2 years when the first of the Reconstruction acts was passed.

I now resume my reading from "Reconstruction in North Carolina," by Dr. Hamilton:

> In pursuance of this determination, the act of March 2, 1867, "to provide for a more efficient government of the rebel States," was passed. It was vetoed by the President, but was passed over the veto on the same day. Declaring in the preamble that no legal State governments or adequate protection for life or property existed in the 10 "rebel" States, the act provided that these States should be divided into 5 military districts, each under an officer of the army of not lower rank than brigadier general, and made subject to the military authority of the United States. North Carolina and South Carolina formed the second district. The commander of each district was required to protect all persons in their rights and to suppress insurrection, disorder, and violence. In the punishment of offenders, he was authorized to allow the civil tribunals to take jurisdiction, or if he deemed it necessary, to organize military commissions for the purpose. All interference with such tribunals by the State authorities was declared void and of no effect. It was further provided that the people of any of the said States should be entitled to representation whenever they should have framed and ratified a constitution in conformity with the Constitution of the United States. This constitution must be framed by a convention elected by the male citizens of the State, regardless of race, color, or previous condition, with the exception of those disfranchised for participation in rebellion or for felony. Those persons on whom disabilities would be imposed by the proposed 14th amendment were disqualified from holding a seat in the convention and from voting for delegates. The constitution thus framed, and containing the provision that all persons whom the act of Congress made electors should retain the electoral franchise, must then be approved by Congress. Whenever representatives should be admitted, the portion of the act establishing military governments would become inoperative so far as concerned the State in question. Until the completion of this reconstruction, the existing civil governments were declared provisional and liable at any time to modification or abolition.
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> On March 23, a supplementary act was passed. The original act left the whole matter of the initiation of reconstruction very indefinite. The supplementary act provided that the district commanders should cause a registration to be made of all male citizens who could take a required oath as to their qualifications as electors. The election of delegates to a convention should then be held by the commanders. For the sake of giving at least an appearance of following the will of the people, the act provided that the question of holding a convention should be submitted to them at the same time. Unless a majority of the registered voters took part in the election and a majority in favor of holding the convention resulted, no convention should be held. Provision was made for boards of election composed only of those who could take the ironclad oath. Finally, it was provided that a majority of those registered must take part in the voting on the ratification of the Constitution in order to make t valid. This act was also vetoed by President Johnson and promptly repassed by the required majorities.
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> In July, Congress met again. In the meantime Attorney General Stanbery had sent to the President an interpretation of the act, which closely restricted the power of the military commanders. At once another supplementary act was passed, as an authoritative interpretation of the former acts. It gave the commanders full power to make any removals from office that they might see fit, and authorized the boards of registration to go behind the oath of an applicant for registration whenever it seemed to them necessary. District commanders, the boards of registration, and all officers acting under either were relieved from the necessity of acting in accordance with the opinion of any civil officer of the Unted States. The executive and judicial officers referred to in the imposition of disabilities were declared to include the holders of all civil offices created by law for the administration of justice or for the administration of any general law of a State. An extension of time for registration was authorized, and also a revision of the lists of registered voters before the election. This act, as was now the customary thing, had to be passed over the President's veto.
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> Such was the most important legislation enacted for the restoration of the South. Questions of precedent and of constitutional law were alike disregarded in their passage, and justification found for all.

Mr. President, I have read a synopsis from Dr. Hamilton's book, setting forth the provisions of the Reconstruction acts. These acts provided for military government in the South. They provided that the South should be garrisoned. A garrison was stationed in my hometown until 1874, if my recollection of history serves me aright. I have heard older men in my county tell how they had to go through the ranks of soldiers of the army of occupation in order to vote in 1868, and see their natural leaders, on whose advice they had relied in times past, sit on rail fences and not vote because they were disfranchised.

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[1] Cf. supra, p. 187.

The gentleman in charge of each of those five military districts was given the power to decide whether civilians should be tried by military commissions or in civil courts. They were given the power to remove from office any of the State or local officials who had been placed in office under Presidential reconstruction. They were given charge of the election machinery of those States and charge of the elections and of registration of voters. They were even excused by act of Congress from paying any attention to any advice they received from any civil authorities at the National or State level.

Of course, those States tried to get an interpretation of the Reconstruction acts and to get a decision from the Supreme Court of the United States as to their constitutionality. The first of these attempts was made on April 5, 1867, when three great lawyers, Robert J. Walker, Augustus H. Garland, and William H. Sharkey, applied to the Supreme Court for leave to file a bill in equity to enjoin "Andrew Johnson, a citizen of the State of Tennessee and President of the United States, and his officers and agents appointed for that purpose, and especially E. O. C. Ord, assigned as military commander of the district from executing or in any manner carrying out the acts of March 2 and 25, 1857."

The Supreme Court refused to allow those attorneys, who were representing the State of Mississippi, to file such a bill in equity in the Supreme Court; and that first attempt to secure a decision in regard to the constitutionality of the Reconstruction acts failed. On April 15 the Supreme Court held that it would not permit a bill in equity to be filed, because it did not wish to pass on the delicate issue as to the power of the Court to control Executive acts; and, therefore, the Court denied the leave sought.

A few days later another application was made to the Supreme Court for permission to file a bill in equity to challenge the constitutionality of the Reconstruction acts; and the Supreme Court granted that application. However, after argument, a few days later the Court entered a decision dismissing the suit—on the ground that it called for adjudication, not of the rights of persons or property, but of rights of a political character affecting the sovereignty or corporate existence of a State; and the Court said it had no jurisdiction over such a controversy.

Then it appeared possible that by a curious twist of fate a case which did reach the Supreme Court of the United States would require the Court to pass on the constitutionality of a statute which the radicals had passed in Congress on February 5, 1867, for the benefit of Federal officials and so-called loyal persons in the South. That statute was so phrased that it gave the Federal circuit courts jurisdiction in all cases in which any person was restrained or deprived of his liberty, in violation of the Constitution or in violation of any treaty or law of the United States. It happened that at that time there was in Vicksburg, Miss., an editor, named McCardle, who had published in his newspaper an editorial criticizing the military government then in vogue in Mississippi and in other Southern States. The radicals in Congress had no respect for the right of freedom of speech, which was supposed to be secured by the first amendment of the Constitution to persons who disagreed with them; and McCardle was arrested, at the instance of the military authorities, for speaking ill of them. He was imprisoned, and was held for trial before a military commission. He applied to the circuit court for habeas corpus for his release, on the ground that his arrest and detention under the Reconstruction acts violated the Constitution. When the circuit court refused to grant him his liberty, he appealed to the Supreme Court of the United States. He was asserting a constitutional right as a person; and the Supreme Court of the United States clearly had jurisdiction of his case, and the case clearly made it necessary—if the Supreme Court was to discharge any judicial function whatever—for it to rule on the constitutionality of the Reconstruction acts. That situation sent a good deal of fear into the hearts of the radicals who then controlled Congress because their actions showed time and time again that they were conscious of the unconstitutionality of the Reconstruction acts. So the radicals introduced in Congress a bill which provided that in any case involving the constitutionality of an act of Congress, unless two-thirds of the judges of the Supreme Court agreed that the act was unconstitutional, the Court could not hand down such a decision. That bill was defeated because of the terrible criticism it received at the hands of the American bar.

So, at the instance of Thaddeus Stevens, the radicals then introduced in the Senate a bill which forbade the Supreme Court of the United States to take jurisdiction of any case in law or equity which arose out of the Reconstruction acts. That bill also caused a violent reaction in the press and among the lawyers of the North, and the bill was laid aside.

Finally, the McCardle case was argued before the U.S. Supreme Court, and the Supreme Court took it under advisement. When that happened, the radicals saw it was necessary for them to take some drastic action immediately. As I have pointed out, McCardle had done nothing except exercise his right of free speech, and he was applying for a writ of habeas corpus to free him from his imprisonment—which he claimed was illegal and unconstitutional—under the Reconstruction acts. He was seeking the greatest right of all—the right to secure the liberty of a person against unlawful imprisonment—that had ever been developed in any legal system on the face of the earth.

So what did the radicals in Congress do in their attempt to keep the Supreme Court of the United States from handing down a decision as to the constitutionality of the Reconstruction acts under which McCardle was arrested and held for trial, before a military tribunal, for exercising the right of freedom of speech and for condemning something which ought to have been condemned? The radicals in Congress succeeded in having passed a statute which robbed the Supreme Court of the United States of its jurisdiction to review habeas corpus proceedings brought under the act of 1867.

Mr. President, in that connection, a certain amount of criticism can justly be leveled at the Supreme Court of the United States, because the Court had heard arguments in that case and had taken the case under advisement before that measure was brought up in Congress, and the bill was passed through the House, in the first instance, by a sneak action, in which a Member of the House obtained unanimous consent to have the House take up a bill, then on the calendar, which had no relationship to this matter. It was taken up, following a statement that it was an innocuous bill, but then the bill was amended so suddenly in that way that scarcely any other Member of the House knew what had happened. The bill was then passed by both Houses of Congress, but was vetoed by President Johnson, and it was passed over President Johnson's veto, in the course of a heated debate in which the opponents of the bill—such as Senator Reverdy Johnson and others—correctly characterized the bill, and in no uncertain terms condemned the action of the radicals in having it passed.

So the Supreme Court missed a glorious opportunity to hand down a decision on that act. On the contrary, apparently the majority of the Court postponed action so that Congress could act, thus enabling the Court to escape making a decision. That statement does not apply to some of the Justices, because some of them wanted to take action.

The bill was passed by the Congress while the impeachment trial of Andrew Johnson was in progress in this very Senate Chamber. The greatest exhibition of courage of the most sublime character ever given by any President of the United States was given by Andrew Johnson at that time. He was actually being tried at the instigation of the radicals who controlled Congress in an impeachment proceeding which could have resulted in his removal from office and his inability ever to occupy another office under the Federal Government. Despite that fact, Andrew Johnson signed a magnificent statement vetoing the act of Congress which robbed the Supreme Court of jurisdiction to review the McCardle decision. He said in his great veto message:

> It will be justly held by a large portion of the people as an admission of the unconstitutionality of the act on which its judgment may be forbidden or forestalled, and may interfere with their willing acquiescence in its provisions, which is necessarily harmonious and efficient execution of any law.

In other words, at the very time when his political life was at stake in the impeachment proceeding, that President, a man who had fewer opportunities in life than any other man who has attained that high office, had the courage to veto the bill which most of his judges had assisted in passing through the Congress.

Some time ago I said that I favored the retention of the two-thirds requirement of rule XXII, because the history of the Nation showed that at one time the constitutional provision requiring a two-thirds vote to remove a President had prevented the total blackout of constitutional government in the United States.

Let us stop and think a moment of that impeachment proceeding. The Members of Congress who were controlled by the radicals knew that Andrew Johnson had not done anything to merit impeachment. They knew that Andrew Johnson had not been guilty of treason. On the contrary, they knew that Andrew Johnson had been trying to save the Constitution and constitutional government from destruction at their hands. They knew that Andrew Johnson had not been guilty of bribery. They knew that Andrew Johnson had not committed any high crime or misdemeanor. They knew that the only offense of which Andrew Johnson was guilty was his fidelity to the oath which he had taken to uphold the Constitution of the United States. They knew that the only thing they really had against Andrew Johnson was that he had vetoed acts of Congress which were entirely inconsistent with the Constitution and which were absolutely repugnant to free government in the United States.

Those were tragic days. The greatest tragedy lies in the fact that they showed that partisans will yield to temptation in times of stress and turmoil. This entire tragic story illustrates beyond any doubt that if liberty is to be preserved in our Nation, there must be some safeguards which will restrain impatient and intemperate acts on the part of those in authority in times of stress, strain, and turmoil.

Despite the fact that all of the Members of the House of Representatives knew that Andrew Johnson had not committed treason, bribery, or any high crime or misdemeanor as grounds for impeachment under the Constitution, the House of Representatives, by an overwhelming majority, impeached him on false charges, the main charge being that he had violated the Tenure-of-Office Act. Incidentally, at this point, I add that Andrew Johnson made repeated efforts to obtain a decision from the Supreme Court of the United States as to the validity and constitutionality of the Tenure-of-Office Act. He was unable to obtain such a decision because, as Benjamin R. Curtis has said, the radicals subdued the Supreme Court, at least temporarily.

Andrew Johnson was the only public official in our Nation who was able to stand between a radical Congress and a complete blackout of constitutional government in the United States.

So he was impeached, because he was resisting the radical Congress and its unconstitutional measures. They reasoned that if they could get rid of Andrew Johnson and remove him from office, he would be succeeded, in all probability, by Senator Wade, one of the chief leaders of the radicals, who would do the will of the radicals.

It is rather interesting to note at this point that Senator Wade, one of the authors of the Wade-Davis bill which was designed to prevent the Southern States from being again admitted to the Union, was President pro tempore of the Senate at the time of the impeachment of President Andrew Johnson and, under the law, would have succeeded to the Presidency of the United States if two-thirds of the Members of the Senate had voted to convict Andrew Johnson on his impeachment trial.

I hold in my hand a book, entitled "Concise Dictionary of American Biography," which was published by Charles Scribner's Sons in 1964. I read from it a portion of the biography of Benjamin Franklin Wade, Senator from Ohio, who was active in the bringing of the impeachment charges against Andrew Johnson. I read only a portion of the biography which is set forth on page 1121:

> At first believing that he—

That is, Senator Wade—

> and his group could bend President Andrew Johnson to support of their measures, Wade later turned on him and his policies. *Post* December 1865, along with Charles Sumner, Thaddeus Stevens and others, he waged a persistent campaign against Johnson and seemed ready to resort to any extremity in order to carry through the congressional program. Chosen president *pro tempore* of the Senate, March 2, 1867, he would, according to the custom of that time, have succeeded to the presidency in the event of Johnson's removal. In the ensuing impeachment of Johnson, Wade voted for the president's conviction, despite the fact that he was an interested party. He was so expectant of success that he began the selection of his cabinet before the impeachment trial was ended. Thwarted by Johnson's acquittal and failing of re-election to the Senate, Wade resumed the practice of law in Ohio.

With sadness, I am constrained to hold up Senator Wade as an example to my brethren who think there ought to be no restraint in the Senate rules upon the action of a majority of the Senators. He was the powerful president pro tempore of the Senate, who led the majority of the Senators in the effort to impeach Andrew Johnson. He would have succeeded to the Presidency if Johnson had been convicted, because he was the president pro tempore of this august body. He sat as a judge in his own case and voted for the conviction of Johnson when he knew that that conviction would help to promote him to the Presidency of the United States. He was so certain of his success, as the book states, that he went so far as to begin to select the members of his Cabinet.

I would hold up Senator Wade, who was then presumably an honorable Member of the Senate, as an example for the consideration of those Senators who think that in this land of ours there need be no rules of the Senate to restrain the action of Senators.

Impeachment proceedings were brought against Andrew Johnson in the House of Representatives. He was tried in the Senate Chamber. In all human probability Chief Justice Salmon P. Chase, as the Presiding Officer at the impeachment trial of Andrew Johnson, sat in the seat now occupied by the Presiding Officer.

Chief Justice Chase was a man of rare ability. As Chief Justice he did many things which manifested his courage. He presided over the impeachment trial of Andrew Johnson in an extremely fair and legal manner. However, I feel that he missed greatness by a narrow margin, because of his ambition to be President of the United States. On rare occasions he had a tendency to fail to match his great ability with what was right. He yielded to the temptation to trim his sails to fit the political winds.

The trial occurred in this Senate Chamber.

Subsection 6 of section 3 of article I of the Constitution saved this Nation from a most disgraceful event. That was because it provides that when the Senate of the United States sits as a court of impeachment the person being impeached cannot be convicted without the concurrence of two-thirds of the Members present.

Andrew Johnson was saved from impeachment by the vote of one Senator, because those voting for his conviction lacked one vote of having the constitutionally required two-thirds majority.

While he was serving as a Member of the Senate, President John F. Kennedy wrote a very fine chapter in his book entitled "Profiles In Courage" about one of the Senators who voted with the minority. President Kennedy wrote of Edmund G. Ross. It has always seemed to me there was another Senator who voted with the minority who deserved great credit. I think the other Senator was James W. Grimes, a Member of the Senate who had a stroke of paralysis and who had himself carried into this Chamber in order that he might vote against the unjust impeachment of a President of the United States who was standing between a radical Congress and complete destruction of constitutional government in America.

At the risk of being somewhat tedious, I shall read what the President said about this trial and particularly what he said about Senator Edmund G. Ross. It is a stirring chapter. It is a stirring chapter because it deals with a man who had the courage to vote with the minority for what was right in the face of what was probably the greatest popular demand for an unjust act that this country has ever witnessed:

> In a lonely grave, forgotten and unknown, lies "the man who saved a President," and who as a result may well have preserved for ourselves and posterity constitutional government in the United States—the man who performed in 1868 what one historian has called the most heroic act in American history, incomparably more difficult than any deed of valor upon the field of battle—but a U.S. Senator whose name no one recalls: Edmund G. Ross of Kansas.

I digress for a moment to say that if the radical Congress had been successful in the conviction of Andrew Johnson and had removed him from office this would have set a precedent for other partisans and other radicals in the control of the Congress to follow, and we might have seen constitutional government in this country become as unstable as it is in many other parts of the Americas.

I resume the reading of President Kennedy's article:

> The impeachment of President Andrew Johnson, the event in which the obscure Ross was to play such a dramatic role, was the sensational climax to the bitter struggle between the President, determined to carry out Abraham Lincoln's policies of reconciliation with the defeated South, and the more radical Republican leaders in Congress, who sought to administer the downtrodden Southern States as conquered provinces which had forfeited their rights under the Constitution. It was, moreover, a struggle between executive and legislative authority. Andrew Johnson, the courageous if untactful Tennessean who had been the only southern Member of Congress to refuse to secede with his State, had committed himself to the policies of the Great Emancipator to whose high station he had succeeded only by the course of an assassin's bullet. He knew that Lincoln proir to his death had already clashed with the extremists in Congress, who had opposed his approach to reconstruction in a constitutional and charitable manner and sought to make the legislative branch of the Government supreme. And his own belligerent temperament soon destroyed any hope that Congress might now join hands in carrying out Lincoln's policies of permitting the South to resume its place in the Union with as little delay and controversy as possible.
>
> By 1866, when Edmund Ross first came to the Senate, the two branches of the Government were already at each other's throats, snarling and bristling with anger. Bill after bill was vetoed by the President on the grounds that they were unconstitutional, too harsh in their treatment of the South, an unnecessary prolongation of military rule in peacetime or undue interference with the authority of the executive branch. And for the first time in our Nation's history, important public measures were passed over a President's veto and became law without his support.
>
> But not all of Andrew Johnson's vetoes were overturned; and the radical Republicans of the Congress promptly realized that one final step was necessary before they could crush their despised foe (and in the heat of political battle their vengeance was turned upon their President far more than their former military enemies of the South). That one remaining step was the assurance of a two-thirds majority in the Senate—for under the Constitution, such a majority was necessary to override a Presidential veto. And more important, such a majority was constitutionally required to accomplish their major ambition, now an ill-kept secret, conviction of the President under an impeachment and his dismissal from office.
>
> The temporary and unstable two-thirds majority which had enabled the Senate radical Republicans on several occasions to enact legislation over the President's veto was, they knew, insufficiently reliable for an impeachment conviction. To solidify this bloc became the paramount goal of Congress, expressly or impliedly governing its decisions on other issues—particularly the admission of new States, the readmission of Southern States and the determination of senatorial credentials. By extremely dubious methods a pro-Johnson Senator was denied his seat. Over the President's veto Nebraska was admitted to the Union, seating two more anti-administration Senators. Although last minute maneuvers failed to admit Colorado over the President's veto (sparsely populated Colorado had rejected statehood in a referendum), an unexpected tragedy brought false tears and fresh hopes for a new vote, in Kansas.
>
> Senator Jim Lane, of Kansas, had been a conservative Republican sympathetic to Johnson's plans to carry out Lincoln's reconstruction policies. But his frontier State was one of the most radical in the Union. When Lane voted to uphold Johnson's veto of the civil rights bill of 1866 and introduced the administration's bill for recognition of the new State government of Arkansas, Kansas had risen in outraged heat. A mass meeting at Lawrence had vilified the Senator and speedily reported resolutions sharply condemning his position. Humiliated, mentally ailing, broken in health and laboring under charges of financial irregularities, Jim Lane took his own life on July 1, 1866.
>
> With this thorn in their side removed, the radical Republicans in Washington looked anxiously toward Kansas and the selection of Lane's successor. Their fondest hopes were realized, for the new Senator from Kansas turned out to be Edmund G. Ross, the very man who had introduced the resolutions attacking Lane at Lawrence.
>
> There could be no doubt as to where Ross' sympathies lay, for his entire career was one of determined opposition to the slave States of the South, their practices and their friends. In 1854, when only 28, he had taken part in the mob rescue of a fugitive slave in Milwaukee. In 1856, he had joined that flood of antislavery immigrants to "bleeding" Kansas who intended to keep it a free territory. Disgusted with the Democratic Party of his youth, he had left that party, and volunteered in the Kansas Free State army to drive back a force of proslavery men invading the territory. In 1862, he had given up his newspaper work to enlist in the Union Army, from which he emerged a major. His leading role in the condemnation of Lane at Lawrence convinced the radical Republican leaders in Congress that in Edmund G. Ross they had a solid member of that vital two-thirds.
>
> The stage was now set for the final scene—the removal of Johnson. Early in 1867, Congress enacted over the President's veto the tenure-of-office bill which prevented the President from removing without the consent of the Senate all new officeholders whose appointment required confirmation by that body. At the time nothing more than the cry for more patronage was involved, Cabinet members having originally been specifically exempt.
>
> On August 5, 1867, President Johnson—convinced that the Secretary of War, whom he had inherited from Lincoln, Edwin M. Stanton, was the surreptitious tool of the radical Republicans and was seeking to become the almighty dictator of the conquered South—asked for his immediate resignation; and Stanton arrogantly fired back the reply that he declined to resign before the next meeting of Congress. Not one to cower before this kind of effrontery, the President one week later suspended Stanton, and appointed in his place the one man whom Stanton did not dare resist, General Grant. On January 13, 1868, an angry Senate notified the President and Grant that it did not concur in the suspension of Stanton, and Grant vacated the office upon Stanton's return. But the situation was intolerable. The Secretary of War was unable to attend Cabinet meetings or associate with his colleagues in the administration; and on February 21, President Johnson, anxious to obtain a court test of the act he believed obviously unconstitutional, again notified Stanton that he had been summarily removed from the office of Secretary of War.
>
> While Stanton, refusing to yield possession, barricaded himself in his office, public opinion in the Nation ran heavily against the President. He had intentionally broken the law and dictatorily thwarted the will of Congress. Although previous resolutions of impeachment had been defeated in the House, both in committee and on the floor, a new resolution was swiftly reported and adopted on February 24 by a tremendous vote. Every single Republican voted in the affirmative, and Thaddeus Stevens of Pennsylvania—the crippled, fanatical personification of the extremes of the radical Republican movement, master of the House of Representatives, with a mouth like the thin edge of an ax—warned both Houses of the Congress coldly: "Let me see the recreant who would vote to let such a criminal escape. Point me to one who will dare do it and I will show you one who will dare the infamy of posterity."
>
> With the President impeached—in effect, indicted—by the House, the frenzied trial for his conviction or acquittal under the Articles of Impeachment began on March 5 in the Senate, presided over by the Chief Justice. It was a trial to rank with all the great trials in history—Charles I before the High Court of Justice, Louis XVI before the French Convention, and Warren Hastings before the House of Lords. Two great elements of drama were missing: the actual cause for which the President was being tried was not fundamental to the welfare of the Nation; and the defendant himself was at all times absent.
>
> But every other element of the highest courtroom drama was present. To each Senator the Chief Justice administered an oath "to do impartial justice" (including even the hotheaded radical Senator from Ohio, Benjamin Wade, who as President pro tempore of the Senate was next in line for the Presidency). The chief prosecutor for the House was Gen. Benjamin F. Butler, the "butcher of New Orleans," a talented but coarse and demagogic Congressman from Massachusetts. (When he lost his seat in 1874, he was so hated by his own party as well as his opponents that one Republican wired concerning the Democratic sweep, "Butler defeated, everything else lost.") Some 1,000 tickets were printed for admission to the Senate galleries during the trial, and every conceivable device was used to obtain one of the four tickets allotted each Senator.
>
> From the 5th of March to the 16th of May, the drama continued. Of the 11 articles of impeachment adopted by the House, the first 8 were based upon the removal of Stanton and the appointment of a new Secretary of War in violation of the Tenure of Office Act; the 9th related to Johnson's conversation with a general which was said to induce violations of the Army Appropriations Act; the 10th recited that Johnson had delivered "intemperate, inflammatory, and scandalous harangues * * * as well against Congress as the laws of the United States"; and the 11th was a deliberately obscure conglomeration of all the charges in the preceding articles which had been designed by Thaddeus Stevens to furnish a common ground for those who favored conviction but were unwilling to identify themselves on basic issues. In opposition to Butler's inflammatory arguments in support of this hastily drawn indictment, Johnson's able and learned counsel replied with considerable effectiveness. They insisted that the Tenure of Office Act was null and void as a clear violation of the Constitution; that even if it were valid, it would not apply to Stanton, for the reasons previously mentioned; and that the only way that a judicial test of the law could be obtained was for Stanton to be dismissed and sue for his rights in the courts.

I digress at this point to say that since that time the Supreme Court has held in many cases that a President has the constitutional power to remove from office any person he appoints to an office, regardless of whether that persons' appointment has been confirmed by the Senate. So the position of Johnson's lawyers in the impeachment proceedings that the Tenure of Office Act was unconstitutional has been confirmed many times.

I continue to read:

But as the trial progressed, it become increasingly apparent that the impatient Republicans did not intend to give the President a fair trial on the formal issues upon which the impeachment was drawn, but intended instead to depose him from the White House on any grounds, real or imagined, for refusing to accept their policies. Telling evidence in the President's favor was arbitrarily excluded. Prejudgment on the part of most Senators was brazenly announced. Attempted bribery and other forms of pressure were rampant. The chief interest was not in the trial or the evidence, but in the tallying of votes necessary for conviction.

Twenty-seven States (excluding the unrecognized Southern States) in the Union meant 54 Members of the Senate, and 36 votes were required to constitute the two-thirds majority necessary for conviction. All 12 Democratic votes were obviously lost, and the 42 Republicans knew that they could afford to lose only 6 of their own Members if Johnson were to be ousted. To their dismay, at a preliminary Republican caucus, six courageous Republicans indicated that the evidence so far introduced was not in their opinion sufficient to convict Johnson under the articles of impeachment. "Infamy," cried the Philadelphia Press. The Republic has "been betrayed in the house of its friends."

But if the remaining 36 Republicans would hold, there would be no doubt as to the outcome. All must stand together. But one Republican Senator would not announce his verdict in the preliminary poll—Edmund G. Ross, of Kansas. The radicals were outraged that a Senator from such an anti-Johnson stronghold as Kansas could be doubtful. "It was a very clear case," Senator Sumner, of Massachusetts, fumed, "especially for a Kansas man. I did not think that a Kansas man could quibble against his country."

From the very time Ross had taken his seat, the radical leaders had been confident of his vote. His entire background, as already indicated, was one of firm support of their cause. One of his first acts in the Senate had been to read a declaration of his adherence to radical Republican policy, and he had silently voted for all of their measures. He had made it clear that he was not in sympathy with Andrew Johnson personally or politically; and after the removal of Stanton, he had voted with the majority in adopting a resolution declaring such removal unlawful. His colleague from Kansas, Senator Pomeroy, was one of the most radical leaders of the anti-Johnson group. The Republicans insisted that Ross's crucial vote was rightfully theirs and they were determined to get it by whatever means available. As stated by DeWitt in his memorable "Impeachment of Andrew Johnson," "The full brunt of the struggle turned at last on the one remaining doubtful Senator, Edmund G. Ross."

When the impeachment resolution had passed the House, Senator Ross had casually remarked to Senator Sprague of Rhode Island, "Well, Sprague, the thing is here; and, so far as I am concerned, though a Republican and opposed to Mr. Johnson and his policy, he shall have as fair a trial as an accused man ever had on this earth." Immediately the word spread that "Ross was shaky." "From that hour," he later wrote, "not a day passed that did not bring me, by mail and telegraph and in personal intercourse, appeals to stand fast for impeachment, and not a few were the admonitions of condign visitations upon any indication even of lukewarmness."

"Throughout the country, and in all walks of life, as indicated by the correspondence of Members of the Senate, the condition of the public mind was not unlike that preceding a great battle. The dominant party of the Nation seemed to occupy the position of public prosecutor, and it was scarcely in the mood to brook delay for trial or to hear defense. Washington had become during the trial and central point of the politically dissatisfied and swarmed with representatives of every State of the Union, demanding in a practically united voice the deposition of the President. The footsteps of the anti-impeaching Republicans were dogged from the day's beginning to its end and far into the night with entreaties, considerations, and threats. The newspapers came daily filled with not a few threats of violence upon their return to their constituents."

Ross and his fellow doubtful Republicans were daily pestered, spied upon and subjected to every form of pressure. Their residences were carefully watched, their social circles suspiciously scrutinized, and their every move and companions secretly marked in special notebooks. They were warned in the party press, harangued by their constituents, and sent dire warnings threatening political ostracism and even assassination. Stanton himself, from his barricaded headquarters in the War Department, worked day and night to bring to bear upon the doubtful Senators all the weight of his impressive military associations. The Philadelphia Press reported "a fearful avalanche of telegrams from every section of the country," a great surge of public opinion from the "common people" who had given their money and lives to the country and would not "willingly or unavenged see their great sacrifice made naught."

The New York Tribune reported that Edmund Ross in particular was "mercilessly dragged this way and that by both sides, hunted like a fox night and day and badgered by his own colleague, like the bridge at Arcola now trod upon by one army and now trampled by the other." His background and life were investigated from top to bottom, and his constituents and colleagues pursued him throughout Washington to gain some inkling of his opinion. He was the target of every eye, his name was on every mouth and his intentions were discussed in every newspaper. Although there is evidence that he gave some hint of agreement to each side, and each attempted to claim him publicly, he actually kept both sides in a state of complete suspense by his judicial silence.

But with no experience in political turmoil, no reputation in the Senate, no independent income and the most radical State in the Union to deal with, Ross was judged to be the most sensitive to criticism and the most certain to be swayed by expert tactics. A committee of Congressmen and Senators sent to Kansas, and to the States of the other doubtful Republicans, this telegram: "Great danger to the peace of the country and the Republican cause if impeachment fails. Send to your Senators public opinion by resolutions, letters, and delegations." A member of the Kansas Legislature called upon Ross at the Capitol. A general urged on by Stanton remained at his lodge until 4 o'clock in the morning determined to see him. His brother received a letter offering $20,000 for revelation of the Senator's intentions. Gruff Ben Butler exclaimed of Ross, "There is a bushel of money. How much does the damned scoundrel want?" The night before the Senate was to take its first vote for the conviction or acquittal of Johnson, Ross received this telegram from home:

"Kansas has heard the evidence and demands the conviction of the President.

"D. R. Anthony and 1,000 Others."

And on that fateful morning of May 16 Ross replied:

"To D. R. Anthony and 1,000 Others: I do not recognize your right to demand that I vote either for or against conviction. I have taken an oath to do impartial justice according to the Constitution and laws, and trust that I shall have the courage to vote according to the dictates of my judgment and for the highest good of the country.

"E. G. Ross."

That morning spies traced Ross to his breakfast; and 10 minutes before the vote was taken his Kansas colleague warned him in the presence of Thaddeus Stevens that a vote for acquittal would mean trumped up charges and his political death.

But now the fateful hour was at hand. Neither escape, delay or indecision was possible. As Ross himself later described it: "The galleries were packed. Tickets of admission were at an enormous premium. The House had adjourned and all of its members were in the Senate chamber. Every chair on the Senate floor was filled with a Senator, a Cabinet Officer, a member of the President's counsel or a Member of the House." Every Senator was in his seat, the desperately ill Grimes, of Iowa, being literally carried in.

It had been decided to take the first vote under that broad 11th article of impeachment, believed to command the widest support. As the Chief Justice announced the voting would begin, he reminded "the citizens and strangers in the galleries that absolute silence and perfect order are required."

But already a deathlike stillness enveloped the Senate Chamber. A Congressman later recalled that, "Some of the Members of the House near me grew pale and sick under the burden of suspense"; and Ross noted that there was even "a subsidence of the shuffling of feet, the rustling of silks, the fluttering of fans, and of conversation."

The voting tensely commenced. By the time the Chief Justice reached the name of Edmund Ross 24 "guilties" had been pronounced. Ten more were certain and one other practically certain. Only Ross' vote was needed to obtain the 36 votes necessary to convict the President. But not a single person in the room knew how this young Kansan would vote. Unable to conceal the suspense and emotion in his voice, the Chief Justice put the question to him: "Mr. Senator Ross, how say you? Is the respondent Andrew Johnson guilty or not guilty of a high misdemeanor as charged in this article?" Every voice was still; every eye was upon the freshman Senator from Kansas. The hopes and fears, the hatred and bitterness of past decades were centered upon this one man.

As Ross himself later described it, his "powers of hearing and seeing seemed developed in an abnormal degree.

"Every individual in that great audience seemed distinctly visible, some with lips apart and bending forward in anxious expectancy, others with hand uplifted as if to ward off an apprehended blow * * * and each peering with an intensity that was almost tragic upon the face of him who was about to cast the fateful vote. Every fan was folded, not a foot moved, not the rustle of a garment, not a whisper was heard. * * * Hope and fear seemed blended in every face, instantaneously alternating, some with revengeful hate * * * others lighted with hope. The Senators in their seats leaned over their desks, many with hand to ear. It was a tremendous responsibility, and it was not strange that he upon whom it had been imposed by a fateful combination of conditions should have sought to avoid it, to put it away from him as one shuns, or tries to fight off, a nightmare. I almost literally looked down into my open grave. Friendships, position, fortune, everything that makes life desirable to an ambitious man were about to be swept away by the breath of my mouth, perhaps forever. It is not strange that my answer was carried waveringly over the air and failed to reach the limits of the audience, or that repetition was called for by distant Senators on the opposite side of the Chamber."

Then came the answer again in a voice that could not be misunderstood—full, final, definite, unhesitating, and unmistakable: "Not guilty." The deed was done, the President saved, the trial as good as over and the conviction lost. The remainder of the rollcall was unimportant, conviction had failed by the margin of a single vote and a general rumbling filled the Chamber until the Chief Justice proclaimed that "on this article 35 Senators having voted guilty and 19 not guilty, a two-thirds majority not having voted for his conviction, the President is, therefore, acquitted under this article."

A 10-day recess followed, 10 turbulent days to change votes on the remaining articles. An attempt was made to rush through bills to readmit six southern States, whose 12 Senators were guaranteed to vote for conviction. But this could not be accomplished in time. Again Ross was the only one uncommitteed on the other articles, the only one whose vote could not be predicted in advance. And again he was subjected to terrible pressure. From "D. R. Anthony and others," he received a wire informing him that "Kansas repudiates you as she does all perjurors and skunks." Every incident in his life was examined and distorted. Professional witnesses were found by Senator Pomeroy to testify before a special House committee that Ross had indicated a willingness to change his vote for a consideration. (Unfortunately this witness was so delighted in his exciting role that he also swore that Senator Pomeroy had made an offer to produce three votes for acquittal for $40,000.) When Ross, in his capacity as a committee chairman, took several bills to the President, James G. Blaine remarked: "There goes the rascal to get his pay." (Long afterward Blaine was to admit: "In the exaggerated denunciation caused by the anger and chagrin of the moment, great injustice was done to statesmen of spotless character.")

Again the wild rumors spread that Ross had been won over on the remaining articles of impeachment. As the Senate reassembled, he was the only one of the seven "renegade" Republicans to vote with the majority on preliminary procedural matters. But when the second and third articles of impeachment were read, and the name of Ross was reached again with the same intense suspense of 10 days earlier, again came the calm answer, "Not guilty."

Why did Ross, whose dislike for Johnson continued, vote "Not guilty"? His motives appear clearly from his own writings on the subject years later in articles contributed to Scribner's and Forum magazines:

> In a large sense, the independence of the executive office as a coordinate branch of the Government was on trial. If * * * the President must step down * * * a disgraced man and a political outcast * * * upon insufficient proof and from partisan considerations, the office of President would be degraded, cease to be a coordinate branch of the Government, and ever after subordinated to the legislative will. It would practically have revolutionized our splendid political fabric into a partisan Congressional autocracy. This Government had never faced so insidious a danger * * * control by the worst element of American politics. If Andrew Johnson were acquitted by a nonpartisan vote * * * America would pass the danger of partisan rule and that intolerance which so often characterizes the sway of great majorities and makes them dangerous.

The "open grave" which Edmund Ross had foreseen was hardly an exaggeration. A Justice of the Kansas Supreme Court telegraphed him that "the rope with which Judas Iscariot hanged himself is lost, but Jim Lane's pistol is at your service." An editorial in a Kansas newspaper screamed:

"On Saturday last Edmund G. Ross, U.S. Senator from Kansas, sold himsef, and betrayed his constituents, stultified his own record, basely lied to his friends, shamefully violated his solemn pledge * * * and to the utmost of his poor ability signed the death warrant of his country's liberty. This act was done deliberately, because the traitor, like Benedict Arnold, loved money better than he did principle, friends, honor and his country, all combined. Pour, pitiful shriveled wretch, with a soul so small that a little pelf would outweigh all things else that dignify or ennoble manhood."

Ross' political career was ended. To the New York Tribune he was nothing but "a miserable poltroon and traitor." The Philadelphia Press said that in Ross "littleness" had "simply borne its legitimate fruit," and that he and his fellow recalcitrant Republicans had "plunged from a precipice of fame into the groveling depths of infamy and death." The Philadelphia Inquirer said that "They had tried, convicted, and sentenced themselves." For them there could be "no allowance, no clemency."

Comparative peace returned to Washington as Stanton relinquished his office and Johnson served out the rest of his term, later—unlike his Republican defenders—to return triumphantly to the Senate as Senator from Tennessee. But no one paid attention when Ross tried unsuccessfully to explain his vote, and denounced the falsehoods of Ben Butler's investigating committee, recalling that the general's "well-known groveling instincts and proneness to slime and uncleanness" had led "the public to insult the brute creation by dubbing him 'the beast.'" He clung unhappily to his seat in the Senate until the expiration of his term, frequently referred to as "the traitor Ross," and complaining that his fellow Congressmen, as well as citizens on the street, considered association with him "disreputable and scandalous," and passed him by as if he were "a leper, with averted face and every indication of hatred and disgust."

Neither Ross nor any other Republican who had voted for the acquittal of Johnson was ever reelected to the Senate, not a one of them retaining the support of their party's organization. When he returned to Kansas in 1871, he and his family suffered social ostracism, physical attack, and near poverty.

Who was Edmund G. Ross? Practically nobody. Not a single public law bears his name, not a single history book includes his picture, not a single list of Senate "greats" mentions his service. His one heroic deed has been all but forgotten. But who might Edmund G. Ross have been? That is the question—for Ross, a man with an excellent command of words, an excellent background for politics, and an excellent future in the Senate, might well have outstripped his colleagues in prestige and power throughout a long Senate career. Instead, he chose to throw all of this away for one act of conscience.

But the twisting course of human events eventually upheld the faith he expressed to his wife shortly after the trial: "Millions of men cursing me today will bless me tomorrow for having saved the country from the greatest peril through which it has ever passed, though none but God can ever know the struggle it has cost me." For 20 years later Congress repealed the Tenure of Office Act, to which every President after Johnson, regardless of party, had objected; and still later the Supreme Court, referring to "the extremes of that episode in our Government," held it to be unconstitutional. Ross moved to New Mexico, where in his later years he was to be appointed Territorial Governor. Just prior to his death when he was awarded a special pension by Congress for his service in the Civil War, the press and the country took the opportunity to pay tribute to his fidelity to principle in a trying hour and his courage in saving his Government from a devastating reign of terror. They now agreed with Ross' earlier judgment that his vote had "saved the country from * * * a strain that would have wrecked any other form of government."

Those Kansas newspapers and political leaders who had bitterly denounced him in earlier years praised Ross for his stand against legislative mob rule: "By the firmness and courage of Senator Ross," it was said, "the country was saved from calamity greater than war, while it consigned him to a political martydom, the most cruel in our history. Ross was the victim of a wild flame of intolerance which swept everything before it. He did his duty knowing that it meant his political death. It was a brave thing for Ross to do, but Ross did it. He acted for his conscience and with a lofty patriotism, regardless of what he knew must be the ruinous consequences to himself. He acted right."

* * * * *

I could not close the story of Edmund Ross without some more adequate mention of those six courageous Republicans who stood with Ross and braved denunciation to acquit Andrew Johnson. Edmund Ross, more than any of those six colleagues, endured more before and after his vote, reached his conscientious decision with greater difficulty, and aroused the greatest interest and suspense prior to May 16 by his noncommittal silence. His story, like his vote, is the key to the impeachment tragedy. But all seven of the Republicans who voted against conviction should be remembered for their courage. Not a single one of them ever won reelection to the Senate. Not a single one of them escaped the unholy combination of threats, bribes, and coercive tactics by which their fellow Republicans attempted to intimidate their votes; and not a single one of them escaped the terrible torture of vicious criticism engendered by their vote to acquit.

William Pitt Fessenden, of Maine, one of the most eminent Senators, orators and lawyers of his day, and a prominent senior Republican leader, who admired Stanton and disliked Johnson, became convinced early in the game that "the whole thing is a mere madness."

> The country has so bad an opinion of the President, which he fully deserves, that it expects his condemnation. Whatever may be the consequences to myself personally, whatever I may think and feel as a politician, I will not decide the question against my own judgment. I would rather be confined to planting cabbages the remainder of my days. Make up your mind, if need be, to hear me denounced a traitor and perhaps hanged in effigy. All imaginable abuse has been heaped upon me by the men and papers devoted to the impeachers. I have received several letters from friends warning me that my political grave is dug if I do not vote for conviction, and several threatening assassination. It is rather hard at my time of life, after a long career, to find myself the target of pointed arrows from those whom I have faithfully served. The public, when aroused and excited by passion and prejudice, is little better than a wild beast. I shall at all events retain my own self-respect and a clear conscience, and time will do justice to my motives at least.

The radical Republicans were determined to win over the respected Fessenden, whose name would be the first question mark on the call of the roll, and his mail from Maine was abusive, threatening, and pleading. Wendell Phillips scornfully told a hissing crowd that "it takes 6 months for a statesmanlike idea to find its way into Mr. Fessenden's head. I don't say he is lacking; he is only very slow."

Fessenden decided to shun all newspapers and screen his mail. But when one of his oldest political friends in Maine urged him to "hang Johnson up by the heels like a dead crow in a cornfield, to frighten all of his tribe," noting that he was "sure I express the unanimous feeling of every loyal heart and head in this State," Fessenden indignantly replied:

"I am acting as a judge * * * by what right can any man upon whom no responsibility rests, and who does not even hear the evidence, undertake to advise me as to what the judgment, and even the sentence, should be? I wish all my friends and constituents to understand that I, and not they, am sitting in judgment upon the President. I, not they, have sworn to do impartial justice. I, not they, am responsible to God and man for my action and its consequences."

On that tragic afternoon of May 16, as Ross described it, Senator Fessenden "was in his place, pale and haggard, yet ready for the political martyrdom which he was about to face, and which not long afterward drove him to his grave."

The first Republican Senator to ring out "not guilty"—and the first of the seven to go to his grave, hounded by the merciless abuse that had dimmed all hope for re-election—was William Pitt Fessenden of Maine.

John B. Henderson, of Missouri, one of the Senate's youngest Members, had previously demonstrated high courage by introducing the 13th amendment abolishing slavery, simply because he was convinced that it would pass only if sponsored by a slave-state Senator, whose political death would necessarily follow. But when the full delegation of Republican Representatives from his State cornered him in his office to demand that he convict the hated Johnson, warning that Missouri Republicans could stomach no other course, Henderson's usual courage wavered. He meekly offered to wire his resignation to the Governor, enabling a new appointee to vote for conviction; and, when it was doubted whether a new Senator would be permitted to vote, he agreed to ascertain whether his own vote would be crucial.

But an insolent and threatening telegram from Missouri restored his sense of honor, and he swiftly wired his reply: "Say to my friends that I am sworn to do impartial justice according to law and conscience, and I will try to do it like an honest man."

John Henderson voted for acquittal, the last important act of his senatorial career. Denounced, threatened, and burned in effigy in Missouri, he did not even bother to seek reelection to the Senate. Years later his party would realize its debt to him, and return him to lesser offices, but for the Senate, whose integrity he had upheld, he was through.

Peter Van Winkle, of West Virginia, the last doubtful Republican name to be called on May 16, was, like Ross, a "nobody"; but his firm "not guilty" extinguished the last faint glimmer of hope which Edmund Ross had already all but destroyed. The Republicans had counted on Van Winkle—West Virginia's first U.S. Senator, and a critic of Stanton's removal; and for his courage, he was labeled "West Virginia's betrayer" by the Wheeling Intelligencer, who declared to the world that there was not a loyal citizen in the State who had not been misrepresented by his vote. He, too, had insured his permanent withdrawal from politics as soon as his Senate term expired.

The veteran Lyman Trumbull, of Illinois, who had defeated Abe Lincoln for the Senate, had drafted much of the major reconstruction legislation which Johnson vetoed, and had voted to censure Johnson upon Stanton's removal.

But, in the eyes of the Philadelphia Press, his "statesmanship drivelled into selfishness," for, resisting tremendous pressure, he voted against conviction. A Republican convention in Chicago had resolved "That any Senator elected by the votes of Union Republicans, who at this time blenches and betrays, is infamous and should be dishonored and execrated while this free government endures." And an Illinois Republican leader had warned the distinguished Trumbull "not to show himself on the streets in Chicago; for I fear that the representatives of an indignant people would hang him to the most convenient lamppost."

But Lyman Trumbull, ending a brilliant career of public service and devotion to the party which would renounce him, filed for the record these enduring words:

"The question to be decided is not whether Andrew Johnson is a proper person to fill the Presidential office, nor whether it is fit that he should remain in it. Once set, the example of impeaching a President for what, when the excitement of the House shall have subsided, will be regarded as insufficient cause, no future President will be safe who happens to differ with a majority of the House and two-thirds of the Senate on any measure deemed by them important. What then becomes of the checks and balances of the Constitution so carefully devised and so vital to its perpetuity? They are all gone. I cannot be an instrument to produce such a result, and at the hazard of the ties even of friendship and affection, till calmer times shall do justice to my motives, no alternative is left me but the inflexible discharge of duty."

Joseph Smith Fowler, of Tennessee, like Ross, Henderson, and Van Winkle, a freshman Senator, at first thought the President impeachable. But the former Nashville professor was horrified by the mad passion of the House in rushing through the impeachment resolution by evidence against Johnson "based on falsehood," and by the "corrupt and dishonorable" Ben Butler, "a wicked man who seeks to convert the Senate of the United States into a political guillotine." He refused to be led by the nose by "politicians, thrown to the surface through the disjointed time * * * keeping alive the embers of the departing revolution." Threatened, investigated, and defamed by his fellow Radical Republicans, the nervous Fowler so faltered in his reply on May 16 that it was at first mistaken for the word "guilty." A wave of triumph swept the Senate—Johnson was convicted, Ross's vote was not needed. But then came the clear and distinct answer: "not guilty."

His reelection impossible, Fowler quietly retired from the Senate at the close of his term 2 years later, but not without a single statement in defense of his vote: "I acted for my country and posterity in obedience to the will of God."

James W. Grimes, of Iowa, one of Johnson's bitter and influential foes in the Senate, became convinced that the trial was intended only to excite public passions through "lies sent from here by the most worthless and irresponsible creatures on the face of the earth" (an indication, perhaps, of the improved quality of Washington correspondents in the last 87 years).

Unfortunately, the abuse and threats heaped upon him during the trial brought on a stroke of paralysis only 2 days before the vote was to be taken, and he was confined to his bed. The Radical Republicans, refusing any postponement, were delightedly certain that Grimes would either be too sick in fact to attend on May 16, or would plead that his illness prevented him from attending to cast the vote that would end his career. In the galleries, the crowd sang "Old Grimes is dead, that bad old man, we ne'er shall see him more." And in the New York Tribune, Horace Greeley was writing: "It seems as if no generation could pass without giving us one man to live among the warnings of history. We have had Benedict Arnold, Aaron Burr, Jefferson Davis, and now we have James W. Grimes."

But James W. Grimes was a man of great physical as well as moral courage, and just before the balloting was to begin on May 16, four men carried the pale and withered Senator from Iowa into his seat. He later wrote that Fessenden had grasped his hand and given him a "glorified smile. * * * I would not today exchange that recollection for the highest distinction of life." The Chief Justice suggested that it would be permissible for him to remain seated while voting—but with the assistance of his friends, Senator Grimes struggled to his feet and in a surprisingly firm voice called out "not guilty."

Burned in effigy, accused in the press of "idiocy and impotency," and repudiated by his State and friends, Grimes never recovered—but before he died he declared to a friend: "I shall ever thank God that in that troubled hour of trial, when many privately confessed that they had sacrificed their judgment and their conscience at the behests of party newspapers and party hate, I had the courage to be true to my oath and my conscience. Perhaps I did wrong not to commit perjury by order of a party; but I cannot see it that way. I became a judge acting on my own responsibility and accountable only to my own conscience and my Maker; and no power could force me to decide on such a case contrary to my convictions, whether that party was composed of my friends or my enemies."

Mr. President, I have read the very dramatic story written by President John F. Kennedy about the occasion in the Senate when a rule requiring a two-thirds vote in the Senate saved the reputation of the Senate and constitutional government in our Nation. In light of that circumstance, with that warning of history before me, I expect to stand for a rule of cloture which will require a two-thirds vote of Senators to silence any Senator who feels that his duty to his country and his God, and to his conscience, demands that he stand upon the floor of the Senate and say what he believes he should say.

There is an old saying that, "The saddest epitaph which can be written for the loss of any right is that those who had the saving power failed to stretch forth a saving hand while there was yet time."

I appeal to Senators to stretch forth saving hands while there is yet time.

To my mind, it is unwise to change rule XXII as proposed by either of the pending resolutions. There is no difference, in principle, between cloture based on a 60-percent vote and cloture based upon a majority vote. As a practical matter, however, a minority of 40 percent may be able to protect itself.

We need rule XXII, however, in order to protect smaller minorities and in order to prevent tyranny of the majority in the Senate of the United States.

In closing, I appeal to Senators to remember the history of our past and to stand by a rule of the Senate which will require a two-thirds vote before any Senator can be prevented from speaking what he honestly believes in his heart is necessary for the welfare of his country.

THE CONSUMER SUBCOMMITTEE—1967

Mr. MAGNUSON. Mr. President, in the closing days of the 89th Congress, the Senate Committee on Commerce established its first new standing subcommittee in over a decade—the Consumer Subcommittee. In so doing, the committee gave formal recognition to the coming of age of the consumer interest as a permanent concern of Congress.

The committee, in the 89th Congress, charted new courses toward the meaningful, responsible protection of consumers—the National Traffic and Motor Vehicle Safety Act, the Fair Packaging and Labeling Act, the Child Protection Act, and the Cigarette Labeling Act.

Embodied in the committee's decision to create the new subcommittee was a pledge to the American consumer that these acts were to be but the beginning of a broad and continuing effort to encourage products in the American marketplace and practices which measure up to the standards of a technologically advanced democratic society.

The committee recognizes that there has emerged in this country a firm understanding of the fields in which the consumer interest lies: The consumer interest lies in the standards of safety of the products sold and the services performed in commerce. It lies in the standards of marketing and advertising conduct which are to prevail in the promotion and sale of these goods and services; and it lies in the degree to which the consumer is permitted to function as the regulator of the free market economy through the exercise of informed choice among competing goods and services.

The consumer interest is as narrow as the constant frustration of the housewife unable to compare the price per ounce of competing products; but its significance is as broad and fundamental as the fair and efficient functioning of the national economy.

Following the unparalleled outpouring of social legislation in 1964, 1965, and 1966, the 90th Congress is now called upon to pause and reevaluate what has been done. Of course, we must subject our legislative production of the recent past to sharp and continuing scrutiny and review. But in the field of consumer legislation, we are not ready to limit ourselves to the patching up of existing legislation, for too many critical consumer needs remain unmet; too many gaps remain in the fabric of consumer protection laws.

Within the next several weeks, I intend to introduce six consumer bills. Each one, I believe, meets a critical consumer need, and each one, I am convinced, merits prompt attention and action—not in 1968 or 1969, but now.

1. THE NATIONAL COMMISSION ON HAZARDOUS HOUSEHOLD PRODUCTS

Congress has now dealt firmly with the need for national standards to promote the safe engineering of motor vehicles. We have not dealt with what appears to be the equally pressing need for promoting the safe design of manufactured goods and appliances for personal and household use.

Although responsible American manufacturers are making great strides in this sector, we know that hundreds—if not thousands—of nationally marketed products shock, burn, maim, and explode—not only through negligent use—but through faulty design and careless construction.

We have seen television sets which are constructed so that they leak current sufficient to deal a lethal shock; kitchen ranges, broilers, clothes dryers, portable heaters, and dehumidifiers with dangerously exposed electric terminals. We have seen electric fans and lawn mowers which hurl rocks or other sharp objects at the operator or bystanders. We see power tools without safety guards; blenders which inadvertently start; food waste disposals which spew out foreign objects at high speeds; garden sprayers which can explode; travel irons without thermostats to prevent fires and even children's toys are being marketed with sharp, exposed cutting edges and points.

We know that 51,000 Americans are killed while nearly 50 million are injured in nonvehicular accidents every year. In and around the home alone, 28,000 lives are lost and 20 million injuries sustained annually through accidents. The Public Health Service estimates that dangerous heating and cooking equipment claims 375,000 injuries annually; home machinery 125,000; nonshatter resistant glass doors and panels, 40,000; and power lawn mowers alone cause nearly 100,000 injuries a year.

It is an unhappy but undeniable fact that despite the significant work of Congress and the States in the field of product safety, the safe design and construction of the vast majority of products sold to the American family today still depend on an incoherent patchwork of voluntary self-regulation; municipal ordinance; common law product liability and occasional State and Federal law—all of uncertain scope and uniformity and doubtful adequacy.

Late in the last session of Congress, the distinguished senior Senator from New Hampshire [Mr. COTTON], the ranking minority member of the Commerce Committee—who is now in the Chamber—and I proposed the creation of a National Commission on Hazardous Household Products, to conduct a comprehensive study and investigation of the extent to which the unsafe design of household products constitutes a significant public health problem and a review of the scope and adequacy of present safeguards against the sale of hazardous products. The Commission was to be charged with a specific mandate to identify first, those products which present an unreasonable hazard to the safety of the consuming public; second, the degree to which voluntary standards and self-regulation afford significant protection; third, the impact of manufacturer product liability for injuries caused by unsafe products; and fourth, a review of Federal, State, and local laws and regulations relating to the protection of consumers against hazardous products. The Commission was to convey to Congress and to the President its recommendations for such legislation and other action as it found warranted. This proposal met with the unanimous approval of the Senate, but having passed in the closing days of the session, failed to obtain acceptance by the House.

Senator COTTON and I are more firmly convinced than ever of the need for a prompt and comprehensive review of product safety by the Commission. The President, in his state of the Union message, called for such action. We intend to reintroduce the legislation at an early date and to press for early enactment by Congress.

(At this point Mr. Moss assumed the chair as Presiding Officer.)

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. Mr. President, I commend the distinguished Senator from Washington, chairman of the committee on which I serve as the ranking minority member.

The Senator deserves the lion's share of the credit for pursuing the subject of hazardous substances.

I was much gratified, as I am sure the Senator and many other Senators were, when the President in his state of the Union message took up the cudgels for this type of legislation.

I was very happy and pleased to associate myself with the Senator on the bill last year. I am very happy to do so again and to work with him in the hope that this time the bill might be passed by both Houses of Congresss.

The President has already indicated that he would like to have such legislation.

I commend the Senator for the work he has done on this project.

Mr. MAGNUSON. Mr. President, I thank the Senator.

The Senator from New Hampshire, as a member of the Committee on Commerce, has not only taken a very active interest in matters of consumer legislation, but has also been of great assistance in helping to make these bills a matter of reciprocity between the manufacturers and the consumers.

I am sure that there is not a manufacturer in the United States who does not want to sell to the public the safest product that he can.

V. THE FLAMMABLE FABRICS ACT REVISION

The Flammable Fabrics Act, enacted in 1953 and unchanged since that time, represented the reaction of Congress to a series of shocking news stories, which appeared at the time, of young girls burned by sweaters so highly flammable that they exploded into flames in the presence of a lighted match or cigarette.

The act has well served to rid the country of such extremely flammable clothing. Yet there is disturbing evidence of the widespread distribution of dangerously flammable fabrics which are beyond the reach of this law. The situation is especially critical because the public is generally under the impression that the Flammable Fabrics Act protects them against all significant flammable fabrics.

In many cases the impression of protection is an illusion. A prominent Washington reporter, whose daughter was tragically and cruelly burned when her flannel pajamas were suddenly consumed by fire, took the charred remains of the pajamas to the Textile Bureau of the Federal Trade Commission for prosecution. The Trade Commission was powerless. The pajamas were not flammable under the standard established by the Flammable Fabrics Act and neither the Federal Trade Commission nor the Department of Commerce, through its standards procedures, are authorized to amend the standard.

Because the scope of the Flammable Fabrics Act is rigidly limited to "wearing apparel," the Trade Commission determined that it had the power to halt the sale of flammable bridal veils but not flammable baby blankets. And a fabric which can be banned from use in a sweater or suit can be sold without restriction as a drape or carpet, upholstery fabric or blanket.

I shall introduce a bill to transform the limited terms of the Flammable Fabrics Act into a comprehensive fire safety law for all household and personal fabrics.

I intend to propose, first, that the Department of Commerce be given full and continuing authority to revise and strengthen the current standards of flammability and to develop new standards in the interests of the reasonable safety of the consuming public; second, that the scope of the Flammable Fabrics Act be extended beyond wearing apparel to all personal and household fabrics which are determined to present a significant fire hazard; third, that the Department of Health, Education, and Welfare be authorized and directed to institute a crash research program to identify those products or fabrics which now constitute a significant health hazard; and, fourth, that the Department of Agriculture, which has pioneered in the development of flameproofing chemicals be authorized and directed to cooperate with the textile industry in the development of commercially feasible methods for flameproofing all fabrics.

Although many such chemicals are now on the market, they have not yet been sufficiently developed.

3. THE CIGARETTE TAR AND NICOTINE DISCLOSURE ACT

As many Senators and the general public know, the Committee on Commerce held long, comprehensive hearings on the entire question of cigarette smoking.

Three years ago tomorrow, the Advisory Committee to the Surgeon General on Smoking and Health concluded that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

For more than 1 year now, under the terms of the Cigarette Labeling Act, every package of cigarettes manufactured in the United States has carried the cautionary legend: "Cigarette smoking may be hazardous to your health."

Public health agencies and voluntary health organizations, in particular the American Cancer Society, have borne to smokers and would-be smokers alike the message: "Congress has acted—the next step is yours."

What is the result? Cigarette sales continue to set new records. While doctors and mature adults appear to be smoking less, young people, girls even more than boys, are taking up smoking in rapidly increasing numbers. And evidence continues to accumulate that diseases associated with smoking are taking an increasing toll of the smoking public. Even the apparent relative immunity of women smokers to lung cancer has turned out to be illusory, as lung cancer rates among women smokers now soars.

Perhaps the most striking change in smoking patterns which has occurred since the first substantial evidence incriminating smoking appeared has been the rise of the filter cigarette. Before 1954, the filter cigarette was little more than a novelty. Today, approximately 70 percent of all cigarettes sold in the United States are filter cigarettes. Consciously or unconsciously, smokers have turned in increasing numbers to the filter cigarette in the hope that filtration will provide some measure of protection against the hazards of smoking.

In June of this year, under the terms of the Cigarette Labeling Act, both the Secretary of HEW and the Chairman of the Federal Trade Commission must report to Congress on the effectiveness of the Government's effort to deal with the hazards of smoking. If its success is to be measured in terms of the numbers of smokers who have given up smoking, then the effort has not been adequate. If it is to be measured by the numbers of teenagers who have declined to take up smoking, it is likewise inadequate. Even if it is to be measured by the numbers of people who know and accept the evidence that cigarette smoking is hazardous but nevertheless choose to continue smoking, the act has been inadequate, though it has had some effect. It was never intended to force anyone to do anything. We merely said that every man is entitled to his own poison, but we had some responsibility to tell him what it was.

The problem of cigarette advertising, particularly on television, remains. Efforts have been made by the industry to limit direct appeals by commercials to young people and to avoid cigarette sponsorship of programs particularly attractive to children. I believe that the cigarette industry has seriously and conscientiously done this since the passage of the act, and it has its own voluntary code, to which it has adhered.

But the sheer volume of cigarette advertising must surely serve to reenforce the smoker's belief that cigarette smoking cannot be a very significant hazard.

I sympathize with members of the cigarette industry, who must confront the situation in which their product—and I underline this—without any fault on their part, has been condemned by the Government. I do not believe for an instant that there is a man in the industry who would not, if he knew how, produce and market a safe cigarette. Until such time as a safe cigarette is developed and proved, I firmly believe that the industry has two agonizing choices: It must either give up television advertising or work with the networks to provide public service time for smoking and health education, so that there will be some counterbalance in this matter. I would hope that this could be done voluntarily. I am confident that in the industry are men of good will who will see this as their responsibility. On our part, we shall consider our responsibility in the light of the inadequacy of present programs to make a total impact on this most serious problem.

In addition, we must take advantage of what is now known about the relative safety of competing cigarettes. Last July, together with the Senator from Oregon, Mrs. Neuberger, and the Senator from New York [Mr. KENNEDY], I introduced a bill to require all cigarette packages and advertisements to list tar and nicotine yields measured by a standard test. We did not intend to pass the bill or to push it during the last session, but we did wish to serve notice that this was still a problem and that we would take it up.

I am pleased that the Secretary of HEW, Mr. Gardner, has now endorsed this proposal. In a letter to me dated January 10, Secretary Gardner states:

> In our opinion, requiring the identification of "tar" and nicotine levels on packages and in advertising, as you have proposed, would be an important step and would result in the progressive reduction of "tar" and nicotine levels because of public demand.

Not only public demand is involved. I believe that every coin has two sides. The cigarette people have devoted a great deal of research to attempting to reduce the quantity of tar and nicotine; and in the last few months this has become a competitive feature. In some types of cigarettes they claim to have reduced the quantity of tar and nicotine to a minimum.

Also, this practical difficulty exists: When the average person reads on a cigarette package that the cigarettes contain so much tar and so much nicotine, what does that information mean to him?

All we suggest is that the smoker have an opportunity to compare one cigarette with another; and if he preferred the cigarette with the largest amount of tar and nicotine because he liked the "taste"—a word which is used a great deal—that would be his business. But he would be entitled to know. That will be another facet of this so-called consumer's package.

4. FAIR CREDIT ADVERTISING ACT

This is a subject that has been back and forth before Congress for a long time.

No single economic factor is more important to the success of the consumer in realizing "a dollar's worth for a dollar spent" than the informed and judicious use of credit. Yet the costs of credit—the costs of financing installment purchases—and the relationship between cash purchase and installment purchase, have been badly obscured by some—I say some, not all—promotional practices of many sellers of goods and credit. I believe that a great majority are not in this category.

We have been led to understand the need for meaningful credit information practices by our great former colleague from Illinois, Senator Douglas. I know that he is heartened by the powerful effort now being organized and led by the Senator from Wisconsin [Mr. PROXMIRE] to bring to final fruition the efforts to obtain a truth-in-lending law. I have been pleased to add my name to the list of the cosponsors of this legislation, which will enable consumers to compare the price of credit—as they compare the price of other commodities—through reference to the uniform standard of true annual interest.

But the credit information gap extends beyond the terms of the sales or credit agreement itself. Credit advertising, particularly advertising directed to low-income groups, is too often designed to obscure the true cost of credit.

Typically, an advertisement for a substantial consumer product will list a competitive cash price and promise generous weekly installment terms, failing to disclose that the weekly payments continue not only until the listed cash price is paid but far beyond—so that the total "time sale price" may eventually be double or even triple the "cash sale price."

I shall introduce a bill which will be

cosponsored by many members of the committee, to require first that any advertisement which represents that a product or loan may be purchased for a specified periodic installment, must also clearly and conspicuously state the cash sale price, the total number of such installments, and the total time sale price; and, second, that any advertisement which represents that credit is available at a stated rate of interest—it may be a reasonable amount to pay for the services—must state such rate in terms of the true annual interest to be charged. That is all we suggest. That is another phase of the so-called package.

We shall have to go into many aspects of this matter in much detail, because here, again, we wish to be fair and practical.

5. DOOR-TO-DOOR SALES ACT

I believe that the Senator from New Hampshire [Mr. COTTON] and I will receive some lively testimony with respect to this subject. I suggest that the hearings will be very interesting, because we have not arrived at any concrete conclusions. We know the problem and we welcome the hearings. This item affects door-to-door salesmen.

Perhaps some Senators, while attending school or college, have had occasion to go from door to door in an effort to earn a little extra money with which to buy things they could not otherwise afford.

Personally, I went around at one time and sold a lot of subscriptions to magazines. The town from which I came was small and I had no trouble in checking back to see whether there was delivery. Some people would take me in out of the cold and give me a cup of coffee and say, "You are a nice young boy. We will subscribe to a magazine." I had no trouble checking back to discover whether they had gotten the magazine. However, in larger areas the situation is a little difficult. This measure deals with door-to-door sales.

The consumer who enters a store and contracts to buy goods or services ordinarily does so deliberately, having voluntarily made a decision to shop for the product or service.

That is good old American ingenuity. No one objects to that. That is good old American practice. But this is true. I have bought things I had never thought I would just because the sales pitch was good and perhaps the salesman had convinced me though I had been living without this item several years, my life might be better if I bought it.

In most big towns the doorbells are ringing constantly. Many of the products are good; probably the great bulk of them are good. Although there are many responsible firms and salesmen who sell from door to door, too often, the unprepared housewife, the uneducated and the poor, are notoriously susceptible to the high-pressure techniques of the door-to-door salesman.

There is nothing wrong with the sales techniques, per se. But, too often, the moment the salesman closes the door behind him with the signed contract tucked away in his pocket, the consumer slowly begins to comprehend the financial burdens to which he or she has just committed the family.

I have been buying a set of books for 10 years. I do not think I have gotten the last volume yet. The books are not bad, but if I had known it I would not have spread the payments out as long as I did.

Too often, that night families take a look at the obligation for which they have signed, and many times it is not until later that the family for the first time carefully studies the terms of the contract and the full impact of a major unwanted family expenditure is comprehended.

In the worst of these cases the salesman may be in the next State before the consumer fully realizes what he is in for. Worse, the contract may be assigned to a collection agency and proceedings begun to collect the contract debt, although the goods and services may be undelivered or far below the quality promised by the salesman.

We expect to pursue a proposal which would afford anyone signing a substantial contract with door-to-door salesmen, within 24 hours to change his mind and to rescind the contract by notifying the seller at the seller's place of business. The bill would further require that the seller must furnish the buyer, at the time the contract is signed, with a receipt which tells the buyer of his right to rescind the contract and lists the address to which the buyer can mail or deliver notice of his intention to rescind.

Mr. President, I wish to give credit where credit is due. The American manufacturers have made great strides toward these objectives.

This might be called a consumers' package, coupled with the legislation that the Committee on Commerce enacted during the 88th Congress, the 89th Congress, and preceding Congresses. However, it is the general intention, at least of the chairman, to pursue these matters in the hope that we can arrive at a better relationship and a fairer relationship between all parties. I am sure that the American manufacturers, and the American businessmen welcome the fact that we will strive toward these goals because, with rare exceptions, no one wants to achieve them more than they do.

(At this point, Mr. TYDINGS assumed the chair as Presiding Officer.)

6. THE GUARANTEE DISCLOSURE ACT

Mr. MAGNUSON. Category 6 is what will be known as a study of the guarantees on products and probably, will be known as a proposal for the Guarantee Disclosure Act.

During the first 6 months of its existence, the Consumer Subcommittee has received more serious complaints concerning deceptive and misleading warranties and guarantees than any other consumer issue. Far too often the purchaser of a product first discovers limitations on its guarantee when the product has failed and he seeks performance under the guarantee. Only then does he discover that the guarantee covers parts but not the labor, that he cannot take the product to the dealer for repair but must ship it to the factory, bearing the mailing cost himself, or that every constituent part of the product falls under the guarantee except the very part which does not work, or that the guarantor does not guarantee that the product will be repaired or replaced but only that he will "make an effort" to repair it.

In each of these cases the buyer has been misled by the failure of the seller to initially disclose the limitations of the guarantee. Moreover, in many cases advertising and promotional material promise far greater protection under a guarantee than the fine print in the guarantee itself actually delivers.

For these reasons we shall examine a proposal to require that all guarantees clearly and conspicuously disclose the nature and extent of the guarantee's basic terms and conditions, including the exceptions, and that all advertisements which make representations as to the existence of a guarantee similarly disclose the basic terms and conditions.

CONCLUSION

By no means does this list of bills exhaust the consumer projects which will receive the attention of the Consumer Subcommittee this year. The subcommittee will continue, of course, its close scrutiny of the implementation of recent legislation such as the National Traffic and Motor Vehicle Safety Act of 1966 and the Fair Packaging and Labeling Act.

I expect, also, that we will consider the bill proposed by the Senator from Connecticut [Mr. DODD] to establish a Federal Motor Insurance Guarantee Corporation, to protect the public against insolvent automobile liability insurers. In this regard, I am very much concerned with reports of arbitrary and discriminatory policy cancellations by auto insurers, large and small.

In this regard some of us are very much concerned with reports which we hear more than we do about any other phase of this field. There may be some good reason for it and some justification, but the average person is caught short.

We receive many reports of arbitrary and discriminatory policy cancellations by auto insurers, large and small. Insurance companies have to have some escape to cancel policies, but the cancellation takes effect the day the company stamps and mails the notice.

More people will be driving around for 4 or 5 days—the present occupant of the chair, the distinguished Senator from Maryland [Mr. TYDINGS], has tried to do something about this, I know, in the District and in his own State—not knowing that they are not insured. This is something we must take a look at.

Mr. ERVIN. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. I should like to make a suggestion to the Senator along this line: There has been a great deal of complaint in North Carolina in recent months by persons who have purchased mail order health insurance policies.

Mr. MAGNUSON. Yes.

Mr. ERVIN. In a great many cases, they are sold in interstate commerce but the companies do not qualify to do business in any State except the one in which they do business.

Mr. MAGNUSON. That is correct.

Mr. ERVIN. Many people who have purchased policies in other States have no remedy at their disposal. The companies collect the money and then cancel out the policies.

I should like to suggest to the Senator from Washington that the Committee on Commerce give serious study to the question of the advisability of enacting some kind of legislation applicable to such insurance companies in the nature of the Webb-Kenyon Act after prohibition, which would prevent insurance companies from selling policies in States in which they are not qualified to do business.

Mr. MAGNUSON. Yes. I am sure that the Senator from North Carolina realizes that this has happened in many States. There have been cases of downright misleading tactics. We have some evidence that the men and women in our armed services have taken out insurance policies and the question has developed whether they can be served or not.

As to automobile insurance—I am talking about casualty and property damage—this is rapidly becoming a national problem. It is a hodgepodge of many laws. Many States require mandatory insurance. Others do not. Some cannot be served at all. Some people who have been right when an accident was involved, yet were hurt, have been more inconvenienced, particularly in small property damage suits, than anyone else. This is the kind of thing we must take a look at. I thank the Senator from North Carolina for his suggestions, because this is a serious matter we are discussing. We intend to look into it.

I also anticipate that the subcommittee will want to take a long, hard look at the adequacy of consumer protection against questionable mail order insurance practices.

The subcommittee will, of course, want to remain alert to new evidence of the need for action in any area. For example, I have recently seen, and asked the committee staff to investigate, reports that poorly designed and carelessly used medical diagnostic equipment may constitute a serious—and preventable—radiation hazard.

I anticipate that we will be a helpful sounding board for the great bulk of American manufacturers who are responsible to the consumers, those who try to do better and better every year in this whole field.

The committee, also, hopes to be a strong endorser of those in American business—and they are many—who have been responsible to their duty to the American consumer and whose goals are for even better performance. They are the real contributors to the stability of our great American free enterprise system.

Clearly, the Consumer Subcommittee and Congress have their work cut out for them in this field of consumer action, both in reviewing the old and in formulating the new. We expect to work closely with the strong chairman of the House Interstate and Foreign Commerce Committee [Mr. Staggers], who has long demonstrated his devotion to the cause of the consumer.

We have set ourselves strenuous goals. This will be neither a short nor an easy session for the members of the Commerce Committees. But we are prepared to do what must be done.

Mr. COTTON. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. I repeat my commendation to the Senator from Washington for his presentation today. That does not necessarily mean that I endorse everything which has been suggested——

Mr. MAGNUSON. No, no.

Mr. COTTON. But the Senator has obviously given great attention to these problems. It is my privilege not only to serve on his committee but I trust also that it will continue to be my privilege to serve on the Consumer Subcommittee.

I want to say to the Senator that he will have my absolute cooperation, and I am sure that of the minority members of the subcommittee, and the full committee, in seeking to face these grave questions which he has so well raised in the Senate today.

Mr. MAGNUSON. I thank the Senator from New Hampshire. He has already made great contributions to the consumer bills which have been previously passed.

ANOTHER ARMS RACE?

Mr. CLARK. Mr. President, the New York Times magazine of January 15 contains an article by Roswell L. Gilpatric, formerly Deputy Secretary of Defense, which I hope that every Member of the Senate and the other body will read. It is entitled "Are We on the Brink of Another Arms Race?"

The article argues against producing and deploying an antiballistic missile system or ABM. Mr. Gilpatric sums up the main philosophical argument in one terse statement, saying that a decision to go ahead and develop an ABM system "will signalize a U.S. determination to do the Soviet Union one better in a new struggle for world power through force of arms and to base its relations with the Soviets more on a philosophy of conflict than on one of accommodation."

Mr. Gilpatric discusses not only the military implications of such a decision but also the political and economic considerations. These include such questions as: whether it would then be necessary to furnish ABM systems to our allies—and whether the Soviets would then consider that they would have to follow suit; the effect such a decision would have on other disarmament measures; and the cost to the United States and the sacrifices that would be involved in other Federal programs.

I will have more to say on this subject in a report I will issue within a week reporting on my study mission in November to the Soviet Union, Poland, Yugoslavia, and Czechoslovakia.

For the present, I commend Mr. Gilpatric's article to the attention of my fellow Senators and ask unanimous consent that it be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Bane of Mankind—Are We on the Brink of Another Arms Race?

(By Roswell L. Gilpatric)

For many people, the idea of an "arms race" acquired its sinister connotation some 20 years ago with the beginning of the nuclear-weapons age. Yet in fact rivalry in arms, even in its earlier and simpler manifestations, has always been a bane of mankind. Whenever two nations have found themselves in competition to develop, produce and deploy new arms, the results have been to divert national energy, resources and time from peaceful uses, to exacebate relations between those nations in other fields by engendering fear and distrust, and, above all, to provide the ingredients of easily ignited conflict.

Notwithstanding the almost universal desire to contain competitive armament struggles, our generation has never been free of them. Since World War II the United States has gone through two cycles of competition with the Soviet Union in strategic armaments, and the signs are multiplying that we may be on the brink of engaging in still another arms race.

The first step-up in U.S. armaments after World War II grew out of Soviet actions and attitudes during the Berlin blockade of 1948–49 and the general intransigence of the Stalin regime on all international-security issues. When it became evident that the United States would have to provide itself with a strategic deterrent against Soviet aggressiveness, a decision was taken in the early nineteen-fifties to develop and produce a post-war generation of medium- and long-range jet bombers, first the subsonic B–47's and B–52's and later the supersonic B–58's. These manned-bomber programs were paralleled by other major technological advances, such as the development of more compact nuclear weapons through improvement in the yield-to-weight ratio of atomic warheads, and also by the production of jet tankers and the introduction of air-refueling techniques to make it possible for our bomber fleets to reach the heartland of Russia.

The Soviets reacted in two ways. First, they developed their own fleet of medium- and long-range bombers, the so-called Bears and Bisons; second, they installed elaborate defensive systems consisting of wide belts of antiaircraft cannon and missile emplacements supplemented by large fleets of interceptor aircraft.

These moves, in turn, led to extensive U.S. countermeasures, including the establishment of a far-flung radar network, known as the Distant Early Warning Line, whose outer perimeter extended from Alaska across the northern reaches of Canada to Greenland. Picket ships and plane-borne radar extended the bomber-warning systems along both the East and West Coasts. The U.S. also set up, under joint command with Canada, numerous air-defense centers consisting of fighter aircraft and antibomber surface-to-air missiles. Finally, to tie together all of the elements in this vast complex for the defense of North America, there was installed during the mid-nineteen-fifties what was called the Semi-Automatic Ground Environment (SAGE) system.

All these offensive and defensive measures cost the U.S. many billions of dollars before much of the equipment involved was rendered obsolete by the advancing state of the military art.

From the start of the first post-World War II arms race, fundamental differences became apparent in the Soviet and U.S. responses to each other's strategic-weapons programs.

The U.S. sought to emphasize and to invest more of its resources in offensive capabilities, whereas the Soviets have always stressed defensive measures. In consequence, as the Russians built up stronger defenses, the U.S. added to the number of its strategic forces and provided them with the capacity to penetrate Soviet defenses. At the same time we learned that beyond a certain level of defense, the cost advantage lies increasingly with offense.

The next lap in the arms race, beginning in the late fifties and continuing into the early sixties, was characterized chiefly by a partial shift from manned bombers to ballistic missiles, in both offensive and defensive roles, and by improved intelligence through satellite-based reconnaissance about what the other power was up to. After what at first appeared to be, but never in fact materialized as, an early Soviet lead—the so-called "missile gap" of 1950 and 1960—the U.S. forged ahead in both the quantity and the quality of its intercontinental ballistic missiles (ICBM's).

Quickly on the heels of the first generation, liquid-fueled Atlas and Titan missiles, launched from "soft"—that is, vulnerable—land-based sites, came the Minuteman and Polaris families of ICBM's, solid-fueled and fired either from "hardened"—protected—underground silos or underwater from submarines. With a force destined soon to comprise 1,000 Minutemen and 656 Polaris missiles, U.S. ICBM's have consistently outnumbered the Soviet missile force by a ratio of 3 or 4 to 1. Moreover, for some time Soviet missiles were of less advanced types, being liquid-fueled and deployed in soft or semiprotected sites and hence vulnerable to attack.

During this same period of the early nineteen-sixties, both U.S. and Soviet defenses against bomber attacks were strengthened by the development and installation of successively improved models of surface-to-air missiles of which, characteristically, the Soviets deployed by far the greatest number. To cope with tougher Soviet defenses, U.S. bombers were modified to carry air-launched missiles in addition to gravity bombs and were equipped with electronic countermeasures to confuse Russian radar.

Both sides began developing antiballistic missile (ABM) systems, but it was only toward the end of 1966 that our Government acknowledged publicly that the Soviets had moved from the development stage to the quantity production and deployment of ABM's. In contrast, the U.S. has kept its ABM effort at the engineering design and development level and continued to place its principal reliance on the capacity of its strategic-weapons-delivery systems, whether bombers or missiles, to penetrate any type of Soviet defense, no matter how sophisticated.

After the Russians had been stood down during the Cuban missile crisis of 1962 and had reached an accord with the U.S. for a partial test-ban treaty in 1963, it appeared that the Soviets might accept the then-existing military equation with the U.S. and not challenge us to another round in the strategic arms race.

For a period after the present Soviet leadership headed by Brezhnev and Kosygin took over from Khrushchev, it seemed to be Soviet policy to seek a *détente* with the U.S. Our Government therefore felt safe in leveling off its strategic forces at least until the time—not expected before 1975–80—when the Chinese Communists might develop their own nuclear weapons to the point of being able to threaten the continental United States.

As 1966 drew to a close, however, the American people were told that not only were the Soviets proceeding with a comprehensive installation of ABM's, but in addition were setting out to build a larger force of solid-fueled and invulnerably sited ballistic missiles. Such a build-up might, it was indicated, reach a point, beginning in 1968, where, the U.S. strategic force of some 1,650 Minutemen and Polaris missiles would no longer enjoy its present overwhelming margin of superiority.

It thus became apparent that, in determining how to respond to these new developments, the U.S. is once again facing the possibility of a stepped-arms race with the Soviet Union of even more critical and dangerous proportions than the two previous cycles.

As he reviews the coming year's military proposals and budgets, President Johnson is therefore confronted with some hard choices regarding new weapons systems. Among them are the following:

(1) Should the U.S. now produce and deploy, either on a full or limited scale, an antiballistic missile system? The current version is known as the Nike X (consisting of two nuclear-tipped interceptor missiles, one short-range called Sprint and the other extended-range, the improved Zeus), supplemented with large numbers of a new high-performance interceptor aircraft, the F–12, and an extensive Civil Defense program for providing on a nationwide scale fallout shelter protection.

(2) Or should the U.S. instead rely for the maintenance of its "second strike" strategic deterrent on a new generation of ICBM's consisting of Minuteman III and Poseidon missiles—together referred to as Improved Capability Missiles (ICM's)—with the capacity to penetrate or saturate the new Soviet missile defenses?

(3) Should the U.S., in addition to procuring the new ICM's, equip its Air Force with quantities of an Advanced Manned Strategic Aircraft (AMSA) to take over the bomber role from the aging B–52 fleet and ultimately from the new supersonic jet bomber, the B–111, that will become operational a few years hence?

A go-ahead decision on the first, or the first and third, of these proposals will signalize a U.S. determination to do the Soviet Union one better in a new struggle for world power through force of arms and to base its relations with the Soviets more on a philosophy of conflict than on one of accommodation. Let us first consider the military implications of such a choice.

Defense Secretary McNamara states that the currently planned U.S. offensive force of missiles and bombers was specifically designed to hedge against several different contingencies, including the possibilities "first, that a Soviet ballistic-missile defense might be greater than expected by the intelligence estimates; and, second, that the Soviets might embark upon any one of several possible offensive build-ups, including variations in their target doctrine, variations in the technological sophistication of their weapons systems, and variations in the speed of deployment of those systems."

In thus taking into account possible Soviet threats over and beyond those projected in the latest national intelligence estimates, Secretary McNamara explains that "we have done so because an assured destruction capability, a capability to survive the first strike and survive with sufficient power to destroy the attacker, is the vital first objective which must be met in full regardless of the cost under all foreseeable circumstances and regardless of any difficulties involved."

His position is that, with the development of Minuteman III, the accelerated development of the Poseidon missile and moving ahead on new penetration aids to insure our weapons getting through any defenses the Soviets may put in place, the U.S. has in effect anticipated and insured against the latest moves by the Soviet Union. Notwithstanding a Russian ABM system and more and better Soviet ICBM's, he concludes that the U.S. strategic forces will continue to maintain their present power to survive a Soviet first strike with sufficient capability to destroy the attacker, which is the foundation of the deterrent power upon which our national security depends.

The conclusions of the Secretary of Defense are being severely questioned in a number of quarters. In the first place, there are indications that most of the professional military organization, from the Joint Chiefs of Staff on down, believes that the United States should go ahead with both production and deployment of an ABM system and also with a new generation of manned bombers as well as the new ICM's.

This military judgment will find strong support in the Congress, especially among the influential leaders of the Armed Forces committees, and will be backed by substantial sectors of public opinion, particularly in the South and on the Republican right. There is also likely to be considerable pressure from segments of the defense industry, backed by the communities that would benefit from the increased armament production, for this nation to embark on a new round of strategic weapons building. It is possible that the Secretary of Defense's position may not enjoy undivided support even within the Johnson Administration.

But apart from the military implications of these new weapons choices, there are a number of political and economic issues which, so far as the public knows, may not have been fully considered.

If the U.S. decides to install ABM's to protect its population, should such systems also be placed in Europe, and if so, will not the countries on the other side of the Iron Curtain respond in kind? In that event, will the ABM's be furnished to our allies by ourselves, and to the bloc countries by the Soviets, and at whose cost?

Will our action to go ahead with an ABM deployment play into the hands of the Communist Chinese efforts to disrupt U.S.-U.S.S.R. relations? How far will we and the Soviets go beyond ABM's in building active defenses when the costs involved are measured by tens of billions of dollars, with enormous strategic implications and a long-lasting political impact?

The effects would be felt especially in Europe but also, as Communist Chinese nuclear capabilities develop, in India, Japan and other countries on the periphery of the Chinese mainland.

A new arms race will produce other casualties. Besides the hoped-for nuclear weapons nonproliferation treaty, toward which the Soviets and the U.S. have of late been making progress, there have long been under discussion between Russian and American disarmament negotiators a series of other arms-control measures. These include the extension of the partial test ban to include underground testing, the establishment of nuclear-free zones, a cut-off in the production of nuclear materials and a freeze on—or possibly a reduction in—strategic delivery vehicles.

In the event of a new arms race, all this effort, and the partial foundations thereby constructed for further disarmament moves, will go by the board, and whatever headway has been built up, both at the U.N. and in the 18-nation disarmament conference at Geneva, will be lost. Indeed, even if the Soviet Union and the U.S. should in their own interests come to terms on a nonproliferation treaty, it is hardly to be expected that the major nuclear have-not nations, such as India and Japan, will sign away their rights to join the nuclear club at a time when its two charter members, Russia and the U.S., are building up rather than cutting down their nuclear arsenals.

Still another danger inherent in a renewed arms race lies in its short-term effect in Europe. For the U.S. to press ahead with a new strategic armament program would further weaken the NATO alliance, whose last meeting in Paris stressed the twin themes of *détente* with the Soviet Union and the "diminished threat of military aggression" rather than the need for greater defensive measures. The alliance, already under strain because of our allies' concern over the heavy U.S. involvement in the Vietnam war, would suffer another blow if U.S.-U.S.S.R. relations took a turn for the worse.

In approaching its decisions, the Administration will presumably take into account positive as well as negative emanations from the Soviet Union. Among the favorable developments in U.S.-U.S.S.R. relations are the recently announced agreements for commercial air services between the two countries and for banning weapons of mass destruction from outer space.

Apart from their intrinsic significance, these developments indicate that the Soviet Union has not considered itself entirely inhibited from reaching agreements with the U.S. despite its predicament over Vietnam. This condition cannot, however, be expected to last if the Soviets feel themselves put in the position of countenancing U.S. bombing raids in the Hanoi area which produce civilian casualties. Undoubtedly, the present state of U.S.-U.S.S.R. relations would rapidly worsen if a significant intensification occurred in the scale of our air attacks against North Vietnam.

At worst, Soviet intentions regarding a renewed arms race should be treated as ambivalent and unclear rather than entirely negative. Their ABM deployment can be accounted for otherwise than as indicating a desire to alter the strategic power balance. It not only is in keeping with the ultimate in defensive postures but may also have resulted from military pressures within the Soviet regime rather than from a far-reaching decision to abandon the *détente* objective.

The latest increase in the Soviet defense budget is likewise equivocal. The announced rate of increase, 8.2 per cent, is not in itself of menacing proportions, although in announcing the rise in defense spending the Soviet authorities spoke of "recently sharpened international tensions" and the increased "danger of a new world war" because of "aggressive acts" of U.S. "imperialists."

Aside from these vital questions affecting international relations, the effect on our economy of a U.S. decision to proceed with ABM deployment and new strategic weapons would be tremendous. Depending on the timing and extent of these programs, the U.S. defense budget would be inflated by at least $5-billion to $6-billion a year, with the probable result that the present level of military expenditure, which will stay in the $70-billion to $75-billion-a-year range during the period of the Vietnam war, would thereafter remain at that order of magnitude instead of receding to the pre-Vietnam budget level of around $50-billion a year.

The effect of this Federal spending and diversion of national resources, might well be to reduce or delay further funding of U.S. space and supersonic transport programs as well as to forestall further financing of the Great Society programs such as antipoverty projects, Federal aid to education, demonstration cities and the like.

It is not, however, the economic cost of a decision to deploy ABM's as well as to add to the level of our bomber and missile forces that is the most disturbing aspect of a renewed arms race. With the U.S. gross national product estimated to rise to $790 billion during 1967 and to grow at 4 per cent a year thereafter, projecting defense expenditure at 9 per cent of G.N.P. (compared to 15 per cent of G.N.P. during the Korean War) would produce a defense budget of over $70-billion a year, which should not prove an intolerable burden on our economy. The price tag of another arms race, while staggering, is not in itself an argument against it.

What the United States faces is a major watershed in national security policy. Should it re-engage in an armament contest with the Soviet Union, or should it strive for more progress toward arms control and the substitution of political, economic and sociological measures for military force as means for insuring world peace?

In these terms, the question comes down to how the United States will exercise its acknowledged strength and world leadership—whether toward heightening the tension that will come from renewed emphasis on armaments and accelerated advances in weapons technology or in the direction of arms limitation and the solution of world problems through peaceful means.

Should the decision be reached during 1967 to proceed with any of the major new weapons systems now being pressed upon the President by some of his advisers, their opposite numbers in the Soviet would obviously be in a stronger position to insist on corresponding increases in Russian weapons projects.

The reaction in political terms would be even more dangerous, jeopardizing not only the *détente* so ardently sought after by our allies but also the fragile gains achieved through Soviet restraint in recent years in such troubled areas of the world as Africa, Latin America and on the India-Pakistan subcontinent.

The decisions which the President now faces are made doubly difficult by the national mood of frustration over the way the war is going in Vietnam. All-too-ready distrust of the Soviets' intentions coupled with anger at their growing aid to Vietnam, would prompt many of our people to view with suspicion or antagonism a national policy of forbearance in dealing with the Soviet Union. For others, an effort to moderate the competition in arms would be regarded as a sign of weakness and a peril to our national security.

Yet President Johnson has recognized, as did President Kennedy, that if a third world war is to be avoided the United States, as the most advanced of the superpowers, must take the lead in demonstrating a willingness to practice self-discipline both in the use of force and in providing itself with the power to apply force. The present situation puts to a critical test our national determination not to be swerved from the rightness and sanity of that course.

RECESS

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 50 minutes p.m.) the Senate recessed, until Tuesday, January 17, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 16 (legislative day of January 12), 1967:

UNITED NATIONS

Richard F. Pedersen, of California, to be deputy representative of the United States of America in the Security Council of the United Nations.

DEPARTMENT OF LABOR

James J. Reynolds, of New York, to be Under Secretary of Labor, vice John F. Henning.

Thomas R. Donahue, of Maryland, to be an Assistant Secretary of Labor, vice James J. Reynolds.

U.S. CIRCUIT JUDGES

Francis L. Van Dusen, of Pennsylvania, to be U.S. circuit judge, third circuit, vice J. Cullen Ganey, retired.

Bert T. Combs, of Kentucky, to be U.S. circuit judge, sixth circuit, vice Shackelford Miller, Jr., retired.

JUDGE, U.S. CUSTOMS COURT

Lindley G. Beckworth, of Texas, to be judge of the U.S. customs court, vice David J. Wilson, retired.

U.S. DISTRICT JUDGES

Joseph C. Waddy, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Richmond B. Keech, retired.

Frank G. Theis, of Kansas, to be U.S. district judge for the district of Kansas, to fill a new position created by Public Law 89–372, approved March 18, 1966.

James A. Comiskey, of Louisiana, to be U.S. district judge for the eastern district of Louisiana to fill a new position created by Public Law 89–372, approved March 18, 1966.

Jack B. Weinstein, of New York, to be U.S. district judge for the eastern district of New York, vice Leo F. Rayfiel, retired.

Thomas A. Masterson, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Hiram R. Cancio, of Puerto Rico, to be U.S. district judge for the district of Puerto Rico, vice Clemente Ruiz-Nazario, resigned.

Myron L. Gordon, of Wisconsin, to be U.S. district judge for the eastern district of Wisconsin, to fill a new position created by Public Law 89–372, approved March 18, 1966.

U.S. ATTORNEYS

Edward E. Davis, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years, vice William P. Copple, resigned.

William M. Byrne, Jr., of California, to be U.S. attorney for the central district of California for the term of 4 years, vice Manuel L. Real.

Paul F. Markham, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years, vice W. Arthur Garrity, Jr.

Edward P. Gallogly, of Rhode Island, to be U.S. attorney for the district of Rhode Island for the term of 4 years, vice Raymond J. Pettine.

U.S. MARSHALS

Luke C. Moore, of the District of Columbia, to be U.S. marshal for the Dictrict of Columbia for the term of 4 years. (Reappointment.)

Elmer J. Hardegree, of Georgia, to be U.S. marshal for the northern district of Georgia for the term of 4 years, vice William J. Andrews, retired.

William F. Malchow, of Minnesota, to be U.S. marshal for the district of Minnesota for the term of 4 years, vice Ray H. Hemenway, resigned.

ASSOCIATE JUDGES

Milton D. Korman, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

Fred L. McIntyre, of Maryland, to be associate judge of the District of Columbia court of general sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

IN THE AIR FORCE

The following-named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code:

To be major general

Maj. Gen. Gordon T. Gould, Jr., FR4040 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Bertram C. Harrison, FR1425 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John S. Samuel, FR1638 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph L. Dickman, FR1656 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John L. McCoy, FR1705 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Vincent G. Huston, FR1865 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Michael J. Ingelido, FR4295 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Harry L. Evans, FR4619 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William W. Wisman, FR4990 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph J. Cody, Jr., FR5126 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Louis E. Coira, FR1429 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. David M. Jones, FR1811 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Richard S. Abbey, FR1992 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Thomas G. Corbin, FR4097 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Timothy F. O'Keefe, FR4608 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. George S. Boylan, Jr., FR4836 (brigadier General, Regular Air Force), U.S. Air Force.

Maj. Gen. Lawrence S. Lightner, FR5219 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Royal N. Baker, FR8315 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Jewell C. Maxwell, FR8383 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Alonzo A. Towner, FR19158 (brigadier general, Regular Air Force, Medical), U.S. Air Force.

To be brigadier generals

Brig. Gen. Daniel E. Riley, FR3768 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frank P. Wood, FR3928 colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert J. Gibbons, FR3978 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William B. Martensen, FR4113 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Russell A. Berg, FR4376 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George E. Brown, FR4425 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Roland A. Campbell, FR4535 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph J. Kruzel, FR4640 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Leo A. Kiley, FR4953 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Anthony T. Shtogren, FR4956 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John R. Dyas, FR4968 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John W. Kline, FR5084 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. David I. Liebman, FR5164 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jack C. Ledford, FR5238 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Carroll H. Bolender, FR5243 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Adrian W. Tolen, FR3041 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. Wallace, FR4426 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Herman Rumsey, FR4723 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Guy H. Goddard, FR7111 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Ernest L. Ramme, FR6360 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George V. Williams, FR7733 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Clifford J. Kronauer, Jr., FR7750 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edward M. Nichols, Jr., FR7805 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Arthur W. Cruikshank, Jr., FR8107 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John A. DesPortes, FR8199 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry B. Kucheman, Jr., FR8353 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Francis W. Nye, FR8418 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John E. Morrison, Jr., FR8459 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Paul K. Carlton, FR8693 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edward B. Giller, FR8696 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George M. Johnson, Jr., FR8810 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John R. Murphy, FR 8944 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frederick E. Morris, Jr., FR9166 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Rockly Triantafellu, FR9504 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Louis T. Seith, FR9756 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas H. Beeson, FR9767 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Sherman F. Martin, FR9963 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William V. McBride, FR10077 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry L. Hogan III, FR10151 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William H. Lumpkin, FR6487 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edmund F. O'Connor, FR10200 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Burl W. McLaughlin, FR10624 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph R. DeLuca, FR33749 (colonel, Regular Air Force), U.S. Air Force.

(Brig. Gen. Jammie M. Philpott, FR13694 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas H. Crouch, FR19192 (colonel, Regular Air Force, Medical), U.S. Air Force.

Brig. Gen. Lee M. Lightner, FR18923 (colonel, Regular Air Force, Dental), U.S. Air Force.

IN THE AIR FORCE

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be major (Judge Advocate)

Thomas V. Bruton, FV2205687.

To be major (Chaplain)

Conan J. Conaboy, FV2255923.

To be captain (Medical)

Bruce K. Kimbel, FV2083741.

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

George F. Fisher, FV1859588.
Raymond H. Gaylor, FV1851110.
Robert E. Tinney, FV1864520.
James F. Walsh, FV2085734.

To be first lieutenants

Abrahamson, Raymond L., FV3099925.
Abramoff, Arthur J., FV3155339.
Adams, Howard E., FV3155519.
Alducin, Donald G., FV3145042.
Alexander, Charles E., III, FV3132374.
Allison, Roger L., FV3155789.
Amond, Wayne J., FV3154513.
Anderson, Wesley R., FV3131136.
Anderson, William B., FV3145618.
Andrews, Anthony C., FV3146561.
Arnold, George W., FV3146604.
Bailey, John E., FV3155180.
Baker, Herbert H., FV3145235.
Baker, James C., FV3145468.
Banning, George W., FV3147028.
Barkstrom, Richard U., FV3155399.
Barnard, Larry L., FV3145807.
Barr, George M., FV3155521.
Basham, Dale W., FV3155990.
Beach, Sam F., Jr., FV3156285.
Beasley, Lawrence G., FV3154919.
Beatty, James M., Jr., FV3156214.
Beaver, Robert E., FV3131957.
Becker, Raymond C., FV3138435.
Bell, Larry A., FV3156286.
Bennett, Logan J., Jr., FV3144826.
Benson, Rodney E., FV3154904.
Berglund, Lance W., FV3154885.
Berk, Dean H., FV3155131.
Bernier, Robert J., Jr., FV3154688.
Berry, Keith, FV3156288.
Berry, Robert H., FV3133493.
Betts, John A., FV3132521.
Beyer, Thomas J., FV3155630.
Beyerle, John A., FV3155188.
Bihler, Richard P., FV3155369.
Biles, James C., Jr., FV3154484.
Birkner, John H., FV3146061.
Birnbaum, Melvin, FV3155341.
Blair, Robert J., FV3144706.
Blanchard, David C., FV3139157.
Blose, John N., FV3146327.
Bodine, Paul L., FV3154606.
Bodner, Nathan, FV3144493.
Boehmer, George E., FV3146585.
Bonney, Kent L., FV3156103.
Borchardt, Gary I., FV3133400.
Borgatti, Paul M., FV3133627.
Bowers, Ellis M., FV3156773.
Bowman, John C. V., FV3145318.
Braatz, Robert W., FV3145610.
Brannon, Gene, FV3145080.
Bridges, Daniel W., Jr., FV3155508.
Brinson, Glenn W., FV3145415.
Bronner, Robert F., FV3146830.
Brower, Ralph W., FV3109303.
Brown, Donald S., Jr., FV3145859.
Brown, Gerald D., FV3155896.
Brown, Harold J., FV3144900.
Brunetti, Mario J., FV3145957.
Buermeyer, David W., FV3154706.
Burch, Donald P., FV3154805.
Buren, Harold W., FV3155034.
Burkhardt, John T., FV3155796.
Burns, John F., FV3155897.
Burrell, Steven K., FV3134262.
Burrows, Bruce W., FV3155797.
Burton, William A., FV3155554.
Butler, William H., FV3133262.
Butterfield, Hugh G., FV3134033.
Cade, Robert G., FV3144764.
Caldwell, Robert W., FV3154753.
Caldwell, Thomas M., FV3130612.
Calhoun, John C., FV3134311.
Cannon, George B., Jr., FV3145603.
Cantrell, Zell O., FV3119765.
Carlin, Gerard A., FV3156296.
Carlson, Dean M., FV3133496.
Carr, William E., FV3146939.
Carroll, Robert C., FV3144815.
Carson, Ronald N., FV3134067.
Catherwood, George A., FV3155555.
Chandler, William P., FV3154689.
Chapin, Richard H., FV3133631.
Christian, Alan C., FV3155233.
Christofolis, William, FV3145163.
Christopher, Delbert L., Jr., FV3145866.
Cizek, James W., FV3134264.
Clark, John B., Jr., FV3146913.
Clarke, Thomas W., FV3145388.

Claud, William D., FV3145391.
Clouser, Gordon L., FV3155950.
Coddington, Neil A., FV3145638.
Coffinger, Maralin K., FV3145406.
Coggburn, Dennis K., FV3145066.
Coker, Merle L., FV3147209.
Collins, Alva L., FV3154923.
Collier, Edmond J., FV3132482.
Collins, George J., Jr., FV3133127.
Collins, Peter, FV3146572.
Connolly, George C., FV3155265.
Coombs, David M., FV3132766.
Cooper, Grier H., FV3156113.
Cooper, Richard C., FV3147159.
Corbett, Joseph T., FV3145883.
Corbett, Patrick H., FV3118703.
Corcoran, James F., FV3145837.
Cordell, William M., FV3144572.
Corley, Robert C., Jr., FV3154972.
Counts, Wilson E., FV3145111.
Cowan, Jeffrey P., FV3144805.
Cowger, Ronald I., FV3155073.
Cox, Charles O., FV3131649.
Cox, James E., FV3155135.
Cox, Joseph R., FV3146352.
Craig, Roy L., FV3132739.
Cram, Donald L., FV3145684.
Cranford, Eugene E., FV3133221.
Crigger, James C., Jr., FV3132827.
Cronenberg, David A., FV3133633.
Crush, James M., FV3157196.
Cunningham, Roy B., FV3154617.
Dahl, Martin J., FV3155634.
Dahlstrom, David V., FV3146379.
Dalbey, Larry R., FV3146864.
Daly, Thomas J., FV3146634.
Darnell, William D., Jr., FV3144495.
Davies, Richard L., FV3134104.
Davis, Frank H., FV3145989.
Davis, Philip C., FV3120281.
Dean, Phillip G., FV3138755.
Deaton, Donald R., FV3146376.
Defoore, Finis M., Jr., FV3145612.
Deford, Ted E., FV3145238.
Delawter, Wayne E., FV3134105.
Denington, Michael R., FV3144531.
Denson, Lawrence C., FV3154620.
Denton, James R., FV3146234.
Derby, Arthur E., FV3146015.
Devore, Gale A., FV3144468.
Diekmeier, Raymond C., FV3144448.
Dinning, Donald B., FV3139180.
Doherty, Daniel J., FV3154867.
Doneen, Dennis D., FV3146685.
Dorr, Frederick R., FV3147020.
Dorrity, Jordan L., FV3156387.
Dougherty, Dennis W., FV3155529.
Douglas, Dirk F. G., FV3146624.
Dow, George M., FV3133774.
Dowdey, John D., Jr., FV3146950.
Draper, Raymond P., Jr., FV3154486.
Dugan, Daniel J., Jr., FV3155327.
Dusing, Philip J., FV3144540.
Ebert, Gary P., FV3154978.
Edelblute, Malcolm C., FV3154622.
Egge, Bruce E., FV3144872.
Ehresman, Bruce E., FV3146794.
Ehrlich, Clarence D., FV3144634.
Eldridge, Golda T., FV3154463.
Ellis, Paul V., III, FV3146737.
Engelauf, Robert E., FV3139183.
Enroth, John E., Jr., FV3147079.
Enz, Edward L., FV3144763.
Erickson, Lawrence A., FV3157016.
Ervin, Marvin S., FV3118731.
Eskeldson, John R., FV3145347.
Eubank, Oscar T., FV3133361.
Evans, Charles B., FV3147029.
Faga, Mart!n C., FV3156106.
Fanning, Donald L., FV3145651.
Faulkner, Siler, III, FV3154391.
Fegan, Thomas A., FV3146533.
Feibusch, Morris D., FV3144804.
Ferguson, Justin G., FV3155194.
Ferro, Philip H., FV3144580.
Fisher, Walter A., FV3145741.
Fleming, Rex J., FV3145558.
Flom, Frederic R., FV3157103.
Fluetsch, Robert L., FV3146773.
Folsom, Jim L., FV3132042.
Forbes, Walte H., III, FV3146638.
Forseth, Archie O., FV3155647.
Fouss, James H., FV3138029.
Foutch, Mark R., FV3133408.
Frank, John E., FV3146165.
Frank, Robert E., FV3132009.
Fray, Robert R., FV3134234.
Frederick, Richard A., FV3155814.
Fredenburgh, Paul F., FV3138373.
Fredregill, James M., FV3134265.
French, Robert E., FV3145993.
Frette, Richard D., FV3134235.
Frye, Richard J., FV3156524.
Fuller, Lawrence H., FV3133585.
Fulton, Charles E., FV3155076.
Gable, Joseph E., FV3156392.
Gallimore, Max, FV3145707.
Gallo, Paul E., FV3138322.
Gamble, William D., FV3131236.
Gandy, Robert W., FV3155562.
Ganley, John A., FV3133409.
Garner, Jerry L., FV3133209.
Garr, Roy B., FV3134248.
Garrett, James V., Jr., FV3146455.
Gavin, Tony C., FV3132697.
Gebelein, Richard H., FV3154756.
Gentry, Gerold L., FV3128390.
George, Millard W., FV3144866.
George, Wallace E., Jr., FV3146025.
Gibson, Kent M., FV3156310.
Giles, John W., FV3154468.
Goduto, Thomas G., FV3139310.
Goldberger, Russell J., FV3155200.
Gonyeo, William M., FV3144797.
Good, Donald E., FV3146139.
Good, Stephen F., FV3133561.
Gould, John E., FV3156311.
Graham, Ronald A., FV3146517.
Grann, Gary M., FV3154907.
Graves, Dennis D., FV3155137.
Graves, Robert L., FV3146419.
Griffin, Donald E., FV3147192.
Grimard, Laurence N., FV3146653.
Grimes, Thomas L., FV3145868.
Grimshaw, James A., Jr., FV3132647.
Groninger, William G., FV3144893.
Groshon, Kenneth W., FV3144799.
Grounds, Herbert W., Jr., FV3147000.
Guillian, Bruce, FV3156313.
Gullixson, Jon K., FV3144917.
Guthrie, Aubrey A., FV3144958.
Haan, Leslie R., FV3147083.
Haines, Thomas H., Jr., FV3145575.
Haley, Tommie L., FV3133588.
Hall, Engle L., FV3145386.
Hall, Gail H., FV3134375.
Hall, Jerre B., FV3145432.
Hall, Norman P., FV3156893.
Hamby, Dennis W., FV3146333.
Hamilton, Donald W., FV3144475.
Hampton, Patrick L., FV3155702.
Harden, James E., FV3145439.
Harger, Richard, FV3145860.
Harkness, Delbert W., FV3133599.
Harrington, David R., FV3138730.
Harris, James A., Jr., FV3145876.
Hartwig, Ronald C., FV3144547.
Harvin, Charles B., Jr., FV3145020.
Haskins, Thomas E., FV3145247.
Hasselbrink, Robert W., FV3155703.
Haub, Darrel L., FV3120295.
Hayes, John H., FV3155737.
Headley, Robert R., FV3146600.
Healey, Harry W., FV3156181.
Heinsch, Paul A., FV3156041.
Heiser, Lee R., FV3156124.
Helgesen, Robert H., FV3146552.
Hellikson, Larry D., FV3147015.
Helms, Ted M., FV3144553.
Henderson, Lael W., FV3157112.
Henderson, Leo D., FV3156797.
Henning, Stephen D., FV3134154.
Henry, Donald D., F–3134081.
Herbst, Daniel J., FV3146615.
Herche, Lynn R., FV3146222.
Herrett, James W., FV3133925.
Hicks, Donald B., FV3146347.
Highmiller, Ralph H., II, FV3133012.
Hixon, David W., FV3156541.
Hodgeman, Stuart A., FV3155157.
Hodgson, Robert D., FV3147150.
Hoffman, James, FV3144461.
Hogan, Charles E., FV3139188.
Hogan, John E., FV3145199.
Holbrook, Robert A., Jr., FV3154694.
Hopper, Robert E., FV3145950.
Horowitz, Kenneth L., FV3155204.
Housholder Ross F., FV3133320.
Houston, Walter T., Jr., FV3132899.
Howard, Charles F., FV3134267.
Hubbard, William J., FV3156984.
Huggins, Jan P., FV3147051.
Hulbert, David J., FV3157023.
Hulpke, John F., FV3145222.
Hunter, Ronald A., FV3133639.
Hussey, William C., FV3139190.
Hutchinson, Peter FV3144592.
Hyatt, Dennis M., FV3146668.
Iannacone Richard T., FV3120039.
Igoe, John F., Jr., FV3147130.
Irvine, Robert B., Jr., FV3134155.
Isley, Floyd W., FV3130928.
Iverson, Kenyon A., FV3155081.
Jackson, Claude G., Jr., FV3156323.
Jamtaas, Norman S., FV3145350.
Janecek, Willi J., Jr., FV3145385.
Jarosz, Kenneth E., FV3132561.
Jenkins, Alvin B., FV3146188.
Jensen, John W., FV3134288.
Johnson, David A., FV3154588.
Johnson, David M., FV3144581.
Johnson, James B., FV3145471.
Johnson, Larry C., FV3156742.
Johnson, Robert D., Jr., FV3146648.
Johnston, James M., FV3147217.
Jones, Darrell D., FV3144809.
Jones, Lloyd T., FV3145716.
Jordan, Melvin D., Jr., FV3145952.
Joy, Donald, FV3134363.
Joyner, Edward L., Jr., FV3155603.
Jozsa, Frank P., FV3145811.
Judd, Martin E., Jr., FV3145310.
Judd, Thayne H., FV3132790.
Judkins, Monte T., FV3134201.
Kahler, Asher J., FV3139287.
Kangas, Dale H., FV3144629.
Karnasiewicz, Edward, FV3145898.
Kearns, Dennis C., FV3155705.
Keen, Richard O., FV3155468.
Kehrer, William S., FV3155441.
Keller, Tommy D., FV3145332.
Kelley, Harold F., FV3144569.
Kelling, Edward K., FV3146403.
Kelly, Kevin J., FV3146723.
Kennedy, Patrick V., FV3139315.
Kenville, Thomas E., FV3155650.
King, John L., FV3156688.
Kirkpatrick, Charles D., FV3154446.
Kissler, Larry R., FV3147131.
Klasch, Joseph T., FV3133507.
Klein, Jacques P., FV3144754.
Klein, William C., FV3134270.
Knight, Chase D., FV3145100.
Knight, John R., FV3139162.
Koch, Ernest H., III, FV3156328.
Koehnlein, Thomas H., FV3155638.
Kontny, Rodney A., FV3144645.
Kopf, Ralph E., FV3145879.
Korczak, Gregory G., FV3155651.
Korpela, Keith R., FV3156029.
Kosak, Gary F., FV3133644.
Kosmider, Patrick F., FV3154853.
Kouyoumjian, Charles H., FV3154732.
Kramer, Paul F., FV3155416.
Krantweiss, Gerald, FV3146268.
Krebs, Thomas H., FV3155001.
Kretzschmer, Clark W., FV3145607.
Kricker, Frank M., FV3156329.
Kyger, Delbert L., Jr., FV3133977.
Kyrazis, George T., FV3119873.
Lage, William P., FV3155312.
Laible, Charles A., FV3155489.
Lamkin, Robert D., FV3146136.
Langley, Stanley R., FV3144935.
Lansberry, John E., FV3145980.
Lavine, Larry L., FV3134203.
Leach, Howard H., Jr., FV3146730.
Ledbetter, David L., FV3145182.
Leimer, Robert C., FV3080710.
Lentz, Gerald A., FV3147031.
Levenson, Eric O., FV3156107.
Lewis, Bruce E., FV3155640.
Lewis, Donald W., FV3154531.
Lewis, Edwin J., FV3147145.
Lewis, George H., FV3087173.
Lillie, Peter C., FV3145585.

Lippolt, John R., FV3132850.
Litz, Allan L., FV3100464.
Livingstone, Roger A., FV3144791.
Lobdell, Charles A., FV3155314.
Loughmiller, Larry G., FV3133927.
Maceoin, Donald, FV3139193.
Mack, Joseph M., Jr., FV3145058.
Mair, Alexander, FV3146088.
Mallchok, Richard, FV3146055.
Malm, Rollen G., FV3144525.
Manweiler, Allan B., FV3120174.
Markutsa, Robert E., FV3156332.
Marrah, Francis V., Jr., FV3139292.
Marsden, John R., Jr., FV3130844.
Marshall, Ronald W., FV3156593.
Martens, Edward A., FV3145428.
Mates, Donald A., FV3146349.
Mathis, Charles B., FV3138912.
Matthews, Walter L., FV3157124.
Mayhew, David L., FV3146458.
Mayo, Robert E., FV3146999.
McCartin, Hiller P., Jr., FV3154641.
McCoin, Lloyd H., Jr., FV3118948.
McEnery, Philip K., FV3146320.
McGourin, William E., FV3156997.
McGovern, William L., FV3144522.
McGrath, Joseph A., FV3139294.
McIntire, Harry D., FV3138991.
McIntyre, Max L., FV3146871.
McMillan, Robert J., FV3145824.
McMillian, Eugene L., FV3145123.
McNeill, David R., Jr., FV3145775.
McQueen, Robert N., FV3157127.
Meagher, William A., Jr., FV3138866.
Medlin, Phillip L., FV3146048.
Mehan, Hugh B., Jr., FV3155470.
Meisterling, Harold E., FV3133980.
Metzler, Phili L., Jr., FV3133591.
Micari, Peter P., FV3146820.
Mikita, George T., FV3146819.
Miller, Daniel J., FV3134166.
Miller, John W., FV3134293.
Miller, Roger M., FV3133604.
Mims, George I., Jr., FV3156402.
Mitchell, Claude D., FV3107322.
Mobley, Edwin H., FV3145242.
Moen, James A., FV3138943.
Mohn, Kermit S., FV3144742.
Molinder, John I., FV3155118.
Monahan, Bruce H., FV3146716.
Moncivaiz, Adolfo, FV3145288.
Montebello, Andrew A., III, FV3145330.
Moore, Burton R., FV3155050.
Moran, Augustus C., FV3133689.
Moran, Joseph L., FV3156230.
Morgan, John B., Jr., FV3156551.
Morgan, Neal D., FV3133541.
Moriarty, Peter G., FV3133647.
Morris, Robert H., FV3156280.
Morrow, Arden V., FV3146560.
Morton, Tim R., FV3145721.
Mosier, James D., FV3134240.
Murphy, Robert S., FV3144790.
Murray, James E., III, FV3132132.
Nash, Gerald W., Jr., FV3133543.
Nash, Thomas M., Jr., FV3138829.
Neeley, Robert M., FV3138007.
Negler, Stephen T., FV3156801.
Nekoba, Francis K., FV3156015.
Nelson, Frank W., FV3139297.
Nelson, Fritz E., III, FV3131153.
Nesbitt, John R., FV3144787.
Nicholson, John R., FV3132578.
Nicklaw, Galen F., Jr., FV3145365.
Nickles, Gilbert E., Jr., FV3145682.
Nies, Joseph H., Jr., FV3131073.
Noonan, Herbert I., FV3139299.
Nordhaus, Richard O., FV3156986.
Nugent, John W., FV3146576.
Odell, Charles L., Jr., FV3133837.
Olson, Duane A., FV3147023.
O'Neil, Bard E., FV3156867.
O'Neil, Eugene, FV3144702.
Onslow, Christopher J., FV3156050.
Orton, Stephen L., FV3145480.
Osgood, Roger H., Jr., FV3144972.
Osterberg, Jon C., FV3146953.
Otero, Daniel L., FV3146317.
Ozbolt, Jesse Q., FV3155515.
Page, Robert M., FV3133283.
Panneton, Robert J., FV3133690.
Parent, Larry A., FV3146872.
Patterson, James A., FV3145426.
Paul, Edgar, Jr., FV3157055.
Paul, Leighton L., FV3133379.
Paull, John D., FV3154475.
Peaslee, James R., FV3146152.
Peck, Glenn C., FV3134127.
Pellek, John, FV3155248.
Pellman, Vernon L., Jr., FV3134174.
Perfito, Joseph C., FV3155358.
Peri, Edward L., FV3156051.
Perkins, Richard C., FV3108956.
Perry, J. R., FV3133950.
Peters, Michael J., FV3133513.
Petrucco, Richard J., FV3156258.
Petz, Michael J., FV3154835.
Phillips, John F., FV3147058.
Phillips, Kent M., FV3155120.
Phipps, Charles J., FV3155052.
Pierce, Rodney D., FV3154594.
Pierson, David E., FV3156612.
Pinizzotto, Rober T., FV3146265.
Pinson, Reginald A., FV3155544.
Polumbo, Dennis J., FV3144941.
Posgate, James C., Jr., FV3145720.
Pospeschil, Frederick W., FV3146589.
Poulsen, George H., FV3144488.
Preston, John F., III, FV3146508.
Preston, John S., Jr., FV3145903.
Privitt, Nathan L., FV3145470.
Proctor, Joseph O., FV3137879.
Quay, Richard H., FV3146786.
Quay, William H., Jr., FV3139338.
Raby, Thomas P., FV3144508.
Rankin, Richard B., FV3130471.
Ransom, Kirk D., FV3154914.
Records, William R., FV3157036.
Redding, Robert G., FV3156616.
Redmond, William W., FV3156066.
Reed, James E., FV3139324.
Rees, Phillip W., FV3133331.
Reid, Danny M., FV3144484.
Richman, Philip, FV3146523.
Richter, Donald L., FV3154879.
Riley, Earl D., FV3146166.
Rimes, Billy S., FV3156460.
Rissell, Robert A., FV3155395.
Roberts, Ronald D., FV3156969.
Robinson, Fredrick M., FV3145646.
Robson, Norbert G., FV3155122.
Rodenbeck, Conrad, FV3144670.
Rohrer, James H., II, FV3146425.
Rose, Dennis A., Jr., FV3155587.
Roshon, Larry D., FV3155846.
Ross, Dennis D., FV3156053.
Roulson, Calvin R., FV3134295.
Routt, Douglas B., FV3155717.
Ruggiero, Robin R., FV3145337.
Rundle, Michael F., FV3131356.
Rutherford, William L., FV3144480.
Ruthruff, Gary A., FV3146488.
Sabsevitz, Alan D., FV3156161.
Sacilotto, Raymond G., FV3145131.
Saddler, Thomas M., Jr., FV3155690.
Salminen, James E., FV3155476.
Salvetti, Lloyd D., FV3154717.
Sanborn, Gene C., FV3144658.
Sand, Duane D., FV3145782.
Sandine, Kenton A., FV3156033.
Sanford, Stephen G., FV3146208.
Sbrega, John J., FV3155396.
Schaan, Dennis L., FV3155645.
Schaber, Leonard D., FV3156018.
Schaebethal, Kenneth P., FV3145440.
Schafer, Timothy G., FV3155760.
Scherer, Donald T., FV3145544.
Schilletter, William A., Jr., FV3065950.
Schmitt, Barry W., FV3155783.
Schneider, John M., FV3155873.
Schneider, Kent L., FV3146957.
Schneider, Marion F., FV3137781.
Schoner, Robert J., FV3155454.
Schowalter, Paul W., FV3119971.
Schrimshire, Thaniel O., FV3156821.
Seagrave, Roger N., FV3154719.
Seavey, John A., FV3133993.
Seeland, Carlton P., FV3155263.
Seibel, Richard J., FV3146257.
Selander, James G., FV3134276.
Sellman, Wayne S., FV3132591.
Sengbusch, Ronald, FV3146481.
Senter, James E., FV3139302.
Sepulveda, Domingo, FV3155361.
Sharp, Tracy M., FV3134368.
Shaw, Vance R., FV3145657.
Sheads, Harold C., Jr., FV3156097.
Shipman, Marcus B., FV3146822.
Shoemaker, Jerry K., FV3154795.
Shuster, Jerrold S., FV3146007.
Shy, William H., FV3146202.
Sibley, David S., FV3134260.
Sieger, Bruce J., FV3156054.
Sills, Joel W., FV3133842.
Simms, Ronald E., FV3154720.
Simon, Douglas W., FV3156068.
Singletary, Joe H., FV3146985.
Sistrunk, Glynn D., FV3139325.
Smith, Barrie T., FV3155273.
Smith, Collins E., Jr., FV3133795.
Smith, David L., FV3156354.
Smith, James H., Jr., FV3156355.
Smith, Larry R., FV3146759.
Smith, Richard D., FV3144766.
Smith, William T., FV3145514.
Snider, John E., FV3145619.
Sowden, Sterling J., FV3144940.
Sparks, John H., FV3133311.
Spence, Robert E., Jr., FV3156961.
Sporrer, Michael A., FV3145092.
Stach, Bruce A., FV3145819.
Stanley, David J., FV3154701.
Stanley, Page B., FV3156557.
Stans, Leonard, FV3155363.
Stapleton, Ronald J., FV3134182.
Starrett, Dennis G., FV3156162.
Stastny, Sidney, FV3155125.
Staten, Carroll M., FV3144879.
Stathis, Gus J., FV3156357.
Steffen, John P., FV3155022.
Stephenson, Clifford O., FV3156021.
Sterk, James R., FV3155934.
Sterling, Keith L., FV3156238.
Sternloff, Don F., Jr., FV3144861.
Stoecklin, Duane R., FV3145278.
Stone, Thomas M., FV3154839.
Stuart, Adrian C., FV3145474.
Stull, John H., FV3155875.
Sturm, Jerry R., FV3144450.
Suelzle, Robert D., FV3146337.
Sullivan, James J., FV3146542.
Sullivan, John B., III, FV3132135.
Sullivan, Lloyd D., Jr., FV3154658.
Suomela, John W., FV3146613.
Swarts, Barry G., FV3154542.
Swisher, Denny R., FV3145562.
Tarre, Gerald S., FV3131905.
Taylor, Reede L., Jr., FV3156505.
Taylor, Woodrow M., FV3155590.
Teets, Terry L., FV3138540.
Tenoso, Edwin E., FV3139343.
Thigpen, John M., FV3131682.
Thompson, Howard D., FV3138862.
Thompson, Robert R., FV3145275.
Thomson, George R., FV3145479.
Thoreson, Steven M., FV3139170.
Tichenor, Alfred H., FV3133350.
Tilton, James E., FV3145621.
Torkelson, Loren H., FV3155656.
Tripp, Joe L., FV3145826.
Trostle, Marvin K., FV3134383.
Truitt, Tracy P., FV3155056.
Tucker, Theo M., FV 3145567.
Tukey, Darold E., FV3146875.
Tyacke, Douglas D., FV3154916.
Valentine, John J., Jr., FV3146456.
Vannier, Lavon D., FV3133847.
Vaughn, Arthur D., FV3145297.
Via, Ronald D., FV3147055.
Villarreal, Delfino E., Jr., FV3156638.
Vogel, John M., FV3145864.
Wadleigh, David A., FV3144460.
Wagoner, William L., FV3156670.
Waldron, Richard L., FV3146220.
Walker, Charles R., FV3133256.
Walker, Leon E., Jr., FV3144542.
Wangerin, Robert H., FV3133578.
Warders, Norman H., FV3145427.
Ware, Wayne E., FV3131116.
Warzocha, Donald C., FV3133656.
Webber, John S., FV3139347.
Weber, Joseph H., FV3156242.
Weeks, Roy F., FV3145362.
Welch, Charles R., FV3144844.
Welsh, Jack S., FV3154899.
West, Gerald V., FV3155613.

West, James C., Jr., FV3132928.
West, Thomas H., FV3145695.
Wheeler, Geral R., Jr., FV3119564.
White Gerald D., FV3155303.
White, John F., FV3139305.
Whitlow, David W., FV3155596.
Whittington, Harold W., FV3144890.
Wickman, Robert W., FV3157042.
Wideman, Hampton E., FV3133292.
Widener, Lloyd H., FV3145115.
Wielhouwer, Peter W., FV3145192.
Wieting, Richard L., FV3146477.
Wilkinson, Peter R., FV3155304.
Williams, Jon C., FV3156372.
Williams, Larry A., FV3156930.
Willis, Joe M., FV3133257.
Wilson, Ernest C., FV3139348.
Wilson, Kennedy B., FV3147070.
Wilson, Robert O., FV3156374.
Wimer, David J., FV3119721.
Windedahl, Layne C., FV3156490.
Winkelmann, James D., FV3133595.
Winston, John T., FV3134094.
Withers, James A., FV3144499.
Wolf, Richard A., FV3146059.
Worthington, William L., Jr., FV3146947.
Wuhs, Gregory, FV3138773.
Yeckley, John K., FV3146000.
Yeutsy, Kenneth R., FV3144871.
Young, Jerry L., FV3145340.
Zann, Stephen M., FV3144413.
Zielinski, Leonard J., FV3155408.
Zucchetti, Roberto, FV3146553.
Zupko, Gregory S., FV3145205.

To be second lieutenants

Alford, Lester D., FV3155786.
Allen, Charles W., FV3119898.
Alpers, John H., Jr., FV3157185.
Ames, Harry C., III, FV3155305.
Amos, Thomas H.. FV3147547.
Anderson, James R., FV3155187.
Anderson, Ronald G., FV3157069.
Ankeny, Darrel J., FV3157009.
Armstrong, Malcolm B., FV3157259.
Arthur, Ernest R., FV3133712.
Ash, Vernon G., FV3156563.
Ashcraft, Boyd L., FV3134096.
Assenheimer, Perry J., FV3150524.
Aulwurm, Henry C., FV3147985.
Baither, Richard A., FV3134097.
Ball, Henry A., Jr., FV3148332.
Ball, John F., FV3149025.
Bares, Philip E., FV3147284.
Bear, William M., FV3155031.
Behrends, Martin E., FV3133936.
Bennett, Barry D., FV3148833.
Berens, Roger J., FV 3157011.
Bernhard, Robert B., FV3146245.
Billesbach, Robert L., FV3155107.
Binion, Dallas, FV3148673.
Biritz, Robert B., FV3148513.
Black, Julian, FV3156423.
Bogart, William M., FV3148738.
Boland, David J., FV3118473.
Boyd, Robert W., FV3147601.
Boyett, Randall H., FV3156709.
Brazelton, Michae L., FV3148590.
Bridges, John W., III, FV3160770.
Britt, Ward P., FV3156294.
Brown, Anthony E., FV3139379.
Brown, David E., FV3149104.
Brown, Melvin L., FV3147573.
Browning, John M., FV3150527.
Bryant, William L., FV3148549.
Bull, James G., FV3147742.
Burgess, Floyd K., FV3146331.
Bush, Dennis K., FV3154419.
Butler, William W., FV3133430.
Cachuela, Jose M., Jr., FV3148593.
Cada, Larry C., FV3148370.
Caldwell, Robert O., FV3148091.
Canup, William D., FV3157172.
Carmine, Henry E., Jr., FV3130713.
Carr, William J., FV3148580.
Carroll, Winfred N., FV3133856.
Casey, Robert J., FV3157072.
Cecil, Allan V., FV3155947.
Chalmers, Paul S., FV3147397.
Chatham, Charles W., FV3150495.
Chesney, Gary W., FV3133961.
Cluse, William T., FV3147408.
Cobb, James H., III, FV3149054.
Collins, Douglas F., FV3149083.
Crockett, John T., Jr., FV3162193.
Crum, Marshall E., FV3133720.
Cuevas, Thayne H., FV3147278.
Dalbey, Joseph P., FV3147826.
Dayton, Hugh K., Jr., FV3148980.
Dempsey, William L., FV3146922.
Desloge, John M., Jr., FV3157145.
Dillon, John P., FV3148559.
Ditmyer, Frank J., FV3150398.
Doctor, Stanley, FV3161357.
Donovan, John M., FV3155193.
Doty, David S., FV3150458.
Draper, Roderick V., FV3147682.
Drill, Arnold G., FV3147673.
Dundon, David E., FV3148770.
Dunn, Richard J., FV3106089.
Eachus, Herbert T., FV3107278.
Eastman, Herbert C., Jr., FV3147647.
Eller, Johnnie R., FV3148488.
Endicott, Richard E., FV3147480.
English, Patrick W., FV3147615.
Ewing, James R., Jr., FV3155309.
Fair, John P., FV3148529.
Farmer, George T., FV3120213.
Farmer, Michael C., FV3139381.
Farra, Fredric M., FV 3147357.
Ferguson, James M., Jr., FV3155560.
Finney, Charles M., FV3156714.
Floyd, Brodus A., FV3147994.
Fowl, Gregory A., FV3147672.
Frattaroli, Robert, FV3148117.
Frost, Robert E., FV3148519.
Gaiser, Ernest N., Jr., FV3156174.
Garmon, Claude E., FV3148267.
Gilbert, William E., FV3155776.
Goetz, Wayne A., FV3154776.
Gordy, Richard R., FV3139384.
Gould, Walter D., FV3156993.
Gray, Ronald D., FV3162258.
Gregg, Billy E., FV3148327.
Gretz, Charles R., FV3156891.
Griffin, James P., FV3133663.
Grosland, Darrell R., FV3148275.
Hamilton, Kenneth L., FV3148194.
Hannan, Robert R., FV3147410.
Harding, Colin M., FV3147423.
Harmon, Steven E., FV3147692.
Harris, William A., FV3160913.
Hatfield, Richard G., FV3155908.
Hattershire, Bond R., FV3147708.
Hauck, Jerome C., FV3148793.
Hayes, Patrick G., FV3133374.
Headlam, Gerald L., FV3149029.
Heaney, Patrick, FV3148841.
Heinlen, Walter D., FV3147564.
Heivilin, Thomas S., FV3148554.
Helt, James P., FV3148831.
Hoekstra, Sidney S., FV3145846.
Hoff, Gary F., FV3149081.
Holler, James W., III, FV3147943.
Holm, Ralph W., FV3120168.
Hornbeck, Jeffrey L., FV3139355.
Horos, Raymond A., FV3148720.
Horton, John W., FV3156497.
Howington, Marvin D., FV3147308.
Hudson, Ronald L., Jr., FV3133729.
Huffer, Gordon C., Jr.. FV3155080.
Hughen, Willard M., FV3162531.
Hutchings, Bryan K., FV3148847.
Hyden, Larry C., FV3150464.
Isaak, Robert J., FV3133375.
Jack, James T., FV3156586.
Jacobowitz, Leonard, FV3133640.
Jensen, Peter D., FV3156799.
Johnson, David F., FV3155378.
Johnson, David F., FV3162846.
Johnson, Donald E., FV3150438.
Johnson, Larry N., FV3162542.
Johnson, Morris C., FV3157892.
Johnson, Robert L., FV3156902.
Johnston, Allan H., FV3148502.
Kaplan, Louis A., FV3156128.
Kendall, Willmoore H., FV3157256.
Kenney, Ronald R., FV3147640.
King, John F., FV3155044.
Klett, Temple C., FV3147806.
Klipsch, Frederick S., FV3134119.
Koger, Perry D., Jr., FV3157123.
Krider, Frank E., FV3139362.
Kroyer, James M., FV3157079.
Kuykendall, Charles W., FV3156590.
Lacy, Billy F., FV3149014.
Laird, Thomas F., FV3157212.
Lane, Robert W., FV3147735.
Lang, Robert E., FV3148345.
Larkin, John C., FV3148634.
Lastrapes, Thomas M., FV3130676.
Laurendine, Larry G., FV3148937.
Lawrence, Harold L., Jr., FV3147471.
Layton, William F., FV3149039.
Letellier, Patrick J., FV3157179.
Lewis, Neil H., FV3147478.
Lienard, Armand R., FV3147775.
Lisenby, Ralph W., Jr., FV3133733.
Lyon, John R., FV3120045.
Madsen, Ronald W., FV3147416.
Malagarie, Frank M., FV3147983.
Maloney, Michael R., FV3148506.
Manes, Donald R., FV3148581.
Marshall, John R., Jr., FV3148455.
Martin, Fred W., FV3154642.
Mattey, James G., Jr., FV3150411.
Mattina, Larry J., FV3147952.
Mayers, Russell S., FV3155672.
McConnell, John M., FV3148538.
McDermott, James F., Jr., FV3148641.
McGill, Forerst G., FV3150472.
McMullen, Emerson T., FV3156998.
McNally, William R., III, FV3148610.
Meier, Lorence D., FV3147661.
Melton, Bruce L., FV3148411.
Melvin, Ronald M., FV3148658.
Menges, George B., FV3147438.
Michaud, Edward J., FV3154501.
Miles, William P., FV3147655.
Miller, Thomas D., FV3148047.
Mills, Dean W., FV3157030.
Mitchell, Joseph R., FV3147359.
Mitts, Richard L., FV3134378.
Moon, Albert J., FV3148319.
Moon, Ross A., FV3148742.
Moran, John H., FV3148911.
Morgan, Guy H., Jr., FV3154532.
Mounkes, Donald C., FV3155293.
Murphy, John, FV3148037.
Newton, George H., FV3150512.
Nieto, Donald E., FV3147835.
Nixon, Harvey L., Jr., FV3147968.
Nye, Harvey N., FV3162555.
Oberholzer, Richard J., FV3133391.
O'Brien, Harry G., Jr., FV3150475.
O'Connor, William J., FV3148629.
O'Mara, Raymund E., FV3131319.
Orth, Harry M., Jr., FV3155839.
Osborne, Otto L., FV3155973.
Pandolfi, Paul T., FV3148308.
Pantilla, John T., FV3148005.
Parham, Chester, III, FV3139369.
Parmeter, John S., FV3147462.
Parry, James L., FV3162594.
Peterson, John W., FV3120227.
Peura, Edwin W. A., FV3148677.
Porter, Mike R., FV3156980.
Potsic, Curtis J., FV3148932.
Ramsey, Boyd H., Jr., FV3156406.
Raymond, Carlyle, FV3163574.
Rechkemmer, David D., FV3150415.
Riegel, Richard A., FV3154791.
Rigel, Raymond L., FV3158737.
Riley, Edward W., FV3147388.
Ritter, Peter H., FV3163570.
Robertson, Martin L., Jr., FV3163568.
Robinson, Douglas C., FV3155608.
Rodriguez, Rodolfo F., FV3148776.
Rogers, Arthur L., Jr., FV3133886.
Rooks, Robert J., FV3157087.
Roviello, Frank V., FV3148647.
Russell, Carlton, Jr., FV3156920.
Russell, John C., FV3148655.
Ruth, Richard E., FV3148973.
Ryan, James, III, FV3148817.
Sager, Ronald W., FV3134210.
Schaal, Gary, FV3148696.
Schettler, Charles B., FV3133693.
Schmidt, Edwin A., FV3162556.
Schuehle, Robert M., FV3157037.
Scott, William V., FV3154935.
Scully, Paul W., FV3148038.
Seavers, Victor C., FV3147719.
Securda, Kerrick C., FV3147627.
Sexton, Michael E., FV3134179.

Shackelford, Robert S., FV3150482.
Sherwood, Marion P., III, FV3147736.
Sickel, Allen C., FV3133889.
Simonsen, Martin H., FV3156982.
Sisney, Vernon V., FV3155980.
Sjolander, Ronald A., FV3156020.
Sledge, Donald H., FV3132666.
Smith, Joseph M., FV3157161.
Smith, William H., III, FV3147902.
Soth, Martin W., FV3133463.
Sparfeld, Paul E., FV3147857.
Spurger, George A., Jr., FV3149003.
Stafford, Richard A., FV3131903.
Stafford, Thomas J., FV3148110.
Staniszewski, Henry J., Jr., FV3148115.
Stephenson, Orlando W., III, FV3154838.
Stephenson, Walter J., FV3147476.
Stone, Jack T., Jr., FV3133369.
Swartz, Thomas W., FV3133335.
Swigart, Gary A., FV3155765.
Terry, Marvin L., FV3148075.
Thaxton, James H., Jr., FV3133752.
Thompson, Brian C., FV3146897.
Tibbitts, Loel B., FV3150485.
Tiller, George W., FV3130692.
Turner, Frances S., FV3147500.
Tyson, Francis E., FV3134369.
Vanhersett, David G., FV3119341.
Vergamini, Michael G., FV3147305.
Vincent, David G., FV3154413.
Vogel, Harold R., FV3147376.
Voorhies, Russell L., FV3154545.
Walker, Elbert S., Jr., FV3147424.
Walker, Joseph P., Jr, FV3147429.
Walker, Michael S., FV3148256.
Waters, James L., FV3133338.
Watts, Wayne E., FV3150488.
Webster, Robert A., FV3134076.
Wege, Robert W., FV3147695.
Weichel, Roger L., FV3149048.
Weinberg, Lawrence E., FV3150545.
Welsh, Jay B., FV3147698.
Wentz, Robert W., FV3147544.
Werner, Thomas J., FV3148108.
White, George F., FV3157200.
Whitfield, Glenn T., Jr., FV3163592.
Williams, John H., FV3133477.
Willis, Arthur J., FV3147903.
Williss, William B., FV3155093.
Wilson, Christopher C., FV3133594.
Winkler, Frank P., FV3133516.
Wisler, Walter D., FV3157195.
Wisser, Clifford E., FV3154844.
Worgo, Ronald T., FV3156082.
Worth, Arthur L., FV3147298.
Wright, William C., Jr., FV3148355.
Younkin, David L., FV3155770.

EXTENSIONS OF REMARKS

The Amtorg Trading Corp.—Soviet Spy?

EXTENSION OF REMARKS
OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 16, 1967

Mr. LIPSCOMB. Mr. Speaker, today's New York Times, the January 16, 1967, issue, carries a two-page Soviet advertisement soliciting interest of American businessmen in trade opportunities in the Soviet Union.

Interested firms are invited to get in touch with the Amtorg Trading Corp. in New York. The Amtorg Trading Corp. acts as agent for most of the foreign trading organizations of the U.S.S.R. in transacting and carrying out operations in connection with the import of goods from the U.S.S.R. into the United States, and with the export of goods from the United States to the U.S.S.R.

When Mr. Hoover appeared before the House, State, Justice, Commerce, and Judiciary Appropriation subcommittees last session on February 10, 1966, I asked Mr. Hoover about Soviet trading organizations and about the need for American businessmen to be alerted to the great care that must be exercised in dealing with Soviet organizations such as Amtorg because of their espionage activities.

I am sure that the membership of the House and the public will be interested in our colloquy on this matter and under leave to extend my remarks submit it for inclusion in the RECORD:

Mr. LIPSCOMB. Mr. Director, there seems to be an increase in the contact that American businessmen are having with Soviet trade missions. You, upon other occasions, have warned and alerted American business that they should be careful in dealing with trading organizations such as Amtorg and other Communist trade organizations.

Are these trade organizations working now, do they still conduct and fit into the espionage picture?

Mr. HOOVER. Amtorg fits into it 100 percent. It is the main trade organization of the Soviet Government in this country.

Mr. LIPSCOMB. American business, in their interest to expand trade with the Communist countries, should still be very careful?

Mr. HOOVER. I think they should be particularly alert and keep their guard up. I wrote an article for the Harvard Business Review some time ago on that very subject, on the businessman and the spy. It concerned efforts to obtain information through businessmen and their concerns, that would be of value to the Soviet bloc in their activities in opposition to this country.

Mr. LIPSCOMB. I think it is important they keep alert.

Mr. HOOVER. I think it is highly important they keep alert, that they know what is going on.

Mr. LIPSCOMB. This is like so many other things. They fail to realize that the Soviets are still out to "bury us" and that is economically and militarily.

Mr. HOOVER. Some forget that and think we can live in peaceful coexistence, which I think is a complete fallacy.

Mr. LIPSCOMB. Again, Mr. Director, my thanks to you and to your associates for the dedicated job you are doing.

Mr. HOOVER. Thank you, Mr. Lipscomb.

In the article referred to by FBI Director Hoover in his testimony, entitled "The U.S. Businessman Faces the Soviet Spy," Mr. Hoover discusses efforts and methods of the Soviets in their attempts to obtain information from businessmen and their firms that would be of value to the Communists.

Under leave to extend my remarks, I include a section of the article which contains Mr. Hoover's comments and recommendations on how to meet the threat:

> The American businessman, previously scorned as a warmongering capitalist exploiter, is now being assiduously courted by the Communists.
>
> What is the answer? What are the implications for corporate action?
>
> First of all, the threat must be met within our democratic tradition. True, Soviet-bloc personnel, in making personal contacts, in purchasing government documents, in visiting conventions, are exploiting our freedoms in a free society. They take advantage of our system of government to advance their own interests.
>
> Yet this should not scare us into rash and intemperate action. Any response to the Communist threat based on hysteria or alarmism will do more harm than good. Just as no successful business is run on emotion, so too the campaign against this conspiracy must be a sustained, intelligent effort. This Communist attack can be defeated without compromising our free institutions.
>
> The businessman can do much in a *positive* way to help in the fight not only against Soviet-bloc espionage but also in the nation's over-all struggle against the Communist enemy. Being a highly respected, influential, and farsighted individual, he has the imagination, ingenuity, and aggressive thinking which will help us find successful ways of combating the threat. He has a heavy responsibility—one which cannot be performed by any other segment of our society. This entire problem should not be of auxiliary or minor concern but of deep and continuing interest—for him and for all other members of his organization.
>
> KEY STEPS AND POLICIES
>
> What steps should management take? Let us examine the most important ones.
>
> 1. *Immediate Plant or Industrial Security.* Industrial security programs, of course, vary from company to company, depending on size, materials manufactured, and whether government contracts are being handled. This is as it should be. However, experience teaches us something about what to emphasize.
>
> Where applicable, the industrial executive should give priority attention to perfecting immediate plant security, involving such items as the control of documents (classified and nonclassified), the identification of visitors, access to restricted areas. Many plants already have effective security programs. However, experience teaches that they must be constantly evaluated, analyzed, and reviewed.
>
> Actually, plant security is our last line of defense. Business executives probably do not realize how carefully the Russians scrutinize their industrial security setup, looking for loopholes and weaknesses. If one can be found, it will be exploited; if not, they will move to another company. By constantly evaluating its security program, the company can often find places where it can be strengthened.
>
> If the business manager wants the very best security in his plant, he must make certain that he employs competent and experienced people for the job. And he must see to it that they have adequate facilities, that their recommendations are carefully considered by their superiors, and that adequate funds are available to meet their needs. A dollar spent in protection is a dollar well spent.
>
> 2. *Long-Range Educational Programs.* Industrial executives can do much to effectively educate their employees to the problems involved in Soviet espionage and communism. Many companies have provided lending libraries, published articles in their company magazines, secured qualified guest lecturers, and shown movies and training films. Special training sessions, especially for supervisory personnel, can be most productive.
>
> The question of security should not be something which is taken for granted or left

exclusively to the security officers. In today's business world, the responsibility belongs to each employee. The Russians may contact an executive officer of a company, a salesman, an engineer employed in the plant, or an exhibitor at a technical convention. They are not restricted by inhibitions! To illustrate:

In one instance, a Russian official had the audacity to go to a company's front office and ask for an employee to be called off the job. The diplomat, not identifying himself, was a complete stranger to the engineer. During a luncheon conversation, the Russian attempted to secure the engineer's cooperation as a "consultant." When the American determined that the stranger was actually a Soviet national, he immediately broke off the conversation and reported the incident to the proper authority. The vigilance of that engineer is commendable. His information was of great value to the FBI.

Every employee should know his responsibility in the field of security and to whom to report factual information he possesses.

3. *Reporting of Pertinent Security Information.* The FBI is the governmental agency charged with investigating espionage, sabotage, and subversive activities. The FBI is *not* interested in legitimate business dealings of Soviet-bloc officials with American business firms. If, however, there is an indication that the Soviets are abusing the right, in ways indicated in our John Smith story, the FBI should be immediately advised.

Many times a businessman may think that a piece of information in his possession is insignificant or nonpertinent. Resolve that doubt by reporting it to the FBI. Many times a small scrap of data, when coordinated with information we already possess, may help us solve a case. In one instance, a photographer called the FBI headquarters in Washington and reported that a client was very much interested in securing an aerial map to be taken at extremely high altitude. We quickly identified this individual who, by a ruse, was trying illegally to secure a map of military value. Based on this report, the Russian diplomat was declared *persona non grata* by the Department of State.

The manager should not attempt to conduct his own investigation. This is a job for the FBI, which has experienced, specially trained agents. If a private citizen tries to conduct his own investigation, he may unknowingly jeopardize other counterintelligence operations of the FBI.

Never should an individual think it is too late to contact the FBI to supply information! A person may have been contacted by the Russians, even given them sensitive data—but this should never mean he is irrevocably "lost." His patriotic duty is to come to the FBI promptly. This is the best way to overcome previous mistakes and to serve not only his own personal interests but also the welfare of his country.

4. *Public Service and Community Programs.* In our society the progressive businessman can no longer think only of his own business, his own product, his own operating techniques. He has an obligation not only to his immediate community but to the entire country. Through public service and community programs, advertising, and general public relations, companies can do much to encourage Americans to be better citizens, to take a deeper interest in the affairs of their community and nation. We need today a deeper awareness of what American freedom means, of the positive role the American competitive business system is playing, and of the importance of the individual in a free society.

Americans are often too apathetic in understanding their duties and responsibilities. Businessmen can perform a valuable service by reawakening in our citizens those historic values which have made our country great—personal initiative, service to others, a willingness to do one's share.

Our approach toward communism must not be negative or defeatist. We are against communism, but that is not enough. *We must stand for something*—the moral and spiritual forces which make for decency, honesty, and understanding. These ideals are what give strength to America.

This means that businessmen must be willing to do their share in supporting programs to eliminate problems such as unemployment, corruption in public life, juvenile delinquency, organized crime, poverty, and discrimination. These are weaknesses which the Communists seek to exploit. By making a more healthy nation—economically, socially, and spiritually—we will illustrate to the entire world that free man can outproduce, outlive, and outthink Communist man.

Message Concerning the Death of Representative John E. Fogarty

EXTENSION OF REMARKS

OF

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 16, 1967

Mr. BINGHAM. Mr. Speaker, at the request of Mrs. Sylvia N. Rachlin, executive vice president of the Myopia Research Foundation of 415 Lexington Avenue, New York, N.Y., I include herewith the following message from the board of trustees of that foundation, to be added to the multitude of statements and messages expressing universal grief at the death of our distinguished colleague from Rhode Island, Representative John E. Fogarty:

> The Board of Trustees of the Myopia Research Foundation is deeply grieved over the untimely passing of Congressman John E. Fogarty. *He was a devoted friend and humanitarian.* Millions of Americans are indebted to him for his foresight and understanding in proposing and developing splendid programs for the improvements of the Public Health facilities of the nation.

Oshkosh and Chilton Cited for Efforts in Traffic Safety

EXTENSION OF REMARKS

OF

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 16, 1967

Mr. STEIGER of Wisconsin. Mr. Speaker, each year traffic accidents take a tragic toll in human lives. In the State of Wisconsin alone, in fact, some 1,000 lives are lost annually in traffic accidents and the economic loss is almost $200 million yearly.

One of the chief causes of such accidents is faulty mechanisms. Many automobiles are being driven that need repairs and do not belong on our highways.

Two cities in the Sixth District of Wisconsin were cited last week for their programs to combat highway accidents by conducting voluntary vehicle inspections.

I would, at this time, like to join the citizens of the Sixth District, Mr. Speaker, in expressing our thanks and our congratulations to Oshkosh and Chilton, Wis., for their fine efforts toward making our highways safer.

American Seapower: Where Are We and Whither Are We Tending?

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 16, 1967

Mr. MAILLIARD. Mr. Speaker, on Tuesday evening, January 10, we heard the President of the United States report to the Nation on the state of the Union. At the very beginning of his address, the President stated:

> I have come here tonight to report to you that this is a time, a time of testing for our Nation. * * *

As President Abraham Lincoln said, we must ask "where we are, and whither we are tending."

Well, to paraphrase the President's words, when can we expect to receive an answer to the question: "American seapower: Where are we and whither are we tending?"

No mention whatsoever was made in the President's latest state of the Union address concerning the American merchant marine. Yet, on January 4, 1965, in an earlier state of the Union address, the President said:

> I will recommend . . . a new policy for our merchant marine.

Two years now have passed since that earlier Presidential promise of a new policy for our merchant marine and we are still waiting. Neither wishful thinking nor academic debate will cause the perplexing problem of the plight of the American merchant marine to miraculously disappear. But, this is all we seem to have witnessed over the past 2 years. How much longer, I ask, must we wait?

Meantime, through inaction we are abdicating our former position as a major world seapower to none other that our foremost cold war competitor—Russia. The Soviet Union is placing increasing and effective emphasis upon the development of a modern and well-balanced fleet of merchant and naval ships.

In February of last year when speaking before the Commonwealth Club of California, I forewarned:

> The Soviet Union, I assure you, is not as apathetic as we to its merchant marine. It recognizes the rewards of sea power. It acknowledges the need for ships to obtain these rewards. It has faced up to the fact that such rewards are not without cost. Once considered a non-maritime nation, Russia is rapidly becoming a major maritime power.

Again, in July of last year when addressing the Republican Associates of San Diego County, San Diego, Calif., on the topic, "American Seapower—Where Are We Going?" I made the following observation:

> What is really most disturbing about this generally unfavorable direction being taken with American sea power is that while we appear to be "fiddling and declining," Russian sea power is modern and growing at a fantastic pace. Two years ago, Hanson W. Baldwin noted in his article, "Red Flag Over the Seven Seas," and I quote: "If to vast Russian land power is added major maritime power, the problem of deterrence becomes formidably difficult. If we lose control of the seas, it becomes impossible." Yet, this is the very real danger that now stares us in the face.

Because of this growing threat of the Soviet Union at sea—both commercially and militarily—I am inserting in the CONGRESSIONAL RECORD today the following copy of an editorial which appeared in the San Francisco Examiner of December 29, 1966, requesting that my colleagues pay particular heed to its concluding sentence:

> GROWING SOVIET POWER AT SEA
>
> The authoritative British publication Jane's Fighting Ships—a periodically updated compilation of naval strength throughout the world—has come up with a sobering estimate of Soviet sea power. The USSR, "Jane" notes, is now second only to the United States as a naval power, and possesses the biggest submarine fleet in the world.
>
> The Soviets, moreover, are inching closer to Japan—now the world's leading merchant shipping nation—and may soon be challenging the Japanese for supremacy in the vital field of civilian maritime tonnage.
>
> The Soviets steadily outbuild the United States in merchant tonnage. Last year the USSR accepted delivery of 129 ships; this country took 16. At the beginning of this year, the U.S. had 41 ships on order, the Russians more than 100. At the beginning of 1967 Russia expects to carry 75 percent of its trade in its own bottoms; the U.S. will carry 9 percent.
>
> Thus we are served with timely notice that the Soviet Union is not only the huge land military power everyone knows it to be, but is also ominously strong at sea.
>
> It will be a long time, however, before the Soviets can match the United States as a naval power. The USSR is considerably behind the U.S. Navy in the nuclear-powered field; the U.S. Navy, in fact, is aiming for total nuclearization of its vessels by the 1970's, and is thought to be far ahead of anyone in this aspect of naval technology. But the Soviets are making prodigious efforts in the nuclear field, too.
>
> Both the naval and merchant shipping aspects of Soviet sea power are no doubt receiving close and appropriate attention in the Pentagon and the Congress. So they should and not one whit of relaxation in this surveillance must be permitted. No budgetary or other consideration must prevent the U.S. from maintaining its position as the world's leading sea power.

SENATE

TUESDAY, JANUARY 17, 1967

(Legislative day of Thursday, January 12, 1967)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O merciful God whose law is truth and whose stature stands forever, we beseech Thee to grant unto us, who in the morning seek Thy face, the benediction which a sense of Thy presence lends to each new day. Unite our hearts and minds to bear the burdens that are laid upon us.

In a difficult and desperate era, be Thou our pillar of cloud by day and of fire by night, as patiently and obediently we follow the kindly light. May we close our national ranks in a new unity, as deadly peril threatens the birthright of our liberties.

As servants of Thine and of the Nation, and of the peoples of this shattered earth, save us from false choices and guide our hands and minds to heal and bind, and bless.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of January 17, 1967, was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of 42 U.S.C. 2251, the Speaker had appointed Mr. HOLIFIELD of California, Mr. PRICE of Illinois, Mr. ASPINALL of Colorado, Mr. MORRIS of New Mexico, Mr. YOUNG of Texas, Mr. HOSMER of California, Mr. BATES of Massachusetts, Mr. ANDERSON of Illinois, and Mr. MCCULLOCH of Ohio as members of the Joint Committee on Atomic Energy on the part of the House.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

CONSTITUTIONAL AMENDMENT TO LOWER VOTING AGE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the constitutional amendment seeking to lower the voting age from 21 to 18, introduced by the distinguished minority leader and myself and others, be allowed to remain at the desk through Monday, January 23.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

NEW ENGLAND REGIONAL COMMISSION

The Chief Clerk read the nomination of John J. Linnehan, of Massachusetts, to be Federal cochairman of the New England Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. PELL. Mr. President, I am very pleased that today the Senate has approved the nomination of John J. Linnehan for the new position of Federal cochairman of the New England Regional Development Commission.

On March 2, 1966, the Secretary of the Department of Commerce, John Connors, designated the six-State New England area as an economic development region as established under title No. 5 of the Public Works and Economic Development Act of 1965; legislation which I endorsed and supported. That same day, I joined with the other Senators from New England and recommended to the President the nomination of John Linnehan as Federal cochairman.

My interest in the regional development needs of the New England economy, and this pertinent legislation, stems from a report I had prepared by the Library of Congress—Legislative Reference Service—in March 1965. I submitted this report in April of that year to the Senate Committee on Public Works, which was holding hearings on regional economic development at that time and it is my thought that this report served as a guide to the Senate committee in recognizing the challenges and problems which confront the New England States. Therefore, I am especially glad that a fellow New Englander, Mr. Linnehan, of Haverhill, Mass., has been selected as Federal cochairman. Not only is he extremely knowledgeable regarding this area, but his valuable experience while he was special assistant to the Administrator of the Small Business Administration, and later in his position as director of governmental affairs for the National Homebuilders Association, should serve him well in his new capacity.

John Linnehan received a fine foundation in the study of economics in government while he was obtaining a bachelor of arts degree from Tufts University. I have discussed with him the challenges and the importance of this new position and am firmly convinced that he will be outstanding as the first cochairman.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

AMENDMENT OF RULE XXII

Mr. STENNIS. Mr. President, I ask unanimous consent that I may be permitted to proceed for 5 minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, I do not know how long the debate will last on the pending question, relating to rule XXII, but I wish to say a few words at this time on the importance of this matter.

Mr. President, I say, with emphasis, that we should all recognize that Congress is in fact the first organ of the Federal Government. That fact speaks forth from every page of the Constitution and from virtually every thought of those who framed the Constitution in its original concept. It was not primarily to the courts or the executive branch that they were looking to make this system work, but to Congress.

Rule XXII strengthens the congressional voice of the people in States having small population, or of the people in a number of heavily populated States who might disagree with the majority at any given time. Rule XXII tends to uphold the position of Congress as a protector—basically as a protector—of the people. It provides protection that cannot be found, as a whole, in the executive department.

I am speaking of rule XXII, of course, as it exists now, under present conditions, and as it will exist under conditions in the decades ahead. It is highly important.

We live in a time when the executive branch of our Federal Government is strong and is becoming stronger. This is also a day in which pressure groups and special interest organizations can mobilize great strength and create waves of emotionalism that can quickly produce legislation contrary to the public interest, unless there are some roadblocks—temporarily, at least.

Such a situation can be avoided by calm and deliberate consideration, as has been done many times in the past, through full consideration of all views, both majority and minority.

In this day of modern communications, the President can go before the Nation on television on a moment's notice, and speak at once to tens of millions of people. The momentum generated by such a nationwide appeal and the encouragement and coercion that can be brought on by marchers and demonstrators who, in turn, use television and the press to intensify the emotion and dramatize one side of an issue can absolutely overwhelm a minority view and smother any opposition to the passage of a measure proposed on this basis.

This situation is not limited to matters of civil rights. It also involves matters of arms control, economics, and other issues. In other words, civil rights is a minor point that is involved.

I raise the question, also, Mr. President: Where is the need now for a change in rule XXII? What is the urgency? Heretofore, when all sides of a question have been fully discussed, it has been voted on and disposed of one way or the other by the Senate.

The past two Congresses provide examples of how rule XXII was used to discuss fully and present the issues, even on highly controverted civil rights matters.

Furthermore, Mr. President, we are now at war. We are in a serious war, one which is growing and not diminishing, despite some temporarily rosy pictures that may be presented. We have much more important business to which we should give our first and undivided attention. Many of the finest men of our Nation, from many of the families of our Nation, are now in Vietnam. At the present rate, more than 5,000 of these men will be killed in action this year. Well over $20 billion will be spent on this war; and I believe that when the total amount is realized, counting the stockpiles we are using up, the figure will be nearer $25 billion.

There are signs of trouble in other parts of the world. The time of the Senate—indeed, of the entire Congress—can best be spent in putting first things first. Certainly, that is not the situation at this time, with a debate upon changing a rule of procedure taking place. A long debate over the question of whether we shall have full debate should certainly be relegated to another time, when such tremendous problems involving our national security and the future of the free world are not at stake.

I believe that rule XXII should not be changed. With such other matters pressing upon us, we should not delay further by considering whether there should be a change in the rule. More important matters are at hand, and they must be given the attention and the priority they demand.

Mr. President, I hope that later I will have an opportunity to address the Senate at greater length on this subject.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to the provisions of Public Law 81–754, the Chair appoints Senator CLAIBORNE PELL as a member of the National Historical Publications Commission, in lieu of Senator Leverett Saltonstall, retired from the Senate.

Pursuant to the provisions of Senate Resolution 33 and Senate Resolution 111, 87th Congress, the Chair appoints Senator HARRISON A. WILLIAMS, JR., to be chairman of the Special Committee on Aging in lieu of Senator SMATHERS, resigned.

Pursuant to the provisions of Public Law 85–874, the Chair appoints Senator CHARLES PERCY to the National Cultural Center Board in lieu of Senator Saltonstall, retired from the Senate.

Pursuant to the provisions of Public Law 88–630, the Chair appoints Senator CLIFFORD P. HANSEN to the Lewis and Clark Trail Commission in lieu of Senator Simpson, retired from the Senate.

Pursuant to the provisions of Public Law 89–81, the Chair appoints Senator THOMAS H. KUCHEL to the Joint Commission on the Coinage, in lieu of Senator Saltonstall, retired from the Senate.

Pursuant to the provisions of Public Law 79–304, the Chair appoints the following Senators to the Joint Economic Committee: SYMINGTON and PERCY.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

A letter from Steptoe and Johnson, Attorneys at Law, Washington, D.C., transmitting, pursuant to law, a report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1966 (with an accompanying report); to the Committee on the District of Columbia.

PROPOSED CONCESSION CONTRACT AT SEARCHLIGHT FERRY SITE IN LAKE MEAD NATIONAL RECREATION AREA, NEV.

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract at the Searchlight Ferry Site in Lake Mead National Recreation Area, Nev. (with accompanying papers); to the Committee on Interior and Insular Affairs.

ADDITIONAL TEMPORARY STAFF AND FUNDS FOR COMMITTEE ON PUBLIC WORKS—REPORT OF A COMMITTEE (S. REPT. NO. 2)

Mr. RANDOLPH, from the Committee on Public Works, reported the following original resolution (S. Res. 23), and submitted a report thereon, which resolution was referred to the Committee on Rules and Administration, and the report ordered to be printed:

S. RES. 23

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development and economic growth.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $175,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 25) to study administrative practice and procedure, and for other purposes, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 25

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practices and procedures within the departments and agencies of the United States in the exercise of their rulemaking, licensing, investigatory, law enforcement, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

SEC. 2. For the purpose of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The commiteee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $175,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 26) to investigate antitrust and monopoly laws of the United States, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 26

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to eliminate conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing law; and

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments, or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $560,200, shall be paid from the contingent fund for the Senate upon vouchers approved by the chairman of the committee.

CONSIDERATION OF MATTERS PERTAINING TO FEDERAL CHARTERS, HOLIDAYS, AND CELEBRATIONS—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 27) to consider matters pertaining to Federal charters, holidays, and celebrations, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 27

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to consider all matters pertaining to Federal charters, holidays, and celebrations.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $7,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 28) authorizing a study of matters pertaining to constitutional amendments, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 28

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ up an a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its activities and findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $117,700.00, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 29) to investigate matters pertaining to constitutional rights, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 29

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $205,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF CRIMINAL LAWS AND PROCEDURES—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 31) to investigate criminal laws and procedures, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 31

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of criminal laws and procedures.

Sec. 2. For the purposes of this resolution, the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. The expenses of the committee under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 32) to study matters pertaining to immigration and naturalization, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 32

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $170,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ADMINISTRATION, OPERATION, AND ENFORCEMENT OF INTERNAL SECURITY ACT—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 33) to investigate the administration, operation, and enforcement of the Internal Security Act, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 33

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its territories and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United States by force and violence.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee, under this resolution, which shall not exceed $437-185, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY AND EXAMINATION OF FEDERAL JUDICIAL SYSTEM—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 34) to study and examine the Federal judicial system, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 34

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a study and examination of the administration, practice, and procedures of the Federal judicial system with a view to determining the legislation, if any, which may be necessary or desirable in order to improve the operations of the Federal courts in the just and expeditious adjudication of the cases, controversies, and other matters which may be brought before them.

Sec. 2. For the purpose of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis professional, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of departments and agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $193,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF JUVENILE DELINQUENCY—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 35) to investigate juvenile delinquency, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 35

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts, and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1967 to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $260,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF NATIONAL PENITENTIARIES—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 36) to investigate national penitentiaries, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 36

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXAMINATION AND REVIEW OF ADMINISTRATION OF THE PATENT OFFICE—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 37) to examine and review the administration of the Patent Office, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 37

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The Committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF PROBLEMS CREATED BY FLOW OF REFUGEES AND ESCAPES FROM COMMUNISTIC TYRANNY—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 38) to investigate problems created by the flow of refugees and escapees from communistic tyranny, as follows:

S. RES. 38

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems created by the flow of refugees and escapees.

SEC. 2. For the purposes of this resolution, the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $104,700, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

REVISION AND CODIFICATION OF STATUTES OF THE UNITED STATES—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 39) to study revision and codification of the statutes of the United States, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 39

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $43,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF SEPARATION OF POWERS UNDER THE CONSTITUTION—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 40) to make a full and complete study of the separation of powers under the Constitution, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 40

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution, the manner in which power has been exercised by each branch and the extent if any to which any branch or branches of the Government may have encroached upon the powers, functions, and duties vested in any other branch by the Constitution of the United States.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $100,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF TRADING WITH THE ENEMY ACT—REPORT OF A COMMITTEE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 41) to investigate the Trading With the Enemy Act, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 41

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended, and consider proposed legislation affecting said Acts.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $62,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION OF CERTAIN ACTIVITIES AND STUDIES BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 42) to authorize certain activities and studies by the Committee on Interior and Insular Affairs, which was referred to the Committee on Rules and Administration, as follows:

S. Res. 42

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to Indian affairs; irrigation and reclamation; water and power resources; minerals, materials, and fuels; public lands; environmental studies; and territories and insular affairs.

Sec. 2. Pursuant to its authority under section 134(a) of the Legislative Reorganization Act of 1946, as amended, the committee is authorized to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, documents and to take such testimony on matters within its jurisdiction as it deems advisable.

Sec. 3. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

S. 371. A bill for the relief of Mrs. Mary T. Brooks; to the Commerce on Rules and Administration.

By Mr. HAYDEN (for himself and Mr. Cooper):

S. 372. A bill to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building; to the Committee on Public Works.

By Mr. MAGNUSON (for himself, Mr. Scott, Mr. Cannon, and Mr. Dominick):

S. 373. A bill to provide for a weather modification program; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Cannon, and Mr. Dominick):

S. 374. A bill to require authorizations of appropriations for the Environmental Science Services Administration, Department of Commerce; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 375. A bill to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; to the Committee on Commerce.

(See the remarks of Mr. Pastore when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S. 376. A bill fixing the representation of the majority and minority membership of the Joint Economic Committee; to the Committee on Banking and Currency.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 377. A bill for the relief of Tien Tung Liu; and

S. 378. A bill for the relief of Maximo Tang-Sie; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Griffin, Mr. Murphy, and Mr. Prouty):

S. 379. A bill to provide for the establishment of a permanent Federal Public Assistance Advisory Council; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MORTON:

S. 380. A bill for the relief of Patrick Quisenberry; to the Committee on the Judiciary.

By Mr. BYRD of West Virginia:

S. 381. A bill to amend title II of the Social Security Act to lower from 62 to 60 the age at which benefits thereunder may be paid, with appropriate actuarial reductions made in the amounts of such benefits; to the Committee on Finance.

By Mr. CHURCH:

S. 382. A bill to amend Public Law 874, 81st Congress, with respect to the amount to be deducted from payments pursuant to such law on account of certain Federal contributions; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 383. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes;

S. 384. A bill to provide for improved judicial machinery for the selection of Federal juries, and for other purposes;

S. 385. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes;

S. 386. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes; and

S. 387. A bill to provide for improved judicial machinery for the selection of Federal juries, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bills, which appear under a separate heading.)

By Mr. TYDINGS (for himself and Mr. BREWSTER):

S. 388. A bill to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. TYDINGS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. PROUTY):

S. 389. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide grants for costs of initiating services in community mental retardation facilites; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself and Mr. KENNEDY of New York):

S. 390. A bill to amend section 631, title 28, United States Code, to authorize the appointment of a U.S. commissioner for Fire Island National Seashore in the State of New York; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 391. A bill to amend the act of March 1, 1933 (47 Stat. 1418), entitled "An act to permanently set aside certain lands in Utah as an addition to the Navajo Indian Reservation, and for other purposes"; to the Committee on Interior and Insular Affairs.

S. 392. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. MOSS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 393. A bill to amend the Agricultural Act of 1949, as amended, in order to provide a price support program for coffee produced in the State of Hawaii; to the Committee on Agriculture and Forestry.

S. 394. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer pay payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; and

S. 395. A bill to amend chapter 147 of title 10, United States Code, to authorize the Secretary of Defense, or his designee, to dispose of telephone facilities by negotiated sale; to the Committee on Armed Services.

S. 396. A bill to permit for a 3-year period the use of two foreign-built vessels between points in the State of Hawaii; and

S. 397. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Commerce.

S. 398. A bill to amend title II of the Social Security Act to provide that for benefit computation purposes, a man's insured status and average monthly wage will be figured on the basis of an age 62 cutoff (the same as is presently done in the case of women);

S. 399. A bill to amend title V of the Social Security Act to provide a grant-in-aid program to assist the States in furnishing aid and services with respect to children under foster care;

S. 400. A bill to amend the Internal Revenue Code to allow gas tax refunds due for gasoline used by aerial applicators serving farmers to be refunded to the aerial applicators providing such service to farmers;

S. 401. A bill to amend title 3 of the Sugar Act of 1948 to provide for the establishment of fair and reasonable minimum wage rates for workers employed on sugar farms, and for other purposes;

S. 402. A bill to amend the Tariff Act of 1930 to permit the duty-free entry of certain articles grown, manufactured, or produced in the Ryukyu Islands;

S. 403. A bill relating to the income tax treatment of cost-of-living allowances received by certain caretakers and clerks employed by the National Guard outside the continental United States or in Hawaii;

S. 404. A bill to amend the Internal Revenue Code of 1954 to provide credit against income tax for an employer who employs older persons in his trade or business; and

S. 405. A bill to amend the Internal Revenue Code of 1954 to allow the standard deduction in the case of certain departing aliens, and for other purposes; to the Committee on Finance.

S. 406. A bill to provide for the conveyance of certain real property situated in the State of Hawaii to the State of Hawaii; to the Committee on Government Operations.

S. 407. A bill to provide that the unincorporated territory of Guam shall be represented in Congress by a Territorial Deputy to the House of Representatives;

S. 408. A bill to amend the act entitled "An act to establish eligibility for burial in national cemeteries, and for other purposes," approved May 14, 1948, so as to permit the parents of certain persons to be buried in national cemeteries; and

S. 409. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 410. A bill to amend the War Claims Act of 1948 and the Trading With the Enemy Act to provide for the submission of certain claims and the reinstatement of certain claims;

S. 411. A bill to provide cost-of-living allowances to judicial employees stationed outside the continental United States or in Alaska and Hawaii;

S. 412. A bill to amend the Immigration and Nationality Act to provide that any territory over which the United States has jurisdiction under a treaty shall be regarded as a separate quota area;

S. 413. A bill for the relief of Esperanza Y. Malibiran;

S. 414. A bill for the relief of Anita P. Daoang; and

S. 415. A bill to provide for the inclusion of years of service as judge of the Circuit Court for the Territory of Hawaii in the computation of Federal judicial service of the Honorable Martin Pence; to the Committee on the Judiciary.

S. 416. A bill to provide for a Pacific Medical Center in Hawaii;

S. 417. A bill to amend section 601 of title 38, United States Code, to restore to certain veterans in Alaska and Hawaii the right to receive hospital care; and

S. 418. A bill to amend the National Defense Education Act of 1958 to make certain benefits under that act available to teachers in nonpublic elementary and secondary schools; to the Committee on Labor and Public Welfare.

S. 419. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter;

S. 420. A bill to provide credit under the Civil Service Retirement Act for periods of separation from the service of certain employees of Japanese ancestry during World War II; and

S. 421. A bill to extend the benefits of the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the United States during peacetime; to the Committee on Post Office and Civil Service.

S. 422. A bill to require bidders for public works construction contracts to disclose the identity of proposed joint contractors and subcontractors, and for other purposes; and

S. 423. A bill authorizing the use of additional funds to defray certain increased costs associated with the construction of the small-boat harbor at Manele Bay, Lanai, Hawaii, and for other purposes; to the Committee on Public Works.

S. 424. A bill to authorize an investigation relating to the restoration and preservation of certain cultural and historical artifacts of the Ryukyuan people; and

S. 425. A bill to provide a method of regulating and fixing wage rates for ungraded employees in the State of Hawaii; to the Committee on Armed Services.

S. 426. A bill to authorize the Secretary of the Interior to continue to promote a program for the conservation, restoration, and management of the rare Hawaiian Nene goose; to the Committee on Commerce.

By Mr. BYRD of West Virginia:

S. 427. A bill to liberalize the provisions of title 38, United States Code, relating to automobiles for disabled veterans; to the Committee on Labor and Public Welfare.

By Mr. YARBOROUGH:

S. 428. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American education programs, and to provide certain other assistance to promote such programs; and

S. 429. A bill to amend the Economic Opportunity Act of 1964 in order to establish a southwestern human development program; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bills, which appear under a separate heading.)

(NOTE.—The above bills were ordered to be held at the desk until January 25, 1967, for additional cosponsors.)

By Mr. NELSON (for himself, Mr. CLARK, and Mr. RANDOLPH):

S. 430. A bill to mobilize and utilize the scientific and engineering manpower of the Nation to employ systems analysis and systems engineering to help to fully employ the Nation's manpower resources to solve national problems; to the Committee on Labor and Public Welfare.

By Mr. HART:

S. 431. A bill for the relief of Francesco Scardina, his wife, Maria, and their child, Salvatore;

S. 432. A bill for the relief of Sandra Haydous; and

S. 433. A bill for the relief of Wilhelm Konyen, his wife, Susanne Fritsch Konyen, and their children, Susanne Konyen and Willy Konyen; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 434. A bill to authorize the establishment of a National Nuclear Museum; to the Joint Committee on Atomic Energy.

S. 435. A bill for the relief of Ioannis Kanelis; and

S. 436. A bill for the relief of Maria A. De Lilla; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 437. A bill for the relief of Viktor Detschmann; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. Bartlett, Mr. Boggs, Mr. Clark, Mr. Fong, Mr. Gruening, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Jackson, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. Mansfield, Mr. McGee, Mr. Metcalf, Mr. Miller, Mr. Mondale, Mr. Morse, Mr. Murphy, Mr. Nelson, Mr. Pearson, Mr. Randolph, Mr. Ribicoff, Mr. Smathers, Mr. Tydings, and Mr. Yarborough):

S. 438. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 439. A bill for the relief of Dr. Rafael Jacinto Nobo y Pividal (Rafael Nobo); and

S. 440. A bill for the relief of Dr. Julio Alejandro Solano; to the Committee on the Judiciary.

By Mr. PELL:

S. 441. A bill to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States; to the Committee on Commerce.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 442. A bill to amend Public Law 874, 81st Congress, relating to financial assistance for local educational agencies in federally impacted area, in order to give the Commissioner of Education discretion to waive a minimum requirement for such assistance; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE (for himself and Mr. Hansen):

S. 443. A bill to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE (for himself, Mr. Moss, and Mr. Hansen):

S. 444. A bill to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGee when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 445. A bill for the relief of Rosemarie Gauch Neth; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 446. A bill for the relief of Public Utility District No. 1 of Klickitat County, Wash.; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 447. A bill to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C. 315g); and

S. 448. A bill to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bills, which appear under separate headings.)

By Mr. JACKSON (for himself and Mr. Burdick):

S. 449. A bill to provide for the popular election of the Governor of Guam, and for other purposes; and

S. 450. A bill to provide for the popular election of the Governor of the Virgin Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bills, which appear under a separate heading.)

By Mr. MUSKIE (for himself and Mr. Magnuson):

S. 451. A bill to amend the Clean Air Act in order to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk for one week for additional cosponsors.)

By Mr. MORSE (for himself and Mr. Hatfield):

S. 452. A bill for the relief of Fred Devine, doing business as Fred Devine Diving Co.; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. Muskie):

S. 453. A bill to authorize a program of research, development, and demonstration projects for electrically powered vehicles; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. PROXMIRE:

S.J. Res. 16. Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee; considered and passed.

(See the remarks of Mr. Proxmire when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DOMINICK (for himself and Mr. Allott):

S.J. Res. 17. Joint resolution authorizing the President to establish a "National Ski Week"; considered and passed.

(See the remarks of Mr. Dominick when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JACKSON:

S.J. Res. 18. Joint resolution for the administration and development of Pennsylvania Avenue as a national historic site; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

ADDITIONAL TEMPORARY STAFF AND FUNDS FOR COMMITTEE ON PUBLIC WORKS

Mr. RANDOLPH reported an original resolution (S. Res. 23) authorizing additional temporary staff and funds for the Committee on Public Works, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Randolph, which appears under the heading "Reports of Committees.")

CREATION OF COMMITTEE ON VETERANS' AFFAIRS

Mr. BYRD of West Virginia (for himself and Mr. Randolph) submitted the following resolution (S. Res. 24); which was referred to the Committee on Rules and Administration:

S. Res. 24

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section 1;

(2) striking out subparagraphs 16 through 19 in paragraph (m) of section 1; and

(3) inserting in section 1 after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

Sec. 2. The second sentence of section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and the Committee on Rules and Administration" and inserting in lieu thereof "Committee on Rules and Administration; and the Committee on Veterans' Affairs".

Sec. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations) is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

Sec. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Ninetieth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 25) to study administrative practice and procedure, and for other purposes, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 26) to investigate antitrust and monopoly laws of the United States, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

CONSIDERATION OF MATTERS PERTAINING TO FEDERAL CHARTERS, HOLIDAYS, AND CELEBRATIONS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 27) to consider matters pertaining to Federal charters, holidays, and celebrations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 28) authorizing a study of matters pertaining to constitutional amendments, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 29) to investigate matters pertaining to constitutional rights, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

AMENDMENT OF STANDING RULES OF SENATE RELATIVE TO SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY (for himself, Mr. BARTLETT, Mr. BURDICK, Mr. FONG, Mr. GRUENING, Mr. HICKENLOOPER, Mr. MCGEE, Mr. MAGNUSON, Mr. MILLER, Mr. RANDOLPH, Mr. SCOTT, and Mr. YOUNG of North Dakota) submitted a resolution (S. Res. 30) to amend the standing rules of the Senate relative to the Select Committee on Small Business, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. PROUTY, which appears under a separate heading.)

(NOTE.—The above resolution was ordered to be held at the desk until January 24, 1967, for additional cosponsors.)

INVESTIGATION OF CRIMINAL LAWS AND PROCEDURES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 31) to investigate criminal laws and procedures, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

STUDY OF MATTERS PERTAINING TO IMMIGRATION AND NATURALIZATION

Mr. EASTLAND, from the Committee on the Judiciary reported an original resolution (S. Res. 32) to study matters pertaining to immigration and naturalization, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

INVESTIGATION OF ADMINISTRATION, OPERATION, AND ENFORCEMENT OF INTERNAL SECURITY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 33) to investigate the administration, operation, and enforcement of the Internal Security Act, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

STUDY AND EXAMINATION OF FEDERAL JUDICIAL SYSTEM

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 34) to study and examine the Federal judicial system, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

INVESTIGATION OF JUVENILE DELINQUENCY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 35) to investigate juvenile delinquency, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

INVESTIGATION OF NATIONAL PENITENTIARIES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 36) to investigate national penitentiaries, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

EXAMINATION AND REVIEW OF ADMINISTRATION OF THE PATENT OFFICE

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 37) to examine and review the administration of the Patent Office, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

INVESTIGATION OF PROBLEMS CREATED BY FLOW OF REFUGEES AND ESCAPEES FROM COMMUNISTIC TYRANNY

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 38) to investigate problems created by the flow of refugees and escapees from communistic tyranny.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

REVISION AND CODIFICATION OF STATUTES OF THE UNITED STATES

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 39) to study revision and codification of the statutes of the United States, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. EASTLAND, which appears under the heading "Reports of Committees.")

STUDY OF SEPARATION OF POWERS UNDER THE CONSTITUTION

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 40) to make a full and complete study of the separation of powers under the Constitution, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Eastland, which appears under the heading "Reports of Committees.")

INVESTIGATION OF TRADING WITH THE ENEMY ACT

Mr. EASTLAND, from the Committee on the Judiciary, reported an original resolution (S. Res. 41) to investigate the Trading With the Enemy Act, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Eastland, which appears under the heading "Reports of Committees.")

AUTHORIZATION OF CERTAIN ACTIVITIES AND STUDIES BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON, from the Committee on Interior and Insular Affairs, reported an original resolution (S. Res. 42) to authorize certain activities and studies by the Committee on Interior and Insular Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Jackson, which appears under the heading "Reports of Committees.")

WEATHER MODIFICATION ACT OF 1967

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to promote a comprehensive national weather modification program.

This bill is identical to the one approved last session by this body. The legislative history is as follows: November 5, 1965, hearings, Las Vegas, Nev.; November 10, 1965, hearings, Elko, Nev.; February 21, 24, and 25, March 7 and 8, 1966, hearings, Washington, D.C.; March 31 and April 1, 1966, hearings, Denver, Colo.

April 27, 1966, a report by the Legislative Reference Service entitled "Weather Modification and Control."

October 13, 1966, considered in executive session by the full committee and ordered reported favorably.

October 14, 1966, passed by the Senate.

As this history indicates, this bill has received many days of attention and hearings. The importance of the subject cannot be overstressed. Foreign nations are conducting programs which dwarf ours, both in scale and in organization. The economic impact of feasible comprehensive weather modification can be favorably measured in hundreds of thousands if not millions of dollars. National weather modification programs have significant international implications.

Weather modification is not new—only deliberate weather modification has new implications. The Christian Science Monitor recently carried a story headlined, "Effect on Weather of Sprawling Smoky Cities Pondered." The Washington Post recently carried a story headlined, "Auto Gases Suspected of Changing Climate." Everyday sees a continuation of inadvertent weather modification experiments.

Commercial weather modification programs have been carried on for some time. These operations are increasingly more scientific. The Federal Government is increasingly conducting weather modification programs on an engineering as well as a research scale. The following is a statement from the Bonneville Power Administration.

> To further alleviate the tight power supply situation, BPA and the Bureau of Reclamation plan this winter a pin-point cloud seeding program at Hungry Horse Dam. Such a program was found feasible by outside consultants who also assure us it can be pinpointed so as to increase the snowpack above Hungry Horse Dam and therefore, inflow to Hungry Horse Reservoir without adversely affecting agricultural operations or increasing flood danger.

Plans such as this are of great significance, but it is esssential that this environmental subject be coordinated in the most efficient manner. The Legislative Reference Service described the matter as follows:

> Weather modification, in spite of the number and variety of processes and activities that generally are included in this expression, as well as the popular, political, and professional attention that it has received over the past 20 years, remains today, one of the smallest areas of science and technology, considered in terms of Federal support. This is particularly surprising in view of the manifest needs and benefits, social and economic, that can be associated with the subject.

This bill does not represent a dramatic new departure; it does not authorize a "race to the moon" crash program. It is an attempt to organize and slightly enlarge existing programs. It is an attempt to put a new science program on an orderly basis before the inevitable scientific breakthroughs require a crash program.

I urge all Senators to give this bill the favorable consideration that they gave it in the 89th Congress. I am pleased to have as cosponsors, Senator Scott, Senator Cannon, and Senator Dominick, who have shown great interest in this subject.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 373) to provide for a weather modification program, introduced by Mr. Magnuson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

ANNUAL AUTHORIZATIONS OF APPROPRIATIONS FOR THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to require annual authorizations of appropriations for the Environmental Science Services Administration, Department of Commerce.

ESSA has over 11,000 employees, with budgets in range of $150 million. Included within ESSA are the Weather Bureau, Coast and Geodetic Survey, Environmental Data Service, National Environmental Satellite Center, and Institutes for Environmental Research. Included in these categories are such important things as weather predictions, weather modification, satellite programs, air pollution, and mapping to mention only a few.

ESSA is deeply involved in international relations with its satellite and weather modification programs, a direct communication link with the Soviet Union, oceanographic voyages, and so forth.

The impact of weather and earthquake phenomenon can annually be measured in millions of dollars, transportation and communications delays, as well as a number of deaths and injuries.

The entire field of environmental sciences is rapidly increasing and spectacular scientific breakthroughs appear imminent.

The Congress should be fully advised on all of these matters annually. In this way, closer attention can be given to this expanding, dynamic agency which plays such a significant role in our daily lives.

I am pleased to have as cosponsors Senator Cannon and Senator Dominick who have shown great interest in this subject.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 374) to require authorizations of appropriations for the Environmental Science Services Administration, Department of Commerce, introduced by Mr. Magnuson (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

OBSCENE AND HARASSING TELEPHONE CALLS

Mr. PASTORE. Mr. President, obscene and harassing telephone calls have become a matter of serious concern. The telephone, despite its many benefits in our daily business and personal lives, unfortunately provides a ready cloak of anonymity to the sort of person who can somehow derive satisfaction or pleasure from frightening other people. This cloak has been availed of by such people in various ways. The telephone may ring at any hour of the day or night, to produce only a dead line when answered. Sometimes the caller will merely breathe heavily and then hang up. Sometimes he will utter obscenities.

A new and most offensive form of harassment has been devised. Families of servicemen are called and given false reports of death or injury, or even, hard as it is to believe, are gloatingly reminded of the death of a son or husband in service.

The dimensions of the problem are large and apparently growing. The Bell Telephone system which provides more than 80 percent of the Nation's telephone service through its representatives, testified before my committee last year that it had received 46,000 complaints in March 1966 which could be classified as abusive telephone calls. A recent check shows that the number of abusive calls received in the month of September by the Bell Telephone system numbered 56,000 and in October 1966, 55,000. It should not be overlooked that these figures deal with complaints actually received by the telephone companies. It is to be assumed that many such calls have been made that never became the subject of a complaint.

Currently, some remedies do exist. Thirty-eight States have statutes varying somewhat in content but generally prohibiting various types of obscene, harassing, or annoying telephone calls. These specific laws, many of which are of recent origin, appear to be helping. The telephone companies' right to discontinue service where making such calls violates company tariffs is probably also of some value. But no Federal law deals with the problem and the legislation that I am introducing today is designed to close the interstate gap. It would close the loophole that exists today because of the lack of a Federal law covering this subject matter.

The bill would provide for a fine of not more than $500 or imprisonment for not more than 6 months for anyone who by means of telephone communications in the District of Columbia or in interstate or foreign commerce first, makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent; or, second, makes a telephone call, whether or not conversation ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number; or, third, makes repeated telephone calls, during which conversation ensues, solely to harass any person at the called number; or, fourth, makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number.

The bill that I am introducing today was the subject of extensive hearings by my subcommittee in the last session. It was reported favorably and passed the Senate without objection. Unfortunately the crowded legislative calendar of the House Commerce Committee did not permit any action.

I intend to schedule hearings on the bill immediately and I am hopeful that final action will be taken before too long.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 375) to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce, introduced by Mr. Pastore, was received, read twice by its title, and referred to the Committee on Commerce.

EXPANSION OF THE JOINT ECONOMIC COMMITTEE

Mr. PROXMIRE. Mr. President, I introduce for appropriate reference a bill to increase the membership of the Joint Economic Committee to 20.

It is an obvious truism that the Joint Economic Committee is confronted with a tremendous array of economic issues. Ours is an astoundingly complex and rapidly moving economy, and the committee's responsibility to advise the Congress on economic questions with important policy implications is a staggering job. For this reason it has been proposed from time to time that the committee be expanded so as to permit us to do a better job.

I might add that the committee was expanded once in the past—in 1959 when the membership was increased from the original 14 to 16. The present proposal to increase the membership to 20 members, as compared with the present 16, would add one Democrat and one Republican in each House.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 376) fixing the representation of the majority and minority membership of the Joint Economic Committee, introduced by Mr. Proxmire, was received, read twice by its title, and referred to the Committee on Banking and Currency.

TO GIVE STATES A VOICE IN WELFARE PLANNING

Mr. JAVITS. Mr. President, I introduce for appropriate reference a bill to create a permanent Federal Public Assistance Advisory Council to give State and local governments an effective voice in the formulation and administration of Federal public assistance programs. This measure is cosponsored by Senators Griffin, Murphy, and Prouty.

If we mean what we say with respect to the role of Federal legislation as an instrument in strengthening welfare programs at the State and local level, then we must enhance the role of State and local officials at the Federal agency level. The rapid expansion of Federal public assistance programs in recent years emphasizes this need.

This bill puts into effect the recommendations of the Advisory Commission on Intergovernmental Relations contained in its 1964 report, recommendations which also have the support of State public welfare officers. It is identical with S. 1891, which I introduced in the last Congress. The bill would also contribute to developing the "total working partnership among Federal, State, and local governments" advocated by President Johnson in his state of the Union message last week and his pledge to work closely with the States and the localities to make such a partnership effective.

A permanent Public Assistance Advisory Council would give State and local governments a formally, legally-constituted forum for presenting their thoughts and recommendations to the Federal agencies in an effective, orderly and uniform maner. The temporary advisory councils which have existed in the past have not adequately considered the problems of State and local governments in the public assistance programs.

The proposed Council would be composed of 12 members appointed for 4-year terms by the Secretary of Health, Education, and Welfare from among State and local public assistance directors and "other individuals who are outstanding in public welfare administration." The Council would be required to report to Congress annually. The Council has precedence in law for it is patterned after the Federal Hospital Council which was established for consultation and advice in connection with the administration of the Hospital Construction Act.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 379) to provide for the establishment of a permanent Federal Public Assistance Advisory Council, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

RURAL SCHOOL DISTRICT BILL

Mr. CHURCH. Mr. President, in an effort to clean up some relatively minor administrative problems, Public Law 874 was amended in the second session of the 89th Congress. Unfortunately, the amendment, designed to eliminate some bookkeeping problems, created a new and serious financial problem in many rural school districts located near national forests.

The amendment obliges school districts to deduct from their Public Law 874 entitlements all payments they receive from the sale of timber in the national forests.

On the face of it, the amendment appeared reasonable. If a rural school district were receiving Federal impact funds under Public Law 874 to reimburse the district for the education of children from families connected with Federal installations, why should they get a double payment linked to the same Federal activity? But where the Public Law 874 funds were used for actual operating expenses, rural school districts, such as those in my own State of Idaho, were using timber sales revenues for an entirely different purpose.

Prior to 1966, school districts had always been required to deduct from their Public Law 874 entitlements all timber sale money they received for actual operating and maintenance expenses. But they did not have to deduct those revenues, if the timber sales money was placed in the capital outlay budget for future construction and remodeling. This is what Idaho school districts had done with their share of the forest timber sales revenue. I have been told that almost all western rural school districts likewise earmark these additional Federal revenues for their construction budget.

The 1966 amendment now requires that these small rural school districts deduct forest sales revenues from their

Public Law 874 entitlement, even though the revenue is not used for current operating expenses.

The effect of this amendment has been twofold. The initial and most critical effect is now being felt, because of the timing of passage of the education bills in the last session of Congress.

In order to provide adequate financing for the 1966–67 school year, our school districts adopted their budgets early in the spring of 1966. At that time, there was no hint of the deduction amendment. The operating budgets for the small rural schools were based upon the amount of Public Law 874 money they would be eligible to receive for the number of children in their districts whose families either lived on, or were employed on Federal properties, such as the national forests or nearby military installations. At the same time, the school districts, as usual, earmarked their share of other Federal revenues for their building funds, or to the debt reserve portion of their budgets, to amortize past construction bonding debts. That was in April.

In late October, Congress adopted the amendment to Public Law 874 and the President signed the bill on November 3, 1966. By this time, the school districts were well into their school year and suddenly found themselves facing a serious cutback in current operating expenses.

In one of the several school districts that have detailed to me their problem, the amendment will force the district to drop two out of a total of nine teachers from the payroll.

The second effect of the amendment concerns future years. I will not contend, Mr. President, that even though forest sales revenues were used by the districts for their building funds, this was not, in essence, a double payment. But I do argue that in the case of the small western rural school districts, there are justifications for it.

The most seriously injured of these school districts are those located near national forests. Because they are surrounded by Federal land, the property tax base for these districts is greatly reduced. They have relatively small populations. Yet, their need for adequate school facilities, however small their enrollments, is comparable to that of a larger district.

With a small property tax base and low population factor, plus the growing costs of construction, these districts find it almost impossible to provide adequate school facilities for their youngsters. They just cannot afford it.

I cite, as an example, one of our rural school districts in north Idaho, located near both a national forest and an Indian reservation, that operates a grade school built in 1912 and a high school constructed in 1935. Since the people cannot afford to bond themselves for the full cost of newer and more adequate buildings, they have been saving their timber sales money, like a provident farm wife putting away her egg money, against the time they have enough to build. Now that egg money is being taken away.

Mr. President, I am certain that it was never the intent of Congress to impose a severe hardship on any of our small rural school districts. This is most evident from the mighty strides we have made in strengthening our whole educational system.

Knowing this to be true, Mr. President, I intend to introduce today a further amendment to Public Law 874 to alleviate the serious financial problems created by last year's changes.

My amendment deals with both the immediate and long-range problems faced by our rural western schools.

The first part of the amendment, in substance, suspends any deductions from Public Law 874 entitlements to school districts for the 1967 fiscal year, with the exception of other Federal revenue funds the districts may be using for current operating expenses. If they are using those funds for school construction purposes, as they have in the past, no deductions will be made for the current fiscal year.

The second part of the amendment deals with future fiscal years. It requires the school districts to apportion all future Federal aid, apart from Public Law 874 moneys, in the same ratio between operating expenses and capital outlay, as the districts apportion their revenue from State and local agencies. Then, that part of the timber sales or other extra money used for actual operating expenses would be subject to deduction, but the portion set aside for construction would not be deducted from Public Law 874 entitlements.

The purpose of the amendment, Mr. President, is to extricate the school districts from the current deficit they find themselves in this fiscal year due to the time lag between their budget preparations and approval of the Federal legislation last November, and to leave the school districts in the future with at least a portion of their egg money for badly needed school buildings, or to help pay off construction already accomplished.

I send the amendment to the desk, Mr. President, and urge its prompt consideration by the appropriate committee and passage in order that urgently needed relief for our small rural school districts may be provided.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 382) to amend Public Law 874, 81st Congress, with respect to the amount to be deducted from payments pursuant to such law on account of certain Federal contributions, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

IMPROVED JUDICIAL MACHINERY FOR THE SELECTION OF FEDERAL JURIES

Mr. TYDINGS. Mr. President, while our Federal judicial system has rightly been a source of pride to the Nation, any great institution must adapt itself to changing conditions. Despite the continuing excellence of the Federal judicial system, from time to time defects appear that require attention. Under the Constitution, Congress is charged with the responsibility of remedying these defects and providing adequate machinery for the future needs of the administration of justice.

In the Senate, the initial stages of the duty of Congress to review periodically the workings of the Federal courts are vested largely in the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary. By virtue of its special role in relation to the Federal courts, the subcommittee is in a good position to identify those problems of court administration that require legislative attention. One such problem, the Federal jury selection process, recently has been the subject of widespread concern among judges, lawyers, legislators, and scholars. It is time for Congress to give the jury selection problem full and studied consideration, and to determine whether existing procedures are adequate to insure that Federal juries discharge properly the sacred task we call upon them to perform—the dispensation of justice.

For most of our history, the sole statutory guide for the selection of jury panels in Federal district courts was the requirement that a juror be qualified for jury service under State law. Congress eliminated the State law requirement in 1957. It substituted Federal standards, but provided few guidelines for the implementation of the selection process. As a consequence, many district judges are uncertain of their role in supervising the selection machinery. It is true that the law provides that jurors are to be drawn from a representative community sample, but there is no uniform method for doing so, and the system operates unevenly with questionable results in many cases. It is not yet clear that a uniform method of selection is desirable, but the call for some improvement in this aspect of the judicial machinery of our court system has been sounded, and it is time that we respond to it. We cannot afford, Mr. President, to have a jury system that is less than the acme of fairness, that is not well calculated to give the best measure of justice obtainable.

As part of an intensive inquiry into the adequacy of existing Federal jury selection procedures by the Subcommittee on Improvements in Judicial Machinery, I am introducing today five alternate proposals. The goal of each bill is to insure that Federal juries will be both impartially selected from all elements of the community and competent to dispense justice in the highest tradition of our common law heritage. Some of these proposals are inconsistent with others, but I present them so that we may have a full spectrum of alternatives before us. Each of the measures represents many hours of work in consultation with some of the Nation's leading experts in this area. I intend to explore the merits of these proposals at hearings tentatively scheduled to begin in late February or early March.

The signs that such a comprehensive review is called for are unmistakable. Many Federal districts now use the so-called "key man" system for selecting prospective jurors. A "key man," thought to have extensive contacts throughout the community, supplies names of prospective jurors to the jury commissioner. But the results of that selection process as it operated in one community were condemned in the recent fifth circuit case of Rabinowitz against United States. Although Rabinowitz rejected the method in only one set of circumstances, it has been regarded in some quarters as casting doubt on the "key man" technique in the Federal courts. If that prediction is accurate, we cannot ignore the warning of the Justice Department that a massive problem in judicial administration is on our doorstep.

The failure of the latest effort at jury selection reform, title I of S. 3296, 89th Congress, second session, is another sign that full congressional review is in order. That proposal, in outline, required the use of local voter registration lists as the basic source of potential jurors, and prescribed the only permissible grounds for juror disqualification. The proposal was an attempt to insure that each Federal courtroom is manned by representative jury panels. Its aim was laudable, but the particular bill was not welcomed by the Federal judges. In letters to Senator ERVIN, some judges objected to the basic approach of the measure. Others foresaw stifling procedural and technical complexities. In general, the judges understandably urged further congressional study—especially in view of the fact that the Judicial Conference of the United States had not yet had an opportunity to express its views on this major feature of Federal judicial machinery. Although agreeing that the goals of the bill was entirely praiseworthy I, too, had serious reservations about the proposal and saw, as a minimum, the need for more than 20 amendments to meet the very practical objections of the judiciary.

At the last annual meeting of the American Bar Association, in August of 1966, jury selection was a subject of considerable controversy. Again, many urged that a thoroughgoing review of the issue was required before successful reform was possible. Mr. Nicholas Katzenbach, then the Attorney General of the United States, appeared to deliver an eloquent statement in support of title I of S. 3296. But we cannot ignore another feature of his message. He said that if a more effective or desirable system could be devised, he would support it wholeheartedly, but that it was urgent that the alternative be presented soon. It is to that plea that we must now respond. Mr. President, the proposals I introduce today constitute an initial response to that plea.

The first of these proposals—S. 383—is, for the most part, the same as H.R. 5640, 89th Congress, first session, a bill that passed the House, had the approval of the Judicial Conference of the United States, and was actively supported and endorsed by the Department of Justice in 1965. Under present law, the clerk of the district court and a jury commissioner appointed by the court comprise the jury commission and select the jury list. The methods of selection are usually devised by the commission, and there is considerable doubt as to whether there is any effective way of supervising the adequacy of the methods chosen. This bill seeks to remedy this deficiency by making the chief judge responsible for prescribing the methods and supervising the activities of the jury commission in its task of selecting the names that go into the master jury wheel or box. In particular, the sources of the names that go into the jury wheel or box would be prescribed by the chief judge, and the jury commission would have to keep detailed records of the names of persons placed in the jury box, the questionnaires returned by those persons, the names of those finally selected for jury service, and such other appropriate records as the chief judge may direct—all for a period of not less than 2 years.

It is through the involvement of the chief judge of the district in the selection process that this bill modifies present jury selection procedures. In essence, it requires each district to have a jury selection plan approved by at least one experienced jurist, and gives that jurist the duty of insuring that the plan is properly administered. Today, in a number of districts, jury selection is not the concern of the judiciary.

This bill features maximum flexibility for the individual districts and a modicum of judicial and statutory control. In support of this bill, in 1965, the Justice Department, before the Subcommittee on Improvements in Judicial Machinery, stated:

> The bill merely seeks to insure methods of selection that will not run afoul of constitutional principles and thus jeopardize the course of law enforcement. We think that this result can be best achieved by placing the responsibility for the standards and the operation directly upon the district courts, for it is the district courts that must wrestle with the problem when there is a challenge to the array. They are presumed to have a comprehensive understanding of the principles involved and of the requirements of the law. * * * They are in the best position to insure that selection procedures are within the proper limits of the law.

Mr. President, we should take a careful look at this proposal, which was worked out over several years and had such strong support, before we abandon it for another solution.

The second bill I introduce to day—S. 384—is patterned after another bill introduced in the 89th Congress, S. 2923. This bill also gives the chief judge of the district responsibility for designating the sources of names and the methods of selection that the jury commission is to utilize in performing its duties. This bill goes beyond the first alternative, however, in establishing an easy method whereby the system employed in the district can be challenged—in either principle or practice—in the Judicial Council of the relevant judicial circuit. If the selection process is found lacking, the Judicial Council is empowered to appoint new jury commissioners responsible to the Council, which will then direct the new commission in the selection of jury lists in order to ensure that juries are constituted from a representative cross section of the population of the judicial district without exclusion on the basis of race, color, sex, political or religious affiliation or economic or social status.

The third measure that I introduce today—S. 385—provides for an expanded jury commission, and revises the qualifications for jury service but leaves the sources of names of potential jurors within the discretion of the jury commission provided that these sources constitute a fair cross section of the community.

The expanded jury commission would be comprised of seven members who themselves represent a fair cross section of the community. This expansion would allow for participation in the jury selection process by individuals drawn from a number of community groups. This approach is designed to allow each district a good measure of flexibility while still assuring that jurors would be drawn from all elements of the community.

With respect to juror qualifications, this bill would authorize the jury commission, in addition to examining a juror qualification form returned by a potential juror, to conduct an independent investigation—including a personal interview—of any summoned person. As a result of the interview or other objective evidence, the jury commission may find that a person is not qualified. In that case the jury commission would make a written report to the district court, which would have the actual power to disqualify the potential juror. A person disqualified could request a hearing before the court to contest the disqualification determination. The only subjective standard for disqualification is that persons cannot serve who are so lacking in intelligence, information, probity or commonsense as to be unable to render satisfactory jury service. This standard, while leaving some discretion in the selection process in order to assure jurors meet certain very minimal standards, is insulated from abuse both because of the representative nature of the jury commission and because the district court must itself pass judgment on the disqualification.

The fourth bill I introduce today—S. 386—also calls for an enlarged jury commission, enables the commission to examine juror qualifications, and also sets as one of the qualifications for service that a person not be so lacking in intelligence, information, probity, or commonsense as to be unable to render satisfactory jury service. And again, the actual power to disqualify is removed from the jury commission and placed in the hands of the district court acting upon the recommendation of the commission.

Perhaps the salient feature of the fourth bill, and the point of its greatest departure from the third bill, is its specification of the source of names that are placed in the master jury wheel. This bill requires that voter registration lists be used as the source of names, and defines those lists as "the official records maintained by the State or local election officials of persons registered to vote in the most recent general election or, in the case of a State or political subdivision which does not require registration as a prerequisite to voting, such other official lists of persons qualified to vote or who voted in such election." This definition is broad enough to give a valid source of names to districts in States that do not require registration as a prerequisite to voting.

The fourth bill also features a procedure whereby a potential juror who is disqualified may have that disqualification reviewed. Furthermore, a procedure is erected whereby the Attorney General or any citizen of the district may challenge the entire selection system on the ground that the operation thereof has resulted in an exclusion of individuals on account of race or color. If it is established in either of these challenge proceedings that over a period of not less than 2 years the percentage of members of a particular race in the qualified jury box or wheel is less than 75 percent of the percentage of the members of that race among the population of the district above the age of 21, the court may order a remedy that eliminates the racial imbalance.

The bill also gives criminal defendants, civil litigants and the Attorney General a specific means whereby jury selection procedures used in a particular case may be challenged.

Finally, the fifth bill I introduce today—S. 387—would modify jury selection procedures currently in use in various districts only if there is a finding of racial imbalance in the number of persons summoned for jury service, or of exclusion of persons from jury service because of race or color. Such a finding may result either from a special challenge proceeding that the bill allows either the Attorney General or an individual to bring, or through the normal course of civil or criminal litigation. The bill also provides for the keeping of detailed records and the annual submission to the Attorney General of a report summarizing the racial composition of persons selected for jury service in the judicial district for the preceding year.

Upon a find of racial imbalance or racial exclusion in the summoning of persons for jury service, the court would be required to put into effect a specific, detailed, and objective system of jury selection, corresponding in great measure to that embodied in title I of S. 3296, 89th Congress, second session. This new procedure for the selection of jurors would remain in operation for 2 years, after which, with the leave of the district court, it could be replaced by another system for the selection of jurors.

Thoroughgoing analysis of these five proposals may disclose that no one of them is wholly suitable. The best method for Federal jury selection may yet require a sixth bill—combining the features of some of the five, plus ideas turned up at the hearings. At this stage, I cannot say where the solution lies, but I can say that we shall need help. Hopefully, the Judicial Conference of the United States—which is now studying this problem—and the members of the Federal judiciary at large, the Justice Department, the American Bar Association, and other interested and informed sources will contribute their thought and advice.

The search for acceptable and workable jury selection machinery must proceed forthrightly, Mr. President, for as the Supreme Court has declared, when there are defects in the jury selection process, "the injury is not limited to the defendant—there is injury to the jury system, to the law as an institution, to the community at large, and to the democratic ideal reflected in the processes of the court."

I introduce for appropriate reference the five bills and ask unanimous consent that the bills be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. TYDINGS, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 383. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1864 of title 28 of the United States Code is amended to read as follows:

"§ 1864. Jury Commission: Duties, compensation, and methods of selecting and drawing jurors

"(a) APPOINTMENT.—A jury commission shall be established in each judicial district, consisting of the clerk of the court and one or more jury commissioners, appointed by the district court. The jury commissioner shall be a citizen of the United States of good character residing in the district of appointment who, at the time of his appointment, shall not be a member of the same political party as the clerk of the court. If more than one jury commissioner is appointed, each may be designated to serve in one or more of the places where court is held, and the clerk and the jury commissioner so designated shall constitute the jury commission for that part of the district. In the event that a jury commissioner is unable for any reason to perform his duties, another jury commissioner may be appointed, as provided herein, to act in his place until he is able to resume his duties.

"Jury commissioners shall be appointed to serve on a part-time or full-time basis. If in the opinion of the court the efficient operation of the jury system requires the services of a full-time jury commissioner, the court may, with the approval of the Judicial Conference of the United States, appoint one or more full-time jury commissioners.

"(b) DUTIES.—In the performance of all its duties the jury commission shall act under the direction and supervision of the chief judge of the district.

"The sources of the names and the methods to be used by the jury commission in selecting the names of persons who may be called for grand or petit jury service shall be as directed by the chief judge. The procedures employed by the jury commission in selecting the names of qualified persons to be placed in the jury box, wheel, or similar device, shall not systematically or deliberately exclude any group from the jury panel on account of race, sex, political, or religious affiliation, or economic or social status. In determining whether persons are qualified as jurors under section 1861 of this title, the jury commission shall use questionnaires and such other means as the chief judge may deem appropriate, including the administering of oaths.

"The names of jurors shall be publicly drawn by chance from a jury box, wheel, or similar device, which contains at the commencement of each drawing the names of not less than three hundred qualified persons selected by the jury commission in accordance with the provisions of this subsection.

"The jury commission shall keep records of the names of persons placed in the jury box, wheel, or similar device, the questionnaires returned by said persons, the names of the persons who are selected for jury service, the dates of service, and such other appropriate records as the chief judge may direct, all for a period of not less than two years. With the approval of the chief judge, the jury commission may designate deputy clerks and other employees in the office of the clerk of the court to assist the commission in the performance of its duties and to perform under its direction such of the detailed duties of the commission as in the opinion of the chief judge can be assigned to them.

"(c) COMPENSATION.—Each jury commissioner appointed on a part-time basis shall be compensated for his services at the rate of $10 per day for each day in which he actually and necessarily is engaged in the performance of his official duties, to be paid upon certificate of the chief judge of the district.

"Each jury commissioner appointed on a full-time basis shall receive a salary to be fixed from time to time by the Judicial Conference of the United States at a rate which in the opinion of the Judicial Conference corresponds to that provided by the Classification Act of 1949, as amended, for positions in the executive branch with comparable responsibilities.

"Each jury commissioner shall receive his traveling and subsistence expenses within the limitations prescribed for clerks of district courts while absent from his designated post of duty on official business.

"(d) Any of the powers or duties conferred upon the chief judge under this section may be delegated by him to another judge of the district: *Provided, however,* That where part of a district by agreement or order of court is assigned to one particular judge and he customarily holds court there, as to such part of the district he shall perform the functions and fulfill the duties conferred upon the chief judge in this section.

"(e) This section shall not apply to the District of Columbia."

SEC. 2. Section 1865 of such title is amended by striking out the words "and may appoint a jury commissioner for each such place" in the second sentence of subsection (a) thereof and inserting a period after the word "district" in such sentence.

SEC. 3. Each jury commissioner holding office on the effective date of this Act shall continue in office until his successor is duly appointed and qualified.

SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry the provisions of this Act into effect.

SEC. 5. The provisions of this Act shall take effect ninety days after the date of approval thereof: *Provided, however,* That no grand or petit jury sworn prior to the effective date of this Act nor any person called or summoned for jury service, or whose name is on a jury list or has been placed in a box, wheel, or similar device, prior to that date, shall be ineligible to serve if the procedure by which the jury or the individual juror was selected, called, summoned, or by which his name was listed or placed in a box, wheel, or similar device, was in compliance with the law in effect at the time of such action.

SEC. 6. (a) The table of sections at the head of chapter 121 of title 28 of the United States Code is amended by amending items 1864 and 1865 to read as follows:

"1864. Jury commission; duties, compensation, and methods of selecting and drawing jurors."

"1865. Apportionment within district."

(b) The catchline at the beginning of section 1865 of title 28 of the United States Code is amended to read as follows:

"§ 1865. Apportionment within district".

S. 384. A bill to provide for improved judicial machinery for the selection of Federal juries, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Federal Jury Selection Act of 1967".

SEC. 101. Section 1864 of title 28, United States Code, is amended to read as follows:

"§ 1864. Duties, compensation and methods of selecting and drawing jurors

"(a) JURY COMMISSION.—A jury commission shall be established in each judicial district, consisting of the clerk of the court or a duly qualified deputy clerk acting for the clerk, and one or more jury commissioners, appointed by the district court. The jury commissioner shall be a citizen of the United States of good standing, a resident of the district, and, at the time of his appointment, shall not be a member of the same political party as the clerk of the court or a duly qualified deputy clerk acting for the clerk. If more than one jury commissioner is appointed, each may be designated to serve in one or more of the places where court is held, and the clerk and the jury commissioner so designated shall constitute the jury commission for that part of the district. In the event that a jury commissioner is unable for any reason to perform his duties, another jury commissioner may be appointed, as provided herein, to act in his place until he is able to resume his duties.

"(b) JURY SELECTION.—

"(i) In the performance of its duties, the jury commission shall act under the direction and supervision of the chief judge of the district.

"(ii) The names of persons who may be called for grand or petit jury service shall be obtained under a plan prepared by the jury commission with the approval of the chief judge and designed to provide a representative cross-section of the population of the judicial district without exclusion on the basis of race, color, sex, political or religious affiliation or economic or social status.

"(iii) From the names obtained under subsection (ii) of this subsection, the names of not less than three times the number of persons required for jury service in the district during the preceding year shall be publicly drawn by chance placed in the jury box, wheel, or similar device.

"(iv) The names of jurors for service on grand and petit juries shall be publicly drawn by chance from the jury box, wheel, or similar device.

"(v) In determining whether persons whose names are to be placed in the jury box, wheel, or similar device are qualified as jurors under section 1861 of title 28, as amended, the jury commission may use such questionnaires and other means as the chief judge, with the approval of the Judicial Council, may deem appropriate, including the administration of oaths. With the approval of the chief judge, the jury commission may designate deputy clerks and other employees in the office of the clerk of the court to assist the commission in the performance of its duties, and to perform under its direction such of the detailed duties of the commission as in the opinion of the chief judge could be assigned to them.

"(c) RECORDS.—The jury commission shall keep records of the names obtained under subsection (b) (ii) of this section, the names of persons placed in the jury box, wheel, or similar device, the questionnaires, if any, returned by said persons, the names and race of the persons drawn from the jury box, wheel, or similar device, the names of those performing jury service and the dates thereof, and such additional appropriate records as the chief judge may direct. Such records shall be retained for a period of not less than four years.

"(d) ENFORCEMENT BY JUDICIAL COUNCIL.—On application of any citizen residing in, or litigant in, any judicial district or of the Attorney General of the United States, alleging that the jury selection procedures or recordkeeping requirements set forth in subsections (b) and (c) of this section are not being fully implemented, the Judicial Council for the judicial circuit in which said judicial district is located shall, upon a showing thereof, appoint jury commissioners for the district or subdivision thereof responsible to the Judicial Council and direct such jury commissioners in the selection of juries and the keeping of records in accordance with such subsections (b) and (c) of this section. Where evidence is required for a determination by the Judicial Council, the Council may hear the evidence itself or appoint a master to act for it in accordance with law.

"(e) RETURN OF JURY SUPERVISION.—The Judicial Council may, on its own motion or on application of the chief judge of the judicial district, direct the return of supervision and control of the jury selection procedures to the chief judge and to the jury commission for said judicial district or subdivision thereof at any time when the Judicial Council finds that there is reasonable cause to believe that the jury selection procedures and recordkeeping requirements prescribed in subsections (b) and (c) of this section will be fully implemented.

"(f) COMPENSATION.—Each jury commissioner appointed on a part-time basis shall be compensated for his services at the rate of $25 per day for each day in which he actually and necessarily is engaged in the performance of his official duties, to be paid upon certificate of the chief judge of the district.

"Each jury commissioner appointed on a full-time basis shall receive a salary to be fixed from time to time by the Judicial Conference of the United States at a rate which, in the opinion of the Judicial Conference, corresponds to that provided by the Classification Act of 1949, as amended, for positions in the executive branch with comparable responsibilities.

"Each jury commissioner shall receive his traveling and subsistence expenses within the limitations prescribed for clerks of district courts while absent from his designated post of duty on official business.

"(g) DELEGATION.—Any of the powers of duties conferred upon the chief judge under this section may be delegated by him to another judge of the district: *Provided, however,* That where part of a district by agreement or order of court is assigned to one particular judge and he customarily holds court there, as to such part of the district he shall perform the functions and fulfill the duties conferred upon the chief judge in this section."

SEC. 102. Section 1871 is amended by striking the words "$10 per day" and inserting in their place "$15 per day or loss of pay, whichever is greater"; and by striking the words "$14 for each day" and inserting in their place "$20 per day or loss of pay, whichever is greater for each day"; and by striking the words "subsistence of $10 per day shall be allowed" and inserting in their place "subsistence allowance given to Federal employees shall be allowed"; and by striking the words "jury fees in excess of $10 per diem" and inserting in their place "jury fees in excess of $15 per diem."

S. 385. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Jury Selection Act of 1967".

SEC. 101. The analysis and sections 1861 through 1870 of chapter 121 of title 28, United States Code, are amended to read as follows:

"CHAPTER 121—JURIES; TRIAL BY JURY

"Sec.
"1861. Declaration of policy.
"1862. Discrimination prohibited.
"1863. Jury commission.
"1864. Master jury wheel.
"1865. Drawing of names from the master jury wheel.
"1866. Qualifications for jury service.
"1867. Challenging compliance with selection procedures.
"1868. Maintenance and inspection of records.
"1869. Exclusion from jury service.
"1870. Definitions.
"1871. Fees.
"1872. Exemptions.
"1873. Talesmen.
"1874. Challenges.
"1875. Issues of fact in Supreme Court.
"1876. Admiralty and maritime cases.
"1877. Actions on bonds and specialties.

"§ 1861. Declaration of policy

"It is the policy of the United States that all litigants in Federal courts entitled to trial by jury shall have the right to a jury selected from a cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all qualified citizens have an obligation to serve as jurors when summoned for that purpose.

"§ 1862. Discrimination prohibited

"No citizen shall be excluded from service as grand or petit juror in the district courts of the United States on account of race, color, religion, sex, national origin, or economic status.

"SEC. 1863. JURY COMMISSION.

"(a) There shall be a jury commission for each district court of the United States composed of seven commissioners appointed by the court who shall be citizens of the United States and residents of the district and not engaged in the practice of law nor at the time of their appointment a party to any cause then pending in the district court: *Provided,* That the court may establish a separate jury commission for one or more divisions of the judicial district. Such commissioners shall serve for a term of three years and until their successors are appointed and qualified. Before entering upon the discharge of their duties each commissioner shall take an oath of office to be prescribed by the court. Each jury commissioner shall, during his tenure in office, reside in the judicial district or division for which appointed and shall receive $16.00 per day for each day or fraction of day necessarily employed in the performance of his duties. The district court shall have the power summarily to remove any commissioner for absence, inability or failure to perform his duties as such commissioner, for any misfeasance or malfeasance, and to appoint another person for the unexpired term. In the event of the illness or other inability or absence from the district or division of any commissioner, the other commissioners may perform the duties of said jury commission. The clerk of the court shall act as secretary of the jury commission and perform such duties as the jury commission may reasonably prescribe:

"(b) Insofar as may be practicable the court shall appoint as members of the jury commission individuals who represent a fair cross section of the population of the judicial district or division of the judicial district.

"(c) In the performance of its duties the jury commission shall act under the direction and supervision of the district court.

"SEC. 1864. MASTER JURY WHEEL.

"(a) Each jury commission shall maintain a master jury wheel and shall place in the master wheel names selected by the jury commission of persons residing in the judicial district or division it serves. The jury commission may make their selections from any source including voter registration lists, city directories, telephone directories, tax lists, lists of associations or church memberships, persons known to them and other sources provided that the combination of sources used gives a fair cross section of the community. Sources should be coordinated by the jury commission to include all substantial groups in the community. Economic and social status, including race, color, religion, sex or national origin should be considered to the extent necessary to assure that there is no discrimination. Political affiliations shall be ignored.

"(b) The jury commission shall place in the master wheel the number of names of persons determined by the district court to be necessary or desirable: *Provided*, That in no event shall the jury commission place in the master wheel the names of fewer than one thousand persons.

"(c) The district court may prescribe by rule definite and certain procedures to be followed by the jury commission in making the selection of names required by subsections (a) and (b) of this section.

"(d) In the event the jury commission wishes to use voter registration lists or other appropriate records, State, local and Federal officials having custody, possession or control of voter registration lists or other appropriate records shall make such lists and records available to the jury commission for inspection, reproduction, and copying at all reasonable times as the commission may deem necessary and proper for the performance of its duties under this title. The district courts shall have jurisdiction upon application by the Attorney General to compel compliance with this subsection by appropriate process.

"(e) The master jury wheel shall contain names of persons residing in all counties, parishes, or similar political subdivisions within the judicial district or division.

"(f) The jury commission shall in accordance with this section (1) from time to time, as necessary, place additional names in the master wheel and (2) between November 15 and December 31 of each even-numbered year empty and refill the master wheel.

"§ 1865. Drawing of names from the master jury box, wheel or similar device

"(a) From time to time as necessary the jury commission shall publicly draw at random from the master jury box, wheel, or similar device the names of as many persons as may be required for jury service, prepare an alphabetical list of the names drawn, which list shall not be disclosed to any person except pursuant to sections 1867 and 1868 of this title and summon by certified mail the persons whose names are drawn. Each person whose name is drawn, unless he claims exemption from jury service pursuant to section 1872 of this title and subsection (b) of this section, shall appear before the clerk and fill out a juror qualification form to be prescribed by the Administrative Office of the United States Courts in consultation with the Attorney General. Such person shall receive those fees and travel allowances provided in section 1871, title 28, United States Code. The form shall elicit his name, address, age, sex, education, race, occupation, length of residence within the judicial district, prior jury service, and citizenship and whether he has any physical or mental infirmity impairing his capacity to serve as a juror, whether he is able to read, write, speak, and understand the English language, and whether he has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty. The clerk shall examine the form to determine whether it is filled out completely and responsively and shall call any omissions or apparent errors to the attention of the person who has filled out the form who in turn shall make such corrections or additions as may be necessary. If any person summoned is unable to fill out the form, the clerk shall do it for him and indicate on the form the fact that he has done so and the reason therefor: *Provided*, That in any district or division where the chief judge of the district determines that the requirement of a personal appearance before the clerk to fill out a juror qualification form would entail undue hardship or undue inconvenience for persons whose names are drawn from the master box, wheel, or similar device, the clerk shall mail to every person whose name is drawn from the master jury box, wheel, or similar device, a juror qualification form with instructions to fill out and return the form duly signed to the clerk by mail within ten days. Any person who fails to return a juror qualification form as instructed shall be summoned by the clerk forthwith to appear before the clerk to fill out a juror qualification form.

"(b) Any person summoned pursuant to subsection (a) of this section who fails to appear as directed shall be ordered by the court forthwith to appear and explain his failure to comply with the summons. Any person who fails to appear pursuant to such order or who fails to show good cause for noncompliance with the summons may be fined not more than $100 or imprisoned not more than three days, or both: *Provided*, That any person summoned (or to whom a juror qualification form has been mailed by the clerk for execution) who is exempt from jury service pursuant to section 1872 of this title may state the basis for his exemption in the space provided on the summons (or juror qualification form) and return the summons (or juror qualification form) duly signed to the clerk by mail. Any person who willfully misrepresents a material fact concerning his exemption from jury service or his qualifications for jury service on a summons or juror qualification form for the purpose of avoiding or securing service as a juror or for the purpose of qualifying for service as a juror may be fined not more than $100 or imprisoned not more than three days, or both.

"SEC. 1866. QUALIFICATIONS FOR JURY SERVICE.

"(a) If it appears on the basis of information provided on the juror qualification form or the returned summons that a person is not qualified for, or is exempt from, jury service, the jury commission shall note this fact on the space provided on the juror qualification form, together with the specific ground of disqualification or exemption, and shall make a similar notation on the alphabetical list of names drawn from the master jury wheel. In addition to examining the juror qualification form and the returned summons, the jury commission may conduct an independent investigation, including a personal interview, of any person so summoned. If, as a result of such personal interview or other objective evidence, the jury commission shall find that a person so summoned is not qualified pursuant to subsection (b) hereof, the jury commission shall make a written report of its findings to the court, and the court shall direct the jury commission to enter a determination that such person is or is not qualified. Such report shall become a part of the records of the court and shall be made available to such person upon his or her request. Such person may request a hearing before the court on the validity of such determination and the district court shall prescribe by rule definite and certain procedures to be followed in case such a hearing is requested.

"(b) In determining the qualifications of persons summoned for jury service, the jury commission shall deem any person qualified to serve on grand and petit juries in the district court unless he

"(1) is not a citizen of the United States, twenty-one years old, who has resided for a period of one year within the judicial district;

"(2) is unable to read, write, speak and understand the English language;

"(3) is so lacking in intelligence, information, probity or common sense as to be unable to render satisfactory jury service;

"(4) is incapable by reason of mental or physical infirmity to render efficient jury service; or

"(5) has been convicted in a state or federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

"(c) The jury commission shall maintain a qualified juror wheel and shall place in such wheel names of persons determined to be qualified as jurors. From time to time, the jury commission shall publicly draw from the qualified juror wheel such number of names of persons as may be required for assignment to grand and petit jury panels. The jury commission or the clerk shall prepare a separate list of names of persons assigned to each grand and petit jury panel.

"(d) When the court orders a grand or petit jury to be drawn the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service.

"Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address.

"Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail.

"§ 1867. Challenging compliance with selection procedures

"(a) In criminal cases, before the petit jury is empaneled and sworn, the defendant may move to dismiss the indictment or stay the proceedings against him on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title. The defendant shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1864, 1865, or 1866, the court shall dismiss the indictment or stay the proceedings pending the selection of a petit jury in conformity with this title.

"(b) In criminal cases, before the petit jury is empaneled and sworn the Attorney General may move to stay the proceedings on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title. The Attorney General shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1864, 1865, or 1866, the court shall stay the proceedings pending the selection of a petit jury in conformity with this title."

"(c) In civil cases, before the jury

is empaneled and sworn, any party may move to stay the proceedings on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title. The moving party shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1864, 1865, 1866, the court shall stay the proceedings pending the selection of a jury in conformity with this title.

"(d) The procedures prescribed by this section shall be the exclusive means by which a person accused of a Federal crime or a party in a civil case may challenge any jury in his case on the ground that such jury was not selected in conformity with sections 1864, 1865, or 1866 of this title. Nothing in this section shall preclude any person or the United States from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries.

"(e) The contents of any records or papers produced pursuant to subsections (a), (b), or (c) of this section shall not be disclosed, except as may be necessary in the preparation or presentation of the case, until after the master jury, box, wheel, or similar device has been emptied and refilled pursuant to section 1864(f) of this title and all persons selected to serve as jurors before the master box, wheel, or similar device has been emptied and refilled pursuant to section 1864(f) of this title and all persons selected to serve as jurors before the master box, wheel, or similar device was emptied have completed such service: *Provided*, That the parties in a case shall be allowed to inspect, reproduce and copy such records or papers at all reasonable times during the pendency of the case. Any person who discloses the contents of any record or paper in violation of this subsection may be fined not more than $1,000 or imprisoned not more than one year or both.

"§ 1868. Maintenance and inspection of records.

"After the master jury box, wheel, or similar device is emptied and refilled pursuant to section 1864(f) of this title, and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all of the records and papers compiled and maintained by the jury commission before the master box, wheel, or similar device was emptied shall be preserved by the commission in the custody of the clerk for four years or for such longer period as may be ordered by a court and shall be available for public inspection.

"§ 1869. Exclusion from jury service

"(a) Except as provided in section 1872 of this title, no person or class of persons shall be excluded, excused or exempt from service as jurors: *Provided*, That any person summoned for jury service may be (1) excused by the court for not more than two years at a time upon a showing of undue hardship or extreme inconvenience, or (2) excluded by the court upon a finding that such person may be unable to render impartial jury service or that this service as a juror would disrupt the proceedings, or (3) excluded upon peremptory challenge as provided by law or (4) excluded upon a challenge by any party or sua sponte and a subsequent determination by the court that such person is unable to fill out the juror qualification form or is otherwise not qualified for jury service pursuant to section 1866 (b) (1), (4) or (5). Whenever a person is excused or excluded from jury service, the jury commission shall note in the space provided on his juror qualification form the specific ground of excuse or exclusion.

"(b) In any two-year period, no person shall be required to (1) serve as a petit juror for more than thirty calendar days, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury, or (3) serve as both a grand and petit juror.

"§ 1870. Definitions.

"For purposes of this chapter—

"(a) 'clerk' and 'clerk of the court' shall mean the clerk of the United States district court or any deputy clerk.

"(b) 'voter registration lists' shall mean the official records maintained by State or local election officials of persons registered to vote in the most recent general election for candidates for Federal office or, in the case of a State or political subdivision thereof which does not require registration as a prerequisite to voting, such other official lists of persons qualified to vote or who voted in such election. The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 where the names on such list have not been included on the lists maintained by the appropriate State or local officials.

"(c) 'division' shall mean one or more divisions of a judicial district established by statute, and, in judicial districts where no divisions are established by statute, shall mean such counties, parishes, or similar political subdivisions surrounding the places where court is held as the chief judge of the district shall determine.

"(d) 'district court of the United States', 'district court,' and 'court' shall mean courts constituted under chapter 5 of title 28, and under sections 1424 and 1611 of title 28, United States Code: *Provided*, That for purposes of sections 1861, 1862, 1867, and 1869 of this chapter, these terms shall include the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia."

Fees

SEC. 102. (a) Section 1871 of title 28, United States Code, is amended by substituting "$20" for "$10" and "$25" for "$14" in the second paragraph, "$16" for "$10" in the third paragraph and "$20" for "$10" in the fourth paragraph.

Section 1871 of title 28, United States Code, is amended by substituting in the third paragraph "10 cents per mile, plus the amount expended for tolls for toll roads and toll bridges" for "10 cents per mile," in the two instances such language occurs.

(b) Section 1821 of title 28, United States Code, is amended by substituting "$20" for "$4", "10 cents" for "8 cents" and "$16" for "$8".

Amendment and repeal

SEC. 103. (a) Sections 1870, 1872, 1873, and 1874 of title 28, United States Code, are renumbered as sections 1874, 1875, 1876, and 1877, respectively, of that title.

(b) Section 1862 of title 28, United States Code, is renumbered as section 1872 of that title and amended to read as follows:

"§ 1872. Exemptions.

"(a) The following persons shall be exempt from jury service:

"(1) Members in active service in the Armed Forces of the United States.

"(2) Members of the fire or police departments of any State, district, territory, possession, or subdivision thereof.

"(3) Public officers in the executive, legislative of judicial branches of the Government of the United States, or any State, district, territory, possession or subdivision thereof who are actively engaged in the performance of official duties.

"(b) The chief judge of the district may, by rule, exempt other occupational classes of persons from jury service based on a finding that—

"(1) jury service would entail extreme inconvenience for such class of persons; and

"(2) requiring such persons to perform jury service may adversely affect the public interest; and

"(3) exemption of such persons from jury service would not be inconsistent with section 1861 or 1862 of this title."

(c) Section 1866 of title 28, United States Code, is renumbered as section 1873 of that title and amended to read as follows:

"§ 1873. Talesmen from bystanders.

"Whenever sufficient petit jurors are not available, the Court may require the United States marshals to summons a sufficient number of talesmen from the bystanders."

(d) Sections 13–701, 11–2301 through 2305 (except the last paragraph of section 11–2302), 11–2307 through 2312 and 7–213a of the District of Columbia Code are repealed.

(e) Except for the last paragraph of subsection (a), section 11–2306 of the District of Columbia Code is repealed and a new subsection (b) is added to the section as follows: "(b) The jury commission for the district court for the District of Columbia shall draw from the qualified jury wheel from time to time as may be required the names of persons to serve as jurors in the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia and such persons shall be assigned to jury panels in the General Sessions and Juvenile courts as those courts shall direct."

(f) Section 16–1312 of the District of Columbia Code is amended by substituting "section 1866 of title 28, United States Code" for "section 11–2301" in subsection (a)(1) and by substituting "chapter 121 of title 28, United States Code," for "chapter 23 of title 11" in subsection (c).

(g) Section 22–1414 of the District of Columbia Code is amended by inserting the words "or wheel" immediately following the word "box" each time it appears therein.

Effective date

SEC. 104. Sections 101 and 103 of this title shall become effective one hundred and eighty days after the date of enactment: *Provided*, That such sections shall not apply in any case in which an indictment has been returned or petit jury impaneled prior to such effective date.

S. 386. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Jury Selection Act of 1967".

SEC. 101. The analysis and sections 1861 through 1870 of chapter 121 of title 28, United States Code, are amended to read as follows:

"CHAPTER 121—JURIES; TRIAL BY JURY

"Sec.
"1861. Declaration of policy.
"1862. Discrimination prohibited.
"1863. Jury commission.
"1864. Master jury wheel.
"1865. Drawing of names from the master jury wheel.
"1866. Qualifications for jury service.
"1867. Challenging compliance with selection procedures.
"1867a. Racial discrimination.
"1868. Maintenance and inspection of records.
"1869. Exclusion from jury service.
"1870. Definitions.
"1871. Fees.
"1872. Exemptions.
"1873. Talesmen.
"1874. Challenges.
"1875. Issues of fact in Supreme Court.
"1876. Admiralty and maritime cases.
"1877. Actions on bonds and specialties.

"§ 1861. Declaration of policy

"It is the policy of the United States that all litigants in Federal courts entitled to trial by jury shall have the right to a jury selected from a cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all qualified citizens shall have an equal opportunity to serve on grand and petit juries in the district courts of the United States and shall have an obligation to serve as jurors when summoned for that purpose.

"§ 1862. Discrimination prohibited.

"No citizen shall be excluded from service as grand or petit juror in the district courts of the United States on account of race, color, religion, sex, national origin, or economic status.

"§ 1863. Jury Commission

"(a) There shall be a jury commission for each district court of the United States composed of five commissioners appointed by the court who shall be citizens of the United States and residents of the district and not engaged in the practice of law nor at the time of their appointment a party to any cause then pending in the district court: *Provided*, That the court may establish a separate jury commission for one or more divisions of the judicial district. Such commissioners shall serve for a term of three years and until their successors are appointed and qualified. Before entering upon the discharge of their duties each commissioner shall take an oath of office to be prescribed by the court. Each jury commissioner shall, during his tenure in office, reside in the judicial district or division for which appointed and shall receive compensation to be fixed by the chief judge of the district at a rate not to exceed $50 per day for each day necessarily employed in the performance of his duties, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties. The district court shall have the power summarily to remove any commissioner for absence, inability or failure to perform his duties as such commissioner, for an misfeasance or malfeasance, and to appoint another person for the unexpired term. In the event of the illness or other inability or absence from the district or division of any commissioner, the other commissioners may perform the duties of said commission. The clerk of the court shall act as secretary of the jury commission and perform such duties as the jury commission may reasonably prescribe.

"(b) Insofar as may be practicable the court shall appoint as members of the jury commission individuals who represent a fair cross section of the population of the judicial district or division of the judicial district.

"(c) In the performance of its duties the jury commission shall act under the direction and supervision of the district court.

"§ 1864. Master jury wheel

"(a) Each jury commission shall maintain a master jury box, wheel, or similar device and shall place in the master box, wheel, or similar device names selected at random from the voter registration lists of persons residing in the judicial district or division it serves: *Provided*, That the judicial council of the circuit, with such advice as the chief judge of the district may offer, may prescribe some other source or sources of names for the master wheel in addition to the voter registration lists where necessary, in the judgment of the council, to protect the rights secured by section 1862 of this title.

"(b) The jury commission shall place in the master box, wheel, or similar device, a number of names not less than three times the number of jurors actually called for jury service during the preceding calendar year.

"(c) The master jury box, wheel, or similar device, shall contain names of persons residing in each of the counties, parishes, or similar political subdivisions within the judicial district or divison.

"(d) The chief judge of the district shall prescribe, by rule, definite and certain procedures to be followed by the jury commission in making the random selection of names required by subsections (a), (b), and (c) of this section.

"(e) State, local, and Federal officials having custody, possession, or control of voter registration lists or other appropriate records shall make such lists and records available to the jury commission for inspection, reproduction, and copying at all reasonable times as the commission may deem necessary and proper for the performance of its duties under this title. The district courts shall have jurisdiction upon application by the Attorney General to compel compliance with the subsection by appropriate process.

"(f) The jury commission shall in accordance with this section (1) from time to time, as necessary, place additional names in the master box wheel, or similar device, and (2) between November 15 and December 31 of each even-numbered year empty and refill the master wheel: *Provided*, that the time during which the master box, wheel, or similar device must be emptied and refilled may be extended for good cause shown by the chief judge of the district court.

"§ 1865. Drawing of names from the master jury box, wheel or similar device

"(a) From time to time as necessary the jury commission shall publicly draw at random from the master jury box, wheel, or similar device the names of as many persons as may be required for jury service, prepare an alphabetical list of the names drawn, which list shall not be disclosed to any person except pursuant to sections 1867 and 1868 of this title, and summon by certified mail the persons whose names are drawn. Each person whose name is drawn, unless he claims exemption from jury service pursuant to section 1872 of this title and subsection (b) of this section, shall appear before the clerk and fill out a juror qualification form to be prescribed by the Administrative Office of the United States Courts in consultation with the Attorney General. Such person shall receive those fees and travel allowances provided in section 1871, title 28, United States Code. The form shall elicit his name, address, age, sex, education, race, occupation, length of residence within the judicial district, prior jury service, and citizenship, and whether he has any physical or mental infirmity impairing his capacity to serve as a juror, whether he is able to read, write, speak, and understand the English language, and whether he has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty. The clerk shall examine the form to determine whether it is filled out completely and responsively and shall call any omissions or apparent errors to the attention of the person who has filled out the form, who shall in turn make such corrections or additions as may be necessary. If any person summoned is unable to fill out the form, the clerk shall do it for him and indicate on the form the fact that he has done so and the reason therefor: *Provided*, That in any district or division where the chief judge of the district determines that the requirement of a personal appearance before the clerk to fill out a juror qualification form would entail undue hardship or undue inconvenience for persons whose names are drawn from the master box, wheel, or similar device, the clerk shall mail to every person whose name is drawn from the master jury box, wheel, or similar device, a juror qualification form with instructions to fill out and return the form duly signed to the clerk by mail within ten days. Any person who fails to return a juror qualification form as instructed shall be summoned by the clerk forthwith to appear before the clerk to fill out a juror qualification form.

"(b) Any person summoned pursuant to subsection (a) of this section who fails to appear as directed shall be ordered by the court forthwith to appear and explain his failure to comply with the summons. Any person who fails to appear pursuant to such order or who fails to show good cause for noncompliance with the summons may be fined not more than $100 or imprisoned not more than three days, or both: *Provided*, That any person summoned (or to whom a juror qualifications form has been mailed by the clerk for execution) who is exempt from jury service pursuant to section 1872 of this title may state the basis for his exemption in the space provided on the summons (or juror qualification form) and return the summons (or juror qualification form) duly signed to the clerk by mail. Any person who willfully misrepresents a material fact concerning his exemption from jury service or his qualifications for jury service on a summons or juror qualification form for the purpose of avoiding or securing service as a juror or for the purpose of qualifying for service as a juror may be fined not more than $100 or imprisoned not more than three days, or both.

"SEC. 1866. QUALIFICATIONS FOR JURY SERVICE.

"(a) The jury commission shall examine the juror qualification form or the returned summons to determine whether a person is qualified for or exempt from jury service. In addition, under procedures to be prescribed by the chief judge of the district court, the jury commission may conduct an independent investigation, including a personal interview, of any person whose name is drawn from the master jury box, wheel, or similar device. If a majority of the commission determines solely on the basis of information provided on the juror qualification form or the returned summons that a person is not qualified for, or is exempt from, jury service, the jury commission shall note this fact on the space provided on the juror qualification form, together with the specific ground of disqualification or exemption, and shall make a similar notation on the alphabetical list of names drawn from the master jury box, wheel, or similar device. The jury commission shall send to the person thus disqualified or exempted written notice of the ground of disqualification or exemption, and such person may within ten days of receipt of such notice petition the court for review of the determination of the jury commission. If, as a result of the personal interview or any other objective evidence not provided on the juror qualification form or the returned summons, a majority of the jury commission finds that a person is not qualified pursuant to subsection (b) hereof, the jury commission shall make a written report of its findings to the court, and the court shall determine from the report whether such person is or is not qualified. If the court determines that such person is not qualified for jury service, the jury commission shall send such person written notice of his disqualification, together with a copy of the report of the findings of the jury commission. Such person may within ten days of receipt of such notice request a hearing before the court on the validity of such determination and the district court shall prescribe by rule definite and certain procedures to be followed in case such a hearing is requested or a person disqualified by the jury commission petitions the court for review of the determination of the jury commission. All determinations of the court pursuant to this subsection shall be appealable as final orders.

"(b) In determining the qualifications of persons summoned for jury service, the jury commission shall deem any person qualified to serve on grand and petit juries in the district court unless he

"(1) is not a citizen of the United States, twenty-one years old, who has resided for a period of one year within the judicial district;

"(2) is unable to read, write, speak and understand the English language:

"(3) is so lacking in intelligence, information, probity or common sense as to be unable to render satisfactory jury service;

"(4) is incapable by reason of mental or physical infirmity to render efficient jury service; or

"(5) has been convicted in a state or federal court of record of a crime punishable by imprisonment for more than one year and his civil-rights have not been restored by pardon or amnesty.

"(c) The jury commission shall maintain a qualified juror wheel and shall place in such wheel names of persons determined to be qualified as jurors. From time to time, the jury commission shall publicly draw at random from the qualified juror box, wheel, or similar device, such number of names of persons as may be required for assignment to grand and petit jury panels. The jury commission or the clerk shall prepare a separate list of names of persons assigned to each grand and petit jury panel.

"(d) When the court orders a grand or petit jury to be drawn the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service.

"Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address.

"Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail.

"§ 1867. Challenging compliance with selection procedures

"(a) In criminal cases, before the petit jury is empaneled and sworn, the defendant may move to dismiss the indictment or stay the proceedings against him on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title. The defendant shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1864, 1865, or 1866, the court shall dismiss the indictment or stay the proceedings pending the selection of a petit jury in conformity with this title.

"(b) In criminal cases, before the petit jury is empaneled and sworn the Attorney General may move to stay the proceedings on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title. The Attorney General shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1864, 1865, or 1866, the court shall stay the proceedings pending the selection of a petit jury in conformity with this title."

"(c) In civil cases, before the jury is empaneled and sworn, any party may move to stay the proceedings on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title. The moving party shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1864, 1865, 1866, the court shall stay the proceedings pending the selection of a jury in conformity with this title.

"(d) The procedures prescribed by this section shall be the exclusive means by which a person accused of a Federal crime or a party in a civil case may challenge any jury in his case on the ground that such jury was not selected in conformity with sections 1864, 1865, or 1866 of this title. Nothing in this section shall preclude any person or the United States from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries.

"(e) The contents of any records or papers produced pursuant to subsections (a), (b), or (c) of this section shall not be disclosed, except as may be necessary in the preparation or presentation of the case, until after the master jury box, wheel, or similar device has been emptied and refilled pursuant to section 1864(f) of this title and all persons selected to serve as jurors before the master box, wheel, or similar device has been emptied and refilled pursuant to section 1864(f) of this title and all persons selected to serve as jurors before the master box, wheel, or similar device was emptied have completed such service: *Provided*, That the parties in a case shall be allowed to inspect, reproduce and copy such records or papers at all reasonable times during the pendency of the case. Any person who discloses the contents of any record or paper in violation of this subsection may be fined not more than $1,000 or imprisoned not more than one year or both.

"SEC. 1867a. RACIAL DISCRIMINATION.

"(a) The Attorney General or any citizen of the district or division may institute a proceeding in the district court to challenge the operation of the jury selection system in the district or division on the ground that the operation of such system has resulted in the unreasonable exclusion of individuals from jury service on account of race or color.

"(b) In such a proceeding, the petitioner shall be entitled to present in support of his petition the testimony of the jury commission together with other evidence and any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available.

"(c) If, in such a proceeding, it is established that over a period of not less than two years the percentage of members of a particular race in the qualified jury box, wheel, or similar device is less than 75 per centum of the percentage of members of that race among the population of the district or division above the age of 21, the court may order one or more of the following remedies—

"(1) Use of sources other than voter registration lists in selecting names for the master jury wheel;

"(2) Discontinuance of the practice of excluding as unqualified persons who meet the standards of paragraphs (1), (2), (4) and (5) of section 1866(b) of this chapter;

"(3) Appointment of a new jury commission by the district court or the court of appeals; or

"(4) Any other order deemed appropriate to effectuate the policy of sections 1861 and 1862 of this chapter.

"(d) If, in such a proceeding, it is established that over a period of not less than two years the percentage of members of a particular race in the qualified jury wheel is less than 50 per centum of the percentage of members of that race among the population of the district or division above the age of 21, the court shall order discontinuance of the practice of excluding as unqualified persons who meet the standards of paragraphs (1), (2), (4) or (5) of section 1866(b) of this chapter."

"§ 1868. Maintenance and inspection of records

"After the master jury box, wheel, or similar device is emptied and refilled pursuant to section 1864(f) of this title, and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all of the records and papers compiled and maintained by the jury commission before the master box, wheel, or similar device was emptied shall be preserved by the commission in the custody of the clerk for four years or for such longer period as may be ordered by a court and shall be available for public inspection.

"§ 1869. Exclusion from jury service

"(a) Except as provided in section 1872 of this title, no person or class of persons shall be excluded, excused or exempt from service as jurors: *Provided*, That any person summoned for jury service may be (1) excused by the court for not more than two years at a time upon a showing of undue hardship or extreme inconvenience, or (2) excluded by the court upon a finding that such person may be unable to render impartial jury service or that this service as a juror would disrupt the proceedings, or (3) excluded upon peremptory challenge as provided by law, or (4) excluded upon a challenge by any party or sua sponte and a subsequent determination by the court that such person is unable to fill out the juror qualification form or is otherwise not qualified for jury service pursuant to section 1866(b) (1), (4), or (5). Whenever a person is excused or excluded from jury service, the jury commission shall note in the space provided on his juror qualification form the specific ground of excuse or exclusion.

"(b) In any two-year period, no person shall be required to (1) serve as a petit juror for more than thirty calendar days, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury, or (3) serve as both a grand and petit juror.

"§ 1870. Definitions.

"For purposes of this chapter—

"(a) 'clerk' and 'clerk of the court' shall mean the clerk of the United States district court or any deputy clerk.

"(b) 'voter registration lists' shall mean the official records maintained by State or local election officials of persons registered to vote in the most recent general election for candidates for Federal office or, in the case of a State or political subdivision thereof which does not require registration as a prerequisite to voting, such other official lsts of persons qualified to vote or who voted in such electin The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 where the names on such list have not been included on the lists maintained by the appropriate State or local officials.

"(c) 'division' shall mean one or more divisions of a judicial district established by statute, and, in judicial districts where no divisions are established by statute, shall mean such counties, parishes, or similar political subdivisions surrounding the places where court is held as the chief judge of the district shall determine.

"(d) 'district court of the United States', 'district court', and 'court' shall mean courts constituted under chapter 5 of title 28, and under sections 1424 and 1611 of title 48, United States Code: *Provided*, That for purposes of sections 1861, 1862, 1867, and 1869 of this chapter, these terms shall include the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia."

Fees

SEC. 102. (a) Section 1871 of title 28, United States Code, is amended by substituting "$20" for "$10" and "$25" for "$14" in the second paragraph, "$16" for "$10" in the third paragraph and "$20" for "$10" in the fourth paragraph.

Section 1871 of title 28, United States Code, is amended by substituting in the third paragraph "10 cents per mile, plus the amount expended for tolls for toll roads and toll bridges" for "10 cents per mile," in the two instances such language occurs.

(b) Section 1821 of title 28, United States Code, is amended by substituting "$20" for "$4," "10 cents" for "8 cents" and "$16" for "$8".

Amendment and repeal

SEC. 103. (a) Sections 1870, 1872, 1873, and 1874 of title 28, United States Code, are renumbered as sections 1874, 1875, 1876, and 1877, respectively, of that title.

(b) Section 1862 of title 28, United States Code, is renumbered as section 1872 of that title and amended to read as follows:

"§ 1872. Exemptions

"(a) The following persons shall be exempt from jury service:

"(1) Members in active service in the Armed Forces of the United States.

"(2) Members of the fire or police departments of any State, district, territory, possession, or subdivision thereof.

"(3) Public officers in the executive, legislative or judicial branches of the Government of the United States, or any State, district, territory, possession or subdivision thereof who are actively engaged in the performance of official duties.

"(b) The chief judge of the district may, by rule, exempt other occupational classes of persons from jury service based on a finding that—

"(1) jury service would entail extreme inconvenience for such class of persons; and

"(2) requiring such persons to perform jury service may adversely affect the public interest; and

"(3) exemption of such persons from jury service would not be inconsistent with section 1861 or 1862 of this title."

(c) Section 1866 of title 28, United States Code, is renumbered as section 1873 of that title and amended to read as follows:

"§ 1873. Talesmen from bystanders

"Whenever sufficient petit jurors are not available, the Court may require the United States marshals to summons a sufficient number of talesmen from the bystanders."

(d) Sections 13–701, 11–2301 through 2305 (except the last paragraph of section 11–2302), 11–2307 through 2312 and 7–213a of the District of Columbia Code are repealed.

(e) Except for the last paragraph of subsection (a), section 11–2306 of the District of Columbia Code is repealed and a new subsection (b) is added to the section as follows: "(b) The jury commission for the district court for the District of Columbia shall draw from the qualified jury wheel from time to time as may be required the names of persons to serve as jurors in the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia and such persons shall be assigned to jury panels in the General Sessions and Juvenile courts as those courts shall direct."

(f) Section 16–1312 of the District of Columbia Code is amended by substituting "section 1866 of title 28, United States Code" for "section 11–2301" in subsection (a) (1) and by substituting "chapter 121 of title 28, United States Code," for "chapter 23 of title 11" in subsection (c).

(g) Section 22–1414 of the District of Columbia Code is amended by inserting the words "or wheel" immediately following the word "box" each time it appears therein.

Effective Date

SEC. 104. Sections 101 and 103 of this title shall become effective one hundred and eighty days after the date of enactment: *Provided,* That such sections shall not apply in any case in which an indictment has been returned or petit jury impaneled prior to such effective date.

S. 387. A bill to provide for improved judicial machinery for the selection of Federal juries, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Alternate Federal Jury Selection Act of 1967".

SEC. 101. The analysis of chapter 121 of title 28, United States Code, is amended to read as follows:

"CHAPTER 171—JURIES; TRIAL BY JURY"

"Sec.
"1861. Qualifications of Federal jurors.
"1861a. Racial discrimination; transmittal of annual reports; proceedings to institute new jury selection procedure; jury selection procedure to be established upon finding of racial discrimination.
"1862. Exemptions.
"1863. Exclusion or excuse from service.
"1864. Manner of drawing; jury commissioners and their compensation.
"1865. Apportionment within district; additional jury commissioners.
"1866. Special petit juries; talesmen from bystanders.
"1867. Summoning jurors.
"1868. Disqualification of marshal or deputy.
"1869. Frequency of service.
"1870. Challenges.
"1871. Fees.
"1872. Issues of fact in Supreme Court.
"1873. Admiralty and maritime cases.
"1874. Actions on bonds and specialties."

SEC. 102. Section 1861 of chapter 121 of title 28, United States Code, is amended to read as follows:

"§ 1861. Qualifications of Federal jurors.

"(a) Any citizen of the United States who has attained the age of twenty-one years and who has resided for a period of one year within the judicial district is qualified to serve as a grand or petit juror unless—

"(1) He has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

"(2) He is unable to read, write, speak, and understand the English language.

"(3) He is incapable, by reason of mental or physical infirmities to render efficient jury service.

"(b) The qualifications listed in subsection (a) of this section are minimum qualifications only, and other standards designed to select jurors of high intelligence, capacity and commonsense may be employed upon direction of the chief judge of the district.

"(c) Notwithstanding the provisions of subsection (b) of this section, no citizen shall be excluded from service as grand or petit juror on account of race, color, religion, sex, national origin, or economic status."

SEC. 103. Chapter 121 of title 28, United States Code, is amended by adding at the end of section 1861 and preceding section 1862, section 1861a which shall read as follows:

"§ 1861a. Racial Discrimination; transmittal of annual reports; proceedings to institute new jury selection procedure; jury selection procedure to be established upon finding of racial discrimination.

"(1) Within a year following the effective date of this Act, and on the same date annually thereafter, the clerk of each district court of the United States shall compile a report indicating the number of persons of each race or color summoned for jury service in the district and each division thereof for the immediately preceding year. Such report shall be transmitted to the Attorney General.

"(2) At any time within the year following the transmittal of two consecutive annual reports, or within the year after the date on which the second of such reports was due, the Attorney General may institute a proceeding in the district court to establish a new procedure for the selection of jurors in that district or any division thereof.

"(3) If, on the basis of the information contained in the reports required under subsection (1) of this section or any other information, it is established in a proceeding instituted under subsection (2) of this section that during the immediately preceding two years the percentage of members of a particular race among those persons summoned for jury service is less than .50 per centum of the percentage of members of that race among the population of the district or division above the age of twenty-one, the court shall order the implementation of the system of jury selection provided in subsections (8) through (16) of this section for a period of two years. If it is established in a proceeding instituted under subsection (2) of this section that the clerk of the court has failed to file a report required under subsection (1), the clerk shall be summoned to appear and to explain his failure to file the report and present to the court information sufficient to establish that the juries in the district or division represent a fair cross-section of the population of the district or division and that no racial group has been materially underrepresented. If the clerk is unable to present information sufficient to establish these facts, the court shall order the implementation of the system of jury selection provided in subsections (8) through (16) of this section for a period of two years.

"(4) If, in any civil or criminal case, it is established that the system of jury selection in any judicial district of the United States or any division thereof has operated to exclude individuals from jury service because of their race or color, the court shall order the implementation of the system of jury selection provided in subsections (8) through (16) of this section for two years.

"(5) Any citizen of the district or division may institute a proceeding in the district court to establish a new procedure for the selection of jurors in that district or division. If in such a proceeding it is established that the system of jury selection in the district or division has been operated for the purpose or with the effect of excluding individuals from jury service because of their race or color, the court shall order the implementation of the system of jury selection provided in subsections (8) through (16) of this section for two years.

"(6) After the system of jury selection provided in subsections (8) through (16) of this section has been in operation in any district or division for two years, the district court may replace it with any other system of selection. For the period of six years immediately thereafter, however, the Attorney General may institute a proceeding in the district court to reinstitute the system of selection provided in subsections (8) through (16) of this section on the grounds either that an annual report for the preceding year has not been filed or that a filed report discloses a failure to meet during the preceding year the percentage standard of subsection (3) of this section.

"(7) Any order of the court pursuant to this section shall be appealable to the court of appeals.

"(8) Jury commission

"(a) There shall be a jury commission for each district court of the United States composed of the clerk of the court and a citizen appointed by the court as a jury commissioner, and one or more citizens appointed by the court as jury commissioners; except that the court may establish a separate jury commission for one or more divisions of the judicial district by appointing one or more citizens as jury commissioners to serve with the clerk of such division or divisions. In no event shall more than one-half of the jury commissioners so appointed to any jury commission belong to the same political party as the clerk serving with them on such jury commission. Each jury commissioner shall during his tenure in office reside in the judicial district or division for which appointed, and shall receive compensation to be fixed by the chief judge of the district at a rate not to exceed $50 per day for each day necessarily employed in the performance of his duties, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

"(b) In the performance of its duties, the jury commission shall act under the supervision of the chief judge of the district.

"(9) Master jury wheel.

"(a) Each jury commission shall maintain a master jury wheel and shall place in the master wheel names selected at random from the voter registration lists of persons residing in the judicial district or division it serves: *Provided,* That the judicial council of the circuit, with such advice as the chief judge of the district may offer, shall prescribe some other source or sources of names for the master wheel in addition to the voter registration lists where necessary, in the judgment of the council, to protect the rights secured by section 1861(c) of this title.

"(b) The jury commissioner shall place in the master jury wheel the names of at least one-half of 1 per centum of the total number of persons listed on the voter registration lists for the district or division (or, if sources in addition to voter registration lists have been prescribed pursuant to subsection (a), at least one-half of 1 per centum of the total number of persons of voting age residing in the district or division according to the most recent decennial census): *Provided,* That in no event shall the jury commission place in the master wheel the names of fewer than one thousand persons.

"(c) The master jury wheel shall contain names of persons residing in each of the counties, parishes, or similar political subdivisions within the judicial district or division.

"(d) The chief judge of the district shall prescribe, by rule, definite and certain procedures to be followed by the jury commission in making the random selection of names required by subsections (9)(a), (9)(b), and (9)(c) of this section.

"(e) State, local, and Federal officials having custody, possession, or control of voter registration lists or other appropriate records shall make such lists and records available to the jury commission for inspection, reproduction, and copying at all reasonable times as the commission may deem necessary and proper for the performance of its duties under this title. The district courts shall have jurisdiction upon application by the Attorney General to compel compliance with this subsection by appropriate process.

"(f) The jury commission shall, in accordance with this section, (1) from time to time, as necessary, place additional names in the master wheel and (2) not later than July 1 of each odd-numbered year empty and refill the master wheel.

"(10) Drawing of names from the master jury wheel.

"(a) From time to time as necessary the jury commission shall publicly draw from the master jury wheel the names of as many persons as may be required for jury service, prepare an alphabetical list of the names drawn, which list shall not be disclosed to any person except pursuant to subsections (12) and (13), of this section and summon by certified mail the persons whose names are drawn. Each person whose name is drawn, unless he claims exemption from jury service pursuant to subsection (16) of this section and subsection (10)(b) of this section, shall appear before the clerk and fill out a juror qualification form to be prescribed by the Administrative Office of the United States Courts. Such person shall receive those fees and travel allowances provided in section 1871, title 28, United States Code. The form shall elicit his name, address, age, sex (education, race, occupation, length of residence within the judicial district, prior jury service, and citizenship and whether he has any physical or mental infirmity impairing his capacity to serve as a juror, is able to read, write, speak, and understand the English language, and has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty, and has a charge pending against him for the commission of such a crime. The clerk shall examine the form to determine whether it is filled out completely and responsively and shall call any omissions or apparent errors to the attention of such person who shall make such corrections or additions as may be necessary. If any person summoned is unable to fill out the form, the clerk shall do it for him and indicate on the form the fact that he has done so and the reason therefor: *Provided,* That in any district or division where the chief judge of the district with the concurrence of the judicial council of the circuit determines that the requirement of a personal appearance before the clerk to fill out a juror qualification form would entail undue hardship or undue inconvenience for persons whose names are drawn from the master wheel, the clerk shall mail to every person whose name is drawn from the master jury wheel a juror qualification form with instructions to fill out and return the form duly signed to the clerk by mail within ten days. Any person who fails to return a juror qualification form as instructed shall be summoned by the clerk forthwith to appear before the clerk to fill out a juror qualification form: *Provided further,* that any person who returns an executed juror qualification form to the clerk by mail and who is subsequently summoned for jury service may be required by the clerk of the court to fill out another juror qualification form.

"(b) Any person summoned pursuant to subsection (a) of this section who fails to appear as directed shall be ordered by the court forthwith to appear and show cause for his failure to comply with the summons. Any person who fails to appear pursuant to such order or who fails to show good cause for noncompliance with the summons may be fined not more than $100 or imprisoned not more than three days, or both: *Provided,* That any person summoned (or to whom a juror qualification form has been mailed by the clerk for execution) who is exempt from jury service pursuant to subsection (16) of this section may state the basis for his exemption in the space provided on the summons (or juror qualification form) and return the summons (or juror qualification form) duly signed to the clerk by mail. Any person who willfully misrepresents a material fact concerning his exemption from jury service or concerning his qualifications for jury service on a summons or juror qualification form for the purpose of avoiding or securing service as a juror may be fined not more than $100 or imprisoned not more than three days, or both.

"(11) Qualifications for jury service.

"(a) The jury commission shall determine solely on the basis of information provided on the juror qualification form or the returned summons whether a person is qualified for or exempt from jury service: *Provided,* That such determination shall be made by the court if other objective evidence obtained by the jury commission indicates that a person is not qualified pursuant to subparagraphs (1), (3), or (4) of subsection (b) hereof. The jury commission shall enter such determination in the space provided on the juror qualification form and the alphabetical list of names drawn from the master jury wheel. If a person did not appear in response to a summons, such fact shall be noted on said list. Whenever a person is determined to be not qualified for jury service, the jury commission shall note on the space provided on the juror qualification form the specific ground of disqualification.

"(b) In making such determination the jury commission or the court shall deem any person qualified to serve on grand and petit juries in the district court unless he—

"(1) is not a citizen of the United States twenty-one years old who has resided for a period of one year within the judicial district;

"(2) is unable to read, write, speak, and understand the English language;

"(3) is incapable, by reason of mental or physical infirmity, to render efficient jury service; or

"(4) has a charge pending against him for the commission of, or has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

"(c) The jury commission shall maintain a qualified juror wheel and shall place in such wheel names of persons determined to be qualified as jurors. From time to time, the jury commission shall publicly draw from the qualified juror wheel such number of names of persons as may be required for assignment to grand and petit jury panels. The jury commission or the clerk shall prepare a separate list of names of persons assigned to each grand and petit jury panel.

"(d) When the court orders a grand or petit jury to be drawn the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service.

"Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address.

"Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail.

"(12) Challenging compliance with selection procedures.

"(a) In criminal cases, before the petit jury is empaneled and sworn, the defendant may move to dismiss the indictment or stay the proceedings against him on the ground of substantial failure to comply with subsections (9), (10), or (11) of this section. The defendant shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with subsections (9), (10), or (11) of this section, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with subsections (9), (10), or (11) of this section, the court shall dismiss the indictment or stay the proceedings pending the selection of a petit jury in conformity with this title.

"(b) In criminal cases, before the petit jury is empaneled and sworn, the Attorney General may move to stay the proceedings on the ground of substantial failure to comply with subsections (9), (10), or (11) of this section. The Attorney General shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with subsections (9), (10) or (11) of this section, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with subsections (9), (10) or (11) of this section, the court shall stay the proceedings pending the selection of a petit jury in conformity with this title.

"(c) In civil cases, before the jury is empaneled and sworn, any party may move to stay the proceedings on the ground of substantial failure to comply with subsections (9), (10), or (11) of this section. The moving party shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and, where there is evidence that there has been a failure to comply with subsections (9), (10) or (11) of this section, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with subsections (9), (10) or (11) of this section, the court shall stay the proceedings pending the selection of a jury in conformity with this title.

"(d) The procedures prescribed by this section shall be the exclusive means by which a person accused of a Federal crime or a party in a civil case may challenge any jury in his case on the ground that such jury was not selected in conformity with subsections (9), (10) or (11) of this section. Nothing in this section shall preclude any person or the United States from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries.

"(c) The contents of any records or papers produced pursuant to subsections (12)(a), (12)(b), or (12)(c) of this section shall not be disclosed, except as may be necessary in the preparation or presentation of the case, until after the master jury wheel has been emptied and refilled pursuant to subsection (9)(f) of this section and all persons selected to serve as jurors before the master wheel was emptied have completed such service: *Provided,* That the parties in a case shall be allowed to inspect, reproduce and copy such records or papers at all reasonable times during the pendency of the case. Any person who discloses the contents of any record or paper in violation of this subsection may be fined not more than $1,000 or imprisoned not more than one year, or both.

"After the master jury wheel is emptied and refilled pursuant to subsection (9)(f) of this section, and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all of the records and papers compiled and maintained by the jury commission before the master wheel was emptied shall be preserved by the commission in the custody of the clerk for four years or for such longer period as may be ordered by a court and shall be available for public inspection.

"(14) Exclusion from jury service.

"(a) Except as provided in subsection (16) of this section, no person or class of persons shall be excluded, excused or exempt from service as jurors: *Provided,* that any person summoned for jury service may be (1) excused by the court for not more than two years at a time upon a showing of undue hardship or extreme inconvenience or (2) excluded by the court upon a finding that such person may be unable to render impartial jury service or that his service as a juror would disrupt the proceedings, or (3) excluded upon peremptory challenge as provided by law, or (4) excluded upon a challenge by any party or sua sponte and a subsequent determination by the court that such person is unable to fill out the juror qualification form or is otherwise not qualified for jury service pursuant to subparagraphs (1), (3) and (4) of subsection (11)(b) of section 1861a. Whenever a person is excused or excluded from jury service, the jury commission shall note in the space provided on his juror qualification form the specific ground of excuse or exclusion.

"(b) In any two-year period, no person shall be required to (1) serve as a petit juror for more than thirty calendar days, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury, or (3) serve as both a grand and petit juror.

"(15) Definitions.

"For purposes of this section—

"(a) 'clerk' and 'clerk of the court' shall mean the clerk of the United States district court or any deputy clerk.

"(b) 'voter registration lists' shall mean the official records maintained by State or local election officials of persons registered to vote in the most recent general election for candidates for Federal office or, in the case of a State which does not require registration as a prerequisite to voting, such other official lists of persons qualified to vote in such election. The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 where the names on such list have not been included on the lists maintained by the appropriate State or local officials.

"(c) 'division' shall mean one or more divisions of a judicial district established by statute, and, in judicial districts where no divisions are established by statute, shall mean such counties, parishes, or similar political subdivisions surrounding the places where court is held as the chief judge of the district shall determine.

"(d) 'district court of the United States', 'district court,' and 'court' shall mean courts constituted under chapter 5 of title 28, and sections 1424 and 1611 of title 48, United States Code: *Provided,* That for purposes of this section these terms shall include the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia."

"(16) Exemptions.

"(a) The following persons shall be exempt from jury service:

"(1) Members in active service in the Armed Forces of the United States.

"(2) Members of the fire or police departments of any State, district, territory, possession, or subdivision thereof.

"(3) Public officers in the executive, legislative or judicial branches of the Government of the United States, or any State, district, territory, possession, or subdivision thereof who are actively engaged in the performance of official duties.

"(b) The chief judge of the district may, by rule, exempt other occupational classes of persons from jury service based on a finding that—

"(1) jury service would entail extreme inconvenience for such class of persons; and

"(2) requiring such persons to perform jury service may adversely affect the public interest; and

"(3) exemption of such persons from jury service would not be inconsistent with subsection (c) of section 1861 of this title."

Mr. ERVIN. Mr. President, without committing myself to the support of any one of the Senator's five proposals, I wish to commend the able and distinguished Senator from Maryland for the course of action which he is taking in connection with our jury system in the Federal courts.

I think it is extremely wise to divorce this question entirely from the question of civil rights. By so doing, the Subcommittee on Improvements in Judicial Machinery of the Judiciary Committee can study the proposals in an atmosphere of calm, uninfluenced by the emotion which ordinarily characterizes the consideration or lack of consideration of so-called civil rights proposals.

I am a great believer in the jury system. I believe in the system, in the first place, because it affords the great body of our citizens an opportunity to participate in the most sacred obligation of Government—that of administering justice.

In the second place, I am a firm believer in the concept that the composite judgment of 12 men, drawn from all the ranks in our society, is much more accurate than the judgment of one man acting as a judge, however learned in the law he may be. I have been much distressed, as a believer in the jury system, by the frequency with which Congress, in recent years, has circumvented the fundamental principle of trial by jury by expanding the equity powers of the Federal courts. As Senators know, a Federal court sitting as a court of equity is a court in which no right of trial by jury exists.

The Founding Fathers held the system of trial by jury in such high veneration that they placed in the Constitution one provision requiring indictment by a grand jury as a condition precedent to putting any man on trial for a capital or otherwise infamous crime, two provisions securing the right of trial by jury in criminal cases, and one provision relating to the right of trial by jury in civil cases.

I pledge to the able and distinguished chairman of the Subcommittee on Judicial Machinery my full cooperation, as a member of that subcommittee, in giving consideration to these proposals. I shall insist at all times, however, that we build on the sound structure which has been laid in times past for the composition of Federal juries; namely, that while the jurors should be drawn from all segments of our society, they should be drawn from that portion of each segment which will make it certain that we have men of the highest character, the highest intelligence, and the highest dedication to public duty to serve as jurors.

It is just as important to have intelligent jurors in our Federal courts as it is to have intelligent judges.

Mr. TYDINGS. Mr. President, I thank the distinguished Senator from North Carolina for his caveat. I think it is clear that the ends of justice are not served unless jurors have not only intelligence but also enough integrity to render fair and just verdicts.

TRANSFER FROM THE DISTRICT OF COLUMBIA JAIL OF HABEAS CORPUS PETITIONERS

Mr. TYDINGS. Mr. President, late in the second session of the 89th Congress I introduced a bill that would permit the Attorney General or his authorized representative to transfer an inmate from the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections, notwithstanding the pendency of either the inmate's petition for a writ of habeas corpus or his appeal from a denial of the writ. After hearings, that bill, S. 3404, was reported favorably by the Senate Judiciary Committee—Report No. 1503—passed by the Senate, and sent to the House of Representatives, where it was referred to the House Judiciary Committee. There was not, however, sufficient time left in the session for the bill's consideration by the House, and it was still pending in committee at adjournment.

The bill was prompted by the severely overcrowded conditions plaguing the District of Columbia jail. While the state of the law is not entirely clear, it appears that an inmate at the District of Columbia jail must be kept there pending a hearing on his habeas corpus petition, or pending his appeal from a denial of the writ, rather than transferred to other institutions physically located outside the District of Columbia but equally under the control of the Department of Corrections. It was apparent that many inmates, who for some reason wanted to remain at the District of Columbia jail, were filing frivolous writs simply in order to prevent being transferred to these other institutions.

It also seemed clear that authorizing the transfer of an inmate under these circumstances would not work an undue hardship upon him. The legislation had the approval of the Department of Justice, the Commissioners of the District of Columbia, the Department of Corrections, and the Honorable Edward M. Curran, now chief judge of the District Court for the District of Columbia.

Though the problem of overcrowding at the District of Columbia jail has been somewhat alleviated, in principle the need for the bill still exists, and the Director of the Department of Corrections, with the approval of the Attorney General, should be given the flexibility in deciding where to keep inmates that the measure would allow. Consequently, I once again join the senior Senator from Maryland in introducing, for appropriate reference, the bill, with the hope that it will receive the speedy consideration and approval of the 90th Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 388) to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes, introduced by Mr. Tydings (for himself and Mr. Brewster), was received, read twice by its title, and referred to the Committee on the District of Columbia.

STAFFING OF MENTAL RETARDATION FACILITIES

Mr. JAVITS. Mr. President, I introduce for myself and the Senator from Vermont [Mr. Prouty], the Mental Retardation Facilities and Community Mental Health Centers Construction Act Amendments of 1967 to provide Federal aid for the staffing of community mental retardation facilities.

This bill provides Federal matching grants up to 75 percent for staffing and operations of public and nonprofit private mental retardation facilities. Thus, this proposal would extend to facilities for the mentally retarded the same kind of Federal assistance that was authorized by the 89th Congress to meet initial staffing costs at community mental health centers and at sheltered workshops and rehabilitation facilities. After June 30, 1968, preference would be given to new or expanded services part of the cost of which is paid by State or local public funds.

The bill also amends present law to include the cost of acquiring sites as part of construction costs for community mental health centers and mental retardation facilities.

This measure is similar to the amendment I sponsored which was included in S. 3008, which passed the Senate on October 3, 1966, but unfortunately this provision was deleted by the House before the bill was sent to the President for signature into law. It has had the support of both the National Association for Retarded Children and the Council for Exceptional Children, the principal organizations in this field.

The bill authorizes an appropriation of $7 million for fiscal year 1968, $12 million for fiscal year 1969, and $15 million for each of fiscal years 1970 and 1971. These Federal funds must be used to supplement the level of State and local expenditures for mental retardation facility operations.

This measure is, in effect, an investment in rehabilitation. Mentally retarded children can be educated to be useful citizens, in many cases self-supporting, and in most instances to be free of the need for expensive institutional care. If adequately rehabilitated, between 75 percent to 85 percent of the mentally retarded can become self-supporting, and between 10 percent and 20 percent can become partially self-supporting; the remainder will remain completely dependent.

More important—and incapable of measurement—is the effect this rehabilitation will have on parents and family to whom the necessity for institutionalization is a shattering experience. And the meaning to the retarded themselves also cannot be measured in money—it is the difference between being a whole human person and being an impersonal statistic in an institution.

Three out of every 100 children born are destined to be mentally retarded. Mental retardation is the major cause of disability among the young adults, aged 21 to 35, who receive assistance under the Federal program for aid to the permanent and totally disabled.

While communities are spending more than $650 million annually for treatment, education, and training of the mentally retarded, these services fall short of the need for special training and care that is required. They require the staffing assistance provided by this bill.

The Mental Retardation Facilities and Community Centers Construction Act of 1963 would be further amended by the measure I introduce today to include the cost of acquiring sites as part of construction costs for mental health centers and mental retardation facilities. Experience has shown that the original act was not broad enough to cover critical situations, especially in urban areas where land is expensive and often difficult to obtain. In urban areas, this shortcoming represents a serious deterrent to the public and private agencies desiring to provide buildings for services. The provision to correct this situation follows the pattern of the amendment to the Vocational Rehabilitation Act adopted by the 89th Congress.

While recognizing that the matching formula in the present law is inadequate, I have refrained from including corrective language in my bill at this time. However, when this 90th Congress considers renewal of the present statute, it is my intention to press in committee for reform of this and other inequitable allocation formulas. Under present law, the Federal share of construction projects varies from 33⅓ to 66⅔ percent among the States. Thus, an organization or community with modest resources would receive the minimum Federal share if located in a high-income State and, conversely, a well-to-do community or organization would receive the maximum Federal contribution if located in a low-income State. This obviously is unfair and demands correction.

I urge all who are concerned with the well-being and rehabilitation of the mentally retarded to join in this effort to bring to these unfortunates the care and training they require and which, all too often, overburdened State, local, andl private agencies are unable to provide.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 389) to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide grants for costs of initiating services in community mental retardation facilities, introduced by Mr. Javits (for himself and Mr. Prouty), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

FIRE ISLAND COMMISSION

Mr. JAVITS. Mr. President, I send to the desk a bill relating to the establishment of a commission with respect to Fire Island, as is already provided for other national parks.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 390) to amend section 631, title 28, United States Code, to authorize the appointment of a U.S. commissioner for Fire Island National Seashore in the State of New York introduced by Mr. Javits (for himself and Mr. Kennedy of New York), was received, read twice by its title, and referred to the Committee on the Judiciary.

NATIONAL EYE INSTITUTE

Mr. MOSS. Mr. President, I introduce for appropriate reference, a bill to provide for the establishment of a National Eye Institute in the National Institutes of Health. In the 89th Congress, I introduced the first bill to create a National Eye Institute. Later, other bills were presented to accomplish the same thing.

I realize that one of the institutes already established at the National Institutes of Health—the Institute of Neurological Diseases and Blindness—is devoting part of its time and resources to research on diseases of the eye. However, blindness is such a scourge that it deserves an institute entirely devoted to searching out its causes and their cure. We need one great center in this country whose emphasis and scientific personnel are directed in only one channel—to the control of eye defects, eye diseases, and blindness.

Even though we consider ourselves—in these mid-1960's—as living in an era of scientific discovery and medical achievement, more than 10 million people throughout the world are totally blind. In our own Nation, more than 1 million Americans are functionally blind—which means that they cannot read a newspaper, even with the aid of the best lenses science can provide. Many others are blind in one eye, or have other serious eye defects.

I feel that we must direct a massive and unrelenting drive on blindness, and that the establishment of a National Eye Institute at the greatest research center in the world is the first step to take in this drive.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 392) to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

TWO PROPOSALS FOR A BETTER WAY OF LIFE FOR MEXICAN-AMERICANS OF THE SOUTHWEST

Mr. YARBOROUGH. Mr. President, in the Southwestern part of the United States—bordered by my State of Texas on the east, California on the west, and reaching to Colorado in the north—there exists, as in the rest of the country, a folklore that we have achieved equality of economic opportunity, that everyone has an equal chance to get ahead.

The reality lurking under this belief is that for a group of 3,465,000 persons, 12 percent of the population of the Southwestern States, equality of economic opportunity awaits the future. It is a myth, and not a reality, today for the Mexican-Americans of the Southwest.

The Spanish-speaking people of the Southwest at one time greatly outnumbered the English-speaking people in the area. By 1790 the white population had reached 23,000 and was practically all Spanish. But by 1848 all the land in the Southwest—except for a strip later added by the Gadsden Purchase—had been acquired by the United States and the one-time majority of Spanish-speaking people became a minority in the face of the influx of English speaking who flocked to the land.

With minority status came economic disadvantage. And exploitation. And discrimination. But throughout all these years the Mexican-American people have lived their lives with patience and courage. Equality of opportunity has not been theirs, yet they have been good citizens, good parents, have fought for democracy in our wars, and lived their lives as best they could.

I believe the time has come when we can no longer ignore the fact that 12 percent of the people of the Southwestern United States do not have equal access with the rest of the population to economic advancement. The time has come when we must do something about the poor schooling, low health standards, job discrimination, and the many other artificial barriers that stand in the way of the advancement of the Mexican-American people along the road to economic equality.

EDUCATION

The most promising area for progress is in the field of education. Here Mexican-Americans have been the victims of the cruelest form of discrimination. Little children, many of whom enter school knowing no English and speaking only Spanish are denied the use of their language. Spanish is forbidden to them, and they are required to struggle along as best they can in English, a language understood dimly by most and not at all by many.

Thus the Mexican-American child is wrongly led to believe from his first day of school that there is something wrong with him, because of his language. This misbelief soon spreads to the image he has of his culture, of the history of his people, and of his people themselves. This is a subtle and cruel form of discrimination, because it indelibly imprints upon the consciousness of young children an attitude which they will carry with them all the days of their lives.

Its effects can be perceived by looking at the dropout rates among Mexican-American children. A recent study of census data conducted by the Welfare Administration concludes that—

> In education, as measured in median number of years completed by the adult population, the Spanish-American ranks as low as, or below, any other ethnic group identified and tabulated by the Census except the American Indian woman.

Among adults 25 and over, Mexican-Americans in 1960 had an average of 7.1 years of schooling as compared to the 12.1 years for Anglos, and 9 for nonwhites. The gap between Anglos and Mexican-Americans is 5 years or 41 percent.

It can be said, however, that things are getting a little better. Some educators have become aware of the harm done to Spanish-speaking children by forbidding them the use of Spanish and as a result some schools are experimenting with new and imaginative ways of educating Spanish-speaking children in a predominantly English-speaking society.

Last October the National Education Association held a very informative 2-day symposium on the subject of "The Spanish-Speaking Child in the Schools of the Southwest."

Some of this improvement shows up in the statistics for a younger generation of Spanish-speaking students. For the age group 14 to 24, Mexican Americans have completed 9.2 years of school on the average, compared to 11.3 for Anglos and 10.6 for nonwhites. This is still a very large gap of 2.1 years or 19 percent.

The psychological damage suffered under a discriminatory educational system shows up in test scores.

> The relatively low average achievement of many groups of Spanish-speaking children on commonly used tests of intelligence and achievement is precisely what one would expect—

Writes Hershel T. Manuel, a leading authority on the education of Spanish-speaking children of the Southwest.

> More of the Spanish-speaking children than of the English-speaking children come from "culture-disadvantaged" homes, more of them have little or no knowledge of the language of the school when they enroll, more of them must continue their education in a language different from their home language, more of them lack a background of experience and incentive favoring high educational achievement. Lack of comparable opportunity is a sufficient reason for their lower average scores on tests. There is no reason to doubt their basic learning capacity.

BILINGUAL AMERICAN EDUCATION ACT

Mr. President, the time for action is upon us. I am introducing today the Bilingual American Education Act. Its declaration of policy reads as follows:

> In recognition of the special educational needs of the large numbers of students in the United States whose mother tongue is Spanish and to whom English is a foreign language, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs.

In addition to Mexican American students, those of Puerto Rican descent would be eligible.

Activities such as bilingual educational programs, the teaching of Spanish as the native language, the teaching of English as a second language, programs designed to impart to Spanish-speaking students a knowledge of and pride in their ancestral culture and language, efforts to attract and retain as teachers promising individuals of Mexican or Puerto Rican descent, efforts to establish closer cooperation between the school and the home, and other activities which meet the purposes of the bill, could be carried out.

Of all the programs which might be conducted under the bill, perhaps the most important are those involving the use of the Spanish language:

> Among Spanish-Americans the teaching of the Spanish language and culture to pupils who speak but do not read the language may provide a basis for motivation and an opportunity for achievement not previously accorded the group—

It is stated in a document of the National Education Association.

> It may be possible, thus, to demonstrate the employment of the Spanish language and culture as leverage for educational adjustment and achievement rather than as a defect in the process of acclimation to an alien culture.

It is important to contrast this bill with title I of the Elementary-Secondary Education Act. It is stated in the Bilingual American Education Act that the programs carried out under the bill shall be of "such size, scope, and design as will make a substantial step toward achieving the purpose of the act." This is not a general aid bill to all schools with Mexican-American students. Rather it is a bill which will enable many schools to make the large expenditures required to substantially revamp their courses. These schools will be able to experiment, try new things, blaze new trails, and demonstrate to other schools what might be done. Compared to the minor shot in the arm which most schools are receiving from title I of the Elementary-Secondary Education Act, the Bilingual American Education Act will be a major transfusion of new blood. Schools which are selected for the program will receive the resources they need to do a real job. And I hope that the example they set will influence other schools to follow their lead.

OTHER PROVISIONS

Other provisions of the bill include the establishment of an advisory committee on the education of bilingual children, amendment of the title VI language development program of the National Defense Education Act to provide for the establishment of language centers for the training of teachers of bilingual children, and amendment of the title XI summer institute program of the National Defense Education Act to provide for summer institutes for teachers of bilingual children.

This bill is called for on the basis of justice alone. There is, however, another compelling reason for enacting it. In future years it is certain that one of the great testing areas for American foreign policy will be right here in our own hemisphere, with our neighbors to the south of us. We are discovering in the Far East how difficult it is for Americans to understand and to work with people of substantially different cultural backgrounds in making the difficult adjustment from a traditional to a more complex society.

The existence within our own borders of a sizable group of people who speak the same language and share many of the same traditions and much of the outlook of the countries of Latin America has considerabe relevance to our future Latin American foreign policy. If America stands for anything it is for the principle that we have something of relevance to say to so many of the nations on earth precisely because we are made up of immigrants from those nations. So, in our dealings with Latin American nations, how much more sensible it would be to make better use of the Americans who speak Spanish as a native language and who understand from within the outlook of our southern neighbors. We have a magnificent opportunity to do a very sensible thing—to enable naturally bilingual children to grow up speaking both good Spanish and good English, and thereby to be in a position to go forth confidently to deal with the world, rather than retreat in embarrassment from a world which speaks a language which they can understand only imperfectly.

THE SOUTHWESTERN HUMAN DEVELOPMENT ACT

In addition to the problem of the proper education of the young, there is the larger problem of what to do about the heritage of human exploitation. As Ronnie Dugger has noted in the Texas Observer:

> The Mexicans in America have done the dirty work of the Southwest.
>
> I'm still appalled by some of the things I saw out there—

Said Bill Crook, former regional director of the war on poverty and now head of VISTA, after returning from a tour of the Big Bend country of Texas:

> The way of life endured by some Mexican American citizens here in Texas is incredible—something out of the 18th century. A separate culture and different language has resulted in a lack of communication between the Mexican-Americans and the Anglo community along the border which fosters public apathy and indifference to the plight of this minority. Texans would gag on their food if they could witness the kind of poverty I saw on that tour. It's shameful and stupid that nearly 700,000 families—29% of the population—should be hopelessly locked in poverty in this prosperous and progressive state. There are human beings existing in the border towns of Texas under conditions as indescribably cruel as can be found anywhere in the world . . . It would be criminal for a civilized people aware of such misery to reremain inactive—

Crook said.

So that we do not remain inactive in the face of poverty existing amidst plenty, I am introducing today the "Southwestern Human Development Act of 1967." The bill authorizes $100 million to be used for programs of education, training, health, leadership, citizenship, and other programs designed to assist the Mexican-Americans of the Southwestern United States to overcome the special barriers they encounter, so that through self-help they may achieve equality of economic opportunity with the rest of the population.

The bill states that the programs "shall be directed toward the elimination of poverty and the achievement of individual economic independence through cultural adjustment, the development of employment opportunities, improved human performance, motivation, and productivity, or the betterment of the conditions under which people live, learn, and work."

The philosophy behind this program is self-help. If it is successful, it will be because it makes contact with the natural instinct toward self-reliance and independence that exists in every human being. Therefore the bill specifies that the programs "shall be conducted so as to emphasize self-help and individual responsibility among the participants," and that they "shall, to the maximum extent possible, actively involve the participants or representatives of the participants in positions of responsibility in the planning and administration of the programs."

This is a regional development program. It is authorized to operate in the Southwestern States. There is precedent for such a regional approach in the Appalachian Regional Development Act. Only in this case we concentrate upon the development of human productivity rather than the physical environment.

A program of this magnitude is a necessity if our words about equality of economic opportunity are ever to lose their hollow ring. In Texas in 1959 the median income of Mexican-Americans was only 57 percent that of Anglos. More than one-half of Mexican-American families exist on an income of less than $3,000 per year.

I introduce these two bills today with the fond hope that Congress will see the justice and the necessity of taking affirmative action. We can no longer sit idly by and engage in the hypocrisy of saying that this is a land in which every American has an equal chance to get ahead. But we have the wealth to make our country truly a land of equal opportunity, and from our folklore we have the tradition that it should be so. Let us begin to make the myth of equality of opportunity a reality for the Mexican-Americans of the Southwest.

I ask unanimous consent that the two bills and certain supporting material be printed in the Record.

I ask unanimous consent that the bills lie at the desk until January 25 so that Senators who wish to do so may add their names as cosponsors.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record, and held at the desk for additional cosponsors, as requested by the Senator from Texas.

The bills, introduced by Mr. Yarborough, were received, read twice by their titles, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 428. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American education programs, and to provide certain other assistance to promote such programs:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

BILINGUAL AMERICAN EDUCATION PROGRAMS

Section 1. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VII as title VIII, by redesignating sections 701 through 706 and references thereto as sections 801 through 806, respectively, and by adding after title VI the following new title:

"TITLE VII—BILINGUAL AMERICAN EDUCATION PROGRAMS

"SHORT TITLE

"Sec. 701. This title may be cited as the 'Bilingual American Education Act'.

"DECLARATION OF POLICY

"Sec. 702. In recognition of the special educational needs of the large numbers of students in the United States whose mother tongue is Spanish and to whom English is a foreign language, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs.

"AUTHORIZATION AND ALLOTMENTS

"Sec. 703. (a) For the purpose of making grants under this title, there is authorized to be appropriated the sum of $5,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, and $15,000,000 for the fiscal year ending June 30, 1970, and the succeeding fiscal year.

"(b) From the sums appropriated pursuant to subsection (a) for each fiscal year the Commissioner shall allot an amount to each State based upon the number of Spanish-speaking elementary and secondary school students in such State and the per capita income in such State in such manner as he determines will best carry out the purpose of this title. For the purpose of this title 'Spanish-speaking elementary and secondary students' means elementary and secondary school students born in, or one or both of whose parents were born in, Mexico or Puerto Rico, and, in States for which such information is available, other students with Spanish surnames.

"(c) A State's allotment for a fiscal year pursuant to subsection (b) shall be available, prior to such date in such year as is established by the Commissioner, for grants to local educational agencies in such State pursuant to this title. Allotments not reserved prior to such date may be reallotted to other States and made available for grants pursuant to this title prior to the end of such fiscal year in such manner as the Commissioner determines will best carry out the purposes of this title.

"USES OF FEDERAL FUNDS

"Sec. 704. Grants under this title may be used, in accordance with applications approved under section 705, for—

"(a) planning for and taking other steps leading to the development of programs designed to meet the special educational needs of students whose mother tongue is Spanish, including pilot projects designed to test the effectiveness of plans so developed; and

"(b) the establishment, maintenance, and operation of programs, including minor remodeling of classroom or other space used for such programs and acquisition of necessary equipment, designed to meet the special educational needs of students whose mother tongue is Spanish, through activities such as—

"(1) bilingual educational programs;

"(2) the teaching of Spanish as the native language;

"(3) the teaching of English as a second language;

"(4) programs designed to impart to Spanish-speaking students a knowledge of and pride in their ancestral culture and language;

"(5) efforts to attract and retain as teachers promising individuals of Mexican or Puerto Rican descent;

"(6) efforts to establish closer cooperation between the school and the home; and

"(7) other activities which meet the purposes of this title.

"APPLICATIONS FOR GRANTS AND CONDITIONS FOR APPROVAL

"Sec. 705. (a) A grant under this title may be made to a local educational agency or agencies upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such applications shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purpose set forth in paragraph (a) or paragraph (b) of section 704 and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) set forth a program of such size, scope, and design as will make a substantial step toward achieving the purpose of this title;

"(4) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in paragraphs (a) and (b) of section 704, and in no case supplant such funds;

"(5) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"(6) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of persons in the area served, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) Applications for grants under this title may be approved by the Commissioner only if—

"(1) the application meets the requirements set forth in subsection (a);

"(2) the program set forth in the application is consistent with criteria established by the Commissioner for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of (A) the geographic distribution of persons of Spanish surname within the State, (B) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in paragraph (b) of section 704, and their financial ability to provide those services and activities, and (C) the relative ability of particular local educational agencies within the State to provide those services and activities;

"(3) in the case of an application for assistance for a program for carrying out the purposes described in paragraph (b) of section 704, the Commissioner determines (A) that the program will utilize the best available talents and resources and will substantially increase the educational opportunities in the area to be served by the applicant, and (B) that, to the extent consistent with the number of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type which this program is intended to meet, provision has been made for participation of such children; and

"(4) the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

"(d) The Commissioner shall encourage local educational agencies to utilize in programs assisted pursuant to this title the assistance of persons with expertise in the educational problem of the Spanish speaking. He shall also encourage local educational agencies to make optimum use in such programs of the cultural and educational resources of the area to be served. For the purposes of this subsection, the term 'cultural and educational resources' includes State educational agencies, institutions of higher education, nonprofit private schools, public and nonprofit private agencies such as libraries, museums, musical and artistic organizations, educational radio and television, and other cultural and educational resources.

"PAYMENTS

"Sec. 706. (a) From the amounts allotted to each State under section 703 the Commissioner shall pay to each applicant in that State which has an application approved under this title an amount equal to the total sums expended by the applicant under the application for the purposes set forth therein.

"(b) Payments under this title may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADVISORY COMMITTEE

"Sec. 707. (a) The Commissioner shall establish in the Office of Education an Advisory Committee on the Education of Bilingual Children, consisting of the Commissioner, who shall be Chairman, and eight members appointed, without regard to the civil service laws, by the Commissioner with the approval of the Secretary. At least four of the members of the advisory committee shall be educators experienced in dealing with the educational problems of children whose native tongue is a language other than English.

"(b) The advisory committee shall advise the Commissioner (1) on the action to be taken with regard to each application for a grant under this title, and (2) in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including the development of criteria for approval of applications thereunder. The Commissioner may appoint such special advisory and technical experts and consultants as may be useful in carrying out the functions of the advisory committee.

"(c) Members of the advisory committee shall, while serving on the business of the advisory committee, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"LABOR STANDARDS

"Sec. 708. All laborers and mechanics employed by contractors or subcontractors on all minor remodeling projects assisted under this title shall be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Laobr shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c)."

AMENDMENTS TO TITLE VI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Sec. 2. (a) Section 601(a) of the National Defense Education Act of 1958 is amended by inserting after the second sentence a new sentence as follows: "Any such contract may include a curriculum designed for the special training of teachers of bilingual children."

(b) Section 603 of such Act is amended by striking out "$18,000,000" and inserting in lieu thereof "$19,000,000."

AMENDMENTS TO TITLE XI OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

Sec. 3. (a) Section 1101 of the National Defense Education Act of 1958 is amended by striking out "and each of the three succeeding fiscal years" and inserting in lieu thereof "and each of the two succeeding fiscal years, and $33,750,000 for the fiscal year ending June 30, 1968".

(b) Such section is further amended by striking out the word "or" at the end of clause (3), by striking out the period at the end of clause (4) and inserting in lieu thereof a comma and the word "or", and by inserting after such clause a new clause as follows:

(5) who are engaged in or preparing to engage in special educational programs for bilingual students."

AMENDMENTS TO COOPERATIVE RESEARCH ACT

Sec. 4. Subsections (a) and (b) of section 2 of the Cooperative Research Act are each amended by inserting "and title VII" after "section 503(a) (4)".

S. 429. A bill to amend the Economic Opportunity Act of 1964 in order to establish a Southwestern Human Development Program:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Economic Opportunity Act of 1964 is amended by inserting at the end thereof a new title as follows:

"TITLE IX—SOUTHWESTERN HUMAN DEVELOPMENT

"SHORT TITLE

"Sec. 901. This title may be cited as the 'Southwestern Human Development Act of 1967.'

"FINDINGS AND STATEMENT OF PURPOSE

"Sec. 902. The Congress hereby finds and declares that the Mexican-Americans of the Southwestern United States, while blessed with a long and distinguished history and a rich cultural heritage, have not shared properly in the Nation's prosperity. It is the purpose of this title to assist such persons to overcome the special barriers they encounter, so that through self-help they may achieve equality of economic opportunity with the rest of the population.

"PROGRAMS AUTHORIZED

"Sec. 903. The Director is authorized to enter into agreements with any Federal, State, or local government agency or any other public agency or with any private organization for the establishment and operation of education, training, health, leadership, citizenship, and other programs designed to carry out the purposes of this title. Such programs—

"(1) shall be directed toward the elimination of poverty and the achievement of individual economic independence through cultural adjustment, the development of employment opportunities, improved human performance, motivation, and productivity, or the betterment of the conditions under which people live, learn, and work;

"(2) shall, to the maximum extent possible, actively involve the participants or representatives of the participants in positions of responsibility in the planning and administration of the programs;

"(3) shall be conducted so as to emphasize self-help and individual responsibility among the participants; and

"(4) shall be of such size, scope, and design as will make a substantial impact toward achieving the purposes of this title.

"Sec. 904. The Director shall prescribe regulations to prevent programs under this title from displacing presently employed workers or the impairment of existing contracts for services.

"INFORMATION, PLANNING, AND ADMINISTRATIVE ASSISTANCE

"Sec. 905. (a) The Director shall inform leaders of the people intended to be assisted by this title of programs which may be carried out pursuant to this title.

"(b) The Director may provide assistance in the planning and administration of programs being carried out pursuant to this title.

"ALLOTMENTS

"Sec. 906. From the sums appropriated pursuant to section 908 for each fiscal year the Director shall allot an amount to each Southwestern State based upon the number of persons with Spanish surnames in such State and the per capita income in such State, in such manner as he determines will best carry out the purposes of this title. The Director shall establish criteria for the purpose of achieving an equitable distribution of assistance under this title within each State, which criteria shall be developed by him on the basis of a consideration of the geographic distribution of persons with Spanish surnames within the State and the relative need of such persons in different geographic areas within the State for assistance under this title. The Director shall define the term 'Southwestern State' for the purpose of this title.

"NATIONAL ADVISORY COUNCIL

"Sec. 907. (a) The President shall, within ninety days after the enactment of this title, appoint a National Advisory Council on Southwestern Human Development for the purpose of reviewing the administration and operation of this title, including its effectiveness in bringing about equality of economic opportunity for Mexican-Americans of the Southwest, and making recommendations for the improvement of this title and its administration and operation.

"(b) The Council shall be appointed by the President without regard to the civil service laws and shall consist of eight persons. The Director shall engage such technical assistance as may be required to carry out the functions of the Council, and the Director shall make available to the Council such secretarial, clerical, and other assistance as it may require to carry out such functions.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President not later than March 31 of each calendar year after the enactment of this title. The President shall transmit each such report to the Congress together with his comments and recommendations.

"(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in Government service employed intermittently.

"AUTHORIZATION

"Sec. 908. There is authorized to be appropriated the sum of $100,000,000 to carry out the provisions of this title."

Sec. 2. Section 601(a) of the Economic Opportunity Act of 1964 is amended by—

(1) striking out "four" in the third sentence thereof and inserting in lieu thereof "five"; and

(2) by adding at the end thereof the following new sentence: "One such assistant director shall have the title "Assistant Director for Southwestern Human Development," and shall be responsible for carrying out, subject to the direction of the Secretary, the provisions of title IX of this Act."

The supporting material presented by Mr. Yarborough is as follows:

Exhibit 1

[From the Texas Observer, Dec. 9, 1966]

A Struggling Minority—The Texas Mexicans

Austin.—Perhaps a race, a civilization, begins to exist when the first humans arrive in the place of the race, and if so no one knows when the Mexicans began; but probably they began when Hernan Cortes' *conquistadores* from Spain first began mating with the Indians of Mexico in 1519—and when the culture of the Mexican tribes—dominated, except for the Tlaxcalans, by the Aztecs in Tenochtitlan—began mating with the Spanish Catholic culture of that time. With the Holy Roman Empire at a zenith in Europe, the Spaniards had just prevailed in their seven or eight centuries' war with the African Moors, religious war, Catholicism vs. Mohammedanism; Catholicism was attaining in Spain its maximum fanaticism and intolerance. The Mexican tribes, like city-states reminiscent of ancient Greece, had their gods and gory sacrifices, their nobles and courts, best known about, from the accounts of the time, in Montezuma's regal court and the glimmering city-in-the-lake that is now Mexico. From 1519 onward Mexico was Catholic. That first century the Virgin of Guadalupe appeared, they say, to an Indian, and gave Mexico her divinely revealed national Catholicism, and the Spaniards established a tribunal of the Inquisition that functioned two hundred years. Mexico was ruled by the priests and the *gachupines,* the Spain-born Spaniards, education was limited to their self-perpetuations, and the Indians, and even some imported Negroes, lived on in virtual slavery and literal ignorance, making their peace with Catholicism, but in their own ancient terms. The Spainards pushed their domain north to the Rio Grande, that first century, and then sent Juan de Onate, a rich miner, north into New Mexico, where settlements, communal and Catholic, took root and persisted along the middle and upper Rio Grande. With missions the New Spaniards staked out, as best they could, the lineaments of their frontier in America, east at Florida, south of New Orleans, north beyond St. Louis, northwest at Santa Fe (northerly of there in a line of defense in Colorado), and west at San Francisco. Then the people and culture of Northern Europe came, and the conflict began, even as New Spain itself, inspired by Father Hidalgo, who was in turn inspired by the French Revolution, was convulsed. The simultaneity of the revolution and turmoil in Mexico and the struggle with the *gringos* over the land masses between the two cultures gave the Mexicans the weaker side at the time when American expansionism was most aggressive, tumescing, in the lust called Manifest Destiny, all the way to the Pacific.

Texas is where the poorest large body of Mexicans are now in America, and Texas is where the twelve-years' war between the *gringos* and the Mexicans began. This war lasted from 1836, when Texas declared independence, until 1848, with the signature of the Treaty of Guadalupe Hidalgo between Mexico and the United States. Within that brace of years the Northern Europeans wrested from the Southern Europeans the vast part of the American continent now known as Texas, New Mexico, Colorado west of the Rockies, Arizona, Nevada, California . . . in short the Southwest. Even as governments took and yielded sovereignties, citizens took and yielded land titles; by sale, by fraud, and by theft, vast areas of the United States passed from Mexicans to Anglos. Only in recent years, in such studies as those by Clark Knowlton, professor of sociology at Texas Western College in El Paso, of the passing of the New Mexico lands into the hands of the Anglos, and in such work as that of Dr. Paul Taylor and Dr. William Madsen on the title history of the land in the "Nueces strip" between the Nueces River and the Rio Grande in Texas, has the extent of these private changes, underexisting the public changes, begun to be apprehended. The Anglos took the land from the Mexicans who were here first and made the Mexicans subordinate.

In the "Indian and Mexican Wars," the Texas Rangers played a role the Texans came to think of as heroic, and the Mexicans as diabolic. Riding into Mexico City in 1847, each with two pistols and with rifles in their saddles, the Rangers even then were to the Mexicans "the bloody Texans." Walter Prescott Webb, in a partisan but valued book, *The Texas Rangers,* (now handsomely reprinted by the University of Texas Press,) told the Rangers' story. In the *gringo*-Mexican border conflicts that continued into this century, men found their causes and their allies in variant ways, but as Dr. Taylor has observed, by some alchemy that dissolved the complexities of the facts the whole conflict came to be seen as racial.

Thus in our own lifetimes, Texas Mexicans are known to themselves, or to us if we are Anglos, as a subject people, "a minority," struggling, sometimes, for acceptance, and sometimes winning, and often losing.

Their first victory was getting schools. The first Texas-Mexican child was graduated from the segregated grammar school for Mexicans in Nueces County in 1904. In the 1930's in Texas, but mainly in California, Mexican Americans struck for unions in the fields, but they were put down like criminals, often with violence. The pecan-shellers' strike in San Antonio is a simplification and a symbol of that period. Their second victory was the reduction, generally speaking the elimination, of their separation in the schools, except as residential segregation still preserves this separation as a practical, although surrealistic, fact. Their next advance in standing—whether it was a victory is another matter—was their acceptance as "whites," instead of non-whites. The Census Bureau still classifies Indians as non-whites but Mexicans, although they are of Indian ancestry, are whites. Returning Mexican-American veterans of World War II attained some advances in job status and qualified, under the GI Bill, as professional people. This was the heyday in Texas of the American GI Forum under its founder, Dr. Hector Garcia of Corpus Christi. Finally, from South Texas, Mexicans began to be elected to legislative offices. Nothing better characterizes this trend, the trend of the fifties, than Henry B. Gonzalez of San Antonio, city councilman, state senator, Congressman from San Antonio, and confidante of the President.

The Mexicans in America have done the dirty work of the Southwest. They built railroads. They planted and harvested the crops, here and elsewhere as migrants. They washed the dishes and cooked the food and kept the houses and cut the grass, and they still do these things. Now most of them are city dwellers, and although the social cliche persists that they are mostly farm hands, stooping, constantly migrating, it is false. They get what odd jobs they can in the cities, or work in the fields out of their city dwellings, or ascend the teetery social ladders available to them, as best they can.

The waves of immigration from Mexico have been, themselves, the subject of many writers' study and many government bureaus' reports. In dramas too far and too many to imagine they have made their ways from Mexico into this, the promised land. The decades of the greatest migration were the twenties and the fifties. In the thirties there wasn't enough work and they were sent back or went back in droves. In the fifties a division within their ethnic ranks, between the Old Mexicans and American Mexicans, began to make more difference, even as some of their number were attaining conspicuous public office (a senator in New Mexico, another congressman in Los Angeles). In the summer of 1954 the wetbacks' invasion reached its peak, but so did the Border Patrol's drive against the invasion. In the lower Rio Grande Valley, bodies washed up on the banks of the river so often, an inch or two was all the Valley papers could spare each death, and sometimes two or three inches served to tell of the death of nine or ten when a raft had overturned. In McAllen a fenced-in detention camp was devised; captured, fed, herded together, by airplane, by railroad, and even by boat down the Gulf to Tampico the ragged, beat-down captives were sent back. But many came back again and again, and many stayed.

As the legalized wetback program, called the *bracero* program, supplanted those chaotic scenes, so that the farmers still got their cheap labor but the farce their needs made of the border was better masked, the national attention (what one might think of as the ardor of the current history,) passed to the Negroes, who were launching their heroic assaults against the Southern system. The Mexicans were watching, but in their turn they had a different style.

First, in 1963, there was Crystal City. The national furore over five Texas Mexicans being elected to the city council there was strange, when you think about it. Mexicans ran many South Texas counties and held many elected jobs. But there was something in the chemistry of the Crystal City situation that made it a "takeover"—perhaps it was the financial role the Teamsters played, perhaps it was the appeals to *la raza* and the racial lines the conflict mostly followed, perhaps it was the juiced-up fears of Anglos jumpy about the Negroes, perhaps it was the statue of Popeye the Sailor Man in that "Spinach Capitol of the World"—and Crystal City became a symbol of the potential *political* power of the Mexicans in the Southwest. This was the heyday of the Political Association of Spanish-speaking Organizations in Texas, PASO. But then the Texas-Mexican councilmen fell out with each other, and while they managed to improve the Mexican side of town before their helter-skelter downfall, they were put out by an ethnically mixed, but conservative slate. Stirring the rhetoric, blazing the belief, that "the sleeping giant will never sleep again," but it did; it slept.

Second, in these very recent times, Cesar Chavez showed how Mexican Americans can organize farm unions. Although, in a very plain sense, Chavez did it, the story is yet to be told in understanding sufficient to its complexity. He understood that historically Mexicans are suspicious of organizations and of politicians, who have been their oppressors and at the same time their *patrons.* He understood that most Mexicans are Catholics and that they psychic nexus is the family. To let a way of saying do the best it can, Chavez founded a family of workers, in which he was the person the others could count on to help them in the outside society still very strange to them. They struck the grape fields around Delano, California, with him, and marched to Sacramento with him, and won a contract with Schenley.

In Texas there has been an offshoot, the Starr County melon strike, started, a personal wildcat, by Eugene Nelson, who had been in the California strike with Chavez. Joined by churchmen, including many priests, and by Texas organized labor, the strikers marched to Austin, and their strike metamorphosed into a demand for a $1.25 minimum wage. Now the strike is being sustained by church, labor, and independent liberals, students from the University of Texas, a motley crew of idealists who are not sure that the strike can succeed but know it as a part of the great mid-century cause of the American poor. The strikers themselves, through their elected leaders, Domingo Arredondo, are asserting themselves more than they have before.

The Mexicans in Texas, the Mexicans in America, are fast becoming the favorite subject for study among sociologists, economists, political scientists, poverty warriors, and journalists. The fundamental work now being done is coming from the Mexican-American Study Project at UCLA, a Ford-funded series of reports, five of which are out in tentative form, on the Mexican-Americans of Texas, Colorado, New Mexico, Arizona, and California. There is so much data you forget it's about people. What it says, what it proves, is that the Mexicans are poorer educated than Negroes, but better paid than Negroes and that while they are segregated a lot from Anglos, they are not as segregated from Anglos as much as Negroes are. Much of the current research is devoted to the cultural differences that have kept the *mexicanos* apart, the language differences that have kept them out.

In the Observer earlier in this decade, educator Jacques M. P. Wilson announced, with the obvious facts, a major cause of the Mexicans' educational standing lowest among the ethnic groups. Mexican children in the main come to school not even knowing English, but they are then expected to *learn* in English. Teach them in both languages, Wilson declared. In educational circles this idea, so appalling in its simplicity, was taken up. The National Education Assn. has published a booklet, "The Invisible Minority," which is a Southwest-wide survey of the subject and passionately advocates the solution Wilson proposed, now named "bilingualism." While some experts believe that home television-watching is easing the problem, experiments in bilingual teaching are proceeding at various places, including in Webb County, and Wilson in San Antonio (where he is now chairman of the foreign languages department at Our Lady of The Lake College) and a group at the University of Texas have been given federal grants for pilot studies this summer.

Mexican students' educational problems are also being attenuated by the fact, (which one may see as a matrixial if not encompassing fact,) that the federal "war on poverty" is in sum the establishment of a supplementary federal educational system. War on poverty workers in the countless communities where they have been functioning attest that these programs are doing a lot of good. One may reasonably expect that their results will be reflected five, ten, fifteen years from now in fewer early Spanish-name dropouts, more high school Spanish-name graduates, more Spanish-name colleage students. But as these programs are radically cut back, and in some cases simply stopped, for lack of funds, this sanguine prospect falters.

This issue the Observer, through various writers, looks here, looks there, at Mexicans and this area. A fault in the idea of doing this is the fact that as individuals, though they have much in common they are each different, and that as an ethnic group they embody not only their own, but the whole nation's problems. Yet here they are, descendants of the Asiatic American Indians, Cortes and Montezuma, Pancho Villa, Anglo settlers, even the Texas Rangers: Mexicans, Texans, and Americans, wedded to and now responsible for the Manifest Destiny of which they were and still are victims also.

EXHIBIT 2

[From a developmental proposal submitted to the U.S. Commissioner of Education by the Department of Rural Education, National Education Association]

1. THE GENERAL PROBLEM

In the Southwestern states including Arizona, California, Colorado, New Mexico and Texas, there are four million Spanish-Americans who represent America's lowest level of educational attainment. Their number is roughly equivalent to the total population of the state of Minnesota, or Oregon, Montana and Nebraska together, and as large as the countries of Ghana or Guatemala. Along with their low level of educational attainment goes chronic unemployment, substandard living conditions, serious health problems, high rates of drop-out from schools and severe feelings of inferiority and futility associated with their role in American life.

Most of the adults in this group are bilingual but illiterate in both languages.

Their children are also bilingual and achieving literacy in English. The group is the product of the Spanish culture, a culture which appears friendly and comfortable to them. English is the language of the culture to which they hope to accommodate and also the culture from which they feel alienated.

The problems of the group include all of the inter-related complexities of low income, unemployment, migration, school retardation, low occupational aspirations, delinquency, discrimination and all of the problems that attend the intrusion of one culture upon another.

Related research

1. At the Mexican-American Workshop sponsored by Careers for Youth and the Mexican-American Community on January 18, 1963, Dr. Julian Samora of the Department of Sociology at the University of Notre Dame presented a paper on the magnitude and nature of problems of the education of the Spanish-speaking in the Southwest as revealed in the 1960 Census. He reported that:

"The 1960 U.S. Census enumerates 3,464,996 persons of Spanish surname in the five Southwestern states. If one takes into account the Puerto Rican migration to the U.S., the number of Spanish surnames in other states, the number of Latin Americans and the legal and illegal entrants across the Mexican border, the number of Spanish-speaking people in the U.S. is at least six million.

"From 1950 to 1960 there was considerable population movement and growth in the Southwest. Considering the Spanish-speaking only, Arizona increased 51%, California 88%, Colorado 33%, New Mexico 8% and Texas 37%. Of all the Spanish-speaking in the Southwest, 5% are in Colorado, 6% in Arizona, 8% in New Mexico and 41% each in Texas and California.

"Characteristics of the population such as income, employment, unemployment, housing and occupations reveal that in the most general terms more Spanish-speaking fall in lower categories than do the other groupings in the Southwest.

"Those people today who claim that the Spanish-speaking are unindustrious, unambitious, and do not 'take to education' need but to review the history of this population in the United States. The general situation is this: we find a people who came to this country in the (early) 1600's and 1700's; who established a folk society based on European traditions; who were isolated geographically and therefore culturally from the mainstream of western civilization; who lived a relatively 'slow' life based on agriculture and the seasons; who had no particular need for education as we know it today; who, when conquered, were not assisted by the conquerors to make an adjustment to the new society; and who, when faced with the competition of the dominant society, could do little but withdraw into further isolation. When educational facilities were finally established, the Spanish-Americans could not be expected to flock to the institutions since essentially these were not an integral part of their culture. Even today, although facilities are generally adequate, the consequences of the long historical tradition are evident.

"This whole picture for the Southwest was compounded by the influx of a large number of immigrants (generally speaking, peasant, rural, uneducated, of lower social-economic status) from Mexico who also did not have the tradition of public education in their background. The latter immigrations, however, faced not only the same general problem of the previous group, but on top of it was heaped the scourge of discrimination and segregation. Segregation in educational facilities has been well documented, particularly for the State of Texas, where, in many instances, three public school systems have been maintained; one for the Mexican, one for the Negro, and one for the Anglo. In many areas of New Mexico and Colorado discrimination was not so flagrant. Many communities have had their 'Mexican rooms' for years and years. This is segregation on pseudo-pedagogical grounds, the reasoning being that children who come to school who are Spanish-speaking should be placed in a room by themselves in order to learn English. One community in Colorado had such segregation through the first four grades as late as 1950. A neighboring community in southern Colorado just abandoned their 'Mexican room' last year after pressure was brought about by the local Spanish-speaking citizenry."

The Table given below for the median years of education completed shows the large disparity of educational attainment existing between the Spanish-speaking and the rest of the population. It also shows that, in many cases, the Spanish-speaking are even at a lower educational level than the nonwhite.

Medians for years of school completed, Spanish surname, all white, nonwhite, 5 Southwestern States, 1950 and 1960

State	Spanish surname		All white		Nonwhite	
	1950	1960	1950	1960	1950	1960
Arizona	6.1	7.0	10.6	11.7	5.5	7.0
California	7.6	8.6	11.8	12.1	8.9	10.5
Colorado	6.4	8.1	10.9	12.1	9.8	11.2
New Mexico	7.4	7.7	9.5	11.5	5.8	7.1
Texas	3.6	4.7	9.7	10.8	7.0	8.1

"The biggest problem to date in the Spanish-speaking community with regard to education is the drop-out problem. In the United States formal education has been considered important for enlightened citizenship and in recent years education has also become the foundation for occupational opportunities and related socio-economic status.

"Among the Spanish-speaking the optimum conditions for the pursuit of educational endeavors have seldom existed. The most common barriers have been inadequate facilities, forced segregation, cultural factors (language handicaps, little value placed on educational achievement, etc.), low socio-economic status and a lack of enforcement of the laws by local officers. The results have been that over the years Spanish-speaking children have either not attended school, have attended irregularly, have dropped out sooner, or have received an inferior education."

2. In the July 20, 1963, issue of the *Saturday Review*, Charles Calitri, a novelist and professor of education at Hofstra University, in an article entitled "Language and the Dignity of Youth" observes that:

"Wherever there is a congregation of people, isolated for one reason or another from the main culture, language seems to become a weapon and a wall, a bulwark for the preservation of dignity and self. It does not begin that way. Language starts with the need of men to go beyond the communion of existence, where eyes and nose and skin are sufficient to carry identifying messages to the brain so that a man knows where he is and what he feels. Language begins out of a necessity to express what is inside the self and to communicate it to someone outside the self. And when there are many men living in the same time and place, who by their living together, are forced to share burdens, to witness experiences in concert, to react to outer dangers as a group, language becomes the means of survival. Further developed, it becomes an art form of a people, by which they reveal to one another, and ultimately to succeeding generations, whatever secret and irrepressible emotions and ideas have come to be out of the activity of nerves and glands and brain.

"It is here that language becomes the personal property of the individual, and of the group of men and women, setting them aside as persons and as people. And because language does belong to a man, we dare not take it away. We may not demand that it be supplanted with another language, nor be suppressed, nor ridicule it. Those are destructive ways.

"One of the dangerous by-products of the attempt to raise the 'cultural' and educational levels of those who are different is that, in the desire to make them over, our teachers strip them of dignity, of individuality and self. Rather should we respect the native language as part of the human being and perhaps ask that our language be added. But such a reversal of method will occur only if the reasons for it are understood and accepted.

"It is because they sense that the possession of a language that they do not have to share with outsiders sets them apart, gives them characteristics which are individual and uncommon and belong to them alone. The language of a minority group has the same relationship to the establishment of a sense of self as the identifying club jacket has for the teen-age club or gang.

"The child has a reality which is the life he is living. He has himself and the world outside of himself, which he takes in through his senses and refashions in his brain according to whatever has happened to past experiences and sensations when they become a part of his inner universe. If we would be effective in our school communication with him, then we must admit the reality of that self to our classrooms and hold it inviolate. We cannot present the child with a school world that is totally different from anything he knows and expect him to enter it in comfort.

"We have to understand the fact that, to be culturally different is not to be devoid of culture, and that children of Negro families, Mexican families, uneducated families, bookless families, and houseless families are still unique selves with a sense of belonging to whatever group is theirs. They, too, have family relationships.

"And finally we have to understand that many of the children who sit in our classrooms are possessed of shattered dignity, frightened selves, and hostility too deep to be seen in their eyes. They have learned long ago that one can hide things from a people that has not yet discovered how to look at other people and know what they are seeing.

"These are the ones that we and our teachers must cultivate, must help to develop a trust in us that they justifiably do not have. Until we have recognized that the values by which they have lived are often in direct contrast to the values of our society, and that their languages reflect those differences and until we are able to accept behavior, however strange and perhaps anti-social from our point of view it may be, we can never hope to help. And helping means not changing, not making them shed what they already have, but adding to it the knowledge they will need to live their individual lives with others who are culturally different from them."

3. In Merced, California *The Merced City School District Spanish Program for Spanish-Speaking Students* reported that any program which attempts to teach Spanish to the Spanish-speaking will have to be oriented to the specific needs of native speakers of Spanish. If such a child were placed in a Spanish language program geared to non-Spanish-speaking Anglos, he would be quickly bored and disillusioned. The Latin child would probably have considerable Spanish-speaking and comprehension skills, although he might be speaking grammatically incor-

rectly, mispronouncing many words, possessing limited speaking and understanding due to restricted experience background, and having only nominal Spanish reading or writing skills.

These pupils often have a very low educational aspiration level, possibly because their parents often have a limited ambition for them, and because they do not envision future job opportunities in relation to their success in education. These compounded needs plus the rejection of the culture of their ancestors by many, result in a high percentage of "drop-outs" during the high school years. As a result, job opportunities and future earning potential are very limited for them.

The usual oral-aural method of instruction in Spanish language is meeting few of their needs. Some adjustments might be accomplished in Spanish instruction which would help meet at least some of the needs of some pupils. There is a need for studying this problem and providing possible solutions for the benefit of other schools.

4. For an overview of research related to the education of bilingual children see Appendix A "Education of Native-Born American Bilingual Children" a position paper by B. Gaardner.

EXHIBIT 3

[Published by the National Education Association]

I AM A MEXICAN

While a majority of the Spanish-speaking people in the Southwest were born in this country and are citizens of the United States, they tend to be regarded both by themselves and others as Mexicans. The term Mexican-American would be more nearly accurate. More important than technicalities, however, is how they feel . . . how they regard themselves.

ME

To begin with, I am a Mexican. That sentence has a scent of bitterness as it is written. I feel that if it weren't for my nationality I would accomplish more. My being a Mexican has brought about my lack of initiative. No matter what I attempt to do, my dark skin always makes me feel that I will fail. Another thing that "gripes" me is that I am such a coward. I absolutely will not fight for something even if I know I'm right. I do not have the vocabulary that it would take to express myself strongly enough.

Many people, including most of my teachers, have tried to tell me I'm a leader. Well, I know better! Just because I may get better grades than most of my fellow Mexicans doesn't mean a thing. I could no more get an original idea in my head than be President of the United States. I don't know how to think for myself.

I want to go to college, sure, but what do I want to be? Even worse, where do I want to go? These questions are only a few that trouble me. I'd like to prove to my parents that I can do something. Just because I don't have the gumption to go out and get a job doesn't mean that I can't become something they'll be proud of. But if I find that I can't bring myself to go to college, I'll get married and they'll still get rid of me.

After reading this, you'll probably be surprised. This is the way I feel about myself, and nobody can change me. Believe me, many have tried and have failed. If God wants me to reach all my goals, I will. No parents, teachers, or priests will change the course that my life is to follow. Don't try.

This was a paper turned in by a 13-year old girl for an English assignment in the eighth grade of a school in one of the Southwestern states. The assignment was to write about "Me." The melancholy tone of the essay would suggest that the youngster was a "loner"—obscure, unattractive, not very popular. But no. She was attractive, articulate, an honor student, member of the band, outstanding in girls' athletics, popular among her fellow students, admired by her teachers. "She never *seemed* to be a child with a problem," remarked one of the teachers, in some puzzlement, after reading "Me."

The problem can be stated plainly and simply: The young girl who wrote that essay was Mexican-American. If she, with all her advantages, felt that her lot inevitably would be failure, how must thousands of other Mexican-American children—many of them less endowed physically and intellectually—view their own prospects?

THREE HUNDRED AND FIFTY-SEVEN YEARS OF HISTORY

To understand the problem fully, we must understand how it came about. The first white people to migrate into what is now the American Southwest were Spanish-speaking. They came by way of Mexico during the period of Spain's colonial expansion and settled portions of the Southwest even before the founding of the Plymouth Colony. Plymouth was established in 1620, but the first Spaniards settled at Santa Fe, New Mexico, a full 11 years before that—in 1609. By 1680 there were some 2,500 Spanish-speaking settlers in what we now call New Mexico. By 1790 there were an estimated 23,000 Spanish-speaking people in the five Southwestern states covered by this study area. Indeed, the white population of the Southwest—what there was of it—was practically all Spanish. New Mexico had the largest concentration.

But soon after the 13 colonies gained their independence from England, the migration of English-speaking Americans into the Southwest began. Mexico, its own independence newly-won from Spain, encouraged such migration. This vast Southwestern area, stretching from the western border of Louisiana to the Pacific, belonged to Mexico. She was anxious to see it settled and developed, and few Mexican colonists were moving there. So the government of Mexico granted large blocks of land to contractors who would bring in colonists. The response was large and prompt. By 1835 there were 25,000 to 35,000 American farmers, planters and traders in Texas, and more were on the way.

The deluge dismayed Mexico and she tried to check it. Land grants were cancelled. The Texans became irked, and in 1836 they revolted against Mexican over-lordship and won their independence. Shortly afterward Texas was admitted to the Union. A dispute broke out between the U.S. and Mexico over the southwestern boundary of Texas. The result was the Mexican War and the loss by Mexico of nearly all that remained of her Northernmost empire. To the U.S. were ceded much of New Mexico, most of Arizona, the future states of California, Nevada and Utah, and parts of Colorado and Wyoming. Five years later the Gadsden Purchase added a strip of land between the Gila River and the present southern boundary of Arizona and New Mexico, completing the American acquisition of what is now the Southwest.

ALIEN AND ALIENATED

Thus, by one of history's ironies, the majority became a minority. Spanish-speaking people who had been the first whites to settle the Southwest became, if not an alien group, an alienated group. They were Americans, yes, but with a language and culture different from the language and culture of the region in which they found themselves. On both sides feelings had been exacerbated by the war.

Nationalistic passions have long since cooled. Mexico and the United States live side by side in peace. But in the Southwest a cultural and linguistic gulf still exists between Mexican-Americans—the "invisible minority," as they have been called—and Anglo-Americans. "Unlike the immigrant from Europe," says John M. Sharp, Professor of Modern Languages at Texas Western College, El Paso, "(the Mexican-American) is by no means willing to abandon his ancient cultural and linguistic heritage, in which he takes—however inarticulately—traditional pride, to accept the cultural pattern common to native speakers of English in our nation. His position may, perhaps, be compared to that of the Greeks in Sicily, who, though citizens of a Latin-speaking area, have maintained their language and mores for some 23 centuries." Thus the strong assimilationist impulses of other immigrant groups—Jewish, Irish, Italian, etc.—are not so conspicuous among the Mexican-Americans. Nor are all Mexican-Americans possessed of the strong materialistic drive—the "individual success psychology," as one authority has put it—of so many Anglo-Americans.

THE LEGACY OF POVERTY

There is another factor which makes the gulf difficult to bridge—which to a considerable extent keeps the Mexican-American an "outsider" in his own land. It is the fact that so many immigrants from Mexico were well down on the economic scale when they came to this country. They were, in the main, unskilled and semi-skilled laborers, dissatisfied with conditions in Mexico, hoping that in the North they would be able to improve their lot. And, as is so often the case, first-generation immigrants tended to bequeath their poverty to the generations that come after them.

Thus we find poverty far more prevalent among Mexican-Americans than among Anglo-Americans. In all five Southwestern states, the average income of white people with Spanish surnames is well below that of the general population, as the following table illustrates:

Frequency of low and high family incomes in the Southwest (census of 1960)

[In percent]

	Families with incomes under $1,000		Families with incomes under $3,000		Families with incomes of $10,000 or more	
	General population	White-Spanish surname population	General population	White-Spanish surname population	General population	White-Spanish surname population
Arizona	5.9	7.2	21.3	30.8	14.4	4.6
California	3.3	4.5	14.1	19.1	21.8	10.8
Colorado	3.5	6.4	18.3	35.0	14.6	4.8
New Mexico	6.9	11.3	24.4	41.5	14.3	4.5
Texas	7.6	13.6	32.5	51.6	11.8	2.7
Southwest	4.9	8.8	21.0	34.8	17.6	6.6

LOW ACHIEVERS—DROPOUTS

An almost inevitable concomitant of poverty is low educational achievement. Herschel T. Manuel, in his definitive book, *Spanish-Speaking Children of the Southwest: Their Education and the Public Welfare*

(*University of Texas Press, Austin, Texas*), reports that one-sixth of the school-age population of the five Southwestern states is Spanish-speaking. Yet, he notes, the proportion of school dropouts among the Spanish-speaking is far higher than one-sixth. California made a study of the educational disparity between the Mexican-American and his fellow citizens as of 1960. It found that the level of education reached by that part of the population bearing Spanish surnames was well below the level of the total population and even below that of the non-white population. More than half of the males and nearly half of the females 14 years old and over had not gone beyond the eighth grade. By contrast, only 27.9 percent of the males and 25 percent of the females over 14 in the total population had not gone beyond the eighth grade. A little over 72 percent of the males in the total population and 75 percent of the females had completed one or more years of high school, but only 48.5 percent of the males and 52 percent of the females of Spanish surnames had done so. In the total population, 23.4 percent of the males and 19.4 percent of the females had completed one or more years of college. But no more than 8.8 percent of the Spanish-surnamed males and 6.2 percent of the females had reached that educational eminence.

Why does the Mexican-American youngster drop out of school in such large numbers? For an answer, we need to look at his performance while he is still in school. Again California supplies us with some vital clues. An analysis of achievement tests was made in the Lindsay Unified School District of Lindsay, California, a city of 5,500 located about midway between Fresno and Bakersfield. It is an agricultural community with a high proportion of Mexican-Americans. The analysis showed that in all the educational fundamentals—reading, arithmetic and language—Mexican-American children lagged far behind the Anglo-Americans, as measured by the California Achievement Tests.[1] In reading, 63.9 percent of the Mexican-American children were below grade level compared to 27.3 percent of the Anglo-Americans. In arithmetic, 38.7 percent of the Mexican-Americans were below grade level, compared to 20.8 percent of the Anglo-Americans. In language, the comparative percentages were 55.5 and 30.6. Total battery: 53.4 percent of the Mexican-Americans below grade level; 28.1 percent of the others.

Said the Lindsay report: ". . . These children (Mexican-Americans) start school with a decided handicap, fall behind their classmates in the first grade, and each passing year finds them farther behind. They are conditioned to failure in the early years of their schooling and each passing year only serves to reinforce their feelings of failure and frustration. Is it any wonder that as soon as they are 16 or can pass for 16, they begin dropping out of school?"

A FORM OF MASOCHISM

That question having been asked, we need then to ask another and more significant question: Is there something inherent in our system of public schooling that impedes the education of the Mexican-American child—that, indeed, drives him to drop out? And the answer, unhappily, must be yes. A. Bruce Gaardes, Specialist in Foreign Languages with the U.S. Office of Education, stated it well in a report which he presented at the second annual conference of the Southwest Council of Foreign Language Teachers, November 13, 1965, at El Paso, Texas: ". . . The greatest barrier to the Mexican-American child's scholastic achievement . . . is that the schools, reflecting the dominant view of the dominant culture, want that child to grow up as another Anglo This he cannot do except by denying himself and his family and his forebears, a form of masochism which no society should demand of its children." Dr. Manuel puts it another way: "Ironically, the child who enters school with a language deficiency and the cultural deprivation of long-continued poverty is often made unbearably aware of his disadvantages. School is supposed to help him solve these problems; instead it convinces him that they are beyond solution."

THE SPANISH-SPEAKING HOME

Let us see what happens to the average Mexican-American child when he starts school. He comes to school speaking Spanish. He knows some English but has used it infrequently. The language of his home, the language of his childhood, his first years, is Spanish. His environment, his experiences, his very personality have been shaped by it.

To understand how totally Spanish the background of such a child may be, consider the results of a study made in 1965 in San Antonio, Tex., and reported to the El Paso conference of foreign language teachers. Six hundred Mexican-American adults were interviewed in San Antonio, and it was found that 71 percent of husbands and wives spoke only Spanish to each other. Among the grandparents, 94 percent spoke only Spanish to their children and 89 percent spoke only Spanish to their grandchildren.

Understandably, therefore, the child from this Spanish-saturated environment, once embarked on his school career, finds himself in a strange and even threatening situation. The language of instruction is English. Yet English, as John M. Sharp expressed it at the El Paso conference, may be "no less a foreign language to him than it would be to a child from Argentina or Columbia. He suddenly finds himself not only with the pressing need to master an (to him) alien tongue, but, also at the same time, to make immediate use of it in order to function as a pupil. His parents, to whom he has always looked for protection and aid, can be of no help at all to him in his perplexity. Moreover, as a result of cultural and economic differences between the English-speaking and Spanish-speaking segments of his community, many of the objects, social relationships and cultural attitudes presented to him in his lessons, though perfectly familiar to an Anglo youngster, lie without the Latin American's home experience. Accordingly, the problem of learning English is, for him, enormously increased by his unfamiliarity with what objects and situations the no less unfamiliar words and phrases stand for."

BARRIERS AND BASTIONS

Even in schools with an almost totally Spanish American enrollment—schools which are for all practical puropses *de facto* segregated—textbooks and curricula used are often the same as in schools with a large Anglo-American majority. As Professor Sharp tells us: "The three R's are taught in English from the first grade up, and *no cldsses specifically with English as a foreign language are offered*. Operating under such unrealistic conditions (which appear to have been devised by people who seemed to believe that if they paid no attention to the problem it would go away), conscientious teachers and administrators have done the best they could for their students. Subject matter is watered down and used as a means to teach English. During the two or three years of primary school while the pupil is acquiring a minimal knowledge of English, he falls seriously behind his English-speaking contemporaries in other phases of the curriculum. This loss in subject-knowledge is seldom made up by the time he enters high school, where he finds himself unable to compete scholastically with his Anglo-American schoolmates."

The Mexican-American child encounters not only linguistic barriers but psychological barriers. One of the working committee reports developed at the El Paso conference described them in these words: ". . . A sudden immersion in English at six years of age, especially in an environment which lacks the plasticity and warmth of human relationships found in the home, occurring at the same time that new demands of work and discipline are made, may create psychological barriers almost instantaneously which will not disappear in a lifetime. The teacher may sense the presence of these barriers and may react by putting up barriers of his own, unconsciously attempting to compensate thereby for his sense of inadequacy in dealing with the child. The result may be that the Spanish language becomes a refuge into which the child retreats at every opportunity, and the Spanish-speaking community a bastion of defense against the outside world."

THE LAWS OF THE ANGLOS

In most states, the schools are actually mandated by law to make English the language of instruction. An appropriate comment on this type of law was forthcoming recently from Charles Olstad, Assistant Professor of Romance Languages at the University of Arizona: "I had always thought such a law archaic, a carry-over from early days of benighted ethnocentrism, a distorted form of super-patriotism which saw anything non-English as a threat to the nation." In some schools the speaking of Spanish is forbidden both in classrooms and on the playground, except, of course, in classes where Spanish is taught. Not infrequently students have been punished for lapsing into Spanish. This has even extended to corporal punishment. A member of our Survey team tells of one school at which such punishment was dealt out to children who lapsed into Spanish despite the fact that 99 percent of the school's enrollment was Mexican-American! The obvious theory is that a child will learn English if he is required to speak English and nothing but English, at least during those hours of the day when he is in school. "If you want to be American, speak American," he is admonished over and again.

FITTING THE STEREOTYPE

Nor is it only a different language that the newly-arrived Mexican-American child encounters. He also encounters a strange and different set of cultural patterns, an accelerated tempo of living and, more often than not, teachers who, though sympathetic and sincere, have little understanding of the Spanish-speaking people, their customs, beliefs and sensitivities. He is given an intelligence test in which language and cultural and socio-economic background are depressing factors. He may have fully as much intellectual potential as his Anglo-American classmates, but he shows up on the test as a "low achiever." He tends thus to become stereotyped in the eyes of the adults whose lives impinge on his. All of them—teachers, administrators, even parents—expect little of him, and he usually measures up (or down) to their expectations.

If he knows little or no English, he may be placed in a special class with other non-English-speaking children for a year and then "promoted" to the first grade the following year. But that means he must go through school a year behind other children of his age, and this embarrasses him.

Even if he speaks both English and Spanish, he may be only nominally bilingual—not truly so. He may have, as he often does, a low level of literacy in both languages. He watches television at home, as do his Anglo-American schoolmates. He listens to the radio. Soon he is speaking a language which is neither Spanish nor English but a mixture of the two—a kind of linguistic hybrid. He doesn't speak English correctly and he doesn't speak Spanish correctly.

There is something sadly paradoxical about the schools' well-meaning effort to make the Mexican-American child "talk American"—to eradicate his Spanish. For they are at the same time working strenuously to teach Spanish to the Anglo-American student, acclaiming the advantages of being able to communicate fluently in a language other than one's own. The National Defense Education Act is providing funds to schools to strengthen the teaching of modern foreign languages as well as mathematics, science, and other subjects. And so, while they strive to make the monolingual student bilingual, they are making—or trying to make—the bilingual student monolingual.

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[1] The test result analysis for Lindsay, California, was compiled by John Bishop, 6th grade teacher.

COMPULSION BREEDS WITHDRAWAL

The prohibition against speaking Spanish leads to some curious situations. For one thing, the school cannot enforce it. Or, rather, it cannot accomplish what the rule is intended to acomplish, which is the universal speaking of English. "Obviously," says James Burton, who teaches English and speech to Mexican-American students at Jefferson High School in El Paso, Texas, "it is impossible to make a person speak a language. Any teacher in control of his classroom can prevent his students from speaking Spanish, but the result is likely to be a thundering silence; it is certainly no guarantee that fluent, idiomatic English will gush forth like the water from the biblical rock. Arrogance or even thoughtlessness in enforcing such a regulation is easily self-defeating. If the student is somehow left with the feeling that the person doing the enforcing is belittling him in an alien language for his normal use of his own language, bitter resentment is sure to ensue. Punitive measures in this case are only too likely to prove ineffectual under most circumstances. After all, few students speak Spanish as a deliberate act of defiance."

John M. Sharp of Texas Western remarks, too, on the absurdity of a dictum that says a teacher facing a class of Spanish-speaking youngsters may never use an occasional word of Spanish to clarify a point. Yet it may be perfectly clear, he observes "that the point being made is not 'getting across' in English." And he adds, "It should be noted here, to the credit of teachers, that conscientious instructors frequently violate this prohibition."

THE DAMAGED SELF-IMAGE

The harm done the Mexican-American child linguistically is paralleled—perhaps even exceeded—by the harm done to him as a person. In telling him that he must not speak his native language, we are saying to him by implication that Spanish and the culture which it represents are of no worth. Therefore (it follows) the people who speak Spanish are of no worth. Therefore (it follows again) this particular child is of no worth. It should come as no surprise to us, then, that he develops a negative self-concept—an inferiority complex. If he is no good, how can he succeed? And if he can't succeed, why try? Suddenly the full import of the essay about "Me"—the poignant outcry of the Mexican-American girl who "never *seemed* to be a child with a problem"—becomes crystal clear.

"Somewhere along the way," says Marcos de Leon, School-Community Coordinator of the Los Angeles Public Schools and member of the board of the Latin-American Civic Association and the board of the Council for Mexican Affairs of Los Angeles, "the Mexican-American must make a stand and recognize the fact that if there is to be progress against those barriers which prevent and obstruct a more functional citizenship, he must above all things retrieve his dignity and worth as a person with a specific ethnic heritage, possessing a positive contribution to civilization. No man can find a true expression for living, or much less think right, who is ashamed of himself or his people."

At a Mexican-American seminar held in Phoenix in 1963, Daniel Schreiber, then Director of the NEA's Project Dropout spoke of the need of young people to "achieve confident self-identity." "The youngster," he said, "whose school experience begins and ends in failure—and those of minority children too often do—having discovered that he is good *at* nothing, stands a strong chance of becoming food *for* nothing. And far too many young lives, with all the potentials and real talents and capabilities they embody, are being wasted and crushed. The challenge is to redeem them, through inventiveness and energy and dedication."

This is the challenge that the public schools face in the education of tens of thousands of Mexican-American children in the five Southwestern states. It is a challenge which, with an appropriate approach and sound techniques, can be fully and triumphantly met. We believe these techniques are at hand.

EXHIBIT 4

[From Progress Report, November 1966, Mexican-American study project, UCLA]

THE EDUCATIONAL GAP IS NARROWING

Analysis of Census data on the educational attainment of the Spanish-surname group in the Southwest has unearthed evidence of unquestionable progress. Most of the previous work on this subject has dwelt on the generally low attainment in formal schooling shown by the Spanish-surname population as a whole. By doing so, it has overlooked signs of advance that become visible when the data are analyzed in detail and especially by age groups. The following report presents findings derived from work currently going forward at the Mexican-American Study Project.

As shown in Table 1, the schooling gap is indeed enormous when the adult population (25 years and over) is considered. In 1960 adult Mexican-Americans on the average had 7.1 years of schooling as against 12.1 for Anglos and 9.0 for nonwhites. If the Anglo record is taken as a norm, the gap for Mexican-Americans was 5 years, or 41 percent below the Anglo. Even this represents an improvement over the 1950 condition when the gap was 5.9 years or 52 percent. More importantly, the record is far better for the younger generation (14 to 24 years of age) than for the adult population.

TABLE 1.—*Median years of school completed by Spanish-surname persons compared with other population groups, various age classes, Southwest, 1960 (males and females combined)*

Age group	Anglo	Spanish surname	Nonwhite	Spanish surname-Anglo gap	
				Years	Percent
14 years and over	12.0	8.1	9.7	3.9	32
14 to 24	11.3	9.2	10.6	2.1	19
25 and over	12.1	7.1	9.0	5.0	41

INTERGENERATIONAL DIFFERENCES

The younger generation of Spanish-surname persons had substantially more years of schooling to its credit than the adult group—9.2 years on the average. The gap between Anglo and Spanish-surname education for the younger age class was only 2.1 years, or 19 percent. A similar intergenerational difference, it may be noted, is observed for nonwhites. Its significance is highlighted by the fact that Anglos of 25 years and over have a higher educational attainment than those of 14 to 24 years. The reverse is true for the two minority groups despite the fact that the schooling of persons in the 14–24 age class had as yet been incomplete in many cases.

That the educational record of Mexican-Americans generally improves with youth rather than age is also demonstrated by the accompanying chart. Taking completion of high school as a yardstick, we see that 25 percent of those in the 20–24 age bracket has reached this stage of educational preparation. The corresponding figures are about 18 percent for the 25–34 age group, 14 percent for the group 35 to 44 years of age, 7 percent for those 45 to 64 years, and barely 4 percent for the group 65 years and over. A similar trend is observed for those who had attended (though not necessarily completed) college: 9 percent in the 20–24 age group, a little over 8 percent of the 25 to 34 group, nearly 7 percent in the next oldest group, but only a little over 4 percent of the 45–64 age class, and barely 3 percent in the oldest age group.

RURAL GAP LARGER THAN URBAN

Data on school enrollment confirm the evidence of intergenerational progress. These data clearly depict a current condition of 1960 rather than a cumulative statistic such as the number of school years completed. As shown in Table 2, the percentage of Spanish-surname persons of 5 to 34 years enrolled in school in 1960 was only a little lower than the Anglo and about the same as the nonwhite figure. However, the gap was larger in rural than in urban areas.

TABLE 2.—*School enrollment of Spanish-surname persons compared with other population groups, Southwest, 1960*

[Number enrolled as a percent of all persons 5 to 34 years of age, males and females combined]

	Total	Urban	Rural
Anglo	53.2	53.2	53.3
Spanish surname	51.2	51.7	49.4
Nonwhite	51.4	51.0	52.6

The research now being completed includes further detail for the five states comprising the Southwest, schooling data by sex, and differences between urban and rural areas. It comes as no surprise that Texas emerges as by far the "worst" state and California as the "best," and that Mexican-Americans (as well as others) in rural farm regions have the lowest educational preparation. In light of conventional notions about the role of females in traditional Mexican culture, though, it may come as a surprise to learn that the average schooling of Spanish-surname males and females was equal in both 1950 and 1960.

ETHNIC ORGANIZATIONAL EFFORTS

The main point of the analysis, however, is the evidence of improvements among the younger generation. Progress has in all likelihood continued since 1960, although it cannot be documented at this time. The advance is especially significant in view of the fact that Mexican-American spokesmen tend to consider the educational gap to be the most important barrier to the progress of their group. Also, ethnic organizations have increasingly devoted themselves to efforts to narrow the gap. As the Project's Advance Report 1 has shown, there is no straightforward relationship between formal schooling and income for disadvantaged minority groups. Nevertheless, it remains true that better education tends to open the door to better jobs and occupations and to improve people's earning capacity. From this viewpoint, the final report will examine the forces at work in the Spanish-surname group and in the larger society that account for the improvements already achieved as well as for the still remaining gap.

There is no room for complacency. Although the educational gap has narrowed, progress has been agonizingly slow and needs to be accelerated. For example, schooling of Mexican-American children typically begins later than for the general child population; and school enrollment differentials between the Mexican-American and the total population widen substantially at the high school level, reflecting the much discussed problem of "dropouts." Nevertheless, it is encouraging to note that the current efforts to improve the educational standing of this disadvantaged minority have a firm basis in some progress during a period when practically no federal aids were available and the ethnic community was not yet fully geared to the task.

DISASTER RELIEF AMENDMENTS ACT, 1967

Mr. BAYH. Mr. President, many of us were gratified with the enactment by the last session of Congress of Public Law 89-769, the Disaster Relief Act of 1966. The original impetus for this law came from the realization by a large number of Senators, following devastating tornados and floods during the spring of 1965, that there was need for a comprehensive approach to major disaster relief. In my State alone on Palm Sunday, 138 persons were killed, over 1,300 were injured, and huge property losses were inflicted in a few hours by a rash of tornadoes. Suffering and loss in surrounding States likewise reached catastrophic proportions.

It soon became clear that, while Congress had enacted legislation authorizing fairly adequate assistance for damages incurred by the public sector, little permanent relief had been provided to help private citizens whose homes, businesses and families undergo the havoc wrought so frequently by major disasters. Although special relief had been provided by Congress for a number of particular areas following major disasters, such as the Alaskan earthquake and the Northwest floods, adoption of these measures usually meant many months delay before substantial aid could be made available. In addition, it seemed to be neither expedient nor systematic for Congress to be confronted with separate relief bills which were forced to run the gamut of the legislative process every time a major disaster occurred. As a consequence, the thrust of S. 1861, which I introduced on April 30, 1965, with more than 40 cosponsors, proposed a comprehensive revision of the basic disaster laws designed to bring meaningful Federal assistance to disaster sufferers on a more or less standby, yet permanent basis.

Although S. 1861 was passed on July 22, 1965, by the Senate in the form reported by the Public Works Committee, an amended version was not adopted by the House of Representatives until October 17, 1966. The law, as finally approved, did retain, with some minor changes in language, most of the provisions in S. 1861 which dealt with loan adjustments, disaster warnings, assistance to unincorporated communities, restoration of public facilities, and nonduplication of benefits. An excellent new section was added by the House of Representatives to provide help for higher education facilities damaged in major disaster areas. Other new sections authorized an extension of time for fulfilling requirements in certain public land matters, directed the President to plan and coordinate, through the OEP, all major disaster assistance, and ordered a study to be made of the additional or improved air operational facilities needed to prevent or minimize losses from forest fires or grass fires.

Unfortunately, however, a number of rather significant portions of the bill were not included in the version approved by the House. For instance, in the Federal loan adjustment section the provision that disaster loans for homeowners up to $30,000 and for business concerns up to $100,000 could be made without regard to whether or not the required financial assistance might be provided by private sources was eliminated. Similarly dropped from the final act were sections authorizing a new cost-sharing program for assistance to disaster victims under which States which develop comprehensive disaster relief plans would be eligible for Federal grants up to 50 percent of the losses sustained in major disasters, with the State governments and individual owners each assuming 25 percent of the cost.

Other sections deleted by the House of Representatives were those which authorized providing shelter for victims whose homes have been made uninhabitable by a major disaster and a new grant system to help farmers restore lands to cultivation and to replenish livestock herds. Likewise, sections which would have provided special assistance in disaster areas for the repair or reconstruction of all public highways and bridges, whether or not originally built with the aid of Federal funds, were not included in the final act. In addition, the terms of a section which would have authorized appropriation of funds to aid the repair, reconstruction or restoration of disaster-damaged public works previously authorized by an act of Congress, were so modified in the final law that it may not now provide the full coverage intended.

Because the bill was passed by the House near the end of the last session, there was not sufficient time to seek restoration of these provisions in conference. However, in my opinion, Mr. President, the omission of these key parts of the original bill, which were adopted by the Senate without dissent, warrant an effort to have them reconsidered. Consequently, I am today introducing, for myself and 26 other Senators, the Disaster Relief Act of 1967, comprising those portions of S. 1861 which were eliminated by the House of Representatives. I ask unanimous consent that the bill, together with a brief summary of and comment on what the bill would do, be printed at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the Record.

The bill (S. 438) to provide additional assistance for areas suffering a major disaster, introduced by Mr. Bayh (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 348

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Disaster Relief Act of 1967".

DEFINITIONS

Sec. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

Sec. 3. (a) In the administration of the disaster loan program under section 7(b) of the Small Business Act, any application for a loan thereunder in an amount of $30,000 or less in the case of a homeowner, or $100,000 or less in the case of a business concern, may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the required financial assistance is otherwise available from private sources.

(b) In the administration of subtitle III of the Consolidated Farmers Home Administration Act of 1961, relating to emergency loans, any application for a loan thereunder in an amount of $30,000 or less may be granted, if such loan is for the repair, rehabilitation, or replacement of property damaged or destroyed as the result of a major disaster, without regard to whether the Secretary of Agriculture finds that the required financial assistance can be met by private, cooperative, or other responsible sources (including loans the Secretary of Agriculture is authorized to make or insure under any other provision of law).

GRANTS TO STATES FOR ASSISTANCE TO HOMEOWNERS AND BUSINESSES

Sec. 4. (a) The President is authorized in accordance with the provisions of this section to provide assistance to the States in developing and carrying out comprehensive and practicable programs for assisting homeowners and business concerns suffering property losses as the result of a major disaster. For the purposes of this section, the term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(b) From the sums appropriated pursuant to subsection (i) the President is authorized—

(1) to make grants to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing a program referred to in subsection (a): *Provided,* That the total grants made to any State under this paragraph shall not exceed $250,000; and

(2) to make grants to any State, upon the basis of an approved State plan, to pay not to exceed 50 per centum of the cost of carrying out such a program.

(c) Any State desiring to participate in the grant program under paragraph (2) of the preceding subsection shall designate or create an agency which is specially qualified to administer such a disaster relief program, and shall, through such agency, submit a State plan which shall—

(1) set forth a comprehensive and detailed State program for assistance to homeowners and business concerns suffering property losses as a result of a major disaster;

(2) specify that the homeowner or business concern will assume 25 per centum of the property loss sustained by it as a result of such a disaster, and the State will agree to pay 25 per centum of such loss;

(3) provide that no homeowner or busi-

ness concern shall be eligible to participate in such a State program unless the damage to the property of such owner or concern resulting from such a disaster exceeds 5 per centum of the value of such property prior to such a disaster, or $100, whichever is the greater;

(4) specify that the maximum amount of loss to be shared jointly by the homeowner or business concern, the State, and the Federal Government under such a program shall be $30,000 in the case of a homeowner, and $100,000 in the case of a business concern;

(5) provide a means of appraisal to establish the fair market value of the property of such owner or concern damaged or destroyed as a result of such a disaster;

(6) provide assurances that equitable treatment will be accorded all eligible property owners;

(7) contain satisfactory evidence that the State will adequately supervise such program;

(8) provide such fiscal control and fund accounting procedures as the President deems necessary; and

(9) set forth such further information as the President may by regulation require.

(d) The President shall approve any State plan which complies with the provisions of subsection (c) of this section.

(e) No grant may be made under this section—

(1) for any loss for which private insurance is available and collectible in such State at reasonable rates;

(2) for any loss in a State which does not have approved flood-plain zoning controls or other similar preventive measures in force; and

(3) to any public agency or organization for the loss of any property owned by such agency or organization.

(f) The President shall prescribe such rules and regulations as he deems necessary for the effective administration of this section, and to prevent the waste or dissipation of Federal funds.

(g) Each State receiving assistance under this section shall, through its designated State agency, make such reports as the President may require, and each such agency shall, upon request of the President, make available its books and records for audit and examination.

(h) The President may exercise the powers conferred upon him by this section either directly or through such Federal agency as he may designate.

(i) Such sums as may be necessary to carry out the purposes of this section are hereby authorized to be appropriated.

SHELTER FOR DISASTER VICTIMS

SEC. 5. (a) The President is authorized to provide dwelling accommodations for any individual or family whenever he determines—

(1) that such individual or family occupied a house (as an owner or tenant) which was destroyed, or damaged to such an extent that it is uninhabitable, as the result of a major disaster; and

(2) that such action is necessary to avoid severe hardship on the part of such individual family; and

(3) that such owner or tenant cannot otherwise provide suitable dwelling accommodations for himself and/or his family.

(b) Such dwelling accommodations, including mobile homes, as may be necessary to meet the need, shall be provided through acquisition, acquisition and rehabilitation, or lease. Dwelling accommodations in such housing shall be made available to any such individual or family for such period as may be necessary to enable the individual or family to find other decent, safe, and sanitary housing which is within his or its ability to finance. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised or adjusted for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense related to the amortization of debt owing on a house destroyed or damaged in a disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

(c) In the performance of, and with respect to, the powers and duties conferred upon him by this section, the President may—

(1) prescribe such rules and regulations as he deems necessary to carry out the purposes of this section;

(2) exercise such powers and duties either directly or through such Federal agency or agencies as he may designate;

(3) sell or exchange at public or private sale, or lease, any real property acquired or constructed under this section;

(4) obtain insurance against loss in connection with any such real property;

(5) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any such real property; and

(6) include in any contract or instrument made pursuant to this section, such conditions and provisions as he deems necessary to assure that the purposes of this section will be achieved.

(d) Such sums as may be necessary to carry out the provisions of this section are hereby authorized to be appropriated.

ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

SEC. 6. (a) The Secretary of Agriculture is authorized to make grants to farmers whose farmlands or livestock have been damaged as the result of a major disaster. Such grants shall be made (1) for the purpose of assisting such farmers to prepare such lands for cultivation and to restore such lands or livestock to normal productive capacity, and (2) only in the case of lands on the farm normally used in the production of an agricultural crop. No grant shall be made hereunder to assist in restoring lands or livestock to production unless the Secretary determines that the cost of preparing such lands for production has been increased as a direct result of such major disaster.

(b) The amount of the grant authorized under this section in the case of any farmer shall not exceed an amount determined by the Secretary to be equal to two-thirds of the total cost of preparing the damaged lands for cultivation and restoring them to normal productive capacity, and in no event shall the amount of any such grant in the case of any farmer exceed $10,000.

(c) The Secretary is authorized to impose such reasonable terms and conditions on the making of such grants as he determines necessary to carry out effectively the purposes of this section.

(d) Such sums as necessary to carry out its provisions of this section are hereby authorized to be appropriated.

HIGHWAY ASSISTANCE IN DISASTER AREAS

SEC. 7. (a) Section 120(f) of title 23 of the United States Code, relating to the Federal share in emergency highway relief, is amended by inserting before the period at the end of the first sentence a colon and the following: "*And provided further*, That the Federal share payable on account of any repair or reconstruction of any Federal-aid highway necessitated by a major disaster, as determined by the President pursuant to section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), may be as much as 100 per centum of the cost thereof".

(b) Section 125 of title 23 of the United States Code, relating to emergency highway relief, is amended by striking out the second sentence and inserting in lieu thereof "There is authorized to be appropriated from the General Fund not to exceed $50,000,000 for the fiscal year ending June 30, 1967, and not to exceed $50,000,000 for each fiscal year thereafter for the purposes of such fund".

(c) There is hereby authorized to be appropriated such sums as may be necessary to repair, restore, or reconstruct any public highway, road, trail, street, or bridge determined by the Director of the Office of Emergency Planning to be damaged or destroyed as the result of a major disaster and which is not eligible for repair or reconstruction under section 125 of title 23 of the United States Code. The Federal share of the cost of any such repair, restoration, or reconstruction shall be determined by such Director and may be as much as 100 per centum of the cost thereof.

AUTHORIZATION FOR PUBLIC WORKS EXPENDITURES

SEC. 8. (a) There is hereby authorized to be appropriated such sums as may be necessary to repair, restore, or reconstruct any project completed or under construction for flood control, navigation, irrigation, reclamation, public power, sewage treatment, water treatment, watershed development, or airport construction which has been damaged as the result of a major disaster, and which has been specifically authorized by Act of Congress, without regard to any other statutory limitation on the amount which may be appropriated in connection with such project.

EFFECTIVE DATE

SEC. 9. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after October 3, 1964.

The summary presented by Mr. BAYH is as follows:

DISASTER RELIEF ACT OF 1967—BRIEF SUMMARY OF AND COMMENT ON MAJOR PROVISIONS

SECTION 2. DEFINITIONS

Retains the standard definition of a major disaster as one which is declared to be such by the President under the Disaster Act of 1950 (42 U.S.C. 1855–1855g). All other provisions of the act would be effective only in those instances where a major disaster has been determined and declared by the President.

SECTION 3. FEDERAL LOAN ADJUSTMENTS

Disaster loans for homeowners up to $30,000 or for business concerns up to $100,000 under the Small Business Act, and disaster loans up to $30,000 under the Consolidated Farmers Home Administration Act of 1961, could be made without regard to whether or not the required financial assistance might be provided by private sources.

The purpose of this is to guarantee equal opportunity for all disaster sufferers who apply for disaster loans or readjustments to be treated on the same basis. The 1966 Disaster Act authorizes readjustment of loans for extended periods at minimum interest rates for owners of property severely damaged in major disasters. During the hearings on S. 1861 considerable evidence was presented which indicated, however, that previously loans had been denied in some worthwhile cases on the ground that private financing, although at higher rates and much less favorable terms, had been available. Section 3 would eliminate this kind of discrimination and should have been included with the other loan adjustment provisions.

SECTION 4. GRANTS TO STATES FOR ASSISTANCE TO HOMEOWNERS AND BUSINESSES

A new cost-sharing program would be established to enable homeowners and business concerns sustaining major disaster property losses to seek direct federal assistance. No state could participate in the program unless it first developed a comprehensive disaster relief plan and designated a state agency to administer aid to disaster victims. Grants up to $250,000 could be authorized by the President for the purpose of assisting a state in the preparation of such plans.

In states which had adopted approved disaster relief plans, the federal government could share up to 50% and the state government up to 25% of property losses in major disasters, with a maximum loss limit of $30,000 in the case of homes and $100,000 for business concerns. The property owner would have to bear at least 25% of the loss, and no grant could be made for any damage for which private insurance is available and collectible at reasonable rates. Likewise, no payment could be made for any loss in a state which failed to adopt flood-plain zoning controls.

SECTION 5. SHELTER FOR DISASTER VICTIMS

The President would be authorized to provide necessary shelter for the owners or tenants of places of residence made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and/or their families. Housing could be acquired or leased, which in turn would be rented to disaster victims for such periods as may be necessary. Rentals for this emergency shelter, including mobile homes, could be adjusted for as long as one year according to the financial ability of the occupants, but in no case would they be required to pay more than 25% of the family's monthly income for such accommodations.

SECTION 6. ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

A new grant system would be established for farmers who sustain extensive losses in major disaster areas. The Secretary of Agriculture would be authorized to make grants equal to two-thirds of the cost of restoring lands to cultivation or replenishing livestock herds, with the maximum amount paid to any farmer limited to $10,000. Reasonable terms and conditions could be imposed by the Secretary in making such grants, but no payment could be made to a farmer unless the Secretary determined that the cost of preparing lands for production had been increased as a direct result of a major disaster.

SECTION 7. HIGHWAY ASSISTANCE IN DISASTER AREAS

The federal share necessary to repair, restore or reconstruct any Federal-aid highways damaged by a major disaster would be increased to as much as 100% of the cost necessary to perform such work. An amount not to exceed $50 million would be authorized to be appropriated from the general fund for this purpose for the fiscal year ending June 30, 1967, and for each fiscal year thereafter.

Authority would be granted for the appropriation of such funds as may be necessary to repair, restore or reconstruct other non-Federal public highways, roads, streets and bridges, with the Director of the Office of Emergency Planning vested with power to determine the Federal share up to 100% of the total cost.

SECTION 8. AUTHORIZATION FOR PUBLIC WORKS EXPENDITURES

Where public works which have been specifically authorized by an act of Congress, such as airports, water and sewage treatment plants, electric power installations, or navigation, irrigation and flood control projects, have been damaged by a major disaster, either during their construction or after completion, the bill would authorize appropriation of necessary funds to aid their repair, restoration or reconstruction without regard to any other statutory limit on the amount which could be appropriated for such project.

Although this section was included in amended form in P.L. 89–769, modifications made in its terms leave room for some doubt whether or not the new law provides the full coverage intended by the original bill. As changed by the House and enacted in the law, reimbursement could be made up to 50% of "eligible costs" to repair, restore, or reconstruct public projects, either completed or under construction, of a State, county, municipal or other local government agency which have been damaged or destroyed as a result of a major disaster. Aside from the fact that assistance would be limited to 50% of "eligible costs", the act as adopted eliminated the original qualifying phrase "and which has been specifically authorized by Act of Congress without regard to any other statutory limitation on the amount which may be appropriated in connection with such project." This section is repeated in the new bill in order that a careful study can be made to determine if the new language fully encompasses the purposes of S. 1861.

SECTION 9. EFFECTIVE DATE

The act would be made applicable, as was P.L. 98–769, to any major disaster occurring after October 3, 1964.

METRIC SYSTEM

Mr. PELL. Mr. President, once more I introduce for appropriate reference a bill providing that the Department of Commerce conduct a full-scale study to determine the practicability of adopting the metric system of weights and measures in this country. This is the same bill that passed the Senate in the past Congress and was approved by the House Science and Aeronautics Committee, although it failed of passage in the House in the closing days of the session.

There are new reasons why we should make this study. Great Britain has now determined to convert its weights and measures to the metric system, and is having problems since it did not fully study the practicability of the move in advance, nor did it make a plan for implementing a change.

With the United Kingdom finally on a metric basis, the United States will be the last major nation out of phase with the rest of the world. The disadvantages of a nonmetric country competing in international trade with metric nations have been often cited. Let us examine a simple example: A West German firm wants to buy machine tools for a new plant and both Czechoslovakia and the United States offer identically desirable products in terms of quality and price. The Czech firm will doubtless make the sale because both Germany and Czechoslovakia are on the metric system and the United States is not. The alternative would be to rework the American tools to make them conform to metric measurements. But reworking costs money and extra costs would tip the advantage to the Czech firm anyway. Such export losses can be projected into the billions in the years ahead unless we change. But without a thorough, professional study we cannot know whether or not the expenses of retooling American industry to metric measurements will nullify gains in export sales.

Another reason for action is that this country is steadily moving into a mixed English-metric system. Already metric measures are used in pharmaceuticals, electronics, the chemical industry, electric power, photography, optometry, and many others, including scientific activity in oceanology—there is so much international cooperation going on in this exciting new field that the scientists can only keep up with their opposite numbers abroad by exchanging data in metric terms.

As the world becomes bound ever more tightly together by better transportation and communication, the need for metric and nonmetric countries to meld their differences will doubtless become more acute.

Certainly as our industrial infrastructure waxes in complexity, the cost of conversion will rise as the volume of machines, things, records, and blueprints explodes in quantity. In short, if a change to metric is inevitable, as many predict, the longer we wait the more we must pay to switch.

These reasons indicate, I believe, that there is a need now to look into the metric question. Since Congress passed a bill in 1866 which permitted use of the metric system of measurements in the United States, I believe it is appropriate that the Congress provide a study to guide our decision on this important matter.

For several years, the Honorable GEORGE P. MILLER, chairman of the House Committee on Science and Astronautics, and I have been pressing for such a study. In fact, Congressman MILLER had been working in this direction long before I ever came to the Congress. The reasons are many, continuing, and self-evident—the metric system is used by almost every country in the world with the exception of some English-speaking nations; it is an integrated and uniform system; and the ease by which it can be learned and its simplicity of use denotes higher efficiency and great savings of time.

I have attempted in drafting this bill to accommodate all interested parties. The bill specifically calls for comparative studies of the standards of weights and measures used in many broad areas, and the relative advantages and disadvantages of each in its respective field.

I recognize that some industries are concerned with the prospective cost of converting to the metric system. The formula used by some may not be good for others. For instance, the Eli Lilly Co. converted on its own initiative over a period of 4 years, economically and easily. The machine tool industry might need 30 to 40 years to take advantage of the natural obsolescence of machine tools and the turnover in the labor force. The important thing to keep in mind, however, is the necessity of gathering the true facts and, if conversion appears to our national interest, to then devise the most economical plan.

Evidence is being constantly presented regarding the great losses in manpower, time, and money in trying to maintain an antiquated system which is difficult and cumbersome to use. In the field of international commerce, it has been estimated that America already loses from $10 to $25 billion yearly in orders to countries that are on the metric system. If this estimate is correct, we are sustaining losses that have a direct and disastrous impact on our economic well-being. If the estimate is not accurate, an extensive study of the pros and cons of adopting the metric system in this country will give us the true picture.

While favorable reports and statements were received on my bill during the 89th Congress from the Department of Defense, the Department of Commerce and several individuals and groups, I am hopeful that many more interested parties will make statements for the Record which can be studied by the Senate. Such additional testimony will, I am certain, point up the need for a complete study of the advantages and disadvantages of converting to the metric system. I believe this is a reasonable suggestion and one which will accommodate all points of view.

Finally, the bill's section 3 gives the Secretary of Commerce both the encouragement and latitude necessary for him to draw a blueprint of how the country should implement a change to the metric system—if the study finds that a change is feasible and necessary.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 441) to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States, introduced by Mr. Pell, was received, read twice by its title, and referred to the Committee on Commerce.

FINANCIAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES

Mr. McGEE. Mr. President, I introduce for appropriate reference a bill relating to financial assistance for local educational agencies in federally impacted areas, in order to give the Commissioner of Education discretion to waive a minimum requirement for such assistance.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 442) to amend Public Law 874, 81st Congress, relating to financial assistance for local educational agencies in federally impacted areas, in order to give the Commissioner of Education discretion to waive a minimum requirement for such assistance, introduced by Mr. McGee, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PETITION FOR REINSTATEMENT OF AN OIL AND GAS LEASE IN WYOMING

Mr. McGEE. Mr. President, in behalf of myself and Senator Hansen, I introduce for appropriate reference a bill to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease known as Wyoming 0280122.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 443) to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122), introduced by Mr. McGee (for himself and Mr. Hansen), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ESTABLISHMENT OF FLAMING GORGE NATIONAL RECREATION AREA IN STATES OF UTAH AND WYOMING

Mr. McGEE. Mr. President, I introduce, for myself, Mr. Moss, and Mr. Hansen for appropriate reference, a bill to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming and for other purposes.

This bill will formally create the Flaming Gorge National Recreation Area, containing about 200,000 acres, and dedicate these highly scenic lands and waters to the use and enjoyment of the American people. The recreation area will be centered on the lake now being formed behind the magnificent Flaming Gorge Dam, located on the Green River near Vernal and Manila, Utah, and extending the waters upstream to the vicinity of Green River, Wyo.

Construction of the Flaming Gorge Dam was completed by the Bureau of Reclamation in 1962. When completely filled the reservoir will wind 91 miles through colorful eastern Utah and southeastern Wyoming. Part of it lies within the Ashley National Forest. This part and the rest of the area are now being administered under a joint agreement between the Forest Service in the Department of Agriculture and the Park Service and Bureau of Reclamation of the Department of the Interior.

The reservoir and recreation area take their name from the steep, high-walled canyon, Flaming Gorge, on the Green River. The spectaular beauty of this gorge was first described by the explorer, Gen. W. H. Ashley. In May 1825, he wrote:

> We entered between the walls of this range of mountains, which approach at this point to the water's edge on either side of the river and rise almost perpendicular to an immense height.

This outstanding scenery will be available to anyone who cares to take a boat trip through the many-colored, steep-walled canyons surrounding the lake. Such trips and other water sports will be a major feature of the recreation area. Several boat launching ramps and marinas are in existence or planned for construction. Fishing is already popular and the reservoir is well suited for swimming and water skiing.

There are also facilities for picnics, campers, hikers, and riders. Many scenic overlooks are easily accessible; some over 2,000 feet above the canyon floor. The area is noted for its geological features. A wide variety of game animals and other wildlife await hunters and naturalists.

In short, Flaming Gorge National Recreation Area will be a magnificent recreation complex, of major regional and national significance.

The bill I have introduced today is similar to S. 92 which Senator Moss and I introduced in the 89th Congress and S. 3054 of the 88th Congress.

The major difference is in the provisions for administration of the recreation area. In 1963, the Secretaries of Agriculture and the Interior entered into a joint agreement recommending the establishment of the Flaming Gorge National Recreation Area with administration being divided between the Forest Service and the National Park Service. The earlier bills so provided.

Recently the matter of administration has been reconsidered by the Departments. It appears from this study that single administration of the entire area would be more efficient and better serve the public interest. We support the concept of unified administration and this bill now provides that the recreation area be administered by the Secretary of Agriculture, who already administers the adjacent Ashley National Forest.

In other respects the new bill is basically the same as previous bills.

The Secretary of Agriculture will manage, utilize, and dispose of natural resources as long as this does not significantly impair the purposes for which the recreation area is established. Hunting, fishing, and trapping will be permitted within the recreation area in accordance with applicable Federal and State laws. However, the Secretary will be able to designate areas where and establish periods when no hunting, fishing, or trapping will be permitted for reasons of public safety, administration, or public use or enjoyment.

The lands within the recreation area will be withdrawn from location, entry, and patent under the U.S. mining laws. However, minerals may be leased by the Secretary of the Interior when he finds that such leasing would not adversely affect the purposes of the Colorado River storage project, and the Secretary of Agriculture finds it would not adversely affect administration of the recreation area. All leases would be subject to the consent of the Secretary of Agriculture and to such conditions as he may prescribe.

The bill would also extend the boundaries of the Ashley National Forest to include all of the recreation area. All lands of the United States or lands acquired for the purposes of the recreation area within the extended boundaries will be made a part of the Ashley National Forest. Appropriations from the land and water conservation fund will be available for acquisition, if necessary, of any lands or waters within the recreation area.

The rights of Utah and Wyoming to exercise civil and criminal jurisdiction within the recreation area, and their rights to tax, would not be affected by the bill.

Mr. President, thousands of people have already been attracted to this excellent recreation site. This bill will aid the timely development of the Flaming Gorge area to meet pressing demands for the superior recreation opportunities it provides. I urge its prompt enactment.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 444) to establish the Flaming Gorge National Recreation Area in the States of Utah and Wyoming, and for other purposes, introduced by Mr. McGee (for himself, Mr. Moss, and Mr. Hansen), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTION 8 OF TAYLOR GRAZING ACT

Mr. JACKSON. Mr. President, I introduce for appropriate reference a bill the purpose of which is to clarify and amplify the authority of the Secretary of the Interior to exchange tracts of the public lands of the United States for tracts belonging to private individuals or to the States if such exchanges are in the public interest. The text of the present measure is identical with that of S. 3178, 89th Congress, as passed by the Senate on August 29 of last year.

S. 3178 was based upon draft legislation submitted under date of March 29, 1966, by the Department of the Interior. The Senate Interior Committee held public hearings on the Interior Department's proposal and concluded that the legislation was desirable in order to facilitate economic and efficient management of the public lands. Our committee amended the measure and reported it favorably on August 24, 1966. I call the attention of the Members of the Senate to our committee report, Senate Report No. 1493.

Specifically, the bill I am introducing today would amend section 8 of the Taylor Grazing Act to authorize the payment of cash in order to equalize values; to authorize exchanges of interests in lands; to establish the same rules for both exchanges with States and exchanges with private individuals and give the Secretary more authority to determine whether State exchanges would be beneficial; to designate lands acquired through exchange as automatically a part of the withdrawn area within which they are located and to make clear that the exchange provisions apply to Alaska.

As I stated, Mr. President, the Interior Committee is convinced that this proposed legislation is desirable for the better administration of the public lands of the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 447) to amend section 8 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C. 315g), introduced by Mr. Jackson, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PAYMENT OF MEDICAL CARE OF TEMPORARY AND SEASONAL EMPLOYEES

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of the Interior to use appropriated funds for the payment of limited medical care expenses for temporary and seasonal employees located in isolated areas of the country who became disabled because of injury or illness.

This bill is identical in substance to previous acts authorizing the Forest Service to provide medical care to their employees whose circumstances of employment are similar.

The medical attention contemplated by the bill is medical attention of an emergency nature. At present, the Department has no authority to pay to have a sick or injured employee who is located in an isolated area removed to a hospital when the sickness or injury occurs outside the scope of his employment. Similarly, the Department presently has no authority to bring medical help to such an employee. The employees affected are located in isolated areas for the purpose of carrying out the Department's programs. The bill would not authorize the construction of medical facilities nor the employment of medical or technical personnel.

The employees to which this bill would apply are transients and other temporary personnel employed in fire suppression activities and other emergency programs. In the course of their employment, these crews are transported many miles from their place of residence, very often for prolonged periods. During such periods of absence from their homes, these employees sometimes contract illnesses requiring medical attention.

Under existing law, medical care not covered by Bureau of Employees' compensation regulations and not provided by the Public Health Service has to be paid for by the employee, unless the employing agency has authority to meet the obligation. In most cases, transient personnel are unable to pay their own medical expenses. While local physicians have been cooperative in providing emergency medical attention to these employees when required, I believe that the moral obligation to provide for the welfare of these employees rests with the employing agency.

This bill was submitted at the request of the administration and considered in the Senate during the 89th Congress. Following the favorable report of the Senate Interior Committee, the bill passed on March 9, 1966.

I believe this measure merits the approval of the 90th Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 448) to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes, introduced by Mr. Jackson, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

POPULAR ELECTION OF THE GOVERNORS OF THE TERRITORIES OF GUAM AND THE VIRGIN ISLANDS

Mr. JACKSON. Mr. President, I introduce for myself and Mr. Burdick, for appropriate reference, two bills which provide for the popular election of the Governors of the territories of Guam and the Virgin Islands.

These bills were considered during the last session of Congress and were passed by the Senate, with amendments, on October 11, 1966.

The primary purpose of these bills is to provide for the popular election of the Governors of Guam and the Virgin Islands. The bills represent a significant step forward in the development of local self-government responsibility and in the fulfillment of the political aspirations of the people of the territories.

In addition, these bills make a number of clarifications and desirable changes in the basic Organic Acts for the territories. These changes include transferring the responsibility for paying the salaries and expenses of the Governors' offices to the territories; extending the privileges and immunities clauses of the U.S. Constitution to the people in the territories; and making the territories subject to the general military law of the United States.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. Jackson (for himself and Mr. Burdick), were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, as follows:

S. 449. A bill to provide for the popular election of the Governor of Guam, and for other purposes; and

S. 450. A bill to provide for the popular election of the Governor of the Virgin Islands, and for other purposes.

NEW DIRECTIONS IN REDUCING AUTOMOTIVE AIR POLLUTION

Mr. MUSKIE. Mr. President, last year near the end of the session, I introduced legislation amending the Clean Air Act to provide for an investigation and study by the Secretary of Health, Education, and Welfare to determine practicable means of propelling vehicles so as not to contribute to air pollution. I am reintroducing that legislation for consideration by the 90th Congress and ask unanimous consent that the bill be allowed to remain at the desk for 1 week for additional cosponsorship.

Mr. President, I am happy to join the senior Senator from the State of Washington [Mr. Magnuson], in sponsoring his legislation which proposes development of electric motor vehicles from a point of view other than the necessity of meeting metropolitan area air pollution demands. Senator Magnuson is to be congratulated for his forthright leadership in constantly striving to better the Nation's transportation system, while at the same time, in cosponsoring the legislation which I introduced today, recognizing the need for improved control of our air environment.

Mr. President, the Division of Air Pollution of the Public Health Service has estimated that any place inhabited by 50,000 or more persons will have enough motor vehicles to create the potential for an air pollution problem. Nowhere has this been more evident than in southern California where the fight against automotive air pollution finally resulted in a California State law requiring all 1966 model automobiles to be equipped with pollution control devices. As a result of the Clean Air Act Amendments of 1965, all 1968 model automobiles sold in the United States must be equipped with similar devices.

By the automobile industry's own admissions, this measure will not effectively reduce air pollution for a number of years. According to their figures, it takes approximately 9 or 10 years for the automobile market to completely turn over, which indicates that it will be 1978 before all automobiles are equipped with a pollution control device.

This is obviously not sufficient. It is highly unlikely that the emission control specifications presently set will actually reduce automotive air pollution. The expanding volume of new car sales indicates that automotive air pollution will not be reduced, that we will be fortunate to hold our own.

The serious air pollution situation in New York City last November dramatically illustrated what our cities may be facing in the future if an alternative to the combustion engine is not developed. A "first alert" was sounded by officials of the State of New York, which meant that residents should use automobiles only when necessary, primarily because of an increase in carbon monoxide levels.

A report presented by the Public Health Service also indicated that the New York-New Jersey area is at or near the top in carbon monoxide pollution, and that an investigation last summer found levels of emissions from motor vehicles bordered on those that cause impairment of mental processes. The report also said that exposures suffered by bus and taxi drivers and workers in shops within 50 to 100 feet from the source of emission probably exceed 30 parts of carbon monoxide per million, and that there is evidence of threshold effects on mental processes from an 8-hour exposure of only 5 to 10 parts.

Therefore, we must today begin to search for alternatives to the internal combustion engine, for alternatives in the methods of urban transportation and for improvements in the existing automobile engine and its pollution control device.

Since introduction of legislation last year by Senator Magnuson and myself, there has been a great deal of publicity devoted to the development of alternatives to internal combustion, especially the electric automobile. The major automobile manufacturers suddenly revealed that they had for some time been carrying on research into practicable means of propelling automobiles by a power source other than the internal combustion engine. The Journal of the American Medical Association in a recent editorial endorsed the concept of the electric automobile. Scientific journals, the daily press, virtually every type of publication, and the mass media have devoted increasing attention to this concept.

A poll which was published by George Gallup, on January 7, 1967, indicated that an electric automobile would be purchased by millions of Americans. When asked whether they were interested in buying a car that would have a top speed of about 40 miles per hour, would go about 150 miles before the batteries would have to be recharged, and would sell for about $2,000, 32 percent of the people answered "Yes." That figure, according to Gallup, represents approximately 36 million adults.

This poll is indeed a recognition of a national need and a public willingness to purchase what this legislation might help to develop. I am convinced that we must act now; that we must be prepared to accept the eventual elimination of the presently designed automobile engine in our major metropolitan areas; that we must, in fact, be fully prepared to change our entire concept of moving from place to place.

At the same time, Mr. President, we cannot expect through legislation, or through lack of legislation, to inhibit the freedom of the American people to move freely and selectively. It is, therefore, obvious that consistent with the health of the public, consistent with their freedom of movement, and consistent with the absolute necessity for developing means whereby our urban areas can continue to function, we must begin to look into the future and develop sound, economic solutions to our urban transportation problems.

Mr. President, I would like to conclude these remarks by noting that while we have spent billions of dollars to allow man the privilege of walking on the Moon, we have spent little, absolutely or comparatively, to insure his right to move freely on the Earth. We have spent millions to develop a means whereby man can move across the ocean or from coast to coast in little more than an hour, and yet we have ignored the fact that it will take him 2 hours to get to his office. While we cannot afford to ignore programs which would advance our ability to move in inner space and outer space, it is equally important that we not ignore the ability to move on the ground to and from jobs and to and from places of recreation.

The task set forth in this legislation and that introduced by Senator Magnuson will not be accomplished by expenditure of a few million dollars, but the job must begin; and the sooner we begin, the more likely it will be that we will have a solution to this most pressing of urban problems.

I ask unanimous consent that the text of the bill be printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk as requested.

The bill (S. 451) to amend the Clean Air Act in order to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution, introduced by Mr. Muskie (for himself and Mr. Magnuson), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106 of the Clean Air Act is amended by inserting at the end thereof a new subsection as follows:

"(c)(1) The Secretary shall make an investigation and study for the purpose of determining practicable means of propelling vehicles commonly used for commercial and personal transportation that will not contribute to air pollution. In making such investigation and study the Secretary—

"(A) shall give particular consideration to the use of electric power;

"(B) may design, construct, and test such means of propulsion as he determines to be necessary;

"(C) shall consult with other Federal departments and agencies which use a substantial number of such vehicles (including the Department of Defense, the Post Office Department, and the General Services Administration) and such Departments and agencies shall cooperate with the Secretary and provide necessary information for the purposes of this subsection but nothing in this clause shall require the disclosure of any information detrimental to the national defense; and

"(D) may contract with public or private agencies, institutions and organizations, and with individuals, without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5).

"(2) The Secretary shall report the results of such investigation and study to the President and Congress in interim reports submitted on or before June 30, 1967, and prior to the beginning of each regular session of the Congress after the first session of the Ninetieth Congress, and in a final report. Such reports shall contain any recommendations for additional legislation.

"(3) There are authorized to be appropriated such amounts not in excess of a total of $5,000,000, as may be necessary for the purposes of this subsection."

ELECTRIC VEHICLE DEVELOPMENT ACT

Mr. MAGNUSON. Mr. President, I introduce, for appropriate referral, a bill to promote electrical means of transportation. I am particularly pleased to have, as a cosponsor, Senator Muskie. The Senator from Maine has long been a leader in the fight to combat air pollution from all sources. Senator Muskie will introduce a bill to authorize research to determine means of propelling vehicles so as not to contribute to air pollution. Our bills are complementary and I take pride in being a cosponsor of his proposal. The hearings on these two bills will be milestones in the program for preserving a liveable environment.

The growing problems of urban congestion, mass transportation, noise, air pollution, and personal travel inconveniences demand that there be an alternative in the immediate future to the internal combustion vehicle as it is now known. I say "alternative," because there is no indication that present technology or the technology of the next several years will offer a complete substitute for the internal combustion—IC—engine vehicle. Present technology will, however, offer an alternative for specialized urban vehicles.

It is meaningful to note that, if anything, this Nation is behind other nations that are presently seeking this electric alternative.

In Japan, the Chubu Electric Power Co., Inc., Nagoya, Japan, recently told Frank Frisk of the American Public Power Association:

> The prototype of the electric car we have published is * * * on the road test. We are collecting now the data of tests. * * *

Another recent report indicates that Osaka City in Japan intends to replace about 80 percent of its 1,900 municipal buses with electric buses. The matter is now being researched by Yuasa Battery Co., and Kobe Electric, with the support of Kansai Electric Power.

Electrical World, July 11, 1966, reported that battery-powered units are used by the German Federal Railroad for branchline service. The units hold 100 passengers, operate at a maximum speed of 62 miles per hour, and are capable of 125 to 220 miles of operation between recharging.

In England, electric vehicles are no novelty. Austin Crompton Parkinson Electric Vehicles, Ltd., and the Morrison Works state that over 45,000 battery-operated electric trucks are now on the road and that the production rate is over 2,000 trucks per year. These vehicles are ideally suited to the door-to-door delivery of milk and bread. They say:

> Battery operated electric trucks are not just a new idea or the whim of a few electrically minded people. They are a highly efficient means of transport which has been carefully developed since the days when battery electric town carriages were on the streets of London long before petrol trucks came into popular use. * * *
>
> The 6160 electrics in use in 1940 performed with such merit during the difficult war period that these operators, plus new operators who had electrics more or less forced onto them through the license and permit schedules then operating, became so enlightened as to their efficiency and extreme reliability that they began to reorganize their own transport system to include as many electrics as could possibly be used.

Prof. Sir Ronald Edwards, chairman of the Electricity Council in London, recently outlined their activities to me in the following manner:

> The Electricity Council took the view, some years ago, that with the changing pattern of personal transport in our towns and the increasing problems of noise and fumes, an electric passenger car should be developed to meet present and future short range requirements.
>
> As a start we commissioned a number of research projects, the most notable being to convert two British Motor Corporation Minitraveller cars to electric drive. These two cars together with two "purpose-built" lightweight battery electric cars were demonstrated to the Press, the Ministry of Transport, and other national associations of 21st March, 1966.
>
> We have been greatly encouraged by the performance of these vehicles and the immense world-wide public interest shown. We have, therefore, now placed orders for 10 two-seater, purpose-built, passenger cars for use by our Electricity Board personnel. These vehicles should be commissioned by the end of November, and will give us valuable daily operating data, and, I feel sure, will encourage further industrial interest.
>
> Considerations are now being given to a pilot development scheme for the purchase of an additional 30 or 40 electric vehicles, ranging from a single-seat vehicle to a three or four-seater passenger for general Board duties.
>
> Perhaps I should add that the most striking aspect of our recent demonstrations, and the point most commented upon by observers was the remarkable performance of the battery electric cars in acceleration, manoeuvreability and the ease of driving. They were able to match most conventional cars on the roads and were much simpler to control.

The December 12, 1966, Journal of Commerce, contained a story headlined, "Europe May Top United States as Mart for Battery Operated Autos." That article indicated that reasons for this were "fewer high-speed highway systems in Europe; drivers average less miles per day than in the United States; the acceptability of smaller cars by Europeans; and the generally higher price of motor fuels in Europe." The article cited a report on electric vehicles to the Ministry of Transport last year by the Electric Vehicle Association. That report found that the capital cost, including a battery charger was twice as much for the electric van, but operating costs were much less than half.

The article concluded as follows:

> Oil company planners, charged with the responsibility of forecasting future developments are already considering what kind of facilities might be needed at garages and service stations to care for the new cars.
>
> The press service noted that "the signs all point to the probability that the electric car will not wait for the technical developments that will put it in the same class as the conventional car."
>
> Next year may well see the first electric cars appear on the road for commuter driving, as a second car, the report said.

It is ironic that both in the air, with the SST, and on the ground, with the electric, America may play the well publicized role of being No. 2.

The advantages of the specialized electric that could be produced within the next few years are numerous. Before citing these advantages, I note that every Senator has experienced the silent, smog-free, quick acceleration provided by electric motors. While obviously not battery powered, the efficiency of the electric operation of the Senate subway we all use is well known. There are many important advantages.

Low retail cost: The new electric vehicles now being considered would be low in initial retail cost, particularly if the battery lease program common in the electric forklift field were used. I have seen figures in the $1,000 to $1,400 range, for certain types of vehicles. Expensive batteries have been used to power conversions of conventional IC, but this is not the case for specialized commuter cars.

Low operating cost: Electricity is a low-cost power source. Incomplete figures, as already indicated, suggest operating costs of about one-half of those for a fossile-fueled IC equivalent. The IC requires a great many components and accessory equipment not required by electric drive systems.

Low depreciation: The vehicle itself can be expected to last longer. This is true of many of the electric vans now in operation. A Rand Corp. report indicates that there may be considerable recoverable value in the spent batteries. The motors may also outlast the car, as evidenced by the long life of other electric motors used in industry and the home. Even an inoperable, used electric vehicle would have more than the nominal value of the junked IC.

Minimum servicing: This also relates to low operating cost. No antifreeze or water is needed; oil changes are unneeded; tuneups are less frequent; there are fewer motor accessories required to repair, and so forth.

Ease of operation and handling: The only controls used are an off-forward-reverse switch, accelerator, brakes, and steering. Winter starting presents no warmup problems. The long British experience, as stated by the Austin Crompton Parkinson Electric Vehicles and the Morrison Works is as follows. In speaking of electric vans, they say:

> With the availability of skilled labor so scarce, and labor charges so high, it is very easy to use semi-skilled drivers because of the simplicity of handling an electric and because of its controlled maximum speed.

Trouble free: With fewer moving parts and longer life, the vehicle will not only be more trouble free in daily use, but it will be easier to get whatever repairs may be needed. The vehicles could well be designed to automatically plug themselves in at the charging stations.

Instant starting: Like turning on a light, the electric is ready for operation, summer or winter, at the flip of a switch.

Silent: The electric motor, if heard at all, will only emit a slight hum. There will be no exhaust or engine noise. With solid state control equipment, there will be no audible switching or shifting noises. The only significant road noise will be from the tires, not the power train. When the vehicle is stopped in traffic, it will be completely silent.

In the 89th Congress, Representative KUPFERMAN alerted the attention of the Congress to the problems of noise abatement and control. Excessive noise is an occupational hazard, and a public nuisance. It can have a measurable detrimental effect on the ability to hear and on the nervous system. Materials presented by Representative KUPFERMAN indicated that jet airliners with several engines produced noise in the 160 decibel range, and traffic noise on the main avenues in New York measures as much as 140 decibels at times. The silent electric would be a welcome addition to make any city a quieter, more livable place in which to reside and work.

Exhaust free: The dangers of IC auto exhausts are becoming greater every day. Senator MUSKIE has performed yeoman service both in alerting the Nation to the problem and sponsoring legislation to overcome the problem. Smog is a health hazard, it restricts visibility, and may well lead to accidents. Exhaust fumes reduce reaction times with a concomitant effect on auto safety, and so forth.

The AMA Journal states:

> The electrically powered automobile is on its way back from oblivion. The medical profession should take a more than casual interest in this development, for the health implications are real important.

If this were not reason enough, a recent article in the Washington Post reported the work of the eminent Prof. Vincent J. Schaefer, a pioneer in cloud seeding experiments and director of the Atmospheric Sciences Research Center, State University of New York. The article began as follows:

> Automobile exhausts may be changing the climate over large parts of the United States by preventing rain or snow . . .

The lack of exhaust has other significant implications. Underground parking and tunneling would be less expensive as it would not be necessary to have such elaborate and costly ventilation systems now needed to carry away vehicle exhausts.

Controlled speed: The specialized electric vehicle would have a maximum speed well below that of the 400-horsepower IC monster of today. This apparent disadvantage could well be an advantage. Lower speeds mean greater vehicle longevity. The safety implications are obvious, both vehicle and driver-passenger may have greater longevity. For the senior driver or the teenage driver, controlled speed would solve many problems related to safety.

Possible lower insurance rates: Controlled speed in an electric could well mean that the senior and the young driver may get markedly lower insurance rates, as well as an improved rate for the average aged driver. This would result in much lower total vehicle operating cost.

Lower fire risk: The electric would not carry tanks and crankcases filled with dangerous liquids.

Size: The specialized electric would be a small car, two passengers with minimal room for others. Parking would be much easier, parking rates would be lower, and maneuvering in traffic would be easier and safer. With traffic jams growing as a result both of more vehicles and greater vehicle size, the small electric would allow congested roads to handle more private vehicles easily and efficiently. Travel time would be reduced in proportion to the reduction in the traffic jams.

Higher resale: With a longer vehicle and a longer battery-motor life than a conventional IC, the electric could well have a higher resale value and lower depreciation.

Export: As already indicated, there will be a growing export market that will be lost unless the electric, an American electric, is on the road soon. The effect on the gold reserves is obvious.

New design: Americans and Detroit love the annual model change and the new designs it brings. The electric offers the first opportunity for really new design. There will be no transmission or driveline hump. Batteries can be selectively distributed throughout the vehicle. Motors can be in front, in back, or even in the wheels.

Safety: New designs mean that safety can be designed in rather than added on.

Saving petroleum: The electric offers an opportunity to conserve vital, nonreplaceable petroleum for more important uses. The supply of these products is not inexhaustible, yet they are essential to modern living. It is necessary to insure maximum use of these resources with minimum waste.

Decreasing cost of electricity: Electricity as source of power for the automobile driver is attractive particularly because over the years, despite a general inflationary trend, the average cost of electricity has decreased. Electric cars would be recharged at night when other loads are less. This would allow generating plants to run at their great efficiency for longer periods. The result could be, as some have estimated, that the cost of electricity for all uses might be reduced 10 to 20 percent over a period of time.

The virtues of the specialized electric vehicles are not ones of completely unmitigated advantages, although the advantages far outweigh the disadvantages. Many of the disadvantages, such as low speed, can be an advantage in another context.

Capital cost: The electric may have a higher capital cost in a large vehicle size not in the smaller size. This cost difference can be greatly reduced through battery leasing agreements now used in the electric forklift industry.

Limited range: Present technology indicates a range of 20 to 50 miles depending on condition, vehicle weight, and so forth. While this range is not great, it is adequate for many specialized uses, not the least of which is a commuter car.

Slow refueling: Recharging presently available batteries is usually an overnight process. This, however, is the time of lowest demands on the utilities, so the load could be met.

Lack of available recharge facilities: With introduction of the vehicle, this objection will be overcome. It can be anticipated that soon after introduction of the electric, parking lots, parking meters, garages, and so forth, will have recharge facilities to keep the batteries up while the driver shops and works.

The main disadvantage is the failure of industry in the United States to apply existing technological concepts in a conscious, well-financed program of electric vehicle research and development. Attempts to convert vehicles which are designed for internal combustion engines are bound to fail. What is needed is a program of total research. Such a program is outlined in this bill, and includes total vehicle system analysis, not the piecemeal adaptations which have been unsuccessful in the past. New battery designs, radical control systems based on solid state components, and a body structure incorporating new materials must be blended in a rational research program.

There is, in a word, technology presently available and a need for significant research.

Mr. Claud Erickson, chairman of the Electric Vehicle Committee, American Public Power Association, is writing a book on electric vehicles which will be published shortly. Mr. Erickson cites 1888 as the year of the first electric. Early companies manufactured electric taxicabs, electric buses, and electric vehicles for the Post Office. From 1900 to 1915, there were over 100 manufacturers of electric cars, including Studebaker Brothers and Oldsmobile.

By 1912, according to Mr. Erickson, there were 20,000 passenger and 10,000 commercial electric vehicles, located in every State in the Union. The last electric car company was Detroit Electric, which made the vehicles to order in the 1930's. Thus, the electric came and went, but it was not the only casualty of the era. Almost 2,900 automobile manufacturers tried and failed too. As indicated above, the situation in England is quite different. The electric is in common use, and it is still being manufactured.

I have characterized the first generation of electric vehicles as being a specialized use vehicle, not as a replacement for the IC vehicle. Detractors like to stress this fact of specialized use. They are, however, only giving one side of the picture.

The IC engine is and was a specialized item, and increasingly will become a specialized use vehicle. The IC engine needs a high operating temperature for normal use. The problem of winter starts is known to all. The IC engine needs to be operated at high revolutions per minute to be efficient. All drivers know the difference in performance between stop-start driving in town and highway travel. The flexibility of the IC engine in reality requires that peculiarities of its operation be observed just as the peculiarities of the electric must be observed. The IC engine requires certain basic configurations in the design and construction of the vehicle.

The vehicle, passenger, and load compartments must be built around the engine and power train; whereas with an electric, relocation of the power and battery units is more flexible.

Just as the IC engine requires certain operating conditions—high temperature and revolutions per minute—so increasingly, will the entire vehicle be operating in a specialized environment suited to its optimum performance, which the menace of pollution has made imperative. This possible specialized future use of the IC engine has been most dramatically stated by Mr. Frank M. Stead, chief, Division of Environmental Sanitation, California State Department of Public Health. He says:

> It is clearly evident, therefore, that between now and 1980, the gasoline-powered engine must be phased out and replaced with an electrical power package or at least one which does not emit hydrocarbons and oxides of nitrogen.

He goes on to say:

> The only realistic way to bring about this historic kind of changeover on schedule is to demand it by law in the public interest; that is, to serve legal notice that after 1980, no gasoline-powered motor vehicles will be permitted to operate in California.

These forthright statements certainly indicate that the IC is a specialized use vehicle.

Another example of the possible specialized use of the IC is the increasing concern about traffic density in the central city. As then Under Secretary of Commerce for Transportation, Alan S. Boyd, said at the 1966 National Conference on Air Pollution:

> In the interim, let us not become so determined on ends that we grow indiscriminate in our means. I have in mind such double-edged measures as restricting automobile access to the (central business district). This two-in-one solution to both the pollution and traffic congestion problems has been seriously proposed by people who feel very deeply concerned about the future of the central city.

He went on to say:

> Personally, I wouldn't mind seeing that idea tried out in some metropolis, so that we could all be spared the repetition of that argument and perhaps arrive at generalizable data.

Use of electric vehicles may help to solve the problem which Mr. Boyd has raised. The IC would be a very specialized use vehicle under these circumstances.

In addition, the IC presents parking problems because of its size and weight, it requires special ventilation in tunnels and underground parking.

While many say the electric cannot perform the tasks of the IC, they are speaking more of highway than urban travel. In the urban or suburban environment, in practice, if not in theory, the IC is used as a specialized vehicle, which could be replaced by electric vehicles.

The Automobile Manufacturers Association published a booklet entitled "Automobile Facts and Figures." Some of those facts and figures indicate that 60 percent of car trips are less than 5 miles; 45.8 percent of trips and 43.6 percent of the vehicle miles are related to earning a living and the average trip, one way is between 6 and 10 miles; 82 percent of the commuting workers use automobiles as a means of transport, and 56 percent of the automobiles contain the driver only.

The implication of these figures is clear. Almost half of the use of cars is for going to work, at an average distance of about 10 miles, and over half of the cars contain the driver only; 60 percent of car trips are less than 5 miles.

Within the framework of these types of statistics even a limited range electric would do the job, and do it better, at less cost. These statistics show that in almost half the instances, the IC car is in fact being used as a highly specialized vehicle, and used in a manner for which the IC engine is not particularly designed to be its most efficient and cleanest.

The traffic jam technology that had led to this situation makes an ironic history. At the moment of its greatest success, the IC vehicle has turned its advantages into disadvantages in the urban environment. The supposed flexibility of the IC design has resulted, because of its success, in converting the vehicle into a specialized use vehicle, just as the electric is a specialized use vehicle.

What are some of the specialized uses of the first generation, low speed, short range electrics? The most obvious is mass transit. The private car is the most popular form of commuting; the electric offers the opportunity for this to continue. The electric fits nicely into an integrated mass transit situation, allowing the proper mix of public and private transportation.

The July 11, 1966, Electrical World describes one possible situation:

> One of the newer and untested approaches to resolving traffic congestion is to develop a transit system that imitates the automobile. Several manufacturers have proposals which are similar in concept and differ only in the details of the vehicle and roadway used.
>
> The StaRRcar system proposes the use of small vehicles about 8 to 10 ft. in length equipped with four rubber-tired wheels. This vehicle, which could be used on ordinary streets, under the control of the passenger, is arranged to carry two passengers plus a small amount of baggage. Propelled by batteries, the vehicle would either be obtained by the individual at a central point or it could be kept at his home. The commuter would drive the vehicle under his own control, to a ramp for access to a limited access roadway. The driver would actuate the automatic control system which would mesh his particular vehicle in with other vehicles using the limited access roadway. Guidance of the vehicles on the roadway would be provided by a guiding shoe, doubling as a power-pickup shoe from the wayside power-supply to the traction motors. His destination would be selected by him and his vehicle would be emitted automatically at the proper exit ramp at which time the driver would again take control of his vehicle and drive it to his destinaton.
>
> Parking garages would be provided for the storage of the vehicle. Upon return, the passenger would be given a vehicle, not necessarily the one he arrived in and would make his return trip in a fashion similar to that described above. He would either leave the vehicle at a terminal point at the destination end or take the vehicle to his own home.

A small electric could be used to commute to the mass transit station or to the office, to schools, and to the shopping center. The small low-cost vehicle would perform, as a second car, those tasks where the IC is unsuited—carrying one or two passengers a short distance in a congested, otherwise polluted, environment.

Electric buses have already been mentioned, as well as battery powered trains. In new cities, like Reston or Columbia, the electric would be a silent, clean inobtrusive, efficient means of going about. In retirement communities, low speed and silent operation, combined with simplicity of control would be a welcome addition. For the young driver, the ease of operation and low speed would make the parents life more serene, and the youth's life safer. A wide range of commercially available electric vehicle systems are available to handle passenger movement in such areas as public parks and restored areas where passenger movement is necessary, but where private motorcar traffic congestion would be a detriment to the purposes of the establishment. Rubber wheeled "trains" are becoming increasingly popular. They provide excellent passenger movement, while holding logistic problems to a minimum: people do not need to stand in queues to get on and off. Proposals to put tourist buses on the Mall should look to the electric as a less obtrusive mode of travel.

On military installations, electrics would serve usefully since speeds are restricted and space is often limited. Many of the stop-start operations of the Post Office could be handled by a properly designed electric in many instances.

Implicit in all of these suggestions are opportunities for Federal, State, and local governments to show actual concern about air pollution, noise, and transportation and offer an alternative. One can go only so far with rules and laws. There is in this day of pressing social and environmental problems a need for well considered laws, but there is an equal, if not greater need for government by example. The need for coercion can be reduced and the ability to overcome theoretical arguments about "it won't work" or "it won't sell" can best be achieved through a comprehensive program of government by example. In this day of economic concern and tight budgets, government by example programs will cost no more and they will stimulate imitation in the public interest. For example Government expenditures for vehicles will be made anyway; it is inconceivable that some of the funds could not go for electrics.

Despite all of these considerations and opportunities, I have been advised by the General Services Administration that—

> Use of electrically powered vehicles within the Government is at the present time confined primarily to warehouse vehicles such as forklift trucks. We anticipate that this will continue to be the extent of their application for the time being.

This policy statement is not the fault of GSA, but it does represent another lost opportunity in the Government by example endeavor. In this area, as in so many areas, really imaginative work is being done by the military departments for their specialized needs. The problem is primarily a civilian one, and not only a military one. I am pleased to report that Assistant Secretary Charles M. Haar, Department of Housing and Urban Development, has shown great interest in the transportation aspects of the bill. It would be encouraging if other user agencies were similarly interested in the possibility of an example.

Among those who should and are showing great interest are the electric utilities. They, of course, would stand to gain from the increase in nighttime load and the consumer might gain by 10 to 20 percent reduction in electric rates if the use of electric cars becomes widespread. The National Power Survey stated:

> The development of the electric automobile for urban transportation before 1980 would appear to warrant a substantial amount of additional research. Relatively little has been spent on battery research in the past, although the pace has been stepped up in recent months and should be further accelerated. There is every reason for the industry to direct more of its research efforts toward such a breakthrough, which would raise the horizons for electric power growth.

The utilities are obvious first customers for such vehicles, but there appears to be little inclination to develop a vehicle, however, as opposed to battery research. Dr. Manfred Altman, Director of the University of Pennsylvania's Institute for Direct Energy Conversion is quoted in the December 6, 1966, New York Times, as saying:

> Technology is moving so fast that within two or three years, the suburbanite will become interested in buying electrical vehicles as a town car.

The development of an electric car would serve another beneficial purpose in the field of automotive safety. By definition, the first generation of electrics would be specialized use town cars. This necessitates radical new design from the road up. Safety could be designed in, not added on.

The Committee on Commerce labored long and hard on the automobile safety legislation. Now that standards are being considered, the manufacturers indicate that many cannot be met without radical redesigns, or disruption of the schedule of model changes. The creation of the all-new electric would give an opportunity for the designers to exercise unlimited imagination in meeting and exceeding standards by using safety as one of the original design criterion, not as an add-on feature.

The beneficial effects of this could be as great to the motoring public as would be the concomitant reduction in air pollution, noise, and other health improvements.

As readers of the recent press know, there are significant activities going on in the electric car fields. The automobile manufacturers have announced meaningful developments in components; the utilities are researching batteries; and many other companies, large and small, have evidenced interest. The forklift industry has developed many of the components that would be useful, and lessons can be learned from readily available electric small cargo and personnel carriers. In Pennsylvania, there is the Battronic Truck Corp. which has been producing an electric multistop delivery truck for 2 years.

It is clear from my review of the subject that there is an industrial base already in existence that is capable of producing electric vehicles in the near future. For reasons not entirely clear to me, there has been a disinclination to design the new vehicle needed and to assemble the components into that vehicle. Accordingly, the bill which I introduced requires that 50 percent of the funds be devoted to that purpose.

There is a debate, even among advocates, about whether the first electrics should be made from new designs of available technology or whether one should wait until there is an electric capable of performance equal to the present IC. Dr. George Hoffman of the University of California at Los Angeles, who has written extensively on the subject, suggests that the successful electric should replace today's IC car on its own terms. Indications are that the Ford Motor Co., to the contrary, is producing the small town car at the Ford Research Center, Birmingham, England.

I think that we should go ahead now. The problem exists and the technology for a partial solution exists. The IC is no longer capable of performing all of the transportation needs in a manner consistent with maintaining a liveable environment. A new vehicle is needed and the electric can be that vehicle. There may well be other alternatives, but the electric appears to be the leader today. Increased research will offer new alternatives.

The need for a new design becomes clear when one looks at recently tested electrics. In the main, they are IC vehicles that have been converted to electric. In the main, they are unsuccessful. Conversions are not efficient—the body style is wrong; the remaining parts of the power train are unsuited to electrics; they are too heavy, and so forth. Most important, however, is the need for a new design to meet new transportation needs and problems.

Present vehicles do not meet that need and they would not meet that need if they ran on electricity instead of petroleum. The Henney Kilowatt was a noble effort, but surely there are designers, engineers, and companies who are capable of developing a new car to fit a new need and not just convert a supposedly all-purpose vehicle that is no longer all-purpose, if it ever was.

In addition to the pure electric, there are intriguing possibilities of hybrid systems using small steam or other types of generators carried on board which could be running to produce sufficient current to keep the batteries at average charge. There are various combinations of batteries to be tried, in addition to the exotic ones being developed. These are regenerative or dynamic braking concepts. Metal air batteries and fuel cells offer great hope, but need more research.

William Reid of the Battelle Memorial Institute, speaking at the third annual meeting of the American Institute of Aeronautics and Astronautics mentioned the future possibility of linear motors, having a moving electrical field within major roadways with the vehicle making up the armature.

There are related questions of taxation, computerized parking meters which also provide an opportunity to charge the vehicle, electrified highways, and so forth. Electric line power remains an energy source that has yet to be fully exploited in the United States. This, combined with credit-card type billing systems, will enable the installation of "parking meter" charge stations in parking lots, supermarkets, and so forth, which will make the use of conventional batteries in short haul, runabout-type electric vehicles attractive for years to come—until such time as other evolving practical energy-supply systems come of age.

There is, as this bill indicates, a need to promote the first generation of specialized electric vehicles. There is also the problem of promoting, at an increased level, the research needed for the second generation of vehicles to meet broader, specialized needs. The success of the internal combustion engine has generated health and transportation problems that technology alone cannot solve. There must be alternatives and they must be developed soon. The internal combustion engine is not dead, nor will it be. It will continue to serve those functions at which it excels, and for which it can best be designed. There are functions which it cannot serve and therein arises the need for the electric alternatives. As time will tell, there will be a cooperative, not conflicting interaction.

The problem is immediate, and it is large. The resources available to meet the problem are immediate and large, if action is taken. As Mr. M. G. Smith of the Electric Storage Battery Co., stated to the Department of Commerce Technical Advisory Board last May:

> The state of the art is far enough advanced to permit the use of electric cars, trucks, buses, and trains in appreciable numbers almost immediately.

Mr. Kirby Billingsley, president of the American Public Power Association, summed the matter up in his motto "Drive Better Electrically."

Two recent reports are of considerable significance. A disturbing article in the January 7 Evening Star was headlined "Secrecy Veiling Study of Electric Auto Need." That article stated, in part:

> The government shrouded in secrecy yesterday its first high-level study of electric-powered cars and need for their early development. Assistant Secretary of Commerce J. Herbert Holloman ordered the expulsion of a newspaper reporter from the meeting.

I can assure those involved that secrecy is not in the public interest and I shall do all that I can to see that the public interest is promoted.

On a more optimistic note, the Washington Post of January 8 carried a Gallup poll report with the following comment:

> Survey evidence indicates that millions of Americans are interested at this time in buying an inexpensive electric automobile. . . .

This bill will help insure that this consumer demand is met in the near future.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 453) to authorize a program of research, development, and demonstration projects for electrically powered vehicles, introduced by Mr. Magnuson (for himself and Mr. Muskie), was received, read twice by its title, and referred to the Committee on Commerce.

EXTENSION OF FILING DATE FOR TRANSMISSION OF THE PRESIDENT'S ECONOMIC REPORT

Mr. PROXMIRE. Mr. President, the administration has requested an extension of the statutory date for filing the annual Economic Report of the President. By law that report is due on January 20. But there have been occasions in the past 20 years when the administration found it necessary to seek an extension. This year they have asked that the deadline he moved up to January 30.

Inasmuch as the committee is not planning to start its hearings on the President's report until February 2 there will be no inconvenience occasioned by the requested extension. However, it will be necessary for the committee to have some relief from the March 1 deadline on our own report to the Congress.

In the circumstances, Mr. President, I introduce a joint resolution extending the date for transmission of the economic report to the Congress and extending the required date of the Joint Economic Committee's report to the Congress. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. The joint resolution will be read.

The joint resolution (S.J. Res. 16) extending the date for transmission of the economic report was read the first time by its title and the second time at length, as follows:

S.J. Res. 16

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than January 30, 1967, the 1967 Economic Report; and (b) notwithstanding the provisions of clause (3) of section 5(b) of the Act of February 20, 1946 (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's Economic Report with the Senate and House of Representatives not later than March 20, 1967.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to the consideration of the joint resolution.

Mr. ELLENDER. Mr. President, when is the report supposed to be due?

Mr. PROXMIRE. This is a routine resolution to extend the time of the President's Economic Report from January 20 to January 30. This course has been followed in the past. It is a matter of routine, and there is no objection.

Mr. ELLENDER. I thank the Senator.

The VICE PRESIDENT. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 16) was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL SKI WEEK

Mr. DOMINICK. Mr. President, I send to the desk a joint resolution on behalf of myself and Senator ALLOTT and ask that it be stated.

The VICE PRESIDENT. The joint resolution will be stated.

The legislative clerk read the joint resolution (S.J. Res. 17) as follows:

S. J. RES. 17

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating the week beginning January 20, 1967, as "National Ski Week".

Mr. DOMINICK. Mr. President, last year we passed a National Ski Week measure covering the period from January 21 to January 30.

We are asking this year that the President designate the week commencing January 20 as National Ski Week. It is most important that we get immediate consideration. I have cleared this matter with the distinguished majority leader, the minority leaders—both the Senator from Illinois [Mr. DIRKSEN], the Senator from California [Mr. KUCHEL], as well as with the distinguished Senator from Georgia [Mr. RUSSELL], and the distinguished Senator from Pennsylvania [Mr. CLARK].

I ask unanimous consent that we suspend the rules and immediately proceed to the consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Colorado?

There being no objection, the Senate proceeded to consider the joint resolution (S.J. Res. 17), which was read the second time by its title.

The VICE PRESIDENT. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 17) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. DOMINICK. Mr. President, skiing has become a national industry in this country, and it affords an opportunity for recreation to many families.

Skiing is of enormous importance in a great number of States, Colorado, California, Utah, Idaho, and many other States. Skiing is a sport we can encourage in keeping with our program of physical fitness, as well as trying to do something to encourage private enterprise and to provide needed economic resources in areas which otherwise would be marginal. It is for that reason that we have taken this action.

I appreciate the courtesy of my colleagues in letting me have the measure acted on at this time.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CLARK. Mr. President, I commend the Senator for the action just taken.

I point out that in many States along the Atlantic seaboard there is a very keen interest in skiing.

My own Commonwealth of Pennsylvania has a well-developed skiing industry in the Allegheny Mountains and elsewhere.

While I agree that the weather is better for skiing in Colorado than in Pennsylvania, I must say that we have more people in Pennsylvania and I suspect we have more people on skis.

I commend the Senator for what he has done.

Mr. DOMINICK. Mr. President, I thank the Senator from Pennsylvania. I hope to have at least one day of skiing in Colorado soon, but I hope that before the year is over I can also invade his State and see if I can rub some snow off on me from one of his ski slopes.

DEVELOPMENT OF PENNSYLVANIA AVENUE AS A NATIONAL HISTORIC SITE

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a Pennsylvania Avenue Historic Site Commission.

The purpose of this joint resolution is to provide for the administration, protection and appropriate development of this historic national thoroughfare. The Secretary of the Interior, pursuant to the Historic Sites Act of 1935, has designated Pennsylvania Avenue between the Capitol and the White House as a national historic site. This joint resolution would ratify and confirm this designation.

This measure would also establish a Commission to be composed of not more than 21 persons who would have the responsibility of assuring that the plans, programs, and activities related to the creation of this national ceremonial thoroughfare are carried forward in an orderly and effective manner as a unified concept.

The Commission would report to the President and to the Congress, and would submit a final report not later than July 1, 1972.

This joint resolution passed the Senate with committee amendments on June 8, 1966, but was not acted upon by the House prior to adjournment of the 89th Congress.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 18) to provide for the administration and development of Pennsylvania Avenue as a national historic site, introduced by Mr. JACKSON, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

LEGISLATIVE AUTHORITY TO THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. PROUTY. Mr. President, I submit, for appropriate reference, a resolution designed to give to the Select Committee on Small Business, the authority necessary for it to receive bills and resolutions relating to the problems of small business and to report bills and resolutions.

Mr. President, the Select Committee on Small Business does not now have this authority. It is empowered only to investigate and study problems peculiarly affecting the small business of this country. Such limited authority is unfortunate, to say the least, especially when problems are found to exist, can be identified, and yet are prevented from being considered by the Senate because the committee cannot report to the floor in a form upon which we can act.

This is in no way a criticism of other committees. Each of them does a very commendable job. But, we should not permit the problems of small business, some of which are acute indeed, to be laid aside because of other pressures.

Once the Select Committee on Small Business has isolated a problem, it should not be frustrated with the inability to bring such matters to the attention of the Senate for debate and vote.

Mr. President, this is the third consecutive Congress in which I have introduced this resolution. Each time, the resolution has had a very large number of cosponsors—at least one-half of the Senate. I am advised that similar legislation has been found necessary by a majority of Senators since the idea was first introduced by Senator Thye of Minnesota on January 6, 1955, when 54 Senators were cosponsors.

The idea was incorporated in legislation introduced by other Senators during the intervening years. In each of these cases, the cosponsorship of the resolution has been a bipartisan one—a demonstration of the broad support which the concept has in the Senate.

This resolution has become known by the number, Senate Resolution 30, which it bore during the 88th and the 89th Congresses. I have requested that it carry the same number during the 90th Congress.

Mr. President, I am hopeful that some action might soon be forthcoming on this resolution. Because the Committee on Rules and Administration was pressed relentlessly during the 89th Congress with other grave matters, it was unable to consider this resolution. But the seriousness of the situation compels us to continue our efforts, and that we will do.

It is my hope that Senators who cosponsored this resolution in the past Congress might wish to join with us again this year. Perhaps some of the others of our colleagues might wish to join with us.

I therefore request that this resolution might remain at the desk for a period of 1 week for additional cosponsors.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent, on behalf of the Senator from Vermont [Mr. PROUTY] that Senate Resolution 30, submitted earlier today, be held at the desk for 1 week for additional cosponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD, and held at the desk for additional cosponsors, as requested by the Senator from Vermont.

The resolution (S. Res. 30) was referred to the Committee on Rules and Administration, as follows:

S. RES. 30

Resolved, That S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended, is amended to read as follows:

"That there is hereby created a select committee to be known as the Committee on Small Business, to consist of seventeen Senators to be appointed in the same manner and at the same time as the chairman and members of the standing committees of the Senate at the beginning of each Congress, and to which shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the problems of American small business enterprises.

"It shall be the duty of such committee to study and survey by means of research and investigation all problems of American small business enterprises, and to obtain all facts possible in relation thereto which would not only be of public interest, but which would aid the Congress in enacting remedial legislation.

"Such committee shall from time to time report to the Senate, by bill or otherwise, its recommendations with respect to matters referred to the committee or otherwise within its jurisdiction."

SEC. 2. Subsection (d) of XXV of the Standing Rules of the Senate is amended by striking out in paragraph 2, the words "under this rule".

AMENDMENT OF STANDING RULES OF THE SENATE—AMENDMENT

AMENDMENT NO. 3

Mr. MILLER submitted an amendment, intended to be proposed by him, to Senate Resolution 6, amending the Standing Rules of the Senate, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS—S. 270

Mr. KUCHEL. Mr. President, I ask unanimous consent that at the next printing of S. 270, the name of the distinguished junior Senator from Oregon [Mr. HATFIELD] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

Clarence A. Boonstra, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Costa Rica.

Idar Rimestad, of North Dakota, a Foreign Service officer of class 1, to be Deputy Under Secretary of State.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

HEARINGS ON MULTIDISTRICT LITIGATION BILL (S. 159)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the consideration of S. 159, a bill to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes.

The hearings will be held at 9:30 a.m. on Tuesday, January 24, 1967, in the District of Columbia Committee hearing room, room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record of this hearing should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARINGS BY COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. JACKSON. Mr. President, I announce for the information of the Senate that public hearings will be held January 24 by the Water and Power Resources Subcommittee of the Senate Committee on Interior and Insular Affairs on S. 270, a bill introduced on January 12 by Senator KUCHEL to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes.

The hearings will begin at 10 a.m. in room 3110 of the New Senate Office Building. All those who wish to express their views before the committee on this important legislation are invited to do so.

TRIBUTE TO JOHN W. GARDNER, SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Mr. MUSKIE. Mr. President, the task of administering any Federal department is never an easy one. But when the department is as huge and covers as many far-reaching and complex programs as the Department of Health, Education, and Welfare does, that task could easily overwhelm the most experienced administrator.

A year and a half ago John W. Gardner took office as the sixth Secretary of Health, Education, and Welfare. Since then I have watched, with growing admiration and respect, Secretary Gardner handle his administrative giant with imagination and skill.

Last November my Subcommittee on Intergovernmental Relations opened its first phase of hearings on the problems involved in managing Federal grant-in-aid programs at the Federal, State, and local levels. At that time Secretary Gardner demonstrated a real understanding of intergovernmental relations—and tensions. I was particularly impressed by the steps he has taken to coordinate many of the programs and agencies within HEW and by his dedication to improve the entire administration of the grant-in-aid programs in this farflung Department.

We are fortunate to have John Gardner responsible for the administration of some of our most important national domestic programs. Because I know that Senators share my admiration for his ability and ideas, I ask unanimous consent that the entire text of the cover story in this week's issue of Time magazine be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE ADMINISTRATION: A SENSE OF WHAT SHOULD BE

When he quit the Department of Health, Education and Welfare in 1962, Secretary Abraham Ribicoff described it as the "department of dirty water, dirty air and dirty looks. I feel sorry for the so-and-so who is going to take my place." One of his predecessors, Marion Folsom, an Eisenhower appointee, complained: "They expect you to know everything and it's just not possible." One Congressman has called the department "a nightmare," another "a monstrosity." Others call it the Department of Headaches—or, more specifically, the Department of Wealth, Aggravation and Hellfire.

John William Gardner, 54, the so-and-so once removed from Ribicoff (former Cleveland Mayor Anthony Celebrezze came in between), takes wry pleasure in recalling the bloodcurdling things he heard about his sprawling domain when he first took over in August 1965. Then he adds: "I think that people just don't say that any more."

HEW's sixth secretary in its 14 years, Gardner has even more problems to cope with than any of the others, but he hardly seems disgruntled by the dimensions of the job. With characteristic wit, he once described his concerns as "a series of great opportunities brilliantly disguised as insoluble problems." But as head of a department with a $12.3 billion budget (plus $25 billion more for social security), 150 programs and 100,000 employees, Gardner derives pride from the fact that he is quite literally the construction boss of Lyndon Johnson's visionary effort to build a Great Society. He is a Republican, but he wholly subscribes to Democrat Johnson's dreams for a better nation. "This department touches every American, from the preschool child to the elderly," said Gardner when he accepted its command. "It has been handed an absolutely staggering set of assignments that can result in enormous good to the American people. It must be well-managed. That is an exciting challenge."

Cash Flood. The challenge has been made doubly exciting—and devilishly difficult as well—by the congeries of social and economic reforms to which the Johnson Administration has committed itself in the past three years. The 89th Congress put no fewer than 136 major domestic bills on the books, and nearly everybody from federal administrators to municipal bookkeepers has been overwhelmed as a result. "Our aspirations," says Gardner, "have outrun our organizational abilities."

Medicare was one instance. Though HEW officials prepared for its introduction with what the President called "just about the largest single management effort since the Normandy invasion," there were inevitable bottlenecks. As the program got under way, hospitals had 50% of their Medicare forms bounced back because of errors, causing two-month delays in payment and forcing some of them to seek short-term loans from banks.

The 1965 Elementary and Secondary Education Act was another example. Title I of the act, a $1 billion program to upgrade the schooling of poor children, held vast promise. But the cash it released hit many areas like a flash flood, running off before it could be absorbed. Illinois, for example, was able to use only $52 million out of the $61 million authorized. "It's like having $50 million to spend in your local Woolworth store," said an Illinois educator.

FOCUS ON THE FUTURE

So rapidly have programs multiplied that fragmentation and lack of coordination are chronic. The inevitable consequence has been a withering fusillade of criticism aimed at the Great Society. Democratic Governors complained to Johnson that his programs had sown confusion in their states by gorging them with cash and concepts that they were simply not prepared to handle. Senate Majority Leader Mike Mansfield has urged the 90th Congress to conduct a "top-to-bottom" re-evaluation of Great Society programs to repair "rough edges, overextensions, overlaps, and perhaps even significant gaps." Congress seems more than willing to oblige.

As Commissioner of Education, he named former Scarsdale Schools Superintendent Harold Howe II, 48, a skillful administrator whose choice reflects Gardner's lifelong crusade for better education. The ultimate purpose of education can move this ascetic, unflappable man to evangelistic fervor. "The idea of individual fulfillment within a framework of moral purpose," he says, "must become our deepest concern, our national preoccupation, our passion, our obsession." What rankles him is the fact that so few educators seem to share his concern. Only a fraction of 1% of all the billions spent on education goes to research. In many American schools, says a former HEW education official, the prevailing attitudes are "inflexibility, defensiveness and insularity," making them "fortresses against the community" rather than fertile forces within it. Adding to the indictment, Gardner charges that "the schools have been all too willing to unload their behavior and scholastic problems on the community in the form of dropouts or expelled students."

$88 OR $88,000

To head the Food and Drug Administration, Gardner named Dr. James L. Goddard, 43, the first physician to serve as commissioner in 45 years, and, if a good many shaken pharmaceutical executives have their fondest wish, perhaps the last. As Assistant Secretary for Health and Scientific Affairs he named Philip Lee, who found a way to train 225,000 nurses a year instead of the previous 125,000 by pooling the resources of half a dozen separate agencies—without any extra cost.

With the aid of a former Pentagon Whiz Kid, Assistant Secretary William Gorham, 35, Gardner grafted McNamara-styled systems-analysis techniques onto HEW's programs to determine which were paying off best. Gorham is engaged in providing the information that Gardner will need for decisions such as whether money is better spent on vocational education, or job retraining, or increased aid to poor schoolchildren. One startling fact uncovered by Gorman: an advertising campaign to persuade automobile drivers to use seat belts saved one life for every $88 spent; an extensive educational effort to train drivers saved one for every $88,000.

Gardner is also trying to restructure his own department in two ways. Vertically, he aims to consolidate its eight existing agencies into three major bureaus with separate secretaries for Health, Education and—instead of the New Dealish-sounding Welfare—Individual and Family Services. That would give it a structure roughly akin to the Pentagon's, with its Secretaries of the Army, Navy and Air Force and a Defense Secretary above all. He is also contemplating a horizontal reorganization, moving men of similar skills from one agency to another rather than leaving them to grow stale in one office.

KEY TO THE DOOR

When the department was created in April 1953, all three levels of Government plus private individuals and groups in the U.S. were spending $42 billion a year on health, education and welfare. Today the figure is $95 billion, including $40 billion on health, $45 billion on education, $10 billion on welfare. Shortly before Gardner took office, Johnson signed two bills of historic importance. One was the $1.3 billion Elementary and Secondary Education Act, which he called "the key that can unlock the door to a Great Society." The other was Medicare. Together, the two bills guaranteed that HEW would be the real engine of the Great Society.

Today, in advance of Gardner's reorganization plan, it is still a hodge-podge of eight disparate agencies. In the past, they have often behaved like independent satrapies; under Gardner's cross-pollinizing influence, they are growing less parochial and are beginning to look beyond their borders. The eight:

Social Security Administration. The biggest and probably best-run HEW agency, it spends $1 billion a year administrating payments of $25 billion to 21.7 million Americans.

Office of Education. Once a haven for musty-minded traditionalists, OE was given new life by Sputnik and turned into a giant by Lyndon Johnson. Its $3.9 billion budget is 100 times greater than it was in 1950, and it promises to keep growing. In the past three years, Congress has enacted 24 major education bills that affect almost all of the 54 million students in the U.S. Eventually, the Office may also get the preschool children of the poverty war's Head Start program. To ensure that Head Start momentum is not lost when slum children enter grammar school, the Office is preparing legislation for a "Follow Through" program for the lower grades.

Public Health Service. With a $2.5 billion budget—40 times greater than it was in 1945—PHS embraces the Surgeon General's office and a spate of field hospitals, clinics and research centers from Point Barrow, Alaska, to Indian reservations. Its most notable component is the National Institutes of Health (NIH), whose reseach budget has ballooned in 20 years from $3,000,000 to its current $1.1 billion. The research paid off in the cracking of the genetic codes, the discovery of fluorides and the development of a German measles vaccine. Still, the results of NIH research were barely reaching those who needed them. A major shift in emphasis was L.B.J.'s $340 million program to build special heart-disease, cancer and stroke centers across the U.S. to make the benefits of new medical knowledge available to all.

Food and Drug Administration. Though its budget is only $63 million, Gardner says FDA "makes up in controversy what it lacks in size." When Goddard took over, he began borrowing young doctors and scientists from the PHS, used them to help clear up a backlog of 1,450 new applications for drug approval and to review 3,000 drugs approved from 1939 to 1962. He hopes to wipe out the backlog by July.

Welfare Administration. Neither Gardner nor anybody else is very happy with how Welfare doles out the dole. Only 8,000,000 of the 35 million Americans officially classified as poor are actually receiving some form of relief. The agency gives out $4 billion a year—and spends an appalling $350 million doing it. Reason: under political pressure to keep chiselers off the rolls, Welfare workers often spend 90% of their time investigating eligibility requirements. Most of the recipients, however, are unemployable—2,000,000 are too old, 3,500,000 are too young, 900,000 are mothers who have no place to leave their children, 600,000 are totally disabled. Wide inequities exist in payments because each state sets its own standards: a dependent child in Mississippi gets a pitiful $8 a month for all his needs while one in Minnesota gets $52.50. Despite such proposals as a guaranteed annual wage or a negative income tax aimed at drastically increasing the sums given to relief recipients, Gardner has a more modest goal—a standard nationwide "floor" for payments.

Vocational Rehabilitation Administration. With an outlay of $313 million, the agency helped to convert 150,000 physically or mentally disabled people into jobholders. Ultimately, they will pay back in taxes more than five times the amount spent to train them. Chief problem: a backlog of some 5.5 million disabled people to be served.

Administration on Aging. The newest HEW agency, it has a $10 million budget to find ways to ease the anguish of age. One of its programs is "Foster Grandparents," in which old people work with abandoned children.

St. Elizabeths Hospital. A Washington, D.C., mental hospital partially supported by $10 million in federal funds, it has 7,000 patients. Also supported by HEW are Washington's Gallaudet College, the world's only institution of higher learning for the deaf, Howard University and the American Printing House for the Blind.

Clearly, the domain is just too vast for one man to master—but then, so are the Pentagon, the State Department and the U.S. itself. Gardner is no empire builder—but neither is he without ambition. In 1960 a woman suggested that he would make a logical Under Secretary of HEW in John F. Kennedy's embryo Administration. "I'll be *Under* Secretary of nothing," Gardner retorted. "Well then, maybe Secretary," said the woman. "Ah," said Gardner, "that would be something else."

Can the Great Society, in fact, be built—and managed? John Gardner, who bears more responsibility than any other official save the President for answering the question, is confident that it can. A tall, trim (6 ft. 2 in., 175 lbs.), handsome man with deep-set brown eyes and a classical nose that, according to his mother, acquired its Roman cast by getting broken in a high school football scrimmage, Gardner remains imperturbable in the midst of the tempest. As president of the philanthropic Carnegie Corporation for ten years before joining the Government, Gardner has long been accustomed to focusing on the future rather than on passing squalls. Thus he sees the uproar over the Great Society as nothing more than "whitecaps on a very deep sea." And he has gone right on probing beneath the surface.

Besides, Gardner has a commitment to the ideal of the Great Society that antedates even Lyndon Johnson's. In 1961, three years before the President's now-famous speech at Ann Arbor, Mich., Gardner wrote in a provocative essay called *Excellence* that Americans "long, long ago were committed, as free men, to the arduous task of building a great society—not just a strong one, not just a rich one, but a great society."

Last week alone, he and HEW were embattled on half a dozen fronts in their efforts to achieve that vision. The department:

Threatened to cut off $95.8 million in federal welfare funds for Alabama unless the state complied with desegregation guidelines by Feb. 28. Alabama authorities had plainly doubted that Gardner would leave some 200,000 welfare recipients without funds, but he felt that he had no choice. "If we don't move," he said, "our policies with the other states are a hollow shell."

Warned the board of education in Chicago, where only 13% of the city's 500,000 pupils attend integrated schools, that it too may face a cutoff in federal funds. At the same time, HEW teams were studying patterns of segregation in 45 other cities, a signal that Gardner may be preparing to take action in the hypersensitive area of *de facto* segregation.

Urged New York and New Jersey to adopt more stringent controls over what one HEW official described as "the worst, most critical" air pollution in the U.S. The air is so foul, said a Public Health Service official, that "if it were subject to the pure food and drug laws, it would be illegal to ship it interstate because it's unfit for human consumption." Or for anything else, in fact: a study showed that Cleopatra's Needle, a stone obelisk in Manhattan's Central Park, has deteriorated more during 86 years of exposure to New York's contaminated atmosphere than in its 3,500 years in Egypt.

Called on tobacco companies to print the precise amounts of tar and nicotine in their cigarettes on every pack and in every advertisement as well.

Announced the establishment of a special Center for Community Planning designed to link the frequently fragmented efforts of HEW and other departments such as Housing and Urban Development "in a total program for human betterment" in U.S. cities.

For all that activity, Gardner would be quick to concede that the Great Society's gravest problem is not a lack of financing. "The need for money is less acute than the need for new ways to use it," says Gardner. "We vote billions into old channels. If we are going to get the job done, the money should be used to find better ways of doing it."

AMONG THE MANY

Gardner has probably devoted as much energy to seeking new channels as any man in the Government. He is well aware that a strong central authority is necessary in a nation as vast as the U.S. At the same time, among the aphorisms that he has been collecting for the past 36 years, there is one from Thomas Jefferson that he particularly cherishes. "No, my friend," said Jefferson in a letter, "the way to have good and safe Government is not to trust it all to one, but, to divide it among the many, distributing to everyone exactly the functions he is competent to."

What is needed, as Gardner sees it is the development of an entirely new series of relationships in the name of "creative federalism." Already, he says, "the Federal Government has established a wide array of partnerships—not just with state governments, but also with local governments, with universities and hospitals, with voluntary agencies and professional associations, and with the whole of the business world." Under Medicare, an extraordinary partnership has been forged involving 6,750 hospitals, 2,500 nursing homes, 250,000 physicians, 107 Blue Cross and Blue Shield programs, 26 private insurance carriers, all 50 state health agencies and several branches of HEW.

To Gardner, the great weakness in the complex, interlocking chain is the fact that "most state and local governments do not have the vitality and competence to play their role in an effective partnership with the Federal Government." In all 50 states, no more than a handful of education commissioners are regarded as good administrators; nearly half are elected politicians. For men of superior talents, the glamour is in Washington, not in Albany or Austin; the money is in business, not in a city council or a zoning commission.

UNPRODUCTIVE CLICHÉS

One key to the ultimate success of this process of partnership and interpenetration is the business community. Only recently, a paranoid distrust poisoned relations between the private and public sectors of the nation. There remain quite a few holdouts in both camps, but the instances of cooperation between the two are growing, notably in the space program and in the development of new educational tools.

The biggest role for business may lie in the future, when the U.S. sets out in earnest to reinvigorate its deteriorating urban centers. "In improving our cities," Chase Manhattan Bank President David Rockefeller recently told a Senate hearing on urban problems, "capital investment is needed on an immense scale—an estimated $5 of private capital for each $1 of public funds."

NATIONAL PREOCCUPATION

Within his own department, Gardner is experimenting with a spate of solutions to what he calls the "crises of organization" that afflict practically every domestic U.S. program. "Most organizations have a structure that was designed to solve problems that no longer exist," says Gardner, and he has been tinkering with HEW's machinery ever since he arrived.

He has been greatly assisted by the top-flight men who work for him. "There are a lot of top executives who can't tolerate first-class men around them," he once wrote. "They separate the men from the boys, and hire the boys." By a stroke of luck, Gardner had 14 top-level positions in HEW to fill when he took over. Lyndon Johnson gave him a free hand in filling them ("Forget about any political considerations"), and Gardner picked men for the jobs.

By 1955 Gardner was president of Carnegie, living in a modest home in Scarsdale, N.Y., just four doors down from another philanthropoid—Dean Rusk, then president of the Rockefeller Foundation. Gardner usually came home with a fat briefcase, went to work soon after dinner. Checka recalls that "when we were children, we always went to sleep to the sound of a typewriter." Gardner made a point of placing his desk "right in the traffic pattern for everything in the house" so as not to miss anything.

NO TAPERING OFF

A frequent commuter to Washington, Gardner served as consultant to a tureen-full of alphabetized Government agencies, won the Air Force's Exceptional Service medal, its highest civilian award, for his advisory work. As chairman of the Educational Panel of the Rockefeller Brothers Special Studies Project, he wrote a report whose title was later to become a catch phrase of the early '60s: "The Pursuit of Excellence." He served on education task forces for Dwight Eisenhower, John F. Kennedy and Lyndon Johnson, played a major role in drafting the Elementary and Secondary Education Act. That act, says White House Aide Douglass Cater, "has Gardner's fingerprints all over it."

At about that time Gardner told Brother Louis, a motel resort owner in Carmel Valley, Calif., that he was "tapering off." But Johnson, who admired his work on the education bill, had other ideas, asked him to join the Cabinet. There was an immense gulf between running Carnegie's 35-member staff and HEW's army of 100,000, but, as Gardner puts it, "it is exceedingly difficult to say no when the President asks something of you of that magnitude." Besides, it was time for a change.

INTO THE SUN

A man who cherishes his privacy, Gardner once said: "I have strong feelings about the peace and quiet of my back garden and the excitement of the main highway. I love them both, and I hope I don't have to give up either." The back garden has suffered somewhat in the past 18 months, but he still manages to take long walks. He used to play golf, but with typical thoroughness began charting his game on a graph, saw no signs of improvement, and stashed his left-handed clubs.

Weekday mornings at 7:55 a grey Cadillac sedan calls for Gardner at his Chevy Chase, Md., home, and he usually jots down his day's agenda on a lined yellow pad during the 35-minute drive to his office. On Gardner's desk is a copy of an aphorism written in German by an unknown author: *"Das beste ist gut genug"*—the best is good enough. Behind the desk is a framed photo of the President with the inscription, "Now John, I mean it. We must cut down on spending . . ."

THE AMERICAN COMMITMENT

Having landed the job, Gardner moved into a fifth-floor office in HEW's unprepossessing limestone headquarters, where he discusses his favorite themes with a free-flowing eloquence that he rarely manages to achieve before large audiences. One theme is the importance of the individual. "The central purpose of laws and government in a free society," he says, "is to make the world manageable, so that the individual human being may have the maximum amount of freedom to grow and develop. That's what my department is about, and that's what this nation is about."

An equally frequent refrain is "the American commitment," as he calls it. "The basic American commitment is not to affluence, not to power, not to all the marvelously cushioned comforts of a well-fed nation, but to the liberation of the human spirit, the release of human potential, the enhancement of individual dignity," he says. "We decided that what we really wanted was a society designed for people." And within that society, there must be room for diverse talents. In his book *Excellence*, he wrote: "The society which scorns excellence in plumbing because plumbing is a humble activity, and tolerates shoddiness in philosophy because it is an exalted activity, will have neither good plumbing nor good philosophy. Neither its pipes nor its theories will hold water."

UNTAPPED RICHES

California-born Gardner has been pondering those ideas practically all his life. As a boy in Beverly Hills, "he just grew up with a book in his hand," says his mother, Mrs. Marie F. Burns, 76. His father died when John was a year old, and his mother subsequently remarried three times—once to a gold prospector who had been in the Klondike. Gardner recalls listening raptly to stories of the Gold Rush. "In each," he says, "the central theme was constant—riches left untapped."

Little attracted by sports until he went off to Stanford, Gardner took up swimming and broke several Pacific Coast free-style records. An English major, he dropped out for a year to try his hand at short-story writing, then returned to Stanford and switched to psychology. Before he garnered his degree he garnered a wife, a petite, dark-eyed Guatemalan girl named Aida Marroquin. When they first met, she knew practically no English and he could say nothing in Spanish but the Gettysburg Address, which he had learned in a class. They corresponded for two years while she was back in Guatemala—and he was improving his Spanish—and then were married.

With his Ph. D. in psychology from Berkeley, Gardner spent four years teaching the subject at women's colleges in the East, found the life too confining and moved to Washington. He worked for the Federal Communications Commission's Foreign Intelligence Broadcast Service—ironically, in the same building that is HEW's headquarters today. It was a radical change, but it was part of Gardner's ripening philosophy of self-renewal by means of change.

FELLOW PHILANTHROPOIDS

Gardner found renewal of another kind in the early days of World War II. He joined the Marines, served in Italy and Austria and, emerging as a captain, returned to Aida and his two daughters: Stephanie, now 28, a TIME researcher and the wife of a Manhattan attorney; and Francesca ("Checa"), 26, a Washington lawyer who is living with her parents while her lawyer husband is in the Army at Pleiku, South Viet Nam.

Gardner was still wearing Marine greens when he dropped in at the Carnegie Corporation—and was offered a job on the spot. With his ranging, inquiring mind, Gardner helped to lead Carnegie, now the fifth-ranking U.S. foundation with annual spending of some $13 million, into some of its most memorable undertakings. He also helped to establish Russian research centers at Harvard, Princeton and Michigan. Shortly before Sputnik, he got Carnegie to sponsor a study that eventually led to the new math. He persuaded James Bryant Conant to undertake his probing look at U.S. education. He sent out three-man "Jeep teams" to investigate Africa because even then he could see that "it was a sleeping giant—in four years everyone would be crying for African experts."

Home by 7 or 8, Gardner perches on a kitchen chair, sipping a Scotch or a Dubonnet and chatting with his wife as she prepares dinner. Later, he goes back to work in a book-lined study whose collection includes translations of his own titles, *Excellence* and *Self-Renewal*, in a dozen languages. Together the books have sold a surprising 100,000 copies, and he still personally answers the letters from readers, which come to him at the rate of one a week. Weekends, he walks or sits in the backyard, always shifting to stay in the sun, and puts down his thoughts in a clear hand on the ever-present yellow pad.

UP THE MOUNTAIN

In his 18 months in office, Gardner has taken hold of HEW with markedly greater determination and sureness than any of his five predecessors. The effect is being felt not only around the capital, but out in the regions as well. Jim Bond, a multimillionaire Dallas businessman who, atypically, is HEW's regional director for a five-state Southwest area (and who annually donates more to charity than he makes at his $22,500-a-year job), concedes that in the past, "I haven't always been as enthusiastic as I should have. But John Gardner is something else. He believes in working your way out of a bad situation, not just spending your way out. And he wants to run these programs from the community involved, not from Washington."

Often the praise becomes extravagant. "The 18th century produced a lot of men who had a truly universal approach—Benjamin Franklin and Thomas Jefferson, for instance, and that's what I see in John Gardner," says Old Neighbor Dean Rusk. "The future is his business. His object is to anticipate the problems of tomorrow and help people to become prepared for it."

Equally unstinting in praise is the President. "He has dreams," says Lyndon Johnson. "He can take you up on the mountain and show you the promised land. And what's more, he can lead you there." Frequently he compares Gardner with Defense Secretary Robert McNamara. "I thought for some time we ought to take McNamara and move him over to run HEW," says the President. But Viet Nam intervened, and then Gardner came along and proved that he was, in Johnson's words, "a can-do man." Gardner, says the President, "could hold any job in Government."

There are those, inevitably, who think that he is also eminently suited for Lyndon Johnson's job. But Gardner, who describes himself as "a remarkably nonpolitical kind of person," dismisses such a notion as unrealistic.

MAJOR DEPARTURE

When asked what he considers his chief accomplishment, Gardner places HEW's wide-reaching advances in civil rights at the top of the list. "For this nation, justice for the Negro is *the* social problem," he says, and his determination to attach tough guidelines to health and education programs is helping, however slowly, to solve it. It took a decade after the Supreme Court's 1954 school desegregation decision to get 2.5% of the Deep South's Negroes into previously all-white schools. Thanks to HEW's pressure, that figure soared to 12.5% in the past two years. So far, some 45 school districts and 35 hospitals have had federal funds suspended or cut off for refusing to comply with the guidelines.

In the long run, however, Gardner's efforts to reshape relationships among the various levels of Government, universities, corporations and private groups may prove an equally important development to the U.S. Dartmouth Historian Harry N. Scheiber has written: "The American political system has undergone a revolution since 1933, and another major departure appears in process now." That departure involves a wholly new system of relationships and approaches to Government at all levels of American society. As Gardner puts it, the new modes of organizing U.S. life have "profound implications for the way we organize our society and govern ourselves in the years ahead." Says he: "We have made the biggest step—facing our problems and the nature of the solutions. We have a sense of what can and should be."

GROPING ATTEMPTS

Gardner believes that the old set of arrangements, from unmanageable city governments to uncoordinated federal programs, is dying. "Meanwhile, one can see at all levels the groping attempts to create a new system—a system that will be less wasteful of resources, that will profit by the advantages of modern large-scale organization, and that will give a wider range of Americans easy access to the benefits of our society." Optimist that he is, Gardner hardly imagines that Utopia will spring forth full-blown once such a machinery is created. He believes, rather, that a new series of "great opportunities" for Americans will always come along—brilliantly disguised, of course, as insoluble problems.

SENATE SHOULD ACT ON GENOCIDE TREATY NOW

Mr. PROXMIRE. Mr. President, these daily speeches urging the Senate to ratify the four human rights conventions have had most welcome support from Senators and organizations.

However, among many people of good will and usually good judgment, there exists gross misunderstanding about the Genocide Convention. I have been asked: "Why bring this subject up at a time when the Kiesinger government in Germany has just weathered a storm? Isn't this stirring up the ashes of dissidence and division?"

I do not question the sincerity of these critics, but I believe they suffer from misinformation and misunderstanding.

The Convention on Genocide is not intended and should not be construed as any "ex post facto" attempt to either indict or embarrass the German people. The Federal Republic of Germany ratified the Genocide Treaty 13 years ago in 1954. If my daily statements are the source of embarrassment anywhere—it most certainly should not be in Bonn, but in Washington.

Genocide did not begin with the Third Reich. History recalls to us such atrocities as the sacking of Carthage by the Romans, the massacre of the Armenian Christians by the Turks, and the infamous Russian pogroms. The mass murder of 8 million human beings—6 million Jews and 2 million Poles—by the Nazi butchers emphasized to all mankind that the civilized society could not and would not tolerate such action ever again. The United Nations on December 11, 1946, without a dissenting vote resolved that—

> The denial of the right of existence of entire human groups . . . shocks the conscience of mankind, results in great losses to humanity, in the form of cultural and other contributions represented by these human groups, and is contrary to moral law and to the spirit and aims of the United Nations.

This Genocide Convention has one major objective: to establish the most basic international human right—the right to live. In 1946 our moral outrage and moral commitment to this principle were strong—I do not believe that time has assuaged the memories of those atrocities or our national resolve to prevent their repetition. Let the Senate move without any more delay to ratify the Genocide Convention—to put the full power and prestige of the United States squarely behind this worldwide effort to protect and preserve human rights.

(At this point, Mr. BYRD of Virginia took the chair as Presiding Officer.)

REGARDING OUR SO-CALLED COMMITMENT IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, the primary reason for our being in Vietnam today is our proud refusal to admit a mistake in our attempt to make Vietnam a pro-American and an anti-Communist state. More than anything else, we are fighting to avoid admitting failure. As Walter Lippmann bluntly put it, "We are fighting to save face."

Those who urge further escalation of the war always talk of commitments made by Presidents Eisenhower and Kennedy and assert that we Americans must live up to those commitments. What are the facts? What commitments did President Eisenhower make? What commitments did President Kennedy make?

Our initial commitment to South Vietnam, made by President Eisenhower in 1954 in a letter to the President of South Vietnam stated:

> I am instructing the American Ambassador * * * to examine with you * * * how an intelligent program of American aid * * * can serve to assist Vietnam in its present hour of trial.

He added:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means. * * * The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government.

Can anyone claim that Prime Minister Ky of South Vietnam, who himself was born and reared in Hanoi, heads a strong, viable state? He could not remain in power 1 week except for the operations of our Central Intelligence Agency and the support of our Armed Forces.

While General Eisenhower was President, the U.S. military advisory group to Vietnam was increased from a total of 327 in 1953 to 685 in 1961.

Now, having made it crystal clear that President Eisenhower's commitment, so-called, was a very "iffy" commitment indeed, what commitment did the late President John F. Kennedy make?

President Kennedy said on September 3, 1963, shortly before his assassination:

> I don't think that unless a greater effort is made by the Government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it—the people of Vietnam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last two months the government has gotten out of touch with the people.

Also, on another occasion, our late, great President John F. Kennedy said:

> Transforming Vietnam into a Western redoubt is ridiculous.

Therefore, it is evident that we are not fighting a land war in southeast Asia because of commitments made by Presidents Eisenhower and Kennedy.

No matter how often we profess our intention to defend freedom in Vietnam, the increasing escalation of the war is raising grave doubts throughout Asia and elsewhere in the world as to the wisdom—and even as to the intentions—of our policy. Attacks with sophisticated weapons on unsophisticated and illiterate Asians are building a vast reservoir of anti-Americanism and misunderstanding of our country among the masses of people in Asia.

When they do not refer to the very "iffy" commitments made by President Eisenhower and President Kennedy to justify our involvement in the civil war in Vietnam, the militarists and the warhawks always fall back on our obligation under the SEATO Treaty.

In his state of the Union message, President Johnson stated:

> We are in Vietnam because the United States and our allies are committed by the SEATO treaty to "act to meet the common danger" of aggression in southeast Asia.

Article IV is the basis for this claim. The text of article IV is as follows:

> 1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.
>
> 2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.
>
> 3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

The odd thing about the SEATO Treaty is its elusiveness; it has a quicksilver character about it. It seems to suit the purpose of whomsoever is interpreting it at any given moment. Secretary of State Rusk has stated:

> It is this fundamental SEATO obligation that has from the outset guided our actions in South Vietnam. . . . If the United States determines that an armed attack has occurred against any nation to whom the protection of the treaty applies, then it is obligated to "act to meet the common danger" without regard to the views or actions of any other treaty member.

However, the architect of the SEATO Treaty, the late Secretary of State John Foster Dulles, in trying to assuage congressional fears about the degree of commitment that the United States was making in the SEATO Treaty, said in 1955:

> If there is a revolutionary movement in Vietnam or Thailand, we (SEATO nations) would consult together as to what to do about it, because if there were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult what to do about it.

It is interesting to note that the last sentence of section 1 of article IV states:

> Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

In a publication issued by the Department of State in March 1966, entitled "The Legality of U.S. Participation in the Defense of Vietnam," the claim is made that our Government fulfilled this obligation in August 1964, when we asked the Council to consider the situation created by North Vietnamese attacks on U.S. destroyers in the Tonkin Gulf; twice again in February 1965, when the United States sent additional reports to the Security Council on the conflict in Vietnam and on the additional measures taken by the United States in the collective defense of South Vietnam; and in January 1966, when we formally submitted the Vietnam question to the Security Council for its consideration.

It is interesting to note that we did not take any step toward reporting our action in Vietnam to the Security Council until August 1964—after we had already committed thousands of men and billions of dollars of equipment to the prosecution of the war in Vietnam. It apparently took officials of the State Department quite a long time to determine that we were in Vietnam because of the SEATO Treaty. In fact, it appears that this justification was made after it was finally realized that all the other time-worn excuses and loophole-ridden justifications would not hold water.

The fact is that the SEATO Treaty has never been invoked with reference to Vietnam. Of the eight signatories to the treaty, only four—Thailand, the Philippines, Australia, and New Zealand—have given us any assistance whatever and that only minimal. Australia, New Zealand, and the Philippines have made token troop commitments, while Thailand, which has provided no troops, has permitted us to transform its territory into a gigantic air base for our aircraft participating in the Vietnam war.

The fact is that the participation of the Philippines in Thailand, and the Vietnam war was accomplished by huge doses of American taxpayers' money. The President of the Philippines received a promise of $50 million in additional American aid at the same time he agreed to commit 2,000 noncombatant engineers to join our forces in the Vietnam war. Thailand, for all intents and purposes, has become a client nation of ours at a costly sum to American taxpayers.

Article I of the SEATO Treaty reads:

> The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

It could well be argued that not only are we violating this section of the SEATO Treaty by our intervention in the Vietnam war, but also failing to take advantage of the peacekeeping aspects of that agreement.

Like all other official allegations of why we are in Vietnam and what we are doing there those based on the SEATO Treaty go up in smoke upon the most cursory examination.

Unpleasant as it may be, the time for reappraisal has come, and thoughtful Americans should resolve to be realistic about it. The first step is to cast off the illusion that the civil war in Vietnam represents a final showdown with world communism. As U Thant pointed out so well, the basic problem in Vietnam is not one of ideology but one of national identity and survival. Historically, there is no such thing as North Vietnam and South Vietnam. The Geneva accords of 1954, which we agreed to, but which our representatives did not sign, stated:

> The military demarcation line at the 17th parallel is provisional and should not in any way be considered as constituting a political or territorial boundary.

This is a war that millions of Vietnamese have been fighting since 1940.

While the Communists may have captured leadership of the nationalist movement, we must not lose sight of the fact that this is also a continuation of a war of national liberation. The Saigon military junta is composed of 10 generals. Of the 10, nine fought on the side of the French colonial oppressors in 1953 and 1954 against their own fellow countrymen seeking national liberation. Prime Minister Ky, who was born in Hanoi, was in the French air force as a cadet in training. In other words, in the Vietnam war for liberation they were the tories and the Viet Minh fighting for national liberation were the patriots.

We can hardly claim that North Vietnam threatens our vital existence as a world power. Very definitely, Vietnam is of no strategic importance to the defense of the United States. We must then fall back on the argument that we are defending a free people against military aggression. However, at that point we face the embarrassing fact that very few nations in the world accept this as an accurate description of the war. More important, the great majority of the Vietcong—more than 80 percent fighting in the Mekong Delta—were born and reared in South Vietnam. It is a factually incorrect claim that State Secretary Rusk makes that we are in southeast Asia with our hundreds of thousands of soldiers fighting a land war in an area 10,000 miles distant from our shores because of national aggression by one state against another. This is a fantastic claim lacking adequate basis in fact. Ho Chi Minh was waging his "war of national liberation" long before the Chinese Communists gained power in their own country.

Our mission should be to help people, if they want help, and to assist in building political and social conditions that will deter the people of the underdeveloped nations from looking to the Communist ideology for the cure for their national ills.

This does not at all mean abandoning the field everywhere to the Communists and retreating into isolation, but it does mean that we should apply appropriate measures to the particular situation we are dealing with, instead of trying to handle them all by a formula derived from a bygone set of circumstances. It means abandoning the assumption that the only way our national interest can be protected is by the direct application of our military power around the periphery of the Communist world. It means limiting our commitments to vital areas and bringing them into line with our capacity to fulfill them. Dean Rusk may assume the United States has a mandate from Almighty God to police the world. I repudiate any such view.

To continue this war which even our traditional allies do not support means the corruption of our democratic ideals at home. We have seen the powers of the President expand unchecked, the Congress ignored, the American people lied to by their Government, and dissent condemned as treason.

To continue this war also means that the desperate social problems we face at home will remain neglected. Instead of rebuilding our cities, we will burn Vietnamese villages. Unemployment, ghetto housing, the urgent need for more hospitals and schools—all these must wait while we destroy Vietnam. In their place we will have inflation and higher prices, higher interest rates, a more intensified gearing of our economy to military needs, and all the other economic and social ills that have afflicted our land as a result of the war in Vietnam.

We must seek harder to neutralize Vietnam and end the bloodletting there. Otherwise, the future holds forth for us involvement in that war-torn land for 5 years—possibly 10 or 20 years.

As U Thant said in his report:

> The survival of the people of Vietnam must be seen as the real issue, and it can be resolved not by force but by patience and understanding, in the framework of a willingness to live and let live.

A REPUBLICAN INITIATIVE TAKING ROOT: BARRING UNJUST DISCRIMINATION IN EMPLOYMENT ON ACCOUNT OF AGE

Mr. JAVITS. Mr. President, the President's recent state of the Union message included endorsement of legislation to prohibit arbitrary discrimination in employment on account of age—legislation which the minority, specifically the Republican members of the Senate Labor and Public Welfare Committee, sought to have enacted last year. It is therefore a source of considerable satisfaction to us that the administration is now supporting—and thereby, hopefully, insuring favorable action on—this measure which has its origins as a minority initiative.

So I think it important to record at this point the specifics of the minority's work in this connection.

On April 8, 1965, I introduced a bill—S. 1752 in the 89th Congress—on behalf of myself and Senator MURPHY, which would have prohibited unjust age discrimination in employment.

On July 28, 1966, during committee consideration of the 1966 minimum wage bill, I introduced, on behalf of myself and four other Republican members of the Senate Labor Committee—Senators MURPHY, FANNIN, PROUTY, and GRIFFIN—amendment No. 714 to the minimum wage bill, which again would have barred arbitrary age discrimination. That amendment was referred to the Senate Labor Committee, where it was called up on August 5, 1966, and received the support of five of the six minority Senators on the committee, but was defeated because the Democratic members of the committee voted unanimously against it.

Again, on August 24, 1966, I introduced amendment No. 764 to the minimum wage bill—on behalf of myself and Senators MURPHY, FANNIN, PROUTY, and GRIFFIN, and, on August 26, 1966, the amendment was adopted by voice vote on the Senate floor; but when we took the bill to conference the House conferees opposed the provision. Nevertheless, the Republican Senate conferees managed to persuade the conference to include a substitute provision requiring the Secretary of Labor to give the Congress a specific legislative proposal for dealing with this problem, and the Secretary of Labor's report is due on February 1.

In sum, this has been a minority initiative until finally the administration and the majority have seen the merit in our idea, and thereby, I hope and expect, insured favorable congressional action in the near future. The minority Senators on the Senate Labor and Public Welfare Committee can be justly proud of their efforts in this connection.

THOMAS WATSON, JR., BUSINESSMAN OF THE YEAR

Mr. JAVITS. Mr. President, each year the Saturday Review of Literature chooses a member of the American business community who best exemplifies the "citizen-businessman" title. This year, the magazine has named Thomas J. Watson, Jr., chairman of the board of International Business Machines Corp. as its "Businessman of the Year," and I want to add my commendation to the editors for their choice.

In all my associations with Mr. Watson, Mr. President, I have found him to be deeply concerned with the public interest, and diligent in finding the proper ways through which he and his company could serve it. He served with great distinction on the National Commission on Technology, Automation, and Economic Progress, and was one of those who fought hardest for its recommendations designed to create jobs and new opportunities for workers displaced by new methods.

The mission of most businessmen, and we have one in the Chamber on our side of the aisle in the person of the junior Senator from Illinois [Mr. PERCY], is to realize their obligation and responsibility to the American people.

Mr. President, one of the most outstanding characteristics of Thomas Watson—a characteristic, I am sure, that has helped make him one of the most successful businessmen in the country—is that he never forgets that whether in business or in government, the most important element is people. He is a man who presides over a corporation that is in the business of producing machines that do marvelous things. And yet he can say: "A machine will never learn to contemplate a sunset, respond as live men and women and even children have responded to Hamlet or a Beethoven symphony, or the promise of a better life. To do these things you have to be human."

I ask unanimous concent to insert in the RECORD an article by William D. Patterson on Mr. Watson. The article appeared in the January 14 edition of the Saturday Review of Literature.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THOMAS J. WATSON, JR.: MAN OVER THE MACHINE IN LEAGUE WITH THE FUTURE

A computer has no conscience. It feels no passion. It has no life of its own, nor any sense of values. It is neither poet nor philosopher. A computer, in short, is a machine, not a man; a tool, not a tyrant.

Few if any men are more profoundly aware of these basic truths about the remarkable cybernetic machine that promises to extend the reach of man's mind a millionfold than Thomas J. Watson, Jr., board chairman and chief executive officer of the largest computer manufacturing enterprise in the world, the International Business Machines Corporation. IBM, now a $20.7 billion enterprise, has built and installed about 70 per cent of the more than 35,000 machines—some $11 billion worth—now functioning world-wide.

In these days of the information explosion and communications revolution, many scholars and humanists—instinctive foes of any machine that has such far-reaching social consequences—cry out darkly that computers will one day inherit the earth, technologically enslaving in conformist societies the very men who created this formidable tool. One man who deeply deplores such fatalistic forecasts is IBM's Watson:

"As a manufacturer of computers, I feel both shocked and alarmed whenever I hear the prediction—and I hear it often—that one day 'the machines will take over' and give us the answers to everything. A computer is a machine and a machine is a tool—a means to an end—and nothing more. To be sure, the tools of today will far outstrip those of the past. We live in an age when machines can do things they have never done before . . . But whatever we teach computers to do, the machines will still be only a means."

As a major custodian of the computer, Watson is keenly concerned about the social impact of this instrument that competent authorities believe will ultimately leave no area of human life untouched. One of the most basic management tenets at IBM is respect for the individual. As Watson says, "In the long run I have faith in two things: One is the beneficence of machines; the other is the perfectibility of human beings."

Therefore he feels IBM and all corporations installing computers must be responsible for alleviating the social burdens such technical change can impose on individuals, including the loss of jobs, obsolescence of skills, the need for retraining and re-education, transfers to other jobs in other cities, and a haunting sense of technological displacement. "Man's basic fear is unemployment, caused by machines or anything else," Watson comments.

This awareness and his strong sense of corporate obligation have involved Watson in major assignments in government and education—assignments which have reflected his personal belief that public service is not only a duty an enlightened executive owes his country but also a civic contribution essential to the health of private enterprise. He is an active member of President Johnson's Advisory Committee on Labor Management Policy; a member of the corporation of Brown University, from which he graduated in 1937, and of the California Institute of Technology, as well as a trustee of Sarah Lawrence College, of The Rockefeller Foundation, of Eisenhower Exchange Fellowships, Inc., and of the Sloan-Kettering Institute for Cancer Research; and he is also serving his third term as president of the Boy Scouts of America.

Special assignments have included service with such groups as the National Commission on Technology, Automation, and Economic Progress, and only last month he joined with other business leaders to cooperate in a plan of Senator Robert F. Kennedy's for redeveloping New York City's troubled Bedford-Stuyvesant area, the Negro and Puerto Rican ghetto in the heart of Brooklyn. This mustering of private enterprise to deal with a public community problem is indicative of Watson's practical streak.

Watson, who was fifty-three years old earlier this month, personifies *SR*'s conviction that in our complex socio-economic system the modern executive must embody a personal commitment to the good society as well as to a sound economy in order to make that system work. Out of this conviction, *SR* established its annual Businessman of the Year award. The 1967 citation goes to Thomas J. Watson, Jr.

So formidable are the present and future implications of computers through automation of the most intricate processes of government, industry, science, education, and communications that this technological development has been soberly judged to mark a turning point in human history [see "The New Computerized Age," *SR*, July 23, 1966]. In an economic democracy of the size, complexity, and sensitivity of the United States, the computer is a sociological as well as technological phenomenon.

Recognizing this fundamental fact, Watson was a prime mover in IBM's 1964 decision to give Harvard University a grant of $5,000,000 for a ten-year study of the social impact of technological innovation, particularly automation, on man and his institutions. In announcing the grant—separate from IBM's regular gifts to education of about $5,000,000 a year—Watson expressed his personal and corporate aspirations this way:

"This independent study will be useful in identifying and analyzing the effect of technological change and automation on individuals, the economy, and government . . . . Technology creates extraordinary possibilities for conquering disease and poverty, for raising living standards and increasing leisure. At the same time it confronts us with problems of considerable magnitude. Hopefully, this work will help to generate the understanding and ideas our country needs to get the full benefits of technology while minimizing disruptions and hardship."

Early last year, as a member of the National Commission on Technology, Automation, and Economic Progress, Watson was an eloquent champion of the group's much debated recommendations to President Johnson.

The commission, comprising representatives of labor, education, and business, endorsed automation as a technological advance fundamental to the growth of the U.S. economy, but also advocated a number of specific measures to cope with unemployment resulting from technological change and to create jobs for the 93,000,000 people expected to form our national work force in 1975. These measures included renewed commitments to national economic growth and full employment; universal education through high school, plus two years of free public education in a trade school or community college and "realistic access" to university education for "all qualified students"; government-created jobs when there was not sufficient employment to go around; and a negative income tax to permit an individual on welfare to work without corresponding loss of income and at the same time to help reduce the $40 billion hodgepodge of government payments now handed out every year to beef up substandard incomes.

Discussing the commission's report at a management conference at the University of Chicago's Graduate School of Business, Watson said:

"For a decade and more, many people have feared, with some justification, that technological change in our time is going so fast that it threatens a great many jobs while it eases the work burden of the vast majority. If you want evidence, just look at Detroit. In 1955, 9,000,000 motor vehicles were made with 746,000 production workers. In 1965, 11,000,000 were made with only 667,000 workers. In other words, car production went up by two million—more than 20 per cent—and the work force dropped by 79,000—about 10 per cent. This was great for you and me. We got better cars, and they were less expensive than they would have been if there had been 10 per cent more workers in the motor work force.

"But it was absolutely devastating to those thousands of workers ground out of the force if they did not have the aptitude or education to be promptly employed elsewhere. And the same thing has happened in lots of other industries. From all these facts, many people jumped to a quick conclusion: The new machines were the villains. . . .

"Underlying all the commission's subjects of inquiry, I believe, was this basic question: Do automation and technological advance represent a major threat to employment in the decade ahead and therefore require inhibiting controls or other action by the federal government or by someone else? As you can imagine it was not a simple question to resolve. . . .

"Despite a frank recognition of the problems of technological change, the answer to the question of controlling technology in one way or another was no. . . . And that answer, I submit, is the heart and center of the report's significance—significance to business, significance to labor, significance to the nation as a whole.

"Ever since the Luddite riots in England in the early nineteenth century, when angry workers destroyed the new textile machines which were putting them out of work and lowering their wages, some people have wanted to hobble automation and technological change by some sort of licensing or control process. Most of us in industry instinctively oppose such a process, believing it would put a brake on our national economy and perhaps destroy the magic ingredient that makes America the leading industrial nation of the world. As a matter of fact, most of us must automate or die, because our customers are demanding and getting better and better products at ever lower prices.

"So we believe automation is good. . . . And its validity is reinforced by the fact that in the past twelve months, with automation proceeding apace, unemployment at long last has fallen from its 5 per cent plateau, and now appears about to break the barrier of 4 per cent."

Possibly the best evidence that automation creates employment is IBM itself, under the direction of Watson. In 1946, at the start of the postwar era, the company had gross revenues of $115,000,000, a work force of 17,000 employees, and a relatively modest overseas operation. As 1967 opens the company looks back on the biggest year since it was founded by Thomas J. Watson, Sr., fifty-three years ago.

During 1966 IBM had gross revenues of about $4.2 billion, had 200,000 employees, a market value of about $20.7 billion, was the ninth largest corporation in the United States, and earned a net profit of about $521 million for 327,000 stockholders. This vast enterprise included 75,000 employees at work in sales offices, manufacturing plants, engineering laboratories, service bureaus, and other facilities in 102 countries, earning a gross income of well over $1 billion. Of the estimated 23,000 computers now on order in this country or abroad, 81 per cent will be procured from IBM.

This unprecedented dominance of an industry was consolidated in the decisive, dramatic decade of growth since 1956 when Thomas J. Watson, Jr., succeeded his father as chief executive and assumed full control of an enterprise ready for change and expansion. The celebrated centralized monolithic management of the founder was no longer suited to the modern tempo of a company changing from electro-mechanical calculators to electronic computers and also diversifying the rest of its product line, including typewriters, dictating equipment, modern learning materials for schools and colleges, and data processing supplies.

Watson, typically, moved boldly to restructure the corporation. Between the spring and fall of 1956 he met with two senior colleagues to develop a new corporate blueprint. They ended up with a management chart with 110 empty boxes in it. They then selected from within the company the candidates to fill these boxes, and in a single, three-day session with the startled executives at Williamsburg, Virginia, turned the monolith at one stroke into what Watson describes as a "modern, reasonably decentralized organization, with divisions, with profit responsibility, and clear lines of authority." There was confusion for about six months, Watson recalls, but then things got better and have been getting better ever since.

It was with similar sweeping boldness that IBM designed and introduced in 1964 an entire new family of computers, the famous 360s, that not only made all of IBM's own equipment obsolete but was so revolutionary in the concept of total integration that it turned the entire computer market upside down and greatly reinforced IBM's leadership.

An expert skier, sailor, and pilot—he served in the U.S. Air Force for five years during World War II—Watson applies himself to the direction of IBM with the same sort of trained skill, vigor, and concentration these sports require. The core philosophy of IBM is superiority—of people, of products, of service to customers.

Watson, a tall, graceful man of easy bearing and congenial manner, is deeply interested in education because he is convinced that the advance of automation will both demand and stimulate a rise in the educational level of the American work force. "I have seen it myself at IBM," he says. "In our domestic plants and sales force and headquarters, one person in three has graduated from college. One out of two has either a college degree or some college credits. In the past five years, the number of college graduates has gone up 87 per cent. And it is going to keep on that way."

He also sees electronic machines entering American classrooms on a grand scale, relieving teachers of the drudgery of daily repetition, enabling students to learn at their own pace. Central banks of medical records for the use of doctors will speed up and improve patient diagnosis and care. The decision-making process in business will involve the computer not only in the keeping of records, but in handling current data on operations and on trends in the markets. The computer—and through it, IBM—will become a basic tool in the daily operations of all businesses, and thus IBM will have to have teams of highly educated experts capable of programing computers to handle the most complex and specialized problems of any industry or corporation. With the mounting speed of the computer in storing, processing, and transmitting information, the shared-time concept will become an increasingly valuable aid to scholars (already a network offers the power of a central computer complex at MIT to scholars at fifty-one other universities throughout New England). Watson comments:

"From an industrial economy, in which most people work at producing goods, through our present service economy, producing services, we shall more and more become—the first in the world's history—a knowledge economy, with 50 per cent or more of our work force involved in the production of information."

This prospect brings out the humanist philosopher in Watson:

"Considering the industrial revolution of the West or the current industrial revolution of the East, can one not draw the conclusion that to give as many menial tasks as possible to machines is to dignify man and contribute to progress in the world? Of course, machines can do fast arithmetic and prodigious feats of memory, or even weave a carpet. With human programing, they will be able to recognize a human voice and to talk back. . . . But I cannot leap from these few facts to a conclusion that the Day of Judgment is at hand, that immortal machines will rule the world, and that people should start planning sanctuaries for the human species, like wildlife refuges.

"A machine could never conceive even the rude elements of the Magna Carta or the Constitution of the United States of America. A machine will never learn to contemplate a sunset, respond as live men and women and even children have responded to Hamlet or a Beethoven symphony, or the promise of a better life. To do these things you have to be human.

"Mankind has not been enslaved, but liberated, by the wheel and the book, the windmill and the saw, by steam, electricity, and the atom. Mankind will be not enslaved, but liberated, by the electronic computer and whatever technological wonders come after it. . . . To me, the great promises of the thing we call automation is that it may help us solve our one overriding global problem.

"Today, nearly one third of the world is hungry. Men still face the age-old problem of scarcity—of a grinding poverty which more and more splits the top half of the globe from the bottom half. . . . In the years ahead of us we've got to figure out some way to bring the power of the new machines into the fight, to wheel the arts of automation into the front lines of the battle against ignorance and scarcity and poverty and disease around the world.

"We cannot build a great society in the United States with a sea of deprivation about us, nor is this the President's intention. My one great hope is that we can unite the two worlds through a sharing of our technology."

Watson is the kind of businessman-citizen, sensitive to the essential harmony between the public good and the private interest in our economic democracy whom *SR* regards as essential to the progress of our society and to the quality of life in America. On occasion, he quotes Henrik Ibsen: "I hold that man is in the right who is most closely in league with the future." In a time of historic change and challenge for this country, Thomas J. Watson, Jr., is, as he has said of America itself, "in league with a future of bright splendor."

—William D. Patterson.

ADELA INVESTMENT CO.

Mr. JAVITS. Mr. President, I call attention to the fact that the ADELA Investment Co., which I had the honor to father, is making remarkable progress and is being recognized throughout the world as a most extraordinary exercise in which the private enterprise system is seeking to help develop underdeveloped areas, in this case Latin America. We have a clear indication that there is great likelihood that this movement will spread to other continents. I expect that Asia is next in line. I would like to keep my colleagues in close touch with developments in that field.

I ask unanimous consent that an article from the Journal of Commerce of November 1, 1966, entitled "A Good Word for ADELA," be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Journal of Commerce,
Nov. 1, 1966]

A Good Word for ADELA

With its first full fiscal year of operations now behind it, the ADELA Investment Company has not only shown what can be done when private enterprise decides to close ranks for an important project—in this case, advancing the economy of an entire region, Latin America.

It also demonstrates, and richly suggests some of the evolving contours of international business over the coming decades.

ADELA's progress is important to follow, we think, not only for what it has accomplished in its brief two-year history, but for the new forms of business organization of which it may prove to be the prototype.

This international organization—with shareholders on three continents—is, in a sense, a mixture of the International Finance Corp. and an open-end mutual fund.

Like the IFC, it serves as a catalyst to private investments, through both equity and debt participation, in joint ventures. Unlike the IFC, it focuses only on Latin America, and its basic shares are held by private interests.

It is like the Inter-American Development Bank, but concentrates entirely on private business operations, and in fact has joined with the IADB (which put up $10 million) in channeling funds into Latin enterprises.

ADELA is like an open-end mutual fund in that new shareholders can continue to enter its ranks, thus swelling its subscribed capital, but its owners can only be companies—financial and industrial so far—not private individuals.

The diplomacy of the young company, itself the offspring of Senator Jacob Javits and the NATO Parliamentarians Conference, we also consider remarkable.

Getting individualistic businessmen to join ranks is not always easy, as any veteran trade association executive will heartily agree. To thus manage to combine the funds and the managerial efforts of 140 of the world's leading enterprises—from Ford and First National City Bank to Italy's Fiat, Japan's Fuji Iron & Steel, and Germany's Deutsche Bank—deserves notice.

The internationalization of enterprise is developing at a fast pace, as the prominent foreign names on the international advisory committee of the Chase Manhattan Bank readily indicates. But ADELA demonstrates that private enterprise can combine its ranks to support a long-range development program that is really in its interest.

The mechanics of the company's operations are interesting. Its large board of directors—now numbering 65—meets only twice a year to lay down policy. A smaller executive committee—19 members at this time—meets four times annually.

In between these gatherings, the full-time management proposes fresh investments by mail, receives approvals by cable. It is a complex decision-making process, but a project can be firmed up within three weeks, and some 50 of them have been chosen so far.

In two years time ADELA has gathered $65 million in capital, roughly half of it in subscriptions, the rest in the form of medium-term bank credits and the IADB $10 million fund. By the early Seventies, however, according to current projections, this capital will have been enlarged to some $150–$200 million.

Since the company's position is generally that of a minority shareholder, this expanded capital will very likely mean an involvement in projects worth roughly one billion dollars. Private enterprise, through its own international creation, will thus be a powerful unified economic force throughout this hemisphere, from Tamaulipas to Tierra del Fuego.

In its role as an investment catalyst in Latin America, ADELA can be compared with the U.S. Agency for International Development (AID). The business community has often complained that official aid efforts have put undue stress on public, rather than private, projects. The Alliance for Progress in particular has frequently come under fire on that score.

For the first time, in the new company,

business can thus take an active part, independent of government programs, in the economic development of one region. The parallel with AID is in the contribution of confidence to the investment process, much as the AID guaranty program has helped to encourage and channel funds to the developing countries.

ADELA offers confidence for several reasons. To those Latin Americans with investment funds who previously hesitated to step into new ventures about which they knew little, the company provides an opportunity to link up with the world's leading businessmen in a joint venture. Not even government can engender more confidence.

While thus mobilizing local capital, ADELA is also in a position to elude some of the political sensitivities that have frequently surrounded foreign investments throughout Latin America. Being a genuinely international organization, with 140 shareholders in North America, Europe, and Japan, it is not apt to be identified with the relations of any single capital-exporting nation.

Just as important, local government policies are not likely to prove inhospitable to a company that is backed by the business communities of three continents. And, from the viewpoint of ADELA's own shareholders, should local conditions prove temporarily unfavorable in a single host country, that risk is spread thinly within a large, and growing portfolio.

With some long strides already behind it, ADELA will hopefully become the prototype for similar organizations in other developing regions.

CHRISTIAN A. HERTER

Mr. JAVITS. Mr. President, I call attention to Christian A. Herter, who was my close friend, Secretary of State, Governor of Massachusetts, representative of the United States in trade matters, a Member of the House of Representatives when I was a Member of the other body, a member of the House Foreign Affairs Committee. I do not believe that this industrious, very talented man, who was responsible for so much that was good in diplomatic history, has received nearly the credit and attention to which he was entitled.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. I call attention to the fact that in the Washington Post for Sunday, January 1, 1967, the case for what I have just stated was put splendidly. The key paragraph reads:

> There might have been a Marshall Plan without him, but without him that plan might never have had the strong bi-partisan support that made it a national instead of an administration purpose.

Christian Herter rendered historic services for freedom. I think every American must be especially grateful to him. Just because he never attempted to be a glamorous character and because in the latter years of his life he suffered from considerable physical disability, which nevertheless never stopped him from carrying on his work, it should not now deter us for 1 minute in recognizing his outstanding character and achievements.

I believe he was one of the finest individuals in America who ever served in public life, particularly in the extraordinary and gifted services which he rendered as a member of the Cabinet under our beloved President Eisenhower.

I hope very much that history will record the great position to which Christian Herter is entitled as being one of the most outstanding men in public life in our postwar days.

I ask unanimous consent that the editorial to which I have referred from the Washington Post, as well as an article in the same paper, be printed in the RECORD as a part of my remarks.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 1, 1967]

CHRISTIAN ARCHIBALD HERTER

What American policy in the post-war years might have been without Christian Archibald Herter, who died yesterday, no man can say. But it can be said that few men in public life did more to put an end to the sterile isolationsm of the years between the wars. Few worked harder or more effectively to persuade the people of the United States to endorse and approve the active employment of American power to shaping world events.

His influence on the Republican Party was great and possibly decisive, as he labored to alter its traditional attitudes. As Governor, Congressman, Under Secretary and Secretary of State, and as a national party leader, he used his enormous influence, great talents and personal charm in the constant pursuit of peace through collective international efforts.

There might have been a Marshall Plan without him, but without him that plan might never have had the strong bi-partisan support that made it a national instead of an administration purpose.

There might have been a test-ban treaty without him, but he gave the striving for such a treaty its initial impulse and its earliest attention and the foundations he laid resulted in the final achievement.

There might have been a re-orientation of American policy devoted to cultivating the good will and cooperation of the unaligned nations, but that post-Dulles change got its impetus from him and derived much of its thrust from his own friendly, amiable and tolerant personality.

Christian Herter died at a time when once again there are powerful forces in the United States looking wishfully back to a remote past when the Nation did not concern itself with far-off events elsewhere in the world. They will not triumph if the Nation remembers Christian Herter's contribution to a great period of constructive and creative foreign policy.

[From the Washington Post, Jan. 1, 1967]

CHRISTIAN HERTER, EX-SECRETARY OF STATE, DIES

(By Carl Bernstein)

Christian A. Herter, former Secretary of State and two-term governor of Massachusetts, died Friday night at his Georgetown home. He was 71.

Since November, 1962, Mr. Herter had served as the Nation's chief trade negotiator.

His son, Christian A. Herter Jr. said the former Secretary died after an apparent heart attack or stroke at 11:30 p.m. He underwent an operation in May, 1965, for an aneurism of the aorta.

PRAISED BY PRESIDENT

Statements by President Johnson and Secretary of State Dean Rusk—Mr. Herter's successor—led a long list of tributes to the diplomat whose public service dated back to World War I.

Voicing "great personal sorrow," the President said that Mr. Herter's career "spanned a period which saw this Nation emerge from a century of isolation to take a place in the leadership on the world scene," and added:

"From the day in 1916 when he took up a post as attaché in the American Embassy in Berlin, to the leadership of the Kennedy Round negotiations to expand and liberalize world trade—which he was exercising to the day of his death—he participated in the events of our time and shaped them."

Secretary Rusk praised Mr. Herter's "lifetime of selfless and brilliant service," and paid special note to his job as chief American negotiator in the discussions over tariff cuts.

SUCCEEDED DULLES

Mr. Herter, who succeeded John Foster Dulles as Secretary of State on April 20, 1959, remained in the post until the end of the Eisenhower administration.

His 20 months as Secretary were marked by strained relations with the Soviet Union—over the Berlin crisis of 1959, the U-2 affair and ensuing collapse of the 1960 Summit Conference, the break in relations with Cuba and fighting in the Congo.

Under Mr. Herter, who was recognized as a leading Republican internationalist early in his political career, the United States foreign aid program was expanded greatly. The former Secretary also was responsible for a major reform of the Foreign Service.

He succeeded to the Secretaryship after serving as Under Secretary under Dulles. Earlier, Mr. Herter had been a member of the Massachusetts House of Delegates for 12 years and served five terms—from 1942 to 1952—in Congress.

ELECTED GOVERNOR

In 1952, he won an upset victory in the Bay States's gubernatorial race and was reelected two years later.

Many political observers considered the former Secretary Presidential timber and he was mentioned prominently as a possible GOP candidate before Gen. Eisenhower decided to seek a second term in 1956.

After the President elected to run again, Mr. Herter was boomed for Vice President in Harold Stassen's ill-fated "dump Nixon" campaign.

The career of Christian Archibald Herter followed a meandering path—full of detours, twists and obstacles that he sometimes barely managed to overcome.

BORN IN PARIS

He was born in Paris, of expatriate artist parents. He set out to make his mark in the fine arts as either an architect or interior decorator.

Young Christian grew to be a strikingly tall, alarmingly thin lad who was forced to wear hip-high steel leg braces for six years to correct a spinal curvature.

The condition was a forerunner of the osteo-arthritis that was to afflict him in later years.

During his Harvard days, Herter the student was regarded by classmates as a bit odd, with his string-bean shape and avid interest in the arts.

Classmates later reported that he showed scant interest in the two fields where he was to win success—politics and foreign affairs.

After graduating cum laude from Harvard, Christian Herter enrolled at Columbia University's architecture school and New York's School of Applied Design.

But at a reunion at Cambridge in 1916, a classmate who was about to leave for a minor post in the U.S. Embassy in Berlin told the aspiring architect about another opening at the embassy. A week later, young Herter sailed for Europe with his friend.

SERVED IN BERLIN

In Berlin, the fledgling diplomat learned the foreign service ropes but was soon forced to leave in a hurry when the United States entered World War I against the Kaiser.

Trying to reach neutral territory, Mr.

Herter was arrested as a suspected spy. One officer favored shooting him on the spot but young Herter managed to convince him that he was entitled to safe conduct as a member of the United States Embassy staff.

In 1917, Mr. Herter tried to enter the Army but was turned down because he was too tall and too skinny; instead he took examinations for the foreign service.

On the day he was notified that he had passed, he learned that his brother Everit—one year his senior—had been killed by German shrapnel. Reportedly, Mr. Herter resolved in his grief somehow to spend the rest of his life working toward world peace.

At the Versailles peace conference, at which he served as an aide to the United States delegate, Mr. Herter met two other promising diplomats who were to be important forces in his life—Foster and Allen Dulles.

After Versailles, Mr. Herter went to Germany with Herbert Hoover to help direct the American Relief Council there. When Hoover—whose son Mr. Herter would replace as Under Secretary of State in 1956—became Commerce Secretary in 1921, he picked as his assistant the young man who had aided him in Germany.

Only his loyalty to Hoover kept an idealistic Christian Herter in Warren Harding's Washington for nearly four years.

EDITED MAGAZINE

In 1924, Mr. Herter—by then married to Standard Oil heiress Mary Caroline Pratt—left the Capital to serve as co-owner and coeditor of "Independent," an unprofitable "Journal of Free Opinion."

In the magazine's editorials, the former Hoover aide urged the United States to "shed its isolationist fears" and join the League of Nations.

The youthful Herter got into Massachusetts politics after serving as a visiting lecturer at Harvard on government and international relations in 1930.

When the longtime representative from Boston's Brahmin fifth ward retired from the state legislature in 1931, he asked Mr. Herter to seek his seat. Young Herter did and won.

By 1938, he was speaker of the Massachusetts House, a position he held for four years.

In 1942, Mr. Herter ran for Congress and won by a margin of 2,900 votes. His stock of supporters mounted rapidly once he established himself on Capitol Hill and in 1944 his plurality rose to 20,000 votes; by 1948, it was 67.000.

Congressman Herter's most notable achievement was helping to convince skeptical Republicans the value of the Marshall Plan.

In 1947, Rep. Herter proposed creation of a special Select Committee on Foreign Aid, became its chairman and arranged for members to include several isolationists.

He then led his committee on an exhausting, non-junketing tour of Europe that convinced the skeptics in the group that the Marshall Plan was necessary.

Their testimony in behalf of the Plan was considered a key factor in gaining bipartisan support for the aid program.

RAN FOR GOVERNOR

In 1952, Mr. Herter was prevailed upon by Massachusetts GOP leaders to take on the popular Democrat, Paul Dever, for the governorship.

Although he was regarded as an underdog in the campaign. the Congressman came through with a 44,000-vote victory. When he ran for governor a second time in 1954, Mr. Herter piled up a 75,252-vote margin.

His terms in the Governor's mansion were marked by trimmed expenditures, streamlined administration and an improved business climate.

Shortly after he announced that he would not seek a third term in 1956, Gov. Herter got a call from John Foster Dulles offering the Under Secretary's position.

Anxious to get back into foreign affairs, Mr. Herter gladly accepted the post.

But his earily relations with Dulles were difficult because of the Secretary's penchant for absolute control over the State Department. However, as items got into the newspapers about his restlessness, Mr. Herter began taking on increased duties previously reserved for Dulles.

After Dulles' death, Secretary Herter largely carried on the program formulated by the architect of the Eisenhower Administration's foreign policy.

New emphasis in U.S. diplomacy, however, was added to foreign aid programs, trade expansion and cultural agreements with the Soviet Union and eastern European nations.

But the Soviet Union's threats over Berlin and the U-2 incident undermined Mr. Herter's hopes for more meaningful co-existence between East and West.

SUFFERED FROM ARTHRITIS

When Mr. Herter became Secretary of State, many observers doubted he would travel extensively because of the painful arthritis that forced him to use crutches.

Despite the pain, however, Mr. Herter continued the globetrotting pattern that Secretary Dulles had established.

Of his arthritis, Mr. Herter once said: "I can get around perfectly well. The only trouble that I have at all is standing for a long time or walking considerable distances. But with these sticks that I use"—he glanced at his crutches—"I can move along very comfortably."

Urbane and soft-spoken, Mr. Herter was—in unofficial moments—a fishermen, a gentleman farmer, an expert bridge player and a breeder of golden retrievers.

Mr. Herter is survived by his wife, of the home at 3108 P st. nw.; three sons, Christian A. Jr. of New York, Dr. Frederic P. Herter of Dobbs Ferry, N.Y., and Eliot Miles Herter of Manchester, Mass.; a daughter, Mrs. Joseph P. Seronde Jr. of Stow, Mass., and 15 grandchildren.

Funeral services will be at 11 a.m. Tuesday at St. John's Episcopal Church, Lafayette Square. Burial will be private in the family plot in Millis, Mass. A memorial service will be held at noon Wednesday at Trinity Church in Boston.

EDITORIALS IN SUPPORT OF SENATE JOINT RESOLUTION 9—BIPARTISAN RESOLUTION TO REQUIRE THE ADMINISTRATION'S EMERGENCY STRIKE LAW RECOMMENDATIONS

Mr. JAVITS. Mr. President, on January 12, 1967, I introduced, on behalf of myself and a bipartisan group of 15 other Senators, a joint resolution—Senate Joint Resolution 9—which would require the administration to make a complete study of the operations and adequacy of our emergency strike laws and to give the Congress a report, within 120 days, including recommendations for improving such laws.

This resolution was introduced because the President, who undertook to make such recommendations in 1966—or so he said in his 1966 state of the Union message—overlooked the problem entirely in this year's message on the state of the Union.

Since introduction of that joint resolution—which is now being held at the desk for additional cosponsors—three respected newspapers have run favorable editorials concerning it: the New York Times, the Washington Post, and the Washington Evening Star.

Mr. President, I ask unanimous consent that these editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 13, 1967]

L.B.J.'S FORGOTTEN PLEDGE

At the start of a year that is expected to bring more strikes than any since 1959, the President in his State of the Union message had no suggestion of any kind to put before Congress on measures to protect the country against disruption caused by industrial conflict.

Apparently forgotten was his pledge of a year ago, in the middle of New York's crippling transit strike, to submit proposals for dealing effectively with walkouts that threaten "irreparable damage to the national interest." The existing national emergency provisions of neither the Taft-Hartley Act nor the Railway Labor Act provide adequate protection; yet the Administration is still without a specific recommendation for forestalling a future crisis before it begins throttling the economy. The White House should not require such prods as the resolution filed by Senators Javits and Morse and fourteen co-sponsors, calling on Secretary of Labor Wirtz to submit suggestions for tighter strike curbs within 120 days.

The remarkable stability in unit labor costs that had prevailed for six years was shattered last fall under the combined impact of higher wages and a fall-off in the rate of improved industrial productivity. With pay up and efficiency down, the squeeze on prices will begin to have a significant effect on over-all living costs. The President's call for a surtax on individual incomes, coupled with the erosion of pay envelopes by increases already recorded in the price level, is bound to intensify union pressure for for still larger wage increases. The resulting merry-go-round of higher pay and higher prices will not be checked unless Mr. Johnson includes in his forthcoming economic message some meaningful recommendations for keeping wages and productivity in balance.

[From the Washington Post, Jan. 16, 1967]

OVERDUE

Organized labor may have been relieved that the President did not mention emergency strike legislation in his State of the Union message, but many members of Congress were not. Senators Javits and Morse have reintroduced their resolution calling upon the Secretary of Labor to study the problem and to provide Congress with his recommendations within 120 days. The measure has 14 co-sponsors and has previously passed the Senate twice.

There is ample justification for this concern. As Senator Javits noted, almost everyone recognizes that the present laws are inadequate. President Johnson voiced his belief that new legislation should be passed a year ago and promised to send recommendations to Capitol Hill. But his advisers have not been able to agree, and Congress is getting impatient.

Legislators fear that, without some better laws on the books, the country will be plagued by costly work stoppages for which no remedy will be found and that they will be asked to legislate settlements, as in the airlines strike last year. Such a course is unsatisfactory from every point of view.

Of course, the Administration has not been merely sitting on its hands. Some of its ablest officials in this field have been working on the problem, and the President created a task force some weeks ago to bring the controversy among his advisers to a head. It is to be hoped that he will soon have some specific advice to forward to Congress. Whatever it is, it will not please all the interested parties. We think the time has come, however, to move forward with some improvement in the laws without waiting for full agreement.

No perfect solution is likely to be found. But there are some steps that can be taken if only to intensify the pressures of public opinion upon the disputants who cause national emergencies and to extend the authority of the President to keep wheels in motion while satisfactory settlements are being sought. In the weeks ahead both the White House and Congress should prepare to move forward with the best formula that can be devised.

[From the Washington (D.C.) Evening Star, Jan. 14, 1967]

Silent on Strikes

A year ago, when the transit strike was tying New York City in knots, President Johnson told Congress he would send up recommendations for new legislation to deal with walkouts which threaten irreparable damage to the national interest. The year passed—and nothing emerged from the White House. Nor did the President have word one to say on the subject in his message this week on the state of the union.

It is unlikely, however, that Mr. Johnson will be able to keep this issue on the back burner for the rest of this year.

For one thing, the Supreme Court has been asked by the United Steelworkers to overturn a Taft-Hartley injunction temporarily ending a strike at the Kokomo, Ind., plant of the Union Carbide Corporation.

This plant, which has been struck for some 85 days, produces a metal alloy which the government says is urgently needed in making certain jet aircraft engines for use in Vietnam. The union does not dispute the need for the alloy. Its principal argument is that the Kokomo plant does not represent a "substantial part" of an industry, and that therefore Taft-Hartley, properly construed, cannot be invoked against this strike.

Whatever the legal fine print may say, it seems to us that if the Taft-Hartley law cannot be used to insure the national safety then Congress had better get on with the business of enacting a new law which will. Furthermore, whatever, the Supreme Court holds in the Kokomo case, there is ample reason to fear that the country will be plagued by major strikes in 1967, and that both the President and the Congress, however reluctant they may be, will be forced to move in and protect the public interest.

Senators Javits and Morse, backed by 14 of their colleagues, have already called upon Labor Secretary Wirtz to make suggestions within 120 days for more effective strike curbs. The President, however, should get into this act in person. He committed himself a year ago. And a year certainly ought to time enough in which to come up with some meaningful recommendations for the new Congress.

THE SITUATION IN VIETNAM

Mr. CLARK. Mr. President, as the Senate proceeds to consider the situation in Vietnam, some quite serious problems confront us.

The Foreign Relations Committee of the Senate yesterday heard Secretary of State Dean Rusk give his annual review of the foreign policy of the United States. Since the session was executive, I am not at liberty to quote anything that he said. However, I think it is in order to indicate that there were no particular surprises with respect to the well-known views of the Secretary on Vietnam.

In this morning's Washington Post is a column by Walter Lippmann entitled "Alternatives," which I believe makes a valid point to which we in the Senate should give very serious consideration.

I ask unanimous consent that this article may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Alternatives

(By Walter Lippmann)

Addressing Congress last Tuesday the President appeared as a sad and compassionate man who, having taken his stand in Vietnam, was determined to persist, no matter what the cost. The picture is misleading. For it leaves out the fact that the President is confronted with great new decisions. Last Tuesday's picture implied that the military situation is stable. It is in fact very fluid.

The new decisions which have still to be made turn on the probability that our troops have prevented a military victory over the Saigon government by its northern and southern enemies. The hopeful observers among us argue that this success over the main forces of the enemy will be followed by the weakening of the Vietcong rebellion and the pacification of the whole of South Vietnam by South Vietnamese—as Ambassador Lodge has put it, by "the South Vietnam regular army, the regional forces, the popular forces, the South Vietnam police, police field forces."

Neither Gen. Westmoreland nor Ambassador Lodge takes the view that the South Vietnamese will pacify South Vietnam quickly. They are thinking of a long period of guerrilla warfare and terrorism and sabotage—up to ten years of it. Other competent observers, who take a grimmer view of the strength of the rebellion and of the weakness of the Saigon regime, believe that if in fact South Vietnam is to be pacified, the task will have to be performed by the United States.

If they are right, then the President is going to have to make new and tremendous decisions. He will not be able, as he implied in his address to Congress, just to grit his teeth and persist in what he is doing. He will have to decide whether to conquer and occupy the whole of South Vietnam—not merely to repel the military intruders from the North, but to suppress the rebellion in the South, and then to run the country until a new South Vietnamese society can be put together.

To commit ourselves to this task would be, however disagreeable the old words sound, to become an imperialist power on the Asian continent. Unhappily, the record of Lyndon Johnson since his election gives little reason for hoping that he will not take this path. Just as in 1965 he transformed the Eisenhower-Kennedy intervention to assist indigenous forces into an American war, so in 1967 he will, if he runs true to form, enlarge the scope and the objectives of the American forces. He will argue sadly that there is no alternative to doing this, that to honor his pledges and his promises he must do this, and to justify the sacrifices of the American dead. He will move towards the conquest and occupation and the clearing and the reconstruction of the whole territory of South Vietnam.

This, I believe, is the dread possibility before us. It includes, but it transcends, the much debated question of whether to attack Hanoi and Haiphong in order to "win" the war by knocking out North Vietnam. If the President enters upon the imperialist course, which is what he is being hard pressed to do, the war will widen and no one will see the limit.

Moreover, to conquer and occupy and pacify the whole of South Vietnam would require, on a conservative estimate, a million American troops for an indefinite time. Disregarding what this would do to the American Nation here at home, it would mean the increasing isolation of the United States because we would be regarded as a threat to the peace of the world. It would mean also spreading disorder in the borderlands of China where the United States military and economic power is now dominant. For it is inconceivable that we shall not encounter a swelling resistance in all the continents if we advance towards a self-appointed imperial destiny in Asia.

Is there no alternative which is consistent with our interests and our honor? There is. The prospective nightmare I have been describing arises from the current military situation—even though our organized forces are successful, the Vietnamese rebellion continues. We are at a point where, though the big organized forces are stalemated, there is almost no progress in subduing the activity of the guerrillas. The alternative to the imperialist course is to stand fast and be ready to negotiate. Instead of conquering and occupying the whole country, we would make secure the positions we now hold and would then encourage the Vietnamese to work out, or to fight out, their destiny.

This is, of course, the central principle of what is known as the Gavin-Ridgway strategy. A year has elapsed since Gen. Gavin testified. Time and experience have shown, I am convinced, that it is the only workable strategy. For one thing, there is no longer any doubt that it is a practicable strategy. For it is now generally accepted that the United States forces cannot be pushed out of their strongholds. Experience has shown, second, that the pacification of the whole country would be an enormous commitment to take, one which might well prove to be an impossible commitment. Third, the junta of northern generals around Gen. Ky, almost all of whom are veterans of the French army in its war against the Vietnamese people, are quite incapable of becoming leaders of the Vietnamese nation. These adventurers from the North cannot win the confidence of the people of the South. The only hope in the situation is to remain in our military positions and let the internal politics of Vietnam take their course.

This is not a policy of scuttle-and-run, it is not a policy of delayed surrender, it is not a policy of betrayal and dishonor, and I should like to see anyone show that it is not in the true interests of the United States.

Mr. CLARK. Mr. Lippmann points out that the President is facing a very critical and serious decision right now which has not yet been made, and that is, in effect, whether the United States is going to take over practically in toto the war in Vietnam for the purpose of driving out the Vietcong, containing Hanoi, chasing its regular divisions back to North Vietnam, and then pacifying the country.

The administration has denied vigorously that they have any intention of doing this.

However, as one reads the newspapers from day to day, it seems quite clear that this war is becoming more and more an American war.

Figures, which I am sure will soon be made public, indicate that American casualties are mounting constantly while South Vietnamese casualties tend to decline.

We have now gone into the Mekong Delta in a big way, and I suspect that soon the pretense that the South Vietnamese Army is able to contribute much or anything to the pacification of their own country will be abandoned.

Under these circumstances Mr. Lippmann urges that the sage counsel given us last year in committee by General Gavin should now become the fixed policy of the United States—which, of course, it is not.

I should also point out that former Ambassador Kennan took the same position, as did—although he was not a witness before the Committee on Foreign Relations—General Ridgway.

The more I consider the Gavin-Ridgway-Kennan thesis, the more I am persuaded, along with Mr. Lippmann, that there is no better policy for us to adopt.

Mr. Lippmann comments in his article:

> This is not a policy of scuttle-and-run, it is not a policy of delayed surrender, it is not a policy of betrayal and dishonor, and I should like to see anyone show that it is not in the true interests of the United States.

RESIGNATION OF SENATOR SMATHERS AS CHAIRMAN OF THE SPECIAL COMMITTEE ON AGING—TRIBUTE TO SENATOR WILLIAMS OF NEW JERSEY

Mr. SMATHERS. Mr. President, it is with regret that I have submitted my resignation as chairman of the Senate Special Committee on Aging, in which capacity I have served for almost 4 years, in order that I may accept the chairmanship of the Senate Small Business Committee.

Much progress has been made during the past 4 years in improving the later years of our fellow Americans. To mention a few changes, we have enacted medicare, the Older Americans Act of 1965, the Economic Opportunity Act together with amendments clearly indicating a congressional intent that war on poverty programs should be carried out for the elderly poor, and various housing amendments to assist in construction of new and better housing facilities for the elderly and in rehabilitating and repairing their existing housing. Cash benefit increases have been provided for recipients of social security, railroad retirement, old-age assistance, civil service retirement, and for military retirees.

Still, much remains to be done before we can be satisfied with what the Nation has done for its senior citizens.

My making this change does not indicate any decrease in my interest in problems and opportunities of our older compatriots, many of whom make their homes in the State which I am privileged to represent here. I shall remain an interested, active member of the Committee on Aging, lending my full support and assistance to its energetic, enthusiastic new chairman, the junior Senator from New Jersey [Mr. Williams]. I expect great things for him as he undertakes this opportunity for service. As a member of the Committee on Aging since it was established, he has worked conscientiously for America's elderly, and has time and again demonstrated his burning desire to brighten the later years of his fellow Americans.

I congratulate him on this fascinating assignment which the Senate has given him, and offer him my full support and assistance in his efforts to make it count to the maximum extent for the improvement of the quality of life in our United States.

BRICKS FROM COAL FLY ASH

Mr. BYRD of West Virginia. Mr. President, a research pilot plant is under development at West Virginia University to produce construction materials from coal fly ash. The laboratory research on this project is being performed while the pilot plant is under construction at the Morgantown Ordnance Works, with the work being conducted as a cooperative research venture between the U.S. Department of Interior's Office of Coal Research and West Virginia University at Morgantown.

As a member of the Senate Appropriations Subcommittee which votes funds for the Office of Coal Research, I was instrumental in having the fiscal year 1966 appropriation bill amended to include $25,000 for the pilot plant project.

A report on the work being performed, to convert coal fly ash into bricks for the construction industry, was published in the January 2 issue of the Electrical World.

I believe that it would be helpful for the American public to learn of some of the newer developments in the usage of coal, and I ask unanimous consent that this magazine article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Flyash Brick Could Cut Fuel Costs 2 Cents per Million B.t.u.—Dry-Pressed Process Converts Fly and Bottom Ash Into Face Brick Having Equal or Better Properties Than Clay; 3,000-Brick-per-Hour Pilot Plant To Be Built

A process has been developed to produce a quality dry-pressed flyash-based face brick without restrictions on physical or chemical composition. This gives promise of an economical solution to disposal of the vast quantities of flyash and bottom ash from coal-fired generating plants and a reduction in fuel costs by 1 to 2¢/million Btu for utilities.

Studies indicate that the total costs of producing these face bricks are substantially below those of clay brick. In addition, the bulk density of flyash material is considerably less than clay brick, resulting in significant savings in transportation and erection costs.

The next step of this research project is the construction and operation of a pilot plant, for which the Coal Research Bureau at West Virginia University, Morgantown, West Va., is under contract with the US Department of Interior's Office of Coal Research. The pilot plant will produce flyash-based structural materials and permit University research personnel to evaluate the commercial feasibility of the process.

This pilot plant will contain full size commercial equipment capable of producing about 3,000 bricks per hour. Initially, it will be operated at a nominal rate to obtain necessary data. Estimated capital costs for plants for 3,000 and 9,000 bricks per hour are $1 and $2.2 million, respectively, of which more than half is invested in a tunnel kiln.

The basic scheme of the process involves mixing flyash and slag in predetermined amounts with additions of sodium silicate solution as a binding agent. Moisture content of the mix is adjusted to about 9%, which makes the blended raw materials readily amenable to dry-pressing. A short drying period allows much of the process water to escape. The dried product can then be fired much like clay or shale materials.

Because flyash is very fine, it was impracticable to consider a 100%-flyash product. During research on the process, it was found that an optimum face brick should contain about 75% flyash, 22% coarser aggregate, and about 3% sodium silicate on a dry basis.

Since many flyash producing power plants also have a coarser bottom ash or slag, it was economically and technically beneficial to use this material as an aggregate in the brick mix. Previously, sand had been used as the coarse material; however, the use of slag yielded a superior product because the flyash bonded more readily to the slag than the sand. This is attributed to the fact that the softening temperatures of flyash and slag are more nearly alike. These finished products contain 97% power plant ash; but the optimum mix is best determined experimentally, due to the widely varying chemical and physical properties of each ash.

The economics of this process appear to be very favorable. Assuming $1.00 per ton for flyash, $1.00 per ton for slag, and $2.30 per cwt for sodium silicate, the raw material costs per thousand brick are about $1.36, $0.43, and $6.11, respectively, or a total of about $7.90. The sale price of flyash and slag have been established from a survey of utilities.

Current research is aimed at investigating the use of other grades of silicate which would ultimately cut raw material costs by as much as 40%. It is believed that binder costs will be more than offset by labor savings in raw material beneficiation and preparation.

The economics of the process will depend on a ready and adequate source of flyash. It would be most practical and economic for the flyash structural products plant to be at the power station or very close by.

Testing of the finished product is in accordance with ASTM specifications for face brick, see table, left. Research, therefore, has been directed towards finding the most economical combination of various raw materials. The resulting properties of flyash-based brick depend on the composition of the flyash and bottom ash and the percentage of binder. The amount of binder used has decreased continually, and the strength of the final product has increased as better mixing techniques were found.

The final products is affected by such other variables as forming pressure and temperature and time of firing. Firing temperature generally ranges from about 1,950F to 2,050F, except for high calcium lignite ashes, which must be fired to approximately 2,150F. Firing time varies between 12 and 24 hours, mainly depending on the amount of carbon contained in the flyash. This is well within the time and temperature ranges used by structural clay product manufacturers.

Depending on the type of ash used, the color of the flyash product will range from a white to a very deep red purple. In most cases, each individual flyash has a fairly consistent fired color; however, the color of the final product can be altered by varying the final firing temperature. It is also possible to obtain various color effects by blending different ashes. Flashing, in which excess gas is put into the kiln near the end of the firing cycle, imparts a mottled color effect.

Tests have shown that glazing of flyash products produces suitable color effects, but further work is necessary to determine which glazes are most suitable for this type of body.

HAWAII IS A STATE OF LOVE

Mr. INOUYE. Mr. President, if the shining faces of my constituents are beaming a bit more brightly these days, it is all because of a lovely lady in Temple City, Calif., who wrote a letter to Gov. John A. Burns, of Hawaii.

Mrs. Loye L. Guthrie sought to capture the essence of the charm of the islands and she finally concluded that "Hawaii is a State of love." There can be no finer compliment.

I should serve fair warning on my colleagues from California that Mrs. Guthrie has given up fighting the "call of the islands" and plans to establish a permanent residence in our State. Her daughter, raised in southern California, preceded her by 6 months.

The exchange of letters was published in the January 14, 1967, edition of the Honolulu Star-Bulletin. With the thought that Mrs. Guthrie's perceptive observations and Governor Burns' response may inspire my colleagues to enjoy our "State of love" at the earliest opportunity. I ask unanimous consent that these communications be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Honolulu Star-Bulletin, Jan. 14, 1967]

HAWAII IS A STATE OF LOVE

The Star-Bulletin has received from the Governor's office the following exchange of letters:

Dear Governor Burns: Why is it that a traveler from the U.S. will visit a foreign country, wrapped in such a solid blanket of pride in his own home town, state, etc. that his eyes are blind to the merits of anything in that country? Yet, long before Hawaii became a state, that same traveler would try his level best, shortly after arriving in Hawaii, to be as "Hawaiian" in every way as was possible, and he still does.

Where in Paris, he will sit back and criticize its famous food, in Hawaii, dressed in an Aloha shirt, he will choke down the poi if it kills him. In London, he complains over the merest light rain, but in Hawaii will sit happily bare-footed in a cloudburst. In Rome, nothing he sees can compare with "back home." Even St. Peter's Cathedral often fails to measure up. But in Hawaii, he exclaims happily over every stick and stone. Once again in his home, the Florentine vase he brought back last year from Italy, at great expense, sits unheeded on the mantle while he fondles lovingly a little brown coconut shell he swiped from his last luau.

To this puzzle I have given a good deal of thought. Especially since the recent visit here of my daughter. She moved to Hawaii only 6 months ago; a normal, pretty 22-year-old girl, raised in Southern California. She returned to us a radiant beauty, full of music, joy and health; spouting pidgin and sing-song phrases like a kamaaina!

She blessed her home of 20-odd years with a happy aloha smile and fled back to "her" islands without a backward glance.

What happens to people there, that happens nowhere else on Earth? Well, many people will give many answers but my own answer is summed up in one word: love. Love, manifested in a thousands ways through all the senses—and each person to visit there responds and warms to it instinctively. I think that when the missionaries brought Christ's Word to the Islands, His love was already there and nothing through the years has dimmed it. From now on, whenever I am asked to tell about Hawaii, this will be my answer—that Hawaii is a State of love which has to be experienced and cannot be described.

We have given up fighting the "call" of the Islands and will be making them our permanent home shortly. We are most happy and proud that you will be our Governor. Much aloha to you as you start your new term.

MRS. LOYE L. GUTHRIE.

TEMPLE CITY, CALIF.

The Governor's reply:

DEAR MRS. GUTHRIE: Your most charming and perceptive letter of January 3, 1967, shows our people and our State in a comparative light that is original to me. While your viewpoint is especially kind to us, my own experience leads me to believe there is much truth in your suggestion that visitors to Hawaii are far less critical of the material surroundings they find than in other far-off places they visit. I believe your conclusion is sound—that our visitors are quickly conscious of the attitude of our people and wish to reciprocate, or perhaps to participate.

You very aptly use the word love to determine the source of what we call Aloha, and I would agree that the love for his fellow man is the most important part of the wonderful Polynesian heritage we enjoy. I would further agree that something of the Divine Inspiration was in the Hawaiian people before the missionaries came.

Your own attitude and the experience of your daughter will certainly equip you to enjoy life in Hawaii to the fullest, and we welcome you and extend our own Aloha. I hope you will not mind if I give copies of your letter to our newspapers, for it seems to me the feeling for Hawaii and the human warmth of your expression should be shared with our people.

Warm personal regards. May the Almighty be with you and yours always.

JOHN A. BURNS,
Governor of Hawaii.

REDUCTION OF FEDERAL HIGHWAY FUNDS

Mr. TALMADGE. Mr. President, the citizens of Georgia are greatly disturbed over the reduction of Federal highway construction funds authorized for expenditure during the fiscal year ending next June 30.

I share that concern. These funds should be restored at the earliest possible moment.

In Georgia, the President's cutback on highway spending is expected to forestall some $84.2 million in badly needed road construction throughout the State this year. This amount includes some $49.8 million in Federal funds and $34.4 million in matching State funds. This cut is more than half of all the money that was authorized for Georgia during this fiscal year.

These funds are needed. The highway construction anticipated and already planned is vital to the continued growth and progress of the State of Georgia. Withholding these funds poses a severe threat to the operations and planning of the Georgia Highway Department.

The highway cutback resulted from an Executive order last November, which was said to be in the interests of the Nation's economy. I can well understand the concern over the rising cost of the war in Vietnam and the present inflationary trend. I applaud the President's move to economize.

However, I submit that the reduction in the Federal aid highway program is not in the interest of our States or Nation. In this modern age, when mobility and transportation are of the utmost importance to economic advancement, it is my feeling that highway construction is a high priority item, and to cut funds in this area is false economy.

Many other Federal spending programs could stand reducing without crippling our highway programs. To my mind, some of our spending overseas in vast and often wasteful foreign aid programs would be an excellent place to strive for economy and efficiency. Some of our troop commitments in Western Europe could be reduced, and the free and prosperous nations of Europe could begin picking up the tab themselves for their own defense. Certainly some aspects of the U.S. space exploration programs could be postponed to some degree. These are to name but a few of the areas in which I believe we can achieve economy in our Government.

I deem highway construction to be a critical function of our Government, and I hope that the President will reconsider and restore the highway construction funds that have been authorized by the Congress.

PRESIDENTIAL ACTION ASSISTS MARYLAND TOBACCO INDUSTRY

Mr. TYDINGS. Mr. President, on Friday, January 13, President Johnson rescinded high tariff rates which had been imposed since 1954 on watch imports. I believe that this action will materially assist the Maryland tobacco industry. Switzerland, which is the largest supplier of watches to the United States, is the largest importer in the world of Maryland tobacco. During the past several years, exports of Maryland tobacco to Switzerland, through the Baltimore Customs District, have amounted to more than $5 million annually. Last June, the other members of the Maryland congressional delegation and I urged the President to remove the high watch tariff in order to insure that the export market for Maryland tobacco would not be reduced.

Although the high duty on watches may have assisted one domestic industry, that duty threatened the economic welfare of other U.S. industries, including the Maryland tobacco industry, which do significant business with Switzerland. Foreign trade is a two-way street, and when we impede imports from other countries into the United States, we must expect those countries to retaliate by restricting our exports to them.

The President's action recognizes the interdependence of the economic interests of Switzerland and the State of Maryland. I am pleased that he has taken this courageous and statesmanlike action.

On Saturday, January 14, editorials appeared in the New York Times and the Washington Post commenting on the broad implications of the President's action in reducing the tariffs on both watches and sheet glass. I ask unanimous consent that the editorials be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 14, 1967]

Mr. Johnson's Tariff Courage

President Johnson's decision to roll back watch and sheet-glass tariffs—despite powerful opposition mobilized by those industries in a Congress he no longer dominates—was an act of political courage with broader world implications than trade in those products would suggest. It affects the atmosphere of the entire Kennedy Round of trade negotiations now nearing completion in Geneva.

The Kennedy Round centers on an American offer of deep tariff cuts to persuade the Common Market to lower trade barriers toward other European countries and the outside world as a whole. Economically, success is vital to the export trade of Britain and many other countries, including the United States. Politically, the unity of the Atlantic Community is involved.

The decision on watches, a major Swiss export, eliminates the danger that Berne will withdraw many of its Kennedy Round offers, a move that could trigger similar action by the Common Market. The partial rollback in glass tariffs is symbolically important because the tariffs were raised in 1962, only a few months after a previous reduction. This circumstance outraged Belgium, and the Common Market as a whole joined in retaliatory tariff increases against several American export products.

Even more significant is the fact that the original American tariff increases for watches and glass took place under an "escape clause" which long had been a psychological impediment to trade liberalization. Europeans had come to suspect that the United States would rescind tariff cuts whenever foreign industries really succeeded in penetrating the American market.

Business requests for escape clause protection were, in fact, rarely granted by Washington. But the frequency of such requests and the lengthy procedures involved often created enough uncertainty to discourage European companies from the huge investment in product adaptation and merchandising needed to crack the American market.

To persuade Europe to enter the Kennedy Round, the 1962 Trade Expansion Act turned toward a new concept, "adjustment assistance" to American business and labor affected by foreign competition. The escape clause itself was made more difficult to use and a Presidential review was instituted that promised to roll back tariffs previously raised under escape clause procedures.

With his action on watches and glass, President Johnson now has kept that promise in all five of the cases on which he has had to rule and given Europe new reason for confidence that the tariff cuts made in the Kennedy Round will not be easily reversed.

[From the Washington Post, Jan. 14, 1967]

An Act of Courage

President Johnson has said so little about the need for lowering tariff barriers to international trade that some observers erroneously concluded that he had little sympathy for that cause. They were wrong. The President's decision to terminate the high, escape-clause rates of duty on watch movements and glass is an act of courage, one that was vehemently opposed by protectionist spokesmen from industry, labor and the Congress. By acting with firm conviction, the President made some political enemies. But he has increased the likelihood of success in the Kennedy Round of tariff-cutting negotiations and advanced the cause of freer international trade.

The high tariff on watch movements dates back to 1954 when President Eisenhower declared it necessary to protect the domestic industry from serious injury as a result of increased imports that were attributed to concessions granted under the reciprocal trade legislation. In the ensuing years the domestic industry insisted that protection was also essential on grounds of national defense. The late President Kennedy raised the tariff rate on glass in a misguided effort to assist the depressed economy of West Virginia. There was instant retaliation by European countries.

Of the two decisions, the action on watch movements is the most important, both in terms of the volume of trade and the political impact. The Swiss government felt so strongly about the watch-tariff issue that they were threatening to withdraw their Kennedy Round trade offers. Had that happened most of the Common Market countries, under the most-favored-nation principle of nondiscrimination, would have been compelled to withdraw many of their offers, and the chainlike reaction could have wrecked the negotiations.

Paradoxically the principal opposition to reducing the watch tariff comes from the domestic companies that are also major producers in Switzerland and Japan. By playing the protectionist game, they were apparently inflicting more injury upon their competitors, the independent importers, than they suffered as importers of their own, foreign-made products.

In making his decision to terminate the escape-clause duty, the President was assured by the Defense Department that the national security will not be impaired. The demand for missiles and other timed weapons has widely diffused the skills needed to produce horological mechanisms. There need be little concern about the financial position of the domestic watchmakers. Their order books are full.

The voice of the White House has often been raised in behalf of freer trade, but President Johnson provided the indispensable element, not the profile, not the rhetoric, but a willingness to stand on principle when the political disadvantages hopelessly outweigh any prospects for gain. That is the essence of political courage.

WHY DOES FAA HIDE ECONOMIC FEASIBILITY REPORT ON THE SUPERSONIC TRANSPORT?

Mr. PROXMIRE. Mr. President, this morning's Wall Street Journal calls on the FAA to make public the results of its $650,000 study in to the costs and potential market for the supersonic transport.

As the Journal says:

> Though the results have been in for some time, the agency is still sitting on them; the conclusion is inescapable that the reports were less than favorable to the plane.

Mr. President, this Congress has already provided for hundreds of millions of dollars of spending for this plane. We are going to be asked to spend billions more of the taxpayers' money.

Certainly, the FAA should tell the Congress and the taxpaying public about the risks the taxpayer is taking now.

I ask unanimous consent that the editorial from the Wall Street Journal appropriately titled "Flying Blind" be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Flying Blind

If a corporation managed a spending project the way the Government is handling the supersonic transport, it soon would be in hot water with its stockholders, and Washington deserves no better from the public.

There was nothing wrong with the Federal Aviation Agency and others touting the SST as an important step into the future; it probably will be. Whatever some squeamish citizens may now think of it, men some day will whoosh through the air at speeds that may make 1,800 miles an hour seem like standing still.

It's possible, too, that no such step can be taken without some Federal help, and that the boost would be only temporary. In any case, the aircraft makers and airlines can point out that the U.S. airline industry, which didn't get off the ground without lots of Government aid, now is thriving largely on its own.

None of this, however, justifies the SST managers' unseemly haste. After an outlay of more than $500 million since 1962, the Government has now decided which airframe and engine designs are "best" and the project's backers are eager to gamble a few billion more on that decision.

Unfortunately, not many people appear to know just how bright the SST's future really is. In a presumed effort to find out, the FAA in the past year has invested more than $650,000 on studies of the SST's costs and its potential market. Though the results have been in for some time, the agency is still sitting on them; the conclusion is inescapable that the reports were less than favorable to the plane.

That isn't exactly the sort of candor the public is entitled to from officials planning a new product with public funds. The FAA ought to end the secrecy stunt right away, no matter how critical the studies.

More criticism came in Washington the other day, this time from Knut Hammarskjold, director-general of the International Air Transport Association. He declared that Boeing Co.'s winning SST design did not meet IATA's economic criteria; put more bluntly, the plane would not make money. Since IATA's members include most of the world's major airlines, all of them either interested in making money or losing as little as possible, Mr. Hammerskjold's words plainly deserve attention.

Equally important, the IATA official appears to have shot a large hole in the SST supporters' main argument for haste. It is that the British and French are already well ahead of the U.S. in development of a supersonic transport, the Concorde.

If this country doesn't get cracking, the reasoning runs, airlines everywhere will equip with Concordes, with heavy damage to America's prestige and its balance of payments, not to mention the profits of U.S. aircraft manufacturers. Yet Mr. Hammarskjold indicates that the Concorde like Boeing's plane, will have to be "further refined" before many arlines are going to find it sensible to buy it.

In circumstances such as these, any corporate official who valued his job would find caution in order. Calm consideration would appear even more mandatory for the Government, saddled as it is with a war and a budget whose income side long since has lost all touch with outgo.

Progress in this field is inevitable, if progress is what it is. But in the world of Government as in the world of business, a late-blooming success is far better than a dismal early failure.

SENATOR MARK O. HATFIELD, OF OREGON

Mr. MURPHY. Mr. President, during the past year I had the pleasure of traveling across this great Nation and campaigning on behalf of Republican candidates. In my long association with the party, I have never seen better candidates than the candidates our party advanced in 1966. I was not at all surprised by the tremendous victory that the Republicans enjoyed in the November elections, because in my conversations with citizens throughout the country, not only could I sense much excitement and enthusiasm for Republican candidates and programs; I could also sense great disenchantment among the electorate.

The elections saw the Republicans capturing eight new governorships, 47 new House seats, and three new Senate seats. Not only, Mr. President, were the Republican candidates attractive and articulate; they were eminently qualified to represent the best interests of their States and the Nation.

Typical of the talent and experience of the Republican candidates was that of Senator MARK HATFIELD, of Oregon. Born on July 12, 1922, the son of a railroad construction blacksmith, Senator HATFIELD was elected at age 28 to the Oregon State Legislature and served 4 years in that body. Subsequently, he was elected to serve 2 years as secretary of state. In 1958, he defeated the incumbent Democratic Governor by approximately 64,000 votes; and in 1962, the electorate of Oregon in reelecting him gave him an overwhelming vote of confidence, and he defeated his opponent by more than 80,000 votes. In 1960, he was called upon by the Republican National Convention to deliver the nominating speech for Mr. Nixon, and he keynoted the 1964 National Convention.

Mr. President, when the then Governor HATFIELD announced his decision to seek election to the U.S. Senate, I immediately sent him a congratulatory wire and offered to do anything that I could to assist him. Indicative of the kind of Senator that MARK HATFIELD will be is the fact that in his response to my wire, he requested a copy of the Rules and Manual of the U.S. Senate. This was in January of 1966, and Governor HATFIELD was already undertaking to master the rules and procedures of the Senate.

On January 9, he delivered a farewell address to the Oregon Legislature, and I am certain that all who have a chance to read his statement will be greatly impressed with the record of his administration. We in the Senate are indeed fortunate to have a man with his experience and abilities, and I, for one, am expecting great things from Senator HATFIELD.

Mr. President, I ask unanimous consent that Governor HATFIELD's farewell address be printed in full in the RECORD.

There being no objection, the farewell address was ordered to be printed in the RECORD, as follows:

STATE OF OREGON, FAREWELL ADDRESS AND LEGISLATIVE MESSAGE TO THE 54TH BIENNIAL LEGISLATURE

(By Mark O. Hatfield, Governor,
January 9, 1967)

FAREWELL ADDRESS

Mr. President, Mr. Speaker, Members of the Fifty-fourth Legislative Assembly: This is the ninth regular session of the Legislative Assembly in which it has been my privilege to participate during the proceedings of opening day. I congratulate you who have taken your oath of office for the first time and welcome you who are returning for renewed public service.

This is a day in which the spotlight rightfully belongs upon the man who has been chosen to succeed—a man who is no stranger to either the executive or the legislative branches of the state government nor, I might add, to the homes of our citizens.

As I take leave of the governorship, I have placed in your hands a record of service and several recommendations, in addition to those of a budgetary nature which were given you on December 1. Now, before relinquishing executive leadership, and in accord with the tradition of the day, I would refer briefly to some landmarks of our journey together over these past eight years.

We have seen Oregon's population advance from less than a million and three-quarters to the two-million mark.

We have witnessed a near-doubling of enrollment in our state colleges and universities; the development of a community college system numbering 11 institutions and 18,000 students; and the establishment of a Graduate Research Center.

We have led the nation in percentage of interstate freeways completed; in the establishment of new parks and waysides; in the development of state-wide outdoor recreation programs; and in beautification of our highways.

We have initiated a comprehensive, long-range water study; strengthened our means of combating air and water pollution; intensified oceanographic research; and given impetus to oil and mineral exploration.

We have pioneered welfare reform through improved management, and in programs emphasizing self-reliance; at the same time tightening controls against abuse.

Oregon's greatness has been portrayed not only across our state and nation, but in Europe and Asia. Resultant job development has increased individual per capita income more than 26 per cent. Payroll expansion has totaled 180,000. Plant facilities have increased by 700.

I would be remiss if I did not acknowledge with deepest appreciation the public service which has been rendered by a record number of appointees who have responded to the call for duty with boards, commissions, task forces, the judiciary, elective public office and the many other functions of state government.

Our progress has been considerable by any standard of comparison, but there is yet work to be done. I have repeatedly asked for removal of tax inequities, and for a modern constitution. These challenges cannot longer be avoided. You should continue the pattern of putting our administrative agencies in a more manageable form. Environmental improvement is a never-ending task, as is the strengthening of consumer protection and the expansion of job opportunities.

Oregon is the greatest state in the Union in the fiber of its people and in its natural environs. This truth is never more apparent than when one is about to depart for areas which struggle with massive problems of slums and deprivation, climatic rigors, racial tensions, transportation nightmares, bureaucratic immensity, and international complexities.

I go from you with deep appreciation for the cooperation of the past and the opportunity for further service at the other end of the continent as a member of your Congressional Delegation.

In transferring the mantle of trust, I ask that we be given wisdom with which to meet our challenges, fortitude to confront the responsibilities we assume, and imagination to capitalize upon the assets of our fair Commonwealth and the abilities of its people. Our role as stewards in God's kingdom is short lived. May it be so performed that those who come after will look upon this land as ever fruitful and upon our labors as ever worthy.

LEGISLATIVE MESSAGE—A RECORD OF SERVICE, 1959–67—REVIEW AND RECOMMENDATIONS

THE CHALLENGE

As we look forward to a rapid population growth we must realize that it will not be an unmixed blessing. Additional people will bring greater prosperity to Oregon. New industry will move here. Small towns of today will become cities and our cities will become vast urban complexes. Especially is this true in the Willamette Valley. This new growth will transform the face of Oregon.

What kind of Oregon?

The question to be asked is this: What kind of Oregon do we want or are we going to have 100 years hence? We dare not make the mistakes of many of the Eastern states and our neighbors on the West Coast. We yet have breathing time for we have not had the unprecedented growth of other sections of the country. Unplanned development could spell chaos for our land and for our people.

What kind of planning?

Translating our plans and dreams into realities will take time and progress might not come as fast as many of us would wish, but we must continue to chart our course for the future of Oregon. Planning programs of our Division of Planning and Development have proven the wisdom of flexible and comprehensive guidelines which may be adjusted to meet needs and attain desirable goals. At no time should we permit either myopia or partisanship to divert us from the ultimate objective of greater social and economic well-being from our state and each of its citizens.

THE ECONOMY

The past eight years have been the period of greatest economic expansion in the state's history. There have been over 700 new industrial plants and on-site plant expansion, an over-all investment of $700 million. Employment has increased by 180,000 and personal income has risen $2.4 billion. In 1958 Oregon's per capita personal income was below the national average. Today it is above. All this has meant a better way of life for our people.

The recent slowdown in the timber industry underscores the fact we must continue the program of economic diversification which has brought about a broadening of our means for providing jobs, educating our children, and performing necessary public services.

We must continue to encourage industry which is compatible with our environment and continue to stress the geographic dispersal of industry throughout our state.

We must continue to broaden our export potential—the markets of Europe, Asia and Latin America have barely been touched, as proven by our trade missions to the Orient and Western Europe.

We must continue to develop our recreational facilities and to enhance our natural and man-made beauty. In the last eight years through the development of 35 new state parks and waysides and through tourist promotion we have seen additional millions of dollars flow into Oregon.

TRANSPORTATION AND PUBLIC SAFETY

The movement of persons and property in a completely safe, economical and efficient manner is an ideal toward which we must continue to strive. We have made tremendous advances in transportation. In the last eight years Oregon has spent over $650,500,000 in highway construction. We have built over 420 miles of freeways and 4,216 miles of other roads and highways. Twenty-one safety rests areas have been established.

Interstate highways

We have completed Interstate 5 from California to the Washington border, through the use of funds paid by the highway users themselves, without incurring bonded indebtedness. Unlike many so-called "federal aid" programs, the Interstate Highway System in Oregon is totally financed from user fees, thus assuring that those who benefit the most also pay the bills without drain upon the general funds of either state or nation.

We have completed the Astoria Bridge. We should work toward the day when Highway 101 will be a modern, high-type facility from the Canadian border to Mexico.

UTILITIES

Advances in our economy, together with effective administration of the Public Utility Commissioner's office have benefited Oregon rate-payers through improved service and lower costs.

Technological changes

We must be prepared to take advantage of progress. Giant tankers dwarfing any ships that have heretofore sailed the oceans are being constructed. Jumbo jets, designed to carry more people and cargo than ever before, are now under order. Within the next decade will come the supersonic transport. The railroads, through mass transit systems and other means, are regaining the significance they once had. These changes and many more are coming and we are preparing for them.

The Oregon Port Authorities Commission, created pursuant to my 1965 recommendations, has been investigating means of developing an integrated system of ports, marine terminal facilities waterways, major airports, interstate bridges, and related transportation facilities and services. During its two-biennium life, the Commission will submit a series of reports for your consideration. The Commission's findings and recommendations will serve as a basis for necessary statutory changes to permit capitalization upon the progress so evident in transportation.

Rapid improvements in our highway system and in the capability of modern equipment would indicate that there may be a need for modernizing our laws relating to such transportation. I would, therefore, recommend that careful review be given to the laws governing vehicle length in order that they may truly reflect the needs and capabilities of the industry while still meeting the safety demands of the public.

Traffic safety

Parallel to further progress in creation of improved facilities there must be greater effort toward insuring protection of those who travel in public and private conveyances. We have in the last eight years spent $9,820,000 in providing additional safety features on Oregon highways. We have widened over 590 bridges and over 2,900 miles of road and improved 1,400 hazardous driving locations. But the tragic slaughter taking place yearly spurs a redoubling of our efforts. With this in mind I propose legislation to do the following:

1. Broaden application of Oregon's seat belt law to include drivers and passengers of buses, taxicabs and trucks.
2. Authorize adequate funds to permit personal appearance for driver license renewals, particularly in those cases where past records indicate re-examination is warranted.
3. Funding additional traffic police manpower at the state, county and city levels.
4. Authorize increased traffic court personnel to process persons accused of a hazardous moving traffic violation.
5. Require periodic vehicle inspections.
6. Grant authority for police to halt and inspect vehicles to determine adherence to legal safety requirements.
7. Create a maximum speed limit law in addition to the basic rule.
8. Grant authority for the Department of Education to certify driver education teachers.
9. Give additional legal authority to control drivers through operator licensing.
10. The creation of a Highway Traffic Safety Research Center in Oregon.

To fund this and other programs which will become necessary as a result of new federal laws, I have recommended a modest increase in motor vehicle license fees and an adjustment in the gas tax. These represent a minimum investment by the people in our continuing economic progress and reduction of death, injury and personal anguish. They can no longer be ignored.

Motor vehicles

Although one of the largest and most important functions of state government is handicapped through failure of the Legislature to adopt my recommendations for joint housing of transportation-related functions, the Department of Motor Vehicles has strengthened its means to more adequately serve the public. The activities of this agency must necessarily be broadened to meet requirements of new federal laws. Adequate funding, as provided in my budget, will help assure a continuation of the progressive pattern established during the past eight years.

Crime

I have consistently stressed the importance of strong, effective law enforcement within our system of criminal justice.

There are many studies now being made in this area. A President's Commission, the legal profession, many social scientists and others are seeking ways to improve law enforcement and the administration of justice. I recommend that the Legislature authorize, and appropriate funds for a crime commission to act as a clearing house for all crime research and study projects relevant to Oregon and to find ways to prevent crimes, to enhance the security of persons and property, to deal effectively with criminal offenders and to insure fairness in the criminal process in Oregon. I further recommend that the crime commission be established under the jurisdiction of the Governor.

Oregon State Police

Through maintenance of the highest possible standards of professionalism, and with major emphasis upon standardization of uniform practices among law enforcement agencies, the State Police organization is today recognized as a leader in its field.

By establishment of the Advisory Board on Police Standards and Training, we have made a start toward a further upgrading in the caliber of our law enforcement officials at all levels.

I cannot too strongly urge continuing support for these activities, with particular attention to sufficient remuneration for those who daily risk life and limb in the protection of persons and property.

Emergency organization

We have furthered our means for coping with natural and other disasters, a number of which were dealt with during the past eight years. Four years ago, the Legislature unwisely reduced appropriations for the Civil Defense Agency. The 1964 Christmas flood tested our ability to meet crisis and proved the necessity for a strong basic organization.

The Emergency Command Post which we established during the 1964 disaster has become a model for other states, as has the Nuclear Emergency Organization created under the direction of the Public Utility Commissioner. These facilities and plans must be constantly reviewed to insure their adequacy to meet further tests.

NATURAL RESOURCES

Again I would note that our natural resource wealth undergirds the entire economy and contributes to the well-being of each citizen. Too often in the past, complacency and a lack of understanding have denied the managers of these resources adequate tools with which to properly discharge their role as stewards.

The public has indicated a willingness to assume its obligation in several important areas, and has particularly voiced concern for greater efforts in assuring maintenance and enhancement of our environment.

Air and water pollution abatement

Past progress in the control of air and water quality is impressive by any standard of comparison, yet the State Sanitary Authority has been unfairly criticized, oftentimes by those who insisted that both state and local agencies in this field must operate with insufficient fiscal support.

In my December 1, 1966, Budget Message, I provided for a sizeable increase in funds for this agency, authorization of which will increase both manpower and facilities necessary to do the job.

Additionally, I have endorsed the recommendations of the Legislative Interim Committee on Public Health as concerns new legislation covering both air and water pollution abatement programs.

Beyond the recommendations of the Interim Committee, consideration should be given to measures which would accelerate construction of municipal sewerage facilities, such as state grants or loans. In those instances where a community or industry refuses to construct needed facilities, provision for state construction and assessment of costs offers another approach.

Fish and game

The same reasons which make an upgraded pollution control program imperative underscore the urgency of so supporting our fish and game agencies that they may meet increasing public demands.

Significant achievements with regard to the status and yields of fish and game are a matter of record. Annual yields have been substantially increased and diversified. Spectacular gains have have been made in producing steelhead and certain races of salmon, and in the rehabilitation of lakes and streams.

Our offshore waters are receiving increased attention from both domestic and foreign commercial fishermen.

During the past 15 years, the numbers of hunters and sports anglers have increased by 60 percent. Population growth, further industrialization, urban sprawl, and other competing demands for land and water use make it essential that more intensive management be practiced.

The Budget which I have submitted provides a means of meeting these future needs.

Water resources

In this decade, a new threat to our continued progress has arisen in the form of attempted raids on our most valuable natural resource—water.

Fortunately, because Oregon took steps a decade ago to inventory and catalog for use the waters of its river basins, much of the data necessary to project our short-range needs was already available when we were confronted with the possibility that political muscle might divest us of the means for further growth.

My recommended, long range, "ultimate needs" water study, which the 1965 Legislature approved as necessary for determination of requirements for a century hence is well underway. It is clear that full information must be developed if we are to dispel the ill-founded myth of water surplus and that Oregon's resistance to attempted diversion of the Columbia and other rivers for use in other areas is provincial.

We must continue to develop data to prove Oregon's present and future needs for agriculture, industry, power generation, navigation, fish and wildlife, mining, pollution abatement, human consumption, scenic and recreational enjoyment and other beneficial uses of water. The projected two-biennium "ultimate needs" study should be brought to a speedy and successful conclusion, and my budget provides funds for this purpose.

The budget provides funds to defray the cost of Oregon's participation in the Western

States Water Council and the soon-to-be-created Pacific Northwest River Basins Commission, regional entities which we have promoted to insure comprehensive and cohesive planning and development.

The on-going Willamette Review already offers evidence of new and feasible projects under the locally-sponsored, federal-cooperative Small Watershed Program, and we must continue state assistance in planning for such projects.

Flood plain zoning

Limited studies of the Willamette River flood plain by federal agencies, together with those undertaken by the State Water Resources Board during the past two years, re-emphasize the need for state assumption of responsibility for establishing land-use regulations to protect our citizens and facilities. I again urge that the Water Resources Board be given authority to establish such regulations, and to protect remaining available reservoir sites in a similar manner.

Offshore oil and mineral resources

Since passage of the Submerged Lands Act by the 1961 Legislature, exploration and leasing activities have brought some $80 million in new wealth to our economy. Whether the ocean's depths off our coast will yield oil and gas in commercial quantities is still unknown, but we should continue to encourage industry in its search.

We must also capitalize upon the potential for mineral exploration in this area by giving the State Land Board, or its successor, authority for orderly development of such resources.

Oceanography

Advances in research to unlock the potential of the sea during the past six years, the establishment of new facilities within our State System of Higher Education devoted to this purpose, the recent visits of the Soviet fishing fleet off our coast, recognition that the ocean provides a means of eliminating hunger throughout the world—all attest to the need for continuing support of our oceanographic program. In the budgets of Higher Education and the Fish Commission, the state is accepting its responsibility as a partner with the federal government in this vital area.

Forestry

To help insure stability and growth in our number one industry, we have enacted conservation-oriented timber tax laws, strengthened our means of combating fire and predators, and have neared completion of the rehabilitation of the Tillamook Burn area. The goal of maximum production from state-owned timber lands is in sight. The largest public forest nursery in the Northwest has been brought to full production.

We have lessened the burden of fire protection upon forest landowners, but we must continue to move in the direction of more equitable distribution of such costs through greater participation by the using public and insisting upon adequate federal funding.

In recent months, we have witnessed the near-disastrous effect of ill-advised federal policies upon our forest products industry, and I have urged the national administration to undertake corrective measures. These include a review of such policies; a determination of means for increasing the allowable cut on federal lands without prejudicing future supplies and in keeping with sound conservation practices; appropriation of funds to complete without delay the primary access road system in the National Forests in Oregon; and a high-level, decision-making Japanese-American conference on log exports. Oregon, with almost one-fourth of the nation's timber supply, and the largest producer of lumber and plywood, is literally at the mercy of the federal landlord who controls 52 per cent of its total land area and approximately 80 per cent of its commercial timber. We must continue to insist upon removal of present inequities.

Within state government, we must continue to move toward broadening the responsibility of the Department of Forestry. Statutory enunciation of a true multiple-use policy will be of major assistance.

Parks and recreation

The growth in use of our state park facilities has continued at a tremendous rate, with upwards of 16 million visitor-days recorded last year, nearly double those of 1959. New parks, improved facilities, and broad-scale planning for future needs have characterized advancements during the past eight years. We have completed the first statewide, comprehensive outdoor recreation plan, and have utilized funds available through the Federal Land and Water Conservation Fund for further development, being the first state in the West to complete eligibility under this user-financed, grant-in-aid program.

The forest products industry, public and private utilities, and other non-governmental entities have aided immeasurably in helping to supply needed recreational facilities. Their continuation as active partners in this vital area is essential.

There is need to assess the contribution of other state and local agencies to over-all public requirements. For example, the State Forestry Department should be encouraged to develop the full recreation potential of lands under its control, as should the State Land Board and the State Game Commission.

State lands

In the past I have recommended reorganization of the State Land Board and delegation to the successor agency the authority to initiate land management practices designed to fully develop the potential of these holdings, not only because of the social and economic benefits which will accrue, but to increase income to the Common School Fund.

Studies now being completed, and the findings of the Legislative Interim Committee on Public Lands, attest to the soundness of this recommendation. I urge that they be implemented through referral of necessary constitutional changes to the people and passage of measures which will complete the transition from custodial to management status upon approval of a constitutional amendment.

Agriculture

Agriculture continues as a major factor in the Oregon economy. During the last eight years it has had a $60 million increase in annual cash marketings. We have created an effective Import-Export Committee, an aggressive Feed Grain Freight Committee, and have given strong support to a vigorous Agribusiness Council of Oregon, formed this past year.

The new Agriculture Building on the Capitol Mall enables more efficient service to the agricultural community and the consumer.

Oregon farmers are progressive businessmen and contribute much to our state. They have problems beyond their individual and collective control—problems which will take continued vision, leadership, and public understanding if agriculture's potential is to be realized.

My budget includes adequate funding to plan and develop programs to expand irrigation, to improve our range and brush lands, to provide drainage and further flood control. Our farm lands must be conserved for food production which will be so urgently needed in the foreseeable future. This will require planned urban development and equitable taxation for producers. And, as in the past, I urge continued support of research and of market development programs for agriculture.

SOCIAL CONCERNS

Veterans' affairs

In 1965 I proposed that farm and home loan benefits available under Oregon's veterans' law be extended to cover all holders of the American Expeditionary Medal. I once again urge this extended coverage.

Education

No activity of government is more important than education. During the last eight years we have created our Community College system, consolidated school districts for greater efficiency, substantially increased the quality of our teaching staff and decreased the percentage of student dropouts. We have created a Graduate Research Center and have advanced the use of educational television. Provisions for educating the physically and mentally handicapped children have been dramatically improved.

The growth of the state's population is reflected most pointedly by the rapid rise in enrollments. For example, in 1959 higher education had only to provide for 23,269 students. This year, facilities and staff are meeting the demands of 44,030 students. This has required an increase in teaching staff from 1,277 in 1959 to 2,218 this year. The increase has also affected the need for new buildings. New construction exclusive of expenditures for community colleges in the state has required the outlay of $114,375,000.

The Education Coordinating Council has developed further liaison among units of our far-flung systems of secondary and higher education, but there remains a need for even closer cooperation if we are to meet the requirements of both public and private institutions.

Civil rights

In the past two decades Oregon's civil rights legislation and climate have been far in advance of the nation. Many here today have participated in public and private activities to help encourage an enlightened mind and attitude. We must recognize that no law, be it national in scope or local in nature, is the sole means of avoiding discrimination. Every citizen, civic organization and institution, could well make a contribution toward the goal of true equal opportunity. While this is a problem of the nation as a whole, additional advances in Oregon will come through local human relations councils and similar endeavors, which I have recommended to our mayors in the past.

Unless we marshal public opinion, laws will be by-passed. Oregon can be proud of its record; we must continue to be alert to ways that will assure a future free of intolerance.

Public welfare

Oregon has sought to meet the needs of its less fortunate citizens. Job training for welfare recipients was pioneered by Oregon long before passage of the Economic Opportunity Act. Ours was one of the first states to develop a work relief program.

Medical assistance for the aged has protected over 13,000 medically indigent elderly persons each month against financial disaster resulting from serious illness. Since 1962 we have disbursed over $22 million to pay for hospital, nursing home and physicians' care for the elderly. Since Medicare went into effect, this program has supplemented federal benefits. This biennium public welfare investigators have saved $173,000 through investigation of suspected welfare fraud violations.

But it should be remembered that inflation strikes hardest at those on fixed incomes. Many of our elderly citizens have not proportionately shared in the prosperity and progress of our state. Welfare standards should be reviewed—to see if they are sufficient not only to provide the necessities of life but to encourage lessened dependency and greater self sufficiency.

Workmen's compensation

Since the action of the 53rd Legislative Assembly another one-third of Oregon's work force has been afforded protection under Workmen's Compensation insurance. There has been an average 25 per cent benefit increase. We have achieved diversification of coverage—among the State Compensation Department, private carriers and self insurers—with adequate safeguards.

The Industrial Accident Advisory Committee I appointed in 1965 has been meeting each month. It has called in expert witnesses from California to New York, obtaining facts on benefits, unscheduled disabilities, permanent partial disability and other matters pertaining to the Workmen's Compensation Act.

I urge careful consideration of recommendations this committee places before you.

Unemployment insurance

Every state must constantly guard against further federal encroachments. By exercising responsibility at the state level, justification for federalization is minimized.

Fortunately, we can modernize our benefit program to provide insurance payments of 50 per cent of the worker's wage (not to exceed 50 per cent of Oregon's average weekly wage) as a maximum. Also, because of the present status of the Unemployment Compensation Trust Fund we can decrease the taxes paid by employers by over 14 million dollars in the next few years. This is not only possible, but I strongly recommend it to you for your consideration. It would keep Oregon's benefits related to Oregon paid wages.

Economic opportunity programs

During the last two years more than 158,000 Oregon citizens have benefited from the Economic Opportunity programs. In 1964 we created the Governor's Coordinating Committee which sought to implement the federal Economic Opportunity Act. Leadership at the state level has resulted in the high degree of success experienced by programs such as Head Start and the Neighborhood Youth Corps in Oregon. Our efforts here have been singularly free of the confusion, loss of public confidence, and other difficulties experienced elsewhere.

Rehabilitative programs

We have moved in the direction of more humane treatment of those with chronic illness, and those who have transgressed against society. During the past decade, there has been increasing emphasis upon rehabilitation rather than continual confinement or punitive measures.

The development of community mental health clinics, establishment of Dammasch and Columbia Park State Hospitals, the Oregon Correctional Institution, the work-release program, the Women's Prison, new programs at MacLaren and Hillcrest, and more adequate facilities at Fairview—these and other accomplishments are a source of pride, as well as a means for more effectively and economically serving those entrusted to our care.

The decline of in-patient population at the hospitals has brought Oregon from a position of well above the national average in this area to one considerably below.

In the correctional institutions, education is playing an ever-increasing role in preparing offenders for return to productive society.

We cannot relax in these efforts to restore self-sufficiency.

GOVERNMENTAL STRUCTURE

Constitutional revision

In my previous messages to the Legislature I advocated extensive constitutional revision. In 1963 I stated: "The tools of government have become dulled with the passage of time." The need for a modern constitution continues and grows. This Legislature should refer a realistic modern document for the people's approval.

Governmental reorganization

The success of the Department of Commerce, the Mental Health and Corrections Division of the Board of Control, and other inter-departmental streamlinings as authorized by your predecessors attest to the need for continuing progress toward a more efficient and economical structuring of the Executive Branch of state government. Not only should the Department of Commerce be given permanent life, our ability to adequately serve the people of Oregon must be strengthened by further statutory adjustments and amalgamations to eliminate organizational obsolescence. My previous recommendations in this area provide sound guidelines for advancement.

Inter-governmental relations

The complex urban problems which we face now and in the future demand the state strengthen its means to adequately discharge inter-governmental responsibilities.

The unprecedented growth of the federal government combined with its vast proliferation of programs underscores the need for adequate coordination. I recommend establishment of an inter-governmental relations coordinator in the Governor's office and a new state policy planning position which would coordinate and integrate all the various state-wide activities in this area.

TAXATION

During the past eight years, we have vastly improved state services with no increase in state income tax rates. At the same time, we have afforded significant property tax relief, lessened the adverse effect of inventory taxes and those on in-transit goods and materials, and helped assure continuation of a stable timber supply through enactment of conservation-oriented laws.

The means for furthering property tax relief is at hand. Our continued economic progress indicates that within the framework of the existing state tax structure there will be sufficient flexibility to permit the raising of necessary revenues. Therefore, I once again urge the adoption of a net receipts tax, based upon ability to pay. This would be possible through modification of the present income tax structure, prior to any move toward the onerous alternative of an entirely new tax source.

Although some of our citizens are rightfully disturbed by the size of their property tax bills, it should be noted that the property tax is basically a sound method of providing financial support for local government. Additionally, while such taxes have risen, statistics indicate Oregon shows the smallest percentage increase in this area of all Pacific Coast states.

Nonetheless, there remains a pressing need to eliminate inequities and afford further reduction, not only by state assistance, but by insisting upon more manageable and efficient local governments, and a reduction in the proliferation of entities dependent upon this tax source.

THE FUTURE AND THE PAST

We have in the last eight years worked to build a sound base capable of continuing to support this state's growing prosperity. The challenge we have met in our own way is by no means lessened—but increased by the complexities of social progress and growth. These problems can be met, for God gives us the power to choose the course we shall follow; the power to make right decisions; and the power to do all which we must. May we as a people and as a state be blessed always.

In another century the only other person who worked for a like period of time in the position I now leave, bid his associates farewell in words I find are as applicable today. Governor Pennoyer said:

"Grateful to the people for their bestowed confidence, thankful to all my associates for their uniform courtesies, and wishing for the incoming administration abundant success, I now relinquish, with a conscience void of offense, the great trust assigned me, sincerely imploring the blessing of Almighty God upon our beloved Commonwealth."

THE PROTECTIONS AFFORDED BY RULE XXII

Mr. TALMADGE. Mr. President, at the beginning of each new Congress, the Senate is confronted with an agonizing assault upon its rules and structure. We are told that the Senate is archaic, out of date, and an obstruction to democratic processes. The Senate is vilified in the strongest terms possible, and many of the charges leveled against this body are, indeed, shocking.

But more than that, Mr. President, to charge that this body cannot act and cannot function when it desires to do so, and to allege that it thwarts democracy, is an insult to an institution which has served this Nation well for almost 200 years. It is an affront to each and every Member of this Senate.

Of course, the main thrust of the attack is against Senate rule XXII, which allows extended debate on legislative matters of great national importance. The protections afforded by rule XXII are in keeping with the design of our Founding Fathers who meant for the Senate to be a forum of the individual sovereign States, to be an arm of Congress that would prevent a temporary, emotional, or expedient majority from running rampant over the rights of the minority. And over the years, the Senate, time and time again, has proven its worth as guardian of the best interests of the people of America.

Moreover, the Senate—operating under its rules—has repeatedly demonstrated that whenever its Members want to act, they will do so. It is of more than passing interest to me that those who clamor the loudest for revision or destruction of rule XXII usually get the loudest and most active when they have found themselves on the short end of some legislative struggle.

Mr. President, it is my earnest hope that rule XXII will be preserved for the protection of this Senate as an effective legislative body and for the safeguarding of the rights of the people of this country.

The January 14 edition of the Atlanta Journal contained an excellent editorial warning against these repeated assaults on rule XXII. I invite the editorial to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MAKE HASTE SLOWLY

The right of the U.S. Senate to filibuster is under attack again.

This time it is by liberals, who want to weaken filibuster rules. The defense of this brake on legislation is in the hands of Sen. Richard B. Russell of Georgia.

The filibuster is a device by which a minority is able to block the will of a majority for a while. For a while, remember, not forever.

Its value lies in the fact that it gives time for second thoughts on the question in point. Sometimes, after second thought, the problem no longer exists, and the need for the legislation in question vanishes.

Sometimes, after second thought, it appears that the majority is wrong and the minority is correct.

In short the filibuster is nothing in the world but a method of forcing second thoughts on measures before the Senate. The Senate by design is a second-thought, deliberative body, therefore filibusters are needed.

In this connection it is interesting to note that while people grow angry at the filibuster, it really is the thing being filibustered which provokes their anger.

Recently, the anger has come from white-hot civil rightists, anxious for white-hot action on passionate measures. The filibuster had been used to delay action and cool things down. Civil rights bills get by the filibusterers finally. But it is on second thought and sometimes after valuable modification.

In this connection it also is interesting to note that the filibuster is a two-edged sword. It can, and has been used against conservative measures.

It is a useful thing. It makes for sound legislation, though at the expense of speed.

Haste, we believe, is worth sacrificing in the interest of sanity.

The filibuster is useful in achieving this and for cooling off extremists of both sides.

"SOLILOQUY" by ROSCOE C. EMERY

Mrs. SMITH. Mr. President, rarely in a lifetime does one experience truly moving emotions. Even more rarely does one experience moving emotions from written words that have no personal connection with the reader.

One of those very, very rare times in my life was when I read the poem "Soliloquy" by Roscoe C. Emery of Eastport, Maine. I guarantee that only one reading of this poem will make an indelible impression on the reader for the rest of his or her life. And I think that with most anyone who rereads this truly magnificent expression, the emotional choking lump will swell in the reader's throat with each rereading.

I do not possess the words to describe this very wonderful poem written by one of Maine's foremost citizens—Roscoe C. Emery. So I ask unanimous consent that his poem be placed in the RECORD at this point and I urge every Member of this body to read it.

There being no objection, the poem was ordered to be printed in the RECORD, as follows:

SOLILOQUY

(By Roscoe C. Emery, Eastport, Maine)

I am a Christmas tree, and once I stood,
Strong and serene, upon a Northern hill
'Mong myriads of my kind, awaiting there
The call for service, sure the call would come.

I basked in Summer's sun, drank evening dews,
And bathed my eager growth in welcome rain.
I watched the coming of the darkening days
When Autumn spread its blaze o'er silent hills
Then swept its palette clear of red and gold.
I faced the gloom of winter unafraid,
Thankful for strentgh to bear the bitter frost;
For virgin mantle of new-fallen snow;
Wisdom to bend and yield, but not too much,
To tyrant winds that swayed, but might not break
My slender stem, inured by many a storm,
And plumy branches that beguiled their force.
I met with placid joy, but unchanged green,
Springtime, that draped anew the lesser trees
Whose robes October had stripped clean away.

In seasons all, I bosomed happy hosts
Of living things that loved my branches' spread,—
The questing chickadee, with cap pulled down
To mask 'neath rowdy front the friendliest heart:
The busybody jay, the hermit thrush
Loosing at eve his lovely, lonely song;
Whispering waxwings, gossips of the woods,
That bear from tree to tree the forest news.
I had no lonely hours, for all were filled
With hope, and traffic with a thousand friends.

But always, through the changing days and nights
I dreamed of usefulness when age should make
Me fit for such employment as mankind
Might find for trees like me from Northern hills;
Timber for happy homes, for busy shops;
Paper on which the golden printed word
Should carry truth to men who otherwise
Might labor on in darkness unillumed;
Ships to traverse the seven varied seas
Bearing the merchandise of every port
Or dearer freight of mankind's hopes and fears;
Temples where men and maids should pledge their faith.
Or sanctuary find for souls o'erstressed;
Halls in which patriots, free in mind and speech
Should freedom guard, without a thought of self;
Hoping for these, but always ready too
For humbler uses that might likewise serve,—
For workman's bench, or cot, or children's toy,—
I waited there for what my fate might be.

And now I stand, obedient to Man's will
And to a destiny more high than all
My dreams envisioned in my readying time,—
A Christmas tree, adorned with jewel lights
And glittering tinsels, symbols of the joy
Men feel in giving gifts enhanced by
Some fragment of the love of Him who gave
The perfect gift, Redemption, to mankind—
Eternal life, through death on Calvary.

This is fulfillment richer than I knew
Or could conceive, that I, a humble tree,
Should have a part, inert though it may be,
On this, the great Redeemer's natal day,
In helping men renew their ancient faith
In those deep truths He taught in Palestine.—
That love is the supreme law of life;
That life itself lives on through sacrifice;
That giving is more blest than to receive;
That he is greatest who most greatly serves.

Tomorrow, I shall be no longer dressed
In festal fashion, but shall be deprived
Of honored place, and use, and ornament,
And so, discarded, just another tree
That Man has taken; and I make no plaint,
For I am well content. My moment came,
And it must pass, but in its brevity
It is transcending all my early hopes
With ecstasy more keen than longer spans
In lowlier uses could have ever given.

If now oblivion comes, it comes but as
The end of day, or night, when each has filled
Its space of time, or as the fitting close
Of tales well told,—kind Nature's period
To that which I have been. Its near approach

I meet as I have met the dawn or eve,
Or seasons as they changed, or this, the use
My being was assigned. I am at peace
In following the Law that rules my kind;
To live, to serve a while, then cease to be.

THE NEED FOR ANOTHER HOOVER-TYPE COMMISSION

Mr. PEARSON. Mr. President, in his state of the Union message, President Johnson acknowledged that many of the programs of the Federal Government were not being administered as efficiently and effectively as they might be and went on to pledge his support for efforts to correct this situation. I believe that I can fairly speak for all Senators in stating that we endorse his candid assessment and his pledge to achieve improved administration.

More efficient and effective administration of existing Federal programs is of vital importance for two reasons. First, to better assure the achievement of program objectives, and second, to achieve those objectives with the minimal expenditure needed to finance the administrative processes. Eliminating administrative waste is always important, particularly so at this time when our resources are being strained by the Vietnam war and our economy is being disrupted by inflationary pressures.

Mr. President, on January 11, 1967, I introduced a bill—S. 47—to provide for the establishment of a Commission on the Operation of the Executive Branch. In effect, the bill provides for the reinstitution of another Hoover-type commission to study the organization and operation of the executive branch and to make appropriate recommendations to Congress.

I believe this is an essential step in achieving better, more efficient administration of Government programs; a goal which the President, Congress, and the public all share.

In introducing S. 47, I listed some figures indicating the growth of bureaus and bureaucrats during the 12-year period since the conclusion of the last Hoover Commission. But in addition to the sheer physical growth of the Federal bureaucracy, it is revealing to note how certain program fields have become so diffused throughout the many departments and agencies of the executive branch.

For example, a special analysis submitted in conjunction with the administration's budget for fiscal 1967 reported that—

> Eight different Cabinet departments and more than twelve agencies conduct or support health programs.
>
> Ten Cabinet departments and more than 15 other agencies support or conduct educational training and related programs as an integral part of their agency's mission.
>
> Eleven Executive departments and independent agencies either support or are engaged in the conduct of research and development to a substantial degree.
>
> Major credit programs are administered by eight Cabinet departments and four other agencies.

The mere fact that functional fields are widely diffused throughout the executive branch does not in itself mean inefficiency, ineffectiveness, and waste. However, candor forces the acknowledgment that much of this diffusion is as much the result of expediency as of conscious, coordinated planning by either the administration or the Congress.

Mr. President, the mere citing of statistics to document the proliferation of bureaus and bureaucrats and the administrative diffusion of functional programs would be insufficient justification for another Hoover-type Commission if it were not for one very simple but valid proposition, and that is: If we have learned anything about modern bureaucratic organization and processes, whether it be a government, a business, or an academic bureaucracy, we know that over a period of time, and even in spite of the best internal efforts to the contrary, the proliferation of personnel programs and bureaus is almost inevitably accompanied by increasing inefficiency, waste, and cumbersome administrative procedures.

In other words, we have found that there is more than a little truth to many of Parkinson's so-called laws of bureaucracy which proclaimed inefficiency and waste to be an inevitable byproduct of any expanding bureaucracy.

To say as much is not to condemn bureaucracy as such but to recognize a reality of our modern, complex world. And it is this acknowledgment that demands that we periodically take stock of the administrative procedures and practices of this, the biggest and most important bureaucracy in the world.

Mr. President, I ask unanimous consent that the names of the following Senators be added to cosponsor S. 47: Senators ALLOTT, HRUSKA, JORDAN of Idaho, MUNDT, NELSON, GRUENING, MOSS, DODD, ERVIN, and YOUNG of Ohio.

The PRESIDING OFFICER. Without objection, it is so ordered.

SILVER JUBILEE OF REV. BENJAMIN L. MASSE AS ASSOCIATE EDITOR OF AMERICA MAGAZINE—ADDRESS BY JOSEPH P. McMURRAY, PRESIDENT OF QUEENS COLLEGE

Mr. KENNEDY of New York. Mr. President, America magazine has a well-deserved reputation as one of the foremost journals of opinion in the Nation. It has always spoken with a clear voice, emphasizing the need for social justice and concern on the part of government, industry, and labor for the public welfare.

As an associate editor of America for 25 years, Rev. Benjamin L. Masse can claim much of the credit for the magazine's admirable record. But Father Masse has been much more than the editor of a magazine. A man of vision and foresight, he has dedicated his life to preserving the essential dignity of man and to ensuring that his life on earth will be more meaningful. He continues to have a profound moral and spiritual influence on all those with whom he comes in contact.

On October 6, 1966, a silver jubilee banquet was given in honor of Father Masse. The principal speaker was Joseph P. McMurray, president of Queens College and one of the Nation's leading educators. The speech which he delivered that evening is, indeed, a tribute to a man whose service to humanity should be recognized.

I ask unanimous consent that the text of President McMurray's speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

GOD'S JOURNALIST

(An address by President Joseph P. McMurray of Queens College, Flushing, N.Y., on the occasion of the Silver Jubilee of Rev. Benjamin L. Masse, S.J., Hotel Roosevelt, New York, Oct. 6, 1966)

To say that I am honored to speak tonight is greatly to understate my feelings. I have a deep regard for Father Masse. He and I grew up together, so to speak, during this last quarter of a century. He worked from his desk in the offices of America; I worked from a number of different desks in governmental and educational posts in Washington and New York. His training was theological and in the historical disciplines; mine economic and political. Yet we worked with and were concerned with the same kinds of problems and we shared the same kinds of hopes. He has influenced me and maybe I have influenced him. We have been dear friends, and I love him as a man, a priest, and as a confidant.

Let me tell you very briefly how we first got acquainted twenty-five years ago. I was working as a research assistant on the old Tolan Committee of the House of Representatives on Defense Migration—the Grapes of Wrath Committee, it was sometimes called. I was—in a way in which only a young man can be—terribly concerned and enthusiastically involved with what the Committee had discovered and made real for me—exploited migrant farmers, the promise of the Farm Security Administration and the threats to it, the nation's preparation for war and the delicate task apparent even then of turning the national economy toward its peacetime mission. I was concerned and I expressed some of my concern in writing. I went to New York to see Father Francis X. Talbot, who was then editor of America, whom I did not know, nor did he of course know me. Looking back, I imagine he must have thought me a brash young man. I tried to sell him three articles. He was very nice to me—rather fatherly.

In about a week, I received a note from Father Masse, one of the Associate Editors of America, I learned. Could I see him? He was coming to Washington. Father Masse was never one to pull a punch, and I have reason to remember one of his remarks during our first meeting in Washington. My late wife, Isabelle, and I had then been married eight months, and she was one of Congressman Tolan's secretaries. My wife, Father Masse, and I were all at lunch together. After a few initial pleasantries, he said, "You know, I don't approve of wives working. I think you ought to be having some children." Well, in the next nine years, we had six children, so you can see, at least in one aspect of human enterprise, how much influence Father Masse had on me.

I am especially grateful to be here tonight, because there are a few things I would like to say about Father Masse's ideas and their meanings and effects. Let me make an initial disclaimer. I won't refer to Father Masse's French and Scotch ancestry except to say that I think he has the heart and mind of an Irishman.

What was Father Masse writing about in America twenty-five years ago? What ideas did he bring us?

September 13, 1941. There are two heresies, he warned us. Heresy One—man was made for happiness only in this world, and Two—happiness consists in material power and satisfaction of the senses. He urged us to meet the challenges of that fateful year with more discipline and sacrifice and to put steel in the national spine. He exhorted us to return to the sturdy Christianity of our forefathers.

November 8, 1941. He looked at Phil Murray's Industrial Council plan for the C.I.O. and he saw it as a desire by labor "to be recognized as a partner, sharing a common interest in a common enterprise," a desire that, he wrote, negated the idea that labor supported class warfare.

January 24, 1942. Does a closed shop destroy the right to work? he asked. "No, it strengthens it," he answered. But he called for the end of abuses in unions, the end of racial discrimination, racketeering, and the lack of internal democracy.

In that same month, Father Masse wrote on Pius XII and "Universal Moral Order," the 1941 Christmas Eve Address in which the Pope proposed a five point program for postwar settlement and world peace. Many think of Father Masse mainly as an expert on labor and industrial relations. Yet for a period of about eight years, he developed a number of themes on the subjects of world peace, foreign aid, and the United Nations in the pages of America. More recently, he has devoted chapters to these subjects in his books.

February 28, 1942. His pen turned to the subject of greed in profits and wages, and he proposed an excess profits tax without which, he said, it would be impossible to control wages and avoid inflation. On the following April 4, he reported sympathetically on the late Montana Senator James Murray's Small Business Committee and Congressman Tolan's work on war contracts as Congress moved to help small business stricken by the war. America supported the House Committee's recommendation for a War Production Board and for the Smaller War Plants Corporation recommended by the Senate Committee.

What else was Father Masse teaching us in a world at war in 1942?

On Labor Day, he called for the organizational unity of the A. F. of L. and the C. I. O. He supported a proposal for employee-sharing in ownership of industry to take the inflationary pressure off wages and to lay the groundwork for labor participation in management. Answering a reader's objections to working for social reform, he argued that Catholics could and should, in the spirit of papal social teaching, collaborate with all men of good will, regardless of religious faith or lack of it, to build a more just and humane economic society.

March 29, 1943. He said that the production of wealth is more important than social insurance, for freedom from want is absolutely dependent on an abundance of goods and services. He wrote, in this same month, "The Consumer Packs a Punch," arguing that consumers could practice the Church's social teachings by using buying power to promote social justice. He called for an "economic legion of decency."

This is not, you may have observed, very different from "Project Equality," sponsored today by a number of churches who use their combined buying power as a weapon in the struggle for interracial justice.

Father Masse argued twenty-five years ago for the right of farm workers to bargain. He enthusiastically supported the Steel Workers in their conception of a guaranteed annual living wage and he characterized their demand as a "note of the highest social significance." He lashed out at those who wanted to abolish the forty-hour week, and he was quick to point out that the war was an incentive for the extension of social reforms in other countries while, at the same time, the war seemed an excuse to abolish social reform in the United States.

Many of Father Masse's ideas and concepts sound familiar today, do they not? We accept them. Yet since this courageous and far-seeing man put into words the aspirations of a people, our economy and our country have changed in a revolutionary way. Our population has increased from 132 million in 1940 to 195 million, or about 50%. Employment has risen by more than 50%, and salaries have increased from 123 billion dollars in 1964 prices to 349 billion dollars in 1965, an increase of almost 300%. More important have been the dramatic changes in income distribution, in the rising numbers of our people who own their own homes, automobiles, radios, and televisions, who have social insurance and pensions, and whose sons and daughters will have high school educations and, in many cases, college educations.

Imagine if I, or anyone else, had tried to sell articles to America in 1941 that predicted the actual economic facts of 1966! (I am sure Father Masse would never have come to Washington to check on such a wild dreamer.)

But we did dream. America published a series of my articles in 1944, as a matter of fact, on the subject of full employment, called the "Promise of the Future." My pie-in-the-sky for 1950 was $125 billion in 1941 prices, which happily was less than the actual national income by about $17 billion in that year. You see what conservatives we actually were!

If we had thought, in the early 1940's, that today's economy would come into being, I suppose we might have believed then that all our economic problems would be solved.

But we find that we still read in Father Masse's articles those penetrating and questioning comments so typical of his work. His writing today, in that sense, is pretty much as it was, flavored by a few years of intellectual and spiritual experience, savored, thank God, by a widening audience and supported more and more by the Church, the Congress, and the people. He is still able, in this pie-in-the-sky age, to see the nation's faults. He still seeks beyond us.

What is this quality in his work that has withstood the changes of the past twenty-five years, that has not softened under the impact of affluence nor become brittle under the test of technocracy?

Aside from his perceptiveness and his ability to find the nub of a problem, his great quality, I think, comes from a consistent application of the moral principle of social justice to whatever issue or idea he examined.

Father Masse never lets us forget that the end of an economy and of society in fact is the promotion of the common good. Man, he teaches us, can reach his true dignity and the fullest development of his personality, "not by attempting to live as a self-sufficient, rugged individualist, but through a rational, loving service of his fellow men" . . . "Society," Father Masse says, "exists for him, for his full expansion as a human being, but he can achieve his individual goal only through devotion to society."

What else characterizes his work? He tells us the truth. He not only looks facts in the face, but, more importantly, he uses facts over and over again against those who, as he said, "are taking refuge in phrases and slogans."

Facts can become buried under such slogans as "the American system of free enterprise," "free competition," "the capitalistic system," he writes, "long after the realities they denote have undergone drastic change." Such head-in-the-sand posturing Father Masse called "cultural lag," and he has waged an intellectual and journalistic war on it throughout his career.

Father Masse, more clearly than most of his contemporaries a quarter of a century ago, understood that the generally accepted concept of social responsibility was as out-of-date as the dodo. It was believed that an employer had only to produce as much and as economically as he could and sell his products at the highest price the market would pay; the worker had only to do his job and get as much pay as his bargaining powers would permit. If each did his job, in that simplistic concept of society, it would result in a smoothly-operating and efficient economy.

In a paper delivered in 1947 before the American Management Association on Industrial Relations and Social Change, Father Masse exposed this dodo philosophy of society.

He pointed to a problem that is still very much with us today—industrial warfare—that in that year seriously endangered whole communities and even the entire economy. The opposite parties to the disputes, he said, "felt themselves completely justified in the course of action they were pursuing. According to their lights, they were doing the job they were paid to do, protecting in the one case the rights of their shareholders, and in the other the rights of the dues-paying rank and file. And they were doing the job in the way they had always done it. When, therefore, they found themselves the objects of public anger and government discipline, they were genuinely hurt and astonished and looked upon themselves as martyrs to principle and victims in a great cause."

He continued, "They were, of course, merely the victims of a cultural lag. In an organized economy they were still living according to an individualistic code. They did not realize that society cannot permit the same freedom to large groups it permits to individuals; that whereas an individual citizen is free to walk wherever he likes on the streets of the city, the route of a parade must be carefully planned and controlled. Now that our economy has become highly organized and inter related, the decisions of business executives and labor leaders are a matter of public concern. They cannot be made in isolation with a view merely to private interest."

But it was his strong support of the Employment Act of 1946, and the build-up before it in a steady stream of articles, some of which I was privileged to contribute, which drove home the need for cooperation, rather than *competition alone,* as a more effective means of promoting the common good and social justice. The Act committed, as Father Masse more recently stated, "government, not to a planned economy on the Soviet model, . . . but to economic planning within a democratic framework. It formalized a new relationship between government and private enterprise, one designed to end the divorce brought about by the theory and practice of economic liberalism, without at the same time subjecting private enterprise to the suffocating embrace of the state."

I think I know Father Masse well enough to say that he recognizes that our complex society demands something even beyond mere cooperation of its groups. It demands the responsibility of such groups, of business, labor, and citizens *consciously* to serve the public interest. It requires the modern corporation and the modern labor union to coordinate their policies with government policy and to help government formulate and carry out policy.

Twenty-five years ago, such a philosophy would have been laughed at, if not termed a piece of radicalism. But President Kennedy recognized it in setting up a business and labor advisory committee, which President Lyndon Johnson has continued.

The federal government, in turn, must act realistically, equitably, and promptly in determining policy. Never again should the guidelines, for instance, be subject to the charge that they were the greatest invention for profit making that has ever been devised. Government policy and guidelines must be flexible and realistic enough to recognize the differences between a pay increase that social justice requires, or one that can be absorbed through increased productivity, as contrasted with pay increases that do not meet these criteria. Federal policy, to be consistent, must also be able to evaluate the price increase of goods and services by taking into account the historic considerations and their relationship to the price of other goods and services.

There is not enough time tonight to mention the bulk of ideas and topics to which Father Masse has contributed so brilliantly in the pages of America. Many of his ideas and predictions, as I have mentioned, have come into being. I shall predict, by way of conclusion, that the annual guaranteed wage for blue-collar workers, of which he has been a leading exponent, will become a reality and a widespread reality before his thirtieth anniversary.

I also predict that within the next five years, labor-management agreements will increasingly provide and facilitate employee profit sharing and stock ownership, thus giving employees the opportunity to participate more fully in the growth and success of their companies. At the present time this would provide, as Father Masse has urged at different times, a practical way of increasing the rewards of labor, without generating inflationary pressures.

I wish I could predict as well that social justice will motivate our people without the prodding of a Father Masse and those who, like him, toil for solutions to our problems—the inequities of minorities, unemployment, racial discrimination, concentration of economic power, organizational weaknesses in our institutions, migrant farm labor, our international responsibilities, and the glaring persistence of poverty in the midst of plenty.

Father Masse and the editors of America, indeed, all of our clerical leaders, know that it is the lay public that must get more involved, carry out and apply the ideals of social justice.

In the conclusion of his book, The Church and Social Progress, Father Masse writes of the Social Apostolate. He asks men to live as Christians in their public lives as they do in their private lives. In his words, "Only in rare cases . . . where the moral issue is clear and predominant, can the clergy appropriately exercise an active leadership role. For the rest, the field of practical social reform belongs by vocation to laymen."

In the last chapter of another of his books, Justice for All, he emphasizes the great importance of "the development of men and women of high character and intelligence who are willing to devote their talents to the well-being of organizations . . . The vocation of a bureaucrat," he says, "in private as well as public bodies is truly a noble one. It emphasizes service to one's fellowmen more directly than do many other callings in life."

As an old bureaucrat, I am grateful to you for your influence upon me, for your warm and generous friendship, and for the honor of sharing this great day with you and your many good friends, ardent admirers, and followers.

May God continue to bless you with good health, wisdom, and courage.

SERGEANT KANESHIRO OF HAWAII

Mr. INOUYE. Mr. President, Hawaii, home base for the 25th Infantry Division and the 1st Marine Brigade, is understandably proud of its many fighting men in Vietnam.

One of these men is S. Sgt. Edward N. Kaneshiro of Kaimuki, a residential section of Honolulu. Sergeant Kaneshiro is a member of the famed 1st Calvary Division—airmobile.

Sergeant Kaneshiro and two fellow members of his unit have already been awarded Silver Stars for their part in an action which took place December 1, 1966, at a village called Phu Nuu II.

The account of Sergeant Kaneshiro's bravery under fire appeared in an article written by the city editor of the Honolulu Advertiser, Mr. Sanford Zalburg, and published by that newspaper January 14, 1967.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Modest Isle GI and a Medal of Honor Feat

(By Sanford Zalburg)

Phu Cat, Vietnam.—If he wins the Medal of Honor, which his unit has put him in for, S/Sgt. Edward Noboru Kaneshiro, 38, of Kaimuki should rate among the most modest winners of the Big Award.

Kaneshiro, a small, wiry and apparently nerveless fellow on the field of battle, was tongue-tied when a general came to call the other day on him and other survivors of the battle to hear their story.

For a minute Kaneshiro even forgot where he lives.

Finally, he remembered: 2549-B 10th Ave. (His wife is Mitsuko and he has four children, the youngest, John, whom he saw for the first time last month when he came home on R&R. He is a graduate of Leilehua High School, a veteran of 7½ years in the Army and formerly served with the 25th Infantry Wolfhounds.)

The general who interviewed him is Brig. Gen. (Ret.) S. L. A. Marshall, the nation's outstanding military writer. Marshall conducts detailed interviews of soldiers who have taken part in memorable actions. Along with him were four P/O and historical affairs officers from the 1st Cavalry Division (Airmobile), Kaneshiro's division, and a news reporter. Confronted with all those notebooks and pencils, Kaneshiro momentarily lost his cool.

The action for which he and two other members of "C" Troop, 1st Battalion, 9th Cavalry have already been awarded Silver Stars took place last Dec. 1 at a village named Phu Nuu II in the Kim River Valley in the Central Highlands, 7½ miles southwest of Bong Son.

The interviews were conducted in a mess tent. Outside the helicopters clattered. Now and then an artillery piece boomed.

On that rainy day in December "C" Troop was on a search and destroy mission. Two squads were pinned down by fire from automatic weapons coming from a long fortified trench studded with bunkers. A squad leader was hit. A radio operator was shot. He raised his hand and called, "Over here, sir," to indicate his position to his company commander, Capt. Clifford N. Smith. Immediately, Smith started crawling toward him. He was hit in the chest by a bullet and killed. Another man started for the captain. He got half way and was hit and killed. Half a dozen wounded men lay exposed and unable to move.

It was then that Kaneshiro, squad leader of the second squad, silenced part of the fortified trench. He was armed with grenades and an M–16 rifle.

"I guess this is the time for you to talk," Marshall said to him. He primed the soldier. "Did anyone go with you into the trench?" he said.

"Just myself, at first," said Kaneshiro. "I started working from the top of the trench. I threw a grenade. I climbed into the trench to see if there were any Charleys (Viet Cong) there.

"Then I started out down the trench—10 feet at a time. I threw a grenade in a bunker and killed a man.

"Another 10 feet away a man was crouched in a fighting position. He was aiming a rifle. I threw a grenade at him."

There was a long pause.

"How many grenades did you have?"

"Six."

"How many did you use?"

'Six."

"Did anyone fire at you?"

"Two or three times they snapped (turned and fired quickly without aiming) at me.

"Twice I saw live targets and threw grenades and the rest of the time I just threw the grenades . . .

"I believe I killed six or seven. I don't know.

"When I received no more fire, I turned around and went back."

One of the officers conducting the interviews sought additional information. Marshall intervened. "Working under pressure the thing fogs," he said. "That's not unusual. You're doing all right," he reassured Kaneshiro.

Another hero in the action was S/Sgt. Willie P. Haskett, 38, Suffolk, Va., squad leader of the first squad. He also has been awarded the Silver Star and is in line for a higher award.

Speaking of Kaneshiro's action, Haskett said: "I could see his head when he came out of the trench. He kept yelling: 'Grenade! Grenade!' He was only 10 to 15 meters away on my left flank."

"Were you wounded?" Marshall asked Kaneshiro.

"No, sir," said Kaneshiro.

"Luck," Kaneshiro said in his laconic way. He looked up and for the first time during the interview he permitted himself a tiny, almost fleeting smile.

NEED FOR NEW AND IMPROVED WORKING RELATIONSHIP BETWEEN INDUSTRY AND GOVERNMENT

Mr. TALMADGE. Mr. President, the November issue of the American Soft Drink Journal contains an excellent article, entitled "Our Industry and Government," written by Mr. Ovid Davis, vice president of the Coca-Cola Co.

Mr. Davis took for the thesis of his article the need for a closer relationship between government and business "that will lead to a mutual understanding and benefit in an entirely new day and atmosphere." He effectively points out that a new and improved working relationship between industry and government will insure the preservation and advancement of the free enterprise system and mutually benefit the public and private sectors of our society.

I invite this fine article to the attention of the Senate and ask unanimous consent that it be printed in the Record.

There being no objection the article was ordered to be printed in the Record, as follows:

Our Industry and Government

(By Ovid R. Davis, vice president, the Coca-Cola Co.)

Some people, in these complex and unusual times known as the 1960's, feel that the best way to get along with the elected officials of government is to kick them in the seat of the pants as often as the opportunity presents itself.

In my judgment, these people are wrong.

This decade has brought the crystallization of a development long in the making—overlapping between government and private industry. It has become increasingly vital that business and industry develop a new and closer relationship with government officials, state and federal, that will lead to a mutual understanding and benefit in an entirely new day and atmosphere.

It is vital that every soft drink bottler have a pleasant working relationship on the local level with every governmental official with whom they have any contact. It is necessary that officials who have an ultimate say-so over our business understand and have a high regard for us, our products, our policies, and most especially our many contributions to the public good.

Two specific cases will illustrate this point.

We have been questioned from some quarters on the problem of litter. Some Bottlers have felt these inquiries at home on the local level. They have received letters inquiring as to what we are doing as an Industry to prevent broken glass on the streets or on the sidewalks. People want to know what we are doing to prevent bottles and cans from being strewn on neighborhood lawns or on the highways.

The Industry as a whole has received such inquiries. Some come from well meaning citizens. Others come from professional do-gooders.

Still others come from government officials.

What a great story we have to tell in response to inquiries of this kind on the subject of litter. Perhaps no industry has done so much as ours to prevent the wrongful disposition of our packages. But the story must be told and retold for our just benefits to accrue. And the ears listening to our story must be sympathetic ones—not half closed because of our failure to open them earlier.

Throughout the history of our business, we have placed great reliance upon returnable bottles and cartons. Bottlers everywhere have always been found in the forefront of community-minded projects such as clean-up campaigns and have provided their resources and facilities to make such campaigns successful.

Parent companies have provided similar resources and facilities to national programs designed to assure the continued beauty of America.

In terms of one-way glass and cans, we did not foist these packages upon people. They are provided in response to the demands of people who happen to be our customers.

This industry is not necessarily wedded to any package. And definitely, if competition between any groups of suppliers such as steel and the can manufacturers versus the glass manufacturers becomes so intense that good customers of both are affected adversely, then this type of competition must cease forthwith.

In answer to the critics of one-way glass and cans, it is plain that as an Industry competing on the American marketplace were we to refuse to make available our products in packages requested by our customers it would be hardly possible for us to remain for long in an economic position to survive and thereby continue our efforts in maintaining a more beautiful State and Nation in which to do business.

We have the story and we have the facts. They are on our side. As an Industry we are acutely aware of the litter problem and we do not fail to acknowledge our share in doing something about the abuse on the part of a small number of our customers in carelessly disposing of these packages.

But the responsibility for litterbugs is not one possessed solely by our Industry. It is a joint one which rests upon the shoulders of communities to educate, upon can manufacturers and glass manufacturers to help determine the ultimate solution for glass and metal disposal, upon our customers who have actual control of these packages, upon bottlers, and upon parent companies.

This is a responsibility jointly shared. We as an Industry continue to carry our share and do so with pride. We will always face up to our responsibilities. But bottlers together with Industry spokesmen, such as ABCB and parent company officials, must maintain from the local level upward a strong and unbroken line of communications with appropriate officials of government so that our view must be heard.

Another illustration concerns perhaps the greatest selling weapon that we have in our Industry arsenal. This, of course, is advertising. It is my understanding that legislation to restrict "unnecessary expenditures for advertising" is being studied by the anti-trust division of the Department of Justice. Such legislation under so vague a banner as "unnecessary advertising" could very well be an intolerable and unjust imposition upon our Industry.

Who would define what constitutes necessary or unnecessary advertising? Could it be possible that members of the anti-trust division of the Justice Department are now draped in the cloth of Madison Avenue and perhaps spend hours moonlighting in the complicated world of the advertising profession? This I doubt.

As businessmen it must be one of our primary aims to make the idea of a great business-government partnership less a cliche and more a productive reality. As products of the American free enterprise system, I believe businessmen have both a duty and a self-interest to do everything possible by word and deed to take the initiative in effectuating such a partnership, and I believe we can count on most of the people in government to meet us halfway.

The catalyst for change in this era comes in great measure from government—from Congress and the Executive Branch. And the best way to insure the continuance, as we have known it, of our economic system—including our stake in it—is through sincere, new, working relationships with government.

These new relationships to be effective must be based upon a genuine mutual concern for the success and well-being of business and government, each for the other. Old ideas and notions of absolutes that businessmen are all SOB's and that men in government are socialistic leeches must disappear from our national mind. There still exists in some councils of business an inborn opposition to government—that all government is bad, that everything government touches becomes contaminated and that a fierce battle, or at best, a cold war between private industry and government would continue until one or the other emerges victorious.

I do not subscribe to this thinking.

We belong to our own times. The problems before us are new and they differ from the tasks set before our fathers who founded and preserved our business and, indeed, our Republic. What we have to ask ourselves today is not whether our policies have been good in the past, but whether they are good enough for the future. In this mutuable world of breakneck change we must constantly reexamine our assessments and strategies. Past success is not a good guide if it confuses us about present problems and future possibilities.

Talleyrand said of the Vienna Conference that the great powers there assembled were too frightened to fight and too stupid to agree. Let no one say of us, American business 1966, that we are too frightened to fight for what we believe is right nor too stupid to alter our course to meet the shifts of our time.

Discussing our efforts in this field in the dual role of representatives of our Industry and as businessmen, keep this in mind. It does not matter what your personal politics are or what the politics of your candidates are. What matters is his politics toward you and your business. Of course, all good citizens want honest, able, dedicated public servants, but we also want honest, able, dedicated public servants who are our friends.

The problem with public affairs activities of our people is not to conceal our efforts, or to apologize for them or even to pretend that they are not essential both to the success of our business with its relationship to government. The important point is to make sure that these activities are adequate, effective, open and above board, and conducted with impeccable taste and discretion.

Businessmen in all areas of commerce and industry are doing an increasing amount of business with governments. I am not thinking of ordinary commercial relations. What I refer to is the dealings that all of us in business have with a whole array of governments from local school districts up to the federal government in Washington.

Zoning ordinances, air pollution controls, water, unemployment compensation laws, property taxes, excise taxes, corporation income taxes, U.S. foreign trade policy—these and a host of other policies, regulations, and statutes of government at all levels are the basis of this relationship. Since they permeate every area of our businesses, we have a compelling need to recognize that big government is here to stay and that we are going to have to live with it and do business with it.

There reoccur instances where proposed legislation is before Congress and before state legislatures that is harmful to our Industry and its interests. We must make sure that our influence with government is of such strength that we may meet such legislation head on and defeat it or amend it in order to protect ourselves.

This is not special privilege or special favor seeking; it is a legitimate exercise of representation in the halls of Congress. Labor has done it for years, so has medicine and the farm groups. Business, as a whole, has been around but not nearly so effective.

Ours is an Industry with a future as fabulous as its past. Our Industry requires a constant tuning and adjustment in order that it might run more smoothly and progress into different areas and different times in an easy and orderly way and not be subject to the bumps and strains which might accompany such transitions. Government is here, it's not going away. We must adjust and tune to meet its challenge.

THE OUTLOOK FOR SPECIAL EDUCATION

Mr. MORSE. Mr. President, my attention has been called to an excellent article which appeared in the December 1966 issue of the National Education Association Journal, under the byline of Dr. Willard Abraham, chairman of the department of educational services and coordinator of special education at Arizona State University.

It is particularly appropriate, I believe, to call this article to the attention of Senators, since on January 12 the announcement was made by Commissioner Howe that the Bureau of Education for the Handicapped, authorized in title VI of the Elementary and Secondary Education Act, has just been activated.

I ask unanimous consent that the article and the newsletter to which I have referred be printed at this point in my remarks.

There being no objection, the article and newsletter were ordered to be printed in the RECORD, as follows:

OUTLOOK FOR SPECIAL EDUCATION

(By Willard Abraham, chairman, Department of Educational Services, and coordinator of special education, Arizona State University, Tempe)

(NOTE.—The major organization in the field of special education is the Council for Exceptional Children an NEA department. Establishing high professional standards, bridging the gap between research and the classroom, and broadening legislative activities are among the major undertakings of this rapidly growing organization. Dr. Abraham is a governor-at-large for the department.)

"Educate them to their capacities."

"Teach for their individual differences."

"Meet their needs, interests, and abilities."

Nowhere are these tenets more important than in the education of exceptional children—children who deviate from the so-called normal because they are physically, emotionally, or mentally handicapped *or* because they are gifted.

In dealing with the blind child who needs Braille and mobility training, the mentally retarded one who needs training in vocational skills if he is to become a contributing member of society, or the frustrated bright child who may dream his way into becoming a school dropout, talk must be supplemented by action. Each of these children demands individualized instruction.

Meeting these demands is a tall order. One child in eight is exceptional and, on the average, there is one in every third family. At present, only about one in four of our handicapped children is in public or private school, and we still hear all too frequently the old saws that setting up an intellectual elite is dangerous, and that bright children will muddle through somehow without special attention.

The situation is improving, however. Special education teachers and administrators are finally convincing other educators and the public at large that the seven million school-age exceptional children in our country are neither an isolated few nor the responsibility of a professional few.

In 1963, 5,600 public school systems provided special opportunities for handicapped children (only 1,400 did so in the late 1940's). Every state offers some special help, and nearly all state departments of education employ one or more specialists in a specific handicap—some have as many as fifteen specialists.

Nor has the gifted child been forgotten. Attention has been directed toward the goal of educating each of them to his capacity through the efforts of such programs as the NEA Project on the Academically Talented Student (now Project Talent), which has published *The Identification and Education of the Academically Talented Student in the American Secondary School*. In a recent survey, 85 percent of our largest cities replying reported that they have formalized programs for the gifted.

In general, the outlook for special education is brighter than it has been. Public enlightment, research findings, and the increased availability of funds are speeding the day when all children will receive education that emphasizes what they have rather than what they have not, what they can do rather than what they cannot do.

The public is beginning to recognize that handicapped children can be born into any family—that they are logically the responsibility of school and community, and that a child who has more than one handicap may require more than one kind of specialized attention. At the same time, an increasing number of people are awakening to the realization that gifted youngsters are one of our most valuable natural resources and that it is immoral to squander talent by failing to develop it to the full.

Research has brought out the following facts, which point the way to improvements in the education of exceptional children.

Some visually handicapped children, with the aid of well-prepared resource teachers, can be taught in the regular classroom.

Training in speech and lipreading can release many deaf children from full dependence upon sign language.

Cerebral-palsied children, though most of them are below the so-called normal, run the gamut in intelligence.

Certain congenital and postnatal conditions which result in retardation and blindness if untreated, can be detected and corrected.

Challenging programs for the gifted can replace sterile, repetitive, busywork assignments.

The slow learner may be slow because of cultural, language, and socioeconomic limitations rather than because of any innate limitations.

Some major stimulants to progress in special education have been provided by federal legislation. The drive to aid handicapped children has been moved into high gear by the establishment, in a single year (1965–66), of 5,000 fellowships and traineeships in nearly 200 colleges and universities; by government grants to enable higher-education institutions to develop teacher-preparation programs; by a national technical institute for the deaf and captioned films for the deaf; and by support for research and demonstration programs.

By including the handicapped among the "educationally deprived," Public Law 89–10 has brought additional support to special education. Hundreds of school districts have used Title I funds to employ additional special education teachers; set up needed classes; develop early identification, enrichment, and in-service programs; and to set up numerous other facilities and services for exceptional children.

Increased state aid is available in addition to federal support. To reach at least a partial understanding of recent developments in the broad field of special education, it is helpful to look at what is happening in a few specific areas.

Gifted children: Educators are realizing the value to gifted children of programed materials which encourage them to move at their own rate, of individualized acceleration, of early school admission, and of a program that emphasizes creativity instead of "more-of-the-same." Further, educators now recognize that no members of a single race, creed, nationality, or economic segment of our society have a monopoly on intelligence.

Mentally retarded children: Gradually, long-prevalent misconceptions regarding the mentally retarded are being laid to rest. Less and less frequently do bias and prejudice prompt such generalizations as: "Accept the fact that they can't work and institutionalize them all." "Sterilize them and the problem will disappear in a generation or so." Realize that delinquency and low intelligence go hand-in-hand." "View the retarded and the mentally ill as identical in cause, performance, and treatment."

Children with learning disorders: Within the past few years, learning disorders—disabilities related to reading, verbal communication, and visuomotor factors—have been pinpointed as the source of some children's inability to make progress without special attention. A literature of learning disorders is beginning to develop.

Disturbed children: Children who are emotionally unable to adapt to large public schools are at last being recognized as a serious problem in the classroom. Special classes provide one solution, but teachers trained to work with disturbed children are in short supply. When special classes are available, they must not be allowed to become dumping grounds for youngsters whose personalities simply conflict with a particular teacher's, for threateningly bright pupils, or for those who are mentally retarded and need another kind of special treatment.

Other handicapped children: In the areas of physical handicaps, increasing attention is being directed to alleviating the shortage of teachers and to reducing the high cost of the individualized programs physically handicapped children need. Regular classroom teachers are learning how to bring about minor corrections of speech problems. They are learning, too, that by establishing the right emotional climate in their classrooms they can prevent some defects.

Relatively recently recognized as needing special education are the pseudo-mentally-retarded (children who perform below their capacities because of physical or socioeconomic handicaps, invalid testing, or other conditions), slow learners (children with 75–90 IQ and also gifted children working below their potential even if their performance is above the so-called normal), and the disadvantaged (now recognized more often than in the past, and representing a significantly high proportion of other exceptional characteristics).

Despite the progress of recent years, some communities continue merely to pay lip service to the ideal of educating every child to his capacity. The old debates over heterogeneous versus homogeneous grouping and special versus regular class placement continue and are joined by new ones over educational innovations (which some teachers regard as a threat) and over ways of evaluating programs, specially costly programs.

Regardless of these hindrances, the field of special education is setting an example for the entire teaching profession. It demonstrates what can be done in even the most difficult of teaching tasks when dedication and tenacity are added to skill.

U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C.

A Bureau of Education for the Handicapped has been established in the U.S. Office of Education to strengthen and coordinate activities in behalf of the handicapped, U.S. Commissioner of Education Harold Howe II announced today.

The new bureau's mission is to assist States, colleges and universities, and other institutions and agencies in meeting the educational needs of the Nation's 5 million handicapped children who require special services. These children are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or have other health problems or major learning difficulties that can be helped by special education and related services.

The new bureau encompasses the existing programs which the Office of Education conducts expressly for the handicapped, such as support of training for teachers and other professional personnel to participate in the education of the handicapped, grants for research in this field of education, and operation of the Captioned Films for the Deaf project.

In addition, the bureau will administer a new program of financial aid to help States initiate, expand, and improve their resources for the education of the handicapped.

The Elementary and Secondary Education Amendments of 1966 approved last November 3, authorized $50 million for grants in the 1967 fiscal year which ends next June 30 and an additional $150 million for the following 12-month period. However, appropriations to fund them have not been made. The same legislation also provided for the establishment of the Bureau of Education for the Handicapped and of a National Advisory Committee on Handicapped Children.

The new bureau will be directed by an Associate Commissioner of Education who will also serve as principal advisor to the Commissioner on matters relating to the education of handicapped children and youth. Within the bureau, separate divisions will be concerned with research, personnel training, and direct or indirect educational services to the handicapped.

Dr. J. William Rioux, recently named acting director of planning and evaluation for the Bureau of Elementary and Secondary Education, is temporarily in charge of the new bureau. Acting chiefs of the divisions are: Dr. John Gough, educational services; Dr. Richard Schofer, personnel training; and Dr. James W. Moss, research.

REX WHITTON, 46 YEARS OF DISTINGUISHED PUBLIC SERVCE

Mr. SYMINGTON. Mr. President, when Rex M. Whitton retired December 31 as highway administrator and he and Mrs. Whitton moved back to Missouri to make their home in Independence, the Nation lost one of its most able public servants. In the last 6 years this dedicated American, of whom we Missourians are so proud, has directed the greatest highway building program in world history.

Last June 24, at the time Mr. Whitton was named as the 1966 International Road Federation Man of the Year, I called attention to the fact, in a statement here in the Senate, that he was the first American ever to receive this award. Rex Whitton is an American of high character and dedicated purpose.

Today, in further recognizing his service to his State and Nation, I ask unanimous consent for insertion at this point in the RECORD of an Associated Press story, "Whitton Foresees New Era in Roads," from the Springfield, Mo., Leader-Press of January 1, an editorial, "Rex Whitton Steps Down," from the Kansas City Star of January 5, and an editorial, "Thanks for Good Roads, Rex," from the St. Louis Globe-Democrat of January 7.

There being no objection, the article and editorials were ordered to be printed in the RECORD, as follows:

[From the Springfield (Mo.) Leader-Press, Jan. 1, 1967]

WHITTON FORESEES NEW ERA IN ROADS

(By Joseph R. Coyne)

WASHINGTON.—Rex M. Whitton, whose retirement as federal highway administrator has been announced by President Johnson, predicts a shift in emphasis in the Nation's road-building program.

"I don't see an end to highway building." Whitton said in an interview. "People like to drive their automobiles. They like the freedom and independence of movement."

But future emphasis will shift from construction of major new routes—the interstate system—to improvement of feeder and primary roads, he said.

Whitton's career as a highway engineer parallels closely the era of modern road building.

He began work on a Missouri highway survey team in 1920 when the federal-aid highway program was only four years old. For the last six years, he has directed the largest road building program ever undertaken by any nation—one that has been costing $4 billion a year.

Whitton is 68. Last Friday, when his retirement became effective, he rounded out 46 years and 8 months—to the day—in his career of highway work.

In announcing the resignation Sunday, Johnson told Whitton "the American highway system is uequaled in the world and your share in the credit for it is large." He wished Whitton well and said he hopes to call on him from time to time for advice.

The President did not name a successor for Whitton's $26,000-a-year post.

In the AP interview, Whitton said the recently announced cutback in the federal highway program and the impending switch of the Bureau of Public Roads to the new Department of Transportation had nothing to do with his decision to retire.

He said he told Secretary of Commerce John T. Connor—the bureau is part of the Commerce Department—last January that he wanted to retire during 1966.

His letter of resignation was dated Oct. 30, more than three weeks before the highway cutback was ordered.

"I want to quit while I'm still ahead of the game," Whitton said.

He plans to live in a newly purchased house in Independence, Mo., and look after three pieces of farm land he owns in Jackson County. He also hopes to do some highway consulting work.

Looking back on his more than 46 years in highway building, Whitton said the first goal back in the 1920s was to get the farmer out of the mud.

"Now we're in a state of humanizing highways," he said.

By this, Whitton meant that the role of the highway builder is not only to lay pavement and design roads but also to consider the highway's impact on people, parks, fish and wildlife, historic sites and the myriad factors which make life today so complex.

In 1920, he noted, a highway was laid out by driving from town to town. Halfway between the farm fences was considered the center of the road.

Now roads can be surveyed from the air and an entire set of plans drafted from aerial photography.

Whitton was chief administrative officer of the Missouri Highway Department for 10 years before President John F. Kennedy selected him in 1961 as federal highway administrator.

His main task has been overseeing construction of the 41,000-mile interstate system, which is now more than half complete.

Safety—the interstate system is expected to save 8,000 lives yearly—and the humanizing of highways have been the themes of his tenure as highway administrator.

[From the Kansas City Star, Jan. 5, 1967]

Rex Whitton Steps Down

After 46 years as a road builder, the last six as federal highway administrator, Rex Whitton has retired. But not before he had made a major contribution to the roads of his native Missouri and the nation under conditions of particular urgency.

Whitton took his first highway job in 1920, soon after he was graduated from the University of Missouri as a civil engineer. It was a time when motoring was difficult, at best, and the state highway department's big objective was "to lift Missouri out of the mud."

Whitton built a standout reputation as a maintenance engineer. It won him the job of chief highway engineer in charge of all Missouri road building, a post he held almost a decade.

Then in 1960, President-elect John F. Kennedy chose Whitton for the top road job in the country. He was exceptionally qualified for his new assignment. As an official of the American Association of State Highway Officials, Whitton had been an outspoken advocate of the federal interstate system, man's greatest road-building venture.

Whitton was president of the association in 1956, the year when Congress established the system. Later Sen. Stuart Symington said that Whitton's testimony had a great deal to do with the passage of the landmark legislation. It was logical that President Kennedy should turn to him to put increased momentum in the program.

Rex Whitton is a genial, gracious man, whose life has been dominated by a single purpose: To build good roads. Many motorists, who have never heard his name, owe him a debt for his unrelenting drive to upgrade highways. Even out of office, he can be counted on as an effective champion of any sound program to move traffic in the urban age.

[From the St. Louis Globe-Democrat, Jan. 7-8, 1967]

Thanks for Good Roads, Rex

Rex M. Whitton is a man who has paved his roads with more than just good intentions.

When Missouri native Whitton announced his retirement a few days ago as federal Highway Administrator he closed the book on an impressive career of more than 46 years in highway work.

As the nation's No. 1 road builder for the last six years, Whitton had the responsibility of directing the largest highway construction program ever undertaken—costing $4,000,000,000 a year. If a penny of that was ever spent for anything other than to build better roads it was without the knowledge or consent of Whitton.

For 40 years prior to going to Washington, Whitton was with the Missouri Highway Department, the last 10 of them as chief engineer.

It was through his administration that Missouri became one of the first few states to qualify for the interstate highway building program, and one of the first to begin construction.

There's not much more that can be added to such an illustrious career and a well-deserved retirement, except to say, "Thanks, Rex, for giving us better and safer roads."

DISTINGUISHED JURIST

Mr. BYRD of West Virginia. Mr. President, the January 11 edition of the Webster Echo-The Webster Republican, Webster Springs, W. Va., newspaper carried an article reminiscing on the careers of the distinguished jurists who have served the cause of justice in Webster County, W. Va.

I wish to congratulate the present presiding official of the Webster County Circuit Court, Judge Charles A. Duffield, Jr., who, this year, begins his 16th year on the bench. He is a worthy successor to those who preceded him in meting out justice in Webster County, and I wish him continued success in his career.

I ask unanimous consent that this article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Judge Duffield Begins 16th Year on the Bench—Distinguished Jurists Have Presided Over Webster Court

Judge Charles A. Duffield, Jr., now presiding over the January term of Webster County Circuit Court, is beginning his sixteenth year on the bench in the local Court House.

A former Braxton county prosecuting attorney, Judge Duffield was appointed Judge of the Fourteenth (now Thirteenth) Judicial Circuit in September 1951 by Gov. Okey Patteson following the death of Judge Jake Fisher. The 43-year-old Sutton lawyer was named to serve until the general election in 1952 at which time he won election to a full eight-year term and was reelected in 1960. Attesting to his great popularity and ability as a jurist is the fact that the Sutton jurist has never been opposed in an election, primary or general.

Judge Duffield took pre-law study at Marshall College, Huntington, and was graduated from West Virginia Law School in 1933. He began the practice of law in Sutton and was elected in 1936 to the first of three successive terms as Braxton county prosecutor. He also served two terms as Sutton town recorder.

He is a Navy veteran of World War II and spent part of his time in service as assistant to the Legal Assistance Officer at Great Lakes, Ill., Naval Training Station.

Judge Duffield is married to the former Rebecca Fox, daughter of the late former State Supreme Court Judge and State Tax Commissioner, Fred L. Fox, of Sutton and Charleston. They have two children.

Judge Duffield is another in a long list of distinguished jurists who have presided over the local court. The man he succeeded, Judge Jake Fisher, at the time of his death at the age of 80 years was West Virginia's oldest and best known circuit judge. Judge Fisher had served as a circuit judge for thirty-eight years and eight months, having first been elected in 1912 in the old Nicholas-Webster Circuit. Legislature changes later placed him in charge of the Fourteenth Circuit comprised of the counties of Braxton, Clay, Gilmer and Webster. He was serving his fifth consecutive term of eight years at the time of his death. Prior to his elevation to the judicial bench, Fisher served two terms in the House of Delegates and two terms in the State Senate, a record of more than half a century in the public service. He was the unsuccessful Democratic nominee for Governor in 1924.

William Smithe O'Brien, who served on the local bench while judge of the old Twelfth Judicial Circuit, 1913–1920, later was elected to congress from the old Third Congressional District which included Webster County. He was elected Secretary of State at the general election in 1932, a post which he held for many years. Following his death, his son, D. Pitt O'Brien, was appointed to succeed him and he also filled the office for many years.

As a feature for a special Highway Opening edition of The Webster Republican, published October 14, 1932 commemorating the formal opening of State Route 20 between Webster Springs and Buckhannon, the late Judge J. C. McWhorter of Buckhannon prepared an article relating some of his recollections of the "saddlebag" period of judges in Webster county. Our readers will find Judge McWhorter's article both interesting and amusing:

In the early days, when Judge Irwin, a somewhat eccentric old bachelor, held court at Webster Springs, the sessions were in an old log building used as a court house. It was heated by an open wood fireplace and most generous proportions, and the judge, a "Virginia gentleman of the old school," frequently became uncomfortably warm when the big hickory and maple log blazed hotly, and one day it is said he called to the sheriff and said, "Here shuhiff move the fiah back, the cote is getting too wa'm." I know from experience that even without the wood fire in the trial of cases the "cote" is often made mighty "wa'm."

That was in the old days of the "saddlebag judge" and the "circuit-riding lawyer." It required from two to three days for court and visiting lawyers to reach the Springs by horseback over the mountain passes and trails. Court sessions then were the big occasion of the county, as they were in most of the other counties of the new state.

Judge Irvin was succeeded by the Brannons, Judges John and Henry, both exceptionally able judges and, so far as the Webster court was concerned, both were "saddlebag" judges. It was a long hard journey these distinguished jurists had to make on horseback from Weston to Webster Springs, scaling mountains and fording the bridgeless streams, the roads being little better than bridlepaths that could be traveled only by horseback or afoot.

In those early days before the advent of the present membership of the Webster county bar, Honorable John D. Alderson and A. J. Horan, of Nicholas county, L. D. Strader of Beverly, J. M. Bennett of Weston, "Uncle" Hanse Morrison of Sutton, and other prominent lawyers of distant bars attended the sessions at Webster Springs, then called Addison, and many legal battles were fought in the knock-down and drag-out of the time.

A GREAT JUDGE

Later, after the completion of the West Virginia and Midland railroad to Webster Springs and the erection of the Webster Springs hotel, the Springs became quite a famous resort. Large crowds from various quarters of the county gathered at this famous hostelry in the tourist season of summer and early autumn, and during the court sessions of these seasons the court room was usually packed with spectators, especially when any dramatic or exciting case was on trial.

Following the Brannons came Judge William C. Bennett, one of West Virginia's outstanding circuit judges. He had a keen, alert, and incisive mind that quickly penetrated the heart of a case in a direct and precise manner, and he was so utterly fair and impartial, even cold-blooded, judicially speaking, that litigants as individuals meant little to him. He was guided by the law and the facts of each case. Who the parties or counsel were mattered not in the least. He was a great judge.

Succeeding Judge Bennett in 1905, my own visits to the Springs in the eight years of my term were during the time when the Webster Springs and the Oakland and other smaller hotels were in full operation. The Webster Springs hotel, owned by Colonel McGraw, where I usually stopped, became a real home to me. It was managed by James W. Wooddell, his wife, one of God's noblest women, with a heart as big as one of the Elk river mountains acting as sort of a house mother to every one. The genuine hospitality and kindness of these good people stand out as one of my most refreshing memories.

Here I met many of the first lawyers of the state, Honorable Wesley Mollohan, of Charleston, being one especially to whom I was drawn with a feeling of veneration. He had one of the brightest intellects, and was one of the most versatile men, I ever met. He seemed to have more accurate knowledge about more things than any man I ever contacted.

REAL FIGHTERS

At that time the Webster County bar consisted, as I now recall, of Senator E. H. Morton, W. L. Wooddell, Seth Cogar, J. M. Hoover, H. C. Thurmond, W. T. Talbot and William S. Wysong, the Dyer brothers appearing near the close of my term. It was one of the scrappiest bars I ever saw. I say this in a complimentary sense. They were all real fighters.

As illustrative of this, at the close of one of our war-like terms, a prominent attorney from a neighboring state rode beside me on our way out, and he said to me, with much earnestness:

"Judge, what kind of damned lawyers do you raise anyhow back in these West Virginia hills and mountains? Everytime I contact one of your bars I meet with the surprise of my life. I naturally felt when I came away back into this secluded spot, barricaded by the mountain ranges as it is, I would encounter only a bunch of back woods, pettifogging attorneys. But I found a bar of keen, quick, up-to-date, resourceful lawyers, able to measure swords with the best, and know law—my God!"

Among the prominent visiting attorneys were Judge George Lynn of Glenville, W. E. Haymond, Fred Fox, Burk and Van Hall, W. E. Hines, L. H. Kelly, Cary C. Hinues, John B. Morrison and Jake Fisher now judge of the court, all of Sutton, West Virginia; and W. W. Brannon of Weston and many others. W. E. R. Byrne of Charleston, in some splendid respects, was in a class of his own. They were all genial souls and added to the interest and social pleasure of the terms.

DAYS OF MIRACLES

Upon the whole, I never met more interesting or warm-hearted people than the Webster county mountaineers. Physically and mentally, they were a remarkable folk, and some of my fondest memories are of them. Hospitable, accommodating, they were loyal as friends, and just as pronounced in their dislikes. This is another reason why I liked them so well.

Instead of being over, the days of miracles, it seems, are in full swing or only really beginning. Had the suggestion been made to one of these venerable "saddlebag" judges, wearily winding his way through the forests and over the hills and mountains, that at least the second generation from him would see roads, like ribbons of concrete, threading their ways among these mountains, and over which motor vehicles would rush with express-train speed from county seat to county seat, he probably would have thought of calling a jury to inquire into some one's sanity. Such an idea then would have been as wild as the wildest fancies of Jules Verne. But today we accept and treat these things as commonplace, and apparently are in no mood to be surprised at anything. These roads have contracted days into hours, and have transformed hard and wearisome pilgrimages into luxurious and delightful outings.

If, as Goethe says, "A miracle is the pet child of faith," then these marvelous highways, such as State Route No. 20, literally banishing isolation and knitting our great state into socialized and economic solidarity, are miracles; a few of us, indeed, even under the inspiration of the unbelieveable things we see daily occurring, have the imagination to anticipate the things undreamed of today, that will be commonplace to our children tomorrow. Not only are such things the children of faith, but the children of daring vision.

NOTE.—Prior to the destruction by fire of the old Webster Springs Hotel, federal law provided for the holding of a term of the United States District Court (for the Southern District of West Virginia) in Webster Springs. The presiding judge was the late Judge George W. McClintic, a native of Pocahontas county, and one of the most colorful figures in the judicial history of the state. U.S. Court was quite an event in those days and brought a flock of federal court officials and prominent state and national lawyers to the "Watering Hole" for an extended visit each year. After the old resort hotel burned the law was amended to eliminate the court term here because of insufficient hotel accommodations and suitable jail facilities to house federal prisoners during court terms.

MEDICAL MANPOWER: TRENDS FOR THE FUTURE

Mr. MORSE. Mr. President, in the 90th Congress we will be well advised, in my judgment, to pay particular attention to the effect of population growth upon the provision of professional services to our people.

This should be of particular concern in the case of educational personnel, but it is also of major concern in the provision of medical and para-medical personnel. Mr. Don C. Lowe, planning officer of the University of Oregon Medical School, has contributed an article to the fall issue of the Report to the Alumni of the University of Oregon Medical School, in which he sets forth the trends for the future training of medical manpower.

The situation, in my view, is one which every State will face in the decade ahead. We should never forget that the actions we take this year are crucially important in determining the size and quality of our educational output 8 to 10 years from now. Because of the lead time involved, we should be particularly careful, I think, to resist the short view with regard to educational expenditures.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEDICAL MANPOWER TRENDS FOR THE FUTURE

(By Don C. Lowe, Planning Officer)

"A nation of 228,463,000 people by 1975!"

This startling prediction by private and government population experts led off an editorial in the January 1959 issue of *Report to the Alumni.*

That same editorial quoted from a U.S. Health, Education, and Welfare Department report that "public interest would be jeopardized if the national doctor-population ratio was allowed to drop below 132 per 100,000 people, or one doctor for every 758 persons—the ratio which had been maintained since 1929."

In determining this ratio consideration was given to anticipated changes in such areas as therapy, urbanization and suburbanization, use of ancillary personnel, facilities for medical care, extension of prepaid medical programs and the effectiveness of preventive medicine.

The Bayne-Jones Report, as it was popularly known, evaluated the status of medical education and offered guidelines for preserving the quality of medical care in the years to come. In order to maintain the recommended physician-population ratio, between 14 and 20 new medical schools would have to be added to the existing 87 by 1975, the report stated.

Today, population experts have trimmed off up to nine million from the 1959 estimate. Depending upon certain fertility variables, the country's population is now expected to be somewhere between 219 and 225 million people by 1975.

What will this difference mean to the medical manpower situation? And to the nation's medical education programs?

Before exploring these questions let us take a look at what has been done to keep pace with the increased need for medical personnel in the eight years since the Bayne-Jones Report was published.

There are now 88 medical schools in operation throughout the United States, including one in Puerto Rico, and 15 new medical schools either in the late stages of planning or actually under construction. Three of the new schools will admit students for the first two years and include only the basic science curriculum. These students may then transfer to the four-year schools for their junior and senior years. This will tend to equalize the losses from attrition of freshman and sophomore medical students. The remaining 12 new schools will offer the full four-year curriculum. Even with the three new two-year institutions being planned, only about 46 per cent of the first biennial dropouts from the four-year schools will be replaced. This leaves an estimated 500 vacancies which could be filled by graduates of additional basic science schools, if such schools existed.

By the end of 1968 when the last of these 15 new institutions begin admitting students it is predicted that total medical college freshman enrollment will jump from 8,856 (1964) to about 10,000. Assuming an average attrition rate of about 10 per cent, according to the *Journal of Medical Education*, approximately 9,000 physicians will be graduating by 1972. This figure does not take into consideration the possible enrollment expansion of existing medical schools which, by 1969 is expected to total 167 new entering students, according to the *Journals of the American Medical Association* and *the Association of American Medical Colleges*. If this number is taken as a base figure, and projected to 1972 with consideration given to normal student dropouts, the total number of physicians ready to enter internship should number about 9,150.

In early November of this year, the Association of American Medical Colleges released information which shows a drop of 76 students in total first-year enrollment for 1965–66. However, the net new student loss amounted only to 33 as there were fewer persons repeating the first year. In three schools the loss was due to reduced enrollment in order to strengthen their programs. The remaining 85 schools showed very little change.

In 1965 the nation's population was estimated at 195 million persons with about 252,000 licensed physicians, one doctor for every 774 persons.

The question now is: What will the physician-population ratio be in the future? How is it going to compare with the one to 758 stated in the Bayne-Jones Report as a desirable minimum ratio?

Figures from the American Medical Association point to between 372,000 and 382,000 practicing physicians in the United States by 1975, depending upon the immigration rate of foreign physicians.

In 1965, 1,488 foreign medical graduates were licensed in the United States. This was 17 per cent of all licenses issued and represents an output equivalent to more than 15 additional U.S. schools of medicine. Thus, if the U.S. were to attempt to provide the entire number of new physicians now being licensed annually, it would require nearly a 20 per cent expansion in medical education facilities.

Foreign countries are becoming more and more alarmed at the number of their physicians emigrating to the United States. Britain and India are so concerned with the near wholesale emigration of physicians that they are considering placing restrictions on their doctors in an effort to prevent this mass exodus.

Averaging out the predicted population figures with the predicted number of doctors, a favorable trend appears to be developing which may bring the doctor-population ratio down to about one to 600 by 1975, over 22 per cent better than the present ratio of one to 774. It should be noted that osteopathic physicians are also included in this figure, with graduates of osteopathic colleges expected to increase from the present 360 to 600 per year by 1975.

There are two basic reasons for the predicted future improvement in the doctor-population ratio. The first and most obvious is the gain in medical school enrollment, caused in part by the founding of new medical schools. Not so well known is the declining birth rate.

In 1957 the national birth rate reached its peak of 122.7 for each 1,000 females aged 15 to 44. Since then the rate has been declining steadily and is estimated to be 93.0 for 1966. The Oregon State Bureau of Vital Statistics shows that for 1964, Oregon ranked lowest in the nation with 17.6 live births per 1,000 persons (gross population). Provisional figures for 1965 released in the past month place the rate at 16.7 per 1,000 people, still the lowest in the nation.

The increase in the number of physicians will come at an opportune time in the history of our nation. Additional medical care will be needed as a result of Medicare, the Heart, Cancer and Stroke program and with more and more doctors being required by the military services, and the Federal and state governments. The demand will also make itself felt in the need for additional physicians to staff existing and new medical schools and research facilities. The expansion of the pharmaceutical industry and other areas of private enterprise will add even greater demands for medical manpower.

One of the great challenges facing medicine today involves the distribution of medical services. For some time there has been a tendency for physicians to establish their practices in urban areas. This is directly tied in with the present day desire to enter into a specialty practice which, if it is going to be successful, must be located reasonably close to a broad population base and within working range of adequate hospital facilities.

This trend is occurring in Oregon. In 1950, the 2,271 citizens of Sherman County had no doctor. In 1964 the population had risen to 3,600, yet this county still had no practicing physician. Another example is Gilliam County where the doctor-population ratio deteriorated from 1 to 1,409 in 1950 to 1 to 3,393 in 1964. In contrast Multnomah County improved from 1 to 499 to 1 to 408. It is clear that Oregon is following the national trend toward urbanized medicine.

How does the University of Oregon Medical School fit into this picture?

Medical student enrollment has jumped from 302 in 1959 to 336 in 1966, a 9 percent increase or an average annual gain of 1.3 per cent. However, total applications which reached a peak of 600 in 1964 and 1965, showed a 14.5 percent drop in 1966 to 513.

Several possible causes can be cited for the reduction in applications. Of major significance is the increased competition from other career fields promising more excitement and greater financial reward.

Another cause which until recently has been an influence, was the shortage of funds for scholarships and loans to medical students. However, the American Medical Association loan program, and now Public Law 89–290, commonly known as the Health Professions Scholarship Program, are providing funds to substantially increase the probability of a qualified candidate being able to complete his medical education, even though he may come from a financially deprived family.

Still another reason for the recent decline in applications may be due to a greater effort by medical school admissions committees—certainly true in Oregon—along with paramedical advisors to engage in a more comprehensive counseling program with pre-medical students. Such counseling may serve to encourage the pursuit of an M.D. degree. Or, if a student is found lacking in qualifications necessary to insure a reasonable chance of success in medical school, counselors may suggest an alternative course of action.

In the fall of 1966, the University of Oregon Medical School admitted 90 students to the freshman class, 80 of whom will be expected to graduate in 1970. The attrition rate of the University of Oregon Medical School since 1950 averages out to a fraction over 10 per cent, almost identical to the national average.

Even with the construction of a new Outpatient Clinic addition scheduled for completion in 1968, he hoped for 120-bed Medical School Hospital wing and the proposed Basic Medical Science building, the earliest date the institution would be able to accommodate more than 90 beginning students will be 1971. They would not graduate until 1975.

With an annual graduating class of 80 doctors per year from 1970 through at least 1974, possibly 1975, Oregon's doctor-population ratio should improve from a present level of one to 775 to about one doctor for every 640 to 700 persons. This is based on recent conservative population estimates for Oregon of between 1,900,000 and 2,000,000 people by 1975.

This ratio is based on a number of presumptive constants such as the UOMS graduate and out-of-state physician migration patterns remaining essentially the same, no significant change in physician death rates, emigration of foreign physicians, and a stable state and national economy. Some or all of these variables may undergo substantial changes in the years to come.

There is a strong possibility that by 1975, Oregon may find itself in a less favorable position than the rest of the nation in the number of doctors compared with the population base. Recognizing this, the University of Oregon Medical School is planning for the admission of 110 freshman medical students by the early 1970's. The School could then expect to graduate about 100 students per year by the mid 1970's, 22 more than were graduated in 1966.

POVERTY AS A MORAL SERVICE

Mr. PELL. Mr. President, on Sunday, January 15, in the Washington Cathedral I had the honor to participate in a service devoted to the poverty program and the necessity to forcefully and forthrightly pursue this program to victory—the elimination of poverty in our country.

Bishop Paul Moore, Jr., preached a ringing, strong sermon that stirred and stimulated me, which I believe will interest and benefit my colleagues. I ask unanimous consent that it be inserted in the RECORD at this point.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

SERMON FOR NATIONAL CATHEDRAL SERVICE ON POVERTY AS A MORAL CRISIS

(By Paul Moore, Jr.)

I. INTRODUCTION

1. Today we gather here for three purposes:

1) To say clearly and strongly that the soul of America is in Moral Crisis—a choice between Charity or Chaos, Righteousness or Ruin

2) To call on Congress and the White House to lead

3) And to bless those Poverty Workers who are struggling for justice for themselves and for their brothers, and who are struggling to help America find her soul.

(To the Poverty Workers) We are grateful for your presence in this National Cathedral this morning, for you symbolize thousands of others like yourselves throughout our land.

2. Poverty in America:

I imagine this congregation is tired of statistics. So am I. But we must continue to hear the insistent groan of America's poor.

34 million Americans are in poverty, living in families with incomes of less than $3,100, or as individuals with less than $1,500 a year.

4.5 million American families live on less than $2,000, and 3.1 million individuals on less than $1,000.[1]

You are tired of tragic stories? So am I. But they still go on. Picture yourself a widow coming home from work in a laundry at $1 an hour, exhausted. You finally get the children in bed, whining and crying because there simply is not enough food. They sleep five in two beds, with the baby in the kitchen. You slump down in a chair and doze off. Suddenly a piercing wail comes from the crib. You rush over and see a rat chewing your baby's face.

3. Poverty in the World.

You are tired of hearing about world problems? So am I. But a simple statistic will send shivers down your back. The annual increase in food production is 2.2%. The annual world population growth is 3.5%. By 1970 famine will reach serious proportions in countries like India and Pakistan.[2]

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[1] "A Freedom Budget," A. Philip Randolph Institute, based on 1964 Govt. statistics.

It is not necessary to point out, I am sure, that the hungry nations of the world are Latin and colored nations.

4. You need not be a prophet to look back in anger and to look forward in terror at the shape of God's world ten years hence.

II. A WORLD CUT IN TWO

1. The life of any nation is made up of a series of trends which pick up momentum as they develop. Once such a movement gains inertia, individuals and even the nation itself cannot stop it until it has run its course. Such a trend affects not only a man's outer life, but his inner being as well . . . it affects his soul.

At this moment a negative trend is about to develop here, a movement toward irresponsibility and hardness. This may well be the year of decision which will determine the course of history for ourselves and for the world, a time when the movements of our country can be pointed in another direction before it is too late.

2. Let me try clearly to describe what I mean:

After World War II, America began to look at herself and the world around her. The Cold War was beginning; the Civil Rights movement was gathering strength; the emergence of the new nations from old empires was stirring. Unfortunately, the red herring of Cold War ideology diverted our attention from the *real* problem of the latter half of the century, namely the technological revolution and its unforeseen result, the development of a world cut in two. I am not talking about the Berlin Wall or the Bamboo Curtain, but of the increasing gap between the rich and the poor.

In this country the rich are getting richer and the poor are getting poorer. In the world, the rich nations are getting richer and the poor nations are getting relatively poorer. Is it a coincidence that the most noticeable ethnic groups afflicted by poverty in large numbers in this country are either colored or of Latin American background, and that the poor nations of the world can be similarly described?

Whether coincidental or not, this truth adds the dimension of race to the problem of poverty both nationally and internationally. What I am saying is that the chasm, the barrier between rich and poor is growing at a cataclysmic rate which may be already irreversible. This year may be the last when this suicidal course can be halted, but it will take a giant act of will on the part of this nation, on the part of the leaders of this nation who live here in this city.

Will they deal generously, boldly, courageously with this problem or do I sense a trend developing which will deal with human misery by force and suppression.

Will it be Charity or Chaos, Righteousness or Ruin?

III. THE DISTRICT OF COLUMBIA AS AN IMAGE OF THE WORLD

1. It is often said that the District should be an image to the world. Today I say it is an image of the world. No congressman need venture forth from this city to understand the crisis which faces the nation and the world, because the Lord has put the problems of the world and the nation in our front yard.

The prosperous of this city understand the poor of this city less and less . . . America understands the poor nations less and less.

Communication on a human level between the rich and the poor of this city hardly exists . . . Communication between America and the underdeveloped nations is dwindling to nothing, if we mean by communication the ability to listen and to understand so that we respond by a change in attitude or action.

Violence springs from the inequality of injustice; it always has and it always will. And so violence is on the rise in this city. The unanimity of the Crime Commission on the causes of crime underscores what a few voices have been saying, that the ultimate answer to violence is not more stringent police power, but the eradication of the roots of violence in poverty and frustration. Is it not also clear that the eradication of world tension will not come from military action but from the elimination of unjust inequalities amongst men and nations?

2. These events that happen around us are so obvious that it should not be necessary to speak. The life of this city *acts out* the inevitable destiny which is building up around the globe which will eventually consume and destroy the great edifice of science, culture, and human fulfillment which is now within the grasp of the human race.

Here we are in the capital of the richest nation, and ⅓ of our people in this city live below the subsistence level.[3] Here we have one of the highest crime rates in the country as a direct result of this high incidence of poverty. Here we have already had serious civil disturbances. But what is our response? We are cutting the poverty grants for Washington in half! Our Mayor, the President, suggests cutting our poverty grants in half. Our City Council, the Congress, looks as if it will cut our poverty grants in half. (Projection from O.E.O.)

This is madness, sheer madness.

The world is on the edge of violence because of its poverty which makes even Washington look prosperous, yet we are cutting our non-military foreign aid. This also is madness.

Will it be Charity or Chaos, Righteousness or Ruin?

IV. A CALL TO OUR LEADERSHIP

1. And so I say to the White House and to Congress, Look! Look! Can't you see the handwriting on the walls of your own city? Can't you understand? The words are the same as the words on the wall of the palace of King Balshazzar. Mene Mene Tekel Upharsin. "You are weighed in the balances and are found wanting."

But wait a moment. It is not just you who are found wanting for you are our representatives . . . we all are weighed in the balances and are found wanting. But we now cry out to you to lead us out of this whirlpool of destruction.

Will you? So far it looks as if most of you, our leaders, are capitalizing politically on our worst motivations: the desire for a quick and violent solution to the relation of East and West; the desire to put our head in the sands, instead of looking clearly at the meaning of India or Africa—abject poverty blocking an unsteady but glorious search for human dignity; the desire to sit back and rest, to avoid the sacrifice of the war on poverty while poverty is already winning the battle despite the efforts of the past year or two.

2. The moral crisis articulates itself in terms of priorities. Will not the affluent give up a fraction of their increasing wealth in more taxes, if this is called for? This is a personal priority I feel the American people, if properly inspired and led, would be willing to make.

But even within our present spending there is a question of priority. We say we cannot afford more foreign aid, yet we are spending $332,000 to kill each Vietnamese.[4]

We are told that budgetary problems dictate our poverty cutback, yet we read the White House is pressing with continued urgency to build an American supersonic transport to cross the Atlantic in three hours (when there is insufficient public transportation for the poor to get to work in this city). And anyway, France is already building a supersonic transport. Nonetheless, we are prepared to spend $4.5 billion to develop this transport.[5]

Is it naive and idealistic to say that the first responsibility of a government is to see that its people can have food and shelter and education? Is it twisted thinking to point out again that the poor are financing the war, because it is their program which is being cut to balance the budget? Is it an idle suggestion to say that $4.5 billion could be used to build decent schools and houses and still pour money into the economy, but through the incomes of the poor who could be employed to build such houses and schools?

Could we not spend $332,000 to educate completely ten American children instead of to kill one Vietnamese?

I am not an economist, but some say that even these choices do not need to be made, that the Gross National Product can carry both wars. This has been pointed out in the A. Philip Randolph Institute's Freedom Budget: that we could substantially eliminate poverty in ten years without cutting back the defense budget.

Our choices are clear. Will it be Charity or Chaos, Righteousness or Ruin?

V. CONCLUSION

1. Surely the solutions are available to us and to our government, if we could decide to put the money and passion and power and skill of our people to work. Is there no way of opening up the great heart of America before it is too late, before the domestic and international storm breaks upon us, the storm of bitterness and desperation and violence?

I see the walls of the ghettos growing higher and higher as America rejects the concept of open occupancy. I see Urban America racing toward an insoluble tangle smothered in suffocating fumes, while business continues to profit and government continues to look away and the rest of us only take on an occasional job as a solution. Will the American city suffocate by fumes, screech to a standstill because of inadequate transport, or blow up in rioting?

These seem to be the present choices, unless we act now. If we do not act, with this obvious misery and destruction before our very noses, I tremble for our soul.

Yes, it is not only for the physical needs, but for the heart and soul of our country that I am concerned. I can see that if we do not act now the poor will become increasingly bitter . . . just as in the last year their former faith in the federal government has almost vanished. The affluent will become increasingly guilty, angry and selfish. Where will it end? Where will it end?

If only we would turn before it is too late. If Congress and the President would only turn their attention to this our city as an earnest of their intent, and grow in the direction of solution through reason and generosity rather than through defensiveness enforced by suppression.

Most young people see these things clearly, but it may be too late by the time they have responsibility; and by that time they too may have been brainwashed by the twisted mind set of affluent America.

2. This is a year of judgment: As the old hymn says,

"Once to every man and nation comes the moment to decide. Then the chance goes by forever. . . . ."

This may well be that moment. We call upon you, Mr. President, and you, returning members of the Congress, to see this time in history as a moral crisis. We call on you to lead us in response to this crisis, that by seeking to save the bodies and the minds of the nation, we may save the soul of our people.

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[2] *New York Times*, 1/1/67.

[3] "Community Renewal in the District of Columbia" 6/66, Published by Commissioners' Committee on Community Renewal.

[4] *Washington Post*, 12/18/66.

[5] *New York Times*, 1/5/67.

The inevitability of the judgment of God spelled out by Amos is being spelled out once more: (Amos 8, vv 4–8) "Hear this, you who trample upon the needy, and bring the poor of the land to an end, saying, 'When will the new moon be over, that we may sell grain? And the sabbath, that we may offer wheat for sale, that we may make the ephah small and the shekel great, and deal deceitfully with false balances, that we may buy the poor for silver and the needy for a pair of sandals, and sell the refuse of the wheat?' "

The Lord has sworn by the pride of Jacob: "Surely I will never forget any of their deeds. Shall not the land tremble on this account, and everyone mourn who dwells in it, and all of it rise like the Nile, and be tossed about and sink again, like the Nile of Egypt?"

The moral imperative in terms of love was spoken by Jesus: (Matthew 25: 34–40)

"Then the King will say to those at his right hand, 'Come, O blessed of my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and you visited me, I was in prison and you came to me'. Then the righteous will answer him, 'Lord, when did we see thee hungry and feed thee, or thirsty and give thee drink? And when did we see thee a stranger and welcome thee, or naked and clothe thee? And when did we see thee sick or in prison and visit thee?' And the King will answer them, 'Truly, I say to you, as you did it to one of the least of these my brethren, you did it to me.' "

I do not know how to say more, Charity or Chaos, Righteousness or Ruin?

3. But we cannot just pass the responsibility on to the President. Each one of us is given the task of working as individuals to alleviate the problems of the poor, whether we are rich or poor ourselves, and of persuading our leaders in every way possible to see the crisis we face.

We salute you here today who represent the poor of our city. You are the victims and also the warriors in this war. You fight with few supplies and little backing against the heart-rending problems of your friends and brothers. You walk the dark streets of this cold city looking for rooms for a family of children. You go from agency to agency to find welfare of one kind or another. You go from employer to employer to find any job, but at least once in your life to find a job of some dignity, a job which is not always cleaning up the garbage of the cities gutters or the living rooms of the prosperous. Your task is the most difficult, the task of continuing to fight against these odds. Do not allow the enemy to break your ranks so that you fight against one another rather than against the common foe. Many are called to fight this war . . . some as privates, some as generals, some as front liners, some as diplomats and politicians. Whatever your roles may be, remain loyal to each other, remain united, and know that the power of good is one power. Lay your black power along side of white power. And I say to those of us who are white, lay our white power along side of black power. Use the power of moral suasion, the power of political and social action, the power of what money you do have. You need every bit of power you can find, whatever its color, to win this war. Keep making noise until America hears you. Be not discouraged, many are with you. The soul of America is in your hands, the destiny of America is in your lives. Bless you and your fellow workers around the world. There is no greater cause than yours.

EDUCATIONAL RESEARCH

Mr. MORSE. Mr. President, the December 1966 issue of Educational Researcher, the official newsletter of the American Educational Research Association, an affiliate of the National Education Association, contains a hard-hitting editorial concerning the research programs funded under the U.S. Office of Education Bureau of Research authorities.

I anticipate that in hearings of the Subcommittee on Education in the coming months, the point of view expressed by the editor will be echoed in the testimony presented by educators specializing in educational research.

The point of view expressed by the editor is one which, in my judgment, deserves most careful consideration by Senators. I therefore ask unanimous consent that the editorial be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDITORIAL

Hard times are ahead for educational researchers seeking funds from the USOE Bureau of Research during fiscal year 1967. Apparently there will be no support for *new* trainees in the 75-plus training programs funded under Title IV of the Elementary and Secondary Education Act of 1965 (ESEA) and reported in the June 1966 issue of the *Educational Researcher*. In the past, all *unsolicited* research projects to the USOE which were acceptable in terms of educational significance, methodological rigor, and economic efficiency have been funded. (About one in four met such criteria.) This year the "acceptable" projects will have less than one chance in three of being supported. *Details about the financial picture are presented in D.C. Perspectives on pages 2 and 3.*

Upsetting as such news is to many of us, even more discouraging is the future of educational research as it is perceived by many government leaders in education. First, some background.

The USOE Bureau of Research now gets its money from nine pieces of legislation. Well over half the money comes from the old Cooperative Research Program (PL 83–531) as amended by Title IV of the ESEA. Other legislation from which the Bureau currently draws support includes Section 4c of the Vocational and Technical Education Act (PL 88–210), Section 302 of the Handicapped Children and Youth Act (PL 88–164), and Titles VI and VII of the National Defense Education Act (PL 85–864).

It is reasonable to say that the Bureau puts all this money into one large pot, although some of it must be used for specific purposes. Bureau head R. Louis Bright and his staff, with the consent of the U.S. Commissioner of Education, Harold Howe, distribute the funds among the several programs of the Bureau. Current programs include project research, regional laboratories, research and development (R&D) centers, development (curriculum and hardware) and demonstration efforts, training, dissemination (e.g., ERIC) activities, and a new category: policy studies.

The squeeze comes about because the programs of the Research Bureau, like other non-defense research programs, have not received the funding they expected from the Bureau of the Budget and from Congress. For example, the Cooperative Research Program was held to its present level of $70 million for fiscal year 1966. Research support under the Vocational and Technical Education Act has been reduced from $17.8 million in 1965 to $10 million in 1966.

These funds are not deemed sufficient to ensure continuation of current projects; indeed, commitments for research in vocational and technical education exceed the new allocation. The Bureau is determined to initiate some new projects and programs. Consequently, the money needed to support new educational research trainees and unsolicited research projects is being diverted to the Bureau's priority efforts.

On behalf of AERA, Executive Officer Richard A. Dershimer and President Julian C. Stanley have urged Commissioner Howe to maintain funds for programs for the training of educational researchers. In Dershimer's words, "The great demand for educational research and evaluation specialists which has been created primarily by the new programs sponsored by the Federal Government cannot be met unless training is given the highest possible priority by the U.S. Office."

But a large measure of the responsibility for deciding priorities within the Bureau of Research falls upon its director, R. Louis Bright. To Bright, educational research in the past has not been of much use. He feels that future educational research should be in areas of special problems, such as sex education, alcohol, and teachers' roles. He would have a review committee of USOE staff select areas to be heavily supported, relying only indirectly on advice from the profession. (The Bureau does have a Research *Advisory* Committee, but only two members could legitimately be classified as educational researchers. See Washington Notes, page 7, for a listing of members.) The arbitrary preselection of areas has prompted one observer to remark that the Bureau of Research is becoming like a private foundation.

In looking for positive actions, we should keep in mind that the lower level of general support for education research is not due to a guns-or-butter policy on the part of Congress. In other areas of education, support is increasing. For example, Title III of ESEA is slated for an increase of more than 300 percent—more than four times that for the USOE Bureau of Research. Although the research portion of the Vocational and Technical Education Act has, as stated above, been cut almost in half, overall support for the Act has actually increased.

Why has Congress been tough on educational research? One answer is generally agreed upon: Congress has not been given a clear picture of the quality or the effects of educational research; it does not clearly understand the contribution educational research has made and can make.

Educational researchers need a lobby in the best sense of the word. In the past, the actions which came out of Lindley Stiles' newsletters demonstrated that the interests of educational researchers can be consolidated and represented to Congress with effectiveness. As individuals we can be of some help in putting the successes of the past and the promises of the future before the Congress and the present USOE leadership. Possibly a more effective strategy would be for AERA to take a bolder course of action. Other intellectually oriented organizations with able leadership and a united membership become strong voices which influence funding policy. AERA can do the same.

Educational researchers will probably have to continue presenting the case to Congress and to the USOE leadership. But, ideally, funds would *not* be disbursed by a transitory USOE staff in which policy is created almost at will. What is best, not only for the professional researcher but for all of education, is greater stability in funding policy.

It is estimated that less than one-half of one percent of federal aid to education is for educational research. As asked recently by another, shouldn't we, like Avis, be trying harder?

JASON MILLMAN.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is concluded.

Mr. **CLARK.** Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. **CLARK.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. **RUSSELL.** I object.

The **PRESIDING OFFICER.** Objection is heard. The clerk will continue with the call of the roll.

The legislative clerk resumed the call of the roll.

Mr. **CLARK.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

The **PRESIDING OFFICER** (Mr. BYRD of Virginia in the chair). The question is on agreeing to the motion of the Senator from South Dakota [Mr. McGOVERN] to proceed to the consideration of the resolution (S. Res. 6), amending the Standing Rules of the Senate.

Mr. **McCLELLAN.** Mr. President, Senate rule XXII has been and is a major bulwark against the erosion of our constitutional and republican form of government in this Nation. It constitutes a barrier to oppression by the majority, and to the destruction of the personal rights and liberties of the minority. It is no exaggeration, therefore, to state that the present attack on rule XXII threatens the very fabric of our constitutional system, strikes at the very heart of our republican form of government, and endangers the rights and liberties of minorities.

The pending resolutions are intended greatly to weaken rule XXII—the keystone in the foundation, power, and dignity of the Senate as the last great deliberative parliamentary body in the world.

The words attributed to Thomas Jefferson on the subject of freedom of debate in the Senate are as cogent, as important, and as applicable today as they were when he first spoke them; and I would urge that we heed the views he expressed when he declared that—

> The rules of the Senate which allow full freedom of debate are designed for the protection of the minority, and this design is part of the warp and woof of the constitution. You cannot remove it without damaging the whole fabric. Therefore, before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained.

Mr. President, as we weigh the issues before the Senate on the troublesome question of changing rule XXII, we should keep this one thought in mind: Will the loss be greater than what is gained? By the curtailment of free debate as proposed by the resolution now pending before the Senate, the loss will be great, the gain will be small.

It is a constant source of amazement to me that those who aggressively seek with diligence to further the causes of minorities in this country are the very ones who vigorously strive to weaken rule XXII which, in the words of Thomas Jefferson is "designed for the protection of the minority." Some of those who are advocating weakening this rule have not yet realized—they have not become aware of the fact—that what they are doing is forging a two-edged sword. One edge of that sword is being sharpened for them and some of their plans in the future. And they are doing it with tools now in their own hands.

Rule XXII has served to protect our Federal system of government and to preserve our States as sovereign entities. It has served to safeguard the liberties of our people and has afforded them the right to express their views through their chosen representatives in the Senate of the United States. Although materially weakened in 1959, rule XXII, in its present form, still stands as a bulwark of liberty. Weaken it further, and the right of full expression and debate in the greatest legislative body in the world will be prohibited and denied. If we strike down the right of the Members of this body to freedom of expression and debate, we will have silenced the voice of the States and of the American people to be fully heard and adequately protected in the highest legislative forum in this Nation.

I am fully aware that the views of a southern Senator—and I am proud to be one—on the subject of cloture are in some quarters, cavalierly dismissed, simply because of the geographic area represented. However, even a cursory review of the history of the U.S. Senate affords overwhelming evidence that opposition to cloture has never been confined to a particular section of our country or to any particular party or political group.

Let us look at what some distinguished former Members of the Senate from widely separated areas had to say about cloture. Senator Albert J. Beveridge, of Indiana, challenged those who endorsed cloture to point out "a single great wrong that has been perpetrated upon the American people" because of unlimited Senate debate, and to name "a single benefit which has been denied the American people" because of it.

Mr. President, we will observe as I make reference to these names, and the States they represented, that except from prejudiced viewpoints, geography has nothing to do with this issue.

During the course of his speech in opposition to cloture, Senator George T. Hoar, of Massachusetts, said:

> There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface consideration.

Senator Key Pittman, of Nevada, after noting that in his early years in the Senate, he had been a crusader for strict cloture, declared:

> Experience, through long years of legislative practice, has forced me to the conclusion that I was in error.

He became convinced of the great value, of the tremendous merit of unlimited debate.

Then, referring to the cloture rule in the House and its effect on the legislative process in that body, he went on to state that—

> * * * it must be admitted that bills of great importance, containing thousands of different items, are passed within a few hours and without sufficient debate or consideration. It has been the extended and full debate in the Senate that advised the country with respect to vital legislation, and, through this information, molded public opinion.

He stated further:

> The Senate was founded as a part of our institutions for the protection of minorities, not alone minority parties, but minority populations and minority principles. To establish a cloture such as they have in the House would nullify the very purpose of the United States Senate. * * *

Mr. President, I am not fully advised, but there is a rumor abroad in the Chamber, in the corridors, and in the cloak rooms that a movement is underway, by a manipulation of the rules and by curious interpretation of them, to bring about that very result: To nullify one of the original and fundamental purposes of the Senate.

Senator Pittman stated further:

> Let those who contend for the cloture point to particular instances, if they can, wherein the rules of the Senate have been destructive of the progress of our people. It is possible that our country suffers from too much legislation, rather than too little.

I ask any Senator who is interested in the subject at this hour to meditate upon that statement. Where do we find ourselves today? What is our leader in this body admonishing us? What did the President intimate in his state of the Union message?—that we have acted hastily, that we have passed much legislation without due study and proper deliberation, and that today we have a hodgepodge on our hands. Our leader has called upon the Senate at this session to do an oversight job, to go back and try to correct some of the things that have already been done, which should not have been done, and would not have been done, possibly, had there been more debate and more constructive deliberation instead of undertaking, as we did in some instances, to whip up the horses and drive through to the finish line irrespective of the waste and squander that fell by the wayside in our rush to the goal.

Senator Smith W. Brookhart, of Iowa, pointed out that—

> The Senate Rule of unlimited debate makes the United States Senate the one great open legislative forum in all the world.

That is still true today.

> The rule sometimes delays good legislation, but never kills it. Good legislation always comes back and finally wins. The rule kills a great deal of bad legislation (Congressional Digest, Nov. 1926, P. 308).

Mr. President, the rule does not kill all of the bad legislation by any means.

Senator Hiram Johnson, of California, in a vigorous statement in opposition to cloture declared that—

> The last place in all this world where freedom obtains, the place where freedom of speech may be abused, abused, abused, and abused again, but the last free forum, in that day will then have been destroyed and we here this day have commended and made easy that destruction.

Senator Hiram Johnson, of California, was not a conservative, he was not a reactionary, and he was not a southerner. In his day and time he was a great liberal. He recognized that there would be forged a two-edged sword, one that would serve to impede liberal progress, just as it would serve to assassinate any opposition.

Senator Henry Cabot Lodge, the elder, of Massachusetts, also opposed cloture saying:

> Careful and thorough consideration of legislation is more often needed than the limitation of debate.

Possibly neither course is perfect. There are some inconveniences in either. But of the two, in making a choice, he preferred unlimited debate.

Was he a southerner? Was he thinking in terms of serving sectional ends or sectional rules anywhere in the Nation when he made such a statement?

In 1917, during the debate on the adoption of a cloture rule, Senator Robert M La Follette, Sr., from Wisconsin, who served in this body for a quarter of a century, delivered an outstanding address on the Senate floor in opposition to any limitation of debate.

Great men of the past, great statesmen of our Nation, recognized the dangers inherent in what is here being attempted today. They denounced it. They stood firm. Lest this generation forget, let them open the pages of history and learn from the patriots and dedicated statesmen of the past.

I quote from Senator La Follette's speech which was delivered just before the vote on cloture took place. He said:

> Mr. President, believing that I stand for democracy, for the liberties of the people of this country, for the perpetuation of free institutions, I shall stand while I am a member of this body against any cloture that denies free and unlimited debate. Sir, the moment the majority imposes restrictions contained in the pending rule upon this body, that moment you shall have dealt a blow to liberty; you shall have broken down one of the greatest weapons against wrong and oppression that the members of this body possess. This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and to compel its adoption, there is a chance to be heard, where there is opportunity to speak at length and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which may undermine the liberties of the people and be in violation of the Constitution which Senators have sworn to support. When you take that power away from the Members of this body, you let loose in a democracy forces that in the end will be heard elsewhere, if not here.

Mr. President, there are in the Nation today forces of evil which pose dangers to our country. The action here proposed would lend encouragement and strength to those forces. I hope that we will not do it.

I could continue on and on, quoting Senators from virtually every State in the Union who expressed vigorous opposition to cloture—including such giants of the past as William E. Borah, of Idaho, Earle B. Mayfield, of Texas, John T. Morgan, of Alabama, Charles E. Townsend, of Michigan, Reed Smoot, of Utah, James D. Phelan, of California, Frank B. Brandegee, of Connecticut, James A. Reed, of Missouri, and Kenneth Wherry, of Nebraska.

Most of the Senators I have mentioned served long tenures in the Senate and, in many cases, reached their convictions opposing cloture after first holding contrary views during the early years of their service in this legislative body.

I hold that in a democracy free debate is a virtue, not a vice; it is a necessity, not a luxury. It is truly a fortress in the arsenal of a free society and is as vital to the protection of freedom as are all the other armaments devised by men.

Those who are waging this unrelenting attack on free debate in the Senate should pause and take heed of the Nation's position in the world today. For, to me, if ever there was a time when unlimited study and thorough deliberation were needed, it is now, when we have far-flung commitments throughout the world; it is now, when we are seeking to conquer space; now, when we are dealing with massive problems on the domestic front; it is now, when hundreds of thousands of our youth are committed to a bloody and brutal struggle against Communist aggression in far off Vietnam; it is now, when our Nation is attempting to carry exorbitant burdens which it has assumed and incurred in its leadership of the free world.

Numbered among the most vigorous opponents of rule XXII and of freedom of debate in the Senate are those who have worked diligently to make the Federal Government grow bigger and bigger. Their chief goal is the centralization of all power in Washington. It is seemingly of little consequence or concern to them that such a government will inevitably be less responsive to the wishes of the people and less concerned for their freedom.

Experience has demonstrated over and over that rule XXII is a rule of wisdom which protects full and free discussion of legislative proposals, yet serves as a barrier to those who would abuse the privilege of free speech.

Those who would weaken the rule show a disdain for the historic tradition of freedom of speech and debate in the Senate. Their ultimate objective is all too obvious. Their real goal is cloture by a simple majority of Senators present and voting.

That is what I referred to when I said that rumors were floating around in the Capitol today that that is the ultimate goal. There was talk about compromise in the past. Those of us who believe in freedom of speech and free debate in this body have compromised in the hope that some occasion like this would not arise at the beginning of a session, or at another time, so that we could move on to the transaction of important business, and not be heckled by recurrent attempts to further erode the rules that protect the freedom of speech. Attempts to compromise and settle the issue have been in vain.

So far as I am concerned, I oppose any further compromise. Let us fight it out on this line, and let the Senate speak its will. If we are to emasculate and destroy the very bulwark of the protection that the present rules of the Senate afford, let him who will do it, do it; but let those of us who will oppose it stand firm and make the record for posterity, because when it is done there will be a turn in events that will lead to consequences that I should not like to speak about today.

If the proponents of a change in the rule were ever to realize their ambition of invoking cloture by a simple majority, by enacting such a rule, it would be possible for as few as 26 Senators—26 out of 100—a majority of a quorum, to impose a gag rule. And this they could do whether or not the legislation under consideration was iniquitous and devastatingly harmful to the country and the people.

The devastating consequences which would inevitably result from such a rule of cloture were clearly and forcefully pointed out by the late eminent George Norris, a former Senator from Nebraska, when he said:

> The Senate is the only forum in our country where there is free and fair debate upon proposed legislation, and it is the forum where the legislation of the country is made. If we adopted majority cloture in the Senate as they have in the House, the last vestige of fair and honest parliamentary consideration would entirely vanish (Congressional Digest, Nov. 1926, pp. 306).

Again, Mr. President, I am not quoting a reactionary or a conservative. He was not a southerner. He was not concerned with sectional interest when he thus spoke.

Mr. President, those who would destroy the right of free debate in the U.S. Senate contend that rule XXII is undemocratic in that it enables a minority to thwart the wishes of a majority. In their zeal they deliberately or inadvertently overlook the fact that its very purpose is to provide a restraint upon the abuses of uninhibited and unrestrained majority rule.

The argument is made that a minority can obstruct. The overriding answer to that is that a majority can oppress. Again, we must make a choice. Our Founding Fathers made a choice. They sought to establish a government that would protect the people against oppression. They did not think it wise to limit debate in this body.

The men who founded our system of government knew that unrestrained power, whether in the hands of one, the few, or the many, is the very definition of tyranny. They knew that a majority with unrestrained power can easily become a mob engulfed in emotion and passion. Having happily escaped the doctrine of the divine right of kings, they did not propose to fasten upon this Nation the equally erroneous and pernicious doctrine that a majority is divine simply because it is greater in numbers than is the minority.

To safeguard the people from the excesses of both extremes, they structured our federal system of government with a carefully devised system of checks and balances. They were determined that no department or representative or collection of representatives of government should have unbridled power.

Even a cursory review of our constitutional history discloses that the Founders of our Government were not primarily concerned with the rights of majorities. Indeed, it is clear that their concern was for the inalienable rights and liberty of the minority and of the individual. And they conceived it to be the first duty and obligation of government to respect and protect the minority and the liberty and inalienable rights of the individual. It was their concern for the individual and their fear of the abuses of governmental power, whatever its source, which they so clearly manifested in the Declaration of Independence and the Bill of Rights.

Yes, Mr. President, the Bill of Rights and other provisions of our Federal Constitution are replete with restraints upon the power of majorities. Indeed, it was fear of power which constituted the greatest obstacle to the establishment of our federal system. And it was the fear of the smaller less populous States that the larger more populous States would dominate and control the legislative branch of the Government, which led to the establishment of our U.S. Senate with equal representation for each State whether it be large or small.

Through the years, the Senate has proved that it is the greatest safeguard of our Federal system, for it is here, and here alone, that the voice of each State—large or small—can be heard.

Reference to our constitutional history discloses that the Founding Fathers envisioned the Senate as a legislative forum comprised of our most mature and experienced legislators. They intended that the Senate would be a deliberative body where freedom of debate and thorough consideration and evaluation of all pending business, would serve the salutary purpose of safeguarding the Nation and the American people against hasty and impetuous legislative action by the House of Representatives.

Do we now want to downgrade the Senate, curb one of its essential functions, and reduce it to a level of comparable impotency and ineffectiveness where controversial issues of great principle and great danger are involved? I hope not. Higher wisdom and the national interest forbid such improvident and perilous action.

Alexander Hamilton, writing in the Federalist, stated:

> * * * There are particular moments in public affairs, when the people stimulated by some irregular passion, or some illicit advantage, or misled by the artful misrepresentations of interested men, may call for measures which they themselves will afterwards be the most ready to lament and condemn. In these critical moments, how salutary will be the interference of some temperate and respectable body of citizens, in order to check the misguided career, and to suspend the blow meditated by the people against themselves, until reason, justice, and truth can regain their authority over the public mind.

Mr. President, it is a matter of record that the great and historic tradition of freedom of debate in the Senate has met with the approval of the American people and with the great majority of those who have served in this body since its inception. It is of compelling significance, I believe, that from 1806 to 1917, a period of 111 years, the Senate functioned without any rule of limitation upon debate. Was our Government destroyed, in that more than a century because of lack of such a limitation? Was it unable to function effectively? Did our Nation fail to grow and prosper during that period? The answer is obvious. The Nation grew and prospered to the extent that it became the richest, the most powerful, and the greatest nation on earth. Its rapid growth and the attainment of such great wealth and power were enhanced—not hampered—by freedom of speech and unlimited debate in the Senate for causes that represented the interest of minorities and the individual.

It was not until 1917, when we were deeply involved in the pressures and tribulations attendant upon our involvement in the First World War, that the first cloture rule was adopted by the U.S. Senate. The CONGRESSIONAL RECORD of March 8, of that year, shows that a resolution—Senate Resolution 5—containing the rule was presented by Senator Martin, of Virginia, then the majority leader, who obtained unanimous consent for its immediate consideration. It was offered by Senator Martin as a "war measure" and after debate at length, was adopted by a vote of 76 to 3. That rule required the votes of two-thirds of the Senators present and voting to invoke cloture.

In 1948, President pro tempore Arthur H. Vandenberg, a Senator from Michigan, issued a ruling holding that the words "pending measure" in rule XXII applied only to bills and resolutions and not to motions. The import of the ruling was to declare that debate on a motion to take up a bill or resolution was not subject to the cloture rule under any circumstances.

In 1949—and, Mr. President, this is one of the compromises we have made in the past—the Senate amended rule XXII to make its cloture provision applicable not only to any "pending measure" but to "any measure, motion, or other matter pending before the Senate." In addition, the provision requiring a vote of "two-thirds of those voting" was changed to "two-thirds of the Senators duly chosen and sworn."

Although the two-thirds vote requirement to close off debate was strengthened, the amendment also, and most unfortunately, extended the vicious threat of "gag rule" over every aspect of the Senate's proceedings.

Still, the opponents of freedom of debate were not satisfied. In 1959, a further amendment was made in the rule reducing the vote requirement on cloture to two-thirds of those present and voting. Any further weakening of rule XXII will have the inevitable effect of opening the floodgates for an overwhelming volume of rash and iniquitous legislation which could well spell the end of constitutional government in this Nation.

Any further erosion of the right of free debate in the Senate will eventually and inevitably lead to cloture by a bare majority of those present and voting.

That is the goal, Mr. President. We could compromise today on three-fifths, and amend the rule accordingly. But that would not be the end. It would merely be another concession, weakening the strength of those who believe in free and unlimited debate.

It would mean the end of thorough deliberation and careful consideration of the important business of the Senate. It would transform the Senate into a mere appendage of the House of Representatives. It will be a sad day for this Nation, if that result is ever allowed to happen. Let us heed the words of a former member of the Senate Committee on Rules and Administration, Senator James D. Phelan, of California:

> The Senate rules serve by arresting hasty action. Members of the House have appealed to me to save the power of the Senate on which the Members of the House themselves so often rely. On it the country relies to have time to deliberate and, if necessary, protest.

Mr. President, how often is it that some measure of great importance comes up in the Senate, where we ourselves, right at the very heart and sources of information, and privileged in conversation to hear the most persuasive and profound arguments on either side of an issue, have great difficulty in making a decision as to what is right or best for our country?

Then, Mr. President, how much more important is it to permit freedom of debate of sufficient length that the people in the country may have an opportunity to become informed and thus form sound judgments, so that they may acquaint their representatives in the Senate with their views, and that their representatives may have an opportunity to protest when it is felt that great danger threatens.

Senator Phelan said further:

> Men are carried away by passion, heat, and rancor, and they enact laws thoughtlessly, again they enact laws ignorantly. Debate restrains passion; debate restrains heat; debate restrains rancor and at the same time debate commands deliberation. Therefore, I oppose the arbitrary rule and stand for the power and dignity of the Senate which has served this country so well * * *.

Before we take those fatal steps which will inevitably lead to the establishment of the gag rule in the Senate of the United States, let us contemplate the warning spoken by the late James A. Reed of Missouri, a veteran statesman and former Member of the Senate, who said:

> Cloture means the granting of a power.

This is what our Founding Fathers knew, Mr. President.

Senator Reed said:

> Cloture means the granting of a power. Whenever you grant a power you must assume that it will be exercised. So, when we discuss this proposed rule, we must do so in the light, not of how it can be exercised so as to do no harm, but we must consider how it may be exercised to do harm.
>
> I need not pause to add to the argument already made, that when it is proposed to

> bring in a measure involving the expenditure of vast sums of money, if it is a bill for the collection of taxes from the entire country, affecting intimately the industries of the country, an hours debate upon such a bill is utterly insufficient, utterly inadequate and that a rule limiting debate to one hour would mean the end of debate. The truth is that this measure, if adopted, will empower a majority to throttle freedom of speech upon this floor and enable sinister and wicked measures to be carried to consummation without the country being advised of the iniquities they bear.
>
> Gag rule is the last resort of the legislative scoundrel. Gag rule is the surest device of the rascal who presides over a political convention and proposes to accomplish something which will not bear discussion. Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and, if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.
>
> As long as we can keep this forum free, as long as a vigorous and determined minority can prevent the passage of a statute, so long this country will be safe, reasonably safe at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.
>
> But strike down this safeguard of public discussion, apply the gag, and imagine, if you please, that it is to be applied only to pass good measures, only to accomplish the virtuous and the wise and the holy, only to bring the thing of rectitude; imagine that, if you please. He is a fool, he is every kind of a fool, that has ever cursed this earth or cursed himself, who thinks that any power will always be used wisely and justly. Power is almost invariably abused. (Senate Committee on Rules and Administration. Report. April 3, 1947, pp. 8–10).

Mr. President, it is interesting, in the light of the clamor of those who attack rule XXII as an intolerable obstacle to the enactment of legislation, and as an infringement of majority rights, to look at the record.

Mr. President, I think this ought to have some persuasion with people who have at least an open mind and who are willing to be influenced by facts and experience.

That record discloses that between 1917 and 1963, a period extending over almost a half century, a total of 28 cloture votes were taken. In 17 of those votes, those who were attempting to bring an end to the debate, not only failed to receive the necessary two-thirds support for their cloture motion, but they also failed to receive the support of even a majority of the Members of the Senate. Indeed, they failed in 11 attempts at cloture, to receive the support of even a majority of those present and voting. Thus, it can hardly be said that the majority of Senators has been greatly frustrated by rule XXII when, in the great proportion of the cloture votes taken, a majority has clearly not been in favor of cutting off debate.

That record is significant, I think, for another reason. It demonstrates, I believe, that generally, throughout the history of the Senate, there has existed among the greater proportion of its membership, the same devotion to the right of freedom of expression that has always been traditional among the American people.

As to the contention that the rule permitting extended debate has imposed an intolerable obstacle in the path of the legislative process, we might well look again at the record. That record discloses that during its history, and particularly during the past 30 years, Congress has enacted a veritable flood of legislation. Indeed there is growing concern among students of government, judges, and lawyers that too much legislation is being enacted and that in the legislative process it has not been given the study or the careful deliberation which the public interest demands.

Mr. President, I refer again to the message from the leadership of the Senate, the distinguished majority leader [Mr. MANSFIELD] who informed the Senate when we came into session earlier this month that a great deal of oversight work is needed to evaluate properly and to correct legislation that has been enacted hastily and without full study, thorough study, or careful deliberation. Legislation, poorly drafted, ill considered, and hastily enacted, crowds our statute books, and it is bad legislation, whatever its intent and purpose may have been declared to be by its sponsors.

Not long ago, a favorite argument advanced by those who advocate a further erosion of the right to freedom of debate on the floor of the Senate was that no civil rights legislation could be enacted so long as rule XXII remained in force. Yet the past several years have witnessed a flood of so-called civil rights legislation. Much of that massive volume of legislation was so ill conceived, so ineptly drafted, and so little studied and deliberated upon by its proponents that a multiplicity of serious constitutional questions are posed by both its substantive and procedural provisions.

As one contemplates the awesome mass of poorly drafted and ill-considered legislation now on the Federal statute books, it becomes almost inconceivable that anyone would wish to facilitate the enactment of more of the same by eliminating freedom of debate in the Senate. Such legislation lends weight to the words of Arthur Wallace Dunn, which appeared in The American Review of Reviews in December 1925. Writing in defense of the filibuster, he said, in part:

> Filibustering in the Senate has been too infrequent for the public good. If a determined minority of sane and conservative Senators had more often exercised the privilege of unlimited debate to defeat measures sponsored by a majority, the country would be better off and there would have been less iniquitous and unenforceable legislation on the statute books. Majorities for bad legislation are often obtained by clamorous organizations and noisy propaganda.

As an excellent example of what Mr. Dunn was referring to, I cite the bill to repeal section 14(b) of the Taft-Hartley Act, which was defeated in the last Congress by extended debate. As I recall, the effort to invoke cloture did not even receive a majority of the votes of Senators present and voting, or a majority of the votes of the Members of the Senate. That bill, which apparently had the support of a majority of Senators, was, according to the opinion polls, vigorously opposed by the overwhelming majority of the American people. Yet, the minority were able to convince even Members who favored the repeal of that measure that it was unwise to stifle debate. The country was interested. Members heard from their people back home. And they were unwilling to shut off debate. Yet, but for the determined resistance of a minority of Senators and their successful efforts in exposing its evils in the course of extended debate, that bill would today be on the Federal statute books.

I now resume quoting from the article by Mr. Dunn, in which he said:

> Filibusters never have defeated nor can they defeat a measure which the people want. In the very nature of things filibusters must fail when directed against bills which have been decreed as essential.
>
> * * * The filibuster has proved itself of too much value to be sacrificed.

Another student of Government and political affairs, Mr. Lynn Haines, summed up the evils which would inevitably result if freedom of debate in the Senate were ever to be replaced by strict cloture. In an article published in "The Searchlight on Congress" in May 1925, and entitled "The ABC's of Cloture for the Senate," he said:

> Instead of curing minority influence . . . cloture (that is, the strict variety, such as that which prevails in the House of Representatives) would establish a regime of "leadership" so small in number that it could hardly be called a minority. The result would be a little coterie of bosses, with absolute dominance in every direction.
>
> Of course, under cloture, filibustering would be stopped. So would all real deliberation be destroyed, utterly and inevitably . . .
>
> Cloture always has, and always will, mean just that—absolute and arbitrary bossism in the hands of the smallest possible number.
>
> And invariably the real dominance would originate with "the powers that be" in executive circles.
>
> All legislative independence would disappear in exact accordance with the diminishment of deliberation. There would be a machine; it would be an administration machine. The power of the legislative bosses would be a puppet, pawnish power, having its source in and about the presidency.
>
> The "one or two Senators to be seen" about legislation would be all-powerful because of their relations with the White House.
>
> The mechanics of it are exceedingly simple.
>
> Cloture is the foundation of machine rule. With that foundation established, one or two or three bosses can easily attain and exercise supremacy. They can accomplish the most arbitrary minority rule.
>
> The party caucus can be used, employing the vicious principle of control through a majority of a majority, which means a minority of the whole membership.
>
> A dozen different kinds of coercion are available. The "leaders" are in a position "to take care of" subservient members with local legislation; patronage favors would abound for those who proved "faithful."
>
> The ABC of Cloture, then, means Absolute Boss Control of the National Legislature, through a machine manipulated from the outside by such political or economic interests as may be dominant in the administrative field.
>
> Were that to be accomplished, which it will not be, our whole structure of representative government would be weakened, perhaps irreparably. ("The ABC of Cloture for the Senate," *The Searchlight on Congress*, May 1925, p. 6.)

President Woodrow Wilson made a powerful and persuasive statement in behalf of the necessity for freedom of debate in the Senate when he wrote the following:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agencies of the Government, the country must be helpless to learn how it is being served and unless Congress both scrutinizes these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct.
>
> The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration, is the only pure and efficient administration, but more than that, that the only really self-governing people is that people which discusses and interrogates its administration.

Mr. President, every piece of legislation enacted by Congress becomes the law of the land for every man, woman, and child in the Nation. It can have tremendous impact upon their rights, their property, their liberty—yes, upon every facet of their daily lives. That impact can be for better or for worse, for good or for evil. Before any law is enacted it should somewhere be subject to free and extensive debate, to careful study and deliberation. The consequences of its enactment should be discussed freely, openly, and at length so that the people may be fully informed and given every opportunity to voice their protest before it is too late.

The Senate of the United States remains today—and when this issue shall have been settled in this session of Congress, I hope that it will remain so tomorrow—as the one forum in our Federal Government where such open discussion and debate on proposed legislation is still possible. Here, and here alone, each of the 50 States of the Union and their respective constituencies can speak freely and at length, through their representatives, on legislation and issues which they may consider vital to their well-being, to their rights, and to their liberty.

Mr. President, during the past several sessions Congress has enacted a veritable flood of legislation embracing virtually every aspect of human endeavor from headstart to medicare. Many of these programs were meritorious, and I supported them.

Others that I did not support might better have been defeated or left on the drawing board. I am confident, however, that even the most ardent supporters of these new programs would have preferred to have more time in which to review and revamp the proposals before enacting them.

Indeed, so great is the concern over the hasty action taken in the enactment of many of these during the past several years that Congress is now urged to devote the major portion of its time in this session to oversight activities, in an effort to determine the workability, or even the desirability, of many of them.

So it is apparent that hasty action is often possible under rule XXII, even as it is presently written. If further weakened, rule XXII will not only allow, but will undoubtedly precipitate, efforts to push more and more legislation through the Senate at an even faster pace than we witnessed in recent sessions of Congress.

Mr. President, the Senate is a deliberative body—not a mill—and we should preserve every procedural safeguard needed to maintain its effectiveness as a deliberate, legislative tribunal. To do this we must retain the protection afforded by rule XXII.

The U.S. Senate is the greatest lawmaking body in the world. We can keep or lose its power and prestige. The choice and responsibility is ours. We certainly have the duty to preserve and to perpetuate its greatness. The pending proposal would destroy it. I hope we have the wisdom and the courage to defeat any resolution that would weaken rule XXII, and thus prevent the iniquitous consequences it would inflict.

Mr. BYRD of Virginia and Mr. PROXMIRE addressed the Chair.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield for a question.

Mr. BYRD of Virginia. Mr. President, I wish to congratulate the Senator from Arkansas [Mr. McCLELLAN] on his masterful presentation. I do wish that millions of Americans could have heard his scholarly and, to my mind, very able address on the question before the Senate today.

In recalling the Senator's speech, it seems to me it makes clear that the question of freedom of debate in the Senate is not one dealing with civil rights legislation, it is not a question of liberal versus conservative, it is not a question of management versus liberal; rather it is a question of whether Senators representing what at one time might be a minority point of view shall have the opportunity to fully present their case.

I was interested in the names which the Senator mentioned. They were great Senators many years ago. Senator La Follette, from the State of Wisconsin, was one of the great liberals of all time. Senator Hiram Johnson, of California, was one of the great liberals of the United States. Senator Norris, of Nebraska, was a liberal who was not fearful of being in the minority.

I remember hearing Senator Norris make a speech at one time in which he related that after having taken the minority view in the Senate as to whether the United States should go to war, when he returned to his home in Nebraska his close friends would cross the street to keep from speaking to him, so unpopular was the cause he represented.

He was one of the defenders of the right of debate. If one will look back a generation in the history of the Senate, just as the Senator from Arkansas [Mr. McCLELLAN] brought out a short while ago, it was the great liberal Senators of those days who were trying to protect the rights of the minority. Perhaps it is by some coincidence that the first limitation came under the leadership of a conservative Senator who was one of my predecessors from the great State of Virginia, Senator Martin, as I am sure the Senator from Arkansas remembers.

Mr. McCLELLAN. The Senator will recall that that limitation was imposed in the stress of war, when we had to give up some liberties.

Mr. BYRD of Virginia. That was in the stress of war, when it was necessary to give up some liberties that should not be given up at any other time.

However, the point I am suggesting is that while a generation ago it was the liberal Senators who were arguing the viewpoint that the conservative Senators are arguing today, and as the Senator from Arkansas has so ably argued, I submit that a generation from now it probably will not be the conservative Senators arguing this point of view but the liberal Senators standing here, whoever they may be, arguing exactly the same position that the distinguished Senator from Arkansas has just argued.

I was impressed with another sentence in the speech of the Senator from Arkansas, in which he said that under rule XXII a minority can obstruct or delay legislation. He pointed out the alternative, which is that a majority may oppress the minortiy. It seems to me that that is the issue which faces the Senate and the American people.

There is no perfect alternative in either case, but each of us must choose the least harmful and the least undesirable in the long run.

Mr. President, I am glad to take my place alongside the distinguished Senator from Arkansas [Mr. McCLELLAN].

Mr. McCLELLAN. I thank the distinguished Senator from Virginia [Mr. BYRD]. I agree with him that the real issue, the basic and fundamental issue, involved in this controversy is freedom versus oppression, and liberty versus tyranny. I believe in liberty and freedom.

RULE 22 PERMITS TYRANNY BY SENATORS REPRESENTING ONE-NINTH OF COUNTRY

Mr. PROXMIRE. Mr. President, this debate involves a number of things but, in my judgment, it does not involve freedom of debate. Except that the Kuchel amendment would not limit but would extend it. Anyone who reads the Kuchel resolution must recognize that the time for debate which will be permitted under the Kuchel resolution will be ample for the exposition of any kind of argument—as I am going to set forth.

The Kuchel resolution is only two and a half pages long and makes it clear—as I can document—that conservatively for 60 days, and I think usually for as much as 100 days, time will be available for those who want to discuss any issue that they wish, if the Kuchel proposal for majority cloture should pass.

Mr. President, this week, we are engaged in yet another attempt to change Senate rule XXII so that a majority of the Senate can work its will. Seven times in the past 14 years an ever increasing group of Senators has attempted, without success, to incorporate into the Senate rules the principle of majority rather than minority government.

In recent years, the argument has not revolved around the proposition that a majority should be able to limit debate on a substantive issue. Rather, the question has been debated, ad infinitum, as to whether a majority of the Senate should be able to change the procedural rules under which this great body operates.

Now there are certain substantive decisions of such importance that the Constitution specifically requires that they be decided by a two-thirds vote of the Senate or of the Congress. As we all know, the Senate must ratify treaties between our country and other sovereign nations by a two-thirds vote. Few, if any, of us would argue that these documents of international law, binding this Nation, as they do, to worldwide commitments should be approved by a mere majority of the Senate.

Of course, constitutional amendments must receive the approval of two-thirds of both Houses. Again, few would argue that this is an onerous requirement in view of the fact that we are dealing with the foundation of our democratic system of government controlling the State-Federal relationship.

Bills vetoed by the President must be then approved by two-thirds of the House and the Senate, if they are to become law. Here again, we are dealing with a cornerstone of our democratic system—the balance between the legislative and the executive branches of our Government. Most of us accept the wisdom of this attempt to preserve the balance.

Can we convincingly argue that the Senate rules also carry this momentous burden of importance? They are tools to expedite the effective and efficient operation of the Senate. They affect neither our relationships to foreign nations, the executive branch, nor the States.

Now let us look at the argument itself. It frankly reminds me of the question "Which comes first—the chicken or the egg?" Our opponents tell us that rule XXII prevents us from cutting off debate on substantive issues by majority vote. We want to change rule XXII. But we cannot change rule XXII because, they would have us believe, it also prevents us from cutting off debate on procedural issues by majority vote. Thus rule XXII prevents a majority of Senators from deciding whether they want to change rule XXII.

In effect we are told that the rules cannot be changed except by two-thirds of the Senate. For two-thirds of the Senate must vote to cut off debate before a vote can be taken on a rule change.

Logically this makes no sense. In terms of the democratic principles upon which our Government was founded, it makes no sense. It means, in effect, that Senators representing less than 12 percent of the people in the United States can block a rules change.

This proposition may sound startling but it is true. Less than one-sixth of the population elects a majority of the Senate. Two-thirds of this minority can block a rules change according to our opponents. Two-thirds of one-sixth is one-ninth, or less than 12 percent.

Can our colleagues arguing for minority rights argue away the fact that they receive remarkable protection in the Senate when representatives of less than one-sixth of the people can defeat a measure? Are we not simply playing with numbers in a very dubious way when we say that minority rights are not adequately protected unless the minority is one-ninth rather than one-sixth?

Mr. President, at this point, I should like to refer to a statement by a man who in past years has played the key role in the battle for majority rule but who, unfortunately, is not with us today. Paul Douglas made a stirring appeal for majority vote in a statement supporting his majority cloture resolution before the Senate Rules Committee on February 23, 1965. He was testifying at that time on a resolution—Senate Resolution 8—quite similar to Senator KUCHEL's proposal, save that the Kuchel proposal allows 20 rather than 15 days for debate after a cloture petition has been filed and thus permits even more debate than the Douglas resolution would have provided.

Twenty days will be allowed on the motion to take up as well as the substantive vote on the matter itself which means that the resolution will allow 40 days—as I will show—and the number of days will be a great deal more than that because of the subsequent provisions in the resolution. At any rate, it would permit even more debate than the Douglas resolution would have provided.

Here is what former Senator Douglas said at that time:

> In my opinion, it is high time for this principle, of full consideration but ultimate majority action, to replace the current provision for minority rule through the filibuster and the threat of filibuster.
>
> The change in rule XXII which we propose does full justice to the principle of full debate in the Senate. As one of the sponsors of this resolution, I wish to have it very clear that no Senator respects more highly than I do the tradition of thorough debate in the Senate with every Senator having the right to be heard. But I also believe that the filibuster—which correctly defined is prolonged discussion and other delaying tactics intended to prevent a vote—mocks the Senate, its tradition, and the Constitution of the United States.

Mr. President, I think that we can all stipulate to the agreement that we should have nothing that would stop full and free debate in the Senate in order that every Senator will have a reasonable opportunity to express himself to the fullest.

It seems to those of us who support majority cloture that there is no conflict between that of permitting a majority of Senators ultimately, after there has been extensive discussion—prolonged discussion, day after day, week after week, perhaps for months—that there must come a time when the majority should have the opportunity to come to a vote. This is what we are contending for. The argument that under the proposed resolution Senators would not be able to stand up in this body and speak their minds fully is wrong. It is absolutely wrong.

Continuing to read from Senator Douglas' statement:

> There is a very real distinction between a filibuster; namely, an interminable discussion of a bill or motion in order to prevent a vote from ever being taken on it, and an extended debate for the limited purpose of alerting our colleagues and the people to the dangers which hasty action would conceal. Some of us who have always supported curbing the filibuster, have on occasion been accused of filibustering ourselves. Some of us have spoken on length on some matters. In 1954, I spoke for 3 days against the offshore oil bill and, in 1956, for 4 days against the natural gas bill.

I might point out that I spoke, I think it was, for 7 days against the Chicago water diversion bill, in opposition to former Senator Douglas. We have been using these rules ourselves.

Senator Douglas continued:

> In company with associates, we kept up the debates in each case for about a month, but voting did come eventually. Our purpose was to dramatize our case, to alert the people, and to convince our colleagues; but it was not to forever prevent the vote so that the Senate would give up and go on to other things.
>
> Incidentally, in the case of the offshore oil bill, the debate was successful in getting the sponsors of that giveaway measure to relinquish the claims of the States over the Outer Continental Shelf, beyond the 3 mile and 3 league limit.

Mr. HOLLAND. Mr. President, will the Senator from Wisconsin yield at that point?

Mr. PROXMIRE. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I would not want the Senator to leave in the record any intimation that the advocates of the tidelands bill, or most of them, favored giving the Outer Continental Shelf to the States.

The Senator from Florida very effectively stood up against that position on more occasions than one in the Senate. I believe that the Senator from Florida was considered as the leading sponsor of that measure. Always, on every occasion, the Senator from Florida strongly took the position that when we got beyond the limit or boundary of the States, the Federal Government and not the States should own any property rights that existed there out to the Continental Shelf.

Thus, I would not want the distinguished Senator from Wisconsin to either proceed under the misapprehension or to unconsciously leave in the record any statement which reflected any other position on the part of the Senator from Florida, and many other supporters of the tidelands bill, than to help Congress work out the Outer Continental Shelf problem for the Nation and for the Nation's benefit, since that had been our position always, and we cooperated actively to that end. I thank the Senator.

Mr. PROXMIRE. I thank the distinguished Senator from Florida. I am sure that was his position. It was my understanding and that of Senator Douglas that there were a number of Members of the Senate from a number of States who wanted the shelf to be extended to the full 10-mile limit. It is also my understanding that most of the oil that has been found is beyond the 3 miles. Revenues to the United States amount to $300 million a year because of the provision that was worked out. I am not saying that the Senator from Florida and other Senators on his side did not take the same position the Senator from Illinois did, but I am saying this was one agreement that was hammered out on the basis of the debate.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. PROXMIRE. I am happy to yield to the Senator from Florida.

Mr. HOLLAND. I wish the Senator would consult the RECORD and refresh his memory, because he will find, in 1952, in the debate on the Senate floor, when one Senator representing the State of Texas, and acting under the mandate of the legislature of that State, proposed that States' property rights should go out to the Continental Shelf, the Senator from Florida, instead, proposed the other theory, that only the areas out to the States' limits should go to the States. By a tremendous margin—the Senator from Florida does not remember the exact majority—the Senate overwhelmingly rejected the position of the Senator from Texas.

The Senator from Florida has no criticism of that position of the Senator from Texas, because he was acting under a mandate of the legislature from his State. But if the Senator from Wisconsin will go back and read the debate, he will see that the substitute offered by the Senator from Florida, and supported by nine out of 10 of the advocates of the tidelands bill, prevailed by a heavy vote over the proposal that States be able to claim property rights clear out to the Continental Shelf.

Mr. PROXMIRE. I am sure that the Senator is right in his recollection. I only say that the course of that debate did convince Senators from States which were not directly involved and who did not have any firm positions that the Federal Government should be entitled to revenues from land beyond the 3-mile limit.

The question of who is for full Senate debate to influence a vote and who, on the other hand, is for prolonged debate to prevent a vote will be settled tomorrow when this comes before the Senate. Support for a change in the rules to guarantee full debate, but also to permit the Senate eventually to act, will be the proof of the pudding. That is the real test.

This resolution would permit limitation of debate by the majority of Senators duly chosen and sworn; namely, 51 of the full Senate membership of 100, not a majority of those voting, but a majority of those elected and sworn.

The present rules provided not a majority of Senators elected and sworn, but simply two-thirds of those present and voting. As pointed out, that could be, not 51 Senators, but as few as 34, although that would not happen under ordinary circumstances.

Furthermore, this particular resolution would permit debate of 20 days after a cloture motion was presented by 16 Senators.

The Senate resolution would, therefore, protect and preserve the tradition of full consideration of a measure in the following manner:

First, in any but extreme cases of national emergency, and during the final days of a session, there would normally be at least 3 weeks of debate—say, 18 days, exclusive of Sundays—before a cloture petition would be filed.

Second, following the filing of a motion to close debate, signed by 16 Senators, there would be 20 full calendar days, exclusive of Sundays, legal holidays, and nonsession days, before the vote would be taken on cloture.

Third, if a majority of Senators, duly chosen and sworn, decided in the affirmative, there would, thereafter, under the resolution, be an additional 100 hours of debate. If used at a rate of 8-hour sessions each day, this would permit another 12 days of debate.

This is on the motion to take up. Then this whole process would be repeated on the substance of the matter.

The rule would guarantee to each Senator, so requesting, a minimum total of 1 hour. That is the present provision.

The portion of the 100 hours, which would remain after those Senators who wished a minimum of a full hour had so applied, would be under the control of the majority leader and the minority leader, who would divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter.

This element of flexibility, as opposed to the rigid maximum of 1 hour per Senator which is nontransferable at present as provided in section 2 of rule XXII, would permit the managers of the bill, the leaders of the opposition, and authors of amendments more than an arbitrary 1 hour in which to deal with amendments or important questions. Full and proper consideration of a measure would be thus encouraged, but the opportunity for a majority of the Senate to insist on a vote would be assured.

Moreover, our resolution would further guarantee full consideration by permitting the sponsors of the cloture motion to specify additional time for debate on the motion. If some of the amendments pending, for example, appeared to require more time for consideration than the 100 hours would be likely to permit, additional time for debate could be specified in the cloture motion. Full consideration, but eventual opportunity to vote, is the principle of the Senate resolution.

The Senate resolution, therefore, would permit, in usual circumstances, about 50 days, or more than seven 6-day weeks of debate before the vote on the motion to take up.

Then another 50 days, or a total of 100 days, before the vote on final passage. Under the normal expectation, that would allow 100 days debate. I cannot recall any measure which has been debated that took 100 days, even under the present rule XXII.

Even if the usual 3 weeks or more of debate prior to the filing of cloture were omitted, as would probably be judged necessary in a national emergency, there would be a guarantee of 20 actual days of debate prior to the cloture vote and 100 hours, or some twelve 8-hour days, of debate prior to final passage after cloture was voted. The minimum guarantee, therefore, would be some 32 days of ordinary length, or, if around-the-clock sessions appeared necessary, something like a total of 24 days before cloture were put to a vote. On the motion to take up and 24 days before a vote on final passage or of total of 48 days minimum.

The tradition of full and free debate in the Senate is well protected, in my opinion, by a rule which permits one more than one-half of the Members of the Senate to finally bring a measure to a vote after 8 to 20 weeks of debate with never less than 8 weeks.

Our resolution cannot be justly opposed on the alleged grounds that it would be a gag rule. It is flexible. It is just to the minority and the majority.

These guarantees of extended debate do not necessarily encompass all the opportunities for prolonged consideration. The Senate is not the only House of the Congress. We are not the only pebble on the beach. The House of Representatives also must pass on a measure of law. So there is further or prior consideration by that body in the first instance.

Moreover, if the House and the Senate are not in identical agreement on the language of a measure, there must be further action by one House to recede in its disagreement with the other or a joint conference appointed to work out an agreement. The motions to agree to a House bill in place of the Senate's version or to request or agree to a conference are debatable. Further, while the motion to take up a conference report is not debatable, the motion to adopt a conference report is fully debatable. So these concluding parliamentary steps very substantially augment the opportunity for prolonged consideration in the Senate.

There was a filibuster conducted in the Senate in 1957 against the conference report on the civil rights bill that year.

A filibuster against the adoption of a conference report is always a real and influential possibility.

It will be noted that the Kuchel resolution would not replace the existing section 2 of rule XXII, which provides for cloture by the affirmative decisions of two-thirds of those Senators present and voting 2 days after 16 Senators file a cloture petition. The use of this provision for nearly immediate cloture by two-thirds of the Senators may well be necessary in a national emergency or in the final hours of a session. But like the motion to table—which can be used to cut off the minority, and was so used during the debate on the Telstar bill in 1963—it will, I would hope, be used sparingly. This resolution would leave section 2 untouched, insert a new section numbered 3 providing as I have described, and renumber the present section 3 as section 4.

While the proposed new section and the present section have some of the same ancillary provisions to make the rule effective in the end, the present provision for cloture, in fact, is more violative of the rights of a Senate minority to full and fair consideration than is the rule we propose. We would guarantee to any minority of less than one-half the Senate—even to a half dozen Senators—about 8 weeks of debate in usual circumstances; or around 20 days on the motion to take up—actually more than 20 days, close to 30, because of the 100 hours, which allows flexibility—and again the same amount on the main motion, even in the most pressing circumstances. But the existing rule permits the overriding of a small minority by the big majority of two-thirds which can limit debate to as little as 3 days. Section 2, as Senators know, provides that the vote on cloture takes place on the next calendar day but one following the filing of the cloture motion by 16 Senators, and strictly limits each Senator to a maximum of 1 hour under cloture. Thus, the present rule may permit the small minority as little as 2 days of debate prior to a cloture vote and only a few hours thereafter, depending upon the size of the minority.

Mr. President, I think one could make a very strong case that in terms strictly of debate in the Senate, an opportunity for a minority number of Senators to state their case, a chance to debate fully and freely, that this resolution would be an improvement, would be an extension of free debate, would provide for more debate, not less. Just in the last couple of years, there have been cloture petitions filed rather peremptorily, as I have pointed out, to provide only 2 days of debate, and then, after cloture is invoked, only 1 hour for each Senator; and there is no flexibility allowed. Only the Senators willing to stand up and fight at that point—and there are usually very few—can speak, and they can only speak an hour.

This flexibility, it would seem to me, provides for a greatly improved opportunity for free and full debate; but it does so by also providing for eventual majority rule. A majority of Senators would then be in a position to vote, and could not be frustrated from eventually coming to a vote.

The point is that the addition to rule XXII of the provisions of the Kuchel resolution cannot be justly opposed on the grounds that they would unfairly limit the right of a minority to engage in full consideration of a measure; as a matter of fact, paraphrasing Warren Hastings, I would say that I am astonished at our own moderation in this matter. It does permit an extraordinary amount of discussion. But the fact that debate eventually can be closed by majority vote will mean that the temptation to capricious delay will be greatly diminished.

The prospect of ultimate cloture will, therefore, have some restraining influence.

The provisions of the resolution can only be opposed on the grounds or belief that it is a right of a minority in the Senate to prevent the majority from acting. That is the issue: the right of the majority of Senators ultimately to act versus the present power of a minority, under the rules, to prevent the majority from ever acting.

All the exceptions, in fact, not withstanding, our Republic and our system of government is founded on the principle of equality of citizenship and of ultimate rule by the majority tempered by respect for the rights of the minority. That is the principle of the preamble of the Declaration of Independence.

A fundamental compromise to this principle, as well as a compromise in the practical or political sense, was agreed to by the framers of the Constitution. It was to give each State of the Union the equal representation of two Members in the Senate of the United States, absolutely regardless of the number of people in the State. Thus, today, the States with less than one-third of a million people have the same representation in the Senate as the States with 17 million people.

In 1960, the nine largest States—New York, California, Pennsylvania, Illinois, Ohio, Texas, Michigan, New Jersey, and Massachusetts—had 51.4 percent of the population. The population was 180 million. About 92 million lived in these States. But they have only 18 votes in the Senate or less than one-fifth of the total. They have over one-half of the people, but less than one-fifth of the votes in the Senate.

I think we ought to make it clear that we are not proposing to change that, and would not change it; but it is a matter to consider when we talk about majority rule and the majority having an opportunity to bring debate to a close.

LESS THAN ONE-SIXTH OF THE POPULATION ELECTS A MAJORITY OF THE SENATE

I think it is fair to point out that because of this compromise less than one-sixth of the Nation's population already controls a majority of the votes in the Senate. We not only have minority rights, but we have minority rule—a small minority of the people can rule the Senate.

There is no justifiable further minority right, therefore, for an even smaller proportion of the population, a minority of this minority, to possess a veto over the Senate—and in actuality over the product of the entire Congress—through an even more discriminatory rule of procedure.

The sponsors are willing to live with the unalterable provision of the Constitution which places control of majority action in the Senate in the hands of 16 percent of the population, and as years go by, very likely, in an ever-decreasing percentage of all the people.

While a number of rules and traditions, in addition to the constitutional provision, have perpetuated this domination by the small States, it is chiefly made possible by the power under rule XXII of one more than a third of the Senate to forever prevent the majority from acting.

What the Senate in effect has done in rule XXII is to conform to John C. Calhoun's theory of concurrent majorities under which a national majority in the Congress would not be permitted to pass legislation without the agreement of a majority in each and every section of the country. Calhoun's theory was never accepted, and the Civil War permanently rejected any claim that this theory is compatible with our Federal Republic.

Calhoun, despite the virtues which he might have had, was the open defender of slavery and inequality, and he wanted the rules of the Federal Government so arranged that slavery and inequality could not be eliminated against the will of any one section of the country.

The process of the Civil War, and the blood of hundreds of thousands of men, rejected this theory. But by a strange quirk of fate, it lingers on and finds its chief fortification in rule XXII.

Mr. President, finally, it would be a serious mistake to assume that because we were successful in voting cloture on the Civil Rights Act of 1964, because that act is now on the books, that there is no need to modify rule XXII. First, we should recall that under the threat of a filibuster, action on any comprehensive civil rights bill was in fact delayed for decades. Second, the difficulty of overcoming a filibuster delayed for a year or more action on the civil rights proposals of President Kennedy. Third, the filibuster caused nearly 4 months of further extended delay in the Senate even after the bill came over from the House: The bill was received and put on the Senate calendar on February 26; the motion to take up was made on March 9 and debated until March 26; and the filibuster on the bill delayed Senate passage until June 17. Let there be no misunderstanding that cloture on this act was achieved only because of a remarkable combination or concatenation of factors which included the skilled and vigorous leadership of President Johnson, the moral indignation or uneasy conscience of the vast majority of the people sharpened by the assassination of President Kennedy, the educational efforts to dethrone the filibuster and pass civil rights legislation which were made over the years, and finally and not least, the vigorous yet responsible and restrained leadership in the Negro community.

This combination of forces or one of similar weight is unusual and short lived. But the majority in the Senate must not be forced by the filibuster to again wait decades before it can act on urgent proposals. The filibuster was forced into temporary retreat, but it still guards the legislative gate.

And the shadow of the filibuster still rests heavily over the Senate Chamber.

Mr. President, this resolution is a modest resolution. It has been called that even by those who overlooked the application of the filibuster, or rather of delayed and extended debate on the motion to take up. It would permit, as I have said and documented, at least 48 days of debate—under the most stringent circumstances and probably 100 days of debate—under ordinary circumstances.

The resolution would provide flexibility of a kind which we do not now have.

Actually, I think that any fair and objective analysis of the resolution would show that from the standpoint of freedom of debate and debating a measure at length the resolution would provide improvements. However, what it does provide in addition to that, is a clear opportunity for the majority to end debate and to have a vote eventually.

The resolution would prevent a minority of the Senate from stopping legislation from coming to a vote before the Senate forever.

Mr. President, I yield the floor.

Mr. ELLENDER. Mr. President, I regret that all Senators were not present when the distinguished Senator from Arkansas [Mr. McClellan] made his presentation a while ago. I do hope that they will read his speech in the RECORD. I can assure them it was an outstanding analysis of the issue.

Mr. President, much of what has happened in the Senate in respect to a change in the rules has taken place while I have been a Senator. I have been in the Senate now for more than 30 years.

Rule XXII, as it now appears in the standing rules, was adopted, as the distinguished Senator from Arkansas said, as a war measure in 1917. Prior to that time there was no provision for cloture at all.

That rule was not changed in subsequent years to any great degree except that in later years, the rule was strengthened so that, instead of providing that two-thirds of those duly chosen and sworn would be necessary, it would be necessary to have two-thirds of those present and voting to invoke cloture and terminate debate.

Mr. President, in addition to that, the rules were further tightened by the adoption of a new rule that makes it impossible to obtain cloture on a motion to change the rule.

Since the strengthening of the rules, I do not know of a session of the Congress in which the so-called liberal element of the Senate has not made efforts to change the rule so as to make it possible for debate to be closed by a majority of the Senators instead of the present requirement of two-thirds of the Senators.

The Senate has been confronted for the past 16 years, at least, at every opening of a new Congress with the same sort of resolutions to change or modify this rule. Some of us have fortunately been able to prevent this type of modification.

Mr. President, I do not know of a legitimate measure that has even been presented to Congress that was actually defeated because of the cloture rule. I do not know of any serious effort made by those who oppose a change in rule XXII to use the cloture procedure to prevent the enactment of what I would consider to be legitimate laws.

It is wrong for the Senate to change the rule now so that almost any measure, however ill considered, could be passed by a majority vote. Insofar as I am concerned, I shall oppose any change in rule XXII.

In the course of the last several years changes were made in the rules and those who proposed the changes would offer compromises which were accepted by those of us who opposed a change. As an example, during the course of the last change in rule XXII, the change from two-thirds of those duly chosen and sworn to two-thirds of those present and voting a provision was placed in the rules which I should like to read, and to which I invite the attention of my good friend, the Senator from Wisconsin, who just spoke.

Rule XXXII provides:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

From time to time the proponents of a change in the rules have been able to nibble away at the original rules that were enacted and in 1959 it was changed to provide that two-thirds of those present and voting could achieve gag rule.

Every time efforts were made by the proponents of these changes, the opponents gave in, little by little. It is my belief that we have gone far enough and that the rule should remain as it is at present.

I know of many bills that were presented to the Senate which, if enacted, would have, I am convinced, destroyed our way of life. In my opinion, it was the threat of a filibuster that prevented those ill-conceived proposals from even being considered.

Not long after World War II, a bill was introduced in the Senate which ostensibly was for the purpose of increasing the minimum wage. But in that bill was a provision which would have given the administrator of the law the authority to go into any business in the country—the business of any corporation, the business of any individual—and determine the grade level of the employees, without the consent of the employer. The bill provided in addition to a minimum wage, as I recall, of 65 cents per hour, that the administrator could go into any man's business, any corporation's business, and grade the employees, from the floor sweeper up. The administrator could have instituted two grades, three grades, five grades, or six grades, thereby increasing the wage, depending on the grade, without the consent of the employer. Quite obviously, contract rights of both labor and management would have gone out the window. Collective bargaining would have vanished.

During that session, another bill was introduced, known as the FEPC. We all are acquainted with that bill. That bill would have forced employers to hire people not of their choosing.

A third bill was introduced which provided that if private enterprise did not give employment to the unemployed, the government would have to do so.

Mr. President, if those three bills had been placed on the statute books of our country, private enterprise could have been kissed goodby. Black crepe might well have been hung on the doors of private enterprise. By the enactment of those bills, under which employers would have had to pay a wage fixed by a Government administrator, and then another government administrator would have required employers to employ people not of their own choosing, our free enterprise system would have gone by the wayside.

Fortunately, Mr. President, over the years we have had rules in the Senate to prevent the enactment of such legislation. I am proud that I was one Senator from the South who joined with others to prevent the change in these rules.

Mr. President, many arguments have been advanced as to why the rules should not be changed. Although no new additional arguments can be advanced, new examples of majority foolishness can be shown. I know that the subject has been covered thoroughly. But I simply wish to reiterate some of our reasons by way of emphasis, that have been made heretofore, and to read to the Senate some of the debates that took place when our Constitution was being hammered out, and to refer to some Supreme Court decisions which have been handed down on this very subject. It seems to me that these items should convince Senators that the Senate is a continuing body; that it does have rules that hold over from one Congress to another; and that under those rules there is no doubt that if the rules are to be changed, they should be abided by in order to effect a change.

Mr. President, as I stated earlier, compromises have taken place with respect to the rules of the Senate. Rule XXXII, section 2, which I have just read, and which was adopted in 1959, provides that the rules of the Senate shall continue from one Congress to the next Congress and I have no doubt that many of the Senators who are now attempting to change rule XXII, or who might vote to change it, voted for the very provision to which I have just referred. This demonstrates that no matter what we agree to, no matter what compromises are reached, some Senators always attempt, in Congress after Congress, to again change the rules.

So far as I am concerned, I believe that we have gone far enough.

Those who oppose complete freedom of debate are attempting to work their will upon the Senate by the novel argument that they are not governed by the Standing Rules of the Senate. They are saying in effect that the rules which have governed the U.S. Senate since its inception are no longer binding upon its present membership. They would in effect remake the Senate into just another House of Representatives. Every scrap of historical evidence, every custom and practice, every court decision and Senate precedent should convince any reasonable man that there is only one U.S. Senate and that it has had only one set of rules by which it conducts its business. It sets forth the procedure and the means for suspending and amending the rules of the Senate.

As recently as January 1963, Vice President Johnson ruled that it was the duty of the Senate itself to determine its own rules and not that of the Vice President. He, therefore, properly put a motion to close debate to the Senate for debate. If the Senate ever feels that some of its Members are abusing the right to unlimited debate, it can always terminate such debate by a vote of two-thirds of those present and voting.

If the so-called liberals who are now clamoring for majority rule were honest and sincere in their desire to have a responsive and democratic government, they would not be making this collateral attack upon the very legitimacy of the Senate itself. They would go out and recruit the necessary two-thirds votes in order to change the rules. But, no, they come into this Chamber denying that there are such rules by which they should abide. They do this in the name of democracy. Is majority rule the only form of democratic procedure? Obviously, it is not. Why do not the proponents of changing rule XXII abide by the rules of the game? They do not because they are no more democratic than the methods which they seek to employ in undermining the very stability of the Senate itself. The self-righteous proponents of this brand of "democracy" would do well to consider their methods before attempting to evade the democratic procedures which have existed in this body for nearly 200 years. I submit, gentlemen, that the U.S. Senate is not a goose which wakes up in a new world every 2 years.

There has never been any rule in the Senate which permitted a majority to close debate or compel a vote. Originally, prior to 1806, there was "the previous question," but it was not a form of cloture and was never used as such. It was certainly never intended as that and I believe that its lack of use as a cloture device is good evidence that that was not its purpose.

Every authority of any consequence concedes that the Senate is a continuing body, and as such its rules continue from one Congress to the next. I noted with much interest the brief submitted by the so-called liberals to nullify rule XXII. They are long on argument and short on authority. I must concede that those who prepared the brief in support of the changing of rule XXII were most articulate. The fact that they cite no authority whatever in support of the rash statements, and pin all their hopes upon the Vice President's previous predisposition is astounding. The proponents of the change in rule XXII stated in their brief that—

> In the last analysis our case against Rule XXII is not based wholly, or even principally upon the fact that it is obstructing legislation, as it has done innumerable times, and as it did in 1966; it is predicated upon a basic belief that it is inequitable for a minority to prevent the majority from working its will. A majority of the members of the Senate can vote to go to war; a majority can vote to draft our young men * * *.

It seems to me that anyone with even a limited knowledge of the American Constitution, with its separation of powers, and even the fragmentation of power within the various branches of government and its checks and balances could indicate a more sophisticated knowledge of our Government. The newspaper columnist, Joseph Alsop, in referring to another misguided person, stated:

> Ignorance, if not blissful, is at least complacent and eternally articulate.

The so-called liberals make the further statement that:

> Majority rule is the letter and spirit of our Constitution. It is both inequitable and undemocratic to retain a rule which allows a relentless minority to thwart the efforts of an elected majority.

If the "efforts of an elected majority" are so sacred, where does that leave the constitutional provision for the Presidential veto, or the power of the Supreme Court to overturn and nullify laws passed by the Congress? Majority rule is not provided for in every instance in the Constitution, nor should it be.

In order to get an insight into the intent of the Founding Fathers regarding this subject, I would like to quote briefly from two or three of the Federalist Papers:

In the Federalist No. 62, James Madison—or Alexander Hamilton—wrote:

> The necessity of a senate is not less indicated by the propensity of all single and numerous assemblies to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions. Examples on this subject might be cited without number; and from proceedings within the United States, as well as from the history of other nations. But a position that will not be contradicted, need not be proved. All that need be remarked is, that a body which is to correct this infirmity, ought itself to be free from it, and consequently ought to be less numerous. It ought, moreover, to possess great firmness and consequently ought to hold its authority by a tenure of considerable duration. * * *
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> The mutability in the public councils, arising from a rapid succession of new members, however qualified they may be, points out, in the strongest manner, the necessity of some stable institution in the government. Every new election in the states, is found to change one half of the representatives. From this change of men must proceed a change of opinion; and from a change of opinion, a change of measures. But a continual change even of good measures is inconsistent with every rule of prudence, and every prospect of success. The remark is verified in private life, and becomes more just as well as more important in national transactions. * * *
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> To trace the mischievous effects of a mutable government, would fill a volume, I will hint a few only, each of which will be perceived to be a source of innumerable others. "In the first place, it forfeits the respect and confidence of other nations, and all the advantages connected with national character. * * * The internal effects of a mutable policy are still more calamitous. It poisons the blessings of liberty itself. * * *"

In the next paper of the Federalist, No. 63 Madison or Hamilton wrote, as follows:

> Yet however requisite a sense of national character may be, it is evident that it can never be sufficiently possessed by a numerous and changeable body. It can only be found in a number so small that a sensible degree of the praise and blame of public measures may be the portion of each individual; or in an assembly so durably invested with public trust, that the pride and consequence of its members may be sensibly incorporated with the reputation and prosperity of the community. The half-yearly representatives of Rhode Island, would probably have been little affected in their deliberations on the iniquitous measures of that State, by arguments drawn from the light in which such measures would be viewed by foreign nations, or even by the sister states; whilst it can scarcely be doubted that if the concurrence of a select and stable body had been necessary, a regard to national character alone would have prevented the calamities which that misguided people is now laboring.
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> I add, as a sixth defect, the want in some important cases of a due responsibility of the government to the people, arising from that frequency of elections, which in other cases produces this responsibility. The remark will, perhaps, appear not only new, but paradoxical. It must nevertheless be acknowledged, when explained, to be as undeniable as it is important.
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> Responsibility, in order to be reasonable, must be limited to objects within the power of the responsible party; and in order to be effectual, must relate to the operation of that power, of which a ready and proper judgment can be formed by the constituents. The objects of government may be divided into two general classes: The one depending on measures which have singly an immediate and sensible operation; the other depending on a succession of well chosen and well connected measures, which have a gradual and perhaps unobserved operation. The importance of the latter description of the collective and permanent welfare of every country, needs no explanation. And yet it is evident, that an assembly elected for so short a term as to be unable to provide more than one or two links in a chain of measures, on which the general welfare may essentially depend, ought not to be answerable for the final result any more than a steward or a tenant, engaged for one year, could be justly made to answer for plans or improvement which could not be accomplished in less than half a dozen years. Nor is it possible for the people to estimate the share of influence which their annual assemblies may respectively have on events resulting from the mixed transactions of several years. It is sufficiently difficult, to preserve a personal responsibility in the members of a numerous body, for such acts of the body as have an immediate detached, and palpable operation on its constituents.
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> The proper remedy for this defect must be an additional body in the legislative department, which having sufficient permanency to provide for such objects as require continued attention, and a train of measures, may be justly and effectually answerable for the attainment of those objects.

In the Federalist No. 64, John Jay concerns himself with the Senate and treaty-making:

> Although the absolute necessity of system, in the conduct of any business, is universally known and acknowledged, yet the high importance of it in national affairs, has not yet become sufficiently impressed on the public mind. They who wish to commit the power under consideration to a popular assembly, composed of members constantly coming and going in quick succession, seem not to recollect, that such a body must necessarily be inadequate to the attainment of those great objects, which require to be steadily contemplated in all their relations and circumstances and which can only be approached and achieved by measures, which not only talents but also exact information and often much time, are necessary to concert and to execute. It was wise therefore, in convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them. The duration prescribed is such as will give them an opportunity of greatly extending their political information, and of rendering their accumulating experience more and more beneficial to their country. Nor has the convention discovered less prudence, in providing for the frequent elections of senators in such a way, as to obviate the inconvenience of periodically transferring those great affairs entirely to new men; for by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.

In the Federalist No. 59, Alexander Hamilton commented on the regulation of elections of both Senators and Representatives. He stated:

> It may be easily discerned also, that the national government would run a much greater risk, from a power in the state legislatures over the elections of its house of representatives, than from their power of appointment the members of its senate.

> The senators are to be chosen for the period of six years; there is to be a rotation, by which the seats of a third part of them are to be vacated, and replenished every two years; and no state is to be entitled to more than two senators; a quorum of the body, is to consist of sixteen members. The joint result of these circumstances would be, that a temporary combination of a few states, to intermit the appointment of senators could neither annul the existence, nor impair the activity of the body; and it is not from a general and permanent combination of the states that we can have anything to fear. The first might proceed from sinister designs in the leading members of a few of the state legislatures; the last would suppose a fixed and rooted disaffection in the great body of the people; which will either never exist at all or will, in all probability, proceed from an experience of the inaptitude of the general government to the advancement of their happiness in which event no good citizen could desire its continuance.
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> But with regard to the federal house of representatives, there is intended to be a general election of members once in two years. If the state legislatures were to be invested with an exclusive power of regulating these elections, every period of making them would be a delicate crisis in the national situation, which might issue in a dissolution of the union if the leaders of a few of the most important states should have entered into a previous conspiracy to prevent an election.

Mr. President, I believe that the excerpts which I have quoted from The Federalist Papers make it abundantly clear what the intent was of those who drafted our Constitution. The Senate as a continuing body is so well settled that James Brice in his famous work, "The American Commonwealth," put the issue in sharp focus when he wrote that the Senate "does not change all at once as do bodies created by a single popular election, but undergoes an increasing process of gradual change and renewal, like a lake into which streams bring fresh water to replace that which the issuing river carries out. This provision was designed to give the Senate that permanency of composition which might qualify it to conduct or control the foreign policy of the Nation."

The question of whether the Senate is a continuing body has been determined by the highest court in this country in the case of *McGrain* v. *Dougherty*, 273 U.S. 135 (1926). The United States Supreme Court dealt with the question of whether or not the Attorney General's brother could refuse to appear, although subpenaed, before a Senate investigating committee. The committee's investigation had been authorized during one Congress and continued into another Congress. A unanimous Supreme Court rendered the decision, a part of which I quote:

> * * * We conclude that the investigation was ordered for a legitimate object; that the witness wrongfully refused to appear and testify before the committee and was lawfully attached; that the Senate is entitled to have him give testimony pertinent to the inquiry, either at its bar or before the committee; and that the district court erred in discharging him from custody under the attachment.
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> Another question has arisen which should be noticed. It is whether the case has become moot. The investigation was ordered and the committee appointed during the Sixty-eighth Congress. That Congress expired March 4, 1925. The resolution ordering the investigation in terms limited the committee's authority to the period of the Sixty-eighth Congress; but this apparently was changed by a later and amendatory resolution authorizing the committee to sit at such times and places as it might deem advisable or necessary. It is said in Jefferson's Manual: "Neither House can continue any portion of itself in any parliamentary function beyond the end of the session without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose." But the context shows that the reference is to the two houses of Parliament when adjourned by prorogation or dissolution by the King. The rule may be the same with the House of Representatives whose members are all elected for the period of a single Congress; but it cannot well be the same with the Senate, which is a continuing body whose members are elected for a term of six years and so divided into classes that the seats of one-third only become vacant at the end of each Congress, two-thirds always continuing into the next Congress, save as vacancies may occur through death or resignation.
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> Mr. Hinds in his collection of precedents says: "The Senate, as a continuing body, may continue its committees through the recess following the expiration of a Congress"; and, after quoting the above statement from Jefferson's Manual, he says: "The Senate, however, being a continuing body, gives authority to its committees during the recess after the expiration of a Congress." So far as we are advised the select committee having this investigation in charge has neither made a final report nor been discharged; nor has it been continued by an affirmative order. Apparently its activities have been suspended pending the decision of this case. But, be this as it may, it is certain that the committee may be continued or revised now by motion to that effect, and, if continued or revived, will have all its original powers. This being so, and the Senate being a continuing body, the case cannot be said to have become moot in the ordinary sense * * *.

Mr. President, as I have said from the outset of my remarks, every authority from the drafters of the Constitution, Thomas Jefferson's interpretation, and all of the successive considerations by the Senate itself have come to but one conclusion; namely, that the U.S. Senate is a continuing body and that its standing rules continue in full force and effect year after year. The Senate has never in its entire history had a limitation on debate. Only in the most recent times has there been any whittling away of the right of Senators to speak at length on any question. It has only been since 1959 that rule XXII was changed from two-thirds of the membership to two-thirds of those present and voting. I am convinced in my own mind that any further change and diminution of the right of Senators to speak out on any question, whether by three-fifths or any other fraction, would do great damage to the efficacy and prestige of the U.S. Senate. It is my hope that the Senate will continue the historic right of any Member of this body, of whatever political persuasion, to speak out and at length, on any subject which he chooses. This was the intent of the founders of this Republic and it has continued more or less unfettered throughout all these years.

Mr. FONG. Mr. President, the Senate is now considering two proposals to amend rule XXII of the Standing Rules of the Senate.

One bill, Senate Resolution 6, would require three-fifths of the Senators present and voting to cut off debate, instead of the present two-thirds. This means that if all 100 Senators were present and voting, 60 rather than 67 must vote to invoke cloture and close debate.

A second bill, Senate Resolution 7, which I cosponsored, would permit a constitutional majority of 51 Senators to impose cloture, regardless of how many Members might be present and voting. This debate-ending vote may be taken only after a minimum of 20 days of discussion on a measure.

The 20-day period could be extended when necessary by majority action.

As one who has long favored a relaxation of rule XXII, I strongly believe that both of these proposals are wholly reasonable, fair, and moderate.

The issue before us is, shall the Senate, by its rules of procedure, permit the majority to work its will, while at the same time safeguarding the right of the minority to be heard?

The architects of our Constitution clearly intended that Congress was to operate by majority rule, for they expressly specified all the instances in which more than a majority vote was required.

The Constitution stipulates only five instances in which a two-thirds majority would be required: Overriding a Presidential veto; Senate ratification of treaties; constitutional amendments initiated in the Congress; exercising the impeachment power, and the expulsion of Members of Congress.

With respect to every other piece of legislation, no matter how important and controversial, a simple majority is all that is required to act.

Article I, section 5 of the Constitution provides that a majority shall constitute a quorum for doing business in the Congress, and that a majority shall determine rules of procedure.

If a simple majority of the Senate can act on such critical issues as a declaration of war, imposition of taxes, and the appropriation of billions of dollars, to require a two-thirds vote to end debate seems to be entirely unreasonable and inconsistent with our Constitution.

The chief reason advanced by those favoring retention of the present two-thirds cloture rule is that enough time must be allowed for thorough debate on an issue.

The resolution—Senate Resolution 7—meets this argument completely.

It provides that cloture may be invoked only after 16 Senators had filed a cloture petition and debate had proceeded for a minimum of 20 days "exclusive of Sundays, legal holidays, and nonsession days."

Past experience has shown that probably 2 to 3, or even more, weeks of debate must have occurred before 16 Senators would file a cloture petition. After the petition is filed, Senate Resolution 7 guarantees 20 additional days of debate before a vote on limitation could be taken.

This adds another 3 weeks at least for debate.

Following this, if debate limitation is voted, debate is allowed to continue for another 100 hours—50 hours for the majority side, 50 for the minority.

If the 50 hours on either side expired before a Senator had an opportunity to speak, he would be given "a minimum total of 1 hour" to talk.

Surely, the weeks preceding the filing of the cloture petition, plus the 20 days guaranteed after that, plus the hundred-hour minimum—in all, 5 to 7 weeks—is ample time to debate all sides of any issue.

The Senate often passes far-reaching legislation—some involving hundreds of millions of dollars—after only a few days of debate. In the light of such experiences, to contend that Senate Resolution 7 unduly restricts debate is not persuasive at all.

Without a doubt, full debate is necessary to define and clarify issues so as to inform Members of the Senate and the people of the country. Only in this way may the Senate reach thoughtful decisions on any issue or legislative proposal.

At the same time, in order to discharge its functions as a parliamentary body, the Senate should be able to act and to reach a vote on important issues.

No action at all, particularly on such important matters, is in my opinion just as irresponsible as hasty action.

After providing a reasonable period of time for ample presentation of all sides of an issue, it is important to allow the majority to work its will, within constitutional limits.

Debate which ceases to inform and instead becomes a parliamentary device to delay or prevent a vote can only frustrate our democratic process.

In our governmental system of checks and balances, there exist effective restraints against hasty and unwise action.

Our bicameral National Legislature, with a Senate and a House of Representatives, is itself such a restraint—one House acting as a check on the other.

Further safeguards may be found in the Presidential veto and in the Supreme Court's exercise of its power of judicial review.

The rights of the minority to be heard and represented in the Congress appear to be protected adequately.

Both bills we are now considering—Senate Resolution 6 and Senate Resolution 7—while providing for full debate and consideration, also allow the majority to act if it so desires.

I urge that the Senate adopt Senate Resolution 7, or, failing that, adopt Senate Resolution 6.

The **PRESIDING OFFICER.** What is the will of the Senate?

Mr. **BYRD** of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. **MORSE.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER FOR RECESS

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that, when the Senate completes its business this afternoon, it stand in recess until 12 o'clock noon tomorrow.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that when the Senate convenes tomorrow there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, and that at the conclusion of this period the Senator from South Dakota [Mr. McGOVERN] be recognized.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

THE SITUATION IN VIETNAM

Mr. **MORSE.** Mr. President, Walter Lippmann, writing in today's Washington Post, has made another notable contribution to the public dialog on Vietnam.

I do not think there is any longer much question that in order to make good on the policy we have embarked upon in Vietnam, the military forces of the United States are going to have to occupy South Vietnam in the traditional sense of military occupation.

We are well on our way to doing just that. As a matter of fact, I expressed my view on this matter in the summer of 1965 and predicted at that time that that is exactly what would come to pass in South Vietnam.

We do not like to think of the U.S. occupation of a foreign country as imperialism, but that is only because our purposes are different from the old familiar commercial purposes of imperialisms of the recent past. But our broader purpose is exactly the same, and we are therefore following an imperialistic course of action in southeast Asia.

We mean to control an area overseas in order to serve interests of the United States, and the means of doing it will be about the same as the means of the old imperialisms.

We created a government there. I stress that point, Mr. President, because it represents one of the fundamental fallacies of the Johnson administration's whole propaganda on Vietnam, a failure to the American people to date, although millions are beginning to recognize and appreciate the fact that South Vietnam's government was created by the United States. It is our puppet, and of course one of the great fallacies of the President's proposals concerning negotiations concerns his continual saying that we are ready to negotiate.

Of course, his proposal to negotiate is that the North Vietnamese and the Vietcong must sit down at a negotiating table and, by sitting down at the negotiating table, accept the fallacy of the Johnson administration that there shall be two Vietnams.

Who is the United States, that it thinks it has the right to move, in an imperialistic fashion, into an area of the world and set up a government and then tell the world that we have a commitment to our own puppet, and because of it, we have a legal right to make war? The sad fact is, Mr. President, that the other powers of the world recognize this; and it is one of the controlling reasons why the United States is isolating itself more and more around the world, and why we cannot get great powers to support our position in Vietnam.

Mr. President, we gave the Government in South Vietnam financial support, without which it could not have survived. We took its first puppet ruler out of New York City and Washington, D.C., an exile, a mandarin, an oligarch, who had never fought the French, by the name of Diem, and we set him up in power, we financed him, we militarized him. We changed the 17th parallel from a military demarcation line to a political demarcation line.

On the basis of that house of cards, we built the Government of South Vietnam, which has been controlled from the beginning by the North Vietnamese mandarins and oligarchs, the great landed aristocracy of North Vietnam, always exploiting the peasants of North Vietnam, as the Ky regime can be counted on to exploit the peasants of South Vietnam, for he is part of them. In fact, only one of his junta—in support of which we are killing American boys today in South Vietnam—is not a former supporter of the French, including Ky himself.

The North Vietnamese who went south after 1954 have gone into the south to be militarized and financed and supported by American taxpayers, American bayonets, and American blood. It is beginning to get through. It is taking a long time. Gradually, more of these facts come to light. Gradually, as keen students, such as Walter Lippmann and others whom I shall mention before I finish this speech, have been pointing out, the untenable position of the Johnson administration in South Vietnam is becoming recognized more and more.

Because I am one who would like to see my President strengthened and not destroyed, because I am one who would like to see my President reelected and not defeated, I have followed the course, for more than 3 years—and shall continue to follow it, so long as it is my trust to serve the people of my State in this body and so long as the United States continues this illegal, immoral, and unjustifiable war in South Vietnam—to protest and to plead for peace, on honorable terms, in accordance with an honorable procedure.

That procedure must be around a negotiating table, tripartite in nature, not bilateral, with the representatives of the great powers—noncombatants, members of the United Nations—sitting at the head of that table, making the fair, equitable, and reasonable proposals for the settlement of the dispute and the leading of mankind to peace. That is the crying need of mankind. And if mankind counts upon the United States to lead it to the kind of peace I am talking about, the situation is hopeless; for the United States will lead mankind to a third world war if we continue our present policies.

The warning should come from within the United States, not from around the world. But the warnings are coming from around the world and from the few of us in the United States who are uttering them here. I repeat my warning: If the United States continues to follow its program of escalating the war in Vietnam, the United States will be recorded in history as the greatest contributing cause of world war III. This course of action of the United States, Mr. President, on the basis of some of the evidence I shall read into the RECORD again this afternoon, will never be justified in world history.

Mr. President, we not only gave the government in South Vietnam financial support, without which it could not have survived, but we also armed, equipped, and trained its armed forces. When all that was not enough to preserve this area as a pro-American bastion, we sent U.S. military forces to do the job.

From all indications, it will not be long before the heretofore civilian part of the occupation—the pacification of the villages—will also become a part of the U.S. military operation. Already, we are "pacifying" by the military means of raiding whole villages, packing their people off to what are little more than concentration camps, and scorching the earth behind them.

The sad fact is that America's scorched earth policy in Vietnam is comparable to the shocking scorched earth policy of the Nazi Army in World War II. Already, we find writings abroad—some of them are beginning to be printed in the United States—in regard to the atrocities committed by the United States in South Vietnam, by the scorched earth policy of which we are guilty. The killings and the mayhem committed upon little boys and girls, old men and women civilians by the thousands, the dragging of people from their homes in the U.S. military operation should almost cause the pews in our churches to melt away. In fact, Mr. President, in my judgment, the atrocity program followed by the United States in South Vietnam cannot be squared with our religious dedications.

Underneath my opposition to this war is the very deep conviction that, from the standpoint of the religious teachings and the moral principles by which I was brought up, and which I believe permeate American civilization, the military policy of my Government cannot be reconciled with humanity, with morality, with spiritual dedication.

I believe that we are writing a war record in South Vietnam that will stand to the discredit of the Republic. That is why, before I finish, I shall call attention to the points of view of some of the spiritual leaders of this country; for, at long last, the pulpits are changing; for, at long last, there is less silence from the churches of the country than there has been heretofore. At long last, spiritual leaders in the country are beginning to recognize that we must change our course of action or be regarded in history as a country of religious hypocrites.

When all is said and done, Mr. President, we are going to be held accountable for the attitude we have taken in regard to the great moral issues that are raised by this war. Mr. President, it is no answer to me to say that we are fighting supposedly atheistic communism, because I never knew that any human being born as a child of God ceased to be a sacred thing just because he was misled into a political ideology I abhor and you abhor. We have the same moral responsibilities to a human being as a child of God irrespective of what the political philosophy or ideology of that human being is.

We cannot separate our moral responsibility from the course of action followed by our Government in its relationships to human beings by saying there can be drawn a watertight partition between spiritual obligations and temporal rights.

Therefore, Mr. President, I ask unanimous consent that Mr. Lippmann's column in today's Washington Post, entitled "Alternatives," be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TODAY AND TOMORROW: ALTERNATIVES

(By Walter Lippmann)

Addressing Congress last Tuesday the President appeared as a sad and compassionate man who, having taken his stand in Vietnam, was determined to persist, no matter what the cost. The picture is misleading. For it leaves out the fact that the President is confronted with great new decisions. Last Tuesday's picture implied that the military situation is stable. It is in fact very fluid.

The new decisions which have still to be made turn on the probability that our troops have prevented a military victory over the Saigon government by its northern and southern enemies. The hopeful observers among us argue that this success over the main forces of the enemy will be followed by the weakening of the Vietcong rebellion and the pacification of the whole of South Vietnam by South Vietnamese—as Ambassador Lodge has put it, by "the South Vietnam regular army, the regional forces, the popular forces, the South Vietnam police, police field forces."

Neither Gen. Westmoreland nor Ambassador Lodge takes the view that the South Vietnamese will pacify South Vietnam quickly. They are thinking of a long period of guerrilla warfare and terrorism and sabotage—up to ten years of it. Other competent observers, who take a grimmer view of the strength of the rebellion and of the weakness of the Saigon regime, believe that if in fact South Vietnam is to be pacified, the task will have to be performed by the United States.

If they are right, then the President is going to have to make new and tremendous decisions. He will not be able, as he implied in his address to Congress, just to grit his teeth and persist in what he is doing. He will have to decide whether to conquer and occupy the whole of South Vietnam—not merely to repel the military intruders from the North, but to suppress the rebellion in the South, and then to run the country until a new South Vietnamese society can be put together.

To commit ourselves to this task would be, however disagreeable the old words sound, to become an imperialist power on the Asian continent. Unhappily, the record of Lyndon Johnson since his election gives little reason for hoping that he will not take this path. Just as in 1965 he transformed the Eisenhower-Kennedy intervention to assist indigenous forces into an American war, so in 1967 he will, if he runs true to form, enlarge the scope and the objectives of the American forces. He will argue sadly that there is no alternative to doing this, that to honor his pledges and his promises he must do this, and to justify the sacrifices of the American dead. He will move towards the conquest and occuptaion and the clearing and the reconstruction of the whole territory of South Vietnam.

This, I believe, is the dread possibility before us. It includes, but it transcends, the much debated question of whether to attack Hanoi and Haiphong in order to "win" the war by knocking out North Vietnam: If the President enters upon the imperialist course, which is what he is being hard pressed to do, the war will widen and no one will see the limit.

Moreover, to conquer and occupy and pacify the whole of South Vietnam would require on a conservative estimate, a million American troops for an indefinite time. Disregarding what this would do to the American Nation here at home, it would mean the increasing isolation of the United States because we would be regarded as a threat to the peace of the world. It would mean also spreading disorder in the borderlands of China where the United States military and economic power is now dominant. For it is inconceivable that we shall not encounter a swelling resistance in all the continents if we advance towards a self-appointed imperial destiny in Asia.

Is there no alternative which is consistent with our interests and our honor? There is. The prospective nightmare I have been describing arises from the current military situation—even though our organized forces are successful, the Vietnamese rebellion continues. We are at a point where, though the big organized forces are stalemated, there is almost no progress in subduing the activity of the guerrillas. The alternative to the imperialist course is to stand fast and be ready to negotiate. Instead of conquering and occupying the whole country, we would make secure the positions we now hold, and would then encourage the Vietnamese to work out, or to fight out, their destiny.

This is, of course, the central principle of what is known as the Gavin-Ridgway strategy. A year has elapsed since Gen. Gavin testified. Time and experience have shown, I am convinced, that it is the only workable strategy. For one thing, there is no longer any doubt that it is a practicable strategy. For it is now generally accepted that the United States forces cannot be pushed out of their strongholds. Experience has shown, second, that the pacification of the whole country would be an enormous commitment to take, one which might well prove to be an impossible commitment. Third, the junta of northern generals around Gen. Ky, almost all of whom are veterans of the French army in its war against the Vietnamese people, are quite incapable of becoming leaders of the Vietnamese nation. These adventurers from the North cannot win the confidence of the people of the South. The only hope in the situation is to remain in our military positions and let the internal politics of Vietnam take their course.

This is not a policy of scuttle-and-run, it is not a policy of delayed surrender, it is not a policy of betrayal and dishonor, and I should like to see anyone show that it is not in the true interests of the United States.

Mr. MORSE. Mr. President, I ask unanimous consent that following the Lippmann column there be printed in the RECORD pertinent pages from General Ridgway's book "Soldier: The Memoirs of Matthew B. Ridgway."

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

SOLDIER: THE MEMOIRS OF MATTHEW B. RIDGWAY

32—INDO-CHINA, QUEMOY, AND MATSU

All these actions which in my view were detrimental to the strength and spirit of the

Army I protested in meetings with the Joint Chiefs; in my testimony before committees of Congress; and by letter and in personal conferences with the Secretary of Defense. After each exchange of views with Mr. Wilson, I came away convinced that either his mental processes operated on a level of genius so high I could not grasp his meaning, or that considerations beyond the soldier's comprehension were influencing his thinking.

The basic point at issue, I think, lay in differing concepts of how, in the event of war, the doctrine of "massive retaliation" should be applied. My belief was simply this—that we must possess the power of swift and devastating retaliation. At the same time we must possess the capability for *selective* retaliation, the capacity to use one arm, or two, or all three—land, sea, and air combined—to apply whatever degree of force a particular situation demanded. The belief seemed to prevail that it was enough to hold the threat of the A and H bomb over the head of a trembling world.

No thinking soldier can accept this view. No honest student of military history could believe that the nuclear bomb alone was that key to quick and easy victory which mankind has sought since wars began.

Ironically our only potential enemies—the Russians and the Chinese—are not yet sufficiently "advanced" to be truly vulnerable to the nuclear bomb although one, Russia, is now equipped, or soon will be, to retaliate with the H bomb. Their civilization is not based on a complex nerve fabric, a web of interrelated and interdependent functions and services, as is ours. Theirs is a simpler and more primitive society that would be extremely difficult to destroy, just as the turtle and the crocodile are harder to kill than the higher animals. Finally, their two countries are spread out over enormous distances. It is nearly six thousand miles from the Oder-Neisse line to the Sea of Japan, a tremendous area for bombing aircraft to cover.

On this enormous land mass true victory in war could only be obtained by defeating the enemy's armed forces, destroying his hope for victory and his will to resist, and establishing control over his land and people. Mass destruction of his industrial resources is only one way to neutralize his capacity to wage war. Such destruction may not destroy his will to resist; it may strengthen his determination. It may have but little effect initially on his forces in the field. It establishes no ultimate control over his land.

Furthermore, to my mind, such mass destruction is repugnant to the ideals of a Christian nation. It is incompatible with the basic aim of the free world in war, which is to win a just and enduring peace. Lasting peace can only be won by changing the defeated aggressor into a constructive member of the society of free nations.

In the spring of 1954, when the Department of Defense was concentrating its greatest efforts on developing our capability to strike massive atomic blows, we very nearly found ourselves involved in a bloody jungle war in which our nuclear capability would have been almost useless.

It was during the time when a gallant French garrison, made up mainly of mercenaries of the Foreign Legion—for France had lacked the will to draft its own young men for service in Indo-China—was making its brave but futile stand at Dienbienphu. To military men familiar with the maps of Indo-China, the outcome of that siege was a foregone conclusion. The fight could end in but one way—in death or capture for the defenders. The decision to fight at Dienbienphu had not been made on a basis of military considerations. It had been basically political in motive—an effort to stiffen the backbone of shaken Laos, whose boundaries were exposed by the march of the Chinese.

However futile it might have been to stand and fight in that spot, still, the gallantry of the hard-fighting French garrison did capture the imagination of the world. Soon I was deeply concerned to hear individuals of great influence, both in and out of government, raising the cry that now was the time, and here, in Indo-China, was the place to "test the New Look," for us to intervene, to come to the aid of France with arms. At the same time that same old delusive idea was advanced—that we could do things the cheap and easy way, by going into Indo-China with air and naval forces alone. To me this had an ominous ring. For I felt sure that if we committed air and naval power to that area, we would have to follow immediately with ground forces in support.

I also knew that none of those advocating such a step had any accurate idea what such an operation would cost us in blood and money and national effort. I felt that it was essential therefore that all who had any influence in making the decision on this grave matter should be fully aware of all the factors involved. To provide these facts, I sent out to Indo-China an Army team of experts in every field: engineers, signal and communications specialists, medical officers, and experienced combat leaders who knew how to evaluate terrain in terms of battle tactics. They went out to get the answers to a thousand questions that those who had so blithely recommended that we go to war there had never taken the trouble to ask. How deep was the water over the bar at Saigon? What were the harbor and dock facilities? Where could we store the tons of supplies we would need to support us there? How good was the road net—how could supplies be transported as the fighting forces moved inland, and in what tonnages? What of the climate? The rainfall? What tropical diseases would attack the combat soldier in that jungle land?

Their report was complete. The area, they found, was practically devoid of those facilities which modern forces such as ours find essential to the waging of war. Its telecommunications, highways, railways—all the things that make possible the operation of a modern combat force on land—were almost non-existent. Its port facilities and airfields were totally inadequate, and to provide the facilities we would need would require a tremendous engineering and logistical effort.

The land was a land of rice paddy and jungle—particularly adapted to the guerrilla-type warfare at which the Chinese soldier is a master. This meant that every little detachment, every individual, that tried to move about that country, would have to be protected by riflemen. Every telephone lineman, road repair party every ambulance and every rear-area aid station would have to be under armed guard or they would be shot at around the clock.

If we did go into Indo-China, we would have to win. We would have to go in with a military force adequate in all its branches, and that meant a very strong ground force—an Army that could not only stand the normal attrition of battle, but could absorb heavy casualties from the jungle heat, and the rots and fevers which afflict the white man in the tropics. We could not again afford to accept anything short of decisive military victory.

We could have fought in Indo-China. We could have won, if we had been willing to pay the tremendous cost in men and money that such intervention would have required—a cost that in my opinion would have eventually been as great as, or greater than, that we paid in Korea. In Korea, we had learned that air and naval power alone cannot win a war and that inadequate ground forces cannot win one either. It was incredible to me that we had forgotten that bitter lesson so soon—that we were on the verge of making that same tragic error.

That error, thank God, was not repeated. As soon as the full report was in, I lost no time in having it passed on up the chain of command. It reached President Eisenhower. To a man of his military experience its implications were immediately clear. The idea of intervening was abandoned, and it is my belief that the analysis which the Army made and presented to higher authority played a considerable, perhaps a decisive, part in persuading our government not to embark on that tragic adventure.

It is easy for people to dream up intriguing tactical schemes. It is a pastime in which any high school ROTC cadet can indulge, for it requires only a modicum of military knowledge, and even professionals of long service engage in the same game from time to time. What throws you in combat is rarely the fact that your tactical scheme was wrong—though, of course, history is replete with examples of faulty tactical planning—but that you failed to think through the hard cold facts of logistics. You failed to ask yourself, "How am I going to get Force A from X to Y—and how am I going to supply and sustain it once it gets there?" There is always a great temptation to think only of the objective to be attained, to ignore the basic planning in the hope that in some way the Lord will provide. That sort of wishful thinking prevailed in the early days of the Indo-China discussion—prevailed, in fact, until the Army took the time and trouble painstakingly to survey the ground and then to sit down with paper and pencil and laboriously and unglamorously spell the whole thing out in an analysis that revealed all its costs and implications.

As I have pointed out earlier in this narrative, when the day comes for me to face my Maker and account for my actions, the thing I would be most humbly proud of was the fact that I fought against, and perhaps contributed to preventing, the carrying out of some hare-brained tactical schemes which would have cost the lives of thousands of men. To that list of tragic accidents that fortunately never happened I would add the Indo-China intervention.

Not long after the abortive idea of intervention in Indo-China had been laid to rest, there came the flare-up over Quemoy and Matsu. Again there was strong feeling in high places that here we should take a stand. And again I found myself in disagreement, with the interventionsts.

I had studied the maps with care. Quemoy and Matsu were two small islands, occupied by our friends the Nationalist Chinese. They lay within artillery range of the Red Chinese on the mainland. They constituted, to my way of thinking, no more than listening posts on an outpost line of observation. They had little value as offensive bases. Matsu would be useless in this respect, and Quemoy not much better, for there is no major military objective on the mainland that lies within three hundred miles. If we were to go into Red China with ground forces, we certainly would not use Quemoy. Neither do the Reds have to have Quemoy for an invasion of Formosa. It lies along the best and shortest route, but there are many other jumping-off places.

I had also studied the intelligence reports. I had as much information, I suppose, as did anybody else about Red activities on the mainland opposite Matsu and Quemoy. To my mind, what the Chinese were doing there did not justify a conclusion that they were planning an attack on Formosa. Their activities could just as well be defensive as offensive in nature. They were building airfields, and rail lines, which could rush troops to the seacoast in the event of an invasion *from* Formosa. But there was no indication they were concentrating ground troops there, or organizing an invasion force of their own.

These points I made before the Armed Services Committees of Congress while the concern over Matsu and Quemoy was at its height. The decision of the Congress was to leave the matter in the hands of the President. It would be his decision as to when, and where, we would meet force with force in the touchy area where Red and Nationalist China face each other at close quarters.

With this the Quemoy-Matsu issue faded into what seems for the moment to be a mutually satisfactory stalemate. It will, no doubt, flare up again and again. There is no doubt in my mind that we would go to war to defend Formosa or the Pescadores, and we should, for the loss of either of these would make a serious breach in our outermost line of defense in the Pacific, and cause our good friends abroad to doubt our resolution. But the juridical, historical and geographical background of Quemoy and Matsu is radically different. To go to war for Quemoy or Matsu, to me would seem an unwarranted and tragic course to take.

I do not for a moment wish to impugn the intellectual honesty of any others who did not share this view. They sincerely felt, I think, that it were better to face the issue then and there, to make it clear to the Reds that any encroachment on Chinese Nationalist territory, however slight, would mean war.

To me that concept is completely repugnant. I make no pretense to clairvoyance. God alone knows what would happen. But such an action would be almost impossible to limit. It would bring us into direct conflict with the Red Chinese. It could spread to full and all-out war, employing all the terrible weapons at our command.

And we could, by such an all-out effort, conquer China.

But I challenge any thesis that destroying the military might of Red China would be in our own long-range interest. We could create there, by military means, a great power vacuum. Then we would have to go in there with hundreds of thousands of men to fill that vacuum—which would bring us face to face with Russia along a seven thousand-mile frontier. If we failed to go in, then Russia herself would fill it, and the threat to our own security would not have abated one iota.

To my way of thinking the desire to intervene in Indo-China, the willingness to use force in dealing with Quemoy and Matsu reflects a thinking which trends dangerously toward acceptance of the doctrine of "preventive war."

To me nothing could more tragically demonstrate our complete and utter moral bankruptcy than for us deliberately to initiate a "preventive war." Once we take that absolutely fatal step our civilization would be doomed. We would have to rely on conquest for survival from then on, until our society crumbled as the empires of Alexander, and of Rome, crumbled from their own inner decay. In all the history of the world no civilization based on conquest has long endured. America would be no exception.

Mr. MORSE. Mr. President, it has been said that General Ridgway and General Gavin, who have publicly deplored the military course of action of the United States in Vietnam, are military officers of an old school and now we have a new school.

Mr. President, let me say that both of these great military officers, General Ridgway and General Gavin, served their country with great honor and distinction, General Ridgway having been commander of our forces in the Korean war and General Gavin having been one of the two or three top military strategists of the Pentagon Building, both with assignments that caused them to analyze in behalf of their Government the whole problem of the military relationships at their time and in the future between the United States and Asia.

Mr. President, I served on the Committee on Armed Services when General Ridgway was one of the Joint Chiefs of Staff. At the time he was the Chief of Staff of the Army. Later he became Chairman of the Joint Chiefs of Staff, and in that capacity he helped to head off U.S. intervention in Indochina in 1954.

Those who are now publicly seeking to give the impression that he is not familiar with the present military problems that confront our country could not be more wrong. His findings and his research, and his reports, along with those of General Gavin, in my judgment are as sound today as when he prepared them.

Mr. President, I wish to call attention to a quotation or two from the excerpt I have asked to be placed in the RECORD. General Ridgway states in his book:

> I also knew that none of those advocating such a step had any accurate idea what such an operation would cost us in blood and money and national effort.

The matter of intervening in Indochina—

> I felt that it was essential therefore that all who had any influence in making the decision on this grave matter should be fully aware of all the factors involved. To provide these facts, I sent out to Indo-China an Army team of experts in every field: engineers, signal and communications specialists, medical officers, and experienced combat leaders who knew how to evaluate terrain in terms of battle tactics. They went out to get the answers to a thousand questions that those who had so blithely recommended that we go to war there had never taken the trouble to ask. How deep was the water over the bar at Saigon? What were the harbor and dock facilities? Where could we store the tons of supplies we would need to support us there? How good was the road net—how could supplies be transported as the fighting forces moved inland, and in what tonnages? What kind of climate? The rainfall? What tropical diseases would attack the combat soldier in that jungle land?
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> The error, thank God, was not repeated. As soon as the full report was in, I lost no time in having it passed on up the chain of command. It reached President Eisenhower. To a man of his military experience its implications were immediately clear. The idea of intervening was abandoned, and it is my belief that the analysis which the Army made and presented to higher authority played a considerable, perhaps a decisive, part in persuading our government not to embark on that tragic adventure.
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> As I have pointed out earlier in this narrative, when the day comes for me to face my Maker and account for my actions, the thing I would be most humbly proud of was the fact that I fought against, and perhaps contributed to preventing, the carrying out of some hare-brained tactical schemes which would have cost the lives of thousands of men. To that list of tragic accidents that fortunately never happened I would add the Indo-China intervention.
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> Not long after the abortive idea of intervention in Indo-China had been laid to rest, there came the flare-up over Quemoy and Matsu. Again there was strong feeling in high places that here we should take a stand. And again I found myself in disagreement, with the interventionists.
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> I had studied the maps with care. Quemoy and Matsu were two small islands, occupied by our friends the Nationalist Chinese. They lay within artillery range of the Red Chinese on the mainland. They constituted, to my way of thinking, no more than listening posts on an outpost line of observation. They had little value as offensive bases. Matsu would be useless in this respect, and Quemoy not much better, for there is no major military objective on the mainland that lies within three hundred miles. If we were to go into Red China with ground forces, we certainly would not use Quemoy. Neither do the Reds have to have Quemoy for an invasion of Formosa. It lies along the best and shortest route, but there are many other jumping-off places.

Mr. President, I will not take the time to read the rest of it, because it has been inserted in the RECORD, but I would urge Senators to read the entire book because, in my judgment, those who want escalation and those who are willing to say these days, "Let us bomb China if it is necessary to win in South Vietnam," will have a hard time answering General

Ridgway's analysis in his book, unless they merely want to answer it with their adrenal glands and not their cortexes.

How well I remember the historic period in this body when a joint session of the Foreign Relations Committee and the Armed Services Committee held executive hearings on the Formosa resolution.

I violate no privilege because I do not quote what was said, but as a member of that committee I developed an inspiration and respect for the Chief of Staff of the Army of the United States at that time, for that man's courage in standing up as *Chief of Staff of the U.S. Army* and dissenting.

Mr. President, if one in the uniform of his country can have the daring, the courage, and the dedication to his country as he saw the needs of his country which General Ridgway expressed in the historic hearings, then those of us in civilian clothes, even though we may be Members of the Senate, are really doing very little in comparison when we express our dissent in opposition to our Government's policies in Vietnam. But we can feel as deeply. We can express, as I am sure General Ridgway did in those historic days, that if we have the convictions we have, then we have the trust and the duty to express them to the American people. That is what we have been doing. That is what we intend to continue to do as this historic debate continues to sweep across this land.

Mr. President, I ask unanimous consent to have printed in the Record an editorial entitled "Getting Out," published in Commonweal of December 28, 1966.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Getting Out

The United States should get out of Vietnam: it should seek whatever safety it can for our allies; it should arrange whatever international face-saving is possible; and, even at the cost of a Communist victory, the United States should withdraw. The war in Vietnam is an unjust one. We mean that in its most profound sense: what is being done there, despite the almost certain good intentions of those doing it, is a crime and a sin. At a moment when claims of military victory are drowning out quiet admissions that the war cannot be settled for years, this conclusion must be affirmed and reaffirmed.

We have not reached this conclusion because we are pacifists. The moral problem of warfare is bound up with the moral problem of the existence of evil. And the almost incredible apparitions of evil mankind has witnessed within the last half-century, in this nation as well as others, convince us there are moments when force must be met with force.

Nor do we believe there is nothing at stake in Southeast Asia. Vietnamese—on both sides—are fighting for their lives and for their right to live unmolested in their homeland. The threat presented by China, swiftly adding nuclear weapons to its chauvinist ideology and cult of the will, is a real one, not the product of anti-Communist imaginations. To measure these stakes against one another, and against the horror of the war, is a miserable and difficult task, but it is not "blasphemy, while the killing goes on," as a few have maintained. It involves surveying a host of often contradictory political and military reports; it involves numerous subjective judgments; but it remains the only way we know for men to make moral decisions in an ambiguous world.

Measured not by declared intentions but by past performance, a Communist victory in South Vietnam would most likely mean a rigorous dictatorship, bloody liquidation of dissenters, and a certain amount of social and economic reform. By the same standards, a Saigon victory will probably mean a looser form of authoritarian government, suppression of radical dissent rather than its liquidation, and little alteration in the status quo. On the level of world politics, a U.S. withdrawal could lead China to tragically miscalculate American determination in some "eyeball to eyeball" nuclear confrontation of the future. But to be honest, one must admit that any nearly total success of American policy in Vietnam is as likely to lead to a tragic miscalculation on our side. Already some dismiss all too cavalierly China's willingness to fight beyond its borders. However important the fate of the Vietnamese people and the balance of power in Asia, it seems they are but ambiguously served by American policy.

In brief, the outcome in Southeast Asia will make a difference. But not the decisive difference needed to justify a war which may last longer than any America has ever fought, employ more U.S. troops than in Korea, cost more than all the aid we have ever given to developing nations, drop more bombs than were used against the Japanese in World War II, and kill and maim far more Vietnamese than a Communist regime would have liquidated—and still not promise a definite outcome. The disproportion between ends and means has grown so extreme, the consequent deformation of American foreign and domestic policy so radical, that the Christian cannot consider the Vietnam war merely a mistaken government measure to be amended eventually but tolerated meanwhile. The evil outweighs the good. This is an unjust war. The United States should get out.

But is there not a "third way," a negotiated compromise which means less than total success and less than total failure for both sides? Indeed over the years numerous "third ways" have been proposed. An independent South Vietnam joined to the North (and to the U.S.) in a great Mekong River development project was one such conception. Today many contemplate a neutralized Vietnam with a coalition government in Saigon including the National Liberation Front—another "third way." But none of these proposals has become a reality. And none appears likely to do so. More and more doubts surround the expressed willingness of Washington to negotiate a settlement; but there is even less evidence that Hanoi has wanted to talk, at least since 1965 when near-victory slipped out of Vietcong fingertips. To demand a negotiated settlement, supporting the war only in the meantime and only to this end, makes sense if a negotiated settlement is truly in sight. Otherwise, the "meantime" stretches out into five, eight, ten years. One's moral and political judgment is rendered hostage to the fanaticism of Washington and Hanoi.

This does not mean that opponents of the war should cease to point out and encourage every move toward settlement. They should simply make clear that the basic injustice of this war consists in things other than whether it is the fault of Hanoi or Washington that an attempt at negotiation may break down. There are things that Washington could do, even within the narrow range of its present policy, to bring the Vietnamese war closer to an end:

The holiday cease-fire should be prolonged as long as possible. The bombings of North Vietnam should be halted, and the Russians assured there will be no threat of renewing it if they apply all their influence to bringing Hanoi to the negotiating table.

The Saigon military regime tail must cease to wag the U.S.—or for that matter, Vietnamese—dog. There is currently much talk about a "new" war in Vietnam, one in which U.S. troops are winning the day militarily. If only, adds a weak, small voice, social and political reforms can now get under way! That weak, small voice has been repeating the same message for years. And despite the current burst of enthusiasm for retraining and redeploying the South Vietnamese army for "pacification" purposes, there is little hard evidence that this latest effort will be different from past ones. Saigon must dedicate itself to a genuine land reform benefiting the peasants, pledge the maintenance of land distribution carried out by the Vietcong, and develop an honest administration.

At the least, measures such as these will benefit the Vietnamese people; at the most, they might strengthen the Saigon government to the point where the Vietcong would decide it had better negotiate quickly before all is lost, and where Saigon itself would consider a coalition government a possibility.

Saigon need never take such steps, of course, as long as it knows the United States will stay no matter what. Washington should privately warn the Ky administration that it had better produce results soon lest the U.S. reconsider its commitment. Rumors of such a warning might indeed delay negotiations while the Vietcong and Hanoi waited to see whether Saigon could do the job, but at present it looks as if the Vietcong and Hanoi are doing exactly this anyway. Furthermore, such rumors could prepare U.S. public opinion for greeting any eventual withdrawal as justified, not because "our boys" couldn't win but because the Saigon government didn't do its share.

Finally, the United States must de-escalate its settlement demands. So must Hanoi. But de-escalation on the American side would mean a frank and open willingness to negotiate with the National Liberation Front. It would mean acceptance of the fact that there must be a recognized role for organized left-wing and Communist forces in the political life of any post-settlement South Vietnam.

These suggestions are not new nor are they at all sure-fire. Should they fail, they do not justify going on with this immoral war. They are simply the very least that can be done.

Mr. MORSE. Mr. President, I next ask unanimous consent to have printed in the Record an editorial entitled "Bombing and 'Fadeout'," published in the January 20, 1967, issue of Commonweal.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Bombing and "Fadeout"

U Thant has again indicated that genuine possibilities of negotiations between Washington and Hanoi could spring from a cessation of the bombing of North Vietnam. Two North Vietnamese officials have made statements, though hardly clear ones, which indicate a slightly changed Hanoi attitude toward negotiations—dependent, however, on a halt in the bombing. Harrison Salisbury's reports from the North and the Pentagon's fumblings over the bombing of Hanoi have raised new doubts about the effects, both on civilian populations and on the war efforts as well, of the Northward forays. In short, there is very good reason to call off the bombers. Washington's inability to do so shows how deeply it is mired down in a Vietnam swamp of its own making.

One reason Washington hesitates to do the sensible thing is its fear of the hawks. The military is already chafing under the present restrictions on air power in Vietnam. The editor of *Air Force and Space Digest* reports that "there are few men in the Army, Navy, Air Force, or Marines who agree with the way air power is being used in Vietnam." He gives notice that "the inevitable Congressional hearing will start before the winter is over, fed to some extent by dedicated men of all services who have taken pen in hand."

Even more important is the fact that the State Department appears to be pursuing a strategy in which negotiations are neither expected nor particularly desired. Surely not the only view to be found in the government, it is nevertheless the dominant one at the moment. It is called "fadeout" by Ambassador Henry Cabot Lodge, but in fact it is a complicated and self-deceiving way of describing complete victory.

Lodge expressed the view in a TV interview from Washington. Predicting that 1967 will see military gains that are "sensational," he stated his skepticism about the possibility of open negotiations. Opposing an end to the bombing, Lodge spoke of the enemy fading away once Hanoi realized that "the jig is up." Then shifting to a less bellicose stand, he described a kind of mutual de-escalation: "they say we will stop this, you stop that, and we both stop and watch whether the other fellow is stopping."

That Lodge's position, in all its ambiguity, is that of the State Department shows up in State's reaction to the slight changes in Hanoi's posture, which some observers saw in North Vietnamese Premier Pham Van Dong's interview with Harrison Salisbury. Senator Mansfield said Premier Dong's statement "could well be the sign which the Administration has said from time to time it is seeking" before a bombing halt is ordered. Ambassador Goldberg spoke only of a generalized "response toward peace from North Vietnam." But the State Department was quite explicit about what it was looking for. It repeated once more that bombing could be stopped only after Hanoi promised "a corresponding and appropriate deescalation on the other side." Not a promise of negotiations, then, but of de-escalation. Until that comes, bombs away!

The "fadeout" theory has a certain cool reasonableness. Actually its odor of *realpolitik* only disguises its unstated assumption: at the end of the game, after each player has removed his pieces, one by one, the U.S. will have the last man on the board. (Probably Marshal Ky.)

"Fadeout" as played by the Pentagon means that both sides will remove their forces—just as long as Hanoi and the Vietcong remove them a little faster. The fact is that Hanoi and the Vietcong have no reason to want to play this game. Which means, of course, the U.S. must convince them. Which means in turn that we must go on with the long and bloody and cruel war which negotiations might end. That is why both America and North Vietnam are, in fact, fading in, not out, at the moment. That is why Washington won't stop bombing in order to get negotiations under way. "Fadeout" is rigged for Hanoi to lose. It ends up as a loser's game all around.

Mr. MORSE. Mr. President, I next ask unanimous consent to have printed in the Record portions of the article "From Britain: Cardinal Spellman, Charles Davis" from the same issue of the same publication.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

From Britain: Cardinal Spellman, Charles Davis

Americans may be a little tired of being told how their war in Vietnam looks from Europe. I should not have taken up this theme once again had it not been for two events: Cardinal Spellman's sermon on Christmas Eve; and Mr. Harrison Salisbury's dispatches to the New York *Times*.

That Cardinal Spellman should have called The Vietnam conflict "a war for civilization" or said that "less than victory is inconceivable" does not, of course, occasion any surprise in those who have followed the Cardinal's career and noted his past expressions of opinion. On the contrary, any departure from his role as court chaplain, at any rate in the field of foreign policy, would be extremely surprising. What gives his remarks their special flavor is the fact that they are uttered at the very time when Pope Paul is striving to bring about a negotiated settlement and an end of the war on terms honorable to both sides if satisfactory to neither.

Mr. Salisbury's dispatches, too, do not contain anything in the nature of revelations. It has been known for some time what the effects of the new bombing policy have been. What puzzles Europeans is the passivity of American opinion.

The agony of Vietnam has persisted for twenty-five years and has now reached a new degree of intensity. More deaths, more mutilations, more wasted villages and towns, more men and women corrupted in the ever more prosperous brothels of Saigon, The Ky Government sinking deeper into a morass of incompetence and popular contempt. And to what end? Even if the end proposed by the American Government—to demonstrate that "aggression does not pay"—were a reasonable one in itself, and it should be said that very few people here accept this simple account of what the war is about, the price paid already is too high; and the goods have not been delivered.

This is a filthy and barbarous war and can only be sustained by a people so decent and humane as the mass of Americans are by a process of self-deception. Father Daniel Berrigan has described this process in *They Call Us Dead Men*. "A climate of war creates its own horizons, its own justification and method. Subjected to such an atmosphere for a long period of time, men come to accept it as normal and self-evident; they create a logic that suits their state of soul. They create tools of violence as entirely normal methods of dealing with 'the enemy'; once created, the tools are used with ever-increasing ease. Peaceableness, communication with others, discussion, public candor—these are less and less trusted as methods of dealing with human differences. . . . Such men live in the dreamworld of the schizoid of the adolescent. . . . The stranger becomes the enemy; the enemy is everywhere. His image tends more and more to harden into an absolute, beyond redemption, beyond change, implacable, unappeasable. And almost inevitably . . . a complementary image of ourselves arises. We become the beleaguered defenders of all that is good and noble in life, the society that can do no wrong, whose interventions are always governed by superior wisdom, whose military might serves only the good of humanity."

On his arrival in Manila on December 28, Cardinal Spellman was asked by reporters if his Christmas Eve remarks were meant to rule out the possibility of a negotiated peace. His reply was memorable, and a wonderful illustration of the frame of mind depicted by Father Berrigan: "Total victory means peace." What is singular, but characteristic of the sub-Christian Catholicism shown by such a remark, is that the man who, it is not too much to say, treats Pope Paul with manifest contempt in the field of foreign policy, would be the most obedient instrument of curial policy in the dogmatic field. In this way the case of Cardinal Spellman brings out all that is problematic in the Catholicism of our day, here in Europe as well as in the United States.

Catholicism can be taken as a religion that is concerned with eternal salvation in such a way that what may be called the macroscopic problems of the human family are seen as having no relevance to what is really central, the salvation of the individual. The sacraments are understood as supernatural causal agents in their own right, the clergy as the custodians of magical powers. Salvation is the reward of obedience to the rules of personal morality, especially in the sexual field. Society in its macroscopic features—war and peace, civil rights and so on—is not the direct concern of men as Christians, except that there is a general duty of obedience to the established powers. In the discharge of this duty men may be called upon to do many things that, judged by the standards of personal morality, look pretty queer; but the religion of patriotism complements the religion of personal salvation and does not cut across it.

That Catholicism taken in this way is a corrupt and morally debilitating religion has in the modern world become very plain. This is illustrated by the passivity of the German Catholics in the Third Reich; by the conduct of the Algerian war by intensely patriotic, traditionally Catholic officers; and, only recently, by the Chicago mobs who jeered at priests and nuns who stepped outside their accustomed, quasi-magical role to show their concern for their Negro brethren. But the latest and strangest manifestation of such a view of Catholicism was the call for total victory, uttered on the eve of the festival of the Incarnation to men "bathed in the new light of the incarnate Word," as the collect for the second Mass of Christmas puts it, and in the midst of the supper of the Lord, the great sign of Divine love for the entire human family.

Mr. MORSE. Mr. President, next I ask unanimous consent to have printed in the Record the article entitled "Student Leaders Warn President of Doubts on War" published in the New York Times for December 30, 1966, and the text of their letter to President Johnson.

There being no objection, the article and letter were ordered to be printed in the Record, as follows:

[From the New York Times, Dec. 30, 1966]

Student Leaders Warn President of Doubts on War—100 Write Him That Some of Most Loyal Youths Will Prefer Jail to Fighting—U.S. Goals Questioned—Collegians Cite "Apparent Contradictions" Between Statements and Actions

(By Terence Smith)

Student leaders from 100 colleges and universities have signed an open letter to President Johnson expressing their anxiety and doubts about United States involvement in the war in Vietnam. All of the signers are either student body presidents or campus editors.

Noting "apparent contradictions" between American statements and actions in the war, the students wrote:

"Unless the conflict can be eased, the United States will find some of her most loyal and courageous young people choosing to go to jail rather than to bear their country's arms."

The letter, which the student leaders signed as individuals, was mailed to the White House yesterday.

The 100 signers are from Harvard, Columbia, Manhattanville, Duke, North Carolina, Indiana and Stanford, as well as 93 other schools, both church and nonsectarian, in every region of the country.

"MAINSTREAM" STUDENTS

As elected campus leaders, the students represent a far more moderate university group than the members of the student New Left, whose objections to the war are frequently and stridently demonstrated.

Several of the signers of the letter have described themselves as reflecting the "mainstream" of student thought in the country.

In the letter they refer to their contemporaries as "people as devoted to the Constitution, to the democratic process, and to law and order as were their fathers and brothers who served willingly in two world wars and in Korea."

The tone of the letter is restrained and respectful. The letter is presented to the President as a report on the sentiments of "significant and growing numbers of our contemporaries [who] are deeply troubled about the posture of their Government in Vietnam."

"There are many," the letter adds, "who are deeply troubled for every one who has been outspoken in dissent."

[From the New York Times, Dec. 30 1966]

Text of Students' Letter to the President

Following is the text of a letter sent yesterday to President Johnson drafted by the student-body presidents or student editors of 100 colleges and universities in the United States:

"In your talk to the student interns last summer, as on other occasions, you have recognized and discussed problems that have been troubling members of our generation. We have been grateful for your concern and encouraged by your invitation to express some of our thoughts.

"Since many of these thoughts center increasingly on the situation in Vietnam, the New Year's renewal of the truce seems a suitable occasion to report to you that significant and growing numbers of our contemporaries are deeply troubled about the posture of their Government in Vietnam. We believe the state of mind of these people, though largely unreported, is of great importance, because there are many who are deeply troubled for every one who has been outspoken in dissent.

"A great many of those faced with the prospect of military duty find it hard to square performance of that duty with concepts of personal integrity and conscience. Even more are torn by reluctance to participate in a war whose toll in property and life keeps escalating, but about whose purpose and value to the United States they remain unclear.

"SERIOUS NEW DOUBTS

"The truces have highlighted a growing conviction on American campuses that if our objective in the fighting in Vietnam is a negotiated settlement rather than a military 'victory,' continued escalation cannot be justified by the failure of the other side to negotiate.

"If, on the other hand, our objective is no longer a negotiated settlement, the nature and attainability of our objectives in Vietnam raise serious new doubts. There is thus increasing confusion about both our basic purpose and our tactics, and there is increasing fear that the course now being pursued may lead us irrevocably into a major land war in Asia—a war which many feel could not be won without recourse to nuclear weapons, if then.

"In this context there is widespread support for the suggestion of the Pope and others that the resumed truce be extended de facto by restraint on both sides, even if no formal agreement is reached. And there is hope that if fighting must be resumed in 1967 it will be resumed on a reduced scale.

"In short, Mr. President, a great many of our contemporaries, raised in the democratic tradition of thinking for themselves, are finding a growing conflict between their own observations on the one hand, and statements by Administration leaders about the war on the other. These are people as devoted to the Constitution, to the democratic process, and to law and order as were their fathers and brothers who served willingly in two World Wars and in Korea.

"DRAFT LAW CRITICIZED

"Unless this conflict can be eased, the United States will find some of her most loyal and courageous young people choosing to go to jail rather than to bear their country's arms, while countless others condone or even utilize techniques for evading their legal obligations. Contributing to this situation is the almost universal conviction that the present Selective Service law operates unfairly.

"We write in the hope that this letter will encourage a frank discussion of these problems. If such a discussion clarified American objectives in Vietnam, it might help reverse the drift, which is now from confusion toward disaffection. To this end, we submit for your consideration some of the questions now agitating the academic community:

"There is doubt that America's vital interests are sufficiently threatened in Vietnam to necessitate the growing commitment there.

"There is doubt that such vital interests as may be threatened are best protected by this growing commitment.

"There is doubt that a war which may devastate much of the countryside can lead to the stable and prosperous Vietnam we once hoped our presence would help create.

"There is considerable concern about apparent contradictions in the American position on certain points basic to any efforts to negotiate a settlement. High Government officials reiterate our eagerness to negotiate 'unconditionally,' but we remain unclear about our willingness to accept full participation by the Vietcong as an independent party to negotiations.

"Similarly, Administration spokesmen reiterate our commitment to self-determination for South Vietnam, but we remain unclear about our willingness to accept a coalition (or pro-Communist) government should the people of South Vietnam eventually choose such a government under adequate international supervision.

"Finally, Mr. President, we must report a growing sense—reinforced by Mr. Harrison Salisbury's recent reports from Hanoi—that too often there is a wide disparity between American statements about Vietnam and American actions there.

"We hope you will find it possible to share your thoughts with us about these matters. The rising confusion about national purpose can undermine mutual trust and respect among our people. This seems to us as urgent a problem as any that confronts the nation today.

"We are grateful for your interest and send our best wishes for the New Year."

Mr. MORSE. Next, Mr. President, I ask unanimous consent to have printed in the Record an advertisement from the December 21 issue of the Eugene Register-Guard, of Eugene, Oreg., entitled "Statement of the Lane County Clergy and Laymen Concerned About Vietnam."

There being no objection, the advertisement was ordered to be printed in the Record, as follows:

Statement of the Lane County Clergy and Laymen Concerned About Vietnam

At this season of the year when we hear again the words, "Peace on earth and good will among men," we regard with grave concern the present war which our own nation is waging. We encourage Protestants, Catholics, Jews, and all other people of faith in the Eugene area;

To pray for peace; for wisdom, discretion, and patience for our leaders; for the safekeeping and well-being of those who find themselves obliged to bear arms, remembering as we pray to love our enemies and to pray for them;

To pay heed to the calls for peace that have come from the Union of American Hebrew Congregations, from Pope Paul VI, from the World Council of Churches, the National Council of Churches, and from many denominational bodies.

We encourage all people: to participate in a vigorous examination and discussion of the issues and alternatives confronting our nation, and to act in the appropriate ways which our Constitution provides, so as not to forfeit our freedoms or relinquish our rights of citizenship through apathy.

Particularly at this time when the war effort in Vietnam is being intensified, we urge consideration of the questions:

Whether our increasing use of military power conflicts so much with our declared purposes of preserving freedom and self-determination for the people of Vietnam that the words "freedom" and "self-determination" come to mean nothing;

Whether in the contemporary world, one nation, even one with the immense resources of the United States, while acting unilaterally apart from the United Nations and other international structures, can achieve any lasting peace and stability for a people of different race, religion, culture, and civilization;

Whether the use of our awesome power against Asians resulting in injury and death to the civilians as well as the combatants, in the destruction of crops and other natural resources already woefully lacking, in the spread of corruption and graft, will not so arouse the indignation, distrust, and remorse of the world as to be in the long run a political and moral catastrophe;

Whether the restraint of China and the Soviet Union will continue if the war in Vietnam is further escalated and whether our Government's declared objectives justify jeopardizing the future of mankind;

Whether our concern to prevent the spread of Communism in Southeast Asia has rendered us insensitive to some of the legitimate national aspirations of people who have been fighting for over a quarter of a century to gain independence for their land;

Whether prevailing public opinion in Canada, Great Britain, France, West Germany and Japan, which in no instance supports our current Vietnam policy, should not give us cause for a reassessment of our position?

In the light of the issues raised by such questions we urge consideration of the following possibilities:

A cessation of the bombing and a restraining of our military effort, perhaps through the indefinite extension of a holiday truce; or, if this is impossible, at least a termination of offensive warfare, while safeguarding troops and civilians in areas now under our control;

An expression of our willingness to negotiate with the National Liberation Front, and to recognize the legitimacy of their participation in any solution to the problems of Vietnam;

A commitment to the phased withdrawal of our military forces accompanied by a strenuous diplomatic effort to enlist the aid of the United Nations or the signatory nations of the Geneva Accords of 1954 in arranging a ceasefire; in supervising negotiations; in protecting against reprisals and terrorist activity; in caring for refugees; and in working with the people of North and South Vietnam for an indefinite period free of foreign interference to seek stability, self-determination, and peace;

A continuing determination to employ our vast economic, technical, and educational resources for the well-being of the people of Vietnam, by channeling such assistance only through the appropriate international organizations.

A more forthright effort on the part of our nation's leaders to advise the American people concerning our foreign policy and its implementation, and to place more emphasis on the presentation of factual, detailed, and complete information about specific international events;

A rigorous reassessment of the assumptions upon which our United States foreign policy has been based, in the light of our involvement in Vietnam, particularly as that policy relates to our encounter with the various expressions of Communist power in the world, and to our relationship to the emerging nations, so that our country may be able to make that contribution to the world which is so urgently needed and which she is so uniquely qualified to make.

Sponsors: The Lane County Clergy and Laymen Concerned About Vietnam—

Mrs. Lois Barton, Mr. Stanley D. Belden, Rev. Alfred Bloom, Rev. Fred R. Brooks, Jr., Mr. R. H. Carlson, Mrs. R. H. Carlson, Dr. Norman Conard, Rev. E. Gordon Crider, Dr. Steven Deutsch, Sec., Mr. Charles T. Duncan.

Mr. Theodore Farris, Rev. Milton Gardiner, Mr. Philip George, Dr. Robert Harland, Rev. Jack L. Hilyard, Dr. Paul Hoffman, Rev. Everett Kennedy, Mrs. Annabel Kitzhaber, Rev. Ross Knotts, Mrs. Catherine Lauris.

Rev. James Merlin, Rabbi Louis Neimand, Rev. Carl Nelson, Chrm., Rev. Wesley Nicholson, Mrs. Betty Olin, Mr. Bert Olin, Rev. Charles Palmerlee, Tres., Rev. Norman D. Pott, Rev. Jay W. Rea.

Mrs. Keith B. Salmonson, Rev. Wilbur I. Smith, Mr. Lyle Swetland, Mr. Joe Willis, Rev. Kenneth Wieg, Mr. & Mrs. R. A. Merrill, Mr. Arthur C. Johnson, Rev. Robert Dwight, Rev. William H. Snyder.

For Information: 2255 Washington St. Eugene—342-3415.

Mr. MORSE. Mr. President, I shall return to this particular item shortly for a brief comment.

Next I ask unanimous consent to have printed in the RECORD another advertisement which was published in the New York Times for January 15, 1967, entitled "U.S. Intervention in Vietnam Is Illegal." I shall return to that item for a brief comment shortly.

There being no objection, the advertisement was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 15, 1967]

LEADING AMERICAN AUTHORITIES ON INTERNATIONAL LAW REPLY TO THE PRESIDENT—U.S. INTERVENTION IN VIETNAM IS ILLEGAL

The President, in his State of the Union Message, advanced as basic grounds for our involvement in Vietnam, our "commitment" under the SEATO Treaty, "aggression" by North Vietnam, and the Korean "precedent". These same grounds have been advanced by the Legal Adviser of the State Department in a detailed Memorandum, "The Legality of the U.S. Participation in the Defense of Vietnam", issued in March 1966—and more recently in an address to the University of Pittsburgh Law School on December 13. Ten days ago our Committee submitted to the Secretary of State a comprehensive 45,000-word Analysis prepared by its Consultative Council [*] demonstrating that the Administration's legal justification of U.S. involvement in Vietnam is based on misleading presentations of fact and unwarranted interpretations of law. Observance of the law would have spared the American people as well as the Vietnamese a cruel war. So that the American people may gauge the legality or illegality of our involvement in Vietnam, our Council's Analysis is summarized on this page in Points I to V—as briefly as is possible for a responsible understanding of the issues. Point III deals with the SEATO "commitment." Point I (1) deals with "aggression" by North Vietnam. Point I (5) deals with the Korean precedent. Other points deal with our commitments under the United Nations Charter, the 1954 Geneva Accords, and our own Constitution. At stake are not "legalisms".

At stake are the norms of behavior essential for world order. Therefore our government must, we plead, conduct its foreign relations in conformity with international law. We have requested the Senate Foreign Relations Committee to hold hearings on the legality of U.S. involvement in Vietnam. We urge your support.

Consonant with international law, and in support of Secretary General U Thant's peace plan, we urge the United States Government to take immediately the following specific steps:

1. *Unconditional* termination of bombings in North Vietnam.
2. Cooperate in replacing U.S. military forces with personnel of the International Control Commission which is legally responsible for supervising the execution of the 1954 Geneva Accords.
3. De-escalation of military operations in South Vietnam starting with the cessation of offensive operations.
4. Recognition of the National Liberation Front as possessing belligerent status, and hence negotiating status, equal to that of the Saigon regime.
5. Commitment to negotiate on the basis of the 1954 Geneva accords, including the withdrawal of all foreign military forces and the elimination of all foreign bases in South and North Vietnam within a specified period of time.

United States intervention in Vietnam constitutes a series of violations of the United Nations Charter and of other fundamental rules of international law governing the use of force in international relations.

The United States has a duty—embodied in our Constitution—to abide by general international law and by the treaty obligations it has freely and sovereignly accepted.

In the nuclear age, the survival of the United States and the world requires that we become again a nation "of laws and not of men," as truly in international affairs as in domestic life.

Therefore, we, the undersigned, call upon the United States Government to cease its present conduct and to heed the counsels of restraint prudently built into international law as protection against the ever-worsening scourge of war; we call upon the United States Congress without delay to exercise its prerogatives toward these ends; and we call upon fellow Americans and men and women everywhere to support this effort to promote the cause of peace.

POINT I—THE UNILATERAL MILITARY INTERVENTION OF THE UNITED STATES IN VIETNAM VIOLATES THE CHARTER OF THE UNITED NATIONS. THE CHARTER'S EXCEPTIONAL AUTHORIZATION OF INDIVIDUAL AND COLLECTIVE SELF-DEFENSE "IF AN ARMED ATTACK OCCURS AGAINST A MEMBER OF THE UNITED NATIONS" DOES NOT APPLY IN THE CASE OF VIETNAM

The Charter of the United Nations is a treaty that specifically obligates the United States (1) to refrain from the unilateral use or threat of force in international relations (Article 2(4)) and (2) to settle international disputes by peaceful means.

The Charter creates a very narrow exception to the broad prohibition of unilateral force. This exception (Article 51) affirms the "inherent right of individual or collective self-defense if an *armed attack* occurs against *a Member of the United Nations. . . .*"

The Department Brief seizes upon the word "inherent" to argue that prior to the adoption of the United Nations Charter, states possessed a broad right of self-defense; that this right is not diminished by Article 51. Hence, it argues, the exercise of this right of "collective self-defense" by the United States on behalf of South Vietnam is not inconsistent with the Charter.

This contention is fallacious for several reasons:

1. There has been no "armed attack" upon South Vietnam within the meaning of Article 51 of the Charter

The question crucial for world order is—What kind of grievance permits a state to act in "self-defense"?

The right of self-defense under the Charter exists only if an "armed attack" has occurred. The language of Article 51 is unequivocal. The concrete term "armed attack" was deliberately introduced into the Charter to eliminate the discretion of states to determine for themselves the scope of permissible self-defense—that is, to wage war without *prior* U.N. authorization. A claim for self-defense is permissible only "when the necessity for action is instant, overwhelming, and leaving no choice of means, and no moment for deliberation." This definition of self-defense was stated in classic form by Secretary of State Daniel Webster in the *Caroline Case,* (VII Moore's Digest of International Law, 919) and was affirmed in the Nuremberg judgment and by unanimous vote of the U.N. General Assembly at its First Session. Res. 95(1)

The State Department Memorandum acknowledges that a *specific* form of aggression, namely, an *"armed attack"* is an essential condition precedent to the use of force in self-defense, and that a mere allegation of indirect aggression does not entitle a state to wage war by unilateral discretion. However, the Memorandum blurs the essential distinction between the broad and vague *general* concept of aggression and the narrow one of armed attack. Evidently endeavoring to justify the U.S.'s open combat actions against North Vietnam and in South Vietnam which started on February 7, 1965, the State Department merely alleges the occurrence of an armed attack by North Vietnam "before February 1965," without providing a convincing demonstration of why its allegations about the gradual infiltration of North Vietnamese guerrillas over a period of ten years in support of the Vietcong insurgency should be regarded as an armed attack.

The Department Brief quotes selectively from the reports of the International Control Commission to support its claims of subversion and infiltration over the "years." It fails, however, to acknowledge passages in the reports of the ICC that criticize the forbidden, and progressively increasing, military build-up of South Vietnam by the United States that commenced almost immediately after the Geneva Accords of 1954. It is in the context of this gradually increasing American military build-up of South Vietnam and American military presence in South Vietnam that one must assess the contention that the infiltration of 40,000 North Vietnamese between 1954 and 1965 should be viewed as an armed attack.

The Department Brief itself provides the reasoning with which to reject its charge of "armed attack" by North Vietnam. The long-smoldering conditions of unrest, subversion and infiltration in South Vietnam that it describes is an example of the very opposite of an emergency demanding immediate response "leaving no choice of means, and no moment for deliberation" and justifying a claim of self-defense. The State Department's argument, if accepted, would broaden Article 51 far beyond either its intended or desirable meaning. Whereas the Charter limits the use of force, by unilateral decision to specific emergencies where there is no time to seek authorization from the Security Council, the State Department's doctrine would grant all states—and even "entities" which are not sovereign states—a dangerous and virtually unlimited discretion to decide when force shall be used. This is in clear contrast to the letter and spirit of the Charter.

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The Department Brief does not even sustain its charge of indirect aggression, it indicates that prior to 1964 the "infiltrators" were South Vietnamese that had previously moved North after July 1954. Moreover, the lumping together of "40,000 armed and unarmed guerillas" is not meaningful. How can an unarmed Vietnamese who moves from one zone of his country to another be classified as a "guerilla" and "infiltrator", contributing to "armed attack"? Above all, the implication that by 1964 the Southern insurgents had been reinforced by 40,000 guerillas from the North is altogether misleading; for this figure, even if correct, fails to deduct all those who during a whole decade died, became incapacitated, were taken prisoners, deserted, or simply withdrew from or never participated in the insurgency.

The Mansfield Report shows that before 1965 infiltration from the North, "was confined primarily to political cadres and military leadership." On the other hand it notes that by 1962, "United States military advisers and service forces in South Vietnam totaled approximately 10,000 men." The Report makes plain that significant armed personnel were introduced from the North only *after* the United States had intervened when "total collapse of the Saigon government's authority appeared imminent in the early months of 1965." It states (at p. 1):

"United States combat troops in strength arrived at that point in response to the appeal of the Saigon authorities. The Vietcong *counter-response* was to increase their military activity with forces strengthened by intensified local recruitment and infiltration of regular North Vietnamese troops. With the change in the composition of the opposing forces the character of the war also changed sharply." The Report (p. 3) underscores that significant forces from the North followed and did not precede the direct involvement of the United States.

To summarize this crucial point—self-defense is legally permissible only in response to a particularly grave, immediate emergency—described in international law and the Charter as "armed attack." The kind of force allegedly employed by North Vietnam in South Vietnam cannot appropriately be regarded as an "armed attack" within the meaning of Article 51. Therefore a claim to act in self-defense is unavailable to South Vietnam; and, *a fortiori*, unavailable to the United States as an ally acting in collective self-defense.

2. *The United States failed to fulfill its charter obligation to seek a peaceful solution in Vietnam*

The State Department also ignores the obligation under the Charter to seek *first of all* a peaceful solution by any method of the disputant's own choice, within or outside the machinery of the United Nations. This legal requirement is elaborated in Article 33(1): "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall *first of all*, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

The United States has had many years within which to seek a peaceful solution of the Vietnam situation. Indeed, a report prepared for the American Friends Service Committee—"Peace in Vietnam"—discussing "The Negotiation Puzzle", points out that "a careful reading of the *New York Times* shows that the United States has rejected no fewer than seven efforts to negotiate an end to the war" (p. 51), citing efforts by U Thant, President de Gaulle, Hanoi and others, made long before the United States embarked upon an active combat role in February, 1965.

Ever since the mid-1950's the reports of the International Control Commission contain many complaints about South Vietnam's deliberate and systematic sabotage of the machinery created by the Geneva Accords to prevent dangerous developments. The United States has done little to dispel the belief that it has favored a "military solution" to the conflict in Vietnam.

3. *The doctrine of "collective self-defense" cannot justify the United States military intervention in the civil war in South Vietnam*

If the conflict in South Vietnam is a civil war the intervention of the United States is a violation of the undertaking, fundamental in international law, that one state has no right to intervene in the internal affairs of other countries.

It seems most correct to regard the present conflict in South Vietnam as essentially a civil war among, what James Reston has described a "tangle of competing individuals, regions, religions and sects . . . [among] a people who have been torn apart by war and dominated and exploited by Saigon for generations." (*New York Times*, April 3, 1966.)

The Charter of the United Nations is silent on the subject of civil war. It has been generally assumed, however, that a civil war is a matter essentially within the domestic jurisdiction of a state (Article 2(7)), and that therefore even the United Nations is obliged to refrain from intervening unless the civil war is identified by a competent organ of the U.N. as a threat to international peace. Certainly if the United Nations must stay aloof from civil wars, then it is even clearer that individual states are likewise obliged to refrain from interfering in civil wars. The weight of opinion among international lawyers lays stress upon a duty of non-intervention in ongoing civil wars.

Even if North Vietnam and South Vietnam are accorded the status of separate entities in international law, approximating the status of independent countries, rather than being "temporary zones" of a single country as decreed by the Geneva Accords, the United States may not respond to the intervention of North Vietnam in the civil war in the South by bombing the North. There is no legal basis for an outside state to respond to an intervention by another state in a civil war with a military attack on the territory of the intervening state. Neither Germany under Hitler nor Italy under Mussolini claimed that their intervention in behalf of Franco during the Spanish Civil War would have vindicated their use of military force upon the territory of the Soviet Union, a state intervening in behalf of the Loyalists. Correspondingly, the Soviet Union, intervening in behalf of Spain's legitimate government, did not claim any right to use military force against Germany or Italy. It is sobering to realize that if the United States was lawfully entitled to bomb North Vietnam in response to North Vietnam's intervention in the Southern civil war, then North Vietnam or any of its allies would have been lawfully entitled to bomb the United States in response to the United States' much more massive intervention in that civil war.

4. *The "request" of the "Government" of South Vietnam does not provide a legal basis for "collective self-defense"*

The evidence shows that in many respects the present Saigon regime, just as its predecessors since 1954, is a client government of the United States. These governments seem to have been incapable of independent action, as regards either inviting American assistance or requesting modification or termination of American assistance. Furthermore, these regimes have been unable to act on behalf of their people or even to rule effectively the territory under their control.

The present government has no constitutional basis, and is incapable even of achieving stability on its own side in the face of the emergency represented by the ongoing civil war, a factor that normally postpones protest movement until the civil war is settled. The recurring protests of Buddhists, Catholics, business leaders, students, intellectuals, and other civilian groups in South Vietnam are dramatic evidence of the tenuous existence and the repressive quality of Premier Ky's regime.

If the United States were to withdraw from South Vietnam the Ky government would collapse. In what sense, then, is such a regime sufficiently constituted as a government to authorize military intervention of the United States on its own behalf? It is hardly comforting to rely upon the Soviet suppression of the Nagy uprising in 1956 in Hungary as a useful precedent to support what the United States is doing in Vietnam on a far larger and sustained scale.

5. *The Korean precedent does not justify the unilateral intervention of the United States in Vietnam*

The State Department's reliance upon the Korean precedent to sustain "the right to organize collective defense" is inadequate to establish a legal basis for the unilateral U.S. military intervention in Vietnam. General Ridgway, among others, has pointed to some of the important differences between Korea and Vietnam (Look Magazine, April 5, 1966, p. 82):

"In South Korea, we had a workable government . . . We acted in concert with many nations and had been deputized by the United Nations to repel the aggressor in its name."

In Korea, a massive invasion (armed attack) from the North had occurred, as attested to by United Nations observers; nevertheless, the United States did not claim a right of "collective self-defense" on behalf of the South but brought the case before the United Nations Security Council, and thereafter acted in the name of the United Nations.

POINT II—THE MILITARY PRESENCE OF THE UNITED STATES IN VIETNAM VIOLATES THE GENEVA ACCORDS OF 1954

The State Department claims that the U.S. military intervention in Vietnam is compatible with the Geneva Accords of 1954 and, in fact, is based on U.S. assurances made at the time of their signing.

The Geneva Conference dealt with the situation created by the defeat of the French in their 8-year war against the Viet Minh for control over the whole of Vietnam. After the battle at Dien Bien Phu in June 1954, the Viet Minh occupied the major part of the country north of the thirteenth parallel. However, Ho Chi Minh agreed to withdraw his forces to the north of the seventeenth parallel in exchange for two central commitments: (1) the unconditional promise that all foreign military forces in Vietnam would be removed, and (2) that within two years elections would be held under international supervision to unify the country, so that the temporary division of Vietnam into a northern and southern zone would end by July 1956.

The United States pledged on July 21, 1954 not "to disturb" the Geneva Accords. Article 6 of the Final Declaration of the Geneva Conference explicitly stated that the military demarcation line is provisional and shall not in any way be interperted as constituting a political or territorial boundary.

It is generally acknowledged that Hanoi initially carried out the central provisions of the Accords and eschewed violence south of the seventeenth parallel because it expected to win the elections and did not wish to alienate those whose electoral support it sought. (See, e.g., Fourth Interim Report of the International Control Commission, Vietnam No. 3, Command Paper 9654 [1954]). Nevertheless, on July 16, 1955, the Diem regime, with United States backing, announced that it would not participate in the prescribed nation-wide elections and would not even negotiate with Hanoi, as also prescribed in the Accords, about their modalities. The fact that the Accords granted Diem a full year (July 1955–July 1956) to demand any safeguards for fair elections refutes the State Department's assertion that Diem's obstruction of the central provision of the Geneva Settlement—reunification—was justified because the elections would not have been fair in the North.

As late as September 18, 1962, the International Control Commission (ICC) insisted upon compliance with the obligation to hold elections for reunification. In a Special Report of June 2, 1962, the ICC declared that the United States "increased military aid" to South Vietnam and that the United States' "factual military alliance" with South Vietnam violated the Geneva Agreement.

POINT III—THE UNITED STATES IS NOT COMMITTED BY THE SEATO TREATY OR OTHERWISE TO INTERVENE IN VIETNAM

The State Department's claim that the United States military involvement in Vietnam is in fulfillment of its obligation under the Southeast Asia Collective Defense Treaty is untenable. The argument is a late discovery. SEATO was not mentioned in the official U.S. announcements in February 1965, when the bombing of North Vietnam commenced. In March 1965, the State Department, in a Memorandum entitled "Legal Basis for the United States Actions Against North Vietnam," did not refer to SEATO. Neither Secretary of State Rusk, in an address on Vietnam before the American Society of International Law in April 1965, nor President Johnson, in a statement on July 28, 1965, explaining "Why We Are in Vietnam," made any reference to SEATO.

In fact, the SEATO Treaty does not enlarge the legal basis for the use of force contained in the U.N. Charter. The State Department misleadingly asserts that the Treaty's Article 4(1) creates an *"obligation . . .* to meet the common danger in the event of *armed aggression"*. The term *"armed aggression"* is not contained in the Treaty. Repeating the language of the U.N. Charter, Article 4(1), speaks of "aggression by means of *armed attack."* Since an armed attack has not occurred, SEATO does not authorize defensive action; if an armed attack *had* occurred, SEATO would be redundant, as the use of force would be permissible under Article 51 of the Charter.

In the event of an "armed attack" the United States would have had, at most, the legal *right,* but certainly not an *obligation,* to assist South Vietnam. None of the other SEATO parties regard military intervention in Vietnam as legally required by SEATO. On the contrary, two leading members of SEATO—Pakistan and France—have publicly denounced the United States' role in the Vietnam war.

Article 4(2) of the SEATO Treaty makes clear that if South Vietnam were threatened "in any way *other* than by armed attack," the (SEATO) parties "shall consult immediately in order to agree on the measures which should be taken for the common defense." And Article 2 of the Treaty makes clear that "subversive activities directed from without" does *not* constitute "an armed attack," but call for consultation by the treaty members. *Consultation* is not unilateral military assistance. Indeed, the Treaty presupposes unanimous *agreement* among the other seven partners before any SEATO power would be authorized to offer military support. In 1964, the unanimity requirement was reinterpreted by the United States to mean that "measures" could be taken in the absence of a dissenting vote among the SEATO partners.

As regards "commitments" of former Presidents, the Department Brief fails to point out that President Eisenhower initially offered limited *economic* aid to the Diem regime if it would be "prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied," and only on condition that the American "aid will be met by performance on the part of the Government of Vietnam in undertaking needed reforms." (Department of State Bulletin XXXI, November 15, 1954, pp. 735–736). President Eisenhower has stated categorically that his Administration had made no commitment to South Vietnam "in terms of military support or programs whatsoever."

President Kennedy insisted that the war in Vietnam was "their war" and promised only equipment and military advisers. His view of the United States involvement in Vietnam was summed up in the statement he made in September 1963:

"In the final analyses, it's their war. They're the ones who have to win or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it, the people of Vietnam."

It is strange legal logic retrospectively to construe these carefully guarded offers of limited assistance as commitments for military intervention.

POINT IV—THE INTENSITY AND DESTRUCTIVENESS OF UNITED STATES WARFARE IN VIETNAM IS CONTRARY TO INTERNATIONAL LAW

The intensity, indiscriminateness, and destructiveness of United States war actions in Vietnam violate basic rules of warfare that have been part of international law at least since the formulation of the Hague Conventions in 1907.

These actions are particularly reprehensible so far as North Vietnam is concerned. It has never been denied that the United States military presence vastly exceeds that of the North in South Vietnam. Under the Geneva Accords, the United States is not entitled to introduce military personnel and equipment anywhere in Vietnam (except man-for-man and piece-for-piece replacements as of the status of July 1954) and much less to participate in active fighting in that country. Even if, as the Department Brief contends, reprisal or response to violations of the Geneva Accords by North Vietnam were justified, the United States would be entitled to disregard these Accords only in proportion to their disregard by North Vietnam.

Long before the advent of the United Nations, it was a basic rule of international law that force used in reprisal must be proportional to the illegal provocation. In the leading case of the pre-United Nations era on the subject (the *Naulilaa Incident,* involving the shelling of Portuguese forts by Germany in 1914), a German-Portuguese Mixed Tribunal emphasized that reprisals "are limited by considerations of humanity and good faith"; and more generally, that, "One should certainly consider as excessive, and therefore illegal, reprisals out of all proportion with the act which motivated them." Bombing North Vietnam, as of February, 1965, in alleged reprisal for Vietcong attacks on two American airbases in South Vietnam, certainly seems to flaunt this rule of proportionality.

POINT V—UNITED STATES ACTIONS IN VIETNAM VIOLATE TREATIES WHICH ARE PART OF THE SUPREME LAW OF THE LAND, AND HENCE VIOLATE THE UNITED STATES CONSTITUTION

Since United States actions in South Vietnam and North Vietnam violate treaties to which the United States has become a party by ratification pursuant to the Constitution, they violate the Supreme Law of the Land. No branch of the Government, alone or together, may, under the Constitution, authorize actions in violation of treaties or delegate power to do so. There is no Constitutional authority to violate the Charter of the United Nations, a treaty of which the United States was a principal architect, which embodies the conscience of mankind, and which is legally binding on all its members.

The reliance of the Department Brief upon alleged past precedents as applicable to the Vietnam situation is wholly unfounded, and the assertion that, since 1789, Presidents have at least 125 times ordered "armed forces to take action or maintain positions without prior Congressional authorization" is misleading. None of these incidents, except possibly the Korean conflict, involved U.S. war actions comparable in magnitude to those in Vietnam. None involved the dispatch of military forces for combat to a territory from which, by solemn international compact, foreign military personnel, foreign equipment, and foreign bases were to be excluded. Moreover, most of these instances were the product of "gunboat diplomacy" undertaken before the United Nations Charter limited the permissible use of force under international law to self-defense against an armed attack.

The Korean precedent is especially inapposite, as President Truman's actions were authorized by a Security Council Resolution, and were not unilaterally undertaken as are the actions in Vietnam.

We petition the Congress to adopt the council's 5 point program and thus, by adhering to the precepts of international law, help to bring peace to our country and to Vietnam.

The signers of this statement agree with its general tenor and conclusions, although not necessarily with every formulation that it contains. Names of institutions are listed for identification only.

LAWYERS COMMITTEE ON AMERICAN POLICY TOWARDS VIETNAM,
WILLIAM L. STANDARD, *Chairman,*
CAREY MCWILLIAMS, *Vice Chairman.*
JOSEPH H. CROWN, *Secretary-Treasurer.*

Mr. MORSE. Mr. President, lastly, I ask unanimous consent to have printed in the RECORD an article entitled "Freedom, Freedom House and Vietnam," written by Hans Morgenthau, which was published in the January 2, 1967, issue of the New Leader.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREEDOM, FREEDOM HOUSE, AND VIETNAM

(By Hans J. Morgenthau)

In the New York *Times* last November 30, an advertisement covering seven full columns of a page appeared with the title in boldface: "Leaders Warn That Extremists Could Delay Vietnam Negotiations." The subheading continued: "A Crucial Turning Point! A Freedom House statement signed by 145 distinguished Americans urges the responsible critics of the Vietnam war to dissociate themselves from wild charges being made against the nation and its leaders." The statement was signed by a former President of the United States, a former Secretary of State, and other distinguished men. Some of them I have counted among my friends; others have been students of mine.

This is indeed a remarkable document. It is remarkable for three reasons: for its views on the prospects for peace in Vietnam, for its views on what constitutes "responsible" criticism of our Vietnam policy, and for its conception of freedom of speech.

The document declares that failure by the responsible critics of our Vietnam policy "to draw the line between their positions and the views expressed by irresponsible extremists could encourage our Communist adversaries to postpone serious negotiations, raising the cost in lives and delaying the peace we earnestly seek." In other words, the blood of our men who must die in Vietnam is on the hands of the "irresponsible" opponents. This charge derives from the assumption that the policies of our Vietnamese adversaries are determined by what some Americans may or may not say about the policies of their government. This is an extraordinary view of the policy-making processes of any government, past or present. I would have thought—and there is some evidence in history for thinking so—that a government engaged in war will be influenced in its attitude toward peace by its estimate of the military situation and of the peace terms it thinks it can obtain. As long as it thinks it can win, or can get better peace terms by continuing the war, it will go on fighting; when it thinks it is likely to lose, or has nothing to gain from continuing the war, it will stop fighting.

It is of course true that Communist governments dogmatically believe that capitalistic governments govern without the consent of the governed, since a capitalistic society is by definition a class society ruled by an exploiting minority. Whatever dissent there is in a capitalistic society, "responsible" or "irresponsible," provides empirical support for that dogmatic assumption and is for that reason eagerly quoted. The dogmatic assumption stands on its own feet, however, being an integral part of the received Marxist-Leninist truth. The dogma would be believed even if there were no dissent at all. Thus Communist writers have for two decades berated the "warmongers of Wall Street," myself included, who drag an unwilling American people toward war, regardless of the evidence pro or con. But I have not deemed it proper in the past to adapt my expression of opinion to the changing winds of Marxist polemics, and I do not intend to do so in the future.

The Freedom House document presents a list of five criticisms which it calls "fantasies" and obviously regards as "irresponsible." Let us quote and examine them in sequence.

1. "That this is 'Lyndon Johnson's War' or 'McNamara's War' or any other individual's war." While I have never used such terms, I have expressed the conviction that our involvement in this war is in good measure the result of the personal shortcomings of our policy-makers. Their personal prestige, as they see it, requires the perpetuation of error because a liquidation of the war on terms acceptable to the other side would be tantamount to admitting they were consistently wrong in their calculations and forecasts. Indeed, the argument most frequently heard nowadays in Washington runs like this: "If we had known two years ago what we know now, we wouldn't be in that mess. But we are in it, and what can we do?"

2. "That the American leaders are committing 'war crimes' or indulging in 'genocide.'" A war fought against indigenous guerrillas, either supported by the population or to whom the population is indifferent, is bound to obliterate the traditional distinctions between combatants and noncombatants, soldiers and civilians. It cannot but degenerate into indiscriminate killing, and victory and can be won only by incapacitating everybody, guerrilla and nonguerrilla alike. This is not what our policymakers intend to do, but what they are forced to do by the inexorable logic of the enterprise upon which they have embarked.

3. "That military service in this country's Armed Forces is an option exercisable solely at the discretion of the individual." I know of no proposition of this kind put forward in connection with the war in Vietnam, and I can therefore only guess what the document is aiming at. If it is aiming at the draft card burners and those who refuse to be inducted into the armed services without claiming the status of conscientious objectors, it is dealing with individuals who are breaking the law but not with criticism, "responsible" or "irresponsible." If it is referring to members of the Armed Forces who would rather be relieved of their command or court-martialed than be responsible for indiscriminately killing civilians, they are not engaging in "criticism" either. But they are the real moral heroes of this war even though they will never get the Congressional Medal of Honor.

4. "That this is a 'race' war of white versus colored peoples." Statistically the document is of course right in claiming that our white soldiers are fighting side-by-side with soldiers who are not white. But what is decisive in moral and political terms is how the war is being experienced by the Vietnamese people. To the Vietnamese, we appear as the successors to the French—whose ranks, by the way, also included non-white soldiers. It is we, a predominantly white people, who tell the Vietnamese that they ought to be dead rather than red, and we are in the process of making that statement stick. We can argue that the Vietnamese ought not to hate us as the white destroyers of their country. But they have begun to hate us as such, and it is that fact that counts.

5. "That this nation's leaders are obsessed with some compulsion to play 'world policemen' or to conduct some 'holy war' against the legitimate aspirations of underdeveloped people." The President, the Vice President, the Secretary of State, and our military leaders have stated innumerable times that we are in Vietnam to "stop Communism." That is another way of saying we are engaged in an ideological war, and we consider "legitimate" only those aspirations that are anti-Communist. Whether or not one calls such a war "holy" is a matter of terminology; it does not affect the substance of what we say we are doing. Our leaders have also told us repeatedly that being the most powerful nation on earth, we have a special responsibility to preserve peace and order and to oppose aggression throughout the world. Secretary of State Dean Rusk, appearing last August 25 before a Senate subcommittee, put it this way: "No would-be aggressor should suppose that the absence of a defense treaty, Congressional declaration, or U.S. military presence grants immunity to aggression." Whether or not one describes this as playing the role of "world policeman" is again a matter of terminology, and has nothing to do with the case.

I must confess that insofar as the statements cited refer to intelligible criticisms of our Vietnam policy, I and many other reputable citizens subscribe to them, and I have expressed them consistently at least since July 1961. Thus, by the standards of this document we are indeed "extremist" and "irresponsible" critics. But perhaps this stigmatization is not so much a reflection upon the critics as upon the stigmatizers. This brings me to the last and most important point: the issue of free speech.

The Freedom House document, in spite of a ritualistic bow to free speech, effectively limits free speech. It distinguishes between the arguments against our policies in Vietnam that are legitimate and those that are not. The arguments just analyzed are declared to be illegitimate. But considering the comprehensive character of the strictures, it is clear that while the document pretends to distinguish between legitimate and illegitimate criticism, its purpose is really to put the stamp of illegitimacy upon most of the criticism—past, present or future—advanced against our Vietnam policies.

Technically, of course, the issue is not freedom of speech, since Freedom House has no power to prevent the expression of opinions it condemns. But morally this is indeed the issue. For by condemning certain opinions as not only mistaken but as aiding the enemies of the United States and helping to destroy the lives of American soldiers, the document removes them from the sphere of the morally acceptable as assuredly as the courts would be removing them from the sphere of the legally permissible by punishing the holders of these opinions. Such removal of a body of substantive opinion from the sphere of legitimacy is abhorrent to the Anglo-American tradition of free speech.

Free speech is limited by certain specific statutory prohibitions—for example, those involving libel and slander, obscenity, blasphemy, and sedition; it is also limited by the concern for preventing a clear and present danger to public order. But beyond these specific legal limitations, speech is supposed to be free both on moral and legal grounds. Beyond these limitations, there can be no substantive limits to criticism in a free society. "No person or group," to quote James M. Landis, "is wise enough to be trusted to discriminate between valid and invalid ideas." And the legitimate concern for the effectiveness of the government in times of war does not override this consideration. As Judge Charles F. Amidon put it in legal terms: "The framers of the first Amendment knew that the right to criticize might weaken the support of the government in a time of war. They appreciated the value of a united public opinion at such a time. They were men who had experienced all those things in the war of the Revolution, and yet they knew too that the republic which they were founding could not live unless the right of free speech, of freedom of the press was maintained at such a time."

The Freedom House document is trying to establish a political orthodoxy with regard to our policies in Vietnam. It tells us that we are morally entitled to criticize the government, but not with regard to the fundamental issues it enumerates. That is to say, we are not morally entitled to criticize the government in any meaningful way. It is both illuminating and disquieting to note that this is how the moral right to criticize is formulated by the enlightened totalitarianisms of the day. The governments of the Soviet Union and Eastern Europe, with the exception of East Germany, all make a distinction between "responsible" and "irresponsible" criticism, and "irresponsible" criticism is defined as that which attacks the foundations of government policies. That the immune foundations are much more broadly defined by totalitarianism than by Freedom House, addressing itself only to the issue of Vietnam, does not affect the principle, which violates the democratic ethos. It is ironic that an organization calling itself Freedom House should thus, unwittingly and misguidedly, attack the very foundations of American freedom. This is but one of the ironies of this document. There are two others.

The document condemns the holders of certain opinions as being responsible for the continuation of the war in Vietnam. I hold these opinions. And it is exactly because I hold them that I have consistently warned against the policies which first led to our involvement in this war, and then to our inability to extricate ourselves from it. If my advice had been followed there would be no war in Vietnam today, and our interests in Southeast Asia and throughout the world would be the better for it.

But aside from this perverse logic, which blames the opponents of the war for its continuation, the document does not raise the question of whether the responsibility for continuing the war might not at least be shared by those policy-makers who have been consistently wrong in their calculations and forecasts and have since 1963 repeatedly, and finally with success, urged upon the President the bombing of North Vietnam as a sure road to victory. Nor does the document raise the general question of whether those who make policy might not bear a greater share of responsibility than those who criticize that policy. It could dismiss the question only if it proved that the policies of the government could win the war quickly were it not for the irresponsibility of the critics.

The Freedom House document, so extraordinary in its implications, is the result of a misguided sense of patriotism. This patriotism deems it its duty to support the policies of the government in times of crisis, thus identifying the government with the nation, and in the process sacrifices the interests of the nation upon the altar of conformity. I am reminded of the famous manifesto which in the fall of 1914 was addressed "to the civilized world" by 93 luminaries of German scholarship, art and literature, men such as Baeyer, Behring, Brentano, Ehrlich, Eucken, Haber, Haeckel, Harnack, Hauptmann, Laband, Lamprecht, Lenard, Liebermann, Neisser, Nerst, Ostwald, Planck, Reinhardt, Röntgen, Schmoller, Vosslef, Wassermann, Weingartner, Wilamowitz-Moellendorf, Willstätter, Windelband, and Wundt. It declared that it was "not true" that Germany bore any responsibility for the War, that Germany had violated the neutrality of Belgium, and that "the life and property of a single Belgian citizen had been injured" without military necessity, etc. That manifesto has gone down in history as a prime example of how wrong good and meritorious men can be when their patriotic passions are aroused. I think the Freedom House document will fare no better.

Mr. MORSE. Mr. President, as I have already stated, on December 21, 1966, there was published in my hometown paper the advertisement "Statement of the Lane County Clergy and Laymen Concerned About Vietnam." I shall read part of it.

Let me say that one of the signers of the advertisement is my own pastor, a minister of the Congregational Church in Eugene, Oreg., Rev. Wesley Nicholson. Let me say that I knew nothing about the advertisement prior to its being published. I had no idea that my pastor was going to be a signatory to it. I was not surprised when I saw his name on it, because he is one of the most dedicated, Christian, spiritual leaders I have ever met in my life. He is a man who possesses those qualities of spiritual leadership but not only inspires his parishioners but also his counseling, his wisdom, his sense of right and wrong, make him one of the most noble human beings I know.

Therefore, I was not surprised to find the name of this good Christian clergyman attached to this advertisement. It reads in part, as follows:

> At this season of the year when we hear again the words, "Peace on earth and good will among men," we regard with grave concern the present war which our own nation is waging. We encourage Protestants, Catholics, Jews, and all other people of faith in the Eugene area:
>
> to pray for peace; for wisdom, discretion, and patience for our leaders; for the safekeeping and well-being of those who find themselves obliged to bear arms, remembering as we pray to love our enemies and to pray for them;
>
> to pay heed to the calls for peace that have come from the Union of American Hebrew Congregations, from Pope Paul VI, from the World Council of Churches, the National Council of Churches, and from many denominational bodies.
>
> We encourage all people:
>
> to participate in a vigorous examination and discussion of the issues and alternatives confronting our nation, and to act in the appropriate ways which our Constitution provides, so as not to forfeit our freedoms or relinquish our rights of citizenship through apathy.
>
> Particularly at this time when the war effort in Vietnam is being intensified, we urge consideration of the questions:
>
> whether our increasing use of military power conflicts so much with our declared purpose of preserving freedom and self-determination for the people of Vietnam that the words "freedom" and "self-determination" come to mean nothing;
>
> whether in the contemporary world, one nation, even one with the immense resources of the United States, while acting unilaterally apart from the United Nations and other international structures, can achieve any lasting peace and stability for a people of different race, religion, culture, and civilization;
>
> whether the use of our awesome power against Asians resulting in injury and death to the civilians as well as the combatants, in the destruction of crops and other natural resources already woefully lacking, in the spread of corruption and graft, will not so arouse the indignation, distrust, and remorse of the world as to be in the long run a political and moral catastrophe;
>
> whether the restraint of China and the Soviet Union will continue if the war in Vietnam is further escalated and whether our Government's declared objectives justify jeopardizing the future of mankind;
>
> whether our concern to prevent the spread of Communism in Southeast Asia has rendered us insensitive to some of the legitimate national aspirations of people who have been fighting for over a quarter of a century to gain independence for their land;
>
> whether prevailing public opinion in Canada, Great Britain, France, West Germany and Japan, which in no instance supports our current Vietnam policy, should not give us cause for a reassessment of our position?
>
> In the light of the issues raised by such questions we urge consideration of the following possibilities:
>
> a cessation of the bombing and a restraining of our military effort, perhaps through the indefinite extension of a holiday truce; or, if this is impossible, at least a termination of offensive warfare, while safeguarding troops and civilians in areas now under our control;
>
> an expression of our willingness to negotiate with the National Liberation Front, and to recognize the legitimacy of their participation in any solution to the problems of Vietnam;
>
> a commitment to the phased withdrawal of our military forces accompanied by a strenuous diplomatic effort to enlist the aid of the United Nations or the signatory nations of the Geneva Accords of 1954 in arranging a ceasefire; in supervising negotiations; in protecting against reprisals and terrorist activity; in caring for refugees; and in working with the people of North and South Vietnam for an indefinite period free of foreign interference to seek stability, self-determination, and peace;
>
> a continuing determination to employ our vast economic, technical, and educational resources for the well-being of the people of Vietnam, by channeling such assistance only through the appropriate international organizations;
>
> a more forthright effort on the part of our nation's leaders to advise the American people concerning our foreign policy and its implementation, and to place more emphasis on the presentation of factual, detailed, and complete information about specific international events;
>
> a rigorous reassessment of the assumptions upon which our United States foreign policy has been based, in the light of our involvement in Vietnam, particularly as that policy relates to our encounter with the various expressions of Communist power in the world, and to our relationship to the emerging nations, so that our country may be able to make that contribution to the world which is so urgently needed and which she is so uniquely qualified to make.

It is signed by a group of Lane County clergymen and prominent laymen.

The advertisement has aroused a considerable amount of discussion interest in my hometown. There has been a considerable amount of discussion in my State for many months past, for in my State, in the last senatorial campaign, it was the issue, the controlling issue, for the Democratic candidate made it such. The Democratic candidate did not see fit to discuss any domestic issue in any depth, but sought to hold his opponent, now our colleague in the Senate, to the Vietnam issue. Our colleague discussed the Vietnam issue, but he discussed other issues that confronted the people of Oregon, domestic issues as well as foreign policy.

At no time from the beginning to the end of that campaign, and at no time in the last 2 years since my colleague has taken his stand on the Vietnam issue—and in various respect it differs from mine, and I respect his differences—has he shifted his position, although the attempt has been made in some of the press of this country to give the impression that by the end of the campaign he had in some way, somehow, shifted his position on the Vietnam issue in the campaign. He did not. He kept up with events in foreign policy that developed during the campaign. He did not take a static position.

The campaign in Oregon drew the line on the Vietnam issue, and a majority of the people of my State gave their answer. Although I would have much preferred to be in a position where I could have supported the candidate of my party, my trust and my conscience dictated the course that I followed, for very early last summer I announced that I would vote for the Republican candidate. I said that I would not involve myself in his campaign, but that I would campaign for Democratic candidates for Congress in other States who shared my point of view on foreign policy, and that I did. A considerable number of them were elected; and with very few exceptions, all of them received at least 25 to 48 percent of the vote.

What does that spell? When a country is at war and 25 to 48 percent of the voters in an election, in district after district, manifest their opposition to the policy, we have a disunited people on foreign policy—and we are a disunited people. But unity will not be obtained by seeking to prevent dissent, and unity will not be obtained no matter what pressures, castigation, and abuse may be heaped upon the growing numbers in this country who are speaking out more and more in opposition to the President's policy in Vietnam.

I refer now to the advertisement that was published in the New York Times of January 15, 1967, signed by a group of eminent authorities on international law. The advertisement states:

> Leading American authorities on international law reply to the President.

They replied to what I consider to be the most unfortunate part of the President's state of the Union message, in which he attempted, again, to pass on to the American people what I consider to be completely fallacious propaganda; namely, that the SEATO Treaty justifies our course of action. I have spoken about that at length ever since the Secretary of State belatedly grabbed hold of it as a drowning man would seek to grab hold of a straw for want of something better to save himself.

The foreign policy section of the state of the Union speech did not narrow the gap of the credibility of the Johnson administration. The testimony of the Secretary of State for several hours yesterday before the Committee on Foreign Relations did not narrow his gap of credibility in the field of foreign policy, for there, too, he sought to defend his course of action in Vietnam by the SEATO Treaty. He was asked to explain why the March 1965, legal memorandum of the State Department, which attempted to sustain the war on legal grounds, did not even whisper a word about SEATO, to say nothing about advancing SEATO as a legal justification for our illegal, immoral, and unconstitutional war in Vietnam.

No, this was the afterthought of a drowning diplomat, the Secretary of State of the United States. But, Mr. President, these scholars have answered him again. I say the legal offices of the State Department have performed a great disservice to a great man, who is the President of the United States, but who is not an international law scholar, by apparently influencing him sufficiently so that he passed on that bromide again, in his state of the Union message, when again he sought to justify to the American people our making war in Vietnam on the basis of the SEATO Treaty.

Mr. President, this advertisement succinctly answers that position. I shall not take time this afternoon to read that part of it, because I have already put it in the RECORD. I shall read only the introduction to the advertisement, and make some passing comments as I do so.

"U.S. Intervention in Vietnam Is Illegal." Who says it?

Richard A. Falk, chairman, Milbank professor of international law, Princeton University.

John H. E. Fried, professor of political science, City University of New York.

Richard J. Barnet, codirector, Institute for Policy Studies, Washington, D.C.

John H. Herz, professor of international relations, City University of New York.

Stanley Hoffmann, professor of international law, Harvard University.

Saul H. Mendlovitz, professor of international law, Rutgers University School of Law.

Wallace McClure, professor of international law, World Rule of Law Center, Duke University.

Richard S. Miller, professor of international law, Ohio State University College of Law.

Hans J. Morgenthau, Michelson distinguished service professor of political science and modern history, University of Chicago.

William G. Rice, professor of international law, University of Wisconsin Law School.

Quincy Wright, professor of international law, University of Chicago; Rice University.

With many of these men, Mr. President, I am personally acquainted. I try to be a keen student of their teachings. I was privileged to be a student of Professor Rice, of the University of Wisconsin Law School, many years ago when I was a student.

Mr. President, the research of these men has enabled them to do such a masterful job of legal analysis, in this one advertisement, that I wanted to present it, at this early date, to the Senate, so that Members of the Senate would have it to study; and I hope it will stimulate them to go to the library and do further research on the matter.

For, Mr. President, the issue that I raise of the illegality of America's war in Vietnam is an issue that will plague the next generation of Americans before the juridical bodies of the world. Because after the war is over, the juridical questions will still be up for consideration and adjudication; and as these international law scholars say, in the foreword to this editorial:

> The President, in his State of the Union Message, advanced as basic grounds for our involvement in Vietnam, our "commitment" under the SEATO Treaty, "aggression" by North Vietnam, and the Korean "precedent". These same grounds have been advanced by the Legal Adviser of the State Department in a detailed Memorandum, "The Legality of the U.S. Participation in the Defense of Vietnam", issued in March 1966—and more recently in an address to the University of Pittsburgh Law School on December 13. Ten days ago our Committee submitted to the Secretary of State a comprehensive 45,000-word Analysis prepared by its Consultative Council demonstrating that the Administration's legal justification of U.S. involvement in Vietnam is based on misleading presentations of fact and unwarranted interpretations of law. Observance of the law would have spared the American people as well as the Vietnamese a cruel war. So that the American people may gauge the legality or illegality of our involvement in Vietnam, our Council's Analysis is summarized on this page in Points I to V—as briefly as is possible for a responsible understanding of the issues. Point III deals with the SEATO "commitment". Point I (1) deals with "aggression" by North Vietnam. Point I (5) deals with the Korean precedent. Other points deal with our commitments under the United Nations Charter, the 1954 Geneva Accords, and our own Constitution. At stake are not "legalisms".
>
> At stake are the norms of behavior essential for world order. Therefore our government must, we plead, conduct its foreign relations in conformity with international law. We have requested the Senate Foreign Relations Committee to hold hearings on the legality of U.S. involvement in Vietnam. We urge your support.

Mr. President, I hope as a member of the Committee on Foreign Relations that during the course of the hearings on the American foreign policy in Asia we will have hearings on these legal issues as well, for I think they ought to also be made a part of the Senate record that I know will go down in history long after those of us that now walk on the carpet of this great parliamentary body are gone.

I am satisfied that history will prove to the world that in the course of the debate on this great issue the destiny of the Republic was determined.

As I close, I want to say that the new imperialism in Asia, the imperialism of the United States, is an imperialism which, if we continue our present escalating course of policy in the war in Vietnam, will result in an American takeover of a section of Asia. Generations of Americans will be born and die before America is eventually driven out of Asia.

I warn tonight on the floor of the Senate that eventually we will be driven out of Asia. We should be, if our presence there is to be based on the type of presence that now characterizes us as we engage in an immoral and illegal war from the standpoint of international law, an unconstitutional war from the standpoint of American law, and a completely unjustifiable one for us to be in.

That is why those of us that see it as we express ourselves believe that we have a solemn and moral responsibility to do all that we can to change the foreign policy of the Johnson administration and to bring to an end what we consider to be an unnecessary and unjustifiable killing of increasing numbers of American troops in Asia.

Our casualties right now have quadrupled over that of the South Vietnamese as the American military takes over the war and the faltering South Vietnamese with their record of desertion withdraw further and further as far as active military participation is concerned.

It will be only a matter of time in my judgment before it will be a completely American war. I think, however, that it is also possible that it will be only a matter of time before the American people by an overwhelming majority come to recognize that the only check on the war that is left to them is the check of their ballots.

Once again, I urge them in the name of our spiritual values, in the name of our historic ideals, and in the name of the rights of humanity that they use their ballots to end the war.

Mr. President, I yield the floor.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at

5 o'clock and 10 minutes p.m.) the Senate took a recess until Wednesday, January 18, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 17 (legislative day of January 12), 1967:

Federal Aviation Administration

Gen. William F. McKee, U.S. Air Force, retired, of Virginia, to be Administrator of the Federal Aviation Administration (new position).

David D. Thomas, of Virginia, to be Deputy Administrator of the Federal Aviation Administration (new position).

Diplomatic and Foreign Service

Clarence A. Boonstra, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Costa Rica.

Idar Rimestad, of North Dakota, a Foreign Service officer of class 1, to be Deputy Under Secretary of State.

In the Air Force

Lt. Gen. Joseph J. Nazzaro, FR1241 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of general, under the provisions of section 8066, title 10 of the United States Code.

In the Navy

Having designated, under the provisions of title 10, United States Code, section 5231, Vice Adm. Arnold F. Schade,* U.S. Navy for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

The following-named officer, when retired, for appointment to the grade of admiral pursuant to title 10, United States Code, section 5233:

Adm. John S. Thach, U.S. Navy.

The following-named officers, when retired, for appointment to the grade of vice admiral pursuant to title 10, United States Code, section 5233:

Vice Adm. Glynn R. Donaho, U.S. Navy.

Rear Adm. Howard A. Yeager, U.S. Navy.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 17 (legislative day of January 12), 1967:

New England Regional Commission

John J. Linnehan, of Massachusetts, to be Federal cochairman of the New England Regional Commission.

* * *

HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty.—Psalm 91: 1.

O God, who art a tower of strength to all who put their trust in Thee, help us to turn from the noise and clamor of the world, and to find peace in the assurance of Thy presence. Keep us sensitive to the needs of others, understanding amid our differences, and determined to live in the spirit of good will. May we ever be mindful of the fact that we are one family in Thee, and in this oneness may we do our work and live our lives.

Our minds and hearts reach out in prayer for those in the Armed Forces of our country. Keep them strong in temptation, resolute in duty, and faithful to Thee, who art ever with them and with us. Lord God of Hosts, be with us all—lest we forget, lest we forget Thee. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE LATE HONORABLE WALT HORAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WASHINGTON

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, it is with profound sorrow that I inform the Members of the House of the passing on December 20, 1966, of one of our former colleagues, Walt Horan, of Washington.

Walt Horan served 22 years in this body. At the time he left Congress, he was a ranking member of the Committee on Appropriations, where he performed yeoman service for his district, State, and Nation.

Walt was a man of tremendous integrity. He sought always to do that which was right, and was one of the finest men I have been privileged to know.

Walt Horan was a native son of Washington, having been born in Wenatchee on October 15, 1898. He was a veteran of naval service during World War I, after which he graduated from Washington State University.

Prior to coming to Congress in 1943, Walt was engaged in a fruitgrowing, packing, storing, and shipping business. Upon leaving Congress he went back to the land he loved so deeply and it was in the Philippines, visiting his daughter, that he passed away.

What was perhaps Walt's greatest moment in this Chamber came when he was no longer a Member of Congress, as he sat here on June 21, 1965, and heard the opening prayer offered by his son, Rev. Howard S. Horan, who had just been ordained.

Mr. Speaker, I will ask unanimous consent for all Members who desire to do so to extend their remarks in the Record on Walt's life and service. I know my colleagues will want to join me and Mrs. Pelly in extending our heartfelt sympathy to his widow, Helen, and to their five children.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Washington yield?

Mr. PELLY. I am happy to yield to the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman for yielding.

Walt Horan was a very close, and dear friend of mine. We served together for a number of years on the Committee on Appropriations. He was an invaluable Member of the House of Representatives. No one was more gentle, kind, or more cooperative than Walt Horan.

I join the distinguished gentleman from the State of Washington [Mr. Pelly] in extending to his lovely wife, Sally, and to his family our deepest condolences at this time.

Mr. ALBERT. Mr. Speaker, will the gentleman from Washington yield?

Mr. PELLY. Mr. Speaker, I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I also join the distinguished gentleman from Washington, and our distinguished minority leader in paying tribute to a longtime friend of mine, Walt Horan.

If ever in my life I saw a man who was a friend of mine, it was he. He was kind, he was gentle, he was considerate, but through it all he was a worker. He performed his work above the call of duty in this House of Representatives. He was a great Member of the Congress of the United States, and I extend my sympathy to his entire family.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. Mr. Speaker, I yield to the distinguished gentleman.

Mr. BOGGS. Mr. Speaker, I should like to associate myself with the remarks that have been made here about our late former colleague, Walt Horan. He was indeed a friend of every Member of this body.

His friendship knew no partisanship or geographic boundaries. It was my great pleasure to know him, to know his wife, and to know his family.

All of us will miss him greatly.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. PELLY. Mr. Speaker, I yield to my colleague from the State of Washington.

Mr. FOLEY. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, I wish to join in everything that has been said by the gentleman from Washington [Mr. Pelly], the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert], and the majority whip, the gentleman from Louisiana [Mr. Boggs], but I wish to add a personal note.

I am, I think, in a special position in the House in relation to Walt Horan. I have the honor to be his successor, and I am from another party.

On the day that I was seated as a Member of this House in January 1965, Walt was to my knowledge the only man to come from another side of the aisle to congratulate a successor who had been his opponent in the previous election.

I know I do not need to assure my Republican friends of the esteem in which Walt was held by the Democratic Members of this House. He was a dedicated Republican, but he could never have applied a partisan test to friendship. There was simply nothing small or narrow in his nature.

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* Holding an ad interim appointment.

When I was introduced as a new Member in the Democratic cloakroom many of my new colleagues could not conceal their deep regret at Walt's defeat and it was clear that no one found any pleasure in it. Walt himself was undaunted and immensely generous to me. He took me through the Capitol to introduce me to his colleagues and countless friends. It was more than a magnificent gesture of good will; I think it was symbolic of the best traditions in our American political life: That the responsibility and service can be passed not only without violence but indeed without rancor. It was a day that I shall always remember.

Not long ago it was said here that to be gracious in victory required one to be a gentleman, but to be gracious in defeat required one to be a man. Walt Horan was a man as well as a gentleman, a warm, kindly, dedicated man who served his district longer than any other Representative and served it always with honor.

His passing brings grief to his wonderful wife and family to whom he was so devoted. Their grief is shared by all who had the privilege of knowing him. That is a rare testament.

Mr. PELLY. Mr. Speaker, I yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. Mr. Speaker, I am deeply grieved to learn of the death of Walt Horan. He served with distinction in this body for so many years.

I think my good friend, the minority leader, the gentleman from Michigan [Mr. Gerald R. Ford] aptly described my state of mind when he referred to the kindness of Walt Horan; and also the gentleman from Washington [Mr. Foley] has described the fine and noble outlook on life that Mr. Horan had.

Walt Horan's personality impressed itself upon every one of his colleagues that he ever served with. He was a man who was honorable and trustworthy in every respect. His integrity was outstanding. His personality, his understanding mind and his capacity to make friends were outstanding characteristics of his life.

I join with my colleagues in extending my deep sympathy to the loved ones he leaves behind.

Mr. PELLY. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. Laird].

Mr. LAIRD. Mr. Speaker, all of us who served with Walt Horan on the Committee on Appropriations know that Walt was not only a kindly man and a conscientious man but a man who had a deep insight into the problems of his fellow human beings. Walt was a hard worker on the Committee on Appropriations. I had the opportunity of serving with him on the Agricultural Appropriations Committee in the 83d and the 84th Congresses.

I knew Walt to be an outstanding Christian gentleman and a man that this country and the State of Washington will long remember.

I join with the distinguished Speaker of the House and the gentleman from Washington in extending to his family and to his lovely wife our sincere sympathy.

Walt Horan will be missed by all of us.

Mr. PELLY. Mr. Speaker, I yield to the gentlewoman from Washington [Mrs. May].

Mrs. MAY. Mr. Speaker, I wish to join my distinguished colleagues from the State of Washington in the House of Representatives in paying tribute to the memory of the late Congressman Walt Horan.

The news of his death on December 20 was received by all of us with shock, and it was a sad day for all of Walt's former colleagues who were his good friends.

I, of course, felt a very special kinship to Walt Horan, Mr. Speaker, because our two congressional districts combined to form all of the eastern half of the State of Washington. In a great many respects our districts are similar. They are both rural districts and both produce an abundance of agricultural crops.

Another thing that bound us together was the Grand Coulee Dam in the State of Washington. I mention this only because Walt Horan gave such splendid representation to the diversified interests and the important interests of these districts, and in doing so provided all of us who have followed him not only in this part of the country but in other parts of the country with guidance and with inspiration.

Walt Horan, Mr. Speaker, was a truly fine man who enjoyed a wonderful reputation among all who had the pleasure of knowing and working with him.

He served 22 years in the House of Representatives and when he left the Congress in 1964, he was one of our eight top ranking Members of the House of Representatives in terms of seniority and the second ranking Republican on the Committee on Appropriations.

As an indication of the esteem in which Walt was held by his Republican colleagues, he was selected for several years in a row as treasurer of the Republican congressional campaign committee.

I think as many of you know, Walt was seriously ill during his campaign in 1964 and it was an illness from which he never completely recovered. He was hospitalized for many, many months before he was able to leave the hospital. All four of his sons went to visit him in the hospital at Wenatchee this summer but it was Walt's fondest dream once again to visit his daughter, Kay, and her husband and their children who live in Manila. So Walt and his wonderful wife, Sally, made the decision and they flew to Manila.

I am sure, Mr. Speaker, that Walt knew before his journey that the end was near. He recognized the possible consequences of a trip of this great magnitude, but he knew also that he wanted to see his daughter and grandchildren again, and that dream was fulfilled. It is my hope that his wish will prove of comfort to his fine family—Sally, his wife, and all his children—who remain, along with the great memory of his service, which is an inspiration for all of us.

Mr. PELLY. Mr. Speaker, I yield to my colleague, the gentleman from Washington [Mr. Meeds].

Mr. MEEDS. Mr. Speaker, I wish to join my colleagues in paying tribute to Walt Horan. While I did not have the opportunity to serve in Congress with him, I am keenly aware of the contribution he made to his district and to the State of Washington during his 22 years of service in Congress. He served through the many difficult years which saw the Second World War and the Korean conflict. They were not easy years.

But, his sincerity, dedication, and unfailing courtesy set goals toward which all Members of Congress should properly strive.

He was a respected Congressman. Perhaps more importantly, he was a well-respected man.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am happy to yield to my colleague, the gentleman from Washington [Mr. Adams].

Mr. ADAMS. Mr. Speaker, many of us knew Walt Horan for many, many years in the State of Washington. Many of us had the privilege of having him help us through the years on projects, particularly those involving the agricultural areas. As has been mentioned before, Walt was always distinguished by his kindness and his patience. We all share in the deep regret that has been expressed here and extend our sympathy to his family.

I only hope that those of us who have entered the House from the State of Washington can carry on as well and have the respect of our colleagues on both sides of the aisle that was held by Walt Horan.

Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. Hansen] may revise and extend her remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, it is with profound sorrow that I join my colleagues from the State of Washington this morning to pay tribute to our beloved late colleague, Walt Horan, from the Fifth District of Washington.

I knew Walt as a friend and neighbor here in Congress and as a fellow citizen of our State. Not once through all the years I have known Walt was there an occasion when he was petty, small, or unkind.

I had the privilege of serving with him on the Appropriations Committee here. He did a magnificent job not only for our State, but for the Nation.

To his lovely wife Sally and to his children, I extend my deepest and sincerest sympathy.

Mr. PELLY. Mr. Speaker, I think that the remarks of Walt Horan's friends that have been made here today bear out what I have always felt, and that is that no man who ever served in this body was held in higher esteem or was more beloved by all of those who served with him. Those of us who always look forward to returning to our State, those of us from the State of Washington, will certainly regret that we cannot go back and greet Walt again, but we will carry with us the pleasant memories of the many years we have known him in our hearts.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Washington.

Mr. HICKS. Mr. Speaker, I join my colleagues in mourning the Honorable Walt Horan. It was not my privilege to know Mr. Horan personally, but I certainly know him by reputation.

I knew his reputation in our State of Washington, of course, years before I came to Congress. That reputation was of a dedicated, independent, personable, completely honest lawmaker—in short, a fine, honorable man.

And I know his reputation in Washington, D.C. It is no different here than it is in the State he loved and served so well. There is no disagreement anywhere: Mr. Horan was a fine, honorable man.

That his passing came in the Philippine Islands, half a world from the State and the country he loved so well, made his death doubly tragic.

Mr. Speaker, even without having known Walt Horan personally, I mourn him. For I feel that I have missed something important in life by not having known him personally.

Mr. PELLY. Mr. Speaker, I was moved when one of our former colleagues who is present today said that he would like to have expressed his feelings at this time. He is one who served on the Appropriations Committee with Walt for so many years, a good friend from Iowa, Ben Jensen. He would have liked to say what those of us who are Members are able to say.

Mr. HALLECK. Mr. Speaker, I want to join with my colleagues here today in expressing my sorrow at the passing of Walt Horan.

Through the years of our close association in the House of Representatives he was always my friend, as I was always his. I was shocked to learn of his untimely death. If someone were to ask me to describe Walt Horan in one word it would be "unpretentious." But this would not do him justice. Maybe a better word would be "genuine." I knew Walt Horan as a man of unquestioned integrity, able, and dedicated to his responsibilities here in this body. Certainly there was no malice in his makeup toward anyone, and by the very nature of his openhanded, congenial willingness to be helpful, Walt Horan endeared himself to all of us, on both sides of the aisle.

To his bereaved family I extend my heartfelt sympathies. May they take consolation in the fact that he served his country faithfully and with high distinction.

Mr. ROONEY of New York. Mr. Speaker, I was deeply saddened to learn just before Christmas of the passing of the Honorable Walt Horan, distinguished former Member of this body from the Fifth Congressional District of the State of Washington. I came to know Walt Horan very well through our many years of joint service on the House Committee on Appropriations. I join with the people of his State in admiration for his devotion to their betterment. The fact that Walt spent 22 years in this body representing them is surely a testimonial to his faithfulness and ability. But more than that, Walt Horan was a close friend whom I will sorely miss. To his lovely wife and five children I offer my deepest sympathy and prayers in their great loss.

Mr. ADAIR. Mr. Speaker, I join my colleagues in the sentiments they have expressed at the loss of our friend and former colleague Mr. Walt Horan. Those of us who have served with him knew him to be a dedicated public servant, a hard worker, and one motivated with a high sense of responsibility. He was truly a great and dedicated American, and his passing leaves a great void. Mrs. Adair and I join with all the others who have extended sympathy to his wife Sally and their fine family.

Mr. MARSH. Mr. Speaker, it was with sadness that I learned of the passing of Walter Horan, who for many years was the distinguished Representative of the Fifth Congressional District of the State of Washington. As other Members know, he was one of the most thoughtful and friendly people in the House. Not only was he a dedicated public servant, but he was a man of unusual ability and intellect.

There was a community of interest between his congressional district and my own, and Mr. Horan had a fond association with the Seventh Congressional District of Virginia. He was an orchardist, and I recall that one of the first times that I met him was when he attended the annual picnic of the late Senator Harry Byrd, where were invited the friends and associates of the apple industry of the former senior Senator from Virginia. Walt Horan was a regular and welcome guest at that annual occasion. I would like to thank the gentleman from Washington [Mr. PELLY] for this opportunity to pay tribute to this distinguished son of his State.

Mr. FISHER. Mr. Speaker, I join with my colleagues in eulogizing the late Walt Horan who ably represented the Fifth Congressional District of the State of Washington for some 20 years. His untimely death came as a shock to many of us who knew him well and admired him greatly. He was a man of dedication, wisdom, and devotion to the loftiest of principles.

Walt Horan was elected to the 78th and succeeding Congresses. He came to the House of Representatives at the same time I did, in 1943. Affable and articulate, Walt went his way, always well informed and convincing. He was a knowledgeable man, and had a way of impressing his views on others in a most agreeable and acceptable manner. Universally respected and admired, Walt seemed to number his friends in the Congress by the number who knew him. He was my friend, and I shall always feel that I was enriched by that acquaintance.

Mr. Speaker, this country needs more Walt Horans. This Congress needs more men of his caliber.

GENERAL LEAVE TO EXTEND

Mr. PELLY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and service of the late Walter Horan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT TO FOREIGN TAX CREDIT PROVISION OF THE INTERNAL REVENUE CODE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I introduced H.R. 823 on Tuesday, the day Congress opened the first session of the 90th Congress. This bill has been referred to the Ways and Means Committee, and I hope every Member will have an opportunity to read this bill, and especially members of the Ways and Means Committee, as the numerous industries located in South Carolina and throughout the country are interested in this proposed amendment.

I am inserting a full explanation of the bill at this point in the RECORD, as follows:

EXPLANATION OF AN AMENDMENT TO THE FOREIGN TAX CREDIT PROVISION OF THE INTERNAL REVENUE CODE, TO IMPROVE BALANCE OF PAYMENTS, BENEFIT DOMESTIC ECONOMY, AND OUR FOREIGN INDUSTRIAL COOPERATION

This bill is introduced not only as an independent bill but also with the objective of having the Ways and Means Committee adopt this provision as an amendment to the first tax bill that might come up before the Committee for its consideration under the able chairmanship of Mr. Mills, should this bill not be enacted as an independent measure.

The purpose of this bill is to amend section 902(b) and section 902(c) of the Internal Revenue Code of 1954. These sections provide that if a U.S. corporation owns 10 percent or more of the voting stock of a first-level foreign corporation, and if such foreign corporation owns 50 percent or more of the voting stock of a second-level foreign subsidiary, the domestic parent corporation may credit against its U.S. taxes on dividends received from such subsidiaries a proportionate share of the foreign income taxes paid by such subsidiaries. Under present law no credit is allowed to the U.S. corporation for foreign income taxes paid by a foreign corporation beyond the second level.

To illustrate the effect of this amendment, suppose a U.S. corporation has a wholly-owned or majority-owned foreign subsidiary in country X which desires to develop a new activity with local capital participation but cannot provide 50 percent of the required capital without assistance from its American parent; it could, however, provide 25 percent, with 75 percent provided from local capital. Under present law, this cannot be done without total loss of foreign income tax credits.

The proposed amendment would reduce the 50-percent requirement to 25 percent between the first and second levels and would include third-level foreign corporations in the tax credit structure if the 25-

percent test is met. Under existing rules and regulations, the Treasury Department will have no difficulty in verifying the indirect ownership of the third-level subsidiary by the domestic corporation.

It will be noted that under the present law the U.S. parent corporation does not obtain the benefit of the foreign income tax credit unless it owns directly or indirectly not less than 5 percent of the voting stock in the second-level subsidary, i.e., 10 percent of 50 percent. Accordingly, the proposed bill specifically provides that the U.S. parent corporation shall not obtain the benefit of the foreign income tax credit unless it owns directly or indirectly not less than 5 percent of the voting stock of the particular second- or third-level foreign subsidiary.

Adoption of this amendment will have the following effects, all in our national interest:

1. American business will be able to expand and grow with less use of American capital and increased participation of foreign local nationals in their own economy, resulting in a more favorable business atmosphere abroad.

2. U.S. economy will be benefited by increased tax revenue, higher employment and income resulting from demand, where feasible, for raw materials, equipment and products supplied from U.S. sources for construction and maintenance of these foreign facilities.

3. U.S. balance of payments will be improved.

With reference to Point #1, furthering our efforts to reduce the amount of U.S. dollars in foreign investments, adoption of this amendment would enable American industry to utilize local foreign capital rather than U.S. dollars, without losing foreign tax credits, for modernization and expansion in selected areas to meet foreign competition. The impact of increased participation of foreign local nationals on the foreign business atmosphere is illustrated by the experience in Canada where, under Section 106 (1a) of the Canadian Income Tax Act, effective in 1963, provision is made for a reduction in the Canadian withholding tax paid by nonresident corporations having a prescribed degree of Canadian ownership.

Also, where local national stock exchanges exist, use of local equity capital could result in greater distribution of stock of second- or third-level foreign corporations and increased sources of future venture capital abroad. Loss of foreign tax credits to U.S. parent corporation (under the present foreign tax credit structure and regulations governing interest in first- and second-level foreign corporations or use of third-level corporations) necessitates investment of U.S. capital for such modernization and expansion.

With reference to Point #2, increased income and employment from demand for U.S. raw materials, plant equipment and other supplies required for the construction of these facilities abroad as well as their continued maintenance and repair, directly aids U.S. economy through increased tax revenues and higher employment level and indirectly benefits the economy of the particular foreign country for this modernization and expansion.

Last, and of vital importance—Point #3—improved balance of payments. Increased income from foreign investments of American industry reduces or eliminates the net outflow of U.S. dollars, thus contributing to an improved U.S. balance of payments position. As you well know, factors that improve our balance of payments are tremendously important to our financial picture and our economy. This measure, if enacted, would make a great contribution to this end. The protection of our marketing position abroad requires additional investments in our foreign subsidiaries from either U.S. or foreign countries to meet foreign competition. The enactment of this proposed amendment would permit the additional investment to come from foreign countries.

I would like to impress on my colleagues the fact that I have given this matter careful study and can see nothing but good resulting from the enactment of this proposed amendment.

TRIBUTE TO HON. JOHN W. McCORMACK

Mr. HULL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HULL. Mr. Speaker, as we move into the important and busy workdays of the new 90th Congress, I want to pause for a moment and express my best wishes to you as you once again assume the heavy burdens of leadership as Speaker of the House of Representatives.

The House is very fortunate to have a Speaker with the experience, the dedication, and the enthusiasm for service of the Honorable JOHN W. MCCORMACK.

No doubt we will have some acrimonious days ahead as we debate the great and controversial issues of the present and it is propitious that this debate will be overseen by a Speaker so committed to protecting the rights of each individual Member, defending the prerogatives of the House itself, and a Speaker with such a highly developed sense of fairness.

The Honorable JOHN W. MCCORMACK has served in this body for 40 years, the last 4 as Speaker. He has made many tremendous contributions to sound and orderly legislation and all of us who serve here benefit from his counsel. His leadership and guidance already are monuments to responsibility in public office.

I know that under Speaker MCCORMACK's leadership, the 90th Congress will compile a record which will appeal to all Americans of good purpose.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. HULL. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, we cannot speak of the achievements of the 89th Congress without speaking in terms of the leadership of JOHN W. MCCORMACK. The achievements of the 89th Congress are among the greatest of any Congress in all the history of the United States. If any proof is needed, they are proof of his legislative leadership.

Beyond that, all of us know that he is a kind man, a Christian, a gentleman, and a personal friend who loves us all and whom we all love from the bottom of our hearts.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I may say that the previous speakers have anticipated what I had in mind to say and have expressed it much more eloquently than I could.

However, I do want to say that the editorial concerning the Speaker which appeared this morning in the Washington Post does not speak for me, does not express my opinions, nor, I know, the opinions of many other Members of the majority party with whom I have spoken this morning.

I commend the Speaker for his leadership and guidance in the past. Was he not the leader in the record-breaking 89th Congress?

I simply want to say that I hope you, Mr. Speaker, will continue to assume the trials and tribulations of leadership for many more years, not only for the benefit of our party but also for the benefit of our country.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I was amazed to read in the Washington Post this morning that in the august judgment of the editorial writer of that estimable newspaper a young man of 75 should forsake the field of statesmanship and retire to the rocking chair and the knitting needles.

America has never produced a more virile and masterful American than the Speaker of this House, and I can assure his good and considerate friend on the Post, who in the goodness of his generous heart would put him out to pasture, that when young JOHN MCCORMACK has reached the riper age of 85 he will still be here, bossing the job for God and country.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I welcome this opportunity to join with my fellow Missourian, BILL HULL, to add a word of praise for our beloved Speaker, JOHN MCCORMACK.

When we arose this morning, we were shocked to read in the local paper the lead editorial which suggested that the Speaker should gracefully step down because of some recent reverses.

My first reaction was to ignore the editorial and thereby not dignify an article which was not factually accurate, but full of faulty reasoning which resulted in a fallacious conclusion.

When I learned some Members would not remain silent after this attack upon our leader, it seemed to me silence might imply agreement. Nothing could be farther from the truth.

The conclusion of the editorial is that the Speaker's leadership is inadequate. They proceed to base such a conclusion on one or two events that have happened since we convened on January 10. Such a charge completely ignores the long record of fine leadership of our Speaker over the many years since he assumed leadership after the passing of Speaker Sam Rayburn. Those were large shoes to fill, but during the second session of the 87th Congress the new Speaker exhibited brilliant leadership that has continued on during all of the past 5 years.

Some of us may not have agreed completely with the Speaker on several different issues. We have not always voted as he would have preferred. But he is not a man that becomes angry or vindicative. All of us recognize in John a man who in every instance is kindly, understanding, and concerned for his fellow Members. He is always willing to listen to the problems of a Member, whether he is a new or old Member, on either side of the political aisle. John McCormack has not only been very patient with his fellow Members, he is a man who has always been fair with his colleagues, whether they happened to agree with him or not.

It is for this reason, Mr. Speaker, many of us resent the suggestion in the local Washington paper that you relinquish your leadership. You have just been elected Speaker. The membership on your side of the aisle has just expressed its confidence that in the 90th Congress, you will exhibit the same high level of excellent, and if you please, quite adequate leadership that you have shown in the 87th, 88th, and 89th Congresses. Mr. Speaker, the membership of this new Congress has confidence in you. We do not intend to let one editorial lessen or undermine the high esteem we all have for our Speaker.

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I rise to join with my colleagues in the House in expressing my complete confidence in your leadership as the Speaker of the House of Representatives. It is regrettable that the editorial that appeared in the Washington Post in today's morning edition contained so many inaccurate statements. It does not represent the facts. It failed to point out the long hours you spend in the Speaker's office from early morning every day until late in the evening. It did not reveal your excellent record in guiding through the 89th Congress legislation that benefited all of our people. When the history of the many Speakers of the U.S. House of Representatives is written, the name of John W. McCormack, like that of Abou ben Adhem, will lead all the rest.

Yes, Mr. Speaker, you are the hardest working Member of the House; your pace would put many younger Members to shame. You are loved, honored, and respected by every Member of this body.

The Democratic Party is certainly proud of you; the Republican Party recognizes your fairness.

I would commend to the editorial writer, Rudyard Kipling's immortal poem "If" for reading. John McCormack has held his head and what is more "John W. McCormack is a man, my son."

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, what is the Speaker's role in the House of Representatives? I would venture to say that few men in America would be able to answer this question, for each man, as Speaker, makes his own mark and sets his own course. The Speaker of the House of Representatives is a man whose responsibilities can never be defined and never be categorized. Each man is his own best judge of what he can do, and only history can tell us whether he has done this job well.

In the history of the U.S. Congress few will disagree that the 89th Congress will rank among those which brought about great accomplishment and great achievement. And let no man think that this Congress created its greatness by itself because a ship with no captain flounders on the shore. The giant of that Congress was Speaker John McCormack. It was he who lent both outstanding leadership combined with a wealth of experience and the assurance of purpose to those of us—and there were many of us—who wanted great things but knew not how to get them. On many a close vote it was John McCormack's personal prestige that could find a needed vote, or turn a vote against into a vote for.

For this, and for all he has done in his many years as a Member of Congress, let no man say that he has not lent dignity and wisdom to the Speakership.

Few in history have had the affection and loyalty from the House membership as has Speaker McCormack. And few have met criticism with as much dignity, grace, and courage.

I am sure that the 90th Congress will make a mark on history and once again, we will be privileged and fortunate enough to have as Speaker one who ranks among the foremost alltime legislators of this country in its 187 years of history.

And let us not forget the heavy burden of responsibility he carried upon the death of President Kennedy, with the double duty as next in line of presidential succession and the heavy responsibility of leading the legislative branch of our Government. There are few men in all the world who could have endured the burden he carried during those days and maintain his calm certainty and undaunted wisdom.

And, finally, let every American recognize the debt of gratitude it owes to Speaker McCormack for his fine work and wise leadership. He has helped to steer this greatest and richest of all countries on a path of achievement and progress, and he is one of the few men who could do this. Speaker McCormack, thank you.

UNITY AND WISDOM NEEDED TO ACCOMPLISH OUR GOALS

Mr. KLUCZYNSKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, in my 16 years' service in the Congress, I have seldom risen to address the House on any matter other than the legislation before us. I do so today, however, because I believe we are endangering our capacity to act for the good of the country by allowing ourselves to become embroiled in procedural dissension that is both unbecoming and extremely unwise.

We have immediately behind us the work of one of the most productive and progressive Congresses in the history of the Nation. Much remains to be done here if the country is to know the full potential benefit of the vital and forward-looking programs we have enacted into law. And much labor is ahead of us if we are to bring into being needed new programs and improvement of existing ones.

To accomplish our work, we will need all the good will, all the unity of spirit and determination, and all the accumulated wisdom of the years, that we can bring forth. We necessarily look to our leadership for these qualities, and they are there for us in full measure if we will take care not to obscure them by dealing in personalities.

The leadership has a responsibility to its party, of course, but in the last analysis its basic function is to insure that the will of the majority will prevail here. Each of us must bear in mind that, whatever the pressures of a given day may be, we have an overriding obligation to work for the good of the House over the long haul, for upon the strength of this body rests the well-being of our country.

Each of us has his problems, and each of us has his ambitions, whatever our age, our experience, or our party. But beyond any considerations involved in our own political destinies, we have an unchanging responsibility to act first in the national interest.

If we are to meet that responsibility in the weeks and months ahead—if we are to make wise choices among the difficult alternatives in both programs and financing that confront us—then as Democrats, and Republicans, we must put aside this internal turmoil, avail ourselves of all the ability, dedication, and experience that we have in such abundance, and get on with the legislative work before us.

We have problems aplenty to deal with in performing that task. Let us not compound our problems by encouraging disunity, either directly by our own words and actions or indirectly by trying to capitalize on the words and actions of others. Let us, I urge each of you, settle down and pull together. No good can come of pursuing a negative attitude. We are in a difficult and serious period for our country, and we can hope to meet its demands only by constructive effort and genuine respect for the qualities each has to offer toward the common good.

McALESTER NEWSPAPER SALUTES CARL ALBERT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, CARL ALBERT, our outstanding majority leader, is Oklahoma's favorite son. Our pride in CARL is honest pride, based on his widely recognized ability, his achievements in Government, and his warmth as a person.

The reasons for our pride are well-expressed in a story in the McAlester Democrat, a newspaper in the majority leader's hometown, of Sunday, January 8, 1967. The story was written by Howard Yourman, a brilliant young high school senior who has been associated for more than a year with the Albert staff and knows Mr. ALBERT's work and personal qualities first hand.

Mr. Speaker, I would like this story to appear in the RECORD as an eloquent testimonial to the outstanding job Mr. ALBERT does as a leader of this body, and as a representative of the people of Oklahoma. It follows:

CARL ALBERT STARTS 21ST YEAR ON HILL—JOINED HOUSE 1946

(By Howard Yourman)

When the bell sounds to mark the opening of the Ninetieth Congress Tuesday, it also will mark the beginning of Congressman Carl Albert's twenty-first year of service to the people of Oklahoma's Third Congressional District.

As a member of every Congress since his first election to the U.S. House of Representatives in 1946, Albert has served more years in the House than any previous Oklahoma representative.

From his first days as a freshman member—in an entering class that included John F. Kennedy and Richard Nixon—Albert has worked his way up through the ranks of the Democratic Party to occupy the powerful post of Majority Leader, and in the process has become one of the most influential men on Capitol Hill.

But working his way up is nothing new for Carl Albert. The oldest of five children born to Earnest Homer Albert, a coal miner, and Leona Ann Scott, Carl is a fourth generation Oklahoman. His maternal great-grandfather, Stacey R. Scott, settled in Krebs in 1887. His paternal great-grandfather, Eli Albert, came to Oklahoma in 1889, and lived the last few years of his life in Wilburton. Both ancestors were Civil War veterans.

When Carl was three, his father bought a farm seven miles northeast of McAlester in the community known as Flowery Mound, but commonly called Bug Tussle. It was there that he grew up and received his first eight years of schooling.

As a student at McAlester High School, Carl took an interest in public speaking which eventually resulted in his winning a district championship in the Midwest Oratorical Contest and the right to compete for State honors. For his performance before the Justice of the Oklahoma Supreme Court, he was awarded the State championship, $100 and a trip to Kansas City for the semifinals. Again he emerged victorious, with first place and a three month tour of Europe.

After graduating from McAlester High as president of the student body and class valedictorian, Carl went on to the University of Oklahoma, where he was elected president of the student body and a member of Phi Beta Kappa, and became National Oratorical Champion, for which he received a $1,500 cash prize and a trip to Honolulu.

He graduated from O.U. in 1931 and was awarded a Rhodes scholarship to study at Oxford University in England, where he earned a B.A. and a B.C.L. in law. During his three year stay at Oxford, he was able to visit most of the countries in Europe and North Africa.

Upon his return to the United States, Albert worked as a law clerk with the Federal Housing Administration in Oklahoma City, before entering the Armed Services in 1941 as a private assigned to the Third Armored Division. After serving with distinction in the Pacific Theater during the War, for which he received the Bronze Star, Lieutenant Colonel Albert was discharged in 1946, and shortly thereafter announced for Congress.

Locked in a five-man Democratic primary race, he managed to win the nomination with a 328-vote margain out of more than 60,000 votes cast. Later that year, Congressman-elect Albert crossed the Red River to visit House Speaker Sam Rayburn at his home in Bonham, Texas, thus beginning a warm friendship which lasted right up until the revered Speaker's death.

"Mr. Rayburn," as President Johnson remarked at a dinner honoring Albert in Washington last July, "was a wise judge of men. He liked Carl Albert and respected him as a brilliant lawyer. He saw in him the common sense and good judgment that rounds out an educated man, and he really must have seen a lot of himself in Carl, because they were cut from the same pattern."

These qualities, his years of service on the House Committee on Agriculture, Administration, and Post Office and Civil Service, plus his knowledge of House procedure and a long-standing record of support for the Democratic Party, made Albert a natural choice to succeed James Percy Priest as Party Whip, or assistant Leader, in 1955.

The appointment, announced to Democratic members by Majority Leader (later Speaker) John W. McCormack, gave Albert the number three position in the House Democratic structure and the highest office ever held by an Oklahoman in Congress.

His new job carried with it heavy responsibilities and few material rewards, but Albert attacked it with sedulity, attending policy conferences and briefings, keeping abreast of legislation, and rounding up votes for important bills. These additional duties however, were always subordinate to his primary task—that of representing his constituents in the Congress of the United States.

After five hectic months, Albert was still able to speak of his job with enthusiasm: "Although it has meant longer hours and harder work for me, I have derived a great deal of personal satisfaction out of the results we have been able to obtain. It has been an illuminating experience."

Albert's low pressure technique, compassionate yet effective, earned him the respect of both members and the leadership, and made him their easy choice for the Majority Leader's spot when Sam Rayburn died in 1961.

As Majority Leader, the Speaker's right hand man, Albert's job is to lead the Democrats in the day-to-day partisan struggles which occur on the Floor of the House. With the Speaker, he formulates the strategies designed to attract a majority vote within the House for all legislative measures important to the country. He is in constant touch with important legislation in every phase of its development, and is responsible for announcing the weekly programs under which the proposals are brought up for consideration.

Albert brings to his position an idealism tempered, but not diminished by the pragmatism he has gained during his two decades as a member of Congress. He is widely known as the most careful nose-counter in the House, and at the same time is admired for his deep sense of history and political philosophy. As President Johnson, put it, "Carl Albert is one of the true intellectuals in Washington."

But despite the great burdens of his office, Albert's first loyalty is still to the people he works for, his neighbors in southeastern Oklahoma. Although he is involved with great issues which affect the entire nation and the world, he is always eager to help an elderly couple in obtaining Social Security payments, or to assist a community in funding a new sewer system. In fact, as his responsibilities have multiplied, so have his opportunities to help his people.

In recognition of his efforts on their behalf, the people of his district and of his State have seen fit to honor Carl Albert in many ways. Lake Carl Albert, nestled in the foothills of the Buffalo Mountains northwest of Talihina, assures the surrounding area of water even in prolonged droughts.

Carl Albert High School, in Midwest City, stands as a living monument to the Majority Leader's everlasting interest in education. Even the main thoroughfare in McAlester, his hometown, is dedicated in his name.

But perhaps the greatest gesture of appreciation for his diligent efforts on their behalf has been the continued support he has received from his constituents during the past twenty years, and which he will strive to maintain in the promising future.

STRATTON BILL PUTS A REASONABLE CEILING ON COSTS OF STATE MEDICAID PROGRAMS UNDER TITLE 19 OF SOCIAL SECURITY AMENDMENTS OF 1965

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, the experience of a number of our States in implementing the provisions of title 19 of the Social Security Amendments of 1965, the so-called medicaid program, has demonstrated clearly the necessity for clarifying and sharpening the language of the 1965 statute in order to make the original intention of Congress more clear and explicit. Under that original law we left a good deal of freedom to the individual States, assuming that they would exercise a measure of caution and discretion in implementing this program within their own boundaries. But the experience of a number of States, most particularly my own State of New York, has demonstrated that we need to be more explicit ourselves in determining guidelines for State medicaid programs if the ultimate costs of this title are to remain within reasonable limits of the kind which we had assumed would develop when Congress passed the initial legislation.

As it is now, the cost of the program in New York State, for example, is estimated to run on an annual basis almost twice the amount which we had originally anticipated and set aside for title 19 programs in all 50 States. Clearly this is out of line with what we had in mind, even if our own original legislation may have been at fault in not defining our purposes more exactly. If all 50 States were to follow the lead of the New York program without any further guidelines from us, therefore, we would certainly find the overall costs of implementing medicaid far exceeding the costs of the basic program of medicare, and I think we might even find that it would be operating in such a way as even to undermine the original medicare legislation.

Last year, therefore, disturbed by the implications of the New York interpretation of title 19, I introduced legislation to put some definite limits on State programs under this title, and I spoke out on several occasions in the House to urge the Members of the great committee on Ways and Means to examine this problem and develop some clarifying legislation of their own. As Members will recall, in the closing days of the 1966 session the Ways and Means Committee did report out a bill that would have put on certain limitations and would have kept down some of the excessive costs involved. Because of the lateness of the session, however, neither the House nor the Senate ever considered this bill.

Because the matter is still as urgent today as it was last year, in fact even more urgent, I have reintroduced my own bill in this Congress as H.R. 1291. This is a new Congress after all and a far more cautious and cost-conscious one. I feel sure the committee will want to go at least as far as they were prepared to go last year and I would be inclined to think perhaps they might want to consider proposals which would go even further. For that reason I have reintroduced my bill so that the committee members, including the new members who are going on that committee, can have my proposals before them when this matter comes up for consideration.

Under my bill no State medicaid program could be approved if it made free medical care available to persons whose income was more than 90 percent of the national average, or if the total number of persons in a State eligible to get such help exceeded 20 percent of the State's total population. My bill also provides that before a State program can be approved the State must demonstrate that it will not discourage the growth of public or private programs of self-contributory medical insurance, such as medicare itself.

As it now stands, the New York medicaid program makes about 40 percent of the State's overall population eligible for this basic welfare aid program. In some counties, including my own county of Montgomery, the figure is as high as 79 percent. Obviously something is radically wrong when 21 percent of the people are asked to pay the medical bills of the remaining 79 percent of the population. The Federal Government ought to be helping people to become self-supporting, not encouraging them to go on welfare. And when the health commissioner in New York City publicly tells older people to give up their doctor's benefits under medicare and get it all free under medicaid, as he actually did last year, it is obvious that if 49 other States followed suit medicare itself would be ruined. This clearly was not our original intent.

The bill reported out of the Ways and Means Committee last fall but never considered on the floor put two somewhat milder limits on State medicaid programs. One would provide that no medical benefits could be given to parents of "dependent children" except where those families are already receiving Federal welfare payments. This eliminates the situation which now exists under the New York State law where parents of any child can become eligible for help for hospital bills simply by going into the hospital, since the children then automatically become members of a family in which one parent is "disabled."

The bill's other provision would outlaw the dodge encouraged by the New York City commissioner, by denying all doctors benefits under medicaid to persons over 65 who have not previously signed up for the $3-a-month doctor's program under medicare.

Mr. Speaker, I believe that this matter is one of considerable urgency in this Congress. We must act promptly so that individual States and counties will know exactly how much in Federal funds they can anticipate from this Congress. Already a number of counties in New York State are finding it necessary to go into debt to meet even their projected share of the overall costs of the New York State program, assuming that Congress will pick up 50 percent of all costs incurred, regardless of whether those costs are in line or not in line with original estimates by the State. But if this cost-conscious Congress decides this year, as I believe it is likely to decide, that it is not going to appropriate for local medicaid programs sums far in excess of those which it was originally thought would be required for these programs, then the costs already being incurred in individual States, including New York, will have to be borne in much larger measure by the States themselves or by the individual counties. And since individual counties are having difficulty meeting the projected costs on the basis of the original interpretation, they will find themselves even harder pressed if they are required to pick up a larger percentage of the total bill.

It is important, therefore, that we put limits on this program now so that the States and counties may know clearly, and without further delay, what to expect in terms of Federal assistance in this increasingly costly program.

In order to assist Members in understanding the issues presented here, I am including with my remarks a copy of the legislation reported favorably by the Ways and Means Committee last fall, H.R. 18225 of the 89th Congress, and also a copy of my own bill, H.R. 1291 of this Congress.

The two bills are as follows:

[In the 89th Cong., second sess.]

H.R. 18225

A bill to amend title XIX of the Social Security Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

LIMITATION ON FEDERAL PARTICIPATION IN MEDICAL ASSISTANCE FURNISHED TO RELATIVES OF DEPENDENT CHILDREN

SECTION 1. (a) Section 1905(a)(ii) of the Social Security Act is amended to read as follows:

"(ii) relatives specified in section 406(b)(1) with whom a child is living if money payments with respect to such child are being made under the State plan approved under title IV, or if such money payments would upon application be made, or (in the case of a child who resides in the State) if such money payments would upon application be made except for failure to satisfy additional residence requirements imposed by the State plan approved under title IV,".

(b) The amendment made by subsection (a) shall apply with respect to calendar quarters beginning after March 31, 1967.

COORDINATION OF TITLE XIX AND THE SUPPLEMENTARY MEDICAL INSURANCE PROGRAM

SEC. 2. (a) Section 1843 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(h)(1) The Secretary shall, at the request of a State made before January 1, 1968, enter into a modification of an agreement entered into with such State pursuant to subsection (a) under which the coverage group described in subsection (b) and specified in such agreement is broadened to include individuals who are age sixty-five or over and are eligible to receive medical assistance under the plan of such State approved under title XIX.

"(2) For purposes of this section, an individual shall be treated as eligible to receive medical assistance under the plan of the State approved under title XIX if, for the month in which the modification is entered into under this subsection or for any month thereafter, he has been determined to be eligible to receive medical assistance under such plan. In the case of any individual who would (but for this subsection) be excluded from the agreement, subsections (c) and (d)(2) shall be applied as if they referred to the modification under this subsection (in lieu of the agreement under subsection (a)), and subsection (d)(2)(C) shall be applied by substituting 'third month following the first month' for 'first month'."

(b)(1) Section 1843(d)(3)(A) of such Act is amended by striking out "ineligible for money payments of a kind specified in the agreement" and inserting in lieu thereof the following: "ineligible both for money payments of a kind specified in the agreement and (if there is in effect a modification entered into under subsection (h)) for medical assistance".

(2) Section 1843(f) of such Act is amended—

(A) by inserting after "or XVI" the following: "or eligible to receive medical assistance under the plan of such State approved under title XIX"; and

(B) by inserting after "and XVI" the following: "and individuals eligible to receive medical assistance under the plan of the State approved under title XIX".

(3) The heading of section 1843 of such Act is amended by adding at the end thereof the following: "(OR ARE ELIGIBLE FOR MEDICAL ASSISTANCE)".

(c) Section 1903(b) of such Act is amended by inserting "(1)" after "(b)", and by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the preceding provisions of this section, the amount determined under subsection (a)(1) for any State for any quarter beginning after 1966 shall not take into account any amounts expended as medical assistance with respect to individuals aged sixty-five or over which would not have been so expended if the individuals involved had been enrolled in the insurance program established by part B of title XVIII."

(d) Effective with respect to calendar quarters beginning after 1966, section 1903(a)(1) of such Act is amended by striking out "and other insurance premiums" and inserting in lieu thereof "and, except in the case of individuals sixty-five years of age or older who are not enrolled under part B of title XVIII, other insurance premiums".

(e)(1) Section 1843(c) of such Act is amended—

(A) by striking out "and before January 1, 1968"; and

(B) by striking out "thereafter before January 1968" and inserting in lieu thereof "thereafter".

(2) Section 1843(d)(2)(D) of such Act is amended by striking out "(not later than January 1, 1968)".

MODIFICATION OF COMPARABILITY PROVISION

Sec. 3 (a) Section 1902(a)(10) of the Social Security Act is amended to read as follows:

"(10)(A) provide for making medical assistance available to all individuals receiving aid or assistance under State plans approved under titles I, IV, X, XIV, and XVI;

"(B) with respect to individuals under age sixty-five—

"(i) provide that the medical assistance made available to such individuals receiving aid or assistance under any such State plan—

"(I) shall not be less in amount, duration, or scope than the medical assistance made available to such individuals receiving aid or assistance under any other such State plan, and

"(II) shall not be less in amount, duration, or scope than the medical or remedial care and services made available to such individuals not receiving aid or assistance under any such plan; and

"(ii) if medical or remedial care and services are included for any group of such individuals who are not receiving aid or assistance under any such State plan and who do not meet the income and resources requirements of the one of such State plans which is appropriate, as determined in accordance with standards prescribed by the Secretary, provide—

"(I) for making medical or remedial care and services available to all such individuals who would, if needy, be eligible for aid or assistance under any such State plan and who have insufficient (as determined in accordance with comparable standards) income and resources to meet the costs of necessary medical or remedial care and services, and

"(II) that the medical or remedial care and services made available to all such individuals not receiving aid or assistance under any such State plan shall be equal in amount, duration, and scope;

except that the making available of the services described in paragraph (4) of section 1905(a) to individuals meeting the age requirement prescribed therein shall not, by reason of this subparagraph (B), require the making available of any such services, or the making available of such services of the same amount, duration, and scope, to individuals of any other ages; and

"(C) with respect to individuals sixty-five years of age or older—

"(i) provide that the medical assistance made available to such individuals receiving aid or assistance under any such State plan—

"(I) shall not be less in amount, duration, or scope than the medical assistance made available to such individuals receiving aid or assistance under any other such State plan, and

"(II) shall not be less in amount, duration, or scope than the medical or remedial care and services made available to such individuals not receiving aid or assistance under any such plan; and

"(ii) if medical or remedial care and services are included for any group of such individuals who are not receiving aid or assistance under any such State plan and who do not meet the income and resources requirements of the one of such State plans which is appropriate, as determined in accordance with standards prescribed by the Secretary, provide—

"(I) for making medical or remedial care and services available to all such individuals who would, if needy, be eligible for aid or assistance under any such State plan and who have insufficient (as determined in accordance with comparable standards) income and resources to meet the costs of necessary medical or remedial care and services, and

"(II) that the medical or remedial care and services made available to all such individuals not receiving aid or assistance under any such State plan shall be equal in amount, duration, and scope;".

(b) The amendment made by subsection (a) shall apply with respect to calendar quarters beginning after the date of the enactment of this Act.

ALTERNATIVE METHOD OF DETERMINING MAINTENANCE OF STATE EFFORT

Sec. 4. (a) Section 1117(a) of the Social Security Act is amended by adding at the end thereof the following new sentences: "For any fiscal year ending on or after June 30, 1966, and before July 1, 1969, in lieu of the substitution provided by paragraph (3) or (4), at the option of the State (i) paragraphs (1) and (2) of this subsection shall be applied on a fiscal year basis (rather than on a quarterly basis), and (ii) the base period fiscal year shall be either the fiscal year ending June 30, 1965, or the fiscal year ending June 30, 1964 (whichever is chosen by the State). In applying the preceding sentence to the fiscal year ending June 30, 1966, there shall be taken into account, as a fiscal year, only the last two quarters of such year and of the appropriate base period fiscal year."

(b) Section 1117 of such Act is amended by adding at the end thereof the following new subsection:

"(d) In the case of the quarters in any fiscal year ending before July 1, 1969, the reduction (if any) under this section shall, at the option of the State, be determined under this subsection in lieu of under the preceding provisions of this section. If the reduction determination is made under this subsection for a State for a quarter, then—

"(1) subsection (a) shall be applied by taking into account only money payments under plans of the State approved under titles, I, IV, X, XIV, and XVI,

"(2) subsection (b) shall be applied by eliminating each reference to title XIX, and

"(3) subsection (c) shall be applied by eliminating the reference to section 1903, and by substituting a reference to this subsection for the reference to subsections (a) and (b)."

EXTENT OF FEDERAL FINANCIAL PARTICIPATION IN CERTAIN ADMINISTRATIVE EXPENSES

Sec. 5. (a) Section 1903(a)(2) of the Social Security Act is amended by striking out "of the State agency (or of the local agency administering the State plan in the political subdivision)" and inserting in lieu thereof "of the State agency or any other public agency".

(b) The amendment made by subsection (a) shall apply with respect to expenditures made in or after the calendar quarter in which this Act is enacted for administration of State plans approved under title XIX of the Social Security Act.

[In the 90th Cong., first sess.]

H.R. 1291

A bill to amend title XIX of the Social Security Act to impose certain limitations with respect to eligibility requirements under State plans for medical assistance, and to require that State medical assistance programs be designed not to discourage the growth and development of private and group medical insurance

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1902 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(d) Notwithstanding subsection (b), the Secretary shall not approve any State plan for medical assistance if the eligibility standards for assistance under the plan (1) are such that the number of individuals who are determined to be eligible for such assistance, when added to the number of other individuals who are eligible under any State-financed noncontributory medical assistance program for which Federal funds are not provided, will exceed 20 per centum of the population of the State, or (2) permit the furnishing of assistance to persons whose individual or family income exceeds 90 per centum of the average individual income or average family income (as the case may be) in the State."

Sec. 3. Section 1903(e) of the Social Security Act is amended by adding at the end thereof the following new sentence: "To insure that medical assistance programs will enable individuals to attain or retain independence or self care with respect to medical or remedial care and services, the Secretary shall not make such payments to any State unless such State has made a satisfactory showing that such plan will not impair or discourage the growth and development of private or group medical insurance programs within such State."

ELECTION TO COMMITTEE ON WAYS AND MEANS

Mr. ROSTENKOWSKI. Mr. Speaker, I offer a resolution (H. Res. 135) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That Jacob H. Gilbert, of New York, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RELEASE HIGHWAY MONEY

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, I have introduced a concurrent resolution expressing the sense of the Congress that the Federal-aid highway program should proceed as rapidly as available revenues in the Highway Trust Fund permit.

Last November the Bureau of Public Roads announced a substantial reduction in Federal funds for highways because of increased costs associated with our involvement in Vietnam.

I think this was an unwise decision. We need excellent highways not only to reduce injuries and fatalities and to improve normal domestic transportation, but as an important part of our Nation's defense. The state of our transportation system could spell success or failure for us in any national emergency. Surely the war in Vietnam is a reminder that improved highways should be high on the priority list of necessary expenditures.

APPRAISAL OF L.B.J. BY AN OLD NEW DEALER

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an article.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, many great American Presidents have voiced deep concern with the problems of American life and have instituted significant programs to help us turn the American dream into a reality but few, if any, Presidents have moved as fast, as far, and as decisively as President Johnson. It is an ironic fact of American political life today that President Johnson, for a variety of reasons, is being deprived of his just share of credit for the great changes he has effected in American society—changes which will have a permanent and profound effect—and I hasten to add a pronounced uplifting effect—on all generations to come. Therefore, I am pleased at this time to introduce into the RECORD an article by Adolph A. Berle, a renowned and respected lawyer, professor, author, diplomat, and noted New Dealer, which helps put into historical perspective the accomplishments of the Johnson administration, and clearly establishes this administration as one of the most liberal and truly effective administrations in American history. The article was published in the New York Times on Saturday, January 14, and is as follows:

APPRAISAL OF L.B.J. BY AN OLD NEW DEALER

(By Adolph A. Berle)

Though President Lyndon B. Johnson may, as pundits say, be in for a spell of stormy political weather, conclusions from the 1966 Congressional elections can be overdone. In 1964 Republicans bolted from Goldwater to Johnson by millions. In 1964 they returned to the fold, perhaps restoring hairline party balance by which President Kennedy defeated Mr. Nixon.

But, since the Camelot era, President Johnson introduced a new element. He launched an irreversible tide in American politics inescapably bearing his stamp. Irrespective of press popularity, or opinions of his "style" or the barring of camelot castles to him, his conception of the Great Society must dominate the political scene for years to come.

MEANT WHAT HE SAID

Johnson was one of a very few to realize that the impulses of Franklin Roosevelt's New Deal had achieved themselves. A new phase transcending mere economics was overdue. Christening it "The Great Society," Johnson blocked out its goals.

Credibility gap or not, he meant what he said. Civil rights, of course. A Southerner, he took the Negro side, converting ideas into measures. Abolition of poverty, plainly possible in a country providing an average income of nearly $3,000 for each American. But that means taking poverty out of people as well as people out of poverty.

A society of beauty, wiping out ghettos, redeveloping cities, cleansing air and streams, cleaning foul highway borders. But that requires liberating and canalizing reservoirs of local energy. A society in which no student must forgo education for want of funds. But that calls for vast increase in schools and universities. A society whose business and labor understand economic planning well enough to cooperate in handling prices, profits and wages. But that calls for a changed conception of business.

Translation of American capacity to give full bank accounts into ability to cause civilized cultural achievement. But that requires intellectuals and artists to conceive, propose, execute. As in the case of the New Deal, criticism of the Great Society is bitter—but perhaps headed for similar oblivion.

Battle is joined on all fronts. President Johnson should, and does not, have support of many intellectuals who would seem to be his natural allies. Perhaps because of his proletarian experience, he dealt in realities, rather than in unassailable abstractions.

After the Dallas tragedy, he met coolness from some who identified their finest hours exclusively with President Kennedy. In fact, President Johnson did more than continue the Kennedy direction. He opened the gates to a new vista; and these cannot be shut by friend or foe. Already his ablest competitors pay him the compliment of imitation—as did Gov. Nelson Rockefeller on Jan. 2 in proposing the "Just Society."

THE WAR IN VIETNAM

In fiscal policy—to tax or to abandon Great Society spending—the issue comes to this: Will the prosperous insist on saving today at cost of a drab and dangerous tomorrow, or will they—as they can without hardship—assume the costs for tomorrow's America as well as the far from crushing costs of Vietnam? The President is saying they must.

Johnson's really controversial decision—his handling of the Vietnamese war—was that of a big man. At time of involvement, Moscow and Peking were working together. Indonesia was in the Chinese orbit. War was making in Malaysia. To enter Indochina was dangerous; to stand aside meant risking world balance at incalculable peril. Today, the Soviet Union is at odds with China, Indonesia is back in the United Nations, the Malaysian war is liquidated.

Johnson's decisive Dominican action seems to have reduced to minor scale Russian intrigues in the Caribbean. Balance is again emerging, and the Vietnam problem seems moving toward manageable dimensions, offering possibility of peace and disinvolvement without tossing Southeast Asia overboard.

Dissident Democratic Governors and reputed rivals are realizing that in 1968 any Democrat will have to run on the record, achievements and conceptions of Lyndon Johnson's Great Society. They cannot do otherwise. These will be the stuff of the next campaign.

Winning or losing, the President emerges as a towering figure. He is not a great politician; his local connections are absurdly weak. He is not a romantic image. The brilliant court and flashing pennons of Camelot are not his.

TRACE-LINES OF THE FUTURE

But neither is he an Andrew Johnson, vulnerable to attack by misguided idealists. Rather, with dogged determination, using what tools he has, and denied the help of some who should have been with him, the small-farmer's son become President has plotted out in his Great Society the contours and trace-lines of the next major social development in America.

Be the outcome triumph or tragedy, as an old New Dealer I am clear that to underestimate him is a historical mistake of the first order.

TRIBUTE TO SPEAKER JOHN W. McCORMACK

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I was momentarily absent from the floor when the majority leader made some remarks with respect to an editorial which appeared in one of the local newspapers here this morning.

I should like to associate myself with those remarks. I should like also to say that when the history of this era is written no name will loom larger than the name of JOHN MCCORMACK. I say this after many years of close, intimate association with the Speaker of this House.

As a Democrat, I believe that no record is comparable to the record of the 89th Congress, and that just did not happen accidentally. As my colleagues on the other side can attest, many of those bills, if not most of them, were fought paragraph by paragraph, in committee, out of committee, in the Committee of the Whole, on the floor of the House, and in conference.

I sat not once but many times, hour after hour, day after day, in the Office of the Speaker of the House, working on these programs so that they ultimately became the law of the land—medicare; aid to education, across the board, in every element of education; pollution control; all of the great programs that are now part of the law of the land and which are accepted, by and large, by people everywhere.

It is very easy, Mr. Speaker, to criticize. It is very easy to be destructive. It is very easy to tear down.

It is very hard to be constructive, to be affirmative, to be for something.

I, for one, as the majority whip of this House, have been proud to serve under the able, dedicated leadership of JOHN MCCORMACK, and may it continue for many years to come.

THE HONORABLE JOHN McCORMACK, SPEAKER OF THE HOUSE

Mr. RIVERS. Mr. Speaker, I have a parliamentary inquiry.

The **SPEAKER.** The gentleman will state it.

Mr. RIVERS. The majority whip has referred to one of the local morning papers, one of the local morning papers, in which the Speaker is needlessly but very lavishly and gratuitously libeled and slandered. Mr. Speaker, my parliamentary inquiry is this: Since this uncalled for editorial reflects on every single Member of the House, my parliamentary inquiry is I request that I be permitted to rise and be recognized for an hour on a point of personal privilege.

The SPEAKER. The Chair will state that the matter is not one of personal privilege. Does the gentleman seek further recognition?

Mr. RIVERS. Yes. I positively do. Have you overruled me?

The SPEAKER. There is a difference between overruling and ruling.

Mr. RIVERS. Mr. Speaker, I most respectfully ask to be recognized for a long minute.

The SPEAKER. Without objection, the gentleman is recognized for 1 minute.

There was no objection.

Mr. RIVERS. Mr. Speaker, Grantland Rice, I guess, was the highest educated man who ever wrote a sports column. He was a graduate of the great Vanderbilt University and a Latin scholar. He is purported to have written these words:

> For when the one great Scorer comes to write against your name, He writes not that you won or lost but how you played the game.

Mr. Speaker, you embody those lines; you have played according to the highest of ideals.

Mr. Speaker, as a great leader of this House, every Member knows you are the most humane, you are the most kindly, you are the most understanding, you are the most qualified, you are the most concerned man who has ever presided over this House in our long history. No human being has been more human than have you. You have listened to the great, the mighty, the weak, the young, the uninformed, regardless of their political persuasion. Your fault, Mr. Speaker, has been that you have taken time with us all.

With reference to the slanderous editorial about you this morning, someone said he was surprised to read it, but I am not surprised to read anything in this paper, and neither is anyone else in this House. Out in the stadium here there is this quotation on a big billboard advertising one of the morning papers known as the Washington Post. It says, "Quoted, consulted, and honored." They should add this: "By whom and since when?"

Mr. Speaker, when they undertake to vilify the Speaker of the House of the House of Representatives of the United States, they undermine the war effort of America, they undermine the fightingman on the battlefront and the most anti-Communist man in America, and they offend the dignity and the sensibilities of each one of us.

Mr. Speaker, you should have recognized me on a point of personal privilege.

BILL BAGGS REPORTS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, Bill Baggs is editor of the Miami News. He has long been a keen student of international affairs. He has traveled the world and written extensively on U.S. foreign policy and other international actions and events. He has been called upon to counsel with Presidents of our country. His reporting from Hanoi merits a careful review by the Foreign Affairs Committee and the Foreign Relations Committee and Members of this body, as well as the State Department, and the American people.

Accordingly I shall place in the Record the entire series of Bill Baggs' reports.

The Miami News said on Monday, January 16, 1967:

> Ho Chi Minh, president of the Democratic Republic of Vietnam, had not talked with an American newspaperman for several years until he met on Jan. 12 with Bill Baggs, editor of The Miami News. The following report was written by Baggs in Hanoi.
>
> The journey to the capital of North Vietnam began two days after Christmas, and Baggs spent eight days in the city, which only one other American newspaperman, Harrison Salisbury, of the New York Times, has visited in recent years.
>
> Baggs was accompanied by Harry S. Ashmore, chairman of the executive committee of The Center for the Study of Democratic Institutions, and by Ambassador Luis Quintanilla, of Mexico, who formerly was president of the Organization of American States. Baggs is a director of the center. The three men traveled to Asia to invite various countries, including North Vietnam, to a convocation, scheduled for May in Geneva, which will examine the requirements for world peace. The convocation is being sponsored by the Center for the Study of Democratic Institutions. During his stay in Hanoi, Baggs had this talk with Ho Chi Minh.
>
> This is the first of a series by Baggs.

The article referred to follows:

We'll Never Surrender, Says Ho

(By Bill Baggs)

> Hanoi—(delayed).—President Ho Chi Minh said today the people of North Vietnam cherished peace, but that they would never surrender their independence to purchase peace for their country.
>
> He described the presence of American soldiers in the South, "sent here to kill and be killed," as "a shameful thing."
>
> A visitor got the impression that Ho considered the bombings of his country an atrocity by the United States. He mentioned the bombings several times.
>
> In a conversation which coursed easily into the neighborhoods of many issues, Ho talked of the wars which have preoccupied Vietnam for the last 25 years, the intense determination of the people in this country and of his interest in events in the United States. He obviously is well informed about the political and economic events in America.
>
> This was the first interview given by Ho to an American newspaperman in several years. He was cordial, even friendly, but he was politely firm in expressing the policy of his country. At times he became impatient with the translator, and he turned and addressed his American visitor in faultless English.
>
> The central policy of his government, in the conflict with the Americans, appeared to be a resolution against any intimidation of the "independence and freedom" of the Democratic Republic of Vietnam. He said:
>
> "The people of Vietnam cherish peace very much. But peace is peace only if you have independence and freedom.
>
> "We will never surrender our independence for the sake of peace. We have battled too long for our independence and freedom."
>
> The words, "independence and freedom," are words you hear often in Hanoi and in the countryside of North Vietnam. Indeed, these words are a kind of motto among the people. A few days before the meeting with Ho, a minister in the government here explained to this reporter:
>
> "You must remember that we have been at war for 25 years. We were at war with the Japanese after they occupied our country during World War II. Then the French returned and tried to reestablish their rule in our country. We fought and defeated the French. And now the Americans.
>
> "So, we have fought too many wars for too many years to compromise our independence now."
>
> Ho Chi Minh is a legend in Asia. He appeared half a century ago as a Nationalist, in Europe and particularly in Paris, arguing for the independence of his country. He once worked in New York City, in a menial job, and he exhibited a respect for America in the conversation. He said:
>
> "We respect the American people. The American people are an intelligent people and they love peace and democracy.
>
> "The American soldiers are sent here to kill and get killed. Most of them have an education, but if they came here to help, as technicians, then we would welcome them as friends, as brothers.
>
> "But now they are coming to kill and get killed. This is a shameful thing.
>
> "This may be difficult for you to believe. I am grieved not only when the Vietnamese people are killed. I am also grieved when American soldiers are killed. I sympathize with their parents."
>
> Gossip that Ho, who will be 77 this year, is in failing health appeared unfounded. He is keen in conversation and vigorous in his arguments. He rises at 5 each morning, exercises, and begins work at 6. Often he meets with his ministers and with the infrequent visitors to Hanoi at the beginning of his early day. However, this interview began in the late afternoon.
>
> At the end of the talks, he repeated, slowly and deliberately, the sentiment you hear, not only from government people in this country, but also from almost anyone you talk to:
>
> "As I said, we do cherish peace. But never will we surrender our independence and freedom for the sake of peace in our country."

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ECLIPSES EDITORIAL STAFF OF THE WASHINGTON POST

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I am sorry that I do not have the eloquence of my good friend and colleague, the gentleman from South Carolina [Mr. Rivers], but I wish to join with the gentleman in his comments with reference to the editorial that appeared in the Washington Post this morning.

Mr. Speaker, I cannot help but remember that period during the first session that I was here in this House of Representatives. At that time our late colleague from the State of Mississippi, the Honorable John Rankin, usually referred to the Washington Post as "the uptown edition of the Daily Worker."

Mr. Speaker, I have observed this newspaper over the years and find that it deserves to be referred to and entitled to wear that description and this has been true upon more than one occasion, including this article which appeared therein this morning.

Mr. Speaker, this is true, particularly, when they are advocating the very thing that the Speaker of the House of Representatives has stood for all these years but then turn it to misrepresent the true situation.

In other words, Mr. Speaker, what they are trying to do is to say that we should not have a democratic process in this House of Representatives, that we should not have the right to differ and debate our problems, which right we have under the present Speaker of the House of Representatives.

Then, Mr. Speaker, to say "the truth is that Speaker McCORMACK has never been a vigorous, farsighted or magnetic leader," is to say something that could not be farther from the truth. Both as a majority leader and as Speaker he has displayed a vigor and a leadership that has been most effective. The fact that his views have not always prevailed, is in my opinion, a tribute to his fairness.

But, Mr. Speaker, when the editorial writer says that the great Speaker of the House of Representatives, the Honorable JOHN McCORMACK "has not perpetuated the traditions of the office associated with the names of Clay, Polk, Reed, Cannon, Clark, Gillett, Longworth and Rayburn"—all Speakers about whom I have read—I would like to state that I did serve with the late great Sam Rayburn and it is my opinion that the Honorable JOHN McCORMACK, the present Speaker of the House of Representatives, has perpetuated most of those ideals that made Sam Rayburn great, and that he has given those of us who at times differ with him an opportunity to express those differences. Do we want a dictator, as the Post suggests? The Lord forbid. History, in my opinion, will rate our illustrious Speaker as one who is unexcelled in his fairness.

Mr. Speaker, I say, as the gentleman from South Carolina has stated, that this is a libelous article and editorial and one which should not trouble the great Speaker of this House of Representatives in the least, because I know that the esteem and stature in which he is held was indicated by the vote the other day and the remarks which were made by the distinguished gentleman from Michigan, the distinguished minority leader [Mr. GERALD R. FORD], and others, and that we stand behind the distinguished Speaker in this process and are proud that he has carried out the best traditions of the Democratic Party.

THE DISTINGUISHED SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE WASHINGTON POST EDITORIAL

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, needless to say, I disagree with the editorial which appeared in the Washington Post on this morning. But to illustrate to the Members of the House of Representatives how easy it is for some faceless editorialist to attempt to arrange the affairs of state and to attempt to do it without really knowing what he is talking about, let me just take one paragraph from this editorial. He says:

> But even this is offset in large measure by acceptance of an ultra-conservative chairman under the seniority rule, Rep. William M. Colmer of Mississippi.

Well, now, no one had any choice but to accept the gentleman from Mississippi [Mr. COLMER], because there are not the votes in this House of Representatives to displace him. And, if there had seemed to be, I would have been one of those who would have been in the forefront in opposition.

Mr. Speaker, on many occasions I have not agreed with the gentleman from Mississippi [Mr. COLMER], but if we are going to start replacing chairmen because they do not vote the way some of us believe and feel they ought to vote all the time, then, by the same token, we should shut down the Washington Post, because it does not write editorials with which we agree all of the time.

Mr. Speaker, I do not know what kind of legislating this would represent, which states that we have to have a chairman who agrees with the balance of us who serve in the House of Representatives all of the time, any more than you have to have a newspaper that agrees with the sentiments of this House of Representatives all of the time.

Mr. Speaker, I believe that when the people stop to think about that one sentence in this editorial, that the entire editorial falls on this kind of fuzzy—well, I shall not say "stupid," because I do not know who wrote it, and although it might have been written by a friend of mine, I doubt if I have any down there—but, anyway, fuzzy, idiotic-type of approach to a political problem.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MADDEN. Mr. Speaker, I am introducing today a bill embodying the final recommendations of the Joint Committee on the Organization of the Congress. My colleague, Mr. CURTIS of Missouri, is introducing a similar bill. I submitted two versions of such an omnibus bill last year in H.R. 17138 and H.R. 17963. Unfortunately, the 89th Congress was unable to deal with them before adjournment. Yesterday Senator A. S. MIKE MONRONEY introduced a similar bill in the Senate, which was reported to the Senate by the Special Senate Committee on the Organization of Congress.

It is my strong hope and belief, Mr. Speaker, that this Congress will give early consideration to the passage of the Legislative Reorganization Act of 1967. For 2 years this matter was given intense study by the joint committee, of which I had the honor to be chairman. We held 41 days of public hearings, heard some 200 witnesses, and met in 60 executive sessions.

Out of these meetings emerged a final report that included over 100 individual recommendations. Our committee, both House and Senate members, gave full support to these proposals. Some of us wished to go further. Although there were some differences of opinion on detail, I think I speak for all the members when I say we are enthusiastic about the possibilities for genuine improvement in congressional organization contained in these recommendations. We are united on the recommendations the joint committee produced. We are united, too, in urging this House to consider and act on those recommendations as expeditiously as possible.

We have omitted from this bill certain provisions dealing solely with the other body. As a matter of comity, as we customarily do with respect to such measures as the legislative appropriations bills, we will leave those provisions relating exclusively to the Senate for the other body to decide upon.

Mr. Speaker, we are all aware of the many problems of congressional operations that have beset us over the years. This bill offers concrete solutions to many of those problems, solutions which, in our judgment, are based on a realistic view of what can be done and what must be done.

I know that every Member recognizes the need for maintaining a vital and effective Congress. I urge every Member to study the joint committee's final report and the bill and to help us bring this measure to an early consideration.

THE LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am happy to join my colleague, the gentleman from Indiana, the Honorable RAY MADDEN, cochairman of our Joint Committee on the Organization of Congress, in sponsoring legislation which we hope will result in the Legislative Reorganization Act of 1967.

Mr. Speaker, the bill I have introduced today is essentially similar to the bill introduced by the gentleman from Indiana [Mr. MADDEN] with one exception which I shall discuss later. My bill is also essentially the same as the bills Mr. MADDEN and I introduced in the last Congress—his bill being H.R. 17963 and my bill being H.R. 17873, introduced on September 21, 1966. They were also similar to the bill introduced in the Senate, S. 3848, and reported by the Special Committee of the Senate on the Organization of the Congress and placed on the Senate Calendar before the adjournment of the 89th Congress. It is likewise similar to the bill reported yesterday by Senator Monroney and other Members of the Senate special committee; namely, S. 355, Report No. 1.

Mr. Speaker, it is not my intention today to discuss in detail the recommendations for congressional reform which are contained in the omnibus bills that I have just described. For those who are interested, however, I refer to my observations at the time of introducing my bill in the last Congress which appear in the Congressional Record, volume 112, part 17, pages 23450–23454. In these remarks I was joined by my minority House colleagues on the joint committee, the gentleman from Missouri, the Honorable Durward Hall, and the gentleman from New Hampshire, the Honorable James Cleveland.

I would also like to refer Members to the final report of the Joint Committee on the Organization of the Congress, filed on July 28, 1966, as Senate Report No. 1414 of the 89th Congress, second session. This report, together with the 16 volumes of hearings, comprising 2,435 pages of testimony, are available at the offices of the Joint Committee on the Organization of Congress, room S–146 of the Capitol, telephone extension 2245.

My Republican colleagues may wish also to familiarize themselves with the vigorous support given congressional reform legislation by the Republican policy committee of the House of Representatives. I refer them to the Congressional Record, volume 112, part 19, pages 26145–26146.

As I said earlier, I do not intend to discuss the details of these bills because it would take too long. There are over 100 recommendations and to discuss them at this time would be inappropriate. I do believe, however, that I should call attention to the one major difference between my bill and the bill introduced by the gentleman from Indiana [Mr. Madden] and the bill reported by the Senate special committee under the chairmanship of Senator Monroney.

The differences relate to the Standing Committee of the House of Representatives on Standards and Conduct. All three bills create such a standing committee. The language in my bill, however, gives that committee broader jurisdiction, including the power to investigate individual instances of alleged wrongdoing on the part of Members, officials, or employees of the House of Representatives and, in my judgment, provides a clearer description of authority and procedures for that committee. My bill also provides for the staffing of the House Committee on Standards and Conduct with respect to minority professional and clerical staff, precisely the same as provisions which are applicable to all other standing committees of the House.

It is my hope that all Members of the House of Representatives on both sides of the aisle who desire to strengthen the institution of which they are a part will give their attention and also their support to the improvement of the structure and the procedures of the Congress during this first session of the 90th Congress.

Strengthening, modernizing, and enhancing the Congress and its role as the people's instrument in our tripartite Federal Government should be a matter of top priority. Therefore, I am pleased to join with my colleague from Indiana, cochairman of the Joint Committee on the Organization of the Congress, in pressing for prompt action by the 90th Congress to achieve congressional reform.

BILL ON REORGANIZATION OF THE CONGRESS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the purposes of my remarks are to first, emphasize my general support of the bills introduced by my colleagues on the Joint Committee on the Organization of the Congress and Related Agencies; second, reiterate the supplemental views of the minority house Members, Messrs. Curtis, Cleveland, and myself; third, express my own supplemental views; and fourth, reserve the right to introduce these supplemental views, either by separate legislation or amendment, at the appropriate time.

The members of the joint committee have worked long and hard in exhaustive hearings and in forging a piece of legislation for introduction in this the first session of the 90th Congress. Not only have the committee members performed yeomen's duty, but the committee staff has labored equally as hard. The bill introduced here today is legislation that all House committee members can generally agree upon. At this point, Mr. Speaker, I do wish to reemphasize the unity among these House committee members, both Republican and Democrat, in their enthusiastic support of this bill.

However, like most, the proposed bill is far from perfect and certain additions and corrections are required before a truly effective, strengthened, and reorganized Congress can emerge as a reality. Thus, the House must work its will.

In the dying days of the last Congress, my distinguished colleague, the gentleman from Missouri [Mr. Curtis], with all minority Members concurring, discussed at length the supplemental views of the minority House Members. These vitalizing suggestions are not included in the present bill.

Among the more important provisions of the minority proposals were:

First. The creation of a new committee in both the House and the Senate known as the Committee on Procedure and Policies. These committees would have the power to examine into and report back to the Congress on the expenditure of Federal funds by the executive branch so as to insure that funds are spent efficiently and in accordance with law. To insure a thorough and complete investigation, the minority party would be given the chairmanship and control of these committees. There is parliamentary tradition for this committee of review, oversight, or surveillance.

Second. Strengthening the existing law making it a crime to lobby with money appropriated by Congress—section 1913, title 18, United States Code. Much has been said and done to remedy the excesses of private organizational lobbying; however, absolutely nothing has been accomplished to eliminate the use of appropriated funds by the executive branch, to influence Members of Congress.

Third. The undertaking of a study of the foreign and military activities of the Federal Government with special attention focusing on the "warmaking powers." The confusion in this area is quite apparent, with American boys dying in Vietnam, in a nondeclared and no-win "action."

Besides the more important previously mentioned minority views, I shall at the appropriate time propose my own legislation in this vitally important area.

Contained within this legislation shall be a commission of the Congress composed of the leadership of both Houses and aided by a staff headed by a counsel for the Congress. This Commission would have the prime responsibility for service to, protecting, and promoting Congress as an institution.

The Commission of the Congress would have jurisdiction over matters affecting Congress as a whole, including the powers and prerogatives of the Congress; the continuous study of the organization and procedures of Congress with authority to report recommendations for improvement and reform from time to time; relations between Congress and the executive and judicial branches of the Government, and general supervision over agencies and elected and appointed officers of the Congress and its business operations. Its primary objective would be to augment the principle of separation of powers—checks and balances.

Under this Commission would be the counsel for the Congress. We are all aware of how the Attorney General acts as the "counsel" for the executive branch, but who do we have to represent us as "counsel" for the legislative branch? The answer is quite obvious—no one.

In the past Congress, its committees and its Members, in their official capacity, have been involved in litigation. In these cases representation has been by private counsel, sometimes not paid for by the Congress; or by the Department of Justice, likewise not paid by the Congress for these services.

Not only have occasions arisen in the past where counsel was required, but our action relating to the Powell seating could lead to litigation, as did the Bond case in Georgia. Has any Member of this Chamber contemplated as to who would act as the House's counsel? By having a counsel for the Congress, much anxiety could be eliminated, much prerogative regained, and much apprehension allayed. It would serve the Congress and enhance that which the people demanded; namely, an independent, but responsibly progressive, legislative branch of our Government.

So, Mr. Speaker, much has been said and much more will be said about the reorganization of the Congress. It is now time that something be done so that this great institution does not find its end as have so many other deliberating bodies: on the ash heap of history.

MEMBERS OF JOINT COMMITTEE ON ATOMIC ENERGY

The SPEAKER. Pursuant to the provisions of 42 U.S.C. 2251, the Chair appoints as members of the Joint Committee on Atomic Energy the following members on the part of the House: Mr. HOLIFIELD, of California; Mr. PRICE, of Illinois; Mr. ASPINALL, of Colorado; Mr. MORRIS, of New Mexico; Mr. YOUNG, of Texas; Mr. HOSMER, of California; Mr. BATES, of Massachusetts; Mr. ANDERSON, of Illinois; and Mr. MCCULLOCH, of Ohio.

OEO NOT MAKING BEST POSSIBLE USE OF TAXPAYERS' FUNDS ENTRUSTED TO THEM

Mr. ANDREWS of North Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, it has been revealed that 8,546 Job Corps enrollees were flown to their homes for Christmas at Government expense last month and it cost taxpayers more than $1 million.

About a year ago I lodged a protest with the OEO when it was announced that 13,602 Job Corps men and women were flown home for Christmas in 1965 at a cost of $1.8 million.

Military men and women, lucky enough to be stationed in the States and to get leave at Christmastime, had to buy their own plane, train, and bus tickets out of already meager paychecks—pay very often less than that received by Job Corps enrollees. Little wonder GI's and all Americans are incensed at the continued coddling of these Job Corps people.

It has also been revealed that Job Corps enrollees did not have to stand in line as other Americans did since they were transported home on chartered airplanes.

Some worthwhile poverty programs are being curtailed or canceled because of lack of funds. These examples of flagrant waste, however, are certainly not consistent with the earnest sounding pledges we have heard from Office of Economic Opportunity officials promising to make the best possible use of taxpayers' funds entrusted to them.

EQUAL RIGHTS FOR WOMEN

Mrs. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, I am pleased to say that I have today introduced to the House of Representatives a resolution designed to amend the U.S. Constitution so as to provide equal rights for women. I would also like to commend the National Woman's Party for taking the lead again in urging the adoption of this equal rights for women amendment.

While women were provided with the right to vote under the 19th amendment to the U.S. Constitution, and while title VII of the Civil Rights Act of 1964 gave women fair employment privileges, nothing has been done either by the Congress through the enactment of law or by the U.S. Supreme Court through interpretation of the law to extend women full equality of rights, both civil and political.

I would like to say, however, that I am indeed proud that my State of Washington has fair laws which, by and large, extend protection both to men and women on an equal basis. I am distressed, however, with the realization that in some areas of the country women are prohibited from serving on juries, are denied the right to own property, and are prevented from making important legal decisions with respect to their own children.

It was some 43 years ago that the first equal rights amendment was introduced to the Congress, and still the legislation awaits enactment—this is, indeed, a long time to keep the concept of equality in suspension.

Mr. Speaker, the time is long overdue when something should be done to correct what poses as a gross inequity. Simply put, the facts of the matter are these: Women are first-class citizens—they should, therefore, under the law, be extended first-class privileges, as provided in my resolution. Let us not keep justice in suspension any longer.

The SPEAKER pro tempore (Mr. PRICE). The time of the gentlewoman has expired.

GRADUATED WITHHOLDING

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, about 1 year ago, in the Tax Adjustment Assistance Act of 1966, the Congress enacted graduated withholding provisions as part of our income tax laws. Under these provisions, the graduated or progressive rates of the income tax law are used not only to compute an individual's final income tax liability, but to determine the amount that should be withheld from his pay check periodically.

These laws were designed to bring the amount withheld from an individual's income during the year more in line with his final tax liability at the end of the year, thus insuring that an individual would not be required to pay a large sum of money when he filed his final return.

In developing the graduated income tax rate tables contained in the law, it was assumed that an individual would take the standard deduction of 10 percent of his gross income. However, for many taxpayers, particularly living in States like Wisconsin with income taxes, deductions approximate 20 percent or more of income. Recognizing that a graduated income tax would result in a substantial amount of overwithholding for these individuals, I recommended a provision that was included in the final law to preclude overwithholding.

Beginning the first of this month—January 1, 1967—an individual with substantial overwithholding may claim additional exemptions to avoid having too much tax withheld from his pay. Individuals who may be subjected to overwithholding should determine whether or not they can claim additional exemptions under this provision. An individual should first compute his estimated wage income and his estimated itemized deductions for 1967. However, estimated itemized deductions may not exceed the deductions actually itemized in 1966, and the individual's estimate of wage income cannot be less than the wage income he received in 1966. For each $700 of estimated itemized deductions in excess of 10 percent of $7,500 of estimated wage income, plus 17 percent of wages above $7,500, an individual may claim one additional withholding allowance.

An example will serve to illustrate. In 1966 an individual has a salary of $8,500 and claimed itemized deductions totaling $1,700. He expects to have similar salary and deductions in 1967. The excess of $1,700—total deductions—over $920—10 percent of $7,500 plus 17 percent of $1,000—is $780. Since this is at least $700 but not $1,400, he may claim one additional withholding allowance for 1967. Had his itemized deductions in 1966—and his estimated deductions for 1967—been $2,320, he could claim two additional withholding allowances.

Any individual wishing to claim additional withholding allowances under these provisions should file another W-4 form with his employer, filling in the necessary information in schedule A of this form. In order to avoid overwithholding, taxpayers should avail themselves of this opportunity at an early date.

LAW APPRECIATION WEEK PROPOSED BY WICHITA, KANS., TOWN CLUB BUSINESS & PROFESSIONAL WOMEN

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SHRIVER. Mr. Speaker, the ever-increasing crime rate across the Nation is causing concern among many local, State and national organizations as well as private citizens.

Significantly, the President took note of this concern in his state of the Union message last week. The Congress has supported and enacted legislation to assist local and State authorities in the war on crime. We should give serious consideration to new anticrime measures which will be introduced in the 90th Congress.

However, I agree with President Johnson that this is not a war which Washington alone can win. We must begin at the local level. Local citizens and organizations can assume important roles in supporting their law enforcement agencies.

For example, the Town Club Business and Professional Women of Wichita, Kans., has informed me of a resolution passed by its membership recommending "an educational program to teach the younger generation the importance of law enforcement agencies and the proper respect and attitudes toward them." The resolution also recommends that a week be set aside each year to "express our appreciation to our law enforcement agencies."

Mr. Speaker, the action of the Town Club Business and Professional Women appears to me to be a step in the right direction. It is worthy of our commendation and consideration as we weigh proposals in this Congress aimed at the problem of crime. Following is the text of the resolution:

> In accordance with the resolution passed by Zonta Club of Wichita, Kansas, Town Club Business and Professional Women's Club of Wichita, Kansas, passed the following resolution on November 1, 1966:
>
> Whereas we fear for the safety of our government and our way of life if the prevalent disrespect and disregard for law and order presently displayed in recent demonstrations of all kinds persists, and
>
> Whereas we do not approve of the lack of public respect for officers acting in the line of duty, and
>
> Whereas we feel that there is national concern as well as local concern, that a breakdown in our law enforcement agencies will be the inevitable result if the public as a whole does not speak out and support them, and
>
> Whereas we believe that our entire police organizations should be censored because of a few incidents which do not represent the true purpose nor actions of our law enforcement agencies, and
>
> Whereas we are proud of our local police department and by this action are expressing our complete support,
>
> Therefore be it resolved: That Town Club Business and Professional Women's Club of Wichita, Kansas does fully support our police department, sheriff's department and all other law enforcement agencies.
>
> That we recommend to the parents and to the schools that they promote an educational program to teach the younger generation the importance of our law enforcement agencies and the proper respect and attitudes toward them.
>
> That a week be set aside each year to express our appreciation to our law enforcement agencies.
>
> RUBY E. DUTTON,
> *President, Town Club Business & Professional Women's Club.*

ADDITIONAL JUDGE FOR SOUTHERN DISTRICT OF CALIFORNIA

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation to provide for the appointment of an additional judge for the southern district of California.

The district is comprised of San Diego and Imperial Counties. Two full-time judges, assisted on a part-time basis by a retired district judge, now serve the district. But their task would, indeed, discourage most men.

For many years these three jurists have had to handle a caseload almost as large as that handled by 13 judges in the central district about Los Angeles. As a result, a huge backlog of cases has developed, and many litigants will have to wait months, perhaps even years, before their cases can be decided. As of June 1966, there were 499 criminal cases and 247 civil cases waiting to be heard in the district.

As San Diego and Imperial Counties continue to grow, the situation will become even worse. An additional judge, which my bill would provide, is desperately needed to begin work on this backlog of cases so that the southern district will be able to operate at an efficient level.

For many years the Los Angeles Federal court system handled more criminal cases each year than San Diego's. In 1964 the situation changed. That year 1,402 criminal cases were filed in San Diego, compared to 1,034 in Los Angeles. In 1965 there were 2,070 criminal cases commenced in San Diego and only 1,212 started in Los Angeles.

San Diego's extraordinary caseload results from a combination of factors. One is the city's proximity to the Mexican border which generates numerous immigration and narcotics cases each year. Other factors include the huge concentration of military installations in San Diego, increasing foreign commerce through the port of San Diego, and the area's rapid growth in population and industrial and agricultural development.

The San Diego County Bar Association, which endorses the bill, recently made an in-depth study of the southern district's caseload. Here are some of its findings:

> Total cases filed increased from 975 in 1960 to 2,299 in 1965—a 140 per cent rise in five years. Total cases tried were 177 in 1965, a 101 per cent increase over the 88 trials in 1960.
>
> While civil cases pending increased by 23.2 per cent from 1962 to 1965, criminal cases more than tripled. The requirements of due process make it mandatory that criminal cases be disposed of as expiditiously as possible even, if necessary, at the expense of the civil calendar.
>
> In 1964 over the country at large the average trial days per judge were 73, while in the combined Southern and Central Districts the average was 91 trial days per judge.
>
> Thus the 321 trial days in San Diego would justify four full-time judges based on the figures for the nation as a whole.

Actually we must consider more than just "trial days" in measuring the workload of a district judge. He must also spend time hearing motions, reviewing bankruptcy matters, holding naturalization hearings and impaneling juries.

In view of the above facts, Mr. Speaker, I respectfully urge the Congress to give prompt consideration of the critical need for one additional judgeship in San Diego's Federal court system, which is so weighted down by cases, its wheels of justice are barely turning.

ADMINISTRATION'S EAST-WEST TRADE PROPOSALS MUST BE STUDIED BY CONGRESS

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. LIPSCOMB] is recognized for 60 minutes.

Mr. LIPSCOMB. Mr. Speaker, the President's state of the Union message emphasized once again the administration's heavy commitment to increasing trade with Communist countries.

As the President pointed out in the message, the administration has removed more than 400 so-called nonstrategic items from export control; it has determined that the Export-Import Bank can allow commercial credits to Poland, Hungary, Bulgaria, and Czechoslovakia, as well as Rumania and Yugoslavia; and the President urged the Congress to pass an East-West trade bill.

This is a course of action that I believe is detrimental to the welfare of the United States. Far-reaching and significant proposals are involved. It is for this reason that I feel it necessary to bring this matter to the attention of the House of Representatives at this time, at the opening of the 90th Congress. This is a subject that requires constant, close appraisal and study and action by the Congress in the national interest. That is why I have introduced a resolution, House Resolution 67, to establish a House Select Committee on Export Control.

The steps enumerated by President Johnson, in his state of the Union speech, include agreements, actions, and determinations which he had first publicly announced in a speech of October 7, 1966. In that speech he also said the Export-Import Bank would finance American exports of automotive manufacturing machinery to equip a huge automotive plant that the Fiat Co. of Italy is going to build in the U.S.S.R.

When the President made his announcement on October 7, he and every responsible official in the administration knew that the Soviet Union and other Communist countries of Eastern Europe were continuing to supply military and economic aid to the Communists with whom we and allies are at war in southeast Asia.

The administration has clamped a tight lid on information showing just how much and what type of aid is being sent to Hanoi by the Communist bloc. However, on the basis of information and commentaries available from various sources, it is obvious that the Communists are sending shipload after shipload and carload after carload and planeload after planeload of supplies and equipment to North Vietnam.

In a letter addressed to the President dated October 13, 1966, I posed the following question:

> When you speak to the relatives of Americans who have been killed or maimed by weapons, equipment, and ammunition which was supplied by the Communists to whom we export our products and technology, how do you explain the Administration's trade-with-Communists policy?

My letter was not answered by the White House but instead was sent over to the Department of State. The response from the Acting Assistant Secretary for Congressional Relations was a carefully phrased rehashing of earlier pronouncements on the subject, on about how this involves a so-called peaceful venture, that this is supposed to transcend differences we might have in Vietnam, and that we seek mutual understanding and constructive agreements.

This all sounds noble, but for an idea as to how it is working let me quote from an article in the December 27, 1966, issue of Izvestiya, the official Soviet Government newspaper. The article states, in part:

> Every month tens of thousands of tons of technical equipment and food are shipped from Black Sea and Far East Soviet ports to the DRV. Ship communication between our countries has become regular, with the Soviet maritime fleet following a line service schedule. These vessels carry mineral fertilizers and rolled ferrous metal, automobiles and tractors, cables and paper, medical equipment and canned goods, flour, and oil, part of the aid rendered by the Soviet people to fraternal Vietnam in its heroic struggle against the U.S. militarists.

A UPI news report out of Moscow January 12, 1967, 2 days after the state of the Union message, states:

> Russia has indicated it will increase aid shipments to Communist North Vietnam this year to help Hanoi fight "American imperialism."
>
> Foreign Aid Minister Nikolai Patolichev told Soviet newspapers Wednesday that Moscow "intends to give special attention to the development of trade" with Hanoi in 1967.
>
> "The deliveries of Soviet goods to this heroic country is part of the great contribution which our people are making to the just struggle of the fraternal Vietnamese people against the aggression of American imperialism," he said.
>
> Although Patolichev made no predictions of the amount of aid for 1967, he did note that Soviet exports to North Vietnam last year jumped 50%.
>
> The increase in Russia's exports last year included greater supplies of gasoline, diesel oil and grease—necessary for the shipment of goods from China into Vietnam—and portable power plants which could be thrown into action when major generating stations were hit by American bombs.

Certainly this does not represent the position of a government genuinely interested in seeking mutual understanding with the United States. And, of course, in addition to the mineral fertilizers, rolled steel, trucks and tractors, cable and paper, medical preparations, canned food, flour, gasoline, diesel oil, grease, and powerplants mentioned in the articles, everyone knows about the Mig–21 aircraft, the surface-to-air missiles, the antiaircraft guns, the radars, the computers, and the many other implements of war being supplied to Hanoi by the Communist community of Socialist nations.

Another administration declaration on this subject was supplied on October 11, 1966, at Syracuse, N.Y., by Joseph A. Greenwald, Deputy Assistant Secretary of State for International Trade Policy and Economic Defense. Here is what Mr. Greenwald said on October 11:

> The obvious question is: Why should we trade with any of the Communist nations when they are supporting the forces shooting at Americans, South Vietnamese, Australians and others? President Johnson answered on Friday. Speaking of the need to work with the East to build a lasting peace, he said: "We do not intend to let our differences on Viet-Nam or elsewhere prevent us from exploring all opportunities."
>
> Another answer to this question lies in the nature of the Communist world as we see it today. What we once knew as the Sino-Soviet bloc is no longer the monolith of Stalin's time. We know that today there are deep and bitter differences among these countries. It is no longer axiomatic that Moscow's word will be followed blindly by all of the faithful followers throughout the world. On the contrary, we find daily evidence that each of the Communist countries increasingly pursues its own national interests. It is to our advantage in this situation to deal with these countres in accordance with our own national interests—and not in accordance with an outdated concept of a Sino-Soviet bloc of a decade ago.
>
> Finally, we do not ignore the commercial benefits from expanding trade.

From this we see that the Department puts fourth roughly a three-part argument that might be described as follows:

First. Ignore the differences we have with the U.S.S.R. and East European Communists over Communist aggression in Vietnam;

Second. Dollar profits from sales to Communists are at least as important as lives lost;

Third. Look for evidence of differences between East-European Communists and the Soviet Communists.

The first and second parts of that position are incredible. As for the claim that the Communist nations are going their separate ways and that there are deep and bitter differences between them, here as a few quotes by spokesmen for bloc countries which shows that this is specious, hollow argument. When the chips are down the Communists think and act as one in advancing the Communist cause. Bear in mind that these statements were made after the President's October 7, 1966, announcement.

Communist Party Leader Brezhnev speaking on the Sofia, Bulgaria, domestic radio November 15, 1966:

> The all-around aid being rendered by the Soviet Union and other socialist countries to fighting Vietnam is of concrete effective nature, and let everyone know that it will continue. . . . The Bulgarian People's Republic, just as other socialist states, is rendering the people of Vietnam fraternal aid in their struggle against the imperialist aggressor.

Hungarian Premier Kallai speaking on the Budapest Hungarian domestic radio November 30, 1966:

> The U.S. administration has recently emphasized on several occasions that it desires to improve its relations with the socialist countries in Europe. The American administration knows very well, however, that it will be unable to normalize relations with the European socialist countries as long as it is conducting aggression against a socialist country in Southeast Asia.

Janos Kadar, ruler of Hungary, on Budapest Domestic Radio in Hungarian language, December 3, 1966:

> We are fighting against U.S. aggression in Vietnam and will go on helping our Vietnamese brothers until their cause is crowned by ultimate victory.

Prague, Czechoslovakia, radio, December 4, 1966:

> The entire socialist world has joined forces to provide Vietnam with all conceivable assistance—economic, financial, and technical, as well as political, including the Soviet offer to allow volunteers from Czechoslovakia, the Soviet Union, and other socialist countries to go to Vietnam.

Andrey Kirilenko, member of the Communist Party Central Committee of the Soviet Union, on Moscow radio December 1, 1966:

> The Soviet Union is rendering and will continue to render ever-growing, all-around assistance to the people of Vietnam in their courageous struggle against U.S. aggression.

Bulgarian Premier Zhivoky, Sofia Bulgarian radio on December 1, 1966:

> All peace-loving and progressive forces in the world should support the Vietnamese people. Because of this the Bulgarian Government has extended and will continue to extend moral-political support and material aid to the Vietnamese people to bolster their economic and defense capability.

These declarations underscore the fact that if you look for evidence of meaningful differences among the East European Communists, you look in vain.

In spite of everything that Communist leaders have told us, in spite of all of the evidence, administration spokesmen apparently are proud of what they wishfully hope to accomplish. Poland is always cited as a good example by the administration. Anthony M. Solomon, Assistant Secretary of State for Economic Affairs, on October 21, 1965, said this about Poland:

> We encouraged the trend toward greater independence through our Food for Peace program, our Export-Import Bank credits, and our trade policy.

Even as these words were spoken, Polish ships made their way to southeast Asia. A dispatch last fall from Stettin, Poland, reported in a Hamburg newspaper, October 1, 1966, states:

> Weapons of the Polish armed forces are being shipped from the Stettin harbor in ever increasing quantities to . . . North Vietnamese harbors . . . While on one side of the Stettin harbor American wheat is being unloaded from freighters, on the other side of the same harbor weapons are loaded which are being used against American soldiers.

And Polish ships today continue to supply our enemies in Vietnam.

Communist nations come to America with shopping lists to purchase technical data and commodities which incorporate advanced technology. Under the provisions of the Export Control Act many such items have been placed on a control list because it was determined that their export, to quote from the law, "makes a significant contribution to the military or economic potential of such nation or nations which would prove detrimental to the national security and welfare of the United States."

Before an item is removed from the control list it is only reasonable to expect that the administration would undertake a thorough research to determine that the item no longer does make a significant contribution to the military or economic potential of the Communists. And since this Nation is at war with Communists in Vietnam who are receiving military and economic aid from the Communists of Eastern Europe, it would seem not only prudent but mandatory that our military intelligence experts be consulted before an item could be removed safely from export controls. The chiefs of the military intelligence organizations are members of the intelligence community.

Following President Johnson's announcement, the Department of Commerce on October 12, 1966, removed hundreds of commodities from the list of items requiring specific validated licenses to be shipped to other countries. The Department published a 68-page bulletin which provides a detailed listing of the items which now may be more freely exported including the 400 items referred to by the President in the state of the Union message that can be freely exported to the Soviet Union and East European Communist countries.

And the Department of Commerce at that time issued a press release declaring to the American people that the items removed from the control list "fall into the category of peaceful goods, which may be freely exported without any risk to the United States national interests."

Also, the Department of Commerce asserted that the Department had "consulted with other interested departments, including Defense, State, Agriculture, Interior, and the Intelligence Community, in taking this step."

Something immediately seemed wrong, for though press references concerning the action seemed to stress only that decontrols on cereals and other food preparations were involved, it was obvious from a mere glance at the 68-page bulletin that many vitally important items were listed, including such items as diesel engines, jet aircraft engines, machine tools, rifle cleaning compounds and other chemicals, and scientific and controlling instruments.

This raised the question: Could the Intelligence Community really have been consulted before these items were removed from export controls, particularly those who should be most concerned, the military intelligence agencies?

I therefore by letter requested each of the chiefs of the military intelligence organizations to describe whether the Department of Commerce had consulted with his organization and to describe such consultations.

Each of the replies state that the administration did not consult with our military intelligence experts.

The Director of Naval Intelligence states:

> The Office of Naval Intelligence, definitely a member of the "Intelligence Community," had no part in the consultations which preceded the revision of the Commodity Control List.

The Air Force says:

> No intelligence office of the U.S. Air Force participated in the revision of the Current Commodity Control List.

The Army says that the Assistant Chief of Staff for Intelligence, U.S. Army, "was not consulted regarding the commodities listed."

The Department of Defense says that the Defense Intelligence Agency "was not requested to supply intelligence on the 400 commodities that are covered in Current Export Control Bulletin No. 941."

For the information of the House, I am setting forth here the full text of the letters from the chiefs of the service intelligence organizations and from the Director of the Defense Intelligence Agency.

DIRECTOR OF NAVAL INTELLIGENCE,
Washington, D.C., October 26, 1966.

Hon. GLENARD P. LIPSCOMB,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR MR. LIPSCOMB: The interim reply from my Deputy, to your letter of 18 October 1966, concerning Current Export Bulletin Number 941 indicated that my Staff would research the matter in which you have expressed an interest.

I can report that the Office of Naval Intelligence, definitely a member of the "Intelligence Community," had no part in the consultations which preceded the revision of the Commodity Control List. It can be further stated that ONI did not give its authorization for the removal of specific licensing requirements for the categories of commodities listed in Bulletin Number 941.

I trust that this information satisfactorily answers your questions with respect to the Office of Naval Intelligence.

Sincerely yours,

E. B. FLUCKEY,
Rear Admiral, U.S. Navy.

DEPARTMENT OF THE AIR FORCE,
HEADQUARTERS U.S. AIR FORCE,
Washington, D.C., October 28, 1966.

Hon. GLENARD P. LIPSCOMB,
House of Representatives.

DEAR MR. LIPSCOMB: Thank you for your letter of 18 October 1966, and your inquiry into the recent revision of the Commodity Control List.

In response to your specific questions, I take this opportunity to inform you that no intelligence office of the United States Air Force participated in the revision of the Current Commodity Control List. I have no evidence to indicate that any other United States Air Force agencies participated in this revision.

Sincerely,

JACK E. THOMAS,
Major General, USAF,
Assistant Chief of Staff, Intelligence.

DEPARTMENT OF THE ARMY, OFFICE
OF THE SECRETARY OF THE ARMY,
Washington, D.C., October 25, 1966.

Hon. GLENARD P. LIPSCOMB,
House of Representatives.

DEAR MR. LIPSCOMB: This is in response to your inquiry addressed to Major General John J. Davis pertaining to the Department of Commerce Current Export Bulletin Number 941 and interest of Assistant Chief of Staff for Intelligence, United States Army (ACSI–DA), in selection of commodities approved for export to Communist Bloc countries.

The ACSI–DA was not consulted regarding the commodities listed, since the scope of interest does not include the intelligence aspects of strategic materials.

I regret I am not able to assist you in this matter.

Sincerely,

RAYMOND T. REID,
LTC, GS.
For J. L. BLACKWELL,
Colonel, GS, Office, Chief of Legislative Liaison.

OFFICE OF THE
SECRETARY OF DEFENSE,
Washington, D.C., October 27, 1966.

Hon. GLENARD P. LIPSCOMB,
House of Representatives,
Washington, D.C.

DEAR MR. LIPSCOMB: This letter is in response to your letter to General Carroll, dated October 18, 1966, which requests a description of the consultations of the Department of Commerce with the Defense Intelligence Agency (DIA) concerning Current Export Bulletin Number 941.

DIA does not participate in decisions on commodities to be deleted from or added to the Commodity Control List issued by the Department of Commerce. Intelligence concerning such items is provided by DIA, but not directly to the Department of Commerce.

Upon request of the Office of the Assistant Secretary of Defense for International Security Affairs which represents the Department of Defense on these matters, DIA provides intelligence on the military application of commodities that might be of a strategic nature. However, DIA was not requested to supply intelligence on the 400 commodities that are covered in Current Export Bulletin Number 941.

Sincerely,

C. R. RODERICK,
Major General, USAF,
Director, Office of Legislative Liaison.

From these responses there seems no other conclusions but that the Commerce Department did not consult important elements of the intelligence community and that it misled the public in implying that the entire intelligence community concurred in the action of the Department in removing hundreds of items from the control list.

The failure to consult the military intelligence agencies is obviously a very serious matter. Before any item with military significance can be determined as nonstrategic, certainly some intelligence office of the Military Establishment should be consulted to learn if the item is not superior to ones currently in use by or available to the Communists.

There have been prolonged discussions with our allies over NATO forces and strategy. Much of that strategy, I believe, hinges on the capability of the Communists to reinforce westward. Do any of our exports now contribute to a buildup of that capability?

Can the administration assure us that the commodities and technology which the Communists are obtaining from us are not useful to the Communists in their ballistic-missile and anti-ballistic-missile programs? For example, are we not providing items which are useful to harden Soviet missile sites or to otherwise improve their forces?

Clearly the administration leaders

should not fail to see the close relationship between the Communist military potential and the commodities and technology which is being sent from America to the Communists. U.S. intelligence organizations cost millions of dollars and they can provide millions of dollars worth of expert technical advice. Why are the U.S. intelligence organizations not being properly used in making determinations about controls on trade?

Many other serious, far-reaching questions arise due to administration failure and action in the area of export control.

Can anyone doubt, for example, that computers do make a significant contribution to the military and economic potential of a nation? In 1966 on numerous instances Communist nations, including the regimes of East Germany, Czechoslovakia, Hungary, and the Soviet Union have been granted licenses to buy computers and computer components and computer replacement parts.

Incidentally, France, in at least seven instances in 1966, was denied shipment of such items ranging in value from $35,000 to over $5 million. According to news stories, in November 1966, a license finally was granted to ship one large size computer to France. Is it possible that Communist countries have been authorized to obtain our technology while at the same time computer technology has been denied to more friendly countries If so, could this account in part for the estrangement which has developed between ourselves and France?

Rhodesia is a small place inhabited by less than 5 million people. Americans do not necessarily agree with the policies that govern the Rhodesians. But Americans do not necessarily believe that the rulers of Rhodesia are more despicable than the Communists who directly control over 200 million Soviet citizens; Communists, who, in the wording of the Baltic States resolution which was approved by the 89th Congress have "forcibly deprived" fundamental human rights to people who live in that Communist society. And it is the Communist governments of the Soviet Union and Eastern Europe who are supplying the weapons which are killing Americans and our allies in southeaset Asia. It is not the Rhodesians.

And yet this administration promotes and propagandizes Americans to sell goods to the Communists while it denies many of the same goods to the people of Rhodesia because this administration has determined that those goods would "constitute a significant contribution to the Southern Rhodesian economy."

The administration endorses and carries out trade sanctions against Rhodesia fully cooperating with the desires of Britain. But why is this cooperation not reciprocated in the case of trade with Cuba? The United States instituted an embargo on all commerce with Cuba from the standpoint of its significance to the security of our country. But Britain goes its merry way with Cuba. In 1964 and 1965 the British Government's Board of Trade provided credits to Cuba in order that over $25 million of automotive products could be shipped to Cuba. And, just within the last 2 weeks Britain again provided credit guarantees to Cuba in order to supply Cuba with a $28 million fertilizer plant.

The possibility of militarily valuable American-made products going to China and North Vietnam via Hong Kong is of concern also.

Questions also are raised concerning the Aeroflot agreement which is a part of the administration's new overture to the Communists. The President on October 7 said:

> We are negotiating a civil air agreement with the Soviet Union. This will facilitate tourism in both directions.

Twenty-four days later the Soviet civil airline, Aeroflot, was the means by which an American citizen was kidnaped and transported to Czechoslovakia for imprisonment and possibly worse. Administration authorities learned of this act almost immediately and were officially notified by the Czechoslovaks on November 3. That affair notwithstanding, on November 4 the administration went ahead and signed the civil air agreement with the Aeroflot officials. This spring we may expect additional tourist dollars to flow to the Communists via Aeroflot jets.

Fifteen years ago, when the Czechoslovaks imprisoned an American citizen, the U.S. Government within 6 weeks imposed a ban on travel by Americans to Czechoslovakia. And, within 14 weeks, we virtually ended all trade relations with Czechoslovakia until the American was released from prison. Today many Americans, even those who do not plan to go abroad on an Aeroflot aircraft, anxiously compare the procedures followed by this administration in the current case with the procedures used in 1951.

On November 29, 1966, the administration raised our diplomatic relations with Hungary to the ambassadorial level. The post in Budapest had been downgraded for good and sufficient reasons in 1956; a gesture which showed our distaste over the bloody suppression of the Hungarian peoples' fight for freedom. Has this administration now extracted some sort of policy concession from the Hungarian Communists? Or, did the administration grant a concession to the Hungarian Communists? Here is what Hungarian Premier Kallai reported to the Hungarians on November 30, 1966:

> We have concluded an agreement with the United States to [raise diplomatic missions to embassy status] within the last day or two. I may say that even when the status of these diplomatic missions was raised it was not due to a change in our policy, it was they who were compelled to review their own policy.

The administration has announced it will seek action on the consular agreement with the Soviets even though, for example, it is known that most Soviet personnel in the United States have espionage or at least some intelligence gathering assignments.

The administration's determination to assist the Communists, through loans, to purchase free world machinery and technology, is another matter which has concerned many Americans. It will be recalled that one aspect of this subject was discussed and voted upon twice in the final week of the 89th Congress.

When the supplemental appropriations bill, 1967, came before the House on October 18, 1966, an additional $600 million in the limitation on operating expenses was requested for the Export-Import Bank and it was pointed out that the Export-Import Bank had just initiated a new program of loans to commercial banks for export financing. No hearings had been held concerning what new programs were being set up by the Bank nor why the Bank was going into a higher level of lending activity.

It was generally recognized that the President's announcement several days earlier, on October 7, accounted for the new programs and lending activity. As I noted earlier, the President had signed a determination to allow the Export-Import Bank to guarantee commercial credit to four Communist countries and also that the Export-Import Bank is prepared to finance exports for an automotive factory to be constructed in the Soviet Union by the Fiat Co. of Italy.

In the ensuing discussions those points were not refuted although it was brought out that the Soviet factory loan would be made to an Italian financial institution for the benefit of Fiat, the Italian firm which will build the Soviet automotive factory.

On October 18 the House approved a motion calling for an amendment to prohibit the Export-Import Bank from guaranteeing the credit of Communist nations for purchase of American goods. However, 3 days later, on October 21, the House reversed itself by approving a watered-down version of the amendment after what some newspapers describe as "arm twisting" tactics by the administration.

Since this debate of October in the last Congress, I have obtained a news article printed in the official Communist newspaper Pravda which further clarifies the manner in which American tax dollars would be used to finance the Soviet factory via the Export-Import Bank. Here is a quotation from the Pravda story of August 6, 1966, titled "Agreement With Fiat Signed":

> Vittorio Valletta [Honorary President of Fiat] noted that his firm is furnishing the Soviet Union a total of $300,000,000 in credits over a ten-year period. Many Italian firms will take part in the delivery of equipment for the [automotive] plant.

Apparently, therefore, the Export-Import Bank would lend the money to the Italian financial institution which would lend it to the Fiat firm in Italy. Fiat in turn will loan the money to the Soviet Government.

So it would seem that the Soviet Communist Party members learned of one aspect of this Fiat deal well before the American people and the Members of this House did.

I am convinced that should the loan be made to help equip the Fiat plant in the U.S.S.R., and should credits to other Communist nations be guaranteed, the administration will be playing a dangerously deceptive travesty on the American people.

Everyone knows that an automotive factory, for example, can turn out many products which are military or have a military potential. Yet the administration apparently has accepted the words of the Communists that the Communists only want to improve the well-being of the people who live under communism. Here is the rationale used by Alexander B. Trowbridge, Assistant Secretary of Commerce for Domestic and International Business, on November 2, 1966:

> The President's decision to provide for Export-Import bank financing of American machine tools and other products for the Fiat automobile plant in the U.S.S.R. is a good example of how we will offer our cooperation on projects designed to improve the well-being of their people. We support their allocation of resources to expand consumer-oriented industries. We would rather see them create traffic jams with passenger automobiles than with tanks.

Administration spokesmen have not yet disclosed upon what they base their assurances that the Soviet Communists actually will not produce tanks or components for tanks. But if the administration wishes to believe the words of the Communists, indications are that Soviet citizens still have a long wait before they get the car they have been deprived of for so long. The Telegraph Agency of the Soviet Union in a foreign broadcast on December 7, 1966, reported:

> The Soviet Union for the first time will deliver to the German Federal Republic a major consignment of Moskvich and Volga passenger cars. This was announced at a press conference in Moscow on 7 December in connection with the 10th anniversary of Avtoexport now sells cars to 60 countries. In 10 years the number of cars it sells has almost doubled, increasing from 35,000 to 63,000 cars sold last year. The export of automobiles will be increasing with a sharp increase in automobile manufacturing in the Soviet Union. In 1970, the Soviet Union will manufacture 1.5 million automobiles.

The selling or dumping of goods in other countries, even if in short supply and very much wanted by their own people, is, of course, a maneuver the Communist leaders engage in at any time they see fit to do so for political reasons.

On the subject of loans to Communists via third countries, Czechoslovak sources report that a joint Czechoslovak-Italian company was to begin functioning on January 1, 1967. A main task of this firm, which is called Sigma Italiana, and which is headquartered in Italy, will be to acquire technical knowledge from abroad. And there are new reports of additional Communist joint arrangements in Belgium and other places. American dollars should not be used to finance Communist economies via the subterfuge of Communist arrangements such as this in third countries.

So far as I have been able to determine, the President's October 7 address has not been published in any Communist publication, though a few commentaries did appear in Communist newspapers in mid-October. At that time all of the Communist policy planners, representing all of the Eastern European countries who are beneficiaries of the administration's "peaceful engagement," were meeting in Moscow to chart a unified strategy on world tasks. Pravda readers were informed that the U.S. President had renounced export controls and restrictions on commercial credits. But Pravda went on to say:

> But Washington does not seem to understand that there is no basis for depicting these renunciations as a magnificent good deal.

One reported outcome of that Moscow meeting was the pledge of an additional $1 billion in goods and cash to North Vietnam.

The very fact that the President's address appears not to have been brought to the attention of the Soviet people in any meaningful way is significant. The claim is that we are building bridges to the Communist people. But if they hear nothing about such actions from their rigidly controlled news media, how can bridges be built to them?

If the administration really wished to work for the exchange of ideas, one place it might begin would be with the use of the printed word. It is well known that the Communists do not permit any American non-Communist newspaper or publication to reach Soviet citizens. On October 31, 1966, in a letter, I asked the Secretary of State questions pertaining to such matters. Here, in part, is what the Department said in reply regarding the possibilities of a Soviet citizen subscribing to an American newspaper:

> Such a subscription would be impossible as a result of the Soviet policy of restricting the flow of information into the USSR. In fact, it is highly unlikely that the average member of the CPSU [Communist Party Soviet Union] could subscribe to a non-Communist foreign newspaper.
>
> There are no restrictions on subscriptions by American citizens to *Pravda* or other Soviet newspapers.
>
> However, this disparity springs from the difference between our open society and the closed society of the USSR and is not in any way susceptible to negotiations.

It is of interest to note that the reply states not only that such a subscription would be impossible because of restrictions on the flow of information into the Soviet Union but also that this is not in any way susceptible to negotiations. But why should negotiations not be possible? Such sterile thinking shows no apparent progress along these lines from where we were a third of a century ago when diplomatic relations were first established with the Bolshevik regime.

Have we proffered any such agreement to the Communists? It is high time for us to do so. And, if this administration is anxious to get ideas across to the citizens of the Communist world, all of our publishers and broadcasters of every political hue will be happy to tap that market which is so starving for ideas. It should be noted that a large number of people living in the countries understand English—it is widely taught in their schools. Moreover, Russian language editions of American publications can be provided.

Why could it not be required of the Communists that American newspapers, magazines, recordings, and television tapes flow along with the flow of American goods?

What rational explanation for this trade-with-Communists policy does the administration provide for the millions of Americans who wonder just what is going on? On November 23, 1966, Ambassador at Large Averell Harriman spoke on a nationwide television program. After admitting that an increase of our trade with a Communist regime would not make that regime a better one Ambassador at Large Harriman said:

> A lot of bigoted, pigheaded people, who don't know what's going on in the world have prevented us from helping our balance of payments, you know, extending, our exports.

People who do know what is going on in the world do not look for the Communists to help us solve our balance-of-payments problems. Even a preparatory schoolboy should know that Communists trade policies are dominated by political motivations.

The operation and policies of the U.S. Government are properly the concern of all our people. The trade policies of America are not the province for a select few. The differences we have with Communists are not small, they are fundamental differences. The lives of American servicemen are not to be ignored for the sake of profits.

We soon will have to appropriate additional billions of American tax dollars to help defend this Nation against Communists. Just the money required to buy replacement attack aircraft for those destroyed this current fiscal year by weapons built by the Communists of the Soviet Union and Eastern Europe could be at least five times the dollar value of the entire export trade which the administration has been able to effect with the Communists in 1966. The lives lost cannot be replaced. Where does our sense of values lie?

Many questions must be answered before this House can discharge its responsibilities intelligently. Today I have asked only a few such questions.

Throughout this 90th Congress we must take every opportunity to exercise our constitutional responsibilities to question and, where necessary, to balance and to check on administration trade policies. To do so, the Members of the House must be correctly and fully informed.

The subject of trade with Communists concerns itself with many facets of many fields of interest. It cuts across the areas of interest and responsibilities of various existing committees under our present organizational setup; therefore, we do not have a body which can be responsible for, and equipped to study and to do justice to, the various problems which arise in the area of trade control. For this reason I have introduced a resolution, House Resolution 67, calling for the reestablishment of the House Select Committee on Export Control, such as was created in the 87th Congress.

Following is the full text of the resolution:

H. Res. 67

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949 (63 Stat. 7), as amended, with a view to assessing the accomplishments under that Act, determining whether improvements can be made in the administration, operation, or enforcement thereof, and improving congressional oversight and guidance over the formation of United States policies involved in such Act. In carrying out such investigation and study, the committee shall give particular attention to the following matters:

(1) The problems involved in the control of trade between the United States and foreign countries, particularly the foreign countries comprising the Sino-Soviet bloc.

(2) Methods and procedures followed in the formulation of policy under the Export Control Act with respect to the determination of how the export of articles, materials, supplies, and technical data shall be controlled, and the extent of such control.

(3) Procedures followed under such Act in obtaining information, advice, and opinions with respect to determinations of which articles, materials, supplies, and technical data shall be controlled under such Act, from departments and agencies of the United States which are concerned with aspects of our domestic or foreign policies and operations which have a bearing on exports.

(4) The extent to which decisions made and policies formulated under such Act concerning the control of exports adversely affect the security of the United States.

(5) The interrelationship between such Act and related Acts (such as the Mutual Defense Assistance Control Act of 1951, and the Trading With the Enemy Act) and other discussions or agreements entered into by the United States (such as the coordinating committee (COCOM) discussions and agreements) which affect or relate to the control of trade between the United States and foreign countries.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any territory, Commonwealth, or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

I respectfully request full support by the House of Representatives for this resolution. The need for a Select Committee on Export Control is great. The committee is necessary if Congress is to carry out its responsibilities. I have requested hearings on House Resolution 67 and sincerely hope that action will be taken very soon.

Mr. LAIRD. Mr. Speaker. Will the gentleman from California yield?

Mr. LIPSCOMB. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I rise to associate myself with the persuasive and compelling remarks of the distinguished gentleman from California [Mr. LIPSCOMB].

Let me say at the outset that I have today introduced a companion resolution to that offered by the gentleman from California—House Resolution 67—calling for the reestablishment of a House Select Committee on Export Control.

The need for such a committee was never more clear than it is today in light of the Johnson administration's declared intention to substantially increase trade with Communist nations and especially in light of the Communist bloc's brazen and repeated admission of how extensive their logistic and weapons support is to Communist Vietnam.

Mr. Speaker, the 90th Congress cannot afford to ignore the many ramifications of increased trade with Communist countries. It must certainly be obvious that trade with the Soviet Union and the eastern satellite countries is clearly more advantageous to communism's goals than to those of the United States or the free world.

Certainly, any student of past history knows that trade can at times be a more important weapon than bombing. Surely a strong case can be made for the proposition that the use of trade today in our dealings especially with the Soviet Union and her satellites could conceivably have a more profound effect on the course of the Vietnam war than our reliance on limited bombing has had so far.

Can anyone doubt that the Soviet Union together with her Eastern European satellites is the chief supplier and therefore the chief "sustainer" of the Communist prosecution of the war in Vietnam?

Practically every American plane that has been shot down over North Vietnam has fallen victim to Soviet-made and Soviet-supplied surface-to-air missiles or antiaircraft batteries; American planes have been tracked by Soviet radars; American ground forces have been subjected to substantial casualties caused by Soviet and East European military equipment; and the Vietcong and North Vietnamese regulars have been supplied in the south by trucks made in these countries.

Mr. Speaker, approximately 80 percent of the weapons and strategic materials of war have been supplied to the Communists in Vietnam not by the Red Chinese but by the Soviet Union and her East European satellites.

Nor is Vietnam the only beneficiary of United States and free world trade with Communist countries. At long last, the President and the Secretary of Defense have admitted publicly what many of us in Congress have tried to elicit for 2 and 3 and 4 years; namely, that the Soviet Union has not quit the arms race either in offensive or defensive strategic weapon systems. An antiballistic missile system is being deployed in the Soviet Union today; work continues full pace on major offensive strategic systems.

And make no mistake about it. Trade with Communist countries aids them in these efforts and permits them to concentrate even more heavily on developing weapons of war.

Nonstrategic items supplied to the Soviet Union by the United States permits that Communist country to reallocate its manpower and resources to other pursuits. The simple process of producing toothbrushes is not as simple in the Soviet Union as it is in the United States. The cost to the Soviet Union of producing toothbrushes is at least three times the cost of producing the same items in our country.

Mr. Speaker, trade is truly a weapon and there are those of us who feel that the proper utilization of economic weapons such as trade in prosecuting the cold war could avert the eruption of hot wars such as that which is presently bogging us down in Vietnam.

Who can say whether the proper utilization of the economic tools of war 5 years ago and 4 years ago might have averted the necessity of sustained bombing in North Vietnam? At the same time, who can deny it?

Who would deny that if war must be waged, a naval quarantine of the principal ports that supply the enemy would in the long run reduce the casualties on both sides for the denial of logistics must necessarily reduce a nation's capacity to sustain the fighting.

Mr. Speaker, East-West trade conceivably might be a useful tool in our repeated attempts to bring peace to the world.

But let us, if we must use it, use it as a tool of peace and not as an expedient, one of whose byproducts is to permit the enemy to continue war.

If trade we must, let us use it intelligently in pursuit of peace by at the very least demanding and obtaining meaningful concessions that will bring the world a step closer to peace.

Let us demand of the Soviet Union and the Eastern satellites that the price of trade is a clear demonstration that peace not war is their intention. Certainly an acceptable demonstration of this intention would be elimination of their consistent role as the major supplier of the weapons of war to Communist North Vietnam.

Mr. Speaker, I commend the distinguished gentleman from California [Mr. LIPSCOMB], my able colleague and leader on the Defense Appropriations Committee, for bringing this most important and vital matter to the attention of the House.

I commend his remarks to all my colleagues and urge all Members to support his eminently sound request that a House Select Committee on Export Control be reestablished in this 90th Congress.

Mr. POFF. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I am pleased to yield to the gentleman from Virginia.

Mr. POFF. Mr. Speaker, I rise to commend and to congratulate the distinguished gentleman from California. He is known to all of his colleagues as a most diligent scholar. On this particular subject he is particularly well informed; indeed, he is more knowledgeable than any other Member of either House.

The speech the gentleman has just made I regard as a signal contribution to the future welfare of this Nation. I commend this to the earnest study of every Member of both Houses.

Mr. Speaker, having known the gentleman from California since we were both first elected to Congress in 1952, I can assure the House that every statement he has made and every statistic he has cited has been carefully and fully documented.

America is safer because the gentleman from California sits in the House of Representatives.

Mr. LIPSCOMB. I thank the gentleman from Virginia very much for his kind comments.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from California [Mr. Younger].

Mr. YOUNGER. Mr. Speaker, I too, want to join in congratulating the gentleman from California on bringing this matter to the attention of the House. To me there are two very vital subjects that are involved here. One is that the Constitution places in the hands of the Congress of the United States the control of international trade. I think we have failed in our duty in allowing the administration to take such control and have the ability, lawful or otherwise, to issue such a paper as they have issued.

Secondly, there is this question of credibility. I think that stands out all through your paper. I am glad you brought it to our attention in this case, because certainly they have not carried out what should be expected of an intelligent administration in consulting all of their own people. If they had not consulted the Congress, there might have been some excuse for that, but intelligence is under their control. It is under the control of the President, and he has not even taken the trouble to consult with the important people who should be consulted before he ever issued such an order.

Mr. LIPSCOMB. I thank the gentleman.

Mr. MIZE. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I am glad to yield to the gentleman.

Mr. MIZE. I want to commend the gentleman for the observations that he has just made. In the early part of December a group of us from the International Trade Subcommittee of the Committee on Banking and Currency went to Italy, Yugoslavia, Czechoslovakia, Hungary, and the Soviet Union because we anticipated that the President was going to make this proposal to relax restrictions on trade with the East and we wanted to familiarize ourselves with some of the problems. We discussed this Fiat matter that you mentioned with Senator Valetta who is head of the Fiat company, and with members of the IMI, the Instituto Mobilieri Italiano. I pointed out to Senator Valetta that while there may appear to be certain advantages to the promotion of trade with the eastern European nations, many Americans consider such trade as trading with the enemy. While the President contends automobiles are a consumer goods item, and any production of consumer goods in the Soviet Union will reduce that amount of energy, manpower, and so forth that can be put into the production of military hardware, I pointed out that the industrial complex necessary to manufacture automobiles can certainly be used for other purposes. He very quickly replied, "If we do not buy these tools in the United States, we can get them from Italy, the United Kingdom, France, West Germany and elsewhere."

Now, I merely point this out because if they do not get them from us, they will get them from our so-called friends. The plant is going to be built.

In that connection, of course, here we are being asked to support Great Britain in its squabble with Rhodesia, and she continues to trade with Cuba—but Great Britain is not doing a thing to help us in the conflict we have out in southeast Asia. They will be mighty happy to sell Fiat these machine tools and ship them over to the Soviet Union for them. Also, France, has been anything but cooperative in some respects lately—yet her machine tool builders would be happy to furnish these items.

This entire matter deserves thorough attention by the Congress.

Mr. LIPSCOMB. I thank the gentleman, and I would like to add in my opinion the administration has lacked aggressiveness in getting our allies to recognize the threat occasioned by their sales to Eastern European countries and also to Cuba and North Vietnam. I believe it would be well if the Department of State with the support of the President would aggressively influence our allies to stop the sale of these strategic items which build up the economic and military capability of our potential enemies.

BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF THE ALLEGED MENTALLY INCOMPETENT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. Hall] is recognized for 40 minutes.

Mr. HALL. Mr. Speaker, today I will introduce a bill, for the third time, designed to protect the constitutional rights of individuals to be committed to Federal institutions on a charge of mental incompetency or so-called insanity. The bill is similar to the one which I submitted in the 88th Congress, and it is identical to the one I submitted in the 89th Congress, except for two additional corrections suggested by the U.S. Judicial Conference in 1964.

There has been much correspondence concerning this bill. There has been almost universal acceptance and much enthusiasm. Yet nothing has happened. It has drawn favorable recommendation from the Judicial Conference of the United States and its major provisions have been supported by the New York City Bar Association and by my own Greene County, Mo., Bar Association.

I claim no pride in authorship. As I said in an original remark on the floor at the time it was first introduced in the Congressional Record, volume 109, part 12, page 16922, I would ask anyone to take it for his own and simply plug the loopholes in the present law, which provide opportunities for persons to be committed to Federal mental institutions or hospitals or prisons without due process and without observing all the basic rights of humans. I submit it simply because of past experience, being one of the three doctors in the House, Mr. Speaker, and because the U.S. Department of Justice Federal Hospital for Defective Delinquents happens to be in my home town.

In essence, the bill would amend chapter 313 of title 18, United States Code, with respect to the constitutional rights of mentally incompetent or suspect persons to be committed thereunder. The proposed amendments of 18 U.S.C. 4244, contained in the bill, would:

First. Require that a preliminary motion for a judicial determination of the mental competency of the accused to stand trial be supported by a sworn, written statement based on personal observation by a responsible adult as to the mental condition of the accused;

Second. Require a hearing on the preliminary motion at which the accused and his attorney should be present;

Third. Authorize a psychiatric examination on temporary commitment for such examination, only upon an initial determination by the court "that there is reasonable cause to doubt the mental competency of the accused";

Fourth. Limit the commitment, if commitment is ordered, for a "reasonable period, not to exceed 30 days, as the court may determine."

One of the additions in the 1967 edition, Mr. Speaker, is that the court could for sufficient cause extend for not more than an additional 30 days the period of observation to give due process to the psychiatrist, because one of the basic problems of all persons skilled in determining whether or not another being is of sound mind is to protect those on the outside and yet not incarcerate or hold for observation too long those on the inside.

Fifth. It would require a further hearing on the issue of mental competency to stand trial if the initial report of the physician—the one skilled in determination of unsoundness of mind or normalcy—"indicates a state of present mental incompetence";

Sixth. Guarantee to an accused found mentally incompetent, and committed pursuant to the provisions of the statute, the right to a periodic reexamination, not more frequently than every 6 months, on the application of his attorney, legal guardian, spouse, parent, or nearest adult relative.

Mr. Speaker, I have submitted this bill in the two prior Congresses. There have been long hours of study and research and deliberation which have gone into its preparation. This study and deliberation has been augmented by consultation with many national legal and medical experts in this particular field.

Not only have consultation and concurrence been obtained from national legal experts, but valuable counsel and advice have been received from the members of the Greene County Bar Association of Missouri, located in the district which I am privileged to represent, and where is located the U.S. Federal Medical Center for Defective Delinquents; and also from alienists or psychiatrists, hospital authorities, and mental hospital superintendents.

It would affect the Department of Justice, Federal Medical Center, St. Elizabeths Hospital here in the District of Columbia, and others.

I might say that we have accurately and at some time and expense analyzed other prior remarks, such as those of our colleague from Missouri, the distinguished TOM CURTIS, who, in the CONGRESSIONAL RECORD, volume 112, part 9, page 11670, under the title of "A Proposed Civil Rights Act of 1966: The Mentally Incompetent," submitted almost identical information and made extensive remarks about it.

I would also call your attention to the daily CONGRESSIONAL RECORD, page A5397, in the 89th Congress, entitled "Our Invisible Prisoners," wherein I comment and submit documentation from the Newhouse chain of newspapers an article written by Miss Judith Coburn, subtitled "They Live in a Curious Medical-Legal Limbo."

In addition to that, we have updated the recommendation of the Judicial Conference in this new bill.

And concluding, Mr. Speaker, I would say that both the 88th and 89th Congresses enacted far-reaching civil rights legislation. However, these prior Congresses completely forgot the greater sphere of civil rights, perhaps due to the emotionalism present at that time. Such lack of action has provided no relief to the suspect mental incompetent or to the alleged insane, yet pleas of "insanity" accumulate as our judiciary backs up our constabulary less and less.

Therefore, Mr. Speaker, let this Congress be known as the one that restored civil rights and due process to a class of citizens long neglected by the law. Let this bill be known as the Personal Rights Protective Act of 1967.

THE URBAN TRANSIT CRISIS

The SPEAKER pro tempore (Mr. PRICE of Illinois). Under a previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, during the past few years there has been a justifiable alarm expressed over the mounting crisis of urban commuter services.

In the 89th Congress, on several occasions, I took the floor in order to discuss this most serious problem. Moreover, I have joined in presenting legislation aimed at alleviating this critical situation.

Unhappily, the crisis is not subsiding. On the contrary, all evidence points to the inescapable conclusion that providing efficient means for transport, to and from the central city, is even more hopelessly fading as a reachable goal.

Transportation is the lifeblood of our society. Without access to commercial and cultural establishments, wholesale deterioration of the central cities will set in at a rapid rate. From coast to coast we are on the verge of a paralysis in private automobile travel, which is already a frustrating reality in the cities and on the urban freeways. The image of the automobile as a promoter of America-on-the-go is illusory; to dash off in one's car from New York City on a Friday evening for a soft spot on the New Jersey coast, in the middle of summer, is already a losing proposition.

Inadequate access is causing downtown areas to lose business. Parking difficulties, traffic congestion, and public transport inconveniences are crippling mobility upon which individual commuters and businesses depend.

The Federal Government, during the past several years, has poured millions of dollars into constructing urban highway systems. These become flooded as soon as the dignitaries cut the ribbon and conduct their smooth inaugural ride. By not earmarking sufficient funds toward the modernization of rapid, public transport, the Government has generated an imbalance in favor of the private automobile and ironically, it is the driver, for whom all this concrete splendor has been created, who suffers most in the end as untold thousands of vehicles are attracted to the highways.

I am not suggesting that the Federal highway program is a mistake and should be dismantled. Rather, we must continually seek to expand the system. But, particularly in the great cities, it would be a catastrophic error to undertake costly and massive road improvements, including tunnel and bridge additions, without simultaneously planning for new and more efficient means of public commuter service.

Local and State governments, as well as the National Government, must recognize that in order to ease the transportation snarl, for this and future generations, it is necessary to attract commuters and intercity travelers to mass transportation, diverting them from our already congested roads.

Over the past several years, the trend away from public carriers is clearly discernible. Between 1956 and 1963, expenditures for local public carriers declined from $2 to $1.5 million nationally, while automobile expenditures rose from $30 to $38 million. The total volume of transit riding from 1940 to 1962 declined 34 percent. While suffering a steady drop in passengers, the transit industry at the same time has been coping with a continuing rise in operating costs.

Undoubtedly, America's dependence upon the privately owned vehicle will accelerate. Greater pressure for the construction of additional urban highways will be felt. And expressway systems are costing more and more tax dollars. In Boston, 3 miles of the so-called central artery cost $125 million. The 5-mile Cross Bronx Expressway amounted to $22 million per mile.

The nature of today's urban transportation dilemma is not difficult to assess. Years of neglect and false priority has led us to the existing pattern. Motor vehicles were favored because they featured mobility, and it is now precisely this mobility which is being threatened. The growth of urbanization has not brought a corresponding improvement to means of public transport, which has deteriorated in a depressing cycle of declining patronage, rising operating expenses, obsolete and inflexible rate structures, and less frequent service.

The new authorization voted by Congress last year under the Urban Mass Transportation Act of 1964 is grossly inadequate. For fiscal year 1968, Congress approved an increase in the authorization from $150 to $175 million.

Mr. Speaker, I have introduced three bills to assist urban communities, particularly the largest metropolitan areas, meet their transportation needs. The first measure is intended to rectify the present imbalance by permitting the States to earmark moneys from the highway trust fund toward improving urban mass transportation. This bill, originally introduced by Senator TYDINGS, was not acted upon during the 89th Congress.

Second, I have introduced legislation authorizing appropriations to help the States or local public bodies defray operating deficits incurred in maintaining commuter services. No grant may exceed two-thirds of the annual net operating deficit of a transit company. Moreover, assistance is contingent upon whether the State agency or company submits to the Secretary of Housing and Urban Development an approved program of capital improvements "for the purpose of providing more efficient, economical, and convenient commuter service in an urban area." The bill is similar to legislation first introduced in the Senate by Senator HARRISON WILLIAMS, of New Jersey.

Third, I have resubmitted my bill to repeal the existing State limitation on grants under the Urban Mass Transportation Act. I am substituting for this 12½-percent limit a general guidance clause, authorizing the Secretary of Housing and Urban Development to give priority to the urgency of need prevailing in the Nation's largest metropolitan areas.

Last year, when the House was debating the mass transit amendments, I offered an amendment, adopted first in the Senate at the instigation of the senior Senator from New York, establishing a pool of $12.5 million for allocation to the heavily urbanized States. This amendment was adopted in conference and subsequently passed by Congress. However, I believe we must go further in correcting the discriminatory treatment under the program. Only a change in this limitation will assure that the funds are disbursed in a manner commensurate with the proportional, acute need which exists.

On the local level, unification of the urban transportation agencies under one authority is essential in forging a coordinated program in partnership with the Federal Government. Unless, institutionally, city government is persuaded to deal with all transportation needs in a coherent and unified fashion, we will continue to suffer the consequences of disparate effort. While this statement may not be applicable to all major cities, it is unquestionably relevant as far as New York City is concerned.

Means of surface transportation in an urban community, and between cities, are interlocked. Building new access tunnels and bridges into Manhattan for private automobile use is going to adversely affect the already clogged urban highway complex. This does not mean that new bridges and tunnels are not required; it does mean that without improving mass commuter services at the same time, we will very likely be drifting into a self-defeating venture.

The city should equip itself with authority over all modes of surface transport. Only in this manner will it be possible to balance needs efficiently and make optimum use of available resources.

Mr. Speaker, the legislation I am cosponsoring will go far toward ultimately lifting the strangulation which afflicts our major cities. Without the capacity for a modernized, convenient, and efficient public transport system, we can no longer expect urban communities to sustain the social, economic, and cultural opportunities which they have traditionally and ideally provided. Without realistic Federal programs to meet this crisis we are most certainly ushering in an era of accelerating decay, as central city areas become immobilized.

OLDER AMERICANS COMMUNITY SERVICE PROGRAM

Mr. **BLANTON.** Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **RODINO.** Mr. Speaker, I am introducing today, together with my distinguished colleague from New York [Mr. BINGHAM], a bill to authorize establishment of the older Americans community service program for our older citizens.

For many years I have been vitally concerned about the problem of providing security and opportunity for our older citizens. In the 89th Congress I had the privilege of introducing H.R. 674, the Senior Citizens Act, which had substantially the same provisions as the Older Americans Act which was enacted in 1965.

This act represented an essential first step in achieving the objective of assuring older citizens full participation in the benefits and responsibilities of American life.

There still remains, however, the need to create a more active and meaningful retirement for our senior citizens.

So it is with deep sense of commitment that I introduce today a bill, an amendment to the Older Americans Act, to establish the older Americans community service program, a means through which individuals aged 60 and over will be provided with an opportunity for part-time employment.

Within the next 20 years, the number of persons past the age of 65 will rise from 19 to 25 million. In my district, for example, in the city of Newark, the third oldest major city in the United States, 14.8 percent of the population is 62 years or older—60,000 out of 407,000 people. Furthermore, in Newark, among older persons living alone or with nonrelatives, 6 out of 10 are poor with little chance under existing circumstances of shaking off their poverty through employment. A large population of senior citizens exists in Newark who, because of their special economic, physical, and social problems require assistance in order to minimize barriers to the maintenance of their established mode of life and their utilization of existing community services.

The city of Newark has created a Newark Senior Citizens Commission which intends to establish senior citizen centers in certain socially and economically deprived areas to serve the health, recreational, employment, and educational needs of our older members of society. This example is but one that can be found throughout the country, and it points out once again the creative and beneficial role of close Federal-local cooperation that can be so effective in meeting our responsibilities for the health and welfare of older Americans.

I stress again the fact that the Older Americans Act was a first step toward a truly national program for the aged. The act established a new operating agency in the Department of Health, Education, and Welfare, the Administration of Aging, is designed to deal with the many complex problems of our senior citizens which heretofore were neglected or were dispersed through numerous Government departments and agencies. Title I of the Older Americans Act states three goals, the realization of which depends on the establishment of an older Americans community service program. They are:

First, retirement in health, honor, dignity—after years of contribution to the economy;

Second, pursuit of meaningful activity within the widest range of civic, cultural, and recreational opportunities; and

Third, freedom, independence, and the free exercise of individual initiative in planning and managing their own lives.

In order to facilitate the pursuit of these objectives, the positive and logical second step, establishment of an older Americans community service program, must be enacted. Throughout the country there are many State and local agencies and private organizations which have already been created to provide a more useful and productive life for our retired citizens. It is imperative that Congress act upon and coordinate these public and private efforts as a matter of vital national exigency.

The older Americans community service program will provide a new career for our senior citizens; it will allow these citizens to participate in the society they themselves helped to create. They have already made a substantial contribution to our "American way of life," and they retain the potential to further contribute to our society if Congress will afford them the opportunity. Our elderly citizens possess an untapped natural resource of this country, a wisdom acquired through years of experience and a mature and sophisticated understanding of human nature.

Our aged citizenry does not desire to maintain an exclusive life of leisure; they are stimulated to continue to work and to remain active. It is a fact that complete idleness can create serious psychological problems for many retired persons, and our scientific and medical discoveries which have lengthened our life span serve to compound this delicate and perplexing question.

On the contrary, a longer life span has increased one's years of productivity; thus, our elderly should be utilized as a means of both helping themselves and the society they helped create. Numerous studies reveal that retired older people are often delighted with their new found freedom. Their direct responsibilities to their own families are ended; opportunities to embrace a new and large family lie ahead. The opportunity for community and social service of which few are able to take advantage in younger and middle years becomes the privileged obligation of age. At no other time in life is one so free to help those around him.

The older Americans community service program will extend the needed opportunity to a retired person to perform community service for a 20-hour period per week, receiving in most situations needed income and acquiring a sense of usefulness and satisfaction culminating in a "retirement in health, honor, and dignity."

In support of the older Americans community service program, I would like to offer an excerpt of a statement made on January 20, 1966, before the U.S. Senate Special Committee on Aging by the Honorable William D. Bechill, the Commissioner on Aging of the Administration on Aging:

> I understand that one or more members of the Committee may introduce legislation to establish a Senior Service Corps. I support this concept. I would hope that such a corps would be nation-wide in scope with national support and visibility. The services to be rendered would be organized by the local community and performed by the retired people who live there. In this way the nation's financial resources and its recognition of the acute need for such a program could be linked into the State and Community services for older people now being expanded and developed throughout the country under the Older Americans Act and other programs.

Mr. Speaker, I strongly urge that the Congress act swiftly to adopt this positive approach to the question of dealing with the talents of our senior citizens. It is imperative that we act now. We must not forget those who have contributed to the prosperity we are presently enjoying; we must move forward and make this proposal a reality.

OLDER AMERICANS COMMUNITY SERVICE PROGRAM

Mr. **BLANTON.** Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **BINGHAM.** Mr. Speaker, with the gentleman from New Jersey, Congressman PETER RODINO, as my chief House cosponsor, and Senator HARRISON A. WILLIAMS as the major Senate sponsor, I am introducing today a bill with potential for brightening the dark days of many of our older citizens. Called the older Americans community services program, this legislation would give our senior citizens the opportunity to devote their talents, and their time, and their enthusiasm to worthwhile community projects. Not only would it bring great benefits to many different service projects, but—of fundamental significance—it would give so many of our older Americans the priceless gift of again being active members of their community.

The program would operate in the following manner:

Local voluntary organizations (such as the National Council of Jewish Women which pioneered in this field) or local public agencies would assess their community's needs and determine where elderly citizens could be most useful.

The possibilities are unlimited: companions and visitors for lonely, shut-ins; retired farmers and gardening enthusiasts for highway and park beautification projects; tutors for both old and young who desperately need individual help; aids for nursing homes and hospitals; assistants in day-care centers and neighborhood settlement houses; workers in central meal services for older people; aides to help explain complex Government programs and help the elderly make full use of them, such as the successful medicare alert program of last year.

Even this short listing indicates how many different skills and resources of the elderly could be tapped for such a program. Whether someone over 60 was a grandmother with a deep love and understanding of children, or a retired doctor with years of specialized experience, their particular skills could be channeled into an appropriate project.

After working out a program which was tailored to both the needs and the unused talents of their community, the local sponsor would then obtain detailed review and approval from its State office of aging.

I would like to emphasize the flexibility and initiative which is entrusted to the local sponsor of these programs. We hear much criticism these days of vast Federal programs which suffer from the impersonality and rigidity of the Washington bureaucracy.

This legislation has been designed to insure the maximum decision-making at the local level. For example, the local sponsor will decide whether a modest degree of short-term training is required, whether compensation—up to the maximum amount allowed under social security—should be paid and in what amounts, and how to best coordinate the proposed programs with other public and private groups operating in the area. In short this program is based on the assumption that local people know their own needs and will be able to devise the most creative uses of Federal money to meet these needs.

After approval by the State unit on aging, final review will be made by the Administration on Aging, which was established in HEW to administer the Older Americans Act. During the first fiscal year, AOA would have $9 million to operate the program, and during the second fiscal year, $15 million on an 90-10 matching basis.

I would like briefly to outline the bill's past history in order to indicate the careful consideration which has already gone into it details.

Senator WILLIAMS, Congressman RODINO, and I introduced it early in the second session of the 89th Congress. Senator WILLIAMS chaired 3 days of hearings before a special Aging Subcommittee of the Senate's Labor and Public Welfare Committee. The testimony was very enthusiastic and helpful. Much of it, I might add, was from elderly citizens who had found contentment and renewed vitality from the projects in which they were participating. Their individual endorsements spoke volumes on our need to find a meaningful role in our society for those who still have so much to give.

During the course of these hearings, the bill was given general support by more than half the State agencies on aging and many of the major organizations concerned with problems of the elderly, such as the National Council on the Aging, National Council of Senior Citizens, and National Council of Jewish Women.

A slightly modified version of the original bill was passed by the Senate in its closing days, and the bill I am introducing today is substantially similar to the Senate-passed version.

At this point, I would like to insert the text of this legislation together with a summary of its provisions:

H.R. 2596

A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That the Older Americans Act of 1965 is amended by redesignating title VI as title VII and sections 601, 602, and 603 as sections 701, 702, and 703, respectively, and by adding after title V a new title as follows:

"TITLE VI—OLDER AMERICANS COMMUNITY SERVICE PROGRAM

"Statement of findings and purpose

"SEC. 601. The Congress hereby finds and declares—

"(1) that there are millions of Americans aged sixty or over who are forced into idleness and inactivity by unemployment, compulsory retirement policies, or lack of opportunities for meaningful community service projects;

"(2) that certain grave consequences of such enforced idleness are impaired morale and physical, mental, and psychological health among members of this age group who are forced to endure the frustration, feeling of futility, and loss of self-respect;

"(3) that another consequence of such enforced idleness is inadequate incomes for this age group, many of whom receive pensions and other retirement incomes which are totally inadequate, and others of whom have not yet reached ages of eligibility for such pensions;

"(4) that there are needs in every community and area of the Nation which are not now being met, not because of the lack of manpower to meet those needs, but rather because of the lack of adequate arrangements for utilizing available manpower to meet them;

"(5) that individuals aged sixty or over are capable and qualified to perform services which would meet many of those needs and that there is an important potential national asset in the talents, abilities, experience, training, and energy of Americans in that age group who have been forced into unwanted inactivity; and

"(6) that providing this age group with opportunities for service will better their morale, will benefit their physical, mental, and psychological health, can, in many cases, provide them with needed income supplementation, and will be a means of providing services needed by all age groups which are not now being provided.

"Development of programs

"SEC. 602. (a) In order to carry out the purpose of this title the Secretary is authorized to assist and cooperate with State agencies designated pursuant to section 303(a)(1) in developing programs meeting the requirements of section 603.

"(b) The Secretary's functions under this title shall be carried out through the Commissioner.

"Authorization for older Americans community service program

"SEC. 603. (a) The Secretary may enter into agreements providing for the payment by him (subject to subsection (b)) of part or all of the cost of older Americans community service programs, approved by the State agency designated under title III, if he determines, in accordance with such regulations as he may prescribe, that—

"(1) only individuals aged sixty and over will provide services in the program (except for administrative purposes) and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instructions or as a place for religious worship;

"(2) the program will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided;

"(3) the program will not result in the displacement of employed workers or impair existing contracts for services;

"(4) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of those individuals aged sixty and over who are participating;

"(5) any rates of pay and other conditions of service, which may be fixed by the sponsor of each individual project, will be appropriate and reasonable, and except in unusual circumstances no individual will receive total annual payments any larger than the product computed under Section 203(f)(3) of the Social Security Act as amended;

"(6) the program is being established and will be carried out with the advice of competent specialists in problems of older persons;

"(7) the program provides that the State agency will administer or supervise its administration, will make such reports to the Secretary, in such form and containing such information, as may reasonably be necessary to enable him to perform his functions under this title, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports;

"(8) the program is closely coordinated with, wherever appropriate, and makes the most efficient use of the experience and programs of, the Department of Labor, the Office of Economic Opportunity, and any other relevant Federal and State programs; and

"(9) the program is developed, conducted, and administered with maximum feasible participation of persons who have attained sixty years of age.

"(b) The Secretary shall not pay, pursuant to an agreement entered into under subsection (a), more than 90 per centum of the cost of any program which is the subject of such agreement out of funds which are appropriated for the purpose of carrying out this title for any fiscal year which begins after the fiscal year ending June 30, 1968. In determining, for purposes of the preceding sentence, the cost of any such program, the Secretary shall attribute fair market value to services and facilities contributed to such program from non-Federal sources.

"Participants in older Americans community service programs are not Federal employees

"SEC. 604. Individuals providing their services under any State program pursuant to this title shall not be Federal employees and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

"Equitable distribution of assistance

"SEC. 605. The Secretary shall establish criteria designed to achieve an equitable distribution of assistance under this title among the States.

"Payments

"SEC. 606. Payments under this title may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

"Appropriations authorized

"SEC. 607. There are authorized to be appropriated for the fiscal year beginning July 1, 1967, $9,000,000, and for the fiscal year beginning July 1, 1968, $15,000,000 to carry out the provisions of this title."

SUMMARY OF THE OLDER AMERICANS COMMUNITY SERVICE PROGRAM BILL

The bill would authorize the Administration on Aging in the Department of Health, Education, and Welfare to provide funds and technical assistance to nonprofit private organizations, municipalities, counties, and States for community service programs which utilize the abilities, enthusiasm, and energy of men and women of age 60 or over. Specifically, the bill:

(a) Requires that local sponsors, public or nonprofit private, submit proposals for older American community service programs to the State agency responsible for formulating State plans for the elderly as provided in the Older Americans Act of 1965. Upon approval by the designated State agency, the proposal will be submitted to the Administration on Aging.

(b) Authorizes the Secretary of Health, Education, and Welfare to grant funds for programs approved by the State agency and meeting the following criteria:

(1) The advice of competent specialists in the problems of the elderly must be utilized in establishing and carrying out these programs.

(2) The designated State agency will administer or supervise the administration of these programs, and will make appropriate reports on them to the Secretary of Health, Education and Welfare.

(3) There must be close coordination, wherever appropriate, with the Department of Labor, the Office of Economic Opportunity and all other relevant Federal and State programs, and there must be efficient use of the experience and programs of these agencies.

(4) The program must include whatever short-term training (and no long-range job training projects are contemplated here) that is necessary to use effectively the skills and talents of the participants.

(5) Requires that programs shall be developed, conducted, and administered with maximum feasible participation of persons of age 60 or over. Payment, if any, for services of participants, and at what rate, shall be determined by local sponsors. The Secretary must find that those determinations made by the sponsor are reasonable and appropriate. Except in unusual circumstances, no individual may receive more that the maximum figure permitted under social security; this amount will keep all individuals within the social security maximum, yet allow sponsors of projects the flexibility to pay varying rates of pay, if needed, to different individuals at different times.

(6) The advice of competent specialists in the problems of the elderly must be utilized in establishing and carrying out these programs.

(7) The designated State agency will administer or supervise the administration of these programs, and will make appropriate reports on them to the Secretary of Health, Education and Welfare.

(c) Declares that participants in community service programs are not Federal employees.

(d) Authorizes the Secretary to pay 100 percent of program costs during the first fiscal year after enactment and 90 percent for the second year of this 2-year provision. In determining the cost of programs, the Secretary shall attribute the fair market value to services and facilities contributed from local, non-Federal sources.

(e) Authorizes an appropriation of $9 million for the first fiscal year and $15 million for the second.

CONSTRUCTION SAFETY ACT

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, in the second session of the 89th Congress, I introduced a bill designed to promote better health and safety standards in the building trades and construction industry so far as Federal and federally assisted projects are concerned. With the adjournment of the last Congress, the bill died. I am reintroducing it today in the hope that this Congress will take favorable action.

An examination of accident records in the construction industry underscores the need for legislation such as that which I am introducing today. Except for mining, the construction industry has the highest frequency and severity rates of injuries of any major industry in the Nation. And the rates have been climbing.

In 1945, for example, there were 19 disabling injuries for every million man-hours worked. Injuries accounted for 2,270 days lost for every million man-hours in the construction industry. Twenty years later—by 1965—these figures had grown to 28 disabling injuries and 2,642 days lost for every million man-hours worked.

For every disabling injury, the average time lost by the construction worker is 93 days. In 1965, the last year for which I have the figures, construction workers lost 22½ million days because of injuries. I believe this record leaves a great deal to be desired.

My bill would attempt to improve the accident-injury picture in the construction industry by requiring that the Secretary of Labor take the following actions with regard to federally sponsored projects:

First, develop safety and health regulations with the advice and assistance of management and labor groups;

Second, inspect worksites for hazardous conditions;

Third, provide consultative safety services to construction companies and labor groups;

Fourth, conduct safety training and education programs for construction supervisors and workers; and

Fifth, work with State and local governments where construction work is being performed in their jurisdictions.

The need for improving safety standards in the construction industry has been recognized by two of the major organizations representing local governments—the U.S. Conference of Mayors and the National Association of Counties. Both these organizations passed resolutions last year urging that the Federal Government, in conjunction with State and local authorities, develop national performance criteria and standards for construction.

Establishment of safety and health regulations for Federal construction projects in excess of $20,000—regulations such as those proposed in my bill—would have the effect of providing a set of basic construction safety standards and codes available for uniform application by State, local, and Federal governments.

It is a fact that in cases where properly drawn and soundly administered Federal safety and health regulations have been put into effect, injuries have dropped by as much as 35 percent over a 5-year period. I think the time has come to apply such standards in the construction industry. A big step in the right direction would be establishment of safety standards in federally sponsored construction because it represents a very large segment of the total building and construction trades activity in our Nation.

Mr. Speaker, I include the text of my bill, H.R. 2567, the proposed Construction Safety Act, as part of my remarks at this point in the RECORD:

H.R. 2567

A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Construction Safety Act."

This Act covers direct Federal construction, alteration or repair of public buildings, public works, including painting, and decorating, and applies to all agencies, corporations, territories, and other instrumentalities of the Federal Government, and the District of Columbia that directly make construction contracts. It also applies to all federally financed or assisted construction projects in excess of $20,000 wheresoever any construction, painting or decorating repairs or alterations are contracted for.

SEC. 2. For the purposes of this Act:

(a) No contract involving Federal funds for construction, alteration or repair may be performed, nor may any equipment, material, supplies or articles be used or furnished under working conditions which are unsanitary or hazardous or dangerous to the health or safety of employees engaged in the performance of the contract, or the surrounding communities where such work is undertaken.

(b) This rule shall apply to all prime and subcontractors under said contract.

(c) The term "Secretary" means the Secretary of Labor, or his duly authorized representative.

SEC. 3. The Secretary of Labor is authorized at any time to cause to be made such inspections and investigations as he shall deem necessary in Federal construction operations subject to the jurisdiction of this Act, (1) for the purpose of obtaining, utilizing, and disseminating information relating to health and safety conditions in such construction operations, to the causes of accidents involving bodily injury or loss of life, property damage, or to the causes of occupational diseases originating therein, or (2) for the purpose of determining whether or not there is compliance with a health and safety standard or order issued under this Act.

SEC. 4. For the purposes of making any inspection or investigation authorized by this Act, authorized representatives of the Secretary shall be entitled to admission to, and shall have the right of entry to, upon, or through any such construction operations.

SEC. 5. (a) The Secretary is authorized to develop, promulgate and to enforce health and safety standards for the purpose of the protection of life and property, the protection of health and safety, and the prevention of accidents in such construction operations.

(b) The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. sec. 1003) shall be applicable with respect to the promulgation of health and safety standards, and to the designation of any standards as mandatory standard.

(c) The Secretary shall designate as mandatory standards, those standards promulgated pursuant to subsection (a) of this section which deals with major hazards, and the construction contractors and subcontractors to which such standards are applicable shall comply with such mandatory standards pursuant to the provisions of section 7 and section 8 of this Act.

SEC. 6. (a) The Secretary is authorized to establish an advisory committee composed of equal numbers of representatives of management, from the construction industry, labor, and from the public to assist him in the development of health and safety standards for construction activities, and to advise him on other matters relating to health and safety in such construction projects.

(b) Each member appointed to such a committee from private life may be paid travel expenses and per diem in lieu of subsistence at the rates authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2).

SEC. 7. (a) If, upon an inspection or investigation of a covered construction project, an authorized representative of the Secretary finds that conditions are such that immediate danger to workers exists, such representative shall determine the extent of the danger or violation, and thereupon issue orders requiring the contractor or subcontractor to correct such dangers or violations immediately.

(b) If, upon any such inspection or investigation, an authorized representative finds that there has been a failure to comply with a mandatory standard which is applicable to such construction operation, but that such failure to comply has not created an immediate serious danger that an accident will occur before the imminence of such danger can be eliminated, he shall determine what would be a reasonable period of time within which such violation should be totally abated and thereupon issue a notice fixing a reasonable time for the abatement of the violation. If upon the expiration of such period of time as originally fixed or extended, the authorized representative finds that such violation has not been totally abated, and if he also finds that such period of time should not be further extended, he shall also find the extent of the area which is affected by such violation. Thereupon, he shall promptly issue such other orders as are appropriate.

(c) Findings and orders issued pursuant to this section shall contain a detailed description of the conditions which cause and constitute a situation of imminent danger or a violation of a mandatory standard.

SEC. 8. (a) Each finding made and notice or order issued under section 7 of this Act shall be given promptly to the contractor or subcontractor to which it pertains by the person making such finding or order, and all such findings, orders, and notices shall be in writing, and shall be signed by the person making them. A notice or order issued pursuant to section 7 of this Act may be annulled, canceled, or revised by an authorized representative of the Secretary.

(b) A contractor or subcontractor notified of an order may appeal to the Secretary for annulment or revision of such order, and the Secretary shall issue regulations providing for such appeals.

SEC. 9. The Secretary is authorized to require contractors and/or subcontractors subject to this Act to submit, at such time and in such form as he may prescribe, reports of accidents, injuries, and occupational diseases, and related data, and the Secretary is authorized to compile, analyze, and publish, either in summary or detailed form, the information obtained; and all information, reports, orders, or findings, obtained or issued under this Act may be published and released to the public, or any interested person, and may be made available for public inspection.

SEC. 10. Whoever knowingly (1) violates or fails or refuses to comply with any provision of this Act, or with any order of withdrawal and debarment issued under section 7 or section 8 of this Act, or (2) interferes with, hinders, or delays the Secretary, or his duly authorized representative, in carrying out his duties under this Act, or (3) refuses to admit an authorized representative of the Secretary to any construction operations covered by this Act, or (4) refuses to permit the inspection or investigation of any construction operations covered by this Act, or of an accident, injury, or occupational disease occurring in or connected with such construction operations, or (5) being subject to the provisions of section 9 of this Act, refuses to furnish any information or report requested by the Secretary, shall be deemed guilty of a misdemeanor and, upon conviction thereof shall be punished by a fine of not less than $100 or more than $3,000, or by imprisonment of not more than ninety days. In any case involving personal injury, no forfeiture of collateral shall be permitted. Prosecutions for violations of this title shall be in the name of the United States Department of Labor on information filed in the United States district court. In any instance in which such offense is committed by a corporation, the officer or authorized representative of such corporation who knowingly permits such offense to be committed shall, upon conviction, be subject to the same fine or imprisonment, or both. Each day shall be a separate offense.

SEC. 11. The Secretary shall develop expanded programs for the education and training of employers and employees in the recognition, avoidance, and prevention of accidents or unsafe or unhealthful working conditions in construction operations covered by this Act.

SEC. 12. In order to promote sound and effective coordination of Federal and State activities within the purposes of this Act, to eliminate duplication of effort and expense, and to secure effective enforcement of the health and safety standards established under this Act, the Secretary shall seek the cooperation of, and may utilize the service of, any agency of the United States or any State agency engaged in similar work, through formal agreement or otherwise.

SEC. 13. Except as provided in subsection (c) of section 5 of this Act the Administrative Procedure Act shall not apply to the making of any finding, order, or notice pursuant to this Act, or to any proceeding for the annulment or revision of any such finding, order, or notice.

SEC. 14. There are authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

BANKING AND CURRENCY COMMITTEE CHAIRMAN CALLS FOR FEDERAL RESERVE REFORMS IN CHICAGO SPEECH

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, last week the distinguished chairman of the House Banking and Currency Committee, the gentleman from Texas, the Honorable WRIGHT PATMAN, visited my district in Chicago to address a dinner of the United States Savings & Loan League. The occasion was a double honor for my district and the city of Chicago. Not only were we honored by the presence of the distinguished chairman, but the dinner also served to officially introduce the new president of the United States Savings & Loan League Otto Preisler, chief executive officer and president of the Home Federal Savings & Loan Association, of Chicago.

Chairman PATMAN graphically portrayed in his speech the brutal effects that the tight-money policies of the Federal Reserve Board have had on the housing industry in the past year. He pointed out that residential construction starts during 1966 dropped more than 20 percent over the previous year and that the high interest rate policies adopted by the Federal Reserve Board to counteract inflation actually increased inflation.

For too long, Congress has looked upon the Federal Reserve Board as some sort of mystic body endowed with superior perceptionary powers that enable it to correctly guide the monetary course of this country. The mistakes of the Federal Reserve Board have been written off with a host of excuses. But it is impossible to write off so easily the damage that has been done by the Federal Reserve Board when it has made these mistakes.

It can now clearly be seen that the Federal Reserve Board has no crystal ball, and its members do not possess any magic powers. It is time to stop treating the Federal Reserve Board as a sacred cow and make the Board more responsive to the public interest.

I am including a copy of Chairman PATMAN's remarks in my speech because I earnestly feel that it is an excellent commentary on the role that the Federal Reserve Board has played in forcing this Nation into an inflationary state:

Remarks of the Honorable Wright Patman, Chairman of the House Banking and Currency Committee, to the United States Savings & Loan League Dinner, January 11, 1967, Chicago, Ill.

I want to thank Norman Strunk for his very generous and flattering introduction. During 1966, I got to know Norman Strunk much better because he appeared before my committee numerous times. In fact, I believe he spent almost as much time in Washington last year as he did in Chicago. Norman is a very capable and energetic leader, and you can rest assured that he is always in there pitching for the savings and loan business.

I am very glad to see Mike Greenebaum, of the Home Loan Bank Board, here. He is certainly doing an outstanding job. I am happy that Chicago furnished him to Washington.

There is another Chicagoan I want to mention—Frank Annunzio, a valuable member of our Banking and Currency Committee. He was one of the 89th Congress's finest freshman members. Frank is someone you will be hearing a lot about in the 90th Congress. He is a hard worker and a devoted public servant.

I want to say that it is a pleasure to participate in this recognition dinner for your Savings and Loan League's new President, Otto Preisler. Otto has done an outstanding job as the chief executive officer and president of the Home Federal Savings & Loan Association here in Chicago, and I am confident that he will exercise wise and forceful leadership for your business in 1967.

For some years now, I have been telling my friends in the savings and loan business that the commercial bankers are out to get you. Nothing I have said on this subject has done as much to make believers out of you folks as the actions of the commercial bankers themselves in 1966. The bankers themselves converted more savings and loan officers to my way of thinking in a few short months of this past year than I have been able to convert in more than 38 years of service as a legislator.

FORESEES SUBSTANTIAL PROGRESS

When I accepted this invitation, some of your leaders suggested that I talk about the legislative prospects of the 90th Congress. The Congress convened in Washington yesterday and, admittedly, there is great uncertainty. We of course lost our top-heavy Democratic majorities and we start work in the 90th Congress with a more traditional balance between the parties.

Despite the changes in alignment on the Banking and Currency Committee, as well as the other Committees of the House of Representatives, I think we will have substantial progress in this Congress. Of course, we are always faced with the possibility that our Republican colleagues, flushed with what they regard as a big election victory, will attempt to play the role of obstructionists. If so, much-needed legislation could be blocked and the nation's progress severely slowed. However, if our GOP friends take this negative course, I am convinced that the voters of this country will react sharply and return the Democratic majorities which existed in the 89th Congress.

As you look ahead to 1967, all of you, I am sure, are hoping for better fortunes than existed in your industry during 1966. Without question, 1966 was a rough year for the savings and loan industry and most of your trouble can be traced to the banker-oriented policies of the Federal Reserve System.

Just before I came out here, I was glancing through some recent news clippings from the financial pages. On one page I noted that the flow of savings into your institutions dropped by more than 70% during 1966. Then I picked up another newspaper and spotted a year-end survey which revealed that the nation's banks had a whopping 10% increase in earnings in 1966.

Even a high school economics student can determine who benefitted most from the monetary policies of 1966.

Of course, all of you know what happened to your own institution. You know what your ledger books show and there is no need in my dwelling on the details here.

TWENTY PERCENT DROP IN HOUSING STARTS

But from the standpoint of the nation's good, what happened to the savings and loan industry in 1966 is of critical importance. As the Federal Reserve worsened your competitive position, housing construction dropped drastically in all areas. As a result, we ended 1966 with new housing starts of only 1,200,000—a drop of more than 20% in residential construction. So, as you lost savings in 1966, the country lost hundreds of thousands of badly needed housing units. The two curves on the chart move in the same direction—down.

This fact is understandable. After all, you are the only industry established in this country for the sole purpose of financing homebuilding and home ownership. Therefore, when your fortunes decline, so do those of the housing industry.

Back in 1932, the Congress of the United States set up the Federal Home Loan Bank System. This established as national policy that it was in the public interest for your types of financial institutions to be a vigorous force in providing financing for homes. The enactment of this savings and loan act was necessary because the nation's commercial banks refused to meet the needs of the country in this area. The banks did not want the home mortgage business and they did not pursue it. They preferred safer, more profitable, and quicker earnings. The banks defaulted in the homebuilding business.

The 1932 Act put your associations on a firm footing and has enabled you to move forward as a vital segment of our financial community. Since 1932, it has been the policy of the country to have the savings and loan associations serve as a permanent source of funds for homebuilding. This policy has been re-affirmed many, many times by many different Congresses and many different Administrations. It has never been changed, even through Republican Administrations.

FEDERAL RESERVE BOARD ACTED ALONE

Yet, on December 6, 1965, the Federal Reserve Board decided that it would wield a sledge hammer blow at your industry—without sanction from the Congress or from the President of the United States. This was a decision by an unelected Board sitting in secret session in Washington, D.C. Yes, they decided, on their own, to reverse national policy and give the banks the opportunity to slit the throats of your organizations.

Why else would the Federal Reserve allow the banks to increase by 37½% the interest they paid on time deposits? It was to place the banks at a heavy competitive advantage over savings and loan associations. Most of the press, unfortunately, accepted the Federal Reserve's public relations statement that this increase was done in the name of combating that worst of all evils—inflation. Of course the inflation story was simply one giant hoax designed to hide the special interest nature of that December 6 order. The 37½% increase on time deposits was for the simple purpose of allowing the big commercial banks to hold onto about $16 billion in certificates of deposit and to give them a chance to grab off the funds which normally flow to your organizations.

As a result, we have had thirteen long months of chaos in the financial community. We have had higher and higher interest rates, a rapidly declining housing industry with thousands of workers out of jobs. Millions of Americans have been prevented from buying homes over the past year. Millions more have had to pay higher rents and higher mortgages.

I don't have to tell this audience what a one-percent increase on a mortgage means. But just for the record, let me remind you that this takes nearly $4,800 out of the pockets of the average American wage-earner just to meet the additional interest charges on a $20,000 loan over 30 years. Now this means, in too many cases, that a worker must actually turn over all of his wages for a single year just to pay this added interest charge which was imposed during 1966.

TAXPAYER HURT BY FEDERAL RESERVE

High interest rates have damaged much more than just your industry and the housing industry. They have added fantastically to the cost of financing Federal, state and local government. In this fiscal year, the American taxpayers will shell out between $13 and $14 billion to pay the interest on the national debt. More than $1 billion of that can be charged off to the single interest rate increase forced on the country by the Federal Reserve on December 6, 1965. And high interest rates have not stopped inflation; they have added to the cost of every item produced in our economy. It has been just like pouring gasoline on a fire. If I may revert to the Texas idiom for a moment, let me say that the repeated claims that high interest rates fight inflation are hogwash.

The past year has demonstrated just how dangerous a run-away Federal Reserve Board can be to the country. Quite frankly, many of you in the savings and loan industry have taken a rather mild position in discussing the Federal Reserve System.

I do not come here to argue with you about any of your policies, but I do urge that your industry take a long and hard look at the Federal Reserve System. Investigate and find out. I am confident of what the facts will show you. The Federal Reserve Board and the entire Federal Reserve System are designed for the primary purpose of promoting the banking industry. Actually, I should amend that statement to say "for the purpose of promoting the interests of the *big* banks," because even the small and medium-sized banks of this country suffer mightily at the hands of the Federal Reserve.

The Federal Reserve Board does not recognize the savings and loan industry as a lasting part of the financial community. The action of December 6, 1965 is a firm indication of the Federal Reserve Board's bias in favor of the banks and against the savings and loan institutions.

Let us remember that the Federal Reserve consulted not a single member of your industry before that secret decision was made. Let us remember that they did not even pick up the phone to call John Horne, the Chairman of the Federal Home Loan Bank Board. The first John Horne knew of this action was when he read it in the Washington Post.

FEDERAL RESERVE IGNORES LAW

This was the case despite the fact that the Full Employment Act of 1946 plainly requires the Federal Reserve to coordinate its policies with other agencies of the Government. Once again, the Federal Reserve ignored the law and Congressional intent.

Its only concern was the banking industry. The Federal Reserve had two telegrams on its desk—one from the Federal Reserve Bank in New York, and one from the Federal Reserve Bank in Chicago. Both were worded identically and both demanded—yes, demanded—the 37½% increase.

That December 6 action came only slightly more than a month after I appeared before the annual meeting of your league in Dallas, Texas. At that time, I discussed with your leaders and in my speech to your members my deep concern over the possibility that the banks, in alliance with the Federal Reserve, were about to move against your industry. Unfortunately, that is what came to pass.

As I have said earlier, 1966 was a rough year for savings and loan organizations. However, adversity often breeds toughness and a stronger resolve. So in the long run, your industry may gain from the hard knocks it took from the banking community and the Federal Reserve last year.

You will gain providing you take a realistic view of your position in the financial community. As a friend and supporter, I urge you not to continue a policy of complacency about the Federal Reserve. Surely the events since December 6, 1965 have proved that you cannot be complacent about this trend.

I have come before you many times and many times I have discussed the Federal Reserve System. But please do not look on this as Wright Patman's crusade. This is your fight and your future will depend on whether or not you pick up the challenge.

BIG BONUS FOR BANKING INDUSTRY

One section of the Federal Reserve regulations—regulation Q—holds life and death power over the savings and loan industry. This is the regulation that was manipulated in December, 1965 to give the banks the 37½% increase in the interest paid on time deposits. It was the manipulation of this regulation which puts your organzations at a competitive disadvantage throughout 1966. Yet, you have absolutely no say about what happens to regulation Q. It is part of a Federal Reserve System that has removed itself from the control of the people, the Congress, and the President of the United States.

Operating as it does with seized "independence", the Federal Reserve System does not have to concern itself with the wishes of any other part of the American economy, including the savings and loan industry. So long as the Federal Reserve remains outside of the democratic processes, your associations have no real control over their futures. Again, I say that reform of the Federal Reserve is essential to the long-range survival of savings and loan institutions.

As things stand now, you really do not know from one day to the next what will happen to the financial community. The answer is locked up in the marble palace of the Federal Reserve on Constitution Avenue in Washington, D.C. Outside of the CIA, no agency operates in more secret surroundings. The Federal Reserve, and its Open Market Committee, meet behind locked and guarded doors and no one—not even the President of the United States—is privy to what goes on in these secret councils.

Yet, your organizations and, for that matter, every citizen in this country, have a direct stake in how their monetary policy is manipulated.

NINETEEN MEN HOLD BALANCE OF POWER

But, contrary to the basic principles of a democracy, these decisions are made by an unelected elite, most of whom have a direct self-interest in the decisions. As you know, the Open Market Committee meetings are attended by the seven members of the Federal Reserve Board and the twelve presidents of the Federal Reserve banks. These 19 men hold life and death power over the savings and loan industry and the entire American economy.

These tightly guarded secret meetings of this powerful and unelected group remind me of the small body of ruling elite that always control totalitarian states. Yes, the Federal Reserve's secret sessions have a startling similarity to the meetings of the Communist Politburo in Moscow. In Russia a small group of unelected Communists control everything and they operate in total secrecy. This is the same way that the Federal Reserve handles monetary policy in this country. Again, I say that this kind of secret policymaking by unelected officials—unresponsive to anyone except the bankers—has no place in a democracy.

This situation has to be corrected and corrected soon. There is no reason for the country to go on allowing the Federal Reserve to disrupt the economy in a willy nilly fashion suited to the whims of the bankers. Every few years, the savings and loan industry and the housing industry are faced with the same problem of high interest rates and tight money. When these conditions ease, there is a tendency to forget and to assume that everything will continue to be rosy. This is a mistake. The remedy lies in permanent reform of the Federal Reserve System so that the nation's economy, including those areas directly affecting savings and loans, can move forward on an even keel.

Certainly, at a minimum, the near-lifetime terms of the members of the Federal Reserve Board should be reduced to some reasonable span of time, say, five years. There is no excuse for any Federal appointment to extend for fourteen years as is now the case on the Federal Reserve Board.

FEDERAL RESERVE PAYS BANK ASSOCIATION DUES

It is also reasonable to ask that the term of the Chairman of the Board be co-terminus with that of the President of the United States. And without question, the Federal Reserve System should be subject to audits of the General Accounting Office. The Federal Home Loan Bank Board is subject to such audits and there is no logical reason for the Federal Reserve System to be exempt from such scrutiny.

The Federal Reserve should also be subject to the normal appropriations processes of the Congress. The budget of the Federal Home Loan Bank Board must be approved by the Appropriations Committees; why not the Federal Reserve's budget?

The Federal Reserve should come to Congress for its money rather than using its huge slush fund, created by the interest on $42 billion worth of Government bonds. These bonds, as you know, are in the vaults of the Federal Reserve Bank in New York and have been paid for once by the American taxpayers. Yet, the Federal Reserve System continues to demand and receive about $1.7 billion in interest on these paid-up bonds annually.

It operates its far-flung empire from this huge fund. And, among other things, this fund provides more than $90,000 in dues annually to various bank lobbies, including the American Bankers Association. In other words, the Federal Reserve helps finance the ABA's attacks on the savings and loan industry.

The reforms I enumerate here are not new to you. I am sure that many of you have heard me call for similar changes over the past few years. But now in view of the events which have transpired since December 6, 1965, I hope all of you will take a new look and provide some much needed action and support. Frankly, there hasn't been much meaningful action from the savings and loan industry in this area.

SAVINGS AND LOAN MUST JOIN FEDERAL BATTLE

For the good of the country as well as your own associations, I hope this fact changes in 1967. As I mentioned earlier, the homebuilding industry depends heavily on financing from S&L's—you are the biggest source of this type of money. It is tragic that this country suffered a 20 per cent drop in homebuilding in 1966. We constructed 1.2 million housing units at a time when a minimum of 2 million were needed just to keep up with current demands.

So in 1966, while many politicians sat around listening to bank lobbyists, the country spawned new housing shortages, new slums, and imposed higher and higher costs on the home owners and the apartment tenant. A well-placed hydrogen bomb in the heart of New York City might have destroyed fewer housing units than were wiped out by Federal Reserve Board policies in 1966.

It is time for the savings and loan associations to move in a vigorous manner. The Congress and the people are concerned about the excesses of the Federal Reserve and I believe that a demand for action from the savings and loan industry will reach receptive ears.

In addition to acting on these Federal Reserve reforms, I hope that the savings and loan industry will give strong consideration to broadening its lending authorities. In particular, the strength and the resources of the savings and loan associations are needed in efforts to redevelop both our big cities and small communities. Just as you were needed in the homebuilding industry in 1932, you are needed today to provide help in financing these community development efforts. I believe that the Demonstration Cities Act, which we passed late in the 89th Congress, provides many areas in which broader lending authority of the S&L's could be utilized. Perhaps the S&L institutions could be important factors in the financing of the "New Towns" concept which was embodied in that Act. I know from my own personal experience in the First District of Texas that the rural areas and small towns are crying out for loan funds with which to finance badly needed development programs.

I hope that your legislative staffs will study this question carefully and propose ways in which your lending authority can be changed to give you broader roles in community development. Such a plan would, I believe, receive a friendly reception in the Congress. I do not make these suggestions to enhance your place in the financial community. I make these suggestions because we need your resources to help the country move these programs forward. Once again, we are faced with a situation where the banks and other financial institutions have lagged behind, seeking only the sure, absolutely safe loans. Once again, the banks are failing to pioneer and, as a result, a large gap exists in financing these development programs. It is a gap which you could fill if you make a real effort.

OPPORTUNE TIME FOR MOBILE HOME FINANCING

I also feel that the time is ripe for the savings and loan industry to seek Congressional approval for the financing of mobile homes. It also is logical that your authority be extended to include the financing of home furnishings. These extensions are certainly in keeping with your vital role in the homebuilding industry.

As of now, I understand that the savings and loan industry plans to push very few pieces of legislation in the 90th Congress. I know that there is some interest in a savings and loan holding company bill. It is reasonable to assume, that the Administration will send up legislation on this issue and, of course, I am quite willing that the Committee conduct hearings. However, I do want to make sure that we work out a sensible bill and one which can receive reasonable acceptance throughout the savings and loan industry.

In addition to this bill and a general Federal Reserve reform measure, yesterday I introduced this additional legislation:

A bill to require that each bank insured by the Federal Deposit Insurance Corporation be audited triennially.

A bill to amend the Federal Reserve Act to provide for Federal Reserve support of Government bonds when market yields equal or exceed 4¼ per cent.

A bill requiring payment of interest by commercial banks on "tax and loan" accounts held for the United States Government.

A bill to consolidate supervision of banks under the Secretary of the Treasury.

A bill to permit Federal savings and loan associations and Federal credit unions to afford checking account services to their patrons by accepting demand deposits on a 100 per centum reserve basis.

A bill to create a Small Business Capital Bank.

As we start the 90th Congress, the Vietnamese War overshadows everything else. It is a costly war and there is growing concern that some of the great social and economic needs of this country will have to be sacrificed. I do not feel that we can afford to abandon the War in Vietnam, but, at the same time, I am convinced that we cannot afford to abandon the basic needs of this country. We cannot turn our backs on education, community development, highways, transportation, or the efforts to wipe out poverty. We are in severe competition for world leadership and it is foolhardy for us to downgrade such things as our educational system at such a critical juncture in world history.

PROGRESS ABANDONMENT WOULD BE COSTLY DEFEAT

The Soviet Union is moving ahead by leaps and bounds in all of these areas and we cannot afford to drop out of the race simply because someone has coined a slogan about "guns and butter". To abandon the progress of this great nation at this time could be more costly to our place in history than the most crushing defeat on the battlefields of Vietnam.

We must move forward into all of these areas and the country can afford to do it. And we must also do these things because they need to be done, because there are needs to be met and because it is right.

But having said this, we still must find the necessary financing for these programs. To help meet this problem, I plan to introduce legislation in the next few days through which the unusual expenditures of the Vietnam War can be financed without interest. The legislation will call for the Federal Reserve to purchase non-negotiable, non-interest bearing bonds from the United States Treasury for the specific purpose of financing war expenditures.

This legislation will use 1965 as the base year in calculating what amount shall be purchased by the Federal Reserve. In 1965, we spent approximately $51 billion for defense expenditures. Since that time, the war in Vietnam has grown rapidly and at the end of this fiscal year we will have spent about $65 billion total on defense. Under my proposed plan, the difference between the defense expenditures of 1965—that is, $51 billion and the current expenditures—would be financed by these non-interest bearing bonds. In short, this would mean that the unusual expenditures—which can be traced directly to the Vietnam War—would be handled in this manner.

FEDERAL RESERVE COULD HELP WAR EFFORT

Two and one-half percent of the principal of these war bonds would be repaid annually. In this way, the cost of much of the war would be spread over a long period of time and at no interest.

This way the disruption to the budget and the economy is held to a minimum. This seems like a reasonable plan for a war in which all of us—including future generations—have a stake. Certainly it is not too much to ask that the Federal Reserve provide this small service in a wartime situation. I hope that the nation's banks will not feel that this is the type of expenditure on which they should reap profits. This is really not a large sum in comparison to the total Federal Budget.

This year it might amount to $15 to $20 billion. But, by eliminating the interest, we can save much needed money for the domestic programs which, as I said earlier, must go forward.

I just don't see why we have to pay a million dollars in interest every time we buy a million dollar plane to fly over North Vietnam. This just doesn't seem right when so many people are sacrificing so much in this war effort.

POVERTY CREDIT UNIONS MUST BE CONTINUED

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, one of the favorite pastimes of some Members of Congress, particularly those on the Republican side, has been taking potshots at the war on poverty, but there is one weapon in the war on poverty that not only does not deserve any form of criticism, but should receive all the encouragement and financial backing necessary. I am referring to the establishment of credit unions in low-income areas. Such credit unions have proved to be one of the most effective tools in the poverty campaign, for they do not involve handouts or charity, but rather enable people to better financial positions through self-help.

I sincerely hope that no attempt will be made by poverty fighters to cut back on the budget plans for these credit unions. Such an action would be taking two steps backward for one step forward in the poverty war.

In order to fully understand the operations of these credit unions and the outstanding work they perform, I am enclosing a copy of an article by William Raspberry which appeared in the Washington Post of January 8. The article outlines the work performed by the United Planning Organization's credit unions in Washington's low-income areas. The article reports that 5,616 low-income members of the credit unions in the Washington area have saved $227,000 in monthly deposits and has made loans as of the end of November amounting to $165,000. The article further reports that by borrowing from the credit union, rather than the high-rate small-loan companies, that ply their trade in the low-income areas, members are able to cut the costs of their loans drastically.

The article follows:

UPO'S CREDIT UNIONS ARE APPARENTLY SUCCESSFUL

(By William Raspberry)

Maybe the most amazing thing about the United Planning Organization's program of setting up Credit Unions in low-income neighborhoods here is that it seems to be working.

There was serious doubt that it would. It was feared that weeding out the bad credit risks, as lending institutions must, would render the program meaningless to the people it was designed to serve. To lend money to very many of these poor risks would bankrupt the program, doubters observed. The program as they saw it was either worthless or fiscally unsound.

It hasn't turned out that way.

Six of the nine Credit Unions in the two-year-old program will be paying a dividend for 1966 ranging from 3.4 per cent to more than four per cent. Losses—debts charged off as uncollectable—total less than $3000, more than half of it incurred by Credit Unions that were in existence as long as four years before UPO got into the act.

Most of the remainder was incurred during the first year of UPO funding.

According to James Williams, UPO's Credit Union coordinator, the $3000 total represents fewer than 50 loans over a six-year period, only seven tenths of one per cent of the total money loaned during that time.

On the plus side, the Credit Union's 5615 low-income members have saved $227,000 in monthly deposits ranging from 50 cents to $100. By the end of November, loans outstanding totaled $165,000.

Williams acknowledged that losses are higher than the national average for in-house Credit Unions, many of which collect by payroll deduction, but low enough that the insurance rates for the low-income and in-house Unions are exactly the same.

Beyond the fact that the program is surviving financially, Williams is pleased with the amount of service it is able to render.

He notes that most Credit Unions are located in Government agencies or private firms and are inaccessible to low-income groups.

Because one of the earmarks of the poverty-stricken family is its inability to manage its money, officials of the Office of Economic Opportunity sought some means to teach budgeting skills and promote savings among the poor. The Credit Union concept was the upshot. UPO entered the program some 21 months ago.

It has not been an easy program to sell, Williams admits. As with in-house Credit Unions, most members of the low-income Unions came to borrow and stayed to save. Staff members insist that each borrower include in his monthly or weekly repayment at least a small amount for savings.

Membership in the low-income Credit Unions is tied in with consumer education, and members are continuously begged, embarrassed, cajoled and brain-washed into saving, Williams said.

In addition, they are encouraged to separate their money shopping from their shopping for goods. If a member finds a good buy on, say, a television set, he is encouraged to borrow the money for the purchase from the Credit Union, not from a commercial loan firm. In that way, he not only gets the money at a lower interest rate, but builds up a savings account while he is repaying the loan.

Carrie Brown, Williams' assistant, pointed out that area small-loan companies are advertising $300 loans to be repaid at the rate of $20 a month for 20 months. (The borrower actually gets $300 less insurance and service costs which are deducted from the principal.)

If he had borrowed the same amount of money from a Credit Union and repaid at the same rate, he would have use of the full $300 and by the time the loan was repaid he would have accumulated $70 in savings.

In addition to specials—some private businesses have been persuaded to make payroll deductions for Credit Union savings—Williams has had to institute some special safeguards.

For example, if a member wants to borrow money to pay a furniture bill, the check is made payable jointly to the borrower and the furniture company. That way the Union can be assured that the money is used for legitimate purposes.

Williams' goal now is to increase total deposits of the nine Unions to $1 million, at which point he believes the program could pay its own way. As it is, each Union is subsidized with $25,000 a year for operating expenses and salaries.

If any reasonable percentage of the eligible people joined, the million-dollar goal should be easily attainable, Williams said.

NEED TO REVISE SELECTIVE SERVICE LAW—IV

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, more than 1.7 million young men now are excused from the draft because they are members of the National Guard or other military Reserve components. Programs they have signed up for supposedly gave them 4 to 10 months of active duty training. However, due to the crowded conditions at Army training camps, which give priority to draftees and enlistees for Regular service, many Reserve recruits wait many months before reporting at basic camps. Although the space for training was nonexistent during the Vietnam buildup, enlistment in the various Reserve units was permitted to continue. Last June, before the House Armed Services Committee, General Hershey complained about the problems of having a Reserve of untrained men and voiced the opinion that "there is somewhere around 50,000 individuals who are in a Reserve status that I don't consider are being trained, and therefore, I don't see that they are Reserves." The general, however, was low in his estimate. In May 1966 approximately 135,000 reservists had received no training. Currently, the backlog has been reduced to 120,000.

Since nearly all the Reserve units have long waiting lists, enlisting in these outfits is no easy task. Recently, charges have been made that some of these units have been hoarding their vacancies to provide a draft haven, particularly for pro football players and other athletes. Reacting to this criticism, Defense Secretary McNamara has ordered all Reserve units to take qualified applicants on a first come, first serve basis beginning February 1, suggesting that this is a change in policy. He also has reduced draft calls for the early months of 1967 to free training facilities for some of the reservists who have not yet seen the inside of a barracks.

An additional accusation leveled against the reserve outfits is that they are incapable of performing their basic function. This past summer, in July, it was disclosed that more than one-third of the California National Guard outfits which were involved in an 8-month special training program to create a select Reserve force failed to pass the Army's 36-hour simulated combat test. The National Guard Bureau in Washington acknowledged that of a total of 315 battalions and companies of the Selected Reserve Force, the second line of defense, 36 of them, or 11.4 percent, performed unsatisfactorily in combat readiness tests. After intensive training, only 14 of these units now have yet to successfully complete this mission. It has also been charged that the weapons issued to the Reserve outfits have not been of the latest design and shortages in clothing have been reported.

It is clear that the relationship of the draft to the Reserves is one more reason why the selective service laws should be revised.

A STATEMENT OF CONCERN

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to bring to the attention of my colleagues a statement signed by 124 nuns and priests, and distributed by Father Francis J. McDonnell of the Sacred Heart Parish of West Lynn, Mass. The statement speaks eloquently of the problems created by the House Un-American Activities Committee.

A STATEMENT OF CONCERN, JANUARY 1967

As we start the new year 1967, we recognize that we enter a period that may be of great importance for the liberties we cherish. Because of the difficult questions which now divide many Americans, we are concerned about the pressures tending to stifle free expression and creative thinking among American citizens.

One institution, of which too little is known among the general public, concerns us in particular: the House Committee on Un-American Activities (HUAC).

On June 11, Father Joseph H. Fichter, S.J., eminent Catholic sociologist and Professor of Roman Catholic Studies at the Harvard Divinity School, discussed in *The Pilot* some of the serious charges against HUAC, and he requested that the House of Representatives debate these charges. Father Robert F. Drinan, S.J., Dean of the Boston College Law School, also made this request in an article entitled "The Case Against HUAC" (*Boston Globe,* August 28).

Since these two articles were written, HUAC has announced that it is launching an investigation, under the joint supervision of two segregationists, Rep. William M. Tuck (D–Va.) and Rep. John H. Buchanan, Jr. (R–Ala.), into disturbances in Negro urban areas to determine if "a group of Communists doing the work of Moscow or Peking, as the case may be, and attempting to mask their subversion under the guise of civil rights" is responsible.

Moreover, it has been disclosed by a longtime supporter of the Committee, Rep. Wayne Hays (D-Ohio), that HUAC has been paying its "friendly witnesses" for testimony (after the Committee members had denied having done so) and that HUAC keeps dossiers of "un-American activities" *even on other congressmen* (*Congressional Record,* vol. 112, pt. 20, p. 27510).

In an editorial decrying HUAC, Father John B. Sheerin, C.S.P. stated:

"In reading the newspaper accounts of the (HUAC) hearings almost inevitably we thought of the Star Chamber proceedings in old England but I wonder how many Catholics realized that it was their forebears who were the main victims of these miscarriages of justice. In many instances, their rights of free speech and fair trial as well as their religious liberty were at stake." (*The Catholic World,* October, 1966).

We, as Catholic priests and nuns, are aware of the dangers of restricting freedom of speech and the political and religious liberties guaranteed in the First Amendment of the United States Constitution. As Richard Cardinal Cushing stated in his recent pastoral letter (December 10), "Critical thinkers and thinking critics constitute the lifeblood of any society."

We endorse the calls for Father Fichter and Father Drinan for "a full and open debate in the Congress about the continued existence of HUAC," and we urge Speaker of the House John McCormack to provide for the discussion in the House of Representatives this issue merits.

Endorsed by 120 Catholic priests and nuns in the greater Boston area.

STATEMENT OF FINANCIAL HOLDINGS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I am joining a number of Members of the House and Senate in filing, for the public record, a statement of my financial holdings. We require such a full disclosure of the executive branch, and I feel that the American people are entitled to the same information where their legislators are concerned.

I therefore print in the RECORD the fact that my financial holdings consist of 3,890 shares of common stock, Valley Title Co. of Santa Clara County, a corporation, and ownership of a house and lot in Potomac, Md. The title company in its normal course of competitive business handles a limited number of transactions where Federal interests are involved.

My principal sources of income outside my legislative salary are compensation and dividends from the above company. My governmental salary constitutes less than half of my annual income from all sources.

PROFITEERS AND THE NATIONAL DEFENSE

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, during times of war it is necessary for a nation to mobilize both its human and nonhuman resources. In a war property—equipment, arms and other supplies—is as essential as manpower. But there is a crucial difference in the ways by which men and property are brought into service for a war. Men are drafted. If they are in the right age bracket and otherwise qualify, they are mobilized. Property, on the other hand, is procured. That is, Government contracts are offered for the purchase of the needed goods.

The civilian who is drafted into the military to help in the national defense sacrifices the comforts of his home, his family, his job, his security and possibly his life. Mobilization, to the individual who must serve, represents the most extreme form of selflessness for the good of the Nation. The military man does not get to bargain or negotiate for his pay and benefits. His compensation is fixed by law and it is quite low. No matter what his previous earnings or his investment in his training and education, he is paid according to a predetermined scale. This is part of the sacrifice he makes for his country.

One would suppose that those persons who supply the Government with property in time of war would be willing to do it without excessive profits. In light of the heavy sacrifices made by those who do the actual fighting, one would at least hope that those who stay home and do business with the Government would not take advantage of the situation by profiteering.

I am sorry to say, however, that profiteering is taking place. Not only have certain private firms taken advantage of the war in Vietnam by gouging the Government for excessive profits, but there is evidence that profiteering is on the upswing. Despite this, the only agency empowered with the responsibility of overseeing defense contracts and for recovering excess profits, the Renegotiation Board, is hampered and unable to do a complete job. It is hampered by statutory restrictions and exemptions and by monetary limitations.

The facts and figures speak for themselves. Amendments to the act which created the Renegotiation Board have piled limitation upon limitation and steadily whittled away the Board's authority. Exemptions have been created for a great range of materials so that much of what is supplied to the Government for the war in Vietnam is no longer covered by the act. Appropriations for the Board have steadily dwindled so that the Board has had to reduce its number of employees. There were 742 persons working for the Board in 1952. In 1965 there were only 184, in 1966, 179. Through the years, there have been a number of attempts to abolish the Board. There was a concerted effort in 1959. There was a major attempt to kill it last year.

The reason the Board has dedicated enemies in powerful circles is plain. Hamstrung as it is, it still manages to scrutinize the contracts that have remained within its jurisdiction and to detect considerable excess profits. In fiscal year 1966, for example, the Board made determinations of excess profits in the amount of $24.5 million. In addition, voluntary refunds and voluntary price reductions, reported by contractors in connection with renegotiation proceedings, amounted to another $23.2 million.

BRIEF HISTORY OF NEGOTIATION

Abuses by Government contractors are nothing new. They occurred during World War I, they occurred during World War II, and they occurred during the Korean war, and they are occurring now.

The problem is that during a wartime emergency, the Government's need for supplies and materials increases suddenly and to unprecedented heights. The need for speed eliminates the opportunity for long, drawn out negotiation, careful surveys, and other steps which sound purchasing policy otherwise requires. Competition for Government contracts often decreases and disappears. Forecasting of costs of production becomes impossible except as a matter of guesswork. The result is generally a skyrocketing of costs as contractors seek to guard against contingencies which might spoil their best estimates. But negligence and sometimes unscrupulous dealings are practiced upon the Government as well. The urgency of war requires that the materials be delivered and production continued, although it is recognized that excess profits will be paid.

The earliest attempts to protect against excess profits produced the Vinson-Trammell Act of 1934. This act fixed profit on shipbuilding contracts at 10 percent, thereby limiting profit margins on this class of procurement contracts. In 1939 the act was amended to include aircraft at a profit rate of 12 percent. The purpose stated at that time was to support an infant industry, while limiting unconscionable profits. One of the authors of the Vinson-Trammell Act, of course, was Carl Vinson, the former chairman of the House Armed Services Committee. Carl Vinson not only pioneered with this early antiprofiteering law, he was perhaps the strongest and most vocal supporter of the renegotiation laws from the enactment of the first act in 1942 to the time of his retirement in 1964. Indeed, the Nation owes a debt of gratitude for the fight that Carl Vinson made against profiteering, which it can never repay.

Unfortunately, the Vinson-Trammell Act did not work out as intended. The result was that many contractors simply increased their costs in order to realize profits in excess of the statutory limitation of 10 percent or 12 percent. Cost-plus-fixed-fee contracts were tried, but this had the disadvantage of, in the words of the former Under Secretary of War, Robert P. Patterson, "removing financial incentives to efficiency and of imposing a heavy burden of auditing upon the Government and the contractor." Lump-sum contracts, escalator clauses, permitting price adjustments in accordance with fluctuations of labor and costs, and letters of intent to negotiate a formal contract, were tried without material success.

Under Secretary Patterson stated in 1945:

> Shortly after the declarations of war, both the legislative and the executive branches of the Gov't realized that excessive wartime profits were certain to accrue unless counter measures were taken. The evil effect of such wartime excessive profit on the morale of the fighting forces and the civilian population, as well as the unnecessary financial burden upon the Gov't., could not be ignored. The example of the last war was still fresh.

Earlier, in 1943, the then Senator from Missouri, Harry S. Truman, had said:

> Ever since the beginning of the last war there has been a constant effort to find an effective method of controlling war profits without impeding war production.

The Renegotiation Act of 1942 was the latest and most successful result of the efforts to curb profiteering. The 1942 act provided for renegotiation on a contract-by-contract basis by procurement officials of the Government agencies involved. The act was later amended to place renegotiation on a fiscal-year basis, to extend its application, to provide the factors to be taken into account in determining excessive profits, and to provide for de novo redetermination before the Tax Court.

The 1942 act was administered by the War Contracts Price Adjustments Board. From 1942 through 1946, the 4 years of operation of the act, excess profits were determined in the total amount of more than $11 billion. A yearly breakdown of this figure shows excess profits determinations of $3.4 billion in 1942, $4 billion in 1943, $2.5 billion in 1944, and $960 million in 1945. The chart below is a complete analysis of recoveries under the first renegotiation laws, taken from the final report of the War Contracts Price Adjustment Board.

TABLE II.—*Recoveries of excessive profits under Renegotiation Acts of 1942 and 1943 (before credit for Federal taxes on income), by Department, by years, 1942 through 1946*

[In thousands of dollars]

Renegotiation agency	All years	Calendar year in which contractor's fiscal year (period) ended				
		1942[1]	1943	1944	1945	1946
Total	$11,026,641	$3,401,474	$4,054,013	$2,567,017	$960,062	$44,075
War Department	7,413,264	2,335,428	2,636,336	1,760,064	651,414	30,022
Navy Department:						
Price Adjustment Board	2,701,906	889,190	957,432	613,596	232,767	8,921
Services and Sales Renegotiation Section	74,335	19,698	29,364	18,540	6,590	143
Reconstruction Finance Corporation[2]	397,838	45,352	251,761	73,907	26,369	449
Maritime Commission[3]	392,963	102,097	164,678	88,370	34,578	3,240
Treasury Department	46,335	9,709	14,442	12,540	8,344	1,300

[1] Includes 1941 recoveries.
[2] RFC subsidiaries named in Renegotiation Act of 1943.
[3] Includes Maritime Ship Operations, formerly War Shipping Administration.

Source: Records of Assignments and Statistics Section. Prepared by WCPAB Committee on Statistics.

Mr. Speaker, that is an awful lot of excess profits. And that is an awful lot of profiteering. These figures, reflecting what was determined to be excess profits during World War II, show what goes on during wartime when urgency requires speedy and shortcut procurement for the national defense. The expenditures for World War II represented sudden and enormous increase over previous Government outlays. For example, the total expenditures of the War and Navy Departments for fiscal year 1942 amounted to $22.9 billion. This total is greater than the total military and naval expenditures of the Government from 1789 through the end of World War I. Yet, it is less than what is now being spent in Vietnam, not to speak of our defense commitments around the world. If a fully supported, fully manned Renegotiation Board determined $3.4 billion in excess profits in 1942, when the total worldwide defense expenditures were only $22.9 billion, what would a fully supported, fully manned Renegotiation Board determine today?

When the first Renegotiation Act was enacted in 1942, the Vinson-Trammell Act was suspended. Upon expiration of the renegotiation laws in 1945, Vinson-Trammell again became operative. The Renegotiation Act of 1948 again suspended Vinson-Trammell.

The 1948 act applied principally to Air Force contracts for aircraft procurement. It was later amended to apply to all negotiated Department of Defense contracts. It was administered by the Secretary of Defense through departmental renegotiation boards.

The Renegotiation Act of 1951 was enacted upon the outbreak of the Korean war. This act, for the first time, created an independent board of five members appointed by the President and confirmed by the Senate. The act is temporary, must be extended every 2 years, and expires if not extended. It is the 1951 act which was extended last year. Let me point out here that the Vinson-Trammell law, though suspended, is still existing law. That is, if the Renegotiation Act were to expire, Vinson-Trammell will again become operative. It should be recalled that this law is applicable to shipbuilding and aircraft procurement, but not to missiles and related items.

KOREA AND VIETNAM

The Renegotiation Act of 1951 was extremely effective during the Korean war. Keeping in mind that renegotiation is on a fiscal year basis, and that the process is a rather long and drawn out one, determinations of excessive profits amounted to $119.4 million in 1954, $167.2 million in 1955, $152.6 million in 1956, $150.9 million in 1957, and $112 million in 1958. Testifying in support of extension of the Renegotiation Act before the House Ways and Means Committee in 1959, Chairman Carl Vinson stated that the Board's 1958 report showed it had found $690 million in excess profits from the time it was created in 1951, and that the Department of Defense would spend approximately $24 billion figure shortly because it is many billions of dollars less than what is currently being spent for procurement by the Department of Defense.

The following table is a breakdown of the determinations of excessive profits by the Renegotiation Board from fiscal year 1953 through fiscal year 1965:

Fiscal year:	*Total*
1953	$19,970,771
1954	119,463,169
1955	167,256,288
1956	152,649,327
1957	150,991,300
1958	112,724,199
1959	60,757,877
1960	52,708,003
1961	17,200,093
1962	7,844,467
1963	10,069,536
1964	24,160,028
1965	16,146,803
1966	24,513,962
Total	936,455,823

NOTE.—The above total includes determinations of $33,185,470 made pursuant to the 1943 and 1948 acts.

These figures show total determinations of $936.4 million in excess profits since 1951. In addition, the Board reported in its 1966 annual report that voluntary refunds and voluntary price reductions, reported by contractors in connection with renegotiation proceedings, amounted to $1.2 billion since 1951. As I stated earlier, determinations of excess profits amounted to $24.5 million in fiscal year 1966. To this amount should be added $23.2 million reported savings from voluntary refunds and voluntary price reductions in connection with renegotiation proceedings.

This illustrates an important aspect of the renegotiation process. Its effectiveness depends upon the cooperation of industry. As Carl Vinson said in 1959:

> The Renegotiation Act is something like a vaccine; its value is not so much in the cases it cures as it is in the cases that it prevents from becoming infected. Renegotiation, therefore, induces voluntary price reduction, to avoid statutory renegotiation.

But beginning in 1954, a series of amendments were attached to the act seriously reducing the ability of the Board to do the job intended for it. The 1954 amendments raised the floor of the minimum amount renegotiable under the act from $250,000 to $500,000 per fiscal year; modified the partial exemption for sales of durable productive equipment; provided an exemption for standard commercial articles, and made other changes designed to limit applicability of the law. In 1955, the exemption for standard commercial articles was broadened to include standard commercial services; an exemption was added for certain construction contracts let by competitive bidding; and the exemption for sales of durable productive equipment was further modified. The 1956 amendments narrowed the departments whose contracts were subject to the act; provided a 2-year carryforward of losses of renegotiable business; raised the floor from $500,000 to $1 million; substantially modified the exemption for standard commercial articles and services; broadened the venue for appeals to circuit courts from Tax Court decisions; and made the Civil Service laws and regulations applicable to Renegotiation Board personnel. In 1959, the 2-year carryforward loss provision was extended to 5 years.

The million-dollar floor requirement is a good example of the disabling effects the amendments have had on the Board. The 1951 act provided a $250,000 floor. That meant that a contractor must have done at least $250,000 of business with the Defense Department, under the act, to be subject to renegotiation. Thus, if a contractor did only $249,000 of business with the Defense Department during 1951, he would not be subject to the scrutiny of the Board, no matter how much of the $249,000 may have amounted to profiteering. In 1954, the floor was raised to $500,000, and in 1956 to a million dollars. This year there was talk by some members of raising the floor again. Of course, every time the floor is raised a great many contractors get out from under renegotiation and millions of dollars of procurement contracts escape this check on profiteering.

Another interesting method whereby contractors are enabled to avoid renegotiation is the standard commercial article exemption. Under this exemption, if at least 35 percent of a contractor's sale of an article is on the private market, then it is exempt from renegotiation. This provision has resulted in exemptions being declared, for example, for many electronic parts, including missile components.

THE AEROSPACE INDUSTRIES

One of the strongest members of the movement to abolish the Renegotiation Board is the aerospace industries, and with good reason. For various aerospace firms have been found time and time again to have added excessive profits to their Government contracts. Last year, in a letter dated March 23, 1966, the Aerospace Industries Association of America, Inc., stated to the House Ways and Means Committee:

> This association is convinced that expiration of the (Renegotiation) act would not harm the Nation's defense effort and would not increase the cost of defense procurement.

Our long history of profiteering, especially during wartime, leads to the opposite conclusion. Our experience with this particular industry leads to a similar conclusion. In one case, for example, the Boeing Airplane Co. appealed a determination by the Board that for the year 1952 it had received excessive profits in the amount of $9,822,340. The Tax Court of the United States decided upon review of the case in a decision handed down in 1962 that Boeing had received not $9.8 million in excessive profits, but $13 million in excessive profits. Among other items, Boeing had attempted to charge the cost of the design development, and construction of the prototype of the 707 commercial airliner as an expense item to be allocated to renegotiable business under its contracts with the Department of Defense. Equally intriguing is the fact that the work on the prototype, according to the opinion of the Tax Court, "occurred in a walled-off area of the Government plant at Renton, Wash.," for which Boeing was charged and paid rental. Boeing, by the way, for the year 1952 reported $42.4 million in profits before taxes, a profit of 120.6 percent on its invested capital. During the same year, 99.6 percent of its total sales constituted Government sales.

The Boeing case is cited as *Boeing Airplane Co.* v. *The Renegotiation Board of the United States of America,* 37 T.C. 64, January 10, 1962. Another case involving North American Aviation, Inc., decided in October of 1962, may be found at 39 T.C. 19. In the North American case, the court decided that for the years 1953 and 1954 that company had received excessive profits in the amounts of $4 million and $12.5 million. In 1953, North American Aviation reported a whopping 612 percent profit on its capital investment, and in 1954 it reported a superwhopping profit of 802 percent. In each year more than 99 percent of its sales was to the Federal Government.

A $10 million refund of excessive profits was obtained from General Motors Corp. following an investigation by the Special Investigations Subcommittee of the House Armed Services Committee in 1958. Carl Vinson was chairman of the Armed Services Committee at the time of this investigation into the production of the F-81F airplanes manufactured by General Motors. The $10 million was returned to the Federal Government voluntarily as a direct result of this congressional investigation.

RECOMMENDATIONS

The American economy is based upon the ability of private industry to earn a profit. But the American people do not expect private industry to make exorbitant profits in their dealings with the Federal Government. Such profits, of course, are made at the expense of the taxpayer. In times of war, as in the present time, excessive profits amount to profiteering. There is no more heinous offense, in my opinion, than wartime profiteering. For the ability of the Nation to survive may well depend upon its ability to mobilize its industrial resources to support the armed services. If the Government's funds are diverted by profiteers to unjustly enrich the few at the expense of the many, then its ability to mobilize its resources and its industrial potential is curtailed.

The profiteers who intentionally gouge the Government for excessive profits are also guilty of consciously withdrawing efficiency from our industrial capacity. They are guilty, in other words, of sabotage.

Carl Vinson said in 1950, testifying in support of the Renegotiation Act, that so long as we find ourselves in the position of requiring greatly increased quantities of production from an industrial machine which is already operating at near capacity, the impact of increased Government buying alone may result in excessive prices and profits. This holds true today with as much if not more force.

In fiscal year 1965 prime contract awards by the Department of Defense totaled $27.9 billion. In fiscal year 1966 prime contract awards increased to $38.2 billion. That is an increase in a 1-year period of approximately 39 percent. It is deeply significant because it reflects better than any other set of figures the future work and the demands that will be made upon the Renegotiation Board.

It is therefore imperative not only that the Renegotiation Act be continued, but that it be strengthened and that the Board be enabled to do the job it was created to do. I recommend—

First, that the act be made a permanent law without an expiration date.

Second, that the floor be reduced from the present $1 million to the original $250,000.

Third, that the 5-year loss carry forward provision be eliminated.

Fourth, that the appropriate congressional committee investigate the problem of profiteering today and make further recommendations to curb excessive profits. The numerous exemptions that have been added to the act now serve as legislative blinders which prevent the Renegotiation Board from even looking into millions of dollars of procurement contracts which are the direct result of the needs created by the war in Vietnam. In addition to the exemptions I have cited, for standard commercial articles and standard commercial services, by which such items as missile components are exempt from the act, there are also numerous exemptions for agricultural commodities and raw materials. These exemptions include food products as well as minerals such as bauxite, copper, iron, magnesium, oil and gas, tin, tungsten, and zinc. If such products are needed in unusual quantities as a direct result of the war effort, then exempting them from the act cannot be justified.

Mr. Speaker, on June 15 last year when the act was being debated on the floor of the House, it was announced that the Joint Committee on Internal Revenue Taxation was going to make a study of the renegotiation law and report its findings in 2 years. Presumably this announcement was made to stave off attempts to kill the law altogether or to further amend it. The law and the Board, however, have been investigated before, several times. The last investigation was made by the same Joint Committee on Internal Revenue Taxation in 1962. In 1960, the House Armed Services Committee had also investigated the Renegotiation Act. The committee in its summary and conclusions said:

> The hearings and data which we present in this report along with our conclusions and recommendations, fully justify and require the continued application of the principle of statutory renegotiation. The high incidence of negotiated contracting which is dependent exclusively in some instances and heavily in others on "estimating" is fraught with dangerous possibilities of "unjust enrichment" at public expense.
>
> What the President pointed out in 1948 has come true through force of many circumstances. There has been a concentration of production facilities in the hands of a relatively small production base in which the Gov't is heavily interested. This segment of industry, therefore, is the beneficiary of public necessity. Its position in relation to commercial enterprise and private taxpayers in the whole country, who support defense in equal measure demands that their fortuitous circumstance of position and place, shall not, by concentration of contacts produce excessive profits.
>
> Therefore, the Renegotiation Act and the criteria set out in it are, and must remain, an integral part of the way of doing business for the foreseeable future. American companies and Americans generally recognize and accept the necessities of this situation as a matter of justice and public conscience.

Social justice and the Great Society will be frustrated if profiteering results in billions of dollars being diverted from the national wealth to private persons. How much profiteering is the Government suffering because of unexamined Defense contracts? The Renegotiation Act and the Renegotiation Board have been studied and investigated. What requires investigation and study today is profiteering and ways to strengthen our laws against profiteering.

LABOR-MANAGEMENT LEGISLATION

Mr. **BLANTON**. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. **DANIELS**. Mr. Speaker, on January 10, the first day on which the 90th Congress convened, I introduced a labor-management bill (H.R. 460) which will, if acted upon, eliminate numerous injustices within the Federal Establishment. I ask that this House consider it objectively and then approve it.

The history of labor-management legislation is long and, up until now, disappointing. Bills similar to the one I have introduced in this Congress, have been introduced in almost every Congress in the past 16 years. They have never received approval because of persistent opposition from the executive branch, and because of certain misunderstandings of the provisions and intent of the legislation on the part of many Members of the Congress itself.

There is a mistaken belief in some quarters that a labor-management law would interfere with the prohibition against Federal employees going on strike—or that it would encourage Federal employees to walk off their jobs. Nothing could be farther from the truth. The bill has nothing to do with the right to strike and, in truth, 99 percent of the Federal employees of the Nation would not want the right to strike, even if they could get it.

There is a mistaken belief, also, that a labor-management law would give Federal employees the right to bargain collectively in the area of wages. This is also untrue. The bill has nothing whatever to do with this subject.

In addition, there is a mistaken belief that a labor-management law would supersede and make obsolescent the Executive Order No. 10988, issued by the late President John Fitzgerald Kennedy on January 17, 1962. This is also a fallacy. The labor management bill I have introduced would implement and strengthen the Executive order of President Kennedy, and would exact penalties from those who willfully and deliberately violate its provisions.

That is the major point of the bill.

Executive Order No. 10988 did indeed make recognition of the postal unions and the unions of Federal employees mandatory in the Federal Establishment—but, like all Executive orders—it contains no teeth. There is no way to compel compliance.

And, in many instances, both at the national and the local levels, it has not been complied with.

In many departments and agencies of Government, the relationships between management and the employees continue just as if Executive Order No. 10988 had never been issued. There is no recognition of the unions; no serious attempts to iron out the grievances that exist between labor and management, no sincere attempt to consult with the interested parties before setting personnel policies.

The Post Office Department, to its credit, has done an honest and effective job in trying to set up a labor-management program at the national level. It leads the rest of the Federal Establishment in this area, by far.

But, still, there are innumerable cases in the field where Postmasters ignore the contracts they have signed with their employees and continue to operate under the old feudal system which used to be the standard operating procedure of the postal service.

The unfairness lies in this: if a postal employee violates, willfully, the labor-management agreement in his office, he can be punished, easily and swiftly, by suspension or by dismissal. But, if a Postmaster violates the agreement, he cannot be punished—short of having charges preferred against him for dismissal—a difficult and time-consuming process.

The entire purpose of H.R. 10988 was to drag the management of the Federal Establishment into the 20th century, so far as its relationships with labor were concerned. In far too many cases, management has refused to be dragged. So, now it must be prodded and driven simply into living up to its obligations, into obeying the law as set forth in Executive Order No. 10988 and into obeying the implied commandment of the Congress of the United States.

We all pay lipservice to the principle that the Federal Government should be the model for the rest of the world in the field of labor-management relations. But, in practice, the Federal Government has never been the leader—it has been the reluctant, foot-dragging follower. The public sector has traditionally lagged far behind the private sector in the areas of wages, working conditions, fringe benefits and labor-management relations. It is time that we face up to this fact. The labor policies of the Federal Government lag at least a quarter of a century behind the policies of our major private industries.

My bill, Mr. Speaker, will create an effective labor-management program in the Federal Government. It will activate the latent idealism of Executive Order No. 10988 and make it a living entity.

One of the most important things my bill will do is to take the responsibility of handling grievances out of the hands of the Civil Service Commission and place it where it belongs, in the hands of Department of Labor. The Civil Service Commission, worthy as it is, is still an arm of management, and cannot be considered impartial in its dealings with the problems of labor.

My bill also sets up an orderly program of administrative procedure and appeals, which will be conducted under the experienced leadership of the Labor Department. This is something that has been lacking for a long while.

But, most of all, my bill will have punitive teeth which will make it just as necessary for management to live up to its obligations as it is for labor.

The bill I have introduced (H.R. 460) is not a unilateral prolabor bill. Far from it. It is a bill that gives labor in our Federal Establishment, at long last, the same measure of justice, and the same right to justice, that management has always enjoyed.

There is no way, Mr. Speaker, that we can implement the shining idealism of President Kennedy's Executive order of 5 years ago except by passing legislation which will compel recalcitrant postmasters and other managers within the Federal Establishment to comply with its provisions, or run the risk of legal punishment.

I also submit that the principle of labor-management cooperation should be a permanent principle within our Government in this year of our Lord 1967. Today it is not. An Executive order is effective only as long as the President of the United States wants it to be effective. It is quite conceivable that the United States of America might have, one day, a reactionary President who would revoke Executive Order No. 10988 and leave the postal employees and the other Federal employees with no assurance whatsoever of decent treatment or decent working conditions. It would take only the stroke of a pen to negate all the good that has been done.

As we all know, a law is not so easily disposed of, and not so easily disregarded. The principle of meaningful labor-management relationships is too important in our national life to leave it at the mercy of the whims of the executive branch. It is a national policy and should have the entire authority of the Federal Congress behind it.

This is exactly what my bill, H.R. 460, will accomplish.

WAR AGAINST PORNOGRAPHY

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DANIELS. Mr. Speaker, there has been a great deal of interest in legislation to set up a presidential level study group to examine the problem posed by the too easy availability of pornography.

In the 89th Congress, a bill introduced by the distinguished senior Senator from South Dakota [Mr. MUNDT] was approved by the other body on July 11, 1966.

Late in the first session of the 89th Congress, the House select subcommittee held hearings on my bill, H.R. 7465, and unanimously approved the measure. Unfortunately, the bill was not taken up by the full Committee on Education and Labor until the very end of the Congress and it was not possible to have it approved by the full committee.

Several newsmen, notably the nationally syndicated columnist James J. Kilpatrick, have pointed out that the Senate measure was introduced by a conservative Republican and the House measure by a liberal Democrat. Indeed, it could be said that within the Congress, Senator MUNDT and I are poles apart. The 14th District of New Jersey, which I represent, is one of the most compact urban and industrial areas in the United States. South Dakota is, of course, one of our great agricultural States.

There are very few areas where the senior Senator from South Dakota and I would find ourselves in agreement. Yet, on this issue of pornography, we share a common view that something ought to be done in this 90th Congress. Senator MUNDT is concerned about the moral well-being of our children. I share his concern.

I think our joint support of this legislation demonstrates the fact that the problem of pornography is a national one. It is as much a problem for us in the New York City-New Jersey metropolitan area as it is for the farm family in rural South Dakota.

Senator MUNDT and I feel that action in this area has been too long delayed and we urge every Member who shares our belief to join with us in support of this vitally needed measure. He has already introduced legislation in the Senate to set up a study group as a necessary first step in the war against pornography. Today, I have introduced a bill to accomplish the same end. I strongly urge all Members of this House to join with us in the setting up of this study group.

CHRISTIAN A. HERTER

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BOLAND. Mr. Speaker, we were all saddened to learn of the death in Washington on December 30 last of former Secretary of State Christian A. Herter, who was serving as President Johnson's Special Assistant for Trade Negotiations, a position he was appointed to by our late beloved President, John Fitzgerald Kennedy.

Twice elected Governor of the Commonwealth of Massachusetts, in 1952 and 1954, Mr. Herter previously served for five successive terms in this body, the House of Representatives, from 1942 to 1952; and six successive terms in the Massachusetts House of Representatives, the last four as speaker of the Massachusetts House. I had the pleasure of serving in the Massachusetts House with Mr. Herter from 1934 through 1940.

Mr. Speaker, we all mourn the passing of Secretary Herter, and extend our profound sympathy to Mrs. Herter and members of his family. With permission granted, I include with my remarks at this point an editorial about Secretary Herter, taken from the Springfield, Mass., Republican of January 8, 1967:

Christian A. Herter

Christian A. Herter, who died suddenly at his home in Washington Dec. 30, had filled so many public offices, and filled them so well, that it is difficult to number them all.

But to those whose privilege it was to know Mr. Herter personally, his outstanding quality was his never failing courtesy.

Mr. Herter was born in Paris, France, the son of artistic parents. When they brought him back to this country he was nine years old and was fluent in French and German as well as English.

Mr. Herter joined the State Department after attending Harvard and was acting U.S. minister in Belgium in 1917 when the U.S. entered World War I. After the war he served on Herbert Hoover's Relief Commission, and remained as Hoover's secretary while Hoover was secretary of commerce. He was said to have been appalled by conditions in Washington during the Harding administration and to have remarked that "Washington is like a dirty kitchen where cockroaches abound."

Mr. Herter began his public elective career in 1930 when he was elected to the Massachusetts House of Representatives. He served for six successive terms, or 12 years, and during his last two terms, he was the speaker of the House of Representatives.

In 1942 Mr. Herter began five successive terms in the House of Representatives at Washington, representing a Boston district.

Mr. Herter, who never lost an election, was elected governor of Massachusetts in 1952 and reelected in 1954.

When Herter in his later years became bowed and bent with painful arthritis, one would never have guessed it from his personal letters, which were always full of good cheer.

After his nomination by President Eisenhower to succeed John Foster Dulles, who had resigned, as secretary of state, Mr. Herter received an unprecedented mark of approval by the Senate. The custom of the Senate had long been to let such nominations stand at least a week before they were brought up for confirmation.

But when Mr. Herter's name was brought before the Senate, there was an extraordinary demonstration of bipartisan support. The Senate, after voting to suspend its rules, unanimously confirmed Mr. Herter.

The whole proceeding, instead of taking a week or more, took only four hours and 13 minutes.

"THE RICH GET RICHER," BOSTON HERALD'S SERIES OF EDITORIALS ON TITLE I OF ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BOLAND. Mr. Speaker, in a series of recent editorials, the Boston Herald points out that the newspaper's investigation has disclosed that title I of the Elementary and Secondary Education Act of 1965, "is not moving toward its original goal as defined by President Johnson," and is not bringing the full benefits of education "to the children in the depressed urban ghettoes and rural areas so they can break the poverty cycle."

The series of editorials, entitled "The Rich Get Richer," were published from January 2 through January 6. The Boston Herald concluded the series with this thought:

> We believe Congress will no longer tolerate spending one billion dollars a year for an act which reinforces the educational inequalities which it was supposed to correct, and makes the rich richer at the expense of the poor.

Mr. Speaker, with permission granted, I place the Boston Herald's series of thought-provoking editorials at this point in the Record, along with a Boston Herald news story by Ronald Dessler from Breathitt County, Ky., telling how title I funds are spent for food:

[From The Boston Herald, Jan. 2, 1967]

The Rich Get Richer—I

Not many Americans understood the historical significance of the Elementary and Secondary Education Act and especially Title I of the Act when it was first proposed. Even fewer Americans were aware of the shameful educational inequalities which the Act was supposed to correct: A child in Breathitt County, Kentucky, for example, attends a one-room schoolhouse with a pot-belly stove and no plumbing, and the average per pupil expenditure is $285. A child in New Rochelle, New York, on the other hand, attends a modern school plant with auditoriums, libraries, and a staff of remedial reading teachers, psychiatrists, and psychologists. The per pupil expenditure is $896.

One of those who did understand was President Lyndon B. Johnson. In his education message to Congress on January 12, 1965, he spoke in uncompromising terms of the part inadequate education plays in the vicious cycle of poverty. Because poor parents cannot afford to support good schools, their children receive an inferior education. Because they receive an inferior education, they are denied good jobs. And because they are denied good jobs, they cannot support good schools and their children receive an inferior education. And so it goes, round and round, generation after generation with poverty breeding ignorance and ignorance breeding poverty.

President Johnson proposed the Elementary and Secondary Education Act to break this cycle. But under his plan, New Rochelle was given about as much money—$321,000—as was Breathitt County, which receives $340,000! Such cases are the rule, not the exception, for among the wealthy suburbs given Title I money for the poor are Wellesley and Newton, Brookline and Lexington, Beverly Hills, Cal. and Scarsdale, N.Y.

We cannot believe the President intended this. In his message transmitting the Act to Congress he said, "The burden on the nation's schools is not evenly distributed. Low-income families are heavily concentrated in particular urban neighborhoods or rural areas. Faced with the largest educational needs, many of these school districts have inadequate financial resources. This imbalance has been created by the movement of high income families from the center of cities to the suburbs—and their replacement by low-income families from rural areas."

Finally, Mr. Johnson proposed a cure. "This is a national problem," he said. "Federal action is needed to assist the states and localities in bringing the full benefits of education to children of low-income families."

Federal action marked a tremendous break with the past. Americans traditionally have accepted elementary and secondary education as a local responsibility, with everyone looking after his own. But President Johnson made it clear that while this was fine in theory, it just didn't work anymore. American communities were reorganizing, with the affluent congregating in the suburbs and the poor becoming increasingly isolated in the rural areas and city ghettos. Many local governments simply didn't have the financial resources to handle the increased problems.

So the President asked us to break with tradition. The implications of his message were clear. Or at least they seemed clear at the time. He was asking affluent Americans to continue paying for their own modern schools, and he was also asking them to help provide quality education for the children of the ghettos and the desolate rural areas.

The American people responded. Through their representatives in Washington they voted $1.34 billion for the first year of the Elementary and Secondary Education Act of 1965. Of that sum, the major share—$1.07 billion—was to be spent under Title I to aid poor school districts.

The money was to be used in a concentrated effort to help the children who need help through extra services such as remedial reading, speech therapy, counseling, social and cultural enrichment, and food programs.

To find out what effect Title I has had on poverty, this newspaper has traveled to 10 school systems throughout the country, studied the Act, interviewed the administrators of the Act in Washington, and talked with teachers and principals who are using Title I funds. The answers we have found are highly disturbing.

Although Title I has enjoyed some successes (one of the most notable being in the Boston schools) the program as a whole has had very little effect on poverty. And when one considers the provisions of the Act, this is not surprising.

While President Johnson talked about taking our billion dollars and firing it into the hard-core areas of poverty in the ghettos and Appalachias where it would do the most good, the U.S. Office of Education distributes it as if through a shotgun. The dollar bills float down in the affluent areas that contributed the money in the first place. Thus we find Wellesley, with a median income of $11,478, receiving $12,000 in Title I funds; Belmont receiving $32,000; Scarsdale, New York receiving $18,000; Brookline receives $89,000; Newton, which has one of the best school systems in the country, receiving $69,000; and Westchester County—the sixth wealthiest county in the country—being allocated more than $2.8 million. The best schools in the country are getting better, and they are doing it on poverty money.

Because America's wealthy communities are siphoning off so much Title I money, there is naturally not enough left for meaningful programs in the hard-core poverty areas. Fall River, Mass., is an economically depressed town which can afford an average per pupil expenditure of only $400. In fact, it is so economically depressed that it had to use much of the $515,069 it received in Title I funds to feed children suffering from malnutrition. There was not enough money left over to hire remedial reading teachers, even though one-quarter of Fall River's children are not reading at their own grade level.

The food, of course, is important. Children can't be expected to learn if they are constantly hungry. But the hot lunch program will have little permanent effect if the children continue to receive an inferior education. When they finish school, they will merely rejoin the cycle of poverty.

We do not believe this is what President Johnson had in mind when he first proposed the Elementary and Secondary Education Act of 1965. Nor do we believe this is what the American taxpayers had in mind when they contributed a billion dollars to this program.

The idea was to give our poor children "the full benefits of education" and thus break the cycle. Ironically, by giving just a little bit of money to both the rich and poor schools, Title I is not eliminating educational inequities, it is reinforcing them. And by reinforcing them, it is making the rich richer and the poor poorer. In four subsequent editorials, we will document exactly how this is happening.

[From the Boston Herald, Jan. 3, 1967]

THE RICH GET RICHER—II

As indicated by President Johnson, the original purpose of the Elementary and Secondary Education Act of 1965, and especially Title I of that Act, was to eliminate the educational inequalities existing in America between the wealthy suburbs, on the one hand, and the urban ghettos and desolate rural areas, on the other. Title I is not accomplishing this goal. In fact, as we pointed out in Monday's editorial, it is reinforcing the inequalities—to such an extent that some schools in Newton, where the per pupil expenditure is $760, and New Rochelle, New York, where the expenditure is $896, are receiving Title I aid while some schools in Fall River, where the per pupil expenditure is $400, are not. And all of this is taking place at a cost to the American taxpayer of more than $1 billion.

Title I went astray because of a basic change in philosophy as the Act made its way through the committee rooms of Congress. When he first proposed the idea in his education message to Congress in 1965, President Johnson strongly implied that the wealthy suburban communities would be expected to continue to take care of their own and at the same time help out the urban and rural areas that no longer had the financial resources to support good schools. In other words, the President seemed to be calling for massive injections of federal aid into hard-core poverty districts. Hopefully, this technique would break the vicious cycle wherein poverty breeds ignorance and ignorance, in turn, breeds more poverty.

But Congress did not interpret the President's message in this way. Congress took the President's phrase, "low-income districts," and changed it to "children of low-income families." This change in emphasis from districts to individual children seems innocuous. But not when considered in context with the amazing eligibility formula Congress established. Congress ruled that any county containing 100 or more children aged 7 through 17 from families with an annual income of less than $2,000 is eligible to receive Title I funds. It further ruled that any local school system within that county is also eligible. Because almost every community in the United States, no matter how wealthy, still has a number of poor families, this meant that approximately 25,000 of the 27,000 local school districts in this country immediately became eligible for Title I poverty funds. In effect, Congress substituted a shotgun for a rifle and decided to scatter money all over the place.

This change in emphasis is what enabled Belmont, Brookline, Lexington, Marblehead, Milton, Newton, Wellesley and Winchester to receive a total of roughly $300,000 in Title I funds this year. The eligibility clause completely ignores the fact that the lowest median family income in this group is $8,295. The eligibility clause completely ignores the fact that the small number of poor children in these communities were already attending some of the best schools in the country. The eligibility clause completely ignores the fact that Title I funds enabled these communities to better their already excellent schools and thus widen the educational gap that Title I was theoretically supposed to close.

And the gap is widening. Hard-core poverty areas like Fall River are, to be sure, receiving a larger percentage of Title I funds on a population basis than wealthy communities like Newton and Wellesley. But Title I officials who are quick to point this out neglect to emphasize the disparity that exists among these communities in the all-important area of average per pupil expenditure.

Wellesley spends $700 per pupil, Newton spends $760 and Brookline spends $778, exclusive of federal aid, building construction and debt service. Fall River, which seems to be in the clutches of a permanent depression, can afford to spend only $400 per child. The $515,000 Fall River received in Title I funds seems to be a great deal of money and it is. But in terms of the enormous educational problems that exist in Fall River, it is of relatively little value. Because even with Title I funds Fall River is still spending only $439 per pupil and that is not enough to break the cycle of poverty.

It is certainly not enough for a young, bushy-haired boy in Fall River named Danny. Danny is poor. He is suffering from malnutrition. Thanks to Title I funds, he is now getting one good meal a day. Unfortunately, lack of food is not Danny's only problem. He also has trouble reading.

Although Danny is in the sixth grade, he reads at a third grade achievement level and the only help he receives is several hours a week with a "reading coach" in a class with 13 other children. The "coach" has no degree and no training in remedial reading. She is impatient when Danny falters as he recites, and apparently she does not notice that Danny holds his book a few inches from his face, indicating both a need for glasses and better lighting in the antiquated classroom.

Fall River would like to do more for Danny. The school would at least like to hire trained remedial reading teachers. But as the administrator of Title I funds in Fall River said, "How can we spend money on academics when these kids don't have enough to eat?" So Newton and Brookline continue to improve while Fall River, already far behind, struggles against overwhelming odds to avoid falling further behind.

It is interesting to speculate what Fall River could do with the millions of dollars now being allocated in Newton, Wellesley, and the thousands of communities like them across the country. But it will always be speculation unless Congress changes the distribution clause that governs Title I. That clause, and the restrictions within it that actually discriminate against poor school systems in rural states, will be closely examined in Wednesday's editorial.

[From the Boston Herald, Jan. 4, 1967]

THE RICH GET RICHER—III

New Rochelle is a New York City suburb where it is not uncommon to live in a mansion. Breathitt County is a Kentucky Appalachian community where it is all too common to live in a shack. But the two communities do have one thing in common. They both received slightly more than $300,000 last year in Title I funds from the Elementary and Secondary Education Act of 1965.

Even before Title I went into effect, New Rochelle had one of the most advanced school systems in the country. It had a staff of remedial reading teachers, social workers, psychologists, psychiatrists. It had special programs for the gifted and special programs for the not-so-gifted. To run these programs, New Rochelle recruited the finest teachers in the country with maximum salaries of $11,750 for an M.A. and $12,000 with a Ph.D.

Before Title I went into effect, Breathitt County had 16 schools, most of them unapproachable except by foot. Inside one of these schools, a one-room wooden building called the Stray Branch School, a woman teacher instructed 16 children in grades one through six. Breathitt County had no remedial reading teachers, no social workers, no psychologists, and no psychiatrists to help this teacher and her schools had no special programs for anyone. In fact, Stray Branch had no bathroom, no history course, and precious few books. After teaching for 40 years, this highly dedicated teacher received a maximum of $5,500.

Why the gap between the two school systems? Simple enough. Money. A small percentage of New Rochelle's citizens are on welfare but most them earn high salaries as scientists, engineers, lawyers, doctors, and corporate executives. Their median family income is $8,600 per year and because they want the best schools for their children, they spent $896 per pupil in 1966 (exclusive of building construction and debt service), which is just about $400 above the national average.

Breathitt County doesn't have a small percentage of poor persons in its community. Practically everyone is poor and since the coal mines have closed, 77 per cent of the people are on welfare. Their median family income is $1,324, and much of the $285 they spend to educate a child is already supplied by the federal government, but it is still about $215 below the national average.

This sort of situation is what led to enactment of the Elementary and Secondary Education Act of 1965, and especially Title I of that Act. But instead of starting Breathitt County up the ladder toward the level of New Rochelle, Title I distributed about as much money to New Rochelle ($321,000) as it did to Breathitt County ($340,000). The slight edge Breathitt County enjoys over New Rochelle disappears under close examination. The way in which the two districts spent the money tells the story.

Since New Rochelle had almost everything a modern school system could want before it received Title I funds, the school administrators—well-trained in the art of spending money—developed "communications skills" classes to supplement the normal elementary school program. In the Daniel Webster School, one of the New Rochelle schools receiving Title I aid, all students in the school (rich and poor) watch rented movie strips, paint image pictures on slides illuminated by overhead projectors, and then describe their pictures into tape recorders and hear themselves talk. In another school, children learn to take pictures with a Polaroid purchased with Title I money. And so all of the money went towards improving the academic standards of this already first-rate school system.

Breathitt County officials wanted to improve their curriculum, too. And out of their $340,000, they did manage to hire their first nutritionist, their first art teacher, their first drama instructor, and their first social worker. But the Breathitt County administrators knew where most of the money had to go. They knew that the main diet of most children in the county was potatoes and beans. They knew that 80 per cent of the children had trouble paying attention in school because they were suffering from intestinal parasites. They spent their money wisely. They spent it for food.

Trying to decide which school system has been helped more by Title I is not easy. But one thing is clear. All of New Rochelle's money went into the improvement of its curriculum. Very little of Breathitt County's did. Therefore it is probably safe to assume that in academic terms, the gap between New Rochelle and Breathitt County is wider than ever before. In terms of the original purpose of the Act—which was to give the children of Breathitt County "the full benefits of education" so that they could break the poverty cycle—well, that is simply out of the question.

What in the Title I law accounts for such a poor distribution of funds? In yesterday's editorial, we explained how the Title I eligibility clause scatters the money all over the place, thus discriminating against poor districts in favor of the wealthy suburbs in any given state. But on a broader scale, there is another clause that discriminates even more in terms of state against state.

To determine how much money it will be allocated under Title I, every school district in the country first figures out as best it can how many poor children it has. But then it multiplies this figure times one-half the average per pupil expenditure in that particular state. This sounds reasonable enough but when you stop to consider the great financial gulf that separates the rural states from the industrial states it is not very fair at all.

Kentucky's average per pupil expenditure is only $320. New York's in contrast, is $786. Although Breathitt County has nearly three times as many poor children as New Rochelle, its Title I allocation in 1966 exceeded New Rochelle's by only $19,000 because Kentucky's average per pupil expenditure is so low compared to New York's.

And ironically, another clause in the Title I law prevented Breathitt County from using $100,000 of its meager allocation. This clause says, "The amount of a maximum basic grant may not exceed 30 per cent of the amount budgeted by the local educational agency for current expenditures." Because Breathitt County couldn't afford to spend much money on its schools in the first place, its original $440,000 Title I allocation exceeded 30 per cent of its budget. Congress, to its credit, has raised this restriction to 50 per cent for next year. But desperately poor Breathitt County has already watched $100,000 go off to wealthier school districts with bigger budgets and it might still lose money under the new formula.

A third restrictive clause in the Title I distribution formula requires that the money be used only in schools with a proportion of children on Aid to Families with Dependent Children greater than the average proportion for the entire town. In other words, the money goes to the poorest schools in the town. Once again, this sounds reasonable, but it ignores the fact that a poor school in one town may be a wealthy school in another town. Coming back to Massachusetts to illustrate this point, we find that in Newton, the two schools receiving Title I money have only a six per cent AFDC enrollment. Yet three schools in impoverished New Bedford with a 10 per cent AFDC enrollment are denied Title I funds.

There are more questionable clauses in the law but we think the main point is clear. Title I is not achieving its original goal. Instead of giving massive injection of Federal money into hard-core poverty districts, Congress decided to scatter the taxpayers' billion dollars over a wide area. In the one-room schoolhouse of Breathitt County and the drafty classrooms of Fall River, Title I money is used for food. In the wealthy suburbs, Title I funds are used for the latest model projectors, tape recorders, and even $48 of pencils (Belmont), a $200 typewriter (Lexington), and $500 of a custodian's salary (Newton).

As a result of this scattering of funds, the hardcore poverty districts do not have enough money to give their children "the full benefits of education" which President Johnson proposed. They receive only piecemeal benefits, while the educational inequalities which Title I was supposed to correct are reinforced and the poverty cycle is unbroken.

This is a terrible waste, because where Title I money has been concentrated to do the most good, it has shown what can be done to help the children who most need it, the subject of tomorrow's editorial.

[From the Boston Herald, Jan. 5, 1967]

The Rich Get Richer—IV

The Boston schools are not noted for their excellence. They have been strongly criticized, both in this column and elsewhere, and most of that criticism is deserved.

But in a major program funded by Title I of the Elementary and Secondary Education Act, the Boston schools have created some of the most original and exciting projects we have seen in visits to Title I programs in 10 school systems throughout the country. The Boston program is a good example of what Title I funds can do to help children from hard-core poverty areas. It shows what Title I can do when the money is not scattered around, but is applied in a concentrated effort to bring the full benefits of education to children and thereby give them the opportunity to break the poverty cycle.

The program is called the sub-system, a nearly autonomous experimental unit consisting of four school divisions from preprimary to high school levels within the larger school system. The elementary level is conducted in the Boardman School in Roxbury, a school with a nearly 100 per cent Negro enrollment. Visitors to the Boardman School can feel the excitement and enthusiasm in the air.

In one un-graded class with fourth, fifth, and sixth grade youngsters, a hose-thin boy peering into a microscope suddenly screamed, "I got it! I got it!"

The class had taken a field trip and collected samples of water from ponds, puddles, and water faucets in a program developed by Educational Services, Inc., of Cambridge. Each child had been given a 100-power microscope built by Bausch & Lomb. The pupils were left alone to figure out for themselves how to use them.

Now the classmates of the boy who had finally succeeded in focusing his microscope crowded around him. Some of them looked through the eye-piece and saw what he had seen: one-celled protozoa, tiny water beatles flitting through the water, baby snails, and algae. The children rushed back to their microscopes, one by one learned to focus them, and then started asking questions: "Are these these things alive?" "Is it good to drink this water?" "How come they can move?" "What are these things called?"

The teacher did not answer them. Instead, he suggested how the answers could be obtained by consulting reference books, and several of the children became so interested in the phenomena they had found that they went to the public library to find out more about them.

"We believe the children learn best by discovery," said School Director Bernard H. Shulman as he described several dozen similar programs instituted by sub-system director Evans Clinchy. Children in the first grade are taught about banking, the stock market, and writing checks even before they can read. They discover relationships between numbers with colored blocks and rods. Children in the upper grades experiment with batteries and light bulbs, ice cubes, seeds, pendulums, balances, and butterflies—all Educational Services, Inc. courses. Fifth and sixth grade children learn about animals from live guinea pigs, rabbits, and gerbils (similar to hamsters) kept caged in the classrooms. Children in kindergarten and classes for slow learners discover musical concepts by taking off their shoes and socks and responding to music through their bodies in a eurythmics course.

Afternoon activity programs offer a potpourri of cultural enrichment projects including creative writing, ceramics, field trips to supermarkets and swimming. Parents are kept informed of the latest developments in school through newsletters and monthly meetings with teachers.

Teachers' horizons are constantly broadened with lectures at the school by psychiatrists, educational consultants, and professors.

Even more important, the funds from Title I have provided teachers the flexibility to innovate, to develop the proper attitudes toward culturally deprived children, and to discard the rigid thinking too often prevalent in the rest of the Boston schools. Children in many Boston schools must sit with their hands folded during most of the day, and they are not permitted to talk during cafeteria periods.

In contrast, a fifth grade class at the Boardman School recently brought in popular records from home and when they wanted to dance (and even twist) to release some of their energy, nobody objected.

This, then, is education in the sub-system, paid for by Title I funds. We believe it is what President Johnson meant when he originally proposed to bring "the full benefits of education" to children in poor school districts. It is not just receiving a solid academic background, although that is a great part of it. It involves the child's social and cultural life and his family as well. The child develops imagination, he develops enthusiasm, and if he can get enough of all of this, he will have a good chance to break the poverty cycle.

There is, of course, a catch to the Boston sub-system. Only 700 children are enjoying its benefits and Boston has 23,000 children who need this kind of help. Even if all of Boston's $3.5 million Title I grant were devoted to sub-systems of similar comprehensive programs, the city could accommodate only 4,500 of the 23,000 children.

Boston's Office of Program Development, which directs the sub-system, would like to expand the program into other schools, but it needs more money. Like many large American cities, Boston has almost taxed itself out of existence in recent years but it can still spend only $530 per pupil, exclusive of Title I funds, compared to $760 in Newton and $1,239 in Scarsdale, N.Y. The city cannot be expected to do much more. The Federal government will have to help.

But under the Title I distribution formula enacted into law by Congress, that cannot happen. Under the formula, in fact, Newton receives $69,000, Scarsdale receives $18,000, and Westchester County—the sixth wealthiest county in the country—is allocated $2.8 million, nearly as much as the city of Boston.

[From the Boston Herald, Jan. 6, 1967]

The Rich Get Richer—V

The American people and their representatives in Congress must ask themselves just what they want to do with the billion dollars in Title I funds now being scattered all over the country. For Title I of the Elementary and Secondary Education Act of 1965 is not moving towards its original goal as defined by President Johnson.

Title I is not bringing "the full benefits of education" to children in the depressed urban ghettoes and rural areas so that they can break the poverty cycle. Instead, our investigation has disclosed that Title I:

Discriminates against poor school systems by allocating more money to states with the highest average per pupil expenditure. School systems in New York state receive three times as much money as school systems in Mississippi for the same number of poor children because New York's average per pupil expenditure is $786 as compared to Mississippi's $259.

Penalizes the most impoverished school systems by restricting grants to no more than 50 per cent (previously 30 per cent) of a school system's budget. The schools of Breathitt County, Ky., where 77 per cent of the people are on welfare, were last year denied more than $100,000 because of this clause, and this year they will still be denied part of their allocation.

Allocates money to wealthy schools with low proportions of poor children while poor schools with higher percentages of poor children are denied money. Two schools in Wellesley with two percent of the students on Aid to Families with Dependent Children are receiving Title I funds, while three schools in New Bedford with 10 per cent on AFDC are not entitled to receive Title I funds.

Fails to accomplish its goal of providing equal educational opportunities by ignoring the main cause of educational inequalities: the vast differences in per pupil expenditures among America's school systems. A poor child attending the Fall River schools, where the per pupil expenditure is $400, or Breathitt County schools, where the expenditure is $285, will receive an inferior education; while the same poor child attending the Newton schools (expenditure $760), or New Rochelle schools ($896), will get the best education this country can offer.

This does not imply that Title I has been a waste of time. In its one year of existence it has provided valuable intelligence with which to make future plans. For one thing, Title I has proved that the warning cry, "Federal control of education!" is the reddest of red herrings. There are almost as many different programs being developed with Title I funds as there are school districts using the funds and Title I is, in a sense, the largest laboratory in the world. Wellesley, for example, is experimenting with the use of printing presses and new approaches to teaching while Newton seems to be getting results with its program of special reading and speech therapy training on an individual basis. These programs are good and should be continued. The question is, by whom?

We believe that Wellesley, with its median family income of $11,428, and Newton, with its median family income of $9,080, should not receive poverty funds. We would also like to believe that the citizens of Wellesley, Newton and the thousands of suburbs like them do not really want to receive poverty funds. And finally, we would like to believe that these affluent communities will want to continue their worthwhile Title I programs—using their own financial resources. Only in this way will hard-pressed communities like Fall River and Breathitt County get the money needed to raise their average per pupil expenditure to the productive level of the suburbs.

We realize that the concept of wealthy communities reaching into their pockets to help the schools of poor communities is a radical break with American tradition. But the structural change of American community life during recent years has also been radical. The wealthy are congregating more and more in the suburbs. The poor are becoming increasingly isolated in the ghettos and rural areas. The old concept of each community looking out for the education of its children is a fine thing—if the community is wealthy.

In less fortunate communities, we find children whose families cannot pay for good schools, whose schools cannot give them a good education, whose education cannot get them good jobs so that they can pay for better schools. That, of course, is the poverty cycle and that is what must be broken.

The hard-pressed school districts need an all-out, comprehensive program to break the cycle. Boston's sub-system has shown what can be done. But this type of comprehensive program will not be possible for most poor districts under the present law which scatters Title I money to nearly all school districts in the country.

If Title I is to distribute money to those who really need it, the distribution formula should give primary consideration to the per pupil expenditure of each school system on a district, not a state-wide, basis. The systems with the lowest expenditures should get the most aid. The systems with the highest expenditures should get none.

Equalization of per pupil expenditures—or a start in that direction—would benefit the great majority of America's poor children now living in depressed areas and at the same time cut off aid to children in wealthy suburbs where the school systems are already providing each child with a superior education.

As in the present Act, any school system which reduces its budget would be denied Title I money. And perhaps other provisions could determine whether a school system's present per pupil expenditure bears a reasonable relationship to the median income or tax base of the town. But we believe this is a minor consideration since most communities are already spending as much as they can afford for education.

Figuring out the details of the new distribution formula will naturally be the job of Congress, and the Senate and House have the talent to do the job. The important thing is that they act this year. Because with so much money going to Vietnam, we must use what domestic money is available to the greatest possible effect.

We do not underestimate the difficulties involved. Changing Title I so that it benefits those who need it most will be a politically unpopular move for many Congressmen. It will mean taking money that is now going to their own districts and transferring it to others. But we believe Congress will act.

We believe Congress wants to help a little boy named Danny who is three years behind in reading because the Fall River schools cannot afford remedial reading teachers.

We believe Congress wants to help a seven-year-old boy named Stephen in Breathitt County who now gets enough food to concentrate on his reading, but doesn't have the books to read.

We believe Congress agrees with what President Lyndon B. Johnson said in his State of the Union Message of 1965: "Every child must have the best education our nation can provide."

We believe Congress will no longer tolerate spending one billion dollars a year for an act which reinforces the educational inequalities which it was supposed to correct, and makes the rich richer at the expense of the poor.

[From the Boston Herald, Jan. 4, 1967]

TITLE I FUNDS SPENT FOR FOOD: BREATHITT, KY., SCHOOLS FIGHT HUNGER, FILTH, FUTILITY

(By Ronald Kessler)

BREATHITT COUNTY, KY.—Dusk was setting on this Appalachian community as the visitor drove into the county seat of Jackson and stopped at the best hotel, the Jefferson.

A swarthy man pulled out the key to the most expensive suite in the hotel, a $6 room with no telephone, and, after contracting a stiff neck from the drafty accommodation the visitor set out the next morning to see some schools and homes in this typical Appalachian county.

The nearest elementary school, the Stray Branch, was approachable only over a steep mountain road which proved to be too muddy to be climbed by car. A school department truck finally succeeded in climbing the mountain, and it stopped beside an unpainted wooden structure suspended over the ground on cinder blocks.

An outhouse stood at the rear of the school, since only three of Breathitt's 16 schools have indoor plumbing. Inside, one instructor was teaching 16 children from grades one through six. The two 60-watt bulbs in the ceiling provided only dim illumination, and the children had to bend over their papers to see. A pot-belly stove stood in the center of the room. There were few books in sight. On the wall was a color picture of President Johnson.

The teacher, Mrs. Dertha Watts, asked if the visitor would speak to the class. "They never see anyone from the outside; just a few words from you would mean so much," she said.

How many of you have ever heard of Boston? the students were asked. No one raised his hand.

How many have been outside Breathitt County? Four children raised their hands.

Would you like to hear about airplanes or Washington or how newspapers are made? They all shook their heads up and down.

Many of the children had blank expressions on their faces, and others bore obvious signs of malnutrition. In the back room, a pretty 16-year-old girl Drusie Ann Kinniard, was preparing a lunch of beef stew provided by the government.

She had been in her second year of high school, learning history for the first time, when her father said he didn't want her going to school any more. She never knew why. So Drusie was working mornings at the Stray Branch School, preparing meals for children who only had beans and potatoes at home.

But food is not the only problem at school. Seven-year-old Stephen Cockerhn, a blond-haired boy with a hopeless expression on his face, came to school the week before wearing old women's shoes. A school official finally succeeded in getting him some old men's boots from the precious supply of old clothes donated by people in apartment houses in New York.

Stephen walks a mile every day to school in the old boots, but some Breathitt County children are transported 45 miles by bus every day, and other Breathitt children can not go to school because they are retarded or handicapped and there are no facilities for them at school. The incidence of mental retardation is high in Breathitt County, since the county's 15,000 people—only 10 of them Negro—have been inbreeding for generations, and incest is not uncommon, which is true of many rural areas.

But Stephen Cockerhn is a normal boy with a typical home environment for the Appalachias. He lives in a splintery shack in the middle of the mud with his five brothers and sisters and his mother, Mrs. Delvena Cockerhn. Her husband had gone to Michigan a month before to try to find a job, a common occurrence in Breathitt since 77 per cent of the people are on welfare.

Ever since the coal mining companies closed up before the Depression "the main occupation here is sitting around and breathing the fresh air," according to School Supt. Mrs. Marie R. Turner. And since 95 per cent of the land is mountainous (even the cemeteries are hatcheted out of the hills), farming cannot support the needs of the population.

Inside the Cockerhn shack, a pot-belly stove was burning soft coal, blackening the faces of the children. But there was no way for them to take a bath or shower and no outhouse. The windows were made of dirty rags, and the shack smelled of urine.

Mrs. Cockerhn had not paid her rent of $10 a month since the summer, and she stopped paying her $12-a-month electric bill a year ago. The refrigerator is now used only to store food, but there is not much need for refrigeration since the children have potatoes and dried beans for breakfast, lunch, and dinner, and only once every two weeks are they lucky enough to have "hogs' meat." However, often the family goes for two to three days without any food and the baby sleeping in filth in a corner of the shack is then deprived even of milk.

Like 80 per cent of the Breathitt County children, Stephen Cockerhn has worms and other intestinal parasites. One of his brothers has tuberculosis, a disease with a 50 per cent higher incidence in the Appalachias than throughout the country.

Stephen never has heard of toothpaste, and when he gets a toothache, he suffers until the nerve dies and the tooth falls out, since he has no way of getting to a dentist, and even if he did, his mother has no money.

Like most children in Breathitt County, Stephen already has lost many of his teeth.

Stephen has never been to Jackson, the county seat of 2,000 persons. But even if he had, he could not have known what a movie is, since Jackson has no movie theater, and one of the few forms of entertainment open to Breathitt residents is going on wild sprees in the hills with homemade gin.

The school superintendent says, "We need remedial reading teachers terribly bad." But much of the $340,000 allocated to the Breathitt schools last year from Title I of the Elementary and Secondary Education Act went to feed youngsters. There was little left over for remedial reading.

Despite Title I's intention, as stated by President Johnson, to balance educational inequalities, New Rochelle, N.Y., was also given more than $300,000 from Title I. The money was used to buy tape recorders, slide projectors, and Polaroid cameras, since the schools already had remedial reading teachers, psychiatrists, social workers, and psychologists.

But Mrs. Cockerhn and many of the 15.3 million people who live as she does in the Appalachias have never heard of Title I or New Rochelle or even New York City.

But she had heard of President Johnson. "I was hearing him on a radio once," she said through missing teeth.

"He talked about having war. They already killed seven people and they're going to kill some more. He said the people across the water need help."

RETIREMENT SYSTEM FOR HAZARDOUS DUTY FEDERAL EMPLOYEES

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee.

There was no objection?

Mr. WHITE. Mr. Speaker, with the growing concern over lawlessness in our Nation, the Congress must take all appropriate steps to insure the finest caliber of men to enforce our Federal laws. In my hometown of El Paso, Tex., and in other border communities in my district, I have seen able and dedicated border patrolmen in action. We must provide equitable compensation to keep these top-level men and women and encourage others to come into those Federal positions classified as hazardous duty occupations. This classification includes primarily our border patrolmen, FBI officials, and secret servicemen.

Therefore, I am introducing today legislation that will remove an inequity from the retirement system for our hazardous duty Federal employees. If enacted, my bill will revise the formula for computing retirement annuities, so that 2½ percent of the average salary multiplied by the total service would equal retirement pay. At the present time the formula used in computing hazardous duty retirement annuities is identical to the formula used for all other civil servants—the retirement multiplication factor is 2 percent.

This more generous annuity formula is necessary in the case of these Federal law enforcement officers who must retire at an earlier age due to the nature of the duties they perform. Their lives are fraught with danger, strain, and often with injury. We must not penalize these civil servants by less retirement pay after their long and faithful service in protecting American citizens by enforcing our Federal laws.

I urge the Congress to devote early attention in this session of the 90th Congress to the present inequity in the Federal retirement system. I believe it is crucial that the Congress act quickly to remove the defect in the retirement system for our hazardous duty Federal employees.

THE NEED FOR INCREASED EAST-WEST TRADE

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ASHLEY. Mr. Speaker, of all the questions before this House for consideration, of all the proposals which President Johnson in his state of the Union message presented to us for deliberation and decision, few will deserve more attention from the historians, few will have more consequences for our children, than the question of how we handle our relations with the Communist countries of Europe in the coming months and years.

The President has proposed the enactment of legislation in the field of East-West trade. We must understand both what this legislation would do and what it would not do.

The President proposes simply that we remove some unnecessary and unwarranted trade barriers that block the development of closer ties between this country and the peoples of Eastern Europe, including the Soviet Union.

He does not suggest giving anything away. He does not suggest any measure which would lead to the increase of the military power of the countries of Eastern Europe. He does not suggest tampering in any way with our carefully constructed legislative barriers to the export of strategic commodities. The control system we have built would not be touched by anything the President proposes.

Nobody suggests that we give aid to the countries of Eastern Europe. Many years ago we offered—through the Marshall plan—to help Eastern Europe and the Soviet Union to recover from the destruction of war, in the same spirit that we extended that offer to our friends in Western Europe. There were countries then in Eastern Europe which accepted our offer—and were forced to withdraw that acceptance. What might have happened, if Stalin had not cut the line to America, we cannot guess.

But nobody now suggests that we give anything away. All anyone has ever suggested—and all the President now suggests—is that we furnish him the power to negotiate limited commercial agreements with one or more of the countries of Eastern Europe. Nobody asks for any immediate change in our present arrangements for trading with any country of Eastern Europe. The President asks only for authority to see if changes, to our benefit, can be negotiated with them.

Why can the President not see, without any action from us, what changes he might be able to negotiate? The answer is simple. You cannot play poker with chips you do not have, with chips you only might be able to get. You have to have the chips on the table, where they can be seen. And there is one bargaining counter which experience has shown the President must have, if he is to negotiate anything with the countries of Eastern Europe. It is the same counter which Presidents have used for more than 30 years—the right to cut our tariffs to the level imposed on the products of other countries. No more than that and no less than that.

Let there be no misunderstanding. Not one figure in the Tariff Schedules of the United States would be altered by passing an East-West trade bill. Only when the President had completed his bargaining, only when the other country had specified what it could offer, would a tariff be reduced, and then only to the level applied to other countries. And when it did, that country would still be subject to the condition that unless the bargain were carried out as agreed, the agreement could be terminated.

The proposed legislation, then, would not dent in any way the bulwark we have built against the export of strategic commodities. It would not give financial aid to the countries of Eastern Europe. All it would do is give us the advantage of being able—as we now are not—to negotiate with any country of Eastern Europe which promised benefits to us at least equal to the benefits we offer.

Why should we seek, why should we have any interest in an arrangement of this kind? What can we get out of it? Why is it in our interest?

These are questions which the Congress will examine with great care in the coming months. I cannot give you all the answers today. Nobody can. But I can suggest a few, and I can point to some hard historical facts which persuade me that there can be great, lasting benefits—to America and the free world—from enabling the President to explore the opportunities now within our grasp.

For one thing, there will undoubtedly be commercial benefits. They will not be large, perhaps, considered in the overall context of the whole of American foreign trade. But our free world allies are now benefiting by trade with Eastern Europe, under the controls we have jointly erected to make sure that no strategic commodities are sold. And the market of Eastern Europe is potentially quite significant.

Hundreds of millions of people in Eastern Europe have sacrificed greatly—going without comforts and conveniences, and even necessities—to build heavy industry. And now they would like to see some results. They would like the same kind of results that a market economy has brought to us and to our fellow citizens of the developed countries of the free world. They want cars and homes and consumer durables and clothes that fit and look attractive; they want all the trappings of the 20th century that you and I, and, in an increasing degree, others who live in market economies take for granted.

Increasingly, and in varying degrees, their governments are yielding to these desires. Increasingly, and in varying degrees, too, their governments are learning that a state planning commission makes expensive mistakes, that the attempt to control everything ties a modern economy into knots. Increasingly, and in varying degrees, the wishes, the desires, the needs of consumers are being allowed to take the shape, so well known to us, of effective consumer demand. This development could mean a new market for our businessmen and farmers and a new source of jobs for our workers—but only if the East Europeans are allowed to earn the dollars that will enable them to buy from us.

But the export business we can do is not the only reason we should try to facilitate trade in peaceful goods with the countries of Eastern Europe.

The real reason why increased trade with Eastern Europe is in our interest is that, in several ways, it will encourage greater differentiation in Eastern Europe. "Differentiation" is a $2 word for change, and surely change in Eastern Europe is one thing we are all in favor of.

The growth of a strong consuming public, aware of its power, is surely one of the best guarantees possible against the reduction of people to faceless masses, concerned only with scrounging food or joining a line for shoes or shirts. The more the consumers have, the fussier, the more individual, they become. When things are short, nobody argues with the storekeeper; when people have the necessities, they can get very choosy indeed. And people in that frame of mind are much harder to interest in political adventures than people with nothing to lose.

Increased trade can do more than stimulate and satisfy the desires of consumers. It offers an opportunity for American businessmen to change the outlook and the ways of doing business of up-and-coming traders, manufacturers, and administrators of Communist businesses. The results of a period of prolonged and increasingly close contact between Eastern European and American businessmen will not be instantly visible; an increase in contacts is not going to convert Eastern Europe to capitalism overnight.

But increased contacts can, over time, be one important catalyst for change. Seeing America and seeing Americans has an impact; but understanding America and understanding Americans has a much deeper effect. And businessmen know that you have to understand your customers and your suppliers. American methods in business administration are already the subject of much curiosity in Eastern Europe, and as East Europeans have more and more direct experience of those methods, they will absorb, one may hope, not only their techniques but something of their spirit.

Increased experience will also lead to increased questioning of the now rather tired system of operating an economy by command. And that questioning will bring results which, while they will not be an imitation of our system, will nevertheless signify a profound departure from the orthodox Communist way of doing business.

Finally, the very process of negotiating these agreements will enable us to differentiate between the different countries of Eastern Europe. More direct, personal contacts will lead to changes all over Eastern Europe; but negotiating with one country at a time will enable us to differentiate among them, cooperating more where cooperation pays off, holding back where the chances do not look so good. Eastern Europe is not the solid structure it seemed to be in Stalin's time. These countries, which had to reject the Marshall plan on command, now are tempted by the good things they see in the West. Thus they can be influenced to move in new directions.

And I think we should be in a position to influence those moves.

I said there was evidence in history that this kind of policy can work. Yugoslavia offers the best example of it I know. Since the Yugoslav break with Cominform, economic ties with the United States and other Western countries have certainly influenced the course of events in that country. I said "influenced," not "determined"; the Yugoslavs have made their own decisions, and some of them we do not like. They have certainly not become American satellites. But they showed that a country can be both Communist and independent of the Soviet Union, can call itself Communist and still introduce market principles; that it can profit from dealing on equal terms with the West.

They are showing that a country can call itself Communist and still tolerate a good deal of free expression of opinion, that it can begin to build up an effective parliamentary life, that it can keep living standards on the rise and industrialize while allowing private peasants to till five-sixths of the soil. Life in Yugoslavia today, despite the losses of war and the ravages of nature, shows what growing ties with Western societies can lead to.

Mr. Speaker, passing the East-West trade bill is not going to work any miracles. It is not going to convert the countries of Eastern Europe into hotbeds of capitalism. It is not going to lead to vast increases in trade. It is not going to settle all our differences with those countries. It is not going to make them agree with us about everything.

But it does offer our Government a chance to influence their governments and their policies, to bargain hardheadedly for things we want. It would make possible freer, increasing trade. And it will let us use our most valuable weapon, our ability to run an economy in the interest of all the people, to fan the winds of change in Eastern Europe. It will give us a chance to push developments in the direction we hope they will go.

Some people understandably find it hard to imagine promoting closer relations with people who denounce our defense of freedom in southeast Asia. Some people seem to fear that by having any dealings with the peoples of Eastern Europe we are somehow letting down our fighting men in Vietnam. Yet as I have said, the East-West trade bill will not contribute in any way to increasing the capacity of the countries of Eastern Europe to help the forces of aggression in Vietnam. No one wants—and no one proposes—to permit trade which would increase the capacity of the Communist countries to supply war materials to Vietnam. We want only to show them that while we stand firm against aggression, we offer them the advantages of peace. And the President asks only for the authority he needs for whatever negotiations may be possible with all or any of the countries of Eastern Europe. This request, I submit, is in the interest of the permanent peace which is the fundamental and basic goal of American foreign policy.

CATV—COMMUNITY OR CABLE TELEVISION

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, 17 years ago in my home State of Pennsylvania, a new industry was born through man's characteristic response to a new challenge of public need. This industry is community, or cable television, better known as CATV. Through this medium, entire communities—not only in Pennsylvania but throughout this Nation and abroad—have gained access to the full treasury of television riches. This industry was born in Lansford, Pa., within the boundaries of my former congressional district. And I can say authoritatively that without this industry some of my present and former constituents would not have today the advantages of clear reception of television.

Instead, more than 2 million American homes today depend upon CATV for information, education, and entertainment.

In addition to the improved and broader reception CATV provides, this fledgling industry is now developing its unique ability to provide truly local television features. There are over 4,000 communities in the United States with 2,500 or more inhabitants. Less than 300 of these communities have local television stations, and it is doubtful that many of the cities not served now could support a successful commercial television station.

But through CATV each of these communities—and more—will be able to enjoy programs created by and for their local people. In a dramatic departure from established practice, CATV can offer programing to a limited audience without depriving the larger audience of the programs it normally prefers to watch.

During the period of January 30 through February 4, CATV systems throughout the United States will be observing National Cable TV Week, and it is my distinct pleasure to salute this young and growing industry for the public service it provides and the traditions of ingenuity and free enterprise that it typifies.

REPRODUCTION OF POSTAGE STAMPS IN COLOR

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DULSKI. Mr. Speaker, a few weeks ago there appeared in a national magazine reproductions of 56 postage stamps that various nations throughout the world have issued in tribute to the memory of John Fitzgerald Kennedy.

Fifty-five of these stamps were reproduced in color. One was not. The Kennedy stamp reproduced in drab black and white was the stamp that his own United States had issued.

An outmoded law prohibits newspapers, magazines, and other publications from reproducing our postage stamps in color. At one time it was believed that this prohibition served as a deterrent to counterfeiting. This is hardly the case today. Only the most naive counterfeiter would attempt to duplicate a color picture of a stamp. Instead he would go to his nearest post office, buy a sheet of stamps and photo copy these, thus preparing an entire printing plate with more faithful reproductions. And may I say parenthetically that counterfeiting of U.S. stamps is virtually nonexistent today. The penalties for getting caught are too great; the rewards are too small.

Revision of this outmoded law to permit reproduction in color of our postage stamps would provide a healthy stimulus to philately, an avocation that attracts millions of Americans in all walks of life. It woud also improve our world image.

The Bureau of Engraving and Printing, which prints our postage stamps, is now preparing for operation a new nine-color press. This has the potential to print the finest and most colorful stamps in the world.

As a matter of national pride, I would like for the rest of the world to see what magnificent stamps we will then produce. But the world will never know if the reproductions in newspapers and magazines are in lackluster black and white.

I am, therefore, today introducing legislation which will permit us to produce U.S. stamps in color as the rest of the world does.

BOOK MAILING RATE

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DULSKI. Mr. Speaker, I have introduced a bill, H.R. 2071, which would include books issued to supplement other books within the provisions of law establishing special postal rates for mailing books through the U.S. mail. The proposal will eliminate a gross inequity that may be created inadvertently by a 1966 amendment to the book rate provision which will go into effect on January 15, 1967.

Books permanently bound for preservation, including bound book supplements, have been entitled to the special book rate—39 U.S.C. 4554(a)(1)—since it was first established in 1938. The 1966 amendment—added by the Senate to the Parcel Post Act, Public Law 89–593, section 2(d)—changed the description of the books entitled to the special book rate.

The Senate amendment was intended to permit complete looseleaf books to be mailed at the book rate, and to exclude subsequent mailings of replacement pages which were to replace or add to material in the complete book.

Literal application of the 1966 amendment could deny the book rate to many publications which have utilized it through the years since 1938. Single volumes of multivolume sets of books such as encyclopedias, law or medical books issued serially, or lawbooks updating "complete" lawbooks of statutes or court cases, if mailed separately could, by literal application, be denied the book rate since they are not a "complete book."

With regard to the 1966 amendment, this is not intended to exclude the book supplements. The new proposal redefines the description of books entitled to the book mailing rate to remove any possibility of an unintended interpretation. Book supplements will continue to be mailed at the book rate under this proposal.

EDITORIAL ABUSE OF A PUBLIC TRUST

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the editorial entitled "Speaker on the Spot," which appeared in the Washington Post this morning, strikes me as one of the worst forms of abuse of the public trust. It is forgivable where a newspaper of some respectability permits the printing of the views of a columnist even if he is factually off base, but where the editor uses the prestige of his office and his publication to express views which find no justification in the true facts of the case, this is tantamount to an abuse of public trust. As one Member who voted to reelect John W. McCormack as Speaker of the House for the 90th Congress, I consider the unfortunate editorial an attack on my judgment and integrity, as well as upon that of other Members of the House.

Mr. Speaker, if a poll were taken among Members of Congress today as to who is the most beloved Member, John W. McCormack would without any doubt outpoll all others. He is not only beloved, he is the most highly respected of all. Certainly, he would not have been reelected Speaker had it not been for the fact that the Members of the House believed that he, more than anybody else, could best lead the 90th Congress to meet the great challenges faced by this country in the next 2 years.

Great to-do is made of the Speaker's age. We who know the Speaker intimately know that he has the vitality and sharpness of intellect to challenge any man 30 years his junior. The history-making record of the 88th and 89th Congresses, in which I was so proud to serve, is irrefutable evidence that the Washington Post editorial is a cruel, false indictment of a dedicated American who will undoubtedly go down in history as one of our truly beloved leaders, and what is more important, a great and good man. Whatever motivation the editor may have had, he owes a public apology not only to the Speaker, but to his readers for having insulted their intelligence through abuse of a public trust.

VETERANS HOSPITAL FOR CLARK COUNTY, NEV.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BARING. Mr. Speaker, I am today introducing legislation to establish a veterans' hospital in Clark County, Nev.

There is a tremendous need for a veterans' hospital in southern Nevada. Not only is Clark County one of the fastest growing counties in the Nation but the nearest veterans' hospital is 325 miles away in Los Angeles, Calif. A facility which already suffers from overcrowding. The only other veterans facility available is located in Reno and is nearly 500 miles away. These distances present a problem which is self-apparent in regard to the utilization of remote facilities which service the Las Vegas area.

Furthermore, southern Nevada's climate is ideal for rehabilitation and a veterans' hospital in this area would be a tremendous asset to the Veterans' Administration hospital facilities.

APPOINTMENT OF THE DIRECTOR OF FBI

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection?

Mr. BARING. Mr. Speaker, I am today introducing legislation to insure that all successors to the present FBI Director, when the time comes, be named from the active career members of the FBI who have served with that organization for at least 10 years.

I feel that it is of utmost importance that politics be kept out of the FBI, as has been the case under the able direction of J. Edgar Hoover, and I believe that my bill would insure this.

TAX DEDUCTIONS FOR TEACHERS FOR EDUCATIONAL EXPENSES

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. BARING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BARING. Mr. Speaker, I am today introducing legislation, which would allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher learning, including some travel.

The teaching profession is already ridiculously underpaid. Nearly all other professions have tax writeoff provisions for conventions or other activities directly connected with the individual's business responsibilities. In order to get the best qualified teachers and for them to continue their education to expand their knowledge I feel it is only just that such expenses be deductible from their gross income.

STATEMENT OF THE HONORABLE THOMAS E. MORGAN, CHAIRMAN, COMMITTEE ON FOREIGN AFFAIRS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MORGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MORGAN. Mr. Speaker, I have served in the House since 1945. Although this seems like a long time, I recognize that there are many here who have been here much longer than I have been.

I refer to this fact because the longer I serve the more I am aware of the sterling qualities of our Speaker, the Honorable JOHN W. MCCORMACK, of Massachusetts.

He is a leader of courage and foresight. His courage and foresight have not been concerned primarily with the problems of his party. He has devoted himself wholeheartedly to the service of this country and has consistently been concerned with the national interest rather than partisan politics.

Our Speaker is also an able manager. It takes a lot of effort and skill to direct the work of the House of Representatives. Our Speaker knows this job better than anyone else. We take for granted as normal and effortless many things that, without the skilled hand of the Speaker at the helm, would be complicated and difficult.

More than anything else over the years, I have come to value our Speaker as a friend and counselor. He is a man of outstanding wisdom, character, and judgment. He has given invaluable help in solving problems whether these problems were international or local, or whether they were legislative or personal.

Our Speaker occupies a key role in the affairs of our country, and we need his continued leadership and counsel.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SMITH of California (at the request of Mr. LIPSCOMB) on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 60 minutes, on January 23; to revise and extend his remarks and to include extraneous matter.

Mr. HALPERN (at the request of Mr. MIZE), for 15 minutes, today.

Mr. COHELAN (at the request of Mr. BLANTON), for 15 minutes, on Wednesday, January 18, 1967; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. SMITH of Iowa.

Mr. TENZER.

(The following Member (at the request of Mr. MIZE) and to include extraneous matter:)

Mr. FINO.

(The following Members (at the request of Mr. BLANTON) and to include extraneous matter:)

Mr. DONOHUE.

Mr. JOELSON.

Mr. CELLER.

ADJOURNMENT

Mr. BLANTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 18, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

219. A letter from the Acting Secretary of the Army, transmitting a report on the Department of the Army aviation personnel above the grade of major, pursuant to the provisions of section 301(g) of title 37, United States Code; to the Committee on Armed Services.

220. A letter from the Secretary of the Air Force, transmitting a report on the number of officers assigned or detailed to permanent duty in the executive part of the Department as of December 31, 1966, pursuant to the provisions of section 8031(c), title 10, United States Code; to the Committee on Armed Services.

221. A letter from Steptoe & Johnson, attorneys at law, Washington, D.C., transmitting the Annual Report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year ended December 31, 1966, pursuant to the provisions of the act of incorporation of September 26, 1888; to the Committee on the District of Columbia.

222. A letter from the president and chairman, Little League Baseball, Inc., Williamsport, Pa., transmitting the Annual Report of Little League Baseball, Inc., for the year 1966, pursuant to the provisions of Public Law 88-378; to the Committee on the Judiciary.

223. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to amend the Public Buildings Act of 1959, as amended; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 2502. A bill to provide that hereafter the Director of the Federal Bureau of Investigation in the Department of Justice shall be appointed by the President, by and with the advice and consent of the Senate, from among career officers or employees of such Bureau; to the Committee on the Judiciary.

H.R. 2503. A bill to provide for a Veterans' Administration general medical and surgical hospital of 400 beds at Clark County, Nev.; to the Committee on Veterans' Affairs.

By Mr. BATES:

H.R. 2504. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 2505. A bill to authorize the Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as sites for offices for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

H.R. 2506. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 2507. A bill to amend the Internal Revenue Code of 1954 to provide a credit against income tax to offset losses of retired pay sustained by certain individuals who retired from the Armed Forces before June 1, 1958; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 2508. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

H.R. 2509. A bill to amend section 8 of the Clayton Act to prohibit certain corporate management interlocking relationships, and for other purposes; to the Committee on the Judiciary.

H.R. 2510. A bill to amend section 212(a) (14) of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 2511. A bill to amend the Clayton Act, as amended, by requiring prior notification of corporate mergers and acquisitions, and for other purposes; to the Committee on the Judiciary.

H.R. 2512. A bill for the general revision of the copyright law, title 17 of the United States Code, and for other purposes; to the Committee on the Judiciary.

H.R. 2513. A bill relating to national observances and holidays, and for other purposes; to the Committee on the Judiciary.

H.R. 2514. A bill to amend section 4 of the Clayton Act (15 U.S.C. 15), and for other purposes; to the Committee on the Judiciary.

H.R. 2515. A bill relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States; to the Committee on the Judiciary.

H.R. 2516. A bill to prescribe penalties for certain acts of violence or intimidation, and for other purposes; to the Committee on the Judiciary.

By Mr. CELLER (by request):

H.R. 2517. A bill to amend sections 64a, 238, 378, and 483 of the Bankruptcy Act and to repeal sections 354 and 459 of the act; to the Committee on the Judiciary.

H.R. 2518. A bill to amend sections 337 and 338 of the Bankruptcy Act and to add new section 339; to the Committee on the Judiciary.

H.R. 2519. A bill to amend sections 334, 355, 367, and 369 of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 2520. A bill to amend chapter XIII of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 2521. A bill to amend sections 1(19), 5, 32a, 64a(1), and 67d(4) of the Bankruptcy Act; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2522. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 2523. A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H.R. 2524. A bill to provide for the designation of a highway between Montgomery, Ala., and Ocala, Fla., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. DANIELS:

H.R. 2525. A bill creating a commission to be known as the Commission on Obscenity and Pornography; to the Committee on Education and Labor.

By Mr. DENT:

H.R. 2526. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 2527. A bill to direct the Attorney General of the United States to study the feasibility of giving local communities more control over certain Federal land acquisitions, and of providing for independent review of such acquisitions; to the Committee on Interior and Insular Affairs.

H.R. 2528. A bill to amend the Immigration and Nationality Act to require that certain information appear on the face of travel documents issued to minor children who are citizens of the United States; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 2529. A bill to amend the act of September 8, 1960, relating to the Washington Channel waterfront; to the Committee on the District of Columbia.

H.R. 2530. A bill to amend the District of Columbia Charitable Solicitation Act to require certain findings before the issuance of a solicitation permit thereunder, and for other purposes; to the Committee on the District of Columbia.

By Mr. EDMONDSON:

H.R. 2531. A bill to provide for the disposition of the unclaimed and unpaid share of the Loyal Creek judgment fund, and to provide for disposition of estates of intestate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs; to the Committee on Interior and Insular Affairs.

H.R. 2532. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Ottawa Tribe of Oklahoma in docket No. 303 of the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of California:

H.R. 2533. A bill to amend section 104 of the Revised Statutes, with respect to contempt citations in the case of witnesses before congressional committees, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS of Louisiana:

H.R. 2534. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 2535. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 2536. A bill to terminate the Indian Claims Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HALL:

H.R. 2537. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 2538. A bill to amend the Flood Control Act of 1958 to authorize reimbursement to Frankenmuth, Mich., for certain work on the flood control project on the Saginaw River, Mich.; to the Committee on Public Works.

H.R. 2539. A bill to amend the Federal Unemployment Tax Act to provide an exemption for certain short-term employment at agricultural or horticultural fairs; to the Committee on Ways and Means.

H.R. 2540. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 2541. A bill to establish a Commission on Government Procurement; to the Committee on Government Operations.

By Mr. HOSMER:

H.R. 2542. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 2543. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 2544. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 2545. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 2546. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2547. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs, and other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2548. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 2549. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2550. A bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2551. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 2552. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2553. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2554. A bill to amend the Internal Revenue Code of 1954 to provide that the income tax exemption of certain voluntary employees' beneficiary associations shall be determined on the basis of their net income; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 2555. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. McMILLAN:

H.R. 2556. A bill to amend the provisions of law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains program; to the Committee on Agriculture.

H.R. 2557. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments; to the Committee on Agriculture.

H.R. 2558. A bill to amend the act of September 8, 1960, relating to the Washington Channel waterfront; to the Committee on the District of Columbia.

By Mr. MACGREGOR:

H.R. 2559. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 2560. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

H.R. 2561. A bill to amend title 5, United States Code, to authorize the payment of annuities to secretaries of justices and judges of the United States on the same basis as annuities to congressional employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2562. A bill to amend title II of the Social Security Act to provide that an aged survivor beneficiary shall not lose his or her entitlement to benefits, or suffer any reduction in the amount of such benefits, by reason of marriage or remarriage; to the Committee on Ways and Means.

By Mr. MIZE:

H.R. 2563. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 2564. A bill to amend title 10, United States Code, relating to the membership of Members of Congress in the Reserve components of the Armed Forces; to the Committee on Armed Services.

H.R. 2565. A bill to amend title 18 of the United States Code to prohibit the use of contributions made to Members of Congress for personal purposes; to the Committee on the Judiciary.

H.R. 2566. A bill to amend the Internal Revenue Code of 1954 to provide that a gift of more than $25 which is made to an elected public official shall be included in his gross income for purposes of the Federal income tax; to the Committee on Ways and Means.

By Mr. O'HARA of Michigan:

H.R. 2567. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

By Mr. O'NEILL of Massachusetts:

H.R. 2568. A bill to incorporate the Town Affiliation Association of the United States; to the Committee on the Judiciary.

H.R. 2569. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2570. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 2571. A bill to eliminate certain inequities between State chartered and federally chartered financial institutions in the conduct of interstate business; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 2572. A bill to amend title II of the Social Security Act to provide a 20-percent, across-the-board increase in the benefits payable thereunder, with subsequent cost-of-living increases in such benefits, and to provide that any such increases shall not be considered as income for purposes of determining eligibility for pension under title 38 of the United States Code (veterans' benefits); to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 2573. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds in the Riverside-San Bernadino area of the State of California; to the Committee on Veterans' Affairs.

By Mr. RESNICK:

H.R. 2574. A bill relating to the appointment of postmasters and rural carriers from civil service registers; to the Committee on Post Office and Civil Service.

By Mr. RHODES of Pennsylvania:

H.R. 2575. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RODINO:

H.R. 2576. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

H.R. 2577. A bill to amend title 18 of the United States Code in order to provide that committing acts dangerous to persons on board trains shall be a criminal offense; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 2578. A bill to curb monopolistic control of professional boxing, to establish within the Department of Justice the Office of the National Boxing Commissioner, and for other purposes; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2579. A bill to amend the Rural Electrification Act of 1936, as amended, to make more specific the purposes for which loans may be made under sections 2 and 4 of such act, and to modify the provisions relating to interest rates on loans made under such act; to the Committee on Agriculture.

H.R. 2580. A bill to prohibit the Secretary of the Interior from authorizing the development or removal of certain oil or gas deposits underlying the Pacific Ocean; to the Committee on Interior and Insular Affairs.

H.R. 2581. A bill to designate the authorized Port Hueneme Small Craft Harbor, California, as the Channel Islands Harbor; to the Committee on Public Works.

H.R. 2582. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of Texas (by request):

H.R. 2583. A bill to amend title 38 of the United States Code to provide increases in the rates of disability compensation, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2584. A bill to amend title 38, United States Code, to define service in the Armed Forces since August 5, 1964, as service during the Vietnam era and to provide that veterans of such service be eligible for those benefits restricted to veterans of wartime service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TENZER:

H.R. 2585. A bill to establish a Joint Committee on Ethics in the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. THOMSON of Wisconsin:

H.R. 2586. A bill to amend title 38 of the United States Code so as to extend to veterans of Mexican border hostilities the same benefits enjoyed by veterans of periods of war; to the Committee on Veterans' Affairs.

H.R. 2587. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 2588. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

H.R. 2589. A bill to amend the tariff schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 2590. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 2591. A bill to amend the Civil Service Retirement Act to increase from 2 to 2½ percent the retirement multiplication factor used in computing annuities of certain employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

By Mr. CHARLES H. WILSON:

H.R. 2592. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. WYATT:

H.R. 2593. A bill to amend title 38 of the United States Code to provide that monthly social security benefit payments shall not be considered as income in determining eligibility for pensions under that title; to the Committee on Veterans' Affairs.

By Mr. MADDEN:

H.R. 2594. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. CURTIS:

H.R. 2595. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. BINGHAM:

H.R. 2596. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. JOELSON:

H.R. 2597. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. CHARLES H. WILSON:

H.R. 2598. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. ROONEY of Pennsylvania:

H.R. 2599. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. KYROS:

H.R. 2600. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. HALPERN:

H.R. 2601. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. WILLIAM D. FORD:

H.R. 2602. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. ST. ONGE:

H.R. 2603. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. GILBERT:

H.R. 2604. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. MOSS:

H.R. 2605. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. SCHEUER:

H.R. 2606. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. RYAN:

H.R. 2607. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 2608. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. ROGERS of Colorado:

H.R. 2609. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. CORMAN:

H.R. 2610. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. WOLFF:

H.R. 2611. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. WALKER:

H.R. 2612. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. EDWARDS of California:

H.R. 2613. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. DIGGS:

H.R. 2614. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. ROSENTHAL:

H.R. 2615. A bill to amend the Older Americans Act of 1965 to provide for an older Americans community service program; to the Committee on Education and Labor.

By Mr. BARING:

H.R. 2616. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. BINGHAM:

H.R. 2617. A bill to provide for reimbursement of U.S. cities for a portion of expenses incurred in connection with the entertainment of foreign officials; to the Committee on Foreign Affairs.

By Mr. CHAMBERLAIN:

H.R. 2618. A bill to provide a residence for pages; to the Committee on House Administration.

By Mr. DOW:

H.R. 2619. A bill to amend the Small Business Act to increase the maximum maturity of regular business loans to 20 years where such loans are made for the construction of facilities; to the Committee on Banking and Currency.

H.R. 2620. A bill to amend title VI of the Public Health Service Act (the Hill-Burton Act) so as to double the amount authorized for assisting the construction of nursing homes and other long-term-care facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2621. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 2622. A bill to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances and for other purposes; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 2623. A bill to provide for the erection of a memorial on Guam to the memory of the valiant U.S. servicemen who gave their lives there in World War II in order to protect the United States and to advance the cause of freedom; to the Committee on Foreign Affairs.

By Mr. HÉBERT:

H.R. 2624. A bill to amend titles 10 and 32, United States Code, to provide certain benefits for Reserves of the Army, Navy, Air Force, and Marine Corps, and members of the National Guard, who are injured in connection with inactive duty training, and for other purposes; to the Committee on Armed Services.

H.R. 2625. A bill to provide travel and transportation expenses for members of the Reserve Forces authorized medical or surgical care, hospitalization, or rehospitalization at Federal expense; to the Committee on Armed Services.

H.R. 2626. A bill to provide medicare for dependents of reservists who die in a training status; to the Committee on Armed Services.

H.R. 2627. A bill to amend title 37, United States Code, to provide an incentive plan for participation in the Ready Reserve; to the Committee on Armed Services:

H.R. 2628. A bill to amend section 1333 (3) of title 10, United States Code, to provide retirement credit for attendance at each prescribed training assembly or period of equivalent instruction; to the Committee on Armed Services.

H.R. 2629. A bill to amend titles 10, 14, and 32, United States Code, with respect to the remission or cancellation of indebtedness of enlisted members of the Armed Forces and the National Guard of the United States; to the Committee on Armed Services.

H.R. 2630. A bill to provide for the furnishing of a uniform and the presentation of a flag of the United States for deceased members of the National Guard; to the Committee on Armed Services.

H.R. 2631. A bill to provide authority for the payment of proficiency pay to enlisted members of the Reserve components of the Armed Forces; to the Committee on Armed Services.

H.R. 2632. A bill to permit National Guard officers to act as inspecting officers under section 710(f) of title 32, United States Code; to the Committee on Armed Services.

H.R. 2633. A bill to amend titles 10 and 32, United States Code, to provide Federal support for defense forces established under section 109(c) of title 32; to the Committee on Armed Services.

H.R. 2634. A bill to amend title 10, United States Code, to provide for the investigation by a military department of certain aircraft accidents and for the use of reports resulting from those investigations in actions for damages; to the Committee on Armed Services.

H.R. 2635. A bill to provide for leave of absence for members of the National Guard who are officers or employees of the United States when called or ordered to Federal or State military service and aid of civil authority; to the Committee on Armed Services.

H.R. 2636. A bill to amend title 32, United States Code, with respect to the system of courts-martial for the National Guard not in Federal service; to the Committee on Armed Services.

H.R. 2637. A bill to provide pecuniary liability by the States or members of the National Guard if loss or damage to Federal property resulted from gross negligence or willful misconduct; to the Committee on Armed Services.

H.R. 2638. A bill to extend servicemen's group life insurance to Reserves of the Armed Forces and members of the National Guard when engaged in federally prescribed full-time training or duty; to the Committee on Veterans' Affairs.

By Mr. HOWARD:

H.R. 2639. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

H.R. 2640. A bill to amend the act of July 2, 1954, relating to office space in the districts of Members of the House of Representatives; to the Committee on House Administration.

H.R. 2641. A bill to revise the Federal Corrupt Practices Act, 1925, and for other purposes; to the Committee on House Administration.

H.R. 2642. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. JOELSON:

H.R. 2643. A bill to provide an independent appraisal of certain land acquired in federally assisted programs; to the Committee on Public Works.

By Mr. McMILLAN:

H.R. 2644. A bill to amend the provisions of law relating to the planting of crops on acreage diverted under the cotton, wheat, and feed grains programs; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 2645. A bill to provide for a Pacific medical center in Hawaii; to the Committee on Interstate and Foreign Commerce.

By Mr. MICHEL:

H.R. 2646. A bill to repeal the authorization for the purchase, maintenance, operation, and driving of an automobile for any Member of the House of Representatives who has previously served as Speaker of the House of Representatives; to the Committee on House Administration.

By Mr. MOSS:

H.R. 2647. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. NEDZI:

H.R. 2648. A bill to prohibit the payment of compensation to a spouse or child of a Senator or Member of the House of Representatives employed in certain positions; to the Committee on House Administration.

By Mr. RODINO:

H.R. 2649. A bill to establish a National Economic Conversion Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Colorado:

H.R. 2650. A bill relating to national observances and holidays, and for other purposes; to the Committee on the Judiciary.

By Mr. CELLER:

H.J. Res. 153. Joint resolution to authorize the Attorney General to establish an institute of corrections for the training and instruction of corrections personnel selected by States and their municipal subdivisions in the field of correctional methods and techniques; to the Committee on the Judiciary.

By Mr. DOWDY:

H.J. Res. 154. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 155. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. DOW:

H.J. Res. 156. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DOWDY:

H.J. Res. 157. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. FLYNT:

H.J. Res. 158. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. GROSS:

H.J. Res. 159. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. HOWARD:

H.J. Res. 160. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. MACHEN:

H.J. Res. 161. Joint resolution to direct the Librarian of Congress to transfer certain documents to the Hall of Records Commission of the State of Maryland; to the Committee on House Administration.

By Mr. MATHIAS of California:

H.J. Res. 162. Joint resolution to designate April 3 of each year as Pony Express Day; to the Committee on the Judiciary.

By Mrs. MAY:

H.J. Res. 163. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 164. Joint resolution extending the dates for transmission of the economic report and the report of the Joint Economic Committee; to the Committee on Government Operations.

By Mr. TEAGUE of California:

H.J. Res. 165. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BARING:

H. Con. Res. 67. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT:

H. Con. Res. 68. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 69. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. HOWARD:

H. Con. Res. 70. Concurrent resolution authorizing the Joint Committee on the Library to procure a marble bust of Constantino Brumidi; to the Committee on House Administration.

H. Con. Res. 71. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. OLSEN:

H. Con. Res. 72. Concurrent resolution expressing the sense of Congress that the Federal-aid highway program should continue without interruption; to the Committee on Ways and Means.

By Mr. RODINO:

H. Con. Res. 73. Concurrent resolution expressing the sense of the Congress with respect to the incorporation of Latvia, Lithuania, and Estonia into the Union of Soviet Socialist Republics; to the Committee on Foreign Affairs.

By Mr. DINGELL:

H. Res. 136. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HOWARD:

H. Res. 137. Resolution concern for military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

By Mr. LAIRD:

H. Res. 138. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. LENNON:

H. Res. 139. Resolution amending rule XXIII of the Rules of the House to permit a yea-and-nay vote while the House is in a Committee of the Whole; to the Committee on Rules.

By Mr. PIRNIE:

H. Res. 140. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. POAGE:

H. Res. 141. Resolution to provide funds for the Committee on Agriculture; to the Committee on House Administration.

By Mr. RODINO:

H. Res. 142. Resolution amending the Rules of the House in order to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of North Dakota:

H.R. 2651. A bill for the relief of the Swanston Equipment Co.; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 2652. A bill for the relief of Corbie F. Cochran; to the Committee on the Judiciary.

H.R. 2653. A bill for the relief of the American Journal of Nursing; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 2654. A bill for the relief of Frank Kleinerman; to the Committee on the Judiciary.

H.R. 2655. A bill for the relief of Lei-May Ling; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 2656. A bill for the relief of Col. Thomas F. McCarthy; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 2657. A bill for the relief of Filomena Quaranta; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 2658. A bill for the relief of Dr. Masashi Kawasaki; to the Committee on the Judiciary.

H.R. 2659. A bill for the relief of Dr. Peter K. Lekkas; to the Committee on the Judiciary.

H.R. 2660. A bill for the relief of Dr. Manuel Mendez; to the Committee on the Judiciary.

By Mr. DOWDY:

H.R. 2661. A bill for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 2662. A bill for the relief of Kareem Joseph Dughman; to the Committee on the Judiciary.

By Mr. EDMONDSON:

H.R. 2663. A bill for the relief of Jack Brown; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 2664. A bill for the relief of Cornelis De Hart; to the Committee on the Judiciary.

H.R. 2665. A bill for the relief of Abraham Grobard; to the Committee on the Judiciary.

H.R. 2666. A bill for the relief of Sebastiano Renda; to the Committee on the Judiciary.

H.R. 2667. A bill to authorize the transfer of a vessel to the Lower Manhattan Antipoverty Board, Inc., for educational purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GALLAGHER:

H.R. 2668. A bill for the relief of Sevasti Diakides; to the Committee on the Judiciary.

H.R. 2669. A bill for the relief of Fajwel Zaczepinski; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2670. A bill for the relief of Irene Calderone; to the Committee on the Judiciary.

H.R. 2671. A bill for the relief of Mrs. Jane Feitelberg; to the Committee on the Judiciary.

H.R. 2672. A bill for the relief of Manuel Lee Sanchez; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 2673. A bill for the relief of Hascal Reizemberg; to the Committee on Foreign Affairs.

H.R. 2674. A bill for the relief of Garabet Civelekyan; to the Committee on the Judiciary.

H.R. 2675. A bill for the relief of Mrs. Adelaide Hoffman; to the Committee on the Judiciary.

H.R. 2676. A bill for the relief of Hee Sook Kim; to the Committee on the Judiciary.

H.R. 2677. A bill for the relief of Salvatore Miceli and Santa Maria Rita Miceli; to the Committee on the Judiciary.

H.R. 2678. A bill for the relief of Pei-Chi Pan; to the Committee on the Judiciary.

H.R. 2679. A bill for the relief of Evanthia Psichopedas; to the Committee on the Judiciary.

H.R. 2680. A bill for the relief of Mary Seferian; to the Committee on the Judiciary.

H.R. 2681. A bill for the relief of Djamchid Shams and Homa Shams; to the Committee on the Judiciary.

H.R. 2682. A bill for the relief of Rosa Vexelman; to the Committee on the Judiciary.

H.R. 2683. A bill for the relief of Amado Manuel Vina; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 2684. A bill for the relief of Voyislav Bobic; to the Committee on the Judiciary.

H.R. 2685. A bill for the relief of Louis H. Costa; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 2686. A bill for the relief of Wynter Harper; to the Committee on the Judiciary.

H.R. 2687. A bill for the relief of Precilla Valino; to the Committee on the Judiciary.

By Mr. KARSTEN:

H.R. 2688. A bill for the relief of Charles C. Beaury; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 2689. A bill for the relief of Dr. Sei Byung Yoon and his wife, Sook Ihn Saw; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 2690. A bill for the relief of Lucilia Da Silva Afonso; to the Committee on the Judiciary.

H.R. 2691. A bill for the relief of Rosa Cabral; to the Committee on the Judiciary.

H.R. 2692. A bill for the relief of Jeremias Rebelo Carreiro; to the Committee on the Judiciary.

H.R. 2693. A bill for the relief of Regina Costa Feleciano; to the Committee on the Judiciary.

H.R. 2694. A bill for the relief of Branca da Gloria Freitas; to the Committee on the Judiciary.

H.R. 2695. A bill for the relief of Donald D. Lambert; to the Committee on the Judiciary.

H.R. 2696. A bill for the relief of the estate of Bradford Smith; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 2697. A bill for the relief of Sheng Ming Cheng; to the Committee on the Judiciary.

H.R. 2698. A bill for the relief of Hedva Haimson; to the Committee on the Judiciary.

H.R. 2699. A bill for the relief of Mrs. Mitsuko Kiuchi Kawai; to the Committee on the Judiciary.

H.R. 2700. A bill for the relief of Corazon H. Lomotan; to the Committee on the Judiciary.

H.R. 2701. A bill for the relief of Jacqueline Mevs; to the Committee on the Judiciary.

H.R. 2702. A bill for the relief of Barbara Elizabeth Ella Stadler; to the Committee on the Judiciary.

H.R. 2703. A bill for the relief of Dr. Concepcion L. Yap; to the Committee on the Judiciary.

H.R. 2704. A bill for the relief of Lourdes Ysit; to the Committee on the Judiciary.

By Mr. KUPFERMAN (by request):

H.R. 2705. A bill for the relief of Christine Johnson (also known as Christine Cayenne); to the Committee on the Judiciary.

By Mr. McMILLAN (by request):

H.R. 2706. A bill for the relief of William Temes; to the Committee on the Judiciary.

By Mr. MATHIAS of California:

H.R. 2707. A bill for the relief of Mrs. Patricia Ann O'Leary and Michael Alexander O'Leary; to the Committee on the Judiciary.

H.R. 2708. A bill for the relief of Ivor William Perkins and Kathleen Perkins; to the Committee on the Judiciary.

H.R. 2709. A bill for the relief of Suh Yoon Sup and Suh Ok Sun; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 2710. A bill for the relief of Robert Cheng; to the Committee on the Judiciary.

H.R. 2711. A bill for the relief of Maria Cabbab; to the Committee on the Judiciary.

H.R. 2712. A bill for the relief of Conrado A. Deleon; to the Committee on the Judiciary.

By Mr. MAYNE:

H.R. 2713. A bill for the relief of Tita L. Calleja; to the Committee on the Judiciary.

H.R. 2714. A bill for the relief of Remedios H. Sevillano; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 2715. A bill for the relief of Dr. Bhagawandas P. Lathi; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 2716. A bill for the relief of Dr. Esteban G. Friera; to the Committee on the Judiciary.

H.R. 2717. A bill for the relief of Niko Lencek; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 2718. A bill for the relief of Antonina Dudzinski; to the Committee on the Judiciary.

H.R. 2719. A bill for the relief of Christina Kazub (also known as Krystyna Kazub); to the Committee on the Judiciary.

H.R. 2720. A bill for the relief of Maria Grazia Lo Piccolo; to the Committee on the Judiciary.

H.R. 2721. A bill for the relief of Mrs. Wanda Stempniewicz; to the Committee on the Judiciary.

H.R. 2722. A bill for the relief of Bronislaw Turek; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 2723. A bill for the relief of the late Jacob DeHaven; to the Committee on the Judiciary.

H.R. 2724. A bill for the relief of Miss Belen T. Guerrero; to the Committee on the Judiciary.

H.R. 2725. A bill for the relief of Same Iny; to the Committee on the Judiciary.

H.R. 2726. A bill for the relief of Leoncio and Agapita Poblete Punzal; to the Committee on the Judiciary.

H.R. 2727. A bill for the relief of Miss Mercedes B. Yumang; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 2728. A bill for the relief of Mrs. Edith H. Amos; to the Committee on the Judiciary.

H.R. 2729. A bill for the relief of Alfred Coleman; to the Committee on Interior and Insular Affairs.

By Mr. POAGE:

H.R. 2730. A bill authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.; to the Committee on Veterans' Affairs.

By Mr. REES:

H.R. 2731. A bill for the relief of Mohammed Aslam A. R. Munjee; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 2732. A bill for the relief of Eugenio Loza Bedoya; to the Committee on the Judiciary.

H.R. 2733. A bill for the relief of Shalmon (Shaffiq) Kassab and Evelin Kassab; to the Committee on the Judiciary.

H.R. 2734. A bill for the relief of Angelina Cametti de Vignale; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 2735. A bill for the relief of Miss Isil Feride Engin; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 2736. A bill for the relief of Dr. Ibrahim Faruk Sarac, his wife, Fatma Nukhet Sarac, and their two daughters, Ayes Hulya Sarac and Fatma Nil Sarac; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 2737. A bill for the relief of George Andreopoulos; to the Committee on the Judiciary.

H.R. 2738. A bill for the relief of Wallace Chevez and Tensie Chevez; to the Committee on the Judiciary.

H.R. 2739. A bill for the relief of Vlada Cizerlin; to the Committee on the Judiciary.

H.R. 2740. A bill for the relief of Alexander Drucker; to the Committee on the Judiciary.

H.R. 2741. A bill for the relief of Obert Henry; to the Committee on the Judiciary.

H.R. 2742. A bill for the relief of Sedley Alleyne Greenidge Haugland; to the Committee on the Judiciary.

H.R. 2743. A bill for the relief of Fotios Kougemitros; to the Committee on the Judiciary.

H.R. 2744. A bill for the relief of Aleko Papakozma; to the Committee on the Judiciary.

H.R. 2745. A bill for the relief of Dina Simhony, Nadi Simhony, and David Simhony; to the Committee on the Judiciary.

By Mr. SMITH of New York:

H.R. 2746. A bill for the relief of Francesco Raqusa; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 2747. A bill for the relief of Erman Donald; to the Committee on the Judiciary.

H.R. 2748. A bill for the relief of the family of Percy Lawrence, Jr.; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 2749. A bill for the relief of Marika Emiliyu; to the Committee on the Judiciary.

H.R. 2750. A bill for the relief of Giacomo Famularo; to the Committee on the Judiciary.

H.R. 2751. A bill for the relief of Mrs. Wilhelmina Franken; to the Committee on the Judiciary.

H.R. 2752. A bill for the relief of George Yussef Karma, his wife, Angele Karma, and their minor son Frederick Karma; to the Committee on the Judiciary.

H.R. 2753. A bill for the relief of Barbara Polly Lane; to the Committee on the Judiciary.

H.R. 2754. A bill for the relief of Sorin Papovichi; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 2755. A bill for the relief of Harry F. Armstrong; to the Committee on the Judiciary.

H.R. 2756. A bill for the relief of Arley L. Beem, aviation electrician's mate chief, United States Navy; to the Committee on the Judiciary.

H..R 2757. A bill for the relief of Comdr. Albert G. Berry, Jr.; to the Committee on the Judiciary.

H.R. 2758. A bill for the relief of Horace H. Easterday; to the Committee on the Judiciary.

H.R. 2759. A bill for the relief of Mrs. Jean M. Koppang; to the Committee on the Judiciary.

H.R.2760. A bill for the relief of Sondra D. Shaw; to the Committee on the Judiciary.

H.R. 2761. A bill for the relief of John E. Tucker; to the Committee on the Judiciary.

H.R. 2762. A bill for the relief of CWO Bernhard Vollmer, U.S. Navy (retired); to the Committee on the Judiciary.

By Mr. YATES (by request):

H.R. 2763. A bill for the relief of Juan Maldonado-Velasquez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

11. The SPEAKER presented a petition of the faculty and student body of Livingstone College, Salisbury, N.C., relative to the chairmanship of the House Committee on Education and Labor, which was referred to the Committee on House Administration.

EXTENSIONS OF REMARKS

Ethics in the U.S. Congress

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

Mr. TENZER. Mr. Speaker, I have today introduced a bill to establish a permanent Joint Committee on Ethics for the guidance of Members and employees of the legislative branch.

On February 4, 1966, I addressed the New York University Alumni of the New York State Bar Association on the subject of ethics in the U.S. Congress. At that time I described the difficulties which I had in obtaining guidance and advice in connection with separating myself from business activities upon my election to the House of Representatives. I was astonished to learn that there was no one to whom I could turn for official guidance. There were no clear rules for the proper conduct of a Member nor was there a readily available definition of "conflict of interest."

On March 29, 1966, I introduced H.R. 14091 to establish a Joint Committee on Ethics. It is that legislation which I have sponsored again today.

Recent events at the opening session of the 90th Congress point up the need for a meaningful ethics bill, one which would eliminate any accusation of a "double standard" in the present wholly inadequate procedures of the House of Representatives. There should not be a double standard of ethics among Members of Congress. I would expect any Member who has evidence that the U.S. Government has been bilked by a citizen, be he a private citizen or a holder of public office, to present such evidence to the appropriate authority. And if it involved a Member of Congress to which committee would such a complaint be referred? At the moment there is no such committee which points up the need.

The bill which I have introduced today differs from most ethics bills previously introduced in three major respects:

First, the joint committee, composed of seven Senators and seven House Members, would be permanent, not merely an interim committee authorized to draft a proposed code of ethics and then cease to function. The committee would continue for the purpose of investigating complaints, recommending changes in the code of ethics, and acting as an advisory body to Members and employees of the legislative branch.

Second, the bill requires the disclosure of any and all financial interests—direct or indirect—in activities under the jurisdiction of a regulatory agency. Most other bills on this subject require only the reporting of financial interests in excess of a given figure such as $10,000.

Third, the bill establishes a guidance and advisory opinion procedure by authorizing the joint committee to render advisory opinions on possible conflicts of interest or a future course of conduct contemplated by a Member of Congress. The opinions would be rendered without identifying the parties involved and would serve to establish precedents for the guidance of all Members. This practice is followed by our bar associations and has proved invaluable to members of the legal profession.

The committee would be expected to research and compile all precedents since the first Congress and to review, revise and supplement these precedents and to write a new set of rules and regulations for the conduct of congressional offices and for the conduct of Members of Congress.

I urge my colleagues in the House to support and actively work for an ethics bill which will remove the cloud which has been cast over this distinguished Chamber. We have a constitutional responsibility to police ourselves and we have a moral responsibility to set an example for the American public. There are only 537 elected Federal officials and every one must follow a course of conduct which is beyond reproach.

The time is right to follow the course set forth in Lamentations 3:40: "Let us examine our ways and search them." If we act now the public will have its confidence renewed in the activties of their Representatives in the U.S. Congress.

Fino Reintroduces Bill To Amend Civil Rights Law To Curb Riots

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

Mr. FINO. Mr. Speaker, today, I introduced legislation to amend the civil rights law to "prohibit travel or use of any facility in interstate commerce with intent to incite a riot or other civil disturbance."

Before summer comes once again, and riots break out all across the land, Congress ought to pass a law making it a Federal crime to go between States to incite riots. We ought to lay down the law to the agitators.

I am therefore introducing the antiriot section of the 1966 civil rights bill as a separate bill. I hope that Congress will pass it. It is high time we put the strong arm of the Federal Government to work repressing instead of inciting riots. I hope that the 1966 elections have convinced this administration that it is not good politics for high officials like our Vice President to urge people to riot for political goals—rent subsidies, for example. The people of the United States want antiriot legislation enacted. They have made their voice heard—and heard clearly.

Hon. John W. McCormack, Speaker, Nominated by Representative Philip J. Philbin

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

Mr. DONOHUE. Mr. Speaker, a week ago Monday, in the House Democratic caucus held on that morning of January 9, the distinguished gentleman from the Third Massachusetts Congressional District nominated, for the continuing speakership of this House, our beloved and revered colleague from Massachusetts, the Honorable John W. McCormack.

In his nominating speech Representative Philbin delivered one of the most eloquent and well-merited tributes ever uttered on such an occasion and it was a privileged experience, for those of us on this side of the aisle, to hear this impressive address. Of course, the nomination was unanimously approved and on the following day the Honorable John W. McCormack, of Massachusetts, was formally and very wisely renominated to preside over this great legislative body as Speaker.

I am sure that all of us here, on both sides of the aisle, agree with and share in the sentiments so ably expressed by the gentleman from Massachusetts, Congressman Philbin, as he summarized the tremendous public service record of our revered Speaker and reviewed the remarkable talents of his great mind and compassionate heart, which have endeared him to all who have ever served with him and which assure that the name of Speaker McCormack will be forever an inspiring byword in the legislative history of this Nation.

A great many Members, on both sides of the aisle here, asked me to intercede with my dear and esteemed friend and colleague from the Third Massachusetts District for the purpose of having his eloquent address included in the permanent Record. He graciously consented to permit me to introduce it into the Record and Congressman Philbin's nomination speech follows:

> Mr. Chairman and friends, it is a great honor, privilege and pleasure for me this morning to nominate the Democratic candidate for Speaker for the 90th Congress.
>
> I am sure that no words of mine would be adequate to portray or to describe the tremendous public record of the great American I am so honored and pleased to nominate.
>
> Speaker McCormack is universally known as one of the greatest Americans who has ever served in the Congress. To talk of his splendid personal qualities and his achievements to those who are so familiar with them as you, would be somewhat of a futility, and of course, it is completely unnecessary.
>
> John McCormack is a man of great, humane sensibilities and a fine spirit of loyalty

that dominates his character and the very essence of his being.

His greatness as a public servant; his essential goodness as a human being; his amiable personal qualities; the loyalty of his friendship; the sweep and import of his great accomplishments; his unselfish labors and achievements for the nation, the world and the American people, comprise a glorious chapter in the history of this government.

The magnificent distinction, fairness and impartiality with which he has conducted the affairs of this House—his dignity, the broadness of his vision, the generosity of his impulse, and the kindness and compassion he has shown in the discharge of his weighty responsibilities, are known to us and recognized by the people.

Master of parliamentary law, skilled in legislative accomplishment, resolute and tenacious in seeking his goals, our esteemed and beloved Speaker is an inspired and resourceful champion and fighter for the things in which he believes, willing at all times to give unselfishly of himself to promote human betterment, to broaden the horizons of freedom and hasten the cherished reality of universal peace and a world governed by the rule of law.

Illustrious son of our great Bay State of Massachusetts, unalterably committed to the free way of life for this nation and the world, our beloved and great leader moves unfalteringly with greatest skill, ability and determination to carry out the vital missions of highest responsibility that are entrusted to him.

Endowed with great mind, a great heart, and great spirit, John McCormack ranks with the greatest leaders of our national history, and it is indeed with esteem, with affection and with a very high sense of pride and honor that I am privileged to place in nomination as Democratic Speaker of the House the name of a very great American, a most courageous leader, our beloved, distinguished Speaker and friend, the Honorable John W. McCormack.

Violence in the Streets: Challenge to Democracy

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include a speech given by my esteemed colleague, the Honorable JONATHAN B. BINGHAM, of New York. The statement, which follows, was delivered at Columbia University, January 6, 1967, on the occasion of the first annual dinner of the New York State Board of Regents for Herbert H. Lehman fellows in the social sciences and public and international affairs.

VIOLENCE IN THE STREETS:
CHALLENGE TO DEMOCRACY

Mr. Chairman, Mrs. Lehman, distinguished guests, Lehman Fellows, and friends, it is indeed an honor to have been asked to address this first Dinner for the Herbert H. Lehman Graduate Fellows.

First of all, I should like to congratulate you who are the first Fellows, as well as those who had a hand in giving reality to this splendid program, which is such a suitable memorial to a man who was to universally and so deservedly loved and admired.

I want to discuss with you this evening a topic that was close to the heart of Herbert Lehman, the battle for civil rights, and particularly recent trends in the course of the battle which are profoundly disturbing.

By way of background, let me first of all say a few words about the Negro in predominantly White America.

In a sense, it seems truly incredible today, *not* that Negro demands for equal rights should be so vigorous, but that the Negro community had accepted second-class citizenship for so long. The paradox of American life has been that while we have been one of civilization's few "open societies", we have managed to remain largely oblivious to the condition of Negro Americans.

The myth of American society proclaims this to be a land where all men have rights and privileges equal before the law, and where all have an equal opportunity to rise within the society. This American Dream was an inspiration to immigrants struggling to reach a new country and then to survive, and generations watched paupers become millionaires and sons of immigrants rise to become President.

But while this myth—which is part social justice, part freedom—became more and more real for growing numbers in the white majority, it almost never included the Negro—neither in the minds of the whites nor in the minds of the Negroes.

Even today, when the question of equal rights has been under constant discussion for over a decade, most Americans have no real idea of the problems facing the minority communities. There have been moments, particularly during 1963, 1964 and 1965, when examples of brutality in the South, especially to children, gave many Americans a fleeting glance at symptoms of the intolerable condition. But the depth and complexity of the problem could not be shown in a one-minute newsreel clip. That the "Society of the Poor" is a cancer that can undermine the entire society unless treated and cured, is a concept that has not been accepted by the American public.

The height of white support for civil rights appears to have come during the fight for the Civil Rights Bill of 1964 and the Voting Rights Bill of 1965. Most northern and western legislators and even some from the south, felt that they had strong support in their constituencies for such measures. The nation's imagination had been caught by such events as the enormously dignified March on Washington and the story of Selma.

For the Negro, however, voting rights and elementary legal protection were only a beginning. What was presented to the White Majority as a culmination of the civil rights effort, only marked a shift in battlefields for the Negro. Victories in the courtroom and legislative chamber led to a new impatience for equal opportunities all along the line, and new spokesmen for Negro rights emerged to exacerbate that impatience and ride it to personal prominence.

Arguing that traditional methods were too slow, and existing and proposed programs insignificant or even fraudulent, these spokesmen urged direct action to break down the barriers of the ghetto, to change the educational system, to re-do housing patterns, to increase job opportunities—in fact to change the shape of urban life.

And the field was wide open—the ground fertile—for this fierce approach for, from the point of view of the Negro community, previous efforts had not even begun to scratch the surface of the problem.

Whether we speak of the "other America" or the "underclass" in American society, each passing year intensifies the problems of minority groups buried in our urban slums. Poverty becomes frozen into the way of life of ghetto America. Hopelessness, bitterness, disease and crime become the norm, even for the young, and it becomes more, rather than less, difficult for individuals to break out of the pattern and enter into the mainstream of American life.

Faced with such conditions, Negro leadership obviously felt compelled to try to speed the process of change. They wanted new tools to attack the poverty cycle. But in their effort to accelerate the process of change, the Negro leadership found itself in direct conflict with much of the white community. The demand for school and housing integration and for entrance into closed unions met serious resistance, especially because many northern whites were able to separate off in their minds the problem of segregation in the south from discrimination in the north. To many whites, the northern Negro community projects an image of crime and violence, widespread narcotics usage, families on welfare, irresponsible men, unwed mothers. And this kind of image, plus long inherited prejudices, created a new and fierce resistance to the efforts of civil rights groups to speed integration.

This was bad enough, but the resistance might have been overcome by good will and wisdom on the part of the Negro community and their white allies.

The tragedy was that, when the call for "freedom now" became "black power" and when orderly demonstrations gave way to anti-social acts and lawlessness, the opponents of Negro rights were given new encouragement and support.

To already prejudiced and frightened whites, the Negro then became not so much mistreated, as the destroyer. The stereotype of the ghetto was reinforced: "the Negro has no concept of law and order; he is violent; he is a danger to the rest of society."

The simultaneous emergence of lawlessness as a pattern of protest and of war-cries that sounded like black racism accelerated the reaction against civil rights activity in the white community.

As a result, we are in the midst of a new and destructive cycle: the white community is reluctant to support new efforts in the civil rights field. This results in Negro leadership taking to "direct action" again, which in turn hardens white resistance.

Both communities believe they are demanding justice. For the ghetto, justice implies full social justice, the right to participate and share in the fruits of the broader society—without delay, without further litigation, without more legislation. To the white community, justice has come to mean, more and more, law and order and security.

Both concepts of justice are of course compatible—until the debate moves from the courts and legislative halls into the streets. For, as the vast majority of Americans firmly believe, street riots and action tending toward anarchy undermine the very structure of democracy.

This, then, is the tragedy of the civil rights movement at this time. Driven by incredible pressures from below, many of the new Negro leaders have chosen a course that is not only ineffectual, but positively harmful to their objectives.

The impression is inescapable that some of these leaders actually welcome the worsening situation. They seem to want to prove that our society is rotten and is incapable of providing equal rights for all. So when achievement is within their grasp they spurn it as insufficient. As has been well said, "they will not take yes for an answer."

In the light of the record, one can understand their mistrust of our system of government. But what they are ignoring is the truth of Winston Churchill's remark "democracy is the worst form of government except all those other forms that have been tried from time to time."

Do the advocates of Black Power really think that a minority will do better under some other system, under a system where power is the only language? (James Madison had something to say, you will recall, on the natural tendency of majorities to oppress minorities. As he pointed out, our system, with its separation of powers and federal character, was well designed to prevent the majority from coalescing and thus realizing its full potentiality of power.)

Do those who advocate direct action, regardless of what the law is, really want a situation where the laws are disregarded by all? If so, what happens to the principle that *Brown* vs. *The Board of Education* is the law of the land and must be obeyed? After all, the main hope for justice and equal rights lies in the idea that ours is a government of laws, not of men.

(I am not saying, of course, that there is no place for civil disobedience in the fight for civil rights. Obviously, many of the most important court rulings in recent years have come about because some one had the courage to act in defiance of a local law that was in itself discriminatory and therefore unconstitutional. But there is all the difference in the world between those who advocate disregard, say, of a local police ruling that infringes the right of free assembly, and those who seek to organize, say, a "stall-in" on expressways at the rush hour.)

And a third question is: Do the Negroes who want no part of their white liberal allies ("liberal" has become a dirty word in some quarters) really think they will do better on their own?

Obviously what progress we have made in recent years has been brought about by action of whites as well as Negroes.

It was joint action that enabled the Congress not only to pass the various civil rights bills, but to establish and fund the war-on-poverty program two years ago. Limited as this program was, it was a step in the right direction. And it contained tools that could be broadened and expanded. Its commitment to job retraining and development of leadership and opportunity in the ghettos was constructive. So was the idea of programs which bypass the traditional bureaucratic channels and which bring the government into the ghetto and the ghetto into the government.

Fortunately, there are many prominent Negro leaders—probably a majority—who would basically agree with what I have been saying, who fully understand the wisdom—indeed the necessity—of joint action with like-minded whites. But one senses that they are beleaguered by the extremists, that they find it difficult to hold on to their leadership in the face of those who promise "action now". The very fact that the N.A.A.C.P. and the Urban League receive heavy financial support from white-run foundations—desirable as that financial support is—will no doubt be used as ammunition by the demagogic critics of these organizations.

As the cries for "Black Power" multiply, as extra-legal activity mounts, the ability of most Congressmen to focus on the real problems—poverty, injustice, and their effects—diminishes. When forced to choose between social justice and law and order most constituents will choose law and order. In this kind of an atmosphere, the dialogue between an elected representative and his constituents—a dialogue in which he tries to explain why he votes their tax moneys for projects that may or may not succeed, why he supports programs specifically designed to help the poor, why the interests of the poor are in fact the interests of the nation as a whole—this dialogue is choked off.

To this unfortunate picture I must add yet another unhappy dimension. As the reaction to violent demonstrations and extra-legal action intensifies, those who promise to restore peace and order by whatever means are necessary will play a growing role on the American political scene. I mean, of course, the right-wing and conservative groups throughout the country who have been campaigning for years against the civil rights movement.

Against the demands for freedom to move into new spheres of employment, housing, education, the right wing promises freedom to reject, freedom, in Thomas Mann's phrase, "to be with one's own." We dare not underestimate the strength this appeal can have, particularly if recurrent violence provides a convenient excuse, a handy rationale.

It is not fantasy to warn that frustration and fear can be mobilized by evil forces in an effort to gain power. It is particularly not fantastic when one looks at the growing conservative vote, the growing number of conservative candidates, the growing respectability of anti-civil libertarian groups, and the growing financing that is available to them.

One of the tragic ironies in the situation is that the use of extra-legal methods by those who struggle for Negro rights is sure to strengthen the hand of those very right-wing fanatics who itch to use the same techniques to frustrate the struggle.

Obviously, I am not calling for any relaxation, any slow-down, in the struggle to wipe out the ghetto. On the contrary, the very dangers I point to, the very fact that we may be heading into an era of terrible and widespread violence by extremists on both sides, makes it all the more imperative that we redouble our efforts to promote equal rights and opportunities. And these efforts cannot wait until peace comes in Vietnam. The time for more vigorous action is now.

But answers to the problems of the ghettos will not come quickly or easily. And they cannot come at all unless we can keep before the majority of Americans the simple fact I mentioned before: That the interests of the poor are the interests of the nation as a whole.

As a Congressman I shall try to encourage my colleagues and the Administration to expand our programs in the cities and the ghettos—rather than to cut back in the name of false economy. But those of us who will be calling for greater efforts, greater courage, greater imagination, cannot hope to succeed if the public turns against the struggle.

Many of us are willing to accept the challenge of securing the "Blessings of Liberty to ourselves and" to *all* of our posterity, but we face defeat if the techniques of protest are self-defeating.

"Justice is the end of government," Madison said in the Federalist Papers. "It is the end of Civil Society. It ever has been and ever will be pursued until it be obtained, or until liberty be lost in the pursuit."

If we are to be successful in achieving true justice for all, while at the same time guarding against the erosion of liberty, white and black leadership must work together, functioning as part of the single society we live in. We must reverse the trend encouraged by segments of the leadership in both communities. We must reject the notion that white and black are hostile antagonists thrown into the arena to do battle for the fruits of society.

Tribute to John E. Fogarty

EXTENSION OF REMARKS

OF

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

Mr. SMITH of Iowa. Mr. Speaker, those who have previously spoken have so eloquently described the great contributions that have been made by our late beloved colleague from Rhode Island Mr. Fogarty and his name and his great contributions are so well known by people in the fields of health and education throughout the United States that any further recital of these great contributions would be redundant. His great renown in these fields never changed him from being a most conscientious and humble person never willing to rest upon his morals and reputation for deeds in the past and always eager to plow ahead to met new goals. His passing is a great loss to our Nation and I join with my colleagues with heartfelt sympathy to his family. May his good soul rest in peace.

Passaic History

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 17, 1967

Mr. JOELSON. Mr. Speaker, members of the Passaic County Historical Society made the suggestion of including the history of the lower part of Passaic County which until 1837 had been part of Essex County, the upper county until that time being part of Sussex and Bergen Counties. The lower part was settled earlier and has unusual historical and commercial history of its own, particularly Acquackanonk Landing, now part of the city of Passaic, which was the largest shipping port of North Jersey, being the uppermost point of navigation and at important crossroads, with at one time the only bridge over the entire length of the Passaic River. Much credit is due James J. De Mario of Passaic, who helped prepare this history, as well as to the Passaic County Historical Society of which he is a member.

GEORGE WASHINGTON SAVED

And what is most important is that George Washington was saved with his army at this same point on his retreat from Fort Lee. Capt. John Post, a local man in his army, destroyed the former bridge, cutting off the pursuing British. If Washington had been caught, we would have lost our independence. This spot has historical markers, but it would seem the enormity of the event merits more. Then, Washington and his men camped up the hill in the churchyards. After that the armies made use of several fords, in particular, one at Delawanna and one at Robertsford, both in the Passaic area. Later, during one year, all the famous officers of the American Army were within the borders of Saddle River Township across the river from Acquackanonk.

FIRST CHURCH—FIRST CEMETERY

At this same spot, known as Acquackanonk Landing, there is the first church in Passaic County with the first cemetery and burials of first settlers. Here also 200 or 300 feet away was the county's first district school used for nearly 200 years until 1870, probably longer than any other; also the first store, first tavern in the county, and the first Sunday school in the State. More about this remarkable area follows to satisfy the desires of members representing pioneer families and newer ones in my elective territory.

FIRST SETTLER—FIRST LAND PURCHASE IN NORTH JERSEY

Due to the area being so full of early settler and Revolutionary history, I am proud to give herein some brief highlights on both, plus its most unusual industrial and commercial development. Being at the head of river navigation surrounded with forested rolling hills for hunting, fishing, and farming, it was quickly inhabited by the early Dutch traders, farmers, and explorers from New Amsterdam and Communipaw—now Jersey City—seeking to extend their fur trading or finding better farmlands. One of these was Hartman Michielse—or Vreeland—who is believed to have been the first white man to have set foot upon, purchased land, and settled in what is now known as the city of Passaic, formerly Acquackanonk. He found a well-organized and established Algonquin Tribe Indian village at what is now Passaic's Wall Street across from what was known as Dundee Island. But they were not living in transitory wigwams but in cabins made of timbers covered with grass. An old Indian suggested that Michielse set up a trading post on the island, which he did immediately after getting the deed April 4, 1678, the first building by a white man in the Passaic City area. Evidence of Indian fishing activity can be seen today from several V-shape rows of large stones across the river.

BEGINNING OF ACQUACKANONK LANDING

Early settlers after taming wild Indians and wilderness turned to commerce by harnessing water in the many streams to power many lumber and grist mills and for shipping. Then, several paper mills were established sometime after, one about 1810 was the Whiting Paper Co.—still in existence—where Melville Curtis, father of the owners of Saturday Evening Post and Ladies' Home Journal, made paper, and another was the Kingsland Papermill, both in Delawanna.

RIVER BOAT, STAGECOACH, CANAL, BARGE, RAILROAD, TRANSFER POINT

Here is where the Passaic riverfront, known as Acquackanonk Landing, became famous as the largest shipping port in North Jersey for farm, forest, and mine products, and later for Alexander Hamilton's "Paterson-made goods" wagonned to Passaic for shipping. Incidentally, Passaic came within the 36-square-mile area set up by Hamilton's Society of Useful Manufacturers—SUM. Here was also the first and only bridge over the river and the junction of several turnpikes, some toll, the Plank Road to New York, Hamburg Turnpike, roads to Hackensack, Little Falls, and to the papermills in Delawanna. This was also the stage coach days. Then came the Morris Canal which skirted Passaic and permitted more commerce with other areas. Merchants and travelers stopped at and went through Acquackanonk Landing where there were taverns, small hotels, or rooming houses.

THE RAILROAD ERA

With the railroad era starting in the 1830's, the commercial business at Acquackanonk Landing dropped away as the stagecoaches and boats were being forced to discontinue, although Acquackanonk Township continued as a peaceful and rich farming community as it did for nearly 150 years, the farms being the finest in the State and owners were rich men. But pleasure boating, regatas, and excursions increased and the Passaic River became one of the East's leading boating playgrounds.

The Paterson & Hudson River Rail Road was organized in 1831. The big wagons that had brought to this dockage area iron ores, lumber, and timber from upstate ceased their trips and business dropped. It was one of the first railroads in the country, and operated at first between Passaic and Paterson, but horse drawn at first until the steam engine arrived from England. People far and wide heard of this new train and were curious to see this new method of traveling. The first day was a great success, being witnessed by great crowds, some coming from as far away as Sussex. Enterprising Yankees of Newark did a profitable business conveying parties by boat to Paterson over the Morris Canal, and there board the train to Passaic for their first train ride, even if horse-driven, and many had to sit on the coach roofs. At the peak of the railroad era, there were four steam railroads serving Passaic. Years later, the State's first trolley car line was operating within the Passaic limits.

DUNDEE CANAL AND BEGINNING OF GREAT INDUSTRIAL ERA

The business stagnation at Acquackanonk Landing was more than offset a few years later with benefits to the entire Passaic area when the Dundee Dam was constructed to provide water and water power for new industries which with the railroads brought about the greatest industrial expansion in Passaic's history. Lush farmland was turned over to industry and workers' houses, and rural water-powered saw and grist mills gave way to larger operating units, with industries and population spilling over into Clifton, Wallington, and Garfield, earning for Passaic and its environs at one time "the most progressive, energetic and pushing community in the country."

NEW INDUSTRIES ON DUNDEE CANAL

The railroad brought in a different kind of business and shifted the commercial center from Acquackanonk Landing inland away from the waterfront and increased travel. But the real stimulus started with the completion of the Dundee Canal and Dam in 1859 which was begun by the Dundee Manufacturing Co., owned by SUM and mother of Passaic's industries established in 1832, and later through the efforts of Edward J. C. Atterbury. A special act passed February 12, 1858, by the New Jersey Legislature authorized the building of Dundee Canal and Dam with locks, and so forth to provide a navigation link from the Passaic River at Passaic to Paterson, but this plan was never fulfilled.

The flow of this canal starts at a high dam forming Dundee Lake in Clifton and ends at South Street in the Dundee section of Passaic where it drops back again into the Passaic River, providing water and power to the new plants which were built along the canal. The first plant to be built was the Star Foundry & Machine Co., 1859, and others following were: New York Steam Engine Co., 1869; Reid & Barry, 1869; Waterhouse Bros., textiles, 1870; New York Belting & Packing Co., 1882, in Connecticut, 1846, now part of United States Rubber; Jacob L. Basch, textile; Ammidown Bros., textile; Okonite Co., 1878; Dundee Textile Co.; Clifton Paper Mills; Andrew McLean Co., netting; Botany Worsted Mills, 1890; Passaic Print Works, Manhattan Print Works, Pantasote Leather Co., Forstmann & Huffman Co., worsted, and others. Some of these are no longer in existance and some have merged with others and changed names.

OTHER OLD AND NEW PLANTS NOT ON CANAL

There were other plants built that did not need canal facilities, some built about the same time and some later, some having ceased operating or changed names. Some of these are: Acheson Harden Co., J. L. Prescott Co., Waldrich Bleachery, Paterson Parchment Paper Co., the Manhattan Rubber Manufacturing Co., Gera Mills, wool; New Jersey Worsted Spinning Co., Heyden Chemical Co., Robins Conveying Belt Co., Brighton Mills, tire duck; Robertsford Spinning Co., later Samuel Hird, wool; Magor Car Co., Algonquin Mills, textile; Pitkin-Holdsworth, textile; Passaic Cotton Mills, Richardson Scale Co., Garfield Worsted Mills, Hammersley Paper Co., first waterproof; Falstrom Co., Givaudan Corp., Passaic Metalware Co., now part of Continental Can; Athenia Steel Co., Standard Bleachery, Goodlatte Oilcloth Co., Standard Oilcloth Co. There were many others, large and small among old and newer plants, but these indicate the spread of industry. Here are some of the most prominent among the new in the Passaic area, indicating a further spread in variety but mostly results of newer technology: DuMont-Fairchild, Wright Aero Division, Shulton, Hoffmann-La Roche, ITT Federal Laboratories, Garden State Paper Co., Revlon, Weston Biscuit.

DIVERSITY OF INDUSTRY

The names above indicate the diversity of industry in this area, some being the largest in their fields. Some of the older plants are out of existence or are under new managements. The country's largest concentration of perfume makers is in this area. The Botany and Forstmann plants were the country's largest makers of their respective types of wool cloth. Brighton Mills at one time was the largest manufacturer of duck for high pressure tires and Acheson Harden was the world's largest handkerchief maker. The Manhattan Rubber Division is one of the largest manufacturers of industrial rubber products and the largest makers of rubber-bonded abrasive wheels and one of the largest makers of bowling balls. The Passaic area is one of the country's largest rubber manufacturing centers. The crushing panics of 1873, 1893, 1929, with competition and tariffs have taken a heavy toll of some of the older companies. This area has almost lost its wool, cotton, bleachery, and handkerchief business.

PLANT OWNERSHIPS

Idle plants have been saved due to the continual growth of industry here. Most of the plants idled by declining use of their products or plant transfer have been filled with numerous small space operators or by other single manufacturers. For instance, the Star Foundry & Machine Co. plant was taken over by the New York Steam Engine Co., and when that company failed, the plant was taken over by the New York Belting & Packing Co. as an annex plant to its main one then at Sandy Hook, Conn., the annex later becoming the main plant. The Forstmann plant was sold to J. P. Stevens, and Okonite, a progressive and going company, was purchased by Ling-Temco Vought as an active acquisition. The Okonite plant was built on the unfinished foundations of a then-new rubber company plant to be known as the New York & Boston Rubber Co. to consolidate the plants of the newly merged New York Belting & Packing Co. of Passaic and Sandy Hook, Conn., and the Boston Belting Co. of Boston, both Goodyear licensees, but the plan was dropped due to the severe depression that followed. Later, the Okonite Co. took over the once-idled adjacent Waterhouse Bros. plant. A number of other plants mentioned in paragraphs above have merged or had been acquired by other companies. Manhattan Rubber took over the adjacent plant of the Brighton Mills which had moved south. In it were several lessees, including DeForest Radio where television was born.

INDUSTRIES CENTERED HERE

From all the companies listed above, it is evident that the Passaic area exceeded at some time in the production of wool spinning and weaving, in industrial rubber products, textile finishing, handkerchiefs, stove polish, and bleach and other household products, oilcloth, waterproof paper, types of grinding wheels, submarine electric cables, netting, drugs and cosmetics, and particularly conveying machines as several basic types were developed here, some of these being: belt, bucket, portable, continuous weighing, pelletized, and fluid. As a volume indicator for this area, according to an analysis of distribution of industrial supplies by the American Supply & Machinery Manufacturers Association, purchases of such supplies in the Passaic area equals or exceeds that of the Paterson area, and both together is exceeded only by Newark in this State.

PLANTS KEEP UP WITH INDUSTRY AND PRODUCT CHANGES

Many of the older plants here survived by changing into newer or different products when use of their types of products was waning. A good example is J. L. Prescott Co., originally one of the country's largest makers of stove polishes. They later went into laundry bleach and other household products and are now one of the largest. They started in Maine in 1870 and are still a family-owned company with a fifth-generation family president, an industrial marvel in cooperation and resourcefulness. With the recent development of plastic liquid containers, they now also make their own and for other companies using plastic bottles. With the advent of the automobile, Prescott also designed and produced the Prescott Steamer, making about 700 of them, which at the turn of the century was good production. For a while it seemed that Passaic would be a "Detroit" as about the same time J. P. Lange, inventor and chief engineer for Botany Worsted Mills, was producing some radical designs of experimental "horseless buggies" starting in 1899. The Pantasote Leather Co., which originally made a patented leatherlike carriage cloth switched into vinyl film and other recent plastics and doing very well. The Falstrom Co. went from sheet metal cornices and ceilings to sophisticated control and computer cubicles. The Garden State Paper Co. is the country's first reconditioner of newsprint paper. The several rubber companies in this area have switched from natural rubber to synthetic rubberlike polymers and to various types of plastics to reach more markets, produce improved products, or to reduce costs. Some of the essential oil manufacturers have entered the new and more profitable vitamin field. It was unfortunate that the great woolen mills here did not operate long enough to take advantage of the newer wool like synthetic fibers.

PASSAIC AREA AGRICULTURAL PRODUCTS

Besides manufacturing, this area had an outstanding agricultural reputation. Alfred Speer had extensive vineyards in Passaic and Athenia, produced much of the best native wines and sherries in this country. He also named Passaic which was previously known as Acquackanonk, and published Passaic's first newspaper. In Carlton Hill and Richfield, Bobbink & Atkins had the country's largest rose nurseries. Richfield also at one time supplied the Nation with horseradish.

ABOUT THE PASSAIC RUBBER INDUSTRY

REMARKABLE RUBBER FAMILIES, FIRST PLANTATION, WELLESLEY COLLEGE, FIRST YWCA

The Okonite and Manhattan Rubber Cos., were family offshoots of the New York Belting & Packing Co. Henry Fowle Durant, a senior member of this rubber-manufacturing family, and John Haven Cheever, not of this family, both operated the earlier Roxbury Rubber Co. founded in 1833 in Boston as the first chartered rubber company in America at the dawn of the rubber industry. Later, both Durant and Cheever incorporated the New York Belting & Packing Co., solely owned by both with equal shares. Mr. and Mrs. Durant founded Wellesley College and Mrs. Durant was first president of the YWCA in Boston.

MANHATTAN AND OKONITE

Col. A. F. Townsend and Frank Cazenove Jones, Sr. were cousins of H. F. Durant and both founded Manhattan Rubber. The Okonite Co. was founded by Cheever and Jones. As mentioned above, Cheever also founded the New York Belting & Package Co., which was organized in 1846. While Cheever was with Roxbury, the prior company, Charles Goodyear was working at times at this plant on his vulcanization discovery, and at times Cheever was of some assistance.

Both the Passaic plant of United States Rubber Co., and the Manhattan Rubber Division of Raybestos-Manhattan, Inc., are leaders in industrial rubber products and both have developed products indispensable to industry today.

MORE ABOUT PASSAIC'S RUBBER FAMILIES—NEW YORK TELEPHONE CO.

The father of F. C. Jones above accompanied Commodore Perry in opening commerce with Japan, and his grandfather was Commodore Jacob Jones, hero of the *Wasp* victory over the British frigate *Frolic* in the War of 1812. He was also a cousin of Alfred I. du Pont and of Commodore A. Henderson. Mr. Jones had also been president of both Manhattan and Okonite. Col. Arthur Farragut Townsend was godson of Admiral Farragut and had also been president of Manhattan and Chairman of Raybestos-Manhattan, Inc.

Charles A. Cheever was a son of J. H. Cheever and a remarkable man. He was crippled and had to be carried around, but he was first president of Okonite. With Capt. Williard L. Candee he founded the New York Telephone Co., forerunner of American Telephone & Telegraph of which it is said he gained control later through his brilliance and keen financial ability.

FIRST RUBBER PLANTATION

Passaic also had an important part in helping to obtain an independent source of crude rubber for this country to avoid foreign price manipulations which in 1910 forced the price of crude rubber to $3 a pound; today it is around 25 cents. The Manhattan Rubber Manufacturing Co. twice undertook growing its own crude rubber in tropical countries, and both times as the first American rubber manufacturer to grow its own crude rubber. The first time in 1898 jointly with other financial interests established a rubber plantation in Nicaragua with success, but English and Dutch growers were planting immense acreages of rubber trees in their Far East colonies and Brazil lost its hold on rubber. Manhattan withdrew from Nicaragua when it had obtained a going plantation in 1910 in Java with a better growing atmosphere. The Okonite Co. also established a rubber plantation in British Guiana in 1911 at the time of the "foreign" squeeze on crude rubber prices.

FIRST INSULATED ELECTRIC WIRE AND CABLES WERE MADE IN PASSAIC

The Okonite Co., made the first rubber-insulated telegraph, telephone, and submarine cables in America. It also developed the high-pressure pipe-type electric transmission cable for high voltage now in general use and a number of other cable developments. Today most of U.S. naval vessels, submarines, city subways, and many powerplants here and around the world use Okonite electric transmission cables.

FIRST RUBBER CONVEYOR BELT

Thomas Robins, Sr., had worked with Thomas A. Edison in developing the first rubber conveyor belt which was made by the New York Belting & Packing Co. Robins then became Manhattan's first secretary and continued his belt conveyor development with them. Robins later founded the Robins Conveying Belt Co. in Passaic in 1896. This company later became Hewitt-Robins with the acquisition of Hewitt Rubber Co., of Buffalo, and today it is a division of Litton. Thomas Matchett was president of both Robins Conveying Belt and Hewitt Rubber before they merged.

TELEVISION DEVELOPED IN PASSAIC

It was in part of the Brighton Mills plant in Passaic, partly idled after moving south, that Dr. Lee DeForest of DeForest Radio Co., with Du Mont, perfected the TV tube and gave us the TV industry. This plant, adjacent to Manhattan Rubber, was acquired by Manhattan about this time.

INDUSTRIAL PIONEERS OF PASSAIC

Some of the pioneers behind the great development of the Passaic area are: Peter Reid and William I. Barry, both founders of Reid & Barry, the first large textile finishing plant on the Dundee Canal, and did much to spur the great industrial expansion of Passaic and both were generous community contributors, including the Reid Public Library; Richard Morrell, founded Campbell, Morrell Co., at one time largest State dealers in coal, grain, and building material, had eastern agency for Erie anthracite coal, built railroad from Dundee mills to Passaic Junction of N.Y.S. & W.R.R. in Bergen County; Gilbert D. Bogart, owner of large part of Garfield, named it, and helped develop it and other areas; R. D. Benson, late president of Tide Water Oil Co., first oil and pipeline company, organized Passaic and county park systems, helped on boards of several large local companies; W. F. Gaston, prominent lawyer who helped organize and manage large companies here—Manhattan Rubber, Okonite, New York Steam Engine Co., Forstmann, others—Frank Hughes, developed industrial property and brought in new industries, developed Athenia, most of which his father owned, and other areas.

Of the more contemporary ones: Julius G. Forstmann, built large integrated woolen mills in Passaic, Clifton, and Garfield employing thousands, very large community contributor and endowed Forstmann Public Library; Dow H. Drukker, Congressman, publisher, builder, banker, and on boards of large local plants; Paul L. Troast, president, Mahony-Troast Construction Co., was chairman of New Jersey Tercentenary Commission, headed New Jersey Turnpike Commission, Chairman S. H. Kress & Co., chairman of New Jersey Manufacturers Association, member of Governors Commission for More South American Trade, made close run for Governor. There were many others, like Paulison, Kip, Howe, and so forth, and others of earlier periods who did magnificent work under conditions difficult to evaluate with today's era, and there are many contemporary outstanding performers in public affairs, industry employing thousands, finance, law, some of big deeds, very large benefactors and community contributors, but space does not permit.

HOUSING PROBLEMS

This great industrial expansion created housing and rooming problems. In addition to many thousands of immigrants, many young men out of school came here to seek their fortunes. To take care of them, rooming and boarding houses were set up almost everywhere, many by upstate farmers or from small rural towns. There were also several housekeeping "bachelor clubs," two of which became famous as the young men came from well-to-do families from different parts of the country. They rotated purchasing and managing, had a cook or housekeeper and gardener. They became favorites at the ball or for whist. Many became responsible and influential executives, like C. T. Young, to vice president, the Manhattan Rubber Manufacturing Co., and F. L. Curtis to vice president of Raybestos-Manhattan, Inc., B. M. Mitchell, who founded the Conveying Weigher Co. and designed the first long-distance belt conveyor systems for construction, like the Wanaque Reservoir Dam, Stamford, Conn., reservoir, Conowingo Dam, George Washington Bridge colossal anchorages, and other executives many with equal accomplishments.

RELIGIOUS AND PUBLIC BUILDINGS

This expansion necessitated worship and recreational facilities, which were accomplished very well. Passaic has some of the largest and most elegant churches in the State of all denominations. It has two of the finest endowed libraries, also has YMCA and YWCA buildings among the State's largest and best equipped. All of these possible through generous public contributions and sizable endowments, both industrial and publicly, all made possible through the fruits of industry. It also has three large and complete hospitals that serve the entire Passaic area and beyond because of specialized facilities. Because of Passaic's early growth, it has become virtually the civic and commercial center of a wide peripheral territory. Passaic schools at one time had the highest scholastic standing in the Nation.

The boom conditions experienced manifested themselves in other directions. The Passaic Fire Department was the first in the country to be completely motorized; that is, no more horses, and shortly before, Passaic had its own trolley car line operating entirely within its boundaries, the first in the State, and again, no more horses.

WILLIAM W. SCOTT

In conclusion, I should like to express a deep sense of gratitude to William W. Scott for writing the history of Passaic and its environs from which much of the early data above has been taken. It was written after middle age and during a time when many old residents were still alive and able to give firsthand data on early events, or they themselves had known oldtimers who had direct or eyewitness information of their times, even to the Revolutionary period, and were able to provide Scott with documentary material they had preserved.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 18, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Commit thy works unto the Lord, and thy thoughts shall be established." Proverbs 16: 3.

Eternal Father of our spirits, as we bow before the altar of prayer, grant unto us a realization of Thy presence and the assurance that as we face the demanding duties of these days Thou art with us. As we turn to Thee, may we find wisdom to make wise decisions, strength to stand for what is good for all, and good will to motivate all our endeavors.

May we think of Thee—not only this moment—but throughout this day, and from these moments may there come a confidence and a courage which will enable us to lead our Nation to better days, to a greater spirit between our people and to a finer relationship between the nations of the world.

We pause to thank Thee for our companion who has fallen along the way. Receive him into Thy everlasting glory and may the comfort of Thy presence and the strength of Thy spirit abide in the hearts of his beloved family. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 16. Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee; and

S.J. Res. 17. Joint resolution authorizing the President to establish a "National Ski Week."

The message also announced that the Vice President, pursuant to Public Law 88-630, appointed Mr. HANSEN as a member of the Lewis and Clark Trail Commission in lieu of Mr. Simpson, retired from the Senate.

The message also announced that the Vice President, pursuant to Public Law 85-874, appointed Mr. PERCY as a member of the National Cultural Center Board in lieu of Mr. Saltonstall, retired from the Senate.

The message also announced that the Vice President, pursuant to Public Law

81-754, appointed Mr. PELL as a member of the National Historical Publications Commission in lieu of Mr. Saltonstall, retired from the Senate.

The message also announced that the Vice President, pursuant to Public Law 89-81, appointed Mr. KUCHEL as a member of the Joint Commission on the Coinage in lieu of Mr. Saltonstall, retired from the Senate.

The message also announced that the Vice President, pursuant to Public Law 79-304, appointed Mr. SYMINGTON and Mr. PERCY as members of the Joint Economic Committee.

THE REDWOODS—OUR FOREMOST CONSERVATION ISSUE

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, perhaps the single most important piece of conservation legislation to come before this or any recent session of Congress is the proposal to establish a Redwood National Park. Today, along with 33 of our colleagues, I am reintroducing a bill to establish a 90,000-acre park in the Redwood Creek area of northern California.

This plan would preserve the last significant section of unprotected virgin coast redwoods.

It is in the area recommended as most desirable for preservation by the National Park Service in its landmark 1963-64 study and report on the redwoods. It would establish a park that is truly worthy of this great and unique resource. I believe its consideration should be foremost on our agenda of unfinished conservation business.

An unfinished business quite properly characterizes the redwoods, Mr. Speaker. Bills to establish a Redwood National Park have been before the Congress intermittently since 1911. But until now they have uniformly been frustrated.

It is certainly appropriate for the greatest deliberative body in the world to subject a major addition to our national park system to the most careful scrutiny, including the test of time. But many years have now gone by, and time is no longer on the side of the redwoods.

The original redwood forest covered almost 2 million acres. Today only 10 percent or less of that original forest remains.

The depletion of the redwoods occurred mostly because the land was allowed to pass into private ownership before its value to the Nation was fully recognized. Now only 485 acres of redwood forest land in the Muir Woods National Monument just north of San Francisco is administered by the National Park Service. Some 50,000 acres of virgin stands, it is true, are protected in California State parks, but this acreage, unfortunately, is badly scattered. Nowhere is a major block of virgin forest presently preserved where the entire growing range of the species can be represented.

Such an area does, however, exist. In 1963, the National Geographic Society made a grant to the National Park Service to finance a survey of the coast redwoods. This exhaustive study concluded with the recommendation that the Redwood Creek Valley and certain adjacent lands be established as a national park.

Let me quote briefly from the Park Service's report:

> To add bits and pieces here and there will not do the job. A major addition is required and one preferably which would not add merely size, but high quality redwood groves and forests in a situation where they can be preserved and made available to the public in an outstanding manner.

And the report continues—

> Just south of Prairie Creek Redwoods State Park and east of Orrick, the Redwood Creek and Lost Man Creek drainages contain what is apparently the largest uncut block of virgin growth not preserved—certainly the most significant block in terms of park values.

This area, I want to point out, is what would be preserved in the 90,000-acre park bill which we are introducing today.

Mr. Speaker, I mentioned that time is no longer on the side of preserving virgin redwoods. In 1965, some 15,000 acres of redwood giants fell to the woodsman's ax and chain saw. The average annual cutting for the preceding 5 years was just short of 1 billion board feet.

Those who caution further delay in establishing a park argue that a moratorium now protects the redwoods. But this moratorium is a fragile one. It is voluntary. It can be broken at any time, and there are indications that it may be before this year is over. Furthermore, this moratorium is far from complete. Ruinous cutting continues to go on in areas that have been strongly recommended and backed for preservation.

The National Park Service has pointed out that it takes a thousand years or more to grow mature trees, and once cut much longer still to establish a climax forest, if indeed that is now possible at all.

In a matter of only 2 or 3 more years, if the past rate of cutting is resumed, no unprotected redwood area of sufficient ecological or recreational integrity will remain that is worth being preserved in a national park.

So let us be very clear that the time for action is short. The time for leisurely discussion and further prolonged study is past. The opportunity, now ours, will not present itself to another generation.

Just as important as early action, Mr. Speaker, is the question of where this park should be located. In my judgment, it is no less critical to establish a Redwood National Park in the proper place as it is to establish it at all.

The fact is that only in the drainages of Redwood and Little Lost Man Creeks in northern Humboldt County of California can all of the essential characteristics for an adequate Redwood National Park still be found.

This area offers the largest concentration of virgin redwoods outside any existing State park.

It offers the world's tallest trees in a setting that would provide them with adequate protection.

It offers a wide variety of wildlife, outstanding natural features such as Fern Canyon, and the striking Gold Bluffs which stretch along the Pacific Ocean for 11 miles.

It offers an area of sufficient size and varied attractions to accommodate a large number of visitors and to disperse them over a wide area.

The Mill Creek site, recommended by the administration a year ago, possesses none of these advantages.

It is true, as some of its advocates have pointed out, that the National Park Service did, at one time, recommend the Mill Creek Valley as the location for a national park. But that recommendation was made almost 30 years ago. It was made before logging operations had penetrated the valley and cut off much of the forest.

Today the situation is far different from that of 1937. Over half of the valley has been cut over. Logging roads have been pushed into every area. Logging, in fact, has gone so far that not a single streambed remains free from erosion, siltation, or choking debris.

I am not opposed to limited acquisition in the Mill Creek Valley. Neither am I opposed to providing any needed watershed protection for the beautiful Jedediah Smith State Park. But when the relative values are compared and considered, I think it is very clear that our major efforts should be concentrated in the valley of Redwood Creek and in the Lost Man Creek watersheds.

Mr. Speaker, there is a third proposal, of sorts, for a Redwood National Park. Not surprisingly, it was endorsed last week by California's new Governor who, in commenting on park plans less than a year ago stated:

> A trees's a tree. How many do you need to look at? See one, you've seen them all.

Unfortunately, this proposal misses the whole point of the need for a Redwood National Park.

It does not address itself at all to the major question, which is clearly preservation of the few important stands of unprotected virgin redwoods that remain today.

Relabeling three State parks does not accomplish this goal.

A postage-stamp-size unit around the tall trees on Redwood Creek will not guarantee their survival.

This plan would save practically no old-growth redwoods that are not already included in one of the scattered State parks, or that have not already been pledged for conservation.

It could more appropriately be called a plan for a new national seashore. Certainly in terms of a Redwood National Park it ignores practically everything of substance that needs saving.

Its backers have called it a "compromise plan." At best, it would be a compromise between little and nothing.

The Governor has now asked Congress to delay any action on a redwood park bill for at least 3 months. In light of his endorsement of the "seashore plan" there is reason to question whether his interests lie more with further study or with delay to mount new opposition to any meaningful redwood park plan at all.

Mr. Speaker, there can be no question that the Sequoia sempervirens, the coastal redwoods of California, are among the most impressive of nature's achievements. Clearly they are the kind of resource which our great national park system was designed to protect and display.

It may be, at this time, that we cannot afford to purchase the whole 90,000-acre unit proposed in the bill being introduced today, even though the price tag approach is neither a sound nor a desirable basis for establishing a national park.

But, in accepting any necessary cost limitations, let us not settle for a second-best location. Let us not put whatever funds are available to a second-best use.

If we do not have the money now for a 90,000-acre park, let us not then desert the most desirable area. Let us trim where necessary but let us acquire the biggest and best park we can in the Redwood Creek and Lost Man Creek watersheds. For clearly, dollar for dollar, the values and opportunities for conservation are far greater here.

So, Mr. Speaker, I would urge that we move ahead with a good first step in the first-choice location. Let us move ahead with the vision and determination which the preservation of this magnificent resource demands, and let us do it before it is too late.

INTERIOR DEPARTMENT FUNDING FOR PROPOSED GIANT DESALTING PLANT

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation to authorize a $57.2 million contribution by the Interior Department for building and operating the world's largest desalting and powerplant.

Similar bills have been offered by the distinguished chairman of the Interior and Insular Affairs Committee, Mr. ASPINALL, and by the senior Senator from California, Mr. KUCHEL.

The huge, nuclear-powered plant will rise on a manmade island off the southern California coast. When completed, it will purify enough sea water to supply an entire city the size of San Diego or San Francisco and produce more electricity than the Hoover Dam. A team of four California groups has agreed to pay more than 85 percent of the $443.3 million cost of the project.

I am especially proud of the role my district has played in helping advance the new and vital technology of desalinization. A federally funded desalting plant and test center is under construction in my district at Chula Vista. And the San Diego Gas & Electric Co., one of the four local entities ready to undertake the exciting new project, has extensive operations in the district.

The arrangements for planning, building and financing the offshore desalting-power complex are the direct result of a unique partnership between governmental and private agencies.

The anticipated Federal share of the total project costs will be $72.2 million, less that one-fifth the approximately $370 million to be provided by the San Diego Gas & Electric Co., the Metropolitan Water District of Southern California, the Department of Water & Power of the City of Los Angeles, and the Southern California Edison Co.

The Atomic Energy Commission already has been authorized to contribute $15 million toward construction of the facility. The remainder of the Federal contribution would come from the Interior Department under terms of the legislation my colleagues and I are proposing.

The dual purpose plant will be built in two major stages. It is hoped that the first stage, capable of producing 50 million gallons of fresh water a day, will be operational by 1972. By 1977, facilities for desalting an additional 100 million gallons a day should be available. The complex would have a total electrical output of 1,800 megawatts.

As its part of the project, the San Diego Gas & Electric Co. will join with Southern California Edison in building a nuclear steam supply system and an associated turbine generator.

This great undertaking will benefit all Americans, particularly those living in water-short areas.

SPECIAL TIME PROBLEM IN INDIANA SHOULD BE RESOLVED THROUGH LOCAL ACTION

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, today I am introducing legislation to allow the State of Indiana to continue to resolve its special time problem through local action.

Like some 11 other States, Indiana is divided into more than one time zone. The eastern section lies in the eastern standard time zone, as established by the Interstate Commerce Commission. The western section of the State is in the central standard time zone.

This division does not reflect economic realities or the customs of the areas involved. The problem was largely resolved as long as the State could determine whether or not and where daylight saving time would be adopted.

Some communities in c.s.t. chose to adopt e.s.t. or its equivalent "by the clock" because shopping and business interests allied them with cities in that time zone. Effectively, then, they had daylight time all year round. During the past year all of Indiana, except for a few counties in the far northwestern corner near Chicago—which is in c.s.t.—have observed e.s.t.

As of this April, however, the Uniform Time Act of 1966 nullifies this freedom of choice. All parts of a State must observe daylight time from the last Sunday in April to the last Sunday in October, unless the State legislature provides that none shall observe daylight or advanced time. Thus many communities must return to c.s.t. while about half the State must remain on e.s.t.; or both will adopt daylight time with the eastern section still 1 hour ahead of the western.

Mr. Speaker, the legislation I am introducing today will amend the Uniform Time Act to allow an option in the adoption of daylight time in certain cases, namely in the case of States whose parts are in different time zones, as in Indiana. According to my legislation, such a State will be able to exempt one or more such parts to suit their customs and convenience as well as economic necessities. Uniformity should not be the only criterion for an issue that so closely affects the lives of so many people.

CHANGING THE NAME OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES TO THE COMMITTEE ON INTERNAL SECURITY

Mr. ICHORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ICHORD. Mr. Speaker, and Members of the House, I have today introduced a resolution which would change the name of the Committee on Un-American Activities and also the wording of its mandate.

Comment will undoubtedly be made on the fact that a member of the committee has introduced such a resolution. I have no desire to speak at length on my resolution at this time. To avoid any mistaken interpretation of its intent on the part of anyone, however, I would like to make a few brief comments on it.

The point I would like to stress above all else is that my purpose in introducing this resolution is to preserve for the committee the full jurisdiction and all the powers it has possessed during the almost 29 years of its operation under its present mandate.

I have introduced this resolution not because I am opposed to the committee or to the areas in which it has made investigations in the past, but because it is my desire to strengthen the committee in every way possible, clarify its mandate and eliminate any possible misunderstanding and confusion about the specific powers and jurisdiction of the committee.

It is my view and intent that, with the authority of the mandate contained in my resolution, the Committee on Un-American Activities, renamed the Committee on Internal Security, will be empowered to investigate, first, all forms of Communist, Nazi, and Fascist activities in the United States; and, second, the activities of any other movements or groups now existing, or which may come into being in the future, whether domestic or foreign oriented, which by force, violence, or any unlawful means, would attempt to undermine or subvert the form of Government guaranteed by our Constitution, impose upon this country any form of dictatorship, obstruct or impede the execution of any law or duly promulgated national policy affecting our internal security, or advance the interest of any foreign principal to the detriment of this country's internal security.

My intent and purpose in introducing this resolution is to confer on the new Committee on Internal Security the authority to investigate domestic or indigenous terrorist groups whose organized unlawful activities pose a threat, whether immediate or long-range and indirect, to the security of our form of Government by undermining the principles on which our Constitution is based.

Finally, I would like to state that, while I have discussed this resolution informally with other members of the Committee on Un-American Activities and have provided them with a copy of my resolution and these remarks, the resolution represents my thinking and does not, at this time, have committee approval.

PENALTIES FOR INTERFERENCE WITH DEFENSE SECURITY SYSTEMS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, in the 89th Congress I introduced a bill which would protect the security of the United States by providing penalties for interference with defense security systems. Due to the pressure of time the Congress did not take final action upon this proposal.

It is my feeling that it is imperative that affirmative action be taken to meet the possibility of interference with defense security systems. For that reason I am again introducing the legislation.

The following constitutes a brief description of the legislation and its purposes:

PURPOSE OF THE LEGISLATION

The purpose of the proposed legislation is to provide a specific statute for criminal prosecution of persons who willfully and maliciously activate, willfully or maliciously injure, or interfere with, or attempt to activate, injure, or interfere with, any defense alerting system.

Recent incidents at operational missile sites of the United States Air Force have highlighted the fact that existing statutes are inadequate to cope with willful or malicious acts that result in activating or in disrupting our military alerting or alarm systems. Unless the law is strengthened to deter such acts, the security of our nuclear missiles and other weapons systems could be seriously compromised. The mentioned incidents occurred at different times at different missile sites, but the facts are similar. Foreign objects were deliberately thrown over the outer security fence onto a sensitized surface area. This in turn caused the activation of an electronic alarm system, indicating to defense forces stationed some miles away that the secured area of the missile site had been penetrated. Armed mobile strike teams were immediately dispatched to the site by motor vehicle. The net result was that members of the strike team were subjected to unnecessary hazards and normal security operations were seriously disrupted.

Many military installations involving modern weapons systems occupy very small acreages, in remote dispersed locations that are not under the exclusive or concurrent jurisdiction of the United States. These installations are unique in that they are unmanned, and their safeguarding is dependent on uninterrupted surveillance by electronic devices and the use of mobile strike teams responding from distant locations. The considerable number of Minuteman missile sites which are operational are typical of these installations.

Increasing use is being made of electronic alarm and warning systems to supplement guard forces and to amplify their effectiveness. Interference with the proper and continuous operation of these electronic systems seriously impairs the effectiveness of security guard forces charged with the protection of nuclear and other weapons systems. Security guard forces must respond to all warning alarms, on the assumption that the alarms indicate an attempt to penetrate a security area and damage or interfere with the operations of a weapons system. False alarms, therefore, place an intolerable burden on those forces, and could result in their being unavailable for genuine emergency calls. In fact, it could reasonably be expected that persons intent on penetrating a missile site might use several false alarms as decoys to divert the attention of security guard forces from a site which is the real target for penetration.

In this connection, it should also be noted that in the future helicopters will be used to augment motor vehicles in transporting teams responding to control security alarms. Consequently, the disruptions to the security posture of our strike teams, the hazards to personnel, and the expenses generated by false alerts will be further aggravated.

Under current law, criminal prosecution for acts of this nature could be attempted under 18 U.S.C. 13, 1362, 1382, or 2155, or 50 U.S.C. 797. However, none of these existing criminal statutes offers a completely satisfactory vehicle for the prosecution of offenses involving false alarms.

18 U.S.C. 13 is the so-called Assimilative Crimes Act. Under that statute, and so far as here pertinent, acts or omissions which would be punishable under State law, if committed or omitted within the jurisdiction of that State, are, under certain conditions, punishable under Federal law if committed or omitted on Federal lands within that State. Those conditions are that the lands must have been reserved or acquired for the use of the United States and be under the exclusive or concurrent jurisdiction thereof, or purchased or otherwise acquired by the United States, by consent of the State legislature, for the erection of a fort, magazine, arsenal, dockyard, or other needful building. However, criminal laws among the several States are not uniform, and in some cases cannot be construed to cover malicious activation of, or interference with, defense alarm systems. Furthermore, as noted above, many missile sites and defense installations are located on lands over which the United States does not exercise either exclusive or concurrent jurisdiction and which do not otherwise come within the purview of this statute. Accordingly, the Assimilative Crimes Act does not offer a solution to the problem.

18 U.S.C. 1362 provides criminal penalties for willful or malicious injury to, destruction of, or interference with communications lines, stations, or systems operated or controlled by the United States, or used or intended to be used for military or civil defense functions of the United States. However, it is questionable whether a security alarm system constitutes a "communications" system within the meaning of that statute, or whether, in the absence of physical damage, activation of an alarm system can be considered an "interference" under that statute.

18 U.S.C. 1382 provides criminal penalties for anyone who, contrary to the restrictions applicable thereto, "enters, remains in, leaves, or commits any act in any military area or zone . . . ." However, this statute does not by its terms, apply to a person who causes mischief from outside the military area or zone, as exemplified by the rock-throwing incidents, since he does not technically "enter" or commit an act "in" the area or zone.

18 U.S.C. 2155 provides criminal penalties for anyone who, with intent to injure, interfere with, or obstruct the national defense of the United States, willfully "injures, destroys, contaminates, or infects" any national-defense material, premises, or utilities. This statute likewise provides an ineffective vehicle for prosecution since it is unlikely that actual injury or destruction of material, premises, or utilities would be involved when defense security systems are maliciously activated.

50 U.S.C. 797 proscribes violations of security regulations promulgated or approved by the Secretary of Defense, any military commander designated by the Secretary of Defense, or the Director of the National Advisory Committee for Aeronautics (now the Administrator of the National Aeronautics and Space Administration), for the protection of certain types of installations and property. The regulations so promulgated must relate to specified matters, including (among other subjects) guard service, ingress to or egress from installations or property, and the safeguarding of installations or property against destruction, loss, or injury. However, the limited nature of the authority conferred by this statute makes it questionable that malicious activation of defense security systems could be covered.

It is therefore considered essential that a specific statute, directed to the problem of false security alarms, be enacted in order that, with appropriate publicity, warning systems at missile sites, aircraft alert areas, and other defense installations, can be protected from the malicious mischief of pranksters and vandals, and the security of our nuclear weapons systems be thereby enhanced. The serious impact of hoax reports of bombs on commercial aircraft brought about specific remedial legislation in 1961 (18 U.S.C. 35). The same necessity for deterrence, which led to the adoption of that legislation, is applicable here, and the imperatives are greatly magnified in view of the direct involvement of the security of our nuclear weapons system.

EDWARD J. MEEMAN, EDITOR OF THE MEMPHIS PRESS-SCIMITAR

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, my district, the State of Tennessee, and our Nation have been enriched by the life and works of the extraordinary man, Edward J. Meeman, who died November 15 at his home, Forest Farm, in Shelby County, Tenn.

Mr. Meeman was the longtime editor of the Memphis Press-Scimitar and at the time of his death was editor emeritus of that newspaper and conservation editor for all of the Scripps-Howard newspapers.

He has left a rich legacy which we all may continue to enjoy—a legacy of example, of courage, and of accomplishment.

His example reaffirmed the American belief that industry and imagination and service bring rich rewards. A poor boy, he began newspapering to earn money for college tuition. But he never got to college. For in newspaper work he found satisfactions and challenges he could not abandon. He pursued them for a lifetime with all the considerable strength of his lively mind—and in the process acquired a breadth of knowledge and understanding that many an academician might envy. Combined with these qualities of mind, his industry and dedication to public service won for him not only a national reputation but considerable wealth.

His courage contributed largely to his success. He was a crusader. And he never took on easy adversaries or sought to realize trivial dreams. His foes were political machines that deprived the people of their right to self-determination. His friends were those who would stand with him and insist that the least privileged of citizens had a right to fair treatment and a respectful hearing. His dreams were big enough to encompass the welfare of the millions. A few among the dreams he helped realize were the Great Smoky Mountains National Park in east Tennessee, the Tennessee Valley Authority, the Shelby Forest State Park in west Tennessee. And he worked persistently over the years for a Federal union of the Atlantic nations which he thought would best preserve for the many those individual liberties set out in our own Constitution.

His accomplishments, finally, were his greatest legacy. They stand as a challenge to those of his profession who would do as well as he. And they remain as a bequest to the generations. Apart from his professional accomplishments as the founding father of one Scripps-Howard newspaper—now the Knoxville News-Sentinel—and for three decades the guiding spirit of another—the Memphis Press-Scimitar—he labored long and successfully for a more beautiful city, State, and Nation, and for the brotherhood of the races of man who together would enjoy them. He was a leader in community race relations. He was an early champion of the Wilderness Act, passed by the last Congress. He was past chairman of the Conference on State Parks and a member of Interior Secretary Stewart Udall's advisory board on national parks. The National Wildlife Federation in 1965 honored him with its first Whooping Crane Award.

Mr. Speaker, I submit for the RECORD the following editorial and memorial accounts of the life and career of Edward J. Meeman:

[From the Memphis Press-Scimitar, Nov. 16, 1966]

EDWARD J. MEEMAN

Mankind is like a great cable stretching from the misty past to the misty future . . . all of us are strands twisted into this cable, some long, some short; some contributing strength, some weakness.

Ed Meeman was a long, strong strand in the cable of human life—77 years old when he died yesterday after 59 years with the Scripps-Howard Newspapers . . . 45 years in Tennessee, 31 years as editor of The Press-Scimitar until 1962, then four years in a new career as Scripps-Howard Conservation Editor.

Meeman had positive convictions and courage and persistence to support them.

He was quick to praise good service to the public, but was stern and impatient with ideas he considered bad, and with those who held such ideas.

Yet there was never any hatred in his heart for individuals.

He was deeply religious, with great faith in the power of prayer.

He was both thrifty and generous. He spent little on himself, saved and carefully invested his money so he could put it to uses dear to him. His philanthropies ranged from the $2 bills he passed out to Negro employes of Memphis Publishing Co. on Christmas Eves to $50,000 for the memorial fund for Senator Estes Kefauver, whom he had encouraged to seek the senatorship to help break the grip of machine politics on the state and work for closer association of the world's democracies. In between the figures mentioned, he made gifts and loans to many individuals and organizations.

Some years ago he established the Edward J. Meeman Foundation to assure that his money would continue to work after he was gone for the things he considered important.

His constant goals as a humanitarian newspaperman were three:

To print all the news of interest and importance to the public—carrying out The Press-Scimitar's motto: "Give Light and the People Will Find Their Own Way."

To stimulate the people to greater interest and activity in civic and governmental affairs on all levels from local to world . . . help them adopt worthy objectives, then help them achieve those objectives.

To awaken the people and their officials to the need for conserving and developing natural resources.

He was never satisfied with his notable successes toward these goals . . . he knew these are things that have to be won over and over.

Monuments to Ed Meeman and his work are many: the Great Smoky Mountains National Park . . . Shelby Forest . . . TVA and its dams and power-line towers . . . mental health facilities for which he sparked drives . . . hotly contested races and huge turnouts of voters showing intensified interest in public affairs. . . .

Many hearts in the community and over the nation feel a deep personal loss today. But their consolation is that Ed Meeman's work and the influence of his personality will be woven into the future by the life-strands which the strand of his own life touched.

Life goes on . . . the movements he helped will go on . . . The Press-Scimitar will go on, serving the people.

And that was Ed Meeman's consolation, too, when he realized that his activity was ended.

[From the Memphis Commercial Appeal, Nov. 16, 1966]

EDWARD J. MEEMAN

Edward J. Meeman, dead at 77, was guided by one great desire—to see the resources created by God used fully and well by mankind.

This, as we knew the longtime editor of the Memphis Press-Scimitar, was his credo.

Call him a reformer if you wish, and you'd be partly right. But his passion was not merely for change; rather it was for making men conscious of what they might put into life while they were taking from it.

How men govern themselves, how they preserve and conserve their country's heritages and lands, how they hold back the neon tidal wave of ugliness along highways, how they use their personal capacity for work—all these were Ed Meeman's interests.

His lifelong dedication to conservation reached from the Great Smokies of East Tennessee to Shelby Forest by the Mississippi River—the area where he chose to make his home. He will be remembered as an early advocate of the Tennessee Valley Authority—in the river taming time. In later years, he expanded his conservation concern to a national scale. But it was not to save a tree or a lump of soil that motivated him; what he wanted was for future generations of Americans to share and know the country of their ancestors, and to have left some broad horizons not eaten away by erosion and urbanization.

Government is always of vital interest to a good editor, and Ed Meeman came to Memphis 35 years ago with that goal at heart. Right or wrong, win or lose, he fought for what he believed best for the City of Memphis. His thinking was marked by independence and conviction, and his positions were pressed with persistence.

In an out-reaching spirit, he occupied himself with deep enthusiasm in such projects as Atlantic Union and Moral Rearmament—idealistic dreams, to be sure, but dreams which he believed to be aimed at the well-being of all people.

As a newspaper editor—one who was both a rival and a colleague—he had the acknowledged qualities of courage and fortitude—both physically and intellectually.

[From the Knoxville News-Sentinel and other Scripps-Howard Newspapers, Nov. 16, 1966]

EDWARD J. MEEMAN

He was the "elder statesman" of Scripps-Howard, a man rich in years and personal accomplishment at the time of his death yesterday at age 77.

His titles during his late years included conservation editor of the Scripps-Howard Newspapers and editor emeritus of The Memphis Press-Scimitar. But they didn't begin to tell the inspiring, up-by-the-bootstraps story of Edward J. Meeman, scrapper, dreamer, founding father of one of Scripps-Howard's most successful papers.

His Scripps-Howard career began in 1907 when, as an 18-year-old high school graduate, he joined the staff of his hometown paper, The Evansville Press. By 1916 he was its managing editor.

In 1921 with a shirt-tail full of type and only two reporters he founded a Scripps-Howard paper, The Knoxville (Tenn.) News, in a city already served by two well established dailies.

Driving energy, vitality of mind and fearless presentation of and comment on the news characterized his career. And within four years those qualities made The Knoxville News the city's largest daily. The afternoon Sentinel was absorbed and Ed Meeman became editor of The Knoxville News-Sentinel. Throughout the Knoxville years he exposed corruption in city government, won his fight for a city manager plan, urged such locally unpopular moves as repeal of prohibition and the antievolution law, and helped create the Great Smoky Mountains National Park.

When he became editor of The Memphis Press-Scimitar in 1931 he brought his enthusiasms with him. His tooth-and-toenail fight against Boss Crump's domination of the city and state won national attention. His good-government campaigns eventually broke boss rule and helped launch the late Sen. Estes Kefauver on his national career. Shelby Forest, a handsome state park, stands on the outskirts of Memphis as a monument to his imagination and enterprise.

A vocal champion of good local government, he nevertheless dreamed of—and campaigned for—a Federal Government that would embrace the entire Atlantic community. A practicing liberal, he was quick to condemn and expose shoddy causes that wrapped themselves in a "liberal" flag.

Ed Meeman was a bachelor who made newspapering his life and love. He was a rugged individualist and, even rarer, a practical idealist. But throughout his long career in a hard-boiled business he never lost his belief in people or his deep personal concern for their dignity and their rights. Nor did he ever lose his sense of excitement and wonder about the world and the events that made it turn.

He fitted the description of the ancient Chinese philosopher Mencius who described a great man as one "who does not lose his child's heart." For all his years and all his battles Edward J. Meeman never lost his "child's heart." And this, too, helped make him a great editor.

[From the Scripps-Howard News]

MEMPHIS.—"There was never a man quite like Edward J. Meeman," Null Adams, assistant managing editor of The Press-Scimitar, said at a memorial service for the late editor.

"He was many things to many people as most great men are.

"He was a human dynamo. He was a ball of fire. And his was a victorious life."

The memorial service for Mr. Meeman, editor emeritus of The Press-Scimitar and conservation editor of Scripps-Howard Newspapers, was held at First Unitarian Church, which overlooks the wide expanse of the Mississippi River as it turns past Memphis for New Orleans. The church was filled with friends, including most of the staff of his newspaper.

Mr. Meeman was cremated and his ashes were buried, in keeping with his instructions, on his beloved Forest Farm near Shelby Forest which he helped create. There was no usual funeral, thus the memorial service.

The Rev. James Madison Barr, pastor, presided and introduced Adams who had served 30 years as city editor—most of it under Meeman—before he was promoted to assistant managing editor by Charles H. Schneider, editor of The Press-Scimitar.

"Monuments to Edward J. Meeman are everywhere," Adams said.

"The Great Smokey Mountains National Park in East Tennessee which he fought for as editor of The Knoxville News-Sentinel.

"The great network of Tennessee Valley Authority hydro-electric power dams on the Tennessee River which provide flood control, navigation and cheap electricity for the rural homs and cities of Tennessee. These power plants made possible the Oak Ridge atomic plant. The great power plants were a by-product.

"But Edward J. Meeman's greatest love of the TVA, he said many times to me as we campaigned to establish TVA throughout the area, were the forests, lakes and recreation areas which were created by the building of the dams on the river.

He established Shelby Forest almost single handed. We used to survey these overflow-cut-over land areas on Sunday afternoons looking for a forest site. One Sunday afternoon his car was stuck in the mud. "What do we do now?" he asked. "Find a farmer with a team of mules to pull us out," I replied. We did and he was as happy as a child over the experience. All his life, he said, he had heard of being pulled out of a mudhole by a team and at last it had happened to him.

"The great city hospital complex grew out of the first John Gaston Hospital which he fought for as an editor.

"The expansive mental health program in Memphis, with two fine new mental hospitals, which came from his newspaper's campaign.

"Conservation projects across the nation came about after Edward J. Meeman grew nationally into conservation editor for Scripps-Howard Newspapers.

"But the greatest monument of all to Edward J. Meeman does not show in brick, mortar and steel, nor in the expansive recreation areas. Nor in the giant hydro-electric power plants.

"It's in the hearts and minds of his fellow citizens—in the hearts and minds of the entire community.

"It is freedom—freedom of speech and free elections—which is Democracy at its best. Under Edward J. Meeman's leadership, the Press-Scimitar sparked the movement that took the chains off citizenship in Memphis and Tennessee.

"His was a victorious life.

"He fought and defeated a state political machine.

"He fought and defeated a powerful county political machine.

"He exposed and broke up crooked elections.

"He brought about permanent registration of voters in the state as another stepping stone to honest elections.

"He secured voting machines for Shelby County to insure an honest count of the ballot.

"He got rid of back-alley voting places and now most elections are held in schools and churches.

"Perhaps the greatest of all his victories lies ahead—when Memphis changes its form of government in 1968.

"He lived to see the people approve Mayor-Council form of government. He had advocated City Manager form for 20 years. There are some City Manager procedures in the new Mayor-Council plan—thanks to Edward J. Meeman.

"He inspired those who worked for him to get more out of life—spurring them on to greater undertakings. As one of those, I quit trying to keep up with him. I just followed along. And I mean this literally. Did you ever try to go hiking over the hill of Shelby Forest Farm with him? If you did—you know what I mean.

"Edward J. Meeman's slogan was 'Citizens, working alone, can accomplish much. A newspaper, working alone, can accomplish much. Citizens and a newspaper, working together, can accomplish anything.'

"Nothing—for the good of his community and his newspaper—was ever impossible to Edward J. Meeman. His life shed light on the community, state and nation.

"His accomplishments will benefit generations to come.

"Edward J. Meeman left some big footprints on the sands of this community's life. And some examples and goals to challenge our imagination in the years to come."

[From the Scripps-Howard Newspapers]

MEMPHIS, TENN., November 16.—Tributes to the memory of Scripps-Howard's "elder statesman," Edward J. Meeman, poured in today from the First Family, Interior Secretary Stewart Udall, Congressmen, colleagues and other friends he had made during a long and vigorous newspaper career.

Mr. Meeman, conservation editor of The Scripps-Howard Newspapers and editor emeritus of The Memphis Press-Scimitar, died at his home, Forest Farm, outside Memphis after suffering a heart attack yesterday. He was 77.

Said Mrs. Lyndon B. Johnson, with whom Mr. Meeman shared an enthusiasm for a more beautiful America: "The voice and pen of Mr. Meeman have been stilled. But his invaluable work over many years in conservation is a lasting legacy to all Americans. Through his efforts we shall all be richer in the beauty of our land."

Secretary Udall hailed Mr. Meeman's "yeoman work" as a member of the Interior Department's advisory board on national parks. Said Udall: "For many years he was the leading voice for conservation in the midcontinent area. Over the years his crusades for conservation resulted in landmark decisions which have affected the continent and enhanced the future of all citizens . . ."

Mr. Meeman died as his colleagues, editors of all of the Scripps-Howard Newspapers, were meeting in annual conference at Hollywood, Fla. They adopted this resolution:

"Ed Meeman was a man of firm convictions, indivisible integrity, and a warm heart. His 59 years in the newspaper business were devoted to service in his community, and toward the preservation and enhancement of the outdoors.

"Parks and wilderness have been dedicated to all future generations because of his imagination and constant efforts.

"His associates among the Scripps-Howard editors, who are meeting in Hollywood, will miss his lively eloquence, his sound point of view, and his gentle presence.

"'Thirty' comes inevitably to every editor, and in the case of Ed Meeman it comes with a silent moment of gratitude for his many fruitful years."

Individually his colleagues offered these tributes:

Jack R. Howard, President and Editorial Manager of Scripps-Howard Newspapers: "When I think of Ed Meeman I think especially of two things, courage and tolerance for the other man's point of view. He had these qualities in abundance. And that is why he was a great editor for more than 40 years."

Walker Stone, Editor-in-Chief of Scripps-Howard Newspapers: "We who had the good fortune to work for years with Ed Meeman feel a great loss. He was a superb editor and a fine citizen."

Charles E. Scripps, Chairman of the Board of Scripps-Howard Newspapers: "No journalist ever dedicated himself more completely or more sincerely to his profession. In this way Ed Meeman served his country and the community in which he lived as few men have."

Frank Ahlgren, Editor of the Memphis Commercial-Appeal:

"Ed was a man of great courage—physically and intellectually. He was an honorable, dynamic member of his profession. Journalism has lost a distinguished member."

Loye W. Miller, Editor of the Knoxville News-Sentinel: "Ed Meeman was more than a great newspaperman. He was a great humanitarian. He never had a family himself, but he was a lifetime champion of the Family of Man."

Boyd Lewis, President and Editor of Newspaper Enterprise Ass'n.: "I never knew a more helpful man or a more able colleague than Ed Meeman. He was often my spur and conscience—and always appreciated."

Mark Ferree, Executive Vice President and General Business Manager of Scripps-Howard Newspapers: "I feel very heavily the loss of a highly esteemed friend and colleague in Ed Meeman's passing. He will be long-remembered for his integrity and purpose as a citizen and one of the country's most respected editors."

George Carmack, Editor of the Albuquerque Tribune: "Few men who ever lived could be called noble. In fact I can think of only one man I ever knew who could truly be called a noble man. This man was Ed Meeman. No man ever forgot himself and thought of others—or his city, his state and his nation—more than Ed Meeman.

The Tennessee Valley Authority's chairman, Aubrey J. Wagner, spoke for the TVA Board in saying:

"A generation produces only a handful of real giants in conservation. Ed Meeman was one of those for our time. Both his reasoned judgment and his instinctive responses to issues concerning resource use and resource conservation invariably reflected his primary concern for the long-term public good.

"His deep interest and great confidence in TVA and its significance have been a continuing inspiration to all of us for a third of a century."

Sen. Albert Gore (D., Tenn.) hailed the longtime editor as "one of the finest, gentlest, most genuinely unselfish people I have ever known" and praised Meeman's "devotion to human betterment in all respects."

Sen. Ross Bass (D., Tenn.) said he was "honored to count Ed Meeman a friend. He was an outstanding journalist and editor and a progressive-minded community servant."

One of the nation's top conservationists, Thomas L. Kimball, executive director of the National Wildlife Federation, said that because of Meeman's conservationist zeal, "millions of Americans are enjoying a better life. Perhaps this, more than any other accomplishment in his long and productive life, is the true measure of his greatness."

A memorial service will be held at 3:30 p.m. tomorrow at the First Unitarian Church in Memphis. Mr. Meeman willed that his ashes be buried at Forest Farm "that they might return to the eternal uses of the earth."

THE WORK AND SERVICE OF THE HOUSE SMALL BUSINESS COMMITTEE

Mr. EVINS of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a summary of the report of the House Select Committee on Small Business during the 89th Congress.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, during these early days of the 90th Congress, I would like to remind my colleagues—and especially those who have just been elected to serve their first term in the House of Representatives—that the House Small Business Committee and its staff stands ready at all times to serve all Members of the House who may desire help in handling the problems confronting their small business constituents.

It is recognized that small and independent businessmen face a wide variety of problems. The House Small Business Committee and its staff, over the years, by virtue of its experience and expertise, has established a distinguished record of successes and accomplishments in its work in behalf of American small business and in strengthening our free enterprise system. All Members of the House are invited to call upon the committee for assistance in any area of complaints and problems advanced by their small business constituents. I know that my distinguished colleague, the gentleman from West Virginia, Congressman Arch A. Moore, Jr., ranking minority member of the committee, joins with me in this statement.

Mr. Speaker, I have asked unanimous consent to have reproduced and reprinted in the body of the Record a summary of the reports prepared by the committee during the preceding 89th Congress.

Most of the hearings and investigations conducted by the committee during the last Congress are summarized in nine different reports approved by the full committee and now on file with the Clerk of the House of Representatives. The final report contains, among other things, a brief summary of these nine reports, which are listed below. Copies of all of these reports are available to Members of the House. Requests for needed copies should be made to the committee. The reports are:

Organization and Operation of the Small Business Administration—1966;

Small Business Investment Program of the Small Business Administration—1966;

Tax-Exempt Foundations and Charitable Trusts: Their Impact on Small Business—Report of the Subcommittee Chairman to the Subcommittee;

Small Business Subcontracting and Set-Aside Programs—Procurement;

The Role of Small Business in the Air Transportation Industry—Air Travel Agents and Air Freight Forwarders;

Small Business Problems in Urban Areas—small businesses displaced or injured by urban renewal and other federally financed construction projects;

Activities of Regulatory and Enforcement Agencies Relating to Small Business—Federal Communications Commission;

The Effect of Corn Marketing by the Commodity Credit Corporation upon Small Business;

Tool and Die Industry, and Associated Problems of Manufacturers and Distributors of Machine Tools; and

Final Report—A summary of the various investigations and hearings conducted by the committee during the 89th Congress.

REPORT ON THE ORGANIZATION AND OPERATION OF THE SMALL BUSINESS ADMINISTRATION

During the public hearings covering the Small Business Administration, all of the operations of the agency were reviewed by the full committee. Special emphasis was placed on three issues: First, the recent loan curtailments, policies, and funding of the agency; second, the small business lending program under title IV of the Economic Opportunity Act; and third, the operations of small business investment companies under the Small Business Investment Act of 1958, as amended.

A field investigation into the operation of title IV of the Economic Opportunity Act was conducted in Detroit. The information thereby adduced together with the evidence developed during the course of the hearings indicated to some members of the committee that the small business lending program of the Office of Economic Opportunity should be transferred to the Small Business Administration. During the debate on this bill in September 1966, the chairman and other members of the committee supported an amendment offered by the gentleman from Michigan, Representative Dingell, to carry out this transfer, which amendment was adopted by the House.

Much criticism had been received concerning the investment program. The committee devoted a good portion of the hearing to this problem. As a result of these hearings and hearings by other committees pertaining to the small business investment program, legislation was enacted which will enable the Small Business Administration to supervise these companies more efficiently and enhance the effectiveness of the program.

REPORT ON TAX-EXEMPT FOUNDATIONS

The report of the subcommittee chairman, the gentleman from Texas, Representative Wright Patman, has brought to light many instances in which the tax-exempt privilege has been abused; instances in which unfair practices were applied in a manner prejudicial to small business and to other businesses not enjoying tax exemption.

The work of the subcommittee has been noted by the Treasury Department and the Internal Revenue Service. Indeed, President Johnson recognizes the problem of foundation-controlled enterprises in competition with taxpaying businessmen, and has called upon the Congress "to deal with abuses of tax-exempt private foundation." See the President's Economic Report to Congress, January 27, 1966, page 18.

The report of the subcommittee chairman describes and summarizes the results of the investigations conducted by the subcommittee during the 89th Congress.

REPORT ON SUBCONTRACTING AND PROCUREMENT SET-ASIDE PROGRAMS

The subcommittee's hearings, under the chairmanship of the gentleman from New York, Representative Abraham J. Multer, were held in the wake of a change made by the then Administrator of the Small Business Administration, who transferred the responsibility for set-asides from SBA to the procurement agencies and eliminated SBA's procurement center representatives.

Additional testimony regarding the set-aside change was taken from SBA following the appointment of Bernard L. Boutin as the new Administrator. He requested an opportunity to study his predecessor's change in the set-aside program and to return to the committee with recommendations at the beginning of the 90th Congress. The Director of the Bureau of the Budget also testified that the change would be reconsidered and reported to the committee at the same time.

REPORT ON THE ROLE OF SMALL BUSINESS IN THE AIR TRANSPORTATION INDUSTRY (TRAVEL AGENTS AND FREIGHT FORWARDERS)

The Distribution Subcommittee held hearings on the role of small business in the air transportation industry. These hearings were primarily concerned with the problems of small business travel agents, particularly with respect to the sale of air passenger transportation.

Seven hearings were held, including sessions in Los Angeles, Chicago, and Washington. Over 100 witnesses testified or filed statements.

At the opening session of the hearings, the vice president of the Air Traffic Conference informed the subcommittee of the air carriers' willingness to join with the travel agents in forming a joint committee to study ticketing costs. This project, which had long been sought by travel agents, has since become a reality and is well on the road to completion.

The carriers, shortly after the announcement of the hearings, also withdrew a new proposed schedule for commissions which had been vigorously opposed by the travel agents because it reduced by 40 percent the commissions they would receive on the largest single category of tickets. Another byproduct of the hearings has been the granting, on a regular basis, of reduced-rate air transportation to travel agents for their personal use so as to allow them to become familiar with tourist and vacation areas and facilities.

NEW PLYWOOD STANDARDS

During the 89th Congress, the Distribution Subcommittee learned that the new standards committee working with the Secretary of Commerce on the proposed new plywood standard was composed exclusively of members of the American Plywood Association. The gentleman from Illinois, Congressman KLUCZYNSKI, acting chairman of the subcommittee, wrote the Secretary of Commerce calling this to his attention and requested that representatives of the independent sector of the industry be appointed to the committee. Shortly after the letter was sent, the committee was enlarged to include independent representation.

REPORT ON SMALL BUSINESS PROBLEMS IN URBAN AREAS (SMALL BUSINESSES DISPLACED OR INJURED BY URBAN RENEWAL AND OTHER FEDERALLY FINANCED CONSTRUCTION PROJECTS)

Hearings were held by the Subcommittee on Urban Small Business Problems under the chairmanship of Representative JOHN C. KLUCZYNSKI in Chicago, Rochester, New York, Atlanta, and Washington. Testimony was received from over 200 witnesses, the bulk of whom were small businessmen. The witnesses also included such notables as the mayors of New York, Chicago, Rochester, and Atlanta, and the Secretary of the Department of Housing and Urban Development. Hearings were held in small business shopping centers, small business retail outlets in areas scheduled to be demolished, and shopping plazas, as well as the more usual formal hearing rooms. A wealth of new information concerning the problems actually confronting the Nation's urban small businessmen was compiled. Roundtable discussions by members of the academic community, the planning profession, city managers, and consultants were also held, during which these problems were subjected to intense analysis and scrutiny.

As a result of the hearings, the new Administrator of the Small Business Administration issued directives to all field offices that they are to establish at once close liaison with the field offices of the Department of Housing and Urban Development and those units of local government in charge of urban renewal. The purpose of this liaison will be to see that every small businessman who is displaced by urban renewal is personally informed of the programs available to him in conjunction with urban renewal.

The subcommittee has also received assurances from the Secretary of the Department of Housing and Urban Development and the Administrator of the Small Business Administration that several programs which have been enacted by the Congress but have not been implemented by these agencies will, in the immediate future, be fully operative.

REPORT ON ACTIVITIES OF REGULATORY AND ENFORCEMENT AGENCIES RELATING TO SMALL BUSINESS (FEDERAL COMMUNICATIONS COMMISSION)

Throughout the 89th Congress, Representative JOHN D. DINGELL was chairman of the Subcommittee on Activities of Regulatory and Enforcement Agencies Relating to Small Business. During the first session of the Congress, testimony was developed by the subcommittee from representatives of the Federal Trade Commission and the Antitrust Division, Department of Justice, and appropriate divisions of the Department of Agriculture. A summary of this testimony will be found in the committee's final report, chapter XII.

During the second session of the Congress, hearings were held on the activities of the Federal Communications Commission relating to small business. Testimony was received from spokesmen for small business florists concerning the entry of Western Union into the direct sale of flowers in intercity markets. They were fearful this would deprive them of a large portion of their market because of Western Union's access to the contents of messages sent for congratulatory purposes and other factors. The Commission, subsequent to inquiry lodged by the subcommittee, has instructed Western Union to prohibit its employees from using the contents of messages for the purpose of soliciting orders for flowers.

Testimony was also received concerning the allegedly discriminatory rate structure of the television networks for advertising purposes. During testimony before the subcommittee, ABC and NBC announced the abandonment of their former rate structure and the issuance of a new rate card which eliminated the alleged discriminatory practices.

Testimony was also received from spokesmen for small businessmen desiring the designation of additional radio spectrum so that they might make fuller usage of land mobile radio. Subsequent to an inquiry lodged by the subcommittee with the Commission, field studies of the feasibility of assigning additional spectrum for this purpose, which had long been sought by land mobile users, were commenced.

Testimony was also received from the proprietor of a proposed common carrier microwave system and spokesmen for small businessmen shared time computer center regarding the necessity of additional facilities, at reasonable cost, for the transmission of data. Subsequent to the receipt of this testimony by the subcommittees, the Commission has ruled that microwave may now be used for common carrier purposes and that a number of smaller firms may share the same facilities.

Testimony was also received from the telephone answering industry, independent producers of television programs, independent marketers of telephone equipment, radio and television station representatives, the National Association of Broadcasters, the community antenna television industry, and other small business communication interests.

REPORT ON THE EFFECT OF CORN MARKETING BY THE COMMODITY CREDIT CORPORATION UPON SMALL BUSINESS

During June 1966 the Subcommittee on Special Investigations of Small Business Problems, under the chairmanship of the gentleman from Iowa, Representative NEAL SMITH, conducted 5 days of hearings concerning the effect of corn marketing by the Commodity Credit Corporation upon small business.

The subcommittee had received numerous complaints concerning price discrimination and other marketing factors which alleged that country elevators and other small businessmen had not been allowed to participate equitably in the purchase of Commodity Credit Corporation corn. The complaints dealt specifically with an extremely heavy sale of corn by CCC during the first several months of the 1965 corn marketing year which began on October 1, 1965.

Following a rather comprehensive field investigation, public hearings were held at which testimony was received from cooperative associations and independently owned elevator and warehouse operators from the Iowa and Minnesota grain marketing areas. Witnesses from the Department of Agriculture also testified.

Based upon the subcommittee investigations and hearings, the committee adopted a report, House Report No. 2082, which contains the findings, conclusions, and recommendations of the subcommittee.

Subsequent to the adoption of the above report, owners of country elevators and independent warehousemen have reported that they are well pleased with developments that have taken place as a result of the subcommittee's hearings. They have commended the subcommittee and expressed their deep appreciation for the subcommittee's help.

REPORT ON SMALL BUSINESS PROBLEMS IN THE TOOL, DIE, AND MACHINE TOOL INDUSTRIES

The Subcommittee on Special Investigations of Small Business Problems, under the chairmanship of the gentleman from Iowa, Representative NEAL SMITH, also conducted hearings on July 26 and 27, 1966, concerning problems of the tool and die industry and associated problems of manufacturers and distributors of machine tools.

For some time the committee had received information from these industries that they were faced with important problems involving the inability to expand and modernize because of a lack of capital and the inability to meet production requirements because of a lack of skilled manpower. This matter was referred to the Subcommittee on Special Investigations of Small Business Problems and hearings were conducted.

At these hearings representatives of tool and die manufacturers, machine tool producers, and machine tool distributors appeared before the subcommittee. Testimony was also received from officials of the Small Business Administration, the Department of Commerce, and the Department of Labor. Special emphasis was placed on the tool, die, and precision machine industries because all of the problems affecting these industries specifically affected the tool and die manufacturers. This entire industry is comprised of small businessmen.

THE COMMITTEE'S RECORD OF ACCOMPLISHMENT

Mr. Speaker, over the years the House Small Business Committee, time and again, has proven its usefulness to the Members of Congress and to the small business community.

The committee has established a long and distinguished record of service and accomplishment. During the 90th Congress, the committee once again will endeavor conscientiously to maintain this tradition.

INAUGURAL ADDRESS OF GOV. HAROLD LeVANDER OF MINNESOTA

Mr. MacGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include the inaugural address of the new Governor of Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MacGREGOR. Mr. Speaker, on January 4, 1967, Gov. Harold LeVander gave his inaugural address to the 65th session of the Legislature of the State of Minnesota.

In this forward-looking address Governor LeVander called for "a new generation of problem solvers, a new breed of men and women." Mr. Speaker, this document is consistent with the campaign statements of Mr. LeVander. It encompasses the 1966 Minnesota Republican State platform, one of the finest State party platforms ever drafted in this Nation. It outlines a solid program to make Minnesota a leader in the community of States.

I am proud to insert Governor LeVander's address in the Record:

Inaugural Address

Mr. Speaker, Members of the Legislature, the Judiciary, Constitutional Officers, and Citizens of Minnesota.

I come before you today with a great sense of humility and an unashamed pride—humility in the awareness of the trust you have placed in me and the responsibilities I have been asked to bear. And pride in having the opportunity of giving four years of service to the great State of Minnesota.

As we come here today called by this historic ceremony—a ceremony that has been repeated for 32 Governors in this State, I can't help but consider how they must have regarded their new position. I wish I had some mystic powers to find out.

But I do know and frankly want you to know that being Governor means to me.

I approach being Governor hoping to serve the people as a leader in problem-solving.

There is a strong tradition of problem-solvers in Minnesota. Sweep through the pages of our history.

The frontier had to be settled.
Forest pushed back.
Homes built.
Schools erected, churches constructed.
Turn more pages and you see
Mines being scooped.
Trains being tracked.
Highways being laced.
More recently we've seen
Airports dotted across our land and special institutions built by the State.

These were the tasks for the previous problem-solvers. They were clear cut, tangible, easy to grasp.

They needed to move—so they paved roads.

They needed to farm—so they cleared the land.

They needed to learn—so they built schools.

Their's was an age of activity . . . ours a decade of decision.

In deliberation is wisdom . . . in decision is a bold new stroke of progress; progress tempered by the years of painful adolescence and restless penetration into an unknown future.

Let us now employ the fruits of our labors.

Let us embark today—in 1967—upon the decade of decision.

Our decade of decision can be an era of resolve unsurpassed in Minnesota history. It can be a period of unprecedented growth, of unrivaled acclaim.

It can produce the day of reckoning for our social ills. It can light the path to equal opportunity.

The groundwork has now been laid, the foundation entrenched. Our North Star State is standing on the brink of maturity.

The next steps must be firm, bold, decisive.

We must produce a decade of decision.

In order to solve their difficulties, our fathers mobilized money and manpower. Granted, this is perhaps an over-simplified analysis, yet in reality these two resources were constantly used as answers to the pressing issues. And with confidence, impatience and optimism, they solved their problems. Even the early folklore of these people reflects an expectation of quick, easy answers that only demanded organizing our resources. Remember the tales of Paul Bunyan. When Babe the Blue Ox needed a new pair of shoes the blacksmith had to open a new iron mine—to give Babe drinking water, Paul scooped out the Great Lakes.

As Americans we are still living out the folklore. We issue an alliance for progress in South America and expect immediately political and social calm. We are frustrated by a war in Viet Nam which may not be concluded in the near future. Clearly the temper of our history is haste.

May I here interrupt just long enough to officially extend to our fine Minnesota men serving our nation in Viet Nam the congratulations and well wishes of their new Governor.

But now that we in haste constructed the artifacts of civilization, what do we really have.

We have strung poles from coast to coast, vastly improved the techniques of communication, but have we given equal attention to what we want to communicate?

Now that we have hurled highways across the State, must we witness a continual funeral procession travel those highways?

Now that we have built correctional institutions, are we more interested in the institutions and less concerned with the correction?

We have built the schools and laid a foundation for education, but have we only transmitted information and not instilled wisdom? A Chicago professor interested in the humanizing effect of education said you are educated only if you can answer "yes" to these questions:

Do you sympathize with all good causes?

Are you public spirited?

Are you a brother to the weak?

Will a lonely dog follow you down the street?

We have sprouted high-rise apartments for our senior citizens' well-being, but have we nurtured concern for their real happiness or peace of mind? Have we kept for them Robert Browning's attitude toward old age, "It's the last of life for which the first was made."

Now I don't mean to say we aren't going to have to continue to build roads, schools, hospitals and sewage plants. But rather, I want to suggest that there is a shift in the nature of the problems we face. There is a change in emphasis. No longer are the urgent issues the mere collection of physical resources—clearing, building, paving; but the application of mental capacities—wisdom, understanding, motivation and concern. Basically problems solved through the application of the mind and the invocation of the heart. The problems of maturity are not the same as those of adolescence. Nor are the problems of 3½ million people living in the same area formerly occupied by a few thousand pioneers the same.

That's why this State calls for a new generation of problem-solvers, a new breed of men and women.

And these people must have special attributes.

They must have keen minds and a sense of judgment. Never before have so many of our problems been approached by so many avenues. On almost every question before us today there are studies, surveys, reports, lists and hypotheses. We need people who have critical and analytical minds.

We need people who have an understanding and compassion for men. We need people who want to follow the commandment "Love one Another".

Because our most critical problems are really people problems, we are going to have to try to understand people. How do we encourage society to accept the former convict? How do we motivate underprivileged children? How do we create true harmony among races? How do we assure our senior citizens of a meaningful life? These concerns touch the individual personality. It's our own responsibility to dream the dreams that will ease the hurts of mankind.

Our new problem-solvers must also be people willing to cooperate. The problems of a mature Minnesota stretch beyond our towns, counties and districts—they are problems of all of us. Education, human rights, mental health, conservation, metropolitan sprawl, recreation—these aren't problems of Montevideo, Montgomery or Monticello. These burdens lie before Minnesota.

It's going to take all of us working together for the higher goal—the greater good. Don't misunderstand me. I'm not asking you to deny your community loyalty. My dedication to South St. Paul is well known. But I am asking you to answer the call and meet the challenges of Minnesota.

And thirdly, our new problem-solvers will need patience, perserverance. These problems will not disappear within 1967, or my administration or the 20th Century. But we must begin today. There is no clear-cut single answer to all of these problems. Their causes are complex and illusive. Those of us working to try to solve them will be frustrated and wearied. But as a people we should pray not so much for our problems to disappear as for the resolution to grapple with them. For as we shed the endearing garments of childhood and adolescence and take upon ourselves the heavy mantle of a mature people, we must develop the inner and outer demeanor requisite of that statute, for greatness is measured not in pomp and circumstance, but in the steadfast determination and total commitment to bearing mighty burdens.

And there is a hope of greatness in Minnesota's destiny; if her new problem solvers will grant her her full potential as a State. For too long we have been comforted by slogans rather than striving for solutions, cautious instead of creative, become timid in the face of an alert and aggressive federal government. A Federal Government called upon by the people to fill the vacuum of the State's inactivity.

Surely we have waited as long as we dare to reassume the direction of our State's destiny. And while we must enter a new era of decisive activity here, we must also be prepared to push our abilities to the limit in the interest of cooperation with the Federal Government.

We must be alert enough to lead; yet wise enough to follow.

We must be bold enough to innovate; humble enough to learn from others.

This decade will determine if the states are sincere about their responsibilities not only their rights.

The responsibilities that lie before us are varied, and no one knows better than you, the Legislators of this State, the urgency of resolving our problems.

But the opportunities that beckon also are vast. For an interested and inspired State can chart new programs. Programs that could be models for other states and examples for federal action.

I am asking Minnesota to take the opportunity to initiate and implement programs that will set the pace for meeting our present and future problems. In a word, I am asking Minnesota to lead.

If we in Minnesota can't create racial harmony, we should ask no state to do it.

If we in Minnesota can't handle our Metropolitan problems, we should expect no state to do it.

If we in Minnesota can't develop our natural and human resources, we should challenge no state to do it.

FEDERAL-STATE RELATIONSHIP

But for us in Minnesota to assume our responsibilities and assure problem solving, we must have a strong financial foundation. Because the Federal Government has preempted the best sources of revenue from the states, I suggest we consider a system of federal-state tax sharing. At a Governors' conference last month, I proposed that 5% of the personal income tax money collected by the Federal Government be kept in each state. This procedure would not tamper with existing federal programs to the states, merely give the states an additional source of funds to finance its program for its people.

The states also need a redefinition of their role in the area of federal financed programs. We have learned from recent experience that centralized administration from Washington in its inability to adapt to local variations often defeats the very purpose of the program. In the light of this knowledge, there must be developed in the next decade a new relationship where the states assume the major responsibility for the administration and adaptation of the programs with federal financial assistance.

STATE AND LOCAL GOVERNMENT RELATIONSHIP

But Minnesota must define its role with the local communities as well as with the Federal Government. It should be a vigorous agency to counsel the local community, coordinate intra-community efforts and provide financial assistance when needed.

For example, the need for business development is acknowledged, but bringing it about needs a new creative, confident and cooperative thrust.

We have witnessed what a Taconite Amendment could do for the Range.

We must be willing to take similarly positive action to encourage the copper and nickel industry which may have potentials as great or greater than taconite.

But business development can be made to flourish in other parts of the outstate which have been suffering economic decline as well.

By enlisting the active support of organized labor, together with the maximum use of our talent in our colleges and universities and the cooperation of private industry and their research departments and councils, with better financial and promotional support from a reorganized and revitalized Business Development Department matching funds with local organizations, we can attract new business and expand existing business. The job opportunities thus created can perhaps stem the costly brain drain from our state that we are presently experiencing.

The call for new problem solvers is nowhere more apparent than in the relation of local communities to each other in problems that transcend geographical boundaries. I refer to the unique difficulties occasioned by our metropolitan sprawl.

You need only to have your patience tried in the nightly bumper-to-bumper lineup of cars and buses on a hundred roads in the Twin City area to realize the demand for such an intercommunity or area-wide service effort. This congestion merely mirrors the complex problems oozing out of our massive urban growth. While the transit problem is most apparent, other concerns are equally demanding. So urgent is the need for this state to act, I'm going to outline a proposal today to enable the people of the metropolitan area to be adequately served by an instituted agency. I won't pretend to expect that this proposal shall be adopted chapter and verse. Modifications shall be made. But I do expect this administration to begin, to begin today, to build its reputation as an administration and a Legislature willing to accept the challenge of change in this decade of decision.

With that understanding then, I recommend for your consideration an area-wide services council to provide important services for the seven-county Twin Cities area. This council could coordinate the functions of the present single purpose districts and would be given operating authority over most or all of these services:

1. Sewage disposal
2. Planning parks and open space
3. Transit system
4. Air and water pollution
5. Maintaining a central data center
6. Planning
7. Approval of Federal aid applications from local communities.

Federal funds are available to local communities only if they can demonstrate their project is part of an overall master plan.

After the creation of the Metropolitan Services Council, it would receive the transfer of the functions now held by the Metropolitan Planning Commission. This move is in line with a recommendation by that body.

The method of selecting representatives to serve on the council is a debatable point. We have had much debate, now let's decide. Any representation plan should fulfill the principle of preserving a high degree of responsibility to the communities being served, while functioning under authority of the Legislature.

The council should be made up of one member for each Senatorial District, giving us 31 members elected for two-year terms on a staggered basis. Selection of members on the council could be provided by either direct election within each senatorial district or appointment by the three legislators from each district.

The method of financing the functions of the Metropolitan Area Services Council would be a combination of state resources and resources from services offered. The taxing powers of the Metropolitan Council would be reserved for a two-year period, if then taxing power were to be granted the taxes must be based on a non-property resource.

We have related the question of coordinating planning to the metropolitan area. In the immediate future, however, and even today, growing urban areas throughout the state, such as Duluth, Rochester, Mankato, St. Cloud, are experiencing similar problems and needs.

Under the statute that I hope will come out of this session of this Legislature, these communities as well as the Twin City area will be authorized to establish area services councils.

To tie these councils together and to share common services and resources, a level of state coordination and information into the Governor's office is desirable which can be accomplished by an Office of Urban Affairs. I feel that instead of creating an independent office, the State Planning Agency should be enlarged by adding this office to its present responsibilities.

In order to efficiently and effectively be able to meet the growing state-wide demand for area services councils, we must realize that modification of the Unanimous Consent Law is necessary. I ask you to take such action.

If the state takes this initiative to be of service to local communities by the establishment of area-wide services councils, I think we can meet the challenge of change.

The state must also define its position to local communities and to its people in regard to taxation. In three weeks I shall detail specifically my budget message which shall include not only recommendations as to departmental finances, but provisions for tax reform. But a sketch of a few basic suggestions I would like to offer now.

We must do something immediately about the tremendous property tax burden our people are forced to carry. We can do this—and I ask most sincerely that you do.

First, property tax relief must be given to our senior citizens. A sliding scale should be devised, patterned after the Wisconsin plan which provides an income tax credit against property taxes so those elderly citizens with lesser incomes receive greater property tax reductions.

Secondly, we can relieve pressure on local property taxes if we increase our state aids to local school districts.

Thirdly, we can ease the strain on property taxes by beginning to shift a portion of the teachers' retirement from the property tax fund to income tax resources.

Fourthly, the states should return some additional revenue to local cities, villages and counties.

These are just four of the several proposals that will come out of my budget message. In considering the philosophy of taxation, we should not forget the mechanical and technical facets. We could improve our tax system if attention were given to these steps:

First, to reduce the classifications

Secondly, improve assessment procedures

Thirdly, fix full and true value at one-third of the market value

Fourthly, simplify property tax statements.

Our payment of taxes is to enable the state to render competent services to its citizens. We have a right to expect it. We have a duty to provide it. The plain truth, however, is that we are daily losing competent, trained personnel because our salary scale has fallen so far behind private industry, county and municipal government, other states' educational or government service.

The state can no longer be run as a second-rate industry. Minnesota has now arrived at a point where it will biennially spend more than one billion dollars. It has more than 19,000 employees and distributes its services to three and one-half million citizens. It is patently ridiculous or naive to believe that the largest industry operating exclusively in Minnesota, our state government, can exist with a staff whose salaries are not competitive, plus being invaded by inflation, with a Legislature without adequate staff assistants and an executive or managerial branch with an organizational structure built by accident not direction.

Force these handicaps on private industry and it could not survive. We must not permit a similar fate for our state government. To run our government on a competitive business principle, I recommend three necessary improvements.

First, I recommend we give our Legislature competent, professional staffing for its leadership, both Majority and Minority, and for its interim commissions and committees. More than 800 bills are ready for introduction before the session begins. 1500 will probably be introduced before it closes. To expect each of you to become acquainted with this massive and detailed legislation without assistance is preposterous. While our University is about to begin the first phase of research on a new national experimental city project, it is paradoxical to expect our Legislature to work with frontier town equipment.

Secondly, I recommend a salary increase to our state employees in all classifications, including the faculties of our colleges and the University. A great deal of study has gone into a new civil service pay plan. I recommend you adopt it with these important modifications:

1. Eliminate the 16th range.

2. Approve the increases proposed in the first 12 ranges and by proportionately adjusting the proposed increases in the 13th, 14th, and 15th ranges so as to provide that the maximum at the end of the 15th range shall be $19,800.00.

I recognize that this will still leave us far below the maximum pay in the classified service in several states. To illustrate, the salary maximum of classified service of some other jurisdictions are as follows:

U.S. Federal Government	$25,890
New York	27,714
Michigan	34,410
Wisconsin	25,235
Georgia	33,348
Illinois	26,580
Indiana	38,580

From the above listing, it is obvious we will still be far below other states, but it is equally obvious that we must make at least this significant step forward. Future Legislators can make further adjustments in the top three ranges.

Above the classified service, I recommend you make the appropriate increases in a new department head salary bill. Salary increases for college and university personnel will be provided in the budget recommendations for these institutions.

3. A mandatory retirement at age 70.

4. In the first five steps, the increases will be automatic. In the last five steps, increases shall be based on merit with not more than 50% in any one step eligible for a merit increase.

I further recommend the correction of an inadvertent omission on the part of the last Legislature affecting the unclassified personnel, the faculties of the University, state colleges and junior colleges, and the university civil service personnel who were deprived of the insurance, medical and hospital benefits granted to the classified service. I recommend this be done early in the session so that it can become effective April 1st.

Thirdly, let us consider that for 25 years we have not had a comprehensive reorganization of state government. Bureaus, commissions and departments have been proliferated. We have two pre-audits and no post audit. The whole accounting and budget procedure needs drastic overhauling and adaptation for computerization. If we are to make state government effective in the modern age, there is an urgent need for streamlining and improvement in all three branches of government. I shall appoint a high level blue ribbon commission to make a thorough-going study and report of total government reorganization and modernization plus expenditure control in sufficient time before the next session of the Legislature so that its recommendations can be amply studied. Guidelines for the areas to be examined will be found in the Appendix attached to this Address.

Another group of Minnesotans deserve our consideration for a treasured right which they are yet denied. In this age of advancement and accelerated education, it behooves us to fully utilize the talents and perceptiveness of our 18 to 21 year-old citizens by extending to them the right to vote.

I believe that our youth in this age category have overwhelmingly demonstrated that they deserve this responsibility.

PEOPLE-TO-PEOPLE RELATIONSHIPS

A strong State Government having found its relationship with the Federal Government and the Local Government, anxious for its new responsibilities and qualified to accept them can answer what Adlai Stevenson termed "The call to greatness". Minnesota can and will in the next decade be a new problem solver, and we, selected to serve our people can restore the positive reference to government, because politics is truly the art of human happiness.

Never before has that definition cried for fulfillment as in this generation. For this generation is called upon to strive for human happiness in solving the people's problems. In the forefront of the category of people problems is the complex of issues classified as human relations. We have made progress in this field—brilliant progress compared to some states. But let not that remark be reassuring. For we have proclaimed our share of platitudes, and we have made our share of hurried, self-comforting gestures of interest. And we all know that won't suffice. It's high time that Minnesota State Government assumed its full responsibilities and the people of Minnesota—all the people of Minnesota—assume their complete responsibility. Let us who have been elected to serve the State through government assure our people we will take the following measures:

To create a State Department of Human Relations with an interest in the whole area of human relations, not merely an anti-discrimination agency. By incorporating S.C.A.D., the Human Rights Commission, the Status of Women Commission, and the Indian Affairs Commission we would have strengthened each individual commission and created one centralized effective and efficient agency.

However, it is futile to combine government commissions without assuring adequate staffing and funds. I frankly intend this Department should be created not for display but for decision. And my concern for this Department will be reflected in my budget message.

Other measures should be taken. We must guarantee that every man is secure in his constitutional right to the opportunity to purchase property commensurate with his ability to pay and his personal character. That constitutional guarantee directs us to consider and enact an enlarged fair housing law. The passage of the State Fair Housing Law covering the sale of publicly financed housing by the 1961 Legislature has been widely accepted and well received. I urge the 1967 Legislature to build on that foundation—now 6 years old—by including the sale of privately financed housing.

These are moves that can be made by government. But as Massachusetts Senator-elect Edward Brooke said in his recent book, "The solution is not easy. It will require much more than passing and enforcing laws dealing with the surface aspects of equality of opportunity. It will require working with the human stuff which is the real measurement of equality."

Brooke is right. In the final analysis, we must work with the human stuff—that is critical. Each individual must assume his personal obligation. But the State can set an example. I would like to lend the weight of the Governor's office to encouraging such attempts to train and motivate people as the Twin Cities Industrialization Opportunities Center and the complete family services rendered by settlement houses. It is my intention that the State Department of Human Relations would have grants available to these groups to assist them in their projects as well as such projects as therapeutic communities to allay anti-social behavior.

Because the possession of marketable skills is so vital to the development of self-reliance and self-respect, we must make sure that the state and federal scholarships to Indians are strengthened to meet Indian needs. In addition, these scholarships should be flexible enough to allow opportunity to receive training, skills or professional education.

We should also encourage the economic emancipation of our Indians as well as the advancement of their civil and human rights. Tangible steps can be taken through the protection of their traditional prerogatives in the wild rice industry and through the cooperation of public and private lending agencies to advance industrial development in Indian communities.

These are some beginning steps toward improving conditions and relations among Minnesotans. As I said earlier, if we in Minnesota can't create harmony among races, we should ask no state to do it. And let us be reminded that we shall be judged by the reality, not the rhetoric of human equality.

Bold new steps also are needed in the field of crime and corrections. The increase in crime in Minnesota is most discouraging. Last October, 13 percent more crimes had been committed than the same month a year ago. We must have a thorough comprehensive attack on lawlessness. A government by law must encourage respect for law.

A new and imaginative program has been instituted by Governor Love of Colorado. He appointed a statewide respect for law committee which, in turn, recommended a similar committee for every community in the state. On this committee, the clergy, the social worker, the school counselor, law enforcement officers, psychiatrists and service organizations were structured into an active group that surveyed the status of respect for law in the community and recommended those steps which would stimulate the correct understanding and attitude of children as well as adults.

Lack of parental authority, broken homes, excessive drinking, truancy, contempt for police, and several other factors were found to be matters that generated disrespect for law and on which proper community action and attention could improve. I will appoint a similar statewide committee in the hope that it, in turn, would recommend similar groups for each of our Minnesota cities.

A second front of attack must deal with those people who do not respect the law. Certainly our whole area of correctional institutions needs reexamination. For every three men we send to a correctional institution, two repeat their criminal activity. Sentenced to repeat their criminal activity because they have no reorientation, no skills to offer, and no offers for their skills.

So that our offenders will have marketable skills for gainful employment instead of being forced to resort to former avenues of support, I propose four actions:

1. That we expand the vocational training program for boys and adults, and we really initiate a vocational training program for girls.

2. That, under careful administration, we extend the work release program.

3. That a corrections vocational advisory committee be appointed, made up of men from business, labor and personnel from the institution. The function of this committee is to coordinate a training program consistent with the type of skills demanded, to work to eliminate private industries' hostility to the production of products in the institution which provide training for the men of the institution and to inform offenders nearing their release about job opportunities.

4. That attention should be focused on expanding the foster group home concept for juvenile offenders and the establishment of graded institutions for young offenders.

In addition to these efforts, study should be made of a potential influence and use of the correctional officer or guard in the reorientation process.

Lastly, we should reevaluate our parole system while making moves towards reducing the case load and paper work of the parole agent, allowing him more time for his people.

It's about time we did some serious thinking on our philosophy of correction. With the increasing incidence of crime, we need to concentrate our concern on prevention, correction and law enforcement. Therefore, let me focus your attention for a moment on some proposals to perfect our enforcement of the law. In addition to recruiting more agents of the law, we should attempt to make our present manpower more productive. Because police science is so complex, requiring knowledge—not only of techniques of prevention and apprehension—but also the application of complex Supreme Court decisions, we should require a statewide mandatory training program for all law enforcement officers. I wish to compliment the number of law personnel who have voluntarily attended such schools, and I want to provide everyone with the advantage of such training.

Last year only 21 to 24% of the crimes committed were solved. Police training must be coupled with police technology. We must not cripple our police force by restricting them from taking fullest advantage of technological progress. Therefore, I recommend the State Bureau of Criminal Apprehension make use of the computer system already available from the State. A centralized computer storing information accessible to each community's police force throughout the State would greatly facilitate our criminal apprehension effectiveness.

But certainly it is a foreboding forecast if only lawmen will make us men of the law. The law must be enforced but more importantly, respected.

Perhaps these respect for law committees and modernized police forces can begin to instill an attitude even in our drivers that will eventually reduce the daily crimes committed on our highways. But after a death toll last year of 964, we cannot depend upon that time-consuming process alone.

One of the major thrusts of this administration shall be a traffic safety program to stop the senseless slaughter. I ask you to consider these measures for that aim:

1. Adopt provision of uniform vehicle code, both as to chemical test standards and implied consent, for drunk driving.
2. Test for vision and knowledge of traffic laws each time a driver obtains or renews a license. Many Minnesota drivers are legally blind in other states.
3. Abolish the special motorbike license for 15-year olds.
4. Require cyclists and their passengers to wear safety equipment such as helmets and waistguards.
5. Increase fines and penalties for serious traffic violations.
6. Establish a state supervised by privately owned, effective, compulsory, periodic vehicle inspection program.
7. Increased attention should be given to a program of correcting high-accident locations such as roadside obstructions and hazardous curves. For example, many roads I traveled during the past political campaign with hazardous passing areas are not marked at all. This is a simple and inexpensive safety measure that could save untold accidents.

As an attorney, you can perhaps understand my concern for the mood in Minnesota and across the nation, a blatant disregard and disrespect for law. I ask your help in rebuilding the importance of honoring the law in the minds of Minnesotans.

Unfortunately, it is manifestly impossible for me to discuss with you all the proposals of my program within the confines of this formal occasion. None of us could absorb in one sitting the importance and intricacies of any Governor's complete program which deals with as diverse and complex topics as mental health, judicial reform, fine arts development, insurance and consumer protection, and will cover several dozen specific recommendations. I hope what I have said today gives you an idea of my dedication to solving old problems, my philosophy toward the approach to solving new problems, and my concept of the type of state government needed to serve the mid-twentieth century.

Understanding the attitude expressed in this Inaugural, I hope you will carefully survey and study these proposals appended hereto. Again, it is not intended to be a closed copy. New problems may arise during my administration which I will not have foreseen at this early date. Changing circumstances may call for readjustments. But I want you to know the direction your Governor is suggesting. These suggestions, of course, shall be amplified and detailed throughout my administration by a budget message, special messages, and conferences.

The challenge to me, as your Governor, is to mobilize and activate our human resources, both public and private human resources for the common good.

I have an unwavering confidence in the ability of both segments to act for the common weal of this commonwealth.

Minnesota can be proud of its Legislature. As I have traveled over the entire State this past year, I have had occasion to personally meet almost every member of the Legislature. I have learned of their standing in their home community. I have been tremendously impressed by the competence and dedication of the members of this body. That's why our citizens expect great things. I'm sure they will receive it at your hands.

And as years pass and public needs become vaster and more complex, the private concern and capacity to meet those needs become infinitely greater.

But whether you serve as a public servant or a private citizen, there is an assignment for each one of us, regardless of skills, financial standing or station. You *can* take part in the building of a better Minnesota. You *must* take part. I am *confident* you will take part.

For we must remember that our success will be determined by works—not words. Let us be reminded that greatness is not measured in pomp and circumstance—but in a steadfast determination and total commitment to bearing mighty burdens.

We will then be justified in re-echoing a paraphrase of Lincoln's statement, now a hundred years old, "The world will little note nor long remember what we say here, but it will never forget what today we begin here."

THE TRUTH IN TRADING STAMPS ACT

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, I rise today to call upon my colleagues to join with me in the introduction of legislation which heeds the cry of American homemakers who have agitated for a reduction in food prices. At the same time this bill I am introducing today will increase the U.S. Treasury coffers. This bill is titled "The Truth in Trading Stamps Act."

I am pleased, Mr. Speaker, that already the honorable gentleman from West Virginia [Mr. HECHLER] has joined with me in support of my bill.

Trading stamps add 2 percent to the cost of our food bill. If you could redeem your stamps for cash then the families of this Nation could save the cost of 1 week's supply of food. If we, the Congress, fail to act now, if we do not adhere to the cry of America's women, we are forcing them to pay for an additional week's supply of food.

This bill also will increase the U.S. Treasury coffers. Stamp companies today have the privilege of determining for the Treasury stamp redemption estimates. There is a serious question that no taxes have been paid on one half billion dollars of the stamp companies "hidden income" in unredeemed stamps over the past decade.

AMERICAN PEOPLE TAKING AN ACTIVE INTEREST IN THE AFFAIRS OF THEIR COUNTRY

Mr. EDWARDS of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. EDWARDS of Louisiana. Mr. Speaker, it appears the American people are becoming increasingly aware of the activities of Congress and matters pending before this body typical of much correspondence I am currently receiving from my constituents is the following telegram:

> Object to increase in income tax. Agree with spending for South Vietnam conflict. Object to "Great Society" spending tending toward socialistic state and teachings of Marx and Engels. Object to reduction in highway program without equal or larger reduction in "Great Society" programs. Taxpayers request this be read and made a part of Congressional Record. Please furnish copy.
>
> Regards.
>
> E. J. NORTON.
>
> JENNINGS, LA.

I am pleased that so many of my constituents are taking an active interest in the affairs of our country. Candid expression of public opinion makes it easier for us here in Washington to represent the wishes and thinking of our constituents.

TRUTH IN TRADING STAMPS

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, at the last session of Congress, I introduced, along with the gentleman from New York [Mr. WOLFF] and several others the Truth in Trading Stamps Act which I am today reintroducing.

We are not attacking or asking for the abolition of trading stamps. All we are asking for is an objective public body which will assist in the protection of the American consumer through insuring that the true facts are known about trading stamps, their value, their financing, and their methods of operation.

There are many lobbyists, high-paid lobbyists, for these trading stamp companies. We in Congress must be the lobbyists for the consumers, the housewives and the American people. We must determine the extent to which trading stamps are raising food prices.

And I say too, Mr. Speaker, you ought to talk with any small service station operator. He is threatened and coerced if he does not buy and use trading stamps. The big oil companies tell these little businessmen that they either use trading stamps or their rent will skyrocket, or their franchise to operate will be taken away.

It is high time we take aggressive steps to protect the American consumer by insisting on truth in trading stamps.

BRAVERY OF SGT. MAHLON BUCKALEW

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, on Tuesday, January 10, 1967, the Tyler Courier-Times in Tyler, Tex., carried a story concerning a most daring and outstanding feat of bravery.

This story is about one of our fighting men in Vietnam, S. Sgt. Mahlon Buckalew, of Tyler, Tex.

Sergeant Buckalew's spirit, his bravery, his disregard for his own safety, earned him the Silver Star.

Such actions earn for him, also, the esteem and appreciation of all freedom loving, patriotic Americans.

I am indeed proud to join in extending to Sergeant Buckalew, and, indeed, all our men in uniform, my personal unwavering appreciation for holding the line against Communist aggression—for risking their lives that America might forever be free.

The full text of the story follows:

How Tylerite Won Silver Star Told

A Texan at war scrambled outside of his out-of-control helicopter and, from its landing skids, shot back at the Communists on the ground who'd disabled it.

For the daring feat above the Vietnam jungles, S/Sgt. Mahlon Buckalew of Tyler was awarded the Silver Star.

Although he was never wounded, his ship was hit by Viet Cong on several of its missions supporting ground forces. He was a gunner platoon sergeant and served as a machine gunner for one of his company's choppers.

He reacted quickly when a Viet Cong soldier suddenly opened fire on the helicopter. The enemy gunner was too close, and at too sharp an angle, to be taken under fire from the aircraft.

Buckalew's citation reads in part: "With complete disregard for his safety, Sgt. Buckalew took a position on the aircraft's skids where he could return the hostile fire."

An enemy machine gun also opened fire, and Buckalew alternated his fire between the two threats, even after the helicopter's hydraulic system had been damaged and the craft had gone into an uncontrolled left roll.

He shifted down the skids to the top of the machine gun mounting in order to maintain fire on both ground positions.

Buckalew's fire killed one enemy soldier and neutralized the machine gun emplacement. This allowed the helicopter crew to repair the damage while in flight and leave the area safely.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. MILLS. Mr. Speaker, I call up a House resolution (H. Res. 143) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 143

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Appropriations: George H. Mahon (chairman), Texas; Michael J. Kirwan, Ohio; Jamie L. Whitten, Mississippi; George W. Andrews, Alabama; John J. Rooney, New York; Robert L. F. Sikes, Florida; Otto E. Passman, Louisiana; Joe L. Evins, Tennessee; Edward P. Boland, Massachusetts; William H. Natcher, Kentucky; Daniel J. Flood, Pennsylvania; Tom Steed, Oklahoma; George E. Shipley, Illinois; John M. Slack, Jr., West Virginia; John J. Flynt, Jr., Georgia; Neal Smith, Iowa; Robert N. Giaimo, Connecticut; Julia Butler Hansen, Washington; Charles S. Joelson, New Jersey; Joseph P. Addabbo, New York; John J. McFall, California; W. R. Hull, Jr., Missouri; Jeffery Cohelan, California; Thomas G. Morris, New Mexico; Edward J. Patten, New Jersey; Clarence D. Long, Maryland; John O. Marsh, Jr., Virginia; Sidney R. Yates, Illinois; Bob Casey, Texas; David Pryor, Arkansas.

Committee on Armed Services: L. Mendel Rivers (chairman), South Carolina; Philip J. Philbin, Massachusetts; F. Edward Hébert, Louisiana; Melvin Price, Illinois; O. C. Fisher, Texas; Porter Hardy, Jr., Virginia; Charles E. Bennett, Florida; James A. Byrne, Pennsylvania; Samuel S. Stratton, New York; Otis G. Pike, New York; Richard H. Ichord, Missouri; Lucien N. Nedzi, Michigan; Alton Lennon, North Carolina; Wm. J. Randall, Missouri; G. Elliott Hagan, Georgia; Charles H. Wilson, California; Robert L. Leggett, California; Donald J. Irwin, Connecticut; Frank E. Evans, Colorado; Floyd V. Hicks, Washington; Hervey G. Machen, Maryland; Speedy O. Long, Louisiana; E. S. Johnny Walker, New Mexico.

Committee on House Administration: Omar Burleson (chairman), Texas; Samuel N. Friedel, Maryland; Robert T. Ashmore, South Carolina; Wayne L. Hays, Ohio; Paul C. Jones, Missouri; Frank Thompson, Jr., New Jersey; Watkins M. Abbitt, Virginia; Joe D. Waggonner, Jr., Louisiana; John H. Dent, Pennsylvania; Sam M. Gibbons, Florida; Lucien N. Nedzi, Michigan; John Brademas, Indiana; John W. Davis, Georgia; Kenneth J. Gray, Illinois.

Committee on Rules: William M. Colmar (chairman), Mississippi; Ray J. Madden, Indiana; James J. Delaney, New York; Richard Bolling, Missouri; Thomas P. O'Neill, Jr., Massachusetts; B. F. Sisk, California; John Young, Texas; Claude Pepper, Florida; Spark M. Matsunaga, Hawaii; William R. Anderson, Tennessee.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. LAIRD. Mr. Speaker, I offer a resolution (H. Res. 144) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives;

Committee on Appropriations: Frank T. Bow, Ohio; Charles Raper Jonas, North Carolina; Melvin R. Laird, Wisconsin; Elford A. Cederberg, Michigan; Glenard P. Lipscomb, California; John J. Rhodes, Arizona; William E. Minshall, Ohio; Robert H. Michel, Illinois; Silvio O. Conte, Massachusetts; Odin Langen, Minnesota; Ben Reifel, South Dakota; Glenn R. Davis, Wisconsin; Howard W. Robison, New York; Garner E. Shriver, Kansas; Joseph M. McDade, Pennsylvania; Mark Andrews, North Dakota.

Committee on House Administration: Glenard P. Lipscomb, California; Robert J. Corbett, Pennsylvania; Charles E. Chamberlain, Michigan; Charles E. Goodell, New York; Samuel L. Devine, Ohio; William L. Dickinson, Alabama; Barber B. Conable, Jr., New York; James C. Cleveland, New Hampshire.

Committee on Rules: H. Allen Smith, California; John B. Anderson, Illinois; Dave Martin, Nebraska; James H. Quillen, Tennessee; Delbert L. Latta, Ohio.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE HONORABLE JOHN E. FOGARTY

The SPEAKER. Under a previous order of the House, the gentleman from Rhode Island [Mr. St Germain] is recognized for 1 hour.

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

GENERAL LEAVE

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days in which to revise and extend their remarks on the life and service of the Honorable John E. Fogarty.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ST GERMAIN. Mr. Speaker and my colleagues, it is given to few men to be so honored as John E. Fogarty. The list of his awards, citations, and distinctions is symbolic of the wide range of his life's work. But even more is it the silent testimony of the respect and affection in which he was held by every institution and organization concerned—as he was concerned—with the alleviation of human suffering and the advancement of the knowledge and happiness of mankind.

Yet no one ever cared less for titles and testimonials than John Fogarty. From my earliest recollection of him and in all the time in which I had the privilege of being his junior colleague in this House, I was always impressed by his inherent modesty—just as I was inspired by the high goals he set for himself as a public servant and the vigor with which he pursued them. He was a man who honestly wanted to leave the world a little better for his having lived in it.

And he sought no trophies of his own for the victories he helped to win against poverty, ignorance, disease, and the waste of human resources.

There was, however, one tribute given to JOHN FOGARTY which, we may believe, must have touched his spirit with joy. As his body passed through the streets of Providence and Cranston in his native State, a hush came over the usually noisy thoroughfares as groups of people lined the way through the cities and into the cemetery in a spontaneous demonstration of sorrow and affection unlike any ever witnessed in Rhode Island. Construction workers removed their helmets in respect—and some wept—as he passed to his rest. Housewives, children, factory workers—all sorts and conditions of men and women waited along the way, for the funeral procession of JOHN FOGARTY became a living testimonial coming from the hearts of those for whom he had indeed been "Everybody's Congressman."

We in Rhode Island take justified pride in the contributions which the smallest of its States has made to the growth and progress of this, the greatest of nations. Yet, I believe that it is no exaggeration to say that the thousands of Rhode Islanders who paid their tribute to JOHN FOGARTY in his death were rightly convinced that when the judgment of history is taken, his life will be counted among the most outstanding of all of our State's gifts to America and to the cause of human progress.

Much has been said—and rightly said—of his many-sided interest in the cause of health and medical research. His own great heart drove him with a consuming desire to bring the resources of government to bear upon the ravages of disease. How successful he was in this effort, I need not tell the Members of this House. As Dr. Howard A. Rusk has observed in a recent column, it does seem most ironic that JOHN FOGARTY should have fallen victim to a heart attack, just as he was preparing a new campaign to win continued support for his efforts to aid medical science in its unending battle against diseases of the heart and other major causes of untimely death.

But that is the way JOHN FOGARTY would have wanted to face death, which must come to all men. He was a determined fighter for anything in which he believed, just as he was a formidable adversary against anything to which he was opposed. And he died as he lived: a man in the midst of the struggle against pain, darkness, and mortal despair.

The range of his action in that struggle went far beyond the borders of medical science and public health. When he first came to this House in the 27th year of his life, he came out of the ranks of organized labor. He was a worker and a craftsman, a builder and a bricklayer whose strong hands never lost their ability with tools; and he was a union member whose commitment to social justice never faltered. The structure of labor-management relations has surely progressed in this country in the past quarter of a century, and JOHN FOGARTY has left his craftsman's mark upon that progress.

He came from a great industrial State, and he fought to protect and to foster its industry. Yet he was born in a rural town, with its historic New England sense of independence, and he always adhered to the belief that much of the mighty spirit of America must always find its sustenance in free agriculture.

He loved the open land, the hills, the ancient stone fences, the trout streams, the forests, and the volunteer fire companies of the area in which he grew to manhood. He loved, too, the winding coastline of Rhode Island: its sandy beaches, its fleets of small boats, its magnificent vistas of ocean and harbor. He naturally became a champion of the cause of preserving such resources, and he brought Rhode Island to a position of national leadership in exploring the fascinating world of marine biology, with all of its mystery and all of its promise of resources for the future sustenance of humanity.

He was not a man who was at home in the halls of academic learning, but there is surely no school at any level in this country, that has not benefited from his presence in this House as one who fought to gain support for the progress of learning in America. Just as he appreciated the importance of the sciences so he also was an early leader in the effort to establish national institutes for the arts and the humanities. And the universities which never knew him as a student came to honor him as a benefactor because he was a legislator who understood both their value and their needs.

Yes, JOHN FOGARTY was the force behind legislation for medical research, for hospitals, for institutions to aid the mentally retarded and the mentally ill. But the range of his action extended to every area and problem of vital importance to American society today. The war on poverty was no political slogan to him. It was a war in which he had been fighting for years. And if he were standing here today, he would surely be telling us that just as we must find the strength to win the battle for peace and freedom in Vietnam so we must also continue to fight the battle for social justice and progress at home. He saw America as being engaged in a two-front struggle, and he believed that we could not afford to falter or to fail in the ultimate issue.

To me, JOHN FOGARTY was a father in this House; he was a guide and a counsellor whose experience was an invaluable source of growth and strength. We will not soon see another like him; but if we would pay him tribute, I am sure that he would ask that it be not in rhetoric but in continuing the work which he died doing.

Mr. Speaker, at this point I include certain pertinent matter:

The eulogy delivered by Rev. Joseph L. Lennon, O. P., dean of Providence College at the Cathedral of SS. Peter and Paul in Providence, R.I., on January 13, 1967.

The invocation delivered by the Rev. Vincent C. Dore, O.P., chancellor of Providence College, on January 10, 1967.

"A Life Well Spent" from the Providence Visitor, January 13, 1967.

"He Made His Record True" from the Observer of January 12, 1967.

"Mr. Public Health" from the New York Times of January 15, 1967.

"JOHN FOGARTY: His Word Was His Pledge" from the Providence Journal, January 11, 1967.

"JOHN FOGARTY's Priceless Bequest" from the Pawtucket Times, January 11, 1967.

An article from the New York Times dated January 11, 1967.

An article from the Hartford Courant dated January 14, 1967.

"A Crusader Is Gone" from the East Providence Post, January 12, 1967.

An article from the Woonsocket Call dated January 11, 1967.

"JOHN E. FOGARTY, A Great Loss" from the Pawtuxet Valley Daily Times, January 14, 1967.

An article from the Sun, Westerly, R.I., dated January 11, 1967.

An article from the Narragansett Times dated January 12, 1967.

An article from the Providence Evening Bulletin dated January 14, 1967.

An article from the Washington News dated January 11, 1967.

"Tributes to JOHN E. FOGARTY" from the Providence Evening Bulletin, January 16, 1967.

EULOGY OF HON. JOHN E. FOGARTY AT CATHEDRAL OF STS. PETER AND PAUL, PROVIDENCE, R.I., JANUARY 13, 1967

(Preacher: Rev. Joseph L. Lennon, O.P., Dean, Providence College)

"Blessed are the dead who die in the Lord. From henceforth now, saith the spirit, that they may rest from their labors; for their works follow them." (Book of the Apocalypse 14:13)

Let me state at once: we are not here to canonize John Fogarty, but in the words of St. Paul to "give honor where honor is due." He would not want it otherwise. Saints, I am sure we have among us, but John Fogarty would be the last person to place a halo on his head. Mere words of praise which never meant much to him when he was living would mean even less now that he is dead. Rather he would have us look upon his presence here before the altar as his last opportunity to speak to us, not of himself, but of the great loves that dominated his life: love for his family, relatives and friends, love for his church, his country and his countrymen, love for his fellow man, especially the poor, the sick, the ignorant, the handicapped, the downtrodden wherever they might be.

I know his first thought on this occasion would go out to his stricken relatives, his wife Luise, his daughter Mary, his brothers, his sister and their families. Great is their sorrow, but greater still is their faith. To them we offer our sincere sympathy. May the God of all consolation fill up with His presence the great void left by his death. May God's grace help all those who love him bear this heavy sorrow.

William James once said "The purpose of life is to spend it for something that outlives you." No man finds his ultimate end in himself. John Fogarty knew this. He realized that the secret of a healthy mind and a happy life lies in the principle of sharing with others, in building one's life on the ideal of service.

When a person applies his mind to the needs and welfare of others he becomes alert, active, joyful and interested in life. His world becomes full of real people, not merely walking shadows. He begins to have an actual investment in persons so that what they do, or fail to do, how they fare or how they suffer, becomes vitally important to him.

John Fogarty spent himself for others. He thought of his life as a contribution. The harder he worked the more he contributed. But to what was this contribution made? To think that he had added to the possibilities of happiness for mankind must have pleased him. But this was not enough. He knew that the sum total of human beings considered as such has no real existence. It exists, if at all, only in the individuals who compose it, and of these the self is one. But there is no absolute reason why one mortal being should work and sacrifice for another, or for two or three, or as many as you will, if all are mortal, and all sacrifice ends in death, beyond which there is nothing more.

If beyond all temporal rewards, however, there are eternal values, if society has a final end, unseen indeed, but towards which it is ever advancing through war and pestilence and social conflict, and if this end will not pass with the passing of time, but by that very passing attain its eternal expression, then whatever the individual does in furthering the work of the social order has absolute and eternal value. To realize this, even as a possibility, brings a new glimmer of hope into the human mind. To know it with the assurance of faith plants in the mind principles that dominate conduct.

This is how John Fogarty knew it. He saw the value of his work in the great scheme of things. He looked upon his efforts as a contribution to a work that will never die. Disappointments and frustrations he bore with patient equanimity because he knew that one must suffer to the end that a life's work may be finished and an unselfish contribution made to the welfare of humanity and to that eternal order which the Supreme Intelligence is establishing in a world of intelligent beings.

It is a rare person who can hold the same office for twenty-six years without becoming stale and unyielding in his ideas, who can keep a lively interest in life and its changes while keeping a watchful eye on values that never change. John Fogarty won the respect of his colleagues, and the esteem of all humanitarians, by his interest in and knowledge of the ever developing sciences dealing with health, education and welfare. He grew with his job. With all his busyness, with all his talking at Junior high schools, granges, churches, colleges, fraternal clubs and organizations, with all his activity on behalf of the mentally retarded and other worthy causes, yes, and even as a champion of Ireland and Irishmen, with all the many, many demands upon his time and charitable nature, he still exposed himself to ideas and listened to the counsel of the learned. And so he matured, and as he matured, the Country and the American people reaped the benefit of his experience and wisdom.

But this politician in the green bow tie was also fully human. The faults of a strong and fiery temperament were ever present in his character. On occasion, he could be obstinate, domineering, belligerent, argumentative, strong in his dislikes, fierce in his loyalties, sharply critical in his remarks. But would you deny an Irish bricklayer these very human traits, traits which became virtues when he used them in relentless pursuit of the appropriations for the health and welfare projects he loved so dearly. This man never looked for a fight, but he never dodged one. He followed the advice of Theodore Roosevelt, "Let us not shrink from strife, provided we are certain that strife is justified." Strife was justified, in John Fogarty's mind, wherever the health and welfare of the American people were at stake, and he would fight to the bitter end for the money needed for critical projects. Moral courage like this should not pass unnoticed.

Some have mourned that this patriot who labored so hard to stretch the life span of our citizens should die so young. But the poet tells us:

"Who well lives, long lives; for this age of
ours
Should not be numbered by years, days and
hours."

"The point is," says Seneca, "not how long you live, but how nobly you live." John Fogarty's life provides a history of noble living and accomplishment. He did not merely talk about serving mankind, he did something about it. In this, he was a good Christian, for Christ's doctrine is not just an abstraction, a lovely theory, pretty myth. It expresses itself in action. To illustrate what He meant by a good neighbor, Christ related the story of the Good Samaritan who actually helped the man waylaid by robbers. John Fogarty was a good samaritan. He was "his brother's keeper," and went to great lengths to demonstrate his active love for neighbor. The spirit of this statesman deserves to live on—and it will live on. It will live on in every medical researcher at the National Institutes of Health who works to stamp out disease. It will live on in every college and professional school where students work under grants made possible by this lawmaker. It will live on in every person who is the beneficiary of the Fogarty life and who relates the work he is doing, however small, to the common welfare of his country.

Every person has to come to terms, in his own way, with death. John Fogarty came to terms with death fifteen years ago when he suffered a heart attack. He knew he was living on borrowed time and he made the most of every minute. The thought of death, or even the prospect of it, does not essentially change the Christian relationship to any given moment. "Do what you're doing," is a basic principle of the spiritual life. For anyone, like John Fogarty, who is convinced of the transcendent value of the "here and now," the job at hand, the daily work is the important thing. He never worried about the future. He left it in God's hands and got on with what he was doing.

The combination of work in the present and trust in God's grace for the future had become a settled habit of mind with John Fogarty. He never complained about his health because he believed that he would be called in God's good time. It was this duty, this joy, this sorrow, this project that engrossed his attention. He made the most of the present. He had come to terms with death because he had come to terms with Christ. Realist that he was, he took at face value the words of Jesus Christ when He said, "I am the Resurrection and the Life; he who believeth in Me, although he be dead, shall live: and every one who liveth and believeth in Me shall not die forever."

To John Fogarty we say:

"Life's race well run
Life's work well done
Life's victory won
Now cometh rest."

"Almighty and Eternal God, we invoke Your blessing upon us as we pay solemn tribute to the memory of an illustrious American, a distinguished son of our great State and a loyal and dear friend, the Honorable United States Congressman, John Edward Fogarty.

"His twenty-six years of dedicated service in the House of Representatives of the Congress of the United States merited for him national acclaim and the established reputation as 'the Champion of Better Health for the Nation.' As a member of the Appropriations Committee for almost two decades, he sponsored liberal federal grants for medical education and research; and for extensive public health services for the departments of Labor and of Health, Education and Welfare.

"His constant championship in the cause of improved health for all the people of our Nation acclaimed him the worthy recipient of innumerable awards and honors. From the mouths of little children, from the physically handicapped and the mentally retarded, from the debilitated aged, from men and women of all ages and of every race, color, and creed, he truly merited the honorable title of 'Mr. Public Health' and received their highest economia and most cherished awards.

"He ennobled our Nation and the world by his constant adherence to the principles of liberty, justice, and equality and their application to all men and nations.

"As we bow our heads in sorrow, let us lift up our hearts to The God of all hope and consolation and ask Almighty God to sustain and comfort in their great loss—his devoted wife, Luise; his loving daughter, Mary Louise; his sister, Margaret; and his four brothers, William, Raymond, Dr. Frank, and Charles. Great is the sea of their sorrow, but like John E. Fogarty, great also is their faith. To them we offer our deepest sympathy.

"John Edward Fogarty was one of God's great noblemen. A dedicated statesman, a learned legislator, and a cherished dear friend. May his memory ever be held in benediction for his many noble deeds and magnanimous benefactions for the people of Rhode Island, the Nation, and the world. May his immortal soul rest in peace. Amen."

By the Very Rev. Vincent C. Dore, O.P. Chancellor of Providence College, Providence, Rhode Island, on the occasion of the death of Congressman John E. Fogarty, January 10, 1967.

[From the Providence Visitor, Jan. 13, 1967]

A LIFE WELL SPENT

The life of John E. Fogarty was the life of a man who loved justice, did works of mercy, and walked humbly with his God.

He loved justice, for he began his political career as a champion of those who labor for their living. There are few advances in better labor-management legislation in the past two decades with which he was not closely and actively identified. He remained to the end a public leader who honestly believed that the war against poverty, prejudice, and the ignorance which deprives people of equal opportunity is the most important war this nation has to fight. He was known for his devotion to the historic traditions of Ireland's long battle for freedom; but he was a man who was never limited by ethnic boundaries, and he was among the first to rise up against injustice wherever it was being done.

He was moved by mercy, and it is this aspect of his life which commanded the attention of so many in recent years. No one will ever be able to measure the extent of the role he played in the advancement of medical research, the conquest of diseases of the mind and body, and the opening up of medical care to millions of people of all ages. His role in the World Health Organization made him an international figure, who worked diligently to serve the cause of health and peace. And he was as sensitive to the anguish of deprived and famished children in India as he was ready to work to relieve suffering that was closer to home.

He walked humbly with his God, and many an early morning saw him on the streets of Washington quietly walking to Mass before beginning his long day's work. He did not wear his religion on his sleeve, nor did he seek recognition for his loyalty to his Church. He was a Christian man, who in the world of labor, health, education, and social welfare, lived the life of commitment to others. As he deeply admired Pope John XXIII and as he profoundly valued his friendship with

John F. Kennedy, so may we believe and hope that he shares their joyful company in the eternity of the God he humbly served.

[From the Observer, Jan. 12, 1967]

HE MADE HIS RECORD TRUE

A man's fame is measured by the number of words which are spoken about him or written about him during his lifetime and at his death, but the measure of his greatness is the love and genuine esteem in which he is held by his fellow man. John Fogarty's achievements brought fame and gave him rank among the greatest Americans of the decade, but his boundless capacity for friendship and his loyalty to the hundreds of people who called themselves his friends—this was the nature of his greatness.

Famous people often have trouble with their laurels, but John Fogarty never did. He wore his laurels like a prince, never boasting about them, but never belittling them either. And when, as so often happens to important people, others lavished him with excessive adulation, the twinkle in his eye gave notice that though the praise was appreciated, it would never be allowed to rule the man.

Through the years of his service in Congress as he became better and better known and admired throughout the nation by dozens of important segments of the professional world, doctors, psychologists, educators, welfare works, librarians, conservationists, to name a few—John Fogarty never changed as an individual—never grew away from his friends, always looked forward to seeing them and talking with them when he was home in Rhode Island. What's more, he had the gracious gift when conversing with people of being able to make them forget he had become such an important personage. His warmth and sincerity were the shield which protected them from feeling they must treat him with awe.

So, on Tuesday morning when it was first heard in his home town area that John Fogarty had been stricken while in his office in Washington, the first reaction was to pray it was some mistake. Then, as succeeding newscasts on radio and television left no room for doubt, the sad word spread on lightning wings. But as neighbor told neighbor, the facts were relayed not coldly as mere news, not sensationally for the sake of effect, but quietly, with the kind of genuine feeling that is usually reserved for the loss of a relative or a very close friend. And that is exactly the way people thought of John Fogarty. Though he really wasn't, couldn't be, everyone's close friend, somehow he did seem so, to so many.

As the presidential plane swept onto the runway bringing John Fogarty back home on Tuesday evening, we thought not only of all the people who felt they had lost a close friend but also of all those who would be losing their hopes and dreams as well, for untold hundreds, not only in his home State, but also throughout the nation have gotten into the habit of depending on John Fogarty to make their dreams come true. Parents of retarded children have found new hope; little struggling country libraries have realized their dreams of better community service; workers in various fields of research and people engaged in endeavors for the welfare of others everywhere have looked to him to carry their banners, to push legislation which has made it possible for them to start or enrich their programs for the good of mankind. And on many a winter night, just like last Tuesday evening, John Fogarty had either enplaned or landed at the same State airport carrying in his brief case and in his heart, the hopes and dreams of others.

As a nation we can be proud of this American. As a State we have been fortunate to have him identified as ours. As neighbors it has been a wonderful thing for all of us to have been his friends.

[From the New York Times, Jan. 15, 1967]

MR. PUBLIC HEALTH—DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killer of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

[From the Providence Journal, Jan 11, 1967]

JOHN FOGARTY: HIS WORD WAS HIS PLEDGE

A man does not easily earn the respect and stature that were rightfully Congressman John E. Fogarty's as he prepared yesterday to be sworn into office from the Second District of the State of Rhode Island for the 14th consecutive term. Death cut short a career of public accomplishment that honored him and the state he served.

In Washington, Mr. Fogarty was known as Mr. Public Health, and his record of achievement in promoting federally financed medical research programs was spectacular. By persuasive pleading and carefully documented statements of need, he led the way in Congress for remarkable expansion of the work of the National Institutes of Health.

The congressman was not an orator in the traditional Washington sense. He was at his most effective best in committee rooms, in lobbies, and in the give-and-take of debate and personal appeal. Of retiring nature, the warmth of his personality helped to enlist the support he needed among fellow congressmen.

His word was a pledge of honor. In a city like Washington where high courage often is necessary for a man to keep his word under trying circumstances, Congressman Fogarty never faltered. Having made up his mind on a course of action and having promised to follow through, he never abandoned his purpose, no matter how great the pressure to change.

This quality of unshakable firmness in defense of a position he believed to be correct never showed more clearly than it did in early 1962 when he rejected a personal appeal from the late President Kennedy at a White House meeting for support of a crop control bill Mr. Kennedy wanted. An admirer of Mr. Kennedy, he eschewed the status of follower.

The congressman disliked ostentation, personal or public. His sole piece of showmanship was the bright green bow tie he wore, and it reflected a deep personal affection for the land of his family's origin. At one time, in 1950, he first amused, then astounded Congress by winning preliminary House approval of a ban on foreign aid to Great Britain.

Mr. Fogarty, without specifically referring to Great Britain, won early passage of an appropriations bill amendment which would have cut off aid until the partition of Ireland was ended. The House reversed itself two days later, but Mr. Fogarty had made his point, a point to which he held consistently all his life.

But if Mr. Fogarty won national note for his work in promoting health research programs, he kept a strong and solid base of political power here in Rhode Island. Mr. Fogarty did not campaign in the traditional fashion; he kept himself in the current of Rhode Island life every day of the year.

The congressman maintained remarkably close touch with his constituency; he was as ready to take a ride in Wickford Harbor for a first-hand look at a dredging problem as he was to meet with the parents of mentally retarded children, interested in furthering research in that problem and developing care facilities for mentally retarded youngsters.

Repeatedly, he turned back Republican opposition by substantial margins; to run against him required considerable courage and a high quotient of hope. He was an astute observer of the national political scene; a strong Democrat, he had an independence of mind which prevented him, for instance, from becoming a "Johnson man."

Mr. Fogarty began his congressional career as do many bright young men; a little brash, perhaps, proud of a record already rooted in Rhode Island life. But he matured with experience, and he gave his constituency and his state a powerful voice in the House and won him honors far beyond the boundaries of this smallest state in the Union.

There was a time when Congressman Fogarty might have been governor; another time, he might have been a United States senator. That he elected to remain in the House reflects his judgment of where he thought he best could serve his country. It will be no easy task for the voters of his district to fill the seat John E. Fogarty filled with such dedication.

[From the Pawtucket Times, Jan. 11, 1967]

JOHN E. FOGARTY'S PRICELESS BEQUEST

John E. Fogarty was an eager 26-year-old when he first raised his hand in the halls of Congress and took the oath of office. Perhaps, too, he was a bit awestruck and perplexed that day in 1941 to find himself in such stately surroundings—and he could not be blamed. For only months before, he was toiling at the bricklayer's trade that his father had plied before him.

But the understandable perplexity would soon yield to a purposeful and constructive program that would catapult this son of Rhode Island into national and even international prominence. In the ensuing 26 years, John Fogarty would make the fields of health and welfare his special domain and all the ills plaguing mankind, young and old, his special target. The success of his efforts are his legacy, not merely to his fellow Rhode Islanders but to all Americans, for his work transcended congressional district lines, community lines, and state boundaries. His is a legacy partly of brick and mortar, for buildings that stand as monuments to his work have risen in Bethesda . . . in Kingston . . . in Exeter. But, more, his legacy is the visible inroads into the bastions of disease that will one day ease the pains, the distress and the heartaches of countless millions. A finer bequest to one's fellow man can hardly be imagined.

Mr. Fogarty was eloquent proof that one man can indeed make a better world.

When the news of his death spread throughout the state on Tuesday, the phone in his office in the Custom House in Providence rang constantly, and those calling wept unashamedly as they tried to convey their feelings to Mr. Fogarty's associates. For in the long years that had passed since he first sought the office, he had become a singular public servant, respected for his dedication to his duties and possessing a warm interest in the well-being of people that went beyond political lines. The Congress post he first won from Harry Sandager in 1940 was the only office he ever sought, and all 12 men who later tried to wrest it from him failed. Yet, his defeated opponents became his fast friends. Never in his 14 campaigns did he talk in derogatory terms about his opponent, a tactic rare in the political arena, and friendships flourished in the aftermath of elections.

Congressman Fogarty was not the elected official who represented the Pawtucket area residents—but represent them he did, and many more. He served with distinction and reflected untold credit upon his native state. Through his personal efforts, the World Health Organization—four different presidents appointed him to attend its gatherings in Geneva—will hold its 1968 session in Boston, Mr. Fogarty's tribute to the latter city as a world medical center.

One of mankind's most ruthless foes has felled the man who rallied the nation's resources against it, and other diseases. It is tragic that he felt its blow at so young an age with so much work ahead. Yet even so he waged the long fight well, and when the day of victory dawns, the name of Congressman John E. Fogarty of Rhode Island will be accorded the respect due a pioneer who won't be there but without whom there would have been no conquest.

[From the New York Times, Jan. 11, 1967]

REPRESENTATIVE JOHN FOGARTY DIES AT 53; CHAMPIONED U.S. HEALTH AID—RHODE ISLAND DEMOCRAT LED FIGHT FOR MORE FUNDS—IN HOUSE SINCE 1941

WASHINGTON, January 10.—Representative John E. Fogarty, Democrat of Rhode Island, died in his office today, apparently of a heart attack, shortly before he was to have been sworn in for his 14th term. He was 53 years old.

The House which normally meets and adjourns quickly following the death of a Representative, met as scheduled because new members were to be sworn at the session, and such meetings are mandatory.

"MR. PUBLIC HEALTH"

As Representative from Rhode Island's Second Congressional District since 1941, John Edward Fogarty achieved renown as a successful sponsor of massive Federal spending for medical research, public health and aid to the mentally retarded.

Chairman since 1949 of what is now the House Subcommittee on Labor, Health, Education and Welfare, Mr. Fogarty pressed for appropriations totaling into the billions, even when his own Democratic administration had not budgeted them.

In 1961, Mr. Fogarty accused President Kennedy of having dealt a "devastating blow" to cancer research by seeking to trim $60 million from the budget of the National Institutes of Health. Mr. Fogarty chose a national cancer conference to make his charge. Later, he led the fight for restoration of the cut in Congress.

In 1965, when President Johnson signed a health research facilities act in a public ceremony at the National Institutes, Mr. Fogarty told the President that "we would have had more if you hadn't cut the funds."

WON SPECIAL LASKER AWARD

Honored many times, Mr. Fogarty received the Distinguished Service Award of the American Cancer Society in 1952, the first award of the National Association for Retarded Children in 1956, the National Distinguished Service Medal of Parent's Magazine and the National Rehabilitation Association's annual award.

In 1959, he was given, along with Senator Lister Hill of Alabama, one of two special Lasker Awards for "extraordinary public service." The awards, established by the Albert and Mary Lasker Foundation in 1946, are presented annually by the American Public Health Association and are seldom given to nonprofessional persons.

A health-science laboratory building at the University of Rhode Island, a hospital at the Doctor Joseph H. Ladd School for the Retarded and a center for retarded children in Providence all bear his name.

The stocky, grayish Mr. Fogarty was known around Washington as "Mr. Public Health." As a public speaker, he was warm and persuasive without being oratorical. Newsweek magazine once described him as "immensely popular with his fellow Congressmen, soft-spoken and retiring (except for his bright green bow ties)."

The green emphasized his tie to the Old Sod, although he was born in Providence. In 1950, Mr. Fogarty created a stir when he sought to cut off Marshall Plan foreign-aid funds to Britain until the partition of Ireland was ended. The House first approved the amendment but defeated it before it could become law.

Mr. Fogarty's greatest effort and achievements were in furthering medical research. But, he said, "Nothing happened to me as a kid that made me decide medicine must be important."

Mr. Fogarty, who was born March 23, 1913, ended his formal education with high school. Then, following the lead of his father and older brother, William, he became an apprentice bricklayer. He was only 23 when he was elected to the first of four one-year terms as president of the Bricklayers Union Number 1 of Rhode Island, and only 27 when he won election to Congress.

ENLISTED IN NAVY

Late in his second term, on Dec. 7, 1944, he enlisted, incognito, in the Navy's Construction Corps. Because of his membership on the Committee of Naval Affairs, he wanted to observe the problems of enlisted men first hand, and as an enlisted man, worked on Guam.

Returning to Washington in 1945, he announced his intention to "make himself the enlisted man's legman." He sought membership on the Appropriation Committee's subcommittee dealing with the naval budget because Rhode Island has a number of naval installations. Instead, he was placed on the labor and health, education and welfare subcommittee. In 1949, he became its chairman.

Mr. Fogarty, who still carried his union bricklayer's card, lived for many years in Harmony, a small Rhode Island village.

Mr. Fogarty is survived by his widow, the form Luise Rohland; his daughter, Mary Louise; four brothers, William, Raymond, T. Francis and Charles Fogarty, and a sister, Miss Margaret A. Fogarty.

[From the Hartford (Conn.) Courant, Jan. 14, 1967]

CONGRESSMAN FOGARTY OF RHODE ISLAND

Recent Congressional incidents have all conspired to build in the public mind the image of a Congressman as a free-wheeling cadger. And yet, the death of such a Congressman as John E. Fogarty of Rhode Island is a sharp reminder that while there are sinners in Congress, there are some who come close to being saints. Mr. Fogarty was a rough-hewn, solid man who was trained as a bricklayer. He later became the business agent of the union, and soon, even as a young man, gained a reputation for his fairness, intelligence and integrity.

These were qualities he maintained until his death. From the moment he entered Congress three decades ago until the very last, Mr. Fogarty devoted himself with earnest intensity to the promotion of all measures furthering medical research, better medical care, and increased appropriations for the various governmental units that were concerned with public health. He was particularly active in promoting better care for the mentally retarded. In his native state, with quiet affection, they usually referred to him as "Doctor" John.

Unlike some representatives who think of themselves first, Mr. Fogarty thought first of the public good. And his record in promoting wholesome legislation was as solid as some of the brick walls he once built. The people knew it, and if he had lived, Mr. Fogarty could have stayed on in Congress for as long as he liked. Such quietly effective public servants are the backbone of Congress.

[From the East Providence Post, Jan. 12, 1967]

A Crusader Is Gone

Congressman John E. Fogarty will go down in history as one of this country's greatest crusaders in the fight for public health.

The 53-year old senior congressman, because of a firm foothold on Capital Hill, was able to secure passage on many major and vital health measures. This includes such legislation as the heart, stroke and cancer act and also an act providing increased care for the mentally retarded.

Mentally retarded children always held a soft spot in John Fogarty's heart. Nobody ever learned why. He went out of his way on hundreds of occasions to lend support to programs and facilities that would help make this world a better place for these unfortunate persons to live in.

It is ironic that Mr. Fogarty died of a heart attack at the prime of his career. Heart disease is one that he had been continually fighting to cure. Funds for medical research on heart disease always rated a high priority on his public health list.

It will be quite some time before any Rhode Island representative receives the seniority and stature that Mr. Fogarty attained in the House. Because of his untiring efforts in the health field, he was named chairman of the powerful subcommittee on Labor, and Health, Education and Welfare.

Perhaps not too many persons realize it, but millions of dollars in federal funds for hundreds of state, city and town projects throughout Rhode Island were granted only through the help of Congressman Fogarty.

If a city or town in his congressional district had a project that required federal funds for it to become a reality, Mr. Fogarty was always there to make sure the funds were unleashed, if at all possible. More than likely, the project was completed and the congressman was on hand for its dedication.

Congressman Fogarty, the man with the green bow tie, will be missed to be sure.

[From the Woonsocket Call and Evening Reporter, Jan. 11, 1967]

John E. Fogarty

John E. Fogarty was a Congressman who tended carefully to his own constituency. He was extremely popular, as the big votes that returned him to office for so many terms indicate. His sudden passing in his Washington office just hours before the 90th Congress was due to convene came as a distinct shock.

The victim of a heart condition, Congressman Fogarty for some time had immersed himself in matters pertaining to health, especially on a national scale. He had won a multitude of honors for his work in the various fields of health and medicine. On the local scene he was a staunch supporter of the new Mercy Hospital for which he was able to obtain federal funds.

Proud of his Irish heritage, John Fogarty was equally proud of his background as a former bricklayer, like his father before him. As a politician he understood the needs of his fellow citizens and his own town of Glocester, a rock-ribbed Republican stronghold, biennially switched to the Democratic column to vote for its son.

John Fogarty was particularly esteemed in the higher echelons of the Democratic Party. A close associate of the late President Kennedy, he was reported to have rejected the offer of a cabinet post—Secretary of Health, Education and Welfare—to devote his time and talents to his Rhode Island constituency.

His passing came too soon and too suddenly and is a loss to Rhode Island and the nation.

[From the Pawtuxet Valley Daily Times, Jan. 14, 1967]

John E. Fogarty, a Great Loss

This week Rhode Islanders lost to death one of the most distinguished citizens and respected legislators in the history of the state. And the death of Rep. John E. Fogarty was a loss felt far beyond the borders of this state. Overwhelming testimony to that has been given in the past few days in the tributes of leaders in politics, education and the health professions. Their tributes voiced what is evident in the record of the man during the quarter of a century he served in the United States House of Representatives.

In this special area of interest, research in the health sciences and improvement of health services for the nation's men, women and children, no legislator has achieved a better record. The tributes of the great were well deserved.

But the most significant and enduring marks of affection and loss were to be found in the manifestations of grief from the "little" people—at the airport as the plane from Washington brought John Fogarty home, at the wake, in the state capitol as the body lay in state, at the funeral service in the Cathedral of SS. Peter and Paul.

It is, after all, the people who have lost a friend and champion. Although the scientists, the doctors, and the educators and their research were aided directly by John Fogarty's dedication to the providing of greater means for them to wage the war against disease, it was the people whose interests he was ultimately serving.

Nowhere in his district will Rep. John E. Fogarty be missed more than in the Pawtuxet Valley. Many individuals and groups can vouch for his genuine interest in them and aid to them. It is fulsome and therefore does no credit to a man's memory to insinuate that he is irreplaceable. Rhode Island's Second Congressional District will be served well again. There are obviously capable men in both parties. But it is virtually a certainty that no Congressman—from Rhode Island or any other state—will ever quite achieve the stature of John E. Fogarty in legislative service to the health needs of the American people.

[From the Westerly (R.I.) Sun, Jan. 11, 1967]

John E. Fogarty

The unexpected death yesterday morning of Congressman John E. Fogarty is a loss that will be felt in practically every Rhode Island home. But his death is a far greater loss to the millions of Americans across the nation. Among his mourners will be the aged from coast-to-coast, the mentally retarded from Canada to Mexico, and everyone afflicted in one way or another with a heart ailment.

John Fogarty, with his Kelly-green bow tie, was a well known and respected figure—in Westerly, in the Congress of the United States, and everywhere across the country when the health of the people was an issue.

As a Republican, it is sometimes difficult to look across the political fence and see the true man in the Democrat camp. One's view is often dimmed by political bigotry. It is equally hard for a Democrat to see the true picture within his own camp. He would be too close to John Fogarty—a veteran of 25 years in the U.S. House of Representatives.

Probably our closest personal association with John Fogarty came a few years ago through a letter requesting an appointment to West Point for our son. The same letter went to both Senators representing the Westerly area. John Fogarty granted a Principal Appointment to the son of a Republican when he could just as easily have given him an Alternate Appointment. Later we were to learn from a locally prominent Democrat that John Fogarty had put his political career on the block by doing so.

To date, John Fogarty's faith in a boy of opposite political belief has paid off. He is a West Point graduate, a qualified paratrooper, Ranger, and Company Commander in the 1st Armored Division. He is also a Viet Nam volunteer.

This we believe, is one small item of service in the life of John Fogarty—a servant of all Rhode Islanders. We shan't forget him.

C.W.U.

[From the Narragansett Times, Jan. 12, 1967]

South County Is Indebted to Representative John E. Fogarty

The death of Rep. John E. Fogarty Tuesday came as a severe blow to the state of Rhode Island, and for South County, which the congressman visited often and served so well, there was also a sense of personal loss.

Mr. Fogarty, who represented the state for 26 years in Congress before his untimely death, only last autumn completed one of his most important tasks for Narragansett, getting federal approval for the North End water system.

Municipal officials acknowledge that without Mr. Fogarty's assistance, the project would probably still be no further toward approval than it was four years ago.

In the days just prior to the government's announcement of its approval of the project, Mr. Fogarty worked feverishly to open doors in Washington locked to officials on the local level. He had committed himself to getting the project approved, and was not about to take no for an answer. He did not have to.

The congressman was also instrumental, a few years ago, in getting federal approval for an access to the new South Kingstown police station off the new U.S. Rte. 1. Town officials were pleased with the site, and with Mr. Fogarty's help were able to put it to use.

His contributions as a leader in the field of mental health and medicine were rewarded in 1964, when the University of Rhode Island gave his name to its new health sciences center.

Today, we in South County are the poorer for his passing, but the richer for having had as our man in Washington, John Fogarty, Everybody's Congressman.

[From the *Providence Evening Bulletin*, Jan. 14, 1967]

"Built His Own Testimonial": Eulogies Cite Fogarty's Image

Members of the Rhode Island General Assembly yesterday eulogized Rep. John E. Fogarty as a congressman who represented everyone in Rhode Island and whose efforts in the fields of health and welfare benefited everyone in the country.

A resolution passed first by the House and then by the Senate praised Mr. Fogarty as a man whose "interests were always with the so-called working class, for he was a bricklayer before his election to Congress at the age of 27, and understood the problems of the working people.

"The name of John E. Fogarty is synonymous with the cause of health and welfare, for all his efforts have been directed in this area with outstanding results," the resolution said.

"Not only Rhode Island, but all states of the union have benefited from his dedicated endeavors in those fields, as evidenced by the innumerable awards made to him by civic, municipal and state organizations. His interest in the field of health and welfare was internationally recognized."

The Assembly eulogies and passage of the resolution followed Mr. Fogarty's funeral by a few hours. The funeral, held in the Cathedral of SS. Peter and Paul, was witnessed by thousands of people.

Mr. Fogarty died Tuesday morning at his

office in Washington, hours before he was to be sworn in for his 14th term.

In Washington yesterday, four more senators paid tribute to Mr. Fogarty. Sen. Robert F. Kennedy of New York said the Kennedy family and all Americans will miss the Rhode Island congressman.

He recalled that Mr. Fogarty had neither permitted nor needed testimonials while in office—that he "built his own testimonial, laying bricks of solid achievement, mortared with care and love."

Sen. Jacob K. Javits, R–NY, recalled that he served in the House with Representative Fogarty and saw the "integrity, wisdom and devotion to principle with which he pursued his congressional career."

He said Mr. Fogarty "never forgot his early years as a bricklayer, remaining throughout his congressional career sensitive to the needs of those of modest means."

Sen. Harrison J. Williams, D-NJ, said Representative Fogarty had an unusual ability to "remain in touch with the people he served" and was effective in Congress first because he saw what needed to be done and then had the force of will of the knowledge needed to make things happen."

Sen. Daniel K. Inouye, D-Hawaii, said few men could match Mr. Fogarty's record and that "countless Americans, including the very old and the very young, are indebted to John Fogarty for his lifelong devotion to development and improvement of many national health programs."

The General Assembly resolution praising Rep. Fogarty was introduced by Rep. Joseph A. Bevilacqua of Providence, D-Dist. 13, and several other representatives of both parties. Many of them took the floor to pay tribute to the congressman.

PRAISED BY BEVILACQUA

Mr. Bevilacqua, majority leader, praised the congressman as one "who was concerned with the welfare of the poor, the sick and the infirm. Many of the things he has done and the legislation he has worked for will never be erased from the pages of history."

Rep. Oliver L. Thompson of Barrington, R-Dist. 88, minority leader, echoed Mr. Bevilacqua's sentiments and praised the eulogy delivered at Mr. Fogarty's funeral by the Rev. Joseph L. Lennon, dean of the college at Providence College.

He said the eulogy "was one of the most beautiful and expressive that could be given. It would be hard to top it."

WRENN PAYS TRIBUTE

House Speaker John J. Wrenn of Providence, D-Dist. 17, said he reacted to Mr. Fogarty's death in the same manner he had reacted to the death of President John F. Kennedy.

Mr. Fogarty, he said, "was the John F. Kennedy of Rhode Island." Mr. Wrenn said that Mr. Fogarty as a bricklayer must have taken great care to lay brick upon brick in a straight level row.

"This," Mr. Wrenn said, "is how he constructed his entire political career. He laid brick upon brick and built human welfare."

Fifteen senators and the presiding officer, Lt. Gov. Joseph H. O'Donnell, eulogized Mr. Fogarty in the upper branch of the legislature, on both sides of the political aisle.

Sen. Frank Sgambato of North Providence, D-Dist. 36, majority leader, led off the tributes, followed immediately by Sen. C. George DeStefano of Barrington, R-Dist. 44, minority leader, who said, "My party feels this loss very deeply."

[From the Washington Daily News, Jan. 11, 1967]

Representative Fogarty

His name hardly was a household word. But here and among the advocates of such causes, Rep. John E. Fogarty of Rhode Island was the acknowledged champion of research in medicine.

One of his favorite causes was more Federal money for research into heart diseases. Nobody suspects he had any premonition in all the years he so avidly plugged for research funds, but just before he was to start his 13th term as a House member, Mr. Fogarty was found dead in his office—of a heart attack.

Mr. Fogarty pursued his projects with a will.

The Congressman had been honored by the American Cancer Society and he had received the Lasker Award for "extraordinary public service." He also had been a constant and leading pleader for extra funds for public education. In his own zealous way, he richly earned the honors which came his way.

[From the Evening Bulletin, Jan. 16, 1967]

Tributes to John E. Fogarty

In a period when many of our countrymen are concerned about the abilities and interest of our elected representatives who recommend and create legislation for the common good, John E. Fogarty stood as a monument of knowledge in his areas of concern. Eminent scientists, prominent physicians, skilled administrators and dedicated lay volunteer leaders of health and welfare programs always found in John E. Fogarty a colleague who was equally informed on every topic and who could accept and evaluate testimony based on a fantastic supply of background information which appeared to be at his very fingertips.

When a citizen left the presence of Mr. Fogarty he left with an increased respect for the capabilities of his elected representatives; he left with an increased belief that his own competence would be assayed by one with knowledge and experience rather than with indifference.

John E. Fogarty's business was the health and welfare of our people . . . and he knew his business . . . and while he lived, it flourished.

ROBERT N. MAZER,
Executive Secretary, National Dialysis Committee.
N. BELLMORE, N.Y.

May I, as one of Congressman John E. Fogarty's first and ardent admirers, pay tribute to this truly great man?

I remember him with his green bow tie as one who never forgot his beginnings and who often spoke publicly and proudly of his early days when he was a bricklayer. And I recall how much the late Dr. Ruggles and Archie Silverman loved him for his straightforwardness and honesty.

Yes, he received with embarrassment his very first citation on a solid silver platter tendered by me at a dinner given by the Providence Health Service, an organization started by Dr. Ruggles, and I believe the great guests in my house were instrumental in helping him to change his mind about trying to be governor of Rhode Island. He decided with us it would be better to be "a small fish in a big pond than a big fish in a small pond."

Yes, we will miss him; in fact the whole world will miss him! God bless his soul.

MRS. ARCHIBALD SILVERMAN.
PROVIDENCE.

At a Democratic rally three months ago I was honored to be introduced to Congressman John E. Fogarty. I had admired this dedicated Congressman from afar for 12 years, so this was the thrill of a lifetime. He brought a touch of richness to my life that I will treasure deeply.

He was a dedicated leader to people from all walks of life. The State of Rhode Island has lost a loyal, sincere, honorable, dedicated leader with the passing of Congressman John E. Fogarty. He will never be forgotten by me.

ALICE E. D'ALESSIO.
PROVIDENCE.

I agree with the statement in your excellent editorial in the Providence Journal of January 11 that "it will be no easy task for the voters of his district to fill the seat John E. Fogarty filled with such distinction."

I knew him as an intelligent, capable, upright, kindly, fair and open-minded gentleman. I know from him and from what he did that his aim on this earth was to make his presence fruitful for good. He achieved it with excellence.

The honor and glory that came to Congressman Fogarty meant little to him. His main concern was in assisting others in whatever way he could regardless of race, color, religion, nationality or political persuasion. Any compensation he received was to him secondary. He held to his principles with courage whatever the political or other cost to himself. He was therefore a statesman in the truest sense of the word.

I share the sadness of his sister and brothers, Margaret, Bill, Ray, Frank and Charlie; his daughter Mary; and his wife Luise who I believe was of inestimable help to her husband and provided a great deal of the impetus that carried him to the position of high esteem in which he is held in the minds of the countless thousands of people who knew him.

JOSEPH A. MACKEY.
PROVIDENCE.

PRAYER DELIVERED BY REV. JOSEPH P. MCNAMARA, PASTOR OF ST. PHILIP'S CHURCH, GREENVILLE, R.I., AT THE BIER IN THE ROTUNDA OF THE STATE CAPITOL IN PROVIDENCE, R.I., JANUARY 12, 1967

May the angels take you into paradise: may the martyrs come to welcome you on your way, and lead you into the holy city, Jerusalem.

May the choir of angels welcome you, and with Lazarus who once was poor may you have everlasting rest.

I love the Lord because he has heard my voice in supplication, because he has inclined his ear to me the day I called.

The cords of death encompassed me; the snares of the nether world seized upon me; I fell into distress and sorrow.

And I called upon the name of the Lord, "O, Lord, save my life!"

Gracious is the Lord and just; yes, our God is merciful.

The Lord keeps the little ones; I was brought low and he saved me.

Return, O my soul, to your tranquility, for the Lord has been good to you.

For he has freed my soul from death, my eyes from tears, my feet from stumbling.

I shall walk before the Lord, in the lands of the living.

Eternal rest grant unto him O Lord. And let perpetual light shine upon him.

I am the resurrection and the life; he who believes in me, even if he die, shall live; and whoever lives and believes in me, shall never die.

Blessed be the Lord, the God of Israel, because he has visited and wrought redemption for his people, and has raised up a horn of salvation for us in the house of David his servant, as he promised through the mouths of his holy ones, the prophets from of old: salvation from our enemies and from the hands of all our foes.

He has fulfilled his kindness to our fathers, and been mindful of his holy covenant.

In the oath to Abraham our father, by which he swore to grant us, that, delivered from the hands of our enemies, we should serve him without fear.

In holiness and justice, before him all our days, and you, O child, shall be called the prophet of the Most High; for you shall go before the Lord to prepare his ways, to grant his people knowledge of salvation through forgiveness of their sins, because of the compassionate kindness of our God with which the Orient from on high will visit us, to shine on those who sit in darkness and the shadow of death to guide our feet into the way of peace.

Eternal rest grant unto him, O Lord. And let perpetual light shine upon him.

I am the resurrection and the life; he who believes in me, even if he dies, shall live; and whoever lives and believes in me, shall never die.

Dearest brothers, let us faithfully and lovingly remember our brother whom God has taken to himself from the trials of this world.

Lord, have mercy.

Christ, have mercy.

Lord, have mercy.

Our Father who are in heaven hallowed be thy name; thy kingdom come, thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil.

From the gate of hell rescue his soul, O Lord. May he rest in peace. Amen.

O Lord, hear my prayer; and let my cry come to you. The Lord be with you—And with your spirit.

Let us pray. O Lord, we implore you to grant this mercy to your dead servant, that he who held fast to your will by his intentions, may not receive punishment in return for his deeds; so that, as the true faith united him with the throng of the faithful on earth, your mercy may unite him with the company of the choirs of angels in heaven. Through Christ our Lord. Amen.

Eternal rest grant unto him, O Lord. And let perpetual light shine upon him. May he rest in peace. Amen.

May his soul and the souls of all the faithful departed through the mercy of God rest in peace. Amen.

[From the Boston Globe, Jan. 12, 1967]

REPRESENTATIVE FOGARTY OF RHODE ISLAND DIES

JOHN E. FOGARTY (D-R.I.), 26-year veteran of the House and champion of national health bills, died unexpectedly Tuesday in his congressional office.

The 53-year-old chairman of the appropriations subcommittee handling labor and health, education and welfare funds, had gained a reputation for his work in bolstering health research.

FOGARTY was born in Providence, Mar. 23, 1913, and educated at La Salle Academy and Providence College. He apprenticed and worked as a brick mason in Harmony in his early years and rose to be president of Bricklayers Union 1 of Rhode Island.

Survivors include his wife, Luise (Rohland) Fogarty, and a daughter.

Funeral services will be held in the Roman Catholic Cathedral of Sts. Peter and Paul, Providence, probably on Saturday.

BRICKLAYER BECAME MEDICAL EXPERT

(By Herbert Black)

JOHN E. FOGARTY was a bricklayer who knew more about medical care than many doctors.

He was a Democratic Congressman from the smallest state, but for medical care, research and education he represented all the American people.

He was a fighting Irishman from Harmony, R.I., whose political trademark was a green bow tie. Yet he was gentle, modest and humorous. Highly intelligent, he educated himself so well that scientists, medical school deans and world-famed physicians were among his closest friends.

His untimely death Tuesday of a heart attack at 53 undoubtedly was due in part to his unceasing efforts for others. When he joined the House subcommittee in charge of health appropriations in 1949 the budget was $2 million for medical research. It now runs approximately $400 million.

His dedication to American health met a test in 1960 when Sen. Theodore Green retired and many urged FOGARTY to seek his seat. The congressman decided to keep his House seniority so he could continue as chairman of the subcommittee on health spending.

A typical question of FOGARTY's when health appropriations for the National Institutes of Health and for private research were placed in administration budgets was "Is it enough?"

He could never see spending billions to get to the moon if it meant slighting research in a disease that was killing children on earth.

Those who applied for funds often are startled at his ability to distinguish between important scientific projects and minor work and to differentiate between diseases which could wait and those that deserved funds fast.

FOGARTY began his intensive self-education in health when in 1947 he became a member of the subcommittee on health spending and was astounded to find America was not the healthiest nation in the world.

He was pleased when in 1960 the U.S. Public Health Service reported that five years had been added to the life expectancy of American baby boys born in 1940. They could expect to live to 66 instead of 61 because of medical progress.

An example of the way he took hold of a problem is his espousal of mental retardation aid. Speaking to a group of Rhode Island mothers in 1954, he was asked what the Federal government was doing about mental retardation. He said he didn't know, but would find out. He found out the government was doing virtually nothing. The next year a $750,000 research program was underway.

Federal spending for mental retardation now runs in the millions.

Many of FOGARTY's best friends are in the Boston area. Dr. Sidney Farber and Dr. Paul Dudley White attended him when he suffered a coronary attack in 1953. He watched his weight at their direction but worked as hard as ever for health funds.

The deans of Boston's medical schools praised his contributions to education and research and his interest in sick people everywhere.

Dean Robert H. Ebert of Harvard said "JOHN FOGARTY was one of the leading Congressional voices speaking out for the health needs of our generation. His untimely death is most tragic."

Dean William F. Maloney of Tufts commented "Rep. FOGARTY's death is a severe blow. The force of his conviction and his effort has been critical in protecting the health of the American people and in lengthening the expectation of useful life through Federally-financed research."

Dean Franklin G. Ebaugh Jr. of Boston University: "Cong. FOGARTY was one of the principal architects of what has turned out to be one of the most effective and far reaching medical research programs in the history of the world. The nation owes him an immense debt of gratitude."

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Rhode Island yield?

Mr. ST GERMAIN. I yield to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join the distinguished gentleman from Rhode Island [Mr. ST GERMAIN] in the eloquent tribute which he has paid to a close associate, friend, and former colleague, one of the greatest men I have known in my lifetime and, certainly, one of the finest Members ever to serve in this House of Representatives. Therefore, Mr. Speaker, it is with sadness and a deep sense of personal grief and personal loss that I join my colleagues in paying tribute to the life and service of JOHN E. FOGARTY.

If any man ever was a legend in his own time, JOHN FOGARTY was that man. All of us know the preeminence he achieved in the fields of public health and public welfare. We know, too, of his background as a bricklayer who never forgot the cause of the workingman.

As was said in the eloquent report of his death in the Washington Post of January 11:

> The gap between the modesty of his background and the breadth of his achievement was matched by a gap between the modesty of his self-appraisal and the praise that he received in life and death.

No man in the history of the Congress has done as much for public health as did JOHN FOGARTY. During his years in this House he worked constantly, tirelessly, and devotedly to rid us of the dread diseases that haunt mankind. The very last bill he reported to this House was one of major importance. The war on poverty and disease, he said, was a war that he was determined to escalate.

From almost his first day in Congress until his very last, JOHN FOGARTY carried on the fight for more funds for medical research, for mental retardation, and for the war on poverty. In the closing hours of the 89th Congress, in one of his last utterances on this floor, Representative FOGARTY made an impassioned plea for more funds for the war on poverty. In that statement he said:

> The war on poverty is a success, it is working, it is overcoming ancient enemies of man in thousands of local, grassroots encounters virtually every day of the year.

Mr. Speaker, the medical research program of this country is the greatest in the world. Our public health facilities are unequaled by any other nation. That these accomplishments have been attained is due in great measure to the effort and ability of the man whose memory we honor today.

Mr. Speaker, to Mrs. Fogarty and her daughter and his thousands of friends and constituents who literally adored him, Mrs. Albert and I extend our deepest and most heartfelt sympathy.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I will be happy to yield to the distinguished gentleman from Wisconsin, a colleague of mine, and a colleague on the Subcommittee on Health, Education, and Welfare.

Mr. LAIRD. Mr. Speaker, I rise here today to honor a man of the House. For the greater part of his prematurely short but amazingly productive life, JOHN EDWARD FOGARTY lived, breathed, and died as a Member of this great House of Representatives.

His death is an immeasurable loss to all of us who were his friends and colleagues in the House, but it is also a tremendous loss to the medical and scientific community and, most importantly, to the millions of men, women, and children in all walks of life whom he served so nobly.

Dr. Howard Rusk, America's most distinguished leader in the field of vocational rehabilitation, captured the totality of the national loss in these words which he wrote in the New York Times of January 15:

> If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

In a brief period of time, it is virtually impossible to summarize the many legislative accomplishments of the gentleman from Rhode Island.

He came to the House at the age of 27 in January 1941. After 6 years of service on the House Naval Affairs Committee—interrupted by a tour of duty as an enlisted man in the Navy during World War II—in 1947 he was assigned to the Appropriations Subcommittee on Labor and the Federal Security Agency—later the Department of Health, Education, and Welfare. The chairman of the subcommittee at that time was one of the most distinguished figures in the House, Congressman Frank Keefe, of my own State of Wisconsin.

From the very beginning, the young Representative from Rhode Island worked closely with the chairman of the committee. In the very first year of his service on the committee, a new drug—streptomycin—was introduced on the market as an effective agent in the treatment of tuberculosis. However, this wonder drug was beyond the reach of everyone but the most wealthy—it cost $250 a gram. Frank Keefe and John Fogarty decided together, in true bipartisan fashion, that they would go beyond the recommendation of the Bureau of the Budget and appropriate $3 million to try to find a way to manufacture this new drug synthetically. The Congress went along with the committee recommendation and, within a year, the cost of the drug was reduced to $10 a gram. Streptomycin was the first of a series of agents which, over the next 15 years, was to reduce the death rate from tuberculosis by an incredible 87 percent.

In 1949, when John Fogarty became chairman of the subcommittee, the discovery of the efficacy of cortisone against arthritis was first announced. Again he moved in to provide funds over the budget recommendation to reduce the prohibitive cost of this drug. The venture was successful, and thousands and thousands of sufferers from arthritis received blessed relief.

As a result of these experiences and of the testimony of scores of the Nation's most distinguished scientists whom he summoned before his committee, John Fogarty soon became the most eloquent advocate in the Halls of Congress on behalf of medical research. To the very end of his life, he was the most potent champion of the National Institutes of Health. Never satisfied with the status quo, he prodded both governmental and nongovernmental witnesses for new solutions to the age-old afflictions of mankind.

Statistics on the growth of the Institutes tell only part of the story. In the first year of his service on the subcommittee, the total budget of the National Institutes of Health was only a little in excess of $3 million. In the current year, the NIH budget approximates $1.4 billion.

In all of his endeavors, John Fogarty was always interested in the end result—in the number of lives saved and disabilities prevented. For example, in 1954, he became interested in a new diagnostic method for the detection of cancer of the cervix, one of the most common and deadly cancers in women. He pushed the Public Health Service hard on this, getting them to set up the first demonstration program in Memphis, Tenn. Since that time, the "Pap" smear has been administered to millions of women, and the mortality rate from cancer of the cervix has dropped sharply.

In the debates on the House floor on appropriations for the National Institutes of Health, he always marshaled the facts and figures to document the savings from relatively small investments in medical research. In 1956, in a rather heated debate on the value of the medical research expenditures of the National Institutes of Health, he ripped into those who contended that not enough progress was being made. Let me quote what he said then, for it evokes poignantly his deep compassion for suffering people and his continuing, restless search for new attacks upon disease:

> I do not know how much we have expended on cancer research. I do not care. I do not know whether it is $100 million or $3 billion, but if any part of that was a help in finding this new technique in diagnosing cancer in a stage early enough to cure 100 percent of cancer of the cervix in women, every dime that we have expended has been well expended by the Congress of the United States.
>
> Dr. Sidney Farber, of the Children's Hospital of Boston also appeared before our committee. He is an outstanding expert, not only in this country but in the world, in the field of leukemia which is cancer of the bloodstream, especially in children. He was the man who pioneered in the use of antifolic compounds in the treatment of leukemia. He has used these compounds to treat one boy since 1947. He discovered their use in Boston, with the help of funds from this appropriation, if you please. As a result of that discovery, for the first time in medical history a young boy afflicted with acute leukemia is still living after 10 years. How much is his life worth? I do not know, but to me it is worth every dime we have put into these programs over the past 10 years.
>
> We also had testimony from people in the mental health field, like Dr. William C. Menninger, of the Menninger Institute in Topeka, Kansas, which is training more psychiatrists today than any other place in the world. He told us of the new advances that have been made in the drugs that have come out within the past 2 years, with the help of some of our appropriations. He told us, and Dr. Kline of New York State told us, that the discharges from mental institutions have increased 20 to 25 percent this past year because of the use of these new drugs. Ladies and gentlemen, I do not know what the cost has been for developing those new drugs, but if it is doing that, we are not spending enough, in my opinion, in that field.
>
> How many people two years ago would have paid any attention to me if I said at that time that we had some information from some of our leading experts in the field of polio that there might be developed a vaccine that would prevent polio? But that has happened, because of the program put on by the National Foundation, and also supported by the National Institutes of Health for which the appropriations we are now discussing are made. That vaccine now is being given to children and has proved to be 70 to 80 percent effective. The goal is to make it 100 percent effective. As a result of that discovery, the heartaches of mothers and fathers and the suffering of children, not only in this country but all over the world, will be relieved. I do not know how much money it cost to develop that vaccine, and I do not care. It is worth every dime that we have spent.

Concluding that magnificent address, he expressed his profound disagreement with those who would move slowly against the major killers and cripplers of our time:

> We are told sometimes that we must move at a measured pace—that a program of research to find the prevention and cure of disease must go along slowly.
>
> I need not say to you that death and disability make their own pace and speed. They do not accommodate themselves to the tempo we set for research. They strike swiftly and relentlessly. Our vote today is to declare if we are wiling to meet them on their own terms and show the way to better health for the people of this Nation of ours. Our vote today will indicate whether or not we really intend to help those who so desperately need assistance—the sick and the poor.

There are many who believe that John Fogarty's greatest contribution was in bringing the plight of the mentally retarded to national attention. With characteristic candor and honesty, he often related the fact that he was asked to address a group of parents of retarded children in his native city of Providence in the fall of 1954. He gave them a little talk, and then one of the parents asked him what the Federal Government was spending on this program. Congressman Fogarty replied that he did not know, but that he would make it his business to find out during the next session of the Congress.

During the 1955 session, he probed Government officials as to what they were doing. He found that they were spending practically nothing on the problem of mental retardation—they viewed it as a hopeless affliction and testified that nothing much could be done about it. Mr. Fogarty allowed as how something could be done about it. He persuaded our subcommittee and the Congress to vote the first appropriation for an attack on mental retardation—$750,000. This was eight years before President Kennedy's special message of February 1963, in which he called for a nationwide program to combat mental illness and mental retardation. That $750,000 in 1955 has grown to the point where, in the current year, our National Government is spending more than $300 million for various programs in the field of mental retardation.

This was the way John Fogarty operated. When he saw a need he worked skillfully, tirelessly, and effectively to try to meet it.

I recall another time when John asked a young man he met why he needed canes to aid him walking. John said later:

> He told me he had multiple sclerosis. I had never heard of it, so I called up the Surgeon General. He told me that almost nothing was known about the disease and that

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> we were doing little to study it. So I got $500,000 as a starter to get to work on it.

Because of his restless, searching mind, he frequently proclaimed the necessity for legislation years before the rest of us in Congress and the country were aware of the need. For years he spoke in the Halls of the Congress and in many public forums, warning of the critical shortage of doctors and other health personnel. He introduced aid to medical education bills in a number of sessions of Congress before the final enactment of the Health Professions Assistance Act of 1963 vindicated his crusade.

He began talking of the medical, social, and economic problems of the elderly in the early 1950's. His persistent calls for a White House Conference on Aging finally reached fruition in 1961; the national awareness of the problems of the elderly stimulated by that Conference, culminated in the passage of his Older Americans Act of 1965, which established an Administration on Aging in the Department of Health, Education, and Welfare.

He was a constant champion of world health as an instrument of world peace, and he had the singular honor to be chosen seven times to be an official delegate to the annual assemblies of the World Health Organization. In 1958, he introduced a joint resolution in this House to set up a National Advisory Council on International Medical Research, and he did much to prepare the ground for the successful passage of the International Health Research Act of 1960.

He had a lifelong interest in rehabilitation. In recognition of his overall contributions to the field of rehabilitation, the National Rehabilitation Association in 1958 presented him with its coveted President's Award. The citation reads in part:

> During the past ten years in his position as chairman of the subcommittee which controlled appropriations for the Department of Health, Education, and Welfare, he has been a key figure in the developments which have brought substantial support for programs of rehabilitation and opened new doors for the handicapped throughout the nation.

In the 89th Congress alone, he sponsored the following pieces of legislation which became law:

A National Technical Institute for the Deaf;

Control of drug abuse;

Community Mental Health Centers Act amendments;

Community health service amendments;

Health research facilities amendments;

Water Pollution Control Act;

Medical complex centers for heart disease, cancer, and stroke;

Medical Library Assistance Act;

Health Professional Education Assistance Act;

Library Service Act amendments;

Model Secondary School for the Deaf Act; and the

Vocational Rehabilitation Act.

John Fogarty was awarded distinguished service citations by countless health and welfare organizations. In 1959, he received the national Albert Lasker Award for championing the advancement of medical research and public health. The $5,000 honorarium which accompanied the award was donated by Mr. Fogarty to the Rhode Island Parents Council for Mentally Retarded Children—the same group which had stirred his interest in mental retardation in 1954. When John was designated a winner of the Leadership Award by the Joseph P. Kennedy Jr. Foundation, given to the public official whose activities have awakened the public conscience or led to increased community effort on behalf of the mentally retarded, he donated the $8,000 honorarium to the John E. Fogarty Foundation, a charitable and educational organization which encourages medical research and fosters rehabilitation of the mentally retarded.

Four health and educational facilities have been dedicated in John Fogarty's name in the State of Rhode Island: The John E. Fogarty Occupational Training Center for the Mentally Retarded, the John E. Fogarty Medical and Rehabilitation Unit at the Joseph H. Ladd School for the Mentally Retarded, the John E. Fogarty Health Science Building at the University of Rhode Island Colleges of Pharmacy and Nursing, and the John E. Fogarty School in Foster, R.I.

On February 3, 1966, President Johnson presented John with the American Heart Association 1966 Heart of the Year Award.

His other awards and honors are too numerous to list here—honorary degrees from universities in many parts of the land, and honorary fellowships in a number of the Nation's most distinguished medical and health organizations.

But all of the honors and the awards and the legislative accomplishments do not create the full picture of the magnificent human being he was.

He had a been a bricklayer for 10 long and hard years before he came to the Congress and he was proud of it. He did not receive a great deal of formal education, but no one was more avid in pursuit of knowledge. If he did not understand the complicated medical terminology of a medical witness, he would say to him simply, kindly, and firmly: "Doctor, you will just have to state that again so that all of us can understand it. After all, I have to go up on the floor of the House in a few weeks and defend your request, so I would like you to put it in language that we can all understand."

He did not follow the stereotype of the combative Irishman. In his convictions he was persistent—yes, even stubborn—but he rarely raised his voice. His technique in interrogating a witness was never to bully him, but to quietly lead him down a trail of seemingly innocuous questions whose end only John could foresee.

I have spent more time with John Fogarty than with any other man in public life. I served with him on the Labor-Health, Education, and Welfare Subcommittee for 10 years. As chairman and ranking minority member, we worked closely together. During this decade we spent many hundreds of hours in hearings, formal committee meetings, and informal conferences. We have spent many weeks together on official inspection trips and we attended two of the World Health Organization's annual meetings together. We have been to many social functions together. My wife and I have had the pleasure of spending many pleasant hours with John and his wife, Luise. So when I speak of John Fogarty I am speaking of a man whom I not only loved and admired as much as any man I have ever known, but I am also speaking of a man I knew as well as any man on this earth.

John Fogarty was a great American, a great humanitarian, and a great legislator. As such he will live in history. As such he will always live in my mind. But I will remember him first in terms of what he was in his day-to-day relationships with his fellow man—his great personality—his fierce dedication to any goal he set for himself; his contempt for anything less than complete truth and candor in anyone, including himself; the great pride he had in his family which he so seldom made evident in words but was so obvious to those who knew him well; his complete loyalty to close friends; his equally complete trust in those friends; his almost unlimited energy, and the way he drove himself to use it to the utmost.

And I will remember him for many little things—his love of brick; his almost insatiable appetite for good steaks, and how he liked to broil them in the brick fireplace of his brick-floored basement with potatoes cooked in the hot ashes; how he loved to get a group of friends together for a few drinks, and listen to Judge Mackey play the piano and sing the simple, witty songs he composed; how hard it was for anyone but John to get the check at a restaurant; his great pride in anything Irish; his robust handshake; how much he enjoyed a good joke, and his strange self-consciousness on the infrequent occasions when he would tell one himself; his dislike of the pretentious to the point of sometimes being the only one in a business suit at the head table; the green bow tie that became almost an emblem or coat of arms; how he would often take off his shoes during our committee hearings; his calm unhurried approach to things—even to the point of missing his plane on several occasions; the steady direct way he looked into everyone's eyes when he talked to them. Then too, I could never forget his great sympathy for anyone, especially children and old people, with a mental or physical disability; his love of God and faith in the Catholic religion that was simple and pure, and completely free from ostentation.

All of these things about John will live in the minds of those of us who were his close personal friends so long as we are on this earth. John Fogarty was a great man for his tangible accomplishments, he was a wonderful friend, but he was also simple and humble—there was nothing artificial about this man.

In the many years I have been privileged to be his friend and colleague, I never ceased to marvel at the growth and maturity which he eventually achieved.

Who has said it better than Shakespeare: "What a piece of work is a man."

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I am happy to yield to the distinguished majority whip, the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, there is little I can add to the beautiful tributes that have been paid to our late colleague by his distinguished coworker from the great State of Rhode Island, by the minority whip and the distinguished Republican leader, his colleague on the Appropriations Committee, the gentleman from Wisconsin [Mr. LAIRD].

As some of us were leaving the cathedral in Providence, R.I., on Friday last, where a great crowd had gathered and had packed every pew and every corner of that very large edifice, and where were gathered the high and the low, the rich and the poor, leaders and those who were led, for the beautiful services and tributes to our late colleague, the distinguished chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON], said to me that the most surprised person of all would have been JOHN FOGARTY at his own funeral.

As a matter of fact, the crowd was not limited to the cathedral. On all sides of the streets, as the sad procession went from the church to the cemetery, again, as our colleague has described, there were so many people gathered.

The remark of the gentleman from Texas was so appropriate, because of all the characteristics of JOHN FOGARTY, the ones I believe that brought out so many people in reverence and in devotion were his humility, his dislike—as has been said—of display, of ostentation, his modesty, his reluctance to claim credit for the monumental contribution which he made to health, education, and the welfare of the ordinary citizens of this great country.

So, Mr. Speaker, it was a tribute well and adequately earned and deserved.

I was saddened of course to be there. I join with all of us in saying to us, and to the Nation that we have lost indeed one of the giants of this body.

He had a devoted wife, Luise, and a lovely daughter Mary, who has so many friends here where she attends Trinity College. To them and to all members of his family, Mrs. Boggs joins with me in expressions of love and sympathy.

Mr. Speaker, our Lord Jesus said, "It is more blessed to give than to receive." These words exemplify the character and the spirit of our colleague, JOHN FOGARTY. He gave of his energy and talent for the good of all of us—of all the American people. His accomplishments in improving the health of our people are legend. For our good health and our extended lifespan we are in his debt, as we are for his good works to improve education in our country.

Mr. Speaker, in his second epistle to the Corinthians, St. Paul said:

> He that soweth little shall reap little; and he that soweth plenteously shall reap plenteously. Let every man do according as he is disposed in his heart, not grudgingly, or of necessity; for God loveth a cheerful giver.

JOHN FOGARTY was a cheerful giver, and his devotion to this House and to his State and to our Nation earned for him the gratitude of his country.

When JOHN FOGARTY entered this House in 1941, our National Government's investment in medical research was about $3 million. Through his tireless efforts and his foresight, as chairman of the Appropriations Subcommittee for Labor and Health, Education, and Welfare, this investment today exceeds $1 billion. Today the budget of the U.S. Public Health Service alone is $2.5 billion—40 times greater than it was 20 years ago—and more than $1 billion of this sum is expended for medical research. JOHN FOGARTY played a tremendous role in making this extensive research possible for the benefit of the American people.

"Mr. Public Health" is a most appropriate title for our departed colleague, who believed firmly that "no American life should be lost because of a lack of research funds"—and he expended all of his energy and devotion to assure that our health would be ever better and our lives lengthened.

The 20 years from 1944 to 1964 have seen extensive improvements in our Nation's health by virtue of the increased investment in medical research by our National Government. JOHN FOGARTY was a chief architect in these improvements which include in this period:

First. A decline from 41 deaths to 4 deaths out of every 100,000 people from tuberculosis;

Second. A decline by two and a half times the number of deaths from rheumatic fever and rheumatic heart disease;

Third. A drop of 50 percent in the number of deaths from pneumonia and influenza;

Fourth. An almost total elimination in deaths of polio in this period; and

Fifth. A decline of 85 percent in the maternity death rate, and of 38 percent in the infant death rate.

These are but a few of the milestones of progress which have been made in the past two decades, and JOHN FOGARTY has been a leader in these achievements.

There is much more that I could add to the list of JOHN FOGARTY's good works to improve the health and the education of our people. I cannot close without remarking on the beautiful tribute paid to him last Friday by the people of Providence who came, young, old, rich, and poor, to pay their last respects to a great man—to their Representative, to a native son of Rhode Island. I had the distinct honor to be a Member of the delegation from this House to attend the requiem mass for our colleague, and it was a most moving and beautiful tribute to him. On the way to the great cathedral of SS. Peter and Paul, the streets were lined with the citizens of Providence who came to salute our departed colleague for the last time. I join with them in this final salute, and I say for all of us that we shall miss him dearly, as will the people of this great Nation.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. Mr. Speaker, I am happy to yield to the chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, it was my sad privilege and honor to be present in Rhode Island last Friday and witness the great tribute which was paid to our late friend.

When I think of JOHN FOGARTY, I think of Ralph Waldo Emerson, who said that "America is but another name for opportunity." JOHN FOGARTY took maximum advantage of his opportunity to be of maximum service to mankind. He came from the smallest State in the Union, but he was the biggest man in the House of Representatives for many years in the important field of his major interest.

I do not recall having seen upon a similar occasion such a spontaneous outpouring of love and appreciation as I witnessed upon the occasion of the funeral services for this good man. To see those people lined up block after block and mile after mile, standing in reverence, was a stimulating thing. It was a great tribute to the mind and heart and spirit of JOHN FOGARTY.

But, as pointed out by others here today, JOHN FOGARTY was not only beloved in New England. He was beloved in this House in a very special and wonderful way. We cannot add to his year-by-year service. It need not be added to. This is but a time for praise of the memory of the man who made this record. His contribution was not just to New England; not just to the Nation, but to all mankind.

I am privileged to stand on the floor of the House in the presence of my colleagues, and with thoughts of his wonderful family—whom he adored and for whom we express every sympathy—and pay tribute to the memory and good work of a man who always stood tall in any company and who will long be remembered for his contribution to the Nation's good.

Mr. ST GERMAIN. I thank the distinguished chairman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I am happy to yield to the distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, the service of our late friend, JOHN FOGARTY, in this Chamber will always live in the annals of the legislative history of the Congress and in the annals, more broadly, of the history of our country.

JOHN FOGARTY was one of the most dedicated men who ever served in the Congress of the United States. He was a man whose service was right across the board on all legislation, but he specialized, as time passed after he came here as a new Member, in a field which is of utmost importance to every person alive.

He served the sick, the poor, the afflicted, the underprivileged not only in America but throughout the world. His service to the sick and the afflicted will always be remembered as decades and generations pass.

After death usually one is forgotten quickly, but not so in the case of JOHN FOGARTY. His imprint on the minds and hearts of Americans and the benefits which will flow to human beings not only in America but elsewhere throughout the world will be remembered for generations to come.

I can remember, not so many years ago, when we had a hard fight trying to get $3 million appropriated for medical research. My good friend from Wisconsin [Mr. Laird] brought back also the memory of another great man, Frank Keefe. Frank Keefe was the ranking member of the subcommittee on which John Fogarty was chairman. I can see them both now in the well of the House, bulwarks of strength in making progress in an important field. I am very glad my friend from Wisconsin referred also to Frank Keefe, because John Fogarty and Frank Keefe were a team, a scene beautiful to witness. Both were great Americans, both were great legislators, of opposite parties, but both having that beautiful outlook on life of serving people who were sick and afflicted.

One could talk unlimitedly about John Fogarty and the leadership that he has given to the people of our country and to mankind in general, but my colleagues have already referred in more detail than I believe is necessary for me on this occasion.

Another aspect of John Fogarty which endeared him to us and made him a symbol for others to follow was his understanding mind, his broad outlook on life, his nobility of character.

So today we are grieved as we pay eulogies. We were grieved when we heard of his death. And he died in the line of duty, in his office in the Capitol.

So today we say we are grieved, but mankind—you and I, as legislators, and others—can learn lessons from the life of John Fogarty which will enable us to more effectively serve the people of our country and to carry out the great work he led in laying the foundation and making great progress. You and I can learn from what John Fogarty did and improve upon it, advance upon his work, continuing the very strong bases that John Fogarty laid for the benefit of mankind.

So, I join with my friend from Rhode Island and my other colleagues in expressing my deep sorrow at the passing of our dear friend and in extending to Mrs. Fogarty and her loved ones my profound sympathy in their great loss and sorrow.

Mr. KIRWAN. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Ohio [Mr. Kirwan].

Mr. KIRWAN. The passing of John Fogarty left not only sorrow in the House of Representatives but all over the United States. As Dr. Howard Russell said in his article in last Sunday's New York Times:

> No one in the history of this country has done more to promote more and better health services, more and better health facilities, and more and better health research than Representative Fogarty.

John Fogarty, through his ceaseless efforts and dedication, was responsible more than any other man, for the great progress which has been made in the field of health in the last 25 years. He was the Nation's leader in the field of health and truly had become "Mr. Public Health."

Many great men, such as Theodore Roosevelt, Woodrow Wilson, and Franklin D. Roosevelt, made great contributions to health, education, and welfare of our country. However, it was through the vision and courage of John Fogarty that this Nation grew up and came of age in its fight against disease.

Unfortunately, one must overcome much opposition and many obstacles to successfully promote programs that benefit mankind. I recall that it took Theodore Roosevelt 2 years just to put through Congress a law requiring meat inspection in our packing plants after it was discovered that our soldiers in the Spanish-American War were dying from eating poisoned canned corned beef. It is a great tribute to John Fogarty that despite the apathy that was often present he accomplished so much in such a short span of time in the fields of health, mental retardation, vocational rehabilitation, and aid to the aged. We can all recall many, many days when he went down into the well of this House and through his great leadership gained approval of appropriation bills carrying many, many millions of dollars in addition to the budget requests in order that essential medical facilities and research could be expanded. This Nation has benefited immeasurably and will continue to benefit in the years ahead because of his leadership.

As most of you know, in his passing I have lost a very close, personal friend.

Since the first day he came to the Congress, 26 years ago, we had a close and personal friendship, that had the opportunity to grow with the years.

John's office in the House of Representatives, when he first came to Congress, was next to mine. We walked back and forth to the House floor together. During the sessions of Congress, we both stayed at the University Club. Many mornings we met in the lobby, walked to St. Patrick's Church for a short prayer, then on to the Capitol.

We had the time and privilege of discussing with one another our youth problems and the many experiences that had intervened through the years. We had many things in common. My span of life has been far greater, but John Fogarty had lived a full and fruitful one.

John loved his wife Luise and daughter Mary very deeply. They were his whole life. His daughter, Mary, a student at Trinity College, had the pleasure of his company at least 1 night a week for dinner. She brought her close friends to meet her dad. He was proud of her achievements and progress.

As a man and legislator, John Fogarty presented a model of our best manhood. He was industrious, sincere, and understanding. He was painstaking and courageous. Not many men had a life more remarkable or attained dignity and honor more striking.

John Fogarty was awarded numerous college degrees and honorable citations because of his great abilities—his splendid accomplishments and the heroic virtue and manliness of his character. He never hesitated to say or do what he thought should be said or done.

John Fogarty was a deeply religious man and believed that religion was for everyday use in all of the duties of life. In his private life and in his public acts and utterances he exhibited the virtues of the Christian as conspicuously as he displayed those of the great statesman and patriot that he was.

The people of this great country, and other lands, honored and respected John Fogarty. American history will, I am sure, as was apparent by the many thousands who passed his bier and thronged the cathedral, find it difficult to furnish few parallels to his useful and exalted record of helpfulness and concern for his fellowman.

I join my colleagues in extending deepest sympathy to Mrs. Fogarty and daughter, Mary, in these sad and troubled hours.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I yield to my colleague from Massachusetts, Mr. Boland.

Mr. BOLAND. Mr. Speaker, I join with my colleagues in this tribute to our colleague and my beloved friend John E. Fogarty.

I was privileged to be a part of the official congressional delegation at his funeral.

In the years that I have been in public life and in all the funeral rites that I have attended, I have never witnessed or been a part of, a more magnificent tribute than that paid to John Fogarty on last Friday morning. From every walk of life—the high and the mighty—the ordinary and the disadvantaged—white and black, the young and the old—varying creeds and beliefs—from the fields of religion, medicine, press, public life, education, health, labor, finance and business—from the whole spectrum of American life, they came—they came, to pay their last full measure of devotion, to one of the most extraordinary men who ever served his State or his Nation.

Reference has been made here today and the Record will detail the outstanding service that John Fogarty gave to mankind during his 26 years as a Member of this body. That service resulted in the granting of more degrees, honors, awards, and citations to Congressman Fogarty, than have ever been conferred on any Member of Congress in its history.

Reams of editorials and articles have been written of his work as a Member of this House. They, too, will be a part of this Record. And they will eloquently prove that great public service and personal sacrifice does not go unnoticed and unheralded.

Great eulogies will and have flowed from his passing from our midst. But none so moving and touching—none so human as that delivered at the funeral mass by Rev. Joseph L. Lennon, O.P., dean of Providence College. I am pleased that our colleague, the gentleman from Rhode Island [Mr. St Germain] has made this eulogy part of this Record.

When one understood the nature and the personality of John Fogarty one quickly grasped why he interested himself in the problems of all human beings. It really was a simple philosophy that motivated him. He wanted to lift the burdens of disease, pestilence, and ignorance from the backs of his fellow men. And he greatly succeeded because of his skill, his perseverance, and patience. His was an all-consuming, constant concern. When others would have rested on their laurels and laid down their oars, he persisted and continued for he realized that man's work in the fields of education, health, welfare, and labor is never done.

Over the Speaker's rostrum, high in this great Hall is a chiseled inscription of Daniel Webster that is one of the hallmarks of service in the Congress:

> Let us develop the resources of our land—call forth its powers—build up its institutions—promote all its great interests—and see whether we also, in our day and generation may not perform something worthy to be remembered.

Congressman John E. Fogarty in his day and generation performed something worthy to be remembered today and forever.

What consolation must come to his devoted wife, Luise, and his loving daughter, Mary, as they ponder his life and his works. Their deep and heavy grief is softened by the remarkable legacy he left.

His brothers and his sister are comforted in the well-documented knowledge that his was a useful and productive life.

His staff in his Washington office, George Kelley and Grace Beirne, and his Providence offices and his chief committee staff member for 14 years, Bob Moyer, can swell with pride, that they were all a part of his works and his service.

The State of Rhode Island and his district have been honored by his service and history will record that he brought to both distinction and honor.

The people and the institutions of the Nation, itself, will long remember and never forget what John E. Fogarty meant to a better, safer, healthier, more educated America.

Mr. ROONEY of New York. Mr. Speaker, will the distinguished gentleman from Rhode Island yield?

Mr. ST GERMAIN. I yield to the distinguished gentleman from New York [Mr. Rooney].

Mr. ROONEY of New York. Mr. Speaker, I know that I can very safely say that each and every Member of this body was deeply shocked and saddened to learn of the sudden passing of the Honorable John E. Fogarty, of Rhode Island, just a few short hours before he was to be sworn in for his 14th term here in the House of Representatives. Those of us who were fortunate enough to be numbered among his many friends have sustained a loss that is hard even now to translate into words.

John Fogarty was a superb human being. He was a warm, feeling, and hard-working man who spent most of his adult life caring about others. I do not think it necessary to point out what John Fogarty has meant to the great programs our Federal Government has launched to improve both the physical and mental health of all our citizens. Rhode Island may have elected John Fogarty to this House but it did not have exclusive right to him. His work in the health field made him everybody's Congressman.

I knew John Fogarty since first coming to the House of Representatives almost a quarter of a century ago and out of that knowledge grew a deep and abiding friendship. I have, a number of times, traveled abroad with him meeting, among others, His Holiness Pope Pius XII and Presidents de Valera and O'Kelly, of Eire. John Fogarty before spiritual and secular heads of state was, however, no different than the John Fogarty who sat here in this House. His fine, human character was much too ingrained, too strong to change. And indeed if it did, what could it change to? Certainly it could not improve.

Mr. Speaker, John Fogarty will be sorely missed by the House of Representatives and by all of us who knew him. There is no replacement for a man like John Fogarty. To his lovely widow, Luise, and his daughter, Mary, his brothers and his sister, I extend my deepest sympathy and prayers in their hour of bereavement.

Mr. EVINS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I am happy to yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Speaker, I thank the gentleman for yielding.

I should like to associate myself with the remarks made by the distinguished gentleman from Rhode Island [Mr. St Germain] and others in paying a tribute to our distinguished colleague, Congressman John Fogarty, who passed away on the eve of the convening of this, the 90th Congress.

I was shocked and saddened by the news of his passing and the realization that our colleague would not be with us again. John Fogarty served 26 years in the House of Representatives. He served ably and well and with great distinction.

It has been my pleasure to serve with him for a score of years as a member of the Committee on Appropriations. He served with effectiveness as a member of this committee and as chairman of the Subcommittee on Labor, Health, Education, and Welfare Appropriations, where programs that dealt with human needs were funded. His contribution to the advancement of education and to research in the improvement of health will be his greatest monument.

John Fogarty was a great man—a compassionate man. He loved the Congress—he loved the House of Representatives. He was dedicated to the people of his district, of his beloved State of Rhode Island, and to this great Nation.

It was my privilege to serve with John Fogarty as a member of the Subcommittee on Public Works Appropriations. I sat at his side and we worked together. He was my good friend.

John Fogarty was able. He was forceful—he was capable—and he was effective. He was faithful in the discharge of his duties and responsibilities.

We shall all miss him. I extend deepest sympathy to Mrs. Fogarty and to other members of the family in their bereavement.

Mr. SHRIVER. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I am happy to yield to the gentleman from Kansas.

Mr. SHRIVER. Mr. Speaker, I share the deep sorrow felt by Members of Congress by the sudden loss of John E. Fogarty, one of our most able and highly respected colleagues. He shall be sorely missed, but the results of his zealous efforts and accomplishments during his tenure of office will live on and will serve to benefit all of us and a vast number of Americans across the country.

I served under John Fogarty's chairmanship of the Labor-HEW Subcommittee of the Appropriations Committee and am personally and keenly aware of his deep and sincere interest in the health, education, and well-being of his fellow man. The great honors bestowed upon him for the efforts he put forth to further research in medicine are richly deserved.

John E. Fogarty's funeral in Providence, R.I., was the largest and most impressive tribute I have ever witnessed. It was so apparent that hundreds of people of all walks of life were greatly saddened by their great loss and truly appreciative of John Fogarty's contribution to his district, State, and Nation. His long and distinguished career in the U.S. House of Representatives will be an inspiration to those of us who served with him, and his leadership in the fields of health, education, and welfare will live on for years and years in this great Nation he loved so much.

To Mrs. Fogarty and his daughter and the family, we express our deepest sympathy and condolences.

Mr. MARSH. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. Mr. Speaker, I am happy to yield to the gentleman from Virginia.

Mr. MARSH. I thank the gentleman for yielding.

Mr. Speaker, I recall when slightly over a week ago the gentleman from Rhode Island took the well to perform a duty that only he could perform, and that was to bring to the attention of the House the unfinished business for that day. He announced the sad passing of this late and beloved Member of the House of Representatives, John Fogarty. It was after the state of the Union message, and at this critical moment in our Nation's history, the House of Representatives did not forget.

It recalls the words of Kipling:

> The tumult and the shouting dies—
> The Captains and the Kings depart—
> Still stands Thine ancient sacrifice,
> An humble and a contrite heart.
> Lord God of Hosts be with us yet,
> Lest we forget—lest we forget!

Mr. Speaker, the House will not forget this man. America will not forget this man. Mankind will not forget this man, and his family will not forget this man—this man with a humble and a contrite heart.

I thank the gentleman from Rhode Island for yielding.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. HALEY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HALEY. Mr. Speaker, I join my colleagues in paying tribute to our departed friend, the late JOHN E. FOGARTY, who so ably represented the people of Rhode Island in the U.S. Congress for 26 years.

His native State has lost a distinguished son and dedicated servant. The Congress has lost one of its most effective legislators. The people of the United States have lost their greatest champion in the field of public health. No one outside the medical profession and the broad field of science has done as much for health and medical research as JOHN E. FOGARTY did in his lifetime.

It was never my privilege to serve with him on a committee, but all of us know how competent he was in his work as chairman of the Subcommittee on Appropriations for Labor and Health, Education, and Welfare. He richly deserved the title of "Mr. Public Health."

Mrs. Haley joins me in expressing our deepest sympathy to his wife and daughter.

Mr. ST GERMAIN. Mr. Speaker, I yield to the gentleman from New York [Mr. MCCARTHY].

Mr. McCARTHY. Mr. Speaker, as one of the junior Members of the House of Representatives, I would like to add my words of respect for our late colleague, JOHN FOGARTY.

The description of the funeral in Providence, R.I., and of the tribute paid to JOHN FOGARTY has been amply given here. But JOHN FOGARTY is also remembered in Buffalo, in my district, and I am sure in many other parts of the United States.

JOHN FOGARTY is remembered for many things, but for one thing in particular, which I would just like to cite for the RECORD. During the 89th Congress when the immigration bill was before this body, JOHN FOGARTY had an amendment which he asked me to speak in behalf of because I was from a border district, on the border with Canada. When he explained his amendment to me, it seemed incredible that in this day and age that any two nations would have laws prohibiting retarded children from crossing an international boundary.

Prior to JOHN FOGARTY's amendment, if an American child was retarded and crossed over the Peace Bridge into Canada and was noticeably mongoloid or had visible evidences of retardation, that child was turned back and sent back to the United States. And the process was reversed if a Canadian child who was retarded came over the Peace Bridge into the United States and was observed by a U.S. immigration inspector to be retarded, then that child was ordered with his parents back into Canada.

JOHN FOGARTY perceived this inhumane law and wrote an amendment into the Immigration Act and spoke in its behalf as did several others of us and the chairman of the committee, the gentleman from New York [Mr. CELLER] accepted the amendment. Today, thanks to JOHN FOGARTY this inhumane practice no longer exists.

Mr. Speaker, when JOHN FOGARTY died there was great grief among many, many people, particularly the parents of retarded children and there was great grief in the Buffalo area on the Niagara Frontier. His memory will be enshrined not only in Providence and in Washington, but certainly in Buffalo, N.Y., and many other parts of the world where his efforts were so productive in helping mankind.

Mr. ST GERMAIN. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I would like to identify myself with the fine tributes that have already been paid to our late friend.

I came to the Congress shortly after JOHN FOGARTY. It was my privilege to have an early and lasting friendship with JOHN.

Many statements have been made with regard to his work in health, education, and welfare and they are certainly true, but JOHN FOGARTY demonstrated that he was interested in the whole country and in all of its population. Less notice has been taken of his work in the field of public works, but JOHN FOGARTY left a mark in his efforts in that field that will always stand as a monument to his efforts in looking after each segment of these United States.

Possessed of real ability, JOHN FOGARTY was also possessed of courage. He made up his own mind and once he made it up, he was not to be swayed by personal or other pressures.

I say here that of all the men I have known in Congress, I have not known one who was more effective when he took the well of the House than JOHN FOGARTY, because the Members believed that he believed what he said. I know of no man who was more able in convincing his colleagues, and while JOHN is gone and we shall all miss him and extend our deepest sympathy to his family, the works of JOHN FOGARTY in this Congress will stand as long as there is a United States.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I yield to the distinguished minority leader, the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the opportunity to express the sadness that I feel on the passing of JOHN FOGARTY.

All of us know that we have lost a noble American in the death of our beloved colleague, JOHN FOGARTY, of the State of Rhode Island.

Rhode Island is a small State. JOHN FOGARTY was a very big man. He was big in the expansiveness of his personality. He was big in perception and in sensitivity to human problems. He was big in his compassion for his fellow human beings.

Some men walk through life and leave not one heel print upon the pavements of time. JOHN FOGARTY left an imprint that will live forever in his works—his efforts to improve and accelerate medical research so that men might more successfully withstand bodily ills and failings. He was a champion of our senior citizens, and it was largely through his efforts that an Administration of Aging has been established in the Department of Health, Education, and Welfare.

It was perhaps prophetic that President Johnson last year presented Mr. FOGARTY with the American Heart Association's 1966 Heart of the Year Award. Mr. FOGARTY's heart now has failed him, but he will continue to be the heartbeat behind much of the medical research being performed in this Nation of ours today.

I knew JOHN FOGARTY well. I served with him on the House Committee on Appropriations for a number of years. We were good friends. I had great respect for his ability, his conscientiousness and his achievements. I know that not only will JOHN FOGARTY's memory live on in Rhode Island through health and education facilities named in his honor, but also in this House of Representatives where he served so vigorously and so well.

The Nation has been deprived of a dedicated and inspired spokesman, and I join with the gentleman from Rhode Island and the others in paying tribute to him and in expressing my condolences to his family.

Mr. CAREY. Mr. Speaker, will the gentleman from Rhode Island yield?

Mr. ST GERMAIN. I yield to the gentleman from New York.

Mr. CAREY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CAREY. Mr. Speaker, "See everything, overlook a lot, improve a little." This admonition "see everything, overlook a lot, improve a little" have been words of comfort to his bereaved wife, Luise, and his dear daughter, Mary, in the days since our beloved colleague, my close friend, JOHN FOGARTY went to his eternal reward.

This call to "see everything" and then seek change with charity are attributed to Pope John XXIII. Properly they apply as a common characteristic not only to the great and simple pontiff but also to two other men named John who followed in his way and his will, President John F. Kennedy and Representative JOHN E. FOGARTY.

To lose Pope John is tragic, to lose John Kennedy is grievous. To lose JOHN FOGARTY is something I find unbearable.

Therefore, because we cannot in our frail nature endure such tragic grievous unbearable loss, we must not lose them and they must not be lost to us.

Let us seek instead to find in these lives what is good and great and therefore undying and eternal.

I choose to link these three men called John who have gone before us not just because I have had the privilege of meeting and knowing all three—John my Pope, John my President, and JOHN, my friend. Rather I contemplate them in common because I know the deep feeling my friend, JOHN FOGARTY, had for his President, John F. Kennedy, and his country and his Pope and his church.

Look at their lives and find that chord which says death is victory, time is nothing, hope is lasting. Find that chord and we have gained far more than our immediate loss.

It is our good fortune that the legacy of these lives, the legacy of JOHN FOGARTY of which we speak today is plainly and frankly before us. In his memory as I knew him it is more becoming that we speak plainly and frankly about him. He made plain talk the highest eloquence and frankness the best of language.

Speaking honestly about JOHN FOGARTY will do him honor enough.

In all honesty, in the history of the Congress and the country there was never a man who was more effectively devoted to the commonweal and uncommon ideal in health and education, and the dignity of the human person.

In the field of health his record needs no address here—it is well inscribed on the statutes of this Nation and it is clearly stated in the words of Dr. Howard Rusk, the greatest humanitarian in the American medical world today, who wrote on January 15:

> No one in the history of the Country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

We know that when Dr. Rusk cites the record in health which JOHN FOGARTY wrote he is mindful of the pioneering Fogarty programs which he wrote with our distinguished colleague, Senator HILL in the Senate and our distinguished colleague in this body, MEL LAIRD, in mental retardation, mental health, dental care, allied services, and the great health institutes and libraries of medicine which helped to bring about a new era in medical education.

In speaking of JOHN FOGARTY as "Mr. Public Health" let us not slight his great contribution in other fields so vital to the dignity of the human person.

Speaking frankly, again as he would have us speak, JOHN FOGARTY's formal education was limited in years but sound and thorough. The classic schooling he received from the Christian Brothers in LaSalle Academy awakened in him an intense desire to know—yes, to see—everything.

Though time and means did not permit further education this desire to know, and love of knowledge, enabled him to communicate and converse on equal terms with leaders throughout the world of science, letters, the arts and the humanities, and the law itself.

Money, and in truth all material and created things as distinguished from persons, meant little to him. They had value only as tools to help people.

Yet, for want of a better measurement, it must be cited that under his guidance and chairmanship the Federal appropriation for education rose from less than $1 billion to nearly $9 billion in the last 10 years.

His consecration was to quality education and freedom in the search for truth and knowledge. Nineteen major universities had conferred doctorates upon him.

Let us not forget his love of the poor. In their cause he would tolerate no waste of the resources allocated to their benefit. He wanted the best in Headstart. He demanded clear signs of community progress. He saw to it that the aging and the elderly were not slighted but given the status in dignity that their years and their contributions to America deserved.

The listing of laws written and honors won and deeds achieved by JOHN FOGARTY is a record of magnitude. But this alone will not best serve the memory of our friend because he wore his laurels lightly. He looked upon honors not as personal recognition. Rather he accepted them as aid and support for the causes for which he fought so well.

Now it is for us to enlist in all the great works he has so nobly begun and make his goals our goals. God grant that we may be equal to these tasks as he was more than equal to any challenge he faced.

It will help us and those who will follow us to here examine those personal qualities of JOHN FOGARTY which enabled him so well to see everything, overlook a lot, and improve a little until the little improvements become great and living monuments.

See him as his friends saw him. And what Irishman, what good Democrat, what sick or poor or elderly or man of good will was not his friend?

We see a gifted man, possessing courage, stubborn determination, and insensitivity to pain or trial. To him a challenge was a sport, a problem to be solved. To JOHN there was no such thing as the impossible.

He wanted to give others the tools they needed to defeat the obstacles he had met and defeated, even death itself, because he had encountered mortality and overcome mortality.

Fourteen years ago he looked death in the eye and stared it down. It never did claim him and it never will. Rather, in compliance with the will of God and in the love of God he built his causeway to eternity brick by brick and no one will ever tear it down.

Having conquered death himself he refused to believe that anything was incurable.

I recall traveling in Ireland and visiting Dublin a month after JOHN FOGARTY had made one of his good will tours to the land of his ancestors. After his family and his church and his country, Ireland was his great love. I heard from our late Ambassador this account of an episode which took place in his residence.

JOHN had met a very wealthy man and characteristically told him to give away some of his money for the mentally retarded. The man replied that he never gave money for incurables—just for those with hope.

JOHN FOGARTY thundered there was no such thing as an incurable and for good measure insulted the man so he would never forget it. He saved his insults and used them well—always to rout despair or deceit or malice or stupidity.

In my frankness you see I have finally come upon a fault in JOHN FOGARTY.

He carried a chip on his shoulder that was more than a chip. It was a hod full of bricks, for he was and never forgot, and would never let his friends and enemies forget, he was a bricklayer.

Whenever he met a lack of charity or prejudice or dishonesty or pompousness he hit it with a ton of bricks—made of the clay of faith and hope and charity.

As a bricklayer, he never forgot his spirit level and he used it to constantly remind himself and us that the only real equality is not all on a level of status quo but always a higher course of excellence.

Now is the time for final tributes until we meet again and may pay him tribute, each in his own way.

For the first time in history a President, Lyndon B. Johnson, paused at the beginning of his address on the state of the Union to express his sympathy to the Congress on our loss of a beloved colleague.

In this body we pay tribute and sympathy, for on one side we have lost our most potent proponent and on the other side you have lost a most constructive and worthy adversary.

The people of his State know this loss. I watched them all along the way from statehouse to church and on to the cemetery. I saw the rich and poor weep alike, the old and young join in sorrow. And I heard one laboring man say:

> He was the greatest we ever had in the State of Rhode Island and who was Rhode anyway? We should name it the State of Fogarty.

For his lovely wife, Luise, and his dear daughter, Mary, there is an estate of Fogarty. It rests on a verdant and tree grown hill in Harmony, R.I., the home he built so well and truly loved. May the memory of the man from Harmony, so well enshrined there in books and mementos of the world's respect be ever green and ever blessed.

St. Thomas More, the martyred chancellor of England, refused to bow to the will of a tyrant king and went to his death to live in the history of the law as "A man for all seasons."

Our beloved colleague, JOHN E. FOGARTY, would never deign to bow his head to the tyrannies of disease, illness, ignorance, and indifference wherever and whenever these tyrannies were visited upon his fellow human beings anywhere in the world.

Because he would not suffer these tyrannies and instead, labored to better the life of all men, as Thomas More is a "man for all seasons," JOHN E. FOGARTY is a "man for all persons." That is the true estate and legacy of JOHN FOGARTY—courage, charity, and above all, courage.

The verse of an Irish poet, Thomas Moore, speaks our mood, in closing:

> Oh! thus shall we mourn, and his memory's light,
> While it shines through our hearts, will improve them,
> For worth shall look fairer, and truth more bright,
> When we think how he lived but to love them!
>
> (Sir THOMAS MORE, "It Is Not the Tear at This Moment Shed.")

Mr. Speaker, no aspect of health affairs in this country was overlooked or neglected by JOHN FOGARTY.

Among his many other interests was a concern for dental health and he vigorously supported many programs designed to expand dental research and extend the availability of dental care. His efforts in this regard were recognized and demonstrably appreciated by the organized dental profession.

He was an honorary member of the American Dental Association, the Rhode Island Dental Association, and many other dental organizations throughout the country.

The February 1967 issue of the Journal of the American Dental Association will carry an article and an editorial paying tribute to JOHN FOGARTY. I would like to include them at the conclusion of my remarks. They are as follows:

[Editorial, Journal of the American Dental Association, February 1967]

JOHN E. FOGARTY, 1913–67

John Fogarty is dead. Were the man himself to write this notice, that is how he would state it: John Fogarty is dead. He would put it that simply, that bluntly, that stripped of frills and pomp.

There was, in John Fogarty, a congruence between what he felt and what he did that is rare in any man and is especially so in a political figure of national significance.

National politics is a complex endeavor of melding a whole range of disparate interests into a unified whole, into a formula of words that can be put on paper and enacted into law. The man who, day in and day out, undertakes such work finds himself in a Byzantine world where success and failure hinge on a word that should have been spoken and wasn't or a word that shouldn't have been said and was, on the placing of a comma, the dotting of an "i", the crossing of a "t."

Frequently, the man finds his own personality being colored by the exigencies of his work. There is the temptation to become cautious in words if not in thought, to don a noncommittal mask that, with fine impartiality, can be shown to friend and foe alike. Yielded to often enough, such temptation turns prudence into timidity, subtlety into deviousness.

John Fogarty never became such a man. Probably he was incapable of feeling the temptation. He studied the evidence, decided what was true and then spoke out as plainly, as forcefully and as frequently as he could. It was that simple for him, that fortunate for America.

At the core of John Fogarty's thought was the conviction that the nation didn't care enough about health affairs, that the nation didn't understand as fully as it ought what benefits could be reaped by a total commitment to health research, health education and health care.

He said this often. And to the degree that he could, he did something about it. As history will record, what he did was magnificent. The details of his accomplishment, particularly of his generous concern with dental health, are outlined elsewhere in this issue. They will be his monument. He will need no marble statues, no dedicatory plaques. There will be instead whole generations of Americans, many not even knowing his name, to stand as testament to the sanity, clarity and simplicity of his vision and to the dedication he brought to that vision, an unceasing dedication that, finally, robbed the man himself of life. May he rest in peace.

[Article, Journal of the American Dental Association, February 1967]

THE GENTLEMAN FROM RHODE ISLAND

On January 3, 1941, John Edward Fogarty of Harmony, Rhode Island first took the oath of office as a Member of Congress. Except for a brief interruption during World War II, he held his post in Congress from that day until his sudden, shocking death on January 10, 1967. He was 27 when he first took office and 53 when he died.

Of his 26 years in office, 17 were spent as Chairman of the House Appropriations Subcommittee on Labor—Health, Education and Welfare and Related Agencies.

Despite the immense responsibilities he carried for most of the two and one-half decades that he served in Congress, his staff was never a large one. His administrative staff was headed, with warmth and competence, by George J. Kelley and Miss Grace W. Beirne. In his role as Subcommittee Chairman, Mr. Fogarty relied heavily on Robert Moyer, Subcommittee staff assistant.

The flood of tributes unleashed in commemoration of his passing are eloquent testimony to his achievements.

In a statement issued from the White House, President Johnson called Mr. Fogarty "a great leader" and acknowledged him as "a major architect in the fields of health and education."

Speaker McCormack said: "I am shocked and grieved at the death of my dear friend, Congressman John E. Fogarty. Congressman Fogarty was not only a great legislator and a great American, but he was one of God's noblemen. His name will forever occupy prominent pages in the history of our country."

Of all the tributes, however, the one that was perhaps most telling in its simplicity and precision came from Representative Melvin R. Laird. The Republican leader was the ranking minority member of the Subcommittee chaired by Mr. Fogarty. Over the years, the two men had developed an abiding friendship and deep mutual respect. Mourning Mr. Fogarty's death, Representative Laird said: "All Americans who care deeply for the health and welfare of their fellow citizens will know they have lost their most eloquent champion in the House of Representatives."

It was indeed as a "champion" that Mr. Fogarty saw his life's work in Congress. Blunt in his questions, candid in his spoken judgments, he was forever restive in the conviction that the nation wasn't doing enough, didn't care enough about health matters.

That conviction was so consistently held and forcefully stated that, in time, it became contagious. As the Washington *Post* noted in reporting his death, "It became almost a truism that what Mr. Fogarty wanted in public health legislation, Congress granted."

Indeed, it is literally impossible to name a health measure considered over the past 17 years or more than John Fogarty did not help, substantially to shape. In many instances, it was his voice that first sounded the call for new programs.

In no area of health was this more true than in dental health. And no health profession has better reason to honor him or mourn his passing than the dentists.

What was perhaps his initial contribution to dentistry came even before he assumed his Chairmanship when, in the late 1940's, he helped wage the fight in Congress for an independently housed National Institute of Dental Research.

From that time on, he never forgot dentistry. He soon developed an expertise in dental matters that few men, even in the profession itself, could match. And with it came an almost protective attitude toward dental affairs, an eagerness to see potential develop and promise become reality.

It was not a complacent interest. In his unquenchable desire to keep moving ahead, he could be a stern taskmaster. And the man who was not too timid to scold Presidents for giving health affairs too little attention, was not loath to scold others, including those in dentistry, who were not as inventive or as industrious as the gentleman from Rhode Island might wish them to be.

The opposition to fluoridation never ceased to bemuse him. Invariably, when dental witnesses appeared before him, he would ask for a progress report on fluoridation. And it was characteristic of the man, that often he would ask not how the dentists were doing, but how "we" were doing. As with so many other public health measures, fluoridation was not merely something he favored, it was something he was committed to and the fight to win acceptance for it was his fight. It was a personal matter.

That same sense of involvement was present when he undertook his annual examination of the Administration's budget request for dental research activities. He was always less interested in what appeared in the final budget figures than he was in how much these figures had shrunk while the agency's original request had wended its way through the multiple layers of the Department of Health, Education and Welfare and the Budget Bureau. He would probe the testimony, press the witnesses to tell him if more was needed, if some aspect of the program was slowing down because funds weren't available.

And if the answers were persuasive, were sufficiently documented, then the position of the witness became the position of the Chairman as well. And he would fight for it in the Subcommittee, in the full Committee and on the floor of the House.

He won more often than he lost. He won because he was tenacious and forceful and because, in a phrase not invariably applied to a Congressman, he "did his homework." He knew the facts, had a rock-solid command of the details of the situation.

A witness would emerge from his hearing room marveling at the Chairman's intimate knowledge of the field of heart disease. Were that witness to loiter in the corridor long enough, others would come out marveling at the Chairman's knowledge of mental illness, or cancer, or dentistry.

He did not always win. No single will can invariably prevail in the legislative process, it has become too immense and complex. But he never admitted defeat; he merely suffered a setback. He remembered, he kept his conviction and he waited for another day.

Now, of course, there will be no more days for John Fogarty. And his death marks the end of an era as sharply and surely as any man's passing can.

His Rhode Island colleague, Senator John O. Pastore, upon learning of Mr. Fogarty's death, said: "The Congress will not be the same without him." Indeed there is much that will not be the same without him.

Mr. MICHEL. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Illinois.

Mr. MICHEL. Mr. Speaker, this House and particularly our Appropriations Committee will never be the same without the presence of JOHN FOGARTY.

What a dear friend he was to me and to so many in this House. I would surely have to concur in the many glowing tributes that have been paid to him not only here today but throughout the far reaches of this country from people in all walks of life who came to know him for his good deeds and works.

As the majority leader said he had truly become a legendary figure and I am so honored to have served with him.

Last spring we attended the 19th World Health Assembly in Geneva together as delegates from this House. He was constantly a man on the go and always had that insatiable desire to learn more and acquire as much knowledge as he could in this field in which he has been so acclaimed. Having known that his doctors advised him to slow down because of his heart condition I felt I had to admonish him from time to time, but his stock reply was that he preferred to live life to the fullest extent and that if the good Lord should see fit to take him—then so be it—he was prepared to go. He was indeed a God-fearing man with so much compassion for his fellow man.

In my home town we were planning to have John participate in a groundbreaking ceremony this year for our Allied Agency project—a research, education, hospital, and rehabilitation center for mentally and physically handicapped children that was born largely through his interest and effort.

Our community will always be grateful to John Fogarty, the 600 children who some day will be cared for in this facility will I am sure be eternally grateful as will all the mentally and physically handicapped childrer in the country who will be benefited by the research performed at this institution.

My heart is filled with grief at the passing of our friend as we share the burden of this profound loss with his wife, daughter, and family.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Massachusetts.

Mr. CONTE. I thank the gentleman from Rhode Island for yielding.

Mr. Speaker, it is with a profound sense of personal loss that I rise to join with my fellow members in this body and with mankind at large to salute our late and most distinguished colleague, John Fogarty, of Rhode Island.

I was always proud to call him friend, as well as colleague, and my own grief is such only a friend can feel over the sudden loss of another.

As a fellow New Englander, it was my pleasure and honor to work with John Fogarty on numerous occasions in search of solutions to common problems. Even though we did not share the same party affiliations, he was never one to let partisanship stand in the way of service to his constituents and to his country. And that service, as we all know, was in the highest traditions of public life.

As a member of the human race, subject to the same infirmities and disease that threaten all men, I share in the mood of gratitude and thanksgiving for the understanding, the leadership, and the unswerving dedication that John Fogarty brought to the fight against sickness, disease, and misery.

As a colleague who was honored to serve with John Fogarty since I came to the Congress in 1959, I am also grateful for the opportunity to profit from the inspiration of John's public service.

He met his responsibilities with an immense vitality, a penetrating insight, and a keen understanding of the problems at hand. He obtained results by tempering this with an equally firm grasp of both the capacities and limitations of our power to solve these problems. He was a relentless worker, but a quiet, self-effacing one as well. He would deny the immense impact of his achievements while others, including his own President, would applaud and honor him.

His humble origins and early life as a man who made his way by the skills in his hands might not have seemed a promising foundation for one who was to achieve so much later in public life. But, as so many of us know, myself included, the keenest understanding of the problems of humble people and workingmen can best be gained from having shared their life and problems, from having seen the world through their eyes and tasted the frustrations and the triumphs with them.

It was natural for a man of John Fogarty's background and beliefs to find himself so intimately involved in the fields of health, education, and welfare. As chairman of our Appropriations Subcommittee for those activities, the measure of his labors can be taken on the record of progress of the agencies he helped to finance.

In little more than 10 years, for example, the amount of Federal moneys earmarked for mental health research has grown from an almost meaningless $750,000 to $3.75 million. Twenty years ago, the Congress voted only $3.5 million for the entire operation of the National Institutes of Health. Up to the present fiscal year, John Fogarty had brought this up to a more realistic $1.5 billion.

Certainly among the greatest monuments to John Fogarty's memory is the fact that, even during periods of severe economic stress and virtual austerity, his conviction and keen understanding were such that his judgments and recommendations were seldom seriously challenged.

The public honors bestowed on John Fogarty over the years in recognition of his contributions to health and medical research are a familiar story to all of us in this Chamber—a fact that probably would embarrass John today.

We know, as do the countless beneficiaries of his efforts, how much John Fogarty will be missed.

And in this sad hour, when many of us still find it difficult to comprehend the sudden, shocking fact of John's death, our most sincere condolences and sympathies go to his surviving family, to his wife Luise and daughter Mary. May they be assured that their burden of grief is shared by every Member of this body.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, I thank the gentleman from Rhode Island for yielding. I could not let this moment pass without actually saying a few words about our beloved and departed friend and colleague, the Honorable John Fogarty.

Mr. Speaker, John is gone, but he will always be remembered in the hearts of his colleagues who have served with him. He was popular with all of us. He was popular with his constituents. This is proven by the fact that he was elected 14 consecutive times.

But, Mr. Speaker, he was popular with his colleagues and his constituents because he earned that popularity. He richly deserved the high esteem of his fellow Members. I believe our departed colleague can best be described as a great humanitarian. This is true because of his intense interest in human welfare and particularly his interest in those who had some disability or handicap.

One contribution I may be able to add to this eulogy, is to add to some facts that were mentioned briefly by the gentleman from New York [Mr. Carey]. This is the fact that for several years John Fogarty was a mason. I am not now referring to the fraternal order, but the fact he was a brickmason, or a bricklayer.

As far as I know he was the only Member of this body other than myself who had ever earned his livelihood by being a brickmason. I've had several talks with him about our trade. After these conversations I reached the conclusion that it was because of his days as a bricklayer—such was one of the foremost reasons he became interested in better health care for families with low income. He had himself suffered from seasonal unemployment in the building trades. For this reason he had firsthand knowledge of the hardships and heartaches that are suffered by the members of families affected by seasonal unemployment.

Knowing about illness and suffering by those without means to pay for good medical care, in my opinion caused him, when he became a Member of the House of Representatives, to center his interest on this field of public health, and help for the handicapped and disabled.

If we think he was popular among his constituents and popular among his colleagues in the House of Representatives, you should know how well he was received here in Washington 2 or 3 years ago when the building trades sponsored a separate conference for brickmasons. It was my pleasure to attend that convention with John. I can assure my fellow Members he was a hero among those men. He received an ovation that lasted for many, many minutes.

Then last June it was my privilege to be over at Gallaudet College to attend their graduation exercises. John Fogarty was the speaker. The event was attended by President Johnson. Oh, if all of you could have seen the expression on the faces of those graduates, each knowing how fully and completely that college had been dependent on appropriations worked out by John. They realized they had been equipped to go out into the world as deaf people almost entirely because of the interest over the years in that college by John E. Fogarty.

All of these things point to the fact John Fogarty was a good man with a great heart.

We all extend our heartfelt sympathies to his good family in their hour of grief.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. Mr. Speaker, I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman for yielding.

I do not recall an instance in my service in the House of Representatives where there have been more moving tributes paid to a fallen Member of this body than we have heard today in the honor and memory of John Fogarty.

Certainly it can be said that every

American today can look forward to a longer life and a more healthful life because this man lived and worked among us. It is a wonderful thing to leave this kind of a living monument to service—that which was left by JOHN FOGARTY.

Mr. Speaker, my most vivid memory of this stalwart champion of progressive legislation is the memory I have of the fight which he led on the floor of the House for adequate financing for the health program when we were in the midst of a season of retrenchment and appropriation cuts. To see him stand up against a tide that seemed to be irresistible and to fight courageously and forthrightly for what he believed in and what he believed was good for America was a lesson in legislative statesmanship for me, and one that I will treasure as long as I live.

It has been a privilege to know JOHN FOGARTY, to be his friend, to break bread with him, to share some of the lighter moments of this House with him, and to be in service in this House with him.

I know that everyone who has known him well feels richer by reason of that experience.

To the Fogarty family I wish to extend my own very deep and sincere sympathy in their great loss.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ST GERMAIN. I am happy to yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker—

> There are men whom a happy disposition, a strong desire of glory and esteem, inspire with the same love for justice and virtue which men in general have for riches and honors . . . But the number of these men is so small that I only mention them in honor of humanity.

I do not know of whom Helvetius spoke those words, but they are most appropriate in mentioning today, one of that small number, JOHN FOGARTY, whose whole life was a tribute to humanity.

I had the delightful experience of his company on a visit to Ireland last year for the 50th anniversary of the Easter uprising and though we mingled with the country's high officials, JOHN FOGARTY was, as always, at his best when he had an opportunity to meet the little people, to laugh with them, and to look with friendly compassion into their lives.

And also, here at home Congressman FOGARTY went out of his way to personally experience the problems of the people he was representing. At one time in his political career, he resigned from his congressional seat and enlisted incognito as a Seabee in order to observe first hand the problems of the enlisted men who comprise the numerous majority of our fighting men. After serving in their midst in Guam, and gaining a real first hand insight into their situation, he returned to Congress and became the champion of enlisted men through the various branches of our services. Sincerely he wanted to understand the problems of others, and he felt no bitterness at being selected by fate as one of the millions of people in America who suffered from heart disease. Rather he regarded his affliction as an experience mated to him by fate in order that he might better understand and fight for the eradication of this killer of so many of our outstanding citizens.

Ironically, it is the men and women who work the hardest, under the greatest pressure to achieve the most, fighting against time, who frequently expose themselves to this killer of so many of our prime countrymen. A one-time recipient of the American Heart Association's Award for Merit for his outstanding contribution in the fight against heart disease, he is a prime example of the outstanding citizens who all too often are unnecessarily killed by a disease that might well be prevented if only enough time and money are allocated to the study of ways and means to prevent its occurrence and/or control its effects.

Congressman FOGARTY was a man who would sacrifice not only his political advancement—he once declined the senatorial nomination from his State because there was no one to take his place in the House as a champion for medical progress, and the noble Senator LISTER HILL was credibly fulfilling that role in the Senate—but knowing that his own heart was weak, and he should slow his ever busy pace, still he pushed harder for the goal he knew we could and should achieve, even though that push may have cost him his own life. If by his death, we are spurred into action to reach that goal, his death will have accomplished what he strove to in his life.

The loss of this dear friend hung like a dark cloud on the first day of this 90th Congress. But let his memory brighten the days which follow so that through our own rededication, his work may be carried out.

Our prayers are offered at this time for his beloved wife, Luise, his daughter, Mary, his sister, his brothers, and other members of his family in this hour of sorrow.

May God in His infinite mercy grant a place of rest and light to our late beloved colleague, JOHN FOGARTY.

Mr. ST GERMAIN. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, JOHN FOGARTY's deep and devoted interest in international health and his conviction that through international exchange in the health sciences, a significant contribution could be made not only to the solution of health problems but also to the advancement of world peace is, perhaps, best epitomized in his remarks before a panel on Health for Peace during the meeting of our Citizens Committee for the World Health Organization held in Washington in September 1963. The final paragraph of JOHN's remarks is of particular significance and I should like to quote it here:

> In concluding my remarks I would like to set forth an idea and a view which I feel to be of the greatest importance and significance. Instead of a curtailment of the programs and activities of the United States in the field of international health research, I should like to see a plan to bring into being at Bethesda a great international center for research in biology and medicine dedicated to international cooperation and collaboration in the interests of the health of mankind as so boldly envisaged by the President. This center would encompass conference facilities, laboratory and study space, and living quarters to permit the assembly for discussion, study, and research of the outstanding health scientists of the world. I visualize this center associated with the great facilities of the National Institutes of Health and the National Library of Medicine as representing the visible and tangible embodiment of this Nation's devotion to the use of science for peaceful purposes and the good of mankind.

I can think of no more fitting and lasting tribute to this great humanitarian, than the establishment by this Congress of such a center—the John E. Fogarty International Center for Advanced Study in the Health Sciences. I have talked with most of the members of our committee about this and they have all been enthusiastic in their support. I am sure that support will be unanimous, both in our committee and in the entire Congress. Not only will such an institution be a living embodiment of the spirit and aspirations of JOHN FOGARTY, but it will serve a needed and valuable role in securing the progress of science in the cause of the well being of all mankind.

Mr. FARBSTEIN. Mr. Speaker, it is with a feeling of deep personal loss that I come before the House today. For one of our most respected Members has suddenly been taken from us, Congressman JOHN FOGARTY, of Rhode Island.

Congressman FOGARTY, during his distinguished career, exemplified the best qualities of a public servant. He was dedicated to providing his district and State with representative leadership in Congress. He was unswervingly loyal to our Nation. As a key member of the Appropriations Committee, he worked to insure that the people received the best public service for their tax dollar. From his committee there emanated financial assistance for what were new and untried, until recently, programs to benefit the underprivileged.

I have supported practically all of the legislation sponsored by JOHN FOGARTY because our views were similar insofar as the goal and welfare of the underprivileged people of this Nation are concerned. My support was unsolicited. It was a pleasure and honor to do this.

For 26 years JOHN FOGARTY served this Nation, as a Member of Congress, in the only way he knew how: with honesty and with responsibility. He was an example to all who searched for the best in public life.

As a person, I have lost a true friend. As Members of Congress, we have lost a valiant colleague. As a nation, we have lost a dedicated servant of the people.

Mr. RESNICK. Mr. Speaker, unfortunately, I did not have the pleasure of knowing our late colleague, JOHN E. FOGARTY, very well. On the few times that I did speak with him and ask him for his help and advice, he went out of his way to be cooperative and to answer my inquiry fully and completely.

Many words have been written and said about the untimely passing of Mr. FOGARTY on how much the Congress, and indeed the entire Nation, will miss him. But, when the words are forgotten, the deeds that JOHN FOGARTY accomplished will long be remembered. I think the article, written by Dr. Howard Rusk in last Sunday's New York Times, sums up Mr. FOGARTY's achievements, and I am honored to insert it in the RECORD for all Americans to read.

JOHN FOGARTY will be missed by his colleagues, but more important he will be missed by the entire Nation. Ironically, he will be missed most by millions of people who very likely never knew his name, but will reap the benefits of his work and dedication throughout their lives. I am referring to the sick, the handicapped, and all of the unfortunate Americans who suffer a physical or mental disability, as well as those upon whom the burden of their care rests.

I deeply regret the passing of Mr. FOGARTY. I regret that I will be denied the opportunity of getting to know him better. I regret that he will not be here to continue to lead us in the never-ending fight against sickness, disease, and death. I am proud that I did have the opportunity to vote with Mr. FOGARTY on many occasions and I hope to continue to vote for those measures for which Mr. FOGARTY worked and died.

The article referred to follows:

MR. PUBLIC HEALTH: DEATH ENDS EFFORTS BY REPRESENTATIVE FOGARTY TO GIVE UNITED STATES FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirmed and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, had been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killer of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

Mr. McMILLAN. Mr. Speaker, we were all shocked to learn of Congressman JOHN FOGARTY's untimely passing. I do not know of any Congressman that I have had the privilege and pleasure of serving with during my 28 years as a Member of Congress who has impressed me more than our late distinguished friend, JOHN FOGARTY. I could not permit this opportunity to pass without expressing myself concerning the great deeds performed by Congressman FOGARTY during the time he served as a Member of Congress.

I am certain every Member of this body will agree with me that it is doubtful that we would have had a great national medical center established here in this country if it had not been for Congressman FOGARTY. Millions of people living today are enjoying the fruits of this great man's service in the Congress of the United States during the past 25 years. I seriously doubt if there has ever been a living person in this country that has done more for humanity and for the relief of suffering among our people than JOHN FOGARTY.

I am certain that history will recognize JOHN FOGARTY as one of the outstanding statesmen of this age.

I learned to like JOHN very much the first year he was sworn in as a Member of Congress to represent the State of Rhode Island. We shall all greatly miss him and his great leadership in this body, and my deepest sympathy goes out to his lovely family.

I considered JOHN FOGARTY one of my closest, personal, and political friends in the Congress of the United States.

Mr. GALLAGHER. Mr. Speaker, the late Congressman JOHN E. FOGARTY was a Congressman in whose service we all can find guidance. He was a man whom we all knew and whom we all respected. His long record of dedicated and inspired service, dating back to 1941, lent dignity and wisdom to these Halls of Congress. It is with great sorrow that we must face the 90th Congress without him.

As a member of the Committee on Appropriations and as chairman of the Subcommittee on Labor, Education, Welfare, and Related Agencies, he carried on his shoulders the responsibilities of moving this great legislative body through the difficult and trying cold war years. We can all be thankful for his untiring devotion to the ideals and principles of this great country.

We have heard here today many accolades of this great man, and I would just add my word of thanks to him for the example he set and the work he so conscientiously performed. As a man and as a Congressman he will not be forgotten. I can only hope that each of us is able to gain from his example, and carry forth the work he wanted so much to complete in the 90th Congress.

And finally, let us remember that Congressman FOGARTY's efforts to make our country what it is today must have meant many lonely hours and days for him; for leadership and responsibility are unthankful burdens, which few men can carry, and even fewer can carry well. So let us eulogize him not with words, but with action, not with timidity but with strength, and not with dreams but with the courage and fortitude that so well describe JOHN E. FOGARTY.

Mr. MATSUNAGA. Mr. Speaker, I rise to pay tribute to the memory of our late colleague, the Honorable JOHN EDWARD FOGARTY.

For over a quarter of a century, this dedicated legislator enjoyed the love and respect of his colleagues in the U.S. House of Representatives. In turn, he gave unstintingly of his time and energy in the cause of good legislation. He served ably and well the people of his district, his State of Rhode Island, and this Nation.

As chairman for many years of the House Appropriations Subcommittee for the Departments of Labor, and Health, Education, and Welfare, our late colleague constantly sought to provide all Americans the opportunity to live richer, fuller, and healthier lives. His many contributions will long be remembered by the millions who were benefited by them. And we of this House, whose own lives have been enriched by his leadership, friendship, and understanding, shall sorely miss his presence.

As a personal friend of JOHN FOGARTY, and for the people of Hawaii, I extend to Mrs. Fogarty and daughter Mary as well as to the other members of Congressman FOGARTY's family my deepest sympathy in this period of sadness.

Mr. COLMER. Mr. Speaker, I should like to add my humble voice to those we have heard here this afternoon in eulogy to our departed colleague, JOHN FOGARTY.

I shall not attempt here to go into detail in appraisal of the many virtues possessed by our departed friend. This could be almost endless, and yet incomprehensive. But, I think if I were to name the greatest virtue he had, in my opinion, would be his love of his fellow man.

JOHN FOGARTY was a good man. He was a dedicated man.

His friends, both in this House and elsewhere, were not limited. All who knew him not only respected but loved him.

Surely, Mr. Speaker, this House and the country as well has suffered an irreparable loss.

I extend my sympathy to his devoted wife and other members of his family.

Mr. MULTER. Mr. Speaker, I join my colleagues in this tribute to our able and distinguished departed colleague, JOHN E. FOGARTY.

None who knew him can refrain from saying all that has been said about him is worthy of repetition here and everywhere.

He was a gentleman who labored long and well for his fellow man.

His death creates a void in his district, State, and Nation. He will be sorely missed by all of us, but most of all by his family.

May his memory be for a blessing forever.

Mr. BROOKS. Mr. Speaker, our Nation, the Congress, the State of Rhode Island, and all Americans have suffered a great loss with the passing of JOHN FOGARTY.

He was a man of great understanding and dedication. Although his accomplishments were great and the respect he earned from his colleagues was monumental, he never lost sight of the needs of the ordinary citizen, he never forgot the lessons of his humble origins and his years as a laboring man.

He was an unpretentious man whose greatest pleasure was derived from serving his Nation. The value of that service was well recognized by all of us who knew him and by leaders of government at all levels, but the high esteem in which he was held never affected his great personal modesty.

JOHN FOGARTY will be missed by his Nation, his State, and his friends, but he will not be forgotten. Every future generation of Americans will benefit from the work he pioneered. His greatest monument will be the children who will be saved from mental retardation, the additional happy, useful years enjoyed by those afflicted with heart disease, the cancer patients who will be cured—all as a result of the vision of a great American, JOHN FOGARTY.

Mrs. SULLIVAN. Mr. Speaker, the sudden death of our beloved colleague on January 10, just before the 90th Congress convened, has occurred too recently for us to have adjusted to his absence or to have realized fully how much he will be missed in this body. JOHN FOGARTY, in his career in the House of Representatives, and particularly as chairman of the Subcommittee on Appropriations for the Departments of Labor and of Health, Education, and Welfare, achieved his own monument in the health and welfare of the American people.

Probably no Member elected to this Congress will have had as lasting an impact on the Nation and its people as the late JOHN FOGARTY. For what he accomplished—the programs of Government he made possible—will grow in significance as the years go by. Infants who might otherwise have died at birth will live and grow healthy to a long and productive lifespan because of JOHN FOGARTY. Every American will enjoy a healthier life because of JOHN FOGARTY. Trained as a bricklayer, he used a good mind and a flair for politics to build, unit by unit, as great building blocks in a great scheme of health research, the renowned National Institutes of Health as part of an expanded U.S. Public Health Service. This will be his greatest monument.

But in our hearts, his monument will ever be the friendliness and warmth of JOHN FOGARTY's personality and character. He was a fine man and a great Member of Congress. He earned every honor of the many which came his way. When Congress is criticized, as it so often is, the existence of our John Fogarty's is usually ignored—but it is the John Fogartys who best reflect the good which is done here, which outlives us all.

Mr. PASSMAN. Mr. Speaker, I wish to join my colleagues in paying tribute to the memory of my friend and able colleague, JOHN E. FOGARTY.

It was my privilege to serve in the House and on the Committee on Appropriations with JOHN for 20 years. The public service he rendered to his country and countrymen is indeed unsurpassed. His untiring work and ceaseless effort as chairman of the Labor, Health, Education, and Welfare Subcommittee on Appropriations resulted in accomplishments that benefited tens of millions of Americans, and his performance is unequaled in the annals of history.

JOHN's success in making available appropriations for medical research will long be remembered, and millions yet unborn will benefit from his foresight. Indeed history will show that his unfailing efforts on behalf of all Americans brought about accomplishments of lasting value to our Nation and its citizens.

Mr. Speaker, indeed it can be said that this world is a better place in which to live for JOHN FOGARTY's having lived in it.

I extend my heartfelt sympathy to the members of his family. My prayers are that our Heavenly Father will comfort them in their great loss and will cast an ever-seeing eye upon them and their future.

Mr. ROGERS of Colorado. Mr. Speaker, I was shocked and saddened, as I know every Member of this House was, by the sudden and untimely death of our esteemed colleague, JOHN E. FOGARTY.

As we all know, there are many criteria by which the people of a given congressional district judge their Congressman because they have diverse views and they expect different things of him.

Once he is seated in the House, he has the added responsibility of satisfying his colleagues. In some ways that is an easier task than satisfying the constituents, but in other ways it is not. For they are in a position to judge him at close range—not on what he says, but on what he does.

It has been my observation that Members of the House judge their colleagues on the basis of two qualities: Does he do his job? Is he easy to get along with?

I am sure the overwhelming majority of the Congress would give JOHN FOGARTY high marks on both counts.

It was my good fortune to know JOHN FOGARTY well and to work closely with him on a number of projects of vital importance to me and my district. He could not have been more helpful if it were his own district that was affected.

It was appropriate that Mr. FOGARTY's special field of interest was health and hospitals, the care of the elderly and the young. It was not just by chance, I am sure, that he turned his talents in those directions. For he was a man of genuine compassion and with a sincere affection for his fellow man.

We will miss him here in the House because of his courtesy and friendliness. The Nation will miss him because of his ability and dedication to those who needed his help.

I extend my deep sympathy to his family in their bereavement.

Mr. SIKES. Mr. Speaker, I am deeply saddened at the untimely death of one of our most beloved and respected colleagues, the Honorable JOHN E. FOGARTY, of Rhode Island. It was my privilege to come to Congress with JOHN FOGARTY and to serve with him throughout the intervening years. We have been very closely associated in the important work of the great Committee on Appropriations. The friendship which I enjoyed with him is one of the things that will live longest in my mind and heart. I knew the color and drama of his personality and I constantly wondered at his outstanding qualities and capabilities, both as a person and as a legislator. He was the living symbol of the quality of endurance, of ruggedness, of forthright honesty, of legislative leadership.

No man who has served in Congress has done as much to improve and advance medical research. His contributions may well prove to be the key which unlocks the door to the final conquest of disease if it comes in our time. Yet, it was one of these dread killers which still scourge mankind that struck him down at the height of his career. Although known to all as a dedicated and loyal son of the Democratic Party, JOHN FOGARTY was first an American. He knew no partisan lines or allegiances in his efforts to serve his country well in those fields which were his bent. He will go down in history as a great American.

Twenty-six years have gone by since he came to Congress, but the memory of JOHN FOGARTY will remain strong in the Halls of Congress for many times 26 years. His contributions are that enduring. I consider it a privilege to add my praise to his memory and I extend my condolences as a longtime friend to the sorrowing members of his family.

Mr. CLEVELAND. Mr. Speaker, the untimely death of our colleague and good friend, JOHN FOGARTY, was a personal blow to me and I wish to join my colleagues and take this opportunity to pay tribute to his memory.

In his long and distinguished service in the House of Representatives, JOHN FOGARTY played a key role in shaping national policies in the fields of public and mental health. His personal contributions to the advancement of health education and medical-scientific research were immeasurable. He was so widely recognized as a leader and authority in these fields, it would be redundant for me to dwell on these accomplishments where more than 100 major awards are lasting evidence of his constructive achievements.

More than just as an expert in his field and as a humanitarian, JOHN FOGARTY was equally noted among his colleagues for his self-effacement and modesty. His friendship was deeply valued by all.

In my first term in the House of Representatives—the 88th Congress—JOHN FOGARTY was a fellow member of the University Club and his understanding and cooperation with one very much his junior will long be remembered with gratitude. In the second session of that Congress, it was my distinct privilege and pleasure to serve with JOHN on the Select Committee on Government Research.

In addition to recognizing his boundless enthusiasm and his personal responsibility for many great advances in the fight against sickness and disease in our Nation, I admired him tremendously as a person and as a friend.

Only 2 months ago, he came to New Hampshire where he delivered a great and inspiring speech to a statewide forum on mental retardation. And the evening before his shocking death, we chatted informally in my office, enjoying a pleasant visit, and I told him how much his New Hampshire visit had been appreciated.

At that time, JOHN FOGARTY talked about his plans for the future. There could be no greater tribute to his memory than for the many programs he fostered to be carried on by this and future Congresses.

I will greatly miss his friendship and wise counsel and join my colleagues in extending condolences to his wife and daughter and assuring them of the enduring place their husband and father has won in the hearts and memories of his colleagues.

Mr. HARSHA. Mr. Speaker, today Members of Congress pay a deserving tribute to a great American whose passing leaves a deep void in legislative ranks. JOHN FOGARTY served his district, his State, and his Nation with unequaled distinction. He had become a symbol of health and welfare legislation of the Congress and a champion of health service. His devotion and dedication to his colleagues and his fellow men were exceeded only by his devotion and love for his country.

I am unable to put into words the depth of my feeling for JOHN FOGARTY and what his loss will mean to me personally. But more important is the loss to this great Nation of ours. Only the years ahead will determine the significance of the loss of his outstanding leadership.

This Nation has lost a truly dedicated American and I offer my heartfelt sympathy to his family. I am privileged to have been associated with him and we are all better men because of his presence among us.

Mr. BURKE of Florida. Mr. Speaker, although I as a Congressman never personally worked with the Honorable JOHN E. FOGARTY, his work for the underprivileged, for reform, and for the educational needs of all Americans is well known to me. My chief regret is that I had the opportunity to talk to him on only two occasions. The first of these made a lasting impression on me as to his sincerity and dedication; the second involved a bill which he introduced in the 89th Congress which concerned underprivileged and dependent children and the need for Federal funds to assist State child welfare service programs.

It was with deep regret, felt keenly by all of us, that the opening day of the 90th Congress was marred by the untimely death of our colleague, but his imprint as a veteran Congressman will benefit all newcomers. As freshmen legislators, my colleagues and I must carefully note and study the works of JOHN FOGARTY and let them serve as a guide to future laws which will make our country an even better place in which to live.

He came from humble beginnings, being the son of a laboring man, a bricklayer. He was born in Providence, R.I., in 1913, and eventually became a bricklayer in his own right. He was proud of his craft and his thinking in congressional action depicted his proud feeling for the working man throughout his life.

JOHN FOGARTY rose rapidly in the ranks of organized labor and at the early age of 23 showed his future greatness by becoming president of Bricklayers Union No. 1 of Rhode Island.

While not all thinking men agree on legislation, we must all agree JOHN FOGARTY was an asset to Congress since his election in 1940 at the age of 27.

Not content with sitting back while America fought in World War II, he joined the Navy Seabees, incognito, to learn firsthand the opinions of Americans in uniform. Following the war, he was appointed to the Labor, Health, Education, and Welfare Subcommittee of the House Appropriations Committee. It was with this committee that he established himself as a champion of public health facilities. He introduced an aid to education bill to provide funds for both public and parochial schools alike. The measure never passed, but in 1965 the Elementary and Secondary Education Act of 1965 appears to be an offspring of the Fogarty resolution.

During his years in the Congress, JOHN FOGARTY upgraded national health institutes and encouraged Government research in many areas of human illnesses, both physical and mental.

He was progressive in outlook in the field of social and political reform—more so than some of the conservative views many adhere to. His thinking is definitely in depth and can be used by both conservatives and liberals alike to better America.

His record of continuous public service and knowledge of American needs made him an outstanding member of our country and Government. His life was a tribute to both his State and the Nation.

JOHN FOGARTY walked hand in hand with greatness.

Mr. HOLLAND. Mr. Speaker, it is difficult for me to adequately express my grief at the untimely news of the death of our beloved colleague from Rhode Island, JOHN FOGARTY. He was, in the fullest and rarest sense of the phrase, a good man. As a representative of his constituents, he was tireless. As a leading Member of this House—as chairman of the vitally important Appropriations Subcommittee on Labor and Health, Education, and Welfare funds, he was, perhaps more than any other single Member of this body, responsible for a major part of what this Nation has been able to do to further education, improve the health of all our citizens, and of the society itself.

JOHN FOGARTY's memorial will not be of bronze or marble. His memorial lives and breathes and walks among us. His memorial is every man and woman and child whose life has been saved or prolonged by the work of the various National Institutes of Health. His memorial is to be found in every classroom in this Nation, where young people are receiving a better education because of JOHN FOGARTY's understanding and compassionate handling of the appropriations bills that came before his subcommittee.

I remember vividly, in the first term I spent here after returning to the Congress in 1956, when the Labor-Health, Education, and Welfare appropriation bill was on the floor of this House for a week—one of the longest and most embattled weeks I have ever seen in this House. There was a great cut-the-budget furor that year, and it was on JOHN FOGARTY's bill that most of the attention was focused. For 5 long days he stood at his desk on this floor and reasoned with a House that on Monday was not in a mood to listen to reason. By Friday, his knowledge of the minutiae of the budget, and of the substance of the programs which the economizers were trying to cut, had turned the tide, and, to a great extent, the Departments of Labor and Health, Education, and Welfare were able to be given the funds they needed for their important work. No one who remembers that week—and it is not an easy one to forget—will ever forget the calm quiet with which JOHN FOGARTY was able to transform a budget-cutting stampede into an exercise in responsible legislative behavior.

That week was not, certainly, JOHN FOGARTY's only act of quiet, self-effacing heroism during his membership in this House. His whole career was dedicated to the concept that human lives and human minds were more important than a balance sheet—and that economy and miserliness were not the same thing.

What he was able to do will, I am confident, continue to be done by his successors and his colleagues. But, Mr. Speaker, we will not see a greater man than JOHN FOGARTY, a more compassionate man, a more understanding man. The Nation, this House, have been permanently impoverished by JOHN FOGARTY's departure.

Mr. KEITH. Mr. Speaker, JOHN FOGARTY's most lasting memorial will not be what we say here, but the affection in which he is held by a grateful nation.

Years ago when his goals seemed unobtainable, JOHN FOGARTY set out to provide better medical care and facilities for the American people. Rhode Island and his country are proud that he persevered in his 26 years in Congress. Today there innumerable health and welfare laws that owe their existence to JOHN FOGARTY and medical facilities across the Nation that attest to his success.

During my years in Congress I have served on the Commerce Committee which has authorized much of the legislation sponsored by JOHN FOGARTY. I have always been impressed by the deep sincerity of his devotion to his cause. JOHN was a true liberal in the best sense of that word.

Both on the door of his congressional office and in his campaign literature, a green bow tie was much in evidence. JOHN was proud of his Irish heritage. In his district that green bow tie became his trademark.

After his last victory—and perhaps it was true in other elections—he thanked his constituents by superimposing upon his campaign billboards red letters spelling out "thank you" to his constituents. Even as JOHN thanked his constituents—we, his colleagues in Congress, thank him for the legacy he has left a grateful nation.

JOHN FOGARTY's life may have been shortened by his works to lengthen our lives.

Mr. VAN DEERLIN. Mr. Speaker, the opening day of this Congress was darkened for us all by the death of our colleague, JOHN E. FOGARTY.

In matters of health affecting the entire Nation, JOHN FOGARTY's influence and leadership were unsurpassed. As a subcommittee member, I well remember the study, made in the last Congress, of the organization of the Department of Health, Education, and Welfare. Virtually every official who testified paid tribute to JOHN FOGARTY and his constructive approach to the problems confronting the Department in the field of medical research.

During his lifetime, JOHN FOGARTY was honored with the Albert Lasker Award and the Leadership Award of the Kennedy Foundation. Now that he is gone, we can do little more than say this was a man who served with distinction both Congress and the Nation—and that the health of all of us has been safeguarded because he lived.

Mr. DANIELS. Mr. Speaker, it is with a sad heart that I rise to pay tribute to an old and trusted friend, JOHN FOGARTY, who was taken away from us by death on the opening day of the 90th Congress, 26 years and 7 days from the time he first took the oath of office as a Member of the 77th Congress. All during that period he had given his native State of Rhode Island and this Nation a kind of service which is rarely seen in this body or in any legislative assembly.

Day in, day out, JOHN FOGARTY served the House as a member of the powerful Committee on Appropriations and his work in the field of health and welfare legislation will redound eternally to his credit. Never seeking any personal aggrandizement, JOHN FOGARTY performed his duties in a conscientious and self-effacing way. Millions of Americans will enjoy better health only because of the efforts of the late beloved JOHN FOGARTY. And yet, they will never know the name of their benefactor. This is the way JOHN FOGARTY would have preferred it.

I know that we shall not see his like in this body for a long time, but each of us present today, is well aware that the Congress of the United States is a better place for having had the service of JOHN FOGARTY over the last quarter century.

Mrs. Daniels joins with me in wishing to our dear friend the eternal peace which he so richly merits. Eternal rest grant unto him, O Lord, and let perpetual light shine upon him.

Mr. HOLIFIELD. Mr. Speaker, along with my colleagues in the House, I was stunned at the sudden passing of JOHN E. FOGARTY.

I had the pleasure of serving in the House with Congressman FOGARTY for 24 years. During that time, he proved to the people of his State and the Nation a most unusual capacity for legislative excellency.

Without question, he was the greatest champion of health research and health services to the people of our Nation of any Member of Congress. Time after time, he stood in the well of the House and argued for greater appropriations for medical research and the development of medical and surgical technics. There is no way of estimating the value of his contribution in terms of release from physical suffering and extension of the life period and improvement of the health of our people.

We shall mourn him as a champion in his chosen fields of interest and we can only hope that there will arise in the House of Representatives a man with his deep faith and love of humanity and that there will arise a man with the will and determination to do something in a practical way toward solving the age-old problem of disease and human suffering.

Mr. EDWARDS of California. Mr. Speaker, I join you today in remembering and honoring the late JOHN E. FOGARTY, Representative from Rhode Island.

JOHN FOGARTY devoted his entire adult life to the people of his district, the Congress and, most of all, to the health and the education of all Americans. He recognized the worth and the long-range significance of educating our young, probing the mysteries of disease and securing our future years. Those of us who share JOHN FOGARTY's commitment to these goals feel deeply the loss of this man. As an innovative planner and a constant defender of health and welfare legislation, he fulfilled the concept of public serivce to the highest degree. It is to his life and his leadership that we pay tribute today.

Mr. HELSTOSKI. Mr. Speaker, when this honorable body met last week to take the oath of office for service in the 90th Congress, it was a shocked and saddened House. One of our most respected Members did not appear to take his oath, for JOHN E. FOGARTY was dead. He died in his office just 2 hours prior to the convening of the session, after apparently being stricken by a massive heart attack.

The Congressional Directory, where Congressman FOGARTY could have said hundreds of words in his biography, carried only this simple phrase, "a Democrat, of Harmony, R.I., elected in 1940; re-elected to succeeding Congresses." We can add this postscript to these remarks, "died in office in the service of his constituents and his country."

In the 16 years that our departed colleague served as chairman of the Appropriations Subcommittee handling labor, health, education, and welfare funds, he has gained a reputation for his efforts in bolstering health research.

During his years on the committee, appropriations of the National Institutes of Health rose from $3.5 million in 1946 to $1.5 billion for the current fiscal year. This is evidence of his deep interest in health research and his determination to make this country first in health.

Though his voice will be missed in these Chambers, his past actions to ease human suffering will never be forgotten.

I extend to his wife, Luise, and to their daughter, Mary, my most profound sympathy on the loss of a beloved husband and father.

Mr. DULSKI. Mr. Speaker, death has taken from our midst and the country a dedicated and distinguished public servant, Congressman JOHN FOGARTY.

The record of his accomplishments is well known to us. All who had the honor of serving with him are aware of his great contribution and keen interest in the field of medicine and medical research. Few men have been so devoted in their efforts to provide a healthier life for Americans. He labored long and tirelessly to give us the greatest public and private health service in the world.

JOHN FOGARTY was among my closest friends since I have been in the House. His untimely passing came as a terrible shock to me, and to all who knew and respected him.

Sadly, I join my colleagues today in paying tribute to our late departed friend and colleague in the House, JOHN FOGARTY.

Mr. JOHNSON of California. Mr. Speaker, ordinarily the opening day of a Congress is one of happiness as well as solemnity. Such was not the case when we met to convene the 90th Congress. This was a sad and solemn occasion because of the news that our friend and colleague, JOHN E. FOGARTY, had passed away.

Representative FOGARTY was first elected in 1940 to serve the citizens of the Second Congressional District of Rhode Island, and he served them and the Nation for 26 years.

He was a quiet man and when he spoke,

people listened. He was a friend to all but a particular friend to those who were interested in improving the health of the people of our great Nation. The mentally retarded children owe much to this great humanitarian who served his country wisely and well.

Those of us who were privileged to serve with him will miss his leadership and guidance. The freshmen Members of Congress will suffer because they were not able to benefit from his guidance and wisdom. The citizens of Rhode Island whom he represented so wisely, will suffer, as will the Nation as a whole.

During his political career he received many awards, all of which were deserved. I have no award to offer JOHN FOGARTY now. All I can do is commend him for the fine work he did as a dedicated servant of the people. May he, in his final hour, rest in peace.

Mrs. Johnson and I extend our deepest sympathy to his wife, Luise, and to his daughter, Mary. Our prayers are with them.

Mrs. MINK. Mr. Speaker, I, along with all my colleagues, was most shocked and saddened at the untimely death of Representative JOHN EDWARD FOGARTY at the very outset of his 14th term in Congress.

Like many other junior Members of this House, I found inspiration and leadership in the person of this dedicated public servant who has done so much for so many Americans in his brilliant legislative career. It was difficult to accept his sudden death of January 10, and for most of us the convening of the 90th Congress was darkened by the news that JOHN FOGARTY would not be among us for the opening ceremony.

Congressman FOGARTY's contributions to the welfare of his fellow men were so numerous that he was dubbed "Mr. Public Health" in tribute, and those of us on the threshold of our legislative careers look upon his achievements with admiration. A forerunner of the Great Society, Representative FOGARTY was as much responsible as any other individual for the great increases in health services, health facilities, and health research throughout the country since he began his congressional career in 1941 at the age of 27.

Rising to the chairmanship of the Subcommittee on Appropriations for Labor, HEW, and Related Agencies, Congressman FOGARTY led the battle for medicare, Federal aid for training of doctors and other medical personnel, workshops and classrooms for the mentally retarded, and a host of other significant advances in the public health field. The National Institutes of Health stand as an enduring monument to the concern for human welfare evidenced by this legislator whose contributions will be of lasting benefit to living Americans and generations to come.

We have lost a leader, a great and distinguished Congressman who worked quietly and effectively to make the world a better place in which to live. Our heartfelt sympathy goes out to his family, whose tragic loss is also the country's loss. JOHN EDWARD FOGARTY played his role in the history of the Nation and left behind him a record that will serve as a beacon to all the rest of us striving to find the means by which we can also make our contribution.

Mr. FRASER. Mr. Speaker, no Member of this House goes untouched, if only in some small way, by the death of a fellow Member.

The loss of some Members is, of course, felt more acutely than the loss of others. Seniority, influence, popularity all contribute to the impact on these Chambers of the sudden passing of a Member.

Few men would be missed as much as JOHN FOGARTY. He combined all the attributes of an effective legislator and a fine man. Having served 13 terms, he was a seasoned Congressman. His experience earned him the respect of all who knew him. Experience combined with respect gave him influence.

Yet these qualities in themselves mean little when we honor the memory of JOHN FOGARTY if we fail to mention his qualities as a human being. He combined dedication to his congressional duties with warmth and compassion that made him not only an outstanding committee chairman but a personal friend to all of us.

Beyond his personal friendships, Mr. FOGARTY had the opportunity, through his committee chairmanship, to put his humanitarianism to work for the people of this Nation. His was an open heart. By opening his heart to the needs of the people, he helped to improve the lives of millions of Americans.

We will all miss JOHN FOGARTY.

Mr. TUCK. Mr. Speaker, I was astonished and shocked to learn on Tuesday, January 10, of the sudden passing of our distinguished colleague from Rhode Island, the Honorable JOHN E. FOGARTY. I have known him during my entire 14 years of service in the Congress of the United States. He was an outstanding Member of the House of Representatives, dedicated and devoted to the highest public good. His services here were outstanding, and he enjoyed in an unusually high degree the confidence and esteem of all who knew him.

I did not have the privilege of serving on the same committee with Representative FOGARTY, but have heard him many times on the floor of the House of Representatives when he reported bills from his committee. He handled these bills in a very dextrous and skillful manner and displayed his extraordinary abilities in such a way as to gain the support of a majority and the admiration and confidence of all who knew him.

On Monday, January 9, around noon, I was standing at the lunch counter in the cloakroom of the House of Representatives when he came to the counter. We stood there alone and had a somewhat prolonged and very friendly conversation about matters in general. I never saw him look better. As we bade each other farewell, little did I realize that the final summons was so near and that I would never in this world have the privilege and the pleasure of looking upon him again.

We will ever cherish the memory of our association with JOHN FOGARTY. The exemplary life which he led should animate us all to a higher and renewed consecration and to worthy and unselfish devotion to our country and our kind.

Mr. RUMSFELD. Mr. Speaker, the sudden and untimely passing of our late colleague, Congressman JOHN E. FOGARTY, has grieved the entire Nation. Throughout the 26 years of his service as Representative in the U.S. Congress for the Second Congressional District of Rhode Island, he gave unstintingly of his efforts to promote the health and welfare of the citizens of this country. The Nation is deeply indebted to him.

I join my colleagues in paying tribute today to a great patriot and an outstanding citizen—a man of courage and integrity, whose concern for his fellow citizen has not been surpassed. It was a privilege to know him and to work with him.

To his wife and his family, I extend my sincere and deepest condolences.

Mr. JOELSON. Mr. Speaker, I share with all my colleagues a deep sense of loss on the passing of JOHN FOGARTY. Modestly and without fanfare, this one humble man contributed mightily to the health and welfare of the American people.

As a friend and colleague of JOHN FOGARTY, I feel a sense of personal loss. The Nation itself has also been deprived of a great and effective humanitarian. Those of us who remain must profit by the example of JOHN FOGARTY and do our best to combat the ancient enemies of mankind, which are disease and ignorance.

Mr. KARTH. Mr. Speaker, I rise to express my sorrow and profound sense of personal loss at the passing of JOHN FOGARTY. I offer my deepest sympathy to his widow and his family.

JOHN FOGARTY, as chairman of the Appropriations Subcommittee on Labor, and Health, Education, and Welfare, has made contributions to our great Nation unrivaled in their farsightedness and benefit to all Americans. His broad intellectual powers coupled with a persistent and incredible ability to get things done have truly made him a champion of better mental and physical health. The great strides forward in curing killing and crippling diseases have been made in large part because of the vision and competence of our departed colleague.

I feel my life has been significantly enriched by virtue of my association with him. On a number of occasions I was privileged to meet and confer with JOHN in his office after the close of daily business. I remember well, too, the opening day baseball games we attended together at District of Columbia Stadium. Always a rooter for the underdog, the underprivileged—the one who needed help the most—JOHN FOGARTY was a giant of a man in every way. The fullness of life for everyone who knew JOHN will now be diminished by virtue of his passing.

Over the years many monuments have been erected to Congressman FOGARTY's honor. Long after these token structures have crumbled, his memory will serve as a living monument in the hearts of future Americans.

Mrs. HANSEN of Washington. Mr. Speaker, it is with deep and profound sympathy that I join my distinguished colleagues of this House this morning to pay my deep and sincerest tribute to our beloved, late JOHN FOGARTY.

I had the privilege of serving with him on the Appropriations Committee here. His excellent work will be a guidepost for this Nation's welfare for years to come.

JOHN FOGARTY was a magnificent friend and magnificent representative of all the people, including his own State. His deep and abiding concern for the poor, the sick, the unfortunate, was a shining symbol of democracy itself.

This Nation is poorer for the passing of JOHN FOGARTY. The deaf, the blind, the underprivileged, have lost their loudest and kindest voice.

To Mrs. Fogarty and to his family, my deepest and sincerest sympathy.

Mr. MOORHEAD. Mr. Speaker, it was with profound shock and regret that I heard the news of JOHN FOGARTY's death on the opening day of this 90th Congress, and I join his friends and colleagues today in paying tribute to his memory, and extending sympathy to his widow and family.

I believe it was Disraeli who said that the health of the people is really the foundation upon which all their happiness and all their powers as a state depend. Surely the people of this Nation are forever in the debt of JOHN FOGARTY, for it was primarily with the health of the people that his service was dedicated during 16 years in the Congress.

JOHN FOGARTY was a bricklayer and enlisted man in the Navy before he came to Washington to serve the Second District of Rhode Island as an active member of the Appropriations Committee, and chairman of the Subcommittee on Appropriations for Labor, and Health, Education, and Welfare. It was his compassionate interest in people, coupled with his courage and foresight in their needs which made possible the pioneer efforts to achieve the remarkable health resources this Nation enjoys.

But JOHN FOGARTY did not limit his interest to man's physical well-being. He wanted to enrich the intellectual and cultural life of Americans. Congressman FOGARTY was in large measure responsible for bringing to life the legislation to establish the National Foundation on the Arts and Humanities.

I shall personally miss JOHN FOGARTY, and the Congress and country will be the poorer without his strength and leadership.

Mr. REUSS. Mr. Speaker, it is always difficult to express oneself adequately at the passing of a friend and colleague. It is even more difficult when that friend and colleague has done so much for his country, for the individual, and for the dignity of mankind.

Over a span of 26 years, Representative JOHN E. FOGARTY devoted his life to the relief of pain, to a universal improvement in health standards, and to the eradication of diseases that instill fear in the hearts of men. To enumerate each instance of his contribution to the health and welfare of his fellow citizens would be impossible because so many of his efforts were hidden under a personal cloak of modesty.

During his many years of service, he came to be known as the champion of better health for the Nation. This is a tribute to the multitude of progressive health and welfare legislation in which he took a personal interest from the moment of its introduction to the moment of enactment. The Nation was indeed fortunate to have him serve for 16 years as chairman of the Appropriations Committee's subcommittee providing funds for the Departments of Labor, and Health, Education, and Welfare.

The greatest tribute that we, who remain behind, can offer the memory of JOHN FOGARTY is to continue to support vigorously the many noble programs that he initiated and guided to fruition.

I extend my sincere sympathy to his wife and family in this moment of their deep sorrow.

Mr. HORTON. Mr. Speaker, by his sudden passing, we have lost in JOHN E. FOGARTY, of Rhode Island, a dear friend and a respected colleague. His efforts over the years won for him a justly deserved reputation as a major architect of the Federal Government's program of medical research.

His formal education ended with high school, and his trade when he entered the House as a Member from Rhode Island was that of a bricklayer, yet at the time of his death it was generally acknowledged by the medical profession that he possessed an incredibly deep and extensive knowledge of the field of medical research. In his characteristically modest way, he offered as an explanation of his acquisition of this knowledge the remark:

> I live this thing all year around.

One of his best known approaches as chairman of the Appropriations Subcommittee that handled requests for medical research funds was to demand that administrators of the National Institutes of Health make judgments about their budgetary needs as professional medical men and not merely as defenders of a budget that had emerged from the Bureau of the Budget.

Thus it was that on the day of his death, if hospitals, research laboratories, and medical facilities for the aged, the infirm, and the mentally retarded had all had flagpoles, the flags upon them would have been flying at half staff. The New York Times medical columnist wrote of him:

> No one in the history of this country has done more to promote more and better health services, more and better health facilities, and more and better health research than Representative Fogarty.

His passing came as he was about to begin his 14th term, and he had planned to carry on during the 90th Congress his wide-ranging activities, on the Appropriations Committee and on the floor of the House, against mankind's great enemies, disease, disability, and death.

No one could have done more than he did in his chosen cause. An extremely affecting cartoon appeared in the Providence Journal in the issue reporting his death. It showed a large monument of brick on which there is a plaque reading "Historical Advancements in the Nation's Health and Welfare." In front of the monument is a bricklayer's trowel that has been set down on the ground in the midst of work that it was being used for. On the handle of the trowel are the initials of JOHN EDWARD FOGARTY. The caption of the drawing reads: "A Bricklayer's Legacy."

Mr. PEPPER. Mr. Speaker, when JOHN FOGARTY passed away, a giant fell in the service of America. As a Member of the other body, as well as this House, I had the privilege of working closely with JOHN FOGARTY in the all-important field of health. Few men in our Nation's history have done more than he to lengthen the lives, to promote the health, and to increase the happiness of the American people. As chairman of the Subcommittee on Health of the House Appropriations Committee, he led the fight for more research funds to discover the cause and cure of the great killers and cripplers among the diseases and to increase the personnel and the facilities of our Nation, both to prevent and to treat disease. Millions alive today owe the joy of life to the fruits of research which JOHN FOGARTY made possible. Millions know health today through the curative facilities and services which he made possible.

JOHN FOGARTY loved humanity and he sought to save it and to serve it. He believed that man was made in the image of God and that as a child of God he was precious, and to save or to enrich his life was the noblest of human endeavors.

JOHN FOGARTY never spared himself in the service of his fellow man. With faithful dedication and unremitting diligence year by year, month by month, day by day, and hour by hour, he strove to make things better for all the people of this land he loved. His warm heart was concerned for every man in need, oppressed, handicapped, or denied the fullness of life which he, in such large measure, enjoyed.

JOHN FOGARTY was the symbol of the finest in public and private life. His public character was the essence of integrity; his private life an example of rectitude. Wherever this man moved, he served; and wherever he labored, he was honored; and wherever he was known, he was loved. And now for the inspiration of the future, we have the memory of JOHN FOGARTY to cherish and his life to emulate. His name shall be imperishable in the annals of our Congress and country and in the richer glories of life which he has made possible for this and generations yet to come.

To Mrs. Fogarty and one lovely daughter who remain behind, we send our greatest respect and our tenderest sympathy.

Mr. KLUCZYNSKI. Mr. Speaker, one of the true satisfactions of serving in the Congress has been the opportunity to know and to work with those all-too-few men who freely spend their lives adding to the lives of others; men who, to our good fortune, chose the often hard political arena that they might work for all their fellow men. JOHN FOGARTY was one of those.

We meet this year without him. Those of us who are returning know we have lost a friend, and that humanity has lost a champion. Those who this year come to these halls for the first time have been denied a rare privilege in personal and professional association.

Many years ago, fairly early in my service in the House, a fellow Member during a debate described the idealists among us as cloud riders. John Fogarty was one of them, but he was not only an idealist devoted to working for humanity; he was also enough of a realist to be able to work more effectively in the particular field he chose than perhaps any other Member of Congress has ever done.

Thanks to him and a handful of men like him, the Federal Government has taken great strides in furthering medical research and in other similar fields directed toward improving the lives of our people and people everywhere. I hope that someday someone will write, for all to know, the story of the work of John Fogarty, whose definition of public interest was sensitive enough to include, and whose dedication was intense enough to secure, programs like the reading records for the blind distributed by the Library of Congress; the Library Services Act, which has carried books to nearly every crossroads and hamlet in the land; and the training of teachers for deaf children, to mention only a few. The list of his legislative gifts to the Nation is long, and we have watched him with profound affection and respect as he labored, and counted it a privilege to help when we could.

History all too often holds its places of honor for the popular public heroes, but a place of honor will always remain here in the House, and in our hearts, for John Fogarty. If there is a need for idealists in the better world beyond, he will be filling it. I hope those of us who are here will be equal to carrying on the task he left behind.

Mr. RYAN. Mr. Speaker, I want to join my colleagues in paying tribute to our departed colleague, John E. Fogarty. John Fogarty's name was synonymous with health research. By his dedication to the cause of improved health he demonstrated the far-reaching impact of a single member of the House Appropriations Committee who uses his influence wisely and for the public good. His example is one to emulate. His contribution to humanity is lasting.

Through his leadership the Federal Government assumed an active role in promoting the health of the Nation. During his service in the Congress the Federal investment in medical research grew from $3 million to over $1 billion. He was, indeed, "Mr. Public Health."

As Dr. Howard A. Rusk wrote in last Sunday's New York Times:

> If hospitals, research laboratories and institutes for the aged, infirmed and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I want to join my distinguished colleagues in paying final respects to the late John Edward Fogarty of Rhode Island. His loyal and unflagging efforts in the service of his district, State, and country have earned the respect and affection of his colleagues who deeply regret and mark his passing.

He will be sorely missed and long remembered by his dear friends and loving family. As a new Member of Congress, I deeply regret that I shall not have the opportunity to be associated with Mr. Fogarty. The loss of his years of experience and ability is an unfortunate and tremendous loss to the Congress and to our country. I offer my deepest regrets to the family and join my colleagues in noting this great loss.

Mr. DELANEY. Mr. Speaker, with the other Members of the House, I share a profound sense of shock and deep sadness over the death of our good friend and colleague from Rhode Island, John Fogarty.

John rose from humble beginnings through education and hard work to become one of the most distinguished and effective Members of the House. He was a vigorous advocate of forward-looking legislation, particularly in the field of medicine and public health. Because of his deep compassion for the sick, the blind, the deaf, and the mentally retarded, he led a legislative crusade to provide massive assistance for these unfortunate people, and was rightfully called, "Mr. Public Health."

John will be sorely missed by his many friends on both sides of the aisle, as well as the multitude of people who have benefited from the numerous measures which have become law through his dedicated efforts.

I join his host of other friends in extending deepest sympathy to his wife and family.

Mr. FULTON of Tennessee. Mr. Speaker, it is with a great sense of loss and privilege that I join in paying deserved tribute to our late colleague, John Fogarty.

He would have been in his 27th year of service in the House of Representatives were he with us today. That is a privilege afforded few men and he fulfilled, in every respect, the duties and responsibilities incumbent in that privilege. Our loss then, is his talent, his ability and his friendship. He leaves, however, a great measure of accomplishment.

It was a privilege to serve with John Fogarty over the past 4 years. He was ever eager to assist his fellow Members in any manner possible.

John Fogarty will be missed but the work he has done here will contribute to a brighter future America for future generations.

Mr. ROGERS of Florida. Mr. Speaker, I join with my colleagues in expressing my sadness over the death of John Fogarty.

It is not only a loss to the Congress, but a loss to the people of Rhode Island and the people of the Nation.

In working with Congressman Fogarty for the past 12 years, I learned to respect and admire him both as a man and as a legislator.

John Fogarty was a man of ideals and foresight. One known across the Nation as a champion of better health for all.

In his 26 years of service, he has won the respect and admiration of those on both sides of the aisle and with good reason.

We will all miss his guidance, wisdom and companionship.

My wife Becky and I extend our deepest sympathy to John's wife and daughter and ask God's blessing upon them.

Mr. HICKS. Mr. Speaker, one measure of the size of a man is whether, in a position of power, he can be very strong and at the same time kindly; beset by a myriad of great and pressing problems, still spare time to be sympathetic to the lesser problems of comparative strangers. Such a man, as I know from my own experience, was the Honorable John E. Fogarty.

I need not expound to anyone in this body the difficulties and confusions which greet a freshman Member of Congress. We have all been there, and I am sure the memory is still vivid to each of us. We need a lot of understanding, many helping hands, much counsel, and assistance from our seniors who have plenty of problems of their own.

And we get it, from some of the busiest and most important people in the country, here on Capitol Hill.

As a freshman in the 89th Congress, I had a problem which required Mr. Fogarty's help. I got his help. Patiently, courteously, and positively, Mr. Fogarty helped me to solve that problem. This is one sophomore Congressman who will miss Mr. Fogarty very much, personally.

Less personally, I will miss Mr. Fogarty as an American, for he contributed to the greatness of his country far more than is required of most Americans. He gave more, and I believe he received more in the way of satisfaction and the knowledge that he was serving better than most.

The great job he did, and the manner in which he did it, should serve as an example of honorable and dedicated service to all of us. We miss him and wish he were still here with us, but we also can be grateful that he left us so much of himself.

Mr. PICKLE. Mr. Speaker, I am honored for this opportunity to join my colleagues in eulogizing our former colleague, the late John Fogarty.

John Fogarty was a builder in fact and in performance, and probably the greatest monument anyone has built for a cause has been his work in the area of allied health, especially the National Institutes of Health and the National Science Foundation.

Like building a strong wall, John Fogarty added, on a day-to-day, month-to-month basis, accomplishments and efforts that together have made the health program of this Nation the envy of the world.

He was fearless in debate on the floor, in the handling of bills and in taking policy stands for his beliefs. John Fogarty was firm, resolute, and never wavered.

Generations to come will always remember and honor the man John Fogarty for his interest in the welfare of mankind.

Mr. GILBERT. Mr. Speaker, the 90th Congress had a sad beginning when death claimed our friend and colleague, John E. Fogarty, just a few hours before he was to have been sworn in for his 14th term in the House of Representatives.

John Fogarty had completed 26 years of distinguished service in this body, and we shall miss him deeply. I know of no one in our Federal Government who has done more to promote better health in our country. His warm, humanitarian spirit was constantly seeking answers to the problems of disease, the mentally ill, the retarded, the blind and deaf. His persistent efforts to promote research and secure new health programs, medicare, nursing homes, health centers, programs to provide education and training for physicians, technicians, and scientists, brought him deserved recognition as a great humanitarian.

In Congress and throughout the country, JOHN FOGARTY was known as the champion for better health for the Nation. I extend to his family my deepest sympathy and condolences. They may take solace in the knowledge that his outstanding career in the House of Representatives, and particularly his contributions to the health and welfare of our Nation, leaves its impact and will not be forgotten.

Mr. REID of New York. Mr. Speaker, the death of our colleague, JOHN E. FOGARTY, deprives America of a legislator with a breadth of humanitarian vision that will be deeply missed. His tireless efforts on behalf of the health of his fellow citizens gave major thrust to needed Federal support for basic research in cancer, heart, and other diseases. The importance of the National Institutes of Health as one of the major medical research centers in the world is largely a tribute to his continual concern as chairman of the Appropriations Subcommittee on Health, Education, and Welfare. My deepest sympathy is extended to his wife and daughter.

Mr. ERLENBORN. Mr. Speaker, the office of the late JOHN FOGARTY is just a few steps down the hall from mine, and, on more than one occasion, it was my privilege to fall in step with him as we went about our business.

He will ever stand out in my mind as a conscientious, hard-working, and remarkably understanding man. His death, just a few hours before the opening of the 90th Congress, was a profound shock to me. The United States and the State of Rhode Island have lost a fine public servant.

Mr. Speaker, I join in extending condolences to his family.

Mr. MURPHY of New York. Mr. Speaker, Dr. Howard A. Rusk, the eminent authority, physician, and writer for the New York Times, who specializes in matters of health and medicine, has written a most perceptive and complimentary eulogy of our great friend and colleague, Congressman JOHN E. FOGARTY, of Rhode Island. I would like to include the article that Dr. Rusk had published in the January 15 edition of the New York Times.

I know that all of my colleagues share with me and with Dr. Rusk our sincerest sympathies, not only for Mrs. Fogarty and her daughter, Mary, but the entire Fogarty family and the country, all of whom have lost a true champion.

The eulogy referred to follows:

Mr. Public Health: Death Ends Efforts by Representative Fogarty To Give United States Freedom From Disease

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirmed and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

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Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

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This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

Mrs. GRIFFITHS. Mr. Speaker, of all the accomplishments of all the men and women who have ever passed through this Congress, the people of the world should be most grateful for JOHN FOGARTY's. Men and women, who in past generations, would have become invalids or died, will live in good health because of JOHN FOGARTY's work in this Congress in the health fields. Children who would never have had a chance will live to grow into healthy adulthood because JOHN FOGARTY cared enough about the health of the Nation to make it his life's work.

We in this Congress will miss him. With his family, we will grieve for him, but the world and Rhode Island should rejoice that they did not miss having him serve in this body.

Mr. FLOOD. Mr. Speaker, when Congressman JOHN FOGARTY died on the opening day of this 90th Congress it was a great shock to us all. At the comparatively young age of 54 he really passed on in the prime of life, which in itself is tragic. But what makes it doubly tragic is the fact that he still had great contributions to make to this land he loved—contributions in the fields of labor, health, and education, and welfare.

As the longtime chairman of the Appropriations Subcommittee for the Departments of Labor, and Health, Education, and Welfare, on which I have the honor of sitting, I know at firsthand of the effective work he accomplished for the welfare of our country.

Whatever JOHN FOGARTY undertook he performed in an excellent manner. In his early years he was a bricklayer. I am certain there was no better bricklayer in the State of Rhode Island than JOHN FOGARTY. When he first came to the Halls of Congress over a quarter century ago, I am sure it was his objective to become one of the best and most effective legislators in this body. And he was.

Last April, Mr. Speaker, JOHN FOGARTY and I journeyed to Dublin, Ireland, to dedicate a statue to that great Irish patriot, Robert Emmett. FOGARTY and FLOOD in Ireland together. I would say nothing could be more fitting and appropriate. The people of Dublin were delighted to meet this handsome and charming Irishman from Rhode Island.

In the tradition of the Irish people JOHN FOGARTY was a strong-willed independent thinker and he spoke his mind. You always know where you stood with JOHN FOGARTY. He threw you no curves, used no deception. These qualities of character are the very attributes that endeared JOHN FOGARTY to the multitudes that knew him for so many years.

Last Friday, it was my sad duty to journey to Providence, R.I., to pay my final respects to this dear friend and longtime colleague. It was one of the most trying and difficult things to do. I must say, Mr. Speaker, that in all the years I have been in Congress and at all such sad occasions, I have never seen such an outpouring of genuine grief as I witnessed last Friday in Providence.

JOHN FOGARTY's constituents surely felt his loss very deeply. And, knowing JOHN as well as I did, I certainly understood why.

Mrs. Flood joins me in extending to Mrs. Fogarty and the family our heartfelt sympathy in these days of their bereavement and irreplaceable loss. I have lost a dear and true friend and this country has lost an outstanding public servant.

Mr. Speaker, at this point I would like to extend my remarks further by inserting a letter I received from Mr. Hugh C. Murphy, Administrator, Bureau of Apprenticeship and Training, U.S. Department of Labor, as well as a resolution memorializing our departed colleague which was adopted by the Federal Committee on Apprenticeship.

The aforementioned letter and resolution are herewith submitted:

U.S. DEPARTMENT OF LABOR,
BUREAU OF APPRENTICESHIP
AND TRAINING,
Washington, D.C., January 11, 1967.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: It was with deep sadness that the members of the Federal Committee on Apprenticeship heard of the death of Congressman Fogarty while they were in session at their quarterly meeting January 10, 1967, in Washington, D.C.

The Federal Committee on Apprenticeship is the top-level advisory committee to the Secretary of Labor on matters relating to apprenticeship and other forms of on-the-job training, and has always been appreciative of Mr. Fogarty's interest in apprenticeship and training. The news of Mr. Fogarty's death was a shock of major proportions.

As an expression of its feelings, the Federal Committee on Apprenticeship unanimously adopted a resolution memorializing Mr. Fogarty. A copy of this resolution is enclosed.

The Committee requested that a copy of the resolution be forwarded to the Congress for insertion in the Congressional Record. It would be appreciated if you will take action to have this done.

Sincerely yours,

HUGH C. MURPHY,
Administrator.

RESOLUTION MEMORIALIZING THE LATE CONGRESSMAN JOHN E. FOGARTY

Resolution adopted unanimously by the Federal Committee on Apprenticeship at its 109th meeting, January 10, 1967, in Washington, D.C.:

"The Federal Committee on Apprenticeship is deeply saddened by the sudden death of John Fogarty. John Fogarty was a true friend of the working man. His selfless dedication to the improvement of working conditions, training programs, education, and the general welfare of all our citizens, young and old, endeared him to all of us who knew him or of him. His loss will be doubly felt . . . in the Congress where he served so well for 26 years and by the Federal Committee which sought and valued his counsel. He was a bricklayer by trade whose many achievements in the structure of government did not lessen or shunt aside his constant concern for the working man. We shall miss him."

Mr. FASCELL. Mr. Speaker, the range and quality of JOHN E. FOGARTY's public service were demonstrated by the fact that not only the newspapers of his native Rhode Island eulogized him and his achievements, but also such publications as the weekly journal of the American Association for the Advancement of Science and the New York Times.

The weekly magazine Science said of him:

> He helped create the phenomenal budgetary growth of the National Institutes of Health from $46 million in 1950 to the current sum of over $1.2 billion. Despite the budget-cutting intentions of the Eisenhower Administration and the strongly conservative makeup of the House Appropriations Committee, Fogarty repeatedly prevailed in his efforts to expand NIH's activities beyond the budget requests the administration sent to Congress . . . It is no exaggeration to say that for the past 15 years he was politically the single most important person in medical research in the United States.

Dr. Howard A. Rusk, the medical columnist of the New York Times, wrote:

> Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to John E. Fogarty, "Mr. Public Health."

As chairman since 1949 of what is now the House Subcommittee on Labor, and Health, Education, and Welfare, JOHN FOGARTY worked with unremitting zeal for the appropriations that were to make the public health programs of the United States second to none in the world.

He was born on March 23, 1913, and his formal education ended when he was graduated from high school. He became a bricklayer, and was only 23 when he was elected to the first of four 1-year terms as president of the Bricklayers Union No. 1 of Rhode Island. He was a young man of 27 when he was first elected to the House of Representatives.

Late in his second term, he enlisted in the Navy's construction corps, the Seabees. Because of his membership on the House Committee on Naval Affairs, he wanted to experience at first hand the problems of Navy enlisted men. When he returned to the House of Representatives in 1945, he said that he wanted to make himself "the enlisted man's leg man." He sought membership on the Appropriation Committee's subcommittee dealing with the naval budget, a legislative field of great importance to Rhode Island because of the Navy's many installations there. Instead of assignment to that subcommittee, however, he was placed on the subcommittee dealing with appropriations for labor, health, education, and welfare. He mastered the complexities of that subcommittee's responsibilities and became its utterly competent chairman in 1949.

He was honored time and time again for his outstanding legislative achievements. He received the Distinguished Service Award of the American Cancer Society in 1952. He received the first award made by the National Association for Retarded Children in 1956, the National Distinguished Service Medal of Parents' magazine, and the National Rehabilitation Association's annual award. In 1959, he was given a special Lasker Award for extraordinary public service by the American Public Health Association, an award usually given only to members of the medical profession.

Rich in honors, blessed with the profound admiration and affection of his colleagues and constituents, he died on the opening day of the 90th Congress. In their sorrow at his passing, the members of his bereaved family must feel a very deep and justifiable pride in the record of good works which this great man left to them as a legacy which can never die.

Mr. ANDREWS of North Dakota. Mr. Speaker, the loss of JOHN FOGARTY to the Congress, to the great State of Rhode Island and to the Nation has been recognized here and throughout the country in most realistic terms. It is a most unhappy occurrence to lose a man of his age who had the capacity and great desire to serve.

As a fellow member of the Appropriations Committee, I was privileged to hear him so very capably express his concern for the welfare of his fellow man, and, I must add, he was most persuasive because his concern was so obviously genuine and sincere.

I extend my deepest sympathy to his family on their loss. Certainly they will always be proud of his memory because of the record that he made during his lifetime and the respect and admiration everyone had for him.

Mr. ROYBAL. Mr. Speaker, I share with my colleagues deep sorrow at the loss of one of our most distinguished and effective Members of the House of Representatives, JOHN E. FOGARTY, who passed away on Tuesday, January 10.

JOHN FOGARTY was at the prime of his great career and had endeared himself to both Democrats and Republicans.

He was often referred to as "Mr. Public Health" because of the intense interest and wide accomplishments he achieved in all phases of our Nation's health.

Advocates of vital medical research activities recognized and honored him as their spokesman.

His outstanding record in Congress showed his great regard for his fellow man and an unusually sympathetic understanding of their needs. His legislative efforts were directed to humanitarian causes.

It will be difficult indeed to replace his expert knowledge of the Nation's health requirements, but his many achievements in this all-important field will live long after him as a tribute and memorial to this great and good legislator.

Mr. MONAGAN. Mr. Speaker, the untimely and unfortunate death of my friend and colleague, JOHN FOGARTY, has left a void in the Congress which will never be filled. The contributions he has made during his 24 years in the House to the health and welfare of the American people have enriched the lives of all of us and will continue to improve the living standards of Americans for generations to come. Almost singlehandedly he prodded and goaded the Federal Government into assuming leadership in the field of public health. What a monument he leaves. Not in stone or marble—although many outstanding buildings resulted from his efforts—but in the hearts of his fellow men.

I am personally grateful to him for his many kindnesses to me and for his willingness to help a congressional neophyte. When one considers the number of similar acts that he performed, one can begin to appreciate the colossal reservoir of friendship that was his.

As one whose forebears came from Ireland, he was devoted to that small, proud nation and although he never wavered in his loyalty to the United States, he was steadfast in his support of the Irish nation and in his love of the Irish people, so many of whom knew and loved him.

A proud man, a colorful man, a courageous man, a religious man, a determined man—Congressman JOHN FOGARTY would no doubt have wished to be remembered as an artisan who happened to be a U.S. Congressman. From his humble beginning, he rose to the stature of a giant among public servants. He will be missed; his legacy will not be forgotten; he cannot be replaced. Indeed, he died as he lived—serving the people.

Mr. UDALL. Mr. Speaker, the tragic and untimely death of our beloved colleague, JOHN E. FOGARTY, will leave a great loss in the House and in the hearts of all of us who were privileged to know him. Words are inadequate to pay tribute to, or capture the essence of, a man like JOHN FOGARTY. I can say only that I shall remember him for his many kindnesses and invaluable help to me and others who serve in this body; for his courage and tenacity in the fight for medical research and everything else he believed in; for this rare gift of frankness and directness in his dealings with others; and for his strong leadership in this House and among the members of his party.

I was proud to be JOHN FOGARTY's friend, and I share with his family and multitude of friends a feeling of deep sadness and irreparable loss.

The New York Times article, "Mr. Public Health," pays recognition and high praise to JOHN FOGARTY, and I commend it to the attention of my colleagues.

By unanimous consent, the article follows:

MR. PUBLIC HEALTH: DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

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Mr. SLACK. Mr. Speaker, it was my good fortune to serve with JOHN FOGARTY on the Committee on Appropriations, and I had many opportunities to observe at firsthand his great sense of dedication to the improvement of the human aspects of our American way of life. His interest in people and their human problems guided him at all times and urged him to take a strong stand in support of programs that were designed to better the human condition.

He was one of the most dedicated men I have known during my service in the Congress, and it may well be that this strong dedication was a contributing factor to his untimely passing. During his 26 years in the House of Representatives he had ample opportunity to assist many of his colleagues and never failed to do so. His passing leaves behind a sense of irreparable loss at this particular time when a new Congress is just in its beginning days.

I join with my colleagues here today to extend my most sincere sympathy to his family and friends. They must realize by the genuineness of the expressions here today that JOHN FOGARTY will be remembered for many years as the personification of those virtues which win the respect and admiration of the Members of this body.

Mr. JONES of Alabama. Mr. Speaker, the untimely death of Representative JOHN E. FOGARTY is a deep personal loss to those of us who knew him so well as one of the truly great humanitarians in this House.

As colleagues, we will miss his hard work, his straightforward honesty and his valued advice and counsel. We quickly learned to depend on JOHN FOGARTY for strength and wisdom in turning back the obstinate plagues which have incapacitated and crippled mankind and taken the very life from poor and rich alike.

JOHN FOGARTY's dedicated work to end the suffering from illness and disease, to make our world more livable and to advance the cause of mankind everywhere is an everlasting monument to his greatness.

All the people of this Nation have benefited from his relentless efforts in combating these plagues. The intensity of his work in seeking cures to the basic health problems was no doubt a factor in his untimely passing.

In returning JOHN FOGARTY to the Congress every 2 years since 1940, the people of Rhode Island acknowledged the value of his work as their Representative. His interest in the greater development of his region was well recognized. His work in behalf of the young, the poor, and the less fortunate are legend.

Lesser men would have been content to rest on their laurals after fewer accomplishments than those achieved for all mankind by JOHN FOGARTY. But he was not content as long as any task remained to be completed.

We will miss his powerful voice, his dedicated work, and his warm companionship. Our loss will be shared by all the people of this Nation.

My heartfelt sympathy goes out to his family at this time of their great grief.

Mr. MORGAN. Mr. Speaker, it was with a sense of great personal loss that I learned of the untimely passing of our beloved friend and colleague, JOHN FOGARTY. For the past 26 years, JOHN FOGARTY served faithfully and well his constituents in this legislative body. His public service was distinguished by his amiable and friendly personality as much as it was by his great ability and skill as one of the legislative leaders of the House.

As a physician, I can personally testify to the outstanding and successful efforts of JOHN FOGARTY in working for legislation which did so much to develop the greatest public and private health service in the world.

JOHN's entire career was a shining example of the best in American public life. He was an idealist who remained true to his ideals. He was supremely conscious of his precious heritage as an American, and he constantly strove to protect it and improve it for all of us.

We shall long miss this great American who has been called from us. I join with his host of friends in extending to his family and loved ones our most sincere condolences.

Mr. NATCHER. Mr. Speaker, the death of our colleague, JOHN FOGARTY, on the very eve of his 14th term in the House of Representatives, is a loss, while grievous and saddening in its suddenness, will become more acute as time passes.

JOHN FOGARTY was a friend of mine. I respected him for his outstanding abilities as a lawmaker and admired him for his dedication as the chosen Representative of his people. As a member of the House Committee on Appropriations his contributions were many and in his role as chairman of the Appropriations Subcommittee on Labor, and Health, Education, and Welfare, his devotion to his duty, and his adherence to the principles of sound government were ever evident. A great Member is gone from our ranks. JOHN FOGARTY was recognized throughout this country as a leader of men and a man of public spirit. The influence of this servant of the people will be felt for many generations to come, for the efforts and example of men of his caliber are not quickly forgotten.

His many accomplishments in the Congress, fine as they were, do not eclipse the personality and character of the man himself. He was a busy man—a humble man—a good man.

My heartfelt sympathy is with the Fogarty family and it is my prayer that they will be comforted in the knowledge that JOHN FOGARTY deserves the highest tribute of all—that of a just and honorable man.

Mr. WHITE. Mr. Speaker, the Honorable JOHN EDWARD FOGARTY was sincerely and firmly dedicated to the purpose of building a better and stronger America. This, I know, was manifest in many ways. I would like to speak about his dedication to the cause of education.

Texas is a long distance from Rhode Island, but when I presented the special educational problems of my district to this fine gentleman, and asked his assistance, he was entirely familiar with my problems, gave me a thorough hearing, and was able to give me the help I needed. As a young Congressman in my first term, I appreciated this assistance from one of the House veterans. I am sure many other young Congressmen have found him equally attentive to their problems, and I want to have a part in this tribute to Congressman FOGARTY's memory.

Mr. BENNETT. Mr. Speaker, the swift passing of our beloved brother JOHN FOGARTY was a personal tragedy for his loved ones and for every Member of the House of Representatives. We all loved and admired him. His great work in the field of improving the health of our Nation will be his greatest memorial. Yet, there is no place where our country has advanced in recent years that has not felt his helping hand. We are all grateful for his leadership for our Nation and for the treasure of his friendship during his too short life.

Mr. PATTEN. Mr. Speaker, my sympathy is extended to the family of our late friend and colleague, Congressman JOHN E. FOGARTY.

Years ago while visiting in Rhode Island, I learned that the people there respected and loved JOHN FOGARTY. Later, here in the House of Representatives—on the floor and in committee—I was to know him well.

JOHN E. FOGARTY was truly a representative of the people. Humble, able and sincere, he won the respect of everyone and also helped millions of Americans in the important field of health.

His soul will rest in peace.

Mr. REIFEL. Mr. Speaker, I join my colleagues in their tribute to our departed colleague, the Honorable JOHN E. FOGARTY, of Rhode Island.

It was not my privilege to know JOHN FOGARTY on an intimate basis, but I did admire and respect him in our joint associations on the Committee on Appropriations.

Without exception I found him friendly and understanding, considerate of opposing views and a persuasive exponent of his own position on any issue.

His humble beginnings and abbreviated education did not prevent him from achieving one of the highest offices in the land, and the respect of his colleagues for the manner in which he carried on the duties of his office.

His life story demonstrates to the world what one can accomplish in this great land of freedom if he but applies himself.

It is tragic that he should become an untimely victim of one of the dread diseases against which he led the fight and marshaled this Nation's resources. Because of his leadership in the field of medicine and medical research many millions in this and future generations will have the soundness of their bodies restored and new lives opened to them.

To the members of his family I extend deepest sympathy.

Mr. ICHORD. Mr. Speaker, I have been privileged to know for only a few numbered years the late Congressman JOHN FOGARTY. This man, whose life even in memoriam casts a reflection in the best traditions of public service over the Halls of Congress, left an indelible impression by his monumental works which will outlive any of us present today.

It is indeed eminently fitting and proper that the House of Representatives should dispense with the business of the day and give these tributes of remembrance to him because he was a man to remember. JOHN FOGARTY possessed without limit a combination of the essential qualities to success: integrity, industry, and knowledge. A man of very strong integrity, a prodigious worker, and with marked intellectual ability, JOHN FOGARTY was a true public servant and a loyal American. He has helped to write page after page of history by his keenness of mind, purity of spirit, and sincere dedication to cause, tempered with his courage to face issues and the determination to voice his convictions. In the finest traditions of public service JOHN FOGARTY possessed the personal attributes of the great who have enriched the proceedings of this body before our time.

None of us shall forget that this man possessed all the qualities of a true gentleman, always dignified in mien, courtly in direction, and courteous incessantly. Neither shall we forget his wealth of knowledge which made him a scholar with penetrating depth. Remembered, too, will be his vision, his completeness, his talents, and his devotion to affairs of state, all of which caused him to place service ahead of self during his tenure in the U.S. House of Representatives.

I was fortunate enough to have the benefit of his friendship and thus to have felt the inspiring influence of his personality. Personally, I admired him and respected him deeply as a man of sound abilities with a firm and courageous dedication to principle. He furnished a paradigm for excelling in courage and completing a task. It is a sad occasion to realize the departure of one so esteemed.

Though none can ease the irreparable loss to his family, Mrs. Fogarty and his young daughter, we may only share their sorrow and say we will miss him, too.

Mr. HANLEY. Mr. Speaker, 2 years ago, when I was elected to the House, one of the first men to approach me with an offer of personal assistance was the man whose memory we honor today—JOHN E. FOGARTY. While it was not my pleasure to have known him as long as many of my distinguished colleagues did, I can say unequivocally that I considered him a great friend.

That a man like JOHN FOGARTY, from humble beginnings, could rise to a position of influence in the U.S. Congress, is surely a measure of the greatness of our society. That he could maintain his humble posture throughout all those years is surely a measure of the greatness of JOHN FOGARTY.

Mr. Speaker, long before my congressional tenure began, I held an abiding interest in the problems of mental retardation. It was not until I met JOHN FOGARTY, however, that I began to appreciate the depth and the extent of this dreaded malady. JOHN FOGARTY was truly "Mr. Mental Health." Without his guidance, his perception, and his sheer tenacity, our Nation would never have come to grips with a disease which affects thousands in our society. He was the trailblazer in a very real sense, for at a time when the collective American mind was otherwise occupied, JOHN FOGARTY fought for and secured the first real meaningful national program of mental health. Nor did he stop there. Ever since that breakthrough in the fifties, JOHN FOGARTY was there in the forefront, arguing, cajoling, pleading, demanding.

As JOHN FOGARTY focused national attention on the problems of mental retardation, so also did he lead the fight against physical maladies. His wise and judicious chairmanship of the Appropriations Subcommittee on Health, Education, and Welfare soon became the touchstone of congressional involvement in a variety of national medical programs: heart, cancer, and stroke research, medicare, nursing homes, nursing schools, medical laboratories, and countless others.

If John Fogarty's philosophy on health could be summed up in a sentence, I think it would sound something like this: "Any society which fails to provide for the health of its citizens is hardly worthy of the title 'civilized'."

Mr. Speaker, I will miss John Fogarty as a friend and counselor. The United States and, yes, even the world, will miss him as a leader, a battler for the little guy, a dauntless foe of disease. Where the afflicted had no strong hand, John Fogarty offered them his. Now, in the words of the ancient Gaelic blessing, may the Lord hold him in the hollow of His hand.

Mr. MURPHY of Illinois. Mr. Speaker, when the news of the sudden death of my good friend and colleague John Fogarty reached me, I was shocked and saddened that such a great loss had to be realized.

The tragic passing of Congressman Fogarty will deprive this Nation of the services of a great and good man. Over the years we served together I learned to recognize him as a Member of this body who had a deep interest in the welfare of mankind both young and old. This brilliant, dedicated, and courageous leader built his own monument—a monument to inspire future countrymen. The Nation has lost a champion of the American way of life.

My deepest sympathy goes out to his beloved wife and daughter at this time of their great sorrow. They can treasure the rich heritage of love and affection bestowed upon them when John lived, and of the mark his life will leave on the history of their great Nation. You can be even prouder that he was a fine citizen, a good father, and a thoughtful husband.

My heartfelt prayers go out to Almighty God that He grant everlasting peace to John Fogarty for which he so valiantly struggled to achieve.

Mr. BOW. Mr. Speaker, the Congress will feel deeply the absence of John E. Fogarty. We will miss the friendly association with a gentle and dear colleague. We will miss his wise counsel both in the House and in the Appropriations Committee where we served together for so many years. We will miss his expert guidance on the health, education, and welfare activities of our Government. We have suffered a great loss.

Few men who serve here are able to claim the kind of accomplishment that John Fogarty leaves our Nation. The great Institutes of Health in Bethesda stand as a lasting memorial. Generations of Americans whose lives will be healthier, happier, and longer will owe a debt of gratitude to John Fogarty for his leadership in the field of health research. I hope this will be a consolation to his family and to the people of Rhode Island whom he served so ably for 26 years. I hope that all of us here today feel, as I do, a great responsibility to carry on the work of our departed friend and colleague.

Mr. FUQUA. Mr. Speaker, we were all saddened by the recent passing of our beloved colleague from Rhode Island, John Fogarty. During the short time that I have had the privilege of being a Member of Congress, I had come to know and respect John for the many fine contributions he made to this great country of ours, not only in the field of health but in all matters.

His dynamic leadership in the field of improved health has left a mark and a place which will be extremely difficult to fill.

Mr. DOWNING. Mr. Speaker, the U.S. House of Representatives has lost one of its able legislators with the death of John E. Fogarty. His death deprives the Second District of Rhode Island of a dedicated and hard working Representative who worked every day for 26 years for the betterment of the people he represented. His death also deprives the American people of its greatest champion for health and welfare causes.

As chairman of the Labor, and Health, Education, and Welfare Appropriations Subcommittee, John Fogarty was known throughout the world for his support of medical research. His dedication to hospitals, medical institutes, research laboratories, and his concern for the aged, infirmed and underdeveloped will almost certainly rank him among our Nation's greatest leaders in the medical field.

John Fogarty oversaw the funding of health programs in the United States longer than any Member in the history of Congress. And, it is indisputable that he has done more to advance the cause of better health and better health facilities than any other American.

His work here will live on wherever men and women work to stamp out disease, disability, and death. It is ironic that this man who did so much to prolong life should himself die so young.

Many awards, many citations, many honors, many degrees, have been conferred on John Fogarty and he has been widely respected for the astonishing progress that has been made in health and in rehabilitation through his efforts. But throughout all time, every person whose suffering is diminished, every person whose disability is eased, and every person whose life is lengthened can know that he is the beneficiary of the will and the purpose of John Fogarty.

All of us in this body know that the people of the Second District of Rhode Island has lost a Representative who was truly interested in his people. The Nation itself has lost a man who was truly interested in the common welfare of his countrymen. John Fogarty has left an indelible mark on our lives and on our times.

Mr. CABELL. Mr. Speaker, I join with my colleagues in paying tribute to the late distinguished Representative from Rhode Island, the Honorable John E. Fogarty.

While it was only my privilege to know him during the sessions of the 89th Congress, his friendliness and kindness to others made me feel as though I had known him for many years.

The great State of Rhode Island and the Nation will suffer from the loss of such a servant in the cause of good government and humanity.

Mr. HATHAWAY. Mr. Speaker, I wish to join with my colleagues in expressing my deep regret at the passing of John Fogarty.

The sudden and untimely departure of our good friend and colleague leaves this House grieved and shocked. His understanding and generosity, his quiet leadership, and his dedication to the work of this body will long be missed.

In life, John Fogarty earned the admiration and respect of all who knew him. His efforts in behalf of medical research, his personal war to overcome the health hazards which afflict mankind earned him high and well-deserved honors.

Let the memory of his works endure to guide us.

Mr. CLARK. Mr. Speaker, the late Honorable John E. Fogarty has earned a place in history as a pioneer and a leader in the advancement of the health standards of our Nation. Without his cooperation and encouragement, it is extremely doubtful if some of the breakthroughs in medical science could have been achieved.

For 16 years as chairman of the Subcommittee on Appropriations John Fogarty has handled financing for the National Institutes of Health and kept abreast of the needs of medical science and of the promise held out by adequate financing. He battled at every opportunity to encourage progress in medical research.

I have lost a valued friend and adviser and medical science has lost one of its most able dedicated supporters.

Mr. O'NEILL of Massachusetts. Mr. Speaker, John Fogarty, our beloved friend, has left us—but not alone, for he leaves splendid memories of warmth and kindness; of labor and of love.

In his young manhood John worked with his hands and learned the dignity of honest toil. In his full manhood he labored with his mind for the weak, the sick, the young, the old—in short, those who needed his help most.

Medical research and retardation have been his life's work. This wonderfully kindhearted man with ruddy, cheerful face, could be momentarily stern and then quickly turn to a winning smile and generous act.

We miss him and will always cherish his valued years with us. Knowing him, I think of his reunion with Our Creator in these words of John Clare's poem, "I Am":

I long for scenes where man has never trod;
A place where woman never smiled or wept;
There to abide with my Creator, God;
And sleep as I in childhood sweetly slept:
Untroubling and untroubled where I lie;
The grass below—above, the vaulted sky.

Mr. AYRES. Mr. Speaker, the profound sorrow that we feel here in the passing of our beloved colleague, Congressman John E. Fogarty, is shared by great multitudes of citizens from coast to coast.

As chairman of that subcommittee of the House Appropriations Committee providing funds for the Department of Health, Education, and Welfare, he devoted himself to improving the health of our people.

When we consider the great medical strides that have been made during the 16 years that he has chaired his subcommittee, we must realize that he is deserving of a major credit in this great accomplishment.

Congressman FOGARTY could well be called our greatest champion of medical research.

Most certainly the medical, dental colleges, and other human welfare institutions have lost their greatest leader. It would be most fitting if some of them would dedicate some of their facilities to this great American.

Close to JOHN E. FOGARTY's heart was the improvement of educational facilities for the mentally retarded. Here, too, he originated new and effective approaches that will improve the welfare of these unfortunate children.

The legislative accomplishments of Congressman JOHN E. FOGARTY were many. During his 26 years of service in this body, he attacked problem after problem. He gave freely of himself so that the people of this Nation might enjoy better health and well-being.

I feel a deep personal grief at his passing, for JOHN E. FOGARTY was my friend and I deeply cherished that friendship.

When I came to this body, 16 years ago, I searched for some guidance on education and health legislation. I found that guidance from Congressman FOGARTY. He generously gave of his valuable time to assist me in evaluating the legislative problems in these most important fields.

This Nation was enriched by the dedicated service of JOHN E. FOGARTY.

We shall long mourn the passing of this great patriot.

Mr. LIPSCOMB. Mr. Speaker, the sudden and tragic passing of our esteemed colleague, JOHN FOGARTY, of Rhode Island, leaves all of us with a deep sense of loss.

I was privileged to serve with JOHN FOGARTY on the Appropriations Committee for a number of years, and knew him to be an effective, dedicated worker in the public interest. He was continually striving for better medical research and was equally concerned with rehabilitation of the handicapped.

His dedication and achievements can serve as an example as we approach decisions that lie before us. In that way we can perhaps best give tribute and thereby bridge some of the gap left by this untimely loss.

To Mr. FOGARTY's wife and daughter I extend sincerest sympathies and condolences.

Mr. GIAIMO. Mr. Speaker, I am deeply saddened by the loss of my good friend and colleague, JOHN FOGARTY. We served as New England Congressmen and for the last 4 years as colleagues on the Appropriations Committee.

I can only join in seconding the sentiments of my colleagues, since words are so inadequate at times of great personal loss. He was a credit to his district, his State, his country, and his principles. He leaves a gap that will not easily be filled.

His accomplishments will go down in the history of the efforts of man for mankind. There are many now alive and yet unborn whose existence was made possible by this man's determined and dedicated support of public health and education activities. There can be no finer tribute than the appreciation of millions who may not know JOHN FOGARTY by name but certainly thank him daily as they go through lives that might not otherwise be possible.

May God bless him and his accomplishments and be sure that the good work he began and nurtured will be continued.

To his lovely wife Louise and their daughter Mary, I extend the sympathies of both Mrs. Giaimo and myself.

Mr. O'HARA of Michigan. Mr. Speaker, I counted JOHN FOGARTY among my most valued friends. His passing has left me with a deep sense of personal loss—a loss which, I am sure, is shared by my colleagues. But our loss of a warm, generous friend and colleague is insignificant compared with the loss JOHN FOGARTY's death represents to the Nation.

JOHN FOGARTY was a man who believed deeply that investment in people is far more important than investment in things. Those of us who worked with him know how effective he was in championing this belief during the 25 years he served in the House and, particularly, as chairman of the Labor-HEW Subcommittee of the Committee on Appropriations.

A well-known medical columnist described Chairman FOGARTY's contribution to America very well when he wrote:

> No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty. His friends—from the scientist to the sick—mourn his loss and call him blessed.

He fully deserved the title, "Mr. Public Health."

Yes, JOHN FOGARTY was a great public servant and a great humanitarian. We will miss him very much indeed.

Mr. FALLON. Mr. Speaker, if it were known in hospitals, nursing homes, medical research laboratories, and clinics for the aged, the crippled, and the retarded on January 10, that JOHN E. FOGARTY has passed on, there certainly would have been universal mourning and sincere regret. Flags would have been at halfmast, there would have been memorial programs and religious observances suitable for the demise of a truly great and good man.

There was not an outpouring of national dismay, regret, and appreciation for the simple reason that millions of Americans did not know of JOHN FOGARTY and were not aware that one of the greatest benefactors, not only of his fellow Americans, but of people around the globe, had died in his congressional office. They did not know, because this humanitarian had true humility and scorned personal publicity and praise. Still, he was praised and honored, but took them only as a spur and encouragement to do more than he did.

Dr. Howard A. Rusk, the emminent authority and writer in the field of medical advance and public health, commented:

> No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

It was grim irony that Mr. FOGARTY died of a heart attack, because no man did more to bring the vast resources of the Federal Government into study of the causes, prevention, and treatment of heart diseases. When he came to this House, when he was 27 years old, there was no organized, concerted Federal programs to combat heart ailments and very few and feeble projects to prevent, alleviate, or cure many of the ills that flesh is heir to.

When he came here in 1940, the Federal investment in medical research was about $3 million a year. When he died it was over $1 billion. Yet, JOHN FOGARTY knew there was more to be done, despite the enormous advances in medicine which he suggested, fostered, and encouraged. It was typical of the man that he refused opportunity to run for the U.S. Senate from his State of Rhode Island. He realized that he could do more in the House for the goal to which he was dedicated. He died on the firing line as well as any soldier, but his foe was human misery and suffering.

He began his productive years as a bricklayer and ended his career by causing more bricks and mortar to be used than any other man in our history. The hundreds of hospitals, clinics, laboratories, and institutions of study and healing everywhere the Stars and Stripes flies are monuments to JOHN E. FOGARTY.

Even greater as memorial for him is the genuine sense of loss, coupled with admiration for him in the hearts of millions ranging from the eminent scientist to a retarded child given new hope because of JOHN FOGARTY's efforts. Generations ahead will revere his name and certainly call him blessed.

Mr. MOSS. Mr. Speaker, JOHN FOGARTY built a monument that any of us can view with envy and few of us can ever hope to equal—the great National Institutes of Health—dedicated to preventing the ills which kill far too many in the prime of life, or deny comfort or opportunity to hundreds of thousands of all ages.

Mankind everywhere is indebted to JOHN FOGARTY—his span of life was brief, his service great, his impact upon the future such as to insure the immortality of his name.

To his wife and family I extend my sympathy—how proud they must feel even under the burden of grief they bear.

Mr. ROSTENKOWSKI. Mr. Speaker, I was very shocked and saddened to learn of the sudden death of my very good friend and colleague, JOHN E. FOGARTY, of Rhode Island. He was by far one of the most likeable persons I have ever known. Not only was he an outstanding public servant, proven by the record he established serving in Congress for 25 years, but he possessed a certain quality of human understanding, working hard to help his fellow man to make this a better world in which we live.

JOHN FOGARTY was a loyal friend of

mine and I shall always remember his ability; his accomplishments; his constructiveness; his noble character, and all that he stood for. His untimely passing has created a void in the 90th Congress and he will be sorely missed. However we are comforted in the knowledge that he lives in the minds and hearts of the many friends that knew him, especially those of us who were privileged to serve with him.

To his family I extend my heartfelt sympathy in this, their hour of grief.

Mr. CAHILL. Mr. Speaker, I was deeply saddened, as I know was each and every one of my colleagues in this House, by the death of my dear personal friend and the beloved gentleman from Rhode Island, JOHN E. FOGARTY. I am proud to have been numbered among the legion of those he called friend, and my heart goes out to the members of his family in their great loss and sorrow.

JOHN FOGARTY's outstanding record of accomplishment while serving as a Member of this body can truthfully be said to stand unchallenged as a monument to his great humanitarian concern for the suffering of his fellow man. His foresight and vision have contributed much indeed to the overall health and general welfare of all mankind. He was a man among men in the history of the public health crusade. I shall miss JOHN FOGARTY; he will be sorely missed by all of us. He was a great American and a great gentleman.

Mrs. Cahill joins me in extending to his beloved and wonderful family our deepest and sincerest sympathy.

Mr. CRAMER. Mr. Speaker, I rise to join my colleagues in this well-deserved tribute to our late colleague from Rhode Island, JOHN E. FOGARTY. JOHN, certainly one of the most highly respected and capable Members of this body, will be sadly missed in the deliberations of the Congress. His 26 years of service have left his district, his State, and the Nation with an indelible imprint of outstanding public service and dedication to the public weal. His contributions to major legislation as reflected by his superlative service on the Appropriations Committee is likewise deserving of the highest praise and gratitude of all Americans.

Mr. ROBISON. Mr. Speaker, if one refers to the Congressional Directory—as we often do on sad occasions such as this—to find background information concerning a departed colleague, it would be of little help in the case of our beloved friend, JOHN E. FOGARTY, who has been taken from us.

For the Directory merely says this about JOHN:

JOHN E. FOGARTY, Democrat, of Harmony, R.I., elected in 1940; reelected to succeeding Congresses.

And yet, Mr. Speaker, those bare essentials do tell us a great deal about JOHN—perhaps more, even, than a lengthy autobiographical sketch might have done. For those words tell us, first, of his innate modesty, of his humble nature though he had risen to heights of substantial importance here in the Congress, and they tell us, too—which is perhaps the key thing that one might say of JOHN—that, to him, self was of little or no importance. What was important to JOHN FOGARTY was this House, his opportunity to serve in it, his opportunity to contribute toward the additional strength of his Nation as he, himself, viewed its needs. Sometimes, in assessing those needs or in setting the limits thereof in the always difficult task of determining relative priorities, some of us found it necessary to disagree with JOHN, but it was impossible to disagree with his goals or to question the sincerity of his dedication to them.

JOHN FOGARTY was a gentleman, a devoted servant of the people, and one of the most effective Members of this House. He worked hard, seemingly untiringly at his tasks. Perhaps he worked too hard, for it might be said he gave his life for the several causes he served—but the results of his labors are abundantly visible for all to see.

Mr. SISK. Mr. Speaker, I would like to join with my colleagues in the House of Representatives in expressing my deep sense of loss over the death of JOHN FOGARTY. I knew JOHN well, and I am sure he will be greatly missed by all of us.

JOHN FOGARTY will long be remembered for the outstanding contributions he made to our Nation, particularly in the field of health. His assistance and efforts in establishing research programs in such fields as heart disease, cancer, and other serious health problems have been of great benefit to the entire country. A great portion of his life was devoted to the field of health and for this we are extremely grateful.

The high esteem in which JOHN FOGARTY was held by his colleagues in the House of Representatives is indicative of type of outstanding individual he was. He was certainly one of the most highly respected and well thought of Members of Congress. It was with deep regret that I learned of his passing and I wish to express my deepest sympathy to his family in their great loss.

Mr. HOWARD. Mr. Speaker, the loss of JOHN FOGARTY leaves all of his colleagues with a keen feeling of sorrow and regret. I feel a personal sense of loss at his passing and the constituents whom he so ably served have lost a dedicated legislator.

JOHN FOGARTY was always a champion of legislation to benefit his fellow human beings and he will be sadly missed in the House of Representatives. His years in the House were filled with constructive and effective service.

I join with his other friends, which are legion, in extending my deepest sympathy to his family.

Mr. CORMAN. Mr. Speaker, I was shocked and saddened to learn of the death Tuesday, January 10, of our good friend and able colleague, JOHN FOGARTY, of Rhode Island.

Congressman FOGARTY was a great humanitarian, who provided the leadership that gave millions of his fellow countrymen the opportunity to live a fuller, richer life. He aroused the conscience of a nation to the health needs of millions of Americans, and pioneered a great health service for our country's citizens.

We in Congress will miss his presence, but the fruits of his efforts will continue to benefit Americans for many generations to come.

Mr. DERWINSKI. Mr. Speaker, I join with my colleagues in expressing deep personal regret at the sudden passing of our beloved colleague, JOHN FOGARTY.

JOHN FOGARTY was a respected veteran of the House who earned very proper recognition for his integrity, dedication to his responsibilities, and conscientious interest in the welfare of his constituents. He was the type of man that exemplifies the high caliber of public service we should expect in the Congress. This Nation and his district have lost a great public servant.

Mrs. Derwinski joins with me in extending our sympathy to Mrs. Fogarty and their daughter.

Mr. BRADEMAS. Mr. Speaker, I wish to join my many colleagues in the House of Representatives in paying tribute to one of the great figures of Congress in the 20th century, the Honorable JOHN E. FOGARTY, of Rhode Island.

Few Americans in either public or private life have contributed more to their fellow countrymen and indeed to mankind than Congressman FOGARTY.

JOHN FOGARTY's commitment to Federal programs for health research will make a mark for many years to come.

Like my other colleagues in both the House and Senate, I count it a privilege and an honor to have served in the same Congress in which he served.

Mr. Speaker, I include at this point in the RECORD an article by Daniel S. Greenberg in the January 13, 1967, issue of "Science" magazine, a publication of the American Association for the Advancement of Science. Mr. Greenberg's article accurately describes Congressman FOGARTY as "a major political architect of the Federal Government's vast program of medical research."

The article follows:

REPRESENTATIVE FOGARTY DIES AT 53

Representative John E. Fogarty, a major political architect of the federal government's vast program of medical research, died Tuesday at age 53 in his Capitol office, a few hours before the opening of the 90th Congress. Death was attributed to a heart attack.

Fogarty, a Rhode Island Democrat who was first elected to Congress in 1940, became chairman of the NIH appropriations subcommittee in 1949 and soon afterwards focused his career on a rapid expansion of the federal commitment to the health sciences. In alliance with his counterpart in the Senate, Lister Hill of Alabama, and NIH director James Shannon, he helped create the phenomenal budgetary growth of NIH, from $46 million in 1950 to the current sum of over $1.2 billion. Despite the budget-cutting intentions of the Eisenhower administration and the strongly conservative makeup of the House Appropriations Committee. Fogarty repeatedly prevailed in his efforts to expand NIH's activities beyond the budget requests the administration sent to Congress.

In the Senate, Hill, too, prevailed (in fact, he would even add funds beyond what Fogarty deemed useful and poltically feasible), but the Senate, generally being more liberal in financial matters, provided a more hospitable forum for NIH supporters.

The Kennedy administration restrained Fogarty, to an extent, simply by refusing to spend some of the funds he voted, and in recent years he pulled back a bit for fear of inflaming congressional suspicions toward the rapid growth of funds for science. But the Fogarty-Hill combination never came out with any sum significantly less than the administration requested, and nine times out of ten produced a great deal more. Considering the normal practices of the House Appropriations Committee. Fogarty's performance in behalf of NIH was a personal tour de force without parallel. It is no exaggeration to say that for the past 15 years he was politically the single most important person in medical research in the United States.

Though his formal education ended with a high school diploma and he was a bricklayer by trade when elected to Congress, Fogarty possessed an incredibly deep and extensive lay knowledge of the substance of medical research. "I live this thing all year around," he once said.

One of Fogarty's most potent tactics involved his demand that NIH administrators give a "professional judgment" of their budgetary needs, and not simply a defense of the budget that emerged from pruning at the Bureau of the Budget. In 1962, for example, he paternally chided the director of the National Institute of Mental Health for defending a budget request that was only $4 million above that of the previous year. "How much do you really need?" Fogarty demanded. "I haven't figured it up," the witness said, "but I would say in total we could use somewhere between $117 million and $120 million." That was in a year when the political going was getting tough for medical research, but Fogarty granted nearly $109 million—which was $21 million more than the administration had sought.

In the late afternoon, over drinks in his Capitol office, Fogarty loved to chat about the politics and finances of NIH. During one of these sessions, toward the end of the last Congress, he said that budgetary problems and pressures for more applied research were beginning to plague NIH. "But," he said, "you can tell the scientists, nothing bad is going to happen to medical research. I'll see to that."

Mr. BURTON of California. Mr. Speaker, while in the course of composing an appropriate tribute to our dear friend and colleague, John Fogarty, I came across the following article in the New York Times of January 15, 1967, by Dr. Howard M. Rusk. It states so well what so many of us feel concerning the loss of this fine man that I would like to share it with Members of the House who may not already have read it. It follows:

Mr. Public Health—Death Ends Long Fight by Representative Fogarty To Give America Freedom From Disease

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, have been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killer of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education, and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

Mr. BROWN of Ohio. Mr. Speaker, I should like to take this opportunity to express my personal sadness at the passing of Representative John E. Fogarty from the congressional scene. Though I served in the Congress with him for only 1 year, during the second session of the 89th Congress, prior to that my predecessor and father, the late Representative Clarence J. Brown and Representative Fogarty served almost concurrently during the latter's 26-year tenure.

It was to Congressman Fogarty that my father expressed his interest concerning research in the health fields in which both were so interested.

My father particularly sought Congressman Fogarty's aid in connection with leukemia research at the National Institutes of Health and Children's Hospital in Columbus, Ohio, and at other locations throughout the Nation. His interest was stimulated by the illness of his granddaughter, Elizabeth Ellen Brown, my own child, who suffered from leukemia from April 1961 until her death in March of 1964.

Mr. Fogarty's interest in her progress and illness was expressed on many occasions. His sympathy and understanding for those ravished by this and other tragic diseases were undoubtedly responsible for his efforts to see the Federal Government take an active lead in stimulating research aimed at conquering these diseases.

History may see his name and accomplishments fade, as do the names and deeds of so many great men who cross the stage of time. But to those who knew him, and those who did not, and particularly to the Lord in Heaven who loves us all, he can have no greater memorial than his sincere effort to reduce the suffering of mankind.

The children who will not suffer from leukemia when that disease is finally conquered will provide a testimony to him. He will rest well.

Mr. KORNEGAY. Mr. Speaker, I am honored at the prospect, but saddened by the thought, of joining the gentleman from Rhode Island and my other distinguished colleagues in paying respects to one who was reelected to this Congress but who was taken from our midst shortly prior to the convening of the 90th Congress.

The death last week of John E. Fogarty left a void in this great body and his passing leaves a void in the hearts of all who knew him. For 13 terms, over a quarter of a century, he rendered distinguished service to his consitituency, to his great State and to the Nation, for his representation extended beyond the Second District of Rhode Island.

I was indeed grateful for his kindness, his thoughtfulness, his counsel, and his assistance on many matters of importance to me and my constituency. He gave of himself willingly and freely. I was one of the beneficiaries of his boundless kindness, as are all who had the privilege of knowing him.

Rhode Island has lost a great statesman and a great Congressman. We here have lost a great friend.

Mr. WHITENER. Mr. Speaker, the gentleman from Rhode Island [Mr. St Germaine] has very eloquently paid tribute to our fallen colleague, Representative John Edward Fogarty. He and the others who have preceded me have very properly emphasized the service of John Fogarty to humanity through his zeal for a more healthful America.

A man's work can be accurately gaged by his concern for his fellow man. No man has ever had a greater concern for his fellow man than JOHN FOGARTY. His concern was accompanied by action which will result in incalculable benefit to mankind throughout our future history.

All of us admired our late colleague. All of us appreciated the warmth of his personality and the loyalty which he displayed toward so many of us and to all worthwhile causes to which he gave his name and effort. Millions will have an appreciation for the results of his work even though they may never be aware of the name of the architect.

JOHN FOGARTY has now left this earthly scene but his works will last as long as human beings inhabit the earth. For a man who has wrought so well there can be no adequate expression of appreciation for his life and the sense of loss which we have in his passing.

Mrs. Whitener joins me in extending to the family of JOHN FOGARTY our sentiments of deepest sympathy in the loss which they so keenly feel.

Mr. RHODES of Arizona. Mr. Speaker, with the passing of my good friend JOHN E. FOGARTY, the House of Representatives loses one of its most valuable and respected Members. Members may have disagreed with JOHN FOGARTY from time to time, but no one ever doubted his integrity, his sincerity, and his absolute devotion to his country and to the Congress of the United States.

I presume that JOHN FOGARTY would have classed himself as a liberal in accordance with its present definition. Yet I can say without fear of contradiction that he was a liberal who was respected by conservatives, because he was absolutely sincere in his beliefs, and held them without expectation of gain or approbation. He believed that way because his conscience told him to, and such a man is worthy of the respect of anyone.

Congressman FOGARTY's principal line of congressional endeavor was as chairman of the Subcommittee on Health, Education, and Welfare of the Committee on Appropriations. I doubt that he was ever completely satisfied at the pace at which research and development in the medical arts was progressing. In many instances, under both Republican and Democrat administrations, Mr. FOGARTY's subcommittee recommended the appropriation of funds for research in various phases of the healing arts over and above the sums provided in the budget. This was caused by JOHN FOGARTY's great devotion to healing, and to the welfare of his fellow man.

JOHN FOGARTY's passing is a loss to his State and district, as well as to the entire Nation. I join with my colleagues in expressing sympathy to Mr. FOGARTY's family and to his constituents, at this great loss.

Mr. ADDABBO. Mr. Speaker, I join with my colleagues in expressing my deep sorrow at the loss of my friend and fellow member of the Committee on Appropriations, the Honorable JOHN E. FOGARTY.

JOHN was a truly dedicated public servant who served not only his constituency but all the people of the United States. It was a privilege to serve with him on the Committee on Appropriations and he will be sorely missed.

JOHN FOGARTY has a living memorial through his contributions and leadership in the field of aid to the physically handicapped, to the mentally retarded, and in all areas of medical research.

We have all lost a great friend, an able legislator, and a statement. Mrs. Addabbo joins me in extending our deepest sympathy and condolences to Mrs. Fogarty and the other members of the family in their bereavement.

Mr. WYMAN. Mr. Speaker, I rise to join with my colleagues and his legion of friends and admirers throughout the country to honor the memory of my friend and distinguished statesman from the great State of Rhode Island, the late JOHN FOGARTY. His tragic and untimely passing is a great loss to the Congress, to the people of his district and State, and to all the people of the United States for his interest was in their interest and his life was in their service.

As one of his junior colleagues on the Appropriations Committee of this House it was my great privilege to work with JOHN and to observe his devotion to the tremendously important cause of public health and rehabilitation. His efforts in helping to broaden the educational opportunities for thousands of Americans in diverse fields of endeavor resulted year in and year out in additional funds that were of immeasurable assistance in developing a stronger America. As chairman of the important Subcommittee of Appropriations for Labor and Health, Education, and Welfare, his work deserves the appreciation of everyone throughout the land regardless of political party.

My heart goes out in sympathy to his family and relatives for the good Lord called him far too early. With them in profound sorrow stand all of us, his friends and colleagues. He was a great American.

Mr. CELLER. Mr. Speaker, in 1940, when JOHN E. FOGARTY came to the House, a young and energetic man, we did not have an inkling that this man would some day bring all his vigor, his enthusiasm, his foresight, and his dedication to insure for the people of the United States research and progress in the health of the Nation. JOHN's name will forever be associated with the accomplishments of the National Institutes of Health. So thoroughly did he understand the significance of pure research that even now we cannot foresee what benefits will flow to mankind because JOHN FOGARTY cared. It is sad indeed to know that this man, who spent so much of his life to prolong life for others, should have died at the height of his powers.

I watched him grow in parliamentary finesse throughout the years, and in power as he chaired the Appropriations Subcommittee on Health, Education, and Welfare. Withal, his modesty, his refusal to seek the limelight, were known to all of us who had reason to call him friend. He has more than justified his life, short as it was. We can, in fact and in truth, say that his living has enriched the Nation and even the world.

Mr. LANGEN. Mr. Speaker, it was with profound shock that we learned on the opening day of this Congress that our close friend and colleague, JOHN FOGARTY, had been fatally stricken in his Capitol Hill office—stricken as he continued his diligent work in behalf of his constituents and the entire Nation.

It is particularly difficult to lose a colleague with whom you have served on committee for so many years. It was my privilege to have served with JOHN on the Appropriations Committee, and recall his many words of wisdom and encouragement when I first became a member of that committee. I am forever in his debt.

Much has already been said, here in this House and in the press, of JOHN FOGARTY's work in medical research and public health. Our Nation is healthier because of his efforts. His outstanding works will long live as a monument to his effectiveness as a lawmaker and sincere humanitarian. No monument is so enduring as the gratitude of the people who have benefited substantially from a great man's efforts.

Integrity, diligence, effectiveness, faithfulness—all words that describe JOHN FOGARTY. But words cannot alone express the feelings we have in our hearts when a trusted friend leaves our midst.

To the family and friends of JOHN FOGARTY, I can but simply say that I share your deep sense of loss.

Mr. MINSHALL. Mr. Speaker, all of us were profoundly shocked on the opening day of this session by the sudden death of our friend and colleague, JOHN FOGARTY.

JOHN was a remarkable man whose 26 years in Congress and whose many and great achievements belied his comparative youth. We who served with him on the Appropriations Committee held him in warm esteem for his dedication to the cause of medical science.

JOHN was known as a "circuit rider of health," and his endeavors in behalf of modern research laboratories, medical schools, hospitals and institutions for the mentally ill and retarded took him on speaking engagements from one end of the Nation to the other. Only a few days before he died, I telegraphed him greetings when he spoke in my home city, Cleveland, Ohio. As irony would have it the group he addressed is named "The Live Long and Like It Club."

Undoubtedly the strenuous schedule he kept in meeting the countless demands on his time hastened his untimely passing. His acomplishments are a part of the national scene and the contributions he made to the Nation's health are incalculable.

We on both sides of the aisle will miss him, as a congenial friend and as a fearless fighter for the country's sick and suffering.

Mr. McDADE. Mr. Speaker, I rise to join my colleagues here in the Congress in paying tribute to our late friend and distinguished Member, the Honorable JOHN E. FOGARTY. The joy that all of us might have felt on January 10 of this year when the new Congress was sworn in was struck a devastating blow when we learned that JOHN had died here on Capitol Hill that very morning. We have all suffered a great loss in the death of JOHN FOGARTY. His long record of service here in the Congress is ample witness to the esteem in which he was held by his own constituents, who kept him here in Congress serving them for so many years. The esteem in which he was held by his colleagues will be reflected in the numerous remarks from the floor of the House today. As one who served with Mr. FOGARTY on the Appropriations Committee, I can give my own personal testimony as to the esteem in which all of us on the committee held him. He spent 26 years of his life serving the people of Rhode Island and the Nation. Those 26 years saw some of the most significant work in the history of the American Congress. His part in that work will always be remembered and will make his name one that will forever be a source of pride to the people of Rhode Island, to his wife, and to his beloved daughter. The whole Nation will miss this fine man.

Mr. YATES. Mr. Speaker, the Halls of Congress are more lonely without JOHN FOGARTY. JOHN's contributions are well noted in our records. Our Nation's health was his major concern. Not one of us can match his record in this field. The magnificent progress in health and research has resulted in great measure from the determination and courage of JOHN FOGARTY. Medical schools, universities, hospitals for hundreds of years to come will remember his efforts and accomplishments.

Yes, these Halls are more lonely, but although his voice has been stilled, the memory of our colleague's convictions and contributions, his courageous fight for the betterment of mankind will live with us. His dedication and service will be an inspiration for all of us to emulate and achieve.

To his wife and daughter goes my deepest sympathy. I am sorry for all of us—for his fellow Congressmen and for the Nation. Yes—our Halls are more lonely—there is a vacant chair where JOHN FOGARTY sat—a chair which can never be filled.

Mr. CASEY. Mr. Speaker, I join today with the distinguished gentleman from Rhode Island [Mr. ST GERMAIN] in paying tribute to my wonderful friend and colleague, the late JOHN FOGARTY.

One of the greatest blessings of serving as a Member of this Congress is the new friends that you acquire from among your colleagues, and JOHN FOGARTY was one of these blessings, for I was proud to be able to call him my friend.

JOHN was truly an outstanding example of what can be accomplished under our great American system, and his life story could be easily used to spur our young people on for greater achievements in their own life.

Only in America can a man rise from the ranks with a very limited education to become one of the most powerful in the most powerful legislative bodies in the world. Such is the story of JOHN FOGARTY, for he earned this pinnacle of success not as done in other countries, by force of arms, by threats, or by fear, but he reached his heights by earning the respect of his fellow man, and in return giving his utmost to make life easier and more enjoyable for the people, not only of this Nation but of the world.

Certainly there is a monument to his memory at his resting place in his beloved State of Rhode Island, but there are also monuments of JOHN FOGARTY throughout our Nation. Some of these monuments are in stone and steel, in the form of medical centers and research institutes, which JOHN FOGARTY helped to build, just as if he had participated in his original trade as a bricklayer. There are also living monuments such as those people who now have a little longer lifespan, or those who are able to walk a little straighter, or those who can go through the day without pain, due to the efforts and leadership of JOHN FOGARTY in promoting the advancement of medical science.

Yes, Mr. Speaker, not only we here on the floor of the House have lost a friend, but the millions of Americans, even those who may not know the name of JOHN FOGARTY, have lost a friend.

To his wife and daughter, as well as the other members of his family, I express my deepest sympathy, but I trust that they may gain some comfort from the knowledge that JOHN FOGARTY was not only appreciated by those of us who knew him, but will also be missed by those of us who enjoyed his companionship.

Mr. ZABLOCKI. Mr. Speaker, it is, indeed, with a heavy heart and a sense of deep loss that I rise today to pay tribute to an outstanding Member of Congress, a great American and a true humanitarian, our late beloved colleague, the Honorable JOHN E. FOGARTY, of Rhode Island.

Millions of Americans today are living healthier, better lives because of the major achievements of JOHN FOGARTY's career in this legislative body. Many more millions of our country will, in the future, reap the benefits of JOHN FOGARTY's dedication to the cause of health and medical research.

In JOHN FOGARTY, as in few other men, the promise and the fulfillment of our democratic society met. His life and works justify the profound belief on which this country is built, that in a free society true quality and talent will inevitably rise to the top.

He was not a man born into wealth and high position. His parents were poor, his education was modest.

Yet his natural qualities of leadership, his deep compassion and his great vision found fertile soil in our democratic society. As he grew mentally and spiritually, the people of his native State recognized his qualities and when he was but 27 years old, elected him as their Representative in Congress.

With the outbreak of World War II, he joined the Navy and served as an enlisted man. This experience affected him deeply and he returned determined to be a voice for the enlisted man in these Chambers.

His voice and his counsel were prominent in the formation of much important legislation affecting our returned GI's. JOHN FOGARTY was determined that the men he served among would have many of the educational and other advantages which he had been denied.

Then 12 years ago this fast-rising Congressman had his first heart attack. It may have been providential, since it launched him on a career of fighting that dreaded scourge of man—disease.

JOHN FOGARTY was a determined foe. He became well informed on medicine and medical problems. As chairman of the House Subcommittee on Appropriations for Labor and Health, Education, and Welfare, he used the power of the pursestrings to foster medical education and research.

For example, when he entered Congress in 1940, our Government's annual investment in the health of Americans was but $3 million. It is now well over $1 billion yearly.

In 1940, the number of disabled persons rehabilitated into employment under public auspices was about 12,000. Last year it was more than 154,000.

Because of JOHN FOGARTY, our Nation has increased the quantity and improved the quality of our hospitals, doctors, medical technicians, scientists, rehabilitative centers, therapists, and dentists.

Of him Dr. Howard Rusk, medical editor of the New York Times, has said:

> No one in the history of the country has done more to promote more and better health services, more and better facilities and more and better health research than Representative Fogarty.

And Rodale's Health Bulletin said:

> Mr. Fogarty decided to study the health legislation field and he achieved an expertise unique in the Congress. He was the key man in all health legislation financing.

From far and wide have come the testimonials to this great man and humanitarian. Although he moved in the power circles of his country, although he was acclaimed and respected by the cream of America's medical and scientific talent, JOHN FOGARTY never lost touch with the people.

His heart and soul were too big for that. He truly cared about individuals, particularly the sick and suffering. He saw them both as persons and as elements of a larger society which could provide facilities and knowledge to cure and heal.

Although JOHN FOGARTY has passed from us, his rich legacy remains. We who are left behind must see to it that the work which he started is carried on. Our Nation must not flag in the combat against disease. Cancer, stroke, and the heart disease which finally claimed JOHN FOGARTY's life must be conquered.

Through the level of our appropriations for these purposes, we shall have a say in how soon the riddles of those killer diseases are solved. We must make it sooner, rather than later. JOHN FOGARTY would want it that way.

My wife joins me in an expression of deepest sympathy to Mrs. Fogarty and their daughter. Our consolation is that a life such as his must surely find its reward beyond.

Mr. THOMPSON of New Jersey. Mr. Speaker, when JOHN FOGARTY died I lost a close personal friend and a valued senior adviser.

The people of the United States lost a great champion.

His interest in the welfare of people, whether it be in the field of health research, whether it be in the education of our young people, whether it be in the problems of older Americans, or whether it be in the very soul of America, is well memorialized in the programs undertaken by the Federal Government that have had such impact upon each and every one of us.

I stand here today with a clean bill of health from a battery of doctors because of the skills and techniques developed by the heart research that JOHN FOGARTY nourished from his position on the Apriations Committee.

It will be one of the ironies of history that this great man fell victim, in the prime of his life, to a heart attack, when so many others have had, and will have, their life spans extended as a result of his work.

Mr. Speaker, in 1955 when I first came to this body, JOHN FOGARTY was one of the first of my senior colleagues I had the opportunity to meet. Fortunately for me, we seemed to have an affinity for each other. He, the youthful veteran of the legislative process, spent many hours with me; explaining, advising, and guiding. Out of this virtual teacher-pupil relationship grew a warm personal friendship which the years served only to solidify. We became frequent luncheon companions.

As a matter of fact, Mrs. Thompson, who shared my admiration and affection for JOHN FOGARTY, and I were scheduled to lunch with him on January 10.

At his request, for the past several years it has been my privilege and honor to preside over the House when the Labor-HEW appropriations bill was under consideration.

We shared many common legislative interests, and many of the programs he espoused came before the Committee on Education and Labor. Of course his subcommittee funded most of our programs. He and I jointly sponsored many bills in the fields of the arts and the humanities, predecessors to the National Foundation on the Arts and the Humanities, established by the 89th Congress.

The impact of JOHN FOGARTY's service in the House of Representatives will be felt by Americans of all ages, in all walks of life, and in every way, for generations to come.

I have lost a friend. We have all lost a respected and valued colleague.

To his wife, Luise, and his daughter, Mary, Mrs. Thompson and I extend our heartfelt sympathy.

Mr. SPRINGER. Mr. Speaker, our colleague and friend, JOHN E. FOGARTY, of Rhode Island, will be missed by the Members of this body, by his constituents whom he so ably represented, and by the host of people throughout the Nation concerned with or interested in the problems of public health.

Over the years he has become identified with the expanding health programs of the Federal Government. Those who deal in health programs in the Federal Government, in State and local governments, the professional people in all of the health fields and the public in general have come to think of JOHN E. FOGARTY as the outstanding proponent and champion of better health care for all citizens. He is thought of as the builder of that great and growing complex, the National Institutes of Health.

His reputation is well earned. He should be remembered for all time as a champion of the afflicted, the relentless foe of disease and pain. Conscientious and tireless in his efforts, he promoted research into the causes and the cures for the many killers which attack mankind. The marvelous progress which has been made can be attributed to a great degree to this fine man. The long and arduous efforts of JOHN FOGARTY in behalf of all men and his feeling of urgency that more should be done no doubt contributed to his own untimely demise, a victim of one of his sworn enemies, heart disease.

The efforts which he made in this great crusade will not be wasted. He has made his mark, and the work which has been done is now recognized as only a start. We will always know that were he here to counsel us and spur us on, he would say, "More effort, move faster, mankind cannot wait while we quibble."

Despite all that remains to be done—and in the case of health research and health programs it can never be done—JOHN FOGARTY can leave us with a feeling of deep satisfaction that his life and his efforts have benefited every American in the most direct and personal manner. It is a monument which can never crumble or be cast aside. As long as man struggles for the peak and strives to know more and use his knowledge to alleviate suffering and improve the world in which we live, JOHN E. FOGARTY will be remembered with respect and admiration.

I consider it an honor to have worked with JOHN FOGARTY and to have the privilege of noting some of his many accomplishments here on the floor of the House of Representatives where his work was done and where the memory of his being and his doing will linger long in the hearts of his colleagues and his successors.

Mr. RODINO. Mr. Speaker, we have suffered an awesome loss with the death of our beloved colleague, JOHN E. FOGARTY. There is now an aching void which is meaningful not alone to those who were fortunate to be his friend and colleague, but as well to the millions who benefited directly from his wise advocacy and forceful leadership in the House.

His constituency transcended his own district. For in truth millions were, and will continue to be, restored to health as a result of the magnificent research, training, and construction programs he brought into being. Children will receive more, and better, education through programs nurtured by JOHN's dedication, interest and skill. And there is now hope for a productive and happy future for mentally retarded children because of JOHN's compassion and determination.

Nor did he ever neglect his own identification with the American workingman. He fought constantly for the implementation of improved wages and working conditions.

We served with him and we reacted to his enthusiasms. He could not permit this House to be deluded by false economies. For JOHN FOGARTY, programs were judged first by the criteria of value and need. Once these were established, he fought for the dollars to realize the values and to meet the needs.

Because of him we take pride in our outstanding progress toward achieving the highest health and educational standards in the world.

We will sorely miss JOHN FOGARTY. But his legacy to us, and to the country, will reach far into the future, for the benefit and welfare of all Americans.

Mr. DONOHUE. Mr. Speaker, it is with deep personal sorrow that I join with my colleagues here in this preeminently merited tribute to one of the greatest legislators ever to serve in this body, the late Honorable JOHN E. FOGARTY of Rhode Island.

Through 26 years of dedicated duty, interrupted only for World War II military service, JOHN FOGARTY, by sheer integrity of character, determination of will, and persevering diligence, steadily advanced to the heights of public responsibility and public regard, particularly because of unmatched knowledge and leadership in the technical legislative area of national health needs which was the special interest of the Appropriations Subcommittee he chaired over the past 16 years. We do not exaggerate in saying that no other individual knew as much as JOHN FOGARTY about the foundation and superstructure of what we may call the basic, living humanities.

Certainly no individual ever exercised his authority and applied his knowledge for the benefit of his country and his fellow men with greater courage, more generous heart, more genial nature, more inspiring spirit, more unselfish humility or more understanding sympathy and encouragement than Congressman JOHN E. FOGARTY.

All of us in this House, privileged to serve with him, have long esteemed him in our judgment, in our friendship and in our warmest admiration as a practicing, learned director and dispenser of humanities in all his official and personal activities.

This country and this House will sorely miss him, but JOHN FOGARTY's unique record of honorable public service insures that his name will forever be enshrined in the brightest pages of humane accomplishment in the legislative history of this Nation and his life will remain always as an inspiring example to those of us now here and those who will come after us.

Mr. Speaker, I know that we all join in expressing heartfelt sympathy in their great loss to JOHN's courageous, gracious wife, Luise, and his wonderful daughter, Mary, while we unite in our prayers for the repose of the soul of our departed, beloved colleague.

Mr. COHELAN. Mr. Speaker, the House and each one of us as individuals has suffered a great loss with the passing of JOHN FOGARTY. Truly, he was one of the most able and distinguished Members with whom I have had the privilege of serving.

JOHN FOGARTY justly earned the title of

"Mr. Public Health" for his many efforts in advancing the public health resources of our Nation. But his contributions in education were also substantial and neither working men and women nor the older people of this country will soon forget the battles he fought for them.

In many ways, JOHN FOGARTY epitomized the American dream. From the most humble beginnings he rose to the chairmanship of one of the most important subcommittees of the Congress. As throughout his 26 years of service in the House, his work as chairman was characterized by ability, dedication, and conscience.

Mr. Speaker, I join in mourning the loss of this great and good man, and Mrs. Cohelan and I wish to express to all members of the Fogarty family our heartfelt condolences and deepest sympathy.

Mr. MINISH. Mr. Speaker, the moving tributes paid here today by our distinguished colleagues bear witness to the membership's genuine sorrow and sense of loss at the untimely passing of the beloved JOHN E. FOGARTY.

His superb record of accomplishment to advance the health and welfare of our people earned Congressman FOGARTY a lasting place in history. Generations yet unborn will benefit from his untiring efforts to promote medical research and to make available the miracles of modern medicine to people everywhere.

Congressman FOGARTY's warm and affable nature cloaked a crusading spirit determined to give Americans the opportunity to live healthier and richer lives. He will be sorely missed by his constituents, his colleagues in the Congress, and his fellow citizens. As we mourn him, let us resolve to carry forward with his zeal the great goals to which JOHN FOGARTY dedicated himself.

Mr. HALPERN. Mr. Speaker, I wish to join my colleagues in paying tribute to the late JOHN E. FOGARTY, of Rhode Island, our beloved friend and associate.

We shall sorely miss his presence and counsel in the months and years ahead. He was a dedicated legislator, a compassionate and loyal friend, who understood government and directed his efforts throughout to the health and well-being of the people of Rhode Island and the Nation at large.

His contribution to the field of health research and health services will long be remembered.

Mr. Speaker, good government is not something that flows inherently from the institutions created by our constitution and our laws. These are but the framework, and it is ultimately the people's representatives who must guide the affairs of the Nation and instill a sense of purpose and integrity in the system.

JOHN FOGARTY represented the very best tradition in democratic government. He served his constituency, and the Nation's interest, with a calm and perceptive resourcefulness which is the crucial determinant of a government always searching and probing and always keyed to the needs of the people.

I know that JOHN FOGARTY's many achievements throughout his tenure will give us faith and vision to pursue our duties in this Chamber.

Mr. O'HARA of Illinois. Mr. Speaker, blessed always will be the name of JOHN EDWARD FOGARTY. All the world and generations to come, he served in a measure unsurpassed. My life has been enriched by knowing him and having him as a close and beloved friend. In this historic Chamber, to which he gave a glowing warmth, there will long be felt a chilling void by all the Members. To his loved ones, I extend my deepest sympathy.

No man in history has done more than JOHN FOGARTY in organizing and directing the forces of civilization in a massive attack upon killing and crippling diseases which take appalling toll. The keynote of his public life was his determination to conquer disease and thus promote good will among men. He marshaled his colleagues on the Appropriations Committee in his crusade against disease and his driving arguments in debate won victory after victory for bills furnishing the money for the world's greatest health programs. He promoted international health research, believing that, in the exchange of scientific knowledge, international good will would supplant international wars. Man, he believed, must give up war to wage an international war upon disease.

JOHN FOGARTY's crusade to promote the welfare of humanity through the elimination of pain and suffering began with the diseases and illnesses of childhood and progressed through legislation for the creation of a Federal Commission on Aging.

It is almost ironical that JOHN FOGARTY introduced a resolution authorizing the President of the United States to issue an annual proclamation designating February as American Heart Month. At the peak of a brilliant career, the health enemy which he had designated No. 1—heart disease—struck him down.

JOHN EDWARD FOGARTY was both humble and sincere. I never knew a man with a kinder heart. He had a keen intellect and was a hard worker. He was one of the few men in American history who declined a seat in the U.S. Senate offered him on a golden platter. He chose to remain in the House continuing his great work as the arch enemy of heart and other crippling ailments.

We were indeed fortunate that JOHN FOGARTY came our way.

Mr. PUCINSKI. Mr. Speaker, with all the events of the past week, it is only in recent days that I have really begun to realize the truly great loss we have suffered by the sudden, tragic death of our distinguished colleague, JOHN E. FOGARTY. The impact and the magnitude of this loss will be felt for many years to come, not only by his family, close friends and colleagues, but by the people of this country.

We have all lost a champion and a great fighter for the betterment of the education and welfare of all our citizens.

Of the many thousands of words of eulogy, I have read one particular statement that to me more truly exemplified JOHN FOGARTY than any other:

> The gap between the modesty of his background and the breadth of his achievement was matched by a gap between the modesty of his self appraisal and the praise that he received in life and death.

In the many words written and spoken about the achievements of JOHN FOGARTY, much emphasis has been made of his championship and accomplishment in the field of medical legislation and heart research. But little emphasis has been placed on his equally great and important achievements in the field of education—his fight for improved educational opportunity for all people at all levels of society, often standing against the would-be budget cutters and the administration itself in his efforts to extend and improve our educational programs.

I know that without his determined efforts, in the face of great opposition, we would have been unable to expand and improve our public library services—a keystone to the education, cultural enrichment, and betterment of people of all ages.

Mr. Speaker, I believe that the greatest tribute that we in Congress can pay to our fallen colleague is to pick up the cudgels and carry on his fight for the worthwhile causes and the dreams he believed in and devoted his life to.

Mr. ASHLEY. Mr. Speaker, I will be brief because words cannot describe the loss which I feel—the loss which all of us here feel—with the death of a beloved friend, JOHN FOGARTY. What a splendid individual and what a great Member of Congress was this JOHN FOGARTY. No man was ever more ready to lend a hand, to help a friend or a stranger. And what great pride—pride in his Irish ancestry, pride in the hands with which he worked, pride in his family and those he loved and pride in himself.

This House reflects the courage and dedication of many great Americans who have served here. None have been more dedicated or more courageous or more wonderful than JOHN FOGARTY.

Mr. ROSENTHAL. Mr. Speaker, I join with my colleagues here today in expressing our grief at the loss of one who was so well loved and held in such high esteem by all of us.

JOHN E. FOGARTY was a dedicated and devoted public servant, a man who had vision, promise, and determination, and the ability and talent to bring to fruition the hopes and dreams of not only his own generation, but those which follow.

I was privileged to serve in this House with JOHN FOGARTY for but a few short years, but in that span of time I came to know of his warm regard for his fellow man, and his burning desire to further the cause of humanity. He was a strong but gentle man, a true friend, and an inspiration to all who knew him.

His major achievements in the fields of health and education stand as a lasting tribute to an effective Member of the Congress whose memory we shall always cherish. I sorrow that he will no longer be with us to give us the benefit of his understanding, his forthright and honest convictions, and steadfast courage.

My deepest sympathies go out to his wife and daughter, and my prayers go with him.

Mr. JONES of North Carolina. Mr. Speaker, I rise to join with my colleagues in expressing sympathy to the family of

John E. Fogarty in their loss and to the loss suffered by his district and his Nation. While I had the privilege of knowing John only for a brief period of time, I learned quickly that he was a man of great dedication, a legislator of untold capacity to accomplish his task, and a man of loyalty not only to his district but to his Nation.

And so, I join not only in expressing sympathy to his loved ones left behind, but I join the people of our Nation in mourning the loss of a great citizen, an outstanding patriot, and an able and dedicated Member of this body.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I share the deep sorrow that shrouds this Chamber today. But I rise gladly to pay tribute to a colleague who was such a humanitarian as was John Fogarty, of Rhode Island.

We know well his dedication to the promotion of public health and his energetic crusading against the diseases which threaten sound bodies and sound minds. We know well his untiring efforts to establish and improve health services, facilities, and centers of research.

I knew John Fogarty as a close friend and confidant. Our first meeting came almost to the day I was first seated in this Chamber, August 6, 1963. From that day until John Fogarty collapsed in his House office, only hours before we Members of the 90th Congress were administered the oath of office, he was ever willing to advise and counsel.

His loss is a tragic one to his family, his friends, his Nation. His loss is a tragic one to me.

During the 89th Congress I introduced a bill to establish a National Eye Research Institute where this Nation's talents and energies could be focused on combating the dread diseases which take away sight and plunge humans into a world of darkness. As the idea for such an institute began to emerge in the form of a bill, it was to this man I frequently turned for direction. I have reintroduced this bill in the 90th Congress, and I now dedicate my energies to see this bill enacted to the memory of John Fogarty.

Certainly no other man among us, nor of this century, has given greater devotion to the development and preservation of the public health. No other man has experienced greater achievement in so many humanitarian causes. He fully deserved the title "Mr. Public Health" bestowed upon him this week in the columns of the New York Times.

Mr. DICKINSON. Mr. Speaker, I wish to join my colleagues in expressing sorrow for the untimely passing of our colleague, John Edward Fogarty, of Rhode Island. There is no need to explain here that the Nation has lost a diligent and effective public servant—a man who sought and obtained support for medical research into so many of mankind's illnesses, including the very illness which took him from us on the eve of his swearing in for his 14th term as a Member of this House.

We can only take comfort from the fact that John Fogarty's part in promoting research into a wide range of human ills has saved uncounted thousands of lives the world around, though he himself was not spared. As is so often true, most of these fortunate persons will never know the service he did them.

I will not attempt here to list the long, long record of awards John Fogarty won in his 26 years of service in the House nor the many facets of his character which endeared him to us. I would simply say that he was an example of how any of us can achieve great service to our country through personal diligence and unity of purpose.

Mr. Speaker, can any of us aspire to a higher title than the informal one by which Mr. Fogarty was known: "Champion of Better Health for the Nation"? We will miss him in the House of Representatives.

Mr. BLATNIK. Mr. Speaker, we, the Congress, and the country have lost a loyal, devoted legislator and friend with the passing of our esteemed colleague, John Fogarty. I was honored to have served with him for over 20 years in Congress so I know firsthand the loss that we all suffer as we sadly salute the memory of a valued friend. His strength and Irish wit will long be remembered by all of us.

Thousands of families across the Nation grieve especially for the loss of a real fighter for mental health. It is safe to say few men waged a tougher battle to improve and assist the mentally retarded than the one fought by John Fogarty. And he won and won big. No wonder he is affectionately referred to as the "Champion of Better Health for the Nation." Since he was one of the most knowledgeable men in the Nation on health affairs, we are all deeply indebted to this great humanitarian.

A quiet, modest, and kindly man, John Fogarty was both persuasive and powerful in his participation in debate. A gentleman in the finest and broadest sense of the word, John Fogarty started as a bricklayer and never stopped building. His last breath was drawn busy at his desk perfecting plans as the legislative architect in building a stronger health program for the Nation. His contributions are truly lasting ones, and many are the legislative monuments that will long stand because they have been mortared together by the skillful hands of this great and proud Irishman.

Mr. IRWIN. Mr. Speaker, the late John E. Fogarty was a man who spent his entire life fighting on behalf of the sick and the infirm.

His constituency was not restricted to his district in Rhode Island. Suffering humanity anywhere was his constituency also.

John Fogarty was a man whom I respected and admired profoundly as a colleague—but he was likewise a man whom I was proud to call my personal friend.

I had the honor several years ago of having him as a guest in my home and his personal charm captivated my family as his persuasiveness often was so convincing to his colleagues on the floor of the House.

John Fogarty had many talents, but his finest trait was his love for people—and particularly for the old, the sick, and the infirm.

I think that the distinguished medical editor of the New York Times, Howard Rusk, M.D., summed up John Fogarty's contribution to his fellow man when he wrote:

> No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

There's no question about it: John Fogarty was an outstanding American and he will be sorely missed by those for whom he gave so much.

I have rarely known a more dedicated colleague than John Fogarty. And there have been few men I have been prouder to call my friend.

Mr. WILLIAM D. FORD. Mr. Speaker, it is a sad occasion today as we pay tribute to our departed colleague, the late John E. Fogarty. His tragic death at the relatively young age of 53 was a personal shock to me, and it was a deep loss for the United States, for this Congress, and for the people of the Second Congressional District of Rhode Island.

It was my honor and privilege to serve with John Fogarty in the 89th Congress. During that 2 years, I came to hold him in great admiration and respect. He was a man who truly cared about people. He showed this in many ways, but particularly in his work as chairman of the House Appropriations Subcommittee dealing with labor, health, education, and welfare.

John Fogarty truly earned his unofficial title as "Mr. Public Health." For many years he was an ardent and active advocate of medicare, medical research and training, hospital grants, and rehabilitation programs.

John Fogarty was originally a bricklayer, and was a dedicated unionist all of his life. He won election to the presidency of his union at the age of 23, and was reelected to three additional terms. He never forgot the needs and problems of working people.

It is ironic that John Fogarty's death followed by less than a year that of Michigan's former senior Senator, and my good friend, the late Patrick V. McNamara. Senator McNamara and Congressman Fogarty were the principal sponsors, in the Senate and House, respectively, of the Older Americans Act of 1965 which created the Administration on Aging, to deal with the problems of our Nation's senior citizens.

It was symbolic that John Fogarty died only a few hours before he was scheduled to speak at a rally of the National Council of Senior Citizens. The council members stood in a minute of silent tribute to a man who had been a major spokesman in Congress for older Americans.

It was symbolic, too, that death came to John Fogarty only 2 hours before the opening of the 90th Congress, in which he would have played a major role.

I will personally miss John Fogarty, and his presence will be greatly missed in this Congress. We can best honor his memory by rededicating ourselves to the goals to which he dedicated his life.

Mr. FRIEDEL. Mr. Speaker, it is with deep sorrow that I join my colleagues today in paying just tribute to one of our greatest Members whose untimely passing shocked all of us a short time before this 90th Congress convened on January 10. The Honorable JOHN FOGARTY was not only one of our most distinguished Members—he was also a great American and a humanitarian of the first order.

JOHN FOGARTY was a dedicated public servant who represented the people of his district in Rhode Island as a Member of this body for 26 years. During that time he compiled an enviable record as the champion of better health for all Americans. As chairman of the Subcommittee on Labor, Health, Education, and Welfare Appropriations, he constantly led the fight for adequate funds to conduct research and other programs to help wipe out our deadliest diseases, to construct hospitals and nursing homes to care for the ill as well as the crippled and the retarded, to train more doctors to treat our illnesses, and to construct community health centers.

Coming as I do from the city of Baltimore, which is one of the greatest medical centers of our country, I am quite naturally very much interested in medical research and the relief of human suffering caused by disease. Perhaps that is why my respect and admiration for JOHN FOGARTY ripened into a lasting friendship. It was not long after I became a Member of this body that I recognized in him those qualities of a true statesman which make the world a better place for all of us.

Relatively few Members who have served in this historic Chamber over the years had a wider range of interests than JOHN FOGARTY. It was not only the fields of health and medicine that benefited by his efforts, but other areas were made richer by his work. In the field of culture, he was the original sponsor of legislation providing for the establishment of the National Foundation on Arts and Humanities. In the field of education he led the fight for adequate funds to construct schools, provide scholarships to our young people, and improve the quality of education generally. His devotion to the poor can be gathered from his efforts toward the enactment of the economic opportunity amendments of 1965. The annals of the House reflect the great humanity of this very distinguished and able man.

JOHN FOGARTY was a great leader, a most effective Member of Congress, a major architect in the fields of health and education, a man who earned the admiration and respect of a grateful Nation, and he will long be remembered.

I have lost a good personal friend, and our country has lost a great statesman with the passing of Congressman JOHN E. FOGARTY. May he rest in peace in the knowledge that the world is a better place because of his endeavors.

I join my colleagues in extending my most heartfelt sympathy to his family.

Mr. TENZER. Mr. Speaker, I wish to join with my colleagues in paying tribute to the late JOHN E. FOGARTY who for the past 26 years served the people of his district, the State of Rhode Island, and the Nation so ably.

I shall always remember our distinguished colleague as the man who stood in the forefront of every battle to preserve the Nation's health. His contributions to research on the causes of our killer diseases through legislation and the process of appropriations are a matter of record.

JOHN FOGARTY's devotion and dedication was to meet the human needs of his fellow Americans. His was an unending and a tireless struggle to provide the necessary health facilities and personnel to mobilize an all-out attack on disease and illness. He was a man in search of a fifth freedom for all Americans—freedom from disease, illness, and disability.

I recall with personal pride my numerous discussions with our departed colleague. First in connection with medicare then successively on bills which I introduced or cosponsored, with H.R. 9318, a bill to combat heart disease, cancer, and stroke; H.R. 13358, a bill to establish a National Eye Institute; H.R. 16882 for the education and training of the handicapped; and my jet-noise bills because of the effect of noise upon the Nation's health. His patience, his counsel, his advice and guidance will long be remembered.

His presence in this Chamber will be sorely missed. We, the Members of the 90th Congress and future Congresses have inherited the responsibility to act as guardians of the Nation's health.

In tribute to his memory, I call upon my colleagues to rededicate ourselves to the cause of making the United States not only the wealthiest nation in the world, but also the healthiest. If we do this, then JOHN E. FOGARTY will not have died in vain. He will be with us always.

Mr. ANDREWS of Alabama. Mr. Speaker, it would require more time than we have before us today to pay adequate tribute to the life and ideas of JOHN FOGARTY. It would take more foresight than we possess to gage fully the effects of his work upon present and future generations.

A great many qualities distinguished JOHN FOGARTY. Standing high among these were his dogged determination, his devout dedication, and his fighting spirit. These qualities, perhaps more than any others, characterized JOHN FOGARTY throughout his service to the people of Rhode Island and to the Nation.

As those of us who had the honor to serve with him on the House Appropriations Committee are well aware, JOHN FOGARTY left an indelible imprint on the proceedings and accomplishments of better health for Americans as well as better health facilities and more and better health research. He was recognized by friend and foe alike as a fighter for the principles in which he believed and for the plain people whom he loved. His steadfast championship of the cause of better health and rehabilitation services; and of his State, his section, and his Nation will stand forever as a monument to his years of devoted service to his country.

I think the following poem well typifies our late friend. He was ever active, always understanding, helpful, interested in the other man's problem:

SERMONS WE SEE

I'd rather see a sermon than hear one any day
I'd rather one should walk with me than merely tell the way.
The eye's a better pupil and more willing than the ear;
Fine counsel is confusing, but example's always clear;
And the best of all the preachers are the men who live their creeds,
For to see the good in action is what everybody needs.
I can soon learn how to do it if you will let me see it done;
I can watch your hands in action, but your tongue too fast may run.
And the lectures you deliver may be very wise and true;
But I'd rather get my lessons by observing what you do.
For I may misunderstand you and the high advice you give.
But there's no misunderstanding how you act and how you live.

EDGAR A. GUEST.

I extend to Mrs. Fogarty and to the other members of the family my deepest sympathy in their great loss.

Mr. MILLS. Mr. Speaker, I was deeply saddened and shocked to receive word of the passing of our beloved and esteemed colleague, the Honorable JOHN E. FOGARTY.

I was privileged to serve with JOHN FOGARTY in the House for 26 years. He was a conscientious Member of this body and will be remembered for his countless contributions to the fields of education, health, and welfare which have been such a help to hundreds of thousands of citizens of this country.

I know of no Member who took a greater interest in medical research, or in developing programs to advance the cause of medical research. I know of no Member who was more interested in aiding our older people, or our disabled. I know of no one who had a larger compassion for the unfortunate or the retarded or disabled. He has helped build a public and private health service in which this Nation can take enormous pride.

He was a man of courage, conviction, and integrity, and he will be sorely missed by his constituency, his State, and the Nation. His devoted service to the people he represented will always be remembered.

I have lost a valued friend and colleague. I extend to his family my sincerest condolences. His monument is already built in the many fields of human endeavor to which he contributed so much of himself and his energy.

Mr. JONES of Alabama. Mr. Speaker, the untimely death of Representative JOHN E. FOGARTY is a deep personal loss to those of us who knew him so well as one of the truly great humanitarians in this House.

As colleagues, we will miss his hard work, his straightforward honesty, and his valued advice and counsel. We quickly learned to depend on JOHN FOGARTY for strength and wisdom in turning back the obstinate plagues which have incapacitated and crippled mankind and taken the very life from poor and rich alike.

JOHN FOGARTY's dedicated work to end the suffering from illness and disease, to make our world more livable, and to advance the cause of mankind everywhere is an everlasting monument to his greatness.

All the people of this Nation have benefited from his relentless efforts in combating these plagues. The intensity of his work in seeking cures to the basic health problems was no doubt a factor in his untimely passing.

In returning JOHN FOGARTY to the Congress every 2 years since 1940, the people of Rhode Island acknowledged the value of his work as their representative. His interest in the greater development of his region was well recognized. His work in behalf of the young, the poor, and the less fortunate is legend.

Lesser men would have been content to rest on their laurels after fewer accomplishments than those achieved for all mankind by JOHN FOGARTY. But he was not content as long as any task remained to be completed.

We will miss his powerful voice, his dedicated work, and his warm companionship. Our loss will be shared by all the people of this Nation.

My heartfelt sympathy goes out to his family at this time of their great grief.

Mrs. BOLTON. Mr. Speaker, this House and particularly the Appropriations Committee will deeply miss the presence of JOHN FOGARTY.

Congressman FOGARTY, during his distinguished career, exemplified the best qualities of a public servant. He was dedicated to providing his district and State with representative leadership in the Congress. He was unswervingly loyal to our Nation.

As chairman of the House Appropriations Subcommittee on Health, Education, and Welfare, he awoke the Nation to the need for new programs to help ease pain and suffering. I have worked with him many times on legislation to provide more nurses and on other health matters and always found him to be earnest, diligent, and effective in helping to find solutions to our many problems in this field.

The National Institutes of Health will ever be a monument to his love of people, his desire to ease human suffering, and his ability to help create institutions and programs that give rather than take from man.

It has been a privilege to know JOHN FOGARTY, to work with him, and to have served with him in this House. I know that everyone who has known him feels richer by reason of that experience.

To his wife, daughter, and family I extend my own deep and sincere sympathy in their great loss and would remind them in the words so beautifully translated from the Sanskrit by Sir Edwin Arnold:

BHAGARAD-GITA (SONG CELESTIAL)

Never the spirit was born; the spirit shall cease to be never;
Never was time it was not; End and Beginning are dreams!
Birthless and deathless and changeless remaineth the spirit for ever;
Death hath not touched it at all, dead though the house of it seems.

Nay, but as one who layeth
His worn-out robes away,
And taking new ones, sayeth,
"These will I wear today!"
So putteth by the spirit
Lightly its robe of flesh,
And passeth to inherit
A residence afresh.

Mr. STUBBLEFIELD. Mr. Speaker, the sudden passing of JOHN E. FOGARTY, of Rhode Island, has taken one of the stalwarts from the House and we shall all be much poorer for it.

JOHN FOGARTY was a dedicated and conscientious legislator whose interest in the health and welfare of people throughout the Nation was translated into action. He will be long remembered for his effective work as chairman of the subcommittee that appropriated funds for the Department of Health, Education, and Welfare.

JOHN FOGARTY was a patriotic citizen, a devout Democrat, and a man of reason and integrity. He enjoyed the friendship and respect of his colleagues throughout the Congress and while we shall greatly miss his presence, the results of his work in terms of a richer and better life for countless people will stand as a monument to him in his district, State, and Nation.

To his entire family I extend deep and sincere sympathy.

Mr. ANDERSON of Tennessee. Mr. Speaker, it is ironic and somehow tragic that we save our finest tributes to men and reserve our praises for their qualities and accomplishments until their death. Mankind has always been at a loss for an adequate response to the passage of men of heroic stature. Thus we find ourselves today for certainly one such man was the late JOHN FOGARTY, so recently and vigorously of this House.

Here was a man vibrantly alive. I first heard of JOHN FOGARTY many years ago; I read of a tough, Irish bricklayer and labor leader who had come to the Congress from Rhode Island, full of youth and fire and a passion for truth. When I came to the 89th Congress, I knew him as a man unrivaled in the history of this Nation as a true champion of public health and medical research. In the interim JOHN FOGARTY had compiled a record of driving excellence and mature vision through 12 Congresses and 24 years. It was my great honor to serve with him in the 89th Congress. He will not be forgotten.

Mrs. KELLY. Mr. Speaker, I join my colleagues in the House of Representatives in paying tribute to our late colleague, the Honorable JOHN E. FOGARTY. His death is a great loss not only to his colleagues and to the people in the State of Rhode Island but to our country. He served his constituents and his country so well he earned the respect and admiration of us all.

JOHN FOGARTY worked earnestly in behalf of cancer research and for the mentally retarded and his efforts were well recognized by all who knew him. He deserved the many honors he received. As chairman of the Appropriations Subcommittee of the House Committee on Health, Education, and Welfare he helped to initiate legislation which has made the National Institutes of Health one of the most outstanding medical research centers in the world.

JOHN FOGARTY's love for the House of Representatives and his loyalty to his constituents was so great that when he was given the opportunity to run for the U.S. Senate he decided to continue to represent the Second District in Rhode Island. His leadership, his great integrity and personal courage will surely be missed by those who considered him a valued friend.

I am very proud to have had the honor to have served with JOHN FOGARTY, and to have called him a true friend. At this time, I extend my sympathy to his wife, to his family and to all those who loved him.

Mr. WIDNALL. Mr. Speaker, I want to add my voice to the many who have already paid tribute to a remarkable public servant, our beloved colleague, JOHN E. FOGARTY. I had the opportunity to know JOHN FOGARTY and to work with him in 17 of his 26 years in Congress, as he built a well-earned respect and affection among his colleagues, and an equally well-earned reputation as "Mr. Public Health" within the Nation.

In looking back over that period of time, I can think of no one among us who developed his talents and interests, who matured in his insight into the fields that were his particular responsibility, as he did. Rev. Joseph L. Lennon, O.P., dean of Providence College, put it simply and succinctly in his eulogy of JOHN FOGARTY when he said: "He grew with his job."

And it would be well to add that JOHN FOGARTY was a major factor in the growth of his job and his responsibilities as chairman and member of the House Appropriations Subcommittee on Labor, and Health, Education, and Welfare. His efforts in the health and aging fields have earned him a secure place in the ranks of those public servants to whom we in America, and, indeed, people throughout the world, will be ever grateful and indebted. The striking thing is that so many of the research or other federally assisted programs he originated grew from his own observation and sincere interest in the plight of others. He was able to become concerned about heart disease, mental retardation among children, multiple sclerosis, medical personnel, shortages, cancer research, the aging. And he translated that concern into positive programs that will be a tribute to his work for generations to come.

The final and most rewarding tribute, however, comes from the people he knew and loved best, the people of his district. I had the sad but privileged duty of being a member of the official congressional delegation to his funeral. You needed only to talk with those who knew him, and see the assemblage of persons from all walks of life, of all ages there in Providence to know how sorely he will be missed by the people of Rhode Island. His country and his colleagues will miss him deeply too.

My heartfelt sympathy is extended to his wife and family.

Mr. ULLMAN. Mr. Speaker, I join with the House and the Nation today to honor a friend and a colleague, the late JOHN E. FOGARTY, of Rhode Island.

JOHN FOGARTY had no enemies. His warmth and his friendship graced these Chambers for over a quarter century.

He brought to this membership a quiet

respect and deep dedication to the principles of a free society.

As a ranking member of the Committee on Appropriations, he distinguished himself by his hard work and clear understanding of the needs of a growing nation. His experience, wisdom, and judgment will especially be missed by his colleagues on the Appropriations Committee.

I am grateful for the years of friendship and guidance which JOHN FOGARTY extended to me as a Member of this body.

I extend to the people of his district my sincere regrets on the untimely passing of a trusted public servant. And to his family, I extend my heartfelt condolences.

Mr. RHODES of Pennsylvania. Mr. Speaker, I take this opportunity to join with my colleagues in expressing the deep sense of loss felt by the people of Rhode Island and by every Member of this body with the death of Representative JOHN E. FOGARTY.

He was a moving force behind legislation for medical research, for hospitals, for institutions to aid the mentally ill and the mentally retarded. No one in the history of this land has done more to promote more and better health services, more and better health facilities than Congressman FOGARTY. His list of accomplishments and awards for services have justly earned him the title "Mr. Public Health."

I had the benefit of his advice, cooperation and valuable assistance when I served as a member of the Health and Safety Subcommittee. JOHN deserved much credit for favorable action taken by the Congress when it first brought needed assistance to the schools of public health which provide vital help to the Nation and its people.

He ennobled our Nation, the House of Representatives, and the citizens of Rhode Island whom he so faithfully served. Aside from his awards and accomplishments, JOHN FOGARTY will be remembered for the man he was and as his friends knew him—kind, understanding, and completely unassuming. I deem it an honor to have served with him and to have considered him a personal friend.

I am sure every Member of the Congress joins me in extending our deepest sympathy to his wife and family in this time of sorrow.

Mr. PERKINS. Mr. Speaker, I would certainly like to associate myself with the remarks of our colleagues concerning the Honorable JOHN EDWARD FOGARTY. This truly great Rhode Island legislator has erected a towering monument to his memory through the leadership he has provided in the building of programs and institutes to develop and protect the human resources of this great Nation.

History records he was a bricklayer. The bricks and mortar laid by JOHN FOGARTY can be discerned in the expanding institutions of higher education affording new and improved learning opportunities for our citizens resulting from his guiding hand on appropriation measures to fund meaningful programs. They can be seen in those national institutes which are effectively coping with the disease and infirmity which collects an exorbitant toll from the human resources of our Nation.

His lifelong campaign, directed by his intense compassion, to improve opportunities for people to participate and share in the great affluence of our democracy, was conducted with great modesty and with what will be recorded by history as almost legendary legislative skill. Indicative of his humility is the fact that the current Congressional Directory—of all the great things that may be said about him—carries only this line:

> JOHN EDWARD FOGARTY, Democrat, of Harmony, R.I., elected in 1940; reelected to succeeding Congresses.

The Honorable JOHN FOGARTY was, indeed, a representative of his constituents, and the Nation will harvest for a long time to come the seeds sown by his great statesmanship.

Mr. VANIK. Mr. Speaker, I want to take this opportunity to join my colleagues in the House of Representatives in paying tribute to the dedicated service and tremendous contributions in the national interest of the late JOHN E. FOGARTY, of Rhode Island.

During the entirety of my tenure in Congress, I have been fortunate to receive counsel continually from JOHN FOGARTY during the course of legislative activities over the past 14 years. His friendship has been of great importance to me personally. He was a wise and judicious man who never failed to place the interest of this country above all considerations. The legislative accomplishments attributed to him are but a fraction of the total contributions he actually made to the health and welfare of the people of our country.

While it is difficult to contemplate how history might have differed were it not for one man, it is possible to know the long list of significant contributions JOHN FOGARTY made. His record in the field of health and welfare was so comprehensive, his name and work dominate the field throughout the country. It was a fitting tribute that flags flew at half staff on the buildings of health institutions, public and private, throughout the country as a voluntary act of homage to a great leader.

We will miss him in the House of Representatives and in the country.

I wish to include in my remarks a copy of an article written for the Cleveland Press by Marie Daerr, reporting Mr. FOGARTY's visit to Cleveland on January 4, 1967. As well, I wish to include a fine tribute written by Howard A. Rusk, M.D., in the New York Times January 15, 1967, called "Mr. Public Health."

I wish to convey my condolences to Mrs. Fogarty and to his children who can be proud of the exemplary record of this fine gentleman.

The articles follow:

[From the Cleveland Press, Jan. 5, 1967]

ELDERLY URGED TO WATCH CONGRESS

(By Marie Daerr)

It is essential that older people be kept up to date on legislation—and that, as responsible citizens, they let their representatives in Congress know their reactions.

Cong. John E. Fogarty (D-R.I.) had this message today for 400 older adults attending the Live Long and Like It Library Club's annual institute at Higbee's. The all-day event marked the Cleveland Public Library group's 20th birthday.

On the program were Fogarty, Louis B. Seltzer, former editor of The Press; Mrs. Lucia Bing, retired coordinator of volunteers for the Golden Age Center, and Miss Fern Long, Live Long and Like It adviser and head of the library's adult education department.

Fogarty praised Miss Long for the imagination and leadership she has shown in guiding the club since 1946 and said its program, "has been widely imitated but never duplicated."

Fogarty said that, in spite of much publicity given Medicare before its enactment, there still is much misunderstanding about the program. He made a plea for a public information program to relate the legislation he introduced last year, known as Livingcare or the Health Education Act of 1966, and the Social Security Amendments of 1966, which he said he planned to introduce again.

Seltzer said that, while American society has done much to secure people against the hazards of old age, through such programs as retirement benefits and Medicare, it must redirect its efforts to help them to "a maximum and most meaningful use of their time." This would come through such aids as job opportunities and crafts and hobby classes.

"It is a monumental tragedy that we have lengthened people's lives, then farmed them out, left to their own devices," Seltzer said. "They get their pension checks, their Social Security, then what?"

[From the New York Times, Jan. 15, 1967]

MR. PUBLIC HEALTH—DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, have been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killer of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education, and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

Mr. PHILBIN. Mr. Speaker, the very untimely passing of my beloved and valued friend, Congressman John E. Fogarty, was a very great shock to all of us who knew him, to his admiring colleagues in the House and innumerable people in his great district, his State, the Nation, and the world.

This great American was called to his Maker at a time when truly he had not even reached the crest of his powers, and ordinarily could look forward to many more years of constructive achievement for the people, and happiness with his family and friends. He seemed to be as vigorous as ever and there was no sign of his impending passing.

John Fogarty was outstanding in every sense of the word. His brilliant career in the public service was one of the most fruitful, colorful, and illustrious ever recorded in the Congress of the United States.

He started from humble beginnings. He worked hard for everything he got; he overcame all obstacles. By virtue of great natural ability, strength of character, the force of his dynamic personality, and his resolute spirit, he steadily moved forward with confidence, vigor and speed.

At a very early age, he was elected to the Congress of the United States. His record in this body has been one of paramount distinction, marked by highest honors and one triumph after another.

Congressman Fogarty did not come to this body to serve any special privilege. He came here ably, faithfully, and honorably to serve the people of his district and Nation and he made it clear from the start that he meant business.

Early in life he had noted the struggles, the disadvantages, the adversities, the handicaps of ordinary members of the rank and file. He knew and understood their problems and was interested in promoting their welfare and betterment.

Early he realized that ordinary working people needed higher standards of living, better opportunities for education and improvements in the leadership, agencies, and instrumentalities devoted to promoting the public health and wellbeing.

Like some others with a mission, he found in the panel of the great House Appropriations Committee, to which he was assigned, colleagues and kindred spirits who, like himself, had noticed certain, well-defined health needs of the people, and were willing to exert every effort to meet them.

John Fogarty was an untiring worker and never spared himself for a moment. He had high goals, lofty principles, noble aims, and was admirably equipped to advance them. He had the ability, courage, unflagging energy, and unswerving dedication to tackle social problems that few dared to touch at the time.

It was not long, however, until under his inspiring leadership, his dreams and his humane practical conceptions and ideas for promoting the health of the American people started to take concrete shape, and before long, the ofttime slowly moving legislative mills of the Congress were sparked into concrete, effective action.

It is said by the celebrated expert and commentator, Dr. Howard A. Rusk, in the New York Times:

> No one in the history of this country has done more to promote more and better health services, more and better health facilities, and more and better health research than Representative Fogarty.

And that puts it in accurate terms.

Some years ago John suffered a serious heart attack which slowed him down for a while, but did not deter him for long from the most energetic pursuit of his established goals.

A man of profound religious faith and devotion, he was content to leave his own destiny in the hands of his Creator, and he stanchly drew on all his resources, physical, intellectual, political, spiritual, and inspirational, almost as an evangelist with a holy cause, hammering out one measure after another to set up, strengthen, and perfect the institutes of health, the basic research institutions, and related agencies, for attacking the killer diseases, like cancer, heart trouble, vascular, circulatory and stroke-producing diseases, muscular dystrophy, mental retardation, fibrosis, and a host of spastic and congenital afflictions which have plagued humanity for centuries and have been getting worse in recent years, and which this great, brave son of Rhode Island rightly believed should be banished from the earth.

How well he did this overall job is written in golden letters in the permanent records of this House and the other body, and in the prayers and gratitude of the American people.

It is doubtful whether so many people in this country suffering from killer and other diseases now or in the foreseeable future, and who have been or will be cured or relieved will ever owe so much to one individual as the very many victims of previously incurable diseases now owe, and will continue to owe, to John Fogarty of Rhode Island for the merciful aid and deliverance which his inspired leadership assured for them.

When he entered Congress the appropriation for medical research was $2 million a year, and now, thanks to the influence and impetus of his truly blessed work and idealism, it is over a billion a year and will continue to grow in the future, until science will at last be able to unlock the many more secrets that will permit millions of human beings, heretofore doomed to early death, or to lives of helplessness, need, and pain, to enjoy normal spans of life and escape from excruciating suffering.

Is it any wonder that John Fogarty should be referred to as "Mr. Public Health" by Dr. Rusk and other experts too numerous to mention in the best position of all to appraise his tremendously historic and effective contributions to suffering mankind. It can be said without fear of contradiction, and unquestionably, that John Fogarty is the greatest political health leader in our history, and his colleagues, his able, devoted staff, and those who worked with him in the committee and the House, and the other body, can be proud of his great work and proud of the support and invaluable aid they gave him.

This is also true of his coworkers in the other body, Senator Lister Hill and his colleagues, all very able, distinguished leaders, and the wonderful thing about this memorable achievement was that these dedicated collaborators and assistants, and all who worked with the great John Fogarty, recognized the epochal nature, import and effects of his carefully selected, fixed goals and the miracles they would work for the American people and the human race.

John Fogarty was the driving force that translated into speedy, administrative action the research and application in our hospital, clinical and medical systems of the great, scientific and medical discoveries, techniques, equipment, appliances, therapies and methods that have worked such wonders in free, modern medicine and that have brought truly immeasurable blessings to so many people.

I would like to touch upon the personal

side of John Fogarty, because to those of us who knew him well, he was a remarkable person, who at once inspired respect, admiration, and affection.

To know him well is to love him.

There were many unusual, impressive, and attractive facets to his character and makeup.

He was strong, powerful and rugged physically, and did not know the meaning of the word fear.

He had a natural, quick, alert mind that enabled him to make sharp, accurate, speedy appraisals.

He was articulate and forceful in his speech, capable of decisions, and persuasive in his advocacy.

When aroused by an allegiance to a cause, he was militant and unswerving.

He was straightforward, direct, and fairminded, and never struck a low blow.

He was shrewd and canny in negotiations, artful and clever in gaining his ends, resourceful in putting his ideas and his measures through his committee, the House, and the Congress.

He was profoundly religious minded, and he proudly wore for everyone to see the badge and the stamp of his Irish ancestry, from which he felt he drew much of his strength, his power, his courage, his zeal for good, humane causes, his humor, sympathetic nature and his strong sense of loyalty, which was one of the dominating qualities he possessed.

Rigorously honest, outspoken and forthright, candid and resolute—he was a man whose friendship meant something more than lipservice.

He could always be counted on to stand up and fight for his friends or for any cause to which he was attached.

John was firm in his principles and fiercely intent upon his goals, but he was kindly and considerate of others—strong of will, but gentle of heart, and generous of impulse, a man who dealt in warm, personal values, rather than in the cold, unfeeling absolutes of the computer, a man who commanded respect for his integrity and greatness, admiration for his faith and his courage, and love for his loyalty and his essential goodness as a human being.

An unfaltering patriot and lover of his country and its free institutions, John could not be excelled in his eagerness to sacrifice of himself to defend, strengthen, and enrich this Nation.

In war and peace, he served, far beyond the call of duty, to protect our country and make it a better place in which to live.

Deep in his conviction that this is truly the government of the people, he won the plaudits and the hearts of his countrymen for his untiring, determined efforts and labors to improve the health and lengthen the lifespan of the people through vigorous, intelligent development and application of the wonders and miracles of modern science and the genius of humane statesmanship.

John Fogarty saw the light and followed the star of his dream to the lofty pinnacles of constructive fulfillment and noble achievement for suffering humanity.

And if we could but ask him today, what inspired him, I know he would say in his characteristically direct way that his dream was in part an Irish dream, touched and colored by the sufferings, aspirations, and glories of Erin, a dream that sprang up from the soil and the travails of that once ravaged land, through indomitable God-fearing ancestors, who found in this country the blessings of freedom and opportunity denied them in their own cherished homeland, and who implanted into the breast of John Fogarty the undying love and loyalty to the United States, and its people, and this great Government, that prompted him, in such a real sense, to devote his life, and in the end to give his life, for the benefit and betterment of his fellow Americans and his fellow man. And he gave his life for the greater security, strength, and glory of his beloved country, just as a fighting man stricken in battle.

Yes, it was in truth, in the merciful work of human betterment and alleviation from suffering that John Fogarty throughout his long, distinguished service gave his all, and finally his life.

As the poet said:

> In the world of time and space among the bulk of actual things,
> A dream was dreamed in his heart
> And he asked himself again and again, like the poet, Can that dream come true?

Can millions and millions of people, many yet unborn, dwell in the house that John Fogarty shaped in his heart, the noble house of his thoughts and his dreams?

Thank God, he got his answer, and he lived to see his dream written into law, and become a part of this great Government of ours to bring many blessings and promises of help to countless afflicted, distressed, and helpless human beings, heretofore condemned to lifetimes of suffering.

I could ask: "What greater love hath any man than that he should lay down his life for his friends?"

This House, this generation hails and acclaims John Fogarty, and mankind will long continue to sing his praises and utter prayers of gratitude to the one who, more than others, although he enjoyed the encouragement, support and effective help of others, opened the door that has liberated millions of human beings from the darkness and anguish of pain and suffering into the bright sunlight of restored health and well-being.

Who knows, indeed, what the future will bring in the furtherance of his work, what miracles and wonders may yet be worked in the battle of man against disease, disability, handicap, retardation, pain, and suffering that has been launched by this great American, whom we so deeply and so sorrowfully mourn.

It is with very heavy hearts that we bid our sad farewells to this great, illustrious leader, who was our dear, beloved friend, and the stalwart worker and fighter for truth, progress, and justice for the inarticulate and the helpless.

As was his way in life, he has gone from us, smiling, fearless, and unafraid, to "that land from whose bourne no traveler ever returns."

His passing leaves an irreplaceable void in this great House and in the hearts of his friends.

In these historic Halls and in this Nation, and in the world of humanity, John Fogarty will never be forgotten.

He will always be remembered for his dream and the rich blessings which its fulfillment has brought to the world.

We will continue his unfinished work; the great aims he had in mind. We will take up the torch he lighted.

Our prayers and our tears attend him now, as we bid him farewell; our good comrade and devoted friend, called all too soon in the prime of his life to his heavenly reward. But we must reconcile ourselves to the divine will.

To his gracious, loving wife and helpmate, Luise, and his lovely, young daughter, Mary, of whom he was so proud, and his wonderful family, his beloved brothers and sisters, his dear ones, and the dedicated colleagues and staff members who worked so devotedly with him, all so sorrowfully bereaved, I extend the most heartfelt sympathy and prayers of myself and family.

And in behalf of the people of my great congressional district, which touches on the great district represented by Congressman Fogarty in this House, and where he was so well known, so highly esteemed and loved, I also express deepest sympathy and condolence to his bereaved family.

May our dearly beloved friend, John, find rest and peace in his eternal home. His blessed memory will always remain with us to guide and inspire us in our work.

Some words of the Irish poet, Padraic Pearse come to mind:

> I have vision and prophecy and the gift of fiery speech,
> I that have spoken with God on the top of His holy hill—
> And because I am of the people, I understand the people.
> My heart has been heavy with the grief of mothers.
> My eyes have been wet with the tears of children.
> What if the dream comes true, and if millions unborn shall dwell.
> In the house that I shaped in my heart, the noble house of my thought?

John Fogarty's dream, now coming true, will brighten and bless humankind for many years to come.

God love him.

As part of my remarks I ask unanimous consent to include in the Record an article captioned "Mr. Public Health," by the distinguished commentator and expert, Dr. Howard A. Rusk, recently appearing in the New York Times which touched very significantly upon Congressman Fogarty's magnificent achievements.

MR. PUBLIC HEALTH—DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, have been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killer of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3 million. It is now well over $1 billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago, Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I was shocked and grieved when I heard of the death of my deep, warm, personal friend, Congressman John E. Fogarty.

John was a great American, a defender of labor, and a great legislator. His name will stand out forever for the advances that he was responsible for in seeking appropriations for medical research, mental health, child welfare, cancer, heart—the ailment of which he succumbed—and in many other diseases and afflictions affecting mankind, rich or poor.

As a bricklayer and a member of the bricklayers' union, he was in the foremost rank as the defender of labor and collective bargaining. Recently, the article below appeared in the Bricklayer, Mason and Plasterer magazine. I am proud to present this outstanding tribute to John Fogarty and call its attention to the Congress.

John Fogarty was a proud Irish-American. He was a credit to the Congress of the United States and his beloved State of Rhode Island. He will be long missed by his many friends and officials in the Nation. It will be my earnest prayer that the good Lord will shower him with many blessings and eternal rest. May his beloved family, proud of his dedication to his Nation—leaving to them a great heritage and loving memory, be protected with God's blessing:

Passing of Congressman John E. Fogarty a Loss to the Country and This Union

The sudden passing of Congressman John E. Fogarty of Rhode Island, who had been a highly regarded member of this International Union for 35 years, will be felt as a great void among those in our country who care about the health and welfare of people everywhere. Always proud of the fact that he was a bricklayer, Congressman Fogarty made an indelible impression on the many hundreds of I.U. members he had met over the years.

In particular, delegates to the I.U. convention last year in Montreal have vivid memories of his convention talk in which he called for greater appropriations to meet America's health needs, and of his reminiscences about his early days as a bricklayer in Providence, Rhode Island, where he started serving his apprenticeship in January 1932 and became a journeyman member of Local 1 in May 1938. He was elected to Congress in 1940 after having served as President of Local 1.

A man with a previous history of a heart attack, he died in his office on Capitol Hill on January 10 about two hours before the start of the 90th Congress. He was 53. As chairman of the House appropriations subcommittee handling health, education and welfare matters, he was a powerful figure in Congress.

In his remarks to the Montreal convention, Congressman Fogarty recalled that when he first ran for Congress in 1940, he was earning $1.50 an hour as a union bricklayer and "averaging $45 a week." When he suddenly found himself making $10,000 a year (a Congressman's pay at that time), he thought he would be a rich man. He confided to the delegates that he thought he owed more money than when he was first elected to Congress.

Many eminent persons had some fine things to say about this outstanding Congressman and outstanding bricklayer. Here are some of the things said:

"John Fogarty was a great leader and an effective member of Congress. I am shocked and saddened by his death. He was a major architect in the fields of health and education. Lady Bird and I extend our deepest sympathies to his wife and daughter."—President Lyndon B. Johnson.

"I am shocked and grieved in the death of my dear friend, Congressman John E. Fogarty. He was not only a great legislator and a great American, but he was one of God's noblemen. His name will forever occupy prominent pages in the history of our country. For it was under the leadership of Congressman Fogarty that the tremendous advances were made in the making of appropriations in the fields of medical research, mental health, child welfare, heart, cancer, and all other conditions afflicting mankind."—John McCormack, speaker of the House of Representatives.

"John Fogarty was always a credit to the Congress and a credit to this International Union. I am personally grieved by the loss of a dear friend."—President Thomas F. Murphy of the BM&PIU.

"This is a tremendous loss to the country, especially that phase of government that has to do with national health. Rhode Island and the Congress will not be the same without him."—Senator John O. Pastore of Rhode Island.

"As an individual, Congressman Fogarty believed that his government should care about people who lacked access to good health and adequate opportunity. As chairman of the Congressional subcommittee that appropriated funds for the Departments of Labor and Health, Education, and Welfare, he provided the leadership that gave his fellow man the opportunity to live a healthier and richer life. . . . We shall miss his presence. But his work will live on in those millions of people who have a better life because of his outstanding efforts in the Congress."—Chairman John M. Bailey of the Democratic National Committee.

John E. Fogarty's Favorite Vision

(From an address by Mrs. James Bush-Brown Director, Pennsylvania School of Horticulture for Women)

Perhaps you have heard the story of Christopher Wren, one of the greatest of English architects, who walked one day unrecognized among the men who were at work upon the building of St. Paul's cathedral in London which he had designed. "What are you doing?" he inquired of one of the workmen, and the man replied, "I am cutting a piece of stone." As he went on he put the same question to another man, and the man replied, "I am earning five shillings twopence a day," and to a third man he addressed the same inquiry and the man answered, "I am helping Sir Christopher Wren build a beautiful cathedral." That man had vision. He could see beyond the cutting of the stone, beyond the earning of his daily wage, to the creation of a work of art—the building of a great cathedral. And in your life it is important for you to strive to attain a vision of the large whole.

Mr. ST GERMAIN. Mr. Speaker, on behalf of the family of John Fogarty—his wife Luise, his daughter Mary, his brothers and his sister—his many, many friends and his devoted staff, I should like to express my heartfelt thanks to my colleagues for the many eloquent and sincere tributes that have been paid to our late departed colleague. I am sure that they would ask me at this time to express their sincere appreciation to you for the many wonderful words that have been spoken about this truly great American.

Mr. Speaker, for the purpose of gaining a greater insight into the extraordinary personage of our beloved late colleague, JOHN E. FOGARTY, I would like to have the following articles inserted in the RECORD. They include memoriams from: His Eminence Richard Cardinal Cushing, who worked closely with JOHN FOGARTY rendering assistance to retarded children or "exceptional children" as the good cardinal refers to them; Constance Laliberte, who worked for Congressman FOGARTY and is now associated with the Neighborhood Youth Corps; Maxwell M. Geffen, publisher of Medical World News and longtime friend of JOHN FOGARTY; Philip H. Ableson, editor of Science; and perhaps most beautiful of all, a number of statements given to Mrs. Fogarty by the children of St. Philip's School in Greenville, R.I., which was JOHN FOGARTY's parish:

STATEMENT BY HIS EMINENCE RICHARD CARDINAL CUSHING, ARCHBISHOP OF BOSTON, IN MEMORIAM: CONGRESSMAN JOHN E. FOGARTY

Informed by good Father Geddes of a Requiem Mass to be celebrated Friday evening in memory of the late beloved Congressman John E. Fogarty, I am taking advantage of the occasion to record a few thoughts pertaining to my relationship with him and my appreciation of him.

Congressman Fogarty told me years ago that he was prompted to become interested in retarded children after reading a speech that I had made in behalf of over five million of these children in the United States. As his knowledge increased his great heart was soon attracted to these children and he immediately began to impress upon the members of the United States Congress our responsibility to help these "Exceptional Children of God". I call them "Exceptional" not because they are handsome or brilliant but because they give us an exceptional opportunity of showing our love for God by loving the least of His brethren.

No member of the National House of Representatives in modern times did more for these "Exceptional Children" and for others, poor and needy, than the dedicated Congressman John Fogarty. Time and again over the years he would contact me or I would contact him. As a result of this relationship I do not know of any Congressman who was more devoted to these mentally and physically handicapped children and other seemingly abandoned and helpless souls.

It is very significant to me that Honorable John Fogarty died suddenly of a heart attack. For years his heart, which was as big as himself, overflowed with love for the poor and the helpless. When it came to legislation pertaining to the physical and mental health of the citizens of this country, he was always in the forefront advocating in his very effective way federal aid in behalf of these and other forgotten souls.

His life, in my opinion, should be an inspiration to those who find it impossible to pursue the courses of higher education and are forced, as a result of lack of finances or some other cause, to find a living in the workaday world. His accomplishments, personal and official, are reminders to those in humble walks of life that education never ends and, no matter how lowly may be the work one does here below, it is always possible to go higher through personal efforts, noble aspirations and love for the poor.

In accordance with the spirit of the Second Vatican Council the Church is known as "the Servant Church." The Church is the Mystical Body of Christ rendering service to the world. Congressman John Fogarty was a faithful "servant" of the "Servant Church" long before the Second Vatican Council.

His death was sudden and a shock to his loved ones and all those who knew him, but we all have the consolation that here was a Christlike man going about doing good at all times, especially for those who could not help themselves.

His charitable soul is now, please God, in the Mansions of Heaven but his memory will live forever in the great social legislation that he sponsored or supported while serving within and without the United States Congress. We who knew him best and loved him most shall never forget him in our Masses, prayers and the fruits of our sacrifices. He shall always be an inspiration to me and others who loved his way of life on this earth.

Congressman Fogarty was a man of God—a layman who exemplified the ideal layman of the Servant Church. May he rest in peace and intercede for us all before the throne of God.

RICHARD CARDINAL CUSHING,
Archbishop of Boston.

FRIEND OF THE COMMON MAN

(By Constance Laliberte)

John E. Fogarty, who rose from bricklayer to one of America's most influential congressmen, will long be remembered as a friend and inspiration to the NYC, especially by those who have participated in the Rhode Island Program.

He played an important role in forming the national legislation that brought the NYC into existence. Also, he worked diligently to secure sufficient funds for our state, thus making it possible for hundreds of teenagers to find employment through the NYC.

Congressman Fogarty can also serve as an inspiration to all of us. He was a champion for the cause of more beneficial health legislation. He was concerned about the common man and his problems. Countless people received help directly from him.

Congressman Fogarty earned every honor that was bestowed on him. He was one of our country's most prominent citizens, but he had to work his way up from humble beginnings. Perhaps this is why he took such an interest in the common man—he understood the problems of ordinary people.

Let us hope that the great work he began will be carried on in order to benefit future generations.

Just as the 90th Congress convened its first session on January 10, I learned that one of its most colorful and vital figures had passed away in his office across the street from the Capitol. John E. Fogarty, "union bricklayer," as he liked to call himself, was, as most everyone else described him, "Mr. Public Health." Though he represented the second district of Rhode Island in the smallest state of the Union for 26 years, he played a major role in the health progress of the entire nation as chairman of the House Appropriations Committee's powerful Subcommittee on Labor-HEW, which initiates all health appropriations legislation.

In 1946, the year before Congressman Fogarty joined the subcommittee, the National Institutes of Health spent only $3.5 million. For fiscal 1967, NIH was voted a budget of $1.5 billion. When he became chairman of the subcommittee in 1949, the total HEW budget was approximately $1 billion. But the final HEW budget voted for fiscal 1967, for which he was largely responsible, is $9.8 billion. And every dollar in that budget had to pass the zealous scrutiny of John Fogarty.

I could fill many pages with tales about this fabulous character. For years, we had the habit of spending an afternoon in New York (following the Lasker Award luncheon), reminiscing about our respective interests in the health field. The first time we met we were alone. The following year, two or three people joined our little coffee klatch. At our last get-together only a few weeks ago, after a meeting the Congressman had addressed in Washington, we were surrounded by a dozen distinguished representatives of government, medicine, and the pharmaceutical industry.

All of us were happy to bask in the sunshine of his quiet, self-effacing, off-the-cuff attitude. And all of us will miss him—one of Washington's truly irreplaceable men.

He declined the opportunity to become Senator from Rhode Island because he felt, as he stated in a recent MWN cover story, that he "could do more by staying on in the House as chairman of my committee—more for the people of my state and the country and perhaps the world."

John Fogarty, you helped millions to achieve better health, you saved countless lives, and you died too soon.

M. M. GEFFEN.

JOHN EDWARD FOGARTY

When John Fogarty entered Congress in 1941, at the age of 27, his background included a high school education and 10 years as a bricklayer and union official. At his death, on 10 January, he was highly respected for his knowledge of many aspects of public health and his effectiveness in fostering medical research. He had received more than 100 awards, including many honorary degrees.

Representative Fogarty began service on the Labor and Federal Security Agency Subcommittee of the House Appropriations Committee in 1947 and became subcommittee chairman in 1949. In the first year of his service on the subcommittee, the total budget of the National Institutes of Health was about $3 million. In the current year the NIH budget approximates $1.4 billion. Accomplishing this great expansion was not easy. Traditionally the Appropriations Committee seeks to hold down expenditures. Often Fogarty placed his career in jeopardy by clashing with the committee chairman, then Clarence Cannon.

Fogarty never wavered in his belief in the value of medical research, and he fostered its expansion with single-minded zeal. His resources included great energy and unusual political sagacity. Reports of the hearings of his subcommittee reveal a master craftsman at work patiently building an extraordinarily good case for expanded support of medical research. In his efforts Fogarty had an effective partner in Senator Lister Hill. On occasions when House leadership succeeded in thwarting Fogarty, Senator Hill obtained support for increased appropriations in the Senate. Other important allies were James Shannon (director of NIH), Mary Lasker, and the medical research community. Possessing a combination of charm, brains, energy, and money, Mrs. Lasker has had access to all recent Presidents and can mobilize important support for medical research. From the medical community Fogarty could depend on such well-known expert witnesses as Paul Dudley White, Karl Menninger, Sidney Farber, and Michael De Bakey.

Fogarty built skillfully and well. He understood the vital relationship between the support of fundamental science and practical objectives. He built for permanence. His methodical care year after year won for him and the programs he fostered broad support in Congress. The *Congressional Record* for 19 January 1967 provides an indication of the respect he enjoyed. Tributes to him by more than 100 of his colleagues are recorded there. Many of the words of praise are devoted to the enduring value of his efforts in expanding medical research.

There is considerable sentiment in Congress to implement an idea that Fogarty advanced in September 1963:

"I should like to see a plan to bring into being at Bethesda a great international center for research in biology and medicine dedicated to international cooperation and collaboration in the interests of the health of mankind as so boldly envisaged by the President. This center would encompass conference facilities, laboratory and study space, and living quarters to permit the assembly for discussion, study, and research of the outstanding health scientists of the world. I visualize this center associated with the great facilities of the National Institutes of Health and the National Library of Medicine as representing the visible and tangible embodiment of this Nation's devotion to the use of science for peaceful purposes and the good of mankind."

Congressman Laird (R–Wis.), on 18 January 1967, spoke for many Congressmen (and scientists) when he stated, "I can think of no more fitting and lasting tribute to this great humanitarian than the establishment by this Congress of such a center—the John E. Fogarty International Center for Advanced Study in the Health Sciences. Not only will such an institution be a living embodiment of the spirit and aspirations of John Fogarty, but it will serve a needed and valuable role in securing the progress of science in the cause of the well being of all mankind."

PHILIP H. ABELSON.

AS WE REMEMBER OUR CONGRESSMAN, JOHN E. FOGARTY

(By the children of St. Philip School, Grades one and two)

GRADE ONE

John E. Fogarty: He fought in World War II. He helped poor people. He helped build homes for poor people. He worked in Washington. He helped us. He helped children. He lived in Rhode Island. I will pray for him.

PETER COOGAN.

John E. Fogarty: John Fogarty is big. He went to church. He worked in Washington. We all loved him. I will pray for him.

CLAIRE CAVANAGH.

John E. Fogarty: He helped build laboratories. He was a good Congressman. We love you for helping the poor people. I hope he is in heaven. I will pray for you.

JAMES POWERS.

John E. Fogarty: He helped sick people. John E. Fogarty was a big man. He helped the schools. He did good for the people. He helped our State.

LORI LABADIE.

John E. Fogarty: I loved him. He was an important man. He helped build places. We pray for him.

CATHERINE SIEDZIK.

John E. Fogarty: He was an important man. He helped build houses for the poor people. He helped the poor people in Rhode Island. He was a nice man. I will pray for him.

WILLIAM WALKER.

John E. Fogarty: He helped the poor people. He worked in Washington. He was nice to others. He built schools. I loved him.

MICHAEL CORRAO.

John E. Fogarty: He liked to help people. He helped to build schools. He helped poor people. He was nice to others. He loved us. I hope God will help him. I will pray for him.

SUZANNE CULLEN.

John E. Fogarty: He helped build hospitals and he helped build schools. He was a good man. I loved him. I will pray for him.

MADONNA CAHILL.

John E. Fogarty. He helped the sick. He worked for others. He helped build some schools. He worked in Washington. He helped children. I will pray for him.

BARBARA PLACIDO.

John E. Fogarty: He worked in Washington. I loved him. He helped poor people. He helped other people.

SUSAN HARRISON.

John E. Fogarty: He was a big important man. He helped other people. He built schools for R.I. I loved Congressman Fogarty. He was in World War II. We hope he went to Heaven. We will pray for him.

KEVIN OATES.

John E. Fogarty: He helped the poor. He was a good man. He loved us. He worked in Washington.

FRANK MANSI.

GRADE 2

Dear Mrs. Fogarty: I know you are sad and everything. But we are sorry and we hate to hear it. We all love you. And that's how it goes. We are very very sorry. And that's how God want it to be.

LORI PAOLANTONIO.

Dear Mrs. Fogarty: I know you feel sad but I do too. I know it is your man the flag is at half mast because our lawmaker died three weeks today. I loved him very much. I know you did too. You loved him much more then I did. Good-by for now.

SUSAN REALL.

Dear Mrs. Fogarty: I know how you feel with your family. I know he was a Congressman and he loved you too. And I loved him very much. I saw him on T.V. and I like you too Mrs. Fogarty.

SUZANNE DEMERS.

Congressman Fogarty: Dear Bill, Frank, Mary, and Charles, I know your uncle was first a bricklayer. I loved him. He loved the sick and poor. I see the flag at half mast. That shows our (con) country is sad. John E. Fogarty was a good honest man.

LISA GIBBONS.

John E. Fogarty: John E. Fogarty helped the sick and poor. We all loved him because he helped all the people in the world. We are all sorry that he died. We did not want him to die.

PAMELA WOJCIECHOWSKI.

Dear Mrs. Fogarty: I will never forget when John died. I loved him very much. The flag is half mast. It is sad for us.

CHERYL DIONNE.

Dear Mrs. Fogarty: I feel sad for your husband. I know you and the family feel very sad. He was a good Congressman. He helped the sick and the poor. He died for our country. The flag is at half mast.

Love,

MARY LYONS.

Dear Mrs. Fogarty: I feel very sorry for your husband who died. And I also feel sad for you and all the famiy. I will remember you in my prayers. I see the flag at half mast so I'll remember you and your husband.

PATRICIA MONAHAN.

Dear Mrs. Fogarty: I prayed for your husband dying. He is a Congressman. He prayed for sick people. He worked in Washington, D.C. The flag is at half mast and I am sad for his wife. He loves the poor.

JOANNE BEAUDRY.

Dear Mrs. Fogarty: I know you and your family are very sad. J.E.F. was a Congressman. He loved the sick and poor. The flag is at half mast because John E. Fogarty died. Everyone is said because J.E.F. died. He died for our country.

SHARON CHAKUROFF.

John E. Fogarty: John E. Fogarty was a nice man. He helped the sick and the poor people for health of our country. John E. Fogarty helped the people in Washington, D.C. John E. Fogarty was a Congressman of the United States of America.

ROBERT CULLEN.

Dear Mrs. Fogarty: I hope you pray for him. I hope you pray for him all the time. I hope your husband, John E. Fogarty, goes up to heaven. He helped the sick people and he helped the poor people.

LINDA BENCK.

John E. Fogarty: John E. Fogarty has died. I am sorry for his wife and family. The flag is at half mast. I saw him in the newspaper. He was a good Congressman. I will pray for him.

DANIEL SMITH.

John E. Fogarty died for our country. He worked in Washington, D.C. I see the flag half mast every day. I am sad he died.

SANDRA CARBERRY.

John E. Fogarty: Congressman Fogarty was a lawmaker. He worked all over the world. He prayed every day because he loved the sick. He worked in Washington, D.C. We have the flag half mast at St. Philip School.

PATRICIA WOJCIECHOWSKI.

John E. Fogarty: I know you are a lawmaker of U.S.A. and everybody is sad because they see the flag flying half way on the pole and they are sad because (then) they know that John E. Fogarty died. And I am very sad too for John E. Fogarty. And we know that he died for our country.

JOHN GILSON.

Dear Mrs. Fogarty: I love Congressman Fogarty, very much. The flag is half mast for you. the class prayed for him. He was a lawmaker in Washington D.C. He died for the country. He helped the poor and the sick.

PATRICIA MERCIER.

Dear Mrs. Fogarty: The flag is still at half mast at St. Philip School. We are sad. All grades are sad. I love you very much I am very sorry that your husband died. Everyone must be sorry too. Love,

DEBORAH MCVEY.

John E. Fogarty: John E. Fogarty, the Congressman who worked in Washington, D.C. He loved the poor. He died three weeks ago. Since then the flag was half mast. He was a lawmaker for the U.S.A.

MARIE PICARD.

Dear Mrs. Fogarty, I know you feel sad. He worked in Washington D.C. as I know. We talk about him in school. He helped the sick and the poor.

TRACY LAVOD.

Our Congressman John E. Fogarty was a fine man. He died three weeks ago. The flag is at half mast. He was a lawmaker. He worked in Washington, D.C. I feel sorry for his wife and all the family. How sad I felt when he died.

LINDA SACHUK.

"Doctor John": I wish John E. Fogarty did not die because he was a lawmaker. My family knows John E. Fogarty. When he died they put the flag at half mast.

Raymond Oliver.

John E. Fogarty I saw John E. Fogarty in the newspaper. John E. Fogarty was a Congressman. He worked for Rhode Island. His wife is sad. He loved the sick and poor. When someone like J.E.F. dies the flag is half mast.

Philip Octeau.

Dear Mrs. Fogarty: I'll remember your husband in my prayers. The flag is at half mast. I am sorry he had to die now. He was a lawmaker for U.S.A. I am very, very sad. All Rhode Island is very sad, too.

Priscilla Murphy.

Mr. Fogarty: John E. Fogarty was a grand person. He worked hard and helped the sick. He also did a lot of good for the retarded children. He was everyone's friend and I will miss him a lot. He made his record true.

Karen Driscoll.

GRADE 3

Congressman Fogarty: John E. Fogarty was a great man. He always helped the poor, the sick, and he collected money to build homes for the children that had no brains. Besides helping the poor he was a holy man. He went to church every Sunday. He never missed Mass.

He served his country well. John Fogarty was in World War Two. When Congressman Fogarty died many people felt sad. We know there is no other man like him. John Fogarty died by heart attack. He died a happy life. He loved God. May he rest in peace.

Peter Davey.

John E. Fogarty: John Fogarty was a good man. John went to church every Sunday. He served our country in World War II. He made new laws. John's best hobby was raising money for new hospitals. He always helped the poor. We lost a great man. We need more men like John. Good bye John.

Oh Lord let him lay in peace.

Thomas Raimondo.

John E. Fogarty: John E. Fogarty was a wonderful man. Besides being a wonderful man, he was a wonderful Catholic. He was always interested in retarded children, and poor children. When our beloved Congressman died, the flag was set at half mast. That reminds us about our beloved Congressman. I hope he will rest in peace.

Jane Cavanagh.

John E. Fogarty: John E. Fogarty was very good to the poor, the sick and the old. He was good to children too. John was a man of God. He went to church on Sundays and on Holy days.

Congressman Fogarty fought for our country in World War II.

Dear God bless him and bring him to Heaven with You.

Cheryl Placido.

GRADE 4

John E. Fogarty

J—John E. Fogarty was a wonderful person.
O—Oh! how he helped our country.
H—He helped everyone he could.
N—No one disliked him.
E.—Everyone owes a debt to him.
F—Friends, he had many of them.
O—Oh! how we all love him.
G—God bless him now and forever.
A—A special prayer for him.
R—Remember him I will always.
T—To him I am thankful for help.
Y—Young and old we all will remember him always.

Suzanne Payette.

Fogarty

F—Is for his friendship with other men.
O—Is for how obedient he was.
G—Is for the good he did.
A—Is for all his work with the retarded.
R—Is for us to remember him.
T—Is for being true to everyone.
Y—Is for all those years he put into his work.

John E. Fogarty did a lot for our state, and our country. It's sad we lost him, but I'm sure he has a happy home in heaven with God!

Karen Gill.

John E. Fogarty

J—He brought joy to people.
O—His outstanding deeds.
H—His honesty, charity, care.
N—His nobleness of heart.
E.—Everlastingly faithfulness towards his program.
F—His faithfulness towards the retarded.
O—His obedience to God and his country.
G—His gratefulness towards Rhode Island.
A—Assisting the aged.
R—His religious life.
T—He tried the best he could.
Y—His interest in youth.

Judith Harrison.

F—Fogarty's name will never be forgotten.
O—Often he helped the sick.
G—Great Congressman Fogarty had a wonderful way with people.
A—Always working for health, education, and welfare.
R—Representing this great little state.
T—Thoughtful and kind his whole life through.
Y—Yes—this man was truly a Christian.

Thomas Peloquin.

Fogarty

F—Faithfulness
O—Opportunity
G—Goodness
A—Advancement
R—Religious
T—Truthfulness
Y—Youth

Congressman Fogarty was a very intelligent, kind, willing man. He wanted to get people to help him pay for the doctor and medicine bills for the poor people who couldn't afford to pay. He always had a friendly smile for all men, women and children. He did just what God wanted all men to do to think of his neighbor. People will never forget what a good and wonderful man he was. God must surely have taken him into heaven.

Debbie Gibbons.

Congressman Fogarty: Congressman Fogarty was my Uncle. He went to Congress when he was twenty-seven years old. He served there twenty-six years. He was fourteenth in seniority out of four hundred thirty-five Congressmen. He served under four different Presidents and was a close personal friend of President Kennedy. He was proud of his Irish background and to symbolize it he wore a green bow tie which later became his trademark. He was known in Rhode Island as everybody's Congressman and in the country as Mr. Public Health.

Martha Fogarty.

John E. Fogarty: My uncle was John E. Fogarty. He served in Congress for twenty-six years. He died a few hours before he was to be sworn into the ninetieth Congress. I knew him very well. He was my Godfather. He used to take my cousins and me for jeep rides on Sundays. We had fun with him. Sometimes he threw footballs to us. We saw him on Sundays and had a lot of fun!

Raymond Fogarty.

There was a great man. His name was John E. Fogarty. He loved everything and everyone. John E. Fogarty helped the people that had something wrong with their mind. He made the world strong and then God took John E. Fogarty to Him. John E. Fogarty was a great loss to the world and us. It was sad seeing him lowered into his grave. He made our world strong and healthy. Now he is dead but we must keep our world strong the same way as he did. He started it and we must try to keep it that way forever.

Joseph Oates.

JOHN E. FOGARTY

"John E."

J—is for justice
O—is for our Congressman
H—is for honest
N—is for nice
E—is for eager

Helen Banspach.

Our country, as well as his family, faced a great loss when Congressman Fogarty was called by God. He was a great man as well as simple man. Others always came first with John and he did something about it. He showed this in his love and the help he gave to the retarded children. One man I admire and would like to grow up like, would be John Fogarty.

Richard Siedzik.

GRADE 5

Congressman Fogarty: Congressman Fogarty was a great man. He was loyal to his country. He wanted to help in any way he could. He was always willing to help the retarded children. It was a great shock to hear the awful news about Congressman Fogarty's death. He was a great loss to our country.

Margaret O'Neill.

John Fogarty: He died at the age of fifty-three,
He was very close to you and me,
If you ask me who was he,
I'd simply answer Fogarty.

Marjorie Smith.

A Great Man

Congressman Fogarty, yes, I know,
He was the best Congressman you could ever know,
He helped colored people to flourish and progress,
And always showed up at his congress,
He was always ready to help the poor,
And he never was a real bore,
He talked a lot to help the city,
He died too soon and it was a pity,
Now I hope you will remember him,
And please don't walk off to the gym.
Remember him in prayer and thought,
A spiritual bouquet you should have bought.

Robert Lyons.

Congressman John Fogarty: Congressman Fogarty was my Uncle. He didn't seem like a Congressman. He just seemed like my other Uncles. On Sundays he would take us on jeep rides in the woods. One day my brother Charles and my Uncle were going on a jeep ride in the fields. When they hit a bump and my brother fell off. Another day when I was not on the jeep my Uncle went over a brush pile and could not get off. Then the jeep started on fire. Other Sundays he would play football with us. We had good times with my Uncle. I know we will remember him in our prayers. I hope he has a seat next to God.

Paul Fogarty.

Mr. John E. Fogarty: John Fogarty was a great man, He had such a wonderful plan; To try to help the poor and the needy, This great man was never greedy. To aid the aged and the ills, Was his unselfish aim and will. "Mr. Public Health" was his name, This was his claim to world wide fame.

Marcia Bradbury.

GRADE 6

J—is for justice that he loved
O—is for outstanding Congressman
H—is for the honors he received
N—is for the navy in which he served
E—is for excellence with which he did everything
F—is for the faith he had in others
O—is for outstanding statesman that he was
G—is for the good deeds he did
A—is for America, the country he loved
R—is for respect that he received
T—is for trustworthy—that's what he was
Y—is for the youth centers that he established

THOMAS SHORT.

John E. Fogarty Was:
Just
Open-minded
Humble
Nice
Fair
Obliging
Grateful
Active
Reasonable
Truthful
Youthful

STEVEN AVERILL.

John E. Fogarty: This great humble man, John E. Fogarty, "Everybody's Congressman," went down the path of life doing good for everyone he met. He served in Congress for twenty-six years, trying hard not to accept a pat on the back or congratulations. In those years he truly lived up to the title, "A Man of the People." Congressman Fogarty will remain in the minds and hearts of everyone for many years to come.

PAULA CAVANAGH.

"Everybody's Congressman": On January 10, 1967 Congressman John E. Fogarty left his beloved country, friends, and relatives. But deep in our hearts nothing can erase the memories of this humble congressman. To everyone he was a great loss, to those who knew him personally, and even to those who never met him. Most people will remember him for his outstanding work with the mentally retarded.

He took much time and effort to aid the retarded by making their lives easier to endure. In our hearts for the rest of our lives will linger the memories of John E. Fogarty known to all as "Everybody's Congressman."

MARTHA HARRISON.

GRADE 7

John E. Fogarty: In the life of a youngster, many things happen, some menial and petty, but others meaningful and important . . . In the Declaration of Independence it says that all men are created equal. Behind this, I believe, lies a promise, a promise that has been fulfilled many times, by many people—A few weeks ago, a person fulfilled this promise once again—Before a cold gray gravestone a person knelt. When he arose, he said, "Well, too bad he died, he certainly was a nice guy." He walked away, and that was that. An encounter with nobody, actually. I don't know why it has to be this way, but that's the way it is. The man should not of been there, really, because he was praying at the graveside of a man who had wanted to talk and listen to everybody. The name on the gravestone—John E. Fogarty. With a big Irish grin on his face, nearly every day he'd board a plane, a massive silver plane which would fly up to the sky and back again. That was, in short, John Fogarty's life. He flew to the sky and back again. He majored, I suppose in helping others. He was the epitome of an Irish-American, but he was the representative of all peoples. You can't picture Mr. Fogarty in a white toga and mantle, with a halo on his head, but if he is in Heaven, I hope that his work-hewn hands will reach down and bless us all.

Ann Conway.

A Well Respected Man: Known to all as a humble man he served in politics for over twenty years. As a youth he was a leader of his society, and until twenty-seven years had passed he had not been anything except a brick-layer. In my eyes he is what you would call an ideal person. His life was full of happiness for in helping the sick you always get a satisfied feeling. He was always saying cheerful words to all as if his supply of happiness and love of neighbor would never diminish. For the rest of my life I will never forget John E. Fogarty the most respected man I have ever known.

Mark Cavanagh.

Congressman John E. Fogarty (1913–1967): Tuesday, January 10, was a very mournful day for all Americans. It was sorrowful because it was the day our beloved Congressman John E. Fogarty passed away in Washington, D.C. Congressman Fogarty was liked by all people, not only for his untiring work in the field of mental health, but also for his marvelous personality, and Irish sense of humor.

John Fogarty did many outstanding deeds for the unfortunate people of our State, among these were having laws passed through our legislature. Because of his many kind deeds, Rhode Island has named one of its health centers in honor of him. I'm sure Congressman Fogarty will be remembered through Rhode Island history as a truly great man.

Congressman Fogarty, a member of Congress for the past 27 years was, I'm sure, very popular among the other Representatives of our country. He was a close associate to the President of the United States, and even known across seas for his many deeds. Truly John Fogarty was a man who would have never been beaten for the seat in the House, and the sure fact of him being in Congress for 27 years is proof enough of him being known as everyone's Congressman.

Robert Harrison.

Congressman John Fogarty: On Tuesday January 10, 1967, a great tragedy hit the nation. It was on this day we in Greenville lost a dear friend and neighbor, but the nation lost a great statesman Congressman John E. Fogarty. Congressman Fogarty labored long and hard for the good of humanity, his help for the retarded children shows this. Although he held a high office, he still remained humble. Because of his great efforts, the fields of medicine and education have been greatly advanced. Surely it will be difficult to find another to replace Congressman John E. Fogarty.

Carolyn Vacca.

Congressman John E. Fogarty: John E. Fogarty was born in Providence in 1913. Elected for the first time in 1940, he served Rhode Island and our nation for twenty-six years. During this time he accomplished more good on earth than anyone I know. He stood out as a great man not only because of his title but also because of his tremendous humility. Awards and merits had their place in his life but his great concern for those not as fortunate as he came first and foremost. A familiar sight around Greenville and Washington was John Fogarty wearing his famous green bow tie.

Surely, such a great and holy man is a saint in heaven today.

Theresa Gibbons.

Congressman Fogarty (1913–1967): Congressman John E. Fogarty was a respected man throughout our country. He was very humble although he really was a great man. He was concerned with the unfortunate people in Rhode Island and in the United States. Everyone mourned on January 10, 1967 when the congressman died. Flags were flown at half-mast throughout the country. His funeral was held at the Cathedral in Providence. The Mass was said by Bishop McVinney. Many high officials were present at his funeral, including Hubert H. Humphrey, the vice president. Congressman John E. Fogarty is one great congressman whom we, the people of the United States, will not forget.

Linda Zangari.

Congressman John E. Fogarty, (1913–1967): John E. Fogarty was truly a respected man throughout our country. He helped the handicapped people in R.I. Only thinking of our state, he wanted it to be a safe place to live in. On January 10, 1967 flags were flown at half mast. His dying on this day (January 10) was truly a great loss to not only our state but to our country and the world.

At his funeral, three days later, were many famous people, the vice president of the United States, and others including his wife, daughter, and relatives. His death brought mourners from all over our country paying honor and tribute to him.

Ann Short.

Congressman John E. Fogarty (1913–1967): Fogarty was born in the town of Harmony in 1913. He served in politics for twenty-six years. He was a chairman of the House Appropriations Subcommittee handling health, education and welfare matters. Fogarty was a credit to politics. He was loved and respected by everyone in all walks of life. He was a just and equal man and lead a life of holiness. Fogarty was a great loss to humanity. He died on January tenth 1967 a day that can always be remembered by all citizens of the home state of Rhode Island.

Sharon Cardarelli.

Everybodys Congressman: John E. Fogarty, 1913–1967, born in Harmony, R.I., has spent over half of his life in the service of mankind. It was through this service that he won national fame and honors. But these meant nothing to him for he was a humble man. He was never afraid to take advice from anyone. He strived to help the common man, the crippled, and retarded to a better life. It was through this work that he won the title, "Everybody's Congressman." He is gone but his memory still remains.

Michael Kiely.

John E. Fogarty, 1913–January 10, 1967:
*J*ust—in his work.
*O*pen—in his thought.
*H*eroic—in his deed.
*N*oble—in his work.
*E*ager—to serve his country.
*F*ull-time devotion to others.
*O*ld—a time in live he was concerned for.
*G*ay—approach to problems large or small.
*A*lways—willing to lend a helping hand.
*R*apid—help for those in need.
*T*ruly—a sincere servant.
*Y*earning—to help less fortunate.

Donna Hassell.

A Tribute to John Fogarty

The man I knew not personally.
But respected all the same.
Who led the charge for all in U.S.A. in the battle for health education and welfare.

We are deeply shocked by the sudden death of our lifelong friend.

Hats off to John E. Fogarty a leader we will never forget.

MARYANN LECLERC.

John E. Fogarty: John Fogarty served in Congress for over twenty-five years. During that time he has made great donations to medical centers and many other things. He was a friend of the people. Mr. Fogarty was respected throughout the nation. During his lifetime he received many awards. In Washington he would do everything possible to help the people of Rhode Island in many ways. He helped the retarded children by building hospitals. When he died in Washington everyone was shocked. He was one of the greatest statesmen ever.

GARRY PELOQUIN.

GRADE 8

What I Knew About John E. Fogarty

It was a cool breezy summer day and the waves on Waterman's Lake were almost white-capped.

Ahead of me was my friend pedaling along with a sack full of papers dangling from his bicycle. Soon we were riding along the winding Philips Lane where we halted frequently to deliver papers. We stopped at one house and we walked up to the door and rang the bell. The door opened and a husky man with a big smile on his face greeted us and paid for his paper. He then waved good-by as we hopped on our bikes and left.

That was the first but not the last time I ever saw Congressman Fogarty. The next year I saw him at the Father's Day Breakfast where he gave a short talk. I frequently saw him after that at early mass and as usual he was smiling.

When I heard of his death I was very sorry and no one can ever take his place. When I watched the memorial to him on television I really realized then what a great man he was. He always worked for the people's good and helped many people with their problems. Now he's gone but his works will continue to help the needy.

RICHARD GILL.

John E. Fogarty: The last time I saw the congressman was at a family party. He seemed so relaxed and happy. He gave rides in his red jeep through the woods. The next time I saw him he lay at rest.

He was a great man starting out as a bricklayer and ending up as a renowned congressman is a great feat.

As most people know, John Fogarty was Irish. His symbol was a green bow tie. He was "Everybody's Congressman," especially the sick and mentally ill. Because of this hard-working congressman we now have Fogarty Center and the Fogarty Building at U.R.I. And very soon a building is to be dedicated to him at the National Health Institute.

Mr. Fogarty was showered with many honors, but he really never gave much thought to them. He knew there was too much to be done and too little time in which to do it. Thirteen years ago he suffered a severe heart attack and was given three years to live. So he knew he was living on borrowed time.

We have much to be thankful for because of this loyal statesman, John Edward Fogarty.

MARY ELLEN KRILY.

A Tribute to John E. Fogarty

Congressman Fogarty was a wonderful man. During his lifetime he did many useful things some of which were: helping the mentally retarded, giving assistance to older people, and giving many dollars worth of aid to help boost the world of medicine.

Never before has a man of so many virtues been known to Congress. Not only was he a devout Catholic but also a patient, loving and understanding man. Although the virtues just mentioned are very rare in most people he had one virtue rarer than any of these; his constant concern for the health and welfare of others.

When Congressman Fogarty died, the whole nation lost a great man. There was much grief in the U.S. when the news of his death spread. I'm sure he will be remembered in the prayers of many people in days to come.

MARIA PASCONE.

In Memory of a Congressman

Congressman Fogarty was one whom many a person knew,
He was a great man in our government and we trusted him too.
He was the type of man we would always need,
And when he talked we gave him much heed.
To me he was a brave soldier carrying his cross,
And to many when he died a political loss.
A man whose famous memory will forever remain,
A starlight to everyone with never a stain;
A life long admirer of both young and old,
A tale to tell of his heart of gold.

VIVIAN WEAVER.

John E. Fogarty—A Good Christian: Everyone remembers Congressman John Edward Fogarty as a loyal statesman who worked for better health and welfare throughout the U.S. especially in his own state, Rhode Island. But how many citizens remember Congressman Fogarty as a simple man—a good Christian following the path of God? I remember him as this. So do many other people. I remember sitting in back of John Fogarty and his wife and daughter at mass on Sunday in St. Philip Church many times. The Lord said, "He who humbles himself shall be exalted." Congressman Fogarty did exactly this.

MARIE A. MAINELLI.

Mr. Public Health: His twenty-six years of dedicated service in the House of Representatives of the Congress of the United States merited for him national acclaim and the established reputation as "the champion of better health for the nation." John Fogarty was a man who sought no trophies of his own but for the victories he helped to win against poverty, ignorance, disease and the waste of human resources. Mr. Fogarty looked to me like a family man: a friend you could trust in a need of help. But most of all he tried to be a friend to all colors and religions. John E. Fogarty in years to come will be a famous man for all to look to. He probably will be remembered for his great works in the field of Mental retardation. He did not go to college like the rest of our congressmen but it was realized he was one of the smartest men that ever served in congress. His formal education ended when he received his high school diploma. Then he became a brick layer like his father and brother. His death as the Pawtucket Valley Times said that Rhode Island has lost one of its most distinguished citizens. He was Everybody's Congressman and he served everyone to the best of his ability in Washington.

RICHARD MERCIER.

Congressman John Fogarty: Three weeks ago the nation and state lost a wonderful and remarkable man.

Congressman Fogarty had contributed so much to our nation's people, especially in the field of medicine. He worked endlessly for the unfortunate retarded. This is one of the important things he is remembered for.

Congressman Fogarty was an outstanding example of a good Christian. His strive was to help people. He was very humble with his work, never looking for praise. Charity was another virtue he openly and always possessed.

Congressman Fogarty was well liked by many throughout the state and nation. He had a good sense of humor, and always had a smile on his face.

Undoubtedly, Congressman Fogarty will be rewarded in heaven for his charitable work on earth.

FRANCES VACCA.

A Tribute To John E. Fogarty: The state of Rhode Island lost a great friend and congressman in the passing of Representative John E. Fogarty. During his twenty-six years as a representative in Congress, his guiding hand has resulted in many benefits for the people in his home state in the areas of health, education, and welfare. Although not everyone knew him personally, even school children recognized the green bow tie as the trademark of John E. Fogarty. He was called "Mr. Public Health" because of his untiring efforts in that field. The citizens of Rhode Island mourned the passing of this great man just as the nation and the world mourned the passing of President Kennedy and Pope John XXIII.

DEBORAH BROSSEAU.

A Tribute to Him: Congressmen Fogarty was the most humble man I've ever met. The times that I met him were only short but in that time I saw truly a great and modest man.

He lived for the people of his state and for his country. He did so much good for the mentally retarded children that I couldn't begin to tell you. Because of all his great works he'll be long remembered in the hearts and minds of generations to come.

He never wanted to be made a fuss over. When he and his family came to their parish church he was just another parishioner. In his beautiful home on Philips Lane in Harmony he led a very easy life but when he went to work for his beloved country he would work for hours at a time.

From a humble bricklayer he gained all the knowledge his mind could hold with not even a college degree. From the first day he entered into politics he lived up to his worthy position.

Truly Congressman Fogarty was the greatest man I've ever met and it was an honor knowing him.

STEVEN SEMMA.

John E. Fogarty: I watched this great man as he cut the ribbon opening a new, modern hospital for the benefit of the retarded children. I was young at the time and I didn't really know who he was or why he was opening the hospital. A few years later I learned who he was and that he had worked very hard for the building of that hospital. I realized then how great this man was to devote his life to underprivileged children. I grew to honor and respect this man and I was proud that I could say, "He belongs to my parish." In his 26 years as a congressman, he accomplished more than most people do in a lifetime. His death was mourned by people all over the country and the world. His time had come and no tears could bring him back, but he will never die in the hearts of many Americans.

PAUL LYONS.

John Edward Fogarty: Mr. Fogarty served under five different presidents in his twenty-six years as a congressman. The presidents were F. D. Roosevelt 1933–1945, Truman 1945–1953, Eisenhowever 1953–1961, Kennedy 1961–1963, Johnson 1963–. John Edward Fogarty was an Irishman with a good sense of humor. His political symbol was a green bow tie to represent his country Ireland. Mr. Fogarty was a Seabee in the navy before he became a congressman. He had only one child Mary. Mary and her mother are now moving from their home on Philips Lane in Harmony, to Washington, D.C. The late congressman did a lot for the mentally retarded children. He started an institution for them. I think Mr. Fogarty should be and will be remembered statewide for his great acts.

Beverly Lachapelle.

John E. Fogarty (1913–67): John E. Fogarty was a real friend to everyone who he was known to. He never complained about anything and always being humble about his position in office, he never bragged or boasted about himself among others. He would act as any other person would when he went anywhere. Every Sunday he would attend the same Mass and walk in and out casually minding his own business not trying to make himself be recognized by everyone as someone special. He was always considerate to needy children and found a new hope for many retarded children. Three weeks ago thousands of people shared the sadness of the loss of John Fogarty who was like a wonderful friend to everyone. If we could have done and achieved every thought John Fogarty had thought of to help someone in need it would take us a century to do so. I think it's good to remind ourselves that John Fogarty was a good American citizen to follow because he always thought of helping someone else first before helping himself. Everyone who knew John Fogarty should be proud of what he has done for everybody through his kindness.

Edward Laprade.

The Outstanding Life of a Congressman: Congressman Fogarty was a very charitable man with a personality that made any one like him the moment they came into contact with him. He played a wonderful role in the history of our nation and in the history of politics. The whole nation grieved when they heard about the death of this extraordinary man. They all knew that our country would never be the same without him. He was just to begin his 27th year at the opening of the 90th congress.

He did better than many Congressmen who had a college education for he did not. Before he was elected to Congress he was just a simple bricklayer.

He did many good works for people less fortunate than he and especially for the mentally retarded. For this, many places for these people were named after him. He was so concerned with the health of our nation he often said that he wondered why we were spending so much money to get men on the moon and we didn't even know what made the human body tick. I am sure that many people including myself will never forget such a wonderful and generous man.

Sheila Piloquin.

John E. Fogarty: On the morning of January 10, 1967, the intercom blurted out that our Congressman John Fogarty had died in his Washington office this morning. Then thoughts began going through my mind, thoughts on how John Fogarty had helped so many people. I also thought how "Everybody's Congressman" had helped so many mentally disturbed children.

In his twenty-six years in Congress Mr. Fogarty did much great work. But by being the modest man he was you rarely heard his name mentioned with the deed. On that fateful day our country lost one of its great men.

Francis Kayattal.

Mr. Speaker, I insert into the Record additional eulogies on my colleague and close friend, the late John E. Fogarty.

Included in these eulogies is one by John Fogarty's nephew, Edward M. Fogarty.

These testimonies to the greatness of John Fogarty should be recorded and not left to pass without notice.

The material follows:

The fact that John Edward Fogarty was my uncle has always been for me a source of great pride. Each time his name was mentioned in conversation, each time I heard of his receiving yet another honor, each time he was reelected to Congress by an overwhelming margin, I could feel pride rise within me. Today that pride is probably greater than ever. I, along with the other members of his family, have always known that he was a great man. Yet it has been since his death that I have come to realize just how many people from all walks of life, and from all parts of the nation and the world, share in this realization. The tributes, eulogies, and laments that have poured forth from every direction are demonstrative of the fact that he will never be forgotten.

My most vivid memory of my uncle will be that of a typical Sunday in Harmony, Rhode Island. For as far back as I can remember, the Fogarty's have gathered every Sunday morning after Mass at the Fogarty homestead. Uncle John was there every Sunday. He sat quietly, listening to everything that was said. He could easily have dominated the conversation, since when he spoke everyone listened. Yet, he was always willing to take a back seat. This is the kind of man he was. He never praised himself nor sought attention. He never had to. People knew his accomplishments, and they respected and admired him for them and for being the kind of man he was.

John E. Fogarty dedicated his life to the betterment of the world, in an effort to make the lives of people everywhere a little less difficult. His was a crusade to wipe out disease, ignorance and hardship. Education owes him a great debt of gratitude for all he did to bring institutions of learning the best tools available. His work was a major factor in the appropriation of millions of dollars for educational advancement. Doctor Howard A. Rush wrote in the *New York Times* after my uncle's death: "No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty." What more can be said of John Fogarty's efforts in the field of health? The project which was dearest to him, the one to which he most poured out his sympathies and energies, was the fight against mental disease, and particularly mental retardation. At the time when John Fogarty took up this banner, the fight was indeed limited. As a direct result of his efforts, the money and facilities used in combatting mental illness have been multiplied multifold in the last two decades. On February 2, 1964, John Fogarty received what was certainly one of the greatest and most cherished tributes paid to him during his lifetime—the Joseph P. Kennedy, Jr., Foundation 1963 International Award in the field of Mental Retardation.

John E. Fogarty was the recipient of many awards and honors during his lifetime. On February 3, 1966, President Johnson presented my uncle with another of these—the American Heart Association's 1966 Heart of the Year Award. On January 10, 1967, this heart failed John Fogarty, ending the remarkable career of a remarkable man.

The little people of the world—the mentally ill, the chronically ill, the aged, the poor—owe John Fogarty a great debt. Yes, all of us owe him a great deal. We, his family, mourn his passing with leaden hearts. Yet he will be missed not only by his family, not only by his friends and colleagues, but by more people than we will ever realize. John Edward Fogarty has left his mark in the world. He will always be remembered. I will always look upon his memory with great pride—Representative John E. Fogarty of Rhode Island, Everybody's Congressman, my uncle.

Edward M. Fogarty.

STATEMENT BY DEMOCRATIC NATIONAL COMMITTEE CHAIRMAN JOHN M. BAILEY ON THE DEATH OF CONGRESSMAN JOHN E. FOGARTY OF RHODE ISLAND

The sudden passing of Congressman John E. Fogarty of Rhode Island will be felt as a great void among those in our country who care about the health and welfare of people everywhere.

As an individual, Congressman Fogarty believed that his government should care about people who lacked access to good health and adequate opportunity. As Chairman of the Congressional subcommittee that appropriated funds for the Departments of Labor and Health, Education, and Welfare, he provided the leadership that gave his fellow man the opportunity to live a healthier and richer life. His only regret was that he could not do more.

Congressman Fogarty was a Democrat. He was a man of such great integrity and personal courage that he made all of us proud that he served as a member of the Democratic Party.

We shall miss his presence. But his work will live on in those millions of people who have a better life because of his outstanding efforts in the Congress.

JOHN E. FOGARTY, 1913–67

John Fogarty is dead. Were the man himself to write this notice, that is how he would state it: John Fogarty is dead. He would put it that simply, that bluntly, stripped of formality and pomp.

National politics is a complex endeavor of melding a whole range of disparate interests into a unified whole, into a formula of words that can be put on paper and enacted into law. The man who, day in and day out, undertakes such work finds himself in a world where success and failure hinge on a word that should have been spoken and wasn't or a word that shouldn't have been said and was, on the placing of a comma, the dotting of an *i*, the crossing of a *t*.

Frequently, the man finds his own personality being colored by the exigencies of his work. There is the temptation to become cautious in words and not in thought, to don a noncommittal mask that, with fine impartiality, can be shown to friend and foe alike.

John Fogarty never became such a man. Probably he was incapable of feeling the temptation. He studied the evidence, decided what was true, and then spoke out as plainly, as forcefully, and as frequently as he could. It was that simple to him, that fortunate for America.

At the core of John Fogarty's thought was the conviction that the nation did not care enough about health affairs, that the nation did not understand as fully as it ought what benefits could be reaped by a total commitment to health research, health education and health care. He expressed this conviction often, and to the degree that he could, he did something about it. As history will record, what he did was magnificent. He will need no marble statues, no dedicatory plaques. There will be instead whole generations of Americans, many not even knowing his name, to stand as the testament to the clarity of his vision and to his dedication, an unceasing dedication that finally robbed the man himself of life. This will be his monument.

[From Exceptional Children, February 1967]

The death of Representative John E. Fogarty of Rhode Island just before the 90th Congress opened was a shock to all of his friends and particularly to those who worked with the handicapped and with the health problems of the nation. Mr. Fogarty's name has become synonymous with progress in initiating bold new ventures in health and education.

The Council for Exceptional Children expressed its appreciation for Mr. Fogarty's contributions by presenting him with this citation in June, 1965:

> The Council for Exceptional Children Citation for legislative statesmanship is presented to John E. Fogarty. The many important contributions to human welfare and education which have been made by Representative J. E. Fogarty are recognized with deep appreciation by the special educators in The Council for Exceptional Children. We are most grateful for his recognition of the importance of special education in a total program for the handicapped and the gifted. His persistent efforts in the Congress to secure such benefits as the first federal categorical programs of research in special education and scholarship support for teachers of the mentally retarded have markedly advanced school programs for children with disabilities. Mr. Fogarty is a symbol of support for exceptional children, their parents, and their teachers. Through his efforts, our country has been made a more humane land for all of us.

CBS joins with President Johnson who praised Mr. Fogarty as "a great leader and an effective member of Congress . . . a major architect in the fields of health and education."

[From CARC/NEWS, January–February 1967]

Representative John E. Fogarty

The mentally retarded lost a great friend when Rep. John E. Fogarty (D-R.I.), a member of the House since 1941, died January 10.

A rough-hewn, solid man who was trained as a bricklayer, he later became the business agent of the union, and soon, even as a young man, gained a reputation for his fairness, intelligence and integrity. Mr. Fogarty, who would have been 54 March 23, collapsed in his office about two hours before the start of the 90th Congress. He was first elected to Conrgess in 1940 and served until the December 7, 1941 bombing of Pearl Harbor when he resigned from Congress to join the Army. After World War II, he was reelected to the House, and had served ever since. At the time of his death, he was chairman of the House Appropriations subcommittee handling health, education, and welfare matters.

From the moment he entered Congress three decades ago until the very last, Mr. Fogarty devoted himself with earnest intensity to the promotion of all measures furthering medical research, better medical care, and increased appropriations for the various governmental units that were concerned with public health. He was particularly active in promoting better care for the mentally retarded. In 1959, he received the national Albert Lasker Award for championing the advancement of medical research and public health. Part of the honorarium which accompanied the award was donated by Mr. Fogarty to the Rhode Island parents Council for Mentally Retarded Children. In his native state, with quiet affection, they usually referred to him as "Doctor" John. When told of Rep. Fogarty's death, Governor Dempsey said, "His dedication to the cause of helping the retarded will long be remembered. Here in Connecticut we are benefiting from federal programs in this field which he did much to support. I know that his loss will be keenly felt not only in his native state but throughout the country."

[From Performance, March 1967]

A Tribute to Congressman Fogarty

(Note.—The following statement was issued by President's Committee Chairman Harold Russell upon the death of John E. Fogarty, Congressman from Rhode Island, January 10, 1967.)

The handicapped of America have lost a great friend and champion with the passing of Congressman Fogarty. When my predecessor, the late Chairman, Maj. Gen. Melvin J. Maas, USMCR, Ret., in 1962 traveled to Providence, R.I., and joined with Gov. John E. Notte, Jr., in presenting Mr. Fogarty with the President's Committee award, he said, "I know of no other single person who in 2 short decades has done more for the handicapped than Mr. Fogarty."

Like John Fogarty, I, too, am 53 years old and as his true contemporary, I wish to testify along with the rest of the handicapped world that this young man accomplished a modern miracle.

I have known John Fogarty ever since World War II and his quiet modesty and calm insistence for the rights of the disabled were in direct contrast to his accomplishments in rehabilitation legislation.

A bricklayer by trade, one of the most important bricks he ever laid was the first Federal funds for research in mental retardation in 1955. Other bricks went into the solid and massive foundation of the National Institutes of Health, where 40 percent of the Nation's biomedical research is carried on today. Due in large part to his insistence, the appropriation for that agency grew from $3.5 million in 1946 to $1.5 billion currently.

Aside from bricks and mortar, however, his lasting monument is to leave our country with the clear conviction that serious disease and affliction are intolerable, and that large-scale efforts can bring progress against disability.

Let it be said of this humble tradesman, in tribute to his lasting legacy to America, that he laid his bricks straight and true.

John E. Fogarty Dies—Promoted Federal Legislation To Aid Mentally Retarded

Representative John E. Fogarty, 53, Democrat of Rhode Island and a pioneer in promoting federal legislation to aid the mentally retarded, died Tuesday, January 10th, in his Washington office, apparently of a heart attack.

Mr. Fogarty, long-time friend of the National Association for Retarded Children, collapsed shortly before he was to have been sworn in for his 14th term in the House.

Tuesday night, President Johnson opened his State of the Union Message to Congress by saying, "I share with all of you the grief that you feel at the death today of one of the most beloved and respected and effective members of this body, the distinguished Representative of Rhode Island, Mr. Fogarty."

HE MADE HISTORY

History was made in the field of mental retardation in 1955 when, as a result of Mr. Fogarty's efforts, Congress appropriated $750,000 to launch a research program in mental retardation. This was the first federal legislation in behalf of the mentally retarded. From that time on Mr. Fogarty conducted a consistent drive for appropriations in support of special programs for the retarded.

His interest in mental retardation stemmed from his friendship with J. Arthur Trudeau of Rhode Island who passed away a year ago, also at the age of 53. Mr. Trudeau was a pioneer in the citizen movement in behalf of retarded children and he convinced Mr. Fogarty that a long-term program of government-sponsored research held the key to progress in mental retardation.

Mr. Fogarty became recognized as a national spokesman for medical research and for programs to aid the retarded. Today, there are 48 programs sponsored by the Department of Health, Education, and Welfare providing financial assistance for research and demonstration projects, services, training, construction, income maintenance and other programs for the retarded.

Since 1949 Mr. Fogarty had served as chairman of what is now the House Subcommittee on Labor, Health, Education, and Welfare.

In 1956 he received the first award of the National Association for Retarded Children for his effective work in Congress to promote legislation benefiting the retarded.

The NARC citation stated, "Congressman Fogarty, keenly perceptive of the great need as well as the national dimension of the problems of the mentally retarded, brought to bear his own great personal and humanitarian force as well as the influence of his office to secure effectively from the Congress of the United States of America a concrete expression of this nation's concern for the mentally retarded. Future generations will have cause to be thankful to him, for surely they will benefit from the scientific discoveries which will be made possible by research in this little known area of life."

Honored many times, Mr. Fogarty received in 1959, along with Senator Lister Hill of Alabama, one of two special Lasker awards for "extraordinary public service." He donated the accompanying $5,000 honorarium to the Rhode Island Association for Retarded Children for the development of parent counseling services.

In 1963 he received one of the Joseph P. Kennedy, Jr. Foundation awards, and with the $8,500 grant he established the John E. Fogarty Foundation in Providence, R.I. At that time he was described as "perhaps the key figure in the mental retardation movement of the present decade."

A hospital at the Doctor Joseph H. Ladd School for the Retarded, a center for retarded children in Providence, and a health-science library building at the University of Rhode Island all bear Mr. Fogarty's name.

Mr. Fogarty is survived by his widow, the former Luise Rohland; his daughter, Mary Luise; four brothers, William, Raymond, T. Francis, and Charles Fogarty; and a sister, Miss Margaret A. Fogarty.

Mr. Speaker, it gives me great pleasure to submit for the Record the following: A preface for a reprint of the tributes and eulogies to my former colleague, John E. Fogarty; a list of the many awards bestowed upon John E. Fogarty during his lifetime; and a copy of the biography of John E. Fogarty that appeared in the Congressional Directory, so imposing because of its simplicity and humility:

List of Awards, Congressman John E. Fogarty

LaSalle Alumni Association: Citation for integrity and ability in public life reflecting credit on LaSalle Academy. January 26, 1941.

Providence College: Honorary degree of Doctor of Political Science. June 10, 1946.

American Federation of Labor: Citation for continuous work in the Congress in prompting the general welfare. 1951.

American Cancer Society: Distinguished Service Award for leadership in Congress in the enactment of cancer control legislation. 1952.

National Committee for Research in Neurological Disorders: Citation in appreciation for Congressman Fogarty's contribution to the health and welfare of citizens of this country. 1954.

National Association of Retired Civil Employees: Citation for support given to legislation of benefit to retired government employees. September 30, 1954.

R.I. Auto Dealers Association: Citation for legisaltive efforts of benefit to auto dealers. 1954.

R.I. Society for Crippled Children and Adults: Award of merit for work in the area research on crippling diseases. 1955.

R.I. State Federation of Post Office Clerks:

Citation for long and outstanding career in support of legislation beneficial to federal employees. 1955.

Welfare League for Retarded Children: National Award Citation and Bronze plaque for distinguished service in the field of mental retardation. November 19, 1955.

United Cerebral Palsy Association: National Distinguished Service Award for outstanding support of the cause of America's cerebral palsied. January 1, 1956.

R.I. State Dental Society: Annual Medal of Award for distinguished leadership in public health dental research. January 17, 1956.

American Vocational Association: National Award for great interest and efforts in the field of vocational education. January 28, 1956.

Children's Cancer Research Foundation: Citation of honor for courageous and far-sighted leadership in medical research bringing better health and happiness to children everywhere. 1956.

National Association for Retarded Children, Inc.: National Award of Merit for work with retarded children. April 22, 1956.

Miriam Hospital: Award of Life Membership in recognition of loyal devotion. 1956.

American Association of School Superintendents: National Award for efforts as recognized leader in the Congress on legislation of benefit to federally impacted school districts. September 1956.

Parents Magazine: Distinguished Service Medal for work on behalf of children. October 8, 1956. Award given one person in entire country each year.

Redbook Magazine: Selected as one of the Ten Outstanding Members of Congress who have done most for youth of the country. October 1956.

Benevolent Society for Retarded Children, Inc.: National Award for sponsoring beneficial legislation in field of mental retardation. November 10, 1956.

Disabled American Veterans: Awarded the Bousquet Trophy for outstanding service to disabled American veterans. December 7, 1956.

Cranston Chamber of Commerce: Citation in recognition of noteworthy and consistent efforts for the betterment of the general health. January 22, 1957.

American Vocational Association: National Award for distinguished services in the field of vocational education. April 29, 1927.

Georgetown University: Award of membership in Scholastic Honor Society of Georgetown Dental School. May 23, 1957.

American Legion Department, R.I.: Citation in Appreciation for contribution to the health and welfare of the citizens of this country. June 15, 1957.

R.I. College of Pharmacy: Honorary degree, Doctor of Science. June 12, 1957.

University of Rhode Island Alumni Association: Awarded honorary membership in the alumni association of University of Rhode Island. June 8, 1957.

American Hospital Association: Awarded honorary membership in recognition of his outstanding efforts toward the improvements of the nation's health. Atlantic City, N.J. October 2, 1957.

R.I. Hospital Association: Awarded honorary membership in recognition of his outstanding contributions to the advancement of the health and welfare of the people of this country. Providence, R.I. October 22, 1957.

American Dental Association: Awarded honorary membership in recognition of his support of research and health measures. Miami Beach, Florida. November 4, 1957.

American Public Health Association: Presidential Citation 1957 awarded for exceptional services to Public Health. This is the first citation ever given and it is intended that it will be awarded each year to the outstanding man of the country. November 11, 1957.

R.I. Association for Mental Health, Inc.: Award for work toward the improvement of the nation's health. November 14, 1957.

Davis Memorial Goodwill Industries: National Award for Good Will toward the Handicapped. Washington, D.C. February 27, 1958.

National Epilepsy League Incorporated: National Citation on behalf of persons afflicted with epilepsy. Washington, D.C. February 28, 1958.

National Conference on Social Welfare: National Conference on Social Welfare Award for 1958 in recognition of outstanding efforts. Chicago, Illinois. May 14, 1958.

National Tuberculosis Association: National Commendation for efforts, accomplishments and record of devoted public service concerning the importance of the tuberculosis problem. Philadelphia, Pa. May 19, 1958.

National representatives of Religious, Civic, Welfare, Education, Veterans, Health and Labor Organizations: Presentation of a scroll signed by each representative to express appreciation. Washington, D.C. July 29, 1958.

Maryland State Dental Association: Award in acknowledgement of valuable services in elevating the standards and advancing the Science of Dentistry. Baltimore, Maryland. May 7, 1958.

Southern New England Timing Association: Award Plaque presented in appreciation for the invaluable assistance to further drag strip racing in Rhode Island. August 3, 1958.

American Public Welfare: Highest commendation and praise for statesmanship and leadership in these areas representing the growth of the social conscience of America. Providence, R.I. September 24, 1958.

National Rehabilitation Association: President's Award for outstanding achievement in advancing the rehabilitation of the handicapped. Providence, R.I. September 24, 1958.

R. I. Conference of Social Work: Resolution in recognition of his statesmanship and leadership in the growth of the social conscience of America. December 10, 1958.

R. I. Chapter National Cystic Fibrosis Research Foundation: Award plaque in recognition and appreciation of his outstanding work, selflessness and devotion to the cause of humanity. Providence, R.I. January 3, 1959.

World Health Organization: Appointed by the President as Congressional Adviser to the U.S. Delegation to the WHO Assembly held in Geneva, Switzerland, May 1957, 1959 and 1962 and in New Delhi India in February, 1961.

American Rheumatism Association and Arthritis and Rheumatism Foundation: Presentation of award for staunchly and devotedly supporting the cause of research and professional education in Arthritis and other Rheumatic Diseases. Washington, D. C. June 5, 1959.

American Gastroenterlogical Association and the World Organization of Gastroenterology: First Citation Award in expression of great appreciation and respect for the tremendous support not only to gastroenterology but to recognize complete dedication and expenditure of effort in a truly non-partisan sense for medical research and health for peace efforts throughout the world. Atlantic City, N.J. June 6, 1959.

University of Rhode Island: Honorary degree, Doctor of Laws. June 8, 1959.

Bryant College: Honorary degree, Doctor of Humane Letters. July 31, 1959.

American Public Health Association, Inc.: Presentation of special Lasker Award for extraordinary public service in championing the advancement of medical research and public health as a member of the United States House of Representatives at a Special Session of the 87th Annual Meeting in Atlantic City, N.J. October 22, 1959.

Council of Chief State School Officers: Presentation of distinguished service citation in recognition of his service to the children and schools of America as a leader in the Congress of the United States. Boston. November 12, 1959.

The Food Law Institute: Award for distinguished food law services to the American people. Washington, D.C. November 16, 1959.

Kiwanis Club: Honorary Member of Kiwanis International. December 9, 1959.

National Multiple Sclerosis Society: Award of Distinction for enlightened service to the fight against multiple sclerosis. December 23, 1959.

American Association of Retired Persons: Citation for service in grateful appreciation for significant and valued contributions to the enrichments of retirement living. St. Petersburg, Florida. January 18, 1960.

New York Medical College: Award of Centennial Medal. New York City. April 18, 1960.

Democratic National Committee: Testimonial Scroll to "Mr. Public Health" for contribution in Congress to the cause of medical research for the people's benefit at the Democratic Congressional Dinner District Armory, Washington, D.C. April 30, 1960.

American Psychiatric Association: Honorary Fellowship. Atlantic City, N.J. May 9, 1960.

U.S. Department of Labor: Award of Merit. Official Commendation and praise in recognition of significant and outstanding contribution toward furthering the work of the Department of Labor. Washington, D.C. May 10, 1960.

Allied Masonry Council: Presentation of awards for devotion to the Education of the Youth of America and sound apprentice training. Washington, D.C. May 10, 1960.

Graduate School of Library Science of Drexel Institute of Technology: Presentation of Graduate Schools Distinguished Achievement Award for "humanitarian work on behalf of American Health Education and Welfare during 20 years of public service as a member of Congress and for his interpretation to the public, Congress and public agencies of the vital role of libraries in the preservation and dissemination of America's cultural heritage and in the advancement of Learning." Philadelphia, Pa. May 17, 1960.

Federal Hill Parent Teacher Association: Presentation of award with inscription "Champion of the People-Youth-Education-Medicine". Providence, R.I. June 19, 1960.

United Cerebral Palsy Association of R.I.: Certificate of Appreciation for unselfish and devoted service. Pawtucket, Rhode Island. June 22, 1960.

Muscular Dystrophy Association of America, Inc.: Special Citation for his devotion to those of our fellow citizens who suffer from crippling diseases. New York City. June 27, 1960.

President's Committee on Employment of the Physically Handicapped: Presentation specially prepared plate book of commemorative employ the handicapped postage stamp as a small token of appreciation of his help and support through the years. New York City. August 28, 1960.

R.I. Association for Retarded Children, Inc.: Dedication of Headquarters Building, to be known as "The John E. Fogarty Center". Providence, R.I. September 20, 1960.

R.I. League for Nursing: Citation for support of Nursing. Providence, R.I. October 20, 1960.

American Podiatry Association: Award of Man of the year. Hartford, Connecticut. October 22, 1960.

Association of Military Surgeons of the U.S.: Elected Honorary Member and awarded medal. Washington, D.C. November 1, 1960.

R.I. Library Association: Citation for championing the role of the library in the

American way of life. Providence, R.I. November 2, 1960.

Providence College: Citation and award of first Veritas Medal to be bestowed on those who have shown devoted and outstanding service to Providence College. Providence, R.I. November 14, 1960.

Alpha Omega Dental Fraternity: Achievement Medal for Extraordinary Public Service, Washington, D.C. December 29, 1960.

R.I. Heart Association: Presentation of silver bowl "In recognition of courage and service in the fight against heart disease." Providence, R.I. February 16, 1961.

American Association of Dental Schools: Honorary Membership in recognition of outstanding contributions to Dental Education and Research, Boston, Mass. March 27, 1961.

R. I. Education Association: Presentation of Charles Carroll Citizen Award for rendering outstanding service to R. I. Education. Providence, R.I. April 3, 1961.

Alpha Epsilon Delta International Premedical Honor Society: Honorary member as outstanding man in the country interested in both medical education and medical care of the aged. Providence College, Providence, R.I. April 16, 1961.

Lions Club: Testimonial of sincere appreciation of distinguished and unselfish service. Providence, R.I. May 20, 1961.

LaSalle Alumni Association: Distinguished Layman Award. Providence, R.I. May 29, 1961.

Fraternal Order of Eagles: Golden Eagle Award for leadership in the "Jobs after 40" Program, Providence, R.I. June 3, 1961.

Knights of Columbus: Outstanding Catholic Layman of R.I. Providence. June 3, 1961.

Brown University: Honorary Degree, Doctor of Laws. June 5, 1961.

Salve Regina College: Honorary Degree, Doctor of Laws. June 5, 1961.

Brandeis University: Honorary Degree, Doctor of Laws. June 11, 1961.

R.I. Optometric Association: Annual award of merit for contribution to visual welfare, Providence, R.I. June 10, 1961.

National Cystic Fibrosis Research Foundation: National Citation for Distinguished Service. Washington, D.C. June 15, 1961.

U.S. Department of Labor: Appointed as Representative to U.S. Labor Attaché Conference, Rome, Italy. July 2, 1961.

Kiwanis Club. Recognition of Contribution to Club, Providence. September 27, 1961.

American Cancer Society: Award for distinguished service. Providence. October 4, 1961.

American College of Dentists: Honorary Fellowship, Philadelphia, Pa. October 15, 1961.

National Association for Mental Health, Inc.: Award, Miami Beach, Florida. November 16, 1961.

R.I. Library Association: Honorary Membership. November 1, 1961.

Muscular Dystrophy Assn.: Award for success of 1961 Drive.

Butler Mental Health Center: Arthur Hiler Ruggles Award, Providence, R.I. March 5, 1962.

Delta Epsilon Sigma (Theta Chapter) National Catholic Scholastic Honor Society: Citation for distinguished service, Providence College, Providence, R.I. April 1962.

Dr. Joseph H. Ladd School: Dedication of the John E. Fogarty Medical and Rehabilitation Unit, North Kingstown, Rhode Island. April 29, 1962.

Government of D.C.: Certificate of Appreciation for invaluable contributions to welfare of his fellowmen. May 9, 1962.

Rhode Island Medical Society: Elected Honorary member. May 9, 1962.

Rhode Island State Association Future Farmers of America: Future Farmers of America Honorary State Farmer Degree. May 12, 1962.

Rhode Island Association Senior Citizens Club: Citation on Senior Citizens Day. May 20, 1962.

New York Medical College: Honorary Degree Doctor of Science. June 6, 1962.

R.I. Governors Committee on Employment of Handicapped: Citation for meritorious service for activity on behalf of handicapped. June 7, 1962.

Rhode Island College: Honorary degree Doctor of Pedagogy. June 9, 1962.

American Society of Medical Technologists and Canadian Society of Laboratory Technologists: Certificate of Appreciation for valuable contribution to Second North American Conference of Medical Laboratory Technologists. Washington, D.C. June 20, 1962.

St. Francis College: Honorary degree of Laws. October 6, 1962.

University of Rhode Island: Dedication of the John E. Fogarty Health Science Building for the Colleges of Pharmacy and Nursing. Kingston, R.I. October 10, 1962.

Northern Virginia Assn. for Retarded Children: Award for unusual efforts in fostering care and understanding for mentally handicapped children, Arlington, Va. October 16, 1962.

Portuguese Fayal Relief Committee: Award for assistance in introducing legislation to provide for victims of Fayal earthquake which permitted 2,000 families to come to U.S. Providence, R.I. October 21, 1962.

Association of Schools of Public Health: Award of Merit in gratitude for work done in interest of public health, education and welfare. Providence, R.I. November 3, 1962.

United Irish Council of R.I.: Award in recognition of outstanding achievements. Providence, R.I. December 2, 1962.

Alpha Zeta Fraternity (Agricultural and Professional Fraternity): Honorary membership, University of Rhode Island, Kingston, R.I. December 5, 1962.

Rhode Island Heart Association: Honorary Member of Board, Providence, R.I. February 12, 1963.

Jewish War Veterans of USA: Award to outstanding Catholic for work in Brotherhood, Providence, R.I. February 22, 1963.

National Council Boy Scouts of America: Elected Honorary Member May, 1963.

World Health Organization: Appointed by President as Congressional Advisor to WHO Assembly in Geneva, Switzerland, May 7, 1963.

National Fraternal Society for the Deaf Prov. Div. No. 43: Certificate of appreciation in obtaining aid for advancement of the deaf, Providence, R.I. May 25, 1963.

Woman's Medical College of Pennsylvania: Honorary Degree—Doctor of Laws. June 11, 1963.

International Congress on Education of the Deaf: Award of appreciation for efforts for deaf Washington, D.C. June 27, 1963.

International Association of Public Employment Services: Award of Merit, Chicago, Ill. July 2, 1963.

American Library Association: Annual Trustee Citation, Chicago, Ill. July 14, 1963.

American Association of Retired Persons, International: Citation for Distinguished Service, Copenhagen, Denmark. August 14, 1963.

R.I. Division of Vocational Rehabilitation: 1964 Ben Fish Award for outstanding contribution to the rehabilitation of disabled persons. Providence, R.I. October 18, 1963

Georgetown University: Honorary Degree—Doctor of Laws. October 28, 1963.

National Hemophilia Foundation: Humanitarian Award, Washington, D.C. December 6, 1963.

Italian Government: Decree from President of Italy conferring title "Commendatore al Merito della Repubblica Italiana." February 1, 1964.

National Cystic Fibrosis Research Foundation: Awards in recognition of dedicated service. Philadelphia, Pa. & Framingham, Mass. December 3, 1963 and January 25, 1964.

Joseph P. Kennedy, Jr. Foundation: 1963 International Award in Field of Mental Retardation, NYC. February 5, 1964.

American Industrial Hygiene Association: Acclamation as foremost Champion of good health and particularly as an advocate of health protection of workers, Washington, D.C. February 6, 1964.

American Heart Association: Award of Merit, the first one to be bestowed by the National Association, Providence, R.I. February 9, 1964.

Conference of Executives of American Schools for the Deaf: Resolution of expression of gratitude for efforts in behalf of deaf children. Riverside, Calif. April 17, 1964.

International Association of Machinists: Machinists non-partisan Political League All American Award, Westerly, R.I. April 18, 1964.

Massachusetts Dental Society: Honorary Membership, Boston, Mass. May 4, 1964.

New York University: New York University Medal in appreciation of meritorious service to his countrymen. Sterling Forest, N.Y. May 13, 1964.

Gallaudet College: Presentation of silver medallion on occasion of 100th Anniversary, Washington, D.C. June 6, 1964.

University of Notre Dame: Honorary Degree—Doctor of Laws. South Bend, Indiana. June 7, 1964.

Air Force Association: Citation of honor in tribute to dedicated and distinguished service in the field of educational research. Washington, D.C. September 9, 1964.

R.I. Recipients of Graduate Fellowships under PL 85–926: Expression of appreciation for opportunity to pursue studies in the education of retarded children. Providence, R.I. September 14, 1964.

Conference of State and Provincial Health Authorities of North America: Honorary Membership. October 3, 1964.

R.I. Conference of Social Work: 25th Anniversary Award, Providence, R.I. October 8, 1964.

Association of American Medical Colleges: Merit Award Medallion for signal service rendered American medical education. Denver, Colo. October 18, 1964.

The Myasthenia Gravis Foundation, Rhode Island Chapter: Honorary Membership Award for distinguished public service. Providence, R.I. November 18, 1964.

Pascoag Knights of Columbus: Plaque in expression of esteem for dedication to advancement and welfare of fellow man. Pascoag, R.I. January 30, 1965.

Fogarty Award Dinner: Award in recognition of years of dedicated work for the benefit of the mentally retarded. Providence, R.I. April 24, 1965.

R.I. College Alumni Association: Presentation John F. Kennedy Award. Providence, R.I. May 15, 1965.

World Health Organization: Appointed by President as Congressional Advisor to WHO Assembly in Geneva, Switzerland for sixth time. May 4–21, 1965.

Council for Exceptional Children: Citation for Legislative Statesmanship, Washington, D.C. June 1965.

Teachers College, Columbia University: Award Teachers College Medal for Distinguished Service, N.Y. June 1, 1965.

Providence Public Library: Elected Member of Corporation. Providence, R.I. June 4, 1965.

Manhattan College: Honorary Degree—Doctor of Laws, N.Y. June 8, 1965.

St. Joseph's Hospital: Citation in Appreciation, Providence, R.I. June 26, 1965.

Tri-Organizational Scientific and Clinical Conference: Dr. A. B. C. Knudson Rehabilitation Award, New York City. July 15, 1965.

International Association for Dental Researchers: Honorary Membership, Toronto, Canada. July 24, 1965.

American College of Osteopathic Internists: Honorary Fellowship, Philadelphia, Pa. September 30, 1965.

United States Jaycees: Member National Advisory Board for Mental Health and Mental Retardation Programs. September 1965.

National Association for Mental Health, Inc.: Honorary Membership, New York City. November 19, 1965.

National Society for Crippled Children and Adults: Award, Palmer House, Chicago, Ill. November 21, 1965.

Loyola University: Honorary Degree—Doctor of Laws, Chicago, Illinois. January 30, 1966.

American Heart Association, Inc.: Award Association's 1965 Heart of the Year Award, White House, Washington, D.C. February 3, 1966.

Washington University School of Dentistry: Citation for contribution to Advancement of Dental Science and Dental Education, St. Louis, Mo. March 18, 1966.

Institute for Retired Professionals of the New School for Social Research: Award for contribution to well-being of nation's older citizens, New York City. May 12, 1966.

World Health Organization: Appointed by President as Congressional Advisor to WHO Assembly in Geneva, Switzerland. May 3–5, May 20, 1966.

Connecticut State Dental Association: Fones Award for outstanding achievement in interest of humanity, Bridgeport, Conn. May 19, 1966.

Alpha Sigma Pi Fraternity of Gallaudet College: Man of the Year Award in Recognition of Outstanding Contributions to Welfare of the Deaf, Washington, D.C. May 25, 1966.

R.I. Parents Council for Hearing and Handicapped Children, Inc.: Appreciation Award, Providence, R.I. May 26, 1966.

College of Osteopathic Medicine and Surgery: Honorary Degree—Doctor of Science, Des Moines, Iowa. June 2, 1966.

National Council of Senior Citizens: Award of merit for outstanding work on behalf of elderly citizens, Washington, D.C. June 3, 1966.

Howard University: Honorary Degree—Doctor of Laws, Washington, D.C. June 3, 1966.

Gallaudet College: Honorary Degree—Doctor of Laws, Washington, D.C. June 13, 1966.

University of the Pacific: Honorary Degree—Doctor of Science, San Francisco, Cal. June 15, 1966.

American Library Association: Lifetime Honorary Membership, New York City. July 10, 1966.

BIOGRAPHY FROM THE CONGRESSIONAL DIRECTORY

John Edward Fogarty, Democrat, of Harmony, R.I., elected in 1940; reelected to succeeding Congresses.

PREFACE

More perhaps than anything else, the career of John E. Fogarty symbolizes the strength and magnificent vitality of American democracy. Through all his labors in a quarter century of public service, there runs a common thread: Jeffersonian faith in the capacity of ordinary men to govern themselves, and to do a better job in the long run than a ruling elite.

John Fogarty's approach to public service was based upon a simple belief in democratic processes as a means for improving man's lot and enriching his life. He knew well that a stunted mind or deformed body represented formidable obstacles to that goal. He also knew that man's capacity to attack disease and poverty and ignorance had been enormously strengthened by modern science and technology. This knowledge, and the determination to use it productively, constituted his special strength as a Congressional leader.

Characteristically, his deepest concern was of the young. Here, the inroads of disease and deprivation are the deepest, and the need for marshaling all resources of help the most pressing. For his efforts to aid handicapped children—particularly the mentally retarded—and to enlist the Nation's conscience in their behalf, John Fogarty will be remembered with gratitude. The work that he started will stand as a monument to his vision and insight and restless energy. It is the only kind of monument that would have meant much to him—the knowledge that he had brought help to those society has long ignored or overlooked.

The impact of this man on the cause closest to him—the support of medical research—is impossible to exaggerate. If the National Institutes of Health is today the world's most powerful and influential force for the support and conduct of medical research, it is in large part because John Fogarty early perceived its promise and fought tenaciously for its programs. Thus his influence touches not only the lives of Americans but all who are beneficiaries of medical advance throughout the world.

Truly John Fogarty achieved a stature of international recognition. His service as United States Delegate to the annual assemblies of the World Health Organization extended his associations and influence to world wide dimensions. As a consequence he gained a profound understanding of the crucial role of health in the development of nations and as a common cause around which the peace of the world could be sought. His espousal of "Health for Peace" legislation and for a broader international role for the United States in health and science derived from this deep conviction. The proposal of Representative Melvin Laird to enlist congressional support in the establishment of "The John E. Fogarty International Center for Advanced Study in the Health Sciences" at the National Institutes of Health in Bethesda, Maryland, would be the finest commemoration of this man's work for the well being of his fellow man.

In Congress he left behind a legacy of service in behalf of better health which few have approached and none surpassed. This is reflected in the tributes appearing in this volume—spontaneous expressions from friends and associates in all walks of life.

The spirit in which John Fogarty labored and the devotion he brought to his task are mirrored in the simple words of Washington's Farewell Address: "Let us raise a standard to which the wise and honest can repair. The rest is in the hands of God."

In concluding, might I once again reaffirm my condolences, my sympathies to the family, and congratulate them on the fact that JOHN's passing has been recognized by the world, by the State of Rhode Island, by the Congress, but especially by the millions of men, women, and children from all walks of life for whom he did so much.

CONTROL OF "NOISE POLLUTION"

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York (Mr. KUPFERMAN], is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, I am today reintroducing legislation to retard the rapid advance of "noise pollution" and to provide remedial steps necessary for general noise control.

On April 21, 1966, I introduced in the second session of the 89th Congress, H.R. 14602, to establish an Office of Noise Control within the Office of the Surgeon General. The Office, headed by a Director and assisted by a noise control Advisory Council, would provide grants to States and local governments to research ways and means of control, prevention and abatement of noise. This bill does not provide the Office of Noise Control within the Office of the Surgeon General with any regulatory powers, nor does it suggest a national regulatory code.

The Office of Noise Control, under my bill, would cooperate fully with existing Federal agencies and others presently working in the specific field of jet noise abatement, and would conduct research and prepare, publish and disseminate educational material dealing with the control, prevention, and abatement of noise from aircraft and other sources as well.

The primary function of the Office of Noise Control would be to act as a national clearinghouse for general and specific noise information, and could, upon request, disseminate the wealth of its accumulated knowledge to the States and local governments to help them control noise at its point of origin.

The Office of Noise Control would serve a similar function with respect to noise from all sources as the National Aircraft Noise Abatement Council, a nonprofit, private-industry-supported noise research center—originated April 1960—presently serves in the field of aircraft noise abatement.

Mr. Speaker, a considerable degree of attention has been focused on the problems of aircraft noise abatement within the past year, culminating in the International Conference of the Reduction of Noise and Disturbances Caused by Civil Aircraft, held at the Lancaster House, London, England, November 22 to 30, 1966.

The plans for the November 1966 conference originated when Mr. Roy Jenkins, the United Kingdom Minister of Aviation, invited the Administrator of the Federal Aviation Agency to arrange for U.S. participation in the international conference. Delegates from 26 nations, 11 international organizations, as well as airport authorities, aircraft and engine manufacturers, airline operators and scientists or other scholars, prepared technical papers and met and exchanged views on the broad subject of aircraft noise abatement.

I am informed by Raymon Shepanek, chairman of the U.S. delegation, that there was no formal U.S. position on items to be considered by the conference because of the wide variety of U.S. interests affected, and the fact that the U.S. interagency noise abatement program would not have formulated definite alleviation programs prior to the convening of the conference.

Sensitivity to the potential noise from the proposed supersonic transport has engendered new interest in noise control. Hand in hand with a review of the noise effects of the SST goes a consideration of the phenomena of sonic boom.

Sonic boom has been described by Leo L. Beranek, chairman of the acoustical standards board of Bolt, Beranek & Newman, and author of a recent article in Scientific American entitled "Noise," which appears at the end of this statement, as follows:

> When an airplane moves faster than the speed of sound, it produces shock waves that

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trail in the wake of the plane like the disturbances in the water wake of a rapidly moving boat. The shock waves generate a pressure wave that constitutes the sonic boom. On the ground a typical sonic boom from a high-flying airplane represents a series of rapid changes in air pressure lasting half a second: the pressure suddenly rises by as much as two pounds per square foot, then drops below atmospheric pressure by about the same amount and finally jumps back to normal pressure. The noise of the boom usually consists of two closely spaced, explosive reports.

The sonic-boom "wake" behind the airplane, fanning out in the shape of a cone, spans an area on the earth below that depends on the height at which the plane is flying. Typically the path of the boom on the ground is about 33 miles wide when the plane is at an altitude of three and a half miles and 50 miles wide when it is flying at a height of nine miles. The higher the plane flies, the weaker is the intensity of the boom at the ground.

Now that it is clear that Boeing Co. will be involved in the airframe design and General Electric Co. with the engine of the SST, I am most interested in the role that noise control will play in the present and future research and planning of the SST. I am pleased to see that research will continue before actual construction, and hopeful that among the items to be studied will be a way to prevent the effects of sonic boom.

For an evaluation of the effects of sonic boom on our society, I have included at the end of this statement a summary of an address by Bo Lundberg, director general of the Aeronautical Research Institute of Sweden, entitled "The Menace of the Sonic Boom to Society and Civil Aviation," presented at the Fourth International Congress for Noise Abatement held in Baden Baden, Germany, May 1966.

Incidentally, Robert Alex Baron, a constituent of mine and an ardent proponent for noise control, also attended the fourth international congress. A copy of his address appears in the daily CONGRESSIONAL RECORD of May 16, 1966, pages A2629 and A2630.

In my original statement in the CONGRESSIONAL RECORD, volume 112, part 7, pages 8745 through 8768, I set forth a detailed discussion of noise. In addition, I have included supporting papers and articles of interest to the student of noise, as well as a representation of the worldwide written response I have received on this subject. My additional statements and supporting papers and materials appear in the CONGRESSIONAL RECORD, volume 112, part 7, pages 9470 to 9477; volume 112, part 8, page 9679; the daily CONGRESSIONAL RECORD of May 16, 1966, pages A2629 and A2630; the CONGRESSIONAL RECORD, volume 112, part 9, pages 12191 to 12205; the daily CONGRESSIONAL RECORD of August 1, 1966, pages A4048 and 4049; the CONGRESSIONAL RECORD, volume 112, part 14, pages 18233 to 18257, volume 112, part 15, page 20388; volume 112, part 20, pages 27803 to 27824; and volume 112, part 20, page 27874.

Favorable comment by the senior Senator from the State of Washington, Hon. WARREN G. MAGNUSON, on my various statements appeared in the CONGRESSIONAL RECORD of January 17, 1967 at page 614, in connection with his discussion of the subject of the Electric Vehicle Development Act and its contribution to the fight on air and noise pollution.

The Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee held a 1-day hearing on October 12, 1966, to consider bills dealing specifically with jet aircraft noise control, including my legislation, H.R. 17252. A copy of my statement to the subcommittee appears in the CONGRESSIONAL RECORD, volume 112, part 20, page 27803. I am today also reintroducing H.R. 17252, my aircraft noise control bill.

The Subcommittee on Transportation and Aeronautics hearing last October was a very small step toward a program for the solution of the overall problem of noise reduction and control.

If there is one lesson that we should have learned from the current crisis of air pollution it is that if proper educational and remedial steps in that area had been taken 10 years ago the problem of air pollution might not have reached the critical proportions it has today. We are now at the same relative point with respect to the environmental problem of noise pollution. We must act sensibly and take precautionary steps now so that in the future we will not be faced with a costly dilemma that will cause us an undeterminable amount of bodily harm. I strongly urge the Congress to face its responsibility now with respect to adequate noise control.

There follows an up-to-date accumulations of pertinent articles, including those referred to in my statement above, as well as supporting papers, editorials, and general response to the problem of noise abatement:

[From Engineer Magazine, Autumn 1966]

Noise: the Need for Legislation and Technology

(By Congressman THEODORE R. KUFERMAN)

The idea that noise is a necessary price of industrial and economic progress is as antiquated as is the belief that contaminated waters and a polluted atmosphere must also accompany civilization's material advances. Noise pollution, however, unlike water and air pollution, is only now beginning to receive a proper share of public attention.

Noise, more so than others, however, is a local problem. Its abatement requires a complex blend of technical application and legislative control. Engineers are frequently in a position to help combat this growing nuisance because of their key role in equipment and facilities design, operation, and construction, and initiative to alleviate noise problems by those who can do so, may, in fact, head off the inevitable public clamor for enforced control, as has happened with air and water pollution.

A mounting awareness of some of the consequences of a noisy environment has focused new attention on the problem. Loss of hearing, nervous disorders, irritability and inefficiency, and even hypertension and coronary conditions have been attributed to noise by a large body of medical opinion.

LOSS OF HEARING NOT INEVITABLE

We need not, however, accept loss of hearing—a widespread by-product of old age in the United States—as an inevitable condition of advancing years. This was shown in three separate studies of the Mabaan Tribe who dwell in a "noiseless" environment in the southeast Sudan. The members of this tribe suffered no loss of hearing with increasing age.

As a possible explanation for this loss of hearing, we may turn to Dr. Thomas H. Fay, Jr., chief of the Communicative Disorder Service at New York University Medical College, who points out that damage to tiny nerve endings in the inner ear may occur gradually over a long period of time as a result of continuous exposure to noise.

Psychological effects are another consequence of noise. According to Dr. Julius Buchwald, a psychiatrist at the New York State Medical Center, when noise interrupts a person's sleep, he is prevented from dreaming, which may result in such symptoms as paranoiac delusions and hallucinal and suicidal impulses. Another psychiatrist subscribes to the theory of "dream privation" as a factor in psychosis.

Before we go on to define noise and to describe its sources, we might also mention that in addition to physical and psychological damage, noise detracts from the quality of our lives much like a filthy street or a polluted stream. In the long run, this reason for attenuating noise will reflect how civilized we have a right to call ourselves.

NOISE DEFINED—SUBJECTIVELY, OBJECTIVELY

What is noise? Simply defined, it is unwarranted sound. Subjectively, noise is something we hear and recognize, such as a train whistle. Objectively, it is an energy wave transmitted to the air by vibrating air molecules. Most commonly, noise level is measured in decibels. Abbreviated "db", the decibel is a dimensionless unit that describes levels of acoustic pressure, power, and intensity. It is a logarithmic ratio between two sound pressures. Octave bands, which are arbitrary spreads of frequencies, are useful for rating noise hazards since some frequencies tend to cause hearing damage more than others.

Industrial noise levels generally range from 5 db to 125 db, sometimes even higher. Everyday conversation is about 6 db. Small communities on the outskirts of urban areas may have a rumble of 30 db by day, and 25 by night. In determining the effects of noise on human beings, three factors must be considered:

Intensity of sound
Length of exposure
The individual's tolerance level

People, however, do react in some universal ways to noise. About 130 db is the maximum noise bearable to human ears. This level approximates the sound of a jet at an airport. Chronic exposure to less noise, however, may well result in loss of hearing. It is believed that the danger level for persistent noise is 85 db after which severe damage to hearing ensues. The noise level in cities has risen an estimated 1 db a year for the last 30 years.

Though the airplane has been singled out as the leading noise maker and the fight against noise focuses on winged craft, there are other sources of noise pollution, among them traffic noise, construction noise, household noise, and industrial noise.

Excessive traffic noise is largely caused by trucks. A defective muffler in a truck generates the noise equivalent of 90 to 100 cars. According to acoustical expert Lewis S. Goodfriend, a fellow of the Acoustical Society of America, many cities with populations over 100,000 have laws requiring mufflers. Practically all states have laws specifying that mufflers must be used to prevent "excessive, unusual and/or unnecessary noise." To prove whether or not a given truck is too noisy, some cities like Milwaukee use noise meters and set maximum sound levels as measured at a given distance from the vehicle. Enforcement of such regulations, nevertheless, remains a problem.

In July 1965, New York State passed legislation which defines excessive noise as a db level of 88 or greater at 50 feet from a vehicle. The legislation prohibits noise beyond this level on its public highways. The noise is measured at roadside toll stations where trucks pass at speeds less than 35 miles per hour. Truck manufacturers helped to set the 88 maximum db level by testifying at the hearings on the bill that new mufflers keep truck noise at a level near 80 db or below. However, the more the muffler is used, the less efficient it becomes, the truck manufacturers said.

Particularly irritating to urbanites is the noise generated by air compressors, pneumatic drills, power saws, cement mixers, and other machines involved in the demolition and construction of buildings. In New York City, such noise is permitted only between the hours of 7 a.m. and 6 p.m., six days a week (and at night by special permit).

Construction companies can, however, minimize the noise from their building activities, as the Diesel Construction Co. did effectively in constructing a 52-story office building in lower Manhattan. A number of noise muffling techniques were used: Foundation blasting was muffled with special steel wire mesh blankets; joints were welded rather than riveted or bolted; demolition was carried out mostly during late hours and weekends when offices in the district were deserted.

In addition, although not widely used, muffling devices are available for construction equipment. For $200, a simple device called a "residential quality silencer," for example, can be attached to an air compressor unit.

Even in the "luxury" apartment, there is little protection against noise. Modern buildings, constructed with lightweight materials, offer less soundproofing than do older buildings. To combat this so-called "inside noise," the President's Panel on Environmental Pollution urges that local regulations establish performance standards that will prevent noises from easily penetrating apartments through thin walls and air ducts.

ACOUSTICAL PERFORMANCE STANDARDS

The Polytechnic Institute of Brooklyn is doing just this for New York City and is developing acoustical performance standards for inclusion in the city's building code. As a further help, the National Bureau of Standards has made available a monograph based on test results of over 100 buildings. It is entitled "Sound Insulation of Wall, Floor & Door Constructions" (#77–1964).

Noise abatement is probably most immediately on the minds of those whose homes are within a 5-mile radius of a jet airport. Not too long ago, Newark Airport was closed as a result of complaints by a fearful and hostile community. In Manhattan's high rent area of Sutton and Beekman Place, residents are up in arms about the heliport which has been located on top of the Pan American building. Seattle residents recently concluded a successful lawsuit against the nearby airport by arguing that the airport authority was using their property in overflying it. This has raised fears that similar damage suits will be initiated elsewhere.

Many government agencies are concerned about the increasing clamor over jet noise. The armed forces, in cooperation with the National Research Council, has established a Committee on Hearing and Bio-acoustics which is to advise the military on noise problems. NASA, too, has become an important pioneer in noise research. The agency realizes that unless the public can be shielded from excessive noise it is pointless to continue research on advanced aircraft.

Under increased pressure, aircraft manufacturers are designing for increased noise suppression in the aircraft itself. The 490-passenger Boeing 747, for example, is being designed to produce less noise than the 707, even though the newer model's engines will develop 40,000 pounds of thrust as compared to the 707's 15,000 pounds. Work also continues apace on the more difficult problem of suppressing noise in existing planes.

SONIC BOOM—THREAT TO BE FACED

Another instrument for our nation's attack on airplane noise is legislative action, which to date has hardly been employed at all. Perhaps the most striking illustration of its use is in effect at Dulles Airport in Washington, D.C. There a zoning law has established a buffer area of rural vacant land.

Sonic boom, however, which will accompany the advent of supersonic transports, poses a threat of entirely different dimensions. These shock waves stretch out as much as 80 miles, and no longer affect only residents located near the airport. In 1964, a study of the effects of sonic boom on people revealed that 25 per cent could not accept the thunderous sound. It is my understanding that sonic boom inevitably accompanies supersonic transports and cannot be adequately designed away. How this fact will be reconciled with the supersonic project has not yet been made clear.

Other noises come from both the electrical appliances that serve the housewife everyday and from industry whose manufacturing noises disrupt residential neighborhoods. To combat noise from vacuum cleaners, dishwashers, and other electrical appliances, the consumer himself should include "quietness" as a criterion for purchasing these items. Sufficient demand for quiet performance will spur manufacturers to produce less noisy equipment or to provide muffling devices where noise reduction cannot be further designed into a product. To prevent industrial noises interfering with the serenity of residential living, noise experts have suggested that modern zoning ordinances include measured decibel limits at property lines as legal protection against noise-producing industries. Here again, we have an illustration of the potential power of legislative enactment, particularly zoning requirements.

BILL TO ASSIST STATE, LOCAL GOVERNMENT

I have been concerned about noise ever since I served on the City Council of New York where one of my last actions was to introduce a bill to ban the playing of transistor radios in public without the use of an earplug. As a congressman, I am even more interested in noise abatement because it continues to intrude on the quality of living and deserves increased attention across the nation. My own congressional district, for example, must now contend with the noises generated by the whirly-birds that buzz atop the Pan American building.

On April 21, 1966, I introduced a bill (H.R. 14602) which provides for a variety of activities to cope with noise. The bill does not suggest a national regulatory code. It provides instead for federal funds to assist state and local governments to initiate their own program of noise control and to finance an educational campaign to foster awareness of the advantages of a more quiet environment. The bill includes proposals to centralize aircraft noise research projects under NASA and to authorize the Federal Aviation Agency to reimburse municipalities and airline and airport owners and operators for part of the cost of land acquisition and for technical modifications made to reduce jet noise. My bill also provides for establishing an office of noise control which would collect from other federal agencies data relating to noise control.

For the first year it is in effect the bill requests $3 million to finance matching grants to the states and another $5 million for federal financing of research and demonstration projects. Both these amounts are to be increased over a five-year period with an incremental rise each year. In essence, these sums will supplement the more than $60 million a year that is spent on sound-deadening materials for buildings and the nearly $175 million that the aviation industry and government have invested in anti-noise research and equipment.

I welcome constructive suggestions from engineers with fresh insight and new knowledge to share.

[From McGraw-Hill's Air and Water News, Dec. 5, 1966]

MORE NOISE ABOUT NOISE: FEDERAL ACTION EXPECTED NEXT YEAR

An airport decides to build a new jet wing near a residential district and hostile citizens scream, "no."

A man in Philadelphia tries to take a blaring transistor radio away from a woman sitting next to him on a bus. In the tussle, it strikes her on the head. He is indicted by a grand jury.

Two doctors from the Harvard School of Public Health say excessive noise can cause hearing loss.

The Federal Government is expected to give major attention to "Noise Pollution" during the upcoming legislative session.

Attacks against noise in the environment are almost as old as civilization itself, but it's only been in recent years—with the upsurge in industry, motor and air traffic, and population—that it has reached national concern.

During the last Congress, Rep. Theodore R. Kupferman (R–N.Y.) introduced a bill which would provide for an investigation of the noise problem and would establish an Office of Noise Control within the Office of the Surgeon General. Since then, the Dept. of Health, Education, and Welfare has appointed a Task Force on Environmental Health which has been charged among other things with investigating noise as a threat to health. Rep. Kupferman also has stepped up his "noise" campaign and plans to reintroduce his bill in the upcoming session "with even stronger ramifications."

"Unlike water and air pollution," he says, "the threat of excess and uncontrolled noise is not widely recognized as a serious and immediate problem. For example, there is evidence that excessive noise destroys efficiency, interrupts minimum requirements of sleep, can cause deafness, strains the nervous systems, is extremely costly, causes accidents, and interfers with school programs."

He cited a New York City situation where a contractor is now free to operate machinery at harmful noise levels any time between the hours of 7 a.m. and 6 p.m. "Anyone who has been awakened at 7 in the morning to the deafening tune of an air compressor or pneumatic drill outside his window knows the frustration, if not neuroses, which construction noise may cause."

He also stressed the effect that constant noise can have upon a person's hearing. He said it is generally agreed that 130 decibels is the maximum noise bearable for human ears and that this level would approximate the sound of jets in this airport. But he added that prolonged exposure to less—say 110 decibles—may well result in loss of hearing.

Two Harvard University doctors support him. Doctors John Dougherty and Oliver Welsh of the Guggenheim Center for Aerospace Health and Safety of the Harvard School of Public Health published an article on "Community Noise and Hearing Loss" in the Oct. 6 issue of the New England Journal of Medicine. They concluded that available evidence supports the association of hearing loss with noise and possibly with arteriosclerotic vascular disease.

Included in Rep. Kupferman's expected legislative proposals would be requests for Federal grants to the states and local governments for research, prevention and abatement of noise.

Elsewhere in the country, some local communities have taken the problem into their own hands. Philadelphia's Noise Abatement Committee was responsible for an anti-noise law which banned noise in five general areas: In handling trash and garbage cans, in construction work, by street vendors, by vehicles and in the vicinity of hospitals and churches. Violations carry a fine of $10 for the first offense, $25 for the second offense and $50 for subsequent offenses, together with imprisonment not exceeding 30 days if the fine and costs are not paid within 10 days. The city has won seven consecutive awards from the National Noise Abatement Committee of the National Fire—Safety Conference.

In Chicago, a new school near O'Hare Airport is being built windowless and soundproof to keep out the noise of planes from the air field. In Seattle, Wash., residents recently concluded a successful damage suit against the nearby airport by arguing that the airport authority was using their property in overflying it.

Other countries have also taken significant strides in this area: Western Germany has a law against construction noise, and Paris has banned all hornblowing.

All of this was done quietly, of course.

[From McCall's magazine, January 1967]

Noise—How Much More Can We Take?

The din at home, at work, in the skies and in the streets is spoiling our dispositions, fraying our nerves and literally deafening millions of us. It will get worse—unless we do something about it—by Sam Blum. About eight in the evening, not long ago, in New York's Chelsea area, a housewife marched out of her apartment house and in a cold fury informed a gang ripping up the street that they were keeping her child awake. Said the foreman: "Thanks, lady. I was afraid we were going to be here all night. Our orders were to keep working until someone complained."

In the quiet that instantly followed, our heroine was stricken with a sense of cause. "Is it possible," she asked herself, "that we are all needlessly suffering noise in silence? If a ninety-three-pound woman can single-handedly silence six men built like pile drivers, what might a whole neighborhood of aroused femininity accomplish?" In just such a fashion do all revolutions snowball, with small successes leading to big dreams; and from the many small successes we have recently heard of, we feel we can say with certainty that the antinoise revolution has already been well launched.

In fact, we believe that the classic definition of noise as "unwarranted sound" is today being amended. It was always a bad definition, anyway, for it led to the unanswerable question "Unwanted by whom?" But now, for all practical purposes, noise might well be defined as "sound so intensely unwanted that it leads citizens to complain, organize, sue, vote, boycott and generally raise Cain."

We have happily reached a point where growing numbers of people seem prepared to do all these things. To take a fast world survey, we find people insisting that noise has soured their wine, devalued their property, toppled their castle walls, deprived them of dreams, induced their coronaries, denuded their chickens, driven their minks berserk, broken their windows, made them nervous wrecks, denied them sleep, literally deafened them. A good number of these excited citizens have asked compensation for their difficulties in cash—and they have been finding juries sympathetic.

Hurray for them! There is no question that the vast bulk of the cacophony that surrounds us is completely unnecessary and could be eliminated if more of us who seek quiet were not so afraid of making a fuss.

That, at least, was the conclusion of most of the acoustical experts, designers, architects, city planners and people who just hate noise with whom we recently talked. At the request of McCall's, we were attempting to discover (1) what noise really does to people and (2) how people can defend themselves from its more pernicious effects. And it turned out that answers to the first question are a bit debatable, but to the second they are hard and fast. The best defense against noise is a hearty attack on it.

What Can Noise Do To You? Over a hundred years ago, physicians knew that blacksmiths, boilermakers and others who work in the midst of constant clanging sounds often grow hard of hearing. No one doubted that noise was causing the deafness; but also no one became very involved in solving the problem until, in 1948, a worker sued and won compensation for a hearing loss caused by on-the-job noise. When other claims were immediately filed, it became horrifyingly clear to American industry that it was about to face some extraordinary expenses.

The first hurried surveys indicated that almost half of all machines used in manufacturing produced noises that could contribute to hearing loss. It became necessary for management to know just what levels of noise were harmful and how workers could be protected. Thus the first serious American attack on noise began.

Sound is generally measured in decibles, and it is currently believed that daily exposure to continuous noise louder than 90 decibles (on a sound meter's A scale) will in time probably produce some hearing loss. The louder the noise is over 90, the faster it will do damage and the worse the damage will be. But you don't need a sound meter to recognize dangerous noise.

According to Dr. Aram Glorig, of the Callier Hearing and Speech Center in Dallas, Texas, "A rough and dirty method of assessing whether a noise is dangerous is if it is so loud that it washes out voices and you have to shout about a foot away from someone's ear to make him hear you. If so, and you work in it all day long for a period of years, it can produce a hearing loss." You can also tell that a noise is dangerously loud if, on coming out of several hours in it, you have a ringing in the ears or a temporary slight loss of hearing that muffles speech.

Since most noise-produced hearing problems start with the loss of sounds above the range of speech, people generally do not even become aware of progressive deafness until a few years have passed and it suddenly dawns on them that everyone seems to be mumbling.

After about ten years of working in a dangerously loud noise, it will have done its worst. The hearing loss, which might be mild or serious, will be permanent, and there is no known medical treatment for it. At that point, however, says Dr. Glorig, "you might just as well stick with your noisy job. Unless the noise gets louder, it will do no further harm." Your hearing, though, will continue to deteriorate, as almost everyone's does, as you grow older.

Some scientists, however, have grown to suspect that even the so-called normal loss that comes with age might also be caused by noise. Studies of an African tribe, the Mabaans, by New York ear surgeon Samuel Rosen, would seem to support this idea. The Mabaans, Dr. Rosen discovered, have hearing as acute at age 75 as the average American has at 25. One of the most reasonable explanations for this is that they live remarkably quiet lives in a remarkably quiet area. Birdcalls are said to be among the loudest sounds they hear on an average day.

From Dr. Rosen's study, one could argue that countless sounds to which most of us are exposed are louder than are good for us. But the final word on the ability of everyday noise to produce hearing loss is far from in. Furthermore, even if living quieter lives when young does improve our hearing in old age, most of us would not care to give up the pleasures that many loud sounds add to our lives.

Recently, this writer, accompanied by Richard M. Guernsey, senior engineer with Goodfriend-Ostergaard Associates, Acoustical Engineers, set out with a sound-level meter to investigate some of the noisiest spots in Manhattan. We tried the obvious places first. A pneumatic hammer from a distance of about 15 feet produced an A-scale reading of 96. A subway train screeching to a stop sent the needle to 98, and the noisiest area in the press room of a daily newspaper showed a din of 102. All these sound levels are unpleasant—even inhuman—but the loudest spot we found was Sybil Christopher's discothèque Arthur, where the miracle of electronics enabled the performers to create a sound level as astonishingly elevated as the dancers' hemlines. It seldom fell below 103 and had peaks at 105. An unforgettable experience! But as a young lady at the next table yelled in our ear, "If Jackie Kennedy can take it, so can I!"

Mr. Guernsey's statistics indicated that boo-ga-looing for only 45 minutes a day, five days a week for ten years, to such volume would be hazardous. But he also doubted that many patrons would be able to keep up the pace sufficiently to injure themselves. Since the average age in our corner of the room appeared to be about 17, we concluded that by voting age, most humans must turn to quieter, perhaps more serious pastimes (Poulenc's "Concerto for Organ, String Orchestra, and Timpani," as recently heard from the twentieth row in Lincoln Center's Philharmonic Hall for example, had no peaks over a safe and sane 84 decibels, and at least four or five in the audience were known to this writer as reformed twisters.) However, that leaves the Arthur waiters to worry about and, even more so, the musicians.

"A large percentage of musicians have hearing losses," says Dr. Glorig. "Rachmaninoff had a very severe hearing loss. So did Fritz Kreisler. We measured the Marine Band and found that at least half of them have moderate to sever losses." And yet we must face the fact that art has always demanded a certain amount of sacrifice.

So has sport. For example, when Dr. Glorig recently surveyed 900 dentists and discovered, to his surprise, that many of them had a problem with high-frequency sounds, he turned to studying their hobbies and discovered that all the afflicted were skeet shooters.

Gunfire, like hammering or riveting, is extremely dangerous to hearing. Some people have experienced severe hearing losses after only one gunshot, and therefore hearing experts strongly advise riflemen to buy a good pair of professionally fitted earplugs, (Cotton in the ears, one of the oldest of antinoise safety devices, is still in wide use, though it is of no value at all.)

To risk noise-produced hearing loss is generally unnecessary. Most people can be protected from dangerous noises even on the job. Once a noise is known to be above the danger point, one has several obvious choices.

1. By far the best solution is to reduce the noise at its source by using quieter or better muffled machinery.

2. Where the machinery can't be muffled, it can often be isolated. Either the machine or the worker can be in a soundproof enclosure.

3. When men and noise must absolutely coexist, the man can still be protected with earplugs or earmuffs of the type worn by airport ground crews.

4. And failing all else, one can just do one's best to stay away from noise where it is loudest and get a rest from it as often as possible. Dr. John D. Dougherty, of the Harvard School of Public Health, believes that the noise to which most of us are exposed is so significant a threat to our hearing that not only factory workers but the average person, too, should make a real effort to cut down the amount of time he spends each day in a noisy environment, whether that environment be a kitchen whose appliances were chosen without regard to their noisiness or

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the seat of a power lawn mower, where the decibel count may exceed that of a factory in full swing.

What noise might be doing to you. Noises that truly infuriate are generally far below the level that damage hearing. The neighbor's radio, the roar of traffic, the footsteps overhead, the postal machine in the next office all leave your eardrums intact, but do play nasty tricks on your ulcer. The World Health Organization refers to such noises as "urban pollution" and states flatly that they "substantially contribute to nervous disease, insomina, ill temper and accidents."

These noises are affecting the emotional level of our society in a number of ways. Dr. Sylvan S. Tomkins, of Princeton, New Jersey, an expert in the study of emotional responses, claims, for example, that "since a high level of noise arouses in us either distress or anger—you can see the distress response in children; make a loud enough noise, and they begin to cry—we're paying a very high price for the noise that surrounds us in that we are all much more ready to cry or become angry than we need to be."

Many physicians, such as Dr. Lee E. Farr, of the University of Texas, believes that even very low levels of everyday noise can be physically and emotionally harmful. Says Dr. Farr: "I really don't think that the intensity of the sound has any relation to the degree of the reaction. It all depends on the individual and his relationship to it. Most people like the noise they themselves make; its' the other fellow who suffers. And I like to use the example of patients with tetanus. Here we have an extreme hypersensitivity. A very minor sound, like snapping your fingers will set these people off into serious convulsions."

Although no one particular noise might be enough to cause severe distress, Dr. Farr believes that "every noise that tends to anger or frustrate reinforces other irritations that lead to gastronintestinal disorders, migraine attacks and many other psychosomatic problems."

The question, then, from the standpoint of mental health, is not how loud the noise is but how frustrating. A few years ago, Dr. Karl D. Kryter, of the Stanford Research Institute, worked out a list of qualities that make noises particularly annoying:

1. Unexpectedness (the jet boom that startles you just as you're falling asleep).

2. Interference (the static on the phone that drowns out every fourth or fifth word of the long-distance call).

3. Intermittency (the machine that turns on and off with no fixed patterns you can grow used to).

4. Reverberation (that damned rumble you can't identify or locate).

5. Inappropriateness (the lady eating popcorn next to you in the movies).

And we would add to the list:

6. Unattractiveness (of the image brought to mind. The sound of waves or a waterfall near your summer home might lull you to sleep; but the no louder sounds of the new highway will keep you awake and vowing vengeance).

Obviously, the question of appropriateness or unattractiveness depends on the individual. Teen-agers wander about with transistor radios blaring in their coat pockets. They do not hear The Mamas and The Papas as noise, but as the very beat of life never out of place. But they are making our beaches and our buses extremely disagreeable places for those of us attempting to keep pace to a different drummer. When out of key with our own thoughts and emotions, music is the most intrusive and infuriating of noises.

A number of antinoise curmudgeons have even suggested that it be made illegal to play a radio in public without using earphones—Congressman Theodore Kupferman, of New York, once backed such legislation—but so far nothing has come of it. Nevertheless, someday, when an afternoon at the beach has grown just a bit less distinguishable from an evening at the discothéque, it is to be hoped that a national committee for silent sunning will demand the passage of such a bill. And while they are at it, they might work at banning music in a host of other public places. Can one justify the airlines' bragging of the quietness of their cabins (Whisperjets, no less), then piping in Tijuana Brass? And even more to the point, can one explain why the elevator to Congressman Kupferman's law office should relentlessly be grinding out old Jerome Kern favorites?

These infuriating intrusions on our desire to sulk in silence can be fought successfully. Recently, for example, the editor of *The New Yorker* threatened to move the magazine's entire operation into another building if the management did not turn off the music in the elevators; and a proper silence again reigns at *The New Yorker*.

It is the misfortune of the antinoise forces that although great numbers of physicians believe it, no solid research was ever *proved* that noise has an effect on mental or nervous illness. If the harmful effects of everyday noise could once and for all be certified, it is possible that the federal government would respond with one of its famous wars. Like crime, poverty, cancer and the Viet Cong, noise could be declared a threat to the Great Society, and an attempt could be made to wipe it out, Texas Ranger style.

But there is not much hope of seeing such a campaign for some time to come. Last April, Congressman Kupferman, inspired by an infuriated constituent who works at night, yet is unable to sleep in the daytime because of construction work going on under his window, introduced a bill in Congress to set up an Office of Noise Control within the office of the Surgeon General. On being asked what chances he thought this bill had of passing, Mr. Kupferman answered, "None. Congress remains deaf to the problem."

Congressman Kupferman, taking on faith the likelihood that unwanted sound does harm—if not to the ears, or heart, or mind, at least to the soul—vows to go on with the fight and might well be providing a starting point from which we could retune our society.

NOISE ON THE STREETS. "The things that make noise—trucks, railroad engines, diesels, compressors—all these things can be quieted," says acoustical consultant Lewis Goodfriend. But the "can be," he points out, is theoretical in some cases. For example, mufflers exist that could be used to quiet pneumatic hammers; but they are cumbersome and expensive. Were there a real demand for less noisy hammers, the mufflers would surely be improved, or new, quieter ways of breaking up pavements would make the hammers obsolete. (A flame-throwing device showed promise a few years ago, until cooler heads asked what would happen if it accidentally sliced into a gas line.) But for the moment quiet hammers are impractical.

Even now, however, there are relatively inexpensive mufflers that could quiet the compressors that run the hammers. And these could be installed immediately. But in talking with almost any builder or street contractor, one concludes that they won't be installed. Builders and contractors are remarkably vague concerning the muffling art. In general, they are sure of only one thing: Mufflers cost money and add no value to the finished product.

Therefore, Mr. Goodfriend is undoubtedly right in feeling that "they will never be put into use until workmen's compensation cases make not muffling machinery uneconomical or legislation demands that mufflers be used."

Other forms of sound control have proved easier to legislate and are highly effective. Zoning that carefully separates residential areas from those that permit manufacturing and zoning that excludes trucks from residential streets are obvious examples. Where laws are precise, they can work. New York City, for example, a few years ago passed a simple law that strictly forbade blowing an automobile horn except in an emergency. And though horns continue to be honked, there are New Yorkers who feel that the improvement is noticeable. Cab drivers no longer lean on their horns. In fact, when policemen are nearby, New York drivers don't blow their horns at all, but just stick their heads out the windows and yell at the offenders.

Unlike the majority of antinoise measures, however, antihonking laws do not hit anyone in the pocketbook. One problem of truck noise, for instance, is that the tires create a loud and unpleasant whine, and the faster they go, the louder they are. Efforts to prohibit large trucks from traveling in populated areas at speeds over 35 to 40 miles per hour always encounter the anguished moans and steadfast resistance of the trucking lobby; and this will take more pressure than sleepless Americans have yet been able to apply.

But some successful political action has been taken toward the quieting of highway noises. Several years ago, a group of people in Westchester County, New York, formed a committee to do something about the truck noise on the Thruway.

In studying the situation, they noted that in the mid-1950s truck manufacturers had accepted—at least in theory—an industry-wide limit on exhaust noise, and they quickly discovered that at least 15 per cent of the trucks that roared past their bedroom windows nightly far exceeded that limit. Further study showed them that the trucks of certain manufacturers were much below industry standards even when new and that other trucks had simply grown noisy as they had grown old and their mufflers had been left to rot out.

Since some manufacturers *could* build quiet trucks and most truckers *could* keep them in good repair, the committee proceeded to apply pressure on the New York State Legislature to set an enforceable legal limit on truck-exhaust noises, and less than a year ago their efforts proved successful. They had been fighting for an exhaust limit of 82 decibels, but they counted themselves lucky when the legislature set a limit of 88.

It is a small success, but it is significant in that the limit is precise and measurable and therefore the police, using fairly simple apparatus, might be able to enforce it.

And there, many city planners believe, lies the problem with most antinoise statutes that currently exist in the United States. They are so vague that they are useless. As generally worded, they forbid "excessive or unusual noises," and this is a phrase that to most judges has no legal meaning at all.

To fight noise, legislatures will have to set precise limits on precise noises. And they will be able to do this only with the guidance of the scientific community. (The Thruway Noise Abatement Committee, for example, had the assistance of its own private acoustical experts, plus others provided by the state police and by the trucking industry itself.) Many other countries have set up national scientific commissions to provide such guidance, and it surely seems in the air that we will eventually do the same. We have nothing to gain by delaying it except a more intense pain in the ear.

What to do about those maddening jets? The most impressive attack (though so far with the least impressive results) being made today on the problem of noise is taking place in the field of aviation. "Noise," say state spokesmen for the Federal Aviation Agency, "is the most intense and worrisome problem now facing the aviation industry."

Just how worrisome it is can be gathered from the fact that President Johnson, who has shown little other interest in noise abatement, has charged the Office of Science and Technology with the responsibility for working with NASA, the FAA, the Department of Housing and Urban Development, the Air Force and just about anyone else in or out of government with an interest in the matter to frame an action program to attack the problem. Difficulties, however, exist on so many levels that no solutions seem within grasp.

The main headache is that the roar of a jet engine taking off and the whine of its compressor as it lands sounds to people 300 or 400 feet under the flight path for all the world as if the thing were coming in the window. The noise interferes with their conversation, telephoning and television viewing, wakes them up at night, and is often extremely frightening. (Immediately after well-publicized airline disasters noise complaints around airports double.)

The problem did not actually begin with jets. Before they came into use, a good number of people who lived near airports were incensed by the noise from propeller aircraft. But with jets came a huge leap in the number of antinoise petitions, legal actions and baby-carriage marches.

Not only were the jets louder, they were "noisier." In other words, if your room was suddenly flooded with jet-engine sound, it would impress you as louder and more unpleasant than the same level of propeller-engine sound. This is because the jet noise is higher pitched, and high-pitched sounds are both more bothersome and (when very loud) more dangerous than low-pitched ones.

Therefore, extremely complicated scales have been developed in the attempt to compare noises in terms of how much people hate them. Using one of these scales, airports surrounding New York City have ruled that no plane taking off can make a noise more infuriating than that made by the old, propeller-driven Constellations when they were climbing about a mile from the runway. This requirement means that the jets must climb quickly for a few seconds, then reduce thrust until they are past the populated areas. But this attempt to irritate people no more than they were already irritated has so far failed.

In the first place, because of safety considerations, no airport has yet tried to set limits on the noise made by a *landing* jet. In the second place, although it took scientists a while to notice it, the constantly increasing number of flights in and out of major airports also infuriated people. It affected them to such a statistically predictable extent that a remarkable formula was worked out to say how many flights an hour, making how much noise per flight, at what times a day and what season of the year will incense a community enough to take legal action. And almost all large airports are these days well over the limit.

A few years ago, there seemed to be hope of a technological improvement of the noise level. The newly developed jet "bypass" engine could be used in a way that would produce less noise or in a way that would produce more power. But not surprisingly, the airlines chose the power, which permitted their jets to carry heavier loads. It is now beyond anyone's dreams that jets will grow quieter in the next decade. In fact, at government insistence, the struggle is being desperately waged to see that the gigantic engines for the huge, 490-passenger and supersonic jets, currently on the drawing boards, will be *no more* offensive than those of the present. But it is *by no means* certain that this effort will succeed.

Therefore, the only relief possible for people who must live near airports is to insulate their houses and keep their windows closed. This can be effective, although the cost is so high that a British Government Committee on the Problem of Noise recommended that grants be paid toward the sound insulation of existing homes near London's Heathrow Airport.

Americans must still lay out the cash themselves. Unless they can prove, as only a handful of people ever have, that the jet noise is actually making their property "unusable for the purposes for which it was being used," there is not even anyone to sue. Our courts have taken the position that although public-airport noise might be a nuisance, it is a legal nuisance.

It is therefore mysterious that many thousands of new homes and apartments have been springing up in recent years in the very areas most affected by aircraft noise. And probably more mysterious is that people have been moving into them. According to Walter Buechler, noise-abatement officer with the Federal Aviation Agency, one nonsoundproofed new building, half a mile beyond the end of Kennedy Airport's runway four, houses 1,400 people. "In most cases," says Mr. Buechler, "the developers were warned by this office that their tenants would be disturbed by noise. I visited one group of homeowners who had organized because of the noise problem, and I asked them if they weren't aware of the problem when they bought. They said that the real-estate dealer had told them that as soon as the area was developed, the airport would close down this runway."

It is worth knowing that the Federal Aviation Agency is prepared to tell anyone who asks how much of a current aircraft-noise problem he will run into if he moves to a given address. And this information is well worth having before signing a lease. Few people are aware of how intensely they can hate a noise until they actually find themselves living in it. As one irate homeowner told us, "I hate the noise, but even more I hate the people who tell me, 'You'll get used to it.' You never get used to it. It gets worse."

Our aircraft-noise problem, however, may hardly have begun to get worse, for in years to come no home is guaranteed to be out of its path. Studies conducted by acoustician Karl D. Kryter indicate that "with the advent of the supersonic transport, many more people, of the order of tens of millions, will be exposed to a sound that is as noisy or as objectionable as that now experienced under the flight path of jet aircraft within about one and a half miles from an airport."

Human reaction to this objectionable noise, sonic boom, which is produced in a continuous carpet 80 miles wide by aircraft flying faster than sound, was recently tested in Oklahoma City. Roughly 600,000 people were exposed to 1,253 booms over a period of about six months. These booms were produced by Air Force jets at the intensity levels expected of the new supersonic transports. The tests were conducted in daylight hours, when loud noises are known to bother the fewest people. But the result was worse than experts had expected. People did not grow used to the noise. In fact, the longer the tests progressed, the more people there were who felt they could never learn to live with such noise. By the end of the six months of testing, 27 per cent of the population found the booms completely unacceptable.

Government officials have made informal promises that these planes will be used at boom-producing speeds only over the ocean; but they have several years to reconsider this decision, and meantime, the airlines and many coast-to-coast commuters will be fighting against any restriction on speed. A New York to Los Angeles flight today takes all of five hours, and the supersonics could bring the time down under two hours. If the government eventually chooses speed over quiet, there will be for most of us no defense against sonic boom at all. It will not even be helpful to hide indoors, for the soundproofing of our homes is an art in which we are backward and which we can hardly hope to master before the supersonics are upon us.

YOUR NOISY NEIGHBOR Fred Rose, one-time delegate to the United Nation's Council on Housing and president of Rose Associates, a large New York firm that builds and rents apartment houses, has long insisted that "in the control of noise, America is woefully behind most European nations." (In all other ways, he feels, our residential construction is superior.) "In fact," says Mr. Rose, "the lowest level of European public housing has minimum standards of sound control that far surpass the best we have generally done here for our most expensive apartments and homes." There are several reasons for this. For one thing, Europeans still make much more use of traditional construction materials, such as masonry and stone, than we do. We, too, used such heavy materials in prewar buildings, and these structures are quiet, for sheer structural mass remains the most effective means known to reduce the transmission of sound. But we no longer use them. It is claimed by our builders that with our hugely increased labor costs, buildings made of such materials would be prohibitively expensive to erect. (Mr. Rose estimates that if a typical luxury apartment house of the 1920s were to be duplicated today, the tenants would have to pay rents of about $1,000 a month per room.)

With new materials and construction methods, sheer mass is no longer needed to support our buildings; but it is the tenants misfortune that the gypsum-board wall that now separates him from his neighbor is simply not as sound resistant as a foot or so of brick—in fact, it is hardly sound resistant at all.

Furthermore, in order to reduce costs and make every possible inch of enclosed space rent-producing, builders have decreased the thickness of floors separating apartments until one can hear all footsteps above. It is also economical to place bathrooms back to back, and this common practice makes of medicine cabinets virtual speaking tubes into the next apartment. Air-conditioning and elevator equipment, installed as economically as possible, sets up vibrations that are carried through the entire building structure. And huge walls of one-eighth-inch glass are extremely poor sound barriers.

There are, however, virtually no insoluble problems in this list. A good deal of sound control merely calls for employing an acoustical engineer, which most builders don't do. (No matter how thick a wall might be, if uninsulated electrical sockets pierce it from both sides, the expert is aware that noise will come through the hole; and in the design of most modern buildings that is precisely the way electrical sockets are positioned.) The rest of it is only a matter of spending cash.

Mr. Rose estimates that the cost differential between an apartment building with adequate sound control (he is careful not to say soundproofing, for elimination of sound is beyond his ability) and no sound control at all is only about five percent.

We might well ask, therefore, why we don't get it, and the answer, as Mr. Rose explains, is that "until recently there has been no requirement for sound control in any building code in the United States. There is no other civilized Western country in which this state of affairs exists."

Without codes that weigh equally on all and therefore disadvantage none, most builders have concluded that money spent on sound control would be money they would never get back, for if they charged rents five percent higher than their competitors, they would be left with empty space.

Belatedly, however, we are now making a first few timid steps toward incorporating sound control requirements in two of our building codes. Two years ago, the Federal Housing Authority implemented the first such code in the nation. It affects the 13 or 14 percent of the housing built in the

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United States each year with loans insured by the FHA. And about the same time, the Polytechnic Institute of Brooklyn composed a code of minimal sound-transmission standards for New York City apartment buildings that seems likely to be adopted in the very near future. The two codes are quite similar.

To oversimplify a good deal, the New York code calls for walls and floor-ceiling constructions that reduce airborne sound by at least 45 decibels. According to Michael J. Kodaras, consultant on the New York City code, "A man would have to shout at the top of his voice to be heard on the other side of the wall. Most men, when adequately provoked, can shout at levels up to ninety-two decibels," says Mr. Kodaras, "but the ambient noise level (the soupy mixture of millions of faint background noises) in New York is high enough to wash out most of the other forty-seven decibels that get through."

Much the opposite of what one might expect, the FHA code demands that walls built in the country be better at blocking noise than walls built in cities. The reason is that ambient noise in the country is lower, so individual noises stand out more and annoy more. And that explains why the baby sleeps well in Boston but is wakened by bird chirps on Nantucket.

The new codes also call for floor-ceiling constructions that have been found to dampen the clacking of women's high heels to an extent that satisfies 75 percent of the people subjected to it in the apartments below.

But these requirements are minimums. Hopefully, many builders will exceed them. And over the years, Mr. Kodaras feels certain that other cities will adopt them and the minimums will be raised.

Quite obviously, however, the huge majority of us for many years to come will be living in acoustically deplorable homes, erected in these continuing dark ages after the days of good materials and before the days of codes. Almost all we can do is put down carpeting, and thus make life a bit more tolerable for the people downstairs, and install air conditioning for ourselves. The closed windows will keep out some of the street noises, and if we can stand it, the sound of rushing air produced by the machine will mask many minor noises that would otherwise irritate.

Poetic acousticians refer to this rush of air-conditioning noise as "sound perfume." Acoustical consultants Bolt Baranek and Newman, of Cambridge, have built it into many air-conditioning systems on purpose—to drown out, as examples, the sound of researchers researching in Time-Life editorial offices and the swish slide rules and tapping of pencils in the M.I.T. library.

And the air-condiitoning noise itself has been copied in the form of "white noise" machines. A New York sleep shop, says one of its salesmen, sells eight of these a day. Placed next to one's pillow, they create the sounds of air conditioning without the cold air. For suburbanites lacking the good, rich, ambient sounds of the city, they smother the irritating chirps of crickets and frogs, and for city dwellers they exclude those neighborly voices that are just too faint to make out. "Of all noises, faint ones might well be the most damaging to the human psyche," says Dr. Farr. "If you could actually hear what your neighbors were shouting at each other, either you would find it interesting, in which case it would no longer be noise, or you would dismiss it as inconsequential and roll over and go back to sleep. But it is very frustrating when voices are loud enough to break into your consciousness but not loud enough to be understood."

Nothing could demonstrate the complexity of fighting noise more than one's own confusion on this issue. Faint noises through the wall are indeed intolerable; but it must be decided on a case-by-case basis whether to call the neighbor to say "Pipe down" or "Speak up."

A NOISE-LOATHER RENTS A NEW APARTMENT. If there are old tenants, she talks with them and begs them to let her visit between ten and eleven at night. Then she listens for the elevator, steps in the hall, footsteps overhead, toilets flushing, noise through the walls. If all seems well, she talks to as many other tenants in the building as she can. If they are disturbed by noise, they will certainly not hide it from her, for under the circumstances, they probably detest the landlord and would be delighted if he lost money on an empty apartment.

If it is a new building, she visits it with a friend who is carrying a transistor radio in her purse. The friend goes into the next apartment and turns the radio up to a normal loud level. If the sound comes through clearly, she is not deceived by the rental agent's assurance that once rugs and furniture are in, they will muffle such noises.

The friend flushes the toilets next door. No sound of it should get through.

The friend, in high heels, walks briskly about in the apartment upstairs. A very slight tapping sound might be acceptable—provided the landlord guarantees that there is a so-called carpet clause in everyone's lease. This should provide that 85 per cent of the flooring in all apartments (except kitchens and bathrooms) will be carpeted. The landlord must also guarantee that carpeting will cover all the hallway floors.

She makes certain that the bedrooms are not next to the elevator shaft. Also, she assures herself that her bedrooms do not share walls with someone else's living room.

She is particularly suspicious of bathroom cabinets and air vents and spends an inordinate amount of time attempting to talk with her friend from one bathroom to another.

She also spends time staring out all the windows. Does she see a school playground, a garage? Is that a fire station down the block? Is she in the landing path of the airport? (She later checks that with the Federal Aviation Agency.) All this will be of vital importance if she hopes to raise the windows in the summer.

But no matter how hard she tries, she might still fail miserably. Many a horror story can be told. There was the noise-phobic couple who spent years searching for the old town house of their dreams. It had to be a one-family house and on a quiet street and with walls as thick as those of a fortress. They finally found it—and went deeply in debt to buy it. But the first night they spent in it, there was a reverberation that turned on and off—a deep hum that came from nowhere and murdered sleep. A noise expert told them it was their boiler, so they went further into debt and bought a new $3,000 boiler. And there is still, to this very night, six months later, a reverberation that turns on and off. Noise experts now tell them it is the boiler in the house next door, and they are both very close to going out of their minds.

[From the Christian Science Monitor, Oct. 31, 1966]

Slow on Sound

(By Mary Hornaday)

NEW YORK.—Robert Alex Baron, a theater manager, lives right over the Sixth Avenue subway, three years in the building.

This is one reason the bulky, blond young man has become a citizen leader in the battle against "noise pollution."

Looking down on a big crane and earth-packing machines one morning recently when he was baby-sitting for his daughter, Stacy, he explained:

"For one whole year we were subject to the most intense and longest siege of noise in the history of modern man. It went on from 7:30 in the morning til 4:30 in the evening, five days a week. You won't believe this but our daughters first words were: 'Noisy street. Daddy, stop noisy street!' It is very sad."

It is not only the subway that is troubling Mr. Baron. Next door they are tearing down the Ziegfeld Theater. On top of that there are the usual noises—sirens, sanitation trucks, loudspeakers, and car horns. There is an unsilenced helicopter in the center of the city, and soon there may be the booms from breaking the sound barrier.

Retreat from the city? That isn't what Mr. Baron intends. Instead he has set about to mobilize public support for noise abatement—at least on the local level and eventually nationwide. "There probably will have to be federal guidelines," Mr. Baron says, "since many of the noises come from interstate traffic." Last summer he addressed the International Congress for Noise Abatement in Baden-Baden, Germany. His address was inserted in the Congressional Record by Rep. Theodore R. Kupferman (R) of New York who has legislation in Congress to control noise pollution.

As far back as 1929, New York City started to tackle its noise problem with the New York City Noise Abatement Commission. Today the city has a basic law against unnecessary noises—described as "of such character, intensity, and duration as to be detrimental to the life or health of any individual. Penalties for a first offense ran from five dollars to $10, but since punishment comes under criminal law, Mr. Baron finds judges "very reluctant to convict."

One happy note in New York's noise picture is the city's proposed new building code. For the first time, it will require walls thick enough to keep out neighbors' noises and plumbing that does not rattle and shake at night. "It's very exciting," Mr. Baron concedes. "But will it be enforced?" That will be part of his work—stir up citizen support for adoption of the new code and its enforcement.

At present the most active citizen groups in the noise abatement field are fighting noise from jet aircraft. But Mr. Baron thinks a more general mobilization of public support is needed. Also he says there is a dearth of leadership from public officials busy on air and water pollution but slow on sound.

One of Mr. Baron's insistences is that when new noises are introduced in the "public sector," they be toned down before they are introduced. He foresees that the United States may make a lot of enemies overseas if it launches its supersonic plane without proper attention to the supersonic boom.

"Countries that do not have the plane are going to react especially severely to overflights," he worries.

Mr. Baron has started speaking to women's clubs and other citizen groups about the noise problem. "My purpose," he says, "is to tell people they don't have to give up." He pulls out of his file information on silencers, many of them made abroad. They are apparently unknown in New York.

Sometimes, Mr. Baron admits, "one man's noise may be another man's music."

The hooting tugboats in the night on the East River come in that category.

Some light-sleeping New Yorkers don't even like them. It is Mr. Baron's contention that even these people should be shown respect as human beings.

The citizen campaign against noise pollution in big cities will probably take a long time. Here in New York, it has begun.

[From the Rochester Times Union]

Q. Your editorial page referred to the problem of increasing noise and suggested that interested citizens do something about it. To whom can I write, on national and local levels, to urge that steps be taken to combat the ever-growing noise problem?

—E. H., ROCHESTER.

A. City Councilman William A. Legg has proposed a review of city and state laws dealing with noisy vehicles. Greece Supervisor George W. Badgerow this year proposed an anti-noise ordinance for his town.

U.S. Rep. Theodore R. Kupferman of Manhattan wants a U.S. director of noise control in the Surgeon General's Office. The Acoustical Society of America at 335 E. 45th St. in New York City is made up of scientists trying to control noises. "Help" suggests you contact one of those.

State of Colorado,
Department of Public Health,
Denver, Colo., January 3, 1967.

Congressman Theodore R. Kupferman,
House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: I noticed your article in the Autumn 1966 "Engineer" and this prompted me to ask you for further information pertaining to noise in general, and any ideas you have leading to the suppression of noise. I would appreciate receiving a copy of your Bill HR 14602 plus accompanying Report.

It is good to know that someone at your level is becoming concerned about noise and the problems it creates. Noise seems to be one of the unfortunate by-products of our advancing technology; I am sure it is reducing the efficiency of many of us and actually hurting some of us.

It would seem that were we to put our minds to it, some place in our technology there could be set aside sufficient personnel and the time and equipment to work toward suppression and abatement of noise production.

Yours very truly,
Wm. N. Gahr,
Chief Engineer and Director, Division of Engineering and Sanitation.

Pancoast, Ferendino, Grafton & Skeels, Architects,
November 18, 1966.

Subject: Sound control legislation and technology.

Hon. Theodore R. Kupferman,
House Office Building,
Washington, D.C.

Dear Sir: Our staff mechanical engineer has called to my attention your article in the autumn, 1966, issue of "Engineer" entitled, "noise, the need for legislation and technology." The article contains so much information pertinent to our local problems in this area that I request permission to reproduce it for distribution to the members of the Board of Public Instruction, the superintendent and his staff, and local building code board of rules and appeals. By way of an exchange of information, and to indicate to you the nature, and cost to the public, of our local noise problem, I am sending to you under separate cover two reports prepared for the Board of Public Instruction. One of these was written by staff members of the B. P. I., and the other by Dariel Fitzroy, who was consulted at the recommendation of our office at the suggestion of Harold Gores, president of Educational Facilities Laboratories, a beneficiary of the Ford Foundation.

The further study of this problem in the greater Miami area and the implementation of zoning regulations to prevent further pollution of our acoustical environment would make very good use of funds for research and demonstration projects to be provided under your bill H.R. 14608, or similar legislation. That the metropolitan government of the community might be receptive to regulations is evident by the passage of a model air pollution ordinance which has helped protect us from the private power industry use of heavy fuel oil for generator plants. The existence of a natural gas line from Texas has made possible the substitution of cleaner fuel for public power generation in a resort area where clean environment is of paramount importance.

Sincerely,
James H. Church,
Director of School Construction Research.

Tustin Institute of Technology,
November 11, 1966.

Hon. Theodore R. Kupferman,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Kupferman: I was much impressed with your article "Noise: The Need for Legislation and Technology," which appeared in the Autumn, 1966 issue of Engineer. Does your office happen to have extra copies? We could make good use of any number up to 30. May we quote from your article in our technical publications?

By a copy of this letter I am asking Mr. Jack Mowry, President of Acoustical Publications, Inc., Box 9665, Cleveland, Ohio 44140, and Publisher of *Sound and Vibration*, to put you on his mailing list (first issue in January). You mention Mr. Lewis S. Goodfriend, who edits the new magazine. Perhaps the magazine will comment on your article if you will send Mr. Mowry a copy.

In reading your article, I was impressed with your unusually fine understanding of and writing about this complex subject. Similar understanding must be gained, somehow, by members of all local, regional and national legislative bodies. Also to people responsible for enforcing noise codes, including police departments. Also to those people responsible for generating noise.

Our business is specialized technical education. One of our fields is applied acoustics, emphasizing applications rather than theory. If you happen to hear of people who desire a short, concentrated course of instruction, would you kindly mention us?

Yours very truly,
Wayne Tustin.

Ohio River Valley
Water Sanitation Commission,
Cincinnati, Ohio, December 12, 1966.

Hon. Theodore R. Kupferman,
House of Representatives,
Washington, D.C.

Dear Mr. Kupferman: If reprints are available of your statements with attachments that appeared in the Congressional Record of April 21 and October 19, 1966, I would be pleased to receive them.

May I congratulate you on your informative presentations of the "noise pollution" problem and the recommendations you have set forth to deal with it. I did have opportunity to glance at them, but they capture my interest for further study.

More power to you in giving leadership to this vital aspect of improving the quality of our environment.

Sincerely yours,
Edward J. Cleary.

Westcrest Community Association,
Los Angeles, Calif., November 19, 1966.

Hon. Theodore Kupferman,
Seventeenth Congressional District,
New York, N.Y.

Dear Congressman Kupferman: In the Autum 1966 edition of "Engineer" there appeared your article entitled "Noise: the Need for Legislation and Technology". The subject is of vital interest to us.

We are residing immediately to the south of a small airport, which is not within Los Angeles city boundaries. However, the flight pattern is directly over the residential communities of *our* city—not theirs.

For the most part, the airport has been used as a recreational facility accommodating light craft, and occasional military and emergency flights. The field has now been open to jet traffic and there are plans to expand for the purpose of accommodating private Industries "Executive" type Jets.

The increasing noise emanating from the airport was recently measured at 102 dbs. from the home of one of our residents. We know some areas to have a higher noise level than the example cited, but a complete noise study has not yet been made.

If you have any further information you can send us regarding "noise", its effects, and what can be done about it, we would be most appreciative. Thank you.

Very truly yours,
Westcrest Community Association,
Robert E. Cloon, *President.*

Menands, N.Y.,
November 30, 1966.

Congressman Theodore R. Kupferman,
House Office Building,
Washington, D.C.

Dear Congressman Kupferman: Your speech on "Noise," published in the recent issue of "Engineer," stimulates my interest as well as imagination to control the unwanted sound that is present in our noisy environment.

I am a sanitary engineer and am interested in having a copy of your proposed bill, H.R. 14608, if available.

Thank you for your interest.

Sincerely yours,
Thomas Shen.

[From the Scientific American, December 1966]

Noise

(Note.—There is widespread concern that the noisy environment of modern man not only is distracting but also causes damage to the ear. What are the facts of the matter, and how can noise be brought under control?)

(By Leo L. Beranek)

Mankind seems destined to live in an increasingly noisy environment. The growth of population and the proliferation of machines are steadily raising the noise level, not only in our cities but also in the countryside. More and more we are exposed to a babble of technological noises that disturb our sleep, make conversation difficult, create anxiety and in many cases may result in a permanent impairment of hearing.

Although the noise problem has been widely discussed and studied for many years, it has not yet been dealt with in any thoroughgoing way. In several sectors of our technology, however, it has recently presented itself in an acute form. A crisis was precipitated for a considerable part of U.S. industry by a court decision in the state of New York in 1948. Matthew Slawinski, a dropforge worker, had filed a claim against his employer for compensation for partial deafness caused by the high noise level in the shop where he worked. Eventually the New York State Court of Appeals upheld his plea that he had suffered an occupational disability (although he was able to continue at full pay as a drop-forge worker), and he was awarded $1,661.25. The decision was soon followed by the filing of hundreds of claims against employers by workers in noisy industries in many other states. Management alarm in these industries—textile mills, drop-forge and metal-fabricating shops, steel mills, metal-container plants and others—rose to near-panic proportions, and a member of the Wisconsin Industrial Commission estimated that the total of claims for occupational loss of hearing in the U.S. might rise to billions of dollars.

Industry was given a reprieve by later judicial elaboration, in New York and elsewhere, of the original ruling. It is now held that to establish a claim a worker must retire from his noisy occupation for some months in order to determine whether or not his hearing loss is permanent. Since most workers do not wish to give up months of wages (or their occupation) for the chancy opportunity to sue for a compensation award, the surge of claims has subsided.

Nevertheless, industry has not entirely recovered from its scare, and other noise sources—notably the rising din of automobile and airplane traffic—are creating active public concern and demands for remedies. It is clear that the basic problem is essentially incurable; noise is an unavoidable price we must pay for a machine civilization. But if we cannot eliminate the noise of modern technology, we can at least control it to minimize its effects. The problem of control has three main aspects: technical, economic and political.

EFFECTS ON HEARING

Let us consider first what has been learned about the effects of noise on the human organism. The most obvious effect, of course, is on the hearing organ. Everyone knows that a very loud noise, such as the explosion of a large firecracker, will produce momentary deafness. Permanent hearing loss, however, develops only from repeated or continuous exposure to high noise levels. The relation between such exposure and hearing impairment has been investigated carefully in a number of studies.

To understand the results of these tests one must know something about the methods of measurement. The intensity of sound is measured in decibels, and a person's hearing is measured in terms of the threshold decibel levels at which his ear can detect sounds at given frequencies. The amount of an individual's "hearing loss" can therefore be gauged by comparing his acuity with an average or standard of hearing sensitivity; if, for instance, a sound must be raised to 15 decibels above the standard for him to hear it, he is said to have suffered a 15-decibel hearing loss. In the U.S. the standard for average hearing has been established by the American Standards Association on the basis of tests of a large group of people between 18 and 30 years of age without hearing difficulties.

As is well known, the audibility and quality of sounds depend a great deal on frequency. The frequencies up to 3,000 cycles per second are the most important for understanding speech. Higher frequencies are generally judged "noisier" and more annoying (although they are essential for full enjoyment of music). It is at the higher frequencies that hearing losses become most marked with advancing age or in the impairment due to exposure to noise. Hearing tests generally examine the subject's sensitivity in a series of bands; each band consists of an octave, that is, the highest frequency in it is twice that of the lowest.

Here are the results of a classic study of 400 men engaged in a noisy occupation. They had worked daily at a noise level averaging 90 decibels in each of the six octave bands between 100 and 6,000 cycles per second, some of them for periods of up to 40 years. On the average the men suffered substantial hearing losses, particularly at the higher frequencies and during the early years of their exposure. Some of those who had been exposed for 10 years, even young men of 30, had so much impairment that they found it difficult to understand speech.

The study showed that individuals differ considerably in their vulnerability to noise: among those who had been exposed for 25 years or more there was a spread of about 30 decibels in the amount of hearing loss at the higher frequencies. The variation in vulnerability suggests that it should be possible to discover at a fairly early stage those persons who are particularly susceptible to hearing impairment and transfer them to quieter jobs. The damaging effect of noise is especially marked and prompt in showing itself at the frequency of 4,000 cycles per second; hence this test should be a good indicator for identifying noise-susceptible people. By way of comparison, a separate study of individuals who pursued quiet occupations has shown in detail how hearing at the high frequencies deteriorates with age. Among men in their 60's the average loss of hearing at these frequencies is about 30 decibels, and in the 70's the loss rises to some 40 decibels or more.

PSYCHOLOGICAL EFFECTS

When we move into other realms of noise effects, such as the psychological consequences, it is hard to find a basis for measurement. The noises of our daily life have been blamed variously for the high divorce rate, social conflict, indigestion and other organic disabilities, nervous breakdown, high blood pressure, heart failure and even insanity. Most of these allegations arise from overvivid imaginations, but one cannot rule out the possibility that some people are particularly sensitive to noise just as others are allergic to nuts, eggs or household dust. As far as controlled social observations go, however, we can only say that the demonstrable and important biological effects of loud noises are—in addition to the impairment of hearing—interference with speech communication, distraction of people from work requiring concentration, interference with sleep and a subjective reaction of annoyance.

Studies of the annoyance effect have been conducted among people living in noisy areas: in central London, near the London airport and in several U.S. cities, some of them near military air bases. Thousands of people were interviewed, and some interesting statistics have emerged. In any noisy environment, whatever the intensity of the noise, about a fourth of the inhabitants say they are not perturbed by the noisy activities. These people apparently are able to live happily next to elevated railroads, trucking routes, airplane flight paths and other loud noise sources. At the other extreme, about a tenth of those interviewed seem to be disturbed by almost any noise not of their own making, regardless of how faint it may be. (The interviews elicited the fact that the same people were dissatisfied with many other things in their environment.)

In areas where a specific source (such as airplanes) produces a constant din, about a third of the people said they tended to get used to the noise; on the other hand, a fourth said they were increasingly bothered by the noise as time went on. Personal reactions to noise did not appear to be correlated to any significant extent with age, sex, income or education. Many people were, however, influenced by specific fears; many of those who lived next to traffic routes said they were sensitive to the noise because of fear for the safety of their children; many of those near airports dreaded the noise because of the possibility of plane crashes. We should not minimize the annoyance effect of noise. Some physiologists assert that annoyance is a biological protective mechanism (like the discomforts of fatigue, hunger or cold) that impels the organism to avoid noise as it does other signals of disturbance.

NOISE CONTROL

Let us turn now to what has been done, and what can be done, to control noise in the areas of greatest concern. Foremost among these areas, of course, is industry, where continual exposure may seriously damage the workers' hearing.

The first need is to determine what the tolerable levels are, and a number of studies have been devoted to this question. A committee of the American Standards Association, in an investigation that is still under way, has arrived at some preliminary ideas on permissible limits of noise exposure for a worker at his daily job. The test applied by the committee is that after 10 years of the daily exposure a worker should not have suffered any appreciable impairment of his ability to understand speech at normal voice levels. On the basis of this criterion the committee investigators have determined permissible daily "quotas" of exposure, that is, the number of minutes of exposure per day that can be tolerated at various decibel levels and for various sound frequencies. The committee's tentative conclusion is that over an eight-hour working day 85 decibels (for each of the octave-band frequencies above 700 cycles per second) is about the limit people can tolerate without substantial damage to their hearing. A study by the U.S. Navy has suggested that a higher figure is permissible; testing naval personnel, it found that daily exposure up to 90 decibels did not impair the men's ability to understand speech.

The noisy industries themselves have begun to take steps to reduce the risk of hearing loss. Most of the employers in these industries now test the hearing of workers when they are hired and at intervals afterward. They often require workers in the noisy locations to wear earplugs, earmuffs or both. Many factories are applying mufflers and other noise-reducers to their machines, building enclosures around them and covering the room walls with sound-absorbing materials. Some companies go so far as to specify, when buying new machinery, that the machines must not generate noise above a stated level.

At the political level a few states have adopted legislation requiring employers in noisy plants to provide earplugs or earmuffs for their workers. In California the state Department of Industrial Relations has issued a noise-control safety order specifying the circumstances under which ear protection must be worn. It is required, for example, if the worker is exposed for more than five hours a day to 95 decibels or more in any one of the octave-band frequencies above 300 cycles per second.

A number of states now have laws that give workers the right to claim compensation if they have suffered a loss of ability to understand speech, even though this may not have meant the loss of their jobs. The Council of State Governments has recommended a uniform law for all the states that would specify the conditions for compensation claims. It defines noise-induced hearing loss as a compensable disability and establishes a disability scale based on the average of the hearing loss measured at 500, 1,000 and 2,000 cycles per second. The compensable loss would be that beyond 15 decibels, after deducting the natural loss due simply to aging (which is specified as half a decibel per year after the age of 40). The recommended legislation also includes provisions designed to protect employers: workers could file claims only after six months of separation from exposure to noise and the employer's responsibility would be limited to the amount of hearing loss incurred by the worker with this employer (that is, excluding losses in previous jobs).

NOISE AND SPEECH

I want at this point to discuss in a little more detail the loss of the ability to understand speech, to which I have already referred so often in this article. The word-comprehension test has proved to be a remarkably useful aid to noise research, not only because it provides a convenient way to measure hearing loss but also because it serves as a criterion for establishing permissible noise limits in almost all types of situation. The analysis of speech sounds and of effects of noise on speech comprehension has therefore given us invaluable information.

Laboratory studies with sound-recording devices tell us that speech is made up of a great variety of sounds at various frequencies and intensities. Each letter or syllable, as normally enunciated, carries a mixture of tones, each with a certain characteristic intensity. Consider the word "sit." The sound of "s" consists of relatively high-pitched tones at a moderate intensity level;

“i” is lower-pitched and stronger in intensity; “t” is made up mainly of high-frequency tones at low intensity, so that its sound is comparatively faint. Now, to understand the word when it is spoken a listener must hear and unambiguously identify each letter. If he fails to catch the “t,” he may mistake “sit” for “six”; if he misses the “i” sound, he cannot tell whether the word is “sit” or “sat.” Laboratory tests have in fact demonstrated that to understand English speech perfectly one needs to hear essentially all its sounds over the frequency range from 200 to 6,000 cycles per second. It has been found that this spectrum can be divided into some 20 bands, all of which prove to be equally important for speech intelligibility. It also turns out that within each band the intensity of the various speech sounds (for letters and syllables) as they are ordinarily enunciated varies over a range of about 30 decibels (from the faintest to the most intense). We can therefore plot on a graph the region of speech intelligibility, in terms of the necessary decibel levels for the various frequencies.

As a standard for reference we can plot the “speech region” in the case of a young male speaker talking at a normal voice level and standing about three feet from the listener. If the speaker talks softly, the entire speech region moves down about six decibels (that is, all the sounds are that much fainter); if he raises his voice above the normal level, the region rises six decibels above the standard; if he shouts, the region moves up another six decibels. The sound level for the listener also varies with distance between the speaker and the listener: for each doubling of the distance the speech sounds become six decibels fainter, and for each halving of the distance they become six decibels louder.

Now, if we plot on the same graph the threshold levels of audibility of sounds for persons with average or normal hearing, we can readily measure the effects of loss of hearing ability. Whenever a person's hearing loss is such that his audibility threshold rises into the normal speech region, he will fail to hear the speech sounds at the affected frequencies and to that extent will suffer a loss of speech comprehension.

The effects of interfering noise can be shown even more graphically. Noises at decibel levels within the speech region will mask, or blot out, the speech sounds. There are continuous-spectrum noises, such as those of a waterfall, a jet engine or a moving train, that will overwhelm the speech region at all frequencies. Thus a railroad train approaching a station where two persons are talking makes it more and more difficult for the two to understand each other, and at its peak the train noise may make speech impossible. By raising their voices and moving closer together, thereby elevating their speech region, the two speakers may be able to achieve a slight measure of communication. There is a level, however, at which speech can be too loud to be understood. A person shouting into a listener's ear may so overload the ear that the speech sounds become unrecognizable.

From the type of analysis I have been describing we can derive information that enables us to set up definite criteria for noise control in our various working and living spaces: offices, conference rooms, shops, homes and outdoor locations. In our laboratory at Bolt, Beranek and Newman, Inc., we have worked out a scale of speech-interference level (SIL) that can be used as a guide for determining the permissible limits of background noise in given situations. The scale defines background noise in terms of a kind of decibel specially created for the purpose: the SILdB. This unit is an average of the decibel readings in the three octave bands between 600 and 4,800 cycles per second. For instance, in the case of two persons six feet apart outdoors, one speaker will readily make himself understood by speaking in a normal voice if the interfering noise level is no louder than 49 SILdB; against a background of 55 SILdB he will have to raise his voice; at 67 SILdB he must shout.

Using this scale, we have derived the following criteria for specific situations. In a private office or small conference room, where the people may be separated by distances of 10 to 25 feet, the speech-interference level of the background noise should be no higher than 30 to 35 SILdB, so that conversation can be carried on at normal voice levels. In large engineering and drafting rooms, where people may stand closer together (about six feet apart) and be willing to raise their voices, a noise level of 40 to 50 SILdB is tolerable. In the home, if we apply a standard of quietness that would allow the television or radio to be understood comfortably at moderate levels of loudness, the interfering noise level should be no more than 30 to 35 SILdB. For telephone conversation the interfering noise should be no more than 45 SILdB; above that level background noise begins to make telephone communication difficult, and when it reaches 75 SILdB use of the telephone may become impossible. In all situations the highest noise level that will allow any intelligible communication is about 90 SILdB; against this background the speaker must shout into the listener's ear from a distance of three to six inches.

QUIETER BUILDINGS

What can be done to make our buildings, particularly dwellings, quieter? Certainly we must give more thought to their basic design. In contemporary architecture the primary emphasis seems to be not on function but on aesthetics. Two of the principal ideals are transparency and continuity—in physical terms, glass and the open plan. Unfortunately continuous structures and open plans are inimical to quiet living. Many modern dwellings are acoustical torture chambers!

In apartment buildings the errors of design are compounded by economic pressures that have resulted in a too flimsy separation between apartments. Many new high-rise apartment buildings in New York are so noisy that their occupancy rates have fallen below the profitable level. Apartment hunters have been known to carry portable radios with them so that they can test the noise transfer from one apartment to the next. Some owners of cooperative apartments are compelled to spend large sums to insulate their dwellings more satisfactorily against the noise of their neighbors.

The difficulty is not that techniques for making dwellings quiet are unavailable. Noise can be controlled by erecting heavier or multilayered walls between apartments, by floating floors or hanging ceilings from vertical structural members, by installing nearly silent bathroom fixtures, by designing ventilation ducts to minimize the transmission of noise and by using quiet systems of air conditioning. Indeed, it is possible with present techniques to build apartments (or offices, libraries and hospitals) that are actually too quiet—so silent that even faint noises from outside become obtrusive and disturbing. In that case there is a simple and pleasant remedy: one can introduce a gentle, steady, “white” noise—a noise “perfume” that masks the intrusive noises and has a soothing effect.

In Europe long experience in apartment living and a popular taste for gracious living (in preference to gadgets) have led to careful attention to noise control in the construction of multiple-family dwellings. Britain, the Netherlands, Germany, Sweden, and the U.S.S.R. have well-developed acoustical building codes that have been applied to the large-scale program of the rebuilding of housing since World War II.

Studies have shown that the noises apartment dwellers consider most annoying are radio or television noise from neighboring apartments and impact noises, as from people moving about on the floor above. It is not possible to achieve accurate control of the transmission of such noises simply by specifying construction requirements for walls and floors, because noise can travel from one room to another along continuous walls and through cracks, ventilation ducts, electric boxes, pipes, conduits or medicine cabinets. Therefore the codes focus on specifying limits for the amount of noise that may be transmitted, leaving it to the builders to devise means of complying with these limits. The amount of transmission is tested by devices such as a pounding machine that hammers on a floor so that the reception of noise in a room below can be measured. A general formula for rating the insulating value of floors, ceilings and walls has been devised: it is based on the difference in noise level (at 16 significant frequencies) between the room where the noise originates and the one where it is received.

The Netherlands code specifies, for example, that a loud noise must be so muffled that the noise level at 2,000 cycles per second is 54 decibels lower in the receiving room. (Less attenuation of noise is required, however, at lower frequencies.) In Britain, which has separate standards for Grade I and Grade II (less expensive) structures, the minimum absorption requirements for noise at 2,000 cycles per second are 56 and 51 decibels respectively.

In the U.S. such codes are entirely lacking, and only New York is seriously considering one. A proposed code for that city would set the insulation requirement (at 2,000 cycles per second) at 45 decibels—six decibels less satisfactory than even the Grade II code in Britain. Even so, the proposed New York standard would be an improvement over present conditions there. In many of its present apartment buildings the noise insulation is 10 or more decibels worse than the proposed code.

The control of apartment noise in the U.S. will be a most difficult matter. Building codes are strictly local; each of the nation's 6,000 cities and towns writes its own code. Labor is slow to accept new building techniques. Builders, under the pressure of competition, are governed primarily by economic considerations. Many argue that to attain in the U.S. the standards of quietness now enjoyed in modern apartments in Europe (where building costs are much lower) would require the development of new types of lightweight apartment structures that would be cheaper to build in terms of materials and labor costs.

Nevertheless, it seems that the time is near when we can expect noise-control codes throughout the nation. The Federal Housing Administration is supporting a comprehensive study of the control of noise in multiunit dwellings. This study may in time lead to Federal noise-control requirements for housing built under FHA mortgages. Moreover, if New York adopts a noise code, other cities undoubtedly will follow its lead. It seems likely that public demand, expressing itself through codes and in the marketplace through a deliberate search for quiet in apartment hunting, will compel increasing attention to noise control in apartment construction. Among other things, it should stimulate research on reducing the cost of building quiet into our dwellings.

VEHICULAR NOISE

We consider next the noise of our vehicles. In retrospect the clip-clop of horses and the rumbling of carriages seem the sounds of an idyllic way of life. Our drive to be continually on the move and to travel ever more rapidly has created a noise nuisance that already has reached awesome proportions and becomes increasingly difficult to live with. In a British government survey of residents of central London, in which some 1,400 people were questioned, traffic noise stood at the top of the list of things in the environment that people would most like to change. The din of motor-vehicle traffic was considered more annoying than all other noises put together; four to seven times as many people were disturbed by this noise as by the noise of airplanes, trains or industry.

It is abundantly clear, therefore, that if city living is to be made tolerably quiet, the first efforts must be directed to reducing the noise of motor traffic. We cannot banish the automobiles, buses and trucks; they are a necessary part of our lives. It does not follow, however, that we must put up with all the noise now created by these machines.

The levels of noise produced by various types of motor vehicle have been measured carefully on the basis of their irritating effect on hearers. This measure depends not only on the physical energy of the noise but also on the hearer's perception of its loudness, or "noisiness." Noise-measuring instruments have a standard setting—the "A" scale—that gives extra weight to the higher frequencies; these variations in sound pressure are recorded in special units called dBA. Using the A scale, a study of motor traffic on California freeways showed that the noisiness level of passenger cars (for a hearer nearby) ranges from about 60 to 78 dBA at 30 miles per hour and rises to about 72 to 90 dBA at 70 miles per hour. The wide spread is due to the fact that old cars, with their worn mufflers, are considerably noisier than new ones. The study showed in quantitative terms that the main noisemakers on the freeways are trucks, buses, motorcycles and sports cars. The average trucks at 60 miles per hour is about twice as noisy as a steady stream of passenger-car traffic, and its noise may be well above 100 dBA. The irritating effect of these vehicles is heightened by the startling impact of their loud bursts of noise as they arrive at unpredictable intervals in the traffic stream.

The state of California is considering legislation that would prohibit noise levels above 82 dBA for passenger cars and 92 dBA for trucks and buses. In Britain the national government proposes to limit the maximum permissible noise to 85 dBA for passenger cars and trucks and 90 dBA for motorcycles and other two-wheeled vehicles. France has already established limits of 83 dBA for passenger cars and small trucks, 86 dBA for motorcycles and 90 dBA for large trucks and buses.

It must be said that leaving the problem to state and local legislation in the U.S. would not be effective. So much motor traffic, particularly trucking, is interstate today that national laws are plainly called for. Motor-vehicle noise is one form of hubub that should not be too difficult to control. Highway builders today have available materials for producing quiet road surfaces. The latest passenger cars generally have effective mufflers and quiet tire treads. Trucks can be equippedwith adequate mufflers and noise-damping housing for their engines. We can have quieter as well as safer vehicles.

What can be done about airplane noise? There is no doubt that we shall soon be exposed to a greatly increased volume of noise from this source as air traffic and airports multiply, helicopters become more widely used and supersonic airplanes usher in an era of sonic booms. It is difficult to determine what the tolerable levels of airplane noise are, because they vary widely among individuals and are conditioned by people's attitudes, such as their fear of crashes, their feelings on the subject of whether or not the airlines and airports are concerned about their welfare, and so forth. My own interpretation of the studies that have been made among people living near airports is that for most people the noise begins to become unbearably annoying when the airplane noise peaks (in 20 to 40 daytime flyovers per day) exceed a "perceived noise" level (measured in another special unit) around 115 PNdB. Annoyance rises (or tolerance declines) if the number of flyovers or the duration of noise in each flyover is increased, and tolerance also drops sharply at night. Some studies indicate that a flyover seems to sound 10 or more PNdB noisier after 10:00 p.m. than it does during daytime hours.

The London airport and Kennedy International Airport in New York have set up noise limits for jet airplane takeoffs (but not landings) that are in accord with these figures. In London the takeoff is supposed not to exceed 110 PNdB during the hours between 7:00 a.m. and 11:10 p.m. and after 11:00 p.m. the allowance is lowered to 102 PNdB. At Kennedy the permissible limit for takeoffs over land is 112 PNdB; at night the jets are usually required to take off over water.

The Federal Aviation Agency, which operates the Washington National Airport, has been experimenting with takeoff patterns designed to minimize noise in the surrounding residential areas. Jet airplanes are required to climb as steeply as possible to an altitude of about 1,500 feet and then coast on minimal power up to 3,000 feet. To avoid flying directly over houses in the early part of the takeoff the plane is also required to follow the Potomac River as it climbs.

For the noisy landings of jet airplanes, made particularly irritating by the whine of their engine-intake compressors, ameliorating maneuvers are not yet feasible. Most pilots believe for safety's sake they must come in to the landing strip at a low glide angle. To approach at a steeper angle—say six or eight degrees instead of three degrees—would require, they insist, several improvements in airplane design: better instrumentation (perhaps computer control of the landing), better engine response and better plane-handling qualities.

Many things could be done to design airplanes for less noisy operation. Prompted by regulations of the Port of New York Authority, operator of Kennedy and other airports, airplane manufacturers have fitted silencing devices to the exhaust ports of turbojet engines. The new turbofan type of engine has increased thrust greatly without a proportional increase in noise (but unfortunately it cannot be quieted appreciably by silencers). Some manufacturers of jet airplanes are studying the possibility of mounting the engine nacelles above instead of under the wings, so that the wings will prevent much of the noise from reaching the ground. Designers can also think of ways to control noises by modifications of the engines, nacelles and wings, and it is believed refinements of design would allow airplanes to climb and land at steeper angles. These cost-incurring antinoise improvements are not likely to be undertaken, however, until the Federal Aviation Agency forces their adoption by spelling out limits on the noise that will be tolerated from new airplanes.

SUPERSONIC-AIRPLANE NOISE

Ahead of us lies the prospect of sonic booms from the next generation of airplanes—the supersonic transport (SST). The coming of supersonic travel is inevitable; we must prepare to control its effects. The tests that have been conducted so far suggest that sonic booms need not be destructive and that people may be more apprehensive about the phenomenon than they need to be.

When an airplane moves faster than the speed of sound, it produces shock waves that trail in the wake of the plane like the disturbances in the water wake of a rapidly moving boat. The shock waves generate a pressure wave that constitutes the sonic boom. On the ground a typical sonic boom from a high-flying airplane represents a series of rapid changes in air pressure lasting half a second: the pressure suddenly rises by as much as two pounds per square foot, then drops below atmospheric pressure by about the same amount and finally jumps back to normal pressure. The noise of the boom usually consists of two closely spaced, explosive reports.

The sonic-boom "wake" behind the airplane, fanning out in the shape of a cone, spans an area on the earth below that depends on the height at which the plane is flying. Typically the path of the boom on the ground is about 33 miles wide when the plane is at an altitude of three and a half miles and 50 miles wide when it is flying at a height of nine miles. The higher the plane flies, the weaker is the intensity of the boom at the ground.

The U.S. Government has conducted a number of studies of the effects of sonic booms, the most elaborate of which was a six-month test, from February to July of 1964, in the Oklahoma City area. The area was subjected to a total of 1,250 sonic booms from airplanes (during daytime hours). The average intensity of the booms in the early weeks of the test was 1.13 pounds per square foot and eventually it was raised to 1.6 pounds per square foot. Samplings of the public reaction showed that most of the people living within eight miles of the center line of a boom path were disturbed by the sonic booms. About a fourth of the people interviewed at the end of the six-month trial said that eight booms a day at the intensity of 1.6 pounds per square foot was more than they could learn to accept.

It appears that the main source of complaint was fear of damage to structures—cracks in plaster walls, weakening of the construction and so forth. More than 40 percent of the people interviewed in Oklahoma City believed their homes had been damaged by the sonic booms. Yet careful surveys of many houses showed no visible evidence of damage. In areas of the country where military airplanes regularly carry out supersonic flights, often producing strong sonic booms of more than two pounds per square foot, few damage claims have been filed by residents. On the whole the available evidence suggests that public apprehensiveness about sonic booms will be greatly reduced if people receive credible guarantees that their homes will not be damaged within specified limits of exposure and if these limits are strictly enforced. It is important, therefore, that the Federal Government prepare for the arrival of supersonic travel by establishing tolerable limits for sonic booms—limits that will not damage property or be seriously disturbing to people's peace of mind.

For man in the present "advanced" stage of civilization noise is no longer a trivial problem. It is ironic that the U.S., with its genius for creating technical marvels and solving technological problems, allows this most unpleasant affliction to debase its culture. We could improve the quality of our environment enormously by allocating a portion of our energy and wealth to controlling noise. With some ingenuity and at moderate cost we can hush our noisiest industries to save the hearing of workers. We can mitigate the roar of traffic—on the ground and in the air—by instituting and enforcing noise codes, by improving the design and operation of vehicles, interposing buffer zones to separate residential areas from airports and superhighways (through zoning and condemnation) and by sealing buildings against noise where proximity to noise is unavoidable. With a willingness to pay the extra price in construction costs we can also have quiet homes. It appears that we shall have to pay these costs if we are to make a tolerable adaptation to the noises of civilization.

[From the Aeronautical Research Institute of Sweden, Memorandum PE–19]

The Menace of the Sonic Boom to Society and Civil Aviation—Based on "The Sonic-Boom Menace," Presented at the 4th International Congress for Noise Abatement, Baden-Baden, May 11–14, 1966

(By Bo Lundberg, Director General, FFA)

SUMMARY AND ADDITIONAL CONCLUSIONS

The International Civil Aviation Organization (ICAO) has stated:

"The (boom) intensity must obviously not be great enough to cause any damage to property—" (Ref. 17), and

"SSTs must be able to operate without creating unacceptable situations due to sonic boom" (Ref. 31).

The International Air Transport Association (IATA) has stated:

"Economic operations (of SSTs) as supersonic speed must be practicable over inhabited areas at any time of the day or night." (Ref. 18)

There is conclusive evidence that none of the two ICAO requirements will be complied with by SSTs, currently built or designed, flying at supersonic speed over inhabited land.

Thus ICAO has already, by implication, condemned supersonic *overland* operation by SSTs (since there are no uninhabited land areas on the earth large enough to admit the 70 to 80 miles wide boom carpets sufficiently long for making supersonic flight practical). It also follows that the SST will not be able to meet the IATA requirement without violating the ICAO conditions.

Some SST proponents believe that SST operation could be profitable even if supersonic speeds are limited to the *over-water* portions of the total routes (provided that the sonic boom does not create restrictions on supersonic flight over water). This belief seems unfounded. Such operation will most likely be uneconomical in competition with the future "Jumbo Jets".

Over and above this, many people on boats will certainly oppose the disturbance and hazards especially within the vast climb portion of the carpets plus the inevitable magnification—by a factor of 2 or 2.5—within a horseshoe-shaped area at the beginning of each boom carpet.

It therefore seems at least possible—in the author's opinion probable—that severe boom restrictions will be imposed on supersonic flight also over water. This would result in such heavy economic losses that most of the SSTs would have to be scrapped.

Thus, the fact that prototypes of the Concorde are being built and that many hundred millions of dollars have already been spent on SST developments in the U.S. has put the SST investors (the supporting governments and existing and prospective SST manufacturers, and those airlines that have ordered or will order SSTs) in a most serious dilemma; they face the risk of losing all or most of the investments made up to the point of time—the "point of return"—when it has become clear to everybody that supersonic flight will not be allowed extensively enough to prevent SST operation from becoming grossly uneconomical. The losses at stake would be very large even if the SST developments were stopped right now. Much more important, however, is the fact that the losses will rapidly increase until the "point of return", and they might eventually run into several tens of thousands of millions of dollars.

In the author's opinion, the main responsibility for this menace rests with those technical people who have studied the implications of the sonic boom but either have not adequately clarified and stressed the serious implications of their findings or have presented them in an incomplete or misleading way.

This has caused the governments which decided to build SST prototypes, or to develop SST projects, to underestimate greatly the implications of the sonic boom. This may also apply both to the top advisors to the governments and to those airlines which, by first signing options on SSTs, initiated a chain reaction with most other airlines following suit for reasons of competition. There is little doubt that, if the sonic-boom problem had been explained and presented in a correct and complete way, the decisions on various phases of SST developments or options would never have been taken.

In particular, the technical people in question have failed to make clear:

(1) the unprecedentedly large variation, due to atmospheric effects and/or flight manoeuvres, in boom intensity around the "nominal" limits (of 1.5 up to 2.5 pounds per square foot for various supersonic flight conditions),

(2) the statistical implication of this variation: within a typical boom carpet over land there will be something like 10.000.000 occurrences per year where people are struck by "superbangs" exceeding 3.0 psf,

(3) the large magnifications, usually by a factor of 2 and often more, that will inevitably be created, within a confined area, by reflection of the shock wave from walls,

(4) the inevitable "horseshoe" magnification,

(5) the possibility that these magnification effects might be combined and result in teriffic "super-superbangs",

(6) that most houses all over the world contain numerous spots or areas in imperfect condition susceptible to accumulated effect of repeated average and magnified booms or to single superbangs; as a result there will be extensive and ever-increasing damage to property all over the world from SST operation over land,

(7) that the SSTs, because of their greater length compared with military supersonic aircraft, carry much greater energy for the same overpressure; this most likely will greatly outweigh the possibly alleviating effect of the wave shape of the SST booms,

(8) that the boom tests over Oklahoma City in 1964, in spite of being confined to overflights at daytime, clearly indicated that the booms will awaken most light sleepers within the whole boom carpet plus a high proportion of all sleepers in the middle of the carpet,

(9) that the boom therefore will be detrimental to the health of many people,

(10) that the justification of, and the tolerance of people to any kind of noise is highly dependent upon the necessity and real need of the activity that creates the noise, and that there is no great need for the further time gain by the SSTs because the time spent onboard near-sonic jets is already usually conveniently short and often efficiently usable for a meal or resting (this implies that the flight time is no longer a "loss" to the passenger, a misconception that seems to be a cornerstone in the motivation for the SSTs),

(11) that for these reasons—and also because of the enormous extension of the boom carpets and of the fact that practically all of those people who suffer the most by the booms can never be "acclimatized" to the sudden claps—people in general, as well as medical scientists, are certain to demand much more severe restrictions on the boom than on any other kind of man-made noise,

(12) that the supersonic flight of the SSTs most likely will be deemed illegal in many countries, not least because of the risks to life and limb that the boom will impose, and

(13) that the main reasons advocated for the SST, the gains claimed with regard to prestige, balance of payment, employment and "aeronautical leadership" for the SST manufacturing countries will not increase the acceptability of the boom in other countries. Instead the war-like thunder claps are likely to create hostile reactions, especially in underdeveloped countries.

In view of the overwhelming evidence that the general public will not willingly accept the sonic boom, it would be in the best interest of civil aviation in general and of the SST investors in particular that governments throughout the world specify in advance their condiitons for permitting supersonic overflight by SSTs over their countries. The proposal made in this paper is that the governments should declare that supersonic overflight will be prohibited *IF* the boom is capable of awaking light sleepers, by day or night. Other people—sick, nervous, and aged people, many small children—might suffer as much or more by the sudden boom claps and their subaudible energy. However, the lightsleepers form a more unambiguous category suitable for statistically significant tests, it being easy to determine whether or not people are awakened by booms of varying intensity and hence the limit that can be deemed acceptable for the people of any one country.

The knowledge today about the sonic boom is sufficient for the above conclusions. There is therefore no justification for the widespread opinion that prototypes of the SSTs must be built and flown to make it possible to determine whether or not the boom will be acceptable. This policy would have the effect of a trap: It would imply such enormous additional investments that it would be even more difficult than today to prevent the SSTs from being introduced extensively into civil aviation regardless of how severe the booms will be. It would therefore lead to gross subjection of people on the ground (in countries which have not prohibited supersonic overflight in advance) to detrimental boom effects for many years until the citizens revolt and end the activity.

The effect of the "wait-for-boom-tests-with-real-SST-policy" would, however, be even worse for the SST investors. It would therefore be in their best interest—even if "preventing of damage-to-health" conditional bans are not issued by many governments—to postpone further SST prototype developments and, above all, decisions on series production until (a) they have carried out, with existing military aircraft, extensive night boom tests (representative for people and housing all over the world), and (b) adequate boom tests (including the horseshoe effect) over water with dense sea traffic.

ADDENDUM

An official communication from the Minister of Health of West Germany, dated November 2, 1966, reads:

"The Federal German Government is of the opinion that civil supersonic flight should not be permitted over inhabited areas in Germany as long as supersonic flight creates noise disturbances that might cause damage to health. The German Government considers it necessary that the German legislature without delay duly considers the problem of supersonic flight and the noise disturbances that it causes. In the "Bundestag" the German Government has answered a question by a member of the "Bundestag" in accordance to these principles."

[From the New York Times, Jan. 8, 1966]

The SST Decision: Big Hurdle Left—Designs Have Been Chosen, but Future of Prototype Is Still To Be Decided

(By Robert A. Wright)

The decision of the Johnson Administration not to decide now on the supersonic jet transport prototype program has left a lot of experts unsure of themselves.

Thirty months of suspense over who would win the intense design competition for the 1,800-mile-an-hour jetliner ended Dec. 31 when the Federal Aviation Administration chose the design of Boeing Company over that of the Lockheed Aircraft Corporation for the airframe and the General Electric Company's engines over those of the Pratt &

Whitney aircraft division of the United Aircraft Corporation.

At that time, everybody had been led to believe, the go-ahead was to be given on the next phase of the so-called SST program, the start of construction of two prototype planes and flight testing. That did not happen.

WHAT HAPPENS NEXT

Just what is supposed to be happening now is not too clear.

In making its design award, the F.A.A. said the winning companies would continue development work—"refinements"—under temporary, month-long contracts. The F.A.A. has about $8-million left to spend on such work, which, it has been estimated, is enough for about two months.

But asked just how much the companies would be paid and what they would be doing under the extension contracts, a spokesman for the F.A.A. referred the questioner to the companies.

PROGRAM MARKING TIME

On the matter of money, the companies referred the question to the F.A.A. A spokesman for Boeing, which has had 1,500 employes engaged in its SST program, said refinements would include wind-tunnel testing, construction of sectional mockups, engine-inlet wind-tunnel testing and further development of components and systems. General Electric said simply that it would continue tests of its engine's various components.

The Boeing spokesman pointed out that it was not unusual to continue development work after a design has been set. "This is a continuing thing in this industry. We're still refining the 707."

That said, the nations SST program is definitely marking time.

The Government's decision to delay the prototype program is viewed by most observers as primarily tied to budgetary problems. The President has been wrestling for weeks with the fiscal 1968 budget, always a difficult task, and now made more so by the simultaneous demands of the Great Society programs and the Vietnam war effort.

Congress appropriated $200 million for prototype work in the current fiscal year, which ends June 30—money that was not needed. The F.A.A. was scheduled to request another $430 million for fiscal 1968, as part of the over-all $1 billion prototype cost estimate. Should the SST program be long postponed, it might be considered a casualty of Vietnam.

A LESS FRIENDLY CONGRESS

If the President finds a way of working the SST money into his budget, the question would still have to be settled in Congress, a new Congress, decidedly less friendly to the President.

But beyond budgetary considerations, there are other factors that may delay the big jet.

Most of these involve technical problems. There are few experts who do not concede that the SST can be built, but there are many who are convinced that further research and development work would be valuable before the program enters the next stage. Such things as the problems of fabricating titanium—while much advanced by the SST program—could still use more work, many experts believe.

Sonic boom is another problem.

A nontechnical problem, but one that may have rough sledding in Congress, involves the establishment of a system to repay the Government for underwriting the SST program. The Government is expected to expend at least 75 per cent of the estimated $4 billion to $5 billion to finance the program.

METHOD NOT CERTAIN

It has been envisioned that some sort of royalty system would be used to repay the Government, but no precise method has yet been worked out.

But despite these obstacles, the pressure of foreign competition is expected to be the overriding factor that will not permit a long postponement of the American SST.

The British-French consortium developing the Concorde supersonic transport, a plane with less capacity and speed than the United States version will have, is due to be in commercial operation by 1970 or 1971, or about three years before this nation could get an SST in service. If there were no American plane to buy, airline competition could be expected to severely aggravate the United States balance-of-payments problem as American lines bought Concordes at $21 million each.

The scope of the drain was emphasized last week when the Concorde's sales chief told a London Press conference that the consortium would be making large profits by the time the American SST was airborne. E. H. Burgess, Concorde sales manager, said the consortium expected to have at least $4.2 billion in orders by 1975.

[From the New York Times, Jan. 12, 1967]

SONIC BOOMS DAMAGE U.S. PARKS—SOUND WAVE SHOCKS DESTROY PREHISTORIC CLIFF DWELLINGS

(By William M. Blair)

WASHINGTON, January 11.—Sonic booms from military aircraft have caused damage to prehistoric cliff dwellings and geological formations in at least two national outdoor preserves, the National Park Service said today.

The park service reported to Secretary of the Interior Stewart L. Udall on damage in cliff dwellings in Canyon de Chelly National Monument in northeastern Arizona, geological formations in Bryce Canyon National Park in Utah and potential damage in Mesa Verde National Park in Colorado. Mesa Verde is regarded as having outstanding examples of cliff dwellings.

Mr. Udall said the situation was disturbing because of the "intrusion of the sonic boom on the fragile masterpiece of nature."

He said he had taken the problem up with the Air Force, which promised cooperation but suggested that the Federal Aviation Agency should be consulted. Air space is considered to be the province of the aviation agency.

The Secretary said that he had not yet talked with agency officials, but that he intended to do so because the problem of noise and the sonic boom from jet airplanes was growing.

He also said that he intended to send the National Park Service report to a special sonic panel of the National Academy of Sciences to enlist aid to protect the public shrines administered by the Interior Department.

PROBLEM UNFORESEEN

Further, he suggested that perhaps a national policy should be considered for this aspect of the sonic problem, which had not arisen before.

"We're not attempting to tell the military how to operate," he said. "We're telling them what occurred. We should be asking ourselves whether there are alternatives that minimize intrusion and minimize damage in these prized natural areas."

George B. Hartzog Jr., director of the National Park Service, said in his report on the damage that during the summer of 1966 the number of times that high-flying jet aircraft had broken the sound barrier over Canyon de Chelly had "increased sharply."

Canyon de Chelly (pronounced SHAY-ee) and its tributary gorges are in the Navajo Indian reservation. They are situated near Chinle, about 70 miles northwest of Window Rock. Many Indians live in the canyon during the summer months, raising sheep, goats, corn and fruit. At its deepest point, the sheer walls of the canyon rise more than 1,000 feet.

"On Aug. 11, a Navajo Indian, Guy Yazzie Teller, witnessed a large portion of an overhanging cliff fall and demolish a prehistoric cliff dwelling in Canyon del Muerto," Mr. Hartzog said. "A sonic boom was heard immediately after the cliff section fell. The slide areas continued to break and slide with each additional sonic boom."

On Oct. 4, he said, Charles B. Supplee, a park Ranger described as a qualified archeologist, "observed continuing damage by sonic boom between 12:27 and 12:31 P.M. and at 2:33 P.M."

Since Aug. 11, precise records have been kept, he said, and from that date through Dec. 22 the sound barrier was broken 83 times over the national monument.

EXTENSIVE DAMAGE

"With extensive back country and side canyons," he went on, "the total damage from the cause is impossible to assess; however, it is reasonable to assume that it is extensive in view of the on-site observation in Canyon del Muerto." This canyon is a part of the national monument.

Park service engineers estimated that about 80 tons of rock fell on the cliff dwellings in Canyon del Muerto.

A sonic boom is the noise generated on the ground from a shock wave of air compressed by the flight of an airplane at or above the 660-mile-an-hour speed of sound. The wave of compressed air exerts physical pressure against whatever stands in its path. The wave varies in intensity and thus the damage varies.

A strong shock of air could seriously damage buildings, while a lesser shock would rattle windows and cause dishes or other objects to fall off shelves.

Mr. Hartzog said that the frequency of flights over Mesa Verde National Park had also increased last year. The intensity of the one sonic boom was sufficient to cause a sharp rattling of windows, doors and lighting fixtures in the Administration Building.

"There have been no known instances of direct damage to any of the Mesa Verde cliff dwellings," he said, but "such could have occurred in the remote areas of the park and be as yet undiscovered."

Many of the areas, he said, preserve significant scenic and scientific formations carved in delicate and fragile design by wind and rain over tens of thousands of years.

Since Nov. 2, he said, sonic booms have occurred 15 times in Bryce Canyon National Park. On Oct. 12, he said, 10 to 15 tons of dirt and rock were found to have fallen from one of the foundations near the bottom of the Navajo Loop Trail.

Mr. Udall was asked what the alternatives were to jet aircraft causing sonic booms. He replied that perhaps the aviation agency could consider such flights over water rather than over land.

Mr. Hartzog said that the agency had imposed ceilings for commercial and private flights over some national preserves but said these had been formulated for propeller-driven airplanes.

"The jet is a new experience," he said.

AMERICAN INSTITUTE OF AERONAUTICS
AND ASTRONAUTICS,
New York, N.Y., January 6, 1967.

Hon. THEODORE R. KUPFERMAN,
House of Representatives,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN KUPFERMAN: Because of the current discussion concerning a fourth "jetport" in the Metropolitan New York area, I thought you might be interested in a few of the articles in this month's Astronautics & Aeronautics Magazine.

May I point out especially:

—Aircraft noise is treated in two separate articles. One, by Nicholas E. Golovin, Special Assistant to President Johnson for Science and Technology, describes a report recently completed by a special Jet Aircraft Noise Panel set up by the Office of Science and Technology. This article begins on page 71.

—A second article, on page 34, is entitled "Aircraft Noise—Mitigating the Nuisance." The article, by E. J. Richards, Director of the Institute of Sound and Vibration Research at the University of Southampton, describes research being done in Britain and includes invited comments from American experts.

—A report on Metro Air Support 1966, an FAA-sponsored exercise which gave Vertical and Short Take-off and Landing aircraft a major workout in Manhattan recently, is on page 30.

I hope you will find these articles useful.

Sincerely,

A. G. Kildow.

Note

Because of the considerable length of these articles, the only one reproduced in the Record referred to by Alfred Kildow is the first by Nicholas E. Golovin.

Alleviation of Aircraft Noise—Concerned Government Agencies Have Joined Forces To Deal With the Increasingly Complex Problem of Aircraft Noise—Before It Becomes Far too Costly and Difficult To Solve

(By Nicholas E. Golovin, Office of Science and Technology, Executive Office of the President)

(Note.—Nicholas E. Golovin (AF) joined the staff of the Special Assistant to the President for Science and Technology in April 1962. From 1943–58 he held posts with WPB, NRL, NOTS, and NBS; was appointed Chief Scientist of WSMR in 1958; in 1959 became Director of ARPA's Technical Operations Div.; in 1960 was appointed Deputy Associate Administrator of NASA and later, in July 1961, became Director of the NASA–DOD Large Launch Vehicle Planning Group.)

During the takeoff, climb, and landing approach, large aircraft—particularly those powered by jet engines—generate great volumes of noise. Exhaust jets, compressors, and fans are the main sources of this noise. Exhaust-jet-induced noise is of primary concern during takeoff operations. Noise caused by compressors and fans has its greatest impact during landing approach.

In the last two or three years, communities near airports servicing such large cities as New York, Los Angeles, and Seattle, as well as several smaller cities, have expressed increasing annoyance about aircraft noise. The main reasons for this growing problem appear to be:

—Greater noise-generating potentials of the larger aircraft entering or expected to enter commercial service.

—The rapidly growing volume of all types of aircraft traffic at principal national airports.

—The increasing number of people exposed to noise in the general vicinity of major airports.

The more serious airport-noise problems now typically occur near a relatively small number of very large U.S. cities—but it seems probable that similar difficulties will eventually arise near airports serving less populous communities. This is very likely to happen because the shorter-range (and more noisy) jet aircraft suited to smaller airports are entering service at a rapidly rising rate; because a rapidly growing volume of air traffic is one of our most clearly defined national economic trends; and because the encroachment of housing developments on airports is likely to continue until more specific, effective real-estate controls are developed.

Aircraft noise can be viewed as environmental deterioration, falling into the same category of general social problems as air and water pollution. Such problems are characterized by formidable complexity, due largely to the multiplicity of interacting technical, economic, and social factors which must be individually isolated, understood, and measured to achieve definition of effective ameliorative steps.

Let us examine some of the factors mainly responsible for complexity of the aircraft-noise problem.

While the description and measurement of aircraft noise in physical terms is relatively straightforward, the problem of quantitatively estimating the subjective reactions of individuals and groups to noise is much more difficult. This difficulty of measuring psychological effects of noise itself contributes to the over-all complexity of the alleviation problem, mainly because quantitative standards will change with improved understanding of the phenomena and of techniques for their measurement.

Also, the fact that knowledge at any given time is inadequate to set firm standards well into the future will almost certainly be used by special-interest groups as a reason for opposing the establishment of interim standards. Yet, such interim provisions are essential.

Competition among economic interests offers numerous important benefits to every field—including commercial aviation. However, the existence of conflicting interests among various industry groups involved in aircraft noise has inhibited initiative by any one group. For example, manufacturers have found it difficult to propose engine modifications because airline operators claim they cannot afford to pay for them. Also, for economic reasons, some airline operators insist on maximizing the payload to be carried with a specific engine-airframe combination, despite resultant takeoff noise levels that prove objectionable to communities near airports. Further, some communities bordering on airports are not willing to accept the economic consequences of zoning constraints or the exercise of eminent domain. They argue that the effects of aircraft noise should be reduced by improving engines, off-loading aircraft and requiring steeper takeoff and landings; and many affected residents object to zoning changes if these will lead to their being displaced in spite of favorable economic incentives. The most obvious consequence of such conflicts is that local noise difficulties have continued growing in parallel with aviation-related investments so that the difficulties and costs of possible ameliorative actions have also become progressively greater.

The need to attack aircraft noise with a comprehensive "systems" approach is quite obvious. Far less obvious, however, is the matter of usefully defining "the system" and the main component problems. For example, while some industry associations have purported to be developing a "systems approach," the crucial step of deciding what is to be included under the term "system" has been hopelessly compromised by excluding residents of affected communities from the model.

Similarly, a systems analysis could not be useful without reasonably accurate estimates of the cost/benefit relationships for various proposed ameliorative steps. But while in many of the most important situations costs can perhaps be clearly defined, estimates of prospective benefits must be weighted by public policy considerations which will clearly vary—depending, for example, on whether the term "public" is to be applied at the national level, the state level, or the local level.

Therefore, the initial Office of Science and Technology (OST) approach to the aircraft-noise problem took the course of arranging a confrontation among the main interest groups through appropriate selection of membership in the 1965 Jet Aircaft Noise Panel. The usefulness of this confrontation was enhanced by requiring each participant to set forth his opinion in writing, for review and criticism by all others prior to the meeting of the panel.

The conclusions and recommendations of the panel represented a clear consensus of view after the participants had studied each other's papers and then carried out an intensive debate. Therefore, we can describe this effort as the first U.S. attempt at a "qualitative systems analysis" of the jet-aircraft noise problem and of possible Federal government steps toward a solution. Subsequent work by OST and the other Federal agencies associated with it in the noise-alleviation effort has continued along these lines—but perhaps with increased emphasis on issues and relationships that can be dealt with somewhat more rigorously along quantitative lines.

After issuance of the OST Report in March 1966, the President asked the Director of OST to work with the Secretaries of Commerce and Housing and Urban Development, and with the Administrators of NASA and the FAA, in developing an aircraft-noise alleviation program. An interagency program and an organization to implement it were established in response to the Presidential request. The content of the program is based on recommendations of the OST Report.

The organization consists of three Committees. The *Policy Committee* is chaired by the OST Director, with the principals mentioned above as members. The *Program Evaluation and Development Committee* (PEDC) has the OST Director as chairman, and its members or participants represent most of the major industrial and governmental interests in the program. The *Management Committee* is chaired and staffed by the FAA. Its members are designated by the Federal agencies having specific responsibilities of roles in the program.

The Policy and Management Committees have been active since May 1966. The Program Evaluation and Development Committee (PEDC) was activated early last August.

The period since the Jet Aircraft Noise Panel Report was put into final form has provided many opportunities for additional analysis of the Panel's conclusion. Some clarification has also resulted from initial attempts at implementation of the Panel's recommendations. Let us examine, in summary, the main suggestions for clearer insights and some changes in emphasis reflected by the current situation in dealing with these problems.

FAA Authority to Set Noise Limits in Aircraft Certification: The Panel concluded that Federal initiative is essential to progress in noise alleviation. Spectacular increases in jet-aircraft traffic at the largest airports during the past year have underlined this conclusion, making more obvious the need for the FAA to inhibit continuing environmental deterioration near major airports by setting an upper limit to the noise-generating capabilities of the new aircraft types it will be asked to certify in the future. Now legislation will be necessary to ensure adequate FAA authority in meeting this goal.

Interim Noise Standards: Today, more than in the past, there seems to be a general acceptance of the tentative conclusion of experts on the Panel that adequate technical knowledge and justification already exist for experimental (interim) use of quantitative standards for permissible noise levels measured on the ground from a given aircraft flying a specified course. Also, the FAA's probability of success in securing Congressional approval for authority to set limits on the noisiness of future aircraft is likely to be appreciably enhanced if its request is broadly supported by the public as well as by affected industrial and other interest groups whose aid could be of help.

To ensure such support, however, it probably will be useful to outline the nature of interim noise standards which might be initially set. And, clearly, the sooner such intentions are made available for general analysis and debate, the more likely it will be that broad public and industry support can be assured. Other, relatively obvious advantages of early action along these lines are that it will significantly increase the motivation for aircraft and engine manufacturers to accelerate their work on reducing noisiness at the source; and that, for a given volume of traffic at an airport, the likelihood of continuing increases of noise levels in the adjacent communities should be diminished.

Vigorous Government Support of Research: The results of research during the last few years, both here and abroad, clearly suggest that community objections to aircraft noise depend not only on the perceived instantaneous noise levels of aircraft, but also on their duration and on the daily number of noise-producing flyovers. Recent PEDC discussions of some of the pertinent questions tend to confirm that the British "Noise Number Index," the German "O" number, and the American "CNR," while more-or-less independently derived, all provide about the same quantitative estimates of noise annoyance levels in communities adjacent to airports.

The question what is an "acceptable" noise level for a given community as predicted by such indices does not yet—and may never—have a generally acceptable answer. Nevertheless, it does seem true that, other things being equal, changes in the average maximum perceived noise level of individual aircraft are much more important contributors to the over-all index level than are changes in the number of daily operations. This means that even small reductions (a few PNdB) in noise produced by individual aircraft can have a very pronounced effect on community reactions to adjacent airport operations. Furthermore, because it seems inevitable that air traffic will continue growing at practically all airports, large and small, it appears to be doubly essential in the long run not only to limit the noise-generating potential of new aircraft, but also to reduce it for those current aircraft types that are likely to be used for years into the future.

The setting of interim noise standards will provide important incentives needed to reduce the noise potential of future aircraft. But it seems obvious that rapid progress here—as well as in the definition of useful modifications applicable to existing aircraft types—will require vigorous governmental participation in and support of pertinent R&D programs.

Steeper Takeoff and Landing: Arguments concerning the relatively great benefits of diminished noise levels at the source, small though these be, to airport community environment also apply to changes in operating procedures to permit higher altitudes for community over flight. There is an important difference between the two approaches, however. Modifications can be made in the engine/aircraft combination to reduce noise without changing pilot procedures or discernably compromising safety standards—whereas changes in aircraft landing and takeoff profiles appear to be much more sensitive to questions of flight safety and pilot acceptability. Thus, while presentations of recent research results along these lines to the PEDC suggest a community noise-reduction potential comparable to that of engine/airframe modifications, they imply that much work remains to be done, both to prove conclusively that the proposed procedures are compatible with current flight-safety criteria and (perhaps more difficult) to persuade airline pilots and executives that such would be the case in routine commercial operations. On the whole, which such research appears to be clearly worthwhile and should therefore be generously supported, its results may provide community-noise payoffs somewhat more slowly than success in suppression of engine-noise.

When the program recommended in OST's March 1966 Report was activated at the President's direction, a series of projects corresponding to the Panel's eight specific recommendations was established. Primarily supporting responsibilities for these projects were assigned to FAA, NASA, HUD, DOC, and USAF. The Management Committee undertook to coordinate this work on a day-to-day basis as required. The PEDC was established to evaluate progress and to develop or redirect the program as results in various projects or the national situation might indicate.

Research in noise standards, engine-noise reduction, and in takeoff and landing procedures was covered by four of Panel's eight recommendations (Numbers 4, 5, 6, and 7). The work envisaged by the Panel largely involved expanding and encouraging a sense of urgency in programs already underway in both NASA and the FAA. The most significant recent development is the prospective establishment of a major new flight-research program involving NASA's Langley Research Center and one or two major aircraft manufacturers. One of the main objectives of this program (extending probably over two years) will be to appraise the noise-reduction effectiveness of various engine-modification and installation techniques developed during the last few years by NASA in cooperation with principal U.S. jet-engine manufacturers. Also, recent test results led the FAA to report excellent future prospects for noise-improved takeoff and landing flight procedures, although the limitations that have been noted may hinder their early application.

Cost/Benefit Relationships: The OST Panel recommended the undertaking of research to develop bases for rational allocation of the costs of noise alleviation (i.e., according to the benefits received from commercial aviation). The FAA has responded by developing a program involving the participation by nongovernmental specialists in economic-factor analysis and by its own staff in related studies of the main pertinent public-policy issues. Discussions of the proposed work by the PEDC indicate that to insure their realism study results should be available for analysis and criticism on a regular basis by the PEDC and by specialists within the industries and other organizations concerned.

Improved Land Utilization: The Panel recommended establishment of a Federal Task Force representing all major Federal agencies having regulatory or financial capability to influence the course of community real-estate development near airports and military bases. The goal of this task force was to study the practicable approaches to a coordinated, federally managed and financed program for stimulating airport community development in directions likely to anticipate or ameliorate community aircraft-noise problems.

Established under the leadership of HUD, the task force has begun its work, which promises to provide far-reaching effective recommendations for action programs which will greatly help to prevent origin of new jet-aircraft-noise blighted communities.

Analysis of Critical Problem Areas: The OST Panel also recommended establishment of a high-level government task force (with appropriate staff and financial support) to undertake, on an urgent basis, an over-all "systems" type analysis of the developing jet-aircraft noise problem in the vicinity of Kennedy, O'Hare, and Los Angeles airports. The objective of this work is the formulation of practicable programs, suited to Federal sponsorship, which might greatly improve the capabilities of these communities to cope with their difficulties in jet-aircraft noise abatement and control. Furthermore, this type of systems analysis and program formulation is to be extended to the remaining 25 or so major metropolitan areas where civilian or military aircraft noise is (or promises shortly to become) a difficult community problem.

In a related recommendation, the Panel urged that the government initiate, on an urgent basis, a study projecting through 1975 available data concerning well-established trends in U.S. population, industry, commercial aviation, etc., to predict how the jet-aircraft noise problem is likely to develop about the 25 major airport areas in the U.S. On a less-urgent basis, it was also recommended that this study should be extended to encompass all U.S. airport communities expected to be using jet aircraft services by 1975. The FAA assumed primary responsibility for these two projects.

To date, progress has been slow, in part because of intrinsic technical difficulties in assuring usable results at reasonable cost. OST has recommended that "program-definition-phase" contracts to be let to one or two firms having outstanding capabilities in complex systems analysis. Results of such program definition contracts could be available by the end of 1966–67. In the next phase, these results could then be converted into additional contracts, and/or into in-house government assignments for executing the studies which the Panel initially recommended. Thus, significant interim results might be available by mid-1967.

The progress realized to date in the various program areas indicates that OST's next public report will be available about July 1, 1967.

JET AIRCRAFT NOISE PANEL

Members

Donald F. Hornig, Director, Office of Science and Technology.

Colin Mac Leod, Deputy Director, Office of Science and Technology.

Nicholas E. Golovin, Office of Science and Technology.

Oscar Bakke, Director, Eastern Region, Federal Aviation Agency.

P. K. Dygert, Univ. of California, Berkeley.

Francis T. Fox, General Manager, Los Angeles Dept. of Airports.

J. E. Frankum, Vice President, Transportation, Trans World Airlines.

W. J. Galloway, Bolt, Beranek & Newman.

Richard L. Garwin, International Business Machines.

George T. Gebhardt, Chief, Electro-Dynamics Staff, Airplane Div., The Boeing Co.

Sidney Goldstein, General Counsel, Port of New York Authority.

Harvey H. Hubbard, NASA Langley Research Center.

Frank W. Kolk, Assistant Vice President, Engineering and Development, American Airlines.

Karl D. Kryter, Stanford Research Institute.

A. L. McPike, Douglas Aircraft Co., Inc.

Albert H. Odell, Aeronautical Planning Section, Port of New York Authority.

Robert L. Randall, Deputy General Counsel, Federal Aviation Agency.

Charles H. Ruby, President, Air Line Pilots Association.

Robert W. Rummel, Vice President, Planning & Research, Trans World Airlines.

James E. Strunck, Assistant Corporation Counsel, City of Chicago.

Spiridon Suciu, Large Jet Div., General Electric Co.

John M. Tyler, Project Engineer, Pratt & Whitney Aircraft Co.

H. Von Gierke, Chief, Biodynamics and Bionics Div., Aerospace Medical Research Laboratories, United States Air Force.

James F. Woodall, Aircraft Development Service, Federal Aviation Agency.

Consultants

William S. Aiken, Jr., Office of Advanced Research and Technology, National Aeronautics and Space Administration.

Lyman M. Tondel Jr., Cleary, Gottleib, Steen & Hamilton.

Paul M. Zimmerman, National Aircraft Noise Abatement Council.

BAY AREA RAPID TRANSIT DISTRICT,
San Francisco, Calif., November 21, 1966.
Representative THEODORE R. KUPFERMAN,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE KUPFERMAN: I noted with keen interest in the recent issue of the Engineer newspaper your article relating to the need for increased technology in the area of noise effect on our urban areas.

In view of your interest in this area, I am pleased to forward you a copy of a recent report that we have received concerning the evaluation of noise studies that we are undertaking at the District's Test Track and also a copy of a recent speech by one of the key officials associated with our project with responsibility in this area.

If we can provide you with any additional information, we will be most pleased to forward this to you, and I also extend you a cordial invitation, at your convenience, to visit the Test Track and learn first-hand of the work being done in the area of noise and also vibration suppression.

Sincerely yours,
EDMUND C. SAJOR,
Assistant to the General Manager.

A PROGRESS REPORT ON "NOISE ABATEMENT" BY STANLEY D. FORSYTHE, TRANSIT ADVISER TO THE GENERAL MANAGER, BAY AREA RAPID TRANSIT DISTRICT, BEFORE THE RAIL TRANSIT GROUP, AMERICAN TRANSIT ASSOCIATION ANNUAL MEETING

Today, as cities grow and throb and people move and live in closer proximity to each other, the matter of noise (or its desirable antithesis, quietude) is being given ever-increasing attention in many segments of our urban living, working and traveling experiences. We see more and more paid advertising devoted to this subject. For instance, one of the leading automobile manufacturers in the country is featuring quietude in a good deal of their sales promotion activities. A number of airlines are emphasizing quietude in many paid advertisements and TV commercials. The Northeast Airline recently started operating a new series of equipment which they labeled the "whisper jets." These are but a few illustrations.

Rapid transit lines, both elevated and subways, have been traditionally labeled in both prose and song as prime offenders in the matter of quietude. It is recognized that the general state of the rapid transit industry does not justify great expenditures, particularly among the older rapid transit systems, to improve this situation so the necessity of determining where the money can be most effectively spent to produce the greatest amount of noise abatement becomes of paramount importance.

The Bay Area Rapid Transit District, as a brand-new addition to the rapid transit operations of the Continent, has the opportunity and, in a sense, the obligation both to the people of the San Francisco area and the industry as a whole, to make significant strides in the direction of a quieter system . . . quieter for both the riders and for those who live along the rapid transit routes.

With this goal in mind, a very comprehensive program was laid out and the most competent engineering and research people in the area were engaged to assist in the program. To date BART has spent directly in the neighborhood of a quarter of a million dollars in testing, investigating, manufacturing, and analyzing different phases of the problem. Indirectly, BART and interested manufacturers have spent at least another quarter of a million.

We learned early that there was no one simple answer. We relearned some of the basic concepts of noise abatement. We learned there were three areas interrelated to each other: (1) the generation of sound; (2) the transmission of sound; (3) the amplification of sound. The three must be considered jointly in connection with the overall problem.

A diamond point riding on a record generates little sound but it can be readily amplified beyond the limits of human tolerance.

The noises of the average automobile that are hardly noticed on an open highway can become most objectionable as that automobile goes through a tunnel. The Waldo Grade tunnel, the Pennsylvania Turnpike tunnels, the Hudson River tunnels are prime examples of this phenomena as the generated noises reverberate within the tunnel.

A clapper hitting the edge of a bell sends out vibrations of varying wave lengths (depending upon the size of the bell) which are transmitted through the atmosphere.

The noise of a steel wheel rolling on a steel rail will be transmitted through the rail and picked up by the human ear held close to the rail long before the sound transmitted through the atmosphere can be detected.

In snow country, with several inches of freshly-fallen snow on the ground, the same rapid transit train, *generating* the same amount of noise at all points on a trip, will record a wide range of sound readings as it goes through a subway, rides on an elevated structure, or glides along a snow-covered track at grade.

Finally, the average rapid transit train operating on ties and ballast set on the earth or, for that matter, a PCC car on Market Street, produces a quite satisfactory sound reading.

We have all observed and understand most of these phenomena and feel that they illustrate some of the aspects and possible answers to our problem.

What, then, is the problem? The problem is threefold: (1) to minimize the generation of noise (hit the bell with a felt hammer); (2) to minimize the amplification of noise (see that the bell is not in a reverberation chamber); (3) to minimize the transmission of noise (hold your hand on the rim of the bell).

Now that we have quieted the bell, let's tackle the rapid transit system. Let's give management an indication of where money spent in this area of noise abatement will do the most good. We might even each one of us sit briefly in management's chair and make our own decision as to how much we are willing to spend for noise abatement. First of all, do we know or can we tell management how much we could enlarge our market by taking effective steps in this direction or can we tell management how much we can improve our "image" by taking effective steps in this direction? Do we consider the matter of noise abatement of sufficient importance to recommend reasonably good-sized expenditures to improve the situation. Will it increase the riding, update the systems, improve community acceptance?

In the Summer of 1963, as they outlined a noise abatement program, BART and the Joint Venture engineers established that there were at least 10 areas where the extent of noise reduction and the corresponding cost should be studied. This general outline with some additions and subdivisions has been the basis of the work in this field during the last three years. While the work has been pursued with as reasonable diligence as could be expected without interfering with tests efforts in more critical areas, the conclusions reached have far from exhausted the studies in this field. They have, in fact, simply indicated in general terms which of these areas could be most profitably given further study. The 10 areas which are generally familiar to most rapid transit operators are as follows:

1) Insulated body shell
2) Fixed windows
3) Acoustical wheel design
4) Low-noise brake system
5) Resilient chassis and equipment mountings
6) Deep side-skirts
7) Acoustic treatment of roadbed between rails
8) Resilient track mountings
9) Continuous welded rails
10) Trackside sound barriers

An added study area might be entitled "acoustical treatment of subway walls."

Now let me report to you briefly on our progress and our tentative conclusions in each of these 10 areas. Generally speaking, the job of providing a satisfactorily quiet atmosphere within the car is not too difficult. Certainly it is a simpler job than providing a quiet exterior. If, like the airlines, we could talk only of interior quietude and disregard noises along the route, the job would be simpler, but this, of course, is only part of the job.

The first two areas—(1) insulating the body shell and (2) using fixed windows—are so generally practiced that they need little further comment. In addition to this, we propose to use carpeted floors and pay careful attention to the door seals. We also expect to get some noise abatement benefits from the use of rubber diaphragms between the end doors of the cars designed much after the fashion of the diaphragms so popular in European railroad operation. In connection with fixed windows, our sound consultants recommend exploring the benefits of double-glazed sash. This we hope to be able to do.

Item 3—acoustical wheel design. The aluminum wheel with the steel rim showed little in the way of sound mitigation when tested in Chicago. The Baldwin-Lima-Hamilton wheels were just installed a couple of weeks ago on one of the laboratory cars and have not yet been tested but look promising. The Swedish wheels, also recently installed, have not been tested for sound reduction. They also look promising. However, the Goodrich Company applied their deadbeat material to the rim of wheels on one truck and demonstrated some very promising results. This application needs further testing and evaluation but the indications were quite promising. We plan to pursue this further.

Item 4—low-noise brake system. Little has been done here in the sound mitigation field, largely because other problems in connection with the braking system must be satisfactorily resolved first.

Item 5—resilient chassis and equipment mountings. Much has been done in this area through the use of resilient journal mountings, air springs, and disc brakes, to name three important contributions. More, however, can be done in the area of gearing, gear housing and motor noises. The wheels on the trucks, regardless of their design, must have a good ground finish on the contact area. Here, also, it is my personal opinion, so far unproven, that the cylindrical tread represents an improvement in the area of sound mitigation over the taper tread simply because there are fewer flange-rail contacts.

Item 6—deep side-skirts. Acoustically designed fiber glass skirts, as deep and as continuous as possible, from end to end of the car appear to offer a significant contribution. They are universally used in one form or another for both sound mitigation and appearance by automobile, bus and even the streetcar designers of 20 years or more ago. However, we have had no opportunity as yet to evaluate skirts. Here, as in other areas, more critical system design work has precluded much evaluation of their effectiveness. The earlier experience with TCC cars, however, suggests that they can be very effective, and we hope to do much more in this area.

Item 7—acoustic treatment of roadbed between rails. Preliminary testing in this area proved disappointing. Early indications were that porous concrete or one-half inch covering of fiber glass over the concrete aerial structure surface was about as effective as loose ballast. We do not plan to follow up this work any further.

Item 8—resilient track fastenings. We are very pleased with the results that we have obtained in this area. A properly designed resilient track fastening appears to offer a reduction very worthwhile. This reduction applies to aerial structure design and is effective in reducing the transmission of noise to the structure itself. We received early indications from our sound consultant that resilient track fastenings could provide substantial noise abatement results, but the first efforts were not mechanically acceptable. More recently, General Tire, Goodrich and Pandrol have not only verified these early indications but have produced rail fastening designs that havt passed severe accelerated life tests in the AAR Laboratory in Chicago. We propose to use a fastener of this type on the aerial structures and in the tubes where the noise abatement problem is most severe. Ballasted tracks on earth present no problem if the cars themselves are well designed.

Item 9—continuous welded rail. We find continuous welded rail very effective in noise abatement but we have learned that the grinding tolerance at welded joints needs to be carefully specified. We cannot accept *any* amount of undergrinding. In a number of instances on the Test Track where the joints were slightly underground, the rail-wheel noise at these locations was as noticeable as it was at a bolted joint. Also, in the matter of continuous welded rail, we plan to grind the entire surface of the rail after laying and prior to the start of actual operation. This practice is being gradually adopted by many of the more progressive mainline railways. We have sponsored the development of a comparatively inexpensive mobile, belt-type rail grinder that we expect to operate at speeds of about 3 m.p.h. This will keep the cost of grinding the rails within reasonable limits. We also developed a companion belt-type wheel grinder where, by varying the fineness of the belt, we can obtain a highly-polished wheel surface. By paying careful attention to these two surfaces, we expect to very substantially minimize the generation of noise at the point of contact between wheel and rail.

Item 10—trackside sound barriers. Parapet sound barriers, properly designed, work very well. Preliminary tests indicate a very worthwhile reduction in trackside noise in the neighborhood of 10 decibels. Here, again, time and the pressure of more urgent work prevented a fuller evaluation. We do know, however, that they must be properly designed. The three-phase experimental power shields used on the Test Track, for example, did not prove at all effective as sound barriers. We want to study further the noise abatement possibilities of trackside sound barriers.

This is about where we stand at the present time. There is much more to be done and we sincerely hope that it can be done in the immediate future, either as a BART project or possibly as an industry project. We have gone far enough to satisfy ourselves that there are opportunities for substantial improvements in this area—improvements in all three of the areas referred to earlier. We can substantially reduce the generation of noise, we can substantially reduce the amplification of noise; and we can substantially reduce the transmission of noise.

NEW YORK, N.Y.,
October 31, 1966.

Hon. THEODORE R. KUPFERMAN,
The House of Representatives,
Washington, D.C.

DEAR SIR: I have followed your interest in providing a comprehensive program for the control of noise and believe you may be assisted by a substantiating point of view not previously referred to in your writings.

Enclosed is a report of an investigation which indicates that noise levels considered "safe" for avoiding hearing damage if maintained will provide other profitable benefits. The study indicated that "unsafe" noises (with respect to the ear) seem closely related to human performance errors which are likely to result in accidents. The consequent prevention of traumatic injury or other accidental damage in work places, automobile driving and similar situations might be an additional persuasive argument for noise control.

Cordially,

JOHN V. GRIMALDI, Ph. D.,
Consultant-Health, Safety and Plant Protection.

[From Noise and Safe Work Performance]

SENSORI-MOTOR PERFORMANCE UNDER VARYING NOISE CONDITIONS

(NOTE.—Reprint of the study "Sensori-Motor Performance Under Varying Noise Conditions" by John V. Grimaldi, Ph. D., General Electric Co. This was made possible by the American Museum of Safety, through its Arthur Williams Memorial Fellowship Fund and originally appeared in *Ergonomics*, Vol. 2, No. 1, November, 1958. It is reprinted through the courtesy of the publishers of that journal.)

(By John V. Grimaldi, Ph. D., General Electric Co., New York City)

A group of subjects performed a task in quiet and noisy environments. The noise was intermittent, within the frequency range of 75 to 9600 cycles and at sound levels of 70, 80, 90, and 100 db. The sudy was experimental, but simulated an occupational situation.

There was a tendency for more errors and less precision when working in the noisy environment. Response times were slower and the number of errors greater than when noise levels and frequencies were highest. The frequency range of 2400–4800 cycles was associated with the slowest response time and largest number of errors, both at 90 and 100 db.

It appears that intermittent noise may have a reducing effect on the individual's capacity for quick and precise execution of coordinated movements. The implications for safety and certain production tasks seem obvious.

When considering the effect of noise on people, its possible hazardous influences have major significance. There is ample clinical and experimental evidence that excessive sound pressures can injure the ear or induce an accident when an alarm or warning signal is masked by a louder sound. Noise may also have another bearing on safety: the question occurs, "Can noise affect safe performance?" The extent of this possibility is a function of the closeness of the relationship between noise and mental and motor activity—as well as the implications such a relationship may have performing tasks safely.

A number of investigations have been reported on this relationship, but most have been concerned with steady-state noise. In a large number of environmental situations noises are neither steady nor expected. Intermittent noises, therefore, would appear to be of significant interest. Also, earlier investigators generally have not chosen to consider the frequency of the sound pressure waves as well as their intensity, and the relation of these factors to behavior. The purpose of this experiment was to probe these relationships.

1. METHOD

Since environmental conditions other than noise might have an influence on performance, and because many previous studies may be criticized for their lack of controls, it was decided to limit the investigation to the following conditions:

(1) Relative humidity—between 30 per cent and 70 per cent.

(2) Temperature maintained at approximately 70° F. A relationship between temperature and accident rate has been reported, indicating that in the case of factory workers, when the temperature is above 75° or below 65° F. the accident rate rises (Osborn and Vernon 1922).

(3) Illumination—artificial, unvarying for each subject and meeting the American Standard Practice for Industrial Lighting Requirements for fine bench and machine work.

(4) Time—between the hours of 9.00 a.m. and 5.00 p.m., the normal work period.

(5) Subjects—chosen according to the following requirements:

(*a*) Age—18 to 35 years, the approximate age group possessing the shortest reaction time (Bellis 1933).

(*b*) Hearing—normal as determined by audiometric measurement according to the standards of the American Medical Association (Council on Physical Medicine 1945).

(*c*) Vision—near vision acuity of 14/14 to 14/21 for each eye, as determined by the Snellen Chart, considered essential for precision work (Bridges 1946).

(*d*) Food—no subject was chosen if he had over-indulged in eating within the past three hours. The digestive organs, when taxed require an extra supply of blood which may be drawn from other less active organs (Kimber and Stackpole 1936). This is suspected as the cause of the "loggy" feeling following the eating of a heavy meal. Within three hours, however, the stomach can be expected to be emptied and this condition relieved (Crandall 1935).

(*e*) Alcohol—no subject was allowed to take alcohol within at least three hours prior to participating in the experiment. It has been shown that alcohol in even small amounts impairs hand-eye coordination (Tufts College, 1951).

(*f*) Fatigue, debilitation etc.—no subject was chosen if he stated, when asked, that he felt in any way "under par" and so not up to his usual physical and mental capacities.

(*g*) Sleep—although the normal sleep ration leaves a large safety factor over and above actual needs, so that a moderate reduction in hours of sleep has no apparent effect (Anon. 1951), some indications have been obtained that deterioration in performance may occur (Husband 1935). It was considered advisable, therefore, to select only subjects who stated they had their regular amount of sleep for the past 48 hours.

Such factors as learning, experience, capacity and status were controlled by the preliminary testing and retesting of each subject until a plateau for his scores was achieved.

Noise reproduction

The noise source was a battery of series connected audio-oscillators, each consisting of a resistance-tuned oscillator in combination with an output meter and attenuator. By proper notation of the instruments and meter settings each of the sounds could be duplicated as desired. Narrow band (not pure tone) noises were chosen in the octave bands 75–150, 150–300, 300–600, 600–1200, 1200–2400, 2400–4880, 4800–9600 cycles per second. Each noise was expressed at 70, 80, 90 and 100 db.[*]

The noises were recorded on magnetic tape, using a recorder which was laboratory checked and found to have characteristics satisfactory for the purposes of the study.

It was considered undesirable to have a consistently orderly progression of noises of either increasing or decreasing frequency or intensity. Also it was believed that a single exposure to each noise would not give as reliable results as would a random repetition of the noises.

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[*] Here and throughout his report the decibel (db) referred to is 0.0002 microbar.

The random presentation was complicated by the number of individual noises to be used—a total of 28—and the possibility of fatiguing the subjects since it was intended that they be tested both in noise and also in quiet to obtain comparative results. It was decided, therefore, to run the experiment so that each subject would perform in noise for no more than 30 minutes and in quiet for the same period. A three-minute interruption, midway between each period, was provided as a rest spell.

Each noise was recorded three times for periods ranging from 10 to 23 seconds. The sum of the three periods equalled 45 seconds in each case. Intermittency was accomplished in the recording by inserting brief (2 to 13 seconds) intervals of quiet between each variety of noise.

The recording began with the spoken word "Go!" This was the starting signal for which each subject was instructed to be alert. The tape was then blank (quiet) for 10 seconds after which the first noise was presented. The recording of the random presentation of noise and quiet intervals proceeded until 777 seconds (12.95 minutes) had elapsed. Then the following sentence was recorded, "Stop now and rest until instructed further". Quiet followed for 165 seconds and then the recorded announcement, "Get ready to start again in 10 seconds; 9, 8, 7, 6, 5, 4, 3, 2, 1, Go!" The word "Go" occurred 180 seconds after the rest spell began. The recording of the noises continued for another 773 seconds. The total time of the recording was 1730 seconds (28.83 minutes).

The experimental task and its equipment

The experimental task employed an adaptation of a compound slide rest, comparable to the type found on engine lathes. The apparatus consisted of a stylus mounted over a platform in which was embedded an electrically conductive, irregularly shaped pattern resembling a "key-hole" in outline. The pattern was set flush with the top surface of the platform. The stylus was mounted so that it could be moved in any desired horizontal direction by turning two handles, at right angles to each other, operating two screws which drove the stylus. The arm to which the stylus was attached was extended to accommodate a ball-point pen attachment, arranged so that a simultaneous record was made on paper of the path traced by the stylus. The conductive pattern was wired for connections with electrical recording devices.

Subjects were required to guide the stylus continuously around the pattern, using the handle controls, completing as many turns as they could within the time allowed. Breaking the contact between the stylus and the pattern interrupted the electrical circuit and actuated a system of electrical relays which in turn operated a timer, counter and permanent marking recorder. The break of contact also extinguished a flashlight-type lamp bulb, indicating incorrect operation. Thus a definite visual signal was presented, in addition to the subject's witnessing his error when allowing the stylus to deviate from the pattern.

When an error occurred, the subject was required to return the stylus to the pattern as rapidly as possible. This requirement of concentration, prompt detection and swift correction of an error may be considered typical of certain psycho-physical demands for accident prevention and efficient machine operation.

The apparatus was mounted on bench legs, approximating the height of the compound slide rest on an engine lathe. The subject was provided with a shop-type stool so that he could either stand or sit during the performance of the task.

The room in which the tests were conducted was on the 12th floor of a steel and concrete office building and possessed relatively low resonant properties; the ceiling had been treated with acoustic tile; the floor was completely carpeted and approximately 10 per cent of the wall surface was covered with heavy drapery material. The overall noise level in the room was 37 db which was created mostly by the passage of air through the ventilator grills employed in the air conditioning system; this was the quiet condition for the study.

Collecting the data

The following data were taken:

(1) *Errors* (deviations from the pattern). A monitoring recorder which marked an electro-sensitive paper tape as the circuit was interrupted, was used to tabulate the errors. The instrument was capable of recording electrical impulses having a duration in the order of microseconds.

(2) *Response time* (the amount of time elapsing between the instant when the sylus broke contact with the pattern and its return). These data were taken from the paper tape which also showed the number of errors. The tape was wound continuously on a spool driven by a synchronous motor whose RPM was known. It was possible, therefore, to determine the response time by measuring the length of the marks on the tape.

(3) *Production* (the number of turns of the stylus around the pattern). The perimeter of the pattern was spaced into 100 equal divisions. This permitted a relatively accurate determination of the fractions of turns negotiated by the stylus at the end of each period of performance.

Conducting the experiment

Some subjects were engineers and workers experienced in operating a compound slide rest as a production tool, but the majority were clerical employees; there were twice as many women as men. To ensure, as far as possible, that they consistently tried their best, a schedule of cash awards was announced as follows: For best score, $25.00; second and third best, $10.00 each; fourth and fifth, $5.00 each. All other participants received $1.00. It was recognized that providing a monetary incentive might mean that subjects worked only because of an interest in the money. This was considered to be of little significance, however, in comparison to the desirability of providing a realistic motive. The scores of the participants, when determining the five top awards, were computed by averaging the data obtained for each subject during the "quiet" and "noise" phases of the experiment, then substituting the averages in a formula taking account of all three measures and of an overall "precision rating" made by two assessors using a prepared scale in terms of which they judged the recorded tracks made during the experiment.

Each participant, before beginning the experiment, was asked to read a written set of instructions and was then permitted to perform the task for a 10-minute practice period. It was recognized that learning, through practice, would affect the results. Each participant was therefore given a series of 10-minute tests under "quiet" conditions and the performance data were collected for each. Between each test and the next the subject was permitted to rest for five minutes. When three successive tests produced data varying within ±5 per cent for each measure it was considered that the participant had reached a "plateau of learning." He was then allowed 10 minutes rest before performing the experimental task.

He began the experimental task with either the quiet or the noise conditions for the first half of the test. After a 10-minute rest he repeated the test, but this time was exposed to noise if he had started with quiet or quiet if he had started in noise. Alternate subjects started under noise and quiet conditions. Thus a check was possible later for determining whether any variation occurred, such as would be attributable to fatigue or learning through practice.

It was necessary to reject many subjects following their completion of the experiment, when it was learned that mechanical interruptions in the experimental equipment or other uncontrolled disturbing factors had occurred. As a consequence, the sample group consisted of 30 subjects who started with noise and 22 who started with quiet.

2. RESULTS

Measures for the experiment as a whole

These are set out in Table 1, from which it can be seen that, on average, performance was poorer in the noisy conditions than in the quiet in terms of each of the three measures. The difference in number of errors was small and not significant, but the differences in response time and productivity were substantial. Scores for the individual subjects are set out in the Appendix. Taking errors and productivity together, it was found that 61 per cent of the subjects made more *errors per "turn"* in noisy than in quiet conditions.

TABLE 1.—*Overall differences per subject of performance between quiet and noisy conditions*

	Errors		Total response times (in minutes)		Productivity scores	
	Quiet	Noise	Quiet	Noise	Quiet	Noise
Mean	207	227	1·95	2.59	22·89	21·85
Median	178	213	1·27	1.87	22·08	22·02
Standard deviation	159	159	1·95	2.24	9·46	9·10
Mean difference	20		0·64		1·04	
Standard error of mean difference	7·15		0·28		1·26	
t	2·8		2·54		1·41	
P<	0·01		0·02		0·5	
Rank correlation coefficient between individual scores in noise and quiet	0·95		0·55		0·84	

The rank-order correlations between the scores of individual subjects in noise and quiet were high for errors and productivity, but lower for response times. Presumably the noise affected the response times of some subjects relatively more than others.

Neither group showed in any of the scores a change between the first and second halves of the experiment sufficient to reverse its position with respect to the other group. This indicates that fatigue and learning as between the two halves either did not affect the results to any substantial extent, or, if they did, their affects cancelled each other.

Relation of response time and errors to sound level and frequency range

The average response times and average numbers of errors were found for each of the experiment's 28 varieties of noise conditions and were then compared with the overall means for all noise conditions taken together. The averages of the varieties which exceeded these overall means are set out in **Table 2.**

TABLE 2.—*Response time and error averages for noise variations exceeding the means for response time and error of the experiment as a whole*

Frequency (cycles per second)	Sound level (decibels)	Average response time	Confidence interval ($P=0.05$, $t=2.01$)	Average total errors	Confidence interval ($P=0.05$, $t=2.01$)
4,800 to 9,600	100	0·0980	0·00712	9·00	1·743
2,400 to 4,800	100	0·1027	0·00756	9·17	1·772
600 to 1,200	100	0·0915	0·00710	8·13	1·585
150 to 300	100	0·0942	0·00736	8·25	1·637
75 to 150	100	0·0951	0·00742		
4,800 to 9,600	90	0·0954	0·00721	8·61	1·698
2,400 to 4,800	90	0·1005	0·00747	8·83	1·648
1,200 to 2,400	90			8·13	1·623
75 to 150	90	0·0932	0·00742		
4,800 to 9,600	80			8·06	1·700
2,400 to 4,800	80	0·0938	0·00776		
1,200 to 2,400	80	0·0941	0·00743	8·13	1·640
4,800 to 9,600	70	0·0935	0·00763	8·08	1·669
2,400 to 4,800	70	0·0929	0·00743		
600 to 1,200	70	0·0926	0·00736		
300 to 600	70	0·0914	0·00657		

The data indicate that the response times tended to be slower and the number of errors greater when the noise levels and frequencies were highest; the response time and error averages tended to be largest for noises having sound pressure levels at 90 and 100 db; the frequency range of 2400–4800 cycles per second was associated with the slowest response time and largest number of errors at both the 100 and 90 db levels.

3. DISCUSSION AND CONCLUSIONS

Certain of the present results compare with the findings of previous investigators. Cassel and Dallenbach (1918) found that intermittent sounds are distracting and slow up reaction time. Miles (1953) observed that time scores for "visual reaction time" were about 5 per cent longer in the presence of noise in a series of trials which ordinarily might have been expected to result in reduced scores due to additional practice. In a subsequent test, however, Miles noted an inconclusiveness in his results and states, ". . . the results for the effect of intense noise on such simple behaviour as reaction time will vary widely according to individual differences" (p. 90). The tantalizing elusiveness of a concrete determination which will significantly express the presence or absence of a relationship between noise and reaction time is further indicated in the work of Stevens and his associates (Stevens 1941, Stevens *et al.* 1941) who found that in one instance reactions were slower in the presence of noise. However, a critical evaluation (Waring 1946), of the results of that study concluded that the noise under investigation (airplane noise) had no, or at worst a slight, detrimental effect upon motor coordination and reaction time. From the evidence submitted by the present study and others, it may be postulated that noise may lengthen reaction time, but its effect is uncertain.

The tendency indicated by the present study for lower error scores to occur during the quiet spell, may be discerned also in the results of other studies (Laird 1933, Miles 1953, pp. 87, 91).

A number of inferences concerning safety may be found in these results and in those of related studies some of whose conclusions seem to be substantiated by this investigation. For example, statistically it was clear that in the presence of the noises sampled, there was a significant increase in the average response time, number of errors committed and the number of errors per unit of production. Thus, it appears that intermittent noise may be considered to have a reducing effect on the individual's capacity for quick and precise execution of coordinated movements. The implications for safety seem obvious.

The tendency for response times to be slower and the number of errors to be greater when the noise levels and frequencies were the higest is noteworthy, particularly since this is an extension of an earlier report (Broadbent 1957). It appears that 90 db, especially for the higher frequencies, is a limit beyond which noise is likely to impair performance. It is curious that this approximates also the limiting noise levels for controlling interference with speech and risk of damage to hearing.

ACKNOWLEDGMENT

This study was made possible by the American Museum of Safety, through its Arthur Williams Memorial Fellowship Fund which has participated frequently in the development of basic safety information.

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ZHIVKO D. ANGELUSCHEFF, M.D.,
New York, N.Y. October 16, 1966.

THEODORE KUPFERMAN,
Congressman,
House of Representatives,
Washington, D.C.

DEAR MR. KUPFERMAN: I have sent you an article (in foreign language) with new data concerning the *noise.*

Realizing that your staff of translators are not so versed in medical terminology, I did translate the said article in English.

"Our failure to treat Progressive Deafness."

There is information on effects of prolonged speedy flying on the organism: both dogs in cosmos! pilots kept in cabin in atmosphere of Helium & Oxygen, change their *bass* voice into *tenor!*

Enclosed you'll find a copy of a letter of support of the *Antinoise Movement* from a prominent scientist, the President of the International E.N.T.-Association, Prof. Jo Ono, member of the Regent Office of Japan.

Wishing you success in your endeavor for your *great cause*, gaining on support everywhere,

I am most sincerely yours,
ZHIVKO D. ANGELUSCHEFF.

OUR FAILURE TO TREAT PROGRESSIVE DEAFNESS

(By Zhivko D. Angelusheff, M.D., member of the Academy of Medicine, N.Y.)

We live in an atom age. The dangers of radiation are known to all of us. It's being studied and effective measures are being taken against it. The radioactivity of the air and water are being chemically analyzed. The grass on which animals feed is being checked up. The percentage of strontium in milk and meat is carefully studied because meat and milk are parts of our food. The health of children, who live in areas unfavorable for the radiation conditions, is being compared with the state of health of children who live far from the possible centers of radiation. A whole army of scientists works to defend humanity from the atom. This danger is faced now with a strong and secure line of defense.

But humanity is confronted with another terrible enemy. About him we cannot even say that it creeps up noiselessly. This enemy declares with much noise, with too much noise in fact, about its presence. We all are subject to its action. This enemy systematically and relentlessly saps humanity's health. However, no measures or almost no measures are taken to defend ourselves against this enemy. It is only a few people who are fully aware of the dimensions of this danger and who raise their voice, trying to attract the attention of those in power, and doing it so far in vain and without any tangible results.

In October, 1965 in Tokyo the Eighth International Congress of the Ear and Throat Specialists took place. After this Congress I found myself in Yugoslavia, and the radio Belgrade asked me the following question:

Doctor, you were present at the Congress and read a paper before it. Will you kindly acquaint us with the problems which were discussed at this Congress? What was, in your opinion, the most important problem as far as the contemporaries were concerned?

There were many important questions on the agenda of the Congress. More than 7000 people attended it representing sixty different countries. It is of course, impossible to touch upon everything. I shall discuss one of the most vital problems of all—the progressively increasing deafness of the people, or otosclerosis, and our failure to cure mankind from it.

Otosclerosis is a sound, or sonic disease. The basic cause of this illness is the vibrational energy with which our mechanized civilization has so generously endowed us with. On our scientific screen we see only the consequences—the progressively increasing *deafness* and the progressively increasing *mental diseases*. This is indeed a very odd and a very mysterious "progress", and isn't it about time to think where it can lead us to?

The sound is heard when it is perceived by the human ear. But when the source of the sounds are vibrations of high order, the supersonic ones, man does not hear them. Nature gave man a hearing apparatus which can detect from 16 to 32,000 vibrations a second. Sounds beyond this limit man does not hear, that is, they cannot be perceived by human ear. A dog hears up to 50,000 vibrations a second: a bat perceives up to 120,000 vibrations. These sounds are beyond human hearing, but objectively they do exist.

Before the mechanization of human life the supersonic energy was in the hands of the gods. When lightning flashed and thunder boomed, the mortals on earth whispered fearfully to each other: The gods on the Olympus are drunk; they are angry; they are quarelling". In our days man has assumed the prerogatives of the gods.

For the first time in history from over the sky over Oklahoma descended on a city the power of the supersonic jets created by man. As an official delegate to the International Association Against Noise (A.I.C.B.: Association Internationale Contre Bruit in Switzerland), I was a witness to the fact how men were executing their brethren during six long months. Eight times a day the jets flew over the city at the height of 35 thousand feet. With their thunder, the sonic boom, they were executing all the living on earth. The only ones who remained were birds in cages and people chained down by their work.

This is what the owner of a chicken farm told me. "Before the appearance of the jets, my chickens were healthy and gay and all day long they were peeping. It was a sheer pleasure to work among them. After the sound thunder, the sonic boom, of the first flights they became very nervous: they dashed around their cages as if they were blind and would smash themselves against the nets. A few days later they started to shed their feathers. Subsequently, I could say they were losing their mind, they were losing their appetite, stopped eating, reached a state of complete exhaustion and finally perished. The hens would turn morose; stopped laying their eggs; began to suffer from internal hemorrhages and finally died.

"Now I am asking myself the question: couldn't the authorities by laboratory tests establish what harm the sonic boom would cause to the animal world? They should have established this and then forewarned us of what lay in store for us. My chicken farm which counted 10,000 chickens before the flights, within six months was reduced to 4,000 because of the sonic boom! Why didn't the authorities think about it? I would like very much indeed to have an answer to this my question."

Man, as has been established, can stand the noise of the intensity of 70 decibels. This is the utmost limit. The supersonic jet flying over 70,000 feet, covers by a thunder carpet reaching the intensity of 110 decibels an area 90 miles wide. This already constitutes a direct threat to the health of mankind.

The problem of noise is not a new one, though, for man. Ancient China solved it in its own fashion. In the third century B.C. under the law of Ming-Ti, criminals were executed by chiming bells! "Criminals should not be hanged, but flutes, drums and the chime of bells should be sounded without let up, until they drop dead, because this is the most agonizing death man could ever think of . . . Ring, ring the bells without interruption until the criminals turn first insane, then die."

In the days of medieval England, during the reign of Queen Elizabeth I, husbands were forbidden, under strictest penalty, to beat their wives. However, this was not a sign of the emancipation to come. The English medieval society was interested exclusively in maintaining quiet during the night and they were fighting all possible sources of noise and disruption. There were no objections to beating wives in the daytime.

When the Hitler executioners were not successful in breaking the will power of their victims, they resorted to noise and through it obtained confessions.

With the harm coming from noise mankind was familiar already many, many years ago. The boiler-makers' deafness had been known long time ago likewise. But never before had the problem of noise loomed so acutely and so threateningly. The harm which the industrial "progress" had done with its noise to mankind is without precedents in the history of mankind. Life of our civilization is filled, even flooded with noise. The traffic in the cities, the radio, the television. The noise of the aviation motors penetrates everywhere and turns whole regions into "boiler-makers' shops", threatening hearing, nerves, the emotional and the mental well-being of man. But it is especially the thunder of the supersonic jets that causes damage, irreparable damage, alike to man, to the animal and the vegetative world!

A Swiss forester told me once: "When I am making my rounds and there are no airplanes in the vicinty, foxes, deer, hares and other animals, at the slightest noise announcing my approach, scatter away. But if nearby there is heard the thunder of an airplane, all animals are transfixed, they are immobilized in their stances—I could have easily put them away in my pocket."

French bee-keepers energetically protested against the jet flights over their apiaries because under the influence of the sonic boom bees lost their sense of direction and stopped collecting their honey while the larvae in the bee-hives all perished.

From England also came the news that in Windsor, elephants of a circus performing went on strike against the noise of the jets which flew over the circus. The elephants resumed their performance only after the airdrome, at the request of the director of the circus, routed the planes on another air lane.

Experiments performed in laboratories scientifically established and proved that even the plankton of the oceans—this inexhaustible reserve of food in case of overpopulation—on our planet—even the plankton if subjected to the effects of supersonics five to ten seconds suffers changes with disastrous results. In five minutes the protoplasm of the chloroblast turns into a homogenous pendant; the grains of starch change their structure and condense. As a result a discoloration takes place and the cells perish.

II

Yet the dangers which modern technology causes for the welfare of mankind are by no means restricted to the sonic boom.

Douglas MacFarlane, an outstanding specialist for ear diseases, in his paper read before the Sixth International Congress in Washington, made the following warning: "A handful of atomic material will drive a thousand factories or will destroy a city in a flash. A jet engine will take a plane from coast to coast in three hours. It can also cause profound deafness in three minutes, a deafness that is irreversible and permanent for lifetime. We are indeed in an age when enormous man-made forces can be released for both good and harm. Much of the dangers of these forces comes from the fact that they cannot be detected by the senses. The Japanese fishermen did not notice the atomic fall-out, the workers in the New Jersey factory who were painting luminous numbers on watch dials observed nothing. The early x-ray workers were conscious of no danger until their skin became sallow, and toes, hands and arms began to require amputation. Supersonics are here, and more so than ever before, even though they are not sensed. High speed cutting tools, combustion engines, power transmissions, and electronic equipment of many sorts give frequency components that can undoubtedly damage humans. It is valuable, and timely, to have dangers brought to our attention, for it is wise to be wise in time". (D. McFarlane, 1956).

Eight million people, residents of New York, talking simultaneously, will produce a vocal energy the intensity of which would be sufficient to light a sixty Watt bulb. And at the same time, only part of the energy of the voice of one man is capable, by its harmonic vibrations, the supersonic ones, to break into smithereens a glass goblet. Thus it follows that the main destructive influence exercised on the health of man, is not the power nor the intensity of the sound but only the *frequency of sound vibrations*.

As the nation which is the most advanced technically, the United States of America is involved deeper than any other country in the problems of sound. The average American is awakened in the morning by the alarm clock. To shave himself, he uses the vibrating electrical razor. He may be even cleaning his teeth with a vibrating electrical tooth brush. While he is eating his breakfast he is exposed to the vibrations of the radio. He makes use of the vibrating elevator and gets in his car, turns on the motor and goes to work. During his working hours he makes frequent and prolonged telephone calls, being exposed to the vibrating telephone membrane. And in the evening he looks at the TV, listens to the radio or to his record-playing set—which are all sound amplifiers depending on transistors which are composed of quartz, germanium and similar sources of supersonic energy.

Add to this the thundering sound of jets which by themselves are already sufficient to destroy the hearing nervous system of man and cause deafness, and the problem of sound is outlined in all its frightening but unfortunately not preceivable dimensions.

We in the United States cause the greatest amount of noise. And our nemesis is the greatest, proportionally speaking: the distribution of deafness and also of mental diseases. The latest statistics bring sad totals: at least fifteen million Americans suffer from impaired hearing. This is the number of patients registered in corresponding hospitals and curative institutions.

If you add to this number all those who conceal their deafness or do not apply for medical help, the number marked by the statistics will be doubled and tripled. Thus, it is not surprising that 50 per cent of all the hospital beds in the United States are occupied by mentally ill patients.

However, other industrially developed countries are also making big strides in catching up or even overtaking the U.S. For example, the report of the Federal Department of Workers' Insurance in West Germany stresses the significant increase of nervous diseases. In 1961, for every thousand sick men, five hundred, in other words, one half, were suffering from mental diseases: an increase of twenty per cent, as compared with 1959. Among female employees, who applied for medical treatment, the number of those suffering from mental diseases reached 75 per cent ("New York Times", August 16, 1964).

The effect of the noise of supersonic jets on the nervous system results in its physical destruction. The human ear—this gateway to the stimulation of thoughts and feelings—

finds itself in danger. Our hearing apparatus is economical, precise and fragile. The units of the power of sound are called decibels. The rustle of the leaves reaches ten decibels; the noise of the normal conversation reaches sixty decibels. But the noise exceeding seventy decibels may already seriously threaten and injure the nervous cell.

No better is the case of the vibratory energy. By experiments in laboratories it was proven, as well as it was confirmed by the Oklahoma experience, already previously mentioned, that under the influence of supersonic vibrations, which vibrations man does not perceive, the biological tissues, and in the first place the nervous systems, the bone cells, lose their chemical element. The ferments are being destroyed; the cell loses its ability to synthesize in the higher polymers of the albumen the elementary amino acids—the ribonucleic acid and the deoxyribonucleic acid (DNA), which are necessary for the functioning of the nervous system! The albumin coagulates and degenerates. The emotional and mental activities are disturbed.

In the bones, vibrations form otosclerotic foci. The bone chain of the middle ear, as a result of irritation, forms a new tissue—the bone cement. What takes place is the knitting of bones—producing ankylosis and deafness. Otology, for generations at a stretch, for over a hundred years, stressed that vibration or noise, which penetrate the system of bones of the hearing organ, first cause also the porosity of the bones, the osteoporosis, which turns into otosclerosis. The porosity of the bone tissues is now being discovered also among the pilots and astronauts.

The dogs Ugolick and Veterok during their twenty-two days stay in the cosmos, lost as a result of vibrations, acting on the organism, more than a quarter of the contents of calcium of their bodies, their muscular mass and the control of their movements. Their pulse, the velocity of their blood settling and the number of their white blood corpuscles increased.

The loss of calcium, the osteoporosis, could have been observed likewise among the population of Oklahoma which had been exposed to a six month long sonic boom.

The tragedy of the situation is aggravated by the fact that medical science, frankly speaking, is powerless to fight the evil caused by modern technology. The only possibility in bringing back hearing was seen in corresponding operations. But operations are only palliatives. A few months pass by, a year or two—and deafness returns. Physicians performed and still perform operations. They change their operation technique; they change their methods and their materials; fat, fibrin, veins, fascia, polyethylene, steel, platinum, tantalum, bone, teflon and other plastimasses—everything was tried and tested and with the same result. All these names became synonymous with failures!

All data, which were accumulated by life and by laboratory experiments, were made known to the General Secretary of the United Nations and to other statesmen. U Thant was the first to call the attention of the World Health Organization (WHO) to the gravity of the problem of noise in modern life. And this organization included on the agenda, as a matter of urgency, of the International Day of Health on April 7, 1966, the problem of how to *fight noise*.

Referring to the same problem, Lyndon B. Johnson, the President of the United States of America, in his address had declared: "The overloading with noise is without precedent and it poses a serious threat to the health and the welfare of mankind. . . . Our country has awakened and is ready to join the ranks of fighters. I speak in the name of all Americans when I state: we are taking up the challenge and the responsibility connected with it."

To forestall the fact that man falls a victim to an unlimited noise must become the first and foremost and immediate task of the United Nations, and especially of the World Health Organization.

Four hundred years ago Montaigne wrote in his "Essays": "A fertile and natural exercise of our mind is, in my opinion, conservation. And, therefore, if I were given a choice I would rather lose my eyesight than my hearing, or my speech."

Robert Koch fifty years ago predicted: "A day will come when man will have to fight noise relentlessly as the bitterest enemy of his health—the way he had fought many years ago the plague and the cholera."

Now this day has come.

[From the Christian Science Monitor, Nov. 21, 1966]

Jet Noise: "Nix"—Britons Study Ways To Control and Reduce Aircraft Problem

(By Melita Knowles)

London.—When this correspondent moved out of the Westminster area four years ago to live a few miles from London Airport, friends commiserated about probable aircraft noise.

Today former neighbors living in Westminster are themselves complaining about noise from jets passing directly over London.

From five to 15 miles in four years is the measure of the growing blanket of jet noise spreading outward from London's Heathrow Airport to once relatively quiet areas in the capital itself.

The growing menace of what has become an international problem is underlined by a conference being held in London beginning Nov. 22.

Representatives of 24 countries, gathered at the invitation of the British Government, will discuss ways of controlling and reducing the disturbance from civil-aircraft noise.

COMMITTEES NAMED

The conference accepts that the problem exists, and that it will get worse if not controlled. So its members will split into six committees to consider noise reduction by various means. These are:

Production of quieter aircraft and engines;

Siting of airports; layout, planning, and limiting of housing nearby;

Study of noise-abatement techniques during takeoff, flight, and landing;

Decision on maximum degrees of permitted noise, and how these can be applied;

Insulation of buildings near airports;

Reduction of noise during ground testing of engines.

No specific action will be outlined as a result of the studies. The conference report will suggest possible areas of noise abatement and submit them for study by governments and other relevant authorities.

RATINGS ASSIGNED

There are times for those living near Heathrow—and it always seems to happen when they have guests—when aircraft noise drowns conversation. In technical terms, when "perceived noise decibel"—the experts' term for measuring noise—reaches 90 or more.

The higher the perceived-noise number the more "noise" and vice versa. High-frequency sounds are "noisier" and more objectionable than low-frequency ones. At a rating of 140 the noise is positively painful.

This doesn't often happen. The maximum permitted perceived noise decibel for night takeoffs at present is 102; days it is 110.

The London conference will study these maximum rates to see whether they are a fair compromise between the safety of the relatively small number of passengers in the aircraft and the comfort of the larger number of residents on the ground.

GRANTS AWARDED

When the conference committee studies insulation of buildings near airfields it will probably hear of the scheme operating for residents near Heathrow Airport. The British Ministry of Aviation gives a grant of 50 percent of the sum spent on double glazing a house, up to a limit of £100 ($280).

The ministry has strict standards for the work and few have availed themselves of the grant so far. This correspondent would have to lose practically all windowsills since these would be incorporated into the double panes. There wouldn't be anywhere to put the geraniums in winter.

With regard to siting airfields, the current issue of the consulting engineer has a novel idea for London's proposed third airport. An airport in the middle of the English Channel between Britain and France is proposed by G. E. Bratchell, a London consulting engineer.

BRIDGE SUGGESTED

Built on a sandbank, this airport would have no near neighbors to be bothered by landings or takeoffs of the Anglo-French Concorde or other planned supersonic jetliners.

It would cost some £50 million and rise from the Goodwin Sands, 12 miles off the southeast coast of England.

The Goodwins, scene of the sinking of many a fine ship, would then become a European center for all long-distance aircraft. A bridge might link England to the new-built island by road and rail. This would in turn link up with the English end of the proposed Channel tunnel.

Copies of the plan have been sent to all government and aviation authorities interested in flights to and from Europe.

Residents around Heathrow, and even in Westminster, would certainly welcome the scheme.

[From Trial, published by the American Trial Lawyers Association, August–September 1966]

Jet Noise Responsible for Psychotic Ills

Psychotic ills and jet noise were linked recently at a mental hygiene committee meeting of the New York State Assembly.

State Assemblyman Leonard E. Yoswein, chairman of the committee, introduced a bill to have the state study the effects of jet noise near airports.

Dr. Julius Buchwald, psychiatrist, downstate division, New York State Medical Center, testified that residents of communities afflicted by jet aircraft may develop psychotic symptoms because their dreams are interrupted.

If a person is prevented from dreaming, he said, symptoms such as paranoid delusions, psychoses, hallucinations, and suicidal and homicidal impulses can occur.

The conscious perception of noise can lower a person's productivity and greatly reduce his sense of humor and ability to handle ordinary frustrations, and can even build up frustrations that later explode, the doctor added.

[From the Daily News, Jan. 6, 1967]

Family Doctor: Many Psychiatrists Regard Noise as Threat to Health

(By Dr. Theodore R. Van Dellen)

Noise is synonymous with work and prosperity, but there is a limit on how much the body can tolerate. Some individuals are more sensitive than others, just as the range of hearing varies from one to another. Hearing is disturbed when loud noises are maintained over a long period and unless something is done deafness may ensue.

The early effects result from ear fatigue; hearing returns to normal after an interval of quiet and rest. But when the racket continues year after year the sensitive nerve endings in the ear may be damaged. "Boilermaker's deafness" was one of the first conditions of this nature to be described.

Noise also affects the body in other ways. All manner of vague ills and ailments have been blamed; some sound logical, others are questionable.

There is no doubt that when sleep is disrupted lower efficiency in both manual and mental work may ensue. Years ago, Lord Horder reported that a loud noise caused temporary rise in blood pressure, temporary paralysis of stomach movements, and increases in metabolic rate, the speed of the heart beat, and the rate of respiration.

Fear also produces these changes and there is a question whether the blood pressure, for example, mounts because of noise or of fright. Moreover, our reaction to noise depends upon whether we regard it as unnecessary or unavoidable.

The honking of a horn two or three times a day to attract the attention of the neighbor's daughter is more upsetting than the clatter created by the carpenter who is building a roof on the home down the street.

Many psychiatrists regard noise as one of the most serious threats to health. There are individual variations to noise.

The same sound might reduce the efficiency of a routine worker 5%, whereas an executive will experience a 30% loss. The trend is toward stressing the need for a quieter world. More and more factories and offices are being soundproofed to protect the worker.

[From the Washington Star, Jan. 9, 1967]

FAA Issues Proposals on Jet Noise

(By Charles Yarbrough)

The Federal Aviation Agency is proposing new jet departure procedures for National Airport to reduce the ground noise that continues to bring in bitter complaints.

Airlines and all other users of the airport will be, or have been, asked for comments on the proposed procedures, which were revealed today. The proposal would send aircraft out of the airport on longer, lower-powered, overwater ascent.

The FAA has set Jan. 20 as the deadline for industry reply.

Under current rules, which have fallen woefully short of satisfying residents disturbed by the noise, the aircraft take off at full power, climb to 1,500 feet, reduce power, climb to 3,000 and then make their turns.

There have been some admitted violations of the "follow-the-river" rules; some of them explainable by traffic problems.

The new proposal for northwest departures would have the aircraft climb to 1,500 feet, maintain a 500-feet-per-minute climb rate and a speed of 210 knots (235 miles an hour), remaining over the river until abeam of the Georgetown reservoir, then follow a 325-degree course which would keep them over the river until 10 miles out.

Southbound takeoffs would keep planes over the Potomac until five miles out; the planes would then proceed as cleared by air traffic control.

Northwest departures would keep them over the Anacostia River for five miles.

Notice of the proposed rules are going out to the Air Transport Association, the Aircraft Owners and Pilots Association; the Air Line Pilots Association; National Business Aircraft Association; National Pilots Association and National Aviation Trades Association.

[From the Washington Post, Jan. 12, 1967]

Secretary Udall Reports Jet Booms Damage Indian Cliff Homes

(By Eric Wentworth)

The Thunderbird, a popular figure in American Indian folklore that caused thunder by flapping its wings, has some less-popular space age cousins.

Just ask Secretary of the Interior Stewart L. Udall, who called a news conference yesterday to complain that sonic booms from supersonic military aircraft were threatening ancient Indian dwellings in the Southwest that his Department is charged with protecting.

Udall produced a memorandum from Director George B. Hartzog Jr. of the National Park Service reporting that, last Aug. 11, "A Navajo Indian, Guy Yazzie Teller, witnessed a large portion of an overhanging cliff fall and demolish a prehistoric cliff dwelling in Canyon del Muerto. A sonic boom was heard immediately before the cliff section fell."

The incident occurred in Arizona's Canyon de Chelly National Monument, whose red-rock gorges sheltered Pueblo Indians for an estimated 1000 years and more recently have become a home for Navajos.

Park rangers from Aug. 11 through Dec. 22 counted 83 sonic booms over the Canyon de Chelly, and Hartzog speculates that there is "extensive" damage elsewhere in the Monument.

Udall and Hartzog are also concerned about possible damage to the spectacular rock formations in the Bryce Canyon National Park of Utah, "On Oct. 12, shortly after three exceptionally short booms," Hartzog reported, "approximately 10 to 15 tons of dirt and rock was found to have fallen from one of the formations near the bottom of the Navajo Loop Trail."

The Park Service chief reported too that increasing numbers of supersonic planes flew this past year over Mesa Verde National Park, a Colorado tract whose fragile cliff dwellings have made it a well-known tourist stop.

While no direct damage to Mesa Verde's marvels from sonic booms has been discovered, according to Hartzog, one sound wave Dec. 21 was intense enough to rattle windows, doors and lights in the Park Service's own administration building there.

While the Interior officials were clearly concerned about preventing damage to such relics, they were less clear about specific remedies.

Interior officials have unburdened themselves already to the Air Force, and plan to present their findings to the Federal Aviation Agency, which has authority over what planes can fly where in this country. The Air Force said a few days ago it shares Interior's concern, but passed the buck to the FAA.

[From the Christian Science Monitor]

Sound Conditioning: Shhh! Builders Pick Up Cue

(By Charles E. Dole)

Home may be a family's castle but there's precious little calm within it.

A cacophony of piercing sounds jars the aural sensitivities both inside the house and out of it. The raucus ring of the telephone, clip-clop of heels, blare of TV or hi-fi, roar of the oil burner, crunch of the disposal, a kitchenful of appliances—all compound into a mighty chorus with a decibel count as high as the ceiling.

Qui-i-et! But that's exactly what millions of Americans have learned to do without.

Nowadays noise is said to cost industry over $4 billion a year in absenteeism, loss of efficiency, higher accident rates, and lower output.

Homes of long ago were of heavier construction, with thicker walls, huge walk-in closets, and higher ceilings. Except for the members of the family themselves, there were few of the sound sources which pile decibel on decibel in a modern domicile.

BARRIERS ERASED

Modern construction is "quick built" of lightweight materials:

Dry-wall partitions instead of lath and plaster;

Hollow doors.

Also, open planning in modern house design allows noise to sweep through the rooms with hardly a barrier to stop it.

Home has become, if not a bedlam, at least something akin to a boiler factory.

Still, builders are hopeful. Jarred by all the noise after the family moves in, they are beginning to do something about it before the family moves in.

A few years ago air conditioning started to take hold as an essential ingredient for comfort in the home. But with room air conditioners came more noise along with the chill air.

TURNOVER NOTED

Now builders are turning to sound conditioning—first in apartments and now in the home.

It is estimated that at least 20,000 apartments in California have been sound-conditioned in the past three years. Apartment owners report that noise is one of the biggest causes of tenant turnover.

Home buyers are perking up their ears. Fox & Jacobs Construction Company of Dallas reports that when the company's first model "quiet home" was opened, more than 4,500 people turned out to see it. Other builders report huge turnouts, even in freezing winter weather.

One San Antonio builder says: "We find the quiet-home theme is a good selling point."

Another says: "We have found purchasers most interested in two items concerning quiet homes—insulation around the furnace and dishwasher units."

COST DISCOUNTED

He adds:

"Yet, we are including interior wall insulation, sound-deadening board in the den area, 'noiseless bathrooms,' silent electrical switches, solid bedroom doors, fiber-glass garage door rollers, six inches of insulation in the attic instead of the usual three, and fiber-glass insulation of air-conditioning ducts."

Sound engineers and builders declare it is not costly to clamp a lid on noise. Acoustically treated homes are said by most builders to cost about 2 percent more than conventional construction.

Insulation board sales were up 24 percent in 1965 over 1964. The industry looks for a 45 percent increase in 1966.

Do it yourselfers are getting into the act, too. The average cost of installing an acoustical-tile ceiling in a 12-by-15-foot room is estimated at under $50. "And it's easy to do," say spokesmen.

INSULATION USED

Sound transmission through walls is reduced by putting up insulation board on the walls and then nailing the paneling to it.

Weatherstripping greatly reduces the noise level through doors.

Among other easy-to-do projects:

Magnetic catches on kitchen cabinets;

Noiseless nylon rollers in the overhead garage doors;

Silent plumbing;

Flexible hose and sponge-rubber gaskets on garbage-disposal units;

Rubber mats under appliances; and

Mercury light switches instead of spring switches.

Appliance manufacturers are cooperating. Refrigerators are less noisy than a few years ago; in fact, it's hard to tell when one is running. Even a "quiet home" records 20 to 40 decibels.

Vast research is going on in sound-deadening materials under the direction of the Insulation Board Institute.

R. A. LaCosse, technical director of the IBI, says: "In European countries building codes today contain noise-control provisions.

"Experts believe it is only a question of time before most regional and local American builder codes also recognize noise as a problem.'"

[From the New York Times, Nov. 27, 1966]

SEXES ARE FOUND EQUAL IN HEARING—BUT WOMEN HAVE A GREATER PROTECTION AGAINST NOISE

WASHINGTON, November 26.—The sexes are equally endowed in hearing sensitivity, but women have greater natural protection than men against some kinds of noise, a study suggests.

The reason appears to be that women have stronger muscles in their middle ears. As a result, they are better protected against low-frequency roars and rumbles, research at the University of Minnesota indicates.

Furthermore men have larger outer ears and these are better collectors and transmitters of low-frequency sound. Women, on the other hand, appear to be more adept than men at hearing high-pitched sound against a background of low-pitch noise.

It is conceivable that there might be somewhat less hearing loss in industry if women had more of the noisy jobs, a report on the research said. There is so much individual variation, however, that this would be a doubtful basis for hiring practices, the scientist in charge of the research said.

STUDENTS VOLUNTEERED

The conclusions on the susceptibility of men and women to effects of noise came from a study of 24 men and 25 women, all college students who volunteered for hearing tests over a period of 8 weeks. The intensity and duration of the test sounds were kept low enough to avoid any permanent damage to hearing. The tests measured the temporary changes in hearing threshold produced by exposure to various kinds of noise.

The purpose, Dr. W. Dixon Ward, director of the University of Minnesota Hearing Research Laboratory said, was to find out how a person's susceptibility to noise varied with the type of sound. In the course of this work the scientists found some distinct sex differences in the human reaction to noise.

Men were more susceptible to temporary hearing impairment from low-pitch noise—sound waves below 1,000 cycles a second. These would sound like low-pitch roars. The sexes were equal in their susceptibility to sounds of middle frequency—1,000 to 2,500 cycles a second. The hearing of women was more affected by sounds of higher pitch, including those high enough to be heard as whistles.

A logical explanation of the findings, Dr. Ward said in an interview by telephone, is that muscles in women's middle ears are stronger than those of men.

The women's greater sensitivity to high-pitch sound and tolerance for low-pitch sound make it seem logical that women might be better than men at hearing high-pitch tones over backgrounds of low-pitch noise. The research in Minnesota has not tested this, however.

The middle ear muscles, called the stapedius and the tensor tympani, help control the vibrations of the structures in the middle ear that transmit low-frequency sound. When the muscles are tensed the vibrations are lessened thus somewhat stifling the sound transmitted to the inner ear and thence to the brain.

The research is supported by the National Institute of Neurological Diseases and Blindness and was originally reported in the August issue of the Journal of the Acoustical Society of America. Further publications are being prepared. At present the research group is doing similar, but more intensive tests with chinchillas.

The purpose is to see if more intensive noise exposure will produce permanent hearing loss that correlates with the temporary changes observed in men and women. Chinchillas were chosen as the experimental animals because they are relatively free from ear diseases and have life spans of six years or more, Dr. Ward said.

LT. GOV. SAMUEL SHAPIRO—KETER SHEM TOV—THE CROWN OF A GOOD NAME

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. PUCINSKI] is recognized for 60 minutes.

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, it is a pleasure to take this opportunity today to join with my colleagues from Illinois in calling attention of Congress to the testimonial dinner being sponsored by the Jewish National Fund in Chicago on January 31 in honor of Samuel Shapiro, Lieutenant Governor of Illinois, who has been honored by this fine organization as man of the year.

Our State of Illinois is one in which we all take pride—those of us fortunate enough to represent it in Congress and our fellow Americans who count it among the most progressive and forward-looking States in the country.

Lieutenant Governor Shapiro is our "Mr. Sam" in Illinois. He is a man of enormous, proven ability and talent. He has served the State with a distinction unequaled both as private citizen and public servant.

The Jewish National Fund is awarding to him the Keter Shem Tov—the Crown of a Good Name—at this dinner January 31. Lieutenant Governor Shapiro embodies the finest traditions of modern man, for he is deeply involved in the challenges confronting our community and our Nation.

Sam Shapiro is a humanitarian and a leader among men. The Bible says that there are three important crowns in life—one of priesthood, one of royalty, one of learning—and the Crown of a Good Name ranks above all.

Mr. Speaker, I ask permission to include in the RECORD today a few brief highlights of this great American's career. His life of service is an example to all those who seek a meaningful, wholehearted contribution to our world community. I also ask that my colleagues be granted permission to join in this tribute.

I call particular attention to the excellent editorial by Mr. Fishbein, publisher of the Sentinel, who called Lieutenant Governor Shapiro one of the original sponsors of the Illinois Mental Health Act, which has done so much to help deal with one of the most serious unmet needs of our Nation.

Illinois, and, yes, Mr. Speaker, our entire Nation is so much the richer that a man like Sam Shapiro has agreed to work in the difficult vineyard of public service. His profound contribution to the progress of Illinois and America is a living monument to his dedication, his ability and his nobility as a grateful member of a magnificent people.

Mr. Speaker, this inspiring information follows:

LT. GOV. SAMUEL H. SHAPIRO

Born April 25, 1907, Samuel H. Shapiro (Democrat) was reared in Kankakee where he attended the public grade schools and was graduated from Kankakee High School. After attending St. Viator College, he enrolled at the University of Illinois, and obtained his law degree of LL.B. in 1929. Since then he has been practicing law in Kankakee. In 1933, Mr. Shapiro became City Attorney for Kankakee, and was elected State's Attorney of Kankakee County on the Democratic ticket in 1936.

During World War II, he enlisted and served in the Navy, being attached to the anti-submarine warfare unit. Upon his return from the service, he was elected in 1946 as a member of the House of Representatives where he served fourteen years. He served on the Judiciary, Appropriations and Executive Committees, and in the 1959 Session he was Chairman of the Public Aid, Health, Welfare and Safety Committee.

The field of Mental Health and Public Welfare received his special attention while he was a house member. He was one of the principal co-sponsors of the Illinois Mental Health Code, the Mental Deficiency Code, and other progressive mental health legislation, and was Chairman of the Mental Health Commission established in the 1955 Session. In the 1959 Session, he sponsored the establishing of a permanent Commission on Mental Health and is presently its Chairman.

Mr. Shapiro is a member of the American, Illinois and Kankakee County Bar Associations, Kankakee Chamber of Commerce, Country Club, Kiwanis Club, Royal Order of Moose, Elks (Past Exalted Ruler) Covenant Club of Illinois, B'nai B'rith, American Legion, Amvets and Temple B'nai Israel, was State Secretary and State Treasurer of the Young Democrats of Illinois, Past President of the Musician's Union and Kankakee Federation of Labor, Past National President of Alpha Epsilon Pi Fraternity, a Director of the Illinois Mental Health Association, and member of the National Civil Rights Committee of the Anti-Defamation League. Former member of the Council on the Improvement of the Economic and Social Status of Older People. He also served on the Inter-Governmental and Narcotics Commissions.

Elected Lieutenant Governor in 1960. He was reelected in 1964. He resides with his wife Gertrude at 1300 Cobb Boulevard in Kankakee.

LT. GOV. SAMUEL H. SHAPIRO TO BE RECIPIENT OF STATEWIDE TRIBUTE BY THE JEWISH NATIONAL FUND

Illinois Lieutenant Governor Samuel H. Shapiro has been selected as the honored guest for a state-wide testimonial banquet held on behalf of the Jewish National Fund. The selection announcement was made by local campaign chairman, William J. Robinson. State of Illinois auditor of public accounts, Michael J. Howlett, will serve as the banquet chairman for the gala salute.

The testimonial, set for Tuesday evening, January 31, 1967, at Chicago's Palmer House, will climax a record breaking year-round effort by local J.N.F. activities. In recognition of his continued support and interest in the many J.N.F. re-development projects in Israel, Lt. Gov. Shapiro will be awarded the coveted "Keter Shem Tov"—a symbolic religious citation representing the "Crown of a good name." This specially-designed presentation depicts the significance of being esteemed and respected by your fellow man for exemplifying the positive qualities of humanitarianism. The Scriptures explain that life carries three important crowns—one of priesthood—one of royalty—one of learning, and the Crown of a good name supersedes them all.

The significance of this tribute is reflected in the J.N.F. projects taking place in Israel. Among the most vital are Land Development, which involves building roads and land clearances for settlements which would allow the Israel population to expand to all the borders and to protect the security of Israel in its entirety. Secondly, Tree Planting, which secures fertility of soil for abundant agricultural settlements so that Israelis can produce from natural resources within their own state. Also, drainage of water-logged and swamp areas which increases the potential development of all areas.

Lt. Gov. Shapiro has displayed his leadership in scores of vital roles with numerous civic, communal, and philanthropic organizations. His selection for the state-wide tribute was made by a special J.N.F. committee including Col. Jacob M. Arvey, honorary campaign chairman; Morris R. DeWoskin; William J. Robinson, president of the local J.N.F. campaign; Rabbi Harold Trattner, Executive Director of Chicago J.N.F. and Harold Rosenberg. The selection of Lt. Gov. Shapiro was unanimously passed by the board representing every major Jewish organization including: Hadassah, Zionist organization of Chicago, Pioneer Women, B'nai B'rith, Labor Zionists, Farband and the Religious Zionists.

The January 31 banquet is expected to have more than 2,000 well-wishers and friends in attendance. Prior to this culminating banquet, a series of advance meetings, to be planned and coordinated by Chairman Howlett, will be held. A steering committee presently in formation has already more than 65 members on its roster. This committee consists of leaders from every major Illinois city.

Banquet chairman, Howlett, stated that Lt. Gov. Shapiro was selected for such an honor "Because of his many dedicated years of public service . . . because of his consecrated devotion to the Jewish people . . . because of his selfless efforts to all humanitarian causes . . . because he represents the finest synthesis of Judaism and Americanism. . . . The Jewish National Fund of Chicago takes pride in conferring upon him the coveted Keter Shem Tov Award and establishing a forest in the Judean Hills of Jerusalem, thereby eternally linking his name with the holy soil of Israel."

[From the Sentinel, Dec. 29, 1966]

HE REALLY DESERVES IT!

(By J. I. Fishbein, publisher)

Every regular reader of The Sentinel knows that we do not look with reverence on the usual "Man of the Year" banquets.

Occasionally, however, someone comes along who is genuinely deserving of the honor. Such a rarity, in our opinion, deserves double notice.

We are happy, therefore, to call our readers' attention to the honoree selected by the Jewish National Fund—Lieutenant Governor Samuel H. Shapiro. Here is a man who in the fullest sense has earned the coveted "Keter Shem Tov"—Crown Of The Good Name.

He is in the highest degree an honor and a credit to our people. His entire record of public service has been one of unblemished and dedicated effort on behalf of his state. We know of no one who has ever been able to say otherwise.

In November, 1960, he was elected to his present office of Lieutenant Governor and was presented a resolution and trophy by the entire membership of the State Senate indicating his fairness in presiding over that body.

"Mr. Sam of Illinois," the name by which he has become known, received his law degree of LL.B. at the University of Illinois in 1929, after taking some of his pre-legal work at St. Viator College.

In 1933 he became city attorney for Kankakee, and was elected state's attorney of Kankakee County in the Democratic ticket in 1936.

During World War II he enlisted and served in the Navy, being attached to the anti-submarine warfare unit. Upon his return from the service, he was elected, in 1946, as a member of the Illinois House of Representatives, where he served for 14 years (seven terms).

As state representative he served on the Judiciary, Appropriations, and Executive Committees, and in the 1959 session he was chairman of the Public Aid, Health, Welfare and Safety Committee. The field of mental health and public welfare received his special attention.

Known as "Mr. Mental Health," he was one of the principal co-sponsors of the original Illinois Mental Health Code, the Mental Deficiency Code, and other progressive legislation, and was chairman of the Mental Health Commission established in the 1955 Session. The report of that commission has been used as a guide for much of the present mental health legislation. In the 1959 Session, he sponsored the establishing of a permanent Commission on Mental Health which was one of the major steps forward taken by the General Assembly in this field. He was appointed chairman in 1961, and is presently chairman of this commission. He is also presently serving as chairman of the Governor's Advisory Council on Mental Retardation.

Lt. Governor Shapiro has served as a member of the Council on the Improvement of Economic and Social Status of Older People, the Narcotics Commission and is presently a member of the Inter-Governmental Commission, and the Legislative Council. In December 1962 he was elected chairman of the National Conference of Lieutenant Governors.

"Mr. Sam" is, in addition, a proud and active Jew. He typifies the truism that "A Better Jew is a Better American." We ourselves have never known him to turn down a Jewish cause to which he could possibly be of help. As a matter of fact, we just don't know anyone in this community who doesn't admire and affectionately respect our Sam Shapiro.

It goes without saying that his testimonial banquet on Jan. 31 must be a tribute to this love and esteem. All of us ought to do more than what is routinely required. We owe this man a special effort.

SENATOR EUGENE J. MCCARTHY WILL SPEAK AT JNF TRIBUTE TO LIEUTENANT GOVERNOR SHAPIRO

Minnesota's distinguished United States Senator, Eugene J. McCarthy, will address the more than 1,500 guests expected to be in attendance at the "Keter Shem Tov—Crown of a Good Name" tribute banquet to be tendered to Illinois Lt. Gov. Samuel H. Shapiro. The salute, the culminating event of 1966 Jewish National Fund activities, will be held Tuesday evening, January 31, 1967 at Chicago's Palmer House.

Leading up to the tribute is a series of advanced testimonials which are being held throughout the state. Included in the calendar of events are parties scheduled for Peoria, Joliet, Rockford, Kankakee, and Rock Island. Coordinating a committee list of 100 statewide leaders is State of Illinois Auditor, Michael J. Howlett. Included on the list are outstanding members of the business, governmental, civic, and educational fields. Mr. Howlett reported that "This much-deserved tribute to one of our state's leading citizens is certain to be a milestone in Lt. Gov. Shapiro's life. This tribute marks a much-deserved honor bestowed upon a man who has given so much to his fellow man through his many years of dedicated public service."

At the January 31 event a symbolic jeweled and hand-engraved crown will be presented to Lt. Gov. Shapiro by William Jay Robinson, president of the J.N.F. Another of the evening's highlights will be the appearance of Sen. McCarthy who is widely known as an orator and writer of political, economic, and social problems. He was elected to the U.S. Congress in 1948. Senator McCarthy represented Minnesota's 4th Congressional District in the House of Representatives for ten years. In 1958 he was elected to his first six year term in the U.S. Senate and re-elected to that position in 1964.

[This message presented as a public service by Max S. Steiner, president, Clifford Peterson Tool Co., Chicago]

Max S. Steiner Says: "Lt. Gov. Samuel H. Shapiro Deserves The 'Crown Of The Good Name'—He Is A Most Loyal Team-Mate Of Governor Kerner"

Just as the No. 2 auto rental agency is always trying to outshine the No. 1 firm, so in government, we find many examples of where the No. 2 man tries to outshine his superior, especially when his "boss" is away from his post.

In Illinois, we are fortunate that Lt. Gov. Samuel H. Shapiro has no aspirations to outshine Gov. Otto Kerner. In fact, I have heard Gov. Kerner say publicly that when he is out of the country and Lt. Gov. Shapiro becomes the governor, that he leaves the state "in the best hands possible, knowing full well that there is a man back in Illinois who is personally loyal to me and the people of the State of Illinois."

It is unusual that among the two top executives of a state, there should be such a lack of bickering, back-biting and conflict. Lt. Gov. Shapiro has proven to be the good right arm of the governor whether Kerner is in the state or out of it. In fact, during the few times the governor may have had rough going, it was Lt. Gov. Shapiro who proved to be his most loyal supporter and dedicated friend.

The Jewish National Fund is honoring Lt. Gov. Shapiro at a state-wide dinner on Jan. 31 at the Palmer House. They will confer upon him the "Keter Shem Tov" (Crown of the Good Name), an honor he richly deserves.

Mr. O'HARA of Illinois. Mr. Speaker, as a former Lieutenant Governor of Illinois, I am especially pleased that the present Lieutenant Governor of Illinois, the distinguished and beloved Hon. Samuel H. Shapiro, has brought such honor and national acclaim to an office it was my privilege to occupy over half a century ago. I commend the gentleman from Illinois [Mr. PUCINSKI], for arranging this time today so that we in the Congress can join in tribute, admiration, and affection to a great son of Illinois. The friends of Sam Shapiro are legion. They fill every county and every city and hamlet in Illinois. His smile, his kindly interest in people, his helping hand are as well known to the people of Illinois as are his rare traits of statesmanship and his masterly legislative skill. His public career is certain to continue with ever-increasing brilliance and to the honor and glory of Illinois.

Samuel H. Shapiro, Lieutenant Governor of Illinois, is in every sense of the word a son of Illinois. Born and reared in Kankakee, he attended public grade and Kankakee High School. After attending St. Viator's College, he enrolled at the University of Illinois where he obtained his law degree in 1929. He returned to Kankakee, to practice law and become city attorney and State's attorney.

During World War II he served in the Navy where he was attached to the Anti-Submarine Warfare Unit. In 1946, he was elected a member of the house of the Illinois Legislature where he served 14 years. He was one of the principal cosponsors of the Illinois Mental Health Code, the Illinois Mental Deficiency Code, and other progressive mental health legislation and was chairman of the Illinois Mental Health Commission. He is presently chairman of the permanent Illinois Commission on Mental Health. He was elected Lieutenant Governor of Illinois in 1960.

Some years ago when my friends were honoring me on my birthday Lieutenant Governor Shapiro traveled from Springfield to Chicago, at his own expense and considerable inconvenience, to be with me on that occasion, and I have not forgotten. Sam Shapiro is that kind of man, and that is why he is so beloved from one part of Illinois to another.

Mr. YATES. Mr. Speaker, I want to join my congressional colleagues from Illinois in extending heartiest congratulations to my good friend, the distinguished Lieutenant Governor of Illinois, Sam Shapiro.

We who served with and revered the late great Speaker of the House, Sam Rayburn, were pleased to call him "Mr. Sam." It was a term of endearment, of affection for one whom everybody acknowledged to be a great leader and a great man.

Illinoisans have given the same appellation to Sam Shapiro. He is our "Mr. Sam" and he bears that title proudly and with distinction. As President of the Illinois Senate, he has conducted himself in that high office with dignity, with fairness, with courage, with wisdom, and with great ability. His administration has given the people of Illinois a shining example of the highest quality of public service.

Sam Shapiro is a unique man, a man possessed of outstanding personal traits. His warmth and friendliness, his willingness to help others, his modesty and restraint, his insight and perception, his humanitarianism have given him a place of honor in the hearts of all who have come to know him.

It is well that Sam Shapiro has been designated to wear the Keter Shem Tov, "the crown of a good name" by the Jewish National Fund, and that distinguished organization is to be congratulated for having selected him for that high honor. Truly, this event will be a most appropriate symbolization of a lifelong wearing of that crown.

Mr. Speaker, I am proud to call him my friend.

Mr. ROSTENKOWSKI. Mr. Speaker, it was during the 68th General Assembly of the State of Illinois that I first had the privilege of meeting Mr. Samuel H. Shapiro, the man who is now Lieutenant Governor of that State. The year was 1953 and both Mr. Shapiro and I were representatives to the State assembly. I was tremendously impressed with him then, and I am still tremendously impressed with him now.

I shall always remember him as the man who walked over to me, a new representative, and volunteered his every assistance. Since that meeting, Sam Shapiro has grown continually in my affections and he has certainly grown continually in stature in the State of Illinois.

In recognition of his outstanding record of public service, the Jewish National Fund will present to Lieutenant Governor Shapiro, on January 31, 1967, a special Keter Shem Tov Award, which means "Crown of Good." I am delighted to have this occasion to add my own personal salute to my good friend, Sam Shapiro. He truly bears the qualities of executive leadership, but even more than that, he is a human being who has compassionate understanding and who has certainly offered to all people seeking knowledge, the benefit of his own.

Mr. ANNUNZIO. Mr. Speaker, I am happy to join my distinguished colleauge, the Honorable ROMAN PUCINSKI from Chicago, and my other Illinois colleagues in paying tribute to one of Illinois' outstanding citizens and Lieutenant Governor—Mr. Sam Shapiro.

"Sam," as he is affectionately known in Illinois, has been selected by the Jewish National Fund as Man of the Year and will be honored in Chicago on January 31. Many men in public life are selected to receive high honor, but Sam has earned this honor by virtue of his hard work, his dedication, and his devotion to the people of our State.

I have had the good fortune of knowing Sam Shapiro since 1949. While I was serving as director of the Illinois Department of Labor, Sam, at the same time, was a member of the Illinois Legislature. As a member of the legislature, he conscientiously and consistently voted for programs that would benefit the economic, social, and educational needs of the people.

In 1960, Sam was honored by the Democratic Party by being nominated to the office of Lieutenant Governor. He was elected Lieutenant Governor in 1960, and was reelected in 1964. In that capacity, he has interested himself in the problems of all of the people of Illinois and he has diligently assisted Governor Kerner and the members of both the house and senate in their efforts to meet the needs and wants of the people of Illinois.

I am happy to join his many friends in commending Sam and in congratulating the Jewish National Fund on their selection of Sam Shapiro as their Man of the Year. I want also to congratulate his very charming and wonderful wife on the tribute being bestowed on her husband, and to congratulate the other members of the Shapiro family.

I know that Sam Shapiro is highly deserving of this honor. May he enjoy an abundance of good health so that he can continue his constructive and outstanding service of the people of our great State of Illinois.

Mr. SHIPLEY. Mr. Speaker, on January 31 the Jewish National Fund is honoring Samuel Shapiro with the Keter Shem Tov Award. Mr. Sam of Illinois, as he is popularly known, is most certainly deserving of this honor, which means "Crown of a Good Name."

Samuel Shapiro has made an outstanding record as Lieutenant Governor of the great State of Illinois and has gained great stature as a leader and as a humanitarian. He is truly a special kind of person who spends virtually all of his time in doing things for other people. He has worked unselfishly and untiringly in behalf of others and his contribution to the people of Illinois cannot be measured.

It certainly is most appropriate that Samuel Shapiro be given the Crown of a Good Name.

Mr. GRAY. Mr. Speaker, it is a real privilege to join my colleagues from Illinois in congratulating our outstanding Lt. Gov. Sam Shapiro on being selected to receive the Man of the Year Award by the Jewish National Fund. Mr. Sam, as we affectionately call Lieutenant Governor Shapiro, is a man of rare talents. He has proven ability to represent Illinois in the finest tradition. Sam has been a great leader in the field of mental health. He has led the fight for many pieces of progressive legislation both as a lawmaker and as presiding officer of the State senate.

Mr. Speaker, as my esteemed colleagues from Illinois have pointed out, Sam Shapiro is highly deserving of this signal honor being bestowed upon him by the Jewish National Fund in Chicago on January 31. I want to add my congratulations to Mr. Sam and wish for him many more healthy, happy years of dedicated service.

Mr. RONAN. Mr. Speaker, it is a pleasure to join with my Illinois colleagues in extending congratulations to our distinguished Lieutenant Governor of the State of Illinois, Samuel H. Shapiro, upon being named as the Man of the Year by the Jewish National Fund. Sam will be the guest of honor at the Jewish national fund testimonial dinner on January 31, at which time he will be awarded the Keter Shem Tov—the Crown of a Good Name.

Having known Sam Shapiro for many years including service together in the Illinois State Legislature, I can easily attest to the fact that there is no one more deserving than he for this high honor. He will wear well this symbolic crown. I am certain that he will continue to epitomize those qualities and characteristics for which he was chosen and for which he has long been recognized, and thereby add new luster to this coveted award.

It is my earnest hope that Sam will enjoy his newest honor in good health and that we may all continue to be beneficiaries of his good work for years to come. I also with to express my best wishes to his family who undoubtedly are rightfully proud of him on this august occasion.

Mr. MURPHY of Illinois. Mr. Speaker, I join my colleagues from Illinois in commending the Committee of the Jewish National Fund for designating the Honorable Samuel H. Shapiro, Lieutenant Governor of the State of Illinois, as their Man of the Year.

I can readily understand this designation because of the outstanding work performed by Governor Shapiro in the field of mental health as indicated by a record of his performance in this field such as being cosponsor of the Illinois mental health code, the mental deficiency code, and other progressive mental health legislation, and also because of his chairmanship of the Mental Health Commission established in 1955.

I congratulate Governor Shapiro on being the recipient of this high honor.

I regret my inability to be present in Chicago on Tuesday, January 31, to witness the presentation of the special "Keter Shem Tov Award" to him.

GENERAL LEAVE TO EXTEND

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that all Members may include their remarks following my remarks in a tribute to Lt. Gov. Sam Shapiro of Illinois.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE TRUTH IN TRADING STAMPS ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. WOLFF] is recognized for 10 minutes.

Mr. WOLFF. Mr. Speaker, it is about time that Congress adheres to the cry of America's homemakers who seek the frills eliminated from food sales. We, here in this august Chamber, if we do not act now, will continue to force the women to pay for an additional week's supply of food each year.

I am today introducing a bill which, when enacted, will help to roll back food prices and increase the coffers of the U.S. Treasury. This bill is entitled, "The Truth in Trading Stamps Act."

It is identical to the bill which I introduced on October 21, 1966, prior to the close of the 89th Congress. That bill was introduced at that time so that my distinguished colleagues could have the opportunity to review the text of the measures I prescribed and would sound out their own respective districts on the tenor of the shoppers this bill was designed to protect.

If the constituents of my colleagues districts were like mine, they were bombarded by the homemakers who have come into their own throughout America by their strong demonstrations last autumn. Those demonstrations indicated that America's homemakers wanted the frills eliminated from food sales.

Over the past 2 years I have conducted extensive meetings—along with some of my colleagues—across the face of this land. We questioned retailers, consumers, legislators, economists and even trading stamp company officials on their attitude toward trading stamp practices and their respective responsibility to the public.

I have in my possession hours of taped testimony and substantial evidence that there is an urgent need for regulatory action involving this billion-dollar industry.

And, Mr. Speaker, let me make it clear now and here that I am not a foe of trading stamps. As a former businessman who used to be engaged in marketing activities I found trading stamps an excellent sales incentive device.

I must confess that my own dear wife, Blanche, has many of our bureau drawers stuffed with untold quantities of these unredeemed, unofficial treasures of the realm.

There are many trading stamp companies across this country who are engaged in legitimate sales promotional ventures.

My brief is not with the reputable but with the disreputable companies who stalk this land and rob our shoppers of untold millions each day, at the same time depriving the U.S. Treasury of a fair share of tax revenues. And the trading stamp companies can do this now because there is no standard Federal regulation to govern their activities.

Of the 48 out of the 50 States who permit trading stamps, there are approximately 48 different sets of highly questionable standards by which these companies operate.

This august body has seen fit in the past to exercise a degree of influence and control on industries engaged in equal if not lesser financial influence over the American public.

Certainly those industries engaged in interstate practices such as banking, trucking, and the like are not immune from Federal regulatory measures. How then can we reason that trading stamp companies that deal, by their own admission, with 80 percent of all American homes; an industry that shows an annual increase of over $10 million, and an industry that did an estimated $1 billion in 1966, remain immune to legislative responsibility?

This past congressional recess my district experienced wave after wave of women's organizations calling upon me to do something about the rise in the cost of food prices.

With the introduction of this bill today I am doing just that. And here is why. Trading stamps add 2 percent to the food costs. If this 2 percent were optional and the cost could be turned back to the housewife, those women who desired could save 1 week's free supply of food each year.

If Congress does not adhere to the cry of America's homemakers, they are forcing the women to pay for an additional week's supply of food.

Please note that I use the term optional. I said previously that I am not a foe of trading stamps per se. But I do believe most sincerely that women, or any collector of trading stamps, should have the option of redeeming the stamps for merchandise or cash. However, this is presently impossible.

It is claimed by some that stamps are a form of advertising and therefore the increase is justified. There are many important authorities and the courts who disagree with the theory on the grounds that advertising gives information where and what merchandise is available.

Trading stamps achieve no such purpose. Shoppers pay cash for the right to only borrow these stamps; for the trading stamp companies allege that the stamps are merely loaned to the shopper. At no time are they her property to exchange or transfer.

The retailer as well as the shopper is at the mercy of the stamp company when it comes to determining the redemption value of these stamps. And the stamp company may change that value at their own discretion without prior notice to either retailer or shopper.

How many women are lured into saving for a needed article only to find upon attempting to redeem stamps for the item at one value, find that the value is either increased or the item even deleted. And, while we are on the subject of redemption, permit me to enlighten you, my learned colleagues, on a few eye-opening revelations.

Just how many stamps are redeemed and how much money is involved? Here again the number of stamps redeemed and how much money is involved is questionable. Many feel that as high as 50 percent of the stamps purchased by retailers and distributed to shoppers, never find their way back to the redemption centers. As I said, my wife, I must confess, contributes in some small way to that figure. Leading stamp companies report that they redeem 75 to 95 percent of these stamps. But, under the present system, stamp companies have the privilege of deciding for the Treasury, without verification, their own redemption estimates. If the stamp is valued at one-tenth of a cent and 10 percent are not redeemed, that is $100 million worth of stamps that go unredeemed each year. This being the case there have been no taxes paid on one-half billion dollars of hidden income over the past decade. Had there been, the U.S. Treasury would be richer today by the taxes on one-half billion dollars, or we would have a goodly percentage of the estimated revenue expected to be derived the first year of operation from the President's proposed 6-percent surcharge on Federal income taxes.

The Sperry & Hutchinson Co.—S & H Green Stamps—in a decision handed down in New Jersey stated that they considered the stamp contract a simple contract and that they were not liable, under the statute of limitations of 6 years. Paragraph 14 of answer of Sperry & Hutchinson Co., filed May 31, 1955, in *State of New Jersey* v. *Sperry & Hutchinson Co.*, (S. Ct. N.J. 1956) 127 A (2d) 169. This being the case, my colleagues, they should not be permitted to hold in reserve this money tax free. It should be escheated to the States or there should be taxes paid on it since it is profit.

If you are the least bit curious, and I am sure you are, what happens to these enormous tax-free, and I repeat, tax-free, funds? Here again, research shows that this money is used for expansion and other purposes—a device which I know no other industry enjoys. And again, my colleagues, I repeat I am not against trading stamps as a promotional device. I only ask that their tax-free sanctuary be reexamined and reappraised by the proper authorities and that the proposals of my bill be considered carefully by every Member who is serious in his efforts to reduce the high cost of food prices.

I hold in my hand a copy of a report presented before the marketing legislation class of the University of Cincinnati. It is titled, "The Truth About Trading Stamps." I invite you to examine its contents carefully. This booklet, distributed by the National Federation of Independent Business, Inc., represents 200,000 members throughout the United States. Their report shows clearly that "action to curb abuses of trading stamps plans is long overdue."

Since it is overdue, here is what my bill will do to bring about needed regulatory action:

The Truth in Trading Stamps Act will provide for redemption at the option of the consumer for cash or stamps. Trading stamps have been found not free, and they are not gifts. The bill will prevent any false and deceptive advertising of this type.

The bill will require trading stamp companies to hold adequate reserves, require annual reports, require escheat to the State of any unredeemed stamps, require stamp companies to register with the proposed Commission on Trading Stamp Practices and grant this Commission powers to investigate and penalize any person who omits or fails to comply with the requirements of this act.

I ask, Mr. Speaker, at the conclusion of my remarks that the bill I have introduced be printed in its entirety.

The tenor of the public is clear, my distinguished colleagues. The time for action is now. And I invite all of you to join me in cosponsoring this legislation.

POLL ON VIETNAMESE CONFLICT BY RESPONSIBLE TEENAGERS

Mr. McCLURE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. McCLURE. Mr. Speaker, the students at Lakeland High School in Rathdrum, Idaho, have gone a long way toward dispelling the image of today's teenager as irresponsible.

A recent poll on the Vietnamese conflict, taken in the school's social studies classes, illustrates beyond a doubt that the students are concerned citizens. It is regrettable that a number of those polled are likely to serve with the military in southeast Asia someday. And yet, the responses to the questions seem to have been motivated by concern for the country's welfare rather than concern for self.

To School Principal Richard Snook and Social Studies Department Chairman Dennis F. Carey, my congratulations for the fine job they are doing at Lakeland High. But most of all, I compliment the students themselves for taking an active interest in national problems.

I would like to think that prodding from responsible students throughout the country would pave the way for an in-depth study of Vietnam by the Congress.

The poll follows:

STUDENT VIETNAM POLICY OPINION POLL

(1) Some distinguished commentators have said that Congress has been at fault in not having a full scale debate on the Administration's policies in Viet Nam. Do you agree or disagree? Agree 154, disagree, 93.

(2) If a peace conference in Viet Nam provided for free elections that could result in Communists being part of the Vietnamese government, would you favor such an arrangement or not? Would 40, would not 210.

(3) If our opponents in Viet Nam refuse to negotiate, what should be the U.S. policy?

(a) Withdraw all military forces, 5.

(b) Continue to build up armed forces indefinitely, 39.

(c) Maintain our current strength as a holding force, 38.

(d) Hold our forces at the same level and accelerate bombing of civilian targets in the north, 50.

(e) Increase our ground forces and accelerate bombing of civilian targets in north, 93.

(f) Refer the whole matter to the United Nations for a decision, 22.

(4) Do you agree or disagree that it was wise to change the role of the U.S. military in Viet Nam from advisors to the Viet army to greatly increased participation in the actual fighting? Agree 178, disagree 70.

(5) Newspaper reports from Viet Nam sometimes differ sharply from official government reports. When they differ, which do you think is nearer the truth? The government 87, the newspapers 57, neither 98.

(6) The U.S. Constitution states that Congress has the power to declare war. The Viet Nam war has not been so declared. Do you think that the President should recommend such a formal declaration? Yes 81, no 164 (yes or no).

(7) Do you approve or disapprove of reclassifying the draft status of students to immediate induction if they protest publicly against the administration's policy in Viet Nam? Approve 113, disapprove 133.

(8) Is President Johnson doing a good job as the Commander in Chief of the Armed Forces? Yes 113, no 103.

Political affiliation of students polled: Republican 57, Democrat 81, independent 106.

LET'S STOP POISONING OUR AIR

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. OTTINGER] is recognized for 30 minutes.

Mr. OTTINGER. Mr. Speaker, today I am pleased to reintroduce a measure which I first sponsored in the 89th Congress to provide an answer to the growing menace of air pollution in the Nation. My bill would call upon the Department of Housing and Urban Development to undertake an immediate program of research and development to produce a feasible alternative to the internal combustion engine. If successful, this program could result in a two-thirds reduction in the pollutants in our atmosphere and a dramatic improvement in the quality of our environment.

When I first introduced this measure, which was similar to a bill introduced by the distinguished chairman of the Senate Commerce Committee, there were many who did not take it seriously.

In the ensuing months, with the leadership of Senator MAGNUSON, and the growing public awareness spurred by the American Public Power Association and the Department of Health, Education, and Welfare, a convincing body of public information has been developed as to the need for action.

Let us look at the facts. In the past 24 hours alone, we Americans dumped nearly 370,000 tons of poisonous garbage into the air we all breathe—and the daily rate is rising rapidly in spite of all our current efforts at abatement and control.

Between now and 1976 we will pour a total of 1,670,000,000 tons of dangerous waste into our atmosphere and the annual pollution rate will have risen by more than 50 percent.

The 133 million tons of measurable particulate pollution we now produce annually already exceeds our total yearly iron and steel production by 2 million tons.

Unless immediate action is taken, air pollution will soon become our largest—and most deadly—product.

Three years ago, the staff of the Senate Public Works Committee reported that this systematic poisoning of our atmosphere was then costing the American public more than $11 billion each year in property damage alone. With the increase in the rate and volume of pollution and general inflation over the past 3 years, this estimate must now be considered extremely conservative.

COST ESTIMATES NEEDED

As far as I have been able to determine, no one has ever tried to estimate the costs that result from such side effects as the devaluation of urban properties near particularly pungent sources of pollution. Nor has anyone computed the havoc that has been inflicted on other important elements of our environment. We do have some hints, however.

At the annual meeting of the American Association for the Advancement of Science here in Washington, December 25–31, 1966, agricultural experts branded air pollution as the greatest single destroyer of American food crops. They reported that damage from air pollution now costs farmers more than the combined damage of weather and pests. In New Jersey, for example, these experts reported that within the past 5 years air pollution has virtually wiped out the spinach industry. Lettuce, endive, and chicory farmers in the Garden State are now experiencing serious difficulties.

The spread of chemical plants around the Niagara Falls region of my own State of New York has, according to these agricultural experts, all but eliminated farming in this once fertile area.

The U.S. Forest Service reported that sulfur dioxide from the smokestacks of TVA's powerplants has already destroyed 90 percent of Tennessee's white pine trees in one 20-mile radius.

The most tragic cost of all is to the Nation's health. There has been surprisingly little effort to identify what this cost really is, but a frightening, if fragmentary, picture can be gleaned from general statistics.

In the New York metropolitan area, where between 70 and 80 tons of filth fall on each square mile each year, the number of persons dying from lung ailments is doubling every 5 years. Men over 50, who live or work in the metropolitan area are twice as likely to die of lung diseases as their more fortunate peers in less polluted areas.

In the past 36 years the national death rate from lung cancer has soared from 3 per hundred thousand to 26 per hundred thousand, a ninefold increase.

In the 26 years that the Federal Government has kept separate statistics on emphysema and emphysema bronchitis, the number of persons dying of these diseases has increased six times, in spite of dramatic medical treatments that prolong the life of sufferers.

Wonder drugs have scored impressive victories over infectious lung diseases, but air pollution has scored an even more impressive and deadly victory.

Air pollution, like water pollution and urban slums, is a direct result of our unparalleled economic expansion. Industrial production, power generation, waste disposal and heating, which have contributed so much to our economic leadership, also play key roles in poisoning our atmosphere. Why, then, do we single out the internal combustion engine of the car, bus, and truck for special action now?

Of the total 133 million tons of measurable pollution we are producing annually, the internal combustion engine produces more than 85 million tons—or almost two-thirds. Four-fifths of this total, or about 73 million tons, is produced by the 74 million automobiles in operation in the Nation today. Obviously, if we can find a feasible alternative to the gasoline engine for the car, we can reduce air pollution by more than 50 percent. If that alternative will serve for the 18 million trucks and buses in the Nation, we can reduce the total by better than 63 percent.

CONTROL POLLUTION AT SOURCE

Rather than pressing ahead with alternatives to internal combustion engines, why can we not act to control their pollution?

In 1965 Congress approached the problem by amending the Clean Air Act to require the Secretary of Health, Education, and Welfare to set standards for the control of automobile emissions. These standards have now been promulgated and are scheduled to go into effect for 1968 cars, but everyone recognizes that they are at best a temporary stopgap.

The most effective and feasible abatement devices available today reduce pollution from cars by about 60 percent. If these most stringent standards were enforced immediately on all new cars, it would affect only 9 million of the estimated 77 million cars on the road in 1968. With the total increase in registrations this would mean an increase in the total pollution of about 2 million tons in 1968 even though the rate of increase would be slightly reduced.

Transportation experts estimate that there will be more than 100 million cars on the roads of this Nation by 1975. In the face of such increase, control devices will not even help us to hold our own.

Furthermore, we have distressing evidence that the control devices will not hold up. In Los Angeles, where regulations went into effect last year requiring all new automobiles to carry pollution control devices, it has been found that after only a few months, the efficiency of these devices is reduced by as much as one-half.

DEADLY BYPRODUCTS OF POLLUTION

What does the internal combustion engine contribute to our environment?

Carbon monoxide, a major emission, kills by preventing the blood from absorbing and carrying oxygen. Recent studies indicate that this gas may be responsible for many of the headaches, nausea, and general impairment of bodily functions that are increasingly frequent complaints of city dwellers.

The effect of concentrations of lead emissions is currently the subject of much debate. Although lead has very toxic effects on humans, we simply do not know whether the substantial emissions from the internal combustion engine reach or harm our citizens.

Another major emission is the oxides of nitrogen which convert into highly toxic nitrogen dioxide. Studies on laboratory animals demonstrate that emphysema and other respiratory ailments are promoted by high concentrations of this gas.

The most damaging byproducts of internal combustion are the unburned hydrocarbons which combine with nitrogen dioxide on warm sunny days to create that deadly new phenomenon of our metropolitan centers, photochemical smog. Smog is exceedingly unpleasant, but more unpleasant still is the related phenomenon of the thermal inversion.

Under certain conditions, the warm layer of smog-laden air, acting as a blanket, entraps all the smoke and smells, all the soot and noxious gases that an urban area produces. Unable to escape from this artificial atmospheric envelope, the air within the city becomes fouler and, in the absence of a fortuitous breeze or other beneficial act of nature, the very air becomes a lethal gas.

In London in 1962 such a phenomenon killed 4,000 people. Similar phenomena have killed in New York, Chicago, and Los Angeles.

If there are feasible alternatives to the internal combustion engine that would reduce the pollution by 60 percent, the Federal Government has a clear duty to help develop them.

This is what my bill provides. It authorizes the Secretary of Housing and Urban Development to undertake necessary research, development, and demonstration programs to produce a feasible alternative to the internal combustion engine with particular emphasis on electric vehicles and their components. It directs the Secretary to cooperate with industry, with the Secretaries of Transportation, Commerce, Health, Education, and Welfare, Defense, and with all other Federal and State agencies and departments concerned. It then authorizes an appropriation of $2 million for the first fiscal year to get the program started.

I do not propose the electric car as the only possible alternative. In carrying out the program under my bill, the Secretary is authorized to explore all feasible power sources and methods of transportation.

Many imaginative proposals have been offered recently which incorporate the use of electric vehicles. A Massachusetts company has developed a system of special small cars—called the Alden StaRRcar system—which travel on regular roads or on a special automatic guideway. While on the guideway, these battery-driven vehicles travel twice as fast as ordinary cars and offer a uniquely safe method of high-speed mass transit.

A feasible "moving sidewalk" is now possible to relieve congestion and speed transportation in our cities.

Another interesting proposal is that of providing electric buses in our national parks to move large numbers of visitors in a smokeless, quiet manner within the park area.

The fact remains, however, that after more than a decade of serious study and investigation the main thrust of scientific thought holds that electric cars are the most feasible alternative available.

I suspect that many who resist the concept of the electric car may be prejudiced by a stereotype resulting from the early electrics. They picture a little old lady in a shawl and long skirts spinning merrily down the road in a converted surrey at the breathtaking rate of 20 miles an hour.

Let me assure this distinguished body that nothing could be further from the truth. I drove to work this morning in an experimental electric car developed by the Yardney Electric Corp. of New York. It is parked right outside the Capitol now and I invite any one of my colleagues to come out and try it.

This car, the Yardney Silvercel, is only an experimental model converted from one of the more popular foreign compacts on the market today. Like the other experimental models built by Exide, Ford, General Motors, Chrysler, and numerous other companies and individuals, it has been put together from existing components to demonstrate the feasibility of the concept. But even this single experimental model proves conclusively to me that an attractive, modern electric vehicle, capable of matching the performance of the gasoline engine in most applications is not a future prospect, but a present reality—if we devote the time and money to perfecting the concept that the project deserves.

ELECTRIC CAR PERFORMANCE

This morning on my way to work, I drove three other passengers in absolute comfort at speeds of up to 55 miles an hour. We accelerated from zero to 30 miles per hour in 5 seconds, optimum performance for a standard car.

The car is operating on four production-model, aviation-type batteries developed for the F-105 fighter bomber.

I want to stress that the car I am driving is essentially a demonstrator. Within a year these same components, designed specifically for automobiles, could be perfected to develop speeds of up to 65 miles an hour with acceleration from zero to 65 miles per hour in 15 seconds. If the funds authorized in my bill were available now, it would be possible to shape these components into a vehicle capable of traveling at 80 miles per hour and accelerating from zero to 60 miles per hour in 10 seconds. The battery in the car would have a life of 3 to 5 years or 75,000 miles and it would be capable of traveling 200 miles on a single charge. Other experimental models perform comparably with other types of battery and there is no question that if both the car and the battery are designed together for optimum performance we can expand the horizons of the electrical vehicle as far as may be necessary.

The initial cost of electric cars is still a problem. Silver-zinc batteries, giving a range of 100 miles per charge, for example, would cost about $2,230. This is not a serious obstacle however. The most expensive element of the battery—the silver—is totally recoverable at the end of the battery's 3- to 5-year life, so that the true cost is only the cost of production—between $700 and $900—plus the expense of installation. This is true for all the battery types now in use that have expensive components.

With present technology, the consumer could rent these batteries for pennies a day. There are batteries on the horizon that would have longer life, greater power, and are made of common and quite inexpensive elements—the nickel-zinc, zinc-air, or the lithium-air batteries, for example.

The most attractive feature of electric cars is their operating economy. The car I am driving can be completely recharged for about 10 cents at present electric rates. Even greater economies are possible if we develop a production technology.

One barrier has been the creation of a market adequate to support a major automotive innovation. Many financiers and automotive experts still remember only too clearly the experience of Tucker and the rueful remark of Henry Kaiser when his auto effort failed, that although he expected to drop $50 million in the effort, he "didn't expect it to disappear without a ripple."

The more than 330,000 cars and trucks operated by the Federal agencies may offer a unique solution. The vast majority of these are operated in applications for which the electric car is superbly suited. It would be consistent with the President's Executive Order No. 11282 directing all Federal agencies to end air pollution. To require the use of electrics is an appropriate application.

The feasibility, and dramatic economy, of electric trucks for urban postal service has been proven by actual operating experience of the United Parcel Service. UPS has been using electric trucks since they opened their first office in New York in 1930. It takes only two men to maintain the entire fleet of 20 trucks. The batteries have an average life of 5 years and the only service they need is charging at the end of a day's run.

We now have the opportunity to make great strides in the development of transportation methods that will serve the needs of our modern cities and reduce the deadly tide of pollution. We have lagged badly in this development in the past and the only way to close the gap between the potential and the reality is for the Federal Government to enter into a development and demonstration program in cooperation with American industry as my bill provides.

An editorial in today's New York Times presents an excellent summary which I read into the RECORD at this time:

[From the New York Times, Jan. 18, 1967]

PROTECTING NEW YORK'S AIR

New York is lucky, a Federal meteorologist told the recent interstate air pollution conference here. Its location next to the ocean and its relatively strong winds permit the city's atmosphere to cleanse itself with unusual ease and speed. Air pollution such as is normal here would make the atmosphere intolerable for human beings if it took place in many other parts of this country.

Even so, the city is threatened by rising clouds of aerial sewage; and already there are times—as last Thanksgiving—when atmospheric inversions and stagnation threaten disaster.

Underlining the seriousness of this situation is the Federal Government report that the New York-New Jersey metropolitan area has the worst sulphur dioxide pollution in the entire country, and an almost equally unenviable status in respect to carbon monoxide pollution.

In addition, as every resident knows, there is an excessive abundance of smoke and soot in the city's air. The cost of trying to cope with the area's atmospheric poisons was put by one witness at about $620 per family annually, or about $3,000,000,000. The damage done to health and comfort is incalculable.

Fortunately the chief culprits responsible for these conditions are identifiable. The role of the automobile and truck as a contributor to air pollution is widely recognized, and the latest testimony only adds to the already overwhelming case for cutting down this source of gaseous garbage. The measures which have begun to be taken to lessen noxious automobile exhaust fumes are, however, grossly inadequate.

Any serious attack on pollution caused by motor vehicles will have to involve a reduction in the number of cars and trucks entering the city, and also in the average annual use of those that are already here. Such drastic measures would have the welcome side effect of speeding up the development and introduction of electric vehicles.

Much of the other air pollution comes from a few large offenders. The United States Public Health Service's tabulation of those who pour sulphur dioxide into the air showed that fewer than 50 major plants account for most of the damage. The worst of these are the public utilities—Consolidated Edison, Jersey Central Power and Light, and Public Service—along with a number of metallurgical, oil and chemical plants in the most noxious region of Northern New Jersey. This concentration of offenders should make it comparatively easy to overcome the problem. A minimum reform would be require that public utilities switch as promptly as possible to oil with maximally low sulphur content and to natural gas.

To clean up this area's fouled air supply will cost a good deal of money, force many people to change their accustomed ways of doing things, and step on the toes of some powerful vested interests. But that is the only way to insure New York's more than ten million people against aerial catastrophe.

Pollution and transportation are problems for the Nation, but crises for our cities. For this reason, and because of the clear reluctance of the transportation establishment to take the lead, I believe Congress should vest the responsibility for future development in the Secretary of Housing and Urban Development. From his vantage point—free of commitments to the entrenched interests, but cooperating with industry and drawing upon the resources of all Federal agencies and departments—the Secretary has both the mandate and capability to succeed.

One of the leading scientists in the battery field was explaining to me the other day the ways that inertia and indifference had impeded progress in this area. He attributed this to a reluctance to buck the entrenched interests and to a failure to realize the seriousness of the pollution danger.

In New York, he said, we are not far from the day when people start dropping dead in the streets from our impure and poisonous air. If we wait until then to start, it may be too late.

This Nation needs and can have clean air, but only if we take the initiative today. Congress can, and must, act.

HON. WALTER FRANKLIN HORAN

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, it is with deep sadness that I rise today to commemorate a devoted American and former colleague in the U.S. House of Representatives—the Honorable Walter Franklin Horan. Certainly the entire country mourns his untimely death, and especially those of us, on both sides of the aisle, who have had the privilege of his experience and guidance in the Halls of Congress.

Walter Horan's life was dedicated to public service. After the outbreak of World War I, he interrupted his high school training to enlist in the U.S. Navy and served his country from April 1917 to November 1919. After his discharge from service, he completed his high school education and subsequently graduated from Washington State College in 1925. Walter Horan was first elected to the U.S. House of Representatives in 1942 and ably served the Fifth District of the State of Washington until the 88th Congress in 1964—a total of 22 years in the House.

Walter Horan was a respected Member of the House, and he will long be remembered by his colleagues for his devotion to the principles of the Republican Party as well as his dedication and willingness to serve his constituents and his country. He was diligent, and respected for his views and judgment. As a Member of Congress and as an outstanding American, Walter Horan will be remembered by all who had the privilege of his association.

I extend my deepest sympathy to the members of his family.

WILLIAM A. STEIGER SUPPORTS HOOVER-TYPE COMMISSION

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, I would at this time like to join a number of my colleagues in support of the establishment of a Commission on the Organization of the Executive

Branch of the Government. I have today introduced legislation for that purpose.

We are all aware, Mr. Speaker, of the increasingly more obvious overlapping of governmental programs. We are all aware of the continuing communications gap between officials at all levels of the Federal Government. We are aware of the growing number of forms, reports, directives, and questionnaires that have become commonplace in our Federal Government. And finally, Mr. Speaker, we are all aware and, I am afraid some of us are becoming much more aware, of the delays in the processing by Federal officials of what should be routine applications for Federal assistance by local and State governments.

We are faced with a dual problem of attempting to find the most effective ways of managing the Federal Government while at the same time finding the best ways of funding the needs of our citizens. I hope it is sufficient to say that the tax-sharing concept which proposes to share a portion of the Federal Government's revenue directly with the State and local units of government without strings would be a big step toward solving one part of this problem.

On the other hand, tax sharing must go hand in hand with a Federal Government run on a businesslike basis. Our Federal Government must be run economically and imaginatively. In order to do this effectively, in order to have this kind of government, we must carefully examine the existing structure and make changes which will strengthen the system as well as upgrade it and provide additional economies. Only in this manner will we be able to begin to effectively help reduce the duplication and overlapping that exists and thus revitalize the programs of our great Nation.

Mr. Speaker, we have not had a thorough study of our Federal Government and its functions and structure since the last Hoover Commission in 1953–55. That Commission, and especially the Hoover Commission of 1947–49, accomplished a great deal. It seems to me that a Hoover-type commission to conduct a thorough, impartial review of Federal operations and recommend comprehensive reforms makes a great deal of sense.

It is my pleasure, therefore, to join in support of this important legislation inaugurated by my distinguished colleague from the Sixth District of Maryland, the Honorable CHARLES McC. MATHIAS.

NEW HELP FOR THE RETURNING SERVICEMEN

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GURNEY. Mr. Speaker, I am today introducing legislation for consideration by the Congress which would increase the amount of benefits received by the returning servicemen under their cold war GI bill.

I was among the sponsors of the legislation last year which extended the GI bill to the cold war veterans, and at that time I pressed for a base rate of $130 a month. But last year's Congress, famed for its generosity, chose to be anything but generous with these boys to whom we all owe so much. The rate decided upon was only $100 a month.

Although the costs of higher education have skyrocketed in the years since World War II, the amount set as the figure for education benefits was $10 a month less than the World War II veteran received. In the light of increased costs, this $100 a month base rate is insufficient today.

The purpose of the bill which we passed last year was to provide a degree of assistance to these returning servicemen whose careers and educations have been interrupted in the service of their Nation. They return to find their contemporaries 2 and 3 years ahead of them in college and professions. Many return with no skill or education which would suit them for the rapidly changing employment market.

With the aid of the GI bill, many of these young men have entered college or other schools. The contribution the Government makes to this education is little enough gratitude for the services of these men. But the amount of the benefits is unrealistically low, and many veterans who would like to take advantage of the plan find that they are still unable to attend college.

After World War II, when the cost of attending a public college averaged $910 and a private college $1,200, the GI bill provided a base rate of $110 a month for a veteran with no dependents attending school full time. The rate set now for the Vietnam veteran is only $100 a month. Yet the cost of the same education is now $1,640 a year for public college and $2,570 for the average private institution.

The act which provides educational assistance to the orphans of veterans, which was originally based on the amounts of the World War II GI bill, was increased last year to $130 a month in recognition of the higher costs. I propose today that the benefits for the veteran of the cold war be increased equally. Under my bill, the full-time student with no dependents would receive $130 a month, with one dependent $155, and with two or more dependents $180 a month.

To those of us who give every legislative measure a careful weighing for its cost, it is reassuring to look to the benefit-to-cost ratio of the previous GI bills. The $14.5 billion in cost to the Treasury has been more than recouped in additional tax revenue from the young men whose earning power was increased by education. The World War II GI bill continues to pay for itself at the rate of $1 billion a year. Had it not been for this program, shortages of trained men in essential occupations would have plagued the Nation even more seriously. The program raised higher education in this country to new heights, as more serious-minded older students returned to the campuses.

I am hopeful that my colleagues here in the House of Representatives will join me in support of this worthwhile legislation.

GOVERNMENT-PAID TRAVEL FOR SERVICEMEN ON EMERGENCY AND CONVALESCENT LEAVE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, I am today introducing legislation to provide Government-paid transportation for servicemen traveling on emergency or convalescent leave.

Such legislation was recommended during the last Congress by the House Armed Services Committee's Special Subcommittee on Commercial Air Transportation for Service Personnel on which I had the honor to serve under the able chairmanship of the gentleman from Missouri [Mr. ICHORD].

During the recent Christmas period, 8,596 Job Corps trainees traveled to and from their homes at Government expense. The cost was about $1 million.

If this Nation can afford to pay the travel expenses of Job Corps trainees on leave, we can certainly do no less than pay the emergency and convalescent leave travel expenses of our military personnel.

My bill would provide Government payment of travel expenses for a serviceman who is granted leave because of the existence of an unexpected family emergency, such as death or critical illness of a parent, wife, or child. In addition, it would provide for Government-paid travel for military personnel on convalescent leave during their recovery from wounds or illness incurred in a combat area.

The travel and transportation allowances would cover reasonable travel to and from a serviceman's duty station or place of medical treatment. I urge the support of my colleagues for this measure.

SPUTNIK MAGAZINE: RECIPROCITY NEEDED

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, once again the administration apparently was surprised by the bold aggressiveness of the Communist Party of the Soviet Union. I am referring to the successful entry into the United States last week by the Communist magazine Sputnik.

I am also referring to the lethargy of the Department of State which, prior to the entry of Sputnik, apparently failed to obtain reciprocal distribution in the U.S.S.R. for a similar publication which contains thoughts and ideas generated within the free world.

I am also speaking of the failure of the administration to increase U.S. exports of magazines, newspapers, and other publications and communication media to the U.S.S.R. and Eastern European Communist nations.

On October 31, 1966, I wrote the Secretary of State and raised questions concerning reciprocity in the distribution of publications between the United States and the U.S.S.R. Here, in part, is the Department's reply of November 17, 1966:

> Such a subscription would be impossible as a result of the Soviet policy of restricting the flow of information into the USSR. In fact, it is highly unlikely that the average member of the CPSU [Communist Party Soviet Union] could subscribe to a non-Communist foreign newspaper. . . . There are no restrictions on subscriptions by American citizens to *Pravda* or other Soviet newspapers. . . . However, this disparity springs from the difference between our open society and the closed society of the USSR and is not in any way susceptible to negotiations.

Notice the Department of State said this disparity "is not in any way susceptible to negotiations."

On January 6, 1967, when I learned of Sputnik—which translates as fellow traveler—and of its imminent distribution in the United States, I again wrote the Secretary of State and asked two questions:

> 1. Is each copy clearly identified as "Communist Propaganda"?
>
> 2. Did the United States Department of State proffer any agreement to the Soviet Union for the purpose of obtaining reciprocal rights to export to the U.S.S.R. a similar magazine, for example, a Russian language edition of *Reader's Digest?*

Also, I stated the need for "specific plans and positive action for winning the competition in ideas."

Even though the Department has now made public statements concerning Sputnik, I have as yet received no reply to my January 6 letter, the text of which appears at the close of my remarks.

Sputnik is a digest of the Soviet press. What type of Communist literature could the administration expect Sputnik to offer in the coming months and years? On January 8, 1967, as the first issue of Sputnik was being distributed to the newsstands of America, the Communist Party Central Committee was broadcasting to the Russian people the instructions the Soviet press will follow during this, the 50th anniversary year of Communist control of Russia. The Russian language broadcast of January 8 directs that the entire Soviet press—entirely Communist controlled—and every publishing organization—entirely Communist controlled—and every person associated with Soviet publishing—entirely Communist controlled—"will devote special attention to: preparations for publishing scientific and popular-historical, social-economic, political, and military literature, fiction and children's books which should be written by old Bolsheviks, veterans of the revolution, the civil and great patriotic wars, heroes of labor, and distinguished scientists and public figures, maintaining a high ideological and artistic level of the publications."

Approximately 1 week after my letter of January 6, 1967, to the Secretary of State, the Department apparently finally reacted in some fashion. From news stories of January 14, I learned that belatedly the Department asked the Soviets for reciprocity after the magazine had arrived on the American newsstands.

Once again Americans have reason to question the administration's policies which it calls "building bridges" to the Communists.

This increased flow of traffic in ideas is primarily one way. Why?

From this Sputnik episode it would appear that this administration is not capable of keeping up with the activities of the agencies of the Communist Soviet Government which are directly involved with distributing propaganda in the United States.

The administration should have known that Sputnik was gaining entry into our country. It knew of the two Soviet Communist agencies which are immediately involved in promoting the distribution of the magazine.

In the November 17, 1966, letter to me, to which I referred above, the Department of State confirmed that Mezhdunarodnaya Kniga is the Soviet agency located in the Soviet Union which handles the "exports of books, recordings, newspapers, magazines, and similar items." And, according to news stories, the Soviet Communist agency located in the United States which handles the distribution of Sputnik is registered with the U.S. Department of Justice under the name Eastern News Distributors. It is reportedly located at 155 West 15th Street, New York City.

The administration must promote the export of American publications to the citizens of the Soviet Union and Eastern Europe. Once again I say: "all of our publishers and broadcasters of every political hue will be happy to tap that market which is so starving for ideas."

American parents in my opinion are not anxiously waiting to buy a digest of Soviet publications, which, among other things, will contain children's stories written by old Bolsheviks containing a high Communist ideological content. On the other hand there is ample evidence to prove that Soviet citizens have been waiting almost 50 years for opinions and judgments that are other than Communist.

The text of my January 6, 1967, letter to the Secretary of State follows:

JANUARY 6, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: News stories this week tell of a new Soviet magazine called *Sputnik*. It carries articles which have appeared previously in Soviet publications. Reportedly, 12,000 English language copies of the magazine's first edition, the January 1967 issue, are being distributed in the United States and circulation is expected to reach 50,000 before the year is out.

It is my understanding that in the Soviet Union the agency, GLAVLIT, reviews all printed matter of every kind and in so doing it performs pre-publication and post-publication censorship. I also understand that no publication may be exported and no publication may be imported without the permission of GLAVLIT. The need for GLAVLIT is, of course, clear. In the words of the Communist Party's theoretical journal, *Kommunist*, "The strength of our press lies in its idea content, its loyalty to the all conquering teaching of Marxism-Leninism . . ."

In the light of the above it would appear that the magazine *Sputnik*, as all material printed in the Soviet Union, is definitely a vehicle for disseminating Communist Party propaganda.

If the magazine *Sputnik* is now being imported into the U.S. two questions immediately arise:

1. Is each copy clearly identified as "Communist Propaganda"?

2. Did the United States Department of State proffer any agreement to the Soviet Union for the purpose of obtaining reciprocal rights to export to the U.S.S.R. a similar magazine, for example, a Russian language edition of Reader's Digest?

On October 12, 1966 you made an address entitled, "Requirements for Organizing the Peace." In your remarks you brought out the fact that economic production is growing more rapidly in the Free World than in Communist states. Then you went on to say:

"Even more important, communism is losing the competition in ideas."

It is my conviction that in any equitable competition between ideas generated by a free society and ideas generated by the Soviet Communist society that the latter would be defeated overwhelmingly. The key word, however, is "equitable". Within any society the opportunity for a victory of Free World ideas over Communist ideology is greatly diminished if rules are stacked against the Free World such that there is no equitable competition.

And in the Soviet Union the Communist Party destroyed the competition in ideas almost 50 years ago. I believe the records show that on November 9, 1917, two days after the Bolsheviks seized power, Lenin suppressed all non-Communist publications. Reportedly, Lenin stated at that time that the "press is one of the most powerful weapons" which is "not less dangerous than bombs and machine guns."

Mr. Khrushchev has said:

"We do not have a stronger, more effective instrument than our own press. The press is the best long-range weapon of our Party. We can if we select our newspaper articles well, hit the mark thousands of kilometers away . . ."

From what I can determine the present ruler of the U.S.S.R., Mr. Brezhnev, does not differ with the policy and statements of Lenin and Khrushchev as regards the usefulness of the printed word in advancing the cause of Communism. On May 5, 1966 *Pravda* used these words, ". . . the Soviet press—the mighty ideological weapon of the party, the collective propagandist, agitator and organizer. Our truly popular press, guarding and multiplying militant Bolshevik traditions, loyally serves the Communist Party . . ."

A requirement for organizing the peace should include specific plans and positive action for winning the competition in ideas. It would seem that meaningful efforts to establish equitable competition in ideas between the Free World and the world of the Bolsheviks are long overdue and that for the advancement of U.S. national interests such efforts are mandatory.

I invite your comments to the above.

Sincerely yours,
GLENARD P. LIPSCOMB,
Member of Congress.

BILL TO REVIEW GREAT SOCIETY PROGRAMS

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from

Colorado [Mr. Brotzman] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, the Congress soon will be asked to dig deeper than ever before into the pockets of the American taxpayer to finance the costs of operating our great Nation.

The President says he will ask Congress to add 6 percent to the income tax of most of the Nation's wage earners and all corporations. He also wants to further bloat the national debt.

Our economy is the most viable in the history of the world. There is no doubt in my mind that we can shoulder both the cost of the war in Vietnam and a reasonable level of nondefense spending. We can afford both guns and a moderate amount of butter.

Mr. Johnson would have us believe that he is in a mood to economize. Unfortunately, in his public utterances he seems more inclined to cut away the lean than the fat. He deals in items like the deferment of vital flood-control projects and the much-needed Interstate Highway program—calculated, no doubt, to provide surface evidence that he is cutting Federal expenditures, but unfortunately this only adds to the ultimate costs.

It appears that it will be up to Congress to do the real pruning. Today I am introducing a bill which will enable us to evaluate our myriad of social problems and then cut out duplications, eliminate ill-conceived programs and improve good ones.

The bill would establish a Commission for the Organization and Administration of Federal Social Programs.

Generally, the bill provides for a 16-member Commission, headed by President Dwight D. Eisenhower and President Harry S. Truman, and with the remaining membership made up of State Governors, U.S. Senators, Members of Congress, representatives of the executive branch, and persons from private life.

The Commission and its professional staff would give the Congress a preliminary report on its findings in 6 months, and again at the end of its 1-year lifetime. Recommendations for reforms would be made to provide the groundwork for legislative and administrative remedies.

Most of the attention of this Commission would be directed to recently spawned and sometimes ill-conceived programs of the war on poverty. But its scope would include all of the Federal programs concerned with social problems.

Mr. Speaker, I believe that the administration of the war on poverty is in such disrepute today that the American people would support congressional action to abolish these programs and start fresh.

But this would destroy the good along with the bad. A commission, created in the spirit of the Hoover Commission and chaired by Presidents Eisenhower and Truman, can give us a positive means of redirecting the war on poverty and other social programs.

Enactment of this bill would establish such a commission.

THE SOUTH-WEST AFRICA MANDATE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REID of New York. Mr. Speaker, the decision by the International Court of Justice on July 18, 1966, that it would not make a judgment on the merits in the South-West Africa case will be remembered as an unfortunate setback for those who have counseled restraint and moderation in dealing with apartheid in South-West Africa.

Perhaps the most significant result of this decision is that it may cast doubt in the minds of many Africans about the efficacy of the rule of law and the concept of peaceful settlement of disputes.

In a statement issued on August 3, 1966, by six colleagues and myself, we wrote that—

> Only U.S. leadership now will convince the African states of the sincerity of U.S. concern for the future of nondiscriminatory development and nonviolent transition in Africa.

At the same time, we recommended that the President pursue certain actions toward this goal.

Mr. Speaker, Dr. Thomas Patrick Melady, president of the Africa Service Institute, has written a clear and perceptive article giving the background of the South-West Africa mandate and details on current discussions in the United Nations. Dr. Melady's article, which appeared in America on November 12, 1966, thoughtfully concludes that—

> In the South-West Africa case, the conscience of mankind has a clear opportunity to speak out on a basic moral issue.

In my judgment, Members will find Dr. Melady's article of interest in following the background and implications of the July decision, and under unanimous consent I place it in the Record at this point:

The South-West Africa Mandate

(Note.—A question of international and racial justice that goes back to the League of Nations has now provoked fresh controversy in the United Nations. Here is the clearly detailed background of the whole complex story.)

(By Thomas Patrick Melady)

On July 18, the International Court of Justice in The Hague announced it would not make a judgment on the merits of the South-West Africa case, brought six years ago by Ethiopia and Liberia against the Republic of South Africa because of its virtual incorporation of the mandated territory of South-West Africa. The court dismissed the case on the grounds that Ethiopia and Liberia had no "legal right or interest regarding the subject matter of their claims."

Afro-Asians concerned about this matter had been asked by their Western friends to be "reasonable" in their approach to South Africa, and to use the peaceful means of solving it offered by the International Court. On the other hand, they had been urged by the Communist states not to waste time with the court but rather to pursue their goal through political and subversive activities. The Afro-Asians took the West's advice and went to the court. But after six years of litigation, the court dismissed the case, 8 votes to 7, without passing judgment on its merits. It seemed as though the Republic of South Africa could continue to apply its policy of apartheid to the South-West Africans indefinitely.

On October 27, however, a fresh move by Afro-Asians in the United Nations significantly changed the picture. A situation that threatened to heighten racial tensions and fan the flames of anti-Western sentiment throughout the Afro-Asian world now gives promise of a more hopeful outcome. The resolution passed that day, depriving South Africa of its mandate, may mark the beginning of the end of a long story of racial injustice.

Originally annexed by Germany in 1884, South-West Africa was captured by South African forces during World War I, which was fought under two slogans: "The War to End War" and "No Annexation and No Indemnities." In Versailles, attempts were made to put these slogans into practice. Hence the creation of the League of Nations for the peaceful settlement of international disputes: the League adopted the mandate system to replace the practice of annexation of colonies by the victors. These territories were to be held in trust, as Gen. Jan Christian Smuts had recommended, in 1918, in his booklet *League of Nations, a Practical System*. "The mandatory state," he there wrote, "should look upon its position as a great trust and honor, not as an office of profit or a position of private advantage for it or its nationals."

Despite these altruistic aims, Gen. Louis Botha, South Africa's Prime Minister, sought after the war the outright annexation of South-West Africa; but President Wilson would have none of this. Instead, a compromise was reached whereby South-West Africa was given as a mandate "to His Britannic Majesty to be exercised on his behalf by the King's Ministers in South Africa." It was classified as a C mandate because of its geographical and economic contiguity with South Africa; furthermore, under Germany it had been a serious threat to the latter's security. Article 2 of the mandate stated:

"The mandatory shall have full power of administration and legislation over the territory subject to the present mandate as an integral portion of his territory. The mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory subject to the present mandate."

In other words, South Africa's control of the territory was limited by the provision that its policies had to promote the "material and moral well-being and the social progress" of the inhabitants. Another limiting provision was that it had to submit annual reports to the Permanent Mandates Commission. This second limitation, however, proved useless in practice, because to censure South Africa or deprive it of the mandate, all the League members had to vote unanimously. This never happened. Thus South-West Africa was virtually annexed.

In 1946, Gen. Smuts sought from the United Nations formal recognition of incorporation. But unlike the League Council, the United Nations General Assembly contained a number of non-European states increasingly concerned, during the sweep of nationalism in Africa and Asia, with the welfare of their peoples. Not surprisingly, Smuts' request was rejected; instead, the General Assembly voted to include South-West Africa in its trusteeship scheme and called on South Africa to submit annual reports. But in 1947, South Africa rejected the UN proposal, arguing that the UN Charter did not oblige member states to transfer territories mandated to them by the League. The League having died without a legal successor, South Africa would continue to administer the territory "in the spirit of the mandate," but would submit reports to the UN merely because the latter was the spiritual successor of the League. In effect, this statement meant that South Africa wanted to maintain the status quo: it would not surrender South-West Africa nor would it formally annex it.

But from 1949 on, the new Nationalist Government of Dr. Malan took an uncompromising line. To speed up incorporation, it provided for the representation of South-West Africa in the South African Parliament and stopped submitting reports to the UN on the grounds that the mandate had lapsed with the League and that the UN was not its automatic legal successor. Meanwhile, since their spokesmen had been refused travel documents, the Herero people, who feard incorporation, asked a clergyman, Michael Scott, to represent them at the UN.

Partly as a result of his petitions, the General Assembly in 1949 asked the International Court of Justice for an advisory opinion because South Africa was challenging UN authority over the mandated territory. In 1950, the court advised 1) that South Africa continue to have international obligations in terms of the League mandate, 2) that the UN Charter provisions for trusteeship were applicable to South-West Africa, but 3) that they imposed no legal obligation on South Africa to place the territory under the UN and 4) that South Africa alone could not legally modify the status of the territory, UN consent being necessary.

Point 3, the kernel of the case, which was passed by 8 votes to 6, meant that South Africa had merely a moral, not a legal, obligation to submit the territory to UN authority. South Africa did not feel this moral obligation. Instead, it went ahead with plans to bring South-West Africa more into line with its own policies. Thus, in 1954 it passed the South-West Africa Native Affairs Administration Act, which placed the Africans under the control of the Department of Native Affairs in Pretoria and made them subject to the pass laws.

While denying the United Nations' authority, South Africa agreed to negotiate with an ad hoc committee of the General Assembly to arrive at a settlement. Consisting of five members, among them the United States, this committee was to see to the implementation of the 1950 opinion of the court. South Africa proposed to reassume its international obligations under the League mandate by negotiating a new agreement with the three remaining members of the principal allied and associated powers of World War I: Great Britain, the United States and France. It would then be directly responsible to them, but the UN would be asked to give final confirmation to the agreement.

The ad hoc committee rejected this proposal, because it did not allow for the full implementation of the court's opinion, especially that portion dealing with supervision of South-West Africa by the UN and submission of annual reports.

There was thus a major difference of opinion between South Africa and the United Nations. This reflected itself in the General Assembly's continuing interest in the South-West Africa question and in South Africa's steadfast opposition. Because of this impasse, the International Court was twice asked for advisory opinions, in 1955 and 1956. In the June, 1956 opinion, the court held that the UN committee on South-West Africa had the legal power to grant oral hearings to petitioners if such hearings were necessary for the international supervision of the territory, even though the League mandate had made no reference to them. But such hearings did not enlarge the scope of international supervision. This opinion opened the way for further hearings and petitions from individuals and organizations in South-West Africa.

Apart from recourse to the court, another attempt at breaking the impasse between the UN and South Africa was the creation in 1957 of a UN Good Offices Committee, consisting of Britain, Brazil and the United States. The committee's task was to find a basis for an agreement that would safeguard South-West Africa's international status. It visited South Africa in 1958 for talks with South African officials. The latter stuck to the same position they had held before the ad hoc committee, namely, that South Africa would agree only to the League mandate and that the UN was unacceptable as the second party to any agreement. There were also hints that South Africa would be willing to consider partitioning the territory; the southern part would then be annexed and the northern administered by South Africa as trustee.

In 1959, when the committee again tried to start negotiations, South Africa would not budge from its standpoint. To the General Assembly, the South African proposals were equally unacceptable, for they aimed at evading direct UN supervision. South Africa knew that once it acceded to supervision, its control over South-West Africa would end; for the UN, unlike the League, took a strong anticolonialist line. Once again there was a deadlock.

From capitals outside the West came advice to South-West Africans that their future lay neither in the UN, which was a product of Western intrigue, nor in the International Court of Justice, which, they said, interpreted laws to the advantage of colonialists. Both bodies, they alleged, were organs of reaction and the status quo, forces hostile to the African revolution. From the Bureau of African Affairs in Accra emanated similar sentiments—though these urged the Africans to rely on themselves alone. Indeed, this theme had pervaded the discussions of the All-African Peoples Conference in Accra, in December, 1958.

Other counsels prevailed, however, and it was decided that the court should once again be asked to pass judgment. When lawyers came up with the idea of presenting the case as a complaint by two former members of the League, Ethiopia and Liberia, it was hailed as a brilliant stratagem against recalcitrant South Africa, because not the UN but two fellow members of the League were accusing it of implementing policies contrary to its mandate.

Ethiopia and Liberia hopefully filed suit in 1960, with the overwhelming support of the Afro-Asian peoples and with encouragement from sympathetic people and governments in the West. Immediately, South Africa questioned the court's jurisdiction, but lost in 1962 by 8 votes to 7. In its judgment, the court ruled not only that it had jurisdiction, but also that the plaintiffs had the legal qualification to bring suit.

From 1963 to 1965, the court heard arguments and evidence—both oral and written—on the merits of the case, that is, on the policies South Africa was pursuing in South-West Africa. The Africans' position, briefly, was that apartheid or separate development was designed to perpetuate inferiority; to this South Africa responded by saying that that policy was the best for all the inhabitants.

Then, last July, the court decided that the plaintiffs, after all, had no "legal right or interest regarding the subject matter of their claims." To the layman's way of thinking, the court had reversed its 1962 decision that the plaintiffs could file suit.

Although, at the time, Prime Minister Hendrik Verwoerd, in a radio speech, called the decision a major victory for South Africa, strictly speaking it was not. What it meant was that for the time being South Africa could keep on extending apartheid without feeling any uncertainty about the legality of its position. But the court, no matter how unpalatable its decision was, had not blessed apartheid.

Three groups reached most strongly against the court's refusal to pass judgment. The Afro-Asians unanimously condemned it, for they saw the extending of apartheid as a serious offense against decent civilization. For the African states, the decision was a bitter blow; they had regarded this case as vital for the liberation of southern Africa. (In the UN, South Africa has blocked international action by arguing from the Charter that the policy of apartheid falls squarely within its own domestic jurisdiction. This argument has all along thwarted legal-minded critics; for those opposed to apartheid but reluctant to act, it has been a convenient legal shield for inaction. But it does not hold for South-West Africa, for South Africa has a mandate to exercise on behalf of the international community for the inhabitants' welfare. Since in this case morality and law coincided, the Africans' hopes were high.)

A second group that was disappointed by the court's decision was the smaller Western and Latin American states. These states have favored taking international conflicts to the International Court of Justice; they felt they could expect fairer decisions at the hands of the court than at the hands of the major powers. Although not direct participants in the proceeding, the major Western powers, too, were keenly interested. With the dismissal of the South-West Africa case, they felt the opportunity to resolve an important international issue in a judicial manner had been lost.

The third group disappointed with these developments is the educational, religious and legal communities. Scholars, religious leaders and legal experts have all supported the court, for they believe that greater use of it to resolve major international problems would lessen the chance of violence.

In African eyes, the court's decision put an end to whatever chances there were of a legal solution. Nationalist groups in disillusionment issued a call to arms. Communist states invited South-West African nationalists to attend military training camps behind the Iron Curtain. But once more the Africans resisted the temptation to seek a violent solution to the problem. They turned to political action in the United Nations.

On October 27, the General Assembly adopted, by a vote of 114 to 2 (with 3 abstentions), a resolution sponsored by 54 African and Asian states, with an amendment supported by 21 Latin American states, declaring that South-West Africa "comes under the direct responsibility of the United Nations," and creating a committee of 14 states to recommend "practical ways by which South-West Africa should be administered to lead its people to ultimate independence." The committee is to report in April, 1967.

The member states represented on the committee are: United Arab Republic, Nigeria, Senegal, Ethiopia, Japan, Pakistan, Italy, Finland, Canada, Soviet Union, Czechoslovakia, Chile, Mexico and the U.S.A.

The Security Council will be responsible for enforcing the resolution. Two members of the Council, however, Britain and France, were among the nations that abstained from voting. Moreover, South Africa contests the UN's right to rescind the League of Nations' mandate unilaterally. It has promised to resist any attempt to enforce the resolution.

There is little doubt that the step taken by the General Assembly is a far-reaching one. What it will lead to, no one can say. Everything now depends upon the co-operation of the Western powers. The West must come to understand that the Afro-Asian peoples have a driving determination to eliminate racial oppression in all its forms. Pope Paul and other religious leaders, both Christian and Jewish, have increasingly noted the grave injustice of racism. In the South-West Africa case, the conscience of mankind has a clear opportunity to speak out on a basic moral issue.

[THOMAS PATRICK MELADY is president of the Africa Service Institute. His most recent book, *Revolution of Color*, was published by Hawthorn.]

SHARING FEDERAL REVENUES

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill designed to return to the States—and through them to local governments—a portion of Federal revenues with a minimum of restrictions on their use. The distinguished senior Senator from New York [Mr. JAVITS] and a number of other Senators are cosponsoring this legislation in the Senate today.

This bill is a modified version of the tax-sharing legislation Senator JAVITS and I introduced in 1965. Among the other sponsors in the House during the last Congress was my former colleague from Kansas, Bob Ellsworth. At his initiative, we wrote to Governors, State and local officials, and members of the academic community throughout the country to get their thoughts and suggestions on this proposal. One leading economist replied:

> What is important, I fully agree with you, is to use the tax collecting powers of the Federal Government to help the states carry out their health, education, and welfare missions which are now, in many areas, sadly underfinanced.

In addition, a revenue-sharing proposal was endorsed by the national Governors' conference last year.

The new measure would return to the States 1 percent of the aggregate taxable income reported on individual income tax returns in the first calendar year. One and a half percent would be returned to the States in the second year and 2 percent thereafter. On the basis of 1966 figures, about $3 billion would be returned to the States during the first year.

Under the bill, 85 percent of the tax-sharing fund would be returned to the States on the basis of population. The remaining 15 percent would be distributed among the States with per capita income figures below the average State per capita income. This means that New York, for example, would receive $256.3 million while Kentucky, with a per capita income of $544 below the average State figure, would receive a basic allotment of $37.2 million plus an additional $25 million.

Mr. Speaker, if the Federal Government and State and local governments are to strengthen the partnership that President Johnson cited as a goal in his state of the Union message, the financial resources of the other levels of government must be substantially increased. A genuine partnership will require considerably more than the administrative restructuring and effective planning to which the President referred in his message. It will require large sums of money—to supplement State taxing powers that are now being used to their fullest extent—available through a well-designed program of Federal-State revenue sharing.

The need for more financial asistance to the States is clear: the total debt outstanding for State and local governments in the past decade increased 125 percent while the Federal debt increased only 14 percent. At the same time, State and local taxes has risen about as high as they can go with the increase in revenue at these levels from $23.6 billion in 1955 to $51.6 billion in 1965. However, additional aid from the Federal Government should come in the form of a share of Federal tax revenues with a minimum of restrictions—rather than as an increasing number of grant-in-aid programs with the accompanying Federal presence in the decision-making process at the State and local levels.

One of the principal features of the Javits-Reed tax-sharing plan is the relative freedom the States and municipalities will enjoy in the use of these funds. A State allotment may be used for programs, projects, and services—including capital expenditures—in the general areas of health, education, and welfare. In addition, each State may use up to 5 percent of its allotment to provide for planning, research, and development in the modernization of the institutions of State government and the improvement of governmental procedures. Funds may not be used, however, for administrative expenses for State and local governments, highway programs, State payments in lieu of property taxes, debt service, and disaster relief.

To insure that States will share their allotments equitably with local governments, the Governor of each State will be required to submit a distribution plan at the beginning of each fiscal year, following consultations with local officials. The plan would detail how the State proposed to share its funds with local governments.

The primary features of the tax-sharing plan are:

First. A trust fund would be established in the Treasury Department into which an amount equaling 1 percent of the aggregate taxable income reported on individual income tax returns would be appropriated starting on July 1, 1968. The fund would increase to 1½ percent of aggregate taxable income starting July 1, 1969, and to 2 percent of aggregate taxable income starting July 1, 1970, and thereafter. Using current data this would total $3 billion. It would grow as the fund increased and as the tax base expanded.

Second. Payments to the States from the trust fund would be made on the basis of the following formula: 85 percent would be distributed on the basis of population. This amount would be increased or decreased depending on a State's own tax effort relative to that of other States, which would be measured by a "revenue effort ratio" for each State. This is obtained by dividing the total revenues collected by the State and its political subdivisions by the total income of individuals residing in the State. The State's revenue effort ratio is then compared to the average ratio for all States by dividing the State's ratio by the average; 15 percent would be distributed to those States with per capita personal incomes below the average for all the States. The per capita income for each of these States is subtracted from the average of all States. The difference between these figures is then used to compute each State's share of the fund.

Third. No State could receive a total payment for any one fiscal year in excess of 12 percent of the trust fund for that year.

Fourth. To participate in the plan, a State will be required to file reports with the Secretary of the Treasury, the Comptroller General, and the appropriate committees of Congress, including a statement of intent as to how and for what purposes it shall spend the money. States would also have to comply with all applicable laws including title VI of the Civil Rights Act of 1964. The Secretary of the Treasury will be required to file with the Congress an annual audit report on the operation of the fund during the preceding fiscal year and its expected operation in the next year.

Fifth. Appropriations Committees of both Houses and the Senate Finance Committee and the House Ways and Means Committee would be required at least once each Congress to conduct a complete survey of the operation of the trust fund and provide such legislative recommendations as may be appropriate.

COMMUNITY ACTION PROGRAM CUTBACK PROTEST

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REID of New York. Mr. Speaker, last week I was privileged to attend a meeting in New Rochelle, N.Y., to protest the cutback in funds for the community action program in New Rochelle. The meeting was attended by about 500 persons, and city and Federal officials, as well as representatives of civic organizations, spoke out in opposition to the reduction in funds for New Rochelle's most successful antipoverty effort.

Mr. Speaker, the decrease in funds affects every city in our country that has devoted time, energy, and money to setting up a community action program. But more important, in my judgment, is the fact that any cutback in funds breaks faith with the youth of the ghetto, with the child in need of headstart, with the elderly person seeking some measure of security for his later years, with the mother who is able to take a part-time job and leave her child in a day-care center, with the father who is finally able to find steady employment.

The Economic Opportunity Act represents our commitment as a nation to all of the Nation's disadvantaged—but especially to its youth—and we cannot let these young people sink back into hopelessness and despair because funds are needed for the war in Vietnam. In the case of New Rochelle, this curb in funds could mean the end of a youth program involving some 350 young men and women, age 13 to 18, after only 3 months of operation. It is particularly hard and unfortunate to cut in midpassage a program of this character that contains a commitment and holds so much promise.

Mr. Speaker, I believe that Members will be interested in reading about the views expressed at the protest meeting in New Rochelle, and I ask unanimous consent that the article from the New Rochelle Standard-Star of January 12, 1967, describing the meeting, be included in the Record.

Five Hundred Protest CAP Cuts—March on District of Columbia Asked

(By Eleanor Wehle)

A large roster of local, state and national luminaries gathered on the stage of the Mayflower School auditorium last night to lead about 500 persons in protesting the recent cutback of funds for the anti-poverty programs. Chaired by Mrs. Lila Carol, head of the New Rochelle Community Action Program Committee, the meeting included talks by Robert Mangum, northeast regional director of OEO, Congressman Ogden Reid, Mayor Alvin Ruskin, Leslie A. Roberts, cochairman of the protest meeting, Theodore Cobb of the National Urban League, and others.

The most dramatic plea of the evening was made by Mr. Mangum who said, in effect, "Don't picket my office, picket the President and Congress." Describing the frustrations and discouragements with which he and his staff are daily faced, the OEO director said, "We take the brunt of what happens when politicians make decisions. The people on my staff came into OEO because they believed the government was sincere about reaching out and doing something about the poor in this country."

Many of his workers are resigning, Mr. Mangum stated, "because they went out into the communities and encouraged them to start these programs. Now they just can't go back and face the people and tell them the programs have to be eliminated."

The speaker drew enthusiastic applause when he said, "It is hard for me to send my son to Vietnam when my relatives in the South can't work." Advising the audience to make its protests to Congress and the President "loud and clear," Mr. Mangum added, "There are some congressmen who don't agree that the poor should have something to say."

Making it clear that he was not one of these, Mr. Reid expressed disappointment that the President, in his State of the Union message, hadn't once referred to the Great Society.

"Here in Westchester," Mr. Reid said "we still have ghettoes. We still have need for programs for youth and job training and housing. Now is the test of whether we have the staying power," he added. "This is a sacred trust and the hope of America. Whatever happens in Vietnam we must not let the young men and women of America be short changed because of a war!"

Promises of support in the Senate came from Senator Robert F. Kennedy, expressed by Timothy Hogan, an assistant to the senator, and in a telegram from Sen. Jacob K. Javits.

Mayor Ruskin spoke of the fact that New Rochelle had been one of the first cities to get started with an anti-poverty program. "We have a message for you to take back to Washington," he said. "Two years ago the people were given hope where there was despair, courage where there was fear." Paraphrasing a part of the President's State of the Union message he concluded, "New Rochelle does not lack the will to see its work through."

Mr. Cobb brought the support of the Urban League to the scene and presented some figures to emphasize that the cuts, which he said "are more in the nature of amputations" are nationwide and extremely drastic. To attempt to operate the present programs at the cutback level, he said would be "disastrous." Even if the cuts were restored, they would still not be enough, he added. "We have been serving less than 15 per cent of the people who lag behind the financial curtain."

The Urban League speaker compared the situation to a patient on an operating table, preparing to undergo delicate brain surgery and having the doctor suddenly called away.

When the meeting was thrown open to the audience, Rabbi David Golvensky was among those who spoke, saying, "I want to point out how much it is going to impoverish those of us on the other side of the tracks. We felt our taxes were being well spent, we could see wonderful creative work—not only wars over there but battles over here, battles to build a better tomorrow for all America. We, the privileged people, will be robbed if CAP is scrapped."

Mrs. Harold Edelstein, president of the New Rochelle League of Women Voters, read a statement by the league expressing its endorsement and backing of the CAP programs in this city.

A large contingent of young people was present and three of them Bernice Rogers, Robert Sheldon and Vince Bartee, expressed their ardent desire to keep the Comprehensive Youth Program going.

Napoleon Holmes, administrator of St. Catherine's Community Center, drew the loudest applause of the evening when he pointed out the alleged discriminatory employment practices at the Macy's construction site and named the bricklayers and electricians unions as being opposed to Negro membership. "This is something our own city officials can do something about," he said.

At the close of the meeting Leslie Roberts presented a resolution that "all members of this community, rich and poor, black and white, join together to raise the issue in the places where the power lies, and that the entire citizenry of New Rochelle organize a cavalcade on Washington to clearly demonstrate our dismay and frustration." The resolution was passed unanimously.

Among those on the platform who were introduced at the beginning of the meeting were Councilmen Robert McGrath, Joseph Evans and Hugh Doyle; Alexander Miller of the Human Rights Commission; James K. Bishop, president of the Board of Education; Sol Lesser, representative to the New York OEO; Mrs. Pauline Flippin, executive director of CAP; and Samson Gordon vice chairman of CAPC.

ST. PETERSBURG JUNIOR COLLEGE STUDENT GOVERNMENT ASSOCIATION SUPPORTS LOWERING OF VOTING AGE TO 18

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Cramer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CRAMER. Mr. Speaker, I am inserting for the benefit of the Members of this body a resolution adopted by the Student Senate of the St. Petersburg Campus of the St. Petersburg Junior College supporting the lowering of the voting age to 18.

At the request of the Student Government Association, I am herewith inserting the resolution adopted by the Student Senate of the St. Petersburg Junior College Student Government Association into the Record. The resolution follows:

Whereas: The eighteen year old is in the process of attaining or has attained an education,

Whereas: Much of this education is concerned wtih topics such as history, current events, political science, and sociology, which relate directly or indirectly to government,

Whereas: An informed electorate is essential to the success of a representative democracy, and

Whereas: An eighteen year old is assumed to be mature enough to fight for, and if need be, die for his country's freedom,

Therefore be it resolved that: We, the Student Government Association of the St. Petersburg Campus of St. Petersburg Junior College do hereby give our full support to the lowering of the voting age to 18 in order to give our younger citizens a voice in their government through the priceless right of suffrage.

THE CONSERVATION OF OUR HERITAGE

The SPEAKER pro tempore. Under previous order of the House the gentleman from Tennessee [Mr. Quillen] is recognized for 30 minutes.

Mr. QUILLEN. Mr. Speaker, one of the finest, if not the very best, speeches I have ever read on our American heritage was given by Miss Ella V. Ross, dean of students at East Tennessee State University, to the Sarah Hawkins chapter of the Daughters of the American Revolution last November 29.

I congratulate my good friend, Dean Ross, on her inspiring remarks, and I am extremely proud to have her words read throughout the land by inserting her speech here:

In the course of my life a number of things have happened to me which have made me very happy, but I say to you simply and honestly today that nothing which has occurred has made me so proud as the fact that I was privileged to have the father and mother whom nature allotted me.

It is not that they had much financial help to give us. On the contrary, there are days I remember from my childhood when money was almost nonexistent; when we were forced to weigh carefully the relative merits of our needs to see which were really essential.

Nor am I proud of them because of their educational attainments. They grew up in Patrick County, Virginia, after the Civil War and you will recall that the only education possible at that time was through "Subscription Schools." When the harvest was enough to make it possible, my grandfather, and yours, probably, would bring in a teacher for a few weeks.

But my father and mother gave me something much more valuable than anything that money could have bought for me or that formal education could have made possible. They gave me a birthright. The great philosopher, Ralph Waldo Emerson, once said, "Man is a vehicle in which all his ancestors ride." If that is the case, I take very great pride in the type of ancestors that ride in me.

I hasten, at this point, to make it clear that I am not boasting. One boasts when he brags about his possessions before others who are not equally blessed. Every one of you listening today, I am sure, has an equal right to everything in which I take pride. We are all Americans! We hold our ancestors in common. We have a common background. Our heritage is the same.

And just what is that heritage? I believe I can explain my meaning best by saying that, among other things, it is composed of three characteristics which made our forefathers the individuals they were, and, in turn, our nation the greatest nation the world has ever known. Certainly these three would stand out in any history of our people: (1) *Faith In Their God*, (2) *Faith In Themselves*, and (3) *Belief In Their Country*.

I. FAITH IN THEIR GOD

In his book, *Jews, God and History*, Max Dimont points out that from a purely socio-economic point of view the nation of Israel should not even be in existence. He traces the rise and fall of the nations that had arisen to greatness both before and after the Hebrews and shows that according to all laws this unique people should not have been heard of after the Babylonian Captivity. Then he gives the reason for 20th century Israel, citing Deuteronomy 6:4–9. Pass the knowledge that the Jews are a nation *under God* on to all generations.

We started out in our nation with this same belief. Our Declaration of Independence contains these words: "Men are endowed, (not by their government but) by *their Creator*, with certain inalienable rights." When we began minting our own coins we put on each one, "In God We Trust."

Moreover, our ancestors followed the commandments Moses gave to his followers by "teaching them diligently unto their children." Have you examined the old *Blue Back Speller* and the *McGuffey's Readers* lately? I have several on display and am struck with the fact of the references to our religious and moral heritage. In the Fifth Reader alone, 63 of the 235 lessons have a religious overtone and many more have a moral background.

And what are we teaching today? I examined six (6) fifth grade readers before I found anything that I could class as having a religious or moral overtone. Finally, in *Stories to Remember*, Lyons and Carnahan, I found the selection, "Independence Day." Judge Hood is explaining to a group of children what the Declaration of Independence includes. May I read his explanation of this second part:

"They are endowed by their Creator with certain unalienable rights; among these are life, liberty, and the pursuit of happiness.

"Many colonists had come to America because they felt that all human beings have, or are endowed with, certain rights. They knew that unalienable rights are those which no one should ever be allowed to take away from a human being. They believed that their lives were their own, to be lived according to individual choice so long as no harm was done. They believed that every individual should be permitted to seek happiness in the work of his choice and in the kind of home he enjoys most."

And when we add to this very profound teaching the fact that we are not even to offer a prayer in the class room, that we are letting a mere 3% of atheistic Americans deprive the remaining 97% of the tax payers of the right to have Bible reading in the schools, who is going to teach our children to remember that we believe in God?

Our churches are not reaching even a fraction of our children. Recently I sent a letter to each of the churches listed in Johnson City, asking them to let me know how many were in attendance in their Sunday Schools on November 13, 1966. I used this date because it was an unusually beautiful morning, not too hot or too cold, and there were no events that would take people out of the city in any numbers. I realize that it was not a scientific sampling, but I do believe that it would indicate trends. We are in a conservative area of the country where the Bible has been an important book.

Thirty-four churches are listed in the city directory and I received answers from 31. The estimated census of our town is 35,000. The 31 churches listed 7,675 in attendance and I added 700 for others that may have been too small to be listed. This gives 24% and if this is the case in these Tennessee mountains, I wonder what the per cent would be in the larger cities.

Homes have long since given up this responsibility. Very few door posts of any houses have any writing, real or implied, upon them. J. Edgar Hoover expressed the logical conclusion of such a path as our present generation is taking when he said:

"Criminals are not born. They are the product of neglect, the victims of indifference, the result of an age which has tossed morality to the junkyard."

II. FAITH IN THEMSELVES

Our history begins with that of our country, for the earliest records, going all the way back to 1607, contains mention of our ancestors. They were men and women who dared the Atlantic Ocean in boats that the average individual would not sail across an inland body of water today. No Coast Guard or a flying machine came to an S.O.S. or a Mayday. These people came to a land of which they knew nothing but they came with confident faces and unafraid. Many came because they could not worship their God in a manner which their conscience dictated. All of them refused to be slaves to a worn-out social system in the old world.

We hear much today about the 'do-it-yourself' movement. Do you realize that our ancestors were the original 'do-it-yourself' people? When they started that long trek from the other side of the ocean to this new world, at that time an uncharted wilderness, they had no resources other than themselves. When a house was needed, they must first cut down the trees from which the lumber was to come. The very clothes on their backs were grown out of the soil or on the backs of sheep. But throughout it all they accepted the tasks and carried them through. No federal subsidy for them! No crying to a government to provide for them. They had confidence they could do the impossible and they accomplished it. If there were no schools, they simply educated themselves. Many a man with the equivalent of a modern fourth-grade education was better educated than some of our modern college graduates. I like to feel that when we read of the ingenuity of the soldiers in the late war, we are simply recognizing this characteristic which has been lying dormant in too many of our citizens today. In short, they created a new world because they believed they could do it.

And there is another part of that characteristic which you and I have as our heritage. They refused to accept the low or the objectionable for social or political expedience. They were often criticized for this trait; called proud and prejudiced, but they set standards which made the South and our nation great. My early childhood was spent in the North, but there was never a day when my mother was not homesick for her beloved State of Virginia. And she held unswerving to her ideals of right and wrong. Even in her associations she was adamant, and questionable associates which we children would have made were disposed of firmly and completely by the terse sentence, "That isn't a good name in Virginia." Call it prejudice if you want to, but it helped to fix in us standards no individual can prosper long without. At the same time this standard of conduct required that the individual be honest in his dealings. We mountaineers may fight and feud among ourselves, but we despise the liar and the cheat.

To what extent are we actually remembering and conserving this second characteristic of our ancestors, whose faith in themselves carried them through all of the trials and tribulations of the beginning of our country?

In a recent address Ed W. Hiles, talking on *What's Happening to the Spirit of America?* made this suggestion which I think is a very good one. "Perhaps we are rewriting the 23rd Psalm so it now reads:

"The government is my shepherd, I shall not work
It maketh me to lie down in a fool's paradise,
It leadeth me into deep water,
But it refills my dinner pail."

From *The Reader's Digest*, March, 1966, p. 53., *Totaling Up*, comes this summary of the situation, "Some of Washington's leading economists, sharpening their pencils after the recent legislative binge, have come up with the following figures, fantastic yet real: In 1955, federal cash expenditures totaled $70.5 billion. By last year the outlay had climbed to $122.4 billion. This fiscal year it is expected to range between $132.3 and $135 billion. Even if the war in Vietnam is brought under control, the economists anticipate conservatively that by 1975—just nine (9) years hence—our spending will total around $204 billion, with more money going into welfare-state activity than into any other function. Such activity will account for 53.6 per cent of all federal outlays. (In 1955 it totaled 18.9 per cent.)

"Inflation and taxation will turn a nation of self-reliant people into a nation of individuals so dependent on government handouts that they have neither the will nor the capacity to endure."

III. BELIEF IN THEIR COUNTRY

There is a third characteristic we have received from our past, *love for the land of our birth*.

The poet described this very beautifully in the little poem,

"Breathes there a man with soul so dead
Who never to himself hath said,
This is my own, my native land?"

A little episode happened on our campus recently that shows what our present situation is. I had made a pact with our fraternities to lead the singing of the *Star Spangled Banner* at our Homecoming football game and was very much disappointed to see that many were not participating. The boys have always been most cooperative so the next week I said to a group, "What happened Saturday?" The boys looked a bit sheepish and one said, "Dean Ross, we don't know the words!" It may be a little thing but to me it indicates something about our patriotism.

We cannot acquire stature if we have no roots. The tree must be firmly rooted below the surface if it is to grow high above. To feel that America is a country of which we should be proud is part of our heritage. If at any time this land of ours falls below the standards our ancestors set for it we are required to speak out loud and long against error. We feel with Daniel Webster that no country can long remain if its people do not guard its actions.

This, then is our heritage. These are the traits which we inherited. This is the past in which our present is rooted. Without such a past, we could not have our present. As a professor of mine used to say on every possible occasion. "A nation's stock in trade is its traditions. When the traditions are forgotten, the nation has become bankrupt." We hear many pessimists of today predicting the doom of our country. They may or may not be right. It depends entirely upon what we are remembering.

A few years ago we had as a speaker on our campus General Hugh Milton, Assistant Secretary of the Army. General Milton pointed out that we are now balanced upon the thinnest thread of survival that man has ever known. We now have in our power a force which can be equally effective in destroying mankind or in helping to provide a better world. The factor which will cause the scale of time to tip in the one or the other direction is the character of the individuals who govern that power. If those individuals are selfish, hesitant, weak, with low standards, we shall be destroyed as surely as the fact that day follows night.

If, on the other hand, people with the very characteristics which are the heritage of the people who established this nation are in charge, then that same force can be harnessed for the good of mankind. But be assured, there is no middle ground on which we can hide longer.

I have up to this time sketched a series of conditions to bring us up to the point I want to make. In view of present conditions, then, it is imperative that we conserve for our own and future generations those characteristics which are essential to world survival. The point may be translated simply in the words, "We must remember our heritage to do it; our very existence depends upon it."

And may I point out here, I am not advocating a return to the good old days. There is no time better than the present if we use it properly. But I am advocating the calling into play of those changeless values which are fundamental and have been fundamental since we have any record in history. It is just as absurd to recommend the repealing of the law of gravity or of the law of seed time and harvest as to propose the kind of world we want without proposing that that world be built on a foundation such as I have been describing.

As I look about I am becoming more and more discouraged. So many people are forgetting or never knew. In fact, man's greatest tragedy in this 20th century is his indifference to life's greatest values. Do you recall the story of Jacob and Esau? A number of years ago I heard a discussion of Esau, whom we met in Genesis 25:34. I have forgotten the source and so cannot give proper credit, but it is too similar a description of our present-day civilization to be denied. Moses said of him: "Esau did eat and drink and rose up, and went his way; thus Esau despised his birthright."

Here we had a man of unlimited opportunity, an opportunity such as exists in our own land today, and a man who at critical times made all the wrong choices and never knew what he missed. Like so many today, his was a tragic figure because he was so little interested in the values that make life more than food and body, more than clothing. He was the typical example of the insensitive man. Let us consider some of his choices.

Being the eldest son, it was expected that one day he would become the ruler of his clan and the inheritor of his grandfather, Abraham. It was a princely heritage, not only according to the law of his people but also according to the purpose of God, for he was in direct line through which God had promised to raise the chosen people. But Esau had little interest in these things. To him the past was dead and the future was unreal. His meanings and values revolved only around the present. He threw away his chances for a rich and significant life without knowing or caring what he had done.

Esau was not an ugly or an evil man. On the contrary, he was probably a most likeable man. He was kind and gentle to his old father. He was generous, shallow, and sentimental; the victim of his appetite; he was not a vicious man. What he chose was not evil in itself, but only evil because of what it displaced. The trouble was that he was so little interested in the higher treasures. He lived in the present and lived for pleasure. In a great historical moment the responsibilities which the past had thrust upon him were trying to lay hold on his loyalties, but he "did eat and drink, and rose up, and went his way" without realizing the tragic mistake he was making. He refused to recognize the obligations which his position in history imposed. His is the tragic figure of the man who despised his heritage and missed his destiny. Truly he had forgotten; and by forgetting had become bankrupt.

If we look about us we see that America is rapidly being peopled with Esaus, who are eating and drinking, rising up and going their way, and despising their heritage. We, who have been blessed with such a heritage, must not, we dare not, make this mistake.

How great is the heritage we share in the culture of our past? It has been laughed at so much that we have let the old ideals become as dilapidated as old mansions. What a free and healing stream of life might flow again in our nation if the hearts of people might be exalted with great ideas of spirituality, bravery, honor, duty, integrity, patriotism, so the best of the past could be made to live in the life of the present. We have the qualities which will tip the scales of the future in the direction of life rather than destruction if we are true to our birthright.

When he was leaving the Convention Hall after the final draft of the Constitution had been agreed upon, Benjamin Franklin was asked by a citizen, "Dr. Franklin, what have you given us?" His answer was, "We have given you a Republic, if you can keep it." If you can keep it—never forget this!

Mr. Speaker, I think you will agree that this is a very articulate, stirring, and deep expression of our heritage, one that should be read and reread by every citizen of our great Republic.

NEED TO REVISE SELECTIVE SERVICE LAW—V

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the Universal Military Training and Service Act, as amended, requires the registration of male citizens of the United States within 5 days after his 18th birthday. The act, imposes liability for training and service in the Armed Forces upon such of these persons who are between the ages of 18 years and 6 months and 26 years. Some persons who have been deferred remain liable for training and service until age 35.

Congress placed in the Universal Military Training and Service Act the statement that in a democracy the privilege and duty of serving in the Armed Forces should be shared generally. General Hershey has testified that "a selective service system in some form more nearly approaches that objective than could any conceivable alternative method of raising and supporting armed forces."

Any system of selective service, however, contains inherent inequities which strike at the heart of a free society, and I think we must be prepared to face these problems more forthrightly than we have in the past. Under the present draft laws, we unduly impinge upon the liberties and opportunities of millions of American young men. We do so unfairly and unnecessarily. Every young man from 18½ to 26, unless disqualified, goes through 8 years of the most important period of his life with a Damocles sword hovering over his head—the constant threat of the draft. Even if he should not be drafted, his freedom is restricted during this period; the activities he can undertake are severely limited, freedom of choice is circumscribed. Employment opportunities are curtailed for many, for what the draft does, in effect, through its coercive power, is to restrict labor resources from moving into uses where their net productivity is greatest given individual preference patterns.

For many young men, avoiding the draft becomes the prime concern and a few have actually fled to Canada to escape conscription. Fleeing from compulsory military service, I might add, was the motivating purpose for large numbers of Europeans immigrating to the United States in the last century.

The draft disrupts the education, employment, and personal lives of many of our young male citizens. For this reason, the selective service law should be revised.

THE PRESIDENT SPEAKS OUT AGAINST WHITE BACKLASH

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, a most perceptive article written on the subject of the President's fight against white backlash appeared recently in the New York Amsterdam News, one of the Nation's leading Negro newspapers, and I feel it warrants the attention of all of us in these days of racial unrest.

[From the Amsterdam (N.Y.) News, Nov. 12, 1966]

PRESIDENT JOHNSON

Within less than two months President Johnson has spoken out against the "white backlash" three times. He spoke against it in Brooklyn, in Pennsylvania and last Sunday at his home in Texas.

No President since Lincoln has said and done as much as President Johnson to help America free herself from the mental bondage of racial prejudice. No other American has done as much to enable the Negro citizen to walk with dignity and to live in security.

President Johnson is the chief civil rights leader of America. In this field he has no peer. No other politician in history has ignored the risks involved in speaking out for the rights of the Negro citizens. No other President has done as much for them as he has. The Civil Rights Act of 1964, and his appointments of Negroes to his cabinet and other high posts are proof of this. And he has just begun to fight.

In his statement about the "white backlash" last Sunday, he said, among other things: "I think the so-called 'white backlash' is destructive, not only to the interests of Negro Americans, but of all those who stand to gain from humane and far-sighted Government."

He said this only two days before the elections, when many candidates of his party, such as Gov. Ed "Pat" Brown of California, and Senator Paul Douglas of Illinois, were the objects of vicious backlash attacks. This took courage, the kind that's rare in politicians and non-politicians alike.

President Johnson speaks and acts with his heart and head. He feels deeply for all mankind. He is for the Negro not because he is one or because he wants his vote, but because he is a member of the human family.

Down in Texas, long before he was elected President, Lyndon Johnson and his family entertained Negroes in their home. He and Mrs. Johnson sent their daughters to a mixed school in Washington, when he was a Senator. He was battling for Negroes and Mexicans in Texas back in the '30's. He has never stopped. He can't. It's in his bones to fight for human rights, regardless of skin color or religion or nationality.

Lyndon Johnson has taken the lead in solving America's number one problem, the race problem. Let's hope other Americans will have the freedom of mind, the courage and the dedication to help him. America's survival may well depend upon it. Let's get behind President Johnson, a great world leader.

TWENTY-SIX MILLION WOMEN GET A BUM DEAL

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. Griffiths] may extend her remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, I direct your attention to a news story in the Washington Daily News of January 17, 1966, pointing out the bum deal that women are receiving. I could not have said it better myself.

The article follows:

No Chance To Amass Wealth—26 Million Women Get a Bum Deal

There are 26 million American women who hold jobs. They know precisely when the day's work starts and when it ends. They are for the most part on a five-day week and they get an annual vacation. But right there luck runs out on them.

The woman worker gets a bum deal in this country. She is discriminated against when she goes job hunting. She is passed over in favor of a man when promotions are handed out. Her salary scale is lower than that of a man who does the equivalent work.

FORTUNE SURVEY

Women own about half of the stocks, bonds and personal property in the United States but they didn't earn it themselves. Like Barbara Hutton and Doris Duke, they inherited it. It is difficult for a woman to amass wealth by her own efforts because most of the top jobs in business and industry are denied them. Fortune Magazine found that true when it ran a survey of several big companies:

"In spite of the loosening of prejudice, women still have not been given top jobs in the big corporations."

General Motors has no women executives and not even a woman designer.

General Electric has a few technicians, research associates and women in personnel, but no women executives except for the head of the advisory consumer institute.

Du Pont has a woman laboratory section head and a departmental control manager.

A.T.&T., altho 60 per cent of its employes are women, has in its executive group a lone woman assistant secretary.

Standard Oil of New Jersey has two assistant secretaries.

The Harvard Business Review also made a survey of women in top management jobs and concluded there had been no improvement since 1950 and added "the barriers to women are so great that there is scarcely anything to study."

FUTURE DIMS

And things are getting worse instead of better. The U.S. Women's Bureau puts it this way: In 1955 if two people were doing the same job the man would get $100 a week and the woman $64. In 1964 the situation had changed to the point where the man got $100 but the woman's pay had fallen to $60.

It has been an uphill fight all the way for the American woman worker. In the early years of the century she even had to fight her way into such employment as school teaching and clerking, two jobs for which women are well qualified.

AMENDING THE PRESENT SOCIAL SECURITY ACT

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Daniels] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced a bill today to amend the present Social Security Act. Very briefly, my bill provides for a $100 per month minimum primary benefit and an across-the-board increase of 10 percent.

Further, if enacted into law, my bill would raise the present limit on allowable outside earnings to $3,000 per year, a sum which is far more reasonable than the present figure of $1,500 per year.

Mr. Speaker, I am just one of a great many Members of this House who are alarmed at what the recent increase in the cost of living has done to those Americans who live solely on their social security benefits.

During the recent adjournment of the Congress, I was able to visit all parts of my Congressional District which is an urban area lying within the limits of Metropolitan New York City. I assure you, Mr. Speaker, that among the greatest number of the people living in Hudson County, N.J., the need to raise social security payments is the single most important domestic issue in this 90th Congress. I have talked with hundreds of residents of Hudson County and when I say I am appalled at the plight of too many social security annuitants, I am not overstating my case.

Mr. Speaker, these people are not mendicants or chiselers. They are good people who either worked hard all their lives or are the widows of those who were guaranteed a secure future during their retirement years. These good people worked hard for security in their retirement years. Are they to be robbed of this because the dollar is worth less than it was during their productive years?

Mr. Speaker, I am well aware that this Nation has commitments all over the world. And as a responsible Member of the Congress, I feel that we must honor our obligations. But we have an even greater obligation to those older American covered by the social security system, and as far as I am concerned, this obligation transcends all others.

I urge every Member of this House and particularly those members of the Committee on Ways and Means to take speedy action to raise social security benefits to a level which will provide at least a semblance of relationship to today's cost of living.

NATIONAL HISTORIC PARK ON GUAM

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. WHITE. Mr. Speaker, the island of Guam has particular significance to those of us who served in the Pacific Theater during World War II.

Guam, the first U.S. territory occupied by the Japanese in World War II, also was the scene of a major turning point in the war during July and August of 1944, when the U.S. forces recaptured the island in a bloody battle.

The island is closely tied also in geography and in strategy to other significant battle sites in the Pacific—Tarawa, Guadalcanal, Saipan, the Battle of the Philippine Sea and Peleliu, as well as others.

The significance of Guam and of the entire war in the Pacific is great in our American history and pertinent sections of Guam merit careful historical development and preservation. Today there is no fitting commemoration of the sacrifices and the bravery displayed by the participants in the Pacific Theater and the Guamanian citizens. I believe it important that we wait no longer to provide significant commemoration and historical preservation of this kind.

I, therefore, am introducing today a bill to establish a national historic park on the island of Guam. As stated in the legislation the purpose is to "commemorate the bravery and sacrifices of those participating in the campaigns of the Pacific Theater in World War II, including the Guam campaign, and to interpret this significant period in the history of our Nation."

The park would include, but not be limited to, that site of the major American return to the island on July 21, 1944, on Asan beachhead, and also include the mountain and plateau areas surrounding the beachhead, which comprise the major battlefield.

The Secretary of the Interior would be authorized to landscape, erect markers, construct a museum and other appropriate buildings, provide exhibits and interpretative material.

My legislation assures that development would be coordinated closely with the monument to the American war dead planned by the American Battle Monuments Commission.

Interpretation would deal with all aspects of the conflict, relating the significance of Guam to the war and the significance of the war to American history. This is information that Americans and all citizens of the world must not forget.

It is my hope that this legislation will receive your early attention and approval.

TRIBUTE TO SPEAKER McCORMACK

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I sometimes find myself in agreement with the editorial position taken by the Washington Post, but I most definitely part company with it over Tuesday morning's editorial which appeared under the headline, "Speaker on the Spot." I think the editorial does a disservice to a great American whose legislative contributions over the past four decades are well known to most of us.

I cannot agree that the events accompanying the organization of the 90th Congress indicate anything about the Democratic leadership. On the contrary, I believe the leadership on the majority side of the aisle remains what it was in the last Congress—a strong and smoothly functioning team, but one whose strength has been lessened as a result of last November's elections.

As for the writer's contention that a "sense of futility and despair" is building up on the Democratic side, I cannot imagine where he picked up such an idea. If there were anything approaching a "sense of futility"—and I do not happen to think there is—it would be based on the fact that we have lost our working majority on some of the more controversial issues. But this has nothing to do with the leadership; it has to do with the loss in the election of Democrats committed to the progressive programs which have been enacted during the Kennedy and Johnson administrations.

It does not take any particular insight to know that the 1966 election added strength to what has come to be known in the press as the "conservative coalition." This has been at the expense of those who have given the strongest support to the programs of the New Frontier and the Great Society.

We may have returned statistically to about where we stood before the 1964 election, but our leadership remains strong and firm under Speaker JOHN W. MCCORMACK. I for one look forward to working with the Speaker and his very able leadership partners, Majority Leader CARL ALBERT and Majority Whip HALE BOGGS, in support of programs to continue the progress which we have made in the last 5 years under this effective team.

REDWOOD NATIONAL PARK

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, ordinarily I would avoid introducing a bill having to do with establishing a national park in a State other than my own. In the last Congress, however, I made an exception in the case of the redwoods of California, and I am making an exception again today.

I do so, Mr. Speaker, because I believe strongly that the majestic redwoods of California are a great national resource. They belong to all the people, not just the people of California, and they should be preserved for the enjoyment of this and future generations of Californians as well as all other Americans and people throughout the world.

In establishing a national park to save the redwoods, I think it is clearly in our national interest to select the best possible site including the largest area we can afford. It is with this thought in mind that I am once again joining our very distinguished and able colleague, the gentleman from California [Mr. COHELAN], in introducing legislation to establish a 90,000-acre Redwood National Park in the valley of Redwood Creek. The bills which we are introducing today are similar, with only minor revisions, to the legislation we sponsored last year.

I want to take this opportunity to commend the gentleman from California [Mr. COHELAN] for the leadership he has continued to provide in this effort to save the giant redwoods, a great national heritage. I hope the Congress will promptly and favorably consider this legislation to insure that no more of the priceless giant redwoods will fall victim to the ax and the saw.

THE SEATING OF MR. POWELL

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. UDALL. Mr. Speaker, last week this House engaged in a historic debate on the narrow question of whether a Member, duly elected by his constituents, should be seated pending an investigation of his conduct and his right to serve.

As my colleagues will recall, I argued that the gentleman, having presented a valid certificate of election, should continue to hold his congressional seat at least until completion of such an investigation. However, this point of view did not prevail, and on final passage of the substitute resolution I voted with the majority. I did so because I feel strongly that an investigation should be made of the official conduct of the gentleman from New York [Mr. POWELL].

Since that debate my attention has been called to many articles and editorials on this subject. Two of these are of such interest that I should like to call them to the attention of my colleagues. The first is a column by Vermont Royster appearing in the Wall Street Journal of January 10. In this column Mr. Royster makes the distinction between Mr. POWELL as chairman of the Committee on Education and Labor and Mr. POWELL as a Member of the House. The second is an editorial appearing in the National Review of January 24. This editorial also makes that distinction and goes on to endorse the view that, ideally, Mr. POWELL should have been allowed to take his seat pending outcome of the investigation.

Mr. Speaker, I will insert these articles at this point in the RECORD:

[From the Wall Street Journal, Jan. 10, 1967]

THINKING THINGS OVER: ONE MAN'S VOTE

(By Vermont Royster)

Any way you look at him the Honorable Adam Clayton Powell, Representative to the United States Congress from the 18th District of New York, is not the most savory sort of fellow.

For all that he is a duly accredited minister of the Gospel, he has not won a reputation as a stalwart defender of the Seventh Commandment and he stands judicially accused of having slipped on the Ninth Commandment.

The secular version of the Ninth Commandment—"Thou shalt not bear false witness against thy neighbor"—is embodied in the libel law, and for having said some false things about a woman neighbor the Congressman has been ordered by a court to pay damages, an order more breached than observed by Mr. Powell.

The dapper Harlem Congressman has also breached some canons of deportment if not of the Constitution. The Constitution, for example, protects the Congressman from being brought to account for misdemeanors during Congressional sessions, and the law of New York State protects him from being served with subpoenas in civil actions on Sunday.

For quite a long time he visited New York only on a Sunday in order to escape various process servers, and bore with patience the inconvenience of being away from his constituency so much. On other days than Sundays during Congressional holidays, and sometimes when there was no Congressional holiday, he renewed his patience by sunning on the beaches of Puerto Rico, where some of his companions often stayed although on the payroll of his office in Washington.

Others, however, have not borne all this quite so patiently. His fellow workers on the House Committee on Education and Labor complain that he neglects his work. A judge in New York so ran out of patience that he has cited Mr. Powell for criminal contempt of court, a thing that could be serious if the judge can ever catch the Congressman within his jurisdiction.

Anyway, the upshot of all this is a move to deny Mr. Powell his seat in Congress. The idea is that at the opening of the new session today, when all the members arise to take their oaths of office, Mr. Powell will be asked to stand aside and his qualifications will be challenged by Representative Deerlin, a fellow Democrat from distant California.

And yet, if the move is carried out you ought to expect every good, conservative, thoughtful, liberal, upright believer in democracy and defender of the Constitution to rise in defense of Adam Clayton Powell's right to his seat. That is, if they simmer down long enough to look at the proposition put before them.

On the basis of the record a voter who classed himself in any of the above categories might justifiably decide not to vote for Mr. Powell in any election.

Nonetheless, the voters of the 18th Congressional District of the State of New York feel otherwise. They first chose Mr. Powell to represent them in Congress back in 1944, and whatever the rest of us may think of the way he has represented his constituents, they have been satisfied. They reelected him in every biennial election thereafter.

By the time of election day last November the voters of the 18 District were well aware of Mr. Powell's peculiarities. His opponent—also a Negro, which took out any backlash or frontlash—made them the chief issue of the campaign. Mr. Powell won handily, with nearly three-quarters of the votes.

This is the question before the House:

There being no challenge to the election returns qualifying Mr. Powell as victor (a matter on which the Constitution makes the House the sole judge), may the House in the guise of judging his electoral qualifications disfranchise the voters of New York's 18th District because of disapproval of the manners, morals, work habits or philosophy of life of the man the voters elected?

Thus stated, it ought to be self-evident that an affirmative answer is a dangerous proposition. If it can be applied against one set of voters it can be applied against another, in another time and in a different emotional atmosphere.

What it comes down to is that we either believe that one man's vote is as weighty as another's, or we don't. If we do, then the votes of those in Harlem cannot be disregarded or cast out on the argument that they elected an unworthy office-holder because of their foolishness, ignorance, bigotry, misguided emotion or whatever.

This is, admittedly, sometimes a painful doctrine to cling to. It's by no means true that one man's vote is necessarily as intelligent, or even as honest, as another man's; in some places illiteracy is no bar to the voting booth. It's by no means proven, either, that in a democracy of universal suffrage the thoughtless and ignorant voters will somehow always cancel themselves out. A perfectly logical case can be made for setting some standards for the voting franchise.

But no standards of age or literacy will guard against foolishness. However improbable it may be, it's not impossible that someday a man with a character less meritorious than Adam Clayton Powell's could be elected President.

The rub comes when you turn the proposition around. If the voters of the 18th District aren't to be allowed to choose their representative, who is to choose for them? The nub is that democracy includes the right to vote foolishly. You can't take away the one without destroying the other.

If the House wants to choose someone else to chair the Education and Labor Committee, as the action of the Democratic caucus indicated yesterday, that's its business. Indeed, if it is alleged Mr. Powell's conduct as chairman has been derelict, the disgrace is on the House for letting him keep the post as long as he did. That's where the disgrace is, too, if the House rules are so loose that a member can cause a scandal by nepotism, padded office payrolls or junketing about at taxpayers' expense. Let the gentlemen look to themselves.

And of course if Mr. Powell has violated the law or stands in contempt of court, the remedy there is as for any other person. If he hasn't been properly brought to book the cause is not any Constitutional immunity but political fright.

If there's rightly a wrong there's a remedy. But we can't put things right by applying the wrong one.

[From the National Review, Jan. 24, 1967]

THE JIG IS UP, BABY

The sacking of Adam Clayton Powell Jr. from the chairmanship of the Committee was an unalloyed vindication of justice and conscience. To be sure, there are those who have tried to opportunize on it, for instance, by suggesting that while the Democratic caucus was at it, it should have removed William Colmer of Mississippi from the chairmanship of the House Rules Committee. To have done any such thing would be to confuse personal convictions and larcenous conduct as equally disqualifying. William Colmer is a Southern conservative whose rights to the chairmanship of the Committee are based on seniority. It would have been as wrong to deny him his post in advance of any evidence that he will abuse his privileges, as it would have been wrong to deny Adam Powell his post when first he occupied it four years ago.

The subsequent vote, to suspend Powell's voting rights pending a full inquiry into his sordid affairs, was probably incautious. The temptation to rebuke Powell is, to be sure, a temptation to behave honorably. But look, in fact, at what happened: the division was pretty much political. On one side almost all Republicans and rural and Southern Democrats, on the other side most of the big city Democrats. The tug of politics, in other words, greatly affected that last vote. And indeed you had people like Robert Kennedy and Jacob Javits expressing a fussy concern for the temporary deprivation of Harlem's voice in the House of Representatives, which is a laugh considering that Harlem's voice has spent most of the time representing his constituents in the Bahamas.

But everybody understood that the ejection of Powell under current circumstances carried political overtones. And when congressmen are not seated, it should be in punishment of high moral or legal irregularities. That Mr. Powell is guilty of these is a fact about as incandescent as the midday sun. But procedures count, and it is the rule that congressmen are expellable only by a two-thirds vote, and it is at least a presumption that that vote should be taken only after a full hearing. Congressman Udall called it "overkill" to suspend Power pending the five-week investigation, especially now that he had been deprived of his effective power as Chairman of the Education and Labor Committee. Why not proceed with the investigation, and argue the case for expelling Powell before the entire Congress when all the facts are neatly accumulated; and of course permit Mr. Powell to give his defense, which of course will be to accuse all his accusers of racism.

Thus should it ideally have gone, leaving Powell at least for a few weeks more, occupying his seat. And the tradition-watchers, let us record, have made a good point about the danger of politicalizing such action as is taken against an individual member of Congress.

But in the future, the fact that Congress finally came to life on the issue of Adam Powell is certain to outweigh the danger it ran by its procedural precipitateness. The courageous Lionel Van Deerlin, Democrat of California, scoffed at the notion that Powell had not had his day in court. "Nearly a dozen judges in New York States," he commented, "will tell you where the fault lies. We who are charged with helping write the laws of the land must show respect for those laws, and more particularly, for the other branch of government. If Article I, Section 6, is to be so twisted to provide protective cover, if the election to the House of Representatives carries a license for scofflaws, if this chamber is to become a haven for fugitives, then . . . God help the Congress of the United States."

Powell's defense was that he has not been charged with a felony, to which the answer is, not yet. It isn't always exactly clear, but somehow it has crept into the governing ethic that if you steal money that belongs to the government, somehow that isn't exactly theft. It seems to be incontrovertibly clear that Mr. Powell used government money to transfer himself, his friends, and his harem to the watering spots of our prodigal planet. What he committed against the lady in Harlem was not a felony, but his subsequent refusal to obey court orders makes him something more than merely a traffic-offense scofflaw. "This building," said Adam Powell, pointing to the Capital, "houses the biggest bunch of elected hypocrites in the world." And earlier, on the floor of the House, he spoke about the skeletons in the congressmen's closets. Well, let him disinter those skeletons, no matter what are the consequences of the exposure. It would be the most public-minded contribution of his career.

DEPENDENTS MEDICAL CARE ACT

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. LEGGETT. Mr. Speaker, I introduce here today, and commend to my colleagues' attention, an amendment to the Dependents Medical Care Act. It is my conviction that passage of this amendment is, purely and simply, a matter of equity, equity for our men in uniform and their families. It is also my conviction that the present inequity is so glaring that, sooner or later, action must inevitably be taken and it would be to the enduring credit of this 90th Congress if it took that action at the earliest possible moment.

The provisions of the measure are quite simple. It would provide dental care benefits for the dependents of our military men, on active duty or retired. The care would be provided in civilian facilities, primarily by the private dental practitioner. The program has a schedule of deductibles to assure both prudent use of the benefits and fiscal stability for the Government. The net result of the amendment would be to provide dental care benefits similar to the medical care benefits already available to military dependents.

As my colleagues know, I am not introducing here some novel notion; I am not urging upon the House an untried or untested idea. It has long been recognized by those responsible for administering military affairs that the lack of dental care benefits constitutes a substantial and unjustifiable hindrance to our goal of achieving a stable, career-oriented military force. Various civilian and military authorities have spoken out on this issue over the past years. Almost without exception, they have recognized that the lack of dental care benefits was undesirable. Almost without exception, they have urged action. In my judgment, it is now time to stop urging action and to start taking it. Decisive documentation exists, documentation that is more than sufficient to prove the case, to demonstrate the need for the kind of step forward I am suggesting here today. Let me briefly sketch some of the details of the documentation.

First of all, dental disease is a universal phenomenon. Its most common manifestation, tooth decay, attacks 97 percent of the population. This is the estimate of dental experts, though in this instance, I suppose, the experts are merely confirming something we all know from our personal experience. Most serious types of oral disease also manifest themselves regularly. Each year, some 6,000 babies are born with cleft lip or palate. Each year, some 23,000 people fall victim to oral cancer, which accounts for one in every 40 cancer deaths.

Now, obviously donning a military uniform does not make a person immune from the ravages of dental diseases. The military population, being more or less a cross-section of the general population, are typical victims of tooth decay, gum disease, cleft lip and palate or oral cancer. In the instance of the military man himself, we recognize this by providing dental care and by pursuing a vigorous program of dental health education. We provide neither for his dependents. Is it reasonable for dependents to expect, to want such dental benefits? In urging favorable consideration of the amendment I introduce today, am I asking for mere equity, and not special privilege? My answer to both those question is "Yes."

The compensation earned by a member of the military has traditionally been, as you know, a combined matter of pay and services, services such as those provided in post exchanges or such as those provided in service hospitals and clinics. In great part, this tradition has come about because of the unique features of military life, the constant relocations not only within the borders of the Nation but overseas as well. Taken by itself, then, the salary paid to a soldier or sailor, a marine or airman, is not very high. We all recognize this. The salary scale places him at a frequent disadvantage in securing necessary services for his family, including of course, dental care services.

This fact has become especially obvious lately because of actions taken by the 89th Congress with regard to the general population. I refer here particularly to the newly enacted title XIX of the Social Security Act. As you know, title XIX essentially provides State and national assistance for those families termed medically needy, that is to say those families who, while they can support the general cost of maintaining a household, find themselves often unable to afford health care to the degree it is needed. More than 25 of our States and territories have enacted legislation enabling them to participate in title XIX programs. As part of the legislation, income standards are set to help define who is medically needy. These vary, of course, from locale to locale. In my State, a family of four with an income of about $3,800 would be eligible for assistance. In some States, the figure is $3,400, $4,000, $4,176, or $4,300. An income of that dimension, in the opinion of the respective States, entitles a family to receive help in securing health care, including, in many instances, dental care. I think most of us would agree that these are not unreasonable income levels for this purpose.

Study then, if you will, the situation of the military man in comparison with these figures. A married man with one child earns at the E-3 level, $2,772; at E-4, $4,417; at E-5, $4,964, or at O-1, $5,429. As of late 1965, there were nearly 150,000 members of the Armed Forces earning less than $2,000 a year, this last estimate having been made in conjunction with consideration of the Military Pay Act of 1965.

There has been another development in civilian life that seems to me also worth mentioning here. That is the rapidly growing movement in private industry to provide to the employee, at reduced cost or without cost, prepaid dental insurance not only for the employee himself but for his dependents as well. Today there are nearly 3 million persons covered under such programs and observers in dentistry, in the insurance field and in labor-management relations agree that it will burgeon swiftly in the foreseeable future.

It is equity, then, that we are asking in offering this amendment; not a favor, not a special privilege, but equity for the military man.

Passage of this proposed amendment should have as well, it may be noted, more than one good effect. Its major achievement, of course, will be to enable dependents to receive regular and comprehensive dental care. That alone would justify its passage. But in addition to this, every indication is that its passage will also make a substantial contribution to our continuing effort to attract more men to a military career and to stabilize our Armed Forces.

A survey taken by the Air Force in 1962, for example, showed that 36 percent of the officers questioned and 50 percent of the enlisted men said that provision of dependents' dental care would affect their decision as to extending their period of service. In the same survey, 31 percent of the officers and 50 percent of the enlisted men said that the lack of dependents' dental care affected the health of their families.

The Surgeon General of the Army commented, in a report made during fiscal 1965, that:

> Lack of provision for civilian dental care . . . continues to have an adverse effect on morale.

He has also noted that, during the period referred to, Army emergency relief fund provided almost $300,000 in financial assistance to Army families in meeting bills for medical, dental, or hospital expenses. The Acting Surgeon General of the Navy has reported that the Navy Relief Society spent over $330,000 on dental care alone for dependents. The Air Force Aid Society paid out nearly $90,000 for the same purpose. The Chief of the Coast Guard Office of Personnel has noted that exclusion of dental benefits from the present program is a "real and ever-present problem."

The Marine Corps Commandant, in 1965, made what is perhaps the most cogent summary of the situation when he noted that:

> Dental care costs cannot be met within normal budgeting of most enlisted members and many junior officers. The serviceman too often faces a choice between neglect of needed dental care for his dependents, "moonlighting" to supplement his military pay, having his wife seek civilian employment or obtaining a loan to cover the cost of the dental care. Obviously, the cost of dental care at government expense would be definite morale and career incentive factor.

With this, then, as groundwork in documenting the fairness and urgency of the request, I should like to comment briefly on the few simple provisions of my proposed amendment.

It will be noted, first of all, that the bill provides that care will be provided by private practitioners, by the private sector. This seems to me absolutely essential. It would be literally impossible for the services to provide on base regular, comprehensive dental care to families. The uniformed dental services today, although exerting themselves to the fullest, are admittedly just meeting their prime mission, which is to care for the active duty personnel. To triple their workload would be to cripple them completely in relation to this primary mission.

Some, I am aware, would suggest that the services expand the "space available" concept that is in effect in a limited way at present. The fact is, however, that this stopgap solution founders on the fact that the present size of the dental corps and number of care facilities make it unreasonable to expect that there could be any significant amount of care given through this mechanism. In addition, as the chief dental officer of the Air Force, Brig. Gen. Lee M. Lightner, has pointed out, it would endanger the primary mission of the dental corps since many men on active duty would rather have their wives and children treated than themselves and might postpone their own visits in an effort to accomplish this. And finally, in seeking equity for the military, we would not wish to do something that creates an inequitable situation for someone else. And it would clearly be inequitable to draft dentists into the Armed Forces so that there would be sufficient professional people available to treat women and children who are, essentially, civilian.

The program contains deductibles, as I have already noted, to assure prudent use of the program and help maintain fiscal soundness. With the deductibles, first-year costs to the Government are estimated to be on the order of $130 million. The deductible differs, it should be noted, between adults, for whom it is $25, and children, for whom it is $10. This distinction is drawn in accordance with expert professional opinion, voiced frequently by the American Dental Association, that children deserve special attention since, if we can succeed in developing sound oral health and good oral hygiene habits in the young, it will pay lifelong dividends.

There is another aspect of the amendment that reflects the professional judgment of the American Dental Association. It is that section that provides that the program enacted will be reasonably comprehensive in nature, covering dental disease in all of its manifestations. I think we can agree with the dental profession that artificial limitations in types of care covered makes no better sense in dentistry than it would in any other kind of health care coverage. The only exclusion is for dentistry of the purely cosmetic kind.

Since I have now referred to the American Dental Association twice, this would be an appropriate moment to note that while I am introducing this legislation on my own initiative, that organization testified in support of an effort I made in late 1966 similar to the one I am making here today. Such support is, naturally, important to the measure and I am grateful for it.

Mr. Speaker, I believe I am introducing here today a measure that deserves and will receive unanimous support from all those acquainted with the facts of the case. The only possible difference that might exist between us is on the question of timing, of urgency. My study of the situation has convinced me that the matter is urgent, indeed, and that is why I have worked toward introducing the measure this early in the life of the 90th Congress. The evidence is overwhelming, the testimony of servicemen themselves documents the need, report after report of the surgeons general of the uniformed services confirm the need. It is time for Congress to act, to redress an inequity by enacting a comprehensive dental care program for military dependents.

TO AMEND IMMIGRATION ACT

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I am introducing a measure today, which I had introduced in the 89th Congress, to amend section 212(a)(14) of the Immigration and Nationality Act in order that the former labor provisions of the immigration laws may be restored.

Under the old law, the Secretary of Labor, from time to time, if the need arose, would sign a certification disapproving the admission of certain workers because their admission would adversely affect the labor market in the United States.

Under the new law, the exact oposite is true. With only a few exceptions, all intending immigrants must first secure approval, or labor certification, from the Secretary of Labor, stating that their admission will not adversely affect U.S. citizens similarly employed, before their application for immigration will receive even initial consderation.

This harassing requirement has given the Labor Department almost complete control over the ebb and flow of our immigration. We have been told that the purpose for this requirement is to help ease unemployment in the United States. Yet, not too long ago, the Attorney General said in San Francisco that immigrants add but a tiny fraction to our total labor force.

In addition, immigrants are not all workers, but include wives and families, who become consumers and add to the demand for goods and services. This is actually a helpful force for expanding our economy and creating new jobs.

The new procedure has also bogged down our Labor Department with thousands of applications for labor clearance and has multiplied the paperwork of Government agencies throughout the country. Applications are now required to be processed through local, city, State, and regional offices of the Labor Department. The time lag in processing these applications strains the patience and endurance of employers. The employment offices throughout the country are cluttered with alien clearance forms which sometimes take up to 6 months to process. Instead of devoting themselves to actual employment of persons needing jobs, these agencies are weighted down with forms and procedures which may never result in bringing jobs and applicants together.

The labor certification requirement has not only increased Government paperwork, without benefiting our immigration or labor practices, but over a period of time, will actually restrict immigration to a mere trickle.

Already, statistics compiled by the visa office show that the flow of immigrants, who are not related to American citizens, has dropped sharply since the labor certification requirement went into effect. Of 278,538 visas issued under the new law from December 1965 to July 1966, only 4,145 went to workers. The rest went almost entirely to relatives.

Our country's greatness has been built on the contributions of our immigrants, and halting the flow of immigration in this manner could only result in restricting the growth and prosperity of our Nation.

My measure would reinstate the labor requirements as they appeared in the old immigration law. This provision of the old law has survived the test of time and use—it has worked, and worked well—and only by returning to it can we further strengthen our new immigration law.

AN INCREASE IN OUR SERVICEMEN'S GROUP LIFE INSURANCE LONG OVERDUE

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, today I have introduced legislation to increase to $25,000 the amount of Government insurance which may be carried by the members of our Armed Forces.

At present, as is generally known, the maximum amount of insurance provided by the Government for our servicemen is $10,000. What is not generally known, and this is a disturbing fact, is that this sum has not been increased 1 cent over the half century in which the program has been operating since enactment in 1917.

In the year 1917, $10,000 represented a far greater sum in purchasing power than it does today. In fact, today it requires $25,615 in current dollars to equal the purchasing power of $10,000 in 1917. This figure is based on the Consumer Price Index as of October 1966 and was provided by the Department of Commerce. The figure is strong evidence of the lack of equity provided by the existing maximum.

In addition, I feel that some provision should be made to make available to all veterans the insurance which would be afforded by the increased maximum and am having a study made as to the feasibility and practicality of additional legislation in this area.

WHAT ARE THE LIMITS OF DISREGARD FOR PUBLIC OPINION?

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. RESNICK. Mr. Speaker, what are the limits of disregard for public opinion?

Probably the main reason that ADAM CLAYTON POWELL does not have his seat in Congress today is because of the pressure of outraged public opinion. I doubt that there is one Member of this House who has not been deluged with mail from angry constituents demanding that action be taken against the flamboyant Representative.

But there are still some areas of this country where not only is public opinion ignored, but where incompetence and insensitivity to public pressure are, in fact, rewarded.

Three months ago, I brought to the attention of the public the Liuni adoption case, in which the welfare commissioner of Ulster County denied the adoption of a blue-eyed, blond-haired foster daughter by her brunet, Italian foster parents on the basis that the ethnic backgrounds of the child and the prospective parents did not match.

The only weapon the Liuni family had in its fight against the incompetence of the welfare commissioner was public opinion. Fortunately for them and their daughter, public opinion came to their rescue and the Liuni case had a happy ending.

The behavior of the welfare commissioner throughout the entire case demonstrated his total lack of qualification for the position that he holds. Under the new standards established for welfare commissioners in New York State he only holds his present position as a result of a grandfather clause contained in the law.

During the proceedings, the Ulster County Board of Supervisors demonstrated its contempt for public opinion by reappointing Mr. Fitzsimmons to his position, after it was pointed out that he had not been legally appointed in the first place. At that time a proper concern for the public interest should have caused the board of supervisors to at least defer their decision until the Liuni case was settled and a full debate could take place on his qualifications. Ignoring the protestations of the press and the public, the board of supervisors reappointed Mr. Fitzsimmons.

This is an example of the product of an entrenched power structure which for years has been able to trample upon public opinion and get away with it.

This was bad enough, but imagine the incredulity with which I discovered this week that, in the midst of the Liuni proceedings, the board of supervisors voted their welfare commissioner a $3,100 increase in salary. And they did not even have the nerve to publicize this fact. Mr. Fitzsimmons' salary increase was a part of the budget, and when the budget was passed, so was the welfare commissioner's salary increase.

I bring this to the attention of the Congress and the American people to emphasize the importance of maintaining a constant vigilance over the behavior and conduct of all public officials, whether they serve in the Halls of Congress or in the county courthouse.

JUNIOR ACHIEVEMENT OF UNION COUNTY, N.J.—OPERATION NOVA SCOTIA—AREA OF ACHIEVEMENT

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, Union County, N.J., which I am privileged to represent part of in the House of Representatives, has among its many distinctions one of the finest, most effective junior achievement programs in the country. As Vice President H. H. HUMPHREY has said of it:

> Junior Achievement brings young talent to our Free Enterprise System . . . (it) is a dynamic project perfecting the talents and sharpening the abilities of our young people . . . (it is) a job well done.

Its goal is to inspire our young people to rededicate themselves to the principles of free enterprise, and to effectively teach and demonstrate that our American free enterprise system is not just a system for carrying on business, but much more: The best system promoting human progress while preserving individual liberty—a system which leads the world in industrial growth and high standards of living.

By providing the necessary guidance and facilities to hundreds of dynamic and bright young men and women of high school age, Junior Achievement makes possible a unique opportunity for young people to obtain a direct and personal understanding of the problems, procedures and rewards of business under the American free enterprise system. The fact that these young people are given the full responsibilities involved in the running of a small company, under the auspices of a parent company, is an experience which can never be equaled at their age. These young people are introduced early to the problems of modern competitive industry. They learn what the responsibilities involved in running a business are. As it is a veritable company they run, they must accept all aspects of management, cost accounting, sales, distribution and so forth. They get a chance, early in life, to know what teamwork is, and how to react in a competitive. exciting, challenging situation.

And while this is undoubtedly a great deal of fun for the participants, we, on the national level, must recognize that the young people who participate in these programs are individuals who will hold responsible, leadership roles in the America of the future. We can do no less than to thank the community and the business leaders of Union County, N.J., for helping America to help and perpetuate herself.

In recognition of this, I call on the full House of Representatives to unanimously support the inclusion of the following remarks in the CONGRESSIONAL RECORD:

[From the Elizabeth (N.J.) Daily Journal]

VALUABLE LESSONS WELL LEARNED: "WELL DONE" FOR JUNIOR ACHIEVEMENT DESERVED

Vice President Humphrey's "well done" commendation of Junior Achievement in the Union County-Carteret area was fully merited by the industrial sponsors, the advisers and the boys and girls participating in this valuable exercise in free enterprise.

Learning by doing, with its immeasurably good impact, 800 high school students have been operating junior companies at the JA center in Elizabeth since last September. Visitors observing them at their work are impressed by the serious intent of these young people in absorbing the principles of America's private enterprise system.

Some of the operations are more profitable than others, as in the adult trade world, but all of them teach worth-while lessons about business practices and the economy of the U.S.

As a deserved reward for outstanding work, 28 of the Junior Achievers will be going to Ireland soon for a week's visit combining tours of industrial, educational and cultural sites. Previous trips have taken JA groups to California, Canada, Puerto Rico and West Germany, where in Berlin they saw the wall which demarcates the freedom of personal initiative and communism's state-controlled way of doing things.

The Union County-Carteret area is indebted to the industries which sponsor these junior companies and to the adult advisers who devote many hours to guiding and encouraging young people in constructive and productive endeavors.

Activities such as these help to counter the aimlessness which is all too apparent among boys and girls in America today.

JUNIOR ACHIEVEMENT OF UNION
COUNTY, INC.,
Elizabeth, N.J., October 10, 1966.

To: Junior Achievement Advisers.

From: J. Kenneth Roden, Executive Vice President.

Subject: Operation Nova Scotia.

AWARD WINNING JUNIOR ACHIEVERS TO VISIT NOVA SCOTIA—THE AREA OF ACHIEVEMENT

There is a definite need for all of us who are associated with Junior Achievement to inspire our young people to rededicate themselves to the principles of Free Enterprise, and to effectively teach and demonstrate that our American Free Enterprise System is not just a system for carrying on business, but much more: The best system for promoting human progress while preserving individual freedom—a system which leads the world in industrial growth and high standards of living.

Nationwide surveys of high school students confirm the need for dynamic, positive programs to create better understanding of how business operates, its problems, its invaluable contributions to the American way of life.

Operation Nova Scotia will be a three-pronged youth incentive, economic education, and public relations project. It will commence in October 1966 and continue throughout the Junior Achievement program year. It will be climaxed with a week-long visit to Nova Scotia in May 1967 by about 28 Junior Achievers, and adult advisers from industry. There the Junior Achievers will have an opportunity to develop personal knowledge of the industrial educational, scientific and cultural growth resulting from Nova Scotia's Voluntary Economic Plan (VEP). They will return better prepared to assume their future responsibilities as voters, community leaders, employees and managers in a world where international relationships are becoming increasingly more important.

The group will meet with American and Nova Scotian government leaders and educators here and abroad. Arrangements for these meetings are being worked out in cooperation with the Nova Scotia Department of Trade and Industry and the Development Counsellors International, Ltd.

Extensive press, radio and television coverage, locally and in Nova Scotia, will be planned throughout the 1966–1967 program year, as well as during the visit to Nova Scotia.

The Itinerary and Program for the visit to Nova Scotia will be distributed at a later date.

WHY NOVA SCOTIA?

Because Nova Scotia is an Area of Achievement and we believe it offers one of the best current case studies of private enterprise in action.

Today, a confident, dynamic spirit prevails there and Nova Scotia is experiencing an economic expansion which is comparable, although on a smaller scale, to the economic miracles of West Germany witnessed first-hand by a Junior Achievement group which visited West Germany and Berlin in 1963 as part of the Operation Free Enterprise project that year, and in the 1965–1966 Operation Free Enterprise climaxed by a visit to Ireland where the Junior Achievers witnessed the successful transition from an agricultural to industrial economy.

In Nova Scotia there will be visits to industrial installations, educational and cultural centers. Arrangements will be made for the Junior Achievers to meet with Nova

Scotian student groups and to be guests in the homes of industrialists and their families.

The most important phase of the visit in Nova Scotia will be meetings with industrialists who will discuss with the group the results of their Voluntary Economic Plan. VEP, pioneered in Nova Scotia, is the first attempt by a Canadian province to chart the course of its economic development with widespread citizen participation. VEP is designed to generate 3,400 new jobs annually and to double the annual rate of growth in capital investment by 1968.

Nova Scotia today is bubbling with new ideas and excitement about the future. Its new spirit is buttressed by solid achievements in economic development:

Investment in manufacturing has doubled in the past two years, with the new investment rate increasing 27% in 1965.

Factory shipments, capital spending and personal incomes increased at a faster rate in Nova Scotia last year than in any other Canadian province.

The Voluntary Economic Plan gives the people of Nova Scotia a feeling of participation in their own economic destiny. This sharing of problem solving comes from the grass roots, with private groups studying their own problems and finding solutions. The industrial expansion drive is gaining momentum. The larger and more diversified industrial base is proving to be a springboard to prosperity.

OBJECTIVES OF OPERATION NOVA SCOTIA

Operation Nova Scotia has been planned and developed by the Board of Directors of Junior Achievement of Union County to meet our present-day challenges. Its objectives are:

(1) *To provide Junior Achievers and Advisers with a positive educational and incentive program designed to stimulate full understanding of the principles, motivations and rewards of the American private enterprise system*

Operation Nova Scotia will demonstrate that every individual—whether employee, manager or community leader—must be ever aware that the vigor of the American private enterprise system depends upon a heritage that attaches prime importance to liberty, opportunity for the individual, and personal initiative. It will emphasize the responsibility of the individual to adequately prepare himself to carry his share of the load, and to discharge his responsibilities to the best of his ability.

(2) *To give Junior Achievers actively engaged in owning and operating their own junior companies an opportunity to feel the pulsebeat of American industry and international trade, and to learn first-hand the economic facts of life in business at home and abroad*

Emphasis will be on the need for profits and a high level of individual productivity, without errors. The effect of business profits upon the everyday lives of young people, their families, the community, and the economy as a whole will be stressed.

Operation Nova Scotia will demonstrate that each individual's contribution, if properly utilized, will result in a profit to himself, to his employer, to the community, and to the nation. It will further demonstrate that corporate profits are the lifeblood of business which assure continued growth, prosperity and stability of the economy, all of which are more valuable and desirable than personal security through hand-out or a welfare state. It will show how corporate profits become job producers.

The experience of international travel by jet aircraft will demonstrate to the Junior Achievers how, under the Free Enterprise System, research and development in the transportation industry and aggressive promotion, have advanced international trade, travel and communications and generally narrowed the world's horizons. Discussions with Nova Scotian industrialists and students, and visits to industries there, will further enhance the Achievers' understanding of international trade and human relations.

(3) *To have successful American and Nova Scotian businessmen, experienced in the various stages of education and business advancement, convince the Junior Achievers of the dollars and cents value of a high school diploma and to demonstrate clearly the increased income and opportunities available to young people who obtain higher education or seek technical or other specialized training*

The project will demonstrate how profitable and essential continued education can be and how short-range thinking with emphasis on short-term income opportunities and the desire for maximum job security and benefits, without personal initiative and productivity, and responsible leadership fail to develop the full potential of the individual.

(4) *To maintain the high standards of performance, productivity and prestige of the Junior Achievement program*

Special emphasis will be placed on stimulating superior performance at all levels of Junior Achievement activity, development of personal initiative, creative thinking, responsible leadership, good attendance, punctuality and accuracy. Improved production techniques to reduce operating costs will be encouraged. Aggressive safety programs and a Zero Defect quality control program will be required. Sales incentive programs will be sponsored.

(5) *To demonstrate to Junior Achievers, parents, educators and the community at large the degress of interest which local businessmen have in young people, and to give recognition to business and industrial sponsors and supporters of Junior Achievement for their unselfish efforts on behalf of young people*

This program will demonstrate to the community that local business and industrial organizations are good neighbors, willing to help prepare young people to accept responsibilities of business management and professional and community leadership.

There will be widespread publicity about Operation Nova Scotia and opportunities for good employee and community relations will be initiated by Junior Achievement on behalf of its sponsors and other participants.

(6) *To give Junior Achievers an opportunity to become good will ambassadors and to enable them to feel first-hand the pulsebeat of international relations*

The Junior Achievers will develop a keener understanding of the importance of sincere cooperation in international relations in all areas: human relations, government, and particularly business and industry. They will be introduced to the industrial, educational and cultural aspects of life in Nova Scotia through visits and association with businessmen and their families, government officials, and educational groups.

COMMUNITY PARTICIPATION

There will be extensive community participation in Operation Nova Scotia. Every effort will be made to stimulate the entire community to rededicate themselves to the principles of Free Enterprise.

NOMINATION AND SELECTION OF ACHIEVERS FOR THE AWARD TRIP

In April, outstanding Junior Achievers will be selected for the award trip scheduled for late May 1967.

Provided that the Junior Achievement company and its individual Junior Achiever members have met the standards set forth in the Performance Standards Bulletin, the company will have the privilege of nominating a member for participation in the Operation Nova Scotia award trip. Consideration should be given only to outstanding Junior Achievers based on performance in the following areas:

Leadership.

Personal initiative and creative thinking.

Appearance and grooming.

Poise.

Ability to get along with young people and adults.

Originality of product.

Production and sales techniques and their successful application.

Attendance and punctuality.

Adherence to and proper execution of safety regulations.

Rating under Zero Defects quality control program.

Accuracy of company records.

Knowledge of Junior Achievement company operations.

Knowledge of sponsoring company's activities.

Knowledge and understanding of the values, workings and benefits to the individual of the Free Enterprise System.

Knowledge of the culture, history and economic development of Nova Scotia.

Future educational and employment plans of the Junior Achiever and degree to which plans are being implemented.

The degree of personal participation in bringing the Junior Achievement company into full participation in Operation Nova Scotia should be an important factor in the selection of nominees. Bear in mind that the Junior Achievers who visit Nova Scotia will be representatives of our industrial and educational community and will be guests of important businessmen and government and educational leaders abroad.

A nomination form will be provided by Junior Achievement with instructions for completion and the due date.

All nominees wil be interviewed by a panel of Junior Achievement Directors, members of the Chamber of Commerce, and other business and community leaders, at a time and place to be specified by Junior Achievement.

Selection of Junior Achievers who will participate in the award trip will be announced about three weeks in advance, when instructions will be issued for obtaining written permission from parents or guardians, health certificates, and travel requirements, and other pre-trip details.

NEW JERSEY STATE CHAMBER OF COMMERCE FREE ENTERPRISE AWARD

To encourage and inspire our young people and their Advisers to develop their capabilities to the highest possible degree, the New Jersey State Chamber of Commerce will again present its Free Enterprise Award to the sponsor of the outstanding Junior Achievement company.

The winning company will be selected by the Chamber of Commerce Awards Committee. The award will be presented to the President or chief executive officer of the *sponsoring* company at the annual dinner of the New Jersey State Chamber of Commerce.

MANAGEMENT AWARD

To further encourage and inspire Junior Achievers and their Advisers, the Board of Directors of Junior Achievement of Union County has announced a new, very important award competition. The Management Award will be in the form of a plaque inscribed with the Junior Achievement company name and the name of the sponsoring industry.

The Junior Achievement Awards Committee will select the company to receive the award, based on strict criterion designed to bring about excellence in all phases of Junior

Achievement company management, and the plaque will be presented to the winning company at the stockholder meeting in May.

INCENTIVE PROGRAM COMMITTEE

The Board of Directors of Junior Achievement of Union County has delegated responsibility for the planning and execution of Operation Nova Scotia to Mr. J. Kenneth Roden, Executive Vice President. He will be responsible for liaison with American and Nova Scotian government officials and agencies, for other participating organizations.

The Board of Directors has named a Committee to advise and assist Mr. Roden, who will also serve on the Committee. Members of the Incentive Program Committee are:

James D. Abeles, President, Purolator Products, Inc.; William M. Bristol, III, Group Vice President, Bristol-Myers Company; Joseph Ayares, President, New Jersey Chapter, Public Relations Society of America; Harry P. Frank, Publisher, The Daily Journal; John J. Conlon, Vice President, Phelps Dodge Copper Products Corporation; John Mossey, President, Wayne Steel Company; Honorable Richard R. O'Connor, O'Connor, Morss & O'Connor, General Counsel for Junior Achievement of Union County, Inc.; J. Kenneth Roden, Executive Vice President, Junior Achievement of Union County, Inc.

PRIORITIES TO REALIZE FULL POTENTIAL OF OPERATION NOVA SCOTIA

Our Junior Achievement companies must get off to a very good start this year with practical, top quality products which will sell well. Attendance must continue at a very good rate. Operation Nova Scotia is designed to help you maintain this momentum of production and sales, and the enthusiastic participation of every Junior Achiever and Adviser. It will help your Junior Achievement company meet and maintain our Performance Standards.

Start now to prepare for Operation Nova Scotia.

Review this bulletin carefully and announce Operation Nova Scotia to your JA company members.

Tell your top management executives and your company publications editor about Operation Nova Scotia and review this bulletin with them in detail. Make sure they realize the potential for good employee and community relations through participation in this youth incentive and economic education project.

Remember: A successful Operation Nova Scotia program can help you earn the New Jersey State Chamber of Commerce Free Enterprise Award for your company, and the Management Award for your Junior Achievement Company.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. O'Hara of Illinois, for 1 hour, on February 15, on the anniversary of the sinking of the battleship *Maine*.

Mr. Pucinski, for 1 hour, today.

Mr. Wolff, for 10 minutes, today.

Mr. Ottinger (at the request of Mr. Albert) for 30 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Flood (at the request of Mr. St Germain), for 60 minutes, on January 25, 1967.

Mr. Flood (at the request of Mr. St Germain), for 60 minutes, on February 16, 1967.

Mr. Quillen (at the request of Mr. Mize), for 30 minutes, on January 18.

Mr. Kupferman (at the request of Mr. Mize), for 30 minutes, on January 25.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Evins of Tennessee.

(The following Member (at the request of Mr. Mize) and to revise and extend his remarks:)

Mr. Ayres.

(The following Members (at the request of Mr. St Germain) and to revise and extend their remarks:)

Mr. Rees.

Mr. Corman.

Mr. Blatnik.

Mr. Minish.

Mrs. Kelly in two instances.

Mr. Gathings.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 17. Joint resolution authorizing the President to establish a "National Ski Week"; to the Committee on the Judiciary.

ADJOURNMENT

Mr. ST GERMAIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Thursday, January 19, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

224. A letter from the Director, Legislative Commission, the American Legion, transmitting the proceedings of the 48th Annual National Convention of the American Legion, held in Washington, D.C., August 31–September 1, 1966, pursuant to the provisions of Public Law 77-249 (H. Doc. No. 39); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

225. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions, according certain beneficiaries' third preference and sixth preference classifications, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

226. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting the Annual Report of the Office of Civil Defense of the District of Columbia, pursuant to the provisions of Public Law 81-686; to the Committee on the District of Columbia.

227. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend the Intercoastal Shipping Act of 1933 (46 U.S.C. 845); to the Committee on Merchant Marine and Fisheries.

228. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 26, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Insley Cove, Md., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959; to the Committee on Public Works.

229. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 6, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Baraboo River, Wis., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962; to the Committee on Public Works.

230. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 6, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Stumpy Point Bay, N.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 31, 1957. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

231. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 6, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on Bonum Creek, Va., requested by a resolution of the Committee on Public Works, House of Representatives, adopted September 26, 1963. No authorization by Congress is recommended as the desired improvement has been adopted for accomplishment by the Chief of Engineers under the provisions of section 107 of the 1960 River and Harbor Act; to the Committee on Public Works.

232. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 21, 1966, submitting a report, together with accompanying papers and illustration, on a survey of Jefferson-St. Charles Parish Line Canal, La., authorized by Public Law 85-832, approved August 28, 1958, including a survey of Lake Pontchartrain, La., authorized by the River and Harbor Act approved July 14, 1960; to the Committee on Public Works.

233. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 14, 1966, submitting a report, together with accompanying papers and an illustration, on a letter report on channel between Point Shirley and Deer Island, Mass., authorized by the River and Harbor Act approved October 23, 1962; to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANNUNZIO:

H.R. 2764. A bill to amend the Interstate Commerce Act, with respect to recovery of a reasonable attorney's fee in case of successful maintenance of an action for recovery of damages sustained in transportation of property; to the Committee on Interstate and Foreign Commerce.

H.R. 2765. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. BATTIN:

H.R. 2766. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 2767. A bill to amend the Internal Revenue Code of 1954 to allow a farmer an amortized deduction from gross income for assessments for depreciable property levied by soil or water conservation or drainage districts; to the Committee on Ways and Means.

H.R. 2768. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 2769. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BURTON of California:

H.R. 2770. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CASEY:

H.R. 2771. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

H.R. 2772. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 2773. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution, to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 2774. A bill to amend the Copyright Act by repealing the jukebox exemption, and for other purposes; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:

H.R. 2775. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 2776. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. CONABLE:

H.R. 2777. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 2778. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 2779. A bill to amend section 124 of title 23, United States Code, to provide for the financing of advance acquisition of rights-of-way for the Federal-aid highway systems; to the Committee on Public Works.

H.R. 2780. A bill authorizing the Chief of Engineers, Department of the Army, to expend certain appropriated funds to maintain harbors and waterways at depths required for defense purposes; to the Committee on Public Works.

H.R. 2781. A bill to encourage the prevention of air and water pollution by allowing the cost of treatment works for the abatement of air and stream pollution to be amortized at an accelerated rate for income tax purposes; to the Committee on Ways and Means.

By Mr. BENNETT:

H.R. 2782. A bill to specify the insignia of grade for certain enlisted members of the Army; to the Committee on Armed Services.

By Mr. DANIELS:

H.R. 2783. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2784. A bill to amend title II of the Social Security Act to provide a 10-percent, across-the-board benefit increase, with a minimum primary benefit of $100 a month, and to increase the amount of outside earnings permitted each year without deductions from benefits; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 2785. A bill to amend the Agricultural Trade Development and Assistance Act of 1954 to provide for a method of designating U.S. ports for export of commodities donated abroad; to the Committee on Agriculture.

H.R. 2786. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 2787. A bill to authorize appropriations for the purpose of equitably reimbursing the States for certain free and toll roads on the National System of Interstate and Defense Highways, and for other purposes; to the Committee on Public Works.

H.R. 2788. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

H.R. 2789. A bill to amend title II of the Social Security Act to increase old-age and disability insurance benefits by $35 a month (and other monthly benefits proportionately), and to provide that full benefits (when based upon attainment of retirement age) will be payable to men at age 62 and women at age 60; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 2790. A bill to amend the Internal Revenue Code of 1954 to provide a credit against the individual income tax for certain expenses of higher education; to the Committee on Ways and Means.

By Mr. EDWARDS of Louisiana:

H.R. 2791. A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail; to the Committee on Post Office and Civil Service.

By Mr. FEIGHAN:

H.R. 2792. A bill to amend sections 281 and 344 of the Immigration and Nationality Act to eliminate the statutory prescription of fees, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2793. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. FISHER:

H.R. 2794. A bill to provide for the issuance of a special postage stamp in honor of the memory of the late General of the Army Douglas MacArthur; to the Committee on Post Office and Civil Service.

By Mr. FRIEDEL:

H.R. 2795. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

H.R. 2796. A bill to amend the Federal Aviation Act of 1958 so as to provide for a method of certification and regulation with respect to certain transportation performed with hovercraft; to the Committee on Interstate and Foreign Commerce.

H.R. 2797. A bill to amend the Federal Aviation Act of 1958 to require the Civil Aeronautics Board to enforce the duty imposed on each carrier to provide adequate services in connection with the transportation authorized by its certificate of public convenience and necessity, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2798. A bill to provide that the Administrator of the Federal Aviation Agency shall not undertake certain projects to improve or expand Federal airports without specific authorization for such projects; to the Committee on Interstate and Foreign Commerce.

H.R. 2799. A bill to establish the position of U.S. customs inspector (nonsupervisory) in the Bureau of Customs, Department of the Treasury, to place such position in grade 10 of the Classification Act of 1949, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2800. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

H.R. 2801. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

H.R. 2802. A bill to amend the Internal Revenue Code of 1954 to provide for optional tax tables where the adjusted gross income is less than $10,000; to the Committee on Ways and Means.

H.R. 2803. A bill to increase the personal income tax exemptions of a taxpayer including the exemptions for a spouse and dependents and the additional exemptions for old age and blindness from $600 to $1,000; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 2804. A bill to amend title 38 of the United States Code so as to increase to $25,000 the amount of servicemen's group life insurance which may be carried by members of the Armed Forces; to the Committee on Veterans' Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 2805. A bill to amend section 47 of title 28, United States Code, to provide means for the disqualification of circuit judges for bias or prejudice; to the Committee on the Judiciary.

H.R. 2806. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GUDE:

H.R. 2807. A bill to establish the Chesapeake & Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2808. A bill to correct certain inequities with respect to the operation of the Federal Salary Reform Act of 1962, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GURNEY:

H.R. 2809. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans under the veterans' educational assistance program in that title; to the Committee on Veterans' Affairs.

By Mr. HANLEY:

H.R. 2810. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOWARD:

H.R. 2811. A bill for the education and training of the handicapped; to the Committee on Education and Labor.

H.R. 2812. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100 a month benefit for certain individuals with 25 years' service, to liberalize the retirement test, to provide health insurance benefits for individuals entitled to disability insurance benefits, to increase the earnings base for benefit and tax purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 2813. A bill to provide for a more conservative capitalization of the St. Lawrence Seaway Development Corporation, and for other purposes; to the Committee on Public Works.

By Mr. HUTCHINSON:

H.R. 2814. A bill to extend the time for filing manufacturers' claims for floor stocks refunds with respect to automobile parts and accessories; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 2815. A bill to authorize grants to States for assistance to homeowners and businesses suffering property losses as a result of riots or other civil disturbances; to the Committee on Banking and Currency.

H.R. 2816. A bill to protect consumers, homebuilders, building material suppliers, lumber manufacturers, and others against false grade marking of lumber, to promote interstate commerce in lumber, to strengthen the standards program of the lumber industry, and to promote the general welfare; to the Committee on Interstate and Foreign Commerce.

H.R. 2817. A bill to amend title 18 of the United States code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 2818. A bill relating to dealings in good faith between parties to franchise agreements; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 2819. A bill to provide for a comprehensive program for the control of noise; to the Committee on Interstate and Foreign Commerce.

H.R. 2820. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H.R. 2821. A bill to amend chapter 55 of title 10 to provide additional dental care for dependents of active duty members of the uniformed services; to the Committee on Armed Services.

H.R. 2822. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. McMILLAN:

H.R. 2823. A bill relating to the composition of the State agricultural stabilization and conservation committee; to the Committee on Agriculture.

H.R. 2824. A bill to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits; to the Committee on the District of Columbia.

H.R. 2825. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. MACGREGOR:

H.R. 2826. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. MINISH:

H.R. 2827. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MIZE:

H.R. 2828. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Iowa Tribes of Kansas and Nebraska and of Oklahoma in Indian Claims Commission docket No. 138, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORSE of Massachusetts:

H.R. 2829. A bill to amend the tariff schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 2830. A bill to postpone the application of daylight-saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Illinois:

H.R. 2831. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. O'NEILL of Massachusetts:

H.R. 2832. A bill to amend the tariff schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 2833. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. ROGERS of Colorado:

H.R. 2834. A bill to amend the act of June 10, 1938, relating to the participation of the United States in the International Criminal Police Organization; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 2835. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROUSH:

H.R. 2836. A bill to amend the Uniform Time Act in order to allow an option in the adoption of advanced time in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 2837. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHWEIKER:

H.R. 2838. A bill to amend title 37, United States Code, to authorize, under certain conditions, travel and transportation allowances for members of the uniformed services in connection with emergency leave, and for other purposes; to the Committee on Armed Services.

By Mr. SIKES:

H.R. 2839. A bill to amend the Federal Firearms Act; to the Committee on Ways and Means.

By Mr. STEIGER of Wisconsin:

H.R. 2840. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. TUNNEY:

H.R. 2841. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By. Mr. UDALL:

H.R. 2842. A bill to provide annuities payable from the civil service retirement and disability fund for certain widows and widowers by reducing the required period of marriage; to the Committee on Post Office and Civil Service.

By Mr. VAN DEERLIN:

H.R. 2843. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALDIE:

H.R. 2844. A bill authorizing the Chief of Engineers, Department of the Army, to expend certain appropriated funds to maintain harbors and waterways at depths required for defense purposes to the Committee on Public Works.

H.R. 2845. A bill to provide uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mr. WHITENER:

H.R. 2846. A bill to amend title 18, United States Code, to protect the security of the United States by providing penalties for interference with defense security systems; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 2847. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2848. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 2849. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON of Tennessee:

H.R. 2850. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BINGHAM:

H.R. 2851. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BROWN of California:

H.R. 2852. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CONYERS:

H.R. 2853. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DANIELS:

H.R. 2854. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL:

H.R. 2855. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DOW:

H.R. 2856. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. EDWARDS of California:

H.R. 2857. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FRASER:

H.R. 2858. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON of Tennessee:

H.R. 2859. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GALLAGHER:

H.R. 2860. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HELSTOSKI:

H.R. 2861. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLIFIELD:

H.R. 2862. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KARTH:

H.R. 2863. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCARTHY:

H.R. 2864. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MINISH:

H.R. 2865. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOORHEAD:

H.R. 2866. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MOSS:

H.R. 2867. A bill to establish a Redwood National Park in the State of California and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. NEDZI:

H.R. 2868. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Illinois:

H.R. 2869. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Michigan:

H.R. 2870. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OLSEN:

H.R. 2871. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. OTTINGER:

H.R. 2872. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER:

H.R. 2873. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RESNICK:

H.R. 2874. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H.R. 2875. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 2876. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHEUER:

H.R. 2877. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. THOMPSON of New Jersey:

H.R. 2878. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TUNNEY:

H.R. 2879. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VAN DEERLIN:

H.R. 2880. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WALDIE:

H.R. 2881. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHARLES H. WILSON:

H.R. 2882. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BRASCO:

H.R. 2883. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROTZMAN:

H.R. 2884. A bill for the establishment of the Commission on the Organization and Administration of Federal Social Programs; to the Committee on Government Operations.

By Mr. GERALD R. FORD:

H.R. 2885. A bill to direct the Interstate Commerce Commission to make regulations that certain railroad vehicles be equipped with reflectors or luminous material so that they can be readily seen at night; to the Committee on Interstate and Foreign Commerce.

H.R. 2886. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

H.R. 2887. A bill relating to the tariff treatment of certain machines for sorting agricultural products; to the Committee on Ways and Means.

H.R. 2888. A bill to amend title II of the Social Security Act to include Michigan among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

H.R. 2889. A bill to amend the Federal Unemployment Tax Act to provide an exemption for county fairs and other agricultural or horticultural fairs; to the Committee on Ways and Means.

H.R. 2890. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 2891. A bill to designate the Buck Creek Dam and Reservoir proposed for construction on Buck Creek near Springfield, Clark County, Ohio, as the Clarence J. Brown Dam and Reservoir; to the Committee on Public Works.

By Mr. HATHAWAY:

H.R. 2892. A bill to establish a National Commission on Older Workers; to the Committee on Education and Labor.

H.R. 2893. A bill to amend the National Labor Relations Act to make it an unfair labor practice for an employer or a labor organization to discriminate unjustifiably on account of age; to the Committee on Education and Labor.

H.R. 2894. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 2895. A bill to amend section 57n (11 U.S.C. 93n) of the Bankruptcy Act; to the Committee on the Judiciary.

H.R. 2896. A bill to establish a Commission on Architecture and Planning for the Capitol; to the Committee on Public Works.

By Mr. McMILLAN:

H.R. 2897. A bill to equalize the retirement benefits for officers and members of the Metropolitan Police Force and the Fire Department of the District of Columbia who are retired for permanent total disability; to the Committee on the District of Columbia.

By Mr. MORRIS of New Mexico:

H.R. 2898. A bill to authorize the procurement of patent licenses and the consideration of royalties payable under such licenses in evaluating competing bids or offers in situations where, after formal advertising for bids or solicitation of negotiated offers, an allegation of patent infringement is received by the contracting officer; to the Committee on Government Operations.

By Mr. OTTINGER:

H.R. 2899. A bill to authorize a program of research, development, and demonstration of electrically powered vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REID of New York:

H.R. 2900. A bill to establish a system for the sharing of certain Federal revenues with the States; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 2901. A bill to designate the Oahe Reservoir on the Missouri River in the States of North Dakota and South Dakota as Lake Oahe; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 2902. A bill to amend section 1498 of title 28, United States Code, to authorize the use or manufacture, in certain cases, by or for the United States of any invention described in and covered by a patent of the United States; to the Committee on the Judiciary.

H.R. 2903. A bill to amend the Immigration and Nationality Act and for other purposes; to the Committee on the Judiciary.

H.R. 2904. A bill to amend sections 2072 and 2112 of title 28, United States Code, with respect to the scope of the Federal Rules of Civil Procedure and to repeal inconsistent legislation; to the Committee on the Judiciary.

H.R. 2905. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 2906. A bill to specify the number of hospital beds that the Administrator of Veterans' Affairs must maintain and operate at the veterans' hospital, East Orange, N.J.; to the Committee on Veterans' Affairs.

H.R. 2907. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. SCHEUER:

H.R. 2908. A bill making a supplemental appropriation to carry out the Economic Opportunity Act of 1964 during the fiscal year ending June 30, 1967; to the Committee on Appropriations.

H.R. 2909. A bill to increase the amount authorized to be appropriated to carry out title II of the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

By Mr. TEAGUE of Texas (by request):

H.R. 2910. A bill to enlarge the classes of persons eligible for servicemen's group life insurance, and to improve the administration of the program; to the Committee on Veterans' Affairs.

By Mr. WHITE:

H.R. 2911. A bill to provide for the establishment of a national historic park on the island of Guam, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHITTEN:

H.R. 2912. A bill to provide for the designation of a highway for Mobile, Ala., to Fulton, Ky., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2913. A bill to provide for the designation of a highway from Birmingham Ala., to Memphis, Tenn., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. WOLFF:

H.R. 2914. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HECHLER of West Virginia:

H.R. 2915. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONYERS:

H.J. Res. 166. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DOLE:

H.J. Res. 167. Joint resolution to authorize the President to proclaim the month of April 1967 as National Residence Hall Month; to the Committee on the Judiciary.

By Mr. DULSKI:

H.J. Res. 168. Joint resolution designating the rose as the national flower of the United States; to the Committee on House Administration.

H.J. Res. 169. Joint resolution designating the first Sunday of October in every year as National Choir Recognition Day; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.J. Res. 170. Joint resolution to direct the Librarian of Congress to transfer certain documents to the Hall of Records Commission of the State of Maryland; to the Committee on House Administration.

H.J. Res. 171. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 172. Joint resolution designating the Sunday before Labor Day in each year as National Traffic Accident Prevention Day, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.J. Res. 173. Joint resolution proposing an amendment to the Constitution to authorize Congress to limit the power of courts of the United States to determine that statutes of the United States or of any State are repugnant to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.J. Res. 174. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.J. Res. 175. Joint resolution authorizing the President to proclaim the third week in April in every year as National Coin Week; to the Committee on the Judiciary.

By Mr. GUDE:

H.J. Res. 176. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States; to the Committee on the Judiciary.

By Mr. MIZE:

H.J. Res. 177. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.J. Res. 178. Joint resolution that the United States reaffirms its support of the United Nations; to the Committee on Foreign Affairs.

H.J. Res. 179. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

By Mr. SIKES:

H.J. Res. 180. Joint resolution proposing an amendment to the Constitution of the United States relating to Federal control of public schools; to the Committee on the Judiciary.

By Mr. SNYDER:

H.J. Res. 181. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H.J. Res. 182. Joint resolution authorizing the President to proclaim National CARIH Asthma Week; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.J. Res. 183. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Con. Res. 74. Concurrent resolution requesting the President of the United States to bring the Baltic States question before the United Nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HOWARD:

H. Con. Res. 75. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H. Con. Res. 76. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

H. Con. Res. 77. Concurrent resolution: Objective—a just peace; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Con. Res. 78. Concurrent resolution to express the sense of Congress that the State of New York should raise its legal drinking age to 21; to the Committee on the Judiciary.

By Mr. WYDLER:

H. Con. Res. 79. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of the Government; to the Committee on Rules.

By Mr. BROCK:

H. Res. 145. Resolution to create a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. BURTON of California:

H. Res. 146. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 147. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. ICHORD:

H. Res. 148. Resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; to the Committee on Rules.

By Mr. DEL CLAWSON:

H. Res. 149. Resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; to the Committee on Rules.

By Mr. KARTH:

H. Res. 150. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. MORRIS of New Mexico:

H. Res. 151. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Res. 152. Resolution relating to nonproliferation of nuclear weapons; to the Committee on Foreign Affairs.

H. Res. 153. Resolution to include drum and bugle corps under the Mutual Educational and Cultural Exchange Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALKER:

H. Res. 154. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. YOUNGER:

H. Res. 155. Resolution to provide a residence for pages; to the Committee on House Administration.

H. Res. 156. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Inquiry which shall have no legislative jurisdiction; to the Committee on Rules.

H. Res. 157. Resolution to create a Select Committee on Fiscal Organization and Procedures of the Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 2916. A bill for the relief of Maria Giovanna Trombino; to the Committee on the Judiciary.

H.R. 2917. A bill for the relief of Antonio Liberti; to the Committee on the Judiciary.

H.R. 2918. A bill for the relief of Arturo Cortina; to the Committee on the Judiciary.

H.R. 2919. A bill for the relief of Stefano Liparoto; to the Committee on the Judiciary.

H.R. 2920. A bill for the relief of Salvatore LoVerde; to the Committee on the Judiciary.

H.R. 2921. A bill for the relief of Enoch C. L. Lee; to the Committee on the Judiciary.

H.R. 2922. A bill for the relief of Mr. and Mrs. Vito Bono and their children, Salvatore Bono and Serafina Bono; to the Committee on the Judiciary.

H.R. 2923. A bill for the relief of Tevfik M. Gokcebay; to the Committee on the Judiciary.

H.R. 2924. A bill for the relief of Rammurt Mishra; to the Committee on the Judiciary.

H.R. 2925. A bill for the relief of Edith Estella Rose; to the Committee on the Judiciary.

H.R. 2926. A bill for the relief of Bartolomeo Calia; to the Committee on the Judiciary.

H.R. 2927. A bill for the relief of Settimo Li Mandri; to the Committee on the Judiciary.

H.R. 2928. A bill for the relief of Donovan Herbert Cunningham; to the Committee on the Judiciary.

H.R. 2929. A bill for the relief of Vincenzo Sodano; to the Committee on the Judiciary.

H.R. 2930. A bill for the relief of David Anthony De Beauville; to the Committee on the Judiciary.

H.R. 2931. A bill for the relief of Valerie and Benjamin Franco; to the Committee on the Judiciary.

H.R. 2932. A bill for the relief of Giuseppe Frisina; to the Committee on the Judiciary.

H.R. 2933. A bill for the relief of Horace

W. Sessing; to the Committee on the Judiciary.

H.R. 2934. A bill for the relief of Winston Nurse; to the Committee on the Judiciary.

H.R. 2935. A bill for the relief of Giuseppe Puglisi; to the Committee on the Judiciary.

H.R. 2936. A bill for the relief of Francesco Fidilio; to the Committee on the Judiciary.

H.R. 2937. A bill for the relief of Giuseppe Longo; to the Committee on the Juidiciary.

H.R. 2938. A bill for the relief of Salvatore Cracchiolo; to the Committee on the Judiciary.

H.R. 2939. A bill for the relief of Giuseppe DiGiovanni; to the Committee on the Judiciary.

H.R. 2940. A bill for the relief of Mr. and Mrs. Michelangelo Richiusa and their minor child, Maria Rosa Richiusa; to the Committee on the Judiciary.

H.R. 2941. A bill for the relief of Paraskevi and Christos Basile Manolakos; to the Committee on the Judiciary.

H.R. 2942. A bill for the relief of Georgia Christos Manolakos; to the Committee on the Judiciary.

H.R. 2943. A bill for the relief of Giovanni Badalamenti; to the Committee on the Judiciary.

H.R. 2944. A bill for the relief of Michael Buscemi; to the Committee on the Judiciary.

H.R. 2945. A bill for the relief of Gaetana Battaglia; to the Committee on the Judiciary.

H.R. 2946. A bill for the relief of Sharlotta and Wolf Gniazdo; to the Committee on the Judiciary.

H.R. 2947. A bill for the relief of Spiridon Andreadis; to the Committee on the Judiciary.

H.R. 2948. A bill for the relief of Margherita Di Matteo; to the Committee on the Judiciary.

H.R. 2949. A bill for the relief of Giovanni Vogloso and wife, Giulia Giovanna Gisotti Voglioso; to the Committee on the Judiciary.

H.R. 2950. A bill for the relief of Tommaso Marsiglia (Massiglia); to the Committee on the Judiciary.

H.R. 2951. A bill for the relief of Rosa Di Giovanna; to the Committee on the Judiciary.

H.R. 2952. A bill for the relief of Lorenzo Mastropieri; to the Committee on the Judiciary.

H.R. 2953. A bill for the relief of Giuseppe Naso; to the Committee on the Judiciary.

H.R. 2954. A bill for the relief of Filomena Luigia Montanti; to the Committee on the Judiciary.

H.R. 2955. A bill for the relief of Angelo Duca; to the Committee on the Judiciary.

H.R. 2956. A bill for the relief of Rosaria Grippi; to the Committee on the Judiciary.

H.R. 2957. A bill for the relief of Remedios Remigio; to the Committee on the Judiciary.

H.R. 2958. A bill for the relief of Giuseppe Colombo; to the Committee on the Judiciary.

H.R. 2959. A bill for the relief of Caterina Callendo; to the Committee on the Judiciary.

H.R. 2960. A bill for the relief of Maria Lozza; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 2961. A bill for the relief of Giuseppe Abruscato; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 2962. A bill for the relief of Mrs. Angela C. Alexan; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 2963. A bill for the relief of David Man-Kwang Tseng; to the Committee on the Judiciary.

H.R. 2964. A bill for the relief of Mrs. Virginia Suarez Tejon; to the Committee on the Judiciary.

H.R. 2965. A bill for the relief of Mrs. Sharadha Viswanathan and her children, Usha Viswanathan and Meera Viswanathan; to the Committee on the Judiciary.

H.R. 2966. A bill for the relief of Marara Potete Martin; to the Committee on the Judiciary.

H.R. 2967. A bill for the relief of Mrs. Hatsue Taniguchi; to the Committee on the Judiciary.

H.R. 2968. A bill for the relief of Vilis Lapenieks; to the Committee on the Judiciary.

H.R. 2969. A bill for the relief of Agustina Felipe Fiesta; to the Committee on the Judiciary.

H.R. 2970. A bill for the relief of Houston Lee; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 2971. A bill for the relief of Giuseppe Caleca; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 2972. A bill for the relief of Lucie Anne Violo; to the Committee on the Judiciary.

H.R. 2973. A bill for the relief of Peter D. Wu, his wife, Wu Chen Lee-Jin, and their minor children, Wu I-Lin and Wu I-Wun; to the Committee on the Judiciary.

H.R. 2974. A bill for the relief of Adelina Del Barrio; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 2975. A bill for the relief of Ibrahim Hassan Sadek; to the Committee on the Judiciary.

H.R. 2976. A bill for the relief of Mutual Benefit Foundation; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 2977. A bill for the relief of Antonino Laviano; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 2978. A bill for the relief of Yong Ok Espantoso; to the Committee on the Judiciary.

H.R. 2979. A bill for the relief of Maria and Andreas Tselos; to the Committee on the Judiciary.

H.R. 2980. A bill for the relief of Alvaro Carlos Carreras; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 2981. A bill for the relief of Miss Teodora Guillamon; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.R. 2982. A bill for the relief of Chaplain Edward J. Kucera; to the Committee on Armed Services.

By Mr. FINO:

H.R. 2983. A bill for the relief of Antonio Sguera (also known as Tony Galante); to the Committee on the Judiciary.

H.R. 2984. A bill for the relief of Mrs. Flora El Tawil; to the Committee on the Judiciary.

H.R. 2985. A bill for the relief of Dr. Olga J. Agbayani Asar and Dr. Sadat Ali Asar; to the Committee on the Judiciary.

H.R. 2986. A bill for the relief of Irene Kehayias; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H.R. 2987. A bill for the relief of Miss Jallieh Farah Salameh El Ahwal; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 2988. A bill for the relief of Mrs. Angela (Angelina) Merola Squitieri and daughter, Ida Squitieri; to the Committee on the Judiciary.

H.R. 2989. A bill for the relief of Lilia Medroso Benaid; to the Committee on the Judiciary.

H.R. 2990. A bill for the relief of Mario Martinez; to the Committee on the Judiciary.

H.R. 2991. A bill for the relief of Carmen Dato Castillo; to the Committee on the Judiciary.

H.R. 2992. A bill for the relief of Lolita T. Flores; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 2993. A bill for the relief of Giuseppe Maturo; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 2994. A bill for the relief of Helena Iniewicz; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 2995. A bill for the relief of Stamatios Stelatos; to the Committee on the Judiciary.

H.R. 2996. A bill for the relief of Rosette Hamaoui; to the Committee on the Judiciary.

H.R. 2997. A bill for the relief of Nicholas Jean Petrou and Rachel Arbib Harari Petrou, husband and wife; to the Committee on the Judiciary.

H.R. 2998. A bill for the relief of Timothy Wilson; to the Committee on the Judiciary.

H.R. 2999. A bill for the relief of Domenico Duca; to the Committee on the Judiciary.

H.R. 3000. A bill for the relief of Dr. Virginia Valenzula; to the Committee on the Judiciary.

By Mr. HARSHA:

H.R. 3001. A bill for the relief of Mary Ednal Younie; to the Committee on the Judicary.

By Mr. JOHNSON of California:

H.R. 3002. A bill for the relief of Mrs. Dora Maben; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 3003. A bill for the relief of Marjorie E. Woodward; to the Committee on the Judiciary.

H.R. 3004. A bill for the relief of Laudalina D. F. Pereira; to the Commmittee on the Judiciary.

H.R. 3005. A bill for the relief of Horacio Perira; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 3006. A bill for the relief of Vincenzo Boscarino; to the Committee on the Judiciary.

H.R. 3007. A bill for the relief of Mrs. Aranka Mlinko; to the Committee on the Judiciary.

H.R. 3008. A bill for the relief of Antonina Mandracchia; to the Committee on the Judiciary.

H.R. 3009. A bill for the relief of Dr. Ivan Dimich and his wife, Dr. Aleksandra Bajsanski Dimich; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 3010. A bill for the relief of Maria Calderon; to the Committee on the Judiciary.

H.R. 3011. A bill for the relief of Genowefa Iwanowska; to the Committee on the Judiciary.

H.R. 3012. A bill for the relief of Rufino Tomas; to the Committee on the Judiciary.

H.R. 3013. A bill for the relief of Irene Mercedes; to the Committee on the Judiciary.

H.R. 3014. A bill for the relief of Mrs. Crescensia Virtudes Escobido; to the Committee on the Judiciary.

H.R. 3015. A bill for the relief of Michael Stephen Valeriote; to the Committee on the Judiciary.

H.R. 3016. A bill for the relief of Ram Johl Singh; to the Committee on the Judiciary.

H.R. 3017. A bill for the relief of Rudolf Kalin; to the Committee on the Judiciary.

H.R. 3018. A bill for the relief of Luciano Vighi, Oliba Vighi, and Claudio Vighi; to the Committee on the Judiciary.

H.R. 3019. A bill for the relief of Gwendolyn Dodsley; to the Committee on the Judiciary.

H.R. 3020. A bill for the relief of Gorgonio B. Policar, Jr., doctor of medicine; to the Committee on the Judiciary.

H.R. 3021. A bill for the relief of Faustino M. Gayo, doctor of medicine; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 3022. A bill for the relief of Dr. Haroon M. Qazi; to the Committee on the Judiciary.

H.R. 3023. A bill for the relief of Mrs. Eleanor D. Morgan; to the Committee on the Judiciary.

H.R. 3024. A bill for the relief of Dr. Benjamin Cruz Atanacio; to the Committee on the Judiciary.

H.R. 3025. A bill for the relief of Anton Sobonja; to the Committee on the Judiciary.

H.R. 3026. A bill for the relief of Dr. Siddiq Nabi; to the Committee on the Judiciary.

By Mr. MACDONALD of Massachusetts:

H.R. 3027. A bill for the relief of Maria Guida; to the Committee on the Judiciary.

H.R. 3028. A bill for the relief of Bahram Ravan; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 3029. A bill to provide for the free entry of one ship model for the use of the Lutheran Church of the Covenant, Maple Heights, Ohio; to the Committee on Ways and Means.

By Mr. POOL:

H.R. 3030. A bill for the relief of Soon Choi; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 3031. A bill for the relief of Mr. and Mrs. Christos Photinos-Svoronos; to the Committee on the Judiciary.

H.R. 3032. A bill for the relief of Mrs. Karen Wood Davila; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3033. A bill for the relief of Miss Hea Ja Kim; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 3034. A bill for the relief of Antonio Lora and his wife, Angela Columna de Lora; to the Committee on the Judiciary.

H.R. 3035. A bill for the relief of Claudio Silvestri; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 3036. A bill to permit the vessel *Janice Vee* to be documented for use in the fisheries and coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of New York:

H.R. 3037. A bill for the relief of Syed Hashim Reza; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 3038. A bill for the relief of Daniel Marin Macias; to the Committee on the Judiciary.

By Mr. VIGORITO:

H.R. 3039. A bill for the relief of Dr. Chul Nam Lee; to the Committee on the Judiciary.

H.R. 3040. A bill for the relief of Mrs. Hae Kyong Han, and her minor children, Myong Suk Lee, Ki Dong Lee, Kyong Dong Lee, and Myong Dong Lee; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 3041. A bill for the relief of Hiroshi Nakao; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 18, 1967

(Legislative day of Thursday, January 12, 1967)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, in whose peace our restless spirits are quieted, take Thou the dimness of our souls away, help Thy servants in this Chamber of governance to lift the difficult decisions of the public service into Thy holy light.

Grant us inner greatness of spirit, purity of heart, and clearness of vision, to meet and match the vast designs of this changing, demanding day, which even across this shaken earth is marching on to its coronation in the affairs of men.

Gird us to meet with the might of righteousness and justice the massed forces of evil loose in the world—

"That we may tell our sons who see the light
High in the heavens, their heritage to take,
I saw the powers of darkness put to flight,
I saw the morning break."

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, January 17, 1967, was approved.

MESSAGE FROM THE PRESIDENT

A message from the President of the United States, submitting nominations, was communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations, which were referred to the Committee on Public Works.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

PROPOSED VISIT OF PRESIDENT EDUARDO FREI OF CHILE TO THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for an additional minute or so beyond the 3-minute limitation.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is not usual for me to comment on political developments in governments of friendly nations. On yesterday, however, a disturbing event occurred in Santiago de Chile which seems to bear a most unfortunate relationship to this Nation.

According to press reports, the Cabinet of President Eduardo Frei sought to resign en bloc in apparent protest of a decision of the Chilean Senate not to give the President permission to visit the United States next month. This refusal, I regret to note, has been generally interpreted as an expression of antagonism toward the United States.

I hope, Mr. President, that that is not the case. There do not appear to be any questions in United States-Chilean relations which are so heated as to bring about an action of this kind, and if there were, the action would be even more inexplicable. After all, our two countries are not strangers. We have lived together and worked together in this hemisphere for a long time. Whatever difficulties there may be in Chilean-United States relations, they will hardly be resolved by indirection, by inferred expressions of displeasure or hostility. They will be met, may I say most respectfully to my Senate colleagues in Santiago, by an honest coming together, by a direct confrontation of views, by a measure of mutual forbearance which is to be expected in the light of the long and peaceful association of Chile and the United States in the affairs of the Western Hemisphere.

That attitude, I had assumed, was expected to prevail as a basis for the scheduled visit of President Frei with President Johnson in February. On the part of the United States, may I say, the invitation to President Frei was primarily an expression of friendship and respect for the people of Chile and their institutions. It would also, of course, have provided a setting for a frank discussion. Quite apart from any other effects, therefore, the cancellation of the visit will represent a lost opportunity for such a discussion. That is regrettable, for both Chile and the United States.

Mr. President, this situation is most unusual in that it involves not only the United States and Chile but also colleagues in the Senate of a friendly country. I have felt free, therefore, to direct my remarks to the latter on a matter which is probably of more direct concern to the diplomats of both countries. I trust that my comments on the situation will not be deemed offensive in any manner to the Chilean Senators.

In all humility, I ask my peers in Chile whether it would be possible to reconsider the question, so that the meeting of the two Presidents may take place as planned. I reiterate, all problems of Chilean-United States relations are soluble if we face them and each other in honesty and forbearance. None can be resolved if we turn back to back in anger.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. Mr. President, may I have my 3 minutes now?

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The Senator may.

Mr. JAVITS. I am glad to say to the Senator from Montana that I believe this is one of the finest things he has ever done in the Senate.

I know the Chilean situation personally. I was there more than once. Indeed, I was the senior official present, on the ground, in the political crisis that brought President Frei to the point where he could be elected, which was 3 years ago. I know something about the

Chilean Senate. I believe this is strictly an internal political situation.

I should like to support such an appeal, for whatever it means—and I hope it is meaningful to the Chileans, for whom I have attempted to work. I should like to support the majority leader in his plea to the Chilean Senate, that whatever may be their feelings about their internal situation, this is bound to be construed in the United States as something of a reservation about whether their President should visit us.

President Frei is the leading Christian Democratic statesman of Latin America, devoted to Latin American economic integration and to what I believe every American would consider the finest relations with our country. He has by no means always been on our side. On the contrary, he has often been extremely critical and has taken actions which many Americans would regard as representing the Chilean policy, not our policy. He is an extraordinarily gifted leader for peace and for the values in life and in government which we esteem so highly.

As I have said, I know something about the situation. I am confident that it does not actually, substantively have any overtones unfriendly to the United States, but it is bound to be so construed. I join with the Senator from Montana in his plea to our Chilean parliamentary colleagues.

There is a great deal of sentiment in Latin America to organize a parliamentary association of the Americas, which would bring us together in a rather common bond, such as we have, for example, with the European countries in the North Atlantic Assembly.

I hope, Mr. President, that the Chilean Senate will listen to the gifted words of our distinguished majority leader, and that there may be truly a reevaluation from the heart of what this means and why the President should, rather than should not, be permitted to visit here.

I thank the Senator.

INCREASING MEMBERSHIP OF JOINT ECONOMIC COMMITTEE—REPORT OF COMMITTEE

Mr. PROXMIRE. Mr. President, from the Banking and Currency Committee, I report favorably, without amendment, S. 376, which is a bill to expand the Joint Economic Committee from 16 to 20 members, one member being added from the Senate and the House from each party, so that there will be four additional members.

I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (S. 376) fixing the representation of the majority and minority members of the Joint Economic Committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 376) was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 376

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the Employment Act of 1946 (15 U.S.C. 1024(a)) is amended to read as follows:

"(a) There is established a Joint Economic Committee, to be composed of ten Members of the Senate, to be appointed by the President of the Senate, and ten Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by six members and the minority party shall be represented by four members."

CONTINUATION OF CERTAIN STUDIES AND INITIATION OF OTHERS—REPORT OF A COMMITTEE (S. REPT. NO. 3)

Mr. MONRONEY, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 43) authorizing the continuation of certain studies and the initiation of others, and submitted a report thereon, which report was ordered to be printed, and the resolution was referred to the Committee on Rules and Administration, as follows:

S. Res. 43

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) the postal service, including studies of mechanization, modernization, personnel policies, utilization of manpower, hours, wages, work schedules, and management techniques, designed to improve postal service in the United States;

(2) postal rates, including ascertainment of costs and assignment of costs to the various classes of mail, the possibility of increased rates for first, second, third and fourth class mail;

(3) the Federal civil service, including salary adjustments in compliance with the Federal Salary Reform Act of 1962, insurance, and retirement benefits, and general consideration of legislation to improve the quality of Federal employment and Federal personnel policies and practices;

(4) committee jurisdiction concerning the census and the collection of statistics.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, until January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments and agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $225,000, shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO MAKE CERTAIN INVESTIGATIONS—REPORT OF A COMMITTEE (S. REPT. NO. 4)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original resolution (S. Res. 45) authorizing the Committee on Banking and Currency to make certain investigations, and submitted a report thereon, which report was ordered to be printed, and, under the rule, the resolution was referred to the Committee on Rules and Administration, as follows:

S. Res. 45

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulations;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

Sec. 2. For the purposes of this resolution the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee, under this resolution, which shall not exceed $188,300, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING AND URBAN AFFAIRS—REPORT OF A COMMITTEE (S. REPT. NO. 5)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original resolution (S. Res. 46) authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs, including urban mass transportation, and submitted a report thereon, which was ordered to be printed, and the resolution was referred to the Committee on Rules and Administration, as follows:

S. Res. 46

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing and urban affairs, including urban mass transportation.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency:

William B. Camp, of Maryland, to be Comptroller of the Currency.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 454. A bill for the relief of Richard K. Jones; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 455. A bill for the relief of Eftihia Evmorfouchikou;

S. 456. A bill for the relief of Raymound Ku; and

S. 457. A bill for the relief of Miss Fructuosa Gonzales; to the Committee on the Judiciary.

S. 458. A bill to provide for periodic congressional review of Federal grants-in-aid to States and to local units of government; to the Committee on Government Operations.

By Mr. MUNDT (for himself, Mr. Carlson, Mr. Hruska, Mr. Miller, Mr. Curtis, Mr. Symington, Mr. Long of Missouri, and Mr. Young of North Dakota):

S. 459. A bill to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program; to the Committee on Public Works.

(See the remarks of Mr. Mundt when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 28, 1967, for additional cosponsors.)

By Mr. YOUNG of North Dakota (for himself and Mr. Burdick):

S. 460. A bill to authorize Federal assistance for the construction by public school districts of classroom facilities needed for the education of Indian children who reside outside the boundaries of the district; to the Committee on Interior and Insular Affairs.

By Mr. HILL (for himself and Mr. Sparkman):

S. 461. A bill for the relief of Gustavo Eugenio Gomez;

S. 462. A bill for the relief of Dr. Jesus L. Lastra;

S. 463. A bill for the relief of Eladio Ruiz DeMolina;

S. 464. A bill for the relief of Dr. Guillermo N. Hernandez, Jr.; and

S. 465. A bill for the relief of Dr. Mario Guillermo Martinez; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 466. A bill for the relief of Victor Abadi; to the Committee on the Judiciary.

By Mr. SCOTT (for himself, Mr. Dominick, Mr. Allott, Mr. Bennett, Mr. Case, Mr. Fannin, Mr. Javits, Mr. Kuchel, Mr. Morton, and Mr. Tower):

S. 467. A bill to provide for a study with respect to the utilization of systems analysis and management techniques in dealing with problems relating to unemployment, public welfare, education, and similar problems; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 20, 1967, for additional cosponsors.)

By Mr. WILLIAMS of Delaware (for himself, Mr. Aiken, Mrs. Smith, and Mr. Proxmire):

S. 468. A bill to amend the Internal Revenue Code of 1954 to limit the maximum rate of percentage depletion to a rate of 20 percent; to the Committee on Finance.

By Mr. BAYH:

S. 469. A bill to amend section 416(b) of the Federal Aviation Act of 1958; to the Committee on Commerce.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH (for himself, Mr. Dirksen, Mr. Hartke, and Mr. Percy):

S. 470. A bill granting the consent and approval of Congress to the Illinois-Indiana air pollution control compact; to the Committee on the Judiciary.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. BURDICK:

S. 471. A bill for the relief of the Swanston Equipment Co.;

S. 472. A bill for the relief of Dr. Eugene B. Finch;

S. 473. A bill for the relief of Dr. Edward Ting Liu;

S. 474. A bill for the relief of Jane Jast Delorme;

S. 475. A bill to provide an additional place for holding court in the district of North Dakota; and

S. 476. A bill to amend the Immigration and Nationality Act, as amended, to permit the free entry of citizens of the Trust Territory of the Pacific Islands into the United States; to the Committee on the Judiciary.

By Mr. BURDICK (for himself and Mr. Young of North Dakota):

S. 477. A bill for the relief of the widow of Albert M. Pepoon; to the Committee on Post Office and Civil Service.

By Mr. CASE:

S. 478. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Harold Braun, of Montclair, N.J.; to the Committee on the Judiciary.

By MOSS (for himself, Mr. Allott, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Carlson, Mr. Case, Mr. Church, Mr. Clark, Mr. Curtis, Mr. Dodd, Mr. Ervin, Mr. Gruening, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hill, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. Kuchel, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Morse, Mr. Mundt, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Smathers, Mrs. Smith, Mr. Symington, Mr. Tower, Mr. Tydings, and Mr. Yarborough):

S. 479. A bill to provide for the flying of the American flag over the remains of the U.S. ship *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941; to the Committee on Armed Services.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE:

S. 480. A bill for the relief of Nicolae Calinescu; and

S. 481. A bill for the relief of Lubomira Chodakiewicz (Luba Hodakievic); to the Committee on the Judiciary.

By Mr. JAVITS (for himself, Mr. Baker, Mr. Carlson, Mr. Cooper, Mr. Dominick, Mr. Scott, and Mr. Young of North Dakota):

S. 482. A bill to establish a system for the sharing of certain Federal revenues with the States; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS (for himself, Mr. Aiken, Mr. Burdick, Mr. Cannon, Mr. Cooper, Mr. Cotton, Mr. Eastland, Mr. Gruening, Mr. Hickenlooper, Mr. Javits, Mr. Jordan of Idaho, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Metcalf, Mr. Miller, Mr. Murphy, Mr. Muskie, Mr. Prouty, Mr. Scott, Mr. Williams of Delaware, and Mr. Young of North Dakota):

S. 483. A bill to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of any veterans' facility, and to provide for at least one Veterans' Service Center in each State, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 484. A bill to authorize the detention of certain persons charged in the District of Columbia with the commission of an offense punishable as a felony, and for other purposes; to the Committee on the District of Columbia.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 485. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 486. A bill for the relief of Todorka Janicijevic; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 487. A bill to amend the Mineral Leasing Act of 1920 in order to provide for public records of oil and gas leases issued under such act and other instruments affecting title to such leases, and for other purposes; and

S. 488. A bill relating to membership in Indian tribal organizations; to the Committee on Interior and Insular Affairs.

S. 489. A bill for the relief of Jesus Jose Escobar (also known as Joe Orosco); and

S. 490. A bill for the relief of R. Carl Britt; to the Committee on the Judiciary.

By Mr. ALLOTT (for himself and Mr. DOMINICK):

S. 491. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; and

S. 492. A bill to determine the rights and interest of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

S. 493. A bill for the relief of Mrs. Hae Kyong Han, and her minor children Mysong Suk Lee, Ki Dong Lee, and Kyong Dong Lee; and

S. 494. A bill for the relief of Dr. Chul Nam Lee; to the Committee on the Judiciary.

By Mr. McGEE (by request):

S. 495. A bill for the relief of Mrs. Mary Conger; to the Committee on the Judiciary.

By Mr. McGEE:

S. 496. A bill for the relief of Bing Hung Leo;

S. 497. A bill for the relief of Robert L. Miller and Mildred M. Miller; and

S. 498. A bill to determine the claims of certain prisoners of war permanently disabled, and to confer jurisdiction upon the Court of Claims in the event of disagreement as to such claims; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 499. A bill for the relief of Dr. Manuel A. Zuniga;

S. 500. A bill for the relief of Dr. Eduardo Sixto Dieguez-Santiesteban;

S. 501. A bill for the relief of Dr. Fernando O. Garcia-Hernandez; and

S. 502. A bill for the relief of Wing Wong; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 503. A bill for the relief of Dr. Angel Reaud, also known as Angel Reaud Ramos Izquierdo; to the Committee on the Judiciary.

By Mr. McGEE:

S. 504. A bill to amend the Communications Act of 1934 to make unlawful the transmission over a telephone system of any recorded message which does not identify the subscriber through whose telephone such message was transmitted, and for other purposes; to the Committee on Commerce;

S. 505. A bill for the relief of the Hanover Irrigation District of Worland, Wyo.; and

S. 506. A bill for the relief of Leonard F. Rizzuto; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. HANSEN):

S. 507. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such Act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGEE when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. COTTON, and Mr. WILLIAMS of New Jersey):

S. 508. A bill to promote the development of nuclear-powered merchant ships; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 509. A bill to provide for the free entry of a variable pressure water channel for the use of the Stevens Institute of Technology; to the Committee on Finance.

By Mr. WILLIAMS of New Jersey (for himself and Mr. KUCHEL):

S. 510. A bill providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934; to the Committee on Banking and Currency.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 511. A bill to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes; to the Committee on Banking and Currency; and

S. 512. A bill to amend section 13a of the Interstate Commerce Act, relating to the discontinuance or change of certain operations or services of common carriers by rail, in order to require the Interstate Commerce Commission to give full consideration to all financial assistance available before permitting any such discontinuance or change; to the Committee on Commerce.

(See the remarks of Mr. WILLIAMS of New Jersey when he introduced the above bills, which appears under a separate heading.)

(NOTE.—The above bills were ordered to be held at the desk until January 25, 1967, for additional cosponsors.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. METCALF, Mr. BREWSTER, Mr. KENNEDY of Massachusetts, Mr. RANDOLPH, Mr. YARBOROUGH, and Mr. LONG of Missouri):

S. 513. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Labor and Public Welfare.

(See the remarks by Mr. WILLIAMS of New Jersey when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until January 28, 1967 for additional cosponsors.)

By Mr. METCALF (for himself, Mr. MANSFIELD, Mr. BURDICK, Mr. CLARK, Mr. DODD, Mr. GRUENING, Mr. INOUYE, Mr. KENNEDY of New York, Mr. McCARTHY, Mr. McGEE, Mr. MONDALE, Mr. NELSON, Mr. PELL, Mr. RIBICOFF, Mr. TYDINGS, Mr. YARBOROUGH, and Mr. YOUNG of Ohio):

S. 514. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. METCALF when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until January 28, 1967 for additional cosponsors.)

By Mr. BURDICK:

S.J. Res. 19. Joint resolution providing for the establishment of an annual National Farmers Week; to the Committee on the Judiciary.

By Mr. McGEE:

S.J. Res. 20. Joint resolution to determine the susceptibility of minerals to electrometallurgical processes, and for other purposes; to the Committee on Interior and Insular Affairs.

CONCURRENT RESOLUTION FAVORING CERTAIN ACTIONS BY THE UNITED NATIONS ON THE BALTIC QUESTION

Mr. ALLOTT submitted the following concurrent resolution (S. Con. Res. 3) favoring certain action by the United Nations on the Baltic question, which was referred to the Committee on Foreign Relations:

S. CON. RES. 3

Whereas the Communist regime did not come to power in Lithuania, Latvia, and Estonia by legal or democratic processes; and

Whereas the Soviet Union took over Lithuania, Latvia, and Estonia by force of arms; and

Whereas Lithuanians, Latvians, and Estonians desire, fight, and die for their national independence; and

Whereas the Government of the United States of America maintains diplomatic relations with the Governments of the free Baltic Republics of Lithuania, Latvia and Estonia and consistently has refused to recognize their seizure and forced "incorporation" into the Soviet Union; and

Whereas the select committee of the House of Representatives created by H. Res. 346 of the Eighty-third Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia, and Estonia was contrary to established principles of international law; and

Whereas the opinion of the free nations and the free people of the world is to eliminate any kind of colonialism and imperialism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate and House of Representatives of the United States of America request the President of the United States to bring the Baltic States question before the United Nations and ask the United Nations to request the Soviet Union to do the following:

(1) To withdraw all Soviet troops, secret police, agents, colonists, and all controls from Lithuania, Latvia, and Estonia;

(2) To return to their homes all Baltic exiles and deportees from Siberia, prisons, and slave-labor camps in the Soviet Union; and be it further

Resolved, That the United Nations conduct free elections in Lithuania, Latvia, and Estonia under its supervision and punish all Russian Communists who are guilty of crimes against the peoples of the Baltic States.

RESOLUTIONS

CONTINUATION OF CERTAIN STUDIES AND INITIATION OF OTHERS

Mr. MONRONEY, from the Committee on Post Office and Civil Service, reported an original resolution (S. Res. 43) authorizing the continuation of certain studies and the initiation of others, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MONRONEY,

which appears under the heading "Reports of Committees.")

STUDY OF MIGRATORY LABOR

Mr. **WILLIAMS** of New Jersey submitted the following resolution (S. Res. 44); which was referred to the Committee on Labor and Public Welfare:

S. Res. 44

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to migratory labor including, but not limited to, such matters as (a) the wages of migratory workers, their working conditions, transportation facilities, housing, health, and educational opportunities for migrants and their children, (b) the nature of and the relationships between the programs of the Federal Government and the programs of State and local governments and the activities of private organizations dealing with the problems of migratory workers, and (c) the degree of additional Federal action necessary in this area.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORITY FOR CERTAIN INVESTIGATIONS BY COMMITTEE ON BANKING AND CURRENCY AND ADDITIONAL FUNDS THEREFOR

Mr. **SPARKMAN**, from the Committee on Banking and Currency, reported an original resolution (S. Res. 45) authorizing the Committee on Banking and Currency to make certain investigations, and to provide additional funds therefor, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Sparkman, which appears under the heading "Reports of Committees.")

INVESTIGATION OF MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING AND URBAN AFFAIRS

Mr. **SPARKMAN**, from Committee on Banking and Currency, reported an original resolution (S. Res. 46) authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs, including urban mass transportation, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Sparkman, which appears under the heading "Reports of Committees.")

MINORITY PARTY'S MEMBERSHIP ON SELECT COMMITTEE ON SMALL BUSINESS

Mr. **DIRKSEN** submitted a resolution (S. Res. 47) relating to the minority party's membership on the Select Committee on Small Business for the 90th Congress, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Dirksen, which appears under a separate heading.)

MISSOURI RIVER BASIN PROGRAM

Mr. **MUNDT**. Mr. President, I send to the desk a bill to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program. I introduce this bill on behalf of myself and Senators Carlson, Hruska, Miller, Curtis, Symington, Long of Missouri, and Young of North Dakota, and ask that it lie on the desk for 10 days for additional cosponsors.

The **PRESIDING OFFICER**. Without objection, the bill will be held at the desk, as requested by the Senator from South Dakota.

Mr. **MUNDT**. Mr. President, I wish to point out that the Missouri River Basin development program is something which in its magnitude was unique in American history because it brought together in happy harmony on a major project for virtually the first time two great agencies of Government, the U.S. Army Corps of Engineers and the Bureau of Reclamation, working together to produce the many dividends of a multipurpose dam for the people of the United States.

Gen. Lewis A. Pick was a distinguished military leader before he assumed control of the Omaha office of the Corps of Engineers and through his efforts and those of Mr. Glenn Sloan, of the Bureau of Reclamation office in Billings, Mont., a series of meetings were held in a 10-State area of the heartland of this country and a formula of cooperation was developed.

Mr. President, it seems fitting and proper that their names should be identified with this unique and highly constructive American project.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 459) to designate the comprehensive Missouri River Basin development program as the Pick-Sloan Missouri Basin program, introduced by Mr. Mundt (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

IMPROVED AIR ACCESS FOR SMALLER CITIES

Mr. **BAYH**. Mr. President, I introduce for appropriate reference a bill to amend the Federal Aviation Act of 1958.

The amendment—identical to S. 3317 which I offered on May 5, 1966—would broaden the scope of section 416 of the act by assisting efforts of smaller cities to improve their access to air service.

The Civil Aeronautics Board would be authorized to grant temporary certificates of service to local service carriers along routes which trunk airlines have petitioned for termination of service. Two specific benefits would result from the amendment:

First. It would permit continuation of adequate air service during the extended period—usually 2 to 4 years—in which the Civil Aeronautics Board is adjudicating the petition for cessation of service. This is necessary because by the time a trunk airline has petitioned for termination of service, it has usually reduced its flights along the route in question to the legal minimum of one a day.

Second. It would permit local service carriers to accumulate information based on experience along the route. Thus, when the Civil Aeronautics Board must decide whether to replace the trunk carrier with a local service carrier, it can do so based on actual experience, not mere assumptions. It should be emphasized that during the temporary period, the local service carrier would not be entitled to any subsidy for the route in question. Rather, it would fly the route on a use-it-or-lose-it basis.

Let me cite an example which will illustrate how this amendment would work. Terre Haute, Ind., is on a trunkline segment between Indianapolis and St. Louis. The once-adequate schedules declined to one flight a day in each direction at quite inconvenient times. The trunkline petitioned the CAB to delete Terre Haute on this flight. During the 3 years involved in deciding this case, the city of Terre Haute had woefully inadequate service, passengers who normally would have used the airline turned to other means of travel to Indianapolis, St. Louis, and elsewhere. No justification could be introduced into the case to show that a local service carrier could generate the passengers needed to operate on this route without requiring subsidy.

Under the amendment that I am introducing today, the CAB would have the authority to issue a temporary certificate to a local service carrier to fly this route during the period when the trunkline petition was being considered. Thus, Terre Haute or any other similar city would be able to introduce into the record of the case specific statistics to justify the substitution of another carrier for the trunkline along the route in question. While the case is proceeding, the city involved would enjoy the benefit of better schedules and more frequent flights.

This amendment would in no way interfere with the city's presentation of a case to retain a presently operating carrier. The CAB would have before it the issue of whether or not a present carrier should be deleted. The CAB could decide that the present carrier should remain at the point in question, and could further determine that it should upgrade its level of service.

Mr. President, Congress presently is taking a hard look at the question of subsidy to the local service airline industry. The distinguished Senator from Oklahoma has conducted hearings on the industry's position in the Nation's pattern of air service. Many witnesses have pointed out the need for strengthening the route patterns of the industry, thus greatly reducing the subsidy requirements of the carriers. All of us are very conscious of the need to reduce any unnecessary expenditure, and look forward to the time when the industry will be able to operate with little or no Federal subsidy but still provide the services to our smaller communities for which the carriers were created.

This amendment would be of great benefit to smaller cities in their efforts to maintain and improve air service. It would benefit the carriers and at the same time provide information for the CAB insuring that public convenience and necessity are being protected in the deletion proceedings.

It seems to me, Mr. President, that in the not-too-distant future, we are going to be confronted with many cases in which trunk airlines may wish to terminate service to smaller cities.

More and more, the trunklines are replacing aircraft suited to short-haul service with jets and other aircraft which make the once-profitable short-haul flights clearly uneconomical.

On the other hand, local service carriers have smaller planes and considerably less overhead. Certainly, they deserve the opportunity, during a trial period, to demonstrate whether they are capable of providing adequate service without loss along routes no longer profitable to the trunk airlines.

In the public interest, Mr. President, I suggest that serious consideration be given to this amendment.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 469) to amend section 416(b) of the Federal Aviation Act of 1958, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Commerce.

NATIONAL COMMISSION ON PUBLIC MANAGEMENT

Mr. SCOTT. Mr. President, on behalf of the Senator from Utah [Mr. BENNETT], the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from New Jersey [Mr. CASE], the Senator from Arizona [Mr. FANNIN], the Senator from New York [Mr. JAVITS], the Senator from California [Mr. KUCHEL], the Senator from Kentucky [Mr. MORTON], the Senator from Texas [Mr. TOWER], and myself, I introduce for appropriate reference a bill to establish a National Commission on Public Management.

Mr. President, I ask unanimous consent that the text of my bill be printed at the conclusion of my remarks, and that the bill lie on the desk for 2 additional days for additional cosponsors.

The mandate of the Commission would be to answer two substantial questions: Can the assistance approach contribute to the solution of these problems; and, if so, how best can it do the job?

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, the Commission's task would be to investigate the applicability of modern management analysis techniques, the so-called systems analysis approach, to the solution of such pressing economic and social problems as education, unemployment, welfare, crime, juvenile delinquency, air pollution, housing, transportation, and waste disposal.

The Commission's mandate would be to answer two fundamental questions: Can the systems approach contribute to the solution of these problems? If so, how can it best do the job?

The Commission, to be composed of representatives of Government, business, labor, and education, would:

First. Define a social and economic problem to which the application of the systems approach appears to hold promise.

Second. Examine the many modern management techniques currently being used in the aerospace industry to ascertain which are best suited for application to these problems and what modifications may be required.

Third. Determine the proper relationship between public and private investment in these areas, including the degree of public involvement and the best procedures for governmental support and funding.

Fourth. Decide on the optimum organizational relationships among several levels of governmental authorities.

Fifth. Explore the roles of small business and organized labor in the application of these new management techniques.

Sixth. Assess the potential contributions of the universities toward resolving public management problems.

The Commission's tenure would be 2½ years. At the conclusion of its study, the Commission would submit a report outlining explicit plans, including case examples, for applying particular management technology to specific public problems. This report would also contain recommendations for legislative and administrative action at all levels of government to facilitate the application of these techniques.

I urge early consideration of my bill.

The bill (S. 467) to provide for a study with respect to the utilization of systems analysis and management techniques in dealing with problems relating to unemployment, public welfare, education, and similar problems introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 467

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CREATION OF COMMISSION

SECTION 1. In order to study and recommend the manner in which modern systems analysis and management techniques may be utilized to resolve problems relating to unemployment, public welfare, education and similar national and community problems in the nondefense sector, there is hereby established a National Commission on Public Management (hereafter in this Act referred to as the "Commission"), under the general supervision and direction of the Secretary of Labor.

MEMBERSHIP OF THE COMMISSION

SEC. 2. The Commission shall be composed of a Chairman, a Vice Chairman, and eleven other members to be appointed by the President, by and with the advice and consent of the Senate. Members of the Commission shall be individuals concerned with the subject matter to be studied by the Commission, including individuals with experience derived from government, business, the labor movement, or from teaching and research.

DUTIES OF THE CHAIRMAN AND VICE CHAIRMAN

SEC. 3. (a) The Chairman shall be responsible for calling regular quarterly meetings of the Commission and other special meetings as he deems necessary. The Chairman shall determine the time, place, and agenda for each regular or special meeting.

(b) The Vice Chairman shall act in the Chairman's absence.

QUORUM

SEC. 4. Seven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) Members of the Commission, other than officers or employees of the Federal Government, shall receive compensation at the rate of $75 per diem while engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

(b) Any members of the Commission who are officers or employees of the Federal Government shall serve on the Commission without compensation, but such members shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Commission.

STAFF

SEC. 6. (a) The Commission may appoint an Executive Director and such other personnel as it deems advisable. The Executive Director shall be the chief staff member of the Commission and shall be responsible to the Commission for the direction of its staff. The annual compensation for the Executive Director shall be $28,500.

(b) The Commission may procure temporary and intermittent services in accordance with section 3109 of title 5, United States Code, but at rates not to exceed $75 per day.

EXPENSES OF THE COMMISSION

SEC. 7. There are hereby authorized to be appropriated such sums as may be necessary, but not exceeding $500,000 in the aggregate, to carry out the provisions of this Act during the initial year of Commission operation.

DUTIES OF THE COMMISSION

SEC. 8. The Commission shall concern itself with the management of the public business and shall give attention to the development, dissemination, and implementation of modern management technology and analysis of the systems interrelationships involved in public business problems. The Commission, in the performance of its duties, shall:

(1) Develop information on the method-

ology of the systems approach and its applications.

(2) Analyze the possible application to public programs of such recognized management planning and control techniques as operations analysis and research, econometrics, mathematical programing and modeling, simulation, project management, and the utilization of automatic data processing devices and procedures for program control and information systems.

(3) Determine and categorize the national and community problems to which the application of such techniques offers the greatest promise of solution.

(4) Assess the proper relationship between governmental and private investment to obtain the most effective application of the techniques involved.

(5) Make recommendations to the executive and legislative branches of the Federal Government regarding data requirements, management techniques, and systems interrelationships in the formulation of legislation.

(6) Conduct studies into unemployment, public welfare, education, and other specific problem areas and make recommendations.

(7) Schedule seminars, symposia, and prepare publications to expand public knowledge of and stimulate the use of modern management technology.

(8) Encourage the Nation's best talent in government, labor, university, and private enterprise to study public management problems and to participate in the improvement and extension of modern management technologies and their application to public problems.

(9) Analyze alternative methods and make recommendations of Federal, State, and local governmental support and encouragement of the application of modern management technology to public problems through the use of various contracting procedures, grants, loans, cost allowances, and tax incentives.

REPORTS

SEC. 9. (a) Within one year after the first meeting of the Commission it shall submit to the President and the Congress a preliminary report on its activities with particular emphasis on the plan for the study and investigation provided for in section 8 and any activities undertaken to carry out such plan, including an estimated budget for the remainder of the life of the Commission.

(b) Within thirty months after such first meeting the Commission shall submit to the President and the Congress a final report on its study and investigation which shall include its recommendations and such proposals for legislation and administrative action as may be necessary to carry out its recommendations.

(c) In addition to the preliminary report and final report required by this section, the Commission may publish such interim reports as it may determine, including but not limited to consultants' reports, transcripts of testimony, seminar reports, and other Commission findings.

POWERS OF THE COMMISSION

SEC. 10. (a) The Commission or, on the authorization of the Commission, any subcommittee or member threeof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpena may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such Chairman or member. The provisions of sections 102 to 104, inclusive, of the Revised Statutes (U.S.C. title 2, secs. 192–194), shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman.

(c) The Commission is authorized to hold seminars or informal conferences as it deems appropriate to provide a forum for discussion of the application of modern systems analysis and management techniques to the solution of national community problems.

TERMINATION

SEC. 11. On the sixtieth day after the date of its submission of its final report to the President, the Commission shall terminate and all offices and employment therein shall expire.

Mr. SCOTT. Mr. President, I yield to the Senator from Colorado [Mr. DOMINICK].

Mr. DOMINICK. Mr. President, I commend the Senator from Pennsylvania [Mr. SCOTT] in taking the lead in what I think is a most important objective.

Mr. President, we are living in an age of rapidly advancing scientific and technical knowledge. Major problems are confronted, and conquered daily, and feats once thought impossible have become a matter of routine. We are proud of this progress and the many tangible benefits that it has given us. It does seem ironic though that where we have such a wealth of knowledge it can be ignored in providing solutions to some of the major problems of our country.

Private industry has developed, tested, and successfully used new systems of management and administration in order to cope with monstrous industrial problems. Private enterprise has acquired an expertise in dealing with its problems that the Federal Government has never been able to do. Private enterprise has shown that practical solutions can be provided to many problems while the problems of the Federal Government have increased. Private enterprise has found that major problems can be effectively eliminated by early analysis and quick action while the Federal Government has found that national problems are only complicated by inaction.

As the Federal Government has expanded into fields once a matter of regional concern, it has often left untapped the knowledge of private industry in these fields. Instead we should be utilizing the expertise which is available in industry and our universities to find solutions.

Even as State governments are recognizing the importance of revitalizing governmental structures by modernizing approaches, we continue to waste money and set up inefficient programs directed toward our complex problems. We have ignored the fact that there are now new tools at our command which will streamline the solutions, bring about success more rapidly, and which will cut down on Federal control in areas better left to other sectors of our political and economic life.

If we consider some of the feats of private industry, we can readily appreciate their accomplishments. The aerospace companies have been able to envision, design, construct, assemble, and fly missiles which can put men in orbit around the earth. The automobile industry in the United States built almost 9 million cars last year. These were tasks which required a thorough analysis of the total project to be done and the utmost in preparation and coordination of men, materials, and machines. Surely some of this great systems management and engineering ability could be used to find solutions to our domestic problems.

We have sometimes appropriated funds for programs which I felt, though laudable in their goals, were hastily conceived; only to find later that the rapid and economical solutions which we desired were not obtained. The appropriation of funds without a clear and thoughtful plan for solving the problem will not guarantee a solution. This is why a program of systems management is needed.

Among the national problems we must consider are air pollution which has become a menace to our health; water pollution which has destroyed the usefulness of many of our streams; slum housing which is often unfit for human occupancy; traffic which has clogged our roads and made driving a hazard; welfare which might be distributed more equitably among the poor and law-enforcement techniques which must be improved.

We are in need of a small, centralized, and coordinated group which can thoroughly study these national problems and make sound recommendations for prompt, efficient and economical solutions.

This bill, entitled "A National Commission on Public Management," proposes that a Commission be appointed by the President in order to study and recommend the best way to use modern systems analysis techniques to solve our domestic problems. This Commission would use the best minds in the field of management technology to work on our problems of national interest. The Commission could draw from the experience of State governments which have tackled their local problems in a similar manner. There are presently many educators capable of doing this job. There are experts in private industry, where the system analysis techniques have been used for years, from whom the Commission could draw.

Mr. President, we have the opportunity through the National Commission on Public Management to revolutionize our political approach to vital national problems. The significance of this example of political creativity will go far beyond the mere consideration of our scientific advances. We must set forth our desire to honestly meet and solve the problems and encourage our citizens that finally we are going to employ the tools which are necessary. This commission will provide the basis for an effective attack and, in keeping with the mood of the times, will help us to grow in effectiveness without necessarily growing in cost.

Mr. President, I also wish to point out to Senators that we will have a series of hearings conducted by the Senator from Wisconsin [Mr. Nelson], commencing on January 24, 1967, in which this bill and a bill which he previously introduced will be considered, and additional evidence on the need for this legislation will be considered.

I wish to congratulate the Senator from Pennsylvania [Mr. Scott] for his leadership in this field.

Mr. SCOTT. I thank the Senator from Colorado [Mr. Dominick].

ILLINOIS-INDIANA AIR POLLUTION CONTROL COMPACT

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to grant the consent and approval of Congress to the Illinois-Indiana air pollution control compact. This agreement, which has been negotiated by the authorities of these two States and has been adopted by their respective legislatures, is fully in accord with and would enable these governments to implement national policy and goals in this vital area.

Increasing awareness of air pollution problems has resulted in congressional action designed to combat it. The Clean Air Act, as amended, provides the Nation with tools with which we can begin to purify our atmosphere. A key provision of this law encourages the creation of agreements between States for air pollution abatement purposes. Such compacts are important weapons in our antipollution arsenal because much of our Nation's population is located in rapidly expanding metropolitan areas whose pollutants frequently cross boundary lines of local jurisdiction and often may extend into two or more States.

Such a situation clearly exists in the Indiana-Illinois region. Beginning in the northern suburbs of Chicago, swinging in an arc through that great metropolis and around the southern tip of Lake Michigan, and encompassing the cities of Hammond, East Chicago, Gary, and other incorporated municipalities of Indiana, is one of the most densely populated and highly industrialized areas of the world. Any person familiar with this complex grouping of communities realizes that it would be futile to attempt to combat air pollution in any one of them without taking similar action in adjacent cities and counties.

The States of Illinois and Indiana have declared that air pollution is a potential hazard to human, animal, and plant life. Laws have been enacted by both States creating an Interstate Air Pollution Control Commission to prevent pollution originating in one from injuriously affecting life and property in the other. Let me summarize briefly the major features of this agreement.

Article I proclaims that, because air pollution is a potential hazard, the two States will cooperate in its control and abatement. The stated purpose of the agreement is to prevent pollution originating in one State from injuriously affecting life and property in the other State.

Article II defines air pollution as the presence of matter in sufficient quantity in the air to be injurious to human, plant, or animal life, to property, or to cause human discomfort.

Article III describes the organization of the Interstate Air Pollution Control Commission. Seven members shall be appointed by each State Governor. The State health agency and the State air pollution control agency, as well as industry, labor, and local government, will each be represented by one commissioner and two will come from the general public. All commissioners, except the State government representatives, will have 4-year terms. The State government members, who are ex officio will serve on the commission as long as they hold office. The commission will annually choose from its members both a chairman and a vice chairman. A majority of each State's delegation will constitute a quorum, and no action taken by the commission will be binding unless approved by at least four commissioners from each State. The commission is vested with powers to conduct its business and to employ necessary personnel, and it has the responsibility of reporting to the States once a year.

Article IV empowers the commission to conduct studies and make reports on air pollution problems and to recommend corrective action. If its recommendations for prevention or abatement have not been implemented within 6 months, the commission is authorized to hold hearings on the subject and can issue orders to correct the nuisance. Compliance with the orders of the commission is made the duty of the party against whom charges are made in case of dispute, and enforcement may be secured by the commission through an action commenced in any court of competent jurisdiction.

Article V outlines hearing procedures and provides for the right of judicial review of commission orders.

Article VI gives the commission and its duly designated officers the right to enter, at reasonable times, either public or private property, for the purpose of inspecting sources of air pollution.

Article VII grants the power to establish advisory and technical committees which would further the work of the commission.

Article VIII states that the compact authorization does not alter or abolish the power of the party States to individually enact and enforce air pollution laws which are not inconsistent with the compact.

Article IX provides for the financing of commission activities and requires the keeping of accurate accounts.

Article X would continue the compact in force until it is expressly repealed by either party, but no repeal act could be effective until 1 year after its adoption.

Article XI is the traditional severability clause, stating that in the event any one part of the compact should be declared invalid or should be repealed, the remainder of the agreement shall still be in force.

This agreement is in direct response to the intent and spirit of section 2 of the Clean Air Act. It seems to me that the States of Illinois and Indiana should be commended for taking this action and that it should be approved by Congress forthwith. A similar measure, H.R. 1150, has been introduced in the House of Representatives by the Honorable Charles M. Price of Illinois.

Mr. President, I believe that this agreement will help the people of Illinois and Indiana avoid future tragedies from air pollution like those which struck the Meuse Valley, Donora, Pa., London, and New York. For this reason I hope that this ratification legislation will receive prompt and serious consideration by both Houses of Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 470) granting the consent and approval of Congress to the Illinois-Indiana Air Pollution Control Compact, introduced by Mr. Bayh (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

FLYING OF THE AMERICAN FLAG IN HONOR OF THE MEN ENTOMBED ON THE U.S.S. "UTAH"

Mr. MOSS. Mr. President, a handsome monument has been erected over the hulk of the U.S.S. *Arizona* in honor of the 1,102 men who died in the Japanese attack on Pearl Harbor, and the colors are flown there every day.

But comparable recognition has not been given to the 54 other officers and men who lost their lives in the Japanese attack on Pearl Harbor, and who lie entombed in the U.S.S. *Utah*, only a mile or two from the *Arizona*. The resting place of the dead in the *Utah* is marked by only a small plaque.

The men of the U.S.S. *Utah* deserve similar recognition as that accorded the men of the U.S.S. *Arizona*. I am, therefore, introducing today for myself and Mr. Allott, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Burdick, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Carlson, Mr. Case, Mr. Church, Mr. Clark, Mr. Curtis, Mr. Dodd, Mr. Ervin, Mr. Gruening, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hill, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. Kuchel, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. McIntyre, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Morse, Mr. Mundt, Mr. Muskie, Mr. Nelson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Smathers, Mrs. Smith, Mr. Symington, Mr. Tower, Mr. Tydings, and Mr. Yarborough, a bill directing the Secretary of the Navy to erect a flagpole over the hulk of the U.S.S. *Utah*, on which the colors will be raised and lowered each day.

I introduced similar bills in both the 88th and 89th Congresses. Each bill has been cosponsored by more than a third of the Members of the U.S. Senate. So far no hearings have been held by the Senate Armed Services Committee. I sincerely hope that in the 90th Congress hearings will be held on this bill and it will be passed. The dead of the U.S.S. *Utah* have been too long neglected.

Almost every State—and certainly every area of the country—has one or more of its boys listed among the *Utah* dead. Of the 54 men whose bodies were not found or identified, 13 gave California as their home State; 11, Texas; three each Illinois, Iowa, Washington State, and

New York; two each Colorado, Missouri, Virginia, and Massachusetts; one each Kentucky, Arkansas, Minnesota, Louisiana, Michigan, Oregon, Ohio, Nebraska, and one who did not list his home. His record, however, showed he was born in Iowa. Another man was a native of the Philippine Islands. Many men showed next of kin in States other than their home at the time of enlistment, so there is hardly a State which is not touched in some way by the ghostly hands of those entombed in the U.S.S. *Utah*.

We all salute these men who gave their lives for us, and we must demonstrate our gratitude by seeing that a flag is flown over their watery grave. There must be no further delay on the U.S.S. *Utah* bill.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 479) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Armed Services.

FEDERAL REVENUE SHARING BILL ESSENTIAL FOR FEDERAL-STATE PARTNERSHIP

Mr. **JAVITS**. Mr. President, I understand that it is agreeable to the leadership to allow a little extra time to Senators at this moment, and I therefore ask unanimous consent that I may proceed for 10 minutes.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **JAVITS**. Mr. President, I send to the desk for appropriate reference, on behalf of myself, and Senators Baker, Carlson, Cooper, Dominick, Scott, and Young of North Dakota, a Federal revenue-sharing bill, designed to return to the States, and through them to local governments, a portion of Federal tax revenues with a minimum of strings attached.

A companion measure is being introduced in the other body by Representative Reid of New York.

Mr. President, I ask that the bill be printed as part of my remarks, together with specific tables as to the distributions to States and other data which implement the concept of the bill.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and explanatory material will be printed in the Record.

The bill (S. 482) to establish a system for the sharing of certain Federal revenues with the States, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Revenue-Sharing Act".

Sec. 2. (a) There is hereby established in the Treasury of the United States a fund to be known as the revenue-sharing fund. The revenue-sharing fund shall consist of such amounts as may be appropriated to such fund as provided in this section.

(b)(1) There is hereby appropriated to the the revenue-sharing fund, out of any money in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1968, an amount equal to 1 per centum of the aggregate taxable income reported on individual income tax returns during the preceding calendar year; for the fiscal year beginning July 1, 1969, an amount equal to 1½ per centum of the aggregate taxable income reported on individual income tax returns during the preceding calendar year; and for the fiscal year beginning July 1, 1970, and for each fiscal year thereafter, an amount equal to 2 per centum of the aggregate taxable income reported on individual income tax returns during the preceding calendar year.

(2) For purposes of this subsection—

(A) The term "taxable income" shall have the same meaning as specified in section 63 of the Internal Revenue Code of 1954.

(B) The term "individual income tax returns" means returns of the tax on the income of individuals imposed by chapter 1 of the Internal Revenue Code of 1954.

(c) The Secretary of the Treasury (hereinafter referred to as the "Secretary") shall, from time to time, but not less often than quarterly, determine the amounts appropriated by subsection (b) and transfer from the general fund of the Treasury to the revenue-sharing fund the amounts so appropriated. Such transfers shall, to the extent necessary, be made on the basis of estimates by the Secretary of the amounts so appropriated by subsection (b). Proper adjustments shall be made in the amounts subsequently transferred to the extent that prior estimates were in excess of or less than the amounts required to be transferred.

Sec. 3. (a) Subject to the provisions of subsection (d) and sections 4(c) and 5(b), the Secretary shall, during the fiscal year beginning July 1, 1968, and during each fiscal year thereafter, pay to each State, from amounts appropriated to the revenue-sharing fund for the fiscal year in which payments are to be made, a total amount equal to the allotment or allotments of such State in such fiscal year under this section. Such payments shall be made in installments periodically during any fiscal year, but not less often than quarterly.

(b) From 85 per centum of the amount appropriated to the revenue-sharing fund pursuant to section 2 for any fiscal year, the Secretary shall allot to each State in such fiscal year an amount (computed by the Secretary) equal to the product resulting from multiplying—

(1) an amount which bears the same ratio to such 85 per centum of the amount so appropriated as the population of such State bears to the total population of all of the States, by

(2) a number which is the quotient resulting from dividing the revenue effort ratio of such State for the preceding fiscal year by the average national revenue effort ratio for the preceding fiscal year.

(c) From 15 per centum of the amount appropriated to the revenue-sharing fund pursuant to section 2 for any fiscal year, the Secretary shall allot, to each State with a per capita annual income of individuals residing in such State which is below the average of all the State per capita annual incomes, an amount (computed by the Secretary) in such fiscal year which bears the same ratio to such 15 per centum of the amount so appropriated as the amount of the difference between the per capita annual income of any such State and the average of all the State per capita annual incomes bears to the total of the amounts of the differences between the per capita annual incomes of all such States and the average of all the State per capita annual income.

(d) Notwithstanding any other provision of this section, (1) the amount of any State's allotment in any fiscal year under either subsection (b) or (c), (2) the total amount of any State's combined allotments in any fiscal year under subsections (b) and (c), or (3) the total amount resulting from combining any State's allotment or allotments in any fiscal year and any reallotment to such State under this subsection and sections 4(c) and 5(b) shall not exceed 12 percent of the amount appropriated pursuant to section 2 for such fiscal year. In the event of any reduction of a State's allotment or reallotment in any fiscal year under the provisions of the preceding sentence, the Secretary shall reallot and pay, from time to time during such fiscal year, the amount of such reduction to other States in proportion to the original allotment to such States under subsection (b) for such fiscal year.

(e) For purposes of this section—

(1) The term "State" means any of the various States and the District of Columbia.

(2) The term "revenue effort ratio", when used in relation to any State for any fiscal year, means a fraction (A) the numerator of which is the total of the revenues derived by such State (including revenues derived by any political subdivision thereof) from its own resources during such fiscal year and (B) the denominator of which is the total income of individuals residing in such State during the calendar year ending within such fiscal year.

(3) The term "average national revenue effort ratio" means a fraction (A) the numerator of which is the total resulting from adding together all revenue effort ratios of the States, and (B) the denominator of which is 51.

(4) The term "income of individuals", when used in relation to any State, means income subject to the tax imposed by chapter 1 of the Internal Revenue Code of 1954.

(5) The population of a State and the per capita annual income of individuals residing in a State shall be determined by the Secretary on the basis of the most recent data available from the Department of Commerce; but the same period shall be used in determining the population of all the States and the same period shall be used in determining the average of all the State per capita annual incomes.

(6) The term "State per capita annual income," when used in relation to any State, means the quotient resulting from dividing the total income of all individuals residing in such State by the population of such State.

Sec. 4. (a) Each State may use funds from any allotment or reallotment to it in any fiscal year under this Act for activities, programs, projects, and services (including capital expenditures) in the fields of health, education, and welfare. In addition each State may use a portion of such funds, not to exceed 5 per centum thereof, to provide for planning, research, and development in the fields of modernization of the institutions of State government and the improvement of governmental procedures. Toward these ends, each State may provide for planning, research, and development directed toward the establishment of active, well-staffed State budgetary offices, improved budgetary procedures and expenditure controls, adequate recruiting and retaining of qualified planning personnel, reasonable policy coordination between the various units of government, and an appropriate salary schedule for management personnel. None of such funds shall be used for administrative expenses, except that each State may procure the services of special consultants and experts, or organizations thereof, as necessary to carry out the research, planning, and development authorized herein and may establish and operate programs for the training of its employees in order to increase economy and efficiency in the operations of State government and to raise the standards of performance by employees of their official duties to the maximum possible level of proficiency.

(b) (1) In order to insure that each State shall give maximum consideration to the needs of local governments within such State, the Governor of each State shall, after consultation with officials of such local governments, develop a plan prior to the beginning of each fiscal year, for sharing the anticipated funds which such State will receive under this Act in such fiscal year with its local governments. In determining the anticipated allotments of such funds by such State to its local governments, the Governor shall take into consideration the population and population density of each such local government, the per capita annual income of individuals residing therein, local costs, and other relevant factors.

(2) On or before such date prior to the beginning of each fiscal year as the Secretary may prescribe, the Governor of each State shall submit to the Secretary a detailed statement showing the intended use of the anticipated funds which such State will receive during such fiscal year, including a report of such State's plan for sharing its funds with its local governments. Any State desiring to amend its reported plan for sharing its anticipated funds with its local governments may do so only after due consultation with officials of such local governments. After such consultation, any State may modify the allocation of its funds for any fiscal year by filing a statement of its amended plan with the Secretary.

(c) Whenever the Secretary, after giving reasonable notice and opportunity for hearing to a State, finds that such State, or any local government to which such State has apportioned part of any allotment or reallotment—

(1) has used any amount of such allotment or reallotment for purposes not within the scope of subsection (a),

(2) has not apportioned any amount of such allotment or reallotment to its local governments in accordance with the provisions of its plan, as filed with the Secretary, for sharing its funds, or

(3) has not obligated any amount of such allotment or reallotment within five fiscal years immediately following the fiscal year in which such allotment or reallotment was made

the Secretary shall subtract, from any subsequent allotment or reallotment to such State, a total amount equal to the amount referred to in paragraph (1), (2), or (3). In the event of any reduction of a State's allotment or reallotment in any fiscal year under this subsection, the Secretary shall reallot and pay, from time to time during such fiscal year, the amount of such reduction to other States in proportion to the original allotment to such States under subsection (b) of section 3 for such year.

(d) For purposes of this section—

(1) The term "health, education, and welfare" shall be construed in its broadest sense so as to provide the greatest possible coverage of activities, programs, projects, and services related directly or indirectly to the fields of health, education, and welfare; except that such term shall not include any activity, program, project, or service designed to provide—

(A) administrative expenses for State and local government;

(B) highway programs;

(C) State payments in lieu of property taxes;

(D) debt service; and

(E) disaster relief.

(2) The term "local government" means any city, township, village, school district, municipality, county, parish, or similar territorial subdivision of a State, but shall not include any department, agency, commission, or independent instrumentality of a State.

SEC. 5. (a) (1) In addition to the requirements of section 4 any State desiring to receive any allotment or reallotment in any fiscal year under this Act shall, on behalf of itself and any local government which may receive any apportionment thereof, certify and provide satisfactory assurance to the Secretary that such State and local government will—

(A) use such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for any allotment or reallotment paid to such State, and any apportionment made by such State to local governments, under this Act;

(B) make such reports to the Secretary, the Congress, and the Comptroller General, in such form and containing such information as the Secretary may reasonably require to carry out his functions under this Act, including the statement of intent and report of sharing funds required by section 4(b), except that any State may make any such reports on behalf of any local government therof; and

(C) adhere to all applicable Federal laws in connection with any activity, program, or service provided solely or in part from such allotment or reallotment.

(2) For purposes of this subsection, the provisions of title VI of the Civil Rights Act of 1964 shall be deemed to be applicable to any activity, program, or service provided solely or in part from any allotment or reallotment received by a State under this Act.

(b) Whenever in any fiscal year the Secretary, after giving reasonable notice and opportunity for hearing to a State, finds that the Governor of such State has failed to submit any statement of intent or report required by section 4(b) or that such State or any local government thereof is not in substantial compliance with the purposes of subsection (a), the Secretary immediately shall—

(1) in the case of the failure of compliance of the Governor of any State or the failure of compliance of any State, cancel any subsequent payments to such State under this Act in such fiscal year and reallot any remainder of such State's allotment or reallotment in such fiscal year to other States in proportion to the original allotments to such States under subsection (b) of section 3 for such fiscal year, or

(2) in the case of the failure of compliance of any local government of any State require satisfactory assurance that such State will cancel any subsequent payments to such local government under this Act in such fiscal year and reapportion any remainder of or such local government's apportionment to other local governments of such State in proportion to the original apportionments to such local governments under the State plan reported to the Secretary pursuant to section 4(b) for such fiscal year.

SEC. 6. The Secretary shall report to the Congress not later than the first day of March of each year on the operation of the revenue-sharing fund during the preceding fiscal year and on its expected operation during the current fiscal year. Each such report shall include a statement of the appropriations to, and the disbursements made from, the revenue-sharing fund during the preceding fiscal year; an estimate of the expected appropriation to, and disbursements to be made from, the revenue-sharing fund during the current fiscal year; the use by each State of the funds which it received under this Act during the preceding fiscal year and the amounts distributed by each State to its political subdivisions; and any changes recommended by the Secretary concerning the operation of the revenue-sharing fund.

SEC. 7. The Appropriations Committee and the Finance Committee of the Senate and the Appropriations Committee and the Ways and Means Committee of the House of Representatives, respectively, shall conduct a full and complete study at least once during each Congress with respect to the operation of the revenue-sharing fund, the activities, programs, projects, and services provided by the States from allotments and reallotments received pursuant to this Act, and the manner of the distribution of funds by each State to its local governments, and report its findings upon such study to each House, respectively, together with its recommendations for such legislation as it deems advisable at the earliest practicable date. This section is enacted by the Congress as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, with full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

The explanatory materials, are as follows:

Comparison of personal income and taxable income, 1939–64

[Dollar amounts in billions]

Year	Personal income	Taxable income	
		Amount	Percentage of personal income
1939	$72.8	$7.2	9.9
1940	78.3	10.7	13.7
1941	96.0	22.7	23.6
1942	122.9	36.1	29.4
1943	151.3	50.1	33.1
1944	165.3	55.3	33.5
1945	171.1	57.1	33.4
1946	178.7	65.3	36.5
1947	191.3	75.4	39.4
1948	210.2	74.7	35.5
1949	207.2	71.6	34.6
1950	227.6	84.3	37.0
1951	255.6	99.4	38.9
1952	$272.5	$107.5	39.4
1953	288.2	115.7	40.1
1954	290.1	115.3	39.7
1955	310.9	128.0	41.2
1956	333.0	141.5	42.5
1957	351.1	149.4	42.6
1958	361.2	149.3	41.3
1959	383.5	166.5	43.4
1960	401.0	171.6	42.8
1961	416.8	181.8	43.6
1962	442.6	195.3	44.1
1963	464.8	209.1	45.0
1964	[1] 495.0	229.9	46.4

[1] Preliminary.

Sources: Personal income: Survey of Current Business (August 1965). Taxable income, 1939–45: Author's estimates; 1946–63: Table B–4; 1964: Statistics of Income, 1964, Preliminary, Individual Income Tax Returns; Federal Tax Policy, by Joseph D. Pechman.

TABLE C-63.—*State and local government revenues and expenditures, selected fiscal years, 1927–64*

[Millions of dollars]

Fiscal year [1]	General revenues by source [2]							General expenditures by function [2]				
	Total	Property taxes	Sales and gross receipts taxes	Individual income taxes	Corporation net income taxes	Revenue from Federal Government	All other revenue [3]	Total	Education	Highways	Public welfare	All other [4]
1927	7,271	4,730	470	70	92	116	1,793	7,210	2,235	1,809	151	3,015
1932	7,267	4,487	752	74	79	232	1,643	7,765	2,311	1,741	444	3,269
1934	7,678	4,076	1,008	80	49	1,016	1,449	7,181	1,831	1,509	889	2,952
1936	8,395	4,093	1,484	153	113	948	1,604	7,644	2,177	1,425	827	3,215
1938	9,228	4,440	1,794	218	165	800	1,811	8,757	2,491	1,650	1,069	3,547
1940	9,609	4,430	1,982	224	156	945	1,872	9,229	2,638	1,573	1,156	3,862
1942	10,418	4,537	2,351	276	272	858	2,123	9,190	2,586	1,490	1,225	3,889
1944	10,908	4,604	2,289	342	451	954	2,269	8,863	2,793	1,200	1,133	3,737
1946	12,356	4,986	2,986	422	447	855	2,661	11,028	3,356	1,672	1,409	4,591
1948	17,250	6,126	4,442	543	592	1,861	3,685	17,684	5,379	3,036	2,099	7,170
1950	20,911	7,349	5,154	788	593	2,486	4,541	22,787	7,177	3,803	2,940	8,867
1952	25,181	8,652	6,357	998	846	2,566	5,763	26,098	8,318	4,650	2,788	10,342
1953	27,307	9,375	6,927	1,065	817	2,870	6,252	27,910	9,390	4,987	2,914	10,619
1954	29,012	9,967	7,276	1,127	778	2,966	6,897	30,701	10,557	5,527	3,060	11,557
1955	31,073	10,735	7,643	1,237	744	3,131	7,584	33,724	11,907	6,452	3,168	12,197
1956	34,667	11,749	8,691	1,538	890	3,335	8,465	36,711	13,220	6,953	3,139	13,399
1957	38,164	12,864	9,467	1,754	984	3,843	9,252	40,375	14,134	7,816	3,485	14,940
1958	41,219	14,047	9,829	1,759	1,018	4,865	9,699	44,851	15,919	8,567	3,818	16,547
1959	45,306	14,983	10,437	1,994	1,001	6,377	10,516	48,887	17,283	9,592	4,136	17,876
1960	50,505	16,405	11,849	2,463	1,180	6,954	11,634	51,876	18,719	9,428	4,404	19,324
1961	54,037	18,002	12,463	2,613	1,266	7,131	12,563	56,201	20,574	9,844	4,720	21,063
1962	58,252	19,054	13,494	3,037	1,308	7,871	13,489	60,206	22,216	10,357	5,084	22,549
1963	62,890	20,089	14,456	3,269	1,505	8,722	14,850	64,816	24,012	11,136	5,481	24,187
1962–63 [5]	62,269	19,833	14,446	3,267	1,505	8,663	14,555	63,977	23,965	11,150	5,420	23,442
1963–64 [5]	68,443	21,241	15,762	3,791	1,695	10,002	15,952	69,302	26,533	11,664	5,766	25,339
1964–65 [5]	74,341	22,918	17,118	4,090	1,929	11,029	17,256	74,954	28,971	12,221	6,315	27,441

[1] Fiscal years not the same for all governments. See footnote 5.

[2] Excludes revenues or expenditures of publicly owned utilities and liquor stores, and of insurance-trust activities. Intergovernmental receipts and payments between State and local governments are also excluded.

[3] Includes licenses and other taxes and charges and miscellaneous revenues.

[4] Includes expenditures for health, hospitals, police, local fire protection, natural resources, sanitation, housing and urban renewal, local parks and recreation, general control, financial administration, interest on general debt, and other unallocable expenditures.

[5] Data for fiscal year ending in the 12-month period through June 30. Data for 1963 and earlier years include local government amounts grouped in terms of fiscal years ended during the particular calendar year.

NOTE.—Data are not available for intervening years. Data for Alaska and Hawaii included beginning 1959 and 1960, respectively. See table C-54 for net debt of State and local governments.

Source: Department of Commerce, Bureau of the Census.

Indebtedness of State and local governments by type of debt, 1952–65

[In millions of dollars]

Item	1964–65 [1]	1963–64 [1]	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952
Total	99,512	92,222	80,802	75,023	69,955	64,110	58,187	53,039	48,868	44,267	38,931	33,782	30,100
Long term	94,204	87,527	77,067	71,540	66,801	61,127	55,737	50,845	46,775	42,272	36,898	32,004	28,720
Full faith and credit	56,417	53,266	48,185	44,664	41,650	39,263	35,844	32,577	31,815	29,325	26,992	24,273	22,436
Nonguaranteed	37,786	34,261	28,883	26,878	25,151	21,864	19,893	18,268	14,960	12,947	9,905	7,731	6,284
Short term	5,309	4,695	3,735	3,483	3,154	2,983	2,450	2,195	2,093	1,995	2,033	1,778	1,380
Net long-term debt	85,942	79,950	71,181	65,812	61,596	56,361	51,297	46,678	43,217	38,502	33,182	28,553	25,513

[1] Data for fiscal year ending in the 12-month period through June 30. Data for 1963 and earlier years include local government amounts grouped in terms of fiscal years ended during the particular calendar year.

Source: Department of Commerce, Bureau of the Census.

State-local general revenues, present Federal aid and additional allotments under Federal-State revenue sharing plan

State	Total general revenues, 1964–65 (millions)	Revenue from Federal Government, 1964–65		Federal revenue sharing allotment		
		Amount (millions)	As percent of total general revenue	Percent increase over total general revenue	Percent increase over revenue from Federal Government	Per capita allotment
Alabama	$1,014.9	$246.6	24.3	7.3	30.0	$21.14
Alaska	214.6	113.0	52.7	1.7	3.2	13.48
Arizona	667.0	128.2	19.2	4.7	24.4	19.87
Arkansas	527.8	134.5	25.5	10.3	40.5	28.08
California	9,843.5	1,403.8	14.3	2.8	19.6	14.95
Colorado	894.5	165.7	18.5	3.2	17.3	14.67
Connecticut	1,103.3	136.8	12.4	2.7	22.0	10.64
Delaware	232.9	31.5	13.5	2.8	21.0	13.12
Florida	2,033.5	267.5	13.2	4.2	32.1	14.80
Georgia	1,335.8	249.3	18.7	5.6	30.0	17.01
Hawaii	331.6	63.6	19.2	3.0	15.6	13.94
Idaho	274.0	59.5	21.7	8.8	40.3	39.63
Illinois	3,845.8	512.8	13.3	2.9	21.5	10.37
Indiana	1,748.0	193.5	11.1	3.5	31.2	12.34
Iowa	1,073.5	144.4	13.5	3.8	28.1	14.72
Kansas	877.3	127.5	14.5	3.5	23.8	26.39
Kentucky	918.5	212.8	23.2	6.8	29.2	19.60
Louisiana	1,363.1	300.9	22.7	5.7	25.2	21.94
Maine	324.1	53.5	16.5	8.3	50.5	27.38
Maryland	1,268.8	157.1	12.4	3.2	25.7	11.40
Massachusetts	2,122.5	277.5	13.1	3.0	22.9	11.84
Michigan	3,370.3	426.2	12.6	3.2	25.3	12.97
Minnesota	1,553.7	226.9	14.6	3.5	24.1	15.33
Mississippi	656.4	141.7	21.6	11.9	55.0	33.74
Missouri	1,476.9	256.1	17.4	3.4	19.4	11.06

State-local general revenues, present Federal aid and additional allotments under Federal-State revenue sharing plan—Continued

State	Total general revenues, 1964-65 (millions)	Revenue from Federal Government, 1964-65		Federal revenue sharing allotment		
		Amount (millions)	As percent of total general revenue	Percent increase over total general revenue	Percent increase over revenue from Federal Government	Per capita allotment
Montana	$322.3	$84.4	26.2	5.8	22.0	$26.46
Nebraska	494.1	75.3	15.2	3.9	25.9	13.37
Nevada	245.0	62.4	25.5	2.4	9.5	13.59
New Hampshire	214.8	33.5	15.6	3.6	23.3	11.59
New Jersey	2,380.5	216.9	9.1	3.0	33.1	10.57
New Mexico	475.9	116.3	24.4	6.9	28.4	32.54
New York	8,700.5	749.1	8.6	2.9	34.2	14.16
North Carolina	1,360.6	214.7	15.8	6.2	39.1	17.02
North Dakota	300.2	57.8	19.3	10.8	56.1	46.69
Ohio	3,306.7	414.6	12.5	3.3	26.6	10.76
Oklahoma	914.0	208.1	22.8	5.2	23.0	19.57
Oregon	875.5	188.8	21.6	3.1	14.3	13.93
Pennsylvania	3,845.7	463.9	12.1	3.4	28.4	11.36
Rhode Island	326.1	62.4	19.1	3.6	15.9	11.11
South Carolina	623.0	104.5	16.8	10.4	61.9	25.37
South Dakota	284.6	70.3	24.7	12.7	51.5	52.77
Tennessee	1,083.8	227.3	21.0	6.6	31.6	18.65
Texas	3,413.0	523.2	15.3	4.2	27.4	13.54
Utah	416.5	109.1	26.2	5.1	19.4	21.33
Vermont	171.0	42.5	24.9	11.6	46.8	49.26
Virginia	1,327.6	268.2	20.2	4.1	20.4	12.40
Washington	1,373.6	220.8	16.1	3.1	19.2	14.23
West Virginia	561.2	133.7	23.8	8.4	35.3	26.01
Wisconsin	1,673.8	163.7	9.8	3.6	36.6	14.47
Wyoming	210.6	79.7	37.8	2.5	6.5	15.76
District of Columbia	368.1	98.1	26.7	2.1	7.8	9.60
All States and District of Columbia						

Source: Department of Commerce, Bureau of the Census.

Federal-State revenue sharing plan—State allotments

State	Percentage of national population (1965 estimate) (1)	Unadjusted primary allotment (col. 1× $2.55B) (2)	General revenue from own sources (1964-65) (3)	Personal income (1964) (4)	Revenue effort ratio (col. 3÷ col. 4) (5)	Relative revenue effort ratio (col. 5÷ 13.2) (6)	Primary allotment (col. 6× col. 2) (7)	Per capita personal income (1964) (8)	Per capita income deficiency ($2,431− col. 8) (9)	Percentage share of total deficiencies (col. 9÷ $9,793) (10)	Supplementary allotment (col. 10× $0.45B) (11)	Total allotment (col. 7+ col. 11) (12)
		Millions	*Millions*	*Millions*			*Millions*				*Millions*	*Millions*
Alabama	1.72	$43.9	$768.3	$6,098	12.6	95.5	$43.6	$1,777	$654	6.68	$30.0	$73.7
Alaska	.14	3.6	101.6	789	12.9	97.7	3.6	3,082				3.6
Arizona	.81	20.7	538.8	3,520	15.3	115.9	24.0	2,272	159	1.62	7.3	31.3
Arkansas	1.00	25.5	393.3	3,374	11.7	88.6	22.7	1,740	691	7.06	31.8	54.5
California	9.50	242.3	8,439.8	56,404	15.0	113.6	275.1	3,133				275.1
Colorado	1.01	25.8	728.8	4,967	14.7	111.4	28.6	2,559				28.6
Connecticut	1.46	37.2	966.5	9,004	10.7	81.1	30.1	3,234				30.1
Delaware	.26	6.6	201.4	1,542	13.1	99.2	6.6	3,121				6.6
Florida	2.99	76.2	1,766.0	12,920	13.7	103.8	79.1	2,285	146	1.49	6.7	85.8
Georgia	2.27	57.9	1,086.5	8,626	12.6	95.5	55.1	2,004	427	4.36	19.6	74.7
Hawaii	.37	9.4	268.0	1,912	14.0	106.1	9.9	2,775				9.9
Idaho	.36	9.2	214.5	1,464	14.7	111.4	10.2	2,131	300	3.06	13.8	24.0
Illinois	5.49	140.0	3,332.9	32,136	10.4	78.8	110.4	3,050				110.4
Indiana	2.52	64.3	1,554.5	12,556	12.4	93.9	60.4	2,599				60.4
Iowa	1.42	36.2	929.1	6,608	14.1	106.8	38.8	2,392	39	.40	1.8	40.6
Kansas	1.16	29.6	749.8	5,565	13.5	102.3	30.3	2,488				30.3
Kentucky	1.64	41.8	705.7	5,968	11.8	89.4	37.2	1,887	544	5.55	25.0	62.2
Louisiana	1.84	46.9	1,053.2	6,762	15.6	118.2	55.3	1,936	595	5.05	22.8	78.1
Maine	.51	13.0	270.7	2,088	13.0	98.5	12.8	2,122	309	3.16	14.2	27.0
Maryland	1.82	46.9	1,111.7	9,734	11.4	86.4	40.3	2,828				40.3
Massachusetts	2.77	70.6	1,844.9	15,383	12.0	90.1	63.5	2,910				63.5
Michigan	4.29	109.4	2,944.1	22,626	13.0	98.5	107.9	2,772				107.9
Minnesota	1.84	46.9	1,326.9	8,610	15.4	116.7	54.6	2,440				54.6
Mississippi	1.19	30.3	514.6	3,422	15.0	113.6	34.4	1,485	946	9.66	43.5	77.9
Missouri	2.32	59.2	1,220.8	10,988	11.1	84.1	49.7	2,458				47.9
Montana	.36	9.2	238.9	1,585	15.0	113.6	10.5	2,255	176	1.80	8.1	18.6
Nebraska	.75	19.1	418.8	3,506	11.9	90.2	17.3	2,383	48	.49	2.2	19.5
Nevada	.22	5.6	182.6	1,351	13.5	102.3	5.9	3,232				5.9
New Hampshire	.35	8.9	181.4	1,600	11.3	85.6	7.7	2,428	3	.03	.1	7.8
New Jersey	3.50	89.3	2,163.6	20,501	10.6	80.3	71.7	3,069				71.7
New Mexico	.52	13.3	359.6	2,107	17.1	129.5	17.3	2,090	341	3.48	15.7	33.0
New York	9.34	238.2	7,951.4	55,946	14.2	107.6	256.3	3,127				256.3
North Carolina	2.55	15.0	1,145.9	9,321	12.3	93.2	60.4	1,918	513	5.24	23.6	84.0
North Dakota	.34	8.7	242.4	1,294	18.7	141.7	12.2	1,991	440	4.49	20.2	32.4
Ohio	5.28	134.6	2,892.1	26,736	10.8	81.8	110.2	2,641				110.2
Oklahoma	1.26	32.1	705.9	5,196	13.6	103.0	33.2	2,111	320	3.27	14.7	47.9
Oregon	1.00	25.5	686.7	4,904	14.0	106.1	27.0	2,600				27.0
Pennsylvania	5.98	152.5	3,381.8	29,770	11.4	56.4	131.6	2,588				131.6
Rhode Island	.46	11.7	263.7	2,344	11.3	85.6	9.9	2,652				9.9
South Carolina	1.32	33.7	518.5	4,287	12.1	91.7	30.9	1,696	735	7.51	33.8	64.7
South Dakota	.35	8.9	214.3	1,314	16.3	123.5	11.2	1,877	544	5.55	25.0	36.2
Tennessee	1.99	50.7	856.5	7,130	12.0	90.9	46.2	1,874	507	5.69	25.6	71.8
Texas	5.47	139.5	2,889.8	22,966	12.6	95.5	133.1	2,208	223	2.28	10.3	143.4
Utah	.51	13.0	307.4	2,216	13.9	105.3	13.8	2,268	163	1.66	7.5	21.2
Vermont	.21	5.4	128.5	850	15.1	114.4	6.1	2,130	301	3.07	13.8	19.9
Virginia	2.28	58.1	1,059.4	9,895	10.7	81.1	47.2	2,264	167	1.70	7.7	54.8
Washington	1.53	39.0	1,152.8	8,063	14.3	108.3	42.3	2,714				42.3
West Virginia	.94	24.0	427.5	3,447	12.4	93.9	22.4	1,891	540	5.51	24.8	47.2
Wisconsin	2.14	54.6	1,510.2	10,388	14.5	109.8	59.9	2,534				59.9
Wyoming	.17	4.3	131.0	821	15.6	118.2	5.1	2,429	2	.02	.1	5.2
District of Columbia	.41	10.5	270.0	2,804	9.6	72.7	7.7	3,527				7.7
All States and District of Columbia:												
Total	100.00	2,550.0					2,464.0		9,793	100.00	45.0	2,930.5
Average					13.2			2,431				

Source: Department of Commerce, Bureau of the Census.

MEMORANDUM ON DISTRIBUTION OF THE REVENUE SHARING FUND

The total amount deposited in the Revenue-sharing trust fund is distributed among the fifty states and the District of Columbia on the basis of state need and state efforts to meet that need. State need for shared Federal revenue is measured in two ways: by population size and per capita personal income. State effort is measured by the ratio of the revenue each state and its localities have raised from their own sources to the personal income of the inhabitants of the state. The revenue is actually distributed in the following manner.

First, 85 percent of the fund is divided among all the states and the District of Columbia by population share of the national population, the more populous states receiving greater allotments than the less populated. This unadjusted allotment is then adjusted up or down for each state depending on whether the state's revenue effort is above or below the average effort of all states. A state whose revenue effort ratio is 10 percent greater than the average of the states would receive a 10 percent greater allotment than it would be entitled to on the basis of its population size alone. Thus, it is to each state's advantage to increase its revenue from within the state, for a larger revenue effort ratio means a larger share of the Revenue-sharing fund.

After this primary allotment has been decided for each of the states and the District of Columbia, a supplementary allotment is calculated for the relatively poorer states. This portion, 15 percent of the fund, is distributed among those states with per capita personal incomes below the average for all the states. Each state's allotment is decided by the idea that the lower a state's per capita income, the greater its need and the larger its share of the supplementary allotment.

To decide the allocation of the supplementary allotment, a per capita income deficiency is calculated for each of the poorer states equal to the difference between the state's per capita income and the per capita income average for all the states. These deficiencies are then added together to obtain the total per capita income deficiency. Each state's share of the supplementary allotment is then calculated from its share of the total income deficiency. For example, if the total per capita income deficiency for all the poorer states equaled $10,000, and an individual state had a deficiency of $1,000, it would receive $1,000/$10,000 or 10 percent of the total supplementary allotment. The total amount received by each of the poorer states is then calculated by adding each state's primary allotment to its supplementary allotment.

Mr. JAVITS. Mr. President, the bill is a modified version of the tax-sharing bill of 1965, which I authored, and would return to the States 1 percent of the annual aggregate income the first year, 1½ percent the second year, and 2 percent thereafter. Using annual taxable income as reported in 1966 income tax returns, about $3 billion would be returned to the States the first year after passage of the measure.

Under the bill, 85 percent of this fund would be distributed to the States on the basis of population. The remaining 15 percent would be distributed among the States with per capita income figures below the average State per capita income—the farther below this norm, the greater the allotment.

I point out that under the bill's formula, for example, New York would receive $256.3 million; Pennsylvania, $131.6 million; Kansas, $30.3 million; Colorado, $28.6 million. Under that portion of the formula used to distribute the additional 15 percent on the basis of per capita income, Kentucky would receive a basic allotment of $37.2 million. Because the per capita income of the State in 1966 was $544 below the average State figure, the State would receive an additional $25 million, for a total of $62.2 million. North Dakota with a per capita income $440 below the norm, would receive an additional $20.2 million for a total of $32.4 million.

Under the plan introduced today, the States would receive the following amounts, based on 1966 figures, during the first year of operation:

[In millions of dollars]

Alabama [1]	73.7
Alaska	3.6
Arizona [1]	31.3
Arkansas [1]	54.5
California	275.1
Colorado	28.6
Connecticut	30.1
Delaware	6.6
Florida [1]	85.8
Georgia [1]	74.7
Hawaii	9.9
Idaho [1]	24.0
Illinois	110.4
Indiana	60.4
Iowa [1]	40.6
Kansas	30.3
Kentucky [1]	62.2
Louisiana [1]	78.1
Maine [1]	27.0
Maryland	40.3
Massachusetts	63.5
Michigan	107.9
Minnesota	54.6
Mississippi [1]	77.9
Missouri	49.7
Montana [1]	18.6
Nebraska [1]	19.5
Nevada	5.9
New Hampshire [1]	7.8
New Jersey	71.7
New Mexico [1]	33.0
New York	256.3
North Carolina [1]	84.0
North Dakota [1]	32.4
Ohio	110.2
Oklahoma [1]	47.9
Oregon	27.0
Pennsylvania	131.6
Rhode Island	9.9
South Carolina [1]	64.7
South Dakota [1]	36.2
Tennessee [1]	71.8
Texas [1]	143.4
Utah [1]	21.2
Vermont [1]	19.9
Virginia [1]	54.8
Washington	42.3
West Virginia [1]	47.2
Wisconsin	59.9
Wyoming [1]	5.2
District of Columbia	7.7

[1] Funds for States include the supplementary allotment for States with per capita incomes lower than the average of all State per capita income figures.

Mr. President, the aspects of the bills which are the most important, are as follows:

First. A trust fund would be established in the Treasury Department into which an amount equaling 1 percent of the aggregate taxable income reported on individual income tax returns would be appropriated starting July 1, 1968. The fund would increase to 1½ percent of aggregate taxable income starting July 1, 1969, and to 2 percent of taxable income starting July 1, 1970, and thereafter. Using current data this fund would total $3 billion. It would grow as the fund increased and as the tax base expanded.

Second. Payments to the States from the trust fund would be made on the basis of the following formula: 85 percent would be distributed on the basis of population. This amount would be increased or decreased depending on a State's own tax effort relative to that of other States, which would be measured by a "revenue effort ratio" for each State. This is obtained by dividing the total revenue collected by the State and its political subdivisions by the total income of individuals residing in the State. The State's revenue effort ratio is then compared to the average ratio for all States by dividing the State's ratio by the average; 15 percent would be distributed to those States with per capita personal incomes below the average for all the States. The per capita income for each of these States is subtracted from the average of all States. The difference between these figures is then used to compute each State's share of the fund.

Third. No State could receive a total payment for any one fiscal year in excess of 12 percent of the trust fund for that year.

Fourth. A State could use its allotment of funds for programs, projects and services—including capital expenditures—in the general areas of health, education, and welfare. In addition each State may use a portion of its allotment—not exceeding 5 percent—to provide for planning, research, and development in the modernization of the institutions of State government and the improvement of governmental procedures.

Fifth. To insure that each State will give local governments a fair share of this fund, the Governor of each State would be required to develop a distribution plan prior to the beginning of each fiscal year and following consultations with local officials. The plan would set forth how the State proposed to share with local governments the funds obtained under the act.

Sixth. Funds could not be used for administrative expenses for State and local governments; highway programs; State payments in lieu of property taxes; debt service, and disaster relief.

Seventh. To benefit from the plan, a State would be required to file reports with the Secretary of the Treasury, the Comptroller General and the appropriate committees of Congress, including a statement of intent as to how and for what purposes it shall spend the money. States would also have to comply with all applicable laws including title VI of the Civil Rights Act of 1964. The Secretary of the Treasury would be required to provide a detailed audit report to the Congress annually on the operation of the trust fund during the preceding fiscal year and on its expected operation during the current fiscal year.

Eighth. Failure to comply with prescribed conditions would require cancellation of future payments and permit reallocation of the remainder of a State's allocation to other States in proportion to the original allotment.

Ninth. Appropriations Committees of

both Houses and the Finance Committee of the Senate and Ways and Means Committee of the House, responsible for appropriations and tax legislation, at least once during each Congress, would be required to conduct a complete study of the operation of the trust fund and provide such legislative recommendations as appropriate.

The President missed a great opportunity in his state of the Union message in failing to propose legislation providing for the sharing of Federal revenues with the States. He did, of course, make the declaration:

> * * * Only a total working partnership among Federal, State, and local governments can succeed.

But declarations are not enough. He failed to note that the relationship between Washington and other levels of Government in this country today, in terms of real taxing power, more closely resembles that of a patriarch to poor relatives than a partnership of equals. The interchange of ideas and services so essential to a genuine partnership will not be possible until the States and local governments have the financial resources to innovate, to initiate and to pay for programs designed to meet the individual needs of their people. This cannot be done without money, and many States are already using their taxing powers to the fullest extent possible.

In my judgment there can be no genuine partnership between the Federal and local governments without some well designed program of Federal-State revenue sharing with a minimum of strings attached. The bill being introduced today is designed to accomplish this in the most meaningful and equitable way, so that the poorer States will have an opportunity to improve their services and that the so-called richer States will have the resources necessary to meet the overwhelming problems of their urban complexes.

There has been growing support, both inside and outside of Congress, for legislation to distribute a portion of Federal tax revenues to the States with a minimum of Federal controls since I first introduced a distribution formula based on the Heller-Pechman proposals in 1965. In that year, the Ripon Society, a group of Republican activists at Harvard, and the Republican Governors Association were among the few groups to support such an idea.

But in recent months, Representatives and Senators of both parties have either introduced revenue-sharing legislation or have declared their intention of doing so in the near future. As an example, two of the cosponsors of this measure—Senators Baker and Scott also plan to introduce programs of their own incorporating certain additional innovations. In 1966, both the bipartisan National Governors Conference and the National League of Cities called for the sharing of Federal revenues with States and local governments.

Nevertheless, in view of the administration's failure to act in this field, I am pleased to see the initiative taken by members of my party, including Representatives Goodell and Reid of New York. Republican support for this idea should be based on the record of those State and local governments which can show accomplishment and should be motivated by our desire to enable other levels of government to meet the growing needs of their residents by themselves.

Many Republicans in Congress believe that an effective revenue-sharing program would be a major step in this direction and I hope we can successfully convince the majority and the administration.

The problem facing State and local governments is essentially this: While their expenditures have risen steeply in the postwar period, their present and foreseeable resources are not adequate to meet the expanding demands for greater services, the increased costs of education or the complex problems of development.

Unless legislation is enacted giving States and local governments a share of Federal tax revenues with a minimum of strings and with maximum freedom to spend it as they see fit, the trend will continue inexorably toward more grant-in-aid programs, with increasing Federal intrusion into decisionmaking at the State and local levels.

The strain on State and local government finances is illustrated by the 125 percent increase in total debt outstanding for State and local governments over the past decade while the Federal debt increased by 14 percent. The outlook for the future is not very encouraging either. A study recently published by the Joint Economic Committee estimates State and local government debt, totaling about $100 billion in 1965, will reach $145 billion in 1970 and almost $200 billion in 1975.

The States undoubtedly will increase their sources of revenue from property taxes, sales taxes and individual income taxes. The question is can they increase these taxes without limit? State and local tax revenues increased from $23.5 billion in 1955 to $51.6 billion in 1965.

Interstate competition to attract new industry—and similar competition among localities—will undoubtedly hamper efforts to add to current revenues, particularly in the case of corporate taxes. States and localities generally offer some form of inducement to attract new corporations to their areas, with the long-range objective of creating new job opportunities and increasing the overall tax base. This sort of competition tends to restrain local governments from increasing tax rates.

In the face of heavy demands placed upon State and local governments, the increase in their taxes and borrowing has been insufficient to prevent them from becoming gradually more dependent on financial assistance from the Federal Government. Between 1955 and 1965 Federal aid to the States increased by 252 percent. The bulk of Federal assistance in the form of grants-in-aid has grown from a total of $884 million in 1946 to approximately $11 billion in 1965. In 1964 the Federal expenditure of $9.8 billion represented approximately 16.7 percent of total taxes and other general revenues raised by State and local governments, compared with only 7.3 percent in 1946. Grants to help support public welfare programs and to help build public roads and highways have shown the sharpest increase over the postwar years, and together they totaled some $7.5 billion in 1964.

It may be argued by some that State and local governments will not wisely use Federal funds under a revenue-sharing plan or that they will use them to reduce their own taxes and expenditures for necessary programs. Experience of the past, however, indicates that such fears are groundless. A large proportion of total State and local outlays over the past years have been used for educational, health, and welfare purposes—an indication that local governments are cognizant of the needs of their people in these areas and are attempting to meet them.

Grants made to State and local governments under a plan such as this will enable these bodies to operate more independently. Local officials will be free of Federal domination, and the spread of a growing Federal bureaucracy may be halted. State and local governments will be in a stronger financial position, and a better fiscal balance will be achieved between Federal, State, and local governments.

Now, let me direct one word to those who may feel that the sort of tax-sharing plan I propose would mean further incursion on State prerogatives. Of course, there is always a possibility that this can happen, but the choice we face is not between State dollars and Federal dollars, but between Federal dollars bound by strings and conditions and funds which are relatively unconditional and can help buttress the capability of State and local governments to carry their responsibilities and not to abdicate authority to the Federal Government due to financial inability to discharge it.

For, we have to look to the days and years ahead when the demand for more and better local governmental services will increase.

Critics on the one side of the political spectrum are suspicious of the States and seemingly convinced of Federal infallibility; critics on the other side are suspicious of Washington. But mutual suspicions should not produce a deadlock, for this country cannot be governed well unless government is imaginative and active and responsible and works at all levels in a Federal-State system.

I feel that the proposal embodied in the bill introduced today can help prepare our governmental system to meet needs of the coming decades, and can help us to put cooperative federalism into practice for the benefit of all our people.

The issue of revenue sharing involves a struggle between those who want the Federal Government to earmark everything and those who want to leave something to the States, provided there is something in addition; in other words, the Federal funds provided are added to the States' resources and are spent largely at the discretion of State and local governments on the basis of their priorities.

I am with those who believe that with the safeguards written into this bill—and I am the ranking member of the Committee on Labor and Public Welfare which handles most of these programs—we are better advised to begin the process of some form of Federal revenue sharing with the States and localities, letting them, as they progress in showing their ability to discharge their responsibilities, get a greater and greater share of Federal tax revenues rather than being tied to the grant-in-aid idea which, up to now, has been the best we could do. I do not believe that the grant-in-aid program has given us the optimum efficiency or the optimum return per dollar expended.

SAFEGUARDS NEEDED ON POSSIBLE CLOSINGS OF VA OFFICES AND HOSPITALS

Mr. BOGGS. Mr. President, on behalf of myself and Senators Aiken, Burdick, Cannon, Cooper, Cotton, Eastland, Gruening, Hickenlooper, Javits, Jordan of Idaho, McGee, McGovern, McIntyre, Metcalf, Miller, Murphy, Muskie, Prouty, Scott, Williams of Delaware, and Young of North Dakota, I introduce for appropriate reference a bill to require that each State continue to have at least one veterans' service center and also that 6 months' notice be required of any plan by the Veterans' Administration to close or materially reduce the services available to any veterans hospital, domiciliary or outpatient dispensary.

It will be recalled that 2 years ago the Veterans' Administration proposed consolidating its regional offices in such a way that eight States would have been left with no such office. The Veterans' Administration later wisely withdrew this plan. This bill is intended to prevent any State from being deprived of such a center in the future.

There is much more than State pride involved in the introduction of this bill, although I am concerned with the tendency of Federal agencies to disregard the States as entities in making up regions for administrative purposes.

My study of the proposed consolidation of the VA regional offices 2 years ago convinced me that while the VA might show an anticipated savings on its books, the fact that any savings thus effected would be more than offset by the inconvenience and added expense to the veterans themselves.

This bill would not set out specifically the makeup of the VA offices in the States. It would require that at least one such office in each State be sufficiently staffed and equipped so that it could handle the affairs of the veterans in that State. In other words, it would not be necessary to send to some distant national regional office for a man's file before the office could even begin to consider his case.

There is a compelling practical reason for the administration of VA programs at the State level. It is not generally recognized, or even fully appreciated, but an astonishing amount of the task of keeping our veterans apprised of their rights and obligations under the law is borne by the service organizations such as the American Legion, the Disabled American Veterans, and the Veterans of Foreign Wars, to name only three. These veterans organizations have assumed and carried out a tremendous responsibility in the vital task of maintaining a working relationship between the veteran and his government. All of these fine organizations are organized and function on a State-by-State basis. The American Legion, for example, is made up of 58 departments, 1 for each State and the District of Columbia, and 7 outside the country.

If each of these State veterans' service units can continue to maintain a working contact with a corresponding State level VA service center, this arrangement will help tremendously in providing service to the State's veterans. It is clear that removal of State contact, or reduction of it to a point where it is substantially lost, would mean a very real breakdown in effective administration of the programs designed to aid those men who have served this Nation so well. Let us look for efficiency and economy in government by all means, but let us by no means be unduly conscious of cost when dealing with those who did not count the cost in serving their country. And let us be sure we are talking about real savings, and not merely transferred expense.

The second part of the bill is also important. The provision for notice of intention to close any veterans' medical facility would prevent any sudden announcement of a decision before the Congress and others had an opportunity to explore the matter thoroughly. Our experience 2 years ago in this field underlies the need to have adequate prior notification, in my opinion.

These two changes proposed in the bill are far from earth shattering as far as the Veterans' Administration is concerned. In my opinion they will—if written into the law—not only help the Veterans' Administration but provide some very real and needed safeguards for those whom this agency is intended to serve.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 483) to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of any veterans' facility, and to provide for at least one veterans' service center in each State, and for other purposes, introduced by Mr. Boggs (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

BAIL REFORM

Mr. BREWSTER. Mr. President, "Crime in the streets" has become a cliche of our society. It is not a cliche to the citizens of the District of Columbia, many of whom are afraid to venture out after dark. It is not a cliche to those residents of Maryland who work, shop, and socialize in Washington—in the realization that they may be the next victim of a mugging, robbery, or rape.

I have stated on numerous occasions that we in Congress must take positive action to fight crime in the District. Getting at the sources of crime—poverty, inadequate education, slum housing—is certainly a major part of the solution. More money to train and equip our police force is another answer—and I intend to seek more money for the District police during the 90th Congress.

In addition, there are a number of measures suggested in the brilliant report of the District of Columbia Crime Commission, which completed its work just 2 weeks ago. One of these proposals concerned bail reform.

At present, under the Bail Reform Act of 1966, any person charged with a noncapital offense—and that means anything other than first degree murder or rape—must be released pending trial, unless release on specified terms will not reasonably assure presence at trial.

What this means, in brief, is that—no matter how dangerous such an individual may be to other persons or to the community in general—he must be released, as long as he is likely to appear at his trial.

As a practical matter, during the 1963–65 period, Crime Commission statistics revealed that 2,776 persons charged with felonies were released—207 of these individuals committed further felonies while out on bail.

Six murders, two rapes, and 60 robberies were committed by persons on bail. Twenty-five of these persons were charged with two new offenses while on bail. Six allegedly committed three new felonies; and three individuals were released on bail and proceeded to commit four more felonies while on bail.

Some of these offenses doubtlessly could not be prevented. It is difficult to predict which offenders are likely to commit another crime if they are freed on bail.

But the Commission came up with two interesting facts: most of the "repeaters" tended to have long prior criminal records; and most of the crimes committed on bail were similar to the original charges brought. It seems that there may be some means of gaging which defendants pose a high risk to the community.

I, therefore, send to the desk a bill which would implement the proposal of the majority of the Crime Commission. It would provide that, at the first hearing of a defendant charged with a felony, the judge be empowered to consider the safety of the community as well as the likelihood of the defendant's appearance at trial, in setting conditions for bail.

If the defendant is considered to pose a high risk to the safety of another person or the community in general, the judicial officer will be allowed to release him into the custody of another person or organization; place restrictions on his travel, associations, or place of abode; require the execution of a money bond; or impose any other condition reasonably necessary to safeguard the community, including return to custody after specified hours. Finally, if—and only if—there is no other means of assuring the safety of the community, the defendant may be held in custody for a period not to exceed 30 days.

I would hope and expect that this last provision would be used only in rare cases, and only when there is a very high risk which other means are insufficient to meet. The provisions of the bill tightly restrict the use of this detention.

This bill has been drafted in such a way that the defendant is virtually assured of a trial within 30 days. If there is no trial within 30 days, the defendant must be released from custody. This period may be extended only by the judge and only in extraordinary circumstances.

Briefly, what my proposal—recommended by the majority of the Crime Commission—provides is that the judge who holds the preliminary hearing will decide how much of a danger the defendant poses to the community. If he poses a sufficient threat, the judge may impose tight restrictions on his freedom, including curfew, daily or even hourly reporting to specified officers, and limitations on companions and travel. If this is not enough, he may be kept off the streets and in custody until trial, which must be held within 30 days.

I am aware that there have been some objections to this proposal on constitutional grounds. I see no real constitutional problem, however, and there are many authorities to support this view.

The argument of unconstitutionality rests on the presumed eighth amendment guarantee of a right to bail. I do not believe that there is any absolute "right to bail." The Supreme Court has never held that such a right exists.

A majority of the members of the Crime Commission felt that this proposal is constitutional. Their fine report cites considerable authority for this view.

Finally, I would point out that, in capital cases and certain other situations, courts have always had the right to deny bail before trial. This has never been held to be a violation of the Constitution. I see no reason why similar denial of bail, in very restricted circumstances, for certain highly dangerous defendants, should be unconstitutional.

Mr. President, this measure will not by any means solve the crime problem of this city. However, it will help to prevent certain highly dangerous individuals from being turned loose pending trial. It is a reform which was proposed by a majority of the highly competent and thoughtful District of Columbia Crime Commission. I hope that it will receive the prompt and favorable consideration of the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 484) to authorize the detention of certain persons charged in the District of Columbia with the commission of an offense punishable as a felony, and for other purposes, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on the District of Columbia.

CONSTRUCTION, MAINTENANCE, AND OPERATION OF THE TOUCHET DIVISION, A MULTIPURPOSE RECLAMATION PROJECT, WASHINGTON

Mr. JACKSON. Mr. President, I introduced for appropriate reference on behalf of myself, and my colleague from Washington [Mr. MAGNUSON], a bill to authorize the Secretary of the Interior to construct, maintain and operate the Touchet division, a multipurpose reclamation project in the State of Washington.

This proposed legislation was the subject of hearings during the 89th Congress and was passed by the Senate on July 29, 1965.

When authorized, the Touchet division will bring 10,000 acres under irrigation in its initial stages and will provide deferred water storage for an additional 7,000 acres.

In addition, as a multipurpose project, work authorized in the bill will first, provide needed irrigation facilities; second, reestablish the anadromous fishing run on a very large scale with benefits to both sport and commercial fishing; third, provide municipal and industrial water for the city of Dayton; fourth, provide the only sizable lake in timbered surroundings in the entire Walla Walla basin with facilities for boating, swimming, sport fishing, water skiing, camping and other recreational opportunities; fifth, provide vitally needed flood protection on the Touchet River which is now completely uncontrolled; and sixth, alleviate growing water pollution problems.

It is my hope that this project will be authorized early in this session of Congress so that construction of these needed facilities may be started.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 485) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SECTION 35 OF THE MINERAL LEASING ACT OF 1920

Mr. McGEE. Mr. President, on behalf of my colleague, the Senator from Wyoming [Mr. HANSEN], and myself, I introduce, for appropriate reference, a bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act.

Specifically, Mr. President, this measure, which has a long history in the Senate, would provide for return of 90 percent of such income under the Mineral Leasing Act to the States within whose borders the leased lands or deposits are located. It is, in a very real sense, a bill to grant equality for the Western States where Federal ownership of lands is an ever-present fact of life. In my own State, the public lands represent nearly half the area. In some Western States the ratio is even higher. Today, the States, by and large, receive 37½ percent of the royalty income, with 52½ percent going to the reclamation fund. But the reclamation fund no longer depends upon the mineral royalties for any substantial part of its revenues and we in Wyoming, as elsewhere in the West, believe the reclamation fund's solvency would not be threatened by this legislation.

States such as my own, on the other hand, could make immediate and effective use of the funds which would accrue to them under this proposal. Indeed, we know today that our States are in a tight bind financially. For the Western States—and particularly, I will say, to my own State of Wyoming—the legislation here proposed would relieve that bind to a very large extent. I think it time this proposal be given serious consideration by this body.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 507) to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act, introduced by Mr. MCGEE (for himself and Mr. HANSEN), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

NUCLEAR-POWERED MERCHANT VESSELS

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to promote the development of nuclear-powered merchant vessels. This bill authorizes the construction of six vessels to foster the development, construction, and operation of privately owned, nuclear-powered merchant ships in order to contribute to the development of nuclear-powered merchant ships which are economically competitive with ships using other fuels. I am particularly pleased to have as a cosponsor, Senator COTTON, who has authored bills on this subject in the past. With his support, I am hopeful that the executive inertia can be overcome.

The bill provides for aid in the following major areas: First, the excess cost of developing the ship over the estimated fair and reasonable cost of developing a comparable conventional ship; second, for construction in U.S. yards; third, use of nuclear materials; fourth, training crews; fifth, appropriate shore service facilities; sixth, inspection; and seventh, operating-differential subsidy. The ships must be built in the United States and documented in the United States so long as they have nuclear propulsion.

In his transportation message of March 2, 1966, President Johnson said:

> After years of U.S. leadership, maritime technology in other countries has caught up with and, in some instances, surpassed our own.

Several examples of this are found in nuclear-powered vessels. It is reported that Communist China has had a 20,000-ton nuclear-powered coaster under construction since April 1964. In Germany, the world's second nuclear merchant ship, the NS *Otto Hahn* will soon be undergoing sea trials. Japan is building a combination freighter and oceanographic survey vessel. Since December 1959, the *Lenin*, a nuclear-powered ice-breaker, has operated as part of the Soviet fleet.

The history of nuclear-powered merchant vessels in this country began in 1956, the 84th Congress, second session, with S. 2523, to authorize the construction of a nuclear-powered prototype merchant ship. The Committee on Interstate and Foreign Commerce reported that bill on June 18, 1956—Report No. 2258—after consideration by the Joint Committee on Atomic Energy.

The committee said:

> The Committee are in agreement with the witnesses that the United States should give No. 1 priority to the building and operation of a nuclear propelled merchant vessel. We realize full well that the first such vessel will not be economic in the sense that it will ever pay for itself or make a profit. However, even though, as Admiral Rickover suggested at the hearing, the second or third or fourth or fifth such vessel may not be economic, we are convinced that the United States must go forward with such a project, and devote whatever efforts and funds may be requested for research, testing, etc., to the end that this nation may be the first in the field to construct a nuclear propelled nonmilitary vessel.

The Maritime Administration was given a major responsibility for such a vessel. The committee said:

> We believe that the interests of the American maritime industry will be promoted more promptly and successfully if the project is under the supervision and control of the Maritime Administration.

The NS *Savannah*, commissioned in 1962, was the result. It is nearly 11 years since those first hearings. In these 11 years, no new plans have been made, even though the *Savannah* was built and has visited 40 ports and traveled 130,000 miles.

In 1956, witnesses said that the ship would not be economic, that more research was needed, and so forth. In 1967, the same arguments are being heard. Last February, I wrote to the Maritime Administration, the Atomic Energy Commission, and the Department of Defense, asking for their collective recommendations.

I requested that the report be transmitted to the committee by June 14, 1966. The report was never received, and this failure to report was not officially explained. While I have heard nothing, the Wall Street Journal reports the following:

> A secret joint report from the Defense and Commerce departments and the Atomic Energy Commission, favoring the construction of three or four atom-powered merchant vessels, has been in the White House since May.

This sounds strangely like the report which I requested.

Some recite the cost difference between conventional and nuclear merchant vessels. This argument that such ships are uneconomical proves both too little and too much. It proves too little because conflicting figures are available that dispute the claims of the pessimists. It proves too much because portions of the merchant marine are already heavily subsidized in various ways. The economy argument should concern itself with whether it is desirable to have what might be called a new opportunity in the existing subsidy program.

There are a variety of factors to be considered in these economic arguments. Representatives of Babcock & Wilcox Co. have stated that their reports "indicate that 30-knot container ships will definitely reduce the Government's overall maritime subsidy, that income taxes paid by the operators of these ships will quickly offset the construction subsidy, and that nuclear propulsion may be competitive with conventional propulsion even for the first flight of such ships."

The NS *Savannah* is now in commercial operation, under the banner of FAST—first atomic ship transport. The corporation states that it is in a sound financial position. American Export Lines, who has expressed a desire to go ahead with nuclear ship construction, has stated to me:

> We are convinced that over the lifetime of the ship, a nuclear vessel will cost less to build and operate than its conventionally powered counterpart. The initial construction cost will be more than offset by the lower operating cost and greater productivity of the nuclear ship.

This is based on operating experience, not speculative argument.

I do not necessarily subscribe to the oversimplified theory that a nuclear fleet will revitalize our merchant marine. It should be perfectly obvious that no one-shot operation can accomplish this. It should also be obvious that part of the revitalization program must include nuclear vessels.

Across the land, plans for nuclear electric plants are being projected. By 1973, some estimate that nuclear electric central station plants will represent 10 percent of the Nation's generating capacity. I applaud these activities both as an efficient means of generating power and as a reaffirmation of our desire to demonstrate and promote the peaceful uses of the otherwise monstrous atom. For similar reasons, this Nation should promote the peaceful proliferation of maritime uses of the atom. Our indecision on the nuclear merchant marine question does not slow down the rest of the world.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 508) to promote the development of nuclear-powered merchant ships, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. WILLIAMS of New Jersey. Is this for the private merchant marine?

Mr. MAGNUSON. Yes.

Mr. WILLIAMS of New Jersey. The bill would result in producing, through Government sponsorship, nuclear-powered ships that the merchant marine would be provided with?

Mr. MAGNUSON. Yes. Actually, the bill—and I think this is important—would provide Government sponsorship of the excess cost of developing a nuclear ship as compared with the fair cost of producing a conventional ship. Russia has a nuclear ship. West Germany is promoting one. Japan will have one. The greatest cost of a nuclear ship is the initial cost. We have found that nuclear ships can operate very economically. We have not heard very much about the USS *Savannah* for some time.

Mr. WILLIAMS of New Jersey. The reason is that it has worked so effectively and efficiently and there are no troubles.

Mr. MAGNUSON. Yes. I made it a point at the last session to get a report on nuclear ship operation. I found that it was operating not only economically but at a profit during this last year and doing very well. That is why I think the Government should encourage the providing of nuclear ships. The bill provides for taking care of the excess costs only.

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that I be added as a cosponsor of the bill.

Mr. MAGNUSON. I would welcome the cosponsorship of the bill by the Senator from New Jersey.

The PRESIDING OFFICER. Without objection, it is so ordered.

FULL DISCLOSURE OF CORPORATE EQUITY OWNERSHIP AND IN CORPORATE TAKEOVER BIDS

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, proposed legislation amending the Securities Exchange Act of 1934 to deal with problems raised by changes in corporate ownership.

On October 22, 1965, I introduced S. 2732, the purpose of which was to provide increased investor protection. The need for such legislation has been caused by the increased use of cash tender offers rather than the regular proxy fight to gain control of publicly owned corporations. Although no hearings were held on this bill in the 89th Congress, it was the subject of numerous staff discussions with the Securities and Exchange Commission, members of the New York Stock Exchange, private industry, and other interested parties. As a result of these discussions, I have substantially revised the original bill.

This legislation will close a significant gap in investor protection under the Federal securities laws by requiring the disclosure of pertinent information to stockholders when persons seek to obtain control of a corporation by a cash tender offer or through open market or privately negotiated purchases of securities. In addition, this bill gives the SEC authority to regulate purchases by corporations of their own stock.

This measure is not aimed at obstructing legitimate takeover bids. In some instances, a change in management will prove a welcome boon for shareholder and employee, and in a few severe situations it may be necessary if the company is to survive.

I have taken extreme care with this legislation to balance the scales equally to protect the legitimate interests of the corporation, management, and shareholders without unduly impeding cash takeover bids. Every effort has been made to avoid tipping the balance of regulatory burden in favor of management or in favor of the offeror. The purpose of this bill is to require full and fair disclosure for the benefit of stockholders while at the same time providing the offeror and management equal opportunity to fairly present their case. Experience under the Securities Act of 1933 and the Securities Exchange Act of 1934 has amply demonstrated that the disclosure requirements of the Federal securities acts are an aid to legitimate business transactions, not a hindrance.

With this in mind, I am certain that this amendment to the Securities Exchange Act will benefit the interests of America's more than 20 million shareholders and will not serve as a device to protect an inefficient management from a legitimate takeover bid.

A cash tender offer usually involves a bid by an individual, group, or company to buy a specified number of shares of a corporation's stock from the public at a specified price—which is set above the going market price in order to make the offer more attractive. Those accepting such an offer are said to "tender" their stock for purchase.

The cash tender offer has become an increasingly favored method of acquiring corporate control because it is generally cheaper and faster than a proxy fight. In addition, filings are not required with the SEC under the Securities Exchange Act. Last year, for example, the Wall Street Journal reported 107 cash tender offers, most of which involved a bid to take over control of a company.

Cash tender offers generally follow a simple pattern. The prospective buyer offers a price far enough above the market to obtain the desired number of shares—usually an amount sufficient to gain operating control of the corporation. As an aid in carrying out his objective the buyer generally hires a brokerage house to manage the offer, arranges a loan to pay for the purchase, buys a few newspaper ads and issues press releases to shareholders of the "target" company. If the number of shares tendered by stockholders falls below the number desired, then all of the shares are returned and the acquisition plan is cancelled. If the tender offer brings in more stock than the specified number of shares bid for, the offeror may at his option buy only the number of shares for which he has bid or may buy all of the stock tendered.

The essential problem in transfers of control resulting from cash tender offers or open market or privately negotiated purchases is that persons seeking control in these ways are able to operate in almost complete secrecy concerning their intentions, their commitments and even their identities. Since the competence and integrity of management and controlling persons are of vital importance to stockholders, secrecy in this essential area is inconsistent with the disclosure pattern generally prevailing in the American securities markets. In Canada, the Ontario Securities Act was revised last year to regulate takeover bids in a manner similar to the method which I have proposed. Legislation has also been enacted in England, South Africa, Australia, and other nations. In this area investor protection in the United States lags behind that existing elsewhere.

The failure to protect investors in connection with a cash takeover bid is in sharp contrast to the regulatory requirements applicable where one company offers to exchange its shares for those of another, or the protections applicable to a proxy fight for corporate control.

Where one who seeks control of a corporation makes an exchange offer of stock to obtain control, the offer must be registered under the Securities Act of 1933. The shareholder gets a prospectus explaining all material facts about the offer. He knows who the purchaser is, and what plans have been made for the company. He is in a position to make an informed decision either to hold his original security or to exchange it for another. Similarly, where control is sought through a proxy contest, information must be filed under the Securities Exchange Act which tells shareholders the identity of the participants and their associates, their stockholdings and when they acquired them, the extent to which the shares were purchased with borrowed funds and the identity of the lender if the funds were obtained otherwise than through a bank loan or margin account. Additionally, details as to any arrangements made regarding employment by, or other future transactions with, the issuer must be given. In both the exchange offer and the proxy fight the disclosures made are filed with the Commission and are subject to statutory requirements and sanctions.

But no information need be filed where a cash tender offer is made to stockholders. Such an offer can be made on the most minimal disclosure; yet the investment decision—whether to retain the security or sell it—is in substance little different from the decision made on an original purchase of a security, or on an offer to exchange one security for another. Nevertheless, in many cases of cash tender offers the public investor does not even know the identity of the purchaser, much less that the purchaser's plans for the company if the takeover bid is successful. In fact, stockholders sometimes find themselves the target of cash tender offers where the plan is to gain control of the corporation by using the stockholders' assets to finance the takeover, although this fact is seldom made known to the shareholders at the time of the offer.

It can be argued that a cash tender offer is a straightforward business proposition which can be rejected by a stockholder or accepted by him, usually at a price in excess of the market price. But where no information is known about the persons seeking control, or their plans, the shareholder is forced to evaluate the proposition on the basis of a market price which reflects the evaluation of the company based on the assumption that the present management and their policies will continue. The persons seeking control, however, may have other plans, for example, to liquidate the company to realize an amount per share far in excess of the market value. By keeping his plans secret, the offeror is able to deprive the shareholders of their rightful participation in the liquidation. After all, the liquidation plans may be the reason for the tender offer. All shareholders should have such information so that they can make informed investment decisions on the basis of the same facts known by the person making the tender.

If the stockholder sells and can establish at a later time that he fell victim to fraud or misstatements, he would obviously have recourse to the courts. But many stockholders are unwilling to go to court even though they believe they have a sound case. Litigation is expensive, time consuming, and lacks the advantages that result from advance filing of the facts for the public record.

What then must the stockholder know to make an informed decision whether or not to accept a cash tender offer?

First, the stockholder must know the identity and background of the person, or group, making the tender offer. The stockholder must also be informed about—

The size of the holdings of the person or group involved.

The source and amount of the funds used or to be used to acquire shares.

The financing arrangements made for these funds and how these arrangements will be liquidated.

Any side agreements that have been made with respect to the stock.

The purpose of the tender offer.

The plans of the offeror—if he wins control of the company—whether to liquidate it, sell its assets, merge it with another company, or to make major changes in its business or corporate structure.

The legislation I am proposing amends the Securities Exchange Act of 1934 and requires the person soliciting tenders to answer these questions. Indeed, anyone acquiring securities which would give him more than 10 percent of a class of an equity security registered under the Securities Exchange Act would be required to file this information with the SEC. This is the only way that corporations, their shareholders and others can adequately evaluate a tender offer or the possible effects of a change in substantial shareholdings.

Under this bill a person, or group acting in concert, will be required to file with the SEC a statement containing essential information at least 5 days before making a tender offer, which would result in their acquiring beneficial ownership of more than 10 percent of a class of equity security which is already registered under the act. Copies of any additional material would be required to be filed with the SEC 2 days before it is sent or given to shareholders. All requests or invitations for tenders would be filed as part of the statement and would contain such information required under the provisions of this legislation. This procedure would give the Commission an opportunity to review the contents of the material.

Additionally, the Commission would be given rulemaking power with respect to solicitations or recommendations to the holders of a security to either accept or reject a tender offer. In the rather common situation where existing management or third parties contest a tender offer, shareholders may be exposed to a bewildering variety of conflicting appeals and arguments designed to persuade them either to accept or to reject the tender offer. The experience of the SEC with proxy fights offers ample evidence that this type of situation can best be controlled, and shareholders most adequately informed, if both sides to the argument are subject to the full and fair disclosure rules of the Federal securities laws.

However, exemptions would be provided for transactions where a filing has been made under the Securities Act of 1933 in view of that act's full disclosure requirements.

In addition, this bill provides that anyone acquiring the beneficial ownership of more than 10 percent of a class of equity security registered under the Securities Exchange Act file with the SEC substantially the same information as that required with respect to a cash tender offer; however, such a filing would not be required until 7 days after the acquisition. This statement would have to be sent to each exchange on which the security is listed and to the principal executive offices of the issuer of the security.

Substantial open market or privately negotiated purchases of shares may precede or accompany a tender offer or may otherwise relate to shifts in control of which investors should be aware. While some people might say that this information should be filed before the securities are acquired, disclosure after the transaction avoids upsetting the free and open auction market where buyer and seller normally do not disclose the extent of their interest and avoids prematurely disclosing the terms of privately negotiated transactions.

To avoid hindering casual acquisitions which are not substantial, I propose an exemption from these reporting requirements for any acquisition or proposed acquisition which, together with all other acquisitions effected during the preceding 12 months by the person or group in question does not exceed 2 percent of the outstanding shares.

I am also including a provision giving the SEC authority to exempt any transaction if the particular transaction will not change or influence the control of the issuer or otherwise is not comprehended within the purposes of this legislation.

This bill also regulates "taking up" of shares pursuant to a tender offer. Persons who have tendered shares would be allowed to withdraw them at any time prior to 7 days after the tender offer is made or at any time after 60 days from the date of the original tender. This will provide shareholders who tendered their shares immediately after the offer is made with a short period within which to reconsider, perhaps in the light of countervailing arguments from the management or competing offeror. At the other end of the spectrum it would prevent tendered securities from being tied up indefinitely awaiting a decision by the person making the offer as to whether or not he will purchase them.

If more securities are deposited pursuant to a tender than the person making the offer is willing to buy, the securities to be bought would be required to be taken up as nearly as possible pro rata according to the number of securities deposited by each shareholder. This would outlaw tender offers on a first-come, first-served basis and thus eliminating pressure on shareholders to make hasty deposits.

Another provision would require a person who substantially increases the price for securities tendered to pay the increased amount to those who deposited their stock before the increase was announced. Thus all tendering shareholders would be treated equally.

The proposed legislation spells out clearly the authority of the SEC to deal with the various problems which have arisen with respect to the acquistion by a corporation of its own outstanding shares. To date the SEC has handled the more flagrant problems on a case-by-case basis beginning with its report on Ward La France Truck Corp. in 1943.

Under present Commission regulations corporations are not required to disclose their stock purchase programs except in certain instances, always after the fact. Such stock purchase programs, however, may involve substantial amounts of securities and can have a substantial effect on the market price. There have been disturbing instances, where, it has been suggested, that such programs may have been utilized as a device to manipulate the market to serve the purpose of the corporation or of those who control it. Even where no manipulative purpose exists, market impact can be substantial and, particularly where the corporations' incursions into the market occur sporadically, unnecessary and undesirable price fluctuations can result.

Finally, the term "person" would be defined for purposes of this bill to include partnerships, syndicates, and other groups formed for the purpose of acquiring, holding, or disposing of securities. This definition would successfully close the loophole that now exists which allows a syndicate, where no member owns more than 10 percent, to escape the reporting requirements of the Securities Exchange Act.

My proposed legislation, while protecting investors and the public interest, will not place undue obstacles in the way of honest and fairly conducted transactions. Legitimate businessmen have nothing to fear from full disclosure. The Securities Act of 1933 and the Securities Exchange Act of 1934 are impressive testimonials that full disclosure is not an impediment, but an aid, to legitimate business transactions.

It is the millions of legitimate businessmen as well as the more than 20 million American shareholders who have the most to gain from this proposed legislation. With this legislation, all will stand on an equal footing with respect to the availability of significant facts about a tender offer or a corporate stock purchase program. All will be able to deal in the securities markets knowing that all of the pertinent facts are available. This is the premise on which our securities markets are supposed to work. Following this premise they have blossomed and thrived under over 30 years of Federal regulation. Now is the time to eliminate the areas where full disclosure is necessary but not yet available.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 510) providing for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934, introduced by Mr. WILLIAMS of New Jersey (for himself and Mr. KUCHEL), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13 of the Securities Exchange Act of 1934 is amended by adding at the end thereof a new subsection as follows:

"(1) Every person, who by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails, directly or indirectly acquires or obtains the right to acquire the beneficial ownership of, or increases or obtains the right to increase his beneficial ownership to, more than 10 per centum of any class of any equity security which is registered pursuant to section 12 of this title shall, within seven days after such acquisition, or the obtaining of such right to acquire, send to the issuer of the security at its principal executive office, by registered or certified mail, send to each exchange where the security is traded, and file with the Commission, a statement as herein below described.

"(A) Each such statement shall contain such of the information specified in subsections (i)–(v) of this section, and such additional information, as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(i) the background and identity of all persons by whom or on whose behalf the purchases have been or are to be effected,

"(ii) the source and amount of the funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading such security, a description of the transaction and the names of the parties thereto, except that where a source of funds is a loan made in the ordinary course of business by a bank as defined in section 3(a)(6) hereof it will be sufficient to so state,

"(iii) if the purpose of the purchases or prospective purchases is to acquire control of the business of the issuer of the securities any plans or proposals which such persons may have to liquidate such issuer, to sell its assets to, or merge it with any other persons, or to make any other major change in its business or corporate structure,

"(iv) the number of shares of such security which are beneficially owned, and the number of shares concerning which there is a right to acquire, directly or indirectly, by (a) such person, and (b) by each associate (as defined in the rules and regulations of the Commission under this Act) of such person, giving the name and address of each such associate, and

"(v) information as to any contracts, arrangements, or understandings with any person with respect to any securities of the issuer, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guaranties of loans, guaranties against loss or guaranties of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into, and giving the details thereof.

"(B) If any material change occurs in the facts set forth in the statements to the issuer and the exchange and the statement filed with the Commission, an amendment shall be transmitted to the issuer and the exchange and shall be filed with the Commission in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(2) When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring, holding, or disposing of securities of an issuer, such syndicate or group shall be deemed a person for the 'purposes' of this subsection.

"(3) In determining, for purposes of this subsection and of section 2 of this bill, whether a person is the beneficial owner, direct or indirect, of more than 10 per centum of a class of any security, such class shall be deemed to consist of the amount of the outstanding securities of such class, exclusive of any securities of such class held by or for the account of the issuer.

"(4) The provisions of this subsection and of section 2 of this bill shall not apply in respect of—

"(A) Any acquisition or offer to acquire securities made or proposed to be made by means of a registration statement under the Securities Act of 1933.

"(B) Any acquisition or proposed acquisition of a security which, together with all other acquisitions by the same person of securities of the same class during the preceding twelve months, does not exceed 2 per centum of the outstanding securities of that class at the time of the acquisition. As used herein the term 'outstanding securities' of a class shall not include securities of the class held by or for the account of the issuer.

"(C) Any acquisition of an equity security by the issuer of such security.

"(D) Any acquisition or proposed acquisition of a security which the Commission, by rules or regulations or by order, shall exempt from the provisions of this subsection as not entered into for the purpose of, and not having the effect of, changing or influencing the control of the issuer or otherwise as not comprehended within the purposes of this subsection.

"(5) It shall be unlawful for any issuer, in contravention of such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors or in order to prevent such acts and practices as are fraudulent, deceptive or manipulative, to purchase any equity security which it has issued. Such rules and regulations may require such issuer to provide holders of equity securities of such class with such information relating to the reasons for such purchase, the source of funds, the number of shares to be purchased, the price to be paid for such securities, the method of purchase, and such additional information, as the Commission deems necessary or appropriate in the public interest or for the protection of investors, or which the Commission deems to be material to a determination whether such security should be sold."

SEC. 2. That section 14 of the Securities Exchange Act of 1934 is amended by adding at the end thereof new subsections as follows:

"(1) When two or more persons act as a partnership, limited partnership, syndicate, or other group for the purpose of acquiring, holding, or disposing of securities of an issuer, such syndicate or group shall be deemed a 'person' for purposes of this subsection.

"(2) It shall be unlawful for any person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, to make a tender offer for, or a request or invitation for tenders of, any class of any equity security which is registered pursuant to section 12 of this title which, if consummated, would result in such person owning beneficially more than 10 per centum of such security, unless five days prior to the making of such tender offer or request or invitation for tenders, such person has filed with the Commission a statement containing such of the information specified in paragraphs (A) and (B) of subsection 1, section 1 of this bill, and such additional information, as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors. All requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders of such a security shall be filed as a part of such statement and shall contain such of the information contained in such statement as the Commission may by rules and regulations prescribe. Preliminary copies of any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain such information as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors and shall be filed with the Commission at least two days prior to the date copies of such material are first sent or given to security holders.

"All copies of preliminary statements filed with the Commission hereunder shall be clearly marked 'Preliminary Copies' and shall be for the information of the Commission only, except that such statements may be disclosed to any appropriate department or agency of government and the Commission may make such inquiries or investigation in regard to such statements as may be necessary for an adequate review thereot by the Commission. Definitive copies of all statements, in the form in which such material is furnished to security holders, shall be filed with, or mailed for filing to, the Commission and shall be sent to the issuer not later than the date such material is first published or sent or given to any security holders. The time periods contained in this subsection may be shortened as the Commission may direct.

"(3) Any solicitation or recommendation to the holders of such a security to accept or reject a tender offer or request or invitation for tenders shall be made in accordance with such rules and regulations as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors.

"(4) Securities deposited pursuant to a tender offer or request or invitation for tenders may be withdrawn by or on behalf of the depositor at any time until the expiration of seven days after the time definitive copies of the offer or request or invitation are first published or sent or given to security holders, and at any time after sixty days from the date of the original tender offer or request or invitation except as the Commission may otherwise prescribe by rules, regulations or order as necessary or appropriate in the public interest or for the protection of investors.

"(5) Where any person makes a tender offer, or request or invitation for tenders for less than all the outstanding equity securities of a class, and where a greater number of securities is deposited pursuant thereto than such person is bound or willing to take up and pay for, the securities taken up shall be taken up as nearly as may be pro rata, disregarding fractions, according to the number of securities deposited by each depositor.

"(6) Where any person varies the terms of a tender offer, or request or invitation for tenders before the expiration thereof by increasing the consideration offered to holders of such securities, such person shall pay the increased consideration to each security holder whose securities are taken up and paid for pursuant to the tender offer or request or invitation for tenders whether or not such securities have been taken up by such person before the variation of the tender offer or request or invitation.

"(7) It shall be unlawful for any person making or soliciting tender offers, or management, or any person or persons who circularize or solicit security holders in opposition to or in favor of any such offer, to make in connection therewith any false, deceptive or misleading statements, or omit to state any material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, or to engage in such acts and practices as are fraudulent, deceptive, or manipulative."

BEWARE THE CORPORATE RAIDER

Mr. KUCHEL. Mr. President, the strength of our free enterprise system rests in large measure upon the strength of our securities markets. Today, there are more than 20 million individual Americans who actively participate in this Nation's investment community; a community composed of some 6,724 public-held corporations. The public's participation represents some 14 billion shares of stocks amounting to an aggregate value of more than $516 billion. These figures represent an investment of more than half of our savings in common and preferred stock. The American people have placed a tremendous trust in the strength, integrity, and vitality of our securities system. It is our responsibility to protect and safeguard that trust through effective Federal laws and regulations.

Congress first acted in this area in response to the tragedy of the "depression." The Banking Act of 1933 divorced commercial banks from their underwriting and securities-floating affiliates. In 1933, the first disclosure law was enacted. The Securities Act required issuers of new securities to disclose to the public all relevant facts needed for an intelligent evaluation of the risks and prospects of ownership. Finally, in 1934, Congress passed the Securities Exchange Act of 1934 to regulate the operations of the New York Stock Exchange and other exchanges.

For well over 32 years, these laws have guided the fantastic growth of individual investment in securities. Though they have prevented effectively the type of underhanded manipulations which led to the "crash" of 1927, new and more dangerous threats have arisen. In particular, the activities of the so-called corporate raiders are immune from the protection of the law.

Today, there are those individuals in our financial community who seek to reduce our proudest businesses into nothing but corporate shells. They seize control of the corporation with unknown sources, sell or trade away the best assets, and later split up the remains among themselves. The tragedy of such collusion is that the corporation can be financially raped without management or shareholders having any knowledge of the acquisitions. The purchases can be made in so-called street names or, even more commonly, by Swiss banks for an undisclosed account number. The corporate raider may thus act under a cloak of secrecy while obtaining the shares needed to put him on the road to a successful capture of the company.

Under the present securities regulations, the takeover pirate need not publicly reveal his intentions until after he acquires more than 10 percent of the outstanding shares. Moreover, he need not reveal the names of individuals with whom he may be acting in concert to seize control of the company. As a result, corporate management is often unable to protect itself from such inroads, because in most instances, it is possible to wrest control of a corporation by buying up considerably less than 51 percent of the outstanding stock.

Recently, in a situation which involved serious implications for the economy of my own State of California, a renowned corporation—Columbia Motion Pictures—was faced with a takeover by a group of prospective stockholders, many of whom were unknown. A Swiss bank, representing an unknown number of individuals, made a tender offer to purchase a large amount of Columbia stock. The attempt was then made to gain control of Columbia.

At that time, I directed letters to the Chairman of both the Securities Exchange Commission and the Federal Communications Commission requesting a full and complete investigation by each of the circumstances of the Columbia stock transaction. I ask unanimous consent that copies of these letters, together with the letter and memorandum which I received from the SEC in response to my inquiry be placed in the RECORD at this point.

There being no objection, the letters and memorandum were ordered to be printed in the RECORD, as follows:

NOVEMBER 10, 1966.

Hon. ROSEL H. HYDE,
Chairman, Federal Communications Commission, Washington, D.C.

DEAR MR. CHAIRMAN: A matter of grave concern to the people of California and the Nation has arisen as a consequence of certain stock transactions which are of particular concern to you and your Commission. They involve the administration of the Communications Act and the regulation of American broadcasting.

Columbia Motion Pictures is an organization renowned for its significant contribution to the entertainment industry. For over 40 years, it has produced great motion pictures. It is the parent company of Screen Gems, Inc. which in turn owns and operates subsidiary corporations holding television and radio licenses approved by the Federal Communications Commission. In a word, this Corporation and its subsidiaries constitute a diversified entertainment enterprise employing many thousands of persons at an average annual payroll of over $24 million, and average annual gross receipts of over $170 million.

A significant portion of this operation is located in California. It represents an important element in my State's economy. Any potential threat to its existence is, of course, an equal threat to its California based personnel, and, to the myriad of related firms who do business with Columbia.

The potential threat of which I speak developed as a consequence of a recent large sale of Columbia stock to the Swiss branch of a French Bank, the Banque de Paris et des Pays Bas. The Bank made a public tender in September of this year to purchase a large amount of Columbia stock for what it alleged to be investment purposes only. Approximately 675,000 shares were purchased by the foreign Bank, representing 34% of the entire outstanding stock of the Company. The Bank, in turn, assigned substantial blocks of Columbia stock to two United States mutual funds. These funds, and a relatively few individual stockholders, joined forces with the French Bank in an attempt to gain absolute control of Columbia. That, of course, includes the power to use or to misuse, to liquidate or to destroy. A spokesman for the group, the President of one of the mutual funds involved, Madison, has publicly stated "We have control".

This power of life or death over any American business or industry, directly or indirectly in the hands of a foreign group, is patently against the national interest. This is a danger already recognized by the Congress when it enacted Section 310 of the Communications Act, a provision which establishes a limitation against the possible foreign control of broadcasting corporations.

I have great respect for the operations of your Commission. Recently, acting on published reports of these transactions, you indicated to Columbia the possibility of a violation under Section 310(a) and 310(b) of the Communications Act. In a letter dated October 21, 1966, you described the possible infringement as the "acquisition of de facto control and a holding by aliens of stock in your corporation in excess of that allowable, without securing the prior consent of this Commission".

On October 25, 1966, Columbia transmitted copies of the FCC letter to the French Bank and other members of the group seeking control, requesting them to advise Columbia whether they intended to apply to the FCC for approval of their acquisition of interest in the Corporation. To date, no adequate information has been forthcoming.

Further, the public interest requires the full investigation of the part which two mutual funds—Madison and Dreyfus—may have played in this transaction. This is particularly true because, spokesmen for mutual funds generally have publicly represented that mutual funds do not as a matter of policy acquire stock in broadcasting companies for the purpose of participating in management or exercising control. These representations were recently made before your Commission. If a different course is now being pursued by the two funds in this transaction, then a full investigation is required. With the enormous capital controlled by mutual funds in America, and the large blocks of stock they hold in public corporations, these funds would have and could exercise a dominant power in the operation of broadcast corporations, in a fashion which surely would have a bad impact on the national interest.

The methods being used in this attempted takeover, if allowed to succeed, will adversely affect the future of Columbia Pictures Corporation. If practiced extensively, they would jeopardize the integrity of our entire communications system. It is and should be a matter of the most grave concern to all Americans when any foreign interest, whose motives may be unascertainable, attempts in any manner to control an American corporation, particularly one whose field is communications, motion pictures, and television.

May I respectfully and officially urge your Commission to assert jurisdiction in the premises, and to undertake a full and complete investigation of the circumstances surrounding this situation. I would further request that, pending the completion of such an investigation, all necesary steps should be taken to prevent the control of Columbia by those employing such questionable methods.

Our country would greatly benefit by such an official inquiry by the Federal Communications Commission.

With kindest regards.

Sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

NOVEMBER 10, 1966.

Hon. MANUEL F. COHEN,
Chairman, Securities Exchange Commission, Washington, D.C.

DEAR MR. CHAIRMAN: Recently, a situation was brought to my attention which I believe involves serious and far-reaching implications for the economic welfare of the State of California and the Nation.

Columbia Motion Pictures is an organization renowned for its significant contribution to the entertainment industry. For over 40 years, it has produced great motion pictures. Its subsidiaries own and operate valuable American television and radio stations. In a word, this Corporation and its subsidiaries constitute a diversified entertainment enterprise employing many thousands of persons at an average annual payroll of over $24 million and average annual gross receipts of over $170 million. A significant portion of this operation is located in California. It represents an important element in my State's economy. Any potential threat to its existence is, of course, an equal threat to its California based personnel, and to the myriad of related firms who do business with Columbia.

The potential threat of which I speak developed as a consequence of a recent large sale of Columbia stock to the Swiss branch of a French Bank, the Banque de Paris et des Pays Bas. The Bank made a public tender in September of this year to purchase a large amount of Columbia stock for what it alleged to be investment purposes only. Approximately 675,000 shares were purchased by the foreign Bank, representing 34% of the entire outstanding stock of the Company. The Bank, in turn, assigned substantial blocks of Columbia stock to two United States mutual funds. These funds, and a relatively few individual stockholders, joined forces with the French Bank in an attempt to gain absolute control of Columbia. That, of course, includes the power to use or to misuse, to liquidate or to destroy. A spokesman for the group, the President of one of the mutual funds involved, Madison, has publicly stated, "We have control".

This power of life or death over any American business or industry, directly or indirectly in the hands of a foreign group, is patently against the national interest. This is a danger already recognized by the Congress when it enacted Section 310 of the Communications Act, a provision which establishes a limitation against the possible foreign control of broadcasting corporations. It is unfortunate that a similar provision was not provided for in the Investment Company Act. The dangers inherent in such a situation are numerous and foreboding for any public corporation.

Under the facts as they have been represented, Columbia Motion Pictures Company would find itself under the control of a combination including significant foreign interests, without prior notice to the Company, without an opportunity for examination into the circumstances surrounding a tender offer for a very substantial block of its stock, and without any regard for the rights of its stockholders, its employees and its creditors.

According to newspaper reports in connection with the tender offer, the French Bank and its agent stated that Columbia stock was intended to be purchased as an investment. However, once the Bank had acquired Columbia stock, it combined forces with what press accounts call "dissident stockholders" in order to establish domination over Columbia. This would indicate that the sole purpose of the purchase was not investment alone. Would not the public interest be served by your Commission carefully sifting the facts behind this bizarre development?

The actions of the two mutual funds involved in this transaction raises serious questions under the Investment Company Act. The Madison and the Dreyfus Fund are members of the group seeking control of Columbia. When the Investment Company Act was enacted, Congress was concerned about the domination and control by mutual funds of companies engaged in interstate commerce. This concern is reflected in the findings and declaration policy in the Act itself. It is one of the grounds on which investment companies were found to be affected with a national public interest. With the enormous capital controlled by mutual funds, and the large blocks of stock they hold in public corporations, these funds would have and could exercise a dominant power in the operation of such corporations, in a fashion which surely would have an adverse impact on the national interest.

The dangers inherent in the methods used in this attempted takeover threaten the very life of Columbia Pictures Corporation. If these methods were to be practiced extensively, they would pose a hazard to our entire system of free, competitive enterprise. It is and should be a matter of the most grave concern to all Americans when any foreign interest, whose motives may be unascertainable, attempts in any manner to control an American corporation, particularly one whose field is communications, motion pictures, and television.

I respectfully urge your Commission to assert jurisdiction in the premises, and to undertake a full and complete investigation of the circumstances surrounding the situation. Our country would greatly benefit by such an official inquiry by the Securities and Exchange Commission.

With kindest regards.

Sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: This is in reply to your letter of November 10 in which you refer to the purchase through a public tender offer by the Swiss branch of the Banque de Paris et des Pays Bas of approximately 675,000 outstanding shares of Columbia Pictures Corporation, and express the view that this situation involves serious and far-reaching implications for the economic welfare of the State of California and the Nation.

I enclose a Memorandum from the Office of our General Counsel which discusses the situation, both in terms of the Commission's existing responsibilities under the federal securities laws and in terms of a possible legislative problem, of which the Columbia Pictures transaction may well be an example.

If we can be of any further help to you in connection with this situation, please let us know.

Sincerely,

MANUEL F. COHEN,
Chairman.

Enclosure.

MEMORANDUM OF THE OFFICE OF THE GENERAL COUNSEL, SECURITIES AND EXCHANGE COMMISSION, WITH RESPECT TO LETTER OF NOVEMBER 10, 1966, FROM SENATOR THOMAS H. KUCHEL

In his letter of November 10, 1966, Senator Kuchel expresses serious concern about the acquisition of 675,000 shares of Columbia Pictures Corporation pursuant to a public tender offer by the Banque de Paris et des Pays Bas, the Swiss branch of a French bank. Subsequent to the tender offer, the bank assigned substantial blocks of this stock to two United States investment companies, The Dreyfus Fund, Inc. and Madison Fund, Inc.

This matter has been receiving the attention of the Commission and its staff, and inquiry is being made into possible violations of the federal securities laws in connection with the bank's tender offer and the subsequent transfer to United States investment companies, including the violations alleged in a suit instituted by Columbia Pictures Corporation against the French bank, the two investment companies and various other companies and individuals. Although we understand that the private suit has been settled, should it appear that violations of the federal securities laws have been committed, the staff will continue its investigation and the Commission will take appropriate action.

Although both The Dreyfus Fund, Inc. and Madison Fund, Inc. are registered under the Investment Company Act of 1940, that Act does not prohibit an investment company from obtaining a controlling interest in a portfolio company. However, as Senator Kuchel's letter points out, the Act does express a concern over the domination and control by investment companies of other companies in which they are interested, and Section 14(b) of the Act expressly authorizes the Commission to investigate the effects of investment company size on portfolio companies. Pursuant to this mandate, the Commission has just issued a comprehensive report on the Public Policy Implications of Investment Company Growth. Chapter VIII of that report deals specifically with problems of investment company-portfolio company relationships. Although the report notes that some mutual funds seem to have become somewhat more active in portfolio company affairs, it does not find evidence that they have misused their power as large stockholders to the detriment of portfolio company shareholders. It concludes that, apart from special questions raised by investment companies that invest in other investment companies, there is no present need for new legislation in this area.

The circumstances surrounding the French bank's acquisition from public stockholders of a substantial position in the stock of Columbia Pictures Corporation, however, does point up an important problem of investor protection under the federal securities laws. While the pattern of corporate disclosure to investors provided by the federal securities laws is probably the most effective and comprehensive in the world, there is a significant gap with respect to efforts by outside persons to acquire a controlling influence over a publicly held corporation through tender offers and other purchases of outstanding shares. Notwithstanding the great importance to stockholders of possible changes in the management of their companies, persons making tender offers and other purchases are presently able to operate in almost complete secrecy concerning their intentions, their commitments and even their identities.

This gap in investor protection will be closed by the enactment of legislation similar to S. 2731, a bill introduced by Senator Harrison Williams of New Jersey during the 89th Congress. That bill would have amended the Securities Exchange Act to provide for disclosure of essential facts by persons making tender offers so that stockholders would be in a position to make more informed decisions as to whether to tender their shares, retain them or perhaps purchase additional shares.

The Commission supported the objectives of S. 2731 and understands that this legislation in revised form is likely to be reintroduced in the 90th Congress. In a situation like that of Columbia Pictures Corporation, such legislation would afford significant and much needed protections to public stockholders who are being solicited to sell their stock.

Mr. KUCHEL. Fortunately, the threat of takeover involved in this transaction was resolved by a private agreement between the parties. But such agreements offer little assurance that similar future attempts at takeover will not succeed. As the SEC memo states:

> Notwithstanding the great importance to stockholders of possible changes in the management of their companies, persons making tender offers and other purchases are presently able to operate in almost complete secrecy concerning their intentions, their commitments and even their identities.

I believe that the proposal introduced by the distinguished Senator from New Jersey, Senator HARRISON WILLIAMS, providing for full and complete disclosure requirements by those making cash tender offers, will provide needed legislative protection in this area. This proposal is similar to S. 2731, a bill also introduced by Senator WILLIAMS during the 89th Congress. Regarding this proposal, the SEC memo states:

> This gap in investor protection will be closed by the enactment of legislation similar to S. 2731, a bill introduced by Senator Harrison Williams of New Jersey during the 89th Congress.

I am delighted that I may add my name as a cosponsor to this needed legislation.

I also look forward to the proposed legislative recommendations of the SEC, following its report on the "Public Policy Implications of Investment Company Growth." It is my hope that these proposals will provide additional regulatory tools against the threats to our securities system. We must always remember that the securities markets of America are the public markets of all Americans. The security of our investments demand the continued and improved vigilance of our laws.

COMMUTER SERVICE BILL

Mr. WILLIAMS of New Jersey. Mr. President, for many years now, we have recognized that the Federal Government has a basic involvement in fulfilling this country's transportation needs. In our early days, we were concerned with building long-haul railroads and creating an adequate merchant marine. As our country has gone through different phases of its history, different modes of transportation became increasingly important and made their claims on the Government's help.

Understandably enough, as the United States grew industrially and great metropolitan areas became the commercial and social hub for large masses of people, the problem of urban transportation slowly came to the forefront of our national concern. By the end of World War II, it was becoming obvious to anyone who cared to look, that we were paying a disproportionate amount of money and attention to the private automobile and a multibillion dollar highway network, and were almost ignoring the question of how to move large numbers of commuters and casual travelers into and out of large urban areas in an orderly, pleasant and economical manner.

Congress first faced up to its responsibilities in this area when, in the 1961 Housing Act, it authorized programs for mass transportation demonstration projects, loans, and planning. This was only a small start, however, and in 1964 we finally succeeded in getting the Mass Transportation Act of 1964 enacted into law. Under this act, $375 million was authorized and $320 million has been appropriated, to revitalize and expand all types of transit and commuter transportation systems.

However, I think it vital to keep clear in our minds just what major premises underlay the provisions of the act. Basically, the act operated on the theory that fare box revenues could finance operation. Consequently, the grant provisions were designed to meet the heavy costs of new construction, new equipment, modernization, and the installation of new systems.

For many communities, this was just what the doctor ordered. The Memphis Transit Authority was able to purchase 75 new air-conditioned buses and complete a 3-year-old modernization program. The city of Minneapolis received a grant to develop a planned transitway and pedestrian mall along eight major downtown streets.

But it is essential to remember that the act was aimed at revamping and remodeling transportation systems which were already paying their own way out of the fare box or were receiving sufficient local subsidies to stay in business. Unfortunately, we have been somewhat beguiled by the "folklore of the fare box" and have tended to ignore the disconcerting fact that many public transportation systems—buses, subways, and commuter railroads—are simply not meeting their operational costs and consequently are in no position to take advantage of the capital grants under the Mass Transit Act.

I think that there is no longer any question that provision of adequate transit services has become a legitimate concern of government. Transportation has become as much of an essential public service as police protection or sanitation. Just as we now fully recognize that the local governments of large metropolitan areas have a responsibility for the health and safety of our cities, so we must face hard facts about our responsibilities throughout the whole broad field of commuter transportation.

The recent mass transit tieup in New York City presents a vivid and frightening example of the paralysis caused by a breakdown in transportation facilities: a city is brought to a standstill, incalculable losses are sustained by manufacturers and retailers, millions are kept from their jobs with resulting loss of pay, essential services are stymied, and virtual chaos develops on every alternate artery of transit.

This spectacle should serve as fair warning to all of us. Government is as directly concerned with the maintenance and functioning of an adequate transportation system as it is with maintenance and functioning of the power system which supplies electricity to a city.

In addition to a power failure and a disastrous mass transit labor dispute, the New York metropolitan region may well be on the verge of still another crisis which is merely indicative of that faced in other areas of the country. The commuter problem facing the tristate area of New Jersey, New York, and Connecticut—a problem which has been studied, discussed, analyzed, and argued about for over a decade—merely exemplifies that aspect of the commuter transit problem which we were not yet ready to deal with in the Mass Transit Act, and which is now staring us in the face. Many of the commuter lines—whether publicly owned subways in Boston or New York, privately owned railroads like the New Haven and Reading, or bus systems, simply cannot finance their operations out of the fare box and need immediate and direct cash grants merely to keep their heads above water.

There is no question at this point of the central role which commuter railroad service plays in every major metropolitan region. In a sense, this is a two-way relationship, for not only is the urban industrial complex dependent on those who commute into the city to perform their tasks, but the suburban, exurban, and rural communities which feed their residents into those commuter lines are even more dependent on the financial feedback from the cities.

For example, in my own State, where about 200,000 commuters daily pour into New York, it has been estimated that over $3 billion is generated by this employment for the benefit of New Jerseyans.

The time has now come for drastic action—for enactment of a carefully designed, long-range, commuter-service bill which looks forward to or envisions an eventual solution of the problem rather than the sporadic handouts which transit facilities receive each time they cry poverty and threaten stoppage of service.

For too long we have labored under the comfortable myth that provision of passenger service was strictly the concern of private enterprise and a simple matter of market economics. Because of that comforting myth—which enabled us to avoid an early and honest appraisal of the problem—we ignored the danger signals which have been sent up over the years.

For example, even though private companies did a superb job—often with generous government contributions—of building and running a network of railroads linking every corner of our country, the events of the 20th century have drastically altered their ability to handle present needs. The reasons for this have by now become obvious to everyone.

First of all, the very nature of commuter service presents difficulties because it serves large masses of riders for only short periods of the workday and the workweek. The inroads made by the automobile and our strangulating highway network have severely curtailed railroad passenger and bus traffic. The high cost of labor and the large capital outlays required for new rolling stock, have also contributed to the woes of buses and railroads and breakdown of commuter service.

The railroads have made clear their present inability to operate their commuter operations on anything approaching a fiscally sound basis. The Erie-Lackawanna, the major commuter railroad for New Jerseyans, has estimated its losses at $63 million in the past decade and $8.2 million—before State subsidies—last year alone; the Jersey Central claims it has incurred deficits of $60 million in the past 10 years, and $6.5 million—before State subsidies—during 1964. The regional plan association calculates the operating loss on all commuter operations in the metropolitan region at about $25 to $30 million annually.

Obviously, these losses cannot continue. Whether all possible efforts have been made over the years by railroad management to avoid them or to forestall them, is no longer the issue. At this time we must simply face the unpleasant facts of commuter life. The Erie-Lackawanna is reported to be preparing its application to the Interstate Commerce Commission to abandon service; the New Haven has been in bankruptcy for years; the Long Island Railroad has been virtually operated by the State of New York for over a decade.

Let me make one thing clear: I have talked in detailed terms of the problems in New Jersey and the entire New York region, but that is because, naturally, I know this area most intimately, and it is of most direct concern to me. However, the problems of this region of 17 million people are merely illustrative of the problems faced by failing commuter systems all over the country. Whether you look at the Boston area with its subway and Boston & Maine difficulties, or the current dispute right here in Washington, D.C., over a reasonable fare to be charged on the bus system, or at the remarkable progress made by the Chicago & Northwestern in serving the Chicago suburbs, the basic issue is the same. It is my strong belief that we must now make public our commitment that commuter lines—of all types—will be maintained in order to insure the continuing prosperity and well-being of the millions of people all over the country whose daily routine is so dependent on them.

Having made this policy decision, the question becomes one of how best to act. How are we going to keep these commuter facilities operating? Are we forced to accept the unpleasant notion of State or Federal ownership? I think not. Are we going to continue throwing them the bones of haphazard emergency subsidies and thinly disguised "demonstration grants" which demonstrate only the inadequacy of the funds granted? To me this is neither the rational nor the economic answer.

I would like to explain to you a program which I think presents an honest and well-thought-out plan for dealing with this situation. I say honest, because I think we must face squarely the financial magnitude of this problem and the funds which are needed to solve it, and we must no longer flinch at the application of some novel approaches which are necessary.

The program is relatively simple and embodies two major ideas: First, we must keep the commuter lines going. The danger on several railroad lines for example, is of immediate curtailment and abandonment or of mergers which will result in eventual abandonment. Consequently, the Federal Government must contribute a certain portion of Federal funds to keep our transit facilities running. Whether we term these temporary subsidies, interim relief, or grants to defray operating deficits, we must recognize that the first order of business is, in the New York region, to transport 77,000 New Jerseyans daily to New York City and to make sure that the other 123,000 commuters from Connecticut and New York also make it to their jobs in the metropolitan region.

The concept of government subsidies for operating losses is hardly a new one. My own State has been paying out between $6 and $7 million a year for the last 6 years to the Erie-Lackawanna, the Jersey Central, and the Pennsy. Connecticut has authorized a subsidy of up to $4½ million annually to keep the New Haven in operation. And New York set up a separate corporation, back in 1954, to run the Long Island Railroad rather than let it go out of service. New York City and Chicago have long realized the necessity of subsidizing their public transportation systems, and the Philadelphia area has established a transportation authority which is in the process of doing the same thing.

In short, whatever long-term arrangements we make for the prosperity of commuter buses, subways, and railroads, our short-term problem is one of their continued existence, and for this the lines must have help to meet their day-to-day operating deficits.

The bill I am introducing squarely faces this portion of the problem and provides, on a two-third, one-third matching basis, for Federal funds to help defray the out-of-pocket operating losses of any transportation facility which provides commuter services in a metropolitan, urban area.

Second, to merely hand out, year after year, payments to meet deficits, would be throwing good money after bad. There must be a massive effort made to modernize equipment, to purchase great numbers of new cars and buses, to make service more efficient, to cut labor costs where possible, and to institute all possible economies in the running of the lines. Essentially, what is needed is a long-range capital improvement program which, once put into final effect, can either lessen deficits to the minimal level where they can be totally borne by the State or local governments, or can eliminate them entirely.

Under the provisions of the legislation I am introducing today, the Secretary of the Department of Housing and Urban Development would make these grants on a two-third, one-third matching basis, not to the operating applicant itself, but to a public transportation authority which has broad responsibilities for maintenance of commuter transportation and upon whose contribution the ratio is based. For example, the New York Metropolitan Commuter Transportation Authority, or Connecticut's Public Transportation Authority would be eligible for such aid. The excellent suggestion of Dwight Palmer, New Jersey's experienced and knowledgeable State highway commissioner, that his agency be expanded into a more comprehensive Department of Transportation would probably bring such a Department under the provisions of this legislation. On a broader level, the existing tristate transportation commission could be given the powers and authority to take advantage of such assistance.

The central requirement of this bill is that no grant shall be made unless the public transportation body and the particular applicant to be assisted have submitted a comprehensive commuter service improvement plan—which sets forth a program—for capital improvements to be undertaken by such railroad for the purpose of providing more efficient, economical, and convenient commuter service in an urban area, and for placing the commuter operations of such railroad on a sound financial basis.

In operation, a State or independent public body with transportation responsibilities, will submit to the new Department of Urban Affairs a complete, long-term program setting out a limited period of time in which its operating deficits must be met and a comprehensive schedule for capital improvements. I am hopeful that in addition to providing the benefits which I have outlined, this legislation will also stimulate creation of the broad regional transportation authorities which have proven so successful in dealing with the complex and interrelated problems of planning transportation for a particular metropolitan region. The Massachusetts Bay Transportation Authority and the newly emerging Southeastern Pennsylvania Transportation Authority are outstanding examples of the successful use of these far-ranging public authorities.

In order to insure, so far as possible, that this will not turn into another never-ending program of government subsidies, we have written a 10-year limit into the program and have given the Secretary discretion, when necessary, to extend individual grant programs for an additional 5 years.

This measure also directs the Secretary of HUD to conduct a study of the subsidy program, comparing it with other subsidy programs of the Federal Government to determine the efficacy of this program in assuring adequate urban commuter service, not just in the Northeast, but throughout the country.

It also assures that no grant will be approved unless it fulfills the long-range comprehensive urban transportation requirements applicable to the capital grants portion of the Mass Transportation Act.

As a piece of companion legislation, I am also introducing a bill which would forestall the kind of action which the management of certain railroad lines, like the Erie-Lackawanna, is so anxious to take. Instead of allowing abandonment of service on the grounds it currently does, which are mostly financial, the Interstate Commerce Commission must first require that a carrier have made good faith efforts to take full advantage of the provisions of the commuter service bill. In this way, commuter lines will not be allowed to totally abandon their responsibilities to the public without having made the attempt—requiring time and imagination and will—to arrive at sound constructive growth plans which will enable them to get on their feet again. In short, we will give all possible help to keep the railroads in business, but we will not tolerate their just walking out of the picture because that is the simple way out.

I realize that it would be impossible for the Federal Government to provide the money to finance even a sizable portion of what needs to be done overall throughout the country in this field. However, I do believe we could make a major contribution toward finding a solution to some of the major problems with a very modest $75 million per year, as provided in my bill, for a period of 5 years.

In conclusion, this bill is not a complete answer to all the problems of commuter transportation facing the Nation. I do believe, however, that it may provide a system for discovering many solutions to a conflict which, if not resolved, will lead to utter chaos in most urban communities within the near future.

Mr. President, I respectfully request unanimous consent for these bills to lie on the table for 1 week for additional cosponsors and for the text of these bills to be printed following my remarks.

The **PRESIDING OFFICER.** The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD, and will lie on the desk for 1 week for additional cosponsors.

The bills, introduced by Mr. WILLIAMS of New Jersey, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

The bill (S. 511) to amend the Urban Mass Transportation Act of 1964 to authorize certain grants to assure adequate commuter service in urban areas, and for other purposes was referred to the Committee on Banking and Currency, as follows:

S. 511

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds—

(1) That over 70 per centum of the Nation's population lives in urban areas, and it is anticipated that by 1986 80 per centum of the population will be concentrated in such areas;

(2) That transportation is the lifeblood of an urbanized society and the health and welfare of that society depends upon the provisions of efficient, economical, and convenient transportation;

(3) That for many years the mass transportation industry served capably and profitably the transportation needs of the urban areas of the country;

(4) That in recent years the maintenance of even minimal commuter service in urban areas has become so financially burdensome as to threaten the continuation of this vital service;

(5) That some mass transportation companies are now engaged in developing preliminary plans for, or are actually carrying out, comprehensive projects to revitalize their commuter operations; and

(6) That immediate substantial Federal assistance is needed on an interim basis to enable many mass transportation companies to continue to provide vital commuter service during the period required to overhaul and revitalize commuter operations and to place such operations on a sound financial basis.

SEC. 2. The Urban Mass Transportation Act of 1964 is amended by redesignating sections 6, 7, 8, 9, 10, 11, and 12 as sections 7, 8, 9, 10, 11, 12, and 13, respectively and by adding after section 5 a new section as follows:

"INTERIM ASSISTANCE TO ASSURE ADEQUATE COMMUTER SERVICE IN URBAN AREAS

"SEC. 6. (a) For the purpose of providing interim assistance on an experimental basis to assure adequate commuter service in urban areas, the Secretary is authorized to make grants to any State or local public body or agency thereof to enable such State or public body or agency thereof to assist any mass transportation company which maintains commuter service in an urban area within the jurisdiction of such State or public body or agency thereof to defray operating deficits incurred as the result of providing such service to such areas. No grant shall be provided under this section to any State or local public body or agency thereof to assist any mass transportation company unless (1) the Secretary determines that the commuter services provided by such company are needed for carrying out a program referred to in section 4(a), and (2) such State, public body, or agency and such company have jointly submitted to the Secretary a comprehensive commuter service improvement plan which is approved by him and which sets forth a program, meeting criteria established by the Secretary, for capital improvements to be undertaken by such company for the purpose of providing more efficient, economical, and convenient commuter service in an urban area, and for placing the commuter operations of such company on a sound financial basis. No mass transportation company shall be eligible to receive assistance provided under this section for a period in excess of ten years, except that the Secretary may authorize such assistance for an additional period, not exceeding five years, if he determines that an extension is necessary in order to enable such company to carry out its commuter service improvement plan.

"(b) Any grant under this section to a State or local public body or agency to defray the operating deficit of any mass transportation company shall not exceed an amount equal to two times the amount of financial assistance provided by such State, public body, or agency to such company to defray such deficit, and any assistance provided under this section shall to the greatest extent practicable be coordinated with other assistance provided under this Act.

"(c) To finance grants under this section there is authorized to be appropriated not to exceed $75,000,000 for each of the fiscal years 1968, 1969, 1970, 1971, and 1972. Any amount so appropriated shall remain available until expended; and any amount authorized but not appropriated for any fiscal year may be appropriated for any succeeding fiscal year. The Secretary is authorized, notwithstanding the provisions of section 3648 of the Revised Statutes to make advance or progress payments on account of any grant made pursuant to this section.

"(d) The Secretary shall conduct a study of the operation of the subsidy program authorized by this section, as compared with other operating subsidy programs carried out by the Federal Government, with a view to determining the efficacy of such program in assuring adequate commuter service in urban areas. The Secretary shall submit an interim report of his findings and recommendations to the Congress not later than June 30, 1969, and a final report of such findings and recommendations shall be submitted to the Congress not later than June 30, 1972.

"(e) No grants shall be made under this section after June 30, 1972, except pursuant to a commitment entered into prior to such date."

SEC. 3. Section 7(b) of the Urban Mass Transportation Act of 1964 (as redesignated by section 2 of this Act) is amended by striking out "July 1, 1966" and inserting in lieu thereof "July 1 of each of the years 1967, 1968, 1969, 1970, and 1971."

SEC. 4. Section 10(c) of the Urban Mass Transportation Act of 1964 (as redesignated by section 2 of this Act) is amended—

(1) by striking out the semicolon at the end of clause (3) and inserting in lieu thereof ", and the term 'Secretary' means the Secretary of Housing and Urban Development;";

(2) by striking out "and" at the end of clause (4);

(3) by striking out "serving the general public" in clause (5) and inserting in lieu thereof "serving commuters and others", and by striking out the period at the end of such clause and inserting in lieu thereof the following: "; and the term 'mass transportation company' means any private company or public authority or agency providing mass transportation service; and"; and

(4) by adding at the end thereof a new clause as follows:

"(6) the term 'annual net operating deficit' means that part of the annual operating costs of a mass transportation company which could reasonably have been avoided by the elimination of commuter service in an urban area, less the annual revenues derived by such company from the provision of such service."

SEC. 5. Section 13 of the Urban Mass Transportation Act of 1964 (as redesignated by section 2 of this Act) is amended by striking out "section 7(b)" and inserting in lieu thereof "section 8(b)".

The bill (S. 512) to amend section 13a of the Interstate Commerce Act, relating to the discontinuance or change of certain operations or services of common carriers by rail, in order to require the Interstate Commerce Commission to give full consideration to all financial assistance available before permitting any such discontinuance or change, was referred to the Committee on Commerce, as follows:

S. 512

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13(a)(1) of the Interstate Commerce Act (49 U.S.C. 13a(1)) is amended by inserting after "If, after hearing in such investigation," the following: "including full consideration of any financial assistance available pursuant to the Urban Mass Transportation Act of 1964 or any other law for the purpose of continuing such operation or service and the efforts of such carrier or carriers to obtain such assistance,".

SEC. 2. Section 13a(2) of the Interstate Commerce Act (49 U.S.C. 13a(2)) is amended by inserting after "The Commission may grant such authority only after full hearing" a comma and the following: "including full consideration of any financial assistance available pursuant to the Urban Mass Transportation Act of 1964 or any other law for the purpose of continuing such operation or service and the efforts of such carrier or carriers to obtain such assistance,".

ADULT HEALTH PROTECTION ACT OF 1967

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to establish health screening programs in a limited number of regional and community centers equipped with the latest in instrumentation and communication systems. The service would be free and voluntary for persons of age 50 or over, and it could become the cornerstone for a genuine national effort to prevent or reduce chronic disease by detecting it in its early stages.

Few national goals could be more urgent.

We have been told within recent weeks that chronic disease in the United States takes an economic toll of $57.8 billion annually in direct and indirect costs.

We have also been told that we spend just a small fraction of that sum for the prevention of illness.

In other words, we treat disease when it occurs; we do not attempt to put obstacles in its path. We give disease a head start, and then we run to catch up with it, after it has already begun to cause damage.

Would prevention not be better than an almost total reliance on treatment?

And now with the advent of medicare, do we not have one more compelling economic reason to prevent chronic disease?

Why, we should ask ourselves, must we pay out money for hospital care of illnesses that might have been held at bay if caught in time?

Why, with the need and demand for medicare, do not we turn our attention to ideas and actions that will reduce illness and the cost of treating illness?

And why, in a Nation capable of deep compassion, have we not concerned ourselves more effectively with the people who are weakened, crippled, or killed by chronic illness?

Eighty-seven million persons in the United States now suffer from at least one chronic condition—including more than seven out of 10 persons of age 45 or over.

Of all who suffer, 22.6 million must limit their physical activity in some way.

Heart disease alone afflicts 14.6 million individuals and 13 million know the anguish of arthritis.

Of the 1.5 million persons in medical institutions, the great majority are there because of chronic disability.

With disheartening statistics such as these—and there are many more—can we in this Nation honestly believe that we have done all that can be done to fight disease before it overtakes its millions of victims?

Treatment, however superb the techniques or the care, is fundamentally a defeat. It is an attempt to repair damage after it has occurred, but we must do more than deal with outright physical disaster or long-term attrition. We must take positive preventive action while it is still early enough to matter.

The bill I submit today would, I am convinced, give us some of the resources we need to be most effective, most strategically. Its provisions are modest, but this bill could lead us to a new national standard of health maintenance. Early detection of chronic illness could become as much a part of our lives as fire protection or vaccination against smallpox.

SUMMARY OF PROVISIONS

This bill would authorize the Surgeon General to make grants to medical schools, community hospitals, health departments, and other public or nonprofit agencies to establish and operate health protection centers.

REGIONAL HEALTH PROTECTION CENTERS

The regional health protection centers would provide a series of basic tests to detect abnormalities in the cardiovascular, respiratory, gastrointestinal, genitourinary and musculoskeletal systems, as well as defects in metabolism and organs of special sense. Specific diseases or conditions to be tested for might include first, hypertension, heart muscle enlargement, and disease; second, mouth, lung, breast, cervical, and other cancer; third, diabetes; fourth, kidney disease; fifth, glaucoma; sixth, tuberculosis; seventh, rheumatoid arthritis; eighth, gastrointestinal bleeding; ninth, anemia; 10th obesity; 11th, respiratory insufficiency; 12th, vision impairment; 13th, hearing impairment; 14th, hyperchloresterolemia; and 15th, gout.

The tests would be administered by technicians, nurses, and medical specialists using automated or semiautomated equipment which has already been proven to give swift, accurate, and reliable results. The results of these tests along with data provided by the person undergoing the health appraisal, would be fed into a computer. It is estimated that the battery of tests could be administered within 2½ hours.

The results of the tests, summarized by the computer, would be referred to the private physician of the person tested. In cases where the person either did not have a private physician or was medically indigent, the test would be referred to a physician in accordance with local practice.

The regional health protection centers are intended to provide an efficient means for the detection of abnormalities or indications of disease. They would not replace full examinations. Their purpose is to place in the hands of the examining physician a summary of basic data and to place promptly under a physicians' care a person with indications of possible disease.

The centers would be under the supervision of physicians, but they would be principally staffed by technical personnel. Health counselors would be on the staffs of the centers to explain the purpose of the tests, to insure proper referral and to follow up those cases where prompt medical treatment was indicated by the tests.

Health appraisals and disease detection tests would be available to any person age 50 or above on a voluntary basis.

The regional health protection centers would conduct training programs in the operation of technical disease detection procedures and would research and develop new disease detection tests and equipment. Additional grants to the regional centers would be authorized for operational research and for the establishment of internships to give on-the-job training to physicians, nurses, social workers, and technical personnel. The centers would also conduct community education programs on preventive health care.

The availability of these testing services would be intended to encourage men and women approaching retirement to take regular health examinations and to facilitate the giving of full examinations by practicing physicians.

COMMUNITY HEALTH PROTECTION CENTERS

The Surgeon General would be authorized to make grants to medical schools, community hospitals, and other community health service agencies for the establishment of community health protection centers. They would be linked by data transmission lines to the regional centers and could use the more sophisticated electronic equipment and other facilities of the regional centers for the evaluation of some tests.

One of the criteria for the awarding of grants to regional centers would be their ability to provide services to the small community centers. Although the community centers would be directly connected to the regional centers, they would not necessarily be operated by the same institutions which ran the regional centers. One purpose of the community centers would be to make the services of the regional centers more widely available to a greater number of people. Special facilities might be developed to meet particular needs. For example, mobile units might be used in rural areas.

OTHER PROVISIONS

A 12-man Advisory Council on Adult Health Protection would be established to advise and assist the Surgeon General in the administration of this program.

The Surgeon General would be authorized to contract with educational institutions or other appropriate organizations for the conduct of educational programs. He would also be authorized to contract with profit and nonprofit organizations for the research and development of equipment, systems, or processes which would improve disease detection procedures.

Let me emphasize—this point bears emphasis—that the centers would not be treatment centers. They would not be diagnostic centers. They would be laboratories which give data to physicians, who would interpret that data and deal directly with patients when consultation would be needed.

The bill I am introducing requires that in every case the results of the screening test be given to a practicing physician. The health protection centers would not be equipped or intended to provide treatment, although the staff of the centers would be expected to follow up cases and to make sure that a participant was promptly brought under a doctor's care if treatment was indicated by the tests. Even should the screening tests show no indications of possible disease, the data would provide basic information to a physician on his patient which would be extremely helpful for a full physical examination by a doctor or as base line data in future examinations.

Doctors would thus be given more time to perform the executive, expert functions that only they can perform. They would be given more time and more facts to help more people.

As the population continues to increase—especially the elderly population which is most susceptible to chronic disease and disability—physicians and others in the health professions will need all the time they can get.

HEALTH SUBCOMMITTEE FINDINGS

Mr. President, I introduced an identical bill (S. 2983) last February and said at that time that it was urgently needed. Supporting my arguments were excerpts from letters written by eminent representatives of medicine and related professions.

Representative John Fogarty, who had long sought adequate health care for all Americans, introduced the bill on the same day, and he made an eloquent plea for early attention by Congress. As always, he was in the forefront of action for new health advances. As one who knew him well in the House, I was deeply saddened by his passing. Congress and the Nation have lost a great legislator and a remarkable man.

As each of us well remembers, 1966 was a busy year in both Houses of Congress. There were not enough hours for full consideration of the Adult Health Protection Act—or "preventicare," as it has been nicknamed.

Fortunately, however, the Subcommittee on Health of the Elderly in the Senate Special Committee on Aging conducted hearings that bear directly upon the purposes of the bill submitted here today.

I might add that the hearings were not concerned with a specific bill. The Committee on Aging does not consider legislation; it conducts studies and makes recommendations for action. It seems to me that the value of such studies was amply demonstrated once again in this case. Knowledgeable witnesses—including physicians, State public health directors, medical economists, experts in medical electronics, and sociologists—came to Washington to give facts and opinions necessary for full understanding of modern health screening and its implications when applied on a national scale.

Senator Maurine Neuberger, the subcommittee chairman, performed a valuable public service, it seems to me, when she conducted the hearings and related studies. In the final months of a distinguished Senate career, she once again expressed effective interest in the health resources of our Nation.

A summary of the testimony taken in September during 3 days of hearings appears in a subcommittee report "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques," was published on December 30, and it was worthy of the widespread attention it received.

The major recommendation of that report is thoroughly consistent with the purposes of the Adult Health Protection Act introduced by Congressman Fogarty and myself.

The subcommittee recommendation was as follows:

> Federal legislation should be enacted to establish a multiphasic screening program on a large-scale basis with eventual expansion nationwide.

Furthermore, the report said that multiphasic screening—the simultaneous testing for one or more illnesses—"offers the possibility of converting 'an ounce of prevention' from a proverb into an avenue of health for the Nation."

Senator Neuberger made it clear in her

foreword to the report that multiphasic screening alone will not end all health care deficiencies in this Nation.

But—

She added—

> it can become, as one witness described it, a "new entity" providing a much-needed service while it alerts public officials and private citizens to the need for preventive medicine.

Weighty facts and arguments in support of such conclusions appear frequently in the 648 pages of hearing transcript and appendixes. I wish that I could quote at length from the testimony, but I will attempt instead to summarize the major subcommittee findings and the reasons for them.

First. The subcommittee found that the economic and sociological costs of chronic disease are intolerable, but that this Nation is spending relatively little on programs to prevent disease.

Many of the statistics on chronic disease costs used earlier in this speech are from a study discussed at some length during the subcommittee hearing. That study, impressive as it was, could tell only the dollars and cents cost of chronic disease. There is much, much more to the story.

From Dean Walter Beattie, of the School of Social Work at Syracuse University, for example, the subcommittee received this statement:

> Far too often long-term illness results in the loss of self-mastery and an increased emphasis on dependency—physical, psychological, emotional, economic and social—in a society which places a high value on independence. . . . To the community and society, the social significance of chronic disease must be that of the loss of our basic human resources. Our goal should be to conserve resources and enhance their contributions to the society.

Furthermore, said the dean, dependency increases the demands on already overworked professional and technical manpower in the helping professions, including those concerned with medical care and social service.

His Eminence Cardinal Ritter of the Ritter Institute in St. Louis said that chronic illness has an impact on the very structure of the family:

> For some the statistics on the mounting tide of chronic illness and its damaging effects may seem distant or academic in nature only. If, however, one could go behind the statistics to the individual or individuals affected—one would then be better able to measure its damaging effects by seeing it engulf the individual or family in pain or despair or death—by seeing it sap the foundation of family life and community life in all parts of the country.

Another witness, chief of the gerontology section in a Brooklyn hospital gave a gripping description of the effects of chronic illness on individual people:

> The Statistics I have quoted, being aggregate entities, fail to convey the consequences in terms of people—individual people. It is in the microcosm of clinical practice that they become meaningful.
>
> The 60-year-old man, a diabetic, with gangrene of a foot, who refuses to permit amputation despite his constant pain, drags his wife, his children, and their families all into his own orbit of despondency, bickering, and emotional turmoil. Or again, the 55-year-old widow crippled by arthritis, living with an unmarried daughter, who is living her life out in quiet desperation. The 75-year-old man who prided himself on the fact that he had never seen a physican, until a chronic sore on his face began enlarging, and now is a hideous, foul-smelling disfigurement. We can go on, literally ad nauseam.

Second. A second major conclusion suggested by several of the findings is that multiphasic screening has already been shown to be practical and effective, and that more widespread screening would hasten new technological breakthroughs and reduced costs.

Perhaps the most succinct statement on present status of screening programs was given by Dr. Lester Goodman, Chief of the Biomedical Engineering and Instrumentation Branch in the National Institute of Health. He said:

> I would point out that technical feasibility is established. The major question remaining is concerned with the allocation of resources to accelerate development.

A very similar conclusion was reached by Dr. Lester Breslow, director of the California State Department of Public Health. Dr. Breslow has long been aware of the potential value of multiphasic screening, and he has worked with the Kaiser Foundation and other organizations on screening projects. Here is his estimate of the present situation:

> What has been achieved in the case of tuberculosis, diabetes, cancer of the uterus, and other forms of cancer, hypertensive heart diesase, and many other chronic diseases, is due to a relatively simple form of attack on the problem. That attack consists of early detection of the disease process and prompt treatment with modern methods. *The technical basis for a successful attack on many important chronic diseases is well established. All that is needed is an organization in the full-scale application of available tools* (H 173). (Emphasis added.)

The subcommittee arranged for a demonstration—in the hearing room itself—of some of the very latest instrumentation already in use or available for health screening programs.

One automated chemical analysis instrument divided a thimbleful of blood into 12 samples and performed a separate test on each. Findings were printed automatically on a convenient form. We were told that about 500 findings can now be turned out in 1 hour, and that within another 5 years or so a machine of this kind may be able to turn out about 2,000 findings an hour. To keep such data manageable, computers can be put to work. One model is capable of taking the blood sample as soon as it comes out of the patient's arm and maintaining the identity of that sample automatically until results are printed up.

We also witnessed computer analysis of electrocardiograms and spirograms. The computer was a few miles away, and the data was transmitted through ordinary telephone wires. Findings came back by way of teletype. We also watched a computer take a medical history from a person who operated a keyboard in order to answer questions flashed on a cathode-ray screen.

You will find descriptions of the demonstration in the report and in the hearing transcript, but I will take another moment now to give a personal reaction to one of the memorable moments from the hearing.

Dr. Paul Dudley White, as we well know, is renowned as a cardiologist and as an authority on health practices. He was a witness at the hearing, and told why prevention of disease should start long before the first symptoms appear. Then, much younger men addressed the subcommittee and demonstrated their electronic wonders. Dr. White was fascinated. It was obvious, I thought, that some of the equipment was new to him, but he had already begun to think of ways in which it could be useful to him. In fact, he came back to the microphone for a few more words to the subcommittee. Dr. White, white haired as he is, is young in outlook and spirit. It was good to see him in action.

Multiphasic screening, of course, does not utilize automated equipment simply for the sake of complexity. Such instrumentation is used only when it is needed to open up screening to far larger numbers of persons than had been possible when other methods were used.

Quite often, however, even the most sophisticated screening program will employ simple tests. The test for glaucoma, for example, can be performed by hand with a small device to measure pressure. And yet it does the job.

Many individuals who were screened under the District of Columbia public health screening program have been informed, after taking the test, that they have early signs of glaucoma. If they had not been so informed, blindness could have developed so gradually that they might not have even noticed the decline in vision. Surgery or treatment can prevent such decline, but only if applied in time.

What kind of results does screening produce? Much testimony on testing for one disease at a time is in the hearing records, and usually such testing is effective. We all know, for example, of successful programs to detect tuberculosis or diabetes. Multiphasic screening is similarly effective, and it saves time by making it possible for participants to have several tests at one visit.

At the Kaiser Foundation multiphasic clinic, about which I will talk in detail a little later, the results for 1965—when 39,524 patients were screened—were described as follows:

Hypertension and hypertensive heart disease was diagnosed in 9 percent of all patients.

The electrocardiogram had some abnormality reported in 20 percent of all patients.

Over the age of 50, 25 percent of women and 31 percent of men had some abnormality reported.

In men ages 50 to 59, 25 percent; men ages 60 to 69, 35 percent; and men aged 70 years or more, in 52 percent of their electrocardiograms, some abnormality was reported.

Similarly, the chest X-ray had some abnormality reported in 24 percent of all patients over age 50, in 33 percent of women and 43 percent of men.

In men ages 50 to 59, 30 percent; 60 to 69, 48 percent; and in men 70 years or more, 68 percent had some abnormality reported in the chest X-ray.

Pulmonary emphysema was diagnosed in 0.5 percent of our women and 2.5 percent of our men. Mammography X-ray examination of the breasts, for cancer detection showed that cancer of the breast in women aged 50 years or more, proven by surgery, was found in 1 out of every 500 women.

Visual acuity of 20/20 or 20/30 is considered as within normal limits.

Visual acuity of 20/40 or less indicates need for refraction; 7.5 percent of all people had a visual acuity of 20/40 or less.

For aged 60 to 69, it was 12 percent, and for age 70 or more, 26 percent of all people had a visual acuity of 20/40 or less.

Glaucoma was diagnosed in 1 percent of our patients, and deafness in 2.5 percent.

The retinal photograph of the fundus of the eye had some abnormality reported in 9 percent of all patients.

The urine contained sugar in significant amounts in 11.5 percent of all patients; urine protein in 1.2 percent; urine bacteria in significant amounts in 1 percent of men and 3 percent in all women.

Diabetes was diagnosed in 3 percent of all patients; anemia was diagnosed in 1 percent of men, and 7.5 percent of all women.

Gout was diagnosed in 1 percent of men, osteoarthritis in 3 percent of men and 7.5 percent of women.

The most common diagnosis is obesity, which was diagnosed in 12 percent of men and 20 percent of women.

Great benefits from a screening program of the future were foreseen by another witness. She described project studies made by a Committee in the Department of Health, Education, and Welfare as part of the Department's effort to examine the objectives, benefits, and costs of existing or potential programs.

One committee study evaluated the benefits that could be expected from a 5-year cervical cancer detection program if applied on a national scale.

If 7 million women were examined during the 5-year period, more than 80,000 cervical cancers would be found, and approximately 34,000 cancer deaths averted.

The committee was able to arrive at the dollar value associated with such a program by using formulas showing estimated savings in high treatment costs for invasive cancer, as well as the savings that could be expected from death reduction.

The anticipated payoff, or benefit-cost ratio would be high, said the witness—$9 returned for every dollar invested in detection.

A newspaper article by Morton Minitz, appearing in the December 19 edition of the Washington Post, gave details on other studies by the same HEW Committee.

A program for early detection of breast cancer, for example, could be expected to cost $22.5 million, but it would avert 2,936 deaths. The benefit-cost ratio would be $4.4 in benefits to $1 in costs.

We cannot be satisfied, of course, to measure benefits solely in terms of dollar savings.

When we delay or prevent chronic illness and the suffering it causes, we give each moment of life more meaning. Each of us has a claim on life's full measure, and we strengthen that claim when we find new ways to fight disease.

HOW A CENTER WORKS

Mr. President, I discovered last year in my conversations about the Adult Health Protection Act that many individuals—including laymen and medical practitioners—found it difficult to visualize the workings of a mutiphasic screening center.

Some believed that screenees receive the test findings and—in rare cases where the computer or testing device may err—would become alarmed or confused. And yet, all screening programs that I know of send such data directly to a physician for interpretation. If any findings appear to be questionable, the physician will most certainly find them and the screenee need never know about them. The Adult Health Protection Act would employ similar procedures.

Another common misgiving about health screening had to do with the so-called depersonalization of the participants. And yet, to judge by testimony taken before the Health Subcommittee, participants in health screening programs are enthusiastic about the centers and appreciative about the savings in time made possible by efficient routing and scheduling. One witness reminded the subcommittee that, although machines are used in screening, those machines are manned by well-trained and sympathetic human beings.

Still other misgivings are expressed about potential increases in the workload of our doctors. After all, screening is intended to reveal incipient disease that would otherwise go undetected, and doctors will presumably be called upon to take early preventive action. But often during our hearing, we heard a contrary argument. We were told that multiphasic screening could result in considerable time savings for physicians—an important consideration in the face of severe and growing medical manpower shortages. One witness, in fact, gave us this estimate of current methods and the time they take from our doctors:

> . . . Consider the average practicing physician who, at any point in time, is responsible for the health of a thousand people. If we take the minimum figure of one hour of physician time per preventive examination and provide such an examination once every two years for each person, we have to conclude that this doctor would need to devote the equivalent of ten weeks of full time each year in order to achieve the objective. There are few who believe that this amount of physician time can or should be withdrawn from an overloaded schedule devoted to the diagnosis and treatment of sickness which is already evidenced or strongly suspected.

Multiphasic screening—by amassing vital data and making it available in convenient form for diagnosis by a doctor—can help reduce demands on him and can help him serve more people.

The subcommittee report, I am happy to say, discusses other problems and reservations that have arisen in discussions of a national multiphasic screening program, and it gives due weight to their importance. But the report sees none of the problems as insurmountable. Instead, it vigorously states that this Nation cannot wait until all problems are solved before it undertakes programs for prevention of disease.

We must—

The report says at one point—

> consider our long-range goal, which is to reduce the need for costly and timetaking treatment of illness by detection and prevention of disease.

It seems obvious to me that the screening process must be understood by Congress and the public if we are to have objective discussion of the program I propose here today. For that reason, I would like to refer to a statement made by Dr. Morris Collen, director of the Permanente Foundation Multiphasic Health Screening Clinic in Oakland, Calif. This clinic is associated with the Kaiser Foundation health plan, a prepaid comprehensive medical care and health program in the San Francisco Bay area.

Dr. Collen is a pioneer in the development of screening programs. He believes that the Oakland facility is "the largest organized program that functions on line with a computer." I might add that many, many visitors consult with Dr. Collen each year about the techniques he has developed.

In his testimony before the subcommittee, Dr. Collen described 20 stations at which patients stop during 2 to 3 hours in the clinic. It must be remembered that some of the methods and tests employed in Oakland would not necessarily be part of a program authorized by the Adult Health Protection Act of 1967. Nevertheless, Dr. Collen's testimony gives valuable insight into modern technology as applied to screening, and I insert his statement at this point in the RECORD:

> At the first station, a patient registers at the reception desk approximately every 3 minutes from 1 to 8 p.m. daily. Here he receives a clipboard which contains a medical questionnaire form and a deck of cards which are prepunched with his medical record number for computer input.
>
> This is an actual deck of cards as they are prepared by the computer for the patient before his appointment.
>
> The patient at station 2 removes the outer body garments in a dressing booth and puts on a disposable paper gown. The patient then proceeds to station 3, where the six-lead electrocardiogram is recorded. These are subsequently read by the cardiologist, who records his interpretation on a card, using pencil marks which can be sensed directly by a card-reading machine for input into the computer. Automatic analysis of the electrocardiograms by the computer is being tested.
>
> The patient drinks a solution of 75 grams of glucose in carbonated water, and the time of glucose ingestion is recorded by a time stamp on the back of the card, and the patient at that time is assigned a sequencing number from 1 to 24 for control purposes.
>
> The patient then proceeds to receive a chest X-ray, which is subsequently read by the radiologist, who records his interpretation on the mark-sense card. X-rays of the

breast are performed on all women over 45, and these are also read by the radiologists.

Weight and skin thickness are measured, and then by means of an automated anthropometer, a dozen height and transverse body measurements are recorded directly onto the patient's punchcard in 3 minutes. At the next station, pulse rate and blood pressure are measured and recorded.

The patient then returns to his dressing booth and redresses. Visual acuity is then tested by reading a wall chart, and ocular tension is measured by a nurse with a tonometer, and the reading is recorded on a card. A drop is then placed in one eye to dilate the pupil for later retinal photography. The vital capacity is measured with a spirometer. The hearing is tested with an automated audiometer, and the readings are recorded on a mark-sense card.

At station 14, a self-administered medical questionnaire form, which the patient received at the first station, and which was completed while waiting between stations—this questionnaire is now audited by the nurse. The patient is then assigned to 1 of 24 questionnaire booths in accordance with the sequencing number which was assigned to the patient at station 4.

Here the patient receives a box which contains a deck of 207 punched cards, each having a separate question printed on the card. The questions have been selected which are adjudged medically to be of value in discriminating patients with specific diseases from nondiseased persons. The patient responds to each question by taking the card from the top section of the divided letterbox and dropping the card into the middle section if his answer is "Yes" or into the bottom section if the answer is "No." This procedure automatically sorts "Yes" responses for direct input into the computer by means of a card-reading machine.

As a part of the preventive medical program, the patient receives a booster dose of tetanus toxoid, and when an hour has elapsed since the ingestion dose, the patient is called from the questionnaire booth and sent to the laboratory, where blood samples are drawn for hemoglobin, blood count, test for syphilis, and rheumatoid factor; these test factors are recorded on the mark-sense cards.

Also, eight blood chemistry determinations—glucose, albumin, total protein, cholesterol, creatinine, uric acid, calcium, and transaminase—are simultaneously done within 12 minutes by the multichannel automated chemical analyzer, with the test results directly punched in the cards. A urine specimen is collected, and tests are done for bacteria, for the urine pH, glucose, blood, and protein and the results are marked into the patient's test cards.

The patient then returns to his questionnaire booth, and when he has completed all of his questions, he then goes to the next station, where a photograph is taken of the right retina, with a camera. These retinal photographs are subsequently read by an ophthalmologist, who records his interpretation on a mark-sense card.

The patient now returns to station 20, the last station, where he turns in his clipboard containing the marked and punched cards, and the questionnaire form, and there exchanges the box which contains assorted medical questionnaire cards for a second box of cards by which a psychological test is evaluated. By the time the patient turns in this last questionnaire, the on-line computer processing has been completed and supplemental tests and appointments are advised by the programed rules of the computer, and these are arranged for the patient.

Routinely advised are a sigmoidoscopy for all patients aged 40 or more and for all women a gynecological examination with cervical smear for cancer detection. A majority of the data is recorded on prepunched or mark-sense cards, so as to permit its immediate introduction into the data processing system. Thus, as an on-line procedure, while the patient waits at station 20, the computer processes the information from the punched cards, from the prepunched sorted cards, and from the reproduced mark-sense cards; in the central facility these punched cards are entered directly into the computer.

In the San Francisco facility, the punched cards are read into a data communicating system, and transmitted via telephone line to the central computer in Oakland, 15 miles away. The processor now goes through a program routine containing various test limits and decision rules and prints out a report constituting "advice" as to any additional procedures which should be done prior to the patient's next visit.

These advice rules have been previously established by the internists, and the receptionist is instructed to arrange certain additional tests and appointments for the patient before his physical examination visit with the physician.

For example, if the 1-hour serum glucose is greater than a predetermined normal limit for the patient's age and sex and hours since last food intake, the computer prints out instructions to the receptionist to return the patient to station 16 for a 2-hour serum glucose. If a serious abnormality is detected, an earlier appointment with the physician is advised. As an off-line procedure, the computer collates and stores on the random access disk pack the physician interpretations that arrive 2 days later. These are the mark-sense reports from the X-rays, electrocardiograms, and the remaining laboratory tests.

When all the information has been received and stored, the computer then produces a printed summary of all the test reports and the questions answered "Yes" by the patient.

When he sees the patient, the internist reviews the summary report at the time of the patient's first office visit. The physician directs his attention toward elaborating on the questions to which the patient has answered "Yes" and to the test abnormalities reported from the automated multitest laboratory. He completes his physical examination and then proceeds to arrange whatever medical care is necessary for his patient in a customary manner (H 215–217).

WIDER USE: BIGGER SAVINGS

Health-screening technology, advanced as it may now seem, is still in its early years. It was quite apparent to several of our witnesses that more widespread use of instrumentation and other testing techniques would hasten important advances. Cesar A. Caceres, Instrumentation Activities Chief for the Heart Disease Control Branch in the U.S. Public Health Service, summed up the situation admirably when he said:

> We can foresee that widespread use of automation and modern communications media can reduce the total costs of medical tests from dollar to cents.

Third. The subcommittee made it clear that only substantial screening effort would give us the impetus and the working experience we must have within the next few years.

Here, I think, the subcommittee recognized several bedrock facts.

For one thing, we no longer require "demonstrations" of the need for and the value of health screening. Individual programs to detect early signs of single diseases—such as tuberculosis or cancer—have yielded very tangible benefits over the years. Multiphasic screening programs have shown that it not only is feasible, but desirable, to combine several tests at once in well-planned sequence.

What is needed now is not further demonstration, but application of what we already know on a scale big enough to first, test both the regional center and the community center concept; second, to try differing approaches in differing geographical zones; and third, to serve many, many more people than we now do in sporadic or limited programs.

It seems to me that the Adult Health Protection Act of 1967 would clearly fulfill those objectives, and it would give us the experience and new techniques we must have if we are to broaden it into a full national program.

Five regional centers with their satellite community centers cannot, after all, serve an entire nation.

But they will give us a meaningful beginning—a beginning we must have if we are ever to make multiphasic screening what Dr. Austin Chinn of the U.S. Public Health Service describes as "a new entity in the complex of health services—an entity which is not presently available."

ANOTHER CALL FOR SCREENING

Mr. President, I have an additional exhibit expressing the intensifying interest in multiphasic screenng.

On October 13, the Special Subcommittee on Investigation of the Department of Health, Education, and Welfare for the House Committee on Interstate and Foreign Commerce issued its report on the organizational structure of HEW as it pertains to matters of public health.

The subcommittee, under the chairmanship of Representative Paul G. Rogers, of Florida, made several recommendations and transmitted them to Representative Harley O. Staggers, the committee chairman.

In its recommendation E, the subcommittee issued a clear-cut call for development of efficient multiphasic screening programs. While the report did not deal directly with any specific bill, its comments on screening have a direct relationship to the subject before us today, and I include the following excerpts in the Record:

> Similarly, there has been very little effort made to promote multiphasic screening as a form of preventive medicine. When linked to a systematic procedure and assisted by computers, diagnostic tests can be made self-auditing, capable of assigning an array of secondary checks upon positive indication from a standard test. With proper follow-up, it will lead to a discovery of unknown conditions before they become acute, and will assist in the management of known but neglected conditions. When administered to a population it can help mitigate or avoid serious disease, its cost, and the manpower necessary to treat it.
>
> Fifteen years ago the International Longshoremen's & Warehousemen's Union in San Francisco arranged through the Permanente Health Plan for multiphasic screening of 4,000 union members. Under a battery of only 12 diagnostic tests, two-thirds of these men showed positive results and one-fifth of them were reported with previously unknown conditions—including malignant neoplasms, pulmonary, tuberculosis, syphilis, diabetes, hearing and sight impairments, cardiovascular disease, nephritis, nervous disorder and respiratory conditions. The total cost of screening and follow-up (exclusive of thera-

peutic management) averaged $9.13 per person tested. Several additional benefits flowed from the multiphasic operation: health education among workers formerly suspicious of examination, correlations between socioeconomic status and disease incidence, and the inclusion of multiphasic screening services as a regular feature of the Kaiser-Permanente Health Plan.

Test batteries and screening procedures have improved considerably since the longshoremen's demonstration. It is now possible to screen 24,000 persons per year in a single multiphasic clinic. All of the equipment required will fit into a small neighborhood apartment or into a mobile unit for rural areas. The testing may be performed by nurses and medical technologists and fed into magnetic tapes for computer analysis and automatic auditing. The per patient cost for testing large populations is still very low.

Our attention to maximizing health manpower utilization demands consideration of eventual periodic multiphasic screening for every citizen of the United States. It is unsuitable that the "medical checks" administered to much of the population be only those designed by employers primarily for the purpose of refusing employment to the impaired. Multiphasic screening facilities might be combined with low cost referral diagnostic services, similar to those provided by the "doctor's laboratories" in Denmark, which are manned by biotechnicians trained in testing procedures to furnish, efficiently and on short notice, local physicians with diagnostic information.

A GOOD TIME TO BEGIN

Mr. President, the passage of medicare in 1965 was a turning point in our thinking about the health needs of a nation.

Until President Johnson signed that bill in the presence of Harry S. Truman, we had been caught in the feverish debate that had increased in intensity each year.

Now we have ended that debate. We are taking fresh new looks at other problems associated with the health of our people.

We are concerned about the delivery of services to all Americans, rich or poor, rural or urban.

We have good reason to believe that medical manpower shortages are going to intensify rather than decrease.

We look for more efficient methods of providing professional medical services to more people.

We are trying to establish a pioneering heart, stroke, and cancer treatment program.

We are, in short, about to engage in much reviewing and rebuilding of our national health objectives and programs.

At this time, therefore, we have to make certain our thinking about the future is not made in a partial vacuum, as it will be if we do not make adequate provision for programs that help prevent disease.

The Adult Health Protection Act of 1967 is a sensible, significant, and very timely proposal intended to help us begin now to make the proper allocation of resources for the prevention of disease.

Detection is the beginning of prevention. Screening today will lead to other positive actions in man's long fight against debilitation and death caused by disease.

Mr. President, I respectfully request unanimous consent for this bill to lie on the table for 10 days for cosponsors and for the text of the bill to be printed at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from New Jersey.

The bill (S. 513) to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 513

A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Adult Health Protection Act of 1967".

SEC. 2. The Public Health Service Act is amended by adding at the end thereof the following new title:

"TITLE X—DETECTION OF DISEASES IN ADULTS THROUGH FACILITIES PROVIDED BY REGIONAL AND COMMUNITY HEALTH PROTECTION CENTERS

"FINDINGS OF FACT

"SEC. 1001. The Congress hereby finds and declares that—

"(1) the Federal Government has a duty to assist the adult population of the United States, particularly the aged and the aging, in protecting, maintaining, and improving their health;

"(2) utilization by individuals on a regular basis of a health appraisal program, which makes full use of appropriate technical facilities in its disease detection procedures, can lead to the prevention of illness and chronic disorders which they would otherwise suffer;

"(3) the early detection of disease is essential to the prompt and effective treatment thereof;

"(4) there presently exist modern equipment and techniques which make possible the efficient and rapid appraisal of large numbers of individuals for indications of many common chronic diseases, including heart and vascular diseases, cancer, diabetes, tuberculosis, glaucoma, and kidney disease;

"(5) the rapid appraisal, by use of such equipment and techniques, of large numbers of individuals for indications of common chronic diseases in no way constitutes medical treatment nor in any way replaces or obviates the need for regular physical examinations by physicians;

"(6) the making available to physicians caring for individuals who have undergone such an appraisal of properly documented findings resulting therefrom will assist such physicians in conducting, more rapidly and efficiently, complete medical examinations of such individuals; and

"(7) the expansion of facilities providing for the appraisal, by use of modern equipment and techniques, of large numbers of individuals for indications of common chronic diseases, together with the making available to appropriate physicians of the documented findings resulting from the appraisals conducted by such facilities, will assist the medical profession in employing to the fullest extent their knowledge, training, and abilities in preventing illness and in healing the sick.

"DECLARATION OF PURPOSE

"SEC. 1002. It is the purpose of this title—

"(a) to encourage and assist, through grants, in the planning, establishment, and operation of regional health protection centers each of which will provide health appraisal and disease detection services, on a periodic basis, to any adult who requests such services, if he has attained age fifty and resides within the immediate geographic area, as prescribed by the Surgeon General, within which such center is located, and each of which will assist and support any community health protection centers, which may be located within the geographic area served by it, in carrying out their functions;

"(b) to encourage and assist, through grants, in the planning, establishment, and operation of community health protection centers which will provide health appraisal and disease detection services, on a periodic basis, to any adult who requests such services, if he has attained age fifty and resides within the geographic area served by the center from which he requests such services;

"(c)(1) to provide grants to regional health protection centers (and, under certain circumstances, to community health protection centers), which have received grants under this title to carry out the purposes of subsection (a) or (b), to enable them to provide specialized training in the various functions and activities of such centers, through working internships in such centers, for physicians, nurses, health counselors, referral specialists, medical technicians, and other professional or technical health personnel; and (2) to enable the Surgeon General to enter into contracts with educational institutions and other appropriate organizations for the development and carrying out of educational programs designed to improve or enhance the effectiveness of professional or technical personnel engaged in (or interested in engaging in) activities involved in the operation of health protection centers; and

"(d)(1) to provide grants to regional health protection centers (and, under certain circumstances, to community health protection centers), which have received grants under this title to carry out the purposes of subsection (a) or (b), to enable them to conduct operational research designed to secure information leading to the improvement of systems, methods, processes, or procedures to be employed by such centers in carrying out their functions, including systems, methods, processes, or procedures relating to the development of counseling, informational, referral, and other activities related to the carrying out of such functions, and (2) to enable the Surgeon General to enter into contracts with profitmaking and nonprofitmaking organizations for the conduct of research designed to improve the operations of health protection centers.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1003. (a) In order to carry out the purposes of this Act, there are authorized to be appropriated, for the fiscal year ending June 30, 1968, $10,000,000; for the fiscal year ending June 30, 1969, $20,000,000; and for the fiscal year ending June 30, 1970, $30,000,000.

"(b) Any sums appropriated under subsection (a) for any fiscal year shall, if not expended prior to the end of such year, remain available for the purpose for which they were appropriated until expended.

"DEFINITIONS

"SEC. 1004. As used in this title—

"(1) the term 'Council' means the National Advisory Council on Adult Health Protection established by section 1011; and

"(2) the term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

"PURPOSE OF REGIONAL AND COMMUNITY HEALTH PROTECTION CENTERS

"SEC. 1005. (a)(1) It shall be the purpose of any regional health protection center to provide, in accordance with the succeeding provisions of this subsection, a health appraisal program for which all adults age fifty or over living within the immediate geographic area, as prescribed by the Surgeon General, within which such center is located will be eligible to participate.

"(2) Such health appraisal program—

"(A) shall be designed to detect, in the most rapid and efficient manner possible, indications, in individuals participating in the program, of common chronic diseases and conditions such as heart and vascular disease, cancer, diabetes, tuberculosis, glaucoma, and kidney disease, and abnormalities or defects in metabolism, organs of special sense, and in the cardiovascular, respiratory, gastrointestinal, genitourinary, and musculoskeletal systems;

"(B) shall include the full and proper use, in its disease, abnormality, and physical defect detection functions of the most efficient procedures and technical equipment;

"(C) may include the training of professional and technical personnel in the operation of technical disease detection procedures and related functions of health protection centers;

"(D) shall include the carrying out of educational and informational activities for the benefit of the general public and of professional health personnel in concepts of health protection and maintenance; and

"(E) may include the conduct of research into new means of disease detection and into the development of new diagnostic equipment.

"(b) In addition to providing (in accordance with the preceding requirements of this section) a health appraisal for the residents within the immediate geographic area in which it is located, it shall be the duty and function of any regional health protection center to provide support and assistance to such community health protection centers as may be established in neighboring geographic areas or which can be feasibly related to such regional health protection center. In carrying out such duty and function, each regional health protection center shall maintain a direct working relationship with each such community health protection center, and shall disseminate appropriate information among, and shall coordinate the efforts of, such community health protection centers. Each regional health protection center shall have and maintain a full and adequate supply of automated and other equipment so as to be able to process tests for and otherwise assist all community protection centers which it is to serve.

"(c)(1) It shall be the purpose of any community health protection center to establish a health appraisal program in accordance with the provisions of subsection (a), and to cooperate with the regional health protection center serving the geographic area in which such community health protection center is located.

"(2) In order that the foregoing purpose may effectively be carried out, each community health protection center shall be designed to serve the people of a well-defined geographic area, as prescribed by the Surgeon General, and shall be designed so as to facilitate the convenient utilization of its services by the greates possible number of the people residing within such area.

"GRANTS FOR REGIONAL HEALTH PROTECTION CENTERS

"SEC. 1006. (a) The Surgeon General is authorized to make grants to medical schools, community hospitals, health departments, and other appropriate public or nonprofit agencies or institutions to assist them in the planning, establishment, and operation of regional health protection centers.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by reasonable assurances that—

"(1) any regional health protection center, the planning, establishment, or operation of which is assisted by any such grant will be one which, when it is in operation, will fulfill the purposes of regional protection centers as set forth in section 1005 and will comply with the requirements prescribed for any agreement under section 1008;

"(2) Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder;

"(3) the applicant for a grant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement and accounting for such Federal funds;

"(4) the applicant for such grant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports; and

"(5) any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"GRANTS FOR COMMUNITY HEALTH PROTECTION CENTERS

"SEC. 1007. (a) The Surgeon General is authorized to make grants to medical schools, community hospitals, health departments, and other appropriate public or nonprofit agencies or institutions to assist them in the planning, establishment, and operation of community health protection centers.

"(b) Grants under this section may be made only upon application therefor approved by the Surgeon General. Any such application may be approved only if it contains or is supported by reasonable assurances that—

"(1) any community health protection center, the planning, establishment, or operation of which is assisted by any such grant will be one which, when it is in operation, will fulfill the purposes of community health protection centers as set forth in section 1005 and will comply with the requirements prescribed for any agreement under section 1008;

"(2) Federal funds paid pursuant to any such grant will be used only for the purposes for which paid and in accordance with the applicable provisions of this title and the regulations thereunder;

"(3) the applicant for such grant will provide for such fiscal control and fund accounting procedures as are required by the Surgeon General to assure proper disbursement of and accounting for such Federal funds;

"(4) the applicant for such grant will make such reports, in such form and containing such information as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General may find necessary to assure the correctness and verification of such reports; and

"(5) any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"HEALTH PROTECTION CENTERS—FINDINGS OF HEALTH APPRAISALS TO BE REFERRED TO PRIVATE PHYSICIANS

"SEC. 1008. (a) Each grant made under this title to any health protection center shall be conditioned upon an agreement that such center will refer any and all findings resulting from any health appraisal, test, or examination provided by it for any individual to the private or other physician who is charged with the health care of such individual.

"(b) The Surgeon General shall promulgate regulations specifying the particulars to be included in any agreement referred to in subsection (a) and such regulations shall provide that, in the event an individual, who undergoes a health appraisal, test, or examination provided by a health protection center, does not have a private physician who is charged with the health care of such individual, the findings resulting from any such appraisal, test, or examination of such individual shall be referred in accordance with the practice of local medical groups in the community where such individual resides, or, if such individual is medically indigent, shall be referred in accordance with local practice in such community with respect to medically indigent individuals.

"(c) Any agreement referred to in subsection (a) shall provide that any findings resulting from any health appraisal, test, or examination provided by a health protection center for any individual, or any research or study involving such findings, shall be treated with commonly accepted standards of confidentiality in the medical and health field.

"(d) Any health protection center which has entered into an agreement referred to in subsection (a) shall not be eligible to receive any grant or part of a grant under this title during any period with respect to which the Surgeon General finds that such center has failed substantially to comply with such agreement.

"TECHNICAL TRAINING OF PERSONNEL FOR HEALTH PROTECTION CENTERS

"Grants to Health Protection Centers

"SEC. 1009. (a) The Surgeon General may make grants to regional health protection centers, which have received grants under section 1006 (and, when the Surgeon General determines that the purpose of section 1002(c) can best be carried out thereby, to community health protection centers which have received grants under section 1007), to enable such centers to establish and operate working internship programs under which physicians, nurses, health counselors, referral specialists, medical technicians, and other professional or technical personnel will receive training in performing the activities of health protection centers. No such grant shall be used to make any such program available to any individual for a period greater than two years, and no such grant shall be made to any health protection center with respect to any period for which such center is not a recipient of a grant under section 1006 or section 1007.

"Contracts with institutions and organizations

"(b) The Surgeon General may enter into contracts with educational institutions or other appropriate organizations for the development and carrying out of educational programs designed to improve or enhance the effectiveness of professional or technical personnel engaged in (or interested in engaging in) activities involved in the operation of health protection centers.

"OPERATIONAL RESEARCH

"Grants to health protection centers

"SEC. 1010. (a) The Surgeon General may make grants to regional health protection centers, which have received grants under section 1006 (and, when the Surgeon General determines that the purpose of section 1002(d) can best be carried out thereby, to community health protection centers which have received grants under section 1007), to enable such centers to conduct operational research designed to secure information leading to the improvement of systems, methods, processes, or procedures employed in the detection of disease, in the providing of counseling, informational, referral, and other services, and in other activities of such centers. No grant under this section shall be made to any health protection center prior to the first full year in which such center has been in operation.

"Contracts with organizations

"(b) The Surgeon General may enter into contracts with appropriate profitmaking or nonprofit organizations for the purpose of the development or alteration of equipment, communications, processes, systems, or procedures designed (singly or in combination) to improve the effectiveness or efficiency of health protection centers in carrying on the activities for which they were established.

"NATIONAL ADVISORY COUNCIL ON ADULT HEALTH PROTECTION

"SEC. 1011. (a) The Surgeon General, with the approval of the Secretary, may appoint, without regard to the civil service laws, a National Advisory Council on Adult Health Protection. The Council shall consist of the Surgeon General, who shall be Chairman, and twelve members, not otherwise in the regular full-time employ of the United States, who are leaders in the fields of medicine, dentistry, optometry, preventive medicine, public health, public welfare, or are representatives of national organizations concerned with the interests of the aging, and shall include one or more national leaders known for their dedication to the national interest and the welfare of the Nation's citizens.

"(b) Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Surgeon General at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms.

"(c) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(d) The Council shall advise and assist the Surgeon General in the preparation of regulations for, and as to policy matters arising with respect to, the administration of this title.

"REGULATIONS

"SEC. 1012. The Surgeon General, after consultation with the Advisory Council, shall prescribe general regulations covering the terms and conditions for approving applications for grants under this title and the coordination of programs assisted under this title with the programs, having related purposes, which are authorized under other titles of this Act or other Acts of Congress.

"RECORDS AND AUDIT

"SEC. 1013. (a) Each recipient of a grant under this title shall keep such records as the Surgeon General may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

"(b) The Secretary of Health, Education, and Welfare, and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of any grant under this title which are pertinent to any such grant."

SEC. 3. (a) Section 1 of the Public Health Service Act is amended to read as follows:

"SECTION 1. Titles I to X inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title X (as in effect prior to the enactment of this Act) as title XI, and by renumbering sections 1001 through 1014 (as in effect prior to the enactment of this Act), and references thereto, as sections 1101 through 1114, respectively.

NOW IS THE TIME FOR A REDWOOD NATIONAL PARK

Mr. METCALF. Mr. President, though what has been called the third wave in American conservation has been underway now for a number of years and has been most productive, a few of the most urgent projects are still before us awaiting action. The most critical of these is the proposal for a Redwood National Park.

Studies, indecision on the part of the administration, costlines, and the complexity of the interests involved have all contributed to delay this project. Despite the skillful work of the chairman of the Senate Interior Committee, Mr. JACKSON, in securing voluntary commitments from lumber companies to limit cutting in the areas under consideration, logging in some key areas is continuing. The 90th Congress is the Congress that must at last decide this issue. We can delay no longer, and indeed I hope we have not delayed too long already.

Today, on behalf of the senior Senator from Montana [Mr. MANSFIELD], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from from Hawaii [Mr. INOUYE], the Senator from New York [Mr. KENNEDY], the senior Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the junior Senator from Minnesota [Mr. MONDALE], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF] the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. YARBOROUGH], the Senator from Ohio [Mr. YOUNG], and myself, I am reintroducing the proposal for a 90,000-acre Redwood National Park in Redwood Creek which a number of us cosponsored in the last Congress. I am leaving the bill on the table for 10 days in the hope that as many of our colleagues as possible will join us, as so many did before, in cosponsorship.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will lie at the desk as requested.

The bill (S. 514) to establish a Redwood National Park in the State of California, and for other purposes, introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. METCALF. Mr. President, this proposal has drawn more support than any other on the subject before Congress. Not only has it had the largest body of sponsorship in both Houses, but most witnesses who testified or submitted statements in support of a park at the hearings of our Interior Committee favored it. It has the broadest support among America's conservation groups, and particularly has the support of the Sierra Club which knows the area intimately. Congressman COHELAN and others are introducing companion legislation in the House today.

As a result of their introduction, I have resolved to introduce the bill today. I think it is highly appropriate that the chairman of the Interior and Insular Affairs Committee, the Senator from Washington [Mr. JACKSON], agreed with Governor Reagan that there would be a moratorium so the new Governor of California could consider and look into the matter of a Redwood National Park.

I have discussed this matter with the senior Senator from California [Mr. KUCHEL], who introduced a bill for a Redwood National Park last session.

I hope the Senator from California and I and others who are interested and concerned about the creation of a Redwood National Park can, on the basis of the bill I am today introducing, and the bill he proposes to introduce at some later date, similar to the one introduced in the last Congress, reach some kind of agreement so we can achieve a Redwood National Park early in this Congress.

Time is wasting on this important proposition, and I assure the Senator from California that I and the people who are cosponsoring my legislation will work with him, and will abide by the agreement that the Senator from Washington, the chairman of the Committee on Interior and Insular Affairs, has entered into with the Governor of California, so that we will have time to work this out.

But inasmuch as this bill is being introduced on the House side by the gentleman from California, Representative COHELAN, I should like to have it presented to my fellow Senators today, so that it can be a part of the format upon which we do work out, ultimately, a Redwood National Park.

I yield to the Senator from California.

Mr. KUCHEL. Mr. President, as a Californian, I believe the public interest would be served by the establishment of a great Redwood National Park, a park which would keep for the benefit of all of America's people now and in the future a large block of the remaining virgin redwoods. These trees reach up to the sky 350, 360 feet, and more; some living on this earth when Jesus Christ was in Nazareth. That means something to me, Mr. President, and I hope that Congress, this year, will be able to find a basis on which to legislate to establish the Redwood National Park. It is my earnest hope that the distinguished Governor of California, Mr. Reagan, and his administration, the Sierra Club, which sponsors the bill being introduced today, the Save the Redwoods League, which sponsored the bill proposed by the administration and introduced by me last year, other conservation clubs, and our colleagues, not only in my State but all across the country, will be able to come into agreement on this legislation.

I thank my able friend for indicating that he does not intend to push his legislation. I thank him for agreeing that he will abide by the agreement which was entered into between the chairman of our Interior Committee, Senator JACKSON, and the Governor of California, that action on the Redwood National Park bills will be postponed for a 3-month period, which is perfectly reasonable and understandable, and that thereafter, we will proceed to hearings and committee action. The chairman has announced that the Senate Interior Committee will hold hearings on these bills on April 18, 1967.

I thank the Senator from Montana.

Mr. METCALF. I thank my friend from California. I wish to say to the Senator from California that while I count myself as a Montanan, my parents have lived in California for many, many years—since 1929—and that as a student at Stanford University, I enjoyed and gained spiritual restoration from going up into the redwoods. The marine coast at that time was much less populated than it is at the present time.

I feel that I, as a Montanan, share in the interest of the Senator from California in this national resource, and I am pleased at the assurance of the Senator from California that we will have legislation this session.

Mr. President, there is not a more majestic, awesome tree than the redwood. It is the patriarch, the giant of the plant and animal kingdoms. The redwood antedates the mammal, dwarfs all other living things.

Redwood forests flourished 130 million years ago. They once extended across the Northern Hemisphere, into the then-temperate Arctic, through Europe and Asia. Through the ages, climate and geology forced the redwoods of Europe down to the Mediterranean, where they perished. The Asian redwoods were driven to a small isolated area of central China. In North America the redwoods are making their last stand along the California coast.

Now it is man, not nature, who is endangering the redwood forests. The biggest, most accessible trees go first. In 1909, there were an estimated 102 billion board feet of virgin redwoods in the western forests. This was reduced to 72 billion by 1920, to 57 billion by 1931, to 35 billion—including some second growth—by 1953. At the current cutting rate the bulk of virgin redwood in private hands will be gone by 1980. Most of the virgin redwood—93 percent of the virgin growth—is privately owned. Only 86,723 acres, not all of it virgin growth, have been set aside in State parks.

The Redwood National Park we propose would be located within portions of Humboldt and Del Norte Counties, in northwestern California. The proposed park is south of the town of Klamath, north, east, and southeast of the town of Orick.

Our bill does not go nearly so far toward redwood preservation as President Theodore Roosevelt proposed. He felt "most emphatically that we should not turn into shingles a tree which was old when the first Egyptian conqueror penetrated to the valley of the Euphrates, which it has taken so many thousands of years to build up, and which can be put to better use." The great majority of remaining redwoods would remain in private hands.

Support for our proposal has been strong for four principal reasons:

First. It proposes that the national park be located in the region originally recommended by the professional staff of the National Park Service as the result of its comprehensive field survey of 1963–64. No other region was found to be suitable in this survey, which was made before political pressures mobilized.

Second. The area in which the park would be located, the Redwood Creek area, contains the largest concentration of superlative virgin redwood timber yet unprotected. Here is where the greatest opportunity for conservation exists. This proposal directs itself to making a significant, new, and needed contribution to saving threatened redwoods too important to lose. It does not content itself with finishing a State project, or relabeling State parks as National parks.

Third. The Redwood Creek area contains the trees of greatest public and scientific interest. Here the world's tallest tree and other trees of record height are found. The public wants to see these trees, and it wants to see them in their natural setting, protected both for the health of the trees and for the appreciation of visitors. Scientists, too, want to know more about the conditions needed to produce such trees, and they want to study the remarkably varied terrain and local climates that comprise this setting.

Fourth. The Redwood Creek area not only has the redwood forests which will display that species at its best in the national park system, but it also has a variety of other scenic and recreational features that cannot be matched in the redwood region. It has wide, sandy beaches, high, colorful cliffs, fresh-water lagoons, major rivers, Roosevelt elk, and unique Fern Canyon. This would be a magnificent national park.

I have prepared a table which details the attributes of this area. I ask unanimous consent that my table, entitled "Principal Features of Proposed Redwood National Park, Redwood Creek-Prairie Creek Area," be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

PRINCIPAL FEATURES OF PROPOSED REDWOOD NATIONAL PARK REDWOOD CREEK-PRAIRIE CREEK AREA

1. Total acreage (prospects for perpetuation improve with greater acreage): 90,000 acres.

2. Virgin acreage: 42,000 acres.

3. Conservation opportunity (privately owned virgin acreage to be protected): 32,000 acres.

4. Record displays: World's tallest trees; world's best example of redwood slope types (fairly even-aged stands of 400-year-old redwoods); World's largest mountain covered with redwoods, near Bridge Creek.

5. Elevational contrast: Slope types extend up hillsides to an average elevation of 2,000 feet, with a better demonstration of the variation in redwood types as elevation and distance inland increase.

6. Notable views: Lower Redwood Creek Valley from Bald Hills Road, unbroken panorama of last, large valley of virgin redwoods; Northern Gold Bluffs from Highway 101; Gold Bluffs beach from the beach road; Elk Prairie from Highway 101 at south edge of Prairie Creek Redwoods State Park.

7. Additional recreational attractions: 18 miles of coastline; 11 miles of usable beach (Gold Bluffs Beach); 22 miles of river frontage along Redwood Creek on which spring float trips can be made down a canyon enclosed in virgin redwoods; 18 miles of scenic highway through the park (at least 8 more miles south of Orick should be protected by scenic easements); 76 miles of additional display roads are now available.

Associated features include herds of Roosevelt elk at Elk Prairie and at the beach, Fern Canyon, waterfalls over the Gold Bluffs, nearby lagoons with waterfowl and marsh displays, sites with Indian artifacts at the mouths of Redwook Creek and the Klamath River, and renowned Klamath River fishing.

8. User impact patterns: Over a 33-mile-long area available for recreational use; thus there should be no tendency to concentrate impact on fragile areas. Ideal site for park headquarters exists near Orick. Good sites for new campgrounds exist on open flats along lower Redwood Creek.

9. Flood protection: 22 miles of land along the main stem of Redwood Creek is proposed for acquisition, embracing ½ of the creek's drainage area; 12 named tributary drainages will be entirely within the park (including Prairie Creek, May Creek, Lost Man Creek, Little Lost Man Creek, McArthur Creek, Bond Creek, Forty-four Creek, and Tom McDonald Creek).

Complete flood protection will be provided to the stands in the tributary drainages. Control of ½ of the entire drainage will also appreciably help in controlling main stem flood problems. As Redwood Creek features mainly slope types, there are only a few major flats with bottom stands (about 4) to protect. These stands should be protectible by agreements (easements) to control land treatment practices in the remainder of the drainage and by local protective works.

10. Feasibility: Preliminary professional report of the National Park Service identified this area as the most outstanding. National interest has centered on it (both as a result of the report and the discovery of the tallest trees). Considerable support is developing for a national park here, including support from a local citizens group (Citizens for a Redwood National Park).

Mr. METCALF. This table makes it clear that the Redwood Creek area meets all three criteria which the National Park Service has put forth for a suitable Redwood National Park: First, superlative examples of the redwood species; second, an area that can be protected from erosion damage; and third, space sufficient for heavy public use.

In addition, recent studies of the age structure of 32,670 acres of virgin timber in private ownership in the Redwood Creek area show that the preponderance is in the older age classes, which contain the most impressive specimens:

Age class, (as percentage of crown canopy):	*Acres*
80 percent or more old growth	23, 287
50 to 80 percent old growth	8, 730
50 to 80 percent young growth	653
Total	32, 670

On the question of protectibility, much has been said in general terms about the need to protect entire watersheds. There is no doubt that this is desirable wherever possible. Unfortunately, with none of the major park proposals under discussion is this possible. The watersheds are too large and the influences too varied to permit the parks to be designed by reference to hydrographic basins. As useful as it is as a generality, the concept of watershed protection should not become a shibboleth dictating Congress decision. The objective is protection. Watershed acquisition is just one of the means, though as good a start on this can be made in Redwood Creek as elsewhere. In originally recommending three alternate plans for parks in Redwood Creek, the National Park Service obviously thought the forests of Redwood Creek could be protected. Other competent observers too feel this is fully possible. Those who profess to have doubts should cite the specific sectors of the stream frontage that concern them rather than merely resorting to the slogan of watershed protection. Let us hear if they are really worried about anything concrete or merely trying to discredit a rival proposal.

The bill I am introducing today has essentially the same boundaries as my previous proposal. However, there is one substantive change in the bill. To remove any suggestion that there is an issue with the administration over provisions to compensate counties for temporary losses in the tax base, I have incorporated the provision for economic adjustment payments of the administration bill into mine. I believe that this provision for payments for a 5-year period of three-fifths of 1 percent of the assessed valuation of the property acquired is a fair procedure. It recognizes the transitional problems which an area may experience as a result of a major change in land use, but it does not commit the Federal Government to permanent payments that may no longer be needed once an expanded tourist economy is established. In this respect, it avoids the drawbacks of regular payments in lieu of taxes, which Congress has been reluctant to make.

Mr. President, from the discussions which have taken place in the last few months, it appears that nearly all conservation groups will unite behind a plan which includes, among other things, a substantial share of the great forests of Redwood Creek. It is beginning to be evident also that this can be done within the budgetary limits of the proposal which the administration made to the last Congress.

When the administration sends us its proposal on redwoods, I sincerely hope that it will reflect the lessions of the past year. These are simply that the public opinion, scientific fact, and congressional support in behalf of Redwood Creek cannot be ignored to suit some of the administration's philanthropic advisers who prefer other plans. It is time for the administration to help the Congress and the people get on with this work. It has waited long enough.

ADDITIONAL COSPONSOR OF BILL

Mr. MANSFIELD. Mr. President, on behalf of the distinguished senior Senator from New Mexico [Mr. ANDERSON] I ask unanimous consent that at the next printing of S. 284 the name of the junior Senator from New Mexico [Mr. MONTOYA] be added as a cosponsor.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

NOTICE OF HEARINGS ON THE IMPLEMENTATION OF TWO PUBLIC LAWS CONCERNING RECLASSIFICATION OF CERTAIN PUBLIC LANDS

Mr. JACKSON. Mr. President, I announce that the Subcommittee on Public Lands will conduct a hearing on Tuesday, February 7, to inquire into the implementation of two public laws concerning the reclassification of certain public lands.

These are Public Law 88–607, which authorizes and directs that certain lands administered by the Secretary of the Interior be reclassified in order to provide for their disposal or interim management; and Public Law 88–608, a related public sale act.

The Secretary of the Interior has been asked to render a full report on the implementation of this important legislation. Other citizens interested in the administration and management of our public lands may wish to express their opinions on these laws. They are cordially invited to do so.

The hearings will be conducted in room 3110 in the New Senate Office Building and will start at 10 a.m.

HANOI'S PROPAGANDA OFFENSIVE

Mr. MILLER. Mr. President, on January 9, the distinguished columnist, Joseph Alsop had an article in the Washington Post entitled "Hanoi's Propaganda Offensive," in which he very knowledgeably points out the reason why the President's policy on continued bombing in North Vietnam should be continued.

Also, in the January 20 issue of Life magazine, an editorial entitled "Why L.B.J. Will Continue Bombing" sets forth similar arguments.

In view of the present discussion of this policy, I believe that these two articles merit the attention of the readers of the RECORD, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 9, 1967]

HANOI'S PROPAGANDA OFFENSIVE

(By Joseph Alsop)

The right way to look at the so-called mission of Harrison Salisbury is very simple indeed. Salisbury was invited to Hanoi to make propaganda for a proposal long pressed by the Soviets, and he accepted with apparent alacrity.

As reported long ago in this space, an extraordinary campaign to persuade the U.S. Government to "stop the bombing to get talks" was launched by Moscow late last summer. It was a well orchestrated effort, participated in by just about every Soviet Ambassador all over the world, conspicuously including Anatoly Dobrynin here in Washington. Eastern European diplomats also joined in, *en masse*.

The theme was that if we would just "stop the bombing to get talks," all sorts of wonderful things would happen. Hanoi persistently refused to confirm that talks would in fact result; but the Soviets kept the pressure on.

The President and his advisers had the good sense to see this campaign for what it was—a blatant attempt to get something for nothing. They did not budge. The campaign petered out. Whereupon, by some strange chance, Hanoi made available to Salisbury the visa that had been refused before; and as the Hanoi leaders no doubt foresaw, the country was soon ringing with propaganda for "stopping the bombing to get talks."

What Salisbury has seen on his guided tours; the propaganda figures (very belatedly acknowledged as such) that have been given him in Hanoi; even his interviews with Hanoi leaders—all this is of very little real interest.

Whether an American reporter ought to go to an enemy capital to give the authority of his byline to enemy propaganda figures is indeed an interesting question.

It is interesting to note, too, that what Salisbury has said about civilian casualties would have made almost no noise at all, except for the ludicrous, image-making and hypocritical way the Johnson Administration has always talked about the Northern bombing.

But the topic of really major interest is the question why Hanoi wanted Salisbury now whereas Salisbury was not wanted a bit earlier.

The answer is obvious. The Hanoi leaders are more and more eager for a respite in the war. They are coming closer and closer to the point reached in Korea in the summer of 1951, when the Chinese and North Koreans abruptly abandoned their violent opposition to negotiations, for the sole purpose of gaining a respite at the front.

And the reason is also the same: the position of Hanoi's forces at the front is gravely deteriorating.

More and more evidence of this deterioration comes in each week. There is no space to enter into details here. But the net of the evidence is that the military backbone of the Vietcong, the main force units now largely composed of North Vietnamese invaders, are almost everywhere suffering in an acute manner from the continuing attrition inflicted by Gen. Westmoreland's strategy.

More and more defector-reports show main force units at half strength, or even less than half strength. This is unquestionably because the Northern bombing has been producing its designed result.

It has not completely stopped the flow of men and supplies from North Vietnam, which only fools expected. But it has reduced that flow very greatly, and has thereby made it impossible for the main force units in the South to replenish their constant losses.

If the President yields to this pressure to "stop the bombing to get talks," either now or hereafter, the result is also very easily predictable.

The rate of infiltration from the North will be instantly quadrupled or quintupled. The main force units in the South will swiftly be brought up to full strength again. And Gen. Westmoreland's troops will have a brand new war on their hands in a matter of months.

That is precisely what happened in Korea in the summer of 1951. When talks began, a respite was granted to the enemy. It did not result from an order by President Truman, as previously and incorrectly reported in this space. But in obscure ways, probably because U.S. military headquarters feared intensive fighting producing significant casualties "when talks have already started," the enemy got the respite that he wanted.

The result was enemy reinforcement, leading to two more years of war and 90,000 additional American casualties. Thus we now have the experience to guide us that was lacking in the Korean war. If the same error is repeated in Vietnam, in flat defiance of that experience, those who are responsible will have American soldiers' blood on their hands.

It is vital to note this fact now, because the time may so easily come when Hanoi will cross the crucial line between making propaganda for "stopping the bombing to get talks" and actually offering to talk "if the bombing is stopped." Because of his image-making, the President will then find it very hard to stand firm on his announced position, that he will only stop the bombing in return for a fully adequate quid-pro-quo. But he will also be wicked if he gives way.

[From Life magazine, Jan. 20, 1967]

WHY L.B.J. WILL CONTINUE BOMBING

Hanoi has been issuing visas to a mixed bag of Westerners, including U.S. journalists. Hanoi has also given U Thant reason to "feel hopeful" that if the U.S. should stop bombing North Vietnam, contacts and truce negotiations *might* ensue. Does all this mean that Hanoi is reappraising its position? Possibly. What is certain is that Hanoi is enlisting new allies in its old propaganda effort to get us to stop bombing the North.

This purpose is inevitably served, even if unintentionally, by reports like those of Harrison Salisbury in the New York *Times*. They tell us that our bombs have been killing some civilians, that the damage to transport is speedily repaired, and that North Vietnamese morale is high. Because the Pentagon has been overclaiming on both the precision and effectiveness of the bombing, Salisbury's articles also served to widen the Washington credibility gap. But they have not changed the real terms of the argument over whether we should bomb North Vietnam or not. Neither, in our judgment, does U Thant's insistence that we stop it unconditionally. U Thant has in fact disqualified himself as an "honest broker" of peace by his virtual endorsement of the Hanoi position, and his misrepresentation of ours.

These arguments need weighing once more. The Pentagon's primary purpose in bombing the North is to restrict the flow of men and supplies to the South. Its secondary hope is that by thus raising the cost of war to Hanoi, we may give Ho Chi Minh enough reason to stop the infiltration, perhaps even to negotiate a truce. This is a wholly rational strategy and has produced results—up to a point.

Although the number of infiltrators has risen to about 8,000 a month since the bombing began, they can bring with them only about half enough equipment for battalion-strength attacks in the South, which have greatly diminished. The strain on the Hanoi economy is increasingly great: rice and fish are rationed, truck convoys must carry their own fuel, and at least 200,000 workers are pinned down keeping the roads open. The strain on Hanoi's Communist suppliers is also considerable. At the very least, bombing has forced Ho Chi Minh to change his timetable and tactics and has saved the lives of an unknown number of American and South Vietnamese ground troops.

On the other side of the argument, the cost of the bombing is high: we have lost over 450 planes and 300 aircraft personnel, mostly to SAMs and AA fire. This loss rate is going up and represents a palpable drain on the Air Force's pilot supply. Moreover, an F-4 Phantom costing $2.5 million is an expensive price to pay for taking out a North Vietnamese bridge or truck. Haiphong port facilities and Red River dams and dikes would be much more rewarding targets, but they are off our self-imposed limits, partly to avoid involving Chinese or Russians.

Our policy of minimizing purely civilian damage is also costly. Yet because there are inevitably some unintended civilian casualties, our bombings give Hanoi and its friends an extra source of atrocity propaganda, which can be expected to increase. The bombings entail another political cost by giving a David-and-Goliath color to the conflict.

A more important argument against the bombings is that their secondary objective—to persuade Ho Chi Minh to negotiate—has proved unattainable, at least so far. But is negotiation our real objective? Ambassador Lodge, for one, plays it down. He looks for a "sensational" improvement in our military situation this year, but predicts that its likeliest fruit will be gradual de-escalation. A military stalemate can be acknowledged by mutual actions without words.

In his State of the Union message last week, the President recognized this possible version of an "honorable peace." We will continue our present course in Vietnam, he said, until the quest for negotiations succeeds, "or until infiltration ceases, or until the conflict subsides." But while the infiltration and conflict continue, bombing the North is an entirely legitimate and partially effective way to check it.

There are strong pressures on Johnson not only for less bombing, but for more. Senator Russell argues that our self-restraint is "trading American lives for public opinion." As evidenced in his message, the President is courageously and firmly resisting these pressures too.

Bombing the North is a far less important part of our job in Vietnam than what is going on in the South. The huge American-Vietnamese job of clearing the Delta has only begun. So has the campaign to pacify and rebuild free villages elsewhere. And in Saigon the Constituent Assembly has just submitted a draft constitution which should bring a new political consciousness to the whole country.

What we have already accomplished and begun justify the energetic support of our present policies in Vietnam. As the President said, this is a time of testing for the will and the patience of the American people—"Whether we can fight a war of limited objectives over a period of time and keep alive the hope of independence and stability for people other than ourselves; whether we can continue to act with restraint when the temptation to get it over with is inviting, but dangerous; whether we can accept the necessity of choosing a great evil in order to ward off a greater one."

GOLD DIPLOMACY, IN THE DE GAULLE STYLE

Mr. MILLER. Mr. President, in the *Friday, January 18, issue of the Wall* Street Journal is an article entitled "Gold Diplomacy, in the De Gaulle Style." As we know, the impending discussions regarding international liquidity indicate that the position of the French is to support the gold standard. This article develops that thesis and points up its inequities very well.

Also, in the January 1967, issue of the "Monthly Economic Letter" of the First National City Bank of New York is an excellent article entitled "Annual Gold Review," which points out some of the same problems.

Mr. President, I ask unanimous consent that these two articles may be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Jan. 13, 1967]

GOLD DIPLOMACY, IN THE DE GAULLE STYLE

(By George Melloan)

London.—President de Gaulle's reminder over the last weekend that he has not forgotten his two-year-old proposal for an international gold standard was hardly surprising, but it represented a setback for the U.S. and Britain nevertheless.

At a time when the Western world's so-called liquidity crisis has eased only slightly, it clouds U.S. and British hopes, which were high last fall, that major nations might be able to create a new international currency to supplement gold, dollars and the British pound. If the French insist that gold should become the sole international money, the progress that apparently was being made could be seriously retarded.

But if the French president is considered to be a master of political timing, his reintroduction of the gold question was hardly such a triumph. It came on the heels of news that the world's supply of monetary gold is, for the first time in modern history, beginning to shrink. For that reason, the complexities at this time of making gold the basic international medium of exchange could hardly be greater.

FRENCH WANT GOLD INCLUDED

The French, according to a weekend statement by Finance Minister Michel Debre, will demand that their gold proposals be made part of the discussions of how to improve international liquidity that are being conducted by a "Group of 10" major nations and the International Monetary Fund. This demand will come before the next meeting on the subject in London, Jan. 25 and 26. Among the things the French will want to discuss, according to Mr. Debre, will be whether the price of gold could be raised to broaden the value of the existing supply and make it possible to use gold as the basic international money. His statement was the first public demand by France that the price of gold be made part of the Group of 10–IMF discussions.

Both the U.S. and Britain oppose even discussing a gold price increase, which would, in effect, devalue the dollar and all other currencies. The U.S. has pegged gold at $35 an ounce since 1934 by offering to buy gold at that price. If for no other reason, both countries feel that bringing gold into the discussions would introduce a complication that could cause the talks to drag on for years, probably with no worthwhile conclusion. For another, any intimation that gold's price might be lifted might bring a run on U.S. gold supplies that could have serious consequences for both the dollar and the pound.

Last summer and fall, as Group of 10 talks progressed along the lines of creating a "composite reserve unit" based on a number of currencies, there were rising hopes that France would not push the gold question with any great fervor.

Hopes were in fact so high that Britain's Chancellor of the Exchequer, James Callaghan, who will be chairman of the talks here this month, said that by next summer "I hope there is general agreement to a contingency plan" for improving world liquidity. He said that the main problem was to make plans for how the new reserve currency asset would be held and used.

Mr. Debre did not say that he wanted a gold price increase. But presumably the only reason for discussing gold would be to talk about whether raising the price of gold would be a better way of increasing the international money supply than creation of a new reserve currency.

There is little doubt that President de Gaulle still believes that international transactions should be financed with gold, which he contends is the only "real" money. More importantly, from his viewpoint, if gold became the basic medium of exchange, there would no longer be the need to use dollars and pounds as international reserve currencies.

Mr. de Gaulle has not been reluctant to state why he wants the dollar demoted from its position as the world's foremost reserve currency. He insists that the U.S. uses the dollar as a weapon for U.S. economic imperialism, which he claims threatens to make Europe an economic satellite of the U.S. as American companies buy up an ever larger share of European industry. Moreover, he contends that creation of a "composite reserve unit" would draw heavily on nations that have balance of payments surplus and unduly benefit those like the U.S. and Britain, that have a payments deficit.

But any French argument that gold should be used as an international standard is likely to be weakened at this point by the current uncertain status of the world's gold supply and by the overwhelming clarity with which France has shown that it has a large vested interest in any increase in the price of gold.

Just last week, First National City Bank of New York issued a report showing that gold output in the non-Communist world rose by only 2% in 1966 from 1965, compared with a 3% increase the year before. And for the first time in modern history, the bank said none of the output of gold went into official monetary stocks. That was followed by a report by Mocatta & Goldsmid Ltd., London bullion dealers, showing that during 1966 the gold reserve of the 105 IMF member nations declined, the first time this has happened since the IMF was founded more than 20 years ago.

There are dangers that the gold supply may contract even further. In South Africa, the world's biggest gold source by far, there is a threat of labor trouble in the mines this year. Gold from other parts of Africa could be endangered by political troubles. Supplies of gold fom the Soviet Union, a big exporter in 1965, dropped sharply last year, although no one knows whether this was because of production problems or because Russia needed to buy less outside grain in 1966.

But probably the most disturbing are signs that more gold is being hoarded. City Bank estimated that about $1 billion of 1966 production went into private hoards. And, interestingly enough, one of the main centers for gold hoarding is France, where even the relatively impecunious have a fondness for gold.

SURE-FIRE POLITICS

It has been estimated that private caches in France contain some $5 billion in gold and it is never bad politics for a French leader to urge an increase in the price of gold. Mr. Debre's mere mention of the subject sent the price of gold ingots in Paris to a five-year high. The cost of a 20-franc gold Napoleon coin, a favorite of gold collectors, went to a record 50.40 francs.

The French government's own gold hoard has climbed steadily, too, in recent years as it has systematically exchanged dollars for U.S. gold. At the end of last September, France held some $5.2 billion in gold, 73% more than its holdings three years earlier. France worked its dollars reserves down to the point where it had to stop buying gold in October last year, but it indicated it would resume purchases if its dollar reserves rose again.

France argues that a price increase for gold would end speculation. The U.S. and Britain contend on the other hand that recent history shows that a gold standard would offer undue opportunity for certain countries to manipulate world money and that the machinery for preventing such manipulation would take years to build.

There is little likelihood that at a time when gold supplies are as uncertain as they are now, much new support will swing behind France's view. But if France chooses to push the issue, it could seriously slow the imminent liquidity talks when there is considerable concern in the U.S. on the subject. And if Mr. de Gaulle is still seeking weapons against the U.S. in his bid for greater European economic and political independence, tampering with the liquidity talks might serve as well as any other.

[From the Monthy Economic Letter of the First National City Bank of New York, January 1967]

ANNUAL GOLD REVIEW

For the first time in modern monetary history, all of the newly mined gold is going into private hands, in part for the fabrication of jewelry and gold articles of all sorts but mostly for saving, investment and speculative hedging against a possible gold-price rise. For 1966, the private gold absorption may be estimated at $1.5 billion. Official monetary gold stocks, as reported by governments and central banks, have actually shown a small decline.

This annual gold review surveys the circumstances behind this unparalleled state of affairs. Against this background, gold will be very much in the news in 1967 as governments are engaged in negotiations to create, if need be, new world money—fabricating instant gold, as it were.

FLATTENING OUTPUT

In 1966, for the fourth consecutive year, world gold output rose less than in the preceding year. This flattening in the rate of growth reflected, of course, the trends in the production in South Africa, which represents about three-fourths of the world total (excluding the Soviet Union, other Eastern European countries and Mainland China). At 2 per cent over 1965, last year's rise in South African output compared with 5 per cent, 6 per cent and 8 per cent during 1965, 1964 and 1963, respectively.

The flattening out in the dramatic increase in South African output may best be seen against the background of the recent history of the industry. In 1938, new gold fields were discovered, primarily in the Orange Free State and beginning with 1953, they produced in appreciable volume. As stands out strikingly from the chart, output in these "newer" mines rose from the equivalent of about $70 million in 1952 to an estimated $870 million in 1966.

The rise has been the outcome of such factors as the richness of deposits, a geological formation that allows low-cost extraction methods and efficiency of operation. But as the expansion of new mining areas has tapered off, output has ceased to grow as rapidly as only a few years ago. On the other hand, production in "older" South African mines has declined continuously, in large part because the scope of profitable operations is limited by rising costs. For South Africa as a whole, the pace of output, at the present price of gold, is believed to be slowing down even more and production may reach its peak by 1970.

Estimated gold production in 1966

	In millions of dollars	Percent change from—		
		1965	1953	1940
South Africa	$1,090	+2	+161	+122
Canada	115	−8	−19	−38
United States	65	+11	−6	−62
Australia	31		−18	−46
Ghana	25	−5	−2	−19
Rhodesia	20	+5	+14	−31
Japan	18		+100	−41
All others [1]	106	+9	−22	−62
Total [1]	1,470	+2	+73	+16

[1] Excluding the U.S.S.R., other East European countries, mainland China, etc.

Of other major gold producers, only the United States recorded—for the second year in a row—an increase, the result of a doubling in output in Nevada. At some $65 million, U.S. production reached the highest level since 1955. In Canada, output continued to decline.

At almost 42 million fine ounces, equivalent to $1.5 billion, last year's world gold output was at its highest level ever recorded. At the same time, however, the Soviet Union, whose gold sales during much of the past decade added substantially to world supplies, sold little, if any, gold in 1966, presumably because of good grain harvests. As a result, total gold supplies in 1966 amounted to only three fourths of the previous year's figure.

Other factors reduced the supplies flowing into gold markets in 1966. By far the most important among these was the fact that South Africa, because of a surplus in its balance of payments, added substantial amounts of gold to its own monetary reserves.

ENTIRE OUTPUT GOING INTO PRIVATE HANDS

Just how much of the new gold supplies is being absorbed privately is brought out forcibly in the second chart. In 1966, $1.5 billion of gold thus went into private uses—as much as last year's entire output and roughly the same amount as in 1965. These are the highest amounts ever attained—$0.5 billion more than in 1964. For the past ten years, gold to the value of over $10 billion has gone into private hands.

In the United States, the demand for industrial and artistic uses has risen markedly. In 1965, the latest year for which data are available, such uses amounted to $185 million (net); only a few years ago, they had averaged about $100 million a year.

Gold used in industry and the arts thus represents approximately three times domestic production. The deficit is covered by imports and from the Treasury stock; during the first nine months of 1966, the Treasury released $105 million, compared with $118 million for 1965 as a whole. In eleven other countries, as depicted in the chart, gold consumption has also shown a sharply rising trend—reaching probably some $300 million in 1966.

Roughly three fourths of industrial uses in the twelve countries covered in the chart are for jewelry and gold objects of all sorts. Increases in employment and incomes to all-time highs obviously stimulate the buying of gold articles—articles that have become relatively cheap, given the persistent rise in the cost of living. Buying gold articles thus embodies elements of saving. In the United Kingdom, the manufacture and sale of medals, medallions, tablets, coins minted since 1837, etc., were stopped by the government in April 1966 on the ground that these practices tended to avoid exchange control provisions prohibiting the hoarding of gold.

Something like $1 billion went last year into what is labeled in the chart "Savings, etc." [Charts do not appear in Record.] This is a no man's land, surrounded by an aura of mystery. Some of this gold may have gone into unpublished reserves of governments and central banks. In 1966, for the second successive year, Mainland China and certain Eastern European countries were reported as official buyers in the London market.

The great bulk of "disappeared" gold undoubtedly consists of private savings in gold. Some of this goes into the customary mode of savings in the Far East, the Middle East and parts of Africa; some goes for investment in gold to secure protection against the continuing depreciation of money and political upheavals, as in much of Europe and Latin America; and some reflects shorter-term speculation on, or hedging against, a possible gold-price rise—activities nourished by debates, not always well informed, about alleged weaknesses of the international monetary system and the lack of liquidity.

Gold prices in international as well as in domestic markets have risen. At the year end, the price in London for bar gold—influenced by stabilizing operations of the so-called gold pool—stood at close to $35.20 per fine ounce, the highest in five years. In Paris, the popular Napoleon, the 20-French franc gold piece, reached the highest level in a decade and a half, commanding a premium of 50 per cent over bar gold. In Germany, the 20-mark gold coin stood at a premium of almost 90 per cent.

Given the tightness and the high cost of money throughout much of the world, the persistence and the sheer amount of gold buying are extraordinary. In the judgment of the Bank for International Settlements, "the indications are that most of this component of private gold offtake over the years is accounted for by fairly firmly held savings in gold, rather than by large blocks of speculative holdings awaiting a shorter-term capital gain."

THE SHORTAGE OF MONETARY GOLD

The avalanche of private demand for gold has left little, if any, gold for governments and central banks to add to monetary reserves. In 1965, the record was already bad, since, of the $2 billion of new gold supplies, only $250 million was added to world official stocks—the smallest such additional since 1952. During the first nine months of 1966, official gold stocks, as published, actually declined by some $50 million.

Private gold absorption on the present scale thus gives rise to a shortage of monetary gold. The planning among governments now under way to meet, if need be, future shortages of international reserves rests on the expectation that the amount of new gold available for monetary purposes will not be enough by itself to satisfy the requirements for reserves of an expanding world economy in an environment of basically free international trade and investment. But, judging from published statements, the official planning anticipates that, year in year out, gold worth several hundred million dollars will be available from fresh supplies—depending, apart from private demands, on trends in output and Russian sales. The difference between additions to world monetary gold stocks and the total growth of reserves that might be regarded as appropriate would then be made good by the creation of a supplement to gold. The substantial decline in new gold available for monetary reserves, therefore, affects the current planning.

It also affects the current operation of the international monetary system. For, in the world today, gold remains by far the most important single element of monetary reserves. In the United States, as the third chart shows, official holdings of convertible foreign currencies and the reserve position in the International Monetary Fund are quite small in comparison with the gold stock. Other nations hold, proportionately, more foreign exchange than the United States but, as evidenced in the table, gold predominates, especially among the major nations of Western Europe. The propensity to hold gold has increased over the past two years despite the fact that little gold was added to reserves in 1965 and none in 1966.

France continued to build up its gold reserve until the closing months of 1966 when its balance of payments was in deficit. In fact, France has since 1958 reacquired practically all the gold it had sold to settle its payments deficits between the mid-1930s and the late 1950s. At today's $5.2 billion, France's reserve equals approximately one eighth of the world total; at its peak in early 1935, it probably represented as much as one fourth.

The U.S. payments deficit has continued so long that much of it has had to be met in gold. True, last year's decline in the U.S. stock was not nearly as large as in 1965; but, as the chart shows, it brought the U.S. stock down to the level of mid-1938. At the end of 1966, the U.S. stock represented about one third of the world total, compared with about two thirds at its peak in mid-1949.

STUBBORN FACTS OF LIFE

Looking at the decline in the U.S. gold stock, some students of international finance have advanced the thought that the United States should seek to demonetize gold by international agreement. This thought assumes that everything would be all right if only Europe were not insistent upon gold rather than dollars in the settlements of its surpluses. This is simply not true. Furthermore, it disregards the stubborn facts of international economic life.

The world today is not ready to demonetize gold. The governments of the leading nations regard gold as the "ultimate" international reserve asset. In the negotiations now under way, they are seeking to work out plans to create new international money—plans, of course, that are not to be activated until the United States reaches a balance in its international payments. One of the crucial problems is to make gold and the new international money equally attractive as reserves—something that is being sought through linking the uses of gold and the new international money. Thus, countries would be required to hold the new money in an agreed fixed ratio with gold or accompany each disbursement of the new money by a disbursement of gold in an agreed proportion. In practical reality, whatever changes might be adopted in present arrangements, policies and techniques would also have to permit the continued use of the dollar as a reserve currency.

All this presupposes an agreement on gold. As Milton Gilbert, Economic Adviser of the Bank for International Settlements, recently noted:

"Some people seem to have the vision that as the central banks become used to the new reserve assets * * * they will begin to prefer them to gold, and that gold will gradually disappear as a monetary instrument—or at least become unimportant. This seems to me to be plain fantasy and about as close to reality as the original idea of Karl Marx that under communism the state would gradually wither away."

For the power to create international money is, in the final analysis, the power to take tangible goods from some countries and give them to others. Such power will, of necessity, have to be circumscribed both in amounts and in time—something that, in the view of many leading nations, can most efficiently be done by retaining gold as the inner circle of the monetary universe—a universe which, of course, may well be expanding so that the inner circle would, with the passage of time, become relatively smaller.

The perennial proposals for a gold-price rise are again being heard. The case remains, however, unconvincing. The obvious objection is that a gold appreciation would bring about a sudden surge in the purchasing power of current gold output and accumulated reserves—a surge unfairly distributed, while what is wanted is a gradual expansion, fairly shared. Besides, such a move would add fuel to the fires of inflation. When France's Finance Minister, M. Michel Debré, stated last September that he opposed a gold-price rise, he might well have had in mind, among other things, the vision of the monetary consequences of massive private dishoarding in a nation which is holding $3-4 billion in gold in its proverbial stockings and mattresses. From yet another crucial vantage point, a gold-price rise, by destroying faith in the dollar as a currency that nations can reliably use as a store of value, would do irremediable damage to the incentive to hold dollars as reserves, which is an essential part of the international monetary system as it operates today.

At this particular juncture, therefore, it is most necessary for governments of the major nations to eradicate the belief in the inevitability of a rise in the price of gold. In their planning for the future, they must stress the quality of international reserves, not just the quantity. This is the only way to prevent new gold supplies from flowing into private hands in as clearly excessive amounts as today, instead of going into official coffers.

Without unquestioned confidence in the lasting value of the dollar, no international monetary system can work properly. But with convincing evidence that the United States will safeguard the strength of the dollar, many of the seemingly intractable problems of international liquidity will disappear. For shortages of liquidity are not a matter of fate but depend on human actions and reactions. All the United States has to do today is to supply dollars abroad, through lending and investing, in amounts other nations really want without seeking to convert them into gold. This is yet another way of saying that the dollar must be made as desirable as it was when, by the free choice of nations, it began to be used as a currency in which to hold reserves—along with gold and, perhaps, in preference to gold.

GOLD AS A PERCENTAGE OF TOTAL OFFICIAL GOLD AND FOREIGN EXCHANGE RESERVES

(September 1966)

Over 90 percent

United States, Switzerland.

80 to 90 percent

France, South Africa, Netherlands.

70 to 80 percent

Belgium, Spain.

60 to 70 percent

Germany (Federal Republic), Italy, Venezuela, United Kingdom, Portugal.

40 to 60 percent

Austria, Canada.

20 to 40 percent

India, Mexico, Sweden, Denmark.

1 to 20 percent

Japan, Australia, Norway.

Mr. MILLER. Finally, Mr. President, the same monthly economic letter contains a knowledgeable article entitled "Tax Credits To Help the States." We are all discussing the possibility of transferring some Federal revenue to the States to help them finance their operations. This article merits the attention of readers. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAX CREDITS TO HELP THE STATES

So long as expanding needs for Vietnam strain the Federal budget, any new national program involving substantial sums of money is probably out of the question. But looking forward to a time when defense needs moderate, the political ranks are already forming behind different versions of plans to aid state and local governments.

Interest in bolstering the fiscal capabilities of states and localities has quickened recently in Washington and in state capitols, among leaders in both major political parties, and among businessmen and the public at large. The question was pushed to the forefront in Washington in 1964 when Walter W. Heller, then chairman of the Council of Economic Advisers, pressed for adoption of a tax-sharing plan, whereby a percentage of Federal individual income tax payments would be redistributed to the states in the form of unconditional grants.

An alternate plan of enlarged Federal tax credits for state individual income taxes was advanced in 1965 by the Advisory Commission on Intergovernmental Relations, a group established by Congress in 1959 with members representing the Congress, the Executive branch, and state and local governments.

Important backing for the revenue-sharing idea came last month when the National Governors Conference approved the proposal in principle, though without designating a specific plan. Also last month, the American Farm Bureau Federation passed a resolution supporting Federal income tax credits for state taxes. Tax credits for state income taxes have long been advocated by the AFL-CIO.

Such impressive support indicates that the question of aiding the states is moving toward the top of the national agenda. It is becoming abundantly clear that some rebalancing in the relative strength of Federal, state, and local governments is necessary to meet the needs of the times.

NEED TO REVITALIZE STATE AND LOCAL GOVERNMENTS

The growing interest in aid-the-states plans partly reflects disenchantment with Federal grant programs, which have been burgeoning since the late Fifties. In the past two years alone, grants to states and localities have climbed 35 per cent to an estimated $15 billion in the current fiscal year; under existing legislation, they are expected to double to $30 billion by 1975.

So rapid has been the proliferation of programs that the search for Federal money by the states and cities has come to resemble a giant Easter egg hunt. To make sure of getting their fair share, some of the larger cities and states—like defense contractors before them—have even established liaison offices in Washington. According to *Time* magazine, aid to states and municipal governments "is distributed among 170 separate programs, funded by 400 different appropriations, administered by 21 departments and agencies, assisted by 150 bureaus." To guide the public in their search, the Office of Economic Opportunity has published a 414-page *Catalog of Federal Programs for Individual and Community Improvement*, which contains brief descriptions of 262 separate programs.

Though intended to raise minimum standards in many areas of governmental activity, the grant programs are threatening to overwhelm the states and localities with direct and indirect pressures from Washington. Since they are normally required to match Federal grants with their own money, state budgets are increasingly weighed down and distorted by Federal programs, frequently to the neglect of more immediate local needs.

At the same time, more and more aid is on a project basis, requiring the states and localities to conform to guidelines set by bureaucrats in Washington. Moreover, in some Federal activities—notably the anti-poverty programs—states and local governments are being bypassed completely. Former Governor John Anderson of Kansas has argued that such encroachment on the states and localities may "ultimately have the effect of destroying a system of government we really want to preserve."

A similar warning was issued last November by John Gardner, Secretary of Health, Education, and Welfare, in testimony before the Senate Subcommittee on Intergovernmental Relations:

"One possibility that one could easily imagine is that increasingly large sums of money flowing to weak state and local governments might eventually bring about complete subordination of the latter. All state and local governments would then be mere branch offices of one all-dominating national government. . . .

"It will not be possible to fashion a mutually respecting partnership if the state or local government is not able to play its role as a vital partner. . . . We must revitalize state and local leadership so that it can play its role vis-a-vis an increasingly powerful Federal Government without being completely submerged and obliterated."

CONSIDERATIONS OF ECONOMIC GROWTH

Many observers maintain that the relative decline of the states and localities at least partly reflects their weakened taxing power, owing to the "pre-emption" of the progressive income tax by the Federal Government. This has led, so the reasoning goes, to a mismatching of revenue sources and expenditure needs, particularly when viewed from the standpoint of economic growth.

As incomes rise and urban populations increase, the public demands more and more education, health care, highways, parks, etc., which are normally provided by the states and localities. Welfare burdens tend to rise disproportionately in urban areas. But since their principal revenue sources—taxes on property and on sales and gross receipts—are less responsive to rising incomes and economic growth, the states and localities tend to be in a persistent fiscal bind. Moreover, existing tax systems in many states are frequently criticized as being inefficient, inequitable in incidence, and poorly administered. With the Federal income tax biting so deeply into their incomes, people often protest by voting against new and higher state and local taxes.

On the other hand, because of a progressive rate structure, yields from the Federal individual income tax rise much faster than incomes. Indeed, when the economy is growing with unchanged tax rates, income tax liabilities climb so rapidly as to cause a periodic problem of "fiscal drag," whereby the cash drain into the Treasury's coffers tends to have a growth-retarding effect.

Advocates of aid-to-the-states plans, therefore, see an opportunity to kill several birds with one stone: (1) To strengthen the financial resources of states and localities, thus enabling them to deal more effectively with problems of urban growth; (2) to counter the current strong trend toward centralized direction and detailed control from Washington; (3) to check the tendency of Federal spending programs to proliferate year after year with the rise in revenues; and (4) to eliminate "fiscal drag" effects from the Federal budget.

BROADER CONSIDERATIONS

A great deal of careful study must be given to the pros and cons of different methods of helping the states. Inevitably, much broader considerations than economics alone are involved. Some of these considerations were underscored by Secretary Gardner in his Senate testimony:

"We have had a system—political, economic, social—characterized by dispersed power and initiative. We like that attribute of our system. But if we are to preserve it, we have to be conscious of what is happening as the old system gives way and a newer system is invented piecemeal. . . . If we want pluralism in the system (and I assume we do), we are going to have to build it in consciously and systematically."

Both of the two general approaches now receiving widespread attention—the unconditional block grant under the so-called Heller plan or the enlarged Federal tax credit for state income taxes—would tend to provide increased state revenues with greater independence. With either plan, provisions could be made to ensure that urban areas and local governments receive a fair share of the extra revenues.

Under a Heller-type plan, the Federal Government would set aside and distribute to the states a stated percentage—perhaps one or two per cent—of the Federal individual income tax base, which now runs close to $300 billion. Thus, 1 per cent would amount to roughly $3 billion a year, a figure that would rise rapidly with the growth of the economy.

In practice, certain revenue-sharing formulas could be established for distribution of the funds. Under one proposed bill, a tax-sharing fund equal to 1 per cent of taxable individual income would be established, with payments made to the states according to a formula based on population, on each state's tax effort, and on its relative income level. These funds would be earmarked for use by state and local governments for health, education, and welfare purposes under the surveillance of the Federal Government.

Percentage of taxes collected by Federal, State, and local governments, 1964–65

Type of tax	Federal	State	Local	Total
Individual income	92.3	6.9	0.8	100.0
Corporation income	93.0	7.0		100.0
General sales [1]		84.1	15.9	100.0
Selective sales [1]	61.1	35.5	3.4	100.0
Property		3.3	96.7	100.0
Total	64.5	18.0	17.5	100.0

[1] Includes gross receipts taxes.

Source: U.S. Bureau of the Census, "Governmental Finances in 1964–65."

THE TAX-CREDIT APPROACH

It would appear, however, that the tax-credit approach would be better from the standpoint of preserving freedom of action for the states and taxpayers as well as encouraging dispersed initiative, while still providing substantial help to the states. Currently, the best-known tax-credit plan is one suggested by the Advisory Commission on Intergovernmental Relations in October, 1965.

Under the Advisory Commission's plan,

individual taxpayers would be permitted to use 40 per cent of their state income tax payments as a credit to offset against their Federal income tax liabilities. In effect, the Federal Treasury would provide an indirect subsidy to the states by returning to the taxpayer two dollars for every five dollars of income tax paid to the states. (Taxpayers would still have the option of itemizing income taxes—along with most other state and local taxes—as deductions from taxable income. Deductions of state income taxes now cost the Treasury 24 cents for every dollar of state income tax collections.) Since only 33 states now have an income tax, with widely varying rates, the 40 per cent credit is designed to encourage wider adoption of state income taxes with the help of the subsidy.

It is expected that the initial cost to the Treasury of the 40 per cent tax credit would amount to about $700 million, with the total rising to $2 billion if all states adopted a low-rate income tax. Even more help to the states could be given by simply enlarging the tax credit to 50 per cent or more. Some people, however, believe that enlarged tax credits should be given for sales and other state taxes as well.

An important virtue of the tax-credit approach lies in the fact that it maintains the responsibility for both taxing and spending decisions in the same hands. State governors and legislators enacting costly expenditure programs must still face up to the problem of finding the money, whether or not it comes from Federally subsidized state taxes. Thus, it would help preserve fiscal responsibility at the state and local level.

The unconditional block-grant approach, on the other hand, would tend to separate the pain of taxing from the pleasure of spending. Politicians at the state level might be encouraged to push popular expenditure programs, while looking to Washington to foot the bill through enlarged block grants. Thus, the pressure for larger and larger block grants from Washington would be likely to grow over the years, while state spending might rise faster than citizens are actually willing to pay for. A powerful vested interest might be created to preserve the present Federal tax structure unchanged.

Historical experience shows that this is not merely idle speculation. In their 1961 study of *The Growth of Public Expenditures in the United Kingdom* for the National Bureau of Economic Research, Professors Alan Peacock and Jack Wiseman pointed out that:

"It is inherent in the nature of choices made through the political process that the ideas of citizens as to what is desirable public expenditure can be separated from the ideas of those same citizens as to the reasonable level of taxation. Clearly, both the views that citizens hold and their influence on government policy will be affected by the political organization of the society concerned. . . .

"Governments may, of course, have plans that would increase their expenditures, and the plans may be thought desirable by many of the citizens. Nevertheless, their implementation, and thus the rate of growth of government expenditure, will depend upon the view taken by the government as to the revenues that it is (politically) able to raise as well as upon its own views as to the desirability of increasing government expenditures in any direction."

At this time, it may be noted that in at least three leading countries—Canada, the United Kingdom, and the German Federal Republic—*control of state and municipal expenditures is an important problem in overall anti-inflation policy.* Professor C. Lowell Harriss of Columbia has recently cited similar problems in Weimar Germany, as detailed in a 1930 report by S. Parker Gilbert, Agent General for Reparations:

"These recent developments illustrate what is indeed the underlying fault in the whole system of transfers to the states and communes, namely, the division of responsibility as between the authority which collects the taxes and the authority which spends the money. . . . The states and communes, on their side, spend the money without having had any of the responsibility or odium of collecting it, and they have fallen into the habit of expecting the Reich to provide more and more money for them to meet their recurring budgetary deficits."

THE FISCAL CHOICES AHEAD

Any new program to help the states must be considered along with various other proposals for utilizing the built-in growth of Federal revenues. Particularly if an anti-ballistic missile system is to be deployed, defense needs may continue to put the Federal budget under pressure. On the other hand, despite continuing demands for domestic spending programs, there is a widespread feeling that the principal needs of the day have been met by recent legislation and the time for consolidation has arrived. Thus, Senate Majority Leader Mike Mansfield last month called for a pause in new domestic legislation to review and tighten up the administration of programs already under way.

Whenever the budget situation permits, moreover, high priority should be given to further tax rate reduction. As vividly demonstrated by the 1964–65 rate reductions, tax cuts can provide a powerful stimulus for economic growth, which in turn enlarges the base for state and local taxation. Since the existing progression of rates becomes more onerous as incomes rise, the question of further tax reductions must always be kept in mind.

An attractive feature inherent in the tax-credit approach, however, is that it combines Federal tax reduction with aid to the states. By means of enlarged Federal tax credits, the states can, in the words of the Advisory Commission on Intergovernmental Relations, "be encouraged to exploit their own tax resources before Congress considers the introduction of large scale general purpose aid programs." This would enhance the capacity of state and local governments to resist encroachments from an "all-dominating national government."

The case for erring "in the direction of leaving too much rather than too little in the hands of state and local authorities" was effectively presented by Professor Roland McKean of UCLA in a 1965 statement to the Congressional Joint Economic Committee, in which he warned against "overexpansion of Federal expenditures":

"Ultimately they could lead to the neglect of alternatives, because programs would cater to broad majorities more than to minority or local needs, and indeed the incentives of lower level units to propose alternatives might diminish. The result could be to inhibit change, flexibility, and growth.

"Also, heavy Federal taxes and expenditures could ultimately make too many persons beholden to too few, actually reducing the number of options open to individuals, and impairing their willingness to speak and vote freely. . . . So far, of course, government activity in Western nations has surely increased the options open to most individuals, but beyond some point it could work the other way. Like growing older, it would happen so gradually that it would be hard to become alarmed at any particular moment. Yet, like growing older, it could ultimately be fatal."

WHY SENATE WALKOUT ON SLAVERY, FORCED LABOR TREATIES

Mr. **PROXMIRE.** Mr. President, speaking in favor of the ratification by the Senate of the Human Rights Conventions is perplexing because it is hard to find opponents and those who are against these treaties.

The administration has asked for them. The Senate has stopped them for 4 long years. Why do we not act? Why?

The true opponents to ratification in this case are not groups or individuals; instead, they are the most lethal pair of foes for human rights everywhere in the world—ignorance and indifference. This attitude insists that slavery is a closed, albeit unpleasant, chapter in our national history. Slavery in the United States is constitutionally prohibited, and certainly everyone agrees that forced labor is hardly a problem in a country where the merits of a 35-hour workweek are being widely discussed.

We, in the United States, are undeniably blessed that slavery and forced labor are not national problems. But forced labor is at this very moment being practiced on the African Continent. Slavery, the question put to rest in the United States almost a century ago, is a flourishing economic activity on the Arabian Peninsula.

The United States has an obligation of ratification of these two vital human rights treaties. This obligation has been recognized and requested by many of America's labor statesmen. These men want, as I believe all Americans really want, minimum standards of international behavior. The freedom from slavery or from forced labor is a human freedom—an inalienable freedom—not one to be granted or withdrawn at the whim of any dime store despot.

In July of 1963, the late President Kennedy urged Senate ratification of the Human Rights Conventions on slavery and forced labor because:

> They will stand as a sharp reminder of world opinion to all who may seek to violate the human rights they define. They also serve as a continuous commitment to respect these rights. There is no society so advanced that it no longer needs periodic recommitment to human rights.

Ambassador Goldberg last year pointed to the damage being done to this country in the United Nations by our failure to act in this area. It is hard for other countries to understand why the United States failed to ratify the slavery and forced labor treaties.

Certainly we are a people who in our own land for the cause of human rights have done so very much; internationally we should do no less.

Mr. President, I might add that our Ambassador to the United Nations feels intensely our failure to act weakens the United Nations. Our failure to recognize this is weakening this important aspect of the United Nations.

I ask Senators to join me in the fight to win Senate ratification of these human rights conventions, that the United States may regain our rightful place in the continuing crusade for the political rights of women and against slavery, forced labor, and genocide.

OUR ARMED FORCES AND THEIR DEPENDENTS HAVE BEEN FAR TOO LONG IN WESTERN EUROPE—BRING THEM HOME

Mr. **YOUNG** of Ohio. Mr. President, I am in complete accord with the purposes of the resolution reintroduced by the distinguished majority leader expressing to the President the sentiment of the Senate that there be a substantial reduction in our forces stationed in Western Europe. I was a cosponsor of this resolution in the 89th Congress, and I am again glad to be a cosponsor of this important resolution.

As early as April 1963, I spoke out urging the withdrawal of a great many of our troops from Western Europe. Since then, I have on many occasions in the Senate, in my newsletter, and in speeches in Ohio and elsewhere continued to urge that we reevaluate our military requirements in Europe with a view toward bringing home hundreds of thousands of military personnel with their dependents, as well as thousands of civilian employees stationed in nations of Western Europe.

Today, unofficial count put these forces at approximately 400,000 to 450,000 men, and together with dependents the total is between 900,000 and 1 million Americans stationed and supported in Europe by American taxpayers.

At the present time we are contributing up to one-third of the manpower and almost 80 percent of the cost of defending Western Europe. The nations of that area are strong enough today, both militarily and economically, to cope with whatever danger remains and to provide for a much greater share of their defense needs. Following the devastation of World War II, Western Europe completely rehabilitated itself, largely with money supplied by American taxpayers. It is now a thriving and dynamic region of greatly expanded economic, political, and potential military capacity.

The United States is the only member of the NATO alliance that has met its commitment 100 percent. The only other NATO nation that has come up to even 80 percent of its commitment has been West Germany.

Mr. President, 10 years ago this Nation had almost $22 billion in gold reserves. Today we have $13½ billion, a loss of almost $8½ billion. At the same time the gold supply of other countries, primarily in Western Europe, has risen by $13 billion. The fact that we have approximately 1 million Americans in Western Europe supported by American taxpayers, spending Americans dollars and enhancing the economy of the nations in that part of the world, is the most important factor contributing to our unfavorable balance-of-payments problem.

It has been estimated that the expense of keeping troops in Western Europe accounted for $1.4 billion of our foreign exchange deficit in 1965—only some of which was offset through European purchases in the United States. As of November 1966, more than $675 million of the current deficit in our balance of payments was due to the expense of keeping troops in Germany alone. These figures are expected to have risen considerably by the end of 1966. By decreasing the level of troop deployment in Europe we can take a constructive step toward easing our balance-of-payments problem.

Bringing hundreds of thousands of officers and enlisted men and their dependents home from France, West Germany, and other nations of Western Europe will not only cut down the drain on our gold supply, but will make troops available for assignment to Vietnam.

The American presence in Europe was necessary and was welcomed by our European allies following World War II. Times have changed. Now the French under De Gaulle have insisted that we remove our forces from French soil. Also, today it is by no means clear that our other West European allies, including even the West Germans, still desire the presence of American Armed Forces.

However, our President and his advisers in the State Department should not concern themselves over whether or not the feelings of the civilian leaders of the West European governments would be hurt because we finally, after all these years, return to the United States a substantial number of our men and their dependents. In view of the fact that these allies have refused to send any soldiers to aid us in Vietnam, thousands of these trained soldiers of the United States should be reassigned to Vietnam and other areas of the world where they are really needed.

Furthermore, whatever men of our Armed Forces are sent to Western Europe for a tour of duty in the future should be sent for a period of not more than 13 months and with no dependents. If there really is a need for our troops in Western Europe, then we should have a lean, trim combat-ready force stationed there, and not hundreds of thousands of "squawmen" with their wives and children accompanying them.

Following World War II, there was a bitter cold war raging with the Soviet Union and there was a threat of aggression which required the presence of our Armed Forces to deter the Russians. Stalin was then dictator of the Soviet Union. The threat of military aggression by the Communists in Europe has all but vanished. The present rulers of the Soviet Union are no longer rattling their missiles. The Russians are veering toward capitalism. The Soviet Union is no longer a have-not nation. Its leaders now appear principally dedicated to the objective of raising the standard of living of their people.

Mr. President, of course, if it were necessary to the security of our Nation and to the security of the free world to station these huge forces in Western Europe, in one way or another we would find the financial resources to do so. However, when it is obvious that our Military Establishment in Western Europe is far in excess to the actual need, and when the attitude and actions of our Western European allies—primarily De Gaulle of France—confirm this conclusion, then it is wholly unwarranted to continue this unnecessary dollar drain.

Mr. President, at the very best our troops in France and in the NATO countries must be considered as a token force rather than an effective striking force. We can improve our military and financial situation greatly by bringing most of our Armed Forces and their dependents home. By our Operation Airlift we have proven we can airlift a combat-ready division to West Germany from the continental United States in a matter of hours. Furthermore, it is the nuclear umbrella of the United States that provides the real protection for Europe, not these large numbers of ground troops.

The nations of Western Europe can today provide the necessary troops to defend themselves instead of continuing to depend on us. Let their young men be conscripted and drafted into their own armed services. Why should the lives and aspirations of our teenage young men be disrupted to form the first line of defense for the German and French Governments, whose officials and nationals have come to despise us?

Mr. President, the reduction in U.S. Armed Forces in Western Europe might very well induce the leaders of the Soviet Union to make similar reduction in their military forces in Eastern and Central Europe. Such action would produce a significant easing of world tensions and go far toward helping to promote a peaceful settlement in Europe. If adopted by the Senate—and I fervently believe that it should be—the resolution introduced by the distinguished majority leader could well be one of the most important steps toward world peace made in this decade.

GRENVILLE CLARK

Mr. McINTYRE. Mr. President, Grenville Clark, a great American and distinguished public servant, died last week in Dublin, N.H., at the age of 84.

Grenville Clark will be best remembered for his pioneer work in the field of peace through world law and his coauthorship of the now-famous book, "World Peace Through World Law."

As a lawyer, counselor to leaders of our Government and as a great humanitarian, Grenville Clark will be sadly missed by his Nation.

Shortly before his death, Norman Cousins wrote an article about Grenville Clark in the Saturday Review in which he said:

> It is doubtful if any living American is more deserving of the Nobel Peace Prize.

Mr. President, Norman Cousin's tribute to Grenville Clark describes better than I can the great qualities of this man; and I ask unanimous consent that this article be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A MAN FOR ALL SEASONS

Grenville Clark, who makes you think of a company of Americans like Madison, Jefferson, and John Adams, has just turned eighty-four. He has never held public office and is not popularly known, but it is doubtful if any living American is more deserving of the Nobel Peace Prize. If the United Nations ever achieves the maturity of a workable government with adequate, responsible powers, the role of Grenville Clark in making it possible will have been a key one.

I first met him in 1945, shortly after the end of the Second World War. He had joined with the late Owen J. Roberts, associate justice of the Supreme Court and the late Robert P. Bass, former governor of New Hampshire, in inviting forty-eight Americans to a conference in Dublin, New Hampshire, where he lived, for the purpose of considering the revolutionary new situation in the world represented by the development of nuclear weapons. I learned that he was widely respected by his peers as a lawyer with a keen interest in world affairs, and that he had been consulted by four Presidents on matters of foreign policy and national defense.

Clark made the opening presentation at the Dublin Conference. He attempted to look ahead twenty years or more. He said he thought it unreasonable to assume that the wartime alliance between the United States and the Soviet Union could hold up under the pressure of events. He forecast a struggle for the balance of power under conditions of uncertainty and insecurity for both countries. He saw the emergence of a world atomic armaments race. Despite published assurances to the contrary by U.S. Government spokesmen, he anticipated the development within a few years of nuclear weapons by the Soviet Union, and by other countries within a generation. He said it would be difficult to keep the atomic armaments race from leading to a world holocaust unless strong measures were taken to create a world authority with law-enacting and law-enforcing powers.

He believed the moment in history had come for creating the instruments of workable law. He spoke of the need for a world government which would have "limited but adequate" powers. It should be "limited" in the sense that it would not interfere with internal functioning of the nations. It should be "adequate" in the sense that it would be able to deal with the historic causes of war and would seek to insure justice in the relations among nations. In short, he proposed world law as the only alternative to the existing world anarchy.

Listening to Grenville Clark that day at Dublin, New Hampshire, was an unforgettable experience. He was then, as he is today, a magnificent example of the man of reason joined to the man of good will. He summoned historical experience, always giving proper weight to his analogies, always making the essential qualifications. The political philosophy reflected in his talk placed him in the tradition of John Stuart Mill, the Physiocrats, the leaders of the Philadelphia Constitutional Convention, and jurists like Oliver Wendell Holmes. When he spoke about the need for world law, he was not just trying to prevent world war; he was speaking to a condition necessary for human progress.

As the result of Clark's leadership, the Dublin Conference produced a document that commanded national attention and served as the effective beginning for the world law movement in the United States and elsewhere. Clark was its main architect and champion; he was also its primary source of energy and inspiration. Since then he has put everything aside in order to work for the ideas contained in the Dublin Declaration. He is one of the few men in the world, in fact, who has given full time to the most important need on earth. With Professor Louis B. Sohn of Harvard University, he wrote the book, *World Peace Through World Law,* which addressed itself to the multiplicity of problems involved in the transformation of the United Nations into a source of enforceable world law. The book recognizes that a world legislative body must be "weighted" in representation. For the present one-nation, one-vote system of representation makes the enactment of world legislation cumbersome and potentially inequitable. The book presents carefully developed ideas that indicate the practicality as well as feasibility of weighted representation. In 1959, the American Bar Association awarded him its Gold Medal, referring to *World Peace Through World Law* as a "major contribution to world literature" on the subject of peace.

Clark has tackled the bugaboo of absolute sovereignty in a way that has disarmed even the most pronounced adherents of unfettered national determination. At the Dartmouth Conference between prominent Americans and Russians in 1960, the meeting was virtually at a point of tension-saturation. The Americans were steadfast in their advocacy of a plan for disarmament with full inspection and control. The Russians reacted sharply to what some of them described as a plan for violating the sovereignty and security of their country. The tone of the meeting became somewhat harsh and strident. Grenville Clark, who until that moment had been silent, asked to speak.

He began by saying he accepted fully the genuineness of the desire of the Russians present to reduce and eliminate the danger of war. He spoke of the enormous number of casualties suffered by the Russian people in the Second World War. He referred to the siege of Leningrad and the heroism of its people. He spoke of the contribution made by the Russian people to victory in the war. He spoke movingly and with great dignity. Then he spoke of the need to avert even greater wars in an age of nuclear weapons. He defined the basic principles that had to go into the making of a workable peace. He described the opportunity before leaders of public opinion in getting acceptance for these principles. He called on both Americans and Russians to see the problem of disarmament in a larger and more historic setting than weapons alone. When he sat down, both sides gave him sustained applause. And from that moment, Grenville Clark's name was magic with all the Russians who had heard him and many who hadn't. He had demonstrated not just the power of logic but the prodigious force that is represented by an understanding of the next man's experience and problems. Even more, he had proved that even the most hardened positions tend to dissolve in the presence of honest good will and friendliness.

In 1964, despite advancing age, Grenville Clark took off on a world tour to advance the cause of world peace through world law. And wherever he went, whatever the local political and ideological situation he made converts and friends, for the two were synonymous. To know him is to believe him.

In November 1965, he received the "Publius Award" of the United World Federalists, an organization that seeks wide acceptance for many of the ideas he helped to define and enlarge. Many of his friends in law and government, whether or not they were world federalists, came to honor him that night. He had earned their love and trust. He has a view of a better world and he has done his best to make it real.

—N.C.

FREEDOM AND INDEPENDENCE

Mr. KUCHEL. Mr. President, the Washington Post performed an excellent service this morning in its editorial comments on the words "freedom" and "independence," particularly as those terms are misused and misapplied by the government of Ho Chi Minh in North Vietnam.

The editorial reads in part:

> There must be some extraordinary total failure of communication if President Ho Chi Minh of North Vietnam really believes that peace is to be had only at the sacrifice of North Vietnam's "freedom and independence."

Later the editorial states:

> The only North Vietnam "surrender" sought by this country is the surrender of the right—

I am sure that we agree that means the alleged right—

> to subvert and infiltrate and invade a neighboring area. It is only a semantic idiosyncrasy of Communist lingo that can construe a nation's compliance with the conventional rules of international law into a surrender of a national prerogative essential to its "independence" and "freedom" . . .
>
> For if it is a mere misapprehension about the security of North Vietnam that is involved, it ought to be possible to move toward peaceful settlement. But, if peace is to be had only by accepting the principle that North Vietnam has the "freedom" to subdue all its neighbors on the Indo-China peninsula, then, of course, it is a different matter.

The American Government and the people believe that a nation ought to be permitted to live in peace and that none of its neighbors ought to perform acts of aggression against it. That is the position which the Government of the United States takes.

The misuse of this terminology has been exploited by the North Vietnamese Government in an attempt to blacken the name of the gallant American men who serve in the American Armed Forces, to cast doubt on their loyalty to freedom as the world understands it. This message ought to get through to North Vietnam.

I ask unanimous consent that the entire text of the editorial from which I have read be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 18, 1967]

FREEDOM AND INDEPENDENCE

There must be some extraordinary total failure of communication if President Ho Chi Minh of North Vietnam really believes that peace is to be had only at the sacrifice of North Vietnam's "freedom and independence."

The "independence" the venerable president is talking about and the "freedom" he seeks to preserve never have been threatened by the United Statets. The only "freedom" for North Vietnam that the United States opposes is the "freedom" to overthrow the governments of its neighbors in Thailand, Laos and South Vietnam by the use of force and violence. The only North Vietnam "surrender" sought by this country is the surrender of the right to subvert and infiltrate and invade a neighboring area. It is only a semantic idiosyncrasy of Communist lingo that can construe a nation's compliance with the conventional rules of international law into a surrender of a national prerogative essential to its "independence" and "freedom." This construction of the words "freedom" and "independence" is a construction that was common among tribes of vandals and huns and mongols, but it is not a view of national right appropriate to the Twentieth Century. If it is a right that must be conceded to any nation then we must resign ourselves to an era of lawlessness and conquest and barbarism such as the world has not seen since the middle ages.

It is simply not believable that so sophisticated a master of philosophy and politics seriously believes that the right to conquer and subdue neighboring peoples is a right inseparable from full nationhood. So it must be assumed that there is a failure of communication—that North Vietnamese leaders have been misled by their own propaganda into the belief that the United States, notwithstanding a thousand disavowals, means to invade and occupy North Vietnam. Is there any kind of multinational guarantee of the territorial integrity of North Vietnam that would allay this fear and remove any legitimate anxiety? Perhaps it is the first task of diplomats to find it. For if it is a mere misapprehension about the security of North Vietnam that is involved, it ought to be possible to move toward peaceful settlement. But, if peace is to be had only by accepting the principle that North Vietnam has the "freedom" to subdue all its neighbors on the Indo-China peninsula, then, of course, it is a different matter. North Vietnam's "freedom" to invade cannot be reconciled with South Vietnam's "freedom" to resist invasion.

TRIBUTE TO CHAIRMAN AND MEMBERS OF THE REPUBLICAN COMMITTEE ON COMMITTEES

Mrs. SMITH. Mr. President, as chairman of the Republican conference, I want to commend the senior Senator from Kansas and his fellow members of the Republican Committee on Committees for the excellent job they did in committee assignments of the minority.

I am particularly proud of the very excellent treatment they gave our five new Republican Senators. All five of them received two major committee assignments. Two of them received assignments to the committee traditionally most coveted by past Senators from their State. Senators HANSEN and HATFIELD were appointed to the Interior and Insular Affairs Committee that has traditionally been of top importance to Wyoming and Oregon and most desired by Senators from those States.

I cannot help but compare these good assignments for the Republican Senators of the class of 1967 with those of my class of 1949. There were four of us in 1949—KARL MUNDT, of South Dakota, Andrew F. Schoeppel, of Kansas; Robert Hendrickson, of New Jersey, and myself. None of us received a major committee assignment. Senator Hendrickson was assigned to the then minor Committees on the District of Columbia and Post Office and Civil Service. Senator MUNDT, Senator Schoeppel, and I were assigned to the minor Committees on the District of Columbia and Executive Expenditures.

Perhaps it is impolitic to say so, but everyone knows that the committee that most Senators have the least desire to be on and leave just as soon as they can is the Committee on the District of Columbia.

While all Republican members of my class of 1949 were assigned to the District of Columbia Committee, in contrast all Republican members of the 1967 class were spared and none were assigned to this committee.

For this very special consideration to our five new Republican Senators, credit must not only be given to the Republican Committee on Committees but also to the senior Senator from Vermont who gave up his place on the Committee on Aeronautical and Space Sciences so that two of the new Republican Senators could be appointed to that committee—and to the junior Senator from Kentucky, who agreed to fill one of the Republican spots on the District of Columbia Committee, and the junior Senators from Vermont and Colorado, who agreed to remain on that committee and fill the two other spots, rather than having any of the five new Senators have to take assignment to the District of Columbia Committee.

Yes, Mr. President, I am very pleased with this excellent treatment and consideration given the Republican class of 1967 as contrasted to the treatment given my class of 1949. Senators MUNDT, Schoeppel, and Hendrickson had to serve 2 years before they were given a major committee assignment. I had to serve 4 years before I was given a major committee assignment and so I can testify of what this means to a new Senator not to have to wait 2 to 4 years before being given a major committee assignment.

I am, indeed, proud of the manner in which the Republican conference and the Republican Committee on Committees have given such generous treatment to our new additions to the Republican side of the aisle in the Senate.

BETTER SCHEDULES FOR LOCAL AIR ROUTES

Mr. MONRONEY. Mr. President, in February and March of last year the Senate Aviation Subcommittee held extensive hearings devoted to a review of the local air carrier industry, the smaller airlines which serve the small and medium-sized cities of this Nation. There had not been any such legislative review since Congress in 1955 enacted legislation granting permanent certification for this group of airlines. The committee heard testimony from the top officials of the various Government agencies which deal with this industry, from the carriers themselves, and from the cities they serve.

Despite a remarkable decade of growth and service, some serious problems confront this industry and require that the Congress take another look at the purposes and goals of this segment of aviation. There have been many changes during the decade which have had an important bearing on the present and future progress of these carriers.

There were substantial shifts in population from the smaller cities to metropolitan areas. The Interstate Highway System was initiated and its construction is well underway. This increased the mobility, range, and use of the individual automobile, thus cutting into the local service carrier market for passengers traveling short distances. The jet aircraft revolutionized the whole aviation industry and the smaller two-engine jet made its appearance on the aviation scene. The priorities on the expenditure of Federal funds changed, making it necessary to reduce drastically the Federal subsidy paid to this industry.

At the commencement of the hearings I made the following statement:

> Most of the problems in the industry are caused by the harsh economics of short-haul air transportation and any suggested changes must come to grips with the hard dollar cost of providing this type of air service.
>
> This nation's transportation system is undergoing the most thorough and comprehensive analysis ever made by the government agencies and departments responsible for establishing and maintaining an adequate transportation system. The local service carriers are an integral part of that system, but to maintain that status they must be flexible enough to adapt to the increased needs and demands for passenger and cargo service. With the introduction of vast numbers of new jet aircraft, the nature of our transportation system and the competitive balance which has prevailed will, I believe, change. If the local service carriers are to keep pace with these changes, now is the time to alter any of our policies or procedures which could impede the ability of the local service carriers to maintain their role in our transportation system.

At the hearings the Chairman of the Civil Aeronautics Board, Charles Murphy, presented very detailed and comprehensive testimony on the local air carrier industry, its progress and its future. An excellent staff study was presented to the committee for its consideration. Chairman Murphy indicated to the committee his willingness and his desire to find solutions to the problems facing the industry and to have the Board act expeditiously in its regulatory proceedings to implement solutions, to initiate experiments, and to reduce the regulatory lag.

I am pleased to report to the Senate today that Chairman Murphy and the other members of the Board have kept that promise. Last year the Board began to experiment with different types of proceedings, notably the use of the show cause order, to give to local air carriers the stronger and more profitable route segments they need, if the Board is to succeed in its policy of substantial subsidy reductions and the carriers are to continue as strong and viable entities.

Also, last month the Board initiated what I believe will be a landmark rulemaking proceeding to "establish a new Board policy with respect to nonstop authority for local service carriers." Under this proposed policy the local service carriers would be permitted to prove nonstop service between major traffic points on their linear route segments. This would permit them, as the Board indicated, "to take advantage of the lower unit direct operating cost characteristics of the new jet technology, and thereby reduce subsidy."

During the course of the rulemaking proceeding the Board will hear comments from all interested parties and will decide whether this is a proper policy to put into effect. A similar proposal was presented to the Aviation Subcommittee for its consideration. I do not know whether the policy change proposed by the Board will solve all of the difficulties which the local carriers have. But I strongly believe it is a step in the right direction and is a beginning toward making those policy changes which of necessity must occur when technology, the economy, and service needs change, as they do continuously.

I commend the Board for its initiative and courage in initiating this proceeding and for indicating its willingness to experiment in finding means to strengthen this segment of the aviation community and thus improve service to the people of the United States. The Aviation Subcommittee, in the exercise of its oversight function, will follow developments in this proceeding and others at the Board with great interest.

UTILIZATION OF FUNDS BY OREGON UNDER THE LIBRARY SERVICES AND CONSTRUCTION ACT

Mr. MORSE. Mr. President, Miss Eloise Ebert, State librarian of Oregon, has kindly provided me with the descriptive report of the State of Oregon on the utilization of funds under the Library Services and Construction Act.

This attractive publication outlines in short compass the way in which funds for Oregon which were appropriated under that act have been used. I wish to express to Miss Ebert and her colleagues my commendation on having prepared a most informative review of operations and I wish to bring it to the attention of my colleagues as an example of the effect that Public Law 88–269, as amended, is having.

I therefore ask unanimous consent that the report to which I have alluded be printed at this point in my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

OREGON: LIBRARY SERVICES AND CONSTRUCTION ACT—ANNUAL DESCRIPTIVE REPORT FOR THE PERIOD ENDING JUNE 30, 1966

The Library Services and Construction Act, Public Law 88–269, is administered by the U.S. Department of Health, Education and Welfare; Office of Education; Library Services Branch.

The State Library is responsible for administration of the act in Oregon. The State Library Board of Trustees adopts the state plan and approves all Grant programs.

Title I *Services* provides federal financial assistance to develop library services to all areas, urban as well as rural, that are without public library services or with inadequate services. Oregon received $227,557 under Title I in 1965–66.

Title II *Construction* provides federal financial assistance for the construction of new public library buildings and the expansion, remodeling and alteration of existing buildings. Architects fees and cost of acquisition of land are included. Oregon received $47,535 under Title II as its share of the federal allotment. To qualify for a grant, a local jurisdiction must:

1. have available local matching funds;
2. plan a building adequate to meet the needs of the area served; and
3. meet minimum standards of library service or present a plan for reaching these minimums.

Two Construction Grants were awarded by the State Library Board of Trustees in Fiscal 1966. A second phase grant of $37,535 was made to the Library Association of Portland for a Library Service Center, bringing the total assistance on this project to $100,000 to assist on remodeling costs for a Periodical Service Center.

TITLE I—SERVICES

Following is a brief description and evaluation of the projects of the 1965–66 Fiscal year:

S 1 State library services

The Oregon State Library provides extensive reference services and library materials to individuals and public libraries. The Administration Division has responsibility for carrying out the State Plan and advises libraries on fiscal, personnel, and operational questions.

Library Research Specialist

The Library Research Specialist conducts research and makes studies contributing to the improvement and extension of library services. This position was vacant for 7½ months of the fiscal year. The Library Research Specialist completed the following studies:

1. A statistical evaluation of the impact of LSCA projects in Oregon counties; measuring the growth in circulation and library expenditures in these counties as compared to counties where LSCA projects were not carried on.
2. Analysis of the budgetary history of the Oregon State Library over the past decade including the role of federal support of State Library Services and an evaluation of the change in the levels of expenditure for major budgetary categories (i.e.) books, personnel, and other operating expenses during this decade.
3. A comparison of Oregon General Fund expenditures for the State Library in comparison with expenditures for other state agencies.
4. Writing and setting up the layout for the Biennial Report of the Oregon State Library to the Governor and members of the Legislature.
5. A statistical sampling of the Oregon State Library holdings in science and technology relating to publication dates.
6. The Research Specialist also started a survey of State Institution libraries.

Having a person skilled in research techniques has contributed to library development by providing studies in depth of areas of concern. His research and clear presentation of findings were valuable as guidelines for determining policies.

Printed Book Catalog

Cumulative supplements to the Book Catalog bring the resources of the State Library directly to the user in any part of the State. New acquisitions are listed by Author, Title, and Subject.

Presently available in 243 separate locations throughout Oregon, the Book Catalog is a resource which will break the barriers of distance and time. In an era of change these need no longer enclose the library. The breadth of library resources available is demonstrated to residents throughout the State.

Production difficulties have held up completion of the Master Catalog. The latest plan is to produce the catalog through a photo-composition process directly from computer magnetic tape.

Library Intern Program

The intern program provided one of the library school scholarship recipients with an opportunity to work in each of the major divisions of the Oregon State Library. It was a valuable opportunity for a new librarian to become acquainted with the overall operation and unique services of the State Library.

Field Services Division

Public library consultants in the Field Services Division carry on a statewide program for promotion and expansion of library services through consultations, field visits, workshops and contacts with organizations and public officials. Specialists in the fields of Services to Children and Young Adults and Public Library Construction give intensive assistance in these fields.

S 2 Graduate library scholarships

This program encourages qualified personnel to attend an American Library Association accredited graduate library school.

Four scholarships of $2,000 each were awarded in 1965–66. One of the recipients withdrew after the first quarter because of ill health.

In accepting their scholarships, the recipients agree to work for one year in an Oregon Public Library. Two have accepted positions with the Douglas and Josephine County Libraries located at Roseburg and Grants Pass. The third recipient will graduate from the University of Chicago in January and is expected to serve as an intern in the Reader's Services Division of the Oregon State Library.

The program was undertaken because of the desperate needs for additional librarians in Oregon public libraries. Three of the first seven recipients have remained in Oregon beyond their required year of service.

S 3 Inservice training

Since many public libraries in Oregon have no professional librarian as administrator, In-Service Training courses provide those responsible for public library service an opportunity to expand their knowledge of library services and techniques. Concentrated study in special areas of librarianship is provided through courses given in various locations and conducted by a professional librarian.

A course on "Public Library Reference Services" was repeated in Portland, North Bend and La Grande. The classes were conducted by Elizabeth Findly, Head Reference and Documents Librarian at the University of Oregon. A total of 68 persons were enrolled. The courses assisted the individual librarians in alerting them to the resources already available in their own libraries and giving them a broad view of the tools which would be valuable additions to the local collections. Those attending the sessions reported the material covered was pertinent to their needs.

S 3 Salary subsidy

Salary assistance is given to encourage the addition of professional librarians to public library staffs. Libraries employing a graduate library school scholarship recipient in a new position are eligible to receive one-third of the first year professional librarian's salary. A grant of $1,800 was awarded the Deschutes County Library at Bend to assist in the employment of one of the scholarship recipients. This grant resulted in the creation of a new professional position of children's librarian at the Deschutes County Library.

S 7 Trustee information and education

A Trustee Coordinator has been employed. She will visit library boards, government officials, and Friends groups to ascertain the special needs for types of information and education in the different areas of the State.

Programs will be instituted on the local, regional, and state level to directly involve trustees. Emphasis will be two-fold:

1. Practical information and workshops on specific helps to local libraries.
2. Long-range planning for library development in Oregon.

S 8 Library improvement grant

Grants for the extension of public library services and the strengthening of library resources. A grant was made to Salem Public Library for the purchase of a second bookmobile to serve additional areas of the city. An additional grant will be made to assist in purchasing and processing a basic collection for the expanded service in 1966–67.

S 9 Institute on Planning

Approximately 50 librarians and trustees were selected to participate in this Institute held August 23–27, 1965 at the University of Oregon. Consultant and lecturer was Dr. Preston P. Le Breton, nationally recognized expert in the field of planning.

The Institute on Planning was built on background reading done by those attending. It reinforced the concepts of planning principles and techniques so that these might be applied in the management of public libraries and liaison relationships with local officials.

Among the members attending the Institute were outstanding librarians in the State who have since been appointed to the Oregon Library Association Library Development Committee. This committee is working on a proposal to be presented to the Oregon State Library Board of Trustees for a statewide library development plan. The plan will be prepared by a nationally recognized consultant or consultant firm.

Publication: *Institute on Planning Proceedings*

S 10 County library orientation

This project was designed to acquaint librarians, trustees, and public officials with county library services and to provide them with a concentrated exchange of ideas with people engaged in providing library service from a larger unit of service or system. A county library tour was conducted in October 1965 with approximately 58 librarians, trustees, and public officials in attendance. The tour started at the Extension Headquarters of Multnomah County in Portland and covered services of the following counties: Tillamook, Douglas, Josephine, and Jackson.

Publication: *Oregon County Library Service 1965*

S 11 Business, science, and industry study

A preliminary investigation by the Library Research Specialist on the Oregon State Library Staff showed a need for special library services for business, science, and industry in Oregon. This study by Edwin T. Coman, Jr., recently retired librarian at the University of California at Riverside, was designed to investigate the present level of services available and to determine the future development of these services.

His final report has been used as a basis to prepare a plan for increased State Library Services to business, science and industry including activities under the State Technical Services Act. Funds to implement this program have been requested in the Biennial Budget for 1967–1969.

S 13 public relations program

This project is to provide information to public librarians and library users at large throughout the State on the availability and uses of the book catalog of Adult Non-Fiction holdings of the Oregon State Library. It will not be completed until the Master volumes of the book catalog are prepared. The firm has been doing research and developing ideas, preparing material for news releases, general brochures, feature articles, and television presentations on the book catalog.

S 15 grants for purchase of library materials

These grants are designed to improve the adult non-fiction holdings of public libraries constructing new buildings, making it possible for them to serve as an information center for the community. Local libraries and government jurisdiction eagerly supported this project.

The new building will serve as a focal point to attract people to the library and the enriched collection will act as a drawing card to the citizen. All types of non-fiction materials including books, periodicals, pamphlets, maps, documents, and phonograph records are included.

Grants were made to the following libraries:

1. Astoria, $5,000.
2. Coos Bay, $5,000.
3. Corvallis, serving Benton County, $5,000.
4. Milwaukie, $5,000.
5. Multnomah County Library, $10,000.
6. The Dalles, serving Wasco County, $5,000.

Second year grants equal to the increase in library materials budget to a maximum of $5,000 are also planned.

TITLE II—CONSTRUCTION

An increased interest in the evaluation of present library building needs has resulted from the availability of funds to assist public library construction.

Two libraries assisted under LSCA were completed in 1965–66:

Corvallis Public Library serving Benton County.

Coos Bay Public Library.

An addition of more than double the size of the original *Corvallis Public Library* building was made possible through federal funds. The library is well located in the center of a closely populated and highly literate area which makes heavy demands upon its services. Corvallis Public Library has a continuing contract for services to Benton County.

Coos Bay Public Library, formerly located on a site away from the main flow of traffic, has been relocated on a level site in the main commercial area. It has 10,500 square feet with provision for expansion to 15,000 square feet. The building has the capacity for books and seating to serve the present and projected population.

Other Public Library construction projects assisted under LSCA and presently underway are:

Astoria, Eugene (remodeling for a Periodical Service Center), Library Association of Portland serving Multnomah County, The Dalles serving Wasco County.

BOB COOKE'S DAY IN ABILENE, TEX.

Mr. TOWER. Mr. President, Monday, January 23, will be Bob Cooke's Day in Abilene, Tex. Friends and luminaries in the press and agriculture world, who have come to depend on the advice of the farm editor of the Abilene Reporter-News, are gathering to honor the retiring journalist at the close of his 19 years of service.

Guests from more than 22 west Texas counties are expected to attend the Bob Cooke appreciation dinner in Abilene, in the words of Dinner Chairman Benton Watson, "for no other reason than to honor Bob Cooke."

With Mr. Cooke's retirement, the people of west central Texas are losing the services of a much-acclaimed journalist and a most knowledgeable agriculturist. I join my friends and colleagues in Abilene in their tribute to this highly esteemed Texan, and I wish him a continuing productive life in his retirement.

Mr. President, I ask unanimous consent that the text of two articles which appeared in the Abilene Reporter-News concerning the ceremonies for Bob Cooke be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

BANQUET TO HONOR BOB COOKE JANUARY 23

An area-wide appreciation banquet for Bob Cooke, who retired Sunday as farm editor of the Reporter-News, will be held Jan. 23 at the Starlite Inn.

The dinner is being sponsored by a committee of eight men, including representatives of various agricultural organizations, as well as prominent farm individuals. The group is known as "The Friends of Bob Cooke Committee."

Tickets for the event are being distributed in 22 West Central Texas counties through vocational agriculture teachers and county agents. Bill Scott, VA teacher at Abilene High, is in charge of ticket sales.

COMMITTEE NAMED

Others on the banquet committee are B. J. Gist, Hamby farmer and state Farm Bureau director; Roy Manahan, Taylor County rancher; Sam Beam, farmer and county Farm Bureau director; H. C. Stanley, Taylor Couny agent; Bob Morford, new president of the West Texas Fair Assn.; Bill Haynes, operator of Abilene Auction, and Benton Watson, Farm Bureau staff member. Watson is chairman of the committee.

"The reason the group wants to do this is that we feel Bob has contributed tirelessly and unselfishly to the agricultural industry throughout the area and that he deserves some special recognition," Watson said. "The dinner is for no other purpose than to honor Bob Cooke."

HERE SINCE 1947

Cooke served as farm editor of the Reporter-News from 1952 until his retirement. He had joined the paper's staff in 1947, coming from Sweetwater.

The banquet will be held on the Monday night during the Abilene Stock Show, making it convenient for many from out of Abilene to attend.

Scott said tickets could be obtained locally at the Abilene Chamber of Commerce, the Farm Bureau office, County Agent's office, at Abilene Auction, Rancher's and Farmer's Livestock Auction, ASCS office, SCS office, and from Scott at Abilene High.

FARM EDITOR COOKE RETIRES

Bob Cooke, whose work as Farm Editor of The Abilene Reporter-News since 1952 has won both regional and statewide acclaim, retires today.

His retirement climaxes an interesting career which embraced country school teaching, football coaching and a school superintendency before he entered journalism.

He had been with The Reporter-News since Dec. 16, 1947.

Cooke, whose hobby interests and abilities are as varied as his newspaper talents will not lead an idle life in retirement.

He's handy with tools and making and repairing things. He has tried his hand at oil and watercolor painting. And he may now find time to return to a love of former years at which he excelled, growing flowers and plants in a greenhouse.

Cooke was once noted for the beauty of orchids and camellias he cultivated with tender care and spectacular results.

WIDE KNOWLEDGE

In 14 years as Farm Editor, Bob Cooke's work reached into every rural community of the Big Country, touching the lives and endeavors of hundreds of young people and farmers and ranchers as well.

He covered their stock shows and fairs, their banquets, their special projects. He reported new trends and successes in farming, stock raising and ranching.

Cooke supervised The Reporter-News' biggest public service undertaking, Soil Day, for the five years it was staged from 1954 through 1958. This was a huge demonstration joined in by farmers, implement dealers, farm and soil conservation leaders to foster better practices in farming and ranching. Thousands of people attended the functions.

In 1956, the Headliners Club at Austin chose the previous year's Soil Day and Better Land Use program as the state's top community service by a newspaper. Cooke received the award in a presentation at Austin.

PRESS AWARD

In 1963 at Fort Worth, Cooke was given the annual Press Award by the Production Credit Associations of Texas in recognition of his outstanding service and contributions to the PCAs and agriculture in general.

In December, 1964, he was presented a Friend of 4–H Silver Spur clasp at a District 7 4–H Council luncheon at San Angelo.

Bob Cooke was born Nov. 7, 1901 on a cotton farm near Hood in Cooke County, which bears his family name. He was reared in Haskell and Cooke Counties.

After attending rural schools, Cooke obtained higher education at Decatur Baptist College, Baylor University and the University of Missouri. It was in that order, but not in an unbroken period.

After Decatur, he spent two years teaching at Mt. Hope, a rural school where Cooke recalls that some of the boys were bigger than he and were always threatening to whip him.

In 1922 he returned to college, at Baylor, and got his B.S. degree in 1924. He went back to being a country school teacher (Marysville, Valley Creek) and then became a coach, principal and finally superintendent at St. Jo in Montague County.

LESS THAN TREMENDOUS

Cooke can't quote his all time won-loss record coaching at St. Jo, but notes wryly that it was not tremendous.

But there is one thing he recalls clearly from his coaching days.

"Jim Lauderdale was my star quarterback," he says. Lauderdale, an oilman now living at Tyler, is a former president of both the Abilene Chamber of Commerce and West Texas Fair.

In 1929, Cooke decided he wanted to be a newspaperman. He resigned at St. Jo and enrolled in Missouri's famed School of Journalism. He received his degree in 1930.

Cooke worked for the Gainesville Register and Waco News-Tribune before coming to the Big Country in 1935 as sports editor of the Sweetwater Reporter. In 1938 he became editor of the Nolan County News, Sweetwater and continued in that post until joining The Reporter-News.

Cooke and his wife, Dorothy, live at 890 Westwood. They are members of the First Baptist Church.

INTERPARLIAMENTARY UNION

Mr. TALMADGE. Mr. President, on Monday, January 16, the election of officers for the U.S. Group of the Interparliamentary Union was held in the Senate reception room, S–207, at 10 o'clock. The following officers for the 90th Congress were elected unanimously:

President: Alexander Pirnie, Representative from New York.

Vice Presidents: Gordon Allott, Senator from Colorado; John J. Sparkman, Senator from Alabama; E. Ross Adair, Representative from Indiana.

Treasurer: Paul C. Jones, Representative from Missouri.

Secretary: Edward J. Derwinski, Representative from Illinois.

Executive Committee: In addition to the 6 officers listed above, three were elected to constitute a committee of 9 Members: W. Robert Poage, Representative from Texas; Thomas H. Kuchel, Senator from California; John S. Monagan, Representative from Connecticut.

United States representatives to the Interparliamentary Union Council: Emilio Q. Daddario, Representative from Connecticut; Philip A. Hart, Senator from Michigan.

It will be recalled that representative EMILIO Q. DADDARIO was elected as a member of the Executive Committee of the Interparliamentary Union at the conference in Teheran, Iran, last October for a term of 4 years.

Mrs. Katharine St. George was elected executive secretary of the group. Mr. Darrell St. Claire was elected administrative secretary and financial officer.

Dr. George B. Galloway, who served as executive secretary of the U.S. group for 5 years, retired from his Interparliamentary Union position and also as senior specialist in American Government and Public Administration in the Legislative Reference Service, Library of Congress. Dr. Galloway served the Federal Government for more than 24 years and is internationally recognized for his contributions to scholarly literature on the U.S. Congress.

Dr. Galloway was born in Brooklyn, N.Y., on January 9, 1898. He received his A.B. degree from Wesleyan University Middletown, Conn., in 1920; his M.A. from Washington University, St. Louis, Mo., in 1924; and his Ph. D. from the Robert S. Brookings Graduate School of Economics and Government in 1926. He was a member of the professional staff of the Philadelphia Bureau of Municipal Research, 1926–29, of the Editorial Research Reports, 1929–31, of the Bureau of Economics, Greater Pennsylvania Council in Harrisburg, 1932, and of the Twentieth Century Fund in 1933. From 1933–35, he served as Deputy Administrator in the Research and Planning Division of the National Recovery Administration, and in 1935–41 he was field representative of the National Planning Association. Subsequently he served as consultant on postwar problems, Twentieth Century Fund, before becoming staff director of the Joint Committee on the Organization of Congress—the La Follette-Monroney Committee—U.S. Congress, 1945–46. The New York University Law School dedicated its 1946 annual survey of American Law to Senator Robert M. La Follette, Jr., of Wisconsin, Representative A. S. MIKE MONRONEY, of Oklahoma, and Dr. Galloway "in recognition of their distinguished service in safeguarding the legislative process through the enactment of the Legislative Reorganization Act of 1946."

After joining the staff of the Legislative Reference Service in 1946, Dr. Galloway served as staff director of the Subcommittee on Home Rule and Reorganization, House Committee on the District of Columbia, 80th Congress, and as consultant to the Senate Committee on Expenditures in the executive departments during the 82d Congress, first session. For the last 5 years, he has been Executive Secretary of the U.S. group of the Interparliamentary Union.

Dr. Galloway was appointed chairman of the Committee on Congress, American Political Science Association, 1941–45. He was vice president of the American Political Science Association in 1941, vice president of the District of Columbia Chapter of the American Society for Public Administration in 1950, and vice president of the District of Columbia Chapter of the American Political Science Association in 1952–53. He received the Distinguished Alumnus Award from Wesleyan University in 1959.

Dr. Galloway is the author of numerous books, documents, and articles, his major works being "Planning for America, 1941," "Congress at the Crossroads, 1946," "The Legislative Process in Congress, 1953," "Congress and Parliament, 1955," and "History of the House of Representatives, 1961."

THE TONKIN GULF INCIDENT: A QUESTION MARK

Mr. GRUENING. Mr. President, an exceedingly thoughtful and penetrating article by our colleague, GEORGE McGOVERN, the distinguished junior Senator from South Dakota, appears in the current issue of the Atlantic Monthly. I hope it will be read by both Senate and House Members.

I call attention particularly to the following statement it contains:

> Looking back on the Bay of Tonkin incidents of August, 1964, one wonders if a crisis was manufactured by the administration to justify a politically popular aerial reprisal against Hanoi backed by a strongly worded congressional resolution of this at the beginning of a national election when administration firmness was being questioned by the political challenger.

I ask unanimous consent that the article "Foreign Policy and the Crisis Mentality" be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

VIEWPOINT: FOREIGN POLICY AND THE CRISIS MENTALITY

(By George McGovern)

In his *Crisis* papers of the American Revolution, Thomas Paine observed " 'Tis surprising to see how rapidly a panic will sometimes run through a country."

Yet Paine was so fearful of the tendency of men to become indifferent or weary in times of crisis and conflict that he believed even panics produce "as much good as hurt."

If he were permitted to review our own time, he would doubtless conclude that the problem of maintaining a proper course between panic and complacency has taken on new dimensions, for the thirteen colonies which leveled their muskets against the established order have evolved into the world's mightiest power in a highly dangerous nuclear age. This is a responsibility which demands a rare capacity to distinguish between fundamental forces at work around the globe and localized crises of uncertain significance.

But there is a disturbing America tendency to overreact to certain ideological and military factors while overlooking issues of vastly greater relevance to our safety and well-being. A civil insurrection in Santo Domingo or Vietnam is dramatic, but what is its significance compared with such quiet challenges as the proliferation of nuclear weapons, the surging of nationalism and social upheavals in the developing world, or the mounting crisis of hunger and population? What, too, is the relationship of the quality and strength of our own society to our position in the world? How will the world see us if we succeed in pacifying Vietnam but fail to pacify Chicago?

Many Americans, having grown impatient with the frustrations of the cold war, see each international tension as an urgent crisis calling for a direct and decisive attack on the enemy. Moreover, there must be no halfway measures: "Either get in or get out!" Those who suggest that there may be a proper limit to American power are branded as "neo-isolationists." A preference for the peacekeeping actions of the United Nations over a free-wheeling unilateral interventionism is, for example, a sure sign of "neo-isolationism."

I believe that, in fact, we are in danger of seeing the isolationists of the 1920s and 1930s replaced by the neo-imperialists, who somehow imagine that the United States has a mandate to impose an American solution the world around. Those who see the United States in this role not only want U.S. police action in each trouble spot, but with decisive speed. The old isolationists and the new imperialists may be cut from the same cloth in that both look with disdain on the claims of the international community in contrast with the American way.

For example, the neo-imperialists' solution to the long, inconclusive struggle in Vietnam is a crushing military onslaught. They reject the outlook expressed not so long ago by General Maxwell Taylor when, as ambassador to Saigon, he said that the issue there is "very largely a political, economic, and psychological problem." They would prefer the approach of former Senator Goldwater, who said of Vietnam: "I would turn to my Joint Chiefs of Staff and say: 'Fellows, we made the decision to win. Now it's your problem.' "

In this scheme of things, the Soviet Union and Mainland China are viewed not as major world powers with which we must live, but as diabolical conspiracies that sooner or later we must face in battle. The answer to other lesser threats, such as Fidel Castro, is the U.S. Marine Corps. If a political rebellion occurs in the Dominican Republic, send in American troops and worry about such international niceties as the UN and the OAS later. The answer to the Berlin problem is simple: "Tear down the wall."

There are doubtless many explanations for the crisis outlook.

For one thing, America is a comparatively new country that has been largely separated from the turmoil of world politics for most of our history. During the nineteenth century, we relied on the British to put out the fires that flared from time to time in out-of-the-way places. We were free to concentrate on the development of our own economy and institutions. Pulled into World War I by the course of events, we swung back to an even more ardent isolationist course in the 1920s and 1930s. It is thus not surprising that faced with a vastly greater international involvement after World War II, we have frequently overreacted to incidents that an older, more mature society would have regarded as "business as usual."

Second, many Americans have not assimilated a sense of the world's diversity, nor do we look at events from an international vantage point. The older nations of Europe, steeped in the maelstrom of continental politics and with a century or more of colonial experience in every corner of the globe, have acquired a cosmopolitan view of the world. But when a political coup is attempted against an unpopular government in the Dominican Republic, or student rioting changes government policies in Japan, or De Gaulle seeks the leadership of Europe after liquidating hopeless French ventures in Asia and Africa, or a guerrilla movement threatens to bring down a much more generously armed American-backed regime in Saigon, we are unable to equate these events with our own experience. The revolution in mass communications instantly brings such developments into our living rooms, but there has been no corresponding increase in our capacity to evaluate the swift changes of our convulsive age.

COMMUNIST DEVILS

A third explanation of our tendency to react strongly to events is the unique power of Communism (as a general menace) and of the Soviet Union or China or Cuba or North Vietnam (as the precise devil) to challenge a variety of deeply felt American dreams and values at their core. For the democratically oriented American public, these are evil forces which deny open political discussion, religious freedom, bona fide elections, and a framework of law and legal process. For those businessmen to whom a large portion of the world represents an essential area for expansion, Communism presents a dangerous challenge to capitalist ground rules. For Americans who dream of the United States exercising a dominant role in potentially unlimited areas of world development, to whom Theodore Roosevelt, and later, Henry Luce and others, have spoken, Moscow, Peking, Havana, and Hanoi are challenges to the American Century. And finally, for that sizable and vociferous minority whose views are premised on the assumption that conspiracies and dark alien powers sway world affairs—to whom the late Senator Joseph McCarthy was the Angel Gabriel—Communist propaganda is tailor-made.

Thus, the American consensus against Communism—no matter the variety—is rooted in a very real set of challenges and denials. It is not easily dismissed as "hysteria." Its deep traditional sources lead to an almost irresistible identification of any event related to Communism as a crisis, a dire and fundamental threat to basic values.

Our crisis tendency has been given additional force by the nature of our political leadership and our two-party political dialogue, especially since 1950.

In the years immediately following World War II, thanks to the leadership of men such as the late Senator Vandenberg, our foreign policy was conducted in a bipartisan manner largely free from political rancor and partisan duels. This was the period which launched the United Nations, the Marshall Plan, Point IV, and the North Atlantic Treaty Organization.

But with the triumph of Communism in China in 1949, the North Korean attack of 1950, and the breaking of our nuclear monopoly by the Soviet Union, the comparative confidence and calm of post-war American foreign policy were shattered. The first strains of the post-war world were beginning to wear on the American public even before the Korean conflict.

It was these cold-war tensions which set the stage for the poisoning of American political life by the late Senator McCarthy in the early 1950s. Many government officials and politicians still find it expedient to demonstrate their "Americanism" by frequent outbursts of rhetoric directed at the Communist enemy. The two political parties, having generally agreed on basic foreign policy objectives, wage a recurring battle over which party is taking the harder line against the Communists.

FUEL ON THE FIRE

Foreign policy, more mysterious and remote than domestic issues, is ideal grist for the political mill. The average citizen knows enough about social security to be somewhat invulnerable to loose charges against the program. But a prediction of disaster in the Caribbean based on alleged evil in high places is beyond the capacity of our citizens to evaluate.

This kind of exercise has been a major cause of the crisis mentality. Having agreed for years on basic foreign policy assumptions and especially the containment of Communism, our political party leaders have found it necessary to devise other areas of combat. Each side knows that it must capitalize quickly on even inconsequential events lest the opposition do so first with telling political results. Politicians out of power have found it expedient to interpret each international incident as a mortal danger to the republic. Politicians in power must demonstrate that they are taking swift and forceful steps to save the nation from disaster.

No doubt the late President Kennedy benefited in the 1960 presidential campaign from the fact that Castro had come to power during a Republican Administration while at the same time the Russians were moving ahead of us in the missile race. Once in power, the new President was under pressure to take a hard, activist line on Cuba. Even after the nuclear showdown of October, 1962, when the Russian missiles were withdrawn from Cuba—a sensational cold-war victory for the United States—some politicians worked overtime to keep the crisis boiling. Any step to ease tensions was quickly branded as a softening of resolve.

American domestic political considerations have probably motivated our deepening involvement in Vietnam since the 1950s as much as any other factor. The Republicans accused the Democrats of "losing" China to the Communists in the 1940s; Secretary of State Dulles did not want to "lose" Southeast Asia in the 1950s and see the tables reversed. Whatever else was prudent, it was safest in terms of domestic politics to take a tough, militaristic stance toward revolutionary Asian leaders while embracing the comfortable old despotisms.

Looking back on the Bay of Tonkin incidents of August, 1964, one wonders if a crisis was manufactured by the Administration to justify a politically popular aerial reprisal against Hanoi backed by a strongly worded congressional resolution—all of this at the beginning of a national election when Administration firmness was being questioned by the political challenger.

Again in February, 1965, American planes began bombing in both North and South Vietnam in response to a nighttime Viet Cong attack which killed several Americans in one of our barracks near Pleiku. Senator Goldwater had earned a "trigger-happy" label in 1964 for recommending the use of American bombers in Vietnam, but Administration spokesmen rationalized the bombing in 1965 by dramatic references to the Viet Cong's dastardly "sneak attack"—implying that enemy troops should attack only in broad daylight after a fair warning. Apparently our spokesmen had forgotten our schoolboy pride in George Washington's "sneak attack" on the British after he and his rebel forces stole across the Delaware River.

AN AMERICAN ILLUSION

The meagerness of genuine discussion about fundamental issues and our tendency to magnify minor incidents have caused us to miss many opportunities for constructive new initiatives both at home and abroad. We have, for example, concentrated too heavily and too long on an allout military response to the international challenge while neglecting the economic, political, and moral sources of our strength. Frequently we have confused means with ends and then argued about those means with all the passion ordinarily reserved for sacred principles. The crisis mentality and the emphasis on means always call for more and bigger weapons. The crisis addict becomes impatient when it is suggested that a nation's strength is measured as much by the quality of its schools, the health of its citizens, the vigor of its economy, and the treatment of minorities as by the size of its weapons. He lacks the perspective to realize that the steady, peaceful development of Asia, Africa, and Latin America is of far greater significance to American security than the political color of future regimes in Vietnam or in the Dominican Republic.

Foreign aid for underdeveloped countries is a favorite target of crisis-oriented citizens and legislators, who are much more comfortable appropriating $50 billion annually for arms than $2 billion for economic development. The results of foreign aid are too slow to satisfy the mind dominated by a sense of crisis. Indeed, even an economic boycott (Cuba) or limited military action (Korea and Vietnam) is frustrating and unsatisfying to the crisis-prone individual, who would prefer to "clean up the mess" overnight.

Foreign aid bills have been presented to Congress year after year as a stopgap against the spread of Communism rather than as an investment in social and economic development. Poverty-stricken countries have been encouraged by shipment of American arms to build military machines as part of "the free world" defense against Communist aggression. But in the summer of 1965, Pakistan threw its American-supplied Patton tanks into war with India's American-supplied Sherman tanks. The final irony came when the Soviet Union, theoretically a potential target of the tanks, mediated an end to the war. This was scarcely a convincing demonstration of U.S. wisdom in determining other countries' needs.

While recognizing our responsibility to influence world affairs in the direction of peaceful development as best we can, we will do well to heed D. W. Brogan's warning of "the illusion of American omnipotence." There is a tendency for some Americans to assume that every distressing situation, no matter how remote, is the result of a failure on our part. During the late 1940s and early 1950s, we talked about "losing China," as though we had somehow been in command of China's destiny. But as Professor Brogan has reminded us, "A great many things happen in the world regardless of whether the American people wish them or not." For example, we ought to take every reasonable step to ensure the success of the Alliance for Progress and the defeat of Castroism in Latin America, but we must also recognize that the success of these efforts depends more on decisions that are made in Latin-American capitals than in Washington.

Furthermore, we must be willing to look at our own view of the world with at least as critical an eye as we apply to the views of others. Those who have suggested that college students protesting our Vietnam policy should be automatically drafted are, in effect, calling for a moratorium on conscience and freedom. It would be ironic indeed to surrender liberty in America in the name of its advancement in Vietnam. Instead of intimidating the public dissenter, we ought to welcome his independence and give his views a careful hearing. Instead of promoting the government official who plays it safe by avoiding thoughts that might irritate his superiors, we ought to encourage intellectual integrity and moral courage as the most precious qualities of the public servant.

STOP, LOOK, AND LISTEN

If we are to strengthen our position in the world, we must be willing to look carefully and critically at all foreign policy assumptions, including our present course in Southeast Asia and our insistence that the world's largest nation be excluded from the United Nations.

We can well afford to listen thoughtfully to the views of experienced leaders abroad including General de Gaulle, despite his peculiar faculty for irritating Washington. The French successfully and gracefully terminated self-defeating campaigns in Southeast Asia and North Africa; in the process they might have gained certain insights that are worth our evaluation.

America has achieved a position of power and influence in the world that is unprecedented. We have often used that power generously and courageously, perhaps more than any other nation of our age. I have no doubt of our capacity to respond effectively to a genuine crisis that calls for vigorous and decisive action. I should like to believe that we will also develop a talent for discovering and responding rationally to the underlying forces at work in our time. But to those innumerable tensions, struggles, and incidents of the future that we neither can nor should control, I hope we will manifest a measure of Ralph Waldo Emerson's wisdom: "Let him not quit his belief that a popgun is a popgun, though the ancient and honorable of the earth affirm it to be the crack of doom."

THE JOB CORPS—FOLLOWUP STUDY OF GRADUATES

Mr. MURPHY. Mr. President, I am most pleased that the Office of Economic Opportunity, as indicated by the announcement of the Job Corps Director, Mr. William P. Kelly, is taking steps to implement the amendment I offered last year to the poverty bill requiring a followup study of Job Corps graduates.

This is a long overdue administrative step which should prove helpful in providing the Congress the hard data necessary to evaluate the Job Corps program.

During last year's hearings on the poverty program, the lack of necessary information on the Job Corps program was all too evident and was disturbing to me. With the then estimated cost per enrollee in excess of $9,000, the American taxpayer rightfully was demanding facts to indicate whether the results of the program justified its high cost.

Mr. President, I am also pleased that the Senate Labor and Public Welfare Subcommittee on Employment and Manpower under Senator CLARK contemplates an in-depth review and evaluation of the poverty program this year, including, as I understand it, some field hearings to determine how the program is actually operating throughout the country. This follow-up study should be an invaluable aid to the program's administrators, to the Congress, and to the Nation.

Mr. President, I first became aware of the lack of information necessary for Congress to evaluate objectively the effectiveness of the Job Corps program during the hearings last year. Later I paid a personal visit to the Women's Job Corps Center in Los Angeles and it was brought home to me more vividly the inadequate followup procedures that were being employed. To correct this deficiency, I offered, and as my colleagues will recall, the Senate and the Congress accepted, my followup amendment. This amendment, now section 108 of Public Law 89–794, requires the Director to compile certain information on graduates of the Job Corps program.

Mr. President, I ask unanimous consent that this section of Public Law 89–794 be printed in full at this point in the RECORD.

There being no objection, the section was order to be printed in the RECORD, as follows:

[78 Stat. 509., 42 USC 2714]

PUBLIC LAW 89–794—80 STAT. 1453

JOB CORPS—FOLLOW-UP INFORMATION

SEC. 108. Section 104 of the Act is amended by adding at the end thereof (after the subsection added by section 107) the following:

"(j) The Director shall to the maximum extent feasible assure that each enrollee who successfully completes enrollment in the Corps furnishes to him six months and eighteen months after such completed enrollment the following information:

"(1) The place of residence of such enrollee;

"(2) The employment status of such enrollee;

"(3) The compensation received by such enrollee in his current job and the compensation received by him in the job, if any, immediately preceding his current job; and

"(4) Such other relevant information determined by the Director to be necessary for an effective follow-up."

Mr. MURPHY. Mr. President, in the January 1967 "Monthly Labor Review" which I just received I noticed that the Labor Department authorized a study by the Stanford Research Institute of the Oak Glen Training Camp. Oak Glen is a training camp that was established in 1963 by the California Legislature for unemployed youths. Support of the Oak Glen camp was transferred to the Office of Economic Opportunity from the State of California in 1965. This study by the Stanford Research Institute which was summarized by Jane R. Chapman of the Labor Department attempted to determine whether Oak Glen was meeting its goals.

Among other findings the study confirmed the need for more followup data and I quote from the January article:

> More extensive and reliable followup information on trainees after they leave work camps was also cited as critical to evaluation studies, and any such program must inevitably stand the scrutiny of an economic evaluation, that is, measuring the net economic benefits of the program, if any, to the trainees and to the public.

While the study certainly is not sufficient to enable one to reach a final verdict regarding the Job Corps program, I am encouraged that at long last it would appear that we are beginning to gather the facts necessary to reach a judgment.

Mr. President, I also ask unanimous consent that this article be printed in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OAK GLEN: A TRAINING CAMP FOR YOUTH

(By Jane R. Chapman, the Office of Manpower Policy, Evaluation and Research, Manpower Administration, U.S. Department of Labor)

In 1963, the California legislature established Oak Glen training camp for unemployed youth in a rural area between Riverside and San Bernardino, Calif.[1] Little is known about the effectiveness of current programs such as the one at Oak Glen because little serious research has been done on work camps. For this reason, the U.S. Department of Labor arranged for the Stanford Research Institute (SRI) to undertake a study which would determine the extent to which the Oak Glen program was meeting its stated goals.[2] The urgent need for this information led to primary reliance on existing data, such as camp files or employment service information.

The study covered 479 young men who either entered the program or were eligible to enter between November 1963 and July 1964. Its objectives were to determine: the proportion of trainees who find employment or enroll in further training following the camp experience; the extent to which trainees who entered the program but terminated before completing the program may have benefited from their experience—that is, have found employment or enrolled in additional training or education programs; the factors within the camp experience that benefited trainees in moving toward the goal of employment or further training or education; and the characteristics of boys who are likely to benefit from such a program and the characteristics of those who are not.

The Oak Glen Camp prepared young men 16 to 21 years old for jobs as forestry trainees and in occupations related to camp operations, such as cooks and laundry workers. A voluntary educational program, including courses in reading and arithmetic, was also available to the youth. The enrollment period was usually for 6 months, although this was at times extended to 1 year. In order to qualify for the program, prospective trainees had to be out of school; unemployed with poor employment prospects because of lack of skills and education; and without conviction for felony.

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[1] In the summer of 1965, support of the Oak Glen Camp was transferred from the State of California to the Office of Economic Opportunity.

[2] *An Evaluation of the Concept of Trainee Camps for Unemployed Youth,* Gertrude D. Peterson (Stanford Research Institute, Menlo Park, Calif., 1965). A monograph based on the full report was published by the Department of Labor: *Oak Glen—A Training Camp for Unemployed Youth* (Manpower Administration, Manpower/Automation Monograph No. 5, Washington, D.C., 1966). Both the original report and the monograph contain a bibliography resulting from the literature search undertaken as part of the study.

A "profile" of typical trainee characteristics provides perspective on the challenge faced by the Oak Glen Camp. The average trainee had neither employment experience, nor knowledge of how to look for a job. His life had been an almost unrelieved series of failures. His physical condition was not good. He had an IQ below average, was a low achiever in reading and arithmetic, and did not know how to use the most elementary tools. He came from an economically disadvantaged, and often a broken, home.

TERMINATION OF TRAINING

Because a great number of trainees dropped out of the Oak Glen program, the question of termination was a crucial one for the camp. Of the group of trainees entering the program in November 1963, 66 percent terminated before graduation. The rate dropped for those entering in the summer of 1964 (to 58 percent), but the differences were not statistically significant. The camp staff felt that the first few weeks were critical and that if they kept a trainee for that length of time there was a good chance that he would stay the full term. Among all trainees entering during the period studied, 22 percent terminated during the initial 2 weeks.

As would be expected, the graduates of the program were more likely to become employed, enter the military, or return to school than were the terminees. In fact, the likelihood of terminees being employed increased the longer they stayed in camp.

Determining the real reasons for dropping out of camp was extremely difficult. It was necessary for the researchers to rely on subjective file material which gave a staff member's opinion as to the reason for a termination. The accuracy of this information, therefore, could have been affected not only by the trainees' reluctance to reveal reasons for leaving the camp, but also by the staff's interpretation of the trainees' explanations.

The most frequent reason for dropping out cited in the trainees' files was a general one—"disinterested, unwilling to participate." Forty-six percent of the terminations were attributed to this reason. Dismissals from camp accounted for 13 percent of the terminations; 11 percent were attributed to trainee immaturity, and 3 percent to emotional or unstable behavior. Of all the trainees who dropped out before graduation, 9 percent said finding employment was their reason, and 2 percent indicated an intention to enter military service. The remaining 6 percent had a variety of reasons for leaving.

The researchers considered homesickness among the young men a serious cause for dropping out, which can perhaps be accounted for by the fact that a large proportion of them were under 18 years of age. Though only 10 percent of the terminations were ascribed to this problem, the research team felt that not all cases of homesickness were identified.

A number of prospective trainees did not show up at Oak Glen after acceptance into the program, and it was not possible to obtain information for 44 percent of these cases. It was determined that 17 percent of the "no shows" joined the Armed Forces. The balance accepted employment (17 percent); returned to school (10 percent); changed their minds about joining the program (7 percent); or were kept away by family problems (4 percent).

Whether trainees graduated or terminated varied sharply according to their level of education. The more education a trainee had before coming into the program, the greater the likelihood of his graduating. The data showed a steady progression from 24 percent graduating among trainees who had not completed the ninth grade to 58 percent among those with a high school diploma. The age of the trainee also seemed to affect his propensity to drop out. It was clear from the data that 16 yearolds were least likely to graduate, and 19 yearolds were most likely to graduate.

EDUCATIONAL FACTORS

Of the Oak Glen trainees studied about 21 percent were high school graduates; about 61 percent had had some high school education; and 11 percent had completed less than the ninth grade. The educational attainment of 7 percent was unknown.

The SRI study found differences in post-training employment status according to educational level. High school graduates were more likely to be working (whether they graduated or terminated), while those who had not completed the ninth grade were less likely to be working. The same was true of improvement in general attitude, as rated by the camp staff. The more education a trainee had, the more likely he was to be rated as having improved in attitude over the course of the program. The research team determined that there was a steady progression in the staff's rating of attitude improvement—from 31 percent of those who had not completed the ninth grade to 57 percent of those who graduated from high school.

The reading levels of the trainees were far below the level indicated by the years of education completed. Most trainees used the camp's educational facilities and the gains in reading achievement while at Oak Glen appeared to be significant. Among all the graduates tested for reading gain, 47 percent had gained a year or more. This was considered particularly impressive, because the trainees in general had never done well in school. A gain of a full year during the 6-month training period is twice the gain that would be expected of an average student in a regular school in the same period of time.

The level of mathematics achievement on entering the training program was considerably lower than reading achievement among the trainees. Those graduates who were retested were at a much higher math level upon completing the program—55 percent at the sixth grade level or higher—than when tested upon entering the program. Of those retested, 45 percent gained a year or more, and 25 percent gained from a half to nine-tenths of a year. The marked improvement in reading and mathematics resulted in part from the fact that graduates tended to have higher entry scores in these subjects. Nevertheless, the gains were considered by the staff and by the researchers to be impressive.

There were no great changes over time in the IQ scores of trainees. Among all trainees, 23 percent had IQ scores below 80; 54 percent between 80 and 99; and 23 percent 100 or over. This information was compared with a number of other variables, but IQ did not prove to be a potential predictor of trainee success.

ETHNIC GROUP

There were no significant changes in the distribution of trainees by ethnic group over the time period studied. The great majority of trainees were white (76 percent) with 12 percent Negro, 11 percent Mexican American, and 1 percent from other nonwhite groups.

Several cross tabulations were run by ethnic group, but none of the differences found was significant. The research team considered this lack of significant differences an important finding in itself, because it indicated that regardless of ethnic group, trainees entered with essentially the same background, performed equally in camp, and were meeting with essentially the same degree of success on leaving Oak Glen.

OBSERVATIONS

Most of the factors studied by the researchers were readily measurable with existing data. During their weeks of study and observation at the camp, however, a number of impressions were formed. The analysis based on these impressions is for the most part subjective, and was not systematically documented. Since the impressions related to important aspects of the Oak Glen program, they are worth discussing.

The research team emphasized the unusual dedication of the camp staff to their task. The staff believed in the program and put forth extraordinary effort to help each trainee develop in accordance with the program objectives. The researchers felt that staff dedication was probably crucial to the success of any such program. The camp director and other staff members had applied specifically for assignment at Oak Glen because they believed in the concept of the program, and this element of "self-selection" was considered salutary. In addition, many of the State Forestry Division personnel had had previous experience in forestry camps for convicts and juvenile delinquents.

Though dedication to the overall purpose of the camp was uniform, it was observed that the Forestry Division foremen varied greatly in their approach to the trainees. Some were quite authoritarian, while others tended to be permissive. It appeared that the most authoritarian of the foremen were in general the least effective, however, several ex-trainees wrote later expressing gratitude for learning strict discipline from these foremen.

The researchers considered the camp administration imaginative in thinking of ways to give praise and rewards to trainees. Whenever possible, the reward was tangible—a certificate or a trophy. For example, the trophy for "Trainee of the Week" provided immediate rewards and continuing goals and other certificates and trophies were presented at the graduation ceremony. The staff felt that since the lives of the trainees had been marked by failure—in school, in work, and at home—every effort should be made to help trainees achieve even small successes.

The research team concluded that the individual attention given to trainees appeared to be an important factor, since trainees could feel for the first time in their lives that "somebody cared." The dedication of the staff and their general behavior made their concern clear to the trainees, and they made every effort to assist each trainee and persuade him to complete the program successfully.

The research team noted that there were indications that the location of the camp had a significant effect on trainees. Oak Glen is in a mountainous area in a national forest and gives the impression of being isolated from civilization. It appeared that the isolation affected some trainees adversely and was a contributing factor to their termination.

There was some feeling among the researchers that the climate may also have had an adverse effect on the trainees. The weather in the camp area is not severe in comparison with many other parts of the United States, but it is more severe than most of the trainees were accustomed to. Snow may occur during the winter, and it is more often foggy and rainy than in nearby areas. There was speculation that when the weather was dreary, more terminations occurred.

CONCLUSIONS

The SRI study took a preliminary step toward determining the types of young people that can best be aided through such residential programs and the program ingredients which give the highest degrees of success with youngsters of diverse backgrounds. The need for more comprehensive and refined research was stressed by the researchers, but they felt that even within the limitations of the available data, two general conclusions emerged from their analysis.

The first relates to the success of the Oak Glen program. Full evaluation could not be made at this point; however, there are numerous indications that the program had been "successful" or fulfilled its objectives to some degree. One criterion for eligibility was that the individual be unemployed with no employment prospects. Given this situation, the fact that graduates were more likely to become employed or return to school than were those who terminated would indicate that the program was indeed successful. Among all graduates for whom there was followup information, 69 percent were employed compared with 54 percent of the terminees.

If the educational advancement of the trainees can be considered a measure of success, the Oak Glen program had significant accomplishments. A high proportion of trainees made use of the educational facilities, and the average gain in reading achievement was twice that expected of an average student in a regular school. The level of education of the trainee upon entering the program was cited by the researchers as the only potential predictor of completing the program.

The second conclusion relates to the objectives of the Oak Glen program. The researchers felt that, ultimately, a program like that at Oak Glen can be evaluated only in terms of specific goals. During the period under study, the goals, as set forth by the Legislature, were general—"to develop [in the trainees] the traits and attitudes necessary to become productive members of society." In addition to specific, measurable goals, the more subjective effect of the program on the lives of individual human beings should be evaluated. The study concluded that it is important to know whether a trainee goes to work or returns to school after leaving the camp. But it would also be useful to know the effect of the camp on the young men in more subtle ways, such as attitude changes; an increase in self-respect, self-reliance, and the like. Unfortunately, the full impact of such a program may not be known for years. Adolescence and young adulthood tends to be a difficult period for many young men, not just the disadvantaged—making it even more difficult to trace the effects of camp life.

In its recommendations for future research on work camps, the SRI team suggested that more background and attitudinal data on trainees is needed. More extensive and reliable followup information on trainees after they leave work camps was also cited as critical to evaluation studies. Any such program must inevitably stand the scrutiny of an economic evaluation, that is, measuring the net economic benefits of the program, if any, to the trainees and to the public. A detailed economic evaluation of the Oak Glen program was not within the scope of the SRI study, but this area was cited as one deserving future research. The use of a control group (a group like the trainees in every way except that they do not have the experience of the program) was urged for future work camp research. It was felt that only when it is known what would have happened to the trainees if they had not gone to Oak Glen can the program be fully evaluated.

The SRI study was clearly an exploratory effort in the field of studying and assessing work camps for young people. But, to the extent that the youth population and operations at the Oak Glen Camp are similar to those at other work camps, the study's findings may offer useful guidance.

FOURTH OF JULY SPEECH DELIVERED BY COL. JAMES C. WHITE

Mr. PELL. Mr. President, it is with great pleasure that I ask unanimous consent to insert in the RECORD a very fine Fourth of July speech given in my home town of Newport, R.I., by Col. James C. White, a highly respected and gallant retired officer in the Army. He has served our country well, in war and in peace, in uniform and in retirement mufti. I believe that my colleagues will enjoy his speech.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

DRAFT OF A SHORT ADDRESS DELIVERED BY COL. JAMES C. WHITE, U.S. ARMY, RETIRED, TO THE SONS OF THE REVOLUTION AT THE OLD COLONY HOUSE, NEWPORT, R.I., ON JULY 4, 1966

Mr. chairman, fellow compatriots, distinguished guests, ladies and gentlemen: Once again, and perhaps for the last time, I have been honored with an invitation to speak at this hallowed shrine. I approach this platform with great pride, but also with a feeling of deep humility, when I harken back to days-gone-by, when many of the great men of our beloved Country have spoken from this historic rostrum.

Today—the Fourth of July, a National Holiday (which originally meant a holy day) is a day for rejoicing, a day for brass bands, parades, old fashioned oratory, firing of cannon, out-door sports, picnics, merrymaking and a jolly time for all.

On the other hand, it is a day for prayer and solemn contemplation, a day to rekindle the sacred fires of patriotism and to renew and repledge our allegiance to the flag of this great country of ours that has been so good to all of us. We are proud to be Americans and exceedingly glad that our forebears had the good sense and the fortitude to cross the stormy seas, to settle in the New World, and establish homes for themselves and their children in this happy land.

Primarily, we are celebrating the adoption of the Declaration of Independence by the Continental Congress. Mr. Durfee has read the text of this immortal document with fervor, and enthusiasm. Whenever I hear, or even read in the privacy of my study, this classic, defiance of tyranny and injustice, I experience a "spine-tingling," similar to that brought about by the playing of "The Star-Spangled Banner" at Retreat Parade, on the plain at West Point when "Old Glory" is slowly hauled down at sunset.

I. DECLARATION OF INDEPENDENCE

I shall dwell briefly upon the signers of the Declaration. The majority were lawyers, others merchants, farmers or planters (as they were called South of the Mason-Dixon Line), others printers, tradesmen, two physicians, one clergyman and some ordinary fellows like you and me. Some were Protestants, others Catholics. All were civilians, although several signers later became officers in the Continental Army and served with distinction. A few of the signers were rich men—others comparatively poor in worldly goods—but my friends—they had one characteristic in common—*courage!*

Benjamin Franklin grimly remarked after he signed his name, "Gentlemen, from now on we must hang together or assuredly we shall hang separately!"

John Hancock, the President of the Continental Congress, a prosperous merchant, affixed his signature in bold writing, saying that he was sure that King George could read it without his spectacles.

Charles Carroll, an aristocratic land-holder, from Maryland, insisted upon adding to his signature "of Carrollton"—so there could not be any misunderstanding.

Then there was *Robert Morris*, who raised substantial sums of hard cash, under difficult circumstances, to provide food, blankets, lead, gun powder and medicine for the American Army. This great patriot ran into personal financial trouble *after* the Revolution and our Independence had been established. He was imprisoned for debts and died a bankrupt. I have read that republics are ungrateful. May this glorious *Republic* of ours never again be ungrateful toward any of our patriots and defenders.

II.

Now a few words about General George Washington. I have been told that he once spoke from yonder balcony. He was a most fortunate choice by the Continental Congress for the post of Commander-in Chief.

As a boy, I grew up to think of him as a sort of a demigod, almost a saint. Also to believe that all red-coats were villains, and all Hessians devels. (Of course, this was not true.) Perhaps, I took the writings of Parson Weems too seriously.

Actually, General Washington was a man of flesh and blood. I've read that once-upon-a-time he lost his temper and even used profanity on occasions, but, according to tradition, never told a lie.

Contrary to some popular opinion, General Washington was *not* a signer of the Declaration of Independence and had nothing whatever to do with the drafting of this document at Philadelphia. On July 4, 1776, he was in New York, preparing to resist a British invasion known to be imminent. His brave troops were defeated at the Battle of Long Island—but he was not a quitter. The British government had sent over "officers of reputation" and some crack regiments to crush the "American Rebellion."

General Washington, perhaps, was not a military genius of the highest order—he lost several battles, but he was victorious at Yorktown, the last and most decisive.

I recently talked to an elderly physician who had drawn up a "medical profile" of our foremost national hero. The good doctor told me that George Washington suffered from almost every kind of human ailment, including small-pox and malaria, that today he probably would be classified as "4 F" by his "draft board."

But by sheer force of his noble character and colossal integrity, he held his ragged, unpaid, half starved army together during nearly seven years of adversity.

Some of his greatest and most heartfelt tributes were paid by contemporary Englishmen, including Lord Byron who wrote—"Washington—whose every battlefield was holy ground."

"The first the last—the best—the Cincinnatus of the West—that envy dare not hate—bequeathed the name of Washington—there was but one to make men blush."

III.

The Declaration was proclaimed on July 4; 1776, printed, and later engrossed on parchment. It is now on display at the National Archives Building in Washington. The Liberty Bell was rung at Philadelphia on July Fourth. But this was but the beginning. Nearly seven more years of cruel and bitter warfare, including near starvation in the frozen bivouacs at Valley Forge passed before the surrender of Cornwallis at Yorktown. The ragged "Continentals" made the Declaration of Independence effective and made possible our *Constitution*. *When I think of their heroism, I am filled with emotion, I am unable to express!*

IV. THE AMERICAN SOLDIER

The American Soldier has never failed us. May I pay a short tribute to him?

Unfortunately, I do not possess the gift of eloquence, rhetoric or diction, nor the brilliance of metaphor without resorting to classic quotations. Some of my remarks are borrowed from the prophets, poets and orators of old.

Our soldiers, and when I say soldier, I include the sailor, the marine, the airman, the coast-guardsman and their women counterparts—May God bless the nurses in these equally devoted services.

I recall that it was *Horace* (or was it *Virgil?*), who wrote in Latin of course, that "Brave Men were living before Agamemnon". The American Soldier has a heritage of courage—he needs no eulogy. His epitaph has been written in letters of fire! His heroic deeds have emblazoned his encomium—his panegyric—upon the "Scroll of History!"

Since the days of Isaiah and Micah, mankind has hoped fervently and prayed devoutly that the horrible scourge of war could be done away with—that we could beat our swords into plowshares and our spears into pruning hooks!

A few centuries after the days of Isaiah and Micah, Plato sadly remarked that "only the dead have seen the last of war!" The good people of this world cry peace! peace! when there is no peace.

Our martyred President, John Fitzgerald Kennedy, spoke "We must never negotiate from fear, but we must never fear to negotiate."

V.

We have been living in an age of insanity which began August 1, 1914. "The Guns of August rumbled and roared." Our world has never been the same since. We must be prepared to face the future without fear of Communist-Atheistic tyranny. We must be prepared to fight—often a deterrent to war. Our fighting men must have the best modern weapons and equipment regardless of cost. Civil Defense must not be neglected. We must strive to maintain our supremacy in space and send the first team of American astronauts to the moon.

VI. THE AMERICAN SOLDIER

I have great confidence in the character of our young soldiers. I am certain they will give a good account of themselves, if and when the bugles again sound the clarion call *"To Arms."* We must guard against "another Pearl Harbor. This disaster was not a disgrace—but a *Moral Victory*—akin to the glorious defeat of the 300 Spartans at the pass of Thermopyle. General MacArthur when speaking at the cemetery at Honolulu, in a tribute to our soldiers and sailors, who gave their last full measure of devotion, said: "I do not know the dignity of their birth, but I do know the glory of their death!"

Our fighting men of today are stronger physically, better educated and more thoroughly trained than their fathers and grandfathers in our past wars. May I quote from Lincoln's *First Inaugural Address* regarding our soldiers of days gone-bye! "Honest Abe" wrote and spoke:

"The mystic chords of memory stretching from every battlefield and patriot's grave, to every heart and hearthstone over this broad land, will yet swell the chorus of the *Union*, when again touched, as surely they will be, by the better angels of our nature."

And from "Bob" Ingersoll—

"These heroes are dead. They died for us. They are at rest. They sleep in the land they made free, under *The Flag* they made stainless, under the solemn pine, the sad hemlocks, the tearful willows, the embracing vines. They sleep beneath the shadows of the clouds, careless alike of sunshine or storms, each in the windowless palace of rest. Earth may run red with other wars—they are at peace. In the midst of battles, in the roar of conflict they found the serenity of death!"

And a stanza from the poem by Theodore O'Hara inscribed over a gate at Arlington Cemetery:

"On Fame's Eternal Camping Ground,
Their Silent Tents are spread
And Glory Guards, with Solemn Round
The Bivouac of the Dead!"

VII. TYRANNY

The Declaration of Independence was a blow for *Liberty* and against *Tyranny!* "In support of this Declaration, with a *firm reliance on the Protection of Divine Providence,"* the signers mutually "pledged to each other their lives, their fortunes and their sacred honor"—The noblest and most courageous compact and covenant in history!

VIII. ETERNAL VIGILANCE IS THE PRICE OF LIBERTY

The good people of our Country, must at all times be on the alert to resist and overthrow any form of *Tyranny* and *Injustice*—political, economic, military, legislative and judicial! And remember we cannot afford to lose a war. There is no substitute for victory!

In closing, may I quote from Thomas Jefferson, author of the Declaration of Independence:

"I have sworn upon the Altar of God, eternal hostility against every form of Tyranny over the mind of Man."

CHANGES IN BASIC EDUCATION LEGISLATION OCCURRING IN THE SECOND SESSION OF THE 89TH CONGRESS

Mr. MORSE. Mr. President, School Management, a publication directed toward informing educators at every level of developments of interest to the profession. in 1966 was recognized by being given a First Award for Editorial Excellence in the 28th annual competition conducted by Industrial Marketing. It also received an award for distinguished performance given by the Editorial Press Association of America.

An examination of two recent issues of that magazine, the November 1966 and the December 1966 issues, reveals the type and kind of reporting that warranted the professional commendation given. I refer particularly to two reports written by Mr. Buckman Osborne. The first in the November issue is entitled "A Guide to Federal Aid for Higher Education" and the second in the December 1966 issue is entitled "A Schoolman's Guide to Federal Aid—Part IV."

The latter is one piece in a continuing series of articles initiated in June of 1965. The two articles are designed to acquaint the profession with the changes in basic legislation which occurred in the second session of the 89th Congress and are broad in their coverage, including as they do legislation which emanated from more than one subcommittee.

Because I feel that Senators will find the articles helpful in bringing within short compass the major developments of the past session of the 89th Congress, I ask unanimous consent that the two articles to which I have alluded be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From College Management, November 1966]

A GUIDE TO FEDERAL AID TO HIGHER EDUCATION

The 89th Congress—dubbed "the education congress" by the time its first term ended last year—continued to live up to that name to the moment of its final adjournment.

No congress in the history of the United States has ever passed so much new and updated education-related legislation as did the 89th.

Unfortunately for the men who must use the fruits of that legislation, Congress did not pass a single education act, or split its education measures into two packages—one for elementary and secondary schools, the other for higher education. Instead its education legislation was tucked into a myriad of bills, acts, riders, amendments and resolutions. And, to compound the confusion, the job of carrying out the intent of the legislation was left to a wide range of organizations in and out of the Department of Health, Education and Welfare.

It's no wonder that schools and colleges throughout the United States feel the need of outside experts to keep them posted on what is—and is not—happening insofar as federal support for education is concerned.

Tripartite support. Actually, federal support of higher education falls into three basic categories. The first is support of research on college campuses. The second is support of individual students through loan programs. The third is support of the various programs of the colleges themselves. It is this third area that is covered in this special report. The report was prepared by Buckman Osborne, CM's Washington correspondent.

Under the seas. It is interesting to note that federal support of higher education came full circle in the closing days of the 89th Congress with passage of the Sea Grant College Act. Growth of this nation during the past century, the demands of an increasing population, and the economic facts of life have finally drawn attention to the various disciplines of oceanology.

Although the Sea Grant College Act is only funded with $45 million during the next three years, Public Law 89–688 promises to be landmark legislation. It is certainly one of the two most significant enactments regarding education which can be attributed to the second session of the 89th Congress. Properly speaking, P. L. 89–688 is an amendment to the National Science Foundation Act of 1950 and NSF is charged with basic responsibility for the program.

A guide. Essentially, the Sea Grant College Act is intended to guide education toward practical application of marine knowledge and development of aquaculture. Unlike the Land Grant College Act to which it is often compared, there is no provision in the act to create any new institutions of higher education. For the most part, the act will benefit the 50 or so colleges in 21 states which already offer courses in the marine sciences.

Nor is support limited to institutions of higher education; i.e., degree-granting institutions. Public and private agencies, staffs and laboratories may submit proposals which will contribute to education and training in the marine sciences. It is expected that maximum use of existing facilities will be achieved by cooperative arrangements between educational and scientific groups.

The program will be guided by a soon-to-be-named national advisory council on Sea Grant Colleges and Programs comprised of 11 presidential appointees. No grant may be approved or disapproved by NSF without the advice of the council. NSF is also directed to cooperate with the U.S. Office of Education in administering the program. Details regarding policies, procedures and operation of the program have yet to be promulgated but it is expected that guidelines and regulations will be announced by the National Science Foundation before January 1, 1967.

Over the seas. The second major piece of education legislation affecting higher education enacted during the closing days of the 89th Congress was the International Education Act. This act is a real sleeper and its implications are far reaching. As passed by Congress, the International Education Act bears little resemblance to proposals advanced by President Johnson in his International Education and Health message last January.

The International Education Act is international in point of emphasis, but it is strictly domestic legislation which supports educational activities in this country. In many respects the International Education Act is a catch-all. Most important is its creation of a very independent National Advisory Committee on International Studies This new committee shall include at least eight educators among its 15 members and shall be headed by the assistant secretary of HEW for education.

Grants. After completing an analysis of existing conditions during the current year, the committee will direct allocation of $130 million during fiscal years 1968 and 1969. Grants will be awarded to establish, strengthen and operate graduate centers for research and training in international studies and the international aspects of other fields of study.

Publish. IEA authorizes, in fact direct, the publication of all scholastic endeavors resulting from this program. It is the intent of Congress that this new program be a true example of academic freedom.

In total the 89th Congress enacted a score of new programs in support of education, from kindergarten through graduate school. Virtually every program for federal aid to education previously enacted was amended and expanded by the 89th Congress. Yet these new programs are hardly an end in themselves. In fact they are just a beginning. Expanded support of education by federal funding is an economic, political and social fact of life. The foundation has been strengthened and the structure of federal support of education, at all levels, is beginning to take shape.

The future of federal support for education will depend in large measure on effective planning by institutions of higher education.

Combine funds. Each of the education-related Acts passed by the 89th Congress provides some support to institutions of higher education. Your problem is to combine these available funds with previously enacted legislation to accomplish the most for your institution. To aid you in that pursuit, College Management editors have identified 10 specific areas in which help is available.

The 10 areas identified for specific attention include the following: libraries; instructional equipment and materials; humanities and the arts; health education; teacher training; community services; developing institutions; vocational education; construction of academic facilities, and construction of housing facilities.

Up ahead. On the next 21 pages, each of these areas is explored, programs that can receive federal support are described, and the office with which contact should be made is listed.

MAJOR LEGISLATIVE ACTIONS—1965–66

The 89th Congress has earned the title of "education congress." Listed here are a number of measures that will support higher education during the years to come. About half of these laws are directly concerned with health and welfare. Several are directed to aiding the national economy. And others are specifically in support of higher education. Virtually all universities, most colleges and many two-year institutions can participate in these programs. But, college administrators will have to take the initiative. A logical first step is to obtain a copy of the appropriate public law from a member of Congress.

Public Law 89–10

The billion-dollar program to improve elementary and secondary education, with special emphasis on disadvantaged children. This law provides, under Title IV, $100 million for research and training activities to be undertaken by institutions of higher education.

Public Law 89–15

Extended the Manpower Development and Training Act through 1969 and authorized $454 million for the current year. Project support to be reduced to 90% starting this year. Training period extended to two years.

Public Law 89–36

Established a national technical institute to provide higher educational opportunities for the deaf.

Public Law 89–69

Extended the Juvenile Delinquency and Youth Control Act through 1967 and authorized expenditure of $16.5 million annually for research and demonstration projects.

Public Law 89–105

Includes authorization of $80 million over five years for research and demonstration projects related to community mental health. These funds can also be used for construction of necessary research facilities.

Public Law 89–115

Authorized $289 million for matching grants during three years for health research facilities, most of which will be directed to university medical schools and affiliated hospitals.

Public Law 89–117

The Housing and Urban Development Act reduced the effective interest rate on college housing loans to 3%. Accredited two-year colleges and college-administered public technical institutes became eligible to participate in this program.

Public Law 89–182

Provided for a $60-million, three-year program to establish state and regional technical service centers supported by matching federal grants to universities, local governments and private enterprise. These centers will disseminate their findings of science and technology to business and industry.

Public Law 89–209

Established the National Foundation for the Arts and the Humanities. An endowment of the arts will support productions in various media, including college groups. An endowment of the humanities will provide assistance for education, research and workshop activities.

Public Law 89–239

Authorized $340 million for a three-year program to support cooperative research in regional medical centers to combat heart disease, cancer and stroke. Medical schools are among those eligible to apply for grants.

Public Law 89–287

Provides for federal insurance of loans to high school graduates for tuition at vocational, technical and business schools at the postsecondary level. Direct loans, up to $1,000 per year, are also authorized where needed. This is a two-year support program.

Public Law 89–290

Authorizes $775 million for a three-year extension of the Health Professions Educational Assistance Act. Matching grants will be available for construction of teaching facilities and student loans will be continued. New program will also aid efforts to improve scope and quality of teaching.

Public Law 89–329

Provides a wide variety of programs under the omnibus Higher Education Act of 1965. Initiates special aid for developing institutions and community services. Amends various provisions of the National Defense Education Act and the Higher Education Facilities Act. Establishes federal scholarships for needy students, as well as matching grants for library resources and audiovisual equipment.

Public Law 89–358

Authorizes educational and housing benefits similar to World War "G.I. Bill of Rights" to more than three million cold-war veterans with a minimum of 180 days active service since January 31, 1955.

Public Law 89–511

Extended provisions of the Library Services and Construction Act of 1964 for an additional five years; authorizing $88 million for the current fiscal year. Annual increases in authorization will double that amount by 1971.

Higher education amendment

Extended and expanded the Higher Education Facilities Act of 1963, providing greatly increased support for construction of undergraduate facilities. Also extended aid to developing institutions for two years, under Title III of the Higher Education Act of 1965.

International Education Act

Provided support for institutions of higher education to offer expanded curriculum in international affairs; including additional support for language centers, teacher training institutes and student assistance.

Public Law 89–688

Authorizes three-year, $45 million programs for education, training and research in the marine sciences to be undertaken by so-called Sea Grant Colleges. This program to be administered by the National Science Foundation.

Health professions

Provides for construction of facilities, improvement and expansion of curriculums, traineeships for technicians, therapists and others in nonmedical allied health professions, at the two-year and four-year college level.

CHAPTER I. LIBRARY RESOURCES

Assistance is available to help all institutions of higher education acquire library resources. Title II of the Higher Education Act of 1965 provides matching grants of $5,000 annually to all colleges, including accredited two-year institutions and university branch campuses located in different communities from the parent institutions. Current legislation authorizes $50 million annually for three years to cover basic, supplemental and special purpose grants for college libraries.

Basic grants of $5,000 will be awarded to any college which can provide an equal sum in matching funds, over and above the average amount it has been spending for library resources during the past two years. Colleges which can't provide matching funds won't be able to qualify for the basic grants but may be able to obtain supplemental grants.

What can be purchased

As defined by the legislation, library resources covered by federal grants can include books, periodicals, documents, magnetic tapes, phonograph records, audio-visual materials (but not equipment) and related materials such as binding, etc. While there is no specific reference to textbooks, phrasing of the law indicates that such purchases will not be allowed. Current regulations governing this aid program will specifically exclude such purchases.

Seventy-five percent of the amount authorized, $37.5 million for each of three years, is reserved for basic grants and supplemental grants. Since it is almost impossible for more than 2,200 institutions to qualify for basic grants, a maximum of $10.5 million annually will be required for this purpose. Thus, there is every indication that more than $27 million will be available for supplemental grants. In addition, at least $5 million more is earmarked for supplemental grants.

Growing and developing institutions will be the primary recipients of supplementary awards. These grants will be based on demonstrated need and matching funds are not required. The total amount for which any college can qualify is limited to $10 for each full-time student who is a degree candidate.

Special grants

A maximum of $7.5 million has been authorized for special grants to colleges which qualify for a basic grant but have need for additional resources. Special grants are also available to institutions that fulfill special regional and national library resources requirements; e.g. special collections, complete reference in certain disciplines, etc. The special grants require the institution to finance at least one-fourth of the project, with federal funds being limited to 75% of the total cost.

Not specifically mentioned in the law, but expressed as the intent of Congress, are two guidelines covering basic grants. First, it is expected that all colleges will endeavor to arrange for joint use of facilities where possible. Along these lines, several colleges are already exploring joint libraries. And, it is expected that every college should be able to qualify for at least $1,500 in basic grants (matching funds) before applying for a supplemental grant.

In addition to direct grants-in-aid, $15 million annually has been authorized for research and training activities in the library sciences. This program will make funds available for colleges to undertake projects relating to the improvement of library services, development of new techniques and implementation of such concepts in training librarians.

Regulations covering these grant programs may be obtained through the Library Services Branch, Division of Library Services and Educational Facilities, Bureau of Adult and Vocational Education, U.S. Office of Education, Washington, D.C.

CHAPTER II. INSTRUCTIONAL EQUIPMENT AND MATERIALS

A bounty of audio-visual aids are finding their way into college classrooms as a result of provisions of Title VI of the Higher Education Act. Congress has authorized a total of $145 million over a three-year period for colleges to acquire audio-visual equipment and material. In addition $11.2 million was earmarked for closed-circuit television facilities.

Only a portion of this authorization, however, has been appropriated for fiscal years 1966 and 1967. Authorizations totalled $60 million for the current year, but only $14.5 million has been appropriated. This results from the decision to administer Title VI as an experimental and demonstration program for the first two years. It is fully expected that the appropriation next year will approach the $70 million authorization.

Before you start spending this money, you must find out what type of plan has been developed by the state commission assigned jurisdiction over this program. Funds appropriated for audio-visual equipment will be allocated on a state-by-state basis. The distribution formula considers both total population and college enrollment within the state. Applications must be approved by the appropriate state commission but funds will be paid directly to the applicant institution.

Administration of this program has been assigned to the College Grants Branch, Division of College Facilities, Bureau of Higher Education, U.S. Office of Education, Washington, D.C.

Subjects eligible for support

The language of the law is quite specific in identifying how Title VI funds can be used. Purchases may include laboratory and other special equipment, including audio-visual materials and equipment for classrooms or audio-visual centers, and printed or published materials for classrooms and libraries. The cost of minor remodeling required to install such equipment is an allowable expense. Textbooks and supplies consumed in use are, however, excluded from purchase with federal funds.

Approved equipment and materials may be acquired to support instruction in science, mathematics, foreign languages, history, geography, government, English, other humanities, the arts, and education at the undergraduate level.

Title VI grants may be awarded for fixed-service instructional television (as defined by the Federal Communications Commission) but not for television broadcast equipment. Grant awards can include the cost of instructional materials and minor remodeling required to implement the project.

No college is guaranteed a specific allotment under Title VI. All grants are being made according to priority as established by the state commission. Furthermore, these are matching funds. The federal share of total cost may run as high as 80% in some cases. But, for the most part, colleges are required to put up the money for half the cost of the project. Considering the "competitive" nature of this program, college administrators should be prepared to present well-documented evidence to justify applications requiring federal support in excess of 50% of the project cost.

Educational television

A number of colleges and universities have participated in development of local ETV facilities but there is an obvious need for greater activity. Federal grants to establish or expand noncommercial educational television facilities have totaled $25 million since the program was authorized by Public Law 87–447. Congress authorized a total of $32 million for this program over a five-year period starting with fiscal year 1963. Thus, as things stand, $9 million is available for projects submitted during the next six months. But pending applications exceed available funds.

Building ETV stations

Colleges or college-affiliated nonprofit organizations can apply for grants to cover up to one-half of the cost of new construction. In addition, the federal grant can be boosted to cover one-quarter of the value of ETV facilities already owned by the college. There are two basic limitations on these grants. First, no more than $1 million in grants can be distributed within a single state. Second, federal funds cannot be used for the acquisition of television receivers.

These restrictions shouldn't be insurmountable to colleges desiring to enter this field. ETV facilities aren't excessively expensive. The average federal grant has been about $200,000, with individual awards ranging from as little as $15,000 to as much as nearly $500,000. The problem of purchasing receivers can be solved with federal funds available under Title VI of the Higher Education Act.

College administrators interested in applying for ETV grants should obtain details of the grant application from the Educational Television Branch, Division of Library Services and Educational Facilities, Bureau of Adult and Vocational Education, U.S. Office of Education, Washington, D.C.

With the regulations in hand, college administrators can determine the legal and engineering advice required to prepare the project proposal. Such expenses are allowed in determining the total project cost. Next, colleges should check with local public school officials and community action groups to ascertain what plans they may have for construction of ETV facilities. Public school agencies are also eligible to apply for grants under P. L. 87–447 and they can use funds provided under the Elementary and Secondary Education Act of 1965.

Poverty money available

The Economic Opportunity Act of 1964 also mentions ETV as a possible means of resolving some of the conditions which contribute to poverty. There isn't much sense in communicating directly with the Office of Economic Opportunity in Washington if a nearby city has established a local community action group. All poverty programs must be initiated at the local level and approved by the state authority before Washington can act. If funds are limited, however, it may be worth the red tape to seek support from this source.

Scientific instruction

Colleges have until January 30, 1967 to apply for matching grants from the National Science Foundation for the purchase of scientific equipment to be used for undergraduate instruction. During the past five years over 1,000 institutions of higher education have been assisted with grants totaling almost $40 million. The college must provide half the cost of the equipment.

Strengthening science instruction

The purpose of this program is to improve undergraduate education in science. Many colleges have recognized the need to update and strengthen instruction in the sciences, especially in view of the increasingly high standards being set by graduate schools. The technological revolution has placed demands on undergraduate programs which many colleges could not meet without NSF support. The pressure on NSF is being somewhat relieved as a result of assistance provided by the Higher Education Act but, take care to stretch every dollar by carefully evaluating the benefits which can be derived from both sources.

Cost estimates must be complete

Whereas NSF equipment grants require matching funds, there are no state-by-state allotments and no state plans with which to contend. NSF grants are made directly to the college, based on the merits of the application, and limited only by available appropriations. Current regulations limit grants to $180,000 for degree-granting institutions. A $20,000 limit has been set for other colleges, including two-year institutions.

Before applying for NSF assistance carefully evaluate your needs. The review panel expects realistic budgets. Proposals may include the cost of:

Scientific equipment to be used in any phase of undergraduate science education, provided that it has a life expectancy of at least one year.

Hand and machine tools necessary for assembling, repairing and maintaining scientific equipment used in undergraduate instruction.

Reference materials including scientific journals, secondary reference works, microprint cards, microfilm, binding expenses, etc.

Teaching aids including films, models, charts and various audio-visual equipment and related materials.

Construction or assembly of equipment, including materials and labor where it is necessary or feasible to construct a piece of apparatus.

Expendable supplies, which must be itemized and the cost of which cannot exceed 5% of the cost of basic equipment.

Cost of installation of equipment or necessary safety facilities, not to exceed 10% of the cost of basic equipment.

Incidental expenses, including shipping costs, state and local taxes, etc., but excluding indirect and overhead costs.

Submit multiple proposals

Proposals are evaluated by panels of scientists drawn from the academic community, research organizations and professional societies. The panel's recommendations are the major element influencing approval of a pro-

posal and subsequent award of a grant. Each proposal is reviewed as an entity but elements of the budget may be negotiated with college officials. Thus partial support of a proposed project is possible. You can submit multiple proposals covering several projects.

NSF received only $4 million for this program in its 1966–67 budget, just half the amount it had the year before. This source of funds is not drying up, but this year, at least, it is certainly tightening.

Inquiries regarding the instructional scientific equipment program should be directed to the Division of Undergraduate Education in Science, National Science Foundation, 1800 G Street, N.W., Washington, D.C.

The Atomic Energy Commission has limited funds from which grants are awarded for the acquisition of special equipment needed in nuclear education programs. The AEC can provide grants covering the full cost of such equipment as nuclear measurement instrumentation, radioactive sources, subcritical assemblies, neutron howitzers and small particle accelerators. In addition to equipment grants, the AEC makes loans of materials which are related to instruction in nuclear science and engineering. Colleges may obtain such materials as heavy water, uranium for subcritical assemblies and neutron sources on a loan basis, without cost.

Contact the Division of Nuclear Education and Training, U.S. Atomic Energy Commission, Washington, D.C. 20545.

The AEC has several other programs of interest to colleges. It loans traveling exhibits and films through the *Information and Exhibits Division at the Oak Ridge, Tenn., Institute of Nuclear Studies.*

A wide variety of curriculum materials has also been developed for college use. These materials are distributed by AEC's *Division of Technical Information Extension at Oak Ridge.*

In addition, several mobile radio-isotope laboratories are available for two-week training sessions at colleges throughout the nation. These units, accompanied by visiting scientists, may be scheduled through *The Special Training Division of the Oak Ridge Institute of Nuclear Studies.*

CHAPTER III. ARTS AND HUMANITIES

The National Foundation for the Arts and the Humanities, created by Public Law 89-209, has become a source of financial assistance to many colleges and universities. The Foundation operates through two endowments; the National Endowment of the Arts which aids productions in the performing arts; and the National Endowment of the Humanities which directs its activities toward education. *At present, inquiries about this Foundation should be sent in care of the Executive Office Building, Washington, D.C.*

Congress has authorized $5 million annually for the Arts Endowment to provide matching grants to groups or individuals needing assistance for productions in the performing arts. A wide range of performances will be eligible for support and various media, including radio and television, can qualify.

Special emphasis has been placed on productions which exemplify American creativity in the performing arts. Individuals and groups are encouraged to produce performances which otherwise would not be available to residents. Grants will be available to encourage artists, in the broad sense, to achieve standards of excellence.

Reviving interest in the arts

It is the intent of Congress that public interest in the arts be revived and extended. As a result it is expected that some awards will be made to support research which will indicate what the general public enjoys and appreciates. Such projects are expected to develop programs which will generate public response.

Try to raise matching funds

Although direct grants-in-aid from the National Endowment for the Arts are intended to be matched by funds from other sources, up to $1 million can be distributed to support worthwhile projects and productions which can't raise matching funds. To obtain a grant for more than 50% of the total cost, an applicant must furnish evidence that it has made every possible attempt to raise matching funds. While some applicants may not be able to raise the full amount of matching funds, it's expected that local resources should be available to cover part of the total project cost—if only 5–10%.

In addition to the basic authorization, Congress has agreed to match $2.25 million in private contributions to the Arts Endowment. Thus it is possible that another $4.5 million will be available for the purpose of providing matching grants to support productions in the performing arts.

On July 1, 1966 each state became eligible for a grant of $50,000 to initiate an intrastate program of support similar to the national program. The states were allowed to spend up to $25,000 during 1965–66 to develop a state plan. The state plans are required to provide for matching grants in support of individual projects.

College groups or affiliated organizations which plan to seek support had better check their tax status. The law specifies that grantees must be classed as charitable organizations (Section 170, Internal Revenue Code, 1954). While educational institutions normally qualify, little theaters and other groups may not have taken the time to get properly organized. Unless a college wants to assume full responsibility, affiliated groups had better get their tax status clarified.

Support for the humanities

The National Endowment for the Humanities is empowered to make grants for general scholarship in the humanities—a very broad scope program. As defined by the law (P.L. 89–209), the term humanities includes: "Language, both modern and classic; linguistics; literature; history; jurisprudence; philosophy; archeology; the history, criticism, theory, and practice of the arts; and those aspects of the social sciences which have humanistic content and employ humanistic methods."

The law provides for a basic annual authorization of $5 million for the National Endowment for the Humanities and an additional $5 million incentive authorization to match private contributions. Thus, the Humanities Endowment will distribute up to $15 million annually for educational assistance programs.

A substantial portion of the Endowment's funds will be directed to workshop activities, many of which will be college sponsored. In planning a workshop, in conjunction with a fellowship program or as a separate project, college administrators should be especially aware of the effect of admission charges. If admission is charged for any performance connected with the workshop, the federal grant must be limited to 30% of the total cost of the workshop. On the other hand, if there are no admission charges, the federal grant could cover the full cost of the project. Workshop grants do not require matching funds.

CHAPTER IV. HEALTH FIELDS

Under authority of the Public Health Service Act, frequently amended since its passage in 1943, colleges and universities can obtain substantial support for educational activities in a variety of health-related fields. Widespread support is available through grants for training projects at the undergraduate, postgraduate, predoctoral and postdoctoral levels.

These training grants are not limited to universities with medical schools. The scope of activity is extremely broad and virtually every accredited college can probably qualify under one program or another. In fact, two-year colleges are eligible for some of the training programs, especially at the subprofessional level.

College administrators interested in bolstering current course offerings with training programs in health-related fields should *contact the Division of Research Grants, National Institute of Health, U.S. Public Health Service, Westward Building, Bethesda, Md.* This office serves as a clearinghouse for all grant proposals. The actual grant awards are made by one of the many institutes or divisions in the Public Health Service.

Before applying for a training grant, college officials should be aware of the wide range of program possibilities. PHS records reflect that grants have been awarded in the fields of nursing, public health, and environmental health. The various national institutes of health support training programs, at all levels, in such fields as: engineering, biological sciences, medical sciences, mathematics, physical sciences, educational psychology, social psychology, clinical psychology and social sciences.

Not for medical education

PHS training programs are not intended to provide medical education. Candidates for the degrees of MD, DDS,, DO, DVM, or similar degrees, are *excluded* from participation.

The sponsoring college can expect a training grant to cover all direct expenses incidental to the program. Certain indirect costs will also be allowed but such items should be presented for approval as part of the project budget. Colleges may obtain assistance in altering or renovating facilities used in approved training programs but construction and land acquisition are not allowed. Funds will be provided for the purchase of books and periodicals but not for library resources.

Trainees beyond the undergraduate level can qualify for federal stipends and dependency allowances. At the predoctoral level, stipends range from $2,400 to $2,800 annually. At the postdoctoral level, stipends run from $5,000 to $6,000 per year. An allowance of $500 annually is provided for each dependent. It should be noted that a trainee may not qualify for a PHS stipend if such person is also receiving another federal education benefit: fellowship stipend, scholarship, loan, etc.

In planning health field training programs, college administrators can think in terms of relatively long periods—PHS training project grants can run for periods up to seven years. Generally application for continued support must be submitted at the end of each budget period. If the need arises, application can be submitted during the period for supplemental funds.

CHAPTER V. TEACHER TRAINING INSTITUTES

Several colleges are already operating institutes for advanced study authorized by the National Defense Education Act, but the program is wide open to new applicants. The Higher Education Act expanded the program to include economics, civics and industrial arts.

This is not a crash program. Detailed planning is necessary. Applications must be made well in advance. The U.S. Office of Education expects to invite proposals early in the spring of 1967 for the 1968–69 school year (fiscal year 1969).

All NDEA institutes for advanced study are administered by the Division of Education Personnel Training, Bureau of Elementary and Secondary Education, U.S. Office of Education, Washington, D.C. In addition, this division administer the institute program for teachers of handicapped children. And, it will direct activities for training National Teacher Corps volunteers as well as the institutes authorized by the Arts and Humanities Act of 1965.

Two-year colleges, too

As defined by law, institutes are for advanced study including study in the use of new materials, and to improve the qualifications of individuals who are engaged or preparing to engage, as teachers or specialists in elementary or secondary schools. Supervisors and teacher training personnel are also eligible to participate.

Many colleges with university affiliation have operated institutes during the past four years. There is nothing to preclude an accredited two-year college from applying to participate in the program, provided it has the facilities and personnel to fulfill the desired objectives. These institutes are not graduate programs as such. Universities may choose to offer graduate degree credit in connection with an institute, provided that such arrangements aren't a condition of participation.

Institutes are intended to be well-rounded autonomous programs. Federal funds will cover all expenses for operation of the institute including administration, materials and supplies, instructors' salaries, etc. Institute grants are not intended to provide funds for acquisition of equipment but equipment rental is acceptable when adequately justified for a special purpose. This is strictly a cost reimbursement program.

Identify your field of interest

Interested colleges should first identify the field of interest and establish the need. Obviously the field of interest should be one in which the college has a demonstrated capability. For general subjects there should be a significant number of potential participants from the region in which the college is located, either within a single state or adjacent states. In some specialized fields, justifying operation of relatively few institutes, the emphasis on area to be served is minimized.

Next, college officials should name a director of the proposed institute. This selection is critical. The qualifications of the director are carefully scrutinized by the panel which evaluates institute proposals. The director should be highly qualified and well versed in the instructional techniques of the field to be covered. Arrangements must be made to relieve the director from teaching at least one course during the term just preceding the institute. The director may not, however, be compensated for spending more than half time preparing for the institute.

In planning the institute, one of the first steps is to determine the schedule. Should it be a full-time program during a regular college session? Should it be a summer session activity? Or, should arrangements be made to provide a part-time program in which teachers could participate after school, during evening sessions, on Saturdays, etc.? Most of the institutes have been scheduled over a period of six to eight weeks during summer sessions. But, there's no requirement for such a schedule.

Watch out for deadlines

Having determined the field of interest, type of institute and schedule, the director then prepares a proposal which is the grant application. The Division of Education Personnel Training sets firm deadlines for all institute programs well in advance of the time during which such activities are scheduled. The deadline for submitting proposals covering institutes scheduled during 1968–69 will be in the spring of 1967. Approved programs will be announced in the fall of 1967, allowing at least a full year for preparation.

Don't pattern your proposals after previously successful applications. Times change and new techniques are constantly being developed. Review panels are looking for new ideas and fresh approaches to improve methods of instruction in elementary and secondary schools. One indication of the quest for new programs is the announcement from the U.S. Office of Education that repetition of specific institute programs may be limited to three consecutive years. Since some institutes were operated for the fourth year during the summer of 1966, new programs should be gaining acceptance during 1967–68 and even more the following year.

Stipends for participants

As part of the administrative responsibility in operating an institute, a college arranges for stipends to participants. Federal funds are provided to cover payment of $75 per week to each participant, as well as $15 weekly for each dependent. This stipend is intended to defray living expenses for the participants while in attendance at an institute. Participants apply directly to the college for this stipend and the total amount of such allowances is included in the institute's operating budget as a reimbursable expense.

Title IV of the Civil Rights Act of 1964 also provides for college-operated institutes, as well as inservice training, to help teachers deal effectively with the special problems occasioned by desegregation of public schools. This program requires particularly close coordination with local public school officials. The procedure follows the same general pattern established for other institutes for advanced study, but there are no deadlines for submitting proposals. *Further information may be obtained from the Office of Equal Educational Opportunities, U.S. Office of Education, Washington, D.C.*

Developing your faculty

In connection with authorizing funds for colleges to acquire audiovisual equipment and materials, Congress provided $5 million annually for a faculty development program under Part B of Title VI of the Higher Education Act. Colleges and universities will be invited to operate workshops as well as short-term and regular-session institutes providing instruction in the use of educational media. Teachers using audiovisual equipment in the classroom, as well as media specialists and librarians, will be eligible to participate. The standard $75 weekly stipend and $15 dependent allowance has been authorized. *Colleges interested in submitting proposals for such projects should contact the Division of College Programs, Bureau of Higher Education, U.S. Office of Education, Washington, D.C.*

The National Science Foundation, an independent federal agency, administers a wide-ranging program for both school and college teachers. Virtually every scientific discipline will be covered by 1,000 NSF institutes scheduled during the current year. The administration and operation of NSF institutes for advanced training of teacher personnel closely parallels U.S. Office of Education activities in this area.

The most comprehensive NSF institute program benefits secondary-school teachers who participate in six- to 12-week summer sessions. More than 20,000 high school teachers participated in some 450 summer programs during one year alone. Course offerings included anthropology, astronomy, general science, geography, mathematics, physics, psychology, radioactivity and nuclear science, as well as sociology.

Economics and geography supported

Institutes in the field of geography are also authorized under the NDEA program. And, as a result of the Higher Education Act, NDEA institute activities have now been expanded to include economics. Under the circumstances, college administrators may find it is feasible to submit duplicate proposals for institutes in geography and economics to both the NSF and the Office of Education.

Another field requiring duplicate proposals is radioactivity and nuclear science. These institutes are administered by NSF in cooperation with the Atomic Energy Commission. The AEC pays for the cost of operating the institute, while NSF covers stipends and allowances paid to participants. *College administrators should direct preliminary inquiries to the Division of Nuclear Education and Training, U.S. Atomic Energy Commission, Washington, D.C. 20545.*

Summer institutes

NSF summer institutes are also operated for elementary-school personnel. This activity covers six general fields: biological science, earth science, general science, physical science, mathematics, and mathematics and science combined. This program has grown to the point that some 40 institutes are currently scheduled.

In addition to the summer session institutes, NSF also sponsors a widespread inservice training program at the elementary- and secondary-school level. The only difference between an inservice institute and a summer session institute is the schedule. It takes more time to cover the course offering on a part-time schedule. The sponsoring college is still awarded a grant to cover the project's operating expenses.

Academic-year institutes

NSF also sponsors a limited number of academic-year institutes. Academic-year institutes are conceived and conducted by individual colleges and universities to provide courses in mathematics and science for teachers who have received little formal scientific education beyond undergraduate preparation. In addition, NSF is prepared to award grants for teacher development conferences, most generally arranged by institutions of higher education. These conferences may be for just a few days or for as long as two or three weeks.

Both NSF and the Office of Education provide the same basic stipend and dependency allowance for participants in summer session institutes. NSF does, however, provide a travel allowance of four cents per mile, not to exceed $80, to cover one round trip to the institute site. Participants in inservice institutes are allowed a seven-cent-per-mile commuting allowance. Instead of weekly stipends for academic-year institutes, NSF provides annual stipends up to $3,000 plus $450 for each dependent.

Inquiries and requests for program announcements covering institutes and conferences for elementary- and secondary-school teachers should be directed to: Division of Pre-College Education in Service, National Science Foundation, 1800 G Street, N.W., Washington, D.C.

Training college teachers

The program for college-level teachers is similar but not as extensive as that offered for secondary-school teachers. During the third year of the program, grants were awarded for operation of 65 institutes. More than 10,000 teachers applied for the 2,500 available participant openings. *Information about this program may be obtained from: Division of Undergraduate Education in Science, National Science Foundation, 1800 G Street, N.W., Washington, D.C.*

A number of NSF institute projects have been open to participants at the elementary and secondary levels, as well as junior college and college teachers. In planning a program for mixed participation, get advice from *both the NSF's Division of Pre-College Education and its Division of Undergraduate Education to determine which division has administrative jurisdiction over the project.*

The Atomic Energy Commission administers special programs for a limited number of college faculty members. Some of these programs are operated by individual colleges and universities, while others require attendance at various AEC installations. Colleges interested in establishing or expanding teacher training activities, in nuclear science should *direct inquiries to both the University Participation Office, Oak Ridge Institute of Nuclear Studies, Oak Ridge, Tenn., and The Division of Nuclear Education and Training, U.S. Atomic Energy Commission, Washington, D.C.*

CHAPTER VI. COMMUNITY SERVICE AND CONTINUING EDUCATION

Financial assistance is now available to support community service programs initiated by colleges and universities. Institutions of higher education have been exerting leadership in such activities for many years, but most often in an advisory capacity. Now Congress has recognized the contribution colleges can make in solving community problems such as housing, poverty, government, recreation, employment, youth opportunities, transportation, health and land use.

Solving community problems

Title I of the Higher Education Act authorizes matching grants to institutions of higher education which will undertake such community service projects. Proposed projects may be educational programs, including university extension or continuing education offerings, acceptable for credit toward a degree or at least at the college level of instruction.

Research and demonstration projects designed to assist in the solution of community problems in rural, urban and suburban areas may also qualify. Particular emphasis will be placed on urban and suburban area projects.

Grants will be awarded in accordance with provisions of a state plane. College officials should pay heed to the designation of an agency which will direct this program at the state level. Such agency must be representative of institutions of higher education in the state. This determination is delegated to the state higher education agency.

A total of $50 million has been authorized for fiscal years 1967 and 1968. The entire amount will be allotted to the states according to proportionate population. Alaska will qualify for approximately $150,000 this year, while New York's allotment will exceed $1.8 million.

All grants will be distributed through the state agency. During the first two years of the program (this is the second), colleges are being required to furnish only 25% of the project cost and federal funds can be requested for up to 75% of the total. Starting July 1, 1967, any federal grants for such activities must be matched.

Whereas individual institutions of higher education will work through the designated state agency, *general administration of this program will be under the jurisdiction of The Program Support Branch, Division of College Programs, Bureau of Higher Education, U.S. Office of Education, Washington, D.C.*

CHAPTER VII. DEVELOPING INSTITUTIONS

New colleges which have managed to keep their doors open for at least five years are getting some help in their fight for survival. Congress has authorized the expenditure of $30 million, for the current fiscal year, under Title III of the Higher Education Act, with the express purpose of helping such institutions help themselves. Authorization for continuing this program next year is set at $55 million. *Proposals will be processed by the Division of College Programs in the Bureau of Higher Education, U.S. Office of Education, Washington, D.C.*

There is no state-by-state allocation of Title III funds. Aside from the basic criteria that an institution must be accredited and have been in operation for at least five years, qualifications for eligibility are general. Most of the program support will be directed to four-year institutions which award one or more bachelors' degrees. Up to 22% of the amount appropriated can be directed to two-year colleges, but that is a maximum rather than a definite allotment. *No funds will be available for theological schools or institutions which prepare students in any sectarian vocation.*

The entire program is based on cooperation between developing and established institutions. Faculty and student exchanges will be encouraged. Arrangements can be made for alternate periods of academic study and business or public employment—so-called cooperative education activities. Established institutions will be urged to offer joint use of their facilities to students and faculties of the developing institutions whenever possible.

New curriculums and materials

Projects can also include the introduction of new curriculums and curricular materials. Support will be available for strengthening the administration of developing institutions. In fact virtually any activity that will enable a developing institution to improve its academic program and meet the demands of increasing enrollment may logically be included in a project proposal.

CHAPTER VIII. VOCATIONAL EDUCATION

A few years ago, vocational education was certainly not within the purview of institutions of higher education. But, times have changed. Vocational education is now interpreted to include training activities for virtually all occupations, with the possible exception of those at a professional level. Institutions of higher learning are, or should be, concerned with such activities.

Numerous federal programs have been established to support vocational education. Institutions of higher education are eligible to participate in most of these programs, in one way or another. Nearly $2.5 billion annually is channeled into vocational-technical and adult education programs by the federal government.

Adult education centers

Many colleges have established adult education centers, emphasizing evening classes and extension courses. If such a center provides training in five or more specific occupations, it fulfills the first qualification as an area vocational educational school. Thus it can seek assistance provided by the Vocational Education Act of 1963. Then it's just another step to qualify for support under the Manpower Development and Training Act and the Economic Opportunity Act.

General information, program areas, grant procedures, etc. can be obtained from the Division of Vocational and Technical Education, Bureau of Adult and Vocational Education, U.S. Office of Education, Washington, D.C. Project grants are not, however, awarded directly to educational institutions. Federal funds are allocated to the appropriate state agencies for distribution to local educational and community action organizations.

Check with BES on local needs

These programs can provide support for a wide range of post-secondary and undergraduate-level curriculums. Each federal agency has established procedural regulations in line with its objectives. Realistically, college administrators can save a lot of time by checking first with the local Bureau of Employment Security (BES). That agency can provide advice as to labor market shortages in the area, the number of unemployed and underemployed persons and the training needed to bring the two together. BES personnel will also be familiar with the programs in progress at the secondary-school level, and in institutions of higher education.

Colleges are already providing courses in supervision, economics, leadership, etc. for the benefit of local industry. It is the intent of Congress that consideration now be given to the additional training or retraining required by administrators, technicians and scientists whose skills have become obsolete. The training required by these persons is at a college level, and often at the graduate level. Some of these persons are still employed, others are unemployed or underemployed and still others will soon be faced with loss of the jobs they now hold.

Full costs can be defrayed

It's quite probable that the full cost of a college's vocational education activities can be defrayed by federal funds, or a combination of federal and state funds. This is especially true if support is sought through more than one federal program for different parts of a project. Instructional and administrative expenses, materials and supplies and even equipment and construction are allowable project expenses, if the end justifies the means.

Special academic programs

Federal assistance is available to support a limited number of special educational opportunities at the post-secondary, subprofessional level. College administrators must, however, be careful in planning two-year terminal programs. Even if the curriculum calls for awarding an associate degree or diploma, "graduates" should be qualified to continue their education without interruption or loss of credit. Unless adequate accreditation is provided, two-year colleges may be ineligible for other federal financial assistance.

Nurse training is example

An outstanding example of the programs open to two-year institutions is provided under the Nurse Training Act of 1964. This is not to be confused with the Health Professions Educational Assistance Act, which also supports nursing education. The Nurse Training Act provides $55 million over a four-year period to construct facilities for two-year nurse-training programs. Matching grants are awarded to cover 50–66% of the cost. Another $15 million is authorized to assist two-year institutions to meet the instructional costs incurred in preparing nurses at the associate-degree level. The same law, Public Law 88–581, provides funds for construction and nursing instruction at the four-year collegiate level. *Inquiries about this program should be directed to The Division of Nursing, U.S. Public Health Service, 7915 Eastern Avenue, Silver Spring, Md.*

Depending on availability of funds, two-year institutions of higher education are invited to participate in the radiological health technician training program. These grants cover the cost of equipment, supplies, faculty salaries and in some cases student stipends. *Inquiries regarding possible participation in this program should be directed to the Division of Radiological Health, Bureau of State Services, U.S. Public Health Service, Washington, D.C.*

A limited program for training occupational therapy assistants at the technician level is also open to two-year colleges. Grants under this program cover the costs incurred in curriculum development and strengthening, as well as student stipends. *Inquiries should be sent to the Division of Training, Vocational Rehabilitation Administration, Department of Health, Education and Welfare, Washington, D.C.*

CHAPTER IX. CONSTRUCTION OF ACADEMIC FACILITIES

The Higher Education Facilities Act of 1963 (PL 88–204)—as amended and funded this year—is still the controlling legislation insofar as building of college academic facilities is concerned.

Title I of that Act authorizes expenditure of $475 million during fiscal year 1967 to assist in construction of undergraduate academic facilities. These funds are allotted to the states according to a formula which considers high school and college enrollment. Public two-year institutions of higher education may obtain grants up to 40% of the development cost. Four-year colleges and private two-year colleges are eligible for grants amounting to a maximum of one-third of the project total. The authorization for fiscal year 1968 is $728 million and for fiscal year 1969 it is $936 million.

Title II authorizes $60 million during the current year to defray the cost of building graduate academic facilities. These funds are not allotted to the states. All grants are limited to one-third of the cost of the project. The amount authorized for each of the next two years is $120 million.

Title III authorizes $200 million for the year ending June 30, 1967 for loans to aid in construction of higher education academic facilities. Four hundred million dollars has been authorized for this purpose next year. Loans may be made to public and private colleges and universities, including accredited two-year institutions. Higher education building agencies may also qualify. Loan terms include a maximum 50-year repayment period and an interest rate not exceeding 3% per annum. Loan funds are not allotted to the states but no single state may benefit from more than 12.5% of the total.

What can't be built

Three exclusions are common to all federal funding programs.

1. Federal funds cannot be used to construct any building which will be used for the purpose of worship or religious instruction.

2. Federal aid cannot be used to build a gymnasium or stadium for sporting events or recreational purposes.

3. Federal funds cannot be directed to the construction of any facility to be used for events which will require payment of an admission charge.

Schools of divinity out

Exclusion of facilities to be used for sectarian instruction refers specifically to schools or departments of divinity. In practice this exclusion extends to facilities which will be utilized for the purpose of preparing students for related vocations: teachers and directors of religious education, ministers of music, church social workers, etc. Don't be concerned by the use of academic facilities for courses which deal with the study of religion incidental to preparation in a discipline such as psychology or philosophy.

Physical education, not recreation

The exclusion of facilities which are primarily intended for athletic or recreational activities does not exclude space which is needed to carry out the college's physical education program. Construction of a field house to be used only for physical education courses could qualify. But a gymnasium to which the general public would be admitted, couldn't.

Don't charge admission fees

The third general exclusion applies to facilities which are intended primarily for events for which admission is to be charged to the general public. Obviously this would include theaters. But auditoriums, regardless of size, may qualify for federal support if they are primarily intended to be used as lecture halls or for some other instructional purpose. Student unions can also be constructed with federal loans.

Undergraduate facilities

The purpose of this program (Title I, Public Law 88-204) is to provide greater enrollment capacity. Thus, a project should provide at least 10,000 square feet of additional space to be used for instructional or library purposes. Another guide to what is considered a substantial expansion calls for the addition of an area equal to 40% of the space now being used for academic facilities. Of course colleges must furnish evidence to support a projected increase in enrollment in order to justify the proposed construction.

Colleges are required to submit their applications through the state commission which has jurisdiction over this program. The application is evaluated according to the state plan. Those applications that are approved are assigned a priority based on need, proposed construction schedule, etc. Projects that can be funded from available allotments are forwarded to Washington.

Identify and classify

Final review and ultimate approval for all undergraduate construction projects comes within the purview of the *College Facilities Branch, Division of College Programs, Bureau of Higher Education, U.S. Office of Education, Washington, D.C.* Grants are awarded directly to the applicant college.

It's not enough to project an increased enrollment and plan to build a new facility with a specified number of classrooms. Every square foot of a proposed construction project must be identified and classified. A closet adjacent to a classroom must be assigned as a service area for teaching facilities. But a closet adjacent to a faculty office is considered part of the office. If a music studio also serves as an instructor's office, it must be counted with space assigned as faculty offices. But, a research facility which also serves as an office is counted under research facilities, not offices. It pays to watch this carefully.

Every nook and cranny of a proposed building must be classified as:

Instructional and library facilities, including general classroooms, instructional laboratories or shops, other teaching facilities, service areas for teaching facilities, library facilities, and faculty offices.

Instruction-related facilities, including research facilities, administrative facilities, study facilities, and other instruction-related facilities.

Related supporting facilities, including all other areas necessary for the utilization, maintenance and operation of academic facilities.

Support your demands

In developing a project application, college administrators must be prepared to support the need for every space assignment. Specially designed facilities should be adequately justified. Average annual and weekly room-period use must be forecast for all instructional facilities. State plans have established minimum standards to evaluate this information. But, since all grants are awarded on a priority basis it's wise to plan for maximum utilization which will exceed standard requirements.

An application must cover a well-defined project which is part of a single construction activity at one location. Long-range plans calling for a building to be erected each year for five years will require five separate project applications. In like respect, a building program which involves construction at a central campus and a branch would require two project applications.

Watch expenses incurred early

The so-called development cost should be carefully determined because after the project is approved the college must guarantee completion. College planners should be careful about expenses incurred before the project is approved. No construction contracts should be concluded until the grant has been awarded. Land acquisition cost is an allowable expense, provided that the site was purchased within two years preceding approval of the project. The same time limitation applies to architectural expenses.

The term construction includes acquisition and installation of initial equipment as well as rehabilitation, alteration, conversion or improvement of existing structures. Careful selection of initial equipment can save substantial expense under development cost. Equipment installed to replace obsolete or worn-out equipment is an allowable expense.

Initial equipment must be necessary to accommodate the functions for which a proposed facility has been designed. All such equipment must be permanently installed in the structure and should have a life expectancy comparable to the useful life of the facility. Thus there is substantial room for judgment in determining what equipment may be included under allowable development cost. Many *fixtures* can be permanently installed as *initial equipment* which will serve the same function as *furnishings.*

Long-term loans

Title III of the Higher Education Facilities Act provides additional federal funds for construction of academic facilities in the form of long-term loans. These loans now carry a maximum interest rate of 3% and the repayment period may run up to 50 years.

Funds for the loan program aren't allocated to the states, but institutions within a single state may not obtain more than 12½% of the monies available during a single year. Colleges seeking loans must be prepared to furnish at least one-fourth of the total project cost from other than federal sources. This doesn't necessarily mean that the federal loan will be the remaining 75% of the cost. If a *grant* is obtained for 33⅓% of the project, the federal loan would be limited to 41⅔%. The other 25% would have to come from nonfederal sources. Of course if the grant is less, the loan could be more.

Undergraduate institutions should apply for loans to the College Facilities Branch Division of College Programs, Bureau of Higher Education, U.S. Office of Education, Washington, D.C.

Graduate facilities

Construction grants are available for graduate academic facilities under Title II of Public Law 88-204. Congress reduced the funding authorization for these projects to $60 million for the current year, half the amount available in 1966. Authorization for fiscal year 1968 and 1969 was, however, set at the $120 million level. Administration of these grants is assigned to the Facilities Branch, Division of Graduate Programs, Bureau of Higher Education, U.S. Office of Education, Washington, D.C.

Other exclusions

In addition to the basic exclusions covering religious education, athletic stadiums, etc., assistance is *not* available for facilities used by schools of medicine, dentistry, osteopathy, pharmacy, optometry, podiatry, nursing or public health. Other federal programs are available.

Loans under Title III of the Higher Education Facilities Act are also available for graduate facilities.

Universities seeking loans for graduate facilities should direct inquiries to the Facilities Branch, Division of Graduate Programs, Bureau of Higher Education. All inquiries should be sent to the U.S. Office of Education, Washington, D.C.

Education in health professions

Congress extended the Health Professions Educational Assistance Act for three years. As a result, the expenditure of $480 million has been authorized for construction of teaching facilities for health personnel. This program benefits schools of medicine, dentistry, pharmacy, optometry, podiatry, nursing, osteopathy and public health. Academic facilities in these fields are, of course, excluded from the Higher Education Facilities Act.

Amendment of the law will provide $160 million annually in matching grants to institutions of higher education and teaching hospitals. The deadline for applications will be scheduled for next spring and awards from annual appropriations will be made after July 1, 1967. There is a heavy backlog of project proposals already on hand, which couldn't be funded from the original appropriations.

College and university officials planning to seek this form of assistance during the next few years should submit inquires without further delay. *Contacts should be directed to Chief, Division of Hospital and Medical*

Facilities, U.S. Public Health Service, 7915 Eastern Avenue, Silver Spring, Md. This program is *not* administered by the Office of Education or the National Institutes of Health—a common misunderstanding.

These grants can range from 50–75% of the total construction cost. Two-thirds of the cost of expanding existing facilities or erecting new facilities may be covered by federal funds. This level of support is based on evidence which indicates that the facility will accommodate increased enrollment or provide an improved program. A two-year nursing course which is extended to a four-year degree program could qualify. Expansion of academic facilities to accommodate a 5% increase in enrollment also could qualify. Naturally, the establishment of a new school within a university fulfills the requirements for two-thirds support.

To prevent curtailment of enrollments

Other projects can qualify for 50% grants if the new construction or remodeling will *prevent curtailment* of enrollment or quality of training. All projects for schools of public health are eligible for support up to 75%.

All awards are made directly to the institutional applicant. There is no requirement regarding geographic distribution of these funds, nor is there a state allotment limit. Grants are evaluated in terms of the public interest, nationally and regionally. The need certainly isn't going to lessen in the face of Medicare. In fact, federal support must be expanded in order to provide facilities to educate health professionals.

Other assistance

The Allied Health Professions Training Act, passed in the closing hours of the 89th Congress, provides over $60 million during the next three years for grants to support construction and improvement of new facilities. Attention will be given to more adequate facilities for the education and training of a wide range of health professional and technical occupations at the bachelor's and associate degree levels.

Grants under this new program run as high as two-thirds of the cost of new construction. If other federal aid is involved, however, the grant under this program will be limited to 50%. The prime requisite is that the grant must provide a major expansion of the training center. The improvement grants fall into two categories: basic and special. In each case the level of eligibility is based on the number of additional students to be served. *Contacts should be directed to Chief, Division of Hospital and Medical Facilities, U.S. Public Health Service, 7915 Eastern Avenue, Silver Spring, Md.*

Construction if necessary

In the health field, colleges and universities can participate in numerous programs which include construction of new facilities. Many of these involve research treatment and education. Any college interested in becoming involved in a regional medical center, community mental health center or similar project should *direct a preliminary inquiry to the Division of Research Grants, National Institutes of Health, Bethesda, Md., 20014.*

Almost all major research programs provide for construction of facilities necessary to carry out the project. Obviously construction is only authorized for relatively long-range activities and only for the research facilities. Such facilities, can, however, be useful for instruction-related research activities.

In this area, university officials should first decide on the field of research interest and then contact the appropriate federal agency. *The departments of Interior, Agriculture, Defense, and Health, Education and Welfare administer programs providing for research facilities construction. Similar support is available from the National Science Foundation, the Atomic Energy Commission, and other independent agencies.*

CHAPTER X. FACILITIES FOR COLLEGE HOUSING

Recognizing the continuing increase in college enrollment, Congress extended the college housing loan program through 1968. The Housing and Home Finance Agency, through the Community Facilities Administration, is authorized to provide loans totaling $300 million annually, at a low interest rate of 3%.

Under authority of Title IV of the Housing Act of 1950, loans amounting to over $3 billion have been approved for college dormitories, married-student and faculty housing, dining halls, college union buildings and housing for student nurses, interns and residents.

Two-year colleges now eligible

All public and private nonprofit colleges and universities which award a bachelor's degree are eligible to participate in the program. Two-year colleges which provide a curriculum accredited toward a degree, or are in the process of attaining that objective, are eligible. Public post-secondary vocational schools and technical institutes, which are administered by accredited colleges or universities, may also qualify.

Public and private nonprofit hospitals are eligible if they operate a state-approved school of nursing. Hospitals which have been approved for post-doctoral intern or resident programs are also eligible. Theological schools, seminaries and other institutions for religious training are, however, excluded from this program.

Government purchases your bonds

Loans are made through government purchase of bonds issued by the college to finance the proposed project. The bonds are prepared as soon as the final plans for the project have been completed. The bond issue is then publicly advertised and HHFA will purchase only those issues, or parts of issues, for which an equal or better bid is not received by a private bidder. The regulations covering this program are intended to make the bonds acceptable to the private financial market.

The type of security provided by the bond indenture will depend to some degree on individual circumstances. The basic security for each loan is, however, the pledge of project revenues and mortgages of the project itself. Viewing the types of projects which are eligible for assistance, it will be noted that they are all revenue producing and should be planned as sound business ventures. Whereas such activities are not generally intended to show a profit, they should not require a subsidy to cover operating expenses and debt repayment.

Assume as much of cost as you can

Colleges may obtain 100% financing of a housing facility for a term up to 50 years. The amount and term of the loan is based on need and ability to repay from revenues generated by the facility. Colleges are urged to assume as much of the total cost of construction as possible from available resources. In some cases financial participation by applicants is required to make a loan feasible.

In order to provide the widest effective distribution of funds, the Community Facilities Administration (CFA) is authorized to limit the amount of loans to a single institution during any one year. Consult the nearest regional office of the Housing and Home Finance Agency (HHFA) to determine what maximum limits, if any, are currently being observed.

CFA evaluates the need for proposed housing on the basis of current full-time student enrollment and faculty. Eligible projects can include new housing, expansion or remodeling of existing facilities, and related service facilities such as dining halls, infirmaries and college unions.

Loans cannot be made for construction of classrooms, laboratories, libraries, chapels, auditoriums, gyms or administrative offices. If an eligible project includes such a facility, the college must provide the total amount of funds required for the ineligible portion of the approved project.

The types of expenditure permitted for an eligible project are complete and well defined. Preliminary expenses incurred in developing and planning the project are allowable. Land and right-of-way may be included only if it is necessary to purchase a suitable site for the project. Architectural, legal and administrative fees covering services necessary to the project must be approved in advance by CFA. Costs of basic construction, site improvement and fixed equipment are allowed in full.

You should be especially aware of the "fixed equipment" item. According to CFA regulations, fixed equipment must be permanently built into the structure. Boilers, plumbing equipment, central air-conditioning, etc. are obviously allowed under the regulations. But, so are built-in kitchens, chests, beds and wardrobes, communications systems, and numerous other "furnishings" which are not readily removable from the premises. Individual pieces of furniture are not allowed as part of the construction cost.

Taking the first step

The first step to be taken by college officials is completion of the preliminary application (CFA Form 501). This preliminary application includes a general description of the project, evidence of the need for the proposed facilities and details of the applicant's eligibility. At the time this form is submitted, or before, CFA field personnel will arrange a meeting with college officials to explain the details and requirements of the program. This meeting is normally held at the regional HHFA office nearest the college.

If the preliminary application is satisfactory, funds are reserved for 90 days (120 days for college union projects) pending submission of the final application accompanied by engineering, financial and legal data. At the same time the college must provide a construction schedule, the architect's preliminary plans and outline specifications. This final application is reviewed and subject to approval by the regional HHFA office. Upon approval, a formal loan agreement is executed between the college and HHFA.

Submit plans, then advertise

The college is required to submit all construction plans, proposed contract documents, and cost estimates to the regional office. Before the college can advertise for competitive bids, all preliminary work must be reviewed and approved by CFA to assure conformity with existing law and terms of the loan agreement.

Expenses incurred during construction are financed with the college's own funds, by short-term loans based on the HHFA commitment, or by advances from the government. These short-term obligations are satisfied with the proceeds of the bond issue when the project is finally completed, approved and accepted.

[From School Management, December 1966]

A SCHOOLMAN'S GUIDE TO FEDERAL AID—PART IV

PART 1. COMPENSATORY EDUCATION

Compensatory Education is a fancy term for a very simple and sensible idea: Helping children who need help most. This first section of A schoolman's guide to federal aid—Part IV *tells how Congress has changed significant legislation affecting compensatory education—Title I, ESEA, Title VI, ESEA and the Economic Opportunity Act programs, Head Start and the National Teachers Corps.*

Title I, ESEA

Title I of ESEA—the "poverty" title—is in its second year as the major source of federal aid for most local school districts.

After the Senate came out so strongly for a new formula for allocating dollars this year, based on a $3,000 income level (instead of the $2,000 level used last year), many observers were disappointed when the final compromise didn't call for any increase at all.

But this was hardly a defeat in view of the significant amendments that will become effective *next* year.

It seems appropriate to consider Title I, in this report, from two viewpoints: how it will work this year and how it will work during the 1967–68 school year. At least local school administrators *can* plan for next year with some degree of certainty—which is more than they could do until October 20th of this year.

How It Works This Year

Perhaps Congress should have paid more attention to the remarks President Johnson aimed at schoolmen when he signed the appropriations for ESEA in September, 1965: "Open your schools to the promise of these new programs. I hope that not a single day will be lost. For in education, the time we waste today can mean a life wasted tomorrow."

Generally speaking, local districts have been most anxious to open their schools to the promise of these new programs. But schools open right after Labor Day and, this year, Congress didn't promise any money for these new programs until more than *six weeks* later. Scores of school supporters implored Congress, during hearings last winter, to provide some early assurances which would enable realistic advance planning. But this problem still remains, it will remain until many strong voices speak out and it must be considered in any discussion of how Title I will operate.

Many local school districts will derive *greater* support from Title I funds this year, even though the basic formula remains the same. The low-income factor for 1966–67 is still $2,000. Eligibility is still primarily based on the number of children, from five to 17 years of age, in low-income families (*see "A schoolman's guide to federal aid—Part II," SM December '65, p. 103*). The 1960 census is still the fundamental basis for determining eligibility.

So who gets more money . . . and for what? To answer this question let's look at the record of changes Congress has made in Title I.

More recent statistics. 1966 amendments provide that the *most recent* statistics be used in counting eligible children from families drawing Assistance for Dependent Children, instead of the 1960 census figures used last year.

Expanded eligibility. In addition, grants will be based on eligibility of children of migratory workers; children in foster homes under the jurisdiction of public agencies; dependent and neglected children, ages 5–17, in public institutions; and adjudicated juvenile delinquents, ages 5–17, in training schools or detention homes.

Generally, local administrators won't have to be concerned with counting the number of children thus added to the "eligible" category. This falls to state officials, who will make the claims and be responsible for allocating allotments to the appropriate educational agencies—i.e., to local school districts or other public agencies. Local districts won't share equally in this increased coverage under Title I, but some inequities will be corrected.

No incentive grants. One provision of Title I (by which many local districts had planned to derive added support this year was repealed. There won't be any incentive grants. It is interesting to note that the amount of money originally estimated for incentive grants is almost precisely the amount required to extend coverage for the additional categories of educationally deprived children mentioned above.

Reduced eligibility requirements. Another change in Title I enables some local districts to receive support for the first time this year. Eligibility will henceforth be based on at least 10 children from low-income families. The previous requirement—you needed at least 100 eligible children to qualify for participation—has been rescinded.

Funding limitations. As now amended, Title I funding may not account for more than 50% of the local district's total budget . . . regardless of entitlement. Until a district has completed its final budget projections, the USOE will release only an amount equal to 40% of the budget estimate. The balance will be allotted after the final budget has been approved. This new provision under Title I compares with a 30% limitation last year.

Cooperative projects. Congress has also given some direction to project *planning* by requiring that a minimum of $2,500 be expended on any single project. The intent of this directive is to encourage smaller districts to cooperate with each other in joint ventures which, hopefully, will be more effective than many small district projects were last year. However, the state agency is given the freedom to approve projects under the $2,500 minimum—*if* it can ascertain that joint effort is not feasible.

Better planning. In addition, Title I was amended to permit local officials to spend at least $2,000 in planning for new programs or construction. Specifically, this planning allowance is set at 1% of the district's allocation, or $2,000—whichever is greater. However, school administrators are cautioned not to expect much added support in the way of construction funds.

Construction will still be permitted under Title I only when necessary to implement a high priority project. And, the outlook for a school construction bill next year is indeed bleak, in view of, among other things, expected increases in spending for Vietnam.

Even in view of the various restrictions on Title I spending, the program has been considerably broadened in scope and coverage, and regulations will, of necessity, have to be liberalized. The USOE's Division of Compensatory Education (formerly Program Operations) is still sorely understaffed and without resources to adequately assist state and local officials. Proposals to provide for adequate evaluation of local projects and dissemination of information have been stifled by lack of funds. Perhaps this situation will be relieved by Congress' action in authorizing $1.5 million for dissemination of ESEA information. Time will tell.

To date, only $1.342 billion has been appropriated to fund the *entire* ESEA program during the current fiscal year. This amount is slightly less than the estimated requirement for Title I *alone*. Thus it may be expected that one of the first orders of business for the new 90th Congress will be appropriation of approximately $500 million more for ESEA. The ease or difficulty with which such appropriations clear Congress will be one of the first indications as to what can be expected from the solons elected on November 8th.

The question teases: Will the 90th Congress match the record of the fighting 89th?

Planning Current Projects

Considering the availability of funds, local districts can plan Title I programs—for the balance of the regular school year—with a fair degree of assurance. Of course, if Congress should fail to appropriate additional money after the first of the year, all local allotments will be sizeably reduced. But there is no indication, now, that such a catastrophe is to be expected.

Generally speaking, the biggest problem facing local districts is developing and implementing Title I programs that include more than one project. And, for the most part, local programs *should* encompass various projects in some order of priority.

No one doubts that all Title I money will be used this year. The big question is: How can we achieve *more effective utilization of funds* than was the case last year?

Local districts are well advised to identify the needs of educationally deprived children *more specifically* this year. Title I coordinators are cautioned not to propose broad-based projects, which are tantamount to general aid for all students. Cursory evaluation of Title I activities last year indicated that over 20 million children were served—compared to a five million target group. And there is good reason to believe that a substantial number of the target group *weren't* served!

State agencies are being directed by the USOE to scrutinize local project proposals more carefully. USOE has arranged for computer evaluation of all projects forwarded to Washington by the states. Key factors will be scanned and, where there is evidence of some deviation from the program guidelines, the state agencies will be called to account.

Now, this doesn't mean that local projects must be entirely limited in coverage to educationally deprived children from low-income families or to the other categories on which eligibility is based. It does mean, however, that local projects should obviously serve—as was emphasized time and again last year—*high concentrations* of such children. Benefits derived by other children should be incidental.

With the exception of closer control, Title I will follow essentially the same guidelines this year as last year. Funding will be substantially at the same level. Determination of eligibility is slightly broadened. But, for most local districts, it will be business as usual.

Local districts will still deal through their state agencies under Title I. However, if there is need to clarify federal regulations or guidelines regarding project and program implementation, it is suggested that local officials contact:

The Division of Compensatory Education, Bureau of Elementary and Secondary Education, U.S. Office of Education, DHEW, 400 Maryland Avenue, S.W., Washington, D.C.

USOE now has a moderately staffed Title I field services branch operating out of Washington, primarily for the purpose of helping state agencies. Nine regional offices have also been established in major cities across the nation. Each of these offices is headed by a "regional assistant commissioner," who is assisted by specialists in various program areas.

Region 1: John Fitzgerald Kennedy Building, Boston, Mass.
(617) 223–6896

Region 2: Rm. 1200, 42 Broadway, New York, N.Y.
(212) 264–4035

Region 3: 220 Seventh St., N.E., Charlottesville, Va.
(703) 296–1275

Region 4: Rm. 404, 50 Seventh St., N.E., Atlanta, Ga.
(404) 526–5087

Region 5: Rm. 712, New Post Office Building, 432 Van Buren St., Chicago, Ill.
(312) 828–5215

Region 6: 601 E. 12 St., Kansas City, Mo.
(816) 274–3137

Region 7: 114 Commerce St., Dallas, Texas
(214) 749–2635

Region 8: 9017 Federal Office Building, 19th and Stout St., Denver, Colo.
(303) 297–3544

Region 9: Federal Office Building, 50 Fulton St., San Francisco, Calif.
(415) 556–4781

Plan Ahead for Boom in 1967

ESEA will truly come of age next year. It is estimated that Title I entitlements will increase from $1.4 billion to $2.3 billion during fiscal year 1968 (school year 1967–68). *Almost every state will realize an increase approaching 50% and some states will find their Title I funding more than doubled.*

This increase results from two major amendments to Title I.

First, the low-income factor will be raised to $3,000 starting next year.

Second, local districts will have the options of calculating eligibility on the basis of either the state average per pupil cost or . . . *the national average.* Thus, in those states where the cost of education is *below* the national average, local districts can take the option and derive a substantially greater share of Title I funds.

An example of the projected increases in Title I support is indicated by the estimates for three states which will each receive approximately the same aid during the current year: $21 million. Next year (1967-68), Maryland will receive less than $6 million more for Title I. Wisconsin, however, will receive over *$11* million more. And Arkansas will find its Title I grants up by over *$30* million.

At first glance, it might appear that the educationally deprived children from low-income families in Maryland are being penalized. Not so. The average per pupil cost of education is *already* substantially higher in Maryland than in Arkansas.

It is the intent of Congress to provide help where the need is greatest.

This new provision of Title I permitting calculation of grant entitlement on the basis of national average costs was a hard-fought battle in Congress. Apparently, this single amendment is the price paid for holding off on the increase in the low-income factor until next year. The significance is great: Now that the option is on the books, the wide disparity in the cost of education among various states should slowly narrow.

With the knowledge of what's to come next year, fiscally, local districts can plan for next year with relative certainty. Up to 1% of this year's grant, or $2,000, can be directed to future planning. Thus, with enough time and some money to do the job, local officials should be able to develop truly exemplary projects for the 1967-63 school year.

In making plans, take special note of the fact that, in 1967–68, the *location of high concentrations of low-income families may be different.* With the inclusion of children from families with incomes between $2,000 and $3,000, target areas will probably broaden.

Taking these additional students into account—and also additional students qualifying under expanded eligibility—may very well change the relative priority of your proposed projects. So don't count on having additional funds available for the purpose of following through with plans made last and this year. Next year, it's likely that a *new* course of action must be developed. If it happens to agree with your original forecast, so much the better.

Education of Indian Children

There are straws in the wind that indicate that the Bureau of Indian Affairs of the Department of the Interior may be going out of the education business. Title I of ESEA has already been amended to provide for direct grants to aid Indian children attending federally operated schools. Congress, in so doing, directed the Bureau of Indian Affairs to carefully evaluate its educational activities.

Local districts may well be faced, in the not-too-distant future, with the need to integrate some Indian schools into their systems. This won't be a crash program, however, and it is not expected that local districts will be faced with a hardship, if and when it happens. Chances are good that jurisdiction over Indian schools will first be transferred to USOE. After that, attempts will be made to place these schools under local jurisdiction, with adequate federal aid to relieve the burden.

To relieve any local concern in such an event, local districts can point to the fact that any Indian children involved will be eligible for support under P.L. 874 and P.L. 815—school aid to federally affected areas. They will also qualify for additional entitlement under ESEA and "integration" of students can be eased somewhat with assistance under Title IV of the Civil Rights Act.

Title VI, ESEA

One of the most significant provisions of the ESEA amendments of 1966 applies to the education of handicapped children and the creation of a Bureau for Education and Training of the Handicapped in the USOE.

Of principal importance to local districts is the authorization of $200 million, during the next two years, for grants to the states for education of the handicapped. During the current year, $50 million will be allotted to the states in proportion to the number of children ages 3–21. One reason for the small initial authorization is that state agencies must prepare a state plan, prior to seeking grants.

The state plan must provide for initiating, expanding or improving special education programs for handicapped children. By definition, "handicapped children" includes children who are: mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, emotionally disturbed, crippled or health impaired in some other way.

This new program is identified as Title VI of ESEA. There is, however, no change in the intent of Title I—i.e., that handicapped children should benefit from Title I projects. Handicapped children are not counted, as such, in determining Title I eligibility but Title I projects *are* supposed to provide for them.

Title VI provides an added allowance of $75,000, or 5% of the total state allotment, for administration of the handicapped programs at the state level. It is apparent that local school officials should be aware of progress being made in development of the state plan, to protect their own interests.

How it's portioned out—$3,200,000,000

Congress has authorized $3.2 billion to be spent for elementary-secondary education in the fiscal year 1967. The chart below shows how this amount breaks down under the major legislation.

Note that $3.2 billion is the amount authorized; considerably less was appropriated initially. But the chances are that the full amount will be made available . . . and then some.

Elementary and Secondary Education Act	
Title I (estimated need)	$1,450,000,000
Title II	128,750,000
Title III	180,250,000
Title IV	80,000,000
Title V	30,000,000
Title VI*	51,500,000
School assistance in federally affected areas	
Public Law 874	432,000,000
Public Law 815	58,000,000
Adult Education Act	40,000,000
National Teacher Corps	7,500,000
Vocational Education Act	225,000,000
NDEA title III	90,000,000
Operation Headstart	352,000,000
Library Services and Construction Act	75,000,000

*New this year.

Title VI funds can be used for all expenses related to the education of handicapped children, including acquisition of special equipment and, where necessary, construction of additional school facilities. It is expected that many local districts will seek immediate support for remodelling existing facilities.

Considering the level of funding and the time required to develop state plans, it is expected that relatively few new programs will be initiated during the first year. Emphasis will be on expansion and improvement of existing programs and planning for 1967–68. By that time, the USOE will have been reorganized to provide better coordination of all programs related to education of the handicapped.

Prior to July 1, 1967, the Bureau for Education and Training of the Handicapped will be organized in the USOE. In all probability, this new operating bureau will replace the staff function now provided by the existing Office of Disadvantaged and Handicapped. In the language of the Act, the new bureau will direct "programs and projects related to the education and training of the handicapped including programs and projects for the training of teachers of the handicapped and for research in such education and training."

Administration spokesmen were opposed to this provision of the new Title VI. They resented the fact that Congress saw fit to get involved in the organization of the Department of Health, Education and Welfare (HEW). Senator Wayne Morse (D-Ore.) called particular attention to this situation on the floor of the Senate:

"It happens to be the responsibility of Congress, under our Constitution, to pass legislation providing for the make-up of the agencies, the procedures they are to follow and the divisions and bureaus that are to be established therein. If the President doesn't like our legislation, he can veto it."

Of course, Senator Morse was correct. And the President didn't veto the legislation. But the situation does indicate the complexity of the bureaucracy charged with operating federal aid to education.

Headstart

One of the most popular programs initiated under the Economic Opportunity Act has been Operation Head Start, serving preschool children. Congress has authorized continuation and expansion of Head Start during the current year. But the picture isn't all sunshine and light. There have been significant and substantial conflicts between local community action programs and local school officials regarding this program.

Operation Head Start is primarily intended to serve five- and six-year-old preschool children from poverty-stricken families; i.e., families with incomes of less than $3,000 per year. There is no hard and fast rule as to activities and schedules of individual projects. Among activities which have been scheduled during the past two years are: introduction to coloring and picture books; exposure to educational toys and just plain "toy" toys; field trips; supervised play periods with other children; group singing and dancing; and general physical check-ups.

Many school officials say they should have complete jurisdiction over Head Start programs, since this is an educational activity. In most instances, Head Start projects do involve school personnel and facilities. There have been cases, however, where, for one reason or another, such projects have been operated entirely outside of local schools.

During the coming year, it is estimated that some 800,000 preschool children will participate in Head Start projects, two-thirds of them in eight-week summer sessions. The increased emphasis on year-round projects comes into direct conflict with provisions of Title I, ESEA, which also authorizes special projects for five-year-old preschool students (normally kindergarten age).

Of course, Title I regulations require cooperation with local OEO–CAP groups in planning programs. But the basic problem of fundamental responsibility for education of preschool students remains unresolved. Congressional spokesmen indicate that, next year, *Head Start will be transferred from OEO to USOE* and the matter will be settled. They point to the transfer of the work-study program in 1965 and the adult basic education program this year as significant precedents.

With this in mind, local districts that have not been involved too extensively in Head Start had better take some precautionary steps. Considering Title I of ESEA and its five-year-old program level, the three-year-old level under Title VI for handicapped children and Head Start's preschool group, *school enrollment could well experience an increase of 10% or more in some districts.*

For the present, inquiries regarding Head Start should be directed through the local Community Action Program group. If, for some reason, no local CAP organization is active in your community, contact can be made with the regional office of the Office of Economic Opportunity or with Operation Head Start, Office of Economic Opportunity, Washington, D.C.

It's too late to apply for support of year-round projects during the current school year but applications are being processed for 1967 summer programs and plans can be made, now, for year-round projects during 1967–68. Even if Head Start is eventually transferred to the USOE, OEO actions or recommendations will doubtless be honored.

Funding for Operation Head Start is currently authorized under Title II of the Economic Opportunity Act. For the current year, $352 million has been earmarked for this preschool program. This is substantially less than recommended by the Senate committee but it will permit continuation of Head Start activities at the same level, with possible expansion, as last year.

These funds are not allocated by state or school district. Individual projects are approved and funded on their own merit.

Teacher Corps

It is difficult to determine, at this early date, whether the National Teacher Corps will be primarily a training program for teachers or a program to support compensatory education for economically disadvantaged children. One thing is sure: The Corps, pronounced dead by many earlier this year, is off and running, after all, with $7.5 million appropriated during the closing hours of the 89th Congress.

Even though it hadn't officially commenced activity in the field as of October 31, the Corps had already gathered enough newspaper clippings to publish a 100-page book acclaiming its reception across the country. If nothing else happens, it is safe to say that the Teacher Corps will be one of the most publicized of the new aid-to-education programs. But, educational results are expected, too.

The 1,300 Teacher Corps volunteers now on duty have already evidenced their dedication by devoting an average of 12 hours daily, six days a week, as unpaid "observers" since school started in September. The recent appropriation of $7.5 million will, however, provide them with salaries for the balance of the current school year. (But this is a two-year program and funds have yet to be appropriated for expenses beyond June, 1967.)

Some 13,000 applicants sought the 1,600 spaces available for preservice training last summer. Of the 1,600 experienced teachers and new college graduates who completed preservice training, only 15% left when no funds were available to start paying their salaries in September. The remaining 1,300 Corps members accepted the risk and traveled to their assignments . . . at their own expense.

Now they are working in teams headed by a veteran teacher and including three to five interns. Three-quarters of these interns graduated from college with a major in some field other than education. By arrangement with 51 colleges and universities, these interns will continue their academic programs for the next two years, earning graduate degrees in education.

The Teacher Corps teams have been assigned to over 500 local school districts in 41 states. In every instance, *they are under jurisdiction of local school officials* and they are paid at the lowest prevailing salary scale. In some cases the teams have even been assigned to cover several one-room school systems, riding circuit from one to another or rotating assignments among the group.

Depending on their accomplishments this year, and the outlook is bright, local officials may find that the Teacher Corps is one excellent way of helping to 1) meet the teacher shortage, and 2) meet the special needs of deprived children. Corps members are only assigned to schools with high concentrations of children from low-income families. Their basic contract calls for two years of service. Their salaries are paid by local districts, with the funds provided by the Corps. Thus it is one of the *cheapest* ways of meeting the teacher shortage.

Of more than passing interest is the fact that the corps plans to place increased emphasis on recruiting interns with degrees in fields other than education. The reason is very simple: Education majors tend to enter teaching anyway and the objective is to create *more* qualified teachers.

In planning for projects under Title I of ESEA to be implemented next year, consider the Teacher Corps resources.

Preliminary inquiries can be directed to: The National Teacher Corps, Bureau of Elementary and Secondary Education, U.S. Office of Education, DHEW, 400 Maryland Avenue, S.W., Washington, D.C.

PART 2. EDUCATIONAL RESOURCES

Virtually all federal aid for specific programs provides for the acquisition of materials and equipment. A large share of ESEA, Title I funds—a disproportionately large share, some say—has been directed to the purchase of equipment, materials and supplies. But even before this source of funds became available, the National Defense Education Act was channeling funds into local districts to support equipment purchases. NDEA is still a major source of support for local districts. Part 2 of this report brings you up to date on all major sources of aid for resource materials and equipment.

Title II, ESEA

The greatest support for acquisition of new educational resources is being generated by Title II of ESEA. During the current year, $128.75 million will be allocated to the states for the purchase of textbooks, reference works and other published materials, including various audiovisual materials. Congress authorized a 25% increase in Title II funding this year but also provided stricter control for state plans.

A total of $125 million will be distributed to the states, in proportion to enrollment in public and private elementary and secondary schools in the state. The balance of $3.75 million will be allocated to outlying areas and for schools operated by the Departments of Interior and Defense. These funds are intended to finance purchase or other acquisition of library resources for use by pupils and teachers. There is no direct allocation to local school districts. Local districts may, however, be designated as depositories for such library resources, according to the state plan.

After a year's experience, state agencies are now being required to set forth more specific criteria for the purchase and allocation of library resources acquired with Title II funds. There have been charges that Title II programs suffered from inadequate planning and control last year. As a point of fact, some plans were approved by committees to which *no library specialist had been appointed.* It is also true the USOE's organizational structure and staff have provided little coordination in this area.

Perhaps this condition will improve as a result of the new provision in Title II which calls for appropriate coordination at state and local levels between Title II programs and activities being carried out under the Library Services and Construction Act. This directive is long overdue. Such coordination was recommended in SM's first "Schoolman's guide to federal aid—Part I" (*See SM June, '65*).

LSCA

No one can challenge the fact that students are residents of the community. Nor is there any doubt that public libraries are intended to serve all residents of the community. Thus, public libraries should serve students. Simple?

Yes, it *is* simple. Yet, for some reason, there has long been an attitude that school and public library functions are so different that never the twain should meet. Now, Congress has directed closer coordination.

Recent amendment of Public Law 88–269, the Library Services and Construction Act (LSCA), provides authorization for the expenditure of $275 million during the next five years for extending local library services—in accordance with *state* plans.

A total of $35 million will be available for matching grants to the states this year.

In addition, $300 million has been authorized over the next five years for library construction. Of this amount, $40 million has been authorized for matching construction grants during the current year.

In many states, master plans governing Title II of ESEA and LSCA are developed by the *same* agency, if not the same individuals. Unfortunately, local school districts usually have no direct influence on these plans but *must* abide by the results.

Between the two programs, over $200 million is available for school and library materials, services and construction. Considering the dearth of library resources, it is critically important that there be no duplication of effort—but instead the closest possible coordination and cooperation. Local pressure at the state level can do no harm, could do much good.

NDEA

The eight-year-old NDEA equipment grant program is still going strong with an authorization of $90 million for the current year. Actually, NDEA will, as usual, generate acquisition of a far greater amount in actual equipment purchases—as a result of the matching funds requirements. This requirement has restricted some districts from participating . . . but NDEA funds haven't gone begging.

There was a move, earlier this year, to cut NDEA funding on the premise that ESEA could now fill the need. The assumption was, of course incorrect, and the program remains in force. Actually, the more affluent local districts, with little ESEA entitlement are deriving more support from NDEA than was previously possible. As the poorer districts pass up matching grants, more funds become available to districts that can afford matching dollars.

Title III of NDEA has been one of the most effective federal-state-local matching grant programs. Allotments are made to the states on the basis of school-age population and average income. Local districts can obtain assistance for acqusition of laboratory equipment, AV materials and equipment, and certain published materials, as well as test grading equipment. NDEA matching grants cannot be used for the purchase of consumable supplies or textbooks. But the cost of minor remodeling, incidental to use of approved equipment purchases, can be defrayed.

It is apparent that there will be repeated efforts to cut funding authorizations for Title III of NDEA, especially as funding of Title I of ESEA increases. But leaders of both Congressional committees concerned with this legislation are quick to emphasize that NDEA and ESEA aren't concerned with the same objectives. Until there is a general aid-to-education measure, which provides adequate support for all schools, NDEA grants will doubtless continue to provide local districts with assistance in equipment acquisition.

ETV

Matching grants for modification, acquisition or construction of educational television broadcasting facilities have dried up.

The $32 million authorized under P.L. 87-447, the Federal Communications Act, has been disbursed or obligated to cover applications already received by the ETV Branch of the Bureau of Adult and Vocational Education (USOE).

This doesn't mean an end to federal support for ETV facilities. On the contrary, activity under this program has been so heavy, during the past couple of years, that an expanded ETV facilities act is expected to pass Congress next year.

Under the circumstances, local districts are urged to *file new applications under the existing program as evidence of interest and intention.* In so doing, applicants will still have to be guided by the one million dollar state grant limit and the 50% matching funds requirement.

But there is every indication that the new ETV Facilities Act will include more liberal matching funds provisions and will authorize sufficient money to substantially increase the state grant limit. Testimony already presented to Congress has called for a 75% federal share of new construction and an initial authorization of $100 million to fill the immediate need.

One possible alternative, if you want help for ETV now, is to apply for support under Title III of ESEA. ETV certainly qualifies as a supplementary education service. Another alternative: seek a cooperative effort with an adjacent college, which can obtain funds for limited closed-circuit ETV under the Higher Education Act.

Curriculum

Virtually every federal agency has developed information and/or education programs that explain (or "publicize") their function. This is often excellent curriculum material. Obvious sources of such programs: the Departments of Agriculture, Interior, Commerce and Labor as well as the Atomic Energy Commission the National Aeronautics and Space Administration and the National Institutes of Health.

Any attempt to list all of the available programs and services would fall far short of the mark. Why not simply pick any subject for which you or your staff would like special curriculum material and contact the appropriate federal department or agency. Inquiries directed to the "Information Officer" in care of the agency in Washington, D.C., will be channeled to the proper office and will reduce delay.

Surplus equipment

As in the past, a frequently overlooked source of equipment and materials for educational purposes will again be provided under the Federal Property and Administrative Services Act. A fantastic array of government surplus equipment is distributed by regional representatives of the Surplus Property Utilization Division of the Department of Health, Education and Welfare.

For the most part, this surplus property can best be used to support school science programs or vocational education activities. Surplus items can be selected at distribution centers maintained by appropriate state agencies. This surplus material is available only to public agencies for educational, health and civil defense purposes.

HEW's Division of Surplus Property Utilization has often emphasized the benefits that this program can afford school science programs. Special attention has been drawn, for example, to the cost of many of the components used in high school science projects. Many of the needed components can be found in surplus or damaged government equipment. Sometimes, an obsolete government assembly will include parts that a school could never afford to buy on the open market. Through the surplus property program, however, these parts may be obtained—*without* cost.

Surplus shop equipment and machinery can be obtained for trade and vocational programs. Complete wood-working and metal-working shops have been equipped by some schools with surplus materials. Printing equipment and automotive materials have also found their way into surplus property distribution centers.

If your school district hasn't designated a representative to keep track of this resource, the time to do it is now. If you don't know who to contact at the state level, direct an inquiry to the Division of Surplus Property Utilization, DHEW, Washington, D.C. They will send you a list of state representatives and regional distribution centers, along with instructions for getting on the surplus property mailing list.

PART 3. IMPACTED AREA AID

After the events of the past year, no one can challenge the fact that Public Law 81-874 has become the cornerstone of general federal aid to education.

Just to clarify the situation, the original P.L. 81-874, now Title I, provides school assistance in federally affected area (SAFA), Title II of P.L. 81-874 is actually the Elementary and Secondary Education Act of 1965.

There are those in government who were of the opinion that ESEA would supplant the need for SAFA. But they learned otherwise, as the record shows.

SAFA

In January, efforts were made to reduce SAFA payments on the premise that all local school districts should assume partial responsibility for the education of students from federally connected families. The recommended level of support for SAFA payments to local school districts was severely slashed.

And then the battle started.

In the end, SAFA advocates won. Congress authorized an increase in SAFA funding—to $432 million. In addition, eligibility requirements were liberalized, rather than restricted. Now, any school district with as many as 400 federally connected pupils—regardless of the percentage of total enrollment—will be eligible for apply to SAFA aid. This new provision benefits larger school districts. Smaller districts are still guided by the 10-pupil minimum and 3% factor. (*See "A schoolman's guide to federal aid—Part I," SM June '65, page 108.*)

Thus over 4,000 local school districts will continue to receive payments, ranging from $1,000 to over $1 million annually. A few districts are eligible for the first time this year as a result of the liberalized eligibility requirements. The *amount* for which a single district is eligible this year varies from last year, however, due to the mobility of federal employees.

Amendment of P.L. 81-874 also provides some small variation in calculating the local contribution rate, *starting next year.* The new provision provides for a system of grouping generally comparable districts within the state, so that the local contribution rate of each district within the group will be the average per pupil expenditure of the entire group. The local contribution rate must still be as high as one-half the state or national per pupil cost. It is expected that local contribution rates will average almost $300 during the next two years.

The full contribution rate will continue to be paid for pupils who reside on federal property and whose parents are employed on federal property. *Both* conditions must be met to qualify for the full contribution rate.

One-half of the contribution rate will be paid when only one of the conditions obtains—i.e., when either pupils reside on federal property or parents are employed on federal property. In this category, local officials should include children of servicemen, regardless of where the child resides or where the serviceman-parent is assigned. This is a new provision.

Local districts across the country are now in the process of gathering information on which to base entitlement for SAFA. This preliminary survey is used to document the district's application for financial assistance for operating expenses during the current year. Form RSF-1 must be submitted to the Commissioner of Education by March 31.

Next spring, local districts must complete another survey and file a final report (Form RSF-3) no later than September 30. Both the application and final report are forwarded to Washington through the state department of education. The state agency serves as liaison and provides assistance in this program but all payments are made directly to the local school district by the government.

Provisions of SAFA designed to meet temporary conditions remain in force. A few school districts will be eligible for short-term aid, as a result of increased government activity not involving federal property. Other districts will benefit from gradually decreasing support, resulting from a sharp drop in eligibility, (when a federal installation is closed, for example). In addition, the Commissioner of Education has certain discretionary powers to counter conditions which otherwise defeat the intent of the law. If you feel there is a special condition which should qualify your district for SAFA support, contact the federally impacted area specialist in your state education agency.

Construction

In addition to furnishing assistance for operating expenses, SAFA is also in the construction business under authority of P.L. 81-815. Two school construction programs are authorized by P.L. 815. The first is directed to unhoused federally connected children. The second, initiated only last year, is directed to major disaster areas.

Regulations governing school construction for unhoused federally connected children remain unchanged, except for a requirement that special attention be directed to facilities for handicapped children. In the future, all construction plans involving P.L. 815 assistance must be accessible to, and usable by, handicapped children. *USOE will shortly announce regulations prescribing what constitutes such minimum school facilities.*

Eligibility is still based on an increase in federally affected pupils, as reflected by average daily attendance (ADA), of at least 20 in number and 5% of ADA. This increase must be calculated *after* the local district has absorbed the normal annual increase in ADA—currently set at 3.5%.

To be eligible for a SAFA construction grant, local districts must provide evidence that the required increase in federally connected ADA has occurred within a two-year period. Local officials may still take advantage of the overlapping two-year provision. Thus the current school year, 1966-67, may be coupled with last year or next year in supporting eligibility.

Categories of federally connected pupils are described in the same manner under P.L. 874 and P.L. 815. Construction grants are based on 95% federal contribution for students residing on federal property and whose parents are also employed on federal property. A 50% contribution rate is allowed for students who reside on federal property or whose parent is employed on federal property. Both categories of children can be counted in establishing the required 5% increase but the appropriate contribution rate is applied for the number in each category.

For information concerning possible eligibility for a SAFA construction grant, contact the impacted area specialist at your state education agency. A preliminary inquiry will bring a copy of the current regulations and instructions for filing Form RSF-2, application for a construction grant. This application is forwarded through the state education agency to USOE's Division of School Assistance in Federally Affected Areas. If approved, the construction grant is awarded directly to the local district.

Disaster

Late in 1965, Congress amended Public Laws 815 and 874 to provide emergency aid for schools damaged or destroyed by major disasters. This new program has already proven its worth in numerous school districts across the country—districts hit by flood, drought, fire, hurricane, earthquake and other catastrophes of sufficient magnitude to justify help from the federal government.

Fortunately, this program is unencumbered by complex formulas and involved procedures. There are three primary requirements that qualify a district for this disaster aid.

First, the governor of the state must certify the need for disaster assistance and pledge the expenditure of a reasonable amount of local and state funds.

Second, there must be proof of loss, in that school facilities have been so severely damaged as to require reconstruction or restoration.

Third, *application for school disaster aid must be filed within 90 days* of the date the area was designated as a disaster area.

Two forms or types of disaster aid are available:

1. Under amendment of P.L. 874, funds are available for school operating expenses and for the cost of replacing materials, equipment and supplies.

2. P.L. 815 was amended to provide grants for replacement or restoration of school buildings.

In both instances, it should be emphasized that local and state agencies are expected to contribute as much support as possible under the circumstances.

The local contribution is particularly important with respect to construction. Local districts certainly should have some insurance coverage, perhaps a depreciation reserve and possibly proceeds from a bond issue earmarked for construction, all of which can be directed at the replacement or restoration of facilities destroyed by natural disaster.

Even if such resources are available, however, the actual "cash" may not be obtainable on short notice. In this event, USOE will advance the funds to replace facilities, subject to repayment at a future date. There is no basic restriction on the amount of disaster aid which can be used for a single facility. But one thing is clear: Don't plan on building a country club school to replace a one-room schoolhouse. Moderation and reason must prevail.

As soon as an applicant school district's formal request for construction aid has been approved, USOE will advance 10% of the cost of construction. These funds are to defray construction plans and other preliminary activities. After the final plans and specifications have been approved, the balance of the funds is promptly paid.

The amount available for operation and acquisition of equipment, materials and supplies is also flexible. The need is established by negotiation between local, state and federal officials. The basic allowance is established for the year during which the disaster occurred. But *continuing support is available for the three succeeding years.* Three-fourths of the basic grant can be paid the second year; 50% the third year; and 25% the fourth year.

Continuation of this support, however, is *not* automatic. The need must be established during annual review of existing conditions.

Shared revenues

Virtually every taxing authority outside of the federal government is looking for more property to assess. If all federal property was assessed as private property and taxed accordingly, local tax rates could be sharply reduced in many communities. Obviously, this isn't going to happen. But the federal government has taken steps to reduce the impact of its vast holdings in certain areas.

The federal government controls approximately 800 million acres of land across the country, encompassing over 15,000 different properties. Most of this land is under the jurisdiction of the Bureau of Land Management in the Department of the Interior or the Department of Agriculture's Forest Service. Much of the federal property is leased to private interests for mining, grazing, timber, etc.

The federal government derives an income from this source. A major share of the net receipts are passed along to state and/or local governments. These payments are often referred to as "shared revenues," or payments in lieu of taxes. Over $100 million is distributed annually in this way.

When Congress authorized sharing this income with the states, it stipulated that such funds should be used for the purpose of improving roads and supporting public schools. The distribution formula varies from state to state, with schools generally receiving 25% to 75% of the total. In some states, the funds are channeled directly to local governments but, most often, the money is budgeted by the state. As a result, it is difficult to determine just how much benefit the local school district derives from this source of income.

Suffice to say that local schools don't receive as much support from shared revenue as they would if direct payments were made in lieu of taxes.

This situation will not change until local schoolmen insist *on it and make an issue of it.*

PART 4. SUPPLEMENTARY SERVICES

Title III of ESEA *provides the largest measure of support for supplementary services—$175 million has been authorized for the 50 states and the District of Columbia during the current year.*

Authorization for next year increases drastically—to $500 million. Technically, Title III is entitled "Supplementary Educational Centers and Services." But as currently being administered by USOE, Title III is referred to as PACE—Projects to Advance Creativity in Education.

PACE

As amended this year, the Title III authorization provides that every state shall be allotted a minimum of $200,000, with the balance distributed in proportion to 1) the total population, and 2) the school-age population.

Title III remains a federal-local grant program. Funds are not available to state agencies. Duly constituted intermediate school agencies, comprising more than one school district, can qualify for grants. In fact, *cooperative efforts will have a much better chance of gaining approval*—all other factors being equal.

The application and approval procedure under Title III also remains unchanged this year. Applications must be forwarded through the state agency to USOE. The state can recommend but cannot approve or disapprove. Various reviews of proposals follow that made by the state agency, but the Title III Advisory Committee makes the final funding determination, in consultation with the Commissioner of USOE (*see "Title III, ESEA—what you can learn from the first evaluation,'" SM Feb. '66*).

PACE is primarily concerned with problems of "national interest"—

Equalizing educational opportunities.
Planning for metropolitan areas.
Meeting the needs of rural communities.
Coordinating all community resources.

Emphasis will again be on innovation and demonstration of creative educational activities. Considering the level of funding under Title III, school officials are being discouraged from submitting proposals which require substantial equipment purchases or major construction activities. As funding authorization increases, however, projects involving capital expenditures will receive more liberal consideration. For the present, however, supplementary education centers (termed "educational service centers" by USOE) will exist in the figurative, rather than the literal, sense.

Support will be available for educational service centers, organizationally speaking, which facilitate *creative* educational *change.* Valid project areas again include: education manpower development, curriculum development and consultation, adult and vocational education, cultural enrichment and educational planning.

PACE guidelines stress joint funding with other ESEA programs, paying particular attention to the overlapping functions of research and development centers and regional laboratories funded under Title IV.

If you do end up attempting to obtain support under Title III for a PACE project, be certain to involve a *group* of persons, representative of various cultural and educational institutions in the area, in planning the project. Teachers and educational specialists should definitely participate. Advice and counsel should also be sought from the state school agency, local colleges, private schools, libraries, museums, ETV station, community health, welfare and character-building agencies, civic and professional associations, etc.

Preschool students draw special attention as a result of a recent amendment of Title III. Starting next year, USOE is directed to give special consideration to applications from local school districts that are *financially overburdened.* Emphasis is being placed on the needs of four- and five-year-olds in districts suffering from serious overcrowding. Apparently, Congress intends that part of the $500 million authorized under Title III for next year shall be used for construction purposes.

For Title III guidelines, regulations, preliminary evaluation, other information, contact:

PACE, Division of Plans and Supplementary Centers, Bureau of Elementary and Secondary Education, U.S. Office of Education, DHEW, 400 Maryland Ave., SW., Washington, D.C.

PART 5. EDUCATIONAL RESEARCH

If you're thinking *about seeking a research grant, here's your first step: Request a copy of instructions for preliminary draft proposals from the Bureau of Research, USOE. It is quite possible that certain projects can be considered for support under either Title III or Title IV of ESEA, or both, Title III is discussed above. Now let's look at Title IV of ESEA.*

Title IV, ESEA

USOE's Bureau of Research provides assistance for two basic types of research: project support and program support. The most readily identifiable is "project support"—support for a clearly delineated research activity directed to solving a particular problem. Financial support of such projects ends when the goal is achieved.

If, on the other hand, the general problem requires a concentration of professional resources over an *extended* period of time, "program support" may be possible. A second qualification for program support involves focus on a group of continuous research activities that can adapt to new situations.

The best opportunity for local public schools to break into the research field is through the relatively new "small grant cooperative research programs." Under this program, the new regional offices of USOE have authority to award grants of up to $10,000 for project support. (*For a list of these offices, see page 64.*) But make every effort to hold the request for support down to $7,500. Prior to establishment of the new regional authority, the small grant program was guided by the latter figure—and habits are hard to break.

If you want to embark on prolonged research that will require extended program support, it's a good idea to enter a cooperative effort with other educational institutions or agencies, such as local colleges. Another alternative: Seek assistance from other Title IV projects—regional research and development centers or educational laboratories.

The difference between R & D centers and the educational laboratories is fundamentally a matter of focus. The centers provide leadership in areas of particular educational problems. The laboratories direct their efforts to identifying, researching and implementing general educational improvements. These new service facilities are springing up all over the country as the most feasible means of providing for cooperative research activities.

Some specific areas for which research support is available this year are: education of the handicapped, the arts and humanities, curriculum development, educational media, vocational education and human resources.

PART 6. TEACHER TRAINING

Better teachers are an asset hard to measure in dollars. You can encourage and help your staff to take advantage of federally supported programs for advanced study. Not only are their expenses paid, but they are eligible to receive a modest stipend as well. The institute program is becoming so broad that teachers can almost select the part of the country where they'd like to spend the summer. There just aren't many more incentives that can be offered to encourage teachers to participate.

NDEA

By far the most extensive institute program is authorized by Title XI of the National Defense Education Act (NDEA), frequently amended to expand such activities. At present NDEA institutes are authorized for teachers of history, geography, economics, civics, English, reading, English as a foreign language, modern foreign languages, industrial arts and disadvantaged youth.

Title XI also provides institutes for school library personnel and AV specialists.

Title V of NDEA authorizes institutes for guidance counselors.

And, as a result of the International Education Act of 1966, NDEA is now amended to provide for Title XI institutes in international affairs for secondary school teachers.

Current bulletins regarding NDEA institutes may be obtained from the Division of Educational Personnel Training, Bureau of Elementary and Secondary Education, USOE, DHEW, Washington, D.C.

National Science Foundation

Paralleling the NDEA program are the National Science Foundation (NSF) institutes which include: anthropology, astronomy, general science, biological science, earth science, physical science, science and math, geography, mathematics, physics, psychology, radioactivity, nuclear science and sociology. (Both NDEA and NSF offer institutes in geography. The overlap of these two programs threatens to increase and there is some indication that they will be merged within the foreseeable future.)

Bulletins regarding NSF institutes may be obtained from the Division of Pre-college Education in Science, NSF, 1800 "G" Street, N.W., Washington, D.C.

NDEA and NSF institutes follow essentially the same operational pattern.

Summer session institutes are scheduled during six- to 12-week periods, with all costs underwritten by the sponsoring agency. Teaching personnel and educational specialists who want to attend an institute should *apply directly to the administering college*. If accepted, participants are eligible for weekly stipends of $75 and an allowance of $15 per week for each dependent.

Institutions of higher education that administer institutes are not required to offer graduate credit for the program. Furthermore, even if the college does offer graduate credit, participants are not obligated to enroll as graduate students. In other words, graduate credit is optional from both standpoints.

In addition to the summer sessions, some colleges operate institutes during the regular school year, either full time or part time. There are not as many opportunities for teachers to participate in this more limited program. For example, last summer there were 40 NDEA summer institutes for geography teachers but only one year-round institute is being operated during the current school year.

While local districts can't operate institutes, school officials *can* urge nearby colleges to arrange for special programs to meet area needs. Sometimes, part-time institutes can be scheduled along with district inservice training. Perhaps a fairly large school district has a particular problem which justifies a "private"—but federally supported—institute. Possibly, local officials may want something that hasn't been done before. But that doesn't mean it can't be done. There's only one way to find out. *Urge the cooperating college to apply for institute support.* An application can't be rejected until it's submitted.

Teacher Corps

In addition to subject-oriented institutes, there are various other teacher training programs directed specifically to the problems of teaching disadvantaged and handicapped youth.

The newest program is the National Teacher Corps. Activities to be undertaken by the Teacher Corps were covered previously in this report (in the discussion of compensatory education). But, as was noted there, the Teachers Corps is also a teacher *training* program.

To place this program in perspective, all teacher interns serving in the Teacher Corps are actually involved in a two-year academic program leading to a graduate degree in education. Teacher Corps teams are headed by experienced teachers who also supervise the inservice training of interns in the group.

Corps teams are assigned, at the invitation of local districts, to schools in areas with high concentrations of low-income families. They are under the full control of local officials and responsible to local authority.

VISTA

Local school districts can also take advantage of VISTA—Volunteers in Service to America. This is a program sponsored by the Office of Economic Opportunity for the purpose of creating a supply of trained volunteer workers to assist with programs for the economically disadvantaged. VISTA volunteers are recruited for one year of service, during which they are provided with free room and board and a monthly allowance of $75.

Special emphasis is placed on using VISTA volunteers in pockets of poverty, among migrant workers, on Indian reservations, etc. Relatively few have been placed in schools as teacher aides but many are assigned to education-related community activities. All VISTA personnel are enrolled in a four- to six-week training program before being assigned.

If it appears that VISTA could be effectively used in your local school system, contact the local Community Action Group or the regional headquarters of the Office of Economic Opportunity. As a last alternative write directly to VISTA, OEO, Washington, D.C.

Civil Rights Act

There is one type of institute for which local officials can initiate action. Under Title IV of the Civil Rights Act of 1964, local school districts can seek aid in improving the ability of teachers and educational specialists to deal more effectively with conditions incidental to desegregation.

Financial assistance is available through the Office of Equal Educational Opportunities, USOE, according to the same guidelines established for NDEA institutes. Accordingly, Title IV institutes can be scheduled during the summer, as regular programs during the academic year or as part-time institutes. Support is also available for regular inservice training.

Direct preliminary inquiries to the Office of Equal Educational Opportunities, USOE, Washington, D.C.

Handicapped

Most support for training and education of personnel to become teachers of handicapped children is directed to undergraduate students or graduate students without teaching experience. There is, however, one program which local school administrators should keep in mind for new teachers who evidence a talent with handicapped children.

Individuals with at least one year of teaching experience with handicapped children are eligible to apply for fellowships provided under authority of the Education of Mentally Retarded Children Act. This class of eligibility is specifically intended for teachers who are preparing to become supervisors or administrators.

Recipients receive stipends of $2,000 the first year, $2,400 the second year, and $2,800 during the third and fourth years. Each fellowship is for a one-year period but a recipient can be awarded as many as four fellowships, leading to a doctoral degree. In addition to the basic stipend, an annual allowance of $400 is provided for each of the recipient's dependents.

Some local districts have arranged to supplement these allowances on the condition that the teachers return to the district after completing their studies. Local officials interested in more information about this program should contact the Office of Disadvantaged and Handicapped, USOE, Washington, D.C.

Experienced teachers

The newest fellowship program for experienced teachers was authorized by the Higher Education Act of 1965. This program provides up to two years of graduate study, including summer sessions. Stipends of $4,000 per academic year are provided to each fellow, plus $500 for each dependent up to four. Summer session stipends are set at $800, plus $100 per dependent. Thus the total allowance could run as high as $7,200 if the fellow attended year round and had four dependents.

The fellowship program cannot be used for the purpose of earning a graduate degree at the doctoral level. It is basically a master's degree program. The fields of educational specialty covered by this fellowship program closely parallel subjects and areas supported by other federal aid programs, such as NDEA institutes.

The applicant can be a specialist in guidance and counseling, library science, educational media, school psychology or education of the disadvantaged. The following subject areas are covered: geography, history, social studies, English, mathematics, science, modern foreign languages, art and music. The program can also be used to prepare teachers to be curriculum specialists, administrators or health educators.

If you are interested in more information about this new experienced teacher fellowship program, contact the Division of Educational Personnel Training, Bureau of Elementary and Secondary Education, USOE, Washington, D.C. 20202.

There are numerous other federal aid programs to support teacher training and education but this discussion has been limited to those programs of particular interest to local school administrators, in that these opportunities are open to teachers now employed by local districts.

PART 7. ADULT AND VOCATIONAL EDUCATION

Increasing emphasis is being placed on adult and vocational education. Recent legislation has bolstered programs in the Departments of Labor and Commerce as well as in the Office of Economic Opportunity. Such action reflects the economic necessity of improving adult and vocational education programs. Whereas new programs have been funded through various federal departments, administration of educational activities is still concentrated in the Office of Education.

Public schools aren't operating many of the adult and vocational programs being funded at the local level. A host of new quasi-public, nonprofit agencies are drawing on federal funds to support adult and vocational educational programs. Often these new groups, as well as some long established, are ill equipped and poorly staffed to properly operate such programs. Yet they are applying for the funds—and are receiving the grants.

Many of these groups are well intentioned. But that isn't the point.

The question is: What agency can provide the best possible adult and vocational educational programs?

The answer is obvious: public school systems.

Three programs

There are three major federal programs for support of adult and/or vocational education: the Vocational Education Act, the Manpower Development and Training Act (MDTA) and the Adult Education Act of 1966. Local school districts have an obligation to perform under both the Vocational Education Act and the Adult Education Act. Participation by local districts in MDTA activities is, however, discretionary.

Voc. ed. During the current year, over $200 million has been authorized for matching voc ed grants to the states. Of this sum, approximately $135 million will be designated for voc ed activities at the secondary school level. The balance will be directed to adult voc ed activities. In 47 of the 50 states, local voc ed programs are administered by the local school agency. Only Georgia, Kentucky, and North Carolina maintain separate voc ed school systems.

Due to the fact that state voc ed plans are required to provide "balanced" programs, some local requests for support often fail to obtain the assistance required. One-third of each state's allocation must be expended for adult voc ed training or construction of area voc ed facilities. Thus it becomes necessary for the statewide program to take precedence, while assigning priorities to local requests for aid.

Adult education. Local school authorities must become more extensively involved in adult education as a result of the El-Sec Amendments of 1966, which established the Adult Education Act under jurisdiction of the Office of Education. This program was previously administered with lower funding authorization by the Office of Economic Opportunity.

During the current year, approximately $35 million will be allotted to the states according to a formula that is based on the proportionate number of adults who have completed not more than five years of formal schooling. As a general rule, a nonfederal contribution amounting to at least 10% of the project cost will be required. This provision may be waived if not feasible.

The purpose of this program is to encourage and expand basic educational programs for adults who are handicapped by their inability to speak, read, and/or write English. It is the objective of this program to prepare such individuals for occupational training and more profitable employment.

It thus becomes obvious that the Adult Education Act provides preparation for programs supported by the Vocational Education Act. Local districts should keep in mind the provision of the Adult Education Act which requires cooperation with local community action programs and other activities related to the antipoverty effort. This provision has become standard in virtually all education legislation during the past couple of years.

Manpower. The responsibility of local schools for MDTA programs isn't quite clear, even after three years of experience. Last spring, attention was drawn to the fact that private agencies were receiving MDTA grants, even when local schools offered to do the job at a lower cost. This caused some furor in the Department of Labor, as well as on Capitol Hill. There have also been instances when local schools weren't even invited to submit proposals for MDTA training. (And, there have been other cases when the schools *were* invited . . . but refused.)

All in all, it may safely be said that there is much room for improvement in school-MDTA relations. There is certainly justification to establish a mutually advantageous relationship. Local schools are generally prepared to fulfill MDTA training requirements and MDTA support can provide needed assistance to school voc ed programs.

MDTA projects are generally initiated at the local office of the Bureau of Employment Security (although impetus can come from the school district). BES identifies a group of unemployed, underemployed or unemployable individuals who could be trained to fill a gap in the labor market. A project recommendation is then forwarded through state and regional channels to Washington. If approved by the Labor Department's Manpower Administration, funding is authorized and the matter is referred to the U.S. Office of Education.

Now the entire process starts back again. USOE advises the appropriate state agency of the training request. The state agency is then responsible for making suitable arrangements at the local level. At this point, it would appear that local school officials should be contacted. But this isn't always the case. Sometimes another agency has already been recommended for the training function. In other cases, the state agency refers the matter to an antipoverty agency. In any event, there is too often some breakdown in communications.

Of course there are instances when MDTA projects are justifiably awarded to private businesses that are better qualified to provide specialized training or apprenticeship programs. In fact, private industry sometimes requests MDTA assistance to fill a critical manpower shortage.

It can't, in all fairness, be stipulated that all MDTA projects should be administered by local school districts. But it can be concluded that *many local schools aren't taking full advantage of MDTA assistance.*

More help

Numerous provisions of the Economic Opportunity Act can supplement adult and vocational education activities provided through the public schools. VISTA, Neighborhood Youth Corps, urban Job Corps centers, work-study for high school-aged youth and work-training for high school dropouts are possible areas of cooperative effort between schools and the local CAP.

One provision of the most recent amendment to the Economic Opportunity Act provides for greater coordination of government training programs, including vocational education. This effort to establish a more effective government-wide program will be under the direction of the President's Committee on Manpower.

Finally, bear this in mind. Various federal agencies provide materials for specialized adult and vocational education activities. The Internal Revenue Service offers a course in taxes. The Immigration and Naturalization Service provides textbooks for citizenship classes. The Small Business Administration will arrange for small business management seminar programs. The National Science Foundation provides a variety of adult science education projects. There's plenty of help available . . . but *you* have to *ask* for it!

WATER RESOURCES RESEARCH REPORT REFLECTS RAPID PROGRESS

Mr. ANDERSON. Mr. President, as required by law, the Secretary of the Interior has forwarded to the Congress his annual report on the program authorized by the Water Resources Research Act of 1964. This is the second annual report, and like the first one 12 months ago, the accomplishments reported reflect great credit on the program and its administrators. It is both multiplying our work on pressing water problems and speeding up the process of training water specialists in many related sciences and disciplines.

In the 2 short years of its existence, the water resources research program has provided support to university scientists and engineers in every one of the 50 States and Puerto Rico; thus enabling some of the ablest men in the Nation to apply their knowledge to solving urgent water problems of their States and regions. Under this program, more than 600 new water research projects have been started in these 2 years on almost every aspect of water resources. The projects include research in practically all branches of the physical, life, and social sciences, in engineering and in law related to water resources.

Through providing opportunities for employment as laboratory and research assistants, well over 1,000 university students are being helped to complete advanced technical training, thus providing professional manpower that is essential for carrying out water conservation and development programs of the State, Federal, and local governments, and of private industry.

Highlights of the first 2 years' accomplishments are summarized in Secretary Udall's January 10, 1967, letter to the President of the Senate:

> 1. The 51 approved water resources research institutes or centers that serve as focal points in the program are now fully organized. In addition to these 51 universities, 36 others have participated in the research program through affiliation with the institutes, so that an increasingly larger portion of the country's water resources and training talent is being brought into the program. Closer liaison is being developed with governmental units and operating agencies at local and State levels, many of whose representatives serve on the respective institutes' advisory boards. This helps assure an aware-

ness of research needs and enhances the development of research programs directed towards solving high priority problems.

2. The universities, largely with non-P.L. 88–379 funds, responded in 1966 to the challenges for better research and training facilities by employing over 300 new staff members from many scientific disciplines, developing more than 300 new water-related courses, and constructing many new laboratories. More than 1100 students serving as research assistants on approved projects received support from P.L. 88–379 funds and were enabled to obtain valuable training in the water resources field. Many well qualified staff members, who had not been engaged previously in water resources research, were brought into this field through encouragement of State institute directors.

3. Approval of 67 annual allotment and 71 matching grant projects under Title I of the Act during the first half of Fiscal Year 1967 brought the total of projects funded since initiation of the program to 674. Nearly 200 publications and 72 graduate student theses were produced during the year, and research results were beginning to be used in improved water management and conservation.

4. To facilitate the exchange of information and reduce undesirable replication of research effort in the water resources field, the Office of Water Resources Research, with the collaboration of the Science Information Exchange of the Smithsonian Institution, published catalogs listing current water resources research projects, and a water resources thesaurus. Research was facilitated, and high priority research needs were identified through publication of a bibliography on the socio-economic aspects of water resources and of state-of-the-art reports on selected water problem areas.

This second annual report of the cooperative water resources research program is testimony to the wisdom of the authorization. The Senate may take justifiable satisfaction and pride in having provided the legislative basis for this excellent and productive program.

The 250-page report contains much information on program activities in each of the States. I commend the report to my colleagues. It can be obtained by calling the Department of Interior, Office of Water Resources Research.

Included in the document is the report of a special Advisory Panel relative to the conduct of the program, its progress, and its prospects. The Panel was composed of eminent scientists, engineers, and persons distinguished in public affairs related to water resources. Members of the Panel were:

Mr. Harvey O. Banks, president, Leeds, Hill & Jewett, Inc., 120 Montgomery Street, San Francisco, Calif.

Prof. Lyle E. Craine, chairman, Water Resources Committee, School of Natural Resources, Department of Conservation, the University of Michigan, Ann Arbor, Mich.

Mrs. Bernard H. Flood, director, Water Resources, chairman, League of Women Voters of Massachusetts, 151 New Lenox Road, Lenox, Mass.

Mr. Frank Gregg, vice president, the Conservation Foundation, 1250 Connecticut Avenue NW., Washington, D.C.

Mr. C. W. Klassen, chief sanitary engineer, State of Illinois Department of Public Health, division of sanitary engineering, Springfield, Ill.

Dr. Allen Kneese, director, Water and Environmental Studies, Resources for the Future, Inc., 1755 Massachusetts Avenue NW., Washington, D.C.

Prof. Philip E. LaMoreaux, State geologist, State oil and gas board, Post Office drawer O, University, Ala.

Prof. Ronald T. McLaughlin, Department of Civil Engineering, Massachusetts Institute of Technology, Cambridge, Mass.

Mr. Bernard J. Wachter, editor, Industrial Water Engineering, suite 2112, 333 North Michigan Avenue, Chicago, Ill.

Mr. William S. Wise, director, State of Connecticut Water Resources Commission, State office building, Hartford, Conn.

The advisory panel report deserves thoughtful attention. It is reproduced in full on pages XV to XXIV of the annual report. For brevity, however, I quote only the initial paragraph and the summary:

The Panel finds that the prospects for a water resources research and training program responsive to the needs of the American people have been enhanced significantly by activities carried out under the Water Resources Research Act. The States moved quickly in the first year of the program to organize and staff water resources research centers, and to devise research programs consistent with the purposes of the Act. During the second year—in numbers of projects initiated, numbers of projects completed, numbers of graduate students assisted in connection with research projects—the program has generated a remarkable level of activity. The Panel is pleased also to note the depth and diversity of research projects undertaken with assistance under the Act.

SUMMARY

The Panel concludes—

(1) that the presently funded programs authorized by the Water Resources Research Act are being intelligently and effectively administered;

(2) that a strategy and expanded program for producing trained personnel is urgently needed, and will require a substantial research effort to identify personnel and training needs and ways of meeting them;

(3) that there are urgent needs for expanded research efforts, including research on aquatic environments, on coordinated use and development of water and related resources, and on techniques for maintaining quality of re-used water—and particularly for studies in the social and behavioral sciences designed—

(a) to illuminate human perceptions of and attitudes toward water resources and water problems;

(b) to measure the impacts of water development on the broad spectrum of human needs served by water resources;

(c) to devise more effective institutions for water planning, development and management;

(4) that new and expanded efforts are clearly needed to communicate usable information on research findings and applicability to those in positions to make use of such information;

(5) that the matching grant program authorized by Title I, the Title II program, and the Water Resources Scientific Information Center should be fully funded if the Act is to effectively 'assist in assuring the Nation at all times of a supply of water sufficient in quality and quantity to meet the requirements of its expanding population.'

Mr. President, for the ready reference of Senators I ask unanimous consent to append to my remarks the January 10, 1967, letter of the Secretary of the Interior to the President of the Senate, the report of the Advisory Panel, and the summary of the annual report. A list of allotment and matching grant projects by States is contained in the report, which is available to Members on request.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LETTER OF TRANSMITTAL

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., January 10, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: This is my second annual report to the Congress of activities authorized by the Water Resources Research Act of 1964 as amended by P.L. 89–404 (80 Stat. 130).

During Fiscal Years 1965, 1966 and 1967, a total of $16,740,000 has been appropriated for research and training under Title I of the Act and for coordination and administration purposes. Non-Federal financial support and contributions in kind have far exceeded minimum matching requirements. Public Law 88–379 funds have served as seed money to get research started and attract other support. There have been no appropriations for research under Title II of the Act, but with enactment of P.L. 89–404, on April 19, 1966, and the preparation of guides and review procedures by the Office of Water Resources Research, the stage has been set for activation of this part of the program.

From the many activities and accomplishments of this new program described in more detail in the appended report, the following may illustrate progress being made toward fulfilling the primary objective of the Act—"to assist in assuring the Nation at all times of a supply of water sufficient in quantity and quality to meet the requirements of its expanding population."

1. The 51 approved water resources research institutes or centers that serve as focal points in the program are now fully organized. In addition to these 51 universities 36 others have participated in the research program through affiliation with the institutes, so that an increasingly larger portion of the country's water resources and training talent is being brought into the program. Closer liaison is being developed with governmental units and operating agencies at local and State levels, many of whose representatives serve on the respective institutes' advisory boards. This helps assure an awareness of research needs and enhances the development of research programs directed towards solving high priority problems.

2. The universities, largely with non-P.L. 88–379 funds, responded in 1966 to the challenges for better research and training facilities by employing over 300 new staff members from many scientific disciplines, developing more than 300 new water-related courses, and constructing many new laboratories. More than 1100 students serving as research assistants on approved projects received support from P.L. 88–379 funds and were enabled to obtain valuable training in the water resources field. Many well qualified staff members, who had not been engaged previously in water resources research, were brought into this field through encouragement of State institute directors.

3. Approval of 67 annual allotment and 71 matching grant projects under Title I of the Act during the first half of Fiscal Year 1967 brought the total of projects funded since initiation of the program to 674. Nearly 200 publications and 72 graduate student theses were produced during the year, and research results were beginning to be used in improved water management and conservation.

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tion and reduce undesirable replication of research effort in the water resources field, the Office of Water Resources Research, with the collaboration of the Science Information Exchange of the Smithsonian Institution, published catalogs listing current water resources research projects, and a water resources thesaurus. Research was facilitated, and high priority research needs were identified through publication of a bibliography on the socio-economic aspects of water resources and of state-of-the-art reports on selected water problem areas.

As stipulated by the Rules and Regulations pursuant to the Act, a special panel composed of outstanding scientists, engineers, and laymen experienced in public affairs related to water resources was convened to provide advice relative to the overall program of water resources research and training authorized by the Act as amended. The Panel's report and recommendations are incorporated in my report. The Panel identified accomplishments and pointed out gaps to which prompt attention is being given.

The 1965 Panel strongly recommended that Title II of the Act be amended to promote a more adequate program of water research. This was accomplished by P.L. 89–404. This year's Panel urges that research under Title II of the law be activated and that the authorized funds be provided if the Act is to effectively accomplish its purpose. I am in full agreement that this part of the program should become operative at the earliest possible date.

Sincerely yours,
STEWART L. UDALL,
Secretary of the Interior.

SUMMARY OF THE 1966 ANNUAL REPORT OF THE OFFICE OF WATER RESOURCES RESEARCH

Whether considered from the standpoint of a fiscal, or a calendar year, 1966 was the first full year in which Federal funds were provided to support the new cooperative program authorized by the Water Resources Research Act of 1964 (78 Stat. 329).

The chief purpose of this Act is "to assist in assuring the Nation at all times of a supply of water sufficient in quality and quantity to meet the requirements of its expanding population. . . ."

Administered through the Office of Water Resources Research (OWRR) of the Department of the Interior, the Act authorizes the establishment and support of a water resources research center or institute in each State and Puerto Rico, and the promotion of a more adequate program of water resources research and training.

During the year, several progressive steps were taken to this end. Title I of the Act (P.L. 88–379) was fully activated. Public Law 89–404, approved by the President April 19, 1966, amended Title II of the basic Act, thus paving the way to bring additional water research competence to bear on the Nation's water problems by providing greater flexibility and authorizing larger appropriations for water resources research. Research under Title I got into full gear and research results began to appear in publications and be used in water resources planning and management. The scope of the program was broadened through modest increases in funding and senior investigators entering into new areas of research. The academic capability for research and training was strengthened. More students were attracted to the water resources field and provided financial support as research assistants. Good progress was made in scientific information exchange in the water resources field; in the development of long-range programs; in focusing on high priority research problems; and in improved administration of the program.

Research conducted under Title I of the Act is cooperative and often interdisciplinary in nature. In conducting the annual allotment (Section 100) program in Fiscal Year 1966, $4,462,500 of Federal funds were obligated. Of this amount, $3,506,718 was in direct support of 415 annual allotment projects and $955,782 for administrative and other functions of the offices of the State institute directors. The participating colleges and universities, through other funds, services, and facilities, contributed $2,624,234. Federal funds in the amount of $1,500,000 for 72 matching grant (Section 101) projects were matched by $1,673,249 of funds from other sources. Thus, under Title I of the Act, every dollar from P.L. 88–379 funds was matched by $0.72 of other funds.

During the first half of Fiscal Year 1967, a total of 138 new projects—67 annual allotment and 71 matching grant—were approved. This brought the total projects funded since initiation of the program to 515 annual allotment and 159 matching grant projects. Most of these projects were active during Calendar Year 1966 and the Fiscal Year 1967 projects expanded the work of some of the State institutes into new areas of research including socio-economic and planning aspects of water problems.

Although most of the research supported in this new program has been underway for less than a year, the field and laboratory work on 126 of the first short-term projects had been completed by the end of Fiscal Year 1966. Many other projects were scheduled for completion by the end of the calendar year. Also, results of studies had begun to appear in publications and theses and to be used in water resources management. For example—

139 publications based on 95 approved research projects had appeared or were in press at the end of June 1966;

72 graduate student theses or dissertations based on 53 projects had been produced;

16 other publications based on activities, such as symposia supported wholly or in part by P.L. 88–379 funds, had emanated from the program;

A study of water law by the Cornell University Center had resulted in a New York State statute clarifying the law as to private riparian rights;

Findings from a Florida study were of value in locating wells for the city of Arcadia, Florida, and are being used in the development of Gainesville's water supply;

Several new university courses have been generated or developed as outgrowths of research projects supported by P.L. 88–379 funds.

More than three-fourths of the principal investigators of research projects approved in this cooperative program hold Doctoral Degrees and most of the remainder Master's Degrees. These investigators were trained in at least 35 broad scientific disciplines, or fields, with engineers, biologists, geologists, economists, and chemists heading the list, but with social and political scientists and specialists from other fields participating also.

During Fiscal Year 1966, at least 60 engineers, scientists and other specialists were reported by the State institute directors as having been attracted to the water resources field to employ, for the first time, their special talents in research on water-related problems.

Many instances were mentioned, also, in which modest P.L. 88–379 allotments or grants served as "seed money" to attract support from other sources for continuation of research initiated under this program, or for the development of other research projects.

Academic capabilities for water resources research and training were improved greatly during the year in recognition of growing needs for more and better research results and trained manpower. With encouragement and stimulation from OWRR, but with funds largely from other sources—State, Federal and private—the universities participating in the P.L. 88–379 program have responded vigorously to new challenges in the water resources field by hiring new staff members, offering new water-related courses, constructing new laboratories and classrooms, and installing needed equipment. They reported:

Employing 305 new staff members from many scientific disciplines of whom 249 filled newly created positions and 56 were staff replacements;

Developing more than 300 new water-related courses, many of which were of a multidisciplinary nature involving interdepartmental cooperation;

Constructing dozens of new laboratories or other research and training facilities.

Graduate student training and research go hand-in-hand and the role of the Office of Water Resources Research in strengthening the Nation's academic capability in water resources training is largely through the support of research in which students serve as research assistants. More than 1,100 students drawn from 47 different scientific and engineering disciplines received support from P.L. 88–379 funds during Fiscal Year 1966. In addition, more than 2,500 students used P.L. 88–379 program supplies and equipment.

These students and others receiving support from different sources are thus encouraged to swell the number of students enrolling in water-related curricula—students who will constitute the much needed trained manpower to fill tomorrow's increasingly complex water resources positions.

Records of the numbers of students enrolled in water resources curricula in 1965–66 and the status of the graduates are incomplete; but, of 4,727 graduates who may be considered to have "majored" in water-related fields, the status of 2,623 was reported as follows:

1,292 (49.3 percent) obtained water-related positions—435 with private industry, municipal agencies, etc., 374 with Federal agencies, 268 with State agencies, and 215 with universities;

871 (33.2 percent) returned to school for further training;

460 (17.5 percent) went into military service;

A high percentage of Doctoral Degree graduates went into university research and teaching;

A relatively high percentage of Bachelor's Degree graduates went into operations and management work in the water resources field.

With the counsel of various university and State-wide advisory boards, and the cooperation of Federal, State, and local organizations, and private industry—representing both the academic and nonacademic community—the 51 water resources research institutes approved under the Act made important gains in developing more comprehensive and effective programs during the year. In addition to attracting new senior investigators into the water resources field and utilizing P.L. 88–379 funds as "seed money" to secure other support for research, they developed:

Cooperative agreements and arrangements whereby more departments or units of the universities at which the State institutes are located, and more universities within the respective States, participated in the program in such a way as to better utilize the research competence available;

Well conceived research programs recognizing both current needs and potential water resources problems;

Closer relations with, and better understanding of, action agencies and their needs, which resulted in activities of consequence to water resources planning and management at local and regional level.

The Office of Water Resources Research, aided by recommendations of the special panel convened in 1965 to advise on the overall program, and with the advice and cooperation of consultants, Federal and State agencies, private research institutes, and the academic community has:

Sponsored state-of-the-art studies and reports designed to aid program participants and others in focusing on critical gaps in water knowledge;

Distributed to program participants and others—calling their attention to the significance of the same—state-of-the-art reports on watershed hydrology and water quality, a report on areas of defense and space technology applicable to water resources research, and the report, "A Ten-Year Program of Federal Water Resources Research," prepared by the Committee on Water Resources Research of the Federal Council for Science and Technology;

Issued 34 publications authored by OWRR staff members, or prepared under contract with OWRR, including the Water Resources Catalog of currently supported water resources research projects to aid in the exchange of information and to avoid undesirable duplication of research effort, a Bibliography on the Socio-Economic Aspects of Water Resources, a Thesaurus of Water Resources (scheduled for early publication);

Continued its liaison with the many agencies and organizations having a significant interest in water resources;

Developed guides and policy statements for the effective administration of research under Title II of the Act, when that part of the program is funded; and

Worked closely with the 51 approved water resources research institutes and the cooperating universities in the screening and evaluation of projects and the progressive development of the Title I program.

No major problems were encountered during the year, either in OWRR or at the institutes, but some institute directors mentioned as factors limiting the development of the program in their respective States: scarcity of funds, inadequate space, and lack of qualified manpower in certain specialized areas. The outlook for resolving these problems is good in that more State legislatures are appropriating additional funds for water resources research—including matching grants; more laboratories are being built; one of the valuable outputs of the Title I activities will be trained manpower; and, with the passage of P.L. 89–404, the way is clear for activation of research under Title II of the program.

REPORT AND RECOMMENDATIONS OF THE PANEL[1] CONVENED TO REVIEW OPERATIONS OF THE OFFICE OF WATER RESOURCES RESEARCH, U.S. DEPARTMENT OF THE INTERIOR, DECEMBER 5, 1966

The Panel finds that the prospects for a water resources research and training program responsive to the needs of the American people have been enhanced significantly by activities carried out under the Water Resources Research Act. The States moved quickly in the first year of the program to organize and staff water resources research centers, and to devise research programs consistent with the purposes of the Act. During the second year—in numbers of projects initiated, numbers of projects completed, numbers of graduate students assisted in connection with research projects—the program has generated a remarkable level of activity. The Panel is pleased also to note the depth and diversity of research projects undertaken with assistance under the Act.

A measurable increase in OWRR support of priority research as identified by the Committee on Water Resources Research, Federal Council for Science and Technology, took place within the year. This responsiveness to urgent problems is indicated by a substantial proportional increase in research related to water resources planning, identified as the most promising area for expanded research effort by the Committee.

The Panel agrees with the stated policy of OWRR to encourage concentration on research areas which are not receiving adequate attention in other research programs, i.e., in the mission-oriented research activities of public agencies, and in product and process development research by private industry.

The Panel notes with approval the efforts of the Office both to encourage research in priority areas, and to respect and support investigators whose competencies and interests are in other areas.

The Panel is particularly pleased to see that most of the water resources research centers have developed programs beyond the minimum required to qualify for assistance under the Act. Universities at which centers have been established are expanding curricula relating to water resources research, development and management. New and revised course offerings have been developed. New faculty positions have been created and filled, and additional graduate students attracted. It is clear that the depth of scholarly interest, the quality of intellectual leadership, and the allocation of financial resources by universities have been enhanced significantly as a result of the program.

A number of centers have established effective working relationships with other universities, and with agencies and institutions in the States, leading to further strengthening and sharpening of research and training effort. The Panel notes that the quality of coordination between the centers, other universities and resource agencies varies widely among the States, and suggests that the Office take appropriate steps to encourage strengthening of intrastate cooperation. This should include research coordination with action agencies on field problems.

The level of activity now underway confirms the judgment of the Congress in authorizing the program. The Panel notes, however, that two years of experience is not adequate to appraise the program's contribution to meeting the Nation's water needs. The Panel urges that the Office of Water Resources Research, and those carrying out research and training programs under the Act, initiate promptly and pursue vigorously a special effort to devise and apply objective criteria for evaluating effectiveness in terms of contributions to the body of knowledge available for dealing with water problems, and to the supply of well-trained personnel for both research and management.

GENERAL PROGRAM GUIDELINES

The Panel devoted much of its time to an analysis of the operations of the Office of Water Resources Research in the context of broad needs, opportunities, and goals. The Panel did not attempt to evaluate the quality of specific research projects nor to analyze the applicability of current research efforts to major problem areas. The Panel did consider and devise recommendations on a number of matters relating to policy and general program guidance which are set forth in the following paragraphs.

The Panel believes that the conceptual basis for the water resources research programs funded under the Act must be a concern for the broad range of human needs served by water resources. The observation may be obvious. However, the Panel believes it deserves emphasis since there is a natural tendency to relate research objectives to current problems of water management as viewed by specific institutions, agencies and groups. Research designed to resolve such problems is most likely to serve the broad public interest if the conceptual framework for the entire program reflects the overriding dependence of human society on the quantity, quality and distribution of water and related resources.

The Panel urges also that the conceptual basis for the program include specific recognition of the interdependence of water resources management with the management of other natural resources—indeed, with all activities affecting the physical environment. The concept is both ecological and social—that is, it recognizes the complex systems of natural and social interactions which arise from changes in the physical environment. The acceptance of this concept, and the development of systematic research to anticipate and consider such interactions, is essential to responsible environmental planning and development.

More specifically, the Panel recommends increased emphasis on water resources research projects designed to improve the coordination of water resources planning with other physical planning programs, such as urban regional planning, highway planning, outdoor recreation planning and land-use planning. The Panel recognizes that the effective integration of all physical planning activities (not to mention the integration of physical and social planning) is extremely complex. But the accomplishment, of which adequate and well-distributed supplies of water is an element, cannot be accomplished without substantial improvement in planning and program coordination.

The Panel further recommends increased concentration on research to improve techniques of systems analysis for application to water resources planning, development and management. Integrated management of total water systems will require also intensive research to improve the technologies of development and of operations.

TRAINING

The Panel finds that the stated training objective of the Act is being served. The Act envisions the accomplishment of training objectives through assistance for graduate students engaged in research projects. Over 1,300 students have received assistance under the Act.

Still, the demand for trained personnel and highly qualified research staffs is acute. Productive research on critical problems is much more likely to be inhibited by shortage of qualified personnel than by constraints on the funds available.

The Panel suggests that the need for trained personnel may require the development of a more purposeful training strategy, roughly comparable to the development of objectives and priorities for research.

The Panel recommends that the Office consider funding research projects designed:

(1) to further clarify future needs for trained water resources personnel, including personnel for research, for planning and for the performance of water management jobs in operating situations;

(2) to improve utilization of personnel—to avoid the diversion of high quality research talent, and ineffective utilization of professional managerial and operations manpower, for tasks that can be performed by less highly trained personnel, perhaps especially through strengthened ADP techniques;

(3) to recommend appropriate actions to improve training at all levels.

The water resources research centers are uniquely qualified to consider, individually and cooperatively, a strategy for meeting future personnel needs in water resources research, planning and management, and to design improved curricula for these purposes.

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[1] The Panel met on November 29 and 30, 1966, to review operations of the Office of Water Resources Research. The Office was represented by its Director, Roland R. Renne, and its Associate Director, E. D. Eaton. The Panel had reviewed a draft of the 1966 Annual Report of the Office, prepared pursuant to the Water Resources Research Act of 1964 as amended, and had access also to other pertinent documents.

It will be necessary, however, to complement the competence of the centers by drawing upon specialized educators from other universities and upon the experience of practicing water resources professionals.

The Panel considers it likely that research will identify training needs which cannot be met effectively by training related exclusively to research projects. The Panel suggests that thoughtful consideration be given to authorizing the Office of Water Resources Research to carry on a broadened program to improve professional training. Research should be supported to provide a factual basis for appraising these needs and for determining effective means for meeting them.

AREAS FOR INTENSIFIED RESEARCH

The Panel finds, as did the Panel convened in 1965, a significant gap in research in the social and behavioral sciences. Solutions to the most pressing water resources management problems require the understanding and support of a wide range of private and public institutions and agencies, as well as by the unorganized public.

The ways in which people and institutions perceive water and water problems—in the values assigned to water, the uses they wish to make of water, their recognition of and attitudes toward solutions to water problems—will be the ultimate factors determining the wisdom with which water resources are conserved and developed. Knowledge of the properties of water, of techniques for planning, of cleansing, of efficient utilization, of costs and benefits is essential. But the degree to which knowledge actually is used is a function of attitudes.

Recent studies on perception of flood problems, for instance, suggest that attitudes of flood plain occupants pose severe obstacles to the implementation of flood damage control programs based on hydrologic and economic analysis.

The Panel recommends emphatically an increased concentration of effort to determine how and why individual citizens and public and private institutions perceive and react to water and to water problems.

The Panel recommends continuing emphasis on research to improve administrative arrangments, including State, local, and regional public agencies for water resources planning and development. There is special need for better ways to encourage informed public participation in water decisions.

The Panel also recommends increased emphasis on:

(1) Research in aquatic environments generally. The Panel finds that lack of basic knowledge of aquatic communities is a significant limitation on effective water management. Estuaries, receiving the cumulative effects of upstream water uses and affected by the transition from fresh to saline conditions, are especially complex and vulnerable. An increasing amount of estuarine research is underway; further acceleration is needed, with special emphasis on the interactions of various factors affecting estuarine environments. Further, the Panel finds a serious gap in specific information for the effective management of fishery resources, especially in knowledge of requirements for optimizing fishery values as distinct from requirements for bare survival.

(2) Research on coordinated use and development of water and related land resources. Recreational uses of waters and associated shorelines, for instance, can be sensibly planned only on the basis of joint study of the water and the land. The Panel finds a concentration in the current program on studies of water and water problems as such, and a corresponding shortage of coordinated studies of water and related resource values.

(3) Research on water quality management as related to re-use of water, and particularly on treatment to meet quality demands in situations where supplies consist largely of re-used water. The strong interrelationships between water supply and quality management suggest the need for examination in a systems framework drawing upon operations research methodologies.

APPLICATION OF RESEARCH FINDINGS

The Panel, as suggested above, is concerned that research findings be made available promptly in usable form to those who influence or make decisions about water resources conservation and development. The Panel commends the Department of the Interior and the Office of Water Resources Research for the established program of the Water Resources Scientific Information Center. By providing abstracts of published research, the Center should assist substantially in improving communication among researchers.

The Panel believes strongly that the Office of Water Resources Research should undertake a considerably expanded and strengthened information dissemination program on research findings.

First, the Panel recommends that the Office expand the Center's activities to provide abstract services on significant research conducted abroad, and to extend the services of the Center to scientists and professionals in appropriate fields at all levels of Government and private institutions. As now planned, the service would be provided primarily to Federal agencies and the water resources research centers.

Second, the Panel recommends that the Office, in addition to providing abstracts of research reports, develop a program to analyze the application possibilities of research, and to disseminiate such information to those in positions to make use of it.

The Panel recognizes the delicacy of OWRR itself expressing judgments on the relevance of research done by others. The Panel suggests, therefore, that OWRR commission papers by outstanding individuals or panels to prepare papers evaluating the applicability of available knowledge to selected critical water resources problems. (Such "state of the art" studies may be carried out in connection with the 1965 Panel recommendations for perspective studies of research progress needs, but should go beyond these in relating research findings to current and foreseeable problems.) The Panel explicitly encourages a systematic effort to review the potential usefulness of water resources research undertaken abroad.

Organizing and disseminating information on the applicability of research findings may require reports written especially for various levels of technical competence, i.e., for scientists, practicing professionals, administrators, policy-making public officials and responsible private citizens.

The Panel recommends, also, that the Office develop procedures for application of research findings in actual water resource planning, development, and management programs. Resource management agencies and administrators are understandably reluctant to pioneer the application of untested techniques. "Real world" examples are persuasive. A program providing for prototype applications of promising and significant research findings may be decisive in encouraging the use of improved ways of managing water. The Office of Water Resources Research should work closely with other Federal agencies providing assistance to water resource projects, such as the Federal Water Pollution Control Administration, to encourage the application, for demonstration purposes, of new research findings.

The Panel recognizes that these recommendations may considerably broaden the mission of OWRR. It believes, however, that the public investment in water resources research and the urgency of water resource problems require painstaking efforts to encourage the effective use of new knowledge as it becomes available.

FULL IMPLEMENTATION OF THE PROGRAM

The Panel urges full funding of the programs authorized by the Act.

The matching grant program has not yet been funded to the authorized level. Research projects are now awaiting funds for their implementation; and applications continue to expand the backlog. The matching grant program serves a highly useful purpose in OWRR's total program, perhaps especially in generating non-Federal dollars for research projects of immediate State and regional concern. The program should be fully funded.

The Panel most urgently recommends the full funding of Title II, authorizing grants and other arrangements to utilize a wide variety of competencies not effectively drawn upon through the water resources research centers: other universities, foundations, private research and consulting firms, business organizations and qualified individuals.

In considering the magnitude of the water resources research and management task, it is clear that the best minds available will be required to find workable solutions to the most difficult and pressing problems.

The water resources research centers will continue to play a central role in developing increased research capacity through education and training, and in undertaking research assisted by the allotment and matching programs under Title I of the Water Resources Research Act.

The flexibility provided by Title II is needed especially to permit concentrated attention on complex research projects in priority research categories, making use of the full range of talents available, including the centers.

Through consultation with directors of the water resources research centers, other advisers and consultants, and commissioned papers on progress and needs in major research areas, OWRR is in a unique position to use a portion of Title II funds to marshall research resources where needs and opportunities are greatest.

Title II funds may be used to fund strategic assaults on pressing problems, simultaneously involving a variety of disciplines and approaches. In a sense, Title II provides a vehicle for a systems approach to water resources research not unlike the successful research and development programs undertaken in recent years in Government, universities, and private industries in the aerospace fields.

SUMMARY

The Panel concludes:

(1) that the presently funded programs authorized by the Water Resources Research Act are being intelligently and effectively administered;

(2) that a strategy and expanded program for producing trained personnel is urgently needed, and will require a substantial research effort to identify personnel and training needs and ways of meeting them;

(3) that there are urgent needs for expanded research efforts, including research on aquatic environments, on coordinated use and development of water and related resources, and on techniques for maintaining quality of re-used water—and particularly for studies in the social and behavioral sciences designed:

(a) to illuminate human perceptions of and attitudes toward water resources and water problems;

(b) to measure the impacts of water development on the broad spectrum of human needs served by water resources;

(c) to devise more effective institutions for water planning, development and management;

(4) that new and expanded efforts are clearly needed to communicate usable information on research findings and applica-

bility to those in positions to make use of such information;

(5) that the matching grant program authorized by Title I, the Title II program, and the Water Resources Scientific Information Center should be fully funded if the Act is to effectively "assist in assuring the Nation at all times of a supply of water sufficient in quality and quantity to meet the requirements of its expanding population."

AVIATION'S PROBLEMS AHEAD: "A SYMPATHETIC TABULATION" FROM NEW YORK TIMES

Mr. MONRONEY. Mr. President, the problems facing aviation during the coming decade are exceeded only by the promise which aviation holds in terms of increased service, lower fares, greater mobility for the people of this country, and a shrinkage in the time-distance barrier which separates the nations of the world.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article from the January 15 issue of the New York Times, entitled "A Sympathetic Tabulation of Aviation's Problems: 747 Jet, the SST, Fourth Jetport." Mr. Friedlander's remarks, do, indeed, treat aviation problems with sympathy, but with frankness and full recognition of their magnitude.

Congress, if not this year then next, must face up to the growing airport crisis mentioned in Mr. Friedlander's article. The aviation industry is the greatest and most expanding segment of our national transportation network. Any gaps in this network, such as inadequate airports, will create serious traffic blockages, not only for aviation, but for other modes of transportation. Also, traffic congestion at airports will back up into our already overcrowded and congested cities unless, for example, our Interstate Highway System provides convenient and rapid access to our airports.

It is estimated that $5 billion needs to be spent on airport construction and improvement during the next 10 years. Securing that amount of public investment is a monumental task in itself. But success in raising the necessary funds could very well be frustrated if State and local governments do not solve, on the local level where they should be solved, problems such as the selection of airport sites, which has become a controversial issue in New York City.

Unless aviation's problems are solved the bright promise of new breakthroughs in technology, such as the SST and the giant jets, cannot be attained. I commend Mr. Friedlander's article to the attention of Senators.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 15, 1967]

A SYMPATHETIC TABULATION OF AVIATION'S PROBLEMS: 747 JET, THE SST, 4TH JETPORT

(By Paul J. C. Friedlander)

These are exciting days for the travel industry, days filled with developments that are already changing the basic pattern of world travel and will most certainly change it almost beyond present concepts in the next half-dozen years. Three recent and major steps, seemingly disparate, are so inextricably connected and jointly involved in the future of all kinds of travel that they warrant being held up and examined without benefit of the statements of advocacy and opposition that welcomed and followed their announcements.

These steps are the Jan. 1 inauguration of new, and sometimes lower, fares for package tours on international air routes; the decision by the Federal Aviation Agency to have the Boeing Company build America's supersonic air transport, while General Electric builds the SST's engines, and the suddenly revitalized project for that fourth jetport for the New York metropolitan area, plus the amazing hoop-la sent up like antiaircraft fire by those vehemently for, against and uninterested in the jetport proposal.

NEW PROPOSAL

To the spate of jetport comment, some of it informed and much either wildly uninformed or representing deeply vested interests, has just been added Governor Rockefeller's proposal that his Metropolitan Commuter Transportation Authority be moved into the jetport debate.

How this will help solve anyone's problem is difficult to judge, since that authority seems to be having trouble keeping its present major responsibility, the Long Island Rail Road, running or doing such comparatively simple things as equipping its coaches with electric lights that light or seeing that the cars are even properly swept out. Which only points up the sad fact that the traveling public often is forced to lean upon some rather weak governmental reeds.

This may explain why the airlines and their related industries, and parts of the traveling public, were prompt to admit that they were happy with the F.A.A. choice of Boeing. It was no secret behind the secrecy officially enforced by the F.A.A. that the airlines voted heavily for Boeing over its competitor for the air-frame contract, the Lockheed Aircraft Corporation.

The issue between General Electric and the Pratt & Whitney Aircraft Division of the United Aircraft Corporation, its competitor for the engine contract, was not as fiercely defined. The carriers have been successfully using all kinds of Pratt & Whitney engines through generations of piston and jet airlines.

PREVIOUS EXPERIENCE

Airline executives freely noted that their experience with Boeing planes, especially the jet series beginning in 1958 with the first 707 four-engine passenger jet, through the intercontinental versions of that plane and on through the highly successful three-engine 727 jet, has been good. This is translatable into good mechanically, and especially good as moneymakers.

Thus, in a gamble as big as the SST decision, it was logical for the airlines to vote on the basis of past performance in the important areas of safety, reliability, passenger acceptance and operating costs and profits. It might be that those who have been arguing against a "monopoly" manufacturer in a project this big, and so well supported by the Federal Government, have failed to consider the choice and voice of the airlines—certainly as primary a set of participants in the SST program as any other group of citizens.

Unfortunately, much of the preliminary thinking and paperwork, and the computer computing, had to be done in great secrecy during the SST competition. Consequently, many of the comments and reports being published about the SST—its characteristics, the country's need therefor and the like—are not as firmly backed by facts and information as they should be.

One example: There is much talk about building a second, smaller supersonic plane for domestic flights on the theory that the big SST will make too much of a sonic boom to be tolerated in flights across this country.

LESS NOISE DOUBTFUL

The simple fact is that no one in the airline business is yet convinced, save a few often-quoted, unnamed advocates of a second, smaller "domestic SST," that a smaller plane will make a bang more acceptable to the residents beneath it than the big one will.

The British-French Concorde, which will be smaller than the American SST and fly at 1,400 miles an hour, against 1,800 for our plane, is expected to make a bang plenty big enough to make its presence felt.

Anyone who has felt and heard the sonic boom caused by a small supersonic fighter, and the boom caused by a large supersonic bomber, can question the seriousness of the talk about a small domestic SST. Experts in the airplane business agree now that, at the present stage of the art, supersonic planes go boom in all sizes, and earthlings in a 50-mile-wide swath in the path of the SST's will hear and feel the boom.

The noise is caused by the shock wave created in the air by the leading edges of the plane compressing the air ahead of it at speeds above the speed of sound. In five or six years, perhaps, a solution to the boom problem may be found; the search is on intensively enough to warrant hope.

OVER WATER ONLY

Until that day, the supersonic passenger planes probably will be flown at supersonic speeds only over large bodies of open water—oceans and seas the size of the Mediterranean and the Caribbean—so that the boom problem will be one for salt-water fish and their friends and associates.

In recent months, Trans World Airlines has been busy flying the projected American SST through a computer so as to determine many things about what its life with that plane will be like when it comes out for passenger service in 1974, three years behind the Concorde. T.W.A. found that it can live happily, and probably profitably, with the SST by using it at supersonic speeds over open water and flying it at subsonic speeds over land masses. This is the roughly 600 miles an hour that today's passenger jets aim for.

Thus, a T.W.A. round-the-world SST flight route would go supersonic across the North Atlantic as soon as it was above 40,000 feet and off the shores of Long Island, dropping back down to subsonic flight when the plane skimmed over the shores of England or France.

If it were going New York-Rome nonstop, this plane would fly subsonic across France and northern Italy. From Rome, the eastbound plane could skirt westward out over the Mediterranean and then swing supersonic around Sicily and eastward to Cairo, Tel Aviv or Beirut.

From the Middle East, it could possibly dodge down the center of the Persian Gulf as a supersonic or, at subsonic speed and sound, skirt overland to the south and east until it caught the edge of the Indian Ocean. There it would zoom up from 600 to 1,800 miles an hour for India.

The plane's progress up the Asian coast would be a series of supersonic loops out to sea and back to the destination airport or, subsonically, it could follow today's overland routes. Across the Pacific to North America, it would head straight out to open water and an 1,800-mile-an-hour booming flight until it reached land at Hawaii or Alaska and the West Coast. Across the United States, the last leg would be at subsonic speeds.

The time loss around the world because of sonic-boom deviations is slight: Block-to-block time, which is measured from the time engines are started for each segment of the flight until they are stopped at the next terminal, would be 21 hours 2 minutes for a completely supersonic flight and 25 hours 12 minutes for a flight supersonic over water and subsonic over populated land masses.

The penalty in time would be 4 hours 10 minutes. Today's subsonic jets go around the world in about 60 hours.

Robert W. Rummel, vice president for planning and research for T.W.A., said the computer told T.W.A. that it would, of course, do better flying the SST supersonically over land as well as water. However, the machine indicated that, even with restrictions limiting use of the SST at full speed and power over land, the penalties in time and operating costs would not be impossible.

Boeing has argued that its SST could fly subsonically at the same, or possibly even lower, cost per mile and per passenger-mile than today's subsonic jets. Its statistics show such a marked operating cost improvement anticipated from many factors, including greater daily utilization of the SST, that, the company claims, boom penalties would be sufferable by the airlines.

ARGUMENTS DISPUTED

The T.W.A. dry runs of the supersonic would seem to dispose of the strange arguments for building immediately a second, smaller domestic-size supersonic. With the Boeing SST and the Concorde, there would seem to be, at this stage of the SST development, no crying need for another smaller plane.

Airline executives now anticipate flying the Boeing subsonically during the 730 miles from New York to Chicago and then folding its wings back for supersonic flight for the 1,742-mile hop from Chicago to Los Angeles. There, the time differential would pay both the passenger and the airline.

It would seem, therefore, that talk of a second, smaller supersonic American project could be laid to rest for the time being, the time limit being until the sonic boom problem is eventually licked. Until then, it has the ring of a political approach to the problem of compensating workers and areas that did not get the big SST prize.

Mr. Rummel and other airline executives also laid to rest the cries from some quarters that the SST must be stopped at all costs because of the large Federal investment, which is to be recovered out of the purchase price of these planes; the boom noise, and besides, if the Good Lord had wanted anyone to fly that fast, etc.

With the successful determination of Britain and France to build their Concorde SST, the supersonic plane is an accomplished fact. Airline executives say that, once one airline lays on an SST across the North Atlantic, all the other competing airlines must, by the nature of their highly competitive business, offer as big and as fast airplanes.

For all their pleas for slower and quieter transportation, recent history has proved that when they become airline passengers, people demand the fastest, slickest, newest airplane available. They will pass up last year's plane to ride this year's, if this year's is faster, prettier or more comfortable, as well as being newer.

This may or may not be the way to advance civilization, but this is the way people behave, and in aviation and travel, as well as in other forms of retailing, the customer is right, or at least treated as if he were.

Moving on to the jetport controversy, it is the Boeing 747, the 500-passenger, subsonic super-jet that is sometimes impertinently called the jumbo jet, which is as much responsible for the revival of this project as its big brother, the SST.

LOWER COSTS

The 747, a monstrous plane that will fly about 30 miles an hour faster than today's subsonic jets but at much lower operating costs, is only a couple of years away. And when it starts unloading its large economy-size passenger manifests upon today's airports, there is going to be large, economy-size trouble:

Trouble for the airlines in getting that many people on and off a plane in a short time.

Trouble inside the terminals trying to provide for all those people on each flight, and their friends and welcoming committees.

Trouble trying to get the baggage to the right passengers in as few minutes as some airlines actually are doing this job today.

Trouble for the airport operators, who will need more airport roads, more parking space, more airport buses and, even though many of them appear to hate this thought, some high-speed, electrified railway line to get all these people to and from metropolitan centers.

Even without the 747 in the offing and the SST beyond the horizon, many of today's airports are already obsolescent in that, at peak times, they cannot handle their aerial and ground traffic. And when the weather goes bad, both kinds of traffic control fall sadly apart.

New York City is particularly vulnerable, since it is the aerial gateway to North America from Europe and South America, and since most of the foreign-bound pleasure and business travel originating inland wants to stop off in New York going and/or coming.

In aviation circles, it is generally accepted that politics, money and personalities have delayed airport development for the metropolitan area. The airlines have long had an airport committee whose function, until about a month ago, was to fight vigorously all proposals, principally from the Port of New York Authority, for a fourth jetport.

AIRLINES' VIEWS

Deep-seated reasons behind this seemingly regressive attitude were generally listed as these:

A mistrust of the Port Authority, which many airline people visualize as an octopus squeezing them and their industry in regulations and financial charges for airport usage.

A strong desire not to have to build new and costly terminal buildings and equipment at a new airport, one whose capital costs and whose employee staffing costs would pile up on top of the airlines' present high airport operations costs.

A fond, now seemingly evaporating, hope that progress in electronics and in automatic zero-zero weather landing systems and airways controls would soon improve landing and take-off operations in good weather and bad, thus speeding plane movements on and off the ground and increasing the plane capacity of today's airports.

An equally fond hope that the VTOL (vertical take-off and landing) and STOL (short take-off and landing) planes would be just around the end of the runway, taking some of the short-haul pressure off the big planes and picking up and dropping passengers in the heart of Manhattan. While some people are still talking glibly about building runways in the East and North Rivers for leapfrogging passengers to and from the big airports and from shuttle-distance cities, many of them are now having second serious thoughts.

These planes are, at best, a half-dozen years away, if their development moves that fast; and how will *they* cope with fog, rain, sleet and no visibility on the edges of Manhattan's skyscrapers?

So another jet airport seems indicated in four or five years, although, even if everyone involved moves at full speed, an airport the size of a fourth jetport for New York City may be 10 years in the making.

A nine-airline Metropolitan Airport Committee, in a fascinating reversal of position, called a news conference late in December to announce that it had come out for a fourth jetport, it knew not where. And it had not given up on its proposal to remove general aviation—that is, private pleasure and business flights from La Guardia, Newark and Kennedy Airports—and base it at a new airport, preferably on Staten Island. Or maybe someday at Floyd Bennett Field, which is within sight and sound of jet traffic to and from Kennedy Airport.

FOURTH JETPORT

This public relations minuet preceded by only a few days the long-heralded report by the Port Authority on its canvass of possible sites for the fourth jetport. As was expected, the Port Authority found all candidates for the airport sadly wanting, save its favored marshy area in Morris County, N.J., which was partly converted into a Federal wildlife sanctuary when the authority first made eyes at this site back in 1959.

The authority said it found proposed sites in Orange County, N.Y., in northern New Jersey and in Suffolk County, near the eastern end of Long Island, unworthy because of their remoteness that would require high-speed rail transportation systems to bring the airport and its passengers within reach of Manhattan.

Students of the Port Authority, and its view on airports and on ground transportation, smiled knowingly over this report. The Port Authority owns and operates the Lincoln and Holland Tunnels and the George Washington Bridge between New York City and New Jersey, and it collects the tolls for vehicles using them.

Its friendly counterpart, the Triborough Bridge and Tunnel Authority, owns and operates, and collects tolls from vehicles using, the Queens-Midtown Tunnel, the Triborough Bridge, the Whitestone and Throgs Neck Bridges and the Verrazzano Bridge.

All these amenities are predicated on tolls collected from rubber-tired conveyances, and their bonds are backed by and paid for by these seemingly endless tolls. Close observers, therefore, never expected that the Port Authority studies ever would find it feasible to build an airport where traffic to and from the airfield would not use either tunnels or bridges, or some kind of rubber-tired ground transportation.

These two authorities have a rather solid grip on the river-crossing situation in and around New York City. By the contracts that established the Triborough Bridge Authority, it has the exclusive right to build all highway, bridge and tunnel crossings of the East River between its Midtown Tunnel at 34th Street and 125th Street, site of the Triborough Bridge landfall in Manhattan.

AUTHORITY'S RIGHTS

The Port Authority has an even wider swath of exclusivity. Its rights to bridge and tunnel crossings between New York State and New Jersey are in the 25-mile radius drawn from the Statue of Liberty. The New York Thruway crossing of the Hudson at Tappan Zee is exempt from this radius because both ends of that 50-cent toll bridge are anchored firmly on New York State terrain.

Enthusiastic as it is for automobile bridges and tunnels—original plans for the George Washington Bridge allowed for a railway line across the second level, but it was never built—the Port Authority has, with great self-restraint, remained aloof from rail transport.

The exception is PATH, the salvage job of the Hudson Tubes that was almost forced upon the authority.

This restraint must seem odd to anyone who has ever tried to get across the Hudson River in an automobile, taxi or bus to catch an airplane at Newark, or simply to drive to the Jersey shore or to find driving space on the Jersey or Pennsylvania Turnpikes. There are odd hours when this is a simple feat, but not on the Friday of a Fourth of July or Labor Day weekend, or, for that matter, any summer Friday.

TWO HOURS ALLOWED

Experienced motorists and airline passengers then allow a minimum of two hours for what should be a 30-minute run from Times Square to Newark Airport. What might this river crossing be like if a fourth jetport were to be built around Morristown, which, the Port Authority says, is 50 minutes by car or Carey bus from Manhattan?

The only slight hope for the airline passenger of the future appears to be in a fourth jetport situated somewhere on a rail line that can be improved, or where a high-speed electric railway can be built leading straight into midtown New York, tunneling under either the Hudson or the East Rivers.

But to get this, someone may have to wrestle the Port of New York Authority and the Triborough Bridge Authority two falls out of three, all the way up to the Supreme Court.

Now, how do the jetport debate and the impending 747 jumbo jet and the farther-off supersonic jet relate to each other and to the new excursion fares for air travelers willing to go on loosely gathered package trips in groups of 15?

MORE PASSENGERS PREDICTED

At a farewell news conference the other day, Willis G. Lipscomb, who is retiring as senior vice president for traffic and sales of Pan American World Airways, predicted that this new group rate, which Pan American pioneered and literally forced upon the other international airlines, will result in about a 14 per cent increase in air traffic this year. This, he spelled out, would be on top of the anticipated normal 14 per cent or so growth in air passengers.

This rate of increment in air traffic could easily continue and, given better price inducements, increase in the next half-dozen years. The 747's must, by their very presence and nature lead to better merchandising of air travel and larger numbers of people being put aloft in the commercial airliners.

The SST, judging by the impact on travel and traffic of its predecessor subsonic jets, will stimulate air traffic even more, while the increased speed, capacity and operating economies of these new planes must lead to fare reductions. Not the first year or two, when the airlines will be in transition with mixed fleets of slow jets and fast SST's, and surcharges may be levied, as they were with the first jets, to force passengers on to the older, subsonic jets.

AVIATION BOOM

Even a pessimistic observer of the airline industry cannot reach any other conclusion but that an aviation explosion—one of greater intensity than that of the automobile explosion in this country between 1918 and 1929—is just around the end of this decade.

The threat—for, in a negative sense, that is what the new planes are to old-fashioned airport operators—of the new generation of faster and bigger planes, coupled with the fare reductions that their merchandising will enforce, ties the airports, fast ground transport and the packaging of airplane trips into one huge and inseparably intertwined Gordian knot, none of whose solutions can be resolved without involving all the participants equally, for better or for worse, until and unless their bondholders tear them asunder.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is closed.

Mr. **McGOVERN.** Mr. President——

Mr. **MANSFIELD.** Mr. President, will the Senator yield, without losing his right to the floor, so that I may suggest the absence of a quorum?

Mr. **McGOVERN.** Yes.

Mr. **MANSFIELD.** Mr. President, this will be a live quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 3 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. **LONG** of Louisiana. I announce that the Senator from Indiana [Mr. HARTKE] and the Senator from Minnesota [Mr. McCARTHY] are necessarily absent.

The **VICE PRESIDENT.** A quorum is present.

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

The **VICE PRESIDENT.** The question is on agreeing to the motion of the Senator from South Dakota [Mr. McGOVERN] to proceed to the consideration of the resolution (S. Res. 6) amending the standing rules of the Senate.

Under the previous unanimous-consent agreement, the Chair recognizes the Senator from South Dakota.

Mr. **DIRKSEN.** Mr. President, may we have order?

Mr. **MANSFIELD.** Also, Mr. President, as was requested on the first day of the session, and as I hope will be observed on every day of the session from now on, I ask that the Senate be cleared.

The **VICE PRESIDENT.** On the first day of the session, the majority leader made such a request of the Chair, and the Chair responded then and responds now by stating that all employees and attachés of the Senate who are not needed for the immediate business will please withdraw from the Chamber. Seats are available in the gallery. The Senate will be in order.

The Senator from South Dakota is recognized, and will proceed.

Mr. **McGOVERN.** Mr. President, after consultation with the distinguished majority leader, it has been determined by those of us who support a change in rule XXII that this is the appropriate time to seek Senate action on the pending motion to proceed to the consideration of Senate Resolution 6.

I stress the fact, Mr. President, that we are only at this moment seeking Senate action upon the motion to take up Senate Resolution 6. We are not, under this procedure, now seeking action upon the merits of Senate Resolution 6 itself.

It would seem to me that the motion merely to proceed to the consideration of Senate Resolution 6 ought not to be the subject of lengthy debate. We have debated this preliminary matter for several days now, and it is our thought that the Senate should be able to reach a decision on the pending motion to consider Senate Resolution 6 at this time.

I shall propound very shortly a unanimous-consent request to vote on the motion to proceed to the consideration of Senate Resolution 6. I hope that we will be able to obtain such a unanimous-consent agreement, as I am firmly convinced that that procedure would be preferable to the other alternative, that of voting at this time on the pending motion.

If, however, such a unanimous-consent agreement is not possible, we feel that we have no choice except to move to close debate under article I, section 5, of the Constitution. We believe that a majority of the Senate has the constitutional power to determine the rules to govern the Senate for the next 2 years, and we are unwilling to yield that right to a minority's refusal to allow the Senate to come to a vote.

Mr. President, I ask unanimous consent that all debate on the pending motion to proceed to the consideration of Senate Resolution 6 come to a close within 2 hours, the time to be equally divided between the distinguished Senator from Montana [Mr. MANSFIELD] and me.

The **VICE PRESIDENT.** Is there objection?

Mr. **MILLER.** Mr. President, will the Senator yield?

Mr. **DIRKSEN.** Mr. President, reserving the right to object, let me see if I understand the distinguished Senator from South Dakota correctly.

I understood that the original intention was to offer a motion to summarily close debate and ask for an immediate vote on Senate Resolution 6. Is that understanding correct?

Mr. **McGOVERN.** No; that is not correct.

Mr. **DIRKSEN.** What was the original intention?

Mr. **McGOVERN.** The original intention was the same as the request I have just made of the Senate. I explained that if we cannot achieve that purpose, which is to bring the debate to a close within 2 hours under a unanimous-consent agreement, I would then seek to obtain the same objective through a motion.

Mr. **DIRKSEN.** The Senator is undertaking to do by a unanimous-consent request now what he had in mind originally by way of a motion.

Mr. McGOVERN. I was hopeful that a motion would not be necessary, and that we could achieve that objective through a unanimous-consent agreement.

Mr. DIRKSEN. Mr. President, I would have no objection to the amount of time involved, but I am interested in the procedure from that point on. If we are to be involved in a constitutional point, somewhere along the line I do want to raise a point of order, and, if necessary, I would prefer to object now to the unanimous-consent request and have the distinguished Senator make his motion. Then I could make a point of order, and that would be open to debate for as long as the distinguished occupant of the chair would permit.

Mr. McGOVERN. Mr. President, if the unanimous-consent request fails, I should be happy at the appropriate time to yield to the Senator so that he may make a point of order on the motion.

Mr. DIRKSEN. Does the Senator want to proceed with his unanimous-consent request at this time?

Mr. McGOVERN. That is my intention.

Mr. DIRKSEN. Obviously, that only gives us time for discussion, and then we would proceed almost at once to vote on the motion to shut off debate and proceed with Senate Resolution 6.

Mr. McGOVERN. Mr. President, under the terms of the motion, and also under the terms of the unanimous-consent request, we would have 2 hours' time remaining before voting on the question.

Mr. DIRKSEN. Mr. President, in order to formalize the matter for purposes of precedent, it would be infinitely better, in my judgment, if the Senator were to make his motion at this time rather than to ask unanimous consent to do it. Then we could get a division of the time, if that is preferable, or we could debate the point of order.

Mr. McGOVERN. If the Senator prefers to object to the unanimous-consent request, then we can proceed with it.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. Mr. President, I thought—and I could be mistaken—that the unanimous-consent request would come after the point of order had been made.

Mr. McGOVERN. I think the Senator's understanding was mistaken.

Mr. MANSFIELD. It was. That was my understanding.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Dakota?

Mr. DIRKSEN. Mr. President, reserving the right to object, we might just as well take the time to get the proposed motion ironed out. Obviously, one cannot make a point of order against a unanimous-consent request when there is no substance coupled with it.

If there is to be a motion, then I can make a point of order. I should prefer that the distinguished Senator file his motion now, so that we can hear what it contains and then make a point of order.

It would be on that basis that the Chair would make a ruling. We can then determine where we should proceed from there.

Other things being equal, I would prefer to object now to a unanimous-consent request until a motion is made.

The VICE PRESIDENT. There is objection. The Senator from South Dakota has the floor.

Mr. McGOVERN. Mr. President, it now appears clear that it is not possible to obtain a unanimous-consent agreement to vote on the motion to take up Senate Resolution 6.

I do not believe, however, that the only other recourse is the two-thirds cloture requirement of rule XXII. Rather, it seems to me that under article I, section 5, of the Constitution, a majority of the Senate may close debate at the opening of a new session of Congress and get to a vote on the rules that are to govern the Senate during that Congress.

In that belief, it is my intention in a few moments to move under the Constitution to close debate on the motion to take up Senate Resolution 6.

Mr. President, under the brief that a number of Senators submitted to the Chair, I believe that a majority of the Senate has the right to work its will at the opening of a new Congress on the rules that will govern the Senate of that Congress. The Senate has this right, unfettered by actions of an earlier Congress.

I shall not repeat the arguments contained in the brief. Those arguments have been aired on the floor at considerable length. The brief is clear and convincing. It demonstrates that a majority of the Senate has the right to act at this time.

Mr. President, I ask unanimous consent that the brief entitled "In the Matter of the Efforts To Change Rule XXII at the Opening of the 90th Congress," under date of January 1967, be printed at this point in the RECORD.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. HOLLAND. Who is the author of the brief? I do not believe the Senator has stated that.

Mr. McGOVERN. The brief was authored by those Senators who have taken the leadership in encouraging a change in the rules.

Mr. HOLLAND. Is there such a brief signed by those Senators?

Mr. McGOVERN. The brief is merely signed by the Senators who have joined in the motion to amend rule XXII.

Mr. HOLLAND. I thank the Senator for that information.

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. ERVIN. Mr. President, what does the Senator do with the provision of the Constitution that every State is entitled to be represented in the Senate by two Senators?

Mr. McGOVERN. The Senator from South Dakota certainly would not question that provision.

Mr. ERVIN. How can a Senator represent his State unless he is allowed to explain his views on the floor of the Senate?

Mr. McGOVERN. I think the provision we are now suggesting here will provide every Senator with that opportunity.

Mr. ERVIN. What provision is the Senator making for Senators to have an opportunity to represent their States by expressing their views on behalf of their States on the floor of the Senate?

Mr. McGOVERN. There is no provision in the resolution that is now pending, or that we are asking to have taken up, that would in any way deprive a Senator of his right to be heard.

As the Senator knows, even after cloture is invoked under whatever procedure is followed, whether under the three-fifths rule as suggested in the resolution of the Senator from Kentucky [Mr. MORTON] and me, or under the so-called constitutional majority provision that the Senator from California [Mr. KUCHEL] and other Senators have proposed, the right of any of the 100 Senators to be heard would not be disturbed in any way.

Mr. ERVIN. Mr. President, as I understood the Senator from South Dakota, he was announcing, in effect, that he was going to propose to silence the Senate at the outset until the Senate either adopted its own rules or adopted some change in its own rules.

Mr. McGOVERN. If the Senator will wait for my motion, he will see that a time factor is involved; and if he would like to ask for additional time, that can be considered. But we will propose a procedure under which a majority of the Senate can work its will, which we believe is the constitutional right of the Senate.

Mr. ERVIN. Does the Senator proceed upon the theory that a majority of the Senate can silence a minority of the Senate in speaking on his proposal?

Mr. McGOVERN. The Senator from South Dakota is proceeding on the assumption that at the beginning of a new Congress, a majority of the Senate has the right to do business, a quorum being present under the Constitution, and it has the right to determine its own rules.

Mr. ERVIN. But what provision of the Constitution provides that a majority of the Senate can deprive the States that are represented by a minority of the Senate of their right to represent their States in the Senate and to be heard? In the nature of things, a Senator cannot represent his State in the Senate unless he is permitted to say what he thinks the welfare of his State or the country demands.

Mr. McGOVERN. If the Senator will permit me to complete my statement, I will cite the constitutional provision under which I am proposing this action.

The VICE PRESIDENT. Without objection, the request of the Senator from South Dakota for the printing of the brief in the RECORD is granted.

The brief is as follows:

In the Matter of the Efforts To Change Rule XXII at the Opening of the 90th Congress—Memorandum and Brief Concerning the Need for a New Antifilibuster Rule Permitting a Majority of the Total Senate To Close Debate, and, Supporting the Proposition That the Senate of the 90th Congress Has Power To Enact Such a Rule at the Opening of the New Congress by Majority Vote, Unfettered by Any Restrictive Rules of Earlier Congress

(For presentation to the Vice President of the United States (acting as President of the Senate of the United States) and all Members of the Senate)

I. INTRODUCTION: FAVORABLE OUTLOOK FOR CHANGE IN SENATE RULE XXII AT OPENING OF 90TH CONGRESS

The effort to strengthen the anti-filibuster rule at the opening of the Senate of the 90th Congress on January 10, 1967 will be the seventh such attempt in the past fourteen years. What makes the outlook for a change this year more favorable than at any time in this 14-year period is the fact that both Vice President Humphrey and a majority of the Senate of the 90th Congress favor a change in Rule XXII. For the first time, we have the indispensable combination of a Vice President *and* a majority of the Senate who favor change. The burden of this brief is that the Vice President and a majority of the Senate of a new Congress have full legal power to work their will into a new Rule XXII and, in view of the need for such a new Rule, have the obligation to act.

(1) *Vice President Humphrey.* This brief is, of course, being presented to Vice President Humphrey, but it is not written on an empty slate. Vice President Humphrey was one of a small group of Senators who, in January 1953, espoused the principle that the Senate of a new Congress has power to adopt its own rules at the opening of the new Congress, unfettered by the rules of earlier Congress. Through the entire period that the Vice President remained as a Senator he was one of the most eloquent spokesmen for the proposition that the new Senate could act unfettered by the past. It was he who arranged and had the colloquy with Vice President Nixon in 1957 in which the latter first gave his advisory ruling in favor of the power of the Senate of a new Congress to act by a majority vote.[1] It seems unlikely that Vice President Humphrey would not follow the precedent which he himself helped set. And, indeed, on the ABC television program "Issues and Answers" only this past October 16th, the Vice President responded to a question on how he would rule at the opening of the 90th Congress with the statement that "my past actions indicate pretty much my views on the filibuster rule, so you do a little research and you might have some predictions to make." With these factors in mind, this brief is more to remind Vice President Humphrey of details of history and procedure than to persuade him of the basic proposition contained herein for which he has spoken so eloquently and so often.

(2) *A Growing Majority of the Senate Favors a Change in Rule XXII at the Opening of the 90th Congress.* We are encouraged to renew the effort to bring about majority rule in the Senate on January 10, 1967 by the continuously growing support for the principle that the Senate of a new Congress has the right to adopt its own rules unfettered by the rules of earlier Congresses and by the continuously growing recognition of the urgent need to strengthen Rule XXII.

In 1953, when the initial effort of recent times was made to adopt new rules at the opening of the Senate of a new Congress, only 21 Senators supported this effort and opposed the successful motion to table the proposal for new rules.

Four years later, in 1957, twice as many Senators opposed the motion to table as in 1953 (38 so voted and Senators Wiley, Neely and Javits announced their position against the motion to table).

In 1959, a minor change was actually made in Rule XXII at the opening of the Senate of the 86th Congress. While we sought a far more meaningful change in the rule than that actually adopted, the important thing to note here is that those who opposed the meaningful change, as well as those who supported it, recognized that the appropriate moment for dealing with the antifilibuster rule is at the beginning of a new Congress.

In 1961, the proposal for a change in Rule XXII at the opening of the Senate of a new Congress received greater support than at any previous time. After seven days of discussion, the Majority and Minority Leaders moved to commit the proposals for changing Rule XXII to committee. Despite vigorous arguments concerning the need for action in support of the incoming Administration and despite the prestige of their offices, only the barest majority (51 to 49) supported the Leaders in sending the proposals to committee (the actual vote for committal was 50 to 46 with Case of South Dakota paired against the committal and Young of Ohio and Kefauver announced against it).

In January *1963*, the times were ripe for victory. A clear majority of the Senators favored changing Rule XXII at the opening of the Senate of the 88th Congress. With this majority behind him, Senator Anderson, the floor leader of the effort to change Rule XXII, moved to close debate under the Constitution and the Nixon advisory rulings; this move was frustrated when Vice President Johnson put the Anderson motion to close debate to the Senate for *debate* instead of *for a vote* (as Vice President Nixon had indicated he would have done). Putting the Anderson motion to close debate to the Senate *for debate*, of course, had the effect of killing the motion; this forced the supporters of a change in Rule XXII to a cloture motion which was lost 54 to 42 (less than two-thirds).

In *1965*, again there was a majority of the Senate for changing the rules at the opening of the 89th Congress, but again the Chair (Senator Hayden[2]) was opposed to change. After some debate on the issue, a unanimous consent agreement was reached sending the matter to committee under instructions to report back by March 9, 1965, with "all existing rights" protected. This meant that when the matter came back to the Senate, it would be debated as though it were still the opening of Congress. But when the committee reported on March 9, 1965, the matter was not called up for debate because the impending voting rights bill appeared more important.

This ever-increasing support for action on Rule XXII at the opening of the Senate of a new Congress—rising steadily from 21 in 1953 to 49 in 1961 and to a majority in 1963 and 1965—reflects a growing feeling that Rule XXII *must* be changed and that the *only* time to do it is at the opening of a new Congress. For then, as we make abundantly clear in this Memorandum and Brief (See Point V), the Senate can determine its rules for the new Congress by majority vote, unfettered by any restrictive rules of earlier Congresses.

Actually, the opening of Congress is the appropriate time to deal with the rules question for an additional reason. There is no legislative business at the opening of Congress with which a lengthy discussion of the rules can interfere. In 1961, for example, after the proposals to change Rule XXII had been sent to committee on January 11th, the Senate only met for 81 hours from then until March 1st. The situation was not too much different in 1963 and 1965. With the decks clear at the opening of Congress, the Senate can determine this significant rules issue without fear that important legislation will be held up. It can truthfully be said that January is the month to solve this problem and, as we show later (in Point IV), it is the only time to solve it.

We turn now to a consideration of why there is need for a rules change (Point II), the reasonableness of the rules change we propose (Point III), the need to make the change at the opening of the Senate of a new Congress (Point IV), the constitutional right to act at that time unfettered by earlier rules (Point V), and the parliamentary procedure whereby majority rule can be accomplished (Point VI).

II. THE OVERWHELMING SIGNIFICANCE OF THE STRUGGLE FOR MAJORITY RULE IN THE SENATE

(1) *The Issues At Stake on January 10, 1967.* The success or failure of the efforts that will be made on the opening day of the 90th Congress to end the filibuster and bring majority rule to the Senate may very well determine the outcome of much of the important legislation that will be presented to the new Congress.

For Rule XXII is not only the "gravedigger" of much meaningful legislation, it is also the threat under which other vital legislation has been defeated, delayed, or compromised to meet the views of the minority.

It would not be too much to say that what is at stake in the fight for reasonable majority rule to be made at the opening of the new Congress is nothing more nor less than the dignity of the Senate and its ability to function as a democratic and representative legislative body.

(2) *The Impossible Hurdle of Two-Thirds Cloture.* The existing Rule XXII permits the closing of debate only after two-thirds of those present and voting have voted affirmatively to close debate. The history of the filibuster in the United States Senate makes abundantly clear that two-thirds cloture simply cannot be obtained in those areas where cloture is needed and this is true both in relation to civil rights legislation and equally in relation to other legislation.

Thus, a list of 36 bills (not purporting to be complete) which had been defeated or delayed by filibuster in the Senate was inserted as an exhibit during the January, 1961 debate on proposed changes in Rule XXII (107 Cong. Rec. 86). Twenty-six of these bills had not the remotest connection with civil rights. They covered such diverse proposals as the 1911 bill for statehood for Arizona and New Mexico, which was passed one year later, and two ship subsidy bills, introduced in 1907 and 1922, respectively, which were delayed by filibuster until 1936.

In all of the eleven cases of attempted cloture on a civil rights bill in the Senate prior to 1964, it was *never* possible to secure a two-thirds vote of those present—although in several cases a *heavy* majority wanted to proceed to a vote (e.g. 52–32 and 55–33 on FEPC in 1950). The nine unsuccessful attempts at cloture on civil rights bills up to 1961 are set forth in the January, 1961 debate on cloture (107 Cong. Rec. 87). The latter two unsuccessful attempts at cloture occurred on the literacy test bill in 1962 in the 87th Congress.

(3) *Rule XXII Has Damaged The National Interest.* To use only examples from recent history, the filibuster and threat of filibuster in 1957 and 1960 against the then pending civil rights bills delayed much needed civil rights legislation for years and contributed substantially to the present divisive racial tension in our Nation.

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[1] Vice President Nixon's rulings in 1957, and also in 1959 and 1961, are set forth in the Appendix.

[2] Vice President Humphrey was, of course, not inaugurated into his present office until January 20, 1965.

Up until 1957 the strategy of the anti-civil rights forces was to use the filibuster or threat of filibuster to prevent any civil rights legislation whatever from going through. In 1957 this strategy was shifted to emasculating civil rights measures under threat of filibuster and thus avoiding the necessity of an actual filibuster. Thus the 1957 and 1960 civil rights bills were watered down by such threats of filibuster and the impossibility of obtaining two-thirds cloture for a stronger civil rights bill. In 1957 the House of Representatives passed "Part III" authorizing the Attorney General to institute suits in federal courts to enforce constitutional rights; the Senate deleted Part III from the bill under the threat of filibuster and thus failed to give Congressional support and implementation to the Supreme Court's 1954 desegregation decision. In 1960 the Senate refused to approve the only really significant step being proposed to enforce voting rights—the appointment of federal registrars; the rejection of the proposed federal registrars was the only way to avoid a filibuster. In both instances the two-thirds rule made it impossible to end the filibuster and the price of any bill was dilution to the point of Southern acceptability.

The crucial provisions of the 1957 bill supporting the Supreme Court's 1954 desegregation decision, which were deleted under threat of filibuster, were finally enacted in 1964. The federal registrar provisions, which were deleted from the 1960 bill under threat of filibuster, were finally enacted in 1965. These delays of 7 years and 5 years, respectively, in recognizing Negro rights in the fields of desegregation and voting exacerbated racial tensions in this country to their present danger-point.

(4) *Three Successful Uses of Cloture From 1962 to 1965 No Clue to Future.*

(i) The cloture vote in 1962 on the Communications Satellite Bill has sometimes been cited as proof that the Senate does not need a change in Rule XXII in order to break a filibuster. We disagree. The overwhelming support for that bill from every region of the country made the short-lived filibuster virtually a hopeless venture from the start; there was neither organized nor sectional opposition to the bill. Indeed, the Southern Senators themselves made certain the successful cloture vote on the Communications Satellite Bill. Some Southerners and their traditional allies actually voted for cloture; others absented themselves—otherwise cloture would have been defeated even on a bill so overwhelmingly supported by the Senate. And it might also be noted that, by cooperating to permit cloture on the Communications Satellite Bill, the Southern Senators destroyed the last vestige of the so-called "principled" argument against cloture based on the idea of "free speech in the Senate."

(ii) Opponents of a change in Rule XXII also point to the successful cloture vote on the Civil Rights Act of 1964. But the length of that debate was a national scandal rather than a victory for cloture. The 1964 Civil Rights Bill reached the Senate for consideration on February 26. The debate on the motion to decide whether the Senate should take up the Civil Rights Bill began on March 9. Actual debate on the Bill began on March 26. Cloture was voted on June 10. There were 57 days of formal consideration of the Civil Rights Bill. Actually, however, the real filibuster began on March 9 on the motion to take up the Bill. There were thus 13 additional days of actual debate before the debate began on the Bill on March 26, making a total of 70 days of actual debate on the Bill. Indeed it is unlikely that the filibuster could have gone on much longer than that even without a cloture vote. The Bill was acceptable to nearly all Senators except those from the South and was passed despite Rule XXII solely because there was no real opposition outside the South. Yet the Senate of the United States made a three-months spectacle of itself on a Bill so overwhelmingly passed.

(iii) The situation on the 1965 Voting Rights Act, where cloture was again successful, was not too dissimilar from the experience of the previous year. While the debate was not nearly as long as the debate on the 1964 law, the unanimity behind the Voting Rights Act was at least as great or greater. The national shame involved in denying Negroes the basic right to vote took much of the starch out of even the Southern opponents of the bill and the battle against the right to vote had no meaningful support from any other source.

(iv) What these three successful attempts at cloture prove and all that they prove is that when two-thirds of the Senators support legislation it can be enacted. But, as we show in Part V of this brief, the Constitution was never intended to require two-thirds support for legislation.

(5) *1966 Experience Demonstrates Need For a Change in Rule XXII.* Just as the experience in the years 1962 to 1965 demonstrates that cloture can be obtained where there is two-thirds support for legislation, so the experience in 1966 demonstrates that a majority cannot obtain cloture and enact legislation where a substantial minority opposes the legislation. *1966 was a year of Senate minority rule*

(i) A majority of Senators favored the repeal of Section 14(b) of the Taft-Hartley Law. The bill repealing 14(b) passed the House; but, when it came to the Senate, repeal was never enacted into law for the plain and simple reason that the minority maintained a successful filibuster. On February 8, 1966, 51 Senators supported invoking cloture and 48 opposed cloture. On February 10, 1966, 50 Senators supported invoking cloture and 49 opposed. This is a clear case where Rule XXII thwarted the will of the majority.

(ii) The 1966 Civil Rights Bill is another case in point. The House of Representatives passed a strong Civil Rights Bill including much-needed jury reform, increase of Federal authority against racial violence, and prohibition of discrimination in housing. Just as in the House, a majority of the members of the Senate supported the bill; just as in the case of the repeal of 14(b), the filibuster succeeded in thwarting the will of the majority. On September 14, 1966, 54 Senators supported invoking cloture and 42 opposed it. Counting the pairs, the vote would have been 56 to 43. On September 19, 1966, 52 Senators supported invoking cloture and 41 opposed it. Counting the pairs and public announced positions, the final vote would have been 57–43. Despite this substantial preponderance in favor of the 1966 Civil Rights Bill, the bill went down to defeat.

(iii) Home rule, too, was executed by the Rule XXII guillotine. The Senate had passed a Home Rule Bill in 1965 by the overwhelming vote of 63 to 29. After the bill was stymied in the House, Senator Morse proposed a weaker Home Rule Bill as an amendment to the Higher Education Bill. A filibuster was threatened; cloture was the only method of dealing with the matter as the session was drawing to a close. Despite the full debate on, and the overwhelming support for, the Home Rule Bill in 1965, cloture failed. 41 Senators voted in support of invoking cloture and 37 opposed it. If the pairs and publicly announced positions were counted, the vote would have been 53–40, with 7 abstentions. Despite this overwhelming majority for home rule, the citizens of the District are left without the right to vote.

(6) *Rule XXII Is Inequitable.* In the last analysis, our case against Rule XXII is not based wholly or even principally upon the fact that it obstructs legislation as it has done innumerable times and as it did in 1966; it is predicated upon a basic belief that it is inequitable for a minority to prevent the majority from working its will. A majority of the members of the Senate can vote to go to a war; a majority can vote to draft our young men. Majority rule is the letter and spirit of our Constitution (see Point V (7)). It is both inequitable and undemocratic to retain a rule which allows a relentless minority to thwart the efforts of an elected majority.

III. THE PROPOSED NEW ANTI-FILIBUSTER RULE IS A WORKABLE AND REASONABLE COMPROMISE

(1) *The Proposed New Rule XXII.* Our proposal for a new Rule XXII provides for debate limitation in two ways:

first, by a vote of two-thirds of the Senators present and voting *two days after the filing of a petition* for limitation by 16 Senators; and

second, by a vote of a majority of the Senators elected (i.e., fifty-one) *15 days after a petition is filed* by 16 Senators.

It has been decided to retain the two-thirds vote for cloture after two days of debate following the filing of a limitation petition in order that the Senate may be able to deal with a national emergency. It is not contemplated, however, that the two-thirds rule would be used on other legislation. In any event, if the two-thirds limitation is attempted and fails, a new petition would have to be filed for majority cloture and 15 days debate would take place before a vote on that petition for limitation.

(2) *How the Proposal for Majority Rule Would Work.*[3] In order that the full meaning of the proposal for majority limitation of debate may be crystal clear, we list the various steps that would be involved:

(i) Since the petition for limitation requires the signatures of 16 Senators, in the absence of an emergency threatening national security, it is clear no petition could be filed before there was some real evidence of a filibuster or some announced threat of filibuster. Thus a week or two of debate would occur before such a substantial number of Senators would set a limitation procedure in motion.

(ii) After the petition was filed, there would be 15 additional days of debate before the vote on limitation would be taken. This means a minimum of 4–5 weeks of debate up to that time.

(iii) If 51 votes are then cast for limitation, a minimum of an additional one hundred hours of debate is allowed. If only half of this time is utilized, it would mean at least another week of normal Senate sessions.[4] This adds up to a minimum of 5–6 weeks in all before a final vote on passage of the bill or motion.

(iv) *And* if extended debate were engaged in on the preliminary motion to bring up a bill (the motion to bring up the Civil Rights Bill of 1964 was debated for 13 days), the 5–6 weeks of debate before a final vote on that motion could be secured, could be followed by extended debate on the bill itself, necessitating a *second* limitation of debate to reach a vote on final passage of the bill itself. This would add at least another 3 weeks (omitting the waiting period described in (1) above). Thus there would finally have been 8–9 weeks of debate before, by action of a majority of those elected, the Senate eventually reached a vote on the bill.

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[3] The text is set forth at the opening of Point VI where the proposed parliamentary procedure is outlined.

[4] Our proposed procedure after cloture as voted is far more generous in time than that under which the Communications Satellite Bill and the Civil Rights Bills of 1964 and 1965 were considered after the cloture vote. First, there is a guarantee of 100 hours of debate (fifty for each side). Second, there is a guarantee of a minimum of one hour per Senator. Third, authority is granted for the Senators seeking cloture to specify in their cloture petition that additional time will be available for debate.

(v) This proposal obviously permits full, fair, and even prolonged debate. But this proposal not only permits prolonged debate; it also leaves it *ultimately* within the power of a majority of the whole Senate to reach the crux of the matter, a vote on passage of the measure thus lengthily considered.

(3) *Three-fifths Cloture Is Not Adequate.* The arithmetic on three-fifths cloture leaves no doubt that while it is far better than the present rule, it would not be a satisfactory cloture rule. Assuming that 96 of the 100 Senators voted on cloture (and votes on cloture do run that high and at times even higher), three-fifths of those present and voting will be 58 Senators, or seven more than a majority of the total Senate. The important thing to note is that these 7 additional votes for cloture are the hardest to obtain for they will have to come from Senators who are at best only mildly in favor of the bill being filibustered and who may feel that it is more important to propitiate some senior member of the filibustering group than to help the majority obtain the cloture it seeks. It is these 7 votes very often that will determine the outcome on cloture.

But more important than the difference between majority and three-fifths cloture is the need to hold the anti-filibuster forces together until it is established that the Senate of a new congress can write its own Rule XXII unfettered by restrictions of earlier congresses. If this principle is established under the procedure set forth in Part VI, then it will be time enough to see which of the possible versions of a new Rule XXII will prevail.

Actually, there are at least three possible solutions once it is established that a majority of the Senate of a new Congress has the power to act. Senator Morse favors a simple majority of those present and voting having the right to close debate. Senator Clark and most of the Senators who have made the effort at the opening of Congress in the past favor a constitutional majority of 51 Senators voting in the affirmative. Senator Anderson, who has led the fight in the Senate for a change in Rule XXII in the past, and Senators Cooper and Morton, who have joined with him, all favor three-fifths of those present and voting. As indicated above, the first two proposals will make it possible to close debate far more readily than the third and indeed it is not certain whether three-fifths could have been obtained to close debate on the three bills filibustered to death in the 89th Congress. Nevertheless, all three are improvements on the present situation and it is important that all Senators favoring any of the three proposals above work together to establish the principle that the new Senate can adopt whatever Rule XXII a majority desires. Once that principle is established, we will work for the Rule XXII set forth above; if a majority of the Senate does not, however, favor this proposal, we recognize that the three-fifths proposal is a substantial, if not yet adequate, change.

(4) *Conclusion.* A democratic society depends upon the ability at some stage to have the legislature get to a vote. The majority rule proposal we make, which provides for full, fair, and even extended debate, protects the interest of the minority to be heard and the right of the majority to decide.[5]

IV. THERE IS NO ESCAPE FROM THE FILIBUSTER ONCE THE EXISTING RULE XXII IS ACCEPTED AT THE OPENING OF CONGRESS

(1) *No Escape Hatch after Rule XXII Is Accepted.* Once the Senate of the 90th Congress, meeting in January 1967, accepts Rule XXII by action or acquiescence and commences to operate under that rule, there is no practical way of obtaining majority rule later on in the session. The only time a new filibuster rule can be adopted is at the opening of the Senate of the new Congress on January 10, 1967. As we demonstrate in Point V of the Memorandum and Brief, at the opening of a new Congress a majority of the Senators present and voting can cut off debate and adopt any filibuster rule for the Senate of the new Congress that the majority desires. But, once the Senate of the 90th Congress has acecpted Rule XXII by action or acquiescence and has commenced to operate under it, there is no way out.

(2) *Rule XXII Is Self-perpetuating Except at the Opening of a New Congress.* Once Rule XXII has been accepted by the new Congress it can be used as a lethal weapon against changing it; there is no way of obtaining the necessary two-thirds to close debate on a resolution for majority rule once the existing rules are in effect. The suggestion that majority rule can be obtained by bringing a resolution to that effect out of the Rules Committee and passing it on the floor later in the Congress is totally illusory. *The same group that make it impossible to obtain two-thirds cloture on meaningful and effective legislation for civil rights or the repeal of 14(b) makes it impossible to obtain two-thirds cloture on a rules change for the purpose of enacting such meaningful and effective legislation.* Majority rule will either be obtained at the opening of the Senate of the new Congress or it will not be obtained during the new Congress at all.

(3) *Experience in Last Eight Congresses,* That there is no escape from the filibuster if Rule XXII is accepted by the new Congress is shown by what happened in the last eight Congresses.

In the *82nd and 83rd Congresses,* a change in Rule XXII was favorably reported to the Senate by the Rules Committee, but in both Congresses the threat of a filibuster kept the issue from the floor of the Senate.

In the *84th Congress,* nothing whatever happened on Rule XXII.

In the *85th Congress,* the Rules Committee on April 30, 1958, reported out Senate Resolution 17 to amend Rule XXII to provide for majority rule after full and fair debate. On July 28, 1958, a bi-partisan group of a dozen Senators took the floor and urged action on Senate Resolution 17, but the Resolution was not called up for action.

In the *86th Congress,* both those who supported a substantial change in the filibuster rule and those who supported only a negligible change (from two-thirds of the total Senate to two-thirds of those present and voting) moved for a change in Rule XXII at the opening of the Senate of the 86th Congress before any other business had been transacted. Those who favored the negligible change from two-thirds of the total Senate to two-thirds of those present and voting won out over those who favored the substantial change. But this cannot obscure the fact that both sides recognized that the time, and the only time, to obtain any change in the filibuster rule is on opening day of the Senate of a new Congress when the majority of the Senate can vote its will.

In the *87th Congress* the Majority and Minority Leaders sent our motion for a new Rule XXII to the Rules Committee with a promise that there would be action later in the Senate. The Majority Leader later stated that "I am not at all certain that there will be a filibuster . . ." (Congressional Record, vol. 107, pt. 1, p. 521). And the Minority Leader went even further, saying that, if a filibuster against a rules change were to develop, "it would be like falling off a log to get two-thirds of the Senators to vote for cloture" (Congressional Record, vol. 107, pt. 1, p. 527). Despite these assurances, when the matter was brought up on the floor in September, 1961, the filibuster prevented action on a change in Rule XXII and the matter died as it was bound to do.

In the *88th Congress,* after Vice President Johnson put the Anderson motion to close debate under the Constitution to the Senate *for debate* instead of *for a vote* (thus killing the motion) and after the cloture motion under Rule XXII was lost, the subject of changing Rule XXII was never heard from again in that Congress. Everybody knew that Rule XXII had to be changed at the opening of the new Congress or not at all.

In the *89th Congress,* a unanimous consent agreement was reached at the opening of Congress sending the matter to committee under instructions to report back by March 9, 1965, with "all existing rights" protected. The Rules Committee did report back on March 9, but the matter was not called up for debate because the impending Voting Rights Bill appeared more important.

Whatever assurances may be given about action after the opening of the Senate of a new Congress, history renders those assurances meaningless. It is the opening of Congress—or never.

V. THE SENATE IN EACH CONGRESS HAS A CONSTITUTIONAL RIGHT TO ADOPT RULES OF PROCEEDINGS FOR THE SENATE OF THAT CONGRESS BY MAJORITY VOTE UNFETTERED BY ACTION OR RULES OF THE SENATE OF ANY PRECEDING CONGRESS

(1) *Brief Filed During January, 1961, Rule XXII Effort Never Answered.* On December 30, 1960, a number of Senators favoring majority rule presented to Vice President Nixon a "Brief in Support of Proposition that a Majority of the Members of the Senate of the Eighty-Seventh Congress Has Power to Amend Rules at the Opening of the New Congress Unfettered by Any Restrictive Rules of Earlier Congresses." This Brief was inserted in the Congressional Record on January 5, 1961, by Senator Douglas (Congressional Record, vol. 107, pt. 1, pp. 232–241), and will not be repeated here, particularly as this Brief was never seriously challenged or controverted. Indeed, in none of the debates of recent years has anyone made a serious effort to challenge the basic proposition that the Senate of a new Congress has power to act unhindered by rules from the past. What follows is a summary of the arguments in favor of the right of the Senate of the new Congress to act, and further details are available in the earlier brief through reference to the cited pages of the Congressional Record.

(2) *The Basic Constitutional Issue.* Vice President Nixon's advisory rulings in 1957, 1959 and 1961, which are set forth in the Appendix, reflect a very real understanding of the basic constitutional principle here involved—that the members of the Senate of each new Congress have undiluted power to determine the manner in which they will operate during that Congress and have no power whatever to determine the manner in which the Senate of future Congresses will operate. This basic constitutional principle is rooted both in Article I, Section 5 of the Constitution and in the historic democratic principle that the present shall determine its own destiny unhampered by the dead hand of the past.

The Senate of the First Congress meeting in 1789 promptly adopted rules (see Debates and Proceedings in the Congress of the United States, Vol. I, pp. 15–21). Just as the Senators of the First Congress meeting in 1789 had undiluted power to determine the rules under which they would operate, so the Senators of the 90th Congress meeting in 1967 have undiluted power to determine the rules under which they will operate. No rules of the Senate of an earlier Congress protecting filibusters can obstruct this right to adopt rules to govern the transaction of business. And no Senator or group of Senators can obstruct this right by seeking to prevent action on the rules through undertaking a filibuster. The filibuster is not a constitutional or a God-given right. It is up to the majority of the Senators convening on January 10, 1967, to determine whether and how they will limit the use of the filibuster for the Senate of the 90th Congress.

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[5] Before we leave this point, it might be well to note that the Rule XXII proposal we are making is a compromise not only in its assurance of extensive debate but also in the number of Senators it requires to close debate. Our proposal is for cloture by a majority of the total Senate (i.e., by 51 Senators). It has often been suggested, and is presently being suggested by Senator Morse, that cloture should be obtainable by a majority of those present and voting, but we have decided to stand by the more moderate suggestion of a majority of the entire body.

(3) *Article I, Section 5 of the Constitution of the United States is Determinative.* That section declares that "each House may determine the rules of its proceedings." Both the language and context make clear that "each House" means not only the separate branches of the Congress—that is, the House and the Senate—but also the separate branches of each succeeding Congress. No reason has been or can be adduced to interpret this constitutional provision as a grant of rule-making authority to the members of the House and the Senate meeting for the first time in 1789 and a withholding of this same authority from the members of the House and the Senate of later Congresses. Both language and logic lead to the conclusion that the constitutional authority to make rules is granted to *each* House of *each* Congress.

Article I, Section 5, as we have just seen, is an identical grant of rule-making authority to each House of Congress. It is not disputed that the House of Representatives of each new Congress has the power to, and does, adopt new rules at the opening of each Congress. The identical constitutional provision cannot reasonably be given a different interpretation as applied to the Senate, a coordinate branch of the "Congress of the United States." Article I, Section 1. The two bodies must act as a team in *the Congress,* and, if the Senate is so inhibited by old rules that it cannot express the will of its majority on legislation, the will of Congress is thwarted and the rule-making authority of the House becomes meaningless. Every principle of constitutional construction supports the interpretation of Article I, Section 5, which gives the majority of the Senate present on January 10, 1967, the right to "determine the rules of its proceedings" unfettered by action or rules of the Senate of any preceding Congress.[6]

(4) *The Four Closest Senate Precedents Support the Right of the Majority to Act.* In 1841 the Senate dismissed a printer whom the Senate of an earlier Congress sought to foist upon it. In 1876 the Senate abrogated the joint rules of the Senate and House which had been carried over from Congress to Congress by acquiescence for 87 years. In 1917 Senator Tom Walsh of Montana challenged the binding effect of the rules of the earlier Senate upon the new body and accomplished his purpose of obtaining the cloture rule he sought before acquiescing in the old rules. In 1957, 1959 and 1961 Vice President Nixon gave repeated advisory rulings that a majority of the Senate of a new Congress can act to adopt its own rules without the obstruction of actions and rules of the Senate of an earlier Congress and that a motion to cut off debate would be in order against a filibuster attempt to prevent a determination of the rules to govern the Senate of the new Congress.[7] Thus, in the four closest precedents, the Senate, while some of its members talked "continuous body" and others talked in a contrary vein, each time supported the right of the Senate to adopt new rules unfettered by past actions (see 1961 Brief, 107 Cong. Rec. 232–241).

(5) *The Senate of Each New Congress Makes a Fresh Start on All Activities.* In every major activity the Senate recognizes a constitutional right of the Senate of each new Congress to determine both legislative and executive business anew. All consideration of bills, resolutions, treaties and nominations start at the beginning of each Congress without reference to or continuation of what has taken place in the past; new officers and committee members are elected in the Senate of each new Congress; when the Senate finally adjourns, the slate is wiped clean; the proceedings begin again in the next Congress.

For convenience, we present the following analysis of the operations of the United States Senate in tabular form:

Analysis of the operations of the U.S. Senate

Activity	Senate acts anew in each Congress	Senate bound by Senate of preceding Congress	Comment
1. Introduction of bills	X		See Senate rule XXXII.
2. Committee consideration of bills	X		Do.
3. Debate on bills	X		Do.
4. Voting on bills	X		Do.
5. Election of officers	X		While the old officers carry over until new ones are elected, the carryover does not prove rules carry over. It is a mere convenience. Even in the House, the Clerk carries over until the new one is elected. Obviously this does not prove that House rules carry over: they do not.
6. Consideration of validity of senatorial elections.	X		Although credentials of a Senator-elect are often presented to the Senate prior to the beginning of his term, the validity of the credentials can only be considered by the Senate to which he was elected and not before.
7. Consideration of treaties	X		See Senate rule XXXVII(2).
8. Submission and consideration of nominations.	X		See Senate rule XXXVIII(6).
9. Election of committee members	X		See rule XXV. While old committees carry over until new ones are elected, the carryover does not prove rules carry over. It is a mere convenience. Even in the House, the Clerk carries over until the new one is elected. Obviously this does not prove that House rules carry over; they do not.
10. Adjournment	X		Adjourns sine die. When Congress ends at noon of a particular day, and a special session of the Senate of the new Congress is called, the Senate adjourns at noon, and 1 minute afterward opens the new session.
11. Rules	?	?	Past practice of Senate on rules is ambiguous. It is best explained as acquiescence in past rules, which can either be repeated at the opening of the new Senate of any new Congress by beginning to operate under them or which can be refused by the adoption of new rules in whole or in part.

The thing that stands out in the above analysis is that everything starts afresh with the possible exception of the rules. And these, too, it is submitted, start afresh in whole or in part the moment a majority of the Senators at the opening of the Senate of a new Congress so will it and so vote. All that has happened over the past years is that there has been acquiescence in the carry-over of rules of the Senate from Congress to Congress.[8] Carry-over of the rules based on acquiescence is certainly no precedent for arguing that the earlier rules bind the Senate of the new Congress in the absence of such acquiescence. Absent acquiescence, the Senate of the new Congress has power to adopt its rules at the opening of the new Congress unfettered by any restrictive rules of earlier Congresses. The acquiescence in Rule XXII will be ruptured when the Resolution proposed herein is offered on January 10, 1967.

(6) *Continuous Body Talk is Irrelevant.* As we have seen in (4) and (5) above, the Senate has *not* in the past *acted* as a continuous body.

It did not act as a continuous body in 1841 when it dismissed the printer chosen by the Senate of the earlier Congress; it did not act as a continuous body in 1876 when it adopted new joint rules; and it did not act as a continuous body in 1917 when it yielded to the contrary arguments of Senator Walsh and adopted the cloture rule he demanded.

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[6] Since the Constitution gives the majority of the Senate present on January 10, 1967, the right to "determine the rules of its proceedings," Section 2 of Rule XXXII can not thwart this right. Section 2 of Rule XXXII provides that "the rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules." This Section may be valid with respect to rules that do not obstruct the will of the majority of the Senate of the new Congress, but, as Vice President Nixon repeatedly made clear, it is unconstitutional as applied to Rule XXII. See Appendix. Simply put, a majority in 1959 cannot give a minority in 1967 the right to prevent the majority in 1967 from exercising its democratic will. It might also be well to note that there is doubt whether there actually was a majority for this provision in 1959; it was added as part of a "compromise package" and no vote was ever taken on this provision separately. At any rate, neither this provision nor any other rule can override the Constitution of the United States.

[7] Actually, it would be possible to cite another Vice President to the same effect, although not in the same detail, as Vice President Nixon. On the opening day of the new Congress in 1953, Vice President Barkley stated to the Senate that: "The organization of the Senate is an inherent right of the Senate, as it is of any sovereign body, and all that has taken place up to date [election of officers] has been under that inherent right." This inherent right to organize the Senate includes, as Vice President Barkley was making clear, the right of the majority to determine the rules under which the Senate would operate.

[8] Except, of course, in 1917, when Senators Walsh and Owen refused to acquiesce until the Senate adopted the cloture rule they sought, and in 1953, 1957, 1959, 1961, 1963 and 1965, when Senators sought to change the rules as we are now doing.

It does not today act as a continuous body; it wipes the slate clean on bills, resolutions, treaties and nominations at the beginning of each new Congress.

No one would deny that many Senators have *talked* in terms of a continuous body and that textbook writers have accepted this talk in their academic works. But the talk has been largely by those who tried—unsuccessfully—to use the phrase to prevent Senate action departing from that of the Senate of an earlier Congress and who have failed in their efforts.

Actually, parliamentary bodies generally have both continuous and discontinuous aspects. The House of Representatives has continuous aspects and yet no one refers to it as a continuous body and no one disputes its right to adopt new rules at the beginning of each Congress. By the same token, the Senate has both continuous and discontinuous aspects; its limited continuous aspects (e.g., two-third carry-over) do not support the proposition that the Senate of an earlier Congress can prevent the Senate of a new Congress from acting upon rules as the majority may determine at the opening of the new Congress.

The argument for the carry-over of the rules seems to come down to this: Because two-thirds of the Senators carry over, the Senate is a continuous body; because the Senate is a continuous body, the rules carry over. Striking the words "continuous body" out of this formula, the argument comes down to this: Since two-thirds of the Senators carry over, the rules carry over. But this is a patent non-sequitur. It assumes that the carry-over of two-thirds of the Senate always carries over a majority in favor of the rules. The infusion of one-third newly elected Senators—both by their numbers and their power of persuasion—may very well change the majority view on rules and it is this majority view that is determinative under our constitutional democracy, not who carries over. That the new one-third may change the majority on any matter is well illustrated by the shifting of the Senate from Party to Party over the years. The argument that the two-thirds carry-over prevents the new majority from acting on the rules disenfranchises not only the newly elected one-third, but the new majority who are prevented from exercising their powers and duties to make the rules for their own work and laws for the people. To say that the Senate of the 90th Congress in 1967 is the same as the Senate of the First Congress in 1789 because two-thirds of its members carried over to the Senate of the Second Congress is to prefer romantic form to rational substance and dubious academic theory to practical reality.

Some Senators genuinely believe the Senate is a "continuous body." Others genuinely believe that it is not, that it acts as a "discontinuous body." Both have the right to their opinions. But when a descriptive term resulting from nothing more than the carry-over of two-thirds of the Senators is used as a reason for preventing the majority of the body from determining the Senate's actions, an adjective is being confused with a reason and an effect with a cause. The parliamentary deadfall dug by the Senate of a dead Congress, harmless enough as an abstraction, should not be permitted to stultify and destroy the power of the Senate and of the entire Congress in the present.

(7) *Majority Rule Is The Letter and Spirit of our Constitution.* The Supreme Court has aptly described the principle of majority rule as one "sanctioned by our Governmental practices, by business procedure, and by the whole philosophy of democratic institutions." *N.L.R.B.* v. *A. J. Tower Co.*, 329 U.S. 324, 331.

The pervasive need for majority rule was recognized at the Constitutional Convention. Alexander Hamilton, writing in the *Federalist*, No. XXII, strongly emphasized this need as follows:

"To give a minority a negative upon a majority (which is always the case where more than a majority is requisite to a decision) is, in its tendency, to subject the sense of the greater number to that of the lesser . . . If a pertinacious minority can control the opinion of a majority, respecting the best mode of conducting it, the majority, in order that something may be done, must conform to the views of the minority; and thus the sense of the smaller number will overrule that of the greater, and give a tone to national proceedings."

The authors of the Constitution prescribed majority rule as the rule for Congressional action by expressly enumerating all the instances in which more than a majority vote was to be required These special cases were limited to five. There are two-thirds requirements in connection with (1) the power of Congress to override the veto, (2) Senatorial ratification of treaties, (3) the initiation by Congress of proposals to amend the Constitution, (4) the impeachment power, and (5) the expulsion of members of Congress. In these rare instances, where it was felt necessary to make exceptions to majority rule, the Constitution expressly said so (Article I, Section 7; Article II, Section 2; Article V; Article I, Section 3; Article I, Section 5). This detailed specification of the two-thirds requirement in connection with particular powers demonstrates that, when Congress was to operate by other than majority rule, it was so instructed by definite language in the Constitution.[9]

Majority rule is the constitutional measure for legislative action. As Senator Thomas of Colorado pointed out in debating the cloture rule of 1917, "majority rule is an essential principle in American Government" (55 Cong. Rec. 33). Yet this fundamental constitutional principle can only be reestablished in the United States Senate through new rules, in whole or in part, at the opening of the Senate of a new Congress. If this route is blocked, there will be no way to carry out this basic principle of the Constitution and to implement the Supreme Court's statement that a House of Congress "may not by its rules ignores constitutional restraints . . ." *United States* v. *Ballin*, 144 U.S. 1, 5. We turn now to the parliamentary steps to obtain majority rule at the opening of Congress.

VI. THE PARLIAMENTARY STEPS TO CHANGE RULE XXII AT THE OPENING OF CONGRESS

(1) *Proceedings on January 10, 1967.* The Senate of the 90th Congress will convene at 12 o'clock meridian on January 10, 1967. Immediately after the opening prayer, there will be formalities of presenting credentials, administering the oath to new members and the election of officers. At the close of the formalities, Senator Anderson or one of the other Senators who supports a change in Rule XXII to three-fifths of those present and voting will seek recognition and, upon receiving recognition, will send his three-fifths cloture resolution to the Chair and ask that it be read. After the Clerk reads the three-fifths cloture resolution, the Senator who had sent that resolution to the desk will request unanimous consent for the immediate consideration of the resolution. Unanimous consent for immediate consideration of the resolution is required because Rule XL entitles the Senate to one day's notice in writing of motions to amend or modify a rule.[10] If unanimous consent is forthcoming, the resolution is on the floor of the Senate for debate. If, as seems almost certain, one or more Senators refuse unanimous consent, the Senator who had sent the resolution to the desk will send to the desk a notice of motion under Rule XL to amend Rule XXII to provide for three-fifths cloture.

After the three-fifths cloture resolution has been offered, one of the Senators seeking to change Rule XXII to provide for majority rule will seek recognition and, upon receiving recognition, will address the Chair substantially as follows:

"Mr. President, on behalf of the following Senators (listing them) and myself and in accordance with Article I, Section 5 of the Constitution of the United States and the advisory rulings of the Chair at the opening of the 85th, 86th and 87th Congresses, I send to the desk a resolution and I ask that the Clerk read it."

The resolution sent to the desk will be as follows:

"*Resolved*, That rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea and nay vote the question:

"'Is it the sense of the Senate that the debate shall be brought to a close?'

"And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter, debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all to not more than one hundred hours, of which fifty hours will be controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same; *Provided, however,* That any Senator so requesting shall be allocated a minmum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

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[9] It should be noted here that the argument under this subsection (7), as distinguished from the other arguments made in support of the proposition that the Senate of a new Congress has unfettered authority to deal with its rules, would be equally valid if raised at a later stage in the Congress. See CONGRESSIONAL RECORD, vol. 107, pt. 15, p. 19847.

[10] Since Rule XL does not restrict the power of the Senate to act expeditiously on new rules, the group seeking to change Rule XXII acquiesces in this rule and is operating under it.

"*Resolved, further*, That section 3 of the Standing Rules of the Senate be redesignated as section 4."

After the Clerk reads the resolution, the Senator who had sent the resolution to the desk will request unanimous consent for the immediate consideration of the resolution. If unanimous consent is denied, as seems almost certain, the Senator who sent the resolution to the desk will address the Chair as follows:

"Mr. President, I therefore send to the desk a notice of motion to amend certain rules of the Senate and ask that it be read."

The notice of motion would read as follows:

"NOTICE OF MOTION TO AMEND CERTAIN SENATE RULES

"In accordance with the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to amend Rule XXII of the Standing Rules of the Senate in the following particulars, namely:

"Rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

"'3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the fifteenth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea or nay vote the question:

"'"Is it the sense of the Senate that the debate shall be brought to a close?"

"'And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

"'Thereafter, debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all to not more than 100 hours, of which 50 hours will be controlled by the majority leader, and 50 hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same; provided, however, that any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"'Section 3. Redesignate section 3 of the Standing Rules of the Senate as Section 4.'

"The purpose of the proposed amendment is:

"To provide for bringing debate to a close by a majority of the Senators duly chosen and sworn after full and fair discussion."

After the resolutions have been offered, the Senate would presumably adjourn until Wednesday, January 11th. It is not believed that Majority Leader Mansfield would seek to prejudice the right of the Senators bringing up the resolution to change Rule XXII by attempting to take up other business on January 10th. Indeed, it is customary for the Senate not to remain in session for any length of time on opening day when new Senators who have just been sworn in have congratulatory and other festivities to attend. If, by some remote chance, an effort were made to go to other business, it would be incumbent on the Senators supporting either of the proposed rules changes to object to the transaction of any such business or to make certain, by obtaining the necessary consents or parliamentary rulings, that the transaction of such business would not waive the rights of the majority to adopt rules at the opening of the Senate of the new Congress. In other words, it would be necessary to make sure that the Vice President would be prepared to treat January 11th as still the opening of the new Congress for purposes of the rules, despite the business the Majority Leader proposed to transact on January 10th. As already indicated, however, it is not believed that this problem is likely to arise; rather, it is assumed that debate on the Resolution will commence on January 11th without hitch.

(2) *Proceedings on January 11, 1967 and thereafter*. As in past efforts to change Rule XXII at the opening of Congress, the Vice President would lay the resolution before the Senate during the morning hour. At the conclusion of the morning hour, the resolution would be placed on the calendar. At that time the sponsor of the resolution for three-fifths cloture would move that the Senate proceed to the consideration of the resolution. Debate on the motion that the Senate proceed to the consideration of the resolution would follow and presumably the motion would be agreed to (see, for example, the experience in 1961, CONGRESSIONAL RECORD, vol. 107, pt. 1, p. 231). As soon as the three-fifths resolution becomes the pending business of the Senate, the Senators who have given notice of their proposal for majority rule would offer their proposal as a substitute for the three-fifths cloture resolution. Debate would then go forward on the majority rule and three-fifths proposals. During the course of the debate on the motion to proceed to consideration and on the resolutions themselves, it would be incumbent on the Senators supporting either of the rules changes to object to the transactions of any other business except by unanimous consent or under a ruling from the Chair that such business would not prejudice the rights of the majority to adopt rules at the opening of the Senate of the new Congress. Presumably the debate would continue from day to day after January 11th.

(3) *Motion for Majority Cloture to be Voted First*. It is generally agreed both by those supporting majority rule and those supporting three-fifths cloture that the proposal for majority rule should be voted upon first. Because of this, it is important that the three-fifths proposal be offered first and that the majority rule proposal be offered as a substitute for it. This would automatically bring majority cloture up for the first vote.

(4) *Tactics of the Opposition*. What tactics the opposition to a change in Rule XXII will adopt are, of course, not known to us at this time. The opponents have at least the following alternatives:

(i) They can move to table the Resolution to change the rules. If a majority votes to table, such action would, as Vice President Nixon made clear in 1957, constitute approval of Rule XXII as a part of the rules of the Senate of the 90th Congress.

(ii) They can move to commit the Resolution to committee as was done in 1961. This would also constitute approval of Rule XXII as a part of the rules of the Senate of the 90th Congress.[11]

(iii) They can seek to defeat a motion to take up the Resolution to change Rule XXII or seek to defeat the Resolution itself. If a majority so votes, this would likewise constitute approval of Rule XXII.

(iv) They can make a point of order against the consideration of the Resolution to change Rule XXII. The point of order would *not*, clearly *not*, be well taken. Whether or not the proposed Resolution is considered under the Constitution or under the existing rules, in either event it is clearly in order. If rules do not carry over from Congress to Congress except by acquiescence, the proposed Resolution is in order as an expression of such acquiescence in the existing rules other than Rule XXII plus a new Rule XXII. If the rules do carry over, the Resolution is in order (as then Majority Leader Johnson's Resolution was in 1959) as a Resolution to change a particular Rule.[12]

If the opponents of a change in Rule XXII do not have the votes to table (as in (i) above), to send to committee (as in (ii) above), or to defeat the proposed Resolution (as in (iii)), those who are most strenuously opposed to majority rule will undoubtedly seek to filibuster either the motion to take up the rules change or the rules change itself or both. It is then and only then that the real constitutional issue arises: Whether a majority of the Senators of the newly-convening body can cut off debate in order to carry out their constitutional function of determining rules or whether they must stand powerless before the minority shielded by the Rules of an earlier Senate? As we have conclusively demonstrated in Point V, there can be only one answer to this question—the majority of the Senate of the 90th Congress *has* the power, under the Constitution, to act to determine its rules.

(5) *Motion to Close Debate—Point of Order Raised Against It*. As just indicated, if the opponents of a change in Rule XXII do not have the vote to table the resolution, to commit it to committee or to defeat it, they will undoubtedly filibuster. After reasonably lengthy debate, the time will come for the proponents of a new Rule XXII to make their move to end the filibuster. The

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[11] The only other motions that appear possible besides the tabling and committal motions would be ones either to postpone indefinitely or to postpone to a day certain. Unless an agreement were made that the matter would be considered at the later time as though it were the opening of Congress, such motions, if adopted, would likewise mean the fastening of Rule XXII upon the Senate of the 90th Congress.

[12] Nor would a point of order lie on the ground that the resolutions to change Rule XXII must go to the Rules Committee. In the first place, a majority of the Senate has the right under existing rules to determine whether a bill or resolution should go to committee or go directly to the calendar. Furthermore, as fully demonstrated in Point V above, if any rule of the Senate did require a rules change to go to committee and thus prevent the majority from working its will at the opening of Congress, the rule itself would be invalid as an effort by an earlier Congress to prevent the new majority from working its will.

first step would be a request to the filibusterers to agree to a vote at some specified time in the future. If this request is refused, the next step would be to announce that a motion to close debate will be made on the following day as soon as recognition can be obtained. At that time one of the supporters of a new Rule XXII (either a three-fifths or majority supporter) would rise and address the Chair substantially as follows:

"Mr. President, it is now clear that a majority of the members of this body desire to change Rule XXII. It is also clear that there has been a full and fair and even prolonged discussion of this matter. Further discussion will not enlighten the Senate or the nation, but will simply be an effort to keep this body from acting. Therefore, under the Constitution and especially under Article I, Section 5 thereof, and under the advisory rulings of the Vice President Nixon, I move that the Senate without further debate now vote upon the question whether the body wishes to terminate debate and to vote without further debate upon the pending resolution and all amendments thereto concerning Rule XXII."[13]

It would seem likely that Senator Russell or one of his colleagues would raise a point of order contending that the proposed motion is out of order on the ground, as they would claim, that Rule XXII carries over and is the only method for closing debate. The matter would then be squarely before the Vice President on the right of the Senate of a new Congress to adopt its rules by a majority vote and without the fetters of Rule XXII laid down by an earlier Congress.

The Vice President would have three choices:

(i) The Vice President could, and we submit *should*, rule that the motion is in order (as Vice President Nixon repeatedly made clear he would have ruled). In this event there would undoubtedly be an appeal from the ruling of the Chair and this appeal is debatable. However, the Senators favoring a change in Rule XXII could move to table the appeal and, if the tabling motion succeeded, this would have the effect of upholding the Vice Presidents ruling. Immediately upon the tabling of the appeal, the Vice President would put the motion to terminate debate, and, if this motion carried, the Vice President would put the majority rule proposal to the Senate. If that carried, it would be the end of the matter; if it failed, the Vice President would then put the three-fifths motion to the Senate. Whatever happened, that would be the end of the matter.[14]

(ii) The Vice President could, with or without giving an advisory ruling, place before the Senate the constitutional question whether the motion to terminate debate was in order. During the debate on Rule XXII in the 87th Congress, Vice President Johnson indicated that this was the course he would follow in dealing with any question involving an interpretation of the Constitution (CONGRESSIONAL RECORD, vol. 107, pt. 15, p. 19847). Senator Keating in a series of parliamentary inquiries sought confirmation of the view that a majority of Senators had the power under the Constitution to determine the rules of proceedings in the Senate. In declining comment on one of the questions posed during this colloquy, the Vice President stated: "The Chair has no authority to interpret the Constitution. *Constitutional questions must be submitted to the Senate for determination under the uniform practices of the Senate.*" Ibid. This same view is set forth in the Manual on Senate Procedure prepared by the Senate Parliamentarian. In the words of the Manual (at page 20): "It is not within the province of the Presiding Officer to rule a bill or an amendment out of order on the ground that it is unconstitutional; the Presiding Officer has no authority or power to pass on the constitutionality of a measure or amendment; that is a matter for the Senate itself to decide.

If the Vice President should follow this course, any point of order against the motion to terminate debate under Article I, section 5 of the Constitution, would be put to the Senate for decision. If a majority of the Senators rejected the point of order and voted that the motion to terminate debate was in order, then the motion to terminate would be put and from there on the procedure would be identical with that in (i) above.

(iii) The Vice President could, of course, contrary to Vice President Nixon's several advisory rulings and to his own views expressed over a number of years, sustain the point of order against the motion to terminate debate. If he did this, we could appeal the ruling, but the matter would be subject to further filibuster and there would be no way out of the dilemma. But the Senators joining in this effort to obtain majority rule in the Senate do not consider this a realistic possibility.

(6) *Motion to Close Debate—No Point of Order Raised Against It.* It was assumed in the discussion under (5) immediately above, that the motion to close debate under the Constitution and the Nixon advisory rulings would be met by a point of order and the Vice President's ruling would thus come in deciding the validity of that point of order. But it is also possible that the opponents of a change in Rule XXII would simply sit tight in the hope that Vice President Humphrey would put the motion to close debate to the Senate *for debate* (as Vice President Johnson did in 1963) rather than *for a vote* (as Vice President Nixon indicated he would do in 1957, 1959 and 1961). We are confident that Vice President Humphrey would put the motion to close debate to the Senate for a vote rather than killing the motion by putting it to the Senate for debate.

Our case to the Vice President on this point can be simply put: *You do not debate a motion to end debate.* This is for the obvious reason that debating the motion renders it meaningless. It is just like the fact that you do not debate a motion to adjourn because you defeat the motion by debating it. So, if the Vice President were to say that there is no way to get to a vote on a motion to end debate under the Constitution, he would be saying:

(i) You *can* debate a motion to end debate;

(ii) You *can* kill a motion to end debate with debate;

(iii) The Senate *cannot* act except under Rule XXII;

(iv) The Senate does *not* have the power of the Senate of the 1st Congress to adopt rules by majority will.

The Senators seeking rules change are confident that the Vice President will be willing to help the Senate to perform its Constitutional obligations. His statements from 1953 to date make clear his belief that the Senate of a new Congress does have the power to act by majority will. We rest our case in the firm belief that the Vice President will put the motion to close debate to the Senate for a vote not for certain death by further debate.

(7) *Procedure Like 1961, 1963 and 1965 not 1953, 1957 or 1959.* It is immediately recognizable that the proposed procedure for January 10, 1967, is like the 1961, 1963 and 1965 procedure and is different from the procedure adopted by the proponents of majority rule at the opening of other recent Congresses.

In 1953 and 1957, the motion utilized on opening day was as follows:

"In accordance with Article I, Section 5 of the Constitution which declares that * * * 'each House may determine the rules of its proceedings' * * * I now move that this body take up for immediate consideration the adoption of rules for the Senate of the Eighty-third (or Eighty-fifth) Congress."

In 1959 the same motion was offered as a substitute for Majority Leader Johnson's motion to amend the rules.

The Senators joining in the effort to change the rules on January 10, 1967, have two alternative courses open to them:

(i) They could have proceeded with the motion to take up rules as they did in 1953 and 1957 and as they sought to do in 1959.

(ii) Or they could proceed, as they did in 1961, 1963, and 1965 and are now doing, under the Constitution, Vice President Nixon's advisory rulings in 1957, 1959 and 1961, and the existing rules (to the extent they do not thwart the will of the majority).

The motion to take up rules utilized in 1953, 1957 and 1959 proceeds on the assumption that the rules of the Senate do *not* carry over from Congress to Congress except by acquiescence of a majority of the Senate of the new Congress. The briefs submitted in support of the motion to take up the rules at the opening of those Congresses made out an overwhelming case for this proposition.

We have, however, decided on the second alternative of proceeding under the Constitution, Vice President Nixon's rulings and the existing rules, for four reasons:

(i) Some Senators have indicated concern at operating under general parliamentary procedures even during the period of the adoption of rules, and the procedure now being followed avoids this problem, for the rules are assumed to carry over except to the extent that they thwart the ability of the majority to determine the rules at the opening of the Senate of the new Congress.

(ii) Vice President Nixon repeatedly expressed his opinion at the opening of the 85th, 86th, and 87th Congresses that the rules do carry over from Senate to Senate except that earlier rules, insofar as they restrict the power of the Senate of a new Congress to change its rules, are not binding on the Senate at the opening of a new Congress.

(iii) Then Majority Leader Johnson's 1959 action in bringing up a rules change on opening day of the new Congress is a recent precedent for immediate consideration under the rules of such rules changes as are desired by a majority of the members of the Senate.

(iv) This procedure worked smoothly in 1961, 1963, and 1965. It was thwarted in 1961 only by a motion to send to committee adopted by the barest majority and in 1963 by Vice President Johnson's putting the motion to close debate to the Senate for debate. If the Vice President and a majority are now on our side, as we believe them to be, the procedure we are utilizing will be effective.

We desire to make it extremely clear that, by proceeding as we are doing under both the Constitution and the existing rules, we do not waive and we cannot be considered as waiving the constitutional power of the Senate of the new Congress to adopt their own rules by majority vote unfettered by any restrictive rules of the past. We are proceeding under the Constitution and under Vice President Nixon's repeated advisory rulings that the rules, although they do carry over from Congress to Congress, cannot restrict what a majority of the Senate of the new Congress wants to do at the opening of a new Congress in the way of determining what rules are to govern the body for the next two years. With a majority of the Senators supporting a change in Rule XXII at the opening of the 90th Congress and with a Vice President who has long favored such action, 1967 is the year of decision.

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[13] This form of motion is probably to be preferred to a motion for the previous question (as used in the House) to avoid the raging academic controversy on the history of the previous question motion from 1789 to 1806. We are convinced, however, that the previous question motion could be utilized as an alternative.

[14] If the opponents of a change in Rule XXII filibuster the motion to proceed to consideration of the rules change rather than allowing that motion to be voted upon (as they did, for example, in 1961), the motion to terminate debate which we set forth above would have to be made initially as an effort to terminate debate upon the motion to proceed to consideration of the change in Rule XXII. While this might require two motions to terminate debate rather than one, it would not change the basic procedure in any way.

Respectfully Submitted by Senators Joining in Motion to Amend Rule XXII to Permit a Majority of the Total Senate to Close Debate.

APPENDIX

VICE PRESIDENT NIXON'S RULINGS

In 1957, during the debate on the rules at the opening of the Senate of the Eighty-fifth Congress, Vice President Nixon gave an advisory ruling as follows (CONGRESSIONAL RECORD, vol. 103, pt. 1, pp. 178–179):

"It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.

"Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect.

"The Chair emphasizes that this is only his own opinion, because under Senate precedents, a question of constitutionality can only be decided by the Senate itself, and not by the Chair.

"At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:

"First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.

"Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.

"Third. It can vote affirmatively to proceed with the adoption of new rules.

"Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action would have indicated its approval of the previous rules of the Senate, and those rules would be binding on the Senate for the remainder of this Congress unless subsequently changed under those rules.

"If, on the other hand, the motion to lay on the table shall fail, the Senate can proceed with the adoption of rules under whatever procedures the majority of the Senate approves.

"In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the membership of the Senate to exercise its constitutional right to make its own rules."

In 1959, during the debate on the rules at the opening of the Senate of the Eighty-sixth Congress, Vice President Nixon gave advisory rulings as follows:

"Under the advisory opinion the Chair rendered at the beginning of the last Congress, it is the opinion of the Chair that until the Senate indicates otherwise by its majority vote the Senate is proceeding under the rules adopted previously by the Senate, but, as the Chair also indicated in that opinion, it is the view of the Chair that a majority of the Senate has a constitutional right at the beginning of each new Congress to determine what rules it desires to follow" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 6).

* * * * *

"The resolution submitted by the Senator from Texas will be considered under the rules of the Senate which have been adopted previously by the Senate. But as the Chair stated earlier today, and as he expressed himself more fully in an advisory opinion at the beginning of the last Congress, in the opinion of the Chair the rules previously adopted by the Senate and currently in effect are not, insofar as they restrict the power of the Senate to change its rules, binding on the Senate at this time.

"The Chair expressed that opinion in the last Congress, but it is only an opinion. The question of constitutionality lies within the power of the Senate itself to decide. The Constitution gives to the Senate the power to make its rules. That means that the Members of the Senate have the right to determine the rules under which the Senate will operate. This right, in the opinion of the Chair, is one which can be exercised by and is lodged in a majority of the Members of the Senate. This right, in the opinion of the Chair, in order to be operative also implies the constitutional right that *the majority has the power to cut off debate in order to exercise the right of changing or determining the rules*" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 8–9).

"* * * * *

"If, for example, during the course of the debate on the motion of the Senator from Texas, which deals with changing the rules, a Senator believes that action should be taken and debate closed, such Senator at that time could, in the opinion of the Chair, *raise the constitutional question by moving to cut off debate*. The Chair would indicate his opinion that *such a motion was in order* but would submit the question to the Senate for its decision" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 9).

"* * * * *

"In the opinion of the Chair, as he has expressed it both yesterday and at the beginning of the first session of the last Congress, the rules of the Senate continue from session to session until the Senate, at the beginning of a session indicates its will to the contrary.

"In the opinion of the Chair, also, however, any rule of the Senate adopted in a prior Congress, which has the express or implied effect of restricting the constitutional power of the Senate to make its own rules, is inapplicable when rules are before the Senate for consideration at the beginning of a new Congress.

"It has been the opinion of the Chair, for example, that subsection 3 of rule XXII would fall in that category, because it has the practical effect, or might have the practical effect, of denying to a majority of the Senate at the beginning of a new Congress its constitutional power to work its will with regard to the rules by which it desires to be governed.

"On the other hand, in the opinion of the Chair, the requirement that any proposal to amend or adopt rules lie over for a day, under rule XL, would not have such an inhibiting effect. Consequently, the Chair believes that rule XL is one which can properly apply in connection with consideration of the rules by the Senate at this point" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 96).

* * * * *

"It is the opinion of the Chair that at the beginning of a new Congress a majority of the Senate has the constitutional right to work its will with regard to the rules by which it desires to be governed, and that that right cannot be restricted by the membership of the Senate in one Congress imposing its will on the membership of the Senate in another Congress" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 101).

* * * * *

"The key problem around which this discussion has resolved is with regard to the question of *whether the Senate can move to bring a question of change of the rules to a vote*, as the Senator from Wyoming is aware. It is the opinion of the Chair that insofar as that problem is concerned, *at the beginning of a new Congress the Senate can proceed to adopt new rules or to amend old rules without being inhibited by any previous rule* which might restrict or deny the constitutional right or power of a majority of the membership of the Senate to determine its rules" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 102).

* * * * *

"A constitutional question would be presented if the time should come during the course of the debate when action on changing the rules should seem unlikely because of extended debate. At that point any Member of the Senate, in the opinion of the Chair, would have the *right to move to cut off debate*. Such a motion would be questioned by raising a point of order. At that point the Chair would submit the question to the Senate on the ground that a constitutional question had been raised because of the Chair's opinion that the Senate, at the commencement of a new Congress, has the power to make its rules. That power, in the Chair's opinion, cannot be restricted even by action of the Senate itself, which would be the case where the membership of the Senate in one Congress has attempted to curtail the constitutional right of the membership of the Senate in another Congress to adopt its rules" (CONGRESSIONAL RECORD, vol. 105, pt. 1, p. 103).

In 1961, during the debate on the rules at the opening of the Senate of the 87th Congress, Vice President Nixon gave advisory rulings as follows (CONGRESSIONAL RECORD, vol. 107, pt. 1, pp. 9–13):

"The Chair has indicated his opinion that at the beginning of each new Congress a majority of the Members of the Senate have the constitutional right to determine the rules under which the Senate will be guided. Once that decision is made, or once the Senate proceeds to conduct business under rules adopted in previous Congresses, those rules will then be in effect."

* * * * *

"The ruling of the Chair is that any rule adopted in a previous Senate which would inhibit the right of a majority of the Members of the Senate in a new Congress to adopt its rules is not applicable. And, as the Chair has made his ruling previously, the Chair would hold that in this instance the filing of the motion under rule XL, as the Senator has indicated he would desire to proceed, is proper; but that any section of the rules, other than rule XL, which would inhibit the right of the majority of the Members of the Senate to determine its rules, would not be applicable."

* * * * *

". . . The Chair stated that at the beginning of a new Congress a majority of the Members of the Senate can, either by positive action or by waiver of the right to take such action proceed to adopt its rules; but if the Senate proceeds, without objection, under rules previously adopted, to the conduct of business, it is the Chair's opinion that then the rules adopted in previous Congresses will apply to the Congress in which this Senate is sitting.

"On the other hand, if at the beginning of a Congress, before other business is transacted, a majority of the Members of the Senate desire to change the rules under which the Senate has been operating, it is the opinion of the Chair that the majority rule will apply."

* * * * *

". . . As the Chair pointed out in his advisory opinion during a previous session of the Senate, any provision of the rules adopted by the Members of the Senate in one Congress cannot, in his opinion, inhibit the constitutional right of a majority of the Members of the Senate in any new Congress to adopt their rules by majority vote.

"As the Senator from Georgia has properly pointed out, only a majority vote is required to change the rules, if the Senate reaches the point of voting.

"What the Chair held as, in his opinion, unconstitutional was the attempt of the Senate in a previous Congress to inhibit the right of the Senate in a practical sense to get to the point where it could adopt rules by majority vote."

* * * * *

"The Chair in his advisory opinion did hold that the Senate was a continuing body and that the rules of the Senate did continue except for any rule adopted by the Senate which, in the opinion of the Chair, would inhibit the constitutional right of a majority of the Members of the Senate to change its rules or adopt new rules at the beginning of a new session of the Senate. This was the basis of the Chair's advisory opinion. The Chair's opinion was not that it was not a continuing body and that it began with no rules at all at the beginning of a new Congress. It is the opinion of the Chair that, at the beginning of each new session of Congress, the Senate does operate under and begins its business with the rules adopted in previous sessions of the Senate; but the Chair holds that any provision of the rules previously adopted which would restrict what the Chair considers to be the constitutional right of the majority of the Members of the Senate to change the Senate's rules, or to adopt new rules, would not be applicable."

* * * * *

"The Chair expressed his opinion that the provisions of rule XXXII which would inhibit the right of a majority of the Members of the Senate at the beginning of a new Congress to change its rules by majority vote would be unconstitutional."

* * * * *

"It is the opinion of the Chair that so long as no substantive business is undertaken by the Senate the opening of the new Congress still is in effect, so that the Senate would be able to adopt its rules under the majority procedure which the Chair has described."

* * * * *

The VICE PRESIDENT. The Senator from South Dakota may proceed.

Mr. McGOVERN. Mr. President, what we do here today, I wish to make perfectly clear, will not be a precedent for any action this body may take later, except as to the right of a majority of the Senate to act on its own rules at the opening of a Congress, unfettered by any rules of the Senate of earlier Congresses that would prevent a majority of the Senate from working its will on the rules. It would not be a precedent for any action during the term of the Senate.

Appropriate action under article I, section 5, of the Constitution at this time cannot be deemed a precedent for improper action not under that constitutional provision at some future time. A motion to close debate upon a rules change at the opening of Congress is appropriate action under the Constitution.

Mr. President, under article I, section 5, of the Constitution, which provides that a majority of each House shall constitute a quorum to do business and that "each House may determine the rules of its proceedings," I move that debate upon the pending motion to proceed to the consideration of Senate Resolution 6 be brought to a close in the following manner:

The Chair shall immediately put this motion to the Senate for a yea-and-nay vote; and upon the adoption thereof, by a majority of Senators present and voting, a quorum being present, there shall be 2 hours of debate upon the motion to proceed to the consideration of Senate Resolution 6, divided equally between the distinguished Senator from Montana [Mr. MANSFIELD] and myself; and immediately thereafter, the Chair shall put to the Senate, without further debate, the question on the adoption of the pending motion to proceed to the consideration of Senate Resolution 6.

The VICE PRESIDENT. Will the Senator from South Dakota send the motion to the desk, so that the clerk may read it?

Mr. RUSSELL. Mr. President, how can the Senator embrace all his proposals within one motion? It gets to be a divisional question. He will have to submit his motion in two questions. I am confident I am right about that.

The VICE PRESIDENT. The clerk will restate the motion of the Senator from South Dakota for the edification of the Senate.

The assistant legislative clerk read the motion, as follows:

> Mr. President, under article I, section 5, of the Constitution, which provides that a majority of each House shall constitute a quorum to do business, and each House may determine the rules of its proceedings, I move that debate upon the pending motion to proceed to the consideration of S. Res. 6 be brought to a close in the following manner:
>
> The Chair shall immediately put the motion to the Senate for a yea-and-nay vote and, upon adoption thereof by a majority of those present and voting, with a quorum present, there shall be two hours of debate upon the motion to proceed to the consideration of S. Res. 6 divided equally between the proponents and the opponents thereof and immediately thereafter the Chair shall put to the Senate, without further debate, the question on the adoption of the pending motion to proceed to the consideration of S. Res. 6.

Mr. RUSSELL. Mr. President, the motion is confused. One-half of it will have to be submitted at a time. Both proposals cannot be submitted at the same time.

The VICE PRESIDENT. The Senator from Georgia is correct in reference to his request that there be a division of the question, under Senate rule XVIII; and that division, of course, would take place at the time of the vote upon the motion. However, the Chair should say that a point of order can be raised against the entire motion at any time.

Mr. RUSSELL. All right.

Mr. DIRKSEN. Mr. President, I make the point of order that the motion is out of order; and in support of that point of order, I take the position that this motion does not present a constitutional question.

The motion simply is a dressed-up "previous question." It contains some surplusage and other matters; but when it is resolved into its solid component, it amounts to nothing more than an effort to shut off debate. That can only be done by a two-thirds vote. It can be done in the House of Representatives by a majority, only because there is a special rule in the Rules of the House of Representatives to that effect. But under every other parliamentary procedure, insofar as I am familiar with the authorities on the subject, including Robert's Rules of Order, section 29, this is a summary motion to chop off debate in this body; and that is tantamount to asking for the previous question.

In every case, the previous question called for two-thirds. Here, however, it is expected that it is to be resolved by a majority vote; and the author of the motion has so stated in the presentation which he has made to the Senate. In fact, the Senator from South Dakota has intimated to the occupant of the chair that the question should be determined by a majority vote of the Senate.

So, no constitutional question being involved, and this being a summary motion, it flies in the face of the present rules of the Senate and of all other parliamentary procedure, and is, in my judgment, clearly subject to a point of order.

The VICE PRESIDENT. The Chair feels that it is its obligation at this point, in light of the point of order raised by the Senator from Illinois, to state its view on this matter.

The point of order made by the Senator from Illinois involves or raises the question of the constitutionality of the motion of the Senator from South Dakota. On many occasions questions have been raised regarding the constitutional right of the Senate to act in a given manner, and the precedents are uniform. The Chair, on all these occasions, has submitted such questions to the Senate for its consideration.

The Chair is sure that Members of the Senate are well aware of the Presiding Officer's record as a U.S. Senator, at that time as an advocate of a point of view. The Chair is now the Presiding Officer of the entire Senate and stands as a servant of the Senate, rather than as an advocate within it.

Therefore, the precedent, which is a part of Senate history—namely, that the Chair has submitted constitutional questions to the Senate for its decision—the Presiding Officer believes to be a sound procedure. It has not been considered the proper role of the Chair to interpret the Constitution for the Senate. Each Senator takes his own obligation when he takes his oath of office to support and defend the Constitution. The Presiding Officer is aware of no sufficient justification for reversing this procedure.

Because the point of order made by the Senator from Illinois involves the constitutionality and propriety of the motion of the Senator from South Dakota—and at this time the Senate is attempting to modify its rules at the opening of Congress under rule XX on matters relating to questions of order—the Presiding Officer may submit any question of order for the decision of the Senate.

Therefore, following the precedent of

the Senate, the Chair submits to the Senate the question: Shall the point of order made by the Senator from Illinois be sustained? That question is debatable.

Mr. MANSFIELD. Mr. President, I have a series of parliamentary inquiries I would like to propound if I may do so now.

The VICE PRESIDENT. The Senator may state them.

Mr. MANSFIELD. Mr. President, first of all, am I correct in stating that the point of order raised by the Senator from from Illinois questioning the propriety of the motion of the Senator from South Dakota [Mr. McGovern] has been submitted to the Senate by the Chair and that that point of order is debatable?

The VICE PRESIDENT. The answer is "Yes."

Mr. MANSFIELD. Mr. President, a further parliamentary inquiry.

Am I correct in stating that it would be a proper procedure for any Senator to move to table the point of order, and that if that tabling motion prevailed, the effect of that vote would be to affirm the propriety of the motion of the Senator from South Dakota [Mr. McGovern]?

The VICE PRESIDENT. That is correct. The motion would then be the pending question.

Mr. MANSFIELD. Mr. President, a further parliamentary inquiry.

Am I correct in stating that the motion to table requires but a simple majority?

The VICE PRESIDENT. That is correct, according to the rules of the Senate and the precedents.

Mr. MANSFIELD. Mr. President, a further parliamentary inquiry.

If the Senate, by an affirmative vote tabled the point of order submitted to the Senate by the Chair, would the pending question at that time be the motion to proceed to the consideration of Senate Resolution 6?

The VICE PRESIDENT. That would be the only question left before the Senate.

Mr. DIRKSEN. Mr. President, will the Chair clarify that statement? If the motion to table is voted down——

The VICE PRESIDENT. If a motion to table the point of order made by the Senator from Illinois is carried——

Mr. DIRKSEN. If the motion is carried—I am speaking now about the motion to table.

The VICE PRESIDENT. Yes. If the motion to table fails, the point of order remains the pending question and is debatable.

If the motion to table carries, then, of course, the point of order is not valid, and it is the understanding of the Chair, and he will so advise the Senate, that the motion of the Senator from South Dakota would be valid and the Chair would be instructed to place that motion before the Senate for an immediate vote.

Mr. DIRKSEN. Mr. President, will the majority leader yield for a further parliamentary inquiry?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. If this decision is appealed or submitted to the Senate for a vote, the Chair will have to resolve by the size of the vote whether or not the Chair is sustained or is not sustained.

What would the Chair do—and I think it is an appropriate parliamentary inquiry—if there were only a majority and not two-thirds to sustain the position of the Chair?

The reason for the inquiry is simply this: I am trying to ascertain, if it were done by a majority, whether that would be tantamount to imposing cloture on the Senate by a majority vote.

The VICE PRESIDENT. The Senator from Illinois, as I understand, is asking the question: If the point of order which he has made is subjected to a motion to table, and the motion to table receives a majority vote, would the motion of the Senator from South Dakota to take up, with its proviso for submission of the question to the Senate after 2 hours debate, then be subject to further debate, and would a majority vote on a tabling motion have the effect of cutting off all debate?

That is what the motion provides.

Mr. MANSFIELD and Mr. ERVIN addressed the Chair.

The VICE PRESIDENT. The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, I have a further parliamentary inquiry to make, if I may. This is not surplusage; I raise it for emphasis, because the issue has been covered in whole or in part because of various other questions raised.

Assuming that the yeas and nays are ordered on the motion to proceed to Senate Resolution 6, am I correct in stating that if the Senate affirms the propriety of the motion of the Senator from South Dakota [Mr. McGovern] no further debate on the pending question would be allowed, and the Chair would order the clerk to call the role on the motion to proceed to the consideration of Senate Resolution 6?

The VICE PRESIDENT. The Senator is correct. The wording of the motion so states, with the 2-hour proviso.

Mr. PASTORE. Mr. President, will the Senator yield at this point?

Mr. MANSFIELD. I yield.

The VICE PRESIDENT. At the end of 2 hours the issue would be before the Senate for a yea-and-nay vote.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Is the motion of the Senator from South Dakota debatable or not debatable?

Mr. MANSFIELD. Under the terms laid down at the request of the Senator from South Dakota [Mr. McGovern], he does have a 2-hour limitation.

Mr. PASTORE. Yes, if the motion carries; but is it debatable before coming to a vote?

Mr. MANSFIELD. The point of order is debatable. And the Chair has submitted the point of order to the Senate for debate and determination.

Mr. PASTORE. I am not talking about the point of order. I am talking about the original motion of the Senator from South Dakota. Is it debatable or not debatable? I realize that if it is carried and goes to a vote, whether it is debatable or not debatable, there is a limitation of time.

The VICE PRESIDENT. At this point the Chair informs the Senator from Rhode Island that a point of order has been raised on the motion of the Senator from South Dakota. The Chair said that the point of order is debatable.

Mr. PASTORE. If a motion is made to lay the point of order on the table and that motion is carried, do we revert to the original motion made by the Senator from South Dakota? Is that original motion debatable or not debatable?

The VICE PRESIDENT. For 2 hours. The Senator from Rhode Island raised the same question which the Senator from Montana raised in his parliamentary inquiry; namely, that a point of order has been raised by the Senator from Illinois to the motion of the Senator from South Dakota. The motion of the Senator from South Dakota involves a question of constitutionality.

The Presiding Officer has placed that decision before the Senate, under precedent. A point of order has been made by the Senator from Illinois. If a motion to table that point of order under the parliamentary inquiry procedure of the majority leader is made, and if a majority vote to table is obtained, that invalidates the point of order and validates the motion of the Senator from South Dakota, which says, in turn, that the motion shall be debated for 2 hours, and that at the end of the 2 hours the Chair shall place the question before the Senate.

Several Senators addressed the Chair.

The VICE PRESIDENT. It makes it the pending question under the terms of the motion. However, the effect of the tabling motion on the point of order, under Senate precedent, carries the point of order which, in turn, directs the Chair to put the question under the terms of the motion of the Senator from South Dakota to the Senate ordering the yeas and nays at the end of 2 hours' debate. That is the motion.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Montana [Mr. Mansfield] has the floor.

Mr. MANSFIELD. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, the Senator from Rhode Island is correct—that is, the 2 hours will not obtain until the motion is carried.

Mr. PASTORE. Until it is carried.

Mr. DIRKSEN. There is one way to cure it, and that is to make it moot by having the majority leader ask unanimous consent for 2 hours of time. That takes care of the situation. But we cannot get 2 hours under this resolution unless we first adopt it. In so doing, of course, we will have to pass on the point of order that I make.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

Mr. MANSFIELD. Mr. President, I should like to make a unanimous-consent request at this time.

Mr. HOLLAND. Mr. President, will the Senator from Montana yield to me first for a parliamentary inquiry?

Mr. MANSFIELD. Could I make my request first, please?

Mr. President, I ask unanimous consent that there be a limitation of 2 hours on the pending question, the time to be equally divided between the distinguished Senator from South Dakota [Mr. Mc-

GOVERN] and the Senator from Montana [Mr. MANSFIELD].

Mr. JAVITS. Mr. President, reserving the right to object, I wish to point out, in answer to the Senator from Rhode Island, that the motion is a motion to close debate. It is not a motion to take up the resolution. Two votes are required by the Senate. There would first be the necessary adoption of the motion to close debate; the 2 hours of debate would come thereafter, in the division which the Senator from Georgia [Mr. RUSSELL] has properly asked for, on the issue of taking up the change in rule XXII. At the end of those 2 hours, the Chair would be required to put that question. So 2 hours of debate would be granted without this unanimous-consent request.

This unanimous-consent request, if the Senator from South Dakota [Mr. MCGOVERN] persists in his motion, can be locked in by anyone asking for the yeas and nays, which means 4 hours of debate. That is all right with me. I have no objection to it. However, I wish to point out that the motion will not cut off 2 hours' debate, because it is not a motion to take up; it is a motion to end debate. Under the Constitution, that motion lies; and that, in effect, is what has happened here.

This is a historic time when, at long last, the Gordian knot has been cut, a knot which has been doubling back upon itself for decades. The question can now be settled by the Senate, I hope very much that it will be at this time.

Mr. President, I withdraw my reservations.

The VICE PRESIDENT. The Chair will ask the clerk to read the motion of the Senator from South Dakota again, so that there may be no confusion as to the procedure.

The Chair observes, meanwhile, that the observations of the Senator from New York are proper and in order.

The assistant legislative clerk read as follows:

> I move that debate upon the pending motion to proceed to the consideration of S. Res. 6 be brought to a close in the following manner: The Chair shall immediately put this motion to the Senate for a yea and nay vote and, upon adoption thereof by a majority of those present and voting, there shall be 2 hours of debate upon the motion to proceed to the consideration of S. Res. 6 divided equally between the proponents and opponents and immediately thereafter the Chair shall put to the Senate, without further debate, the question on the adoption of the pending motion to proceed to the consideration of S. Res. 6.

The VICE PRESIDENT. The Chair wishes to observe that in his earlier comments he had misunderstood the full procedure of the motion of the Senator from South Dakota. The observations of the Senator from New York are correct; namely, that the Chair would put the question for an immediate vote. Then, the second procedure would be that 2 hours of debate on the motion to take up would take place, and at the end of the 2 hours, the vote would take place.

Mr. HOLLAND. Mr. President, reserving the right to object, has the Chair already ruled, as I understand it has, that the motion of the distinguished Senator from South Dakota is divisible into two different moieties?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLAND. I so understood. I invite attention to the fact, as a predicate for a parliamentary inquiry, that if the motion to lay on the table the point of order is carried, the first item for business would be the first portion only of the divided motion of the Senator from South Dakota, which would be the motion to stop debate, and under its terms it would be put immediately to the Senate; am I correct?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLAND. All right. The question then comes on the first part of the motion, and it would come before the latter part of the motion would come to an issue at all, the part providing for 2 hours of debate on the first part of the question. Is it not clear that the first part of the question is subject to debate?

The VICE PRESIDENT. It is the Chair's view that since the question of the constitutionality of the entire motion raised in the point of order by the Senator from Illinois is the pending question, that point of order is debatable; but if a motion is made to table that point of order on the entire motion of the Senator from South Dakota, and if the motion to table carries, the instructions within the motion of the Senator from South Dakota would be the question before the Senate, and it would be an instruction, as it reads, "that debate upon the pending motion to proceed to the consideration of Senate Resolution 6 be brought to a close in the following manner: The Chair shall immediately put this motion to the Senate for a yea-and-nay vote and, upon adoption thereof by a majority of those present and voting"—

At that point—that is, stage No. 1—the instruction would be that a majority vote on the question would place the issue before the Senate.

Mr. HOLLAND. Place the second part of the motion before the Senate.

The VICE PRESIDENT. Place the second part of the motion before the Senate.

Mr. HOLLAND. All right. Now my question is this: On the first part of the motion—which the Presiding Officer has properly ruled would be separately presented—would not the right of debate, which belongs in the Senate on such a motion, or any motion, be retained?

The VICE PRESIDENT. The point of order, as the Chair understands it, was made to the entire motion. If the motion to table invalidates the whole point of order, and validates the entire procedure of the motion of the Senator from South Dakota.

Mr. HOLLAND. Mr. President, the failure of the point of order on the motion to lay it on the table would simply make the motion of the Senator from South Dakota the pending business, and the Presiding Officer has ruled that the first part of that motion would come on separately for debate. There is nothing in that first part of the motion that has to do with limitation of debate. My question is, Under those conditions, would not that first part of the motion be subjected properly to debate by the Senate?

The VICE PRESIDENT. The Chair will consult for a moment with the Parliamentarian.

Mr. RUSSELL. Mr. President, reserving the right to object, the Chair has stated the effect of the carrying of the motion to table; but if the motion to table the point of order made by the Senator from Illinois were to lose, the entire motion of the Senator from South Dakota would collapse.

The VICE PRESIDENT. If the motion to table the point of order of the Senator from Illinois received less than a majority vote, it would remain the pending question before the Senate.

Mr. HOLLAND. Is there any contention that the point of order raised by the Senator from Illinois has embraced in its provisions anything affecting a limitation of debate? I heard nothing of that sort.

The VICE PRESIDENT. The full impact of the point of order raised by the Senator from Illinois is to the effect that the entire motion of the Senator from South Dakota is out of order. I gather that what the Senator says is that the Chair advises that the motion involves a constitutional question and violates the precedents of the Senate. The Senator from Illinois has seen fit to make that point of order. The inquiries of the majority leader have helped to delineate the line of conduct the Senate can follow.

Mr. MANSFIELD. Mr. President, at this time I would prefer to go ahead with my speech and, if possible, get a ruling on the unanimous-consent request. There undoubtedly will be further parliamentary inquiries.

Mr. GORE. Mr. President, will the Senator yield for a parliamentary inquiry?

The VICE PRESIDENT. Does the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. GORE. The Presiding Officer of the Senate has referred several times to instructions to the Presiding Officer and to the Senate contained in the motion of the distinguished Senator from South Dakota. My inquiry is, Would those instructions flow from the action of the Senate or merely from the terms of a motion presented by the distinguished junior Senator from South Dakota?

The VICE PRESIDENT. The instructions would come from the motion that was made by the Senator from South Dakota, in rather precise and explicit terms.

Mr. GORE. How is it that one Senator can rise and offer a motion which will operate as instructions to the Senate and the Presiding Officer? That is an obtuse situation.

The VICE PRESIDENT. The point of order has been made against the motion, the Chair advises the Senator from Tennessee, and the point of order is debatable. The point of order is, of course, subject to a motion to table.

The Chair, in its effort to be helpful to the Senate in having it work its will, wishes to advise the Senate that it would be the interpretation of the Chair that if the motion to table carries, the point of order is not well taken, and, under the precedents of the Senate, the motion of the Senator from South Dakota would be the pending question; and instructing the Chair as to the procedure to be followed.

Mr. GORE. But in so holding, does not the Presiding Officer put himself in the position of holding that because a point of order against a proposed motion has failed, the terms of that motion, without further action by the Senate, ipso facto, become instructions to the Senate?

The VICE PRESIDENT. What the Chair will do is to place before the Senate the substance of the motion which was challenged on the point of order. When a motion to table a point of order is made, precedent in this body, requires that the primary motion become the pending business and that the substance of the motion be carried out. In this instance, there are instructions to the Chair in the motion.

Mr. ERVIN. Mr. President, will the Senator yield for a parliamentary inquiry?

The VICE PRESIDENT. Does the Senator from Montana yield?

Mr. MANSFIELD. I would be happy to yield but first, I would like to ascertain whether any Senator intends to object to my unanimous-consent request.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I promised to yield first to the Senator from Tennessee.

Mr. JAVITS. The Senator has asked a question. I would like to answer.

Mr. MANSFIELD. Will the Senator answer it "Yes" or "No"?

Mr. JAVITS. My answer is "No"; I do not intend to object if I have a right to make a parliamentary inquiry in due time.

Mr. MANSFIELD. I would be glad to have the Senator do so.

The VICE PRESIDENT. May the Chair ask the Senator from Montana whether, in his unanimous-consent request, if it be carried, he asks for an additional 2 hours?

Mr. MANSFIELD. Two hours from now.

Mr. KUCHEL. Mr. President, reserving the right to object——

Mr. MANSFIELD. Mr. President, I think it advisable that I withdraw my unanimous-consent request. I am indeed sorry, because there would have been plenty of time for parliamentary inquiries. I think it would have helped to expedite the issue before the Senate. I do not believe any Senator is unaware of the question before us; nor do I think that anyone in this Chamber is unmindful of the fact that weekends are a hard time to keep the Senate in motion.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. No; I would prefer to go ahead, with the indulgence of the senior Senator from Pennsylvania.

Mr. CLARK. I think the Senator is incorrect in that statement.

Mr. MANSFIELD. If the Senator will allow me to put this question, I will yield to enable Senators including the Senator from Pennsylvania, to make parliamentary inquiries.

Mr. CLARK. I do not understand the request.

Mr. MANSFIELD. That there be 1 hour to a side on the pending question.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. It is a request to the Senate to limit debate on the pending question to 2 hours, the time to be divided equally between the Senator from South Dakota [Mr. McGovern] and the Senator from Montana [Mr. Mansfield].

Mr. CLARK. On the pending question, the point of order?

Mr. MANSFIELD. Yes

Mr. CLARK. I have no objection.

Mr. KUCHEL. Reserving the right to object, at the end of the 2 hours what does the Chair understand his responsibility to be?

The VICE PRESIDENT. The Chair understands his responsibility to be, at the end of 2 hours, to place before the Senate the question of the point of order as stated by the Chair; namely, Shall the point of order made by the Senator from Illinois be sustained? The yeas and nays would be ordered.

Mr. CURTIS. Mr. President, reserving the right to object——

The VICE PRESIDENT. The Chair recognizes the Senator from Nebraska.

Mr. MANSFIELD. How long does the Senator expect to speak?

Mr. CURTIS. Briefly. Only to ask a question. If the unanimous-consent request is agreed to, will there be opportunity to propound parliamentary inquiries made in good faith at the close of the time the Senator requests?

The VICE PRESIDENT. Is the Senator asking the Chair?

Mr. CURTIS. Yes.

The VICE PRESIDENT. Will the Senator from Nebraska repeat his question?

Mr. CURTIS. Yes. My question is this: If the unanimous-consent request to limit debate is agreed to, will there be ample opportunity for any Senator to propound a parliamentary inquiry made in good faith and notwithstanding the termination of the time stated in the unanimous-consent request?

The VICE PRESIDENT. The Chair, after consultation with the Parliamentarian, will advise the Senator from Nebraska, that at the end of the 2 hours the Senate would vote.

Mr. CURTIS. Then how can we make a parliamentary inquiry before we vote?

Mr. MANSFIELD. During the 2 hours, if it is allowed.

The VICE PRESIDENT. If the unanimous-consent request is agreed to, the Senator may, within that 2-hour period, make parliamentary inquiries.

Mr. RUSSELL. Mr. President, the confusion becomes worse confounded. I ask for the regular order.

Mr. MANSFIELD. Mr. President, I withdraw my request.

The VICE PRESIDENT. Is there objection to the unanimous-consent request?

Mr. MANSFIELD. Mr. President, I withdrew it.

The VICE PRESIDENT. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, the motion of the Senator from South Dakota [Mr. McGovern] demands cloture by a simple majority; it thereby denies the continuing nature of this body. It is imperative that all of us clearly understand the full implications of this issue. It has much more significance than a direct and easy way to extricate the Senate from the parliamentary maze in which it finds itself now and at the beginning of each new Congress. The questions posed by this motion reach to the very heart of the Senate as an institution.

The underlying question is the motion to proceed to the consideration of Senate Resolution 6, a resolution to change rule XXII to require three-fifths of those present and voting, instead of the present two-thirds, to close debate. I have always favored this proposition—not because I believe that there is anything magical about the choice of three-fifths but because I feel it draws an equitable balance while still protecting the rights of a minority position in the Senate.

I very strongly urged this change in the past. I must admit, however, that with the achievement of the Civil Rights Act of 1964 and 1965 a great deal of the urgency for this change has been removed. Nevertheless, I still feel that a three-fifths rule would strike a proper balance between the present two-thirds requirement and a more far-reaching proposal. The present three-fifths resolution would preserve the essential nature of the Senate as an institution and its adoption should put to rest the biennial parliamentary parlor games which open each new Congress.

But the urgency or even wisdom of adopting the three-fifths resolution does not justify a path of destruction to the Senate as an institution and its vital importance in our scheme of government. And this, in my opinion, is what the present motion to invoke cloture by simple majority would do. The proponents would disregard the rules which have governed the Senate over the years simply by stating that the rules do not exist; that until the rules are changed to their liking and in the manner they choose, the Senate is consigned to oblivion. They insist that their position is right and any means used is therefore proper. I cannot agree.

This biennial dispute for a change in the rules has brought to issue the question of the Senate as a continuing body. The concept is really symbolic of the notion of the Senate in our scheme of government.

Numerous reasons are given to support the continuity of the Senate: the fact that two-thirds of its Members carry forward from one Congress to the next; the fact that committees of the Senate meet even after sine die adjournment of a Congress; the fact that States themselves by their own laws require the filling of vacancies in this Chamber even after sine die adjournment; the fact that the Senate itself by an overwhelming vote in 1959 attested to the continuation of the rules from one Congress to the next—and 47 Members who voted for that proposal are still serving in this Chamber.

But these reasons, though compelling, have not resolved the issue. They do demonstrate, however, that the Senate as an institution is very different from the House, that its function in our scheme of government is distinct and unique. What should be considered is whether the motion at hand—the motion for simple majority cloture—would destroy the character of the Senate as a parliamentary body.

Our consideration should be directed, therefore, to the destructive effect the pending procedure would have upon these distinct and historical features which distinguish the Senate as an institution.

First of all, the motion to cut off debate immediately has never been used in the Senate. This fact does not in itself make the motion improper, but it does justify questioning why the Senate has never before chosen to cut off debate in this manner. If a simple majority votes to sustain the availability of this motion at this time, it necessarily means that henceforth on any issue, at any time, and during any future session of any Congress a simple majority, with a cooperative presiding officer, can accomplish any end they desire without regard to existing rules of process and without consideration or regard to the viewpoint of any minority position.

Unquestionably, majority rule is basic and vital to our democracy. And a simple majority should and does decide the merits of virtually every issue raised in this body—including a change in our rules. But that is not the question here; the question is whether the simple majority can cut off debate in the U.S. Senate. And because of the earnest zeal of the advocates for a change—and their frustration in facing a prolonged debate—they insist that in this case debate must be shut off by a simple majority so that a majority rightfully can accomplish a proper change.

I think the issues are distinct. I simply feel the protection of the minority transcends any rule change, however desirable, if attempted in this manner.

The issue of limiting debate in this body is one of such monumental importance that it reaches, in my opinion, to the very essence of the Senate as an institution. I believe it compels a decision by more than a majority. I believe it ranks with other fundamental issues which by their very nature are elevated to a level above the dictates of a majority. This is not a novel concept. This is not heresy. Our Constitution itself specifies that nine distinct issues shall require more than a majority for adoption. The Constitution of the United States is not undemocratic.

In other words, I consider the issue of whether a Senator representing his State has spoken long enough to be of such transcendent scope that it should be decided by more than a bare majority vote. I believe this is vital for the protection of any and every minority—for the protection of every State, large or small—and should not be taken from either.

It has been suggested in this debate that the majority should decide the relative importance of this issue and the sufficiency of the debate—not the minority. But giving this choice to the minority has one redeeming feature—the minority can never impose its changes on the majority. The minority can but say to the majority, "you are going about it in the wrong way—the need for a change may exist but your solution is defective." This negative power of a minority plays a critical role in our scheme of government.

As a practical matter, our everyday experience in this Chamber shows how the last minute shift of two or three votes changes a majority. Far be it from any of us to admit these last minute changes are not proper and in response to valid and sincere argument on the merits. But when the issue itself concerns each Member's right to continue to urge in debate valid and sincere arguments for or against the merits of a proposal, I feel the issue so vital as to warrant a Senate endorsement based on a less tenuous foundation than a single vote margin.

In 1964 a great majority of the present Members debated and resolved one of the most comprehensive pieces of legislation enacted in this century, on an issue which generated deep emotion and conflicting conviction. The distinguished occupant of the Chair, the Vice President, played an essential and leading role in that great debate on the Civil Rights Act of 1964. You will recall that the debate proceeded on this Senate floor 83 days.

I cannot help but wonder what would have been the result if a majority could have imposed cloture on that debate. I know it could have been accomplished in a month or less. I doubt very much if the bill would have been nearly as comprehensive. I do not believe that this law's observance today would be nearly as uniform, nearly as great a source of pride for all Americans without that comprehensive debate. The Senate then demonstrated its unique and distinct character. The conflicting convictions were expressed in an atmosphere of open and free debate where the result was not by any means a foregone conclusion. Attention was focused on this body as the safety valve for an emotionally charged issue in our scheme of government. The country as a whole regarded the Senate as the one institution that would test for all, the urgency and propriety of that measure. The fact that the law is now fully observed in all parts of our country attests abundantly to the vital service performed in this Chamber. After all, any law is only as good as its observance. I think the Senate as an institution should continue to play this critical role on issues of this nature, when emotions are so highly charged. It provides the only forum where calmness, coolness, and reflection may be demanded of even a majority. The experience of 1964 and 1965 removes, in my opinion, a great deal of the sting for the urgency of a change in rule XXII. I do not mean to say that a change tc three-fifths would not strike a more equitable balance and still preserve the institution of the Senate in our governmental system. At the same time, there is basis for belief that such a limited proposal would assuage the demands for further change. However, I do not agree that the basic nature of the Senate should be destroyed in reaching the end. I urge each Member to consider carefully the implications of his vote. I urge you strongly to vote against the anticipated motion to table the point of order.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from South Dakota is recognized.

Mr. McGOVERN. Mr. President, I share the majority leader's conviction that the three-fifths' formula is the most prudent and most commonsense approach, and the most moderate way in which to bring debate to a halt after the Senate has fully discussed any issue which comes before it.

The point on which I would take issue with the distinguished majority leader is that I believe that at the beginning of a new Congress the Senate has the right under the Constitution to act by a majority vote to set that rule—in other words, to establish a three-fifths procedure for henceforth terminating debate in that Congress if it sees fit to do so.

I wish there were some way in which we could arrive at that point by a procedure other than the one we are attempting here today. I know of no other way in which to do it.

I believe we are acting clearly under our constitutional authority. A quorum being present, a majority of the Senate has the constitutional right to set its rules.

In my judgment, the only precedent that we are setting here today is the right of the Senate at the beginning of a new Congress to establish its rules by a majority vote.

Mr. President, I intend in a moment to move to table the pending point of order. However, I informed the Senator from Arizona [Mr. HAYDEN] that I would see to it that he had an opportunity to be heard on this point. Without losing my right to the floor, I ask unanimous consent that I may yield to him for a period of 5 minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Dakota?

Mr. ERVIN. Mr. President, I object to that unless I can have 3 minutes.

Mr. McGOVERN. Mr. President, without losing my right to the floor, I ask unanimous consent that I may also extend 3 minutes to the Senator from North Carolina.

Mr. MILLER. Mr. President, I ask the Senator from South Dakota for the same privilege.

Mr. McGOVERN. Mr. President, without losing my right to the floor, I ask unanimous consent that I may also yield to the Senator from Iowa for 3 minutes.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. Mr. President, I think a dangerous precedent is being set.

I think the Senator from Arizona should be recognized in his own right for many reasons, but if somebody wants to come in with a tabling motion—and it will not be the Senator from Montana—what good would the promises be?

Mr. McGOVERN. Mr. President, I do want to extend the time that I pledged to the Senators. However, I cannot yield any additional time.

I will press for the tabling motion after the Senator from Iowa [Mr. Miller], the Senator from Arizona [Mr. Hayden], and the Senator from North Carolina [Mr. Ervin] have spoken for the amount of time which they have requested.

I then intend to move to table the point of order.

The VICE PRESIDENT. Is there objection to the request?

Mr. GORE. Mr. President, I reserve the right to object.

The VICE PRESIDENT. The Senator from Tennessee.

Mr. GORE. Mr. President, we are about to see—indeed, we are seeing—the extremity to which adulteration of the rules of the Senate can lead in a situation in which one Senator can be an arbiter over which Senator is recognized, which Senator is not recognized, which Senator in representation of his State can have the privilege of addressing the Senate, and which Senator cannot do so, and for how long a Senator may speak, whether 2 minutes, 3 minutes, or 5 minutes.

Mr. President, further reserving the right to object, I wish to call attention to the fact that the failure——

The VICE PRESIDENT. Is there objection?

Mr. WILLIAMS of Delaware. Regular order.

The VICE PRESIDENT. Debate is not in order.

Mr. GORE. Mr. President, I am reserving the right to object.

The VICE PRESIDENT. Regular order has been called for.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from Tennessee be recognized. He is raising a valid point of order.

The VICE PRESIDENT. Will the Senator from Delaware withdraw his request?

Mr. WILLIAMS of Delaware. Mr. President, I withdraw my request.

Mr. KUCHEL. Mr. President, reserving the right to object——

The VICE PRESIDENT. The Senator from Tennessee has reserved his right to object.

Mr. KUCHEL. Mr. President, regular order.

The VICE PRESIDENT. The Senator from Tennessee is recognized under conditions which prevail in the Senate in which he reserves the right to object.

Mr. GORE. Mr. President, action upon a motion to table——

Mr. PASTORE. Mr. President, may we have order?

The VICE PRESIDENT. It is hard to get. Let there be order in the Chamber.

Mr. GORE. Mr. President, action by the Senate, or under any parliamentary rule of order I have ever known—and I was familiar with the parliamentary rules of the other body for some years—has two effects.

First, if the matter is tabled, the issue is dead. If it is not tabled, then the issue against which the point of order was raised remains as it was, de novo.

By no stretch of parliamentary imagination can an action of the Senate upon tabling a point of order operate as approval of the original motion in the terms in which it was offered.

What we have here is a rule in our proposed parliamentary order by which any Senator, by reference to the Constitution in his motion, if this precedent is followed, can give instructions not only to the Presiding Officer but also to the Senate itself, merely by the terms of the motion he is offering; not by action of the Senate, not by disposition of the Senate of that motion, but merely by the terms of it. This is a strange set of circumstances, strange to any parliamentary order with which the senior Senator from Tennessee has ever become acquainted.

A point of order that fails is dead. But a point of order that fails does not affect the motion to which it was made.

What do we have here? A motion put by one Senator, which any Senator has a right to make; and we have a point of order against that motion by another Senator, which any other Senator has a right to make. But then it is held that if a motion to table that point of order is acted upon and the point of order is tabled, that operates as an approval of the motion, that the terms of the motion become the order of the day for the Senate. Why? Merely because one Senator has written it out in his motion. Not because the Senate has adopted it, not because the Senate has disposed of it—merely because the Senate has disposed of a point of order. Is it not subject to other points of order?

This is an obtuse situation, and I hope that the Senate will extricate itself by following the sound advice of the distinguished majority leader.

I shall not further reserve my right.

Mr. CURTIS. Mr. President, will the Senator yield for a brief question?

The VICE PRESIDENT. The Senator from South Dakota has the floor.

Mr. CURTIS. Mr. President, will the Senator yield for a brief question?

Mr. ANDERSON. Point of order, Mr. President.

Mr. HOLLAND. Mr. President, reserving the right to object, and I shall not object—I am certainly desirous of giving the Senator from Arizona any time he wishes to be heard—the most offensive thing about this whole procedure is the refusal to allow the person who raised the point of order, the Senator from Illinois [Mr. Dirksen] the chance to even defend or justify his position. There could not be any clearer illustration, as the Senator from Tennessee has just said, of what this course of action is leading to.

Mr. ANDERSON. Mr. President——

The VICE PRESIDENT. The Senator from South Dakota has the floor.

Mr. McGOVERN. Mr. President, under the circumstances, I shall not press immediately for the tabling motion, and I shall yield the floor at this point. However, after reasonable discussion of this matter—I believe that we have already gone into the pros and cons at considerable length—I shall seek the floor again, to make a motion to table.

The VICE PRESIDENT. The Senator from Arizona is recognized.

Mr. HAYDEN. Mr. President, may I recite some history?

The VICE PRESIDENT. Will the Senator from Arizona withhold for just one moment?

Out of respect for the Senator from Arizona, and for the proper understanding in this body of this important decision that the Senate will make, I ask that we have attention and quiet in the Chamber.

Mr. HAYDEN. Mr. President, I remind Senators that from 1806 to 1917, a period of 111 years, there was no limitation on debate in the Senate.

The Congressional Record of March 8, 1917, shows that a resolution—Senate Resolution 5—containing rule 22 was presented by Senator Martin of Virginia, the majority leader, who obtained unanimous consent for its immediate consideration. The primary reason for proposing a limitation of debate was a filibuster which resulted in the failure to pass the armed merchant ship bill before the adjournment of the 64th Congress on March 4, 1917. As a warning to the German Kaiser, that legislation was promptly enacted at a special session of the Senate called by President Wilson on March 5, 1917.

As then adopted by the Senate, rule 22 provided that debate could be brought to a close by a two-thirds majority vote of all Senators. Thirty years later, in 1947, the rule was amended to provide that a two-thirds majority of those present and voting could close debate. That was a reasonable amendment because modern transportation makes it possible for almost all Senators to be present. That provision is now in effect, and I am opposed to any change in that ratio.

I cannot forget that on January 25, 1906, the House of Representatives, under a rule providing for only a few hours of debate, by a vote of 195 to 150, passed a bill to admit into the Union Arizona and New Mexico as one State and Oklahoma and Indian Territory as another State. But in the Senate, debate could not be cut off, and a few determined Senators would not let the House bill pass until it was amended to provide that the people of each of the proposed States had an opportunity to vote on whether they wanted joint statehood.

The vote in New Mexico was 26,105 for and 14,735 against. Only 3,141 voted for joint statehood in Arizona, and 16,265 voted against it.

The right to talk as long as necessary made it possible for a few Senators to arrange that Arizona did not become a minor part of a State second in size to Texas and under the domination of New Mexico politicians who did not hesitate at that time to use corrupt methods to control elections.

It was freedom of debate in the Senate that made it possible for me to begin my 54 years of service as a Member of Congress on February 19, 1912.

Mr. President, I ask unanimous consent that the text of a speech on cloture delivered by James A. Reed, a Senator from Missouri from 1911 to 1929, be printed at this point in the body of the Congressional Record.

There being no objection, the speech was ordered to be printed in the Record as follows:

Mr. Reed. Cloture means the granting of a power. Whenever you grant a power you must assume that the power will be exercised. So, when we discuss this proposed rule, we must do so in the light, not of how it may be exercised so as to do no harm, but we must consider how it may be exercised to do harm.

I need not pause to add to the argument already made, that when it is proposed to bring in a great measure involving the expenditure of vast sums of money, if it be a bill for the appropriation of money, or a bill for the collection of taxes from the entire country, affecting intimately the industries of the country, an hour's debate upon such a bill is utterly insufficient, utterly inadequate, and that a rule limiting debate to one hour would mean the end of debate. The truth is that this measure, if adopted, will empower a majority to throttle freedom of speech upon this floor and enable sinister and wicked measures to be carried to consummation without the country being advised of the iniquities they bear.

Gag rule is the last resort of the legislative scoundrel. Gag rule is the surest device of the rascal who presides over a political convention and proposes to accomplish something which will not bear discussion. Gag rule is the thing that men inexperienced in legislative proceedings always advocate at first, and if they have any sense, nearly always retire from as gracefully as possible after they have seen it in operation.

There is justification for unlimited debate in this body. I am getting a little tired of hearing about the sacred rights of the majority; that this is a country ruled by the majority; and that the majority has the right to have its way. This is not a country ruled by the majority. This is not a country of majority rule. The Constitution of the United States was written, in large part, to prevent majority rule. The Declaration of Independence was an announcement that there are limitations upon majority rule.

MAJORITY RULE

Majority rule! Where is the logic or the reason to be found back of majority rule except in the mere necessity to dispatch business? The fact that a majority of 1 or 10 vote for a bill in the Senate is not a certification that the action is right. The majority has been wrong oftener than it has been right in all the course of time. The majority crucified Jesus Christ. The majority burned the Christians at the stake. The majority drove the Jews into exile and the ghetto. The majority established slavery. The majority set up innumerable gibbets. The majority chained to stakes and surrounded with circles of flame martyrs through all the ages of the world's history.

Majority rule without any limitation or curb upon the particular set of fools who happen to be placed for the moment in charge of the machinery of a government! The majority grinned and jeered when Columbus said the world was round. The majority threw him into a dungeon for having discovered a new world. The majority said that Galileo must recant or that Galileo must go to prison. The majority cut off the ears of John Pym because he dared advocate the liberty of the press. The majority to the south of the Mason and Dixon's line established the horrible thing called slavery, and the majority north of it did likewise and only turned reformer when slavery ceased to be profitable to them.

FREEDOM

What is it has made this race great? It has not been the proud blood of an illustrious ancestry; it has not been because we could trace our lineage back to kings and a royal household; it has not been because of the peculiar graces or abilities of those immigrants who came to our shores and from whose loins we are sprung. It is simply because for once in the history of the world the chains were taken from the arms, the shackles from the brain, the shadows of fear were dissipated by the sunlight of liberty and freedom, and every brain of every human being, great or small, was at liberty to function, every arm and every limb was at liberty to move. So we unleashed the latent powers of a race of people; and from the cottage of poverty there came forth the genius, and from the house of the man of humble estate there emerged the child who could turn the dull and inexpressive canvas into pictured harmony of color, light, and shade, and paint the rainbow's mingling hues and marvelous tints.

From the cottages of the impoverished, from the homes of ancestors who had been enslaved and enthralled, there came forth children who in the full liberty of our civilization were able to attack every problem and to undertake every great vocation of life; so that within one generation of time we produced here orators whose words of flame could fire the hearts of all the people of this land; poets whose words will be read so long as men shall love the music of our tongue, and a citizenry who have defended our soil and our flag with unexampled valor in every contest of this Republic. All these triumphs of intellect, all these great advances in the arts and in the sciences, all our wondrous advance in wealth are due to one great fact; that we have allowed the individual in this land the opportunity to develop, the opportunity to express himself.

FREE DEBATE

Mr. President, what has this to do with the question I am discussing? Everything, sir. Before any law to bind 110,000,000 people could be passed it should somewhere be subjected to free debate; somewhere it should encounter opposition; somewhere the fires of keen intellects should burn their heat about it and test it for its metal; somewhere and somehow it should be determined by all that the intellect can do and all that the tongue can express whether the particular law which is proposed is fit to be insisted be fastened upon 110,000,000 people who think they are free and who once were free. That one forum reserved of all the places in the world is the Senate of the United States. Here a man can stand and express his views until exhaustion comes. And what of it? Some rules of common sense and decency and gentlemanly conduct have their effect. Not in all the nearly 16 years I have sat in this body have I ever seen but two or three instances of what might be really called a filibuster.

Time and time again I have seen the opportunity under the rules for the minority to have stood and obstructed legislation, but as soon as debate was fairly over they have invariably given way and the vote has come. In the two or three instances which I remember a very simple expedient was adopted. Freedom of speech was not denied, but continuance of speech was demanded. It was insisted that the bill was before the Senate and that the opponents or advocates of the bill should speak for or against it and that no other business should intervene.

We have been told here of two or three bills—one of them the force bill. The force bill, if it had been enacted, would have kept alive the fires of hatred between the North and the South almost as bright and as keen and as hot as they were at the close of the great civil strife.

NEW MEXICO AND ARIZONA

Another example: It was sought here to admit New Mexico to statehood as a partisan measure and under a constitution that had been written by the corporations of New Mexico. It was insisted upon the other hand that New Mexico should not come into the Union except under a fairly adopted constitution, and that at the same time Arizona should be received. What happened? One or two men stood here and held their ground; and a short space of time, a few months, rolling by, both States were received into the Union with proper constitutions.

Sir, I know it is popular to attack the Senate. So many an ass has stood and brayed at the lions. He who would claim for this body perfection would prove himself a fool. But the more imperfect we are, the more we need to counsel and to take advice. The less we know, the more we ought to strive to know. There may be some men of such supernatural power of intellect that they can gain nothing by the discussions their fellows may produce; but I have never seen an important bill upon the floor of the Senate, unless there was some political organization in control determined to pass it without the dotting of an "i" or the crossing of a "t," that has not been amended and amended to its benefit.

A FREE FORUM

As long as we can keep this forum free, as long as a vigorous and determined minority can prevent the passage of a statute, so long this country will be safe, reasonably safe, at least, for no great act of treachery can ever be consummated where there are not some brave souls to stand in its resistance and to stand to the end.

But strike down this safeguard of public discussion, apply the gag, and imagine, if you please, that it is to be applied only to pass good measures, only to accomplish the virtuous and the wise and the holy, only to bring the thing of rectitude; imagine that, if you please. He is a fool, he is every kind of a fool, that has ever cursed this earth or cursed himself, who thinks that any power will always be used wisely and justly. Power is almost invariably abused.

Mr. HAYDEN. In my opinion, no better defense of freedom of debate in the Senate has ever been made.

Mr. ERVIN. Mr. President——

The VICE PRESIDENT. The Senator from North Carolina is recognized.

Mr. ERVIN. Mr. President, I followed with interest the argument of my good friend, the Senator from South Dakota. As has been observed, his position not only asserts that the Senate is not a continuing body for all practical intents and purposes, but it also asserts that the Constitution of the United States is not a continuing document during the session of the Senate.

Section 3 of article I of the Constitution provides that two-thirds of the Senate shall always be in office. It provides that Senators have terms of 6 years and that only one-third of them come up for election every 2 years.

In the very nature of things, a continuing body must have continuing rules. If it does not, it starts out at the beginning of each session emulating and having to emulate the actions of Josh Billing's mule, which is reputed to have kicked according to no rule.

The Constitution provides, in article I, section 5, that each House may determine the rules of its proceedings. The Senate is a continuing body. It has been a continuing body, under the Constitution, for 177 years, and during that 177 years it has operated under continuing rules. Those who advocate the theory that a majority of the Senate may ignore the continuing rules of the Senate at the beginning of a session and change the rules of the Senate without observing the procedures prescribed by those rules rely upon the provision of section 5 of article I, which provides:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members, * * *

And these words are those relied upon—

> * * * and a majority of each shall constitute a quorum to do business;

This Constitution not only applies at the opening day of the session, it applies on the 10th day of the session, on the 20th day of the session, the 100th day of the session and the 350th day of the session, if we stay in session that long and it applies when we are not in session. If a majority can act as proposed by the distinguished Senator from South Dakota at the beginning of the session, it can so act on any day of the session. It could not have a rule, it could not have a committee system, it could not have anything that a majority could not set aside any day of the session and at any hour of any day of the session.

If the Senate adopts this theory it not only will say that the Senate is not a continuing body but that the Constitution itself does not continue from day to day. Such action would bring legislative chaos because the only rule the Senate could have under this theory would be that the majority of Senators present on any given occasion could do anything they wish to do at any time regardless of what the rules of the Senate might be. If the Constitution does not permit the Senate to adopt rules to bind a majority of the Senate at the beginning of the session, it does not permit the Senate to adopt rules which can bind a majority at any time in the session. This conclusion is inescapable because the provisions of the Constitution applicable to the Senate are exactly the same on every day of the session, however long it may last.

Mr. HOLLINGS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HOLLINGS. Mr. President, in a ruling that the motion of the Senator from South Dakota is divisible the Chair cited rule XVII earlier this morning. And later, I believe the Chair sustained a point under rule XX.

Is it the position of the Chair that this body is presently operating under the Standing Rules of the Senate?

The VICE PRESIDENT. The answer to the Senator's question is that the rules of the Senate shall continue from one Congress to the next unless changed as provided in these rules.

The question has been raised by the Senator from South Dakota, under what he terms to be the constitutional provisions, of the right to vote on a change of the rules by a majority vote.

The distinguished Senator from Illinois challenges that motion on the basis of a point of order which contests the constitutionality as well as the precedent of the Senate of the motion of the Senator from South Dakota.

Mr. HOLLINGS. Mr. President, if the Chair just ruled——

The VICE PRESIDENT. The Chair observed.

Mr. HOLLINGS. The Chair not only sustained rule XVIII and rule XX, but now rule XXXII, that the Senate is a continuing body. Is that the position of the Chair?

The VICE PRESIDENT. The Chair cited what is the rule of the Senate as printed and subscribed to.

The Senator from South Dakota raised a constitutional question.

The Presiding Officer said that, under precedent, constitutional questions shall be settled by the membership of the Senate. The Chair does not want to put himself in the position of deciding constitutional questions which are basic questions for every Member of the Senate.

Therefore, in light of the Chair's observation, and in light of the motion of the Senator from South Dakota, the distinguished Senator from Illinois has raised the point of order and the Chair has said that the point of order involves a constitutional issue and relates to a constitutional issue.

The Chair has put the point of order for debate to the Senate, which is precedent within the Senate, and the Chair has said, as every Senator knows, that any Senator has the right of moving to table; and if that motion to table is successful, if the motion to table the point of order is successful, the point of order is invalid, and the Chair must then place before the Senate the motion of the Senator from South Dakota with the instructions embodied therein.

Mr. HOLLINGS. Mr. President, is not the motion of the Senator from South Dakota for a proposed change of the rule obviously in conflict with rule XXII? Since we recognize rule XX and rule XVIII, and the Chair now recognizes rule XXXII, is not the procedure of the Senator from South Dakota on the question of constitutionality the point of order, and otherwise is not the entire procedure obviously in contradiction to rule XXII?

The VICE PRESIDENT. The Chair has said and repeats, because this does involve constitutional questions, and the Senator from South Dakota raised the issue of the constitutional right to change the rules of the Senate by majority vote, that the Chair does not want to prejudice the attitude of the Senate by his personal observations, advisory opinions, or rulings.

It is the view of the Chair that this is a matter that must be settled by Senators themselves. This is very important business and, therefore, the Chair does not rule but rather places before the Senate its right to make its own decision.

Mr. MUNDT. Mr. President, I wish to make a parliamentary inquiry, or perhaps it is an inquiry of the Chair, as to whether the senior Senator from South Dakota correctly understands what the Chair said in a previous ruling.

The Chair stated if the resolution of my colleague becomes operative and valid that then we would have automatically a 2-hour debate because, if I quote correctly, the Chair is bound by the instructions of the motion.

The VICE PRESIDENT. The Chair corrected its earlier observation after having reread the resolution. The Chair stated that he would feel obligated if the motion to table the point of order was carried, to place for immediate vote the motion of the Senator from South Dakota.

Mr. MUNDT. To take up.

The VICE PRESIDENT. To take up.

Mr. MUNDT. But the Chair went further than that in an additional question raised as to whether any limitation of debate would ensue by saying yes, we would be limited to 2 hours because the Chair was bound by the instructions in the motion.

The VICE PRESIDENT. The Senator is correct.

Mr. MUNDT. To that I would like to address the attention of the Chair to whether he does not agree with the senior Senator from South Dakota that if that interpretation stands the Chair has surrendered the power he has to rule on points of order and to determine parliamentary questions, to whoever originates the motion, because there can be incorporated in the motion that there shall be 5 minutes' or 10 minutes' debate on one side and the other.

I do not believe that merely making a motion commits either the Chair or the Senate.

If this ruling stands, as the Chair has reiterated, I am afraid you have vacated your position and surrendered what is rightfully and constitutionally your responsibility to any one of 100 Members who cranks into his motion some unique conception of immediate cloture. I do not think that any of us want that. We would rather rely on the good judgment of the Presiding Officer.

The VICE PRESIDENT. The Chair appreciates the concern of the Senator over the responsibility of the Chair. The Chair would like to extend the same concern to the responsibilities of the Senate.

Rule XX says that the Presiding Officer may submit any question of order for the decision of the Senate. There are those, I am sure, in this community of the Senate and elsewhere who expected the Chair to rule on the issue of constitutionality.

I have read a great deal about that. The Presiding Officer feels that the precedents of this Senate would deny him that right if he felt he had the right, but that prudent judgment and, I hope, wisdom, would indicate that the matter of constitutional concern, or where an issue of constitutionality is raised, should be decided by the Senate itself. It is the view of the Chair that the motion of the Senator from South Dakota involves the question of a constitutional issue. It is the view of the Chair that the point of order raised by the distinguished Senator from Illinois was related to the constitutional issues involved in the motion of the Senator from South Dakota. The Chair feels that the Senate should be forewarned, as the Chair has indicated, as to the procedure that it is following. The Chair is not passing judgment. The Chair is merely stating that if a point of order is tabled, Senators should know that the Chair would interpret that tabling to be an instruction to the Chair to place before the Senate a motion from the Senator from South Dakota with the instructions in that motion as controlling and as directive to the Chair and the Senate.

Mr. MUNDT. I feel that the Chair—my good friend and neighbor—has been very fair and very candid in his explanation. My concern goes right to this last part of what the Chair has said because, if I interpret that correctly, any one of 100 Senators henceforth could introduce a motion with some kind of trick limitation of debate and, if he gets a friendly ruling from the Chair on a point of order, or does it at a time when his friends are on the Senate floor and those who are opposed to him are not he, then, by virtue of introducing the motion, has committed the Senate.

If we refer that to the Senate and they say "OK," that is fine with me. Or, if we get a ruling of the Chair which is sustained, that, too, would be fine, but I cannot quite follow the Chair when he argues that it is written in the motion that it should be so and so. I think the Senate, somehow, must express its will collectively or through its Presiding Officer as to where it is going.

I agree with the originator of the motion as to particular limitations, parliamentary devices, and trick maneuvers which may be incorporated into a motion. I do not think that binds the Chair at all. I think the Chair is free to act on his own part. This is not a constitutional point, but a parliamentary point.

The VICE PRESIDENT. The Chair would observe that he disagrees with the Senator from South Dakota on this matter, but the Chair has made it quite clear as to the meaning of any vote that is cast on this issue of tabling. The Chair is not advising the Senate how to vote. The Chair is merely saying what the consequences of its vote will be as the Chair sees it. The reason the Chair takes that point of view is that the terms of the motion of the Senator from South Dakota, according to his motion, must be self-executing, because in the nature of the motion it is implicit that the Senate is attempting to determine whether it wishes to close debate on a constitutional question involving the amendment of Senate rules.

The point of order of the Senator from Illinois was to that very constitutional question. It is for that reason that the Chair has not ruled on the point of order but placed it before the Senate. It is the view of the Chair that this constitutional question is one that can be properly determined under Senate precedent by the manner in which the Senate disposes of the pending point of order. That will be disposed of by majority vote. Nothing here in the motion directs the Senate to do anything except to vote.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Iowa has been asking for the floor for some time. The Senator from Iowa is recognized.

Mr. MILLER. Mr. President, we have heard the majority leader state that there is a dangerous precedent involved in the pending business. If I understood the Senator from South Dakota correctly, he indicated that there was no particular precedent involved except at the beginning of a session of a new Congress. Therefore, I propound this parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. MILLER. If the motion to table prevails, will this serve as a precedent for permitting a change or suspension in any rule of the Senate at any time by a motion similar to the pending motion followed by a similar point of order which is tabled?

The VICE PRESIDENT. The Chair must observe that because we are now getting into an area in which there is no precedent, and that is the debate and argument on the Senate floor, the Chair does not feel at this time that he should rule on the question of the parliamentary inquiry raised by the Senator from Iowa.

Mr. MILLER. I thank the Chair.

The VICE PRESIDENT. The Chair is not going to entertain a number of hypothetical questions, points of order, or parliamentary inquiries. The Chair does not think it will help the Senate in working its will. The Chair wishes to caution the Senate that inquiries based upon hypothetical situations in this very difficult area, which have been well described by the opponents and the proponents, will do little or no good. Therefore, the Chair will try to exercise his responsibility to maintain debate on the issue and not on what may or may not happen.

Mr. MILLER. I thank the Chair. Let me make one further parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. MILLER. There are now pending to Senate Resolution No. 6 two amendments. If the motion to table prevails, what will be the status of those two amendments? Will they be eligible to be considered by the Senate, or will they die?

The VICE PRESIDENT. Will the Senator please repeat that? The Senator's question has many implications.

Mr. MILLER. There are two amendments, I understand, pending to Senate Resolution 6. If the motion to table prevails, what will be the status of those two amendments? Will they still be eligible for offering and consideration by the Senate, or will they be foreclosed?

The VICE PRESIDENT. I suggest that the Senator raise that question once the Senate has disposed of the pending matter one way or the other. The Chair will then be willing to entertain that parliamentary inquiry at that time, and make his observation.

Mr. MILLER. The reason for asking the question is that it will have a bearing on how some of us may wish to vote. In other words, once the tabling motion carries—if it carries—then it is too late to ask the Chair. The Chair may say, "Well, it is too bad, your amendments are foreclosed." It is too late then.

The VICE PRESIDENT. If the motion to table carries, the point of order then is not well taken. It is the view of the Chair that the tabling motion on the point of order which contests the constitutionality of the motion of the Senator from South Dakota will have the direction, through indirection, of having the Chair place the motion of the Senator from South Dakota before the Senate for an immediate vote.

Mr. MILLER. Subject to amendment?

The VICE PRESIDENT. No, subject to immediate vote under the terms of the motion.

Mr. CASE. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I yield.

Mr. CASE. Just in the interests of clarification, because this is an important matter, the Senator from Iowa has an amendment, not to the motion but to the resolution of the Senator from South Dakota.

The VICE PRESIDENT. I understand.

Mr. CASE. I think he is concerned that his amendment to the resolution not be lost, or that his right to have it considered not be lost as a result of a vote on the tabling motion.

The VICE PRESIDENT. The Chair was referring to the immediate business at hand, which is the motion to table. The substance of the resolution—if it is still the pending business before the Senate—once the motion to take up has been agreed to—if it is agreed to—then the amendments are in order.

Mr. MILLER. That is what I was hoping for. Thank you, Mr. President.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New York will state it.

Mr. JAVITS. Is it a fact that the Chair is applying the rules of the Senate other than the rule challenging rule XXII?

The VICE PRESIDENT. The Chair is applying the rules of the Senate, but putting the proposition to the Senate for its determination.

Mr. JAVITS. Is it a fact, too, that the Chair is doing that because the Chair considers that by acquiescence or usage in accordance with the traditions and precedents of the Senate, all rules of the Senate are now in effect for this Congress other than rule XXII now being challenged by the Senator from South Dakota at the opening of this Congress?

The VICE PRESIDENT. The point is made by the Senator from South Dakota that on the opening of the Senate, the Senate has a right to vote on a change of rule XXII, on the basis that it is a violation of the Constitution by denying a majority of the Members of the Senate to change the rules at the opening of the Senate.

Mr. JAVITS. Other than that, there are other rules on the books. Other than that, is the Chair considering the rules of the Senate other than the one challenged by the Senator from South Dakota—the rules of the Senate now, by virtue of usage and acquiescence?

The VICE PRESIDENT. Those rules are not being contested. If some Senator wishes to contest them, he may do so.

Mr. JAVITS. How long will a Senator have to contest those rules now, after the opening of the Senate?

The VICE PRESIDENT. That is a hypothetical case which the Chair would not care to go into at this time.

Mr. JAVITS. This is the essential

question. This incendiary idea that one can challenge or not, on the technique that it stands or falls on the question of a point of order, and everything not challenged at the opening of Congress stands and is accepted and is in the rules—if that is the case, we are not dealing with an astral region; we are dealing with merely challenging the rules. If no one challenged any rule except the one specifically challenged, therefore the Senate has its rules, other than the one challenged. That is the question.

The VICE PRESIDENT. The Chair states that his purpose at this hour is to help the Senate work its will on the motion and point of order raised by the Senator from South Dakota and the Senator from Illinois. The Chair does not feel it will contribute to the work of this body or the consideration of the will of the Senate by responding to a host of parliamentary inquiries as to unrelated matters. The Chair would prefer, and would request, that the Senate come to grips with the issue at hand. If Senators wish to raise other issues afterward, the Chair will entertain those inquiries.

Mr. McCLELLAN. Mr. President, I wish to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Arkansas.

Mr. McCLELLAN. I do not think it is a foreign issue to the inquiry. We are going to vote on a tabling motion. If we table that motion I would like to inquire whether I will have an opportunity to speak. I am going to vote to table the motion for one reason, but there are other issues in the motion to take up this matter and limit debate to 2 hours. If the point of order is tabled, will there be a vote on the crux of the issue of limiting debate as proposed to 2 hours?

The VICE PRESIDENT. The first part of the motion will be the immediate motion to take up, which will be decided by majority vote. That is the nature of the motion of the Senator from South Dakota. Then there will be a period of 2 hours relating to the entire motion.

Mr. McCLELLAN. I am asking the question whether we vote first on whether we are going to limit debate to 2 hours or whether to take up the motion.

The VICE PRESIDENT. If the motion is tabled, the ball game is over.

Mr. McCLELLAN. I understand that is what the view of the Chair is; and, therefore, precluding further debate on the question to limit debate beyond 2 hours?

The VICE PRESIDENT. I do not think that is the Chair's holding.

Mr. McCLELLAN. The point of order on the issue of constitutionality?

The VICE PRESIDENT. That is correct.

Mr. McCLELLAN. Then we are to understand there will be no vote on the question of shutting off debate on this issue in 2 hours? Am I correct that that is the ruling of the Chair? If the point of order is voted down, then there can be no further debate?

The VICE PRESIDENT. If the point of order is tabled, the Chair will say to the Senator, the Chair is required to place before the Senate the motion of the Senator from South Dakota.

Mr. McCLELLAN. How long can we debate it?

The VICE PRESIDENT. The Senator from Georgia [Mr. RUSSELL] has suggested that the motion be subject to division. The Chair has ruled it can be. So the first vote will be on that question.

Mr. McCLELLAN. How long can we debate the motion to take up? There is not anything in the rules that says we cannot debate the motion to take up. We can pass on the question of the point of order, but that does not adopt the motion.

The VICE PRESIDENT. The Chair will inform the Senator that the motion is designed to instruct the Chair to place the question before the Senate immediately for a vote.

Mr. McCLELLAN. That is a separate issue, on the point of order.

The VICE PRESIDENT. That may be the Senator's interpretation; that is not the Chair's. The Chair thought he should inform the Senator what the situation is.

Mr. McCLELLAN. Then any Senator can cut off debate. If the point of order is defeated and voted down, debate can be cut off and there can be no debate. Is that going to be the precedent of the Senate?

The VICE PRESIDENT. The Senator ought to be fully aware that that is what the Senate will be doing.

Mr. RUSSELL. Mr. President, inasmuch as the distinguished Presiding Officer mentioned my name, I did suggest a division of the question when it was first raised. I did not understand the motion in all its implications at that time. That means the 2 hours of debate would be confined to obsequies at the funeral of the Constitution. We would have already destroyed all the rules and would have adopted a simple majority cloture. I do not see exactly what the 2 hours of debate is for. If I understand correctly, the vote comes before the 2 hours. If there ever has been an illustration of the cart being put before the horse in a parliamentary body anywhere in the world, it is in that motion, because all the speeches we could make would be lamentations over the Constitution of the United States.

The VICE PRESIDENT. The Chair did not write the motion.

Mr. DIRKSEN. I must say that the 2 hours would be in the nature of a wake that goes along with a funeral.

Mr. President, I have a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DIRKSEN. As I understand the rule, debate on a point of order is at the sufferance of the Chair.

The VICE PRESIDENT. The Senator is correct if the Chair were ruling on the point of order.

Mr. DIRKSEN. Does the Chair wish to indicate now to the Senate how long he would like us to debate and argue this question before the motion is submitted?

The VICE PRESIDENT. May the Chair say to the Senator from Illinois that the Chair has submitted to the Senate this question for the decision of the Senate. There is a difference between that and seeking advice and counsel. But, as indicated, the motion of the Senator from South Dakota is to be acted upon and the point of order has been submitted to the Senate on one vote. The Chair feels this point of order relates to a problem of constitutionality raised by the Senator from South Dakota on a point of order and it was to that issue that the point of order was directed which is debatable.

Mr. DIRKSEN. I regret that I fully misinterpreted all the statements and speeches made today, because I thought all of them were made by way of advice to the Chair.

I should like to raise one more parliamentary inquiry. The Senator from South Dakota said that after a given time he would offer his motion to table. For the convenience of the Senate, would he care to indicate now at what point he would like to make the motion?

Mr. McGOVERN. Mr. President, in answer to the Senator from Illinois, it seems to me the issue here is quite simple. The question is whether it is proper to permit a majority of the Senate to close debate in determining rules at the beginning of a new Congress.

I would hope that I could offer that motion to table, and protect the right of Senators to a reasonable discussion first, perhaps by 3 o'clock.

Mr. DIRKSEN. The scramble for time that ensued when the distinguished Senator from South Dakota announced his intention to move to table occurred so that the time was being farmed out, not on the basis of the question but——

The VICE PRESIDENT. The Senator had yielded the floor.

Mr. DIRKSEN. That is correct, but not until we began to farm out the time.

Mr. McGOVERN. I asked unanimous consent to yield time.

Mr. DIRKSEN. I am aware of that.

The clock now says 20 minutes of 3, and I think we ought to have some idea as to how long this discussion is going to take. It may very well be that the humble offerer of the point of order may wish to speak on his point of order and would not care to be "clocked out" when the time was up.

Mr. MANSFIELD. Mr. President, I am sure the distinguished Senator from South Dakota acted in very good faith and was trying to accommodate certain Members of the Senate. I applaud him for what he attempted to do, because I know his intent behind it was only to work out this issue in the best possible way for all concerned.

Mr. DIRKSEN. I join in that applause also.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Tennessee.

Mr. GORE. Mr. President, is the senior Senator from Tennessee recognized?

The VICE PRESIDENT. The Senator from Tennessee has the floor.

Mr. GORE. The senior Senator from Tennessee does not propose to yield for a motion to table, or for any other purpose, until he has made some remarks in conformity with the rules of the Senate.

The Senator from Tennessee understands that the President of the Senate has held that the Senate is now proceeding under the rules of the Senate, except for the challenged rule. If that be true, then, upon the disposition of a point of order, by one Senator, any other Senator can raise a point of order. If we are operating under the rules of the Senate, then, when that point of order is disposed of and the original motion survives that point of order, in the absence of a further point of order which any other Senator may or may not offer, the matter is then before the Senate, because it is a motion duly offered by a Member of the U.S. Senate against which points of order have been made, but which points of order have not been sustained. By the rules of the Senate the motion is then subject to consideration by the Senate

But the Presiding Officer has said that he would interpret the tabling of the motion of the senior Senator from Illinois as an instruction to him to lay the motion of the junior Senator from South Dakota before the Senate for an immediate vote. If we are operating under the rules of the Senate, then that is a matter before the Senate, subject to the consideration and the disposition of the Senate.

Now, true, the motion contains a part, or in part provides, that a vote shall be had at a certain time. Is that not a matter for the determination of the Senate? Or is, in the future, the determination of one Senator, under this bizarre procedure, to decide whether there will be 1 minute of debate, 2 minutes, 1 hour, 2 hours, or none at all? And is it for one Senator and a Presiding Officer to say that only one Senator can make a point of order, that only one point of order can be raised against a motion offered to this body? Where are we coming to? Where are we now? As the Presiding Officer has said, in language suitable to this ruling, "the ball game is over."

Mr. ERVIN. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield.

Mr. ERVIN. Does not the Senator from Tennessee agree with the Senator from North Carolina that the pending motion has two provisions, one of which says that we shall vote immediately, and the other says we shall debate for 2 hours?

My question is this: How is it possible for one Senator to say to the other 99 Senators, by just filing the motion, that they shall vote immediately, without debate? That is worse than majority cloture, is it not? Is it not cloture at the instance of a single Senator?

Mr. GORE. By the term of the motion he offers.

Mr. ERVIN. Yes.

Mr. GORE. Which are subject to the consideration of the Senate.

Mr. ERVIN. Which is not to be debated?

Mr. GORE. Nor amended, nor subject to other points of order.

Mr. ERVIN. And cannot be discussed, is that not so, under the ruling?

Mr. GORE. Under the ruling, it must be voted upon immediately. No further points of order are eligible, no further consideration may be given, no amendments heard. Yes, Mr. President, that would mean that the parliamentary ball game is over for the U.S. Senate.

This is a hasty decision. It could not be otherwise. It could not be motivated by any unworthy purpose. It is an ill-considered, hasty ruling.

Just consider it. Does the senior Senator from Tennessee not have a right to make a point of order against a motion offered by another Senator in this body? The senior Senator from Illinois has exercised that right. He has exercised that right. But the Chair has ruled that if the point of order of the Senator from Illinois is tabled, then the Senator from Tennessee does not have a right to make a point of order. Indeed, no Senator has such right. We must vote immediately.

Why? Not because the Senate has determined to do so, but because the Chair has ruled that if a point of order is tabled, this means, ipso facto, that the resolution is passed and agreed to, and must be adopted and complied with immediately.

Such a procedure is not only unworthy of the U.S. Senate, it would be unworthy of any high school debating society.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. GORE. I yield.

Mr. TALMADGE. Does the Senator from Tennessee agree that this would be a good analogy to the situation that is now before the Senate: That if the Senator from Georgia offered a proposition declaring a state of war against some foreign country, and some other Senator made a point of order that it was not in order, and a motion was made to table, and that motion to table carried, then we would be, ipso facto, in a state of war, because of a parliamentary situation.

Mr. GORE. With one condition: That the motion was offered as a consitutional measure, the point of order was made with a constitutional implication, and the Presiding Officer had held that it was a constitutional question, and laid it before the Senate.

Mr. TALMADGE. The Senate would not then even have the opportunity to debate the proposition about the state of war?

Mr. GORE. Under the ruling of the Chair, if that is a precedent.

Mr. TALMADGE. Would not have an opportunity to amend?

Mr. GORE. Nor could another point of order be made.

Mr. TALMADGE. A parliamentary device, then, would create a state of war, with no Senator having an opportunity to be heard, make a point of order, or speak?

Mr. GORE. Well, what are we doing here? What is proposed here?

Mr. TALMADGE. Will the Senator yield further?

Mr. GORE. I yield.

Mr. TALMADGE. Under such a situtation, the Senate would not even be permitted to vote it down?

Mr. GORE. Or to debate it.

Mr. TALMADGE. I thank the Senator.

Mr. GORE. I hope the Presiding Officer will reconsider. He has very wisely, in his later remarks, declined to offer rulings on hypothetical situations.

The Chair advised in the first instance, however, upon an hypothesis. He did not content himself with ruling upon the effect of the point of order of the senior Senator from Illinois, but he went further and advised the Senate what his ruling would be if the point of order of the senior Senator from Illinois [Mr. DIRKSEN] should be tabled—which ruling would be to have an immediate vote without further consideraton, without debate, without amendment, and denying me and any other Senator the right to make any other point of order.

It seems to me that, if we are operating under the rules of the Senate, a motion before the Senate is subject to more than one point of order.

Mr. CASE. Mr. President, will the Senator yield?

Mr. GORE. I yield to the senior Senator from New Jersey presently.

Once the Senator from South Dakota is recognized under this procedure and moves to table, then all debate has ceased not only on the point of order, but also upon the merits of the pending question. By any normal and sensible and reasonable parliamentary procedure, the failure of a point of order has no effect upon the pending motion. The pending motion is before the Senate de novo, unaffected by a point of order that has failed.

Mr. CURTIS. Mr. President, will the distinguished Senator yield for a brief question?

Mr. GORE. I yield.

Mr. CURTIS. Mr. President, will the Senator explain how a motion made by a Senator, carrying instructions, is binding upon the Presiding Officer until that motion is agreed to?

Mr. GORE. It is not binding, but the Presiding Officer has so held, that it is an instruction to him. I do not agree with that. There is also a provision in our rules that the ruling of the Chair can be appealed from and that appeal is subject to debate. Are we operating under that rule? Is that rule effective?

Mr. HOLLINGS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. HOLLINGS. Mr. President, does the Presiding Officer's dilemma not lie on the fact that he is really referring to a point of order to a point of order when the question of constitutionality is submitted to the Senate? Really, a point of order has been made to him as Presiding Officer, and then when one raises a point of order to a point of order, that is how we get into it. It is really out of order. Is that not a fact? It is not a motion as to the constitutionality, but it is a point of order as to the constitutionality, and then when one raises a point of order to that, he raises a point of order to a point of order which should be ruled out of order and, when not, leads to the conclusion when tabled that it is affirmed in the first place.

Mr. GORE. Mr. President, I am really not familiar with a point of order to a point of order. I do see the point that the able Senator makes, but under the rules of the Senate—if, indeed, we are operating under the rules of the Senate—a point of order is sustained or overruled, or tabled or the Presiding Officer can submit it to the Senate. Any Senator, after a ruling on the point of order has been rendered, can appeal the ruling on the point of order to the Senate.

Those are the only things that the senior Senator from Tennessee is aware of that can happen to a point of order.

I have never heard of any way except this by which the failure of a point of order operates as an approval of the original proposition.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. The point which the senior Senator from Tennessee is making, according to my understanding, is that the motion to table the point of order, if agreed to, under the ruling of the Chair would not only defeat the point of order, but would also, ipso facto, constitute an adoption of the main issue pending before the Senate.

Mr. GORE. Of the proposal that we have an immediate vote?

Mr. LAUSCHE. That is correct.

Mr. GORE. The Senator is correct. That is the ruling, or the proposed ruling, of the Chair, if I understand the ruling correctly.

Mr. LAUSCHE. It is the position of the senior Senator from Tennessee that the defeat of the point of order constitutes only a negation of that issue but has no effect on the matter pending before the Senate.

Mr. GORE. The Senator is correct.

Mr. LAUSCHE. Mr. President, I have been in the Senate for 10 years. I have heard countless motions to table made, and never have I heard that a defeat of a motion to table constituted anything but a rejection of that motion and left pending in all of its merits and demerits the matter pending before the Senate.

In 10 years I have never heard any interpretation of this type concerning the results of a motion to table.

Mr. GORE. Nor have I. I point out to the Senate one other bizarre situation. Ordinarily a Senator can appeal the ruling of the Chair to the Senate, but this is but a proposed ruling on a hypothetical question.

This ruling is not before the Senate. The only thing before the Senate is a motion offered by the junior Senator from South Dakota and a point of order of the senior Senator from Illinois which has been submitted to the Senate, but the Chair has volunteered to tell us what his interpretation would be should the point of order be tabled.

How does one appeal a hypothetical ruling of the Chair to the Senate? I do not know. The rules do not provide for such a ruling or for an appeal therefrom.

The rules of the Senate provide for no such procedure. The Chair is well advised in his recent discourses to refrain from hypothetical rulings. I wish he had refrained from this one.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. JAVITS. Mr. President, will the Senator, with me, see if we can picture for our colleagues the practical question involved. I am not going to debate the question. The Senator is doing that very well.

The VICE PRESIDENT. The Chair cannot hear the Senator, and the Chair is the subject of the discussion.

Mr. JAVITS. Not intentionally, I might inform the Chair.

I should like to clarify, with the Senator's help, the factual situation. Many Senators have asked me concerning this, and perhaps we can clarify the matter together.

In the first instance, the Chair has not ruled. The Chair has submitted the question to the Senate. Is that the understanding of the Senator? The Chair has not made a ruling.

We are not talking about how he interprets the matter, but the Chair has referred the motion made by the Senator from South Dakota to the Senate. That is where we stand now.

Mr. GORE. To be precise, as I understand it, the Chair has submitted the point of order to the Senate for its determination.

Mr. JAVITS. The Senator is correct.

Mr. GORE. The Senator does not call it a ruling, and I will adopt his reservation. I do not think it is worthy to be classed as a ruling.

The Chair has advised the Senate how he would rule thereafter. Let me be as precise and exact as I can in recalling his words.

The Chair has held that if a motion is made to table the point of order of the senior Senator from Illinois [Mr. DIRKSEN] and that motion is carried, then the Chair has advised us that he will feel instructed by terms of the original resolution, upon which the Senate will not have taken any action, to call for an immediate vote, and he further advised us that if someone requests it and it is affirmed, there will be a yea-and-nay vote.

I believe that is an exact statement of the advice and ruling and submission of the Presiding Officer. Does the Senator agree?

Mr. JAVITS. I believe that is correct. So that we can agree that the question now being debated is a debatable point of order which has been submitted to the Senate. That is all we know now. We just know that we are debating a debatable point of order submitted to the Senate. The Senator would agree with that, would he not?

Mr. GORE. A point of order is pending now, and the senior Senator from Tennessee has been recognized for the purpose of debating that point of order and such other business as may be before the Senate.

Mr. JAVITS. Of course.

The next step will be, we anticipate, that a Senator will rise—probably the Senator from South Dakota—and will move to table the point of order; and upon that he will ask for the yeas and nays, and that also will be granted, and that would be the first vote. Does the Senator agree?

Mr. GORE. That could be.

Mr. JAVITS. The second vote would then come. Assuming that the Chair does what the Chair says it will do, the second vote will then come, on a motion divided in two parts—one, the first part, saying that debate shall cease on the motion made a few days ago by the Senator from South Dakota [Mr. McGOVERN] to take up a rule change.

Mr. GORE. The Senator from New York has now leaped over the rights of every other Senator.

Mr. JAVITS. Oh, no, not at all.

Mr. GORE. Oh, yes.

Mr. JAVITS. I am only attempting to catalog for Members——

Mr. GORE. The Senator is cataloging, but he is cataloging with long strides, striding over my rights as a U.S. Senator. Do I not have a right to make a point of order against this motion?

Mr. JAVITS. The Chair will have the right to determine when another point of order is made——

Mr. GORE. On what basis can the Chair decide that?

Mr. JAVITS. The Chair has that power in the Senate precedents for decades.

Mr. GORE. What rule gives the Presiding Officer the discretion of determining whether a Senator can, when a Senator can, and which Senator can submit a point of order against a pending motion? I know of no such rule that the Senator can cite. I shall be happy to be advised.

Mr. JAVITS. I shall not argue with the Senator.

Mr. GORE. I am not asking the Senator to argue. I am asking why the Senator makes that statement; and if he does make that statement, I ask where the rule is in the Senate.

Mr. JAVITS. It is my understanding of the precedents of the Senate that once a question has been decided—to wit, a point of order—the Chair does not have to entertain another point of order exactly upon the same ground. That is all I am saying. I am saying nothing else.

Mr. GORE. The Senator has narrowed the proposition, but I do not believe his position will hold water even there. I take it the Senator means to say that the Chair would not entertain the resubmission of the same point of order in the identical terms.

Mr. JAVITS. This is a general point of order. I only have the RECORD to go by. The Senator from Illinois [Mr. DIRKSEN] has made the point of order that the motion is not in order. When that question is decided, I assume that, under the usage of the Senate, that will be the end of that question. If the Senator has some other question raised in a point of order, of course every Senator is not denied that privilege. A Senator can raise any question.

Mr. GORE. We are advised, however, by the Presiding Officer that he will feel instructed, after one vote to table one point of order is carried, to lay immediately before the Senate, for an immediate vote, the original proposition, which would deny me the right to make another point of order, perhaps from a different point of view, which would deny me the right to discuss it, to consider it, to offer an amendment to it.

The Senator from New York has leaped over all these rights of every other U.S. Senator.

Mr. LAUSCHE. Mr. President, will the Senator yield? Will the Senator from New York answer the proposition just stated by the Senator from Tennessee?

Mr. JAVITS. I shall answer that proposition, because I assume——

Mr. GORE. I yield to the senior Senator from New York.

Mr. JAVITS. Because I assume that, as we interpret the law, the "general" includes all the specifics; and as this was a complete point of order, it would raise every conceivable question. The Senator made the point of order that it was out of order, which leaves it open for any conceivable point in the book.

I assume that there would be a right to assume, therefore, that having dealt with the whole ball of wax, it would be inappropriate to divide it into 85, 100, or 196 separate parts. This is a general point of order that it is out of order. That will have been tabled. That would seem to me to be the logical end of the question.

I am not attempting to be tricky. I shall argue on my own time——

Mr. GORE. Before the Senator goes further, he raises an assumption that because one Senator makes what the senior Senator from New York describes as a general point of order, this settles all points of order, no matter how specious the proposition may be in the mind of another Senator, no matter how faulty it may be in the minds of other Senators.

The Senator from New York has just held that he believes it is reasonable to assume that once a general point of order has been overruled, invalidated, no other point of order can be made. I do not believe that that position is tenable; but even if it were tenable, the senior Senator from Illinois did not make a general point of order. He made a point of order with respect to the Constitution and with respect to the propriety of the amendment. Other points of order can be made, from other standpoints.

I yield further.

Mr. JAVITS. May I just tell the Senator my purpose, and what I think is the purpose for us all?

I am attempting to trace what seems to be the procedure required, so that Senators may be advised as to the respective factual stages involved, because there seems to have been great confusion about this. I was attempting, for myself and other Senators, to see that we all understand how many votes are likely and what each vote will attempt to decide.

I submit this thought to the Senator: We anticipate that there will be a motion to table. There will be a vote on that. Assuming that it is tabled, there will then be two votes on the basic motion of the Senator from South Dakota which would then be held in order—to wit, one to close debate and the other to allow 2 hours to debate his original motion, upon which will come closing debate—to wit, the motion to take up. That would be three votes. The fourth vote would come on the motion to take up. In each of those four votes, as I understand, a majority of the Senate must vote affirmatively.

That is all I submit to the Senator. Does that not represent quite a deliberate determination by a majority of the Senate as to what it wishes to do in this situation? Four separate votes are needed before actually taking up any amendment to rule XXII, and I am sure that each will be a yea-and-nay vote. Would that not be a deliberate judgment by the Senate, rather than by one Senator? That is the question I ask the Senator.

Mr. GORE. If this procedure is followed and every other Senator is denied his rights, all intervening rights and responsibility, it would mean that one Senator, by terms of a resolution which he, himself, has offered, and which he had a right to offer, has, through the holding of the Chair, a point of order, and a motion to table a point of order, succeeded in making the terms of his motion the action of the Senate.

This is not in accordance with the rules of the Senate. The senior Senator from New York [Mr. JAVITS] through a parliamentary interrogation established with the Presiding Officer that the rules of the Senate, other than the rule here challenged, are in effect. One of those rules of the Senate, therefore, now in effect permits me to address the Senate. Another rule of the Senate now in effect provides that such matters as this can by motion be referred to the Committee on Rules and Administration. Is that to be denied to any Senator?

I do not wish to make the motion, but another Senator may. Do we deny him the right, which he has under the rules of the Senate, by this contrived procedure, to make such a motion? The rules of the Senate provide that a Senator has such a right.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. LAUSCHE. What about the right to amend the original motion?

Mr. GORE. The rules of the Senate under which we are operating, according to the ruling of the Chair elicited by the distinguished senior Senator from New York [Mr. JAVITS], provide that Senators can be recognized to offer an amendment, or to table a proposed amendment; and that Senators may be recognized to debate those amendments.

It is over all these rights that the able senior Senator from New York has leapt. I do not believe that we should dismiss or destroy the rights of Senators and the responsibilities of Senators so cavalierly.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. JAVITS. Mr. President, will the Senator yield to me for just a moment and then I shall be finished.

Mr. GORE. I yield to the Senator from New York.

Mr. JAVITS. I believe we have established what I think does enlighten the Senate, to wit: The timetable, the number of votes, and so forth. As to the merits, the Senator from Tennessee is making an eloquent speech. I have been listening to his speech. I shall make my speech on this subject. I wished to establish the factual situation at this moment, and we have done that.

Mr. GORE. Mr. President, I recognize that a number of able men have spent a good deal of time on this timetable and this parliamentary scheme. Some of the statements seem to have been well prepared in advance. I do not criticize anyone for that.

We had a great former colleague in the Senate, the late Senator Bob Kerr, who made an enlightening statement here one day when he said: "I am against any combine I am not in on."

Well, Mr. President, not many Senators were in on this combine chartering this bizarre parliamentary procedure by which the contents of a motion offered by one Senator becomes by tabling motion, ipso facto, an action of the Senate on the original proposition.

Mr. LAUSCHE. Mr. President, will the Senator yield briefly?

Mr. GORE. I yield.

Mr. LAUSCHE. Mr. President, I invite the Senator from New York to listen to my question.

Is it the position of the Senator from Tennessee that under the ruling of the Chair the right of any Senator to subsequently offer a motion to table or to offer an amendment, or to offer a motion to table an amendment will be barred?

Mr. GORE. If I correctly understand the advice of the Presiding Officer as to what he would interpret, before we act, our action to mean, then he would be prepared, following the instructions which he said he will take, not from the Senate, but from the contents of the motion offered by the junior Senator from South Dakota [Mr. MCGOVERN], to immediately call for a vote on the motion.

Did the Senator from Ohio understand that?

Mr. LAUSCHE. Mr. President, will the Senator yield for one further question?

Mr. GORE. I yield.

Mr. LAUSCHE. Does the Senator take the position that the right to discuss an amendment that might be offered subsequently will also be barred?

Mr. GORE. As I understand the advice we are given as to the meaning of the vote we are to take, it would mean that no amendment would be in order, nor considered, nor entertained, nor would any Senator be recognized, nor would any Senator have any right but to vote immediately.

Mr. LAUSCHE. I wish to ask the Senator from New York [Mr. JAVITS] whether he agrees or disagrees with the statement of the Senator from Tennessee.

Mr. JAVITS. No right to amend of any kind or character will be denied on the merits of the proposal, because this is a motion to take up. The fourth vote may result in a vote to take up. Then, the measure which the Senator wants taken up is open to full amendment, and before the motion to take up is voted on, the other motions, in order of preference, provided in the rules, may be made in the 2 hours. Nobody's right is denied. The only thing is that the proceeding is limited to 2 hours.

Mr. GORE. I thank the able Senator from New York. He is making what would be a helpful addendum to the advice of the Chair, except the advice of the Chair was not in accord with it.

The Chair advised us that if the Senate votes to table the point of order submitted by the senior Senator from Illinois [Mr. DIRKSEN], although no point to table has yet been made—this is how hypothetical the situation is; the motion to table has not yet been made, but the Presiding Officer advises if somebody makes a motion to table and that motion prevails—then he will interpret that as instructions to him and the Senate to vote immediately on the resolution, including the terms of the resolution. I think I have correctly stated the advice of the Chair.

This procedure is untenable. The Senate cannot accept it. By this unusual procedure, the senior Senator from Tennessee cannot even appeal this ruling to the Senate. It is not a ruling yet. It is advice upon what the Presiding Officer says he would interpret an action of the Senate on a motion that is not yet made.

Mr. ERVIN. Mr. President, will the Senator yield

Mr. GORE. I yield.

Mr. ERVIN. I wish to ask the Senator if such a ruling as that would not be tantamount to a ruling that the provisions of the rules which permit other Senators to move to table the McGovern motion, or rules of the Senate which permit any Senator to commit to the Committee on Rules and Administration for consideration, or rules of the Senate which authorize any Senator to offer a substitute for it, or rules of the Senate which permit any Senator to offer an amendment to it, or rules of the Senate which permit any Senator to move to postpone further consideration either to a time certain or an indefinite time, would absolutely be nullified?

Mr. GORE. In other words, in the words of the Presiding Officer "the ball game would be over."

Mr. ERVIN. The ball game would be over without anybody except the distinguished and able Senator from South Dakota ever being allowed to come to bat or throw a ball.

Mr. McGOVERN. Mr. President, will the Senator yield for a brief observation in that regard?

Mr. GORE. I yield.

Mr. McGOVERN. The Senator has suggested several times that what we are proposing here is a procedure whereby one Senator shall dictate to the Senate what it is going to do. That is not proposed at all.

We are proposing a sequence of three rollcall votes, each one of which will be decided by majority vote of the entire Senate. One Senator cannot resolve this at all. If 100 Senators are here, it will take 51 Senators to approve any one of the three possible steps that will come before the Senate.

I should like to observe that neither the Senator from South Dakota, nor the Senator from Tennessee, nor anyone else, will carry this motion with his vote alone. It takes a majority of the Senate to act on this procedure. Thus, what we are really talking about is whether a majority of the Senate should have the right to exercise its will at the beginning of a new Congress to determine its rules.

No one is questioning any of the other Standing Rules of the Senate. We are simply suggesting, under the Constitution, that when, at the start of a Congress, a majority of the Senate so desires, it should have a procedure whereby it can set or modify the rules. There is no way any part of that can be accomplished except by a majority vote of the Senate.

Mr. GORE. I thank my able and distinguished colleague, for whom I have exceedingly high regard and with whom I think I have voted about 98 percent of the time. He has said that I have strained to interpret this as giving the right of one Senator to determine the course of action of the Senate.

Let me remind the Senator that one provision of the motion which he and he alone has offered is that we shall have an immediate vote.

I had no part in determining that. The Senator from Kentucky had no part in determining that. The Senator from Tennessee might have some views which he would wish to express based upon his responsibility as one of the representatives of the people of the great State of Tennessee, and as a Member of the U.S. Senate.

Mr. McGOVERN. Mr. President, will the Senator from Tennessee yield at that point?

Mr. GORE. I will in a moment. The Senator has made a helpful statement and I want to analyze it.

By the terms of the resolution which he has proposed, there would be a certain result, in consequence of certain stipulated votes by the Senate, but the Senator himself provides in the motion the rules by which his motion will be considered. He does not leave to me any discretion. He does not leave to the rules of the Senate any effect. He provides in his motion that there shall be an immediate vote.

I am sure the Senator does not mean to exercise any tyrannical parliamentary procedure. He is about as democratic a Senator as anyone can come by. But, nevertheless, there it is. Is that not true?

Mr. McGOVERN. Let me say one thing——

Mr. GORE. Is this not true?

Mr. McGOVERN. I do not accept the Senator's interpretation of it. I do accept his good faith.

Mr. GORE. Does it not provide that there shall be an immediate vote?

Mr. McGOVERN. Yes, but let me say——

Mr. GORE. Then what other Senators determine that except the Senator from South Dakota by the terms of his motion?

Mr. McGOVERN. The Senator has the same right he has on any other motion to vote against it, if he disapproves of its terms.

Mr. GORE. Is my right as a Senator to be limited merely to vote for or against a proposition which another Senator wishes to submit at any time he wishes to submit it and have a vote at any time he wishes me to vote? There is something other than the responsibility of a Senator to say "yea" or "nay." It seems to me there might be a few mumbling thoughts that I would want to utter.

Mr. CASE. Mr. President, will the Senator from Tennessee yield at that point?

Mr. GORE. I yield.

Mr. CASE. On this one point, in answer to the Senator's question, we do have a procedure by which one Senator can compel all Senators to vote immediately, and that is on a motion to table anything. Thus, this is not strange. It is not a monster. I have had; as I know the Senator from Tennessee has had, some question as to whether the rules should not go into this matter of tabling and its process, because I have personally been the victim, I think, of injustice, on account of it, as the Senator feels that he has in substantive matters, on a number of occasions, of which I am well aware. But this is not a strange, new kind of procedure. I will develop these thoughts on my own time, and I shall not interrupt the Senator again, but we know that Senators call upon a motion to table immediately to decide an issue without debate.

Mr. GORE. The rules provide for a motion to table. I have expressed the view on the Senate floor that this is the most tyrannical parliamentary device available to the leadership or to any other Senator. Fortunately, the leadership on both sides of the aisle—and I hope they will pay heed to this—have been restrained in their use of the motion to table. In other parliamentary procedures, the "previous question" has the same effect. But the procedure here proposed is not provided for in the rules of the Senate. This is an interjection by which, through the motion of one Senator and the advice of the Presiding Officer, we are advised in advance that if we vote a certain way, it will mean that every other Senator will be denied the right to make a point of order, to discuss a proposition or to offer an amendment before there is an immediate vote.

This is unusual. It would be destructive of the deliberate quality of debate and consideration in the Senate. It must not be permitted.

I had not intended to take any part in debate on this controversy, but I love the U.S. Senate. I love the U.S. Congress. This is the beginning of my 29th year as a Member of the U.S. Congress. I have great respective for it. I have been disturbed to see the growth of the executive branch and the seemingly comparable diminution of the legislative branch.

I am happy to see some evidence—last year, for instance, in the Senate Foreign Relations Committee and the Senate Appropriations Committee, and other committees—that they are once again asserting the coequal status of the legislative branch.

Our system of government will be best served by a strong, independent, and coequal legislative branch of the Government. That is not particularly involved here. The executive, of course, is not, but here is a clever parliamentary procedure which a few enthusiastic men have contrived—for good purposes, I acknowledge—but I think that they contrive a little too sharply. They ignore the rights of other Senators, the responsibilities of other Senators, and the prudence of deliberate consideration of proposals of all Senators submitted to the Senate.

Mr. ALLOTT. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. ALLOTT. Would the Senator mind my founding a question or two based upon his colloquy a few moments ago with the distinguished Senator from New York? I read from the motion which has been filed with the clerk:

> I move that debate upon the pending motion to proceed to the consideration of Senate Resolution 6 be brought to a close in the following manner——

And then he sets it up.

The distinguished Senator from Tennessee has made very well the point that amendments are forbidden under the ruling of the Chair. I am sure the Senator would agree with me that, once the motion to lay on the table has been made, it would be impossible for him, or any other Senator, to amend the procedure by which we bring this to a close, because we would have to vote immediately upon the whole procedure, unless it were divided into two parts at the request of one Senator. Is that not true?

Mr. GORE. I think it is true. I do not think it will be true. I cannot conceive that the Senate will put its foot into this trap.

Mr. ALLOTT. I feel personally it is true that, under the ruling made by the Chair, for example, if in this particular copy there were 6 hours of debate—and that has been stricken out and 2 hours placed in its stead—if the senior Senator from Colorado desired to make it 6 hours under the rule, once a motion to lay on the table were made, no amendment could be offered.

Then I would like to propound a question also about a situation in which a motion to lay on the table should prevail. Two hours of debate are to be equally divided between the junior Senator from South Dakota and our distinguished majority leader. The statement was made by our distinguished minority leader that already requests are coming in for time. From a practical situation, can the Senator from Tennessee tell me a practical way that any Senator could offer an amendment during those 2 hours and have a reasonable time to discuss that amendment?

Mr. GORE. This proposed procedure would be a stricture that would nullify careful consideration.

Mr. ALLOTT. If I may pursue this inquiry, the point of it is that the point made by the Senator about amendments is not a facetious one, nor should it be lightly taken. It is an actual one which deprives any Senator of the opportunity to amend and in the other instance deprives a Senator of the opportunity to amend by reason of the practicalities of the situation.

Mr. GORE. And also denies the right to make other points of order or a motion for referral or postponement.

Let me remind the distinguished Presiding Officer, for whom I have warm affection—if I have been sharp in my comments I regret it and I apologize—that the U.S. Constitution is not restricted in its application to this one issue before the Senate. If one can make that constitutional reference on one issue, he can make it on another. If one Senator can make a point of order against the constitutionality of a proposed motion, then every other Senator would have that right. If every other Senator has that right, let me conjure a proposition that might occur.

Suppose, after this precedent is set, I offer a motion to rescind the Tonkin Bay resolution on the ground that the President has interpreted it as tantamount to a declaration of war, and therefore since this was a constitutional procedure, I proposed to rescind the Tonkin Bay resolution, and provided in my motion that it come to an immediate vote, and the senior Senator from South Dakota or the junior Senator from South Dakota made a point of order that my motion was not in accord with the Constitution, and another Senator moved to table his point of order, and it was tabled, and then there was an immediate vote, would not this precedent and procedure to rescind the Tonkin Bay resolution be on all fours? That is a question or motion of constitutional reference.

Here is a point of order which the Presiding Officer submits to the Senate. A Senator moves to table the point of order. It is tabled. Ipso facto, the Senate has finished its consideration of my motion to repeal the Tonkin Bay resolution. We vote immediately.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MUNDT. The Senator raises a most significant and serious possibility, which is not altogether any longer a hypothetical situation. We have Members in our body who feel that way about the Tonkin Bay resolution. One of them might do precisely what the Senator from Tennessee has suggested. A Senator might raise a point of order. We would go through the same process.

It was for that reason that I interrogated the Chair, thinking about the latter part of the decision, which disturbs the Senator from Tennessee, which says that the Chair is bound by the instructions of the Senator's resolution. This is the situation the Chair is faced with if a Member of the Senate continues to offer a resolution and a Senator makes that point of order.

The Chair candidly said he was telling us what the consequences were and that he did not want us to be in the dark. It was not necessarily a ruling. It was simply an explanation. He was trying to tell us about the consequences of the events before us. It seems to me those consequences are more cataclysmic and more catastrophic than this whole debate about majority rule with respect to the rules, because the whole rule book could be kicked out by any Senator merely by writing a resolution, coming before the Vice President or the Presiding Officer, and his saying, "I am sorry. It looks cockeyed to me, but it is in the resolution. I can do nothing about it."

Mr. GORE. I thank the Senator.

Let me trace these steps. After this procedure becomes a precedent—and God forbid that it does—assume that I offer a resolution tomorrow reciting the constitutional responsibility of the Senate and the House to declare war, and propose to rescind the Tonkin Bay resolution on the ground that the declaration of war is the constitutional function of the Congress and that the President has erroneously interpreted the Tonkin Bay resolution as tantamount to a declaration of war. In my resolution I propose to move that there shall be an immediate vote and such other conditions as I may decide to provide in the resolution.

Then the senior Senator from South Dakota makes a point of order against it, and the Presiding Officer advises that he is going to submit that point of order, since it relates to a constitutional procedure or question or issue, to the Senate, subject to a majority vote, and he further advises that some Senator can make a motion to table, and that if some Senator does make a motion to table that point of order, which motion is not debatable, and the Senate tables the point of order, then he will feel instructed by terms of the motion I have made or the resolution I have offered to lay before the Senate for immediate vote, not subject to amendment, not subject to further point of order, not subject to debate, upon the rescission of the Tonkin Bay resolution.

Now, is that not on all fours with this?

Mr. MUNDT. It seems to me that the Senator has struck a very significant point there, and I see no difference, because it is the constitutionality of the situation which is in harmony between the Senator's hypothetical case and the one we have before us. Both deal with the constitutional question, and the sequence of events which the Senator has anticipated and speculated about is precisely the sequence of events which have occurred here this afternoon.

Mr. GORE. And we are advised of this procedure with respect to a motion to table that is not even now pending, that has not been made.

Mr. MUNDT. That is right. And we have no appeal from this recital by the Chair of the consequences which would eventuate. We have no means by which to register our displeasure except by voting on a tabling resolution of a point of order not directly related to the thing we are particularly complaining about.

Mr. GORE. I would appeal from such a ruling of the Chair, if it were a ruling. It is not a ruling. It is an advice of what the Presiding Officer will interpret the vote to mean, if we have such a vote, if some Senator makes a motion to table, and if that motion is carried.

Mr. President, I have felt rather strongly about the matter, as I have witnessed the development of this bizarre parliamentary scheme, and I have expressed my views with some vigor in exercising what I consider to be my responsibility. I do not wish to detain the Senate further. I hope that there is a way through which the Senate can avoid the very grave damage which would flow from the establishment of such a precedent.

(At this point, Mr. Harris took the chair as Presiding Officer.)

Mr. KUCHEL. Mr. President, a week ago yesterday the two Houses of Congress, in accordance with the Constitution, proceeded to meet and to organize. The House of Representatives, as has been the case since the founding of this Republic, proceeded, on its opening day, to consider and dispose of the problem of the adoption of rules of procedure under which its Members would operate during the 90th Congress. A resolution was offered and adopted by the House of Representatives to approve as rules for the 90th Congress the rules as they applied in the 89th. An amendment was subsequently offered and adopted. The resolution, as amended, then became the rules of procedure under which the House of Representatives will dispose of public business during the next 2 years.

From whence did the power come, Mr. President, which the Members of the House of Representatives exercised that timely responsibility? It came, clearly, from the Constitution of the United States, under that clause which says:

> Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

We read that clause, incidentally, Mr. President, with a second clause in the Constitution that "a majority of each—House—shall constitute a quorum to do business."

The Constitution of the United States, therefore, does not differentiate between the two Houses of the legislative branch as to the mode, manner, or procedure by which their rules will be adopted. It has been put forth by some in this debate that the Senate is a continuing body, and that therefore the clear language of the Constitution should not apply in the same fashion as it does on the other side.

I do not rise to debate whether the Senate is a continuing body. I think perhaps in some instances it may well be. There are differences between the Senate and the House of Representatives. But with respect to the problem of the adoption of rules, it should be crystal clear to all Senators that the Constitution of the United States treats each House of the Congress precisely in the same fashion, and authorizes a majority of a quorum to determine what rules shall guide each House during each new Congress.

The truth is that the Senate, in the few years that I have been honored to be a Member here, has never adopted rules. It is true that upon occasion, some amendments have finally been adopted. But rules of the Senate have not been adopted in the last 15 years, by the U.S. Senate, at the beginning of each new Congress nor indeed at any other time.

I think, therefore, it should be apparent that the rules under which we operate this year and have operated in prior sessions follow the theory of acquiescence—that because the Senate has done nothing, the rules of the preceding Senate come along and operate as a basis on which procedures shall be determined in the next.

Indeed, 10 years ago the Senate saw fit to indicate that specifically in its rules and, by an amendment provided, in rule XXXII, section 2:

> The Rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That is an attempt, and I believe it constitutes an unconstitutional attempt, to deny to the Members of a new Congress the right to exercise their constitutional authority to adopt such rules of procedure as they themselves may determine.

So when some of my fellow Senators talk about breaching, violating, and breaking the American Constitution, I say, Mr. President, it is all the other way around. For some of us in this Chamber believe that the public welfare would be advanced if the Members of the Senate were permitted, at the opening of each new Congress, to determine what rules of procedures should be adopted. That is the reason these resolutions have been introduced and motions have been made.

This, of course, is not the first time that the Senate had been faced with this kind of debate. I am pleased, on this occasion, Mr. President, to recall the views and comments which were made by the Vice President of the United States in 1957—my fellow Californian and my friend, Richard Nixon—which I shall read to the Senate. I hoped that the Vice President would be here, for I believe it would be helpful for all of us to recall just a few of the sentences which Vice President Nixon laid down with great clarity—and with great respect for the Constitution. I think that it might be helpful in this debate if I do so at this point.

This is in volume 103, part 1, pages 178–179 of the CONGRESSIONAL RECORD. It reads:

> It is the opinion of the Chair that while the rules of the Senate have been continued from one Congress to another, the right of a current majority of the Senate at the beginning of a new Congress to adopt its own rules, stemming as it does from the Constitution itself, cannot be restricted or limited by rules adopted by a majority of the Senate in a previous Congress.
>
> Any provision of Senate rules adopted in a previous Congress which has the expressed or practical effect of denying the majority of the Senate in a new Congress the right to adopt the rules under which it desires to proceed is, in the opinion of the Chair, unconstitutional. It is also the opinion of the Chair that section 3 of rule 22 in practice has such an effect.
>
> The Chair emphasizes that this is only his own opinion, because under Senate precedents, a question of constitutionality can only be decided by the Senate itself, and not by the Chair.

(At this point, the Vice President assumed the chair.)

Mr. KUCHEL. I am reading the comments of former Vice President Nixon, your predecessor, Mr. President, once removed. I continue to read:

> At the beginning of a session in a newly elected Congress, the Senate can indicate its will in regard to its rules in one of three ways:
>
> First. It can proceed to conduct its business under the Senate rules which were in effect in the previous Congress and thereby indicate by acquiescence that those rules continue in effect. This has been the practice in the past.
>
> Second. It can vote negatively when a motion is made to adopt new rules and by such action indicate approval of the previous rules.
>
> Third. It can vote affirmatively to proceed with the adoption of new rules.

Permit me to observe parenthetically that the situation is precisely the same today as it was when former Vice President Nixon said this in 1957.

> Turning to the parliamentary situation in which the Senate now finds itself, if the motion to table should prevail, a majority of the Senate by such action would have indicated its approval of the previous rules of the Senate, and those rules would be binding on the Senate for the remainder of this Congress unless subsequently changed under those rules.
>
> If, on the other hand, the motion to lay on the table shall fail, the Senate can proceed with the adoption of rules under whatever procedures the majority of the Senate approves.
>
> In summary, until the Senate at the initiation of a new Congress expresses its will otherwise, the rules in effect in the previous Congress in the opinion of the Chair remain in effect, with the exception that the Senate should not be bound by any provision in those previous rules which denies the membership of the Senate to exercise its constitutional right to make its own rules.

I appeal to my colleagues in the Senate on this question—which is in the public interest and which ought not to be considered in a partisan manner—to listen to the words of one who had a responsibility to give to the Senate his views a decade ago. I ask them to listen to a courageous statement by an able lawyer and a dedicated American.

It was said earlier today by the able majority leader that the proposed action to these changes in the Senate rules may imply a danger that minorities in the Senate might not have an opportunity to express themselves.

It is the Constitution of the United States which lays down clearly the right of a majority of a quorum of elected Members of the U.S. Senate to adopt rules.

It is on that basis and that basis alone that the motion has been made.

Some of my colleagues talk about this 2-hour request that is involved on the merits.

The Senate would purport to change one part of the prior Senate rules. I look at it in this way. I believe that the Senator from South Dakota is completely within his constitutional rights in moving now that this debate come to a conclusion and that the Senate proceed to dispose of the resolution which he has offered, subject to all its rules which are not in controversy today. That means every rule of the Senate acquiesced in now, apparently, except this one rule, rule XXII.

I believe further that the Senator is completely correct in asking the Senate to determine the constitutionality of the motion which is pending.

I believe also that it is in complete accordance with the Constitution after that a vote be taken immediately to take up the question whether we want to amend, offer substitutes for the resolution with respect to rule XXII, or vote up or down the resolution that has been introduced by the two distinguished Senators, the Senator from South Dakota [Mr. McGovern] and the Senator from Kentucky [Mr. Morton].

In the interest of giving more time than the last several days has provided, the Senator has seen fit to suggest that there be an additional 2 hours allowed. Mr. President, I suggest this in the interest of orderly procedure. That is the basis upon which I am delighted to accept that part of the argument that has been made.

The question before the Senate is a simple, fundamental, and elemental one. Does the Senate have the right to adopt rules of procedure?

That is the question before the Senate, and that is the only question.

It has been said here this afternoon by one of my friends that Senators would be able to twist and turn the recognition of this right into some kind of an ugly jungle for Senate moderates who would cause chaos and near anarchy here in the Senate.

The fact of the matter is, I suppose, that this year or next year a majority of the Members of the Senate—if they are so venal and the Presiding Officer goes along with them—could ruthlessly shunt aside every other Senator.

The argument was made earlier that that is not the basis upon which parliamentary rulings have been made.

In all that I have said, I have not commented upon the need for the Senate to exercise its authority with respect to the manner in which debate may be terminated in the public interest.

If we proceed with it, I can repeat what the Presiding Officer and most of my colleagues—no matter how long or how short a time they have served—understand. In this nuclear era of modern living unlimited, unrestricted, unrelated, irrelevant talkathons designed only to prevent a majority of the Senate from discharging its responsibility on whatever important business is pending before the Senate are a crippling anachronism.

I urge my colleagues to accept a constitutional responsibility as the House has under precisely the same constitutional language, and to proceed now to determine that it is a duty, as well as a constitutional opportunity, to proceed to terminate this debate and to adopt rules in accordance with whatever provision the Senate finally decides upon.

The VICE PRESIDENT. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I rise to state the views that I have developed as a result of this interesting debate this afternoon and the views that I held prior thereto as well. I rise to support, in essence, the very clear statement that was just made by the Senator from California [Mr. Kuchel].

I think we ought to face up to the fact that the constitutional question is as he put it. Under the Constitution the Senate, by the majority of a quorum, has the constitutional power and, I happen to think, the duty also to adopt its rules of procedure.

It does not make any difference what the Senate has said or the action it has taken in times gone by, whether in connection with rule XXXII or any other rule. Any rule that it adopted which would seek to modify a constitutional provision would, as the Senator from California pointed out, have no constitutional standing. It does not constitute a constitutional amendment.

The major premise from which I argue on this point is that under the Constitution the Senate has the power to do exactly what it is proposed that we do here this afternoon.

My next point is that, bearing out what the Senator from California said, we all know, and can take judicial knowledge of the fact, that the only rule in controversy before us this afternoon is rule XXII.

This whole parliamentary movement is a movement to change rule XXII. I do not know in what way it is going to be finally determined. I do not think that anyone else in the Senate knows.

We have the McGovern proposal for a three-fifths vote to end debate. We have the Kuchel proposal for a majority vote to end debate.

One listening to this debate would be inclined to think that at least some of our colleagues believe that the substantive issue before us this afternoon is not subject to amendment. The substantive issue relates to the contents of a new rule XXII if, as, and when such a new rule becomes the pending business of the Senate.

I wish to emphasize that when we finally get to the point of adopting a new rule, if we decide to pass a new rule for ending debate at the beginning of this session of Congress, we will replace the old rule XXII. I do not know what its provisions will be. In my judgment, there is nothing in the proposal of the Senator from South Dakota that prevents us from adopting any rule XXII that we wish to adopt, or readopting the rule XXII that past Senates have adopted.

Therefore, I believe we have to separate the issue as to the substantive legislation that eventually will—at least, I hope so—arise in this debate for action and the steps of procedure by which we will get to the point of considering a new rule XXII. We are not yet at the point of considering substantive legislation providing for a new rule XXII. Where we are, as I see it, is on notice by Senator McGovern of South Dakota that he will move to lay on the table the point of order raised by the Senator from Illinois [Mr. Dirksen] as to the constitutional point raised by the Senator from South Dakota. A motion to lay on the table the Dirksen point of order will be the first vote. When that motion is made, the Presiding Officer will be in a position in which he has to put that motion to a vote without debate. I repeat that will be the first vote.

I do not know how anyone could have made it any clearer than the Presiding Officer has made it. I have followed what the Presiding Officer has said all afternoon in regard to the parliamentary issues raised in this debate, and I believe that he has acted clearly within the limitations imposed upon him as the Presiding Officer of this body. In my view he has been correct in his rulings and eminently fair in performing his duties as the Senate's presiding officer under the Constitution.

I wish to say to my friend, the Senator from California, the minority whip, that I also completely agree with the ruling of former Vice President Nixon on the constitutional power and right of the Senate to adopt rules of procedure at the beginning of a Congress. The Senator from California has again inserted the rulings of Vice President Nixon in the Record. I have taken that position ever since Vice President Nixon issued the ruling. Vice President Nixon made the major point, that after all, it is a constitutional right and responsibility of the Senate to adopt its own rules at the beginning of a session of Congress, if it wishes. The Senate can adopt rules at any time, if it wishes.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I should like to finish my argument before yielding, because my argument cannot be understood unless one understands the procedural and parliamentary steps through which I think the Senate must now proceed to take before it can untangle the parliamentary barbwire that has been stretched across the path of orderly procedure in the Senate.

I agree that the ruling of Vice President Nixon was completely sound constitutionally and procedurally.

Let us assume—I am speaking hypothetically now—that the motion to lay the point of order on the table is adopted. Let us assume that first. Then what will be the parliamentary situation before the Senate? The Chair will then put the motion to close debate. That is the next step in the proposal of the Senator from South Dakota. That will result in the second vote. Listen to the motion:

> I move that debate upon the pending motion to proceed to the consideration of S. Res. 6 be brought to a close in the following manner: The Chair shall immediately put this motion to the Senate for a yea and nay vote and, upon adoption thereof by a majority of those present and voting, with a quorum present, there shall be two hours of debate upon the motion to proceed to the consideration of S. Res. 6.

In other words the second vote will be on the motion to close debate. It is not until after that vote on the motion to close debate that the provision in Senator McGovern's motion for a 2-hour debate on the motion to take up Senate Resolution 6 comes into play. The motion to proceed to the consideration of Senate Resolution 6 when voted upon after 2 hours of debate will be the third vote. However, let us take note of the fact that the three votes which I have described are all procedural votes. None of them involves a vote on the substantive provisions of a new rule XXII.

We are not dealing with legislative substance yet, at all, as far as the wording or contents of a new rule XXII is concerned.

We will not have come to the substantive issue at all until after the third vote. The motion simply says in effect that after all the debate that has occurred this past week and today there shall then be 2 hours of debate on the motion as to whether or not we will proceed to take up Senate Resolution 6.

Let us assume—hypothetically, again—that the Senate passes the motion and proceeds to consider Senate Resolution 6. Then the substantive resolution of the Senator from South Dakota for a cloture rule by a three-fifths vote will be before the Senate for the first time. It can be amended. It is subject to no limitation. The Senate can amend it. The Senate can adopt a substitute. The Senate can recommit it or do anything else with the Senate Resolution 6 which the procedures of the Senate permit. As the Senator from California has said, this is permissible under the rules of the Senate, in which we have acquiesced, because at this point in the debate the only rule we seek to change is rule XXII.

Where are any Senator's rights being lost? How has any Senator lost any rights? I know of none. Therefore I reject all the false alarm arguments I have heard the past several hours to the effect that the proposed procedures in Senator McGovern's motion will burn up Senators' parliamentary rights. Such contentions are not sound.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I do not know what amendments I shall support, once we get to the consideration of the substance of Senate Resolution 6 itself.

Mr. President, I also wish to say this, and then I shall yield. Let us face it. We know the basic question which confronts us at this time. It is, shall we continue with a rule XXII, in this critical era of the Republic's history, which permits a minority of Members in the Senate to substitute themselves for a controlling majority. That is the issue. Shall we have majority or minority rule in the Senate when it comes to passing legislation?

With all that is going on in the world and in our country, we cannot, as Senators, justify continuing a rule that permits a willful minority in the Senate to block the welfare of this country, according to their minority sights. Our system of checks and balances gives to the minority adequate protection of their legitimate rights. They should not have the right to dictate the nonpassage of legislation which is desired by the majority. Senators know that on all the antifilibuster resolutions I have offered since my first one in 1946, I have always insisted that there not only be adequate time but also liberal time for debate in order to protect the rights of the minority as it tries to change itself into a majority. But I have opposed, ever since I took my oath in 1945, a rule XXII by which a small group of Members of the Senate can impose their will against the public interest, as seen by the majority.

What are the checks on the majority? They will be the checks that we will put into any new rule and in addition they are the checks of the Constitution itself as well as the many checks within the legislative processes of the two Houses of Congress.

There is no monolithic majority in the Senate. All afternoon I have heard a majority spoken of as though it were a monolithic, fixed, number of specific individuals. One of the striking features that characterizes the Senate is its fluidity. There is no monolithic majority in the Senate. We vary among our groupings from issue to issue, almost minute by minute, in the Senate. We all know that whatever new rule XXII we may adopt there will be checks written into it that will protect the right of the minority to adequate time for debate. But it should not give the minority license to exploit the public interest by preventing the majority the right to come to a vote on the issue. Any pending piece of legislation should have to come to a final vote within a fair and reasonable time for debate whether the minority likes it or does not like it.

Some of my colleagues, whom I respect very much, but with whom I disagree, have wanted unlimited debate, with no checks upon it, so long as their physiques can hold out, in order to prevent a vote from ever being held on a legislative issue not to their liking. What they want is no vote at all on an issue at any time. They believe the Senate should not be allowed to vote if they can muster the power to filibuster a bill to death. That is the kind of filibuster that should be run off the floor of the Senate this afternoon, once and for all. That is the substantive issue that will be brought before the Senate if we finally reach the point in this debate of voting in favor of taking up a consideration of the merits of Senate Resolution 6.

What other checks do we have in our system of Government to protect a minority from what may be at times a mistaken majority? With regard to the substantive legislation that will be passed, under the rules, there is the check of the other body. The House may defeat a bill favored by the Senate or amend it. If the House passes a somewhat different bill then there is the check of the Senate-House conferences. There is the check of the President of the United States with his veto power. That is the check-and-balance system that the Constitutional Fathers set up when they wrote the Constitution. They did not write in it a rule XXII that subjects the Senate to minority rule. They did not write into the Constitution a rule that would enable a minority to prevent the will of the majority to operate. When the Constitutional Fathers wanted anything other than a majority rule to prevail in the operation of the Congress they specifically spelled out the percentage of vote that was required for adoption. Thus more than a majority vote is spelled out for overriding a President's veto or for amending the Constitution. That is what our Constitutional Fathers did. They provided in the Constitution itself the vote ratio, varying from a majority vote rule in every instance in which more than a majority was to be required. The clear intent of the Constitutional Fathers was that in all other cases the will of a simple majority vote would be the law of the land. In determining Senate procedure a simple majority should have the right to adopt a cloture rule requiring a three-fifth vote or any other for ending debate.

I do not share the view that the steps provided for by the resolution of the Senator from South Dakota—they are not necessarily the steps that I would have provided—are in some way stripping me of some precious procedural right. I yield to no one in defense of legitimate procedural rights in the Senate. However, I do not accept the view that a minority should have a procedural right to choke to death by a filibuster the right of a majority to govern.

I think the motion of the Senator from South Dakota provides reasonable steps leading to a final consideration of Senate Resolution 6 on its merits. My rights and those of every other Senator are fully protected when we finally adopt—as I hope we will—his motion to proceed with the consideration of the merits of Senate Resolution 6. As I have said Senate Resolution 6 will then be open to amendment. I shall have proposals of my own to make for amendments to the substantive issues raised by Senate Resolution 6. We ought to get on with reaching that substantive point. That is why I wanted to make known my views now and to explain my reasons for disagreeing with the speeches that have been made in the Senate this afternoon in opposition to the procedure proposed by the Senator from South Dakota [Mr. McGovern].

Before I yield to the Senator from Pennsylvania [Mr. Clark], I wish to commend both Senator McGovern and Senator Clark for their leadership in this historic debate seeking to have the Senate carry out it's constitutional rights and responsibilities in adopting rules at the beginning of a new session of the Congress.

I yield to the Senator from Pennsylvania [Mr. Clark].

Mr. CLARK. Mr. President, the Senator from South Dakota [Mr. McGovern], the Senator from California [Mr. Kuchel], and the Senator from Oregon [Mr. Morse] so ably expressed my views on this subject that I do not intend to participate at this time in the debate, in the hope that we can quickly come to a vote on the motion to table.

Mr. President, I congratulate the three Senators for their brilliant presentation.

Mr. LAUSCHE. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. The Senator from Oregon made the statement that Members of the Senate will be vested with all rights they ordinarily have to offer amendments, motions to refer to committee, and other procedural operations. Is there any limitation on the time, according to the ruling of the Chair, that will be available to make those motions and for other procedural operations?

Mr. MORSE. That depends on what procedure is adopted for procedure of debate on substantive issues; that will be provided in a new rule XXII which I hope the Senate will adopt.

Mr. LAUSCHE. The statement was made that all of these things will have to be done in 2 hours.

Mr. MORSE. Not at all. That is the burden of my argument. The 2-hour provision has nothing to do with the substantive issue after it is decided to take up the McGovern proposal. The McGovern proposal is subject to all amendments, and to all the procedures, which the Senator from California referred to as existing rules we have adopted by acquiescence. The only rule under challenge is rule XXII.

Mr. LAUSCHE. What rules will be applicable to the procedural steps that might be proposed by Members of the Senate?

Mr. MORSE. That is going to be up to the majority.

Mr. LAUSCHE. What about rules that now exist in the control of the operation?

Mr. MORSE. All rules other than rule XXII will be enforced.

Mr. LAUSCHE. Then, it is the position of the Senator that the ruling which supposedly was made is that there will be a situation where the ball game is over except that Senators may talk for 2 hours after the issues have been decided by the vote that will now be taken on the matter that is pending before us.

Mr. MORSE. I most respectively say that I do not speak for the Presiding Officer, but I interpret him. I most respectively point out when the Vice President made those comments in his ruling he was not talking about the situation before the Senate if, as, and when the Senate votes to take up the substantive proposal of the Senator from South Dakota.

Mr. LAUSCHE. Will there be any limitation of time?

Mr. MORSE. That would be up to the Senate.

Mr. LAUSCHE. As I understand the position taken by the Senator from Oregon, all of the rules which heretofore have been applicable will continue in existence except those which might be changed by the Senate.

Mr. MORSE. And except rule XXII, because that is the one under challenge.

Mr. CASE. Mr. President, I, as does the Senator from Pennsylvania, feel that Senators have well and fully discussed this issue. I shall not burden the Senate long with my exposition. I, too, love the Senate, as does the Senator from Tennessee [Mr. GORE], and this is the reason why I am concerned about making it an effective instrument, as the Senator from Oregon [Mr. MORSE] suggested.

It is important to keep the Senate in proper balance with the executive. It is important to keep Congress in proper balance with the executive as a check and balance. In our system of checks and balances it is important because we believe so deeply in the importance of the Senate as a coequal branch of government that we want to make it more effective.

I agree also that the exposition of the situation presented some 10 years ago and the way in which it was handled by Vice President Nixon is accurate and complete. Nothing should be permitted to prevent the Senate by a majority vote from amending its rules or adopting any rules at the beginning of each Congress—nothing. Neither a precedent, nor a provision of previous rules, nor anything else should do that, and I include the precedent which says that the President of the Senate shall ordinarily present to the Senate constitutional questions for decision even that all-important "precedents," if its observance will mean the stultification of the majority of the Senate from adopting new rules at the beginning of the session. What the Vice President has done is more gentle than what was suggested by Vice President Nixon 10 years ago. I do not mean to criticize the Vice President. It is in accord with his general attitude of accommodation and reasonableness.

But the steel is still there, and rightly so. The President of the Senate could, in my judgment, have ruled on this question himself. Of course, the effect of that would be that under our processes of an appeal and a motion to table the appeal, the motion would have been decided without the delay that those who would change the rules seek. He decided to be more moderate and to afford an opportunity to discuss it. The effect is actually the same under the way he is going to regard a vote on the tabling motion. Mr. President, it is utterly right that it should be so.

All the talk of bad precedent or destruction of the Senate is poppycock. The only precedent established here will be a precedent for the constitutional right of the Senate at the beginning of each session to change its rules or to adopt the old ones, if it so desires. Mr. President, for a majority to have that right unfettered by a minority, is a necessity.

With respect to these crocodile tears that I see being flooded around the Chamber in connection with the 2-hour limitation, and the crushing of the minority by the majority in connection with right to speak, I have not heard anybody who wanted to talk being shut off yet. The normal way to get the right to speak is to ask for it. The Senate will always accommodate a Member who wants to speak. Is that not so, I ask the Senator from Oregon?

Mr. MORSE. The answer is "Yes."

Mr. CASE. I would like to have the RECORD show that response. If those who oppose this change wanted a longer time—if they wanted a week, or if they wanted a month—every Senator knows and the country knows they could have it by suggesting that at the end of that time they would permit the Senate to vote. Let them not complain that they, or any Senator, or the majority, or the minority of the Senate is being deprived of any sacred right.

Mr. President, the sole precedent that will be established will not be to destroy the rules, so that the majority can override the minority at any time, but only the single right of the majority at the beginning of a Congress to adopt rules and prevent the minority—the willful minority—from acting to stultify that right. The sooner we come to grips with this problem in terms of its actual consequences, the sooner we will see it clearly.

I suggest that the Vice President well could have ruled that the previous question would be in order for this purpose, and then this motion to allow 2 hours of debate would have been fully in order.

But we do not have to go into that. If a minority wants more time, or if the Senator from Illinois [Mr. DIRKSEN] wants more time, they can have it. He knows it. If he wants more time he has only to ask for it.

The same reason is given for opposing a change in the rules. Mr. President, let us not confuse the issue. It has been suggested that the provision of the rules which provides that a suspension of the rules shall require a two-thirds vote under a day's notice, or something of that sort, might be impaired. It would not be impaired. The only thing that would be changed here is the right of the minority at the beginning of a Congress to prevent a majority from acting to amend the rules.

This is the only thing that would be changed. It would not be impressive or important in itself, because it is a right not dependent upon precedent, but a right of the Constitution of the United States of America. Today, the Senate, by majority vote, should exercise that right, and exercise it now.

Mr. DIRKSEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I am happy to yield to the Senator from Illinois.

Mr. DIRKSEN. Does the Senator wish to speak now?

Mr. JAVITS. Whatever the Senator from Illinois would wish to do is all right with me.

Mr. DIRKSEN. Mr. President, if I may take a moment, I have been seeking to ascertain who still wished to take time under the point of order. It appears that nearly every Senator has spoken. The Senator from New York would take up the cudgels on his side, and I would take equal time. That would take us up to 5 o'clock, which would mean approximately 15 minutes to a side.

I have suggested—and this, I think, has the concurrence of the distinguished Senator from South Dakota—that perhaps we could begin a quorum call and then rescind the call, but at least get Senators started in this direction. It would be in the nature of a warning that a vote is about to ensue, and at 5 o'clock the distinguished Senator from South Dakota would make his motion to table and we would then be ready for a vote.

The VICE PRESIDENT. Will the Senator from Illinois make that as a unanimous-consent request?

Mr. DIRKSEN. I make that a unanimous-consent request, including the calling of a quorum now, before the distinguished Senator from New York begins.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. DIRKSEN. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Florida will state it.

Mr. HOLLAND. Do I correctly understand that the time under the unanimous-consent agreement is to be divided equally between the distinguished Senator from New York and the distinguished Senator from Illinois?

Mr. DIRKSEN. That is correct.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. HOLLAND. Ending at 5 o'clock p.m.?

Mr. DIRKSEN. That is correct.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HOLLAND. I thank the Chair.

Mr. JAVITS. Mr. President, a further parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from New York will state it.

Mr. JAVITS. As I recall, the unanimous-consent request provided for recognition of the Senator from South Dakota at the conclusion of the debate for the purpose of making his motion.

Mr. DIRKSEN. Yes.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. RUSSELL. Mr. President, I did not hear a quorum call for the purpose of calling the names of Senators.

Mr. KUCHEL. It was for a 5 o'clock vote.

The ACTING PRESIDENT pro tempore. The Parliamentarian informs the Chair that this was done previous to the quorum call. This is on a resolution. The Senator from South Dakota is to be recognized after the Senator from New York.

Mr. RUSSELL. Who requested unanimous consent for the quorum?

The ACTING PRESIDENT pro tempore. A quorum call is not required——

Mr. RUSSELL. Since when, Mr. President? Is there not something in the rules about having a quorum call before we have a——

The ACTING PRESIDENT pro tempore. The rules require a quorum call previous to a unanimous-consent agreement to set an hour to vote on bills and joint resolutions. The Senate is considering a resolution.

Mr. RUSSELL. Is it because this is a very exceptional procedure that no rules apply? We do not have to have a quorum call, or anything else?

The ACTING PRESIDENT pro tempore. We are abiding by Senate rules. The Senate rules require a quorum call only on joint resolutions and bills.

Mr. RUSSELL. And bills. In other words, we can have any procedure we desire on this type of resolution?

Mr. DIRKSEN. Except that we had a quorum call. I requested it.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I believe, in order to understand the situation which faces us, that it is necessary to compare 2 sections, one in a rule and the other in the Constitution.

The rule is rule XXXII, not rule XXII. It is rule XXXII.

Section 2 of rule XXXII states, in part:

> The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

That is the rule. We adopted it.

The Constitution says that each House may determine the rules of its own procedure.

These are the two horns of the dilemma upon which we have been caught for years, and never in my experience in this Chamber, which is now 11 years, or in the experience of much older Members, going back to 1917, when a rule of this character was first adopted, has the Senate been able to get itself away from being impaled upon the horns of this dilemma.

Some very strong things have happened in the name of this particular dilemma. For example, the Senator from Illinois [Mr. DIRKSEN] has said we have had "biennial convulsions." Indeed we have. Why not, if the rules of the Senate permit us to amend the Constitution of the United States, not by a vote of two-thirds of the Members of each body of Congress and by three-fourths of the States as the Constitution provides, but because the rules of the Senate say so?

The rules of the Senate amend the Constitution of the United States not only in this respect but in the passage of laws. The fact is that we in the Senate cannot pass a bill without a two-thirds vote, and that is the end of it. So the provision of the Constitution which relates to approving treaties or overriding vetoes in the Senate applies in fact to all pieces of legislation in the Senate. Everybody recognizes that, and it is a fact.

I have not been a party to the procedure outlined today by the Vice President of the United States. I would like to emphasize this to the world, notwithstanding what has been said here. This is his procedure. It is not mine. As far as I know, it is not that of the Senator from South Dakota [Mr. McGOVERN].

It is the Vice President's procedure. He has given the Senate an opportunity, in a very astute manner—though I would have preferred, like my colleague, the Senator from New Jersey [Mr. CASE], to have him rule in accordance with the advisory opinion of Vice President Nixon; and I emphasize that it was an advisory opinion only, because it was never passed on by the Senate—to get out from under an impossible situation. He has given us the opportunity to debate. On the other hand, he has given the majority the right to reach a decision at last. That fact appears to have been overlooked this afternoon.

It is one thing to have the right to be heard. It is a different thing when the right to be heard is abused for the purpose of vetoing bills. The Constitution never gave us that right. The people of the United States have been subjected to that abuse for years.

The Vice President has not ruled. He has exercised his right under rule XX to submit the question, of whether this particular motion is or is not in order, to the Senate. He is not questioning the validity of any Senate rule, not even this one, but the point of order is being raised on a constitutional point. He is submitting that question to the Senate. He is saying that heretofore when it has been submitted, the result as obtained by Senate vote has been meaningless because the Presiding Officer has been unwilling to carry out the will of the Senate. He has said: "I am the Vice President. I will carry out the will of the Senate."

That was the whole difference between Vice President Nixon and Vice President Johnson. Vice President Johnson passed exactly on the same situation. He submitted the same question to the Senate, in general terms, but he said that question is open to debate. He said, "I cannot be bound by anything except the substantive vote; nothing else."

So the Senate doubled back on itself and a filibuster began on the question of amending the rules.

Vice President Nixon, on the other hand, said, "I am not an empty vessel. I am the Vice President, and if the Senate indicates to me clearly its will, I will carry it out."

That is the whole difference.

The big thing is that the Vice President has made clear, in response to inquiries by the majority leader, that he is following the precedents, he is following the decision of the Senate, and he will be bound by it. He is not saying, "Go ahead, I am nothing except an instrument of the Senate." Instead, he advises us: "I will not remain silent and turn the question back to the Senate and leave us where we were in the first place."

So, Mr. President, this is a historic breakthrough. I think we have cut the Gordian knot. I do not know what the Senate will do, but I think a historic decision has been made. We are going to be put on our own feet for the first time.

Let me deal very briefly with the arguments made against adopting this course. The argument has been made that voices of the Members of the Senate will be stilled. The argument has been made that no motion will be possible, that no amendment will be possible. The argument does not stand up. When there is a cloture vote of two-thirds, yes, Members are stilled in their voices. So what? I think even Senator Walsh back in 1917 said that it must end some time.

The only reason why we have not been able to invoke the Constitution in amending the rules has been that we have always been tangled up in our own feet until the procedure now before us, which involves a motion to take up. A motion to take up is covered on page 253 of the book on Senate Procedure, written by our august Parliamentarians, Charles L. Watkins and Floyd M. Riddick, which clearly states that a motion to take up is not subject to amendment.

The other point made is on whether the Senate is a continuing body. I do not know whether it is a continuing body or not, because in some ways it is and for some purposes it is not. For example, I refer to the possession of papers. We have just reorganized our committees. That hardly shows it to be a continuing body. So I do not think there has been a definite, conclusive opinion as to whether it is a continuing body. I do not think that question can be finally decided. But the question whether we have the power to proceed as the Constitution permits us to proceed we can decide, and that question has been laid before us by the procedures the present Vice President has provided.

We have been frustrated for years from proceeding upon our constitutional rights. Just think, if members of the opposition were to argue that a rule of the Senate was adopted in 1789, which rule of the Senate amended the U.S. Constitution so that we could not pass any bill except by a two-thirds vote instead of a majority vote, and that we cannot change that rule because it was adopted in 1789. In effect what they are arguing now is that because in 1789 the Senate said it required two-thirds, it must still be two-thirds. It must be that way indefinitely. It must be that way for our descendants, whoever they may be, until Lord knows when. That is the argument they make, that we are paralyzed, that we are finished, that we are done, that only two-thirds can pass measures in the Senate, forever and ever. I do not think that is right. I do not think that is patriotic.

It is said, Mr. President—and Senator GORE gave us as an example the Tonkin Bay resolution—suppose a Senator rises and says, "I want to repeal the Tonkin Bay resolution; I make a motion to take up that resolution, which I have on the Senate Calendar. I raise the issue that I have a constitutional right to raise it, because it represents, in effect, a declaration of war."

The Vice President, he says, adopts exactly the same procedure the present Vice President did, a majority of the Senate votes to table that particular point of order, and we are all done in.

Mr. President, I should like to point out to my fellow Senators that they can do that today. We do not need this precedent. If a Vice President is determined to violate the Constitution and be a tyrant, or if a majority of the Senate is determined to be a tyrant, then they can do it in lots of other ways, not just this one.

There is no law that says the Vice President of the United States has to recognize me when I stand up to be recognized in a filibuster. If the Vice President of the United States determines to be a tyrant, Mr. President, he does not have to see me. He does not have to see Senator DIRKSEN, or Senator RUSSELL. He can simply look around the Chamber, with four or five Senators standing up, and say, "Nobody else wishes to debate this question, read the resolution and let's vote."

There is nothing to stop him except the fact, Mr. President, that to do so would represent a revolution, and tearing up of the Constitution.

We can do that, Mr. President. The House of Representatives or the Senate can sit on its hands and not appropriate a dollar. There is nothing in the Constitution which says we have to appropriate. We do not have to appropriate a dollar, and the whole country would go to pot. Everything would come to a standstill. Of course we can do that.

You can conjure up all the terrible images you like as to what any precedent will do. But the fact is, Mr. President—and I conclude upon this point—that this is a motion based upon the Constitution, at a given time, for a given narrow purpose. That is all the Senate is deciding, not more than that. At the opening of a Congress, we contend that the Constitution permits anybody to challenge a rule, any rule, and then the Senate must have a chance to amend its rules, and not only amend the rules, but revise them generally, when a challenge is raised on a particular point. And rule XXXII cannot stop it.

That is really what the Senate is passing on. Because if you look at the rules now, and follow what all these gentlemen are saying, then rule XXXII stops you completely, and you have not a prayer; the Constitution means nothing.

That is the real issue presented to us: are we, at long last, going to strike the shackles of tradition or are we going to continue to be subject to them? As Senator MORSE has pointed out, and Senator KUCHEL and Senator CASE, in this modern day, when, within a split second we may have to act, and when, if we are attacked, Mr. President, a third of the Senate can hang us up and prevent even a declaration of war, we cannot afford to take that chance. There is nothing inimical in that whatever, except the fact that we would thus relieve ourselves of the incubus of the inability to deal with our own rules.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized for the remaining time until the hour of 5 o'clock.

(The VICE PRESIDENT assumed the chair at this point.)

Mr. DIRKSEN. Mr. Vice President, we have heard a lot of quaint doctrine here today. It reminds me of the little girl coming home from Sunday school. When her mother said, "Suzy, what was the lesson about," she said, "Well mother the text was 'the Lord is sneaking through Humbolt Park.' "

Well, her mother was incredulous. She could not imagine that. She was sure it could not be the Lord sneaking through Humbolt Park. So the mother called the Sunday school teacher and asked, "What was the text today?"

She said, "The Lord is seeking a humble heart."

That is altogether different doctrine.

So we have had a lot of quaint doctrine. But two things, Mr. President, will not be gainsaid after all the debate is over. The first one is the endeavor to get cloture by a majority vote. That was standing out so clear that it requires no explanation on my part. And then, of course, there was all the eloquence addressed to the figure of the majority.

Probably history will record that the majority has been wrong oftener than not. I believe there is something to that text, in the book of Exodus in the Old Testament, which says, "Follow not a multitude to do evil." It is in language so crystal clear that it cannot be mistaken, and it has been there for a long, long time.

And it has some weight; because it appeared here, in 1964, that there was a multitude moving the Senate in a given direction in the field of civil rights. It has been said here today that we took 83 days on the issue.

Mr. President, that is the best 83 days that the U.S. Senate ever expended, on that explosive and incandescent issue, because all the while, in my office, for weeks with the Vice President sitting at the table, and the Attorney General, and ofttimes the majority leader and myself, laboriously we hammered out the details of a civil rights bill that started with four titles and wound up with 11. And it works today; that is the important thing. It was full of bugs and worms. I remember talking so many times about it with the late President Kennedy. I do not know how many times the Attorney General was in my office, and I said, "We will not take it; it is defective." But we did not forsake our labors. We worked at it.

But what could we have done if the debate could not have been carried on here, in disposing of the motion to take up? It is true that that occupied the time of the Senate; but all the while the business of perfecting that legislation went on, and it stands on the books today, a credit to everyone who had any hand in fashioning it.

My friend the Senator from Oregon mentioned a moment ago that, of course, if we do not respond to the checks and balances, they will do it over in the House of Representatives.

How do you think the 14(b) business got out of the House of Representatives? They gagged them, Constitution or no Constitution. Those poor 47 tender Congressmen, who were led down the pathway to slaughter and did not come back, could not even amend the bill. They had it rigged so no amendments could be offered on the floor of the House. What do you think they do with tax bills? The Ways and Means Committee comes in under a rule: no amendments except those that are offered by the committee on the floor of the House.

Oh, there are lovely ways to get around checks and balances. Do not be beguiled by all this fancy rhetoric, nor by the fact that my distinguished friend from New York says that since a proposition obtained in 1789, profane hands must not touch it now.

That is not the issue. The question is, Was it right in 1789? If it was sound as a matter of principle then, it ought to be a matter of principle in 1967. You can argue until this domed ceiling falls, but you will never alter the fact that 2 and 2 was 4 in 1789, and it is 4 in 1967. So it is a question of the principle, and how fundamental it is, that is involved.

So, when I think of the majority, I remember, you know, that it was the majority that jeered Christopher Columbus because he had an idea the world was round. They jeered Galileo, and made him recant before they sacrificed him. That was the majority speaking. You have to be pretty careful, and especially so when you are in the field of procedure.

So I want to see no majority cloture. It is dangerous for free institutions.

Now, what was the other proposition? As this thing was set up, it set up a formula, first, to offer a motion to cut off debate, and insist on an immediate vote.

Then, of course, wait for the point of order, and then let it be a constitutional issue. Submit it to the Senate. Otherwise, you get one step deleted and come along with a motion to table in the hope that you have enough votes to beat a point of order.

Now, that is a formula. Well, if it works here in the rules, it works here on legislation.

For how many years have we heard about the item veto? They tried to put it through. What was the objection? The objection was that it would delegate to the President the power to appropriate. It has not ever gone through this body.

The result is what? They try to boot us. Here is the weapon they wanted. Put it on the item veto. Offer it as an amendment to any bill. Get a ruling out of order. Appeal from the ruling of the Chair, and then, of course, get a majority of those who are present and voting.

I have seen the time when appropriation bills have gone through this body with only six or seven Senators on the floor. Those appropriation bills involved billions of dollars. All you need is four, and you will get it stuck on there as an amendment.

There is a rule that you cannot legislate on appropriation bills. In the House we did it with impunity. If I violated that rule once, I did it a hundred times. It worked because I made it work. We have to suspend the rules. There has to be an intervening day. Then there must be a two-thirds vote. Oh, it is said we can circumvent all that. Let us not worry about the rules. Throw the rule book in the rain barrel. Ignore the appropriation bills. Why bother about them? Wait until an Agriculture or an Interior appropriation bill comes in. Stand on your own two feet. Offer an amendment, and when the Presiding Officer says it is out of order, you appeal from the ruling of the Chair. You have your soldiers present on the floor.

You do not undertake these efforts unless you are equipped. That is part of the strategy. It always has been. You ask that it be submitted. Oh, there should be a quorum call. You can get them over here.

More often than not, there will not be time enough to acquaint them with what is going on, but if you have enough troops around, you will get the bill amended.

I went so far as to amend an agricultural act. I got the Sugar Act liquidated in the House of Representatives. I had every sugar Representative and Senator rush into my office with stilettos in their teeth to try to do disciplined mayhem on me.

I know how it works because I have made it work. And it can work again. That is the danger. You will destroy the orderly processes.

Senators remember the work-or-fight bill that Bob Taft stopped on the floor. I have said a thousand times that if there is one vote in my whole career that I would undo, that would be the vote. However, there is no piety and no icy finger or anything else that can erase that from my record. That is the one vote that I would undo. Yet, that bill could have been rammed through under this kind of proposal.

It could be done on strike legislation.

Senators remember the Court-packing proposal of a long time ago. It was here that they stopped it. It was here that the Senate stopped the packing of the Supreme Court of the United States. And it was because this institution was free, and one could speak his piece here and was not inhibited or fearful of the fact that a majority was going to put some condign thing upon the statute books for which one would express a deep regret later.

It is not needed. In 1964 I got on my knees on this carpeted floor. I said, "Please, please vote for cloture."

You remember what happened here. You do not have to conceal any names. I begged the Senator from Arizona. I begged him. I guess I was not much of an advocate. I could not persuade him with all the tears in my eyes, the tremor in my voice, and the solicitude I had for the Senator, as much as a mother would have for a tender and gentle baby, I could not persuade him.

You heard the dean of Congress this afternoon, CARL HAYDEN, who has been on this hilltop for 54 years. He never voted for cloture, mainly because in the fuss that went on here long ago when Arizona tried to get into the Union, New Mexico was standing in the wings.

Had there been a cloture vote, there would have been no Arizona. Had there been no Arizona, there probably would have been a thumping Republican majority in 1964. [Laughter.]

The VICE PRESIDENT. The Senate will be in order.

Mr. DIRKSEN. Mr. President, take it out of my time.

Seven times out of 36 endeavors, this Senate has voted cloture, going back to 1919. Do not tell me you cannot get it, because I got it, just as others did. You can get it again when you have a case, but when you have a bill of goods to sell to the Senate, a bill of goods that is under suspicion and not in the national interest, it should not be sold.

That is the point. If we are going to protect the Republic against wild schemes and fantasies and favorite legislative brain children, the thing to do is to protect our rules.

As my time runs out, and just before my friend, the Senator from South Dakota, makes his motion to table, let me adjure you now with everything that is in my heart to vote down this motion to table and let the point of order prevail.

We can then approve it today by a voice vote, and when we adjourn tonight that will have erased the confusion. It will have clarified the air, and we will start anew.

I am in the mood now, if they file a cloture motion on Senate Resolution 6 to put my name on it and see where we go.

I would then give assurance to the Senator from South Carolina that I will sit down with him and see if we cannot negotiate a reasonable time to discuss this matter and let it come to a vote.

I do not mind. I am prepared to do it, and surely in the wisdom and genius of this body we can find the right answer without forfeiting the safeguards that have meant so much to this country.

This is the 90th Congress. It is the 179th year in which this body has met without interruption in peace or war.

There is no better parliamentary body.

The reason we are here is because our procedures were safeguarded. Let us safeguard them now. Let us vote down this motion to table and get the air clarified.

Then we will make a start and I am confident that our innate restraint, our intuitive wisdom, and our sense of patience can negotiate a period in which we can bring this matter to a vote, and I shall be delighted to do so.

So I say to you, vote down the motion to table and then we will get to work.

The VICE PRESIDENT. The Senator from South Dakota is recognized under the unanimous-consent agreement.

Mr. McGOVERN. Before making a motion to table, I should like to make one brief observation.

In my judgment there is only one central issue involved here today, and that is the question of whether Senators believe that the Constitution authorizes a majority of the Senate to modify one of its rules at the beginning of a new Congress.

There is no doubt that the first Congress, in 1789, assumed that right, exercised it and determined its rules by majority vote. In 1917 and 1959, one of the rules relating to the termination of debate was modified. So the only question at this time, really, is whether the Congress of 1789 or 1917 or 1959 can deny this Congress its right under the Constitution to modify one of its rules by majority vote.

I believe that the motion that I put before the Senate some 4 hours ago, attempting to work out a procedure whereby debate could be terminated on this matter, is in order. I believe that the point of order is not well taken. I therefore move at this time to table the point of order raised by the Senator from Illinois [Mr. DIRKSEN].

The VICE PRESIDENT. The question before the Senate is the motion of the Senator from South Dakota to table the point of order by the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

Mr. McGOVERN. I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The clerk will call the roll.

Mr. HOLLAND. Mr. President, a point of order. Is the Chair dividing the question, as the Chair indicated to the Senate?

The VICE PRESIDENT. This is on the motion to table.

Mr. DIRKSEN. Mr. President, will the Chair restate the proposition to the Senate?

The VICE PRESIDENT. The proposition is the motion of the Senator from

South Dakota to table the point of order offered by the Senator from Illinois on the original motion of the Senator from South Dakota.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Hartke], and the Senator from Minnesota [Mr. McCarthy] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Hartke], and the Senator from Minnesota [Mr. McCarthy], would each vote "yea."

The result was announced—yeas 37, nays 61, as follows:

[No. 4 Leg.]

YEAS—37

Anderson
Bayh
Brewster
Brooke
Burdick
Case
Church
Clark
Dodd
Fong
Hart
Hatfield
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Magnuson
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Symington
Williams, N.J.
Young, Ohio

NAYS—61

Aiken
Allott
Baker
Bartlett
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
Long, Mo.
Mansfield
McClellan
McGee
Miller
Monroney
Mundt
Murphy
Pearson
Percy
Prouty
Russell
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—2

Hartke
McCarthy

So Mr. McGovern's motion to lay on the table Mr. Dirksen's point of order was rejected.

Mr. MANSFIELD. Mr. President, it is my intention to ask unanimous consent to adjourn this evening. Since the motion to table the point of order did not carry, the question reverts to the point of order. I intend tomorrow to renew the motion to proceed to the consideration of Senate Resolution 6. The debate will continue on that issue, uncluttered by the parliamentary leftovers of today.

Mr. HOLLAND. Mr. President, there has not been a ruling on the point of order by the Presiding Officer.

Mr. MANSFIELD. A ruling is not needed.

Mr. HOLLAND. Mr. President, has the President of the Senate ruled on the point of order?

The VICE PRESIDENT. The President of the Senate submitted the point of order to the Senate. The Senator from South Dakota [Mr. McGovern] moved to table it. The Senate did not agree with the Senator from South Dakota.

Mr. HOLLAND. I thank the Presiding Officer.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. Mr. President, I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President——

The VICE PRESIDENT. The point of order is still the pending business; the motion to table was not successful.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight it stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, may I respectfully suggest to the Chair that if he wants to submit the point of order I am quite content with a voice vote.

The VICE PRESIDENT. The Chair puts the question to the Senate: Is the point of order of the Senator from Illinois [Mr. Dirksen] to be sustained?

Mr. MORSE. Mr. President, I ask for the yeas and nays. Is my request subject to debate?

The VICE PRESIDENT. It surely is subject to debate.

Mr. MORSE. Mr. President, I would like to suggest that we get the yeas and nays.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The VICE PRESIDENT. The question is: Is the point of order of the Senator from Illinois [Mr. Dirksen] sustained?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. INOUYE. I announce that the Senator from Indiana [Mr. Hartke], the Senator from Arizona [Mr. Hayden], the Senator for Louisiana [Mr. Long], and the Senator from Minnesota [Mr. McCarthy], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Hartke] would vote "nay."

On this vote, the Senator from Louisiana [Mr. Long] is paired with the Senator from Minnesota [Mr. McCarthy]. If present and voting, the Senator from Louisiana would vote "yea" and the Senator from Minnesota would vote "nay."

The yeas and nays resulted: yeas 59, nays 37, as follows:

[No. 5 Leg.]

YEAS—59

Aiken
Allott
Baker
Bartlett
Bennett
Bible
Boggs
Byrd, Va.
Byrd, W. Va
Cannon
Carlson
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Lausche
Long, Mo.
Mansfield
McClellan
McGee
Miller
Monroney
Mundt
Murphy
Pearson
Percy
Prouty
Russell
Smathers
Smith
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, Del.
Yarborough
Young, N. Dak.

NAYS—37

Anderson
Bayh
Brewster
Brooke
Burdick
Case
Church
Clark
Dodd
Fong
Hart
Hatfield
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Magnuson
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Proxmire
Randolph
Ribicoff
Scott
Symington
Williams, N.J.
Young, Ohio

NOT VOTING—4

Hartke
Hayden
Long, La.
McCarthy

The VICE PRESIDENT. The vote is yeas 59, nays 37. The point of order of the Senator from Illinois [Mr. Dirksen], that the motion of the Senator from South Dakota [Mr. McGovern] is out of order, is sustained.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the point of order was sustained.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the majority leader what the program is for the remainder of the week and, insofar as he can say, what it will be for the first part of the following week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, it is anticipated that a cloture motion will be filed tomorrow, in which the distinguished minority leader will join me, as well as the author of the proposal, the Senator from South Dakota [Mr. McGovern], and other Senators.

Then it is anticipated that we will go over from Thursday to Monday. Monday will be the legislative day intervening, and 1 hour after the Senate convenes on Tuesday, the vote on the cloture motion will be had.

Following the disposition of Senate Resolution 6, hopefully on its merits, the only order of business on the Senate Calendar is the Monroney-Metcalf reorganization bill, which has been ready for some time, and on which the Policy Committee made a commitment toward the end of the last session to call up at the earliest opportunity this year.

These two measures are the only measures that the Senate will have before it in the days ahead.

MINORITY MEMBERSHIP ON SELECT COMMITTEE ON SMALL BUSINESS

Mr. DIRKSEN. Mr. President, I submit a resolution and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated.

The assistant legislative clerk read the resolution (S. Res. 47) as follows:

S. Res. 47

Resolved, That the following shall constitute the minority party's membership on the Select Committee on Small Business of the Senate for the Ninetieth Congress:

Mr. Javits.
Mr. Scott.
Mr. Cotton.
Mr. Dominick.
Mr. Baker.
Mr. Hatfield.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to the provisions of Public Law 89–790, the Chair appoints the following Senators to a Capital Study Commission on sites and plans for visitors and students to the Nation's Capital: Messrs. BIBLE, NELSON, TYDINGS, SCOTT, THURMOND, and BAKER.

Pursuant to the provisions of Senate Resolution No. 33 and Senate Resolution No. 111, 87th Congress, the Chair appoints Senator WALTER F. MONDALE to the Special Committee on Aging.

Pursuant to the provisions of Public Law 89–801, the Chair appoints Senators MCCLELLAN, ERVIN, and HRUSKA as members of the National Commission on Reform of Federal Criminal Laws.

QUORUM CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 53 minutes p.m.) the Senate adjourned until tomorrow, Thursday, January 19, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 18 (legislative day of January 12), 1967:

FEDERAL HIGHWAY ADMINISTRATION

Lowell K. Bridwell, of Ohio, to be Administrator of the Federal Highway Administration.

DIRECTOR OF PUBLIC ROADS

Francis C. Turner, of Virginia, to be Director of Public Roads, vice Rex Marion Whitton, resigned.

EXTENSIONS OF REMARKS

Mr. Will W. Campbell, Dean of Savings Bonds Chairmen, Receives Tribute From the ABA

EXTENSION OF REMARKS

OF

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. GATHINGS. Mr. Speaker, I wish to call to the attention of this body the significant contributions to the U.S. savings bonds program by one of America's most distinguished bankers, Mr. Will W. Campbell, of Forrest City, Ark.

Mr. Campbell is chairman of the National Bank of Eastern Arkansas. He has served continuously as Arkansas State chairman for the savings bonds program since June 29, 1941—just a few weeks after the program was launched on May 1 of that year with the sale of the first series E savings bond to President Franklin D. Roosevelt.

Mr. Campbell is the dean of all State chairman for the bond program.

Thus, it is entirely appropriate that he has been presented the 25-year Savings Bonds Volunteer Award by the American Bankers Association in recognition of outstanding service to the Treasury bond program.

In presenting the award, the Association said that it constituted a tribute to all commercial bankers who have provided leadership for the savings bonds program during the 25-year period. During this period of time, more than 2.7 billion individual savings bonds have been sold, valued in excess of $150 billion. Of this total, more than $50 billion in bonds still are being held by Americans, contributing importantly to the support of our men in Vietnam.

Mr. Campbell has contributed significantly to the achievement of this record and merits the respect and appreciation of this Nation.

Hon· Victor L. Anfuso

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mrs. KELLY. Mr. Speaker, while Congress was adjourned, a former colleague, the Honorable Victor L. Anfuso, of New York, passed away on December 28, 1966. As a fellow Brooklynite, I remember when he first came to Congress in 1950, I too was considered a freshman in Congress. Unfortunately, he had to give up his seat at the end of 2 years because the area he represented was redistricted due to a population change in Brooklyn.

Victor Anfuso, in his strong desire to represent his people, ran again for election in 1954 and was elected to the 84th Congress. While in Congress, he served on several committees, among them the Committee on Science and Astronautics, the Committee on Merchant Marine and Fisheries, and the Committee on Agriculture where he achieved the reputation of "window-box gardner." He was chairman of the Subcommittee on International Cooperation and Security and was a congressional adviser to the U.S. representative on the United Nations Committee on Peaceful Uses of Outer Space. He also expressed his great interest in foreign affairs and U.S. foreign policy and, as a Member of the House of Representatives, he was sent on a special mission to study stockpiling and handling of American surplus food in Europe and the Middle East.

He was dismayed when he learned that his district would again be redistricted in 1962. He agreed to step down in favor of another colleague and Democrat, the Honorable JOHN J. ROONEY.

Victor Anfuso regretted leaving the House of Representatives but the people of Brooklyn elected him as a justice of the supreme court so that he would not lose the opportunity to serve his people, whom he loved and enjoyed helping. He was well liked by all who knew him and was sorely missed by his colleagues.

I extend to Mrs. Anfuso and to his family my deepest sympathy in their irreplaceable loss.

East-West Trade and Export Control List

EXTENSION OF REMARKS

OF

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. REES. Mr. Speaker, last October, President Johnson added another important span to the bridges his administration is building between the American people and the people of Eastern Europe. He announced the removal of some 400 items from the list of export control.

I believe it was an important gesture in our efforts to ease cold war tensions.

Some thought otherwise. Some looked over the list of items and concluded that they were insignificant and had little, if any, trade potential. I recall that manhole covers was one of the items used as an example.

So it came as a surprise to me to learn that my distinguished colleague from California [Mr. LIPSCOMB] is now criticizing the list on the ground that it contains strategic materials—materials that could conceivably be used against our fighting men in Vietnam. And he has accused the administration of misleading the American public with regard to the items in question.

Mr. Speaker, the last thing I want to do is add to this confusion. If possible, I would like to clear it up.

What are the facts?

First of all, the gentleman from California [Mr. LIPSCOMB] contends that the list of 400 items contains, among other things, jet aircraft engines, diesel engines, and machine tools. The Department of Commerce has already addressed itself to this assertion. These items are not on the list. They never were. They are still under export control to Eastern Europe. Mr. LIPSCOMB was misinformed.

As to the actual list, I am not certain what the gentleman from California [Mr. LIPSCOMB] might have been referring to. I have read it carefully. It appears innocent enough to me.

But more to the point, this list is not something that was hastily drawn up and carelessly reviewed. The ground rules were quite explicit: each item had to be of a nonstrategic nature—and each had to be available on the foreign market.

And, while the list was made public last October, I am told by the Commerce Department that it was actually compiled last February—8 months earlier. At that time, it was distributed to the members of the Interdepartmental Committee on Export Controls for a complete review. This committee is represented by the State Department, the Defense Department, the Treasury Department, the Department of the Interior, the Department of Agriculture, the Federal Aeronautics Administration, the Atomic Energy Commission, the National Aeronautics and Space Administration, and the Office of Emergency Planning. A copy of the list was also supplied to the Central Intelligence Agency.

Each had a crack at it. And, in point of fact, some 10 items included in the original list were actually deleted at the suggestion of several of the agencies; some because they were in the scarce national supply category, and others because of their possible strategic implication.

So I, for one, cannot fault the administration.

I believe it has taken a bold and courageous step in the field of peaceful international trade.

I believe, further, it has been prudent, keeping the ultimate objective of national security in sight at all times.

I hope we will continue to build such bridges to Eastern Europe. For it is in our own national interest to do so.

Speaker McCormack: Great Legislative Captain

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. EVINS of Tennessee. Mr. Speaker, the tribute which the President paid you on yesterday was most fitting and appropriate and no words I might say are needed and necessary. However, as one who has served with you and worked with you, I feel compelled to go on record emphatically as reinforcing and endorsing President Johnson's great tribute to your distinguished record of service and leadership in the Congress.

Mr. Speaker, permit me to say that you are a great leader—a great captain of our legislative ship of state. You have a great heart, a warm heart filled with compassion and understanding. You are one of the outstanding Americans of all time, Mr. Speaker—and history will record that fact.

History will record that JOHN MCCORMACK—the great leader, our great legislative captain—steered through the processes of our legislative body the greatest and most far-reaching body of legislation ever enacted by two Congresses, the 88th and 89th Congresses.

You, Speaker JOHN MCCORMACK, are fair, firm, and forceful. You are a leader of honor, courage, and great ability—a warm personality with qualities of leadership that are needed in our times.

History will record that JOHN MCCORMACK was Speaker when this Nation enjoyed its longest period of uninterrupted growth and prosperity—due, in great part, to the legislative record of the Congress, enacted under his leadership.

Yes, Mr. Speaker, the President was absolutely correct when he said that you have never retreated from your responsibilities, never withdrew, never flinched. How right the President was in his words of praise of Speaker MCCORMACK.

Our Time in Hell

EXTENSION OF REMARKS

OF

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. CORMAN. Mr. Speaker, during World War II, against almost overwhelming odds, U.S. marines completed the longest combat odyssey in history as they fought their way from island to island across 7,000 miles of the Pacific.

In some of the most savage battles of the war, against top Japanese troops who had vowed to fight to their deaths, the U.S. Marine Corps became an American legend.

Their achievements will for all time serve as inspiration for other Americans who may one day be asked to take up arms in behalf of their country.

Many of their proud exploits were filmed in color by combat photographers assigned by the corps to record for future generations the courage and dedication of this magnificent group of fighting men.

At this moment in Vietnam, U.S. marines are once again defending American ideals and principles against their country's enemies. Another generation of gallant fighting men is carrying on the tradition made famous by the corps since its founding in 1775.

Some among us question the validity of our effort to stop aggression in southeast Asia. A few young men deny their obligation to serve their country in combat. It is well that we review the history of the 1940's and its effect on our lives in the 1960's.

What would life be like in these United States, if we had lacked the perseverance, the will, and the courage to resist the Axis powers?

The 3M Co. is to be highly commended for bringing to the American public at this propitious time an hour-long documentary in color comprised entirely of footage filmed under fire by marine combat photographers during World War II.

The title of this production, written and produced by Laurence E. Mascott for ABC–TV, is "Our Time in Hell." It will be narrated by Academy Award-winning Actor Lee Marvin, who as a teenage marine took part in three of these landings.

Mr. Marvin is also to be highly commended not only as a former marine but also as a patriotic American who is donating his entire fee for this narration to the Marine Corps Civic Action Fund. This fund is currently being used to rehabilitate civilian victims of Vietcong attacks.

To anyone who is much less than 30 years old, the awesome battles waged over these tiny Pacific islands are but a page in a history book. However, to the fighting men who participated in them, they are proud memories.

As an example of their courage, it might be well to recall that island invasions are not to be compared with any other type of combat. There is only an angry sea into which one may withdraw. Knowing this, the marines never made plans for retreat. They landed intending to win.

And they did win, island after island, in a magnificent display of raw courage and esprit de corps which won them the enduring gratitude of a grateful nation.

I feel that to be afforded the opportunity to see and relive those moments of glory and personal sacrifice is indeed a privilege which should be taken advantage of by every American.

Our Nation shall always be grateful.

The New GI Bill

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. AYRES. Mr. Speaker, early last year the 89th Congress enacted the Veterans' Readjustment Benefits Act of 1966. The act was signed into law on March 3, 1966, as Public Law 89–358. Among other things, the new legislation authorized a permanent program of educational assistance for individuals serving in the Armed Forces after January 31, 1955. Having shared the responsibility for the enactment of this legislation, I have followed with close interest developments in connection with its operation and administration since June 1 of last year, the effective date of the new law. I am confident that my colleagues will share my interest in certain statistics and profiles that have emerged to date.

The open-ended feature of Public Law 89-358, meaning that there is no closing date of the service period during which entitlement may be earned, makes every new active-duty serviceman a potential GI bill student. Of the 4.5 million discharged veterans who became qualified by the passage of the law, over 300,000 have already entered some form of training. More than $80 million has already been paid in educational allowances to veterans and servicemen across the Nation during December 31, 1966. For the month of December, $32 million in educational allowances was paid.

In Ohio, an estimated 228,000 veterans were eligible. More than 12,300 of these were enrolled by December in the 263 schools in Ohio currently approved for veterans' training. Veterans' Administration checks in the month of December to all students in the State of Ohio amounted to $1.4 million. In the 14th District of Ohio which I have the privilege to represent in the Congress, there are an estimated 15,310 veterans eligible for educational benefits under the new law. They constitute about 6.7 percent of the total in the entire State. Approximately 850 of these eligible veterans have thus far availed themselves of the benefits of the new law.

The initial participants are 99 percent male and have a median age of 27. About 28 percent of the veterans enrolled are under 25 years of age. The largest group, 47 percent of the total, are between 25 and 29 years of age.

Approximately 51 percent of the veteran enrollees attend school full time. More than 65 percent are in college as undergraduates, while 17 percent of the total enrollees entered school at the graduate level. Vocational and trade schools received 11.4 percent of the total applications. Technical institutions received 2.4 percent with business schools enrolling 3.1 percent of the total. Less than 1 percent of the veterans have entered secondary school to attain their high school diplomas.

In Ohio, the larger colleges and State universities have already accepted and enrolled over 10,000 veteran students with Ohio State University, Kent State, and the University of Akron accounting for one-fourth of the total. More than 100 institutions of higher learning in Ohio are participating. The remaining trainees are enrolled in 157 vocational, technical, and business schools or are participating in some form of hospital training. About 300 active duty servicemen based in Ohio are availing themselves of extra schooling on a part-time basis in preparation of civilian careers after discharge.

The Cleveland Veterans' Administration office, under the extremely capable direction and guidance of Manager Bill Blackwell, has jurisdiction over the claims of all GI bill students in the State. They will process the applications of the 21,700 Ohio veterans and servicemen who will be enrolled in fiscal year 1967. This number will probably increase to about 23,000 in 1968 and 26,000 by 1971. A total of $13.3 million in veterans' educational allowances will be received by Ohio veterans in fiscal year 1967. The next year is expected to provide $15.7 million with a continuing increase each year until 1971 when the program will probably stabilize at about $20 million a year coming into Ohio.

These impressive statistics, Mr. Speaker, indicate that the Nation's younger veterans and servicemen have been eagerly awaiting this benefit which a grateful Government has provided for them. A word of congratulations and a vote of thanks for a job well done is in order, Mr. Speaker, for Bill Driver, the competent Administrator of Veterans Affairs, and his staff, who without fanfare, publicity, or unusual expense to the taxpayer, expeditiously processed the additional heavy workload created by the new law.

Despite the magnitude of the initial response, an analysis of the correspondence I have been receiving indicates that further refinements to this legislation should be considered. For example, consideration should be given to increasing the monthly educational allowances so that veterans may receive the same allowance for attending school as is presently paid under the war orphans' educational assistance program. Consideration should be given the feasibility of authorizing on-the-job training or apprentice training as was provided in the World War II and the Korean GI bills.

Consideration should be given to authorizing more liberal criteria for flight training. Finally, Mr. Speaker, we should address ourselves to the wisdom of authorizing a certification fee to schools for the additional administrative and clerical workload involved in processing veteran enrollments. Such a fee was authorized in the World War II program and the Korean program. We should consider the propriety of providing a similar fee in the current program.

The results of the World War II and Korean conflict bills were gratifying, with more than 10 million veterans educated by a Federal Government investment of approximately $19 billion. The excellent early response to the new GI bill promises vast benefits for the entire Nation as the educational and economic status of our veteran-citizens increases.

The Poverty War

EXTENSION OF REMARKS

OF

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. MINISH. Mr. Speaker, in many New Jersey cities, the war on poverty is opening the doors to opportunity for thousands of our less fortunate fellow citizens. The war on poverty is helping people to help themselves, and in so doing is bringing a new measure of hope and justice to our communities.

On December 15, the editorial page of the Trenton Trentonian featured a report by our distinguished friend and colleague, Congressman Thompson, regarding the outstanding job being done by Trenton's antipoverty agency, United Progress, Inc., as in most New Jersey programs, the biggest problem facing UPI is an urgent need for additional Federal funds. But even on an extremely modest budget, the war on poverty in Trenton, as in Newark and other cities, is a growing success.

Mr. Speaker, I include Congressman Thompson's fine report, entitled "Much Can Be Said for Poverty War," at this point in the Record:

CONGRESSMAN THOMPSON'S REPORT—MUCH CAN BE SAID FOR POVERTY WAR

(By Frank Thompson, Jr., Member of Congress, Fourth New Jersey District)

Despite the truly remarkable record of the 89th Congress, there was one major disappointment—the failure to fully fund the anti-poverty program for the coming fiscal year. It will be recalled that while Congress authorized continuation of the program at the level of $1.75 billion as requested by the Administration, it appropriated only $1.6 billion.

It would serve no useful purpose now to single out scapegoats—there is enough blame for everybody to share. But in retrospect, I suspect the old American custom of expecting instant success has a great deal to do with the general lack of enthusiasm in the Congress for the anti-poverty program.

This is a great pity for the nature of the problems to be overcome for the most part precluded easy solutions. Indeed, I have had men highly experienced in government administration tell me it was a minor miracle that the program got off the ground at all considering the enormity and complexity of what was and is being attempted.

Certainly, one of the major difficulties which confronts the Office of Economic Opportunity is that of devising criteria by which to measure the effectiveness of the several parts of its program. The lack of such criteria has given the critics a field day. Who, for instance, has not read or heard the invidious comparison made between the cost of educating a student at Harvard and a high school dropout at a job corps center? The fact that any such comparison is pure nonsense is lost.

Of the several programs administered by OEO, the one whose effectiveness is the most difficult to assess is almost certainly the Community Action Program. Not unsurprisingly, this is the program that elicits the least enthusiasm in Congress. And yet, I think a good case can be made for CAP in my home city of Trenton.

One of the major efforts of Trenton's community action program has been directed against reducing hardcore unemployment. United Progress Inc., the city's antipoverty agency, has launched manpower training programs, basic education programs and has made available job development, counseling and placement services. In its relatively brief tenure, it has placed more than 3,400 people in jobs, training programs or in work-experience programs.

Consider these facts: About 125 former welfare recipients now have permanent jobs as a direct result of UPI programs; in October, UPI extended services to 800 unemployed persons, 24 per cent of the official total as compiled by the State Division of Employment Security; more important, more than one third of the 800 had never registered with the state employment service and, therefore, presumably were not even counted as being among the unemployed.

In short, UPI is obviously reaching people through its community action programs that are not being reached by the regular governmental agencies. Does this mean that the CAP programs are responsible for the fact that Trenton's rate of unemployment (2.5 per cent) is the lowest in the State? I don't know. But I'll bet those slide rule operators in the Bureau of the Budget can't prove otherwise!

In short, a lot can be said for the poverty program if people are willing to listen.

Address by the Honorable John C. Kluczynski, Member of Congress, Chairman, Subcommittee on Roads, House Public Works Committee Before the National Limestone Institute, Washington, D.C., January 17, 1967

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mr. BLATNIK. Mr. Speaker, with the transportation challenge heavy on all our shoulders it is, indeed, gratifying to know that men like our most respected colleague, Congressman JOHN C. KLUCZYNSKI, of Illinois, is hard at work helping to conquer some of the vexing problems of transportation. It is an honor to include the following address made by our distinguished chairman of the Subcommittee on Roads:

ADDRESS BY THE HONORABLE JOHN C. KLUCZYNSKI, MEMBER OF CONGRESS, CHAIRMAN, SUBCOMMITTEE ON ROADS, HOUSE PUBLIC WORKS COMMITTEE, BEFORE THE NATIONAL LIMESTONE INSTITUTE, WASHINGTON, D.C., JANUARY 17, 1967

Thank you, Mr. Raese, and good morning, gentlemen. I'm very pleased to be able to be with you this morning. I had hoped to be with you at your annual meeting last year, but urgent problems elsewhere made that impossible, so I am particularly glad to be here today.

About 15 months ago I spoke before the annual gathering of the American Association of State Highway Officials, an organization with which most of you are well acquainted. My subcommittee on Roads works closely with that group, and in addressing them then, I urged that they become more directly involved in comprehensive community planning. I urge the same course upon you.

We have long since passed beyond the time when, as highway people, we can be content to pave another road, or connect another town with the highway network. Highway philosophy, if you will forgive that somewhat fancy term, must now be much broader.

Our highways are the basic element in the national transportation system. They are the physical plant upon which the continued economic and social strength of this country depends. I am convinced that we are going to have to develop new or different kinds of transportation on a large scale—mass transit, high speed rail, helicopter, and special inner city methods of getting about—but I am equally convinced that *all* of these revised or added transportation forms will have to be built around the highway networks.

Americans are not going to give up their cars, and the freedom of mobility that these cars make possible, and the expanding human population *and* vehicle population demand that we recognize that fact and be guided accordingly.

But simply to say there will be such and such a number of cars in a given year, and that there must then be so many miles of pavement in that year is not enough. We must rebuild many, if not most, of our existing roads, but in planning new roads, we must outguess everyone else.

We are going to have to be able to *foresee* potential industrial and residential growth, and build the roads to handle the *coming* load, so as to forestall future traffic jams. When the zoning boards consider opening a new area, the highway people had better be on hand to say what that will require in the way of new roads and the zoning boards had better be prepared to take their advice, and make some requirement for the roads before they act.

When the school board plans a new school, the highway people had better be working with them to be sure that the location and plans include adequate provision for safe roads, sidewalks, traffic controls, and whatever else is needed to protect the safe transport, in cars or busses, or on foot, of the children the school will serve.

When a developer lays out a community, he had better be required to clear his plans with the highway people, to be sure the streets, and sidewalks are properly laid out, and that appropriate access to arterial roads is provided for.

When the city fathers decide to rejuvenate downtown, they had better have the highway people on hand to determine what will have to be done to streets, traffic controls, and parking facilities to make the rejuvenation meaningful.

None of this is going to be easy gentlemen. Everyone likes to operate in his own bailiwick, and everyone is faced with problems of achieving some reasonable balance between function, cost, and good looks. But easy or not, this is the way it will have to be done.

Some of our smaller cities will have to grow bigger. Some of our big cities will have to be content to stay the size they are. And all of our planners are going to have to realize that there is plenty of space for development in this country. It doesn't *all* have to take place on less than 10% of the nation's landscape. The critical factor is bringing about a rational use of the other 90% in a diversified transportation system that will link new areas to older areas in ways that permit people to move about with speed and comfort and convenience.

The bulk of the responsibility for achieving this is going to rest with the state and the local governments. It is the state and the local governments who make the rules, and rightly so. The federal government can help, with advice and guidelines and money, but the actual work has to be done where the people are going to live. A federal official recently suggested that if local zoning practices weren't cleaned up, the federal government might have to take over the zoning. It wasn't the first time that suggestion has been made, and I suppose it won't be the last time, but I certainly hope it never gets beyond the suggestion stage.

Obviously, as we continue to grow, towns and counties, and even states in some cases, will have to come together to do their planning, but that will still be planning by the people who will be doing the living and working, and that's where it belongs.

So when I say highway philosophy, what I am really talking about is the best coordinated system of transportation that can be devised to serve the people who are going to be using it—planned and built, including room for expansion, when the new communities are developed, not 5 or 10 years later when the agonies of safety hazards, traffic jams, and relocation costs are already built in.

In addition to being difficult, this will also be expensive, but not nearly as expensive as doing it the old way. It may *look* expensive to require the roads being built in 1967 be adequate, in both design *and location*, to handle 1987 traffic, but it's a lot less expensive to do it in relatively open areas in 1967 before the housing and industrial build-up actually takes place than it will be in 1977 or 1987, when all the really expensive collateral problems will have taken over.

It's going to be rough, gentlemen, finding the money to provide a good transportation program, and a good pollution control program, and good zoning procedures, and good community development programs that see businesses and industries, and homes and schools, and fire departments and police departments, and water and sewage systems, and sidewalks and streets and traffic controls, as one unit. But if we don't start finding the money to do this now, we're going to have to find a lot more money to do it later.

I think we can accomplish this if everyone will seriously look ahead, and if everyone will be just a little more willing to take an active interest in the kind of development that's going on, or could come, in his area, and how that development can best be handled.

You people are, by virtue of your business interests, in an excellent position to help lead the way. I sincerely hope you will do it.

Thank you, Mr. Raese. I am sorry I have to go to a very important caucus, but I have said this time and time again—as Chairman of the Sub-Committee on Roads in the House of Representatives, it is up to me to take care of that trust fund and see that none of that money is diverted, as I saw in your motion picture, for anything but road building.

Ukrainian Independence Day

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 18, 1967

Mrs. KELLY. Mr. Speaker, among tens of millions of non-Russian people suffering under the Communist regime of the Kremlin, the Ukrainians are the largest ethnic element. They have sacrificed much. For more than 45 years they have been among the most victimized national minority groups in the Soviet Union.

Before the end of the First World War when the callous autocracy of the czars in Russia collapsed, the Ukrainians hoped to attain their freedom. The Russian Revolution of 1917 offered them the real opportunity; they seized upon it and proclaimed their national independence on January 22, 1918. Unfortunately for the Ukrainians, and their friends everywhere, that independence lasted for only a short time. In 1920 the country was attacked by the Red army, overrun, and the Ukrainian Republic vanished as quickly as it was born 2 years earlier. Soon the country was incorporated into the Soviet Union, and to this day remains chained to that Union. There in their homeland more than 40 million Ukrainians are prisoners, being isolated from the outside world. They are deprived of all forms of freedom, even though in recent years there has been considerable relaxation and thawing in the unrelenting Communist regime. We in the free world observe the anniversary of their Independence Day and hope that they will again regain their freedom and live in peace in their homeland.

SENATE

Thursday, January 19, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear Lord, we find help in silence, meditation, and prayer at the beginning of our important tasks. Each day calls us to new decisions which involve our families, our neighbors, and the world around us. Thus, we need Thy help in the proceedings and decisions today of this most important body.

Be with the young men who are wounded and suffering this day because of the evil of war. Clarify the minds of those who are seeking ways of peace. Forgive our foolish ways. Reclothe us in our rightful minds as a nation and world. Let ordered lives of our leadership confess the beauty of Thy peace.

We pray in the Master's name. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 18, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT ON OPERATION OF INTERNATIONAL COFFEE AGREEMENT—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Finance:

To the Congress of the United States:

I am transmitting to you my Second Annual Report on the Operation of the International Coffee Agreement as required by Public Law 89–23.

During the past year the International Coffee Agreement has successfully served both coffee producers and consumers in a changing market situation. New measures have made the Agreement more flexible and responsive to consumer wants. Coffee prices continued to be reasonably stable, at levels fair to consuming and producing countries alike.

Nevertheless, major problems remain. Until production is brought into balance with demand, countries heavily dependent on earnings from their production of coffee will face a continuing threat of instability. The Coffee Agreement provides time to work out solutions. It has already encouraged producing countries to pay more attention to the need to diversify their economies.

With cooperation from all members, the Coffee Agreement will continue to operate as a stabilizing force in the world coffee market. It is an important adjunct to the Alliance for Progress in Latin America and to our economic assistance programs in other parts of the world.

Lyndon B. Johnson.

The White House, *January 19, 1967.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S. J. Res. 16) extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature of the enrolled joint resolution (S.J. Res. 16) extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee, and it was signed by the Vice President.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Committee on Aeronautical and Space Sciences was authorized to meet during the session of the Senate today.

RECOGNITION OF THE MAJORITY LEADER AT THE CONCLUSION OF THE MORNING HOUR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may be recognized at the conclusion of the morning hour.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Brig. Gen. William T. Bradley, U.S. Army, to be a member of the Mississippi River Commission, which was referred to the Committee on Public Works.

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

COMPTROLLER OF THE CURRENCY

The legislative clerk read the nomination of William B. Camp, of Maryland, to be Comptroller of the Currency.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

APPOINTMENTS BY THE VICE PRESIDENT

The ACTING PRESIDENT pro tempore. On behalf of the Vice President, pursuant to Public Law 86–420, the Chair appoints the following Senators to attend the United States-Mexico Interparliamentary meeting to be held in Oaxaca, Mexico, February 8 to 15, 1967: Sparkman (chairman), Mansfield, Fulbright, Morse, Moss, Montoya, Church, Hollings, Gruening (alternate), Aiken, Fannin, Jordan of Idaho, Smith, and Hansen (alternate).

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Title I Agreements Under Agricultural Trade Development and Assistance Act of 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, a report on title I agreements under the Agricultural Trade Development and Assistance Act of 1954, signed during December 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

Report on Officers Assigned or Detailed to Permanent Duty at the Seat of Government

A letter from the Secretary of the Air Force, reporting, pursuant to law, that, as of December 31, 1966, there was an aggregate of 2,353 officers assigned or detailed to permanent duty in the executive part of the Department of the Air Force at the seat of government; to the Committee on Armed Services.

Report on Flight Pay, Department of the Army

A letter from the Acting Secretary of the Army, transmitting, pursuant to law, a report on flight pay for that Department, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Armed Services.

Report on Manufacture and Distribution of Automotive Tires

A letter from the Chairman, Federal Trade Commission, Washington, D.C., transmitting, for the information of the Senate, a report on the manufacture and distribution of automotive tires (with an accompanying report); to the Committee on Commerce.

PUBLICATIONS OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, for the information of the Senate, copies of publications entitled "Statistics for Interstate Natural Gas Pipeline Companies, 1965" and "Typical Electric Bills, 1966" (with accompanying documents); to the Committee on Commerce.

REPORT OF DISTRICT OF COLUMBIA OFFICE OF CIVIL DEFENSE

A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting, pursuant to law, a report of the District of Columbia Office of Civil Defense, for the fiscal year 1966 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for improving administration of the cost or pricing data requirements of Public Law 87-653 in the award of prime contracts and subcontracts, Department of Defense, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

RECEIPT OF COPIES OF COMPTROLLER GENERAL REPORT ON AUDIT OF FEDERAL DEPOSIT INSURANCE CORPORATION

A letter from the Chairman, Federal Deposit Insurance Corporation, Washington, D.C., transmitting, for the information of the Senate, a copy of his letter to the Comptroller General of the United States, acknowledging receipt of copies of his report to the Congress on the General Accounting Office audit of the Federal Deposit Insurance Corporation, for the year ended June 30, 1965 (with an accompanying paper); to the Committee on Government Operations.

AMENDMENT OF PUBLIC BUILDINGS ACT OF 1959

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Public Buildings Act of 1959, as amended (with an accompanying paper); to the Committee on Public Works.

CORRECTED REPORT OF THE PUBLIC PRINTER

A letter from the Public Printer, U.S. Government Printing Office, Washington, D.C., transmitting, pursuant to law, a corrected report of the Government Printing Office, for the fiscal year 1966 (with an accompanying report); to the Committee on Rules and Administration.

ADDITIONAL FUNDS FOR COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES—REPORT OF A COMMITTEE

Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, reported an original resolution (S. Res. 51), which, under the rule, was referred to the Committee on Rules and Administration, as follows:

S. Res. 51

Resolved, That the Committee on Aeronautical and Space Sciences, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the aeronautical and space activities of departments and agencies of the United States, including such activities peculiar to or primarily associated with the development of weapons systems or military operations.

Sec. 2. (a) For the purposes of this resolution the committee is authorized, from February 1, 1967, through January 31, 1968, inclusive, to (1) make such expenditures as it deems advisable, (2) employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants, and (3) with the prior consent of the head of the department or agency of the Government concerned and the Committee on Rules and Administration, utilize the reimbursable services, information, facilities, and personnel of any department or agency of the Government.

(b) The minority is authorized to select one person for appointment as an assistant or consultant, and the person so selected shall be appointed. No assistant or consultant may receive compensation at an annual gross rate which exceeds by more than $2,300 the annual gross rate of compensation of any person so selected by the minority.

Sec. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 515. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for himself, Mr. Bartlett, Mr. Brewster, Mr. Case, Mr. Curtis, Mr. Fong, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Yarborough, Mr. Scott, Mr. Boggs, Mr. Williams of New Jersey, Mr. Church, and Mr. McIntyre):

S. 516. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 24, 1967, for additional cosponsors.)

By Mr. DIRKSEN (by request):

S. 517. A bill for the relief of Savic Cetkovic; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself and Mr. Long of Missouri):

S. 518. A bill to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for himself, Mr. Bartlett, Mr. Brewster, Mr. Boggs, Mr. Case, Mr. Church, Mr. Curtis, Mr. Fong, Mr. Hart, Mr. Hruska, Mr. Inouye, Mr. Javits, Mr. McIntyre, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Williams of New Jersey, and Mr. Yarborough):

S. 519. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 23, 1967, for additional cosponsors.)

By Mr. CARLSON:

S. 520. A bill to provide for the issuance of a special postage stamp in honor of Maj. John Wesley Powell for his pioneering work in the fields of exploration and reclamation; and

S. 521. A bill to amend the provisions of subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Carlson when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. ALLOTT (for himself, Mr. Dominick, Mr. Bartlett, Mr. Bible, Mr. Bennett, Mr. Fannin, Mr. Gruening, Mr. Hruska, Mr. Jordan of Idaho, Mr. Morse, Mr. Moss, Mr. Young of North Dakota, Mr. Church, Mr. McGee, Mr. Metcalf, and Mr. Kuchel):

S. 522. A bill to establish a national mining and minerals policy; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Allott when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. ERVIN:

S. 523. A bill for the relief of Han Chang Wong; and

S. 524. A bill for the relief of Jack William Mark; to the Committee on the Judiciary.

By Mr. McGee:

S. 525. A bill to amend section 4554 of title 39, United States Code, so as to extend the postage rate provided therein for books to certain matter mailed with such books; to the Committee on Post Office and Civil Service.

S. 526. A bill to amend part I of the Interstate Commerce Act in order to give the Interstate Commerce Commission additional authority with respect to railroad safety; and

S. 527. A bill to provide more adequate and realistic penalties for violations of certain safety statutes administered by the Interstate Commerce Commission; to the Committee on Commerce.

By Mr. McGEE (for himself and Mr. Hansen):

S. 528. A bill to place in trust status certain lands on the Wind River Indian Reservation in Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. GORE (for himself and Mr. Carlson):

S. 529. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Finance.

(See the remarks of Mr. Gore when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 530. A bill for the relief of Mauritz A. Sterner; to the Committee on the Judiciary.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. KUCHEL (for himself and Mr. Metcalf):

S. 531. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. BOGGS:

S. 532. A bill for the relief of Dr. Chong Hyok Un;

S. 533. A bill for the relief of Kimiko Bethard;

S. 534. A bill for the relief of Setsuko Wilson (nee Hiranaka); and

S. 535. A bill for the relief of George Tilson Weed; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 536. A bill to require certain buildings to be equipped with emergency lighting systems; to the Committee on Commerce.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. YOUNG of North Dakota (for himself and Mr. Burdick):

S. 537. A bill to modify the comprehensive plan for the Missouri River Basin with respect to certain bank protection and rectification works; to the Committee on Public Works.

By Mr. McCLELLAN (for himself, Mr. Allott, Mr. Anderson, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Eastland, Mr. Fannin, Mr. Fong, Mr. Fulbright, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Hickenlooper, Mr. Hatfield, Mr. Holland, Mr. Hollings, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York; Mr. Lausche, Mr. Kuchel, Mr. Magnuson, Mr. McGovern, Mr. Miller, Mr. Monroney, Mr. Montoya, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Russell, Mr. Smathers, Mr. Sparkman, Mr. Symington, Mr. Talmadge, Mr. Thurmond, Mr. Williams of Delaware, Mr. Yarborough, Mr. Young of North Dakota, and Mr. Young of Ohio):

S. 538. A bill to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States; to the Committee on Government Operations.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until January 24, 1967, for additional cosponsors.)

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 539. A bill to amend the Highway Beautification Act of 1965 to remove the mandatory compensation feature; to the Committee on Public Works.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 540. A bill for the relief of Caterina E. Kerenyi, Anna Eosze, and Laszlo Eosze; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 541. A bill for the relief of Jack Baer; and

S. 542. A bill for the relief of Sesha Gopalan Rugmonyammal; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:

S. 543. A bill for the relief of Henri P. Boutin; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 544. A bill to amend chapter 15 of title 38, United States Code, so as to prevent the loss of veteran pension benefits as the result of increases in social security benefits authorized by the Social Security Amendments of 1965; and

S. 545. A bill to amend the Tariff Act of 1930 so as to exempt certain private aircraft entering or departing from the United States on flights between the United States and Canada at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees; to the Committee on Finance.

S. 546. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to promote the welfare of the Indian tribes by making available to them surplus personal property; to the Committee on Government Operations.

By Mr. BURDICK (for himself and Mr. Young of North Dakota):

S. 547. A bill to increase the authorization for the appropriation of funds to complete the International Peace Garden, North Dakota; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK:

S. 548. A bill to declare that the United States shall hold certain land in trust for the Three Affiliated Tribes of the Fort Berthold Reservation, N. Dak.;

S. 549. A bill to donate to the Devils Lake Sioux Tribe, Fort Totten Reservation, some submarginal lands of the United States, and to make such lands part of the reservation involved; and

S. 550. A bill to amend the authorization to appropriate money for the maintenance and operation of three experimental stations of the Department of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 551. A bill for the relief of Dr. Antonio S. Mimay; and

S. 552. A bill to amend title 18 of the United States Code in order to provide that committing acts dangerous to persons on board trains shall be a criminal offense; to the Committee on the Judiciary.

S. 553. A bill to amend the postal laws so as to require payment of minimum wages to certain employees of contractors for the transportation of the mails on star routes, highway post office, and other mail routes; to require bonds without sureties; to establish standards for the readjustment of compensation of such contractors, and for other purposes; to the Committee on Post Office and Civil Service.

S. 554. A bill to provide for a highway bridge across the Missouri River between Bismarck, N. Dak., and Mobridge, S. Dak.; to the Committee on Public Works.

By Mr. BREWSTER:

S. 555. A bill to extend the application of the classification provisions of title 5, United States Code, to certain positions in, and employees of, the executive branch of the Government; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S.J. Res. 21. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of President and Vice President; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

ASSISTANCE OF THE UNITED NATIONS TO THE ENSLAVED BALTIC STATES

Mr. DIRKSEN submitted the following concurrent resolution (S. Con. Res. 4); which was referred to the Committee on Foreign Relations:

S. Con. Res. 4

Whereas the Communist regime of the Soviet Union did not come to power in the Middle Eastern European countries by legal or democratic processes, but has flouted even the solemn assurances and agreements entered into at the Yalta Conference of February 1945; and

Whereas the Soviet Union has denied self-determination by free election in those countries, resorting not only to heavily manned occupational forces, but also to genocidal activities in the cases of the Baltic States Republics; and

Whereas the sovereignty and independence of the former free governments of the Baltic States were duly recognized and continue to be given diplomatic recognition by the United States, as confirmed by House Resolution 346 of the Eighty-third Congress, agreed to July 27, 1953; and

Whereas the suppression of human freedoms and the denial of free trade and communications with other sovereign countries present a threat to peace, intolerable either to the United States, other free nations, or the international law agencies; and

Whereas the Governments and peoples of the Baltic States have always been in close relation with the United States and constantly continue to prove their belief in democracy through the work and blood of their peoples: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the President is hereby requested to take such action as may be necessary to bring before the United Nations for its consideration the question of the forceful incorporation of the Baltic States Republics into the Soviet Union, and a resolution declaring that—

(a) the Soviet Union shall withdraw all Soviet troops, agents, colonists, and controls from the Baltic States;

(b) the Soviet Union shall return all citizens of the Baltic States to their homelands from places of exile in Siberia, and dispersion in prisons and slave labor camps throughout the Soviet Union; and

(c) the United Nations should conduct free elections in the Baltic States under the direct supervision of the United Nations and sit in judgment on the Communist counterparts of the Nazi war criminals convicted at the Nuremberg trials.

EXTENSION OF GREETINGS AND COMMENDATION OF CONGRESS TO THE TEXAS WATER SAFARI ASSOCIATION

Mr. TOWER submitted a concurrent resolution (S. Con. Res. 5) extending the greetings and commendation of Congress to the Texas Water Safari Association for its sponsorship of an outstanding sports event, which was referred to the Committee on the Judiciary.

(See the above concurrent resolution printed in full when submitted by Mr. Tower, which appears under a separate heading.)

RESOLUTIONS

EXPRESSION OF SENSE OF CONGRESS ABOUT THE TREATMENT OF RHODESIA BY THE UNITED STATES GOVERNMENT

Mr. EASTLAND (for himself and Mr. Fannin) submitted a resolution (S. Res. 48), which was referred to the Committee on Foreign Relations.

(See the above resolution printed in

full when submitted by Mr. EASTLAND, which appears under a separate heading.)

EXPRESSION OF SENSE OF SENATE WITH RESPECT TO TROOP DEPLOYMENT IN EUROPE

Mr. MANSFIELD (for himself, Mr. YOUNG of Ohio, Mr. MORSE, Mr. RANDOLPH, Mr. METCALF, Mr. PEARSON, Mr. JORDAN of Idaho, Mr. YOUNG of North Dakota, Mr. BOGGS, Mr. INOUYE, Mr. DOMINICK, Mr. LONG of Missouri, Mr. HATFIELD, Mr. ERVIN, Mr. LONG of Louisiana, Mr. BYRD of West Virginia, Mr. HILL, Mr. RUSSELL, Mr. MAGNUSON, Mr. PASTORE, Mr. SYMINGTON, Mr. MUSKIE, Mr. HART, Mr. BREWSTER, Mr. TALMADGE, Mr. YARBOROUGH, Mr. MCINTYRE, Mr. BARTLETT, Mr. MOSS, Mr. PROXMIRE, Mr. FULBRIGHT, Mr. MCGOVERN, Mr. BURDICK, Mr. ELLENDER, Mr. NELSON, Mr. AIKEN, Mr. CARLSON, Mr. WILLIAMS of Delaware, Mr. GRUENING, Mr. ALLOTT, Mr. COTTON and Mr. SMATHERS) submitted a resolution (S. Res. 49) to express the sense of the Senate with respect to troop deployment in Europe, which was referred to the Committee on Armed Services and the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. MANSFIELD, which appear under a separate heading.)

(NOTE.—The above resolution was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

CREATION OF COMMITTEE ON VETERANS' AFFAIRS

Mr. BURDICK submitted a resolution (S. Res. 50) to amend rule XXV, relating to standing committees, by creating a Veterans' Affairs Committee, which was referred to the Committee on Rules and Administration, as follows:

S. RES. 50

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) striking out subparagraphs 16 through 19 in paragraph (l) of section (1); and

(3) inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pension of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life."

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs".

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs____For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters theretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the Eighty-ninth Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

ADDITIONAL FUNDS FOR COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mr. ANDERSON, from the Committee on Aeronautical and Space Sciences, reported an original resolution (S. Res. 51) to provide additional funds for the Committee on Aeronautical and Space Sciences, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. ANDERSON, which appears under the heading "Reports of Committees.")

FEDERAL OFFENSE TO DESECRATE THE AMERICAN FLAG

Mr. DIRKSEN. Mr. President, I introduce for appropriate reference a bill which would make it a Federal offense to desecrate the American Flag.

It is rather singular that in various sections of the country our flag has been hauled down, despoiled, spat upon, desecrated, and trampled in the mud, yet there is no Federal statute to deal with such offenses.

As I recall, nearly every State in the Union has a statute of one kind or another and prescribes a rather heavy penalty for its violation. It is high time there be incorporated in the Criminal Code of the United States something along the same line as the States require, together with a heavy penalty.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 515) to prohibit desecration of the flag, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

INCORPORATION OF JEWISH WAR VETERANS OF THE UNITED STATES

Mr. DIRKSEN. Mr. President, I present, for appropriate reference, a bill to incorporate the Jewish War Veterans of the United States. I may say, parenthetically, that this bill has been introduced session after session. We have not been able to reach common ground with House Members, particularly members of the House Committee on the Judiciary.

I hope that we can work out some kind of format in order to deal with this matter, because it recurs year after year. I ask unanimous consent that the bill may lie on the desk for 5 days for additional cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk as requested by the Senator from Illinois.

The bill (S. 516) to incorporate the Jewish War Veterans of the United States of America, introduced by Mr. DIRKSEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

OVERHAUL OF THE ADMINISTRATIVE PROCEDURE ACT

Mr. DIRKSEN. Mr. President, I introduce for myself and for the distinguished Senator from Missouri [Mr. LONG], who is chairman of the Subcommittee on Administrative Practice and Procedure, of which I have been the minority member, a bill to amend the Administrative Procedure Act, which was passed by the Senate on June 21, 1966.

Mr. President, in the last several Congresses an amazing amount of work has been done on the question of overhauling the Administrative Procedure Act. It has been a laborious, tedious, painstaking job, and nearly every agency in Government has had an opportunity to present its views.

I ask unanimous consent to have the bill in its entirety published in the RECORD.

This bill is the result of the work of many people, both in and out of the Government. It was based upon the recommendations of the Hoover Commission appointed by President Truman, a conference on administrative procedures called by President Eisenhower, and an administrative conference called by President Kennedy, as well as on the recommendations of the American Bar Association and other legal groups. It was further the subject of careful study and comment by scholars in the field of administrative law and by those within the administrative agencies, as well as by those who practice before them. All of these people have generously contributed their time and efforts.

Now, 4 years have passed during which the many departments and agencies have had a chance to study the provisions of the bill and comment on it, both informally and in public hearings. Their testimony and comments have been of the greatest value to the subcommittee in determining the effect of this legislation. Comments were also received from other sources. For example, in March of 1964 at a 3-day on-the-record meeting, the representatives of the American Bar Association gave their views and suggestions.

But the subcommittee did not stop there. It called to its service a group of consultants comprising some of the most highly qualified experts in administrative law.

After receiving comments from all of

these sources, the subcommittee began the task of refashioning the provisions of the bill so as to take account of the many suggestions which it had received. Every proposal was analyzed and tested. Some were rejected; others were modified. Our purpose was to contrive a set of procedures which would meet the needs of the public as well as the needs of the agencies.

It is important that both needs be met, because there is scarcely a facet of our life which is not affected by the decisions of these administrative agencies. They do not regulate just big business or little business; they determine the price of milk for babies and old-age pensions, the acreage allotments of farmers, unfair labor practices, union representation, civil rights, social security benefits, and under legislation now enacted, they would decide the benefits under medicare. Each time we expand the functions of our pervasive Government, it means either creating a new agency or expanding an old one to take care of the administration of that new activity.

These administrative agencies may be independent agencies or they may be departments or parts of departments. A list, even in rather small print, of all the administrative agencies which we now have takes up a large section of a wall. They have been called the headless fourth branch of our Government, for they are a governing force in our lives. Yet they are not mentioned in the Constitution; they are neither Congress, the President, nor the courts. But they exercise legislative, executive, and judicial functions. They establish policies which have the force of law; they administer those policies; and they act as a tribunal to decide cases involving the policies.

Fortunately, we have many good people in these agencies. The difficulty is that they are buried under an avalanche of work. Where there were 10 cases to be decided two decades ago, there are 100 waiting to be decided in the same peiod of time today. Our population has exploded, and our activity and our problems have equally proliferated in the past 20 years. Adding more people is not enough, because there are some problems of our agencies which cannot be solved by adding more people. These are the problems arising out of the requirements of the Administrative Procedure Act, which sets out the way in which these agencies must operate. It is a good act, but needs to be brought up to date. That we propose to do by this bill.

The current amendment of the Administrative Procedure Act makes no change in section 2(a) which section, among other things, excludes "courts" from the operation of the act. For purposes of section 2(a), the term "courts" includes the Tax Court, Court of Customs and Patent Appeals, the Court of Claims, and similar courts. This act does not apply to their procedure nor affect the requirement of resort thereto.

First of all, take the duties which the act imposes on those who head the various administrative agencies. They are a small and select group of men and women whom the Congress has usually required to be nominated by the President and confirmed by the Senate because of their responsibility for guiding the overall operations of these vast and powerful administrative agencies. But frequently they have little opportunity to give such guidance because they are also given the duty of deciding cases, both large and small, and the more time they spend doing that, the less time they have to consider questions of policy. The flow of cases which they must decide because people are waiting for an answer is so great that they usually find it necessary to dispose of them first and to put off making policies in the hope that some time can be found for that at a later date. But that day never seems to come. The flow of cases is continuous and it is increasing rather than diminishing.

And so the first thing which must be done is to relieve those who are responsible for making agency policy from the duty of deciding cases as well. The bill does this in two ways. First, it deletes the requirement that as a part of the rulemaking activity they "approve or prescribe" for the future, "all rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services or allowances therefor, or valuations, costs, or accounting, or practices bearing on any of the foregoing." Instead, such cases would be decided under the adjudicative procedures of the agency. Second, the responsibility for making the decision under such adjudicative procedures would be placed on those who actually hear the evidence instead of on those at the head of the agency who have only secondhand knowledge of the evidence. Under the present law delegation of this duty has been suggested as a solution to the problem, but delegation is not the answer because it leaves the responsibility just where it was before, with the person who has delegated it his duty. Thus, the bill provides that the decision of the presiding officer shall be the decision of the agency, subject to appeal and review of the agency on particular grounds; and to insure that the time of the agency members is not too greatly consumed by the consideration of such appeals, the bill also provides for the establishment of agency appeal boards which may be composed of agency members and hearing examiners other than the presiding officer in the case itself.

The sum of these changes from the present law is that agency members will no longer be required to decide matters involving particular persons or particular facts except where they decide to review policy questions or, on limited issues, if one of the parties appeal. This will give those responsible for agency policy the opportunity and the time to carefully consider the general principles involved in the types of cases before the agency and to formulate the agency policy for such cases; and it will leave to that highly qualified group of hearing examiners the task of applying those general policies to the facts of particular cases. This division of the task could go a long way toward the elimination of the tremendous backlogs which exist in many agencies. These are not necessarily backlogs of the agencies' own making but of the increasing volume of rates, wages, and other types of cases which the agencies must decide.

Next, something needs to be done to improve the procedures for handling cases involving particular persons and particular facts. These cases will constitute the bulk of the work of the agency but not, of course, the bulk of the work of the agency members who will be more free to concentrate on the formulation of general agency policies. Since, under the bill, the decisions of these cases will be made by the persons who hear the evidence, the bill draws heavily upon all the many techniques which the courts are now applying to speed up their own procedures. Three of these techniques relate particularly to the prehearing stage of a proceeding. First of all, the bill provides for utilizing the pleadings in a case to narrow the legal issues to the greatest extent possible. In this connection there has been built up in the last 20 years in our courts a great body of law on pleadings and, to the extent practicable, this would apply to pleadings in administrative proceedings as well.

The second device for speeding up the determination of cases is discovery of the facts. To the extent that all the facts of a case can be ascertained in advance, the subsequent hearing will be shortened and the parties may be more inclined to settle or dispose of the controversy on its actual merits. This saving of time is of benefit to the public which directly or indirectly bears the cost of administrative proceedings. Third, a specific provision has been made for prehearing conferences. These conferences usually offer the first opportunity for the parties or their attorneys or other representatives to be brought together in the presence of the presiding officer to discuss the issues and facts in the case. This is the time at which irrelevant or unimportant issues can be eliminated and undisputable facts can be agreed upon. There is no question but what such conferences, if effectively directed by the presiding officer, can be of immeasurable value in making administrative proceedings less costly and less time consuming.

Next, the bill provides a means of tailoring the procedure to fit the case. Not every case needs every step in a formal procedure—either because it is a small case, or, perhaps because the nature of the subject requires the most expeditious procedure. In such cases the bill authorizes the use of an abridged procedure if the parties agree and the agency approves. Then too. the bill contains a provision for emergency action where the agency makes a finding that immediate action is necessary for the preservation of the public health or safety and in other situations provided by law. But unless the agency grants an immediate hearing, the bill provides for immediate judicial review of any emergency action taken by the agency.

Even the time for settlement of cases is speeded up. Under the bill the agency is given the power to establish a time in advance of the hearing at which the absolute right of a party to settle a case ends. After that time it will be in the discretion of the agency to determine whether time, the nature of the case and the public interest permit further time to be taken for the consideration of offers of settlement. Thus, a party intending to offer a settlement must do so at an early date and not put the agency, the other parties if there are any, and the taxpayers to the expense of going through a hearing in the hope that by doing so he will obtain a more favorable settlement.

Another new feature is a provision for interlocutory appeals. The purpose of such appeal is to permit the determination by the highest agency authority of material questions which may arise in the course of a proceeding if such a final determination would expedite the proceeding or prevent substantial prejudice to any party. There are strict tests to prohibit abuse of the use of such appeals. Indeed, such an appeal cannot be made without the approval of the presiding officer or, if he refuses, of the agency itself upon a showing of substantial prejudice.

We have also done many things to make the public better informed about its Government and the work of the administrative agencies. In the years during which this measure has been considered by the Senate Subcommittee on Administrative Practice and Procedure, my good friend, the Senator from Missouri, the distinguished chairman of the subcommittee, much has already been accomplished. Agencies would be required to identify the officer, or more correctly the position whose incumbent makes decisions on the public's cases. The people have a right to know who is actually deciding their cases. And, to the extent that the man is supposed to be making the decision has had his discretion removed and the rules in some staff manual substituted for it, the public should be entitled to see that staff manual.

Now I have mentioned the need for speeding up the disposition of cases before administrative agencies and I have referred to a number of techniques which have been contrived in the bill to reach that result. The bill goes further. It provides that every agency shall have a duty with reasonable dispatch to set and complete any investigation or proceeding and to make its decision. Thus, for the first time, the agencies are required to move with dispatch and the public will have its remedy under our laws of their failure to do so.

In other areas as well, the bill protects the public. In the present law a person who appears before any agency against his will is entitled to counsel but a person who appears voluntarily has no such right and that right to counsel does not extend to agency investigations which are likely to be of great consequences to the members of the public. The bill corrects those anomalies by giving all persons the right to counsel whether they appear voluntarily or involuntarily before any agency and whether it is in the course of an investigation or an agency proceeding.

Another agency activity about which there has been no small amount of adverse comment is the use of press releases and other publicity to disparage or discredit a person before the final decision has been reached in proceedings involving him. The courts are dealing even now with the issue as it applies to court proceedings, and we must deal in stern fashion with those situations in the agencies, which I hope are rare, where the might of Government publicity is brought to bear upon a person before the case is proved against him.

Mr. President, the subcommittee has labored for 7 years in this difficult field to identify the problem areas which have caused discontent with the administrative process and to devise means of resolving them. I hope that the Congress will give this bill, which has been smoothed, polished, and refined by the comments of so many people within and without the Government, careful yet speedy consideration so that the recommended improvement may be made in the Administrative Procedure Act.

Mr. LONG of Missouri. Mr. President, it is again an honor for me to cosponsor, with the distinguished minority leader, legislation to revise the Administrative Procedure Act of 1946.

It has been well documented that new procedures are necessary to get the administrative process moving. As we all know, the agencies of the Federal Government which are subject to this bill control, supervise, or oversee many facets of the lives of the citizens of this Nation. Because of this, it is imperative that procedures be established which are designed to speed up the taking of final agency action. At the same time it is necessary to provide procedures which form the basis for minimal procedural fairness.

Unfortunately, the requirements of fairness and the requirements of efficiency often seem opposed to one another. In order to provide that both of these requirements will be met, a balancing between the goals of efficient management and fair play is necessary. This balance is not easily achieved, but the legislation we present to the Senate today represents the thinking and recommendations of a vast group of qualified men both in and out of government on how best to achieve this balance.

The principal features of this legislation are the emphasis it places on the necessity and desirability of encouraging increased rulemaking by the agencies and the procedures provided to help the agencies increase their rulemaking. It is hoped that the existence of standards derived from public rulemaking—under which applicable statutes are to be interpreted by the agencies and the discretion delegated to the agencies carried out—will provide certainty and predictability in agency action.

If we match this criteria of certainty and predictability against the present status of public rulemaking by the agencies, the shortcomings will become all too apparent. While the Federal Register and the Code of Federal Regulations are filled with agency rules, and elaborate procedural instructions for complying with these rules, the agency's interpretations of statutes, substantive criteria, and other standards are, in fact, administered most often by resort to ad hoc decisions made on a case-by-case basis. It is believed that proceeding by this ad hoc route is one of the chief sources of delay in administrative proceedings. Agency members, delegated the responsibility by Congress to effectuate broad, far-reaching policies, must spend incalculable amounts of time deciding routine adjudications. If it were possible for these agency members to concentrate on developing effective policy, which could then be applied to individual cases by subordinates within the agency, much of the delay so costly to our citizens and economy could be substantially reduced. Furthermore, reducing statutory interpretations and discretionary administrative standards to clearly enunciated statements of policy would more assuredly provide the certainty and predictability of action which the public is entitled to have when it undertakes to do business with its Government.

In addition to providing procedures to effectuate the broad remedial purposes of this legislation, there are many other procedures provided by this bill that will greatly improve present agency practices. It may be worthwhile to emphasize just a few. Revised and streamline procedures for the initial processes of rulemaking and adjudications are provided. As to adjudications, new authority is granted to each agency to utilize in appropriate cases shortened or abbreviated hearing procedures. For the first time minimal procedures are provided for the vast amounts of informal adjudications handled by the agencies. Agencies are also granted authority to make more effective use of subpena powers, the use of discovery procedures and the use of summary decisional processes.

The powers of the officer presiding at the taking of evidence have been somewhat enlarged in order to give him more control of the proceeding before him so that a more concise and effective record can be made for later agency or court review.

New procedures for interlocutory appeals have been provided. These procedures should allow the presiding officer to maintain his control over a case and at the same time provide the necessary flexibility to obtain decisions on questions best decided before the entire hearing process is completed.

In section 8, a revised decisional process is provided for adjudications. Except in limited circumstances the person who hears the evidence will make the basic decision in the proceeding. This decision can then be appealed utilizing the procedures provided by subsequent provisions in section 8.

The new appellate procedures provided in section 8(c) are designed to relieve the agency members of deciding the vast majority of adjudications coming before the agency. A party appealing from a decision by a presiding officer must first specify the errors on which he will rely in his appeal. He must then choose to seek review either by the appeal board or by the agency. If he seeks review by an appeal board, the board is authorized to consider his exceptions and make its decision. Except for a few limited circumstances the next step will be review in the courts.

If the party seeks review by the agency, the agency is authorized either to hear the appeal or to simply deny the party's application for review which will constitute affirmance of the presiding officer's decision. In one limited circumstance the agency may refer the appeal to an appeal board.

At this point it should be emphasized that there will be no tier decisional procedures. There are no procedures provided which would allow any party an appeal from a presiding officer's decision to an appeal board and then also to the agency itself. The party has only an "either/or" choice. Either he can go to the agency or to an appeal board, but he cannot by his own initiating action go to both, the appeal board and the agency, in one proceeding.

The agency has been given authority to review, on its own initiative, decisions by presiding officers or an appeal board. But to do this, it will be necessary for the agency to find an important policy matter involved in the particular proceeding which they seek to review.

Mr. President, it has been 20 years since the first Administrative Procedure Act was enacted. It is sincerely hoped that the progress made possible for the administrative process of 20 years ago by passing that act will be made by this revised legislation for the administrative process of today.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 518) to amend the Administrative Procedure Act, and for other purposes, introduced by Mr. Dirksen (for himself and Mr. Long of Missouri), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 518

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrative Procedure Act (5 U.S.C. 551–559 and 701–706) is amended to read as follows:

"SHORT TITLE

"Section 1. This Act may be cited as the 'Administrative Procedure Act of 1967'.

"DEFINITIONS

"Sec. 2. As used in this Act—

"(a) Agency.—'Agency' means each authority (whether or not within or subject to review by another agency) of the Government of the United States other than Congress, the courts, or the governments of the possessions, territories, Commonwealths, or the District of Columbia. Nothing in this Act shall be construed to repeal delegations of authority as provided by law. Except as to the requirements of section 3, there shall be excluded from the operation of this Act courts-martial and military commissions, and military or naval authority exercised in the field in the time of war or in occupied territory. Except as to the requirements of sections 3 and 4, there shall be excluded from the operation of this Act, agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them.

"(b) Person and Party.—'Person' includes individuals, partnerships, corporations, associations, or public or private organizations of any character other than agencies. 'Party' includes any person or agency named or admitted as a party, or properly seeking and entitled as of right to be admitted as a party, in any agency proceeding; but nothing herein shall be construed to prevent an agency from admitting any person or agency as a party for limited purposes. 'Private party' means any party other than an agency.

"(c) Rule and Rulemaking.—'Rule' means the whole or any part of any agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or to describe the organization, procedure, or practice requirements of any agency. 'Rulemaking' means agency process for the formulation, amendment, or repeal of a rule.

"(d) Order, Opinion, and Adjudication.—'Order' means the whole or any part of the final disposition (whether affirmative, negative, injunctive, or declaratory in form) by any agency in any proceeding, including licensing, to determine the rights, obligations, and privileges of named parties. 'Opinion' means the statement of reasons, findings of fact, and conclusions of law, upon all the material issues of fact, law, or discretion presented on the record, issued in explanation or support of an order. 'Adjudication' means agency process for the formulation, amendment, or repeal of an order.

"(e) Agency License and Licensing.—'License' includes the whole or any part of any agency permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission. 'Licensing' includes agency process respecting the grant, renewal, denial, revocation, suspension, annulment, withdrawal, limitation, amendment, or modification of a license, and the prescription or requirement of terms, conditions, or standards of conduct for named licensees thereunder.

"(f) Sanction and Relief.—'Sanction' includes the whole or part of any agency (1) prohibition, requirement, limitation, or other condition affecting the freedom of any person; (2) withholding of relief; (3) imposition of any form of penalty or fine; (4) destruction, taking, seizure, or withholding of property; (5) assessment of damages, reimbursement, restitution, compensation, costs, charges, or fees; (6) requirement, revocation, or suspension of a license; or (7) taking of other compulsory or restrictive action. 'Relief' includes the whole or part of any agency (1) grant of money, assistance, license, authority, exemption, exception, privilege, or remedy; (2) recognition of any claim, right, immunity, privilege, exemption, or exception; or (3) taking of any other action upon the application or petition of, and beneficial to, any person.

"(g) Agency Proceeding and Action.—'Agency proceeding' means any agency process as defined in subsections (c), (d), and (e) of this section. 'Agency action' includes the whole or part of every agency rule, order, license, sanction, relief, or the equivalent or denial thereof, or failure to act.

"PUBLIC INFORMATION

"Sec. 3. Every agency shall make available to the public the following information—

"(a) Publication in the Federal Register.—Every agency shall separately state and currently publish in the Federal Register for the guidance of the public (A) descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions; (B) statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available; (C) rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations; (D) substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency; and (E) every amendment, revision, or repeal of the foregoing. Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by any matter required to be published in the Federal Register and not so published. For purposes of this subsection, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the Federal Register when incorporated by reference therein with the approval of the Director of the Federal Register.

"(b) Agency Opinions and Orders.—Every agency shall, in accordance with published rules, make available for public inspection and copying (A) all final opinions (including concurring and dissenting opinions) and all orders made in the adjudication of cases, (B) those statements of policy and interpretations which have been adopted by the agency and are not published in the Federal Register, and (C) administrative staff manuals and instructions to staff that affect any member of the public, unless such materials are promptly published and copies offered for sale. To the extent required to prevent a clearly unwarranted invasion of personal privacy, an agency may delete identifying details when it makes available or publishes an opinion, statement of policy, interpretation, or staff manual or instruction; provided, that in every case the justification for the deletion must be fully explained in writing. Every agency also shall maintain and make available for public inspection and copying a current index providing identifying information for the public as to any matter which is issued, adopted, or promulgated after the effective date of this Act and which is required by this subsection to be made available or published. No final order, opinion, statement of policy, interpretation, or staff manual or instruction that affects any member of the public may be relied upon, used, or cited as precedent by an agency against any private party unless it has been indexed and either made available or published as provided by this subsection or unless that private party shall have actual and timely notice of the terms thereof.

"(c) Agency Records.—Except with respect to the records made available pursuant to subsections (a) and (b), every agency shall, upon request for identifiable records made in accordance with published rules stating the time, place, fees to the extent authorized by statute, and procedure to be followed, make such records promptly available to any person. Upon complaint, the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated shall have jurisdiction to enjoin the agency from the withholding of agency records and to order the production of any agency records improperly withheld from the complainant. In such cases the court shall determine the matter de novo and the burden shall be upon the agency to sustain its action. In the event of noncompliance with the court's order, the district court may punish the responsible officers for contempt. Except as to those causes which the court deems of greater importance, proceedings before the district court as authorized by this subsection shall take precedence on the docket over all other causes and shall be assigned for hearing and trial at the earliest practicable date and expedited in every way.

"(d) Agency Proceedings.—Every agency having more than one member shall keep a record of the final votes of each member in every agency proceeding and such record shall be available for public inspection.

"(e) Exemptions.—The provisions of this section shall not be applicable to matters that are (1) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(2) related solely to the internal personnel rules and practices of any agency; (3) specifically exempted from disclosure by statute; (4) trade secrets and commercial or financial information obtained from any person and privileged or confidential; (5) inter-agency or intra-agency memorandums or letters which would not be available by law to a private party in litigation with the agency; (6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; (7) investigatory files compiled for law enforcement purposes except to the extent available by law to a private party; (8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of any agency responsible for the regulation or supervision of financial institutions; and (9) geological and geophysical information and data (including maps) concerning wells.

"(f) LIMITATION OF EXEMPTIONS.—Nothing in this section authorizes withholding of information or limiting the availability of records to the public except as specifically stated in this section, nor shall this section be authority to withhold information from Congress.

"RULEMAKING

"SEC. 4. (a) INFORMAL CONSULTATION PRIOR TO NOTICE.—Prior to notice of proposed rulemaking or at anytime thereafter in the agency's discretion in any proceeding not required to be conducted pursuant to section 7 of this Act, and either with or without public announcement, an agency may afford opportunity to interested persons to submit suggestions for rulemaking or with respect to proposed rules.

"(b) NOTICE.—Notice of rulemaking to be undertaken by the agency on its own motion or pursuant to petition shall (1) be published in the Federal Register, (2) give all interested persons a reasonable time in which to prepare and submit matter for consideration, and (3) state the time, place, and manner in which any interested person may submit matter for consideration, the authority under which the rule is proposed, and either the terms or substance of the proposed rule or a description of the subjects and issues involved.

"(c) PROCEDURES.—After notice required by this section—

"(1) The agency shall afford interested persons an opportunity to participate in rulemaking through the submission of written data, views, or arguments with an opportunity to present the same orally unless the agency determines that oral argument is inappropriate or unwarranted; and, after consideration of all relevant matter presented, the agency shall make its decision.

"(2) Where rules are required by the Constitution or by statute to be made on the record after opportunity for an agency hearing, the requirements of section 7 shall apply in place of the provisions of subsection (c) (1) except that the presiding officer may be any responsible officer of the agency.

"In proceedings in which the agency has not presided at the hearing, the officer who presided shall make a recommended decision. The parties may file exceptions to the recommended decision within such time and in such form as the agency shall provide by rule. After prompt consideration of the recommended decision and all exceptions thereto, the agency shall make its decision. In any proceeding, the agency may omit a recommended decision when the agency finds upon the record that due and timely execution of its functions imperatively and unavoidably so requires. When the recommended decision is omitted or when the agency has presided at the hearings, the agency, after prompt consideration of all relevant matter presented, shall make its decision.

"(3) The agency shall incorporate in any rules adopted a concise general statement of the basis and purpose of such rules.

"(d) EMERGENCY RULES.—In any situation in which an agency finds (and incorporates the finding and a brief statement of the reasons therefor in the rule issued) that rulemaking without the notice and procedures provided by subsections (b) and (c) of this section is necessary in the public interest, an agency may issue an emergency rule which shall be effective for not more than six months from the effective date thereof. The agency may extend such emergency rule for a period not to exceed one year only by commencement, prior to the expiration of the original effective period, of a rulemaking proceeding dealing with the same subject matter as did the emergency rule and upon giving notice required by subsection (b) of this section. Such notice shall contain an express statement of the extension of such emergency rule and the period for which it is extended. Nothing herein shall preclude use of emergency rulemaking procedures as provided by other statutes.

"(e) RULEMAKING DOCKETS.—Each agency shall maintain a rulemaking docket showing the current status of all published proposals for rulemaking.

"(f) EFFECTIVE DATES.—The required publication of any rule shall be made not less than thirty days prior to the effective date thereof except as otherwise provided by the agency upon good cause found and published with the rule.

"(g) PETITIONS.—Every agency shall accord any interested person the right to petition for the issuance, amendment, exception from, or repeal of a rule.

"(h) EXEMPTIONS.—The provisions of this section shall not apply to (1) rulemaking required by an Executive order to be kept secret in the interest of the national defense or foreign policy; (2) rulemaking that relates solely to internal personnel rules and practices of an agency; (3) advisory interpretations and rulings of particular applicability; (4) minor exceptions from, revisions of, or refinements of rules which do not affect protected substantive rights; (5) rules of agency organization; and (6) rulemaking that relates solely to the establishment or revision of monetary rates or policy.

"ADJUDICATION

"SEC. 5. (a) In those cases of adjudication which are required by the Constitution or by statute to be determined on the record after opportunity for an agency hearing—

"(1) NOTICE.—Persons entitled to notice of an agency proceeding shall be timely informed of (A) the nature of the proceeding; (B) the legal authority and jurisdiction under which the proceeding is to be held; (C) the matters of fact and law asserted; and (D) the time and place of each hearing; and (E) if the issues or matters at the hearing are to be limited, the particular issues or matters to be considered at the hearing. In fixing the times and places for hearings, due regard shall be had for the convenience of the parties or their representatives.

"(2) PLEADINGS AND OTHER PAPERS.—Every agency shall provide adequate rules governing its pleadings, including responsive pleadings, and other papers. To the extent practicable, such rules shall conform to the Rules of Civil Procedure or the rules of Criminal Procedure for the United States district courts.

"(3) PREHEARING CONFERENCES.—Every agency shall by rule provide for prehearing conferences for use in such proceedings as the agency or the presiding officer may designate. Prehearing conferences shall provide for a discussion and, to the extent practicable, determination of the facts and issues involved in the proceeding. Such conferences shall be conducted by a presiding officer who may at any appropriate time require (A) the production and service of relevant matter upon all parties; (B) oral or written statements of the facts and issues; and (C) arguments in support thereof. At the conclusion of a prehearing conference, the presiding officer shall issue an order setting forth all action taken at the conference, amendments allowed to the pleadings and the agreements made by the parties as to any of the matters considered. The order shall limit the issues for hearing to those not disposed of by admissions or agreements and shall control the subsequent course of the proceedings, unless modified thereafter to prevent manifest injustice.

"(4) REGULAR HEARING PROCEDURE.—Where modified procedures have not been designated or to the extent that the controversy has not been settled or adjusted, there shall be a hearing and decision upon notice and in conformity with sections 7 and 8.

"(5) MODIFIED HEARING PROCEDURE.—Except where otherwise provided by statute, every agency shall by rule provide for abridged procedures which shall be on the record and be reasonably calculated to promptly, adequately, and fairly inform the agency and the parties as to the issues, facts, and arguments involved. The agency may designate hearing examiners or agency personnel of appropriate ability to conduct such abridged proceedings. The procedures shall be for use by consent of the parties in such proceedings as the agency may designate. Without delay after the conclusion of the abridged proceeding, the officer who conducted it shall make his decision based on the record and subject to the provisions of section 8.

"(6) SEPARATION OF FUNCTIONS.—(A) No officer who presides at the reception of evidence shall be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigating, prosecuting, or advocating functions for any agency. No officer, employee, or agent, other than a member of an agency, engaged in the performance of investigating, prosecuting, or advocating functions for any agency in any case shall, in that or a factually related case, participate or advise in the decision, or in agency appeal or review pursuant to section 8, except as witness or counsel in public proceedings.

"(B) Save to the extent required for the disposition of ex parte matters as authorized by law, no presiding officer or member of an agency appeal board, other than a member of an agency, shall consult with any person or agency on any fact in issue unless upon notice and opportunity for all parties to participate, except that a member of an agency appeal board may consult with other members of the appeal board.

"(7) EMERGENCY ACTION.—Upon a finding that immediate action is necessary for the preservation of the public health or safety, or where otherwise provided by law, an agency may take action without the notice or other procedures required by this subsection. Such action shall be subject to immediate judicial review in accordance with the provisions of section 10, unless the agency provides for an immediate hearing to be conducted in accordance with this Act and takes such other action as will effectively protect the rights of the persons affected. Nothing herein shall be construed to preclude a person from obtaining injunctive relief to stay the taking of emergency action by the agency in appropriate cases.

"(b) Unless expressly otherwise provided by statute, in all other cases of adjudication the agency shall by rule provide procedures which shall promptly, adequately, and fairly inform the agency and the parties of the issues, facts, and arguments involved. Without delay after conclusion of the proceeding, the officer who has conducted it shall make his decision. Such decision shall constitute final agency action, subject only to such appeal and review as may be provided by agency rule. This subsection shall not apply to initial determinations with respect to public property, loans, grants, benefits, contracts, inspections, tests, or elections.

"(c) SETTLEMENT.—The agency shall afford all parties an opportunity, at such time in advance of the proceedings as the agency may by rule prescribe, or, in the discretion of the agency, at any time thereafter where time, the nature of the proceeding, and the public interest permit, to submit and have considered offers for the settlement or adjustment of the questions presented.

"ANCILLARY MATTERS

"SEC. 6. Except as otherwise provided in this Act—

"(a) APPEARANCE.—Any person appearing voluntarily or involuntarily before any agency or representative thereof in the course of an investigation or in any agency proceeding shall be accorded the right to be accompanied, represented, and advised by counsel or, if permitted by the agency, by other qualified representative. Every party shall be accorded the right to appear in person or by or with counsel or other duly qualified representative in any agency proceeding or investigation. So far as the orderly conduct of public business permits, any interested person may appear before any agency or its responsible officers or employees for the presentation, adjustment, or determination of any issue, request, or controversy in any proceeding (interlocutory, summary, or otherwise) or in connection with any agency function.

"(b) REPRESENTATION BEFORE FEDERAL AGENCIES.—(1) Any person who is a member in good standing of the bar of the highest court of any State, possession, territory, Commonwealth, or the District of Columbia may represent others before any agency upon filing with the agency a written declaration that he is currently qualified as provided by this subsection and is authorized to represent the particular party in whose behalf he acts.

"(2) Any person who is duly qualified to practice as a certified public accountant in any State, possession, territory, Commonwealth, or the District of Columbia may represent others before the Internal Revenue Service of the Treasury Department upon filing with that agency a written declaration that he is currently qualified as provided by this subsection and is authorized to represent the particular party in whose behalf he acts.

"(3) Nothing herein shall be construed either (i) to grant or to deny to any person who is not qualified as provided in subsections 6(b) (1) and (2) the right to appear for or represent others before any agency or in any agency proceeding; (ii) to authorize or to limit the discipline, including disbarment, of persons who appear in a representative capacity before any agency; (iii) to authorize any person who is a former officer or employee of an agency to represent others before an agency where such representation is prohibited by statute or regulation; or (iv) to prevent an agency from requiring a power of attorney as a condition to the settlement of any controversy involving the payment of money.

"(4) This subsection shall not be applicable to practice before the Patent Office with respect to patent matters which shall continue to be covered by chapter 3 (sections 31 to 33) of title 35 of the United States Code.

"(c) When any participant in any matter before an agency is represented by a person qualified pursuant to subsections 6(b) (1) and (2), any notice or other written communication required or permitted to be given to such participant in such matter shall be given to such representative in addition to any other service specifically required by statute. If a participant is represented by more than one such qualified representative, service upon any one of such representatives shall be sufficient.

"(d) INVESTIGATIONS.—No process, requirement of a report, inspection, or other investigative act or demand shall be issued, made, or enforced in any manner or for any purpose except as authorized by law. Every person who submits data or evidence shall be entitled to retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof.

"(e) SUBPENAS.—Unless otherwise provided by statute, every agency is authorized to issue subpenas and shall by rule provide for the issuance of subpenas and issue subpenas upon request to any party to an adjudication and shall by rule designate officers, including the presiding officer, who are authorized to sign and issue such subpenas. When objection is made to the general relevance or reasonable scope of such subpena, the presiding officer or the agency may quash or modify the subpena. Agency subpenas authorized by law shall be issued to any party to a rulemaking proceeding upon request upon a showing of general relevance and reasonable scope of the evidence sought. Upon contest in the district court in the judicial district in which the appearance is required or in which the person to whom the subpena is directed is found, resides, or has his principal place of business, the court shall upon request by the agency or by any party sustain any such subpena or similar process or demand to which no objection has been made or which has been sustained by the presiding officer or the agency, to the extent that it is found to be in accordance with law. In any proceeding for enforcement, the court shall issue an order requiring the appearance of the witness or the production of the evidence of data within a reasonable time under penalty of punishment for contempt in case of contumacious failure to comply.

"(f) DENIALS.—Prompt notice shall be given of the denial in whole or in part of any written application, petition, or other request of any interested person made in connection with any agency proceeding. Except in affirming a prior denial, or where the denial is self-explanatory or of an application for agency review such notice shall be accompanied by a simple statement of reasons.

"(g) COMPUTATION OF TIME.—Any period of time prescribed or allowed by this Act, by any other statute administered under this Act, or by rule or order of an agency, shall not include the day of the Act, event, or default after which the designated period of time begins to run. However, the last day of the period so computed is to be included unless it is a Saturday, Sunday, holiday, or half holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, holiday, nor half holiday.

"(h) DEPOSITIONS AND DISCOVERY.—Depositions and discovery shall be available to the same extent and in the same manner as in civil proceedings in the district courts of the United States except to the extent an agency deems such conformity impracticable and otherwise provides for depositions and discovery by published rule.

"(i) CONSOLIDATION.—Upon reasonable notice an agency may consolidate related proceedings or order joint hearings on common or related issues in different proceedings.

"(j) NATIONAL DEFENSE OR FOREIGN POLICY.—Every agency proceeding or action exempted by this Act because the national defense or foreign policy is involved, from the procedures otherwise required by this Act shall be governed by rules of procedure which conform to the greatest extent practicable to the procedures provided in this Act.

"(k) DECLARATORY ORDERS.—An agency shall act upon requests for declaratory orders and is authorized with like effect as in the case of other orders, to issue a declaratory order to terminate a controversy or remove an uncertainty. Any action taken shall constitute final agency action within the meaning of section 10.

"(l) SUMMARY DECISIONS.—An agency is authorized to dispose of motions for summary decisions, motions to dismiss, or motions for decision on the pleadings.

"HEARINGS

"SEC. 7. In hearings which section 4 or 5 requires to be conducted pursuant to this section—

"(a) PRESIDING OFFICERS.—There shall preside at the taking of evidence (1) the agency, (2) one or more members of the body which comprises the agency, or (3) one or more examiners appointed as provided in this Act; but nothing in this Act shall be deemed to supersede the conduct of specified classes of proceedings in whole or part by or before boards or other officers specially provided for by or designated pursuant to statute. The functions of all presiding officers and of officers participating in decisions in conformity with sections 4(c)(2) and 8 shall be conducted in an impartial manner. Any such officer may at any time withdraw if he deems himself disqualified; and, upon the filing in good faith of a timely and sufficient affidavit of personal bias or disqualification of any such officer, the agency shall determine the matter as part of the record and decision in the proceeding. In any proceeding in which a presiding officer is disqualified or otherwise becomes unavailable, another presiding officer may be assigned to continue with the proceeding unless substantial prejudice to any party is shown to result therefrom. In event substantial prejudice is shown, the agency may determine the manner in which and the extent to which the proceeding shall be reheard.

"(b) HEARING POWERS.—Presiding officers shall have, if within the powers of the agency, authority to (1) administer oaths and affirmations; (2) sign and issue subpenas; (3) rule upon offers of proof and receive relevant evidence; (4) take or cause depositions to be taken and require compliance with other discovery procedures as the ends of justice require; (5) regulate the course of the hearing; (6) direct the parties to appear for prehearing conferences and such other conferences as may be desirable for the settlement or simplification of the issues by consent of the parties; (7) dispose of procedural requests or similar matters; (8) dispose of motions for summary decisions, motions for decisions on the pleadings or motions to dismiss; (9) make decisions in conformity with section 4(c) (2) or 8; and (10) take any other action, including action to maintain order, authorized by agency rule consistent with this Act.

"(c) EVIDENCE.—Except as statutes otherwise provide, the proponent of a rule or order shall have the burden of proof. Any oral or documentary evidence may be received, but every agency shall provide for the exclusion of irrelevant, immaterial, or unduly cumulative or repetitious evidence. No sanction shall be imposed or rule or order be issued except upon consideration of the whole record or such portions thereof as may be cited by any party and as supported by and in accordance with the reliable, probative, and substantial evidence. Every party shall have the right to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any presiding officer may, where the interest of any party will not be prejudiced thereby, require the submission of all or part of the evidence in written form.

"(d) RECORD.—The transcript of testimony and exhibits, together with all papers and requests filed in the proceedings, shall constitute the exclusive record for decision in accordance with section 4(c) (2) and (8) and, upon payment of lawfully prescribed costs, shall be made available to the parties. Official notice may be taken of all facts of which judicial notice could be taken and of other facts within the specialized knowledge of the agency. Where any decision rests on official notice of a material fact not appearing in the evidence in the record, any party shall on timely request be afforded an opportunity to show the contrary.

"(e) Interlocutory Appeals.—A presiding officer may certify to the agency, or allow the parties an interlocutory appeal on, any material question arising in the course of a proceeding, where he finds that to do so would prevent substantial prejudice to any party or would expedite the proceeding. No interlocutory appeal shall otherwise be allowed, except by order of the agency upon a showing of substantial prejudice and after a denial of such appeal by the presiding officer. The presiding officer or the agency may stay the proceeding during the pendency of the interlocutory appeal to protect the substantial rights of any party. The agency, or one or more of its members as it may designate, may determine the question or may decline to hear the question raised by the appeal, and in either event further proceedings shall be governed accordingly.

"DECISIONS

"Sec. 8. In all adjudications subject to section 5(a)—

"(a) General.—The same officers who preside at the reception of evidence shall make the decision except (1) where such officers become unavailable to the agency or (2) where the agency omits an officer's decision in cases which are required by statute to be decided within a specified period of time. In the absence of either an appeal to the agency or review by the agency within time provided by statute or by rule, such decision shall without further proceedings then become the decision of the agency. In proceedings in which the agency presides at the taking of evidence, or in which an officer's decision is omitted pursuant to the provisions of this subsection, its decision shall be the final agency action in the proceeding.

"(b) Submittals and Decisions.—Prior to each decision of presiding officers the parties shall be afforded a reasonable opportunity to submit for the consideration of the officers participating in such decisions (1) proposed findings and conclusions and (2) supporting reasons for such proposed findings and conclusions with the opportunity, in the discretion of the presiding officer, for oral argument thereon. The record shall show the ruling upon each such finding or conclusion presented. All decisions shall become a part of the record, shall be served by the agency on the parties, and shall include (A) the opinion, and (B) the appropriate order, sanction, relief, or denial thereof.

"(c) Appeal and Review.—(1) Any party may appeal the decision of the presiding officer by serving upon the agency and the other parties, within the time prescribed by agency rule after being served with the decision, written exceptions and the reasons in support thereof which shall state specifically and concisely the manner in which (A) prejudicial error was committed in the conduct of the proceeding; (B) the findings or conclusions of material fact were clearly erroneous; (C) the conclusions of law were erroneous; (D) the decision was contrary to law or to the duly promulgated rules or decisions of the agency; or (E) there was a novel question brought into issue. The record for appeal shall include all matters constituting the record upon which the decision of the presiding officer was based. Any portion of the record relied upon shall be identified by detailed page references. Except for good cause shown, no exceptions by any party shall rely on any question of fact or law upon which the presiding officer had not been afforded an opportunity to pass. The appeal shall be limited to the questions raised by the exceptions.

"(2) Except to the extent that the establishment of an agency appeal board is clearly unwarranted by the number of proceedings in which exceptions are filed or that agency appellate procedures have been otherwise provided by Congress—

"(A) Each agency shall establish by rule one or more agency appeal boards composed of agency members, hearing examiners (other than the presiding officer), or both. Proceedings before the appeal board shall be as provided by agency rule and shall include oral argument if requested by a party. If an appeal board has been established, exceptions shall be considered and determined by the appeal board unless a private party or an agency other than the agency before which it appears as a party, shall promptly file an application for a determination of the exceptions by the agency. If an application is made for review to the agency, in addition to the exceptions enumerated in subsection 8 (c)(1), the private party or an agency other than the agency before which it appears as a party, may request the agency to reconsider its policy. If the agency denies the application, it shall be deemed to have considered and denied each exception and affirmed the decision of the presiding officer. If the agency grants the application, it shall determine the exceptions after considering the reasons therefor. In a proceeding in which there is more than one private party, and an application is filed for review by the agency, if the agency declines consideration of the application, it may refer the appeal to an appeal board.

"If no appeal board has been established, the exceptions shall be considered and determined by the agency after considering the reasons therefor.

"(B) Except where the agency declines consideration of an application for review or where the agency denies the application for a determination of the exceptions, there shall be a ruling by the agency, or the appeal board if it decides the appeal, upon each material exception; the record shall show the ruling and the reason therefor; and the decision of the presiding officer shall be affirmed, set aside, or modified to conform with such rulings or remanded with instructions.

"(C) After entry of the decision of the presiding officer or after the action of the appeal board, the agency in its discretion may, within the time prescribed by agency rule, order the case before it for review but only upon the ground that the decision or action may be contrary to law or agency policy, that the agency wishes to reconsider its policy, or that a novel question of policy has been presented. The agency shall state in such order the specific agency policy or novel question of policy involved. On such review the agency shall have all the power it would have if it were initially deciding the proceeding; provided that if the agency determines that further evidence is necessary on an issue of fact the agency shall remand the case with instructions for further proceedings before the presiding officer.

"(3) The action on review or on appeal if no review is taken shall be on the record and be the final action of the agency except when the decision is remanded or set for reconsideration or rehearing.

"SANCTIONS AND POWERS

"Sec. 9. In the exercise of any power or authority—

"(a) In General.—Every agency shall have a duty, with due regard for the rights and privileges of all interested parties or adversely affected persons and with reasonable dispatch, to set and complete any investigation or proceedings required to be conducted pursuant to this Act or other proceedings required by law and to make its decision. No sanction shall be imposed, investigation commenced, or substantive rule or order be issued except within jurisdiction delegated to the agency and as authorized by law. Any agency proceeding or investigation not within the jurisdiction delegated to the agency and authorized by law upon a showing of irreparable injury may be enjoined by any court of competent jurisdiction.

"(b) Publicity.—Publicity, which a reviewing court finds was issued by the agency or any officer, employee, or member thereof, to discredit or disparage a person under investigation or a party to an agency proceeding, may be held to be a prejudicial prejudging of the issues in controversy, and the court may set aside any action taken by the agency against such person or party or enter such other order as it deems appropriate.

"(c) Licenses.—Except in cases of willfulness or those in which the public health, interest, or safety requires otherwise, no withdrawal, suspension, revocation, or annulment of any license shall be lawful unless, prior to the institution of agency proceedings therefor, facts or conduct which may warrant such action shall have been called to the attention of the licensee by the agency in writing and the licensee shall have been accorded opportunity to demonstrate or achieve compliance with all lawful requirements. In any case in which the licensee has, in accordance with agency rules, made timely and sufficient application for a renewal or a new license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined by the agency.

"JUDICIAL REVIEW

"Sec. 10. Except so far as (1) statutes preclude judicial review or (2) agency action is by law committed to agency discretion—

"(a) Right of Review.—Any person suffering legal wrong because of any agency action, or adversely affected or aggrieved by such action within the meaning of any relevant statute, shall be entitled to judicial review thereof.

"(b) Jurisdiction, Venue, and Form of Action.—The district courts of the United States shall have jurisdiction to review agency action reviewable under this Act, except where a statute provides for judicial review in a specific court. Agency action shall also be subject to judicial review in civil or criminal proceedings for judicial enforcement of agency action except to the extent that prior, adequate, and exclusive opportunity for such review is provided by law. The form of the proceeding for judicial review shall be any special statutory review proceeding or, in the absence or inadequacy thereof, any applicable form of legal action (including actions for declaratory judgments, proceedings in the nature of mandamus, writs of prohibitory or mandatory injunction or habeas corpus). The proceeding for judicial review of agency action shall be commenced by the filing of a complaint in the district court in the judicial district in which the complainant resides or has his principal place of business, or in which the acts giving rise to the agency action took place, or in which any real property involved in the action is situated, except where a special judicial review procedure is otherwise provided by statute. The action for judicial review may be brought against the agency by its official title.

"(c) Reviewable Actions.—Every agency action made reviewable by statute and every final agency action for which there is no other adequate remedy in any court shall be subject to judicial review. Any preliminary, procedural, or intermediate agency action or ruling not directly reviewable shall be subject to review upon the review of the final agency action. Except as otherwise expressly required by statute, agency action otherwise final shall be final for the purposes of this subsection whether or not there has been presented or determined any application for a declaratory order, for any form of reconsideration, or (unless the agency otherwise requires by rule and provides that the action meanwhile shall be inoperative) for an appeal to superior agency authority.

"(d) Interim Relief.—Pending judicial review any agency is authorized, where it finds that justice so requires, to postpone the effective date of any action taken by it. Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, every reviewing court (including every court to which a case may be taken on appeal from or upon application for certiorari or other writ to a reviewing court) is authorized to issue all necessary and appropriate process to postpone the effective date of any agency action or to preserve status or rights pending conclusion of any review proceedings whether or not any application therefor shall have been made to the agency.

"(e) Scope of Review.—So far as necessary to decision, and where presented, the reviewing court shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of any agency action. It shall (A) compel agency action unlawfully withheld or unreasonably delayed; and (B) hold unlawful and set aside agency action, findings, and conclusions found to be (1) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; (2) contrary to constitutional right, power, privilege, or immunity; (3) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; (4) without observance of procedure required by law; (5) unsupported by substantial evidence in any case subject to the requirements of sections 7 and 8 or otherwise reviewed on the record of an agency hearing provided by statute; or (6) unwarranted by the facts to the extent that the facts are subject to trial de novo by the reviewing court. In making the foregoing determinations the court shall review the whole record or such portions thereof as may be cited by any party, and due account shall be taken of the rule of prejudicial error.

"CONSTRUCTION AND EFFECT

"Sec. 11. (a) General.—Nothing in this Act shall be held to diminish the constitutional rights of the person or to limit or repeal additional requirements imposed by statute or otherwise recognized by law. Except as otherwise required by law, all requirements or privileges relating to evidence or procedure shall apply equally to agencies and persons. If any provisions of this Act or the application thereof is held invalid, the remainder of this Act or other applications of such provision shall not be affected. Every agency is granted all authority necessary to comply with the requirements of this Act through the issuance of rules or otherwise. No legislation shall be held to supersede or modify the provisions of this Act except to the extent that such legislation shall do so expressly."

(b) Effective Date.—This Act shall take effect six months following the date of its enactment. No change in procedure shall be mandatory with respect to any proceeding initiated prior to the effective date of such change.

INCORPORATION OF THE CATHOLIC WAR VETERANS OF THE UNITED STATES

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to incorporate the Catholic War Veterans of the United States. I ask unanimous consent that the bill may lie on the desk for 3 days for additional cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be at the desk as requested by the Senator from Illinois.

The bill (S. 519) to incorporate the Catholic War Veterans of the United States of America, introduced by Mr. Dirksen (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

COMMEMORATIVE STAMP HONORING MAJ. JOHN WESLEY POWELL

Mr. CARLSON. Mr. President, today I am introducing a bill which provides for a commemorative stamp in honor of Maj. John Wesley Powell. John Wesley Powell's outstanding career extended through the Civil War and then followed by the development of the great West. He was a soldier, a teacher, an explorer, geologist, and philosopher. But, perhaps most of all he will be remembered as the creative administrator who initiated some of our great scientific bureaus.

He is said to be the father of the U.S. Geological Survey, of the Bureau of American Ethnology, and the great reclamation service throughout this country.

Major Powell was born in 1834 at Mount Morris in the State of New York. His father was a Methodist clergyman. The family later moved to Ohio, Wisconsin, and then Illinois, where John Wesley Powell became principal of the public schools at Hennepin, Ill.

When President Lincoln made his first call for troops, Principal Powell immediately enlisted. It was largely through his efforts, Company H of the 20th Illinois Regiment of Volunteers was organized. He became a sergeant-major in that company which was stationed at Cape Girardeau, Mo. In the battle of Shiloh, Powell lost his right arm. He soon returned to active duty minus the arm and attained a brilliant military career on the staff of General Thomas. He was promoted to the rank of lieutenant colonel, but his friends affectionately knew him as "the major."

After the close of the Civil War, Major Powell returned to Illinois where he was made professor of geology in Illinois Wesleyan University. In 1867 he organized an expedition composed of college students to cross the Great Plains and visit the mountain regions of Colorado to make studies in natural history and geology.

From these small expeditions grew the exploration party formed to explore the Colorado River and the Grand Canyon.

The original exploration trip of John Wesley Powell started on May 24, 1869, at a Green River portage in present-day Wyoming, and continued down a lengthy series of canyons in the Green and Colorado Rivers, including the Grand Canyon at the end of the series. Prior to that time no man had ever made such an exploration, which extended for approximately 1,000 miles by the course of the rivers from the Green River portage in Wyoming to the mouth of the Virgin River in western Arizona on the Nevada boundary line, near the southern tip of Nevada.

Powell describes the situation in the following beautiful language:

> This high region, on the east, north, and west, is set with ranges of snow-clad mountains, attaining an altitude above the sea varying from 8,000 to 14,000 feet. All winter long snow falls on its mountain-crested rim, filling the gorges, half burying the forests, and covering the crags and peaks with a mantle woven by the winds from the waves of the sea. When summer sun comes, this snow melts and tumbles down the mountain sides in millions of cascades. A million cascade brooks unite to form a thousand torrent creeks; a thousand torrent creeks unite to form half a hundred rivers beset with cataracts; half a hundred roaring rivers unite to form the Colorado, which rolls, a mad, turbid stream, into the Gulf of California.

Until the exploring expedition by Major Powell, in 1869, this area was unknown and unsettled except as to the Mormon settlements in Utah and Arizona.

A second exploration trip, made by Major Powell, was made in 1872 under the auspices of the Smithsonian Institution. During this exploration and for many years after, Powell continued to study land and water conservation and report on the potential of this great area.

Stewart Udall, Secretary of the Interior, in his book entitled "The Quiet Crisis" has this to say of Major Powell:

> For nearly ten years after his river expedition, Powell studied the ecology of the plains and high plateaus as extensively as Charles Darwin studied the life of animals. The cycles of rivers, rainfalls, village life of the Utah Mormons and the land-use ideas of the Indians and Spanish-American settlers enabled him to grasp the essentials of order in the West. He saw that water was the critical resource in a region of little rain, and his 1878 report (entitled "A Report on the Lands of the Arid Region of the United States") was a broad conservation plan for the settlement of the arid country—a plan which included Jeffersonian political and social institutions adapted to the special conditions of the West.

In his report to the Congress:

> He concluded that dry-land farming would depend on irrigation; and that the best opportunity for irrigation would lie in the development of the large streams, where the construction of large dams and canals would require federal leadership and federal financing. Since there was not enough water to go around, it had to be shared equitably. The irrigable land would be only a small fraction of the whole, but the flow of smaller streams should be conserved to further the development of holdover storage reservoirs downstream. Prudence dictated that the best reservoir sites should be identified and reserved at the outset, and it was obvious that new water-rights laws and new forms of co-operation would be needed if any democratic plan of settlement was to be carried out.

Mr. President, the explorations and studies of the West by Major Powell have been a great source of value in the development of this country and to the field of research.

I ask that the bill providing for a commemorative stamp in his honor be appropriately referred, and printed in the Record at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and without objection, the bill will be printed in the Record.

The bill (S. 520) to provide for the issuance of a special postage stamp in honor of Maj. John Wesley Powell for his pioneering work in the fields of exploration and reclamation, introduced by Mr. CARLSON, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

S. 520

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special stamp commemorating the centennial of the exploration of the Colorado River and the Grand Canyon in 1869 by Major John Wesley Powell who, through his pioneering achievements, did so much to open the Midwest and West to new fields of industry and reclamation.

SEC. 2. Such postage stamp shall be issued in such denomination and design, and for such period as the Postmaster General may determine.

ESTABLISHMENT OF A NATIONAL MINING AND MINERALS POLICY

Mr. ALLOTT. Mr. President, today I am introducing for the fifth successive Congress legislation to promulgate and establish a national mining and minerals policy for the United States. Despite the fact that this proposed legislation, first introduced by me on March 25, 1959, was passed by the Senate as Senate bill 1537 on September 10, 1959, it has yet to receive the full congressional support needed for enactment. I believed the time for action was indeed late in 1959—it is obviously much later now not just in point of time but in terms of world events and developments as they relate to U.S. security and our ability to sustain progressive growth and development.

It has been recognized and so stated for many years by persons most concerned both in and outside Government circles that the United States has a "nonexistent mineral policy." James Boyd, now president of the Copper Range Co., pointed out almost 20 years ago when he was Director of the U.S. Bureau of Mines, that the mineral policy of the United States was distinguished largely by its absence.

On January 22, 1951, President Harry S. Truman, recognizing the need for development of forward-looking policies as respects the raw materials needs of the United States, constituted the President's Materials Policy Commission. This Commission issued what is more popularly known as the "Paley Report" June 2, 1952, in five volumes. The first of such volumes analyzed and proposed ways for expanding the domestic production of materials and for the securing of supplies needed for defense. In part it called for encouraging the continued discovery of new resources and insuring adequate development of known resources, and for the providing of incentives and techniques to help discover mineral resources that would otherwise remain hidden, to make submarginal deposits economic to work, to make substitutions of abundant for scarce materials commercially attractive and to avoid waste. As emphasized in the report the aim of policy must be to improve prospects for materials supply "and to prepare against the problems that will arise tomorrow, next year, and in the following decades."

On July 28, 1953, the Senate, by virtue of passage of Senate Resolution 143, authorized the Senate Interior and Insular Affairs Committee, through its Minerals, Materials, and Fuels Economic Subcommittee, to first determine the accessibility of the critical raw materials to the United States during a time of war; and, second, recommend methods for encouraging the production of the critical war materials adequate for the expanding economy and security of the United States.

In consequence, extensive hearings were conducted over a 10-month period, which were published in 10 parts. These served as background data for the development of Senate Report No. 1627, 83d Congress, second session, published July 9, 1954. This report, entitled "Accessibility of Strategic and Critical Materials to the United States in Time of War and for Our Expanding Economy," made 12 recommendations consistent with the times, not the least important of which in part were:

> 1. We recommend the closest cooperation among the nations of the Western Hemisphere, which is the only dependable source of the necessary critical materials in time of war. This area can be defended and can be made self-sufficient in the production of such materials.
>
> 11. We recommend appropriations of $50,000,000 annually to establish and operate a comprehensive 5-year program of laboratory, pilot plant, and exploratory research into improved methods of beneficiation of critical materials and the study of substitutes, including synthetics and replacements.

On October 22, 1953, President Dwight D. Eisenhower also gave recognition to the continuing grave deficiency in U.S. materials posture when he wrote his Secretary of the Interior, the Honorable Douglas McKay, establishing the President's Cabinet Committee on Minerals Policy. President Eisenhower wrote in part as follows:

> One of the essential problems before our country is the establishment of a national policy relating to the production and utilization of minerals and metals. The prudent use and development of domestic mineral resources, as well as assured access to necessary sources abroad, are indispensable to the operation of an active economy and a sound defense.

The guidelines used by the President's Cabinet Committee on Minerals Policy as contained in their report to the President on November 30, 1954, were:

> 1. To make sure that we have available mineral and raw materials to meet any contingency during the uncertain years ahead.
>
> 2. To make sure that we can meet the ever-growing mineral requirements of an expanded economy.
>
> 3. To preserve the added economic strength represented by recent expansion of facilities by the domestic mining industry, through policies that would be consistent with our other national and international policies.

This Committee, in reporting back to the President, stated in part that—

> An orderly development and wise use of the Nation's resources is an essential element in a strong and sound economy.

It emphasized further that—

> A major objective of mineral policy is a full and orderly program for the development and conservation of the country's mineral resources.

On March 27, 1956, Senate Document No. 83, 84th Congress, first session, was published as a supplement to Senate Report 1627 of the 83d Congress. Senate Document No. 83 was authorized by Senate Resolution 271, 84th Congress, under which the Committee on Interior and Insular Affairs through its Minerals, Materials, and Fuels Economic Subcommittee was directed to make a "full and complete investigation and study of the best means, methods, and devices to foster the greatest measure of self-sufficiency of critical materials that can be produced within the United States and the Western Hemisphere and to expand and develop the strategic materials industry." The document was entitled "Critical Materials—Factors Affecting Self-Sufficiency Within Nations of the Western Hemisphere, Economic Status-Investment Climate."

Based on the premise that the long-range future of the United States lay in the Western Hemisphere, the document made 10 recommendations included among which was the recommendation that the Minerals, Materials, and Fuels Subcommittee continue its work in the critical materials field, including possible substitutes, replacements, laboratory developments, fuel reserves, the stockpile program, and the status of the investment climate in the nations of the Western Hemisphere.

On September 10, 1959, the Senate passed House Concurrent Resolution 177. Senate Report No. 968, 86th Congress, first session, states that the intention of House Concurrent Resolution 177 "is to concisely enunciate an overall national minerals policy through an expression of the sense of the Congress." The sense of the Congress being "that the maintenance and development of a sound and stable domestic mining and minerals industry, without critical dependence upon foreign sources is essential to national security and the welfare of the consuming public."

In Senate Report No. 968 I expressed agreement in the statement of individual views that House Concurrent Resolution 177 should be adopted by the Senate as "a good though small, first step." However, we also supported the position that—

> It is important, as a matter of law, to give notice to the world that as a matter of policy this country plans to foster a stable domestic mining industry. We recognize that some minerals must be imported to meet the growing requirements of our expanded economy. We are determined that there shall be a reasonable balance between such imports and domestic production.
>
> It is important to enact, as a matter of law, a national policy as a guideline to all agencies and representatives of the Federal Government that as a matter of policy the Federal Government will assist in the development of the necessary mineral reserves and will promote the wise and efficient use of our domestic mineral resources.
>
> It is most important, as a matter of law, to clear up once and for all the authority and responsibility of the Department of the Interior in its continuing attempt to foster the domestic minerals industry. The authority of a department can, of course, be established only by law. S. 1537 would do

this. House Concurrent Resolution 177 will not.

In December 1962, the Committee on Natural Resources of the National Academy of Sciences, National Research Council, issued a report—Publication 1000–C—entitled "Mineral Resources." It states among other things as follows:

> The main conclusion of this study is that the Federal Government should recognize the fundamental change that has taken place with respect to mineral resources, and reorient its activities accordingly. It should look beyond temporary surpluses and realize that we lack some minerals and have only a year's supply of others; the reserves of many minerals about balance the time needed to produce ore once a discovery is made; there is not so much slack that we can afford to be complacent. *The Federal Government does maintain but should enlarge nationwide research and development activities to assure the availability of mineral resources to support the economy and defense of the Nation.* [Italic supplied.]

In 1963 hearings were held and published under the title "State of the Minerals Industry—Hearings Before the Subcommittee on Mining, Minerals, and Fuels of the Committee on Interior and Insular Affairs, U.S. Senate, 88th Congress, First Session." During the hearings I pointed out that years before these hearings were held I had introduced legislation to establish a national mining and minerals policy. I emphasized that this legislation which I have continued to propose was not a panacea to the minerals problem but would establish a mining and minerals policy. Such a declaration of policy can serve as a "spring board from which a solution of our mining problems might spring."

I also observed at these hearings with respect to mining and minerals policy as follows:

> It is a fact that no one can answer the question: "What is the mineral policy of the United States?" There is no one who can answer because no one knows. Is the policy a protectionist policy? The history does not seem to bear this out. Is the policy of the United States to preserve the minerals of the United States a la the old Paley Report for ever and ever?
>
> The history hardly bears this out either. What is the policy of the United States? The answer is that no one knows. So it seems to me that before we talk about protecting or developing our mining industry in any way, the first thing we have to do is to declare to the public, declare to ourselves, decide for ourselves, what the mineral policy of the Government is.

The Engineering and Mining Journal, issue of September 1965, editorializes on the contention of Charles Will Wright, former Chief of the Mining Division, U.S. Bureau of Mines, and Chief Foreign Mineral Specialist, U.S. Department of State, that our mineral position is more precarious than either the Congress or the administration recognizes. This editorial, entitled "Our Nonexistent U.S. Minerals Policy," states in part as follows:

> In view of the heavy dependence of the United States on mineral imports, it would be folly to discourage mining investment abroad. Mining is basically an international business and most major companies in the U.S. and elsewhere are organized and financed to operate on that basis. But paralleling this essential international expansion, there should also be a healthy domestic expansion. A well drawn national minerals policy could promote conservation and new mineral development in the U.S. substantially.
>
> The big question is: where shall we look for leadership and action?

The February 1966 issue of the Engineering and Mining Journal contains an article entitled "U.S. Self-Sufficiency in Selected Metals and Minerals" as prepared by Charles W. Merrill, Chief, and the staff, Division of Minerals, Bureau of Mines, U.S. Department of the Interior. The degree of self-sufficiency for 49 metals and minerals is expressed as a ratio of mine production to consumption of primary material. The article observes in part that:

> On the whole, there has been a downtrend in U.S. metal and mineral self-sufficiency since 1935, accounted for largely by rising demand from an expanding population and accelerating industrial growth outrunning the rate of increase of output at domestic mines.

An article entitled "A National Materials Policy," by Franklin Pierce Huddle, is featured in the March–April 1966 issue of the Military Engineer. Comment is made in part among other things as follows:

> The thesis of this paper is that national attention should be given to the policies governing the management and availability of engineering materials. As materials are the basic ingredient in supporting American production and prosperity, it is of national concern to have enough materials of adequate quality at reasonably stable prices to meet industrial requirements. The economy, population, and industrial production are all expanding. National defense will rely increasingly on the availability of materials for military purposes. At the same time, many forces are at work to make less assured the availability of materials from traditional sources. If many awkward future dilemmas are to be avoided, these trends must be taken into account in long-range planning. Above all, a national materials policy is needed that will correct the present course before it reaches the critical point.

With respect to strategic and critical materials stockpiling policy Mr. Huddle comments in part as follows:

> The implication of the doctrine of massive retaliation, which prevailed during the 1950's did not lead to a termination of the stockpiling program. Logically it should have. There would be no need of the great quantities of materials in the national stockpile if wars were to be fought with nuclear weapons.
>
> Yet, today, with national policy turning away from the use of nuclear weapons except as a very last resort, and a growing awareness of the importance of conventional forces for peace-keeping actions, the reserves of materials are being belatedly and ill-advisedly liquidated. It is time to reassess this policy in order to face the challenge of the years ahead.
>
> The national materials policy for the rest of the 1960's should depend on broader national policy and objectives. . . .

Mr. Huddle's message in summary is that the United States should have a national materials policy to eliminate the possibility of scarcity of materials at home, and to extend the utilization of materials literally and technically.

I have purposefully labored at length to indicate to the Congress some of the thought, action, omission, or inaction which has taken place with respect to minerals and materials policy over the last two decades. With the foregoing in mind it is clear to me that the Congress in considering the enactment of legislation to establish a national mining and minerals policy should undertake to hold comprehensive and purposeful public hearings to determine if we have in this Nation today "a full and orderly program for the development and conservation of the country's mineral resources." I believe we will find such not to be the case and that there is need for the Congress to firmly enunciate, legislate, and implement its will in this area of national concern.

In view of the fact that the Congress in its last session authorized the establishment of a National Council on Marine Resources and Engineering Development to further the congressional declaration of policy contained in the Marine Resources and Engineering Development Act of 1966, and that one of several stated objectives in that act would be applicable to undersea mining and the accelerated development of the mineral resources of the marine environment, I find it particularly pathetic that we lack for a national mining and minerals policy applying wherever minerals may be found. Whether minerals are found on or under the land or in the deeper surficial deposits of the Continental Shelf and the deep sea floor, we should have a national, a consistently applicable minerals policy.

I wish to offer this observation in connection with the prospects for the mining and mineral aspects of the oceanographic effort. I believe that we are optimistically overlooking the paucity of information on mineral distribution and the ocean environments in which there are mineral occurrences. It would appear to me that further technological progress in mining the land-based mineral resources may well tend to push back the day when the marine environment will become an important source of mineral recovery. For while some people feel that it is becoming increasingly difficult to discover and exploit mineral deposits on or under the land, the discovery of new ore bodies in North America over the past decade still has been hardly less than phenomenal. Discoveries of new phosphate deposits in Florida, remarkable lead ore deposits in Missouri, major copper and molybdenum finds in British Columbia, gold in Nevada, the Texas gulf sulfur bonanza in Ontario, and three major copper deposits in Arizona demonstrate a strong future possibility for many other major land-based discoveries.

Since minerals occupy a dominating position among the essential materials required for national security and for the continued existence and progress of the industrialized economy of the United States, it is essential that we examine and, more significantly, provide for continuity of such examination as may be required to assure that the Federal responsibility in the minerals field be adequately met. Despite the recognition of its security responsibility through the stockpiling of substantial quantities of strategic and critical materials, the Federal Government in my view has failed to initiate and effect anything approaching an identifiable national minerals policy. There is critical need for a consistent and responsive national policy which will serve to stimulate the providing of tomorrow's security and economic development requirements today rather than today's requirements at some undetermined later date.

And, I believe that full and comprehensive hearings will not only disclose the urgent need for a national policy with regard to minerals and mining, but it will also disclose the fact that we are failing to produce sufficient qualified technical personnel so necessary to implement that policy.

We can no longer accept persuasion that the sustaining of the facility for access to foreign supply, and the maintenance of an efficient domestic minerals industry are mutually exclusive to the national interest. The effort required to promote and effect adequate national minerals policy is trivial by comparison to the future cost of failure in such respect.

Our increasing dependence upon foreign imports for the basic materials our industrial economy demands is a matter of grave concern to many of us. The existence of our stockpile is mute evidence of the fact that foreign sources of supply of critical materials are not always reliable. The same is also true of other materials which may not be "critical" or essential to defense needs but which may be essential to certain segments of our domestic industrial economy. To continue to increasingly base a large part of our economic and industrial strength upon foreign imports of basic raw materials is not only to court disaster for those industries, but it also tends to diminish available alternatives of our foreign policy, and to some extent, to tie the hands of our State Department. This unwelcome result is not in the best interests of this country, especially in these times of delicate international balance of forces.

It is in this framework of thought that I again urge enactment of a national mining and minerals policy as embodied in the bill I introduce today. By so doing, the Congress would assert its clear responsibility in establishing and fostering a continuing national minerals policy, and provide for its pursuit through a fixed periodic review of those executive department activities directed toward—

First, the development of an economically sound and stable domestic mining and minerals industry;

Second, the orderly development of domestic mineral resources and reserves necessary to assure satisfaction of industrial and security needs; and

Third, mining, mineral, and metallurgical research to promote the wise use and efficient use of our mineral resources.

Again, may I stress that this measure, *denoting action needed in a most significant area of public policy deserves the* considered examination, understanding, and endorsement of the Congress.

Mr. President, I introduce the bill to establish a national mining and minerals policy on behalf of myself, my junior colleague from Colorado [Mr. DOMINICK], the Senator from Alaska [Mr. BARTLETT], the Senator from Nevada [Mr. BIBLE], the Senator from Utah [Mr. BENNETT], the Senator from Arizona [Mr. FANNIN], the Senator from Alaska [Mr. GRUENING], the Senator from Nebraska [Mr. HRUSKA], the Senator from Idaho [Mr. JORDAN], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from North Dakota [Mr. YOUNG], and the Senator from Idaho [Mr. CHURCH]. Mr. President, I ask that the bill be printed in full at the conclusion of my remarks, and that it lie on the desk for 1 week for additional cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received, and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk as requested by the Senator from Colorado.

The bill (S. 522) to establish a national mining and minerals policy, introduced by Mr. ALLOTT (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 522

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mining and Minerals Policy Act of 1966".

SEC. 2. The Congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage (1) the development of an economically sound and stable domestic mining and minerals industry, (2) the orderly development of domestic mineral resources and reserves necessary to assure satisfaction of industrial and security needs, and (3) mining, mineral, and metallurgical research to promote the wise and efficient use of our mineral resources. It shall be the responsibility of the Secretary of the Interior to carry out this policy in such programs as may be authorized by law other than this Act. For this purpose the Secretary of the Interior shall include in his annual report to the Congress a report on the state of the domestic mining and minerals industry, including a statement of the trend in utilization and depletion of these resources, together with such recommendations for legislative programs as may be necessary to implement the policy of this Act.

Mr. McGEE. Mr. President, I request that the Senator from Colorado [Mr. ALLOTT] add my name as a cosponsor of the bill.

Mr. ALLOTT. Mr. President, since the bill has not been received at the desk I am most happy to include the name of the Senator from Wyoming [Mr. McGEE] and the name of the distinguished junior Senator from Montana [Mr. METCALF] as cosponsors of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TO REPEAL PRESIDENTIAL ELECTION CAMPAIGN FUND ACT OF 1966

Mr. GORE. Mr. President, I introduce, for appropriate reference, a bill to repeal the Presidential Election Campaign Fund Act of 1966. I believe this act is unwise and unsound, and that it would be dangerous to place many millions of dollars of public funds in the hands of political party leaders without any protection against corruption and fraudulent practices.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 529) to repeal the Presidential Election Campaign Fund Act of 1966, introduced by Mr. GORE, was received, read twice by its title, and referred to the Committee on Finance.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARLSON. Mr. President, I request that the distinguished Senator from Tennessee permit me to add my name as a cosponsor to the bill to which he has just referred.

Mr. GORE. Mr. President, I ask unanimous consent that the name of the distinguished senior Senator from Kansas [Mr. CARLSON] be added as a cosponsor of the bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MAURITZ A. STERNER

Mr. HART. Mr. President, normally I would merely introduce this bill formally, but it occurs to me that my colleagues may be interested in the background upon which this bill is introduced, so I ask unanimous consent to have printed in the RECORD, along with my introduction of the bill, an article from the Chicago Tribune of June 26, 1966.

The PRESIDING OFFICER (Mr. SPONG in the chair). The bill will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The bill (S. 530) for the relief of Mauritz A. Sterner, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

The article ordered to be printed in the RECORD is as follows:

BLANKET INVENTOR GETS COLD SHOULDER FOR EFFORTS—UNITED STATES USES IDEA BUT REFUSES TO PAY HIM

(By Willard Edwards)

WASHINGTON, June 25.—The gray-haired man, clutching his two heavy dispatch cases, was buffeted by the swarms of tourists on Capitol hill. Patiently, he made his way thru the long corridors of the Senate and House office buildings, seeking interviews with members of Congress.

Mauritz A. Sterner was back in Washington on one of his periodic pilgrimages in search of what he regards as just recognition by a government which profited by his ideas and then ignored him.

He has made the trip more than 50 times from his home in Forest Hills, N.Y, in the *last 20 years.*

WILL NOT GIVE UP

This visit, like all the others, was futile, but as he departed at the end of a long and exhausting day, he remarked: "I'll be back. I can't give up. I refuse to believe that my country will deny me the right to *the fruits of my labor.*"

Sterner is one of the thousands who besiege congressional offices in the hopes of overcoming bureaucratic apathy to their pleas for rectification of what they conceive to be injustices. Members of Congress spend at least half their time interceding with government agencies in behalf of constituents who complain that they have been victimized by harsh or unfair rulings.

He is thus symbolic of the plight of the individual in a fast-expanding centralized government who feels he has no other court of appeal than Congress when treated unjustly by a federal agent. Congress is handicapped in its legislative functions by the burden of representing constituents requesting assistance in dealing with federal departments.

NATION COULD SUFFER

But Sterner's case is significant in a much larger sense. His experience is typical of an even more serious problem—the cold treatment given a class of men who helped make America technologically great. If they are driven from the scene, the nation will suffer.

He is a member of a breed threatened with extinction—the independent inventor, working alone, unaided by government or industrial funds. Untold billions are spent only by federal departments and great industries on "research and development," and the fashion is to ignore the "outsider" in favor of teams of specialists working in splendid laboratories with unlimited money.

It is possible that even a Thomas Edison would find it difficult today to discover neglected areas uncovered by the massive research subsidized by both the government and private interests.

CAME FROM "OUTSIDERS"

On the other hand, the history of invention indicates that truly significant innovations generally came from "outsiders," far enough removed from an industry to have a fresh viewpoint on its problems. The automatic railroad coupler came from a farmer; the power loom from a minister; a bookkeeper revolutionized photography.

Sterner, for example, born in Minneapolis 60 odd years ago, went to New York City after graduation from the University of Minnesota and became an advertising representative. It was in the 1930s that he conceived the first of a series of innovations in the medical-safety field, far removed from his occupation.

INVENTS PAPER BLANKET

His leadoff invention was a paper blanket for emergency use on the battlefield or in peace-time accidents. A cellulose product, it was immune to fire, rain, and wind. It was light in weight and could be packed compactly. It was almost as warm as wool and one-sixth the cost. Leading medical authorities indorsed it.

There are 3,512,936 of these paper blankets in civil defense shelters today, purchased by the army services' medical procurement agency for about 3 million dollars. The specifications, based on prototypes manufactured by Sterner, required that the blankets should be "as furnished by M. A. Sterner Co. or equal."

Not one of these blankets, however, was furnished by Sterner. Other firms got the business. His application for a patent was denied. Unable to hire expensive patent lawyers, he acted as his own attorney in a court battle and lost.

In 1963, the House judiciary committee received a bill, sponsored by Sterner's congressman, Rep. BENJAMIN S. ROSENTHAL (D., N.Y.), which proposed to award Sterner $100,000 for his "original suggestion and development of the paper blanket." It was noted that 3.5 million wool blankets for defense shelters would have cost 20 million dollars more than the paper blankets purchased.

When the army was asked for a statement on this proposal, *Brig. Gen. F. W. Boye, Jr.*, deputy chief of legislative liaison, reported that Sterner was the first to advance the idea for the blankets and furnished the first specimens for test and evaluation, leading to the big civil defense agency purchase.

Sterner's work, Boye stated, "apparently resulted in adoption and purchase of these blankets." He suggested that Sterner ought to be awarded compensation between $15,000 and $30,000 for his "beneficial suggestion."

BUREAUCRACY KILLS IT

A bureaucratic tangle ensued, however, and the bill died. As Sterner phrased it, "one agency was in favor of the bill, but it had acted for another agency which had been merged with a third," and eventually an adverse recommendation emerged.

While he still hopes some day to be compensated for the $51,000 he spent in developing the blanket, Sterner concedes the odds are 1,000 to 1 against him. He is now centering his energies on general legislation to protect independent inventors. He has testified before four Senate and House committees, and has told his story to about 40 representatives and about 25 senators.

It is a complex issue. There has been a steady weakening of the patent protection for the independent inventor. The Supreme Court usually rules against patent holders, leading the late Justice Robert H. Jackson to predict, in a dissenting opinion, that the day was coming "when the only patent that is valid is one which this court has not been able to get its hands on."

FEW SURVIVE INVENTION

The patent law is so strict that few devices, however novel, survive its definition of an invention. They must reflect "creative genius" and make a distinct contribution to science and be more than new and useful gadgets. It has been suggested that Edison's electric light never would have received a patent under the present standards of invention.

"Even Russia treats its inventors better than in the United States," Sterner said. "Germany and Great Britain encourage inventors, and Britain has an awards system which pays every inventor of a new and useful invention, whether patented or unpatented, and payment is retroactive."

There is a public impression that inventors are an odd lot—temperamental, impractical, lacking business acumen. Sterner did not deny the impeachment. To a suggestion that he could have used a sharp business partner in developing his inventions, he remarked, "He'd probably have robbed me blind."

STILL IS DETERMINED

Sterner is a kindly, tolerant man, with the saving grace of humor, mildly indignant but reasonable in tone, fully conscious that victory is not near in his 20-year battle but completely determined to carry it on.

He is not irritated by the fact that many busy members of Congress have little time to listen to his story. When he finds one who will, he is grateful.

"There must be protection for the independent inventors in America," he said. "The nation can't afford to have them discouraged into giving up. The urge to be creative is strong in many men, and it must be stimulated, not frustrated. Congress must act to preserve the American inventive genius."

STERNER IS UNMARRIED

"An inventor should be single," he said, smiling gently. "A wife would never understand him."

A PROPOSAL TO FINANCE AMERICA'S CONSERVATION PROGRAMS

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may speak not more than 5 minutes on the introduction of a bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I introduce, for appropriate reference, a bill to cause the revenues realized under the Outer Continental Shelf Act of 1953, the Mineral Leasing Act of 1920, and the Potash Leasing Acts of 1927 and 1948, to be deposited in the land and water conservation fund to the extent that such revenues would otherwise be treated as miscellaneous receipts of the Treasury.

The land and water conservation fund was set up by Congress to finance park and recreation areas, seashores, wilderness areas, and wildlife refuges. During the last several years Congress has authorized the creation of an enormous number of national parks, seashores, and recreation areas in all parts of the country. America's population is not going to get smaller; it will grow and continue to grow. Recreational facilities must be developed now to meet that growth. Our generation owes future generations the opportunity to share in the great outdoor heritage of our Nation.

Parks cost money—money to acquire property, money to develop the areas, money to maintain and expand existing facilities.

There is a large and growing gap between the cost of protecting our natural heritage for future generations and the money available in the land and water conservation fund. Unless this conservation gap is closed, much of the magnificent park legislation which has passed through Congress in the past few years may stand on the statute books as an unfulfilled dream.

If we are to preserve treasures like the Point Reyes National Seashore, the Delaware Water Gap National Recreation Area, Assateague Island, the Cape Cod National Seashore, and the proposed Redwood National Park, funds must be available to fulfill these noble and farsighted plans.

When Congress authorizes a national recreation facility we now wait several years before funds for land acquisition become available. It is wrong to allow land speculators to take advantage of those years of delay and to reap large profits at the expense of the public. On the other hand, it is unfair to tell the owners of property within proposed recreation areas, "You can't sell your land, and it may be several years until the Government has the money available to buy your land from you."

There is a source of money which would enable us to complete a truly great recreation and park system for all Americans. Portions of receipts of the Bureau of Land Management from the leasing of the Outer Continental Shelf and from certain other mineral leases now go into the General Treasury as miscellaneous receipts. These receipts average about $100 million annually. They have exceeded $300 million in a single year.

Mr. President, I ask unanimous consent that a tabulation of the Outer Continental Shelf receipts and the Mineral Leasing Act receipts, which have gone into the Treasury as miscellaneous receipts in each of the last 10 years, be printed in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Outer Continental Shelf receipts

[In millions]

Year:	
1957	$2.2
1958	3.4
1959	3.4
1960	229.4
1961	7.3
1962	11.6
1963	336.8
1964	16.4
1965	53.4
1966 (preliminary)	248.3
Average	91.2

Mineral Leasing Act receipts

Year:	
1957	$7.5
1958	8.6
1959	8.7
1960	8.8
1961	9.2
1962	10.9
1963	10.7
1964	11.2
1965	11.3
1966 (estimated)	11.4
Average	9.8

Mr. KUCHEL. Mr. President, the portion of the Outer Continental Shelf leasing revenues which go into the Treasury as miscellaneous receipts represent the earnings of the American people from their land resources. I propose that these earnings be returned to the people in the form of a new and lasting land resource, national parks and recreation areas.

The State of California pioneered a similar approach when faced with a similar problem. Over 20 years ago, California began financing its State park acquisitions with its tidelands' oil revenues. Until recently, 70 percent of the State's tidelands' oil revenues were allocated to the division of beaches and parks. These revenues helped the people of California to acquire portions of Squaw Valley and Emerald Bay at Lake Tahoe, and to develop marinas in southern California, to mention but a very few. By spending the people's income from their land resources for the acquisition and development of recreation areas, the State of California built an unparalleled State park system. The environment of millions of Americans who visit California's beaches and parks as a testament to the soundness of the investment in recreation.

Our Nation should borrow from the experience of the State of California. Congress should promptly pass this measure in order that no more precious time be lost.

Mr. President, I ask unanimous consent that editorial comments appearing in the Los Angeles Times of December 22, 1966, and in the Sacramento Bee of January 11, 1967, be printed in the RECORD at this point.

I also ask unanimous consent that the bill lie at the desk until the close of business January 26 for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the editorials will be printed in the RECORD, and the bill will lie at the desk as requested.

The bill (S. 531) to amend the Land and Water Conservation Fund Act of 1965, introduced by Mr. KUCHEL (for himself and Mr. METCALF), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The editorials ordered to be printed in the RECORD are as follows:

[From the Los Angeles Times, Dec. 22, 1966]

SOUND PROPOSAL ON CONSERVATION

Spiraling land costs, property speculation and inadequate funds are jeopardizing the federal conservation effort.

To remedy the situation Sen. Thomas H. Kuchel (R-Calif.) will introduce legislation in the 90th Congress to earmark oil revenues from the outer continental shelf for improvement of the program.

The unallocated portion of such revenues average $90 million a year, according to figures supplied to the senator, and have run as high as $336 million in a single year.

Although Congress has authorized scores of parks in recent years, the fund it created to finance their acquisition and development has been too meager to achieve the congressional goals.

As an example of the problem, Kuchel cites the Point Reyes National Seashore. The 1962 act establishing that project allocated $14 million. This year Congress boosted the appropriation by $5 million, but it has already been put on notice that the final cost may run in excess of $55 million.

California has a particular stake in the matter.

We gain 1,500 new residents every 24 hours. By the turn of the century our population is expected to be 50 million, more than double what it is at present. Action must be taken now to make certain that adequate parks, recreational areas, seashores and wilderness areas are provided so as to keep pace with the huge influx.

Significantly, the legislation Kuchel proposes embraces a field in which California has pioneered. More than 20 years ago the state realized the wisdom of utilizing revenues from one natural resource—tidelands oil—to preserve and enhance other natural resources. Until recent years the bulk of the tideland oil money was used to finance beach and park acquisitions.

Continental shelf revenues which now pour into the Treasury for general use should likewise be set aside for conservation purposes. Since the program has worked well in California, Congress would be well advised to follow the state's lead in the best interests of all the people.

[From the Sacramento Bee, Jan. 11, 1967]

KUCHEL MOVE TO SAVE CONSERVATION PROGRAM

As the United States grows under the impact of World War II babies, or of the population explosion as some like to call it, there grows side by side the need for more living space and more room and facilities for play and relaxation.

This is particularly true when one puts into the equation the technological explosion and its inevitable bequest of more leisure time.

In this context the proposal of U.S. Sen. Thomas Kuchel of California for financing additional recreation and park facilities from federal tideland oil revenues take on special relevancy and urgency.

Unallocated funds from the outer continental shelf have averaged $90 million a year and have run as high as $336 million in a single year.

Kuchel properly has perceived that as the number of Americans increases, real estate will become more expensive. It is therefore his entirely logical deduction that the federal government should gain control of recreational land before increasing costs whirl it out of reach.

He said:

"Spiraling land costs, real estate speculation and inadequate funds have combined to endanger the entire congressional conservation program."

Kuchel has proposed to nail down a sure, continuing flow of funds. Delay could be fatal. Congress here has a duty to act while the funds are unallocated. The need will never diminish.

INSTALLATION OF EMERGENCY POWER EQUIPMENT FOR USE IN BLACKOUTS

Mr. JAVITS. Mr. President, more than a year ago—on November 9, 1965—the Northeast suffered a power blackout of frightening proportions. New York City was almost totally dark and vital services dependent upon electric power—subways and elevators, for example—were halted. Miraculously, during this bizarre and potentially dangerous night, there was no serious panic or injury. This, however, is more a tribute to the stamina and courage of our citizens than a comment on our foresight. For such power failures were totally unexpected and we were ill prepared for the crisis.

Since the 1965 Northeast blackout, the Federal Power Commission reports that there have been two power failures in the Gulf States area, one in St. Louis, and five in the Western United States.

Both the Federal Power Commission and the American Public Power Association have conducted extensive investigations of these blackouts and the Senate and House Commerce Committees have held hearings on the problem. The President has promised, in his state of the Union message, to send us legislation this year dealing with power failures. Undoubtedly, his proposal will reflect the long-range recommendations of the Federal Power Commission which will be completed in the next few weeks. I certainly intend to support legislation designed to prevent future blackouts, but in the interim, it would be well to prepare ourselves for any possible future emergency.

Last year, I introduced a bill to require the installation of emergency power equipment in hotels, theaters, restaurants, office buildings, retail establishments, and transportation terminals. I have amended the bill to include airport runways which were also affected in the Northeast blackout. The proposal is similar to a Pennsylvania law requiring the installation of battery-operated generators which I understand can be purchased and installed for less than $100. In the Federal Power Commission's preliminary report issued shortly after the blackout, emergency auxiliary facilities were recommended. My bill covers only the essentials—public buildings where power facilities could cause not only inconvenience, but panic and injury. It is a good first step, and one which prudent men should take at least until the ultimate problem has been solved.

Mr. President, I send the bill to the desk for appropriate reference. I hope very much at this time the Senate and the appropriate committee will give early consideration to this very simple, yet very essential proposal, to deal with what could be a grave disaster in regional terms.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred.

The bill (S. 536) to require certain buildings to be equipped with emergency lighting systems, introduced by Mr. Javits, was received, read twice by its title, and referred to the Committee on Commerce.

TO CREATE A JOINT COMMITTEE ON THE BUDGET

Mr. McCLELLAN. Mr. President, once again, I introduce, for appropriate reference, on behalf of myself and 62 other Members of the U.S. Senate, a bill to create a Joint Committee on the Budget. This proposed legislation is well known to many Members of this body, since between 1952 and 1966, the Senate has approved similar or identical measures, overwhelmingly, on seven occasions.

Mr. President, this proposed legislation is designed to remedy serious deficiencies in our appropriation procedures and in the expenditure of public funds. It constitutes, in my judgment, a positive approach toward the elimination of extravagance, waste, and needless or excessive appropriations.

The purpose of this bill is to provide the Congress with the machinery necessary to enable it to meet its constitutional responsibilities with respect to the appropriation of funds required for the conduct of the Federal Government. It seeks to accomplish this objective by establishing a Joint Committee on the Budget, composed of members of the Senate and House Committees on Appropriations, which would assist the Congress in exercising adequate control over the expenditure of public funds by the executive branch of the Government. This proposed Joint Committee on the Budget would be staffed with nonpartisan fiscal experts and technicians who would be engaged in making continuing studies of programs and expenditures proposed by the executive branch, 12 months of the year. The establishment of this joint committee would provide the Congress with the same type and caliber of detailed, technical information, in the appropriation field, as the Joint Committee on Internal Revenue Taxation provides for the revenue committees of the Congress, and as the Bureau of the Budget provides for the executive branch.

One of the most serious problems confronting our Nation today is the maintenance of national solvency in the face of ever-growing demands on the Federal Government for domestic programs and services, coupled with the ever-mounting cost of our Vietnam commitment. Our national expenditures budget has grown from $67.5 billion in fiscal year 1954 to $96.5 billion in fiscal year 1965, $106.9 billion for fiscal year 1966, and indications are that it will be in the neighborhood of $125 billion in fiscal year 1967. Thus, we are moving toward an annual expenditures budget well in excess of $100 billion, and toward annual expenditures in all categories that will exceed $150 billion, bearing in mind that approximately $25 billion in annual spending does not appear in the appropriation budget. Finally, our national debt, as of June 30, 1966, has reached an alltime high of $320.3 billion, and is expected to reach approximately $321.6 billion by June 30, 1967. The costly proliferation of domestic Federal programs is staggering, but they pale in the face of the suggested trillion-dollar solution to the problems of our cities and the novel, but seriously touted, guaranteed annual income proposal.

Mr. President, this matter is of the gravest concern to the Congress, for the Congress alone has the exclusive right to appropriate money for the various branches of the Federal Government, and to designate the purposes for which the money shall be used.

Although we are now operating in an era of annual expenditures budgets far in excess of $100 billion, the procedures used by the Congress in carrying out these vital responsibilities are practically no different than those used 25 or 50 years ago. In other words, the methods and procedures which we now use in the appropriation processes are simply inadequate to meet present-day needs and requirements.

The Appropriations Committees of both Houses labor under a tremendous disadvantage in their efforts to pass upon budget requests for Federal expenditures. The fundamental problem is due to the fact that the Congress, which is most generous in equipping the executive branch agencies with personnel to handle its affairs, has simply failed to provide itself with adequate machinery to carry out one of its most vital functions and responsibilities—the appropriation of funds for the conduct of the people's business.

Instead of equipping itself with an adequate number of experts and technicians to examine every detail of the appropriation requests submitted by executive branch agencies and departments, the Congress has been content to limp along without the staff assistance and fiscal data and information it requires. Thus, aside from the overburdened housekeeping staffs of the Senate and House Appropriations Committees, which cannot possibly make the kind of analysis of budget requests which is necessary in the time available, members of the Appropriations Committees are forced to rely upon the testimony of representatives of the executive branch who formulate the programs and present them in a light most favorable to their purposes. Furthermore, they usually tell us only as little or as much as they desire to disclose.

It appears perfectly clear that the conditions which prompted the introduction of this measure, in 1950, and its initial passage by the U.S. Senate, in 1952, have in no way diminished. On the contrary, they have increased with the rising cost of government and the swelling of the national debt. We have only to compare our national expenditures budget of $39.5 billion in fiscal year 1950, and $65.3 billion in fiscal year 1952, with the fiscal year 1967 estimate of $125 billion, to get the full impact of the current picture. If that is not sufficient, compare, if you will, our national debt of $257 billion in 1950, and $259 billion in 1952, with the $320 billion which constituted our national debt as of June 30, 1966—an increase since June 30, 1952, of an excess of $61 billion in the national debt alone. As of today the national debt is near $330 billion and still rising. The debt limit must again be raised within the next few weeks.

Mr. President, although the Senate has been endeavoring, for more than 15 years, to effect the necessary improvements in the fiscal operations of the legislative process, the House of Representatives has so far failed to act favorably on this proposal. I am convinced that a majority of the Members of that body are as much interested in correcting serious deficiencies in the appropriation procedures of the Congress as are Members of the Senate.

I hope that the House will have an opportunity to work its will on this measure during this session and that the Congress will enact this much-needed legislation. The American taxpayer has a very real and vital stake in this matter. We should not fail him.

Mr. President, in view of the interest numerous other Senators have manifested in this proposed legislation, I ask unanimous consent that the bill may be held at the desk for 5 days, so that other Members of the Senate who may desire to do so may include their names as cosponsors.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, will be held at the desk, as requested by the Senator from Arkansas.

The bill (S. 538) to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States, introduced by Mr. McClellan (for himself and Mr. Allott, Mr. Anderson, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Brewster, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Dominick, Mr. Eastland, Mr. Fannin, Mr. Fong, Mr. Fulbright, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Hickenlooper, Mr. Hatfield, Mr. Holland, Mr. Hollings, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Lausche, Mr. Kuchel, Mr. Magnuson, Mr. McGovern, Mr. Miller, Mr. Monroney, Mr. Montoya, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Mundt, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Russell, Mr. Smathers, Mr. Sparkman, Mr. Symington, Mr. Talmadge, Mr. Thurmond, Mr. Williams of Delaware, Mr. Yarborough, Mr. Young of North Dakota, and Mr. Young of Ohio), was received, read twice by its title, and referred to the Committee on Government Operations.

REMOVAL OF MANDATORY COMPENSATION FEATURE OF THE HIGHWAY BEAUTIFICATION ACT OF 1965

Mr. MAGNUSON. Mr. President, I send to the desk, for appropriate reference, a bill to amend the Highway Beautification Act of 1965 by removing the mandatory compensation feature.

Mr. President, the 89th Congress enacted into law many proposals which will improve the environment in which we live. One of the most forward-looking steps taken in this regard was the passage of the Highway Beautification Act of 1965.

The act held a great deal of promise for the millions of Americans who travel the Nation's major highways every day. It promised to help make driving more relaxing, more enjoyable, and, perhaps most importantly, safer. With this new law one would supposedly be free to enjoy the countryside unmarred by man's visual pollution of the scenery, and he would be able to see important informational aids without the need for a time-consuming, frustrating, and often dangerous search through a hodgepodge clutter of signs created for the very purpose of diverting the harried driver's attention. These would be admirable achievements indeed.

I think we all knew that the bill was not perfect, but we felt that it was a big step in the right direction.

Few would disagree with the basic objectives of that act. But many now are questioning the means therein outlined for achieving those worthy ends.

The bill I introduce here today is designed to improve those implementing techniques by eliminating from the act the mandatory compensation feature.

Several States have the authority by virtue of their State constitutions to require that billboards be removed without the necessity for paying compensation. Under the existing Federal act, however, States are required to compensate for removal of signs or face a 10-percent reduction of Federal highway funds regardless of whatever powers they might have. It is becoming more and more apparent that this is an intolerable burden on the States even though they need pay only 25 percent of the total compensation. The cost of adhering to the requirement will have the effect of preventing several States from taking any meaningful action in this area.

Elimination of the mandatory reimbursement provision would not only reduce costs for several States to manageable limits, but would also cut costs to the Federal Government by approximately $500 million. The Secretary of Transportation has calculated that the 1965 Highway Beautification Act will require the removal of over 1 million billboards in the next 3 years. In short, this bill represents one of those extremely rare proposals which would allow for more efficient implementation of Federal policy while at the same time reducing the Federal Government's costs. I know that many Members of the Senate are vitally concerned with reducing Federal expenditures at this time. It should be made clear, however, that States would not be precluded from availing themselves of Federal assistance if it is needed or if they choose to compensate the affected industry.

The States could take whatever action they deemed necessary to preserve their roadsides as long as they met the ultimate goal set forth in the Federal act. It seems eminently fair that if the States have a better way of doing the job, the Federal Government ought not to object, especially where the Federal Treasury stands to gain.

Elimination of the mandatory reimbursement provision has the endorsement of most of the private groups which have been working to obtain highway beautification legislation on both the State and Federal level. It is critically important that the bill receive congressional approval as soon as possible. Time is running out for the States, and the apparent restrictions on the States are presenting them with a dilemma regarding the appropriate avenues available to them. We should remove the hamstrings and allow the States to get about the vital business of beautifying their highways.

I hope this proposal will receive early consideration, and I request that the bill lie on the desk until the close of business on January 20 so as to give other Senators an opportunity to join as cosponsors.

I ask unanimous consent that there be printed at the close of my remarks a copy of an editorial from the Seattle Times on December 27, 1966, and an article printed in the Seattle Post-Intelligencer on December 28, 1966. I also ask unanimous consent that the text of the bill be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, editorial, and article will be printed in the RECORD.

The bill (S. 539) to amend the Highway Beautification Act of 1965 to remove the mandatory compensation feature, introduced by Mr. MAGNUSON (for himself and Mr. JACKSON), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 539

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 131 of title 23, United States Code, be amended to read as follows:

"(g) A State may provide for effective control by whatever means it deems proper. If a State secures effective control by purchase or condemnation, Federal funds shall be used to pay a share of the costs thereof which may be paid upon removal of the following outdoor advertising signs, displays, and devices—

"(1) those lawfully in existence on October 22, 1965,

"(2) those lawfully on any highway made a part of the interstate on or after October 22, 1965, and before January 1, 1968, and

"(3) those lawfully erected on or after January 1, 1970.

The Federal share of such compensation shall be 75 per centum. Such compensation shall be paid for the following:

"(A) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device; and

"(B) The taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon."

SEC. 2. Subsection (j) of section 136 of title 23, United States Code is amended to read as follows:

"(j) A State may provide for effective control by whatever means it deems proper. If a State secures effective control by purchase or condemnation, Federal funds shall be used to pay a share of the costs thereof which may be paid upon the relocation, removal, or disposal of the following junkyards—

"(1) those lawfully in existence on October 22, 1965,

"(2) those lawfully on any highway made a part of the Interstate System after October 22, 1965, and before January 1, 1968, and

"(3) those lawfully erected on or after January 1, 1970.

The Federal share of such compensation shall be 75 per centum."

The editorial and article presented by Mr. MAGNUSON are as follows:

[From the Seattle (Wash.) Times, Dec. 27, 1966]

URGENCY IN BILLBOARD CONTROL

It is a matter of urgent importance to Washington State that the new Congress should act at an early date to amend the Federal Highway Beautification Act of 1965.

If Congress does not act promptly, Washington State's far stronger law will face crippling amendments at the 1967 session of the Legislature.

Members of this state's congressional delegation are well aware of the fact that the federal act—hailed by White House publicists as a notable step toward beautifying the nation's highways—actually would undo much of the progress made toward keeping portions of the Washington State highway network free of billboard blight.

"It seems certain," says Representative Thomas M. Pelly, "that the new federal law will create serious constitutional problems for the state and disrupt our program that has proved so effective."

Representative Brock Adams notes that the federal law "opens a Pandora's box of litigation." Representative Catherine May says the bill "is replete with unworkable, unwise and unfair provisions," and Representative Thomas S. Foley calls it a "regressive influence."

These sentiments must be translated into early amendatory action, however, if the dismemberment of Washington State's model Highway Advertising Control Act of 1961 is to be prevented.

Already, the Legislature's Interim Committee on Highways has indorsed legislation that would exempt from state controls all commercial and industrial areas along interstate routes. This would open up billboard alleys, similar to Aurora Avenue, on freeway entrances to Seattle and other cities.

And, to bring the state law further into line with the new federal law, the interim highways group has urged the Legislature to approve government compensation for the owners of billboards that must be removed.

Unless Congress acts first, it is highly likely that the Legislature will follow the lead of the Highways Committee so as to protect the state's full share of federal highway funds.

The challenge to members of this state's congressional delegation—as well as to congressmen from other states with effective billboard-control laws—is obvious.

[From the Seattle (Wash.) Post-Intelligencer, Dec. 28, 1966]

BILLBOARD BATTLE GOES ON

(By Shelby Scates)

Congress and the Washington State Legislature are heading into further fights to clarify conflicts in their respective sets of billboard control laws.

As matters stand, it's a murky situation. A recent U.S. attorney general's opinion claims the federal Highway Beautification Act of 1965 required the states to provide "just compensation" for the removal of highway billboards or face a 10 per cent reduction in federal highway funds.

Washington State's Billboard Control Act gives the state authority to remove billboards on interstate and scenic highways without compensation.

However, this is still being tested in the courts and until it's settled the state has been enjoined from removing about 400 billboards owned by major outdoor advertising companies.

If the state had to compensate for these billboards the cost could range between $2.5 million and $10 million. Rep. Brock Adams has simply questioned the attorney general's opinion.

In a letter to the Bureau of Public Roads, Adams said Washington congressmen established a legislative history during debate on the Billboard Act which they thought would take Washington off the hook.

"We believed it would clearly indicate that the State of Washington was not required to pay compensation for the billboards that were already interdicted by the Washington State act on the date of the passage of the federal act," said Adams.

Meanwhile, the State Legislature's Interim Highway Committee has already called for a change in the state billboard law which would provide compensation for those who must remove signs and would exempt state control from commercial and industrial zones on interstate highways.

This would bring the state law into conformance with the federal law, but in the process gut the state's Billboard Control Act.

However, another move is afoot in Washington, D.C., to change the compensation features of the federal bill so that the major part of the conflict would be removed.

The upshot is a protracted state and federal fight between proponents of uncluttered highways and commercial interests who want an unfettered right to advertise.

EXTENSION OF THE APPLICATION OF THE CLASSIFICATION PROVISIONS OF TITLE 5, UNITED STATES CODE, TO CERTAIN POSITIONS IN EXECUTIVE BRANCH

Mr. BREWSTER. Mr. President, I am today reintroducing, for appropriate reference, my bill to bring the Selective Service local and appeal board clerks under classified Federal ratings.

I should like to point out that no other Government activity presently relies so heavily on a single group of people to perform such a vital and controversial function as the Federal Government does upon the Selective Service employees. At a time when public acceptance and cooperation with our program of mandatory military service is of utmost importance, the plight of the local and appeal board clerks is most glaring.

I have read and received many histories and letters from clerks who have served in their capacities for numerous, dedicated years without increases in compensation or the benefit of a classified rating. They have a most tedious task to carry out and are often the center of community controversy while trying to uphold and support the Selective Service classification standards. They work long, hard hours, assuming a most difficult job, and carry it out with judgment, a sense of responsibility for the defense of our country, and a wealth of compassion for those involved in the individual cases they hear.

Yet, too many of these Selective Service clerks are grossly underpaid and subject to a disorderly pay system, seemingly without equity.

The schedule of compensation for the local and appeal board clerks is now based on local needs and circumstances akin to the particular area. However, Mr. President, at a time when the Vietnam situation is uppermost in the minds of the American people, I feel it only just that we look at the whole operation and realize the increased efforts and value of the Selective Service clerks who form the basis of the procedure to provide the needed manpower. We must afford the clerks in all communities equal benefits and compensation for their valuable performances. Therefore, I would urge consideration of this legislation at the earliest possible time during the 90th Congress with the hope that it will receive favorable action.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 555) to extend the application of the classification provisions of title 5, United States Code, to certain positions in, and employees of, the executive branch of the Government, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

EXTENSION OF GREETINGS AND COMMENDATION OF CONGRESS TO THE TEXAS WATER SAFARI ASSOCIATION

Mr. TOWER. Mr. President, on June 17, a starting gun will sound in San Marcos, Tex., and the world's toughest river race will be underway.

The race is the Texas water safari, marking its fifth year in 1967 with a 538-mile race from San Marcos, by way of the San Marcos and Guadalupe Rivers, along coastal bays and rivers, utilizing the Intracoastal Canal, to Freeport.

Brave men from all over the country—and several entrants from foreign countries—will test their endurance, skill, equipment, plain physical stamina, and even luck as they brave logjams, rocks, white water, strong winds, and exhausting portages, on a journey through some of the most beautiful country in Texas.

I am submitting today a concurrent resolution granting official recognition to the event. The race is being sponsored by a nonprofit organization expressly set up for this purpose. Prizes approaching $6,500 in value are being donated, along with several fine trophies. I believe this outstanding sports event, emphasizing courage, skill, endurance, and physical fitness deserves official recognition, and I am hopeful that the Senate will agree and act with dispatch on the resolution.

Mr. President, I ask that the text of the concurrent resolution be printed at this point in the RECORD, followed by a history of the Texas water safari, prepared by Mr. James Hurst of the safari.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution and history will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 5) was referred to the Committee on the Judiciary, as follows:

S. CON. RES. 5

Whereas the fifth annual Texas Water Safari is to be held during the seven-day period commencing on June 17, 1967; and

Whereas this outstanding sports event has been called "the world's toughest river race" in which men in canoes match their courage, stamina and skill against 538 miles of winding, twisting rivers and wave-whipped ocean bays; and

Whereas the conditions encountered in the course of this formidable race duplicate in many ways those which challenged the hardy pioneers who followed wilderness waterways to open up a continent; and

Whereas the Texas Water Safari, with its emphasis on courage, skill, endurance, and physical fitness, justly deserves the widespread interest which it has engendered throughout this country and in other nations as well: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress extends its greetings and commendation to the Texas Water Safari Association in recognition of its sponsorship of an outstanding annual event which pits the unquenchable spirit of man against nature in a competition which cannot fail to be an inspiration to, and a bond between, all men who admire true sportsmanship. The Secretary of the Senate shall prepare a suitable copy of this resolution for presentation to the Texas Water Safari Association.

The history, presented by Mr. TOWER, is as follows:

HISTORY OF THE TEXAS WATER SAFARI

"The Worlds Toughest Boat Race" (according to Argosy) originated on June 28, 1962 when San Marcos Chamber of Commerce manager Jim Brown and Bill "Big Willy" George left Aquarena at San Marcos in an aluminum skiff and headed for Corpus Christi via the San Marcos and Guadalupe Rivers. Brown kept a log of the sixteen day journey which included this report: "The river is indeed a mighty beast, and when you sweep around a turn riding on the crest of the current, ducking low branches, you feel the power of the water as it swirls around you. It takes you to its breast and fondles you, sucking, pulling with calculated smoothness. Calculated to catch you off guard, to then thrust you suddenly into its depths. . . ."

One of the contestants in the race that followed the next year put it much more bluntly, "Its a one-way ticket to hell and high water." Brown had a lot of trouble getting that race started too, but he finally talked the San Marcos Chamber of Commerce and the Corpus Christi Buccaneer Days Commission into backing the race. Fifty-eight boats ranging from a home-made oddity that looked like a bathtub to a sleek Polynesian outrigger met the starting gun, but one boat never made it to the water—his barge was too heavy to unload off the top of his car, so he just left it there.

Several more didn't last much longer. One boat failed to reach the end of Spring Lake, and fifteen more couldn't make it to Luling. An elderly Gonzales man, Fred Halamicek, who had made the river his stomping grounds for years, pulled into the lead with his young partner, Barry Wiley, and reached Lustwell 96 hours from the starting gun with twenty four teams still in the race, trailing them. But the rigid rule of "no help along the way" caught Halamicek and four other teams. The judges were forced to disqualify them; there were twenty left. Gusts of wind up to 35 knots took care of almost all of these in Aransas Bay out from Rockport, and the next day, the judges found that only two managed to get to the finish line. "It took mean critters to prevail" quipped a Life magazine writer after that race. The mean critters were Houston policemen Lynn Maughmer and Jimmy Jones in the winning Grumman canoe followed by Fred Hurd and Sam Hare, also in a Grumman.

This race proved that the Water Safari was indeed "the world's toughest boat race". It proved to be one of the most expensive also. The Chamber lost money sponsoring it, and it refused to bear the burden again. A group of interested sportsmen, headed by Tom Webb and Kay Buckner, refused to let the great race die, and they formed the Texas Water Safari Association which has run the race ever since as a non-profit organization put on for the benefit of the contestants and the welfare of the communities involved. The Safari has paid for itself since then, aided by contributions from various businesses, organizations, and individuals. Harry Wiede Sr. took charge of the big job of placing judges along the route, Tom Buckner took over publicity, and John Ferguson became the treasurer. Jim Carney took over pre-race arrangements.

The 1964 Safari moved out of the "Texans only" category and attracted contestants from all over the country. Among the 41 teams were Frank Havens, an Olympic gold medal winner in canoe racing, Ron Bohlender, the international kayak champion; and two tough Michigan teams—Al Widing and Bob Gillings in one canoe and Leroy Widing and Al Adams in the other. The Michiganers spurted into the lead followed by two tough Houston boat builders, Harold and Jay Bludworth (who, incidentally, won the 1966 race). The Kayak and Olympic champions were far down in the pack as they emerged from the river part, and they dropped out because of the rough salt water. Fourteen teams did manage to finish though. Al Widing and Gillings edged out Leroy Widing (Al's brother) and Adams by two hours with the winning time of 80 hours, 27 minutes.

In 1965 the race ended in Freeport where the Brazosport Chamber of Commerce promised to help in running the race and pledged a 1500 dollar prize donation. This lengthened the race to 535 miles and added the rough Matagorda Bay to the obstacles. Thirty-four teams entered that year, but only ten finished, led by the '64 winner Al Widing, this time with the aid of his brother Pat. Safari veteran Adams and a Canadian champion, Gib McEachern were only 39 minutes behind. Two newcomers, Charles Hall and Robert "Froggy" Sanders were third in a mail order canoe.

This year, Hall and Sanders took an early lead in a canoe they bought from the Bludworth brothers, the Houston boat builders. Hall and Sanders, both Port Lavaca coaches, were knocked out of the race when their boat hit a log inside Victoria city limits and their boat broke squarely in half. The Houston boat builders, Jay and Harold Bludworth were running second. They took the lead and held it all the way. The coaches had been the only threat, their boat was four hours ahead of the Bludworths.

Year after year, the April weather (when the race has been starting) has been getting progressively worse, so the 1967 race has been scheduled to start on June 17th when the weather is better and there is less chance of high water. The rivers were at flood stage in 1966, causing all but fifteen boats to refuse to race. Only one boat was able to finish the race this year, and that one didn't have to make the sea route. Since there were no other boats left, the Association had the Bludworths portaged by truck around the Bay for fear we would have no winner at all, as so many boats have failed to make the Bay after making the rivers beautifully.

Next year, with more prizes, a mailing list, invitations to foreign countries to participate, and many other devices, we expect to have more than a hundred regular contestants, as well as a large number of college contestants due to a scholarship we are offering for the best placing college team.

The address of the Texas Water Safari Association is Box 721, San Marcos, Texas.

EXPRESSION OF THE SENSE OF CONGRESS ABOUT THE TREATMENT OF RHODESIA BY THE U.S. GOVERNMENT

Mr. EASTLAND. Mr. President, on behalf of myself, and the Senator from Arizona [Mr. Fannin], I submit a resolution expressing the sense of the Congress about the treatment of Rhodesia by the U.S. Government.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 48) was referred to the Committee on Foreign Relations, as follows:

S. Res. 48

Whereas Rhodesia has been a self-governing colony within the British Commonwealth since 1923;

Whereas the constitutionally elected Government of Rhodesia, with the full support of the Council of Chiefs, declared Rhodesia's independence on November 11, 1965;

Whereas the subsequent dispute concerning Rhodesia's declaration of independence is solely a matter for settlement between herself and Great Britain (just as our own independence was a matter between ourselves and Great Britain);

Whereas Rhodesia is not hostile to the United States nor an enemy of the United States either under international law or under the laws of the United States;

Whereas the Prime Minister of Rhodesia has offered Rhodesian troops and supplies to assist the United States in Vietnam;

Whereas United States citizens continue to be warmly welcomed in Rhodesia and our Government representatives there are still accorded full consular privileges;

Whereas Rhodesia is one of the very few countries in Africa which pays her own way and receives no United States aid and that trade between our two countries had been running two to one in our favor, all on a commercial basis with no subsidies, thereby assisting our balance of payments;

Whereas, according to the Constitution (article I, section 8, paragraph 3), only the Congress has power to regulate commerce with foreign nations and the Executive has no legal authority to block trade except under laws which control trading with the enemy;

Whereas the United States Government, without any authority from the Congress or the American people, has adopted and encouraged a stringent policy of economic sanctions against Rhodesia;

Whereas, as part of this policy, the United States Government is participating in a costly and totally unnecessary operation to transport oil and copper to and from Zambia by uneconomic and inadequate routes, the normal route being over Rhodesia railways which are still freely available to Zambia;

Whereas the integrity of United States banking institutions has been damaged by the action of the United States Government in ordering that assets of the Reserve Bank of Rhodesia held in the United States be frozen, this solely at the behest of the British Government whose authority over these assets has not been proved;

Whereas the United States Government turned back a cargo of Rhodesian sugar sold and shipped to United States citizens before Rhodesia's declaration of independence, thus causing forfeiture of a valid contract;

Whereas United States citizens have extensive commercial interests in Rhodesia which have been severely damaged by the arbitrary application of economic sanctions;

Whereas said United States citizens have even been prevented from performance of valid contracts and other legal and moral obligations, to their present and future great loss;

Whereas economic sanctions will deprive thousands of Africans from Rhodesia and from neighboring countries of their livelihoods in the virile Rhodesian economy, to force the closure of African schools and hospitals, to bring misery and starvation to many thousands of African families and to destroy one of the remaining stable governments on the African continent: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that the United States Government immediately cease its inhumane, illegal, arbitrary, unfair, harmful, and costly policy of economic sanctions against Rhodesia; take necessary steps to compensate United States citizens for any financial losses incurred as a result of said policy; and resume this Nation's former policy of honorable self-interest toward this friendly country;

Mr. EASTLAND. Mr. President, the United States is committed in Vietnam in a bloody and costly struggle against communism. Yet, even as we strain our domestic and military resources to meet this challenge, we are in grave danger of becoming involved in another foreign conflict.

Only a few short weeks remain before the Security Council of the United Nations will receive a report from the Secretary General regarding the effectiveness of the economic sanctions voted against Rhodesia.

If these sanctions do not bring down the gallant Government of Rhodesia, and it does not appear that they will, this country will almost certainly be faced with participating in stronger measures concocted by the United Nations. Measures pressed by the Afro-Asian bloc will certainly include the use of force.

Mr. President, I believe it is vital to the interests of the people of the United States that we study carefully the issues and dangers facing us if we continue to place ourselves under the direction of the United Nations on the Rhodesian question. It might be argued that such fears are groundless because the mandatory economic sanctions voted on December 16 will certainly bring the Rhodesians to heel.

Let us examine the facts. According to the London Economist newspaper:

> . . . 1966 exports are probably down from $397.6 million to $252 million—a smaller reduction than was expected—but the reduc-

> tion of imports to $224 million still leaves a surplus on trading account of $28 million, nearly half last year's. The further impact of mandatory sanctions must be largely offset by the repeatedly affirmed refusal of South Africa to be bound by them. Rhodesian exports to Southern Africa amount to approximately $140 million a year and there is little likelihood of these being reduced. Portugal, Malawi, Botswana and Lesotho will not cut their trading links, and there is even doubt that Zambia will do so.

American business, as well as our own balance of trade with Rhodesia, have suffered because of the sanctions. Before Rhodesia proclaimed her independence the United States enjoyed a most favorable balance of trade in the ratio of about 2 to 1. Exports to Rhodesia from the United States were about $23 million annually. They have since dropped to $6 million during the last 10 months of 1966.

The mandatory sanctions now imposed apply to chromite ore and the effect of such sanctions on American importers of this vital raw material are far-reaching.

Russia may have to be our alternate source of the high grade chromite we once imported from Rhodesia. In fact, our imports from the U.S.S.R. of this material have already risen. We might soon become greatly dependent on Russia for chromite ore and incidentally this will not help our economic position, but it will be profitable for the Communists.

The world copper prices have risen as a result of the sanctions against Rhodesia because these directly affect the Zambian economy. This means a rise in U.S. production costs where copper is used. In fact, because the tiny country of Zambia, which is openly critical of our struggle in Vietnam, depends so greatly on Rhodesia for transport and trade, we may well have to go to the rescue of this nation if she is to survive the sanctions. I fear, Mr. President, that the American taxpayer will have to foot the bill for this operation as well.

In addition, Great Britain is suffering economic woes because Rhodesia and South Africa both are among her best customers and if a full-scale confrontation with South Africa arises because of that Government's open support for Rhodesia, Britain's present perilous economic condition would be shaken. This would damage the pound sterling to such an extent that it would require a major American effort to rescue it.

Mr. President, grave as the economic dangers involved are, they are nothing compared to the real danger of actual military involvement. Britain, with the backing of the United States, has enjoined the Security Council to vote mandatory sanctions against Rhodesia under the pretense that it is a threat to international peace and security. Sanctions so far are limited to measures envisaged in article 41 of the U.N. Charter; that is to say, economic measures not involving the use of armed force.

Communist, African, and a number of Asian countries represented in the Security Council have derided the efficacy of selective sanctions and have made it abundantly plain that when these measures have demonstrably failed—and a report from the Secretary General is required by March 1—they will press for decisive action in the form of total blockade or the direct use of force. Either recourse must lead to an armed confrontation in southern Africa.

It may seem at first farfetched, but the United States is slowly but surely being drawn toward a conflict in Africa.

Our support for British Prime Minister Harold Wilson's colonial war against the stable and peaceful Government of Rhodesia is rapidly bringing us to a crucial time. Mr. President, I do not believe the American people want to see this Nation drawn into a conflict against Rhodesia. They cannot wish to see the might of this country turned against a nation which is not only anti-Communist, but a nation which has peacefully managed its own affairs without international assistance for over 40 years. We can hardly expect popular support for severe action against the Government of Rhodesia which has raised the living standards of its black and white citizens to the highest of any African besides the Republic of South Africa.

Rhodesia has repeatedly offered military assistance to the United States in our struggle in Vietnam.

There are many Americans living in Rhodesia today as either representatives of American companies, or because of investments in that country. In supporting sanctions against Rhodesia we are bringing hardship to our own citizens there.

Mr. President, we are told about moral issues that require our continued pressure against Rhodesia. I should like to examine some of these issues.

Mrs. Elspeth Huxley, well-known British authority on Africa, offered some useful clarification on this point in a letter which she wrote to the London Times on December 9, and which the New York Times reprinted on December 11. She says that until December 5—the date of the disclosure of Wilson's settlement terms:

> Most of us thought our quarrel with Rhodesia was about Mr. Wilson's six principles, which in turn were about the political advancement of the Africans. Now it seems that we were wrong. What the quarrel is about, apparently, is something quite different and called a Return to Legality. Has not the time come to be quite honest with ourselves? Does anyone care tuppence about this? Really mind whether Mr. Smith doffs his cap, kneels humbly in the dust and offers his submission to the Great White Queen, not to mention her chief Minister, like one of these dusky potentates in the Nineteenth Century paintings paying homage to our former Queen?
>
> Meanwhile, Rhodesia's Constitution is to be scrapped, the Government with its armed forces handed over complete without reservations to the British Governor and in four months' time (whatever makes Mr. Wilson think that any Royal Commission will report in four months?) a new Constitution, in which the present elected Government will have no say, will be imposed. All this in a country which has never been directly ruled by Britain but has managed with de facto self-rule for over forty years.
>
> Wicked Mr. Smith to turn down this generous concession. We sent a gunboat: a paper gunboat whose guns did not fire. So now we are sending for other people's gunboats, whose guns may fire—but in what directions? We may get a nasty surprise.
>
> All this to retrieve a lost legality. Rhodesia is fortunate; the only African country to have this treasure restored. Of the dozen or so former British territories in Africa on whom independence has recently been conferred, there is scarcely one whose legally bequeathed constitution survives. No doubt the military regimes of Nigeria, Ghana and Sudan are as fully legal as a Justice's wig. Nothing could be more legal than as, in Nigeria, to assassinate first a Prime Minister, then his successor, and seize power by military might.
>
> It is perfectly legal to establish by decree single party states as in Tanzania and Uganda. Zanzibar disappears in a welter of bloodshed, flogging and forced labour and does not lose its legality, but we cannot have this sort of thing with Mr. Smith.
>
> So now the fight is on for a Return to Legality—for Rhodesia only. Mr. Smith must come to heel. If we lack a gunboat, we can at least have a gundog. Should we not pause long enough to understand that this and not the constitutional rights of Africans is our aim? Isn't this really Operation Face-Save? Helen's face launched a thousand ships; Mr. Wilson's is to stop them. His must be the most expensive face since the sack of Troy.

We listen to the cries of moral indignation over Rhodesia and we have allowed ourselves to be drawn into mandatory sanctions against this friendly nation.

But, apparently there is a double standard of morality as far as our allies are concerned. The decision recently by the British Government to extend credit for a $28 million fertilizer factory in Cuba is an example of this double standard.

The British have taken the position that American policy in opposition to Communist encroachment is really of no concern to the British. The British have allowed their ships to trade openly with North Vietnam under this policy.

What credibility can be given to the suggestion that Rhodesia is a threat to international peace and security? Former Secretary of State Dean Acheson has commented:

> The only way the U.N. seems to be able to reason that it can get at Rhodesia is to say that by doing what they have a perfect right to do—and with which the U.N. is forbidden to interfere—they so annoy less law-abiding characters that these people will threaten to attack them, which violates the Charter, and therefore Rhodesia is a threat to the peace.
>
> This—

Says Mr. Acheson—

> is about as backwards a piece of reasoning as anyone can easily conceive.

Mr. President, the argument has been raised that we should join in the opposition to Rhodesia because the present Rhodesia regime is illegal. If we mean by illegal that the Prime Minister, his Cabinet and Parliament were elected by the people of Rhodesia then we are giving a strange meaning to "illegal."

The Governments of Uganda and Nigeria are both full members of the United Nations and both of these Governments have overthrown their Constitutions within the last year. These virtual dictatorships are considered "legal" by the United Nations and ourselves and that is a very strange piece of logic.

I wonder what would be our position if Latvia and Lithuania were to suddenly announce their independence from the

Soviet Union. Would we then join in sanctions with Russia against them?

It has been put forth that Britain has a right to bring the Rhodesian issue to the United Nations because she has a responsibility under chapter XI of the Charter "to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions."

Therefore—

Says Mr. Goldberg—

> so far as the United Nations is concerned, the Administering Authority has always had an international responsibility to the United Nations in regard to Southern Rhodesia.

Mr. Goldberg is misinformed. Chapter XI of the Charter deals with non-self-governing territories. Prior to November 1965 Britain consistently took the position that Rhodesia was not such a territory. She disclaimed any status as an "administering authority," declined to submit reports on Rhodesia under chapter XI, and pointed to Rhodesia's long tradition of self-governing institutions, with which she had no rights of interference. In terms of reality it is rather ridiculous to pretend that Rhodesia is less self-governing today than she was in October 1965.

The tragic aspect of this question is that all doors to negotiations have been closed by the British. In a statement to the British Parliament on December 20, Wilson said that all previous offers for a compromise solution with Rhodesia were now withdrawn and that Britain would not grant her legal independence until her 4 million Africans had won majority rule, which is an oblique way of saying that the issue is not now negotiable as far as he is concerned. As Mr. Walter Lippmann has remarked, Mr. Wilson is asking the U.N. to do what it was never meant to do, what it is not organized to do and what it cannot do.

Mr. President, in my opinion we should question carefully the action of the Security Council. It would appear the action of this body was not legal. Article 27(3) of the U.N. Charter requires decisions of the Security Council to be adopted by the affirmative vote of nine members—since the enlargement of the Council—including the concurring votes of the permanent members. The resolution of December 16 received 11 affirmative votes but both France and Russia abstained. There seems to be a powerful case for arguing that abstentions cannot be construed as "concurring votes" and that the resolution is therefore invalid.

In addition, there is another aspect requiring consideration. It seems that by binding ourselves to the mandatory sanctions voted in the Security Council we might well ask the question of how these sanctions can be removed.

Since Russia, and for that matter, France, who both abstained in the original vote, have the veto power in the Council, could not they in fact force the continuation of these sanctions regardless of what agreements are reached between Rhodesia and the British?

It is vital that the United States not become a captive of events which can force upon us a role that is neither just nor prudent.

American public opinion is being strongly expressed over the possibility of international escalation in Africa against a nation which is friendly and peaceful.

I wish to place before the Senate and the House a joint resolution calling for the recognition of Rhodesia and the establishment of normal relations between our two countries. This resolution, which I trust will receive prompt consideration, is one which I feel the majority of Americans heartily approve. I am also confident that a large portion of the British population will approve.

Very recently I received a letter from a distinguished member of the British Parliament. I would like to quote a few paragraphs from this letter:

> I am among those on the Right Wing of the Conservative Party that are strongly opposed to our Prime Minister's policy of Sanctions and of handing the matter to the United Nations. We believe that this, if pursued, cannot avoid escalation. We are very apprehensive about this endangering our most important trade with the South African Republic, also the British investments there of some £900 million.
>
> Obviously without the co-operation of South Africa and Portugal, Sanctions cannot succeed. In any case, if continued long enough, inevitably Zambia would be toppled before the Rhodesian Government. Force surely is unthinkable. It would put Southern Africa in a blaze. There can be no doubt about the strength of the popular feeling in the Republic for Rhodesia.
>
> Latterly the press here reports growing irritation in the United States over U.K. trade, Government underwritten with Cuba. Why indeed should the U.S. support U.K. in Sanctions against Rhodesia when the U.K. does not assist the U.S. in pressure against Cuba?
>
> Returning then to the President's latest order, one would have thought that the U.S. had plenty on her hands without risking being involved by the U.N. in force against Southern Africa. It is perplexing enough to us here already that the United States, while fighting an exacting war against Communism in *Asia*, yet collaborates to destroy a resolute anti-Communist bastion in *Africa*.
>
> I want to assure you of the weight of and probably the majority of *thinking* people in the U.K. against the Wilson policies.

Mr. Wilson has betrayed the British people and this betrayal will certainly have far-reaching and sad consequences for the British, but Mr. President, I see no reason why the American people should share in this bitter fruit.

When our own forefathers dared to proclaim their independence from the British Crown, we also faced an enraged British Government. This Nation, struggling for independence faced both British cannons on the battlefield and a British blockade at sea.

Fortunately, there were a few people who could see the justice in the cause of the American Colonies. These people, many in England, spoke out vigorously in our favor and there is little doubt that their voices added weight to the final outcome of that struggle.

Mr. President, today it is our turn to raise a cry for justice for an emerging nation.

AMENDMENT OF STANDING RULES OF THE SENATE—AMENDMENT TO SENATE RESOLUTION 6

AMENDMENT NO. 4

Mr. KUCHEL. Mr. President, I hope very much that a cloture motion will be filed today, as I believe it will be, and I hope very much that it will be approved next week. At any event, I have an amendment that I wish to offer to the McGovern-Morton resolution, if it is offered under cloture, and I ask unanimous consent that I may have the proposal which other Senators and I sponsored read, so that it may be considered, in the event cloture is obtained.

The PRESIDING OFFICER. Is the Senator asking unanimous consent that it qualify?

Mr. KUCHEL. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. I thank the Chair.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

The amendment (No. 4) is as follows:

Strike out all after *"Resolved,"*, and insert in lieu thereof the following:

"That rule XXII of the Standing Rules of the Senate is amended by adding a new section 3 as follows:

" '3. If at any time, notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, a motion, signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate pursuant to this section, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the twentieth calendar day thereafter (exclusive of Sundays, legal holidays, and nonsession days) he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without further debate, submit to the Senate by a yea-and-nay vote the question:

" ' "Is it the sense of the Senate that the debate shall be brought to a close?"

" 'And if that question shall be decided in the affirmative by a majority vote of the Senators duly chosen and sworn, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

" 'Thereafter, debate upon the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions with respect thereto, shall be limited in all to not more than one hundred hours, of which fifty hours will be controlled by the majority leader, and fifty hours will be controlled by the minority leader. The majority and minority leaders will divide equally the time allocated among those Senators favoring and those Senators opposing the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same: *Provided, however,* That any Senator so requesting shall be allocated a minimum total of one hour. It shall be the duty of the Presiding Officer to keep the time. The above provisions for time in this paragraph are minimum guarantees and the motion to bring the debate to a close may specify additional time for debate. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

"'*Resolved, further,* That section 3 of the Standing Rules of the Senate be redesignated as section 4'."

EXPRESSION OF SENSE OF THE SENATE WITH RESPECT TO TROOP DEPLOYMENT IN EUROPE—AMENDMENTS

AMENDMENT NO. 5

Mr. CLARK. Mr. President, earlier this afternoon, the majority leader [Mr. MANSFIELD] reintroduced the resolution which was reported from the Democratic Policy Committee last year, recommending a sharp reduction of American troops in Europe. This proposal has been referred to a joint subcommittee of the Committee on Foreign Relations and the Committee on Armed Services, and will there be the subject of hearing.

Last year, shortly after the Senator from Montana introduced his resolution, I offered certain amendments which would result in the reduction in troops in Europe being contingent on the working out of a bilateral agreement with the Soviet Union, under which they would make comparable reductions in their 18 divisions in East Germany and their two divisions in Poland. I am still of the view that a unilateral and unconditional reduction of troops on our part is unwise.

Nevertheless, I share the hope that an astute diplomacy could persuade the Soviet Union to join with us in a bilateral reduction of troops, which would enormously ease the tensions in Western, Eastern, and Central Europe.

Therefore, I send to the desk, and ask to be referred in the same manner as the resolution of the Senator from Montana, the same amendments to that resolution which I offered last year; and I also ask unanimous consent that the statement I made on August 31, 1966, in support of my amendments be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendments will be received and printed; and, without objection, the amendments and the statement will be printed in the RECORD.

The amendments (No. 5) submitted by Mr. CLARK, were referred to the Committee on Armed Services and the Committee on Foreign Relations, jointly, as follows:

AMENDMENT NO. 5

On page 2, in the last line of the preamble, strike out: "Now, therefore, be it" and insert in lieu thereof ": and".

On page 2, at the end of the preamble, insert the following:

"Whereas the reduction of United States forces in Western Europe, if balanced by parallel reductions of Soviet forces in Eastern Erope, would produce a significant easing of tensions and help to promote a peaceful settlement in Europe: Now, therefore, be it".

On page 3, between lines 3 and 4, insert the following:

"(2) it is therefore the sense of the Senate that the Administration explore with its North Atlantic Treaty Organization allies and with the Soviet Union the possibilities for balanced reductions of United States and Soviet troops and weapons in Central Europe;".

On page 3, line 4, strike out "(2)" and insert "(3)".

The statement presented by Mr. CLARK is as follows:

It has been obvious for some time that a reduction of United States troop strength in Europe is in our national interest. But to me it seems the height of folly for us to pull out our troops unilaterally, without making a conscientious effort to get the Russians to make a parallel reduction of their troop strength in Eastern Europe.

All of the reasons cited for reducing our forces in Europe make perfectly good sense. It is true that the burden on our balance of payments is enormous. It is true that there is a growing need for more skilled military manpower in Vietnam. It is true that our NATO allies have failed to meet their treaty obligations on force levels.

But none of these reasons alone—nor all of them together—justifies a unilateral pullout. I do not believe one single American soldier should be pulled out of Europe until we make a serious effort to get the Russians to agree, either tacitly or in writing, that our troop withdrawals from Western Europe will be balanced by parallel withdrawals of Russian troops from the Warsaw Pact countries.

If we are to reduce our troop strength in Western Europe—and I for one believe such a reduction is in the national interest—without getting as a quid pro quo a comparable reduction of Russian troop strength in Eastern Europe, we will have squandered away a splendid opportunity to reduce Cold War tensions and get ourselves back on the track toward meaningful arms control and disarmament agreements.

One of the things that the opponents of disarmament like to forget is that disarmament is a two-way street. It is only when disarmament is mutual—and enforceable—that it makes sense. That is the kind of disarmament I have always championed. And I believe we now have in Europe a chance to negotiate just such an agreement on mutual troop withdrawals, if we have the vision to see it and the energy to pursue it.

The idea of negotiating parallel troop reductions in Europe with the Russians is certainly not novel or revolutionary. Actually it was suggested by the Wiesner Committee on Arms Control and Disarmament at the White House Conference on International Cooperation last year. This Committee, headed by Dr. Jerome Wiesner, former Science Adviser to the President, and including among its members Roswell Gilpatric, former Undersecretary of Defense, and Carl Kaysen, former National Security Adviser to the President, stated in its report:

"(W)e believe that the United States should encourage an examination of the problem of parallel troop reductions in West and East Germany by the United States and the Soviet Union. Reductions are not to be conceived as tantamount to withdrawal, which would change the military balance; but rather, as adjustments equitable for both sides which would preserve the balance at less cost and strain for each. An exploration in these terms would have to begin with the Western allies most concerned, but, if it is to have any effect, it must proceed to exchanges with the Soviet Union."

I wish there were some evidence that this kind of thinking is going on in the Department of State. However, I was delighted to note that the Department of Defense, at least, is cognizant of the problem and aware of the opportunity.

In the course of his testimony before the Subcommittee on National Security of the Government Operations Committee on June 21, 1966, Secretary of Defense McNamara had this extremely significant exchange with Senator Robert Kennedy:

Senator Kennedy: ". . . (S)hould the Russians be willing to withdraw at least part of their 20 divisions that presently exist in Germany, would we in turn be willing to lessen our presence in Europe and perhaps make some changes in NATO?"

Secretary McNamara: "I am sure that our troop deployments and the total military strength of NATO are functions of both political and military actions of the Warsaw Pact, particularly the Soviet Union. So, the direct answer to your question is yes."

I want to make it perfectly clear that I do not oppose reducing United States troop strength in Europe. I will heartily applaud that action when it comes, for I have long believed that there is no legitimate military necessity for maintaining so many of our soldiers there, at such huge cost to the American taxpayer. But when it comes, I strongly believe that it should come as a part of an arrangement under which the Russians make a comparable reduction of their troop strength on the other side of the line. Otherwise we shall be kicking away a perfect opportunity to take a giant step toward peace by reducing tensions in Europe through an arms control agreement which would be of great advantage both to ourselves and the Soviet Union.

NOTICE OF HEARING ON AMENDMENT OF THE INDIAN CLAIMS COMMISSION ACT

Mr. JACKSON. Mr. President, I wish to announce that the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs will hold a hearing on Monday, February 6, on S. 307, a bill to amend the Indian Claims Commission Act. The hearing will begin at 10 a.m. in room 3110, New Senate Office Building.

The purpose of this legislation, among other things, is to extend the life of the Indian Claims Commission for 5 years in order to provide time in which to adjudicate all claims filed by Indian tribes in the United States.

The committee is anxious to receive testimony from all parties interested in the Indian Claims Commission on ways and means in which the work of that body may be expedited. Individuals who may wish to appear before the committee are requested to contact Mr. James Gamble, of the committee staff, in order that an agenda may be prepared.

ADDITIONAL COSPONSOR OF BILL

Mr. McGEE. Mr. President, I would like to have my name added to those cosponsoring S. 119, a bill introduced by Senator CHURCH, for himself and Senator JACKSON, to establish a national wild rivers system.

As you recall, this bill was introduced in the Senate last year and in its original form included a portion of the Green River in Wyoming as a part of the proposed wild rivers system. Following the introduction of the bill public hearings were held including a public hearing in Wyoming at which time considerable opposition was expressed to inclusion of the Green River in the original wild rivers system. Several questions were raised concerning the advisability of this proposal at that time.

At my request the bill was amended to remove that portion of the Green River from that section of the bill which would be established as a wild river system and to include it in that portion of the bill calling for additional studies before any final action was taken. The bill, as reintroduced in this session of Congress, reflects that amendment and designates the Green River in Wyoming as one of the several rivers to be further studied before it receives any designation as a wild river within the terms of the bill.

Under these conditions I am most happy to join as a cosponsor of the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 11, 1967, the names of Mr. AIKEN, Mr. ANDERSON, Mr. BARTLETT, Mr. HARTKE, Mr. HATFIELD, Mr. HOLLAND, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. MAGNUSON, Mr. MCGEE, Mr. MCINTYRE, Mr. SPONG, and Mr. TYDINGS were added as additional cosponsors of the bill (S. 16) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes, introduced by Mr. MONTOYA (for himself and other Senators) on January 11, 1967.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, January 19, 1967, he presented to the President of the United States the enrolled joint resolution (S.J. Res. 16) extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

RESIGNATION OF WILLIAM J. CROCKETT, DEPUTY UNDER SECRETARY OF STATE FOR ADMINISTRATION

Mr. MANSFIELD. Mr. President, the White House has announced the resignation of Mr. William J. Crockett as Deputy Under Secretary of State for Administration. Mr. Crockett has been an outstanding and dedicated public servant whose contributions to the U.S. Government extend over a period of many years. His has been a career of ever increasing responsibility. He served with the Department of State in Asia and Europe and, in recent years, he has occupied some of the highest executive posts of the Department in Washington. He was a Deputy Assistant Secretary for Budget and Finance and then an Assistant Secretary of State. In 1963 he was named Deputy Under Secretary of State for Administration by the late President, John Fitzgerald Kennedy, a post in which he was continued by President Johnson.

The tasks of administration are incredibly complex in an organization which is as large and compartmentalized as the Department of State. There is the responsibility for the supply of a great range of services to thousands of State Department employees at home and overseas. There are also the problems of coordination as between the Department of State and other departments and agencies of the Government which are active abroad in order that their work may coincide, rather than collide. In both connections, Mr. President, William Crockett was a key executive for many years. He exhibited exceptional personal characteristics of courage, perseverance, fairness, understanding, and aplomb. He worked tenaciously and conscientiously to improve the operations of the Department of State and to bring about more effective coordination with other departments and agencies.

Mr. Crockett found support as well as opposition in what he sought to do in both the executive and legislative branches of the Government. But on matters of concern to both branches, he was ever patient, tolerant, and considerate, and in the end, immensely effective. There will be deep regret in the Congress as well as in the administration, I am sure, from those who agreed or disagreed with Bill Crockett, that he has decided to leave the Government. The public service has lost a man of outstanding caliber and dedication.

He will assume new responsibilities as an executive with the International Business Machine Corp., a position for which his vast experience renders him very well qualified. I am delighted that he will continue to be associated with international affairs in this manner, and I have every confidence that his future efforts will redound not only to the benefit of the firm which has engaged him but also to the relations of the United States with many other nations.

Mr. McGEE. Mr. President, I rise to commend a most dedicated American, a public servant whose efforts in a post of great trust and responsibility are greatly appreciated, not only by Members of this body but by fellow workers in the Department of State and by his superior officers.

I speak, of course, of Mr. William J. Crockett, the Deputy Under Secretary of State for Administration, whose resignation has recently been announced. His loss to the Government will be a great one because he was always able and efficient, always dedicated to the task at hand. As an administrator, Mr. Crockett has few peers and we are fortunate, indeed, to have had a man of his capability in the service of our Government. For myself, I can say that I will miss his service and the high quality of his official presentations on behalf of the Department of State, particularly those before the Appropriations Subcommittee which exercises jurisdiction over the State Department's appropriations. But most of all Bill Crockett was a rich philosopher; a warm person with the deepest and most tolerant understanding of people and the world around him. I will, as I know many others will, miss his presence in our Capital. We wish him well in what lies ahead.

RURAL MAIL DELIVERY

Mr. CARLSON. Mr. President, I have received many complaints from my State of Kansas, and other States, pertaining to the discontinuance by the Post Office Department of rural mail routes. Too often, this procedure results in a great inconvenience and poor service to the rural citizens of our country.

Probably no service of the U.S. Government more directly reaches or affects the daily lives of our citizens than the postal service. It is in a way a type of silent service in that it goes on day after day and thus becomes a part of our existence which we fully expect but which is frequently not fully appreciated. When attention is called to our great postal system it is often as not due to some isolated incident of poor service, due to a budgetary problem or some other isolated aspect of its operation which highlights a negative view all out of proportion to the tremendous service and benefit of this Government function which is literally a service to all people.

The rural delivery service is a part of this mammoth operation—an activity which employs almost 600,000 people, which has more than 35,000 business outlets and which handles a volume of mail rapidly approaching 90 billion pieces per year. To many of our urban and city dwellers, the RFD is practically unknown. This service, however, is truly a lifeblood type of service function which is invaluable not only to the 36 million citizens it serves each day but to the citizens of the entire Nation who, through this link, are able to maintain a line of business, commercial and personal contact that serves all of America.

Rural delivery was designed to serve the less populated areas of our Nation, to expand our commerce, to provide a vital communication and news media and to foster growth and development through the medium of daily postal services. This is what Congress intended when they acted to provide this service to our rural areas. The vision and foresight shown in establishing rural delivery has brought benefits far beyond what was ever imagined. Service has been provided, in large measure, to the far reaches of our Nation and the history of this branch of our Post Office Department discloses an unusual and remarkable record of efficiency and productivity. This record is important because the rural carrier is a traveling post office. He delivers and collects all classes of mail, provides all financial services available at any post office; and he takes this service to the rural mail box of every family, business, school, and other patrons who live along the line of travel.

The number of rural routes grew rapidly in the early part of this century. In 1932 there were 41,602 rural routes which daily traveled 1,358,000 miles each day, 6 days a week, to serve the 25 million people then residing on rural routes. The growth in travel and patrons served has been tremendous since that time. Today 31,000 rural letter carriers daily travel 1,900,000 miles—more than 80 times around the world each day—to serve 36 million patrons. It is an efficient service which can boast of a productivity record which is certainly worthy of note. Since 1932, rural delivery travels 50,000 more miles each day, serves 11 million more people, provides service to thousands of businesses and institutions, has coped with the constantly increasing mail volume and is doing the job with 11,000 fewer employees.

These statistics are amazing in that they highlight the tremendous growth of this valuable service which is now serving one-fifth of the population of the United States each day, 6 days every week.

When you speak of good service, you must also look at the cost of providing that service. What is the record of the rural delivery service in this respect? In 1932 the complete costs of the postal service were $793 million and rural delivery required 13.4 percent of that postal expenditure. Last year, the total costs of the postal service exceeded $5 billion and the rural delivery costs of $329 million represented only approximately 6 percent of the total postal expenditure.

What a remarkable record in these days when the costs of all Government services are rising rapidly. Rural delivery is serving 11 million more people, traveling a half-million more miles daily, doing it with 11,000 less employees and on a related cost comparison basis—cost of rural delivery as compared to total postal costs—the price tag for making this service available to the public has decreased. When only 6 percent of our total postal budget is being required to render this great service to rural and suburban America, I believe it demonstrates that it is a bargain service to the American public.

I believe also that this is a service that should be maintained where it exists and should be expanded to reach, as nearly as possible, all persons not now receiving the benefits of daily mail service in our rural areas. The present policy of the Post Office Department, however, is resulting in this important service, performed by dedicated, qualified employees of the Government, being withdrawn in certain instances. This is because arbitrary requirements established by administrative determination are not met. This valuable service, one which is making such a vital contribution to the welfare of our Nation and its citizens, should be expanded.

I trust that Postmaster General Lawrence F. O'Brien will give serious consideration to revising existing requirements for rural service. This is an elemental service of this great U.S. Government that merits being maintained and extended to serve the maximum number of our citizens. Such expansion is justified on the basis of need—the need both of the citizen to have the service, and the need of our business and commercial community to have this valuable link—it is justified on the basis of efficiency, productivity and the overall costs of providing it. I trust we may see a change in the immediate future which will discontinue the present requirements of at least two families per mile. This is an action which should be taken.

Other Members of the Senate have also expressed keen interest in this change. My esteemed colleague from South Dakota, Senator MUNDT, has sponsored a bill to accomplish this (S. 50). Although this change may be considered by legislation, it appears that the administrative branch should act without the necessity of legislative action.

TRIBUTE TO JOHN T. CONNOR, SECRETARY OF COMMERCE

Mr. MORSE. Mr. President, I wish to pay my respects and express my thanks to Secretary John Connor, the retiring Secretary of Commerce, for his dedicated public service during the period of time he has served his President and the country as the Secretary of Commerce.

I first became acquainted with Secretary Connor when the President appointed me to a special mission along with former Governor Collins, of Florida, in connection with the threatened steel strike of a few years ago. Governor Collins and I worked closely with the Secretary of Commerce and the Secretary of Labor. I came to form a very high opinion of the intellectual ability, the great background of knowledge in the affairs of commerce and labor, complete fairness, and judicial temperament of Secretary John Connor.

I then worked with him and the Secretary of Labor again in connection with the east coast longshoremen's dispute, which arose under the Johnson administration; and later during the airlines dispute.

Mr. President, I wish publicly to express to Secretary John Connor my sense of loss, and the loss, in my judgment, that the country will suffer from his retirement. Nevertheless, I also wish to express to him my best wishes for the success that I know he will continue to have as he returns to a very important commercial position in American business.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. Mr. President, I wish to associate myself with the remarks of the distinguished senior Senator from Oregon [Mr. MORSE] in connection with the retirement of the Secretary of Commerce, Mr. John T. Connor.

Secretary Connor has made an outstanding record in a number of fields. He has a great record as a marine in the Second World War. He is one of the country's outstanding businessmen. He demonstrated high competency and efficiency as Secretary of Commerce. He is a man who was not afraid to exercise independent judgment.

I think it is a great loss to the Government that John Connor is leaving us. His shoes will be hard to fill. It is with regret that I note his leaving us. I wish that he could have stayed to continue to contribute his many abilities and his many good and sound ideas.

Mr. MORSE. Mr. President, I associate myself with the remarks of the Senator from Montana.

(At this point, Mr. SPONG assumed the chair.)

THE ANNUAL GUESSING GAME—RECESS FOR SUMMER

Mr. McGEE. Mr. President, I note with interest that once again in January the annual guessing game is already underway. It is a guessing game I first became aware of 8 years ago. This is the ninth playing of the game: When is Congress going to adjourn? The speculation each year starts with very early estimates and ends with very late adjournments in fact.

The reason I mention this, Mr. President, is that each year for the past 7 years I have proposed devices, legislation, resolutions, propositions, and so forth, to suggest that perhaps the time has come for Senators to give thought to what has been happening to their families in this very uncertain process.

Somehow, somewhere, the master planners of schedules and dates have not yet managed to coordinate the schedules of Congress with the schedule of the school year. The net result is that most of us in this body, at some time or other, have found it impossible to spend any of the summer vacation time of their children with them in the spirit each of us would like. School schedules have not conveniently coincided with the schedules of the Senate. It has been my proposal, repeatedly, that somehow we should manage to coordinate the two. I have contended that there is no reason in the world why we could not take one month off in the summer while the kids are out of school, in order to be with them and to enjoy them to the fullest, and then come back and continue the business at hand.

I hasten to point out that each year when this proposal has been made, I have been approached by Senators who say, "Well, next year it will be different. Next year we will do it."

Mr. President, so far as I am concerned, this is "next year" for the ninth time. "Next year" is now. The time is at hand for us to give this matter serious thought.

To illustrate particularly, I have two little "gals" who have never been back to Wyoming since I arrived in Washington, the reason being that we have refused to break up the family so that they could go out to Wyoming while I remained in Washington. We have preferred to keep the family in the same place at the same time as much as we could.

It is a little embarrassing for someone from Wyoming to be asked by his children, "Daddy, where is Yellowstone Park? What is in it?"

What I have epitomized, Mr. President, must be the plight of a great many Senators, if not now, then earlier; or if not now, then soon.

In any case, it seems to me that, having assessed this question as long as we have, we are forced to one simple conclusion; namely, that no matter what the pace of the Senate may be, no matter what the urgency of the issues of this body may be, the Republic will not collapse if we manage to spend a little time in the summer with our kids.

For it matters not whether we stay here until September or go on until the end of December—as we did on one occasion while I have been here—the Republic will go on, the world will continue to rock along.

Most of us went into this business with

our eyes open. We knew it would be an occupational hazard, but we do not want to let what was an occupational hazard become an unnecessary disrupter of the family life if the well-being of the Nation does not hang in the balance. I submit that the record is replete with evidence that our Republic, in fact, is not hanging in the balance.

Thus, I say, although we are making a little headway, I want to make sure that headway will produce results this coming summer. The Special Committee on the Organization of the Congress, whose chairman is the Senator from Oklahoma [Mr. MONRONEY], is studying the reforms of Congress and has recommended a summer recess. The majority leader of this body announced to the caucus 2 days ago that it was his hope and his intent to aim at an August recess so that those having families could take advantage of it. This I applaud.

Mr. President, the main burden is that we should face one fact of life in the Senate; namely, that the time of the Senate and the schedules of the Senate are really quite beyond the particular determination and refinement of those of us who are here. Events around the world have changed. The role of the Senate and sometimes our terms of office are determined by events on the far side of the globe. I think the time is at hand when we should recognize that the Senate is a full-time body, it is a full-time operation, and we should start with the assumption that we should be in session the year round. Then we should proceed to pace ourselves to accommodate to the practices, the principles, and the priorities of events which make a difference.

In my book, one of the top priorities is a responsive and a warm family life. For that reason, I plead with Senators to join in giving this matter much serious thought.

We should plan now to start a new practice this year, for a change, not next year. Let us arrange now for a summer recess that will not only permit Senators to be with their families but also might even permit Senators to rejuvenate their own feelings and energies in order to continue with the job at hand.

With that in mind, I ask Senators to join in supporting and aiming at, with all the pressures we can apply and all the cooperation we can contribute, an August or July recess—or whatever they care to call it—so that Senators may have a little time to spend with their families.

Mr. CLARK. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. CLARK. I commend the Senator from Wyoming for the very able presentation of a case for a summer recess. As he would like to spend the recess with his children, I would like to spend my recess with my grandchildren. I am sure that my good friend from Wyoming knows where I would like to spend it. I would like to spend it at Jackson Hole, Wyo.

Mr. McGEE. I hasten to add that the same priority on my girls' list is to go to Disneyland. I have not been there myself. Perhaps that would be a part of my "sentence," if it were to come to pass.

Mr. PELL. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. PELL. Mr. President, I am very glad to support the senior Senator from Wyoming. From the family viewpoint, since coming to Washington 6 years ago, I have seen half my children become grown and virtually leave home. I should like to have an opportunity in summer, too, to see the other half of my family before they also become grown.

But, far more important than our family life, of course, is the Nation's business. If the Senate had regular recesses, I believe our Nation's business would be conducted better and flow more easily. I also think that we would find that both the legislative and executive branches would work together more freely, with less acrimony, and greater efficiency of operation.

I strongly urge that we operate, as of now, on a 12 months a year basis, with a regular recess period in the middle of the summer.

Mr. McGEE. I thank the Senator from Rhode Island. I point out to him that we have managed several times, since I became a Member of this body, at least, to have 2 months off in the fall, and nothing disastrous or catastrophic has occurred during the absence of Congress.

All I am suggesting is that in view of the lag which does occur, for whatever reasons, or occasions, spasmodic or otherwise, we should try to plan so that we can be with our families sometime during the summer.

I also point out that on the other side of the aisle there has arrived this year one of the most attractive and youngest contingents of the minority party that I can remember. I suspect that his question is very much on their minds, as well, at this particular time.

I repeat: I doubt whether anything we do in the month of August with our families will scuttle the ship of state. I am sure that the ship of state will continue to sail along, slowly but steadily making headway.

PROPOSED INCREASE OF SOCIAL SECURITY BENEFITS

Mr. WILLIAMS of Delaware. Mr. President, the President in his state of the Union message last week recommended a 20-percent increase in social security benefits.

Since that time I have obtained from the Department an itemized breakdown of the various recommendations along with the projected cost of each proposal. A more detailed breakdown of the same recommendation was obtained by the staff of the Committee on Finance.

As nearly as I can determine, no plans have as yet been made as to how these additional benefits will be financed or when the necessary tax increase will become effective. From these discussions, however, I gathered the impression that the recommendations will be for the main impact of the tax increase to become effective sometime after the 1968 elections.

Information is being leaked to the press by the departments that these benefits can be financed in the initial stage through a surplus being generated by OASDI.

I disagree completely with that analysis and think that all those who support this proposal should clearly understand that there is not a surplus in the fund adequate to finance these increases and that ultimately, if the benefits are to be increased by 15 or 20 percent, the tax will have to be increased a comparable amount. I base this statement on the following statistics:

In fiscal year 1965 the contributions and taxes collected by OASDI were $17 billion. In that same year disbursements were made in the amount of $16.6 billion, creating a surplus of $400 million.

In fiscal year 1966 the tax collections amounted to $19.4 billion, and in the same year disbursements were $19.7 billion creating a deficit of $300 million.

The results for fiscal year 1967 are as yet not available; however, it appears that there may be a very slight margin of surplus, but, in any event, these surpluses will not be adequate to finance any recommended expansion of benefits.

The reserve in the social security funds is already at a dangerously low level. As of the most recent date, it was as follows:

	Billion
OASI balance	$19.9
Disability	1.7
Total	21.6

When social security was first established, it was determined by Congress that, in order to be reasonably sound, the reserve should be the equivalent of a minimum of 3 to 5 years' benefits. This was considered necessary to safeguard against a recession, which would automatically result in a declining income.

The reserve is now down to approximately 1 year's benefits. Certainly we cannot afford to gamble the security of the present and future beneficiaries of social security by further jeopardizing this reserve.

My remarks today are not being made for the purpose of influencing any Member of Congress to vote either for or against the proposed recommendations for a 20-percent increase in benefits. They are being made only in order that every Member of Congress, and all other taxpayers as well, may understand the financial background with which we approach the question of increasing benefits.

I do, however, strongly recommend that Congress take a firm position that to the extent any increased benefits are approved, the necessary tax to finance the cost of such benefits be included as a part of the same package and that the tax increase carry the same effective date as the benefits.

I ask unanimous consent that a letter dated January 17, 1967, signed by Mr. Alvin M. David, Assistant Commissioner for Program Evaluation and Planning, and two memorandums prepared by the staff of our committee be printed at this point in the RECORD. This material furnishes a more detailed breakdown of the cost of the recommended increase in benefits and a statistical report as to the status of the social security fund.

There being no objection, the letter and memorandums were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, SOCIAL SECURITY ADMINISTRATION,
Baltimore, Md., January 17, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: This letter refers to your request of last Friday for a breakdown of President Johnson's figures on the additional social security payments that would be made in fiscal 1968 under the proposed social security amendments.

The recommended benefit increases would in themselves account for $3,934 million of the additional payments. The proposed special minimum benefit provision, under which a monthly benefit of up to $100 would be payable to people with a substantial number of years of coverage under social security, would account for $7 million. The proposed changes in the retirement test, benefits for disabled widows, and benefits to children because they were dependent on a retired, disabled, or deceased wage earner who stood in the place of a parent would account for $55 million, $50 million and $5 million respectively.

These payments round to a total of $4.1 billion, the figure that the President mentioned. This total does not include $215 million that would be payable out of general revenues under the proposed increase in the monthly payments that are made to people, age 72 or over, who do not meet the regular insured status requirements for social security benefits.

Of the approximately $3.9 billion, referred to above, in benefit increases, the recommended 15 percent across-the-board increase would account for about $3.2 billion and the proposed increase, to $70, in the minimum primary insurance amount would account for about $.7 billion.

I hope that this letter gives you the information you wanted.

Sincerely yours,
ALVIN M. DAVID,
Assistant Commissioner for Program Evaluation and Planning.

MEMORANDUM

JANUARY 12, 1967.

To: Tom Vail.
From: Frank.
Subject: The President's recommendations on Social Security as outlined in the State of the Union Address.

Contact with the Social Security Administration reflects that the target due-date for an increase in benefits is June 1967 with the first payment checks being sent during the first week of July.

The $4.1 billion referred to by the President is broken down as follows:

Item	*Cost in billions*
1. The 15 percent average benefit increase with the guaranteed $100 monthly benefit for 25 years of service together with the minimum benefit of $70	$3.94
2. Monthly benefits for widows of deceased workers of any age meeting disability test (50 million)	.005
3. Liberalization of retirement test from $1,500 to $1,680 (55 million)	.0555
4. New adoption test would extend from 2 to 4 years the period permitted a surviving parent to adopt a foster child (5 million)	.0005
Total	4.05

It should be noted that the above-breakdown contains two items to which the President did not refer; namely, providing benefits for disabled widows and the initiation of a new adoption test for purposes of eligibility. Further, this first year cost estimate for calendar year 1967 does not include the cost of providing Medicare benefits for the disabled, nor the cost of increasing the monthly cash payments to persons receiving benefits under the so-called Prouty amendment.

The financing aspects for the proposed increases were not available when I spoke with Social Security, but they will contact me as soon as they have that information firmed up.

Statistics re social security (OASDI)

I. CONTRIBUTIONS AND TAXES COLLECTED

[Billions]

Fiscal year	OASI	DI	Total
1964–65	15.8	1.2	17.0
1965–66	17.8	1.6	19.4
II. PAYMENTS OF MONTHLY BENEFITS			
1964–65	15.2	1.4	16.6
1965–66	18.0	1.7	19.7

VIETNAM: WE AMERICANS SHOULD FOLLOW ADVICE OF POPE PAUL VI AND SECRETARY GENERAL U THANT

Mr. YOUNG of Ohio. Mr. President, the time has come for us to consider anew what possible justification there is to continue fighting in Vietnam. The time has come for the administration to take more meaningful steps toward bringing the Vietcong and the Hanoi government to the conference table, and, until an armistice and cease-fire is accomplished, to cut our losses in our involvement of 500,000 men of our Armed Forces in a miserable civil war in Vietnam.

The sad truth is that our President and Secretary of State Rusk, despite their professions to the contrary, have not done everything they possibly could to hasten peace in South Vietnam. Unfortunately, our present diplomatic offensive appears doomed to failure because our military policy contradicts it instead of complementing it. The President has chosen the course to fight the war to military victory. He has made the ultimate decision. Where it will ultimately lead, no man knows. For the first time in modern history we are fighting a war practically alone, abandoned by our allies and friends and in a faraway Asiatic country which is of no strategic or economic importance to the defense of the United States; never has been and never will be.

United Nations Secretary General U Thant, in his blunt annual report to the General Assembly of the United Nations, expressed his fear that the way to the peace table in Vietnam will be permanently blocked if both sides continue to use the conflict as an ultimate ideological testing ground. He warned that "the cloud over Vietnam has grown larger and more ominous." He has called for an end to the bombing of North Vietnam as a first step toward inducing representatives of the Vietcong and the Hanoi government to the conference table. Of course, that also implies our acceptance of the Vietcong, or National Liberation Front, as an independent party to participate in peace negotiations.

No one knows whether U Thant's plan would get anywhere. Nothing else has succeeded so far. Why not try his plan? State Secretary Dean Rusk professes readiness to go to any lengths for an honorable solution of the conflict. Yet, he is less than honest for the reason that he has avoided agreeing to the seating of independent delegates of the Vietcong, or National Liberation Front, at the negotiating table to discuss an armistice or cease-fire. In a slick glib manner he has evaded answering whether we should permit the Vietcong to be represented at a conference by delegates independent of delegates of the United States and of the Saigon and Hanoi governments. The Vietcong are those doing the fighting.

> More than 80 percent of the Vietcong fighting in the Mekong Delta were born and reared in that area.

According to General Stillwell; and this was confirmed by General Westmoreland, who stated to me personally when I was in Vietnam:

> The bulk of the VC forces fighting in Vietnam were born and reared in South Vietnam.

Unless President Johnson is definitely determined to fight along the line if it takes all summer and many summers, he must agree that delegates representing the United States will confer to try to seek peace along with delegates representing the Saigon government of Air Marshal Ky, the Hanoi government of Ho Chi Minh, and delegates of the National Liberation Front, whose leader is a Saigon lawyer who is not a Communist.

If we really want negotiations, we should accept U Thant's advice and simply end the bombing of North Vietnam without conditions, and then following announcement of that policy encourage Pope Paul VI, Secretary General U Thant and members of the International Control Commission to seek a reconvening of the Geneva Conference in some Asiatic city. Another reason for ending it, anyway, is that our bombing of North Vietnam has been a failure. It has not stopped infiltration from the north; it has not broken Hanoi's will to fight; it has not brought the adversary to the conference table; but it has resulted in the loss of priceless lives of many fine young American airmen and the destruction of billions of dollars of our airplanes. The cost in lives and dollars has been far too much considering the results accomplished. So long as the bombing continues it will be taken as evidence, along with the steady buildup of our ground forces, that we are committed to a policy of expanding the war until we can assure total victory for the Saigon government.

Taken in conjunction with our continuing military buildup, the bombing and the permanent nature of the enormous bases we are constructing, the President's enthusiastic embrace of the Saigon military government must seem to the Vietcong as a clear signal that our actual aims differ sharply from those we profess. These air attacks instead of causing the Vietcong and the Hanoi government to seek a cease-fire and an armistice have instead strengthened their will to resist. The more we accelerate the bombing in North Vietnam, the more we escalate the war, the more American young men are killed and wounded. We should put an end to the bombing of North Vietnam and the loss of our pilots and airmen. Our loss of the best warplanes the world has ever seen in addition to these priceless lives has been so great that the destruction resulting from our bombing is not worth the cost in lives and billions of dollars. In this morning's Washington Post it was reported that many of the reserve officers whose tours of duty were involuntarily extended were pilots which the Army kept in Vietnam because "there is a shortage in this category." The bombing of civilian areas of North Vietnam does not in any measurable way bring us any closer to victory, and only makes it more difficult for us to bring the Vietcong and the Hanoi government to the conference table to negotiate a cease-fire and an armistice.

If our aims are indeed to destroy the Vietcong and establish the Saigon government in full control of all the territory south of the 17th parallel, then we can hardly expect Hanoi and the Vietcong to negotiate their own surrender, any more than we would be ready to negotiate ours. The "quest for peace" to which the President dedicates himself will be a hollow sham if it is accompanied by policies which render negotiation unattainable.

If an out-and-out military victory by our Armed Forces is the demand of President Johnson and Secretary Rusk, then they are not dealing honestly with the American public unless they publicly announce that intent; and they are operating absolutely counter to world opinion. Very definitely, the program offered by Secretary General U Thant, if honestly pursued, might bring about a cease-fire and an armistice. Our militarists and warhawks close to the President must agree to a peace whereby the United States and the generals in charge of the Saigon government and Prime Minister Ky will not be the arrogant winners nor will the force of the National Liberation Front and of North Vietnam be the crushed losers. Of the 10 generals who overthrew the Saigon civilian government, nine fought in the French Army in 1954 against Vietnamese seeking liberation from colonialism. We are alined with those tories. Even Prime Minister Ky, also from North Vietnam, was in the French Air Force in 1954. Our militarists, of course, denounce such proposal as an indication of appeasement and weakness. It is unfortunate, but it appears that our President is much too strongly influenced by generals and ex-generals who are strong on advice and vocal power but weak on brainpower. Civilian authority must be supreme over the military in our country. We should respect those civilian leaders who recognize the difference between political and military problems and who seek to find political solutions to political problems.

Our leaders from the President on down would do well to muzzle the militarist talk of the Joint Chiefs of Staff and our generals. They do too much talking on political and foreign policy matters. Silence on political subjects is in order for them. Officials at the Pentagon, including all of our generals, would do well to bear in mind at all times that the Founding Fathers in writing our Constitution provided that civilian authority must always be supreme over military authority.

Mr. President, while we should make every attempt to negotiate a cease-fire and an armistice, we should also immediately take steps to cut our losses in Vietnam—the loss of precious young American lives and of billions of dollars of taxpayers' money. Thousands of GI's and sailors of our 7th Fleet have been killed in combat in Vietnam, more than 6,000 last year alone, including approximately 260 Ohio GI's. The war is now costing taxpayers $2.7 billion a month.

Our President, as Commander in Chief of our Armed Forces, would be well advised if he were to pay attention to the views of Gen. Matthew Ridgway, former Chief of Staff of our Armed Forces, and Gen. James Gavin, who was Chief of U.S. Army Plans and Operations at the time of the French military disaster at Dienbienphu. Both were outstanding generals. They are men of achievement in civil life as well as military life. General Gavin became our Ambassador to France. Both General Gavin and General Ridgway assert that southeast Asia is the worst place in the world for us to engage in a land operation with hundreds of thousands of American troops.

These leaders consider that Vietnam is of no strategic importance whatever to the defense of the United States. They know that the domino theory of the late State Secretary John Foster Dulles never had any validity and was completely discredited shortly after it was promulgated. Saigon never was and never will be an outpost defending Seattle. The outer line of our defense in the Far East is not Vietnam or the mainland of southeast Asia.

Vietnam is a Western beachhead on the Asian mainland, not a crucial flanking position. The main American defense line in that part of the world lies along the island chains from Alaska through the Japanese and Philippine Islands and Formosa to Australia and New Zealand. Until the Chinese dragon learns to swim or fly, America's main defense line in the Far East is untouched and untouchable by anything that either Communist China or Soviet Russia could bring against it.

Mr. President, in conjunction with further peace efforts along the lines suggested by U Thant and Pope Paul VI, we should cut our losses by following the advice of Generals Ridgway and Gavin and withdrawing to our coastal enclaves.

We are in possession of impregnable bases on the coast of Vietnam and with our air power and the backing of warships of the 7th Fleet, we are readily able to maintain those bases against any attacks of the Vietcong. Our land forces should be gradually withdrawn to the coastal bases and then we should seek a solution, through the International Control Commission, which is composed of representatives from Poland, India, and Canada, or through the United Nations, or by a conference in Geneva or elsewhere.

Then if a political settlement is achieved resulting in a neutralized Vietnam, our armed forces in Saigon and the coastal bases under the protection of our air power and 7th Fleet will be returned in due time to the United States. Of course, the warhawks will oppose such a policy. This would not be a victory for President Johnson. It would not be a victory for the forces of the United States. It would not be a victory for Prime Minister Ky and the military junta now operating the Saigon government. It would not be a victory for the Vietcong. It would not be a victory for the Hanoi government. Many Americans would term this a defeat. Nevertheless, a majority of Americans and nearly all decent, thoughtful people the world over would term it a victory of reason and decency over brutality and pride.

AMERICA'S HUMAN RIGHTS PROGRESS AT HOME INCREASES OUR RESPONSIBILITY TO RATIFY GENOCIDE AND OTHER RIGHTS

Mr. PROXMIRE. Mr. President, the history of our Nation has been a saga of the fight for human rights.

Americans can be very proud of our ancient heritage of struggle against and success over domestic, racial, religious, and economic discrimination. But these remarkable successes in the area of human rights should not be simply the source of smug self-satisfaction. We cannot permit ourselves the luxury of gazing contentedly at our own national image.

America's distinguished tradition in human rights heightens rather than diminishes our international responsibilities to the cause of human rights.

It is incumbent upon us as a people to prove that the great American experiment in human dignity can and does work. Our duty must not be one merely of cooperation, but rather of active leadership in the international struggle for human rights.

What better way exists for the United States and the U.S. Senate to demonstrate our national resolve to meet that responsibility than by immediately ratifying the human rights conventions on slavery, forced labor, political rights of women, and genocide?

These rights which Americans take for granted are at this very moment being debated and fought over in all corners of the world. Let us present to both the new nations and the old—the true picture of America—a people who care deeply about the rights of all men. Let America obey that sage scriptural injunction—let us not hide our American light under a bushel of noninvolvement in the fight for human rights.

President Woodrow Wilson summed up the American hope and mission for the world when he said: "We ask nothing for ourselves that we do not also ask for all humanity." This must be our national course—one of deep concern and real commitment.

The Senate has waited too long to ratify the human rights conventions. The overwhelming majority of the nations throughout the world, including virtually all of the charter members of the United Nations, have already done so. Let the Senate wait no longer. Let our fellow man wait no longer for the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. Mr. President, I support the position of the Senator from Wisconsin very strongly. I have talked for many years about this convention.

I am delighted to see the Senator take up the cudgels and pledge his full support in this matter.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from New York. He has indeed for many years fought for these rights.

These rights have been neglected by the Senate of the United States. It is not up to the House or the administration or the State Department. It is up to us to act.

Mr. JAVITS. Mr. President, I do not criticize the State Department, because I want them to go ahead with the matter, but, believe me, they have not put their shoulder to the wheel at all.

I hope that the Senator from Wisconsin, as a member of the majority, will be able to give the necessary impetus that is needed on this matter.

I thank the Senator. The Senator may not feel that they have refrained from doing what they should do, but he would be surprised to see how effective his assistance will be to get them moving.

Mr. PROXMIRE. Mr. President, as the Senator knows, these treaties were sent to the Senate many years ago by President Truman. He was supported by then Deputy Under Secretary Dean Rusk.

Arthur Goldberg last year urged us to adopt all these treaties, and referred specifically to the treaties involving forced labor, slavery, and political rights of women.

Ambassador Goldberg pointed out that our inaction was a handicap to him since so many other nations had already acted.

It is my understanding that the State Department feels this is the prerogative of the Senate. They sent the matter to us and indicated their support.

It is up to us to be men, to face up to our responsibility; not to alibi, but to act.

The Senator makes a good point. There is no question that the State Department could do more, but we could do much more.

SHOCKING PHOTOGRAPHS NOW RELEASED SHOWING CIVILIAN CASUALTIES OF U.S. BOMBINGS IN VIETNAM

Mr. GRUENING. Mr. President, the January issue of Ramparts magazine carried a special supplement entitled "The Children of Vietnam" which contains some of the most shocking photographs I have ever seen. The photographs were taken by Mr. William F. Pepper, executive director of the New Rochelle Commission on Human Rights and a teacher at Mercy College in New York. The pictures of innocent children maimed by shrapnel and burned by napalm should be seen by all those advocates of our immoral war against the Vietnamese people. How can our present course in Vietnam be right when the very nature of the war we have embarked on is resulting in the wholesale destruction of the people whom we are supposed to be saving from communism?

I wish these photographs could be reprinted in the RECORD, but perhaps the captions accompanying the pictures which Mr. Pepper wrote as a result of his visits to hospitals and orphanages in Vietnam will convey some idea of the brutality we are inflicting on a defenseless populace. These are the captions:

First. Page 45: Picture of a wounded Vietnamese mother nursing her infant:

> A lovely 28-year-old peasant women was lying on her back nursing a young child. The evening before, she had been sitting in her thatched hut when a piece of shrapnel tore through her back transecting the spinal cord. She was completely paralyzed below the nipple line. We could do nothing more for her than give her anti-biotics and find her a place to lie. A few mornings later she was dead.

Second. Page 47: Picture of two children lying on a narrow cot in a hospital:

> What we are doing to Vietnam may become clearer if the same percentages are applied to the American population. They mean that one out of every two American families with four children would be struck with the tragedy of having at least one child killed or maimed. There is a good chance, too, that the father would be dead as well. At the very least he is probably far from home.

Third. Page 48: Two pictures, one of a child in bed whose arm has been amputated and another of a crowded hospital ward with many wounded lying in row upon row of beds:

> Virtually every injury that reaches the hospital at Da Nang is already complicated by serious infection . . . doctors are forced to stop during emergency operations to kill flies with their hands . . .

Fourth. Page 48: A picture of a child with extensive face wounds:

> After superficial emergency treatment, a child—face and eyes torn by American shrapnel—awaits surgery at Da Nang. A lack of suction equipment—which would have kept him from inhaling the contents of his own stomach—killed him.

Fifth. Page 49: A picture of a child with an amputated arm in bandages:

> Any visitor to a hospital, an orphanage, a refugee camp, can see the evidence of reliance on amputation as a surgical shortcut.

Sixth. Page 50: A picture of a boy with extensive burn damage on face and body and a picture of a girl with face scars and a bandage over an eye:

> Torn flesh, splintered bones, screaming agony are bad enough. But perhaps most heart-rending of all are the tiny faces and bodies scorched and seared by fire.

Seventh. Page 51: A picture of a woman with her child begging in the street:

> A Vietnamese mother, herself and her child hungry, begs in the street, presenting her infant as appeal for aid.

Eighth. Page 51: A picture of three barely-clad boys in the street:

> There is the forgotten legion of Vietnamese children in the cities and provincial towns—clinging together desperately in small packs, trying to survive. Usually they have threadbare clothing and sometimes they go naked; they go unwashed for months, perhaps forever; almost none have shoes.

Ninth. Page 52: A picture of small children behind barbed wire:

> About eight percent of Vietnam's population live in refugee shelters or camps; about three quarters of the shelter population, of over 750,000 persons, are children under 16. In shelters like Qui Nhon, pictured here, there is unimaginable squalor and close confinement. . . .

Tenth. Page 61: A picture of a baby in a crib covered with newspapers:

> In hospitals, wrapping paper and newspapers are commonly used as blankets, even as bandages, being the only material available.

Eleventh. Page 62: A picture of a child with horribly burned legs being carried by its mother:

> Americans in Vietnam who accidentally suffer serious burn injuries from napalm are rushed aboard special hospital planes . . . and flown directly to Brooke Army Hospital in Texas, one of the world's leading centers for burn treatment and the extensive plastic surgery that must follow. But burnt Vietnamese children must fare for themselves. . .

Twelfth. Page 62: A picture of a scantily clad child asleep in the streets of Saigon:

> An abandoned child, his belly distended from malnutrition, sleeps on a doorstep in Saigon. Many of these children take their own lives.

Thirteenth. Page 63: A picture of a young boy standing in a hospital ward with his body uncovered. He is severely burned from his lower ribs to his thighs. No caption.

Fourteenth. Page 64: A picture of Mr. Pepper squatting on the ground next to a small, dirty child:

> In Sancta Maria Orphanage, I frequently became involved in trying, with a small amount of soap and jar of Noxzema, to alleviate the festering infections that seemed to grow around every minor bite and cut.

Fifteenth. Page 64: A picture of a child in Saigon, a shoeshine boy with a deformed leg and on crutches:

> He was deformed by polio, but he stood in front of Saigon's City Hall every day—shining shoes, staying alive.

Sixteenth. Page 65: A picture of three tiny girls in pajamas, huddled behind barbed wire:

> The shelter child receives little if any education. Crossed strands of barbed wire form the perimeter of his living world.

Seventeenth. Page 66: A picture of a small boy in a hospital ward with extensive burns on his back and on his ribs:

> I never left the tiny victims without losing composure. The initial urge to reach out and soothe the hurt was restrained by the fear that the ash-like skin would crumble in my fingers.

Eighteenth. Page 67: A picture of a

small boy standing in front of some wood and tin shacks built on a pile of refuse:

> The "pacification" program undertaken by the government of Premier Ky involves the relocation of large numbers of refugees from their ancestral homes to "New Life Hamlets." The "hamlet" pictured here was built on top of a huge garbage mound.

Nineteenth. Page 67: A picture of a young boy with a horribly mutilated face resulting from burns. His mouth and eyes are grotesquely deformed. His arms are spindle-thin and he has an emaciated appearance. No caption.

I now ask unanimous consent that the text of Mr. Pepper's article in the January issue of Ramparts be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **GRUENING**. Mr. President, there are those who will say that we should not give publicity to these photographs of civilian injuries so as not to provide grist for the Communist mill. That is not so. The world outside the United States is well aware of these facts.

Then there will be others who will say that the pictures and text concentrate solely on civilian injuries caused by South Vietnamese and U.S. bombings without mention of the civilian injuries of similar type caused by the Vietcong.

There is a difference: The United States cannot stop the tortures inflicted on Vietnamese civilians by the Vietcong except by bringing the fighting there to a speedy conclusion. But, there is something the United States can do to stop the South Vietnamese and U.S. bombing of civilian women and children.

EXHIBIT 1

[From Ramparts magazine]

THE CHILDREN OF VIETNAM

For countless thousands of children in Vietnam, breathing is quickened by terror and pain, and tiny bodies learn more about death every day. These solemn, rarely smiling little ones have never known what it is to live without despair.

They indeed know death, for it walks with them by day and accompanies their sleep at night. It is as omnipresent as the napalm that falls form the skies with the frequency and impartiality of the monsoon rain.

The horror of what we are doing to the children of Vietnam—"we," because napalm and white phosphorous are the weapons of America—is staggering, whether we examine the overall figures or look at a particular case like that of Doan Minh Luan.

Luan, age eight, was one of two children brought to Britain last summer through private philanthropy, for extensive treatment at the McIndoe Burns Center. He came off the plane with a muslin bag over what had been his face. His parents had been burned alive. His chin had "melted" into his throat, so that he could not close his mouth. He had no eyelids. After the injury, he had had no treatment at all—none whatever—for four months.

It will take years for Luan to be given a new face ("We are taking special care," a hospital official told a Canadian reporter, "to make him look Vietnamese"). He needs at least 12 operations, which surgeons will perform for nothing; the wife of a grocery-chain millionaire is paying the hospital bill. Luan has already been given eyelids, and he can close his mouth now. He and the nine-year-old girl who came to Britain with him, shy and sensitive Tran Thi Thong, are among the very few lucky ones.

There is no one to provide such care for most of the other horribly maimed children of Vietnam; and despite growing efforts by American and South Vietnamese authorities to conceal the fact, it's clear that there are hundreds of thousands of terribly injured children, with no hope for decent treatment on even a day-to-day basis, much less for the long months and years of restorative surgery needed to repair ten searing seconds of napalm.

When we hear about these burned children at all, they're simply called "civilians," and there's no real way to tell how many of them are killed and injured every day. By putting together some of the figures that are available, however, we can get some idea of the shocking story.

Nearly two years ago, for instance—before the major escalation that began in early 1965—Hugh Campbell, former Canadian member of the International Control Commission in Vietnam, said that from 1961 through 1963, 160,000 Vietnamese civilians died in the war. This figure was borne out by officials in Saigon. According to conservative estimates, another 55,000 died during 1964 and 100,000 in each of the two escalated years since, or at least 415,000 civilians have been killed since 1961. But just who *are* these civilians?

In 1964, according to a UNESCO population study, 47.5 per cent of the people of Vietnam were under 16. Today, the figure is certainly over 50 per cent. Other United Nations statistics for Southeast Asia generally bear out this figure. Since the males over 16 are away fighting—on one side or the other—it's clear that in the rural villages which bear the brunt of the napalm raids, at least 70 per cent and probably more of the residents are children.

In other words, at least a quarter of a million of the children of Vietnam have been killed in the war.

If there are that many dead, using the military rule-of-thumb, there must be three times that many wounded—or at least a million child casualties since 1961. A look at just one hospital provides grim figures supporting these statistics: A medical student, who served for some time during the summer at Da Nang Surgical Hospital, reported that approximately a quarter of the 800 patients a month were burn cases (there are two burn wards at the hospital, but burned patients rarely receive surgical treatment, because more immediate surgical emergencies crowd them out). The student, David McLanahan of Temple University, also reported that between 60 and 70 per cent of the patients at Da Nang were under 12 years old.

What we are doing to the children of Vietnam may become clearer if the same percentages are applied to the American population. They mean that one out of every two American families with four children would be struck with having at least one child killed or maimed. There is a good chance, too, that the father would be dead as well. As the very least, he is probably far from home.

When Wisconsin Congressman Clement Zablocki returned from Vietnam early in 1966, he reported that "some recent search and destroy operations have resulted in six civilian casualties to one Viet Cong." Though Secretary of Defense McNamara challenged the figure, Zablocki, relying on American sources in Saigon, stuck by them, and sticks by them today. What he didn't say is that in any six "civilian casualties," four are children.

McNamara, too, is sometimes more candid in private. A colleague of mine attended a private "defense seminar" at Harvard in mid-November, and heard the defense secretary admit, during a question period, that "we simply don't have any idea" about either the number or the nature of civilian casualties in Vietnam.

Perhaps because we see them only one at a time, Americans seem not to have felt the impact of our own news stories about these "civilian casualties." A UPI story in August, 1965, for instance, described an assault at An Hoa:

"I got me a VC, man. I got at least two of them bastards." The exultant cry followed a ten-second burst of automatic weapon fire yesterday, and the dull crump of a grenade exploding underground. The Marines ordered a Vietnamese corporal to go down into the grenade-blasted hole to pull out their victims. The victims were three children between 11 and 14—two boys and a girl. Their bodies were riddled with bullets. . . . "Oh, my God," a young Marine exclaimed. "They're all kids . . ." Shortly before the Marines moved in, a helicopter had flown over the area warning the villagers to stay in their homes.

In a Delta province, New York Times correspondent Charles Mohr encountered a woman whose both arms had been burned off by napalm. Her eyelids were so badly burned that she could not close them, and when it was time to sleep, her family had to put a blanket over her head. Two of her children had been killed in the air strike that burned her. Five other children had also died.

"There're all kids," wrote Veteran Associated Press reporter Peter Arnett, describing in September a battle at Lin Hoc. There, in a deep earth bunker below the fury of a fierce battle, a child was born. Within 24 hours the sleeping infant awakened—and choked on smoke seeping down into the bunker. According to Arnett, the GI's had begun "systematically" to burn the houses to the ground, and were "amazed" as hundreds of women, children and old men "poured from the ground." For the baby, however, it was already too late.

Another Times correspondent, Neil Sheehan, described in June the hospital at Cantho, in the Delta region where fighting is relatively light. The civilians, he said, "come through the gates into the hospital compound in ones, twos and threes. The serious cases are slung in hammocks or blankets . . . About 300 of the 500 casualties each month require major surgery. The gravely wounded, who might be saved by rapid evacuation, apparently never reach the hospital but die along the way."

A few months before, Dr. Malcolm Phelps, field director of the American Medical Association Physician Volunteers for Vietnam, put the monthly figure for civilians treated at Cantho at about 800. That means at least 400 children, every month, in just that one hospital.

New Jersey doctor Wayne Hall, who worked at the Adventist Hospital in Saigon (he went at his own expense, as a substitute missionary surgeon), reported that overcrowding, even in this three-story Saigon institution, is a "chronic condition." No one was ever turned down: "When there were no more beds and cots, they were put on benches; when there were no more benches, they were put on the floor. Some were lying on a stone slab in the scrub room—delivery cases." Babies born on a stone slab. "Of course," Dr. Hall added, "this is the extreme—but it's a common extreme."

At the other end of the country, in Northern I Corps, David McLanahan reported that during last summer, the 350-bed Da Nang Surgical Hospital never had fewer than 700 patients. McLanahan, one of five medical students in Vietnam on an intern program sponsored by USAID, said that Vietnamese patients frequently would not talk freely to him, but that they told Vietnamese doctors and medical students enough about how they got hurt so that it was possible to estimate that at least 80 per cent of the injuries were inflicted by American or South Vietnamese action.

My first patient [McLanahan said] was a lovely 28-year-old peasant woman who was lying on her back nursing a young child. The evening before, she had been sitting in her thatched hut when a piece of shrapnel tore through her back transecting the spinal cord. She was completely paralyzed below the nipple line. We could do nothing more for her than give antibiotics and find her a place to lie. A few mornings later she was dead, "and was carried back to her hamlet by relatives. This was a particularly poignant case, but typical of the tragedy seen daily in our emergency room and, most likely, in all of the emergency rooms in Vietnam."

Most of McLanahan's patients, he said, were "peasants brought in from the countryside by military trucks. It was rare that we got these patients less than 16 hours after injury. All transportation ceases after dark. A small percentage of war casualties are lucky enough to make it to the hospital."

Cantho, Saigon, Da Nang, Quang Ngai—it is by putting together reports such as these that the reality of extrapolated figures becomes not only clear but plainly conservative. A quarter of a million children are dead; hundreds of thousands are seriously wounded. There must be tens of thousands of Doan Minh Luans.

Manufacturer Searle Spangler, American representative for the Swiss humanitarian agency Terre des Hommes, describes what his agency has found to be the pattern when children are injured in remote villages: "If he's badly ill or injured, of course, he simply won't survive. There is no medical care available. Adults are likely to run into the forest, and he sometimes may be left to die. If they do try to get him to a hospital, the trip is agony—overland on bad roads, flies, dirt, disease, and the constant threat of interdiction by armed forces." McLanahan says that virtually every injury that reaches the hospital at Da Nang is already complicated by serious infection—and describes doctors forced to stop during emergency surgical operations to kill flies with their hands.

Torn flesh, splintered bones, screaming agony are bad enough. But perhaps most heart-rending of all are the tiny faces and bodies scorched and seared by fire.

Napalm, and its more horrible companion, white phosphorus, liquidize young flesh and carve it into grotesque forms. The little figures are afterward often scarcely human in appearance, and one cannot be confronted with the monstrous effects of the burning without being totally shaken. Perhaps it was due to a previous lack of direct contact with war, but I never left the tiny victims without losing composure. The initial urge to reach out and soothe the hurt was restrained for the fear that the ash-like skin would crumble in my fingers.

In Qui Nhon two little children—introduced to me quietly by the interpreter as being probably "children of the Viet Cong"—told of how their hamlet was scorched by the "fire bombs." Their words were soft and sadly hesitant in coming, but their badly burned and scarred bodies screamed the message. I was told later that they evinced no interest in returning to their home and to whatever might be left of their family.

I visited a number of the existing medical institutions in South Vietnam, and there is no question that the problems of overcrowding, inadequate supplies and insufficient personnel are probably insurmountable. The Da Nang Surgical Hospital is probably as well off as any Vietnamese hospital outside Saigon—but it is for surgery only; there is also a Medical Hospital not so well equipped.

Even in the Surgical Hospital, there are a number of tests that can't be done with the inadequate laboratory and X-ray equipment. Frequent power failure is a major problem (suction pumps are vital in surgery rooms; one child died in Da Nang, for instance, because during an operation he vomited and—with no suction pump to withdraw the stomach contents from his mouth—breathed them into his lungs). Though 100 burn patients every month reach Da Nang Surgical Hospital, McLanahan reported that while he was there, the hospital had only one half-pint jar of antibiotic cream—brought in privately by a surgeon—which was saved for "children who had a chance of recovery." In Sancta Maria Orphanage, I frequently became involved in trying, with a small amount of soap and a jar of Noxzema, to alleviate the festering infections that grew around every minor bite and cut.

In the nearby Medical Hospital, there are frequent shortages of antibiotics, digitalis and other equipment. While the Surgical Hospital makes use of outdated blood from military hospitals, most Vietnamese hospitals are chronically short of blood. According to another medical student, Jeffrey Mast, a hospital at Quang Ngai (60 miles south of Da Nang) occasionally "solved" a shortage of intravenous fluids by sticking a tube into a coconut—a common practice in outlying areas and, reportedly, among the Viet Cong.

The Swiss organization Terre des Hommes, which is attempting to provide adequate medical care for Vietnamese children (they were responsible for transporting Doan Minh Luan and Tran Thi Thong to England, and a few other children to other European countries), issued a report last spring which said in part that in Vietnam, "hospitals . . . show the frightening spectacle of an immense distress. To the extent that one finds children burned from head to foot who are treated only with vaseline, because of lack of a) ointment for burns, b) cotton, c) gauze, d) personnel. In places with the atmosphere of slaughter houses for people, where flies circulate freely on children who have been skinned alive, there are no facilities for hygiene, no fans, and no air conditioning . . ."

In South Vietnam, approximately 100 hospitals provide approximately 25,000 beds to serve the ever growing needs of the civilian population. Bed occupancy by two or three patients is not uncommon (two to a bed is the rule at Da Nang). I can testify personally to the accuracy of Manchester Guardian writer Martha Gellhorn's description of the typical conditions at Qui Nhon.

"In some wards the wounded also lie in stretchers on the floor and outside the operating room, and in the recovery room the floor is covered with them. Everything smells of dirt, the mattresses and pillows are old and stained; there are no sheets, of course, no hospital pajamas or gowns, no towels, no soap, nothing to eat on or drink from."

Searle Spangler, of Terre Des Hommes, says that there are only about 250 Vietnamese doctors available to treat all the civilians in South Vietnam. My own information is that there are even fewer; Howard Rusk of the New York Times gave a figure of 200 in September, and I have been told that there are now about 160. Obviously the difference hardly matters when at least five times that many children die every week. Dr. Ba Kha, former Minister of Health, told me that there are about nine nurses, practical and otherwise, and about five midwives for every 100,000 persons. He also told me that his ministry, charged with administering the entire public health program for South Vietnam, is allocated an unbelievable two per cent of the national budget.

There are, of course, American and "free world" medical teams at work, and USAID is increasingly supplying the surgical hospitals (a new X-ray machine has been installed at Da Nang, which AID hopes to turn into a model training hospital), but while their contribution is vital and welcome, it is like a drop in the ocean of civilian pain and misery. To speak of any of this as medical care for the thousands of children seared by napalm and phosphorus is ridiculous; there is simply no time, nor are there facilities, for the months and possibly years of careful restorative surgery that such injuries require. Burn patients receive quick first aid treatment and are turned out to make room for other emergency cases.

Although of course no one can talk about it openly, there are known to be cases in which pain is so great, and condition so hopeless, that the treatment consists of a merciful overdose. In an alarmingly large number of other cases, amputations—which can be performed relatively quickly—take the place of more complex or protracted treatment so that more patients can be reached in the fantastic rush that is taking place in every hospital. Any visitor to a hospital, or orphanage, a refugee camp, can plainly see the evidence of this reliance on amputation as a surgical shortcut. Dr. Hall has reported that hospitals allow terminal cases to be taken away by their families to die elsewhere, so that room can be made for more patients.

Then there are politics. A leading doctor and administrator in the I Corps area has found it difficult to get supplies for his hospital because he is suspected in Saigon of having been sympathetic to the Buddhist movement. In Hue, a 1500-bed hospital shockingly is allowed to operate under capacity because some of the faculty and students at the associated medical school expressed similar sympathies; apparently in punishment, the school and hospital receive absolutely no medical supplies from Saigon; only aid from the West German government keeps it operating at all. The dean of the medical school and some of his students were arrested last summer; a shipment of microscopes donated by West Germany was heavily taxed by Saigon. The harassment goes on.

At the present time, two groups are trying to do something about the horror of burned and maimed Vietnamese children. They are the Swiss-based international group, Terre des Hommes, a nonpolitical humanitarian organization founded in 1960 to aid child victims of war; and a newly-formed American association with nationwide representation called the Committee of Responsibility. Their approaches are somewhat different, but they are cooperating with each other wherever it seems helpful.

In the autumn of 1965, Terre des Hommes arranged for about 400 hospital beds in Europe—like the two in England paid for by Lady Sainsbury—and for surgeons to donate their services. They contacted North Vietnam, the NLF representative in Algiers and the government of South Vietnam. The first two turned down the offer, but the South Vietnamese government seemed willing to cooperate. Air fare from Saigon to Europe is about $1500, so Terre des Hommes asked for help from the United States government.

American soldiers in Vietnam who accidentally suffer serious burn injuries from napalm are rushed aboard special hospital planes—equipped to give immediate first aid treatment—and flown directly to Brook Army Hospital in Texas, one of the world's leading centers for burn treatment and for the extensive plastic surgery that must follow. Burnt Vietnamese children must fare for themselves.

It was the use of such special hospital aircraft that Terre des Hommes was hoping for, though any air transportation would have been welcome. Although American authorities in Saigon at first seemed enthusiastic, the decision was referred to the White House. In January 1966, Chester L. Cooper—now in the State Department "working," he says, "on peace"—wrote on White House stationery to issue a resounding NO.

". . . the most effective way of extending assistance [Cooper wrote] is on the scene in South Vietnam where children and others can be treated near their families and in familiar surroundings. . . . U.S. aircraft are definitely not available for this purpose."

Terre des Hommes wrote back to Cooper to argue the absurdity of the American position—there are, of course, no "familiar surroundings" in napalm-torn Vietnam, thousands of the children are displaced orphans, and in any case there are no medical facilities for the long and difficult rehabilitation of burned children. In November of this year, asked directly about the request, Cooper said:

"A doctor in Switzerland, of apparently good intentions but somewhat fuzzy judgment, wanted planes to take these innocent Vietnamese kids to Switzerland for treatment. [Edmond Kaiser, founder of Terre des Hommes, is not a doctor.] . . . The problem, basically, is that Terre des Hommes—and the chap involved, I want to emphasize, is a well meaning man—when we looked into it—and I worry just as much about the injured kids as the next fellow, maybe more so—what they want to do, they want to be taking these frightened little kids halfway across the world and dump them there in a strange, alien society . . .

"However much better a Swiss home or hospital might be, it cannot compensate for having their own families around them in familiar surroundings in their own country. Experienced social workers and hospital workers have described what happens when you take a child suddenly out of his environment: culture shock and trauma. . . ."

Either Cooper is grotesquely misinformed about medical facilities and family coherence in South Vietnam, or he would genuinely rather keep these horribly maimed children in the bosom of frequently nonexistent families, in the "familiar surroundings" of dirty fly-ridden hospitals or jammed refuge camps or burned-out villages, rather than subject them to the culture shock and trauma of clean hospital beds, relief from pain, and a chance for the kind of surgery that will give a Tran Thi Thong back her eyelids and enable a Doan Minh Luan to close his mouth.

In any case, while the argument was going on, Terre des Hommes turned to commercial airlines and asked them to donate whatever empty space they might have on flights from Saigon to Europe; they refused, possibly feeling that the experience might be psychologically difficult for their other passengers. Finally, in May, Terre des Hommes brought 32 children (including Luan and Thong) out of Vietnam at its own expense; they were both sick and wounded, and eight were burn victims. The tiny victims were brought out by arrangement with Dr. Ba Kha, the Saigon Minister of Health; when I visited Saigon, the doctor was extremely cooperative and seemed eager to implement any program that could benefit even a few of the people who, he acknowledged, are suffering terribly.

In September, Terre des Hommes arranged for another 26 children to be flown to Europe, and one of their representatives in South Vietnam chose the children. But when the planeload arrived in Geneva, the people waiting received a terrible shock. It contained no war-wounded children at all. All 26 were polio, cardiac and cerebral spastic victims, chronically ill children. Dr. Paul Lowinger of Wayne State University's medical school was on hand when Terre des Hommes officials learned what had happened, and described them to me as "disappointed and frustrated" over the violation of the terms of the agreement.

So far, no one has been able to determine what happened to the burned and other war-wounded children who were chosen by Terre des Hommes but somehow didn't arrive on the plane in Geneva. They have, seemingly, disappeared—or died. I have letters in my possession indicating that physicians who have been to Vietnam since my return fear that wounded and burned children are being hidden or kept out of sight of visiting doctors.

In the meantime, Dr. Ba Kha had been replaced, apparently for his actions in attempting to get the burned children out of the country, and his successor has demonstrated much less concern for the Terre des Hommes project. Most officials of the Swiss organization are convinced, though they cannot of course say so publicly, that the firing of Ba Kha and the substitution of the children was directly related to the fact that in England and elsewhere in Europe, the arrival of the first group of children had caused a tremendous stir about the cruel effect of the bombing. The arrival of Luan and Thong in Great Britain stimulated a large, spontaneous flow of gifts and contributions—and not a small amount of indignation about their condition.

Incidentally, Canadian reporter Jane Armstrong, who visited the Susser hospital where the two children are being treated, wrote that "the hospital staff have been astonished by their happy dispositions," and notes that "no one can say what will happen to Luan," who has no known relatives. The culture shock and unfamiliar surroundings don't seem to be bothering the children.

In any case, Searle Spangler, Terre des Hommes representative in New York, seems firmly to believe in "spy-like hanky panky" by the South Vietnamese government, including the secreting of badly injured children in order to play down the problem. He also said that "some of our Vietnamese workers have been mistreated, and we have reason to fear for them." On the adequacy of medical care in Vietnam, Spangler notes that Terre des Hommes operates the only children's hospital in the country—600 patients for 220 beds, with many of the children lying on newspapers—and that in other hospitals, some newspapers and wrapping paper are commonly used as dressing for burns, being the only material available.

The American group, the Committee of Responsibility, has only recently been formed. Its concern is specifically with children burned by American napalm and white phosphorus.

Its national coordinator and moving spirit, Helen Frumin, a housewife from Scarsdale, New York, became interested in the problem last spring when she encountered some Terre des Hommes material. Later, in Lausanne, she met Kaiser and learned more about the problem. She became convinced that Americans have a special responsibility toward the burned children of Vietnam.

"Napalm is an American product," Mrs. Frumin says. "The tragedy that is befalling children in Vietnam is all the more our responsibility where children burned by napalm are concerned; only the United States is using this weapon, and it is fitting that we should provide the care for the mutilated children."

The Committee backs up its position by citing such sources as a story in Chemical and Engineering News, last March, about a government contract for 100 million pounds of Napalm B, an "improved" product. The older forms of napalm, the article goes on to say, left "much to be desired, particularly in adhesion."

This, of course, refers to the ability of the hateful substance to cling to the flesh of the hamlet dwellers on whom it is usually dropped, insuring a near perfect job of human destruction after prolonged agony. It is because American tax dollars are behind every phase of the process, from manufacture to delivery and use, that the citizens of the Committee of Responsibility (who include prominent doctors throughout the country) feel that American dollars might best be spent in relieving the suffering they buy.

The Committee hopes at first to bring 100 napalmed children to America for extensive treatment. Hospital beds are being arranged, 300 physicians are ready to donate their services, homes have been found. But the cost for treating each child is still between $15,000 and $20,000, not including transportation from Vietnam to the United States.

The fantasy of the position that "adequate" care can be provided within South Vietnam and that "culture shock" might result from displacing a child, was pointed up in a report prepared for the Committee by Dr. Robert Goldwyn, a noted Boston plastic surgeon. He said in part:

"The children of Vietnam are the hardest struck by malnutrition, by infectious disease, and by the impact of terror and social chaos. They begin with the disadvantages implicit in a colonial society after nearly 25 years of continuing war, economic backwardness, inadequate food and medical facilities. Particularly helpless under such conditions is the burned child . . .

"A burn is especially critical in a child because the area of destruction relative to total body surface is proportionately greater than that of an adult. And in the present real world of Vietnam, his nutritional status and resistance to infection is lower than that of an adult.

"The acute phase of burn demands immediate and complex attention involving physicians, nurses, dressings, intravenous foods, plasma, often blood, antibiotics, and after the first week, wound debridement and skin grafting. Unless evacuation is simple and immediate and well-supervised, these early burns are best treated at or near the scene of injury.

". . . However, the child who has survived the initial stages of a burn would be a highly suitable candidate for treatment elsewhere. Since most of the burns are the result of napalm or white phosphorus, they are deep, and subsequent deformities and contractures are usual. These deformities, which interfere with function and offer extreme psychological obstacles for social readjustment, can be relieved by well-known and standardized plastic surgical procedures. These operations can ideally be done in a country such as the United States where facilities are adequate and where the environment is conducive to total rehabilitation.

"The child would not have to lie in a bed with two or three others; he would not be exposed to parasitic infestation or sepsis or diarrhea or epidemics which are now prevalent in most of the Vietnamese civilian hospitals. He would be out of a war-torn country and could heal his psychological wounds as well.

". . . While one is instinctively reluctant to think of taking a child away from familiar surroundings, family and friends, for medical treatment and rehabilitation, these phrases are empty in the present context; we are talking of children whose homes are destroyed, who may be orphaned, whose "familiar suroundings" are the hell of disease, famine and flame attendant on modern warfare. . . . Further, the choice is not between care at home and better care in the United States, but in realistic terms, between token care or often, no care at all, and adequate care."

To Dr. Goldwyn's analysis can be added that of Dr. Richard Stark, past president of the American Society of Plastic and Reconstructive Surgery, who agreed in a speech on October 3 that plastic surgical facilities in Vietnam are "presently inadequate."

There is, of course, an official United States position on the use of napalm in Vietnam. The Department of the Air Force set it forth on September 1, 1966, in a letter to Senator Robert Kennedy:

"Napalm is used against selected targets, such as caves and reinforced supply areas. Casualties in attacks against targets of this type are predominantly persons involved in Communist military operations."

I am compelled to wonder what military

functions were being performed by the thousands of infants and small children, many of whom I saw sharing hospital beds in Vietnam, and a few of whom appear in photographs accompanying this article.

In the brutal inventory of maimed and killed South Vietnamese children one must also include those who are the helpless victims of American defoliants and gases. The defoliants used to deprive the Viet Cong of brush and trees that might afford cover are often the common weedkillers 2,4-D and 2,4,5-T. Yet the pilots spraying from the air cannot see if women and children are hiding in the affected foliage. These chemicals "can be toxic if used in excessive amounts," says John Edsall, M.D., Professor of Biology at Harvard.

The U.S. has admitted it is using "nontoxic" gas in Vietnam. The weapon is a "humane" one, says the government, because it creates only temporary nausea and diarrhea in adult victims. Yet a New York Times editorial on March 24, 1965 noted that these gases "can be fatal to the very young, the very old, and those ill with heart and lung ailments. . . . No other country has employed such a weapon in recent warfare." A letter to the Times several days later from Dr. David Hilding of the Yale Medical School backed up this point: "The weakest, young and old, will be the ones unable to withstand the shock of this supposedly humane weapon. They will writhe in horrible cramps until their babies' strength is unequal to the stress and they turn blue and black and die . . ." Once again, the children of Vietnam are the losers.

About eight per cent of Vietnam's population live in refugee shelters or camps; about three quarters of the shelter population, or over 750,000 persons, are children under 16. In shelters like that of Qui Nhon, which I visited, there is unimaginable squalor and close confinement. There were 23,000 in that camp when I was there, and I have been told that the figure has since tripled.

Father So, unquestioned leader of these thousands of refugees in Qui Nhon and in the rest of Binh Dinh province, works for 20 hours a day to provide what relief he can, particularly for the orphaned children. These usually live in a hovel-like appendage to the main camp, frequently without beds. Food and clothing are scarce.

As So's guest, I attended with him a meeting with Dr. Que, the South Vietnamese High Commissioner of Refugees, and with the USAID Regional and Provincial Representatives and the Coordinator of Refugees. So reminded the AID officials of their promise to supply badly needed food; the province representative replied that 500 pounds of bulgar had been given to the district chief with instructions that it was to be delivered to So for distribution in the camp.

So said nothing in reply. Later, he laughed softly and said to me that neither he nor the children would ever see that bulgar. The district chief had more lucrative connections.

The shelter child receives little if any education. *Crossed strands of barbed wire form the perimeter of his living world.* There are no sanitary facilities—those in camps near a river are lucky. Even shelters with cement floors have no privies for as many as 160 families. Plague and cholera increasingly threaten the health of the children *(and of course the adults, though to a lesser degree), and I noticed an amazing* amount of body infection on the youngsters, ranging from minor to extremely serious in nature. Their level of resistance is quite low, and the filth, combined with the absence of hygienic knowledge, is so universal that mosquito and ant bites quickly become infected. There is not usually medical help for the children of these camps. Tuberculosis and typhoid are evident, with periodic local epidemics; about one percent of all Vietnamese children will have TB before reaching the age of 20.

Many of the shelter children show traces of the war. I particularly remember a tiny girl whose arm had been amputated just below the elbow, and who followed me from one end to the other. The children also display a reaching out, not in a happy but in a sort of mournful way. The shy ones frequently huddle together against the side of a hut and one can always feel their eyes upon him as he moves about. No one ever intended for them to live like this—but there they are. One small child provided for me their symbol. He sat on the ground, away from the others. He was in that position when I entered and still there several hours later when I left. When I approached, he nervously fingered the sand and looked away, only finally to confront me as I knelt in front of him. Soon I left and he remained as before—alone.

Another 10,000 children—probably more by now—live in the 77 orphanages in South Vietnam. I lived for a time in Sancta Maria orphanage (in an area officially described as influenced by Viet Cong, and off limits to American military personnel). I arrived there during a rest hour, to find the children in a second floor dormitory, two to a bed, others stretched out on the floor. Their clothing consisted of only the barest necessities, though Sancta Maria was better off than other institutions I visited.

Here, too, food was scarce and there was a shortage or a complete absence of basic supplies such as soap, gauze, towels and linen. I devoted some evenings to teaching elementary English vocabulary, and I was impressed by the amount of motivation displayed by some of these children despite the horrors that frequently characterized their past—and present. Their solemnity was very real, however, as was their seeming general inability to play group games.

In most orphanages, as in the refugee shelters, there is no schooling at all, but despite this and the shortages of food and other supplies there is a growing tendency in Vietnam for parents to turn children over to the camps or to abandon them. Mme. LaMer, UNICEF representative to the Ministry of Social Welfare, expressed alarm over this tendency while I was in Vietnam; it seems to be one more example of the rapid deterioration of family structure because of the war. Officials told me that infant abandonment has become so common that many hospitals are now also struggling to provide facilities for orphan care.

Finally, there is the forgotten legion of Vietnamese children in the cities and provincial towns—clinging together desperately in small packs, trying to survive. Usually they have at best threadbare clothing, and sometimes they are naked; they go unwashed for months—perhaps forever; almost none have shoes. They live and sleep on the filthy streets, in doorways and alcoves. Despite the gradual process of animalization, in their striving to maintain a semblance of dignity, they are beautiful.

On a few occasions I took an interpreter into the streets with me and spent hours sifting histories (often, feeling that my presence might inhibit the response, I stayed away and let the Vietnamese carry out the interview).

Some had come to the cities with their *mothers, who turned to prostitution* and forced the children into the streets. Others, abandoned in hospitals or orphanages or placed there while ill, had merely run away. Still others had struggled in on their own from beleaguered hamlets and villages. Once on the streets, their activities range from cab flagging, newspaper peddling and shoe shining to begging, selling their sisters and soliciting for their mothers. I saw five- and six-year-old boys trying to sell their sisters to GI's; in one case the girl could not have been more than 11 years old.

With misery comes despair, and one of its most shocking forms was called to my attention by Lawson Mooney, the competent and dedicated director of the Catholic Relief Services program in Vietnam. Mooney said he had noticed, between the autumn of 1965 and the spring of 1966, a fantastic increase in the rate of adolescent suicide.

I began to check the newspapers every day—and indeed, there was usually one, frequently more than one suicide reported among the city's children. In several cases, group suicides were reported: a band of young people, unable to face the bleakness and misery of their existence, will congregate by agreement with a supply of the rat poison readily available in Vietnam, divide it, take it, and die.

"Many of these suicides," Lt. Col. Nguyen Van Luan, Saigon Director of Police, told Eric Pace of the New York Times, "are young people whose psychology has been deformed, somehow, by the war." Van Luan went on to say that in the Saigon-Cholon area alone, 544 people attempted suicide during the first seven months of 1966—many of them, of course, successfully. In that one section of the country—with about 18 per cent of the total population—that is an average of 78 a month. Last year, Luan noted, the monthly average had been about 53, so the increase was about 50 per cent. "You must remember," Luan went on, "that these are young people who have never known peace. They were more or less born under bombs."

These are the "familiar surroundings" away from which American policy will not transport the horribly burned children of Vietnam, the "frightened little kids" of whom White House aide Chester Cooper says that humanitarians want to take "halfway around the world and dump them there in a strange, alien society." One must agree with his further comment that "it is a very ghastly thing." Clearly, the destruction of a beautiful setting is exceeded only by the atrocity that we daily perpetuate upon those who carry within them the seeds of their culture's survival. In doing this to them we have denied our own humanity, and descended more deeply than ever before as a nation, into the depths of barbarism.

It is a ghastly situation. And triply compounded is the ghastliness of napalm and phosphorus. Surely, if ever a group of children in the history of man, anywhere in the world, had a moral claim for their childhood, here they are. Every sickening, frightening scar is a silent cry to Americans to begin to restore that childhood for those whom we are compelled to call our own because of what has been done in our name.

NOTE.—*William F. Pepper is Executive Director of the Commission on Human Rights in New Rochelle, New York, a member of the faculty at Mercy College in Dobbs Ferry, New York and Director of that college's Children's Institute for Advanced Study and Research. On leave of absence last spring, he spent six weeks in South Vietnam as an accredited journalist.*

GRATIFYING DECISION OF CHILE TO FORGO PROGRAM LOAN ASSISTANCE FROM THE UNITED STATES

Mr. GRUENING. Mr. President, it is extremely gratifying to note that Chile, under the able leadership of President Eduardo Frei, has concluded that it is in its own best interests to bring to an end its dependence on program loan assistance from the United States. General development program assistance from the United States to Chile over the past 2 years has been at the rate of $80 million annually, and has been used to finance essential imports and help meet public investment requirements.

The Agency for International Development embarked on the course of extending program loans to Chile in 1963 with an initial outlay of $35 million. Prior to 1963, loans to Chile were made on the basis of specific economic development projects and loan funds were disbursed only in such amounts as were justified by the progress of the projects. However, Chilean difficulties in planning and implementing specific projects caused long delays in the release of the dollars and diluted the impact of U.S. assistance on the Chilean economy.

In an effort to procure a more timely and adequate flow of foreign exchange for essential imports, the program loan system was devised. Under a program loan, the borrower agrees to undertake certain economic policies and practices. Portions of the loan are released periodically following a review by AID of the country's performance on its commitments. AID assumed that program lending would promote two basic objectives: first, it would provide in a timely manner the additional resources to facilitate the country's efforts to undertake the major structural changes required for dynamic development such as tax and land reform, and second, it would bring pressure on the recipient country to undertake such reform measures, by making the disbursement of the loans contingent on progress in accomplishing the reforms.

While the objectvies of program loan assistance is commendable, a detailed study I made of our economic assistance efforts in Chile, entitled "U.S. Foreign Aid in Action: A Case Study," which was released in June 1966, showed that the effort to apply program loans and to achieve the stated objectives was beset with difficulties. These difficulties are summarized in the following excerpts from my report:

> Having recognized the extenuating circumstances which impaired Chile's ability to fulfill the commitments attached to the 1965 loan, where does that leave the strategy of program lending based upon a mix of measurable tests and overall policy performance? The question is not whether reasonable excuses can be found for the recipient's failures, but whether or not the program loan technique of the "carrot" (program loan dollars) and "stick" (self-help measures or else) is workable.
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> The most that can be said for the latter-day strategy is that it sets up a broad framework of what is expected of the recipient in the way of self-help measures, while the quarterly review process forces attention to critical areas which might otherwise go ignored.
>
> But shortcomings in the technique far outweigh these advantages. The long and diverse list of commitments assumed by the recipient vitiates the "carrot and stick" concept upon which program lending is based. Since it is unlikely that any government could perform in a satisfactory manner simultaneously on the diverse commitments enumerated, from the outset both recipient and donor know that something less than perfect performance is anticipated. But what? How is overall performance to be evaluated, and by whose yardstick? Thus, both participants know that overall performance is subject to elastic interpretation, but neither knows at what point AID would be justified in exercising its option to reduce or eliminate assistance. This ambiguity undermines the credibility of the implied threat of sanctions for unsatisfactory performance.
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> Program lending also, ironically, provides the recipient nation the leverage with which to neutralize AID's "stick." Program loans are announced with great fanfare. The general public in the host nation, of course, is not apprised of the little detail which links disbursements to country performance. (How many people in the United States, for that matter, are aware of such intricacies?) Imagine the uproar, hostility, and friction that could be generated by a U.S. decision to apply sanctions? The truth about the fine print would never catch up with the howls of "imperialism" and "intervention." At the same time, all the blame for the country's ills (caused by its own government's mismanagement which led to the sanctions) would be heaped upon "rich, heartless" United States. In short, the political fiasco which could result from a U.S. decision to terminate aid acts as an effective brake upon the United States taking that step. This fact can hardly have escaped the attention of shrewd officials in the recipient nations.
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> While the "stick" is a paper tiger, the "carrot" is a dubious incentive. The commitments undertaken as conditions for assistance cannot be carried out under the controlled conditions of a scientific laboratory. Many factors having nothing to do with the availability of U.S. assistance influence the recipient's performance. Public opinion, the pressures of special interest groups, and the composition and temper of the Congress are among the many variables with which the recipient administration must cope.
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> The plain fact is that the desirable economic measure set forth as conditions for continued U.S. assistance involve political determinations, and nothing in our experience gives us superior knowledge of the best political strategy to pursue in an alien environment. Only the government of the recipient nation can estimate the potential economic, social, and political benefits or risks from its own domestic actions. In these circumstances, the prospect of U.S. assistance is a very minor factor, if any, in a government's decision to meet or not to meet the commitments upon which program loans are conditioned.

I also pointed out in my report that program loans erode Chile's incentive to undertake the necessary steps to formulate its investment program on a rational basis. Quick access to funds to meet general external resource requirements—via program loans—lessens the pressure upon the Chilean Government to prepare sound projects meeting development loan criteria. So long as dollars are available through the program loan route, the Chilean Government feels no urgency to build an institutional capability for developing specific, soundly conceived economic development projects.

My report, "U.S. Aid in Action: A Case Study," received intensive study by top officials of the Government of Chile. Subsequently, the Chileans announced a historic change in their economic policy: In a major policy address on December 21, 1966, President Frei stated that his Government would no longer seek program loan assistance from the United States. In his speech, he stated:

> A problem which I estimate as basic had to be faced.
>
> Is it possible for the country to organize its economic life on two bases that are totally uncertain as are loans and the price of copper?
>
> As President of Chile this has been a constant and deep concern of mine. I ask: what would happen if at a given moment the price of copper underwent a substantial decrease? And we run this hazard at any moment. We would not be able then to continue with many of the projects initiated.
>
> On the other hand, if at a given moment, for any reason whatsoever, we are unable to obtain foreign loans for general financement of our programs of national investment, would it be possible then to maintain our present level of endeavor?
>
> After serious consideration and study of the problem by the Government economic team, we concluded that it is not possible with the extraordinary advantage of the price of copper, to apply at the same time for loans for general government investments and that this was the time for our country to become independent—I would honestly say—to stand on its own feet and carry out programs through its own efforts.
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> I am certain that in adopting this decision I am interpreting Chile. I believe that such determination gives us moral authority within and outside of the country; that such a step will have an extraordinary impact on all international circles and will build up a climate of respect and I dare also to say—of admiration for our country.

It is unfortunate that recognition of the undesirable effects of the program loan concept, which resulted in our attempt to use a "carrot and stick" approach and which caused us to utilize the leverage of our economic assistance to achieve changes in the internal structure of the Chilean economy, has been too long delayed.

President Frei's decision to follow a more independent course of action for his country by foregoing any more program loan assistance is bound to have the long-term effect of strengthening the ties between his country and the United States.

I ask unanimous consent for the inclusion of President Frei's December 21, 1966 speech in the CONGRESSIONAL RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TRANSLATION OF TEXT OF SPEECH DELIVERED BY CHILEAN PRESIDENT EDUARDO FREI, DECEMBER 21, 1966

Since I was made President, I determined to report regularly to the country on the purposes and goals of the Government, on the way it is achieving its program and on the central facts of its action.

The program presented to the country is based on two simple and fundamental ideas. The first one is the need for a very accelerated economic development, without which Chilean problems have no solution; and the second one is the need for social development, without which our people have no destiny.

PRODUCTION, GROUNDWORK FOR OUR DESTINY

If we do not increase production, if we do not have more milk, more wheat, more potatoes, more meat, more fruit, any control and campaigns we may start in order to regulate prices and check inflation will be, in the long run, entirely useless. We may correct some abuse and punish severely—as we have done—hoarders and speculators, but if we do not increase the volume of production, that is, the food supply, we shall not be able to defeat either the hoarder or the speculator, and our people will not be well fed despite all the efforts that might be carried out to import agricultural products.

This fact, which can be so easily appreciated in agriculture, is the same in all economic activities. That is why economic development is one of the fundamental tasks. Besides producing what is needed by the people, it also means new jobs.

This goal is sought by all organized nations in the world, be they capitalistic, socialist or of any other tendency, because they understand that if they do not develop their economies or make use of their national resources, they will not be able to have a sound money, they will be able to provide neither work nor welfare, they will have no economic means to pay better wages or finance health, housing, education and other plans. That is why I insist that our first goal is economic development.

SOCIAL DEVELOPMENT, A FUNDAMENTAL GOAL

The other goal—equally important is social development.

Since the very day we reached the Government, doing as promised, we started the educational plan which—once passions give way to thought—will have to be acknowledged as the largest plan being carried out in any developing country in the world. I do not want to supply any figures now, but you do know that in two years we have done more than had been done by several administrations altogether. And this not only refers to quantity, which is the increase in the number of children and young people, but also to quality, through the reform of the system. Two days ago I signed the decree for the 8th grade. Historically, we are the first country in Latin America to take this step, which places us at the European level. This year we have distributed about 1 million free breakfasts and 400,000 lunch rations; and 30,000 scholarships and loans. In terms of comparative populations, no other country in the world, except Japan, has done anything like this in such a short period.

In housing, we are not doing all we would like to do. Yet, in the course of these two years, 87,000 permanent houses and 48,000 emergency houses have been built, which also is out of proportion with the past.

We have carried out a health program which has decreased infant mortality; which has practically doubled the amount of milk being supplied to the children of Chile; which has opened hospitals, suburban clinics; which has substantially increased the number of free medical consultations.

But we have not limited ourselves to that.

From the beginning of our Government, and as I had promised, we have radically changed the situation of the Chilean *campesino*, placing him at the same level of the industrial sector. And whatever the attacks and criticisms there may be against the Government, it will have to be recognized that the 2 million people who made up the *campesino* population have more than doubled their actual income as compared to what they had before this Government took charge without my making any reference to the increase in family allowances, which in many cases were not even paid.

This Government, accomplishing what it promised the country, has been equalizing family allowances for all the children in Chile. And for the first time in history, it has given *campesinos* the full freedom to organize unions pushing a new legislation for farm workers which will soon be passed by the Congress.

In addition to improving our labor legislation and sponsoring the formation of industrial and agricultural unions, we are promoting the organization of the popular rank and file—a fundamental change for Chile—so as to give our people social representation. That is why we are so painfully grieved that a political issue is being made out of it and the passage of the Neighborhood Associations Law and the creation of the Institute of Popular Promotion are being hampered.

THE ORGANIZATION OF A PEOPLE

I could point out thousands of examples showing the people's deep aspiration to become organized. During the little time I have been in the Government I have seen how community organizations have multiplied; how they have collaborated in emergency operations; how they have transformed life in entire sections. I have seen innumerable organizations with popular representation: workers, *campesinos*, mothers' centers, etc., working shoulder to shoulder with officials of public institutions in their projects, to which students have joined showing a noble social spirit.

Often Chileans forget that modest communities have built 1,800 kilometers of roads in the South, supplying their work without pay.

Short time ago, the Minister of Public Works and the Director of INDAP signed agreements with 600 community groups in the province of Cautin in order to lay the groundwork for their organizations—among which are those of *campesinos*, small and medium-sized farmers, unpoisoned by political passions—to work together with public institutions so as to make electricity, drinking water, sewer systems and roads available at the places where the workers live, and thus enable them to send their products out. These people have asked for nothing but machinery and technical direction, while they supply their labor, and many times, contributions of materials.

REAL SOCIAL TRANSFORMATION

Because of all that I have said, I believe we are achieving a great and effective social transformation, a real and concrete one. But—as I said at the beginning, all of this cannot be carried out unless there is sound financing for it; and there will be no sound financing without economic development. At present, the Government is spending more than former Governments for social development. The budget for the Ministry of Education has been increased from 700 million escudos in 1964 to 1,100 million escudos, the estimate being made in the same money, inflation considered. The budget for housing has increased from 300 million to near 700 million escudos; that for health, from 430 million to 660 million escudos.

Even before the law is passed, the Government is carrying out an agrarian reform the importance and difficulties of which no Chilean can dismiss. Three hundred and thirty-two fundos abandoned, badly exploited or voluntarily offered to the Agrarian Reform Corporation have already been expropriated. The expropriated area covers 980,000 hectares, including lands belonging to the National Health Service; that is, 750,000 hectares belonged to private parties. With the new law, whose passing is near, we shall be able to consolidate this great task, which will change the social and economic structure of the Chilean countryside. And this requires and will require large resources.

ECONOMIC BASES FOR THE SOCIAL PLAN

Expenses have increased. It has been necessary to contract thousands of new teachers, to receive more than 250,000 new school children, to build over 2,000 new schools and, as I said before, to supply about one million daily breakfasts and 400,000 daily luncheons. It has been necessary to build more houses and urban works, to place more beds in the hospitals, to provide more extensive medical attention; we have initiated agrarian reform. But—I repeat—it is necessary to have money to pay for all this. In order to be able to pay, it is necessary to develop the economy. That is why the copper agreements have been signed, allowing us to provide thousands and thousands of new jobs, and to make investments of over $530 million, which mean over 2,500 million escudos, more than one half of all public and private investments made by Chile in one year; that is the purpose of the plan to double our steel industry. Also, contracts enabling us to start two cellulose plants with investments of 95 million dollars, representing about 500 million escudos are ready. They will provide jobs and development for the Constitución area, in Maule province, and for Arauco province, which had always been uncared for.

That is why we are starting the petrochemical plants; but we have been kept waiting months for the Congress to pass the automotive law. Yet this is not all. We should add the fertilizer plants, sugar plants, eight cold-storage abattoirs, the forestry project, industrial parks, mining plants, the communications network, public works, transportation, electric plants, and so on.

RESULT OF A POLICY

These are the main efforts we are presently carrying out, but in the two years gone by we have also accomplished an extraordinary level of economic development, because the country, which in the last years had a very low growth rate, slightly over 3 percent as an annual average, has reached a rate over 7 percent in the period 1965–66, quite higher than I promised, since in my electoral campaign I always spoke of a growth in the order of 5 percent.

This is the framework inside of which the country is developing. But in doing all this, the State has needed new and large resources, which has been shown in a considerable increase of the national budget. The budget for the present year will be 7,100 million dollars. Just think that in 1964 it was 4,740 million escudos, taking into account inflation.

INTERNAL EFFORT

How have we obtained these resources? In the only way a Government has to obtain internal resources: through taxation, which has been hard, especially on those who have more.

The Government proposed establishing the patrimonial tax, which has meant money from those people owning goods. Income and complementary taxes have increased considerably. This Government has discovered thousands and thousands of people who used to evade the payment of taxes. Thus justice has been done, because on the one hand salaries and family allowances have increased while on the other sacrifices have been imposed on those who had more, through a strict taxation system.

The Government has exercised price control over a number of products, limiting profits and forcing improvements in efficiency and costs. Furthermore, the Government has controlled and oriented credit, in a country in which certain privileged groups were used to working with inflation and credit, which is a national and public good, made use of by few; it has tried to direct that credit towards production rather than speculation, and has made it available, for the first time, to the modest man or to the small farmer or industrialist who had never seen it before.

FOREIGN AID

Yet even enforcing this taxation, it would not have been possible to reach this type of development, because the country has not enough economic forces to take care of all its expenses and investments at the same time. Because of the prestige and the trust the effort of this Government has obtained abroad, it has been granted considerable amounts in loans to install new industries and to finance economic development programs which will enable us to pay for them, provide new jobs, all of which is leading us towards a true economic independence.

This is how our Government has obtained loans from Germany, France, Italy, England, Spain and other countries, besides an important loan from the Soviet Union, the negotiation of which is now completed. And above all—because it is necessary to be fair and realistic, and to look at the facts—this Government has obtained fundamental support and volume of credit from the United States of America, which has thus shown its trust in our programs.

This is how the Government is working, and that is why I believe that if it is allowed to act, it will soon transform the condition of the Chilean people, carrying the country towards a true and profound transformation.

DESTRUCTIVE CRITICISM

Now, in the face of all this, which should make Chileans enthusiastic, which should unite them, because it involves Chilean social peace, liberty, democracy, independence, and future, a systematically-organized plot has been created in order to try to destroy Governmental action, to slow it down, to hinder it and—let us speak frankly—aimed at paralyzing it.

People abroad coincide in acknowledging the transcendental experience Chile is carrying out. The most outstanding men in the world are coming here to show their appreciation, their respect and even their enthusiasm for what we are doing. In these very last days, the President of the United States has extended us an invitation whose terms and the circumstances in which it is being made undoubtedly mean a special distinction for Chile. Most of the country also recognizes it so. Nevertheless, certain extremist political groups and certain economic groups serving the extreme right, besides other labor groups—which serve political slogans rather than laborers—join hands to bar and hinder this great and beautiful task.

And tonight I am going to refer to this aspect.

UNDERSTANDING AS THE BASIS FOR THE FUTURE

The Government not only believes it logical that the unions should put forth their problems, and respects them, but has also shown its clear determination to help strengthen the organization of labor in the country. Yet, with the same clarity, it points out to workers that the possibilities for Chile to advance depend on the social discipline we may be able to impose upon ourselves so as to accomplish our program.

This Government, which is carrying out an unprecedented effort in matters of social development, education, health, agrarian reform and people's promotion cannot solve all problems in one year or two, and has the right to be believed when it affirms it has no greater resources for new raises. This is a Government which is serving the people. When it purchases buses for public transportation, they are intended first to take care of the populous sectors; when it builds houses they are first to satisfy the needs of workers and the middle class; when it carries out the agrarian reform it is so as to give an opportunity to the Chilean *campesino;* when it provides greater education, it is opening great possibilities to all the children of Chilean workers.

When it sets down its policy of wages and salaries, it is trying to correct old and unjust discriminations, it is trying to do as much as possible, since if it could possibly do any other thing to better the salaries of public servants, it would undoubtedly do so. If it does not do anything more it is because it simply cannot, and because it is not to cheat workers themselves giving them money which would have value today only to lose it tomorrow. Neither can it cut down on the moneys for houses, schools, health, agrarian reform or industrialization so as to create new sources of work, because it would damage workers themselves.

A people's Government, elected by an overwhelming majority, which counts with the support of the people of Chile, has the right to be trusted by the workers, and cannot be faced with the same criteria with which other Governments were faced.

On the other hand, the real increase undergone by wages in the course of these two years has been higher than that in any other period and has reached—I must state it once more—not only certain sectors, but has reached, for the first time, all those sectors never before taken care of. This is why the Government has the moral authority to ask workers to help it and not to hinder an action which is intended, in the first place, to serve them.

ONE DECISION ONLY

As I have said, the national budget is 7,100 million escudos. Of this amount, 4,900 million corresponds to what is called current expenses, salaries, wages, social security, contributions to State institutions, such as railways, National Transportation Enterprise and others. A total near two billion escudos is left for what is called fiscal investment expenses.

Now, if the Government complies with the demands which are being asked from it, expenses would increase considerably. What solution does the Government have for this? If it accepts these requests it should increase the budget; and all those who have looked into the problem, without exception, recognize that an imposition of larger taxes than we already have would be very grave, not say impossible.

Personally, looking at the entire problem of the country, I am convinced that our budget is getting too large for the capacity of the country; that we are at the very limit beyond which fiscal expense might crush the economy of the nation. We had to increase the budget up to that point because we found the country in an economic depression, with a large fiscal deficit, with an extraordinary foreign debt, with declining private activity, with potential unemployment which was going to affect all Chileans, and with uncontrolled inflation.

But now that we are overcoming all those grave problems, I am absolutely determined that the budget shall not be increased one cent, because that would rapidly take us to a situation similar or worse to the one we found when I took charge of the Government.

Then, there are two paths: either the income of certain public services is cut down so as to improve those of other services—which is practically impossible to consider, since there is not a single sector which is feeling satisfied—or part of the investment expenses are diverted so as to pay better salaries and wages. As long as I am the President, I will not accept the latter for a very simple reason: it would mean either stopping the educational program or building fewer houses. That would be an offense against the people and the middle class; or cutting down on public works, building fewer roads, fewer bridges—which the whole country is clamoring for—or decreasing agricultural projects and the Agrarian Reform; or decreasing the contributions to CORFO, which would mean having no resources to start industrial projects meaning a possibility for economic development and new jobs. That would leave unanswered the urgent and dramatic aspiration of the provinces to obtain the establishment of industries supplying jobs and making use of their resources. Thus there is no way out along this path.

THE PEOPLE NEVER DECEIVED

If to avoid conflicts, I said yes to all the requests, I would be deceiving public servants and deceiving the country, because I would definitively either paralyze investment expenses or I would have to begin issuing money, devaluing the escudo in a violent manner and producing a rise in the cost of living which would definitively do more harm and erase all the effects of the readjustment which would become only a paper readjustment.

I will not follow this road of deceit for any reason, whatever may be the pressures brought to bear and the problems to be confronted, however painful and grave they may be. This is for me an irrevocable decision. As long as I am in this post every attempt from whatever source and of whatever magnitude made against the Government will be shattered against the firmness of this decision.

If in every sector public employees honestly examine what they made before and what they make now, they will recognize that their situation has improved. Not as much as they deserve, much less than what they aspire to, but they have obtained the maximum possible with the resources available. We have particularly tried to take care of the neediest situations. I would like to have done more, but the Government or the State—I have said it on other occasions—is like a head of family which cannot give his wife and children more than he has and makes. I also, as the head of the Chilean family, would like much better conditions for it, but it would be deceiving to give it today more than I have. When this occurs in a family it leads to ruin and often to dishonor. What happens in a country is no different when the road of deceit is followed by not telling the truth.

EFFORTS REALIZED

This year we have made an exceptional effort with regard to teachers, in a four-year plan to reach levels which will put them in a situation, although still not good, nevertheless of improved well-being. In view of the number of teachers, this will mean a really extraordinary effort for the state.

We have also made an effort with regard to the National Health Service. Throughout the public administration the readjustment will be 15 percent as a general rule. For the National Health Service it will be 20 percent, which is more than 100 percent of the rise in the cost of living, since I expect that the index for this year will fluctuate around 18 percent. Moreover, overtime hours are being maintained for them, having been eliminated in all other services, but in their case it is justified, since in this service there are truly many people who must work overtime hours in view of the nature of their functions, and we must pay them for this. The right they have obtained to an extra annual payment, something the other public services do not have, will also be maintained; and finally, beginning on July 1, 1967, there will be a movement to draw them close to the unified pay scale, all of which represents an increase of approximately 28 percent in the second half of the year.

Naturally I would like to have offered a bigger increase to these dedicated public servants who work in such difficult conditions, but there are no resources with which to do it. And I would deceive them if I gave them a hope that the government might pay them more during the course of the coming year.

A HOPELESS POLITICAL STRIKE

However, in spite of this effort by the government, there has been no hesitation in taking a sector of the health workers into a work stoppage which, along with asking for greater economic advantages, has been without any doubt politically oriented to create resistance against the constituted government, and there has been no hesitation in falsifying the facts in order to maintain the conflict. Fortunately a great part of the Service is working—more than 50 percent of the employees of the Service, and more than 60 percent of the personnel in Santiago and Valparaiso. We take this occasion to thank them for their patriotic attitude.

I have said from the very outset, through the Minister of Health, that the government recognizes the problems which the medical sector has, that it is disposed to study them and to arrive at a formula which represents greater justice for these professionals who without any doubt deserve the consideration of the government and the country. But this solution cannot be applied immediately because the government is not in a position to do so even though it would like to.

The government, in defending its authority in this matter, is not defending the powerful or privileged groups. It is defending the poor, the workers, the *campesinos*, the mothers who are going to have babies, the children, in short, it is defending the very fate of the country.

Therefore I wish to say to those who are maintaining this strike that their effort is useless and that we understand the matter thus: either control is by the government which has been elected by the people and which is acting within the law, or control is in the hands of political groups which are trying to break the government's authority using the unions as instruments.

WHOM THE GOVERNMENT FAVORS

Some say, with manifest bad intentions and falsehood, that the government acting in this way, is favoring the privileged groups. But at the same time the privileged groups are implacable enemies of the government. Why are they? Because the government is making the policy for their benefit? Or because the government, through its policy of wages, of family benefits, of prices, its policy of union legislation, its tax policy, its agrarian reform, its social policy, *Promocion Popular*, is favoring the privileged groups?

Let the country reply.

This government is favoring the national majority groups, and those who oppose it are oligarchic groups of the extreme right and the extreme left. This is the truth.

DECEPTION OF PUBLIC OPINION

But there are some facts which the country must know:

The same parties which push the unions to ask for more are rejecting in the Congress all the proposals of the executive branch to finance the budget. They are attempting to eliminate the current resources being requested and at the same time to increase expenditures. Are they serious in this? Is there anyone who looks at it other than as a deliberate effort to obstruct and to bring the government to ruin? Not content with this, they (the government's opponents) make the falsest and most brazen statements.

They say, for example, that if the advisors (*asesores*) were eliminated, the health expenditures could be financed. Here in the Presidency I have named four advisors because I need them in view of the overwhelming work which we have imposed on ourselves, and in the entire public administration there are not ten persons with these responsibilities; even so, I am eliminating them to the extent that the work which made them necessary is completed. If I eliminated them all, though they are performing very useful functions, the situation would not change at all.

This year the increase in hirings within the public administration and in all the quasi-governmental institutions and public enterprises has not reached 1 percent, although the annual increase in the country's active population is 2 percent. However, with malice and deceit they have spread the story that this government has hired much personnel. I challenge them to point to an example of greater strictness in this field. This is the way they lie with impunity and with no regard for the truth and the facts.

Furthermore, the government has resolved that next year no one will be hired and vacancies will not be filled save in exceptional cases pursuant to a decree authorized by me for reasons of technical necessity in a particular agency.

It is said that in some agencies they make more money than in others. Is this a new situation? Can they ask me to achieve a unified wage scale in two years? Is there any country in which there are no differences with respect to remuneration given the difference in functions?

Did I not find an enormous anarchy in this respect which had dragged on through various administrations?

INFLEXIBLE POLITICAL OPPOSITION

In the Senate many important projects which the Executive proposes are rejected by party order, that is, by political design. Thus, today I have had to withdraw the steel plan project, designed to double steel production, because at the last minute in accordance with these decisions the project was rejected in advance. Let the country think what this means. Other vital projects are not acted upon either and are delayed for months and months in a useless and prejudicial political procedure.

And afterwards these same parties go to the provinces and ask why the government does not do what they keep the government from doing. Is this democracy they are practicing? Is this what they understand by democracy?

REALITY OF THE COUNTRY

In view of all these facts which I am pointing out to the country, I wish to indicate another much more important one. While some unions—or rather some sectors of some unions—are provoking deliberate conflicts and while some political groups in the center of Santiago are using their power to attempt to paralyze the action of the government, the reality of the country is completely different. Its economic growth is undeniable. Popular support is unreserved. Men of effort and work, the modern entrepreneurs, are expanding their industries and buying machinery as they never have before, in an act of confidence in the country. The workers in the *poblaciones* are grouping together to collaborate. The *campesinos* are showing us their capacity to produce more, and they wish by their effort to justify to the country the right to be owners of the land.

The majority of youth supports us in all of Chile.

The Chilean woman with her solidarity gives us the best stimulus.

THEY FEAR A POPULAR REFERENDUM

I ask if honestly it is believed that the people in the great majority do not support the government, why do the opposition parties not approve of the plebiscite? Why are they afraid of a popular referendum which would indicate whether the people are with the government or with those who reject all the laws which it proposes? This is my question.

The country is sound and it is working. All the indices show progress. Why this despair about the success of the country? We are in an open fight against inflation. You know well that we took over the country with a 47 percent rate of inflation. Last year we finished with 25 percent and in spite of so many obstacles this year we will reach a figure of around 18 percent.

All the objectives which we proposed on assuming the government are being achieved and even bettered. This is what makes many people despair, and for this reason every day they grow more divorced from the reality of the country.

HISTORIC DECISION

But tonight I wish to announce to the country something which I consider one of the most important and historic steps that Chile will be able to take toward its economic independence.

Just two years ago on this same date, on the eve of Christmas of 1964, having recently arrived in the government, I announced to the country a new and transcendental copper policy which today is beginning to be a reality.

Today, two years later, as the culmination of a policy followed with firmness, I must make an announcement which seems to me as important as the earlier one. The government has resolved to renounce the loans of the Agency for International Development (AID) of the United States for the general financing of investments in the governmental budget of next year, and has also renounced the request for the annual so-called "stand-by" loan from the International Monetary Fund. Beginning next month and after long years our country will face its general fiscal investments with its own resources.

Why have we at this moment taken this decision which I presume to call—and I am sure the whole country will call—an historic one? This is what I wish to explain tonight.

EXCESSIVE EXTERNAL INDEBTEDNESS

During the electoral campaign, I could see that the Chilean people had a very profound desire that we should not continue to go into debt in such a disproportionate way as in recent years.

The whole country knows that in 1958 the total foreign debt amounted to $531 million and that in 1964, when I assumed office, the debt had reached $1,780 million. That is, in the course of 6 years, we had gone further into debt to the extent of $1,250 million. If we were to continue at this pace which was getting even faster, by the end of my mandate we would have climbed to $3,000 million. In this way we were headed toward complete ruin, to a total dependence on foreign funds and we were compromising not only the present but also throwing a heavy burden onto future generations. The annual payments on the debts had reached amounts impossible to meet.

FIRST MEASURES ADOPTED FOR FOREIGN LOANS

The first measure which I was obliged to adopt, was to renegotiate the foreign debt. For this undertaking I received the assistance and understanding of all our European creditors and specially of our American creditors.

The second measure adopted was to decrease the rate of new foreign loans as this was the only possible way of working based on solid foundations. Thus it is that during the last 2 years the foreign debt of the country, instead of increasing by $200 million per year—which was the former rate of increase—has only increased by approximately $50 million per year.

To carry out such policy, the higher price of copper has been of great assistance, it is true, but we must remember that at the same time we had to face the damages of storms and of an earthquake. At that time I said that we would not request foreign credits for this emergency, as it was not possible to be always begging for assistance. The country was able to see how by our own efforts we were able to solve our problems at that moment.

STRICT IMPORT POLICIES

On the other hand, on several occasions when the country enjoyed a very good price for copper, these extraordinary resources were squandered. We have had a different policy and have maintained a strong monetary stand. We have increased imports of capital goods; we have imported busses, trucks, industrial equipment. We have not opened the doors to luxury imports, which although it is true involve a revenue for the Treasury, also mean ruin for the national economy. Thanks to this policy we have been able to renew and extend our industrial plants and in two years of my Government we have been able to obtain a favorable Balance of Payments, with a surplus of 160 million dollars.

A NEW BASIC OUTLINE

A problem which I estimate as basic had to be faced.

Is it possible for the country to organize its economic life on two bases that are totally uncertain as are loans and the price of copper?

As President of Chile this has been a constant and deep concern of mine. I ask: what would happen if at a given moment the price of copper underwent a substantial decrease? And we run this hazard at any moment. We would not be able then to continue with many of the projects initiated.

On the other hand, if at a given moment, for any reason whatsoever, we are unable to obtain foreign loans for general financement of our programs of national investment, would it be possible then to maintain our present level of endeavor?

After serious consideration and study of the problem by the Government economic team, we concluded that it is not possible with the extraordinary advantage of the price of copper, to apply at the same time for loans for general government investments and that this was the time for our country to become independent—I would honestly say—to stand on its own feet and carry out programs through its own efforts.

I am certain that in adopting this decision I am interpreting Chile. I believe that such determination gives us moral authority within and outside of the country; that such a step will have an extraordinary impact on all international circles and will build up a climate of respect—and I dare also to say—of admiration for our country.

PLAIN LANGUAGE IN DECISIONS

I want to precisely state here these facts, as I know that whatever the scope of the enterprises carried out by this Government, the truth will always be distorted to promote distrust—and I must plainly say it—lies will always be told about what we are doing.

This year as in former years credits have been available to us. There have been no problems with the United States, AID, or the Monetary Fund, with whom our relations during the present year have been as friendly as in the past.

There have been no problems. It is of our own initiative that we are reaching such decisions, considering only the welfare of Chile and this is what we will say to the international agencies, to whom our sincere thanks go for the friendship and understanding shown.

I want to add here that if in the future the price of copper goes down to a normal rate, as it is probable in a normal market, and the country needs again to request the assistance of financial agencies, we will do it; and I am certain we will find again the same welcome and spirit shown by the Alliance for Progress. But I believe that if we profit from this opportunity and make the necessary efforts, it will be possible to continue moving ahead through our own resources. Later, investments and development plans for copper, whatever may be the price of that metal, will help us to consolidate the independent stand we are now adopting.

BASIS FOR A POLICY

The fact that a larger amount of dollars are available, due to the exceptional price of copper, must not lead us to repeat the error, often committed in former years, of using these dollars to finance salaries and wages, since the price of copper may go down tomorrow and then we would not have the necessary financing. In the second place, it is a sounder policy to use such resources, which are transitory, in economic development and investment plans, which are the only sound basis for more job opportunities, a solid currency and real stable salaries and wages, financed by the country itself and not based upon financial tricks. They will also make available new export resources and it will not be necessary then to depend upon only one product.

This decision of the Government means that we are not going to mortgage the country to develop.

It is necessary to state that in taking this step, as long as the price of copper maintains its favorable price, imports under consideration for the coming year may be increased by 15%, especially machinery and capital goods; and even though copper prices decrease in the international market, we will have a new surplus in the 1967 Balance of Payments; without taking in account the credits which we are turning down.

DIRECT CREDITS OF NATIONAL DEVELOPMENT AND EFFORT

I would also like to clarify a concept. We are renouncing the contracting of those loans that usually covered our general fiscal investment budget, but this does not mean that the country does not continue to use as all the nations of the world are doing, including socialistic countries, direct credit for industry financing and specific projects of economic development or capital contribution.

If a country wants to live within its own means and has pride in doing things by itself, and does not depend on foreign goodwill, or foreign possibilities, it has to make an effort. Our independence cost our fathers their lives. We may well ask for a battle that leads to the economic independence of Chile; that the country make a savings effort, efforts of work and social discipline.

It will be necessary to make a special effort to produce important economies in public expenses and improve the efficiency in Administration. That is why I announced that no vacancies would be filled and some items in the Budget will be reduced, the services will receive instructions to proceed with a maximum of strictness.

A NATIONAL CALL

I want to ask the managers to make a new effort, as they are doing in great measure, to improve their industries, provide more work and enlarge their investments.

Above all, I want to ask the workers to analyze this program of the Government, the results are being seen, and to aid us, because the progress that is attained will fundamentally be theirs.

The immense mass of workers is with the Government. If there be strikes in the copper or in other basic industries, naturally we may not be able to maintain this pace which is of national transcendency; but if they support us—better said—if they help Chile, we may be able to maintain this line and consolidate it, and when I hand over my Government, the debt of Chile will not have increased. On the contrary it will have diminished. And on leaving the Government, production will have doubled in the copper industry, there will be new industries and new richness, the situation of the country will be extremely favorable, its independence will be real. But the Government cannot accomplish this by itself: this must be done by the Government together with the people.

FINAL WORDS

As a Chilean, and as President of the Republic, I feel proud and happy to be able to give this news on Christmas Eve.

I know that those that fight me without limit or measure, will look for the most devious arguments to diminish the importance of this Government resolution. I know that many, instead of feeling glad will despair, for it is desperation that they feel because the Government fulfills its program and has success.

The country can see the people and the Government working and not involved in guess work, in compromises or in a thousand pointless exercises.

I do not bear hate. I only desire to be allowed to work. I have shown respect for the opposition and to all branches of the Government.

I insist on my call to all Chileans. God grant that the spirit of Christmas brings us greater unity, with a more profound feeling of peace and a fraternal life together.

THE SITUATION IN VIETNAM

Mr. MORSE. Mr. President, in his column today, Walter Lippmann has once again pierced the veil of misleading administration propaganda about the war in Vietnam. I know of no one whose writings so starkly reveal the credibility gap in Vietnam policy.

I ask unanimous consent that his column "War Shrouds U.S. Role in Asia," and the story from the New York Times of today: "Niebuhr Calls for an End to the War in Vietnam," be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 19, 1967]

WAR SHROUDS U.S. ROLE IN ASIA

(By Walter Lippmann)

Behind the fog of war lies the great unanswered question of our role in Asia. None of us today can answer this question finally and conclusively. For there is no all-wise and omni-competent Asian expert who can speak with authority on a situation which has existed for only about 15 or 20 years.

Our present position in the Pacific and our relations with Asia are the unplanned and accidental consequences of the Japanese victories over tne European empires in Asia and of our total victory over Japan. The result of this immense historical upheaval has been to bring our military frontier not only all the way across the Pacific but also on to the peninsulas and offshore islands of the Asian mainland—to South Korea, Okinawa, Taiwan, and South Vietnam. The great unresolved questions turn on where an enduring frontier can and should be stabilized.

Beyond the military frontier lies China, which is passing through a revolution comparable to, though bigger and perhaps more portentous than the French revolution of 1789 and the Russian revolution of 1917. Nobody living today knows much about the Chinese revolution. But from the other two revolutions of modern times one lesson stands out. A big revolution in a big country, which is a very different thing from a local revolution in a small country, cannot be controlled by foreign intervention. When an alien power attacks a big revolution it generally brings a reign of terror and a dictatorship which maintains itself by military aggression abroad. Experience teaches us too that the best policy is one of watchful waiting while the internal revolutionary fires burn themselves out. Eventually they do. After a generation of revolutionary upheaval, a new generation arrives. It has forgotten the original grievances and is bored with the old ideologies, and seeks for itself a quieter life.

During this period of watchful waiting the smaller nations on the frontiers of a gigantic revolution are bound to be nervous and apprehensive. They do not know what will happen. But they do know in their bones that in the long run they will have to find a way of coming to terms with the masters, in the present case the Chinese masters, of the revolutionary struggle. As the small peripharal countries are unable to know who the eventual masters will be, they resort to the classic rule of power politics. They embrace the avowed enemy of their potential enemy. On the frontiers of China today some countries have governments which have compromised their future relations with almost any Chinese government. This may be said of South Korea, of General Ky's Saigonese government, and of the present rulers of Thailand. These wholly committed and compromised governments have no alternative to becoming the satellites of the United States; if in the end they are overthrown, their rulers must look for safe passage to the Riviera or to Palm Beach.

There are other weak borderland countries like Burma and Cambodia, Malaysia and Singapore whose overriding purpose is to stay out of war. Cambodia has used words to placate Peking, Singapore has used words to please Washington. But both have cannily avoided any military engagement. The Prime Minister of Singapore has not offered to let our fleet use the great naval base at Singapore.

The administration would have us believe that there is at stake in Vietnam not only the security of the borderland countries but also their confidence in the American capacity and will to protect them. Unhappily and unnecessary, they have learned this from Washington. Among our great mistakes in Southeast Asia has been the reckless use of words. It is our own propaganda which has taught the world, and particularly the small allies, that the outcome in Vietnam was the "test" of American courage, good faith, idealism, and power. What was the sense of saying that? We are like a man who makes a reckless promise, say, that he will climb the face of the Washington Monument, and then in an excess of exuberance and prime adds "and if I do not climb it, you may consider that I am a coward and a horse thief."

In truth, the power of the United States is not being tested in Vietnam. It has been tested against far more powerful enemies than the Vietcong and their Northern allies. There is no doubt about the power of the United States. What is being tested is whether the generation now in command in Washington have the intelligence to use American power wisely and effectively, or whether they think they can kill mosquitos with tanks and build a Great Society with B-52s.

Nor is the good faith of the United States being tested. What is being tested is the competence and common sense of a handful of men who, acting furtively and by subterfuge, have pulled the levers and pressed the buttons in a war they denied they intended to engage in.

As a matter of fact, the outcome in Vietnam will not determine whether revolution breaks out in other borderland countries, whether there will be rebellion as there is in South Vietnam against tyranny, corruption, exploitation and poverty. Indeed, the more extensively the United States becomes bogged down in Vietnam, the less able or willing it will be to undertake a second and a third Vietnam somewhere else. It is an empty boast and a false promise to tell the world that the United States will fight aggression everywhere.

The weak countries will have to save themselves from revolution. They will have to keep themselves going with such marginal economic and technical assistance as we in the advanced countries can or are willing to give them. Beyond that, if they feel themselves threatened by the development of Chinese missiles and nuclear weapons, it might be useful to see whether an agreement can be negotiated by the nuclear powers promising to unite against the country which makes the first nuclear strike. Only lately, we must remember, the Chinese have said again that they will never strike first. It would be most useful if this could be spelled out in a collective agreement.

In the long run the countries of the Chinese borderland will have to make peace with China. They will not be able to do this, we must recognize, until the Chinese revolution has run its course, but eventually they will have to do it. It is good statesmanship to keep in view what is going to happen even if it is not happening at the moment.

The peripheral states of a superpower like China will have to move within the Chinese orbit as surely as the Caribbean states move within the orbit of the United States. This is one of the facts of international life, and no amount of moralizing and ideologizing can rub it out.

[From the New York Times, Jan. 19, 1967]

NIEBUHR CALLS FOR AN END TO THE WAR IN VIETNAM

(By George Dugan)

The Rev. Dr. Reinhold Niebuhr called yesterday on the universities, the church and the "informed" communications media to seek an end to the Vietnam war.

"We who are concerned," he said "ought to press for a solution that guarantees an American presence in Southeast Asia, while saving face for the United States and China."

The internationally known theologian made it clear that those "concerned" should support to the limit the university faculties and the church bodies that have urged a cessation of hostilities in Vietnam.

He spoke particularly of the 462 Yale professors who recently urged an end to the bombing of North Vietnam. The theologian also had words of praise for Harrison E. Salisbury, an assistant managing editor of The New York Times who recently returned from Hanoi. Dr. Niebuhr called The Times the "next thing to a national newspaper we have."

It was the 74-year-old theologian's first public comment on international affairs in four years. He retired as vice president of Union Theological Seminary six years ago. Because of ailing health, he has made only occasional chapel appearance since then.

A STANDING OVATION

Yesterday, the theologian addressed more than 300 students and faculty members in the seminary auditorium. He was greeted by sustained applause. When he finished, the seminarians gave him a standing ovation.

Dr. Neibuhr had promised a few minutes of questions, but after speaking for nearly 45 minutes, he begged off because, as he said, he was "exhausted at this stage of senility."

The theologian characterized the Vietnam conflict as a "fantastic adventure of United States imperialism in an Asian civil war while we at home are trying to clean our air, clean our water, clean our ghetto and fight for racial justice."

Throughout his talk he repeatedly referred to the Vietnam war as "fantastic" and "tragic."

Dr. Niebuhr reviewed the history of American involvement in Vietnam, from the days of "advisory" participation to the present, when "billions have been spent and 6,000 men have died."

It is no longer a case of "simple withdrawal," he told the seminarians. "We are in too deep and what is at stake is imperial prestige."

"Couldn't somebody just say we made a mistake" he asked. "We have been drawn into this situation by one fantastic chapter after another, obviously stumbling into the quagmire. But political leaders never make mistakes, or else they would be challenged by the opposition."

He said he was not disputing an American military presence in Southeast Asia, "but it might be better to have that presence in perhaps Thailand."

After Dr. Niebuhr's talk, Tom Leatherwood, a senior at the seminary who is chairman of the Seminarians' National Emergency Committee on Vietnam, urged the audience to "hook in" with the conference to be held in Washington for three days beginning Jan. 30.

Seminarians of all faiths, he said, are planning "some sort of direct action, such as a nationwide fast."

RECONSIDERATION BY THE FCC OF THE ITT-ABC MERGER

Mr. MORSE. Mr. President, the petition of the Justice Department urging reconsideration by the Federal Communications Commission of the ITT-ABC merger is a welcome recognition of the damage the FCC has done to itself and to the public interest by its handling of this case.

The press account in the New York Times states:

> The petitions, signed by Donald F. Turner, head of the department's antitrust division, said the Committee had violated the law under which the Commission itself operated by holding only a brief hearing on the proposed merger.

I do not know how the case could be put more clearly or strongly. The FCC violated the law in this case. Of that there can be no doubt. I ask unanimous consent that the article from today's New York Times, "Delay Is Sought in ITT Merger," be printed at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. A second point made in the Department's petition challenges the whole ground on which the merger was premised. Presumably, the merger was to provide funds for the network out of ITT capital. But the Justice Department states that the evidence available shows the network is the profitable enterprise and ITT expected to gain a large cash flow from it for use outside the broadcasting industry.

I raised this point a few days ago in letters I addressed to Chairman Hyde of the FCC and to Mr. Turner of the Justice Department. I asked them to reconcile this claim of the parties with the evidence which clearly refutes their claim. No reply has yet been received from these two individuals, but the action of the Justice Department speaks for Mr. Turner. I ask unanimous consent to have printed at the close of my remarks the text of the letters I have mentioned.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. Mr. President, another point brought out by the Justice Department is that raised by Senator NELSON and me concerning the effect upon news broadcasts of the participation in management of many ITT subsidiaries of foreign governments. To quote the New York Times:

> The petition noted that ITT had, in its statements before the commission, pledged itself not to engage in anti-competitive behavior. But, it said, there is a principle in antitrust law "that assurances of good conduct are not lightly to be relied on when a merger results in an industry structure which is inherently conducive to undesirable conduct."
>
> This same principle should also be taken into account by the commission, the petition said, in viewing ITT's assurances that it would not in any way interfere with the in-

dependent operation of ABC's news and public affairs reporting.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. The assurances of ITT that its foreign interests would not in any way interfere with ABC's news coverage is pretty hard for any realistic person to swallow, when the television industry is well known for its very prompt response to the economic pressure of its advertisers.

On the boards of many of ITT's principal subsidiaries—as in Spain, France, Belgium, and the Netherlands—sit individuals who are highly placed officers of the government, government banks or credit institutions, or quasi-public banks which are recognized as government financial agencies. Often these directors represent large blocks of stock held by State enterprises, as in Spain.

Moreover, ITT's sales and leases of equipment to foreign governments and foreign customers are not only of huge dollar significance, but they are long-term in duration and give ITT such an immense stake that, from the standpoint of the corporation's own best interest, it is essential nothing be done or said on an American news network that might arouse local anger, instigate ill feeling or provoke possible political retaliation.

With the Belgian Government, a major ITT subsidiary recently entered into a 10-year agreement to supply telephone switching equipment; in West Germany, another ITT subsidiary has nearly 25,000 agreements to rent telephone-teleprinter equipment for periods of 5 years or more; in 1966 alone, not only did ITT further add to its long-term links with other countries, but it also expanded its commitments for the supply of defense electronic equipment.

For all practical purposes, ITT is now a partner with the Governments of Sweden, Denmark, and other northern European countries in their defense systems.

ITT also provides telephone service to a number of countries under contract with the local government. In Peru, for example, ITT's telephone rate increase—recently approved by the Government—is being bitterly opposed by the Peruvian Senate and by certain political factions. Would it be likely that an ITT-owned television network would furnish the American people an objective or impartial view of political or economic issues in Peru?

The FCC saw fit not to look into these questions. It failed to observe the law; it failed to protect the public. It failed to give the American people the intensive hearing that we are entitled to receive from any administrative agency of this Government on a matter as important as this.

The final item which I ask unanimous consent to insert in the RECORD at the end of these remarks is the statement of a former vice president of the International Telephone & Telegraph Co. This statement was sworn to in Manila, the Philippines, on October 22, 1964, by John Thomas Naylor, before the American consul, E. L. Crosson.

It is an account of what Mr. Naylor described as a solicitation of political campaign funds from ITT executives by Bobby Baker. Mr. Naylor's recollections are in the form of personal notes and reactions he recorded at the time.

This statement was made available to the Justice Department. The Department has advised me that it did not find any evidence to support Mr. Naylor's statement. I do not know what steps the Department took to investigate the matter, and from the way the FCC treated the Department's interest in the antitrust end of this case, I do not suppose the FCC made any effort to learn what the Justice Department may or may not have done to investigate the possibility of violations of the law in connection with campaign contributions.

But I do know, Mr. President, that this is a sworn affidavit from a responsible business executive, who was a vice president of ITT, who now is a high corporate officer in another American corporation. Until this affidavit is answered on the public record, it must be presumed that it sets forth an accurate statement of facts as to the political pressure that was placed upon Mr. Naylor when he was the vice president of ITT, and upon other officers of ITT, to join, in the interest of the company, in making contributions to one Bobby Baker, to be used in the 1960 election campaign.

Mr. President, I ask unanimous consent that the affidavit and the other material to which I have referred in my statement be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

EXHIBIT 1

DELAY IS SOUGHT IN ITT MERGER—JUSTICE DEPARTMENT URGES FCC TO REOPEN STUDY OF ACQUISITION OF ABC

(By Eileen Shanahan)

WASHINGTON, January 18.—The Justice Department moved today to force a postponement of the merger of American Broadcasting Companies, Inc., into the International Telephone and Telegraph Company.

In two separate petitions bristling with criticism of the Federal Communications Commission, which approved the merger four weeks ago, the department asked the commission to postpone the effective date of the merger, now Jan. 20, and to reopen its entire proceeding in the case.

The petitions, signed by Donald F. Turner, head of the department's antitrust division, said the commission had violated the law under which the commission itself operated by holding only a brief hearing on the proposed merger.

The petitions also accused the commission of failing to examine "crucial facts" regarding the merger and of basing its approval largely on an assumption the department believed to be false.

The I.T.T.-A.B.C. merger, which would be the largest in broadcasting history, was approved by the commission on Dec. 22 by a 4-to-3 vote.

LETTER RECEIVED

The commission's action in December came only a few hours after it had received a letter from Mr. Turner describing five grounds on which he felt the merger might injure competition to an extent prohibited by the antitrust laws.

The letter, while asking the commission to give serious consideration to the antitrust issues it had raised, also said that the Justice Department did not yet have enough evidence on which to base a formal antitrust action.

The commission had withheld a decision in the case, at Mr. Turner's request, until receiving his letter. After receiving the letter, however, it quickly approved the merger.

The failure of the commission to give any detailed study to the objections raised by Mr. Turner was noted in the dissents of the minority and was known to have enraged Mr. Turner.

The Justice Department's petition for reopening the proceedings said that the department's investigation, still not complete, "raises serious question about what the commission advances as 'the principal reason for the merger.' " This was the assertion of the merging companies that A.B.C., the third largest television network, needed more capital, which I.T.T. could provide.

The Justice Department said that documents it had seen "reflecting consideration of this transaction by the managements of the two companies do not suggest that this [A.B.C.'s need for cash] was a significant factor leading to their merger decision."

On the contrary, Justice said, "rather than planning to invest large amounts in the capital improvement of A.B.C., I.T.T. appears to have expected A.B.C. to produce a large cash flow which would be available for use outside the broadcasting industry."

This is an argument that has also been made by various Congressional critics of the merger.

The commission's two days of hearings on the merger were "not adequate to permit informed decision of all the issues bearing upon the public interest," the petition said.

"The Federal Communications Act requires that in a proceeding of this type, there must be a full hearing if a substantial issue of fact is presented," the petition continued. "The commission has a duty not merely to take the record as it finds it but rather to act affirmatively so that the record is truly informative on all known aspects of the public interest."

The Justice Department's investigation, which it said was begun "within days" of the announcement of the merger plan in December, 1965, discloses that I.T.T. might enter the broadcasting business some other way if it could not do so through a merger, the petition said.

The petition gave details of I.T.T.'s earlier explorations of the possibility of entering the broadcasting field—including its attempted move into a community antenna television system in New York City—as evidence of the company's intention to get into broadcasting. The petition noted that, in two different cases, the Supreme Court had upheld the principal that elimination of a potential new competitor could be grounds for holding a merger invalid.

There are also other ways in which I.T.T. might become an independent force in broadcasting if the merger were prohibited, the petition said. As a major manufacturer of communications equipment, for example, it might become a "source of basic technological development which could lead to new systems of communication."

CRITICISM EXPRESSED

The merger might end I.T.T.'s interest in this, however, the petition said. It criticized the commission for apparently not even considering this possibility, although it had been raised in Mr. Turner's letter.

The petition noted that I.T.T. had, in its statements before the commission, pledged itself not to engage in anticompetitive behavior. But, it said, there is a principle in antitrust law "that assurances of good conduct are not lightly to be relied on when a merger results in an industry structure which is inherently conducive to undesirable conduct."

This same principle should also be taken into account by the commission, the petition said, in viewing I.T.T.'s assurances that it would not in any way interfere with the independent operation of the A.B.C.'s news and public affairs reporting.

Several Congressional critics, among others, have suggested that I.T.T., which does business around the world, might come under considerable pressure from governments in countries where it does business to reflect the viewpoints of those governments in A.B.C.'s news operations. These critics have expressed fear that, at the least, there might be pressure for suppression of unfavorable news and comments.

IMMEDIATE STAY ASKED

In specific terms, what the Justice Department asked today was that the commission rule immediately on its petition for a stay of the merger, which could otherwise go into effect on Friday.

The commission could then consider the department's separate petition for a reopening of the entire proceedings, which the Justice Department also asked that it be made a party to. A new hearing, if agreed to by the commission, should begin within 60 days, the department said.

The Justice Department said that it had no wish to drag out the proceedings past the end of this calendar year, the expiration date for the merger contract. It said the matter could easily be disposed of "well before" next Dec. 31.

The department noted that it wished it had been able to complete its investigation of the antitrust implications of the merger more quickly. But, it added, "we have found no shortcuts in probing the competitive aspects of a merger of such size and complexity."

EXHIBIT 2

JANUARY 10, 1967.

Re proposed acquisition of the American Broadcasting Co. by the International Telephone & Telegraph Co.

Hon. ROSEL H. HYDE,
Chairman, Federal Communications Commission, Washington, D.C.

DEAR MR. CHAIRMAN: In Mr. Turner's letter to you of December 20, it is stated that: ". . . after capital expenditures and debt repayment and assuming ABC continues in third place, it would yield a cash flow approaching $100 million between 1966 and 1970, almost all of which was thought by ITT to be available for reinvestment *outside* the television business." In other words, ITT regards ABC as a source of funds rather than the other way around.

This statement by the Assistant Attorney General is in direct conflict with the testimony given by the presidents of ITT and ABC before the Federal Communications Commission in September and which the Commission's majority adopted as the principal basis for its decision to approve the merger.

It would be appreciated if you would notify me as promptly as possible what investigations you have made regarding Mr. Turner's claim.

Sincerely,

WAYNE MORSE.

JANUARY 10, 1967.

Re proposed acquisition of the American Broadcasting Co. by the International Telephone & Telegraph Co.

Mr. DONALD F. TURNER,
Assistant Attorney General, Antitrust Division, Department of Justice, Washington, D.C.

DEAR MR. TURNER: In your letter of December 20 to the Chairman of the Federal Communications Commission you stated that: ". . . after capital expenditures and debt repayment, and assuming ABC continues in third place, it would yield a cash flow approaching $100 million between 1966 and 1970, almost all of which was thought by ITT to be available for reinvestment *outside* the television business." In other words ITT plans to use ABC as a source of funds, which is in direct conflict with the testimony of the presidents of ITT and ABC before the FCC in September, 1966, and which also strikes at the heart of the majority's contention that the merger will strengthen ABC's financial conditions as against the other networks.

It would be appreciated if you could send me as promptly as possible further information underlying the above quoted representation made in your letter to the FCC.

Sincerely,

WAYNE MORSE.

EXHIBIT 3

ELECTION AND TAX FRAUD NOTES—INTERNATIONAL TELEPHONE & TELEGRAPH CORP. (PERSONAL EXPERIENCE J. T. NAYLOR, VICE PRESIDENT AND CHIEF EXECUTIVE TELECOMMUNICATIONS OPERATIONS)

(Italic quotations verbatim exact)

September 1960—Elaborate drop-boxes, signs and bulletins placed all offices inviting election campaign contributions.

(Reaction: General employee joke. Other solicitations within company (United Funds, etc.) received casual treatment. Management "out of character" in strained patriotism. Personally paid little attention—too preoccupied with work "brushed off" comment on subject.)

October 13, 1960 (3:00 P.M.)—Telephone call from Bill Marx (Senior Vice President) asking me to "chat" in his office. Just two of us. *Marx "Hal and the Board have a program that is very important to political protection and business development. Hal* (Geneen) *has given me a selected list of top executives to contribute to the election campaign.* (Referring to list on desk) *You are down for $1,200. This can be financed for you by the company if necessary; Jim Lillis* (Comptroller) *will handle it. You will be expected to recover the amount by covering it up in your traveling expense account. The Board of Directors wants us all to cooperate."*

Naylor—"Are you asking for a check now? I don't want any company financing or expense jimcracks."

Marx—"No. I will let you know later when and how the payment will be made."

(Reaction: Incredible! Illegitimate? Expense account fraud violate tax laws? Arthur Anderson & Co. either participant or to be deceived? Must violate other laws or would be taken up at Staff Meeting or as a group with "Hal's selected top executives". Dropboxes and solicitation a camouflage for this clandestine deal. Strange to be a fair haired lad after all my opposition to other fraud.

Wait it out to time of action; will avoid participation expense account "horse-play"—own decision. Tampering with laws not for me. Afraid of me if I refuse and squeeze me out with no facts to fight with. Another fight on my hands with the Geneen "coat tailors". Try to get "goods" to fight back but some board member or other officer probably stop this before it happens?

Big time mess if Perkins, Pierson, Lannan, Knowlton, Kirby, McKinney, Hill, Brown, Davis-Polk and Arthur Andersen in on this—elegant stage setting.

Exposure to betrayals: Security clearances, Exim Bank, World Bank, I.C.A., NASA, Stock Exchange, State Department. Must be at least 30 us "top executives" if board 'chipping in' too. Board must assume entire staff crooked as Geneen; self-preservation club. Have to see it through at own expense to get any evidence but no personal entanglement. Check into laws involved. Stay underestimated but make clear record.)

October 18, 1960 (3:30 P.M.)—Telephone call from Marx "Jack, I am up in Mitch's (Vice President and Legal Counsel) *office. We are taking the election contributions. Please bring up your check book."* (Went up. Surprised to be still on the team. Marx introduced a "Mr. Baker". We shook hands. Marx stepped out and closed door leaving me with Mitchell and Baker. Mitchell and I at desk, sitting; Baker standing at window.)

Mitchell (reading from a list on his desk)—*"Jack, they have put you down for $1,200. Please make out your check in favor of the "Texas Business and Professional Men's Committee for Johnson for Vice President. Be sure, Jack, to put your home address on the check."*

Naylor—"Mitch, I'm not clear on this. There are a couple of points I'd like to talk over privately first."

Mitchell—(obviously disturbed)—*"I'm not the one to talk to. Bill* (Marx) *is supposed to explain this. I'm just collecting the checks for Mr. Baker here. Shall I get Bill?"*

Naylor—"You'd better get somebody. I want to know what goes on." Mitchell and Baker left the room and closed the door. About one minute later Marx stepped in and closed the door; delay long enough for Mitchell to brief Marx that Naylor was cantankerous.)

Naylor (standing)—*"Bill, what in hell goes here? Why should I contribute to these Texas rats and who is Baker?"*

Marx (solicitously—both standing)—*"Jack, I'm sorry. I should have explained all this to you and thought I did. Hal* (Geneen) *and the board have it set up to 'butter' both sides so we'll be in a good position whoever wins. Baker is Johnson's man and the Washington representative of the Johnson committee. We can 'juggle' the list if you insist but you are in town and Baker is collecting today. Of course, if there ever were an investigation you would have to testify that this was all voluntary and simply a personal payment made from your home. We have to have your personal address on the check. The way we handle this, anybody ever checking up is very remote and the board wants it; their other companies are doing this."*

Naylor (sensing important personal record probable if payment to Texas Committee actually cleared through banks)—*"O.K. Bill. Let it go. As far as I am concerned, under these present circumstances, this is your version of company cooperation, not mine."* (Sat down, wrote out check but deliberately omitted home address. Walked out behind Marx to reception anteroom of Mitchell's office. Handed check to Baker, who was standing alone gazing out office window. Jim Lillis (Comptroller) standing in reception room, head down, eyes focused on the floor, no answer when I said *"Hi, Jim."* Obvious no two of us to be together or see checks exchanged. Mitchell and Marx also in room when I handed check to Baker. No comment to Baker.)

(Reaction: Naive. Forced behaviour, particularly Lillis' silence with whom relations always more than cordial. Baker a perfumed bird. Unwholesome. Mitchell being the cute counsel for a future criminal defense by calculated avoidance of witnesses. Evidently Mitchell plan to masquerade in case of future trouble by having personal checks and home address sustain company innocence. Marx bluntly demanding perjury. Any follow-thru on expense gimmick or recovery exposes every security clearance to blackmail. Not for me. Must figure me solid evidence until 1961 tax returns filed in 1962; more or less reversible until then by which time all be forgotten.

Has to be identified with the company or no "pay off". Late in the game for election fund. Speculation: getting McKinney appointed Chairman of Atomic Energy Commission? Or Ambassador? Or influence in government contracts? Or pressure in Congress and State Department re Cuba or Brazil? Probably all. Interesting to study cancelled check when it comes back. Keep quiet, stay underestimated—Check law on all this; willful tax fraud obvious in the expense account cover-up.

Have to force out discussion with Geneen; would hang everyone else but himself in a showdown—Cordiner pattern. Must not underestimate the plan and the high powered 'brass' behind it.)

November 1960 Month End Bank Statement and Cancelled Checks—No. 2

Broadway Branch, First National City Bank of New York.

Cancelled Check

Perforated: "Paid 11-14-60"

Endorsed: "For deposit to Texas Business and Professional Committee for Johnson for Vice President, Jake Jacobsen Treasurer."

Bank Stamps: "Austin Clearing House," "The Capital National Bank," "First National City Bank," "Austin, Texas", "Dallas, Texas", "New York", "November 10, 1960', "November 11, 1960", "November 12, 1960"

(Apparent pre-arrangement of dates for some technical intrigue, probably reference 2 U.S. Code Sections 243 and 244—Check held 23 days Baker had maximum of 5 days to report under 2 U.S. Code Sections 243 and 244.)

Date of Check—October 18, 1960 (21 days before election day November 8, 1960)

First Clearing—(Deposit) Date—November 10, 1960 (2 days *after* election day)

Second Clearing Date—November 11, 1960 (3 days *after* election day)

Third Clearing Date—November 12, 1960

Paid (Perforated)—November 14, 1960 (6 days *after* election day)

March 13, 1961 (6:00 P.M.)—In Geneen's (President) office; no other persons present: (discussion initiated because Bender Farwell and Roehm resigned and took up stock options; afraid Nayler would resign and wanted revise terms of option—opportunity used to involve him personally in discussion of election-tax fraud).

Naylor—"Since last October when your election-expense 'gimmick' was perpetrated, I have lost all faith in your crooked management. That was one Hell of a piece of business for any respectable firm. The stockholders should be elated.

After spending my entire business career policing dignity and propriety and being a disciplinarian in management I find at the age of 47 my own principals and superiors insisting that I be tricky and dishonest myself and a set-up for perjury in order to be a good fellow and maintain my position. I refuse to lie or juggle expense accounts for you or anyone, Hal. I paid off my $1,200 extortion to your little friend Baker and won't recover. If you don't like this, Hal, lets settle it right now and close it out. You can have the goddamned stock option and your own cheap point of view and do whatever you choose to be a big shot. I'm just too old to learn your crooked tricks."

Geneen (very disturbed)—*"Jack, that subject should never be mentioned. Everybody does it and the board wanted it this way. It is 'paying off big in Washington'. We tried to think of other ways to do it—through Fred Schwarz or other lawyers or third parties—but had to do it this way. You can't afford that kind of money personally and I think the board and I were fair in making it good. You didn't have to."*

Naylor—"The way it was put to me I had a damned slim choice and I will foot the bill. You don't know what the word "fair" means. Your sole claim to respect is 'weight throwing': no competence or persuasion. I'm too old to sell my self respect and you are making (vulgarity) out of all the titles and credentials this company and the people who hold them.

March 31, 1961 (6:00 P.M. Good Friday)—Resigned (privately Geneen's office) advising self-respect placed ahead of other things and he and his *"new boys not on my wave length"*. Kept cordial per prior plan to let evidence accumulate without alarm. M. R. Mitchell, Vice President and Legal Counsel waiting in outer office to see Geneen when I left.

I continued to be at the office regularly through Thursday noon April 6, advising my official contacts inside and outside the company of proper new channels to observe and packing my personal library and properties. I advised all persons contacted of my severance, my only comment being that it was all on a "very cordial" basis. No reasons or other comments were made at any time.

April 4, 1961 (6:20 P.M. Tuesday)—Mr. R. H. Scott, Radio Superintendent of my department and I were waiting together for the subway train at Bowling Green station when Mr. M. R. Mitchell, Vice President and Legal Counsel joined us, also apparently headed for home. He remarked *"Jack is what I hear about you true?"* I said, *"Mitch, there's no telling what you have heard about me."*

Mitchell—"This story about you resigning?"

Naylor—"Nothing could be truer than that."

Mitchell—"With the stock market what is is! Boy you need counsel!" (Scott, Mitchell and I boarded the Subway. I sat between them.)

Mitchell—"What stocks have you been holding that you can do a thing like this? That's the kind of thing I've been looking for."

Naylor—"I can always struggle along some way. Mitch—you will see all the final record and what if anything the arrangements look like."

Mitchell—"Yes, I'll see the final sooner or later. When did all this happen, last Friday night?"

Naylor—"Yes."

Mitchell—"I wondered what was going on when I saw you coming out of Geneen's office. You were the happiest looking guy I've seen around that place in months. I thought something was up. Do you know what the rumors have been saying about you? I thought it was a fact and believed in it myself."

Naylor—"No. I'm not current on rumors about me. If I looked happy I must have been enjoying clean air for a change."

Mitchell—"The Far East—in charge of everything in the Far East. —Seriously, Jack, you need counsel. How many shares did you have on option?"

Naylor—"Six Thousand."

Mitchell—I'am not talking about holding stock for six months—I mean right to purchase. What was your option price?"

Naylor—"Around 36 or 37—six thousand shares but not due for purchase until July."

Mitchell—(thoughtfully)—*"That's a lot of money!"* (I agreed with him.) (Mr. R. H. Scott was witness to the entire conversation. He and Mr. Mitchell got off at Grand Central, extending good wishes. Mitchell, as he left, said *"Remember, Jack, what I said about counsel."* I proceeded to my home stop—86th Street.)

(Reaction: Mitchell fishing my intentions; worried on election fraud and what I might do next. Believe untrue about not knowing of my resignation; knew of my resignation immediately Friday night March 31. Intentions good but afraid of his own position. Typical sycophant. Like him personally.

(At this point, Mr. Byrd of Virginia assumed the chair as Presiding Officer.)

REHABILITATION OF THE BLIND IN IOWA

Mr. MILLER. Mr. President, a whole new direction in the rehabilitation of the blind is occurring in my own State of Iowa.

The program, presided over by the Iowa Commission for the Blind Director Kenneth Jernigan, has proved to be a breakthrough, one which is the object of study by other States.

In fact, the program is recognized by many to be one of the best, if not the finest, in the world.

Mr. Jernigan, blind since birth, underscores his approach to the rehabilitation of the blind in these words:

> What the blind need is not sympathy, but opportunity.

I quite agree with this statement, and I feel that Mr. Jernigan and his staff of 59, as well as those in other States, should receive the highest commendation for their dedicated, constructive service.

So that Senators and others will have an insight into the Iowa program, I ask unanimous consent that an article from the Des Moines Sunday Register "Picture" magazine of January 15, 1967, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Real Problem of Blindness—Iowa's Program May Be World's Finest

(By Nick Lamberto)

"There is none so blind as they that won't see." Jonathan Swift (1667–1745).

"None so blind as those that will not see." Mathew Henry (1662–1714).

Blindness is only a physical nuisance if a blind person has the proper training and the opportunity to make a living in a world of sighted persons. The real problem of blindness is not the loss of eyesight, but the misunderstanding and lack of information which exist.

Those two sentences perhaps sum up better than volumes of explanation the philosophy of the Iowa Commission for the Blind and its dynamic director, Kenneth Jernigan.

A CONSTANT STREAM OF VISITORS FROM OTHER STATES

In eight years as Iowa director for the blind commission Jernigan has accomplished what one national authority called a "miracle in development." Donald Overbeay, superintendent of the Ohio School for the Blind and past president of the American Association of Instructors of the Blind, said the Iowa Commission now has a program "that is recognized as one of the best, if not the finest in the world." Overbeay was superintendent of the Iowa Braille and Sightsaving School at Vinton from 1949 to 1960.

The principal commission office in the former Y.M.C.A. building at Fourth street and Keosauqua way here now houses the "best and largest braille library in the world." The library has 40,000 braille volumes, 12,296 reels of tape and 28,402 talking books.

No wonder there is a constant stream of visitors from other states to see the library, which has 8,000 talking book titles, 3,000 titles on tape and 13,000 titles, or separate books, transcribed into braille.

When Jernigan came to Des Moines in 1958 he said his goal was to convince the public and the blind alike that the average blind person can do what has always been assumed to be impossible and that life can hold as much for the blind as for sighted persons.

"Our big problem," he said, "is to convince the Iowa employer that the average blind man can do an average job in an average business."

In 1957 only 12 blind Iowans were rehabilitated to a point where they were self-sufficient. Five years later the number was 50. In 1966, a record 70 blind persons were rehabilitated at the training center here.

SO THE SIGHTLESS PERSON MAY BECOME AN ECONOMIC ASSET

Jernigan, blind since birth, has one of the largest private collections of braille books anywhere in the world. A Library of Congress official said the Iowa Commission Library "is the best in the world, giving the best service of any library for the blind in the world."

Why the emphasis on books? Jernigan believes that the blind historically have depended on the majority in society (the sighted people) socially and economically.

"If the minority (the blind) are to move into independent status textbooks and books on our culture must be available to the blind in their language," he says. "So in trying to develop an over-all program for the blind you need an adequate library."

Jernigan is the first state director to push for a library not only in general reading but for all subjects pertinent to training a blind person in a specific field of endeavor.

"It's important that our program succeeds," says Jernigan. "It's a whole new direction in rehabilitation of the blind in this country. It's a breakthrough. If we failed, the old established agencies would have been confirmed in the notion of the limited capacities of the blind. But we've done it here and it works. Other states have come here to study the 'wave of the future' ".

Jernigan believes each blind person seeks his own breakthrough, but once it happens the sightless person becomes an economic asset and not a liability.

AIR PRESSURE, NOISE ARE CLUES TO THE BLIND

An estimated 400,000 persons in America are blind. Of these about 20 per cent are without sight of any kind. They are known as totally blind. An estimated 5,500 Iowans are blind. Rehabilitated blind Iowans have been placed in jobs as electrical engineers, computer operators, switchboard operators, machinists, lawyers, farmers, salesmen and almost any field of endeavor. Each blind person rehabilitated to self-sufficiency saves the state about $74,000 in tax funds, Jernigan estimates.

At the rehabilitation center here in the same building that houses the commission's main offices, the blind are taught self respect, reliance and the skills that will help them realize that emotionally and intellectually they can lead a normal life.

The trainees from the center are familiar to Des Moines residents as they traverse the busy streets with the plastic cane, called the "Iowa cane" by some. The blind person taps the long cane in a wide arc in front of him as he walks. A blind person has the same senses of smell and touch as sighted persons, but most of the time they are more highly developed through usage.

A blind walker can detect buildings by air pressure, can tell traffic flow or patterns by the noise. Most important, blind persons may not have sight as we know it, but they do have a great deal of "insight."

Jernigan thinks braille books, tapes and talking books all have their places in the world of the blind. He listens to a talking book turned on as he shaves each morning. Talking books or tapes are better for some who became blind late in life, when learning braille might be extremely difficult. But tapes and talking books are only a passive thing to some.

Reading braille is handier, for instance, for looking up a word, or perhaps for studying a given subject which may be highly technical.

THE CONTRIBUTION OF LOUIS BRAILLE

"Any braille book is a rare book," Jernigan says. "We have books in braille here that are not available anywhere in the world. And we are producing more braille books than any other library in the world. We have 500 braille and tape books in production at one time."

A tape book is one where the tapist, a sighted person, dictates a book onto a tape recorder. Talking books are records of books.

Brailling of books is done mainly by volunteers, most of whom receive about six months training at the Center here. Braille is a system of printing or transcribing for the blind in which the characters are represented by tangible points or dots. It was invented in 1829 by Louis Braille (1809–'52), a French teacher of the blind. One printed page makes four to six pages of braille, so storage space for braille books is at a premium. In addition, a braille page is much bigger and is as thick as six printed pages.

PENITENTIARY INMATES HELP WITH BRAILLING

Several hundred volunteer braillists transcribe printed books in Iowa, including inmates at the state penitentiary at Fort Madison. A large share of the brailling is done by Jewish Temple Sisterhoods, who donate money and time to help the blind. The Iowa Lions Clubs Sight Conservation Foundation, the Federated Women's Clubs of Iowa, the Hawkeye Chapter of the Telephone Pioneers of America, the Salvation Army, Lutheran church groups and many individual volunteers help make the Iowa program a success with their time and effort. One organization, called Tactile Aids for the Blind, Inc., has volunteers from Tifereth Israel Synagogue and other churches and organizations.

But it is Jernigan and his dedicated staff of 59 employes who channel the energy of the volunteers and inspire both the sighted and unsighted.

"What the blind need is not sympathy, but opportunity," he says. "They should be expected to carry their full share of responsibilities and burdens."

SOME THINGS ARE WORSE THAN INFLATION

Mr. MILLER. Mr. President, in the January 16 issue of the Wall Street Journal, the lead editorial, entitled "Some Things Are Worse Than Inflation," gives a penetrating analysis of the myths which have been spread around by some economists regarding the subject of inflation. The conclusion of the article is very pointed:

> So there surely are things that are worse than inflation. And, sad to say, inflation can lead directly to quite a few of them.

Also in the same issue of the Wall Street Journal is an article entitled "Inflationary Slump? Prices Might Keep On Rising in a Recession, Some Economists Say," which not only discusses the fact that in the past inflationary increases have occurred during a recession, but at the same time points out a number of the factors used in analyzing and projecting possible inflation.

Mr. President, I ask unanimous consent that these two articles from the Wall Street Journal be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Jan. 16, 1967]

SOME THINGS ARE WORSE THAN INFLATION

Inflation, which used to be publicly denounced by just about everybody, now seems to be edging toward social acceptance. Many people, at any rate, appear to believe the nation will have to put up with rising prices if it wants to avoid things that are worse.

Commerce Secretary Connor, for example, recently expressed hope that prices won't climb as fast this year as they did in 1966, but he plainly is willing to tolerate more inflation in preference to continued monetary restraint. President Johnson seems to be of much the same mind; in his State of the Union message, he coupled a forecast of still more huge budget deficits with a demand for lower interest rates and easier money.

It certainly looks as if the Federal Reserve System has got the message. After talking of inflation for a long time, the System finally moved toward restraint in mid-1966. The action was much harsher than it would have had to be if it had been more timely; apparently fearful of its own power, the Fed now is moving toward easy money once again.

Renewed easy money also draws endorsement from those economists who favor perpetual economic growth at whatever cost. University of California Professor Abba P. Lerner argued the other day that it would be better for the Government to compensate the "victims" of inflation than to pass up the extra production made possible by swifter growth.

One trouble with that approach is that it assumes inflation can be a carefully controlled process. With the sophisticated economic tools at its command, the reasoning goes, the Government allows prices to rise just enough to assure "adequate" economic growth (whatever that is) but not enough to produce runaway inflation.

Unfortunately, the tools at hand cannot be used with such precision, even when officials have the will to do so. In assessing the condition of the economy to plan monetary policy, the Federal Reserve relies on statistics which, though better than they were some years ago, still are far from perfect. When it comes to fiscal policy, the cumbersomeness of the political process makes exact readjustments impossible.

Once a price rise gets rolling, of course, officials increasingly find it difficult to summon up the will even to try to keep it in check; the present growing acceptance of inflation is an illustration of that. The longer an inflationary trend persists, the more severe the countermeasures that will be required—and the more the officials are likely to fear the political consequences of any meaningful corrective steps at all.

And when inflation has firmly taken hold, it builds up its own momentum and becomes more and more difficult to retard. So it is that labor unions are now planning big pay rise demands based not only on how much prices have risen in the past year but on guesses as to what will happen in the next two or three years. It's a safe bet that few of them are forecasting price stability.

But let's assume, just for sake of argument, that the plannners somehow could order things so there would be only a little bit of inflation. Is it even remotely realistic to assume that the Government then could move to neatly offset inflation's damage? Any thoughtful person must conclude otherwise.

If we take only the classic victims of inflation, the millions of widows, orphans and others on relatively fixed incomes, the task of continually funneling funds to them to keep them abreast of a rising price level would be monumental. Furthermore, these cost-of-living handouts would in themselves put more upward pressure on the prices they're trying to keep up with.

The widows and orphans, however, are only the more visible of inflation's victims. Inflationary pressures encourage hoarding of manpower and materials; the distortions in the use of the nation's resources grow progressively. The country's products are priced out of more and more markets both at home and abroad. Sooner or later, a lot of people begin to doubt that the nation's currency actually is worth more than the paper it's printed on.

Even a "controlled" inflation, if such a thing were possible, thus has the power to wreck an economy. Perhaps the worst of it is that a business collapse and inflation can exist at one and the same time; history provides a number of ugly examples.

So there surely are things that are worse than inflation. And, sad to say inflation can lead directly to quite a few of them.

INFLATIONARY SLUMP? PRICES MIGHT KEEP ON RISING IN A RECESSION, SOME ECONOMISTS SAY—LIVING COSTS CLIMBED IN FOUR OF LAST FIVE DOWNTURNS—USUALLY AS FAST AS BEFORE—WITH WAR, A TRIPLE THREAT

(By Alfred L. Malabre, Jr.)

Here's a political nightmare for President Johnson:

The 1968 elections are only a few months away. The war in Vietnam drags on inconclusively. The long boom has ended and the economy is in a recession. And prices, far from leveling off, continue to rise sharply.

Maybe Mr. Johnson won't ever have to face this triple threat—war, recession and inflation, all at the same time.

But maybe he will. It's possible, even probable, in the view of many experienced business analysts.

"The big question is Vietnam. No one can safely predict what will happen there," says William F. Butler, vice president and economist of Chase Manhattan Bank, New York. "As far as the economy is concerned, we could well find ourselves with both a recession and inflation at once."

Some optimists claim a recession—if one comes—would have a silver lining. In their view it would surely end the price inflation that has recently flared, after years of record-shattering economic expansion. In the past few days, price boosts have been announced by producers of such key materials as steel, aluminum and copper, as well as several more specialized metals.

WHAT HISTORY SHOWS

Economic history, however, disagrees that recessions are necessarily a cure-all for inflation.

Since 1945, there have been five recessions in the U.S. Prices, as measured by the Government's widely used index of consumer prices, continued to climb through four of these five business downturns. In two of the four, the price rise was about as rapid as in the months of economic expansion that immediately preceded the downturn. In a third, an eight-month recession that began early in wartime 1945, prices actually climbed faster than in the previous expansion period.

Consumer prices did go down during the 1948–49 recession. But the decline was scarcely momentous: The price index dropped 2% during an 11-month span. In the same period, consumer income declined nearly 5%, more than in any U.S. recession since the 1930s.

The table pinpoints what happened to consumer prices in the other four recessions.

Recession	*Price rise in percent*
February to October 1945	1.6
July 1953 to August 1954	.2
July 1957 to April 1958	2.3
May 1960 to February 1961	.9

On an annual basis, the rise of prices during the 1957–58 recession amounted to more than 3%, a level that most economists feel constitutes worrisome inflation. During the first five years of the current expansion, which began all the way back in 1961, the consumer price index climbed only about 1.2% annually on average, less than half as fast as in the 1957–58 recession.

SOME SHARP CHANGES

But the price picture has changed dramatically in the past year or so.

In November, the latest month available, the consumer price index stood at a record 114.6% of the 1957–59 average. The November level was 3.2% higher than at the start of 1966 and 3.6% above the year-earlier level. Over a full decade, that sort of inflation would cut more than one-third from the value of a dollar.

"Recent experience suggests you need more than just a slight dip in business activity before inflation is stopped," observes an economist at the Commerce Department's Office of Business Economics in Washington.

One of the severest recessions on record occurred in 1937–38. Although it lasted only 13 months, it hit business hard; industrial production shriveled by a third and consumer income dropped about 11%. The consumer price index dropped, too, but only 1.8% over the entire 13-month period.

Things were different of course, in the Great Depression of 1929–33. Consumer prices dropped some 27% during the 43-month slump (still much less than the corresponding decline of industrial production and consumer income; each fell more than 50%).

FACTORY OPERATING RATE

Some optimistic analysts, eyeing inflationary signs, take some comfort in recent evidence of easing in the rate at which U.S. factories are operating. According to recent estimates, American manufacturers are using roughly 90% of their full plant potential. This still is a relatively high operating rate, but it is a percentage point lower than a year ago. The recent decline, according to these analysts, signals less upward pressure on prices.

Perhaps so. However, many economists note, the record of recent years provides little assurance.

During the 1957–58 recession, for instance, the nation's plant operating rate plunged to 71% of capacity from 84%, but the consumer price index continued to move steadily upward. In the 1960–61 downturn, similarly, plant operations declined to 75% from 82%, but the price index kept on rising.

In both recessions, the record shows, the price of factory-produced items leveled off briefly; in 1960–61, in fact, the average price of durable goods—a broad category covering autos, appliances, furniture and other such "hard" goods—declined one-tenth of a percentage point. In both recessions, however, this leveling off was more than offset by increases in the price of services, ranging from haircuts to home rentals.

This almost constant climb of service prices through expansions and recessions, many economists say, constitutes a major reason that inflation often persists even in slumps. It is claimed, for instance, that wage increases—which move ever higher—are often more difficult to offset in service industries through the installation of labor-saving equipment; you cannot, for example, automate a haircut.

Another reason that inflation dies hard, according to many analysts, is that the trend of retail prices frequently tends to lag behind wholesale price developments. Thus, if wholesale prices flatten out, many months may elapse before the easing is reflected at retail level.

There is, in fact, one comforting aspect to the recent record of recessions as dampers of inflation, some analysts say.

In the 1957–58 downturn, as noted, the consumer price index continued to climb sharply. However, when business began to expand again after April 1958, consumer prices tended to remain relatively flat. Between April 1958 and March 1959 the index climbed only one-tenth of a point.

The same sort of thing happened after the 1960–61 downturn. Although the recession ended in February 1961, the consumer price index hardly budged until after midyear; then it moved upward briskly, however, climbing six-tenths of a point in only three months.

STILL UPWARD

Such statistics, of course, provide little evidence that today's inflation soon may simmer down.

For one thing, most economists believe the long boom has not yet ended. Most of the 15 so-called coincident indicators of economic activity, used by analysts to gauge the current state of business, still point upward. These include such major business yardsticks as gross national product and consumer income.

This is not to say, however, that a recession—the single missing ingredient of the aforementioned potential Presidential nightmare—may not be just around the corner. Indeed, some economists claim the civilian part of the economy may be entering a recession right now. To support their argument they tick off a list of key areas where business has been sagging: Automobiles, appliances, home building, steel.

Fears that business generally may be headed into a recession soon stem largely from the recent performance of the so-called leading indicators of economic activity. These indicators, experience shows, tend to move up or down earlier than business generally. For this reason, they normally provide an early hint of what's in store for the overall economy during the next year or so.

THE LEADING INDICATORS

Altogether, economists study 30 leading economic indicators. These include such diverse measures as the average workweek of production workers, the layoff rate in manufacturing industries, the value of new orders in durable goods industries, construction contract awards, stock prices, home starts, corporate profits and current liabilities of business failures.

Of the 30, by a recent count, not a single one still points toward continuing expansion. Some "peaked" many months ago. Stock prices, for instance, reached a high almost a year ago. The high for home starts occurred as long ago as January 1964. The high for new durable goods orders, a key leading indicator, was back in September of last year.

Arthur O. Dahlberg, president of U.S. Economics Corp., a New York-based business consultant, expresses the conclusion that many analysts are drawing from the statistics. "The past record suggests there's a considerable chance we may soon enter a business slowdown, even a real recession as far as the production of goods is concerned," says Mr. Dahlberg, whose customers include such corporate giants as General Motors Corp., Ford Motor Co. and General Electric Co. "The record also indicates, even if a slowdown comes, prices will surely continue to rise at a pretty good clip—at least for longer than many people might expect."

SENATOR MORSE RESTATES HIS POSITION WITH RESPECT TO THE PRESIDENT

Mr. MORSE. Mr. President, I have written the following letter to the editor of the Burlington Free Press, Burlington, Vt.:

JANUARY 19, 1967.

To the EDITOR,
Burlington Free Press,
Burlington, Vt.

DEAR SIR: Senator Aiken has sent me a clipping from the January 16 edition of the Burlington Free Press. In it, I am quoted as having said the following:

"If he continues to escalate this war," Morse said, "if he continues to pursue this policy that is killing hundreds of our boys ... I shall personally oppose him in the Democratic primary."

I did not make that statement. What I said was that if President Johnson continues to escalate the war, I shall oppose his nomination in the Convention. I have said that all over this country in recent weeks. I haven't the slightest intention of being a candidate for any office but reelection to the United States Senate in 1968.

I would appreciate it very much if you would publish my correction in your paper.

Sincerely yours,

WAYNE MORSE.

WYOMING'S CASUALTIES IN VIETNAM

Mr. McGEE. Mr. President, the State of Wyoming is not large in population but has, nevertheless, given of its own in the conflict in Vietnam. Most recently, Wyoming and the town of Powell lost an outstanding young man in Pfc. Curtis Ando, 22-year-old son of Mr. and Mrs. Charles T. Ando. His death was an example of the real horror of war.

The Powell Tribune has written a moving story about Private Ando, a young man who, perhaps, had cause to rebel but did not. He instead served his country and died for it. Private Ando grew up within sight of Heart Mountain, where during World War II thousands of other Americans of Japanese origin were relocated, and where his family has a successful farm.

Mr. President, I ask unanimous consent that the Powell Tribune's article on the death of Private Curt Ando be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIRST POWELL CASUALTY OF WAR—PFC. CURT ANDO KILLED IN VIETNAM

Marine Private First Class Curtis Tadashi Ando became Powell's first casualty of the Viet Nam War when he was killed in action Tuesday, Jan. 3.

The 22-year-old Marine, son of Mr. and Mrs. Charles T. Ando of Route 1, Powell, was Wyoming's first Viet Nam casualty of the New Year. He was the 14th Wyoming serviceman to be killed in Viet Nam.

Word of the death of the former president of the Powell High School student council was relayed to his parents Tuesday night. Major Lawrence and 1st Sgt. Snoddy of the U.S. Marine Corps Reserve Training Unit, Billings, personally conveyed news of Ando's death to his parents Tuesday night. A telegram Wednesday from the U.S. Marine Headquarters, Washington, D.C., confirmed the Marine's death.

The official Marine announcement of Pfc. Ando's death, released to the press, said only that he "died of a gunshot wound while on patrol near DaNang on Jan. 3."

But the word which reached Ando's parents told how he was accidentally shot by a sentry as the Powell Marine returned from a night patrol.

Pfc. Ando, who was home on leave this fall, had been in Viet Nam only about six weeks. He was assigned to H and S Company of the Third Tank Battalion near DaNang.

The 1963 Powell High School graduate joined the Marines in February of 1966. A top recruit, he was named Platoon Honor Man at the end of his six-weeks basic training in San Diego, and at the time was awarded the rank of Private First Class, some four months before he was scheduled for normal advancement.

From boot camp, he went to Camp Pendleton, Calif., then on to Quantico, Va., returning to Camp Pendleton for more intensive training. Pfc. Ando shipped out from El Toro, Calif., Nov. 18 and arrived in Viet Nam on Thanksgiving Day.

Ando was an outstanding student at Powell High School, compiling a long list of achievements. In his senior year, he was president of the PHS student council and vice president of the Wyoming State Student Council.

He was a member of the PHS student council for three years, serving as secretary of the student governing body as a sophomore and vice president as a junior before becoming president in his senior year. Ando was secretary of his sophomore class and president of his junior class.

He was a member of National Honor Society as a junior and senior and was vice president of the honor society as a senior. He was a member of the Art Guild for two years and was president as a senior, a member of French Club for three years, and the PHS Choir and Pop Group for two years. As a senior, Ando was selected to sing with the All-Northwest District Choir.

Ando was also a standout athlete for PHS lettering three years in football and in basketball as a junior. He was a Boys State Alternate and a Junior Rotarian.

Ando attended Montana State University at Bozeman for two and a half years before leaving school and enlisting in the Marine Corps.

MR. AND MRS. STEPHEN R. CURRIER PRESUMED MISSING ON FLIGHT TO VIRGIN ISLANDS

Mr. METCALF. Mr. President, the Nation has apparently suffered a huge and tragic loss as a result of the missing flight carrying Mr. and Mrs. Stephen R. Currier, of New York. Mrs. Audrey B. Currier is the daughter of the distinguished U.S. Ambassador to Britain, David K. E. Bruce, and Mrs. Alisa Mellon Bruce, daughter of the late Secretary of the Treasury Andrew W. Mellon.

Mr. and Mrs. Currier are well known for their quiet but effective philanthropic services to many segments of the public. They have been actively interested in and have supported programs ranging from civil rights to urban housing, beautification, child welfare, mental health, and others.

I ask unanimous consent to have printed in the RECORD the articles relating to this fine couple as published in the January 19, 1967, issues of the Washington Post, the New York Daily News, and the New York Times.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 19, 1967]

MELLON HEIRESS, HUSBAND, LOST AT SEA

Coast Guard ships and planes conducted an intensive search of a wide area of the Caribbean last night for Mr. and Mrs. Stephen R. Currier, internationally known philanthropists, whose chartered plane disappeared Tuesday night on a flight from San Juan to St. Thomas in the Virgin Islands.

Mrs. Currier, the former Audrey Bruce, is a granddaughter of the late Andrew W. Mellon, the former Secretary of the Treasury who gave Washington the National Gallery of Art, and a daughter of the U.S. Ambassador to Great Britain, David K. E. Bruce.

Wire services reported that the couple, who maintain homes in New York City and The Plains, Va., were flying to St. Thomas where they were to begin a 10-day vacation cruise in the West Indies.

Mrs. Currier, 33, is a neice of Paul Mellon, of Upperville, Va., president of the National Gallery.

Her husband Stephen, 36, is president of Urban America, a non-profit foundation to improve living in American cities, a member of the U.S. Committee for the United Nations and a member of Mrs. Lyndon B. Johnson's beautification committee.

He and his wife set up the Taconic Foundation in 1958 to finance the civil rights movement, child welfare, race relations and youth work.

The wire services said the plane, a twin-engine Piper Apache piloted by John D. Watson, of Airplane Charters, Inc., was last heard from at 7:30 p.m. Tuesday about a half hour after it had taken off from San Juan. At that time it asked for permission to fly over Culebra Island, which is used by the Navy for maneuvers. The pilot was told to fly around the island.

The flight from San Juan to St. Thomas takes about an hour and is mostly over water. The Federal Aviation Agency office in San Juan said there was no record that Watson had filed a flight plan and the search was not started until 5 a.m. yesterday after a report was made when the Curriers failed to join several yachting parties in St. Thomas as scheduled.

The Curriers were believed to be the only passengers aboard the plane, which was equipped with five life jackets and a two-passenger orange rubber raft.

The Curriers were married in Connecticut in 1955 while she was a student at Radcliffe College. He is a graduate of Harvard University. They have three children, Adria, 10; Lavinia, 9, and Michael, 6, who remained in New York.

[From the New York Daily News, Jan. 19, 1967]

MELLON HEIRESS, MATE, FEARED LOST ON FLIGHT

MIAMI, Jan. 18.—The U.S. Navy and Coast Guard put on a major search today for Mrs. Aubrey Bruce Currier and her husband, Stephen R. Currier of New York, one of the world's wealthiest young couples, who were missing and feared lost on a Caribbean vacation flight.

Mrs. Currier, 33, daughter of the U.S. ambassador to Britain, David K. E. Bruce, is heiress to a $700 million share of the Andrew Mellon financial empire. Her philanthropist husband, 36, son of artist Richard Currier and stepson of Edward M. M. Warburg, a member of one of New York's richest investment banking families, heads the private management firm of Currier and Co., in New York, as well as the Taconic Foundation, active in the civil rights movement.

A massive air-sea search was launched when the couple's chartered twin-engine Piper Apache disappeared on a 40-minute flight between San Juan, Puerto Rico, and St. Thomas in the Virgin Islands.

The only other person aboard was the pilot, John D. Watson, 52, of San Juan. The plane, chartered from Airplane Charters, left San Juan at 7:11 P.M. yesterday for the 70-mile flight.

LAST MESSAGE FROM PLANE

Thirty minutes after takeoff, Watson, a pilot with more than 20 years' experience, radioed for permission to fly over the island of Culebra, site of frequent U.S. naval maneuvers. The Navy authorized Watson to fly around the island, which is about halfway to St. Thomas.

A Coast Guard spokesman in San Juan confirmed that permission to fly over Culebra was refused by the Navy because exercises were being conducted on the island. Although the northern end of the island is used as a target range, there was no firing last night.

According to the Navy, the maneuvers being carried out at the time concerned surface illumination. If there was an emergency aboard the plane, the Coast Guard said, it could have landed on Culebra, where there is an airstrip.

The plane, with about three hours of fuel aboard, was not heard from again.

A check of all landing strips on nearby islands turned up nothing, and at dawn the giant search was launched in an area extending as far south as Antigua. The search conditions were described by the Coast Guard as "nearly ideal."

EQUIPMENT ON PLANE

Participating were two Coast Guard planes, two new Flying Lifeboat rescue helicopters, a Coast Guard cutter, several patrol boats, a Civilian Air Patrol plane, two private boats which had been chartered by the Curriers in St. Thomas—the 150-foot yacht Patra and the 50-foot sloop Sandevore and several private aircraft. Police also searched the eastern end of Culebra, and other combed the string of tiny, mostly uninhabited islands along the route.

Aboard the cream-colored Piper was emergency equipment, including five life jackets and a two-man orange rubber raft.

Albert McGregor of the Federal Aviation Agency office in San Juan disclosed the search had not been started until 5 A.M. today—nearly 10 hours after the Curriers took off—because the FAA had no record that Watson had filed a flight plan.

He said when such a plan is filed, a search normally is begun within 30 minutes after the scheduled landing time.

The Curriers left their three young children—Michael, 6; Adria, 10, and Lavinia, 9—in New York, intending to vacation for 10 days in the West Indies. They flew from here to San Juan yesterday.

Mrs. Currier was dubbed "the richest baby in the world" when she was born 33 years ago to David K. E. Bruce and his wife, Alisa Mellon Bruce.

A $418,000 CO-OP

She met Currier when she was studying at Radcliffe College and he was attending Harvard while working for a Boston art dealer. They were secretly married in November, in 1955, in Fairfield, Conn. When the marriage was revealed the following year, society was stunned—and reciprocated in its own way by dropping Mrs. Currier from the 1957 edition of the New York Social Register.

The slap appeared to bother the couple little, and they lived quietly in New York—where they recently purchased a $418,000 midtown cooperative apartment of 15 rooms and 14 baths—and in a home at the Plains, Va.

Mrs. Currier's grandfather, financier Andrew Mellon of Pittsburgh, was Secretary of the Treasury in President Harding's Cabinet. He gave the U.S. the National Gallery of Art in Washington. His 1937 will left $200 million to charity and $50 million worth of paintings to the gallery, of which Mrs. Currier's uncle, Paul Mellon, is president and also a major donor.

Mrs. Currier's paternal grandfather was the late Sen. William Cabell Bruce of Maryland. Her father the ambassador, was an undersecretary of state in the Truman Administration, an ambassador to France and was President Eisenhower's special representative to the European coal and steel community.

MOTHER LIVES HERE

Mrs. Bruce, divorced from the ambassador and living in New York, is one of the world's wealthiest women. Mrs. Currier is her only child.

After their marriage, Currier, set up his management firm, and in 1958 the couple formed the Taconic Foundation, which has poured several million dollars into education and legal services for the civil rights movement, child welfare, race relations, youth work, mental health and neighborhood improvement projects.

[From the New York Times, Jan. 19, 1967]

Stephen Curriers Lost on a Flight—Caribbean Search Is on for New York Philanthropists

San Juan, P.R., January 18.—Mr. and Mrs. Stephen R. Currier of New York, who are among the nation's leading philanthropists, were missing today on a flight from Puerto Rico to St. Thomas in the Virgin Islands.

The Coast Guard said they were last heard from 30 minutes after their chartered twin-engined plane left San Juan Tuesday night for the 70-mile flight.

Mr. Currier, 36 years old, has been active in supplying funds to promote civil rights. His wife is the daughter of David K. E. Bruce, the United States Ambassador in London, and the granddaughter of Andrew W. Mellon, Secretary of the Treasury from 1921 to 1932.

An intensive sea and air search failed to disclose any trace of the plane, a Piper Apache. A spokesman for the Coast Guard said the search would continue.

The pilot, John D. Watson of San Juan, was the only other person known to have been aboard the aircraft.

The plane, which had been rented from Airplane Charters, Inc., of San Juan, had fuel for five hours when it took off at 6:45 p.m., Tuesday. It carried two survival rafts but no flares.

About midway through the flight, the Coast Guard said, the pilot requested permission to fly over a Navy exercise area but was told to fly around it. The plane was not heard from again. The weather was reported clear at the time.

When the aircraft did not arrive in St. Thomas on schedule, a search was started by helicopters and air rescue planes from San Juan. The Coast Guard said the operation covered a 2,500-square-mile area.

ISLANDS CHECKED

In addition to a close search of the 80-degree water, rescue planes were also checking the string of tiny, mostly uninhabited islands that lie along the route between San Juan and St. Thomas.

The Curriers were beginning a 10-day vacation in the Caribbean. They arrived in San Juan on Tuesday afternoon from Boca Raton, Fla., where they had attended a conference of Urban America, Inc., a nonprofit foundation concerned with the problems of American cities. Mr. Currier is president of the organization.

Two of the couple's three children, Andrea, 10, and Lavinia, 9, are in New York. The third, Michael, 6, was in St. Thomas awaiting his parents.

Mr. and Mrs. Currier have quietly given millions of dollars to further civil rights and race relations from behind a publicity-shielding screen of foundations. A public relations firm has worked to keep their names out of the newspapers.

Mrs. Currier has been described by close friends as one of the wealthiest women in the world.

"They both had the deep conviction that they were born rich and had an enormous obligation to society," an associate said.

The Curriers, who were married in 1955, have shunned cafe society and the so-called jet set because "they just didn't believe in it," the friend said.

In 1958, after surveying the social areas served by major foundations and nonprofit corporation, the couple formed the Taconic Foundation to channel funds to groups fighting for civil rights, improved race relations, child welfare and mental health.

The foundation, which has its headquarters on the 35th floor of a building at 666 Fifth Avenue, left the mental health field after the Federal Government authorized funds for research.

EIGHT MILLION DOLLARS TO FOUNDATION

In the last nine years, a family spokesman said, the Curriers have given $8-million to the Taconic Foundation. In addition, he said, an equally large amount of money has been privately donated by the couple to projects undertaken by the foundation.

The spokesman gave the Curriers credit for having financed a large part of the voter registration drive among Negroes in the South over the last several years.

The couple have also given large grants for a study of youth employment and urban problems and to community and neighborhood organizations.

The Taconic Foundation has also established and supports the Potomac Institute in Washington. Its purpose is to "eliminate discrimination and advance equal opportunity for all Americans."

Last year, Mr. Currier formed Urban America, Inc., which merged the American Planning and Civil Association, a 63-year-old group, with the American Council To Improve Our Neighborhoods (ACTION).

URBAN PROBLEMS STUDIED

This group is studying urban problems with the hope of helping to eliminate such problems as bad housing and inadequate planning.

The Curriers have also been working with Mrs. Lyndon B. Johnson in her campaign to beautify the nation. The couple recently paid for a study by Lawrence Halprin, a San Francisco landscape architect, that outlined 10 proposals to improve Washington.

One proposal would open a 200-yard wide corridor a mile long in a depressed area near the Anacostia River that would contain pools and gardens.

Mr. Currier is also president of Currier & Co., which manages the family's business interests. He is a general partner in the Allied Casting Corporation, which manufacturers precast concrete products.

As a full-time philanthropist, he is a board member of a number of organizations, including the Henry Street Settlement, the United Neighborhood Houses of New York, Inc., the Planning Foundation of America, the Museums of African Art and the United States Committee for the United Nations.

PAINFULLY SHY

Mrs. Currier, whom a friend described as "painfully shy and retiring," is seemingly content to remain in the background. She is said to spend a good deal of time with her children.

The Mellon family owns control of a number of American businesses, including those in oil, aluminum and shipping. Mrs. Currier's uncle is Paul Mellon, the banker and philanthropist.

Mrs. Currier, the former Audrey Bruce, is a graduate of Radcliffe College, the Foxcroft School in Virginia and the Brierly School in New York. She is the daughter of Ambassador Bruce and Mrs. Ailsa Mellon Bruce. Her parents are divorced.

Mr. Currier, who is soft spoken, taciturn and also publicity-shy, is the son of the late Richard Currier, a painter who lived in Europe for many years. Mr. Currier's mother, the former Mary Whelan Prue, is now married to Edward M. M. Warburg, a social service executive.

Mr. Currier attended Harva College, the George School in Bucks County, Pa., and the Horace Mann-Lincoln School and St. Bernard's School in New York.

WHAT WILL THIS CONGRESS DO ABOUT CIVIL RIGHTS?

Mr. GRUENING. Mr. President, a thoughtful and perceptive article entitled "What Will Congress Do About Civil Rights?" written by Roy Wilkins, has appeared in various newspapers. This is an issue which should be met squarely in the 90th Congress.

I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

What Will This Congress Do About Civil Rights?

(By Roy Wilkins)

Other Americans may view the incoming 90th Congress in the light of their worries over the Kennedy book or over new taxes, but Negro citizens remember that last fall Congress filibustered to death the civil rights bill of 1966. Congress also chastised the government for enforcing Title Six of the Civil Rights Act of 1964.

Negroes would like to know whether the new Congress is going forward or backward on civil rights. Up to now the country has been playing catch-up on the Negro question. All that we have done, all that the opponents have called "too fast" and "too much government action," has been a small effort to close a big gap.

If the conservatives really won last November it is time they took a good look at reality in civil rights.

The reality is that unless the 90th Congress proves that the legislative process can correct inequalities the country is in for more unrest than they hinted at in their campaign speeches.

The reality is that despite the directional signs hoisted by the Johnson administration, we have only nicked the huge problem of unequal and segregated public education. The backing and filling on this issue is adding uneducated recruits to the forces of despair and violence.

The reality is that 67.5 per cent of Negro youths have failed the national armed services test. A new Pentagon project to reclaim some of these men is costing the millions of dollars which should have gone into public education in the first instance.

The reality is that the national unemployment rate for Negroes is two to three times as great as the national rate for all and that for Negro teen-agers is one in every three youths! With this reservoir of idle muscles sitting around, trouble has no difficulty enlisting task forces.

The reality is that since 1946 only 2 per cent of the new housing built in the nation has gone to Negroes. In the cities the bulk of them still live in slum holes for which they pay non-slum rates.

The reality is that Congress killed an open housing provision in a civil rights bill and that California elected a governor, one of whose promises was to repeal the state's fair housing law. The negative action of the Congress plus that of the most populous state has the cynics simmering.

The reality is that all levels of government, local, state and federal, have bolstered the "wreck 'em" theory of Negro separatists and the brinkmanship of Negro crusaders by their mincing policies and their partisan political maneuvers.

The reality is that the white terrorists and their energizers and apologists among the white respectables are emboldened by congressional reaction.

The reality is that the federal government acts upon wildlife and the health of cattle (among thousands of items), but sparingly and grudgingly upon the welfare of Negro Americans.

The 90th Congress can choose to meet these realities with 1968 jockeying, with a "crackdown" attitude, with an anti-Johnson feeling, a slowdown psychology or with indifference. Or it can face squarely the problems painfully posed. It can come up with courageous legislation and no-nonsense enforcement.

It is not partisan, but fair, to state that in the civil rights field, the unprecedented legislation enacted during the Johnson administration, often with the President personally involved, and with the aid of perceptive Republicans, has pointed ways out of our national dilemma. The Congress can build upon, not repeal, these beginnings.

In much more than a mere oratorical sense, the 90th Congress holds in its hands the fate of racial justice and peace.

RETIREMENT OF WILLIS G. LIPSCOMB FROM PAN AMERICAN WORLD AIRWAYS

Mr. BYRD of Virginia. Mr. President, on January 1, Willis G. Lipscomb, a leading figure in commercial aviation for nearly four decades, retired as senior vice president, traffic and sales, and a member of the board of directors of Pan American World Airways.

I am sure that I voice the sentiments of many persons in saluting him on this occasion and expressing to him the gratitude of all of us who are interested in commercial air transportation.

He is typical of those dedicated people who, by their ability, integrity, and devotion to duty, keep the wheels of private enterprise turning.

A pioneer in the development of low fares for international travel, Mr. Lipscomb, since joining Pan Am in 1947, has successfully led the airline's campaigns which resulted in the establishment of the low tourist fare, and later in the still lower economy fare.

Long a leading figure in the formulation of international air policy, Mr. Lipscomb represented Pan Am earlier this month in efforts which resulted in International Air Transport Association endorsement of new fares, originated by Pan Am, which are the lowest in history.

A native of Petersburg, Va., Mr. Lipscomb was educated at the University of Virginia and at Randolph-Macon College.

He began his business career in the tobacco industry, later was in coal mining and coal sales, and from 1929 to 1947 was with American Airlines and its predecessor companies. In 1947, he was elected vice president in charge of traffic and sales of Pan Am, was elected a director in 1960, and senior vice president in 1964.

Willis Lipscomb is a director of the East Side Terminal Corp., is a director of Central Air Terminal, and is a trustee and a member of the executive committee of Randolph-Macon College. His clubs include the Racquet & Tennis Club, Manhasset Bay Yacht Club, Sky Club, and Phi Kappa Sigma fraternity.

Mr. President, the Nation is fortunate to have men like Willis Lipscomb in industry. We salute him on his retirement, and we expect of him even greater achievements in the years ahead.

"BELL TELEPHONE HOUR" SETS EXAMPLE OF HIGH QUALITY BROADCASTING

Mr. YARBOROUGH. Mr. President, the degree to which the American public is hungry for and deeply appreciative of good music and inventiveness in television and consideration for its tolerance of commercials has recently and appropriately been reflected in articles published in Time magazine, TV Guide, and the New York Daily News dealing with A.T. & T.'s "Bell Telephone Hour." The last paper of the three, incidentally, enjoys the biggest circulation of any newspaper in America.

Many observers in the world of broadcasting feel, moreover, that the remarkable example set by the American Telephone & Telegraph Co.'s sparing use of its broadcast time for sales messages may stimulate other sponsors and even networks to establish similar policies. In fact, a step in this direction has already been made by the Columbia Broadcasting System.

I ask unanimous consent to have printed at this point in the Record the above-mentioned articles.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Daily News, Nov. 22, 1966]

Welcome Relief

Kicking off its fall television season last Sept. 25, the Bell Telephone Hour, sponsored by the American Telephone & Telegraph Co., did something daringly novel.

Rather than interrupt these straight musical programs with frequent commercials, the telephone company decided to hold all advertising remarks until the end, and trust listeners to stay tuned.

Response has been some 99% favorable, and—at least among music lovers—goodwill toward the telephone company is increasing fast.

We'd be charmed, simply charmed, if various other well-heeled and heavy spending TV and radio advertisers would follow AT&T's lead, and soon.

[From Time, Dec. 16, 1966]

Bell Ringer

For 26 years on radio and TV, the *Bell Telephone Hour* played duenna to the world's best music and most of its best contemporary performers, from Pons and Pinza to Toscanini and Tebaldi. The show had all the virtues of the duenna—care, good taste, restraint and fondness for her charges—but also the one vice: it was often pretty dull. Producer Henry Jaffe recalls: "We'd put a performer on a bleak stage in front of a dirty curtain and say, 'Perform!' "

Perform they did, often superbly, but Bell began to feel its image had become ossified. This season, the program has shucked its shawl and gone off in search of adventure—and in the process become one of the best series on TV. Using hand-held cameras and available light, spotting sound technicians in the middle of a performing orchestra, spending time and money horrendously, the *Telephone Hour* has put together a unique format of musical documentary that does honor both to the music and to the documentary.

Peeks & Pathos. The biweekly series got off winging in September with a charming lope through Spoleto, Italy, where Composer Gian Carlo Menotti was preparing his home-grown annual music festival. Bell's camera crews spent seven weeks with Menotti. They peeked in as he attended rehearsals, chatted with visitors in three languages, and finally paraded ecstatically through congratulatory mobs in Spoleto's town square on the night of his birthday. Musically, the program equaled anything that Bell was ever able to do in the studio, with Sviatoslav Richter as the pianist in the Shostakovich Quintet and Zubin Mehta conducting the Verdi *Requiem* and a stunning new production of Debussy's *Pelléas et Mélisande*.

In the four programs aired since then, the *Telephone Hour* has never stopped ringing:

For the opening of New York's new Metropolitan Opera House, Producer Robert Drew culled one hour from the staggering total of 55 he had shot, managed to catch the frantic, discombobulated rehearsals of Samuel Barber's opera *Antony and Cleopatra;* the suave calm of Met General Manager Rudolf Bing; the comic pathos of Soprano Leontyne Price as she got trapped in a prop pyramid before 3,800 people at dress rehearsal; the triumph of opening night, and the quietly joyous reunion of Price with her parents backstage afterward, in which she told her father that there was champagne in the icebox and please to leave her some. The camera even caught more than it meant to. During one rehearsal, Director Franco Zeffirelli unexpectedly waved onstage 226 extras, a gesture that cost Bell $15 a head in fees.

Pianist Van Cliburn played at Michigan's Interlochen National Music Camp, recorded two Chopin sonatas in a New York studio, packed the Hollywood Bowl for Rachmaninoff's *Piano Concerto No. 2,* and ate a folksy dinner with his parents and friends at their home in Shreveport, La. In between times, he mused about himself, his fame and his music: "The role of a concert artist in a concert hall will never be eclipsed."

At the Tanglewood Music Festival, in Massachusetts, the cameras cut away from performances of Debussy, Hindemith and Stravinsky for an interview with Composer Aaron Copland and a long glimpse of Soprano Phyllis Curtin in a replica of Nathaniel Hawthorne's "little red house," teaching young hopefuls.

Last week viewers got a stunning candid portrait of Cleveland Symphony Conductor Georg Szell (TIME cover, Feb. 22, 1963), as he coaxed and drove his orchestra into shape for its opening concert of the season. Szell declined to submit to an interview, but he gave Director Nathan Kroll free run of the rehearsal and concert hall. That was plenty. The camera painted penetrating portraits of Szell the perfectionist, the coach, the music scholar, the witty teacher of young conductors ("If your cheeks start to tremble on the downbeat, then it was incisive enough"). In an expertly wrought final sequence, the film shifted, without losing a note of music, from the maestro in grey pullover at the final rehearsal of Beethoven's *Fifth Symphony* to the formal performance itself. In closeup, the camera showed everything from his shaking cheeks to a pixyish grin and hidden O.K. sign when a difficult passage went well, while the orchestra roared on toward the magnificent finale.

This week's show, a history of Christmas music from the 4th century to the present, is a small concession to the *Telephone Hour's* previous image, but from there on, it will be the new Bell again, with home movies of Toscanini obtained from his family, and Handel's *Messiah* against a Rocky Mountain background.

[From TV Guide]

BELL TELEPHONE HOUR

(By Cleveland Amory)

Once upon a time, as the old saw had it, there were only three methods of communication—telephone, telegraph or tell a woman. Then came radio, and finally television. And after that—well, there's just *no* telling. But, whatever happens, we'll be perfectly happy to have, on our television, the Bell Telephone Company. Each year there is one truly outstanding documentary series. Last year it was the National Geographic series. This year, it's this program.

What it is, in a word, is your old favorite, the *Bell Telephone Hour,* in a brand-new format. It's called "a series of in-depth specials spotlighting outstanding events, personalities and ideas in the fields of music and allied arts." But don't let that scare you. You don't have to be a hard-boiled egghead to get with it. In fact, even if you're a three-minute, short-haired lowbrow, you owe this program not just to your eyes and ears but to your soul. This year all three networks talked a lot about culture, and from the way they talked you'd have thought that the exclusive rights to something brand new—like, for instance, old movies—were up for grabs. But when it came to putting their money where their mouth was, the one who did the job best, with an assist from NBC, was Old Ma Bell.

The first program was called "'A Man's Dream"—the story of a one-man renaissance of the town of Spoleto, Italy, by a 20th-century Renaissance Man, Mr. Gian Carlo Menotti. The entire program was great, but parts of it were simply superb—such as the close-ups of conductor Thomas Schippers, in whose face was mirrored the whole joy of music. Superb, too, were the backstage scenes with Menotti, in whose face you saw everything from utter frustration to, at the end, complete fulfillment.

The second program was "A Portrait of Van Cliburn." Again there were moments you could never forget—for example, when we see Mr. Cliburn encouraging students at the National Music Camp at Interlochen, Mich. ("Do you remember me? Philadelphia—I heard you play Brahms." "Of course —of course I remember"). Or when we see him, after a recording which his recorder says is perfect, still unsatisfied and wanting to do it again. ("It *was* perfect but it didn't *sound* so good. And sometimes you get it so it *sounds* wonderful but it isn't *right.*")

Finally, miracle of miracles, there are no commercial interruptions. The commercials are all together at the end—and, we beg of you, stay tuned. If you turn the program off, and it's proved you do, the Telephone people will have no alternative but to mess them back in the middle. The only way to prevent this, we repeat, is *stay tuned.* This you owe not only to your soul—but to theirs.

THE DEATH IN VIETNAM OF PFC CHARLES T. ANDO

Mr. HANSEN. Mr. President; there died in Vietnam, in a new year only 3 days old, a splendid young marine from Powell, Wyo., Pfc. Curt Ando, 22-year-old son of Mr. and Mrs. Charles T. Ando, becoming the 14th Wyoming serviceman to be killed in the war we refuse to win in Vietnam.

The death of any man in war is a tragedy and the death of each of the Wyomingites has diminished our State, as have the deaths of some 7,000 men across the Nation diminished our Republic.

As has been pointed out in the Wyoming press and in an eloquent tribute by Mr. Verne House, of Laramie, Curt Ando could have found cause to rebel. He is remembered as former president of the Powell High School Student Council; vice president of the Wyoming State Student Council; a young man of exceptional academic and extracurricular performance; and he is remembered in the Marine Corps as a top recruit in basic training. He was named platoon honor man by his officers in San Diego and was made meritorious private, first class, nearly a half year earlier than would have been his normal advancement.

At a time when youthful rebellion fills our newspapers and television, Curt Ando chose to build, not rebel; to fight our Nation's enemies, not our social order; and to defend freedom, not impugn it.

But Curt Ando could have rebelled. As Mr. House points out, Curt's family lives near the Heart Mountain relocation campsite where they saw thousands of other Japanese Americans arbitrarily divested of their basic rights of citizenship during the war-spawned fear and uncertainty of the early 1940's. Curt grew up knowing what had happened to other citizens of his race. He could see the detention center although his own family avoided incarceration in it. But there was no rebellion in Curt—only a desire to perform exemplarily as a student, as a leader, as a marine.

I ask, Mr. President, that there be printed in the CONGRESSIONAL RECORD, Mr. House's letter and press accounts and tributes with respect to this splendid young man who died so far from home and so young in life, in defense of the principle of freedom and permanence of an American commitment.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IN TRIBUTE TO CURT ANDO

JANUARY 4, 1967.

DEAR EDITOR: Viet Nam has now claimed a victim from our small community. Word of his death has made me pause in my daily activities and give many thoughts to him and his family. News like this often gives a new perspective to many things. Personal affairs that have seemed so big or so important suddenly seem quite small or petty.

In this nation a young man stepped forward while many of the ranks were protesting "this or that". One burned his draft card, while another noisily aired his prejudices. The next rioted, while yet another pondered away his time wondering how he could "get something for nothing". Very quietly this man left us and thousands of miles from home faced the end.

I knew Curt Ando well as a student in junior high. He was outstanding, excelling in all phases of school life. I remember him best for his quiet, courteous, friendly ways.

What a tragedy that such a fine young man must give his life in a war that I'm sure, at times, frustrates us all. But, how lucky we are to have had Curt Ando, and I'm sure a nation with many others like him. Curt is gone, but, he died with the strength that comes only from knowing the meaning of the words, honor, duty, and integrity.

In tribute to Curt Ando:

JACQUES MAGGARD.

IN MEMORIAM: CURTIS ANDO

This North Park County Community shares in the bereavement of the Ando family at the loss of their son in the service of his country.

The weekly casualty reports tend to make us all too casual in the acceptance that young men fight and die in loyalty to their flag and country. How many of us ever have our loyalty tested?

Here was a boy who all his lifetime needed only to raise his eyes to the horizon to see the chimney landmarks to mark the site where many loyal Americans of his ancestry were relocated and suffered great loss and humiliation because of what was deemed necessary to the security needs of that day. Yet this boy and his family harbored no resentment, but continued to be loyal citizens of this community, state and nation. When the time came to serve, this boy went to his duty and now has given the Supreme Sacrifice.

To the Ando Family, we express our deepest sympathy in this time of sorrow, and especially we wish to thank them for their fine example of loyalty and service to their country.

Our most respectful salute.

OWEN and ELLA MCFARLAND.

FIRST POWELL CASUALTY OF WAR: PFC. CURT ANDO KILLED IN VIET NAM

Marine Private First Class Curtis Tadashi Ando became Powell's first casaulty of the Viet Nam War when he was killed in action Tuesday, Jan. 3.

The 22-year-old Marine, son of Mr. and Mrs. Charles T. Ando of Route 1, Powell, was Wyoming's first Viet Nam casualty of the New Year. He was the 14th Wyoming serviceman to be killed in Viet Nam.

Word of the death of the former president of the Powell High School student council was relayed to his parents Tuesday night. Major Lawrence and 1st Sgt. Snoody of the U.S. Marine Corps Reserve Training Unit, Billings, personally conveyed news of Ando's death to his parents Tuesday night. A telegram Wednesday from the U.S. Marine Headquarters, Washington, D.C., confirmed the Marine's death.

The official Marine announcement of Pfc. Ando's death, released to the press, said only that he "died of a gunshot wound while on patrol near DaNang on Jan. 3."

But the word which reached Ando's parents told how he was accidentally shot by a sentry as the Powell Marine returned from a night patrol.

Pfc. Ando, who was home on leave this fall, had been in Viet Nam only about 6 weeks. He was assigned to H and S Company of the Third Tank Battalion near DaNang.

The 1963 Powell High School graduate joined the Marines in February of 1966. A top recruit, he was named Platoon Honor Man at the end of his 6-weeks basic training in San Diego, and at the time was awarded the rank of Private First Class, some 4 months before he was scheduled for normal advancement.

From boot camp, he went to Camp Pendleton, Calif., then on to Quantico, Va., returning to Camp Pendleton for more intensive training. Pfc. Ando shipped out from El Toro, Calif., Nov. 18, and arrived in Viet Nam on Thanksgiving Day.

Ando was an outstanding student at Powell High School, compiling a long list of achievements. In his senior year, he was president of the PHS student council and vice president of the Wyoming State Student Council.

He was a member of the PHS student council for 3 years, serving as secretary of the student governing body as a sophomore and vice president as a junior before becoming president in his senior year. Ando was secretary of his sophomore class and president of his junior class.

He was a member of National Honor Society as a junior and senior and was vice president of the honor society as a senior. He was a member of the Art Guild for 2 years and was president as a senior, a member of French Club for 3 years, and the PHS Choir and Pop Group for 2 years. As a senior, Ando was selected to sing with the All-Northwest District Choir.

Ando was also a standout athlete for PHS lettering 3 years in football and in basketball as a junior. He was a Boys State Alternate and a Junior Rotarian.

Ando attended Montana State University at Bozeman for 2½ years before leaving school and enlisting in the Marine Corps.

LARAMIE, WYO.,
January 16, 1967.

Hon. CLIFFORD HANSEN,
The U.S. Senate,
Washington, D.C.

DEAR SIRS: I have sent you this copy of the January 6, 1967, Powell Tribune because of the story and letters about an outstanding young man.

In these days when immediate and complete news coverage is given every communist, crank, crackpot, and just plain creep who opposes the disappointing war in Viet Nam it seems to me we should honor one young man from Wyoming who was patriotic, polite, considerate, athletic, a scholar, and artistic. He was an admirable young man, the acme of American youth.

I will not rewrite the fine articles in the Tribune but I hope you will read them. I will re-emphasize one more point that is in the Tribune, however. Curt Ando could have found cause to rebel if he wanted. His parents live near the Heart Mountain Relocation Camp Site where they saw thousands of other Japanese Americans imprisoned during World War II. The Andos, could have been imprisoned with the others except they had not been living on the coast. Curt grew up knowing what had happened; he could see the location of the former U.S. prison for U.S. citizens.

Yet, neither Curt nor his family have been anything but a fine family—a hard working, successful farm family. They have always been a tribute to their community. Their oldest son, a strong, handsome young man of whom they were justifiably proud, did not look for cause to complain against his country. He instead joined the Marines and gave his life in Viet Nam.

I have sent you these papers and written this letter to ask you to publicize, perhaps in the CONGRESSIONAL RECORD, some of this information. This will show others what kind of young man we are proud of.

Sincerely yours,

VERNE W. HOUSE.

REX M. WHITTON. FEDERAL HIGHWAY ADMINISTRATOR, SERVED HIS GOVERNMENT WELL

Mr. RANDOLPH. Mr. President, it is with fond regret that I note the retirement of Rex M. Whitton as Federal Highway Administrator. In the past 3 years I have had an opportunity to know him as an outstanding public servant. As chairman of the Subcommittee on Roads it has been my pleasure to work with this gentleman in the prosecution of our highway program.

He brought to his service at the Federal level 40 years of experience in the Missouri Highway Department. He also brought to his task the gentle understanding and kindness which has marked him as a person with whom it was a pleasure to work. His diligent application of self to the difficult task his responsibility imposed enabled him to seek solutions to some of the most complicated problems a highway administrator has ever had to face.

It was during his tenure in the office that the interstate program reached its full stride and we accomplished the construction of half of the job that was set out for us in the Federal-Aid Highway Act of 1956.

I will miss his counsel and his responsiveness to the challenges and demands of a constructive job.

West Virginians were happy to welcome him to our State on the visits he made there.

Mrs. Randolph and I wish Callie Maud and Rex a rewarding retirement in their home State. They return to Independence, Mo., with our best wishes for continued good health and much happiness.

AWARD OF MEDAL OF HONOR TO MAJ. BERNARD F. FISHER, U.S. AIR FORCE

Mr. JORDAN of Idaho. Mr. President, in the difficult and brutal conflict in Vietnam, American fighting men are not only demonstrating great professional competence and devotion to duty but are also writing new chapters in the annals of extraordinary valor.

Today in ceremonies at the White House, the President expressed the pride and thanks of the Nation for one of the most outstanding acts of bravery and brotherhood performed in that conflict. He awarded, in the name of Congress, this country's highest military honor, the Medal of Honor, to Maj. Bernard F. Fisher, the first member of the U.S. Air Force to be so decorated fom Vietnam.

On March 10, 1966, near A Shau, in the Republic of Vietnam, Major Fisher, whose family is from Kuna, Idaho, performed a truly uncommon act of courage. It was, as the President pointed out, directed not toward taking a life but toward saving one. The story is most impressive—one of which all Idahoans and all Americans should be highly proud.

Major Fisher is not only an unusually brave man but an unusually humble one. It is reassuring to know that this country can produce this kind of man.

I ask unanimous consent that the citation from Major Fisher's Medal of Honor ceremonies and the article "A Pilot Is Down," which appeared in the August 1966, Reader's Digest, condensed from an article written by Richard Armstrong, and published in the Saturday Evening Post of June 4, 1966, be printed in the RECORD.

There being no objection, the citation and article were ordered to be printed in the RECORD, as follows:

MEDAL OF HONOR PRESENTATION BY LYNDON BAINES JOHNSON, THE PRESIDENT OF THE UNITED STATES OF AMERICA, TO BERNARD FRANCIS FISHER, MAJOR, U.S. AIR FORCE, AT THE WHITE HOUSE, WASHINGTON, D.C., ON JANUARY 19, 1967

CITATION

The President of the United States of America, authorized by Act of Congress, March 3, 1896, has awarded in the name of The Congress the Medal of Honor to Bernard F. Fisher, major, United States Air Force, for conspicuous gallantry and intrepidity in action at the risk of his life above and beyond the call of duty:

Major Bernard F. Fisher distinguished himself by conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as an A–1E pilot near A Shau, Republic of Vietnam, on 10 March 1966. On that date, the special forces camp at A Shau was under attack by 2,000 North Vietnamese Army Regulars. Hostile troops had positioned themselves between the airstrip and the camp. Other hostile troops had surrounded the camp and were continuously raking it with automatic weapons fire from the surrounding hills. The tops of the 1,500-foot hills were obscured by an 800-foot ceiling, limiting aircraft maneuverability and forcing pilots to operate within range of hostile gun positions, which often were able to fire down on the attacking aircraft. During the battle, Major Fisher observed a fellow airman crash land on the battle torn airstrip. In the belief that the downed pilot was seriously injured and in imminent danger of capture, Major Fisher announced his intention to land on the airstrip to effect a rescue. Although aware of the extreme danger and likely failure of such an attempt, he elected to continue. Directing his own air cover, he landed his aircraft and taxied almost the full length of the runway, which was littered with battle debris and parts of an exploded aircraft. While effecting a successful rescue of the downed pilot, heavy ground fire was observed, with nineteen bullets striking his aircraft. In the face of the withering ground fire, he applied power and gained enough speed to lift-off at the overrun of the airstrip. Major Fisher's conspicuous gallantry, his profound concern for his fellow airman, and his intrepidity at the risk of his life above and beyond the call of duty are in the highest traditions of the United States Air Force and reflect great credit upon himself and the armed forces of his country.

[From the Reader's Digest, August 1966]

A PILOT IS DOWN

(Condensed from the Saturday Evening Post story by Richard Armstrong)

"Maj. Bernard F. Fisher performed this rescue in the face of some 2000 armed and nearly victorious hostile troops. His determination, his incredible display of courage in the face of a resolute and heavily armed hostile force, his complete disregard for his own life to effect the rescue of a fellow airman, and his resolve to continue despite the severe hazards involved, reflect the highest ideals of American fighting forces above and beyond the call of duty. I hold no reservations in recommending him for the Medal of Honor," Lt. Gen. J. H. Moore, Commander, 7th Air Force, Vietnam.

The workhorse fighter of the air war in Vietnam is the Douglas Skyraider, officially designated the A–1E, an ancient holdover commissioned just after World War II. It has a cruising speed of 150 knots and can carry a huge load of what the pilots call "ordnance": napalm, high-explosive bombs from 100 to 1000 pounds, rockets, anti-personnel weapons.

Burdened with all this ordnance—up to 7000 pounds of it—a Skyraider can still hang above an advancing ground force for two hours or more, while the high-speed jets have to strike and get home before they run out of fuel. Infantrymen are notoriously cynical where the Air Force is concerned, but many of them will say that they are alive because of a strike at the right time by an A–1E.

One of the men who fly the Skyraider is Air Force Maj. Bernard Francis Fisher, 39, of Kuna, Idaho; another is Maj. (now Lt. Col.) Dafford Wayne Myers, 46, of Newport, Wash. Fisher is a freckled, sandy-haired Mormon, an elder in his church, who does not drink, smoke or curse, although he is at ease, and much loved, in a squadron of men who do all three. "Jump" Myers is a chain-smoking non-conformist who once made his living running billiard parlors. Both are men of medium height (five-foot-nine), and both move with a catlike grace that is the distinguishing mark of the American fighter pilot. Each has five children and is married to a registered nurse.

TOP-PRIORITY "DIVERT"

Fisher and Myers had known each other casually since 1959, when they were both flying jets for the Air Defense Command in the U.S. Northwest. They met again in Vietnam. Myers commanded a detachment of the 602nd Fighter Squadron at Qui Nhon in the central highlands; Fisher was 80 miles away, in the First Air Commando Squadron at Pleiku. But during the battle of Ashau Valley, in that brisk and impersonal radio-code world of the fighter pilot, they were strangers.

Ashau is a desolate place, sere and brown, socked in by clouds most of the time. It lies 70 miles west northwest of Danang, at the eastern point of a mountain valley which broadens out until it crosses the Laotian border only three miles away. The U.S. Special Forces camp at Ashau was a triangular fort, still under construction, with a 2500-foot resupply airstrip made of what is called P.S.P. (pierced-steel planking). It was a key spot for observing and harassing the infiltration of North Vietnamese regulars across the Laotian border into South Vietnam, and on *March 9, 1966*, the North Vietnamese decided to wipe it out with a major infantry assault.

That afternoon at 2:30 in the prefab operations shack at Pleiku, Fisher was being briefed for a mission when he was handed a "divert" to a new target of top priority: the Ashau Valley. Fisher flew there on top of the clouds by radio beam and found a thick cushion of clouds that began at 200 feet and extended all the way up to 8000 feet, hiding even the mountain peaks. A covey of planes milled around on top, looking for a hole.

Fisher found the hole. "It wasn't exactly a hole," he explains, "but a kind of light spot in the clouds." Once he got down to the valley floor, he began his strafing passes around the perimeter of the fort. He had a copilot with him, Capt. Robert Blood, new to Vietnam, who was much impressed: "The ceiling was so low, and he made his strafing runs in such a tight bank between the ridges, that one wing was in the clouds and the other almost scraping the ground." Fisher went back up through the hole and down again three times that afternoon, to bring in other planes.

DOWN THE TUBE

Next morning Fisher took off at 10:05 on a routine bombing-and-strafing mission with Capt. Francisco "Paco" Vazquez, 29, flying another A–1E just off the tip of his wing. They had been airborne only ten minutes when Control radioed a divert, once more to Ashau. Again Fisher reached the clouds above Ashau, to find four other Skyraiders—one of them flown by Jump Myers—looking for a hole. Once again it was Fisher who found a light spot in the clouds and led the other planes down. Two of the Skyraiders took up a holding pattern, and the other three followed Fisher down the valley, six miles long, that led to the fort.

The pilots call this narrow valley "the tube." It is less than a mile across, and the ridgelines along it were studded with at least 20 antiaircraft weapons positions. Every pilot who came into Ashau that day felt the bullets thudding into his plane, but under the low cloud cover there was no room to maneuver.

The radio operator in the fort told them to hit the south wall of the fort, which had now been breached by the North Vietnamese. Myers had just pulled out of his second strafing pass when he got hit by a burst from an automatic weapon.

"The engine started sputtering and cutting out, and then it conked out for good," Myers recalls. "The cockpit filled up with smoke. I got on the radio and gave my call sign, Surf 41, and said, "I've been hit and hit hard.' Hobo 51—that was Bernie, though I didn't know it at the time—came right back, 'Roge (the current abbreviation for Roger), you're on fire and burning clear back to your tail.' I was way too low to bail out, and I said, 'Roge, I'll have to put her down on the strip.'

"I never saw the runway because of the smoke blowing back in my face, but I got a rough fix on it and Bernie talked me down. He was very cool about it, and that helped."

At the last minute he had too much speed, so Fisher told him to get his landing gear up and belly it in. As Myers touched the runway his belly tank of high-octane fuel exploded with a roar. Surf 41 was a ball of flame that skidded 100 yards, veered off to the right and slammed up into a dirt embankment.

GET THE PILOT

Myers has seen pilots burned alive. "It is my only fear about flying," he says. "But the fear got the adrenaline pumping, and I just went through the motions I had thought out a thousand times." He stripped down to his flying suit, leaving survival gear behind, so he would have some hope of diving through the flames. It took at least a minute. Then he pushed the hydraulic lever. "The canopy popped right open. A strong breeze down the runway opened a path through the flames that seemed to me like that path through the Red Sea. I ran out along the wing, jumped off and squatted in a patch of weeds.

"I still thought I was a dead man, because the strip was under enemy control. They don't take prisoners in the middle of a battle. I remember thinking, *How is Betty going to manage with all those kids?"*

"When Jump headed into the strip," says Fisher, "I told Control we had a pilot down and to get a chopper in there real fast. When he hit the runway and exploded, I was sure he was dead. And then I saw him scrambling off with smoke pouring out of his flying suit."

The pilots overhead kept laying their ordnance in close on both sides of the runway, and hit the east ridgeline from which heavy fire was coming. Fisher called Control again. "They told me the chopper was having trouble finding the hole, and could I go out and bring him in? Well, that was what cut it. I couldn't go off looking for a chopper. I told Control that I was going in to get the pilot. And I radioed the flight of A–1E's that was flying a holding pattern just north of the fort to give me suppression fire."

KEEP THEIR HEADS DOWN

This flight was led by Capt. Jon Lucas, 28, of Steubenville, Ohio, with Capt. Dennis Hague, 28, of Kellogg, Idaho, flying wing. "Roge, we'll cover you," said Lucas. Then, to Hague: "Set 'em up for strafe, we're going in." Paco, Bernie's wingman, fell in as third man in the string. "So we hit the east side of the runway and really hosed it down."

Evenly spaced, they flew in a tight-left pattern, so one or another was hitting the target every 15 seconds. Meanwhile, Myers had crawled farther away from the plane. "I was hiding against an embankment ten feet high just west of the runway. There was at least a company of enemy on top of the bank, but they couldn't see me. Also, I think they through I was dead.

"The last thought in my mind was rescue. I knew a chopper could never survive the ground fire, and it never occurred to me that somebody would be crazy enough to put an A–1E down on that strip. It was too short to begin with. The steel planking was all buckled up into spikes by mortar rounds, and it was littered with rocket pods, 55-gallon fuel drums and the debris from my plane. When I saw Bernie circle and then head into the north end of the runway, all I thought was, *Well, now two of us are down."*

"I dropped my last string of bombs west of the runway to keep their heads down," says Fisher. "All I remember going through my mind was, *Can we do it?* and *Yes, I think we can.* I was sure the poor guy was down there burned pretty badly."

BULLETS THUMPING IN

"I was coming in on my final from the north end, just about right, when the wind blew a great big blob of smoke from the fort across the end of the runway. When I got out of the smoke, I saw I was too hot, so I put her down on the strip for just a couple of hundred feet. Then I gave it the power and took off again. I bent it around real tight in a teardrop turn and came in from the south, holding it right at 95 knots. That's the key speed for short-field landings. I touched down, put the flaps up and started hitting the brakes even before the tail came down. I steered around the mortar holes, but I just didn't worry about the rocket pods. We hit a bunch of them and kicked them aside.

"Then I saw the end of the runway coming up much too fast. That was the first time all day I was scared. I had to make a decision: Do I really slam on the brakes and probably tip her over, or do I take a chance on the overrun off the end of the strip? I decided to take a chance on the overrun. It was grass and soft dirt, and littered with these empty fuel drums, but it worked out real fine.

"After using up about 20 yeards, I hit the left brake hard and swung the bird around in a big cloud of dust. I gave it a lot of power and taxied back down about two thirds of the runway. Jump waved to me from the weeds, and I stopped as quick as I could, about 200 feet past him. I hit the parking brakes and unstrapped to go and get him." Bullets were thumping into the plane, one of them two feet from his head. (Crewmen later found 19 bullet holes.)

At this point the other three A-1E pilots were flying strafing runs 50 feet off the ground. The lead pilot, Lucas, had just been hit hard, and his cockpit was full of smoke. "I told him, 'You're burning,' " says Hague. " 'Better get the hell out.' He said, 'Roge, can't leave Bernie yet. We'll make one more pass.' I expected the bird to blow up in his face any second. I said, 'Roge, I'm Winchester!' (meaning out of ammunition). He said, 'Roge, me too, but they (the enemy) don't know that.' So we all made the last pass dry." For this bit of gallantry and leadership, Captain Lucas has been recommended for the Silver Star.

NEON-RED EYES

Jump Myers still could not believe what was happening. "Even after I had seen Bernie make his teardrop and come in to land from the south, I was thinking, *Well, they got another one.* It wasn't until he had taxied back past me and waved that I knew. *Why, that crazy s.o.b. has come in here to get me out!* I started running for the plane."

To Jump Myers, who set a record for the sprint at Williams Air Force Base, Ariz., back in 1943, the run seemed an eternity, although it took only 10 to 15 seconds. He was dashing down the middle of the runway in full view of every North Vietnamese who happened to look his way. "The gunfire was deafening, and bullets were whining all around. My shoulder blades were really puckering. I can tell you I made that run as fast any any old man of 46 ever could."

"I was just about to jump out and go get him," says Fisher, "when I saw these two big red eyes leaping up at me over the back edge of the wing. They were so red from the smoke that they looked like neons."

"I grabbed one handhold on the side of the plane," says Myers, "and then just scrambled across the wing on my hands and knees and dived into the cockpit head first, my legs flailing all around. Bernie grabbed me and set me right side up again. Then he just whipped the butt end of the plane around and really cobbed the power."

NUMBER ONE

"The takeoff went real nice," says Fisher. "Real nice" is one of Fisher's favorite phrases, and his highest accolade about his own flying that day. "I had to give the bird full power, dodge the mortar holes and use up the last foot of runway, but I had hit flying speed by then, so I just lifted her off. I held her right down on the bottom of the valley until we got out of the tube. Then I just took her right up through the hole in the clouds and leveled off.

"Jump couldn't talk to me because he didn't have a radio headset. He gave me a couple of hugs and held up a finger, meaning 'number one.' He was a mess—mud all over, and the smoke from his flying suit stunk up the whole cabin. But we couldn't help turning to each other and laughing all the way home to Pleiku."

As soon as Lucas got above the clouds, just behind Fisher, he hit a lever that bypassed his hydraulic system, and the fire in his cockpit began to subside. "I thought that was where the trouble was, but I couldn't do it any sooner," says Lucas. "You want your hydraulics working in the middle of a fight."

Heroism, and carnage, did not end then at Ashau. That afternoon the Special Forces survivors got orders to evacuate the camp. That day and for the next two days choppers scoured the area and picked up scattered groups of survivors.

Bernie Fisher and Jump Myers landed at Pleiku just after 1 p.m. on March 10. Myers was whisked off to the flight surgeon, who gave him some drops for his red eyes and told him that otherwise he was in splendid shape. Then they were both ushered in to see the deputy commander of the 7th Air Force. By the next day Fisher's recommendation for the Medal of Honor was already being drafted.

Before going back to flying missions in their A–1E's, Fisher and Myers took a leave in Bangkok.

"What can you do with a guy like Bernie?" says Jump Myers. "I would like to furnish him with a year's supply of whiskey. But he doesn't even drink coffee. So I bought him a Nikon camera—he's the biggest camera buff in the squadron—and had it engraved, Asahu, March 10, 1966. For the first few days I felt like a dead man walking. I couldn't believe it. Then I got over that, and it's great to be alive."

IMPACT OF ELEMENTARY AND SECONDARY EDUCATION ACT UPON INDIVIDUAL CHILDREN

Mr. MONDALE. Mr. President, we have heard much in the past 20 months of the new Elementary and Secondary Education Act, and of the vital new resources that it has made available to schools throughout America to attack one of our most urgent educational problems—the teaching of deprived children Unfortunately, too often the impact of this new program is measured by the amount of money which is being spent. Seldom do we hear of its impact on the individual children whose very lives hang in the balance.

I am, therefore, most happy to be able to bring to the attention of the Senate a recent article entitled "A New Dimension for the Silent Ones," published in the Minnesota Journal of Education for January 1967. It is an anonymous article, written by a teacher who describes her work to help four children, ages 7 through 10. Far from being able to participate normally in school activities, the children were unable even to speak in the presence of their classmates. The teacher tells how, through patient effort, these children gained the confidence, one after another, to communicate and to learn.

Mr. President, I think this article tells more about the meeting and potential of this new legislation than any graph or table of statistics that has yet been produced. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Law 89–10 Adds a New Dimension for the Silent Ones

(Note.—The Minnesota teacher who contributed this article to the Journal wishes to remain anonymous to protect the identity of the children she describes. The time she spent with them was made possible by 89–10, Title I, a federal project which enables local school districts to develop a program for educationally deprived children.)

One of our most gratifying projects made possible by 89–10 Title I cannot be measured or evaluated by any testing device known to us. We submit the following teacher observation type of evaluation as evidence of progress in the project. The project evolved with and revolved around a family of four educationally deprived children. The children will be referred to as "A" (a girl, age ten), "B" (a girl, age nine), "C" (a boy, age eight), and "D" (a boy, age seven).

CONCERN BEGINS EARLY

We first became concerned about "A" during the school year of 1961–62. As a kindergarten student, she did not respond to any of the activities presented to the class. She did not experience the joy of counting out brightly colored objects, responding to likenesses and differences in sounds, creating a work of art at the easel, modeling an object from clay, being a story character in a dramatization, sharing a favorite possession or experience during Show and Tell, dashing across the playground to be first in line, giggling over a shared secret, or any of the other countless things that kindergarten children find so delightful.

In fact, she was the most pathetic looking child I had even seen. She entered the classroom every morning wearing the same sad-faced, mask-like expression. Her expression remained the same all day long all year long. We never knew if she enjoyed an activity because she never uttered a word or sound and never smiled. If attention was focused upon her, she seemed to "freeze" and look at you with the helpless look of a trapped animal. All efforts to bring "A" out of her little silent world seemed futile. We never knew how much she had absorbed during that year. "A" was put in a first grade classroom the following year under the assumption that she would perhaps respond in the presence of her classmates where she might not with a strange group of children. "A" began to respond with a barely audible whisper in the first grade.

We enlisted the help of a psychologist from a nearby mental health center. Several classroom observations were made by the psychologist and conferences were held with the classroom teacher. The parents were contacted and agreed to take "A" to the mental health center for consultation and testing. We noted no improvement in "A" following these sessions. The mother told me during a parent-teacher conference that she terminated the sessions at the center because during the questioning she suspected that they were putting the blame on her and her husband and the home environment. She said they would never go back or have anything to do with the center in the future.

Each year, following "A" 's enrollment in our school, another member of this family enrolled in kindergarten. They came with varying degrees of "silentness." "B" would answer with a "ya" or "no" and was not as passive as "A" had been. She would not take part in a conversation or answer any question that couldn't be answered by a "ya" or "no." "C" was the least silent of the group but far from being a normal-acting kindergarden student. "D" was a repetition of "A" in every respect. Each child was moved ahead each year with their own age-group. "A" had never spoken above this barely audible whisper and "D" didn't even whisper. Each teacher had been haunted with the questions "What can I do?" "How can I get them to respond?" "Why must they go through life like this?"

DISCOVERY BRINGS PLAN

One morning, during a ride around the bus route, the superintendent noted that when these children got on the bus they chattered away in their own jargon. We didn't even know that two of them could make a sound Thus the inception of a plan! Let's put these four children in one class and maybe with the security of their siblings they will respond. Faced with the problems of not having the time or a teacher for a special class, he could not put his plan in operation until the advent of 89–10.

On March 1, 89–10 brought a new dimension to the lives of these little silent ones. I was given time each day to have supplemental reading classes so I reserved a special time for these four. They were a bit fearful of the situation at first but gradually the shell of that silent world cracked! I read to them, talked about pictures and directed my questions to "B" and "C" because I was sure they would respond. They did so I asked about their farm animals. "A" wanted to get in on the conversation but found she couldn't get my attention until she spoke aloud. After that first awful moment of uttering a word aloud in my presence, she continued to speak in her harsh, raspy, and unused voice. "D" also spoke his first words that day, also harsh in quality. It was a bit difficult to understand them because they'd developed their own jargon in communicating at home. I dismissed them, and I'm not ashamed to admit that I wept my thanks to God for having had the opportunity to break down the barrier. I had known "A" for almost five years and to my knowledge this had been the first time she'd uttered an audible sound.

Now we knew that there was hope in being able to teach these childen to read and to learn in the other areas of the curriculum. They continued to respond, relax, smile, laugh, and tease. When they left my room, they would revert to silence so we knew that we would have to bring another person into the picture gradually. Our librarian was the next person that they accepted. They would not respond to any children I brought into the room. I worked mainly with instruction in reading and even "D" was able to read in a pre-primer by the end of the school year. One of the last days of school, he read orally while the librarian was in the room.

SUMMER PROGRAM A SUCCESS

During summer school, I was given the opportunity to work with these children for three hours daily for six weeks. We worked in various areas of the curriculum with emphasis on reading and math. A lesson in handwriting was practiced daily. I tried to include many self-expressive activities such as the retelling of the story the librarian had read to them, explaining a painting they'd created at the easel, describing how a character from a record looked or perhaps walked, making up a story, acting out episodes from their reading book story. We sang and played records, keeping time to the music by bouncing a ball, skipping, walking, hopping, or jumping as the rhythm demanded. Much time was spent trying to correct their pronunciation of words they had learned incorrectly. They seemed to enjoy every minute of it and were so surprised when it was time to go home for the day.

We had such a time getting the children to talk, now during summer school I was presented with another problem. They all wanted to talk at the same time so we practiced taking turns. I noted some progress with each child each day. Most of the teachers were in my room at some time during summer school and the children responded freely. One day it was necessary for me to substitute for another teacher so I took my four to her classroom and was delighted to find that they would read orally with about 15 other children in the room! We made some visits to some of the other classrooms with equal success. One morning my class did not appear and it puzzled me because they usually had perfect attendance. About 9:30 they appeared, hot and tired, because they had walked the three-and-a-half miles from home because they missed the bus that morning!

I was pleased by a comment made by a sixth grade boy, a passenger on the children's bus. He said, "Gee, those kids are sure different now. The little boys will come to the back of the bus and talk to us now." The driver-training instructor remarked that the children had talked with him freely. The nurse was surprised to be greeted with a friendly "Hi" by "D" whose eyes she was unable to check during the school year because he would not respond at all during checking time.

Great progress has been made thus far but there is so much more to be accomplished. This experiment has been a highlight in my teaching career and I'm grateful for the experience.

LEONARD BERNSTEIN'S TRIBUTE TO ELEANOR ROOSEVELT

Mr. GRUENING. Mr. President, on an occasion given by the Washington chapter, Guardians of Israel, in honor of Mr. Leonard Bernstein, who was presented the Eleanor Roosevelt Humanities Award, this talented man made a very moving address paying tribute to that great First Lady, Eleanor Roosevelt. It is an eloquent appreciation of the woman who was for many years the First Lady of our land and subsequently, I think it may fairly be said, the First Lady of the world. The award was presented by James Roosevelt.

I ask unanimous consent that the recent address made by Leonard Bernstein be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Ambassador Roosevelt, Mr. Justice, distinguished guests, my dear friends, I wonder how many of you have had the experience of standing in the Nation's Capitol, surrounded by persons of overwhelming stature and distinction, and receiving an honor of this magnitude. How can I possibly tell you what it feels like—the dream-like buoyancy, the sense of being airborne? It is a glorious feeling: but it carries with it a penalty—the penalty of having to make a speech. It is a price I am willing to pay, and a small price at that. At any rate, a small speech.

Part of this dream-of-glory feeling, comes, as I said, from the fact that this is Washington, and from the brilliance of this assembly. But the feeling is enhanced by the knowledge of the good cause for which we are gathered tonight, and by the presence of so many dear friends and colleagues. But over and above all this, there hovers a halo, a name—the spirit of that woman in whose name this award is given me. I have always revered the name Eleanor Roosevelt, and always shall: and to have my name linked with hers on this medallion is a transcendental experience. You see, I grew up in what might be called the Roosevelt generation—a generation that not only loved and trusted President Roosevelt, but which lived in terms, was moulded in his image. I was 14 years old when he first came to the White House, and I was 26 years old when he finally departed it. And all those twelve years, in all that welter of activity and emotion we always looked to our President, taking strength from his mind, his intelligence, his articulateness, his compassion, his elegance.

And through it all, moment by moment, behind him and beside him stood Mrs. Roosevelt: Those two figures were inextricably merged in my mind; the same intelligence and compassion streamed from them both. Af course the climax of my young life would have been to meet them: I never had that privilege, while the President lived. And then, on that sorrowful 12th of April, 1945, I cried tears for the first time since I had been a child.

But Mrs. Roosevelt remained, and I did have the privilege and the joy of meeting her. And slowly, as I came to know her better, a miracle occurred: She was my friend. It was then that I was finally able to separate her from the double image I had adored as a college boy: It was then I began to perceive the marvels of which she as an individual was composed. These marvels have been cited and recited now for so many years that they are almost cliches now: Her goodness, her limitless energy, her clarity of thought, her simplicity, her intuitive rightness, her courtesy, her inexhaustible patience—all virtues that are so easy to put down these days. They are almost forgotten values, those old-fashioned virtues. You'll hear people say, "Yes, she was a real old-fashioned do-gooder." Do-gooder. What a lamentable word! These days to be a do-gooder is to call forth a sneer; but, dammit, she was a do-gooder, and I will bless her for it all my life! God grant us more do-gooders in this perilous and cynical world of ours. Give us back a few of those old-fashioned virtues: patience, courtesy, moral fearlessness, plainness of living—why, we would sit at dinner in her crowded little apartment, and if there should be a last-minute guest, his chair would as likely as not be an end table with a shawl flung over it. Even more to the point, it could just as easily have been *her* chair.

But her greatest virtue, and her greatest triumph, was her relation with time, her fiercest enemy—time, the grim enemy we all struggle with, all our lives. I don't know how Mrs. Roosevelt did it, but she did conquer time. She had time for everything and for everyone—unrushed and unreluctant. I have always tried to emulate this astonishing quality of hers, and I have always failed. How did she do it? She was always there. If there was a mouth to be fed, a thirsty mind to be filled, a captive to be freed, a stranger to be made welcome, a mourner to be comforted—she was there. If there was a banner to be raised, a myth to be exploded, a wrong to be righted, a gulf to be bridged—she was there. And she was all there, without tension or impatience: She gave herself totally. Can we do less?

Can we *afford* to do less, now that time is running out, now that madness is rampant beneath the cloak of affluence, now that patience and concern and clarity of thought and good will are no longer just old-fashioned virtues, but matters of life and death?

Thank you from the bottom of my heart for the Eleanor Roosevelt Award: It binds me to her forever.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AMENDMENT OF RULE XXII—SENATE RESOLUTION 7

The PRESIDING OFFICER. The Chair lays before the Senate Senate Resolution 7, coming over under the rule.

Mr. KUCHEL. Mr. President, I have no intention to debate that matter now and I ask that it be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered. The resolution will be placed on the calendar.

TRIBUTE TO HON. JOHN W. McCORMACK, SPEAKER OF THE HOUSE OF REPRESENTATIVES

Mr. MANSFIELD. Mr. President, I wish to take this occasion to express my great admiration, affection, and respect for the Speaker of the House of Representatives. Approximately half of the Members of the Senate have served in the House of Representatives and are aware of the integrity, the ability, the understanding, and the tolerance of the distinguished gentleman from Massachusetts, Mr. JOHN McCORMACK. Many of us have sat at his knee, so to speak, and we hope that some of the wisdom which he has shown down through the years has at least been imparted to us. We look upon him as being in the mold of the great Speakers of the House of Representatives, and some of us, the present speaker included, think that he is the equal of any of his predecessors.

JOHN McCORMACK and his colleagues did a remarkable job during the years of the Kennedy-Johnson administrations. Their job was much more difficult than was that of the Democratic leadership in the Senate. The record which Speaker JOHN McCORMACK was able to bring into existence was an extraordinary one, and I think that he is entitled to the greatest share of the credit for that record, a record which, in my opinion, is unparalleled in the entire history of the Republic.

He has had to work with a paper majority, it is true, but he has had, in effect, to scrounge for votes on many occasions to get the necessary six, eight, 10, or 15 majority in order to pass legislation in which the administration was vitally interested.

I know that the President is fully aware of the many and great contributions which JOHN McCORMACK has made to the passing of this legislation, which will benefit the American people as a whole and quite literally the concept of general welfare.

Mr. President, I take this occasion to express my high personal regard, affection, and respect for the distinguished Speaker of the House of Representatives, the Honorable JOHN W. McCORMACK, of Massachusetts.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REDUCTION OF U.S. FORCES IN EUROPE

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask that it be read, along with the names of the cosponsors.

The PRESIDING OFFICER. The resolution will be read.

The assistant legislative clerk read the resolution (S. Res. 49) as follows:

S. RES. 49

Whereas the foreign policy and military strength of the United States are dedicated to the protection of our national security, the preservation of the liberties of the American people, and the maintenance of world peace; and

Whereas the United States in implementing these principles has maintained large contingents of American Armed Forces in Europe, together with air and naval units, for twenty years; and

Whereas the security of the United States and its citizens remains interwoven with the security of other nations signatory to the North Atlantic Treaty as it was when the treaty was signed, but the condition of our European allies, both economically and militarily, has appreciably improved since large contingents of forces were deployed; and

Whereas the means and capacity of all members of the North Atlantic Treaty Organization to provide forces to resist aggression has significantly improved since the original United States deployment; and

Whereas the commitment by all members of the North Atlantic Treaty is based upon the full cooperation of all treaty partners in contributing materials and men on a fair and equitable basis, but such contributions have not been forthcoming from all other members of the Organization; and

Whereas relations between Eastern Europe and Western Europe were tense when the large contingents of United States forces were deployed in Europe but this situation has now undergone substantial change and relations between the two parts of Europe are now characterized by an increasing two-way flow of trade, people and other peaceful exchange; and

Whereas the present policy of maintaining large contingents of United States forces and their dependents on the European Continent also contributes further to the fiscal and monetary problems of the United States: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that, with changes and improvements in the techniques of modern warfare and because of the vast increase in capacity of the United States to wage war and to move military forces and equipment by air, a substantial reduction of United States forces premenently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty;

(2) S. Res. 99, adopted in the Senate April 4, 1951, is amended to contain the provisions of this resolution and, where the resolutions may conflict, the present resolution is controlling as to the sense of the Senate.

The list of cosponsors is as follows: Senators YOUNG of Ohio, MORSE, RANDOLPH, METCALF, PEARSON, JORDAN of Idaho, YOUNG of North Dakota, BOGGS, INOUYE, DOMINICK, LONG of Missouri, HATFIELD, ERVIN, LONG of Louisiana, BYRD of West Virginia, HILL, RUSSELL, MAGNUSON, PASTORE, SYMINGTON, MUSKIE, HART, BREWSTER, TALMADGE, YARBOROUGH, McINTYRE, BARTLETT, MOSS, PROXMIRE, FULBRIGHT, McGOVERN, BURDICK, ELLENDER, NELSON, AIKEN, CARLSON, WILLIAMS of Delaware, GRUENING, ALLOTT, COTTON, and SMATHERS.

Mr. MANSFIELD. Mr. President, for the information of the Senate, I think that the total number of sponsors is 41 at this point.

I ask unanimous consent that the resolution be referred both to the Committee on Armed Services and the Committee on Foreign Relations.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that both these committees may have authority to appoint subcommittees which will act jointly.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The resolution (S. Res. 49) was referred to the Committee on Armed Services and the Committee on Foreign Relations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the resolution which I have offered today lie at the desk for 1 week for cosponsors.

The PRESIDING OFFICER. Without objection, the resolution will be held at the desk, as requested by the Senator from Montana.

Mr. MANSFIELD. Mr. President, Senate Resolution 300 in the 89th Congress was intended to express the sense of the Senate that a substantial reduction of U.S. forces permanently stationed in Europe can be made without adversely affecting our resolve or ability to meet our commitment under the North Atlantic Treaty. It will be recalled that the resolution had acquired a total of 32 sponsors by the end of the 89th Congress. In spite of this substantial interest, the leadership decided not to press the matter to a decision during the closing days of the last session. Notice was served, however, that the matter would be reopened in January.

Just prior to the convening of the 90th Congress, the original sponsors of the resolution met to consider a course in the matter. After a thorough discussion, it was decided once again, with 12 of the 13 Members assenting, that the resolution on U.S. troop deployment in Europe should be reintroduced without delay. It was also agreed that the President should be advised of the intention to do so and that, on this occasion, all Members of Senate should be invited to cosponsor the resolution if they so desired.

I find it regrettable, Mr. President, that nothing has happened since the close of the last session to indicate that this resolution is any less necessary today than it was several months ago. At that time, I expressed the hope that the introduction of the resolution, of itself, might prove to be helpful in bringing about adjustments in U.S. troop numbers in Europe. However, what looked like a hopeful move in that direction last fall has apparently turned out to be merely another exercise in marking time.

It is my personal belief, therefore, that the resolution on U.S. troop deployment in Europe is, if anything, more timely than it was during the last session, and that the Senate is more than ever justified in coming to grips with the matter in this session. Let me review some of the specific considerations that have led me to this conclusion.

The request that our forces be withdrawn from France seemed to provide an excellent opportunity to bring home approximately 70,000 of the 900,000 or more American defense personnel and dependents now stationed throughout Western Europe. Instead, the Defense Department is in the process of moving at least two-thirds of these forces along with their dependents who have been in France, not back to the United States, but on to the United Kingdom, West Germany, and the Low Countries. Thus, the reduction in overall U.S. personnel levels in Europe will be insignificant. I must confess, Mr. President, that it is most difficult to understand why some air units can be moved from France back to the States, under a dual-basing concept—and a few are being moved—but the balance must be assigned elsewhere in Europe.

It is also difficult to understand why we will not face up to the fact that the Western European allies are uninterested in stocking supplies and organizing lines of communications to sustain forces for a hypothetical 90-day conventional war on the Continent. Indeed, their outlays in this connection are hardly sufficient to sustain their NATO forces for 30 days or even, in some instances, for 10 days. Nevertheless, the Defense Department still clings to the 90-day concept, and we pay heavily in terms of the number of supporting troops and depots which are required to maintain it.

Most disturbing, in my view, has been the revelation of the rigidity of our policy with respect to NATO, as it emerged in the recent United States-United Kingdom-West German talks on troop deployment, strategy, and offset arms purchases. These tripartite talks seem to have led, as I have already noted, at best, only to interim decisions on our part to maintain the status quo and postpone the hard decisions. Indeed, these talks have taken us, if anything, further toward a unilateral U.S. underwriting of the burdens of NATO.

What was heralded months ago by unnamed sources in this Government as a move to get the Europeans to take a greater share of NATO's burdens, has produced precisely the opposite results. Indeed, it is ironic that the principal decision of the recent tripartite Conference involves a new U.S. commitment to buy $35 million worth or arms and services from Great Britain in order to stave off the reductions in the British Army of the Rhine which London had previously announced it felt compelled to make. To put it bluntly, this Conference reveals a disconcerting tendency to beg or to bug allies into a certain view of NATO's current needs which is based on a conviction of urgency that they do not necessarily share.

It has been said before, Mr. President, but it bears repeating: the United States is the only member of the North Atlantic Treaty Organization which has met its commitments to the common defense effort. No member of NATO spends as much of its gross national product on defense as does the United States. No NATO member has as great a percentage of its available manpower in uniform as does the United States. The costly standards of training, equipment, staffing and logistics which have been maintained for the six U.S. divisions on the European Continent have not been even remotely approached by any other NATO nation.

Most significant, it should be noted, only three members of NATO, other than the United States, still require 2 years of compulsory service from their army draftees. These members are Portugal, Greece, and Turkey. Great Britain has long since abandoned conscription entirely, as long ago as 1960. Other Western European nations have either also ended compulsory military service, or sharply reduced the term of their manpower draft.

France no longer sees a need to assign any forces to NATO or even to guarantee other NATO forces access to French territory. West Germany has the equivalent of 8, rather than the committed 12 divisions manned, equipped and staffed. Finally, not only Great Britain, as noted, but Belgium as well is anxious to reduce its commitments of troops to NATO.

It seems to me that it is long past the time not only to recognize contemporary European realities but to act on them. There is no longer any blinking the fact that the European governments do not feel as imminently threatened from the East or by internal upheaval as was the case 15 years ago. Western Europe is conscious of its stability and confident of its ability to maintain an unprecedented prosperity, in part, by expanding commercial and other intercourse with Eastern Europe and even with Communist China. The list of commodities which the NATO nations are prepared to exclude from this trade for strategic reasons grows ever shorter.

There is, Mr. President, obviously a growing European conviction that an era of peaceful coexistence in Europe is more than a possibility for the future; for them, it is already here. President de Gaulle is most articulate in giving expression to this view as well as to other pan-European concepts. But it is a view which, in my judgment, finds increasing echo in Western Germany, Italy, the United Kingdom, and other European nations. Indeed, recent official expressions of the policies of our own Government suggest a belief in the possibility of advancing peace through expanded trade and other relations with Eastern Europe and a readiness to participate actively in a broad process of reconciliation. A selective but substantial reduction of our troop commitments to NATO is not out of step with these new probings of our policy. Indeed, it could become central to furthering that development.

I do not believe that we must wait for others to act first or that we must negotiate formal agreements on troop reductions in order to do what is right for this Nation. The actions of others may or may not be reciprocal or syncretic with our own. Both the Western European nations and the Soviet Union have made individual national decisions of this kind. We can do the same if a reduction of U.S. forces in Europe will serve—as I believe it will—this Nation's interests in the context of our vital concern in the North Atlantic region and our general position in the world.

There is not a magic number of U.S. troops which, when stationed in Europe, will guarantee against probes from the East or a recrudescence of militarism in the West. There is not a magic number of U.S. troops which can underwrite our diplomacy and insure ultimate solutions of Europe's problems as we think they should be solved.

A substantial reduction in U.S. forces in Europe would still leave an impressive U.S. military presence on the European Continent. The U.S. treaty commitment to the defense of Western Europe under the North Atlantic Treaty would remain intact. In that context, there would be no abandonment of international responsibilities and no invitation to provocation.

Indeed, what nation would be so foolhardy as to believe that a reduction in U.S. forces stationed in Europe is evidence of weakness or lack of will? What nation would be so foolhardy as to conclude that the United States, which has fielded several hundred thousand men in Vietnam, on the fringes of its vital international interests, would abandon the North Atlantic region which is a cornerstone of those interests? If there is war again in Europe or over it—make no mistake—the United States will be party to it, whether or not there are six divisions or six battalions of American forces on the European Continent.

If NATO is to survive, and I believe that we should make every effort to see that it does survive, the Organization must be adapted to reflect the changing attitudes and preoccupations of all of its members. I am personally persuaded that the most urgent adaptation which is required is a reduction downward in the U.S. troop commitment on the Continent. In all frankness, Mr. President, I believe we should face now the prospect that other NATO members in addition to France may also find large contingents of Americans on their soil as uncomfortably excessive to need in the not-too-distant future. It would be wise to anticipate other invitations to reduce our military establishment. And insofar as I am concerned, it would appear more compatible with the dignity of this Nation and more conducive to the maintenance of a useful NATO as well as overall friendly North Atlantic relations if we were to act to reduce our troops now, of our own volition, rather than in a fit of pique under less auspicious circumstances. I regret to say that the temper tantrums which characterized the reactions of unnamed "official sources" in this Government to the French request for our withdrawal and the earlier Senate resolution on the subject do not auger well for the future.

The considerations I have just reviewed, Mr. President, have led me to the conclusion that the resolution on troop deployment which is being reintroduced today is both timely and necessary. My colleagues may have other reasons for reaching the same conclusion. I am not unmindful that some would hold, as perhaps even more important, that a cut in troops in Europe means a cut in the dollar and gold outflow which results from the presence of almost a million American defense personnel and dependents in Europe or that a cut of forces in Europe would assist this Nation in meeting its heavy commitments elsewhere in the world, notably in Vietnam.

My own view, I reiterate, is that with or without a problem of balance of payments, with or without the immense requirements of Vietnam, the reduction of U.S. forces in Western Europe is justified on its own merits, as a long-overdue adjustment in U.S. policy with respect to Europe. Indeed, I began an advocacy of this course long before we became immersed in the conflict in Vietnam or deeply concerned with questions of balance of payments.

Before closing, I would like to reaffirm that the proposed resolution in no way excludes consultation with our NATO allies, or with the Soviet Union, for that matter. I would be less than frank, however, if I did not state that I do not favor the kind of consultation that turns into a prolonged exercise for deferring decisions and action.

And before closing, I should also like to emphasize that this resolution does not intrude in any way on the basic responsibility of the President for the conduct of foreign relations. Under its terms, the President would decide the number, nature, and timing of any reductions in U.S. forces in Europe. But make no mistake, if adopted this resolution will express the sober advice of the Senate that the number of U.S. forces in Europe should be substantially reduced in present circumstances. It would supercede in this fashion the advice on the same subject which the Senate gave to another President in 1951—and on which he acted—that the U.S. commitment of forces on the European Continent should be increased from two to six divisions in the circumstances then prevailing. In short, this resolution calls upon those who remain shackled to an outdated policy based on a Europe as it was yesterday to face up to the fact that tomorrow will always seem to be a better time to take the action which is urgently required today.

In this connection, Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excellent research paper done at my request by Miss Elizabeth Stabler, analyst in Western European Affairs, of the Legislative Reference Service of the Library of Congress. It covers NATO force goals, the contributions of NATO members, and the conscription policies of NATO members, as well as other pertinent information.

I urge Senators to look over this outstanding study by Miss Stabler, because I think they will find much to digest in it, and much to wonder and ponder about.

I further ask unanimous consent that on page 18 of the research paper which I have in my hand, at the conclusion of the paragraph on Luxembourg, a story carried in the New York Times on January 12, 1967, be inserted therein at that point. Furthermore, Mr. President, I ask unanimous consent, so that it will be easier reading for Members of the Senate, that the entire study be printed, not in small print, but in the usual size print.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

There being no objection, the research paper was ordered to be printed in the RECORD, as follows:

DECEMBER 23, 1966.

To: Hon. MICHAEL MANSFIELD.

From: Foreign Affairs Division, Legislative Reference Service, the Library of Congress.

Subject: NATO force goals, the contributions of NATO members, conscription policies of NATO members.

GENERAL REMARKS

There are several difficulties in estimating NATO force goals and the extent to which NATO members have met their commitments. First, it has been the long-standing policy of the various NATO commands and of the individual NATO members to classify NATO force goals and the extent to which these goals have been met. In recent years, the United States and Great Britain have not always followed this policy in respect to their individual NATO commitments. West Germany's commitment in respect to ground forces is known because it was written into agreements preceding West German accession to NATO. Nevertheless, the commitments and actual contributions of some NATO members have been the subject neither of official statements nor of unofficial speculation.

Second, to the extent that some NATO ground force goals and the contributions of NATO members are known, they are usually expressed in terms of divisions. But the number of men assigned to a division and the number who contribute support to a division vary widely. For example, Secretary McNamara recently pointed out that a division slice in the U.S. 7th Army stationed in West Germany amounted to about 45,000 men whereas a West German division slice amounted to about 17,000 men.[1] Therefore, a NATO member may well have met its commitments in terms of the number of divisions assigned to a NATO command. But these divisions may fall and logistics support; that is, in terms of manpower, staffing, equipment, training, and logistics support; that is, in terms of general combat readiness. Moreover, especially on NATO's central front in West Germany, these divisions may not be deployed as far forward as NATO strategy requires. It is generally believed that with the exception of the U.S. 7th Army, most NATO divisions show deficiencies in many of these respects. Available information, however, does not permit detailed documentation of this point.

Third, whereas NATO ground force goals for the central European sector—Afcent—Allied Forces Central Europe—have been the subject of many unofficial published reports, force goals for northern Europe—Afnorth—and for southern Europe—Afsouth—appear to be largely unreported. Similarly, the desired strength and deficiencies in NATO naval and air forces are difficult to establish. And further complicating the task of measuring national contributions against force goals is the distinction between forces "assigned to NATO"—those coming under the operational command or control of Saceur for peacetime training and during emergencies under conditions agreed by each country—and forces "earmarked for assignment to NATO"—those forces which nations have agreed to assign to a NATO command at some future time—in many cases, reserves which would presumably be available only within specified periods after mobilization. The only forces at present "assigned" to NATO are most ground forces stationed in Europe and some tactical air units. Force goals and commitments for "earmarked" forces are hazy. The extent to which NATO commands can count on some "earmarked" forces as firm commitments is unclear.

The following report relies on publicly available and therefore necessarily incomplete information. It includes, first, a table giving a detailed breakdown of reported NATO force goals and the commitments and current contributions of NATO members only for the ground forces assigned to the crucial and central sector—that is, to Afcent; second, tables showing current contributions of ground forces at Afnorth and Afsouth; third, a listing of NATO countries that gives available information on changes in conscription policies; fourth, a table showing defense expenditures as a percentage of gross national product for NATO members; fifth, a table showing approved NATO infrastructure cost-sharing formulas.

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[1] The Secretary was using the figures of five full divisions and 225,000 men for the U.S. commitment and 12 divisions and 210,000 men for the West German contribution.

I. Force goals, national commitments, and current contributions to Afcent

A. SUMMARY—FORCE GOALS: MINIMUM REQUIREMENT 28⅓ TO 30 ASSIGNED COMBAT-READY DIVISIONS STATIONED IN OR NEAR GERMANY

	Commitment	Current contribution
Belgium	At least 2 divisions	2 divisions (about 30,000 men) stationed in Belgium and in Germany.
Canada	(?)	1 infantry brigade (⅓ of a division or 6,500 men) stationed in Germany.
France	At least 4 divisions	None assigned to NATO. 2 divisions stationed in Germany (60,000 men).
West Germany	1954 commitment, 12 divisions. Total army strength to be about 400,000.	12 thin divisions. Equivalent of perhaps 8 full divisions. Total army strength about 307,000.
Luxembourg	(?)	1 artillery battalion of 500 men attached to an American division stationed in Germany.
Netherlands	At least 2 divisions	2 divisions (about 30,000 men) stationed in the Netherlands and Germany.
United Kingdom	1954 commitment, about 4 divisions (77,000 men); current commitment, 3 divisions or at least 55,000 men.	3 thin divisions (51,000 men) stationed in Germany. Equivalent of perhaps 2⅓ divisions. Would need reinforcement from reserves in England to be combat ready.
United States	Commitment usually described as a "fair share" or the 5 to 6 divisions stationed on the Continent since 1952.	5 divisions and 3 armored cavalry regiments (between 210,000 and 225,000 men) stationed in Germany.

NOTE.—Current total: At the very most 25 to 25⅓ divisions, some of which are not at full strength.

B. AFCENT FORCE GOALS

In February 1952, the North Atlantic Council meeting at Lisbon is believed to have approved 1954 ground force goals for Afcent of between 25 and 30 combat-ready divisions and between 30 and 35 reserve divisions capable of mobilization within 1 month. These goals were not even close to being met in 1954, or in 1957. Following a study by NATO's Military Committee in 1956–57—MC–70—Afcent force goals for the end of the period 1958–63 were reported to be set at 30 combat-ready divisions and considerably fewer reserve divisions. It was also reported that MC–70 set out a requirement for the stocking of supplies and equipment to sustain these 30 divisions in the field for 90 days. It is generally believed that only U.S. divisions have met this requirement.

Following a new study by NATO's Military Committee—MC–96—Afcent force goals for the end of the period 1961–66 were reported to be set at 28⅓ combat-ready divisions for the central front. It was also reported, however, that military authorities at SHAPE continued to regard 30 combat-ready divisions as the minimum requirement for the central front. Neither the 28⅓ requirement nor the 30-division requirement have ever been met in terms of assigned divisions. In April 1965, when West Germany organized and committed to NATO its 12th division, and when France still assigned two divisions to NATO command, Afcent might be said to have had about 27⅓ assigned divisions. No information has been found on present requirements for reserve divisions.

C. NOTES ON NATIONAL CONTRIBUTIONS TO AFCENT

Belgium: Belgium's army has shrunk in size by about 10,000 men in the last 5 years. In 1963, four battalions—about 2,000 men—were redeployed from Germany to eastern Belgium. There have been several recent reports that the Belgian Government has decided to request a reduction in its military commitments to NATO from six to four brigades, or from its two divisions at present strength to two divisions at half present strength. Two reserve divisions are earmarked to NATO.

Canada: Canada has maintained an infantry brigade group in West Germany since the winter of 1951–52. The strength of this brigade appears to have remained constant. Canada maintained 12 air squadrons in Europe in the 1950's. Canadian jet squadrons in Europe now number eight and will be reduced from eight to six when two existing squadrons stationed in France are absorbed into six squadrons stationed in West Germany. Two infantry brigade groups stationed in Canada are earmarked for deployment to Europe.

France: In 1952, France had about five somewhat understrength divisions assigned to Afcent, with about four of these divisions stationed in Germany. Following the outbreak of the Algerian rebellion in late 1954, France in 1955 and 1956 withdrew three of these divisions and other units for service in Algeria, with the understanding that they would be returned as soon as possible. The depleted French forces in Germany amounted to about 1½ divisions. These divisions were brought up to the strength of two divisions when the Algerian war came to an end in 1962. They were modernized but were never moved to the forward positions required by NATO strategy. Other French forces stationed in Algeria were brought back to France but were not reassigned or earmarked to NATO command.

On July 1, 1966, the two French divisions stationed in Germany—about 60,000 men—and tactical air units stationed in Germany—about 10,000 men—were withdrawn from NATO command. On the same date, French personnel assigned to the integrated NATO commands were withdrawn. Some of the French air units stationed in Germany have been redeployed in France. The French and West German Governments have recently reached an agreement that permits the continued stationing of remaining French forces in Germany on the basis of the 1954 London and Paris accords and an exchange of letters of understanding. NATO and French military authorities have yet to agree on a mission for these forces.

The steps taken by the French Government on July 1 completed the withdrawal of French air, naval, and ground forces from Afcent and other NATO commands. No French forces are at present assigned or earmarked to these commands. In March 1959, the third of the French Mediterranean fleet that had been earmarked to NATO's Mediterranean command was withdrawn. In June 1963, France announced the withdrawal of naval units earmarked to NATO's Channel Command and Atlantic Command. In April 1964, the French Government announced the replacement of French naval officers assigned to these commands by liaison officers. In recent months, the French Government has also indicated that permission for NATO military planes to fly over French territory will be granted on a monthly rather than a yearly basis, that France will no longer participate in NATO's Military Committee, and that France will continue to make financial contributions only to a selected few NATO infrastructure projects. The French Government has contemplated liaison arrangements with various NATO and national commands. These arrangements as well as ones providing for French participation in an integrated air defense system covering a sector of northeastern France have yet to be worked out with NATO authorities.

At present, France has about three active divisions stationed in France in addition to those in Germany. In 1961, the French army numbered over 800,000 men. By 1966, it had shrunk to about 330,000 men. This reduction in size was in large part a result of heavy expenditures on the development of a nuclear striking force. The present striking force, consisting of supersonic planes carrying 60 kiloton atomic bombs, is not, as far as can be determined, coordinated with the strategic forces of either Great Britain or the United States.

West Germany: When West German rearmament was originally contemplated within the framework of the abortive European Defense Community, it was agreed that West Germany would raise armed forces of about 500,000 men including an army of about 400,000 men, and would contribute 12 divisions to the Community. These force goals were carried over into the London and Paris accords of 1954 under which Germany was invited to accede to NATO. Force goals for the West German army have been postponed or tacitly revised downward a number of times, partly because West Germany's 12-month period of service under the draft—changed to 18 months in 1962—did not permit the raising of sufficient manpower. At present, West Germany's 12 divisions still suffer from a shortage of manpower, and especially from a shortage of officers and trained technical specialists. For lack of training areas in West Germany, West Germany's armed forces have also been obliged to seek areas for exercises in other European countries. Some West German military authorities acknowledge that West Germany probably has the equivalent of only eight full divisions at present. They dispute the claims of some American officials that German armed forces suffer from serious deficiencies in equipment. With the exception of a small territorial force—28,000—and an even smaller reserve for local defense, all of West Germany's armed forces—total about 440,000—are assigned to NATO.

Luxembourg: Luxembourg's army has shrunk from about 5,500 men to about 2,000 men in the last 5 years. The artillery battalion of 500 men attached to American forces in Germany consists of volunteers. An infantry brigade would presumably be available to NATO after mobilization. In recent months, there has been pressure to disband the army entirely and to rely on neighbors for defense.

Netherlands: In the late 1950's, the Netherlands reorganized its army to provide two active divisions instead of one active division, and two reserve divisions instead of four reserve divisions. In recent years, the size of the army has shrunk from about 98,000 to 85,000. In addition to two assigned divisions, the equivalent of about two divisions is earmarked to NATO command.

United Kingdom: In the 1954 London and Paris accords, the United Kingdom undertook to maintain on the Continent the four divisions—about 77,000 men—and tactical air force it stationed at that time in Germany, unless overseas emergencies or a heavy strain on external finances dictated otherwise. Withdrawals would be subject to the approval of Saceur and a majority of the Brussels Treaty powers. In its 1957 white paper on defense, the British Government announced, without apparent preliminary consultation with its allies, that it intended to reduce the British Army of the Rhine—BAOR—to 64,000 men within the next 12 months and ultimately to 45,000 men, that it would reduce its armed forces by almost one half by 1962, and that it would rely more heavily on nuclear deterrent power. The Government anticipated that higher expenditures on strategic nuclear forces would require reductions in expenditures on conventional forces. It assumed that steady improvements in relations between France and Germany made the presence of large numbers of British troops on the Continent less urgent.

After lengthy negotiations with NATO military authorities and West Germany, Great Britain agreed to limit its withdrawals from BAOR to 22,000 men. At the same time, the British tactical air force stationed in Germany was cut by one-half. Britain's present commitment of 55,000 men to the BAOR has been variously described as the equivalent of 2⅓ or 3 divisions. Commitments to the defense of Malaysia and disorders in some African members of the Commonwealth entailed further reductions in 1964, leaving about 51,000 men in the BAOR.

In recent years, British spokesmen have consistently argued that NATO's force guidelines should be adjusted downward from supplies and supporting troops to sustain 90 days of conventional combat to supplies and supporting personnel to sustain 10 to 30 days of conventional combat. In recent months, British authorities have been reported to have decided on cuts of from 15,000 to 20,000 men in the BAOR unless West Germany agreed to increase substantially its contribution to offsetting the costs of maintaining the BAOR in Germany. The redeployment of some supplies and support troops to England would apparently permit cuts of at least 10,000 men. For the time being, however, it has been reported that all cuts have been postponed in view of the fact that the United States has apparently agreed to spend $35 million more than planned on arms and services in Britain in 1967 while United States-United Kingdom-West German talks on troop deployment, strategy, and offset agreements continue. The strength of Great Britain's army in 1959 was about 324,000 men. In 1966, it stood at about 218,000 men.

United States: In 1950, the United States had troops amounting to about 1½ to 2 divisions stationed in Europe, most of them stationed in West Germany as occupation forces. In September 1950, President Truman announced that he had approved substantial increases in the strength of U.S. forces stationed in Western Europe. In April 1951, the Senate passed Senate Resolution 99 expressing "the belief of the Senate that the threat to the security of the United States and our North Atlantic Treaty partners makes it necessary for the United States to station abroad such units of our Armed Forces as may be necessary and appropriate to contribute our fair share of the forces needed for the joint defense of the North Atlantic area," approving "the understanding that the major contribution to the ground forces under General Eisenhower's command should be made by the European members of the North Atlantic Treaty," and approving plans to send four additional divisions of ground forces to Western Europe. By the end of 1952, the equivalent of four additional U.S. divisions had arrived in Europe, with the bulk of them stationed in Germany.

In April 1954, and again in March 1955, President Eisenhower declared that it was the policy of the United States "to continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary and appropriate to contribute its fair share of the forces needed for the joint defense of the North Atlantic area while a threat to that area exists, and will continue to deploy such forces in accordance with agreed North Atlantic strategy for the defense of this area." President Kennedy, in a February 1961 message to the Permanent Council of NATO said: "While relying also on the growing strength of all, the United States will continue its full participation in the common defense effort. I am convinced that the maintenance of U.S. military strength in Europe is essential to the security of the Atlantic Community and the free world as a whole." President Johnson, in a similar message to the December 1963 Ministerial Session of the North Atlantic Council said: "To NATO's continuing fulfillment of this task—that of creating a balanced defense posture—I pledge my country's will and resources. We will keep in Europe the equivalent of six American divisions that are now deployed there, so long as they are needed; and under present circumstances there is no doubt that they will continue to be needed. I am confident that our allies will also make their full contribution to this NATO defense, so that the burdens and responsibilities of partnership may be equitably shared."

On the basis of the 1951 Senate resolution and Presidential statements such as those cited above, the U.S. commitment in respect to ground forces assigned to Afcent has usually been described as "a fair share" or the equivalent of the approximately six divisions deployed in Europe by the end of 1952—for "as long as they are needed." Secretary McNamara, in a June 15, 1966, press conference referred to the U.S. commitment as five divisions and to the authorized strength of U.S. Army forces to support this commitment as 225,000 men.

The strength of U.S. ground forces assigned to Afcent has remained relatively constant since 1952. During the 1961–62 Berlin crisis about 40,000 more U.S. troops were sent to Europe, reportedly bringing the total number of U.S. ground forces stationed in or near Germany to about 280,000. These reinforcements have since been withdrawn. In the spring of 1966, the Department of Defense confirmed that about 15,000 specialists had been or were being withdrawn from the U.S. 7th Army for service in Vietnam or the United States. Secretary McNamara has since said that the sending of replacement for these withdrawals would be completed by the end of 1966. Unofficial reports in the spring of 1966 placed U.S. withdrawals from the 7th Army in the range of 30,000 to 45,000 men. The present strength of the five U.S. divisions and three armored cavalry regiments stationed in Germany is believed to be between 210,000 and 225,000 men. A large number of the some 56,000 U.S. airmen stationed in Europe are also believed to be attached to U.S. forces in Germany.

II. GROUND FORCE CONTRIBUTIONS TO AFNORTH AND AFSOUTH: MILITARY CONTRIBUTIONS OF PORTUGAL AND ICELAND

A. AFNORTH

Denmark: All of Denmark's armed forces—about 500,000 men—are reported to be either assigned or earmarked to Afnorth with standing units of 2⅓ infantry brigades and three battalions earmarked to this command and some active reserve units assigned to the command. Denmark's Army totals about 30,000 and has remained at relatively constant strength during the past 5 years.

Norway: All of Norway's armed forces are reported to be either assigned or earmarked to Afnorth with standing units of a brigade group and several battalions earmarked to this command and most reserve units assigned to the command. Norway's armed forces have decreased in size in the last 5 years from about 40,000 men to 34,000 men, with the army shrinking in size from about 21,000 to 17,000 men. Norway is reported to have committed itself in 1952 to maintain standing units of two full army brigades.

West Germany: One of West Germany's 12 divisions assigned to Afcent is also assigned to Afnorth and is stationed in Schleswig.

B. AFSOUTH

Greece: Greece has 11 infantry divisions, two of which are reported to be close to full strength, and one armored division. Eight of these divisions are assigned to NATO. About 10,000 men of the Greek Army are currently stationed in Cyprus. Greek armed forces total about 160,000 men and the Greek Army about 118,000. Both the armed forces and army have remained at relatively constant strength in recent years.

Italy: Italy assigns seven divisions and five Alpine bridages of 8,000 men each to Afsouth. Italy's Army has decreased in size by about 30,000 men in the last few years and now numbers about 270,000 men. Italy's total armed forces currently number about 376,000 men.

Turkey: Turkey's ground forces total 16 divisions, four armored brigades, four armored cavalry regiments and two parachute battalions. Fourteen divisions are assigned to Afsouth. Turkey's army has shrunk in size in the last few years from about 400,000 to about 360,000 men. When Turkey bombed Greek Cypriot positions on Cyprus in August 1964, it withdrew some air units assigned to Afsouth. These units were returned in a few days, at which point Greece announced that it would not go through with its announced intention of also pulling some units out of NATO.

United States: Several thousand marines are believed to be assigned to the U.S. 6th Fleet which is in the Mediterranean and earmarked to Afsouth.

C. ICELAND AND PORTUGAL

Iceland: Iceland has no national military establishment.

Portugal: Portugal has earmarked one division of 18,000 men stationed in Portugal to NATO command. It is believed that this division is at present only at half strength. Most of Portugal's army, totaling about 120,000 men, is stationed in the Portuguese provinces in Africa. One air force reconnaissance squadron is assigned to NATO.

III. CHANGES IN CONSCRIPTION POLICIES OF NATO MEMBERS

Efforts have been made at various times in the past 15 years to persuade NATO members to accept 18 months as the standard term of service for men drafted into the armies of NATO countries. There appears to have been no period, however, when all NATO countries with a draft required 18 months or more service. Military authorities at SHAPE continue to believe that even 18 months service is inadequate, and that the minimum service period required is *24 months, in view of the time needed for* the adequate training of troops in modern armies.

Belgium: Military service was extended from 12 months to 24 months in March 1951, reduced to 21 months in August 1952, reduced to 18 months in May 1954, reduced to 15 months in 1957, and reduced to 12 months in September 1959. Military service is currently required for 12 months, and for 15 months for certain categories of specialists.

Canada: No compulsory military service since the end of World War II.

Denmark: Throughout the 1950's, Denmark appears to have had a 16-month term of service for army draftees and an 18- to 24-month period of service for drafted noncommissioned army officers. In September 1963, the term of service was reduced to 14 months for men serving in the armored forces and signal units, for which formations there were enough volunteers. Recently, the period of military service has apparently been reduced to 12 months for army conscripts and 14 months for drafted noncommissioned officers.

France: In December 1950, France increased the period of military service from 12 months to 18 months. During the height of the Algerian war, the term of required service was 27 months. This was reduced to 18 months in 1962 following the reestablishment of peace in Algeria. In 1965, France replaced its system of universal military service with a system of selective service as part of its program to modernize and reduce the size of the army. The present term of service is 16 months with the possibility of release 1 month early.

West Germany: West Germany established a system of conscription in 1956. The terms of service was set at 12 months. In September 1961, this term was extended by 3 months on an emergency basis. In February 1962, the service term was extended to 18 months, which is the requirement today.

Greece: The term of service currently required in the army is 24 months, which seems to have been the term required since at least 1959.

Iceland: No national military establishment.

Italy: The required term of service in the army was 18 months in 1959. In October 1962, this term was reduced to 15 months, which is the current requirement.

Luxembourg: In 1959, Luxembourg required 12 months service for men drafted into the army. This term was reduced to 9 months in August 1963, and reduced to 6 months as of January 1, 1966. In November 1966, there was a government crisis as a result of an order to draft 400 men into the army. The Socialists have urged an immediate end to the draft. The Christian Socialists favor ending the draft in July 1967 after consultation with NATO authorities. There are also pressures to disband the army entirely.

[From the New York Times, Jan. 12, 1967]

"LUXEMBOURG TO END DRAFT

"LUXEMBOURG, January 10 (Reuters).—Luxembourg, which contributes an army of 1,800 draftees and 500 volunteers to *the North Atlantic Treaty Organization,* will abolish the draft, Premier Pierre Werner said Tuesday. He said in Parliament that his new Catholic-Socialist Government would negotiate with NATO on the future role of the Luxembourg Army, planned as a force of 800 regulars."

Netherlands: The required term of military service appears to have been 18 months for nonspecialist low-rank army draftees in the late 1950's. In the early 1960's this term was apparently extended to 20 months for the same category of draftees, and then reduced to 18 months in October 1963, still for the same category of draftees. Longer periods of service were required for other categories. Recently, terms of service in the army have been reduced to 16 months for some categories and 18 months for other categories.

Norway: In March 1954, Norway increased the term of service required for army draftees from 12 to 16 months. In 1963, the term of service was reduced to 12 months, which is the current requirement for army draftees.

Portugal: The current required term of service in the army is 18 months for some categories and 24 months for other categories. This requirement has been in effect since at least 1958.

Turkey: Turkey currently requires 24 months service for army draftees. This requirement has been in effect since at least 1959.

United Kingdom: In the 1957 white paper on defense, the British Government announced its intention of abolishing compulsory military service by 1962, if volunteer recruitment for a significantly smaller army was satisfactory. At the time of the white paper, the required term of service in the British Army was 24 months. This continued to be the required term of service until November 1960, when callups for army service ended, 2 years earlier than anticipated. Great Britain continues to have a small army emergency reserve of 11,000, in which some men who completed their national service under the old system will serve until voluntary recruitment reaches a satisfactory level. Otherwise, voluntary military service is completely in effect.

United States: Under the Selective Service Act of 1948 army draftees were required to serve 21 months. This period of service was increased to 24 months in 1951, and has remained at 24 months ever since.

IV. Defense expenditures of NATO members as percent of gross national product 1953, 1958, 1964, 1965[1]

	1953	1958	1964	1965
Belgium	5.2	3.9	3.6	3.5
Canada	9.0	6.0	4.5	4.0
Denmark	3.7	3.3	3.3	3.2
France	11.0	7.9	6.7	6.6
West Germany	4.9	3.4	5.5	5.1
Greece	6.1	5.8	4.3	4.3
Iceland	(2)	(2)	(2)	(2)
Italy	4.6	4.3	4.1	4.0
Luxembourg	3.2	2.1	1.6	1.5
Netherlands	6.2	5.0	4.8	4.3
Norway	5.6	4.0	3.9	4.3
Portugal	4.6	4.5	7.4	7.6
Turkey	5.4	4.5	5.7	5.5
United Kingdom	11.3	7.8	6.9	7.1
United States	14.7	10.9	8.8	8.4

[1] This table is based on a standard NATO definition of defense expenditures, which does not necessarily cover the same items as national defense budgets. The figures for 1965 are projected expenditures and not actual expenditures as percent of gross national product. The U.S. percent for 1965 should probably be somewhat higher given increasing expenditures in Vietnam toward the end of 1965.

[2] No national military establishment.

V. Approved NATO infrastructure cost-sharing formulas—Slice programs

[In percent]

Country	II-VIIa[1] (1951-56)	VIIb-XI[2] (1956-60)	XII-XV (1961-64)	XVI-XX (1965-69)
Belgium	5.462	4.39	4.24	4.61
Canada	6.021	6.15	5.15	5.48
Denmark	2.767	2.63	2.87	3.07
France	15.041	11.87	12.00	13.16
Germany	0	13.72	20.00	21.86
Greece	.750	.87	.67	.65
Iceland	0	0	0	0
Italy	5.681	5.61	5.97	6.58
Luxembourg	.155	.17	.17	.18
Netherlands	3.889	3.51	3.83	4.23
Norway	2.280	2.19	2.37	2.59
Portugal	.146	.28	.28	.30
Turkey	1.371	1.75	1.10	1.10
United Kingdom	12.758	9.88	10.50	10.42
United States	43.679	36.98	30.85	25.77
Total	100.000	100.00	100.00	100.00

[1] Cost-sharing percent represent a weighted average as agreed upon by the North Atlantic Council.

[2] 50 percent of the cost of slice VIIIb is paid completely by Germany. The remainder of this slice is shared in accordance with the percent indicated.

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Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JACKSON. Mr. President, I commend the able and distinguished majority leader for his action today in suggesting the referral of the Senate resolution to the Foreign Relations Committee and to the Armed Services Committee.

As is well known, all of us in this body do not agree on the issues raised by this resolution which go to the very heart of the military balance that the West has worked so long and hard to construct. I think we might all agree, however, that these vital matters cannot be settled hastily, and should not be considered lightly, and that it is wise and proper to follow the regular procedures of the Senate.

I therefore support the suggestion of the majority leader that this resolution be referred to the Foreign Relations and Armed Services Committees. In that way, the resolution can be considered along with other points of view and related resolutions and in the light of full testimony from the appropriate officials of the executive branch, including the Joint Chiefs of Staff.

In this connection, I ask unanimous consent that a speech which I made before the Military Committee of the NATO Parliamentarians' Conference on November 15, 1966, entitled "The Will To Stay the Course," be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE WILL TO STAY THE COURSE

(Speech by Senator Henry M. Jackson, before the Military Committee, NATO Parliamentarians' Conference, Paris, France, November 15, 1966)

I.

My home is in Washington—not Washington, D.C. but the State of Washington. Tokyo is an overnight flight from Seattle. Saigon is a few hours farther south. To us who live along the Pacific the war in Vietnam, like the war with Japan that began 25 years ago next month, seems very close, and our stand there very important. I do not ask you to agree, but I hope that as a friend among friends I may ask you to try to understand our position.

We are deeply committed. We have committed very large material resources and, more importantly, many thousands of our young men. We have not lightly asked them to make their sacrifices. Analogies with the past may be misleading and I would not argue that this is the 30's all over again. But looking back we think, as I am sure many of you do, that it is wise to stop aggression before the aggressor becomes strong and swollen with ambition from small successes. We think the world might have been spared enormous misfortunes if Japan had not been permitted to succeed in Manchuria, or Mussolini in Ethiopia, or Hitler in Czechoslovakia or in the Rhineland. And we think that our sacrifices in this dirty war in little Vietnam will make a dirtier and bigger war less likely. It is on that basis that we ask young Americans to fight in the jungles and mountains of Vietnam.

I am of course deeply concerned about Vietnam, as most of you are and as most Americans are. We have honestly tried to convey our readiness to stop the fighting on terms as consistent with the integrity of North Vietnam as they are with the integrity of South Vietnam. We would much rather make peace than war.

In a long run sense, however, I am not anxious about the outcome in Vietnam. Our goals are limited and our forces are strong. I am confident that in time the adversary will see the advantage to him in a settlement that involves neither the conquest nor the surrender of either side.

I am certainly not anxious about the Atlantic Alliance, but in the long view it is at the center of our concerns, for it is on what happens here, in this community, that the world's prospects for peace with freedom and justice chiefly depend.

The strength and confidence of the Atlantic allies remain the single most decisive factor in world affairs.

It was with this fact in mind that a United States Senate subcommittee, which I have the honor to chair, this year held a major set of hearings on the Atlantic Alliance. It was with this same fact in mind that I opposed in the Senate the hasty passage of any resolution relating to American forces in Western Europe that might be interpreted—by allies or adversaries—to mean a reduced American interest in Europe.

II.

The member states of the Atlantic Alliance may take justifiable pride in their basic policies in the years since World War II. Their historic association in the Marshall Plan and in the North Atlantic Treaty have transformed the weakness of the late 40's into the strength of the 60's. North America and Western Europe have enjoyed an unparalleled period of prosperity and growth. They have used their strength on several occasions to resist aggression against the small and the weak; they have used their prosperity to support large programs of assistance to the poor. They have taken long strides toward the creation of a European economic community—a process that is of course far from complete. Together with Japan and other countries they have reduced barriers to trade and developed impressive practical measures of international monetary cooperation—and in these fields also more history is in the making.

During these years the defenses of the Atlantic Alliance have been greatly strengthened, both absolutely and relatively. The shift in the balance of power since 1949, coupled with firm reaction to Soviet testings of our resolve—from the first Berlin crisis to the Cuban missile crisis—has produced a remarkable and hopeful stabilization in Europe. The fears that seized sober men less than two decades ago have quieted down. No armed attack has been made on Western Europe, and if we maintain an appropriate balance of forces and a firm resolve, none is likely. Our hopes that a genuine European settlement will one day be attained rest on Soviet recognition of, and respect for, the durability of this balance, the constancy of our resolve, and, it should be added, the restraint we have consistently shown in the use of our power.

A traditional saying has it that "where there's a will, there's a way." Our experience in the Atlantic Alliance confirms it. We had the will to turn weakness into strength and we have. We had the will to be both firm and restrained in the tests to which we have been subjected. The combination has been the foundation of peace in the Western world.

The question now is whether we have the will to persist in our efforts. If the wind from the East blows warm for a time instead of cold, will we shed our NATO cloak? We see among some young people and even among some who are old enough to know better a temptation to assume that because no attack has been made, no defense is necessary. Aesop would appreciate a logic that concludes that because what we have been doing has worked, we can safely quit doing it. Security, as we all should know, is not a condition; it is a process.

The circumstances of 1966 are not the circumstances of 1949. As times change, the Alliance can and should adjust. But the all-important question remains the same; to paraphrase Winston Churchill, it is this: will the Atlantic allies stay the course?

III.

The tasks of deterrence and defense stretch on ahead, therefore, as far as any of us can see. We do not know what Soviet intentions are, and neither does the Soviet government. Intentions are not airy abstractions. They are what one is actually going to do. And what one is going to do is always shaped in part by how one thinks the other fellow can and will react. If there is little danger of a deliberate and massive Soviet attack, it is in part because the Soviet government dares not assume that an attack would not be strongly resisted and, if pressed, that it would not quickly lead to a nuclear response.

We cannot have the same confidence, however, that the Soviet government will refrain from exerting political pressures, or manufacturing local crises, or probing here and there to test our will or to exploit a local opportunity. The danger is that any such action could grow to dangerous proportions.

Soviet forces are still stationed in the center of Europe, as are Western forces. In terms of numbers of NATO and Warsaw Pact ground forces effective enough to be quickly employed in the central European area, the ratio is roughly 7 to 10 in favor of Soviet and satellite troops.

Central Europe is therefore, as it has been, an armed camp, where large forces equipped with the most powerful weapons of war confront each other across an arbitrary boundary that no one thinks permanent. We cannot be satisfied with a stabilization that rests on this foundation.

Furthermore, the evidence indicates that the Soviet government is gambling enormous scientific and material resources on the chance that it may be able to score a decisive advance in weapons systems. It now has 700 to 750 MRBM and IRBM launchers, mostly located near its Western borders and targeted on Western Europe. According to Soviet military leaders their strategic offensive and defensive nuclear weapons systems have been quantitatively increased and qualitatively improved in the last few years. Their underground nuclear test program and missile testing program lend support to these claims—and plainly the Soviet government does not accept the idea that military technology has reached a plateau and that the present balance of forces cannot be upset.

I take it for granted that the Soviet government will do all it can to reduce the American lead in nuclear weapons systems—a lead that provides a reassuring margin of safety for all of us. I also take it for granted that prudence requires the American government to fully implement the safeguards, spelled out during Senate consideration of the nuclear test-ban treaty and agreed to by the President, to improve its capabilities.

It is our profound common hope that ways can be found to turn events in a happier direction. There must be a better way to assure the legitimate security interests of both sides than to maintain an armed camp in Central Europe. If and when the Soviet government sees an advantage in reciprocal reductions in forces, this could surely be done so as to advance the legitimate security interests of all concerned.

IV.

For some time the allies have been discussing allied troop levels and burden-sharing. The danger is that what begins as a review might end in bickering, loss of mutual confidence, and weakness—unless we proceed very carefully and in full awareness of the importance of not putting in jeopardy the hard-won military balance.

This range of problems is now under discussion by the British, German, and American governments, with the assistance of the Secretary General of NATO. I hope that certain guidelines will be observed as these discussions proceed:

One. A substantial American presence in Western Europe is a key to stability. The main purpose of the American troop commitment is to leave no doubt in the Kremlin that the United States would be involved, deeply involved, from the outset of a move against Western Europe. It needs to be clear that Russian forces would meet enough American forces to make the engagement a Soviet-American crisis, not just a European one. This means, in my judgment, that a token American force is not adequate. It should be an effective combat force, not just something to be tripped over, but a force capable of putting up a serious fight.

Two. The adequacy of allied conventional forces should be measured in terms of their ability to meet and contain sizable but less than all-out attacks by conventional forces of the Soviet bloc.

The allied conventional forces, like the American component, are not present in Western Europe as a kind of hostage whose destruction would trigger a nuclear response. No one, surely not the Soviet government, can suppose that a massive assault on Western Europe could be even briefly restricted to conventional forces. Indeed, the idea of a big conventional war is so far-fetched that we do not need to prepare for that contingency. If a massive attack is to be made, it will surely begin with a nuclear strike against Western Europe and North America, not a movement of great armies across Western boundaries.

No, the real political and military function of allied conventional forces is to resist and contain a limited attack, thereby confronting the adversary with the choice of calling it off or of enlarging it, with all the risks the latter course would involve—in particular, of course, the risks of provoking the employment of the American Strategic Air Command.

It is time to put aside the unrealistic force goal of enough conventional NATO forces to meet and contain whatever conventional forces the Soviet Union could order into action.

At the same time, however, nothing less than a force capable of containing a sizable, though limited, attack is adequate, for a lesser force would tempt the Soviet government to test the allied will, and would confront the allies with the choice of backing down or initiating a general nuclear war.

In a crisis we need to be able to deploy at once military forces strong enough to hold rather than give ground, thus improving our diplomatic position. This is one of the lessons we have learned in Berlin. I am reminded of what General Norstad said at the hearings before our Senate subcommittee this year:

"It is argued in some places that conventional forces were things of the last war or even of the 1914–1918 war. I was in a position to 'supervise' the part of our forces in the Allied Forces during several confrontations in Berlin. The movement of troops, the willingness to use or commit troops, was an important item. I just do not think we could have met those requirements if we had not had the conventional forces we had."

Three. It is less the head-count of NATO's conventional forces than their combat capability that counts.

As the 14 adjust to the French withdrawal from NATO, I think we can make some savings in British and American *logistic* and *support* elements in Europe without sacrificing combat strength.

Moreover, in time, technological advances may permit some reduction in the number of American and British forces garrisoned on the continent without a reduction of the power that can be brought to bear in an emergency. Developments in strategic mobility, both air and sea, combined with the prepositioning of supplies and equipment, or "dual basing," hold out the possibility of quick reaction over hundreds and even thousands of miles. There have also been remarkable increases in conventional fire power and tactical mobility which have yet to be fully exploited by our NATO forces.

But any action associated with these technological advances should be taken only after earnest, thorough consideration of how reliance on these developments will affect present capabilities in the field and the Western bargaining position vis-a-vis the East. We all need to take a careful look at the evidence—including an up-to-date, realistic appraisal of the Soviet and East European situation. We should certainly not be impressed by unsubstantiated rumors—no matter what their lofty source—that Soviet troops in East Germany and Central Europe have been reduced and that Soviet intentions are increasingly peaceful. Hopes and rumors are a very dangerous diet!

Four. A reduction of NATO's conventional forces in Western Europe should be linked to a reduction of force levels on the other side.

A major and as yet unachieved purpose of the Atlantic Alliance is to reach a genuine, stable European settlement with the Soviet Union. Among other things, such a settlement will involve the return of Soviet forces to the Soviet Union. How can the Soviet government be encouraged to move in this direction? Certainly not by throwing away basic elements of our bargaining position through one form or another of unilateral cutback or disengagement. Surely we should retain the bargaining position we have worked so long and hard to construct, and actively pursue acceptance of gradual and balanced revisions in forces on both sides.

Five. The actual mix of allied forces in Western Europe should underline the fact that the commitment to the defense of Western Europe is truly a collective Atlantic commitment. British, Belgian, Dutch, Canadian, American, German and, whenever reliable arrangements are possible, French troops, are needed in the central region for this purpose, just as combined forces and commands are needed in other regions for the same purpose.

Furthermore, in the very important central region it would be unwise for any one nation to provide a disproportionate share. Our German friends will not misunderstand us if we have Germany especially in mind. A disproportionate German contribution runs counter to the goal of strengthening Eastern Europe's confidence in NATO's purposes. It could also complicate the problems of the Germans themselves in working out with their neighbors and associates the future role of Germany in Europe.

Six. The mix of forces is closely related to the problem of achieving a more reasonable allocation of defense burdens among the allies. When we consider national shares in the economic burdens of defending the North Atlantic area, inequities are apparent. The burden clearly falls more heavily on some, including the United States, than the others.

I know, of course, that Solomon himself could not devise a formula for burden-sharing that would seem completely fair to everyone. And in any case there is a shortage of Solomons. We must therefore deal with the problem ourselves, and the problem is one that challenges our ingenuity, our sense of fairness, and our sincerity in living up to our obligation under Article 3 of our treaty for "continuous and effective self-help and mutual aid."

The words of that obligation were carefully used in the order of their importance: "self-help and mutual aid." Countries that are closest to the front line cannot in reality expect a country that is further away to extend mutual aid unless there is some evidence of substantial self-help. When that self-help is not reasonable in amount—when in some cases it adds up to doing almost nothing—it is difficult in a country further away from the risk to achieve strong or broad support for mutual aid. Inevitably the demands grow to do less.

I have used my influence, such as it is, in support of maintaining a substantial American combat force in Western Europe. I know that most of you share my view of the importance of such a force. But it will become increasingly difficult to maintain American support for those of you on this side of the Atlantic who want such a force unless you are also prepared to accept a greater share of the costs of protecting the North Atlantic area.

In the twenty years since the war Americans have contributed over $120 billion to the economic and military restoration of what we call the free world. Contrary to the views expressed by some of our critics we do not expect gratitude for this. But to a growing number of American citizens it seems that there should at least be understanding that when health and earning power are restored we should not be expected to continue to bear more than a reasonable share of the burden.

A substantial United States presence in Western Europe will not be brought to an end by our adversaries, but it can be endangered by our friends—by failure on their part to realize the burden the American citizen has borne and the frame of mind he is in when he sees allies that are strong, healthy, and with an earning power growing at a rate exceeding his own, who are not contributing proportionately to the costs of the common defense.

The problem is bound to be of concern for my country because of our major expenditures for defense of other areas in the world of importance to all free nations. At a minimum it does not seem unreasonable to us to expect that our contribution in the Atlantic area should no longer impose a heavy drain on our monetary reserves.

I know that some of the allies have particular economic problems—balance of payment difficulties or budgetary dilemmas—which seem to impede the contribution of a fair share. And prosperous as we are, none of us have resources to squander. Of course we want adequate defense at as low a cost as we can manage. The point to be emphasized is that the economic problems inevitably involve a fundamental political problem: to devise burden-sharing and other arrangements which will support rather than upset the intelligent allocation of defense tasks among allies.

V.

In the months and years that lie ahead the Atlantic Alliance will undergo many changes. It must if it is to serve the purposes and interests of the members. It has often been said, not always with justice but with enough truth to make it sting, that generals prepare for the last war. It could be said with perhaps equal justice and truth that politicians and diplomats often have their eyes on the problems of the past rather than the future. The Atlantic Alliance was forward-looking in 1949. It should be equally forward-looking in 1966.

I take it that our French friends have decided to sit it out on the sidelines for awhile. That is their decision. The rest of us continue to think that our association in NATO and its international commands serves our vital interests.

I personally cannot imagine a time when, or circumstances in which, the Alliance will be obsolete—an anachronism—because the future, as I see it, will be filled with tasks and challenges we can best meet not in isolation but in association.

Let me conclude, therefore, with the profound hope that the dialogue among all the allied peoples will continue in the spirit of generosity and good will that should be found among friends, and that is the vital spark of an association that has done much good for all of us—and, we may add, for the world—and that can accomplish much more, nay, must accomplish much more if we are all to play our part in creating a world in which individual liberty can survive and flourish.

Several Senators addressed the Chair.

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I express my gratitude to the Senator for yielding to me, notwithstanding the presence in the Chamber of the Senator from Arkansas [Mr. FULBRIGHT]. I say to the Senator from Arkansas that we talked about his yielding beforehand, which is doubtless why the Senator from Montana yielded to me.

Many of us on this side of the aisle who are deeply concerned about NATO and these other problems have regarded this resolution with considerable interest. I should like to ask a few questions, rather than be critical, and to raise some issues, knowing full well the serious purpose of the majority leader and my own deep respect and affection for him and anything he does.

Mr. President, I think many of us are deeply concerned, if the majority leader says, as he does, that the Senate by this resolution expresses no lack of confidence whatever in the Executive, as to why the Senate would speak on so unique an Executive prerogative as the deployment of troops.

I could understand, for example, and many of us could understand, within the confines of budget and money problems, that we might say to the President, "Look, we just do not want to devote so much money to troop strength. You can deploy or undeploy the way you want to, but we are not going to give you all this money, and the reason is because we do not think you need all these troops in Europe."

But that is very different from picking a specific piece of foreign policy advice, and saying the Senate of the United States believes we should materially reduce our troops in Europe. May I state to the Senator from Montana—who is as deeply devoted to everything American as I am myself, and I lay that down as a postulate—that there are things that trouble me and many others about this resolution.

There is Germany, for example, which, at the moment, is in a terrible state of flux and ambivalence, on the one hand, being drawn to the East, on the other hand being drawn to the West, compounded by the dissonance introduced by Charles de Gaulle. I think we have every right to be concerned about any possible revival of neo-Nazism and the Nazi Party, which has unfortunately shown some strength in recent West German elections.

Germany, by such action, will be left even more up in the air, wondering as to whether they had better make a deal with the East, or be left high and dry, which I believe would be unfortunate, because West Germany has really been the keystone of pan-Europeanism.

Then, there is the matter of De Gaulle's position on admitting Britain to the Common Market. The question there is, if we indicate we are really going to begin to pull out of Europe, whether De Gaulle will be even more headstrong than he is now, in terms of being more likely to blackball the British from the EEC.

Then there is the question of possible misconception by the Russians themselves. One of the big things we could give them, in bargaining, would be to enable them to abate their troop strength in Europe. That would be a big thing for them, because they are very anxious to buttress their internal economy with resources which would thus be made available for that purpose. Would the Soviet Union regard "substantial reductions" of U.S. forces as a sign of reduced will and dedication to Europe?

There are many other things, Mr. President, which concern us about this matter, including full use by the British of their great international responsibility. To sum up my position, I do not know whether the majority leader wishes to answer this now or not, but this is probably going to be something of a continuing debate, and in due course, perhaps to oppose the issue, I will try to work up some resolution, and see if others similarly minded can join in it, and see if that will perhaps represent an alternative to the resolution of the Senator from Montana.

But the essential question is, is it advisable, is it desirable, in the interest of all the Members of the Senate and in the interest of our country?

Because of these questions I raise, and others that other savants and pundits, I am sure, will raise, to ask whether the Senate should act in this very strong way, in an effort to really—I do not like to use the word—"dictate" U.S. policy in this matter. But a sense of the Senate resolution on this subject would be a very potent and mighty important paper; at least, we have a right to think so, and I for one would certainly hope it would not be treated lightly by the President.

Mr. MANSFIELD. Mr. President, I think it is not only wise, I think it is long overdue. I think it is necessary, and I think the Senate's position ought to be protected. We are not dictating to the President, any more than we dictated to the President when the original sense resolution was passed suggesting that the divisions in Western Europe be raised from two to six, 15 years ago.

I do not think this is the place to answer all the questions raised by the distinguished Senator from New York, if for no other reason than because I cannot remember them all; but I think every question raised stresses the need for a resolution of the kind which was introduced today.

Mr. JAVITS. The Senator feels, in his judgment, that this is completely consistent with the statement that the resolution does not represent any questioning by the Senate of the position of the President, and is completely consistent with maintaining his position as the foreign policy custodian of the United States?

Mr. MANSFIELD. Yes; I tried to make that plain during the course of my remarks. All we can do is express to the President, if this resolution passes, what our feelings are. There is nothing mandatory about it, any more than there was anything mandatory about the original resolution increasing the divisions from two to six.

I am quite certain that if the Senate feels very strongly about this subject, as I am assuming it does, that effect will not be lost on the Executive. As far as the Executive being impinged upon, he is not being touched in any respect, and his responsibility under the Constitution and otherwise remains intact.

Mr. JAVITS. Mr. President, I conclude by saying that what induced me to say what I did is the knowledge of the great delicacies of this resolution as it affects a detente with the East and Britain's entry into the Common Market. At this time, these make me deeply concerned about any frontal move.

I shall probably introduce an affirmative resolution of my own. I think that we will have the broadest opportunity to dispose of the matter.

I express again my gratitude to the majority leader for the liberalism of his thinking which allowed him to yield to me.

Mr. MANSFIELD. Mr. President, I thank the distinguished Senator from New York, but I point out that our Western European allies are reaching for a detente with the Eastern European States, with the Soviet Union.

They are carrying their trade front into those areas as well as into mainland China.

I think that the concern which we express every time a question pertaining to Germany comes up is overstated and reacts against Germany's interest and our interest.

After all, Germany is supposed to be a sovereign nation—the Federal Republic, that is. I have no fear that this neo-Nazi Party is going to amount to too much in the months ahead.

I have great confidence in the new Chancellor, Mr. Kiesinger, and Mr. Brandt. I think they will make a good combination. They are aware of the situation of it as it exists in Europe and in Germany, and in its relations with France on the one hand, in its relations with Poland and Czechoslovakia, especially, on the other hand, and in its relations with the Soviet Union.

I think this man Kiesinger has a great responsibility and may be able with the help of Willy Brandt, in a coalition of the two parties, to do many things for the country which he heads at this time.

We have to move the officials in this country who are, in effect, prisoners of the past. Their ideas go back 20 years. They do not want to budge. They are rigid. They are afraid to live through today. They are fearful of looking toward tomorrow.

Somebody must recognize that these changes have taken place, and it is in the interest of all concerned, in my opinion, that these NATO countries which have been reconstructed and rehabilitated take unto themselves the main burden of their defense, and that this country get away from the idea of maintaining approximately a million men and dependents in Western Europe—perhaps more. That is something to consider.

Mr. JAVITS. Mr. President, I do not want to see the United States go the way of France. This is now an Atlantic community, and it is not up to Europe alone.

I agree with the Senator that we should reduce troop strength in every way that we can, but I think that the other things are vital.

I am not in agreement with the Senator on Germany. I think that 20 years is not too long after what Germany has done to the world since 1870. Germany is not yet out of the woods.

The United States has a responsibility in this matter, and I am one Senator who will stand as long as I have life and voice and attempt to see that Germany does not go off the road.

Mr. MANSFIELD. Mr. President, I have more confidence in Germany than does the distinguished senior Senator from New York.

I think that under men like Adenauer, Erhard, Kiesinger, and Brandt, Germany has made great steps forward and has done the best it could under the situation which was its heritage after the Second World War.

I would like to see Germany again become a nation of consequence, a voice to be heard, a voice to be heard in a modern day, and not on the basis of the war of 1870, not on the basis of the First World War, not on the basis of the Hitlerian era, and not on the basis of the Second World War.

We must remember that times have changed and people change with them. I cannot see for the life of me why Germany would like to have something on the order of hundreds of thousands of American soldiers and their dependents stationed on their soil permanently.

I do not see why we should like the idea either. I do not think either the American people or the German people like it.

Mr. President, I yield to the Senator from Arkansas.

The **PRESIDING OFFICER.** The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I wish to join the Senator from Montana, our distinguished majority leader, in what he said about Germany. I have been extremely encouraged by events in Germany recently.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled, "Kiesinger Pleads for Eastern Europe Understanding," written by Anatole Shub, and published in the Washington Post today. The article pertains directly to some of these questions.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

KIESINGER PLEADS FOR EASTERN EUROPE UNDERSTANDING

(By Anatole Shub)

BONN, Jan. 18.—Chancellor Kurt-Georg Kiesinger today carried the new West German government's "peace offensive" a step further with a direct appeal for Eastern European understanding which included positive comment on Soviet Communist Leader Leonid Brezhnev.

Reporting to the Bundestag (lower house of parliament) on last weekend's meetings with French President de Gaulle, Kiesinger said that "by far the most important result" was the agreement to collaborate in Eastern Europe. The Chancellor declared:

"It is the aim of the government to relax and to ease German relations with the East European nations and with the Soviet Union. Our intention coincides with that of the French President, above all because our policy is directed against nobody, including Russia. It should not be judged by the standards of a conventional diplomacy . . . which all too easily suspects the motive of trouble-making.

"MUCH HAS HAPPENED"

"Such is not our intention. We understand the fact that at the moment the Eastern reaction toward us is still critical and skeptical. So much has happened from 1939 to the present day that our plan may seem unrealistic to some."

Kiesinger declared that, if a people wished to conduct a policy "in the sense of a grand design" rather than administrative overcoming of individual problems and questions of the day, it required what British writer Arnold Toynbee called a historical challenge.

"We view," said Kiesinger, "the shaping anew of our relations with the East, including the solution of the German problem, as such a challenge, as the supreme task of our generation."

Interrupted by strong applause, the Chancellor continued:

"In this sense, I welcome the fact that Mr. Brezhnev said in Gorky that the Soviet Union will naturally support all reasonable and useful steps toward peace in Europe, including appropriate steps by the German Federal Republic.

"In accordance with my agreement with the French President, the Federal (German) government is considering such steps, in the effort to shape together a just and lasting European peace settlement."

SEEKING SOLUTIONS

German collaboration with France, Kiesinger said, should be seen by the Eastern countries as evidence of "our honest will to seek and find solutions to the problems which still divide us in the course of a process of progressive relaxation of tensions."

The time has come, the Chancellor concluded, that "our Eastern neighbors no longer suspect as ill-willed revanchism this clear policy, which is limited by no mental reservations whatever, but should, despite all remaining differences of view, recognize it for what it is and aims to be: a far-reaching policy of peace and understanding, whose aim is a happy future for all of Europe."

Kiesinger also said in passing that he had told de Gaulle that West Germany wants an integrated NATO and considers necessary the presence of American, British and French troops on its soil.

CONGRATULATED BY BRANDT

Kiesinger was congratulated first by Social Democratic Leader Willy Brandt, Vice Chancellor and Foreign Minister in the new "Grand Coalition" government.

[In Washington, the State Department announced that Brandt will confer here Feb. 8 with Secretary of State Dean Rusk. He will also speak in New York and Chicago.]

East European journalists here reacted warmly to Kiesinger's speech, and Yugoslavia has already reacted positively to the new German policy in a semiofficial way. But several East European Comunist Party leaderships appear to be divided on how to react. One is Czechoslovakia, according to German press reports.

Social Democratic floor leader Helmut Schmidt urged the government not to be discouraged by such reports, in the debate following Kiesinger's report.

COLLABORATION HAILED

Schmidt also hailed Kiesinger's expressed determination to intensify various forms of collaboration, including military cooperation, with France. He criticized the "fully one-sided procurement practice of recent years, which not only gave rise to very illusionary conceptions in Washington about a continuous German financial capability and a continuous German need for American planes, ships, weapons and machinery, but also very much neglected France."

Schmidt hailed this week's Anglo-French agreement to develop jointly four types of military aircraft, and said that France-German collaboration in the non-nuclear field was necessary. "Our Defense Ministry should recognize," Schmidt said, "the necessity to develop, for example, an interceptor-fighter as successor of our F-104G (Starfighter) and the French Mirage III."

The Erhard government which preceded the "Grand Coalition" had appeared to be committed to buying American Phantom aircraft (F-4) as successor to the Starfighter.

Mr. FULBRIGHT. Mr. President, as we look at the present government in Germany, led, as the Senator had said, by Mr. Kiesinger, of the old Christian

Democratic Party, and the Socialist leader, Willy Brandt, we realize that it is a remarkable thing. It is remarkable in my view that these two parties have joined in the coalition and now have a strong enough position to take Germany in the right direction in my view.

They are reconciling their own differences, and are moving to reconcile their differences with Eastern Europe as well as with Russia.

I think they should be encouraged and congratulated for it.

With regard to the resolution of the Senator from Montana, the distinguished majority leader, I do not think the resolution is an infringement at all. I think it is an exercise of our duty, the duty given us under the Constitution to advise the President, the Chief Executive, whenever we feel it is appropriate.

I have discussed the matter with the chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], and we have tentatively agreed upon a joint subcommittee, each of us to appoint a subcommittee of our respective committees to meet on this subject, to which subcommittee the resolution will be referred.

I hope that perhaps the majority leader would agree to act as chairman of that subcommittee, if he feels that he is able to do so in view of his interest and sponsorship of the resolution.

In any case, it is my intention to move on this in the very near future. I have already cleared the matter with the chairman of the Committee on Armed Services, and he agrees with me on procedure.

I do not see how the Senator from New York can characterize the German Government as going through a terrible state of flux and ambivalence. As a matter of fact, it seems to me that the present government, after its journey to Paris, and now in its first press conference, reported by Anatole Shub in today's Post, is not ambivalent in any respect.

The new government shows a very clear-cut determination to abandon the Hallstein doctrine, and to seek reconciliation with Yugoslavia, which was one of the original countries with which they broke relations.

They are much wiser in this respect than our Congress has been in the past year when it proceeded to put inhibitions in the way of the sale of grain to Yugoslavia.

In any case, they are moving very definitely, and with a positive, well-thought out program of liquidating the Second World War, and liquidating the cold war. They are moving deliberately and positively to liquidate it.

I hope that this country will also move in that direction a little more vigorously.

I must say, however, that the President in his state of the Union speech, and in other remarks, is also looking in that direction with regard to East Europe and Russia.

In that respect, I see our policy as running parallel, having exactly the same objective, and following the same policies with this exception, which I must say was not the President's fault, with respect to Yugoslavia. The differences in our policies are in other parts of the world.

The Senator from New York made one other comment not directly bearing upon this, in which he very casually said that the Russians have the chief responsibility for carrying on or stopping the war in Vietnam. I do not quite see how he arrives at that statement. The Russians, so far as I know, are giving a very minor amount of help to North Vietnam, whereas we are giving 10 times or 20 times as much to South Vietnam. I do not know that the Russians bear any greater responsibility for the continuation of the war than we do.

This is a very unfortunate war, and there is difference of opinion about its origin and justification; but I do not know that it is quite proper, in my view, to say that it is up to the Russians to stop it. It is up to all of us to stop it. I would hope that something could be done, and I hope that the Russians will cooperate. But I do not see that it is wise to put upon the Russians the full burden of carrying on this war or the expansion or the continuation of it.

In essence, I do congratulate the majority leader; and I shall do everything I can to help bring about consideration of this resolution at the earliest possible time.

Mr. MANSFIELD. I thank the distinguished chairman of the committee. Before I yield to the distinguished senior Senator from Wisconsin, I wish to say that in my opinion the present Kiesinger-Brandt coalition—the Chancellor and the Vice Chancellor—has within it the seeds of greatness, in a democratic sense, for Germany.

Mr. FULBRIGHT. Exactly. I precisely agree with that. I think that these two men have already demonstrated a coordination of their political views and power that is very hopeful.

Mr. MANSFIELD. Yes. And I am glad that point is emphasized in the Senate this afternoon, because there are individuals who seem to think that a resolution of this kind is directed against Germany alone. It just happens that there is the greatest concentration of troops and dependents. And I wish to repeat the figure again: Approximately 1 million American military personnel and dependents; 21 years after the war is over. How long are we going to keep them on the Rhine? As long as the Roman legions were there?

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. First, I commend the distinguished majority leader for this resolution, and I ask him whether I can be listed as a cosponsor of the resolution. I certainly desire to be. I was a cosponsor of the resolution last year.

Mr. MANSFIELD. I would be delighted.

Mr. PROXMIRE. Second, the majority leader, in his excellent speech this afternoon, has given precisely the right reason for doing this. He has pointed out that this action would benefit us in the balance of payments, and in my judgment it would eliminate the balance-of-payments problem.

There is no question that if we had had two divisions in Europe instead of six in the last 2 years, we would have had a balance in our balance of payments. We would not have had a deficit, by any measure.

But this is not the reason, as I understand, why the majority leader is offering his resolution. It is not the principal reason why I support the resolution.

Mr. MANSFIELD. The Senator is correct.

Mr. PROXMIRE. The majority leader also is pointing out, as I understand, that this action would reduce costs—military costs and budget costs—by at least a billion dollars. This is another good reason, but it is not the principal reason.

The majority leader has given as his principal reason, as I understand, that it is time that these prosperous countries in Europe provide on the ground the manpower that they need and are equipped to provide, and it is time that we continue our commitment to defend Western Europe against attack. And we will be doing that if we have two divisions there instead of six divisions. But we should begin to withdraw and should withdraw four of these six divisions, indicating that we recognize that this is primarily their responsibility. We will assist, but it is the responsibility of Europe to defend itself.

I should like to say to the distinguished majority leader that I have discussed this matter with some of my constituents. Many constituents do not have the kind of sophisticated knowledge possessed by the majority leader or the Chairman of the Committee on Foreign Relations. However, constituents certainly understand one element: They know that these European countries have been thriving for the last 20 years. These countries have been doing extremely well; they have enjoyed a far greater increase in their standard of living, in proportion, than we have enjoyed. Of course, the European countries started from a lower base. Their gross national product, in aggregate, compares favorably with ours. They are equipped to do this. It is time they did it. And until we withdraw our troops from Europe, they will not do it.

Furthermore, it is an unhealthy and undesirable situation to have so many of our troops and our dependents stationed abroad in those countries. It is wrong, and we know it is wrong.

I should like to conclude by saying that, as I understand the resolution, it in no sense indicates any degree of isolationism on our part, any sense of De Gaulleism. We assume our responsibility for this great Atlantic community. We know that we must provide leadership for it. We know that we shall have to bear an enormous cost in it.

But we feel that our allies, as I understand the sense of the resolution, should begin to bear their fair share; and this is the first kind of initiative that is necessary in order to see that this is done.

Mr. MANSFIELD. The Senator from Wisconsin is correct. This is not an isolationist resolution. Quite the contrary, we will honor our agreement with NATO. We will fulfill our commitments. But we are facing up to a principle—if a politician may be allowed to use that word rather than "a proposition"—which should have been considered years ago. The time is long overdue, and we should make up for some of the lost time now by assuming the initiative ourselves; because if we do not assume the initiative here, every administration that comes into office will say the same thing their predecessor said. They will say we are going to keep the defenses there. How long?

De Gaulle is correct when he tells the Europeans that we are going to withdraw from Europe some day. What is wrong with telling them the truth? Does any American expect these divisions to remain there permanently? I am beginning to think that a few of them do, but I do not think the great majority of the American people or the American Senators do.

I yield to the distinguished Senator from Delaware.

Mr. BOGGS. I thank the distinguished majority leader.

Mr. President, I commend the distinguished majority leader for his initiative in focusing attention on our troop posture in Europe; and I may say that to a very great extent I share his views.

Mr. President, in light of changed conditions in Europe, as well as changed conditions concerning our own domestic and foreign policies, the United States at this time should cause a substantial reduction of U.S. forces permanently stationed in Europe.

I am happy to join the distinguished majority leader in introducing a Senate resolution endorsing such a step as the sense of the Senate.

Military technology has changed drastically since we committed an additional four divisions to Europe 16 years ago in a time of tense relations with the Soviet Union.

Our ability to help our allies is not as much a matter of numbers of troops today as it is the array of missiles and other weapons which we could quickly employ in the defense of Europe.

The Europe which needed our bolstering 16 years ago has also changed. It is today stronger economically and militarily. The tension has been considerably lessened. It seems to me this is an opportune time to reduce our sizable forces, which, no matter how helpful their intent, still carry the aura of an army of occupation.

Removing some of the crutch which our troops represent would tend to stir a livelier interest in the European nations in supplying their own defenses, in my opinion.

Let it be understood that I am not advocating removing all of our forces. I am not advocating abandoning our commitments.

But in our own interests, as well as the long-range interests of our allies, it seems to me now is a good time to cut down the number of troops, and their families, which are now stationed in Europe.

Whether we have 300,000 troops in Europe, or 100,000 troops, we are just as involved in the defense of Europe in the event an attack is made on our NATO allies.

The advantages to us in reducing our troops are obvious:

First. It would cut down appreciably in our overseas expenditures, and thereby help our balance of payments situation.

Second. It would give more flexibility to our ability to meet other worldwide commitments of our foreign policy.

Third. It would mean a reduction in expense which is sorely needed now because of our commitments to needed domestic problems in a time of strained budgetmaking.

For these reasons, Mr. President, I sincerely hope the Senate will follow the lead of the majority leader and approve the resolution which he has introduced today.

Mr. MANSFIELD. I thank the distinguished Senator from Delaware.

Mr. DOMINICK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Does the Senator from Montana yield?

Mr. MANSFIELD. Mr. President, I yield to the Senator from Colorado.

Mr. DOMINICK. I was a cosponsor of the resolution when it was submitted last year. Unfortunately, I was not here when the Senator from Montana submitted his original resolution today. Am I now a cosponsor of the resolution?

Mr. MANSFIELD. Yes, the Senator is a cosponsor.

Mr. DOMINICK. I thank the Senator. I do wish to ask one question of the Senator from Montana in order to make the discussion crystal clear. In last year's informal colloquy on the floor of the Senate, I believe the statement was made, and I think that this is the intent of the Senator from Montana, that the reduction of forces will have nothing to do with our commitment to meet the NATO obligations we now have.

Mr. MANSFIELD. The Senator is absolutely correct.

Mr. DOMINICK. So that we are proceeding on the premise that we can reduce our manned forces stationed physically overseas and still meet our commitments fully insofar as the defense of Europe is concerned.

Mr. MANSFIELD. The Senator is correct.

Mr. DOMINICK. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. MORSE. I thank the Senator from Montana for submitting the resolution. I was a cosponsor of the resolution the last time it was submitted. Am I a cosponsor this time?

Mr. MANSFIELD. The Senator from Oregon is a cosponsor.

Mr. MORSE. The chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] and the chairman of the Committee on Armed Services [Mr. RUSSELL] deserve high commendation for the arrangement they have entered into for joint hearings through select subcommittees.

As the Senator knows, we discussed this subject in the Committee on Foreign Relations the other day and were unanimous in the opinion that both committees have some jurisdiction in the premises, and that there should be joint hearings in the interest of time and in the interest of expense.

Mr. President, I wish to make this additional observation. The Senator from Vermont [Mr. AIKEN] is in the Chamber. Senator AIKEN, the late Senator Tobey from New Hampshire, and I, back in 1949, were appointed by Senator Vandenberg, on the Republican side, to be of assistance in presenting the case that was presented by Senator Vandenberg in support of the NATO Treaty that was before the Senate. We were given different assignments. I was assigned article 5, the "all-for-one and one-for-all" section of the treaty. The case was rightly made by Senator Vandenberg. We were seconders of the motion, so to speak; nevertheless, it brought us into the background discussion in connection with the treaty.

I would point out, in support of the Senator from Montana [Mr. MANSFIELD] that the treaty itself calls for periodic review. It was made very clear that there was nothing in perpetuity in regard to it.

Under our Constitution, treaties are subject to review, not only as a prerogative of the Senate, but, as the Senate's duty to discuss whether or not an existing treaty should be reviewed, or arrangements made under the treaty modified. There are many instances in which that has been the past history of the Senate. There is no infringement whatsoever on the prerogatives of the President, in his capacity as Commander in Chief, by carrying out under the Mansfield resolution what I think is the clear duty of the Senate.

As pointed out by the Senator from Colorado [Mr. DOMINICK] and other Senators in the colloquy this afternoon, we are not proposing to walk out on our obligation under article V in which we have pleges that if there is an attack on one country, all countries will go to the defense of the one attacked.

Let us face it. There have been great changes in military techniques since 1949. In my judgment, it is a terrific waste of manpower to have six American divisions in Europe, because if war breaks out it is not going to be a conventional war. We do not need six divisions over there, working in cooperation with divisions of our NATO allies to hold the line for the period of time it will take an atomic bomb to start dropping. Let us stop kidding ourselves. If we get into a war with Russia it will not be a conventional war in Europe. Russia would not be that stupid. The sad and shocking thing is that it would move rapidly into a nuclear war.

Here is a problem that has always concerned me. I have checked this afternoon, and I am right on the facts. The United States is the only member of NATO that has ever completed its manpower commitment to NATO under the treaty. I shall repeat it. The American people should understand this.

With respect to all the talk about leaving six divisions of troops over there and the hundreds of thousands of civilians, which the Senator from Montana so rightly emphasized, there are around 1 million Americans in Europe—1 million Americans, in fact, supported by the taxpayers of the United States. It is perfectly clear that this is an expense to the American taxpayers, while all of our allies in NATO have yet to fulfill their manpower commitments. That fact is true of West Germany. I shall tell Senators what West Germany said. They are pledged to 12 divisions; yet the fact is that those 12 divisions are skeleton divisions. There cannot be 12 divisions in fact unless the manpower is supplied to the divisions.

The United States has six divisions there, and they are not skeleton divisions. That is our commitment, and we have maintained our commitment from the beginning. However, not even West Germany feels that the situation is so threatening that it needs to fulfill its manpower commitment, and no other member of NATO has. We know the position of Great Britain. Prime Minister Wilson has for quite some time discussed a proposal for a reduction in the British forces. The British forces have never met the British commitment.

Mr. President, this is the time for review. The resolution of the Senator from Montana gives us the opportunity for review, and gives it to us in the forum where it should be reviewed, as the Senator from Washington [Mr. JACKSON] pointed out. This should be done by way of hearings, so that our points of view can be placed on the record, and we can reach the kind of sober, and intelligent judgment that I think the Senate will reach, as it gives further advice to the President on this subject.

I am proud to be a cosponsor of the resolution. It is important that we start to withdraw some of our manpower and also that we start to serve notice on the world that there is a limit to which the American taxpayer can be expected to contribute to other nations of the world.

Mr. MANSFIELD. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, I am glad to be a cosponsor of the resolution, and I thank the Senator from Montana for bringing the subject before the Senate for its consideration

It has seemed to me for some time that it is time that we reduced what in effect is an army of occupation in Western Europe—for that is what it appears to be. This should be a good time to give serious consideration to the matter, in view of the fact that we are promised increasing costs, increasing the strength of our Armed Forces in southeast Asia, in view of the fact that we are on the verge of increased taxes in this country—regardless of what some folks like to believe—and in view of the fact that we are faced with a reduction in benefits and assistance to the people of our country who are in increasing need of assistance. I think it is high time that the Congress gave great consideration to the costs we are incurring in the size of our army which we maintain in Western Europe in those countries which are contributing very little to our support in other parts of the world.

Thus, I hope that both committees to which the resolution will be assigned will give very close attention to the proposals which have been made by the majority leader.

Mr. MANSFIELD. I thank the distinguished Senator from Vermont.

Mr. JACKSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am happy to yield to the Senator from Washington.

Mr. JACKSON. Mr. President, the question has just been raised in the Senate as to how long we will need to maintain forces in Western Europe: Are we to keep them there permanently? One might also ask: How long do we have to pay for a large defense budget? I am deeply concerned about the drain on our resources in maintaining forces all over the world, but I think one would have to put the question: How long is the cold war going to last?

Certainly, the obvious answer to the question which has been posed in the Senate today is that we will have to do whatever is necessary, as long as it is necessary, where our vital national interests are at stake. That is the point.

Of course, we may all differ from time to time as to how we wish to go about protecting the vital national interests of our country. I would like to see some reductions in manpower in Western Europe. I think, undoubtedly, that we can make some selective cutbacks in manpower. But, in view of what has been said on the floor of the Senate today, let us remind ourselves of the threat which exists in Western Europe and then we can better determine the intentions of the adversary.

In the center of Europe, the Soviets and the Warsaw bloc countries have over 800,000 troops. On our side, we have about 830,000 troops. The Soviets have 700 to 800 medium-range and intermediate-range ballistic missile launchers zeroed in on European targets. The evidence indicates that Soviet strategic offensive and defensive nuclear weapons systems have been quantitatively increased and qualitatively improved in the last few years.

I ask you, Mr. President, has there been a great decrease in Soviet conventional and nuclear military capability? The contrary is the case.

Obviously, changes have taken place in the Soviet Union and in Eastern Europe. I think that this is one of the problems we face in debating this subject—to evaluate the changes and to understand why they have taken place.

I submit to the Senate that there have been changes in the foreign policy of the Soviet Union, and that those changes have stemmed in a major way from the posture of strength which has been maintained by the United States and its NATO allies.

This posture has caused the Soviets to talk in different terms. This has led the Soviets to remove some of the chill, cold air in Western Europe and try to blow a warm air into Western Europe. In addition, of course, the Soviets are obviously concerned about China on their eastern front.

When we look at the facts, they are not encouraging, so far as the continuing threat is concerned.

I submit that one has to look at a nation's capabilities, in order to help interpret its intent. The Soviets and the bloc countries have over 800,000 ground troops right in the center of Europe. Surely, as I say, changes have taken place, but the changes in Soviet policy have been made possible for the most part because the Soviets have learned that after their success in Czechoslovakia they could not continue to move west. It was the power and the strength mobilized by the Western World which has persuaded the Soviets to change their position on many issues at home and abroad.

The easiest way to test that point would be to let NATO get into a state of complete disarray.

I think that we have a tendency to fall into a fallacious trap; namely, that because of the enormous and catastrophic weapons we have available in our arsenal, both in the East and in the West, there is no longer need for ground troops.

I still remember the words of wisdom of the late, great George C. Marshall at the end of World War II. He warned that just because the United States had developed the atomic bomb did not mean that we would not need ground troops.

I regret that that advice and that counsel was not followed immediately after World War II.

But, how right he was, saying that we would need ground troops to deal with situations short of nuclear war, the limited probes, the deliberately contrived Soviet crises, the unexpected crises arising by accident or by revolts in satellite countries spilling over the line, and so forth.

Certainly, we should not be placed in the position in Western Europe where we would have to respond to limited contingencies only by a nuclear response. Thank goodness we had ground troops to deal with the several confrontations and crises in Berlin. Without those ground troops the West would confront the choice of backing down or moving to nuclear war. We need some other options.

I am sure that the Soviets wish they had had as strong a navy as ours at the time of the Cuban crisis. They had no option except thermonuclear war, and they took one look at that and decided to back down and move the other way.

It is quite clear to me that it would be most unfortunate and most unwise for us to proceed to do something which at this time could have a shattering effect on the strength and morale of the NATO alliance. I would hope that out of the hearings that will be held by the two committees, after having had the opportunity to receive the advice and counsel, and the best judgment of those who are intimately involved in this field, we can come up with a position which will be in accord with what we are trying to do in Western Europe—that is, to prevent a forward thrust on the part of the Soviet Union, when they have been blocked continuously and effectively since 1948, and to provide the foundation of strength from which we can move forward in time toward mutual East-West reductions in arms and a genuine, stable European settlement.

Mr. GORE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. Mr. President, before I yield to the Senator from Tennessee, let me say that I would disagree with much of what the distinguished Senator from Washington has just said.

Perhaps 10 or 15 years ago that was true, but we find a changed climate in Western Europe today. I even detect signs of a warming climate within the Soviet Union itself vis-a-vis Western Europe.

The Kiesinger-Brandt coalition is willing to discuss, I believe, the Oder-Niesse question with Poland, and the question of the Sudetenland with Czechoslovakia.

Trade is developing between the East and the West. As I have indicated—and as everyone knows—last year, Germany entered into a $150 million contract with Communist China to build a rolling mill. Every Western European nation itself says that there is a detente occurring between their country and the Soviet Union. I think they are right.

To illustrate, the second largest customer of Romania behind the Soviet Union is the Federal Republic of Germany. Trade contacts are increasing. I think this idea of divisions, manpower, infantry, is not so important today as it once was.

The Germans have met their commitment to furnish 12 divisions to NATO as they said they would. But the truth is that that does not amount to more than 8 divisions, because they are at half strength, and they are skeletonized. They also do not have the firepower and wherewithal that goes with it.

NATO is supposed to provide something on the order of 30 divisions. They are not providing 30 divisions, but the United States is providing six of the 26 to 27 divisions they have. Conditions have changed, General Marshall was right when General Marshall said what he did, but that was 20 years ago, more or less. If we are going to continue to create this old bugaboo year after year after year, what hope is there for peace or for an accommodation in this world? What hope is there for future generations?

Times have changed. We cannot afford to remain prisoners of the past, saying, in effect, that our six divisions must stay in Western Europe as long as the cold war is in effect.

Do the Western Europeans think that the cold war is still in effect, or do they think that a detente is coming that a thaw is on the way? They do, and they are there on the ground, and they have to face up to the facts; and here we are 3,000 miles away.

Twenty-six or twenty-seven divisions were to be furnished year in and year out, and we are the only country which has furnished its full complement of six divisions, perhaps more, because I do not know how the 6th Fleet enters into the picture. I am not sure how our forces in Spain enter into it. I am not counting the air bases at Tripoli and Libya. I do not know what other forces could be counted as a part of the European structure. But I do know that when some countries cannot meet their 10-day logistical requirements or 30-day requirements, this country still meets its 90-day requirements.

It is time to take this monkey off our backs and ask Europe to carry its share if it must be carried.

Mr. President, how would we like to have six divisions of foreigners and their dependents in this country? How would we like to be faced with the prospect, as has been stated this afternoon, that they would be here indefinitely—in other words, permanently?

I hope the Senate will take this question as seriously as it should be taken. I hope the American people will wake up to the question of principle involved in this matter, and I would hope that the people of Europe would likewise do so.

Now I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, I thank the Senator for his generosity in yielding to me.

The debate in the Senate this afternoon has illustrated that this question deserves and requires the careful consideration which the procedure heretofore outlined will assure.

I think it is unquestionably true, as the majority leader cites, that the situation has changed in Western Europe. That is not the only area in the world in which the situation has changed.

I have welcomed and I would welcome further movements toward a rapprochement between Russia and Western Europe and the Western Powers. I am not sure that this easing of tension which we have witnessed, and which we have welcomed, has been brought about entirely by the situation in Europe.

I have an idea that Russia is very reluctant to face the possibility of hostilities by hostile powers, both East and West. I have an idea that a part of the willingness of the Soviets to ease the tension in central Europe can be found in the truculence and power and growing threat of Red China.

However that may be, I would have some reservations about precipitate action on the part of our Government or on the part of the Senate on this question.

It is not that the United States would wish, through the presence of her forces in Western Europe, to exercise a dominating influence. I know of no demand on the part of Germany that these forces be withdrawn. Indeed, I seem to sense some uneasiness in Western Europe that the United States would not fulfill the commitment she has undertaken there. However these matters may be, I think that it is a public service for the distinguished senior Senator from Montana [Mr. MANSFIELD] to offer a resolution, and I welcome its careful consideration by the particular committees having jurisdiction.

My principal reservation would be about the shocking effect and influence that precipitate action might have. I think this proposal must be measured in broader terms than the economic effect in the United States of stationing a given number of divisions in Western Europe. It must be viewed in its worldwide context, not only in juxtaposition with the power structures of other nations, but also as to what it would do to the whole strategy of deterrence. How would it relate to the Russians undertaking now to establish around Moscow and in 26 other areas in the Soviet Union antiballistic defense? How would this proposal relate to our earnest desire and our consistent and determined effort to conclude an agreement on the proliferation of nuclear weapons? How would it relate to the President's earnest effort now to reach an agreement with the Soviet Union with respect to the antiballistic missile-missile defense? These questions must be examined in these broad contexts and in others.

I do not rise to be critical of the proposal; I welcome its consideration. But I am not in a position at this moment to lend to it an endorsement. I believe it is fraught with dangers which must be carefully considered.

I thank the distinguished majority leader for his willingness to hear these views which I have expressed.

Mr. MANSFIELD. I thank the distinguished Senator from Tennessee [Mr. GORE], the distinguished Senator from Washington [Mr. JACKSON], and other Senators who have participated in the discussion, because it indicates great interest in the problem. I am hopeful that as a result of the committee hearings to be held by the two committees charged by the Senate with the responsibility, there will come a solution which will face up to the problem, that the cobwebs will be cleared away, that conditions as they exist now will be looked at, and that those who are prisoners of the past will be freed of their fetters which are based on ideas that were good 15 or 20 years ago, but which may be changeable because of conditions today.

Mr. McGOVERN. Mr. President, I wish to join the Senators who have already spoken today by adding my enthusiastic support to the resolution submitted by the distinguished Senator from Montana, the majority leader.

A NEW PROBLEM REQUIRES NEW STRATEGY

Mr. YARBOROUGH. Mr. President, when the nature of a problem changes, the means used to deal with it may have to be changed accordingly.

In 1951 the United States took steps to build up its troop strength in Europe to about 350,000 men. At that time Europe was still deep in the throes of the agony of recovery from World War II. We were engaged in armed conflict in Korea. The ruler of Russia was Joseph Stalin and there was immediate danger of Russian ground attack.

Today we have the same size military force in Europe that we had in 1951. But since that time, as a result of Marshall Plan aid coupled with the hard work and intelligence of the people of Europe, the Continent, and England have made a tremendous economic recovery. Europe is the most prosperous area on earth after the United States and has the means to do much more for her own self-defense than she was capable of 15 years ago.

In addition, changes in military technology have affected our military manpower needs. With a given number of men, we can today deliver a much stiffer blow. And with the tremendous mobility of our Armed Forces, we can quickly move large numbers of troops considerable distances into actual or potential battle zones.

Finally, the nature of our relationship with the Soviet Union is not the same today as it was under Stalin. For these and other reasons, the size and nature of our European troop commitment should be reevaluated.

Senator MANSFIELD is performing a service to the Nation in focusing attention on this problem, and I am proud to join him as a cosponsor.

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

Mr. McGOVERN. Mr. President, I wish to renew my motion that the Senate proceed to the consideration of Senate Resolution 6, offered by the distinguished Senator from Kentucky [Mr. MORTON] and me, to provide for the closing of debate under rule XXII by three-fifths of the Senators present and voting.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 6) amending the Standing Rules of the Senate.

The PRESIDING OFFICER. The question is agreeing to the motion to proceed to the consideration of Senate Resolution 6.

Mr. MANSFIELD. Mr. President, will the Senator from South Dakota yield, without losing his right to the floor, so that I may present a motion for cloture?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. Mr. President, I submit a motion for cloture, and ask that it be read.

The PRESIDING OFFICER. The motion will be stated.

The legislative clerk read as follows:

MOTION FOR CLOTURE

> We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the motion to proceed to the consideration of Senate Resolution 6, a resolution amending the Standing Rules of the Senate.
>
> MIKE MANSFIELD, EVERETT M. DIRKSEN, THOMAS KUCHEL, LEE METCALF, WALTER MONDALE, JOSEPH S. CLARK, JOSEPH M. MONTOYA, ROBERT F. KENNEDY, STEPHEN YOUNG, CHARLES H. PERCY, WAYNE MORSE, PHILIP A. HART, ABRAHAM RIBICOFF, JACOB JAVITS, HUGH SCOTT, GORDON ALLOTT, EDMUND MUSKIE, JOSEPH D. TYDINGS, MARK HATFIELD, CLINTON ANDERSON, EDWARD M. KENNEDY, GEORGE MCGOVERN, WILLIAM PROXMIRE, JOHN O. PASTORE, CLAIBORNE PELL, HARRISON A. WILLIAMS, FRANK MOSS, DANIEL BREWSTER, CLIFFORD CASE, HIRAM L. FONG, ROBERT GRIFFIN.

Mr. McGOVERN. Mr. President, let me say first that this involvement in an effort to change the rules of the Senate is my first. I have always had a tendency to feel that those who devoted much of their time to efforts to change the rules were probably giving their efforts to a secondary matter. But after the very brief experience I have had with this matter, I am developing a growing appreciation of the importance of the rules of this body. I am now resolved to devote more effort to mastering the rules, and learning something about them and how they operate, and what the rights of Senators under the rules are because my appreciation for the crucial importance of the rules in the deliberations of this body has been greatly sharpened in the last few days.

Mr. President, it was said some years ago that the filibuster, in the Senate, is king. I think the filibuster still reigns as king of the Senate. I feel that it is regarded with considerably greater reverence than the concept of majority rule, or even the desire of a majority of the Senators to utilize a procedure that would have permitted us to vote on a provision allowing debate to be closed by three-fifths of those Senators present and voting.

I deeply regret that the Senate is in what I believe to be a trap, or a bind. A majority of the Senators seem to favor, in principle, a procedure to permit 60 of the 100 Senators—assuming they were all present—to bring an end to an extended filibuster. Yet we seem to be paralyzed by the existing rule which requires two-thirds of the Senators to terminate debate from even voting on the three-fifths proposal.

The pending motion, which calls upon the Senate to move to the consideration of the resolution by the distinguished Senator from Kentucky [Mr. MORTON] and myself, to permit the closing of debate on a vote of three-fifths of the Senate, is a conservative, a moderate, a middle-of-the-way procedure; and I think it is regrettable that a minority of the Senate can block even the consideration of that proposal.

With his usual insight, the distinguished cartoonist of the Washington Post, Herblock, has captured the spirit of what transpired on the floor of the Senate yesterday. His cartoon in this morning's Post depicts a bull labeled "filibuster" frightening the Senate into a position where we are once again unable to work the will of the majority.

I think the cartoonist's choice of a bull—and I do not know how to get a smile or an indication of good humor into the RECORD, Mr. President, but I wish to say that that is the way I am making this statement—a bull was a fitting symbol for the thought he was trying to depict.

I was particularly disappointed that it was asserted here on the floor of the Senate yesterday that if a majority of the Senators and the Vice President of the United States, who was then presiding, were able to carry through the procedure which we had outlined that would have led to the destruction of the U.S. Senate and the end of the Senate as an effective instrument of government.

I regard that as a preposterous assertion.

Mr. CLARK Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. CLARK. Mr. President, I merely want to briefly indicate my strong support of the statement the Senator from South Dakota has just made.

The assertion, made yesterday, that the adoption of the procedure we had proposed would have led to the destruction of the Senate, was a preposterous statement. How it received any credence at all in the Senate I am utterly unable to understand.

The procedure which was instituted yesterday is practically identical with that which is presently available in every other legislative body in the civilized world. It is contemplated by the Constitution of the United States.

It is merely that of majoriy rule, which is part of our American tradition.

While it is probably redundant at this point to reiterate what was so ably said yesterday by the Senator from South Dakota, the Senator from California, and the Senator from Oregon, I could not refrain, when the Senator from South Dakota said that arguments made yesterday were perfectly preposterous, from rising to my feet and agreeing with him.

Mr. FULBRIGHT. Mr. President, which argument was that?

Mr. CLARK. The argument that 51 Senators and the Vice President might be able at the beginning of the session, under the provisions of the Constitution of the United States, to terminate debate and that the Senate of the United States as an institution was therefore in danger of destruction. I said then and say now that it is utterly preposterous.

Mr. FULBRIGHT. Mr. President, I do not know that it was. Sixty-one Senators voted that it was not preposterous. They voted that it is a very serious matter.

Mr. McGOVERN. Mr. President, I want to speak specifically to the statement of the Senator. The point I was making was that there was a statement made on the floor of the Senate that if a majority of the Senate were able to terminate debate, if that procedure were adopted, it would destroy the U.S. Senate and would end its effectiveness as an instrument of government. That is the statement that I said was preposterous.

Mr. CLARK. And that is the statement that I agree with.

Mr. McGOVERN. I do not believe that the Senate would collapse if that procedure were adopted.

Mr. FULBRIGHT. It would not do so physically, but there would be very little use in continuing it with the expense and everything else that would be involved. It would have no function. The whole legislative function would be served by the House of Representatives. If the Senate were to have no capacity to deliberate on an issue, why should we have two Chambers?

The only reason that we have two Chambers is because the Senate serves the purpose of considering important bills at length, if necessary.

Mr. McGOVERN. As the Senator knows, we already have a rule that any time a majority of the Senate wishes to do so, it can table any matter that is pending before the Senate.

Mr. FULBRIGHT. That is a negative capacity.

Mr. McGOVERN. It is a power that a majority of the Senate has to close debate and to kill a pending matter.

Mr. FULBRIGHT. That is no way in which a law can be passed, by tabling it.

That is a negative power. We cannot impose anything on anybody in that way.

Mr. McGOVERN. It does end the deliberation of the Senate on that matter.

There is nothing unprecedented about majority rule. I am very frankly puzzled at the predictions of what would happen in a democratic country, where we believe in democracy, if for some reason or other the majority for once had an opportunity to be heard and to work its will.

Mr. FULBRIGHT. Mr. President, I honestly believe that this is not quite as neat and rational as that. If we look at the experience of countries that have tried democracy, many of them have had this very same majority rule of which the Senator speaks. One country after the other has fallen by the wayside. They could not make the system work.

I insist that one of the reasons that this Government has operated as well as it has, in an unprecedented way—for a country as large and as diverse as this—is that it has been ruled by our particular form of democratic system. One of the important elements of this success is this body. No other body in the world is quite comparable to it. In all of the other two-body parliaments, such as Canada and England, the upper body is usually an adornment. It is usually an honorary body and has no power.

This is a unique body. I think it has contributed much to the success of our democracy.

Mr. McGOVERN. The Senator is entitled to his judgment. I cannot accept the statement that the success of our country is centered on rule XXII; nor can I believe that the tribulations and problems of some of the other countries in the world can be explained by the absence of rule XXII in their procedure.

Mr. FULBRIGHT. Mr. President, rule XXII is one of the rather significant characteristics of this body, as distinguished from other similar bodies.

For some mysterious reason, this system has worked in spite of the many disadvantages in this country, such as having a great disparity in conditions and very diverse population.

Many other countries having a homogeneous population and far less differences that we have, such as our racial problems and so on, have had difficulty in making democracy work.

I think in view of the difficulties, the size, the diversity of culture, the population, and so on, it is a remarkable feat that these 50 States operate as well as they do, and we have our problems.

I am sorry that the Senator does not think the Senate has played an important part.

I happen to think that the Senate has played a very important part.

The one chief difference between this body and similar bodies in other governments is the fact that we can assure adequate deliberation and consideration, and that assurance is provided by rule XXII.

Mr. McGOVERN. Mr. President, I am not going to let the distinguished Senator put me in the position of implying that.

Mr. FULBRIGHT. The Senator did imply that this is of no significance.

Mr. McGOVERN. I did not imply that the Senate has not played an important role in the development of the country.

I simply denied the Senator's implication that it rested on rule XXII.

I do not think that there is anything sacred about a two-thirds rule. I think a three-fifths rule is a better way.

Mr. FULBRIGHT. The Senator is arguing about details. Some may think that three-fourths would be better, or 59 percent, or 58½ percent. I support the present rule.

I am talking about the undesirability of majority rule in which at any time a bare majority can control a situation without any delay. And I certainly believe that rule XXII is the distinguishing quality of this body.

I am just as impatient as is the Senator about some of the delay.

We are not the only ones who are taking a position on this bill. Some of the people on the Senator's side of the argument have been the greatest talkers in this body.

It always amazes me how they can advocate that position and yet they occupy a lot more time on the floor than I do, and they would complain more about the shutting off of debate.

Mr. McGOVERN. The reverse is also true, that some of those who seem most steadfast in support of unlimited debate become the most impatient when some Members of the Senate are discussing a matter before the Senate.

I am not pleading for an end to the deliberative character of the Senate. I wish that on some of these matters we would deliberate more carefully and longer than we do.

I note that the distinguished Senator from Georgia [Mr. RUSSELL] is present. We all respect him very much.

The Senator from Georgia presents legislation year after year which involves half the Federal budget, and sometimes more than that. It may run to $73 billion or $74 billion this year. Those measures go through with a whoop and a holler.

I am not blaming the Senator from Georgia for that. I am merely saying that the entire Senate does not take as long a look at these matters as it should.

I am as much at fault as are the others.

I wish that, when the Senator from Arkansas presented the Bay of Tonkin resolution, we had deliberated it longer.

Mr. FULBRIGHT. You should have filibustered it. Why did you not?

Mr. McGOVERN. I wish we had. I take part of the blame.

I tried to ask some questions and I got the impression that we were disrupting what should have been a quick procedure.

Mr. FULBRIGHT. That was my fault. I thought the Senator was.

Mr. McGOVERN. I take some of the blame. I think we should be much more deliberative sometimes than we are.

Mr. FULBRIGHT. I do not know of any instance in which I regret being too deliberative. There are several instances when I deeply regret being too precipitant, and that is one of them.

Mr. McGOVERN. Rule XXII was not responsible for the haste with which we dealt with it.

Mr. FULBRIGHT. No. But the opportunity was there, if the Senator had taken advantage of it.

Mr. McGOVERN. All I say is that whether we have a three-fifths rule or a two-thirds rule, it does not really speak to the point of whether this is a deliberative body.

We can deliberate when in our own judgment we should do so.

I wish we exercised that judgment more frequently than we do.

Again, I stress that I am not in any way implying any criticism of either the Senator from Georgia or the Senator from Arkansas, whom I respect as much as any other Member of this body, and I respect the way they handle the legislation that they bring here.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. RUSSELL. Let me say to the distinguished Senator that I would be very happy, indeed, to have him speak at length on both the authorization and the appropriation for the Department of Defense. I realize that they consume a tremendous part of the income of this Nation. This year it is going to be larger than it has been since World War II. I think that the proportion of the income, by the time we get through with our supplemental authorizations and appropriations, will show that Defense activities, the war in Vietnam, and the maintenance of strong military forces all over the world, have consumed a higher percentage of the national income than has been the case since World War II; and it will probably run higher than the first 2 years of World War II.

We have had extensive hearings. We have printed some 800 or a thousand pages of testimony. It is available to all Senators.

In times past, I have endeavored to reduce the bill. I had a rule, my own rule—it was not a majority rule; it was a minority rule—that I undertook to reduce the Defense Department appropriation by a billion dollars each year, and I did it for 7 or 8 years. But it becomes more difficult when the world situation is as it is today. I do not know that we will be able to do it.

I would appreciate the help of the Senator from South Dakota. I do not know whether I would agree with him on parts of it that he might wish to reduce; but I hope that he will scrutinize the hearings and that, with the experience he has had in the Armed Forces of the United States, he will advise his colleagues fully as to his position.

Let me say to the distinguished Senator that, as a practical matter, the majority does not need any rules. They have the naked power. They have the strength. The majority do not need any rules, except for meeting and adjourning.

Mr. GORE. And the vote.

Mr. RUSSELL. And perhaps to expel any member of the minority who becomes a nuisance and interrupts so often that he might interfere with the passage immediately of a bill. But, in the last analysis, the rules are devised to protect the rights of the minority and to make sure that both sides of a question are presented.

The expectation was that both sides of the situation would develop fully in debate, that it would permeate out to the electorate of the Nation, and that they would then make their voices heard. We have a republican form of government but, after all, we are a self-governing people, because we elect those who speak for us when they come to Washington.

Now, the majority can determine an issue. I do not think that anyone is arguing that the majority should not have the right to determine an issue. But it is important that a minority, even if it is a minority of one, have a right to tell the majority to stop and look and listen and to consider what they are about to do; and, if by blind partisanship or by corruption, or by intimidation, such as occurred in some legislative bodies—thank God, not in the United States, on any wholesale scale—a majority wishes to move expeditiously and to prevent the full disclosure of the import and the impact of their action, that they shall not have that advantage; and it was never, in my opinion, intended in this country that a majority should have that power.

We talk about the power of the majority. In the last analysis, they have the power. The majority passes a bill. The majority can change the rules. But the minority, even if it is a minority of one, must have the right, if our system is to survive, to stand and say, "Look, you are about to do violence to our system by the action you propose to take." And if that makes no impression on those who are inflamed by passion or prejudice, or are so overcome by corruption, he should have the right to reiterate his case again and again, until it goes out to the country; and the country will understand the issues that are involved, before it is too late and they are swallowed up by some drastic or socialistic legislation.

No, I am not disputing majority rule. I believe in majority rule. But I also believe that the minority have rights which are equally sacrosanct. As a matter of fact, the rights of the minority ought to be a little more sacred, because the minority need those rights, much more than the majority. The majority do not need them as fully as the minority.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. McGOVERN. Before I yield to the Senator from Pennsylvania, let me first comment briefly, to again reassure the Senator from Georgia, as I attempted to do earlier, that I am implying no criticism of the way he has handled legislation that has come to the floor from his committee.

Although I am a very junior Member of the Senate, on any occasion when I have raised questions about the defense budget or any other matter, the Senator from Georgia has been very courteous and has put no pressures whatsoever upon me—or, so far as I know, on any other Member of the Senate—not to take whatever time was necessary to discuss those problems.

Nor do I in any way wish to cast any reflection on the rights of the minority in this body. I believe that the proposal that the Senator from Kentucky [Mr. MORTON] and I have brought before the Senate, and on which we are asking consideration, is one that fully protects the minority of the Senate. It changes rule XXII in no way except to provide that 60 Senators, instead of 67, can, after considerable debate, bring the matter to a vote.

Mr. RUSSELL. It is a question of how small a minority the Senator wishes to protect. I think one-third of the minority ought to be protected.

Mr. McGOVERN. I disagree with the Senator. I do not believe that there is any magic formula or any sacred figure. The two-thirds figure was worked out by the Senate in the same way we are attempting to work out this procedure here.

I yield to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator from South Dakota.

As I look around the Chamber, I note that I am the only advocate of majority rule presently on the floor. I did not intend to participate in this debate. I came to the Chamber for a different purpose.

I am grateful to the Senator from South Dakota for yielding to me. But I should like to say a few words, because possibly some day a few people—not very many—will the read the RECORD of what is going on in the Senate at this moment; and I suppose that it is merely the fact that I am a Philadelphia lawyer which makes me unwilling to let the debate terminate on the basis on which it presently stands. I suppose it cannot even be called a debate. It is just a colloquy between sincere Senators who happen to feel very deeply and very differently on a matter of some importance.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. RUSSELL. I want to correct the idea of the Senator from Pennsylvania that he is the only proponent of majority rule in the Chamber. I favor majority rule, but I refer to the method by which the majority is going to rule.

Mr. CLARK. If the Senator would permit me to differ with him—and this I do with great diffidence—I do not think the Senator does believe in majority rule. I do not think the Senator ever has believed in majority rule, and I think the Senator has made a great record in this body, over a long period of time, defending what he conceived to be the best interests of his State by opposing majority rule, whenever he felt that the interests of his State would be affected if a majority were permitted to work its will.

It occurs to me that this afternoon in this body those who oppose majority rule raise a series of strawmen and then proceed to knock them down, and in each instance the strawmen they raise have nothing whatsoever to do with the issue which is being debated.

May I say to my good friend, the Senator from Arkansas [Mr. FULBRIGHT] that I am really a little startled that he should say that if we were to adopt in the Senate a procedure for majority rule, after reasonable and extended debate, that the Senate would have lost its usefulness and might as well be abolished because the House of Lords no longer has the power and the French Senate no longer has any power. I am startled to hear that argument.

Mr. FULBRIGHT. None of them have. Yesterday the majority had a right to rule. There was a majority vote and the majority did rule, and they ruled in accordance with my views.

Mr. CLARK. I congratulate the Senate on the erroneous result which took place yesterday.

Mr. FULBRIGHT. I am proud of the Senate. Usually when there is adequate debate, the Senate will reach the right result. The only way to develop reasonable debate is by this rule. If majority rule is adopted there is no longer any way for anyone to test the reasonableness of the length of debate.

Mr. CLARK. I quite disagree with the Senator.

Mr. FULBRIGHT. It is a curious thing, if one has studied the history of this matter.

Mr. CLARK. Yes, I have studied it.

Mr. FULBRIGHT. In the old days, before debates on civil rights, it was always the liberals, using that word as we use it now, who were taking the position that I am taking today; back in the days of La Follette, Reed, and Borah, the people who were then called liberals. I do not like these words either way.

Mr. CLARK. Neither do I.

Mr. FULBRIGHT. They are greatly misused.

Mr. CLARK. I prefer moderates.

Mr. FULBRIGHT. Progressives.

Mr. CLARK. They do not realize that we are living in the third third of the 20th century, and think that we are living in the good old times when rosy complexions could not be bought in a store.

Mr. FULBRIGHT. The issues were a little different, and those men were all for the protection of these rules.

With all due deference to the Senator I think that civil rights issues prejudice the judgment on the matter of the rules.

Mr. CLARK. The Senator is wrong in that respect.

Mr. FULBRIGHT. If we ever get that issue out of our craws around here there will be a great change in the attitude of the people about this rule. We are on the way toward getting it out.

In spite of this rule that is objected to, bills were passed. Whenever the Senate really wants to pass a bill its gets cloture. If there were the necessay votes it could get cloture next week. If the Senator did, I would not object because he would have done it in accordance with the rules, in a fair and open manner. If cloture is obtained, I might not like it, but I would have no complaint. However, the rules might have been emasculated yesterday by that funny procedure.

Mr. CLARK. Mr. President, I would like to return to my argument, although I am sure that the Senator from Arkansas will disagree with it. If the Senator from Arkansas wishes me to yield again in the middle of my argument I shall, but I would like to have the opportunity to state briefly my point of view.

Mr. FULBRIGHT. Does the Senator mean that he would like me to sit down for a minute?

Mr. CLARK. Yes.

Mr. GORE. The Senator has just made a most interesting observation which I think is far more important than the rules of the Senate. He has just referred to the good old times when a rosy complexion could be bought in a store.

Mr. CLARK. Could not be bought in a store.

Mr. GORE. I misunderstood.

Mr. CLARK. It was not true. They could be bought in the store then, too, but the popular song says that they could not.

Mr. GORE. I thought that if that day had passed something would be failing my eye.

Mr. McGOVERN. Did I hear the Senator correctly that there is something more sacred than the rules of the Senate?

Mr. GORE. I did not say sacred. I avoid the use of that word in political arenas.

Mr. CLARK. Mr. President, I wish to return to the point which aroused the attention of the Senator from Arkansas. Year after year these strawmen are raised by those who object to majority rule, and then they are knocked down with great gusto. Then, the filibuster is continued with a great sense of self-righteousness.

In point of fact, the Senate, in my opinion, is a great American institution and one which I love. I am happy and proud to belong to the Senate. I think that one of the very few things wrong with it is this unfortunate tradition of unlimited debate, a tradition which flies in the face of the rules of the 50 senates of the separate States.

Mr. FULBRIGHT. I am sorry. I did not hear that statement.

Mr. CLARK. I said that the tradition of unlimited debate in this body flies in the face of the history of the rules of the senate of every one of the 50 States.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. FULBRIGHT. Mr. President, it is certainly not the same when one compares a small State, more or less homogeneous, with an enormous federation. Certainly it would be most unusual if the rules were the same. It is incredible to me that the Senator would think on this matter that we should have the same rules in the U.S. Senate as the State of Delaware, the State of Pennsylvania, or the State of Arkansas. They have an entirely different function to play. They have completely different functions. We have to reconcile the purpose of this body. One of its main functions is to reconcile the differences among the States the Senator is talking about. This is an enormous federation.

Mr. CLARK. I have forgotten the provocative adjective.

Mr. FULBRIGHT. Did not the Senator say that this flies in the face of 50 States? Of course it does, and it should. We should not operate with the same rules.

Mr. RUSSELL. It would not be 50 States. We have States providing for two-thirds.

Mr. FULBRIGHT. Even if they all do.

Mr. RUSSELL. The present occupant of the chair [Mr. HOLLINGS] represents a State which has a two-thirds vote.

Mr. FULBRIGHT. The Senator will admit that we are dealing with a great federation of 50 States, and not dealing with the homogeneous population of any one of the States, or a country like England. England is a homogeneous country. They can operate with a previous question rule.

Mr. CLARK. Mr. President, I do not wish to be rude to my dear friend, the Senator from Arkansas [Mr. FULBRIGHT], but I do wish to make a relatively brief statement, and I must regretfully refuse to yield further until I have completed my argument. I shall be happy to yield to the Senator from Arkansas and others when I have completed my statement.

Mr. McGOVERN. The Senator has not forgotten that I have the floor, has he?

Mr. CLARK. No; the Senator from South Dakota [Mr. McGOVERN] has the floor. If the Senator from South Dakota wishes to complete his speech, I shall not ask him to yield further, and I shall obtain the floor in my own right. If the Senator from Arkansas is willing to remain in the Chamber, we can have a colloquy. However, I want to make a two-sentence argument.

There is nothing ridiculous, nothing which is out of order to suggest that the Senate should have the same majority rule which is available—and I reiterate—in every one of the 50 State senates in our country, and every other parliamentary body in the world which purports to be democratic, and the House of Representatives. In my opinion, our failure to have such a rule has resulted in this body holding back necessary progress and failing to take actions required by a constantly shrinking and increasingly complex world, to the great detriment of the American people.

I thank the Senator from South Dakota for yielding.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. HOLLAND. Mr. President, I wish to make a few brief remarks that pertain not only to what was said by the distinguished Senator from Pennsylvania, but also to what was said a few minutes ago by the distinguished Senator from Georgia; and likewise to remarks made by the distinguished junior Senator from Arkansas.

It appears to me that every Senator is a student of politics and political history.

I believe that every Senator knows there is such a thing as majority rule. I have run for office occasionally for nearly 50 years, and each time I have known that when a majority vote was counted, that was the answer to be accepted by everyone. But the question of where majority rules should apply, and what majority should be required, are questions upon which real savants have differed in their opinions for many years.

I could quote, as the distinguished Senator well knows, from such students of government as Walter Lippmann, Arthur Krock, David Lawrence, and others, statements strongly supporting the cloture rule in the Senate and the belief that on vital issues a simple majority should not rule.

I want the RECORD to show today that only yesterday, as we were entering into debate, as the distinguished Senator from South Dakota was about to make his motion, he was depending on—may I say—majority rule to support his cloture motion, not upon the 60-percent rule which he offers in the Senate.

A very able editorial was published in the Evening Star on this same subject entitled "Minority Safeguard." I could encumber the RECORD by including it all, but I shall supply the full editorial for the distinguished Senator, if he has not seen it. I should like to quote these excerpts to show that the distinguished editorial staff—headed by Benjamin M. McKelway, whom most of us know and respect very much—differ with the able Senators' interpretations of what the Senate should do in this matter, as stated by the Senator from Pennsylvania and the Senator from South Dakota.

I read a few excerpts from the editorial. The first is the following:

> The Senate, since its creation, has been a shield against the hasty, impetuous or reckless imposition of majority will on the minority. This is a much-needed safeguard, and we hope it will be preserved.

Then, skipping on to a later part of the same editorial, it states:

> Of primary importance, however, is the fact that ours is not a political society based on the notion of simple majority rule. There are several constitutional safeguards against what has correctly been called "the tyranny of the majority." In our national legislative procedures, however, it is the Senate which affords this protection, a protection which is at war with the concept of automatic majority rule.

Then, skipping to a later part of the editorial:

> Heretofore, the Senate has functioned as a continuing body—which means that its rules cannot be changed by majority vote. But there is a move afoot to alter this, to do away with the continuing body concept and permit a simple majority to change the rules as each new Congress takes office.

Mr. McGOVERN. Could I interrupt the Senator to say that he does not deny, does he, that the Senate has the right to change its rules by majority vote?

Mr. HOLLAND. But only under the rules of the Senate which provide that certain procedures have to be gone through with before that issue can come to a head, just as is the case with any other bill, resolution, or joint resolution which may come before the Senate.

Mr. McGOVERN. The editorial seemed to skip that one step there.

Mr. HOLLAND. The editorial is opposing the very thing which the distinguished Senator—if I may say so, and this is said with great respect—was trying to do yesterday, to establish, as a precedent of the Senate, that a majority of the Senate could at the beginning of each Congress, by majority action, even if that majority was only one, change rule XXII, or any other rule, or all rules, or add new rules of the Senate.

Mr. McGOVERN. That is correct.

Mr. HOLLAND. Am I correct?

Mr. McGOVERN. Yes; the Senator is correct. It was a precedent narrowly limited to the right of the Senate at the beginning of a new Congress either to change or to add new rules, just as the first Congress of the United States and the first Senate had that authority in 1789.

Mr. HOLLAND. I thought I understood the position of the Senator yesterday, and I think I have correctly stated it. The Senator has indicated that I have.

Mr. McGOVERN. The Senator knows that what I was trying to get at was an opportunity for the Senate to exercise its will on the proposal by the Senator from Kentucky [Mr. MORTON] and myself which would have called for three-fifths of the Senators to terminate debate henceforth.

Mr. HOLLAND. Yes, but the Senator proposed it with a device by which a simple majority could bring on that issue, so that it could be acted upon by a simple majority; and so he was in effect proposing majority rule.

The whole effect of the editorial, and the statements and convictions of many scholars of history and of politics, happen to run counter to the very respected position of the Senator from South Dakota—and I respect his convictions——

Mr. McGOVERN. I appreciate that.

Mr. HOLLAND. Next, I quote from the editorial in its closing part—and again I make the whole editorial available:

> And the minority leader, Senator Dirksen, has said that if majority vote is established the Senate rules "won't be worth 40 cents."
>
> Our sentiments exactly. The Senate rules have served the country well over the years, and it would be a mistake to tear them up now.

Mr. President, the point of my statement here is to make it clear that there are those in the Senate who have shown that more than a majority constitute the number who are against majority rule in certain fields, as was attempted yesterday, and we are supported by the editorialist of the Evening Star—and no one has claimed that to be an ultraconservative paper—we are supported by other distinguished gentlemen and students of government whom I have mentioned, and many others whom I have not mentioned. I personally am proud and happy over the result of the vote yesterday, because it showed——

Mr. McGOVERN. I assumed that was the case. [Laughter.]

Mr. HOLLAND. I thank the Senator from South Dakota. It showed that a sizable majority of the Senate still believes that the Senate is a bulwark against the application of simple majority rule on the most vital questions. The Senator knows, of course, that the Senator from Florida is not one of those who refuse to vote for cloture on all occasions. The Senator from Florida has voted for cloture on two occasions.

Mr. McGOVERN. I appreciate that, and I am sure that the Senator will do so again.

Mr. HOLLAND. I have voted for cloture on two occasions. However, on vital matters involving the Senator from Florida and his State, it is when those vital issues come up that this rule is of maximum importance.

I think that the Senator, with all respect for his deep convictions, has brought over here—if I may say so with a twinkle in my eye—some of the traditions of the other body in which he served so long and so honorably and with such effectiveness. I have noted, in my limited stay in the Senate— and I am now in my 21st year—that several distinguished Members of the House have come to us from the other body and they have come with that feeling; but up to now, my observations have been that generally they have lost that feeling shortly and have come to the conclusion—which the Senator from Florida reached a long while ago, and which he hopes the distinguished Senator from South Dakota will reach in the near future—that the Senate is the bulwark against simple and tyrannical majority rule. I hope it will always remain so.

I thank the distinguished Senator from South Dakota for yielding to me.

Mr. McGOVERN. I thank the Senator for his remarks.

Mr. JAVITS. Mr. President, will the Senator from South Dakota yield?

Mr. McGOVERN. Before I yield to the Senator from New York, inasmuch as the Senator from Florida has quoted one of the great newspapers of Washington, the Evening Star, I would like to point out that one of the other great newspapers in this city, the Washington Post, describes the proposals made by the Senator from Kentucky [Mr. MORTON] and I, and the proposal offered by the Senator from New Hampshire [Mr. COTTON], the Senator from New York [Mr. JAVITS], and other Senators. I am quoting now from the Washington Post editorial of January 13, 1967, entitled "Fighting the Filibuster":

> The most striking aspect of the anti-filibuster fight in the Senate is the extreme conservatism of the reforms offered. Senators McGovern and Morton are asking only that the number of Senators required to end debate be reduced from two-thirds to three-fifths, or if all were present, from 67 to 60. Senators Kuchel and Clark would permit debate to be ended by a constitutional majority (51) regardless of how many members might be present and voting. And this cut-off could be invoked only after discussion of the issue had been in progress for 20 days or more.

The editor then pleads for a much more liberal reform of the Senate rules.

I ask that the editorial, together with three or four others of like nature, from the Washington Post and New York Times, be printed in the RECORD at the conclusion of my remarks.

Mr. HOLLAND. Mr. President, I have no objection, but I hope that the Senator will ask that the complete editorial from which I read be included.

Mr. McGOVERN. I will be glad to do so. I ask that the editorial quoted by the Senator from Florida [Mr. HOLLAND] be printed at the same point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HOLLAND. Mr. President, will the Senator yield briefly?

Mr. McGOVERN. I yield.

Mr. HOLLAND. This illustrates the fact that just as there is a difference in the Senate, so there is a difference among honorable people outside the Senate. The Senator from Florida is happy to again state that apparently the great majority of the Senate still think that the cloture rule is a bulwark against mere majority rule, which sometimes is tyrannical, and he hopes rule XXII will not be seriously disturbed. In spite of the fact that it is attacked by some highly honorable Senators and highly honorable people outside, the Senator from Florida does not think they represent the majority view of the country or that the proposed change is in the interest and welfare of the country. That statement does not reflect against those who believe in majority rule.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. JAVITS. Mr. President, I do not believe in looking back, but in looking ahead. We got a licking here yesterday. In all respects, we were the constitutionalists, and not our opponents, who pleaded only for the right of veto power over legislation, which is directly contrary to constitutional authority.

They won yesterday. It is my opinion that this is a victory that will last for a long time, because it was the first time since I have been in the Senate, since 1957, that it was decided on constitutional grounds.

It was implied, however, that the form of the rule would be alleviated, and both the majority and the minority leaders are on the cloture motion. So I hope many of my colleagues who were very worried about their votes yesterday—whether they had reason to be or not is questionable—will come forward and let us do what those who argued against us said we could do if there was sufficient demand for it. When 31 Senators sign a cloture motion, that is the beginning of a very good demand. Let us hold them to the promise that they have given; namely, that if a group of Senators really want something done—always more than a majority—they can always get it done. It will be very interesting to see what happens Tuesday. Let us see how it will work.

I want to pay tribute to the Senator from South Dakota for his action on this issue. I have tried it for years. It gets to be a pretty cold Chamber sometimes when one must advocate a principle or a doctrine that he believes is essential to the freedom of our Nation and its traditions. The Senator has comported himself with full credit and in the highest traditions of this great body.

Mr. McGOVERN. I thank the Senator. When I came into the Chamber on the opening day, I had no intention of having a major role in the rules fight, but because the Senator from New Mexico [Mr. ANDERSON] did not feel he had the extra energy and strength to carry on the fight for a three-fifths rule in addition to all his other duties, he cast around for one who conscientiously believed in a three-fifths rule—not in the majority rule, but only in a three-fifths rule, as a practical compromise—and I happened to be one who fell under his eye.

Mr. JAVITS. We are lucky that the Senator did.

Mr. McGOVERN. I thank the Senator for his past efforts and his present efforts in this area.

Mr. President, I am sorry that the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Georgia [Mr. RUSSELL] left the Chamber. Before the Senator from Arkansas [Mr. FULBRIGHT] left, he cited George Norris, and some of the other great figures in the Senate who are ordinarily associated with liberalism, as very strong defenders of the filibuster; of complete and unlimited debate.

Senators may recall that just a week ago, in his opening statement, the Senator from Georgia [Mr. RUSSELL] has this to say, and I am reading from the RECORD of January 12:

> I have sat in this Chamber with men who were real liberals. They did not have to get a big badge and write on it, "I am a liberal," and run around the country saying, "I am a liberal. Look at it. Here is my badge."

Then the Senator from Georgia mentioned names like William Borah, George Norris, and Hiram Johnson.

Mr. President, I have been a longtime admirer of the men mentioned by the distinguished Senator from Georgia, particularly the distinguished Senator Norris, from my neighboring State of Nebraska. He has been a political hero of mine for as long as I have been interested in political issues. So I took the time to go back and see what Senator Norris' views were on this issue of changing the rules, and also his views on the concept of unlimited debate.

Senator Norris made his national reputation in the House of Representatives as an independent Congressman who led a courageous and successful fight to change the rules of the House. He it was who engineered the successful rules change which broke the dictatorial power of Speaker Cannon. As Prof. Richard Lowitt, the careful biographer of Senator Norris, has written on page 127 of his biography:

> Norris' resolution of May 16, 1908, providing that all standing committees be appointed by the Committee on Rules instead of the Speaker "heaped upon him the displeasure of the Speaker and most of the party leaders in the House of Representatives. . . . It meant that almost all the favors and courtesies extended to other Congressmen would be denied to him. The die was cast when he presented this resolution. Norris now would have to place principles above party as long as he remained in political life. It was this resolution of May 16, 1908, more than any other single event that made Norris into an insurgent Republican, one who would challenge a fundamental pillar of party control, and eventually the outstanding independent in American political history."

It is true that when Senator Norris first came to the Senate he used the filibuster on occasion, but his mature judgment was that a majority of the Senate should have the right to terminate debate after a reasonable discussion.

I notice in the press that there may be a change in one of the rules in college football so that a lineman cannot move down on a player receiving a punt until the ball is kicked. I personally think that rule would be a mistake. It is going to change the proportionate power of the offense in football. Nevertheless, if that rule is adopted, everybody will observe it and play under the rules. So no one can blame Senator Norris for using the filibuster rule while he was here. But let us see what he had to say about it. Let us see what his mature convictions were on that concept. In his autobiography, which he wrote after he left the Senate, shortly before he died, he said, at page 175—and remember, this is the Senator who is cited by our distinguished colleague as one of the advocates of the filibuster rule:

> Filibusters often have been a national disgrace. The filibuster is a legislative weapon to be employed sparingly, if at all.

Continuing:

> Filibustering is made possible under the rules of the Senate and not under any law. It could be prevented largely by a simple reform; but the jealous pride with which the Senate guards its tradition of open, unlimited debate makes the adoption of the rule difficult, if not impossible; and this, to many Senators, a sacred right often put the Senate in a very ridiculous and sometimes, I think, unpatriotic position.

Then, continuing on page 176 of Senator Norris' autobiography:

> I have always felt, especially since the adoption of the lame duck amendment—

And Norris was, of course, the author of that amendment—

> there ought to come a time under fair and judicious Senate procedure when useless and unnecessary talk should cease, and a majority of the Senate should be able to express its will.

Then, on page 183 of Senator Norris' autobiography, referring to the cloture amendment which was adopted in 1917—the same rule XXII under which we now operate, with one minor change made in 1959—Senator Norris wrote:

> This cloture amendment adopted to the rules at this special session was a landmark in the history of the United States Senate. I favor it. I believe I would go still further in limiting debate, especially after a question has been discussed for some time by the Senate. The Senate would be justified during those closing hours of the session in invoking the cloture rule by majority instead of two-thirds vote.

So there is the judgment of the Senator whom our distinguished fellow Senator from Georgia has described as a real liberal, who is worthy of the respect of us all.

Senator Norris' action on the filibuster—the celebrated Norris-La Follette filibuster—is ordinarily associated with the highly publicized filibuster of 1917 on President Wilson's request for authority to arm merchant vessels and to wage limited naval war. Yet, how many people realize that that effort was not really a filibuster at all? It began on the 1st of March and it ended on the 4th of March, when the Senate adjourned, and actually lasted only 3½ days.

President Wilson had submitted that request to Congress at a joint session on February 26, and after just 2 days of discussion, the House passed the measure on March 1, and the Senate began its consideration at that time. I think the Senate debate actually began, formally, on March 2, and on March 4, the third day later, the Senate adjourned. That was the end of this so-called filibuster that is so often associated with Senator Norris and Senator La Follette.

I personally think, in retrospect, that this was so grave a matter that the request of President Wilson for authority in advance to, in effect, wage limited naval war should have been debated for at least 3 days. No one could properly conceive of this as an unreasonable use of the Senate's powers. Indeed, I regret that many times the Senate does not deliberate long enough on serious matters.

We rush through enormous military appropriations that embrace half the entire Federal budget with only a few minutes or at best a few hours of sporadic debate. Usually, those appropriations are not challenged at all. Yet, they involve expenditures of $50 billion, $60 billion, and perhaps this year, $75 billion of the taxpayers' money. They indirectly affect the lives of millions of American soldiers, the security of the American people, and perhaps the peace of the world. But for some reason or other, anyone who suggests that the various features of these enormous military bills should be critically examined on the floor of the Senate and debated and discussed at some reasonable length is looked upon as though he were some kind of an anarchist.

This was the attitude that was taken toward Senator Norris and his colleagues in 1917 when they sought to prevent what they thought was the path to an unnecessary war. President Wilson, whose judgment I usually respect but with whom I take sharp exception in this case, said of Norris and his colleagues:

> A little group of willful men, representing no opinion but their own, have rendered the great Government of the United States hopeless and contemptible.

I personally applaud these men in retrospect for standing up to their convictions that a general blank check to the President to wage limited war should have been debated for at least 3 days. As I indicated a while ago, I wish we had spent 2 or 3 days debating the blank check request that came to the Senate in August of 1964, associated with the Bay of Tonkin crisis.

But somehow, the highly advertised deliberative nature of the Senate and its great tradition of extended debate seldom seems to work at such crucial times. Ordinarily, it is only on some such matter as a proposal that all Americans be treated with equal justice regardless of the color of their skin that we see the highly touted tradition of extended debate brought out on the Senate floor.

And then, the debate is frequently nothing more than a stalling tactic in which old arguments are rehashed ad nauseum.

I hope and pray that when the Senate votes on cloture next Tuesday that those who talk about the dignity of the Senate and the sanctity of rule XXII will not use that rule to prevent the Senate from coming to a vote on a simple motion to take up the very conservative, or what was described by the Washington Post as the extremely conservative, proposal by Senator MORTON and myself, that would permit the Senate to terminate debate by a vote of three-fifths of those present and voting.

Mr. President, I yield the floor.

EXHIBIT 1

[From the Washington Post, Jan. 13, 1967]

FIGHTING THE FILIBUSTER

The most striking aspect of the anti-Filibuster fight in the Senate is the extreme conservatism of the reforms offered. Senators McGovern and Morton are asking only that the number of Senators required to end debate be reduced from two-thirds to three-fifths, or, if all were present, from 67 to 60. Senators Kuchel and Clark would permit debate to be ended by a constitutional majority (51) regardless of how many members might be present and voting. And this cut-off could be invoked only after discussion of the issue had been in progress for 20 days or more.

The more liberal of these measures stops somewhat short of meeting the argument that any systematic frustration of majority action is unconstitutional. A rule that would permit the Senate to chew over every highly controversial issue for 20 days or more without restraint could be a potent source of obstruction. No doubt Senators Kuchel and Clark have made their resolution extremely lenient in the hope of establishing the principle of majority cloture. But in practice it would require substantial refinement before the Senate could be regarded as a modern legislative body.

We agree, however, with the view that the most important thing is to establish the principle of majority cloture. With that once recognized, the Senate would be free to bring about further changes by majority action wherever the need for it might arise.

The right of the majority to work its will in the Senate has become the foremost issue before that body. We think it ought to be decided this time before the Senate turns to other business. There is strong hope that Vice President Humphrey will rule, when the right moment comes, that the Senate has a constitutional right to modify its rules by majority action in disregard of the odious Rule 22. The whole country has an interest in demanding that Mr. Humphrey stand by his convictions of the past on this issue and that the Senate sustain him.

Nothing is to be gained by further procrastination. The question is one of preparing the Senate to meet its broadened responsibilities in addition to reinstating the constitutional principle of majoriy rule. It is a principle worth fighting for, and those who are carrying the burden of the battle ought to have unflagging support until their objective has been won.

[From the Washington Post, Jan. 10, 1967]

UNCONSTITUTIONAL RULE

Suppose the United States Senate should adopt a rule providing that all civil rights bills and various other important measures coming before it could be passed only by a two thirds vote! Members would cry immediately that it was unconstitutional. The country would raise a furor. If a case could ever be brought before the Supreme Court, the rule would doubtless be striken down as a clear violation of Article I, Section 5, of the Constitution which provides that "a majority of each [house] shall constitute a quorum to do business."

In effect, however, the Senate now has such a rule. It is the infamous Rule 22 requiring a vote of two thirds of those present and voting to end debate so that the measure before the Senate may be voted up or down. During the 89th Congress seven votes were taken to end debate. Only one succeeded. This is a typical performance. In several vital areas of policymaking the Senate acts only if two thirds of those present are ready to vote in the affirmative.

This is a shocking betrayal of democratic government. The Senate itself, with its two members from every small state as well as from the large ones, is a rather formidable check on popular rule. When it requires a two thirds vote on ordinary legislation in which all the people are interested, the result is a grave abuse of its prerogative.

To our way of thinking, this impediment to the legislative process is flatly unconstitutional. Of course the Constitution gives each house authority to determine its own rules. But this is not *carte-blanche* power to make rules that thwart the Constitution itself. Rule 22, as it has come to operate, is in flagrant defiance of the constitutional mandate that both houses of Congress operate by majority action, except where the Constitution itself makes an exception. In effect the Senate has amended the Constitution so as to require a two thirds vote for passage of some ordinary legislation—applying the same rule that the constitution lays down for impeachments and consent to the ratification of treaties.

The attack upon Rule 22, as the 90th Congress assembles, ought to be centered on this critical weakness. Any requirement that a two thirds vote must be obtained before the Senate can pass ordinary legislation is unconstitutional, not merely when the Senate meets and considers new rules. It is unconstitutional every day in the year.

A distinction must be drawn, we think, between a constitutional provision which lays down a principle and one that merely confers rule-making power. The Constitution as a whole exudes the highest respect for the majority-action principle. We think former Vice President Nixon was right when he wrote in his 1957 advisory opinion on this issue that the Senate may adopt new rules "under whatsoever procedures the majority of the Senate approves." And since this right of the majority is rooted in the Constitution, it follows that a new majority must be free to change the rules whenever it wishes to do so.

The best way to end filibustering for all time is to lay down a barrage against Rule 22 until its unconstitutionality is everywhere recognized.

MAJORITY RULE IN THE SENATE

The filibuster has for too long besmirched the reputation of the United States Senate. It is a parliamentary device that enables a minority to outvote a majority. It is an opportunity for die-hards to substitute stubbornness and lung power for compromise and reason in the conduct of public business, and to do so successfully. Once regarded as the shield for the racial preferences of a particular region, it has become the handy weapon for all sorts of special interests.

When the Senate meets next week to organize for the coming two years, it has its biennial opportunity to revise the rule that permits the filibuster. As matters now stand, a vote of two-thirds of the members present and voting is required to end debate on any issue, including the question of revising the rules themselves. But when the Senate of a new Congress organizes, it does not have to continue the old rules in force. It can simply decide by majority vote to close debate and adopt new rules.

The only requirement is that the Vice President, the presiding officer of the Senate, affirm that the majority does have this power at the outset of a new Congress. If there are the votes to back up his judgment, there can be no reversion to filibuster. Richard M. Nixon, while serving as Vice President, twice expressed this opinion, but the votes were not present to sustain him. Vice President Humphrey will have a comparable opportunity next week. Since he publicly agreed with Mr. Nixon's rulings in the past, there is no reason to suppose that he will reverse himself now that the responsibility has passed to him.

It used to be argued that the rules automatically continued in force since the Senate is a "continuing body." But, clearly, it continues only in the severely limited sense that its members have overlapping terms.

Otherwise, all proposed bills, treaties and resolutions die every two years at adjournment. The committees and employees of the Senate also have to be redesignated biennially.

Time-wasting talkathons do not enhance the deliberative process of the Senate; they stultify it. A majority of the Senate can reassert proper control over its own work by abolishing the filibuster in the new Congress.

FIRST JOB FOR THE SENATE

The first major decision the Senate will have to make in 1967 is whether to continue its deference to minority rule. A group of Senators will try once more to upset the notorious Rule 22, which requires a vote of two-thirds of the Senators present and voting to cut off debate. If they succeed, a new era of majority control will begin in the Senate. If they fail, the country will continue to be plagued by the filibuster with its frustration of the national will in many vital areas of policymaking.

Numerous efforts to upset Rule 22 have failed in the past in some measure because they have been linked with the argument that the Senate is not a continuing body and is therefore entitled to adopt new rules at the beginning of each new session. Since the Senate has traditionally functioned as a continuing body, this line of reasoning has met with stiff resistance. But a shift of emphasis this year could lead to better results. It is entirely reasonable to argue that, even though the Senate is a continuing body, its members have a right at the beginning of a new Congress to modify their rules by majority action if they so desire.

This right stems from the Constitution, which provides that "a majority of each [house] shall constitute a quorum to do business" and that "each house may determine the rules of its proceedings." In effect Rule 22, as it now stands, denies this right of majority control, for it permits a minority to defeat any change in the rules by an endless filibuster.

The first responsibility for initiating a change will fall upon Vice President Humphrey. He will be asked to rule that the Senate has authority to adopt new rules at the beginning of its session under ordinary parliamentary procedure, Rule 22 notwithstanding. If he does so, an appeal to the Senate will be taken, but any Senator could then move to force the issue, thus cutting off debate. And if a majority should sustain the Vice President, majority cloture could then be adopted by a majority vote of those present.

In 1963 Vice President Johnson, who is the author of the present two-thirds cloture rule, declined to make the ruling that will be sought from Mr. Humphrey. He took the view that the Vice President does not have the power "to determine when he thinks

Senators have talked enough." But this seems to us an evasion of the real issue. What the Vice President is asked to do is not to determine the issue for the Senate but to give the Senate an opportunity to decide for itself—without being frustrated by endless debate.

Vice President Nixon gave an advisory opinion in 1957 that the Senate could adopt new rules "under whatever procedures the majority of the Senate approves." Rule 22, he concluded, could not deny the membership of the Senate "the power to exercise its constitutional right to make its own rules." Here is the nub of the issue. As it now operates the undemocratic Rule 22 is depriving the Senate of its constitutional right to make rules by majority action.

Of course the fact that the Senate attempted to insulate its rules against change unless a two-thirds vote to end debate could be obtained, does not alter the constitutional provision for majority action. We think the Senate ought to put the Constitution above Rule 22, and this will create an opportunity to change the rule by majority vote.

Aside from the constitutional question, the reform is long overdue. Filibusters waste an inordinate amount of time in the Senate and often result in minority decisions on the most vital issues. The time has come to sweep away this irrational handicap on the Senate without prejudice to its standing as a continuing body.

[From the Evening Star, Jan. 18, 1967]

MINORITY SAFEGUARD

The Senate, since its creation, has been a shield against the hasty, impetuous or reckless imposition of majority will on the minority. This is a much-needed safeguard, and we hope it will be preserved.

It is this issue which lies at the heart of the recurring efforts to change or abolish Senate Rule 22, the rule which requires a two-thirds vote of senators present and voting to cut off debate, and which once again is under attack by the "liberals."

The familiar argument is that there is something iniquitous about a filibuster, or unlimited debate; that it prevents the Senate from working the will of the majority; that it runs counter to the democratic concept. This argument is vulnerable on several counts. One which might be mentioned is that the liberals have not hesitated to use or threaten to use the filibuster weapon when they thought it served their purpose. More to the point, and the record will bear this out, a vote can be obtained in the Senate under the two-thirds rule if the issue is important enough and if the case for the legislation in question is persuasive enough. Of primary importance, however, is the fact that ours is not a political society based on the notion of simple majority rule. There are several constitutional safeguards against what has correctly been called "the tyranny of the majority." In our national legislative procedures, however, it is the Senate which affords this protection, a protection which is at war with the concept of automatic majority rule.

There are several possibilities in sight this year. One is that the two-thirds rule will be retained, and we think it should be. Another is that this rule may be modified by permitting three-fifths of the senators present and voting to end debate. Lurking in the background, however, is a third possibility. Heretofore, the Senate has functioned as a continuing body—which means that its rules cannot be changed by majority vote. But there is a move afoot to alter this, to do away with the continuing body concept and permit a simple majority to change the rules as each new Congress takes office. The procedures to this end are complex. But such a change conceivably might come about through a ruling by the presiding officer, the Vice President, or by a majority vote of the senators, depending upon how the question is submitted.

If this should happen, it would of course be easier for the Senate to pass more laws—at the expense of protection of minorities. Senator Ervin offered the best comment on this when he said that "we're already the most law-ridden people in the world." And the minority leader, Senator Dirksen, has said that if majority vote is established the Senate rules "won't be worth 40 cents."

Our sentiments exactly. The Senate rules have served the country well over the years, and it would be a mistake to tear them up now.

Mr. **KENNEDY** of Massachusetts. Mr. President, I am pleased to be a signer of the cloture motion filed by the distinguished majority leader. I hope that with the support of both the majority leader and the minority leader this body will, in its finest traditions of fairness and constructive cooperation, which make the Senate a keystone of our Nation, be able to reach the merits of the resolution proposed by the Senator from South Dakota.

The fact that I was in the minority yesterday has not changed my views on the issues presented. It remains my position, and I believe the discussions and rulings—or nonrulings—support me in this, that the only rules which carry over from the 89th to the 90th Congress are those in which a majority of the present Senate has acquiesced. It is my understanding that under this theory, since we are still debating the question of what ought to be the new rule on termination of debate, we have not yet adopted rule XXII for this Congress. Thus I want to make it clear that I am adhering to the position I took in voting yesterday, and that by signing the cloture motion, I am merely agreeing with what I hope will be a majority of the Senate that we use procedures analogous to those of the old rule XXII for the purpose of controlling debate on the question of what ought to be the new rule XXII.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON MONDAY, JANUARY 23

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 12 o'clock noon Monday next.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

STATUS OF THE GREEK-TURKISH ECONOMIC COOPERATION PROJECT

Mr. **JAVITS**. Mr. President, I take pleasure in announcing substantial progress in the work of the project for Greek-Turkish economic cooperation.

During the week of November 14, 1966, the NATO Parliamentarians' Conference—renamed the North Atlantic Assembly at the November 1966 Plenary Session—held its annual meeting in Paris. During that same week, there was a meeting of the Special Committee on Developing NATO Countries of the Conference, of which Committee I am Chairman. There was also a special meeting attended by some 85 business and industrial leaders, academicians and Parliamentarians, of the International Advisory Commission which has been formed to help provide distinguished private enterprise leadership to the project for Greek-Turkish economic cooperation. It will be recalled that the project was inspired as a sequel to the success of ADELA, which is now well established in Latin America and which had its origins in work which I initiated through the Economic Committee, of which I was then Chairman, of the NATO Parliamentarians' Conference. The success of ADELA led to the suggestion that a project looking toward both the economic development of and cooperation between Greece and Turkey would be a proper function of the NATO Parliamentarians. In fact, the progress made until this date clearly shows an initiative of this sort, carried out under the aegis of and with the sponsorship of an organization like the NATO Parliamentarians' Conference, and relying upon the private sector, can be an enormous force for fruitful cooperation and for sound economic development.

Mr. President, I may begin this statement by saying that immediately after the meeting of the NATO Parliamentarians in Paris, I went on a special trip to Greece and to Turkey, where I had the pleasure of discussions with both Prime Minister Stefanopoulos and Prime Minister Demirel, and where I met with the representatives of the Foreign Offices, the Ministers relevant to this project and with leading members of the business communities. Also, I had the privilege of an audience with the King of Greece at which the Queen was also present. In addition, I delivered an address at an extraordinarily well attended meeting of the Propeller Club in Istanbul, Turkey.

Together with my Greek and Turkish colleagues on the NATO Parliamentarians' Committee, Messrs. Spanorrigas and Gulek, I visited the region of the Evros-Meric River, the border between Greece and Turkey in Thrace, which is one of the areas which has been under intensive survey by the Greek-Turkish Economic Cooperation Project. Also, while in Athens, a meeting attended by high officials of the Greek and the Turkish tourism administrations, called under the aegis of the Special Committee made concrete plans for carrying on cooperation in the very important field of tourism and which worked on selecting specific zones in which the two countries will concentrate both private and public efforts toward a complementary development of tourist resources.

In very brief summary, I can say that the initiative taken by the Special Committee on Developing NATO Countries, has been greeted and is being greeted with great receptivity in both governmental and private circles in both Greece and in Turkey. Governmental support comes on a nonpartisan basis: I had previously discussed the project with former Prime Ministers Papandreau and

Inonu, both of whom are now in the opposition, and they supported the project as well. More than this, this support is being translated into specific acts of cooperation, which are all the more significant in view of the continuing stress of the unresolved problem of Cyprus. The purpose of the Greek-Turkish Economic Cooperation Project can in no way be aimed at resolving the Cyprus problem. It is, however, widely recognized that in promoting a channel of economic cooperation and communications, the project has helped to establish a climate in which negotiations between Greece and Turkey might be carried on.

Under the administrative direction of its Executive Director, the Honorable Seymour J. Rubin of the United States. and its European director, Mr. Albert Zumbiehl of France, the project for Greek-Turkish economic cooperation has made great progress. Two events, which have recently occurred, perhaps may be taken as demonstrating this progress in specific terms. In the first place, the decision was taken during the meetings of November 14, 1966, in Paris to set up a permanent institution for Greek-Turkish economic, cultural and educational cooperation, to be named the Eastern Mediterranean Development Institute. Second, the Ford Foundation, which has been a principal financial supporter of this project from its early days decided through the action of its Trustees in December 1966 to continue its support of the project and to make a grant of $112,500 for the period January 1, 1967 to June 30, 1968. This grant, like the previous grant of the Ford Foundation, will be matched by donations in cash and services on the part of others—foundations, international institutions, and a large number of interested private corporations and individuals who feel that the work of this project is contributing to peace, stability and development in the all-important area of the Eastern Mediterranean.

At the meeting of the International Advisory Commission, composed of distinguished persons from the private sectors of the NATO countries, with observers from such international institutions as the United Nations, the Organization for Economic Cooperation and Development, the E.E.C., the Food and Agriculture Organization, and the World Bank, it was decided first that the Eastern Mediterranean Development Institute be established and secondly that work continue directed toward the establishment of an Eastern Mediterranean Investment Corporation. I am appending to this statement a copy of the resolution adopted by the International Advisory Commission, after a well-prepared and full discussion session, at which strong support for these two projects was voiced by all of the numerous speakers. I also append hereto a copy of the report presented by the rapporteur of the Special Committee on Developing NATO Countries, my distinguished colleague, the Hon. Theodore Westerterp of the Netherlands, which contains a résumé of the work which has been done and the progress which has been made by the project. Finally, I am appending hereto a copy of the resolution recommended by the Special Committee to the Plenary Session of the NATO Parliamentarians, which was unanimously adopted by the Conference.

In brief summary, it may be noted that two institutions are contemplated, with the decision having now been taken definitely to establish one of them; that is, the Development Institute. The Development Institute will be incorporated as a nonprofit corporation under the laws of the District of Columbia, but will at a suitable date establish its principal operating headquarters in Europe. The Institute will devote itself to research and studies in the field of mutual economic, cultural and educational advantage to Greece and Turkey, and perhaps, as time goes on, to other countries in the same general region of the Eastern Mediterranean. Moreover, the Institute will undertake sectoral analyses and prefeasibility studies which will directly lead into feasibility studies and investments of economic advantage to, and of mutual interest to, Greece and Turkey. It will in all cases work closely with other international bodies interested in the same area of work, cooperating fully with NATO, with the OECD, with the institutions of the Common Market, and of EFTA, and will particularly work with the various United Nations institutions or specialized agencies. Included among these will be, most prominently, the United Nations development program, headed by the Honorable Paul Hoffman, and such specialized agencies as the Food and Agriculture Organization. It will also cooperate, as has been the case with the Greek-Turkish economic cooperation project, with the International Bank for Reconstruction and Development—the World Bank—and with the International Finance Corporation. Fially, it will be the center for organization of the Eastern Mediterranean Investment Corporation.

It is hoped that the Development Institute will be established by the middle of 1967, with a board of directors broadly representative of business and industry not only in Greece and Turkey, but also in other countries of the free world. At the specific request of our friends from Greece and Turkey, a continuing liaison will be maintained with the Parliamentarians' Conference by the designation of a special parliamentarian class of directors on the board of directors of the Institute. I am pleased that my colleagues on the Special Committee on Developing NATO Countries, Hon. Kasim Gulek of Turkey, and Hon. Alexander Spanorrigas of Greece, and Hon. Theodore Westerterp of the Netherlands will serve with me on the board of directors of the Institute. The agenda for the Institute has in a sense already been preliminarily prepared, since the various reports and studies which have been made under the aegis of the project contain special recommendations for further work which can appropriately be taken up and further developed by the Institute. In addition, various projects have been under consideration as, for example, a traveling seminar on economic development, to be undertaken jointly with the Development Center of the OECD. The Institute seems therefore likely to get off to a good start and to be able to make a major contribution from the time of its organization onward.

The second of the permanent institutions is the proposed Eastern Mediterranean Investment Corp. work on which was strongly endorsed by the International Advisory Commission of the Greek-Turkish Economic Cooperation Project.

The investment corporation will be, when it is formed, an institution resembling a development bank and investment company, operating on a regional basis in the eastern Mediterranean. It is hoped to set it up with a capital of approximately $10 million, with at least one-quarter of the sum coming each from Greek and Turkish sources. The remainder of the capital would come from private investors outside of Greece and Turkey, and hopefully from international financing organizations. In addition to these resources, the investment corporation would have available to it a considerable amount of borrowing capacity, and would look toward long-term loans from public and private sources to enable it to carry on its activities.

It is quite likely that before the corporation is organized or simultaneously with it, a technical and management services corporation would be established to develop feasible and well-prepared projects for financing by the proposed investment corporation and by outside investors.

It is difficult to exaggerate the importance in the area of such an organization. Its role would be not merely to make investments in the field of economic development out of its own resources, but to guide and encourage similar investments from other sources of capital, and to play a coordinating and supervisory role in finding and analyzing sound development opportunities. In doing so it may well have a multiplier effect in the promotion of investment in economic development well beyond the resources which will be at its own disposition.

My own discussions with bankers, industrialists and officials of development institutions in the area and abroad lead me to the conclusion that an organization such as the Eastern Mediterranean Investment Corp. would have an important and beneficial role and would have the strong support of those interested, particularly in private enterprise development in Greece and in Turkey. Investment opportunities in the area are substantial. These are first in the field of tourism, where the unique combination of archaeological treasures, scenic beauties and advantages of climate make possible a speedy development of a major regional resource, and suggest strongly the benefits of a cooperative effort. Beyond this, there are numerous other investment opportunities, some of which are apparent even now, some of which will be defined more adequately in the future, particularly by the sectoral analyses and the prefeasibility studies to be undertaken by the nonprofit institution, that is, the Eastern Mediterranean Development Institute.

For the rest, Mr. President, I believe that the report of the rapporteur of the Special Committee, Mr. Westerterp, speaks to the accomplishments in specific areas which have been the subject of research under the sponsorship of the Greek-Turkish economic cooperation project. There are certain features, however, of these projects which deserve to be singled out for special, if brief, mention.

A study is nearing completion on the development of the Meric-Evros River Basin. This study is being completed under the direction of Prof. Hans Wilbrandt of the University of Gottingen in Germany; Prof. Korket Ozal of the Middle East Technical University in Ankara and Mr. John Broumis of the Athens Technological Institute in Athens. These academicians have put together a team of 27 German, Greek, and Turkish scientists who have been divided into 9 task forces, the majority of which have already completed their work and filed reports which are now in the process of being coordinated and fitted into the master report which will be made available in the spring of 1967. Here it is noteworthy to mention not only that the work being done is of the first quality, *and that it has been sufficiently completed* to make clear that cost-benefit ratios will be very good indeed, but also that cooperation between the Greek and Turkish scientists and parallel actions by the Greek and Turkish Governments has been both *important* and *encouraging*. Despite gloomy *prognostications* some months ago, we have found that the authorities of the two governments have cooperated fully in furnishing information out of their official files, in making visas available to the nationals of the *other countries, and in providing all of* the facilities necessary for an effective study of the river basin. We may expect therefore a sound and extremely useful report in the next few months, on the basis of which a thorough-going feasibility study, going into more specific detail, may be expected. On the basis of such a feasibility study, so far as one can presently see, an extensive development program in the field of irrigation and land management might well be undertaken by Greece and Turkey. Such a project would necessarily require and would undoubtedly attract international financing, with its cost perhaps being in the area of some $150 million, but with cost-benefit ratios which, so far as can be seen at present, somewhere in the neighborhood of 4-to-1.

One further problem with respect to the Meric-Evros exists. This results from the fact that the upper reaches of the river lie in Bulgaria—where the river is called the Maritsa. Although a substantial amount of work could usefully be done by Greece and Turkey even without regard to Bulgaria, it becomes increasingly apparent that discussions with Bulgaria as to its plans on the upper reaches of the river and its tributaries is relevant and important. There exists at present an agreement for consultation on river development projects between Greece and Bulgaria, an agreement which, however, has until now not been implemented. During my trip to Greece and to Turkey, I had extensive discussions about this situation. It is fair to suggest that both countries are agreed that some discussion with the Bulgarian authorities would be extremely desirable, if not essential. Discussions of this sort would be extremely important not only in connection with the Meric-Evros project, but also in respect of the policy of an eastern European country to cooperate on a project which could only bring benefits to the entire region.

The reports which have been made on the subject of agriculture, transport and fisheries are adequately summarized in Mr. Westerterp's report, and I need not comment further on them in this statement other than to say that they illustrate very well the benefits which can be expected through mutuality of effort in an area which is as economically integrated, by the forces of nature and geography, as that of Greece and Turkey.

I have already mentioned the subject of tourism. This has been under intensive study and discussion, and the discussions which I chaired in Athens on November 19, 1966, resulted in specific decisions which will enable this project to move forward soundly and rapidly. It proved possible to obtain agreement *between the tourist authorities both of* Greece and of Turkey as to the selection of several correlated areas which will be intensively studied and in which a special development effort will be made. A preliminary consideration of a priority area, *including the Greek Island of Mytilene—Lesbos—and the Turkish* area around Ayvalik has already been made. A special small study committee is being set up to delimit both the geographical and functional areas of cooperation in that area. The results of its work *will be presented to an international* meeting on the *subject of tourism which* has been tentatively scheduled for the early part of May 1967. The agenda for this meeting has been put in reasonably final form and has been accepted on both sides; and we have every reason to expect that cooperation by the Turkish Minister of Information and Tourism, the Greek National Tourist Organization, the private sector in both countries, and foreign investors could result in substantial and prompt benefits to the economies of both Greece and Turkey.

In summary, therefore, Mr. President, I can say that the project which was launched by the Special Committee on Developing NATO Countries of the NATO Parliamentarians' Conference has demonstrated the validity of the concept of binational economic cooperation. Again, I should reiterate that the issue of Cyprus forms a background which cannot be ignored and which obviously delimits the scope of such cooperation. Yet, the fact that the very pressures of the Cyprus issue give special significance and special merit to an effort like that which I have described—an effort which presents the attempt on the part of friends of Greece and Turkey to seek nonpolitical methods of communication and of cooperation. Hopefully, these methods will be extended and expanded into a long-term and intensive program of regional cooperation which will yield benefits which will accrue not only to the countries in the area, but to all of the others of the free world whose history is so intimately associated with the Eastern Mediterranean.

Mr. President, I ask unanimous consent that a resolution, a recommendation, and *the report of the* Special Committee on Developing NATO Countries of the NATO Parliamentarians' Conference, 12th Annual Session, be printed in the Record at this point as a part of my remarks.

There being no objection, the resolution, recommendation, and report were ordered to be printed in the Record, as follows:

NATO PARLIAMENTARIANS' CONFERENCE, 12TH ANNUAL SESSION, SPECIAL COMMITTEE ON DEVELOPING NATO COUNTRIES—A RESOLUTION

The International Advisory Commission of the Project on Greek-Turkish Economic Cooperation,

Having considered the documentation and the reports available at its meeting of November 14, 1966,

Resolves

I. (a) that in accordance with the recommendations of the Task Force on Institutional Arrangements, the Eastern Mediterranean Development Institute be established;

(b) that its chief operation centre be established, *as conditions permit, in Europe;*

(c) that it work in close collaboration with other private and public international and national institutions in the development field, particularly the institutions and specialized agencies of the United Nations, NATO, the OECD and the EEC;

(d) that in all cases it should seek the means of co-ordinating its activities with the national planning agencies in Greece and Turkey, without interference with national programmes and projects;

(e) that to the extent practicable it operate through existing competent organizations in the development field, and that it *limit its operations to those of planning,* consulting, co-ordination, contracting for development activities, and supervision thereof.

II. that work continue directed toward the establishment of an Eastern Mediterranean Investment Corporation, based in general on the documentation previously prepared and available at the meeting of November 14, 1966; and that such corporation concern itself with projects in the private sector of mutual interest to Greece and Turkey, including tourism, and in accordance with the Basic Points of Agreement agreed to by the Task Force on Institutional Arrangements at its meeting in Rome on September 27–28, 1966.

Final version of resolution adopted unanimously

NATO PARLIAMENTARIANS' CONFERENCE, 12TH ANNUAL SESSION, SPECIAL COMMITTEE ON DEVELOPING NATO COUNTRIES—A RECOMMENDATION

The Conference,

Recognizing the desirability of providing Greece and Turkey with facilities for study and investigation aimed at speeding up the economic development of those countries within the geographical area and in those sectors where they have common or interdependent interests;

Noting that there is no organization for this purpose and further noting, on the one hand, that none of the existing national bodies could be expanded so as to carry out bi-national action of this kind and, on the other hand, that it is important to ensure continuing co-ordination with the specialized international institutions carrying out partial studies which are customarily directed towards one or other of the two countries but which do not take account of their common interests;

Considering that all the nations of the Atlantic Community should combine their efforts for the purpose of providing the Eastern Mediterranean with a preliminary pilot development study of which Greece and Turkey would be the initial beneficiaries;

Having observed with satisfaction the first results of the studies carried out over the last 18 months within the framework of the project for economic co-operation between Greece and Turkey, and having been informed of the broad lines of the sectorial surveys carried out, together with the conclusions drawn by an international consultative committee and ad hoc committees in respect of the establishment of two permanent institutions;

I. Recommends:

(a) that in accordance with the recommendations of the Special Committee on Developing NATO Countries, an Eastern Mediterranean Development Institute be established to carry on the Greek-Turkish Economic Co-operation Project:

(b) that its chief operation centre be established, as conditions permit, in Europe;

(c) that it work in close collaboration with the other private and public international and national institutions in the development field, particularly the institutions and specialized agencies of the United Nations, NATO, the OECD and the EEC;

(d) that in all cases it should seek the means of co-ordinating its activities with the national planning agencies in Greece and Turkey, without interference with national programmes and projects;

(e) that to the extent practicable it operate through existing competent organizations in the development field, and that it limit its operations to those of planning, consultation, co-ordination, contracting for development activities, and supervision thereof.

II. Invites: the NATO Council to recommend to the Governments of member countries that they support by all possible means the Greek-Turkish Economic Co-operation project.

NATO PARLIAMENTARIANS' CONFERENCE, 12TH ANNUAL SESSION, NATO HEADQUARTERS, PLACE DU MARÉCHAL DE LATTRE DE TASSIGNY, PARIS 16E 14TH TO 19TH NOVEMBER, 1966

(Report of the Special Committee on Developing NATO Countries presented by Mr. Th. E. Westerterp, Rapporteur, International Secretariat, Paris, November 1966)

I. INTRODUCTION

I wish to draw the attention of the Special Committee and of the x NATO Parliamentarians' Conference to the progress which has been made by the Project on Greek-Turkish Economic Co-operation, under the supervision and direction of the Special Committee on Developing NATO countries.

During the course of the past year, a considerable amount of work has been done on the Project. Progress has regularly been reported to the Special Committee and to the NATO Parliamentarians' Conference, both at the Tenth and the Eleventh Annual Meetings.

Since the Parliamentarians' Conference of October 1965, there has been a meeting of the Executive Committee of the International Advisory Commission, held together with the Special Committee in Paris on 12th November, 1955. At that meeting a number of working documents were presented. Subsequently, meetings of the International Advisory Commission and of the Special Committee on Developing NATO Countries were held, both jointly and separately, in Paris on 11th and 12th May, 1966 and on November 14th, 1966.

At the Tenth Annual Session Document G. 126/EC(64)30/DNC.4, entitled "Status of Greek-Turkish Project" was submitted by Senator Jacob K. Javits. At the Eleventh Annual Session of the Parliamentarians' Conference held in New York, 4th-9th October 1965, a working paper, Document H. 86/DNC-(65)16, entitled "Status of the Project for Greek-Turkish Economic Co-operation" was presented, again by Senator Javits. In the first of these documents, the early history of the Project was elaborated; in the second, the very considerable progress made in organising the Project and in carrying it forward to the time of the working paper was presented in detail.[1]

In view of the great detail and clarity of this documentation and reporting until now, it would not seem appropriate to attempt to spell out in painstaking detail the entirety of the activities undertaken by the Project on Greek-Turkish Economic Co-operation. What does seem appropriate, in this report, is not so much a detailed analysis of these various activities, their achievements and their problems, as an objective overall appraisal of the work done and the prospects of the co-operative effort which has been mounted under the aegis of the Special Committee on Developing NATO Countries. In order to present such a report, however, a brief recapitulation of backgroud would seem appropriate.

In turn therefore to a statement of background.

II. BACKGROUND

In November 1963, the Ninth Plenary Session of the NATO Parliamentarians' Conference established its Working Party on Less Developed NATO Countries, which one year later became its Special Committee on the same subject. Contributions from several foundations enabled preparatory work to be done. The Department of State of the U.S.A., the Secretary General of NATO, government and business in Greece and Turkey, all favoured establishment of a project to work on Greek-Turkish economic co-operation. In March 1965, the Ford Foundation approved a two-year grant on a matching basis of $150,000, and in May 1965, an organisational meeting in Paris, held in conjunction with the Special Committee on Developing NATO Countries of the NATO Parliamentarians, established the Greek-Turkish Economic Co-operation Project. A completion date of March 1967 was projected.

In this summary, in view of the extensive documentation which is already before the members of the conference, and to which reference has been made above, it is sufficient to say that the Project has sought, in its work, parallel and related objectives. One of them was, through research, feasibility studies, and the activities of task forces, to arrive at recommendations in various economic fields of mutual interest to Greece and Turkey. The second was to parallel the recommendations with the establishment of institutional arrangements which would not only promote the carrying out of recommendations agreeable to Greece and Turkey, and formulated through the Project, but which would also provide a vehicle for continuing progress toward the mutual economic goals of Greece and Turkey.

To a considerable extent, both of these objectives have been attained; but satisfactory and full attainment of them, even within the limitations which are evident for a voluntary effort of this sort, is still some time in the future. For this, there are two basic reasons.

One of these reasons is the complexity of the economic problems themselves. Economic problems, as all of us know, do not respond readily to generalised solutions. With the best will in the world, persons—or nations—concerned with such problems often view the problems, and the answers to them, in different lights. To take an example, out of the several which have concerned the Special Committee, it is clear that co-operation in regard to Aegean tourism is desirable, in the interests of all the nations of that area. But as co-operation becomes more a fact, and as those interested in the development of tourism facilities and revenues in their own countries come to grips with actual programs, recommendations become more difficult. General resolutions are transformed slowly into meaningful acts of co-operation. The attainment of measurable results is inevitably a long-term process, particularly where so little has been done in the past, as is here the case.

The second of the reasons for some stretch-out in the target dates is the continuing persistence of the problems related to Greek-Turkish interests in Cyprus. The Project and its officials are accepted by all as taking no position on that issue. The Project has been administered impartially, and without reference to the issue of Cyprus. Nevertheless, as has been made clear to those concerned with such administration, much work must remain in a preparatory stage while the issue of Cyprus continues without amicable settlement. Political considerations are not within the scope of the Project, which focuses on matters of common and basically equal economic interest to Turkey and to Greece. But realism makes clear that certain steps which might have been hoped for—as for example the establishment of bi-national commissions or other co-operative institutional arrangements in various spheres of economic activity—cannot be accomplished without the much-to-be-hoped-for clearing of the political climate.

The work being carried forward at present on the Evros-Meric River is perhaps a good example both of success and of the limitations of that success. That work has elsewhere been adequately described, and it is understood that a special progress report will be presented during the course of the present meetings. It therefore need here be mentioned only that the Meric-Evros project has involved the grant of $100,000 by two German foundations—the Thyssen and Volkswagen Foundations—it has involved the establishment of a tripartite guiding team consisting of German, Greek and Turkish scientists, through which official governmental materials have been exchanged and made mutually available; it has involved the establishment of a larger task force of some 29 experts, dividing their work into nine separate categories, ranging from the engineering aspects of the River project to community development. During the month of June 1966, a mixed party of some 30 Germans, Greeks and Turks journeyed the length of the River, crossed it frequently, were officially entertained by the Governors on both sides of the River, and were assured of local co-operation. A report in depth, coming close to a feasibility study upon which a funding application could be based, will be produced in the early summer of 1967.

This is in itself a substantial success, and the Project, the two German Foundations, the Executive and European Directors of the Project, and particularly the German scientist who leads this work, Dr. H. Wilbrandt of the University of Göttingen, are to be felicitated on it. But it nevertheless should be observed that it has its limitations. The authorities on both sides of the River have approved the making of the study and have moved step by step to grant the necessary materials, visas, and facilities. On neither side, however, is there any commitment to carry out the recommendations thus produced, nor to set up a bi-national commission to study those recommendations, nor to take any other tangible further steps. The institutional arrangements necessary to translate the River project recommendations into dams and irrigation ditches are, in other words, still to come. Hopefully, by the time that recommendations of the staffs headed by Professor Wilbrandt are ready, tensions will have been eliminated, and the two governments directly concerned will be able to consult harmoniously in regard to those recommendations. For the moment, it is enough to observe that there will still be a substantial time before the report is finished.

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[1] Documents covering that latter meeting are J.92/DNC(66)20; J.93/DNC(66)21; J.94/DNC(66)22; J.95/DNC(66)23; J.96/DNC(66)24; and J.97/DNC(66)25.

One must therefore conclude a background report and appraisal of this sort by striking a balance. The asset side of the ledger shows a great deal—more perhaps than could have been expected. Supplemental reports to be submitted at these meetings will give details. But some items on the credit side may be noted:

1) The work on the *Evros-Meriç River*, which has surpassed all expectations, and which has brought about a mutually beneficial co-operative effort of the scientists of three countries (aided, it may be said by the American firm which made the 1953 survey of the River valley).

2) Work has been done on the problem of *agricultural exports*, particularly early fruits and vegetables. The report of an expert, selected in consultation with the Food and Agriculture Organisation, should be soon in hand. In its preparations, international organisations, such as the Food and Agriculture Organisation, the European Economic Community, the Organisation for Economic Co-operation and Development, the World Bank have all been consulted, though the report is of course the sole responsibility of the Project and its experts. The Greek and Turkish authorities, and private interests on both sides, have co-operated. The report should have substantial significance.

3) The *fisheries* problem has also been the subject of extensive study by an expert, also selected in consultation with the FAO. (It may also be mentioned that the scope and nature of both the agriculture and fisheries studies have been worked out in several discussions at FAO, EEC, and OECD). Again a report with specific recommendations is in the course of preparation for presentation during these meetings.

4) The work on *tourism*, a subject of great importance to Turkey and to Greece, and where a co-operative effort could well have important benefits for both, has been both intensive and extensive. Italconsult, the firm retained as an expert consultant, and which has done an enormous amount of work on a non-profit basis, has prepared several drafts of its several reports. That draft was then discussed once again, at a special meeting in Rome, on May 20th, 1966. Thereafter, the draft was discussed in both Greece and Turkey, and a new revision, based on written and oral comments, was prepared. The price of this careful preparation has been the postponement of the meeting scheduled for October 1966; but it should pay large dividends in a realistic and useful analysis of the tourism situation as it affects both Greece and Turkey.

5) One of the most important aspects of the Project has been its emphasis of the private sector. The interest of the private communities is evident in the lists of those attending meetings of the International Advisory Commission or its Executive Committee, or participating in the task forces set up pursuant to the decision taken at the Eleventh Annual Session of the NATO Parliamentarians' Conference. It is clear from the monetary contributions made by the private sector, and from the contributions of services and facilities by private companies. It is also most gratifying in such undertakings as those of a special task force on transportation. Here two eminent private citizens, senior officials of their companies, Mr. Samuel Smith of Canada and Mr. George Melius of the United States, have undertaken at their own expense to make a survey of transport requirements, as related to agricultural exports.

6) The interest in the Project of the great international organisations—such as the Special Fund of the United Nations, the World Bank and its International Finance Corporation, the European Investment Bank, the specialised agencies—has been solicited, and has been warmly forthcoming.

7) Finally, progress has been made toward institutional arrangements which would enable the work of the Project initiated by the Special Committee to be carried forward. At the meetings of the 11th and 12th May 1966, in Paris approval was given of establishment of an "institute" to carry on the work of the Project in the general sphere of research, studies, meetings, and exploration of desirable channels of economic and scientific co-operation. It was also decided to study establishment of a "development company", with a more specific financing role, acting as a conduit of funds to the development process.

Both of these concepts have been intensively discussed since May 1966 with highly encouraging results. In the course of the meeting of the Task Force, held in Rome at the end of September 1966, the principles of agreement for the establishment of an Eastern Mediterranean Institute (EMDI) and of an Eastern Mediterranean Investment Corporation (EMIC) have been laid down. The creation of the Development Institute could be authorised by this year's Conference. The ambitious programme which was set under way under the mandate of the Special Committee can clearly not be completed by the original target date of March 1967. For this the explanation is far from disheartening. So much has been found that could be done, so much has been undertaken, that tasks have expanded and new opportunities have opened up. The successor organisations have not as yet been created; but their outlines have been stated, their desirability agreed, and their foundations are being carefully established.

III. CONCLUSION

I propose that the Conference approve the constitution of an Eastern Mediterranean Development Institute on the lines of the following documentation

Memorandum concerning Articles of Incorporation of an Eastern Mediterranean Development Institute.

Draft Charter for Articles of Incorporation of an Eastern Mediterranean Development Institute. Revision of 30th September, 1966.

Basic points of agreement for an Eastern Mediterranean Development Institute.

These documents have been combined in J. 138/DNC(66)29

If the Conference is in agreement, the proposals which have been made by the Executive and European Directors concerning the Greek-Turkish Economic Co-operation Project could be put into effect, and it might be hoped that the commencement of the Institute's work during the first part of 1967 will permit a logical follow-up to the work of the present Organisation.

In this connection, I have pleasure in informing the Conference of the intention of the representatives of the private sector, with the help of specialised financial institutions, particularly those of Greece and Turkey, to put forward for closer study the creation of an Eastern Mediterranean Investment Corporation which would finance the projects to be carried out, resulting from the co-operative policy of our work.

RECOGNITION OF SENATOR BYRD OF VIRGINIA ON MONDAY

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that on Monday next at 2 o'clock p.m., the Senator from Virginia be permitted to speak for a period of time not to exceed 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO GRENVILLE CLARK

Mr. CLARK. Mr. President, Grenville Clark died in Dublin, N.H., on Thursday, January 12.

He was described in an editorial in the New York Times 2 days later as a great private citizen. I desire to say a few words about him at this time.

Grenville Clark was born in 1883. He was graduated from Harvard in 1903, a member of the Phi Beta Kappa Society.

He went through the Harvard Law School, and then in 1909, with Elihu Root, Jr., and Charles Byrd, formed the law firm in New York of Root, Clark & Byrd, which, during the next 50 years, became one of the great law firms in New York City.

When he was given a degree of doctor of laws at his alma mater, Harvard, he was described by President James Conant as a citizen with a high sense of duty and a stubborn defender of the rights of man.

In addition to being a highly successful lawyer in New York for many years, he rendered extraordinary service to his country in his capacity as a private citizen.

He was responsible shortly before World War I for the establishment of Plattsburgh Camps in New York, working with the cooperation of Gen. Leonard Wood, who was then Chief of Staff of the U.S. Army. It was due to his foresight that those camps turned out in the days shortly before the United States entered World War I the elite officer corps which made it possible for us to raise and support and send to France a great civilian army which turned the tide against the Germans in that great conflict.

Returning to the practice of law, he became the chairman of the American Bar Association's Committee on the Bill of Rights, and in that capacity he achieved a deserved national reputation as a defender of the civil liberties of our citizens.

The defense of civil liberties is often an unpopular task, and Grenville Clark received his share of abuse when he stood up against Mayor Hague of Jersey City in insisting that the then new CIO should have the right to assemble peacefully in Jersey City to present its members' grievances and assert their rights as a labor union.

He stood up in support of Harry Bridges when efforts were made to deport him from this country as an undesirable alien.

He stood up against Joseph McCarthy when the late Senator from Wisconsin took steps to impinge on the civil liberties of professors and other members of the faculties of a number of our great universities. In short, he was one of the leaders in the fight for academic freedom in our country.

In a third area, he was one of the members of the law profession who fought vigorously and successfully to prevent the packing of the Supreme Court by President Roosevelt, an act of considerable courage on his part because he was a great friend of Franklin Roosevelt's and approved of most of the measures which that great President supported. However, he felt that as a matter of principle the packing of the Supreme Court was wrong, and he did all in his power to prevent the legislation from being passed.

Again, he was successful, and it was in this effort that I first came to know him and to admire him and, indeed, to love him.

We were friends for well over 30 years. He was my cousin, but the relationship was so distant that it was not the family ties that bound us together, but rather his great spirit, his rugged courage, and his kindly and compassionate disposition.

When World War II came along, he again was astute enough to see that in order to raise for a second time a great civilian army to fight for freedom, we needed a draft law which would bring young Americans into the service on the basis of fairness and justice, and he was the author of the draft law in World War II, acting as an assistant of Henry L. Stimson, who was then Secretary of War.

However, Grenville Clark's greatest achievement as a private citizen, in my opinion, was the magnificent work he did during the last 20 years in the cause of world peace.

Immediately after the end of World War II, he summoned to his home in Dublin, N.H., a group of distinguished Americans who formulated the first Dublin declaration.

This was a declaration in support not only of the newly formed United Nations and its charter, but also a clear call for the citizenry of the world to rally around the cause of general and complete disarmament. To enforce world law, he organized the World Law Foundation and endowed it from his own fortune.

Together with Prof. Louis B. Sohn, of the Harvard University Law School, he wrote a monumental volume entitled "World Peace Through World Law," a book which contains a cogent argument, in legal form, in support of general and complete disarmament and the changes necessary in the Charter of the United Nations to bring this scheme into effect.

The book has gone through several editions. It has been translated into, I believe, 11 different languages, including Chinese, Japanese, and Russian.

The book was presented by Adlai Stevenson to Nikita Khrushchev during the course of a meeting they had some years ago. It is indeed a classic in the cause of peace.

More recently, Grenville Clark came to believe that there was little chance that the Charter of the United Nations could be enforced adequately in order to achieve the aim which he and Professor Sohn had in mind. He came to this view because he felt that the admission of an unlimited number of new nations to the Assembly, the veto in Security Council, the inadequacy of arrangements for raising finances for the United Nations, and a number of other fatal defects in the charter, which it was unlikely that a review conference would be willing to remedy, made it highly unlikely that the United Nations could measure up to the challenge of taking the steps necessary to review its charter so as to be an effective instrument of peace through law.

During the last year or two, Grenville Clark worked again to provide leadership for disarmament and peace, and 20 years after the first conference, there was a second Dublin conference which issued an extremely cogent and well-reasoned declaration in support of world law and peace. This document has been widely circulated. He had hoped, with others, to present it personally to President Johnson shortly after the first of the year.

He was 84 when he died, and he had been ill for some time. But his spirit never flagged. He had what turned out to be a fatal disease. But he and his doctors hoped it was held in abeyance. He had come out of the hospital in a last gallant effort to regain his health and to continue his work for peace through law, when death overtook him on the 12th of January.

I honor, as a younger friend, and did honor for over 30 years, his wise counsel, his toughness, his rugged and enormous charm, and yet, behind it all, his quiet gentleness, his sense of compassion, and his great gift for friendship. He will be missed by many, many friends, more friends than most of us ever have the privilege of acquiring; and he will be missed by thousands—no, millions—more to whom he was a leader in the cause of world peace under enforceable world law.

CONSTRUCTION OF DELAWARE EXPRESSWAY IN SOUTHWARK SECTION OF PHILADELPHIA

Mr. CLARK. Mr. President, it is apparent to me that the time has come to stop and take a look at the mess being created in our cities by the highway planners. Their constant push for new worlds to conquer is turning many neighborhoods into shambles. Indeed, no war in history has so rearranged the face of American cities as has the misguided highway program which levels homes and businesses, churches, and schools.

The immediate point of what I am saying revolves around the construction of the Delaware Expressway in the Southwark section of my own city of Philadelphia. There, ill-considered plans for a highway are creating havoc in a most historic section of the city.

Mr. President, I have been working for years to devise a proper way for highway projects to be drawn, taking into consideration the needs of the whole community.

Plans which ignore the people are an affront to the public. From what I can gather plans for the expressway in Southwark certainly have given short shrift to human considerations, ignoring the people and their homes.

Southwark residents demand a relocation of the expressway, thereby preserving their homes and historic shrines.

In a recent letter to me, the Reverend John Craig Roak, rector of Gloria Dei Church, known familiarly as Old Swedes' Church, said:

> It means a whole new approach with regard to the relocation of the design in Southwark.

I should like to call the attention of my colleagues to an excellent article by Bill Wingell in the Philadelphia Sunday Bulletin of January 8, 1967, which I ask unanimous consent to have printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A NEIGHBORHOOD IN AGONY

Husky, bespectacled Mike Evers is a longshoreman who has lived all of his 52 years in Philadelphia's riverfront community of Southwark, a section of small, neighborly streets that run from the Delaware River to Third Street and from South Street down to Washington Avenue. (Residents say these limits mark the boundaries of 18th Century Southwark, though others argue that the borders really extend farther west and south.)

Mike Evers speaks enthusiastically of Southwark. He likes tiny Fitzwater Street, where, he feels, the neighbors are particularly friendly, and he enjoys living at Number 23, a 2½-story, six-room house built by a mariner in 1808.

It's a convenient place to live, Mr. Evers finds. "All I do is fall out the door and I'm at work," quips the longshoreman, who has been a foreman on a stevedore gang for the last 17 years. He has never owned a car. "If I get caught in the weather," he says, "in 15 minutes I can be back at the house and change over." In the winter he grabs a hot meal at home for lunch.

The Evers family has lived at Number 23 since 1938. Before that, Mike's mother resided there. It's a warm, well-kept home, its narrow brick front with the white trim and attic dormer belying the comfortable spacious interior. Mike and his auburn-haired wife, Anna, have raised six children there. Two, Joe, 13, and Anthony, 11, are still at home.

Mike and Anna Evers have worked hard to fix up their house. Together, they put a concrete floor in the basement; they've painted and papered; he built an extra room for bath facilities.

And they're aware there is something special about the place; to a recent visitor, Mr. Evers displayed the letter from the city's Department of Licenses and Inspections that told them the house had been certified historic by the Philadelphia Historical Commission.

The Everses have deep roots in Southwark. So do most other Southwark residents, a majority of them children and grandchildren of Polish, Russian and Irish immigrants who got off the boats at the Washington Avenue docks around the turn of the century and just walked a few blocks north to settle in the vicinity of Front Street, in the small houses that have sheltered people of river-related occupations for some 200 years now.

But Southwark's history goes back even further. It's the oldest part of Philadelphia, having been settled by Swedes in 1653—almost 30 years prior to the arrival of William Penn.

The settlement was first called Wicaco, "the place of the pine tree camp." Later named Southwark after a district in London, it developed in the 18th Century into a community that served the needs of the city's burgeoning shipping business.

Dr. Margaret B. Tinkcom, historian in the city's Historical Commission, presented a paper on Southwark to the annual meeting in November of the American Philosophical Society. In her report, Dr. Tinkcom noted that the community's early residents included "mariners and sea captains, pilots, sailors, watermen and one pirate.

A title survey, Dr. Tinkcom related, shows that Southwark's major growth occurred between 1740 and 1770, when many homes were constructed on narrow but deep lots along Front Street and the cross roads.

Today, a surprisingly large number of these 18th Century homes still stand, along with residences constructed in the early part of the 19th Century.

"The fact that the character of Southwark has remained relatively constant over the centuries, that it did not follow the usual progression from fashionable neighborhood to commercial area to slum, but that it has maintained its status as a home for, say, middle-middle class and blue collar workers, has meant that the old houses have endured with fewer major changes than is the case elsewhere in the city," the historian observed.

But after having preserved its unique character for so long, Southwark now is in serious trouble.

The Delaware Expressway—part of Interstate 95—threatens to cut through the heart of the community. The road, as planned by the State Highway Department, will erase almost all of the buildings from the east side of Front Street to the river. Its construction, according to the Historical Commission, will result in the demolition of 131 historically-certified structures—Mike Evers' home included.

In addition, the highway will cut off from the rest of the city the area's most famous landmark, Gloria Dei (Old Swedes') Church, at Christian Street and Delaware Avenue. Built in 1700 on the site of the settlement's first blockhouse, it is the oldest church in the state and a certified national shrine.

As it passes Gloria Dei on the west, the expressway will be elevated to a height of about 24 feet. It will constitute, according to the church's peppery, white-haired rector, Dr. John Craig Roak, "a behemoth in concrete."

Over the last several years, scores of concerned persons and a number of private and public organizations have urged that the Highways Department spare Southwark and Gloria Dei by moving the expressway route about two blocks east to Swanson Street, an area comprised largely of warehouses, junkyards and some Pennsylvania Railroad trackage.

Dr. Roak, chairman of the Committee for Preservation of Historic Southwark, wants the road moved to Swanson, depressed and, in the vicinity of his church, covered. "We belong to the town and the river," the rector says. "The present route cuts us off from all approaches."

Other protesters ask that for now the road be moved over to Swanson and built at ground level, with its depression and covering perhaps following later.

On several occasions, the indignant Southwark residents and their allies have taken their protest to the streets—or, rather, to the sidewalks. Earlier this fall, about 25 housewives, most of them in their 50s and 60s, demonstrated against the proposed highway at a luncheon of the National Trust for Historic Preservation outside the restored Head House on Second Street.

They carried placards and a black, coffin-shaped box which, they said, represented the "souls" of their doomed homes.

The National Trust, a private, Washington-based organization which has supported the local effort to save the Southwark houses, was holding its 20th annual meeting in Philadelphia. It had just passed a resolution urging a restudy of the expressway issue.

The demonstrators thanked the Trust for its support and appealed to the City Planning Commission to "come to our aid." It's the Planning Commission with which state highways officials are dealing on many expressway matters.

Among the marchers that day was Anna Evers. The longshoreman's wife isn't one to mince words. About the highway planners she expressed herself pointedly: "I'd like to get a shotgun and blow all their brains out." Added the embittered housewife: "They call this a free country. It's not a free country. You have a home. You pay for it. For what?"

Another demonstrator, Miss Florence Waligorski, insisted: "I just don't think it's just; it's not justice." The 52-year-old Miss Waligorski works as a wire-winder in an electronics plant and lives with two sisters at 907 South Front Street. Her home, built in 1813, also is threatened. "I'm not just talking about myself," she declared, "I'm talking about Old Swedes', too."

She began to cry as she related: "I've seen men from the Civil War coming there since I was a child. If they take our homes, they'll bury Old Swedes'."

The homeowner said a Highways Department representative had come to her place and offered her sister $5,000 for the house. "My sister says to him, 'What can we do with this price? Will I buy a new home with $5,000?' He says to her, 'When it comes to that I have no time,' and he left in a whiff."

Miss Waligorski is one of the residents in the southern portion of Southwark who has refused to sell or sign an agreement of sale with the Highways Department. In that section, from the south side of Catharine Street to Washington Avenue, the department has been buying up properties. To the north, no acquisition has occurred as yet. Says the determined Miss Waligorski: "I'm not selling. I'm Polish but I got some Scotch in me, too."

Her next-door neighbors, Michael and Mary Masanis and Mary's mother, Mrs. Laura Makowski, also don't want to sell their home.

Like Mike Evers, Mrs. Masanis has lived in Southwark all of her life. Her mother arrived from Poland in 1913 and just settled on the riverfront. Now 79, Mrs. Makowski still speaks only Polish.

With her daughter serving as translator, Mrs. Makowski told a reporter: "When I first came here I didn't like the neighborhood but people started fixing it up and now I like it."

Added Mrs. Masanis: "This was a rat trap—no windows, no floors, no nothing. Mother had the kitchen built, a bathroom, the heat put in. We like the neighborhood; it's quiet and clean."

Among the Southwark residents who have been persuaded by the Highways Department to sell their homes, an observer finds a sense of loss and regret.

One day recently, a reporter happened upon a longtime resident in the process of moving.

At the home of Joseph and Cecelia Budka, 44 Catharine Street, moving men were carrying furniture from the home into a van. It was a house built about 1820. The Budkas had lived there the last 29 years. Joseph, a longshoreman, had been born 60 years ago at a house six doors down the block. Cecelia had been born around the corner on Front Street.

Inside, Mrs. Budka was leaning dejectedly on a banister as she watched the men carry out the furniture and other belongings. Asked how she felt about moving, she turned sadly away and replied: "It's a darned shame. When your're born and raised here you like it. It's breaking my husband's heart."

"He cries every time he comes in here. His job is right down here on the ships. He's a stevedore. Been working down here 42 years. He'll have to take the trolley now." The Budkas' new place is on Mercy Street.

During the conversation, Mrs. Budka apologized several times for what she termed "the shambles." Actually, the house looked immaculate. "It was nothing fancy," she said, "but I kept it clean and tidy as I could. No trouble with anyone."

Speaking of the highways representative, Mrs. Budka related: "When the fellow came, he said, 'You can't hold out. Don't listen to anyone. You people are going.' He told us, 'We'll condemn your home and eventually you'll have to get out.' So my husband signed. His heart's breaking."

Of the highway planners. Mrs. Budka said bitterly: "They had plenty of space on Delaware Avenue and up Swanson, but they just didn't want to do it."

In expressing their dissent over the expressway route, the road's opponents invariably bring up the name of Edmund N. Bacon, the City Planning Commission's executive director.

The Historical Commission's executive assistant, Mrs. Charles Maurer, one of several gray-haired, keen-eyed staff ladies who militantly watch over the city's historical resources, accuses Mr. Bacon of "obstinacy" in refusing to recommend a change in plans. "He's untouchable and what he wants he gets," says the bristling Mrs. Maurer.

Vincent P. Coyne, a young teacher who lives in Southwark and who publishes a monthly paper, Philadelphia Views, contends with some heat that Mr. Bacon wants to "box in" Southwark with highways to keep it a low-income area. "Besides," snaps Mr. Coyne, "Ed Bacon is a bit of God anyway, isn't he?"

Bacon's position is clear. At a Planning Commission meeting last summer, the executive director defended the present route strictly on the basis of cost, and commented that no new facts had been brought to light to warrant the change.

The Highways Department also backs the present course, noting that the Swanson Street alternative has already been studied and found unfeasible because of interference with the Pennsylvania Railroad's trackage in the waterfront district. It is also pointed out that the necessary acquisition along the alternative route would mean an additional expense, inasmuch as some property has already been acquired along the Front Street course.

But outgoing Secretary of Highways Henry D. Harral said earlier this year—and still maintains—that if the powers-that-be in the Society Hill section north of Southwark succeed in getting a cover over their portion of the expressway, and thus necessitate redesign of the road up there, "I will ask for a restudy in Southwark."

Mr. Harral trusts that his successor, Robert G. Bartlett, newly appointed by Governor-elect Shafer, also will make good on that commitment.

At this point, recent word from Senator Joseph S. Clark's office, which has supported both the Society Hill cover proponents and the Southwark rerouting effort, was that chances appeared good that the federal interagency committee set up to find funds for the cover will be at least partially successful.

Opponents of the Southwark route recognize that a major factor at this juncture is time. They point out that as each day passes it becomes more difficult to get the plan changed. The Highways Department acquires more properties, adding to its contention that rerouting would be too expensive. And demolition goes on virtually on Southwark's doorstep.

"It's getting so late," says Dr. Tinkcom at the Historical Commission. "And the State Highways Department has been moving with all speed. If they can get enough houses demolished, then so much of the argument is gone."

Another Southwark ally, Charles E. Peterson, an architectural historian of national prominence and a former member of the city's Historical Commission, asserts that the Society Hill cover problem and Southwark's situation "are separate problems, and one doesn't depend on the other."

Mr. Peterson, who himself has restored two Society Hill properties on Spruce Street, argues that in Southwark "the planners and engineers are just being stubborn in their opposition to what we want. They're just being mulish."

The architect cites the Highways Department's concern over the railroad trackage along the alternative route and says: "The railroad abandoned a lot of its trackage at Washington Avenue. That at one time was supposed to be a great obstacle but doesn't seem to be anymore."

About the costs of new right-of-way acquisition, he asserts: "I want to see their figures.

I don't believe it. They make all these ominous-sounding pronouncements but you never see the balance sheet."

Referring to the recent demolition of buildings on Southwark's border to the north, he adds: "They took down the expensive warehouses already. Then they quibble over a few shacks down there (along Swanson Street). It's really ridiculous.

"We've tried morality, sentiment and patriotism and didn't impress these people," the critic states. "The city is crazy about the taxable values. Loves them. We figure if it is dense about the rest it won't be dense about that."

But he, too, feels that time is crucial now for the people and historic houses of Southwark. "The situation is critical but it is not yet impossible. As long as the houses are standing, it's not impossible."

Mr. CLARK. I hope it is not too late to prevail upon the spoilers of beautification and of history to turn back before they desecrate this historic shrine.

WAR SHROUDS U.S. ROLE IN ASIA

Mr. CLARK. Mr. President, in this morning's Washington Post, Mr. Walter Lippmann has another extremely able column discussing our relationships with China and Vietnam, under the title "War Shrouds U.S. Role in Asia." I ask unanimous consent that this article may be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

War Shrouds U.S. Role in Asia

(By Walter Lippmann)

Behind the fog of war lies the great unanswered question of our role in Asia. None of us today can answer this question finally and conclusively. For there is no all-wise and omnicompetent Asian expert who can speak with authority on a situation which has existed for only about 15 or 20 years.

Our present position in the Pacific and our relations with Asia are the unplanned and accidental consequences of the Japanese victories over the European empires in Asia and of our total victory over Japan. The result of this immense historical unheaval has been to bring our military frontier not only all the way across the Pacific but also on to the peninsulas and offshore islands of the Asian mainland—to South Korea, Okinawa, Taiwan, and South Vietnam. The great unresolved questions turn on where an enduring frontier can and should be stabilized.

Beyond the military frontier lies China, which is passing through a revolution comparable to, though bigger and perhaps more portentous than the French revolution of 1789 and the Russian revolution of 1917. Nobody living today knows much about the Chinese revolution. But from the other two revolutions of modern times one lesson stands out. A big revolution in a big country, which is a very different thing from a local revolution in a small country, cannot be controlled by foreign intervention. When an alien power attacks a big revolution it generally brings a reign of terror and a dictatorship which maintains itself by military aggression abroad. Experience teaches us too that the best policy is one of watchful waiting while the internal revolutionary fires burn themselves out. Eventually they do. After a generation of revolutionary upheaval, a new generation arrives. It has forgotten the original grievances and is bored with the old ideologies, and seeks for itself a quieter life.

During this period of watchful waiting the smaller nations on the frontiers of a gigantic revolution are bound to be nervous and apprehensive. They do not know what will happen. But they do know in their bones that in the long run they will have to find a way of coming to terms with the masters, in the present case the Chinese masters, of the revolutionary struggle. As the small peripheral countries are unable to know who the eventual masters will be, they resort to the classic rule of power politics. They embrace the avowed enemy of their potential enemy. On the frontiers of China today some countries have governments which have compromised their future relations with almost any Chinese government. This may be said of South Korea, of General Ky's Saigonese government, and of the present rulers of Thailand. These wholly committed and compromised governments have no alternative to becoming the satellites of the United States; if in the end they are overthrown, their rulers must look for safe passage to the Riviera or to Palm Beach.

There are other weak borderland countries like Burma and Cambodia, Malaysia and Singapore whose overriding purpose is to stay out of war. Cambodia has used words to placate Peking, Singapore has used words to please Washington. But both have cannily avoided any military engagement. The Prime Minister of Singapore has not offered to let our fleet use the great naval base at Singapore.

The administration would have us believe that there is at stake in Vietnam not only the security of the borderland countries but also their confidence in the American capacity and will to protect them. Unhappily and unnecessary, they have learned this from Washington. Among our great mistakes in Southeast Asia has been the reckless use of words. It is our own propaganda which has taught the world, and particularly the small allies, that the outcome in Vietnam was the "test" of American courage, good faith, idealism, and power. What was the sense of saying that? We are like a man who makes a reckless promise, say that he will climb the face of the Washington Monument, and then in an excess of exuberance and pride adds "and if I do not climb it, you consider that I am a coward and a horse thief."

In truth, the power of the United States is not being tested in Vietnam. It has been tested against far more powerful enemies than the Vietcong and their Northern allies. There is no doubt about the power of the United States. What is being tested is whether the generation now in command in Washington have the intelligence to use American power wisely and effectively, or whether they think they can kill mosquitoes with tanks and build a Great Society with B–52s.

Nor is the good faith of the United States being tested. What is being tested is the competence and commonsense of a handful of men who, acting furtively and by subterfuge, have pulled the levers and pressed the buttons in a war they denied they intended to engage in.

As a matter of fact, the outcome in Vietnam will not determine whether revolution breaks out in other borderland countries, whether there will be rebellion as there is in South Vietnam against tyranny, corruption, exploitation and poverty. Indeed, the more extensively the United States becomes bogged down in Vietnam, the less able or willing it will be to undertake a second and a third Vietnam somewhere else. It is an empty boast and a false promise to tell the world that the United States will fight aggression everywhere.

The weak countries will have to save themselves from revolution. They will have to keep themselves going with such marginal economic and technical assistance as we in the advanced countries can or are willing to give them. Beyond that, if they feel themselves threatened by the development of Chinese missiles and nuclear weapons, it might be useful to see whether an agreement can be negotiated by the nuclear powers promising to unite against the country which makes the first nuclear strike. Only lately, we must remember, the Chinese have said again that they will never strike first. It would be most useful if this could be spelled out in a collective agreement.

In the long run the countries of the Chinese borderland will have to make peace with China. They will not be able to do this, we must recognize, until the Chinese revolution has run its course, but eventually they will have to do it. It is good statesmanship to keep in view what is going to happen even if it is not happening at the moment.

The peripheral states of a superpower like China will have to move within the Chinese orbit as surely as the Caribbean states move within the orbit of the United States. This is one of the facts of international life, and no amount of moralizing and ideologizing can rub it out.

Mr. CLARK. The basic point made by Mr. Lippmann, with which I find myself in complete accord, is that the United States has no business on the landmass of Asia with a huge ground army; and that a withdrawal from that posture is in the best interests of our country and would not pose a serious threat to the liberty or freedom of the several small nations which still maintain a precarious independence around the periphery of Communist China.

I urge upon the administration the serious consideration of Mr. Lippmann's views, not only in this column but also in the one which he wrote in the Washington Post and other newspapers earlier this week, which I had the privilege of introducing in the Record.

HARVARD AND THE KENNEDYS

Mr. CLARK. Mr. President, as a graduate of Harvard College and a former member of its board of overseers, I strongly resent a most inaccurate and, indeed, irresponsible news story written by Mr. Henry Fairlie of the London Sunday Telegraph, which appeared on the front page of the Washington Post last Sunday.

I ask unanimous consent that a copy of that article, entitled "A British View: Harvard Enclave Turns Into Kennedy Power Center," may be printed in the Record at this point of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

A British View: Harvard Enclave Turns Into Kennedy Power Center

Henry Fairlie, a British journalist now residing in Washington, wrote this article for today's issue of the Sunday Telegraph in London.

(By Henry Fairlie)

Money moves in these times in mysterious ways its wonders to perform. There is no longer any reason for it to be openly corrupt or for those who accept it to be openly venal. It operates through bodies, whether foundations or trusts, whether endowments or grants, which are not only legal but respectable.

When it is Kennedy money, or Kennedy-controlled money, which is involved, one would expect to find this new system of wealth working with both exceptional directness and exceptional subtlety. When one gets to Harvard University, at Cambridge, Mass., this is exactly what one finds.

What follows is not the exposure of a scandal or a racket. It is the exposure of the way in which, under the most discreet and respectable and legal arrangements, money today wields power and wields it expertly and deliberately.

The story needs to be told carefully, for it is a story in which the small qualifications, the small arrangements, matter. Big wealth operates today in the pages which are printed in small type. It is with the small type that we must be concerned.

In its issue of Oct. 29, 1966, the Harvard Alumni Bulletin ran a story with this lead paragraph:

"A glittering company foregathered on the top floor of Holyoke Center the evening of Oct. 17 to celebrate the creation of the Institute of Politics. Among 80 guests of the president and fellows of Harvard were eight members of the Kennedy family, four Senators (two of them Kennedys), more than a dozen former officials of the Kennedy Administration."

Before this glittering company foregathered, there had been at Harvard a perfectly chaste Graduate School of Administration, which could boast the kind of scholars one expects a university like Harvard to attract and encourage.

Suddenly, as a result of an assassination, there appeared in Harvard an organization which carries the title, The Kennedy Library Corporation. This is the governing body of the fund which has been collected, and is still being collected, to establish a memorial in Cambridge to John F. Kennedy.

The short description of its composition is one which was given to me in Cambridge by someone who has had dealings with it: "It's chairman is Eugene Black, of the Chase Manhattan Bank: it includes men like George Meany, of the AFL–CIO, and for the rest, it is really Arthur Schlesinger, Jr. and the family." The family, of course, is the Kennedys themselves.

This body then decided to move in—there is no other phrase—on Harvard. It decided to rename the Graduate School of Administration, and attach to it a quite new body, the Institute of Politics. It is here that the plot thickens. I am probably the only member of the general public who has seen the letter in which the Kennedy Library Corporation laid down its terms to the Harvard Corporation, which is the governing body of Harvard University.

It is worth noticing that the letter from the Kennedy Corporation to Harvard Corporation was, in fact, a letter from one partner of an established Boston law firm to another partner. "In these matters," said someone who should know, "New England is really much worse than old England."

ITEMS OF AGREEMENT

Three items of the agreement should be noticed. First, there was the insistence that the Graduate School of Administration should be renamed the John F. Kennedy School of Government. Harvard has never before named any department or school after any donor. Indeed, it had to go to court in order to get permission to make the change which the Kennedy family demanded, but there, in the final letter of agreement, are the strict words: "Harvard Corporation shall go to court . . ."

It is worth reporting the comment of one of the best scholars within the School of Government. "If we accept this as a precedent we will become like Brandeis College, where even the lavatory sets have inscriptions which say, 'In memory of * * * * *.'" Harvard, in fact, degraded itself by accepting this condition.

Secondly, in the agreement, there was the firm condition that the newly established Institute of Politics should have its own "Advisory Committee." Again, in black and white, there was the strict statement that a member of the Kennedy family should be a member of this Advisory Committee and that while they live it should be either the widow of the President or one of his brothers. The present representative on the Committee is Jacqueline Kennedy.

TWO ENDOWMENTS

Thirdly, the agreement stated the amount and the form of the endowment. To put it briefly, the total endowment of the Institute of Politics will be $10 Million. The total endowment of the John F. Kennedy School of Government will be $3.5 million. The Institute's income from this endowment will rise from something over $300,000 this year to something over $500,000 by 1976. But the point to notice is the discrepancy between the endowment of the school, which is the established scholarly body, and the endowment of the Institute.

It is obvious, then, in the Institute that the Kennedy family—or, more formally, the Kennedy Library Corporation—is most interested. But it was the endowment and the renaming of the School of Administration which gave it its foothold. Without this endowment and renaming, it would have been very difficult to establish the Institute within Harvard.

Why this interest in the Institute? One must look first at its composition.

NEUSTADT IS DIRECTOR

At its head stands its director, Prof. Richard Neustadt. He is the archetype of that strange American phenomenon, the man who crosses, backwards and forwards, from the world of scholarship to the world of politics, without being too disturbed by the possible conflict. He has been an advisor to President Truman, to President Kennedy and to President Johnson.

Would he be an adviser to another President Kennedy? Probably not in Washington, I suspect. But it is idle to pretend that his role in the Kennedy circle is insignificant.

He is an operator; this is one thing which makes his conversation and his writings about politics both entertaining and instructive. He knows perfectly well the nature of the operation which he has been invited to conduct, and if anyone can guide the Institute to some satisfactory activity it is he.

Beneath him are the members of the Institute, who are also on its Planning Committee. All of them are professors at Harvard. But this only shows how immaculate was the original conception of linking the Institute of Politics with Harvard's established faculties and schools. The respectability of the Institute is, in this way, built in, just as it itself has been built in.

ALL SERVED IN WASHINGTON

They are all men who, at some stage in their careers, have served in Washington, and who, except for the more elderly of them, might expect to be invited back to Washington one day. Two of them stand out, and help to tell a little more of the story. It is precisely because they are both exceptionally able men that they should be noticed.

The first is Prof. Adam Yarmolinsky. He left Washington last year to become a professor of law at Harvard, a member of the Institute of Politics, and the chairman of its fellowship committee.

CLOSE TO M'NAMARA

As Deputy Assistant Secretary of Defense, he was close to Robert McNamara, and remains closely associated with him. He left President Johnson's Administration with a considerable, if justified, personal grievance. He would certainly like to return to Washington some day, under a suitable President, and the most suitable in sight is Sen. Robert Kennedy.

The second name worth noticing is Prof. Daniel P. Moynihan. He was in Washington—and still is at Harvard—one of the most gifted minds in public life in America. Passionately serious without being heavy or earnest, his first interest is the Negro in the city. Again, there is not the slightest doubt that he would like to return to Washington—under a President Robert Kennedy.

To these, it is perhaps worth adding a third name: Prof. Cary Karysen. Director of the Institute of Advanced Study at Princeton, he has visiting-member status at the Institute of Politics in Cambridge. Again one meets a former member of the John F. Kennedy Administration likely to be called upon in any future Kennedy Administration.

POSTS THEY HAVE HELD

From the members of the Institute, to its fellows: these are youngish men, largely drawn from inside the Administration in Washington, who spent a year at the Institute. Their former posts are worth listing:

Carl Alperovitz, Special Assistant to the Assistant Secretary of State for International Organization Affairs.

David Filvaroff, Special Assistant to the Attorney General.

Stephen Horn, Administrative Assistant to Sen. Thos. H. Kuchel (R-Calif.).

Andreas Lowenfeld, deputy legal adviser in the State Department.

Jonathan Moore, legislative assistant to former Sen. Leverett Saltonstall (R-Mass.).

John G. Palfrey, formerly of the Atomic Energy Commission.

John G. Stewart, special assistant to Vice President.

Richard Tuttle, director in Jackson (Miss.) of the office of the Lawyers' Committee for Civil Rights.

John G. Wofford, staff assistant to the deputy director of the Community Action Program.

To these may be added the rather surprising name of a British citizen, Sir Eric Roll, who retired on Oct. 1 as permanent Under Secretary to the Department of Economic Affairs.

But, this month, there has been one more addition. A distinguished Washington journalist, Philip Geyelin, is in the process of leaving his former post as diplomatic correspondent of the Wall Street Journal for a key appointment on the editorial page of The Washington Post. In the month between jobs he has been made an extraordinary fellow of the Institute.

OTHERS TO BE BROUGHT IN

There is a group of men in public life who are going to be brought to the Institute periodically throughout the year. This group includes Alan Otten, of the Washington Bureau of the Wall Street Journal, and Max Frankel of the New York Times.

It should be obvious by now that the Kennedy Institute of Politics provides the most convenient opportunity for attracting under the Kennedy name men who are at present serving in the Johnson Administration, who are hoping to be employed by, and would be useful to, another Kennedy Administration, and who, as influential political journalists, have valuable services to offer in the future.

If there is any doubt about this, it is about to be removed. In the White House today, there is one special assistant to the President of exceptional quality, Francis Bator. Although it has not been announced, he has accepted a professorship within the John F. Kennedy School of Government, and the post of Director of Studies within the Institute.

The assumption is that he will return to Washington one day.

MOTIVE AND INTENT

Prof. Yarmolinsky made a nice distinction between "motive" and "intent" when he was talking of those who are brought to the Institute. Certainly, neither motive nor intent is being attributed here to those who accept the Institute's invitations, offers, and hospitality.

But the fact remains that one cannot examine the list of members, or the list of fellows, or the list of faculty associates, without recognizing that within Harvard boundaries and constitution, there now exists an apparently respectable body which is precisely organized to attract men out of the public service until they may, at a convenient time, be returned to it.

One must return, at this point to the original endowment and constitution. The first point is that very little of the money collected by the Kennedy Library Corporation is actually Kennedy money. But the control of the Kennedy family over the funds is assured.

Far more significant is the fact that, of the endowment of $10 million of the Institute of Politics, $2.5 million came directly from the Ford Foundation, technically as part of the Kennedy Library Corporation's gift. Who is head of the Ford Foundation? None other than McGeorge Bundy, formerly special assistant to both President Kennedy and President Johnson.

BUNDY'S AMBITION

Bundy's close association with Sen. ROBERT KENNEDY is no secret. Nor is his ambition to be Secretary of State. Again, this is not to attribute motive or intent. One is merely illustrating how large wealth in these days, through endowments and foundations, becomes entangled in, and itself entangles, the operation of political power.

The only Kennedy who has any formal relationship with the Institute is Jacqueline Kennedy, as a member of the Advisory Committee. The other members of the Committee are a fairly representative group of what for want of a better term, one may call America's Eastern Establishment.

This Committee is to meet as a group once a year. But it has an executive secretary, Michael Forrestal, and its members can be contacted at any time.

Still, to my perpetual question: Why should there be an Advisory Committee at all if the Institute is a genuine part of Harvard University responsible to the Harvard Corporation?—I received only one direct and convincing answer: "The Advisory Committee will come in to play when the President's widow decides it should come into play."

The Advisory Committee, with the firm condition that one Kennedy should be a member of it, is the formal sanction which underlies the informal but continuing interest that the Kennedy family takes in the running of the Institute. That interest is displayed actively and strongly by Sen. ROBERT KENNEDY.

HEAD OF THE FAMILY

"It is an Irish family," said one leading figure at Cambridge, "and there is a head of the family." Indeed, at one meeting concerned with the affairs of the Institute some time ago, when Senator Edward Kennedy offered an opinion his brother interrupted: "Now, Teddy remember what father said, that I am head of the family."

It is, of course, impossible to get any confirmation of the Kennedys' influence on appointments. One leading member admitted to me that there were certain problems which were taken to Robert Kennedy. But one hardly needs more confirmation than the list of the main appointments themselves. Whether past members of the Kennedy circle, whether aspiring members of it, or whether men the Kennedys would like to attract into it, they are all potential members of any future Kennedy Administration.

By means which are entirely legal and respectable and discreet, the Kennedys have established, with funds collected in memory of John F. Kennedy a recruiting college. That valuable work may be done there is beside the point. It could have been done without the formal and informal connections which the Kennedys have insisted on retaining with the Institute.

If they did not insist on these connections for the purpose which seems apparent one can only ask why the John F. Kennedy School of Government and the Kennedy Institute of Politics were not endowed in the simple manner which most donors have found adequate in the past.

Mr. CLARK. In this morning's Washington Post there appears a communication signed by Don K. Price, dean of the John Fitzgerald Kennedy School of Government, Harvard University, which, to my way of thinking, completely demolishes and rebuts the erroneous, quite unfair, and rather snide comments made about a great university and a great American family, the Kennedy family, in the Fairlie article.

I ask unanimous consent that a copy of that communication, with which I find myself in complete accord, may be printed in the RECORD at this point in my remarks.

There being no objection, the communication was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 19, 1967]

A COMMUNICATION

I should like to comment on the article by Mr. Henry Fairlie of the London Sunday Telegraph, which appeared in The Washington Post of January 15 regarding the Kennedy School of Government at Harvard, and its new Institute of Politics. I do so not because I consider it worthwhile as a general rule to correct irresponsible and inaccurate news stories, but because this one seems to me to reflect a complete lack of understanding of American universities and American politics.

Mr. Fairlie, while he is kind enough to say that he is not charging anyone with being "openly corrupt" or "openly venal," writes that the Kennedy Library Corporation (the organization raising funds for the memorial to President Kennedy) "decided to move in—there is no other phrase—on Harvard. It decided to rename the Graduate School of Administration, and attach to it a quite new body, the Institute of Politics."

He then goes on to say that "I am probably the only member of the general public who has seen the letter in which the Kennedy Library Corporation laid down its terms to the Harvard Corporation, which is the governing body of Harvard College." Incidentally, I hope you do not pay Mr. Fairlie a special bonus for this sensational revelation: the letter in question has been on public record at the Supreme Judicial Court of Massachusetts for almost four months, and thus available to every reporter in Boston.

Mr. Fairlie charges that the Kennedy Library "moved in" on Harvard with the purpose of setting up, within the new Institute of Politics, a recruiting college for the Kennedy political faction, a sort of stockpile of staff talent, looking ahead to a new Kennedy in the White House.

There are several things wrong with Mr. Fairlie's thesis, as I could have told him if he had bothered to talk to me.

The first is that the initiative with respect to the naming of the School for President Kennedy, and the establishment within it of the Institute of Politics, came not from the Kennedy Library Corporation but from President Pusey of Harvard, acting on behalf of the Harvard Corporation. President Pusey first proposed both of these moves. I do not know whether the idea of naming the School for President Kennedy had ever occurred to any member of the Kennedy family or the Kennedy Library Corporation, but certainly President Pusey first suggested it to them, and not vice versa. It is, I admit, unusual for Harvard to name a school for an individual, but then it is unusual to have a Harvard graduate assassinated while serving as President of the United States.

At the time in 1964 when the Kennedy Library Corporation was laying plans for the creation of an Institute of Politics as a separate and independent entity, President Pusey proposed that such an Institute could have a more secure and permanent future, with a more certain guarantee of independence from control by any political party or faction, if it were endowed and established as a part of Harvard. If Mr. Fairlie's comments on the power of money mean only that he regrets that it takes money to support professors, and an endowment to support them on terms that make them independent of the donors, he is absolutely right. The endowment of the Institute, at any rate, is and will continue to be a part of the endowment funds of the University, under the control of the University Corporation, as is any other permanent endowment given for a particular purpose.

Mr. Fairlie reports that the Ford Foundation made a contribution of $2.5 million (it was actually $2 million) for the endowment of the Institute of Politics, and then asks "Who is head of the Ford Foundation? Why, of course, none other than Mr. McGeorge Bundy, formerly special assistant to both President Kennedy and President Johnson." I can only suppose that Mr. Fairlie did not know that Mr. Henry T. Heald was president of the Ford Foundation and Mr. Bundy was still on the White House staff when the grant in question was made.

Mr. Fairlie says that the advisory committee to the Institute of Politics is the "formal sanction which underlies the informal but continuing interest which the Kennedy family takes in running the Institute." He asks why this unusual arrangement should exist, if it were not to be used for Kennedy family control. This advisory committee is indeed unusual, I believe, in the distinction of its membership, under the chairmanship of Ambassador Averell Harriman. But as an institution it is hardly the unique feature that he makes out; each of 41 of the faculties and departments of Harvard has a Visiting Committee, and others, (like the Institute of Politics) have less formal advisory committees. None of them is given authority or power. The governing authority of the School and the Institute, under the Harvard Corporation, is the faculty of the school.

As a matter of fact, no member of the Kennedy family has made any suggestion to me or to the Director of the Institute of Politics with respect to any appointment, or with respect to any program decision, either before or since the Institute was established formally. And the idea that this particular advisory committee (which includes Mr. Otis Chandler, publisher of the Los Angeles Times and Mrs. Philip L. Graham, president of *The Washington Post*) would have been chosen, or would let itself be used, as either the tool or the cover for such a plot seems to me rather unlikely.

Mr. Fairlie singles out three Harvard professors, all members of the Institute, as evidence of the way in which it is stockpiling Kennedy talent. Adam Yarmolinsky was brought to Harvard by the Faculty of Law, and Daniel Patrick Moynihan by the Faculty of Education; the Institute managed to persuade both to give it some of their time and interest over and above their regular responsibilities. Professor Neustadt certainly came to Harvard to be Director of the Institute of Politics, but he was not made a professor by the Institute, which has no power to appoint a professor; such appointments can be recommended to the President of Harvard only by the teaching faculties, and Mr. Neustadt was recommended by two—by the Department of Government of the Faculty of Arts and Sciences, and by the Faculty of Public Administration. If one wished to set up a stockpile, there would be simpler ways to manage it.

Mr. Fairlie's article is careful in what it omits. It reports the names of those in the Institute of Politics who worked with President Kennedy. It does not note that Professor Areeda, a member of the Institute, was on President Eisenhower's White House staff, or that Professor Kistiakowsky, a Faculty Associate of the Institute, was Science Adviser to President Eisenhower—both in more immediate and personal relationships to President Eisenhower than any member of the Institute had with President Kennedy. Perhaps, unless Mr. Fairlie classes me in the group which he says is too elderly to be invited back to Washington, he might have noted that I came to be Dean of the School after service as an assistant (during 1948 and 1949) to former President Herbert Hoover, and as a member of President Eisenhower's Advisory Committee on Government Organization.

I am rather glad that President Johnson, like President Kennedy, has not considered such earlier service under Republicans a disqualification for occasional assignments in the Executive Office of the President, any more than Republicans disqualified me for having worked in that office under Roosevelt and Truman. Most of the members of the Institute—including Professors Neustadt, Moynihan, and Yarmolinsky, all of whom Mr. Fairlie singled out as Kennedy conspirators, as well as I myself, continue to serve the Johnson Administration in various consulting and advisory capacities, and are happy to do so.

It is this point about American universities and American politics that Mr. Fairlie seems to miss completely. The Graduate School of Public Administration was not, in his sense of the word, a "chaste" institution before its name was changed. Mr. Fairlie's ideal of academic purity seems to be that a scholar must never dirty his hands with the data of practical experience, a notion that is as dangerous in the social as the natural sciences. When I was appointed Dean of the School, I found that most of the members of the School's faculty were men who had seen Government service at one time or another, including both of my predecessors as Dean, John H. Williams and Edward S. Mason. Most were and are willing to continue, part-time or occasionally full-time, in Government service. Some prefer one party and some another, but most are willing to work under either if given a chance to make good use of their knowledge and talents in programs in which they are interested. And they all obviously know enough about American politics to know that the United States has no shadow cabinet, and that the idea of trying to stockpile in a university the nucleus of a staff for any particular candidate in some future election would be a waste of money and effort.

Harvard is, of course, not proposing to do anything so absurd. Nor is it, however, likely to conform to Mr. Fairlie's idea that scholarly quality requires complete detachment from practical affairs. The University will, of course, continue to put first priority on the scholarly advancement of knowledge, and on the teaching of the basic disciplines. But in its professional schools, including the School of Government, it will surely continue to work toward the use of basic knowledge for applied purposes. Since John Fitzgerald Kennedy exemplified better than any American political leader in recent years the determination to bring more closely together the worlds of intellect and of politics, it seems to me altogether appropriate that the School of Government at Harvard memorialize his name. Universities must recognize their responsibility to help raise the quality of the public service. Mr. Fairlie will never understand American universities if he starts with the assumption of a complete conflict between the study and the practice of government, any more than he can understand American politics if he assumes an ideological split between parties and a clear separation between the functions of the career official and the politician.

It is obviously hard to get accurate and fair reports about the universities and political systems of another country. If I have any compulsive feelings on this problem, they may come from some of my own experience. As the Oxford correspondent for the Associated Press in the early 1930s, I saw my story of the famous Oxford Oath distorted before it reached the American public by various intervening copy desks, which insisted on striking out its most significant information. This was my report that the margin of the vote in the Oxford Union against fighting for "King and Country" had been supplied by a number of Irishmen, Indians, and Americans, none of whom was interested in defending the King. It was rather dangerous then to mislead the American public with respect to the attitude of British students in British universities. It is doubtless less important now to give the British reading public a fair picture of the nature of the American universites and their relation to politics and Government. But since trans-Atlantic communication on these issues, in both the academic and political worlds, is fairly intimate, it seems to me of some importance to set straight Mr. Fairlie's effort to make a sensational expose out of information that Harvard has repeatedly been announcing to the public over the past two years.

DON K. PRICE,
Dean, John Fitzgerald Kennedy School of Government, Harvard University.

Mr. CLARK. Mr. President, in order that Senators and readers of the CONGRESSIONAL RECORD may have before them the basic facts with respect to the Kennedy Memorial at Harvard, in addition to the communication which I have just asked to have printed in the RECORD, I ask unanimous consent to have printed in the RECORD the Newsletter of December 20, 1966, of the Harvard Graduate Society for Advanced Study and Research, in which there appears an article entitled "The Kennedy Memorial at Harvard."

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, the article will be printed in the RECORD.

The article is as follows:

THE KENNEDY MEMORIAL AT HARVARD

A major expansion of resources both physical and academic for the study of government, politics, economics, and international and regional studies at Harvard are in prospect with the establishment of the John F. Kennedy Memorial Library and the Kennedy School of Government in Cambridge.

The Library with its Museum and archive was slated for location at Harvard by the late President, shortly after his election in 1960. He planned it as the permanent repository of the papers and documents of his administration. Since his death, the Kennedy Library Corporation has raised the necessary capital for the Library which will be owned and administered by the Federal Government through the National Archives.

In a later development, Harvard and the Kennedy Library Corporation announced on October 17th, the formal establishment of the Institute of Politics as a part of Harvard's Graduate School of Public Administration, renamed in honor of President Kennedy. The Institute is to be endowed with a sum of $10,000,000 furnished by the Library Corporation between now and 1976. The central purpose of the Institute in Dean Don K. Price's words, will be, "to further one of President Kennedy's deepest concerns—increasing the understanding and cooperation between the scholarly community and the political world. . . ."

In a parallel action, the Supreme Judicial Court of Massachusetts on October 5th approved the Library Corporation's request to construct the Library in Cambridge and establish the facilities for the Institute on land on the Charles River at Boylston Street, now owned by the Massachusetts Bay Transportation Authority (the Bennett car yards site). A separate petition of the President and Fellows of Harvard College (the Harvard Corporation) was approved by the court to rename the Graduate School of Public Administration as the John Fitzgerald Kennedy School of Government and to move the headquarters of the School to a proposed new structure adjacent to the Library and Institute, such structure to bear the name Littauer Center of Public Administration. The Institute of Politics unlike the Library, will become an integral part of the Kennedy School of Government and be administered by Harvard.

Also, the General Court of Massachusetts (the State Legislature) approved at its last session the donation of portions of the land to be used by the Kennedy Library Corporation. The Kennedy Library Corporation has made it possible for Harvard to buy the unused portions for the Kennedy School of Government, the Kennedy Institute of Politics, and a proposed International and Regional Studies Building which will house the Center for International Affairs and the three regional study centers (Russian Research Center, East Asian Research Center, and Center for Middle Eastern Studies) together with the newly developing work on Latin-America and Japan.

The Kennedy School of Government will continue to operate degree programs for men and women seeking careers in public service. The School under its former name was created in 1937 through the generosity of Lucius N. Littauer. The School has been located for nearly 30 years in the classical building, known as the Littauer Center of Public Administration, across from the Harvard Yard on Kirkland Street. The Center has also housed many of the professors in government and economics who have provided graduate instruction for the Faculty of Arts and Sciences in government and political science, leading to the Ph.D. There has always been a close alliance between the Faculty of Arts and Sciences and the Faculty School of Public Administration, the former providing much of the instruction in the School. The Kennedy School of Government, enlarged and strengthened by the Institute of Politics, will continue to grant only the Master and Doctorate in Public Administration and the Faculty of Arts and Sciences, through the Graduate School of Arts and Sciences, will continue to administer the granting of Ph. D.'s in the allied fields of Economics, Political Science, and the so-called joint degree in Political Economy and Government.

When the new complex of buildings planned by the Kennedy Library Corporation and Harvard are completed in the early 1970's the School of Government and the related activities of Arts and Sciences now housed in the vastly overcrowded Littauer Center, will be moved to the new site on the Charles, provided adequate funds can be raised for the new building.

There also will rise the International and Regional Studies Building when $6.5 million has been raised to complement a Ford Foundation grant of $2.5 million for this purpose. Thus will be achieved a physical integration of Harvard's work in some of the most important fields in the study of public and international affairs, now carried on in many widely scattered locations in Cambridge.

The wholly new element in this massive integration of Harvard's resources for the study of government in its widest context is the Institute of Politics within the Kennedy School. The general idea for an institute of politics as a meeting place for the worlds of politics and scholarship came out of conversations among friends of President Kennedy in the months following his assassination. Prominent among these was Richard E. Neustadt, A.M., '42, Ph.D., '51, Harvard, a Columbia Professor at the time, who becomes the first director of the Institute of Politics and Associate Dean of the Kennedy School of Government He is also Professor of Government and a member of both the faculty of Arts and Sciences and the faculty of the School of Government.

Two years ago, the Kennedy Library Corporation proposed the Institute as a living memorial to the late President, . . . "to further one of President Kennedy's deepest concerns—increasing the understanding and cooperation between the scholarly community and the political world—conceiving politics not only as the search for public power, but also its use for public purposes: in short, the whole of government." With the renaming of the Graduate School of Public Administration after the late President, the School, the Institute of Politics, and the Library will constitute his memorial in Cambridge.

The Institute of Politics, unlike the School of which it is a part, will grant no degrees nor provide formal courses. Rather it will be a place of experimentation with every device that can bring to bear on the world of government and public administration the interest and concern of the scholarly world and the community at large. Formulation of its initial program has been going on for a year or more and was announced by Professor Neustadt at the first meeting of the Advisory Committee of the Institute in October. The program for this academic year contains the following elements:

1. FACULTY STUDIES

Among other endeavors, the Institute of Politics is to become a research arm for the Kennedy School with respect to action-oriented questions in the realm of public policy and governmental or political operations. As a first, experimental step in this direction, Mr. Neustadt announced the names of Faculty Associates from M.I.T. and Harvard who are affiliated with the Institute, for the academic year 1966–67, joining with Institute Members to pursue particular inquiries of mutual concern in *ad hoc* faculty study groups.

These Faculty Associates of the Institute are:

Joseph Bower, Assistant Professor of Business Administration.

Abram J. Chayes, Professor of Law.

Hollis Chenery, Professor of Economics.

Robert Dorfman, Professor of Economics.

Merle Fainsod, Pforzheimer University Professor.

Roger Fisher, Professor of Law.

Albert O. Hirschman, Professor of Political Economy.

Stanley Hoffmann, Professor of Government.

Frederick C. Iklé, Professor of Political Science, Massachusetts Institute of Technology.

Henry A. Kissinger, Professor of Government.

George B. Kistiakowsky, Lawrence Professor of Chemistry.

H. Douglas Price, Associate Professor of Government.

Thomas C. Schelling, Professor of Economics.

James C. Thomson, Jr., Assistant Professor of History.

2. FELLOWSHIP PROGRAM

For the initial experimental program during the academic year 1966–67, ten men have been appointed as Fellows of the Institute. They will pursue individual study, inquiry, or writing during the year, either in residence at Harvard or as frequent visitors.

This first group of Institute Fellows includes:

Gar Alperovitz (January 1966–July 1968). *Currently a Fellow of King's College*, Cambridge; until January Special Assistant to the Assistant Secretary of State for International Organization Affairs; formerly Legislative Assistant to Senator Nelson (Wisconsin).

David Filvaroff (September 1966–July 1967). Formerly Special Assistant to the Attorney General; Clerk to Mr. Justice Frankfurter, Mr. Justice Goldberg; Associate, law firm of Jones, Day, Cockley & Reavis, Cleveland.

Stephen Horn (Intermittently through 1966–67). Currently Senior Staff Member, Brookings Institution; formerly Administrative Assistant to Senator Kuchel (California).

Andreas Lowenfeld (October 1966–July 1967). Formerly Deputy Legal Advisor, Department of State.

Jonathan Moore (September 1966–July 1967). Formerly Special Assistant to the Assistant Secretary of State for Far Eastern Affairs: Legislative Assistant to Senator Saltonstall (Massachusetts).

John G. Palfrey (July 1966–July 1967). Formerly Atomic Energy Commissioner; formerly Dean of Columbia College. Professor of Law, Columbia University.

Sir Eric Roll, K.C.M.G. (November, December 1966). Formerly Permanent Under Secretary of State, Department of Economic Affairs; British Economic Minister to Washington; Chief, U.K. Delegation to the E.C.C.

John G. Stewart (October 1966–July 1967). Currently Special Assistant to the Vice President; formerly Legislative Assistant to Senator Humphrey (Minnesota).

Richard Tuttle (September 1966–1967). Formerly Director, Jackson, Mississippi Office, Lawyers' Committee for Civil Rights Under Law; Chief Counsel, California Public Utilities Commission.

John G. Wofford (July 1966–July 1967). Formerly Staff Assistant to the Deputy Director, Community Action Program, Office of Economic Opportunity.

Regarding these Fellows Professor Neustadt noted:

"In selecting our first Fellows for this experimental initial year, we have concentrated on men who play a vitally important but little noted role in the American political system, the role of 'in-and-outer.' These are men who pursue double careers, with one foot in the private sector, the other in public life. Such in-and-outers play a key part in transmitting energy and ideas from one sector to the other. They are, indeed, among the most important links in our political system between the realm of study and the world of action. This makes them of special interest to the Institute.

"We find ourselves intrigued by the peculiar problems of career development for in-and-outers. In public service they accept the hazards of political life: they are risk-takers, lacking the security of tenure which our system offers civil servants. At the same time, in their private work they have to challenge the assumption that the firm comes first; this makes them risk-takers in private life as well.

"So, as befits a new experimental enterprise within a School of Government, we ask ourselves: what are the uses of the Cambridge intellectual community to men like these? With our first group of Fellows, nine of them American, we start to seek answers. As we do so, we shall benefit a great deal from the presence of our tenth Fellow, who represents in his distinguished public service a comparable experience: Sir Eric Roll."

3. STUDENT PROGRAMS

In addition to pursuing their own inquiries, the Fellows of the Institute have been invited to participate in a new experimental program on non-credit college study groups on contemporary issues in public policy and politics, addressed to undergraduates at Harvard and Radcliffe. The Institute will offer at least twelve such study groups in the course of 1966–67. Eight will be led by Fellows while the others are conducted by Institute Members or Associates who have volunteered to join in this experiment.

The first six of these college study groups will get underway at the end of October. These are:

A seminar on the city, led by John G. Wofford, an Institute Fellow.

A seminar on aspects of American politics, led by Gar Alperovitz, an Institute Fellow.

A colloquium on the race problem, led by Richard Tuttle, an Institute Fellow.

A colloquium on the future of the Republican Party, led by Stephen Horn, an Institute Fellow.

A seminar on international politics, led by Professor Roger Fisher, a Faculty Associate of the Institute.

A colloquium on the economics of political campaign strategies and decision making, led by Professor H. Douglas Price, a Faculty Associate of the Institute.

As another new experimental program for undergraduates, Professor Neustadt announced the names of eleven men who comprise the Institute's first Honorary Associates, appointed for this academic year. Each such Associate will come to Cambridge for a stay of two or three days during the year to meet with groups of students for informal, off-the-record interchange. The list of Honorary Associates for 1966–67, with approximate dates at Harvard, includes:

Honorable *Jerome Cavanaugh*, Mayor of Detroit: December 11–13

Honorable *Gerald Ford*, Minority Leader, House of Representatives: November 16–17

Honorable *Arthur Goldberg*, U.S. Ambassador to the United Nations: February 12–14

Honorable *John Lindsay*, Mayor of New York: April 23–25

Honorable *Robert McNamara*, Secretary of Defense: November 6–7

Honorable *Lawrence O'Brien*, Postmaster General: January 8–10

Honorable *George Romney*, Governor of Michigan: March 13–15

Bayard Rustin, Executive Director, A. Philip Randolph Institute: March 27–29

Honorable *Carl Sanders*, Governor of Georgia: May 7–9

Honorable *Lee White*, Chairman, Federal Power Commission: February 26–28

The Vice President of the United States, Hubert H. Humphrey, also has been invited to come to Cambridge as an Honorary Associate of the Institute at a time convenient to him during this academic year.

The organization of the Institute is already taking shape. The Institute will have the collaboration of an advisory committee consisting of the following members:

Honorable *W. Averell Harriman*, United States Ambassador at Large, Chairman.

Mrs. John F. Kennedy.

Otis Chandler, Publisher, the Los Angeles Times.

Honorable *John Sherman Cooper*, United States Senator (Kentucky).

Honorable *Douglas Dillon*, former Secretary of the Treasury.

Mrs. Philip Graham, Publisher, the Washington Post.

Honorable *Henry M. Jackson*, United States Senator (Washington).

Rt. Honorable the *Lord Harlech*, former British Ambassador to Washington.

Honorable *Robert A. Lovett*, former Secretary of Defense.

David B. Truman, Dean of Columbia College and Past President of the American Political Science Association.

Michael V. Forrestal, Executive Secretary to the Committee.

The work of the Institute will be guided by the Planning Committee with members from the faculties of Harvard and M.I.T., all of whom have had wide experience both in the realm of public service and in academic life.

They are:

Phillip Areeda, Professor of Law at Harvard and former White House assistant to President Eisenhower.

John T. Dunlop, the David A. Wells Professor of Political Economy at Harvard; Impartial Chairman of the Construction Industry Joint Conference; member of the President's Committee on Equal Employment Opportunity, and former member of the Wage Stabilization Board.

William Kaufmann, Professor of Political Science at the Massachusetts Institute of Technology, and consultant to the Secretary of Defense.

Ernest R. May, Professor of History at Harvard, and former member of the Joint Staff to the Joint Chiefs of Staff in the Defense Department.

Daniel Patrick Moynihan, Professor of Education and Urban Politics in the Graduate School of Education at Harvard, Director of the Joint Center for Urban Studies of M.I.T. and Harvard; former Assistant Secretary of Labor; also formerly Assistant to and Acting Secretary to the Governor of New York.

Don K. Price, Professor of Government and Dean of the Kennedy School at Harvard; member of President Eisenhower's Advisory Committee on Government Organization; consultant to Presidents Kennedy and Johnson, and assistant to former President Hoover during the work of the first Hoover Commission.

Edwin O. Reischauer, University Professor at Harvard; former United States Ambassador to Japan.

Raymond Vernon, Professor of International Trade and Investment at the Harvard Business School and Acting Director of Harvard's Center for International Affairs; former Deputy Assistant Secretary of State.

Adam Yarmolinsky, Professor of Law at Harvard; formerly Deputy Assistant Secretary of Defense, and Deputy Director of the President's Task Force on the War Against Poverty.

One man who served until last summer on the Planning Committee but is no longer available to do so has been given special status in the Institute as a Visiting Member. He is:

Carl Kaysen, former Professor of Economics at Harvard and White House assistant to President Kennedy, who has now become Director of the Institute of Advanced Study in Princeton, N.J.

Professor Neustadt has made the following comments to his advisory committee on the character of the first year's operations.

"Our initial experiments involve three interrelated programs: our fellowship program, our extra-curricular activities for students, and policy studies at the faculty level. The last of these will grow more slowly than the others, but in time should become the keystone for all.

"This year our emphasis is on the first two of these programs, fellowships and student activities. Regarding both, we expect to proceed for two years at about the present pace, learning by doing. Then we hope we will be able to extend both programs to new areas of interest.

"For example, in our initial fellowship awards we have concentrated on 'in-and-outers.' But there are several other sorts of natural intermediaries between the political and the scholarly worlds. Political journalists are one; another comprises younger scholars who by temperament are led to seek participation in political life. A third consists of habitually anonymous advisors, lawyers in the main, who may never be 'in,' but rarely are altogether 'out.' And then one comes to those elective officeholders, or aspirants, who by temperament and training are at home in academic circles, accustomed to tap academic sources. With time and experience we hope that we can make our fellowship program a means for testing the uses of the Cambridge community to men and women of all these sorts, as well as to the persons I have labelled 'in-and-outers.'

"Similarly with our student program: we have started to experiment at the undergraduate level, seeking to supplement—not in any sense to supplant—the existing college curriculum. We do so because we think Harvard and Radcliffe Colleges contain a high proportion of potential 'natural intermediaries'—and indeed considerable numbers of potential 'movers and shakers' in this country's political life. But there are other student groups at hand with similar potential: in the Harvard Law School, for example, and MIT, and elsewhere in the Greater Boston area. So, as we gain experience with our initial student program we will adapt it to the interests of such other student bodies, and will gradually enlarge our field for experimentation to encompass graduate students, and to reach out beyond our own undergraduates.

"But we cannot expand until we know what we are doing. The way to learn is by trying. So we begin, this year, experimentally, and so we shall proceed.

"When the Advisory Committee meets next Spring, I shall have more to say, along similar lines, about our third program, faculty studies in the sphere of public policy.

"In formal terms the experimental phase should be behind us by the time the John Fitzgerald Kennedy Memorial in Cambridge has taken architectural shape, some five or six years hence. But in real terms we never will be finished with experimentation. Or, rather, if we ever cease experimenting then the Institute will have ceased doing its proper job within the School. Dean Price and I will make every effort to see that this never happens. We count on our Advisory Committee to keep us at it. . . ."

Mr. CLARK. Mr. President, this newsletter was written before Mr. Fairlie wrote the article which was published in the Washington Post and, therefore, in no way is a comment or rebuttal of that Fairlie article.

The newsletter, however, does set forth a detailed description of the Kennedy memorial and of the school of government, which is a part of it, and of the Kennedy Library. The facts are stated dispassionately and accurately and I think that a reading of this document would convince any objective reader that the generosity of the Kennedy family in establishing these two great new institutions in Cambridge, Mass., under the complete control of the president and fellows of Harvard College, was an extraordinarily generous and most useful act of charity.

Mr. President, it is difficult enough to maintain our institutions of higher learning so that they can continue to serve the needs of the American people. The job is certainly not made easier when reports such as this—ill-informed, unduly suspicious, and plainly erroneous—gain wide currency.

(At this point, Mr. CLARK assumed the chair.)

TURNING A CORNER IN JUVENILE CORRECTIONS

Mr. BYRD of West Virginia. Mr. President, I have been deeply concerned by the increase in crime and the problems of the police departments across the Nation. I was pleased recently to be able to bring to the attention of National, local, and State legislators, the plans to rehabilitate youthful offenders by means of a "model showcase" school to open soon in my home State of West Virginia. It is the National Training School for Boys currently located in antiquated and obsolete buildings at Washington, D.C.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the article, "Turning a Corner in Juvenile Corrections," from Federal Probation magazine, December 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TURNING A CORNER IN JUVENILE CORRECTIONS

(By U.S. Senator Robert C. Byrd, of West Virginia)

In this 20th century when some people are fearful about walking on a public street at night, there is an added stress on the cherished American principle which says, "There is no such thing as a bad boy." As a matter of practical thinking, we must at least accept the fact that the courts of our country often are overburdened with complaints involving scores of young people.

That is why I believe that our country is about to turn a corner and enter upon the threshold of another era in juvenile corrections with the opening in early 1968 of the $9 million new National Training School for Boys at Morgantown, West Virginia.

The school itself will represent a pioneer approach by the Federal Government to rehabilitate youthful offenders. It will be located on a sprawling 340-acre campus; it will be shaded with towering elm and hemlock trees; and it will be equipped with all the facilities which usually are associated with the free hours of young boys of the age group 16 through 19.

In fact, it has been said by some of the correctional planners that the National Training School will bear a stronger resemblance to a prep school than to a correctional institution.

There will be seven separate housing units for the school's maximum population of 354 boys. There will be a junior high school, a senior high school, a chapel, and a clinical center as well as an outdoor recreational area on the premises.

An activity complex will include the school and library facilities, a hobby shop, and a gymnasium. The complex and other buildings—central dining hall, warehouse, commissary, barbershop, and chapel—will be grouped into a "community square." Vocational training shops and the laundry will be located within the "square" area but outside the center of the principal circulation. The administration building will be located near this hub, and visiting facilities will be provided nearby.

Now, why has our government gone so far to provide these facilities for boys who have run afoul of the law? Well, one may say that we no longer think in terms of rooms with bars on the windows for detention. However, the existing National Training School in Washington, D.C., was never like that. It was antiquated and outmoded, and the Federal Bureau of Prisons was aware that modern facilities with a more wholesome and rural environment would greatly add to the desire of a youth to improve his outlook on life.

As chairman of the Senate Subcommittee which appropriates funds for the municipal government of the District of Columbia, I realized 4 years ago that the National Training School was in a state of physical disrepair and had to be replaced with a modern structure. I suggested to the late President John

F. Kennedy that a site among the quiet hills of West Virginia be considered as its new home. In August 1962, the President approved my request and, since then, both the site and its surroundings have served as the core of a master plan with the other elements falling into place to fashion this display.

A "MODEL SHOWCASE" IN REHABILITATION

The school and the programs to be conducted there have become a dream of the Bureau of Prisons to develop a "model showcase" in the rehabilitation of young men. Although the Bureau of Prisons is well qualified to conduct this pioneer effort, the Bureau believes that a major assist to make it a success will come from its proximity to West Virginia University, located just a short distance from the training school. The university facility will be available for consultation, and graduate students are expected to augment their courses in criminology and juvenile delinquency with work sessions at the training school.

It has been my lifelong belief that education is the key to success and the lack of schooling—or a disrespect for it—is usually a familiar element in crime. That is why I hold so much hope for this new school and the obvious emphasis that the Federal Bureau of Prisons will place on education and training for the boys in its enrollment. I might just mention my own early life in a depression-era mining town of West Virginia where I was still able to maintain a desire and thirst for education and finished high school at 16.

Rearing a family, and working my way up the ladder of political life took the next 16 years of my life before I could return to school and enter college. This is a dream that is available to each boy and girl in our country and I believe education stands as the step that must be taken.

Of equal importance is a respect for family life. Again my own experience leads me to believe that the right kind of parental training will foster a respect for law and order by the youth of America. Without the benefits of parents, the boys at the National Training School, will have a staff to reinstill in them this vital confidence in family life. This emphasis on these and other important aspects of man's life represents the great potential of the National Training School.

THE SCHOOL'S PROGRAM

Let us briefly look at the purpose of the school. About two-thirds of the young men are received under sentences for violation of the Federal Juvenile Delinquency Act. The average age of the boys is 17 years and they will come for such offenses as car theft, mail theft, forgery, and other crimes involving property.

For the first thirty days of confinement the young offenders will be studied by staff members. Reports will be prepared during this time by caseworker, chaplain, physician, teacher, psychologist, psychiatrist, and cottage officer; the treatment team then reviews the reports and plans a program of work, vocational training, school, religious instruction, and counseling.

From experience it has been found that the boys sentenced by the courts to the National Training School in the District of Columbia are, almost without exception, products of disrupting experience, of neglect, conflicts of loyalty, of erroneous thinking both by themselves and by others who have influenced their lives, and of family breakdown with all its hardships, such as a lack of adequate supervision and direction.

The Training School will attempt to diagnose the core of the trouble, whether it be in the boy himself, in his home, or in some other element of his circumstances. Counselors believe that the boy's own attitudes and his motives often supply a key to the diagnosis in his case. They have found that stealing an automobile, for instance, represents to one boy a job or a "racket"; in another it reflects a desire to get even with his parents for his own deep hurt at their separation or their rejection of him. In other cases, it may be the thrill of getting behind the wheel of a high-powered car.

A boy's special interest which led him into trouble often can be turned into a constructive occupation through vocational training of the type that he will receive at the school. School directors say they have taken boys whose trouble has been with cars and directed the interest into automobile repair and maintenance. After practical training in a school auto shop, boys often are allowed to assist in the maintenance of the institution cars. And those of us who have attempted to have our own cars repaired these days know the need for more and better mechanics.

The school will have outstanding facilities to train young men in many other vocations which are still needed in our expanding urban society. Those who show an aptitude for woodworking will get instructions from an experienced teacher. Construction, electrical work, metal shop, painting, and plumbing—all occupations which our government now considers so important that it spends millions of dollars each year to conduct manpower development and training programs for unskilled adults—will be taught to these young men to equip them with skills to help them find and keep jobs once they are discharged from the school.

Cooking and baking, laundry work, farm and landscape work are other activities to be offered. Some boys will study the trades of shoe repair and barbering. Several will be trained in operating data processing machines, an ever-expanding field for young people.

A classification committee will review constantly the records of the young people, keeping in mind new opportunities for them to develop into useful citizens.

The CASE project

This emphasis on education is why I hold so much hope for this school. It will stress education as a means of achieving responsible citizenship and a useful life. It will create an atmosphere where there will be respect for employment and responsibilities.

It appears that there will be continuing experiments to stimulate interest in work and education at the new school. Now underway at the District of Columbia campus is a project named CASE which carries a more impressive title in full—Contingencies Applicable to Special Education. It is hoped this program will be continued at Morgantown.

The project was developed by the Institute for Behavioral Research at Silver Spring, Maryland, under a grant from the Office of Juvenile Delinquency and Youth Development of the Department of Health, Education, and Welfare. It was launched at the District school in February 1965 as a 210-minute daily experiment in motivation for youngsters. It was considered successful enough to expand into a 24-hour program in November 1965, which now involves 28 youngsters.

Because of this special education project, headed by Harold L. Cohen at the National Training School at Washington, D.C., several youngsters have been able to complete 2½ years of school in only 4 months. The 28 juveniles enrolled in this project are averaging more than a year's educational growth in an 18-week period.

It operates on a merit system. The participants are given points to stimulate further voluntary study and development. For each point, the youngsters are given one copper penny—and they may earn as much as $40 in one week. The boys pay for their own private rooms, their own food, their recreation, their books, their toiletries, their schooling, and decorations for their rooms.

As one would expect, many of these youngsters have never been even slightly intellectually stimulated, but their performance in the CASE project is rated by the staff members as "nothing less than phenomenal."

As educational researchers, the CASE staff is interested in measuring behavior and increasing learning through environmental procedures. One special cottage has been set aside for the 28 boys in the project. The philosophy of the program is based on the belief of the counselors that "a well-designed environment can, by offering selected and well-designed choices, help direct the behavior of the students to those academic and social goals which are necessary for successful participation in our democratic society."

I might add that a skillful occupation can help to create that well-designed environment.

Participating students are employed by the project as student educational researchers. They are placed in different levels—apprentice 1, apprentice 2, 3, 4, etc.,—according to their educational backgrounds. Each level receives a specific base pay of $10, $15, or more per week. After qualifying for this base pay by achieving 90 percent correct responses to exams and upon completing a certain proportion of hours of work, the student can earn additional pay by doing extra educational and vocational work during his leisure time and through other outlined methods.

The program endeavors to duplicate within the special cottage of environmental design to approximate a standard American society where each must earn the right to participate. Studies of the CASE project showed that inmates prefer to buy their own clothing, food, soap, toothpaste, and other personal items rather than be dependent upon what the staff calls a "welfare society" which exists in conventional institutions where residents are provided three meals a day, dormitory styled sleeping quarters, and institutional clothing.

If the student will not work, for he is not bound to, he must manage on his meager sums. The rewards of the CASE project are, therefore, quite similar to those in the "outside" society; and lack of initiative penalizes in CASE much as it does "outside." The project is dedicated to finding the best means of preparing youngsters to participate successfully in our American society by duplicating that society as nearly as is possible and by seeking the best guidance principles through research and imagination.

I believe that Attorney General Nicholas deB. Katzenbach, who made the decision to proceed with the construction, and Director Myrl E. Alexander of the Federal Bureau of Prisons, who urged that the project be developed and who will supervise the overall rehabilitation program, are to be commended for their forward-looking attitude on the rehabilitation of these young boys. And Superintendent Roy E. Gerard of the National Training School for Boys deserves credit for pioneering many of the educational training programs which will be transferred to Morgantown.

MUCH REMAINS TO BE LEARNED ABOUT DELINQUENCY

In the years to come, we shall be able to measure the success of our efforts to return young men to society to join in the massive undertaking of making a safer and better life for our growing population. Hopefully, the facilities at the new National Training School for boys at Morgantown will help to eliminate juvenile delinquency as well as increase our understanding of it, and will serve as a model for other correctional institutions throughout the world.

I feel that much remains to be learned about the specific causes of juvenile delinquency, though we do know that adverse home conditions and unemployment can play a major role in the problem. Through special study, conducted here by the highly trained staff with the cooperation of West Virginia University, much of the mystery surrounding the problem may be dispelled.

The youngsters who will be assigned to the school will be in the critical development period of their lives. Most will be from 14 to 17 years of age, a time when the transition from boy to man must be a guided one, for what fate befalls a youngster at this time, what training is offered to equip him to be independent, and his reaction to this training will follow him through his entire life. The National Training School will be in the spotlight of attention for others to observe its direction in these important years, to help prepare a more promising future for these boys and to share in the satisfaction, hopefully, of having redeemed this country's most vital resource.

"Training school programs cannot be successful without a full and enriched community service with trained and sufficient staff. Expense in this area should not be spared because of the vital importance of the reintegration process in the eventual community adjustment of the youngster."

Abraham G. Novick.

VOTING RECORD OF SENATOR ROBERT C. BYRD

Mr. BYRD of West Virginia. Mr. President, the 89th Congress has been widely acclaimed as one of the most productive in legislative history, and a major portion of the legislation which it enacted has been described as truly vital and momentous in its liberalism.

As a Member of the U.S. Senate, I voted in support of a wide range of measures, passed by the historic 89th Congress, which have received general acclamation for their liberal nature. I have prepared a report listing these, so that the facts may become a matter of public knowledge.

I ask unanimous consent that this report be printed in the Record at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

Measures Supported by Senator Byrd of West Virginia During 89th Congress

DATE OF SENATE PASSAGE

January 28, 1965: Water Pollution Control Act.

February 1, 1965: Appalachian Regional Development Act.

February 25, 1965: Inter-American Development Bank.

March 10, 1965: H.R. 2998—Disarmament Act Amendments.

March 16, 1965: Manpower Act of 1965.

April 9, 1965: Elementary and Secondary Education Act of 1965.

June 1, 1965: Public Works and Economic Development Act of 1965.

June 15, 1965: Excise Tax Reduction—User Charges.

July 9, 1965: Hospital Insurance Program for Aged—Social Security Amendment.

July 15, 1965: Housing Act of 1965.

July 19, 1965: S. 9, to provide readjustment assistance to veterans (GI Bill).

August 11, 1965: H.R. 6927, creating a Department of Housing and Urban Development.

August 19, 1965: Economic Opportunity Amendments of 1965.

September 2, 1965: Higher Education Act of 1965.

September 8, 1965: Civil Service Annuity Increase.

September 14, 1965: Food and Agriculture Act of 1965.

September 16, 1965: Highway Beautification and Scenic Development.

January 20, 1966: D.C. Minimum Wage.

March 9, 1966: Tax Adjustment Act of 1966.

April 25, 1966: Community District Development Act.

May 17, 1966: Nonproliferation of Nuclear Weapons.

June 1, 1966: Disaster Areas Planting (H.R. 15151).

June 9, 1966: Truth in Packaging.

July 12, 1966: Clean Air Act Amendments of 1966.

July 12, 1966: Child Nutrition Act of 1966.

July 13, 1966: S. 2947, Water Pollution Control.

July 28, 1966: Federal-Aid Highway Act of 1966.

August 8, 1966: Unemployment Insurance Amendments of 1966.

August 11, 1966: Military Medical Benefits Act of 1966.

August 12, 1966: Housing and Urban Development Act of 1966.

August 15, 1966: Urban Mass Transit.

August 25, 1966: FNMA Amendments of 1966.

August 26, 1966: Minimum Wage.

August 31, 1966: Food for Peace Act of 1966.

September 29, 1966: H.R. 15963, to establish a Department of Transportation.

October 4, 1966: Economic Opportunity Amendments of 1966.

October 6, 1966: Elementary and Secondary Education Amendments of 1966.

A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. BYRD of West Virginia. Mr. President, in 1963, I introduced a resolution—Senate Resolution 179—to effect the establishment of a Standing Committee on Veterans' Affairs, but no action was taken on it. Because it continues to be my conviction that the Senate can best serve the interests of our American citizenry by consolidation of veterans legislative activities in one committee, I urge that such action now be taken, and that, toward that end, the legislation which I have again proposed to establish such committee be given hearings at the earliest possible date.

The present administration has expressed its conviction that men and women who have devoted their lives and their resources to the needs of their country are entitled to help and consideration in making the transition to other pursuits. It is my belief that these veterans of our Nation's military service can be more effectively served through a consolidation of veterans legislative activities here in the U.S. Senate, and it is my hope that early and favorable action may be taken on this legislation proposing establishment of a standing committee with sole jurisdiction over veterans legislation.

U.S. PROGRAMS WOULD CURB COAL USE

Mr. BYRD of West Virginia. Mr. President, I wish to insert in the Congressional Record an editorial which appeared in the January 17 edition of the Huntington, W. Va., Advertiser. The editorial is titled "Moody Hits U.S. Programs That Would Curb Coal Use," and it has reference to a statement by Mr. Joseph E. Moody, president of the National Coal Policy Conference. Mr. Moody's statement, coming from a man who has had long experience in working with the coal industry, is one to be seriously considered.

I ask unanimous consent that the editorial be included at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record as follows:

Moody Hits U.S. Programs That Would Curb Coal Use

An alarmed warning that government policies will precipitate a United States fuel crisis and wipe out thousands of jobs where needed most has been sounded by the National Coal Policy Conference, Inc.

A statement by Joseph E. Moody, conference president, charged that federal action illustrated by two examples threatens to destroy major markets for coal and other conventional fuels and deprive the nation "of the benefits of its most valuable energy reserves."

The National Coal Policy Conference represents coal producers, the United Mine Workers, railroads and barge lines which carry coal, utilities and manufacturers of mining machinery.

The first of the examples of injurious government action was the announcement of the Department of Health, Education, and Welfare that it intends to limit the sulfur content of fuel burned in federal institutions in New York, Chicago and Philadelphia.

The regulation would reduce the allowable sulfur content to from one-fourth to four-tenths of one per cent. This is a requirement that practically no coal or heavy fuel oil produced in the United States could meet.

The Moody statement declares the regulation was "by far the most serious restriction yet placed upon our conventional fuels in the name of air pollution control. And it is being issued despite the fact that there is no medical evidence that normal sulfur emissions from coal burning plants contribute to health hazards in the atmosphere."

Besides adopting the policy for government installations, moreover, the HEW announcement said Secretary Gardner "considers the regulation as an objective to be sought nation-wide."

Obviously the federal government could exert effective pressure for causing private consumers to adopt the same policy. It might even induce cities or states to adopt legal restrictions that would bar the use of coal.

But besides citing this attack on the future of coal and the areas that produce it, the Moody statement contained this paragraph on a new program for developing atomic power to compete with coal:

"The federal government is embarked upon a program to develop a high gain atomic breeder reactor to produce electric power for commercial use with large, costly prototype and demonstration plants scheduled for construction after hundreds of millions of dollars have been expended on research."

The breeder reactors would succeed the light water reactors now being built after a development program costing almost $2 billion. They would be preferable because they are expected to save limited supplies of uranium by producing more nuclear fuel than they consume.

Both reactors are intended for use by the electric power industry, which is the largest present and prospective market for coal.

The government's effort to disqualify coal for one market and to build up a strong competitor in another is in absurd conflict with the federal effort to stimulate the economy of long-depressed mining areas.

It is also in sharp conflict with official statements that nuclear power will only supplement and not supplant coal. If maximum use of coal resources is in the national interest not only in supporting broad sectors of the economy but in generating sufficient electric power, then officials should direct their efforts toward that end.

They should expand programs to develop means for eliminating air pollution from all causes, including the burning of coal, and they should allocate for coal market development research money more in proportion to the huge outlays for atomic research.

This certainly would be preferable to future expensive Appalachian development programs for revitalizing depressed areas that their own shortsighted programs had blighted.

HAMILTON K. PYLES—DISTINGUISHED FORESTER

Mr. BYRD of West Virginia. Mr. President, during the past 34 years, Hamilton K. Pyles, Deputy Chief of the Department of Agriculture's Forest Service, has had a distinguished and colorful career. Ham, as he is affectionately known to his associates and friends, retired on December 30, 1966. For the past 10 years it has been my privilege to work with Ham on forestry and natural resource matters involving my home State of West Virginia and our Nation. His counsel, advice, and resolve in forest, soil, water, wildlife, and recreation programs were always sound and sincere. His leadership will be missed in forestry and conservation circles throughout the Nation.

Mr. Pyles was born in the Transvaal gold mine country of South Africa. He completed his high school in Johannesburg and came to the United States in 1927. He completed his academic work at the University of California. He then went to work for the Forest Service.

Highlights of his Forest Service career involved assignments in the West, Lake States, the Northeast, and the Washington Office. From 1933 to 1952, he was in the California region and served in the San Francisco regional office and as forest supervisor of the Cleveland National Forest and worked in various assignments on the Sequoia, Lassen, Stanislaus, and Modoc National Forests.

In true Forest Service tradition Pyles recalls his days as supervisor of the Cleveland National Forest in California as some of the most exciting in his career. A 64,000-acre fire which burned for 5 days, required round-the-clock work and all the fire control know-how that could be mustered. While there was no loss of life, many homes were destroyed as this fire raced through the canyons.

Mr. Pyles helped inaugurate many of the improved fire-control methods now employed on the national forests: Air attack, bombing with fire retardants, fuel reduction to reduce the severity of the fires and lessen the chances of a "crown fire," and improved detection methods.

Ham was adept at civil engineering and many roads and bridges on the national forests attest his skill in this field.

From 1952 to 1955 he was Chief of the Division of Information and Education for the north central region in Milwaukee, Wis. In 1955 and 1956 he was Assistant Chief of the Branch of National Forest Resource Management in the Chief's Office in Washington, D.C.

From 1956 to 1962 Mr. Pyles was regional forester of the eastern region with headquarters in Upper Darby, Pa. As regional forester he directed all Forest Service activities in the 14 States from Maine to Kentucky, including my home State of West Virginia. While regional forester he took an active and personal interest in the surface restoration of mined areas and the reduction of mining impact on national forest resources. He was assigned to chairmanship of the National Mined Area Restoration Committee for the Soil Conservation Society of America in 1960 and received the SCSA President's Award for this work in 1963. He contributed much to the multiple-use management of the eastern public and private forests.

Other worthwhile forestry and conservation activities were initiated and carried through during his assignment as regional forester.

From 1962 until retirement Mr. Pyles served as Deputy Chief in Charge of Programs and Legislation in the Chief's Office in Washington, D.C. In this capacity he worked with many Members of Congress on legislation and other resource activities.

Several international assignments of significance were successfully completed. In May and June of 1964, Ham was a consultant to the Government of Turkey on matters of Turkish forestry policy and organization. This was an AID mission. In 1965 he participated in the Inter-American Conference on Natural Resources at Mar del Plata, Argentina. In addition to these foreign assignments his advice and counsel was sought by foreign foresters and conservationists visiting this country.

Mr. Pyles is an active member of the Society of American Foresters and is involved in its program activity. He is a member of the American Forestry Association. Retirement will not be dull, since anthropology and mycology, especially the study of edible mushrooms, have been two lifelong interests which he plans to pursue with added gusto. He plans to search for Indian lore in remote places, and do some of the hunting and fishing a forester often misses under the press of duty. He may even be available occasionally for consultation on forestry and land management problems. Also he has always shown interest and pride in searching out bright young talent and helping them develop and advance in their chosen work; this he will continue.

The forestry profession, forestry in the woods and all associated resources have felt the impact of Ham Pyles' dedicated and professional service over the years. The U.S. Forest Service can be proud of an individual who has done so much to maintain the high professional standards and esprit de corps of this fine organization. We in the Congress appreciate the service Ham Pyles has given to his country this past 34 years. We wish him well.

RECESS UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 15 minutes p.m.) the Senate took a recess until Monday, January 23, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 19, 1967:

MISSISSIPPI RIVER COMMISSION

Brig. Gen. William T. Bradley, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642), vice Brig. Gen. Walter P. Leber, reassigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 19, 1967:

COMPTROLLER OF THE CURRENCY

William B. Camp, of Maryland, to be Comptroller of the Currency.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 19, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

In God we live, and move, and have our being.—Acts 17: 28.

O God, who art the source of light and life, and whose glory is in all the world, without whom no one can live—make us one with Thee as we move through the experiences of this day. By ourselves we are not adequate for our daily tasks, but with Thee we are made ready for every responsibility and equal to every experience. This day, help us to think, and to think clearly; help us to speak, and to speak wisely; help us to live, and to live faithfully. May we always do our very best and then leave the results with Thee. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 376. An act fixing the representation of the majority and minority membership of the Joint Economic Committee.

EXTENDING THE DATES FOR TRANSMISSION OF THE ECONOMIC REPORT AND THE REPORT OF THE JOINT ECONOMIC COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 16.

The Clerk read the title of the Senate joint resolution.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object—and I do not intend to object—I believe it is appropriate to point out, not necessarily in reference to the report of the Joint Economic Committee and the Economic Report of the President, that all of these problems related to the delay might well have been avoided if we had had a more prompt submission of the budget for 1968, and if we had had the traditional midyear report on the budget, which has in the past always been submitted to the Congress and to the American people in October or November each year.

It seems to me that particularly in 1966, in light of our fiscal problems, we should have had more than ever a midyear report on the status of the Federal budget. This was not done, as the gentleman from Texas well knows. It is regrettable.

Whether it was done for one reason or another, political or otherwise, I will not make any allegation at this point, but it was an exception which is inexcusable. I believe that the administration should be condemned for its failure to report to the American people and to the Congress in the fall of 1966 the facts on the status of our Federal finances.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Texas.

Mr. PATMAN. May I state that this particular resolution does not go very far. Under the law the President must submit this report by January 20. The Joint Economic Committee must make its report by March 1. This only permits from January 20 to January 30. However, I am assured that it will be ready by January 27, which will mean just 1 week's delay. This gives the Joint Economic Committee additional time, by reason of that, for 20 days. It really does not go very far. I appreciate the fact that the gentleman has agreed for the clearance of this resolution. I believe it is very necessary.

Mr. GERALD R. FORD. The request of the gentleman from Texas does have the approval of the ranking minority member of the House Committee on Banking and Currency, the gentleman from New Jersey [Mr. WIDNALL]. It does have the approval of the ranking minority Member of the House on the Joint Economic Committee, the gentleman from Missouri [Mr. CURTIS]. But I think that they would share with me the concern I have that the administration did not submit to the Congress and to the American people the traditional factual statement concerning our Federal fiscal matters in 1966. I hope and I trust that this failure of the past is not repeated in the years ahead.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. I am somewhat confused, Mr. Speaker. Does this request deal with the President's Economic Report to the Nation?

Mr. PATMAN. Yes, sir. The Economic Report of the President.

Mr. GROSS. Is it not true that report was delayed last year?

Mr. PATMAN. Well, possibly a short time, but only a few days.

Mr. GROSS. Why is it that the President cannot conform to the law or whatever it is to which he is supposed to conform? Why does not this Economic Report to the Nation come forward on time?

Mr. PATMAN. I am unable to state to the gentleman why, but this is a very short delay, just 1 week. I do not think——

Mr. GROSS. It was said to be a short delay last year. Is it becoming fashionable for the President to delay his Economic Report to the Nation?

Mr. PATMAN. Remember this: The Congress did not meet until January 10. The holidays were in there, of course, Christmas and New Years, and that entered into it along with the delay of the Congress in meeting. We met, instead of on the constitutional date of January 3, on January 10.

Mr. GROSS. Congress convened earlier a year ago, but the President's report was late then, too, and no good reason was given.

Mr. PATMAN. I hope that the gentleman will consider that the time delay is very short, and I hope it is not necessary in the future.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 16

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) notwithstanding the provisions of section 3 of the Act of February 20, 1946, as amended (15 U.S.C. 1022), the President shall transmit to the Congress not later than January 30, 1967, the 1967 Economic Report; and (b) notwithstanding the provisions of clause (3) of section 5(b) of the Act of February 20, 1946 (15 U.S.C. 1024(b)), the Joint Economic Committee shall file its report on the President's Economic Report with the Senate and House of Representatives not later than March 20, 1967.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONGRESSIONAL MEDAL OF HONOR AWARDED TO AIR FORCE MAJ. BERNARD F. FISHER

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McCLURE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. McCLURE. Mr. Speaker, when I stood here on the House floor last week and raised my right hand to take the oath of office, I felt certain that that must be the proudest moment available to an American citizen. This morning I discovered I was wrong. At an inspiring ceremony at the White House, President Johnson awarded the Congressional Medal of Honor to Air Force Maj. Bernard F. Fisher of Kuna, Idaho, for service to his country above and beyond the call of duty. And I imagine that all of the accomplishments I shall achieve in my lifetime will pale by comparison.

I am proud that the first opportunity I have to address this body is in praise of this modest and unassuming man who has so distinguished himself as to warrant the Nation's highest honor.

Major Fisher risked his life to save a comrade during intense fighting near A Shau, Vietnam, on March 10, 1966. To quote from the official citation:

> The special forces camp at A Shau was under attack by 2,000 North Vietnamese Army regulars. Hostile troops had positioned themselves between the airstrip and the camp. Other hostile troops had surrounded the camp and were continuously raking it with automatic weapons fire from the surrounding hills. The tops of the 1,500-foot hills were obscured by an 800-foot ceiling, limiting aircraft maneuverability and forcing pilots to operate within range of hostile gun positions, which often were able to fire down on the attacking aircraft. During the battle, Major Fisher observed a fellow airman crash land on the battle torn airstrip. In the belief that the downed pilot was seriously injured and in imminent danger of capture, Major Fisher announced his intention to land on the airstrip to effect a rescue. Although aware of the extreme danger and likely failure of such an attempt, he elected to continue. Directing his own aircover, he landed his aircraft and taxied almost the full length of the runway, which was littered with battle debris and parts of an exploded aircraft. While effecting a successful rescue of the downed pilot, heavy ground fire was observed, with nineteen bullets striking his aircraft. In the face of the withering ground fire, he applied power and gained enough speed to lift-off at the overrun of the airstrip.

Such gallantry speaks for itself.

In the not too distant future when the Vietnamese conflict is behind us, historians will reflect on what kind of world it was we were living in. Let them forget that a small handful of overpublicized dissenters sought to give aid and comfort to the enemy. Let them remember instead that heroism and honor did flourish. And as in wars before, it was the courage of such men as Major Fisher and his comrades who enabled America to continue as the symbol of freedom and the hope of the world.

On behalf of the citizens of Idaho and myself, I extend to Major Fisher the Nation's gratitude and share with his wife and five children a deep pride.

MEDAL OF HONOR AWARDED TO MAJ. BERNARD L. FISHER, USAF

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection

to the request of the gentleman from Kansas?

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, I was highly honored this morning in being invited to the White House to witness the presentation of the Congressional Medal of Honor to a man who, when he performed his act of heroism, was a constituent of mine. Since then, redistricting in my State of Idaho has placed this man in the constituency of my colleague, the gentleman from Idaho [Mr. McClure] who, I am sure, is just as proud as I am.

The recipient of the Medal of Honor was Maj. Bernard L. Fisher, U.S. Air Force, whose heroic actions I called to the attention of the Congress on March 14, 1966, in an insertion in the Congressional Record entitled "The Bravest Thing."

Following are a few quotes by fellow officers about Major Fisher, taken from the article:

> "It was the bravest thing I've ever seen a pilot do."
>
> "This is the most daring rescue I have heard of since World War II."
>
> "If there was ever a guy who could have pulled it off, Fisher was it."
>
> "He is what you call one hell of a pilot."

And, I believe the feelings of all Americans are summed up in the succinct words of the wife of the rescued pilot:

> Thank God for that guy who had guts enough to land.

Mr. Speaker, it was during the battle for the U.S. special forces camp at A Shau that Major Fisher performed his heroic feat. Mr. Kenneth Sams, Seventh Air Force historian, has written an excellent account of this battle. Following is what he said about the rescue by Major Fisher:

> Around 11:30 a.m. Major Fisher, his wingman, and two other flights of A–1Es were over A Shau, diverted from another mission. Fisher led his flight to the target area by radio navigation and, as on the previous day, located a hole in the clouds and brought his flight in. Contacting the personnel in the fort, Fisher was told that all friendly forces were now in the bunker in the north corner and that his flight should strafe the walls of the fort. Enemy AA fire, which had downed two planes on the previous day, was more intense and accurate than ever, but these attacks were essential.
>
> Fisher led off with a strafing attack on the walls, spraying them with 20-mm. cannon fire. After he and Vazquez (Captain Francisco Vazquez, Major Fisher's wingman) made two passes, he heard Maj. Dafford W. Myers, leader of another flight of A–1Es from the 602d Air Commando Squadron, ask the FAC for the way into the target. Fisher climbed over the overcast, radioed Myers to follow him, and brought this additional flight down into the narrow canyon. Myers made two passes over the target, firing his 20-mm. cannon. On his third pass, at about 800 feet, he took at least three .50-caliber hits, one in his engine. The engine caught fire, smoke filled the cockpit, and within a minute, the plane was engulfed in flames. Myers was too low to bail out and could not see. Fisher followed alongside Myers, giving directions for a landing on the enemy-held airstrip. First, Myers jettisoned his 100-pound bombs and then, following flight directions from Fisher, brought the plane into a wheels-up landing on the strip. The belly tank exploded on impact, and the plane skidded along the jagged, wreckage-strewn runway for several hundred feet before it slid off the west side, near the embankment, with enemy troops on the other side.
>
> Fisher called for a rescue helicopter, then circled the burning aircraft. He saw Myers climb out of the plane, his clothes still trailing smoke from the burning cockpit. Myers jumped into a small ditch off the runway among a clump of weeds.
>
> At this time Fisher's flight was joined by another flight of A–1Es from the 1st Air Commando Squadron, flown by Capt. Jon I. Lucas and Capt. Dennis B. Hague. Fisher was told it would take fifteen to twenty minutes for the rescue chopper to arrive. Believing that Myers had been seriously injured, Fisher decided the chopper would be too late, and anyway he doubted that it could make it against the intense enemy fire. Therefore, he decided to land and rescue Myers himself. "I'm going in," he radioed Hague.
>
> "We're here to cover you," Hague replied.
>
> The A Shau strip was not considered safe for A–1Es even under normal conditions. With fifty-five gallon oil drums, cans, and debris from Myers' aircraft strewn along the 1,800-foot runway, and gaping holes caused by mortar blasts, the chances of landing a Skyraider and bringing it up were slim.
>
> Fisher went in on the north approach end, which was blacked out with smoke and dust. He touched down through the smoke and quickly realized he could not stop in time so lifted off again. Doing a 180-degree turn with enemy guns trained on him all the time, he landed on the south end and, dodging debris as well as he could, barely halted the plane at the runway edge. He turned the plane around in the dirt off the runway and started taxiing at full speed to avoid enemy fire, all the time looking out his right window for Myers.
>
> Streams of tracers came toward him, and he could hear the bullets tearing into the fuselage. About three-quarters of the way down the runway, he spotted Myers waving to him. He stopped about 150 feet beyond and started to unharness to go after what he believed to be a wounded pilot. He could not see well out of the right empty seat side of the plane, but Myers, who was relatively unhurt, was making a fifty-yard dash for the plane. Just before he could get out, Fisher saw Myers, pulled him head first into the plane, turned around, and took off.
>
> Flying at treetop level till he gained speed, Fisher finally got out of the murderous barrage and into the clouds. Minutes later he landed safely with his passenger at Pleiku.
>
> It was a miraculous feat. All the maneuvering had to be done in a tight, socked-in area. The A–1Es providing suppressive fire had run out of ammunition at the time Myers was making his dash to the plane. Enemy automatic-weapons fire was coming from the camp area as well as from the hills above the camp. The runway was jagged with tire-puncturing metal ripped by motar blasts. When Fisher landed at Pleiku, his plane had nineteen bullet holes in it.

Mr. Speaker, all America can well be proud of Major Fisher and other men like him who, through their heroic actions, have earned our country's highest award for valor, the Congressional Medal of Honor.

My pride in Major Fisher is such that I wanted to present him to the House of Representatives, either from the floor or from the gallery. But the rules of the House are such that neither action was possible.

I have therefore introduced a resolution which would correct what I consider to be an inequitable condition. Bear in mind, Mr. Speaker, that this is the Congressional Medal of Honor—it is not the Presidential Medal of Honor, or some other medal of honor—it is the Congressional Medal of Honor. Therefore, it seems to me that it is right and just that recipients of this medal should be presented to those in whose name the medal was given.

The changes in the rules of the House which I have proposed are not sweeping. They will not open the floodgates of pandemonium, destroying the dignity or decorum of the House. They would merely provide that the winner of a Medal of Honor, seated in the gallery, could be called to the attention of the House and/or that Medal of Honor winners merely be granted the same privileges as those granted to persons who have been "thanked by the House."

I would hope, Mr. Speaker, that all Members who feel about this as I do would introduce identical or similar resolutions.

I would also hope that action on this, or these, resolutions could be taken in the very near future so that no other winner of the Medal of Honor will be "slighted" as have those in the past.

THE PEOPLE SHOULD SEE US IN ACTION

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Gurney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GURNEY. Mr. Speaker, there is a strange thing that sometimes happens to people who serve in public office. They forget who they work for.

We recognized this problem last year when we passed freedom of information legislation to force Federal agencies to open certain files to the public.

Like the people employed in the executive branch, we here in Congress are employed by the American people, and it is to them that we owe an accounting of our every act. Yet, for only one short evening each year we do allow the public into our workshop. And even then it is not to see us work, but to listen with us to the President's state of the Union message.

Then the heavy doors behind us shut for another year on the television cameras that could, and should be reporting our actions into the homes of the people those actions affect. I am today introducing legislation to let the TV cameras stay, just as the newspapermen stay, to report our actions throughout the year. It is of utmost importance that the Nation see Congress in action with its own eyes.

Last year bills were rammed, and railroaded through the House under intense White House pressure. In many cases there was inadequate debate. Major legislation passed without any amendments permitted except those approved by the White House. Many of these amendments would have improved the legislation.

In other cases, amendments were offered, and no debate upon them was permitted. In short, there were times last year when the legislative process was a mockery. Had the American people been able to see this House, they would view their legislative process with grave concern.

Perhaps if they could have sat here at other times, and seen the effects of the administration hatchet-men on our deliberations, they would ponder about the "balance of power" they read about in school.

It is the purpose of the bill that I have introduced today to make sure that the American people will be able to see the performance of their democracy in action. The bill would let the television cameras stay in this Chamber after the President leaves, and allow them to continue reporting to America just what we do and how we do it.

I believe if the American people see this happening with their own eyes, they will insist on Congress doing a thorough, and a fair job of legislating. The searching and all-seeing eyes of the TV camera will do a good deal in straightening out and strengthening the legislative branch of our Government.

My colleagues of the minority and I seek to bring to the American people the truth instead of the hodge-podge of consensus-culled information distorted by the bureaucracy's public relations departments.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I rise in support of the omnibus reform bill introduced this week by the gentleman from Missouri [Mr. CURTIS], my colleague on the Joint Committee on the Organization of the Congress. A similar bill has been introduced in the House by the gentleman from Indiana [Mr. MADDEN], and in the Senate by the gentleman from Oklahoma [Mr. MONRONEY], and others.

As chairman of the House Republican task force on congressional reform and minority staffing, I have studied, investigated, read, and written about the operation of the Congress and discussed specific problems as well as the overall role of Congress with my colleagues and staff on both sides of the aisle, with political scientists and students of the legislative process, and with members of the news media and others over the past 2 years. In short, I have quite literally lived with this subject, in partisan, bipartisan, and nonpartisan context since I came to Congress.

My colleagues expressed themselves earlier this week on the general need to enact the reform legislation now pending in the 90th Congress in the form of the omnibus measures introduced in both Houses this week. I would like to take this occasion to address a few remarks specifically relating to some of the bill's provisions of particular interest to members of the minority party in the House of Representatives.

MINORITY STAFF

Title III of the bill amends the Legislative Reorganization Act of 1946 to provide for an increase in the professional staff assigned to standing committees from four to six, two of which may be selected by the minority. Additionally, the minority is to be given fair consideration in the appointment of staff to be assigned to subcommittees through annual authorization resolutions offered by the committees. Additional clerical staff and equal consideration for minority employees as it relates to salaries, promotions, access to information, and so forth, are also contained in the bill. Other provisions of the bill assure the minority time to file minority or supplemental views when desired, equal time for debate on conference reports, and provide that the minority shall be able to call witnesses on at least one day of a committee's hearings on a measure or matter before the committee.

These reforms, and others, were long in coming and should be enacted into law without further delay.

HELPS TWO-PARTY SYSTEM

As I wrote in "We Propose: A Modern Congress," published last fall by the McGraw-Hill Book Co.:

> We Republicans, currently in the minority, are often accused of mere obstructionism and are charged with failure to come up with constructive alternatives. Under the extremely hampering conditions in which we must operate, it is remarkable that we have done as well as we have. . . .
>
> The two-party system is the vital ingredient that has made possible the success of our government. Throughout our history, the interplay between two broadly based, widely inclusive national political parties has enabled the country to overcome, in large measure, those regional differences and conflicts between social and economic interests that, in many other democracies, result in the formation of numerous, specialized parties, none able to speak for the whole nation, or worse, to dictatorship.
>
> The right to counsel and the right to be judged on the facts pertaining to the issue are rights that are stamped indelibly on the minds and hearts of the American people. Through the adversary system we get more information on which to base our judgments. Under ideal conditions, each side has complete freedom to develop relevant information and present its arguements. The end result is the production of the greatest possible amount of information and, therefore, the greatest possible understanding for those who must render decisions.
>
> The success of the adversary system depends on the quality of the debate. To assure the highest possible quality, each side must have equal opportunity to marshall evidence in support of its positions. In a legislative body, it is just as essential that the minority party have sufficient staff assistance as it is for either party in a court of law to have proper counsel. The business of the Republic demands that the effective expression of minority views not be allowed to rest on the capricious, internal strains within the party that is charged with the responsibility of governing.

Separately and together, our Republican task force and the bipartisan joint committee studied many feasible approaches to the question of adequate staffing for the minority. The needs and attitudes of minority Members and staff were surveyed in depth, committee by committee, in the 89th Congress.

Whatever the various approaches to this problem in the past, I think we can all agree that the provisions of the 1967 omnibus bill, if enacted into law, constitute a giant step forward in positioning the minority in Congress to better fulfill its responsibilities. I would like to remind my colleagues that these provisions were hammered out by a bipartisan committee and were unanimously reported by that group of sincere and distinguished Senators and Congressmen from both sides of the aisle.

INTERNAL CONFLICTS IN CHINA OFFERS OPPORTUNITY TO QUICKEN THE PACE OF THE VIETNAM WAR

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, on January 17, I sent a letter to the President regarding the progress of the war in Vietnam. This is a propitious time to quicken the pace of the war with minimal risk of Chinese intervention. In my letter I made a number of suggestions about the war, and I include the letter in full at this point:

> DEAR MR. PRESIDENT: In my view, this is no time to ease pressure on enemy forces in Vietnam, quite the contrary pressures must be mounted.
>
> Accordingly, I respectfully but strongly urge that: (1) plans to participate in a cease-fire during the upcoming Oriental New Year be canceled; (2) North Vietnam's Haiphong Harbor be closed down completely either by laying mines or blockade; (3) railway lines and other transport routes entering North Vietnam be severed as close as possible to the Chinese border—and kept severed.
>
> Another cease-fire or bombing pause, like the earlier one, would undoubtedly help the enemy and therefore be a setback to our cause.
>
> The way communists use a cease-fire to our disadvantage was brought forcibly and sorrowfully to my attention recently when I received word that one of my constituents, Terry Alan Carls, a 19-year-old soldier from Virginia, Illinois was killed by a sniper's bullet on New Years eve as he returned from patrol duty in Vietnam.
>
> Perhaps at that moment Terry was buoyed to a false sense of security by the belief that enemy forces were cooperating fully in a holiday armistice. Certainly it would not be surprising if he was then proceeding back to his base with fewer precautions than he would ordinarily take.
>
> His death is mute testimony that a cease-fire is really not a cease-fire to the communists. It should be a lesson to us and we should not repeat the cease-fire mistake again.
>
> Terry's death was one of more than 200 communist violations of the recent holiday truce week.
>
> Indeed, U.S. casualties during the "cease-fire" were more numerous than during the preceding week.
>
> If U.S. forces cooperate in a cease-fire again in mid February in observance of Tet, the Oriental New Year, we may again suffer higher casualties than would otherwise oc-

cur—and other Terrys may be brought home sorrowfully to a final rest.

Another cease-fire is being proposed in the hope that somehow it may be extended indefinitely. In other words, once the communists quit fighting it is hoped they won't start again unless provoked. In the light of what happened to Terry and other U.S. soldiers during the recent holiday this hope is utterly vain.

Moreover, judging from the past a new cease-fire will hurt our cause in ways other than casualties. The lull will give the enemy time to repair supply lines, bridges and roads and time to move in more troops, equipment and supplies—as in the past.

It is high time to intensify—not relax—pressure against the enemy.

The most logical and most merciful step—in addition to those presently being employed—is to shut off the flow of supplies to North Vietnam which equip and nourish the enemy.

If possible, resources of our nation should be brought to bear to this end. Compared with what is possible, very little is being done.

Shut off from major commerce by land and sea, tiny North Vietnam could not continue its present aggression to the south for more than a few short weeks.

In a White House briefing more than two years ago I urged that you take action to close Haiphong Harbor to all commerce and to sever north-south rail lines near the Chinese border. At that time your advisors urged against these actions out of concern for the reaction of other countries, notably Communist China.

It was argued that this might provoke China to enter the war. On balance, it seemed to me this risk was then greatly overrated. Whether the argument was valid then or not, certainly it has little merit today.

With China torn with internal strife and in some areas open revolt, its communist rulers are more likely to pull back from foreign military engagements than to advance.

A more favorable time to undertake the risk of China's entry into the war would be difficult to imagine.

As to the reaction of other nations—principally Communist bloc nations of Eastern Europe—whose ships steam in and out of Haiphong Harbor, I suggest we give them a couple of day's notice of our plan to shut the harbor with no "ifs," "ands" or "buts."

In time of war the interests of our fighting men must supersede the niceties of international commerce.

These steps I believe would shorten the war and save lives on both sides. They would also bolster our sagging prestige as a nation.

The spectacle of the world's greatest and militarily most powerful nation bogged down and unable to halt aggression by a tiny, under-developed country like North Vietnam is shameful and shocking. It must not continue. In these views I believe I speak for the vast majority of my constituents.

With respect and sympathy for the great burdens of your office and with a genuine desire to be helpful, I am

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

ADJOURNMENT TO MONDAY, JANUARY 23, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SPEAKER AUTHORIZED TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House until January 23, 1967, the Clerk be authorized to receive messages from the Senate, and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to dispense with the business in order under the Calendar Wednesday rule for next week.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I have asked for this time for the purpose of advising the Members of the House of Representatives, pursuant to our usual custom, of the fact that we have no legislative business scheduled for next week.

Mr. Speaker, our business for next week will be confined to organizational matters and, perhaps, funds for the operations of a committee of this body, or other matters of that nature, as well as messages from the White House.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield?

Mr. ALBERT. I yield to the distinguished gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I thank the distinguished majority leader for informing the House as to the schedule, and as to the program for next week.

Mr. ALBERT. I thank the distinguished gentleman from Michigan.

PROVIDING FOR A SPECIAL COMMITTEE TO REPORT TO THE HOUSE UPON THE QUESTION OF THE RIGHT OF ADAM CLAYTON POWELL TO BE SWORN IN AS A REPRESENTATIVE FROM THE STATE OF NEW YORK IN THE 90TH CONGRESS

The SPEAKER. Pursuant to the provisions of House Resolution 1, 90th Congress, providing for a special committee to report to the House upon the question of the right of ADAM CLAYTON POWELL to be sworn in as a Representative from the State of New York in the 90th Congress, as well as to his final right to a seat therein, the Chair appoints the following members: Mr. CELLER, of New York, chairman; Mr. CORMAN, of California; Mr. PEPPER, of Florida; Mr. CONYERS, of Michigan; Mr. JACOBS, of Indiana; Mr. MOORE, of West Virginia; Mr. TEAGUE, of California, Mr. MACGREGOR, of Minnesota; and Mr. THOMSON, of Wisconsin.

SOME PERSPECTIVES ON FEDERAL SPENDING

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from Texas [Mr. MAHON], is recognized for 1 hour.

Mr. MAHON. Mr. Speaker, I am about to make a long, dry, dull, and unexciting speech about the biggest fiscal operation on earth—the operation of the U.S. Government. I think this is a rather propitious time to speak on this subject.

The President, on Tuesday of last week, delivered his state of the Union message. In that message he estimated administrative budget expenditures for the current fiscal year 1967 and for the forthcoming fiscal year 1968 that begins on July 1, 1967. It is my understanding that early next week he will submit his budget request for the forthcoming fiscal year. It is my further understanding that this evening the leadership of the opposition party will have something to say on the President's state of the Union message.

So it seems not to be an untimely moment to discuss some of the aspects of our fiscal situation.

There are 62 Members, I believe, in the House who were not here last year, and therefore do not remember in detail, as others of us do, what we did last session on all of the appropriation bills.

We had 15 appropriation bills, and we appropriated, including such items as the permanent appropriation for the payment of interest on the national debt, a total of about $144 billion in the last session of the Congress.

I agree with those who say that the battleground of this Congress will be Government spending.

So, for the benefit of the newer Members, and in order to refresh the minds of all of us as to what we did last year on appropriations, I shall insert a table showing what we did, moneywise, in each of the appropriation bills last year.

There is a very great problem in understanding just what our fiscal situation is, since the words which are uttered on this subject can be interpreted in different ways.

SPENDING VERSUS APPROPRIATIONS

There is a considerable language barrier in this respect between the press, the Congress, and the executive branch. The same words do not always mean identically the same thing. Someone spoke to me, I believe it was yesterday, and said, "Well, I notice that the President is going to request a supplemental appropriation of about $9 billion additional for the Vietnam war." This is wholly in error. The President has not said that—but a quick reaction to the news media might indicate that he had.

The President has not said what the

appropriation request for a Defense supplemental will total. I assume that we will learn that next week.

I want to say here, in the very beginning, that I am not trying in any way to speculate as to what the President's budget recommendations may be or in any way to prejudge the forthcoming budget.

CONGRESSIONAL ACTION ON BUDGET LAST SESSION

What I want to talk about is what we did last year. Then we may turn to this record, if we wish, during the session, and compare what we do in 1967 with what we did during the calendar year 1966.

Speaking further about the language barrier to which I referred, there is a great deal of confusion as to what the Congress did with the budget last year. The Director of the Bureau of the Budget says that we reduced appropriation bills for fiscal year 1967 by $139 million and we say that we made cuts totaling $651 million. The Budget Director uses "new obligational authority" in his computations and the Congress uses "appropriations." Appropriations and new obligational authority are in most cases identical but there are some variances.

DEFINITIONS OF BUDGETARY TERMS

I propose to have prepared, and to submit to the Congress, a statement giving various definitions relating to Government financing. This will become available at a later date.

Some have asked me, "Well, what is the Congress going to do with the President's $135 billion budget this year?"

The President has not submitted a $135 billion appropriations budget. We do not know what the appropriation budget is. He did say in his state of the Union message that the expenditure budget, or the disbursements side of the administrative budget, as it is often called, would total about $135 billion. But we in the Congress will not be using the expenditure budget except in an incidental way in determining what we will do this year with the appropriations budget. What we will do this year on Government spending will be related directly to the appropriations requests that are submitted. Congress acts on the appropriation or new obligational authority budget, not the expenditure budget estimate for the year.

I will guarantee you that when the headlines are printed following the submission of the President's budget next week, the figures referred to will be most confusing to those who try to understand just what the real picture is. The headline is probably going to refer to the expenditure budget and will not relate the amount of the appropriation or new obligational authority budget except in an incidental way. Probably, the appropriations budget will be referred to but the chief emphasis will be on expenditure figures.

THREE KINDS OF BUDGETS

We should remember that there are three kinds of budgets.

First, is the appropriation or new obligational authority budget. That is what Congress is going to be considering this year. It is based on authority to obligate the Government to pay out money.

The second budget is the one which I said is usually referred to in the headlines, the expenditure budget.

The expenditure budget is the estimate of how much the executive branch will actually disburse or pay out of the general funds of the Treasury in a given year.

Another is the so-called cash budget—often referred to as "Receipts From and Payments to the Public" it is also on an expenditure or disbursements basis, but is more encompassing. It combines the administrative budget with the trust funds for such programs as social security, highways, unemployment, and railroad and civil service retirement.

UNEXPENDED CARRYOVERS

The executive branch will spend a lot of money this year. Some of the money which will be expended or spent this fiscal year was appropriated by previous Congresses.

If we did not appropriate a dime at this session of Congress the executive branch would still have available to it on July 1, the beginning of the next fiscal year, in unspent funds, $122 billion—give or take some few billion dollars. So the expenditure budget relates in part to the expenditure of funds already made available for long leadtime items for NASA, for the Defense Department, for the Atomic Energy Commission, and in many other fields.

REVENUE ESTIMATES

As my colleagues, especially those who have been here for some time, well know, there is a misconception about what the President's budget really is. The President's budget is not made up merely of requests for appropriations or estimates of spending. The President's budget is also made up of requests for and estimates of revenues. It will shock no one when I say that, with a few strokes of the pen, the President could submit a balanced budget next week. That would not be difficult. The President, with a stroke of the pen, could submit a balanced budget next week and the headlines would be, "President Submits Balanced Budget."

All he would have to do in order to submit a balanced budget would be to request that postal revenues be raised by a considerable sum, and that instead of proposing a surtax of 6 percent to raise some $4.5 billion, that he propose a tax to raise the $4.5 billion plus an additional $8 billion, the estimated deficit for the fiscal year 1968. He would then have a balanced budget. On paper, that would be very easy to do.

Of course, to defend the submission of a tax bill that would raise about $12 or $14 billion would be a different matter. So it probably would not be practical at this date for the President to undertake to submit a balanced budget. That is one of the factors which we need to have in mind as we approach this business of considering what we are going to do this year about Government spending.

I see present in the Chamber my friend, the gentleman from Ohio [Mr. Bow], who is the ranking minority member of the committee. I think it goes without saying that the Committee on Appropriations is not a very partisan committee. We work with money, with the allocation of the public financial resources, and this cuts across party lines and is a matter that involves all of us. There is a great deal of economics in this situation and some politics, but not very much politics.

I do hope that this year we can have a very thorough discussion of appropriations and spending. We are going to begin this session in the Appropriations Committee probably next week or the week after by having the Director of the Bureau of the Budget and the Secretary of the Treasury come before the committee and lay out the requests which will be submitted next week by the President. We will develop background material which will bring the whole spending picture into better focus.

It is all very easy to talk about how we are going to cut spending. And we must and we will, but when it comes to individual cases we are going to find that talk is cheap but action is at times rather expensive and painful. If we are going to do a good job in fiscal matters, we are going to have to gird ourselves for the contest because there will be many distractions and obstacles along the way.

MAJOR APPROPRIATION AREAS

I make that statement especially because the area of the budget that can be cut substantially is somewhat narrow. We all agree that we probably cannot drastically cut the Defense requests, and they will certainly be in excess of $70 billion.

We provided more than that this year. Certainly for the forthcoming fiscal year, it will be considerably more.

We cannot sidestep the interest on the debt, which is some $14 billion more. Those two areas may run the total up close to $90 billion.

Then we probably will appropriate the necessary money for the Veterans' Administration, which is above $6 billion.

We can go on and find that, while it is theoretically possible to make reductions in such programs as these as a practical matter no substantial net reductions can be expected in large chunks of money which are devoted to defense, interest, veterans payments, and certain other categories. But there are fields in nondefense spending where major cuts can be made.

There are those who say, well, we have to cut out a lot of programs of the Great Society, and we should and will make reductions in my opinion, but if we eliminated all of the so-called Great Society, the spending program of the Government would still be astronomical.

With respect to the Great Society, the problem in some instances is not going to be so much to reduce what we did last year, but to decide what to do about increased requests this year.

For demonstration cities or model cities, as we now call them, the appropriation request last year was just $24 million, an inconsequential sum in relation to big government spending. It was only $24 million. Yet we cut that down to $11 million. Some of us did not vote for, but Congress did authorize for model cities for the forthcoming fiscal year an appropriation of $400 million. So the primary issue is not going to be to cut back on what we did last year on model cities. If we cut out the $11 million, that would not weigh heavily in the overall picture. The question is, what are we going to do if the President submits a request for the amount which Congress has authorized of $400 million for demonstration cities?

CONGRESSIONAL ACTION ON BUDGET LAST YEAR

I want to go back now and discuss what we did last year.

Last year, in acting on the appropriation bills, the Congress reduced the President's appropriations budget by $883 million. That is the way we figure it on an appropriation basis. Of course, the Director of the Bureau of the Budget has a little different calculation, but he also calculates that in appropriation bills before the Congress we did reduce the submissions which came to us from the President. That was in appropriation bills.

But that is not the whole picture. For mortgage credit, for example, we provided hundreds of millions of dollars above the President's budget request for possible utilization and expenditure, and in other programs we went above the budget.

For example, in the cold war GI bill of rights, we were above the President's budget by several hundred million dollars.

We raised the pay of civilian and military personnel above the President's request in the authorization bills. We have not yet provided the money for the higher rates of pay, but we will have to do it. It is mandated as a result of our actions last year.

But in some of the other authorization bills, such as Aid to Elementary and Secondary Education, while we went considerably above the authorization requested by the Executive, in the related appropriation we held the line at the President's budget. We have many authorizations before us this year of this same nature, already approved. The additional authorization is not going to cause money to be spent as long as the additional authorization is not funded. So this is a situation which we have to bear in mind as we try to evaluate what we did last year.

In summary, in providing new obligational authority to the Executive last year, Congress in and outside the appropriations bills went above the President's fiscal 1967 budget to the extent of about $2.3 billion.

We talked a lot about economy and savings and we took substantial actions in appropriation bills, but in the overall Congress went above the President's budget by some $2.3 billion on the new obligational authority basis.

As stated, we did not do this in appropriation bills; we did it in back-door spending and otherwise; but nevertheless we did it. Many of us did not support certain programs. But when we make up the totals, this is what was done last year. This will be in the backs of our minds as we proceed with the forthcoming fiscal year.

As I said, I am going to place in the Record the actions which we took last year on the various appropriation bills and I am going to insert a great deal of additional information in the Record which will, I hope, be helpful to Members.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to place in the Record a table and other material relating to the subject matter to which I have addressed myself.

The SPEAKER pro tempore (Mr. Patman). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. The gentleman from Texas, the chairman of the Appropriations Committee, has made a real contribution here today in outlining the procedures of appropriations, the administrative budget, the cash budget, and new obligational authority. I would suggest to all Members, particularly the new Members, that they read the gentleman's statement in the Record, because I am sure it will be helpful in considering this matter. It has taken most of us who are on the committee some years to become familiar with the various terms.

FISCAL YEAR 1967 BUDGET

Mr. MAHON. Let me at this point interrupt to say, since we have mentioned the expenditure budget, as I understand it, the administrative expenditure budget for the current fiscal year 1967, is now estimated by the President to be $126.7 billion.

The appropriations budget has already been largely made—in the last Congress. The appropriations budget of the last session covered fiscal year 1966 supplementals and regular fiscal 1967—and was about $144 billion. There will be considerable supplementals in the current session, also dealing with fiscal 1967.

But a higher budget figure one can find when one deals with these matters, as the gentleman well knows, is the so-called cash budget. The cash budget combines the administrative expenditure budget and the trust funds such as payments for social security. My off-the-cuff estimate would be that the cash budget for the current fiscal year will be in the area of $160 billion or more.

GROWTH IN SPENDING

Mr. Speaker, it is pertinent also to note that total appropriations in the last session were about $25 billion above appropriations of the year before, and appropriations of the year before—in the session in calendar 1965—were some $13 billion above those made in the calendar 1964 session.

So spending is going up. The gentleman would not contend, nor would any of us, that all spending is bad. Much spending is essential. It is a part of the necessary things that must be done in this country. Our objective is not to prevent all spending, but it is to undertake to give the highest priorities to the highest necessities we have. And to restrain growth of spending.

Mr. BOW. I agree with the gentleman.

Mr. MAHON. Pardon me. The gentleman had more to say, but I thought it would be well to mention the three kinds of budgets.

FISCAL YEAR 1967 DEFICIT

Mr. BOW. The gentleman is quite correct that all spending is not bad, but some of it, in my opinion, is bad.

Of course, we have to spend. I believe the gentleman will agree there are times we have spent when we could have saved.

One point which has been distressing to some of us on this side of the aisle, and I am sure to many on the other side of the aisle, is the fact that fiscal 1967 expenditures are now estimated by the President to have increased by $13.9 billion from the $112.8 billion that he estimated last January. They are up now to $126.7 billion, according to the President.

There have been substantial increases, I will admit, for the war in Vietnam. But, all of these increases were not in the defense area.

We repeatedly warned last year and the gentleman from California [Mr. Lipscomb], and the gentleman from Wisconsin [Mr. Laird], specifically warned from time to time that they were underestimating the defense budget. Now, of course, we are faced with this supplemental.

Mr. MAHON. I would like to say to the gentleman from Ohio that on many occasions on the floor last year it was agreed by all Members without a single dissent that there would be an additional Defense requirement early in this session. This was said by the President, it was set forth by the Director of the Bureau of the Budget, by the Secretary of Defense, by the report on the defense appropriation bill, and by various gentlemen on the minority side and on the majority side. So it comes as no surprise to anyone and there is no dissent at all in the fact that we are now or will be confronted in a few weeks with the need for additional funds.

Mr. BOW. The point I make, Mr. Chairman, is when the budget was originally submitted to us last year there was an estimated deficit of $1.8 billion. What we actually have now, when we see the year nearly completed, is a deficit of $9.7 billion instead of the $1.8 billion. I hope that the 1968 budget, when it comes up this year, will be a fair and meaningful budget so that the American people and the Committee on Appropriations can know exactly what we expect to be spending this year. If they knew that and if we all knew that there was going to be an increase in military spending, then why was it not in the 1967 budget when it came up here? They made these great suggestions about there being a $1.8 billion deficit whereas we now find it is a $9.7 billion deficit.

Now, if the gentleman will yield further——

Mr. MAHON. I would just like to say at this point that a great Republican President, James A. Garfield, once said——

Mr. BOW. Yes. James Garfield. He was chairman of the Committee on Appropriations and a great Ohioan by the way.

Mr. MAHON. Yes. He said, "War overturns all ordinary calculations." He was speaking of determining appropriations. So the intensity and the escalation of the war did overturn some of the calculations that were made. This has always been true.

DEFENSE AS A PERCENT OF GNP

I think it would be appropriate, also, to point out that according to the best calculations I know, the war plus all defense spending is requiring the utilization of only about 8½ percent of our gross national product at this time, which I believe was about $740 billion last year. Of course, what the proportion of the gross national product may be in the forthcoming year I do not foresee, but it is interesting to recall that in World War II, the defense effort required about 41 percent, I believe, of the gross national product. So that is one of the reasons why many of us feel that at this time when we have a high level of employment and booming prosperity in many areas and for many people, although not for all people, that we ought to be able to pay our own way, certainly to a greater extent than we are.

ESTIMATE OF DEFENSE EXPENDITURES

Mr. SIKES. Mr. Speaker, will the gentleman yield at that point?

Mr. MAHON. Let me yield briefly to the gentleman from Florida.

Mr. SIKES. Is it not fair to say that in an accelerated war it is not possible to state with certainty what expenditures will be for a given future period? We knew that there were going to be additional expenditures. We were told that the appropriations for those expenditures would be requested when the money was needed.

Is that not what actually took place?

Mr. MAHON. Yes. The gentleman is correct.

Mr. BOW. Mr. Speaker, if the gentleman will yield in order to reply to the gentleman from Florida?

Mr. MAHON. Yes. I yield to the gentleman from Ohio.

Mr. BOW. It seems to me one reason why we had this difficulty was the fact that when Mr. McNamara was estimating his expenditures for the war in Vietnam he was estimating them on the basis that the war would be over in June of 1967. That is just one more of Mr. McNamara's miscalculations.

Mr. MAHON. I must say at this point that it would be unfair to say that the Secretary of Defense, Mr. McNamara, last year made a miscalculation with respect to the time that the war would end.

Insofar as I know, he has never, certainly, with respect to the fiscal year 1967 budget, undertaken to set a date when the war would end. For budgetary purposes in determining how much the services would initially request from the Congress, the presumption was used—and everyone involved knew it was only a presumption for budgetary purposes—that the war would end on June 30, 1967. If it did, then how much money would each service need? This was the basis upon which he made the calculation.

Mr. SIKES. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the distinguished gentleman from Florida.

Mr. SIKES. Is not this a known budgetary procedure? No one thought the war was going to be over at the end of fiscal year 1967. This is one way of budgeting, but I do not believe it is as realistic as it might be. I would hope that in budgeting for the war in the budget which will come up next week, there will be no budgetary assumption that the war will end on June 30, 1968.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. In reply to the distinguished gentleman from Florida [Mr. SIKES], concerning the fact that it is normal budget procedure to have it end at June 1967—the budget that will come up next week will request funds that will not be spent until fiscal 1969. Long leadtime procurements must be funded considerably in advance.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Oklahoma.

BUDGET DEFICIT

Mr. EDMONDSON. Mr. Speaker, I merely wanted, first, to express to my friend, the distinguished gentleman from Texas [Mr. MAHON], chairman of the Committee on Appropriations, my appreciation for his providing interesting information and some helpful guidance in this area of the budget of the United States, and to make the point clear, a point which has been raised by the very able gentleman from Ohio [Mr. BOW] a minute ago, when Mr. Bow said that there will be a $9.7 billion deficit in the current fiscal year.

Mr. Speaker, I would like to obtain an opinion on this matter from the chairman of the Committee on Appropriations of the House of Representatives.

Mr. BOW. In the administrative expenditure budget for fiscal 1967.

Mr. EDMONDSON. Mr. Speaker, if the gentleman from Texas will yield further, whether it is in the expenditure budget or the appropriation budget, or to which portion thereof it does apply?

Mr. BOW. This would apply to the administrative expenditure side of the budget, for fiscal 1967, the revised figure.

Mr. MAHON. The gentleman from Oklahoma raises a pertinent question. The President has said that the deficit for the year which ends on June 30 of this year will be $9.7 billion. He also said that there will be a deficit of $8.1 billion for the fiscal year which begins on July 1 of this year. That is his estimate.

Of course, it is a guess, a guess which has been made 18 months in advance of the end of the coming fiscal year, but that hinges on many contingencies and actions. For example, he says it will be $8.1 billion only if Congress passes a tax bill, a bill which would raise something in excess of $4.5 billion in the first year. And, Mr. Speaker, we do not know what problems may be encountered in the perfecting of this legislation. We do not know what will be requested in the budget with reference to the so-called participation sales, and so forth. In other words, Mr. Speaker, it is impossible to predict that situation now.

Mr. EDMONDSON. Mr. Speaker, I thank the gentleman from Texas for his explanation.

Mr. MAHON. And, Mr. Speaker, I do not think we ought to permit a budget deficit of $13 billion—and the estimated deficit of $8.1 billion would be almost $13 billion were it not for the $4.5 billion surtax proposal—during the coming fiscal year, especially when defense spending involves such a relatively small portion of the gross national product. In order to meet this situation, the President has asked us to help him to hold down the expenditure of funds already available. The Congress should make whatever reductions it can in appropriations.

What I think we ought to do is to cut appropriations as much as we safely can and try to reduce the estimated deficit as much as we can, and then, at the end of the year, if we have not done the job of reducing appropriations, it would seem to me that if we are going to be sufficiently responsible we would have to pass a tax bill. But it would be a fatal mistake to pass a tax bill now, in my opinion, because it would just encourage more spending than the country probably should be called upon to stand.

It will be recalled that the highest peacetime deficit we have ever had was in 1959 under President Eisenhower, and was in excess of $12 billion, but, regardless of who was in power in the White House, the matter would seem to me to be this:

That Congress should not tolerate, nor should the Executive, a deficit, at a time of relatively high level of prosperity, in the sum of $13 or $14 billion.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I would like to say that I personally appreciate very much the approach which the chairman of the Committee on Appropriations is suggesting should be followed by Congress on this. I do think it makes very good sense to do all we can to see how much we can cut back on some of these nondefense items before we make a decision on taxes. I wholeheartedly agree with that.

I believe the chairman would also agree that the President has been moving wisely in recent months in a number of areas to slow down the rate of spending. This is seen most emphatically in the highway construction outlay allotments to the States where a 17.5-percent cut has been made. At least, that is a direct funding item. Granted it might have an effect in some other directions with regard to the overall budgetary proposal, but certainly we must take steps to try to reduce the level of nondefense spending.

Would the gentleman not agree to that?

Mr. MAHON. Mr. Speaker, I think the President should be applauded for his determined efforts to slow down spending, and it is hoped that he can continue to be successful in holding down the spending of funds. It is true that there is some pain involved in this because some worthwhile projects, some public buildings for example, will not go forward. There will be a delay. It is not necessarily an elimination of funds, but it is at least a postponement. Reduction of inflationary pressure certainly is in the public interest.

I would like to say that the President exercised a good deal of restraint in his state of the Union message. When we see the budget we can better evaluate the details of his proposals but it must be said for the President that he is struggling mightily, and well he should be, to hold spending more in check, and to prevent the deficit from becoming completely beyond the realm of acceptability.

Mr. BOW. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I yield to the gentleman from Ohio.

Mr. BOW. Mr. Speaker, I thank the gentleman for yielding. I just want to say to the gentleman from Oklahoma that if the President were as concerned about new requests as he is about cutting down expenditures I think it would be helpful. We are going to have to watch all the new requests. He has cut out some spending. He has frozen some funds. But I hate to say "I told you so," but if you go over the list, with the exception of highways, you will find pretty much the freezing, and where the funds have been frozen, about parallels the so-called 5-percent limitation amendments, or the Bow amendments of last year, when we had some 90 percent support over here, and not too much over there.

But the President had to follow us on that—and I appreciate it.

If you remember, I used to represent the President in the well of the House here every once in a while. I even got over on the other side there to talk for some of the things he wanted to do.

But I was not going to get into partisanship, may I say to my chairman because you and I do not indulge in partisanship.

Again I want to compliment the gentleman for the presentation that he has made.

INCREASE IN EXPENDITURES

There are several other things I would like to point out. We are talking about spending—I mean talking about expenditures. The state of the Union address indicates that expenditures in 1968 will be $22 billion higher than they were estimated for this current fiscal year 1967 in the budget of last January.

This gives me some concern. Let us consider this. The gentleman mentioned the gross national product. I see the gentleman from Texas [Mr. PATMAN] on the floor—he is an economist and I am not and there are others who probably know more about these theories than I do. But it just seems to me that when we begin to talk about the gross national product, we should consider Federal spending. Much of the money that we are spending and appropriating goes into the gross national product so that government spending is helping to build up the gross national product.

Also there is a great deal of inflation. Let us go back to the constant dollar of a few years ago. Inflation has helped to build up that gross national product. I do not like to appropriate or to be thinking about the economy of our Nation and spending based on the theory of a high gross national product. It does not seem to me that that has much to do with whether we are going to have deficit spending or not. If it does mean anything in the economy, then it would seem to me when we are in a period of high gross national product, in a period such as we have had for some 70 months perhaps, this is the time that we ought to be cutting that debt.

The gentleman has very properly shown that we have a large defense item here. I do not think we are going to be able to do much cutting.

The gentleman from California, the ranking minority Member on defense appropriations rather indicates to me that those amounts that have been suggested are not going to be enough even this year.

Then as the gentleman has said, we have the interest on the debt—$14 billion. Then you have the deficit, that you talk about. Let us remember when we begin to talk about deficits in the economy we are responsible for that $14 billion. Because we permitted this to go on.

It seems to me it is about time that we began to try to whittle that debt down so that we do not have a $14 billion bill to pay every year just for interest—which is unproductive—and we get nothing out of that $14 billion.

So I agree with the gentleman.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks at the conclusion of the statement of the gentleman from Texas [Mr. MAHON].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BOW. Mr. Speaker, again may I say to my distinguished chairman, I think when the Members read what the gentleman has prepared—and let us call it a primer on the budget—it will be very helpful to everyone in the consideration of the budget.

I think probably we will find one of the most important things we are going to do here this year is on the question of fiscal policy.

Further I want to agree with the gentleman from Texas completely on the question of taxes. We ought to take a good, hard long look at this budget before we even give consideration to the question of taxes.

Mr. MAHON. Mr. Speaker, I would like to make some comment with regard to some of the statements that have just been made by the gentleman from Ohio.

I believe the cost of the Federal Government in this country over a period of 15 years or more has been, in terms of the gross national product, about 15 percent a year under several administrations. We must also remember that we have a burgeoning population with the resultant demands for additional services. Local spending and State spending is skyrocketing, in some cases more precipitously than Federal spending.

These increases can be explained in part by the increased population—I say can be explained in part.

With further reference to this matter, I would like to point out that the increase in appropriations last year was largely a result of the war. I must in the same breath say that the increase in spending in the year before, the first session of the 89th Congress, was to a very considerable extent due to nondefense spending programs. My formal notes which I shall insert give a bit more detail on that.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that at the conclusion of the gentleman's remarks, I may address the House for 15 minutes.

The SPEAKER pro tempore (Mr. PATTEN). Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman.

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that I may address the House for 5 minutes today, following the conclusion of special orders heretofore granted.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, I had prepared what I thought was a rather coherent and logical speech. I have not yet been able to get to it but in my informal remarks I have covered many of the ideas I had in mind.

I now yield to the gentleman from Florida.

Mr. BOW. I thought the gentleman had concluded. That is the reason I interrupted.

Mr. SIKES. Mr. Speaker, I think this exchange has been useful. The distinguished gentleman from Texas and the distinguished gentleman from Ohio have made some worthwhile contributions.

I feel that the House will join in applauding the distinguished chairman of the Appropriations Committee for the information which he has made available to us and is in the process of making available to us today. This is going to be extremely valuable information, not only for new Members of the House, but also for Members of the House who have been here for some time. I am inclined to think it should be required reading for every Member. Budget problems are serious and important problems.

The gentleman from Texas has carefully pointed out the problems and the pitfalls, and we would do well to study what he has said.

NEED FOR RESTRAINT

Mr. MAHON. I am very much encouraged by the statement of my friend, the gentleman from Florida. As pointed out by the gentleman from Ohio, we do need to make reductions with the goal of balancing the budget. This is a very important requirement. We have had only about six balanced budgets since about 1930.

It is true that the country has been growing. That and other reasons can be given, but the main reason we have not had more balanced budgets is that neither the Executive nor Congress has been willing to exercise the restraint that in many cases could have been exercised. We have many wants, and it is impossible to raise enough tax money to pay for all the spending programs that may be dreamed up. So it seems to me that the big challenge before us is to try to do something meaningful to hold the line at this session of Congress.

There are those who say that we need more computers, that we need more staff. We probably do need more computers and more staff, but the major questions before us cannot be settled by computers and staffs.

The questions before us are often judgment questions: Will we, as a judgment matter, take certain actions on certain programs? How much good would a computer do in determining whether or not we should continue the Teachers Corps? What could a computer do to help us determine what we should do about rent supplements, demonstration cities, or farm programs? They could be of some help in giving us information, but what I am trying to say is that the most important computers involved in this matter are those in the minds and heads of the Members of Congress. Great judgment factors are involved in most major issues which are presented.

PROPOSED REVISION OF METHOD OF HANDLING APPROPRIATIONS

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to my able friend from Texas [Mr. PICKLE].

Mr. PICKLE. I thank the gentleman for yielding.

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I compliment my colleague for bringing this subject to the attention of the House. As the gentleman knows, I have visited in his office on several occasions trying in my own way to find some method to help us establish more fiscal control over the budget. I think the material that we have discussed today and the publication of the primer that you and the gentleman from Ohio said would be published can be extremely helpful. If the American people understood the big problem, they would also understand the problem with which we are faced in arriving at a realistic budget.

I compliment the members of the Appropriations Committee, both in the House and in the Senate, for keeping things in line as much as they have. The American people think we are here spending money wildly, but I think if they understood what was involved, they would have a better appreciation of it.

This will take just a minute, if the gentleman from Texas will yield further, but I want to make this short statement because it refers to a measure I had introduced during the past session of Congress.

During the last session I introduced House Resolution 886, to amend the rules of the House of Representatives with respect to the consideration of appropriation bills. This would have provided basically, with certain exceptions I proposed, that the rules of the House be amended to prohibit the consideration of appropriation measures in the House for any year earlier than 30 calendar days before the beginning of the next fiscal year and until all bills have been reported by the Appropriations Committee in either the President's budget or the legislative budget and a summary report covering the bills has been enacted.

Excluded from the provisions of my resolution would be private bills, bills appropriating funds essential for national defense, bills appropriating funds essential to meet national emergencies, and bills in which the aggregate amount of all those considered would not exceed 20 percent of the total funds appropriated in the fiscal year most recently ended. This is supplemental funds.

There are currently provisions for the Committee on Ways and Means and the Committee on Appropriations of the House of Representatives and the Committee on Finance and the Committee on Appropriations of the Senate to meet jointly at the beginning of each regular session of Congress, and after consideration, report to their respective Houses a legislative budget for the ensuing fiscal year.

I call the attention of the gentleman to section 138 of the Legislative Reorganization Act of 1946, which provides:

> * * * such report shall contain a recommendation for the maximum amount to be appropriated for the expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary by such committees. If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction to the public debt. Such report shall be made by February 15. Also, the report shall be accompanied by a concurrent resolution adopting such budget and fixing the maximum amount to be appropriated for expenditure in such year. If the estimated expenditures exceed the estimated receipts, the concurrent resolution shall include a section substantially as follows: "That it is the sense of the Congress that the public debt shall be increased in an amount equal to the amount by which the estimated expenditures for the ensuing fiscal year exceeds the estimated receipts, such amount being $———."

The gentleman knows the House tried to stay with rule 138. Perhaps the timetable is unrealistic. It has never really worked. We have never really abided by section 138. The congressional reorganization bill submitted last year—and I believe again this year—recommends doing away with it. I believe that is a step in the opposite and wrong direction.

There appeared an article recently, published by the Morgan Guaranty Survey in April of 1964, an article which I ask be included in my remarks, because I believe it contains much valuable information.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The material referred to follows:

THE FEDERAL BUDGET—THERE MUST BE A BETTER WAY

Last fall, just after the House Ways and Means Committee had voted its approval of the tax-cutting bill, Committee Chairman Wilbur Mills issued a strongly worded public statement asking his Congressional colleagues, the Administration, and the entire nation to consider carefully the measure's extraordinary economic and fiscal implications.

In principle, he voted, two roads are open to a government bent on stimulating the economy. One is to spend more; the other, to tax less. Making it clear he concurred in the choice of the latter, Representative Mills declared: "We want it understood that we don't intend to try to go along both roads at the same time."

Mr. Mills was pointing up a connection—between tax reduction and control of Federal spending—that many advocates of a tax cut have stressed all along. Businessmen, not surprisingly, are among those holding this view; interestingly, so are the Democratic members of the Joint Economic Committee on Congress. In their economic report issued early in March, the latter put considerable emphasis on expenditure control, asserting that "necessary expansions in welfare programs" should be financed "largely out of reductions in other programs with lower priorities or out of reductions made possible by increased efficiency in managing the public's business." President Johnson has spoken repeatedly in favor of frugality, and his budget for fiscal 1965, while it projects the second-largest peacetime spending total in history, is far tighter than anyone outside government would have predicted prior to its presentation.

The good intentions now rampant will get their test as pressures for costly new governmental programs mount during this election year. Even if the will to economize stays strong, however, the chances of subjecting the spending process to some meaningful control are slim under the present budgetary system. Getting a grip on governmental outlays will be difficult if not impossible until the methods prescribed by law and custom for managing the Federal purse are brought into line with the present-day size and complexity of the job.

The last basic reform of the budget process occurred in 1921, when both Federal revenues and outlays were less than one-twentieth of their present dollar size. The Budget and Accounting Act of that year, which President Harding signed, had its origins in a study commissioned by President Taft in 1909. Later the House of Representatives appointed a Select Committee on the Budget, and its work led finally to the 1921 law which, dealing chiefly with the executive branch, for the first time prescribed formal annual budgetary procedures.

SPLIT VISION

Another modernization is long overdue, particularly in the Congressional budgetary process. The most glaring defect in the present arrangements is that they don't force Congress to consider the national budget—both intake and outgo—as a unified whole. The overwhelming tendency of the system is, instead, to break the budget up into unrelated fragments.

In neither House nor Senate deliberations is there any effective link between revenue and expenditure matters. In the House, tax bills go to the Ways and Means Committee; in the Senate, to the Finance Committee. In both cases they are considered apart from questions of spending. Moreover, the appropriation proposals put forward in the President's budget, instead of being considered by Congress in a single bill, are divided up into a dozen or more different measures. These are considered separately by the twelve Appropriations Committee subcommittees—agriculture, defense, public works, etc.— in each of the two branches of Congress.

The various subcommittees finish their work at different times, so that the appropriations total comes before the parent committees and the full Congress in individual pieces. For most of the participants in the process, it is impossible to consider individual appropriations packages as part of a grand total. Largely lost is any sense of weighing the merits of one proposed expenditure against those of others and establishing a scale of priorities.

Even if all the regular sub-bills were taken up at the same time, the picture visible to members of Congress still would not be complete. In almost every session, the legislators vote large supplemental appropriations—often in response to needs that have arisen suddenly and unforeseeably. Congressional focus on the total spending process also is blurred by the various ways in which the granting of financial authority bypasses the appropriations committees—which should have a hand in all such grants.

BUDGETS THAT JUST HAPPEN?

The piecemeal approach taken by Congress gives the annual budget exercise a haphazard character which, if fully realized, would shock most taxpayers. Surpluses or deficits are not planned. They just happen. Reasons and responsibility for the way the budget turns out are hard to pin down.

No one in Congress or outside pretends to believe the system is ideal. Too many, however, feel nothing substantial in the way of reform can be put through. Rationalizing, some argue that Congress achieves a kind of coordination of revenue and expenditure decisions even in the absence of formal machinery for that purpose. Individual Congressmen, in this view, gather a knowledge of the total budget trend from talking with fellow members and reading the flow of official documents. Thus they are said to be prepared and able to take a deliberate hand when revenue and appropriations bills reach the stage of full House or Senate debate, if not before. If the results are often unsatisfactory, the argument goes, that fact is due more to the legislators' concern with political realities than to any lack of information about the total fiscal situation.

The cynicism in this rationale is leavened with a good measure of truth, but the apology for the status quo still is far from wholly persuasive. The facts gathered by an individual Congressman through conversational osmosis, or even by inspired digging, can hardly match what he would get if the dissemination of budget information were systematized.

Moreover, the notion that one or a few Congressmen might act decisively to change a revenue or appropriations measure on the floor ignores the dominant role of committees in Capitol life. Major alterations to such measures during floor debate are a rarity, largely because of the strong tradition of deferring to the "specialists" who have put the legislation through the committee mill. Members who were outvoted in committee usually are disinclined to press their views before the full chamber.

OLD 138

Congress itself has recognized that the fragmented treatment of budgetary matters is unsatisfactory. It has made several efforts in the postwar years to integrate its procedures. The most ambitious attempt occurred with enactment of the Legislative Reorganization Act of 1946. Section 138 of that law provided for joint meetings, early in each session of Congress, of four committees: House Ways and Means, House Appropriations, Senate Finance, and Senate Appropriations.

The combined group was designated the Joint Committee on the Legislative Budget and was directed to examine the budget proposals made by the President. By February 15 of each year it was to submit to the full Congress in the form of a concurrent resolution (1) its own estimates of anticipated receipts and expenditures for the ensuing fiscal year and (2) its recommendation as to the maximum amount to be appropriated for expenditure. If accepted by both House and Senate, the concurrent resolution presumably was to be binding on Congress during the remainder of the session.

The experiment, undertaken in a spirit of buoyant hope, fizzled out quickly. In only two Congressional sessions—those of 1947 and 1948—were the provisions of Section 138 followed. Since then they have been ignored, even though the law is still on the books.

In 1947 the Joint Committee's recommendation for an appropriations ceiling was accepted in a resolution adopted by the House but was amended in the Senate. When the conference committee that was appointed to reconcile the differences could not agree, the "legislative budget" of that session simply died. In 1948 both chambers reached agreement on an appropriations ceiling, but the concurrent resolution was couched in extremely general terms. As Harvard Professor Arthur Smithies has noted, it provided no real guidance to the financial committees. Congress responded by simply ignoring its own self-imposed ceiling, voting total appropriations $6 billion higher than the specified ceiling and thus making the whole procedure look pointless.

The disappointing career of Section 138 is blamed chiefly on the unrealistic timeable imposed on the Joint Committee by the statute. No group could be expected to evaluate the executive budget and come up with a meaningful alternative three weeks after the President submits his proposals.

Recognizing the need for more time, Congress amended Section 138 in 1949 to extend the deadline to May 1. Unfortunately, however, the mechanism has never received a trial on the new basis. This is sheer self-flouting by the legislative branch, since the act doesn't merely authorize but "directs." Last year Congressmen John W. Byrnes and Thomas B. Curtis, both members of the House Ways and Means Committee, urged Congress to comply with its own law. All that would be required to start the system functioning again, Mr. Curtis points out, would be for the chairmen of the four constituent committees to agree to convene a joint meeting. They wouldn't have to bring in all members of the four committees, now numbering an unwieldy 118; the law provides that the work may be done by "duly authorized subcommittees."

By keeping Section 138 in suspended animation, Congress is sacrificing the integration of money-raising and money-spending that the very composition of the Joint Committee would make possible. It also is giving up the vital principle of the "legislative budget," intended by Section 138 as a Congressional counterpart to the President's annual estimates of income and outgo.

If Congress some day has the good sense to call the Joint Committee back into active being, it can greatly increase that body's value by providing it with a high-grade permanent staff, something Section 138 in its present form unfortunately does not include. The ill-fated concurrent resolution produced by the committee in 1948 presumably would have been a better document with the benefit of competent staff work aimed directly at giving Congress a total budgetary plan, something no committee staff presently is assigned to do.

Mere proliferation of committees and staffs is not, of course, the key to more effective Congressional operation in the budgetary field. This fact is the principal basis for criticism of a well-intentioned bill repeatedly introduced by Senator John L. McClellan, head of the Committee on Government Operations. The McClellan bill proposes a Joint Committee on the Budget—to be composed of members drawn in equal number from the House and Senate appropriations committees—with a staff of wide-ranging function. This committee and its staff would have the general duty of studying any and all matters that pertain to the budget and of informing Congress—and especially the appropriations committees—of the results of its analyses.

Appealing in principle, this arrangement could be disappointing in practice. The work outlined for the committee is extremely broad—perhaps too broad to be brought into a clear focus. With a membership drawn only from the appropriations committees, it would not bring together the intake and outgo sides of the budget. The staff provided for the committee, meanwhile, would be in danger of becoming simply an adjunct to the staffs of the appropriations committees.

The McClellan proposal, introduced in each Congress since 1950 (current version: S. 537) gets wide Senate support. Last year 76 members joined in sponsoring it. Significantly, however, several senior members of the Senate Appropriations Committee were not among those so lending their names. In the House, where suspicion of Senate ideas on budget matters is traditional, the measure year after year is ignored. While S. 537 is meant to improve the budgetary process in Congress, its passage would have the unfortunate effect of repealing Section 138 and thus sacrificing the concept of the legislative budget. Even a dormant 138 is better than none at all.

ONE BUDGET, ONE BILL

Properly ending the bits-and-pieces approach to budgetary matters in Congress presupposes another major change: the consolidation of all appropriations into a single measure, instead of the usual dozen or more bills. The omnibus approach has long been advocated by Senator Harry F. Byrd, who argued that it was a necessary supplement to Section 138. As he and other legislators have pointed out, there can be no real hope of adhering to an over-all plan so long as the work on separate bills is completed at different times. What is needed is a last opportunity, prior to final action on any particular appropriations request, to re-examine each spending program in the light of all the others.

The omnibus approach received a trial, if an inconclusive one, in 1950. The year before, the Senate had approved a resolution calling for use of a consolidated bill. The House took no action, but Representative Clarence Cannon, Chairman of the House Appropriations Committee, simply announced in the spring of 1949 that in the following session of Congress his committee would employ an omnibus bill. "No special enactment or change in rules is necessary," he stated.

Mr. Cannon made good on his promise, and House as well as Senate did its appropriating in a single package. Outbreak of the Korean war at midyear brought huge supplemental appropriations, so that there was not a definitive test of the omnibus method. In the budget go-round on nonmilitary appropriations, however, the cuts made by Congress in the executive branch's requests were deeper than usual, strengthening the contention that the unified approach is an aid to control of spending.

Further evidence of the procedure's effectiveness was the hostility it aroused in some quarters. Mr. Cannon was quoted as saying that the device of the consolidated bill was opposed by "every predatory lobbyist, every pressure group seeking to get its hands into the . . . Treasury, every bureaucrat seeking to extend his empire." Open criticism centered on the fact that the bill was not signed into law until September 6, two months after the beginning of the fiscal year. This wasn't appreciably later than the normal time for completion of the total appropriations process under the piece-by-piece system, but it did mean that all Federal agencies, rather than only some, had to go through July and August of the new fiscal year dependent for funds on "continuing resolutions," temporary measures by which Congress allows Federal agencies to make expenditures at the same rate as in the previous fiscal year. An impression exists that operating under this stopgap type of spending authority hurts an agency's performance, but no one ever has proved that it does serious harm.

The chief drag on the 1950 experiment was the attitude of many of the chairmen of the appropriations subcommittees, who felt that the omnibus procedure gave undue influence to the chairmen of the two parent committees. This sensitive vigilance over prerogatives is one of the toughest obstacles any reform effort will have to overcome. The consolidated procedure hasn't been tried again since 1950. At the start of the 1951 session of Congress, the House Appropriations Committee voted down its chairman—an unusual rebuff—on the continued use of the omnibus approach.

As the Tax Foundation, in a recent study of budget-making, says of the 1950 test of consolidation: "The one-year experiment does not appear to have furnished conclusive evidence as to the advantages and disadvantages." The haste with which the House backed off from Representative Cannon's initiative, like the irreverent burial of section 138, testifies to the distaste most legislators have for change in the budgetary rituals. Only strong public pressure is likely to induce another try at consolidation of the appropriations bills, or to exhume consolidation's logical accompaniment, the "legislative budget" concept embodied in section 138. In both houses of Congress there are dedicated advocates of budget reform, but without a greater show of voter concern they can expect to make little or no headway against their change-resistant colleagues.

BALANCING THE POWER

Besides being a pocketbook issue for taxpayers, the Federal budgetary process is a key point of confrontation in the constant testing of power that goes on between the legislative and executive branches. Public attention, which fixes on matters of the budget only sporadically at best, tends to concentrate on the President's role. It is the chief executive who delivers an annual budget message, estimating revenues to be received and proposing expenditures to be made. And it is the executive branch that from time to time reports the accomplished fact of surplus or deficit within a given period.

Accordingly, credit or blame for budgetary performance falls largely to the President and his administration. In fact, however, the basic responsibility lies with Congress. The Constitution gives the legislative branch control over Federal taxation and over the provision of funds to be spent by the Federal government.

That there is not closer identification of Congress with the budgetary function in the public mind can be explained partly in simple terms of packaging: the President presents at one time a total fiscal picture, expressible in a single sum; Congress strings its budget act out in a dozen or more instalments. Also, the executive branch approaches its budgetary tasks with vastly better organization. Its pitch for funds is carefully prepared and closely coordinated. The very pattern of budget events gives the executive the initiative at the outset, and this tactical advantage is maintained more or less throughout the process.

Some political scientists worry that the balance between the two branches would swing too far in opposite direction if Congress used the one-bill approach to the budget appropriations. The specific object of their concern is the President's ultimate weapon, the veto. No chief executive, they hold, could afford to veto an omnibus budget bill: however objectionable some features of the package might be to him, he could not risk choking off funds from the whole government by sending the entire appropriations bill back to Congress.

The counterforce commonly suggested as an offset to this leverage is the power of item veto, which the President does not now have although the governors of some 40 states do. This would allow him to reject parts of an omnibus budget bill while approving the rest.

President Eisenhower—and a number of his predecessors—unsuccessfully urged Congress to take steps to grant the item veto. It is not specifically denied either by the Constitution or by statute; in fact, some students of Constitutional law believe that the President already has the right of selective veto. In practice, it seems unlikely that any President would risk the joust with Congress that an attempt at vetoing in part would be sure to bring on—and equally unlikely that Congress would ever present the chief executive with item veto power.

NO VIOLENCE TO VETO

Actually, impairment of the President's veto weapon resulting from Congressional use of an all-in-one appropriations bill does not look especially formidable in the light of the recent record of Presidential vetoes of money bills. Chief executives have been sparing in their employment of the right to decline. President Kennedy vetoed no appropriations measures. President Eisenhower vetoed three: one veto, prompting Congress to rewrite the "independent offices" appropriation for fiscal 1959, led to elimination of a $590-million item he considered unnecessary; the other two, applied to successive versions of the public works money bill for 1960, can be credited—although the second was overridden—with reducing the total by about $30 million. President Truman vetoed two appropriations bills. He was sustained once and overridden once, but both vetoes reflected objection, not to appropriations aspects of the bills, but to the inclusion of nonappropriations matters in money legislation.

More over, appropriations legislation typically is written in a way that makes the use of the item veto impracticable. "Items, especially in so-called pork barrel appropriations," Dr. Robert A. Wallace has observed in a searching study of public finance, "rarely represent items at all, but, rather, are lump-sum amounts. The item, rivers and harbors and flood control, in the Civil Functions of the Army appropriation bill, may amount to as much as $500 million. The individual project allocation is set forth in committee reports, which indicate legislative intent but do not have the force of law."

Concern for the integrity of the veto, therefore, is not a valid objection to strengthening of the Congressional mechanism for budget-making. In fact, the President has at his disposal, quite apart from veto power, a means for dealing with appropriations items that he regards as objectionable. This derives from the fact—frequently overlooked—that appropriations are permissive rather than mandatory; they grant authority to spend, but they do not literally require that the expenditures be made.

Presidents have employed the discretion so afforded in three ways: (1) they have delayed using funds and meanwhile appealed to Congress to reconsider the merits of the intended use; (2) they have spent less on specific projects than has been provided; and (3) on occasion they have "impounded" an appropriation completely—that is, simply refused to use the money. Perhaps the most celebrated instance of impounding occurred in 1949 when President Truman refused to use funds for an Air Force build-up which Congress desired but which he believed to be unnecessary.

Admittedly, a President who regularly employed this power to frustrate Congressional intent would not be able to sustain workable relations with Congress. For the extreme and presumably infrequent instances that would be likely to evoke a response as drastic as veto, however, the ability to impound should be an adequate Presidential resort.

Indeed, use of the consolidated approach to budgetary might well reduce the number of clearly outrageous appropriations tucked into the legislation that reaches the President's desk. The worst offenses invariably come in the "pork barrel" category, and in this connection Representative Cannon has said of the one-bill budget: "Logrolling will be impractical as all the cards will be on the table at one time and any attempted trades will be too apparent to withstand the light of publicity."

THE WRONG TARGET

Far too little energy is being devoted to budgetary reform, making it all the more regrettable that some of the best-intentioned efforts have been aimed in unpromising directions. Considerable steam has been put, for instance, behind proposals that assume the chief problem in controlling expenditures to be the huge carryovers of obligational authority from one fiscal year to the next. Often one-fourth or more of the Federal government's annual outlays are made under obligational authority carried over from previous years.

A characteristic reaction, which has been expressed in a number of legislative proposals, is to demand that the entire Federal budget be put on a current-year basis, with no carryover of funds from one year to another. This is the concept known as the "annual accrued expenditure" budget. Under it there would be no grants of obligational authority in the present sense, only appropriations for making expenditures—and they would be good just for one year. For procuring items that are a long time in the process of manufacture or construction, Congress would grant contract authorizations, but they too would be subject to annual review. As delivery time approached, a current-year appropriation would have to be obtained in order to make payment. Federal agencies, in preparing their individual budgets, would estimate the expenses actually to come due during the coming fiscal year, instead of projecting their use of obligational authority (some of it carried over and some of it newly requested) as they do under the present system.

Supporters of the accrued expenditure budget idea believe it is the only way to put Congress in charge of Federal spending on an effective annual basis. They stress the importance of avoiding being locked into future spending. What neither accrued expenditure nor any plan can do, however, is eliminate the practical need to let Federal agencies make advance commitments when procuring—as many of them often do—items subject to long "lead times."

CONTRACTS WITHOUT OBLIGATION?

Granting power to make such commitments but insisting it does not constitute obligational authority is hardly more than a semantic illusion, since annual review of contracts once signed would be perfunctory and Congress eventually would be under a moral obligation to appropriate funds with which to fulfill the contracts. If it had any effect at all, an increasing use of contract authority might well tend to encourage spending rather than restrain it. The House Appropriations Committee has said with respect to contract authorization: "Far from contributing to economy and retrenchment, it tends to the opposite effect . . . Psychologically, the situation can be likened to a charge account at the store—relatively easy to open because it is not necessary to have the cash in hand." In the case of appropriations bills, the use of contract authorization has been declining in recent years, and some advocates of more orderly control of spending feel it would be unfortunate if that trend were to be reversed.

The accrued expenditure approach, in

short, would not rid the budget of the awkward bookkeeping that results from large backlogs of commitments, whatever they may be called. Nor does it in itself hold especial promise of bringing the actual volume of Federal spending under more effective control. The way to restrain government spending is not by making it impossible for government to spend. Economizing is a harder job than that. Government has functions to perform, and they require the outlay of money—some of it committed long in advance of actual expenditure. Deciding what the functions should be, how much they are worth, and what must be forgone in order to perform them—this is the real essence of Congressional responsibility for the size and content of the Federal budget.

What Congress could do—and badly needs to—about the spilling-over of obligational authority from year to year is to keep closer tabs on the projected timing of expenditures. It needs to look not only to the upcoming fiscal year, but on out to the final stage of spending. This is largely a matter of demanding from Federal agencies more precise spending timetables. Considerable progress has been made in recent years in improving long-term projections, especially in the case of defense programs, but there still are many areas in which grants of long-term spending authority are not backed up by satisfactory working estimates of future year-by-year cash flows.

GOOD GUYS AND BAD GUYS

The folklore of budgetary criticism has a habit of oversimplifying the whole subject into a battle between good guys (the legislative branch) and bad guys (the executive branch) in which the bad guys are trying to take over the public purse and the good guys—for some reason that is never quite made clear—are powerless to stop them.

The facts are more complicated. Actually, no budgetary power has been, or can be, taken from Congress that it has not itself given up. It has had to yield some measure of control for the sheer sake of workability—Congress cannot *administer* a budget, and the job of the executive branch, after all, is to execute. The truly grievous surrender of control by Congress has resulted from that body's failure to equip itself with an adequate method of budgetary operation. It could go a long way toward correcting the lack by doing the following:

Start complying with Section 138 of the Legislative Reorganization Act of 1946 by reactivating the Joint Committee on the Legislative Budget; equip the Joint Committee with a top-grade staff.

Adopt the technique of a consolidated appropriations bill, so that Congress is forced to look at the spending picture as a whole.

Re-examine cases in which financial authority now is granted without review by the appropriations committees; keep close watch on further applications of this approach. (Professor Smithies proposed some years ago a rules change to require that *all* bills granting financial authority receive the scrutiny and comment of the appropriations committees.)

Chiding some of his colleagues recently for what he took to be too vague an approach to expenditure control, Senator William Proxmire said: "Economy is a particular area where generalities fail us." He might have added that, under the present Congressional mode of operation, specifics also will "fail us" because there is no adequate way of dealing with them. There won't be until Congress gives itself the tools to do its budget job.

If the outfitting seems discouragingly difficult to accomplish, it may be worth recalling that twelve years elapsed between the time President Taft initiated a study of reform possibilities and the day President Harding signed the Budget and Accounting Act of 1921. In the interlude, there were many discouraging episodes, including the veto by President Wilson of a bill similar to the one that finally became law.

Hopefully, response to the present need will proceed at a brisker pace, for the price of procrastination is much higher in an era of $100-billion annual budgets. But the fact that reform is certain to be a long and painful task should not deter Congress from getting on with the work. A logical next step, now as in 1919, would be the appointment by Congress of a select committee of its members to give the urgent business of change a high-level launching.

HOW THE MONEY COMES TO BE SPENT

Before a government agency may pay out funds, Congress ordinarily must do two things: first, authorize an activity (for basic Constitutional functions, like maintaining armed forces, this step is not necessary); second, empower a designated official to spend money in connection with the activity.

The latter is done by granting "obligational authority," most commonly through an appropriations bill, known in the nomenclature of budgetry as a "money" bill. This actually confers a two-stage authority: it lets some unit of government place orders, sign contracts, or otherwise make commitments; and it allows the money to be spent at the time payment comes due.

Most money bills run for a given fiscal year; the power to commit expires at the end of the period, although the spending authority lasts until obligations incurred during the period have been paid. In some cases, however, Congress makes "multiple-year" appropriations, extending beyond the immediate fiscal year the authority both to spend and to commit. It even grants "no-year" authority, running for an indefinite period, and "permanent" appropriations which automatically renew the commitment and expenditure authority from year to year. Although a money bill customarily is for a specific amount, some grants of authority to commit and spend leave the amount open.

Obligational authority also is given in the form of contract authorizations. These are used when the lag between making a commitment and paying the bill is likely to be long. They convey only the right to incur obligations; authority to spend the money must be sought separately later. In practice, of course, giving authority to contract binds Congress eventually to give the spending authority. The government, in order to continue doing business, must make good on its contracts.

Still another kind of obligational authority lets a government unit commit and disburse funds borrowed directly from the public or indirectly through the Treasury (which in turn may get the funds by selling government obligations to the public).

In principle, Congress keeps the authorization of an activity separate from the granting of related obligational authority. This division is designed to facilitate orderly control and regular review of expenditures. The separation, however, is not rigorously observed. For instance, obligational authority often is conferred by the same statute that creates an activity. This is especially true of contract authorizations and grants of the right to borrow from the public or the Treasury. Many of the outlays made under such authority bypass the appropriations committees, in theory the needle's eye through which all government expenditures ought to pass. The granting of funds via such detour is often called "backdoor" financing.

The control Congress is supposed to exert over the budget is diluted also by the practice of making "permanent" authorizations to commit and spend, and by the granting of authorizations in indefinite amount.

Mr. MAHON. The gentleman has reviewed the matter adequately. Let me say to the gentleman at this point that his suggestions are stimulating and interesting.

I should also say that we are too often looking for some "gimmick" or easy way to reduce the necessity for bowing our necks and appropriating and authorizing less money. To save money and spend less, we have to bow our necks and authorize and spend less. That is the judgment factor. There is no way to sidestep that. Under the Constitution we have that responsibility.

One of the provisions in the Legislative Reorganization Act was that we had to determine a legislative budget by February 15. By that time we just did not know what it might or should be. Congress has always been the judge of its own acts, and Congress could overturn a legislative budget and appropriate whatever sums it might wish.

My predecessor as chairman of this committee, Mr. Cannon, was a great advocate of a single annual appropriation bill. He wanted to bring in all the appropriations in one bill. We did that once. We spent weeks and weeks on it. We found it to be a very unwieldy operation. At least, I would say most of us did. The procedure failed.

While I believe the gentleman's ideas are worth considering, there is not any easy and painless way to hold spending in line. And we just cannot tell early in the session how much we will finally decide to appropriate for individual programs. How are we going to decide that early in a session how much to appropriate for the supersonic transport, the SST? We might appropriate $300 million, or we might appropriate nothing. This is a very long-range, technical, highly important matter. It takes a long time to make intelligent determinations on many of these matters.

Mr. PICKLE. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I should like to conclude my remarks. Does the gentleman wish to extend his remarks at this point?

Mr. PICKLE. Will the gentleman yield for 1 minute?

Mr. MAHON. I yield to the gentleman for 1 minute.

Mr. PICKLE. I believe the gentleman will agree that there just must be a better way to go about the budget than we are approaching it now. The biggest problem, in my opinion, is that we do it on a piecemeal basis and do not consider the budget as a whole. Perhaps that should be done, and perhaps we ought to change the fiscal year to September 30.

The resolution I have offered would say we could authorize bills, but that we would not make final appropriations until 30 days before the end of the fiscal year. That at least would give us an opportunity, perhaps, to cut back some $3 billion to $5 billion. That is not much, but I would say it is significant.

May I add, Mr. Speaker, that admittedly, the question of appropriations is a judgment decision. Each Member must make up his mind whether he is for or against a certain and specific appropriation. There is no easy solution and perhaps the gentleman is right that the only way to cut down on expenditures is to vote "No." But I dare say that there are many times when a person need not say no by a total statement but would be perfectly willing to cut down on the amount involved and thus stay within a budget.

For instance, we could approve authorizations for a certain budget and then just before the end of a fiscal period we could trim down or shape them up to make them fit the budget. I do not think this would cause an undue backlog. Certainly we could not pass both an authorization and appropriation in one 30-day period, but we could make the authorization and then finalize the appropriation in the closing 30 days of the session.

Another thing that should be done is that any request for an appropriation by the Executive or any department carry with it not only planning money, but a full detailed statement of what the measure would cost for the first year, the second year, and the third year.

May I make one other suggestion to the able gentleman from Texas. I think there might be considerable merit if the House would appoint a "watchdog" committee and actually delegate to that committee the full responsibility of seeing that we stay within a budget. For example, if we had a committee composed of the Speaker, the chairmen of the Appropriations, Ways and Means, and Rules Committees, and the minority leader and say to that committee that it had the full power to raise the point of order on any major appropriation that went over the budget, I know we could then stay within a given budget.

I do not know whether the Members of the House would want to delegate their authority to a committee, but if we changed our rules and made it in order, it seems to me that that would surely keep us in bounds. I, for one, would favor such a delegation of authority. I would like to know what other Members of the House think about such a suggestion.

Mr. MAHON. I must say that we have hearings at the beginning of the session with the Secretary of the Treasury and the Director of the Bureau of the Budget on the overall budget. At that time we have a presentation of the sums requested for all of the various agencies in a brief way. It is a general, overall budget hearing. As the session progresses, we make frequent presentations to the House, in the CONGRESSIONAL RECORD, as to where we stand fiscally and appropriationwise on the various requests which have been made.

I agree with the gentleman that there is always room for improvement in any system, but there is no way of substituting some sort of mechanism or gimmick for the ultimate determination as to just how much we propose to spend or authorize.

I believe we need more and more discussions with respect to our procedures. We do need to improve them; and we need, of course, to better inform ourselves as to the requirements.

I certainly hope, and I believe that during this session we are going to do a good job in dealing with the various fiscal problems which arise in the Appropriations Committee, and in regard to revenue problems in the committee headed by the gentleman from Arkansas [Mr. MILLS], the Committee on Ways and Means.

PROPOSED BUDGET REFORM COMMISSION

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield briefly?

Mr. MAHON. I yield briefly to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I asked the distinguished chairman to yield in order that I might mention to him, as well as to the distinguished ranking minority member of the committee, the gentleman from Ohio, that in an effort to help bring about a method whereby all of us can better understand some of the inconsistencies which now appear to exist in our budgetmaking, I have introduced a bill to provide for a commission, on which I would assume the gentleman from Texas and the gentleman from Ohio would serve as members, in accordance with the suggestion made by the former Director of the Bureau of the Budget, Mr. Stans. This would be a commission to study the matter and to make recommendations on the form of the budget, in the hope that it could be presented in a more understandable form.

The fact that the gentleman from Texas performed this valuable service in attempting to make it as simple as possible to our colleagues here, in my opinion, confirms the fact that we need to have it in a form we can better understand, and in forms not inconsistent with each other.

Mr. MAHON. We do need to try constantly to improve the budget procedures and the arrangement and presentation of information in order that it can be better understood. We need to make the issues involved crystal clear. Theoretically a single-package bill, with all the appropriation items in one bill would be helpful, but it would be a very unwieldy piece of legislation to consider. We tried it once, and I doubt that we will ever try it again.

PREPARED REMARKS ON FEDERAL SPENDING

Mr. Speaker, up to this point I have spoken without reference to the formal remarks which I had prepared for this occasion. Under leave granted, I would now like to present my more formal statement even though it will be somewhat repetitious. And I am appending a table of the appropriation bills of the last session.

Mr. Speaker, the President will submit his budget for fiscal year 1968 next week. I have no wish to speculate as to what his recommendations may be or to in any way prejudge the forthcoming budget, but, I thought it might be useful, before we proceed with the financial business of this session, to look at the record of the Congress in this area during the last session. There are already indications that more than the usual controversy will probably surround fiscal measures throughout this session.

Last session's appropriation decisions and legislative enactments importantly entered into not only this fiscal year's spending but also weigh heavily in the next fiscal year's budget projections of both appropriations and spending.

The Government does not close its doors on the last day of the fiscal year, or the last day of a session of Congress and open "de novo" on the first day of the new fiscal year or the first day of the next session. The tide of government affairs is ceaseless, constant; a single fiscal year or a single session are but brief, arbitrary periods in the operations of the biggest business on earth. The revenue enactments of the last session will have much to do with budget revenues for the current fiscal year and for the fiscal year which will begin on July 1.

We hear much about built-in growth of Federal spending, which essentially is another way of saying that previous legislation, including new legislation of the last session, becomes the basis of added appropriation requests for both this year and next year.

So, Mr. Speaker, as background for the impending fiscal business of the session, it might be useful to Members and others if we quickly reviewed what Congress did to the budget in the last session. A somewhat more detailed account can be found in the CONGRESSIONAL RECORD of October 22, 1966, volume 112, part 21, beginning at page 29006.

The great bulk of the outgo side of the budget is handled in the general appropriation bills, but some budget items—new legislative proposals, for example—are first considered by legislative committees. The several annual reauthorization bills for going programs enter the picture to some extent. There was last year a scattering of so-called backdoor appropriations carried in bills out of the legislative committees, above the budget requests. In brief, the term "back-door spending" refers to the granting of authorities to enter into commitments binding upon the Treasury in other than appropriation bills. Importantly, in the last session, several of the legislative bills affected the budget because they, for all practical purposes, mandated expenditures; that is, they licensed the agencies to spend money in anticipation of later supplemental appropriations. Several of them exceeded the President's budget provisions. Supplemental requests may be made for some of these in the next several weeks.

LAST SESSION APPROPRIATION ACTIONS IN APPROPRIATION BILLS

Congress during the last session made a net reduction of some $883 million, overall, in the President's requests for appropriations. This is a session total and includes items for more than 1 fiscal year.

The Executive requested $131,165 million in appropriations. This does not include the interest payment on the public debt. Congress enacted some $130,282 million. Very broadly, the session cut of $883 million breaks down this way:

3 defense bills (defense supplementals last spring; regular defense bill; and military construction bill)	+$268,000,000
12 nondefense bills	−1,151,000,000
Net reduction in appropriation requests in the 15 bills	−883,000,000

I am speaking now of appropriations—the old, traditional, generally well-understood measure of congressional action on the budget. And I am speaking of the whole session, regardless of fiscal year. The session is the "business" year of Congress.

Adding some $14 billion—more or less—of so-called permanent appropriations that recurred automatically under earlier laws—interest on the debt would be the main item—made last session's appropriations total come to some 144 billion plus. I am speaking of "appropriations," not "expenditures."

There is often confusion about what Congress does to the President's overall budget because each branch makes calculations on a somewhat different basis. The executive branch uses the so-called new obligational authority basis of counting rather than the appropriations concept. There is not a great variance between the two, but there are some differences. For example, the new obligational authority tables count only the postal deficit, whereas the appropriation tables count the gross amount of the postal appropriations. This and other variations were addressed in some detail in the CONGRESSIONAL RECORD, volume 112, *part 21, page 29008.*

WHICH BUDGET?

The big headlines in the papers next week when the President delivers his budget to Congress will probably relate principally to what is called the administrative or expenditure budget, not to the appropriation or new obligational authority budget. The figures in the headlines can be confusing unless budgetary statements are read with great care. There is a considerable language barrier.

The headlined expenditure budget is a disbursements, or checks-to-be-issued budget.

While the expenditure budget is vitally important and is of special interest to Congress, it is not the budget we give chief consideration to in our work. What we will be considering in the 12 or 15 appropriation bills which will be before this Congress will not be expenditures, but appropriations. We will be concerned about the question of how much new money to make available for expenditure. When Congress appropriates the money the crucial decision is made. After we have appropriated the money the Executive has considerable leeway in the rate of expenditures especially with respect to long-term public works projects and major hardware procurements such as aircraft, ships, and missiles.

Very roughly, perhaps 30 percent—it varies from year to year—of the "expenditures" estimated by the President for a given fiscal year will represent disbursements from appropriations of earlier Congresses, and therefore not before the current session for action. Appropriations for the pay of Federal employees' salaries and the like are expended in the year for which they are made. Appropriations for large or complex items to be purchased under contract are often expended in a later fiscal year. The time consumed in contract competition and award as well as the time required to produce and deliver the item create a lag between appropriations and expenditures. For example: We generally provide full funding for Navy ships. A submarine or aircraft carrier for the Navy is never completed during the year in which the appropriation for it is made. A part of the funds must be held for expenditure in future years as construction is completed.

There are other concepts used in the budget and the press and they can be confusing. The so-called cash budget—often referred to as "receipts from and payments to the public"—is also on an expenditure or disbursements basis, but is more encompassing. It combines the administrative budget with the trust funds for such programs as social security, highways, unemployment, and railroad and civil service retirement. Thus, if we want to use a big budget figure, we can refer to the cash budget.

But the action budget—the spending authority budget before the Congress for action—is on the so-called new obligational authority basis; that is, authority to obligate the Government to pay out money. It is from this budget that the administrative budget expenditures or disbursements flow in due course. As I indicated, the terms "new obligational authority" and "appropriations" vary in a few instances but for all practical purposes are synonymous and thus interchangeable.

LAST SESSION'S ACTIONS ON FISCAL 1967 "NEW OBLIGATIONAL AUTHORITY" BUDGET

Mr. Speaker, some $650 million of the last session's cut of $883 million—against budget requests for appropriations—pertained to the current fiscal year 1967 ending this coming June 30. The fiscal 1967 budget was the main budget business of the session. On the "new obligational authority" basis of counting, Congress, in the appropriation bills for fiscal 1967, was, in the aggregate, below the President's requests. Not $650 million below, but below nonetheless—by some $139 million net. There were increases in some defense and in some nondefense areas, but the grand total, however tabulated, was below the President's requests.

But the Congress, last session, enacted a number of legislative bills affecting fiscal 1967 that did not actually appropriate funds but which, as a practical matter, mandate additional obligation and expenditure rates in advance of the formal appropriation. The GI bill of rights, the military pay raise, and the civilian pay raise are examples of such actions. As a practical matter, they set the obligation and expenditure machinery in motion by their own terms. In the aggregate, Congress, in such legislation, exceeded the President's fiscal 1967 budget requests by some $962 million, according to the tabulated estimates at adjournment time.

Many other legislative bills were, on the other hand, discretionary in that subsequent appropriations could be supplied or withheld as Congress might decide. An example is aid to elementary and secondary education in which the appropriation was well below the amount authorized for the year.

There were also backdoor appropriation additions to the President's requests, amounting to some $911 million.

And Congress failed to enact several Presidential budget recommendations that were designed to increase revenues or change fiscal procedures so as to reduce new obligational authority requests for 1967. This, in effect, overturned the NOA budget by some $570 million. Examples are the proposed changes in the financing of REA loans and proposed inspection fees and user charges.

The President's budget includes estimates on revenues as well as spending. The President could ask for $8.1 billion more than he plans to in revenues in fiscal year 1968 and in so doing submit a balanced budget. If the Congress did not enact the increases requested, Congress would unbalance the budget.

In the aggregate, then, with respect to fiscal year 1967 new obligational authority budget requests in the last session, Congress, according to the session-end tabulations, exceeded the President's requests by some $2,304,000,000. We made many reductions in individual budgetary items, of course, but overall, Congress can be said to have approved some $2,304,000,000 more in new obligational authority than the President requested.

A number of new legislative enactments authorized larger amounts than the President ultimately requested appropriations for or that Congress itself finally appropriated, including a number of Great Society programs—aid to education, antipoverty, Teachers Corps, rent supplements, and demonstration cities, for examples.

BUDGET SPENDING TRENDS

Of course, Mr. Speaker, the last budget was higher than the year before, and so were appropriations and estimated expenditures. The long truth of history is that growth of the population and growth of the country virtually ordain some growth in public services, that is, over the long stretch of time. This has been more or less the unvarying case from the beginning. Speaking of national appropriations, in 1879 the distinguished Republican, James A. Garfield, then a Member of the House and chairman of the Committee on Appropriations, made exactly this point. And he added, "war overturns all ordinary calculations," as, Mr. Speaker, it has helped upset recent budgets, including the current one, and will further upset the next budget.

President Eisenhower acknowledged much the same budget phenomena in his budget message to Congress in 1960:

> Moreover, inescapable demands resulting from new technology and the growth of our Nation, and new requirements resulting from the changing nature of our society, will generate Federal expenditures in future years. * * * We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

There has been only one balanced budget—and it was a small balance—since the big deficit of $12.4 billion in fiscal 1959. Every year since, revenues have been insufficient to cover expenditures. However, notwithstanding recent growing defense expenditures, and enlarged and enlarging nondefense outlays, a rising tide of revenues from the unprecedented general national economic boom of recent years has enabled the

Government to make big strides toward balancing income and outgo. In each of the last 3 fiscal years the administrative or expenditure budget deficit has been reduced below the prior year:

	Millions
Deficit, fiscal 1964	$8,226
Deficit, fiscal 1965	3,435
Deficit, fiscal 1966	2,251

The original fiscal 1967 budget projected a deficit of $1.8 billion, but necessary continuing war expenses, and other factors, have thrown the budget much deeper in the red. The President has been in the process of withholding from expenditure in fiscal 1967 considerable funds previously appropriated. But according to the President, the deficit in prospect for fiscal 1967 is nonetheless now estimated to be much higher than originally projected; his latest figure is $9.7 billion.

And the President also told us last week that for fiscal year 1968 he would submit another budget which will be greatly out of balance—$8.1 billion in the red, even assuming enactment of his $4.5 billion tax surcharge proposal.

APPROPRIATION INCREASES—LAST 2 YEARS

Mr. Speaker, returning to the overall appropriation totals, it is helpful to some further perspective on the direction of spending if we look at the shift in the broad character of the increases during the past 2 years—the seedling years of Great Society legislation, and also years of accelerated war and defense spending.

Total appropriations in calendar year 1965, that, is, in the first session of the 89th Congress, increased by roughly $13.2 billion over appropriations of the 1964 session—and all but about $200 million of that increase was in nondefense areas. In other words, nondefense appropriations were up by some $13 billions. Perhaps a third of that $13 billion could be classed as Great Society legislation; it would depend on one's definition of Great Society programs.

On the other hand, and in sharp contrast, total appropriations last session increased by some $24.8 billion over the 1965 session—and all but about $1.5 billion of that increase was for national defense. There were some further increases for Great Society programs, and there were both increases and decreases in other nondefense areas.

BUDGETARY GROWTH POTENTIAL

A budget is a plan for the times. Times change, the Nation grows, and inevitably the character of public demands change. Yesterday's wants have a way of becoming today's necessities. National standards of admission into public budgets change with the times. With never enough public money to cover all national wants, and sometimes—especially in war—not enough to cover all national needs, budgets, depending somewhat on one's philosophy or interests, are either disappointing or heartening for what they include or what they do not include. Budgets can be controversial for what they omit as well as for what they embrace—sometimes more so one way than the other.

The ultimate potential annual dollar cost of much of the already enacted Great Society legislation is many times the currently funded level. As I noted earlier, Congress, in a number of instances last year, authorized more funding than had been requested. It is true, however, that the President did not subsequently request that the full amount authorized be appropriated, nor did Congress in all instances appropriate the full amount authorized for fiscal 1967. A number of the authorizations already enacted for future years—fiscal 1968 more immediately—escalate in amounts well beyond the fiscal 1967 authorizations. Thus there is considerable built-in potential for enlarged appropriations and a natural pressure for escalated funding. A few examples:

Antipoverty: The original appropriation was $750 million, in fiscal 1965. The 1966 appropriation was $1,500 million. The authorization for fiscal 1967 was $1,750 million, but Congress cut the appropriation to $1,612,500,000.

Elementary and secondary education: The fiscal 1966 appropriation was $1,151,000,000. The fiscal 1967 authorization was $1,825 million but the last session held the appropriation to $1,342 million. The fiscal 1968 authorization, however, is $3,167 million.

Rent supplements: The rent supplement program seemingly has not progressed very far; $12 million was appropriated in fiscal 1966, and for fiscal 1967 Congress cut the appropriation request from $35 million back to $20 million. Authorizations for fiscal 1968 and 1969 escalate to $40 million and $45 million, respectively. The thing to note about these comparatively modest annual amounts is that they represent annual funding of long-term—40-year—subsidy contracts; amounts already committed could aggregate in excess of $1.2 billion.

Model cities: This program is just at the planning stage; $11 million was appropriated last session for the first planning grants; $900 million was authorized for contract grants for the 2 fiscal years 1968 and 1969. This, of course, is only the first drop in the bucket if this program goes forward.

Teachers Corps: This Great Society program received a fiscal 1967 appropriation of only $7.5 million against an authorization of $64 million.

These are examples, Mr. Speaker, of some of the more recently planted seedbeds of potential budget growth in the area of nondefense programs. There are numerous others. Generally, Great Society program authorizations do not mandate increased appropriations. The authorizing legislation has no so-called automatic provision. The budget and the appropriation bills do not have to escalate if a majority should desire to hold the line or make reductions. There is considerable room for freedom of choice in the matter. Budgeting and appropriating is a choice-making and priorities-setting system, and as we consider, debate, and decide these matters during the session it seems pertinent to keep in mind that the options are available under many of the programs.

MAJOR APPROPRIATION AREAS

Over the last 12 to 14 years, from 70 to 85 percent of Federal budget spending went for broad functions and objects carried on at the Federal level since the early days of the country. That would be national defense; conduct of foreign affairs; the postal service; aid to veterans; interest on the debt; collecting internal revenue; and administration of justice. The current percentage for those functions is roughly 75 percent of the whole administrative budget.

Another way to attempt to grasp the tremendously large and enlarging Federal budgets is to look at some of the major functions for which appropriations are made. Prior commitments—more or less binding commitments—and world conditions ordain a great deal of the budget. As a matter of fact, over the years the greatest controversy tends to surround a relatively small percentage of the total in any given year. I am speaking generally. Of course, every item of every budget should be critically screened and only the minimum needs supplied.

The largest single functional area, of course, is defense.

Defense appropriations last session totaled some $73 billion, including the regular defense bill, military construction, military assistance, and the 1966 supplemental for Vietnam. There is every reason to think that defense appropriations in the current session may be even higher. Defense spending is not immune to the knife, but great cuts are not practicable under present conditions.

Interest on the debt is, of course, obligatory, and has risen greatly in recent years as the debt has gone up and as interest rates have risen sharply. It is now approaching $14 billion. It will likely go higher.

Veterans aid appropriations approximated $6.6 billion.

Postal appropriations last session were about $6.1 billion. A growing country probably means no significant reduction in this area though greater efficiencies may help hold the line.

Space appropriations were some $5 billion.

The atomic energy program had appropriations of some $2.2 billion.

Farm price support appropriations were $3.5 billion and are largely mandatory under existing commitments. The entire appropriation bill for the Department of Agriculture totaled about $7 billion.

There are a number of matching grant-in-aid programs where the appropriation is more or less an automatic response to a mandatory formula in basic law. One of them, public assistance grants, entailed an appropriation of $3.7 billion last session.

I cite these illustrations merely to sketch a rough indication of the general characteristics of some big segments of the budget.

May I say in conclusion, Mr. Speaker, that processing all features and all sides of the annual Federal budget is the work of many hands, of several committees, and the product of many minds that bring to bear many conflicting interests and philosophies. Out of all this consideration and debate and voting comes the distilled view, the majority decision that is a distinguishing feature of our form of government.

If I may add a personal observaton, I have concluded that in the long run it is wise for everybody, of whatever political or philosophical persuasion, to be in some perpetual state of dissatisfaction about public spending—no matter what the level—but with the perspectives in as good focus as possible.

Summary of action on budget estimates in appropriation bills, 89th Cong., 2d sess.

[Does not include any back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates	Enacted	Acts (+) or (−), compared to budget
Bills for fiscal 1967:			
Interior	$1,340,260,500	$1,321,615,800	−$18,644,700
Loan authorization	(26,000,000)	(26,000,000)	
Treasury-Post Office	7,246,720,000	7,196,429,135	−50,290,865
Agriculture	7,022,938,000	6,994,590,150	−28,347,850
Loan authorization	(702,100,000)	(932,000,000)	(+229,900,000)
Labor-HEW	10,083,184,500	10,463,244,500	+380,060,000
Independent offices	14,329,863,291	14,065,851,000	−264,012,291
Legislative	214,749,763	214,463,913	−285,850
Defense	57,664,353,000	58,067,472,000	+403,119,000
District of Columbia:			
Federal funds	53,394,000	53,394,000	
Loan authorization	(38,225,000)	(37,527,500)	(−697,500)
Military construction	1,114,947,000	979,570,000	−135,377,000
Foreign assistance	3,945,095,000	3,493,473,500	−451,621,500
Public works	4,167,073,000	4,134,511,000	−32,562,000
State, Justice, Commerce, and the Judiciary	2,634,405,000	2,347,826,600	−286,578,400
Supplemental	5,191,413,629	5,025,264,579	−166,149,050
Subtotal, 1967 bills	115,008,396,683 [2]	114,357,706,177	−650,690,506
Supplementals for fiscal 1966:			
Defense supplemental (Vietnam)	13,135,719,000	13,135,719,000	
2d supplemental	3,020,810,903	2,788,143,303	−232,667,600
Subtotal, 1966 bills	16,156,529,903	15,923,862,303	−232,667,600
Cumulative total for the session	131,164,926,586 [2]	130,281,568,480	−883,358,106

[1] Permanent appropriations were tentatively estimated in January budget at about $13,800,000,000 for fiscal year 1967.

[2] Includes $875,000,000 for fiscal 1968 (grants fo mass transportation and urban renewal).

Mr. BOW. Mr. Speaker, our distinguished chairman, the gentleman from Texas [Mr. MAHON], has performed a distinct service to the House in reviewing the budget situation, and particularly so, for new Members.

One point that he might have made—one that is very distressing to me and to others concerned with the solvency of our great Nation—is the fact that 1967 expenditures as now estimated by the President have increased by $13.9 billion from $112.8 billion estimated last January to $126.7 billion at present. While there have been substantial increases in defense spending occasioned by the war in Vietnam, not all of this $13.9 billion increase can be attributed to the war. Furthermore, we on this side of the aisle repeatedly warned last year and in 1965 that war expenditures and the need for them were not being accounted for at levels of need expected.

For 1968 the President has estimated that spending will approximate $135 billion, an increase of $8.3 billion over the present estimate for the current year. More alarming than the $8.3 billion increase is the fact that 1968 expenditures are estimated to be $22.2 billion more than the original estimate for fiscal 1967. And, it has only been a year since the original 1967 estimate was made. These figures clearly indicate that there is a great need for an honest and forthright estimate of our spending situation because at this time next year, we may very well find that 1968 expenditures will greatly exceed the estimate now made for them.

It is true that our principal concern is with the President's requests for appropriations and other new spending authority. If we are ever to curb the spending appetites of the administration and some here in Congress, we must make a most critical and searching examination of the President's 1968 budget when it is submitted next week. Doubtless, it will contain proposals that have been rejected by previous Congresses and may well be rejected by this one. So, I hope the chairman will join with me and other members of the committee in giving the budget the examination which our economic situation demands.

INTERNATIONAL MONETARY POLICY MUST NOT ENDANGER GOAL OF LOWER INTEREST RATES AT HOME

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this weekend our Secretary of the Treasury, Henry Fowler, will meet with the Finance Ministers of France, West Germany, Italy, and Great Britain concerning monetary policy. The New York Times reports that these discussions will be centered on ways and means of coordinating the reduction of interest rates here and abroad. Secretary Fowler will be embarking on a delicate undertaking. I am sure that the Congress wishes the Secretary well in this endeavor. I trust that Secretary Fowler will go into these sessions with an abundance of caution and that he will do nothing to endanger this Nation's prospects for lowering interest rates and establishing an easier monetary policy. While coordination with the Western Powers is essential, we cannot allow high interest policies of other countries to dictate domestic policy. This is particularly true at a time when high interest rates and tight monetary policies have put such a severe strain on many sectors of the American economy. The administration is seeking lower and lower interest rates. That is particularly true for the purpose of restoring the homebuilding industry and other depressed sectors in our economy. There is really nothing wrong with our country and our economy that rolling back interest rates at least to the stage they were on December 6, 1965, would not cure.

The action of the Federal Reserve Board of that date has caused all of our troubles. If we were to roll back these interest rates, there would be no reason for talking about a tax bill, because a tax bill would be unnecessary.

The President has forcefully stated many times in the recent past that we must have lower and lower interest rates. Frankly, in the last year I have looked upon Secretary Fowler—although he is a very fine and able official—as appearing to be on the high interest side of this question. For that reason I do not look with too much favor on just one person, who is possibly on the high interest side, representing us at this conference. However, I believe Secretary Fowler is a dedicated and a loyal person who will want to carry out the President's views. If I am correct in that—and I assume I am correct in that statement—I must assume that Secretary Fowler will ask for lower and lower interest rates instead of higher and higher rates. However, I do believe Secretary Fowler should publicly declare himself in favor of this position.

Mr. Speaker, the President in his state of the Union message, admitted that the action of the Federal Reserve Board of December 6, 1965, was the cause of the trouble which we have had on monetary policy since that time.

Now, Mr. Speaker, the Federal Reserve Board has also admitted in many ways that it made a terrible mistake when it raised interest rates 37.5 percent. But it is not willing to admit it openly. Instead they are seeking and are asking that the Congress enact a new tax bill so as to give them a face-saving excuse for lowering interest rates. I do not think they should have any face-saving excuse. I think the members of the Board should be men enough to come out and admit that they have caused all of this monetary trouble and that they are willing to do whatever is necessary to correct it.

The group that represents us in Europe, certainly, should be in sympathy with the President's views for lower and lower interest rates. Too often, in past years, "balance of payments" has been used or given as an excuse for high interest rates. It is a slim excuse.

Mr. Speaker, as a part of this theory, this country instituted what was known commonly as "Operation Twist" whereby short-term interest rates were artificially jacked up. This policy served only to raise domestic interest rates and did nothing to solve balance-of-payments problems.

In fact, Treasury officials, in testimony presented before the Committee on Banking and Currency have frankly admitted and conceded that there is no proof that "Operation Twist" has had a salutary effect on the balance-of-payments problems; or have admitted before our committee that it was an absolute failure.

So, as Mr. Fowler enters these new monetary talks, I hope the Congress will be watching closely.

I feel sure that the majority of the Congress would not want Secretary Fowler to reinstitute any artificial device, such as "Operation Twist," which might send interest rates upward once again in the United States.

At the same time, I recognize that some of our European allies have severe monetary problems to which we would not want to turn a deaf ear. However, there are existing facilities, including the International Monetary Fund, which could be utilized to alleviate some of these problems. The use of the International Monetary Fund would be preferable to raising domestic interest rates in the United States.

On the question of balance of payments, we certainly have more effective tools than high interest rates. In fact, the President has authority to impose restrictions on the export of capital, if required, to prevent an unnecessary outflow of money. All other nations of the Western World impose some type of restriction on the export of capital. So such a procedure could not be classified as "unusual" or "untried." Certainly a restriction on export of capital would have less serious effects on the American economy than a continuation of high interest rates and tight money.

In summary, Mr. Speaker, I think that the people who represent us in the United States and in the European negotiations should work toward a lowering of interest rates. In other words, Mr. Speaker, the surgeon who wields the knife should want the patient to live, and I hope that is true in the conference which is to be held on this subject in Western Europe.

Mr. Speaker, the question of interest rates is a big one. It was mentioned by the distinguished gentleman from Texas [Mr. MAHON], that our interest bill this year on the national debt alone is $14 billion, representing the second largest item in our Federal budget.

At least $1 billion of this $14 billion in interest payments was caused on December 6, 1965, when the Federal Reserve Board raised interest rates.

So, Mr. Speaker, our problems today can be laid at the doorstep of the Federal Reserve Board. This Board arbitrarily, without any reason or meaningful excuse, raised the interest rate 37.5 percent at one fell swoop and at one time. They should correct that situation and correct it now.

In this connection, Mr. Speaker, little attention has been given President Johnson's plea for lower interest rates in his state of the Union message to the Congress last Tuesday night. The President said:

> I pledge the American people that I will do everything in a President's power to lower interest rates and to ease money in this country.

President Johnson also said:

> We shall continue on a sensible course of fiscal and budgetary policy that we believe will keep our economy growing without new inflationary spirals that will finance responsibly the needs of our men in Vietnam and the progress of our people at home, that will support a significant movement in our export surplus, and will press forward toward easier credit and toward lower interest rates.

President Johnson is to be commended on his call for lower interest rates and a sound monetary policy. It is a plea which the Congress should heed and support.

Mr. Speaker, the President's statement on interest rates is, in effect, a request for the Congress to do something about the runaway policies of the Federal Reserve Board which have imposed the current high interest, tight money policies on the country.

Unfortunately, the Federal Reserve Board, through the years, has seized its independence and, today, defies the President and the Congress on monetary policy.

Through the failure of the Congress to enact specific reforms, the President is today largely in a powerless position in dealing with the Federal Reserve. Certainly the events of the past 13 months would indicate the folly of the Congress' inaction.

As a move to provide the necessary reforms and to meet the request of the President's state of the Union message, I have introduced H.R. 11. This bill calls for specific changes in the Federal Reserve System—changes which would bring the System back under the control of the people and their elected representatives.

This bill would provide for annual audits of the Federal Reserve System by the General Accounting Office. It would require that the Federal Reserve System go through the appropriations processes of the Congress.

It would also shorten the terms of the members of the Board from 14 years to 5 years and would make the term of the Chairman of the Board coterminous with that of the President of the United States. The bill would also reaffirm the congressional intent that the Federal Reserve's monetary policies be coordinated with other programs of the Federal Government in keeping with the provisions of the Full Employment Act of 1946.

Mr. Speaker, H.R. 11, if passed, will prevent recurrences of the Federal Reserve's defiant action of December 6, 1965, when interest rates were increased by 37½ percent. This bill, if passed, will prevent the Federal Reserve from defying the President of the United States and will give the Congress the opportunity to exercise its constitutional authority in the field of monetary policy.

Mr. Speaker, again, the President of the United States made a definite plea to the Congress for action on interest rates. I hope this will be given high priority in the 90th Congress.

CALL FOR FOREIGN AFFAIRS COMMITTEE TO HOLD HEARINGS TO END U.S. PARTICIPATION IN RHODESIAN ECONOMIC BLOCKADE

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House the gentleman from Florida [Mr. ROGERS] is recognized for 5 minutes.

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr Speaker, I would like to go on record at this time to call for an end to the U.S. participation in the economic blockade of Rhodesia.

I feel that our commitment there is unreasonable, unjustified, and has no base of law under the Charter of the United Nations.

I also see our participation in Rhodesia as another chapter in the domination of English foreign policy over the thinking of the U.S. State Department.

We have too long curved our foreign policy thinking to a posture of England's, even when it is diametrically opposed to our own best interests. The example here lies in England's trade with Communist Cuba and North Vietnam.

We have, along with the Organization of American States, called for an economic blockade of Communist Cuba, a nation dedicated to the overthrow of all democratic governments in the Western Hemisphere.

Yet between January and November of 1966, 95 ships under British registry have done business with Cuba.

Rhodesia, on the other hand, has not traded with Cuba. Nor has Rhodesia traded with North Vietnam as has England. And Rhodesia does not recognize the regime of Peking while England holds it as the legitimate government of China.

I therefore, Mr. Speaker, call for an end to the participation of the United States in the economic blockade against Rhodesia.

I would urge that the House Foreign Affairs Committee hold hearings on the Rhodesian matter and the State Department's domination by English foreign policy thinking.

AMERICANISM VERSUS COMMUNISM

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, during the fall recess it was my privilege to attend the 17th annual meeting of the All-American Conference To Combat Communism sponsored by the Veterans of Foreign Wars of the United States held at the Muehlbach Hotel in Kansas City, Mo. On Friday evening, November 18, 1966, that conference was addressed by the Honorable True Davis, Assistant Secretary of the Treasury and Executive Director of the Inter-American Development Bank.

My fellow Missourian is a lifelong resident of St. Joseph, Mo. He has always been on the forefront of the Americanism program of the Veterans of Foreign Wars. He has enjoyed an enviable and distinguished record as a fighter against communism and the forces of subversion.

The speech which he delivered carried a hard-hitting message. He describes the "fifth horseman of the Apocalypse" as the insidious cancer of fear and terror whose name is communism.

One of the highlights of this message is that the non-Communist world must present an alternative if we are to combat communism. Such an alternative, he says, exists in the efficient functioning of the free enterprise system. To be in favor of an open society, he points out, is to be pro-American and to be pro-American is to be anti-Communist.

One of his carefully considered conclusions is that American agriculture will defeat communism because history shows many nations have been conquered by hunger and a hungry nation is made an ally by offering it food.

The Secretary quite astutely analyzes the fact that the yield from agriculture in the U.S.S.R. is only about one-third of the productivity of American agriculture it is their agricultural failure which is choking the Russian economy. He could be completely right when he argues Khrushchev's ouster was due to his failure to change the Russian diet from starch to protein.

Mr. Davis' recitation of the reasons why we are in Vietnam today is forcefully presented. He most ably describes the sacrifices and dangers of Vietnam as "one of those great hinges upon which history turns." He goes on most eloquently to compare our effort in Asia with our earlier effort in Europe as "opening the tomb once again to the light of freedom."

We hear much comment about defense costs. Mr. Davis puts defense expenditures in their proper perspective when he says:

> Liberty is precious . . . far more precious than riches.

I commend to my colleagues the reading of the remarks by Secretary Davis which follows:

AMERICANISM VERSUS COMMUNISM

(Remarks of Hon. True Davis, Assistant Secretary of the Treasury, at the All-American Conference To Combat Communism, Kansas City, Mo., November 18, 1966)

In creating these United States of America some 180 years ago, our Founding Fathers were concerned primarily with the pursuit of happiness and the opportunity to live a free life. This meant to them freedom from oppression, but more importantly, establishing a quality of Liberty that they could pass on with pride to their children and grandchildren. Little did they realize the tremendous success their fledgling country would enjoy in the generations to come: and at the same time, little did they realize the new forces of oppression and evil that would appear to challenge the very freedom they had fought for so valiantly.

As our world came into the 20th century, the proverbial "Four Horsemen of the Apocalypse" continued to gallop rampant, as they had from the beginning of time. These fabled representative of war, famine, pestilence, and death, however, were joined by a fifth horseman who started slowly at first, but rapidly drew even with his companions to become a scourge to all free men and women. This fifth horseman represents fear and terror, and is like an insidious cancer to the well-being and freedom of mankind. His name is Communism.

The best way to combat Communism is to make sure that the people of the non-Communist world have an alternative. . . . that is clearly better in every political, social and economic sense.

Such an alternative exists in the better functioning free enterprise systems.

In these systems—for instance, the social, economic and political systems of the main western European countries, Japan, Australia, New Zealand, and, above all and leading all, of the United States—it has become absolutely and incontrovertibly evident that mankind is making swift progress toward a better life, more widely and deeply shared, reaching out to more people all the time, than the Communist systems have yet evidenced any possibility of providing.

More importantly, in the terms that win men's allegiance, the free enterprise systems are showing that a vast and deep and very real and lasting economic and social revolution, bettering more men's lives more, and faster, than all previous revolutions put together, can be and is being carried out, without depriving anyone of their property, and without divorcing any segment—political or economic—of the people from the equal protection of the laws.

The last and most tragic question of all about Marxism will be: "What was the use of it."

To what end all the suffering, destruction, police brutality, the ruination of so many lives, the deaths of so many millions?

To what end the starvation, the expropriation of so much property, the disruption and distortion, over so many decades, of so much of the world's economy?

What was it all for, when without any such tragic proceedings, the free peoples meanwhile found the means—in freedom—to move ahead faster, and to advance all together, to the actual realization of better lives for all?

And, finally, to what end have the peoples of the earth been divided from one another, by the propagation of the idea that progress can only be made, if some classes destroy others?

It is in this deepest sense that to be pro-American—that is, to be in favor of an open society making full use of the full range of constructive political, economic and social thought—it is in this profound and meaningful sense that, to be pro-American is to be anti-Communist.

The world triumph that the Marxist dream of, could only come about in a world in which the open society of freedom and opportunity for all—all, of all classes, races, beliefs and political creeds—had failed to deliver the goods of a better life, for more and more people, year by year.

AMERICANISM

Let me give you a few notable statistics which emphasize our achievements by comparison to Russia.

In the United States our:

1. Gross national product: in 1960, our GNP totaled $503.8 billion. Today our GNP is running at an annual rate of more than $732.6 billion.

2. Personal income: in 1960, total personal income amounted to $401 billion. In August of 1966, it was running at an estimated annual rate of $585 billion.

3. Corporate profits after taxes ran at an all-time high of some $48.7 billion in the first half of this year. This compares most favorably with the $26.7 billion rate of after-tax corporate profit in 1960.

4. Personal income per capita of the farm population rose sharply in 1965 to almost 30 percent above the 1964 level. The situation continues to improve this year.

Almost every American has benefited from this prosperity. So, too, have tens of millions of people throughout the world, because of our agricultural and financial assistance programs which reflect this prosperity and economic growth.

VERSUS COMMUNISM

What has happened in Russia

In 1963 (latest year for which Soviet data is available):

The USSR GNP was less than half the size of ours—after 50 years of effort to catch up, Russia's projected growth rate is little, if any, better than the growth rates we seem most likely to achieve in the coming years. The USSR's prospects for ever catching up with us, consequently, are very dim indeed.

USSR per capita consumption was $1,178 compared with $3,084 for the United States, and was less than per capita consumption in France, West Germany and the United Kingdom.

The USSR citizen has only 20 percent as many radios as we have in the United States, only 1 percent as many automobiles, 8 percent as many refrigerators, 17 percent as many washing machines and 7 percent as many electric sweepers. He has available on a per capita basis only 17 percent as much household goods, has only half as much health and education services per capita as we consume, and "consumes" only 18 percent as much recreation as do the people of the United States.

Agriculture will defeat communism

Yet, how has communism been able to make such inroads on the peoples of this earth other than through stark fear of life? Simply because it has offered a ray of salvation to hungry people by alleviating their hunger. To an individual whose family has nothing to eat, even a few grains of rice appear to be a banquet.

In this wonderful land of ours, with its increasing economy and technology, we arrived at a position of world leadership, primarily because our citizens are well fed.

Revolutions are first caused by hunger, and once this is alleviated, total populations are willing to endure much. Nations are conquered by hunger, and this has been true since the beginning of time, for it is an easy task to make an ally, or a servant, of a hungry nation by offering, or denying, it food.

Agricultural yields in the USSR tended to be only a third to a half of the marvelous productivity of American agriculture. It is this massive agricultural failure that is choking and slowing the whole of the Russian Communist economy, and that is the underlying weakness of all the Marxist economies. Because, one and all, they have persecuted their farmers, denied proper investment in agriculture, and have followed blindly Lenin's dictum that economic development should center entirely on industrialization. In fact, one of the major reasons leading to Khrushchev's ouster was his failure to change the Russian diet from starch to protein.

In the USSR—again as the result of the neglect and abuse of agriculture in the world's biggest absentee landlord system—over 40 percent of total employment is in agriculture, whereas, in the United States, somewhat less than 8 percent—one-fifth of the Soviet total—of our work goes into agricultural output: freeing more than 92 percent of our work force to increase industrial and service output.

The Soviet citizen gets only a quarter as much meat and poultry as comes to our tables, only 30 percent as many vegetables and fruits as we consume per capita.

Now, a word about the Red Chinese. It is particularly interesting to remember that until recent times they have been a nation unto themselves. Throughout history they have had no recognizable foreign policy; they have had no alliances; they have not wanted any alliances. But in the past 20 years this has changed. They are sending their revolutionaries into every conceivable corner of the world, for this changing policy of the Chinese has been brought about by an overpopulated nation that is hungry. In other words, they are actively searching for food. Yet no Communist power has ever been able to satisfactorily grow sufficient food for its needs, because this is where the Marxist system breaks down. They use huge quantities of labor and land, but obtain mediocre results. They take the incentive out of their farmers because they are not allowed to keep enough to feed themselves. No Communist nation will ever be able to completely feed itself because of their underlying philosophy that a person's efforts are not his own.

We have a tremendous responsibility to ourselves and the remainder of the free world. We feel strongly that they should choose for themselves and be given the right to do so without coercion and fear for their well-being.

Our President on his recent trip to the Manila conference and the Far East wanted to provide the spirit and the flame of liberty to these oppressed peoples, to let them know that we are interested in their welfare and that we are sufficiently interested to stay in this battle to its successful conclusion. The unity of the Manila conference clearly demonstrates the determination of those nations directly involved in helping Vietnam, to see the job through to assure that aggression will not succeed. This conference also showed that those closest to the danger understand it best—and are most prepared to meet it.

Our President has tried hard—believe me, he has—to end this conflict in Vietnam. He has offered to the Communists every possibility of meeting them at the conference table that any honorable person could. He has stated many times that we are in Vietnam, because the great majority of our people believe that the citizens of Vietnam should have a free choice.

These are the comparisons of a failure with success.

These are the realities that make Americanism the antithesis of communism.

These are the fruits of freedom by which all men everywhere can make an intelligent and realistic choice between freedom and communism.

The American that provides that kind of comparison, provides also the single biggest guarantee that the people of this country, and of every country where there is freedom to choose, will choose the free society over the closed Marxist society.

As for the future, we have only to continue doing and developing as we have been, to provide for the future, as well as for the present, the same single biggest guarantee that communism will never take the world by peaceful means.

Each of us should think about the type of world we want to live in, and this cannot be accomplished by just wishing it were so. Our free world did not come into being only because of wishes, and we will not stay as the greatest nation in the world without fighting to keep it that way.

Yet, because our Nation is a democracy, we believe in the right of the minority to express themselves, yet I do not believe that extremist groups, leaning heavily to the right or to the left, should conduct themselves in a manner which sows seeds of treason.

There is disagreement among loyal and earnest citizens as to our role in the Vietnam conflict. I do not think that disagreement over our role in Vietnam runs along ideological lines. I think, rather, that it arises largely from lack of information and perspective.

The basic elements of the situation in Vietnam are the facts that:

1. A long lasting, and growing, attempt has been made by the communist powers in the north—North Vietnam, encouraged and supported by Red China—to take over South Vietnam.

2. There is absolutely no indication of any kind that the aggression against South Vietnam would halt there, if it were successful. Every other Country in Asia, in an ever widening circle, would be menaced by an ever narrowing pair of pincers consisting of Red China and a collection of countries impressed into the Marxist world in southeast Asia. These pincers would end by closing upon India and Pakistan. Then, a new expansionist movement would be ready, with Asia Minor and the Middle East as its target. The problem is not merely South Vietnam and its 15 million people. It is a problem concerning, more nearly, half the population of the world, spread over all Asia and the Middle East.

3. The third critical consideration is that only with the help of the United States is it possible to halt this disastrous entombment of half of mankind in the grave Marxism has ready for the free and beneficial life that the world has been struggling toward since civilization began. If we do not help halt it, no one can do so.

That, to my way of thinking, is what it is all about in Vietnam.

What, then, is the prospect?

I think that the propect is for bringing the advance of Marxist fear, class hatred, and economic failure to a complete halt, at a known and generally recognized line in Asia, just as we did earlier, by military firmness, in Europe. The Communist part of the world only knows force—and firmness.

That is a result of such tremendous significance, that the sacrifices and dangers of Vietnam stand forth as one of those great hinges upon which history turns. With a line drawn in Asia, we can begin the long and arduous process there, as we have begun it in Europe, of opening the tomb once again to the light of freedom. With the line drawn, with aggression halted, with a wide and ever more prosperous world of freedom preserved and secure, we can entrust the task of eventual world victory for freedom to the kind of world that freedom builds once we have made certain that it has room to do its work.

Liberty is precious—far more precious than riches—and we must fight and be willing to defend it. Those patriotic forebearers of ours at Bunker Hill, Lexington, and Yorktown placed liberty above their lives and gave willingly to establish our way of life on this continent. One hundred and ninety years later we are faced with the same choice in the free world.

Recently I have noticed that some of our young people have sneered at the word "patriotism." To me, this is an outrage. But perhaps we must assume part of the blame, for possibly we have not awakened in our young people the true meaning of the world "patriotism." I feel that it is the responsibility of each one of us to reawaken the burning light of freedom in our hearts: and by our very enthusiasm carry this to our young people. Defenders of liberty, believers in freedom, we shall prevail as we have in the past.

PROGRESS OF THE CURRENT TRADE NEGOTIATIONS

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, on Tuesday, January 17, I spoke to a dinner meeting on the subject of the current Kennedy round trade negotiations and the conduct of U.S. trade policy. The meeting was held during a conference on trade policy issues organized by the biweekly international economic affairs publication, Tariffs & Trade. The talk was made by means of long-distance telephone between Washington and Dartmouth College, in Hanover, N.H., where I was spending several days as "politician in residence." The telephone connection made possible a two-way question and discussion in which Dartmouth Political Science Department students and faculty also participated.

Under unanimous consent, I include the text of my talk in the RECORD immediately following my remarks:

PROGRESS OF THE CURRENT TRADE NEGOTIATIONS

I find that my week's tenure as "politician in residence" at Dartmouth is as busy as my life as a politician in Washington. I would have liked to be with you in person but I trust we can have a good exchange of ideas just as well by long distance telephone.

In the area of international economic policy with which your conference is concerned, our attention is at the moment absorbed by the current international trade negotiations—the "Sixth Round" of trade negotiations under the General Agreement on Tariffs and Trade, or the "Kennedy Round". So I will first comment only briefly on some of the more interesting substantive problems in this area, for, though I haven't time to go into great depth here, I plan to do so very soon in a full report to the House. Then I would like to discuss some of the problems of Kennedy Round strategy, and finally, some aspects of the administrative mechanism we have set up to carry out the reciprocal trade agreement program, and what its future function should be. I hope you will question me on any point that interests you.

With regard to the progress of the "Kennedy Round", I would comment in general that as things now stand, I am deeply concerned. Perhaps an optimist by nature, I must admit that the "careful optimism" I expressed just after my trip to Geneva in early December has faded. I am disturbed by the lack of forward momentum evident particularly since the middle of December.

To comment more specifically. The agriculture sector remains, I believe, the key to the overall success of the negotiations. I continue to believe that the Administration's commitment made at the beginning of the negotiations, that there would be no industrial bargains without agriculture bargains, must be honored. Among the many problems in this sector, grains is one area in which we have great interest in obtaining a sound bargain. Here there is thought to be some hope for progress, progress based on a commitment by the Community on a suitable margin of access for the U.S. and other grains exporters, and on absolute assurance that amounts produced above a certain level of EEC self-sufficiency will not find their way into commercial trading channels. This would be combined with assurances that the EEC would undertake to share what is called, ironically I believe, "food aid" for developing countries.

Though I hesitate to endorse any scheme that sets up a national or international market organization, or takes a "mercantilist" approach to trade, I think I can say that the type of grains agreement that is being negotiated could succeed in mitigating some of the worst effects of the amazingly complex systems of market organization and protection devised by the EEC, without legitimizing those systems by accepting them.

We are really only at the beginning of our problems with the EEC common agriculture policy. There will, I believe, be a continuing effort on our part to deal with these market organization systems and their effects on our trade. What is important is to make a start at dealing with them even though it may be impossible to change them immediately.

Apart from grains, there are two important areas in the agriculture sector in which I have doubt whether the status quo will be altered. These areas are meats and dairy products. Then there is another area of products, such as fruits and vegetables and sugar, in which the nature of present EEC offers will not allow bargains with the U.S., because these offers have no meaning for us in terms of expanding trade. If we have failed in this area, it may be because the U.S. has not been forceful enough in representing to the EEC that we find the variable levy, the reference price, and the guide-price systems of protection unpalatable.

A problem related to agriculture trade is trade in raw or "primary" commodities produced by the non-industrialized countries. Such countries rely on export sales of these commodities for their incomes of hard currency. The European Community, through the Yaounde Convention of July 1963, has established a preferential relationship with a group of 18 "Associated African Countries," a relationship that allows the African countries to sell their commodity and other products to the EEC on a preferred basis, and in exchange also allows EEC countries to sell on a perferred basis to their African "associates".

Both African and EEC countries argue about which of its partners really benefits from the arrangement, and other African countries add an element of political tension to the situation by calling the arrangement a reversion to colonialism. But the EEC-African association also has disturbing *economic* effects on other less-developed countries (LDC's). Central and South American countries, for example, complain that their products are diverted from EEC markets because of the association arrangement. They eloquently argue the need for special conditions of access to the large U.S. market as a counterweight to the EEC-African arrangement. And the U.S. is hard pressed to deny the logic of the argument; I hope that we continue to think that a world divided according to regional blocs is not the kind of economic world we want to help evolve.

Ideas are now circulating about alternative solutions to the problem. One of them is that all developed countries give preferential access to their markets for manufactured and semi-manufactured products of all LDC's, and at the same time fashion commodity arrangements that would stabilize commodity prices and raise them to artificially high levels. But such plans present many practical problems, problems that could be so difficult that they might outweigh any possible benefits to the LDC's.

I have no ideal solution to the problem. I would recommend some guidelines, however. One of them is that unfair non-tariff barriers to consumption of LDC products in industrial markets be removed. Another is that developed countries' tariffs that are differentiated so as to discourage the processing of raw materials by the producing countries be removed. (Cotton textile restrictions are a good case in point). Another is that private foreign investment be allowed to play its fullest possible role in the industrial development of LDC's. Another is that LDC's take steps to learn how to sell their products abroad, and create more economic conditions within their own markets, and between each other's markets.

The "Kennedy Round" has only touched these LDC trade problems. As in agriculture, we have made a beginning at thinking them through. The General Agreement on Tariffs and Trade now seems even more than before the proper vehicle for action, and I earnestly hope that this will become an area of that organization's major concentration as soon as possible.

The key to successful negotiations for the U.S. may be a grains agreement. Without this and other substantial agriculture offers there cannot be industrial negotiations. And in several very important industrial sectors, especially steel and chemicals, but also pulp and paper, and aluminum, there are very difficult problems yet to be solved. In all of them the essential problem is the lack of good offers from the EEC.

It should be unmistakably clear that unless EEC offers are improved, there will be substantial withdrawals not only by the United States but by third countries. Items for withdrawal have already been identified and the EEC and other countries with whom we do not believe we have balance, such as Canada and Japan, have been advised of them through a series of "assessment" meetings held in Geneva in early December. The EEC can keep these items in the negotiations by making their offers more meaningful in trade terms. Reciprocity, a word not often heard in the last five years, remains at the center of our concern. Offers of other countries must be assessed in terms of their meaning for the flow of trade, and when various non-tariff barriers are interjected so as to nullify the effects of *tariff* reductions, these barriers must be taken into account when striking reciprocal balances. When in Europe in December I was called an "acknowledged free trader" by the American newspaper, which disturbed me. In a perfect world I might be a free trader but this is not such a world and I insist that we must bargain in strictly reciprocal terms.

The steel sector offers its own knotty and fascinating problems which I haven't time to explore here. Instead, I will comment briefly on perhaps the most hotly discussed, and certainly an intellectually interesting, issue in the negotiations—the badly over-emphasized, over-worked issue of American Selling Price (ASP) as applied to benzenoid chemicals—I think we can dismiss knitted gloves and canned baby clams. I would not give ASP added emphasis even by discussing it here except that I know that many of you might want me to mention the problem.

My December talks in European capitals convinced me that for whatever motives, economic or strategic, ASP has been made by the developed countries the most highly debated Kennedy Round issue. They have promoted it to the symbolic status of representing the great difficulty of competing in the U.S. market, even though only about $25 million of U.S. import trade is involved, out of a total of $700 million for all chemicals. This overemphasis robs the issue of much of its intellectual interest.

Confronted with this attitude or ploy, U.S. negotiators, who want to obtain significant cuts in European tariffs in the chemical area, have taken the rational approach that ASP must first be understood, then discussed. I believe that everyone now understands the ASP system; at least no one should be excused for not understanding it. The discussion stage is now in process, the object to determine whether Europeans and Japan are willing to offer enough to make it worthwhile for the U.S. to negotiate a change on the basis of converted ASP rates, then bring the issue back to Congress. To my knowledge no such offer has yet been made by the EEC. When it is, it will have to be meaningful enough to make it possible for the U.S. Congress to accept a change in the system and the converted rates set by the Tariff Commission. This was the position I expressed in all my discussions on this subject in Europe.

At the same time, I stressed that Europeans must be willing to look at their own non-tariff barriers—barriers which are legion and sharply horned—in an equally constructive light. This, regrettably, there seems to be a reluctance to do.

This leads me to a very brief discussion of anti-dumping. It is one area in which I have a feeling of optimism. I think that a soundly constructed International Anti-Dumping "Code" offers advantages to U.S. exporters as well as U.S. industries having import competition. For the American exporter there may be assurance that new foreign anti-dumping procedures, when they are applied, will be applied in such a manner as to give him a fair hearing of his case. For American industry, I believe an anti-dumping agreement may well simplify and expedite U.S. treatment of dumping complaints. I have told U.S. interests seeking to amend our present legislation that their proposals, if sound, should be used in an anti-dumping agreement. In any event, I welcome full Congressional consideration of any anti-dumping agreement and indeed of any proposals for changing our anti-dumping law, in the hope that we can make a reciprocally advantageous international agreement.

I have spent much of my time on these issues, and will comment only briefly on the negotiating strategy and on organizational problems.

First, I am seriously concerned that the U.S. may not have used December and the first weeks of the present month to full advantage. There have been three meetings of the EEC during this period. Only the one immediately before Christmas—December 22 and 23—produced any decisions relating to the negotiations and they were relatively minor, I might say, unsatisfactory decisions on a few agriculture items. The meeting last week, on January 10, was to have brought EEC decision on the major problems of the industry sector negotiations. Clearly the U.S. must walk a line between too little pressure and too much pressure. One strategy would produce stagnation, the other perhaps irreparable crisis. I believe that there is a substantial body of European opinion, even in France, that would like a "successful" Kennedy Round, and that it will be possible to pull and haul the French and others down the road to agreement. I regret that I do not see the necessary U.S. muscle now being applied to this important task.

Second, I am deeply concerned that the President himself show more interest in trade policy. I look at the trade program as a bipartisan one, but even so, I have to conclude that President Johnson apparently does not understand the importance of the trade program, both to his foreign policy as applied to Europe and as applied to the less-developed areas, particularly Southeast Asia.

Trade and its corollary, foreign investment, can be the means both of eliminating the causes of war, and of dampening the fires of war, once it has started, by cutting its economic sinews. Trade policy must not be relegated to a back burner as an element of national policy. Governor Christian A. Herter was a great servant of his nation in many capacities, but none were more important than the last, his post as the first Special Representative for Trade Negotiations. The news media, and the President, seemed not to recognize this. The work Governor Herter began must be continued in the long run through strengthening the Office of Special Representative. And in the shorter term I urge the President to appoint as new Special Representative immediately a man of requisite abilities. There is an urgent need for strong leadership at the top now and in the few months until the Trade Expansion Act expires on June 30.

After the Kennedy Round a new and expanded role must be forged for the Special Representative based on a new legislative mandate—a "Johnson trade program", perhaps. I will try to persuade those who are interested that a new program must emphasize agriculture trade problems, non-tariff trade problems, problems affecting international commerce such as patents and antitrust, and especially the trade problems of the developing countries. Already the Kennedy Round has succeeded at least in bringing these problems to our attention. And I hope that one of the guiding principles that we follow will be to "keep politics out of economics"—that is that we will make economic decisions on their own merits rather than base them on limited political considerations.

I know you, my audience, are considering these and other hard questions during your two-day conference. This is exactly the kind of discussion that is needed, and I look forward to learning your conclusions and having your ideas. I know of few more important areas of endeavor.

Thank you. I will be glad to consider your questions—whether I answer them to your satisfaction or not is for you to judge.

A PROPOSAL FOR A NATIONAL COMMISSION ON URBAN LIVING

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 30 minutes.

Mr. QUIE. Mr. Speaker, today I introduced a bill to establish a National Commission on Urban Living.

Aristotle said:

> Men come together in cities in order to live; they remain together in order to live the good life.

Many observers of the contemporary American urban scene would take exception to this statement. Although man has come and continues to come to urbia, it might well be argued that it is virtually impossible for him to live the "good life" in the milieu that we equate with the typical, modern American metropolis. While we are recording the highest degree of urbanization of any national population, we are simultaneously witnessing the impact of a number of distressing factors—factors that depress the quality of life that is enjoyed and will be enjoyed by the swelling multitudes that flock to our metropolitan areas.

Daily we are given disturbing accounts of the adverse forces working toward the destruction and diminution of those advantages that made our urban environs so attractive to the vast majority of the American people. Demands for adequate and decent housing accommodations far exceed the available supplies—with the result that millions of Americans are forced to live in overcrowded, substandard, but nonetheless costly, dwellings. The personal safety of man, woman, and child suffers at the hands of a spiraling crime rate and an ever-increasing incidence of juvenile delinquency. Individual health is jeopardized by a host of agents that contaminate the air we breathe and pollute our limited water resources. Hospital and medical facilities fall behind in meeting the needs of the sick and suffering. The full creative energies of our greatest national resource, our youth, are untapped. Too many of our young people in urban school systems are unable to develop their full intellectual potential because understaffed faculties and poorly equipped classrooms and laboratories mean a denial of meaningful and rewarding educational experiences.

These are urban problems. These are national problems. Statistics tell us that more than 70 percent of our people now live in urban areas. Population projections forecast that by 1980 more than 80 percent of our growing populace will reside in our urban communities. Urban problems, therefore, must be viewed as national problems having a direct and vital influence on the general welfare of this Nation.

What has been the response to the challenges that these problems have posed? The urgency of our needs has evoked a flurry of activity at all levels of government. We have only to cast a cursory glance at the Federal sphere of governmental operations to find ample evidence of this activity and to arrive at some idea of the types of responses that are being made to the perplexing questions raised by our rapid urbanization. The recent creation of two Cabinet-level Departments—Housing and Urban Development and Transportation—introduces some of the principal problems of metropolitan living into the highest echelons of the executive branch. To these new Departments and to many of the other executive departments and agencies, congressional and executive action has produced a revamping and expansion of operations to deal with public works and economic development, air and water pollution abatement and prevention, urban renewal, urban planning, urban mass transportation, airport development, low-rent housing, improved employment opportunities, as well as the betterment of sewer and water facilities. This is not an exhaustive list of urban-oriented activities and programs, but serves merely to highlight some of the primary concerns of those within the Federal sphere of government who are charged with the responsibilities of formulating policy and translating that policy into effective action.

Government cannot, however, lay claim to a monopoly of the innovations that have been advanced. More and more colleges and universities, business and industrial enterprises, civic and religious organizations, and research and development institutions have taken a new and vigorous interest in the declining state of our urban affairs. From this recognition and interest flows a stream of valuable contributions that not only increases our store of knowledge but also our capability to better direct our efforts and better utilize our resources to elevate the quality of life that can and should be enjoyed in urban America.

In a word, the problems of improved metropolitan living now draw on the expertise and enlist the efforts of men and women from a widening circle of varied disciplines. Clearly, the nature of the challenge demands this type of a response. But I think that we must make certain that this multifaceted approach that characterizes the present surge of national activity is guided by a singleness of purpose that will lead ultimately to a full realization of our expectations. Unfortunately, there is a growing accumulation of evidence that suggests that conflicting goals, mutually exclusive policy recommendations, duplication of efforts and expenditures in one area, total lack of action in a second area—all of these troublesome elements are coming to cloud the urban affairs picture. It seems to me that it is not too late to avert the dangers to which I have made reference. Now is the time to take whatever action may be necessary to avoid these stumbling blocks to success and, with this purpose in mind, I am introducing legislation that would establish a National Commission on Urban Living.

Let me make it clear at the outset that I do not view the role of this proposed Commission to be one that would make a competitor of those already in the vanguard of the national effort to improve urban living conditions. Nor do I envision a commission that would assume the role of a superagency. On the contrary, I would like to see a bipartisan National Commission on Urban Living that would serve as a coordinating body—working in cooperation with the representatives of local, State, and Federal government agencies and departments as well as with the representatives of the numerous nongovernmental parties alike—in a concerted effort to understand the total picture—the panorama, if you will, of urban affairs. I would like to see the creation of a National Commission on Urban Living that would work toward that singleness of purpose and direction that is requisite to the success of our efforts.

My proposal would bring into being a 25-member Commission, 15 of whom would be appointed by the President of the United States. No more than nine of the 15 Presidential appointees would be of the same political party. Of the remaining 10 members, five would be appointed by the President of the Senate with three from the majority party and two from the minority party. The Speaker of the House of Representatives would appoint the last five members, selecting three from the majority party and two from the minority party. The members of the Commission would select a Chairman and a Vice Chairman from the membership.

Over a period of 2 years, commencing with the appointment of the 25th member, the Commission would be required to submit to the President and to the Congress a report of its activities, studies, and analyses together with any recommendations for future Executive and congressional action. At any time within this 2-year period, the Commission could submit appropriate interim reports to the President and to the Congress.

Let me briefly outline some of the duties that I would like to see this national commission perform: First, serve as a national clearinghouse for the acquisition and dissemination of data necessary for a clear and comprehensive overview and understanding of the major problems that affect urban living in the United States; second, identify those problem areas that demand immediate action; third, evaluate operative programs designed to remedy these acute or critical problems; fourth, make recommendations for changes in operative programs; fifth, make recommendations for the initiation of programs designed to alleviate acute or critical problems; sixth, identify overlapping in operative programs and make recommendations for the elimination of duplication of efforts and expenditures; seventh, study trends that will influence the future quality and character of urban life; eighth, assess the likely impact of these trends and identify probable trouble spots; ninth, make recommendations for ways and means of dealing with these future problem areas that would be useful for future Executive and congressional action; tenth, promote greater public understanding of the programs that have been adopted to resolve these problems; eleventh, promote greater public understanding of the overall problems of urban living; twelfth, conduct a continuing reevaluation of the national policies, goals, and standards that we have set for urban living.

Somehow the words "national commission" suggest a roster of prestige names offering lofty, ivory tower recommendations of doubtful value to those who must make policy and to those who must carry out that policy once established. I hesitate to subscribe to this pessimistic though popular notion for it underestimates the valuable appraisals, policy suggestions, and public and private efforts that have been generated or stimulated by that instrumentality that we know as the national commission. In short, it overlooks or blithely dismisses the illustrious service—nationwide in scope and impact—that has been rendered by previous commissions.

The studies carried out by both Commissions on Organization of the Executive Branch, more popularly referred to as the Hoover Commissions, are excellent examples of the hard-hitting and practical products that the labors of national commissions can yield.

Recall if you will that the recommendations of the first Hoover Commission contributed to the achievement of a measure of unification within our Department of Defense, the creation of an efficient "housekeeping" agency for the Federal Government in the General Services Administration, the internal reorganization of the Department of State—with an eye to clarifying official responsibilities, expediting communications operations, and a breakdown of the numerous artificial barriers that existed among staff members. What is more, the proposal for the creation of a Department of Health, Education, and Welfare can be traced back to the studies and reports of that first Commission.

To the second Hoover Commission we owe much credit for measures that effected the reinforcement of civilian control over the military within the Department of Defense, and the overall increased effectiveness of the Joint Chiefs of Staff as a defense planning unit. This Commission's work was a major stepping stone to the adoption and implementation of annual accrued expenditures budgeting procedures. Finally, the careful study conducted by the Commission was largely responsible for a major reduction in the competition that heretofore existed between Government and private enterprise for the supply of goods and services.

But perhaps there is a precedent or illustration that is more analogous to the situation that now confronts us. Shortly after the turn of the present century, President Theodore Roosevelt appointed the Country Life Commission to study and analyze the problems of farming and country living. Issued in 1909, the final report of that Commission has been referred to as a "bible for students of agriculture, rural sociologists, agricultural economists, farm leaders, and Secretaries and staffs of the Department of Agriculture from that time down to the present." The work of Roosevelt's Country Life Commission culminated in an unprecedented number of concrete recommendations that were subsequently incorporated in legislative proposals, and finally signed into law. Focusing much of its attention on the educational curriculums of the rural school systems, the Commission recommended that education in the rural classroom be redirected or reoriented so as to have a "relation to living" and in such a way as to guarantee that "the schools would express daily life" and educate by means of "agriculture and country life subjects." The Commission further urged the establishment of a national extension service as an effective means of "arousing the people as to what must be accomplished in terms of their daily lives and welfare." The Commission's report and the proposals contained therein served as an impetus to the enactment of the Smith-Lever Act of 1914—establishing the U.S. Department of Agriculture's Agricultural Extension Service as well as the Smith-Hughes Act of 1917—providing for vocational agricultural instruction.

A direct and immediate relationship exists between the Commission's findings and recommendations and the boon that came to rural communities thanks to the introduction of parcel post service, rural delivery, postal savings plans, the Federal Farm Loan Act, soil conservation, rural road construction and improvement programs, the 4-H movement, and the growth of agricultural cooperative associations. Although widely enjoyed and today accepted as rather ordinary, the changes wrought by these progressive measures transformed the character of country living and were indeed extraordinary. The myriad of benefits that have accrued to rural dwellers defies accurate tally or evaluation.

Not to belabor my point, let me say in conclusion that there are ample precedents for the establishment and creation of a National Commission on Urban Living that will come to grips with the seemingly insurmountable task of improving the quality of urban living. Neither of the Hoover Commissions offered panaceas. Nor did the Roosevelt Country Life Commission offer a quick and painless cureall. Each did offer, however, sound insights and invaluable guidance in the search for viable answers to the respective problems with which each was faced. If established, a National Commission on Urban Living would be no panacea to the ailments that plague our metropolitan areas and consequently the entire Nation. This Commission could serve as a dynamic mechanism through which the best minds from the broad spectrum of interested disciplines could merge and work as one to achieve that singleness of purpose and clarity of direction that are necessary for any substantial improvement and strengthening of urban living—of national living. Hopefully, the National Commission on Urban Living, that I have proposed here today, would, in the years to come, be viewed as a creative and esteemed instrumentality whose efforts marked the advent of a new urban atmosphere in which men would come together to live and remain there in order to live a good life.

HON. JOHN E. FOGARTY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ULLMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ULLMAN. Mr. Speaker, I join with the House and the Nation today to honor a friend and a colleague, the late John E. Fogarty, of Rhode Island.

John Fogarty had no enemies. His warmth and his friendship graced these Chambers for over a quarter century.

He brought to this membership a quiet respect and deep dedication to the principles of a free society.

As a ranking member of the Committee on Appropriations, he distinguished himself by his hard work and clear understanding of the needs of a growing Nation. His experience, wisdom, and judgment will especially be missed by his colleagues on the Appropriations Committee.

I am grateful for the years of friendship and guidance which John Fogarty extended to me as a Member of this body.

I extend to the people of his district my sincere regrets on the untimely passing of a trusted public servant. And to his family, I extend my heartfelt condolences.

WHY UNITED STATES SHOULD STAY IN VIETNAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RODINO. Mr. Speaker, I am sure that all of us in the House have experienced, at one time or another, surprise and illumination over some very mature statement uttered by a youngster. The complexities of the war in Vietnam bewilder most adults, and thus it is noteworthy to find one of our youth pondering and taking a determined stand on this most vital question facing the United States.

I am fortunate to have such an aware youth, David G. Tucker, an eighth-grader from Montclair, N.J., in my congressional district, and I am happy to bring his views of the war to the attention of my colleagues.

The following is from the Montclair Times of January 12, 1967:

A 13-YEAR-OLD TELLS WHY U.S. SHOULD STAY IN VIETNAM

In a letter to the editor of The Times this week, a 13-year-old eighth grade student expresses his views on the Vietnam situation as follows:

"I am a thirteen-year-old boy in the eighth grade and I would like to express my views on the war in Vietnam. I know that lots of people think that teenagers don't know what they are talking about when they express their views on certain subjects, but I think that if more people listened to teenagers, they would understand them better.

"Here is my stand on the war in Vietnam: I am all for the United States staying in the war. I think that anyone that says 'Get Out of Vietnam' doesn't know what they are talking about. If the United States pulled out of Vietnam, the Communists would easily move in and take over. And if the Communists do take over Vietnam, many other countries will fall into the hands of Communists. Sooner or later the United States would also fall to Communism. That is why I think the United States should stay in Vietnam.

"I also think that if more people in the United States backed up our men in Vietnam, that their morale would be a lot higher than it is now.

"Sincerely yours,

"DAVID G. TUCKER.

"MONTCLAIR."

A BILL TO RETURN 3 PERCENT OF FEDERAL INCOME TAXES TO STATES

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FASCELL. Mr. Speaker, today I am introducing legislation to return a flat 3 percent of Federal personal income taxes to the States with no strings attached. Expenditure of these funds would be solely under the jurisdiction and authority of each State.

I have introduced this legislation as a possible means to enable State and local governments to develop creative methods of solving their problems in providing schools, hospitals, roads, health and welfare services, and other increases in services necessitated by our rapidly expanding population. Under present tax systems the States just do not have adequate revenue sources to meet these increasing demands on their purse strings, nor is there hope that they can levy many more taxes in the future. Property and sales taxes, which contribute the bulk of State and local tax receipts, have already reached the saturation point.

A glance at statistics on Federal, State and local finances reveals that State and local expenditures have increased at an even more rapid rate than Federal outlays during the past decade. During the period from 1956 to 1965, State and local government outlays for general governmental purposes more than doubled—from $36.7 billion to $75 billion, while those of the Federal Government rose by about 60 percent—from $68.8 billion to $110 billion. State and local government debt has increased just as rapidly as expenditures during this same decade—from $48.9 billion to $99.5 billion, while Federal debt rose by about 17 percent from $272.8 billion to $317.9 billion.

The financial plight of our State and local governments has been further emphasized in a study released this week by the Joint Economic Committee. A statement accompanying this report indicates that commercial banks now hold $38 billion in State and local government obligations, which is almost 40 percent of the total. However, if additional revenue can be made available to the States through a tax-sharing plan, the dependency of local governments on commercial bank loans—"at excessive interest rates"—could conceivably be eliminated.

Under my tax-sharing proposal, more than $1.6 billion each year would be returned to the States for their use. In fiscal year 1965, the last year for which complete figures are available, Florida alone would have received more than $30.9 million in revenues collected by the Federal Government. This would have represented 3 percent of the $1,032,652,000 in individual income taxes—excluding employment taxes—which were collected in Florida by the Internal Revenue Service. During the same year, $53.4 billion in total individual income taxes were collected throughout the country.

The additional revenue making it possible for each State to devise means specifically suited to solving their individual problems, would foster imaginative solutions and diversified approaches. Competition resulting from this diversification would bring about more efficient processes, and a divergence from the often mediocre uniformity of approach to crucial problems facing our States.

Furthermore, a tax-sharing plan would save the States hundreds of millions of dollars they will eventually have to invest in new tax collection machinery needed to raise more local tax revenues if such a plan is not adopted.

Opposition to tax sharing has often been based on the premise that State and local governments might not use these Federal funds wisely if they are granted with little or no Federal strings attached—that the States will only be encouraged to lower their own tax effort or curtail vital expenditure programs. State legislatures, however, which will have the responsibility of administering the funds, are now assured of proportional representation because of recent Supreme Court decisions, and misuse of funds should be held to a minimum. One cannot disregard altogether, however, the margin of error which will exist in any human endeavor.

Some opponents contend that a tax sharing plan will merely shift the burden of debt; that by supplementing State revenue with Federal income tax revenue, thereby decreasing local and State government debt, we will simply be expanding the national debt. It is my feeling that the additional revenue will enable local government units to more effectively meet their growing responsibilities which they have thus far not been able to do largely because of inadequate revenues. It is entirely possible, then, that on a long-term basis, Federal grant programs could become largely unnecessary, and a sizable reduction in Federal expenditures eventually effected.

At this point, let me stress that priority must be given to financing our commitment in Vietnam. Our major concern must remain the support of our troops. Thought must also be given to the effect which a future declaration of a state of national emergency might have after initiation of this program.

I feel that while immediate implementation would not be feasible, this inclusive approach to State government problems is a sound one and should be given thorough consideration during this Congress. If conflicts arising from this proposal can be resolved now, implementation should be possible by July 1, 1969. Earlier initiation does not seem advisable for several reasons. First, as I have already mentioned, the Vietnam conflict steadily demands increased funds. Further, the budget for the new fiscal year 1968, beginning July 1, 1967, has been in the planning stages for several months, and an additional expenditure of $1.6 billion cannot be absorbed into that budget. If consideration and approval can be achieved at this time, ample opportunity would exist for its inclusion in the budget plans for fiscal 1969—the first fiscal year of the administration chosen in 1968.

Mr. Speaker, the accompanying table shows the amount of taxes which would be returned to each of the States if my plan is adopted. The figures are those from fiscal year 1965, the last year for which complete statistics are available:

[In thousands of dollars]

State	Personal income tax excluding employment tax	Amount returned to State
Alabama	418, 924	12, 500
Alaska	62, 227	1, 800
Arizona	235, 070	7, 000
Arkansas	194, 999	5, 800
California	5, 764, 472	172, 900
Colorado	915, 449	27, 400
Connecticut	948, 825	28, 400
Delaware	358, 907	10, 700
Florida	1, 032, 652	30, 900
Georgia	1, 028, 786	21, 500
Hawaii	226, 272	5, 100
Idaho	153, 871	3, 400
Illinois	6, 129, 662	119, 200
Indiana	1, 814, 021	41, 400
Iowa	470, 161	14, 100
Kansas	396, 606	11, 800
Kentucky	404, 684	12, 100
Louisiana	544, 403	16, 300
Maine	140, 778	4, 200
Maryland	1, 308, 048	3, 900
Massachusetts	1, 586, 564	47, 500
Michigan	2, 666, 258	79, 900
Minnesota	876, 854	26, 300
Mississippi	189, 955	5, 600
Missouri	1, 229, 139	36, 800
Montana	106, 843	3, 200
Nebraska	312, 902	9, 300
Nevada	131, 879	3, 900
New Hampshire	134, 348	4, 000
New Jersey	1, 874, 301	56, 200
New Mexico	154, 295	4, 600
New York	7, 542, 156	226, 200
North Carolina	673, 583	20, 200
North Dakota	77, 916	2, 300
Ohio	3, 268, 846	98, 000
Oklahoma	432, 601	12, 900
Oregon	444, 811	13, 300
Pennsylvania	3, 396, 959	101, 900
Rhode Island	243, 869	7, 300
South Carolina	264, 364	7, 900
South Dakota	83, 769	2, 500
Tennessee	565, 181	16, 900
Texas	2, 038, 844	61, 100
Utah	181, 705	5, 400
Vermont	61, 922	1, 800
Virginia	739, 552	22, 100
West Virginia	222, 904	66, 800
Wisconsin	938, 997	28, 100
Wyoming	60, 231	1, 800
District of Columbia	704, 333	21, 100

NOTE.—All figures approximate, based on "U.S. Treasury Department Combined Statement of Receipts, Expenditures, and Balances, Fiscal Year 1965."

MEDICARE COVERAGE FOR PRESCRIPTION DRUGS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BINGHAM. Mr. Speaker, enactment of medicare was a major milestone in the history of social welfare legislation in this country. For many millions of citizens over 65, medicare means that the hard-earned savings of a lifetime will not vanish in a single medical catastrophe. The elderly no longer need fear that they will become a heavy economic and psychological burden upon their sons and daughters because of serious illness. Most significantly, our older citizens can maintain their own sense of dignity and independence without having to face welfare status and public wards in city hospitals.

Although our experience with the program has been brief, even this short period has overcome dire predictions of patients overcrowding our hospitals or of interference with the traditional doctor-patient relationship. In short, our limited experience with the program has been remarkably successful and untroubled.

As significant as medicare is, however, it by no means solves all medical problems of the elderly. When we first adopted medicare, it was generally recognized that a major weakness was its failure to include coverage of drugs prescribed outside of a hospital or nursing home. Four out of five of those 65 or over suffer from chronic illnesses, and these patients usually require continual medication of one type or another. It has been estimated that at least $600 million is expended each year on prescription drugs other than vitamins, aspirins, and so forth.

Needless to say, the cost of drugs to an individual, budgeting himself on a social security income, can easily become prohibitive. Because the relation between effective medical care and use of prescribed drugs is so clear, I am convinced that medicare must be expanded to allow reimbursement for drug expenses.

The major stumbling block in working out the details of such a program has been the problem of determining "reasonable costs." There has long been a large discrepancy between prices charged for the brand name of certain drugs and those which are merely prescribed by the generic or established name. Much heat and little light has been shed in the propaganda battles waged between those who defend the name-brand drug prices and those who argue for use of the lower priced generic version. Such discussions usually serve only to polarize opinions and seldom accomplish anything constructive.

Instead, we must concentrate on devising legislation which sets out a reasonable basis for reimbursing patients for their out-of-pocket expenses in purchasing quality drugs prescribed by their physician. I think that the amendment which I am offering today accomplishes that task.

This bill provides, under part B of the supplementary medical insurance portion of medicare, coverage for drugs in accordance with a schedule of allowances established by a Formulary Committee. In most instances, a drug is identical or substantially similar in effectiveness to the name brand and usually higher priced drug. For that reason, the schedule of drug allowances is based on the cost of the lowest priced generic equivalent, of acceptable quality, plus a small percentage fee representing the pharmacists' distribution and handling costs.

The basic listing of drugs requiring prescription for which benefits may be given will be prepared by a high-level formulary committee composed of the Surgeon General of the United States, the Commissioner of the Food and Drug Administration, and the Director of the National Institutes of Health. The Formulary Committee would be aided by an advisory committee consisting of seven members. These members would be selected by the Secretary of Health, Education, and Welfare from national organizations concerned with pharmacy such as the Council on Drugs of the American Medical Association, American Public Health Association, American Society of Hospital Pharmacists, American Association of Colleges of Apothecaries, American Pharmaceutical Association, and the Pharmaceutical Manufacturers Associations.

The advisory group may recommend items for inclusion in the listing of allowable items by the Formulary Committee. Nonprescription drugs of a life-saving nature may also be included for coverage by the Committee. In determining the costs of "the lowest priced generic equivalent," the Committee would consult recognized pricing guides such as the "Red Book," and the "Blue Book," or it may use any other basis it deems appropriate in determining such generic prices for purposes of preparing its schedule of allowances.

The Formulary Committee may, from time to time, modify its schedule both in terms of items covered and allowances. It may also, by regulation, establish minimum and maximum prescription quantities and such other rules and regulations as it deems necessary to insure orderly, economical, and equitable provision of this benefit.

At least once a year, beneficiaries and physicians would receive a complete listing of the drugs for which a benefit is payable. Each drug would be listed, on a cross-indexed basis, by both generic and trade name with the allowance for each drug noted. Where a drug is available under more than one trade name, all alternative names would be listed. This procedure would permit older people to become acquainted with the different items covered and serve as a handy reference if patients wished to purchase prescriptions by established rather than trade name.

The patient would pay the pharmacist directly and then be reimbursed according to the amount allowed for that drug by the Formulary Committee. Only the $25 deductible requirement would be applicable to drug coverage, and the patient would not be subject to the 20-percent coinsurance provisions of part B.

This new benefit would be added to part B as of July 1, 1969. The additional premium necessary to pay for this benefit will total aproximately $1 monthly per beneficiary, with the Federal Government paying 50 cents and the patient paying 50 cents.

There are several advantages to this approach, which I would like to emphasize. First—and of paramount importance—this legislation in no way interferes with a doctor's right to prescribe a drug by trade name if he wishes or with the patients' right to purchase such drugs by trade name if so prescribed. Both physician and patient retain full freedom regarding the version of the product prescribed. But if they wish to use the highest priced version of a drug, the Federal Government will only reimburse that patient to the extent of the reasonable cost—as determined by the Formulary Committee.

Second, in considering costs of the lowest priced established versions of drugs, the Committee would only use the price of those established drugs of acceptable quality, thus guarding against acceptance of any unrealistically priced inferior products. Third, by widely distributing the Committee's cross-listing of established and brand-name drugs, we will make sure that the patient can purchase the lower priced drug—if he wishes—or the brand name—whichever his doctor has prescribed.

In conclusion, may I say that during the last Congress, Senator Douglas introduced an amendment providing for drug coverage which was substantially similar to the one I am advocating today. I can think of no worthier footsteps to follow in than those of Senator Douglas who led the fight to enact so much of our recent major social legislation.

It is time that we fully honor our pledge to the elderly—to provide adequate financial protection against the uncertainties and hardships of ill health when the income-producing years have passed. I think this amendment to the medicare program will help us accomplish that goal.

HON. JOHN EDWARD FOGARTY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Feighan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, it is with great and deep personal sorrow that I join with Members of the House to pay tribute to John Edward Fogarty, a man I have been proud to call friend, as well as colleague for 24 years. His totally unexpected and shocking death is a great loss not only to his family but to our Nation.

Those of us who had the privilege to know and work with John realize that men of his caliber are rare. His 26 years of public service will be remembered by his colleagues and by millions of Americans who were benefited by his arduous work in pursuit of his ideals. His constituents certainly recognized his unfailing efforts in their behalf by repeatedly reelecting him to Congress.

The gentleman from Rhode Island, John Fogarty, was a great and true American. It was his ambition to pass on to posterity and to tomorrow's generation a stronger and greater America. John was living the fruitful years of his life and in his passing our Nation has lost a great and courageous legislator and I have lost a true friend.

To his wife Luise and his daughter Mary, of whom he was so proud and to whom he was so devoted, I express my sincere sympathy.

UKRAINIAN INDEPENDENCE DAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Dingell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DINGELL. Mr. Speaker, January 22, 1967, marks the 49th anniversary of Ukrainian independence. The plight of the Ukrainian people, whose freedom is a small but brilliant thread woven through the historical tapestry of their exploited and persecuted homeland, has long been a matter of great concern to me.

Prior to 1783, the Ukrainians enjoyed a precarious and oft-challenged freedom. In that year, the troops of Catherine II forcibly imposed Russian governmental institutions upon the Ukraine. Despite their political oppression, the Ukrainians developed a rich and spirited national culture which has since become their guiding inspiration in the darkest hours of subjugation.

The Ukrainians miraculously gained strength and unity in the midst of the chaotic atmosphere wrought by the strain of World War I and the Russian Revolution. On November 20, 1917, the Ukrainian National Rada or Council issued a declaration of national independence. This proclamation was finalized and formalized on January 22, 1918.

The period of liberation was tragically brief. The Ukrainians were menaced from all sides by the Germans, the Allies, and the Bolsheviks. By November of 1920, the Communists were solidly entrenched in both Moscow and in the Ukraine. In less than 3 years, the Ukrainian people were once again under the yoke of imperialism. The blows of the hammer and sickle were too overwhelming even for their defiant backs.

Mr. Speaker, compassion is an inadequate term for expressing my feelings about the inhumanities inflicted upon the Ukrainian people. Moscow has perpetrated almost every conceivable brutal crime on this republic in an effort to russify and communize the people. They have endured the total annihilation of the more prosperous class of peasants. They have endured compulsory collectivization of their lands, and a famine brought on by the Communists during which at least 6 million of their fellow countrymen starved to death. They have endured destruction and eradication of their church and clergy, their monuments and art, and even their language. Worst of all, they have endured continuous waves of mass executions, purges, dislocation, and deportation to slave camps.

Yet, Mr. Speaker, despite seemingly unbearable persecutions, the Ukrainians have neither relinquished their cultural and nationalistic traditions nor abandoned their goals for nationhood. They continue to hold in their hearts the theme of their national anthem, "Ukraine Will Never Die." It is my hope that in our time we will see the Ukraine flourishing and its people released from the fetters of Soviet dictatorship.

NEED TO REVISE SELECTIVE SERVICE LAW—VI

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the Selective Service System consists of 4,066 local boards. These boards are coordinated by 56 State directors and headquarters. National coordination is provided by the Director, General Hershey, and his national headquarters in Washington, D.C.

The local boards are staffed by 16,712 unpaid board members, who are assisted by nearly 20,000 uncompensated advisers to registrants, medical advisers, and Government appeal agents. The clerical work in the board is handled by 7,779 paid employees, over 2,000 of whom work only part time. For the most part, the board members are characterized by their dedication and patriotism and deserve our praise.

The qualifications for selection to a local board are somewhat hazy. He must be a male, 30 years old and reside in the county in which the board is located. The board member does not have to be a college graduate, or for that matter, have completed either a high school or grade school education. By statute, State and local board members are appointed by the President from recommendations by the Governor of the State. In practice, however, the President has delegated the appointment power to the Director of Selective Service who, routinely accepts the recommendation of the State Governor. The Director does not make an independent review of the appointee. My distinguished colleague, the gentleman from New York [Mr. Ryan], states that General Hershey's top assistants cannot remember a time when they ever rejected or scrutinized a man nominated by a State Governor. Perhaps they should, for Mr. Ryan pointed out a case in which a member of the New Orleans board was suspended because he was or had been the head of the Ku Klux Klan. In light of charges made by some registrants regarding bias and discrimination on the part of some local board members, I requested from General Hershey a racial breakdown of the local draft boards. My request was turned down. The Selective Service System explained that it did not have a way in which to conduct such a study of the draft boards.

There are 95 State appeal boards, one in each Federal judicial district, with 23 extra panels in the most heavily populated districts. The 564 unpaid board members are aided by 35 full-time and eight part-time paid clerical employees. Regulations regarding the makeup of these boards state that the members should be representative of the activities in their jurisdiction and should include representatives from labor, industry, and where applicable from agriculture, along with a physician and a lawyer.

General Hershey claims that the appeal procedure is simple to initiate and no reason for appealing need be given. Each classification decision appealed results in removal of the registrant's file from the local board of jurisdiction and its referral to a State appeal board which bases its judgment exclusively upon the written record previously supplied by the registrant and other interested parties.

To obtain an appeal the registrant need merely express this desire in writing to his local board within 10 days after notification of his classification. General Hershey has rejected proposals to extend the time limit to appeal from 10 days to 15 or 20. He maintains that 10 days would be a sufficient amount of time for this induces the registrant, the dependents, or the employer to immediately appeal the classification if one of them thinks it is desirable. General Hershey says:

> Extending the period of appeal in most cases would result in no benefit to any of those concerned and might result in those having the right to appeal to put it off until even the longer appeal period had expired.

General Hershey states that the appeal procedure is unusual. It is, for the registrants are not permitted to make a personal appearance before the appeal board. Nor are they allowed the advantage of counsel. The General denies the need for a counsel at an appeal hearing. In the general's words:

> The Government Appeal Agent is charged with the duty of being equally diligent in protecting the interests of the Government and the rights of the registrant in all matters.

However, from what information Congressman Ryan has been able to obtain from the Selective Service System, it appears as though neither the appeal agent nor the advisors can be depended on to aid the registrants. In many communities, according to General Hershey's staff, these agents appear to do little work at all.

The right to appeal to the President by a registrant is denied if there is no dissenting opinion on the appeal board. General Hershey feels that an unqualified right of appeal to the President would "create an unwarranted delay in the processing of registrants."

There are many unanswered questions pertaining to the makeup of the local boards. In view of the statistics which I shall present in the future regarding the draft rate among Negroes in certain areas of the country, I believe an examination of these boards is justified. Furthermore, the denial of a personal appearance and the use of counsel at the appeals level is but another reason why I believe the present Selective Service System must be revised.

PROTECTING THE PUBLIC AGAINST CONGRESSIONAL CONFLICT OF INTEREST

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I have today filed with the Clerk of the House of Representatives a statement of my financial holdings and those of my wife as of December 30, 1966.

I have taken this action, as I did in 1965 and 1966, because I feel it is vital that public confidence be affirmed that Members of Congress are not using their public office for private gain. Also, I recognize that questions of conflict of interest may frequently arise with respect to a Member's votes on matters in which he has a personal interest. In my view, the best resolution of these questions lies in full disclosure of a Member's personal involvements.

I have taken this action voluntarily, as a number of my colleagues have done in the past. However, I feel that the public has a right to expect this of all Members of Congress, and during the 89th Congress I introduced legislation making such disclosure mandatory for Members of Congress, their families, and their employees. My bill also would prohibit Members, their families, and their employees from accepting gifts or payment from organizations which seek to influence Federal legislation or administrative action, or which compete for Government contracts. I intend to reintroduce this bill shortly.

Mr. Speaker, I feel strongly that such legislation is long overdue. Disclosures of questionable actions by some Members of Congress and employees of the Congress during the past several years have seriously undermined public confidence in the integrity of the Congress and those who serve in it.

We apply a very strict standard of conduct to the executive branch in an effort to avoid possible conflicts of interest. In many cases, these regulations are too harsh and force individuals to enter public service only at great personal sacrifice. Too frequently, the most capable executives from private industry are lost to Government service by reason of the severity of these restrictions. In my view, disclosure requirements would serve more equitably and just as effectively.

But whatever restrictions we apply to the executive branch, we should most certainly apply the same to ourselves, for we, even more than they, are responsible for the public trust.

RABBINICAL ALLIANCE OF AMERICA FULLY SUPPORTS GOVERNMENT VIETNAM POLICY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MULTER. Mr. Speaker, I am pleased to direct the attention of our colleagues to the following telegram which I received today, supporting the President's position and that of the overwhelming majority of Americans in connection with peace in Vietnam:

> The Rabbinical Alliance of America, consisting of over 500 Rabbis in the USA wishes to reiterate its policy of full support of the government policy in Vietnam. We have consistently supported our President, recognizing what painful decision our government has had to make many times over during the past few years. We deplore the efforts by the so-called "Guardians of the Faith" organized under the name clergy and laymen concerned about Vietnam to embarrass our government and its elected officials, having prejudged and condemned our government and its policies beforehand. We publicly disassociate ourselves from the planned mobilization of the clergy planned for January 31st and February 1st in Washington. We deplore the poor judgment of these so-called leaders. Instead of demonstrating against the government in Washington, they would do better by demanding that peace negotiations be entered into by the Viet Cong. Let them ask for prayers by their constituents for peace and have them pressure the United Nations for immediate peace negotiations. We reiterate our support and extend our best wishes and prayers for the successful termination of the war with peace and honor for our great United States.
>
> RABBINICAL ALLIANCE OF AMERICA,
> RABBI ABRAHAM B. HECHT, *President.*

PFC. DANIEL A. ROUSSEAU OF WILLIMANSETT, CHICOPEE, MASS., CITED AS HEROIC MEDIC IN VIETNAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BOLAND. Mr. Speaker, the heroic actions of four medics on January 9 in tending to wounded infantrymen while under intense Vietcong fire in the Iron Triangle of enemy territory was graphically told in an Associated Press dispatch from South Vietnam. One of the four medics was Pfc. Daniel A. Rousseau, 20 years old, of the Willimansett section of Chicopee, Mass., in my congressional district. All have been recommended for decorations which they certainly deserve. I ask permission to have the story from the Springfield, Mass., Union of January 12, 1967, telling of their treatment of seriously wounded soldiers, printed with my remarks at this in the Record:

WILLIMANSETT MEDIC LAUDED FOR HIS COURAGE UNDER FIRE

IRON TRIANGLE, SOUTH VIETNAM.—"I'm putting all the medics in for decorations," Capt. Joe K. Clary of Charleston, S.C., said Wednesday.

Clary was talking about the medical aid men serving under him in a company that ran into some of the heaviest fighting in the American drive this week into the Viet Cong's Iron Triangle.

His outfit is C Company, 1st Battalion, 27th Infantry, U.S. 25th Infantry Division. It was pinned down for four hours Monday after a helicopter assault landing put it in flooded paddy fields at the center of a heavily defended Viet Cong position on the Saigon River about 30 miles north of Saigon.

Four medics plunged from the choppers with the riflemen.

One was hit three times as he dropped to the ground, but carried on. He instructed nearby GIs in the treatment of other wounded. Because his condition was serious, military authorities asked that his name be withheld pending notification of his next of kin.

The other three were Pfc. Daniel A. Rousseau, 20, of Willimansett, Mass.; Spec. 5 Willy H. Brown, 23, of Fort Mill, S.C.; and Spec. 5 Ken A. Tumlinson, 24, of San Antonio, Tex.

"When we were pinned down and under heavy fire," Clary said, "the medics crawled and swam through the mud and water to work on the wounded. When the 3d platoon was stopped about 150 meters away, Rousseau crawled all the way on his belly in the mud and water to take care of the wounded. He came back the same way.

"Brown stayed with a seriously wounded soldier all during the firefight. He, like all the rest of the infantrymen, dangerously exposed himself.

"But while the infantrymen can get down in position and seek some protection, the medics have to move in the open to get to the wounded. These guys take one hell of a chance. They earn their pay."

Lt. David A. Keefe of Washington, Pa., told how Rousseau was hit in the back by shrapnel, but "didn't even take care of himself."

"WORKED CONTINUOUSLY"

"He worked continuously under fire for four hours," Keefe said.

Back in the battalion area after the fighting was over, Rousseau recalled: "After I got hit, I didn't want to be evacuated, they needed me too much. I felt I had to stay and help. At that time I knew we had only three of us left. I'm glad to be back."

Pfc. Rousseau, son of Mr. and Mrs. Carl Gouin of 192 Meadow St., Willimansett, has seen considerable action since arriving in Vietnam in October.

His mother said she learned in a letter last week that Daniel had a close call while flying in a helicopter. Bullets smashed into the aircraft and one pierced the floor and lodged in a medical kit at his feet.

A paramedic, he was inducted into the Army March 3, 1966, took basic at Ft. Dix, N.J., and medic training at Ft. Sam Houston, Tex. He graduated from paratroop school at Ft. Benning, Ga.

After a three-week furlough at home, he left Ft. Dix for Vietnam on Oct. 15.

A Chicopee High School graduate, he was employed at Savage Arms Corp. for a year before entering the Army.

BARING PROTESTS HIGHWAY FUND COSTS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BARING. Mr. Speaker, I note, with much dismay, that the President is giving thought to deferring an additional $400 million in highway projects. This, mind you, on the heels of the $1.1 billion in highway construction commitments that the President deferred on November 29. I am all for cutting down expenses, but let us cut where it will do some good, in our giveaway foreign aid program, not in the badly needed highway construction program.

In my State of Nevada, our highway funds were cut by $7 million, bringing about a curtailment of about 25 percent reduction in the road construction program. This uncalled-for cutting off at the knees of our much-needed highway funds creates a severe problem to the operations and planning of the Nevada Highway Department. And now the President is thinking of deferring an additional $400 million, he is not thinking of the best interests of our States or Nation. I ask you, Is deferring this money making more money available to fight the Vietnam war? This highway trust fund money cannot be used for any other purpose but in the construction of our highways. I ask you, What are we going to gain by slowing construction now, and find ourselves paying higher, inflated costs later?

I reiterate, if we must reduce Federal spending, let us chop away at those wasteful foreign aid programs where all we are doing is handing out money, which, in turn, is used against our boys in Vietnam. Yes, we can even slice away at some of our Great Society programs.

These highway funds should be restored at once. Highway construction is of the highest priority, not in my State alone, but to all the States of our great Nation.

The President must restore the highway construction funds that have been authorized by Congress.

WILLIAM BOSCHELLI RETIRES FROM POST OFFICE DEPARTMENT

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, it is a genuine pleasure for me to insert into the Congressional Record an anticle which appeared in the Chicago Tribune on Thursday, January 19, with reference to the retirement of the very capable and efficient director of operations of the Chicago Post Office, William Boschelli.

Mr. Boschelli began his career with the postal service in 1924 and has held many supervisory positions, including being officer in charge of the Chicago Post Office last year.

I have known Mr. Boschelli for 25 years, and he is affectionately called "Bill" by his many hundreds and thousands of friends in the Chicago area.

Bill has been a dedicated and devoted public servant during his entire career with the Federal Government.

I want to extend to both Bill and his wonderful wife my sincerest congratulations on his retirement and to wish both of them an abundance of good health and long life together.

The article follows:

LONG POSTAL CAREER ENDS FOR BOSCHELLI

William Boschelli, 2N111 Bloomingdale rd., Wheaton, recently retired as director of operations for the Chicago postoffice after nearly 43 years with the postal service.

Starting as a substitute clerk in February, 1924, Boschelli has held many supervisory positions and was officer in charge of the postoffice from March, 1966, when Postmaster Harry Semrow resigned, until September, 1966, when Henry McGee was appointed postmaster.

He was named director of operations in 1961 and as such was responsible for the mail handling system of the entire city.

OBSERVES TWO BIG CHANGES

The great increase in volume of mail and the influx of women employes are two of the biggest changes that Boschelli has observed during his employment. He said that the basic methods of handling the mail have remained about the same since he joined the postoffice.

Boschelli received an award from the postoffice for devising a simplified way to teach new employes the city's streets.

The new system cut the usually required two-year learning period by more than one-half. He also was given an award for helping coordinate a new system of handling parcel post in the city.

BORN IN CHICAGO

Boschelli was born and reared in Chicago and was graduated from McKinley High school. He is married and has one son and four grandchildren.

Boschelli said he has no definite plans for retirement, but he and his wife hope to travel to Europe. They recently returned from the Caribbean.

Boschelli is a member of the Sons of Italy; the St. Matthew's Holy Name society, the Italian-American Federal association, the Loyal Order of the Moose, the St. Gabriel guild, and the National Association of Postal Supervisors.

CENTRAL STANDARD TIME

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITE. Mr. Speaker, on March 4, 1921, during the closing hours of the 66th Congress, the House and Senate passed by voice vote and without extensive debate, a bill entitled "An act to transfer the panhandle and plains sections of Texas and Oklahoma to central standard time."

Quoting from the United States Code, title 15, section 265, the act begins:

> The panhandle and plains sections of Texas and Oklahoma are transferred to and placed within the United States standard central-time zone.

Now, El Paso County is not located in the panhandle or plains section of Texas. It is about 200 miles west of that area, and through all of its history it has observed mountain standard time, ever since the time zones were established by the railroads in 1883, and placed into law by act of Congress in 1918. Nevertheless, if you read the fine print in that act of 1921, you will find that all of Texas was included in the central standard time zone.

This, clearly, was not the intent of Congress. I have researched the brief debate on the bill; and Members were told distinctly that it affected only the panhandle and plains areas, that they had always observed central time and had been placed in mountain time by the Interstate Commerce Commission following the act of 1918. Nowhere was El Paso mentioned, and there is no evidence that El Pasoans ever knew what had happened to them.

Throughout the 46 years since that act of 1921, El Paso has continued to observe mountain standard time. But the act which this Congress approved last April, and which I voted against because there was no option granted to El Paso County in this unique situation, gave the Interstate Commerce Commission power to secure an injunction to enforce obedience to this act. The Interstate Commerce Commission has informed me that, under its new authority, it will require El Paso County to observe central standard time beginning April 1, this year.

To permit El Paso an option to continue to observe the time zone it has observed for 84 years, I have introduced today a bill to authorize the Interstate Commerce Commission in its discretion to act upon a written petition from the people of El Paso County, through their governing body, the county commissioners court, asking that El Paso County be transferred to mountain standard time.

The bill provides for consideration by the Interstate Commerce Commission to consider the geographic location, the needs of interstate commerce, the relative hardships entailed by the time zones, and the convenience of the residents of El Paso County, and authorizes public hearings by the Interstate Commerce Commission.

As an example of some factors favoring this legislation, portions of neighboring New Mexico, 200 miles east of El Paso, are on mountain standard time. The Interstate Commerce Commission standard for mountain standard time is the 105th meridian, more than 100 miles east of El Paso. The Interstate Commerce Commission has the power to make adjustments in time zones all over the Nation, in every State except Texas. Here, the Commission says, its power to regulate time zones has been preempted by Congress, in the act of 1921.

My bill would only restore this power in the case of El Paso County, Tex., so that, upon request of its citizens, it might have the opportunity to continue to observe the only time zone it has ever observed. I should like to point out, also, to the House, that under last year's act—unless the Texas State Legislature rejects daylight saving time for the entire State, then, without the action proposed by my bill, El Paso will have to turn its clocks 2 hours ahead.

Mr. Speaker, I ask the support of this House to permit this westernmost county of Texas the option to observe the time zone it has always observed, when the people of the county themselves request it and the Interstate Commerce Commission concurs.

H.R. 183—THE LAW ENFORCEMENT EDUCATION ACT OF 1967

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Anderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, and Members of the House, however well or ill we of this House do our work, however thoughtful and farsighted we strive to make the legislation that is our chief product, our labors will be for naught if this Nation suffers the dissolution of public order under law.

In Vietnam, under the strategy of Maoist peoples war, the first strategic objective of the insurgents was the destruction of public confidence in the protection of life and property, the guarantee of which constitutes the basic justification of any incumbent government. We are expending thousands of lives and billions of dollars to reweave the tattered fabric of Vietnamese social order. But while we struggle thus beyond the wide Pacific we witness in our land, in our own cities and towns, the development of a different but similarly dangerous threat to the public order. We call it variously "the mounting crime rate," "the erosion of respect for law," "crime in the streets." This threat is not nationally organized nor centrally directed; it is not politically oriented, but in effect it constitutes a violently corrosive acid spattered over the fabric of American civil government. It is not a revolution; it is an unarrested disease, communicable and malignant, that has reached a stage of development that requires immediate treatment if irreparable damage is to be avoided.

Therefore, I was much heartened to hear the President devote a major portion of his state of the Union message to outlining new programs against crime. The President is to be applauded for his insight and it is my earnest hope that this Congress will give the President's program full consideration with utmost dispatch.

On the opening day of this, the 90th Congress, I introduced a bill—H.R. 188—bearing the title, "Law Enforcement Education Act of 1967." This is a measure which does not interfere with nor contravene the President's proposals. Rather, I believe it complements the President's crime program very substantially. With the indulgence of the Speaker and the membership, I would like to outline the major provisions of this bill and to express some of the considerations that stimulated my staff and me in its formulation and introduction.

THE PROBLEM

Police and correctional agencies are human institutions in a rapidly evolving society which, like all other institutions, must constantly adapt to changing times. The brisk trend of our society is toward higher levels of education; we must not allow the law enforcement professions to fall behind. Certainly the policeman's contacts with, and his decisions concerning, the public require that his educational development be not less than that of the public generally. We should not ask that the American law enforcement profession police a society to which it is educationally inferior, nor should any corrections officer find himself more than occasionally at an educational disadvantage in relation to his charges.

Our studies indicate that the police and correctional professions are the most sorely neglected of all American professions. The picture as to pay, prestige, and professional requirements and incentives is distressing. I want to make it clear, however, that neither this bill nor my remarks are an indictment of our police forces or our correctional staffs as now constituted. Rather, considering the current handicaps under which these men and women must work, they seem to be doing a surprisingly good job.

One of the obvious and very serious needs in the law enforcement and corrections fields relates to the recruitment of capable men and women possessing college level professional education. In this there is a lag far behind the needs in nearly every State. Present educational levels in the police and corrections occupations are generally low. In most State and local law enforcement agencies this adversely affects performance and also results in a weak sense of professionalism. Due in part to these conditions, the public respect for law enforcement and corrections personnel is dangerously low.

Further, there is evidence of difficulty in communication between the public—especially the younger and minority segments—and its law enforcement agencies, due in part to a gradual defacement of the image of the law enforcement officer. A growing lack of confidence in the ability of police agencies to protect persons and property in the large cities is evidenced by the appearance of neighborhood volunteer patrols which, however well intentioned, are of the essential nature of vigilante organizations formed out of desperation.

A steadily increasing depth of knowledge will be required of professionals throughout police and corrections work in the coming decades. Correctional methods are becoming increasingly complex and place ever greater weight upon the perceptiveness and comprehension of staff and field workers. Police are confronted with a wider range of social problems and increasingly sophisticated equipment, and are called upon to enforce an ever-more complex system of laws. Further, recent judicial decisions strengthening the rights of the accused places a greater premium upon the creative excellence of police work within the limits of the evidence-gathering and investigative prerogatives remaining open.

The need for more and better educated professionals in the corrections field is well known. Such statistics as are available indicate that roughly three-quarters of the most serious crimes are committed by persons under 25 and that between one-half and two-thirds of all persons committed to houses of criminal correction have a record of previous, known commitments. In short our most serious offenders are presently young and correctional agencies are simply temporarily confining more than they are correcting. Prof G. Robert Blakey of the University of Notre Dame Law School has aptly observed:

No matter what steps we now take, our prospects for an early decrease in our crime rate are not hopeful. For statistics also show that too often young offenders are not reformed, and mature into adult criminals.

On the principle that the most effective agents of change in people are other people, rather than architecture and machinery, our need for more well educated people in criminal corrections is all too clear.

There has been, and will continue to be, considerable emphasis on police training programs. This is well advised and promises to be very beneficial. There is, however, a broad and easily discernible difference between training and education; both are needed. Training deals with the standard techniques, tools, rules, physical skills, and discipline necessary to the law enforcement career. Education not only supplies the man a broad body of knowledge concerning his society and enhances his abilities of reasoning and communication, it is also a shaper of attitudes and concepts concerning the law and the community, concerning the use and abuse of force and authority, concerning man, state, and diversity in the American system. Education increases the trainability of the policeman for the rapid influx of new devices, procedures, and fresh approaches now being tested by police agencies. Lack of education can and will place unnecessary barriers between a law enforcement officer on the one hand, and the legislators, judges, lawyers, and citizens on the other. Put without graciousness, the image of the "dumb cop," whether or not it has been justified in the past, must not prevail in the future if we are to have that civic trust and respect for the law which underlies civil order. But that injurious image will indeed prevail unless a bold, new emphasis on educational opportunities for the law enforcement profession is effected now.

PURPOSES OF THE PROPOSED LAW ENFORCEMENT EDUCATION ACT OF 1967

First. To stimulate the recruitment of capable, intelligent men and women into State and local law enforcement and correctional agencies by providing attractive, undergraduate, college level educational opportunities for those seeking careers in the relevant fields.

Second. To stimulate an upgrading of educational levels of the country's experienced law enforcement and correctional agency personnel by providing educational opportunities designed for their career needs, at reasonable cost.

Third. To stimulate the establishment or improvement of 2- and 4-year undergraduate programs in the fields of law enforcement and corrections in universities, and junior, community, and 4-year colleges throughout the Nation. Hopefully, also the fruitful dialog between the law enforcement and academic communities now begun will grow in volume and content.

Fourth. To demonstrate to the law enforcement and corrections professions that the Nation is intensely and sympathetically interested in the excellence of their capabilities and careers—interested enough to help substantially.

Fifth. To initiate a program promising in the readily foreseeable future to engender significant enhancement of the public image of the law enforcement and corrections professions and improvements in community-police communications.

MAJOR PROVISIONS OF THE LAW ENFORCEMENT EDUCATION ACT

Title I would establish a student loan fund at numerous institutions of higher education—including junior and community colleges to meet the needs of those pursuing 2- or 4-year undergraduate degrees or certificates in police or correctional science. These loan funds total $3 million for fiscal year 1968, and $5 million for 1969, 1970, and 1971, each State's share of the funds being equivalent to its share of the Nation's population. A maximum student loan under this program would be $1,200 for 1 academic year with selection of recipients being determined by the individual institutions and based upon excellence of achievement and need, with special consideration given experienced law enforcement or corrections personnel on academic leave. Loans would bear a low-interest rate, be repayable over a 10-year period after graduation, and up to half of the debt may be canceled for service on a public funded law enforcement or correctional agency.

Federal contributions to the student loan funds would be matched by participating colleges and universities at a ratio of at least one—institutional—to nine—Federal; funds are provided in title I for loans to institutions to cover their required share. The total 4-year cost of this program is $19,800,000 plus administrative costs; a substantial percentage of these funds would be recovered by the Government as the loans and interest are paid off. An estimated 18,000 to 36,000 student-academic years of study could be supported under this title.

Title II would establish 5,000 2-year scholarships for outstanding students wishing to pursue careers in corrections or law enforcement. Stipends for such fellowships would amount to $2,300 yearly, plus $400 for each dependent of the student. In addition to the student stipend, the Government would provide grants of up to $2,500 per fellowship student per year to the institution providing him a new or improved program in police or correctional science. It is the intent of this provision to create an inducement for colleges and universities to establish new or expanded programs in these fields. Many States presently have no police and correctional science programs offered at their institutions of higher education. Competition for fellowship awards would be based upon evidence of mental and moral excellent and stable personality, with some preference being given applicants who are law enforcement and corrections professionals on academic leave. The cost of this program is $50 million plus administrative expenses over a 4-year period.

Title III consists of miscellaneous administrative provisions relating chiefly to the Commissioner of Education who is required to report to and advise the Congress yearly concerning the program described above. An expert 12-man advisory committee is authorized to assist the Commissioner in establishing and administering the program.

EXPLANATORY NOTES

First. The Law Enforcement Education Act favors a very decentralized system of police and corrections education because the practical problems encountered in both fields tend to differ from area to area. It is reasoned that each local institution should be best able to synthesize the relevant research and scholarship of the wide academic community with local experience and need in the education of young professionals in law enforcement and corrections for any given locality.

Second. The program for police science college training is designed, in part, to attract high school graduates interested in police careers but not yet old enough to qualify for regular employment in law enforcement. The 17-, 18-, and 19-year-olds presently interested in police careers can do little but become part-time police cadets; most often they pursue other lines of education or turn to other trades; in either case, by the time they have reached a minimum age for police employment they are immersed in other pursuits that could be begun after graduation and lost to law enforcement. Given easily accessible college level law enforcement education programs such as those stimulated by the provisions of this bill, these young graduates could begin law enforcement careers with a satisfying sense of direction and accomplishment, enhancing their value to prospective employers and their prospects for advancement.

Third. Administration of the program is entrusted to the Office of Education both because it deals chiefly with educational matters and institutions, and because that Office has long and successful experience in administering the national defense education program which this legislation parallels in many respects.

The wording and details of the proposed Law Enforcement Education Act have been kept similar to those of the National Defense Education Act of 1958 in that many of the institutions that will participate in the former program are accustomed to dealing with the provisions of the latter. Procedural difficulties may thus be kept to a minimum.

Fourth. The bill provides no assurances to either the Nation or the prospective students that the appropriate State and local agencies will hire or advance persons with superior educational qualifications for work in law enforcement and corrections. It is doubtful that any form of Federal legislation to increase the effectiveness of law enforcement and correctional agencies, however well intentioned, could or should have a directly manipulative effect on the hiring practices of State and local agencies. It is reasonable to expect, however, that if well-trained law enforcement and correctional personnel are available, they will generally be hired and advanced in preference to those less qualified.

THE STATISTICAL CASE IN BRIEF

In 1964 only 6.4 percent of the Nation's policemen had a college degree of any type. In the fall of 1965, roughly 50 percent of the Nation's 1965 high school graduating class entered college, and the trend is up.

Police departments all over the Nation complain of severe recruiting difficulties. A careful survey conducted by the League of Cities in 1966 disclosed that 64.5 percent of the police departments polled were understaffed. These departments were operating with less than the number of men authorized where in many cases even the staff strength authorized would have been insufficient to adequately perform the department's tasks.

The shortage is not one of willing applicants. In 1961 only 22.3 percent of all the applicants for positions on 368 police departments were accepted; last year the Dallas Police Department hired only 29 out of 1,033 applicants. Thus, the shortage is one of physically and mentally capable, trainable personnel.

Throughout the Nation there are in operation 103 associate degree—2 year—programs and 27 bachelor degree programs in police science. The institutions offering these programs are heavily concentrated on the west coast, Michigan, Ohio, and New York.

There are presently 26 States in which no college or university provides a degree program in police science; in 12 of these there is some planning for such programs.

HOUSE CONGRESSIONAL PRAYER BREAKFAST

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. Hagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HAGAN. Mr. Speaker, for a quarter of a century we have been holding a prayer breakfast every Thursday morning for Members of the House of Representatives, and it was my pleasure to preside this morning when our great friend and majority leader, Carl Albert, was the speaker and brought one of the most inspiring and enlightening messages ever heard by his colleagues at these meetings. Some 60 or more Members of the House were present, one of the largest groups we have ever had in any of our meetings, and for those who were not privileged to attend this great meeting, I would deem it a pleasure to recommend to you the reading of Majority Leader Carl Albert's message:

This Nation, Under God

The precedents, traditions and institutions of the two Houses of the Congress of the United States are the bone and sinew of these great legislative bodies. Some of these things deal with parliamentary procedure. Others with legislative form. Still others with the political, social, economic, and military facts of American life. All these traditions and procedures are important.

But I propose to talk to you this morning about an institution in the Congress which symbolizes the religious heritage of our people—our belief that legislative decisions must have a spiritual content. The institution is as old as the Congress itself. I am speaking, of course, of the office of Chaplain in the Senate and House of Representatives and I am speaking of my own belief that if politics is to serve its highest purpose it must have a moral origin. That I think is the difference between this country and the Soviet Union. Our fathers in founding a government of the people, by the people and for the people earnestly sought the guidance of Almighty God.

The Mayflower compact was signed, "In the name of God, Amen."

The Declaration of Independence was concluded "with a firm reliance on the protection of Divine Providence."

Another symbol of the recognition of our country of the need for divine guidance from the beginning of our government is the daily opening of Congress with prayer.

This practice dates from the Continental Congress.

I think it is significant that every single daily session of Congress ever convened under the Constitution of the United States has been opened with prayer.

For my own part, I have made it a practice ever since I have been a Member of Congress to be present every possible day for the opening prayer in the House of Representatives. I think this has profited me not only in the personal strength and peace which prayer always engenders but more important in the perspective which the reflections of a man of God bring as I face legislative problems from day to day.

In the daily prayers reserved in the Congressional Record down through the generations, more than anywhere else, may be found the thoughts and convictions of our clergy on the great issues with which the Congress of the United States has had to deal. It is inconceivable that these daily petitions for divine help have not had an impact—a major impact—on the course of events in the Congress and the country.

When it was proposed that Congressional sessions be opened with prayer, there were expressions of doubt as to the propriety of doing so because of the great diversity of opinions and religious beliefs.

Then Samuel Adams, with his gray hair hanging about his shoulders, rose and said it did not become men professing to be Christians to be so negative.

He could see no reason why Christian men coming together for solemn deliberation in a serious hour could not, as one man, bow in prayer to the Almighty, no matter how different their religious beliefs.

He then moved that the Reverend Jacob Dushe (pronounced Doo-shay) of the Episcopal church should address the Throne of Grace in prayer.

Mr. Dushe (Doo-shay) read the Episcopal service of the Church of England; and then, as if moved by the occasion, he broke out into extemporaneous prayer.

"O Lord our Heavenly Father, high and mighty King of Kings and Lord of Lords, who dost from Thy throne behold all the dwellers on earth and reignest with power supreme and uncontrolled over all kingdoms, empires and governments, look down in mercy we beseech Thee on these American states who have fled to Thee from the rod of the oppressor, and thrown themselves on Thy gracious protection, desiring to be henceforth dependent only on Thee; to Thee do they now look up for that countenance and support which Thou alone canst give; give them wisdom in council, and valor in the field . . . Be Thou present, O God of wisdom and direct the councils of this honorable assembly . . .; shower down on them and the millions they here represent such temporal blessings as Thou seest expedient for them in this world and crown them with everlasting glory in the world to come.

"All this we ask in the name and through the merits of Jesus Christ, Thy Son, our Saviour. Amen."

John Adams in a letter to his wife describing the session said he never saw a more moving spectacle.

He said pacific Quakers, who formed part of that interesting assembly, sobbed.

He added: "Depend upon it . . . where there is a spirit of Christianity, there is a spirit which rises above form, above ceremonies, independent of sect or creed, and the controversies of clashing doctrines."

The practice of opening the daily sessions of Congress with prayer has continued from that beginning.

The Senate's first Chaplain was Dr. Samuel Provost, an Episcopalian, appointed on April 25, 1789.

Dr. William Linn, a Presbyterian, was the House's first Chaplain. He was appointed May 1, 1789, when George Washington's first speech was read to the House.

The Chaplain's appointment was the first business after Washington's address.

The Chaplain's custom has been challenged at various times through the years.

For example, in 1857, certain Members of Congress claimed that the employment of chaplains conflicted with the spirit of the Constitution and tended to promote a union of Church and State.

They made a determined effort to discontinue the practice.

This aroused the churches of the country, and at the end of an acrimonious debate the House, by an overwhelming majority, adopted a resolution that the daily sessions of the House should be opened with prayer.

This resolution, so far as I have been able to determine, is the only specific legislative authority for the selection of chaplains.

Since 1789, a total of 112 Chaplains have served Congress—55 in the Senate and 57 in the House.

Of these 112, 38 have been Methodists, 28 Presbyterians, 19 Episcopalians, 14 Baptists, 4 Unitarians, 3 Congregationalists, 2 Christians, and 1 each Roman Catholic, Lutheran, and Universalist.

One chaplain's denomination was not known.

Far more important than this, however, is the fact that there is a ministry in the office of chaplain. Chaplains are the shepherds of the Hill.

The daily invocation in Congress is only one facet of a Chaplain's office. Since you all know our present Chaplains you have probably heard some of these things about them from the Chaplains themselves, but I think these facts are worth repeating. Chaplains are always available as spiritual advisors to Members of Congress. They counsel them and their families, call on the sick, officiate at weddings, baptisms and funerals.

Their calendars are crowded with talks to clubs and visiting student groups.

To their offices come an unceasing stream of citizens who want to talk about the spiritual and physical welfare of the nation, and indeed, the state of the entire world which is so closely enmeshed with activities on Capitol Hill.

Hundreds of letters pour into the Chaplains from every corner of the country and must be answered, for the Chaplains of Congress are in a sense, also the servants of the constituency.

The letters they receive reveal the spirit of our people unburdening their hearts.

Many of these letters come from people who read the daily prayers as they appear in the Congressional Record.

A doctor in Texas wrote that he never makes his daily rounds at his hospital without first pausing and reading prayerfully Dr. Harris' invocation.

Numerous people in Washington use the prayers for their family devotions.

President Johnson describes the daily prayers in Congress as one of the most important traditions of government.

He says the prayer is as much a part of the legislative process as is the drafting of bills and the taking of votes on them.

"It is a pause in the day's occupation from which men who have heavy responsibilities draw strength and fortitude for the tense hours that lie ahead," he says.

Richard M. Nixon, once said that in the usual order of business of Congress, the invocation is often the best speech of the day.

"Thoughts expressed in the invocations constantly remind us," he said, "that the greatness of America comes from the fact that this nation was built on the foundation of faith in God."

The late Speaker Sam Rayburn described the daily ministrations of the House Chaplain as "helpful, inspiring, lifting all who hear him to a deeper realization of their need for divine guidance."

It has been my good fortune to know personally five Chaplains who have served in the Congress; Dr. Montgomery, Dr. Braskamp and Dr. Latch in the House, and Dr. Harris and Dr. Peter Marshall in the Senate.

Not only do I look forward to Dr. Latch's daily prayer, but also to his quotation of one verse of Scripture preceding his invocation.

Dr. Latch's immediate predecessor, Dr. Braskamp, began this practice early in 1958, reviving a custom which had been followed by Dr. Edward Everett Hale, who had served the House as Chaplain in the early 1900's.

Some of these Scriptures stick in my mind and are recalled throughout the sessions which follow.

For example, I remember Dr. Braskamp's prayer at the beginning of one session was preceded by the brief Scripture: "In the beginning, God." And Dr. Latch last Tuesday, prefaced his prayer at our opening session with this verse from Exodus: "My presence shall go with thee."

Among other familiar ones which I have felt were especially appropriate have been:

"God is our refuge and strength, a very present help in trouble."

"They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint."

"He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly and to love mercy, and to walk humbly with thy God."

"Blessed is the nation whose God is the Lord."

"If God be for us, who can be against us?"

One which stands out in my memory is the Psalm he quoted from to precede his prayer when President Kennedy was killed: "The righteous shall be held in everlasting remembrance."

As you know, Dr. Latch, minister of the Metropolitan Methodist Church, was elected Chaplain of the House last week after having served as Acting Chaplain since Dr. Braskamp's death last year.

Dr. Braskamp, was the first full-time chaplain in either the House of Representatives or the Senate of the United States.

Dr. Montgomery, who preceded Dr. Braskamp as House Chaplain, had the longest record of service of any Congressional Chaplain.

He served over a quarter of a century—for some 29 years from 1921 to 1950 . . .

During the years of his service, he delivered invocations on many historic occasions.

In 1923, he officiated at the funeral of President Harding.

The next year, when Woodrow Wilson was dying, Dr. Montgomery's moving prayer for the former President was reprinted in the *New York Times*. (Feb. 8, 1924)

His prayers for the men of the sunken submarine S-4 were similarly reported in 1927.

When the United States was in the early stages of the depression in 1932, Dr. Montgomery opened the new session with the prayer that every member of the House should "be brave to investigate and fearless to decide" so that all selfishness, sectarianism, bias and evil design might "melt away into brotherly love and pour into the golden circle of our homes the fullest measure of purity and sweetness."

He delivered the D-Day prayer in the House, in June, 1944, when news came of the Allied invasion of continental Europe from the north.

In praying for speedy victory with a minimum loss of lives, Dr. Montgomery said: "We bring unto Thee our heroic sons and daughters of the battle lines who have surrendered their secret joys, their aspirations and the blessings of the years . . . comfort them in the face of all adversaries as their swords of righteousness prevail."

In 1946, he delivered the invocation at the Congressional joint-session memorial service for Franklin Delano Roosevelt.

The late Peter Marshall is one of the best known of all the chaplains ever to serve in the Congress.

Dr. Marshall established a reputation among the Senators for his "spirited way of being spiritual."

His pungent phrases and tart morsels of thought were frequently reported in the Press, and Senators found that the Chaplain's prayers often related significantly and sharply to the business of the day.

When the Senate began debate on foreign aid in the Spring of 1947, the new Chaplain prayed: "Give us clear vision, that we may know where to stand and what to stand for—because unless we stand for something, we shall fall for anything."

Later when David Lilienthal's appointment to Chairmanship of the Atomic Energy Commission was being debated, Marshall prayed: "Teach us that liberty is not only to be loved, but also to be lived.

"Liberty is too precious a thing to be buried in books.

"It costs too much to be hoarded.

"Make us to see that liberty is not the right to do as we please, but the opportunity to please to do what is right."

During a partisan fight over postmaster appointments, Marshall chided Senators with the words: "Since we strain at gnats and swallow camels, give us a new standard of values and the ability to know a trifle when we see it."

One of Peter Marshall's best was: "May we resolve, God helping us, to be part of the answer, and not part of the problem."

Following Dr. Marshall's untimely death at the age of 46 in 1949, Dr. Harris became Chaplain of the Senate for the second time.

He was born in England and was serving as Pastor of Foundry Methodist Church here.

I don't know of anything more interesting than to go back through old Congressional Records and read the daily prayers.

A chronology of important events in American history could be constructed by a review of these prayers. At the first meeting of Congress on December 4, 1865, after the death of Lincoln and the conclusion of the Civil War, Reverend Edgar H. Gray prayed:

"Glory be to Thy name, O God, that the Republic still lives, the Nation survives, the country is safe!

"Glory be to Thy name that our heroic efforts have been crowned with victory, so that the desolations of war have ceased, and the ground no longer shakes beneath the tread of armies!"

"We praise Thee with thanksgiving that the statue of Freedom now looks down from our Capitol upon an entire nation of free men."

At the first meeting of the House on June 28, 1919, after the signing of the Versailles Treaty, Dr. Henry N. Couden's prayer went like this:

"We thank Thee that a peace treaty has been signed by a majority of the leading nations; and while it may not be adequate to the needs of the world we most fervently pray that it may be a stepping-stone to a higher civilization from which shall spring spontaneously from the hearts of all men and of all nations a peace pact which shall spare the world from a holocaust through which it has just passed, leaving it inexpressibly sad and mournful in the loss of men and means."

One of the most beautiful of Dr. Braskamp's prayers was the one he gave after VE Day, May 8, 1945, when he was substituting for Dr. Montgomery:

"O Lord God Omnipotent, who maketh wars to cease unto the ends of the earth, we praise and magnify Thy holy name, for through Thy might and Thy mercy we have been brought to this day of grace and victory.

"When we call to memory with pride, gratitude and love that vast multitude who struggled so heroically and endured so valiantly, giving their very life-blood in order that this day might be possible, we cry out, 'Alas, alas, next to defeat, the saddest thing is victory at such a cost.'

"We pray that we may earnestly and faithfully endeavor to prove worthy of their sufferings and sacrifice."

On the day of the conference at San Francisco to establish the United Nations, April 25, 1945, 20 years ago, Dr. Braskamp prayed in part: "Today we are joining struggling and war-torn humanity in its prayers for Thy special blessing upon those chosen representatives who are now seeking to organize the good will of the nations of the earth for a lasting peace."

The day after President Truman ordered General MacArthur to support the Republic of South Korea, June 28, 1950, Dr. Braskamp prayed in part: "Grant that in these days of strife and confusion, of storm and tumult, we may carry on in the glad assurance that the Lord of Hosts is with us, and the God of righteousness is our refuge and strength."

When President Kennedy was killed the Chaplain, Reverend Frederick Brown Harris, prayed in part: "God of the living and of the living dead: As in this hour we bow in the shadow of a people's grief, Thou dost hear the sobbing of a stricken nation. But we come with the comfort that Thou knowest what is in the darkness, and that the darkness and the light are both alike to Thee."

These historical facts and quotations which I have brought to you this morning are illustrative of a very important but little publicized institution in government.

The total effect of these prayers through the generations cannot be measured. It is certain, however, that they are symbolic of the deep purpose of the men who have been responsible for the direction of our government since its inception.

They demonstrate clearly that we as a people have always tied and still do tie the destiny of this Republic to the spiritual ideals of our people.

Dr. Latch's prayer at our opening session last week was one which would be fitting for the entire year. You may recall his words before we all joined him in the Lord's Prayer. He prayed: "As we launch upon the new year, may Thy presence strengthen us, Thy spirit guide us and Thy wisdom make us wise."

There is no Chaplain in the Cominterm. But this is a nation under God.

NATIONAL COMMISSION ON OLDER WORKERS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PATTEN. Mr. Speaker, I am proud to join two of my distinguished colleagues in cosponsoring a bill that would establish a National Commission on Older Workers.

The bill is chiefly sponsored by the gentleman from Pennsylvania [Mr. HOLLAND] and also strongly supported by the gentleman from Michigan [Mr. O'HARA].

Mr. Speaker, if society continues to discriminate against older workers, not only will employees be hurt, but the Nation's economy and conscience will suffer as well. Yet, without the contributions of our older workers, America would not have achieved the preeminence it enjoys.

Like all other forms of discrimination, the prejudice against older workers is not only cruel, but senseless. Many of them are superior in ability, performance and dedication, to some younger workers. Performance, not age, should be the real criterion. President John F. Kennedy, in February 1963, was aware of the injustice of job discrimination, when he said:

> Denial of employment opportunity to older persons is a personal tragedy.

I was dismayed to read that when Secretary of Labor W. Willard Wirtz testified about the plight of older workers, he disclosed that almost 50 percent of employment vacancies in America are closed to those 55 years old and that 25 percent of jobs are closed to persons over 45. Think of the experience and ability those persons could have contributed to their prospective employers.

Because of automation, more workers are losing their jobs and many of those who believe they have employment security, are really vulnerable. Therefore, special training programs for older workers are needed to enable them to upgrade their skills and keep pace with accelerating technological change. The programs should be combined with education courses, thus increasing employment value.

Under the bill, a 14-member Commission would study the problems of older workers and recommend solutions to Congress.

Mr. Speaker, I know very well that there is no panacea for this serious and complex problem, but I am convinced that a National Commission on Older Workers would produce notable progress and results.

DECLINE OF AMERICAN MERCHANT MARINE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. PATTEN. Mr. Speaker, the shocking decline of America in the merchant marine field and the astonishing rise of Russia, are of deep concern to me.

Unless this dangerous trend is reversed now, Russia will achieve merchant marine domination soon and represent another challenge and threat to the free world.

In a thought-provoking article written in the Baltimore Sun on January 1, 1967, "Russia's Crash Shipbuilding Program Threatens America's Supremacy," Helen Delich Bentley wrote:

> Maritime authorities in the West concede that the Soviet Union is succeeding in achieving her goal and soon will have a merchant fleet large enough to wage successfully a military hot war, or an economic cold war.

That conclusion is not an exaggeration, for the evidence is not only clear and incontrovertible—it is incredible and alarming.

In the past 20 years, the U.S. merchant marine fleet declined from 2,332 vessels, to 955. During the same period, the Russian fleet increased to 1,360. The past and present are dark enough, but the future looks even darker—unless America takes swift and courageous action.

Not only does Russia have 42 percent more seagoing merchant vessels than the United States, but had 516 ships on order in late 1966, compared with the dismal number our country ordered then—only 49.

Quantity is not the only disadvantage America suffers from. Russia also has newer and more modern vessels: 80 percent of the Soviet fleet is under 10 years old and 70 percent of U.S. ships are over 20 years old.

America also suffers a serious disadvantage in shipbuilding: we now rank 14th among the 15 chief shipbuilding nations in the world. Not only does this disgraceful rating jeopardize an adequate supply of ships in peace or war—it also increases unemployment. In the past 4 years, I have received hundreds of letters, telegrams, and phone calls from shipyard workers who lost their jobs.

These are only some of the advantages enjoyed by Russia and not only have economic, but even political and military repercussions.

And let us not be naive and foolish. If Russia captures the leadership of the world in the merchant marine field, she will use that power to strengthen the Communist world and to weaken free nations everywhere.

The developing countries, ever growing in number and importance, will inevitably be influenced by Russia if she handles most of their shipping requirements. Russian ships now visit the ports of 91 countries—and 51 of these nations are classified as underdeveloped. Will they remain free, or will they be devoured by the Russian bear?

Russia's domination on the high seas would also help broaden its already formidable military power, for it has been proven that many Soviet ships contain electronic equipment that reports positions of U.S. naval craft.

It is not too late to drastically change these perilous conditions.

Several things can and must be done by the 90th Congress:

Truly and fully implement the spirit and purposes of the Merchant Marine Act of 1936, which was enacted "to further the development and maintenance of an adequate and well-balanced American merchant marine, to promote the commerce of the United States, to aid in the national defense." Such a policy is being ignored.

Conduct frequent comprehensive surveys to determine the merchant marine needs of the present and future and to furnish those needs through a system of priorities.

Stress the importance of greater cooperation and joint action between management, labor, and the Federal Government.

In short, replace apathy, complacency, and mediocrity, with bold and effective action.

Mr. Speaker, I will do everything I can to support legislation to strengthen and expand our merchant marine and restore leadership to the country that not only helps its own people, but the free world as well—the United States.

UKRAINE INDEPENDENCE DAY

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Michigan [Mrs. GRIFFITHS] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, American-Ukrainians, this Sunday, solemnly observe the 49th anniversary of the Independence Day of the Ukraine. In the hearts of these free men, there are memories, and hope. Memories will turn to a beautiful homeland, and the song, laughter, and sorrow of parents, children, and friends; a proud nation that proclaimed its independence in 1918; and a courageous people who have maintained a common national heritage under the cruelty of Communist oppression. The hope of these free men is the freedom of the captive Ukraine nation and its 45 million people from Soviet domination.

In Congress, let us join with raised voices across the land calling for the liberty of all mankind, and let us give strength to the undying aspirations of the Ukrainian people for national and individual freedom. This year, I have reintroduced, with some of my colleagues, legislation to establish a Special Committee in the House on Captive Nations. It is my earnest wish that this legislation will serve to brighten and encourage the living hope of independence in the Ukraine.

NEW YORK-NEW JERSEY AIR POLLUTION ABATEMENT CONFERENCE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 30 minutes.

Mr. RYAN. Mr. Speaker, we have long reached the point where air pollution cannot be ignored. There is no doubt that air pollution kills our citizens and must be effectively and rapidly abated. In 1963 Congress recognized the growing menace of air pollution and the inability of cities and States to deal with the problem. In that year we passed the Clean Air Act to enable the Federal Government to take effective action to abate interstate air pollution. It took 3 years, however, for any significant action to take place under that act, and then only after New York City experienced an inversion which within another 24 hours would have been a disaster, causing thousands of deaths by air pollution.

The inversion occurred on Thanksgiving Day, November 24, 1966. Because of the inversion, the poisons in the air over New York were trapped, and the city was choking.

In the midst of this dangerous situation, I telegraphed John Gardner, the Secretary of Health, Education, and Welfare, urging him to convene an "emergency meeting of Governor Rockefeller, of New York, Governor Hughes, of New Jersey, and appropriate city, State, and Federal officials to implement a joint air pollution abatement program." I told the Secretary that "the Federal Government must use its full power to insist upon control of interstate air pollution affecting New York and New Jersey."

The next day I received a telegram from the Acting Secretary informing me that in response to my request he was calling an air pollution abatement conference under the Clean Air Act of 1963 to begin on January 3, 1967.

I was invited to testify before the conference on the opening day as were other elected officials. In my testimony I spelled out the problem, indicating the inability and unwillingness of the cities and States involved to deal effectively with air pollution and urged the strongest possible Federal action. I specifically urged that the abatement conference immediately take and recommend the following seven minimum proposals:

First. Immediately publish the most complete possible list of the sources of pollution, the names of the polluters and the nature of the emission.

Second. Call on the States of New York and New Jersey to establish a maximum sulfur content for fuels. The Secretary of Health, Education, and Welfare should appeal to the Federal Power Commission and seek a substantially greater quantity of natural gas for the region; call on the States of New York and New Jersey to require antipollution devices on all motor vehicles which they license—used as well as new; call on the States of New York and New Jersey to require municipalities to ban open burning.

Third. Immediately establish regional ambient air quality standards for the total air shed. This would spell out exactly how much pollutant there is and should be in our air.

Fourth. Immediately establish an adequate regional air monitoring and alert network incorporating New York City's plans for 10 telemetered stations, as well as the two existing automated stations in New Jersey. This network should provide hourly air quality information for the entire region and be able to determine at any time the extent and the immediate threat of pollution and poison, providing an automatic warning system to the public. This system must involve a mandatory shutdown of major pollution sources.

The Federal Government must set up the procedures for emergency alerts. It is incredible that, although New York City received a 24-hour advance warning of the Thanksgiving Day inversion, the first official alert was not sounded until the afternoon of the day after Thanksgiving.

Fifth. Immediately establish a licensing procedure requiring every polluter to obtain a license. Each license must set forth the maximum emission permitted. These emission maximums will be progressively reduced. If pollution is to be controlled, then the assimilative capacity of the air shed must be determined and allocated.

Sixth. The Secretary of Health, Education, and Welfare should immediately set up a New York-New Jersey Regional Air Pollution Abatement Enforcement Commission for the purpose of expediting the carrying out of the Secretary's recommendations. It should consist of representatives of the Federal Government and the States of New York and New Jersey. During the statutory 6-month period the Commission should require monthly progress reports from industry and local governments. If compliance is not forthcoming, the Commission should publicize the failures and bring public pressure to bear.

Seventh. Make it crystal clear that, if the conference's recommendations are not met within 6 months, the Department will call a hearing to establish its own licensing and other procedures. The Federal Government must insist on Federal oversight, as provided by law, to force localities and industry to act in pollution abatement.

I am happy to report that in response to my first recommendation, the Conference released on January 12 a list of major polluters in the New York-New Jersey area which was compiled by R. T. Walsh, project director of the New York-New Jersey air pollution abatement activity, in Metuchen, N.J.

Senator ROBERT F. KENNEDY also addressed the Conference and on January 4 expressed his deep concern over the problems of air pollution. The Senator said:

> We all pay for air pollution now, every day. Without even counting the cost to human life and health—for these are literally beyond price—it is clear that air pollution costs the people of New York at least $1 billion a year—$70 for every man, woman and child in the metropolitan area. That cost we pay every day; surely we can invest one-tenth of that amount to save ourselves the other nine-tenths.

Senator KENNEDY urged the Conference to act immediately on three fronts:

First. He pointed out the need to substitute better grade No. 2 fuel oil for the residual oil now burned by Consolidated Edison, commercial and industrial users, and large apartment houses. He said:

> Just the substitution of number 2 oil for number 6, would eliminate 370,000 tons of sulfur dioxide from the air; if it were substituted for the coal burned by Con Ed alone as well, the air would be cleaner by another 100,000 tons; the net effect of using this number 2 oil would be to reduce sulfur dioxide emission in New York City by nearly 80 percent.

Second. He urged that New York City obey its own air pollution laws and invest $20 million in new pollution-free municipal incinerators. He recommended rigorous standards for control of pollution from New Jersey industrial plants.

Third. For the longer range, he urged a crash program of Federal research into devices to control pollution from automobile exhaust.

Mr. Speaker, air pollution is choking our Nation. The time for action is now. As I said at the Conference:

> The need today is not primarily for more discussions, new technologies or even new laws. The need today is for action. Immediate steps must be taken to prevent the pollution disaster which may come tomorrow or the day after to kill thousands of New Yorkers.

I include at this point in the RECORD my testimony on January 3, 1967, before the Federal Air Pollution Abatement Conference.

STATEMENT OF CONGRESSMAN WILLIAM F. RYAN BEFORE THE NEW YORK-NEW JERSEY AIR POLLUTION ABATEMENT CONFERENCE, HELD AT THE HOTEL STATLER-HILTON, NEW YORK CITY, ON JANUARY 3, 1967

When men profit by poisoning others . . .

When a society so fouls its own environment as to maim the very citizens it claims to serve . . .

When governments fail to act to protect the citizens from debilitating although perhaps unintentional attacks . . .

When we force our citizens to pay more in the cost of air pollution than we would have to spend to wipe it out . . .

When continued pollution could eventually wipe out civilization and make it impossible for human life to survive on earth. . . .

And when we have ample technologies and skills . . .

And we are certainly rich enough . . .

Then there is no reason and no excuse—ano there is no escape from judgment—for failing now to act to wipe out air pollution.

The problem of air pollution is well known to us all. We know its costs and hazards.

We know who the polluters are. We know how they pollute. We know why they pollute.

We know how they can stop. We know what it would cost. We know how to make them stop. The Federal government now has the power to force them to stop.

The need today is not primarily for more discussions, new technologies or even new laws. The need today is for action.

Immediate steps must be taken to prevent the pollution disaster which may come tomorrow or the day after to kill thousands of New Yorkers.

The names, locations and identifications of those who are poisoning our air must be immediately published.

Regional air quality standards must be established.

An adequate regional air pollution monitoring and alert system must be immediately installed.

Licensing and enforcement procedures to regulate all polluters must be established.

The Federal government must insist on Federal oversight, as provided by law, to force localities and industry to act in pollution abatement.

This conference is dealing with only two of the major contaminants in air pollution—carbon monoxide and sulfur dioxide.

However, air pollution is a far broader and more complex problem—including as many as 100 specific substances.

Every polluter from the automobile to the industrial plant throws up a relatively wide variety of poisons. Pollution in the air is a combination of poisons from small and invisible to large particles of filth. It ranges from poison gases like those under consideration today to smokes and fumes and mists to dusts that include fly ash, cement, pulverized coal, fertilizers, ground limestone.

Various sources now pour hundreds of millions of tons of these pollutants into the air over the nation each year.

In New York City our citizens suffer what may be the most polluted air in America. According to the excellent Norman Cousins' study, "Freedom to Breathe," New York City pumps more poison per square mile into its air than any other major City of the United States. The daily total of material in the air has been calculated at 9,000 tons. The average New Yorker must contend with five times his weight each year in noxious and obnoxious airborne material.

This pollution kills. It has killed many New Yorkers. It is killing many of us right now, and it is going to kill many more of us before any abatement action takes meaningful effect.

Air pollution is more poisonous even than its components. Synergistic reactions are common, under which poison gases and particles, acting together, are far more lethal than either would be acting alone.

For instance, automobiles emit both carbon monoxide, which we are discussing today, and nitrogen oxides. In large enough quantities, either of these gases will kill quickly. However, experiments have shown that when the gases are inhaled in combination, it takes just half as much to kill an animal. Thus the combination is eight times as deadly as carbon monoxide alone.

Similarly, the effects of sulfur dioxide are intensified through synergistic action. As an air pollutant, sulfur dioxide leads to formation of sulfuric acid. The sulfur dioxide particles ride on the larger acid molecules, which are large enough to remain in the lungs, where the two substances magnify each other's irritating effects. Experiments have shown that sulfur dioxide and smoke—when combined—increase the death rate of guinea pigs and mice while identical concentrations of either irritant appeared to leave the animals relatively unaffected.

Generally, air pollution poisons slowly.

In many diseases scientists have long ago found that there is not simply one cause but many. Air pollution and other long-term environmental conditions appear to be major causes of many chronic fatal diseases like bronchitis, heart disease and cancer.

Because environmental characteristics are so complex and virtually impossible to select out, epidemiologists have had great difficulty showing just what environmental factor was of crucial importance. Nevertheless, statistical studies have shown a direct correlation between the incidence of many diseases, and of death, and air pollution.

At the same time, laboratory experiments of all kinds have demonstrated the damaging and carcinogenic qualities of many pollutants—physical damage to lungs, heart and lung diseases, emphysema, common colds, premature aging, and many others.

This kind of relatively slow, constant and lethal poisoning is going on all the time. It is occurring right here, today. The New York State Health Department has pointed out that heavy contamination of the air raises the average New Yorker's chance of dying by some 20 per cent.

But sometimes air pollution becomes so bad that it kills a lot of us relatively quickly. Usually this is during an air inversion.

Generally, of course, pollutants rise, are blown away and dispersed. However, at times of relatively windlessness heavy cooler air may come in over the City, creating an inversion lid. Instead of dispersing, the pollutants build up a smog that kills.

For instance, in 1930 air pollution smog killed 63 and injured 6,000 in the Meuse River Valley in Belgium. A smog killed 20 and injured 5,910—close to one-half the people in the area—in Donorra, Pennsylvania, in 1948.

In 1952, a smog settled on London. That smog made no particular world headlines. Nobody got particularly upset about it. But the record shows that the London fog of 1952 killed more than 4,000 persons, including children. Because of the smog, twice as many children as normal died without having reached their first birthday. The total was more than have ever been killed by any headlined tornado, mine disaster, shipwreck or plane crash. It is more than were killed at Pearl Harbor.

But the Pearl Harbors of the air pollution war, which the polluters are winning, are often unseen, almost never reported and soon forgotten. For it may take years and massive statistical studies to determine just how many people, in homes, hospitals, ill and healthy, are actually killed by a smog. For instance, in November, 1953, New York City suffered a smog. No one was particularly upset or outraged. No one did much about it. It took nine years of patient research to establish the fact that the smog killed from 170 to 260 New Yorkers.

To forestall the most lethal smogs, the Division of Air Pollution has contracted with the U.S. Weather Bureau to issue advisory warnings.

On Wednesday, November 23, 1966, the Weather Bureau issued a "high air pollution potential advisory" to New York City. The warning of the inversion buildup was received at 12:07 p.m.

New York City took no effective action while the pollution built up and up for two whole days.

Finally, on Friday, November 25, at 1:15 p.m., New York City issued an official alert. As you know, in the midst of the emergency I called on Secretary Gardner to schedule this abatement conference immediately. It was then scheduled.

Nobody knows how many people were seriously injured—or even killed—in that Thanksgiving Day smog. If we hadn't been lucky, if the winds hadn't started to blow, many New Yorkers would have been not-so-gently murdered.

As an Assistant Secretary of the Department of Health, Education and Welfare told me a few days later, and I quote him, "Within another twenty-four hours, it would have killed a lot of people."

Air pollution has been increasing. We are increasingly faced with the danger of temperature inversions and death-dealing smogs. At almost any time, we are facing a potential air disaster far greater than the Johnstown Flood, the Texas City holocaust, the Coconut Grove fire; greater than any tornado, mine disaster, shipwreck or plane crash.

We are facing a potential air disaster that may kill thousands. That London smog of 1952 killed at least 4,000.

We know the danger. We know what can be done. We know what has to be done. For the disaster that may come tomorrow, we can blame individual polluters and local authorities. For the disaster that may come six months from now, we can blame only ourselves.

And when that disaster comes, there will be no excuse—no excuse for the polluters, no excuse for local governments, no excuse for the Federal government.

But aside from health, air pollution is costing us far more than it would cost to reduce it. Present pollution directly affects real estate values, requires extra washing and cleaning, corrodes buildings, destroys paint and tires.

The cost of air pollution has been estimated for the nation at about $65 per person or from $11 to $12 billion a year. Fortune Magazine some time ago estimated we could erase the outrage of air pollution for around $3 billion a year.

In New York City, air pollution causes an estimated loss in property damage of some $500 million a year. We are spending something like $100 million a year for repairs and replacements alone. Our typical family of four may be spending as much as $800 more each year than they would have to spend in a clean city.

Carbon monoxide and sulfur dioxide are two of the major and most virulent of all air pollutants.

Carbon monoxide kills primarily by displacing oxygen in the blood. It has been estimated that if you live in a city and you smoke, between 3 and 7.8 per cent of the hemoglobin in your blood is probably ineffective. Often misdiagnosed, carbon monoxide poisoning is killing people in our cities right now—contributing primarily to heart, lung and other diseases.

Automobiles are responsible for 95 per cent of the carbon monoxide in the atmosphere. Of all the 150 chemicals found in automobile exhaust, it is the most prevalent. The other five per cent of carbon monoxide comes from industrial processing and inefficient heating plants.

In typical operation 1,000 automobiles each day will pour 3.2 tons of carbon monoxide. 400 to 800 pounds of hydrocarbons and 100 to 300 pounds of nitrogen oxides into the air.

In the United States at least 250,000 tons of carbon monoxide are discharged from motor vehicles each day. This is enough, incidentally, to poison a 20,000 square mile area—all of Massachusetts, Connecticut and New Jersey.

Los Angeles is popularly regarded as suffering the most from carbon monoxide pollution. But this is not necessarily because Los Angeles puts more into the air; rather, because of Los Angeles' peculiar geography, the gas stays around longer. Actually, many cities have more vehicles per square mile than Los Angeles. New York, for instance, has more than 2,000 to the square mile. Los Angeles has less than 1,500.

The average amount of carbon monoxide in the New York-New Jersey areas is 5 parts per million. However, where traffic is heavy, it rises to about 15 parts per million.

* * * * *

In sulfur dioxide, New York clearly leads the nation. Incomplete burning of coal, oil and other materials pours more than 1.5 million tons of the gas into the air over New York and New Jersey.

Sulfur dioxide stings the eyes and scratches in the nose and throat. Under common conditions, it reacts in the air and with water to create sulfuric acid, which can penetrate deep into the lungs and damage tissues. A study in Nashville, Tenn., demonstrated close relationships between exposure to sulfur dioxide and sulfuric acid in the air and attacks of heart disease and of chronic bronchial asthma.

New York City assimilates an average of four times as much sulfur dioxide as is considered allowable for good air quality. However, in certain periods of high fuel consumption and stagnant weather, the desired maximum concentration may be exceeded by as much as seven times.

In the New York-New Jersey region thirty-nine per cent of our sulfur dioxide comes from the process of power generation by Consolidated Edison, the Public Service Electric and Gas Company of New Jersey, Jersey Central Power and Lighting and Long Island Lighting.

Another 21 per cent is attributed to home heating and apartments. Of course, in warmer weather, as space heating decreases, electric power plants are the primary source of sulfur dioxide. Eighteen per cent comes from industrial fuel used by oil refineries and sulfuric acid manufacturers. Heating of commercial and government buildings contributes 17 per cent. The other five per cent is generated by industrial processing, refuse disposal and automobiles.

None of this pollution is necessary.

Citizens are now aware that our present developed and proven technologies can immediately and dramatically cut air pollution—particularly carbon monoxide and sulfur dioxide. We now have tools necessary to do the job, although we can always use more knowledge and better technologies.

We can immediately cut automotive emissions. Blow by devices that put crank case exhaust back through the engine can be installed for about $10 per system—on both old and new cars. Afterburners and engine modifications can dramatically reduce emission from the exhaust pipe.

If they are required by law, these devices can be immediately installed on all the one million cars, 250,000 trucks and busses in New York City. From the point of view of anyone breathing pollutants, there is no possible reason for not requiring installation of at least some of the devices at once.

New York City, which operates and controls 11,000 vehicles and has licensing power over 14,000 taxi cabs, should have required installation of devices on these vehicles. But it has not done so.

For other sources of pollution, engineers have developed all kinds of relatively simple and efficient devices to cut down dust, remove solid particles, filter out dangerous material. Electrostatic precipitators, filter baghouses, deodorizing beds, absorbent materials, flare burning, catalytic burning have all proved their efficiency.

For instance, many methods are available to deal with the problem of sulfur dioxide. We can require fuels with little or no sulfur content—such as natural gas. We can require fuels of lower sulfur content, as New York City is now requiring. We can remove the sulfur dioxide from smoke by various devices. None of these methods are prohibitively expensive; all of them can be used.

I do not intend to go into all the technical means and methods available. They have been amply outlined in technical literature, in studies, and reports of all kinds.

However, the point that should be made—again and again and again—is that *first*, present technologies are efficient, proven and available and *second*, hundreds of high-potential, low-cost means and methods await creative development and exploration.

The House Committee on Science and Astronautics, of which I am a member, published a study last year, "The Adequacy of Technology for Pollution Abatement." The study notes that present technology, even if applied to the fullest extent, will barely keep up with the increasing pollution. For example, motor vehicle pollution, even if automobiles are equipped with presently known devices, will rise by the end of the century to equal the 1965 rate when no devices were used. In the long run we must find improved methods of generating power and disposing of wastes in order to actually reduce the pollution load.

However, we are dealing primarily with the short-term problem today. Let me quote to you from the book, "With Every Breath You Take," by public health consultant Howard R. Lewis. In this comprehensive book, Mr. Lewis points out—and I quote: "Current technology permits an immediate and sharp curtailment of air pollution. Then why is the nation's air pollution problem getting worse rather than better?"

Mr. Lewis says, and again I quote:

"In many areas public officials must share with industry much of the blame for the present dismal state of air pollution control. The problem of air pollution is a tangled web of inter-twining law; health, financing, and engineering, among other fields. Throughout the United States, air pollution has thus remained a matter of confusion to the nonspecialized public. But members of government have become sufficiently familiar with the ramifications of air pollution to know full well the whys and wherefores of control. Yet to a great extent they have not acted in accord with their knowledge. They have not initiated plans and programs or pressed them vigorously. Thus, they have failed to exercise the leadership in public interest that the community has a right to expect."

In our free enterprise system, business is properly organized and operated for profit. With such a system, government must always set the limits on what business and industry can do to earn profits.

We have outlawed slavery, which some men once found profitable. We have outlawed poisoning by untested drugs and impure foods. We have set up all kinds of essential limitations on the otherwise unbridled battle for profits.

The facts show that industry will reduce pollution only when compelled to do so by government.

For some strange reason the same business executive who would be shocked at graft or theft or at children dumping garbage on his neighbors' lawn thinks nothing of continuing his Corporation's pollution. That air pollution control devices cost money, no one denies. However, many plants have proved them economical. The Federal Government provides tax credits. And surely, even though controls cost money, no man has a right to profit by unnecessarily injuring the health and life of other men.

After World War I the American automobile industry commonly installed blow-by recirculating devices on its cars. These devices do away with 25 to 35 per cent of the car's hydrocarbon emission. But the industry stopped installing them in the 1920's, leaving the crank case venting into the air. The devices cost about $7. Only after the industry was threatened with Federal legislation did it agree to install blow-by recirculating devices on all new cars.

Government must set the limits on industry's battle for profits. Yet local governments have consistently failed to set limits on air pollution.

Local governments are often relatively unsophisticated and narrow in outlook. Each local government may contribute only a little pollution although the total of all may kill.

Air pollution is a national problem made up of many regional problems. In the New York-New Jersey area, for instance, many local jurisdictions pollute others and are in turn polluted by others. Because air pollution is cumulative, everybody blames everybody else; a few do a little in abatement, and nobody does enough.

Last Friday I went up in a helicopter early in the morning to see the polluters in action.

You could see the pollutants pouring out of smokestacks, incinerators, powerplants, petrochemical plants, open burning. A pall of smoke was hanging everywhere, and particularly enveloped Manhattan.

In New York City we saw the pollution pouring out of the city's own incinerators, overloaded and unregulated. We saw it coming out of Con Ed's 11 huge plants—the major sulfur dioxide polluters. We saw smoke coming up—strange as it may seem—from open burning in the harbor by the Army Corps of Engineers.

We saw the pollutants pouring out of Jersey and beginning their usual drift toward New York.

The pollution appeared to be coming up from the Jersey Central Power & Lighting plants at Sayreville and South Amboy, from the Public Service Electric & Gas Co.'s Hudson and Kearny stations, from the California Oil Co.'s refinery at Perth Amboy, from the Philadelphia Quartz Plant at Woodbridge, from the American Cyanamid plant at Linden, from Allied Chemical's units at Elizabeth, from National Lead's sulfuric acid plant at Sayreville, hidden in a pall of sulfur acid mist; from Hess Oil at Woodbridge, and many others.

I have some very excellent pictures, photographs which were taken on that helicopter tour, which will give you an idea of the pollution and how it appears in the air. May we have those photographs.

The first photograph is a photograph of Perth Amboy and the Woodbridge area of New Jersey. This includes—you see the smoke rising from the complex—California Oil, Hess Oil Co., and the beginning of the huge petrochemical complex in New Jersey. There is the Outerbridge connecting Staten Island in the background.

The second picture is the National Lead Co. plant at Sayreville. If we look at this, we see that the buildings themselves are white as a result of product which accumulated over the years on the buildings; and hanging over this sulfuric acid plant is a sulfuric acid mist. It also manufactures titanium dioxide. This is one of the most serious sources of pollution in the New Jersey area. Of course, that moves right over with prevailing winds to affect New Yorkers.

In the third, the smog is so dense on this one it is hard to see what we are looking at. This is the Public Service Gas & Electric Co. powerplant in New Jersey. It is in the Arthur Kill area, near Elizabeth or Carteret, N.J. Elizabeth is off to the right. You can see the tank farms in the background, petroleum tanks.

You can see the particulate matter come out of the stacks. Sulfur dioxide, of course, is invisible, but it is all coming up out of these stacks.

The fourth photograph is again a powerplant. This one, a Jersey Central powerplant, back down in the Sayreville area, near the National Lead Co. plant. Particulate matter again is pouring forth as fuel is used to generate electricity, and again this becomes a part of the air mass over New York.

After viewing the sources in New Jersey, we turned around in our helicopter, and we came back to look at New York City and its contribution to this problem.

Here is a photograph—No. 5—of a New York City Department of Sanitation incinerator, with two stacks. It is located in Brooklyn, and we are looking toward Manhattan. And as you look toward Manhattan, you can see how the early morning pall is saturating the area and hanging over the island of Manhattan. There are 11 New York City municipal incinerators with, I think, some 47 smoke stacks, ringed around New York.

Again, we can recognize, by their identification colors, the white rings on them, the Consolidated Edison Co. of New York's powerplants. As one goes up the East River, the East River on both sides is ringed by Consolidated Edison and the emissions pouring forth.

This one—No. 6—is particularly offensive. It is located in downtown Manhattan. This is a view from Brooklyn.

Here is another. No. 7—you get a very good view of this one, a Consolidated Edison Co. powerplant, located, I believe, in Brooklyn. And again the filth is just pouring forth, contributing to the early morning warmup, heat up, of New York.

Back again, in northern Manhattan in Inwood. Here in photograph No. 8 is the New York City Department of Sanitation polluting away, as you look across toward New Jersey and the Palisades. Think of the effect of this on all of the high-rise apartments, the Dyckman Houses, Marble Hill Houses, the Washbridge Apartments, as well as those that are lower down on the landscape.

Finally, the ninth picture, again we are at 57th Street, the pier area, on the Hudson River. See the New York City Department of Sanitation incinerator, on the left. Note the particulate matter that flows out of it; practically 40 tons a day is deposited on New Yorkers. And over to the right of the photograph, right alongside the New York City incinerator, is Consolidated Edison with another powerplant, again contributing mightily to the sulfur dioxide, a problem with which this Conference is vitally concerned.

Those photographs give a very graphic illustration of what New Yorkers are confronted with. I said earlier that the smog and air pollution kills. All one has to do is breathe deeply early in the morning, and do it regularly, and I think the effects over a long period of time are obvious.

After considerable work, my office compiled a list of more than 50 major polluters in northeast New Jersey. New York officials have pinpointed major polluters in the New York area. However, neither New York nor New Jersey have completed the essential air pollution inventory.

It is my understanding that the Department of Health, Education, and Welfare may have compiled such an inventory, including names, locations, and emissions of the major polluters.

The names of the polluters should be placed immediately on the public record at this hearing. The citizens of New York and New Jersey have a right to know who may be poisoning them—especially since they paid for the inventory.

I am asking now that the Department and this Conference immediately make public any inventory or listing it has compiled of polluters in this area.

For many years we have known the facts about air pollution. However, local and State law and enforcement have failed. By their failure, local and State governments have proven themselves either unwilling or unable to meet the problem.

Now, nothing stirs up gubernatorial promises quite so quickly as an election campaign or the threat of Federal action.

I expected the Governors of New York and New Jersey would come before this panel and talk about some kind of interstate compact—pledging to do together what each of them could have done apart at any time over the last 8 to 10 years. I was also interested in the recommendation of my colleague, Senator JAVITS, that an interstate compact be entered into and approved by the Congress. At this point, however, I fear that a proposal for an interstate compact would only be an unnecessary delaying device. Both the Governor of New York and the Governor of New Jersey have outlined their programs, and they seem impressive. I think the Governors are entitled to credit for their efforts and what they have done. But it is simply not enough.

Despite what the Governors—Democratic or Republican—may claim, the facts are in. Neither New York nor New Jersey has been willing to or able to deal effectively with the problem of air pollution.

New Jersey has been polluting the air for many, many years. New Jersey has failed to enact a fundamental law limiting the sulfur content of fuel. New Jersey cannot even enforce its own antipollution laws. Bayonne, Jersey City, and Kearny, N.J., have been burning wastes in open dumps in direct violation of State law.

There is a State law prohibiting it, yet, as we viewed New Jersey from the air in the helicopter last Friday, we saw municipal dumps burning openly, burning refuse. We saw it moving right over into New York City.

New York State's administration has also not comprised a list or inventory of pollution problems.

If we look at motor vehicle pollution, where the States could have taken real action, it has gotten itself involved in a lot of bureaucratic problems. On October 4, 1966, for instance, I wrote the executive secretary of the State air pollution control board, pointing out that the board "has the power to make New York State a pioneer in air pollution control." I urged the board to require control devices on all automobiles.

My letter was seven sentences long. A week later I received a four-page, single-spaced reply—much of it a discussion of what California has or has not done. Little of it was pertinent. New York State should be leading in the development of devices, requirements for control, installation and substantial wiping out of air pollution from motor vehicles.

New York City—I am happy to say—has gone a lot further than either of the State administrations. But the city administration has also failed to take the necessary acton. It has not required its own motor vehicles and buses and taxi cabs under its jurisdiction to be equipped with antipollution devices.

The city's own incinerators contribute most of the city's air pollution. It would cost something like $20 million to clean them up—a sum that is hardly exorbitant in the billion-dollar-budget fun city.

As I said at the National Conference on Air Pollution on December 13 in Washington, the New York City administration has failed to begin to carry out many of the major recommendations made for immediate action 8 long months ago.

The Federal Government and Congress have also been remiss in acting on air pollution. However, in 1963 the Congress passed the Clean Air Act authorizing grants to regional agencies to develop prevention and control programs.

Under the act, as amended last year, the Department of Health, Education, and Welfare is able to move against air pollution. The Secretary can set standards of emission for new motor vehicles. The new Solid Waste Disposal Act provides grants for demonstration facilities. And the Federal Government can force real action toward air pollution abatement.

The first step is to call an abatement conference such as this one. This conference can make recommendations to the States. If there is no compliance after 6 months, the Secretary can convene a hearing board and then deal directly with the polluters. Again if there is no compliance in interstate pollution after 6 months, the Department can call on the Attorney General to bring suit to force compliance.

Neither the law nor the abatement provisions are perfect. But they can be used to do the job.

If the Department of Health, Education, and Welfare carries out its full responsibility, and uses the full powers of the law, it can force substantial and dramatic reduction in air pollution in this area in no more than 18 months to 2 years.

Local governments have failed. Pollution is increasing. We face a potential disaster of shocking proportions. Under present conditions and present law, the Department has both the responsibility and the ability to substantially reduce pollution.

This abatement conference must immediately take and recommend the necessary steps. At a minimum, these include:

First. Immediately publish the most complete possible list of the sources of pollution, the names of the polluters and the nature of the emissions.

Second. Call on the States of New York and New Jersey to establish a maximum sulfur content for fuels. The Secretary of Health, Education, and Welfare should appeal to the Federal Power Commission and seek a substantially greater quantity of natural gas for the region; call on the States of New York and New Jersey to require antipollution devices on all motor vehicles which they license—used as well as new; call on the States of New York and New Jersey to require municipalities to ban open burning.

Third. Immediately establish regional ambient air quality standards for the total air shed. This would spell out exactly how much pollutant is and should be in our air.

Fourth. Immediately establish an adequate regional air monitoring and alert network incorporating New York City's plans for 10 telemetered stations, as well as the two existing automated stations in New Jersey. This network should provide hourly air quality information for the entire region and be able to determine at any time the extent and the immediate threat of pollution and poison, providing an automatic warning system to the public. This system must involve a mandatory shutdown of major pollution sources.

The Federal Government must set up the procedures for emergency alerts. It is incredible that, although New York City received a 24-hour advance warning of the Thanksgiving Day inversion, the first official alert was not sounded until the afternoon of the day after Thanksgiving.

Fifth. Immediately establish a licensing procedure requiring every polluter to obtain a license. Each license must set forth the maximum emission permitted. These emission maximums will be progressively reduced. If pollution is to be controlled, then the assimulative capacity of the air shed must be determined and allocated.

Sixth. The Secretary of Health, Education, and Welfare should immediately set up a New York-New Jersey Regional Air Pollution Abatement Enforcement Commission for the purpose of expediting the carrying out of the Secretary's recommendations. It should consist of representatives of the Federal Government and the States of New York and New Jersey. During the statutory 6-month period the Commission should require monthly progress reports from industry and local governments. If compliance is not forthcoming, the Commission should publicize the failures and bring public pressure to bear.

Seventh. Make it crystal clear that, if the Conference's recommendations are not met within 6 months, the Department will call a hearing to establish its own licensing and other procedures.

The cities have failed to act; the States have failed to act; it is now time for the Federal Government to act. We enacted the Clean Air Act of 1963 for this purpose. The law must be used to its fullest extent. The recommendations of this conference must be tough. The time for equivocation, vacillation and avoidance is over.

For the first time the public is aroused and looks to this Conference to exercise its full responsibility. The actions of this Conference will determine whether we can breath in freedom.

If this Conference fails, there will be only one recourse for the citizen—to take protest action. Consolidated Edison is the major air polluter in New York City. If necessary, I believe all New Yorkers should declare war on Consolidated Edison. We might all deliberately turn off our electric lights one night per week—clean air night. That would not only decisively reduce air pollution, but, by cutting Consolidated Edison's profits, would drive the point home.

For the long term, of course, we must look to broad measures both to meet and to reduce air pollution. These include new methods of abatement control as well as new methods of power generation, transportation, waste disposal.

Eventually, I believe the Federal Government must set up a Federal environment authority.

The environment authority could provide

uniform licensing and control of all those—governments and industry—who poison or pollute land, crops, water or air. Certainly, if we can establish Federal regulation, licensing, and standards for aircraft and drugs and foods, we can establish similar regulations for pollution of the land, water, and air.

The problem before us is perhaps one of the most fundamental of all problems facing mankind—how to sustain our natural lives as well as our industrial civilization.

As living creatures, we are born and we live and we will die using land and air and water. These are the great essentials of life. If we cannot preserve them, we will surely destroy civilization.

As I said in Washington, we must write a new commandment for our modern industrial society. We must write an 11th commandment: "Thou shalt not pollute."

If we fail to see these problems or to deal with them, there is no excuse. We citizens have no excuse. Industry has no excuse. Our local governments have no excuse. Now the Federal Government and Federal officials have no excuse.

For the short range, the day of judgment may come tomorrow or the day after, when an inversion holds smog and kills thousands of New Yorkers. For that kind of murder, there is no adequate explanation.

For the long range, we may in our time so pollute and warm the atmosphere that we will inexorably change the conditions under which life must exist. For that kind of murder, there is also no excuse.

I do not want to sound overly dramatic. But today—at this first major air pollution abatement conference—the day of judgment is upon us. The moving finger writes. We are weighed in the balance.

Let us not be found wanting.

Mr. Speaker, I also wish to include in the RECORD the statement of Senator ROBERT F. KENNEDY on January 4, 1967:

STATEMENT OF SENATOR ROBERT F. KENNEDY TO NEW YORK-NEW JERSEY METROPOLITAN AREA AIR POLLUTION CONTROL CONFERENCE, JANUARY 4, 1967

On a trip to Latin America last year, I saw people in Recife, in the poorest part of Brazil, who ate crabs which lived off the garbage that the people themselves threw in the shallow water near their shabby homes. And whenever I tell this story to Americans, the reaction is: how sad; how terrible; that such poverty, such underdevelopment, should exist in the world.

But we New Yorkers are in a poor position from which to extend pity. For every year, the average New Yorker—old and young, rich and poor, athlete or infirm recluse—breathes in 750 pounds of his own wastes. The fuel which generates our electricity; the gasoline which runs our cars and taxicabs and busses; the four pounds of trash and garbage which each of us gives the city each day, and even the garbage we drop into our apartment-house incinerators—all these are discharged into the air we breathe. And because there are so many of us, crowding into this tiny fraction of the United States, a great pall of filthy air blankets the entire metropolitan area—and we all must breathe the same air into which we carelessly spill our refuse.

This is a conference of experts, called by the Secretary of Health, Education, and Welfare, to set forth a program to combat air pollution in the entire metropolitan area. So I will not presume to tell you about the terrible costs of air pollution—the suffocating haze that is killing farming in New Jersey, eroding every car and building in New York, and maiming and killing hundreds and thousands of people in this area every year. You know, though all too many Americans do not, that our air is becoming so saturated with pollutants that it cannot clean itself—that some scientists fear a permanent change in the world's climate within our children's lifetime. You know of the startling rise in deaths and disability due to air pollution—that just one pollution-related disease, ephysema, has gone from less than a thousand deaths, just 18 years ago, to 60,000 last year, with one out of 14 Social Security disability payments going to its victims. You know of the narrow choices posed to us by Secretary Gardner; to live like moles, indoors for most of the year; to wear gas masks; to dome our cities—or to clean up our air.

And you know that the problem is getting worse in geometric proportion—that, like Alice, we must run faster and faster just to stay in the same place—as an expanding population, using more energy and driving more cars, pours more and more waste into our atmosphere.

We all know the magnitude of the problem.

We all know that action is imperative.

And this conference, therefore, must be an action conference. There is already a mountain of material on the air pollution problem. There are already many studies directly pointed at the problems of this area—notably the Interim Report of the City Council's Special Committee to Investigate Air Pollution, and the Report of the Mayor's Task Force on Air Pollution in the City of New York. This conference, however, is a step in a road which, by statute, can end with abatement proceedings—enforcement proceedings—initiated by the Attorney General of the United States. What this conference recommends can, in due course of law, become the governing air pollution code for the metropolitan area.

The time for studies is past. The time to apply what we already know is here.

Take, for example, the problem of sulfur dioxide—the major and most dangerous pollutant in New York's air today. Sulfur dioxide and trioxide are produced, of course, by the burning of coal and oil. Consolidated Edison uses coal and oil to generate electricity. The great majority of our apartments and schools, homes and hospitals, are heated by coal and oil, and most of our industry is powered by oil.

The tremendous needs of the city for light and heat result in the emission of an average of 597,000 tons of sulfur dioxide each year—an average of 1,636 tons every day, far more in the winter months. Day in and day out, Con Ed, the city's largest producer, pours 789 tons of sulfur into the air.

Our tragedy—and our hope—is that none of this is really necessary. We know how to control sulfur emissions, easily and surely—simply using a better grade of fuel. The cheap Number 6 residual oil, which provides half of Con Ed's power, and provides ninety percent of the heat for all commercial and institutional buildings and large apartment houses, has a sulfur content of 2.3 percent; the 1.9 billion gallons of number 6 which are consumed each year put 409,000 tons of sulfur dioxide in the air. Similarly, Con Ed alone burns 5.3 million tons of bituminous coal each year, with a sulfur content of 1.7 percent; this coal alone puts 362 tons of sulfur dioxide into the air each day, 132,000 tons a year. By contrast, the hundreds of thousands of New Yorkers who live in single and two-family houses use no number 6; they pay for better-grade number 2 oil, which has a sulfur content less than one-tenth as great as the residual number 6. The 1.35 billion gallons of number 2 which are burned in the city each year, therefore, emit only 21,000 tons of sulfur dioxide into the air. Number 4 oil is less expensive than number 2; but even number 4 is well below number 6 in sulfur—0.8 percent versus 2.3 percent.

Con Ed has engaged in much discussion about the difficulty and expense of removing sulfur from stack gasses, about the difficulty of renovating outworn (and therefore more polluting) equipment while operating at maximum capacity, and has promised to rely more on nuclear energy and out-of-city plants in the future. It has promised Mayor Lindsay to reduce coal and oil-generated power to 28 percent of its total by 1976. But the fact is that with growing power demands, this will mean only a forty percent reduction in coal and oil burned in 1976—and in any case, we cannot wait that long.

The City Council's Local Law Number 14 requires that the sulfur content of any fuel burned in the city be reduced to 1 percent by May of 1971. But by 1971, thousands of New Yorkers may well have lost their lives from sulfur pollution in the air. If this conference recommends that number 2 oil, or at a minimum, number 4, be substituted immediately for number 6, it can help save those lives—make the city's air palpably better for all of us.

What of the question of cost? What of the monumental bills for cleaning up air pollution which some have predicted? Those claims appear to be greatly exaggerated. Several informed persons have estimated that it would take only $3 billion a year, nationwide, using presently-available technology, to remove two-thirds of pollution from the air. And this relatively low cost—relative, that is, to the cost of polluted air—seems to prevail in the elimination of sulfur dioxide as well. Just the substitution of number 2 oil for number 6, would eliminate 370,000 tons of sulfur dioxide from the air; if it were substituted for the coal burned by Con Ed alone as well, the air would be cleaner by another 100,000 tons; the net effect of using this number 2 oil would be to reduce sulfur dioxide emission in New York City by nearly 80 percent.

The use of number 2 oil would mean an 80 percent increase in fuel costs at current prices. But fuel costs, first, are one-seventh of the cost of electricity—so that this could be done now at an effective increase of only one-ninth in electricity bills—about $5 per household per year. Similarly, only a few dollars a year per household would cover any increased fuel costs for apartment-house heating. And there seems little reason for apartment-house dwellers, or apartment-house owners, to shave fuel costs to the detriment of the whole city—while other New Yorkers use and pay for the better-grade oil.

I have discussed the use of oil at this length not only because it is probably the most pressing immediate pollution problem; but also because it illustrates so well the course I believe this conference should take. Technological research and progress are important; they may allow us to reduce the sulfur content of number 6 residual oil at only a 25–30 percent increase in cost, or to remove the sulfur from stack gasses at only a 15–25 percent increase in fuel cost—or, in time, to drastically reduce electricity cost through nuclear power. Technology may in time give us an answer to automobile pollution, the hydro-carbons and carbon monoxide which are the principal problem in Los Angeles and Washington.

But we should not—we cannot—wait for technology to make clean air entirely painless, to be achieved without effort, like a genie waving a magic wand. We will never get anywhere unless we begin now to apply what we do know. Technological progress may reduce costs later; that will be all to the good. But we all pay for air pollution now, every day. Without even counting the cost to human life and health—for these are literally beyond price—it is clear that air pollution costs the people of New York at least $1 billion a year—$70 for every man, woman and child in the metropolitan area. That cost we pay every day; surely we can invest one-tenth of that amount to save ourselves the other nine-tenths.

We should, I believe, beware of the pitfalls described by Taine:

"Imagine a man who sets out on a voyage equipped with a pair of spectacles that magnify things to an extraordinary degree. A hair on his hand, a spot on the tablecloth, the shifting fold of a coat, all will attract his attention; at this rate, he will not go far, he will spend his day taking six steps and will never get out of his room."

We have to get out of the room.

And there are doors we can open. One of those doors is the purchase or generation of power in remote locations, to replace polluting power generation inside the City. Con Ed presently uses purchased power to meet some peak loads, and is planning remote generation at its Cornwall-on-Hudson facility. But it does not plan to purchase power beyond 1971; remote generation is to be at nuclear plants like the pilot at Indian Point in northern Westchester. But we are entitled to ask whether it is realistic to rely so heavily on nuclear plants. Large supplies of relatively low-cost hydroelectric power may be available from a proposed project in Churchill Falls, Labrador, and coal plants could easily be constructed at mine-mouths in Appalachia, or on the Delaware river. But Con Ed says that the expense of transmission, especially for the last few miles through Westchester, would be very great, and that its existing rights-of-way are needed for presently-projected power transmissions to the city.

Technology has developed within the last decade, however, lower-cost means of transmitting power over long distances.

Direct-current transmission, often through underwater cables which eliminate right-of-way costs, has proven successful in Sweden, Italy, New Zealand, and the Soviet Union, and across the English Channel between Great Britain and France. While costs for construction are several times that for conventional overhead lines, use of DC allows much heavier transmissions per unit of installed cable. Here again, then, present technology would allow the use of non-polluting hydroelectric power, generated elsewhere, to assume a major part of the constant or base-load needs of the City.

A second door to major improvement in New York's air can be opened only by the City itself. The Mayor's Task Force on Air Pollution stated that "the City is a gross violator of its own laws against air pollution. Its public transportation system, its incinerators, its heating furnaces, its hospitals and schools spew out vast quantities of filth and poisons. There is, as a result, an air of hypocrisy in the City's actions against citizen violators of clean air."

The greatest source of City government pollution (other than its heating plants, which can use number 2 or 4 grade oil) is the Department of Sanitation. The Department of Sanitation burns over 2 million tons of refuse a year—something over two-thirds of all the refuse burned in the City. It operates 11 incinerators—every one of which violates the Air Pollution Code on stack emissions of dust, fly ash and other particulates, as well as noxious substances such as nitrates and sulfates. The installation of electrostatic precipitators, preceded by wet scrubbers, would bring these incinerators up to minimum standards, at a cost of about $1 and ¼ million for each renovation, more for replacement of obsolete units—a total of at most $20 million.

Since the Department's budget request for 1967-68 is over $138 million, it is not unreasonable to ask it to spend an additional $20 million to obey the City's own laws. Furthermore, if the City moves now, it may qualify for Federal aid—which for the first time, under the 1966 Amendments to the Clean Air Act, will support not only local research in air pollution, for which New York already receives money, but local action programs as well. This conference, operating under the force of law, should give close attention to the City's government's practices—and perhaps help it to clean its own house.

Even the City's present incinerators, however, are immaculate compared to the 12,000 apartment-house incinerators now operating. The City's incinerators emit about 8 pounds of pollution for every ton of trash burned; the apartment-house incinerators emit about 26 pounds of per ton burned. The City has enacted comprehensive and complex laws regulating these incinerators. But these laws promise only partial improvement at great added cost—perhaps $60 million. The City, as one authority points out, could more sensibly shut down the private incinerators and spend about $15 million to build a new City incinerator that could reduce the soot and fumes by 99 percent. The City, it is said, resists this idea because it calculates the added cost of hauling the refuse to a municipal incinerator would be $19 million a year. But this does not take account of the millions of dollars New Yorkers spend, for example, just to clean and launder their clothes—while the cost of complete renovation of the municipal incinerator system, as I have outlined, would amount to no more than 25 cents per person per month—something less than the cost of laundering one business shirt, far less than what it costs to dry-clean a sweater or skirt. And under existing Federal programs, unemployed persons may be trained and employed in public-service jobs. The City, therefore, could further reduce collection costs by employing low-income people under Federal grants now available. Here again, no new technology, no moon-shot breakthroughs are needed; just a minimal determination to make reasonable efforts to do what we know we can do.

The same is true of the noxious pollution emitted by refineries and other industry in the New Jersey flats—pollution so overpowering that only the foolhardy open their car windows on certain sections of the New Jersey Turnpike, and so devastating to life that the "Garden State" may soon be only a mocking reminder of better days in the past. But in Los Angeles, where strict pollution standards are enforced, the same petroleum industry has been able to prevent its refineries from being smelled more than half a block away—and to reduce industrial pollution generally to 1940 levels, notwithstanding the great population growth in the area since that time. Neither has the cost proven prohibitive, nor has it forced industry out of Los Angeles. All that is required is that industry know that it must control its pollution; and that all be required to control it together, so that none gain competitive advantage. This conference should recommend at the outset standards for the operation of plants in this notorious area.

These are steps which this conference can take now—areas in which there is a clear and compelling need for action. What this conference does will not be the entire story; a long road to enforcement lies ahead, and the Secretary of Health, Education and Welfare, perhaps ultimately the Attorney General, and certainly the Governors and Mayors of this region, will have to move quickly and forcefully throughout in order to insure that action results. But we can begin. And we must.

There are other areas, other kinds of pollution, which are less easily conquered with present knowledge. Most prominent of these is the automobile.

Fortunately for the New York metropolitan area, automobiles, trucks and buses are responsible for less than one-third of our pollution. Naturally, they are the heaviest sources of pollution, by tonnage, and even in this area, their pollution may double by 1985.

Federal law now requires the installation of control devices, designed to eliminate 80 percent of the carbon monoxide and much of the hydrocarbons from automobile exhausts, in all 1968 automobiles. But we now find that the control devices specified by law do not work. The Los Angeles County Board of Supervisors reported on November 16, 1966 that the new control devices tested in California do not meet the required standards in 52 percent of all vehicles tested; and that by the time a car had traveled 50,000 miles, it would undoubtedly fail the test. Further, cars equipped with the new devices emitted more oxides of nitrogen than cars without the device. The California State Air Pollution Control Officer, Frank Stead, has seriously recommended banning all gasoline burning cars from his state by 1980.

These startling test results clearly argue for Federal action. We need a high-priority research program to develop effective automobile exhaust control devices. We may find it necessary to place development contracts with industrial research companies to find better ways of eliminating carbon monoxide, oxides of nitrogen, and hydrocarbons. We may want research on better carburetors to prevent evaporation of gasoline and to cut down on the consumption of gasoline. And we may find it necessary to sponsor the development of several electrical engines for automobiles to insure that this alternative is explored as rapidly as it should be.

This Federal program aimed at the control of automobile exhausts will require energetic leadership and adequate funds. This conference can urge such funds and action.

But while we await new research, there is much we can do now. Several speakers to this conference have stressed the need for improved public transportation; from a pollution standpoint there is clearly no more inefficient method of transportation than the automobile carrying a single passenger. New transport systems, in the metropolitan area, will be vastly expensive. But so is the present level of auto use in the City. At a minimum, therefore, we might require that every automobile entering the City, or Manhattan Island, pay a toll which reflects its contribution to the air pollution problem. The Port Authority, which profits by its toll revenue from the polluting automobiles, should be urged or even required to make a more substantial contribution to mass transit. And ultimately, it may make sense to charge for automobile registration according to the amount of gas the car burns: the greater the consumption, the higher the fee.

Finally, the New York-New Jersey-Connecticut metropolitan area needs an air pollution district organization similar to the highly successful Los Angeles district. In this densely populated area, it makes no sense to control air pollution in Newark if it is uncontrolled in Queens. If one set of air pollution regulations covers industry in Westchester County and a different set of rules covers Essex County, we cause businesses to make decisions based on the cost of air pollution control—and create problems of enforcement as industry threatens to relocate.

There is no real alternative to a New York metropolitan air pollution control district embracing the 18 million people living in the 23 counties in the New York-New Jersey-Connecticut metropolitan region. This district must have the necessary authority to control pollution sources throughout the metropolitan area. And this conference can start us toward the establishment of such a district by the three states involved and the Federal government.

But whatever governmental mechanisms we create, we will make our air fit to breathe only if we are all determined that the air will be clean. Democracies, which rely on popular consent, seem often to make the mistake of Faust—who looked only at the pleasure of the passing moment, with no thought to its cost in the future. Our past failures to enforce and obey even minimal pollution-control laws, if repeated, will surely lead us to disaster—as President Johnson has described it, the "reckless devastation" that is "the continued poisoning" of our air.

But I believe there is a new spirit abroad in the land, a new hope that these great problems will yield to the inventive genius and capacity for action of the American nation. Citizens' groups, informed and alert and well-organized, have sprung up spontaneously. Public officials have become newly aware, more ready to act. We can seize and ride that spirit now—or we can let it dissolve in bureaucratic apathy, in endless studies, in refusal to assess the true costs of air pollution against their sources.

But we have the knowledge.

We have the resources.

And here today, I know you have the will.

Mr. Speaker, the New York-New Jersey Air Pollution Abatement Conference has been addressing itself to the question of air pollution resulting from emissions of sulfur dioxide and carbon monoxide. The contribution of particulate matter and malodors to interstate air pollution is most serious and will be considered in subsequent phases of the abatement action. I include at this point in the RECORD the emission inventory compiled by the Public Health Service listing the major sources and amounts of sulfur compounds which contaminate the air in the New York-New Jersey metropolitan area. I believe the public has a right to know who is poisoning the air. The list, preceded by an explanation, follows:

POINT SOURCES EMITTING MORE THAN 100 TONS PER YEAR OF SULFUR OXIDES, 1965 ESTIMATE

(By the New York-New Jersey Air Pollution Abatement Activity, January 12, 1967)

The attached listing is a tabulation of 373 point sources estimated to emit at least 100 tons of sulfur oxides per year. They are situated throughout the 17 county area encompassed by the air pollution abatement activity.

This listing includes combustion and process sources of sulfur oxides. It was developed from information supplied: directly by the source, from various directories, by utilization of SIC categories, from nonconfidential files of the cooperating agencies. Whenever emission data was not specially available, it was estimated by use of emission factors.

Not all sources within this area which emit 100 tons of sulfur oxides annually are necessarily included; however, to the best of our knowledge this is an essentially complete tabulation.

All listed sources which have process losses are preceded by an asterisk; the amount of emission shown includes both process and any combustion losses. Generally, these process operations have some measure of control, indicating an awareness of the air pollution problem plus knowledge of techniques for reducing these emissions.

Estimated sulfur oxide emissions

ESSEX COUNTY (21)

Source:	*Tons per year*
A. Gross & Co	420
Anheuser Busch, Inc	1,480
American Smelting & Refining Co., Newark	150
Ballantine & Sons	1,170
Beth Israel Hospital, Newark	160
Celanese Plastic Co	1,420
East Orange V.A. Hospital	280
* Englehart Industries, Newark	430
* Essex Chemical Co., Newark	1,820
Essex County Isolation Hospital	150
Essex County Overbrook Hospital	800
Montclair State Hospital	180
Mountainside Hospital	120
Newark City Hospital	230
Orange Memorial Hospital	140
Pabst Brewing Co	580
* Pitt-Console Chemical Co	2,330
Public Service, Essex Plant	13,550
St. Michael's Hospital	110
Thomas Edison Industries	200
Westinghouse Electric Co., Bloomfield	270

BERGEN COUNTY (18)

Source	Tons per year
Allied Chemical, Barrett Division	780
Aluminum Co. of America	440
Bergen Pines Hospital	210
*Curtis-Wright Corp., Wood-Ridge	1,500
Englewood Hospital	180
Ford Motor Co., Mahwah	1,360
Garden State Paper Co	2,810
Hackensack Hospital	100
Hamersley Manufacturing Co	880
Lever Brothers Co	890
Lowe Paper Co	980
Marcal Paper Mills, Inc	1,120
Nopco Chemical Co., Carlstadt	500
Public Service, Bergen plant	46,020
Spinnerin Yarn Co	110
Stepan Chemical Co	410
Tenneco Chemicals, Inc., Garfield	840
Universal Oil Products	680

HUDSON COUNTY (20)

Source	Tons per year
American Can Co	300
Central Railroad of New Jersey	380
Christ Hospital	120
Colgate Palmolive Co	1,600
Driver Harris Co	120
Erie Lackawanna Railroad	430
First Republic Corp. of America	780
Hudson County Hospital	270
*Humble Oil & Refining Co., Bayonne	6,670
*Koppers Co	180
Maxwell House	900
Monsanto Co	280
Nopco Chemical, Harrison	280
Public Service, Hudson	35,230
Public Service, Kearny	30,760
Public Service, Marion	4,380
St. Mary's Hospital	100
Texaco, Inc	370
Theobald Industries	320
*Worthington Corp	1,090

MIDDLESEX COUNTY (31)

Source	Tons per year
*Agrico Chemical Co.	470
American Smelting & Refining Co., Perth Amboy	2,150
*Analin Co. of New Jersey	310
Camp Kilmer	160
*Chevron Oil Co	14,390
DuPont-Parlin	1,220
FMC Corp	640
Ford Motor Co., Metuchen	680
Hercules, Inc	3,460
*Hess Oil	7,340
*International Smelting & Refining Co	3,180
Kimberly Clark	960
Jersey Central Power & Light, Sayreville	24,530
Jersey Central Power & Light, South Amboy	9,060
*M & T Chemicals, Inc	720
Metro Glass	630
Middlesex General Hospital	100
*National Lead Co., Perth Amboy	620
*National Lead Co., Sayreville	21,760
Perth Amboy General Hospital	130
Philip Carey Manufacturing Co	280
Public Service, Sewaren Plant	54,310
Raritan Arsenal	230
Rhodia, Inc	200
Rutgers State University	680
St. Peter's General Hospital	110
Shell Oil Co	980
Sinclair Koppers Co	980
Tenneco Chemicals, Inc., Fords	1,460
*U.S. Metals Refining Co	3,730
Union Carbide Corp	1,880

MONMOUTH COUNTY (5)

Source—Continued	*Tons per year*
Fort Hancock	100
Fort Monmouth	100
Minnesota Mining & Manufacturing Co	150
Monmouth Medical Center	160
New Jersey State Hospital, Marlboro	170

MORRIS COUNTY (5)

Source	Tons per year
Amerace Corp	630
International Paper Co	130
Morristown Memorial Hospital	100
New Jersey State Hospital, Greystone Park	690
Whippany Paper Board Co., Whippany	6,470

PASSAIC COUNTY (11)

Source	Tons per year
Associated Dye & Print Co	680
Gaede Dying Co	120
Harmon Colors	530
Hoffman La Roche Inc	1,800
ITT Federal Laboratories	260
*Interchemical Corp	310
Manhattan Rubber	410
New Jersey Training School	160
Pantasote Co	440
U.S. Rubber Co	250
Whippany Paper Board Co., Clifton	1,760

SOMERSET COUNTY (5)

Source	Tons per year
*American Cyanamid, Bound Brook	8,620
Johns-Manville Products Corp	3,620
Radio Corporation of America	110
Somerset Hospital	100
Veterans Administration Hospital, Lyons	150

UNION COUNTY (21)

Source	Tons per year
*Allied Chemical, Elizabeth	3,410
*Allied Chemical, Linden	1,800
*American Cyanamid, Linden	4,650
Archer Daniels Midland Co	200
Bristol Myers Products	180
Central Railroad of New Jersey	270
Cities Service	920
*DuPont-Linden	4,180
Elizabeth General Hospital	110
*General Aniline & Film Corp	3,700
Gering Plastics Co	180
*Humble Oil & Refining Co., Linden	20,610
John Runnells Hospital	100
Merck Co	2,930
Muhlenburg Hospital	100
National Starch & Chemical Corp.	180
Phelps Dodge Copper Products Corp.	340
Public Service, Linden	42,600
Reichold Chemicals, Inc	510
Tenco Co	140
U.S. Gypsum Co	1,240

BRONX (38)

Source	Tons per year
Adams City Housing	120
American Banknote Co	120
Bronx Municipal Hospital	460
Bronx State Hospital	220
Bronxdale City Housing	210
Bronx River City Housing	170
Butler City Housing	220
Castle Hill City Housing	280
Concourse Village	140
Con Ed-Hell Gate Plant	22,550
East Chester City Housing	130
Edenwald City Housing	300
Fordham Hill Housing	100
Forest City Housing	190
Gunhill City Housing	100
Highbridge City Housing	100
Incinerator, Zerega Avenue	140
Jackson City Housing	120
Melrose City Housing	130
Millbrook City Housing	180
Monroe City Housing	140
Montefiore Hospital	310

Estimated sulfur oxide emission—Continued

Source—Continued	*Tons per year*
Morrisania Hospital	150
Morris City Housing	270
Motthaven City Housing	130
New York City Transit Authority	100
New York University	240
Pelham Parkway City Housing	190
Parkchester Housing	1, 270
Parkside City Housing	110
Patterson City Housing	260
Premier Laundry	250
St. Barnabas Hospital	130
St. Mary's City Housing	140
Sedgwick City Housing	110
Soundview City Housing	150
Throggs Neck City Housing	190
Veterans' Administration Hospital	290
BROOKLYN (69)	
Albany City Housing	180
American Can Co	250
American Machine Foundry	100
American Sugar Co	230
Bayview City Housing	210
Beach Haven Housing	240
Boulevard City Housing	210
Brevoort City Housing	130
Brighton Laundry	100
Brooklyn College	240
Brooklyn Institute of Technology	100
Brownsville City Housing	200
Bush Terminal Co	300
Bushwick City Housing	160
Con Ed, Hudson Avenue Plant	55, 590
Con Ed. Kent Avenue Plant	4, 500
Coney Island Hospital	140
Cypress Hills Church	190
Department of Highways	100
Eaglest Conlan	100
Farragut City Housing	210
Fort Hamilton	200
Glenwood City Housing	170
Government Services Administration	240
Gowanus City Housing	170
Gravesend City Housing	100
Howard City Housing	100
Incinerator, Greenpoint	250
Incinerator, Hamilton Avenue	260
Incinerator, S.W. Brooklyn	250
Incinerator—South Shore	220
Ingersoll City Housing	270
Jewish Chronic Hospital	160
Joseph Schlitz Brothers	200
Kingsboro City Housing	160
Kings County Hospital	940
H. Kohnstamm Co	110
Leviton Manufacturing Co	100
Linden City Housing	230
Lipsett Steel Products	100
Long Island College Hospital	190
Marlboro City Housing	250
Maimonides Hospital	200
Marcy City Housing	250
News Syndicate	290
New York City Transit Authority	130
Nostrand City Housing	170
Piels Brothers Brewery	250
Pink City Housing	200
Rapid Transit Yards	100
Red Hook City Housing	400
Republic Steel	110
Revere Copper & Brass Co.	100
Roosevelt City Housing	110
Schaefer Brewing	100
Sheepshead City Housing	170
Shorehaven Housing	150
Squibb and Sons	190
Sumner City Housing	150
Tilden City Housing	120
Todd Shipyards	270
Tompkins City Housing	130
Trump Village	490
U.S. Army	620
Van Dyke City Housing	350
Vanderver Housing	290
Veterans' Administration Hospital	230
Williamsburg City Housing	260
Whitman City Housing	250
STATEN ISLAND (5)	
Con Ed. Arthur Kill Plant	14, 050
Mariners Harbor	110
Nassau Smelting	100
Procter and Gamble	1, 170
USPHS Hospital	150
MANHATTAN (57)	
Amsterdam City Housing	140
Baruch City Housing	300
Bellevue Hospital	500
Beth Israel Hospital	190
Bridge Apartments	180
Breukelen City Housing	300
Carver City Housing	140
City College of New York	270
Colonial Park City Housing	130
Columbia Presbyterian Medical College	950
Columbia University	930
Con Ed, East River Plant	43, 220
Con Ed, Kips Bay Plant	5, 630
Con Ed, Sherman Creek Plant	15, 440
Con Ed, Waterside Plant	30,690
Con Ed, 59th Street Plant	12, 970
Con Ed, 66th Street Plant	850
Con Ed, 74th Street Plant	10, 280
Consolidated Laundry	180
Douglass City Housing	290
Dickman City Housing	150
East River City Housing	140
Foster City Housing	180
Goldwater City Housing	820
Grant City Housing	260
Harlem Hospital	390
Horn & Hardart Commissary	290
Incinerator, E. 73rd Street	170
Incinerator, Gansevoort	230
Incinerator, W. 56th St	150
Incinerator, W. 215th St	150
Isaacs City Housing	100
Jacob Reis City Housing	220
Jefferson City Housing	220
Johnson City Housing	200
Knickerbocker Village	180
LaGuardia City Housing	160
Lehman City Housing	100
Lenox Hill Hospital	220
Lincoln City Housing	180
Manhattanville City Housing	180
Marble Hill City Housing	200
New York City Hospital	1, 290
New York City Transit Authority	290
New York University	350
Park Sheraton Hotel	110
Park West Housing	280
St. Luke's Hospital	440
St. Nicholas City Housing	220
Smith City Housing	250
Taft City Housing	180
Vladeck City Housing	220
Wagner City Housing	300
Wald City Housing	290
Washington City Housing	200
195 Broadway, Private Building	110
11 Riverside Dr., Private Building	100
QUEENS (36)	
American Chicle	130
Astoria City Housing	160
Bell Park Housing	160
Circle Wire & Cable Co	120
Con Ed, Astoria Plant	44, 790
Con Ed, Ravenswood Plant	57, 910
Clearview Apartments	440
Creedmore State Hospital	910
Department of Highways	180
Domonok Housing	320
Edgemore Housing	210
Elmhurst Hospital	240
Fresh Meadows Housing	590
Glen Oaks Village	290
Hammel City Housing	110
Incinerator, Betts Avenue	200
Kleinhart Rubber	210
Lefrak Housing	550
Loft Candy	120
Long Island Lighting, Far Rockaway	2, 280
Phelps Dodge	540
Post Office	170
Queens Boro Hall	120
Queensbridge Housing	360
Queens College	200
Queens General Hospital	530
Ravenswood City Housing	290
Redfern Housing	100
Rego Housing	150
South Jamaica City Housing	140
St. John's University	290
Star Corrugated Box Co	120
Van Industries	490
Wavecrest Apartments	150
Welbilt Corp.	100
Woodside Housing	240
NASSAU COUNTY (9)	
Freeport Electric	800
Grumman Aircraft	590
Grumman Aircraft	430
Grumman Aircraft	180
Hempstead Incinerator	180
Hempstead Incinerator	170
Long Island Lighting, Barrett Plant	27, 470
Long Island Lighting, Glenwood Plant	6, 050
Oysterbay Incinerator	120
ROCKLAND COUNTY (6)	
Continental Can Co	1, 450
Letchworth Village	640
New York State Rehabilitation Hospital	120
Orangeburg Manufacturing	960
Orange-Rockland Utility Co., Lovett plant	6, 530
Rockland State Hospital	150
WESTCHESTER (16)	
Anaconda Wire Cable Co	420
Chevrolet, Tarrytown	880
Con Ed, Indian Point Plant	4, 830
FDR Veterans' Administration Hospital	380
Harshaw Chemical Co	250
Incinerator, Mount Vernon	150
Incinerator, White Plains	100
New York Central Railroad	780
New York State Hospital	1, 570
Otis Elevators	410
Refined Syrup & Sugar Co	1,820
Russell, Burdsall & Ward Bolt & Nut Co	310
Standard Brands	1,780
Stauffer Chemical Co	140
Technical Center of General Foods	200
Union Carbide	260

FREE KAZAN-KOMAREK

The SPEAKER. Under previous order of the House, the gentleman from Connecticut [Mr. MONAGAN] is recognized for 60 minutes.

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I was amazed to read in the newspaper yesterday that authorities in Czechoslovakia were expressing resentment that the United States was trying to put pressure on that country to release from detention the well-known Vladimir Kazan-Komarek. It is incredible to me that this man should have been seized by the Czechs in the first place, but assuming the initial error, it is even more unbelievable that he should have been held incommunicado for 3 months instead of being promptly released. So I should say that our Government was being abnormally punctilious in the circumstances.

As the House knows, this is the case in which Kazan-Komarek, an American citizen of 7 years and a resident of Wellesley, Mass., was forcibly taken from a Soviet passenger plane by the Czech police in Prague on October 31, 1966, and has been held in a Czech prison ever since that time. Mr. Kazan-Komarek had been invited to Russia to attend a conference of intourist travel agents and was on his return trip home. The Soviet plane on which he was riding was scheduled to fly nonstop to Paris but was diverted to Prague. The claim that the plane required repairs was obviously unfounded.

U.S. representatives have been permitted to visit Mr. Kazan-Komarek only twice and then for a brief space of time and under close surveillance.

It is undoubtedly true that the Czech-born Mr. Kazan-Komarek had been an antagonist of the present Czechoslovak regime and was actively engaged in supporting opposition to that regime in the 1950's. Even if these facts are admitted, however, they do not constitute a justification for this grievous international crime which flouts international law and constitutes a callous invasion of the rights of an individual. Beyond this, of course, it is a calculated insult to the United States of America whose citizen Kazan-Komarek is and whose obligation it is to defend the rights of its citizens.

This crime is as reprehensible as it is inexplicable. Since the death of Stalin, and particularly in the last 5 years, we have been given to understand that the countries of Eastern Europe sought closer ties with the United States and were desirous of regaining some Western orientation, both for commercial reasons and those of security. It is indeed difficult to see how the Czech treatment of Kazan-Komarek can further the cause of greater friendship between that country and the United States.

In recent years we have seen a deluge of projects and activities calculated to further the cause of Czechoslovakia in the United States. We have received visits from the great Czech Philharmonic; we have seen a volume of Czech-produced movies, including the famous "Shop on Main Street"; we have found in our newspapers glossy special sections stressing the touristic and mercantile assets of Czechoslovakia. So substantial did the maturing of the Communist government appear that President Johnson in his speech of October 7, 1966, recommended that the Congress take action to extend the most-favored-nation treatment to Eastern European countries.

We can recognize that there has been much progress in Czechoslovakia in the last 5 years. I can well remember the grim border at Bratislava in 1962 with its barbed wire and sentry boxes. Since that time, police state procedures have been lifted, there has been expanded travel and a broad scale overhaul of the whole economic system of that country has been carried through. Unfortunately, however, the Czech authorities do not seem to realize that so far as the United States is concerned, all this progress has been put in jeopardy because of its callous highhandedness in the case of Kazan-Komarek.

As a member of the House Committee on Foreign Affairs serving on the Subcommittee on Europe and having a special interest in the captive nations, I have followed developments in Eastern Europe with great interest. I have made several trips behind the Iron Curtain and helped to conduct the historic Foreign Affairs Committee hearings several years ago which studied current trends in the Soviet Union. I have welcomed the liberating changes that have taken place in the Communist countries, but I can only view the case about which I speak as a deplorable and damaging step backward. Czechoslovakia and other Eastern European countries complain of the language which describes them as "captive nations." They maintain that they are free and sovereign and that their people enjoy individual liberty. However, the objective of those in the free world who have followed the fate of the countries of Eastern Europe after their takeover by the Communists has been to help secure the acceptance and recognition in those countries of the basic rights of the individual, such as those which are guaranteed by the declaration of rights of the U.N. Charter and by the Constitution of the United States.

It is quite clear from the Kazan-Komarek case that the rights of a speedy trial, of freedom from arbitrary arrest, and of adequate representation do not apply in the case. One wonders how many other unpublicized and similar cases there may be. It is chilling to see the iron hand suddenly thrust forth.

Mr. Speaker, the action of the Czech Government has set back the clock of progress many years. It has caused many who considered improved relations possible to have sober second thoughts about the extent of the change which has taken place behind the Iron Curtain. It is doubly tragic that a nation with the proud democratic tradition of Czechoslovakia should at this crucial time resort to arbitrary and brutal practices.

It is for this reason that I was surprised to read that Czech officials resented attempts by the U.S. Government to obtain action in the case of Kazan-Komarek. I would hope that the action of our Government would be even more forceful than it has been. I myself have communicated with Secretary Rusk about this matter and I know that he views this case with the greatest concern. He has guaranteed that it will be followed with great care and with the highest priority.

In my work as a member of the Foreign Affairs Committee and also as a delegate to meetings of the Inter-Parliamentary Union I have had occasion to meet many Czech legislators and diplomats and I believe that most of these officials are men of good will and generally seek to improve our relations. It is hard to believe that they would wish to throw a bombshell into the delicate structure which has been so painstakingly constructed, but such appears to be the case unless they are unable to act against the power of the police apparatus between the Communist states which worked so efficiently in this case.

I call upon our Secretary of State to renew the representations that have hitherto been made to bring the Czech Government to its senses. Certainly the United States cannot any longer remain quiescent in the face of this highhanded and illegal invasion of the rights of one of its citizens. The time to release Kazan-Komarek is now.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. MONAGAN. I am happy to yield to my friend, the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I want to commend the gentleman from Connecticut [Mr. MONAGAN] for his comment about this very unusual and certainly profoundly disturbing case of Kazan-Komarek.

The recitation of the facts by Mr. MONAGAN makes it perfectly clear that we have here a very unique situation where, as I understand the facts, we have an American citizen who received a Soviet invitation to visit the Soviet Union and who was returning to the United States on a Soviet aircraft and then this Soviet plane landed in Czechoslovakia where the individual in question was then picked up by the Czech police.

Mr. MONAGAN. Yes, and that was an unscheduled stop.

Mr. STRATTON. Yes, it was a plane flight which, if I understood the gentleman correctly, was scheduled to fly nonstop.

Mr. MONAGAN. Yes, to Paris.

Mr. STRATTON. Yes.

Now this looks to me, Mr. Speaker, as though it were a case of entrapment.

We are not only confronted here with, certainly, a highly improper action or situation on the part of the Czechs but also on the part of the Soviet Union, and it would be hard for me to see how this could have taken place without duplicity or involvement of the Soviet Union as well.

Mr. MONAGAN. I will say to the gentleman that my conclusion is exactly as the gentleman has said. I do not see how you can reach any other judgment on the facts in this case.

I may say that I have confined myself to Czechoslovakia because that is where the gentleman in question is in prison at the present time, but I am quite certain that our Government is not confining its representations to the Czechs.

Mr. STRATTON. I certainly hope that they are not because it seems to me this reminds me of what we have been confronted with for many years in dealing with the Soviet Union and with the Soviet satellite nations.

We have been told lately that things are improving and we have been asked by the President of the United States to approve expanded East-West trade. There is supposed to be an era of good feeling developing between the United States and these Communist countries in Europe, and we are told that only in southeast Asia—or in China—do we now find a really intransigent communism.

But I think clearly the details of this case make it obvious that much of the same old animal is still there and that the leopard has not changed his spots very much.

The Soviets are apparently trying to encourage tourism from this country. Well, here we have this example of what has happened to one tourist and in the case of the two individuals who were arrested and fined and sentenced for changing some of their American money into rubles and we see what has happened to somebody else.

Mr. MONAGAN. We have also had a comparable situation in the Mott case which, of course, the gentleman remembers.

Mr. STRATTON. Exactly; I think this certainly presents a pattern which ought to be clear to this country and I, personally, find it very difficult to see how this House could take any action to encourage trade with countries of this sort when they treat American citizens in this way.

I just want to commend the gentleman for bringing this matter to the attention of the House.

I might just say under the circumstances as presented, I think his suggestion that the Department of State remonstrate more strongly with the Czech Government and the Soviet Government is to say the least very mild under the circumstances.

I think we ought to let these people know that we are deeply disturbed and that these two actions are certainly going to be reflected in the decisions that will come later in this session of the Congress.

Mr. MONAGAN. I thank the gentleman for his comments. I am sure the representations of our foreign service representatives in Prague and elsewhere have been forceful and will continue to be forceful. However, there is no substitute as the gentleman has suggested for the expression of the opinion of this House, and the concerned opinion of this House; and for that reason I thank the gentleman for his contribution to this discussion.

Mr. Speaker, I now yield to the gentlewoman from Massachusetts [Mrs. HECKLER] in whose congressional district the gentleman about whom we are speaking resides.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I would like to draw attention to a situation involving one of my constituents. On October 31, 1966, an American citizen, Mr. Vladimir J. Kazan-Komarek, of Wellesley, Mass., was removed from a scheduled trip and arrested by Czechoslovak authorities in Prague. Mr. Kazan-Komarek was returning to the United States from a meeting he had been invited to attend in Moscow. The scheduled flight to Paris was diverted to Prague where he was removed by Czechoslovak security police. At the present time he is being held for possible trial on charges of crimes against Czechoslovak security, allegedly occurring in 1948 and 1951.

Mr. Kazan-Komarek, who was born in Opava, Czechoslovakia, has been an American citizen since the early 1950's. He has a family and successful business in Wellesley, Mass.

This impression of an American citizen harkens to the overt and illegal acts by the British of removing American seamen from legal ships for service in the British Navy following the American Revolution. The flaunting of the rights of an American citizen is not to be tolerated.

Mr. Speaker, I should like the RECORD to show that I support the statements made by my colleague in relation to the Komarek case. I wish to express the sense of outrage and protest which the people of my district feel and which other thinking Americans also feel over this particular case.

Mr. Komarek was returning to the United States from a meeting to which he had been invited by the Soviets. This meeting involved an itinerary which did not contain a stop at Prague. However, on Mr. Komarek's return flight, the plane was diverted to Prague, and he was captured by Czechoslovak officials.

In my opinion, his capture and the ensuing events constituted the most flagrant abuse of due process of law that we have seen in many years. I feel that this is an outrage. It indicates a flagrant disrespect for human rights, and it is an insult to the Government of the United States. In fact, any American citizen traveling throughout the world could equally be diverted and be subject to capture, regardless of the truth of allegations that might be made against him, should the Czechoslovak Government consider that citizen hostile or one who had participated in hostile acts against it.

Such an attitude would put in jeopardy the right of all Americans. At a time when many American leaders are talking of understanding and creating a bridge to East Europe, I should like to point out that any such bridge is in jeopardy. That bridge, perhaps, could not contain the span of understanding of the Czechoslovak Government.

I do not take a mild position in this matter, and I do not feel that the Congress should take a mild form of reprimand. I feel that we should all exercise and entertain grave doubts as to whether we wish to maintain commercial relations with a nation which has so blatantly insulted an American citizen and insulted our country as well.

In short, I feel that this insult has been an outrage and has jeopardized the rights of all American citizens who travel abroad, and it has violated the code of the community of nations, the code of basic human rights, involving due process of law.

I do not know whether or not the allegations made against Mr. Komarek are just. I do know that he has been deprived of the right to visit with and speak to and have direct contact with representatives of the U.S. Government Under these circumstances, which constitute firm action on the part of the Czechoslovakian Government, I feel that our Government would be less than correct if we were to employ a position which does not state and uphold the rights of Mr. Komarek and the lack of justice in the treatment which he has received.

Mr. MONAGAN. Mr. Speaker, I wish to thank the gentlewoman from Massachusetts for her contributions, and to compliment her on the skill with which she has presented her position in this, her maiden appearance in the House. I have reason to know that she did not have very much notice of this special order, but considering that fact, I think she has acted with conspicuous skill, and I very much appreciate her contribution to the discussion, as I am sure will her constituent about whom we have talked.

Mr. Speaker, I yield back the remainder of my time.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MAHON, for 1 hour, today.

Mr. QUIE (at the request of Mr. MIZE), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. RYAN (at the request of Mr. MONTGOMERY), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ROUSH.

(The following Members (at the request of Mr. MIZE) and to include extraneous matter:)

Mr. REINECKE.

Mr. MESKILL.

Mr. LIPSCOMB in two instances.

Mr. LANGEN.

Mr. GERALD R. FORD.

(The following Members (at the request of Mr. MONTGOMERY) and to include extraneous matter:)

Mr. ST. ONGE in two instances.

Mr. DIGGS.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 376. An act fixing the representation of the majority and minority membership of the Joint Economic Committee; to the Committee on Government Operations.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 16. Joint resolution extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

ADJOURNMENT

Mr. MONTGOMERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Monday, January 23, 1967, at 12 o'clock noon.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 3042. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 3043. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100 a month benefit for certain individuals with 25 years' service, to liberalize the retirement test, to provide health insurance benefits for individuals entitled to disability insurance benefits, to increase the earnings base for benefit and tax purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 3044. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. EVERETT (by request):

H.R. 3045. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

By Mr. FARBSTEIN:

H.R. 3046. A bill to provide relocation housing for persons displaced by federally conducted or federally aided acquisition of real property; to the Committee on Banking and Currency.

H.R. 3047. A bill to amend the Federal Food, Drug, and Cosmetic Act so as to require that in the labeling and advertising of certain drugs sold by prescription the established name of such drugs must appear each time the proprietary name is used, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3048. A bill to amend the Public Works and Economic Development Act of 1965 to make certain metropolitan areas eligible as redevelopment areas; to the Committee on Public Works.

By Mr. FINO:

H.R. 3049. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 3050. A bill to amend Public Law 874, 81st Congress, with respect to the amount to be deducted from payments pursuant to such law on account of certain Federal contributions; to the Committee on Education and Labor.

By Mr. FOLEY (by request):

H.R. 3051. A bill to provide for the termination of Federal supervision over the property of the Confederated Tribes of Colville Indians located in the State of Washington and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAM D. FORD:

H.R. 3052. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GIAIMO:

H.R. 3053. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GRAY:

H.R. 3054. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 3055. A bill to permit an individual to obtain coverage under title II of the Social Security Act on the basis of service which was not covered employment at the time it was performed, if service of that type has since become covered employment and such individual makes payment of the applicable social security taxes; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 3056. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 3057. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3058. A bill to amend section 3203 of title 38, United States Code, to liberalize those provisions controlling amount of pension payable to those veterans without dependents receiving hospital or domiciliary care from the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 3059. A bill to amend Public Law 86-211 to authorize a person to elect or reelect to receive pension under that provision of chapter 15 of title 38, United States Code, which provides the greater benefit; to the Committee on Veterans' Affairs.

H.R. 3060. A bill to amend section 502 of title 38, United States Code, to liberalize the disability determinations for pension purposes; to the Committee on Veterans' Affairs.

H.R. 3061. A bill to amend title XIX of the Social Security Act; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 3062. A bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

H.R. 3063. A bill to amend the Internal Revenue Code of 1954 with respect to educational expenses; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 3064. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 3065. A bill to encourage the needy blind to enroll in rehabilitation programs by prohibiting any durational State residence requirement in assistance to the blind; to the Committee on Ways and Means.

H.R. 3066. A bill to amend titles X and XVI of the Social Security Act to provide that, in determining eligibility for or the amount of assistance to be provided to any individual applying for aid to the blind under programs established pursuant to such titles, there shall be disregarded the ability of such individual's family or relatives to provide for his support; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 3067. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 3068. A bill to provide a residence for pages of the Senate and of the House of Representatives, under the supervision of a Capitol Pages' Residence Board; to the Committee on House Administration.

H.R. 3069. A bill to assist the several States in establishing hospital facilities and programs of posthospital aftercare for the care, treatment, and rehabilitation of narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3070. A bill to prohibit the shipment in interstate commerce of plastic bags unless such bags are labeled or manufactured in accordance with standards prescribed by the Secretary of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3071. A bill to amend the Public Health Service Act to establish the position of Chief Veternary Officer of the Service and provide for the rank of Assistant Surgeon General for said position; to the Committee on Interstate and Foreign Commerce.

H.R. 3072. A bill to amend the Railroad Retirement Act of 1937 to provide that an individual with 40 years' service may retire regardless of age; to the Committee on Interstate and Foreign Commerce.

H.R. 3073. A bill to amend section 3 of the Securities Act of 1933 so as to remove the exemption of securities offered for sale and sold in only one State; to the Committee on Interstate and Foreign Commerce.

H.R. 3074. A bill to amend the Securities Exchange Act of 1934 to require officers and directors of any issuer of registered securities to periodically report the extent to which, and the purposes for which, their holdings of such securities are pledged, hypothecated, or loaned; to the Committee on Interstate and Foreign Commerce.

H.R. 3075. A bill to amend the Investment Advisers Act of 1940 to require disclosure by investment advisers of transactions for their own account in any investments of the type with respect to which they render advisory services; to the Committee on Interstate and Foreign Commerce.

H.R. 3076. A bill to require the Surgeon General to undertake a special research program with respect to cystic fibrosis; to the Committee on Interstate and Foreign Commerce.

H.R. 3077. A bill to permit the sale and use of Krebiozen until its use by humans is proved to be harmful; to the Committee on Interstate and Foreign Commerce.

H.R. 3078. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to provide that registration with State authorities shall not be required in the case of securities registered with the Securities and Exchange Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 3079. A bill to provide for the distribution of motor-vehicle tires, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3080. A bill to amend section 1498 of title 28, United States Code, to permit patent holders to bring civil actions against Government contractors who infringe their patents while carrying out Government contracts; to the Committee on the Judiciary.

H.R. 3081. A bill to amend section 1963 of title 28 of the United States Code to provide for the registration of that portion of divorce decrees providing for the payment of money or the transfer of property which have been entered in certain district courts of the United States; to the Committee on the Judiciary.

H.R. 3082. A bill to amend title 28 of the United States Code to provide that State law shall, in certain cases, determine the number of jurors which constitute a jury and the number of jurors who must agree in order that there be a valid verdict; to the Committee on the Judiciary.

H.R. 3083. A bill to amend section 4(b) of the Clayton Act; to the Committee on the Judiciary.

H.R. 3084. A bill to amend section 1346 of title 28, United States Code, to permit suits against the United States arising out of contracts entered into by nonappropriated fund activities of or under departments and agencies of the United States; to the Committee on the Judiciary.

H.R. 3085. A bill to amend title 4 of the United States Code to make certain provisions of that title relating to mutilation of the flag of the United States effective throughout the United States, and for other purposes; to the Committee on the Judiciary.

H.R. 3086. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen; to the Committee on the Judiciary.

H.R. 3087. A bill to amend the Bankruptcy Act with respect to the priority of debts owed by a bankrupt to workmen, servants, clerks, and certain salesmen; to the Committee on the Judiciary.

H.R. 3088. A bill to provide for the publication before entry of decrees, judgments, and orders entered by consent upon the merits of civil antitrust proceedings; to the Committee on the Judiciary.

H.R. 3089. A bill to provide for the establishment of a National Academy for Public Service; to the Committee on Post Office and Civil Service.

H.R. 3090. A bill to provide equality of treatment under the postal laws for looseleaf materials containing legal and medical information; to the Committee on Post Office and Civil Service.

H.R. 3091. A bill to prevent the use of stopwatches or other measuring devices in the postal service; to the Committee on Post Office and Civil Service.

H.R. 3092. A bill to authorize the transmission in the mails of lottery tickets and other matter relating to a lottery operated by a State or political subdivision thereof, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3093. A bill to amend the Public Works and Economic Development Act of 1965 as it relates to those areas to be designated as redevelopment areas; to the Committee on Public Works.

H.R. 3094. A bill to provide an additional remedy for persons having a claim against the United States arising out of contracts relating to certain vessels; to the Committee on the Judiciary.

H.R. 3095. A bill to prescribe a national policy with respect to the acquisition and disposition of proprietary rights in scientific and technical information obtained and inventions made through the expenditure of public funds, to establish in the executive branch of the Government a Federal Inventions Administration to administer in the public interest the proprietary rights of the United States with respect to such information and inventions, to encourage the contribution to the United States of inventions of significant value for national defense, public health, or any national scientific program, and for other purposes; to the Committee on the Judiciary.

H.R. 3096. A bill to amend title 18 of the United States Code to prohibit the use of "Federal," "National," or "United States"; to the Committee on the Judiciary.

H.R. 3097. A bill to amend the Tariff Act of 1930 to provide for the refund of duties paid on certain merchandise stolen while in the custody of the Post Office Department; to the Committee on Ways and Means.

H.R. 3098. A bill to amend titles I, IV, X, XIV, XVI, XVIII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to, such titles must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

H.R. 3099. A bill to amend the Second Liberty Bond Act to provide that savings-type investors shall have priority in the allotment of certain bonds; to the Committee on Ways and Means.

H.R. 3100. A bill to amend the Renegotiation Act of 1951 to assist small business, and for other purposes; to the Committee on Ways and Means.

H.R. 3101. A bill to amend the Internal Revenue Code of 1954 to assist small and independent business, and for other purposes; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 3102. A bill to establish a National Commission on Older Workers; to the Committee on Education and Labor.

By Mr. RHODES of Pennsylvania:

H.R. 3103. A bill to amend title II of the Social Security Act so as to increase the minimum amount of the monthly insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 3104. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to both men and women at age 60; to the Committee on Ways and Means.

H.R. 3105. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze with only four quarters of coverage; to the Committee on Ways and Means.

H.R. 3106. A bill to amend title II of the Social Security Act to increase to $2,100 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 3107. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

H.R. 3108. A bill to amend title II of the Social Security Act so as to increase the minimum amount of the monthly insurance benefits payable thereunder; to the Committee on Ways and Means.

H.R. 3109. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide that the Federal Government shall contribute one-third of the cost of financing the old-age, survivors, and disability insurance program and the hospital insurance program, with corresponding reductions in the contributions otherwise required of employees, employers, and self-employed individuals; to the Committee on Ways and Means.

H.R. 3110. A bill to amend title 38 of the United States Code to permit the exclusion of an additional 20 percent of social security and similar payments for purposes of determining annual income for veterans' pension purposes; to the Committee on Veterans' Affairs.

By Mr. ROBERTS:

H.R. 3111. A bill to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to increase the income limitations applicable to the payment of certain pensions, to provide readjustment assistance for veterans of the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3112. A bill to amend title 38 of the United States Code to increase the rate of compensation which is payable to veterans with service-connected disabilities and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ST GERMAIN:

H.R. 3113. A bill to amend the tariff schedules of the United States with respect to the determination of the American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 3114. A bill to amend title II of the Social Security Act to insure that the benefits payable thereunder to an individual's widow, widower, parent, or legitimate child will not be reduced on account of certain benefits becoming payable on his wage record to one or more illegitimate children; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 3115. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing an additional tax credit for expenditures incurred in constructing such facilities and by permitting the immediate deduction of such expenditures; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 3116. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 3117. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

H.R. 3118. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 3119. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 3120. A bill to amend the Highway Beautification Act of 1965 to remove the mandatory compensation feature; to the Committee on Public Works.

By Mr. ANDERSON of Tennessee:

H.R. 3121. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture.

H.R. 3122. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. BINGHAM:

H.R. 3123. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 3124. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. DON H. CLAUSEN:

H.R. 3125. A bill designating the Luther Burbank shasta daisy as the national flower of the United States; to the Committee on House Administration.

By Mr. ECKHARDT:

H.R. 3126. A bill to amend the Clean Air Act by providing for the establishment of criteria and standards of air purity, for testing the quantity of air pollution agents in various areas, and for enforcing such criteria and standards through Federal administration and procedures in the Federal courts and by delegation under designated conditions and circumstances of air pollution control to State and local agencies; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 3127. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 3128. A bill to amend title 18 of the United States Code to provide for the greater protection of the President and Vice President of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H.R. 3129. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 3130. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 3131. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 3132. A bill to amend section 503 of title 38, United States Code, to provide that certain incomes be excluded from determinations of annual income and pension, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3133. A bill to amend title 38, United States Code, so as to revise the rates of disability and death pensions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANDRUM:

H.R. 3134. A bill to amend the Vocational Education Act of 1963; to the Committee on Education and Labor.

By Mr. LONG of Maryland:

H.R. 3135. A bill to amend the act of June 16, 1948, to authorize the construction of additional bridges across the Chesapeake Bay in the State of Maryland, and for other purposes; to the Committee on Public Works.

By Mr. MILLER of California:

H.R. 3136. A bill to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States; to the Committee on Science and Astronautics.

By Mr. MULTER:

H.R. 3137. A bill to amend title 10 of the United States Code to encourage competition in procurement by the armed services, and for other purposes; to the Committee on Armed Services.

H.R. 3138. A bill to amend section 2310 of title 10 of the United States Code, relating to determinations and decisions as to procurement; to the Committee on Armed Services.

H.R. 3139. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 3140. A bill to provide for disaster loans to small business concerns which suffer economic injury due to federally aided highway construction programs; to the Committee on Banking and Currency.

H.R. 3141. A bill to amend the Small Business Act to authorize the Small Business Administration to insure business loans made to small business concerns by private lending institutions; to the Committee on Banking and Currency.

H.R. 3142. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

H.R. 3143. A bill to amend the Older Americans Act of 1965 in order to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 3144. A bill to amend title 18 of the United States Code to prohibit the use of U.S. savings stamps for trade promotion; to the Committee on the Judiciary.

H.R. 3145. A bill to amend title 28 of the United States Code with respect to the eligibility of members of the bar of the U.S. Supreme Court to practice before all courts of appeals and district courts of the United States; to the Committee on the Judiciary.

H.R. 3146. A bill to amend title 18, United States Code, to make it unlawful to furnish transportation to certain unemployed persons and members of their family in order to cause any such person to move to another State, and for other purposes; to the Committee on the Judiciary.

H.R. 3147. A bill to amend chapter 119 of title 28, United States Code, to provide that clergymen shall not be competent to testify with respect to certain communications; to the Committee on the Judiciary.

H.R. 3148. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to John Fitzgerald Kennedy; to the Committee on the Judiciary.

H.R. 3149. A bill to require the establishment of congressional election districts composed of contiguous and compact territories, and to require that the districts so established within any one State shall contain approximately the same number of inhabitants; to the Committee on the Judiciary.

H.R. 3150. A bill to amend title 18, Criminal Code, to declare certain papers, pamphlets, books, pictures, and writings nonmailable, to provide a penalty for mailing same, and for other purposes; to the Committee on the Judiciary.

H.R. 3151. A bill to protect the position of the Government under Government-insured ship mortgages and to prevent unfair competition in the carriage of cargo preference shipments by certain vessels having Government-insured ship mortgages; to the Committee on Merchant Marine and Fisheries.

H.R. 3152. A bill to amend the Merchant Marine Act, 1920, to prohibit transportation of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3153. A bill to amend title 39, United States Code, to prohibit the depiction of religious subjects on postage stamps; to the Committee on Post Office and Civil Service.

By Mr. MULTER (by request):

H.R. 3154. A bill to provide for the establishment and development of the Kenilworth National Capital Park in the District of Columbia for the benefit of the people of the United States and, in particular, children; to the Committee on Public Works.

By Mr. QUIE:

H.R. 3155. A bill to establish a National Commission on Urban Living; to the Committee on Government Operations.

By Mrs. REID of Illinois:

H.R. 3156. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 3157. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 3158. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 3159. A bill to provide for the establishment of a national cemetery on Federal property in Los Angeles County, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. RYAN:

H.R. 3160. A bill to amend the United Nations Participation Act of 1945, to provide for reimbursement to the city of New York of certain unusual expenses incurred by that city during the meeting of the United Nations in September and October 1960; to the Committee on Foreign Affairs.

H.R. 3161. A bill to provide reimbursement for New York City for the portion of the costs of its police department attributable to providing protection to the United Nations and delegates thereto; to the Committee on Foreign Affairs.

By Mr. ROUSH:

H.R. 3162. A bill to provide additional assistance for areas suffering a major disaster; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 3163. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 3164. A bill to extend to volunteer fire companies and volunteer ambulance and rescue companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. ULLMAN:

H.R. 3165. A bill for the relief of Hood River County, Oreg.; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 3166. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 3167. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. WHITE:

H.R. 3168. A bill to permit El Paso County, Tex., to be placed in the mountain standard time zone; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Alabama:

H.J. Res. 184. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. FALLON:

H.J. Res. 185. Joint resolution proposing an amendment to the Constitution of the United States to permit the use of prayer in public schools; to the Committee on the Judiciary.

By Mr. MOORE:

H.J. Res. 186. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on the Judiciary.

By Mr. REINECKE:

H.J. Res. 187. Joint resolution to authorize the President to proclaim the month of November of each year as Water Conservation Month; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 188. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.J. Res. 189. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H. Con. Res. 80. Concurrent resolution to provide for a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mrs. REID of Illinois:

H. Con. Res. 81. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. GURNEY:

H. Res. 158. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House; to the Committee on Rules.

H. Res. 159. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings before committees of the House; to the Committee on Rules.

By Mr. HANSEN of Idaho:

H. Res. 160. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. HAWKINS:

H. Res. 161. Resolution relating to payment from the contingent fund of the House of Representatives for official office expenses of Members of the House incurred outside the District of Columbia; to the Committee on House Administration.

By Mrs. REID of Illinois:

H. Res. 162. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under caluse 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS (by request):

H.R. 3169. A bill for the relief of Julian Estrada Olivar; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 3170. A bill for the relief of Ernestina Palumbo; to the Committee on the Judiciary.

H.R. 3171. A bill for the relief of Saverio Bonacasa; to the Committee on the Judiciary.

H.R. 3172. A bill for the relief of Carlo Schiliro; to the Committee on the Judiciary.

H.R. 3173. A bill for the relief of Francesco Scalice; to the Committee on the Judiciary.

H.R. 3174. A bill for the relief of Tang Tit Kan; to the Committee on the Judiciary.

H.R. 3175. A bill for the relief of Lee Wai Kan; to the Committee on the Judiciary.

H.R. 3176. A bill for the relief of Chin Hau Puo (also known as Chin How Po); to the Committee on the Judiciary.

H.R. 3177. A bill for the relief of Ng Chio Kwan, also known as Daniel Yong; to the Committee on the Judiciary.

H.R. 3178. A bill for the relief of Isabella De Bellis; to the Committee on the Judiciary.

H.R. 3179. A bill for the relief of Sonia M. and Giuseppe B. Bellucci; to the Committee on the Judiciary.

H.R. 3180. A bill for the relief of Renato Recine; to the Committee on the Judiciary.

H.R. 3181. A bill for the relief of Sally Mohammed; to the Committee on the Judiciary.

H.R. 3182. A bill for the relief of Essie Christopher; to the Committee on the Judiciary.

H.R. 3183. A bill for the relief of Millicent E. Christopher; to the Committee on the Judiciary.

H.R. 3184. A bill for the relief of Raphael Christopher; to the Committee on the Judiciary.

H.R. 3185. A bill for the relief of Domenica Carlucci; to the Committee on the Judiciary.

H.R. 3186. A bill for the relief of Amelia Aloi; to the Committee on the Judiciary.

H.R. 3187. A bill for the relief of Salvatore Sardisco; to the Committee on the Judiciary.

H.R. 3188. A bill for the relief of Fen Iang Kuo; to the Committee on the Judiciary.

H.R. 3189. A bill for the relief of June Vernon; to the Committee on the Judiciary.

H.R. 3190. A bill for the relief of Salvatore Battaglia; to the Committee on the Judiciary.

H.R. 3191. A bill for the relief of Virgil Vernon; to the Committee on the Judiciary.

H.R. 3192. A bill for the relief of Bernardo Celano; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 3193. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 3194. A bill for the relief of Mrs. Aubrey John Lewis; to the Committee on the Judiciary.

H.R. 3195. A bill for the relief of Eli Eleonora Bianchi; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3196. A bill for the relief of Maria Christine Munoz de Reyes and Juan Pedro Reyes-Munoz; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 3197. A bill for the relief of Luc Florely Etienne; to the Committee on the Judiciary.

H.R. 3198. A bill for the relief of Irlene Augustin; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 3199. A bill for the relief of Francisco Sousa Correia; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 3200. A bill for the relief of Miss Doreen Thompson; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 3201. A bill for the relief of Aldo and Emilia Vallera; to the Committee on the Judiciary.

H.R. 3202. A bill for the relief of Vincenzo Mario Mure; to the Committee on the Judiciary.

H.R. 3203. A bill for the relief of Antonina Lombardo and Angelo Lombardo; to the Committee on the Judiciary.

H.R. 3204. A bill for the relief of Andreas (Andrew) Anastassiades, Mrs. Aglaia Anastassiades, Anna Anastassiades, Stellakis Anastassiades, and Mrs. Anna Stylianou; to the Committee on the Judiciary.

H.R. 3205. A bill for the relief of Vincenzo Zocco; to the Committee on the Judiciary.

H.R. 3206. A bill for the relief of Sebastiano Gurciullo; to the Committe on the Judiciary.

H.R. 3207 A bill for the relief of Nicolina Coppola; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 3208. A bill for the relief of Robert A. Harwell; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3209. A bill for the relief of Giovanni Bongiovi; to the Committee on the Judiciary.

H.R. 3210. A bill for the relief of Rocco Manfre; to the Committee on the Judiciary.

H.R. 3211. A bill for the relief of Francesco Lombardo; to the Committee on the Judiciary.

H.R. 3212. A bill for the relief of Maria Logoteta; to the Committee on the Judiciary.

H.R. 3213. A bill for the relief of Francesca Noto; to the Committee on the Judiciary.

H.R. 3214. A bill for the relief of Salvatore Fidilio; to the Committee on the Judiciary.

H.R. 3215. A bill for the relief of Rina Dellapina; to the Committee on the Judiciary.

H.R. 3216. A bill for the relief of Aurelio Passalacqua; to the Committee on the Judiciary.

H.R. 3217. A bill for the relief of Nicola Ragusa; to the Committee on the Judiciary.

H.R. 3218. A bill for the relief of Angelo Castiglione; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 3219. A bill for the relief of Ely Sabidales; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 3220. A bill for the relief of Iraj Mahbod; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 3221. A bill for the relief of Dr. Alexander D. Cross; to the Committee on the Judiciary.

H.R. 3222. A bill for the relief of William J. Hurley; to the Committee on the Judiciary.

H.R. 3223. A bill for the relief of Hans Joaquin Felsch; to the Committee on the Judiciary.

H.R. 3224. A bill for the relief of Gordon and Rose Turner; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 3225. A bill for the relief of Demetre P. Kosmopoulos; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 3226. A bill for the relief of Venus Bayhon Gomez; to the Comimttee on the Judiciary.

By Mr. MACHEN:

H.R. 3227. A bill for the relief of Nikolas Koutsoumaris; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 3228. A bill for the relief of Ethel Bukri; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 3229. A bill for the relief of Salvatore Ruvolo; to the Committee on the Judiciary.

H.R. 3230. A bill for the relief of Bartolomeo Tripoli; to the Committee on the Judiciary.

H.R. 3231. A bill for the relief of Akira Takahashi; to the Committee on the Judiciary.

H.R. 3232. A bill for the relief of Francesco Zizza; to the Committee on the Judiciary.

H.R. 3233. A bill for the relief of Armando Pisaniello; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 3234. A bill to provide for the free entry of a four-octave carillon for the use of Marquette University, Milwaukee, Wis.; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 3235. A bill for the relief of Efstathios (Stephen) Kaunoupios; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 3236. A bill for the relief of Stefan Madej; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3237. A bill for the relief of Miss Ngan Fei Mo; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 3238. A bill for the relief of Herman F. LeDoyt; to the Committee on the Judiciary.

By Mr. SLACK:

H.R. 3239. A bill for the relief of Teresita Gorostica Reyes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Res. 163. A resolution honoring the late Rossell G. O'Brien; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Ukrainian Independence

EXTENSION OF REMARKS
OF
HON. GERALD R. FORD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 19, 1967

Mr. GERALD R. FORD. Mr. Speaker, Sunday, January 22, marks the 49th anniversary of the proclamation of the Ukrainian National Republic and the 48th anniversary of the proclamation of the Act of Union whereby Western Ukraine united with the Ukrainian National Republic into one sovereign and independent Republic of the Ukrainain people.

These dates and events are acknowledged as marking a fulfillment of Ukrainian aspirations that had endured two and a half centuries of oppression. To the Ukrainian people it signified freedom of the individual and independence as a nation.

The independence and sovereignty of the Ukraine were recognized by many states including Soviet Russia; however, as history can readily attest, Communist Russia honors few agreements and for almost 3½ years waged an unprovoked, unwarranted, and ignoble onslaught against the heroic, freedom-loving peoples of the Ukraine. The valor and dedication of the Ukrainian forces in this war have become legend. Deprived of virtually all military, economic, and diplomatic support, they fought on until they finally succumbed to the numerical superiority of the Communist Russian forces

The Ukraine while under the yoke of Soviet communism was forcibly integrated into the Soviet Union. This act on the part of the Communists was calculated to reduce the Ukrainians to total submission. To this day the Ukrainians have never, and will never submit to Soviet force. The Communist Russians perpetually fear this captive nation for they well know that the spirit of freedom is aflame in every Ukrainian heart, and the desire to regain national independence cannot be extinguished. Moscow recognizes that it has never deprived the Ukrainian people of their basic human dignity nor their spirit to reestablish themselves as a free nation.

During the 4½ decades of forced enslavement under the Communists, the Ukrainians have lead numerous uprisings and coordinated massive resistance movements. In retaliation the Soviets have deported, starved, and executed great numbers of the Ukrainian people, and yet even when confronted with genocide, they do not submit.

Today, we salute the Ukrainian dead and the Ukrainian living who have greatly served the cause of freedom in the vanguard of the fight of freemen everywhere against Communist oppression. May we solemnly acknowledge the enormity of the human sacrifice that has been made by the Ukrainian people for their fellow man. May we reaffirm our convictions and rededicate ourselves in an increased united effort to exhaust all avenues and execute all actions necessary to accomplish the liberation of the Ukraine nation—for we know as surely as the Soviets know it is not a question of "if," but a question of "when" independence will be regained for the Ukrainian peoples.

Ukrainian Independence Day

EXTENSION OF REMARKS
OF
HON. THOMAS J. MESKILL
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 19, 1967

Mr. MESKILL. Mr. Speaker, World War I was a great tragedy for many countries, but it also broke the chains which had held numerous nationality groups in check in Eastern and Central Europe for centuries, where they were suffering under alien regimes in their homelands. As a result of that war, many of these nationality groups regained their freedom and proclaimed their national independence. The Ukrainian independence was one happy consequence of that war.

Since the mid-17th century, the Ukraine had been submerged and almost lost in the czarist Russian empire. During all that time, the Russians did their utmost to blot out and eradicate the Ukrainian national traits, and make them Russians. But their efforts were of no avail, for these indomitable Ukrainians clung tenaciously to their national traditions and ideals. Toward the end of the First World War, when the Russian Czar was overthrown by the Revolution of 1917, the Ukrainians felt free and their leaders proclaimed their independence. This was done on January 22, 1918, and the Ukrainian National Republic came into existence.

Unhappily the newborn state was under severe handicaps at the very beginning of its life. It was weak and in dire need of help. But there was no one to extend it. The war-torn country was in ruins, and the fertile Ukraine was a wasteland. Most of its inhabitants were uprooted from their homes, and the normal course of life sadly disrupted. Thus the Government of the Republic was faced with insuperable difficulties, and even more serious was the threat from the Communist government in the Kremlin. Before the Ukrainian Government had any chance to bring some order out of the existing chaos, the country was attacked by the Red army and overrun in early 1920. The Ukrainian National Republic was brutally extinguished and the country was absorbed into the Soviet Union.

Since then the Ukrainians have suffered much under the Soviet regime, much more than their forebears had suffered under the czars. For decades the country was effectively sealed off from the outside world, and it was almost impossible to know the sad lot of the Ukrainian people. We know that they survived the Soviet Union's iron age somehow, though many millions lost their lives. Today their lot is reported to be somewhat better, but they still fight for their freedom and independence. On the observance of their independence day I wish them fortitude, patience, and ultimate success in their struggle for national freedom and self-government.

Ukrainian Independence Day

EXTENSION OF REMARKS
OF
HON. ODIN LANGEN
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 19, 1967

Mr. LANGEN. Mr. Speaker, as we hear more and more of a detente with Communist Russia, and a more relaxed atmosphere with that nation, it is good to remember on occasion that millions of people are still being enslaved by that godless government.

This coming Sunday, January 22, is a date that should remind us that Russian sweet talk may be just that, talk. Their actions, however, continue to speak louder than their words.

We have but to look at the history of the Ukrainian people to understand this fact. On January 22, 1918, the Ukrainian Central Rada issued a solemn Act of Restoration of the Ukraine as a sovereign nation, called the Ukrainian National Republic. This act broke a long and oppressive bond between Russia and the Ukraine, thus giving full freedom to the 45 million Ukrainian people.

The newly established Ukrainian state was recognized by a number of governments, including the Russian Federated Soviet Socialist Republic. Despite the fact that the Moscow government recognized and pledged to respect the independence of Ukraine, it soon attacked this young state by military aggression and subversion, a pattern that was to be repeated time and again throughout much of Europe and Asia.

After almost 4 years of bloody war, Ukraine, deprived of all military, economic and diplomatic aid from the outside, fell to the forces of Soviet Russia, losing its western parts to Poland, Czechoslovakia, and Rumania.

Losing their short-lived freedom, the Ukrainian people were subjected to harsh and inhuman treatment and persecution. Millions of them died of starvation as a result of manmade famine because they resisted collectivization of their farms. Ukrainian youth were forced to leave for work in the remote areas of the Soviet Union. The churches were destroyed and their clergymen deported and executed.

For sometime now news has been

reaching these shores that a new wave of persecution has hit Ukraine, striking at the heart of the Ukrainian nation, its youth, and intellectual leadership.

Being deprived of freedom and suffering great losses, the Ukrainian people never surrendered nor have given up the hope of liberation. Through a series of heroic, and bloody uprisings, and a steady resistance through underground warfare they demonstrated their undying love for freedom.

This Sunday, Ukrainians throughout the world will observe their greatest holiday, the anniversary of that country's independence. Unfortunately, those in the Ukraine, under Soviet control, will only observe it in secrecy.

I am happy to join with Ukrainians living in the free world, on this day, to speak for their kinsmen behind the Iron Curtain. And may we in this Congress remember the Ukrainians, and other oppressed peoples of the world before heralding a new era of Soviet understanding. The bear may be smiling, but his heavy paw still rests firmly on millions of freedom-loving people of the world.

Ukrainian Independence

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. ST. ONGE. Mr. Speaker, our Nation was founded on the principle that all nations have the right to govern themselves and to mold their own destinies, free from outside interference and domination. At this very moment the lives of our young men and our national treasure is committed to upholding this principle in southeast Asia. The right to self-determination is therefore not only the cornerstone upon which our great country was founded, but it is also a basic premise of our foreign policy.

In recognition of our devotion to freedom I believe it all important that we give every possible support to those people for whom self-government is still a dream. January 22 marks the 49th anniversary of Ukrainian independence. This nation of 45 million people represents the largest captive non-Russian group in the Soviet Union. The continued refusal of the Soviet Government to grant these people their independence is unmistakable proof that the Soviet Union is the primary practitioner of the worst form of colonialism existing in the world today.

History has substantially proven that western men will not long tolerate foreign domination and the denial of their freedoms. The monolithic Soviet East European empire has been no exception to this rule, and there are increasing signs that the Soviet Government is at last recognizing that its subject peoples can no longer be kept in bondage. It is therefore hoped and anticipated that the brave spirit of the Ukrainian nation will prevail, and that in the not-too-distant future their Russian masters will accept the inevitable right of this nation to be free and independent.

On this anniversary of their national independence, I am pleased to join with many of my colleagues in the Congress to extend greetings to the people of the Ukraine and to their kinsmen in America. We pray for the early restoration of their liberty from Soviet bondage.

U.S. Jaycees: Young Men of Action

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. REINECKE. Mr. Speaker, in more than 5,000 communities across the Nation this week salutes are being given to members of local chapters of the U.S. Jaycees. This is national Jaycee Week.

The Jaycees is a movement of young men of action who are developing leadership by community service. They are committed to the vision that young men can change the world. And they give unselfishly of their energies and time in building their local communities through programs covering everything from traffic safety to child development to war relief to national legislation.

Some of this Nation's great leaders have been Jaycees early in their careers. Of particular note are John F. Kennedy and Richard M. Nixon.

These young men, between the ages of 21 and 36, wield great influence in thousands of communities across the country. Their influence comes because of their concern for public problems. They have significantly contributed to making our Nation the great place that it is.

One of the most outstanding national projects of the U.S. Jaycees is sponsored by the Capitol Hill chapter, right here in Washington. This is the National Governmental Affairs Seminar. In just a few weeks, between January 29 and February 3, the 50 State presidents, the national executive committee, and winners of civic action competition will gather here in the Capital for this annual seminar.

The theme is very timely. It is "The City and Your Future." These Jaycee leaders will be meeting with several leaders of the Congress, with members of the Cabinet, heads of executive agencies, and members of the Supreme Court. They will seek to make themselves aware of the efforts of the Federal Government to solve our major urban problems. They will also be participating in discussions with mayors of several of our largest cities, and with the Governor of a leading State.

By the end of the week these young community leaders will return to their hometowns with a plan of action for tackling the problems of urbanization which face their own cities and towns.

The U.S. Jaycees will be leading the private sector of our country in programs to deal with urban problems. This seminar will produce many imaginative ideas.

I urge my colleagues in this Congress to take heed to the voices of these young men of action. They are the leaders of tomorrow's America.

Mr. Speaker, under unanimous consent, I insert at this point the text of the creed of the U.S. Jaycees:

THE JAYCEE CREED

> We believe:
>
> That Faith in God gives meaning and purpose to human life;
>
> That the brotherhood of men transcends the sovereignty of nations;
>
> That economic justice can best be won by free men through free enterprise;
>
> That government should be of laws, rather than of men;
>
> That earth's great treasure lies in human personality;
>
> And that service to humanity is the best work of life.

Operation On Guard

EXTENSION OF REMARKS

OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. LIPSCOMB. Mr. Speaker, at this time when the crime problem grows ever more serious and menacing I would like to draw attention to a publication recently issued by the office of Los Angeles County District Attorney Evelle J. Younger.

The purpose of this booklet, entitled "Operation On Guard," is to inform the public about some of the more widely used methods of criminals as they attempt to victimize people by fraud or force. Materials for the booklet were contributed by various Los Angeles County and city agencies and the office of the Governor.

In the opening message, District Attorney Younger states:

> The mounting crime problem in our county requires that we make a greater effort to alert and inform the public. Individuals need to know how best to guard against criminal assaults and frauds and to know what public services are available in the way of legal information and other assistance.
>
> We hope this booklet will be useful in spreading needed information throughout our county. We ask members of the public to help combat crime by assuming individual responsibility and by helping to educate others. Law enforcement needs your cooperation.

The booklet tells how the public can be victimized by such means as bogus solicitors and inspectors, investment frauds, medical quackery, and home improvement and automobile sales misrepresentations. It covers various of the vicious confidence games and in the area of force, such crimes as robbery, automobile thefts, pickpocketing, intrusion by telephone, and others. The booklet gives helpful tips on how to detect crime and how to obtain legal information and advice.

District Attorney Younger and Los Angeles County are to be commended for issuing this publication to the residents of the county. An informed, alert citizenry is one of our best means of guarding against crime.

Introduction of Disaster Relief Act of 1967

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. ROUSH. Mr. Speaker, I am again before the House in an effort to expand the aid presently available to disaster victims. Near the end of the last session, the House passed an amended version of the Disaster Relief Act of 1966 which I had introduced.

It was the Palm Sunday tornado disaster in 1965 which devastated many areas in Indiana and other parts of the Midwest that provided the impetus for this comprehensive disaster legislation. Within my district, the entire town of Russiaville, Ind., was leveled to the ground. The citizens of this town chose not to abandon its barren site, but instead, they decided to begin the painfully, slow process of rebuilding the town. The need for Federal aid was obvious, but approval of the town's first application for a sewage and water facilities construction grant from the Farmer's Home Administration did not come until nearly a year and a half after the disaster had occurred. The Farmer's Home Administration tried its utmost to expedite the application, but even under the emergency situation, the processing of the application had to follow the normal channels.

The Disaster Relief Act passed last session is a beginning toward alleviating such costly delay in the laborious rebuilding process. The Disaster Relief Act of 1967 which I am introducing today and which has already been introduced by Indiana's distinguished Senators BIRCH BAYH, and VANCE HARTKE contains some measures not included in the bill passed by the 89th Congress. Due to the lateness of the committee's consideration of this bill, these aspects of the bill were not able to be fully explored. I have every hope that they will be carefully considered early in this session as a necessary addition to the existing relief for disaster victims.

To give the Members an idea of the expanded provisions of this new disaster bill, I would like to call your attention to the section on Federal loan adjustments. The 1966 Disaster Act authorizes readjustment of loans for extended periods at minimum interest rates for owners of property severely damaged, but this new section of the 1967 act would specifically prevent the denial of loans on the grounds that private financing was available even though at higher rates. Other sections of the 1967 act which were deleted from the 1966 Disaster Act and which have been reinstated are grants to States for assistance to homeowners and businesses, shelter for disaster victims, assistance to farmers in major disaster areas, and highway assistance.

I urge the members of the Public Works Committee to give this bill priority consideration in view of the fact that disasters are seasonable tragedies, and we are just now entering into the most severe stages of the winter months. Our job in providing relief to those suffering from the effects of a disaster should not be considered finished with the Disaster Relief Act of 1966. Relief should be immediately available to all those affected by a disaster, and I feel that this 1967 Disaster Relief Act will attempt to comprehensively cover both the public and private sectors.

A Logical Way To Help the Small Taxpayer

EXTENSION OF REMARKS

OF

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. ST. ONGE. Mr. Speaker, our citizens, probably more than any other people, pay their taxes punctually and conscientiously. Individually they also have one of the world's heaviest tax burdens, and many pay more than their share of taxes. The average U.S. citizen may complain about taxes, nevertheless he continues to pay them regularly.

In reward for this dedication to underwriting the Nation's expenses, the Government provides its citizens with a monstrous tax code. This tax compendium is so incomprehensible to the average citizen that even the famed mathematician Albert Einstein was unable to fathom it, and a former Commissioner of Internal Revenue once described it as being "unbelievably complex."

The more affluent of our citizens and those best able to sustain the financial burden of taxation are in a position to hire the necessary legal and accounting talent to deal with the morass of deductions, exemptions, and preferences, and thus wring out every conceivable tax benefit for themselves.

The little fellow with a grievance, however, must face alone the unsmiling tax agent who is armed with the mighty weapon of the tax code. The average person is nervous and often frightened when confronting the vast bureaucracy, while recalling vague tales of criminal prosecution for tax violations. His reaction is to back down, give up, and pay any tax deficiencies, regardless of how inequitable he believes the decision to be. If he does have the fortitude to engage in tax court litigation the citizen knows that, even if successful, the odds are that whatever is awarded in his favor will be consumed by attorneys' and accountants' fees.

The Internal Revenue Service is the only area of our Government where the basic premise of Anglo-Saxon jurisprudence—that one is innocent until proven guilty—is apparently not fully applicable. Under the tax code, a deduction is subject to disallowance until it has been proved allowable. Our democracy, in order to retain its vitality and strength, cannot permit its citizens to be bullied by bureaucrats. What this bill aims to achieve, in part, is to reassert the foundations of our democracy; namely, that this is a government of laws and not men, that no citizen is ever at the mercy of an official, and that if an official of the Government exceeds his authority there must be effective remedies available to protect the citizen. This is the manner in which our tax system is supposed to function, but unfortunately few of our taxpayers believe that it does.

In fiscal year 1965, slightly more than 3 million tax returns, or about 5 percent of those filed, were subjected to audit by the Internal Revenue Service. Of these, deficiencies were found in 51 percent of the cases. The average deficiency was just below $700, and the average refund just over $100. Thus, the ordinary taxpayer finds it highly impractical to hire a lawyer or accountant since he would pay more money in fees than he would recover by winning the case.

The bill I am introducing today is a step toward giving the ordinary taxpayer some help. It would create for the first time a Small Tax Division within the Tax Court of the United States and it would authorize the court to appoint two small tax commissioners for each tax circuit. Any taxpayer who has been assessed a deficiency of $2,500 or less may appear before a small tax commissioner, with or without his attorney or accountant, and be assured of a fair and understanding hearing from a commissioner who is independent of the Internal Revenue Service.

Once the decision is made to go before the commissioner, neither the taxpayer nor the Tax Service can appeal. The Government may, however, petition the Tax Court for review of a question of law, but is liable for the taxpayer's court costs and legal fees.

I believe that a just, efficient, and inexpensive procedure for appeal from a tax audit would tend to make the agents of the Internal Revenue Service more conscious of their own responsibilities for the fair treatment of the taxpayer, both small and large. Such an inexpensive appeals system would do much to restore public confidence in our whole tax collecting structure. Those taxpayers who lost such appeal would be more likely to accept the small tax commissioner's judgment gracefully, with less suspicion of injustice. Tax agents under such pressure would be fair as opposed to the present tendency to be tough. If they were proven wrong, the Government would have to pay the costs. Thus the balance of bargaining power between taxpayer and agent during the initial audit would be established.

The intricate tax code and the bureaucracy that administers it will probably remain unchanged; however, it is hoped that passage of this bill will provide the taxpayer with an efficient, sympathetic, and just hearing when he believes the tax laws have treated him unfairly. I believe this to be one of those rare measures that is so eminently fair and logical and fills such an obvious need that it should appeal immediately to all objective men, regardless of party affiliation or political philosophy. I therefore commend its early passage to my colleagues.

Needed: A Watchdog

EXTENSION OF REMARKS

OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. LIPSCOMB. Mr. Speaker, an editorial in the January 9, 1967, issue of Technology Week, discussing administration performance in the area of defense and aerospace affairs includes the statement:

> If there was ever a time in history for a watchdog Congress, it is now. The Administration is embarked on strange courses in some critical areas and no course at all in others.

Although it touches upon only a few of the myriad of items which are an integral part of our defense and space posture, the editorial correctly points out the extraordinary responsibilities of this Congress.

In properly discharging its responsibilities this Congress must take steps to assure itself that the defense policies and projected programs of America adequately take into account the defense needs that the capabilities of our adversaries indicate will be required in the future.

For this reason, I have introduced a resolution in the 90th Congress, House Joint Resolution 2, calling for the establishment of a blue ribbon commission which will conduct an independent and objective evaluation of the projected defense posture of the United States. The blue ribbon commission would greatly assist the Congress to discharge its awesome responsibility in providing for the defense of our Nation. Companion resolutions, House Joint Resolution 3 and House Joint Resolution 4, have been introduced by Mr. LAIRD and Mr. MINSHALL.

I commend to your reading the editorial entitled "Needed: A Watchdog," and respectfully solicit the interest and support of the entire membership of the House for Joint Resolution 2.

Anniversary of the Ukrainian Republic

EXTENSION OF REMARKS

OF

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 19, 1967

Mr. DIGGS. Mr. Speaker, I am proud to join with the many thousands of Americans throughout this land in commemorating the 49th anniversary of the proclamation of the Ukrainian National Republic. It was on January 22, 1918, at Kiev, that the Ukrainian people, after a long and bitter struggle, were able to realize their cherished dream—freedom. As was the case with our own American Revolution, the Ukrainian people demonstrated that sacrifices and pain must be endured if a cause is to be won. They showed that a band of courageous and dedicated men and women could indeed affect the course of their country's history. They showed what true patriotism and honor really mean.

Mr. Speaker, not only were the Ukrainian people able to successfully declare their country a republic, but exactly 1 year later in the proclamation of the act of union, it was declared that all Ukrainian lands were united into one sovereign Ukrainian Republic.

What a thrill and privilege it must have been for those gallant Ukrainian patriots who partook in the winning of their country's independence. They must have felt honored to pass on the stories of their beloved Ukraine's liberation.

Today, as we honor the memory of those events of 1918 and 1919, the Ukraine is under the control of foreign rulers in Moscow. It is our fervent hope that someday soon this unfortunate situation will be rectified. But let us not waver in our devotion to the ideals of the men and women who fought and won a free Ukraine. Let us pledge to work faithfully for the redemption of this land for which so many thousands so freely offered their fortunes and their lives.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 23, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I remind you to rekindle the gift of God that is within you, for God did not give us the spirit of fear, but of power, and of love and of a sound mind.—2 Timothy 1: 6–7.

O God, our Father, beyond whose love and care we cannot drift, in the glory of a new day we come lifting our hearts unto Thee, praying that Thy spirit may guide us, Thy strength support us, and Thy peace pervade our minds and hearts.

Within the noise and commotion of this day may we hear Thy still small voice and responding find our weakness changed to strength, our fear to faith, and our ill will to good will.

We are disturbed by the dangers in our world, weighed down by many burdens, and tempted to be critical if not cynical, because of human error and human evil. Give us the spirit to carry on with courage and faith, believing that Thou art with us, and believing that together we can do what needs to be done. In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 19, 1967, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

THE LATE HENRY ALDOUS DIXON

The SPEAKER. The Chair recognizes the gentleman from Utah [Mr. BURTON].

Mr. BURTON of Utah. Mr. Speaker, I have the sad duty to inform my colleagues that a former distinguished Member of the House passed away last night at his home in Ogden, Utah. I have reference to my friend and mentor, Dr. Henry Aldous Dixon, who served here, representing Utah's First Congressional District for 6 years, during the 84th, 85th, and 86th Congresses.

I know this announcement will grieve many of our colleagues with whom Dr. Dixon served and certainly it is a sad occasion for many thousands of people in Utah. Henry Aldous Dixon touched in a very personal way, the lives of thousands of students, including the gentleman now in the well, as an educator and university president.

Dr. Dixon was more than just another college or university president to the thousands of students who knew him. He was our confidant, our friend, our adviser. He had that particular quality of making each person with whom he came in contact feel that the student was the most important person in the world. He, perhaps more than any other person helped groom me for the seat I now hold. It was he who placed my name in nomination before our State convention in 1962. So for me this is a very touching and personal loss. I was student body president when he was college president. My wife was student body vice president. For 2 of the 6 years he served here in the Capitol, I was his legislative assistant. I went to school and grew up with his family. I knew him intimately and can truthfully say, "here was a great, generous, kind gentleman."

Henry Aldous Dixon was a scholar. He obtained his B.A. degree from Brigham Young University, an M.A. degree from the University of Chicago and his doctorate from the University of Southern California. He served as superintendent of the Provo, Utah, school system and for 17 years was president of Weber State

College in Ogden. As a matter of fact he was president of that college before he had attained his 30th birthday. For 2 years he was president of Utah State University.

Dr. Dixon was a member of the President's Commission on Higher Education, a member of the advisory council to the U.S. Commissioner of Education. He was a member of many learned societies and academies and held an honorary doctorate from Utah State University.

He was a businessman whose judgment was highly valued and he served variously as a bank manager, vice president, director, and a member of the board of the regional Federal Reserve Bank.

He was an author of books, an active community participant and a devoted member of the L.D.S.—Mormon—church.

Dr. Dixon and his sweet wife, Lucille, are the parents of an outstanding and very distinguished Utah family all of whom are carrying on in the traditions he and Lucille have taught them all their lives, that of service, education, spirituality, and family love.

Henry Aldous Dixon was literally drafted by his State to run for the House of Representatives less than 2 weeks prior to the final election when the then incumbent resigned.

To the office of Representative of the First Congressional District from Utah for 6 years he brought dignity, honor, and integrity.

Just last Friday I asked one of my staff members in Ogden to go to his home and call on Dr. and Mrs. Dixon. She advised me late Friday that Mrs. Dixon reported he was quite ill and she thought a call from me might cheer him. I wrote a note myself which is still on my desk to phone him this morning.

I cannot make that call today but in all sincerity I express to Mrs. Dixon and their children, Phyllis, Dorothy, Louise, John, Ruth, and David the sympathy and sense of loss that is felt at this time by Mrs. Burton and myself.

Mr. Speaker, I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, Dr. Henry Dixon was one of the finest men I have ever had the privilege of knowing. It was with great sorrow that I learned this morning of his passing.

I first met Dr. Dixon when he came to Washington to serve in the 84th Congress in January 1955; and I worked closely with him on the Agriculture Committee during the 84th, 85th, and 86th Congresses. I seldom have held more admiration for one in public service.

I well remember his quiet mannerisms and never-failing wisdom as he made his points on important agricultural matters as we worked together on that committee. His gentlemanly qualities and sincerity of purpose will be held forever in memory, and appreciated more and more each day as I continue in this work.

Dr. Dixon was always objective. More than that, he paused, took time to stop and listen to his colleagues with kindly appreciation, seeking out the best in them to join with his own knowledgable thoughts, thus bringing forth ideas to benefit all those in American agriculture.

For all that Dr. Dixon gave to me and that I hold close in heart, I am humbly grateful. I offer my sincerest sympathy to Mrs. Dixon and their children. May God bless them at this hour.

Mr. BURTON of Utah. Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, the gentleman from Utah has carefully set forth on the record the long history of accomplishments of the gentleman from Utah, Dr. Dixon, I am sure, if the gentleman from Utah would take even more time, his statement could be amplified, because Dr. Dixon's contributions to mankind as a whole were legion.

From my experiences as his associate I can only say that Dr. Dixon was a gentleman of the highest order, a scholar with a record of achievements beyond almost any of us here. He was a friend to each and every Member on both sides of the aisle. His passing is tragic. I join the gentleman from Utah in extending to Mrs. Dixon our deepest sympathy and condolences.

Mr. BURTON of Utah. Mr. Speaker, I yield to the gentleman from Utah [Mr. LLOYD].

Mr. LLOYD. Mr. Speaker, a truly great and revered American who served with high distinction in the U.S. House of Representatives has passed to his reward.

Henry Aldous Dixon was, in actual fact, one of those rare individuals who was drafted for service in this body. A distinguished Utahan who had served as president of two great Utah State institutions of higher learning, he had no political ambitions when he was called in an emergency situation to serve the State and his country. I am sure it was a shattering experience for him, torn on the one hand by a love of country and a sense of responsibility which had few equals, and on the other hand by a life of academic leadership and scholarship where his services were also needed by the people of his State.

He made a decision to accept the responsibility of public service in this body, and he distinguished himself and set a standard of conduct which has been a light which those of us from his State and others have had the benefit of following in an effort to perform our responsibilities with similar fidelity.

At a time when ethics to public service is a matter of most serious investigation, the life of Henry Aldous Dixon assures us that serving in the Congress of the United States are men of honor and valor—men of unquestioned character and devotion to principle.

I join my colleagues in paying honor to his memory and expressing my regrets and sympathy to his bereaved.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, I join with the Member from Utah and others who are here at this time in paying tribute to the memory of the late Dr. Henry Aldous Dixon. His life was indeed filled to the brim with service to his fellow man. He was an effective community worker. He was a dedicated and successful educator and administrator. He was an able, conscientious, and dedicated Member of this body.

As a Member of Congress from Utah's First District, he was one of my closest neighbors and friends. I shall always remember with pleasure his coauthorship and his cooperation in the Colorado storage project and his willingness to work on many other matters having to do especially with what he judged to be the national welfare.

He was a gentleman in every sense of the word. He was, in fact, a noble man with the highest qualities of citizenship and Christianity.

I extend the sympathies of Mrs. Aspinall and myself to those of his loved ones who have been left in sorrow at his passing.

Mr. ABERNETHY. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, I was deeply grieved this morning when the gentleman from Utah, who is now in the well, called and advised me of the passing of Dr. Dixon. It was my pleasure to serve with Dr. Dixon as a member of the House Agriculture Committee. I never knew a more dedicated Member of this House than was he. He was a fine public servant. He was pleasant. He was a hard worker. He rendered great service here and the country profited materially therefrom.

I wish to join with the gentlemen in extending sympathy to his fine family.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join with the distinguished gentleman from Utah and the other gentlemen who have spoken. I see on the floor several of the colleagues of Dr. Dixon who served on the Committee on Agriculture with him, as I did.

He was a great scholar, a great Congressman, and a great man. We have lost one of the finest men I ever knew.

Mrs. Albert and I join others in extending our deepest and heartfelt sympathy at his passing.

Mr. BURTON of Utah. Mr. Speaker, I thank the gentleman.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Speaker, Aldous Dixon and I came to this Congress 12 years ago this month. During the years I was here, I got to know him very well. We served together on the Committee of Agriculture. No finer Christian gentleman ever lived than Aldous Dixon.

Mrs. Teague and I join with all other Members in sending our sympathy to his family.

Mr. BURTON of Utah. I thank the gentleman.

Mr. GATHINGS. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Utah. I yield to the gentleman.

Mr. GATHINGS. Mr. Speaker, I join with my colleagues in paying tribute to a great man on the passing of Dr. Henry Dixon, of Utah.

Mr. Speaker, Dr. Henry Dixon, of Utah, made an indelible impression upon me from the time that I first met him. He was a member of the House Committee on Agriculture during his full service in the House. I came to know him well as his efforts in behalf of the farmer and farm people were recognized from the very start. His education and background in the field of finance and as a former college president, as well as his broad community activities and full grasp of the problems at hand made of him a recognized leader among us. He was a statesman in the truest sense. He was a sincere person and one who would fight for his convictions.

I know of no man with whom I have served who has come with such rapidity into the hearts and minds of his colleagues as did Dr. Dixon.

He was an erudite and scholarly member of this body. He was equal to any situation with which he was confronted. He possessed a pleasing manner and had an abundance of tact and diplomacy.

He served only a few years in the House and retired voluntarily.

He attended the Thursday morning House prayer breakfasts regularly. When he would talk to the group quite a large attendance resulted as he always brought a fine and most constructive message. He was asked to lead the group in prayer, as I recall, on one occasion, and among other things he said this:

> O, Lord, give us the power to meet the tasks, but never the tasks to meet the power.

I would like to quote a portion of a poem by Joseph Gilbert Holland which I believe is most fitting:

> God give us men! A time like this demands
> Strong minds, great hearts, true faith, and ready hands;
> Men whom the lust of office does not kill;
> Men whom the spoils of office cannot buy;
> Men who possess opinions and a will;
> Men who have honor; men who will not lie.

Henry Dixon was such a man. "He fought the good fight; he kept the faith; a crown of righteousness awaits him."

Mrs. Gathings joins me in conveying to his loved ones our sympathy on his passing.

Mr. HALLECK. Mr. Speaker, I join our colleagues in expressing keen sadness on this occasion. To me, Henry Aldous Dixon was always "Doc." I knew him, as those of you who served with him knew him, as an honest, dedicated, and gentlemanly public servant.

More than anything he wanted to serve his people well, with honor and dignity. For three Congresses, he did just that.

"Doc" Dixon was a highly educated person and a true scholar, but he never once wore his rank on his sleeve. He was humble and sincere in all that he did and said.

It is the service of people like Henry Aldous Dixon that makes this the greatest legislative body in the world. I am proud to have known him and proud to have served with him.

Mrs. Halleck joins me in extending to Mrs. Dixon and the members of her family our deepest sympathy.

Mr. SCHWENGEL. Mr. Speaker, today, with all who served with Henry Dixon, we mourn. We have lost a friend, his State and the district he served has lost a superb public servant. The Nation he loved and served here so well and sincerely has lost a statesman.

He was loved and appreciated for his graciousness, for his fraternal spirit, for his fairness, and for his wholesome, friendly attitude.

He served his community and his State in its most important area—education. He knew and had deep convictions that it was his business to make other men wiser and better as he could find or as he could make opportunity to do so. He made opportunity to serve education and inspired people of little and great talent to seek higher goals begetting understanding. And, he could be more influential than most in his area because he had deep and abiding convictions about the importance of morality. He knew, practiced, and reflected the important truth that "religion and morality are indispensable to political morality." Because of his avid interest, because of his ability to articulate, and because of his capacity to pursue with vigor, he was given many opportunities for leadership. These will be referred to by others and they stand as a monument to his convictions and contributions.

It was my good fortune and, indeed, advantage for all who served with him here in this legislative arena, for he brought to this establishment, this greatest of all legislative halls, the sense of dedication and consecration rarely witnessed. No matter what the task here, he prepared himself to work intelligently and effectively for all that was good and for all the people. I hear him still as he pled the cause of education, as he helped us wrestle with the problems of education that were real, genuine, and important to our economy and to our ideals and Nation. He could speak of the agricultural problems from experience as a farm boy. He could show us the record and problems and answers in higher education. He could keep us thinking with our eyes to the future. This country is bettered, it is nobler, it is greater because he served with us and helped us to do a better job.

As I ponder now on his thinking and his life, I am reminded how appropriate are the words written by a great American author, Edwin Markham—

> Here was a man to hold against the world,
> a man to match the mountains and the sea.

These words written for Lincoln are appropriate as we think of the monumental contributions of this, our friend, Henry Dixon.

How did Henry Dixon want to be remembered and did he want and deserve a monument? How he wanted to be remembered is speculation, for he never, to my knowledge, spoke of it. I am sure, however, that he will be remembered. The institutions he served, will always be aware of his wholesome influence and contributions. Most of all his memory will be in the hearts and minds of the thousands of boys and girls who have come under his influence as a teacher, leader, and minister of good will. His monument he built in the hearts and minds who know the granite and stability of his character.

Mrs. Schwengel and I join his host of friends in extending our sympathy and prayers in this hour of grief and tribulation. In making this gesture, I am mindful that the memory of his beautiful, active, and fruitful life will ease the burdens of this hour. I paraphrase as I recall that this brave and tender man in every storm of life was oak and rock and in the sunshine he was vine and flower.

He was the friend of all heroic souls. He climbed the heights and left all superstition far below, while on his forehead fell the golden dawning of the grander day. Our lives are richer and our heritage is greater because he lived.

We say today, farewell Henry Dixon until we meet again in some day in some other way.

Mr. HANSEN of Idaho. With the death on Sunday of former Congressman Henry Aldous Dixon, the Nation and his home State of Utah witness the passing of a great American whose record of total dedication to the service of others is one we all might well emulate.

Many southern Idaho students from my district came under the influence of Dr. Dixon during his tenure as president of Weber State College and later of Utah State University. He never failed to inspire them with his zest for life and personal philosophy of the value of preparing oneself through education to make a genuine contribution to society.

Henry Aldous Dixon's stature was such that when a strange last-minute set of circumstances left his party without a candidate, he was the unanimous choice to run for Congress where he served three consecutive terms from 1954 to 1960. His honorable and dedicated service here will long be remembered by his colleagues.

GENERAL LEAVE TO EXTEND

Mr. BURTON of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Utah?

There was no objection.

TRIBUTE TO THE LATE HENRY ALDOUS DIXON

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker and Members of the House, I wanted to take this brief moment only to pay tribute to a former colleague who served with me on the Committee on Agriculture for many years. Dr. Henry Dixon was a friend of every member of that committee. He was a kindly man who sought to serve his people and his country in what he believed to be the most effective manner. He was an intelligent man, the former president of his own State college of agriculture, an able man who contributed much to our deliberations, and a fine outstanding American citizen whose passing we all mourn.

COMMITTEE ON APPROPRIATIONS AND SUBCOMMITTEES THEREOF

Mr. MAHON. Mr. Speaker, I send to the desk H. Res. 164 and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Appropriations and the subcommittees thereof be authorized to sit during sessions and recesses of the Ninetieth Congress.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO COMMITTEES

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 165) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committees of the House of Representatives:

Committee on Agriculture: W. R. Poage (chairman), Texas; E. C. Gathings, Arkansas; John L. McMillan, South Carolina; Thomas G. Abernethy, Mississippi; Watkins M. Abbitt, Virginia; Paul C. Jones, Missouri; Frank A. Stubblefield, Kentucky; Graham Purcell, Texas; Maston O'Neal, Georgia; Thomas S. Foley, Washington; Joseph Y. Resnick, New York; Eligio de la Garza, Texas; Joseph P. Vigorito, Pennsylvania; Walter B. Jones, North Carolina; John G. Dow, New York; Bill Nichols, Alabama; G. V. (Sonny) Montgomery, Mississippi; Frank J. Brasco, New York; W. S. (Bill) Stuckey, Georgia; John R. Rarick, Louisiana.

Committee on Banking and Currency: Wright Patman (chairman), Texas; Abraham J. Multer, New York; William A. Barrett, Pennsylvania; Leonor K. (Mrs. John B.) Sullivan, Missouri; Henry S. Reuss, Wisconsin; Thomas L. Ashley, Ohio; William S. Moorhead, Pennsylvania; Robert G. Stephens, Jr., Georgia; Fernand J. St Germain, Rhode Island; Henry B. Gonzalez, Texas; Joseph G. Minish, New Jersey; Richard T. Hanna, California; Tom S. Gettys, South Carolina; Frank Annunzio, Illinois; Thomas M. Rees, California; Jonathan B. Bingham, New York; Nick Galifianakis, North Carolina; Tom Bevill, Alabama; Peter N. Kyros, Maine.

Committee on the District of Columbia: John L. McMillan (chairman), South Carolina; Thomas G. Abernethy, Mississippi; William L. Dawson, Illinois; Abraham J. Multer, New York; John Dowdy, Texas; Basil L. Whitener, North Carolina; B. F. Sisk, California; Charles C. Diggs, Michigan; G. Elliott Hagan, Georgia; Don Fuqua, Florida; Donald M. Fraser, Minnesota; Brock Adams, Washington; Andrew Jacobs, Jr., Indiana.

Committee on Education and Labor: Carl D. Perkins (chairman), Kentucky; Edith Green, Oregon; Frank Thompson, Jr., New Jersey; Elmer J. Holland, Pennsylvania; John H. Dent, Pennsylvania; Roman C. Pucinski, Illinois; Dominick V. Daniels, New Jersey; John Brademas, Indiana; James G. O'Hara, Michigan; Hugh L. Carey, New York; Augustus F. Hawkins, California; Sam M. Gibbons, Florida; William D. Ford, Michigan; William D. Hathaway, Maine; Patsy T. Mink, Hawaii; James H. Scheuer, New York; Lloyd Meeds, Washington; Phillip Burton, California.

Committee on Foreign Affairs: Thomas E. Morgan (chairman), Pennsylvania; Clement J. Zablocki, Wisconsin; Omar Burleson, Texas; Edna F. Kelly, New York; Wayne L. Hays, Ohio; Armistead I. Selden, Jr., Alabama; Barratt O'Hara, Illinois; L. H. Fountain, North Carolina; Dante B. Fascell, Florida; Leonard Farbstein, New York; Charles C. Diggs, Jr., Michigan; William T. Murphy, Illinois; Cornelius E. Gallagher, New Jersey; Robert N. C. Nix, Pennsylvania; John S. Monagan, Connecticut; Donald M. Fraser, Minnesota; Benjamin S. Rosenthal, New York; Edward R. Roybal, California; John C. Culver, Iowa; Lee H. Hamilton, Indiana; John V. Tunney, California.

Committee on Government Operations: William L. Dawson (chairman), Illinois; Chet Holifield, California; Jack Brooks, Texas; L. H. Fountain, North Carolina; Porter Hardy, Jr., Virginia; John A. Blatnik, Minnesota; Robert E. Jones, Alabama; Edward A. Garmatz, Maryland; John E. Moss, California; Dante B. Fascell, Florida; Henry S. Reuss, Wisconsin; John S. Monagan, Connecticut; Torbert H. Macdonald, Massachusetts; J. Edward Roush, Indiana; William S. Moorhead, Pennsylvania; Cornelius E. Gallagher, New Jersey; Wm. J. Randall, Missouri; Benjamin S. Rosenthal, New York; Jim Wright, Texas; Fernand J. St Germain, Rhode Island.

Committee on Interior and Insular Affairs: Wayne N. Aspinall (chairman), Colorado; James A. Haley, Florida; Ed Edmondson, Oklahoma; Walter S. Baring, Nevada; Roy A. Taylor, North Carolina; Harold T. Johnson, California; Hugh L. Carey, New York; Morris K. Udall, Arizona; Phillip Burton, California; John V. Tunney, California; Thomas S. Foley, Washington; Richard White, Texas; Robert W. Kastenmeier, Wisconsin; James G. O'Hara, Michigan; William F. Ryan, New York; Patsy T. Mink, Hawaii; James Kee, West Virginia; Lloyd Meeds, Washington; Abraham Kazen, Texas.

Committee on Interstate and Foreign Commerce: Harley O. Staggers (chairman), West Virginia; Samuel N. Friedel, Maryland; Torbert H. Macdonald, Massachusetts; John Jarman, Oklahoma; John E. Moss, California; John D. Dingell, Michigan; Paul G. Rogers, Florida; Horace R. Kornegay, North Carolina; Lionel Van Deerlin, California; J. J. Pickle, Texas; Fred B. Rooney, Pennsylvania; John M. Murphy, New York; David E. Satterfield III, Virginia; Daniel J. Ronan, Illinois; Brock Adams, Washington; Richard L. Ottinger, New York; Ray Blanton, Tennessee.

Committee on the Judiciary: Emanuel Celler (chairman), New York; Michael A. Feighan, Ohio; Edwin E. Willis, Louisiana; Peter W. Rodino, Jr., New Jersey; Byron G. Rogers, Colorado; Harold D. Donohue, Massachusetts; Jack Brooks, Texas; William M. Tuck, Virginia; Robert T. Ashmore, South Carolina; John Dowdy, Texas; Basil L. Whitener, North Carolina; Robert W. Kastenmeier, Wisconsin; James C. Corman, California; William L. St. Onge, Connecticut; Don Edwards, California; William L. Hungate, Missouri; Herbert Tenzer, New York; John Conyers, Jr., Michigan; Andrew Jacobs, Jr., Indiana; Joshua Eilberg, Pennsylvania.

Committee on Merchant Marine and Fisheries: Edward A. Garmatz (chairman), Maryland; Leonor K. (Mrs. John B.) Sullivan, Missouri; Frank M. Clark, Pennsylvania; Thomas L. Ashley, Ohio; John D. Dingell, Michigan; Alton Lennon, North Carolina; Thomas N. Downing, Virginia James A. Byrne, Pennsylvania; Edith Green, Oregon; Paul G. Rogers, Florida; Frank A. Stubblefield, Kentucky; John M. Murphy, New York; William L. St. Onge; Connecticut; John G. Dow, New York; Joseph E. Karth, Minnesota; William D. Hathaway, Maine; Walter B. Jones, North Carolina; Richard T. Hanna, California; Henry Helstoski, New Jersey.

Committee on Post Office and Civil Service: Thaddeus J. Dulski (chairman), New York; David N. Henderson, North Carolina; Arnold Olsen, Montana; Morris K. Udall, Arizona; Dominick V. Daniels, New Jersey; Robert N. C. Nix, Pennsylvania; Joe R. Pool, Texas; William J. Green, Pennsylvania; James M. Hanley, New York; Charles H. Wilson, California; Jerome R. Waldie, California; Richard White, Texas; William D. Ford, Michigan; Lee H. Hamilton, Indiana; Frank J. Brasco, New York.

Committee on Public Works: George H. Fallon (chairman), Maryland; John A. Blatnik, Minnesota; Robert E. Jones, Alabama; John C. Kluczynski, Illinois; Jim Wright, Texas; Kenneth J. Gray, Illinois; Frank M. Clark, Pennsylvania; Ed Edmondson, Oklahoma; Harold T. Johnson, California; W. J. Bryan Dorn, South Carolina; David N. Henderson, North Carolina; Arnold Olsen, Montana; Ray Roberts, Texas; Robert A. Everett, Tennessee; Richard D. McCarthy, New York; James Kee, West Virginia; James J. Howard, New Jersey; Edwin W. Edwards, Louisiana; Jerome R. Waldie, California.

Committee on Science and Astronautics: George P. Miller (chairman), California; Olin E. Teague, Texas; Joseph E. Karth, Minnesota; Ken Hechler, West Virginia; Emilio Q. Daddario, Connecticut; J. Edward Roush, Indiana; John W. Davis, Georgia; William F. Ryan, New York; Thomas N. Downing, Virginia; Joe D. Waggonner, Jr., Louisiana; Don Fuqua, Florida; Carl Albert, Oklahoma; George E. Brown, Jr., California; Lester L. Wolff, New York; William J. Green, Pennsylvania; Earle Cabell, Texas; Jack Brinkley, Georgia; Bob Eckhardt, Texas.

Committee on Un-American Activities: Edwin E. Willis (chairman), Louisiana; William M. Tuck, Virginia; Joe R. Pool, Texas; Richard H. Ichord, Missouri; John C. Culver, Iowa.

Committee on Veterans' Affairs: Olin E. Teague (chairman), Texas; W. J. Bryan Dorn, South Carolina; James A. Haley, Florida; Walter S. Baring, Nevada; Robert A. Everett, Tennessee; Thaddeus J. Dulski, New York; Horace R. Kornegay, North Carolina; Ray Roberts, Texas; George E. Brown, Jr., California; David E. Satterfield III, Virginia; Henry Helstoski, New Jersey; Joseph Y. Resnick, New York; James M. Hanley, New York; Roman C. Pucinski, Illinois.

Mr. MILLS. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. Williams], for a question and/or statement.

Mr. WILLIAMS of Mississippi. Thank you, Mr. Chairman.

Mr. Speaker, in view of the extraordinary action which was taken in the last Congress with respect to my seniority position on the Committee on Interstate and Foreign Commerce and the Committee on the District of Columbia, it is my understanding that the Democratic Committee on Committees has felt it incumbent on them to take the matter of my committee rank to the caucus for final determination. In view of that, Mr. Speaker, I have directed a letter to the chairman of the Committee on Committees requesting that I not be assigned to any committee until such time as this matter can be determined finally by the caucus.

Mr. Speaker, it is my understanding, in view of the committee assignments that have just been read, that this request was acceded to.

Now, Mr. Speaker, in fairness to my

Democratic colleagues—and in particular those on the Committee on Interstate and Foreign Commerce and in fairness to me and to the people which it is my honor to represent—it would appear to me that this matter should be disposed of as soon as practicable.

Mr. Speaker, this afternoon I am prepared to direct a letter to the chairman of the caucus, requesting that a caucus be called as soon as practicable for the purpose of determining my relative rank in being assigned to my two committee assignments.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that there be included in the Record at this point the letter to which the gentleman from Mississippi [Mr. Williams] referred.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

(The letter referred to follows:)

Congress of the United States,
House of Representatives,
Washington, D.C., January 23, 1967.

Hon. Wilbur D. Mills,
Chairman, Democratic Committee on Committees, House of Representatives, Washington, D.C.

Dear Mr. Chairman: If the Committee on Committees is unable at this time to place me other than in fifteenth position on the Committee on Interstate and Foreign Commerce, I respectfully request that I not be assigned now.

This request applies to the Committee on the District of Columbia, also.

I am most grateful to you and other Members of the Committee for the consideration given me.

Sincerely yours,
John Bell Williams.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have permission to insert their remarks today under the 1-minute rule on the subject of the President's message, and 5 legislative days in which to insert their remarks in the Record on this same subject, and that my remarks and those following mine may be inserted immediately following the reading of the message.

Mr. HALL. Mr. Speaker, a point of order.

The SPEAKER. The gentleman from Missouri will state his point of order.

Mr. HALL. Mr. Speaker, since this is a controversial matter I make the point of order that a quorum is not present. I believe that all Members should hear the President's message discussed.

The SPEAKER. The Chair will state to the distinguished gentleman that we have not as yet reached that point.

Mr. HALL. Nevertheless, Mr. Speaker, I would insist on my point of order that a quorum is not present.

Mr. ALBERT. Mr. Speaker, will the gentleman yield so that the Speaker may agree to the unanimous-consent request which I have made in behalf of the other Members?

Mr. HALL. Mr. Speaker, I will defer my point of order pending the unanimous-consent request.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent that all Members may have permission to extend their remarks in the body of the Record for 5 legislative days on the subject of the message that was sent by the President of the United States; and that the remarks of the gentleman from Oklahoma [Mr. Albert] and those of the Members following the gentleman from Oklahoma, may appear following the reading of the message of the President of the United States.

Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present.

Does the gentleman from Missouri insist on his point of order ?

Mr. HALL. I do, Mr. Speaker.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present, and evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 7]

Ashbrook
Ashley
Barrett
Battin
Berry
Bingham
Blackburn
Blatnik
Bolling
Bow
Brasco
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Calif.
Cahill
Casey
Celler
Clancy
Clark
Collier
Conte
Conyers
Corbett
Corman
Cramer
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Devine
Diggs
Donohue
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, La.
Eshleman
Evins, Tenn.
Fallon
Farbstein
Feighan
Fino
Flood
Galifianakis
Gallagher
Gardner
Garmatz
Giaimo
Green, Pa.
Grover
Halleck
Hammerschmidt
Hansen, Wash.
Hébert
Heckler, Mass.
Helstoski
Henderson
Hicks
Holland
Horton
Hosmer
Hull
Hunt
Irwin
Jarman
Keith
Kluczynski
Kupferman
Kuykendall
Laird
Long, La.
Long, Md.
McCarthy
McCulloch
McDade
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Md.
May
Michel
Minish
Minshall
Monagan
Moore
Morton
Multer
Nix
O'Konski
Ottinger
Pelly
Pettis
Philbin
Pike
Pool
Pucinski
Quillen
Reifel
Ronan
Rooney, N.Y.
Roybal
Ruppe
St Germain
St. Onge
Scheuer
Selden
Shipley
Sikes
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stephens
Stratton
Stubblefield
Taylor
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Van Deerlin
Watkins
Watson
Whalley
Williams, Pa.
Wilson, Bob
Wolff
Wyatt
Yates

The SPEAKER. On this rollcall, 296 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SECOND ANNUAL REPORT ON THE INTERNATIONAL COFFEE AGREEMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Ways and Means:

To the Congress of the United States:

I am transmitting to you my second annual report on the operation of the International Coffee Agreement as required by Public Law 89-23.

During the past year the International Coffee Agreement has successfully served both coffee producers and consumers in a changing market situation. New measures have made the agreement more flexible and responsive to consumer wants. Coffee prices continued to be reasonably stable, at levels fair to consuming and producing countries alike.

Nevertheless, major problems remain. Until production is brought into balance with demand, countries heavily dependent on earnings from their production of coffee will face a continuing threat of instability. The coffee agreement provides time to work out solutions. It has already encouraged producing countries to pay more attention to the need to diversify their economies.

With cooperation from all members, the coffee agreement will continue to operate as a stabilizing force in the world coffee market. It is an important adjunct to the Alliance for Progress in Latin America and to our economic assistance programs in other parts of the world.

Lyndon B. Johnson.

The White House, *January 19, 1967.*

OLDER AMERICANS — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 40)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

America is a young nation. But each year a larger proportion of our population joins the ranks of the senior citizens. Today, over 19 million Americans are 65 or older—a number equal to the combined populations of 20 States. One out of every 10 citizens is in this age group—more than twice as many as a half century ago.

These figures represent a national triumph. The American born in 1900 could expect to reach his 47th birthday. The American born today has a life expectancy of 70 years. Tomorrow, the miracles of man's knowledge will stretch the lifespan even farther.

These figures also represent a national challenge. One of the tests of a great civilization is the compassion and respect shown to its elders. Too many of our senior citizens have been left behind by the progress they worked most of their lives to create. Too often the wisdom and experience of our senior citizens is lost or ignored. Many who are able and willing to work suffer the bitter rebuff of arbitrary and unjust job discrimination.

In this busy and productive Nation, the elderly are too frequently destined to lead empty, neglected lives:

Five and three-tenths million older Americans have yearly incomes below the poverty level.

Only one out of five has a job, often at low wages.

Over 2 million elderly citizens are on welfare.

Nearly 40 percent of our single older citizens have total assets of less than $1,000.

Countless numbers dwell in city and rural slums, lonely and forgotten, isolated from the invigorating spirit of the American community. They suffer a disproportionate burden of bad housing, poor health facilities, inferior recreation and rehabilitation services.

THE FEDERAL ROLE

The historic Social Security Act of 1935, sponsored by that great President Franklin D. Roosevelt, first proclaimed a Federal role in the task of creating a life of dignity for the older American. By 1951, the number of our senior citizens who had earned and received social security benefits exceeded the number on public welfare. Today, more than 15 million Americans over 65 draw social security, while only 2 million remain on the welfare rolls.

We in the executive branch and you in the Congress have extended the Federal role in other ways:

The last eight housing acts contain special public housing provisions for the elderly and special assistance for them when they rent, buy or modernize their own homes.

The Hill-Burton hospital program seeks to expand and improve nursing homes and other long-term care facilities.

Public welfare provides programs to help restore older people to self-support and self-care.

The manpower development and training programs direct special efforts at the problems of the middle-aged and older Americans.

The National Institutes of Health have established programs of research on aging.

In 1965, the Congress enacted and I signed into law two landmark measures for older Americans:

Medicare, to ease the burden of hospital and doctor bills.

The Older Americans Act, to develop community services to put more meaning into the lives of the senior citizens.

When he signed the 1935 Social Security Act, President Franklin Roosevelt said:

> This law * * * represents a cornerstone in a structure which is being built but is by no means complete.

President Truman in 1950 and President Kennedy in 1961 proposed and the Congress passed legislation to improve the social security system.

The time has come to build on the solid foundations provided by the work of Congress and the executive branch over the last three decades. Last summer, I declared a bill of rights for older Americans—to fix as our Nation's goal an adequate income, a decent home, and a meaningful retirement for each senior citizen.

Now we must take steps to move closer toward that goal.

Let us raise social security benefits to a level which will better meet today's needs.

Let us improve and extend the health care available to the elderly.

Let us attack the roots of unjust job discrimination.

Let us renew and expand our programs to help bring fulfillment and meaning to retirement years.

TOWARD AN ADEQUATE INCOME

Social security benefits today are grossly inadequate.

Almost 2½ million individuals receive benefits based on the minimum of $44 a month. The average monthly benefit is only $84.

Although social security benefits keep 5½ million aged persons above the poverty line, more than 5 million still live in poverty.

A great nation cannot tolerate these conditions. I propose social security legislation which will bring the greatest improvement in living standards for the elderly since the act was passed in 1935.

I recommend, effective July 1, 1967:

1. A 20-percent overall increase in social security payments.
2. An increase of 59 percent for the 2.5 million people now receiving minimum benefits—to $70 for an individual and $105 for a married couple.
3. An increase of at least 15 percent for the remaining 20.5 million beneficiaries.
4. An increase to $150 in the monthly minimum benefit for a retired couple with 25 years of coverage—to $100 a month for an individual.
5. An increase in the special benefits paid to more than 900,000 persons 72 or over, who have made little or no social security contribution—from $35 to $50 monthly for an individual; from $52.50 to $75 for a couple.
6. Special benefits for an additional 200,000 persons 72 or over, who have never received benefits before.

During the first year, additional payments would total $4.1 billion—almost five times greater than the major increase enacted in 1950, almost six times greater than the increase of 1961. These proposals will take 1.4 million Americans out of poverty this year—a major step toward our goal that every elderly citizen have an adequate income and a meaningful retirement.

The time has also come to make other improvements in the act.

The present social security system leaves 70,000 severely disabled widows under age 62 without protection.

The limits on the income that retired workers can earn and still receive benefits are so low that they discourage those who are able and willing to work from seeking jobs.

Some farmworkers qualify for only minimum social security benefits. Others fail to qualify at all. As a result, many farmworkers must go on the welfare rolls in their old age.

Federal employees in the civil service and foreign service retirement systems are now excluded from social security coverage. Those having less than 5 years' service receive no benefits if they die, become disabled, or leave Federal employment. Those who leave after longer service lose survivor and disability protection.

I propose legislation to eliminate these inequities and close these loopholes.

I recommend that:

Social security benefits be extended to severely disabled widows under 62.

The earnings exemption be increased by 12 percent, from $125 to $140 a month, from $1,500 to $1,680 a year.

The amount above $1,680 a year up to which a beneficiary can retain $1 in payments for each $2 in earnings be increased from $2,700 to $2,880.

One-half million additional farmworkers be given social security coverage.

Federal service be applied as social security credit for those employees who are not eligible for civil service benefits when they retire, become disabled, or die.

Social security financing must continue on an actuarially sound basis. This will require future adjustments both in the amount of annual earnings credited toward benefits and in the contribution rate of employers and employees.

I recommend:

A three-step increase in the amount of annual earnings credited toward benefits—to $7,800 in 1968; to $9,000 in 1971; and to $10,800 in 1974.

That the scheduled rate increase to 4.4 percent in 1969 be revised to 4.5 percent; and that the increase to 4.85 percent in 1973 be revised to 5 percent.

PUBLIC ASSISTANCE

Despite these improvements in social security, many elderly Americans will continue to depend on public assistance payments for the essentials of life. Yet these welfare programs are far behind the times. While many States have recently improved their eligibility standards for medical assistance, their regular welfare standards are woefully inadequate.

In nine States, the average amounts paid for old-age assistance are as low as $50 a month, or less.

Twenty-seven States do not even meet their own minimum standards for welfare payments.

The Federal Old-Age Assistance Act allows the States to provide special incentives to encourage older persons on welfare to seek employment. But almost half the States have not taken advantage of this provision.

To make vitally needed changes in public assistance laws, I recommend legislation to provide that:

State welfare agencies be required to raise cash payments to welfare recipients to the level the State itself sets as the minimum for subsistence;

State agencies be required to bring these minimum standards up to date annually;

Each State maintain its welfare subsistence standards at not less than two-thirds the level set for medical assistance;

State welfare programs be required to establish a work-incentive provision for old-age assistance recipients.

TAX REFORM FOR SENIOR CITIZENS

Our Federal income tax laws today unfairly discriminate against older taxpayers with low incomes who continue to work after 65. The system of deductions, credits, and exemptions is so complex that many senior citizens are unable to understand them and thus do not receive the full benefits to which they are entitled.

I recommend that:

The tax structure for senior citizens be completely overhauled, simplified, and made fairer.

Existing tax discrimination against the older Americans who are willing and able to work be eliminated.

Under this proposal, taxes will be reduced for almost 3 million older Americans—two out of every three who now pay taxes. Nearly 500,000 of these Americans will no longer have to pay taxes. There will be some increases for those in the upper tax brackets—those best able to afford them.

THE SUCCESS AND THE FUTURE OF MEDICARE

During the long wait for medicare, many older Americans needlessly suffered and died because they could not afford proper health care. Nearly half had no health insurance protection. For most, coverage was grossly inadequate. As a result, men and women spent their later years overburdened by health care costs. Many were forced to turn to public assistance. Others had to impose financial hardship on their relatives. Still others went without necessary medical care.

Since medicare went into effect just over 6 months ago more than 2½ million older Americans have received hospital care; hospitals have received nearly $1 billion in payments; more than 3½ million Americans have been treated by doctors under the voluntary coverage of medicare; 130,000 people have received home health services, and medicare paid the bills; 6,700 hospitals, with more than 98 percent of the general hospital beds in the Nation, have become partners in medicare.

High standards set by medicare will raise the level of health care for all citizens—not just the aged. Compliance with title VI of the Civil Rights Act has hastened the end of racial discrimination in hospitals and has brought good medical care to many who were previously denied it.

Medicare is an unqualified success. Nevertheless, there are improvements which can be made and shortcomings which need prompt attention.

The 1.5 million seriously disabled Americans under 65 who receive social security and railroad retirement benefits should be included under medicare. The typical member of this group is over 50. He finds himself in much the same plight as the elderly. He is dependent on social security benefits to support himself and his family. He is plagued by high medical expenses and poor insurance protection.

I recommend that medicare be extended to the 1.5 million disabled Americans under 65 now covered by the social security and railroad retirement systems.

Certain types of podiatry services are important to the health of the elderly. Yet, these services are excluded under present law. I recommend that foot treatment, other than routine care, be covered under medicare whether performed by podiatrists or physicians.

Finally, medicare does not cover prescription drugs for a patient outside the hospital. We recognize that many practical difficulties remain unresolved concerning the cost and quality of such drugs. This matter deserves our prompt attention. I am directing the Secretary of Health, Education, and Welfare to undertake immediately a comprehensive study of the problems of including the cost of prescription drugs under medicare.

NURSING AND HEALTH CARE

Medicare and the medical assistance program have removed major financial barriers to health services. Federally assisted programs are developing health facilities, manpower, and services—many targeted to the needs of older Americans.

We have made progress, but serious problems remain. Although the number of agencies that provide health services to individuals in their own homes has grown to more than 1,400 throughout the country, their services are often limited in scope and quality. Many communities still have no such services available.

The great majority of nursing homes are ill equipped to provide services required for medicare and medical assistance patients. Of the 20,000 nursing homes in the country, only 3,000 have qualified for medicare. Of the 850,000 beds in nursing homes, less than half—415,000—meet Hill-Burton standards for long-term care. Many do not even meet minimum fire and safety standards.

Expenditures for nursing home care have increased by 400 percent in the past decade. They now exceed $1.2 billion annually. Federal, State, and local governments pay more than a third of these costs—and the Government share is rising rapidly.

We have learned that there is no single answer to the problem of providing the highest quality health care to the elderly. Just as their needs vary, so must the approach.

Some senior citizens can be treated in their homes, where they can be close to their families and friends. Others may need once-a-week care at a nearby outpatient clinic. When serious illness strikes, extended hospitalization may be required. When chronic disease is involved, care in a nursing home may be needed. And when postoperative care for short durations is necessary, specialized facilities may be essential.

Thus, we must pursue a wide range of community programs and services to meet the needs of the elderly—to allow them freedom to choose the right services at the right time and in the right place.

To move toward our health goal for the elderly, I propose to:

Extend the partnership for health legislation to improve State and local health planning for the elderly;

Launch special pilot projects to bring comprehensive medical and rehabilitation services to the aged;

Begin an extensive research effort to develop the best means of organizing, delivering, and financing health services needed by the aged;

Expand visiting nurses and other home health services.

I am requesting funds for more health facilities and better health care institutions for the aged, including the full authorization of $280 million for construction under the Hill-Burton program to provide new beds and to modernize existing facilities; mortgage guarantees and loans to construct nursing homes for the aged; infirmaries and nursing units in senior citizens' housing projects; intensive research to find new approaches in design and operation of hospitals, nursing homes, extended care facilities, and other health institutions.

JOB OPPORTUNITIES FOR THE OLDER AMERICAN

In our Nation, there are thousands of retired teachers, lawyers, businessmen, social workers and recreation specialists, physicians, nurses, and others, who possess skills which the country badly needs.

Hundreds of thousands not yet old, not yet voluntarily retired, find themselves jobless because of arbitrary age discrimination. Despite our present low rate of unemployment, there has been a persistent average of 850,000 people age 45 and over who are unemployed.

Today, more than three-quarters of a billion dollars in unemployment insurance is paid each year to workers who are 45 or over. They comprise 27 percent of all the unemployed—and 40 percent of the long-term unemployed. In 1965, the Secretary of Labor reported to the Congress and the President that approximately half of all private job openings were barred to applicants over 55; a quarter were closed to applicants over 45.

In economic terms, this is a serious—and senseless—loss to a nation on the move. But the greater loss is the cruel sacrifice in happiness and well-being which joblessness imposes on these citizens and their families.

Opportunity must be opened to the many Americans over 45 who are qualified and willing to work. We must end arbitrary age limits on hiring. Though 23 States have already enacted laws to prohibit discriminatory practices, the problem is one of national concern and magnitude.

I recommend that—

The Congress enact a law prohibiting arbitrary and unjust discrimination in employment because of a person's age.

The law cover workers 45 to 65 years old.

The law provide for conciliation and, if necessary, enforcement through cease and desist orders, with court review.

The law provide an exception for special situations where age is a reasonable occupational qualification, where an employee is discharged for good cause, or where the employee is separated under a regular retirement system.

Educational and research programs on age discrimination be strengthened.

Employment opportunities for older workers cannot be increased solely by measures eliminating discrimination. Today's high standards of education, training, and mobility often favor the younger worker. Many older men and women are unemployed because they are not fitted for the jobs of modern technology; because they live where there are no longer any jobs, or because they are seeking the jobs of a bygone era.

We have already expanded training and education for all Americans. But older workers have not been able to take full advantage of these programs. In many State employment offices, there is need for additional counselors, trained to deal with the special problems of older workers.

I am directing the Secretary of Labor to establish a more comprehensive program of information, counseling, and placement service for older workers through the Federal-State system of employment services.

ENRICHING THE LATER YEARS

Old age is too often a time of lonely sadness, when it should be a time for service and continued self-development. For many, later life can offer a second career. It can mean new opportunities for community service. It can be a time to develop new interests, acquire new knowledge, find new ways to use leisure hours.

Our goal is not merely to prolong our citizens' lives, but to enrich them.

Congress overwhelmingly endorsed this goal, when it passed the Older Americans Act. As a result, we have launched a new partnership at all levels of government, and among voluntary and private organizations. We have established a new agency and a new impetus to promote this partnership.

Forty-one States, the District of Columbia, and Puerto Rico—where more than 91 percent of our older persons live—are now engaged in providing special services for senior citizens. Two hundred and seventy community programs have already been started. Several hundred more will begin in the next few months.

We are helping States and communities to—

Establish central information and referral services so that our older citizens can learn about and receive all the benefits to which they are entitled;

Begin or expand services in more than 65 more senior citizen centers;

Increase volunteer-service opportunities for older people;

Offer preretirement courses and information about retirement;

Support services which help older people remain in their homes and neighborhoods.

To carry forward this partnership, I recommend that:

The Older Americans Act be extended and its funding levels be increased.

Appropriations under the neighborhood facilities program be increased to construct multipurpose centers to serve senior citizens with a wide range of educational, recreational, and health services, and to provide information about *housing and employment opportunities.*

A pilot program be started to provide nutritional meals in senior citizen centers.

Decent housing plays an important role in promoting self-respect and dignity in the later years. In the past 3 years, the total Federal investment in special housing programs for the elderly has doubled—to over $2.5 billion.

Rental housing for the elderly is one of our most successful housing programs. We have made commitments for about 187,000 units to house more than 280,000 persons. Direct loan and grant programs assist many senior citizens to improve their homes in urban renewal areas, and in areas of concentrated code enforcement where blight is worst. The new rent supplement program, enacted in 1965, promises to help thousands of low income older citizens to have good housing at reasonable rents.

I recommend that these housing programs be continued and that the full amount authorized for the 1968 rent supplement program be provided. I am directing the Secretary of Housing and Urban Development to make certain that the model cities program gives special attention to the needs of older people in poor housing and decaying neighborhoods.

The talents of elderly Americans must not lie fallow. For most Americans, the most enriching moments of life are those spent helping their fellow man. I have asked the Director of the Office of Economic Opportunity to initiate and expand programs to make a wider range of volunteer activities available to older citizens to enlist them in searching out isolated and incapacitated older people; to build on the success of the foster grandparent and medicare alert programs by using public-spirited older Americans as tutors and classroom aids in Headstart and other programs; to organize older citizens as VISTA volunteers in a variety of community efforts.

OUR OBLIGATION

These are my major recommendations to the first session of the 90th Congress on behalf of older Americans. But this message does not end our quest, as a nation, for a better life for these citizens.

I believe that these new measures, together with programs already enacted, will bring us closer to fulfilling the goals set forth in our bill of rights for older Americans.

We should look upon the growing number of older citizens not as a problem or a burden for our democracy, but as an opportunity to enrich their lives and, through them, the lives of all of us.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 23, 1967.*

THE PROPOSED SOCIAL SECURITY ACT AMENDMENTS OFFERED BY PRESIDENT JOHNSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the proposed Social Security Act amendments offered by President Johnson represent the third and perhaps most significant step in his overall effort to bring older Americans into the mainstream of American life by assuring them a minimum standard of living. The Medicare Act and the Older Americans Act have made great strides toward coping with problems of older citizens. Enrichment of social security benefits will strike a telling blow against the poverty that afflicts some 5 million retired workers. The President pointed out in his message that the average monthly benefit is only $84. He proposes not only to increase benefits across the board by approximately 20 percent but also to deal specifically with the plight of disabled widows, farmworkers, and workers in other categories whose benefits fall drastically below a reasonable standard of living. The raising of the earnings exemption will permit social security retirees to contribute to the productivity of our country and our economy to the extent they are able; this is consistent with our overall efforts to keep able older workers active and occupied. The actuarial soundness of the social security system also would be maintained by adjustments in creditable earnings and contributions.

The circumstances of life have changed so radically since the Social Security Act was passed in 1935 that the need for major adjustments is now both reasonable and urgent. I hope that we may proceed to the consideration of the President's proposals with all possible speed.

Mr. BOGGS. Mr. Speaker, the President of the United States today sent up a message that will assure a more meaningful life in retirement for America's older citizens.

Basic to the well-being of older people is the ability to maintain identity and independence. This is not always an easy thing, for retirement takes away the satisfaction that comes with a paid job. Many older people have to retire while still in fairly good health—yet, millions of older Americans find themselves isolated from society with few opportunities to use their skills and talents, and little motivation to explore new avenues of meaningful living. If a sense of futility is combined with a sense of loneliness, the problem of a healthy, independent, meaningful life becomes a serious one.

I want to call particular attention to that part of the President's message recommending the widespread creation of community services, and facilities that will help to meet this problem. The need for properly equipped and staffed multipurpose centers, conveniently located to the large number of older people in the large urban centers, is acute. Two million, eight hundred thousand older people live in the 21 largest cities of this country—those with populations over 500,000. Anonymity, loneliness, and the need for health and welfare services are their most common and poignant needs. A center adequately staffed and effectively operated can provide opportunities for older people to create for themselves a satisfactory, and meaningful life through the pursuit of new and revived interests. In a center they can develop new skills. They can find intellectual, and cultural stimulation, and enrichment. They can find avenues for voluntary and civic services to their communities. They can make new friends and secure personal counseling. Here the older citizen will get that often needed information and referral to the community services which can help solve his or her individual problems of health, welfare, employment, or living arrangements.

I cannot urge too strongly quick action that will assure the building of these centers. The multipurpose senior center, with its wide range of activities and opportunities, is to me the most significant and promising new instrument for meaningful leisure activities devised so far in this century.

I was also gratified to see that the President has made recommendations aimed at including under medicare prescription drugs for a patient outside the hospital.

Earlier this month I introduced a bill that would accomplish this needed end. Thousands of our senior citizens who leave the hospital and continue to need drugs dispensed by local druggists need financial assistance in paying for them. There is no valid reason why the cost of these drugs should not be covered under medicare.

The President has directed the Secretary of Health, Education, and Welfare to undertake a comprehensive study of the program. I am confident the study will reveal that we can solve this problem by including such drugs under medicare.

It is a problem that I have long been aware of and tried to solve.

Mr. ROSTENKOWSKI. Mr. Speaker, the wage base—the maximum earnings subject to social security tax—is, as all recognize, the heart of the program. It determines the program's income, and the level of individual benefits.

The President recommends that the base be expanded to bring it in line with the economic realities of our age.

It is a sound proposal and deserves our support.

The base is now $6,600. This figure is hardly representative—as it was originally intended to be—of the general level of income in the United States.

The President recommends expansion, in three steps, to $10,800 by 1974.

This is necessary for three reasons:

First, it would vastly increase the number of Americans who receive old-age insurance protection on all their income, and not just a part of it as is presently the case. Right now, little more than half of all regularly employed men get social security credit for their full earnings.

Inadequate coverage means one thing: inadequate benefits. Benefits often have little relationship to the insuree's past earnings and his accustomed standard of living. In these cases, social security has failed of its purpose. It has not prevented an abrupt decline in earning power upon retirement.

Second, the increase would remove from social security the onus of a "regressive tax" paid by a poor man and rich man equally. It would make it progressive. It would restore—as originally intended under the Social Security Act—a reasonable range of benefits. Today the amount paid in and the amount received vary little from person to person.

Third, an increase would meet the cost of additional benefits. Without an increase, some other method would be necessary. Possibly it would mean an increase in the contribution rates of all workers, even the lowest paid.

Increasing the base is, to me, infinitely preferable to increasing the rate of tax, particularly since those who would pay more, because a larger part of their income was taxed, would also receive substantially greater protection.

The President's recommendation is desirable from the standpoint of financing and from the standpoint of effectiveness.

It is economically realistic, fiscally sound, and socially desirable.

I urge that this important proposal be supported.

Mr. ADAMS. Mr. Speaker, the distinguished House minority leader correctly noted last night that, "Smog is replacing the weather as the No. 1 topic of conversation."

Unfortunately, however, his speech did little to clear the air.

As I understand it the gentleman from Michigan [Mr. FORD] said he was more for some things, and more against other things, than the President.

He said he was more for civil rights, but he was more against the programs that would really help advance them.

He was more for the war on poverty, and more against helping to fight it.

He was very pro on not raising taxes, and even more so on not paying for the social and human needs of our age.

Now, that is perfectly clear, is it not?

Today the President is taking a positive step in recommending legislation to expand social security benefits. I support this concept and I want to join in the remarks of our distinguished majority leader, CARL ALBERT.

Mr. ZABLOCKI. Mr. Speaker, I think it is most fitting that the first message to come to the Congress from the President in this 90th Congress should concern our older Americans.

The inflationary trend of the past year has caused these senior citizens of our Nation more hardship than anyone else. For many of them the subsistence line is indeed a thin one. A rise in food and other living costs means tightening the belt, doing without, and sometimes acute distress.

The President has acted to meet these problems facing the elderly by proposing a fair and reasonable increase in the social security benefits. It is my hope that the Congress will act responsibly and effectively to approve these boosts in social security payments.

Nevertheless, I am deeply concerned about the far-reaching implications of the President's recommendation that an increase in special benefits be made to 900,000 persons 72 or over, who have made little or no social security contribution, and provision of special benefits for 200,000 persons 72 or over, who never before have received benefits.

While I believe that those increased and extended benefits are needed, such provisions—in addition to some innovations made in the 89th Congress—indicate that the social security program is turning away from its original insurance concept and is rapidly becoming a national social welfare program.

The idea behind social security was that a man during his lifetime could, through his labor for wages, put away in a national fund money which would return to him as a pension when he reached retirement age or was totally disabled.

Today we find more and more persons who never contributed to the social security fund reaping its benefits. The cost of including these persons is, however, still being borne by the individual wage earner. The result is that we are getting to a point where the FICA tax is becoming a burden to persons attempting to raise young families.

I am further concerned that by including many of the over-72 persons in the social security program we are only lightening the burden which the States traditionally have carried in providing welfare assistance.

At the same time, I recognize that some States do not have adequate programs to assist the indigent and that, as a result, many of our elderly poor must exist in conditions that constitute a shame for our affluent society.

My point, therefore, is this: If we are creating a national welfare program, let us be honest about it. We should abandon the idea of an insurance program which must be actuarily sound and financed by a special tax on wages. Perhaps the time has come to finance at least certain parts of social security out of general revenues. It is my hope that my colleagues on the Ways and Means Committee will give this matter careful consideration as they work on the Social Security Amendments of 1967.

In two other respects I believe that the President's proposal does not go far enough in meeting real needs of our elderly.

First, I believe that the earnings exemption of 12 percent from $1,500 to $1,680 is far too small. Rather, a more realistic amount would be $2,000.

Many of my elderly constituents have told me of the financial difficulties which the current earnings limitation put on them. They have small part-time jobs which keep them busy and at the same time keep them contributing needed skills to our community life.

Yet often they are penalized for their enterprise by being denied the full amount of their social security benefit.

I further believe that the amount above earnings exemption up to which a beneficiary can retain $1 in payments for each $2 in earnings be increased from $2,700 to $3,000, instead of the $2,880 recommended in the President's message.

My second suggestion for needed reform in social security concerns the billing of patients under medicare. The act presently provides that a doctor may choose not to deal directly with the Government in collecting his fees under the supplemental medical benefits plan of the medicare program.

From incidents which have been brought to my attention, I know that all too often the result of this situation has been that a patient is billed directly and must take a loan or sell his property in order to pay the doctor, while awaiting reimbursement from the Government.

This situation is a real hardship for many of our elderly. It seems to me that if a doctor is willing to take medicare money indirectly, he should be willing to take it directly and thus spare his patients needless economic problems.

Further, if some provision cannot be enacted to remedy this situation, then at least there should be some arrangement made to require that all the physicians' bills be submitted together to the patient who is being billed.

In a recent case which came to my attention an elderly man received a bill from his doctor, was required to make financial adjustments, and paid it. Several weeks later he received two more bills, one from the anesthetist and one from a consultant. It required a new effort and much inconvenience for him to pay those additional bills.

Mr. O'HARA of Illinois. Mr. Speaker, as the oldest Member of this body in point of years I join with our esteemed majority leader, the gentleman from Oklahoma [Mr. ALBERT] and others of my distinguished colleagues, and with all the earnestness that 84 years of living has built up in me, in applauding the President's message on older Americans. I listened to its reading with rapt attention and a moving sense that this, the 90th Congress, under the inspiring leadership of President Johnson well might go down in legislative history as the greatest Congress this or any other country ever had known in its understanding and care of the aging and the aged. The President has set the goals and upon us in the Congress will be the shame if we fail to reach them.

Mr. Speaker, there is no discrimination that carries deeper the fangs of cruelty than discrimination against age. We have permitted it to settle very early in the lives of many Americans who have been denied employment after they had reached a relatively early age. We have forced many men and women into compulsory retirement when they were of sound bodies and minds and wished to continue working. All this must be changed. Not only must we provide for the health and sustenance needs of our older countrymen but we must end for all time in this country and in this time any and all discrimination in the matter of age in the employment of Americans physically fit, mentally fit, and willing and wanting to work.

The President's message is a challenge to the best and the noblest in all his countrymen and countrywomen. I hope and pray that no time will be lost in enacting legislation along the lines of his recommendations.

Mr. COHELAN. Mr. Speaker, President Johnson is to be highly commended for the constructive, forward-looking message he has sent to the Congress to improve the lot of Americans 65 and over.

The elderly have all too often been a neglected segment of our society. All too many of them live on totally inadequate incomes, some 5 million below even the poverty level. All too many bear a disproportionately heavy burden of rundown housing, of discrimination in employment and of inferior recreation and rehabilitation services.

Our goal should be nothing less than a life of dignity and self-respect for all of our older Americans. To this end we surely can agree with the President's call to raise social security benefits to a level which will better meet today's needs, to improve and extend the health care available to the elderly, to attack the roots of unjust job discrimination and to renew and expand our programs to help bring fulfillment and meaning to the retirement years.

The President's recommendations are certainly not excessive. Clearly more still could be asked and done for the millions of our older people who live in difficulty and despair. But this is a practical and a timely proposal which the President has sent to Congress. I hope that it will receive the early consideration and approval which it deserves.

VIETNAM WEEK—APRIL 8–15

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, I would like to call the attention of the House to the fact that an assortment of Communists of both the Peking and Moscow varieties, fellow travelers, Marxists, radicals, pacifists, and professional "peace" agitators have launched a crash program to undermine and sabotage U.S. resistance to Communist military aggression in Vietnam.

This stepped-up agitation and propaganda campaign against United States-Vietnam policy will culminate in extensive anti-U.S. demonstrations during the week of April 8–15, which has been dubbed "Vietnam Week."

The demonstrations and actions planned for Vietnam Week will be the work of two separate movements which have the same basic objectives and are pooling their efforts.

One of these movements was completely Communist in origin. Some months ago, Bettina Aptheker Kurzweil, a top Communist Party youth leader, conceived the idea of a nationwide student strike under party direction but involving masses of non-Communist youth. With party assistance, a call for a national student strike for peace was distributed nationally and a meeting was held in Chicago during the last week of December to organize the strike effort. At the Chicago meeting, however, party members assigned to the operation met with opposition to the idea a nationwide strike from non-Communist elements which had been invited to attend. It was therefore decided to limit the proposed strike to a number of key universities.

The other group involved in this crash program is the Spring Mobilization Committee To End the War in Vietnam which, at an organizational meeting held in Cleveland last November, decided to stage large demonstrations against the U.S. role in Vietnam in New York City and San Francisco on April 15, 1967. The Spring Mobilization Committee includes within its ranks a handful of old-line Communist Part functionaries, radical Socialists, pacifists, and peace activists.

The student strike group, at its Chicago meeting, decided to give all possible support to the New York and San Francisco demonstrations of the Spring Mobilization Committee To End the War in Vietnam scheduled for April 15. At the same time, it designated April 8–15 as Vietnam Week and urged students throughout the Nation to stage a variety of protest actions all during that week. It set up a committee to coordinate the student actions. It is called the Student Mobilization Committee.

The student Vietnam Week demonstrations are to be centered on the following themes:

First, bringing the GI's home now;

Second, opposing the draft and encouragement of draft dodging; and,

Third, ending university cooperation with the U.S. defense effort.

Delegates at the Chicago student strike meeting also recommended that the following specific actions be taken to promote these themes: campus war crimes tribunals at which university administrators would be tried—and, of course, convicted—for assisting in Government defense research; distribution of antiwar leaflets to servicemen; support of draft dodgers; sending medical aid to the Vietcong; picketing of plants with defense contracts; sit-ins at Federal buildings and other forms of civil disobedience, and the use of mass media for the dissemination of anti-U.S. propaganda.

The records of many of the leaders of this massive effort indicate that these people are not really opposed to war as such. Today, as in the past, they have but one aim—to discredit the United States in the eyes of the world and to sabotage any effective resistance to the advance of world communism.

The people of this country, and people everywhere, should know not only what is coming during the week of April 8–15, but who is behind the actions planned and their real purpose.

I am convinced that the overwhelming majority of students in the United States will demonstrate the good sense and loyalty they have consistently demonstrated in the past and refuse to be taken in by the cynical manipulators involved in Vietnam Week.

UKRAINE'S INDEPENDENCE DAY

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute, to revise and extend my remarks, and to include an article by the Ukrainian Congress Committee of America.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, on the occasion of the anniversary of Ukraine's Independence, which was January 22, when the House was not in session, but which fittingly we observe today, I think it proper that we who are dedicated to the cause of a free Ukraine should redouble our efforts quickly to bring about the creation of a Special Committee on Captive Nations.

On this day, too, as another evidence of our commitment to the cause of a free Ukraine, I suggest that we spread upon the records of the Congress the full text of a pamphlet just issued by the Ukrainian Congress Committee of America, of which the distinguished and esteemed Dr. Lev E. Dobriansky of Georgetown University is the president. The pamphlet is entitled "Facts About Ukraine and the Ukrainian People," and I ask unanimous consent that my remarks be extended to include the full text of this illuminating document at this point in the Record.

Mr. Speaker, the cause of a free Ukraine is very close to my heart. I prize dearly the Shevchenko Freedom Award given me by the Ukrainian Congress Committee of America "in the living spirit of Shevchenko for truth, justice, independence, and freedom." The Honorable Michael Hinko, narrowly defeated for Congress and now a member of my staff, is high in Ukrainian-American councils.

The pamphlet by the Ukrainian Congress of America, follows:

Facts About Ukraine and the Ukrainian People—On the Occasion of the 50th Anniversary of the Ukrainian National Revolution, March 1917—March 1967

INTRODUCTION

The year 1967 marks the 50th anniversary of the great revolutionary upheaval in Eastern Europe. In 1917 the far-flung Russian empire met its inevitable doom, and its fall unleashed a series of national revolutions which swept the enslaved non-Russian nations and brought them long-awaited freedom and national independence. The Austro-Hungarian monarchy also crumbled under the impact of ethnic and nationalist desires for freedom and independence.

The Ukrainian National Revolution, in contrast to the Russian Revolution, was very much like the American Revolution of 1776, inasmuch as its overall objective was a free and independent state of the Ukrainian people, just as the American Revolution sought freedom for the 13 colonies which refused to live under colonial subjugation.

Today the Ukrainian people, under Soviet Russian domination, are not free and cannot enjoy the blessings of freedom and independence, because the Russian Bolshevik Revolution, contrary to its high-sounding slogans and objectives, was a fraud. ***Not*** *only did it fail to bring freedom to the Russian people, but it extended its tyrannical power over Ukraine and other non-Russian nations which had adopted the principles of national self-determination and declared their independence after the fall of Russian Czardom.*

Ukraine is the largest and, economically, most important of the non-Russian nations now held captive in the USSR. Consequently, a short survey of its past and present history is in order so that the true status of Ukraine should not be beclouded by the propaganda which Moscow is now disseminating throughout the world in observing what it calls the "great proletarian revolution."

GEOGRAPHIC POSITION—AREA AND POPULATION

Generally speaking, the Ukrainian ethnic territory extends between 43°20' and 53° north latitude and 20°30' and 45° east longitude. The Ukrainian Soviet Socialist Republic lies between 44°20' and 52°20' north latitude and 20°5' and 40°15' east longitude. Ukraine is located in the southeastern corner of Europe. It borders with Romania and Hungary to the southwest, Poland to the west, Byelorussia to the north and Russia to the north and southeast. It is bordered by the Black Sea in the south.

According to Ukrainian ethnographers (cf. *Ukraine: A Concise Encyclopaedia*), the Ukrainian ethnic territory embraces 289,000 square miles and has a population (1959) of 49 million. The Ukrainian Soviet Socialist Republic, which does not encompass all the Ukrainian ethnic territory, comprises 232,000 square miles and a population of 41,869,000, according to the Soviet population census of 1959. On January 1, 1964, Ukraine had a population of 44,600,000 people, of which number Ukrainians constituted 77 percent, Russians 17 percent, with the remaining 16 percent consisting of various national minorities: Jews (1,025,800), Poles, Germans, Greeks, Bulgarians, Romanians and Tatars.

As mentioned, over 56,600 square miles of Ukrainian ethnic territory are outside the political borders of the Ukrainian SSR, specifically: in Russia (the region of the Belgorod, Kursk, and the Voronezh *Oblasts*, as well as regions in the Don and Kuban areas), Byelorussia, Poland, Czechoslovakia and Romania. At least 7,500,000 Ukrainians are now living outside the compact Ukrainian ethnic territory.

Religion: The overwhelming majority of Ukrainians, that is, 76 percent, are Orthodox, 13.5 are Catholics of the Eastern Rite, 2.3 percent are Jewish, and 8.2 percent are Protestants, Baptists, Mennonites and Moslems.

HISTORY

Ukraine has had three distinct periods of national statehood and independence:

a) the first period of national statehood when Ukraine, known as Kievan Rus, was a powerful state in Eastern Europe, lasting from the IXth to XIVth centuries;

b) the Kozak period of Ukrainian independence, from the middle of the XVIIth century to the end of the XVIIIth century;

c) the third (modern) period, beginning with the fall of the Russian empire and the establishment of the Ukrainian Central Rada *in March, 1917, and ending in 1920.*

THE UKRAINIAN NATIONAL REVOLUTION

The fall of Russian Czardom was the signal for bursting enthusiasm throughout the whole of Ukraine; despite the systematic attempts of the Russian government to suppress Ukrainian ideals and aspirations, the dream of freedom and independence had survived. On March 17, 1917 the Ukrainian Central *Rada* was established in Kiev under the presidency of Prof. Michael Hrushevsky, Ukraine's foremost historian.

Within a period of 10 months the *Rada*, through a series of important acts, led Ukraine through the turbulent period, establishing first an autonomous state and then a full-fledged independent and sovereign state of the Ukrainian people.

Between March and October, 1917 the *Rada* had to deal with a weak and ineffective Russian Provisional Government under Alexander F. Kerensky who refused to accept or recognize the independence of Ukraine. The *Rada* issued in that period its two *Universals*, one on June 23, and the second on July 16, 1917, whereby it announced that Ukraine was to become an autonomous state, which was agreed to by the Kerensky government. It swiftly organized the Ukrainian national army, established Ukrainian schools, introduced Ukrainian judicial and administrative systems, prepared a Ukrainian Constituent Assembly, provided vast autonomy for the national minorities of Ukraine and won recognition by a number of foreign states.

On November 20, 1917, after the Bolshevik *coup* in Petrograd, the *Rada* issued the Third *Universal* whereby it proclaimed Ukraine to be the Ukrainian National Republic (UNR). While trying to secure recognition from the new Russian Soviet government, the Ukrainian Central *Rada* maintained its troops on the front against the armies of the Central Powers. Lenin and Trotsky, while paying lip-service to national self-determination, were sending Communist agitators into Ukraine in order to prepare a Communist takeover of the country. When these efforts did not bring the desired results, the Soviet government officially recognized the Ukrainian government. In a note, dated December 17, 1917, the *Sovnarkom* (Soviet of People's Commissars) stated:

"The Soviet of People's Commissars of the Russian Republic recognizes, without any limits or conditions, and in all respects, the national rights and independence of the Ukrainian Republic. . . ." (*Cf. Organ of the Provisional Government of Workers and Soldiers*, No. 26, December 20, 1917, Petrograd.)

At the same time the Russian Soviet government sent an ultimatum to the *Rada*, demanding, among other things, that the armed Communist bands be stationed in Ukraine. When the *Rada* rejected the ultimatum, Lenin and Trotsky launched armed aggression against Ukraine. For over 4 months the Ukrainian armies had to wage a defensive struggle against the Soviet Russian invaders who were thrown out of Ukraine in April, 1918.

Meanwhile, the *Rada* issued the Fourth *Universal* on January 22, 1918, by which the full independence and sovereignty of Ukraine was proclaimed. Subsequently, on February 9, 1918 Ukraine concluded a Peace Treaty with the Central Powers in Brest Litovsk, by which act it received full-fledged recognition from Germany, Austria-Hungary, Turkey and Bulgaria, which powers also provided military assistance to Ukraine against the Russian Bolsheviks. France and Great Britain also granted *de facto* recognition of Ukraine.

From April to November, 1918 Ukraine was under the Monarchist government of *Hetman* Paul Skoropadsky, and in 1919 under the Directorate of the Ukrainian National Republic, headed by Simon Petlura.

On November 1, 1918 Western Ukraine, (formerly under Austria-Hungary), proclaimed its independence and was forced to wage a defensive war against the newly-born Poland which coveted this Ukrainian ethnic territory as its "own." On January 22, 1919, the Western Ukrainian National Republic, including the provinces of Carpatho-Ukraine and Bukovina, were united by the Act of Union with the Ukrainian National Republic into one independent and sovereign state of the Ukrainian people. The united Ukrainian Republic had to wage a gallant war against the Red and White Russians (Denikin) in the East and the Poles in the West, alone and unaided. In 1920 a military alliance between Poland and Ukraine was formed by Pilsudski and Petlura, and the combined Polish-Ukrainian forces occupied Kiev for a brief period. Eventually the Soviet forces succeeded in reoccupying Ukraine in the summer of 1920.

In March, 1921 the Treaty of Riga between

Communist Russia and Poland put an end to the Ukrainian National Republic.

The greater part of Ukraine, i.e., Eastern Ukraine, was made a Ukrainian Soviet Socialist Republic under a Ukrainian Communist government; Western Ukraine (Galicia and part of Volhynia) was ceded to Poland, and Bukovina and part of Bessarabia to Romania, and Carpatho-Ukraine to Czechoslovakia, of which they were part until the outbreak of World War II in 1939.

The Ukrainian National Revolution, which brought about the rebirth of the modern Ukrainian state, engendered and developed Ukrainian nationalism and the national consciousness of the Ukrainian people. Although the true Ukrainian state has been destroyed, the Ukrainian National Revolution lives on in the hearts and minds of the Ukrainian people.

PRESENT STATUS

Since 1923, Ukraine proper has been a member of the Soviet Union as one of its "equal and sovereign constituent republics." In theory, Ukraine is an independent state. It became a charter member of the United Nations in San Francisco, in April, 1945, and to this day remains a member of the U.N. and maintains its permanent mission to this international body.

Internally, Ukraine is a colony of Communist Russia. The so-called Ukrainian government in Kiev is a *puppet* government imposed upon the Ukrainian people by the ruling Communist Party of the USSR. The Communist Party of Ukraine is also a subservient adjunct to the Russian Communist Party, and takes its orders from the latter without protest or dissension. Although Ukraine is a "sovereign republic" it has no separate army, foreign policy, its own financial economic policy. Ukraine is a colonial dependency of Communist Russia.

PERSECUTION AND OPPRESSION

There is no exaggeration in stating that of all the captive nations languishing in Soviet communist slavery, Ukraine has suffered the longest.

The record of Russia's inhuman treatment and persecution in Ukraine is matchless in all the history of mankind. Since 1920 Ukraine has endured persecution, mass murders amounting to full-scale *genocide*, religious and national persecution and economic exploitation.

In the 1930's Moscow liquidated the Ukrainian Autocephalous Orthodox Church by murdering over 30 archbishops and bishops, headed by Metropolitan Vasyl Lypkivsky, and several thousand priests and monks. Untold numbers of Ukrainian intellectuals were liquidated, while at least 6,000,000 Ukrainian farmers perished in the manmade famine in 1932–33 for their opposition to collectivization. During the German-Soviet war, both Stalin and Khrushchev ordered executions of Ukrainian patriots, political prisoners and other Ukrainians fearing their disloyalty to the Soviet regime. How the Ukrainians regarded their Russian oppressors is demonstrated by the fact that over 2 million Ukrainian soldiers from the Soviet armies deserted to the German lines in 1941; and several thousands of them joined the Ukrainian Insurgent Army (UPA), a powerful Ukrainian underground resistance movement which fought against both the Nazis and the Bolsheviks in Ukraine; the UPA continued its anti-Soviet resistance well into the early 1950's, during which time some 35,000 KGB and other Soviet security troops and agents were killed by the UPA. In 1946 the Kremlin wantonly destroyed the Ukrainian Catholic Church in Western Ukraine: of 11 Ukrainian Catholic bishops, only Metropolitan Joseph Slipy survived (released in 1963, upon direct intervention by Pope John XXIII, he was made a cardinal and now resides in Rome); hundreds of Ukrainian Catholic priests were killed or exiled, while some 6,000,000 Ukrainian Catholics were forcibly subordinated to Russian Orthodoxy.

Khrushchev himself stated at the XXth Congress of the Communist Party in February, 1956, that "Stalin had wanted to deport all Ukrainians, but there were too many of them and there was no place to which they could be deported."

The fate of the Ukrainian people evoked world-wide indignation, and many governments expressed their concern over the inhuman treatment of the Ukrainians by Communist Russia.

ASSASSINATION OF UKRAINIAN LEADERS ABROAD

One of the old and tested methods of destroying Ukrainian leaders, deemed dangerous to Russian rule in Ukraine, is the method of kidnapping and assassination of Ukrainian patriots in foreign countries by the NEVD, MVD and KGB. Over the decades the Kremlin had been doing just that;

a) In May 1926 in Paris, a Soviet agent killed Simon Petlura, head of the Directorate of the Ukrainian National Republic, and the head of the Ukrainian government-in-exile;

b) In May 1938 Col. Eugene Konavalets, head of the Organization of Ukrainian Nationalists (OUN) was killed in Rotterdam, Holland by a time bomb placed in his trench coat by a Soviet secret agent, Valukh (who was later identified as a general in the Soviet security troops);

c) On October 12, 1957 Dr. Lev R. Rebet, a Ukrainian nationalist writer and theoretician, was killed in Munich, although his death had been described as caused by heart failure;

d) On October 15, 1959 Stepan Bandera, head of the Organization of Ukrainian Nationalists (OUN), was killed under mysterious conditions, also in Munich.

Both murders were committed by Bogdan N. Stashynsky, a trained agent of the KGB, who was subsequently given the "Order of the Red Banner" by the Soviet government. (In August, 1961 Stashynsky defected with his German-born wife to West Germany and confessed to the killing of Rebet and Bandera, for which crimes he was tried and sentenced by the German Supreme Court to eight years at hard labor.)

ARRESTS OF UKRAINIAN WRITERS, ASSAULT ON UKRAINIAN CULTURE

Recently, Moscow renewed with reinforced vigor its traditional policy of the Russification of Ukraine, aiming at the cultural and linguistic genocide of the Ukrainian people. Although the Ukraine language is the official language of Ukraine, the Russian language is imposed everywhere as a "language of higher culture and international significance." In 1965 and 1966 a number of Ukrainian writers, poets, and literary critics were arrested and sentenced by the Communist courts in Ukraine. At least 30 of these Ukrainian intellectuals were reported arrested, tried and sentenced in such cities of Ukraine as Kiev, Odessa, Lviv, Lutsk, Ternopil and Ivano-Frankivsk. Among them the most prominent are Ivan Dzyuba and Ivan Svitlychny, who have been accused of writing anti-Soviet works and of smuggling to the West the anti-Soviet works of another Ukrainian poet. Vasyl Symonenko, who died in 1963 at the age of 29. Extensive reports on arrests of Ukrainian writers appeared in the *Neue Zuricher Zeitung* (April 1, 1966) and the *New York Times* (April 7, 1966). Protest letters by the Ukrainian Writers Association in Exile were sent to the International PEN., the European Community of Writers, and UNESCO. Similar protests were sent to the State Department by the Ukrainian Congress Committee of America and the Shevchenko Scientific Society.

The extent of anti-Soviet and anti-Russian opposition and resistance is best demonstrated by the fact that Peter Shelest, secretary general of the Communist Party of Ukraine, and Alexander Korneichuk, top-ranking Communist writer and ideologist, recently warned the Ukrainian youth against listening to Western radio broadcasts and assailed the United States for its alleged support of Ukrainian "subversive nationalist elements," which they said were infiltrating Ukraine.

UKRAINE—A SUBMERGED AND CAPTIVE NATION

Despite the outward trappings of "independence and sovereignty" of the Ukrainian Soviet Socialist Republic, Ukraine is a captive and submerged nation. It is recognized as such by the U.S. Congress in its "Captive Nations Week Resolution," enacted on July 17, 1959, which stated as follows:

". . . The imperialistic policies of Communist Russia have led through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others. . . ."

Soviet oppressors of Ukraine are doing everything possible to give the impression to the world that Ukraine is not a captive nation, and that it, in fact, is a "sovereign and independent" state, which may secede from the USSR of its own volition.

UKRAINIAN CONGRESS COMMITTEE OF AMERICA

In the United States the Ukrainian Congress Committee of America (UCCA), founded in 1940, is a powerful advocate of freedom and independence for Ukraine. It is an American organization embracing over 1,200 Ukrainian American organizations, clubs, fraternal lodges, veterans and youth societies, women's and sports groups, as well as cultural, social, church and political organizations.

The overall objective of the UCCA is to support the United States democratic form of government, and to enlist the support of the United States and all other free nations of the world for the freedom and independence of Ukraine, and other captive countries. Its record for the twenty-five years of its existence is an outstanding one. For its dedicated work for the preservation of freedom at home and the establishment of liberty in Ukraine and in other captive nations, the UCCA has been lauded by four Presidents, namely: Presidents Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy and Lyndon B. Johnson.

The UCCA has been frequently a target of Communist assault and vituperation. For instance, *Komunist Ukrainy*, an official organ appearing in Kiev, in its February, 1966 issue, denounced the CIA, the Department of State, the FBI, a number of Ukrainian exile organizations in Europe, and the UCCA. If anything, these attacks on the Ukrainians in the free world indicate that the Russian Communist jailers of Ukraine are well aware of the corrosive effect that freedom can have on the bonds of the Ukrainians and other non-Russian nations in slavery.

POLITICS AT THE EXPENSE OF EDUCATION

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, the University of California, and education across our country, suffered a heavy blow this last Friday when the university's regents allowed Gov. Ronald Reagan to pressure them into firing President Clark Kerr.

It was a particularly heavy blow to the cause of educational excellence, of which Dr. Kerr was an effective advocate, because he was clearly the victim of unwarranted and unthinking political pressures.

Dr. Clark Kerr was and is one of the outstanding educators in this country. He will be sorely missed by all Californians who are concerned with the progressive development of higher education in their State. His shoes certainly will not be easily filled.

Dr. Kerr's tenure at the University of California was both long and illustrious. During his nearly 10 years as president, the university grew from two major campuses to eight, and the student population nearly doubled.

During last year's gubernatorial campaign, Mr. Reagan on a number of occasions singled out Dr. Kerr for attack. In addition, Dr. Kerr had opposed, as I do, the Governor's proposal to slash the university's budget by 30 percent.

Now, 3 weeks after the Governor's inauguration, President Kerr is gone. The conclusion that crass political pressures were the principal factor is difficult to avoid.

Governor Reagan may have scored a personal victory in achieving Dr. Kerr's dismissal, but the action is nothing less than deplorable if our real concern is the future of one of the great universities of this country and of the world.

As the New York Times pointed out in a most timely article yesterday:

> By ousting Clark Kerr as president of the University of California, Governor Reagan and the Board of Regents have taken a long step toward effecting what two years of disruption by Mario Savio and his fellow-wreckers of the New Left failed to accomplish—the undermining of one of the country's most distinguished institutions of higher education.

Mr. Speaker, I am including the entire text of this editorial with my remarks because it speaks so pointedly and thoughtfully to the real issues and consequences of this distressing action.

[From the New York Times, Jan. 22, 1967]

Twilight of a Great University

By ousting Clark Kerr as president of the University of California, Governor Reagan and the Board of Regents have taken a long step toward effecting what two years of disruption by Mario Savio and his fellow-wreckers of the New Left failed to accomplish—the undermining of one of the country's most distinguished institutions of higher education.

Dr. Kerr, who had been offered a Cabinet post as Secretary of Health, Education, and Welfare shortly before the original campus revolt at Berkeley in 1964, has rejected many other attractive bids over the years because of his conviction that few problems in American society more urgently need solution than those of the "multiversity." His brilliant appraisals of the nature of these problems and the creativity he has displayed in developing new designs for learning at California's nine campuses have earned him worldwide respect.

Inevitably, the loudest dissent from the chorus of esteem has come from the ultraconservatives and the ultraradicals united in their mindless resolve to discredit all "liberals" as obstacles to a polarized conflict between right and left. Both extremes can now rejoice in Dr. Kerr's removal, but the impact on the university is likely to be disastrous.

Governor Reagan's announced determination to cut the budget had already brought indications from some of the most prestigious members of the faculty that they will not return next year. Now that the president has been fired, the exodus may take on landslide dimensions.

In these days of explosive educational expansion all over the country, competition for professors, instructors and graduate students of distinction is acute. The University of California, with its concentration of Nobel laureates and other eminent scholars, will be hard pressed to hold its talent, and even harder to attract new blood to its faculty.

We have no doubt that a complex range of factors entered into the thinking of the Regents in making their decision. But the interaction of guerrilla warfare by a nihilist minority of students, the beachhead established by nonstudent disrupters, the Governor's intention to economize at the expense of education and the Kerr dismissal threatens to shatter the high standing of an institution vital to the progress of the nation's largest state.

BILL BAGGS REPORTS—PARTS II AND III

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, today I would like to call to the attention of my colleagues the second and third reports in a series of exclusive articles by Miami News Editor Bill Baggs, dateline Hanoi.

Mr. Baggs went to Vietnam as a representative of a private organization dedicated to pursuing world peace. The organization, the Center for the Study of Democratic Institutions, was created by a Ford Foundation grant, to study and clarify problems, including war. Its method is simplification and reduction of major problems to the basic, essential conflicts. Mr. Baggs is a member of the center's board of directors.

On January 17, I was happy to insert the first article in this series which appeared on page 681 of the Congressional Record. Since then, Mr. Baggs' articles have been appearing in newspapers across the country.

In the following two articles Mr. Baggs writes with insight and candor of the effects which the war is having on Hanoi— the city and its people. He relates the day-to-day existence of a city at war with force and a clear understanding:

[From the Miami (Fla.) News, Jan. 17, 1967]

Bill Baggs Describes Hanoi, "A City At War"

(By Bill Baggs)

(This is the second of an exclusive series of articles by Miami News Editor Bill Baggs on his journey to Hanoi. Today he writes of a city at war.)

Hanoi—(Delayed).—Hanoi is a city which rises early.

Before six in the morning, the dark streets sound with tooting autos and shoes moving across the sidewalks. Bicycles glide out of the darkness and show themselves in glimpses under the pale streetlights, and then they move on into the darkness.

The moon, cold and yellow, yet floats in the sky, lingering above the trees which form a kind of green roof over much of the city.

This is a city at war, an undeclared war against the American bombers which cause air alerts several times each week, and which have bombed the city more than once. Army lorries, the same tired green the world over, rattle and grumble along the morning street. Now and then you see a line of soldiers marching . . . not training, but moving off to some destination.

The war is evident in the toilet of your room in the Thong Nhat Hotel. The old name of the hotel was the Metropole. The new words, Vietnamese words mean, "reunification house." In the bathroom, you find single pieces of toilet paper stacked in a small box. The ceiling light on the elevator is turned off when the elevator is not in use. The mixture of French and Vietnamese cultures blends nicely, and without any grating contrast. In their 80 years of colonial rule here, the French built the formal and stately residences and government houses, the Vietnamese have pocked the city with thousands of one-man air raid "shelters." These "shelters" are simple holes in the ground, almost five feet deep, some are fancier than others . . . some are concrete pipes, about 36 inches in diameter, buried in a vertical position in the ground. They appear to be a Vietnamese invention. When the air alert sounds, you just jump into one. The Hanoi people say they are going to use the concrete pipes for sewers after the war.

As in all wars, you find propaganda nudging facts or intruding upon the cultures. At the National Museum of History, for example, the young lady explaining the long and genuine struggle of the Vietnamese since 40 A.D., against the Chinese, the Mongols, the French, the Japanese and now the Americans, concludes her narration with a speech, gingerly delivered, about the determination of North Vietnam never to be conquered by the "American aggressor." At the Museum of Art, the director, touring you through, spends much of his attention on explaining and emphasizing that the Vietnamese art and Chinese art are completely different: that Vietnam has its own peculiar culture. And from talks with others interested in art, you get the distinct and interesting impression the Vietnamese consider their dragons, common in the old art, are more delicate and refined than the Chinese dragons of the same periods.

The difference between Vietnam and China, so prominently close to Hanoi, also can be seen on the streets. Talking to a person who just returned from a tour of China, you learn that 300 million copies of the teachings of Mao Tse-tung have been published and that every family is expected to have one and read it. Enormous pictures of Mao Tse-tung glare upon visitors from the various public buildings.

Not so here. You see small pictures of Ho Chi Minh, president of the Democratic Republic of Vietnam, inside public buildings and often inside shops. But none on the street. A visitor in a book store was told they didn't have any of the books by Ho in English. It appeared they had no editions in French, either, and French is the second language in the city.

The only rationing in this war city is for people on welfare. The department stores usually open at 6 a.m. and close two hours later at 8 a.m. The explanation is that customers are discouraged from walking around in Hanoi during the hours when American bombers are likely to visit. But the stores are loaded with consumer goods. A respectable pair of shoes cost the equivalent of five American dollars.

The city is cold now. The temperature has been residing in the low 40s for a week, and you wear a steady chill on your bones, because there is no heat in the hotel, or anywhere, and hot water is available for only a few hours of a day.

The schools have moved out of Hanoi and, indeed, only about one-half of the normal population is left in town since the bombing started. The grammar schools are being run out in the interior, and so are most of the high schools, and the university, in various classes, has been scattered around the rural areas of Vietnam. The Vietnamese are convinced the bombings are going to continue. They are so convinced they have even dispersed their breweries around the countryside, and also their factories which manufacture the very popular cigarets here. A visitor is impressed that he has never seen as many chain smokers as in Hanoi.

Thus the war is everywhere to be seen and heard here in Hanoi. You hear it in almost every conversation. And you see it with the green trucks and the soldiers and the bombed neighborhoods. At a concert the other evening, every song but one was a stirring patriotic rendition. The one exception played in honor of two visiting Americans, was "Get Along Little Dogie." And you have never heard "Get Along Little Dogie" until you've heard it played on a monochord.

[From the Miami (Fla.) News, Jan. 18, 1967]

A Look at Hanoi Bomb Damage—Homes, Church, Schools Hit

(This is the third in a series of exclusive articles by Miami News Editor Bill Baggs from Hanoi, North Vietnam. Mr. Baggs, who earlier interviewed Premier Ho Chi Minh, writes today of the air war against the North Vietnamese, the bombing of Hanoi and the controversy the campaign has raised.)

(By Bill Baggs)

Hanoi—(Delayed).—The frequent complaint a visiting American in Hanoi hears, and he hears it from intellectuals and government persons and peasants and soldiers, is:

Why does the American government say its bombers only strike at steel and concrete in the air war against North Vietnam?

On the other side of the world from America you hear in the radio broadcast that the reports of the bombings by Harrison Salisbury, of The New York Times, the first American reporter who got into Hanoi, have raised doubts and even denials by some persons that the city has actually been bombed. The second American reporter to make it into Hanoi can confirm what Mr. Salisbury wrote about the bombings in this city.

NO EVIDENCE OF BLAST

You are told that the bombs were dropped by American planes out on a rise near the Red River, about 700 yards south of the Long Bridge. There is no question but that approximately 300 homes were destroyed by fire here. But there is no evidence of blast damage, which would seem to rule out ordinary bombs.

Perhaps fire bombs could have done this damage, or it could have been caused by a runaway air-to-ground missile. (The American missiles, if they lose communication homing in on their target become ballistic, and some could have fallen here.)

SCHOOL BUILDING HALVED

Or a missile fired at the American bombers by the anti-aircraft stations which ring the city could have misfired, fallen here and seared the frail old homes here by the river. It is really inconclusive to a visiting reporter.

However, at the School for Trade Unions, only two miles southwest of downtown Hanoi, and very much in the city limits, there is no question about what caused the extensive damage. One bomb missed the buildings and clawed a crater, 30 feet across, out of the earth.

One or more bombs carved a three-story classroom building into half.

One-eighth of a mile away, other bombs removed the two top stories of a three-story dormitory.

As a reporter was examining the rubble, the air alert sounded. It was 3 o'clock in the afternoon. The loud speaker, and they are everywhere in the city to announce approaching aircraft, said American planes were 50 kilometers from Hanoi.

RUMBLE IN THE DISTANCE

In minutes, the loudspeaker was sounding again. The planes were 40 kilometers from the city.

Quang Tu, a student at the school, looked nervous, and he seemed entirely willing to conclude the conversation with the American reporter and break for a shelter. Quang Tu and a friend, Tran Huu Minh, had some right to twitch. They had been here when the bombers came on the afternoon of Dec. 14. At 3:30, the all clear sounded. The planes had been headed for another target. A few minutes later, a rumble in the distance was heard. The bombs fell several miles west of the city.

Bombs also landed on Nguyen Thiep Street, only one-half mile, northeast, from downtown Hanoi, and said to be the most populous neighborhood in the city. Here, by count, at least 52 homes had been destroyed. These were old homes, some pathetic hovels, built shoulder to shoulder, and with alleys providing access to the street. The roof of the neighborhood pagoda was missing.

There was no military target visible in the vicinity. The only possible target nearby was a rail line leading to the seaport of Haiphong. No roundhouse. Just a single rail line. Several people, it was told, were killed on Nguyen Thiep Street, on Dec. 13 when the bombs fell here.

Late in the afternoon, the reporter followed information that a general school, five kilometers south of Hanoi, twice had been bombed. This was the Viet Ba School, grades from one to 10 and it assuredly had been bombed. Eight large bomb craters were counted around the school. One of the two large buildings had been smashed into half. The rubble was not two feet high. The other large building had no roof and no windows. Smaller buildings were damaged to various degrees.

This school is situated pretty much by itself out in the country. It is at least one-half mile away from the highway and the rail.

Not a mile away, a few farm houses and a church were obviously bombed and mostly destroyed.

The bombing of the school was strange. A mile away, across the highway, was a large park for trucks, which might be considered a military target. And not a mile away, up the road, was an enormous supply of large construction pipe on the ground. Neither the truck park nor the construction pipe had been touched, but this school had been bombed out of business. So, the natives here complain:

The American Government tells its people and tells the world that it only bombs steel and concrete. And then they show you the bombed schools and churches, and ask you to explain that.

No answer is going to convince these people. You tell them that mistakes are made in war, that the announced policy of the American Government is to only bomb military targets, but that mistakes are inevitable companions to war.

How large can mistakes get asked one Vietnamese. The entire little city of Phuly was destroyed. The whole town demolished. And, he said, the only industry in town was a handicraft factory. And he was right. Phuly was destroyed. So, the people around here are not moved when you suggest war error. They only know that soldiers and war production were not present on Nguyen Thiep Street or here out in the country at the Viet Ba School.

FLOOD INSURANCE PROGRAM

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FASCELL. Mr. Speaker, I am today cosponsoring legislation to establish a program of flood insurance under Federal auspices.

The program is designed to provide full insurance coverage at reasonable rates to those who live in areas which are more frequently subjected to flood disasters and hurricanes than other areas of the country.

My bill, unlike other similar proposals, would provide insurance to cover not only individual dwellings but all types of businesses including motels and hotels.

In my bill, the term "flood" includes any flood, tidal wave, wave wash, or other abnormally high water, or the water component of any hurricane, or other severe storms, or any surface landslide resulting from excessive moisture. It does not include protection against tornadoes, earthquakes, or other forms of natural disasters.

In 1936, Congress inaugurated a program of flood control utilizing the varying means available to engineering science at that time. Many lives have been saved, property losses reduced, and other losses, social and economic, mitigated by the outstanding accomplishments of the U.S. Army Corps of Engineers who have had the responsibility of expediting this early program.

This program has been supplemented and complemented by the U.S. Department of Agriculture's watershed protection and flood prevention, so-called Public Law 556, program. This has also contributed markedly to the safety of persons and the protection of property as well as the conservation of soil and water resources.

However, it is evident that all floods cannot be controlled. At any time a flash flood may occur, wiping out entire communities—industries, homes, and lives. Engineers admit, as competent as they may be, that they cannot provide complete protection for every flood. No manmade structure can be designed to fully withstand severe storms.

Dams, levees, channel rectification and other means now being utilized are helpful but are not totally protective. Conceding that damage will invariably occur, we must prepare for the aftermath. Can we leave the flood victims to their own defenses?

The help provided by the Red Cross, the immediate needs for food, shelter, medication, and physical care now available from government, plus some small amount of financial assistance under present law are not enough. Charity is never sufficient nor desirable.

Here we have a better plan. Let the private enterprise insurance industry help people to help themselves, with financial assistance provided by the Federal Government in the early stages. And at the same time, direct the Federal Government, in cooperation with public and private officials to institute a system of flood plain zoning in an attempt to lessen the devastating effect of floods by preventive means.

We propose for your consideration a bill which would authorize the Secretary of Health, Education, and Welfare to provide a nationwide program of flood insurance to be carried out in cooperation with private insurance companies. This program would involve establishing premium rates and providing financial assistance to subscribers and to insurance companies. The bill also directs the Secretary to use the facilities and services of private organizations and persons authorized to engage in the insurance business under the laws of any State and to arrange for payment of reasonable compensation to those businesses.

The Secretary at the same time would, in cooperation with State and local planning bodies, develop long-range plans for land use directed toward lessening the incidence of flood damage.

The Secretary of the Army is directed to identify flood plain areas and establish flood risk zones, estimating rates of probable flood losses for each. This will permit more accurate premium setting and reveal alternate means of reducing flood damages.

The Disaster Relief Act of 1966 was a step in the right direction. The bill I am introducing constitutes the next logical step. The study authorized in the 1966 act has been completed and its findings and recommendations are the basis for this proposal.

In recent years, hurricanes such as Donna and Betsy have caused severe damage in the Florida Keys and other coastal areas throughout the Southeast. As a result of the extent of the destruction, numerous insurance policies were canceled by companies who were unable to continue offering insurance at reasonable rates in high risk areas. It is to insure against a possible recurrence of such a predicament, that I am introducing this legislation and asking for the support of all.

THE VIETNAM PROBLEM

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an address by the Honorable JAMES KEE.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, those of us who are convinced that the vital interests of the United States require our continued presence in Vietnam are frequently called on to explain and justify our course to our constituents.

Our very able colleague from West Virginia, the Honorable JAMES KEE, is offering a peculiarly lucid, though brief, exposition to the people of his district, employing a radio address to do it. This address seems to me illuminating and forceful enough to justify offering to a wider audience than he anticipates presently, and I therefore request that it be printed in the RECORD. I believe many of us will find it useful in a similar situation.

HOW HARRY TRUMAN MET THE COMMUNIST THREAT

This is Jim Kee bringing you the Kee Report. The use of American military forces in South Viet Nam has provoked the most violent domestic dissension of the Nineteen Sixties. The bitterness of this controversy has obscured the reason for our being in Viet Nam and aroused misgivings in the minds of some of our most respected citizens.

And this quarrel may do something worse. It threatens to undermine the policy of containing aggressive Communism which this country adopted shortly after World War II and which since has preserved the freedom of the entire world.

In this newscast, I'd like to review with you the Vietnam problem in the perspective of history. The problem which President Lyndon Johnson faces today is the same problem which Harry Truman faced, the same problem which Dwight Eisenhower faced, and the same problem which the late John F. Kennedy faced. Each one of these men in turn decided that it was his duty to take positive action to contain the menace of aggressive Communism.

Of course, these four men could have decided otherwise. They could have done nothing and told the rest of the free world to look out for itself. But if they had taken that course, the United States would find itself today facing the most ruthless tyranny in history without a single ally.

The guns of World War II were hardly silenced before Communist Russia started a naked aggression to take over Greece and Turkey. President Truman at once offered military aid to those two countries and the Kremlin backed down. Later the Truman Administration faced an even greater threat—a Communist attempt to seize the whole of Europe. Our country met that threat by rebuilding Europe with the Marshall Plan and uniting our defenses in the Atlantic Alliance. This action saved Europe. If Mr. Truman had kept hands off, today Germany, France, Italy and the Low Countries would be Communist nations.

The next aggression came in the brutal Communist assault on South Korea. This was officially a United Nations war but it was won by American manpower and American money. This action saved the United Nations from extinction. And it did more than that. Korea was only a stepping stone for the Communists on the road to Japan. If they had taken Japan, the whole of Asia would have been lost.

President Eisenhower was compelled to use American arms to prevent a Communist take-over of Lebanon in the Near East and a Communist take-over of Formosa. The late President Kennedy was compelled to face two of the most brutal challenges in American history. When he first assumed office, the Russians threatened to take over Berlin by force until he warned them off. You recall the second challenge when the Chief Executive told the Kremlin to remove its long-range missiles from Cuba where they had been placed for the sole purpose of intimidating the United States.

Suppose Harry Truman had backed down in the face of Communist threats and after him General Eisenhower and the late President Kennedy? The United States today would be an island surrounded by a Communist Europe, a Communist Asia and a Communist South America.

Much as he hates war, President Johnson is carrying out the policy of his predecessors in Viet Nam. There is no other way to stop Communism.

Thank you.

LAND AND WATER CONSERVATION LAW IN JEOPARDY

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the President, on September 3, 1964, signed into law the Land and Water Conservation Fund Act of 1965, which became effective on January 1, 1965. I was delighted to have been a cosponsor of this historical piece of legislation.

The purposes of the land and water conservation fund are to assist in preserving, developing, and assuring to all citizens of the United States and visitors within our boundaries, the quality and quantity of outdoor recreation resources necessary and desirable to strengthen the health and vitality of the citizens of the United States. To do this, the act, first, provides funds and authorizes Federal assistance to the States in planning, acquiring, and developing needed land and water areas and facilities; second, provides funds for the acquisition of land by the National Park Service; and third, offsets, in part, the capital costs of future Federal reservoir projects which are allocated to public recreation and the enhancement of fish and wildlife values.

Today, Mr. Speaker, this law is in jeopardy, not because of the act itself, but it is being jeopardized by the escalation of land prices, land speculation, and other practices following public knowledge of Federal, State, and local interest in certain areas for outdoor recreation purposes.

The revenues accruing to the fund have been considerably less than originally estimated upon passage of the act. It had been anticipated that revenues accruing to the fund would permit acquisition of areas as facilities within reasonable limits of purchase estimates at the time of authorization of any proposal by the Federal Government, and making funds available immediately for State and local acquisition. The experience in implementing the land and water conservation fund has proven otherwise.

During the 89th Congress there were many authorizations requiring Federal acquisition of lands. Passage of these measures anticipated that acquisitions would be made from the land and water conservation fund. The issue now becomes one of urgency and concern as to the adequacy of the land and water conservation fund to meet the financial obligations expected to be imposed upon it now and in the decade ahead.

Mr. Speaker, the escalation of land prices, land speculation, and other practices in areas of public interest for outdoor recreation resources is fast approaching a position of national scandal. It is most important that something be done here in this 90th Congress to resolve this enigma.

Mr. Speaker, I introduce today, a bill which, in my opinion, will provide additional sources of revenue for the land and water conservation fund. The purpose of this legislation is to deposit in the land and water conservation fund all revenues from July 1, 1967, received under the Mineral Leasing Act of 1920, as amended; the Potash Leasing Act of 1927 and 1948, as amended; and the Outer Continental Shelf Lands Act of 1953, as amended, to the extent such revenues would otherwise be deposited in miscellaneous receipts of the U.S. Treasury.

If enacted, this legislation would provide the needed funds to permit the Secretary of the Interior, the States, and local governments, to proceed with the acquisition of lands already authorized to be acquired for outdoor recreation purposes.

It has been the opinion of many that the lack of funds to permit immediate acquisition of such areas has resulted in the escalation of land values and other practices detrimental to our national program to assist the States and Federal agencies in meeting the present and future outdoor recreation needs and demands of the American people.

Mr. Speaker, we have already established a national program and policy. The question now becomes whether or not we should abandon this program and policy? I, for one, think not, and I shall persevere with all my abilities to see that this program for our citizens is continued and expanded as the need to do so arises. However, let every Member of this 90th Congress understand that there is no purpose or need to establish new Federal projects unless there are funds available to finance the acquisition thereof. The continual authorization of Federal projects without adequate funds to acquire and support the same is establishing a national program full of sound and fury—but signifying something. This, Mr. Speaker, would be a prelude to a national scandal—one for which I do not wish to be answerable.

The passage of the bill I have introduced today will make the glowing terms applied to the 88th and 89th Congress as "conservation Congresses" come true. The basic legislation is on the books now—the implementation is only a matter of commonsense.

PROPOSED CONGRESSIONAL REFORM

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, the 90th Congress has an opportunity to do a great deal to make itself a more effective and efficient body. I have introduced two resolutions which, if adopted, would make Congress more responsible and responsive to the people and more reflective of the interests and desires of the Members of Congress.

The first resolution I introduced calls for increased minority staffing on congressional committees. This reform is badly needed. It is long overdue. Some progress in this area has been made and the Joint Committee on the Organization of Congress report indicates that more progress will be made and much more is needed.

The second resolution deals with the seniority system. It is regrettable that the Joint Committee on the Organization did not see fit to address itself to needed reform in this area.

Today I have introduced another resolution aimed at improving the work of Congress. The resolution calls for the creation of a select committee to study the area of congressional committee staffing. It calls upon the select committee to do three important things.

First, the select committee is asked to conduct surveys and studies of all committee positions.

Second, the select committee is asked to ascertain the duties, responsibilities, and qualification requirements of these positions.

Third, and most important, the committee is asked to prepare a job description for each of the positions.

If such a study of committee staffing was done, then the Congress would be in a position to determine what can be done to strengthen the present system of staffing committees and also how we can obtain job security for those persons employed by congressional committees.

At this time all committee staff members serve at the pleasure of the majority on the committee. I am pleased that the bill introduced by Congressman MADDEN and by Congressman CURTIS includes a provision to give the minority at least two professional clerks on each committee. But more must be done. Valued and experienced clerical help should not be lost simply because a committee gets a new chairman or because a party loses control of Congress. There are many positions on the staffs of congressional committees which should have job security. Once we can clearly identify the types of positions and classify them accordingly, we can write job descriptions, hire qualified people on the basis of the job descriptions and give them some job security. Then we will in the future be in a position to hire the very best and to keep them.

I have introduced this resolution because I feel that we need to improve the present methods used to staff congressional committees. As I read the reports of the Joint Committee on the Organization of Congress, I do not find any reference to this important area.

I urge that the committee of the House to which this resolution is delegated for consideration promptly begin hearings on the resolution and favorably report it to the House for its consideration.

POLITICS AT THE UNIVERSITY OF CALIFORNIA

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker and Members of the House, I do not like to disagree with my colleague from California [Mr. COHELAN] in regard to the situation at the University of California. I was very much surprised to find and read that ex-President Kerr of the university said he had brought freedom to the campus and that he objected to politics being played on the campus. Freedom was not brought to the campus but rather minority license. Ex-President Kerr has played politics all the way through. During the recent campaign, the campus was a hotbed of activity in behalf of Governor Brown. So far as politics are concerned, I know of no one who can speak more knowingly on the subject than ex-President Kerr.

Also the question of the situation at the University of California was before the people in the last election and was thoroughly debated especially by Ronald Reagan and Governor Brown and the people spoke very decidedly on that question when they elected Ronald Reagan by a million votes over Governor Brown.

So I do not believe that there is any question but what the people of California are very much delighted that the University of California may now proceed without having strikes, turmoil, and riots continually on the campus of that great university.

The University of California has become a synonym for an undisciplined faculty and student body. One of the prime functions of a teacher is to maintain discipline in his classrooms, and certainly it is the function of a president of a great university to maintain at least a semblance of discipline in the university which he heads. Riots, strikes, sit-ins, and demonstrations have been the order of the day for several years on the campus, and the taxpayers have waited in vain for Dr. Kerr to speak out against such riotous acts—and take constructive, positive action as was done at Stanford, the University of Maryland, and many other colleges and universities.

The action of the regents was not something new, for under Governor Brown it was understood that Dr. Kerr was hanging on to his position by a one vote margin in that body. The mistake was made when he offered to resign, some time ago, and the board of regents did not accept it.

The University of California is far more important than any individual, and it will be a better tax-supported institution as a result of the regents' recent action.

MEMBERSHIP OF JOINT COMMITTEE ON DEFENSE PRODUCTION

The SPEAKER laid before the House the following communication from the chairman of the Joint Committee on Defense Production:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, D.C., January 20, 1967.
Hon. JOHN W. MCCORMACK,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As you know, pursuant to Section 712(a)(2) of the Defense Production Act of 1950 (Title 50, Appendix, United States Code, Section 2162(a)(2), it is the duty of the Chairman of the Committee on Banking and Currency to suggest five members of the Committee to be members of the Joint Committee on Defense Production.

I sincerely hope that the following members meet with your approval: Wright Patman, Abraham J. Multer, William A. Barrett, William B. Widnall, Paul A. Fino.

With kindest regards and best wishes, I am,
Sincerely,
WRIGHT PATMAN,
Chairman.

The Clerk notified the Senate thereof.

MEMBERSHIP OF THE JOINT ECONOMIC COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 376) fixing the representation of the majority and minority membership of the Joint Economic Committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

S. 376

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5(a) of the Employment Act of 1946 (15 U.S.C. 1024(a)) is amended to read as follows:

"(a) There is established a Joint Economic Committee, to be composed of ten Members of the Senate, to be appointed by the President of the Senate, and ten Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. In each case, the majority party shall be represented by six Members and the minority party shall be represented by four Members.

Mr. PATMAN. Mr. Speaker, this bill passed the Senate by a unanimous vote.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE STATE OF THE UNION—A REPUBLICAN APPRAISAL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a statement by the minority leader, GERALD R. FORD, on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, in my capacity as House Republican whip it is my privilege to be a part of the Republican leadership of the Congress, by which we Republicans of both the House and Senate coordinate our legislative efforts for the advancement of our party policy and principles.

Last Thursday evening, January 19, our distinguished minority leaders, Representative GERALD R. FORD, of Michigan, and Senator EVERETT MCKINLEY DIRKSEN, of Illinois, presented to the American people our Republican appraisal of the state of the Union.

In a forthright manner our two leaders in Congress presented an evaluation of our country's posture, foreign and domestic, the direction in which we are now headed, and what we Republicans specifically propose in meeting the grave problems confronting us, so that we may have a sorely needed "new direction."

In our Republican appraisal Senate Minority Leader DIRKSEN discussed our critical foreign policy, and House Minority Leader FORD our country's equally critically domestic policies. More importantly, in behalf of all Republicans, Mr. GERALD R. FORD set forth in specific terms a realistic constructive program for solving many domestic problems.

As an appraisal of the present and a program that looks to the future, I commend a most careful reading of Minority Leader FORD's brilliant remarks. They follow:

THE STATE OF THE UNION—A REPUBLICAN APPRAISAL

(Address of Representative Gerald R. Ford, Republican, of Michigan, minority leader of the House of Representatives)

Again we gather in this historic chamber, conscious of the invisible presence of great leaders of the past. This year we are reinforced by the visible presence of new leaders of the future. We welcome enthusiastically the 64 new Republican Senators and Representatives of the 90th Congress.

Senator Dirksen and I are here to give a Republican Appraisal of the State of the Union.

November 8, the citizens of America voted on the State of the Union.

Their message came through loud and clear—a ringing vote for vigorous two-party government. It was a blunt demand for honesty and candor in public affairs. The Credibility Gap must go!

We rejoice in the mandate—a *New Direction* for America.

No era in our history began with higher hopes than the 1960's. We had bound up the Nation's wounds. We were blessed with eight years of strength, peace and progress under President Eisenhower.

As the decade dawned, all Americans were stirred by the words, "Ask not what your country can do for you; ask what you can do for your country."

The years have slipped by and now Americans in 1967 see the decade that dawned in hope fading into frustration and failure, bafflement and boredom.

The President said that the election returns did not mean that people want progress to stop.

We agree.

They want progress to start—now!

For every problem of the Sixties, this Administration has revived tired theories of the Thirties.

For the past two years, positive and practical Republican programs have been largely ignored.

Things will be different in the next two years!

We won the first round in the House of Representatives, 364 to 64, with three-quarters of the Democrats following our unanimous Republican lead.

We will win more—many more!

NEW DIRECTION, NOT COALITION

Cynics may call every Republican victory in this Congress a coalition. Let's meet that issue head-on, right now.

By definition, coalition requires advance consultation and ultimate compromise of conviction to win a legislative victory.

Republicans will make no such deals.

Republicans will give leadership to the dynamic and Constructive Center in Congress.

We welcome every Democratic vote for positive Republican programs that will give New Direction to our Nation.

We will press for creative Republican action. When New Direction demands it, we will say "No" to the old Democratic failures.

Our "No" will be particularly emphatic if we are asked to slow down progress toward the equality that is the right of every American.

Never forget, the Republican Party came into being to make real the belief that all men are created equal and endowed by their Creator with inalienable rights. It is disheartening to see evidence that the Administration is lowering the priority given to these matters in the 90th Congress.

SENSIBLE SOLUTIONS FOR THE SEVENTIES

As we look to the years ahead, Republicans see a program of Sensible Solutions for the Seventies.

That program must begin in 1967.

First priority—the growth and prosperity of our economy.

There are ominous signs of an economic slowdown this year. Unless our course is redirected decisively, we may well face the paradox of a recession with both increased inflation and increased taxation.

The Investment Tax Credit must be restored immediately.

An honest federal budget is imperative. If the Congress is to assess the needs of our economy intelligently, the Administration must not repeat its tragic error of presenting a budget of evasion, manipulation and gimmickry. This budget underestimated expenditures by at least $14 billion, over $4 billion of which was non-military.

Congress should immediately repeal the Participation Sales Act, which conceals and distorts the true budgetary situation.

When we know how much is needed for national security, the Congress can then make certain that essential domestic programs are adequately funded. Low-priority programs, desirable as they may be, must be postponed. Republicans will move to cut non-essential spending—even if the President doesn't.

Billions of dollars approved by Congress in the past remain unspent. This Congress must take a hard look at those funds. We propose a Rescission Bill, withdrawing the President's authority to obligate and spend such funds that cannot meet the test of economy of the new Congress.

The President belatedly promised to cut $3 billion from expenditures by the end of June. He should spell out for the American people where these reductions have been made—if they have been made.

With such uncertainties, the President has not made a convincing case for his tax increase.

STATE AND LOCAL REPONSIBILITIES—TAX SHARING

One of the most significant results of the 1966 elections was the people's choice of 23 new Republican governors, and more than 700 new state legislators.

This reflects not only confidence in our party and its fine candidates but also faith in state government itself.

Republicans have faith in the constitutional concept of Federalism, which requires strong and vigorous state as well as national action on a variety of problems. Yet, seen through the Democrats' rear-view mirror of the Thirties, everything can be cured by Federal dictation and Federal funds, doled out through grants-in-aid which keep Washington as the manipulator of all strings.

There are now over 400 Federal aid appropropriations for 170 separate aid programs, administered by a total of 21 Federal Departments and agencies, 150 Washington bureaus and 400 regional offices, each with its own way of passing out Federal tax dollars.

Federal aid to states and municipalities through this tangled thicket increased from $1 billion in 1946 to about $15 billion this year.

Republicans reiterate their support for a system of tax sharing to return to the states and local governments a fixed percentage of personal income taxes without Federal control. This system would promote a swift improvement in education, law enforcement, community development, mass transit, and other essentially local problems.

Smog is replacing the weather as the No. 1 topic of conversation, but no two cities have identical problems. Cities are far more diversified than states. They have one common denominator—their problems multiply as people move to the suburbs. This exodus leaves less revenue to meet more problems.

Tax sharing would restore the needed vitality and diversity to our Federal sytsem. Revenue sharing could also be accomplished with tax credits.

Many effective measures to improve agriculture originated with the National Commission on Rural Life, established by President Theodore Roosevelt. Republicans propose a National Committee on Urban Living be created without delay.

An exaggerated example of urban problems is our own national capital. Yet a swarm of Federal experts is telling the cities how to cure their ills while the only Federal city in our Nation is a disgrace.

Republicans believe Washington, D.C., should be made a "model city" for demonstration projects and new initiatives in urban progress.

EDUCATION

Higher education and vocational education acts bear strong Republican imprints.

We will continue our efforts to provide assistance to those who bear the rising cost of higher education through tax credits.

The Elementary and Secondary Act, however, at minimum requires substantial revision to simplify forms, reduce excessive paperwork and eliminate the heavy-handed Federal intrusions. All pre-school and early-school problems should be consolidated in the Office of Education. Republicans trust local school boards to formulate policy and set priorities far more than we trust bureaucrats in Washington.

Congress should take the Federal handcuffs off our local educators. The best way to do this is by tax sharing and tax credits. If the Democrats, who control Congress, refuse to consider tax sharing legislation, Republicans will seek to substitute block education grants, without Federal earmarking or controls.

We will propose new approaches to reinforce the vitality and diversity that is the genius of our educational system. It is in the school that the doors of opportunity open to all American children. We shall not deny them the best that can be given.

SOCIAL SECURITY

The President proposed Social Security changes that it is estimated would cost the equivalent of a 1.6 percent Social Security payroll tax increase.

At the present tax base, this would ultimately raise the total Social Security payroll tax to more than 12 percent. The Social Security trust fund must be kept sound. Greater benefits normally involve greater taxes, particularly burdensome to our younger citizens.

As in the past, Republicans now favor an increase in permitted earnings by Social Security recipients. Present earning limitations reflect the depression mentality of the Thirties and make no sense for the Seventies. Widows benefits and minimum benefits must be brought into line with today's inflated living costs. Those still uncovered should, as soon as possible, be blanketed into the Social Security system at least by age 72.

Our older citizens must be protected from the extortions of Great Society inflation. They can't wait while we debate.

Congress should enact, retroactive to January 1, an 8 percent increase in Social Security benefits. These increased benefits can be achieved without any tax increase.

About ⅓ of the nation's poor are elderly citizens. Their situation is tragic and desperate. The Poverty War has passed them by.

In the past two years of Democratic control, basic Social Security benefits have fallen 7 percentage points behind the consumer price index.

Republicans propose Social Security benefits rise automatically with rising prices. It is time we took Social Security out of election-year politics.

VETERANS

Republicans believe those called upon to sacrifice in Southeast Asia should be treated equally with other veterans. All veterans, war widows and their dependents should be protected from skyrocketing inflation by increased benefits.

POVERTY

The greatest poverty in this country today is the poverty of realistic ideas among Poverty War generals—and sergeants. Sensible Republican proposals have been rejected arbitrarily.

Republicans will continue to press for total revamping and redirection of the Poverty War. We want an Opportunity Crusade that will enlist private enterprise and the states as effective partners of the Federal Government in this fight. We would give the children of poverty the very highest priority they deserve. As Republicans have urged for two years, Head Start requires follow-through in the early grades.

We propose a new Industry Youth Corps to provide private, productive employment and training on the job.

We propose the Republican Human Investment Act to induce employers to expand job opportunities for the unskilled.

We propose to enlarge the opportunities of low-income Americans for private home ownership.

All Americans demand a thorough airing of poverty administration, poverty publicity and poverty politics.

GOVERNMENT REORGANIZATION

The need for streamlining the national government has become even more urgent since we recommended a new Hoover-type commission a year ago. The President's only specific proposal for reorganization—to combine the Departments of Labor and Commerce—merely scratches the surface.

We believe the Post Office Department should be taken out of politics from top to bottom. Republicans favor selecting all Postmasters on merit alone.

What irony—we will probably deliver a man to the Moon before we can properly deliver the United States Mail to its correct address on Earth.

The colossal Department of Agriculture is another executive agency that needs reform. Republicans will continue to support the concept of fair farm prices in the market place, without price-depressing manipulation by bureaucrats. The mass and maze of federal farm laws, rules, regulations and forms must be simplified. Every farmer knows there's enough to do in every 24-hour day on the farm without a load of federal paperwork.

We applaud efforts to create more parks and seashores and will give special emphasis to the preservation of jobs and community stability.

LABOR-MANAGEMENT LAWS

A year ago the President promised Congress he would soon propose new ways to handle national emergency strikes. Even though 1967 looms as a year of labor-management strife, he has made no proposals whatsoever. Incredibly, he never mentioned it in his latest State of the Union Message.

Without waiting further, Congress should chose a balanced commission of experts to make recommendations in this complex and sensitive area.

Our unswerving purpose should be to strengthen free collective bargaining between equals, without unnecessary government meddling. Congress should undertake, without delay, a full review of labor-management laws and the operations of the National Labor Relations Board.

It is unfair to both labor and management for Congress to legislate blindly in an atmosphere of crisis.

CONGRESSIONAL, CAMPAIGN, AND ELECTION REFORMS

To do our job better, Congress should act promptly on the bipartisan recommendations for congressional reorganization endorsed last session by our House Republican Policy Committee, but pigeon-holed by the Democratic majority.

We call for a strong House Ethics Committee and an investigating committee under the control of the minority.

Such reforms would restore the people's confidence in Congress and their Government.

Congress should rescue the President's year-old pledge for a Clean Elections Law. Such a law must be on the books before 1968.

This Clean Elections Law should guarantee full and accurate reporting of political contributions and expenditures in support of national candidates and put an end to abuses in campaign finance. Legislation also is needed to encourage an increased flow of small contributions. Republicans are proud that 69 percent of our contributions in the last Presidential campaign were in sums of less than $100.

Last year the Congress unwisely rushed through a bill which would provide as much as 60 million taxpayers' dollars to political parties for the 1968 campaign. This serious mistake should be reversed without delay.

Instead, the Congress would be wise to permit contributors an income tax deduction for political contributions up to $100.

Our antiquated Electoral College System of choosing the President should be changed to make sure the people's will prevails.

In planning for the 1968 Presidential campaign and elections, the Congress must come to grips with the foremost factor in political competition today—a factor unknown when present laws were written—television.

The biggest single campaign expense for any national candidate today is television time. Television brings the national political debate into every American home. Yet no really thorough study has been made of the public's interest in television as a *political* medium. Television channels, of necessity limited in number, really belong to all the people.

They should not be at the service of the highest bidder or the party in power. They cannot be regulated solely by the conscience or convictions of network executives and their most popular television faces.

An illogical federal law now operates to prevent television and radio stations from granting time without charge to major party candidates without making equal time available to a host of minor party candidates. We unequivocally favor nationally televised debates between future Presidential contenders.

We propose legislation requiring television and radio to provide free and equal treatment to major parties and their spokesmen not only in future campaigns, but also for the presentation of divergent political views throughout the periods between formal campaigning.

CRIME AND LAW ENFORCEMENT

Crime and violence, disregard of law and disrespect for authority, immorality and irresponsibility are on the rise. We welcome the President's recent recognition of this enlarging crisis.

Republicans in the last Congress authored legislation which created a National Commission for the Revision and Reform of Criminal Laws, a major step forward.

The House also adopted last year, although it died in the Senate, a proposal which Republicans will renew this session in a "Citizens Rights Act of 1967." The Act would make it a crime to travel from one state to another with an intent to incite riots. It would also protect individuals in the exercise of their constitutional rights.

Wiretapping and electronic eavesdropping worry all Americans who prize their privacy. Properly used, these are essential weapons to those who guard our Nation's security and wage ceaseless war against organized crime. The Congress, the President and the Courts must promptly spell out the permissible limits of their use.

At all levels of government a massive effort should be made to reduce crime by attacking some of its basic causes: poverty, slums, inadequate education and discrimination. However, our laws and actions should never be based on the theory that a criminal is solely the product of his environment.

Fear of punishment remains an important deterrent to crime.

We call upon the independent Judicial Branch of our Government to uphold the rights of the law-abiding citizen with the same fervor as it upholds the rights of the accused.

Most Americans will resist any trend toward the establishment of a national police force or the unwarranted intrusion of Federal power into local law enforcement. Yet, there is a proper place for Federal assistance and leadership.

Within the Federal correctional system, the Work Release Program and other enlightened prisoner rehabilitation projects must be designed and expanded to reduce the number of second-time offenders.

The primary responsibility for law enforcement must remain with the states and local authorities. In the last analysis, public safety depends upon the courage and character of the policeman patrolling his beat. The Federal Government can properly help in making law enforcement a more attractive and professional career.

A National Law Enforcement Institute, similar to the successful National Institutes of Health, should be established for research and training and for the dissemination of the latest techniques in police science.

NATIONAL SECURITY

Not as Republicans but as Americans we are gravely worried about the Nation's security. This is not a partisan issue. The conflict is primarily between the Administration and the Congress.

The short-range military policies and the long-range defense posture of this country urgently demand searching re-examination and New Direction. Nothing in the President's State of the Union Message lessened our deep concern in this all-important area.

Our strategic thinking of the 1970's and beyond, the timely planning and production of advanced weapons systems, and the prudent management of our total national defense capabilities have become stalled on a dead-end street.

Republicans renew, with even greater urgency, our call for Congress to name a Blue Ribbon Commission of the most able and independent Americans to get on with this job.

Within its Constitutional responsibility, Congress can do more.

We must take prompt action to modernize our Navy, increase our superiority in nuclear propulsion, and counter the growing threat of missile-carrying enemy submarines.

We must take prompt steps to rebuild the American Merchant Marine, already shrunken to one fifth its former size, and regain our lost lead over the Soviet Union in modern shipbuilding. Shockingly, the U.S. is no longer a major maritime power. The Maritime Administration must be upgraded as an independent agency.

We must proceed at top speed with the development of long-delayed Advanced Manned Strategic Bombers and Improved Manned Interceptors.

We must strengthen our Reserve and National Guard forces and eliminate inequities in the Draft. Our defense posture should be tailored to our global commitments.

The Administration has finally admitted to the American people that the Soviet Union has increased its Intercontinental Ballistic Missile capability and is deploying an Anti-Ballistic Missile Defense System. In anticipation of a life-and-death decision on just such a development, Congress has voted millions of dollars which the Administration did not seek and apparently has not used.

The Congress did its duty and gave the President a clear expression of its will and the means to carry it out.

Before more precious time is lost, Congress and the American people are now entitled to a clear explanation from the President of the perils and problems facing the United States in the new global balance of strategic power.

We, too, seek to avoid a costly new round in the nuclear arms race. But the least the Nation must do now is speed up its readiness to deploy Anti-Ballistic Missiles in a hurry if our survival requires it.

Americans are properly devoted to the concept of civilian control in defense matters. This civilian control never before has meant consistent civilian disregard for professional military judgment, intimidation of dissenters and substitution of soulless computers for human experience.

The first place to close the Credibility Gap is at the Pentagon.

All Americans join in the President's earnest hopes for an honorable peace and foolproof disarmament. But they are deeply concerned that the Communists even now are intensifying both the hot and cold wars. We must prevail in this worldwide test of willpower and weaponry.

Nothing has higher priority, in our judgment, than the safety, strength and survival of the United States of America, our people and our posterity.

There will be no Sensible Solutions for the Seventies, no Republicans or Democrats, if we fail in this supreme test of a nation.

To our President, we of the Loyal Opposition say—in the words of another anguished Commander-in-Chief: [1]

"With firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in."

GOVERNOR REAGAN INTRODUCES POLITICS IN ADMINISTERING THE UNIVERSITY OF CALIFORNIA

Mr. WALDIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALDIE. Mr. Speaker, I want to address myself also to the recent action out in the State of California involving the firing of the president of the University of California, Clark Kerr. I address myself to that fact not only as a California Congressman but as a graduate of that university and as a Representative of a district that is immediately adjacent to the university campus.

I think I share the view and the concern of a great many of the citizens of the State of California with regard to the precipitous action that was taken there; not that we, or I, stand particularly in defense of President Kerr or his policies in administering the university, although, let it be clear I personally support him and have done so while I served in the California Legislature and have done so as an alumnus of that university, but the thing which concerns me and I believe, concerns many of my fellow Californians, is the political implication that the action taken in firing the president presents to the people. This was done with an unbelievable lack of grace and with arrogance and cruelty and indicates that for the first time in the history of California there will be a political administration at that university.

Mr. Speaker, at the very first regent's meeting attended by the new Governor, a motion was made by the president of the State board of agriculture—the new Governor's recent appointee—to fire the president of the university. He was joined and supported most vehemently in favor of the motion to depose the president by the new Governor and the new Lieutenant Governor.

Mr. Speaker, it is not the action that disturbs me which resulted in the firing of President Kerr. It is the fact that at the very first meeting attended by the new Governor of the State of California, within 3 weeks after he subscribed to his oath of office, that he took the crass, graceless and, I feel, disturbing action which has resulted in the tumultuous upheaval at that university, leading one to conclude, without any reservation it seems to me, that political motivations are now involved in the administration of the university.

THE UNIVERSITY OF CALIFORNIA AND GOVERNOR REAGAN'S PROPOSALS FOR REDUCTIONS IN THE UNIVERSITY BUDGET

Mr. EDWARDS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, I rise in support of the sentiments expressed by the distinguished gentleman from California [Mr. WALDIE].

Mr. Speaker, as a Representative from the State of California, I have always been extremely proud of the great University of California. On Friday, the president of the university, Dr. Clark Kerr, was summarily fired by the university's board of regents. I am shocked and upset by the firing of President Kerr just weeks after the installation of a new Governor and days after Governor Reagan's proposals for reductions in the university budget. Governor Reagan's continuing attack on the university can only damage its superb reputation and the high quality of education offered the young people of our State.

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[1] Abraham Lincoln, 2nd Inaugural Address.

This grievous action runs directly contrary to the concept so long cherished by the people of California—the independence of its university from political shifts and changes. It is this independence of its governing board which has contributed so much to the achievements and honors of the university.

I want to pay a personal tribute at this time to Dr. Clark Kerr. President Kerr has a wide and just reputation as a great educator and it is a disaster that we have lost him.

THE CRISIS AT THE UNIVERSITY OF CALIFORNIA

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker, I would like to join with my colleagues in expressing my own personal concern and alarm at the recent action of the board of regents.

In our great State of California we are proud of the tradition that our university has been insulated from the various political winds. However, Mr. Speaker, the action of this past week presents cause for a great deal of concern not only on the part of people of California, but also, I would feel, on the part of educators throughout the land.

The firing of Clark Kerr by the University of California Board of Regents was ill considered and unwarranted. It raises the specter of political machination and the suspicion that Governor Reagan and his advisers are willing to manipulate our great system of higher education for their own political gain.

In this, his first clear-cut opportunity to exercise real leadership and judgment, the Governor should have exerted himself to forestall such rash action. Insteady he precipitated it, influencing others who would have preferred a more thoughtful course of action to go along with him.

THE SPEAKERSHIP OF THE HOUSE OF REPRESENTATIVES

Mr. BURTON of California. Mr. Speaker, I would like to insert into the RECORD at this point, under previous leave to do so, excerpts of an editorial which appeared in the January 19, 1967, issue of Roll Call, which deals with the speakership of the House of Representatives.

Mr. Speaker, it is my opinion that the main thrust of this article expresses the sentiments of the overwhelming majority of the Members of the House of Representatives. I include it at this point in my remarks:

The Speakership

The Speaker of the House of Representatives wields great power. He derives that power, in the American tradition, by the consent of the governed.

Because of the prestige and power he commands, he is courted by and pressured by segments of the American society, ranging from the Executive Department to newspapers to lobbyists to the man in the street.

The Speaker is subservient to no force other than the people of the United States. As Booth Mooney, a former aide to President Johnson, points out in his book, "Mr. Speaker," the Speaker is the elected representative of the people's representatives. In being named to the speakership, he may be said to have received, indirectly, a majority of the votes of all the people of the United States.

It came as a shock to Congress this Tuesday morning when the Washington Post boldly suggested in its lead editorial, that Speaker John McCormack should resign the post to which his peers had elected him time and again.

Old age, inadequate leadership and the implications of incompetence and disinterest seemed to be the reasons for the rash demand. The Speaker's "weakness in command" is contrasted with former Speakers such as Clay and Cannon.

The role of the Speaker has changed along with the times and the perfection of the democratic process. The House today would not tolerate the partisanship of a Clay nor the despotism of a Cannon.

Another former Speaker cited by the Post is Sam Rayburn, ironically enough, the man who popularized the phrase, "Let the House work its will."

The Post was disturbed because the Speaker allowed a majority of the House to vote away the 21-day rule, discipline Adam Clayton Powell, and did not prohibit conservative Rep. William Colmer's ascendancy to Chairman of the House Rules Committee.

Therefore, if we read the writings correctly, the Speaker should proclaim himself a failure and gracefully retire, turning over the reins to a stronger Speaker . . .

The Post acknowledges the fact that Speaker McCormack performed well for the Administration while Democratic majorities were large, but adds that he does not seem able to pull victories out of the most closely-aligned membership at present.

It may be pointed out that things have changed in the past few years. The mood of the nation is constantly shifting. Naturally, with a diminishing of party strength, votes will be closer, with Representatives voting the dictates of their constituencies . . .

McCormack, a healthy and alert 75 years old, is well liked and well respected. He is neither a weak-kneed Muhlenberg nor a power-mad Cannon. His reign as Speaker has been in the great tradition of his predecessors but marked by the print of a humble and fair-minded man . . .

THE 49TH ANNIVERSARY OF UKRAINIAN INDEPENDENCE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. QUIE. Mr. Speaker, January 22 marked the 49th anniversary of Ukraine's independence. On this date in 1918, the Ukrainian nation declared its independence in the same manner as did the United States of America nearly 200 years ago. Now comprising some 45 million people, it is the largest captive non-Russian nation both in the U.S.S.R. and Eastern Europe.

In 1920, after a mere 2 years of freedom, Ukraine became one of the first victims of Soviet colonialism, which was born with the Bolshevik revolution of 1917.

Since that day the Soviets have enslaved millions of formerly free men. The Communist virus overwhelmed China shortly after World War II and now has the north of Vietnam under its heel. It is not too many years from 1920, when the Ukraine was enslaved, to 1967, when we are fighting to protect the freedom of South Vietnam. But those brief years, as they are measured in the course of history, have produced a staggering toll of suffering and death. Over 1 billion persons now lie under the cruel oppression of the Communists.

It is especially fitting to observe the anniversary of Ukraine's independence, at a time when men of the United States fight in Vietnam. To those weak reeds in this Nation who wish us to pull out of Vietnam, this advice: Read the melancholy list of nations, such as Ukraine, which have fallen before the Communists.

To these critics I pose a question: Do you want to add one more nation to the long list of those which have been conquered by communism?

Fortunately for the United States, these critics are few and will be found wanting in appreciation of history and the true nature of communism. They are the same voices who urged the United States to ignore the crimes committed by Hitler.

If we have learned anything during the last five decades, we have learned the dictators who lead Communist nations are never satisfied. They will not be satisfied until freedom has been erased from the earth.

I welcome this opportunity to restate a truth which, when forgotten, has led only to suffering: Those who would crush freedom must be stopped wherever they attack, be it in the Ukraine or in South Vietnam.

What a different world this would be if in 1920, when Ukraine lost its freedom, we free nations had acted to guarantee its freedom.

I also want to commend the Ukrainian Congress Committee of America, Inc., especially its Minnesota branch, for setting aside January 22 each year as a reminder that the price of freedom is eternal vigilance.

I sincerely hope we in America have learned the hard lesson that freedom slips away from those who refuse to face reality—the cold reality that communism seeks the enslavement of men in whatever nation they live. What motivates the Communist despots is what has motivated despots through the ages. They are greedy for power and contemptuous of the right of all others.

IMPORTS THREATEN U.S. FARM ECONOMY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LANGEN. Mr. Speaker, U.S. farm income may take a serious drop this year unless the rising tide of agricultural imports is checked. With farm prices currently standing at 77 percent of parity, U.S. farmers can ill afford any further price losses through excessive imports.

Imports of beef, veal, mutton, cheese, and eggs are substantially higher than the levels of a year ago. Imports of meat subject to the 1964 quota law, for example, were almost 40 percent higher during the first 10 months of 1966 than they were during the same period in 1965.

The Department of Agriculture predicts that these meat imports will rise to a point just below the trigger level at which an import quota would become effective. This is certainly no guarantee that U.S. beef producers will not be faced with lower prices, for no one can draw a magic line and say "if imports stay below this level, American farmers won't be hurt." Depending on conditions, even a small amount of imports at the wrong time can send farm prices plummeting. We are going to have to keep a close eye on this whole situation if we hope to prevent a price disaster like that of 3 years ago.

Imports of dairy products have jumped enormously. Department of Agriculture figures show that—using a whole milk equivalent—dairy imports in 1966 were almost triple the 1965 level, and may nearly double again in 1967. Skyrocketing production costs, low milk prices and labor shortages have created terrific problems for our dairy farmers—increased dairy imports may be the proverbial straw that broke the camel's back. If this happens, our recent worries about future milk shortages in this country may become a reality.

Sheep and lamb producers are also concerned over rising imports, and over a Government action which could have the same kind of price-depressing effect. The Department of Defense has negotiated an agreement with New Zealand and Australia for the purchase of 10 million pounds of lamb for use in Vietnam and the Far East. The Government says that they cut their costs about in half by purchasing foreign lamb for our servicemen, but we wonder what this action and the effect of increased imports are going to cost U.S. farmers. World trade must be a two-way street, but the fact is that the United States has far fewer restrictions on agricultural imports than any of the countries which are shipping farm commodities to us. We become an easy mark when these nations have other markets closed to them.

If the dairy products, meat and eggs which we are now importing in increasing quantities were produced here instead of abroad, U.S. farmers would be using domestic grain to produce them. This would provide an additional home market for U.S. grain and would help strengthen prices.

If agricultural imports continue to increase unchecked at the present rate, our agricultural economy is threatened. With our surplus almost gone and a world food crisis on our doorstep, it would be sheer folly to impair in any way our agricultural efficiency and ability to produce food.

POLISH GIVEAWAY OPPOSED

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LANGEN. Mr. Speaker, I was shocked to learn of an incredible U.S. State Department proposal that $26 million in debts which Poland owes the United States for food shipments should not be repaid to the United States in dollars, but in Polish currency to be spent in Poland.

I find it inconceivable that at a time when Communist-ruled Poland is openly supporting and assisting the Hanoi regime in North Vietnam, our Government can consider what amounts to simply giving that nation millions of dollars.

Late last year a Hamburg newspaper dispatch noted that on one side of the harbor of Stettin, Poland, American wheat was being unloaded, while on the other side of that same harbor weapons to be used against American soldiers were loaded.

Only a week ago it was reported in the press that Cuba and Poland have signed a trade agreement by which Poland will supply food, consumer goods, and industrial and agricultural machinery to Cuba in exchange for Cuban sugar, rum, and minerals. If the State Department's proposal is accepted, it will mean that our supplies of food to Poland will allow Poland to supply food to Cuba.

Last June I introduced legislation to keep U.S. dollars from going to Castro via the United Nations Special Fund—dollars which would have been used for the training of Communist youths in electronics, radar, and military communications only 90 miles from our shores. I am completely opposed to this new State Department proposal which would, in effect, subsidize Polish shipments of industrial materials and goods to Cuba.

As long as Polish support is contributing to the export of Cuban communism to the Western Hemisphere and to the deaths of our servicemen in Vietnam, I find any effort to give Poland economic assistance absolutely unthinkable.

REPORT OF THE VIETNAM ANALYSIS PROJECT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FINDLEY. Mr. Speaker, recently Mr. Robert Lawrence of Los Angeles undertook a private study of the situation in Vietnam. This study resulted from a 1 year graduate research fellowship program in international relations at the University of Southern California. The purpose of the project, as he himself described it, was to compile an objective evaluation of each of the major factors involved in the current conflict in southeast Asia.

I have read the report of his project and commend it to each Member of the House for their careful study and attention. The report is an objective and balanced appraisal of the current situation. While I do not agree with every conclusion Mr. Lawrence reaches, I do agree wtih the broad results of his study. Members will find that this report brings together under major headings the relevant facts regarding each important development of the war in a concise form for ready reference.

Mr. Lawrence has a high level of intellectual ability and his scholarship is unquestioned. Last year he prepared an excellent report for the Republican task force on NATO and the Atlantic community regarding West German rearmament. Because of the thorough work he has done on the Vietnam project I insert his report in the Record at this point:

REPORT OF THE VIETNAM ANALYSIS PROJECT

(By Robert Lawrence, graduate research fellow, University of Southern California, September 15, 1966)

PREFACE

This is the Report of the Viet Nam Analysis Project, a private study done under the opportunity provided by a one-year graduate research fellowship program in international relations at the University of Southern California.

The purpose of this Project has been to compile an objective evaluation of each of the major factors involved in the current conflict in Southeast Asia. For purposes of brevity, some seemingly side issues (e.g. the war in Laos) have been left out. However, in the course of compiling this Report, every attempt has been made to examine any material immediately relevant. Thus, should it be found that any major omissions exist, the reader may rest assured this was an unintentional occurrence.

This Project actually commenced when this researcher was sent to South Vietnam fifteen months ago on a two-month State Department (AID) mission in the summer of 1965 for intern work in the field of economic intelligence. As a consequence, some of the data contained herein draws from that experience. However, every attempt has been made to ensure that no classified material has been incorporated within this Report in any way and that any confidential briefings have been deleted.

More specifically, the data used in compiling this Report has come from a variety of sources: pre-departure briefings given by the U.S. Department of State, Department of Defense and the Agency for International Development; field notes gathered while in the Republic of Vietnam and from meetings there with various members of the South Vietnamese government and military command as well as with members of the U.S. Embassy, U.S. Operations Mission and the U.S. Armed Forces (including the U.S. Ambassador at that time, the Hon. Maxwell Taylor and the U.S. commander of forces, Gen. William C. Westmoreland); captured Viet Cong documents released by the South Vietnamese government or by the U.S. Military Assistance Command, Vietnam; private correspondence with members of foreign governments within and outside of Southeast Asia and from over 1500 reports from national news magazines, wire services and major newspapers in the U.S. and abroad as well as from the scholarly and military literature available on the subject of Communist revolutionary guerrilla warfare.

At the same time, the writer of this Report has had the benefit of private counsel from a number of distinguished individuals concerned with the current contest in Vietnam and wishes to express a strong sense of gratitude to them here: to Professor Philip E. Mosley, Director of the European Institute at Columbia University; to Dr. Stefan T. Possony, Director of the International Political Studies Program at the Hoover Institution on War, Revolution and Peace at Stanford University; to several individuals connected with the RAND Corporation who, for obvious reasons, must have their names withheld here and to former colleagues and mentors at the University of Southern California.

It should be expressly understood that the conclusions and findings of this Report do not necessarily reflect those of any other person aside from the author or of any institution connected with this Report in any way whatsoever. This project has not been carried on under any auspices of the U.S. Government and has not been financed by it in any way whatsoever.

INTRODUCTION—THE INDOCHINA WAR AS A PRELUDE

During World War II, the French were driven out of their colonies in Indochina by the Japanese. When the war ended, the French attempted to return Vietnam, Loas and Cambodia to their former colonial status and found themselves challenged in this endeavor by the Viet-Minh, a former anti-Japanese guerrilla organization led by the Indochinese Communist Party.

That war began in 1946 and ended in 1954 with the Geneva Accords after the Viet-Minh had stormed and captured the symbol of the French military presence, the fortress of Dien Bien Phu. Under these Accords, both sides were to cease fighting, the three states of Vietnam, Laos and Cambodia were granted their independence and Vietnam was to be temporarily divided at the 17th parallel into two zones. It was further stipulated that the two zones were to be reunited by free elections at the end of two years (i.e., by 1956).

Most importantly, it should be noted that the Accords were only signed by the French Government and by the Communist regime that was to occupy the Northern zone in Vietnam. Neither the United States nor any representative of the Southern zone (today's South Vietnam) bound themselves to these, although the Accords insisted that any parties who succeeded those of the signatories "in their functions" would also be automatically bound to the Accords.

In 1956, the reunification elections were not held.

If the Viet-Minh goal had been to gain all of Vietnam through either its war against France or the Accords, it had failed and some other way would have to be found.

The central conclusion developed from the data gathered in this analysis project is that the current war in Vietnam represents the method the Communist regime chose to use: that the Viet-Minh, as the Democratic Republic of Vietnam (North Vietnam), encouraged, supports and is solidly linked to the Viet Cong; that a Viet Cong victory by its own admission would accomplish the objective of adding South Vietnam to North Vietnam and that the Viet Cong war of "national liberation" is a means to this aggressive end.

PART I—THE NATURE OF THE VIETCONG

From the beginning of its existence, the Viet Cong has maintained that it is a legitimate expression of the South Vietnamese who wish to reunite their half of the country with that of North Vietnam.

The data gathered shows that this claim is false: that the Viet Cong is not of South Vietnamese origin, but is a direct descendant of the Communist organizations now headquartered within the North Vietnamese government; that the Viet Cong was initially set in motion by that government, is controlled by that government and follows goals favoring that government.

Viet Cong origin and evolution

The Viet Cong is the latest in a series of organizations that have aimed at bringing the entirety of Vietnam, if not all of Indochina, under Communist rule.

In 1930, Ho Chi Minh, acting under orders from the Chinese Communist Party, took the Vietnamese Communist Party then in existence and enlarged it to embrace the Laotian and Cambodian Reds in a new organization known as the Indochina Communist Party.[1]

The ICP, in turn, created a national anti-Japanese front group to serve in its publicly-visible stead in 1941 as the Vietnam Doc Lap Dong Minh (Revolutionary League for the Independence of Vietnam) or Viet Minh. Like many other front groups at that time, the Viet Minh initially contained a number of non-communist elements that shared the common goal of freeing Indochina of Japanese influence; however, during World War II, as the Viet Minh fought against the Japanese in Indochina, its Communist leaders also rid themselves of all possible future rivals in Vietnam by branding all opponents as pro-Japanese traitors and dealing with them accordingly.[2]

Thus, when the Japanese left Vietnam, the Viet Minh was the major native organized political entity. Appearing as the National Liberation Committee of Vietnam, it seized control of the government in Hanoi and in Saigon and then proclaimed the existence of the Democratic Republic of Vietnam (DRV) or North Vietnam.[3]

In an attempt at reducing potential opposition from the Allies then in the process of occupying Vietnam, Ho Chi Minh supposedly dissolved the old ICP upon the creation of the Association for Marxist Studies, which served as a reservoir for his Communist followers.[4]

To broaden his base of nationalist support even further, Ho then created the Lien Viet, another communist front organization that initially contained influential non-Communists.[5] Members of the Association for Marxist studies soon joined the Lien Viet, took it over from within and came to dominate it.[6] These Association members became the first members of the Lao Dong or Communist Party of North Vietnam.[7]

It was this organization, the Lao Dong, that called for the creation of the National Liberation Front of South Vietnam, set up the Central Office for South Vietnam as the military arm of the Viet Cong and the People's Revolutionary Party of South Vietnam which serves as the ostensible South Vietnamese Communist Party that is supposedly free of Hanoi's control.[8]

Since the beginning of the war of the Viet Cong, North Vietnam has taken an active interest and part in its progress. As Le Duan, first secretary of the Lao Dong central committee stated in his March 13, 1963 speech at the Nguyen Ai Quoc party school in Hanoi, "The North is the common base of the nation-wide revolution."

In September, 1960, it was Le Duan again who called for the creation of a South Vietnamese national Liberation front.[9] On September 10, the Lao Dong party congress passed a resolution stating, in part, "to insure the complete success of the revolutionary struggle in southern Vetnam, our people there must strive to establish a united bloc of workers, peasants and soldiers and to bring into being a broad national front, directed against the U.S.-Diem clique and based on the worker-peasant alliance.[10] It should be noted that the "worker-peasant alliance" has been the basic political building block of Asian Communists since the days of Mao Tse-tung.[11]

At no time since the 1940's has the Lao Dong lost control over its organization in the South. Men who fought against the French during the Indochina War as leading guerrilla commanders now lead units fighting against the South Vietnamese government; the main Viet Cong newspaper—"Gia Phong" (Liberation)—used the same title employed by one of the official Viet Minh publications.[12]

Viet Cong organization

The Viet Cong is composed of two main organizations: the National Liberation Front (NLF) which handles administrative and political affairs and the Central Office for South Vietnam (COSVN) which commands the military units of the Viet Cong.

When the National Liberation Front held its organizing conference, it included among its charter members alleged representatives of those South Vietnamese groups most dissatisfied with the prevailing order within South Vietnam. Among those attending during the February 16–March 3, 1962, meeting was: [13]

Ybih Aleo—member of the Rhades tribe, one of the largest Montagnard minorities in South Vietnam;

Dai Duc Son Vong—representing the 500,000 Khmers (Cambodians) residing in South Vietnam;

Vo Chi Cong—an anti-French rebel nationalist;

Huynh Tan Phat—Saigon architect representing the Democratic party;

Josef Marie Hohue Ba—Catholic, and

Thich Thien Hao—a Buddhist monk.

The NLF does not control the Viet Cong armed forces; the guerrilla units are run by an organization known as COSVN, the Central Office for South Vietnam, which reports directly to the reunification department of the North Vietnamese Lao Dong party. Through its military affairs department, COSVN is the "high command" for Viet Cong guerrilla units.[14]

The NLF is limited to political and administrative assignments handled by its mass organizations within the provinces, districts, villages and hamlets of South Vietnam. These latter, in turn, are controlled by COSNV through communist members who hold key spots in the NLF committee.[15]

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[1] Fall, Bernard, *The Two Vietnams*, Praeger Publishers, New York, 1963.

[2] Fall, *Ibid.*

[3] Fall, *Ibid.*

[4] Fall, *Ibid.*

[5] Fall, *Ibid.*

[6] Fall, *Ibid.*

[7] Fall, *Ibid.*

[8] Neil Sheehan in the *New York Times* for May 2, 1966.

[9] Neil Sheehan, *Ibid.*

[10] Neil Sheehan, *Ibid.*

[11] "Reasons for the Emergence and Survival of Red Political Power in China" October 5, 1928 in *Selected Military Writings of Mao Tse-tung*, Foreign Languages Press, Peking, 1963.

[12] Sheehan, *op. cit.*

[13] Ted Sell in *Los Angeles Times* of Sept. 2, 1964.

[14] Neil Sheehan, *op. cit.*

Viet Cong goals

The goals of the Viet Cong were first expressed by its political and administrative arm, the National Liberation Front, as the NLF Program for South Vietnam.

This program was first announced on the official founding date of the National Liberation Front, December 20, 1960.[16]

In summary, the NLF program for South Vietnam stated its intention to:

1. Overthrow the colonial regime of the U.S.-Diem clique;
2. Institute a largely liberal and democratic (i.e. democratic centralism, or communist) regime;
3. Establish an independent economy and improve the people's living standards;
4. Reduce land rent, implement agrarian reform with the aim of providing land to the tillers;
5. Develop a national and democratic culture and education;
6. Create a national army devoted to the Fatherland and the people and to abolish all foreign military bases;
7. Guarantee equality between various minorities and between sexes; protect legitimate interests of foreign citizens abroad and of Vietnamese citizens residing abroad (and grant minorities within Vietnam their own "autonomous" zones);
8. Promote a foreign policy of peace and neutrality (canceling all unequal treaties, especially those with the U.S.; developing close solidarity with socialist and neutral countries and with Cambodia and Laos; staying outside of any military bloc and refusing any formal military alliance);
9. Reunify the country and to
10. Help all other national liberation movements elsewhere.

PART II—VIETCONG METHODS OF OPERATION

To carry out its pretense at being a South Vietnamese organization independent of North Vietnam, the Vietcong maintains what purports to be its own political system; a taxation system that purports to provide the Vietcong with all necessary means of financial support; a campaign by its National Liberation Front designed to convince other governments that the Vietcong is virtually a "sovereign nation-state" and a corps of unofficial "fifth columnists" in countries opposing the Viet Cong war.

Viet Cong political system

As a political device that is specifically aimed at recruiting members from among the South Vietnamese populace, the Vietcong maintains the People's Revolutionary Party; ostensibly a South Vietnamese Communist Party, actually a creation and creature of North Vietnam.

On December 15, 1961, the North Vietnamese Communist Party, the Lao Dong, dispatched cadres to South Vietnam to establish the People's Revolutionary Party.[17] Although, in actuality, it would be a creature of the Lao Dong, its purpose would be to appear as an independent organ resting upon a South Vietnamese base.[18]

In its October, 1965 training manual for its own cadres, the PRP sets forth as its goals the overthrowing of "imperialism, colonialism", smashing the "United States presence as well as its feudal servants (i.e., the government of South Vietnam)" and "liberating" South Vietnam.[19]

"Once independence is attained, the next step is unification (of North and South Vietnam). Then will come the social reorganization work, along socialist-communist principles: land without demarcation (i.e., commonly-owned), cooperative electrification of the rural areas, re-education of individuals . . . also, helping other small weak countries to struggle against imperialism.[20]

The PRP functions as a transmission belt and control group of the NLF and NLF army. It is active in every province, district and village of South Vietnam. It represents the North Vietnamese government and Communist Party. It is a coalition representing many groups in South Vietnam, some of which are only fictional. It has six regional groups, including a party regional committee, a front regional committee and an army regional committee. Each province has its own local committee in addition to the separate ones in each district, village and hamlet. As one of its main goals it seeks to get non-communists into the NLF.[21]

In the early part of 1966 a document setting forth the rules of the PRP was released by the South Vietnamese Government. The document had been captured earlier by U.S.-South Vietnamese forces and its author was obviously a member of the Vietnamese communist apparatus, possibly on the Lao Dong staff in Hanoi.[22]

Upon translation, the document was found to state a number of relevant specifics as to the nature of the PRP, how it attempts to function in South Vietnam and how one becomes a member.

According to the document, membership is open to anyone 18 years of age or older who wishes to become a member and is willing to pay Party dues. However, it also states that each prospective new member must be sponsored by two official members who are familiar with the background of the applicant and that the specific requirements for each applicant will be determined by that applicant's social and economic background.

The document goes on to state that prospective new members must be willing to reveal their personal history to the Party for its examination and investigation by each member of the Party unit to which the prospective new member is making application. After satisfactory approval by that unit, the applicant becomes a prospective new member and is sent through a probationary period.

The document states that the Vietnamese People's Revolutionary Party is organized on the basis of democratic centralism; that a party unit will be established once there are three or more members in the same area; that this basic unit will have its own secretary; a unit with seven members will have a secretary and a deputy secretary; those units with more than seven will have an executive committee which will elect the secretary and a deputy secretary if the latter is desired.

Further, the document states that the local Party unit has as its duty the responsibility of mobilizing the local people and assisting them in their fight, that local units are to remain in contact with their superior units at all times and that when such contact is interrupted the local unit is to carry on its local work as before and seek to renew contact with superior units as soon as possible. In those areas temporarily controlled by the "enemy", Party bodies are told to act secretly to protect the Party.

Members are told that their duties include the study of Marxism-Leninism and the constant practice of self-criticism.

Discipline, the document states, is both important and constant; its purpose is to unify and strengthen the Party and to instruct Party members. In those cases where discipline is warranted due to infractions by Party members or units, it is to be unquestionably applied. In the case of individual members it consists of reprimands, warnings and revocation of position and/or elimination from the Party temporarily or permanently. For Party units, discipline consists of reprimands, warnings and temporary or permanent dissolution.

The document concludes by stating that only the Party's central executive committee has the authority to change any of these rules.

Viet Cong taxation system

To finance its many military and political activities, the Viet Cong has designed and installed a sophisticated and thorough system of taxation in the areas under its control in South Vietnam.

Some of the specifics of this system came to light in a captured Viet Cong document that is estimated as having been disseminated in January of 1965.[23]

The document is a pamphlet "catechism" designed to instruct the lower-level cadres and inhabitants of agricultural areas under Viet Cong control as to the taxation policies that are to be used in such an area to finance the war.

Through a series of thirteen questions and answers, one is told both how the peasants are to economically support the war (referred to as the Revolution) and, within this context, the specific mechanics of the taxation system (including tax "brackets" and "exemptions").

Financial problems are noted in the very beginning, with the increased costs of this war in 1964 shown by the comment that some "donated three and four times more" in 1964 than in 1963. Tax "dodgers" and "malingerers" are also commented upon, and, while chided for their "ignorance" are not severely censored, thus causing one to wonder if these practices are not so widespread as to rule out full condemnation as a tool. In place of censorship, there is urging—urging those guilty of these practices to realize the harm they are causing.

Throughout this document the usual propaganda themes (the U.S. imperialists and their lackeys seek to "colonize" South Vietnam, "we are growing stronger day by day," "we are winning, etc.") run rampant.

Marxist economic principles lie at the base of the tax system. Each is taxed "according to his ability" and the Revolution is financed "according to its needs". It should be noted that a "progressive" tax scale is applied—with those earning more, paying more.

Among the errors committed by those not fully cooperating are: claiming less land than they truly own, claiming a smaller crop yield and harvest than actually occurred, claiming greater damages to crops than were suffered, underpayment of taxes due, failure to pay and postponing payments.

Chief results of such behavior are listed as: loss of revenues, loss of equality and loss of "unity".

To keep unity strong and devotion high, "evaluation and comment" conferences are held by the people, under cadre supervision. During these conferences "jealousies" and "misunderstandings" are ironed out. "Indifferent" attitudes are stamped out.

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[15] Neil Sheehan, *Ibid.*

[16] NLF Document.

[17] Warner, Denis, *The Last Confucian*, The Macmillan Co., 1963, New York.

[18] Warner, *Ibid.*

[19] Douglas Pike in the *Reporter Magazine* for Feb. 24, 1966.

[20] Pike, *Ibid.*

[21] From pre-departure briefings, given in Washington, D.C., June, 1965.

[22] From NLF document.

[23] *Ibid.*

The pamphlet tells how local "granges" or "farmers' associations" function as the tax-collecting-and-paying unit. Every farmer belongs to one association ("working-and-enjoying-together-the-farm-produce" group) and members other than farmers are carefully alloted: thus, it is noted, as one example, that those families taking care of two children of cadres who are off fighting will be given the two memberships, in addition to their own, that their parents would have had (thus reducing their tax as tax is based upon numbers, inversely).

An annual quota is set for each association and used to encourage diversified agriculture and over-quota production by means of the indirect "subsidy" of tax reductions and exemptions (the amount over quota is not taxed).

Prior to the establishment of quotas, land is categorized in one of four classes, each with its own tax "bracket", thus: 1st class land, tax of 300 bushels; 2nd class land, tax of 250 bushels; 3rd class land, tax of 170 bushels; 4th class land, tax of 120 bushels.

Rice is the "staple base" used in setting all calculations. For other produce equivalent means are applied, thus: lettuce, squash, cucumbers, pumpkins and melons are counted as being worth two or three times that of crops obtained from first class rice lands in the same region due to the surface area (or labor, in some cases) needed to raise these crops.

Allowances are also made for the farmer with more than one crop per year, more than just a rice crop alone (rice and . . .) and no rice, but other kinds of produce.

People are urged to pay fully and on time, to encourage others to do the same and to pay fairly ("if paying with rice, pay with rice that is *thoroughly* dried").

It is also noted that full payment will allow the Revolution not only to be able to meet its normal needs but, in addition, to allow a "reserve fund" to be established to pay for "greater" needs if and when such may arise.

Exemptions and reductions are thoroughly gone into and the allowances that may be granted for various crop failures is spelled out. Some disasters are considered to be worth more than others (e.g. being captured by the U.S. "enemy"). Disasters not minimized by efforts then available to the peasants are not compensated for by reductions as much as they would have been otherwise.

Thus, in a drought, where one farmer brought in water and one did not, the farmer's losses are made up for by a greater tax reduction than that granted to the latter.

Throughout the entire document, great attention is given to meticulous detail, revealing a tremendous amount of planning and thought given by this system's designers. As examples, specific tax reductions for various types of disasters are spelled out, *by percentage* per disaster type; the tax equivalence of any crop is shown, *by exact multiplications* of hectares of rice land; the amount of taxes to be paid in kind are specified for each farmers' association on an *exact mathematical formula* using the yield, number of association members, rice conversion factors, etc.

Viet Cong "Nation-State"

Since at least 1962 the National Liberation Front has attempted to behave as though the Viet Cong was an actual "national-state" and has performed a number of international acts in an attempt at substantiating itself as another government.

In 1962 Nguyen Van Hieu, then secretary-general of the NLF, led an NLF delegation to Hanoi, Peking, Moscow, eastern Europe, Switzerland, Egypt, Cuba, Burma and Indonesia in an attempt at bidding for international support and recognition.[24]

In Cuba, an NLF mission was installed as a "quasi-ambassadorial" entity. In Egypt an NLF delegate was attached to the Afro-Asian Solidarity Conference in Cairo. In Indonesia, and in Communist bloc countries in eastern Europe, a representative of the NLF was installed in the capitals.[25]

In June, 1962 the NLF extended "foreign aid" to Algeria.[26]

In 1963, a separate NLF, delegation was appointed to Algeria.[27]

In March, 1965 the NLF sent its own delegation to the Indochina Conference, billed by its sponsors as a meeting of the liberation movements of Vietnam, Cambodia and Laos.[28]

On April 23, 1965 the NLF opened an office in Moscow headed by its representative, Dan Quang Minh. In Peking, Iran Van Thanh headed a permanent NLF mission.[29]

In July of 1966, the North Vietnamese Ambassador to Peking, Tran Tu Binh, told a mass rally in Red China that the only way the Vietnamese war could be settled would be for the U.S. to recognize the stands of *both* the NLF *and* of North Vietnam, although there is virtually no difference between them.[30]

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[References 31 through 46 were deleted from the Text.]

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PART III—VIET CONG AID FROM OTHER COUNTRIES

To conduct its war against South Vietnam, the Viet Cong has drawn upon assistance from North Vietnam, the Soviet Union, Red China and Cambodia, among other countries.

The degree and extent of this assistance varies from one country to another, depending upon the interest of the countries involved in the outcome of this war. In at least one instance, that of Cambodia, it is just possible that the assistance is of an involuntary nature.

Viet Cong aid from North Vietnam

Since 1963 North Vietnam has been infiltrating men and supplies into South Vietnam to assist the Viet Cong campaign. While at first North Vietnam denied this as its role, recently it has come to admit its support publicly. In addition to the manpower and materiel, North Vietnam has also assisted the Viet Cong in the diplomatic realm where it has acted as the Viet Cong's spokesman. North Vietnam no longer seeks the conquest of South Vietnam, alone, as its goal. Instead, it is now trying to demonstrate to would-be revolutionaries everywhere that its means of warfare are superior to that of the U.S. and, thus, can be used effectively and with the certainty of success at any time.

The first company of North Vietnamese troops entered South Vietnam in 1963 in response to the political turmoil caused by the fall of Ngo Dinh Diem.[47] Through 1964 this infiltration continued.

By March, 1965 it was reported that 7,000 men were being infiltrated into South Vietnam each month, [48] in May this was reduced to 3,500 as the Viet Cong recruited an equivalent number within South Vietnam; [49] in December the rate was back up to 4,500 infiltrators per month [50] in 1966 it has been running at about 5,000 a month.[51]

By August it was reported that the flow of additional Communist military manpower had reached a point where more troops were coming in on the Viet Cong side than U.S. forces could then kill or capture fast enough; about half of these troops were reported as coming from regular North Vietnamese units.[52] Some 35,000 had infiltrated into South Vietnam from January to August.[53]

The means of infiltration have been fairly standard and well-organized. Troops are first grouped into staging areas in the southern part of North Viet Nam where they are formed into units. From there they are usually transported by truck into Laos where they then march some fifteen days through the jungles into South Vietnam. Along the way, the troops are furnished regular guides and use a system of some fifty to eighty border stations where they can have rest and relaxation each night of their trip as well as food. This system is maintained by some five to six-thousand troops assisted by the Pathet Lao in the eastern part of Laos that borders Vietnam.[54]

North Vietnam's assistance has also been widely felt in the diplomatic realm where, on more than one occasion, it has acted as the spokesman for the Viet Cong it has claimed is independent of its control.

At the end of 1964, as one example, it was "Nhan Dan", the official paper of North Vietnam, that boldly stated that peace talks could only come when the United States gives up in Vietnam.

In April, 1965 it was North Vietnam that rejected President Johnson's offer of unconditional discussions and the Asian Development Bank proposed in his Baltimore, Md. speech as the "dreams of a madman."

In November, 1965 it was Hanoi that repeated that the U.S. must withdraw its forces before any peace talks can be held.

In January, 1966 it was Hanoi that pledged that the fight will be carried on for five, ten, twenty years or more until it is won. In July, 1966 Ho Chi Minh, for the first time, admitted that North Vietnam has been actively assisting the Viet Cong and promised that continued aid to the Viet Cong would be sent by Hanoi.[55] He then asked a partial mobilization of North Vietnam's reserves to assist in forthcoming efforts.[56]

Throughout this conflict North Vietnam's goal has not been merely the conquest of South Vietnam, although this, too, has been sought. As North Vietnamese General Giap stated, North Vietnam's principal goal in this conflict is to demonstrate that its means of warfare is superior to that of the U.S. and thus can be used by other revolutionaries in every other part of the world.[57]

Viet Cong aid from Red China and the Soviet Union

Red Chinese and Soviet activity [58] *in the Vietnam conflict is divided between two aspects: that of competing for North Vietnam's political allegiance within the international Communist movement and that of cooperating with North Vietnam in defeating the U.S. in Southeast Asia. Overall, the Chinese have made the most noise, frequently resorting to the bitterest and most militant comments in denouncing the U.S. effort. The Soviets, by contrast, have been comparatively mild in their statements. For the most part, the main aid received from Red China has been in the form of political and military doctrine, basic weapons and jet aircraft. The main Soviet aid has consisted of more complex weaponry. As of this report, neither outside power seems intent upon directly intervening in the conflict imminently. How-*

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[24] Warner, *op. cit.*

[25] Warner, *Ibid.*

[26] Warner, *Ibid.*

[27] Fall, *op. cit.*

[28] "The Indochina Conference," an NLF Document.

[29] *Peking Review* of July 29, 1966.

[30] *Peking Review* of July 15, 1966.

[47] Ed Meagher in September 3, 1964 *Los Angeles Times.*

[48] June 17, 1966 *Time* magazine.

[49] *Ibid.*

[50] December 17, 1965 *Time* magazine.

[51] August 10, 1966 *Los Angeles Times.*

[52] August 10, 1966 *Wall Street Journal.*

[53] August 10, 1966 *Los Angeles Times.*

[54] From pre-departure briefing notes.

[55] *Peking Review* of July 22, 1966.

[56] *Ibid.*

[57] July 19, 1964 "Nhan Dan."

[58] Honey, P. J., *Communism in North Vietnam*, the MIT Press, 1963.

ever, at least China has warned that she could be pushed too far.

During the first decade of North Vietnam's existence Red China and the Soviet Union set the pattern for their relationship to each other in Vietnam that is still present today as they vied with each other in gaining Hanoi's allegiance to their faction within the international Communist movement.[59]

During this first decade both gave North Vietnam aid.[60] Red China had a head start, however, as she had trained thousands of Viet Minh back in the days of the anti-French war and had also assisted these forerunners of today's Viet Cong by granting them military equipment during this same conflict.[61]

From 1954 to 1961 Red Chinese and the Soviet bloc countries gave North Vietnam some $1 billion in aid; of this Red China gave $662 million, virtually twice the $365 million the USSR donated (Russia's satellite nations gave another $38 million during this same interval.)[62]

When, in 1961, Hanoi sought to initiate an industrial development campaign it was to the Soviet Union that she turned thinking that this was beyond the resources of Peking.[63] In response, the Red Chinese sent a military delegation to Hanoi in December, 1961 led by Marshal Yen Chien-ying, president and political commissar of the National Defense Council.[64] The details of that meeting have not been made public. Suffice it to say, though, that since that time Hanoi has veered further and further toward Peking's orbit.

By September, 1963 North Vietnam was virtually echoing Red China's line in her official journal "Hoc Tap", when she stated that: violence is necessary to carry out any revolution; modern revisionists fear violence and thus contradict Marxist-Leninist teachings; modern revisionists preach reformism; there is no precedent for a "peaceful" transition to socialism and nuclear weapons are not an important factor in modern revolutionary guerrilla wars.[65]

During 1964 both Moscow and Peking promised Hanoi their support against the U.S. and granted Hanoi additional arms.

In February, the Soviet Union promised its support to guerrillas ("necessary assistance and support") and said that if the U.S. should invade North Vietnam, "the Soviet people would not remain indifferent . . ."[66]

In June, Red China said if the U.S. intensified the war it would go to war against the U.S. immediately.[67] Immediately following this statement, however, Moscow warned Peking not to count on Soviet assistance if Red China found itself involved in a direct confrontation with the U.S.[68]

When, in August, the U.S. responded to North Vietnam's attacks upon U.S. ships by bombing North Vietnamese ports, the USSR warned the U.S. that if it provokes a war on the "socialist countries" the Soviet Union would "stand up."[69] At the same time, Peking sent Hanoi its first jet aircraft, a small number of older Mig-15's and Mig-17's.[70] Following this it was reported that Red Chinese military "advisors" were actually in the field in South Vietnam helping Viet Cong.[71]

Russian help during 1965 consisted of sending Hanoi surface-to-air anti-aircraft missiles (SAM) of the same 28-mile range already then in Cuba and in Red China as well as six to eight IL-28 medium jet bombers capable of reaching Saigon from North Vietnam on bomb runs.

During 1965 Russia also: 1) said it could not remain "indifferent" to U.S. attacks on North Vietnam; 2) told the United Kingdom it could no longer serve as a co-chairman of the Geneva peace-keeping machinery set up in 1954; 3) promised it would let "volunteers" go to North Vietnam to fight the U.S. "if the U.S. aggression against the Democratic Republic of Vietnam (North Vietnam) continues and is intensified" and if the DRV appeals to the USSR for such assistance and 4) promised the DRV it would send more economic and technical aid.

China began the year when, in February, the West German magazine, Der Stern, quoted an earlier interview with Mao Tse-tung by Edgar Snow who reported that Mao said there would be no war between Red China and the U.S. over Vietnam as long as Red Chinese territory was not attacked. Later that month Peking said its forces stood "ready in battle array" to meet any U.S. invasion of North Vietnam.[72]

In March it said it was ready to "send our men."[73] On April 21 it said it had ordered full preparations to be made to send its troops into the Vietnam war and stated that if the U.S. continued to escalate the conflict, "volunteers might come."[74]

To date in 1966 Peking and Moscow have continued their competition for Hanoi's loyalty. By August, Soviet aid has been stepped up, China has told Hanoi it should fight its war on the basis of its own self-sufficiency just as the Red Chinese did in their revolution and Hanoi has told Moscow it appreciates its offer of troops from the Warsaw Pact countries, but it does not need them just yet.

At the start of this year Peking had been publicly critical of the quality of Soviet aid to Hanoi. However, upon the visit to North Vietnam of Alexander Shelepin, Soviet Communist Party Secretary, Hanoi publicly declared its thanks for the Soviet Union's "big and valuable" aid. Accompanying Shelepin was Col. Gen. Vladimir F. Talubko, a Soviet rocket expert.[75]

By March it was becoming known that Soviet missile personnel were actually working inside North Vietnam on the initial operation of Soviet anti-aircraft rockets downing U.S. jets.[76]

In April both the representatives of Hanoi and the NLF were in Moscow at the 23rd Communist Party Conference where both publicly thanked the U.S.S.R. for its valuable aid. By now Soviet-built Mig-21's were being used in North Vietnam against U.S. craft and by July they were being used with air-to-air missiles also presumably supplied by the Soviet Union. By April, Hanoi also had Polish-built trucks running on its infiltration routes to the south and additional financial contributions from East Germany.[77]

When, in July, the U.S. struck the oil facilities in Haiphong, the Soviets protested this had endangered the lives of Soviet crews and Soviet ships and then offered to carry out the pledge of volunteers from the Warsaw Pact nations. Hanoi turned that offer down, for the time being.[78]

Peking was warning its people, in April, to prepare for war with the U.S. "in the next year or two", then met with the delegation from Hanoi after North Vietnam concluded its attendance at the 23rd Party Conference. Peking pledged Hanoi additional support.

In May, Foreign Minister Chen Yi told Filippino diplomats Red China would enter the Vietnam war if the U.S. bombed Hanoi or Haiphong.[79]

In June, Red China, along with Hanoi repeated its opposition to any role in this conflict for the UN. It also refused to move from opposing any plans for joint aid projects for Hanoi as had been proposed by the USSR.

In July,[80] following the U.S. bombing at Haiphong, Peking said it was now "freed from any bounds or restrictions" in assisting the North Vietnamese, but, in its first major statement following the attack, it further stated that it had no plans to intervene and again stressed the idea of self-dependence in wars of national liberation, an idea expressed by Defense Minister Lin Piao in a paper published by Peking the previous September.[81]

In mid-July North Vietnam's ambassador to Red China met with Premier Chou En-lai.[82] At the end of their meeting, Chou promised, "No matter what U.S. imperialism may do, China will, in accordance with the interests and demands of the Vietnamese people, continue to be ready at any time to take all necessary actions. . . ."[83]

Four days later, Chairman Liu Shao-chi expanded this further when he remarked that "the Chinese people are ready to undertake the greatest national sacrifices" to aid North Vietnam.[84] He then added that "The vast expanse of China's territory is the reliable rear area of the Vietnamese people" and warned the U.S. against "further" escalation of the conflict.[85]

Viet Cong aid from Cambodia

Cambodia has played a supporting role in the Vietnam war for some time as Viet Cong troops use Cambodian territory for staging areas, purchase food and supplies there and turn to it as a sanctuary when in flight. To date, however, Cambodia has denied that it willingly supported any of these activities.

Since 1964 western intelligence has known that Cambodia has served the Communist cause in South Vietnam by acting as a "way station" for goods shipped from outside Southeast Asia bound for the VC within South Vietnam. According to reports, the goods go to Pnompehn and from there are moved across the Mekong River to the VC in South Vietnam.[86]

In May, 1966[87] it was reported that the Cambodian government has allowed the VC to use its territory for the "rest and recreation" of VC troops. It was also reported that Cambodia has donated supplies to the VC, allowed a new infiltration route of truck roads, bike trails and rivers to be set up by the VC known as the "Sihanouk Trail" and that up to 40 trucks per day use this trail to supply the VC. Four North Vietnamese regiments were reportedly then encamped in Cambodia in preparation for their further move into South Vietnam.[88]

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[59] *Ibid.*

[60] Fall, *op. cit.*

[61] Tanham, George, *Communist Revolutionary Warfare*, Praeger Publishers, New York 1961.

[62] Fall, *op. cit.*

[63] Honey, *op. cit.*

[64] Warner, *op. cit.*

[65] According to Herbert Aptheker February 20, 1966 lecture in Los Angeles, California.

[66] Tass dispatch of February 26, 1964.

[67] Victor Zorza in the *Manchester Guardian* for July 21, 1964.

[68] *U.S. News & World Report* for July 6 1964.

[69] *Izvestia* for August 8, 1964.

[70] August 12, 1964 *Los Angeles Times.*

[71] August 11, 1964 *Los Angeles Times* quoting Ambassador Lodge.

[72] Peking *Peoples Daily* February 10, 1965.

[73] Peking *Peoples Daily* February 25, 1965.

[74] Radio Peking broadcast of April 21, 1965.

[75] January 6, 1966 *Los Angeles Times.*

[76] According to Max Frankel of the *New York Times* in a lecture given in Los Angeles March 30, 1966.

[77] East German News Agency, ADN for April 1, 1966 according to the Associated Press.

[78] July 27, 1966 UPI from Moscow.

[79] May 25, 1966 *Los Angeles Times.*

[80] New China News Agency July 3, 1966.

[81] July 12, 1966 Peking *Peoples Daily;* Lin Piao in Peking *Peoples Daily* for September 3, 1965.

[82] Renmin Ribao of July 18, 1966.

[83] *Ibid.*

[84] July 22 statement published in *Peking Review* for July 29, 1966.

[85] *Ibid.*

[86] Robert R. Brunn, writing in the *Christian Science Monitor* for September 2, 1964.

[87] May 13, 1966 *Time* magazine.

In May, 1966 U.S. guns had fired into Cambodia from South Vietnam to silence VC guns inside Cambodia's territory. Thousands of VC guerrillas and main-line elements were reported camped in Cambodia and supplied by Cambodian merchants.[89]

In May it was also reported[90] that the Soviet Union and Red China had landed heavy war material at the deep-water port of Sihanoukville that was destined for North Vietnamese and VC troops in South Vietnam.

In July 1966 U.S. forces fired into Cambodia at VC forces fleeing there.

Throughout all of this, the Cambodian government has refused to admit that it allows any of these actions in support of the VC to take place and has denied that it has taken any active role to assist the VC.[91]

PART IV—VIET CONG WAR RESULTS TO DATE

The war of the Viet Cong has been raging since 1957, one year after the reunification elections failed to be held. It was the purpose of this section to ascertain the measure of Viet Cong progress to date.

The results, in summary, indicate that the picture so far is a mixed one: that while the Viet Cong has made definite progress toward the conquest of all of South Vietnam, it has come into heavy resistance in its attempts to conclude this conquest by the U.S. buildup to date; that while the U.S. has attempted to reduce the extent of the aid to Viet Cong through North Vietnam by its bombings, the results to date indicate that it has not yet accomplished this while the bombings have given rise to one other set of factors that may turn out to be equally important.

With regard to the U.S. bombings, it should be held in mind that the full impact of such a campaign frequently is not felt until sometime after the campaign has been initiated. As in the European Theater of World War II, there can be a substantial "lag-time" between the onset of a bombing campaign and the manifestation of its results. Therefore, the fact that, to date, the bombing campaign has not reduced the extent of North Vietnam's infiltration does not necessarily mean that this is the final evaluation of this campaign.

Viet Cong control in South Vietnam

Since 1957, when the war of the Viet Cong first began, guerrilla forces have steadily increased their control over South Vietnam. From the beginning, VC control has continued to expand to the present time when almost all land outside of the major cities and over half of the population is in their hands.

In 1963 Viet Cong (VC) troops were able to live off of the land in 30 out of 40 provinces in South Vietnam; were completely self-sufficient in weaponry in 29 out of 40 provinces and were gaining as much funds as were needed through taxes and contributions in 37 out of 40 provinces.[92]

At the end of 1963 one-third of South Vietnam's rural areas was conceded as lying within the hands of the VC; one-third was designated as "no-man's land" and the remaining one-third was under government control.[93]

By September, 1964 half of South Vietnam was reportedly controlled by the Viet Cong.[94] In only three provinces out of 43 were they not collecting taxes in most villages.[95]

By May, 1965 the VC were striking all over South Vietnam. They virtually "owned" the Central Highlands.[96] As an additional tactic they were using economic insurgency—blocking rice shipments to the cities to force inflation, interdicting and extorting supply convoys and applying clandestine pressure upon Vietnamese businessmen—to divert South Vietnam's economy into financing their war.[97]

In July, 1966 U.S. officials confirmed that 90% of the land in South Vietnam was either uninhabited or under Viet Cong control.[98] The Viet Cong presence now extended throughout the provinces of South Vietnam from the 17th parallel dividing North and South Vietnam to the southernmost delta area. Outside of the main cities, South Vietnamese control was vanishing; inside them, the number of pro-VC sympathizers was growing.

Viet Cong war of three stages

In the "primer" for Asian communist revolutions—Mao Tse-tung's "On Protracted Warfare"[99] *a war of three stages is taught. In the first, the target country is "softened up" by guerrilla hit-and-run attacks; in the second, more conventional (but still highly-mobile) forces begin to take land in the rural areas and, in the third, the last strategic points and major cities are conquered by positional warfare tactics employed by conventional rebel troops. One way to measure the progress of this kind of war is by noting the stage the rebel forces are in at any time. The Viet Cong now seem to stand on the threshold of Stage Three, their final stage. However, their attempts to achieve this stage to date have been thwarted by U.S. forces.*

Stage One began in 1957 when the Viet Cong began assassinations of South Vietnamese officials in different parts of the country.[100] In that year alone, more than 470 such officials were killed; more than one a day.[101]

Preparations for Stage Two were in operation by 1960 when VC guerrilla units attacked their first South Vietnamese military unit of battalion size.[102] Simultaneously with this military escalation, other specialized political agents began the infiltration of rural villages and the process of converting them into VC "combat villages" that actively supported the Viet Cong in its fight against government forces.[103] Through a process of identifying and then manipulating the deepest grievances of the people, the VC were able to obtain their support in return for the VC promise that these grievances would be rectified upon the creation of the regime to come. As in Red China, before 1949, the most widely-felt grievances in rural Vietnam pertained to the monopolization of land holdings by a relative few, governmental taxation and lack of any influence within the governmental system.[104]

In November of 1963 the preparations for Stage Three were under way when the first company of North Vietnamese regulars crossed into South Vietnam in response to the political confusion occasioned by the fall of Ngo Dinh Diem.[105] By September of 1964 the guerrilla skirmish had long since been replaced by the more conventional tactics of battalion-size units and, in preparation for the war's last days, heavy artillery had been moved into secret storage caves within South Vietnam.[106]

In April, 1965 the Viet Cong successfully staged their first conventional action against two U.S. Marine outposts near Da Nang airbase. In October, reacting to the U.S. buildup that was retarding further rapid progress, the Viet Cong resorted to human-wave tactics against larger U.S. forces. Although these failed to accomplish their objective at this time, by March of 1966 they were successful in overrunning a U.S. Special Forces Camp at Ashau with the help of heavy artillery and a force of 3,000 VC.

By June, 1966 the engagements were more and more frequently battles between North Vietnamese regulars and U.S. forces, with U.S. forces preventing any major VC victories.

In July, 1966 North Vietnamese regulars were massing for the first positional strikes upon two major cities, the capitals of South Vietnam's two northernmost provinces, when U.S. forces arrived to rout them. Stage Three was obviously about to be attempted.

Viet Cong strength

In 1961 the VC were estimated as having some 15,000 guerrillas,[107] *only half of whom were armed. By August, 1966, this had grown to a force of 280,000 most of whom were armed. In spite of U.S. military actions, the Viet Cong have continued to steadily expand their forces.*

By June, 1962 the VC was estimated at having 20,000 guerrillas.[108] By late 1963 this had been raised to an estimated 20,000 to 40,000 aided by another 100,000 "irregulars" who farmed by day and fought as guerrillas by night.[109] By August, 1964 the number of VC troops fighting in South Vietnam was placed at 150,000 including 34,000 regulars infiltrated from North Vietnam's army.[110]

By June, 1965 there were 64,600 regulars with another 80,000 support and guerrilla troops.[111] A little over one year later, the breakdown was: 110,000 North Vietnamese regulars, 112,000 guerrillas, 40,000 political (subdivision) cadre and 20,000 purely supporting personnel.[112]

The U.S. bombings of North Vietnam

Since November of 1963 the North has continued to infiltrate men and arms into South Vietnam. As one counter to this, since August of 1964 the U.S. has been conducting bomb raids against the North. To date, these have not succeeded in diminishing the flow of men and material from North Vietnam.

On the other hand, however, the bombings have caused a disruption of North Vietnam's society and economy that may subject the Hanoi regime to additional internal pressures and, in the end, do more damage to its cause.

In April, 1966 Major General Roy Lassetter, Jr., Army Deputy Assistant to the

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[88] *Ibid.*

[89] *U.S. News & World Report* for May 16, 1966.

[90] May 15, 1966 *New York Times.*

[91] May 13, 1966 *Time* magazine.

[92] U.S. AID study, March–May, 1963.

[93] Warner, Denis, *op. cit.*

[94] Fall, Bernard press statement, September 1964.

[95] Fall, Bernard in *U.S. News & World Report,* September 28, 1964.

[96] From field notes made in Vietnam, Summer, 1965.

[97] *Ibid.*

[98] July 3, 1966 *Los Angeles Times.*

[99] Foreign Languages Press, Peking.

[100] Fall, Bernard, *op. cit.*

[101] *Ibid.*

[102] Warner, *op. cit.*

[103] National Liberation Front report of Oct. 14, 1961 published by USIS as "When the Communists Come."

[104] Mao Tse-tung, *Selected Military Writings,* Foreign Language Press, Peking, 1963.

[105] Interview with Chieu Hoi by Ed Meagher in *Los Angeles Times* for September 3, 1964.

[106] Georges Penchenier, a French newsman captured by the Viet Cong, writing in the *New York Times* magazine for September 13, 1964.

[107] Warner, Denis in *The Reporter Magazine,* September, 1961.

[108] Marshall, S. L. A. in *Los Angeles Times* June 7, 1962.

[109] From pre-departure briefing notes.

[110] From pre-departure briefings.

[111] From pre-departure briefing notes.

[112] From press conference of August 15, 1966 by Gen. William C. Westmoreland.

Chief of Staff for Intelligence, in testimony not released until later, stated that increased numbers of men and additional supplies were still being infiltrated into South Vietnam in spite of U.S. bomb raids to that time. "They still have the capability of getting all the ammunition, the weapons, the troops into South Vietnam that they feel is necessary to do the job." [113]

In April, 1966 it was reported that in spite of over one and a-half years of bombing, supplies to the VC were continuing to come into South Vietnam at the rate of 80 to 100 tons each day,[114] in May that in spite of U.S. bomb raids North Vietnam had actually added new roads to its transportation network [115] and in July that the infiltration of men continued unabated as did the steady movement of 15,000 trucks from North Vietnam.[116]

In his June 29, 1966 press statement [117], Secretary of Defense McNamara reported that the North Vietnamese had upgraded their infiltration routes—some to all-weather condition and used by a minimum of 4500 infiltrators per month—that the North Vietnamese had doubled their truck movements during the first five months of 1966 over the rate for the same period of 1965; that the daily tonnage of supplies moved overland had gone up 155% and that the movement of men had increased 120%, increasing the number of North Vietnamese troops in South Vietnam by 100% of their number in 1965.

To meet the challenge of U.S. bombings, the North Vietnamese resorted some time ago to a primitive but highly-effective aerial defense system wherein a "highway production brigade" is assigned to each stretch of roadway and is employed in the repair of that section immediately following the departure of U.S. bombers. The bombers themselves are watched for by a system of aerial spotters who pass on their presence to jungle drummers who, in turn, signal road control crews who use lights to signal any supply convoys present off the roads.

Some 200,000 North Vietnamese are estimated as being involved in the road repair work.[118]

When, in March of 1966, U.S. officials were publicly debating whether or not Haiphong should be bombed, the North Vietnamese in Haiphong were moving the oil supplies stored there to safer depots in other locations; by April, some 10% of the oil at Haiphong's depots had been dispersed, some two months before the U.S. bombers attacked.[119]

While the bombings have not yet reduced infiltration, they have introduced additional problems for Hanoi within North Vietnam itself. Industrial development has been stalled, agricultural productivity reduced and the civilian population subjected to wide-scale social displacement that can only subject the regime to troublesome internal pressures. As a reaction to the bombings, Hanoi has ordered a mobilization of the civilian population and of the reserves that only further transforms the country into a garrison state. As one result of the bombings, the same degree of erosive inflation that has wracked South Vietnam's economy has now come to exist in North Vietnam.[120]

PART V—SOUTH VIETNAM AND THE WAR

To date, this analysis project has found that South Vietnam's assistance in this war has too frequently been of a negative quality. This is not meant to imply that the South Vietnamese have not done their part: as casualty figures alone should testify, the converse is true. However, as the reports indicate, too often South Vietnam has not provided positive assistance in both the military and non-military fronts.

This negative quality has been singled out by this analysis more than any other: not because it necessarily represents the major component of South Vietnam's role, but because it is in this area more than any other that improvements must be made if the war is to progress toward its end in the shortest possible time.

Before developing this data and the findings from it, then, a note should be recorded in South Vietnam's Defense: many South Vietnamese have fought bravely and well against the enemy, many South Vietnamese governmental officials have been reasonably honest and efficient. It is these, more than any other, that offer hope.

South Vietnam—Saigon's effort to date

To date, Saigon's efforts have left much to be desired. In many cases it has been Saigon that has blunted much of the U.S. effort. The government is plagued with its own problems; problems that have continued in spite of some of the best U.S. attempts at teaching governmental reform. The South Vietnamese Armed Forces, especially ARVN (the army of South Vietnam), are not that much better. As the obvious has demonstrated to date, the South Vietnamese military has completely failed to militarily secure its own country. Among the reasons for this a general lack of internal discipline ranks near the top. Corruption comes next. At a consequence of all this, the record of achievement by the South Vietnamese government and military has been more a negative one than anything else.

In November of 1964, losses of weapons by ARVN to the Viet Cong had been double their number lost in July while desertions for July were reported as having been up by 50% more than they had been in June.[121]

In June of 1965 the South Vietnamese government was reportedly still losing the propaganda battle to the Viet Cong as its cadres were not going out into the fields to make the face-to-face appeals so necessary when dealing with an underdeveloped country's people. Instead, Saigon cadres were relying upon aerial drops of printed leaflets while the Viet Cong sent its men into villages to tell the same message for its side.[122]

In 1965 desertion and draft-dodging was still a problem. Neither was being sternly punished by the government. By 1966 at least this aspect had been changed and deserters were facing the prospect of death sentences as the government attempted to improve military discipline. Profiteering was causing yet another problem, hampering U.S. AID activities. In one typical example, Vietnamese trained as medical corpsmen were reportedly selling the U.S. medicines supplied them to the Viet Cong instead of taking them to their assigned villages.[123]

In 1966 it was reported that ARVN troops had been seized by panic when the Viet Cong overran a Special Forces camp in March. Their panic reportedly interfered with rescue attempts by U.S. helicopters to such an extent that U.S. troops were forced to fire upon ARVN to protect the rescue operation. Several ARVN troops were killed in the process.

In April of 1966 many ARVN troops were distracted from the battlefields, leaving U.S. troops to fight their enemy alone, as Buddhist-led rioting near Da Nang airbase recruited the attention and participation of the South Vietnamese. At one point rebel Buddhist forces and government troops exchanged fire with each other, resulting in several mortar attacks upon the airbase itself. For six weeks, as the rioting continued, U.S. forces found themselves taking the brunt of the fighting against Viet Cong and reaping more casualties than were the Vietnamese. At one point, while U.S. troops battled Viet Cong nearby, young Vietnamese continued to march and parade with the Buddhists at Da Nang.

In June, the ARVN finally returned from the Buddhist riots to the fighting.

In July, the South Vietnamese government was claiming that it had the allegiance of 52% of the people; "up 4% from six months ago." At this rate, the report noted, it would be mid-1967 before the government could protect 75% of its own population.[124]

At the same time it was being reported that in very few places was there any effort being made to hold the land militarily won from the Viet Cong: that there were not enough U.S. troops for this task and that ARVN lacked "enough well-trained Vietnamese troops to act as a friendly occupying force," [125] understating the more accurate fact that in many areas ARVN's past behavior toward the civilian population had been such that villagers now feared the ARVN more than they did the Viet Cong.[126]

South Vietnam—Chronology of political events

Since the beginning of its independent existence South Vietnam has been plagued with political problems that, following the fall of President Diem, gave rise to what appeared for a while to be chronic governmental instability. Since the inauguration of President Ky some semblance of governmental tranquillity has been maintained.

On July 21, 1954

Republic of Vietnam gains independence under Geneva Accords.

In 1955

Ngo Dinh Diem defeats Emperor Bai Dai in election.

In 1961

Diem re-elected to second term.

Taylor mission reports needs for reform.

In 1963

Buddhist-led riots rack South Vietnam (SVN); demands for reforms and end of Catholic dominance leads to coup on Nov. 1 led by Gen. Duong Van Minh; Diem ousted and killed.

In 1964

January 30

Maj. Gen. Nguyen Khanh topples Minh and is named new premier.

February 8

Gen. Khanh forms new government with Gen. Minh named as new Chief of State.

August 16

Military Revolutionary Council elects Khanh President with new constitution giving SVN a constitutional democratic form of government, but democratic provisions are to be suspended during the "emergency"; Khanh still to have dictatorial powers.

August 25

Khanh bows to popular demands, gives up title of President, scraps new constitution granting him dictatorial powers and agrees to dissolve Military Revolutionary Council; promises new government run by civilians to be elected by the Military Council which is then to dissolve itself.

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[113] Hearings of the U.S. House of Representatives Defense Appropriations Subcommittee, released June 26, 1966.

[114] April 1, 1966 *The Wall Street Journal.*

[115] This has not been completely authenticated, however.

[116] July 8, 1966 *Time* magazine.

[117] Pre-departure briefing notes.

[118] July 8, 1966 *Time* magazine.

[119] April 8, 1966 the *Wall Street Journal.*

[120] Robert Elegant in *Los Angeles Times* for August 18, 1966.

[121] *U.S. News & World Report* for November 24, 1964.

[122] From pre-departure briefing notes.

[123] *Ibid.*

[124] July 3, 1966 *Los Angeles Times.*

[125] *Ibid.*

[126] From field notes.

August 27

Triumvirate named to rule: Khanh, Minh and Lt. Gen. Tran Thiem Khiem.

August 29

Triumvirate appoints Nguyen Xuan Qanh, a U.S.-trained economist, as acting Prime Minister for next two months; Khanh pleads illness as reason for not being able to continue leading government; Oanh says he is only holding government "in trust" for Khanh, who is still premier.

September 5

Premier Khanh orders political foes out of SVN.

September 13

Brig. Gen. Lan Van Phat, ousted by Khanh through orders of Sept. 5, leads four battalions of troops into Saigon and proclaims he is taking over government; Khanh foils the coup and names Maj. Gen. Duong Van Duc as an alleged leader.

September 15

Young loyalist officers who saved Khanh from coup hand out a 60-day, three-point ultimatum with threat of new revolt in two months if not met:

1) dismiss and expel all corrupt and dishonest officers, not just send them abroad;

2) dismiss and expel all corrupt and dishonest civil servants;

3) subject war profiteers to severe punishments.

Young loyalists are headed by Air Marshal Nguyen Cao Ky who says there is no disagreement between his group and the plotters of the last coup, only a divergence over means and that the two groups are now beginning to merge.

October 15

High National Council—handling transfer from military to civilian form of government—says planned popular elections for civil congress scrapped; members to be appointed instead.

October 25

High National Council names Phan Khac Suu as new Chief of State under a new constitution; Tranh Van Huong, Saigon mayor, as Prime Minister.

October 31

Huong officially confirmed by Council.

November 5

Huong appoints Khanh commander-in-chief of armed forces.

December 19

Armed forces leaders purge government, dissolve High National Council and state they are not against Suu or Huong; only that they are to replace the High National Council.

In 1965

January 27

Huong loses power to coup; Oanh acting premier.

February 15

Phan Huy Quat forms new government in place of Oanh with more Buddhists included; he is first northern Viet to lead as all previous were southerners following Diem; Kanh sent into exile by government.

June 22

Vice Air Marshal Ky takes over as premier as junta chieftain Thieu becomes chief of state.

In 1966

April 12

Amid large-scale riots led by Buddhists, Chief of State Thieu bows to popular demand for immediate general elections, designed to elect 50% of members to a representative assembly with the other 50% (from areas held by VC or in dispute) to be appointed.

April 15

Elections within 3–5 months promised, by September or October at latest.

May 7

Ky says he will stay in power another year.

May 8

Ky's censors remove his promise to hold elections from Vietnamese press.

May 24

Following Buddhist-led rioting, over 800 leading Vietnamese of all political hues gather in Saigon at a hastily-organized Congress of the People and Armed Forces to hear Ky report to the nation; ⅓ at this Congress military officers; rebels being quelled gradually; distracted SVN military units participating in riots.

July

Ky formally installs an 80-member council to assist him in running country; 60 are civilians and 20 are military officials.

The constitutional elections of 1966

In an attempt at furthering the political evolution of South Vietnam toward a more democratic form of government, a free election was set for September 11, 1966 by which the people of South Vietnam would choose 108 delegates to a National Constitutional Assembly.[127]

The Assembly itself would have no governmental power, other than that necessary to draft a new national constitution and under the election rules no one faction would dominate the Assembly which would be replaced by a true legislature after elections in 1967.[128] The Assembly would meet within 15 days of the elections to begin work that could take as little as six months to complete. The Military Directorate ruling South Vietnam would have the power to amend the constitution; however, their amendments could be overruled by a two-thirds vote of the Assembly. After receiving the constitution, the Directorate would promulgate both the draft and amended forms within thirty days or see the drafted constitution go into effect anyhow at the end of that time. Under the constitution's provisions, the Directorate will have three to six months to create the national institutions specified.[129]

Thus, the elections themselves do not directly produce a freely-chosen form of government: only the means to that end.

In an attempt at preventing the election from being successful, the Viet Cong mounted a heavy campaign of terror and harassment. Grenades were tossed in Saigon, mines planted near polling places and death warning squads sent to villages to advise the people not to vote if they wished to remain alive.[130]

According to a top secret directive captured from VC elements, the VC high command called for "complete and positive destruction" of the national election through these activities. By this directive, the VC was given three aims: 1) keeping the people from voting; 2) getting candidates to withdraw and 3) changing the election into a struggle movement that would accord with VC goals.[131]

On election day itself, streams of voters in the hundreds of thousands were reported trooping to the 5,238 polls in what became not just an election to choose an assembly that would bring into being a new form of government, but, more than this, a vivid anti-communist plebiscite on the part of the people of South Vietnam who risked their lives to vote it into effect.[132]

South Vietnam—Record of the Buddhists

As a prime contributor to the problems of governmental tranquility, the Buddhists seem to have no equal outside of the Viet Cong. For this reason, perhaps, many have sought to label them as Communist-dominated or led. To date, the evidence available does not support either contention. They have obviously been troublesome to Saigon's rulers; however, their records show that they have tremendous political potential if their leadership ever fully matures and grows beyond the "agitation" stage of political involvement.

In November, 1963 South Vietnam's Buddhists emerged as a potent force leading riots and demonstrations punctuated by self-immolating monks against the regime of Ngo Dinh Diem. The government falls and the Buddhists stand as a new force in South Vietnamese politics. Within a month following their success, reports of further political moves by younger monks began.

In August of 1964 fighting by Buddhist-led rioters forces the government of Premier Khanh to drop its plans for absolute rule. In September, Buddhist leaders join students in pledging a two-month moratorium on demonstrations while a new government, that of Oanh, seeks to stabilize itself. A general strike on October 27 is promised by the Buddhists if democratic reforms are not brought in by then. By the end of the month representatives of several coastal provinces are meeting to organize a new national party of the Buddhist-oriented.

In November rioting in the streets flares anew as Buddhists reject the composition of the new government created under Suu and Premier Huong. A greater number of Buddhists in the Cabinet is demanded.

Following failure of the street riots to topple Huong, the National Buddhist Association demands that the U.S. withdraw its support from the Huong government. By December, three top Buddhist leaders (Thich Tam Chau, Thich Tri Quang and Thich Tinh Khiet) are staging a hunger strike against the Huong government while Buddhist fanatics ready themselves for self-immolation if the Buddhist hierarchy so desires. By the middle of the month, the hunger strike is called off and a truce sought with the government. Anti-U.S. propaganda, charging the U.S. with "selling out the Vietnamese people" is distributed by Buddhists.

In January of 1965 anti-Huong rioting by Buddhists begins anew. Speculation that the Buddhist goal is a negotiated peace with Hanoi and a neutral Vietnam is reported. At the end of February, a top Buddhist leader (Thich Tam Chau) is terming the anti-Vietcong war "fratricidal" and says it cannot be won by killing Vietcong as this is the same as killing "brothers." By April, when U.S. bombing on Vietcong positions is in full swing, the Buddhists are threatening further upheavals in response to them.

A year later, in April of 1966, the Buddhists have mobilized over 10,000 demonstrators at the U.S. air base at Da Nang, protesting that the U.S. prevents them from forming a Vietnamese national assembly. Three-thousand others at the U.S. air base at Qui Nhon join in demonstrations sporting banners reading "Foreign Countries Have No Right to Set Up Military Bases on Vietnamese Land," in key with a long-known demand of the Viet Cong to end the U.S. military presence in Vietnam.

As the riots and demonstrations grow throughout different parts of Vietnam and the intensity of an anti-U.S. theme continues to grow with them, mobs led by Buddhists chant that the Vietnamese government is a mere "U.S. puppet", a charge frequently made in Vietcong propaganda. While the riot leaders allege the recent dismissal of a top military commander as their reason for the disturbances, the Buddhists demand immediate elections for a national assembly and an end to Catholic influence in government. Meantime, rock-hurling youths are reported in frequent incidents of chasing U.S. soldiers down the streets of the larger cities.

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[127] William Tuohy in *Los Angeles Times* for Sept. 11, 1966.

[128] Robert Keatley in *Wall Street Journal* for Aug. 26, 1966.

[129] *Los Angeles Times* for Sept. 11, 1966.

[130] *Los Angeles Times* September 9, 1966.

[131] William Tuohy in *Los Angeles Times* for Sept. 8, 1966.

[132] William Tuohy in Los Angeles Times for Sept. 11, 1966.

Chief of State Thieu, a junta leader and a convert to Catholicism, bows to Buddhist demands and promises elections as soon as possible. Then the Buddhists go on to demand that the U.S. withdraw its support from Marshal Ky.

With their demands for elections at least met by promises from the government, over 20,000 Buddhists celebrate in the streets over their victory and the anti-US. riots, many featuring the blocking of military traffic in the streets by Buddhist-emplaced blockades of family altars, ends.

Within a month, the Buddhists are leading new anti-U.S. riots in Saigon, as mobs of screaming youths attack U.S. cars and set two afire while screaming "Da Dao My" ("Down with Americans"). In a few days the USIS library in Hue is burned and riots by Buddhists there force U.S. civil authorities to evacuate their consulate.

By the end of May government troops have been sent by Ky to Da Nang and Hue to quell the riots and appear to have succeeded. Ky makes a peace offer to the Buddhists and is rejected. Then the two sides reach a compromise that schedules elections for a civilian government September 11 and promise a larger role for non-military figures in bringing the country to this point.

In July of 1966, Ky makes good on his promise and appoints a new council of twenty military and 60 civilian officials to assist him in running the country for the time being.

For the time being, the Buddhists are still.

A profile of two Buddhist leaders

There are two chief leaders within the Buddhist movement. Thich Tri Quang, one of these, was born in 1920 in Ha Tinh province in what is now known as North Vietnam. He is 43 years old and is a monk. Originally, he was named Phan Von Bong and has adopted a number of aliases over the years.

In late 1963, while Diem's bulldozers were pulling down Buddhist pagodas and the South Vietnamese security forces were dragging Buddhist leaders away, Quang successfully sought refuge in the U.S. Embassy in Saigon.

In November of 1963 he was one of the chief activists in the Buddhist-led revolt that toppled Ngo Dinh Diem. In September of the following year he publicly emerged as a top leader of the Buddhists.

In November of 1964 he became publicly dissatisfied with the Huong government for not admitting what he thought were enough Buddhists to high-level posts. In December, he began leading a series of demonstrations aimed at toppling Huong which did not succeed. During these he personally began a hunger strike to demonstrate his opposition and his followers distributed anti-U.S. propaganda.

In May of 1966 he was participating in another riot, this one even more anti-U.S. In the midst of it he reportedly phoned the Buddhist Institute in Saigon to tell it to tell Ky either resign or face increased bloodshed. Ky did not resign. Then Quang asked for President Johnson's help.

When this came to no avail, he launched a series of slashing verbal attacks against the President, blaming him personally for Ky's subsequent victory over the demonstrators and rebels and continuation in power.

During these same anti-U.S. riots, it was Quang who ordered his followers to drag their family altars into the streets to block U.S. military convoys as a protest over continued U.S. support for Ky. At least one convoy was waiting to launch a major attack on the Vietcong. It was not until several days later that Quang finally cancelled the blockade, which drew bitter fire from some senior Buddhists.

Many Buddhists say he is a Communist. Vietnamese police say he has met with members of the National Liberation Front. After 1945, when the Vietminh seized power, Quang went to Hanoi where, he reportedly told a friend, "I studied Marxism." When the Indochina War began he fled to a communist stronghold and was later arrested by the French.

He has personally denied being a Communist. As if in support of this, during the large-scale anti-U.S. riots at Danang in May and June, 1966, Quang reportedly turned down an alleged offer of assistance from the Vietcong to continue rioting. In April, he had earlier called for a "victory over the communists" according to Joseph Alsop, who also quoted him as saying, "no communist party can live in harmony with other political parties; furthermore, the nationalist parties in Vietnam are still weak and could not cope with the Communist Party if it were allowed to join (a coalition government)." He also was reported as favoring only those negotiations with the Communists that result from a military victory over them.

In an April, 1966 interview with Time magazine, Quang said he hoped the forthcoming elections in South Vietnam would not yield a majority for the Buddhists, but "equality for all". He also said that "being led or directed by the communists is the same thing as being a Communist" and there is no meaningful separation between North Vietnamese and South Vietnamese Communists.

Standing as Quang's chief rival within the Buddhist Struggle Movement is Thich Tam Chau, who recently resigned his position as head of the Institute for the Propagation of the Faith in a public demonstration of his disagreement with Quang's most recent moves. Said Chau in a letter to Quang made public, "I am opposed to bringing Buddha into the street," in reference to Quang's orders to his followers during the May–June, 1966 riots to block U.S. convoys by placing family altars in the streets.

A former colleague of Quang's, Chau has led the southern group of moderate Buddhists away from Quang in Saigon, leaving Quang only with the northern Buddhists centered in Hue. While Quang was launching his tirade against the U.S. in these riots, Chau was issuing a manifesto stating that U.S. troops are needed in Vietnam and that peace negotiations at that time would only mean a surrender to the Viet Cong.

Following the end of these riots, Chau continued his emergence as the head of the moderates by calling for an all-out war against Quang within the Unified Buddhist Church, the retention of Ky in the government and an end to riots by fanatics who seek noisey demonstrations and self-immolation. He proposed, instead, non-violence if further demonstrations are needed.

Whether, as some speculate, he will continue to rise in the Buddhist movement and eventually displace Quang is still to be seen. For the present he is making progress and continuing to gain the friendship, if not the support, of the government.

PART VI—THE U.S. EFFORT

Up to the time of this Report, the U.S. has not made the kind of military gains against the enemy its people are used to in a war in which it has been involved for at least five years. However, it must be held in mind that the full extent of U.S. involvement in this war did not develop until fairly recently: before 1965 the extent of U.S. involvement was of a minor character, after this time it became a major factor. Thus, if, to date, the gains have not been as substantial as many might feel would normally be warranted, this limitation should be held in mind.

Additionally, there has been one other important factor reducing the ability of the U.S. to make major gains. Aside from helping South Vietnam to defeat North Vietnam, the U.S. has also sought to contain this war from escalating into a major conflagration involving the super-powers. For this reason, each of its steps forward have been of a calculated nature. Wherever possible, attempts have been made to temporarily deny to itself fuller military gains rather than risk rapid escalation. As the data gathered in this analysis demonstrates, the cost of such a campaign is slower progress, but its reward is a lesser war.

U.S. allies—Assistance and support

For the most part, the United States is still fighting this war alone. However, as the war has continued, the extent of allied assistance has grown until, at the time of this Report, there are five other nations that also have troops involved in this conflict. Beyond these, other allies have made varying contributions to the U.S. effort.

Australia—March, 1966 Prime Minister Holt announces Australia will expand its forces in Vietnam from 1500 to 4500; it has had guerrilla war advisors serving there since 1962.

Republic of China—By June, 1965 it has 85 psychological warfare advisors in Vietnam; combat troops in huge numbers (45,000) are offered at any time.

New Zealand—was first to help the U.S. in May of 1963 with 25 army engineers, up to 30 by June, 1965, and 140 a year later.

Republic of Philippines—June, 1965 had 68 psychological warfare advisors in Vietnam; 5,000 army engineers and supporting troops promised; government collects public donations of goods and clothing for South Vietnamese; in February, 1966 there are 70 Filipinos in Vietnam as military and civilian medical teams; July 14, 1966, 2000 troops are approved by the Filipino Congress for sending to Vietnam and are en route.

Republic of Korea—September, 1964 had 130-man field hospital en route to Vietnam plus military advisors; October, 1965, 2000 Engineers there and 5000 marines promised; March, 1966 decides to raise total number of troops in Vietnam to 43,000.

Greece—Bans ships trading with North Vietnam March, 1966.

Japan—has six doctors and nurses there, sends supplies.

Iran—donating supplies

United Kingdom—West Germany—grants South Vietnam commercial credits

Canada—sending economic aid to South Vietnam

Malaysia—runs a guerrilla warfare school and trains South Vietnamese at facility in Malaysia

Official Statements of Support for the U.S. Effort received from—Argentina, Australia, Belgium, West Germany, Italy, Malaysia, Canada, Netherlands, Philippines, Singapore, Tunisia, Sweden.

How the United States became involved[133]

United States involvement in South Vietnam technically began in July of 1950 when the first U.S. military advisors were dispatched to the French forces then battling the Viet Minh. Throughout the final stages of that conflict, the U.S. thought seriously of intervening as it had been established that a Viet Minh victory would be a Communist gain. However, due to disagreements

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[133] Unless otherwise noted, this information comes from Eisenhower, Dwight D., *Mandate for Change*, Doubleday & Co., N.Y. 1963.

with the French over what the nature of that conflict should be (the French favoring the regaining of their colony as a sufficient goal; the U.S. prefering to see the colonies freed and the battle waged as a fight against Communism), the U. S. stayed out until the end of 1961 when renewed Communist advances finally forced President Kennedy to decide that the U.S. would have to make a firm commitment to President Diem of South Vietnam if Indochina was not to be lost to Communism.

In June, 1950 after the start of the Korean War, the U.S. began to send aid to the French fighting in Indochina. In July of that year the U.S. Military Assistance Advisory group (MAAG) arrived with additional French aid.

In December, 1952 President Truman authorized a grant of $30.5 million to a defense program for Indochina plus additional funds for economic and refugee programs in Vietnam.

In March the U.S. Government conferred with French Foreign Minister Bidault as to the possibility of additional U.S. help for the French in Indochina. Bidault refused to commit France to any statement disavowing its intention to re-colonize the Indochina area.

In September, 1953 the U.S. committed an additional $385 million to the end of 1954 to the French effort in Indochina.

It was President Eisenhower's feeling that the loss of Indochina to the Communists would also lead to the loss of Thailand, Burma and Malaya. At the same time, Eisenhower wished that more French troops were free for service in NATO. He felt that the French load could be lessened if the Allies helped French forces in Indochina, but he also felt this would be possible for them to do only, if the world understood that the war was in no sense an effort by France to regain old colonies—that it was a matter of meeting and defeating Communist aggression. France, however, refused to change from its primary goal of recolonization. As a consequence, the Allies, including the U.S., stayed out of the fighting.

Following the Geneva settlement, on July 21, 1954, President Eisenhower held a news conference and declared that: 1) the U.S. is not prepared to join in the Geneva conference declaration (and, as a result, the U.S. did not sign the Geneva Accords); 2) the U.S. will not use force to disturb the settlement; 3) the U.S. will view any renewal of aggression within the settlement area as a "matter of grave concern."

On September 8, 1954 as a direct result of the French defeat in Indochina the U.S. adopted an idea suggested earlier by British Prime Minister Churchill and signed the Southeast Asia Collective Defense Treaty creating SEATO. The U.S. signed this Treaty along with France, the United Kingdom, Australia, New Zealand, Thailand, the Philippines, and Pakistan. The pact recognizes that "armed attack" against any one of them in the treaty area endangers the peace and safety of all signatories and that, under such circumstances, each will act to meet the common danger. The mode of action was not specified. Under additional protocols added to the treaty, the treaty area was expanded to include the territories of South Vietnam, Laos and Cambodia as well as the territories of the signatories. The treaty also specified that in the event of something other than an armed attack upon one of these countries, the signatories agreed that they would all "consult" with one another.

By 1960, U.S. forces totalled over 700 military advisors.[134]

In January of 1961 President Eisenhower and President-elect Kennedy met in Washington to discuss security problems in Southeast Asia and, at that time, Secretary of State Herter allegedly told the new President-elect that if no political settlement could be reached in the area (especially with regard to Laos) that was favorable to free world interests, then he felt the U.S. would have to involve itself here. Ike reportedly concurred and said that if the Allies did not act with the U.S. here, he would favor unilateral intervention by the U.S.[135]

On December 14, 1961 President Kennedy wrote President Diem of South Vietnam and promised that the U.S. would "help the Republic of Vietnam to protect its people and preserve its independence."[136] By this time time U.S. advisors had increased to 1750.[137]

By May, 1962, there were 4500 Americans serving in the military forces in Vietnam; officially they were there only as advisors, without a combat role. As one reporter commented, however, sometimes "combat happened" on "training" operations. At the same time, again unofficially, the U.S. was flying bomb missions and using C–123B cargo planes on crop defoliation spraying activities.[138]

At the end of 1962 U.S. forces in South Vietnam[139] had reached 12,000. The U.S. had definitely become involved in the Viet Cong war.

Dynamics of increased involvement

Following President Kennedy's written commitment to President Diem, the U.S. buildup in Vietnam began. It started with 1700 troops in 1962, now stands at some 290,000 and faces the prospect of growing to 750,000 before its role ends. This buildup has still not yet moved the U.S. much closer to victory as Viet Cong progress cited earlier in this Report makes clear. Yet, when measured against the magnitude of the job to be done, perhaps this is somewhat understandable: the task to which the U.S. has committed itself in Vietnam is not merely to militarily defeat an enemy on the battlefield, but also to win the allegiance of a civilian population that is sometimes involved in the conduct of the conflict itself and whose loyalty was lost by its own government long ago. Aside from this, the U.S. buildup has not yet reached its peak.

In *1960*, as was just stated, there were 700 U.S. troops in Vietnam; by May, *1962* this number had increased to 4500; by the end of 1962 there were 12,000; by July, 1963 there were 14,000; by the first of 1966 some 190,000 following the "big push" beginning in 1965 and by the summer of 1966 there were 280,000 with a total of 400,000 publicly announced as the goal by the end of 1966.[140]

In 1963 the Administration was optimistic: in July of that year a "high Administration official" was quoted as saying,[141] "We have turned the corner in Vietnam." In October, Secretary of Defense McNamara said, "The major part of the military task can be completed by the end of 1965.[142] Two months after this, he announced he was rescinding his goal of "bringing the boys home" by the end of 1965. By this point, instead, he was telling Saigon that the U.S. would stay as long as it is needed.

In 1964 the problems still facing the U.S. could be clearly inferred from one of the documents circulated within the U.S. community in Saigon. In a "Team Working Paper" written in June of that year the U.S. was asked to confine its measures in Vietnam to that of friendly guidance; the paper reminded U.S. personnel that the Vietnamese were still to run their own affairs; the lack of effectiveness by ARVN (the military of South Vietnam) was noted as the paper called for it to become the "protectors and not the oppressors" of the people, casting some light on its reputation among the Vietnamese; the government of South Vietnam was said to need the ability (which the U.S. was to encourage) to get its members to view public service as a public trust and not as a private benefit for those in the government; ARVN, the paper went on, needs a big morale boost, it should be encouraged to start fighting the Viet Cong at night (which, obviously, it was not then doing while the Viet Cong were at their most active at night); punishment for the Vietnamese stealing weapons and selling them to the Viet Cong was suggested as well as punishment for the deserters from the South Vietnamese armed forces who were then being pardoned for their actions.[143]

In 1965 U.S. activity expands as the number of troops is given a large push upwards. U.S. ground forces end their strictly "advisory" role and are committed to direct combat with the Viet Cong. U.S. aircraft are given the green light to strike at VC troop concentrations within South Vietnam without waiting for official approval any longer. The bombing of North Vietnam had begun the previous August in response to attacks upon U.S. Navy ships in international waters by Hanoi—now a bomb line across North Vietnam restricting U.S. air attacks to a territory going no further than 124 miles above the border between North and South Vietnam has come into existence as the bombings expand.[144]

April 7 President Johnson gives his Baltimore, Md. speech and proclaims that the U.S. is fighting in Vietnam for the self-determination of the Vietnamese people, that Red China is behind this war as North Vietnam's sponsor, that "our objective is the independence of South Vietnam," that "we will not withdraw, either openly or under the cloak of a meaningless agreement." He goes on to say that the U.S. wants South Vietnam free from outside interference, tied to no alliance, a military base for no country. He says the U.S. is ready for unconditional discussions and proposes a Southeast Asian development program which, he states, the U.S. will sponsor and help to support.

Within two weeks the President declares that "we will remain as long as necessary, with the might required, whatever the risk and whatever the cost."[145]

In April and May Congressional furor erupts over free world ships bearing foreign trade to North Vietnam. It is estimated that 401 arrivals took place by such ships in 1964. Leading countries are the United Kingdom, Japan, Norway, Greece, Lebanon, Italy, Panama, West Germany, the Netherlands, and Sweden—whose flags fly on the trading ships. Under pressure from the U.S. Government two countries involved, Greece and Japan, ban further trade runs to North Vietnam. Others state they will see to it that any trade contracts its ships have with North Vietnam are not renewed.[146]

In June, U.S. non-military efforts continue to expand as U.S. AID carried on a variety of projects to upgrade life for those loyal to the

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[134] U.S. News & World Report for August 10, 1964.

[135] Schlesinger, Jr., Arthur M., *A Thousand Days*, Houghton-Mifflin, N.Y. 1965.

[136] Fall, Bernard, *Vietnam Witness:* 1953–1956, Praeger Publishers, N.Y.

[137] *U.S. News & World Report* for August 10, 1964.

[138] Warner, Denis in the *Reporter Magazine* for May 10, 1962.

[139] *U.S. News & World Report, Op. Cit.*

[140] June 9, 1966 Associated press

[141] July 15, 1963 *Newsweek*

[142] CONGRESSIONAL RECORD, vol. 112, pt. 11, p. 14530.

[143] Team working paper 8 June 1964 "Concept for Victory in Vietnam"

[144] February 21, 1966 *Newsweek*

[145] Johnson City, Texas speech by the President, April 18, 1965

[146] CONGRESSIONAL RECORD, vol. 112, pt. 7, p. 9266 and CONGRESSIONAL RECORD, vol. 112, pt. 8, p. 9976.

South Vietnamese government.[147] These include now resettlement and relocation programs moving Vietnamese from areas infested by Viet Cong (especially the Montagnards in the Vietnamese Highlands) into more secure ones held by the government; importation of U.S. commodities, the rehabilitation of former Viet Cong who have come over to the government's side voluntarily; rehabilitation of veterans, agricultural services including a militant Rural Youth program ("every member have a project"), home improvements, crop and livestock produce importation, agricultural experimental stations, importation of better soils and fertilizers, agricultural credit and cooperative systems, fisheries development, importation of better farm tools, irrigation projects, forestry projects, communication and radio projects, expanding electric power facilities, highway improvement and building projects, railroad repair, port development, air traffic control projects, public health (especially malaria control, more hospitals and trained medical corpsmen) campaigns and building new schools.

In July two SAM sites are reported ready for loading in Hanoi, yet no effort to bomb them has been made yet although plans for such a project are reportedly in existence for later use.[148]

In July a U.S. jet is downed by a SAM-type missile fired by North Vietnam.

Two missile sites are then bombed by 46 Air Force bombers, destroying one, damaging one other, leaving five others still in existence as it is reported that they are now semi-mobile.

A further loss takes place, this time in the diplomatic realm, when it is revealed that the North Vietnamese had requested UN Secretary General U Thant to arrange peace talks with the U.S. in late 1964; this in contrast to President Johnson's public statements since then that the "other side" had never shown the "slightest interest" in such meetings.[149]

In 1966 some reporters are asserting this is now a U.S. war.[150] Additional U.S. troops continue to pour in and, for one six-week period, their casualty numbers top those of the South Vietnamese as Buddhist-led rioting distracts some in ARVN away from the battlefields. At the start of the year, a pause in bombing North Vietnam had been tried as an attempt at encouraging negotiations. After 37 days with no positive response the raids were resumed.

Troop resentment comes with the battle of An Lao Valley, where a costly engagement is finally won by the U.S. and then cast aside as U.S. troops are ordered to pull out of that area and no occupation forces are left.

In April Cambodia begins to get some of the U.S. brunt as G.I.'s are reported crossing the border in pursuit of fleeing VC.

On May 27 Maj. Gen. Stanley R. Larsen, a top U.S. commander in Vietnam, tells a press conference: North Vietnamese troops are massing in Cambodia to attack South Vietnam. The Pentagon says the General is wrong and denies that his story has any authenticity. Five hours after the press conference, Gen. Larsen says, "I stand corrected." On May 28 U.S. sources are reported as saying that 10,000 North Vietnamese regulars are in Cambodia poised for a drive on South Vietnam. Larsen had only claimed that six North Vietnamese regiments were there, including the 32nd and 33rd regiments of the 325th Division of the North Vietnamese People's Army.

On the diplomatic front this year, U.S. activity has also expanded. In the beginning of 1966 the President had "peace emissaries" traveling around the globe in public pursuit of some way to arrange a meeting with the "other side". In spring the *Honolulu Conference* takes place and ends with its Declaration pledging the government of South Vietnam to beating the Viet Cong, ending social injustice, improving the economic order and to establishing true democracy; the U.S. pledges to continue to prevent aggression, establish self-determination, attack hunger, ignorance and disease and to seek peace in Vietnam.

In 1965 Secretary of State Rusk had made it clear the U.S. only seeks a stop to the shooting in this way, not necessarily a declaration of defeat from the other side.[151] Now he tells the Viet Cong they would have no problem being represented in any peace talks that might take place, if they are interested in participating.

In June the eleventh annual meeting of the SEATO ministers takes place and ends with its members divided over Vietnam: the U.S. is joined in its attitude by Australia, New Zealand, the Philippines and Thailand. France and Pakistan stand aside with the United Kingdom. France disassociates itself from the final communique and Pakistan divorces itself from the entire proceedings.

In July Secretary Rusk predicts swift reprisals against North Vietnam if it carries out its threat to subject captured U.S. airmen to a "war crimes" trial and warns the Warsaw Pact countries that it would be "unwise" for them to carry out their pledge to send troops to Vietnam.[152]

By late summer, this year, predictions of further U.S. troops numbers are being made. A total of 400,000 has been set by the end of the year. A larger total of 750,000 has been mentioned as the number needed to end this war in five years instead of the eight it would otherwise require with present U.S. strength; however, this estimate comes from a study that was reported from Vietnam and which the U.S. Government refuses to authenticate.[153]

U.S. goals in Vietnam

From the beginning, the U.S. goal in Vietnam has been the same: to foil Communist aggression as sponsored by North Vietnam upon another independent, sovereign entity, that of South Vietnam. Contrary to what some of its critics have proposed, the U.S. had yet to state colonial ambitions or any purpose that might result in its imposing its political viewpoint upon that of the South Vietnamese. The U.S. has sought to bring an ally only to the point where it is left alone by its neighbors so that it may work out its own destiny by itself. Further, the U.S. has flatly gone on public record and stated that should the South Vietnamese, at any time, freely decide that they wish the U.S. to leave their country, the U.S. will have no other recourse than to respect this wish.

The main statements of the U.S. goal in Vietnam to date follow:

December 14, 1961, as stated by President Kennedy—to preserve the independence and to protect the people of South Vietnam.

June, 1964, as stated by President Johnson—to keep this commitment by the U.S.

April 7, 1965, as stated by the President in his Baltimore, Md., speech—to preserve the independence of South Vietnam and the self-determination of its people.

December, 1965, as stated by Secretary Rusk on Canadian TV—to realize a Vietnam free of Communist aggression, even if it should then become a non-aligned country.

February, 1966, from the Declaration of Honolulu—to prevent aggression; to establish self-determination; to attack hunger, ignorance and disease and to seek peace in Vietnam.

July 12, 1966, from the statement by the President—to meet our obligations in Asia as a Pacific power; to repulse Communist aggression; to co-operate in building political and economic strength among the free nations of Asia.

PART VII—ANALYSIS AND CONCLUSIONS

At the present time, several factors touched on in this report may be about to mature and, by so doing, may be able to bring a United States victory in Vietnam closer to realization.

Possibilities for victory and loss

If the additional forces the U.S. has promised for Vietnam should be used to allow operations to begin that are designed to *hold* land won from the Viet Cong, it is altogether possible that South Vietnam can be militarily secured. The major limitation imposed upon the U.S. to date has resulted from the fact that it has not begun to hold and occupy the territory from which its forces have temporarily routed the VC in battle.

Since 1965 it has been apparent that the task of defeating the Viet Cong was beyond the resources of the South Vietnamese military alone. For this reason, U.S. forces came to replace—in fact, if not in design—those of the ARVN and take on the job ARVN alone was obviously incapable of doing. If this task is now extended, then the greater U.S. numbers to come may very well be allowed to also take on the final job required if the Viet Cong is to be banished as a military force within South Vietnam: *hold* land won from the Viet Cong, not merely win it while U.S. forces are there.

Politically, again, U.S. efforts may be on the verge of returning their investment. To date, the government of South Vietnam has demonstrated itself to be woefully incapable of self-reform. With the constituent elections, it is possible that a new government—one more representative of and responsive to the people—may eventually be constructed. Should this occur, then the tonic-like qualities of new people and new ideas may yet come to replace those of worn-out juntas and revolving generals.

Within the enemy homeland, North Vietnam, there are additional factors that may influence the war favorably for the U.S. side. The U.S. bombings, as noted, have not yet reduced the flow of men and material infiltrated into South Vietnam. On the other hand, however, they have just begun to give rise to internal pressures due to the social and economic displacements their continuation is causing that may, in time, force the Hanoi regime to alter its course of action or risk widespread civil disturbances that could threaten the very existence of the regime now in power.

Like other Communist states, North Vietnam has its own internal factions, one pledged to Moscow and one devoted to Peking. To date, the pro-Peking faction has been dominant. Conceivably, the rise of internal pressures coupled with a stalled war effort that cannot attain to its final stage may sufficiently reduce the influence of the more militant, pro-Peking faction and achieve the goal the U.S. has set for itself in Vietnam: an end to the fighting by Hanoi.

There is no guarantee these things will come about. The U.S. could still, in theory, be driven out of South Vietnam. If widescale rioting should be triggered by Viet Cong agents within the larger cities, the U.S. might have to evacuate these just as Buddhist-led rioting forced its temporary eclipse from the city of Hue. In such an event, a pro-Viet Cong clique could seize power.

Again, if the Viet Cong should agree to meet with U.S. negotiators and then, while negotiations are in progress, open up its artillery and place Saigon under seige (just as the Viet Minh did to Dien Bien Phu while meeting with the French at Geneva), it is possible that a failure of diplomatic nerve on the part of the U.S. might cause its representatives to cede to the Viet Cong what the Viet Cong was not able to gain on the battlefield.

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[147] From field notes made in Vietnam

[148] July 7, 1965 *Wall Street Journal*

[149] CONGRESSIONAL RECORD for May 25, 1966; remarks of Congresswoman Bolton.

[150] Denis Werner in the *Reporter magazine* for Jan. 30, 1966.

[151] Department of State release for July 20, 1965.

[152] July 13, 1966 *Los Angeles Times*

[153] Allegedly the report was written by the Marine Corps.

Whether or not these, or similar, tactics would work would seemingly be determined more by the degree of determination and cold iron will possessed by the U.S. than by anything else. And, to date, the U.S. has not shown itself lacking in these attributes. Thus, at the present time, there is hope for an eventual U.S. victory in Vietnam.

Implications of the outcome

As to the effects of the final outcome of the present campaign upon the major outside participants, the results differ with the stakes involved.

For both the Soviet Union and Red China the Vietnam war is a test of revolutionary strategy in the nuclear era. A loss by the Viet Cong would vindicate Moscow's assumption that in the technological age, such advantages as rapid mobility and superior firepower as the U.S. enjoys outweigh the greater numerical support North Vietnam's population base allows it to enjoy. Thus, Moscow's "way," that of international political competition masked as peaceful coexistence, would be advanced in the eyes of other would-be revolutionaries.

Conversely, a win by the Viet Cong would demonstrate that Peking is correct: that even in the nuclear era weapons are not more important than manpower. The reaction among other embryonic revolutionaries would be highly beneficial for Red China and her position within the international Communist movement would be correspondingly advanced at the expense of the USSR. In addition, a Viet Cong victory—i.e., the defeat of the U.S. in Vietnam—would replace the U.S. with Communist China as the major political power in Asia.

As one result stemming from this, the embryonic war now in its beginning stages in Thailand would be certain to grow.

Again, here is a case of guerrilla insurrection sponsored by the desires of Red China.

Since 1964, "Free Thai" Radio has been heard urging revolt against Bangkok. Some suspect the broadcasts emanate from Red China.

In November, 1964 a manifesto was published by a Thailand Independence Movement calling, again, for goals that can only benefit Peking: a U.S. withdrawal from Thailand and the overthrow of the Thai government.

In January, 1965 Red Chinese Foreign Minister Chen Yi reportedly said, "We hope to have a guerrilla war going there (Thailand) before the end of the year."

By December, Peking was boasting that it had merged the two Thai revolutionary groups into one: the Patriotic Front of Thailand.

By May, 1966 assassinations of school teachers and rural government officials were on the increase: again, the first stage of Peking-style insurrection was being witnessed.

In summary, if Peking's side wins in Vietnam, Peking's promises of further expansion at the cost of U.S. influence—are sure to be kept. Unless, in Thailand's case, the U.S. wishes to desert a proven ally, the U.S. would have no other choice but to fight there, too. Thus, the loss of Vietnam would only be the prelude to a war in Thailand.

For the United States, then, the stakes are even greater. Should South Vietnam be lost to the Viet Cong, either by a military defeat or by a political withdrawal by the U.S., the U.S. would not merely suffer the loss of one allied country, although this, too, would occur. More important, South Vietnam's loss would bring the Communist nations an increase in their international political power.

It was for reasons such as this that late 18th Century Americans cheered on the French Revolution: not to personally gain land and people, but to see a common political ideology expanded as a global factor.

If, through a win in Vietnam, the Communist nations can demonstrate that their ideology is continuing to expand among the governments of the world, the impact upon other non-Communist nations should be obvious. As with people, so with nations, everyone wants to be with the winner. The implications for U.S. security interests, in such an event, should be *patently* clear.

Thus, what is at stake in South Vietnam for the U.S. is the continuation of its ideology as a meaningful force in the global arena, and, from this, the worth of its allegiance and alliance to the other nations of the world. Upon this, in turn, rests the foundation of continued U.S. security itself.

The United States in Asia

The United States has been in Asia as a potent political force since the Open Door policy of 1899. When the U.S. first came rolling outside of its continental boundaries upon the world's stage, it was in Asia that it first acted.

The U.S. has fought to maintain its position in Asia now through one world war and one Cold War conflict. It is now engaged in another, yet there are those who maintain that the U.S. has no role in Asia and that Asia is the proper domain of Red China, a relatively new political power.

If the U.S. heeds the advice of those who counsel retreat and fails to successfully conclude the present contest in Vietnam, all that has gone before will be cast aside and its contraction as a global political force is guaranteed.

For this reason, if for no other, then, the U.S. must persist in Vietnam.

After Vietnam, however, there will be other Asian conflicts: Peking's pronouncements promise these and—at least in the case of the emerging war in Thailand—those who either fear or wish to befriend Peking are already at work seeking to forestall dynamic U.S. action here. If the Vietnam conflict is to have any meaning the lessons learned from it to date must be applied to what the imminent future portends.

First among these is that there is, in this country, a most vociferous minority group that would cede to Red China what its puppets in war have not yet been able to win for her, so far. Their counsel must be identified as that of a powerless faction if U.S. allies are to persist in their trust. Second among these is that decisive action by the U.S. in the earliest stages of contest can very well be more meaningful than later action that attempts to compensate for earlier options that were let to pass.

Finally, of these, and perhaps the most significant, is the one which relates to the unilateral role in which the U.S. has cast itself, for the most part, in the Vietnam war. True, as one part of this Report pointed out, the U.S. has been and is now receiving some allied help. For too much of this war, however, the U.S. role has been a solitary one and there is no fixed reason apparent for the U.S. to find itself in this same position in any future conflict, if the U.S. is willing to employ a more imaginative diplomacy today.

If the U.S. can meaningfully convey to its allies in Asia the impact of what would befall them if the U.S. were to fail in any contest here, it is believed this could lead to motivating them to pick up more of the slack in an area of concern that is properly theirs, too. Specifically, Japan, the Philippines, Formosa, Korea, Thailand, Australia and New Zealand could—in many respects—make a contribution that far exceeds the one they have made to date, if they wished to do so. Only a reluctance by the U.S. to press them in this regard seems to prevent this from coming about.

What is, therefore, suggested is that the U.S. take these other nations in Asia that share a similar ideology and fashion from them a new military grouping, a Pacific Alliance, to meet the future challenges Red China's continuation as an expansively-oriented nation holds out.

SEATO, so far, has failed in this endeavor as a truly useful arm of U.S. diplomacy. Thus, its replacement by a more significant grouping should be sought. If this is not done, the U.S. will only have the painful choice between retreat from a future challenge or, again for the most part, meeting that challenge relatively alone.

Yesterday's diplomacy was determined by the events of Europe; tomorrow's politics will be determined by the events in Asia today. Beyond the sunset line a new diplomatic era is dawning, the era of the Diplomacy of the Pacific. If the U.S. prepares for this era today, it can successfully meet the contests of tomorrow. If it fails to move now, it cedes its future security to the actions of others who will not fail to move today.

In summary, the next ten years may very well turn out to be the Decade of the Pacific. What the U.S. does today will determine how that Decade now on the border of tomorrow turns out.

INAUGURAL ADDRESS OF GOV. TOM McCALL OF OREGON TO THE 54TH BIENNIAL LEGISLATIVE ASSEMBLY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. DELLENBACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DELLENBACK. Mr. Speaker, at this point in the RECORD I include the January 9, 1967, inaugural address of Gov. Tom McCall to the 54th biennial legislative assembly:

INAUGURAL ADDRESS

(By Tom McCall, Governor of Oregon, to the 54th biennial legislative assembly, Jan. 9, 1967)

Mr. President, Mr. Speaker, Ladies and Gentlemen of the Fifty-Fourth Legislative Assembly, and Fellow Citizens:

The ceremonies you have just witnessed have given Oregon a new governor and secretary of state and have sped an outgoing governor on his mission in the United States Senate.

I join with you in wishing Secretary of State Myers and Senator-Elect Hatfield auspicious tours of duty and in paying tribute to Mark Hatfield's sixteen years in State Government.

No man has served as governor in this century as long as Mark Hatfield and, to the best of my knowledge, no man has left his imprint on so many state actions, policies and programs.

My earnest hope is that his successor will be equal to the challenges of the four years stretching ahead. An imperative of progress in these years is a rapport between the executive and legislative branches.

If differences there be, let them not arise from any fault in communications, and I pledge to you, for my part, to keep the lines of availability and cooperation constantly open.

In this hour we gather in a common dedication to the people of a great state. We are their creatures. Without their assent we do not exist as public servants.

To the extent it is humanly possible to do so, let us put aside the temptations to be guided by regionalism, factionalism, or anything which fragments the public interest. May we pledge to one another, then, to work, not in partisanship, but in partnership.

It is in this spirit I address you—and through you, our fellow citizens—today.

This legislature and this administration are to become perhaps the most closely scrutinized in Oregon's history.

I am not referring to the media coverage—as extensive as that will be.

My observation runs to the anticipations of the people in terms of the gross legislative product.

The pledges of the candidates in last year's hard-fought election led our citizens to expect more than ever of the process we shift into high gear today.

And a substantial number of these citizens are actually *demanding* more. Certainly in the area of property tax relief this is strikingly true.

Besides this clear and emphatic mandate, the voters expressed themselves as strongly in favor of steps to prevent the expropriation of Pacific Northwest water by the Southwest * * * to bolster safeguards against contamination of our streams, lakes and air * * * and to continue the balance of development of our economic, education, highway, recreational and institutional systems.

In my quarter-century of analyzing public concerns, there is no recallable counterpart of this wide, thoughtful interest in so many issues. Undergirding this attention, running through the consideration of every program—are the questions of cost, efficiencies and economy. And on these points one detects an intense public desire for proof that each tax dollar spent is buying one dollar's worth of good government.

In this hour of close communication today, let us consider together the citizen and his constitution * * * his governments * * * his rights * * * his intellect * * * the citizen and crime and justice * * * the citizen and his health and safety * * * his environment * * * his recreation * * * his economy * * * the citizen and the labor force * * * the citizen—tax obligations and tax relief.

THE CITIZEN AND HIS CONSTITUTION

There are many reasons for the so-called drift of power from the states and localities to the nation's capital.

To help bring the exercise of parts of this authority back to where it belongs, the sovereignity of states and people must be reasserted.

This calls for a reinvigoration of the problem-solving punch of state and local government. We cannot continue to wallow in a maze of discoordinated taxing districts any more than our states can hope to progress with archiac constitutions that reflect the problems and mores in the heydey of the covered wagon.

Six years ago the people directed the legislature to update our constitution. I urge as a starting point for your consideration that proposal which was presented to the House of Representatives in 1965 with the following modifications:

Provide for a lieutenant governor to run in tandem with the governor, but not to preside over the Senate;

Create the position of controller for a six-year term on a nonpartisan ballot, the position to have audit and supervisory elections functions;

Follow the major bar association recommendations on the selection of the judiciary.

I support single member legislative districts, optional annual sessions of the legislature, a change in the signature base for petitions to a percentage of voters for governor, and tightening restrictions on tax spending.

THE CITIZEN AND HIS GOVERNMENTS

Quality in government is related to structure and the caliber of the men and women who provide the services demanded of government.

On January 3 of this year, I presented the Joint Ways and Means Committee some proposals designed to maintain and enhance competence of personnel.

One dealt with immediate improvement of the salary schedules of most state employes and another with their retirement program. I commend these to you for your earliest consideration.

You will also be interested, I am sure, in other recommendations offered at that time, to grant delayed increases in judicial and legislative salaries and a prompt increase in the per diem expenses of members of the Assembly.

In the area of structure, nothing is more frustrating to the citizen than the maze of governments which, though established presumably to serve him, sometimes succeed only in confusing. While simplification and pinpointing responsiblities are desirable as goals, one of the means toward better governing would be the establishement of an assistant in the governor's office to solidify lines of communication between the state and cities and counties and other local units of government.

This same assistant could help local governments in preparing and negotiating federal grants, stimulate local initiative in problem solving, facilitate cooperative arrangements with other governmental agencies and I would hope could bolster the defense of local units from arbitrary decisions by federal officialdom.

This administraiton urges rapid action on legislation to transform the Department of Commerce from a provisional to a permanent status. Assurance of its continuation at an early date will facilitate the department's preparations for an even more significant role.

At the heart of government is the entire election process and a complete review of our laws in this connection is in order. We must tighten reporting procedures, apply new standards to the Corrupt Practices Act, eliminate second class citizenship for teachers, and eliminate misleading provisions.

THE CITIZEN AND HIS RIGHTS

Maintaining the rights of the citizen is a thread that runs through numerous matters other than constitutional revision and election procedures.

In these days of technological advances, we must, for example, be ever vigilant to prevent invasions of privacy by the electronic eye or ear.

The very bigness of government carries with it the enlarged risk of blundering into people's lives. The bigger government grows under the demands we place on it, the smaller many citizens are made to feel.

One of the basic concepts on which our society was founded is the right of the citizen to defend himself—or be defended—against unfair, arbitrary, erroneous or capricious government actions.

So believing, I recommend that the legislature create the independent office of "Ombudsman." The occupant would be appointed by the governor to receive and investigate citizen complaints of public servants' unjustifiable inaction, inefficiency, arrogance or abuse of authority.

The system has worked well in Scandinavian countries and New Zealand.

The "Ombudsman" may criticize, suggest improvements in procedures, propose some specific remedy or reject the complaint. But he would not judge individual guilt or innocence, nor have the power to change administrative decisions.

Addition of the "Ombudsman" would offer the citizen still another protection of his rights.

Civil rights is a principle deserving of unflagging support, despite the rise and ebb of controversy. The lack of demonstrations on the part of Oregon's non-whites should not induce the apathetic belief that our state is free from racial disadvantage and bigotry.

Oregon's civil rights laws are adequate to cope with individual cases coming to the attention of authorities. The number of such cases, however, scantily mirrors the width and depth of the predicament of poor non-whites, and whites, as well, who are unemployable in a society which places mounting emphasis on human skills.

Employment is at the base of the whole struggle for civil rights. And vocational and technical training is the key to employability.

The Model School program of Portland School District No. 1 strikes at the problem in early life. The avenues for others of the disadvantaged must be widened by stepped-up training, embracing special courses and a vastly more inclusive state apprenticeship program.

THE CITIZEN AND HIS INTELLECT

This administration will discuss education in depth in a subsequent special message to the legislature following the completion of the necessary budget work.

We treat with basic school support later in this message—but suffice it to say concerning other major educational points that more emphasis needs to be placed on:

Encouraging expansion of kindergartens by the state on a non-compulsory subsidy basis;

Broadening vocational education at the secondary and post-high school levels;

Elevating Portland State College to university status and making it the hub of a vigorous, effective Portland graduate and research program, while recognizing the inescapable fact that a quality graduate program must be based on a quality undergraduate program;

Expanding community colleges to meet regional needs as funds permit and under a coordinated statewide plan of growth and development.

Broadly, we must, within our means, maintain quality higher education through a program providing at least one open door beyond the high school for every student.

THE CITIZEN AND CRIME AND JUSTICE

A striking parallel between muffed educational opportunities and delinquent and criminal behavior recurs innumerable times in the records of inmates of our jails and state penal institutions.

To go with strengthened academic and vocational programs at these institutions, the state's treatment complex requires an adult diagnostic center at the penitentiary . . . an indeterminate sentencing law . . . a more professional-type parole board, the functions of which should be transferred to the corrections division . . . and development of more halfway houses and group foster homes.

Expansion of the Pitchford Boys Ranch kind of facility for pre-delinquent boys is urgently needed. This would be consonant with the intensified efforts of the state to join in improving community preventive action against delinquency.

Skyrocketing rates of crime and delinquency also compel us to continue to upgrade our law enforcement complements—both in caliber and in numbers—and to reanalyze our court structure.

A positive step toward realization of a state police academy is possible through funding of a heating system for Camp Withycombe, to enable its facilities to be used for police training on a year-round basis.

Police training, equipment and personnel must be augmented both to protect the citizen and help officers to comply with new and more difficult interpretations of criminal law. Hopefully, progress along these lines will reduce the rising incidence of criminal appeals and cases of delayed justice.

More criminal appeals and more civil litigation put the State Supreme Court at an increasing disadvantage. Its mounting backlog of cases makes it essential to act on one of these alternatives: 1. addition of two justices to the present court, 2. creation of a three-member Supreme Court of Criminal Appeals, or 3. initiation of a system of intermediate courts of appeals.

Also, the new legislature will be faced with a movement favoring family courts. Surely, there can be few detractors of the concept of one court—instead of as many as five—handling the problems of a troubled family whose complications may run from criminality and incompatability to alcoholism and mental illness.

THE CITIZEN AND HIS HEALTH AND SAFETY

Great progress has occurred in matters relating to physical health but we have but begun to become effective in programs of public enlightenment as they relate to mental health. We should concentrate efforts in helping emotionally-disturbed children for which adequate state facilities and staff are virtually non-existent. Continued improvement in staffing at all our institutions for the mentally ill and retarded is contemplated. Since more than four-fifths of our mentally retarded are not institutionalized, we should initiate adequate state research, education and training regarding the cause, treatment and community care of our retarded. The staffing of social workers in the schools would make significant contributions to our young people and their families. Expansion of community mental health facilities must be pressed.

The war in Viet Nam and the deadliest of disease take their toll in life and limb in what may appear to be unavoidable ways, diplomatically or medically. But the tragic destruction of humanity on our highways must rank as one of civilization's saddest indictments. This assembly would be well advised to update Oregon's traffic statutes by:

Reexamination of drivers every four years, with examination every two years for those over 65 years of age;

Requirement of specific licensing for school bus drivers;

Maximum speed limits on Oregon highways, varying from place to place and road to road depending upon engineering studies including type and condition of road, the amount of traffic and other factors affecting speed;

Expansion of driver education programs and providing that no one under 18 receives a driver's license unless he has taken an approved driver training course;

Addition of state police officers to the extent their training can be achieved;

Requirement that motorcycle operators and their passengers wear safety helmets; and, finally,

Establishment of more rigid standards on re-issuance of driver's licenses to chronic violators.

THE CITIZEN AND HIS ENVIRONMENT

Health, economic strength, recreation—in fact, the entire outlook and image of the state—are tied inseparably to environment.

Water, air, land and scenic pollution threaten these and other values in Oregon—a state pictured in Oregon's first inaugural address in 1859 as "one of the most attractive portions of the North American continent".

Oregon still merits that description, but to continue to qualify will require:

Expansion of State Sanitary Authority staff and operating budget, both of which are more than 60 per cent below the "desirable" standard set by the Public Administration Service in its 1964 study;

Intensification of research into development of improved or advanced methods of waste treatment, including disposal of solid wastes such as garbage and old automobile bodies;

State matching of up to 25 per cent of the cost for sewage disposal facilities for municipalities and districts, many of which face transition from secondary to costly third-stage treatment;

Amendment of sanitary districts' statutes to encourage and facilitate formation of metropolitan units;

Prohibition against dumping specifically enumerated materials into waters of the state under any circumstances;

Granting of summary abatement power to the Sanitary Authority to cope with flagrant violations;

Requiring Sanitary Authority-based building permits to check the possibility of water and air pollution from proposed industrial facilities.

Provisions for much of the foregoing are made in legislation drafted at the request of your excellent Public Health Interim Committee.

In fact, we must leave no door unopened in battling the menace of contamination of our environment.

We must put an engineer on the Sanitary Authority and a sanitarian on the Board of Health.

We must broaden our perspective and involve the Western States Water Council in pollution control on interstate streams.

THE CITIZEN AND HIS RECREATION

Additional safeguards of environment are inherent in programs to acquire inland recreation lands, preserve more beach areas for public use, beautify our highways and augment our inventories of fish and game.

On or about March 1, I will send you recommendations for implementing the Willamette Recreational Greenway suggested by State Treasurer Straub and endorsed by me. Volunteer and full-time task forces are working up a program for this exciting development.

The Highway Department, in providing money and personnel for the Greenway study, feels it can share in this commitment now and in the future and still meet its other recreation obligations.

One of the most pressing of these is acquisition of beach lands. Few realize that the state owns Oregon's beaches only up to the median high-water mark.

The Department has launched a program to provide beach accesses every three miles at an eventual total cost of $8,000,000. Legislation is needed in this session to enable the Department to obtain title to these vital lands through adversary proceedings.

Oregon's Game Commission has received no general license fee adjustment since 1950. Since then, the proportion of total income attributable to licenses and tags has dropped 10 per cent, and inflation has sheared more than 30 cents from each dollar available to the Commission.

Higher license fees are essential to mounting adequately-financed management and research programs in an era of unprecedented demands on Oregon's fish and game. We should not tolerate further delay in authorizing the proposed fee schedule.

With these increases in effect, the status of fish and game populations can be improved—providing the finest angling and hunting in Oregon's history for an army of resident and out-of-state sportsmen.

THE CITIZEN AND HIS ECONOMY

The abundance of fish and game, the purity of water and air, the serenity of scenic open space—all tremendously worthwhile in themselves—are also vital economic factors in Oregon.

These contributors to Oregon's cherished liveability complement a natural resources complex that feeds the state's principal wellsprings of income: forest products, agriculture and tourism.

The pattern of Oregon's economy, geography and population incidence makes ours a state on wheels. A 1 cent-per-gallon increase in the state gasoline tax is needed to help keep Oregon's highway system first in all the nation and to provide property tax relief.

The threat from the Southwest of expropriation of our most precious resource, water, demands a speed-up of our water needs study through additional funding. The governors of Washington, Idaho, Montana and Wyoming have personally assured me they will move to accelerate similar research efforts in their respective states.

As soon as feasible, Oregon must also initiate engineering studies to determine the broad specifications for irrigation works to open expanses of Eastern Oregon to cultivation.

Those who till the soil and furnish the staples of our table will make increasing contributions to the state's income in other ways. The recommendations of your imaginative Interim Committee on Agriculture are worthy of your prompt consideration, for research, marketing insights and trade must undergo further advances.

Throttling limitations on the Land Board in its administration of hundreds of thousands of acres of Common School Fund grazing and forest lands must be lifted. This can be accomplished through constitutional amendment or revision to provide flexibility for better management in keeping with multiple-use guidelines.

Your able Interim Committee on Public Lands has so recommended and has also prepared two memorials to the Congress.

We recommend your support of these requests to Washington to clarify federal land trading policies and review the allowable timber cut on federal lands in the state. There is abundant evidence that these timber resources can withstand a heavier harvest without doing violence to sustained-yield principles.

THE CITIZEN AND THE LABOR FORCE

Unemployment compensation is more than just a stipend for the temporarily unfortunate. It must be viewed as insurance guaranteeing that families will not have to seek out welfare due to temporary loss of employment. Two immediate changes are necessary to make Oregon's unemployment compensation program more actuarially sound: 1. We need to modify the schedule of rates for employers to provide for eight levels rather than four; and 2. We need to develop a sliding-scale concept of payments whereby a percentage of the state average wage or the recipient's average wage, whichever is lower, would be considered the minimum base. This flexibility is essential if we are to avoid repeated legislative controversy and meet changing conditions.

Any controversy between management and labor, or any dislocation that strains employment relations creates a hardship on Oregon's economy and an inconvenience to the public that can drastically affect our state. It is therefore incumbent upon state government to provide more workable machinery in the area of employment relations. This administration proposes the creation of an Oregon Employment Relations Agency where the administration of all employee-employer laws would be centralized. This agency would be empowered to establish election procedures, to regulate employment practices and to provide counsel in employment disputes. It would also be empowered to undertake fact-finding procedures as a method of resolving disputes.

THE CITIZEN—TAX OBLIGATIONS AND TAX RELIEF

Despite the 1966 dip in our forest products revenue, a strong, increasingly diversified economy has supported state government services at an ever-rising level.

But for too many years Oregon educators, citizens and politicians have given lip service to the goal of 50 per cent state support of primary and secondary education.

For too many years no significant progress has been made toward that objective and the burden has fallen more heavily on the property taxpayer.

It is time to act.

This administration's budget proposes a state-supported program providing slightly less than $600 per child in the next school year and slightly more than $600 per child in the ensuing school year.

Half of this amount would be distributed by means of a basic grant for each pupil. The other half would come from a combination of state and local funds geared to local needs and resources.

This program, together with existing federal programs, appears adequate to meet particular responsibilities of Oregon's largest school district with its concentration of disadvantaged children. Were it not so, a special grant program to deal with that problem would be recommended.

Likewise, the costs of transportation can be encompassed in this basic proposal without recourse to special grants.

Further, there will be no need for continuation of existing county and intermediate school levies.

Thus we arrive at a simple two-part formula which together with the local districts' levy will supply adequate and understandable support for Oregon's public schools. In fact, the state's share of this support would represent an increase of $150,000,000 in the coming biennium.

For all but a handful of school districts, principally those that have not reorganized, the existing level of operations and normal growth can be funded with a maximum levy of 1 per cent of market value of taxable property.

This administration, therefore, proposes that such a limit be established for property taxes for school operating purposes.

Let me say to my friends in education that I could not espouse an increase of $150,000,000 in basic school support without the imposition of such a limitation.

Upon this solid foundation of property tax relief other less consequential but still important blocks of state aid will be directed to cities and counties.

The programs, responsibilities and sizes of local taxing units, other than schools, vary too greatly to make any percentage limitation on their property taxes appropriate. It is feasible, however, to encourage their recourse to user charges and other non-property tax sources.

To that end this administration recommends repeal of the Constitutional provision allowing an automatic 6 per cent increase in tax base each year.

Local units should be required to present any increase in property taxes to a vote of the people at the time of the statewide primary or general election or at a special election to be held at a uniform date each year.

Funding of the foregoing program of school support and property tax relief can be accomplished with additional state revenues approximating $35,000,000 a year.

Only if the legislature wishes to grant much more substantial property tax relief can there be justification for the Assembly to refer a sales tax to the people.

This administration's proposals, however, permit state government to adhere to its traditional revenue mainstay, the income tax. By having exercised prudence in our budgetary review, we have been able to propose property tax relief far in excess of increased income taxes recommended.

We propose only an approximate 15 per cent increase in the income tax. At the same time we would lighten the worry and bother on the individual of coping with income tax forms and administration. We would do this by having most income taxpayers report simply the taxable income shown on their federal return together with the computation of state tax.

Those with larger and more complex incomes would use the same brief state form but accompany it with a copy of their federal income tax return. No long, involved state return will be required.

Since business is a larger proportionate beneficiary of property tax relief than the average individual, we propose a one-third increase in corporate income and excise taxes.

A detailed message on the subjects covered under this heading will be presented to the Assembly shortly. Included will be tables showing the distribution of state aid to each school district, precise budget figures, schedules displaying the impact of tax changes, and relevant draft legislation.

THE UNSPOKEN ISSUE

The problems and opportunities outlined to you are weighty indeed. But as forbidding as some of them may appear, we who are on the home front have as the unspoken issue on our hearts and minds those men serving to preserve our way of life in Viet Nam and elsewhere.

Legislation has been provided which makes state educational benefits available to Oregon veterans who earn the American Expeditionary Medal. Benefits should be extended by constitutional means so that these same new veterans could qualify for the self-sustaining farm and home loan program which has meant so much to their predecessors and to the economy of our state. We can do no less in thanksgiving for their sacrifices.

THE OVERRIDING CHALLENGE

A few weeks ago I said "the overriding challenge—the umbrella issue—of the campaign and the decade is quality—quality of life in Oregon."

I respectfully suggest that the proposals this administration has submitted to you today will meet the challenge and further dramatize the significance of that issue.

Your oath of office and mine mark the moment of truth.

In these weeks and months as we labor together, as winter turns to spring, hope and expectation abound throughout our state that we will devote ourselves imaginatively and selflessly to the tasks at hand.

To this end I here solemnly vow—in the proudest hour of my life—to join you fully and completely in assuring the people of Oregon we will work with all of the talents and good will at our command in their service.

MESKILL OFFERS CONGRESSIONAL ETHICS BILL

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Meskill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MESKILL. Mr. Speaker, today I am introducing legislation to continue the Select Committee on Standards and Conduct, assign it the task of drawing precise ethical standards of conduct for Members of the House and employees by the end of this year, and, following House approval of these standards, to give it authority to hear allegations of misconduct brought before it and to recommend censure, or expulsion—in the case of a Member—or dismissal—in the case of an employee.

Over the past few years a handful of highly publicized allegations of misconduct against a few Members of Congress and a few employees has cast a disturbing cloud of moral doubt over the entire Congress. Because effective representative government depends on the highest trust existing between the public and those whom they elect to serve them, it is essential for Congress promptly to establish a clear, unequivocal code of ethics for the legislative branch. It should be a code that cannot be misunderstood or circumvented and which provides for the swift punishment of offenders. Existing law sets strict standards of conduct for officials appointed to the executive branch. We should do no less for ourselves who are elected to serve in Congress.

My bill would create a Select Committee on Standards and Ethics, composed of 12 members equally divided between the two political parties. Its first function would be to draft precise and comprehensive standards of conduct for approval of the House. It would be given until December 31, 1967, to submit a draft to the House. Once the House approved the standards, the committee would act on complaints of misconduct on the part of members or employees. The committee would be authorized to recommend censure or expulsion of those found guilty. The committee would also report violations of law to appropriate Federal and State authorities.

Any effective standard of conduct in my opinion should bar members and employees of Congress, their immediate families and their business associates from receiving any compensation, except their salaries, from performance of their jobs. They should not do any business with the Federal Government either in their own names or in the names of their immediate families or business associates which results in personal gain. In short, no person holding public trust should be permitted to use that trust for personal gain, whether in money, free transportation or lodging or gifts of merchandise above a nominal value.

This bill is offered in the knowledge that the vast majority of those who serve in Congress and who serve the Congress are honorable and upright but also in the knowledge that it is necessary not only to be right but also to appear right.

THE 104TH ANNIVERSARY OF THE POLISH STRUGGLE FOR FREEDOM

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, 104 years ago, on January 22, 1863, the people of Poland revolted against the autocratic rule of Czarist Russia. Although they fought heroically against far superior manpower, they failed, but the people of Poland persevered and finally achieved their independence in 1918.

This historic event has special significance at the present time because of the current Communist dictatorship of the Soviet Union, which is substantially more diabolical than the Czarist regime. The Soviet Union actually holds Poland in bondage through the Communist regime which Russian military forces installed at the close of World War II.

On this, the 104th anniversary of the Polish struggle for freedom against the Czars, we encourage the brave people of Poland to remember that the defeat of that year was ultimately rewarded in independence, thus demonstrating the perseverance of the Polish people and the righteousness of their cause. Certainly, this historic perseverance and quest for freedom will again produce a government based on the true wishes of the Polish people.

The continued belligerence of the Communist regime against the Catholic Church has a historic parallel in the persecution which the oppressors of Poland pressed against the faith of the Poles in the 19th century.

It is especially ironic that the present State Department policy is to make trade and political concessions to the Warsaw regime, thus directly sustaining it in power. It would be a far more practical thing to apply pressure that we have at our disposal to bring about an improvement in the standard of living of the Polish people and not to coexist with the dictators in Warsaw until they grant religious and political freedom to the Polish people. I should also mention, Mr. Speaker, that the regime that persecutes the Polish people is supporting the North Vietnamese aggression in South Vietnam.

SUPREME COURT INVALIDATES CONSUMER PROTECTIONS

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, on the first day of the session, I introduced legislation which would require that imported meats and meat products be plainly labeled as to their country of origin.

Legislation of this type is vitally needed in light of the rising quantities of foreign meats which are being imported into this country. According to the latest USDA estimates, meat imports will reach 960 million pounds in 1967, marking a 56-percent increase over the 614 million pounds which were imported as recently as 1965.

My bill, H.R. 432, would protect the right of the American consumer to make an informed choice in his purchases of meats. I believe the public has a right to know when they are buying foreign products—in the area of meats. This right is not presently being afforded to them.

There are even more compelling reasons why foreign meats should be clearly labeled as such. It is a common practice in the meat industry to mix foreign and domestic meats together, especially in hamburger and sausage products, without giving the consumer the slightest indication of such fact. Often the foreign meat was imported in large frozen blocks. These blocks are thawed, mixed with American meats, and then sold to the public as fresh meat. Consequently, the meat is frequently refrozen. Clearly, the freezing, thawing, refreezing process could constitute a danger to one's health. The public has a right to know of such facts.

Seventeen States have passed legislation regulating the importation of foreign meats. Arizona, Arkansas, Colorado, Florida, Idaho, Iowa, Kansas, Louisiana, Mississippi, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Texas, and Wyoming have all acted to protect their consumers. At the same time, they have acted to protect domestic meat producers from the unfair competition of unlabeled foreign meat.

On January 16 of this year, however, the Supreme Court of the United States, in effect, held these attempts at State legislation in this area unconstitutional as an undue burden upon interstate commerce.

In the case of Short against Ness Produce Co., the U.S. Supreme Court affirmed a lower three-judge Federal court's ruling that Oregon's meat labeling statute violated the U.S. Constitution's prohibition against the States regulating areas of commerce of national impact. Consequently, it would appear that the legislation of all 17 of the above mentioned States in the area of foreign meat regulation are also invalid.

Clearly, then, the Federal Government must step in to fill this gap. H.R. 432 would provide the needed answer to this problem of growing importance.

AMERICAN ADVERTISING FEDERATION

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. HANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HANSEN of Idaho. Mr. Speaker, it was my pleasure to have had an opportunity to participate last January 6 as a witness to the signing of an AID grant to the National Association of the Partners of the Alliance, Inc. A number of my colleagues were in attendance on the occasion of the signing of this grant by Vice President HUMPHREY and Mr. Edward Marcus, president of the national association, at a ceremony held in the Indian Treaty Room of the Executive Office Building.

I met Mr. Marcus on that occasion and know that the great talents and skills that he brings to bear on the national U.S. Partners program will be impactive and far reaching in inter-American affairs.

It is my understanding that on Tuesday of last week Mr. Marcus met with the leadership of the newly formed American Advertising Federation to discuss possible collaborative activities in the future. Mr. Donald A. McDonald, advertising manager of the Wall Street Journal, was elected chairman of the board of the new American Advertising Federation. I feel that the statement of Mr. McDonald on the new American Advertising Federation may be of interest to Members of the Congress.

Under leave to extend my remarks and to include extraneous material, Mr. McDonald's statement follows:

> Since the AFA and the AAW are now merged into the new AAF all comments will be inclusive for the new organization with no attempt to separate activities by now historical organizations.
>
> Both organizations have long, proud histories. Both organizations at the time of the merger were 63 years old. Both organizations served their purposes well. Both organizations survived changing times with varying degrees of success.
>
> Over the past few years it became apparent to all of us who were intensely involved in these organizations that new direction was needed; a stronger organization was needed. A national organization was needed. It became evident that challenges were now national more than local. It will be to the everlasting credit of all officers and board members of both organizations that they recognized in time the gradual erosion taking place in our strength both from the standpoint of effectiveness and also financial.
>
> It is with distinct pleasure I can say that over the past year our financial house has been put in order. Our structure has been strengthened and clarified and our manpower availability is probably at its highest interest level.
>
> Our time is best spent discussing the future of our new organization for it is the future that will measure the wisdom of today's activities.
>
> We could devote many hours passing out well deserved kudos to so many people responsible for moving us to our present position of solidarity. Having worked with them all and knowing them all so well, I know they will all applaud me for accepting my thanks and the thanks of all members of the association as a group rather than individually. It should also be a great comfort to you to know that all of those concerned will be on hand in the future to respond as needed.
>
> While advertising's place in the free economy has changed little over the years, the climate in which it operates has chilled somewhat. In view of this in July 1966, the AFA instigated a program which was later approved by the interim Board of the new AAF. It is called "Partners-In-Advertising Progress". Highlighted here are the basic points for our direction and future measurement.
>
> 1. To safeguard advertising against needless, unfair, and unwarranted restrictive legislation at the national, state, and local levels, that would unjustly and detrimentally curb proper advertising from accomplishing its highly essential and long-needed function in our free enterprise society.
>
> 2. To improve advertising and the environment in which it operates as a means of building greater public, government, and business confidence in advertising. To champion truth in advertising at all times and to provide leadership in the development of action programs throughout the federation to implement these objectives.
>
> 3. To promote better understanding of advertising's function and its contribution to our economic growth, so that the public,

academic centers, business and government will have a clearer perspective and greater appreciation of advertising's role in an expanding economy.

This "Partners-In-Advertising Progress" program has received great support from the advertising clubs and the corporate members. The increased communications occasioned by this program has caused a feeling of positive direction to be generated throughout our organization and gives a positive basis for future implementation as time goes by. In December 1966 at the New York Advertising Club with the permission of the Interim Board of the AAF, your Chairman issued **"A Call for Unity in Action"** to the affiliated associations of the AFA and AAW. It seems fitting to reissue it now.

We sincerely believe advertising, in all forms, is the voice of free enterprise and free choice. We believe good advertising has helped make this country economically great. Advertising is primarily a communications vehicle, but paradoxically, we do not communicate *on our own behalf*.

We have taken the posture of passive resistance. Each segment under attack reacts as the feudal lords did when their own particular small domain was threatened—they raised the drawbridge.

Our voice has been so muted, the legislators and general public would have difficulty hearing our side of the story with the most powerful amplifier. Yet we must take action. New legislation is constantly being proposed which is a detriment to advertising.

Taxes are being levied against advertising. Consumers complain about it.

Authors, economists, and educators speak and write against us.

When politically-oriented, anti-advertising and anti-marketing government voices talk, they speak almost in unison and receive fantastic news coverage to the point where some of their names have become household words.

When advertising speaks, it speaks to itself, and the news coverage is limited primarily to our own trade press. What nationally respected champion of advertising and marketing appears and with logical and studied remarks, answers unfair attacks upon our very existence?

Is there no national figure in business we can call forth to do battle for us? We are being bested at our own profession and in our own arena.

Yet from every side is a call for action.

But present action of existing advertising associations appears to culminate in everyone stampeding in the same direction and winding up in a pile or in opposite directions alone. The ANA has an economist's study on the Turner Proposal. The AFA has an economist's study on the Turner Proposal, and I under the 4A's am also having a study made.

Wouldn't it be far better if the advertising industry as a whole had one study made—and that one a masterpiece—and a planned line of usage that would put the facts before the public and government in their proper perspective and expose any serious fallacies uncovered by the study?

This program, plus the *idea* of an open channel for communications, has been extremely well-received by our membership, and, I hope, by all affiliated associations.

To those less informed than yourselves, we could detail our many mutual achievements in creating and endorsing the American code of business practice, or the current educational advertising service which will give 600 colleges and universities direct access to a full selection of advertising materials provided and financed through the various AFA affiliated groups, or our sponsorship of the Harvard Seminar, and the proposal for a similar seminar at a midwestern university, or the numerous occasions when dedicated leadership, from our advertising clubs and affiliated associations, provided truly heroic action for us across the country against unfair and adverse legislation.

As the newly elected interim chairman of the American Advertising Federation, the organization emerging from the combination of the Advertising Federation of America and the Advertising Association of the West, I invite the affiliated associations to *join us* in support of a truly unified Washington nerve center, and a unified national program.

"Federation" in our name is not there by accident. It was present in the old AFA name, and retained in the new to describe accurately the potential of an organization made up of your organizations, plus 180 advertising clubs, 35,000 advertising club members, and 1,000 company members. It represents an opportunity for advertising to truly speak as one voice.

This is not to say one association will speak for all, but to establish that all associations can speak through one. By its historical structure and its capabilities, the new AAF can unselfishly serve as your vehicle for coordinated communications in Washington. The structure of the American Advertising Federation is now such that it reaches as members:

1. A geographically balanced advertising population throughout the country.
2. Constituents who have access in home states to the legislators of this country.
3. Practitioners in all segments of advertising.
4. Other associations—as an integrated and necessary part of it.

The proposal in brief was:

1. Expand the Washington Office with the support of the affiliated associations.
2. Seriously study the possibility of retaining a registered lobbyist or registering one of our own.
3. Issue Washington Reports specifically tailored to the needs of participating associations.
4. Create a Study Committee made up of the leaders of our industry to study and then recommend lines of action. This allows us to multiply the thoughts of our best thinkers.
5. Create an Action Committee to implement the recommendations for the Study Committee.

The key word of our new association must be "Action."

Legislative Action.
Educational Action.
Craft Improvement Action.
Action for Truth in Advertising.
Communicative Action.
Action at the Local Level.
Action at the National Level.

You have selected me as your first Chairman and I thank you for the honor. I will try to serve you well. In so doing, I must ask for your support. We must make it known that we are in being and intend to prosper.

We have structured the most potentially powerful force for the good of advertising ever created. We must now add meat to the bones.

We must make known that which we stand for and that we stand together.

Thank you!

SALUTE TO UKRAINIAN INDEPENDENCE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, the quest for independence by our sister nations of the world is a cause we must never fail to support. It is therefore in the spirit of our own Independence Day, the Fourth of July, that I join my colleagues in marking another independence day, the birthday of the Ukrainian Republic on January 22, 1918.

The 1½ million Americans of Ukrainian descent, many thousands of whom reside in my district and in the Greater Philadelphia area, can have only bitter memories of that independence day. For Ukrainian independence, won in 1918 at the cost of a great people's struggle and will to be free, lasted only 2 years before the new Soviet regime crushed the fledgling Republic and subjugated its people again.

The spirit of Ukrainian nationalism runs high, both behind the Iron Curtain and in communities of Ukrainian people in the free world. Although the Ukraine was the first nation forcibly yoked to the Soviet Union, it has not lost its sense of separateness and its hope of eventual freedom. In World War II, we saw an example of Ukrainian courage and spirit when an insurgent army dared to resist not only the advancing Nazis but the returning Red army as well. Today, as any traveler to the Ukraine can recount, the people one meets on the street proudly call themselves Ukrainians and dislike being identified with the Russia that has held sway over their rich, productive land, in czarist and Soviet times alike.

Mr. Speaker, in Philadelphia, the birthplace of our own freedom, the Ukrainian Congress Committee of America, Inc. sponsored an independence day celebration last evening. We in the House of Representatives must take note of this celebration and of similar gatherings held throughout the country on the same date. We must extend to Ukrainians everywhere our expression of admiration for their nation's courage in the face of Communist domination and our wholehearted support of eventual liberty for their brave homeland.

THE PROPERTY TAX AND THE PROPER ROLE OF GOVERNMENT IN EDUCATION

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, because of the renewed interest being expressed in the potential of the property tax, I am inserting in the RECORD, again, the text of a paper which I prepared and delivered to the Citizens for Educational Freedom at their sixth annual convention in Minneapolis, Minn., in July of 1965:

Remarks of Hon. Thomas B. Curtis at the National Convention, Minnesota Federation, Citizens for Educational Freedom, July 30, 1965

During the 1960 presidential election campaign Senator John Kennedy on several occasions said "In the next decade we must double the amount we are spending on education." The reaction of most Americans was to accept this as a challenging statement and say "Amen." The fact of the matter is that the statement was not a challenge. It was an example of clever rhetoric. My reply in 1960 was, "Why is Senator Kennedy asking us to slow down? We almost tripled the amount we spent on education from 1950 to 1960."

In 1950 government, Federal, State, and local, spent $6,507.9 billion ($5,745.7 billion, elementary and secondary, $762.2 higher education) (Federal, $106.9, State and local, $6,401.0). In 1960 government, Federal, State, and local spent $17,788.3 billion ($15,587.9 elementary and secondary, $2,200.4 higher education) (Federal, $622.3, State and local, $17,166.0). In 1940 the corresponding amounts were: Total $2,316.2 billion, of which the Federal accounted for $0.047 and State and local $2,269.2 (pp. 434–345. "The Economic Almanac," 1962). To obtain the full amount we spend in our society on education we would have to add to these figures the expenditure for private schools which seems to average with some constancy about another 20 to 25 percent of what is spent by the governmental sectors.

There is some indication that the rate of increase of expenditures for education in our society has slowed down since 1960. Total new educational construction, public and private, put in place increased from $1,427 billion in 1950 to $3,384 billion in 1960, while it has only increased an additional $0.5 billion to about $3.9 billion, in 1964. In other words, the ten year growth rate from 1950 to 1960 is 137 percent while the comparable 10-year growth rate for the 4 years from 1960 to 1964 is about 37 percent or less than one-third the rate we had been experiencing before the New Frontier took over.

It is noteworthy that the great increase in total expenditure for education is in the private sector and in the State and local governmental sectors. The Federal Government's efforts, although great in percentage increase in the past two decades amount to very little, less than 4 percent, in respect to the total governmental effort in our society in education expenditures and less than 3 percent of our total effort, government as well as private.

I think it is also important to point out that in addition to what we term educational expenditures the parents of school-age children bear many additional expenses which, if proper accounting methods were developed would be added to the amounts we compute as the expenditure made in our society for education.

I am not at all certain that the entrance of the Federal Government into the area of direct expenditures for education has been advantageous in increasing the total amount that our society spends upon education. From my studies in the field of international economics, I have advanced a corollary to Gresham's law, i.e., bad money drives out good money. This corollary states that government money drives out private money. I am now finding out that the Curtis corollary extends beyond the area of international economics to domestic economics as well. I wonder whether it does not operate in the field of education as well and whether there is not a further refinement to the Curtis corollary which states that Federal money drives out State and local governmental money, as well as private money.

I fully appreciate the pump-priming theory upon which Government money was spent to produce an economic upturn in the depression of the 1930's. And to the extent that our Federal governmental grants in aid programs in their inception were on a matching fund basis there seemed to be some sound basis for accepting the pump priming theory and arguing that it would prevent the Curtis corollary from operating, and total spending would be increased. However, with the Federal matching formulas increasingly becoming more regressive with the Federal Government taking over the large proportions and the State and local governments taking over the small proportions, I suspect that the Curtis corollary may be in full swing. Certainly, matching formulas like 90 percent Federal and 10 percent local, as we see in the Federal highway programs, produce little pump priming effect. The primer is bigger than the well.

However, in spite of the increasing part the Federal Government is playing in the field of education, fortunately it still is mostly talk. The bulk of expenditures, as I have pointed out, has remained at the State and local levels, primarily at the local levels.

One cry for increased Federal Government participation is that the State and local governments are so hard pressed financially that they cannot assume the increased costs of education and the increased expenditures our society must continue to make in this area. Well, this is a peculiar theory in that there is only one source of taxation, I can assure you as one who writes tax legislation, and that is the individual human being. Governments, whether State, local, or Federal, are only tax collectors (and I could add, churches are the same) and then can collect taxes only from one source, people. The corporate income tax, as in any business tax, is a tax upon people—not upon some unidentifiable fictitious person—it is primarily a sales tax because every business, if it is to stay in business, has to pass the tax it pays on to the consumer in the price it charges for the goods and services it is selling. Maybe the investor pays a bit of the corporate income tax, but very little, and even if the investor pays some, we must remember that investors are people, too, and increasingly in the United States the investor is becoming every one of us.

So when it comes to easing any tax burden, I am not so inclined to worry about the tax collector—the State or local government—or the Federal Government, as I am about the taxpayer. I think of tax collection from the efficiency of the collection system—the efficiency from the standpoint of the taxpayer so that the minimum amount of cost goes into the collection of the tax and the maximum amount can go into the expenditure of the funds for the purposes intended by the governmental agency, in the instance under discussion, education of our children. I also want the tax collection for efficiency's sake to be pretty close to the agency of government that is going to spend the money so that there is a minimum of cost in transferring the money from the agency that collects it to the agency that spends it. Also so that those who spend have a better understanding of the cost of spending which they do if they are close to those who have to raise the revenues.

By these criteria the Federal Government is not a very efficient tax collector for educational expenditures. It is not even an efficient tax collector per se in minimizing the economic cost of the mere collection aspects. The Federal Government is merely efficient in hiding the economic cost of collecting the Federal income tax because it passes the main cost burden of bookkeeping, accounting, and collecting over to the private sector—to the individual person and businesses making out the complicated tax returns. But passing the cost of tax collection over to the private sector does not save the cost economically to our society, it merely avoids some of the blame for the cost being placed where it belongs on the type tax itself and on the governmental body using it. The most efficient tax economically to collect is the real estate property tax, by far. All it requires is an assessment every 10 years or so and a yearly billing—no accounting, no time on the part of the taxpayer, and little time on the part of the tax collector. It is almost all done by mail.

Furthermore, I would observe that it is the Federal income tax that has come in for the greatest criticism from economists and tax theorists in recent years, as well it should. It is the high rates of the Federal income tax which has created the economic damage to our society which we are now trying to remedy by timely tax reduction, not the real property tax or the State sales and use taxes. Yet there are people who would put a further burden on the Federal income tax to raise the money to be spent for education and for other services which have traditionally been provided by the private sector and by local government.

Furthermore, the Federal Government not being the sector of government which is charged with spending the education dollar has the difficult and costly job of transferring the tax dollars collected to the local governmental agencies which are charged with the spending of them. As has often been observed, send a tax dollar to Washington, D.C., to be returned to be spent in the community and it comes back badly clipped. We certainly can cut down on the amount the dollar gets clipped when it is sent on its long journey to Washington and thence back to the community, but we must recognize that there will always be considerable cost in undertaking the round trip journey in the first place. And we may well ask, Is this trip necessary?

The answer is made that the trip and the clip are necessary because we need the Federal governmental mechanism to equalize between the rich and the poor States. It is said that many of the children who need to be educated are in the poor States which cannot afford to bear the costs of education while the ability to pay taxes lies in the richer States. Well, I have often sought to answer this syllogism. I ask, where are these so-called poor States? The answer to that question is quite ready, in the South, Arkansas, Alabama, Mississippi, etc. I then ask, but on what basis do you say these are poor States? The answer to this is also quite ready. "Take a look at the per capita income of these States." Indeed, the per capita income in these States is relatively low. But then, I ask the next question, and the answer to this is not quite so ready. But these States do not pay for education out of taxes on income, do they? Don't they pay for education costs and community facilities of all sorts essentially by use of the property tax? If this is so, and it is so, let's take a look at the assessed valuation in these States which allegedly are so poor. Here we have the true answer. There are not really any poor States in the United States. The States so often cited are States where there are poorly developed and enforced property taxes, where there is a considerable amount of absentee ownership, among other things. Where the assessment on real estate hardly match the true value of the land and structure. These are the very States, by the way, which are digging themselves further in the hole by waiving property taxes for a period of years to entice businesses to locate in their area—on the assumption, I suppose, that having the payrolls will assist them to have a better tax base than one based upon property wealth. This is surely regressive thinking for the 20th century. This theory can be found entrenched in most of our Latin American neighbors and throughout the world and until the theory is abandoned I could argue, these societies will not move ahead.

No, there is no need for the Federal Government to get into the business of Federal equalization laws, although there is still plenty of reason for all the States to continually update their State equalization laws for education. And there is much room for counties to pass education equalization laws so that tax revenues can be spread from wealthy areas, measured in terms of property wealth to areas of less property wealth. Above all, there is ample room for modernizing our property tax laws and keeping them to date—which means, among many things, modernizing our zoning laws and keeping them up to date. No community can support schools or community facilities—except the very few unusually wealthy communities—with a property tax based heavily on home assessments.

I like to point to Crestwood, Mo., as an example of up-to-date zoning and assessment. Here is a new community—nonexistent in 1945, about 12,000 population. To a casual observer it looks like a typical middle-income, suburban bedroom community. Yet look at its tax assessment books. Look at its zoning laws and you have the real story. Seventy-five percent of its assessed valuation comes from industry, commerce, and the utilities, only 25 percent from the private homes of its citizens. It has fine schools, fine community facilities, ample revenues, and little debt.

Henry George extolled the values of the property tax further than I would go to the single tax idea and these values should be considered today. In America the real estate tax provides the money which is spent largely in increasing the valuation of the very real estate taxed. Build roads, schools, sewers, provide fire departments and police protection, and the value of the real estate and the buildings increase. The expenditures from the real estate tax go to and relate to increasing and preserving wealth. This makes a neat package and is the basis of the grassroot community growth in America. Furthermore, a well-designed real estate tax is a discouragement to the greatest of all economic sins—to hoard rather than to utilize wealth. A well-designed real estate tax system places an incentive on utilizing real estate to its greatest economic potential—and if a good tax system is established in context with up-to-date zoning laws and building codes, increased wealth flows to the community like from the mythological cornucopia.

Before I leave this extolling of the property tax, let me remind you of two things. It is the property tax which has responded nobly since the end of World War II—not the Federal income tax. It is the property tax which has financed the increased expenditures for education from a $2.3 billion figure in 1940 to a figure now well over $18 billion in 1965—not the Federal income tax.

Nor is it true that this cornucopia of our communities is running low or needs priming. The expenditures on education have produced what we anticipated they would produce in new and greater wealth which in turn increases the potential for the future flow. In spite of all the false propaganda to the contrary by those who denigrate progress in America to justify their desires to further federalize our society, educational bond issues are continuing to be passed by the local citizenry. The HEW statistics reveal that beginning in 1957 when they first collated the percentage of public school bond issues passed per bond issues submitted to the voters, only once has the figure fallen below 70 percent: 1957, 74 percent; 1958, 78 percent; 1959, 62 percent; 1960, 83 percent; 1961, 71 percent; 1962, 70 percent; 1963, 70 percent.

And I hazard a guess that of the bond issues failing many should have failed but undoubtedly most of these bond issues were resubmitted in an improved and corrected form and then passed—a healthy situation in itself not duplicated by the process of local school districts submitting their needs to a political bureaucracy in Washington, D.C.

The second observation I wish to make is that the property tax responded in this noble fashion in spite of the serious difficulties it experienced as the result of the failure of the Federal Government to perform one of its primary functions, namely maintain the dollar as an accurate economic weight and measure by following sound Federal governmental fiscal policies.

The drastic inflation which occurred from 1946 until 1951 placed the property tax systems all over the United States in very serious jeopardy. The property tax systems are based, as I have pointed out, on assessed valuations. Most systems make the specific and multitudinous assessed valuations when the improvements are made to the land inasmuch as improvements amount to the major part of most valuations. Accordingly, most assessments reflect the dollar cost of making the improvement in the year in which it was made. So, in 1946, the assessments books reflected valuations in terms of the many years of the preinflated dollar. All new improvements, new homes built after 1951 went on the books in terms of the post-World War II inflated dollar. This process by itself created an inequity in the tax system to the owners of new homes and new improvements vis-a-vis the owners of older structures. However, the cost of services and goods—teachers' salaries and blackboards—went up with the inflated dollar. Therefore, the revenues, the tax collections, had to be increased, just to stand still, let alone to progress. However, increasing the rate of the property tax aggravated the inequity already existing in the base because of the measuring of new improvements in terms of the inflated dollar. Every community in the United States was faced with a very difficult process, difficult mechanically as well as politically, the process of reassessing all the property on the assessment book in terms of the same dollar. Over 80 percent of our communities have now done this and I would observe they are now in relatively good shape. A small percentage have not assumed their responsibility. Many of these are the communities, and some of them are sizable, which are creating a great deal of the pressure on the Federal Government, through its overburdened income tax system to bail them out. Yet these communities have it within their power to do exactly what the others have done, painful as it was.

I have taken a long time to get around to what I want to really talk about, tax credits in Federal income taxes for parents and others who pay the costs of education.

Let me state the case for this most needed reform in Federal tax law in my own semantics because it is usually presented, even by some of its advocates in the semantics of those who oppose it. This reform is in accordance with American classic tax theory; namely, that we do not tax money which is being spent for a social purpose which if it were not so spent we would call upon the Government to spend. Putting it another way, we know that when we extract money from the private sector to pay for the expenditures of governmental services we are going to keep that impact at a minimum. We seek to keep that impact at a minimum. We prefer not to tax industries on the wane, we prefer to tax industries on the rise. We prefer not to tax low incomes, we prefer to tax high incomes. We prefer to tax wealth not the process of creating the wealth. We do not tax money spent for desirable social purposes.

This is the tax theory of the tax neutralists. This is the classical tax theory in America. There is a new school of tax writers who are not neutralists. Because the power of taxation to effect economic results and to render economic decisions is so great and I might add so subtle these theorists advocating an old system as if it were new, seek to write tax laws to deliberately produce economic decisions—their decisions—to channel expenditures into certain areas supplanting the private decisionmaking process with the political process.

Now the difference between these two schools of tax theory may on the surface seem to rest in semantics because at times both place a stamp of approval on the same kind of social spending. However, I submit there is the world of difference between the two theories.

The first theory, the American classical theory, is based upon the assumption that the people own everything and that government, the servant of the people, not the people's copartner, the people's servant only takes that which it needs to provide the services the people have decided they wish to use the mechanism of government to provide for themselves. The second theory is based on the assumption that the government or the society owns everything and what the government chooses not to take in taxation is a subsidy to the people.

In our Federal income tax laws we have always given a deduction for donations to charitable and educational institutions. These new tax theorists say thereby the Government subsidizes these institutions. I say we give the deductions not to subsidize but rather on the theory that we did not wish to tax this area of endeavor. We as a matter of policy prefer to obtain the money to run the Government from other areas of endeavor. This is money being spent for social purposes which if it were not so spent probably would require the Government to spend it directly.

So the tax credit to those who spend money on education, which I advocate, is entirely consistent with American classical tax theory. If the private individuals do not spend the money for education then the people through their government would probably do so as a last resort—although I submit much more inefficiently.

Note also how this classical tax theory disposes of some of the difficult problems we run into when we use the Government mechanisms to raising the money through taxes and then spending the money directly through the bureaucratic process. Under the classical tax theory there is no problem of church versus state. The money is spent privately, not by governmental officials. A private person can decide to send his son or daughter to a public school, a parochial school or a nondenominational private school. If he has spent the money on education, that is the sole concern of the society which wishes to assure itself that the children are being educated.

The Federal administration has opposed the tax credit theory on many grounds, not one of which stands the test of examination. One current argument still being advanced is that Federal income tax credits will only help the wealthier families and will do nothing for the lowest income groups. I have given the answer to this many times. Here it is. Who are the lowest income groups? The poverty class, families with incomes of $3,000 or less? Well, families of over $2,000 pay Federal income taxes, so even some of the so-called poverty families will benefit. With a tax credit all taxpayers, high income or low income, get exactly the same dollar amount—which, of course, means percentagewise a great deal more to the lower income group. Furthermore, these families not paying Federal income tax are only 15 percent of all families, so 85 percent of all our families do benefit. However, if we go further into the pertinent statistics we find that the families with incomes of $3,000 or less are predominantly where the head of the family is in the age brackets of 20 to 30. There are few children of school age in these families and practically none as high as secondary school. Of course, we find the lower income families in the age brackets of 20 to 30. These are the young people first starting out. We also find the lower income families predominantly in the over 65 age bracket. In these families there are practically no children at all to educate. Of course, this is so. These are the grandparents, the people on retirement. When we zero in on the problem we find less than 5 percent of the families headed by persons in the age brackets of 30 to 65 among the low-income groups where the school population exists. In other words, 95 percent of the families with children to educate are Federal income taxpayers and the income tax credit approach will assist them materially and will assist the local communities to collect property taxes without further burdening these very same people who as taxpayers are paying education taxes and as parents are paying the cost of raising the children who are being educated.

Since when is a program which benefits 95 percent of our people undesirable on the basis that it will not help the 5 percent? I would observe that the 5 percent are not neglected, but they come under a different program. Helping the 5 percent is legitimately and traditionally the area for direct Government expenditures, whether for education or just plain housing, health care, clothes, and proper diet, the necessities of life. The answer is that, of course, the Government at all levels—local, State, and Federal—is engaged in assisting these people on all their living costs, including education; and so are our private institutions, our churches, and community chest agencies. We tend to forget this.

I conclude from the series of shifting and unconvincing arguments advanced by the opponents of the education tax credit, which is in the nature of further Federal income tax reform and Federal tax reduction to lower the tax on money spent on education, that their real purpose is not, as they say, to get our society to spend more on education, but rather to try to redirect that which is already being spent.

I, too, want to raise the standards of education in our society. If that is the real aim in the minds of these honorable opponents and that is what the redirection of spending is designed to achieve, then let's move the dialog into this area. I will debate them on this issue as well as the issues I have been discussing. However, it is a different line of argument than that which they have been advancing. The question here lies in whether we raise our educational standards best by the utilization of our local school boards and school trustees to make the decisions or through the process of political bureaucratic judgment at the Federal level, then to be disseminated through the society, I personally believe there are places where the Federal political decisionmaking can be beneficial in the field of education but they are few in number. I would argue it is really only after the local groups have expressed a desire for assistance in somewhat of a consensus that the machinery of the Federal Government should be employed, not until then. Government is the servant of the people, not their copartner, certainly not their master.

SOME OBSERVATIONS ON CERTAIN ECONOMIC ASPECTS OF TAXATION

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, last November I addressed the Tax Institute of America during its 3-day symposium on the real property tax held in Chicago, Ill. I was most pleased to have this symposium set up. It is part of the beginning of the long-overdue comprehensive study of the role and potential of the property tax relative to other forms of taxation.

The property tax has long been neglected by students in favor of other forms of taxation imposed upon our society. It is my firm belief that proper study will reveal that the property tax—updated and tied in as it is with expenditure policies which increase property values—can continue to be one of the most socially useful and economically beneficial taxes we have.

For the interest of Members and others, I am inserting my remarks before the Tax Institute of America in the RECORD:

SOME OBSERVATIONS ON CERTAIN ECONOMIC ASPECTS OF TAXATION

(By Congressman THOMAS B. CURTIS, Republican, Missouri Second District, at the Tax Institute of America Symposium, Sheraton-Blackstone Hotel, Chicago, Ill., Nov. 3, 1966)

I am very pleased that the Tax Institute of America has sponsored this three-day symposium on the Property Tax. For years I have been trying to point out that here is the Cinderella of taxes dressed in shabby clothes, with smutty face, keeping the household going while her much less beautiful and less productive sisters, in glamour clothes, go to the Ball. If only we would recognize the beauty of Cinderella, wash the smut off her face and hands, and dress her in just modest, but up-to-date clothes.

In July, 1966, the Brookings Institute published "Economics of the Property Tax" by Dick Netzer. In the Brookings Publications list description, it was stated, "This much-needed study is the first comprehensive analysis of property taxation to appear for over thirty years." This study is merely a good, but belated beginning of some much-needed homework. This symposium should help to move the dialogue forward.

Because of the neglect on the part of the scholars and of pragmatic economists (my euphemism for businessmen) of the property tax—the tax on wealth, and an accentuation of attention directed to the income, transactions and payroll taxes—there is a great deal of built-up prejudice and misinformation about it which must be cleared away in order to develop an objective dialogue.

The students' neglect of the tax on wealth and the accentuation instead of the taxes on various phases of economic activity, be they in the form of tariffs, general excises, profits, user fees, sales, "added value," or the latest and most regressive, the payroll tax, is the counterpart of a neglect by present day economists and political scientists in studying wealth itself and the accentuation instead of studying economic activity.

To drive the point home, I call attention to the fact that GNP measures economic activity, not wealth. This economic activity even if increased may be eroding, as occurs in periods of war rather than increasing nation's wealth. Increased economic activity can constitute a serious misallocation of economic resources which can result in a poorer nation. We must take more comprehensive and constant readings which includes statistics on both wealth and economic activity and their interaction on each other.

This Spring the Subcommittee of the JEC held hearings on a study by a group of six Doctors at the American University on the Nation's wealth. The introduction to this study of the Nation's wealth was comparable to the introduction of the Brookings study on the property tax I cited. It is the first comprehensive study of wealth in decades.

Early in the Hearings on this study I sought to drive home the point that it was quite limited, not comprehensive. It had to do with only the physical wealth of a Nation—a most important aspect of wealth to be sure—but not the greater part of a nation's wealth. The skill and knowledge of the human beings who compose the society is the greater part of a nation's true wealth. Skill and knowledge must be recognized as a capital asset and so treated. The difficulty of measuring the skill and knowledge within the society should never confuse us about this basic point, nor deter us from seeking methods of measuring it.

Let me illustrate some of the ignorance and prejudice existing today about tax on wealth—essentially the real estate tax—by referring to the general enthusiasm with which the "Heller plan" was greeted by politicians and some economists. This plan was to distribute (I am paraphrasing and I hope fairly) some of the "extra dividends" of the federal tax system (presently constituted primarily as a tax on profits) to the States and local communities in order that they could meet the mounting costs of local and state government which the "overburdened" property tax prevents them from doing.

The Heller plan is based upon two myths—I regard a myth as a fallacious argument that has been permitted to go unchallenged so long that its perpetrators use it as an axiom upon which to base their further syllogisms. The first myth is that the federal tax system (essentially income taxes, personal and corporate) has proven to be so efficacious that there is a "dividend" which may be declared. The converse is true. The federal income tax rates, I would argue, even with the 1964 cuts, are still beyond the point of diminishing returns and are still causing judgments to be reached for tax reasons rather than economic reasons.

In other words, the high rates still impede the full development of the present federal tax base (economic activity) and also stunt the growth of the ultimate base upon which this base of economic activity itself relies, namely wealth. The tax take is, therefore, less than it would be if the rates were lower and applied to a larger base. Even with the high rates and the increased base (in spite of the federal tax impediment), the federal revenues have not kept pace with federal governmental expenditures in recent years. The revenues do not even equal the expenditures when the model of full employment developed by the "new economists" has been attained. The result has been that additional government bonds (deferred taxation) have had to be marketed, creating insurmountable problems for the monetary authorities in keeping the increases of money and credit in the economy commensurate with the economic growth the society has experienced and is experiencing. The amount of cumulative debt of the Federal Government is so large that managing its turnover and its added increments creates serious problems of its own. The Federal Reserve System, leaning against the ever fluctuating economic winds, has been unable to keep either the interest rates at sufficiently low levels through expanding money and credit to meet the market demands for money or to keep the implicit price deflator from rising by keeping the amount of new money and credit in conformity with actual economic activity or increases in real wealth.

No, there is no dividend we can declare from the Federal Government's tax system. We are in a serious deficit. I would further observe that the vaunted efficiencies of the systems of Federal income taxes disappear upon close analysis. The efficiencies are largely political, not economic, efficiencies. If we were to compute the economic cost to businesses and individuals in their being the collectors of the Federal income tax for the government, which they largely are, and add these to the costs of the IRS and of our system of Federal tax courts, we would find that the cost of collection per dollar collected is greater than for almost all other forms of taxation, certainly greater than the costs of collecting dollars from the real estate property tax.

The second fallacy is that the real estate property tax is overburdened. To establish this point, of course, I now must move against innate prejudice while, in discussing the first point, I had it going with me. No taxpayer thinks any tax or tax system is not an overburden. However, the property tax has certainly responded in a remarkable fashion since World War Two in providing the revenues for building and maintaining schools, streets, sewer lines and disposal plants, etc. and rendering expanded services to the community in policing, fire prevention, education, etc. But because it has expanded greatly and rapidly does not warrant the conclusion *per se* that it is overextended. It might warrant the opposite conclusion. One test to reach a proper determination is: Has the wealth which is its base expanded more rapidly than the tax? Have the benefit: cost ratios proven to be economically sound? Wealth, particularly related to these expenditures, actually has increased more during this post-war period than GNP income activity. Another test is found in the fact that the community bond issues for schools, sewers, streets, parks and other community facilities are consistently voted affirmatively in over 70% of the submissions and many of the 20-odd percent bond issues which are rejected are then restructured and resubmitted, at which time they then receive an affirmative vote. The ratio of debt to wealth of the States and local communities has decreased markedly since World War Two in a commendable fashion, albeit debt itself was rising rapidly. It is to be noted that on the contrary the ratio of federal debt to federal wealth has had a very disturbing incline and today is a negative ratio and at a very dangerous level.[1] Yet, local and State debt in aggregate, not ratio, have increased more rapidly since World War Two than has federal debt. Nor is it any consolation that federal debt as a ratio of state and local debt, or of private debt, is less today than it was in 1946, and 1946 is a poor year to pick as a bench mark. We are merely seeing an adjustment back from World War II federal expansion to what is peacetime and growth normalcy.

The following should not have to be said of United States Tax policy, but I find the myths to be so strong that it must be said. In evaluating the political and economic structure of any society, it is necessary to consider the total taxes of the society, not just the tax policy of the central government. For many societies around the world today, a study of the central government tax system constitutes a complete study because there is no system of local and state government taxation. It is all central government. This is true, not just of the communists and other totalitarian states; it is true certainly of the many smaller countries where there is not the need to have three tiers of government, and it is true of some of the larger states which, through history or rationality, have concentrated the power to tax in the central government.

It certainly is not true of the United States. Throughout most of our history the local government units have raised considerably more tax revenues than the Federal government or the state governments. It has only been in recent years—really beginning with the financing of World War Two—that the Federal government has equalled the state and local governments in the amount of revenue it raised.

Much is made by the rhetoricians of today of the fact that since World War Two the ratio of state and local debt—as well as private debt—has gone up more rapidly than federal debt. The same point is made in respect to expenditures of local and state governments. The flaw in this rhetoric, of course, lies in the unstated, but very basic, assumption that the year 1946 is one of proper reference, a year to be used as a guidepost, not a bench mark, to show us how far out of balance the costs of World War Two put us.

There should be a debate over what the optimum ratio should be. I would argue that the ratio which prevailed to large degree during the hundred years, 1860 to 1960, when this country grew economically very fast and very soundly, albeit with plenty of growth pains, is the better ratio. If this is a better ratio, then the trend since World War Two is merely one of the States and local communities moving back toward the more desirable ratio, however at probably a too slow, rather than a too rapid, pace, if we consider that World War Two ended over twenty years ago.

It, of course, is always a fair question to ask whether a particular tax or type of tax is productive, can be made more productive, is overburdened, is beyond the point of diminishing returns, or whatever. So it is perfectly fair, indeed important, to ask whether the property tax, in spite of its great record throughout the years and particularly since World War Two, has reached the point where it cannot be relied upon more heavily. This is where my reference to Cinderella comes into sight again. If the property tax has responded in spite of neglect, what might it not do if properly updated and properly administered? On the other hand, maybe it has responded well because scholars and students weren't picking at it and analyzing it and it rested in the hands of the practicing political scientists, namely the politicians. I do seriously worry about theoreticians, being a politician myself. However, I believe we both need the theorists and the pragmatists to move our society forward, and I think the property tax can benefit greatly from a systematic study and, based upon this attention, can continue to respond to the demands presently placed upon it and the demands which should be further placed upon it in both the immediate and the foreseeable future.

There is only one ultimate source of taxes, the individual human being. Federal, state or local tax systems are only different methods of extracting tax money from the individual person. He can be taxed on the basis of his wealth, on the basis of his economic activities, as a consumer, as a transactor, as an investor and, as has been recently developed, as a wage earner. I interpose, for emphasis, that a corporation is not an individual person. It is an artificial creature and, therefore, is not really a taxpayer. A corporation, just like a political government, is simply a mechanism for collecting taxes from the individual person. It must include in the price it gets for its goods and services from the consumers all taxes it pays, if it is to remain in existence. Only in the death throes of a corporation do the investors pay part of the corporate taxes.

I do not believe taxation can be studied with intelligence apart from its twin in governmental fiscal matters, namely governmental expenditures.

There are a number of hypotheses about taxation which need to be expressed, studied, debated and either rejected or accepted as the basis for further syllogisms. I have just stated one such hypothesis. Tax policy must be considered in relation to governmental expenditure policy.

I have argued for the hypothesis of tax neutrality in tax policy, namely that the power of taxation should only be used to gain the revenues necessary to implement governmental expenditure programs. That axiomatically any system of taxation is bound to have some economic consequence, but the neutrality hypothesis says tax policy should strive to keep that impact as minimal as possible. Axiomatically, also, tax policy should be in accord, not in discord, with governmental expenditure policies.

For the governmental activists I hasten to state that the affirmative, as opposed to the neutral, side of government fiscal policy lies in expenditure policy. Almost by definition, governmental expenditure policy must be affirmative, not neutral. Governmental expenditures are designed to have an economic as well as social impact. There is plenty of room for honest and heated argument over expenditure policy; indeed, there is great need for this kind of above-the-board debate, particularly over the question of what mechanism in our society spends money more wisely for which types of objectives, government, federal, state or local, private, nonprofit, private for profit, mechanisms or individuals.

One reason for arguing that tax policy should be neutral is the arcane way in which tax policy can be used to affect both economic and social results without above-the-board public debate.

Let me illustrate what I mean when I say that the neutrality theory of taxation requires that it be in accord, not in discord, with governmental expenditure policies. When government decides *through* expenditure policy or *would* decide law through resolution or public statements through expenditure policy that a certain endeavor in the society begin or be increased, then tax policy should be conformed to that expenditure policy. If, for example, the decision is made at governmental level that more money in the society must be spent on education and that government itself is going to spend more money and that amount will be increased if the other sectors in the society do not respond according to the need as officially determined and stated, then indeed tax policy should be conformed not to deter that private endeavor through taxation. In other words, money spent for education should not be taxed or, at the most, taxed lightly. If government money is to be spent in training and retraining the labor force and in other ways increasing the mobility of labor, then tax policy should—to remain neutral—not impede private training and retraining and private expenditures that improve the mobility of labor.

Good tax policy should always be directed toward areas where money can be extracted from the economy with the minimum of effort and the maximum of efficiency. Any tax legislator being a pragmatist knows that, if you can, you tax an industry when it is flourishing and you tend to lay off when it is on a decline. So it is foolhardy to tax an endeavor too early. One should wait until it is productive. It is equally foolhardy to tax an endeavor which, if not flourishing, the government will spend money (subsidize it) to make it flourish.

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[1] Total (physical) wealth of the U.S. in constant 1947–49 dollars (billions) increased from $315 in 1900 to $1,481 ($2,223 current) in 1964. The total share of this wealth *held* by government increased from 7% in 1900 to 13% in 1958, *but* the total per cent owned by government *decreased* from +3% in 1900 to a −2% in 1958. The entire decrease was in the federal governmental sector which went from 0% in 1900 to a −8% in 1958, while state and local ownership went from +3% to +6%. Source: "Wealth Estimates," R. W. Goldsmith; "The National Wealth of the U.S. in the Post War Period," R. W. Goldsmith & R. E. Lipsey; "Studies in the National Balance Sheet of U.S. Tables" was written by Dr. John W. Kendrick for Morgan Guaranty Survey, August, 1966.

I take the trouble to expound this point because there is a proclivity on the part of the political scientists who want "affirmative" tax policy to regard that which is not taxed as being a subsidy to that endeavor. I submit that the difference between this viewpoint and mine is a basic difference. It is not merely one of semantics. It relates to the basic concept of government. Is taxation to provide the revenues necessary to finance the affirmative expenditure policies of the government . . . or is taxation to be used deliberately to effect other economic or social results, either directly or through its impact on monetary and other economic forces? If taxation is for revenue alone, then government ceases to tax when it has enough to meet its expenditures and that which it taxes is that which is the easiest and most efficient to milk.

This theory is based upon the assumption that government is a tool for society to use; it is a servant of the people. The basis of social and economic endeavor is private and society advances as its components, the individual human beings, advance. Government only takes that which it needs to provide the goods and services the people have directed it to provide for them.

The other theory is based upon the assumption that government is society. That the two terms, government and society, are interchangeable. Those who promote this theory talk as if "society" owes something to the individual, which I regard as preposterous because the term society should not imply anything anthropomorphic. Society has no heart, no head, no soul. Society is merely a convenient term to describe the people and the bundle of institutions, mores and customs the particular generations then on earth maintain. Government is merely one of these institutions. To say that government owes something or, putting it the other way around, that people have "rights" to certain things from government and/or society, is to present a dream world which actually will thwart a society from improving government and its other institutions, as well as its mores and customs.

To assume that all the endeavors of the people in a society belong to the governmental institutions maintained in the society and that, therefore, anything government does not take in the way of taxes is a "subsidy" is as unsound as the Pope Alexander VI edict dividing the "new" world (new to the Pope and Western Europeans) between Spain and Portugal.

I think, more by accident rather than design, our American society developed a sound system of fiscal policy for the three tiers of government which proved to be admirably successful and, I think, provided a structure which is sufficiently flexible to produce more and greater advancements.

Essentially the Federal Government took over two major areas of social endeavor which required sizable expenditures of funds, defense and interstate mobility (transportation and communication). A third area of endeavor developed during the Nineteenth Century and grew increasingly in the Twentieth Century, namely that of maintaining the free market place, an extension as it were of the power and duty to maintain honest weights and measures, but extending to such things as anti-trust legislation, regulation of natural monopolies, patent and copyright laws and, of course, maintaining the value of money.

To finance these expenditures, the Federal Government originally used only transaction taxes, initially and mainly foreign transactions, import tariffs. This method of financing fit well with expenditure policies of the day and raised the necessary revenues with considerable ease. The essential feature needed for sound fiscal policy was present, namely that those who had the pleasure of spending the money had the clear responsibility for raising it.

As the Twentieth Century unfolded, the responsibilities of the Federal Government and, concomitantly, the cost of providing for the defense of the country increased rapidly. The costs of maintaining the free market place also increased considerably. To meet these two cost items, the Federal Government developed two new sources of revenue, the corporate income tax (originally a federal excise tax measured in terms of corporate profits) and the individual income tax. However, the relationship between spending and raising the revenues remained, thus preserving the needed discipline in expenditure policy.

The function of providing for the defense of the society seems to be quite in tune with the method of raising the revenues to finance it, namely a tax based upon profit from economic endeavors. The defense of the country contributes to preserving the economic activity which is, in essence, the tax base.

The basic function of the State governments when the Federal Government took over national defense and interstate mobility in 1787 lay primarily in providing the structure and climate for county and municipal governments to be born, develop and flourish. The State governments allowed the taxation of wealth to become the almost exclusive domain of county and municipal governments. This is an interesting historical development. At the same time the basic governmental expenditures for community facilities, health, education, welfare, streets, farm to market roads, sewers, police, fire protection remained with the local county and municipal governments.

State endeavors were directed primarily to the problems of intra-state mobility—highways, railroads, utilities. State revenues were largely raised through transaction taxes, sales and use taxes. States moved somewhat later into the field of expenditure equalization within the State, recognizing that some areas of the State were developed and wealthy, while other area were underdeveloped or just poor. There had to be an apportionment of expenditures, not based exclusively upon the ability to raise the taxes from physical wealth. In the latter part of the Nineteenth Century and the early part of the Twentieth Century this meant that taxes had to be raised, in some states, from the urban areas where more of the economic transactions occurred to be spent in rural areas, for educators, in particular, recognized even then that education was truly a capital expenditure.

Local school districts in areas of limited wealth, frequently rural, had sizable school age populations. Education equalization laws allocating state funds to the school districts with limited tax bases were developed. Thus the states provided the mechanisms for relating urban and rural populations. The transaction tax became the main source of revenue.

The largest governmental expenditures in the society have been traditionally at the local level covering, as they did, the vast fields of health, education, welfare, police and fire protection, recreation, streets, docks, wharfs, etc. The bulk of the revenues raised to pay for these governmental expenditures were based, as I have pointed out, on taxes on wealth. The real estate property tax—although in earlier days the personal property tax was also used. In the rural counties the personal property tax on farm animals and farm equipment and, in urban areas, an equivalent personal property tax on industrial equipment does not have all the archaic and unrealistic features that the householders rightly see in this form of tax. Having said this, I wish to make it clear that I have little good to say about this particular tax on wealth.

Not only did the real estate tax conform to basic sound fiscal policy, namely that those spending the money were responsible for raising it, but it had an added value, probably the most important value of them all, that the expenditure of funds almost invariably increased the tax base from which the funds were extracted. In other words, the tax money was spent to build streets, roads, sewers, which enhanced the value of the property taxed considerably beyond the amount of the expenditure. The benefit: cost ratios were high. The same may be said about expenditures to maintain police and fire departments—the land values increase and the cost of maintaining property decreases. Certainly money spent for building and operating schools maintains and enhances property values.

This peculiarity of the local tax on wealth—mainly real estate and its appurtenances—does not apply to any other form of tax. The taxes on transaction tend to stunt the tax base, not increase it. Transactions will still grow, provided the tax take is not too great, but they do not grow as the result of the expenditures derived from the tax. However, at the State level we can expect more sophistication on the part of those in whose hands the responsibilities of State government have been placed. Fortunately there are a few state functions and expenditures which do increase the tax base from which the revenues are extracted, e.g. state universities, farm to market roads, parks and state highways. However, many state taxes although transaction taxes, tend to be user taxes, namely taxes imposed upon the transaction involving the use of a commodity or service provided by the government, e.g. a gasoline tax for building highways. I think the basic state fiscal picture, therefore, is quite sound. Transaction taxes serve quite well to get the revenues needed to equalize expenditures between rural and urban areas and between areas of little wealth to areas of greater wealth.

The income tax, as I have pointed out, provides revenue to protect and maintain the tax base from which it derives its revenues, namely economic activity, but it does not primarily increase wealth or increase *per se* sustainable economic activity. Indeed, it is a mild deterrent to sustainable economic activity almost by definition. However the expenditure policies of the Federal Government, if confined to their proper area, are well understood and appreciated by the whole society which pays the tax. Provided the tax rates are not maintained at such a high level that they impede economic activity—the tax base—they are bearable.

The payroll tax, which finances social security programs primarily at the federal level—the tax based upon earnings from wages and salaries—has recently loomed large in the bundle of taxes imposed in our society. It is the most regressive tax of all the major taxes mentioned, but its expenditure, being cash payments directly to the individual persons, lessens this regressiveness markedly. However, it certainly impedes the growth of its base—namely; employment, from which it derive its income. The payroll tax is a cost factor which encourages, to some degree, substituting machines for manpower. In the long run the substitutions of machines for manpower increases the net number of jobs available, but in the short run it destroys jobs in being with men and women attached to them, while the new jobs it creates, on the whole, require men and women to be trained to fill them—and it requires the efforts to overcome other social structures to get men and women into these new jobs.

As I said in my introduction, I am pleased that the property tax is coming in for comprehensive study and consideration. I think this study will reveal that as employed in our society—tied in with expenditure policies which increase property values, its base—that is a real beauty. It needs more understanding and certainly a lot of updating. It is dependent upon sound assessment policies which, in turn, depend upon sound building codes and zoning laws equitably enforced. It requires an understanding that idle land—raw land—should be taxed at a somewhat higher rate than improvements on the land, so that there will be an encouragement to put land to its most productive use. It is the one tax that is anti-hoarding and hoarding, I submit, is the basic sin to a productive economy.

Let me conclude by observing that we hear a great deal about the need for land reform in underdeveloped countries abroad—and I could not agree more—but how many people associate sound government fiscal policy based upon sound real estate taxation as being the foundation upon which any meaningful land reform must be based? That indeed developing a sound real estate tax is land reform itself and the most important and basic of any land reform?

The pundits we have been sending abroad all too often to advise the peoples of these underdeveloped societies have had little or no experience with local taxation in the United States—real estate taxation. When they discuss taxation in the United States, they relate it to the federal taxation. This advice is not only largely useless, but may be damaging to the development of these societies. We need to send abroad some people experienced in real estate, tax assessment and tax collections. In America, government is looked upon with reasonable friendliness by its taxpayers because the tax money is spent for their benefit. This, unfortunately, is not true around the world today, or in the history of nations. All too often the Federal Government is looked upon as the exploiter, not the benefactor. I hope we can keep this friendly relationship here and encourage it abroad. To do so, it must not be taken for granted because, indeed, it is up to date somewhat unique in history.

A PROPOSAL TO LOWER THE COST OF FINANCING THE WAR IN VIETNAM

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 60 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I rise to propose a means of lowering the cost of financing the war in Vietnam.

I plan to outline this plan in detail later in my remarks. For the sake of clarity, I summarize some of the highlights at this point:

First. Interest charges are one of the biggest items in our defense expenditures and, in the current fiscal year, will take a whopping $14 billion out of the total Federal budget.

Second. To reduce these charges, and thereby the cost of the war in Vietnam, I propose that the Federal Reserve System purchase bonds directly from the U.S. Treasury on a non-interest-bearing basis.

Third. These non-interest-bearing bonds would be limited to unusual expenditures associated directly with the Vietnam war. This would be an estimated $22 billion in the next fiscal year.

Fourth. I further propose that 2½ percent of these bonds be paid back each year without interest, thus spreading the cost of the war over future years.

Fifth. The proposal will save more than $1 billion annually and will free money for needed domestic programs.

Mr. Speaker, tomorrow the President will present the Congress with the largest budget in its history. It has been indicated that total Federal expenditures for the fiscal year beginning on July 1, 1967, will exceed $135 billion.

This is a staggering sum even for a country so productive and so rich as the United States.

At least $73 billion—or more than 50 percent of this budget—will be earmarked for military and defense purposes. This will be the third largest defense budget ever submitted to the Congress.

Nearly all of the new military expenditures can be traced directly to the conflict in Vietnam, a war which may prove to be the costliest in the history of the country. Since 1965, we have seen a skyrocketing of costs attributed to the Vietnamese war.

In fiscal 1965, our defense budget stood at about $51 billion. In fiscal year 1968—which begins on July 1—the defense expenditures will be up $22 billion over the 1965 figures. This is a 43-percent increase in 3 short years.

It takes no great budgetary expert to determine that the $73 billion for the defense budget will put a strain on all programs of the Federal Government. It is no secret that such a military expenditure endangers the financing of needed domestic programs. Education, highways, farm programs, and rural electrification, housing, slum clearance, transportation, the war on poverty—all are in danger.

But at this critical juncture in history, I do not believe that we can turn our backs on any of these needs. To neglect our basic domestic needs could be more damaging to this country than a crushing defeat on the battlefields of Vietnam.

For many years, we have been in sharp competition with the Communist world on many fronts. Not all of these fronts are military. In fact, our real competition is for excellence and for leadership. The Congress must give the country the necessary tools to keep our society moving forward.

We cannot long remain a world leader if our educational facilities are allowed to lag. We cannot be a world example if we neglect urban and rural development needs. We cannot win the minds of men if we allow poverty to fester and become a national sore. Never have our great domestic programs been more important than they are today.

Yes, I am among those who believe that we must prosecute the Vietnamese war to a successful and honorable conclusion. But I do not number myself among those who wring their hands and say we cannot afford to fight the war in Vietnam and, at the same time, meet our needs at home.

We must find the means to do both. We must find some new and imaginative ways to finance part of this huge $135 billion budget. We must not be fettered by tradition and outworn methods.

By any standards the expenditures in Vietnam are unusual. They are not normal, day-to-day defense costs. Therefore, I believe that we must use what some might term "unusual" means of lightening the burdens of this big dollar outlay.

One of the most wasteful and unnecessary items attached to our defense costs is interest. This is a heavy burden which cut a whopping $14 billion out of the fiscal 1967 budget. This sum was second only to the total defense budget.

As our costs spiral in Vietnam, I propose that the Congress move to eliminate some of this huge interest charge. To accomplish this, I am today introducing legislation which would require the Federal Reserve to purchase a certain number of bonds, issued by the U.S. Treasury, on an interest-free basis.

I propose that this be limited to what can be pinpointed as the unusual expenditures associated directly with the war in Vietnam. As I mentioned earlier, the defense budget stood at $51 billion in fiscal 1965. My bill would use that year's figure as a base and require the Federal Reserve to purchase bonds covering all amounts which exceed the $51 billion spent in 1965.

On this basis, the Federal Reserve would be required to purchase approximately $22 billion of these non-interest-bearing bonds in fiscal 1968. These bonds would be long-term obligations which would spread the cost of the Vietnam war over future years. I propose that 2½ percent of the principal of the bonds be paid back each year, without interest.

Such a program, if adopted, would lower the cost of fighting the war in Vietnam and would free funds needed for domestic programs. Based on the current average cost of money to the Government, the annual savings in interest would exceed $1 billion. I do not have to remind my colleagues what $1 billion could do for many of our hard-pressed domestic programs.

For example, this would provide three times the money which will be requested to finance the model cities program in fiscal 1968. It would provide more than 2½ times the need for loan funds for the Rural Electrification Administration. It could probably finance most of the annual outlay for the poverty program. It would come close to paying for those activities authorized in the 2d session of the 89th Congress for the Elementary and Secondary Education Act of 1965.

Over the long haul, the savings accomplished by this bill would be tremendous. It is a well-accepted theory in financial circles that the interest on long-term Government bonds will actually equal the principal before they are retired. So from the long-term standpoint, we would be cutting some of the costs of the war in Vietnam in half.

Surely it is not too much to ask that $22 billion of our war expenditures be financed without interest. This seems like a small request when so many are sacrificing so much in this war effort. We are not asking that the interest charges be eliminated on the entire $135 billion budget—just on $22 billion specifically earmarked for Vietnam.

Mr. Speaker, I hope that the financial community will join me in this program. I do not believe that the banks will want to profit off of this portion of the war expenditures. Likewise, I hope the Federal Reserve will join in this effort to lower the cost of the war.

The idea that I propose here today should not be regarded as something unusual or revolutionary. During discussion of the Price Control bill in 1941—just before World War II broke out—this concept was thoroughly thrashed out. I well remember an exchange with the then Under Secretary of the Treasury, Daniel Bell. I quote from the hearing record:

> Mr. Patman. Instead of issuing a million dollar's worth of bonds and selling them to the banks, and paying the banks interest on the bonds, and allowing the banks to create a million dollars of money by a bookkeeping transaction, if the Treasury should issue a million dollars in bonds and deposit those bonds with the Richmond Federal Reserve Bank, or any other bank or banks, and received credit for these non-interest-bearing bonds, and then issued checks on the balances that you have in the bank or banks, would that not have the same effect as far as the supply of money is concerned as selling the bonds to banks?
>
> Under Secretary Bell. Approximately the same. What you would be doing is that your Federal Reserve banks would be financing your expenditure program, instead of your commercial banks.
>
> Mr. Patman. I know, but I am asking you about the supply of money, and not about the effect. Is it not a fact that exactly the same amount of money has been put into circulation?
>
> Under Secretary Bell. I think so; yes . . .

Later my colleague, Congressman Jerry Voorhis of California, and I proposed before the Ways and Means Committee that non-interest-bearing bonds be issued to finance a part of the World War II costs. On the Senate side, the late Senator Owen of Oklahoma proposed much the same thing. These proposals were very close to what I am suggesting here today.

While we were not totally successful in pushing our viewpoint, it is a fact that interest rates were kept very low during World War II. Throughout that war, the Federal Reserve cooperated with President Roosevelt to hold down interest rates. As a result the American taxpayers were saved billions of dollars in the financing of the tremendous costs of that war. During World War II, interest rates on long-term Government obligations were kept below 2½ percent.

I place in the Record a table which shows the yields, by months, on long-term Government bonds during World War II:

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Year
1942	2.48	2.48	2.46	2.44	2.45	2.43	2.46	2.47	2.46	2.45	2.47	2.49	2.46
1943	2.46	2.46	2.48	2.48	2.46	2.45	2.45	2.46	2.48	2.48	2.48	2.49	2.47
1944	2.49	2.49	2.48	2.48	2.49	2.49	2.49	2.48	2.47	2.48	2.48	2.48	2.48
1945	2.44	2.38	2.40	2.39	2.39	2.35	2.34	2.36	2.37	2.35	2.33	2.33	2.37

Unfortunately, since the Vietnamese war has been at its height, the the Federal Reserve has failed to protect the public interest and has not kept interest rates down. Compared to the World War II record, the present Federal Reserve has appeared as a vehicle for war profiteering in interest rates.

This is regrettable and it has caused severe problems in financing both the war and our domestic programs. With so many of our young boys giving their supreme sacrifice in the war, it seems sad that the Federal Reserve has not been enlisted in this effort.

My bill will not correct the entire situation. But it will limit the profiteering on at least a substantial part of the future expenditures in Vietnam. It will, in part, reduce the strain on the total Federal budget. And it will, in part, allow us to go forward with domestic programs.

Mr. Speaker, I place in the Record a copy of the bill which I have introduced today:

H.R. 3387

A bill to provide for the issuance of nonnegotiable United States bonds to finance certain defense expenditures, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. The Secretary of the Treasury may issue to Federal Reserve banks nonnegotiable, noninterest-bearing bonds the principal of which shall be repayable in annual installments equal to 2½ per centum of their face value. The principal amount of such bonds issued by the Secretary in any fiscal year shall not exceed the amount by which national defense expenditures for that fiscal year are greater than such expenditures for fiscal 1965. The provisions of section 14(b) of the Federal Reserve Act (12 U.S.C. 355) shall not apply to any obligations issued by authority of this Act.

Mr. ANNUNZIO. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Illionis.

Mr. ANNUNIZO. Mr. Speaker, I associate myself with the remarks of the distinguished chairman of the Banking and Currency Committee. I commend him for his timely and forthright statement on lower interest rates and the obligation the Federal Reserve Board has to provide lower interest rates for the country.

I hope the Federal Reserve takes a cue from the Treasury and the President on the subject of lower interest rates.

In the last few days the leaders of the European countries have met with the Secretary of the Treasury, Mr. Fowler, and have reached an agreement for lower interest rates. We have seen the President of the United States in his state of the Union message come to the Congress and also advocate that interest rates be lowered.

Again I commend the distinguished chairman of the Banking and Currency Committee. I urge my colleagues to read the Congressional Record and to give very serious consideration to his bill to lower interest rates for financing the war in Vietnam.

Mr. PATMAN. Mr. Speaker, I thank my distinguished friend from the great State of Illinois for his contribution. I appreciate his support. He and I usually see the same way on monetary policy and take the same approach to these difficult problems.

Mr. Annunzio has been a member of the Committee on Banking and Currency since he came to the Congress. I do not know of any other freshman Member of Congress who did more great things in the interest of the whole country than Mr. Annunzio. He has been an unusual new Member and I appreciate the fact that I have the privilege of associating with him.

In the fight against high interest rates he and I were together on December 6, 1965, when the Federal Reserve Board and the Open Market Committee defied the President of the United States, and automatically and arbitrarily raised the interest rates 37.5 percent at one stroke of the pen. We condemned that action immediately. We have been fighting high interest rates ever since—not just high interest rates, but usurious interest rates, unreasonable interest rates, extortionate interest rates, and tight money that create more poverty in this country than any other one thing.

How can we claim consistently that we are against poverty when we are creating more poverty all the time by permitting extortionate interest rates to be charged the citizens of this Nation?

The gentleman from Illinois has been working with me and I have been working with him ever since that action on December 6, 1965. I have a feeling that we have, in our consistent fight, attracted just a little bit of attention. This just possibly was a factor in consideration of lower interest rates when our Secretary of the Treasury, Henry Fowler, met with European finance ministers this past weekend.

There are a number of untrue and fantastic charges about the necessity for high interest. Many say, "We want lower interest," but too often these same people raise interest rates when lower interest rates seem to be indicated.

The balance of payments is brought up as an excuse and they say, "Oh, we cannot afford to have our interest rates low. We cannot afford not to let our capital go abroad if the capital can earn more money abroad than here." This statement is an excuse, not a reason for high interest rates.

The actual facts show that out of all the countries on earth, the United States of America is the only one in the civilized world that does not have export controls on capital. That is the way to keep a balance of payments in order, to prevent speculative capital from going abroad. It is just as simple as that. I challenge anybody to contradict that statement. High interest rates are not the answer.

I have interrogated the officials of the Federal Reserve System and the Treasury over a long period of time, as Members know, and I believe I can say what the answer would have to be, from any one of them, if they were asked about the export of capital. The answer would be that we are the only country on earth that does not control the export of our capital. If we were to impose export controls on capital, the balance-of-payment situation would be changed entirely in our favor.

I appreciate the consideration given the bill I introduced today. I believe it is in the public interest. It will save us an enormous amount of money.

It is only a question of how we want to spend the money. Do we want to give it to people for rendering no service at all, as interest charges? Do we want to pretend that we are giving it for a service when it is not a service? It is unearned interest. Or would we rather spend it to help eliminate poverty, educate our children, and to help build our country?

We do not want to retard progress in our country just because this war is going on. It is not right that the present generation should pay entirely out of pocket, out of current expenditures, the total cost of saving our country in time of war. Let that obligation be spread over a long period of time so that the country can continue to move forward. It is right that this be done.

I thank you for the consideration shown me on the introduction of this legislation.

RESPECTABLE BANKING COMMUNITY SUPPORTS LOAN SHARKING

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, there is a growing realization that high interest charges place an inordinate burden on the poor of this Nation. The theory that high interest rates are a tax on the poor is becoming accepted as a fact.

Dr. David Caplovitz, of Columbia University, has done a brilliant job of describing this phenomenon in his book, "The Poor Pay More." This is an excellent description of the cruel toll that high interest credit takes from the poverty stricken.

Last Saturday, Dr. Caplovitz participated in the New York Consumer Assembly at the Statler-Hilton Hotel in New York City. Dr. Caplovitz discussed "Consumer Problems of the Poor" and once again stressed the problems of high interest rates.

Many, of course, are prone to lay the blame for high interest charges and bad credit practices on the loan shark and the sharp-practice finance company. The practices of these outfits are bad—very bad—but as Dr. Caplovitz points out, it is the respectable banking community which ultimately provides the funds for such activities.

This paragraph from Dr. Caplovitz' remarks to the New York Consumer Assembly is particularly significant on this point:

> Much more despicable, I think are the fly-by-night companies which send their canvassers into the ghetto to sell such expensive commodities as encyclopedias, pots and pans, deep freezers and vacuum cleaners. These companies specialize in sharp practices. Once they make their dishonest sales, they quickly sell their paper to finance companies and benefit from the immunity that the law now gives them from further responsibility for the sale. And I should point out that these disreputable companies could not long survive without the collusion of the equally disreputable finance companies and banks which buy their paper. These financial institutions must share the blame for the exploitation of the poor, for they know all too well that they are buying "bad" paper, that is, dishonestly obtained contracts, and yet they do so anyway. And when we ask the further question of where the finance companies get the funds that they need to operate, we soon discover that they often borrow from highly respectable banks. Thus, the so-called respectable financial community is also a party to the exploitation of the poor.

I place the text of Dr. Caplovitz' remarks in the RECORD:

CONSUMER PROBLEMS OF THE POOR

(By David Caplovitz, Ph. D., of Columbia University, delivered at the New York Consumer Assembly, Statler-Hilton Hotel, January 14, 1967)

My remarks will bear upon the problems that low-income persons face as consumers in our society. Until recently the "war on poverty" was focused exclusively on the earning power of the poor and how to expand it through education, job training and the creation of jobs. But the inability of the poor to earn a decent living is only one side of their economic plight. Equally important is how the poor spend what little income they have, that is, their situation as consumers making major buying decisions in the market place. To the extent that the poor pay *more* for the goods they buy—and I am convinced that they do—then to that extent they are deprived of the benefits of their earning power. They are forced to live in a world of inflation that our more well-to-do citizens are able to escape.

The tendency has been to assume that, since the poor have little money to spend, they cannot possibly be consumers of costly merchandise. But this reasoning overlooks the role of installment credit in our society. Through the mass media, Americans in *all* walks of life are bombarded with messages to buy now and pay later. "Easy payments" and "no money down" are the slogans luring even the poor into the market place. Nor is it very difficult to lure the poor into making costly purchases, for in some ways the ownership of goods takes on even more significance for low-income persons than for those in higher income brackets. Since the poor have little prospect of greatly improving their low social standing through occupational mobility, they are apt to turn to consumption as at least one sphere in which they can make some progress toward the American dream of success. Appliances, automobiles and the dream of a home of their own can become compensations for blocked social mobility.

Whatever the motive, there is increasing evidence that the poor *are* consumers of major durables. My own study of almost 500 low-income families, living in public housing projects in New York City, showed that these families owned many expensive appliances. Fully 95 per cent owned at least one television set; almost two-thirds owned a phonograph; almost half owned a sewing machine and almost half owned an automatic washing machine. Most of these families had spent considerable money furnishing their apartments. The typical family bought sets of furniture for at least two rooms when it moved into public housing and had spent approximately $500 for furniture. Some 16 per cent had paid more than $1,000 for furniture bought at the time of the move.

The prices they paid for appliances were quite high. Forty per cent paid more than $300 for their TV set and 13 per cent had paid more than $400. A number of families owned expensive combination television and phonograph sets and one family reported paying $900 for such an appliance.

Partly because they are so dependent upon credit and partly because they are intimidated by the large downtown store, most of the families buy their major durables from neighborhood merchants or from door-to-door peddlers rather than going to the large department stores and discount houses. Symbolic of the narrow shopping scope of the poor is the practice of buying from door-to-door peddlers, the men with the traditional slogan of "a dollar down, a dollar a week". Fully half the families surveyed had made at least one credit purchase from these door-to-door salesmen and more than a third had made repeated purchases.

The poor, then, like others in our society, have major wants as consumers, and there are innumerable merchants in low-income areas who are all too eager to provide them with the goods they want (and I might add, often with goods that they do not want).

Because they are poor and have such low ratings as credit risks and because they lack the training to be sophisticated shoppers, persons of low income are easy prey to unscrupulous, exploitative merchants. The marketing system in which they are forced to operate is in many respects a deviant system. I have elsewhere described it as a commercial jungle in which exploitation and fraud are the norm rather than the exception. High pressure tactics, "bait" ads and "switch sales", misrepresentation of price and quality, and the sale of used merchandise as new all flourish in this special system of sales-and-credit. Responding to ads announcing appliances and furniture at unusually low prices, the consumer soon succumbs to the salesman's switch-sale technique and buys a much more expensive model.

Along "furniture row" on Third Avenue in East Harlem, the bait ad appearing in every store window announces three rooms of furniture for "only $149" or "only $199". The customer who inquires about this bargain is shown a bedroom set consisting of two flimsy bureaus and one bed frame. He learns that the spring and mattress are not included in the advertised price but can be had for another $100 or so. The living room set in these "specials" consists of a fragile-looking sofa and one unmatching chair.

Commenting on this gimmick, a salesman in one of these stores told an interviewer: "I don't know how we do it. We advertise three rooms of furniture for $149 and the customers swarm in. They end up buying a $400 bedroom set for $600 and none of us can believe how easy it is to make these sales."

I could go on and illustrate many other exploitative practices that are used to bilk the poor, such as the promise of free merchandise if the consumer will assist the salesman in finding other customers, extravagant verbal promises that prove to have no validity, or the delivery of merchandise other than that ordered, but by now, these exploitative schemes are all too well known. Only last Monday, National Educational Television presented an hour-long show documenting many of these unscrupulous practices.

Perhaps less well known is that there are even salesmen who specialize in extending credit to families who are on welfare. Last year I learned about two cases that had come to the legal office of Mobilization for Youth in New York City. In both instances, women on welfare were talked into buying expensive television sets. The salesman said he would be by every two weeks when the welfare check came to collect $10. They were told that the sets would cost $200 but when they were delivered, the women discovered that they had to pay $600. In spite of the suddenly inflated price of the merchandise, these women kept up payments until their sets broke down and the company refused to make repairs in spite of guarantees that they had been given. Their withholding of payments led to their sets being repossessed and it was only at that time that they sought legal aid.

These incidents illustrate another point that must be made. Many poor people find themselves overextended in credit obligations and unable to maintain payments. But many others stop paying on their purchases not because they are unable to pay, but because they refuse to pay on faulty merchandise. Instead of gaining retribution, however, they are more often than not subjected to legal sanctions brought upon them by the merchant. This process can be seen in the experience of one man interviewed in our study: "I bought a set of pots and pans from a door-to-door salesman. They were of very poor quality and I wanted to give them back but they wouldn't take them. I stopped paying and told them to change them or take them back. They started bothering me on every job I had. Then they wrote to my current job and my boss is taking $6 weekly from my pay and sending it to them."

It is not clear from his account whether he lost some of his previous jobs because of the efforts to garnishee his salary; this does happen with some frequency. Many employers simply will not be bothered with garnishments and do not hesitate to fire workers whose salaries are attached. We are accustomed to thinking that these difficulties arise because these people are poor. But it is also true that some families become poor because they have these problems. To lose a job because of a garnishment is certainly one way of entering the ranks of the impoverished.

I should point out that the jungle confronting the poor consumer extends to the procedural aspects of the law. Legal procedures are violated with some frequency by the merchants' attorneys and the City Marshals who are responsible for collecting the debts.

For example almost all the lawsuits against consumers who do not pay result in judgments by default, that is, the consumers do not show up in court to defend themselves. The assumption commonly made is that these default judgments simply mean that the consumer has no case; that he indeed owes the money and therefore chooses not to answer the complaint and risk further court costs. But the legal unit of Mobilization for Youth has come across a number of cases in which the defendant was never served with a summons. Process servers often evade their responsibility and simply throw the summons away. This happens with sufficient frequency that a special term has evolved in legal circles to refer to it: "sewer service". Low-income families are especially likely to be victims of this practice since they are not apt to know their legal rights or how to protect them.

Another example: Before a garnishment order can be entered with an employer in New York State, the City Marshal is required by law to give 20 days' notice to the defendant. The purpose of this law is to give the defendant a chance to clear up the debt and avoid embarrassment with his employer. But this procedure, too, is frequently not followed. All too often, the first the poor consumer hears of the action taken against him is when his employer calls him in and tells him about the garnishment. And by that time, it is often too late for the consumer to protect his job, let alone his rights in the legal action.

It is all too easy to say that the poor must be educated as consumers. But in my opinion, it is even more important to provide the poor with meaningful alternatives to the present arrangements that confront them. I have in mind such things as credit unions, cooperatives and other self-help institutions.

In addition, there is a need for new legislation that will redress the balance between creditors' rights and debtors' rights. For example, we take pride in the fact that debtors' prisons have been abolished and yet today our legal structure permits garnishments which often result in depriving the debtor of his livelihood. Fortunately, through the efforts of many of the people here today, New York State has finally passed a law prohibiting employers from firing workers for this reason.

Until recently, I thought that losing a job because of a garnishment order was the worst thing that could happen to the low-income consumer. But then I learned something about how the system works in the State of Pennsylvania. Pennsylvania is one of the few states in the country in which garnishment of wages is not permitted—an eminently desired state of affairs. But, in Pennsylvania, it is very easy for the creditor to attach the property of the debtor. Many working-class people who have managed to buy their homes find themselves losing title to their houses because of their installment debts. Every month, hundreds of houses in Philadelphia are sold at Sheriffs' auctions for a small fraction of their value to settle consumer debts.

Certainly "truth in lending" legislation is necessary if consumers are to behave rationally. We urge consumers to shop wisely and yet we tolerate a situation in which it is virtually impossible for consumers to shop for credit for the simple reason that those who extend credit are not required to state how much the credit costs. The variations in credit legislation from state to state are not only awesome but difficult to justify. For example, in the State of Arkansas, the maximum interest that can be charged on any loan is 10 percent, but the State of Texas permits over 200 percent interest on loans under $100.

I should now like to say a word on behalf of those I have treated as the villains, the local merchants in poverty areas. In my opinion, it is a mistake to see their practices as wholly due to their unscrupulous personalities. They, too, are constrained by a set of economic forces. In some respects these merchants must charge more for the simple reason that it costs them more to operate. I am not thinking only of the fact that being small businessmen, they cannot buy in bulk the way chain stores or large department stores can. I also have in mind the fact that these merchants frequently have to pay more for the money they borrow and in particular that they have to pay more for the insurance they need. If I am not mistaken, the insurance companies of American are now facing a crisis concerning insurance in ghetto areas. Even at the much higher rates they charge, they apparently are not finding it profitable to extend insurance to ghetto merchants. There is a need, then, for new institutional arrangements to meet the needs of the local merchant as well as those of the local consumer. Why, for example, can not there be some system of pooling insurance and sharing the risk so that the local merchant does not have to pay an exorbitant price for insurance?

Moreover, the merchant whose business is located in the ghetto is far from being the most evil person in the system of exploitation of the poor. To some extent, his practices are constrained by the need to maintain "good will" with his customers. Much more despicable, I think, are the fly-by-night companies which send their canvassers into the ghetto to sell such expensive commodities as encyclopedias, pots and pans, deep freezers and vacuum cleaners. These companies specialize in sharp practices. Once they make their dishonest sales, they quickly sell their paper to finance companies and benefit from the immunity that the law now gives them from further responsibility for the sale. And I should point out that these disreputable companies could not long survive without the collusion of the equally disreputable finance companies and banks which buy their paper. These financial institutions must share the blame for the exploitation of the poor, for they know all too well that they are buying "bad" paper, that is, dishonestly obtained contracts, and yet they do so anyway. And when we ask the further question of where the finance companies get the funds that they need to operate, we soon discover that they often borrow from highly respectable banks. Thus, the so-called respectable financial community is also a party to the exploitation of the poor.

I should like to close on a note of optimism. Earlier, I mentioned the need for self-help institutions to protect the interests of low-income consumers. We hear a good deal these days about the great difficulty of organizing the poor to take action on the problems that face them. But recently I learned about an organization that has restored my confidence in the power of the poor. This organization is located in Philadelphia and is called the Consumer Education and Protective Association. CEPA was formed about eight months ago and today has about five hundred members. It operates on a shoestring. Through membership dues and contributions, they have managed to raise $5,000. And what have they accomplished? By using the union weapon of the picket line, they have forced many merchants to make refunds on unconscionable transactions. A key to their success is a monthly newspaper that they distribute in the low-income areas. Their paper is called "Consumers Voice" and their slogan is "Let the Seller Beware." I have copies of their paper which I shall be glad to show you. Their accomplishments can be seen from the headlines. For example, one headline reads, "Pickets at N.Y. Bank Stop Sheriff Sale"; another announces, "Finance Co. refunds $730"; and another says, "Dealer takes back $3,000 Used Car."

This organization has become so effective that the opposition is beginning to organize to shoot them down. Soon they will be sued for unauthorized practice of law. But my guess is that they have sufficiently aroused the low-income population of Philadelphia so that they will not easily be put out of business. I think that we here in New York have much to learn from CEPA, and would do well to develop a similar organization. Through such efforts and through more effective legislation, the day may come when the poor are given a fair shake in the marketplace.

HIGH INTEREST RATES AND HIGH TAXES FORCE SUPERMARKETS TO LEAVE SMALL TOWNS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, high interest rates seriously curtail all economic activity. Mr. George Sunkel, a representative of the Piggly Wiggly Stores—a supermarket operation—has written me expressing in detail the effect high interest rates have on this organization's operations.

High interest rates are a matter of

concern to all people, be they residents of small towns or large cities. I commend this letter to everyone. It very graphically describes the effect of the high interest rate, tight-money policies which the Federal Reserve Board placed in effect beginning with its action in December 1965 when they, among other things, raised interest rates by 37½ percent.

The letter follows:

PIGGLY WIGGLY STORES,
Clarksville, Tex., January 11, 1967.

Hon. WRIGHT PATMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I want to commend you on your stand on high taxes and high interest rates, as you are in my opinion correct that there is a strong possibility that this could force this country toward a recession.

High interest rates in our own business has drastically curtailed expansion, as we are faced everywhere we turn, not only with a very tight money situation, but also with the fact that when we can get financing for new store buildings, the interest rate is so high that expansion, particularly in smaller towns, is prohibitive, as the anticipated sales will not justify the cost of Lease based on these high rates.

With all good wishes, and kindest personal regards, I remain,

Sincerely yours,

GEORGE SUNKEL.

LITTLE ROOM FOR COMPLACENCY IN EMPLOYMENT OUTLOOK—UNEMPLOYMENT IN DEPRESSED CONSTRUCTION INDUSTRY STILL REMAINS AT RECORD LEVELS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, we can be justly proud of the fact that the latest statistics on this Nation's unemployment level show that unemployment is currently 3.8 percent—far below the postwar average. Much more, of course, needs to be done to drive this unemployment rate down to the barest minimum. Within this overall statistic, however, we find that the unemployment rate in the construction industry for the month of December was 8.8 percent, not too much better than it was in November last when this unemployment rate reached the fantastic level of 9.3 percent.

The current rates of unemployment in the construction industry and much of the reason why the overall unemployment rate is not below the 3.8-percent rate lies with the fact that the Federal Reserve Board since it moved in December 1965 to raise interest rates by 37½ percent has continued to operate on a tight-money, high-interest rate policy.

Until the Federal Reserve Board takes concerted action to increase the money supply and drive down interest rates neither labor nor the homebuilding industry—among others—can hope to achieve high levels of economic activity and prosperity. These facts are discussed in detail in an editorial from the Sunday, January 15, Washington Post, which follows:

THE EMPLOYMENT OUTLOOK

The economic analyst who forecasts the short-term future of the economy is little interested in the rate of unemployment because it moves with business trends rather than foreshadowing them. But for the politician, whose concern is the welfare of his constituents, unemployment is the vital indicator, the bread-and-butter test of the Administration's economic policies. In December—after correcting for seasonal variation—the household survey shows that 3.8 per cent of the labor force was unemployed as against 3.7 per cent in November. A 3.8 per cent rate is well below the average for the postwar period, but on delving beneath the surface, there is little room for complacency about the employment outlook.

Although payroll employment in the manufacturing sector held firm in December, falling by less than the seasonal average, there was marked decline in the average weekly number of hours worked. That change—from 41.3 hours in November to 41.0 hours in December—is significant because reducing hours of work is management's first response to declining demands. After a period of very rapid economic growth and favorable expectations, managers are reluctant to lay off or furlough experienced workers; their initial adjustment is made by shortening the work week which as recently as September averaged 41.5 hours.

Management's desire to hold their work forces together provides an opportunity for the Administration which is confronted by likely prospects of economic slowdown. If monetary policy can be quickly reversed and fiscal policy is not restrictive, the impact of the slowdown on the level of employment can be mitigated.

One sign of hope is to be found in the depressed construction industry where the rate of unemployment was reduced from 9.3 per cent in November to 8.8 per cent in December. But in order to revive the residential component of the construction industry, which early in 1966 accounted for nearly $29 billion in expenditures, mortgage rates must be lowered by increasing supply of funds. And little is going to be accomplished before the Federal Reserve authorities begin to increase the reserves of the banking system.

With the labor force estimated to increase by 1.4 million and number of agricultural jobs expected to decline by 0.3 million during this year, the Bureau of Labor Statistics estimates that 1.7 million new nonagricultural jobs will be required to prevent the rate of unemployment from rising. The experience of 1965–66 suggests that so modest a goal can be achieved. Everything depends upon the speed and effectiveness with which the Administration counters the recessionary forces that are now visible in several sectors of the economy.

HIGHER TAXES: PLOY TO HIDE THE FEDERAL RESERVE BOARD'S MISTAKES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, it was with a great deal of disappointment that I received the news last week of the proposed tax increase. I realize that the President's hand has been forced by Federal Reserve Chairman Martin, who has insisted for the past year that his mistakes be covered up by increasing taxes.

The immense burden of the record high interest rates of 1966 cost this Nation untold billions of dollars in added costs for our consumers, businesses, and government. Now we are asked to sustain a tax increase to adjust the economy to the damage done by the Federal Reserve Board's year-long high interest rate policy.

My observations on this matter have been substantiated by many newspaper stories which have appeared recently, and the same observations are made in the current issue of U.S. News & World Report. The U.S. News & World Report article follows:

WILL HIGHER TAXES MEAN LOWER INTEREST RATES?

Tight money . . . huge deficits . . . a balance-of-payments problem. Those are the things that led Mr. Johnson to call on Congress for an increase in taxes.

If all works out as planned, money will become more plentiful and interest rates will drop.

A call for a 6 per cent increase in income taxes, made in President Johnson's speech to Congress on January 10, was prompted by a number of troublesome trends.

Talks with high officials of the Johnson Administration disclose that the new tax plan is designed to—

Clear the way for a significant easing of money and credit.

Bolster the U.S. dollar around the world.

Avoid a budget deficit of a size that might be politically disastrous.

If the President's plan works out as intended, money will become more abundant and interest rates for all sorts of borrowers will come down in the months ahead.

As a starter, Mr. Johnson announced that an additional 1 billion dollars in loans is being made available to savings and loan associations by the Federal Home Loan Banks.

Those loans, moreover, are to be offered at a reduced interest rate, 5¾ per cent instead of 6.

The purpose of these moves: to help savings and loan associations make mortgage loans to people who want to buy or build homes.

In addition, the President told Congress in his state-of-the-union message: "I will do everything in a President's power to lower interest rates and ease money. . . ."

A quick response. The President's call for lower rates of interest was not ignored. On January 11, National City Bank of Minneapolis announced it was reducing from 6 per cent to 5.75 per cent the interest rate on its "prime" loans to best customers.

In New York City, bankers found no reason for immediate cuts in loan rates. But some banks reduced the rates they pay on big certificates of deposit.

Underlying the tax-increase proposal, officials make it clear, is a web of interlocking problems—tight money, a deficit in the U.S. balance of payments and a series of towering deficits in the federal budget.

The President, planning for the year to start July 1, found himself in a box.

The Government's outgo is climbing much more rapidly than its income.

The prospect for the new fiscal year appeared to be a budget deficit of 12.6 billion dollars, perhaps more.

No President had ever deliberately proposed a deficit that large except in World War II. President Dwight Eisenhower ran a deficit of 12.4 billions in one year, but it was done accidentally when a recession undermined Government revenues.

Mr. Johnson was reluctant to take the

political risks involved in deficit financing on that scale.

With the tax increase he proposed, the deficit next year would be reduced to 8.1 billion dollars.

Goal: easier money. Important, too, in the tax decision: Mr. Johnson was told by his advisers that, without a tax boost to trim the deficit and curb inflation, he would not get assurance of easier money from William McChesney Martin, Jr., Chairman of the Federal Reserve Board.

For more than a year, Mr. Martin has been calling for a tax increase and warning that, without one, tight money and high interest rates could not head off serious inflation.

When no broad increase in tax rates was forthcoming last year, the Reserve System ordered one turn after another on the credit screw.

With mortgage money drying up, home building went into a steep dive, individuals, businesses and State and local governments found it difficult to borrow at any price.

By late August, interest rates were at 40-year highs and bankers were warning of an impending "monetary crisis."

To President Johnson, it was a painful experience.

The President told Congress:

"Our greatest disappointment in the economy during 1966 was the excessive rise in interest rates and a tightening of credit."

More recently, as the business boom abated a bit, the Reserve has eased up cautiously on credit.

Now, with a proposal of a tax increase, Mr. Johnson hopes that Mr. Martin and the Reserve Board will go on and make credit still easier and cheaper.

The President, in his message, put it this way: "Most interest rates have retreated from their earlier peaks. More money now seems to be available. Given the co-operation of the Federal Reserve System, which I so earnestly seek, I am confident that this movement can continue."

Has Mr. Johnson been given assurance of still-easier credit? A high official of the Administration hints that he has.

The tax and money policies set out in the President's message, says the official, were developed in "continuous consultation" with the Reserve.

The official adds that the White House and the Reserve Board now are "in a fine state of co-ordination."

No sudden plunge in interest rates is expected, however. Even if Congress approves a tax rise, it is not to take effect before July 1. And then its effect is expected to be largely offset by a big boost in Social Security pensions.

Dollar troubles. An increase in taxes also is counted on to help strengthen the dollar.

First, added curbs on inflation would be expected to spur U.S. exports and the contribution they make to this country's balance of payments.

Second, a show of fiscal responsibility is expected to strengthen the confidence of foreign bankers in the dollar and encourage foreigners to keep the dollars they hold instead of cashing them in for U.S. gold.

Will a modest tax increase do all that's planned for it?

No one can tell, but Mr. Johnson, after a year of pressure, is now making the try.

EFFORTS TO EASE WORLDWIDE INTEREST RATES WITHOUT CENTRAL BANKERS APPLAUDED

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this past weekend Secretary of the Treasury Henry H. Fowler and the finance ministers of France, West Germany, Italy, and Britain met in Britain to discuss ways and means of ending the dangerous increase in worldwide interest rates. I applaud these efforts even more so, since the governments involved have seen fit to coordinate monetary policies without the pressure and presence of their respective central bankers.

In all the other countries except the United States, the central banks are under government control, so their absence is not extraordinary. But efforts by this Government to reduce interests rates without the Federal Reserve's advice is welcomed. I imagine the Treasury Department feels that, after following the Federal Reserve's dictated policies in 1966, efforts to ease the dangerous trend of higher rates should be a coordinated administration policy, minus independent action.

It is a happy occasion to have the Treasury Department out from the thumbs of the Federal Reserve Board. Following my remarks is an article by M. J. Rossant of the New York Times on the international effort to cut interest rates:

INTEREST-RATE CUTS—JOHNSON'S HOPES OF TRIMS HERE REST WITH COORDINATING MOVES IN EUROPE

(By M. J. Rossant)

President Johnson's hopes for a substantial easing in monetary policy to stimulate domestic economic activity rests in large part on bringing about international disarmament in interest rates. The first formal move to achieve interest-rate disarmament will take place in Britain this weekend, when Secretary of the Treasury Henry H. Fowler meets with the finance ministers of France, West Germany, Italy and Britain to discuss ways and means of coordinating reductions in interest rates here and abroad.

It may appear strange to hold a conference to coordinate monetary policies without the presence of the central bankers who have to do the coordinating. But Europe's central bankers are not independent.

They are expected to carry out the policies of their respective governments, which have the ultimate responsibility for over-all economic conditions.

The situation is different in the United States, where the independent Federal Reserve has much more freedom of action. It does not have to bow to the wishes of President Johnson or Secretary Fowler.

The Federal Reserve, however is all for easing credit now that the private sector is sagging. It began to reverse its restrictive policy even before Mr. Johnson's pledge to "do everything in the President's power to lower interest rates and to ease money in this country."

But the Federal Reserve will be hard put to lower interest rates at home as much as the President desires and Wall Street seems to expect if interest rates remain high abroad. If the Federal Reserve made the attempt, it would merely trigger a fresh and dangerous outflow of dollars to higher yielding foreign markets.

APPEAL TO EUROPEANS

So instead of trying to persuade or bargain with the Federal Reserve, the Administration is appealing to the Europeans to agree to a concerted lowering of interest rates.

If Mr. Fowler succeeds, the Administration does not have to worry about getting cooperation from the Federal Reserve.

This attempt to achieve coordination is constructive but the prospects for an effective agreement are far from bright even though officials on both sides of the Atlantic recognize that monetary easing can help increase business activity just as monetary stringency served to restrain it.

Certainly there was an appalling lack of coordination last year when interest-rate escalation took on the appearance of a full-fledged war. If coordination failed when interest rates were rising it may fail again now that they are falling.

While there was no coordination there was a great deal of consultation during the interest-rate war that took place last year.

Key financial and monetary officials not only met frequently in an effort to reach agreement but often issued public warnings about the grave risks involved in pushing up interest rates too high and too fast.

PAINFUL LEVELS

But rates reached excessive—and painful—levels because the Johnson Administration and most European Governments wanted to avoid tax increases. The result, as Governor Louis Rasminsky of the Bank of Canada recently pointed out, is that monetary policy has to go too far and "more important, the total job does not get done."

President Johnson's request for tax increases sometime this year is clearly designed to influence foreign governments as well as the Federal Reserve.

But whether foreign finance ministers will agree to mesh interest rates policies is as uncertain as the fate of the tax bill in Congress.

Some European governments prefer to spend heavily rather than ease credit. So they may not agree to go along with plans for changing the fiscal-monetary mix.

THE BUSINESS FACTOR

But with business falling off in West Germany, Britain and the United States, there is no doubt that interest rates are poised for a fall. Germany has already lowered its discount rate and the Bank of England may move next.

But uncontrolled disarmament of rates can bring as much harm as an interest-rate war, particularly to the United States and Britain, which still are running large deficits in their transactions with the rest of the world.

Unless they obtain an agreement on coordination, the amount of easing that can be done in London or New York will be limited. Even with coordination, the decline in interest rates may not be as sharp as the markets are already anticipating.

GUIDE FOR CONSUMER BORROWING

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a recent article appearing in the December 1966 Good Housekeeping should be brought to the attention of all our consumers who buy on credit today. In a straightforward presentation, this article outlines what the buyer should beware of and what he should know about installment contracts. It also reminds the consumer to avoid the attractive lure of overextending one's credit on installment purchases.

Following the article in the RECORD, I am inserting a table, published by the

Talman Federal Savings and Loan Association of Chicago, Ill., listing the types of loans available to consumers, and the usual interest cost per annum of such loans:

WHAT EVERY INSTALLMENT BUYER SHOULD KNOW

"Buy now and pay later" is an accepted practice in American family life. Nearly one-half of the families in the U.S. pay for purchases—from clothing to automobiles—on the installment plan. If you have a steady job and do not have too many other debts, it is usually easy to arrange installment-buying credit. In fact, some financial authorities believe it is too easy to get such credit because an increasing number of families are going more deeply into debt than they can afford. For example, there were 170, 174 individual bankruptcies in 1965 compared to 114,166 in 1960.

The amount of money a family can afford to spend on installment buying varies with how much of its income is left after basic living costs are met. Dr. S. Lees Booth, director of research of the National Consumer Finance Association, an organization of finance companies, believes a family should use only what credit it can afford and not be guided by any set percentage of its net income after taxes. However, some authorities say not more than 15 percent of spendable income should be used for installment buying. (Mortgage payments are not usually considered credit payments, but are included in basic living costs, the same as rent.)

When a family decides it can afford to buy something on the installment plan, it should find the most economical way to do so. Fred K. Gardner, a deputy manager of the American Bankers Association, says a family should shop for financing just as it does for the item it is going to buy. A higher interest rate, he says, may use up any money saved on buying a bargain item. In considering sources of financing, remember that loans from such institutions as banks or credit unions usually have a lower interest rate than installment contracts with retailers. In other words, it may be advantageous to borrow money and pay for the item in full. And, of course, all credit costs money. Cash buying is the most economical way to purchase any item. That is why many families save on a regular basis for major purchases.

Before signing an installment contract, be sure *all* blanks are filled and that you understand the terms. Check these points:

The total purchase price, which is the amount borrowed plus any down payment.

Cost of the interest and service charges in dollars and whether there are insurance or other charges.

Trade-in or other allowances.

Total amount due.

The amount and number of payments and the date each is due.

A copy of the contract should be furnished to the buyer. Such contracts may provide that you do not own the item until all payments are made. It also may stipulate that you cannot sell the item or move it without permission until it is paid for. Be cautious of contracts that:

Call for a final payment which is much larger than the others. If this payment is not made, the item may be repossessed when almost paid for.

Require the purchase of extra items that may not be wanted.

Allow collection of all or part of a buyer's salary if a payment is missed.

A buyer should also be aware that many contracts stipulate that default in a payment makes all other payments due and payable immediately.

The cost of installment credit increases with the length of time it takes to pay for the item. To save on interest, pay down as much as possible so payments on the outstanding balance are smaller and it can be paid off in the shortest period possible. Interest rates on installment contracts are often quoted as 1 to as high as 3½ percent a month. Such rates in *true annual interest* (the interest paid if the full sum borrowed is kept for one year) would be 12 percent for 1 percent a month and 42 percent for 3½ percent a month. The true annual interest rate for a discounted bank loan (where the interest is taken out in advance) is about twice the discount interest rate. For example, a 6 percent discount interest rate on a one-year loan is about 12 percent true annual interest, considerably lower than many rates quoted on a monthly basis.

For families who become overburdened with installment payments, about 50 communities have established nonprofit counseling services which will help work out a plan to pay creditors. A small charge may be made. The Family Service Association of America is surveying such counseling services to find ways to help families in serious trouble because of having overextended credit. Banks and other lending institutions also can give advice on credit problems.

Because of the rapid rise in installment credit in the past 10 years—from about $40 billion to $70 billion—the families in trouble have increased. In some areas, debt adjusters or debt poolers offer their services for fees ranging from 10 to 35 percent of the total debt. The National Better Business Bureau says it has received many complaints about unscrupulous promoters in this business. Twenty states have passed laws banning the commercial debt-pooling business.

Credit-cost table

Type of credit	Usual cost rate per annum	Recommendation
College education loans qualifying for Federal subsidy.	3 percent	By all means.
College education loans with State or private guarantee, or with security, but without subsidy.	6 percent	OK for good students.
1st mortgage home loans, open end monthly payment plan.	6 to 7 percent	Good for most families with permanent, stable employment. Will clear the home from debt in 20 years or less, for rent money.
Unsecured home improvement loans from savings and loan associations and banks.	9½ to 13½ percent	Better than 1st mortgage refinancing for major improvements to homes with old low-rate mortgage that will not secure advances; otherwise, not recommended except in cases of extreme need.
Credit union loans	8 to 10 percent (after dividends).	Cheapest and most satisfactory form of small credit.
"Instant-cash" to $100 on bank charge-cards.	12 to 18 percent	The 12 percent deal is a bargain as small loans go; we do not recommend 18 percent loans.
Revolving credit plans of retail stores, including bank charge-card plans.	18 percent and up	Not recommended.
30-day retail credit, any plan, including charge-cards.	None	OK for convenience, if the price of the goods is right and you know you can pay the bill when it comes; but check prices against cash stores.
Automobile loans	8 to 200 plus percent	Beware the high cost of required insurance; better drive old car till you save enough money to trade up with cash.
Appliance loans	10 percent and up	Cash will usually buy it for 20 to 30 percent less; save and shop.
Personal loans (confidential) no questions asked.	30 percent and up	Not recommended.
Loans from friends, relatives or employers.	(?)	Not for self-respecting people.
Loan sharks, unlicensed	The sky's the limit	No.

Source: Talman Federal Savings & Loan Association Chicago, Ill.

THE REPUBLICAN "STATE OF THE UNION" PRESENTATION

The SPEAKER pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from Oklahoma [Mr. ALBERT] is recognized for 10 minutes.

Mr. ALBERT. Mr. Speaker, last Thursday, the Republicans put their best foot backward—the same direction they have been going for the past 60 years. The speech of my good friend, the distinguished minority leader, was not a state of the Union. It was a state of confusion.

It proposed nothing new, nothing practical, nothing sound.

It was the old broken record of fear, alarm, distrust, and futile carping.

The distinguished gentleman from Michigan [Mr. GERALD R. FORD] called for a new direction for America. But where does he want us to go?

For the past 6 years—under two Democratic Presidents and three Democratic Congresses—America has been moving forward.

A record 74 million Americans are working—and earning more than ever before.

Three and a half million of our elderly have already received treatment under medicare.

Nine million of our poorest workers are covered by minimum wage.

Seven million deprived children are at last getting the education they so desperately need.

Almost 1 million young men and women are attending college, thanks to our new Federal programs of loans, grants and scholarships.

Three-quarters of a million Americans are learning new skills to make them useful and productive members of our economy.

These are not just some of our citizens; these are all of our citizens—wherever they live or whoever they are.

This is the direction America is moving. But the Republicans want a new direction—and the only direction they know is backward. Their record is there for all to see. And it is a record of sheer indifference.

The Republicans turned their backs on our mothers and fathers; 90 percent of the House Republicans voted to kill medicare.

They turned their backs on our children; 68 percent voted to kill the education bill.

They turned their backs on our workers; 70 percent voted to kill the minimum wage.

They turned their backs on our poor; 90 percent voted to kill the war on poverty.

They turned their backs on minority groups; 85 percent voted to kill the voting rights bill, and 65 percent voted to kill last year's civil rights bill.

The Republican elephant has turned its back. It has turned its back on the people. And now they talk of new directions.

We hope they are sincere.

A few days ago, a great American President came to this House to give us a blueprint for American progress.

That blueprint was compassionate. It was realistic. It was visionary. And it was bold.

It was a call to action.

We hope the Republicans will join us in answering that call. If they want to eliminate crime, as they say they do, let them support the President's Safe Streets Act.

If they want better government, let them support the new Department of Business and Labor.

If they want our cities to be better places to live, let them support the full funding of the model cities.

If they want progress toward "the equality that is the right of every American," let them support the civil rights bill.

Let them stop saying "no, no, no," to the people.

Let them stop sowing confusion and start being constructive.

That, indeed, would be a new direction—and every American would welcome it.

"THE DUCK THAT TRIES TO LOOK LIKE A SWAN"—ONE CONGRESSMAN'S REACTION TO THE REPUBLICAN "STATE OF THE UNION" MESSAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. RESNICK] is recognized for 60 minutes.

Mr. RESNICK. Mr. Speaker, I rise today to reply to the so-called state of the Union message delivered Thursday evening by the distinguished House minority leader, the gentleman from Michigan, and the equally distinguished minority leader from the other body, the gentleman from Illinois.

I just cannot sit by and allow these Alice-in-Wonderland tales to be recited to us without answering back. I simply could not believe my ears when I heard the line the Republican leadership was trying to sell to the American public. There is an old saying, if it waddles like a duck, if it quacks like a duck and has feathers like a duck, it is a duck—not a swan. The distinguished minority leader, in his speech on Thursday night, deliberately ignored his own past statements and the voting record of his party in a glib attempt to make the conservative Republican duck take on the appearance of a liberal swan. Even Mandrake the Magician in his heyday could not pull off a stunt like that.

As you know, Mr. Speaker, the very heart and soul of our great Nation, its very life, depends on the right of each individual to his political beliefs—be they conservative, reactionary, or liberal. Many is the time that I have voted here in this House to protect the rights I swore to uphold when I took my oath of office, even though I sometimes violently disagreed with the opposing viewpoints of the individual or organization.

So I do not take issue with the gentleman from Michigan and the rest of the Republican establishment—with their right to express their political beliefs to the American people. But, I do take issue with them when they speak out in public, in strong support of legislation to advance social and economic justice, Government reform, and constructive foreign policies: While on the floor of this House—the only place it really counts—they have consistently voted against such legislation. I think it is wrong for them to tell the American people one thing and to vote exactly the opposite way. To be perfectly honest, on the basis of the gentleman from Michigan's statement, I was ready to embrace him as a fellow member of the Democratic Party. He seemed to believe in all the right things. But then I remembered the many, many times I sat here on this floor and watched his party do everything in its power to try to delay, obstruct, cripple, gut, and even kill most of the legislation that was written for the purposes of realizing the objectives the Republicans now claim they believe in.

The distinguished minority leader and his followers have tried to make a big issue out of the so-called credibility gap. What he has done by his statement on Thursday has been to create an incredibility chasm for the Republican Party. Time does not permit me to point out every glaring discrepancy between the gentleman's statement and the gentleman's record as the leader of the House Republicans in the 89th Congress: I will just concentrate on the most obvious ones.

Let us begin with social security. The Republicans say they favor expanded coverage and increased benefits. One could almost get the impression that the Republicans are finally interested in protecting our mothers and fathers from poverty and sickness. Yet early in the 89th Congress, when the medicare bill finally came to the floor after 20 years of opposition by Republicans, they asked me to follow their "enlightened" effort and vote against it. Ninety-three percent of them voted to kill the bill by voting to send it back to committee for possibly another 20 years. After this motion failed, 49 percent still voted against final passage. This shows how little the Republican Party has changed since 30 years ago when they openly admitted they were conservative and when 99 percent of them voted against the original social security bill, in 1935, calling it "a cruel hoax."

In the light of the Republican Party's demonstrated opposition to social security legislation, why should Americans believe that they have suddenly become interested in the elderly and in expanding benefits and coverage to our senior citizens? Their blind opposition to medicare for over 20 years, which they also called a "cruel hoax," kept millions of Americans from getting the medical attention they so desperately needed, but could not afford. While the Democratic Party was listening to the voice of America, the Republican Party was listening to the voice of the American Medical Association.

If a "cruel hoax" exists at all, it is the attempt of the Republican Party to make older Americans believe that they are truly concerned with their problems.

At least the Republican nominee for President in 1964, Senator Barry Goldwater, let the American people know his true beliefs on medicare and social security. He opposed medicare and he was in favor of completely dismantling the social security system by putting it on a voluntary basis. Of course, he was defeated by the largest margin of votes in recent times, but at least we knew where he stood.

Perhaps this is the reason the Republican Party is running for cover today and is trying to camouflage the old gray elephant with a different coat of paint.

Now, I don't want anybody to get the impression that the Republican Party is biased only against our senior citizens—for in the 89th Congress they not only asked me to vote against our elderly—they also asked me to vote against our children, when they asked me to vote against the Elementary and Secondary Education Act. Then they asked me to vote against poor people by voting against the Economic Opportunity Act. They also asked me to vote against our Nation's Negroes when they asked me to vote against the Civil Rights Act of 1966. They even wanted me to vote against measures to conserve America's dwindling natural beauty and recreational areas. Why, I remember one occasion when they asked me to vote against hungry schoolchildren. This was during the debate on the Child Nutrition Act of 1966 when my distinguished Republican colleague and fellow member of the House Committee on Agriculture, the gentleman from Illinois, asked that we strike out an appropriation for $17 million that would establish a program to provide breakfast for children who were coming to school hungry. When I protested that I could not vote against hungry schoolchildren, the Republican reply was "we are not asking you to vote against hungry children. We are asking you to vote against the appropriation"—a distinction I still do not understand.

As one reads the section of the distinguished minority leader's speech on education, one gets the distinct impression that with certain "minor" modifications, he is in favor of continued Federal assistance. One very innocent phrase he uses is that the Republican Party would "trust local school boards to formulate policies." This suggestion would, in fact, perpetuate segregated schools virtually forever.

Once again the distinguished minority leader conveniently forgot to mention that for 15 long years his party has blocked direct Federal assistance to our financially overburdened school systems. When the opportunity finally presented itself to vote on Federal aid to education, 73 percent of the Republicans present and voting opposed final passage of the Elementary and Secondary Education Act of 1965—the keystone of direct Federal educational aid to students throughout the United States. If they had their way and there had been more Republicans in Congress, that bill would have been defeated.

Before you can make alterations to a house you have to build it. The Repub- to make alterations to a house that hammers and saws ready to go to work to make alterations to a House that would never have been built at all if they had their way. In 1964, 90 percent of the Republicans voted in favor of the recommittal motion which would have doomed the war on poverty before it got started. In 1965, 82 percent voted against final passage. It is always the same story—the Republicans voting overwhelmingly against the war on poverty by using devices well known in this House—crippling amendments, motions to strike the enacting clause, motions to recommit and other parliamentary maneuvers which all lead to the same end—the destruction of the Office of Economic Opportunity. The Republicans would have us think they are moving into this House with an alteration crew. I submit, on the basis of their voting record, that they are really a wrecking crew—they have tried to wreck the hopes and opportunities of our workers, our poor, our children, and our elderly.

Speaking of houses, the Republican leader very piously proclaimed:

> We propose to enlarge the opportunity of low-income Americans for private home ownership.

But how did he vote when such legislation was here last year? As we all know, unfortunately, the vast majority of our low-income population is Negro. If there is any one way to help these people own their own homes it is by striking down the laws and practices that prevent Negroes and other minority groups from purchasing homes in decent neighborhoods. Title IV of the Civil Rights Act of 1966 would have once and for all destroyed these barriers, and would have permitted every American to at least have the opportunity to his own home. But the majority of the Republican wrecking crew opposed the Civil Rights Act of 1966 in general, and title IV in particular. In the other body, under the able leadership of the distinguished minority leader, the gallant man from Illinois, they prevented, through the use of the filibuster, the issue from ever coming up for a vote.

We agree, that it certainly would be an ideal situation if all Americans could own their own homes. However, we know that many Americans would gladly settle for a decent apartment in a decent neighborhood. We also know that the Republicans have consistently voted against public housing since 1937, saying it does not work, that public housing is not the answer, and that private industry should be permitted to do the job. The Democratic administration in 1965 came up with a new approach, using rent supplements so that private industry could, indeed, build the necessary housing without government interference or funds. The use of rent supplements was endorsed by every major segment of the homebuilding industry, including the National Association of Home Builders, Mortgage Bankers Association, the real estate boards and the building unions. But once again the Republican Party, instead of marching with modern day America, was marching to the beat of an 18th century drummer and voted 130 to 4 to eliminate the rent supplements program. Once again they were virtually unanimous in their opposition to a program that could only be considered a major step forward.

I think everyone would agree that the golden key to a better home—owned or rented—is a decent paycheck. To this end minimum wage legislation was introduced so that more Americans could have a better paycheck. I voted for this legislation for very selfish reasons. As a businessman I know there is nothing that I can sell to a man earning $1.25 an hour, unless I am in the business of selling stale bread or secondhand clothes.

In spite of the fact that this country is now enjoying the greatest economic boom in the history of mankind, and enjoying higher incomes and a higher standard of living than ever before, the Republicans still voted to deny our most poorly paid Americans an opportunity to increase their tiny share in this great abundance.

Seventy-five percent of the Republicans continued their historic opposition to minimum wage legislation by voting to recommit this bill.

One idea that every politician can always be counted on to give lipservice to is streamlining the National Government, getting rid of bureaucrats, reducing the public payroll, and at the same time providing more and better services. The gentleman from Michigan in his statement on Government reorganization made reference to this. We agree, that in an organization the size of the Federal Government, with its many departments and agencies, there is always opportunity to reorganize to promote efficiency. In the 89th Congress we had two major opportunities to make just such needed changes: The establishment of the Department of Housing and Urban Development and the Department of Transportation. Once again the Republican Party failed to put their votes where their leader's mouth was. Ninety-six percent of the Republicans voted to recommit the bill to establish the vitally needed Department of Housing and Urban Development, and 89 percent voted to recommit the bill to establish the Department of Transportation.

So much for Republican dedication to reorganizing the Government to meet our Nation's growing needs.

Conspicuous by its absence in the Republican message was any reference to one of the major domestic problems facing all Americans today, the decline and decay of the American city. The distinguished minority leader did not make one single specific suggestion for solving this crushing problem. He approached it obliquely when he said—and I quote—"At all levels of government a massive effort should be made to reduce crime, by attacking some of its basic causes: Poverty, slums, inadequate education, and discrimination." Nobody can disagree with this concept. But, the fact is that the Republican Party has constantly voted against the one essential ingredient to mount this massive effort—money.

It is very easy for the distinguished gentleman from Michigan to claim that he, along with other Americans, would like to see the end of crime, poverty, slums, and discrimination. But he has a very funny way of showing it. For while most Americans do not have the opportunity to vote for programs designed to solve these problems, he does. And he has invariably voted against them.

One more point to remember—the initiative, as well as the votes, for programs to wipe out slums, poverty, discrimination, and reduce crime has always come from the Democratic Party.

In the second session of the 89th Congress a new cry was heard from the Republican side of the aisle, "We cannot have guns and butter." This has now been amended, I understand, to "We cannot have rifles and ruffles." Of course, those who brought up this distinctly phony issue forgot to mention the fact that, in the many peaceful years between the end of the Korean conflict and the beginning of the Vietnamese war, when they did not have to make this choice, they still voted "no" on every single piece of progressive social legislation. Democratic administrations have always given defense needs the priority they deserve. However, they have also always tried to work for the easing of world tensions so that hopefully, some day, our defense needs would be reduced and we could devote more of our time, energy, and money to building the schools, roads, and hospitals that are so desperately needed, not only in America, but all over the world. To this end, the late President Kennedy said we should hold out our hand in friendship to all nations of the world. President Johnson proposed building bridges that would link East and West in trust and friendship. No one opposes communism or any other form of totalitarianism more than I do. But, if we are ever to build a lasting peace, we must realize that each country must be permitted to pursue its own form of government, no matter how abhorrent and foreign it is to our way of life. Our only stipulation is that they do not try to impose, by force or aggression, their political philosophy on their neighbors.

But the distinguished minority leader of the other body says no. There can be no bridges.

He suggests that, instead of bridges of trust and understanding, we build walls of hate and fear, as symbolized by the Berlin wall, the Iron Curtain, and the Bamboo Curtain. Unless we take steps to build trade with the nations of Eastern Europe, we are dooming our children and our children's children to a legacy of perpetual world tension, hostility, mistrust, and the continuing threat of nuclear warfare.

Intransigence in foreign relations, as advocated by the distinguished and able gentleman from Illinois, is an example of the Berlin wall mentality which time and events are making obsolete.

Mr. Speaker, perhaps I have been unduly harsh in my criticism of our Republican colleagues here in our beloved House of Representatives. But the distinguished minority leader expressed the same high ideals just last year. I recall the words of the gentleman from Michigan, when on January 17, 1966, in his state of the Union message, he said, among other things:

> We must combine compassion with competence. This Nation can afford what is necessary to help the less fortunate among us to help themselves . . . the children of the poor must have the highest priority.

Think of it—these are the words spoken by the leader of the House Republicans just before he donned his armor, picked up his sword, rallied his men, and rode into battle to slaughter the very programs that would have helped the less fortunate, as he voiced the battle cry, "we cannot afford guns and butter."

I realize, of course, Mr. Speaker, there is always danger in prejudging any given statement. Under American law and custom a person is judged to be innocent until proven guilty. I think I have proven conclusively that the Republican Party stands convicted of indifference to the legitimate needs of modern day America, and in many cases, outright hostility toward those programs intended to correct inequalities of living conditions and standards. If I am wrong and the Republican Party in the 90th Congress does, indeed, vote and work for these very necessary programs, I will be the first to apologize.

On the other hand, I would like to serve notice here and now that if the Republican leadership does not live up to its pledge of support for the programs as outlined in their own state of the Union message, I, for one, intend to continue to remind the American people of the ever-widening chasm between Republican promises and Republican performance. I would hope and expect that a response will be forthcoming from the distinguished minority leader.

Mr. ERLENBORN. Mr. Speaker, will the gentleman yield?

Mr. RESNICK. I am happy to yield to the gentleman from Illinois.

Mr. ERLENBORN. I do not intend to respond to your entire speech, but you made one comment on a matter in which I had some personal involvement, and that was the creation of the Department of Transportation. I do not recall your exact figures, but I think you said that some 75 or 95 percent of the Republican Members voted for the motion to recommit, implying thereby that we were opposed to the creation of a Department of Transportation.

I should like to call to the gentleman's attention the fact that on final passage over 100 of the Republican Members voted in favor of that bill. Some 12 or 13 opposed. The motion to recommit was with instructions not to kill the bill but merely to separate the accident-investigating function from the enforcement of rules and regulations and the conduct of traffic in the airways.

I will call the gentleman's attention to the fact that this principle was ultimately included in the bill as approved by the conference committee.

I do not think the gentleman can rightly draw the inference or prove his case, if he is trying to draw the inference, that the Republicans in the 89th Congress were opposed to the creation of a Department of Transportation.

If your examples are as factual as they were in that case, I think your entire case falls apart.

Mr. RESNICK. I thank the gentleman for bringing me up to date, but I would also say to the gentleman that I was involved in many, many of these other bills, and I spent countless hours on this floor beating back motions, and I recall one very distinct one when the gentleman from New York got up here and moved to strike the enacting clause of the antipoverty bill, and that certainly would have killed the bill.

I would be happy to go over the whole history of the bills in greater detail. I merely picked out a few of the more glaring examples of instances in which, wherever possible, if the Members of the Republican Party were not able to kill a bill, they gutted it. It might very well be, as you say, that on the question of the Department of Transportation that was a minor reaction. On the other hand, they certainly voted to kill the Department of Urban Development.

If you examine your record very closely you will find that my figures and my premises are quite correct.

The **SPEAKER** pro tempore. The time of the gentleman from New York has expired.

UKRAINIAN INDEPENDENCE DAY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, Dr. Michael J. Kozak, president of the Ukrainian Congress Committee of America, Inc., Minnesota branch, and Prof. Lev E. Dobriansky, president of the UCCA kindly notified me of the 49th anniversary of Ukrainian Independence Day which was January 22. I am pleased to join in marking this splendid day in the history of the Ukrainian people.

It should be recalled that on January 22, 1918, the Ukrainian Central Rada issued a solemn act of restoration of the Ukraine as a sovereign nation, called the Ukrainian National Republic. This government, born from a national congress meeting in Kiev, was recognized by a number of governments, including France, England, and the Russian Federated Soviet Socialist Republic.

Following a bloody, brutal war of several years, this infant government and its patriotic people were crushed by the Moscow government. Millions of Ukrainians were thereafter treated to harsh, inhuman treatment and persecution in the pattern of so many who have fallen beneath the yoke of Russian oppression.

Nevertheless, the Ukrainians have retained their identity within the Iron Curtain and kept alive the hope for freedom.

With nearly 500,000 Americans fighting in southeast Asia for the principle of national independence, we can well understand the continued struggles of people in other captive nations for their freedom.

The Ukrainians, some 45 million strong, are the largest captive non-Russian nation in eastern Europe. Let us reassure them, and their kinsmen in our country, that we have not forgot the 40th anniversary of their independence day. Let us make clear to them—and to all other nations—our continued commitment to the cause of freedom.

PROUD RECORD OF GREATER PHOENIX FEDERAL EMPLOYEES

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, once a year through the administration's Combined Federal Campaign, the voluntary health and welfare agencies solicit contributions from Federal employees so they may give their fair share to the community efforts and areas in which they live. I am very proud of the record of the Federal employees in the Greater Phoenix area, for they have voluntarily contributed a total of $81,703 for 1967. This represents a 38-percent increase over the $59,270 contributed in last year's campaign. I think this record reflects in great degree the community consciousness of the fine Federal employees of the Phoenix area.

FLOOD INSURANCE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, today I have introduced a bill which will provide a long-awaited, much-needed solution to a pressing problem confronting American homeowners in all sections of our Nation.

The bill provides a permanent flood and hurricane insurance program for our homeowners. The proposed legislation is the outgrowth of a thorough, exhaustive, 9-month study conducted by the Department of Housing and Urban Development.

This problem is not confined to my

district or to the areas represented by only a few of us. Indeed, the ravages, the losses by floods and hurricanes are experienced from the Gulf of Mexico to the Canadian border, from one side of our Nation to the other.

In 1965 came Hurricane Betsy. When and where will the next hurricane strike? And where will it inflict its fury? Where will the path of destruction be in the coming months?

Wherever it rears its destructive head, it poses a problem we too long have failed to permanently solve, a problem we must meet in this session.

This is not a district, or regional problem. These natural disasters are the concern of all Americans and, thus, are the concern of all of us here today.

This knowledge—plus the fact that many Congressmen related to me personally their desire to share in introduction of this legislation—prompted me to seek cosponsors for the flood insurance bill.

The response which many of my colleagues made to this letter of invitation —in telephone calls, in visits to my office, in letters—has been gratifying.

In other years, we have tried to meet the needs of the people, when hurricanes and flooding brought devastation, by legislation on a disaster-by-disaster basis. But this system has been inadequate.

These American homeowners need the protection of a permanent flood insurance program, one which makes joint use of the best efforts of government and of the best efforts of the private insurance industry, one which will be refined, perfected into a readily workable program.

This bill which many of my colleagues are introducing today will meet this major domestic need of our Nation.

It is good to know that so many are sensitive to this need and are joining in its sponsorship.

This demonstration of unity gives needed impetus to this move to solve a pressing national domestic problem.

The legislation provides, among other things, that the National Government:

First. Pay the difference between reasonable premium rates on policies of flood insurance issued under the bill and the actuarial cost of such insurance.

Second. Assume the obligation to pay all claims in excess of a fixed amount covered by insurance issued under the bill in return for the payment of a reasonable fee by the companies offering such insurance.

Third. Makes loans at reasonable rates to replenish the reserves of an insurance company which are depleted because of heavy losses on property covered by the bill.

WHY WE SHOULD BACK OUR BOYS IN VIETNAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, the Young Men's Business Club of Jefferson Parish, which I have the honor to represent, has recently completed an essay contest in which students of the parish were invited to submit essays on the topic, "Why We Should Back Our Boys in Vietnam."

The thoughts that the winner, and two runners-up, have offered in their essays contrast sharply with the small but vocal minority of students who protest our role in Vietnam.

Through the minds of the winners of this contest, we can see that the U.S. position in Vietnam is understood by thinking students. I believe it is good for all of us to read these essays.

The essays follow:

WHY SHOULD WE BACK OUR BOYS IN VIETNAM

(By Vickie Gros, Immaculate Conception School, grade 8, Marrerro, La.)

Our boys in Viet Nam should be supported because they are fighting for a cause greater than any other in the world today. They are fighting so that a small country can maintain independence, the power to rule itself. This, many people in our country take for granted, because they have never been without it. But to the people in countries like Viet Nam it's one of the greatest gifts on this earth. With it you can be a free person, without it not much more than a slave and in some places even lower. Life is meaningless.

The troops in Viet Nam serve as living symbols of democracy to all nations of the free world. They also reassure all democratic allied nations that the United States will always be willing to render whatever assistance necessary to combat aggression. In addition to serving as symbols to free nations, they also serve as a reminder to communist countries that the United States will not tolerate any aggression on their part towards any of our allies.

Our Boys leave their homes, families, and friends to defend a small nation fighting to protect its freedom in the midst of the many communist powers of Asia. They go to remote areas where they can't tell friends from enemies, fight hard for the sake of liberty and justice, and many even die aiding a country that cannot help itself.

Not supporting our boys in Viet Nam would be equivalent to not believing in what democracy stands for. The mere fact that a nonsupporter is able to express himself in our society should be reason enough for him to realize why our boys in Viet Nam must be supported. For what goals are greater than life, liberty, and the pursuit of happiness?

WHY WE SHOULD BACK OUR BOYS IN VIETNAM

(By Richie Tankersley)

War is a terrible thing. It takes with it not only ruin and distress, but lives and suffering as well. While we cannot explain why war must exist, we know that it will always be, and, even though we cannot stop it, we can and must do several things to make it easier to bear.

Our American boys in Viet Nam represent freedom and a peaceful nation. In America, we are proud of our independence, and we are not afraid to let others know about it. Our boys, in turn, are showing their loyalty to their free homeland. With weapons and determination, they have kissed loved ones goodby and have set off to win a war for freedom. Some are fighting hard and shall continue to do so. Some are lying in crowded hospitals, anxiously awaiting the time when their wounds will be healed, and they can continue the long battle. Others lie on blood-stained battlefields, never to return home or find out if their efforts were rewarded.

The least we can do is to give our boys the confidence they need. Just a short letter, a card, a thoughtful gift—anything for our soldiers renews their spirits. If we lose faith in our nation or its power, what kind of feelings do you suppose our boys will have? Why should they try when their own country does not have faith enough to care? We must not let our boys down. They represent us, the people of the United States of America. And we are proud of our country—and our boys!

WHY WE SHOULD BACK OUR BOYS IN VIETNAM

(By Michael Nee)

Wars are unpopular—any war. But, this is especially true of the war in Viet Nam.

The people of America have become so involved in their own lives—pleasure and making money—that there is little time for anything else. Because of the sacrifices that Viet Nam demands this war is very unpopular.

We must realize that the spread of communism has to be ended. The government of South Viet Nam has asked the United States for help to end this threat. If we don't end it in Viet Nam, it will be somewhere else. Maybe when we do decide to stop it, the problem will be much greater and it will require many more lives to solve it.

Any man in Viet Nam should have all the backing our country can give him. He is fighting to preserve our way of life. The fact that we don't agree is no reason to be a slacker. In past wars there were always those who didn't agree—but they fought anyway. The fact that we are allowed to disagree should make us realize how fortunate we are.

It should be an honor for every American to fight for his country. President Kennedy said "Ask not what your country can do for you, but what you can do for your country."

NEED TO REVISE SELECTIVE SERVICE LAW—VII

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, shortly after every male citizen, age 18, registers with his local selective service board, he receives a classification. Classification determines which men at any particular time are available for selection for induction; which men may be deferred temporarily in the national interest; and which men may be exempt and, therefore, least likely to be called. Classification is accomplished according to a selective service fact sheet, in the spirit of the law which declares:

> In a free society the obligations and privileges of serving in the Armed Forces and the reserve components thereof should be shared generally . . . and that men shall be selected to serve in a manner consistent with the maintenance of an effective national economy.

Classification is the responsibility of the local board, subject to appeal. It is mandatory by law and regulations that there be no discrimination for or against a registrant because of his race, creed, or color, or because of his membership or activity in any labor, political, religious, or other organization.

In determining the classification of each man, the selective service board considers more than the needs of the Armed Forces for men. Selective service legislation declares:

> Adequate provision for national security requires maximum effort in the fields of scientific research and development, and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources.

Thus, the selective service contemplates the need of the Nation for a great variety of skills in civilian society, and the need for men in the Reserve and National Guard. Selective service determines those careers that are vital to the Nation. The local board may also decide in a specific case that a man should remain at home temporarily to care for dependents who would suffer extreme hardship if he entered the service.

But, the obligation to serve remains fundamentally universal, at least in theory. Every man is considered available for military service until his eligibility for deferment or exemption is established to the satisfaction of the local board. The decision reached is whether, at a particular time, the national interest dictates that an individual shall serve the Nation in the military forces or in his civilian activity. The deferment, however, according to the selective service, merely postpones, it does not replace military service. Deferments, however, may be repeated as often as is appropriate in the national interest.

The classification process, then, not only results in selection of men for induction, but by deferment, channels men into the Reserve and National Guard and into preparation for and employment in civilian activities in the national health, safety, or interest.

The local board places each registrant in one of the following classifications:

CLASS I

Class I-A: Available for military service.

Class I-A-O: Conscientious objector available for noncombatant military service only.

Class I-C: Member of the Armed Forces of the United States, the Coast and Geodetic Survey, or the Public Health Service.

Class I-D: Member of Reserve component or student taking military training.

Class I-O: Conscientious objector available for civilian work contributing to the maintenance of the national health, safety, or interest.

Class I-S: Student deferred by Statute.

Class I-Y: Registrant qualified for military service only in event of war or national emergency.

Class I-W: Conscientious objector performing civilian work contributing to the maintenance of the national health, safety, or interest.

CLASS II

Class II-A: Registrant deferred because of civilian occupation—except agriculture and activity in study.

Class II-C: Registrant deferred because of agricultural occupation.

Class II-S: Registrant deferred because of activity in study.

CLASS III

Class III-A: Registrant with a child or children and registrant deferred by reason of extreme hardship to dependents.

CLASS IV

Class IV-A: Registrant who has completed service; sole surviving son.

Class IV-B: Officials deferred by law.

Class IV-C: Aliens.

Class IV-D: Minister of religion or divinity student.

Class IV-F: Registrant not qualified for any military service.

CLASS V

Class V-A: Registrant over the age of liability for military service.

GENERAL RULES FOR CLASSIFICATION

Sections 1622.10 to 1622.41 of the selective service regulations contain the yardsticks by which each registrant is measured for classification.

It is the registrant's responsibility to supply information to the local board to establish to the satisfaction of the board that he should be placed in any class other than I-A. Quoting from the regulations:

> *Class I-A: Available for Military Service.*—In Class I-A shall be placed every registrant who has failed to establish to the satisfaction of the local board, subject to appeal hereinafter provided, that he is eligible for classification in another class.

Those classified in class II—deferred because of civilian activity—are so classified on the realistic philosophy, expressed both in the law and regulations, that it is in the national interest and of paramount importance to our national security that civilian activities which are contributing to the national health, safety, or interest should be disrupted as little as possible, consistent with the fundamental purpose of the Universal Military Training and Service Act, as amended. Deferment policies have a positive effect of channeling men into preparation for and service in such vital fields as education, science, and engineering.

In the section devoted to general rules for classification in class II, it is provided that no deferment from training and service shall be made in the case of any individual except upon the basis of the status of such individual, as is the rule in other classifications.

The local board may avail itself of the assistance of all Federal, State, or local agencies to obtain information which will help it to determine whether a claim for occupational deferment should be granted.

Class II deferments are for a period of 1 year or less. If there is a change in the registrant's status during the period of deferment in class II, his classification is reopened and considered anew.

At the expiration of the period of a registrant's deferment in class II, his classification is reopened. The registrant may be continued in class II for a further period of 1 year or less if such classification is warranted. The same rules apply when classifying a registrant at the end of each successive period for which he has been classified in class II.

CLASS II-A—OCCUPATIONAL

Proceeding from the general rules for classification in class II to specific rules for classification in subclasses of class II, key parts of the regulations are as follows:

> *1622.22 Class II-A: Registrant Deferred Because of Civilian Occupation (Except Agriculture and Activity in Study.)*—In Class II-A shall be placed any registrant whose employment in industry, or other occupation or employment, or whose continued service in an office * * * under the United States, or any state, territory, or possession, or the District of Columbia, or whose activity in research, or medical, scientific, or other endeavors is found to be necessary to the maintenance of the national health, safety, or interest.
>
> *1622.23 Necessary Employment Defined.*—(a) * * * A registrant's employment in industry or other occupation, service in office, or activity in research, or medical, scientific, or other endeavors, shall be considered to be necessary to the maintenance of the national health, safety or interest only when all of the following conditions exist:
>
> (1) The registrant is, or but for a seasonal or temporary interruption would be, engaged in such activity.
>
> (2) The registrant cannot be replaced because of a shortage of persons with his qualifications or skill in such activity.
>
> (3) The removal of the registrant would cause a material loss of effectiveness in such activity.
>
> * * * * *
>
> (c) The President may, from time to time (1) designate special categories of occupation, employment, or activity essential to the national health, safety, or interest; and (2) prescribe regulations governing the deferment of individual registrants engaged in such occupations, employments, or activities.

Provisions also are made in the regulations for the deferment of apprentices.

CLASS II-C—AGRICULTURE

> *1622.24 Class II-C: Registrant Deferred Because of Agricultural Occupation.*—(a) In Class II-C shall be placed any registrant who is employed in the production for market of a substantial quantity of those agricultural commodities which are necessary to the maintenance of the national health, safety, or interest, but only when all of the conditions described in paragraph (a) of section 1622.23 are found to exist. (See foregoing section)
>
> (b) The production for market of a substantial quantity of agricultural commodities should be measured in terms of the average annual production per farm worker which is marketed from a local average farm of the type under consideration. The production of agricultural commodities for consumption by the worker and his family, or traded for subsistence purposes, should *not* be considered as production for market. Production which is in excess of that required for the subsistence of the farm families on the farm under consideration should be considered as production for market.

(c) The existence of a shortage or a surplus of any agricultural commodity shall not be considered in determining the deferment of any individual on the grounds that his employment in agriculture is necessary to the maintenance of the national health, safety, or interest.

CLASS III–A—DEPENDENCY

Class III concerns dependency and the regulations are as follows:

1622.30 Class III-A: Registrant With A Child or Children; and Registrant Deferred by Reason of Extreme Hardship to Dependents.—(a) In Class III–A shall be placed any registrant who has a child or children with whom he maintains a bona fide family relationship in their home and who is not a physician, dentist, or veterinarian.

(b) In Class III–A shall be placed any registrant whose induction into the armed forces would result in extreme hardship (1) to his wife, divorced wife, child, parent, grandparent, brother, or sister who is dependent upon him for support, or (2) to a person under 18 years of age or a person of any age who is physically or mentally handicapped whose support the registrant has assumed in good faith; provided, that a person shall be considered to be a dependent of a registrant under this paragraph only when such person is either a citizen of the United States or lives in the United States, its territories, or possessions.

(c) (1) The term "child" as used in this section shall include a legitimate or illegitimate child from the date of its conception, a child legally adopted, a stepchild, a foster child, and a person who is supported in good faith by the registrant in a relationship similar to that of parent and child but shall not include any person 18 years of age or over unless he is physically or mentally handicapped.

(2) As used in this section, the term "physician" means a registrant who has received from a school, college, university, or similar institution of learning the degree of doctor of medicine or the degree of bachelor of medicine, the term "dentist" means a registrant who has likewise received the degree of doctor of dental surgery or the degree of doctor of dental medicine, and the term "veterinarian" means a registrant who has likewise received the degree of doctor of veterinary surgery or the degree of doctor of veterinary medicine.

(3) No registrant shall be placed in Class III–A under paragraph (a) of this section because he has a child which is not yet born unless prior to the time the local board mails him an order to report for induction which is not subsequently cancelled there is filed with the local board the certificate of a licensed physician stating that the child has been conceived, the probable date of its delivery, and the evidence upon which his positive diagnosis of pregnancy is based.

(d) In the consideration of a dependency claim, any payments of allowances which are payable by the United States to the dependents of persons serving in the Armed Forces of the United States shall be taken into consideration, but the fact that such payments of allowances are payable shall not be deemed conclusively to remove the grounds for deferment when the dependency is based upon financial considerations and shall not be deemed to remove the grounds for deferment when the dependency is based upon other than financial consideration and cannot be eliminated by financial assistance to the dependents.

These class II and class III deferments are among those which extend liability to age 35.

The following table contains the selective service registrants by classification status, June 30, 1965 and 1966.

	Number in thousands	
	1966	1965
Total living registrants	32,638	30,676
V–A, exempt, over current age of liability [1]	14,197	13,320
Within ages of 18–26 (28), (35)[2]	18,441	17,356
Unclassified	281	214
Classified	18,160	17,142
Total available for military service	1,121	1,977
I–A and I–A–O:		
Single or married after Aug. 26, 1965	451	(3)
Examined and qualified	70	(3)
Not examined	71	(3)
Induction or examination postponed	9	(3)
Ordered for induction or examination	178	(3)
Pending reclassification	96	(3)
Personal appearances and appeals in process	14	(3)
Delinquents	13	(3)
Married on or before Aug. 26, 1965	147	(3)
Examined and qualified	101	(3)
Not examined	17	(3)
Induction or examination postponed	1	(3)
Ordered for induction or examination	12	(3)
Pending reclassification	13	(3)
Personal appearances and appeals in process	2	(3)
Delinquents	1	(3)
26 years and older with liability extended	68	
Under 19 years of age	446	
I–O:		
Examined and qualified	3	
Not examined	4	
Married, 19 to 26 years of age	2	
Total now in service or reserved for it	3,513	2,872
I–C, inducted	422	240
I–C, enlisted or commissioned	1,880	1,610
I–D, National Guard, ROTC, etc	1,207	1,020
I–W, at work	4	2
Total who have completed service	2,434	2,339
I–W, released	6	6
IV–A, veteran or sole surviving son	2,428	2,333
Total who were formerly available but were found to have limited qualifications and are now deferred [4]	4,854	4,353
I–Y, qualified only in war or national emergency	2,354	1,928
IV–F, not qualified for any military service	2,500	2,425
Total deferred for other than physical, mental or moral reasons	6,130	5,505
I–S, high school student	492	550
I–S, college student	19	2
II–A, nonagricultural occupations	205	175
II–A, apprentice	28	18
II–C, agricultural occupation	22	19
II–S, college student	1,783	1,656
III–A, fatherhood or hardship	3,581	3,085
IV–B, Government official	------	------
Total with original exemptions	108	96
IV–C, alien	12	10
IV–D, minister or divinity student	96	86

[1] Includes men who have also completed service under the UMTS Act.

[2] Sec. 6 of the UMTS Act provides that all registrants deferred on or after June 19, 1951, under the section shall remain liable for service until age 28 or 35.

[3] Not shown because of change in items reported.

[4] Includes 20-25 percent who received original IV–F classifications because of obvious physical or mental defects or for moral reasons.

On paper, the classification and deferment procedures of the Selective Service System may appear impressive and workable. But when the local boards sit down to hand out classifications and deferments on the basis of what they consider to be in the national interests, a potluck operation, replete with inequities and loopholes, is born. The reasons for this chaotic condition I shall analyze in subsequent statements.

A CONGRESSIONAL OMBUDSMAN WOULD HELP CONGRESSMEN SERVE THEIR CONSTITUENTS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REUSS. Mr. Speaker, I have today reintroduced legislation, H.R. 3388 to create a congressional ombudsman. This official would help Members more effectively to serve their constituents who face problems in dealing with the Federal Government.

This bill continues an effort to improve and modernize the ability of Congress to respond to the needs of American citizens. I introduced H.R. 7593 on July 16, 1963, in the 88th Congress, and

H.R. 4273 on February 3, 1965, in the 89th Congress. I then testified before the Joint Committee on the Organization of Congress, on May 11, 1965, and before the Subcommittee on Accounts of the House Committee on Administration, on May 19, 1965. H.R. 3388 differs only slightly from the two earlier bills.

The chief purposes of this bill are to enable Congressmen to help more constituents more effectively in dealing with Federal Government agencies, and to give Congressmen and their staffs more time to work on legislation on great national problems by easing the growing burden of casework. Yet, establishing a congressional ombudsman would not disrupt the existing congressional-constituent relationship. On the contrary, it would strengthen that relationship to the benefit of both parties.

H.R. 3388 assures this by providing that the congressional ombudsman and his office would exist, like the Legislative Reference Service and the Legislative Counsel, to act only at the request of a Senator or Representative. Only a Member could refer a case to the congressional ombudsman for review.

The bill delimits the types of cases which the congressional ombudsman would review:

> The Congressional Ombudsman, unless he believes that the complainant has available another reasonable remedy, shall review the case of any person who alleges that, as a result of any action or failure to act on the part of any officer or employee of the United States other than those exempted under section 6 of this Act, (a) he has been subjected to any improper penalty or has been denied any right or benefit to which he is entitled, under the laws of the United States; or (b) the relevant proceedings are being conducted in a manner that is unreasonable, unfair, oppressive, dilatory, or inefficient.

The bill further provides that the congressional ombudsman, after completing his review, "shall report his conclusions and recommendations, if any, to the Member by whom the case was referred."

The bill makes clear that no Member would be required to use the congressional ombudsman's services for any case unless the Member so chose. Furthermore, the Member would be at perfect liberty to ignore completely any conclusions and recommendations by the congressional ombudsman.

In no way, therefore, would the congressional ombudsman interfere with the traditional relationship between Members and their constituents.

The congressional ombudsman would adapt to our constitutional system and political traditions the institution of the ombudsman first established in Sweden in 1809. The ombudsman has proved so valuable in protecting the rights of citizens against bureaucratic errors and abuses that the institution has in recent years been established elsewhere. Finland, Denmark, Norway, and New Zealand, have already set up their own versions of citizen's defenders, and Great Britain will do so shortly. The concept and term "ombudsman" have recently become familiar here in public speeches and the daily press.

Events during the past 2 years have thus made it clear that both the need and the support for a congressional ombudsman continue to grow.

The growing need results from two types of pressure: first, new legislation by the 89th and 90th Congresses, and second, long-term factors which are increasing the workload of each Member of Congress.

The extraordinary record of the 89th Congress is markedly increasing our congressional mail. As new Federal services are extended to individual citizens, constituents are inevitably turning to their representatives with complaints about the action of Federal officials.

Several recently passed laws are bringing million of citizens into a direct relationship with the Federal Government, often for the first time. Although medicare began remarkably smoothly, many constituents have written their Congressmen for help in understanding how its provisions apply to them, and in due course, many more will file serious complaints arising from unforeseen difficulties or from faulty administration of the law. The social security act amendment which extends coverage of children in school from 18 years to 21 years influences the financial planning of thousands of families. Both the cold war GI bill and the scholarship provisions of the National Defense Education Act and the Higher Education Act are making thousands of college students dependent upon efficient Federal administration for completing their training and entering the economy as productive workers.

In addition, draft cases have in the past year already multiplied several times, because of the Vietnam war and mounting public criticism of the Selective Service System.

Furthermore, the draft operates less smoothly as military quotas decline in relation to the total draftable population. As a decreasing proportion of young men are needed, both the question "Who should be chosen?" and the administration of the answer increase in difficulty. No matter how Congress decides to change the present Selective Service System when it expires on June 30, 1967, the volume of military casework is likely to rise.

The long-term factors which I cited in past years when proposing the congressional ombudsman have in the meantime grown more significant. In particular, population keeps growing. Whereas in 1960 the average population of a congressional district was 410,481, present projections indicate that by 1980 the average will be up to 564,000.

Population growth and movement of Americans from the country into cities and from central cities into suburbs are making our society, and therefore, the citizen's relationship with his Government, ever more complex. In addition, his expectations of the quality as well as the quantity of rights and benefits, such as medical care and higher education, are rising. A citizen having a problem with a Federal Government agency may have administrative or judicial remedies. But these are often costly, complex, and even unknown to him. He therefore is likely to write to his Congressman.

Thus, population growth and rising expectations of public service are rapidly expanding the representative's traditional and valuable role as citizen's advocate against the bureaucracy.

Meanwhile, as casework becomes more burdensome and claims an ever larger proportion of each Member's time, his role as a legislator grappling with major domestic and foreign policy issues continues to grow. At home, challenges such as urban decay and pollution of our natural resources demand increasing congressional study as the public realizes that solutions must come from governmental decisions rather than merely from ad hoc groups of public-spirited citizens. Abroad, the United States is being increasingly drawn into the political affairs of Asia and has already entered a period of reviewing our postwar role in Europe. Such problems demand more time for thought and study and debate. Yet the growing burden of casework allows us less.

The congressional ombudsman is not a cure-all. But it does promise to help Members in responding to their constituents' legitimate complaints more effectively. It will also free time for Members and their staffs to spend on legislation and national policy.

The value of this proposed congressional ombudsman has been recognized during recent months both abroad and in the United States.

Abroad, in New Zealand, which adopted the ombudsman after the examples of Sweden, Norway, Denmark, and Finland, the Public Service Association, which in 1962 had rejected the ombudsman proposal as "humbug," is reported recently to have endorsed the ombudsman's work. This resulted from New Zealand's experience, like that of other countries having ombudsmen, that only a fraction of the complaints which he receives turn out upon impartial investigation to be justified. So the ombudsman's work tends not only to improve administration but also to increase the public's confidence in its government because it knows that complaints will be heard and examined fairly.

Great Britain, the latest country and the first large country to adopt the ombudsman, has significantly chosen the form similar to the congressional ombudsman proposed by this bill. Like U.S. Congressmen, Members of the British House of Commons have a traditional role of helping constituents in their problems and complaints against government administration. Although this role is not as highly developed in Britain as in the United States, it is an important part of the British political system, known as "constituency surgery." The British Government's "white paper" of October 12, 1965—the full text of which I placed before the House in the CONGRESSIONAL RECORD, volume 111, part 21, pages 27889–27895—took care to point out that the establishment of the Parliamentary Commissioner for Administration is not intended to "erode" this role of Parliament and its Members, but to help them to serve more effectively:

> In Britain, Parliament is the place for ventilating the grievances of the citizen—by history, tradition and past and present prac-

> tice. It is one of the functions of the elected Member of Parliament to try to secure that his constituents do not suffer injustice at the hand of the Government. The procedures of parliamentary questions, adjournment debates and debates on supply have developed for this purpose under the British pattern of parliamentary government; and members are continually taking up constituents' complaints in correspondence with ministers, and bring citizens' grievances, great or small, to Parliament, where ministers individually and Her Majesty's Government collectively are accountable. We do not want to create any new institution which would erode the functions of members of Parliament in this respect, nor to replace the remedies which the British Constitution already provides. Our proposal is to develop those remedies still further. We shall give Members of Parliament a better instrument which they can use to protect the citizen, namely, the services of a Parliamentary Commissioner for Administration.

From this white paper resulted the Parliamentary Commissioner bill, which had its first reading on July 20, 1966. Prime Minister Harold Wilson next took the usual step of designating the Parliamentary Commissioner even before the bill was passed and became law. He explained why in a statement to the House of Commons on August 4, 1966:

> In view of . . . the great importance attached both by the House and by many outside, to the earliest possible introduction of this improvement in our administrative procedures, it has been decided that the first Parliamentary Commissioner ought now to be designated. This will enable him to make as much progress as possible with the establishment of the necessary administrative arrangements and the staffing of his office before the Bill becomes law.

Sir Edmund Compton, then Comptroller and Auditor General, became Parliamentary Commissioner-designate on September 1. The bill came up for its second reading on October 18, when the House of Commons debated it at length and referred it to committee. Since committee action is a less important step under British parliamentary practice than under American, and is expected to be favorable, the Parliamentary Commissioner bill seems assured of passage when it comes up for third reading later this year. Meanwhile, Sir Edmund Compton has funds, authorized by the House of Commons on October 19, 1966, to set up an office and staff.

Great Britain's example may be followed by India. Its Administrative Reforms Commission in October 1966, recommended the creation of an ombudsman not only for India's Federal Government but also one for each State government. These ombudsmen would be appointed directly by the President of India and answerable only to him and to Parliament.

The spread of the ombudsman concept abroad has been matched by growing awareness of the idea and the need here in the United States.

Walter Gellhorn, Betts professor of law at Columbia University, published in November 1966, two books "Ombudsmen and Others: Citizen's Protectors in Nine Countries," which presents his detailed research into the workings of the institution in Denmark, Finland, Sweden, New Zealand, Norway, Yugoslavia, Poland, Japan, and the Soviet Union, "When Americans Complain: Governmental Grievance Procedures" examines remedies which are now available to Americans with complaints against their government. Gellhorn describes and analyzes the proposed congressional ombudsman on pages 87–94 of "When Americans Complain." Gellhorn concludes that the virtues of centralizing casework "seem well related to existing fact," and points out that the "Management Study of the U.S. Congress," made by Arthur D. Little, Inc., for the National Broadcasting Corp., "supports the Reuss thesis step by step in reaching the conclusion that 'Congress should establish a central clearinghouse for processing constituent requests.'" Gellhorn states further that:

> The Reuss proposal suffers not so much for extravagant claims in its behalf as, indeed, it does from the modesty of its aspirations. The [Congressional Ombudsman], as the matter is now planned, could concern himself only with the allegations that an "improper penalty" had been imposed or that a statutory "right or benefit" had been withheld. This would exclude many other abusive practices that, if found to exist, might possibly be abated by a respected outsider's criticism.

Gellhorn has done much to educate Americans about the ombudsman concept. In 1966 the Committee on Federal Legislation of the Association of the Bar of the City of New York issued its report endorsing H.R. 4273 my earlier bill. The text of the committee's report appears in the CONGRESSIONAL RECORD, volume 112, part 17, page 22471.

Another important step in the educational process will take place October 26–29, 1967, at Arden House, in New York, when the American Assembly will hold one of its well-known and respected meetings, this time to examine the ombudsman.

Meanwhile, interest among State legislators continues to grow. I continue to receive calls for assistance, the latest coming from Indiana and Hawaii. Stanley V. Anderson, associate professor of political science at the University of California, Berkeley, and a student of the ombudsman, reports that legislators in 6 States—California, Utah, Illinois, Rhode Island, New York, and Connecticut—have filed ombudsman bills, that legislators of another 8 States—Missouri, Colorado, Ohio, Indiana, Maryland, New Jersey, Oregon, and Pennsylvania—have shown a definite interest, and that proposals in Canada are now pending in 8 out of 10 provincial legislatures as well as at the Federal level.

Interest is also growing spontaneously among ordinary citizens. Columns such as the Washington Evening Star's Action Line are appearing and remaining popular in large city newspapers. The practical function of these columns is emphasized by the name of the Plymouth, Mich., Observer's column, "The Ombudsman." This was reported in September 1966, in Quill magazine by Mr. Jude Wanniski, a staff writer for the National Observer, in an article titled "Newspapers Play 'Ombudsman' Role," which Senator EDWARD V. LONG of Missouri entered into the CONGRESSIONAL RECORD, volume 112, part 17, pages 22707–22708. A parallel trend also exists on radio.

In Nassau County, N.Y., the county executive established on June 1, 1966, the office of public protector, giving him authority to "protect the public and individual citizens against inefficiency, maladministration, arrogance, abuse, and other failures of government and to encourage sound and fair administration in the public interest". This official is America's first ombudsman.

Finally, in New York City, even though its civilian review board was voted down by referendum last November, city officials and civic leaders of extremely divergent identification and viewpoint—including even the Policemen's Benevolent Association, which had led the campaign to defeat the board—united in supporting the call for a New York City ombudsman.

Thus, popular demand for and acceptance of the ombudsman concept keeps growing.

Congress would benefit in four ways from having a congressional ombudsman:

First, by reducing the caseload on congressional offices, the congressional ombudsman would free time for Members and their staffs to devote more study and thought to legislative and political issues.

Second, the congressional ombudsman could do a better job of protecting the interest of constituents than the jacks-of-all-trades in congressional offices who often find themselves somewhat at the mercy of more knowledgeable administrators. Members lack staffs large enough to have a separate expert in each field of bureaucratic activity. But experts on the staff of the congressional ombudsman would be able to protect citizens' interests faster and better. Gellhorn reports that:

> Experience abroad suggests that an external critic's review of a closed file often discloses significant materials or raises suggestive questions that might not have come to the fore if the critic had relied entirely (as congressional caseworkers usually do) on the report made by the challenged administrator. Accessibility of the files to an ombudsman's examination seem not to have impaired efficiency or candor . . .

Third, handling casework on a centralized basis instead of in 535 separate offices would be more efficient and less costly. Gellhorn, after sampling how congressional offices handle casework, concluded that—

> Those who cherish the good old ways of doing business . . . are likely to be crushed by the weight of the business to be done. . . . Most offices, however, have little slack, either in available personnel or in available space. . . . Unless Congress were to continue to expand its quarters indefinitely, a bursting point must soon be reached.

Fourth, the congressional ombudsman would have a unique vantage point from which to spot causes of citizens' difficulties with the Federal bureaucracy. "The implications of the individual case," writes Gellhorn, "are more likely to be grasped by the congressional ombudsman's staff than by a Congressman's often inexperienced assistants; complaints in the mass may dramatize issues that a seemingly isolated grievance leaves unnoticed." Congressmen may be able to correct injustices done to those citizens who appeal to them, but the basic cause may go uncorrected while many individuals who do not appeal to their Congressmen suffer injustice.

The text of H.R. 3388 follows:

H.R. 3388

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Congressional Ombudsman Act".

Sec. 2. The Congress hereby finds and declares that the increasing complexity of the Federal Government has created difficulties on the part of private citizens in dealing with the Government, that there is a clear need for the Congress to be informed of the nature of such difficulties, particularly those of a recurrent nature, in order that remedial legislative action may be taken, and that, under existing procedures, such information is only sporadically available and frequently is inadequately developed or fails entirely to reach the appropriate legislative committees. The Congress further finds that the necessary and proper efforts of its individual Members to deal with these problems have increasingly become so burdensome as to constitute a serious impediment to the discharge of their other legislative duties.

Sec. 3. (a) There shall be an officer of the Senate and House of Representatives who shall be known as the Congressional ombudsmen and shall perform such duties as are prescribed by this Act. He shall be appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate, without reference to political affiliations and solely on the basis of his fitness to perform the duties of his office, for a term which shall expire upon the commencement of the Congress succeeding the Congress during which he was appointed, except that he may continue to act during such succeeding Congress until he has been reappointed or his successor has been appointed. He shall receive the same salary as Members of Congress.

(b) Subject to the availability of appropriations, the Congressional Ombudsman may appoint such assistants, clerks, and other personnel as may be necessary to carry on the work of his office.

Sec. 4. Upon request of any Member of either House of Congress, the Congressional Ombudsman, unless he believes that the complainant has available another reasonable remedy, shall review the case of any person who alleges that, as a result of any action or failure to act on the part of any officer or employee of the United States other than those exempted under section 6 of this Act, (a) he has been subjected to any improper penalty or has been denied any right or benefit to which he is entitled, under the laws of the United States; or (b) the relevant proceedings are being conducted in a manner that is unreasonable, unfair, oppressive, dilatory, or inefficient. The Congressional Ombudsman may, in his discretion, confine his review of the case to the material submitted to him with the request for review, or may make such further investigation as he may deem appropriate. Upon completion of his review, he shall report his conclusions and recommendations, if any, to the Member by whom the case was referred.

Sec. 5. All officers and employees of the United States, except those exempted pursuant to section 6, shall furnish to the Congressional Ombudsman such information regarding their activities within the scope of their official duties or employment as he may require of them, and the Congresssional Ombudsman, or any of his assistants, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, records, files, or other documents, and the right to consult directly any officers or employees of the United States without securing the permission of their superiors.

Sec. 6. (a) This Act shall apply to all officers and employees of the United States except the following:

(1) The President;

(2) Members, officers, and employees of the Senate, the House of Representatives, or any committee or joint committee thereof;

(3) Judges, clerks, commissioners, referees in bankruptcy, and other officers (other than attorneys as such) and employees of any court of the United States, regardless of whether such court is legislative or constitutional;

(4) Officers and employees of the District of Columbia or any other local governmental unit not under the supervision or control of some other department or agency of the United States; and

(5) Any other officer or employee of the United States whose activities are of such a nature that, in the discretion of the Congressional Ombudsman, the application of this Act thereto would be contrary to the public interest.

(b) For the purposes of this Act, the term "officers and employees of the United States" includes officers and employees of any department, agency, or instrumentality of the United States.

Sec. 7. (a) The Congressional Ombudsman shall make an annual report to the Congress. Such report shall summarize his activities, shall include reviews of those individual cases which, in his judgment, should be brought to the attention of the Congress, and shall set forth such recommendations for legislation or further investigation as he may deem appropriate.

(b) The Congressional Ombudsman may, in his discretion, make an interim report on any occasion when he deems such action appropriate to carry out the purposes of this Act.

(c) Any report of the Congressional Ombudsman pursuant to this section shall be printed as a public document.

SENSIBLE SOLUTIONS FOR THE SEVENTIES—WOULD YOU BELIEVE 1870's?

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Holland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, the long-awaited Republican "new look" was revealed in the GOP "state of the—pardon the expression—Union" message by the distinguished gentleman from Michigan, the minority leader [Mr. Ford]. I must compliment the gentlemen of the minority side for the consistency of their "new look." It is the same "new look" that the Republicans have come up with every 2 years since the administration of Ulysses S. Grant. In a time of changing economic and social patterns, in a period when the world is going through vast upheavals and little remains the same, it is comforting to know that there is one place we can always turn to find stability, and undeviating fidelity to ancient principles—not necessarily to sound principles, or to principles that will work, but, at least to ancient principles. Whenever the pace of change begins to dizzy us, whenever we feel the world shifting under our feet, we can always turn to the latest Republican effort to come up with a new image, secure in the knowledge that the brandnew, shiny, refurbished, dustproof, large-economy-size, polyunsaturated, filter-tipped, transistorized, fluoridated, mentholated, automated Republican image is the same old Republican image we have known and tried to love all these years.

And what is that image? What is that unchanging, undeterred, dedicated principle which seems to govern our friends on the other side of the aisle? Is seems best to be stated, "To him that hath, much shall be added, from him that hath not, much shall be taken away."

We have a war on our hands. Like most wars, this one costs money. A number of proposals have been made for finding that money. The President has suggested a broad-based tax increase, affecting individuals and corporations alike. That can be described as the "let's let everyone pay" approach. Some Members have suggested selective tax reforms, shutting off loopholes by which those who profit from the war are handsomely enriched. These proposals, like the one for repealing the 27½-percent tax depletion allowance on oil, could, I suppose, be entitled "Let those who profit from it, pay for it." But the Republican proposals, as predictable as the dawn, are, in effect, to eliminate or cut back or restudy all the programs that do anything for the poor, the underprivileged, the disadvantaged, those who are discriminated against—those, Mr. Speaker, who, in numbers rather out of proportion to their share of the total population, are already furnishing sons for the war. This approach can be accurately called, "Let the poor pay for it."

It always amazes me, Mr. Speaker, that no matter what funds are needed for, no matter who will benefit from a public expenditure, no matter what the international or domestic situation, my Republican friends can always come up with some reason for taking it out on those who benefit from—those who desperately need—the meager benefits that the domestic reforms of the past 30 years have sought to establish.

"We are in the saddle as an administration representing business and industry," said a Republican Secretary of the Interior 14 years ago. And truer words were never spoken. If we are confronted with war, or the threat of war, we hear the demand to reduce domestic programs to pay for the war effort. If peace threatens to break out, we hear about reducing domestic programs in order to get back to normalcy. If there is inflation, it is always traced directly to Federal spending for domestic programs, as though, somehow, the Federal dollar which goes to a social security recipient or a Job Corps trainee caused inflation, while the many, many more Federal dollars that go into the hands of the military-industrial complex were inflation proof. They both get the same kind of dollars, and the military and the industrialists get a lot more of them.

On the other hand, if there is deflation, we are told we must cut domestic spending because there is no longer any need for it.

And while we are at it, Mr. Speaker, just what is domestic spending, anyway? Is there something nondomestic about the billions we are pouring, without any audible Republican protests, into the hands of the makers of war materiel? No, Mr. Speaker, that is not what our Republican friends mean. I have not heard the gentleman from Michigan [Mr. FORD] recommend that military contracts with General Motors be stripped of profits for General Motors. I have not heard the Republican gentleman from California suggest that the areospace companies be asked, as their patriotic duty, to make their engines of destruction on a straight cost basis, without the huge profits that make aerospace stocks such blue-chip investments these days. No, Mr. Speaker, all I hear from my Republican friends is that we must pay for the war by stopping our feeble, tentative efforts to make the society from which so many of our fighting men come a slightly better society for them to live in when they come home.

Well, Mr. Speaker, as I said at the beginning, it is nice to have some unchanging points of reference in this changing world. It is comforting, in a way, to know that the new vitamin-packed, jet-powered, precooked, hi-octane, homogenized, synchronized, flavor-controlled, uncrushable, miracle-fabric, power-packed, flip-top, pop-top Republican image would be instantly recognizable to Rutherford B. Hayes if he were with us still.

INAUGURAL ADDRESS OF GOV. LURLEEN WALLACE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NICHOLS. Mr. Speaker, on Monday, January 16, the State of Alabama inaugurated a new Governor. Gov. Lurleen Wallace is only the third woman in the history of these United States to hold office as chief executive of a State. Therefore, Mr. Speaker, in honor of this event, and to preserve her inaugural address for future generations, I ask unanimous consent to have the text of Governor Wallace's message printed in the body of the RECORD.

[From the Birmingham Post-Herald, Jan. 17, 1967]

TEXT OF INAUGURAL ADDRESS BY MRS. WALLACE

MONTGOMERY, ALA.—Following is the complete inaugural address of Mrs. Lurleen Burns Wallace—47th governor of Alabama:

"Thank you, Governor Wallace:

"In the very beginning, let me thank the inaugural committee for all of the hard work which has been put into this colorful and memorable event. I want to thank, too, all of the teachers and public officials who helped make it possible for these young people to come to Montgomery for this occasion. But most of all, I want to thank the students who have demonstrated such splendid talent and the parents of these fine boys and girls to whom we owe it all.

"I deeply appreciate the presence of so many of our friends here today. The office of governor is the highest honor within the power of the people to bestow, and I am grateful and humbled by this honor beyond the power of words to express.

"Ordinarily this might be a festive occasion and one of celebration. However, we are aware of the absence of thousands of our boys who are today fulfilling the highest responsibility of citizenship in defense of principles for which the nation stands.

"To the mothers, wives, children and loved ones of those in South Vietnam, my heart goes out to you, and I join you in asking God's protection and an early and victorious end to that conflict.

"Although they are not with us today, we are with them in mind and spirit, and I would like for them to know that their interest shall be my interest and that the interest of their families and loved ones shall always be uppermost in my mind.

"In this spirit, may I ask that all of you join me in silent prayer for the safe and early return of our boys in Vietnam.

DAY OF FULFILLMENT MEANING

"This day is one of meaning and fulfillment for me; for my mother and father who first taught me the principles and duties by which to live; for my husband, who for 25 years has fought for these principles and lived by the discipline of these duties; and for the great people of Alabama, who, by their faith and loyalty, have honored me by electing me to the office of governor of Alabama. To all of you—my deep and profound thanks.

"The past year has been an experience to me that comes to few people.

"I have had the privilege of traveling all over our state and meeting Alabamians in cities, towns, villages and crossroads. I have felt the outstretched hands of thousands of Alabamians close upon my own—in warmth and comradeship.

"I have looked into the eyes and faces of thousands more—and in those faces I have seen reflected the character of a people—evidence of strength and faith, and the assurance that comes from belief in moral values; and I have seen in those faces the will of a free people to remain free.

"This is the character of a people now known around the world and has brought Alabama into national and international prominence.

"This is the spirit of Alabamians. It was the spirit of our forefathers—and it shall be the spirit of our children.

"That is why I say today—to Alabamians everywhere—be proud to be called an Alabamian; for you have nurtured the flame of liberty when it needed your courage—and you will feed it with your strength—and the flame of freedom will grow in its intensity. And by whatever name it shall become known by men, it will have had its birth and its support as the great Alabama Movement begun by Alabamians.

"TELLS OF FREEDOM'S PRINCIPLES

"It was demonstrated by your governor whom you sent North and East and West, and whom you sustained by your loyalty and faith and prayers, to the end that he might tell the story of freedom's principles.

"The trait of character associated with Alabamians deserve the acclaim it has received, for it symbolizes an independent spirit, self reliance, energy, honesty, the love of labor, and faith in enterprise of the free—elements of character which in the past four years have proven that a determined people can provide, through their own efforts, the industry, the employment, and the productive wealth which, for nearly 200 years sustained the greatest war on poverty known on the face of the earth.

"And I can tell you this in utmost sincerity—I am humble and proud to have been elected to represent such a people. I am proud to be an Alabamian.

"For the first time in the history of Alabama, a woman has been elected to the office of governor. Ordinarily this matter would only be solemnized by inauguration and dutifully recorded with appropriate statistics by those who keep up with such things. But this is not an ordinary occasion. I predict that this event shall have greater significance.

"For those who may seek the real meaning of this occasion, it is my belief that it will not be found in any element of uniqueness. To the contrary, the significance lies in the evidence that my election provides a continuity of enduring qualities of our principles and institutions of self government that make state governments and elections a part of our heritage.

"RAPID DEVELOPMENT OF FREEDOM

"One element of that continuity can be demonstrated by this fact. In 1920, the 19th amendment of the United States Constitution bestowed on women the right to vote. Since then a woman has been elected governor of Texas, and one has been appointed to office in Wyoming. My election marks the second time in the history of the nation that a woman has been elected governor of a state. This is, indeed, evidence of adaptability and continuity in our institutions of self-government by which we have seen a rapid development of a larger meaning of freedom.

"This is an historic occasion—not by reason of any element of uniqueness, but by reason of the meaning underlying my election. This meaning can be illustrated in part, I believe, by the truth in an old saying.

"I recall from childhood that in the Spring my mother used to say:

"Out of old woods cometh new flowers, from year to year."

"My election, this occasion, has its roots in the soil of time-honored institutions of self-governments and the historic principles of self-government upon which they are founded.

"And just as the shape and form of flowers are fixed by its seed, so also are the shape and form of our institutions of self-government fixed and shaped by eternal principles of truth.

"PRINCIPLES DERIVED FROM FAITH

"These principles are derived from a faith in an almighty and benevolent God from which source, alone, comes meaning, purpose and directions in human life.

"It is from this faith that human life acquires worth and dignity and the reason behind man's claim to God-given rights of life, liberty and pursuit of happiness.

"It is from the logic of this claim, that man asserts his right to freedom of conscience, of worship, freedom to judge, freedom to choose and freedom to associate or not to associate as he may choose.

"In turn, the right to self-government is based on the inherent right and highest duty of a free people to preserve and protect these God-given freedoms. This is no more and no less than what is said in the Declaration of Independence.

"It is this faith which gives rise to the virtues of human compassion, tolerance, forebearance, and good will. And it is by reason of these virtues that this great nation could absorb oppressed peoples of diverse cultures and traditions from over the world and continue to grow and prosper under conditions of peace and harmony.

"So, for one thing, my election has meaning as a demonstration of the continued vitality and continuity in principles and institutions of self-government having their roots in the past as deep as the history of man's faith in God.

"This meaning has profound significance today. For there are many in high places who express dissatisfaction with our form of government and who scorn the faith and principles upon which it was founded.

"They proclaim to the world that 'God is dead,' and that therefore, government itself must plan the 'ends' of life and give it meaning and direction.

"BESET BY CYNICS, SKEPTICS

"Thus, we are beset by cynics and skeptics who pick at this great but admittedly imperfect fabric of free men, and in their picking exploit the imperfections and invariably offer as solution the transfer of power from the hands of the people to the hands of bureaucrats and judges of a central government.

"When the people will not give them the power to rule—by amending the Constitution—they seize it by judicial interpretations sustained by false and tortured reasoning.

"And always, the results are the same—a transfer of power from the people to a rapidly expanding central government. That these deeds are done in the name of our Federal Constitution adds blasphemy to their performance and the claim that they are done in the name of freedom reveals hypocrisy in their actions.

"It is judges such as these who are attacking and destroying the Federal courts—not those who criticize their seizure of power.

"It is judges such as these who are substituting for our traditional judicial system, a system of rule by judges—a rule that denies that the people have the wisdom, the character, and the soul to govern themselves.

"It is plain to see that Federal bureaucrats, who today lay claim to have power to impose percentage guidelines and who resort to threats and blackmail to compel local school boards into compliance, are already a part of a force which tomorrow may well lay down even sterner guidelines to control our thoughts, and actions, and every aspect of our lives.

"TO SEEK PARENTS' SUPPORT

"Even now, a Federal agency attempts to tell us the schools our children shall attend, to regulate the contents of their textbooks, who shall teach them, and with whom our children shall associate. This is an effort to gain control of the hearts and minds of our children. I resent it. As your governor and as a mother, I shall resist it. I shall seek support of concerned parents everywhere to help overcome this menace to the welfare of our children.

"Common sense tells us that the opposite of political freedom is political control. If control is exercised by force, we may be forced to obey the commands of a tyrant. But, the mere fact that force is used or threatened, is proof that the tyrant cannot control our convictions and must, therefore, suppress our liberty.

"These, then are the causes and issues which give deeper meaning to my election to the office of governor, for it is notice to all the world that the strength and determination of a free people to defend the principles of self-government will not be suppressed by force. Force from China, from Russia, from Cuba, or from Washington, D.C.

"It is notice that there are millions of people in America who do not accept the 'egghead' verdict that 'God is dead.'

"It is notice that the people of Alabama, whose motto is, 'We Dare Defend Our Rights,' are not in a mood to sit idly by and surrender our constitutional system of government or a single one of its freedoms by default.

"PEOPLE ARE ULTIMATE POWER

"I entered the race for governor for the purpose of permitting my husband to take our fight to the final court of appeal—the people of the United States in whom rest the ultimate sovereign power of this nation.

"The people of Alabama have rendered their verdict. We have received support and best wishes from all over this world, in a volume to overwhelm me with a sense of gratitude and to confirm the correctness of the decision made by Alabamians.

"And while my husband continues the fight on the national scene, I shall do all within my power to continue to give you good state government. So, as we call upon the courage that is our inheritance, we will continue the policies and programs and great progess we are enjoying today without sacrificing principle or losing sight of our goal.

"We are living in a great day and age. Our state is blessed with an abundance of natural resources. We are moving into the greatest period of opportunity in our history. We face the future with confidence.

"When there are challenges, we will meet them. Where there are obstacles, we will surmount them. The goal of our programs, of everything we undertake to do, will be to help provide a better life for all of our citizens.

"This has been the guiding principle of state government during the past four years, a period of unprecedented growth, progress and prosperity. I promise you a continuation of these programs and policies.

"TO CONTINUE ROAD CONSTRUCTION

"One of the first things I shall ask the Legislature to enact are measures which will enable us to continue the greatest road building program we have ever undertaken. In the interest of national defense, industrial expansion, continued economic development—the public safety and convenience, all these considerations demand it.

"If there is any change in my administration, it will not be a change of policy or priorities, but rather one of attitude toward our programs. It will be an attitude reflecting an inner feeling of a wife and mother.

"I believe earnestly that the family is the vital unit of society, and that no nation may remain strong unless it is founded on enduring family relationships as the source of its strength.

"For this reason, as a wife and mother, as well as your governor, I shall be inclined to examine programs of each of our departments from the standpoint of how they affect the family. I shall, of course, be interested in more and better job opportunities for the family bread winner.

"I shall be intensely interested in rehabilitation, in adequate care for the sick, the elderly, and the handicapped; in strengthening local governments, schools and hospitals and community facilities upon which our family rely; and in providing personal security of the individual, his home and his family.

"WILL STRIVE TO HELP SICK

"The mental institutions of our state, overcrowded and understaffed, must receive additional attention. The special state training schools for the handicapped, already doing outstanding work, can perform near miracles with proper support. We shall strive to give the sick, disabled and handicapped an opportunity for recovery—an opportunity to regain the feeling of self reliance and independence which means so much to each of us.

"No one will question the necessity of such programs.

"The duties and responsibilities of state government will never be completed; they will grow and multiply. We will strive to meet these demands, but we will work to safeguard the correct perspective—that government is the people's servant and not their master.

"In conclusion, let me say this:

" 'What is a man profited, if he shall gain the whole world, and lose his own soul?' (Matthew XVI 26).

"In the same line of thought, what is a nation profited, if it shall gain all the glittering material things in life—if gained at the cost of our freedom?

"Let us stand up for those who fight for the principles of our people.

"And now to you—the Alabamian—I want to thank you humbly and with all sincerity for your faith in me.

"I pledge to you that I shall do my duty to you in honesty and with conviction. With God's help and guidance and with wise counsel to call upon, I shall make you a good governor. I ask your prayers that I may serve you with honor and with grace, and that I shall not fail you in the trust you have placed in me.

"May God bless the people of this great state and nation. Thank you."

FLOOD INSURANCE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE. Mr. Speaker, it is a privilege for me to join the distinguished assistant majority leader today in introducing legislation to provide a program of flood insurance, utilizing the private insurance industry.

My district in west Texas has been ravaged by floods and continues to live in the threat of reoccurring destruction to its homes and farms and ranches. This constructive protection program will fill an unmet need in our country.

My legislation is identical to that sponsored by the assistant majority leader in all provisions except the definition of that real property which is to be extended insurance coverage. In addition to covering one to four family dwellings, my bill extends coverage to farm and ranch lands and improvements on such lands necessary for the operation and maintenance of such farm and ranch lands.

The flood damage to agriculture areas in west Texas has been particularly severe and imposed unbearable economic hardship on our farmers and ranchers. These farmers and ranchers, like our individual homeowners, ask only the opportunity to provide for their own protection. My legislation would extend this opportunity to both groups of property owners.

A MESSAGE TO AMERICAN INTELLECTUALS FROM THOSE OF HONG KONG

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, all of us

look on with dismay at the havoc being thrust upon the Chinese people at the present time by the Red Guard movement.

While we are sympathetic to the plight of the ordinary Chinese citizen, however, this time of trouble on the Communist mainland brings renewed hope for the future of freedom in that country.

An interesting analysis of the current purge of intellectuals which continues in Communist China was circulated in November 1966 by a group of distinguished Chinese living in Hong Kong. Their message is important and I commend it to the attention of our colleagues:

A Message to American Intellectuals From Hong Kong's Cultural and Educational Circles in Connection With the Purge of Intellectuals in Mainland China

We, the undersigned, are Hong Kong's university and college professors, newspaper and magazine editors, artists and writers. Among us are those who have lived here long, but the majority have fled to Hong Kong from Chinese communist rule on the mainland. Nevertheless, all of us have one thing in common, i.e., that we are Chinese devoting ourselves to our nation and human freedom. Therefore we are particularly concerned over mainland China developments during the past decade. Moreover, living on this borderland as we do, having witnessed the exodus of more than 100,000 Chinese refugees in 1962, and by virtue of our continual contact with those penetrating through the Bamboo Curtain, we are confident that our understanding about communist China is greater than that of people living in any other areas. Consequently, we deem it our moral obligation to inform our friends among the American intelligentsia living on the far side of the Pacific Ocean of our impressions and opinions concerning communist China.

One hundred and ninety-eight Asia experts have issued a relevant public statement in the wake of a review of United States policy regarding China made by the Senate Foreign Relations Committee last Spring. We are at variance with some of the opinions expressed therein, for they do not conform to fact. Already some unusual events were happening in mainland China at that time. For instance, writers and authors who dared speak out their minds were severely reprimanded and purged, and the Red Guards have been rampaging on the mainland—an indication that certain changes were in the offing, quite contrary to the opinion expressed by certain experts in America purporting that the Chinese communist regime had become stable. Red China's anti-U.S. propaganda has reached an unprecedentedly fierce stage, and her disputes with the Soviet and other communist parties are growing day by day. These facts again prove that communist China has not mellowed its policies. On the contrary, she has been pursuing a harder and more dogmatic line. Her top leaders have begun paying special attention to the so-called succession problem in their determined effort to forestall the younger generation from turning toward a pragmatic course. Simultaneously, they are building up a model molded from the thought of Mao Tse-tung so that when the present communist leadership comes to an end, the take-over generation will carry on their hard-line policies.

The circumstances described above have manifested themselves more conspicuously during the past six months. The so-called "great cultural revolution" is spreading to all corners and all strata, and is designed to eradicate China's cultural tradition and the influence upon it of Western contemporary civilization, in favor of all-controlling Stalinism and the thought of Mao Tse-tung. In the words of the Chinese communists, this "revolution" is a movement to develop the culture of the proletariat, to exterminate the culture of the bourgeoisie, to strengthen the class struggle and the "people's war," and to promote the thought of Mao Tse-tung throughout the world and change the world in accordance with Mao Tse-tung's blueprint.

The severe trials and tribulations of mainland China's cultural workers and intellectuals are something beyond the comprehension of Westerners. The underlying cause for this ill-treatment is that China's cultural traditions inherited by Chinese intellectuals and the influence exerted by modern Western civilization upon them are the complete opposite of Chinese communist doctrines. At the same time, Western intellectuals realize that the people under communist rule live in greater suffering than in the past. Unable to express their opinions freely, they resort to allegory in drama, literature, satires and other media to camouflage their dissent. This constitutes a crime in the eyes of Chinese communists, and that is why between November 1965 and July 1966 more than 128 intelligentsia people were liquidated, dismissed or persecuted in one manner or another. Among them were academic authorities, literary lions, presidents and professors of renowned universities, and even high-ranking communist officials—including members of the Party's Politburo and Secretariat, the Army's chief-of-staff and political commissars, chief of the Propaganda Department and the Minister and Vice Minister of Culture. The difference between the present cultural purge and those in the past is that any charge can be levelled against the victims; sometimes a charge involves their words or actions of some 30 years ago. The dragnet has spread to far corners, even to Tsinghai in the northwest and Yunnan in the southwest. To quote the Chinese communists' own words, "The scope, momentum, and the tremendous drive of the great cultural revolution now being carried out in our country have no parallel in history." (See *Liberation Army Daily* article, June 6, 1966.) The crimes of the purged are invariably "anti-Party" and "anti-socialist," although many of them have loyally served the Chinese Communist Party as important cadres for several decades. To reorganize Peking University, the communists mobilized armed squads to surround the institution of higher learning. To execute Yang Kuo-ching, a 19-year-old, mentally-unbalanced youth accused of killing a man, they staged a 10,000 strong mass rally. They say that the condition of intellectual elements in mainland China today resembles the activities of the members of the Hungarian Petofi Club in 1956, and it is possible that "millions of heads will roll." All these facts indicate that the Peiping regime is not yet in the position to exert effective control, and that dissenting forces and organized anti-communist activities are rampant in Red China. Even within the top communist leadership, the Chinese Communist regime is far from stable. It is unavoidable that the communists' power will be further weakened as a result of such widespread fierce struggles.

The purpose of launching the current big purge is two-fold; Firstly, to hold absolute control through the thought of Mao Tse-tung by suppressing all dissenting opinions; and secondly, to strengthen the people's consciousness of the revolutionary struggle by forestalling the sprouting of soft-line policies. Regarding the former, Red China's application of totalitarianism in controlling thought is more intensive than that of Hitler or Stalin. We are positive that the sufferings of the cultural workers and intellectuals in mainland China are beyond the imagination of our American friends who enjoy full freedom. As to the latter, Peiping's fierce criticism of Soviet revisionism has virtually reached the same intensity as its anti-U.S. campaign, and all persons who advocate moderate policies are mercilessly purged. At the same time, the Chinese communists have thoroughly revised their educational system. Colleges and universities throughout the Chinese mainland have been ordered to suspend classes for six months, and all students have been sent to do labor reform chores. Their system of enrollment for new students has been changed, and only those with a worker or peasant background and well-versed in the thought of Mao Tse-tung will be permitted to receive higher education. Thus the method of training the so-called successors is one deliberately adopted to dash the hopes of some Westerners for a change in Chinese communist policy in future. It is intended to prevent the emergence of personnel endowed with open-mindedness and expertise, so as to block all channels leading toward a policy of moderation.

Consequently, we believe that the idea behind our American friends' proposal for a re-appraisal of the United States' China policy under prevailing circumstances may have been caused by their blurred picture of recent conditions in mainland China. We hope that American intellectuals will, from the standpoint of justice and humanitarianism, lend the necessary support to the suffering cultural elements there, and will refrain from appeasing the Chinese communists, to do otherwise will give the communist regime encouragement and aggravate the sufferings of the Chinese cultural workers.

Our American friends have mentioned the precedent of U.S. recognition of the Soviet government, holding that this move constituted a factor for improving U.S.-Soviet relations. Such reasoning has ignored the complicated developments in U.S.-Soviet relations during the past 30 odd years. To be honest, the year of 1930 was not the most appropriate time for the United States to extend diplomatic recognition to the Soviet Union. For at that time Stalin did not carry out large-scale purges among the kulaks and within his Party, but U.S. recognition relieved him of his worry about foreign affairs. This past event should serve well as a mirror today.

In a nutshell, the aim of Communist China's current "cultural revolution" is to eradicate China's historical and cultural traditions and replace them with MAO Tse-tung's idea of revolutionary struggles. This fact negates the statement made by some American friends that Maoism originates from China's traditions. China's traditional spirit consists of loyalty, filial piety, benevolence, love, sincerity, righteousness and peace. These are precisely the very virtues Maoism wants to root out. There may be similar sources of Maoism in Chinese history, such as the burning of books and the burying of scholars by Emperor Chin Shih Huang, the foreign conquests of Genghiz Khan and the brutal acts of a certain number of peasant rebel leaders. But these were reactionary movements against China's cultural traditions. Mao Tse-tung has inherited not only these, but also, more significantly, Soviet Russia's traditions as symbolized by Stalinism.

From the recent events in mainland China, it can be seen that the communists have brooded for a long time over transforming China according to their own blueprint, and over changing the whole world through the so-called revolutionary struggles of the proletariat. This is the total aim of their aggressive plot, but by no means a reaction caused by their diplomatic reverses as claimed by some American friends. Communist China's launching of anti-U.S. policy coincided with the American publication of the "White Paper" on Sino-U.S. relations (1949). At that time the United States government was optimistically awaiting the "settling of the dust".

Another big ambition of the Chinese communists, synchronized with their plot to conquer the world, was to set up an international organization called Conference of the New Emerging Forces (CONEFO) to rival the United Nations. Indonesia's withdrawal from the United Nations was for the purpose of undertaking this task on behalf of the Chinese communists. If the Peiping-engineered Indonesian coup d'etat on September 30, 1965 had succeeded, the building for the CONEFO in Djakarta would have been completed by now and the conference would be in session there at this writing. For this reason, communist China will not be interested in becoming a U.N. member. Even if she were admitted, the world body under its present setup would not be able to control her; on the contrary, her presence would lead to U.N.'s own destruction. Are communist China's intentions of destroying the United Nations not clearly shown in her conditions for joining it? (See Dean Rusk's report before the House Foreign Affairs Committee on April 17, 1966.)

Communist China's growing isolation is a cold fact. During the past 12 months or so, the friendly attitudes of various countries towards her, such as Algeria, Dahomey, Central African Federation, Upper Volta, and Indonesia, have turned cool and hostile, resulting in diplomatic severance in some cases. The left-of-centre Kenya and Communist Cuba have also accused communist China of carrying out subversive activities in their respective countries. Within the international communist movement, most parties have drifted away from Red China. Even the Japanese, North Korean and North Vietnamese communist parties, all of which used to follow the Chinese communist line, have all shaken off Chinese communist control and are now pursuing an independent line. Red China's isolation has not been caused by the United States alone. So why should the United States help break Red China's isolation at a time when Asian and African countries are consciously weaning themselves away from the Chinese communists? Meanwhile, we wish to associate this situation with the "hungry tiger" theory. If a tiger wants to injure human beings, it cannot feel contented by merely getting a little food. The dealings of Central Europe with Hitler during the 1930's should serve well as a warning.

The Chinese and American people have a long, good friendship. The Chinese are ever grateful for the American support during the Second World War. The Chinese communists' frantic anti-American movement has by no means altered the fine sentiments of the majority of Chinese toward the American people. What the Chinese cherish most is the nation-building spirit of the American people, particularly the spirit as expressed in the American Declaration of Independence, which says that "all men are . . . endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness." Yet, precisely, these are the very rights the people living under Chinese communist rule are deprived of. Under the current "great cultural revolution," the masses on the mainland are meeting with greater sufferings than ever before, and their hatred of and opposition to their rulers have grown fiercer. It is incumbent on our American friends to focus their interests upon several hundred millions of the Chinese people, and not upon the oligarchical rulers. We hope that our American friends would study closely what has actually happened on the mainland in recent years, and not ruminate on academic illusions. We hope that our American friends will continue to propagate the idealism of such great Presidents as Jefferson, Lincoln, Wilson and Roosevelt, in order to deal with the problems of China policy in the spirit of justice and fairness—and will not obstruct the Chinese people's effort to shake off slavery and recover freedom so as to avoid the evils of materialism.

We sincerely present our convictions and opinions to our American intellectual friends for your consideration.

1st November 1966.

Chinese Cultural Association, 101, Nathan Road, Flat 1–3, 7th Floor, Kowloon, Hong Kong.

Chem Mu, Renowned Chinese scholar; Li Huang, Founder of Young China Party of China; Gen. Chang Fa-Kwei, Formerly Commander of the famous "Ironside" Army; Liu Pai-Min, Formerly, Senior Lecturer, Hong Kong University; Wong Lan Shu, President of Chu Hai College, Hong Kong; H. Y. Hsu, Vice-chairman of Chinese Cultural Association; Chou Shing Sheng, Founder of Young China Party of China; H. Y. Chen, Managing Director of Hong Kong Times; Robert Der, Chairman, Kowloon Chamber of Commerce; Edward Tseng, Director of Hong Kong Branch, Central News Agency; Hsieh Yu-Wei, Director of Research Institute of Advanced Chinese Studies, New Asia College, Chinese University of Hong Kong; Poon Yan-Cheong, Chief Editor of Kung Sheung Daily News; Lee Chiu-Sheng, Chief of Editorial Board, Hong Kong Times; Su Ming-Shuan, Publisher of The Contemporary Magazine; Chow Ching-Wen, Author of "Ten Years of Storm"; Ho Lo-Tze, Founder of Young China Party of China; Yam Pe Ming, Chief of Editorial Board, Express Daily News; Chen Hsiao-Wei, Publisher of the Observatory Review; Huang Chen-Hsia, Editor of China Review Weekly; Liu-Shih Chang, Chairman of Party-Congress, Democratic and Selfgovernment Party of Hong Kong; Lieu Yu-Lio, Member of Central Committee, Democratic Socialist Party of China; Tso Yiu-Kam Hong Kong Representative of "Free China Review" Taiwan, China.

Yih-Ping Chou, President of Fu Jen College, Hong Kong; Po Shou-Fu, Publisher, Newsdom Weekly; Chen Liu-Tu, Chairman, Hong Kong Publishers & Distributors Association; William Hsu, Editorial Writer of Sing Tao Daily News; Nelson Lew, Editorial Writer of Kung Sheung Daily News; Wang Teh Shing, Editor of Sing Tao Daily News; Lin Yu Lan, Executive Editor of Hong Kong Times; T. Y. Tang, Chief Editor of Hong Kong Times; Lai Chin-Wei, Editorial writer of Kung Sheung Daily News; Chang Kou-Sing, Author of "Eight Months Behind The Bamboo Curtain"; Ne-Yuen Huang, President of Kwang Tai College; Wong Shu Dao, President of Hwa-Kiu College; S. I. Hsiung, Author of "Wang Pao Chuan", President of Ching-Hwa College, H.K.; Huang Yah-Bai, Chairman of Actors and Actresses Association, Hong Kong; Wong Hoo, Well-Known Chinese Movie Actor; D. K. King, Editor of Democratic Review; Wang Tao, Publisher of "Human Life"; Lee Wei-Tong, Sports Commentator of Rediffusion, Hong Kong; Seakers K. Chen, President of Hsiang Kiang College; C. L. Hsu, Supervisor of Kiangsu-Chekiang College, Huang Yau Tai, Internationally Known Music Composer; Lin Sheng-Shih, Famous Music Composer; Daniel S. Su, Publisher of Cosmorama Pictorial; Phong Kao, Manager of Chi Sheng Book Company.

NORTHEAST MISSISSIPPI SHOULD BE IN THE APPALACHIAN PROGRAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. ABERNETHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, my colleagues Congressman WHITTEN and Congressman MONTGOMERY and I have introduced legislation today which will amend the Appalachian Act of 1965 and bring to appropriate counties in northeast Missssissippi the benefits of the Appalachian program. These counties should have been included in the original act. There was no genuine justification for their exclusion. They meet all of the criteria for bringing assistance to low-income and depressed areas.

Northeast Mississippi is in the foothills of the Appalachia area and contiguous to the counties in Alabama which were included in the program.

From the standpoint of low income, there is greater need for the program in northeast Mississippi than in most of the area included in the original act.

We expect to press hard for our bill and are hopeful of it being approved by the Congress at an early date.

The counties included in the Abernethy bill are: Alcorn, Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Grenada, Itawamba, Kemper, Lafayette, Lee, Lowndes, Marshall, Montgomery, Monroe, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tallahatchie, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha.

DEATH OF JOHN W. RUNYON, DALLAS PUBLISHER

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. POOL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, Dallas, Tex., lost a great citizen and beloved civic leader last Friday, January 20, with the death of John W. Runyon, chairman of the board of the Times Herald Printing Co. and publisher of the Times Herald newspaper. John Runyon was a veteran of 55 years of service to the Times Herald, having risen from the ranks of newspaper advertising to the summit of leadership. Under his guidance the newspaper and broadcasting company evolved into a multimillion dollar enterprise and became a source of immense community pride.

John Runyon made the communications business his profession and his hobby as well. Until a few weeks ago, he always spent a 9-hour day at Herald Square. His fellow newsmen demonstrated their esteem for him by electing him to a 9-year term as a director of the Associated Press, which he had recently completed. During his lifetime, he was one of very few men having served both as president of a broadcasting station and of a newspaper.

Through the years, John Runyon was known for his friendliness and personal interest in his thousand employees as individuals. Many hard-pressed families found their way out of financial difficulties through his anonymous assistance. His admiring employees established the John W. and Grace Runyon Fund at the Scottish Rite Children's Hospital, one of his favorite charities, which he long served as trustee.

He is survived by his wife, Grace Dowd Runyon, their only child, John W. Runyon, Jr., and a granddaughter, Mrs. Joan Runyon Still, all of Dallas.

COMMENT ON THE DOMESTIC SECTION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, the Republican state of the Union message Thursday night was a fascinating political performance, but a mystifying policy statement. I could not decide whether the House minority leader was hollering "me too" or, "No, no, a thousand times no!"—that national anthem of the GOP.

It sounded like that same old ancient Republican elephant, without a dream in its heart or an idea in its head.

The minority has followed the tried and true precept that it is the function of the opposition to oppose. It all reminds me of a song Groucho Marx used to sing:

> Your proposition may be good,
> But let one thing be understood:
> Whatever it is, I'm against it.

I found Mary McGrory's comments—as they appeared in the Washington Evening Star—on the Republican performance to be of great interest. She said that the Republican state of the Union address revealed that the state of the Union between the leadership of the minority party in the two great legislative bodies "is about the same, which is to say not very good."

She continued:

> Republicans always clamor for unity, but are scarcely ever able to achieve it in their two-man rebuttal to the real State of the Union Message, which was delivered in the chamber of the House of Representatives by President Lyndon B. Johnson, speaking with one voice.

Miss McGrory said that "there is little to indicate" that the speeches of the minority leadership of the House and the other body "are carefully coordinated." She noted that the minority leadership in the other body does not concern itself deeply with what the minority leadership in this body says and that the minority leadership in this body "has no control" over what the minority leadership in the other body says.

Miss McGrory continued:

> The Republicans, crowded into the Old Supreme Court chamber of the Capitol to give the impression of "infinite riches in a little room," vigorously applauded the contradictory views of their leaders.

She noted that the minority leadership of this body "sternly eyeing the red eye of the television cameras said: 'The credibility gap must go.' Clapping rattled like musket fire."

Miss McGrory said that several minutes later, the minority leadership in the other body said that President Johnson's report on the war "had been candid and realistic." The Senate minority leadership of the other body also said that it was for "the most thoughtful discussion possible among our people of all political faiths."

Presumably the credibility gap which the Republicans say "must go" exists among the Republicans. They have been hard to believe for a long time.

We extend them our good wishes for solving this most vexatious problem in their ranks.

BASIS FOR THE SELECTION OF WESTON, ILL., FOR LOCATION OF 200-BILLION-ELECTRON-VOLT ACCELERATOR

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, on December 16, 1966, the Atomic Energy Commission announced its selection of Weston, Ill., for the location of the proposed 200 billion electron volt—Bev.—accelerator.

During the past Congress I attempted to keep the membership informed of the status of this proposed facility because of the widespread interest in the possible location.

Under date of January 18, 1967, the AEC furnished the Joint Committee a summary-analysis setting forth the basis for the selection of the Weston site from among the six that were recommended. Included as an appendix to the summary is a chronology of the Commission's actions in the consideration of the site which was prepared by the AEC.

Mr. Speaker, I ask unanimous consent to include in the RECORD at the conclusion of my remarks the January 18 summary and accompanying chronology.

The Commission's proposed budget for fiscal year 1968 will include $10 million for architect-engineering on the proposed 200 Bev. accelerator. The Joint Committee will hold public hearings in connection with this requested authorization in order to acquaint the public and the Congress as to the justification of the project and the reasons for selection of Weston, Ill. I will notify the membership when the date for the hearings has been set. In the meantime, I wish to advise that Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, is scheduled to testify in public session, beginning at 2:30 p.m. on Wednesday, January 25, at which time he is expected to review in general all programs for fiscal year 1968. Some reference undoubtedly will be made by him to the proposed 200 Bev. accelerator. However, I expect the Committee will, at some later date, go into this matter in detail.

As I previously stated, I will give advance notice to the membership when such hearing has been scheduled.

[From the U.S. Atomic Energy Commission, Washington, D.C., Jan. 18, 1967]

BASIS FOR THE SELECTION OF THE CHICAGO (WESTON) SITE FOR LOCATION OF THE 200 BEV. ACCELERATOR LABORATORY

BACKGROUND

Selection of the Chicago (Weston) Site for location of the 200 Billion Electron Volt Proton Accelerator Laboratory climaxes the most extensive site selection action ever undertaken by the Atomic Energy Commission.

The search for the best site for the Laboratory formally commenced in April 1965 when the AEC issued a press release inviting statements of interest in proposing sites for the huge scientific facility. One hundred and twenty-five proposals were ultimately received relating to more than 200 different proposed site locations. On September 13, 1965, this list of proposals was reduced by the Commission to a total of 85 relating to 148 sites.

To assist in the selection of the site, the AEC earlier had entered into a contract with the National Academy of Sciences (NAS) pursuant to which a Site Evaluation Committee composed of eminent scientists was to review and evaluate site proposals received and give advice and recommendations to the AEC. Dr. Emanuel R. Piore chaired the Committee. Other members were Robert F. Bacher, Harvey Brooks, Val L. Fitch, William B. Fretter, William F. Fry, John William Gardner,[1] Edwin L. Goldwasser, G. Kenneth Green, Crawford H. Greenewalt, and Herbert E. Longenecker.

During November 1965, the Commission dispatched eight teams headed by senior AEC staff member, to visit all of the 85 proposers and to seek additional data on the proposed sites. The reports of these site visiting teams were made available to the Site Evaluation Committee of NAS.

Since the inception of the project, the Atomic Energy Commission, as well as its staff, has devoted many meetings to discussing the Accelerator Laboratory and in establishing criteria and procedures for selecting the best possible site for its location. A brief chronology of these efforts by the Commission is attached as Appendix "A."

On April 1, 1965, the Commission submitted to the Joint Committee on Atomic Energy a statement of "Considerations Involved in Siting a Major New Accelerator." These criteria were included with the AEC Press Release dated April 28, 1965, which formally announced commencement of the search for a site. On November 16, 1965, the Commission sent to the NAS Site Evaluation

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[1] Withdrew from the Committee upon appointment as Secretary of the Department of Health, Education, and Welfare.

Committee a more refined statement of selection criteria entitled "200 BEV Accelerator Laboratory Siting Factors.[2]

In March 1966, the NAS Site Evaluation Committee issued its report recommending six sites[3] from which it proposed that the AEC make its final selection of the site for the Accelerator Laboratory. The Committee stated in its report . . . "that no ideal site had been proposed and that the eventual selection depended on balancing the various factors of physical properties and environment. . . ." The Committee characterized the six sites which it recommended for final consideration as "on balance" being "clearly superior."

Upon receipt of the NAS Site Evaluation Committee Report, the AEC gave it thorough consideration and in April 1966, the Commission announced that it would make its selection from among the six sites so recommended. Since that time the Commission and its staff concentrated their efforts on the evaluation of the six finalist sites against the Siting Factors. As a part of this evaluation effort three Commissioners visited each of the six finalist sites. On December 16, 1966 the Commission announced its selection of the Weston site for the location of the Accelerator Laboratory.

SELECTION OF THE CHICAGO (WESTON SITE)

The NAS Site Evaluation Committee stated in its report that "Each of the sites recommended is outstanding in at least one of the aspects the Committee developed as being of major importance and as within acceptable limits with regard to others." The Atomic Energy Commission concurs in this statement.

National facility

In the judgment of the Commission the Weston Site is the best location for construction of the 200 BEV Accelerator Laboratory which is to be a national facility. As such it is essential that this Laboratory be readily accessible to scientists throughout our country and conveniently available to scientists of other countries.

Accessibility

The Weston site has no equal in terms of accessibility. Just 30 miles by express-way from the site is the Chicago O'Hare International Airport. O'Hare Airport offers unparalleled numbers of daily flights to and from cities near accelerator user groups throughout the United States. The site will be accessible even for one-day round trips for a very high percentage of such user groups. In addition it will be accessible by non-stop flights to and from European cities and other foreign locations. In addition, the Chicago area offers excellent rail, water and highway transportation. (See attached map—Appendix "B")

Although operation of the 200 BEV Accelerator is a number of years away, intimate interaction of machine designers, builders and users is essential from the very outset if this facility is to be the successful research tool which is intended. Its ready accessibility will assure that all available talents can be readily and speedily brought to bear on its design and use even though many contributing scientists may never be actual members of the Laboratory's staff.

Universities and Colleges

The benefits of accessibility go beyond those relating to construction and use of the accelerator. From the outset of its search for a site the Commission has stressed the importance of interaction between the staff of the Laboratory and colleges and universities for their mutual benefit. The Weston site is outstanding in terms of its proximity and accessibility to a large number of important Midwestern colleges and universities having strong graduate and undergraduate programs in the physical sciences and the liberal arts. In the immediate Chicago area are numerous higher education institutions of various sizes. Among the larger institutions are Northwestern University, the University of Chicago, Illinois Institute of Technology, and the Chicago campus of the University of Illinois. At somewhat greater distances but within ready travel range are many other degree-granting educational institutions including some of the largest universities in the United States, such as University of Wisconsin, University of Illinois, Indiana University, Purdue, and Notre Dame.

The Weston location should be ideal for developing mutually highly beneficial relationships between the staffs of the Accelerator Laboratory and the surrounding colleges and universities. Arrangements for training of laboratory staff, including course work and night classes, appear to be quite feasible.

Argonne National Laboratory

Nearby also is the AEC's Argonne National Laboratory with strengths in many disciplines including an important high energy physics program. The staff and facilities located at Argonne could provide excellent support in the development of the new Accelerator Laboratory.

Physical factors

The Weston site offers many physical advantages for construction of the accelerator. The approximately 6800 acre site, consisting of nearly level land, will be provided by the State of Illinois at no cost to AEC. The acreage is ample for foreseeable project needs. Bedrock ranges from 50–125 fee below the site surface; close enough to be available to provide foundation support where needed. The subsurface soils, although unusually strong, can be easily and inexpensively excavated by machine. There are no deep cuts that would require fill. Most of the material to be excavated for the accelerator tunnel should be usable as shielding.

Power and water

Electric service to the Weston site will be supplied by Commonwealth Edison Company which now has a generating capability of over seven million kilowatts and is scheduled to have fourteen million kilowatts at the time the accelerator is expected to go into operation. Such a large generating capability is many times larger than the 200,000 kilowatts that will be needed for the Accelerator and Commonwealth has experience serving large industrial loads of comparable magnitude to that of the Accelerator. Electric transmission lines already traverse the site.

Several ample sources of water supply are available to the site.

No special construction features should be required by reason of seismic problems or other natural hazards.

Construction cost estimate

The Lawrence Radiation Laboratory (LRL) and the architect-engineering group DUSAF[4] have estimated the cost of the Accelerator Project as constructed at reference rock-base and earth-base sites. In summary, these estimates show the following general breakdown for the original LRL accelerator design but (1) do *not* reflect the reduced scope of the project as is now intended and which is expected to significantly reduce the cost of the first phase of the project and (2) do not apply specifically to the Weston site.

	Reference site, earth base	Reference site, rock base
Engineering	$32,000,000	$30,800,000
Direct construction:		
Site improvement	6,700,000	6,000,000
Buildings and utilities	24,000,000	24,200,000
Injector, main synchrotron, and experimental area structures	88,500,000	79,200,000
Technical components and equipment	128,900,000	128,800,000
Subtotal	248,100,000	238,200,000
Escalation	17,000,000	17,000,000
Contingency	29,760,000	28,060,000
Research equipment allowance	40,940,000	40,940,000
Total project cost	367,800,000	355,000,000

The major portion, approximately $250,000,000, of the over-all project cost estimate is not subject to significant variation by reason of site location.

The Commission and its staff have studied the estimated cost of construction at each of the six finalist sites. In these studies maximum use was made of the reference cost estimates prepared by LRL and DUSAF.

AEC staff cost estimates of site-related construction cost differentials have been made upon the basis of information submitted by the proposers or otherwise made available to AEC. They were made without benefit of redesign of the project facilities to reflect actual conditions at any of the six sites and without determination of actual soil conditions where facilities would in fact be located. The cost studies show ranges of possible construction costs within which the Commission and its staff have exercised judgment in determining the most probable total construction cost estimate for each site. Further refinement in these estimates would require performance of additional design work and testing of subsurface conditions at the site.

The AEC staff cost studies show that the most probable total estimated construction costs for the Weston site is the least of the earth-base sites (Ann Arbor, Brookhaven and Weston) and may be quite comparable with those of the rock-base sites (Denver, Madison and Sierra). Less than a 5% differential is anticipated, which is well within the range of accuracy of the estimates at this stage. The Commission regards the estimated construction costs for the Weston site as reasonable both in comparison to the other five finalist sites and to the reference sites.

In addition to the general studies of possible construction cost differentials for all of the sites described above, the Commission gave specific consideration to the possibility of achieving significant cost and construction time savings by placing the accelerator at Brookhaven National Laboratory (BNL) in order to jointly utilize existing or planned BNL facilities. In the Commission's opinion some cost savings would be possible through design of certain major facilities such as bubble chambers for joint use by the Alternating Gradient Synchrotron at Brookhaven (AGS) and the 200 BEV Accelerator if it were to be located at Brookhaven. However, the Commission doubts that significant savings could be realized through increased usage of support-type BNL facilities without detrimental effect on the long term well being of BNL. Offsetting such cost savings that might be achieved at BNL in ways such as are discussed above, is the construction cost index applicable to the Brookhaven area which is the highest of the six finalist sites by a substantial margin.

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[2] Published as Appendix "D" to the Report of the National Academy of Sciences' Site Evaluation Committee, March 1966.

[3] Ann Arbor, Michigan: Brookhaven National Laboratory, Upton, Long Island, New York; Denver, Colorado; Madison, Wisconsin; Sierra Foothills, near Sacramento, California; and Chicago (Weston), Illinois.

[4] DUSAF is made up of the following organizations: Daniel, Mann, Johnson & Mendenhall, Los Angeles, Calif.; The Office of Max O. Urbahn, NYC; Seelye, Stevenson, Value and Knecht, Inc., NYC; and George A. Fuller Company, NYC.

Operating cost estimates

AEC staff estimates indicate that annual operational costs for the original LRL Accelerator Laboratory design if built at any of the six sites should be closely comparable at around $60 million. Such estimated differences as are indicated are well within the uncertainties of the estimates. About two-thirds of total estimated operating costs are believed to be independent of site location. Such site independent costs include labor and overhead for the Laboratory staff, material and services, computer and film costs, etc. There are, of course, differences in operating costs components such as electric power rates, cost of water, climate related incremental costs, and in the cost of annual increments of capital improvements for each of the sites. However, these various operating cost elements offset one another to a degree that none of the six sites appears to have an appreciable advantage over the others with regard to total annual estimated costs of operation.

Supporting environment

The Chicago area is an excellent commercial and industrial center with many machining, electronic and other types of supporting facilities needed for accelerator construction and operation and the area has a well developed research and development base. Argonne National Laboratory is only 20 miles by road from the Weston site and can provide support during development of the Accelerator Laboratory.

The site is within 5–10 miles of several middle-size communities capable of offering attractive housing to the Accelerator Laboratory staff. In addition, Chicago and its many large suburbs are within commuting distance. It is only 34 miles from the site to downtown Chicago. High quality elementary and secondary schooling facilities are available in the site area as are excellent medical, cultural and recreational facilities.

Other considerations

With regard to using the Accelerator Laboratory to help establish new centers of excellence, the Commission concluded that the national nature of the project is of such importance as to mitigate against too closely associating the project with any one institution or group of regional institutions. The outstanding accessibility of the Weston site should enable the Accelerator Laboratory to have a large and beneficial impact on more than merely the universities and colleges closest at hand.

In its investigations and evaluations the Atomic Energy Commission included consideration of the climate of equal opportunity and nondiscrimination that existed in the communities containing and surrounding the six prospective sites, as well as the applicable state laws, executive orders and local ordinances.

The AEC sought and obtained assurances of nondiscrimination and equal opportunity from local government entities, labor unions, business and industry, lending institutions, professional groups, as well as assurances that there would be individual and common efforts to prevent or offset discrimination and to deal with it promptly should it occur.

Information received pertaining to the Weston area reflected a progressive attitude toward equal employment opportunity, efforts to provide equality in suburban public school systems, and a number of community human relations councils devoted to eliminating discrimination.

The Atomic Energy Commission noted differing views with respect to existence of nondiscrimination in housing, and in certain areas more distant from the site, with respect to integration in public schools, but will expect that with the leadership of the state and local governments and with the cooperation and support of citizens and community organizations in the Chicago area, a broad satisfaction record of nondiscrimination and equal opportunity will be achieved.

Conclusion

The Commission concludes that based upon a balancing of all factors involved, the Weston site is the best choice for the location of the 200 BEV Accelerator Laboratory. The Commission believes that the merits of the Weston site and the scientific challenge of the project are such to assure "that management can mobilize and maintain the necessary specialized staff, both resident and nonresident to accomplish the research goals."[5]

APPENDIX A—COMMISSION CONSIDERATION OF THE 200 BEV. ACCELERATOR SITE

May 10, 1963—General Advisory Committee/President's Science Advisory Committee Panel on High Energy Physics (Ramsey Panel) submitted its report, which, among other things, recommended that a proton accelerator in the 200 BEV energy range and associated facilities be provided as the next major facility for research at higher energy levels.

January–June, 1965—During this period the Commission considered the 200 BEV site selection question at a total of 11 Meetings. In addition, the Commission met with four state delegations and with representatives of the National Academy of Sciences (NAS) Site Evaluation Committee on eight separate occasions.

January 22, 1965—The Commission approved the revised report entitled "Policy for National Action in the Field of High Energy Physics," containing a recommendation that a proton accelerator in the 200 BEV energy range and associated facilities be provided as the next major facility for research at higher energy levels.

March 2, 1965—The Commission submitted its first list of site criteria to Dr. Seitz, NAS. This list of general criteria became the nucleus around which later lists of criteria were formulated.

April 9, 1965—The Commission executed a contract with the National Academy of Sciences stating that the Academy would undertake for AEC evaluation studies on proposed sites.

April 13, 1965—The Commission established a seven member AEC Site Evaluation Task Group to obtain preliminary information on specific sites, carry out preliminary screening operations, and recommend those sites meriting further consideration and evaluation by the NAS Site Evaluation Committee.

April 23, 1965—The Commission initiated its search for the best site by approving the proposed "Guide for Preparation of Proposals for Siting New National Accelerator Laboratory" and issuing a press release containing the general considerations and siting criteria.

April 30, 1965—The Commission agreed that a review of existing AEC sites should be undertaken.

July–December, 1965—The Commission considered the 200 BEV Site Selection question at 49 Meetings. In addition, the Commission held a Special Briefing and six meetings with state and local representatives, and conferred twice with the NAS Site Evaluation Committee. The Commission concentrated on screening procedures, economic factors relating to site selections, and reports on site team visits.

July 13, 1965—The Commission initiated a review in depth of the initial evaluations of the Site Evaluation Task Group.

July–October, 1965—The Commission met with numerous outside representatives including five state delegations.

August 10, 1965—The Commission began reviewing and refining its criteria including further consideration of transportation and power cost criteria.

September 13, 1965—Following consideration of the recommendations of the Site Evaluation Task Group, the Commission submitted a list of 85 site proposals to the NAS for evaluation.

October, 1965—Eight Senior Staff Site Review Teams were established.

November, 1965—The Commission followed closely the activities of the Site Review Teams. The purpose of the visits was to clarify uncertainties and seek additional data on the sites. After lengthy review, the Commission approved and submitted to Dr. Piore, Chairman NAS/SEC, a final version of the site selection criteria entitled "200 BEV Accelerator Laboratory Siting Factors."

December 21, 1965—The Commission held detailed briefings with the heads of six of the eight AEC On-Site Review Teams (the two remaining reports were discussed on January 5, 1966).

January–June, 1966—The Commission considered the 200 BEV Accelerator site selection question at a total of 39 Meetings. The Commission was primarily concerned with evaluating the NAS Site Evaluation Committee Report, considering questions relating to foundation requirements and construction cost evaluations, and with on-site visits undertaken by the Commissioners during this period.

January, 1966—AEC staff attended two meetings with high energy physicists to discuss the AEC's concept of a two-step approach to an accelerator in the 600–1000 BEV energy range.

March 21, 1966—The Commission received the NAS Site Evaluation Committee Report and initiated a comprehensive review of it.

April 1, 1966—The Commission announced it would make its selection from the six sites recommended by the NAS and that Commissioners would visit the six sites under consideration. During the ensuing weeks each of the final sites was visited by Commissioners.

May 19, 1966—The Commission met with the NAS panel on Foundation Requirements.

July–December, 1966—The Commission considered the 200 BEV Accelerator site selection question at 18 Meetings. Primary concerns of the Commission were electric power supply and civil rights and nondiscrimination. In addition, the Commission requested firm commitments from the proposers regarding a variety of matters including the availability of land for the basic site, and future expansion, roads and transportation, overhead power lines, etc.

July 1, 1966—The Commission, through a series of letters to several federal agencies, solicited information about civil rights in the site areas.

August, 1966—The Commission requested confirmation of commitments from representatives of the six proposed sites and related matters.

September, 1966—The Commission gave detailed consideration to summary reports on each of the six sites.

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[5] "200 BEV Accelerator Laboratory Siting Factors."

The Commission obtained the services of power consultants to review the adequacy of power supply systems as proposed at the six sites.

December 16, 1966—The Commission announced its selection of the Chicago (Weston), Illinois site.

SUPPORT OF SOCIAL SECURITY AMENDMENTS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ASPINALL. Mr. Speaker, ever since the Social Security Act became the law of the land, the Congress has been called upon to review periodically this landmark piece of social legislation in order to insure that it remained a meaningful document by meeting the ever-changing needs of the society in which we live. The President, in the special message that he has sent to the Congress on amending the Social Security Act, is exercising his responsibility and I support his effort. It is now up to the Congress to work its will on the proposed legislation, endeavoring to make the benefits more adequate—while keeping the program financially sound.

UKRAINIAN INDEPENDENCE DAY

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOLAND. Mr. Speaker, yesterday was the 49th anniversary of the date on which the Ukraine declared its independence, January 22, 1918. However, there was no Fourth of July type celebration in the Ukraine. Instead a heavy sadness weighed upon the hearts of Ukrainians throughout the world for the grievous loss of that independence. Their proximity to the Soviet Union and their vast natural resources long coveted by the Russians forewarned an invasion. Within barely 3 years of gaining independence, the Communists had through armed force and infiltration reconquered the Ukraine.

Few people have had their commitment to freedom so sorely tested as the Ukrainians. For centuries prior to declaring their right of self-determination, the Ukraine was almost continually a battlefield. Whether by mustering Ukrainian armies or through spontaneous small revolts, the Ukrainians strove to defend their nation. Their battered nation was conquered and divided in a fluctuating pattern by its surrounding neighbors. At the beginning of the 18th century, the czarist regime of Russia began a long-continued policy of consolidation and incorporation of the bulk of the Ukraine.

Throughout this long period of Russian subjugation, the national consciousness of the Ukrainian people was sustained. Nor has nearly 50 years of Communist indoctrination succeeded in supplanting that consciousness with Marxist ideology. The fire of liberty has flickered in Ukrainian breasts throughout centuries of darkness. It continues to flicker even within the confirms of an all-pervasive Communist system.

We share with the Ukrainian people that sense of tragedy with which they regard the anniversary of an independence denied them. We are impressed and inspired by their relentless quest for freedom. We add our fervent hopes to theirs for the hastening of that day when they can again proudly say "I am a Ukrainian" and not "I am a Russian."

OLDER AMERICANS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'Hara] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, I should like to call to the attention of our colleagues a particular recommendation in the message on the elderly which the President today sent to the Congress. The 25-percent increase in funds available under the Older Americans Act is very much needed.

This statute is known as the Fogarty-McNamara Act—so named for two of the best friends America's older citizens ever had in the U.S. Congress. I refer, of course, to our late colleague, John Fogarty, whose passing just hours before the 90th Congress convened, has left a great void in this body. The man in the Senate most identified with the Older Americans Act was the late, great Michigan Senator, Pat McNamara, who died last year.

The increased funds for the Older Americans Act, as recommended today by the President, would enable States and communities to improve their community service and assure the continuation of the excellent programs just getting underway for older people across the Nation.

It has become clear that a rapid growth in the grant programs of the Older Americans Act is required if major progress is to be made toward the achievement of the objectives of this measure.

The needs of our 18½ million older citizens are great. We must develop an awareness of these needs. We must help them develop local programs which will improve their daily lives. We have here a real opportunity for progress in a largely neglected area of social policy.

I also want to emphasize the importance of the recommendation to provide food and other nutritional services for older people, including home-delivered meals, and nutritional information and education.

Poor nutrition of the elderly has more than one cause. Low income, loneliness and chronic physical illnesses or disabilities all contribute to the inability of many older people to secure an adequate diet. Increasing their incomes alone is not enough. We must have a program, based primarily in multipurpose senior centers, which can provide older people with direct meal services and with information and education in good nutrition.

DEPUTY ADMINISTRATOR MOOT, OF SBA, STRESSES IMPORTANCE OF COOPERATION FOR PROGRESS IN LEBANON, TENN.

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVINS of Tennessee. Mr. Speaker, Mr. Robert C. Moot, Deputy Administrator of the Small Business Administration, recently addressed the jaycees distinguished award banquet in Lebanon, Tenn., in the great Fourth Congressional District of Tennessee, the district which I am honored to represent in the Congress.

Mr. Moot emphasized the importance of cooperation between business, government, and communities in a unified effort to achieve growth and progress. He stressed the importance of the role of the Small Business Administration in strengthening our free enterprise system and complimented the great work of the jaycees.

We appreciate Mr. Moot's participation in this most worthwhile event and because of the interest of my colleagues and the Nation generally in the main themes of his address, I have asked unanimous consent that his remarks be reprinted in the Record.

The address follows:

REMARKS OF DEPUTY ADMINISTRATOR ROBERT C. MOOT, SMALL BUSINESS ADMINISTRATION, AT THE JAYCEES DISTINGUISHED AWARD BANQUET, LEBANON, TENN., FEBRUARY 2, 1967

During my travels I have had the pleasure of visiting many small American towns. These visits always have made me feel close to the traditions and spirit that have made this country great. I can now add Lebanon to my list. Why it has taken me this long to see this attractive community, I really don't know. I hope you will not conclude that it was because I lacked a sense of appreciation for the finer things in life.

The more I have thought about this banquet, in this community setting, in this country, at this time in world history—the more I am convinced that it is very appropriate for a representative of the Small Business Administration to be with you tonight. There is, I believe, a single chain which links all of us and the various circumstances which are related to this award ceremony.

Since the earliest days of our country we have equated the rights of life, liberty, and the pursuit of happiness to our ability to control the course of our individual economic destiny.

We seek work where we please and of the type that is most rewarding to each of us. We select an academic or professional career, a government or business career or a self-determined combination. And if we pick a business career, we can be employee or employer. All of these alternatives we have the right to consider and to select to the extent of our ability.

But rights must be protected and assured. In the same document which claimed these unalienable rights, Congress declared, "that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

And so the people of the United States and their Government joined together in the beginning in a common cause. It was—and is—the responsibility of the people to secure a richer, fuller life for all through economic growth in a competitive, free, private enterprise system. It was—and is—the responsibility of your government to aid and encourage the efforts of its citizens, to be an advocate for those who seek to exercise their economic rights and to protect them against those who would deny these rights.

Let us look at the community of Lebanon, the Jaycees and this affair, the Small Business Administration, and your Government. I find there is a common theme which binds all of us to the finest of American tradition.

Cumberland University, where we meet tonight, is the alma mater of a distinguished roster of former and present Members of Congress, six of whom either were or are chairmen of important congressional committees.

Included in this number is your own Congressman, JOE L. EVINS, who is the chairman of a committee we consider extremely important and directly related to our common theme of tonight—the House Committee on Small Business. He is also chairman of the Subcommittee on Independent Office Appropriations.

The list of his present and former colleagues who are Cumberland graduates is equally impressive: Oren Harris, of Arkansas, former chairman of the House Committee on Interstate and Foreign Commerce, Frank Chelf of Kentucky, THOMAS ABERNETHY of Mississippi, chairman of the Agriculture Subcommittee on Research and Extension, Tom Murray of Tennessee, former chairman of the House Committee on Post Office and Civil Service, OMAR BURLESON of Texas, chairman of the House Committee on Administration, and, of course, WRIGHT PATMAN of Texas, chairman of the House Committee on Banking and Currency.

There is a distinct pattern and a common pattern to be seen in the careers of these distinguished legislators. The similarity of the pattern argues against coincidence as an explanation. The community itself, as well as the faculty of the school, must have contributed to the economic knowledge and growth of these men. Together, as well as separately, they have been champions and protectors of our individual economic rights. In a very real sense they have added significantly to that heritage of open access to the wide horizons of the private enterprise system which we all enjoy. Lebanon can and should be proud of them.

As a community, Lebanon has contributed to our national goals not only through its local business and academic growth but also—and significantly—by graduating and sending men of national stature to guide our legislative department in Washington.

Now, how does the junior chamber of commerce, the Jaycees, fit into our common theme of economic growth in the American tradition? Again, we see a healthy balance in the cooperative efforts of the private and public sectors of our economy. Several hundred thousand Jaycees at the local level are training to be the leaders of tomorrow by working on constructive civic improvement projects. Nowhere is the objective of economic growth in the American way better exemplified than in this grass roots program—a program which links the community, the business world, and the youth of today in a common effort to improve our way of life. Tonight's award reflects the type of achievement which can be realized if we work together. The community of Lebanon can and should be proud of this achievement.

Is there a place for the Small Business Administration in this mutual effort of economic growth? Is the small business concern important to the American way of life? There are many reasons why it is.

All big businesses were small at one time and the only sure way to prevent the concentration of most resources into a few private hands or into the hands of the Government is to make certain that there is open access to the business world for all of us.

More than 95 percent of all concerns in the country are small in size, and are independently owned and operated. More than 40 percent of the Nation's employed are in small business. We must keep it that way or better. Assurance of economic freedom for the individual means that we must protect and encourage the use of these rights.

Small business assures adequate competition; it is the cradle for the birth of new, imaginative and useful products. It opens new employment areas so necessary to continued economic growth and well being. The door must be kept open for the small business to start, to take root and to flourish.

How does the Small Business Administration contribute to the welfare of the small business concern? It gives away no money, makes no grants, accepts knowingly no bad loans and is dedicated to encouraging the private enterprise system. And yet, through the far-sighted wisdom of congressional leaders, such as those we have mentioned, and the round-the-clock efforts of an inspired administrator, Mr. Bernard L. Boutin, it has many tools and is skillfully using all of them to aid, encourage and protect the growth of the small business sector of our economy. It is because of these programs that I think an SBA representative should be here tonight, joining in a tribute to initiative and ability, in the recognition of economic and civic growth through cooperative effort.

The SBA programs are based on the same fundamental premise which supports our entire economy.

We co-sponsor special management courses with colleges and universities. These have been attended by nearly 150,000 businessmen throughout the country.

The results must be very satisfactory. A manager of a small business was asked if he would recommend such a course to his friends. His answer was, "Yes, but not to my competitors."

Other programs seem to be equally popular. We have developed and published what is perhaps the largest library of small business management publications in the world.

Two years ago we created SCORE, the Service Corps of Retired Executives. This program channeled a vast, untapped reservoir of executive talent to an area where it was vitally needed—the Nation's small business community.

Today, 3,000 SCORE members, all volunteers, are giving small businessmen individual counseling—giving them the benefit of their own experience and know-how so that they, too, can become successful in their own right.

In addition, we have a small business advisory council in each State. These councils, composed of leading businessmen, bankers and educators, serve the SBA and the public without pay and provide needed practical recommendations to the SBA administrator.

SBA, however, does more than aid and counsel. It acts as an aggressive advocate for small business. It assures that an equitable share of government procurement is awarded to the smaller concerns. It enables the worthy small business concerns to borrow funds for initiation or expansion. When funds are not available in the private sector, SBA will lend limited amounts of government funds just as long as there is a reasonable assurance of repayment.

The bankers of the country and the SBA have developed a fine working relationship—more than one-third of the loans which SBA is now approving do not involve any government money. The small businessman is helped in his own community by his friends and neighbors whose savings he borrows through the local bank. We think the community can and should be proud of this joint public and private effort.

At this point it might be well to put all these pieces together—the Jaycees, the community and the Government—to see how well we are working as a team.

In the past five years, the economic growth of the country has been increased by $100 billion, mostly in real value. It is expected that this rate will continue.

Yet, at the same time we are experiencing this sound, unprecedented growth, we are fighting a costly war some 10,000 miles across the Pacific. Each month hundreds of ships and hundreds of aircraft transport more than a million tons of supplies to our troops in southeast Asia. We are providing seven pounds of food per man per day. These troops are the best equipped and fed of any army in history—more than 85 percent of all the meals served in South Vietnam are hot meals with fresh meat and vegetables.

Is it a strain on all of us to support this effort? Of course it is—but the President has asked for no price controls, no wage controls or no rationing of our daily domestic needs.

Ladies and gentlemen, I think this proves that our system is healthy, strong and the right one for us. We can and should be proud of our heritage and our future.

Thank you.

TEACHERS SABBATICAL LEAVE BILL

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. MINK. Mr. Speaker, I am today introducing my bill to establish a program of sabbatical leave grants for experienced teachers in elementary and secondary schools. This bill, which was reported out of the Committee on Education and Labor as H.R. 10622 on September 2, 1965, during the 89th Congress, received the unanimous endorsement of teachers' organizations presenting testimony to the committee.

It is recognized on every hand that our culture is changing rapidly and dynamically. As new breakthroughs are made in some fields of knowledge and whole concepts are revised and updated in others, technological changes have wrought dramatic transformations in the appearance and the quality of the world we inhabit. The concepts and techniques I was taught in the public school classroom are hopelessly outdated already, yet many of the same teachers who taught me are still laboring in the classrooms. What resources do they have available to keep themselves abreast of the changes in methodology and knowledge so that the students in their charge do not receive an outmoded and thereby worthless education?

Many of our dedicated public school teachers attempt to improve themselves by attending night classes in nearby colleges, others spend their summers taking the necessary course work. The value of this renewal of learning is recognized universally by school administrators and school boards, which in districts throughout the country require certain minimum amounts of continuing formal study if teachers are to retain their accreditation. Thus in most cases, it becomes imperative for the teacher to have the opportunity to enroll in classes in order to hold his position.

Another overpowering evidence of the value placed on continuing education is illustrated by the growing practice of school boards authorizing incentive pay boosts for certain amounts of course work over and above the basic degree work. Virtually every school district in the Nation pays more for the master's degree than it does for the bachelor's, and many of them offer the same salary increases for the equivalent course work whether the degree is obtained or not.

Our colleges and universities recognize the necessity of providing sabbatical leaves to keep the teacher and his subject matter vitalized, but this thinking has not been applied at the elementary and secondary level where it is perhaps even more necessary.

Surely no one will dispute that the world we inhabit in 1967 is a far different world than that of 1947, or even of 1957. Society is constantly in flux, patterns of living change, cities grow and present new problems in sociological orientation. Increasing attention has been focused on the problems of disadvantaged youth, school dropouts, juvenile delinquency, job retraining, children with learning disabilities, racial integration—all these cultural concerns demanding radically modern and sophisticated approaches to teaching.

As society evolves and becomes increasingly altered by technology, so the discipline of teaching cannot remain untouched. How many of our teachers in the public schools today have been in the classroom recently enough to have absorbed any instruction in programed learning, teaching machines, team teaching, ungraded classes, educational television, and a host of other new developments which promise to bring education out of the horse-and-buggy era?

It becomes imperative that we provide the means whereby teachers may devote their valuable time to full-time study in the areas mentioned above. Not only are teachers' salaries universally too low to allow any teacher to put enough money aside to take off a year on his own to return to college, but many teachers, especially those attempting to support families on small salaries, actually have to accept summer teaching jobs to make ends meet.

The problem is cyclical—because of low salaries teachers find it difficult to devote full time to continuing study, and then because of the necessity to take other jobs, cannot even devote summers to such course work. This is not even to take into consideration those uncounted teachers who take additional jobs during the school year because of the inadequacy of their wages.

It is also well known in the education profession that many teachers simply have to abandon their careers and go into industry because of the more attractive salaries offered there. Hopefully, my bill would help to prevent this steady drain of trained and experienced people. Furthermore, many States have been forced to hire individuals who do not meet full certification requirements, and I anticipate that a Government-sponsored sabbatical leave program will enable these teachers to bring their qualifications up to desired standards. For those teachers already fully accredited, a sabbatical leave will enable them to qualify for promotion and for increased salaries, as explained above, and thereby hopefully keep more people in the profession with the brightened outlook for advancement.

No business or industry can afford to compete in the modern world without keeping abreast of the times. and thus we find industry-sponsored on-the-job training as well as subsidized retraining. Why should not the public business—that of educating our youth—receive the same treatment? The role of education as a matter of national concern is amply evidenced by the many bills passed in recent years to open up educational opportunity for all of our youth. I now propose this legislation to provide educational opportunity for our teachers.

Let me summarize the Teachers' Sabbatical Leave Act:

The bill would authorize yearly appropriations not in excess of $50 million. The grant distributions are categorized as follows: first, 50 percent to teachers who have taught in elementary or secondary schools for a minimum of 3 academic years, who do not hold a baccalaureate degree, and who will pursue a course of study toward such degree; and, second, 50 percent to teachers (A) who have taught in elementary or secondary schools for a minimum of 7 academic years, who hold a baccalaureate degree, and who will pursue a course of study in a subject which they teach, or (B) who have taught in elementary or secondary schools for a minimum of 3 academic years, who hold a baccalaureate degree, and who will pursue a course of study in a subject matter area where a special need exists.

The grants will be allocated to the States on a pro rata basis. For the first category above, the grants will be allocated to the States considering the number of elementary and secondary school teachers in a State without baccalaureate degrees versus the number of elementary and secondary school teachers in the United States without such degrees. For the second category above, the grants will be allocated to the States considering the number of elementary and secondary school teachers in a State who have baccalaureate degrees and who have taught for a minimum of 7 academic years versus the number of elementary and secondary school teachers in the United States with such qualifications.

The bill contains a "Maintenance of effort" section which would prevent this program from replacing existing local and State sabbatical leave programs. It contains a limitation section which prevents the grants from being used for study at a school or department of divinity. It further prevents a department, agency, officer, or employer of the United States from exercising any direction, supervision or control over, or imposing any requirements or conditions with respect to the personnel, curriculum, methods of instruction, or administration of any educational institution.

The bill will enable the Commissioner of Education to award a grant to an eligible teacher at the rate of $200 per month during periods such teacher is maintaining satisfactory proficiency in, and devoting essentially full time to, the pursuit of his course of study. The grants may not extend for a period beyond 12 months. They may, however, supplement grants awarded to teachers under existing local or State sabbatical leave programs; except that, in these instances, the Federal share shall be reduced so that the total stipend per month does not exceed $400. The Commissioner shall also pay, on behalf of the teacher, the tuition and fees incurred by such teacher—not to exceed a total of $1,000—to the institution of higher education at which the teacher is pursuing his course of study.

In addition to the aforementioned, the basic eligibility requirements for an elementary or secondary school teacher to receive a sabbatical leave grant are:

First, that the teacher has not received a grant under this act within the 7 preceding years;

Second, he has obtained a leave of absence from his employer to participate in the program provided for in this act, and has obtained from his employer assurances satisfactory to the Commissioner that his employment as a teacher may be resumed upon completion of his participation in the program;

Third, he has given assurances satisfactory to the Commissioner that he will resume teaching in elementary or secondary schools upon completion of his participation in the program; and

Fourth, he has been accepted for enrollment on a full-time basis by an institution of higher education.

The full text of the bill is as follows:

H.R. 3372

A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Teachers' Sabbatical Leave Act".

SABBATICAL LEAVE PROGRAM

SEC. 2. The Commissioner of Education (hereinafter referred to as the "Commissioner") shall carry on a program for the award of sabbatical leave grants to experienced teachers in elementary and secondary schools to enable them to improve their qualifications as teachers.

ELIGIBILITY

SEC. 3. A teacher in an elementary or secondary school shall be eligible for a sabbatical leave grant if such teacher—

(1) has not received such a grant under this Act within the seven preceding years;

(2) has obtained a leave of absence from his employer to enable him to participate in the program provided for in this Act, and has obtained from his employer assurances satisfactory to the Commissioner that his employment as a teacher may be resumed upon completion of his participation in such program;

(3) has given assurances satisfactory to the Commissioner that he will resume teaching in elementary or secondary schools upon completion of his participation in such program;

(4) has been accepted for enrollment on a full-time basis by an institution of higher education; and

(5) is a teacher described in clause (1) or (2) of section 6.

SABBATICAL LEAVE GRANTS

SEC. 4. The Commissioner shall award sabbatical leave grants, for not to exceed twelve months, to teachers eligible therefor under section 3, and shall make payments to each teacher awarded such a grant at the rate of $200 per month during periods such teacher is maintaining satisfactory proficiency in, and devoting essentially full time, to the pursuit of his course of study. A sabbatical leave grant may be made to a teacher for a period during which he is receiving a grant under a State or local sabbatical leave program, but the grant provided under the preceding sentence shall be reduced to the extent it would, when added to the grant under the State or local program, exceed $400 a month.

GRANTS TO INSTITUTIONS OF HIGHER EDUCATION

SEC. 5. In addition to amounts paid a teacher under section 4, the Commissioner shall pay, on behalf of such teacher, to the institution of higher education at which such teacher is pursuing his course of study, the tuition and fees incurred by such teacher, including course-required books, not to exceed a total of $1,000.

CATEGORIES OF GRANTS

SEC. 6. Of the sabbatical leave grants awarded in any fiscal year (1) 50 per centum shall be awarded to teachers who have taught in elementary or secondary schools for three or more academic years who do not hold a baccalaureate degree and are candidates for such a degree, and (2) 50 per centum shall be awarded to teachers—

(A) who have taught in elementary or secondary schools for seven or more academic years, who hold a baccalaureate degree, and who need to maintain their proficiency in a subject which they teach, or

(B) who hold a baccalaureate degree, who have taught in elementary or secondary schools for three or more academic years, whose employer has certified them to be teaching or preparing to teach in a subject matter area where a special need exists, and who, if teaching in such an area, need to maintain their proficiency in such area, or, if preparing to teach in such area, need to obtain a basic proficiency in such area.

DISTRIBUTION OF GRANTS

SEC. 7. Sabbatical leave grants shall be distributed among the States so that—

(1) the number of such grants awarded to teachers described in clause (1) of section 6 in each State shall bear the same ratio to the number of grants awarded to such teachers in all the States as the number of elementary and secondary school teachers who are teaching in such State without a baccalaureate degree bears to the number of such teachers who are teaching in all the States without such a degree; and

(2) the number of such grants awarded to teachers described in clause (2) of section 6 in each State shall bear the same ratio to the number of grants awarded to such teachers in all the States as the number of elementary and secondary school teachers teaching in the State who have a baccalaureate degree and who have taught for at least seven years bears to the number of elementary and secondary school teachers teaching in all the States who have a baccalaureate degree and who have taught for at least seven years.

For the purposes of this section, the overseas schools of the Armed Forces shall be treated as a State.

LIMITATIONS

SEC. 8. No sabbatical leave grant shall be awarded under this Act for study at a school or department of divinity. For the purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

MAINTENANCE OF EFFORT

SEC. 9. Where an employer of elementary or secondary school teachers, or a State, carried on a sabbatical leave program prior to the enactment of this Act, teachers employed by such employer, or teaching in such State, shall be eligible for grants under this Act during a fiscal year only if such employer or such State, as the case may be, provides assurances satisfactory to the Commissioner that it will not reduce its expenditures for its sabbatical leave program below the amount expended for such purpose during the fiscal year ending June 30, 1967, by reason of the availability of grants under this Act.

APPROPRIATIONS

SEC. 10. There is authorized to be appropriated for the fiscal year ending June 30, 1968, and each fiscal year thereafter, such amount, not in excess of $50,000,000, as may be necessary to carry out the provisions of this Act.

FEDERAL CONTROL NOT AUTHORIZED

SEC. 11. No department, agency, officer, or employee of the United States shall, under authority of this Act, exercise any direction, supervision, or control over, or impose any requirements or conditions with respect to, the personnel, curriculum, methods of instruction, or administration of any educational institution.

DEFINITIONS

SEC. 12. As used in this Act—

(a) The term "State" means a State, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, or the Virgin Islands.

(b) The term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited.

(c) The term "teacher" includes persons performing services in elementary or secondary schools which are in fields ancillary to elementary or secondary education such as library science, school social work, guidance and counseling, educational media, and special education of handicapped children.

(d) The term "elementary or secondary school" means a school in a State or school overseas of the Armed Forces of the United States which provides elementary or secondary education, as determined under State law (or by the Commissioner in the case of a school overseas).

PERIL TO PANAMA CANAL

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Speaker, during the last few years, I have addressed this body on many occasions emphasizing the growing peril to the south of us in the Caribbean and offering programs of action to meet the dangers involved. For all seeking information on what was stated, attention is invited to the recently published volume of my principal addresses, 1958–66, on "Isthmian Canal Policy Questions," printed as House Document No. 474, 89th Congress, and distributed to all Members of the Congress.

Though the main news media of our country, with rare exceptions, have failed to measure up in reporting and evaluating what has taken place, and is still transpiring, in the region that has been described as our "fourth front," there has been an occasional publicist who has met the needs of the situation. One of these is Chesly Manly of the Chicago Tribune News Service, who has recently made an intensive study of the explosive situaiton in the Caribbean, including Panama.

A recent news story by Mr. Manly giving additional information on the extent of the dangers from Communist planning and penetration in the Caribbean domain follows:

[From the Chicago Tribune, Jan. 1, 1967]

PERIL TO THE CANAL: COMMUNISTS CIRCLING THE CARIBBEAN

(By Chesly Manly)

PANAMA CITY.—In his classic geopolitical treatise on the influence of seapower upon history, published in 1890, Capt. Alfred Thayer Mahan said the construction of a canal across the isthmus of Panama would make the Caribbean sea as important in the history of the world as the Mediterranean had been.

Evidently the Communists have the same understanding of geopolitics. From their Cuban base for revolution in the western hemisphere, on the northern rim of the Caribbean, they are striving incessantly to turn this fateful sea into a communist mare nostrum.

A 175-page report issued recently by the council of the organization of American States says the so-called Tri-Continental conference in Havana last January "marked a new phase in world communist strategy by creating permanent organizations to aid armed subversive movements aimed at overthrowing existing governments and establishing communist regimes." The OAS report says the Havana conference was organized and directed by the Soviet Union, Red China, Cuba, and other communist countries and that it created a communist OAS—the Organization of American Solidarity, with headquarters in Havana—to support "liberation" forces thruout Latin America.

Communist guerrillas and subversive elements have been particularly active in Guatemala, Colombia, Venezuela, and the Dominican Republic, all on the perimeter of the Caribbean.

REDS DIFFER, BUT ALL WANT THE WORLD

Altho Moscow and Peking may differ on strategy and tactics, both are proponents of world conquest by revolutionary warfare. Lin Piao, Red China's defense minister and Mao Tse-tung's successor designate, has described North America and western Europe as the cities of the world and the countries of Asia, Africa, and Latin America as the rural areas. He says the Communists support so-called "people's wars" in the "rural areas" to encircle and conquer the "cities." Nikita Khrushchev proclaimed the same strategy in January, 1961, when he said the Communists advocate "peaceful coexistence" between states but not between ideologies and pledged assistance to revolutionary "wars of national liberation" in Asia, Africa, and Latin America.

Those who contend that the Moscow variety of Communist is "mellowing" and is less a threat to world peace and United States security than Maoism or Piaoism seem to forget that it was Khrushchev who put ballistic missiles in Cuba in 1962. Moreover, the program of the Communist parties of the world, expounded by Khrushchev in January, 1961, was confirmed by his successors in the Kremlin.

Earl E. T. Smith, former ambassador to Cuba, blames communist sympathizers in the state department and the indifference of the Eisenhower administration for the triumph of Fidel Castro and his bearded guerrillas in Cuba. In his book, "The Fourth Floor," Smith says Secretary of State John Foster Dulles refused even to talk to him about Cuba.

The Kennedy administration failed in two opportunities to overthrow Castro's regime. One was the Bay of Pigs fiasco of April, 1961, when air support promised to an invasion force of anti-communist Cubans was withheld by the President. The other was the missile crisis of October, 1962, when the President accepted Khrushchev's unverified word that his missiles had been returned to Russia. As interpreted by Khrushchev and not contradicted by President Kennedy, a pledge given by the President prohibits any invasion of Cuba by United States or other forces. It amounts to a guarantee for the protection of a Soviet satellite 90 miles from the Florida shores.

President Kennedy's defenders say he acted prudently because the world was on the brink of a nuclear holocaust. European Kremlinologists such as Prof. Boris Meissner of Cologne university ridicule the notion that Khrushchev would have risked a nuclear exchange with the United States and destruction of his own country over an island as far away as Cuba.

President Johnson's intervention with 20,000 American troops in the Dominican Republic revolution of April, 1965, prevented an immediate communist takeover of that Caribbean bulwark. But the deployment of American troops between rebel and loyalist Dominican forces in Santo Domingo also prevented ultimate defeat of the communist revolutionaries, and the final settlement in the Dominican Republic may give them another chance to take over the country.

The Communists, who were not even compelled to turn in their arms, dispersed throughout the country. About half of the 1,000 rebel Dominican army troops were discharged and all but 93 of the others were reintegrated with loyal troops. The 93 others were brought to the United States for "rehabilitation training." Whether they will be rehabilitated or returned as a well-trained fifth column remains to be seen.

J. I. Quello and N. Isa Cond, members of the Dominican Communist party's central committee, have acknowledged in two articles published in the World Marxist Review, of Moscow, that the Dominican revolution was "prepared by the June 14 movement," an organization of Castro-supported Communists in the Dominican Republic. Former President Juan Bosch, a leftist in whose name the revolution was fought, was overwhelmingly defeated in a free election last June 1, but the new president, Joaquin Balaguer, still faces the threat of communist subversion.

GUEVARA POINTED WAY FOR GUERRILLAS

Maj. Che Guevara, one of Castro's chief lieutenants in the Cuban revolution, asserts in his book on guerrilla warfare that revolutions are won by the combined action of communist guerrilla fighters in rural areas, who win the sympathy and support of the peasants, and urban Communists who spread disorder, confusion, and fear in the cities by acts of terrorism and sabotage.

Thus far the Communists in the Dominican Republic have had no success with the conservative Dominican peasants and have depended upon underground movements, communist fronts, and dissident army officers in Santo Domingo for action against the government. In Guatemala, Colombia, and Venezuela, however, the Communists have combined guerrilla warfare in rural areas with campaigns of terrorism and sabotage in Guatemala City, Bogota, and Caracas, the respective capitals.

Guatemala, where the anti-communist Cubans were trained for their ill-fated Bay of Pigs adventure, is second only to oil-rich Venezuela on the communist "liberation" program and probably is in greater danger of a communist takeover than any other Latin American country. It was under communist control from 1950 to 1954 during the regime of Jacobo Arbenz Guzman, who was overthrown in a revolution led by Col. Carlos Castillo Armas and supported by the Eisenhower administration.

President Julio Cesar Mendez Montenegro has accused both his communist and his right-wing enemies of terrorism and sabotage in Guatemala City and has imposed a "state of siege" to facilitate arrests. Two main guerrilla bands operate from eastern Guatemala. One is led by Marco Antonio Yon Sosa, who is called "El Chino" because his father is Chinese. He is pro-Peking. The other guerrilla leader, supported by Castro and the Russians, is Luis Turcious Lima. Both are former army officers.

Conservatives in Guatemala charge that Mendez is soft on communism and attack his land and tax reform programs as communistic. His Revolutionary party is well to the left of center. He received 43 per cent of the vote in a three-man race for president last March. One of the defeated candidates was supported by Col. Enrique Peralta Azurdia, who had been president since the coup of March, 1963, against President Miguel Ydigoras Fuentes.

BANDITS IN COLOMBIA

In February, 1964, Diario las Americas, an authoritative journal on Latin American affairs, published in Miami, reported after an extensive investigation that five so-called bandit zones in Colombia had been organized as "independent republics," under communist administration, similar to the invisible Viet Cong governmental units in South Viet Nam.

In 1965, the Colombian army drove most of the Communists out of these zones, and since then it has kept them confined in remote mountain hideouts. It is believed, however, that many of the guerrillas crossed over into Venezuela for operations there until there are more favorable opportunities in Colombia.

There have been sporadic bombings and other acts of terrorism in Bogota, but Colombia's new president, Carlos Lleras Restrepo, has acted energetically to crush the Communists. He is attempting to carry out an enlightened reform program, but he faces opposition from the same forces that paralyzed the government under his weak predecessor, Guillermo Leon Valencia.

SITUATION IN VENEZUELA

The Venezuelan army also has done a good job of containing guerrilla movements, but the Castro-supported FALN [armed forces of national liberation] recently resumed terroristic attacks on American-owned oil pipe lines, supermarkets, department stores, and even a United States department of commerce trade fair in Caracas. The resurgence of terrorism disproved claims by President Raul Leoni that the communist movement was as good as dead.

Gen. Ramon Florencio Gomez, defense minister, blamed the resumption of violence on the government's release of 31 political prisoners, most of whom had been leaders of guerrilla operations in the early 1960s. Former Interior Minister Gonzalo Barrios released the prisoners on Nov. 16, the day before he became secretary general of the ruling Democratic Action party.

Although the FALN gets arms and money from Castro, it manufactures some of its own weapons. In October, 1965, the national police found a modern and efficient underground arms factory and a formidable arsenal of machine guns, mortars, and other finished products.

EXORBITANT DEMANDS BY PANAMA—REPORT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Speaker, in the November 19, 1966, issue of the Star & Herald, Panama, R.P., there appeared a news story about the current diplomatic negotiations with the Panamanian Government regarding the Panama Canal that Panama has now demanded the payment of an $80 million annuity by the United States. At the present time, the annual net profits of the canal enterprise amount to about $3 million of which $1,930,000 go to Panama. Any annuity in excess of the net profits must be paid by the American taxpayers and is in complete defiance of what realistic considerations may permit.

Such demand, if the report is correct, is not only one of the most outrageous character but also evidence of the ever-increasing assurance of Panamanian negotiators who have been, and are, taking advantage of the weakness and impotence of the negotiators acting for the United States.

One after another excessive demand by Panama has been conceded by our Government and has brought about a condition of chaos in the Canal Zone. All of this, as I have so frequently pointed out, plays squarely into the hands of audacious Communist strategists who for years have sought to divest the United States of all influence and authority over the canal that would be undoubtedly followed with ultimate communistic control of Panama and the great isthmian waterway. Cuba was such a simple takeover by communism that Panama has seemed to be an easier prize for communistic conquest.

The indicated news story follows:

Report $80 Million Canal Claim by Republic of Panama—No Comment in Panama or in Washington—Los Angeles Times-News Service Says "Whopping" Claim May Cause Difficulties

A demand by Panama for a compensation of $80,000,000 a year from the United States in current negotiations for a new Panama Canal treaty was reported yesterday in Washington by the Los Angeles Times-News Service.

Both the Panama Foreign Ministry and the U.S. State Department declined comment on the report.

A spokesman for the Foreign Ministry, saying that newsmen both in the United States and in Panama are entitled to speculate on the treaty negotiations, pointed out the secret nature of the negotiations precludes any comment on newspaper reports.

In Washington, State Department officials indicated they had not heard of such a proposal, but declined to say whether the report is correct or incorrect.

U.S. officials said the negotiations "for obvious reasons" have been secret and they intend to keep them that way until they are completed. Ambassador Ricardo M. Arias, a member of the Panama negotiating team, was not available for comment, the Panama Embassy in Washington said.

Panama and U.S. officials have said from the start of the talks in 1964 that there would be no discussion of details of the negotiations.

The report published by the Los Angeles Times News Service said that Panama has asked "a whopping $80 million annual compensation payment from the United States" and said the amount "shook some officials here (in Washington), and may cause difficulties" in the negotiations. The present Canal annuity amounts to $1,830,000.

Panama and the United States have been negotiating a revision of the 1903 treaty on the Panama Canal, an agreement for building of a sea-level waterway to replace the present lock-operated canal should Panama be chosen as the site for such an inter-oceanic link, and a bases agreement.

Officials in Washington said the negotiations are progressing but gave no details.

The Los Angeles Times-News Service report coincided with an announcement Thursday in Panama by Foreign Minister Fernando Eleta that he will request a special session of the National Assembly prior to December 20 to report on the status of the treaty negotiations. He did not indicate if there is a particular reason requiring a special report to the Assembly at this time on the treaty negotiations. The last special session called to hear a treaty negotiations report was held a year ago.

Eleta said Panama's three negotiators will attend the special Assembly session next month.

GENERALISSIMO FRANCO DECLARES SUPPORT OF THE UNITED STATES IN VIETNAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Speaker, as Members of this House are well aware, the Government of Spain has a firm and consistent record of opposition to communism. As such, the Government of Spain under Generalissimo Francisco Franco, the Chief of State, is recognized for its anti-Communist leadership by many people outside of Spain.

Therefore, I am confident that Members of this House will be particularly interested in the recent declaration by Generalissimo Francisco Franco in support of the U.S. war effort in Vietnam.

Generalissimo Franco's statement of support of the United States in Vietnam was made on the occasion of his recent meeting, in Madrid, with the commander in chief of the Veterans of Foreign Wars of the United States, Mr. Leslie M. Fry, from Reno, Nev., and Brig. Gen. James D. Hittle, U.S. Marine Corps, VFW director of national security and foreign affairs.

Also accompanying Commander Fry was Col. Leon G. Turrou, commander of the VFW post in Paris, formerly a prominent FBI agent, author, and recently president of the NATO Reserve Officers Association.

At a time when clearcut support by other countries for our battle in Vietnam is all too rare, Generalissimo Franco's words of support and understanding are all the more important. Parenthetically, it should be recognized that the strategic importance of Spain in the defense of Western Europe and the Mediterranean is all the more important today because of the military withdrawal of France from NATO. This makes Generalissimo Franco's comments pertaining to the need for strong links between the United States and Spain in the defense of the West all the more significant.

Again, the Veterans of Foreign Wars of the United States has made another contribution to the cause of freedom in the defense against Communist aggression.

Because of the importance of VFW Commander in Chief Fry's meeting with Generalissimo Franco, I include at this time an article from the San Diego Union of November 3, 1966, by Brig. Gen. James D. Hittle, U.S. Marine Corps, VFW director of national security and foreign affairs and, also, an editorial from the San Diego Union of November 12, concerning the importance of Generalissimo Franco's statements in support of U.S. policy in Vietnam as expressed in his meeting with VFW Commander in Chief Fry.

The articles follow:

[From the San Diego Union, Nov. 3, 1966]

Franco Backs United States on Viet Nam

(By Brig. Gen. James D. Hittle, USMC (Ret.))

Madrid—Gen. Francisco Franco, enigmatic chief of state of Spain, yesterday declared full support for U.S. goals in South Viet Nam.

"It is an ungrateful task that the United States is performing," Franco said, "but we Spaniards know that except for this American stand, all of Asia might go Communist."

The 74-year-old general met for 30 minutes in a private audience with Leslie M. Fry of Reno, Nev., national commander of the Veterans of Foreign Wars; Leon Torrou, commander of the VFW post in Paris and president of the North Atlantic Treaty Organization Reserve Officers Association, and the writer.

"Someday," Franco said, "the free world will appreciate the task that the United States is performing in South Viet Nam."

The Spanish chief of state asked Fry to convey a special message to the people of America and particularly to the men in Viet Nam.

"I want to express our friendship, understanding and our best wishes for success," Franco said.

Franco's government has sent a military medical mission to South Viet Nam.

When Fry mentioned protests in the United States and Western Europe against U.S. policy, Franco said:

"There is no freedom without sacrifice."

In a tribute to Fry's organization, Franco said:

"We are well aware of the strength of the Veterans of Foreign Wars as a repository for American ideals."

The Organization of overseas veterans has a membership of 1.5 million. Fry is on a factfinding trip through Western Europe.

Official observers in Madrid said Franco's statements on the Viet Nam war were the clearest, most concise yet heard in the Spanish capital.

"He certainly dispelled any doubts about Spain's policy," said one American official.

The position of the Spanish chief of state has been the topic of speculation here since Franco's withdrawal from NATO's military structure, since anti-American propaganda has gained in Europe and since Spanish newspapers gave great prominence to French President Charles de Gaulle's most recent criticism of President Johnson.

France's withdrawal from NATO commands also has heightened the strategic importance of Spain in the defense of Western Europe and the Mediterranean.

Pressed for a statement on Spain's position, Franco said:

"I hope the links between the United States and Spain will be strong in defense of the West.

"Tell your people back home that Spain is a firm friend of the United States."

The audience was held in Franco's office in the El Prado Palace on the outskirts of Madrid. The generalissimo, clad in uniform, appeared in excellent health. He is not a large man, but his handshake is firm, his bearing is military. His speech is clear. He had just returned to the palace after a day of hunting near Toledo.

Spain is not a member of the North Atlantic Treaty Organization but is tied to the United States through bilateral military agreements that provide for American bomber bases and a Polaris submarine base on Spanish territory.

[From the San Diego Union, Nov. 12, 1966]

Franco Speaks With Authority—Spain Supports U.S. Stand

Few can doubt the authority of Gen. Francisco Hermangildo Teodulo Franco y Bahamonde when he speaks of the nature and techniques of the Communists, whatever their nationality.

Fighting Communists has been second nature to Gen. Franco, the chief of the state of Spain.

He was a brilliant young officer during the Spanish Civil War of 1936–39 in which the Russian-supported Communists were pushed from power in Spain.

After World War II when he was chief of state, Gen. Franco survived an economic blockade of his nation by the international Communist movement. When Russia obtained all of Spain's gold reserves after the war, Franco also was able to reconstruct his nation on its painful way toward economic gain and security.

It was a slow road which led to membership in the United Nations in 1955 and diplomatic relations with Western nations.

His knowledge of the Communists gives Gen. Franco's words special weight as he speaks of Viet Nam:

"It is an ungrateful task the United States is performing, but we Spaniards know that except for the American stand all of Asia might go Communist," *Gen. Franco told Leslie M. Fry, U.S. Commander of the Veterans of Foreign Wars.*

"Some day," Gen. Franco added, "the free world will appreciate the task that the United States is performing in Viet Nam. . . . There is no freedom without sacrifice."

The words are spoken with the conviction of one who has learned about the gamut of the enemy's tactics, from outright war to devious diplomacy.

Gen. Franco, even today, shows his enmity to Communist aggression by keeping a medical contingent in South Viet Nam and offering the United States use of an airfield and a submarine base on Spanish soil.

The Spanish bases assume a new strategic importance with the withdrawal of France from the North Atlantic Treaty Organization. The bases and Franco's realistic appraisal of the Communist enemy would make him a valuable partner in NATO—something that should engage thoughts of the alliance.

FURTHER CHAOS IN CANAL ZONE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLOOD. Mr. Speaker, on repeated occasions, I have emphasized in addresses to this House of the Congress the confusion and chaos that would inevitably follow in the Canal Zone as the result of weak policies by our Government in dealing with the mob-controlled government of Panama. My views were clearly and positively set forth in my address on May 5, 1964, entitled "Under Two Flags: Blunders, Confusion, and Chaos at Panama." This is one of the statements to be found on pages 76 to 98 in the volume of my addresses, "Isthmian Canal Policy Questions"—House Document No. 474, 89th Congress—which has been distributed to all Members of the Congress, principal libraries of the Nation, selected educational institutions, and other repositories.

What are the latest reports from the Isthmus? Panamanian students have again been demonstrating in the Canal Zone, singing the Panamanian national anthem and flaunting Panamanian flags. Not only that, the National Guard of Panama has been stationed in the Canal Zone ready to meet threats of disorder, thus taking over the duties of the Canal Zone police. From this it is clear that radical elements in Panama are attempting to assert in advance the extinction of U.S. sovereignty over the Zone.

Under our Government's currently weak policy with respect to the Canal Zone, Mr. Speaker, it was but natural for radical students in Panama to organize for another "sovereignty march" into the Canal Zone that was scheduled for January 9, 1967, the third anniversary of the 1964 bloody Panamanian mob assault on the zone territory. When these revolutionaries approached the zone, the National Guard of Panama was on the alert, swung into action, and dispersed the would-be invaders while the mob was still small. Had this action not been taken it is possible that the demonstration would have become large, with a repetition of the bloody 1964 assault.

Why, Mr. Speaker, should citizens of a foreign country be encouraged in making organized forays into the Canal Zone by being allowed to romp at will over our territorial possession? Why are our officials too timid to prevent such disturbances on soil under the control and authority of the United States? Certainly, such weakness do not characterize the Armed Forces of our country. They can only come from certain elements in our Department of State, which, since 1936, have messed up the situation at Panama until our position there has been placed in the gravest peril.

The President, instead of relying on such advisers, would do far better if he sought the guidance of our experienced military and naval commanders, including members of the Armed Forces in the Canal Zone.

The chaos that has been repeatedly predicted by myself and other objective students of the Canal situation has come to pass and will certainly grow worse if the Canal Zone is to be made into a happy hunting ground for communistically inspired demonstrators from Panama and Cuba. The 1903 treaty has not been abrogated and until it is—God forbid—it is the sworn duty of our Government to exercise its full and indispensable rights, power, and authority under the treaty to assure the efficient management of the Canal and protection of the Canal Zone and all who live or work within its limits.

Certainly, Mr. Speaker, if we do not respect our own authority and insist on a policy of vascillation and surrender, it certainly follows that communistic and other subversive elements will respect neither our authority at Panama nor our National Government. Moreover, the nations of the world will hold us in contempt and derision. The time is overripe for a full and complete investigation by the Congress of the entire situation at Panama. National security demands it.

Excerpts from the Spanish-language press of Panama follow:

[From the Panama Canal Information Office, daily digest of news and editorial opinion of Panama news media]

DECEMBER 14, 1966

La Prensa, December 13, in the news columns:

A picture on the back page shows Panama National Guardsmen stationed in the Canal Zone. Cutlines below the pictures say the Guardsmen were ready to meet any threat of disturbance which the National Institute students may cause during their sovereignty march into the Canal Zone. Several other papers also carried stories and pictures on the march and demonstration.

Page 2 is devoted to two pictures of student demonstrations in the Canal Zone. One shows students singing the Panama National Anthem, and the other a Canal Zone water turret nozzle truck used in riot control. The cutlines say this is the first time this truck has appeared.

El Panama America, December 13, in the news columns:

The Isthmian Federation of Christian workers has organized a "Sovereignty March" for January 9, 1967, to commemorate the third anniversary of the 1964 incidents in Panama, says a story in the center of the front page.

DECEMBER 28, 1966

La Hora, December 27, in the news columns:

"A sovereignty caravan will demand abrogation of the 1903 treaty" says a 4-column headline at the bottom of the front page. The report says members of this caravan will meet at Panama University with members from every corner of the interior to march in commemoration of the events of January 1964.

JANUARY 11, 1967

La Hora, January 10, in the news columns:

The Panama National Guard threw tear gas at a group of boys who, after the meeting in commemoration of the January 9, 1964, riots had headed for the Canal Zone, according to story and pictures in the middle of the back page.

El Panama America, January 10, in the news columns:

A boy who threw a smoke bomb at the close of the meeting at the Plaza Cinco de Mayo Tuesday night to commemorate the January 9, 1964 riots, is being detained in the jail of Panama's National Department of Investigations, says a front page report. It is believed the incident was caused by leftists who wanted to start chaos, says the report. Pictures of the meeting are at the bottom of the front page.

La Prensa, January 10, in the news columns:

Two pictures on the front page are of incidents that occurred after the meeting commemorating January 9, 1964, in Plaza 5 de Mayo. One picture shows Panama National Guardsmen using tear gas to disperse students who tried to dash into the Canal Zone. Cutlines says the youths broke store windows and overturned garbage cans on Central Avenue.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ALBERT, for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. PERKINS (at the request of Mr. ALBERT), for 20 minutes, on January 24, 1967; to revise and extend his remarks and to include extraneous matter.

Mr. RESNICK, for 60 minutes, today.

Mr. HALPERN (at the request of Mr. ERLENBORN), for 15 minutes, January 24, 1967.

Mr. GILBERT (at the request of Mr. KAZEN), for 1 hour, on January 24, for the purpose of eulogizing the Honorable Charles A. Buckley, to revise and extend his remarks and to include extraneous matter.

Mr. TUNNEY (at the request of Mr. KAZEN), for 1 hour, on January 25, to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. REUSS.

(The following Members (at the request of Mr. ERLENBORN) and to include extraneous matter:)

Mr. FINO.

Mr. WIDNALL.

(The following Members (at the request of Mr. KAZEN) and to include extraneous matter:)

Mr. WILLIAM D. FORD.

Mr. HOWARD.

ADJOURNMENT

Mr. KAZEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 24, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

234. A communication from the President of the United States, transmitting a recommendation that the Congress extend the Appalachian Regional Development Act of 1965, (H. Doc. No. 41); to the Committee on Public Works and ordered to be printed.

235. A letter from the Secretary of Defense, transmitting a report setting forth the financial condition of working capital funds as of June 30, 1966, pursuant to the provisions of 10 U.S.C. 2208; to the Committee on Armed Services.

236. A letter from the Secretary of Labor, transmitting a report of the number of cases that have been reviewed, and the number of certificates issued to ex-service men and women, pursuant to the provisions of Public Law 89–690; to the Committee on Armed Services.

237. A letter from the Comptroller General of the United States, transmitting a report of need for improving administration of the cost of pricing data requirements of Public Law 87–653 in the award of prime contracts and subcontracts, Department of Defense; to the Committee on Government Operations.

238. A letter from the Comptroller General of the United States, transmitting a report of need for more effective action to correct conditions disclosed by internal audits, Bureau of Employment Security, Department of Labor; to the Commttee on Government Operations.

239. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements, fiscal year 1966, Veterans' Canteen Service, Veterans' Administration; to the Committee on Government Operations.

240. A letter from the Comptroller General of the United States, transmitting a report of review of procurement of foreign produced aircraft ejection-seat system, Department of Defense; to the Committee on Government Operations.

241. A letter from the Assistant Secretary of the Interior, transmitting copies of all laws enacted by the Legislature of the Virgin Islands in its 1966 regular and special sessions, pursuant to the provisions of section 9(g) of the Revised Organic Act of the Virgin Islands of the United States; to the Committee on Interior and Insular Affairs.

242. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract providing continuance of accommodations, facilities, and services for the public at the Searchlight Ferry Site in Lake Mead National Recreation Area, Nev., pursuant to the provisions of 70 Stat. 543; to the Committee on Interior and Insular Affairs.

243. A letter from the Chairman, Federal Trade Commission, transmitting an economic report entitled "Manufacture and Distribution of Automotive Tires"; to the Committee on Interstate and Foreign Commerce.

244. A letter from the Chairman, Federal Power Commission, transmitting copies of the following publications: Statistics for Interstate Natural Gas Pipeline Companies, 1965, and Typical Electric Bills, 1966; to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOGGS:

H.R. 3240. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ADAMS:

H.R. 3241. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. BOLAND:

H.R. 3242. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. CULVER:

H.R. 3243. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. DE LA GARZA:

H.R. 3244. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. DOLE:

H.R. 3245. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. FALLON:

H.R. 3246. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. FASCELL:

H.R. 3247. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. GOODLING:

H.R. 3248. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mrs. HANSEN of Washington:

H.R. 3249. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HECHLER of West Virginia:

H.R. 3250. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HENDERSON:

H.R. 3251. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HOLLAND:

H.R. 3252. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. KEE:

H.R. 3253. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. LENNON:

H.R. 3254. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 3255. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. MOSS:

H.R. 3256. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. MULTER:

H.R. 3257. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. POLANCO-ABREU:

H.R. 3258. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ROGERS of Colorado:

H.R. 3259. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 3240. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ROSTENKOWSKI:

H.R. 3260. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ROYBAL:

H.R. 3261. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 3262. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. SANDMAN:

H.R. 3263. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 3264. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. WHITE:

H.R. 3265. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. WILLIS:

H.R. 3266. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. WRIGHT:

H.R. 3267. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. WYATT:

H.R. 3268. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ABERNETHY:

H.R. 3269. A bill to amend the Appalachian Act of 1965; to the Committee on Public Works.

By Mr. WHITTEN:

H.R. 3270. A bill to amend the Appalachian

Act of 1965; to the Committee on Public Works.

By Mr. MONTGOMERY:

H.R. 3271. A bill to amend the Appalachian Act of 1965; to the Committee on Public Works.

By Mr. ADAMS:

H.R. 3272. A bill to amend title 39, United States Code, to revise the rates of postage on third-class mail; to the Committee on Post Office and Civil Service.

By Mr. ASPINALL:

H.R. 3273. A bill to determine the rights and interests of the Navajo Tribe and the Ute Mountain Tribe of the Ute Mountain Reservation in and to certain lands in the State of New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3274. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H.R. 3275. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

H.R. 3276. A bill to permit the free marketing of gold, and for other purposes; to the Committee on Banking and Currency.

H.R. 3277. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

H.R. 3278. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans to include flight training in such program, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3279. A bill to amend title 38 of the United States Code so as to make widows of veterans of World War II, the Korean conflict, or the Vietnam era eligible for education assistance; to the Committee on Veterans' Affairs.

H.R. 3280. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3281. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. BATTIN:

H.R. 3282. A bill to amend title 38, United States Code, so as to require the Administrator of Veterans' Affairs to give 6 months' advance public notice of the planned closing or relocation of any veterans' facility, and to provide for at least one veterans' service center in each State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN of California:

H.R. 3283. A bill to amend section 212(e) of the Immigration and Nationality Act to provide additional grounds for waiver of the 2-year foreign residence requirement applicable to certain exchange aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. BROYHILL of North Carolina:

H.R. 3284. A bill to amend title 32 of the United States Code in order to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. CAHILL:

H.R. 3285. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board increase in benefits, and to raise the amount of outside earnings permitted each year without loss of benefits; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 3286. A bill to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 3287. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 3288. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 3289. A bill to amend the Career Compensation Act of 1949 to provide the maximum retired pay for certain retired enlisted men for the period from June 1, 1942, through June 30, 1946; to the Committee on Armed Services.

By Mr. DINGELL:

H.R. 3290. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. EDWARDS of Alabama:

H.R. 3291. A bill to amend the St. Lawrence Seaway Act to provide that the St. Lawrence Seaway Development Corporation shall not engage in publicity or promotional activities such as free or paid advertising; solicitation of cargoes; publication of ocean, rail, port, or motor carrier rate or service comparisons; or other activities that are actually or potentially disruptive to the flow of waterborne trade among ports in the United States; to the Committee on Public Works.

By Mr. EDWARDS of California:

H.R. 3292. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 3293. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. FEIGHAN:

H.R. 3294. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 3295. A bill to amend title II of the Social Security Act to provide that full benefits thereunder, when based upon the attainment of retirement age, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 3296. A bill to establish the Amistad National Recreation Area in the State of Texas; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H.R. 3297. A bill to amend the Civil Service Retirement Act, as amended, with respect to survivor annuities; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 3298. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FOLEY (by request):

H.R. 3299. A bill to authorize the purchase, sale, and exchange of certain lands on the Spokane Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL:

H.R. 3300. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GUBSER:

H.R. 3301. A bill to amend section 5042 of the Internal Revenue Code of 1954 to provide an exemption from tax for certain wine produced for personal use; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 3302. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. HALEY:

H.R. 3303. A bill to amend the Budget and Accounting Act, 1921, to provide for the retirement of the public debt by setting aside the first 5 percent of the budget receipts of the United States for each fiscal year for the sole purpose of retirement of obligations counted as part of the public debt; to the Committee on Government Operations.

H.R. 3304. A bill to provide for national cemeteries in the county of De Soto, State of Florida; to the Committee on Interior and Insular Affairs.

H.R. 3305. A bill to provide for the designation of a highway from Tampa, Fla., to Miami, Fla., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. HALEY (by request):

H.R. 3306. A bill to amend section 4 of the act of May 31, 1933 (48 Stat. 108); to the Committee on Interior and Insular Affairs.

H.R. 3307. A bill to amend title 38 of the United States Code to provide that amyotrophic lateral sclerosis developing a 10 percent or more degree of disability within 7 years after separation from active service during a period of war shall be presumed to be service connected; to the Committee on Veterans' Affairs.

H.R. 3308. A bill to amend title 38, United States Code, to increase the per diem rate payable to State homes providing hospital care of veterans; to the Committee on Veterans' Affairs.

H.R. 3309. A bill to amend section 521 of title 38, United States Code, to exclude from consideration as income, for the purpose of determining eligibility for pension, all payments of any kind or from any source, including salary, retirement or annuity payments, endowments or similar income, which a veteran receives or is entitled to receive after attaining age 72; to the Committee on Veterans' Affairs.

H.R. 3310. A bill to amend section 1901(a) of title 38, United States Code, to make certain veterans of World War I eligible for the automobile assistance allowance provided for certain veterans of World War II and the Korean conflict; to the Committee on Veterans' Affairs.

By Mr. HARVEY:

H.R. 3311. A bill to provide for the issuance of a volunteer's medal to each individual who enlists in the Armed Forces of the United States during a period of war or armed conflict involving the United States; to the Committee on Armed Services.

H.R. 3312. A bill to provide for the appointment of postmasters by the Postmaster General, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3313. A bill to amend section 4481 of the Internal Revenue Code of 1954 to allow a credit against the truck use tax where the taxpayer, during the taxable period, disposes of a truck and acquires another truck; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 3314. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes; to the Committee on Agriculture.

By Mr. JOELSON:

H.R. 3315. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

H.R. 3316. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 3317. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to assist in providing means for portability of credits under certain private pension plans, and for other purposes; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 3318. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and certain transportation expenses paid by him in connection with the education of himself, his spouse, or any of his dependents at an institution of higher education; to the Committee on Ways and Means.

H.R. 3319. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

H.R. 3320. A bill to amend the Internal Revenue Code of 1954 to provide increased tax incentive for individuals and corporations that manufacture or produce goods for exports; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 3321. A bill to amend the definition of period of war for purposes of chapter II of title 38 of the United States Code; to the Committee on Veterans' Affairs.

By Mr. McMILLAN:

H.R. 3322. A bill to authorize the Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as sites for offices for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. MACDONALD of Massachusetts:

H.R. 3323. A bill to establish the Saugus Iron Works National Historic Site in the State of Massachusetts, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3324. A bill to amend the tariff schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 3325. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain nonreimbursable expenses incurred by volunteer firemen; to the Committee on Ways and Means.

By Mr. MORSE of Massachusetts:

H.R. 3326. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. MOSS:

H.R. 3327. A bill to amend the act of March 16, 1934, relating to migratory bird hunting stamps to prohibit retail dealers from placing certain conditions upon the sale of such stamps; to the Committee on Merchant Marine and Fisheries.

By Mr. RANDALL:

H.R. 3328. A bill to amend the Migratory Bird Treaty Act with respect to mallards three or more generations removed from the wild; to the Committee on Merchant Marine and Fisheries.

By Mrs. REID of Illinois:

H.R. 3329. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 3330. A bill to amend section 4554(a) of title 39, United States Code, to extend the fourth-class educational and library materials rate to playscripts; to the Committee on Post Office and Civil Service.

By Mr. ST. ONGE:

H.R. 3331. A bill to amend the tariff schedules of the United States with respect to the rates of duty on certain densified wood; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 3332. A bill to amend title 38 of the United States Code to provide that any 5-year level premium term plan policy of national service life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

H.R. 3333. A bill to amend title 38 of the United States Code so as to make the educational assistance program under that title as broad as the program provided for Korean conflict veterans; to increase the allowances payable to veterans participating in such program; to make educational assistance available to the children of veterans having service-connected disabilities rated at 50 percent or more; and to provide for compensatory payments to certain veterans who obtained their education before the educational assistance program of title 38 became effective; to the Committee on Veterans' Affairs.

H.R. 3334. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

By Mr. SCHNEEBELI:

H.R. 3335. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 3336. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 3337. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. SIKES:

H.R. 3338. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. STAFFORD:

H.R. 3339. A bill to amend title 32 of the United States Code in order to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 3340. A bill to increase the membership of the Board of Visitors to the Naval Academy, and for other purposes; to the Committee on Armed Services.

By Mr. STUBBLEFIELD:

H.R. 3341. A bill to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 3342. A bill to amend the Federal Water Pollution Control Act to require certain studies of the pollution of the Monterey Bay and the San Francisco Bay and adjacent waters, and to prohibit the operation of any interceptor drain so as to pollute such waters; to the Committee on Public Works.

By Mr. WYATT:

H.R. 3343. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 3344. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement research and regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.R. 3345. A bill authorizing a survey of streams at and in the vicinity of the Spring Mountain Youth Camp, Spring Mountain Range, Nev., in the interest of flood control, bank erosion control, and allied purposes; to the Committee on Public Works.

H.R. 3346. A bill authorizing a survey of the Virgin River at and in the vicinity of Bunkerville, Mesquite, and Riverside, Nev., in the interest of flood control, bank erosion control, and allied purposes; to the Committee on Public Works.

By Mr. BATTIN:

H.R. 3347. A bill to exempt from tax any gasoline or diesel fuel used in logging trucks operating over private roads; to the Committee on Ways and Means.

By Mr. BURKE of Massachusetts:

H.R. 3348. A bill to amend the Internal Revenue Code of 1954 to raise the income limitation with respect to a dependent from $600 to $1,000; to the Committee on Ways and Means.

H.R. 3349. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 3350. A bill to provide penalties for dealing with lottery tickets; to the Committee on the Judiciary.

By Mr. DAVIS of Wisconsin:

H.R. 3351. A bill to amend the act of August 19, 1950, to provide annuity benefits for an additional number of widows of employees of the Lighthouse Service; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL:

H.R. 3352. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on Interstate and Foreign Commerce.

By Mr. FOLEY:

H.R. 3353. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

H.R. 3354. A bill to establish a Small Tax Division within the Tax Court of the United States; to the Committee on Ways and Means.

By Mr. WILLIAM D. FORD:

H.R. 3355. A bill to amend title II of the Social Security Act to provide that full benefits (when based upon the attainment of retirement age) will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

By Mr. FRIEDEL:

H.R. 3356. A bill to amend the Railroad Retirement Act of 1937 to increase the amount of outside income which a survivor annuitant may earn without deduction from his or her annuity thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 3357: A bill to authorize the Federal Aviation Administrator to regulate, in the interest of safety, parachute jumps made from aircraft for sport or for monetary consideration, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3358. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 3359. A bill to amend the Internal Revenue Code of 1954 to encourage the construction and installation of facilities to abate water and air pollution by allowing a tax credit for certain expenditures incurred in constructing and installing such facilities; to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 3360. A bill authorizing the conveyance of certain surplus property of the United States to the Board of Commissioners of State Institutions of the State of Florida; to the Committee on Government Operations.

By Mr. HANNA:

H.R. 3361. A bill to authorize a program of research, development, and demonstration of electrically powered vehicles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON:

H.R. 3362. A bill to clarify the tax status of American Indians; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 3363. A bill to amend the Railroad Retirement Act of 1937 to provide that an individual's entitlement to retirement benefits under that act or the Social Security Act while he or she is entitled to dependent's or survivor's benefits under the other such act shall not operate to prevent any increases in his or her benefits under the 1937 act which would otherwise result under the so-called social security minimum guarantee provision; to the Committee on Interstate and Foreign Commerce.

H.R. 3364. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 3365. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:

H.R. 3366. A bill to name the Veterans' Administration hospital located in Clarksburg, W. Va., the Louis A. Johnson Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. HELSTOSKI:

H.R. 3367. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. JOELSON:

H.R. 3368. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on Ways and Means.

By Mr. LLOYD:

H.R. 3369. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 3370. A bill to amend the act entitled "An act to regulate the practice of podiatry in the District of Columbia," approved May 23, 1918, as amended; to the Committee on the District of Columbia.

H.R. 3371. A bill to amend the act entitled "An act to provide for commitments to, maintenance in, and discharge from, the District Training School, and for other purposes," approved March 3, 1925, as amended; to the Committee on the District of Columbia.

By Mrs. MINK:

H.R. 3372. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. MULTER:

H.R. 3373. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. NEDZI:

H.R. 3374. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 3375. A bill relating to rates of postage on third-class matter mailed by certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 3376. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 3377. A bill to amend section 8341 of title 5, United States Code, to provide annuities for surviving spouses without deduction from a retired employee or Member's annuity, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3378. A bill to equalize civil service retirement annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3379. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3380. A bill to modify the decrease in Federal group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 3381. A bill to amend section 8338, title 5, United States Code, to correct inequities applicable to those employees or Members separated from service with title to deferred annuities and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3382. A bill to permit a retired employee or Member receiving health benefits pursuant to the provisions of the Federal Employees Health Benefit Act of 1959 (ch. 89, title 5, U.S.C.) to elect coverage under the Retired Federal Employees Health Benefits Act of 1960 (Public Law 86–724); to the Committee on Post Office and Civil Service.

H.R. 3383. A bill to reclassify certain key positions and increase salaries in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3384. A bill to amend title 39, United States Code, to provide for a special canceling stamp or postmarking die bearing the words "For God and Country"; to the Committee on Post Office and Civil Service.

H.R. 3385. A bill to provide that the value of survivor annuities payable under chapter 83, title 5, United States Code, shall not be taken into account for State inheritance tax or Federal estate tax purposes; to the Committee on Ways and Means.

H.R. 3386. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 received as civil service retirement annuity from the United States or any agency thereof shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 3387. A bill to provide for the issuance of nonnegotiable U.S. bonds to finance certain defense expenditures, and for other purposes; to the Committee on Banking and Currency.

By Mr. REUSS:

H.R. 3388. A bill to provide for a congressional ombudsman; to the Committee on House Administration.

H.R. 3389. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 3390. A bill to amend the Railroad Retirement Act of 1937 to provide a 20-percent across-the-board benefit increase (with a minimum retirement annuity of $70 a month) and subsequent increases based on rises in the cost of living, and to finance the cost of these changes out of the general revenues; to the Committee on Interstate and Foreign Commerce.

H.R. 3391. A bill to amend title 38 of the United States Code to increase by 20 percent the amount of retirement, annuity, and endowment payments excluded from income for the purpose of determining the eligibility of an individual for pension under that title, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3392. A bill to amend title II of the Social Security Act to provide a 20-percent across-the-board benefit increase (with a minimum primary benefit of $70 a month) and subsequent increases based on rises in the cost of living, to liberalize the retirement test, and to finance the cost of these changes out of the general revenues; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 3393. A bill to provide for recognition of Federal employee unions and to provide procedures for the adjustment of grievances; to the Committee on Post Office and Civil Service.

By Mr. SAYLOR:

H.R. 3394. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 3395. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

H.R. 3396. A bill for the relief of the Borough of Ford City, Armstrong County, Pa.; to the Committee on the Judiciary.

H.R. 3397. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 3398. A bill to prevent the importation of flat glass which is the product of any country or area dominated or controlled by communism; to the Committee on Ways and Means.

By Mr. SELDEN:

H.R. 3399. A bill to amend section 2 of Public Law 88–240 to extend the termination date for the Corregidor-Bataan Memorial Commission; to the Committee on Foreign Affairs.

By Mr. STAGGERS:

H.R. 3400. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYATT:

H.R. 3401. A bill to provide for the designation of that portion of U.S. Highway No. 30 between Portland and Astoria, Oreg., as part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. KLEPPE:

H.R. 3402. A bill to modify the comprehensive plan for the Missouri River Basin with respect to certain bank protection and rectification works; to the Committee on Public Works.

By Mr. BARING:

H.J. Res. 190. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. HALEY:

H.J. Res. 191. Joint resolution expressing a declaration of war against the 98 Communist Parties constituting the international Communist conspiracy; to the Committee on Foreign Affairs.

H.J. Res. 192. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. HARVEY:

H.J. Res. 193. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.J. Res. 194. Joint resolution designating February as American History Month; to the Committee on the Judiciary.

By Mr. HERLONG:

H.J. Res. 195. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H.J. Res. 196. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA:

H.J. Res. 197. Joint resolution proposing an amendment to the Constitution of the United States with respect to the term of office of Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.J. Res. 198. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of Amerigo Vespucci; to the Committee on Post Office and Civil Service.

By Mr. PASSMAN:

H.J. Res. 199. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PEPPER:

H.J. Res. 200. Joint resolution to authorize the President to proclaim October 15 of each year as National Poetry Day; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H. Con. Res. 82. Concurrent resolution relating to U.S. military personnel held captive in Vietnam; to the Committee on Foreign Affairs.

H. Con. Res. 83. Concurrent resolution to express the sense of Congress against the persecution of persons by Soviet Russia because of their religion; to the Committee on Foreign Affairs.

By Mr. HARVEY:

H. Con. Res. 84. Concurrent resolution expressing the sense of the Congress with respect to the recognition of certain civilians who serve in Vietnam and other combat areas; to the Committee on Banking and Currency.

By Mr. MESKILL:

H. Res. 166. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. SCHWENGEL:

H. Res. 167. Resolution creating a select committee to conduct an investigation and study of the system of staffing of standing committees of the House, in order to improve such system; to the Committee on Rules.

By Mr. STAGGERS:

H. Res. 168. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 3403. A bill for the relief of Harry LeRoy Jones; to the Committee on the Judiciary.

By Mr. BATES:

H.R. 3404. A bill for the relief of Elias J. Sgouritsas; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3405. A bill for the relief of Leung Wing Cheung; to the Committee on the Judiciary.

H.R. 3406. A bill for the relief of Castrense Valencia Mationg; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 3407. A bill for the relief of Abraham P. Razon; to the Committee on the Judiciary.

H.R. 3408. A bill for the relief of Mrs. Goli Kiari (also known as Helen Chiari); to the Committee on the Judiciary.

H.R. 3409. A bill for the relief of Mrs. Tam Sui Lan and her two children, Wong Bo Yee and Wong Bo Kee; to the Committee on the Judiciary.

H.R. 3410. A bill for the relief of Lee Bon Sheung; to the Committee on the Judiciary.

H.R. 3411. A bill for the relief of Fong Hong; to the Committee on the Judiciary.

H.R. 3412. A bill for the relief of Sophia Lenetaki; to the Committee on the Judiciary.

H.R. 3413. A bill for the relief of Sau Lin Chu (also known as Sow Sam Chu); to the Committee on the Judiciary.

H.R. 3414. A bill for the relief of Hector Guerrero Garcia; to the Committee on the Judiciary.

H.R. 3415. A bill for the relief of Moon Yam Jew (also known as Kee Won Jang and Kee W. Jang); to the Committee on the Judiciary.

H.R. 3416. A bill for the relief of Grace M. Reyes; to the Committee on the Judiciary.

H.R. 3417. A bill for the relief of Eduardo Yerro Cabindol and his wife, Edith Legaspi Cabindol; to the Committee on the Judiciary.

H.R. 3418. A bill for the relief of Francisco Rados, his wife, Dragica Krog Rados, and their son, Damir Orlovic Rados; to the Committee on the Judiciary.

H.R. 3419. A bill for the relief of Carmen Yaki; to the Committee on the Judiciary.

H.R. 3420. A bill for the relief of Ioannis (John) Asimakopoulos and his wife, Maria Asimakopoulos; to the Committee on the Judiciary.

H.R. 3421. A bill for the relief of Giuliano Giusti and his wife, Nella Giusti, and their son, Walter Giusti; to the Committee on the Judiciary.

H.R. 3422. A bill for the relief of Pasquale Martini; to the Committee on the Judiciary.

H.R. 3423. A bill for the relief of Romeo O. Jackson; to the Committee on the Judiciary.

H.R.3424. A bill for the relief of Joseph Orban, his wife, Martha Esther Orban, and their son, Joseph Gerard Orban; to the Committee on the Judiciary.

H.R. 3425. A bill for the relief of Harold George Pereira, his wife, Winifred Caroline Pereira, and their children, Joseph Maurice, Anthony Francis, Bevery Ann Maria, Nathaniel Francis, Joachim Boniface, and Thomas James Pereira; to the Committee on the Judiciary.

H.R. 3426. A bill for the relief of Isola Arrighi; to the Committee on the Judiciary.

H.R. 3427. A bill for the relief of Mrs. Kay Sue Lee; to the Committee on the Judiciary.

H.R. 3428. A bill for the relief of Jack Sun (also known as Sun Hun Chak); to the Committee on the Judiciary.

H.R. 3429. A bill for the relief of Mohammed Ali Amooi and his wife, Sedighi Tan Hai; to the Committee on the Judiciary.

H.R. 3430. A bill for the relief of Yim Mei Lam; to the Committee on the Judiciary.

H.R. 3431. A bill for the relief of Alan Charles Austin Gabriel; to the Committee on the Judiciary.

H.R. 3432. A bill for the relief of Miss Mamako Yoneyama; to the Committee on the Judiciary.

H.R. 3433. A bill for the relief of Ernesto Caputo and Carluccia Caputo, his wife; to the Committee on the Judiciary.

H.R. 3434. A bill for the relief of Natalia Lores Cachero; to the Committee on the Judiciary.

H.R. 3435. A bill for the relief of Mrs. Maxima E. Chua; to the Committee on the Judiciary.

H.R. 3436. A bill for the relief of Tom Wai Min; to the Committee on the Judiciary.

H.R. 3437. A bill for the relief of Mrs. Wan Yau Louie: to the Committee on the Judiciary.

H.R. 3438. A bill for the relief of Mrs. Desolina Giannone (nee Delucchi); to the Committee on the Judiciary.

H.R. 3439. A bill for the relief of Romeo de la Torre Sanano and his sister, Julieta de la Torre Sanano; to the Committee on the Judiciary.

H.R. 3440. A bill for the relief of George Pan (also known as Chang Chen Pan); to the Committee on the Judiciary.

H.R. 3441. A bill for the relief of Tom Keng Foo; to the Committee on the Judiciary.

H.R. 3442. A bill for the relief of Lee Foo Sai; to the Committee on the Judiciary.

H.R. 3443. A bill for the relief of Kaoruko Matsuo Van Dine; to the Committee on the Judiciary.

H.R. 3444. A bill for the relief of Lee Sai Wai (also known as Lee Ging Ying); to the Committee on the Judiciary.

H.R. 3445. A bill for the relief of Wah Kin Wong; to the Committee on the Judiciary.

H.R. 3446. A bill for the relief of Regina Gebriel Chiari (also known as Gina Chiari); to the Committee on the Judiciary.

H.R. 3447. A bill for the relief of Aryirios Vasiliou Petropolulos; to the Committee on the Judiciary.

H.R. 3448. A bill for the relief of Nora Bik-Shu Li; to the Committee on the Judiciary.

H.R. 3449. A bill for the relief of Luz Mayugba Reyes; to the Committee on the Judiciary.

H.R. 3450. A bill for the relief of Dapen Liang, his wife, Alice Tsai-hung Y. Liang, and their children, Gladstone C. K. Liang, Nancy C. C. Liang, Dora C. F. Liang, May C. M. Liang, and John C. P. Liang; to the Committee on the Judiciary.

H.R. 3451. A bill for the relief of Shek Chi Ng; to the Committee on the Judiciary.

H.R. 3452. A bill for the relief of Socorro Guillen Picado; to the Committee on the Judiciary.

H.R. 3453. A bill for the relief of Denis Paul Sauvageau; to the Committee on the Judiciary.

H.R. 3454. A bill for the relief of Wai Sing Ko; to the Committee on the Judiciary.

H.R. 3455. A bill for the relief of Karthamada Thimmaiyya Carippa; to the Committee on the Judiciary.

H.R. 3456. A bill for the relief of Manuel Laygo Gillermo (also known as Manuel Guillermo Laygo); to the Committee on the Judiciary.

H.R. 3457. A bill for the relief of Georgios Dimitrios Sevastelis and his wife, Efstahia Sevastelis; to the Committee on the Judiciary.

H.R. 3458. A bill for the relief of Antonio Tobias; to the Committee on the Judiciary.

H.R. 3459. A bill for the relief of Crescencia C. Valdes; to the Committee on the Judiciary.

H.R. 3460. A bill for the relief of Carmen Esperanza Centeno Vasquez; to the Committee on the Judiciary.

H.R. 3461. A bill for the relief of Evangelina de la Vega; to the Committee on the Judiciary.

H.R. 3462. A bill for the relief of Hee Ngew Yee; to the Committee on the Judiciary.

H.R. 3463. A bill for the relief of Hui Kwock Ying, his wife, Lee Pui Chan, and their children, Hui Man Kwan, Hui Yueng Yin, Hui Ching Yin, Hui Man Ha, Hui Man Hung, Hui Man Yee, and Hui Man Lee; to the Committee on the Judiciary.

H.R. 3464. A bill for the relief of Wong Hong, his wife, Cung Choi Kum, and their children, Wong Yiu Chung, Wong Lai Mui, and Wong Ching Man; to the Committee on the Judiciary.

H.R. 3465. A bill for the relief of Mrs. Sylvia Ross; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 3466. A bill for the relief of Anna Maria Bani; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3467. A bill for the relief of Antonio Penna; to the Committee on the Judiciary.

By Mr. COWGER:

H.R. 3468. A bill for the relief of Surjeet Singh Dhanjal; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 3469. A bill for the relief of Maria Stanislawa Zagorska Prochazka; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 3470. A bill for the relief of Enrique Aurelio Baca-Patlan; to the Committee on the Judiciary.

H.R. 3471. A bill for the relief of Francesco Corigliano; to the Committee on the Judiciary.

By Mr. ERLENBORN:

H.R. 3472. A bill for the relief of Walter A. Radeloff; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 3473. A bill for the relief of Calogero Di Maggio; to the Committee on the Judiciary.

H.R. 3474. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3475. A bill for the relief of Michael Stefanakis; to the Committee on the Judiciary.

H.R. 3476. A bill for the relief of John P. Ramoglou; to the Committee on the Judiciary.

H.R. 3477. A bill for the relief of Salvatore Brancata; to the Committee on the Judiciary.

H.R. 3478. A bill for the relief of Ancilla Zeni; to the Committee on the Judiciary.

H.R. 3479. A bill for the relief of Salvatore Rubino; to the Committee on the Judiciary.

H.R. 3480. A bill for the relief of Antonio Raccuglia; to the Committee on the Judiciary.

H.R. 3481. A bill for the relief of Calogero Troia; to the Committee on the Judiciary.

H.R. 3482. A bill for the relief of Salvatore Storta; to the Committee on the Judiciary.

H.R. 3483. A bill for the relief of Salvatore Scalici; to the Committee on the Judiciary.

H.R. 3484. A bill for the relief of George Niskopoulos and Amalia Niskopoulos; to the Committee on the Judiciary.

H.R. 3485. A bill for the relief of Zdravko Drazic; to the Committee on the Judiciary.

H.R. 3486. A bill for the relief of Attilio Marra; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 3487. A bill for the relief of Leonidas Gregoropoulos; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 3488. A bill for the relief of Milford W. Henry; to the Committee on the Judiciary.

By Mr. HARVEY:

H.R. 3489. A bill for the relief of Dr. Rebil Mehmet Hankan and his wife, Mesadet Seher Hankan; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 3490. A bill for the relief of Dr. Reynaldo C. Soriano; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 3491. A bill for the relief of Gloria de la Jara; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 3492. A bill for the relief of Mrs. Chu Chai-ho Hay; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 3493. A bill for the relief of Cita Rita Leola Ines; to the Committee on the Judiciary.

H.R. 3494. A bill for the relief of Herman Boxer; to the Committee on the Judiciary.

H.R. 3495. A bill to authorize the use of the vessel *Ocean Delight* in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

By Mr. McFALL:

H.R. 3496. A bill for the relief of Shamooil Essagh Danil and his wife, Verdia Essagh Danil; to the Committee on the Judiciary.

H.R. 3497. A bill for the relief of Ramiro Velasquez Huerta; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 3498. A bill for the relief of D. M. Dew and Sons, Inc., and Dewey Campbell; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 3499. A bill for the relief of Safia Talibi Naz; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 3500. A bill for the relief of Dr. Jae Eun Bahng; to the Committee on the Judiciary.

By Mr. MURPHY of Illinois:

H.R. 3501. A bill for the relief of Teresita F. Legmay; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 3502. A bill for the relief of Sypridon B. Adam; to the Committee on the Judiciary.

H.R. 3503. A bill for the relief of Nicolas Dalamangas and his wife Sofia Dalamangas; to the Committee on the Judiciary.

H.R. 3504. A bill for the relief of Nick Lelis; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 3505. A bill for the relief of Angel Orris Amado Rocha; to the Committee on the Judiciary.

H.R. 3506. A bill for the relief of Pao Hsi Yeh; to the Committee on the Judiciary.

H.R. 3507. A bill for the relief of Panagiotis A. Perlengas; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 3508. A bill for the relief of Guiseppe Gumina; to the Committee on the Judiciary.

H.R. 3509. A bill for the relief of Miriam Odenia Bradshaw; to the Committee on the Judiciary.

H.R. 3510. A bill for the relief of Luigi Seminara; to the Committee on the Judiciary.

H.R. 3511. A bill for the relief of Inger J. Ladegaard; to the Committee on the Judiciary.

H.R. 3512. A bill for the relief of Enzo (Enzio) Perotti; to the Committee on the Judiciary.

H.R. 3513. A bill for the relief of Chin Wing Teung; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 3514. A bill for the relief of Nicolas Duarte; to the Committee on the Judiciary.

H.R. 3515. A bill for the relief of Luis A. de la Vega; to the Committee on the Judiciary.

H.R. 3516. A bill for the relief of Andres Mauricio Candela, M.D.; to the Committee on the Judiciary.

H.R. 3517. A bill for the relief of Dr. Moises Mitrani, M.D.; to the Committee on the Judiciary.

H.R. 3518. A bill for the relief Ferrum Trading Co., Inc.; to the Committee on the Judiciary.

H.R. 3519. A bill for the relief of Salustiano Garcia-Diaz; to the Committee on the Judiciary.

H.R. 3520. A bill for the relief of World Mart, Inc.; to the Committee on the Judiciary.

H.R. 3521. A bill for the relief of Dr. Carlos Modesto Hernandez; to the Committee on the Judiciary.

H.R. 3522. A bill for the relief of Dr. Rafael F. Suarez; to the Committee on the Judiciary.

H.R. 3523. A bill for the relief of Chang-You Wu, M.D.; to the Committee on the Judiciary.

H.R. 3524. A bill for the relief of Jose H. Kates; to the Committee on the Judiciary.

H.R. 3525. A bill for the relief of Israel Mizrahy, M.D.; to the Committee on the Judiciary.

H.R. 3526. A bill for the relief of Sherif Shafey, M.D.; to the Committee on the Judiciary.

H.R. 3527. A bill for the relief of Josefina Fulgueira; to the Committee on the Judiciary.

H.R. 3528. A bill for the relief of Isaac Chervony, M.D.; to the Committee on the Judiciary.

H.R. 3529. A bill for the relief of Bernardo Benes; to the Committee on the Judiciary.

By Mr. PHILBIN:

H.R. 3530. A bill for the relief of Mrs. Sook Ja Duffy; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 3531. A bill for the relief of Mrs. Jung Ja Kim; to the Committee on the Judiciary.

H.R. 3532. A bill for the relief of Mrs. Laureana Bernardina Cal de Rodriguez; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 3533. A bill for the relief of Rev. Shoyu Hanayama and family; to the Committee on the Judiciary.

By Mr. SCHNEEBELI:

H.R. 3534. A bill for the relief of Charles A. Noble and others; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 3535. A bill for the relief of Sung-Won Ko; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

12. The SPEAKER presented a petition of Henry Stoner, Portland Oreg., relative to the American merchant marine, which was referred to the Committee on Merchant Marine and Fisheries.

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SENATE

MONDAY, JANUARY 23, 1967

(Legislative day of Thursday, January 19, 1967)

The Senate met at 12 o'clock meridian on the expiration of the recess, and was called to order by the President pro tempore.

The Very Reverend Constantine Berdar, rector, St. Josaphat Ukrainian Catholic Seminary, Washington, D.C., offered the following prayer:

With the Psalmist we pray: *Behold, the Lord who has reigned from eternity, has established His throne for judgment. It is He who governs the world with justice, judges the people with equity. The Lord is a stronghold for the oppressed, a stronghold in time of trouble. Let those who cherish Your name trust in You, for you do not abandon those who care for You, O Lord.*—Psalms 9: 8–11.

Indeed, O Lord, we too raise up our voices on this day when we commemorate the 49th anniversary of the Ukrainian Declaration of Independence and turn to You as the "Stronghold for the oppressed," as He "who governs the world with justice." We pray Thee, grant to this Nation and its people, who were first to become a captive nation, freedom and self-determination; grant that Ukraine and all other captive nations may take their rightful and lawful places in the community of nations.

"You do not abandon those who care for You, O Lord"; abandon not our country and the ideals for which it stands. Come to the aid of our beloved Government, illumine with Thy wisdom, knowledge and justice the Members of the Senate of the United States of America and of all the branches of government.

We call upon Thee: *Arise, O Lord God, lift up Your hand! Forget not the afflicted.*—Psalms 10: 12.

In confidence we proclaim: *The Lord will give His people victory, the Lord will bless His people with peace.*—Psalms 29: 11. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Thursday, January 19, 1967, was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on January 20, 1967, the President had approved and signed the joint resolution (S.J. Res. 16) extending the dates for transmission of the Economic Report and the report of the Joint Economic Committee.

PROPOSED LEGISLATION RELATING TO SOCIAL SECURITY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 40)

The **PRESIDENT** pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Finance:

To the Congress of the United States:

America is a young nation. But each year a larger proportion of our population joins the ranks of the senior citizens. Today, over 19 million Americans are 65 or older—a number equal to the combined populations of 20 States. One out of every 10 citizens is in this age group—more than twice as many as a half century ago.

These figures represent a national triumph. The American born in 1900 could expect to reach his 47th birthday. The American born today has a life expectancy of 70 years. Tomorrow, the miracles of man's knowledge will stretch the lifespan even further.

These figures also represent a national challenge. One of the tests of a great civilization is the compassion and respect shown to its elders. Too many of our senior citizens have been left behind by the progress they worked most of their lives to create. Too often the wisdom and experience of our senior citizens is lost or ignored. Many who are able and willing to work suffer the bitter rebuff of arbitrary and unjust job discrimination.

In this busy and productive Nation, the elderly are too frequently destined to lead empty, neglected lives:

Five and three-tenths million older Americans have yearly incomes below the poverty level.

Only one out of five has a job, often at low wages.

Over 2 million elderly citizens are on welfare.

Nearly 40 percent of our single older citizens have total assets of less than $1,000.

Countless numbers dwell in city and rural slums, lonely and forgotten, isolated from the invigorating spirit of the American community. They suffer a disproportionate burden of bad housing, poor health facilities, inferior recreation and rehabilitation services.

THE FEDERAL ROLE

The historic Social Security Act of 1935, sponsored by that great President Franklin D. Roosevelt, first proclaimed a Federal role in the task of creating a life of dignity for the older American. By 1951, the number of our senior citizens who had earned and received social security benefits exceeded the number on public welfare. Today, more than 15 million Americans over 65 draw social security, while only 2 million remain on the welfare rolls.

We in the executive branch and you in the Congress have extended the Federal role in other ways:

The last eight housing acts contain special public housing provisions for the elderly and special assistance for them when they rent, buy, or modernize their own homes.

The Hill-Burton hospital program seeks to expand and improve nursing homes and other long-term care facilities.

Public welfare provides programs to help restore older people to self-support and self-care.

The manpower development and training programs direct special efforts at the problems of the middle-aged and older Americans.

The National Institutes of Health have established programs of research on aging.

In 1965, the Congress enacted and I signed into law two landmark measures for older Americans:

Medicare, to ease the burden of hospital and doctor bills;

The Older Americans Act, to develop community services to put more meaning into the lives of the senior citizens.

When he signed the 1935 Social Security Act, President Franklin Roosevelt said:

> This law . . . represents a cornerstone in a structure which is being built but is by no means complete.

President Truman in 1950 and President Kennedy in 1961 proposed and the Congress passed legislation to improve the social security system.

The time has come to build on the solid foundations provided by the work of Congress and the executive branch over the last three decades. Last summer, I declared a bill of rights for older Americans—to fix as our Nation's goal an adequate income, a decent home, and a meaningful retirement for each senior citizen.

Now we must take steps to move closer toward that goal.

Let us raise social security benefits to a level which will better meet today's needs.

Let us improve and extend the health care available to the elderly.

Let us attack the roots of unjust job discrimination.

Let us renew and expand our programs to help bring fulfillment and meaning to retirement years.

TOWARD AN ADEQUATE INCOME

Social security benefits today are grossly inadequate.

Almost 2½ million individuals receive benefits based on the minimum of $44 a month. The average monthly benefit is only $84.

Although social security benefits keep 5½ million aged persons above the poverty line, more than 5 million still live in poverty.

A great nation cannot tolerate these conditions. I propose social security legislation which will bring the greatest improvement in living standards for the elderly since the act was passed in 1935.

I recommend effective July 1, 1967:

1. A 20-percent overall increase in social security payments.
2. An increase of 59 percent for the 2.5 million people now receiving minimum benefits—to $70 for an individual and $105 for a married couple.
3. An increase of at least 15 percent for the remaining 20.5 million beneficiaries.
4. An increase to $150 in the monthly minimum benefit for a retired couple with 25 years of coverage—to $100 a month for an individual.
5. An increase in the special benefits paid to more than 900,000 persons 72 or over, who have made little or no social security contribution—from $35 to $50 monthly for an individual; from $52.50 to $75 for a couple.
6. Special benefits for an additional 200,000 persons 72 or over, who have never received benefits before.

During the first year, additional payments would total $4.1 billion—almost five times greater than the major increase enacted in 1950, almost six times greater than the increase of 1961. These proposals will take 1.4 million Americans out of poverty this year—a major step toward our goal that every elderly citizen have an adequate income and a meaningful retirement.

The time has also come to make other improvements in the act.

The present social security system leaves 70,000 severely disabled widows under age 62 without protection.

The limits on the income that retired workers can earn and still receive benefits are so low that they discourage those who are able and willing to work from seeking jobs.

Some farmworkers qualify for only minimum social security benefits. Others fail to qualify at all. As a result, many farmworkers must go on the welfare rolls in their old age.

Federal employees in the civil service and foreign service retirement systems are now excluded from social security coverage. Those having less than 5 years' service receive no benefits if they die, become disabled, or leave Federal employment. Those who leave after longer service lose survivor and disability protection.

I propose legislation to eliminate these inequities and close these loopholes.

I recommend that—

Social security benefits be extended to severely disabled widows under 62.

The earnings exemption be increased by 12 percent, from $125 to $140 a month, from $1,500 to $1,680 a year.

The amount above $1,680 a year up to which a beneficiary can retain $1 in payments for each $2 in earnings be increased from $2,700 to $2,880.

One-half million additional farmworkers be given social security coverage.

Federal service be applied as social security credit for those employees who are not eligible for civil service benefits when they retire, become disabled, or die.

Social security financing must continue on an actuarially sound basis. This will require future adjustments both in the amount of annual earnings credited toward benefits and in the contribution rate of employers and employees.

I recommend:

A three-step increase in the amount of annual earnings credited toward benefits—to $7,800 in 1968; to $9,000 in 1971; and to $10,800 in 1974.

That the scheduled rate increase to 4.4 percent in 1969 be revised to 4.5 percent; and that the increase to 4.85 percent in 1973 be revised to 5 percent.

PUBLIC ASSISTANCE

Despite these improvements in social security, many elderly Americans will continue to depend on public assistance payments for the essentials of life. Yet, these welfare programs are far behind the times. While many States have recently improved their eligibility standards for medical assistance, their regular welfare standards are woefully inadequate.

In nine States, the average amounts paid for old-age assistance are as low as $50 a month, or less.

Twenty-seven States do not even meet their own minimum standards for welfare payments.

The Federal Old-Age Assistance Act allows the States to provide special incentives to encourage older persons on welfare to seek employment. But almost half the States have not taken advantage of this provision.

To make vitally needed changes in public assistance laws, I recommend legislation to provide that—

State welfare agencies be required to raise cash payments to welfare recipients to the level the State itself sets as the minimum for subsistence;

State agencies be required to bring these minimum standards up to date annually;

Each State maintain its welfare subsistence standards at not less than two-thirds the level set for medical assistance;

State welfare programs be required to establish a work-incentive provision for old-age assistance recipients.

TAX REFORM FOR SENIOR CITIZENS

Our Federal income tax laws today unfairly discriminate against older taxpayers with low incomes who continue to work after 65. The system of deductions, credits, and exemptions is so complex that many senior citizens are unable to understand them and thus do not receive the full benefits to which they are entitled.

I recommend that—

The tax structure for senior citizens be completely overhauled, simplified, and made fairer.

Existing tax discrimination against the older Americans who are willing and able to work be eliminated.

Under this proposal, taxes will be reduced for almost 3 million older Americans—two out of every three who now pay taxes. Nearly 500,000 of these Americans will no longer have to pay taxes. There will be some increases for those in the upper tax brackets—those best able to afford them.

THE SUCCESS AND THE FUTURE OF MEDICARE

During the long wait for medicare, many older Americans needlessly suffered and died because they could not afford proper health care. Nearly half had no health insurance protection. For most, coverage was grossly inadequate. As a result, men and women spent their later years overburdened by health care costs. Many were forced to turn to public assistance. Others had to impose financial hardship on their relatives. Still others went without necessary medical care.

Since medicare went into effect just over 6 months ago more than 2½ million older Americans have received hospital care; hospitals have received nearly $1 billion in payments; more than 3½ million Americans have been treated by doctors under the voluntary coverage of medicare; 130,000 people have received home health services, and medicare paid the bills; 6,700 hospitals, with more than 98 percent of the general hospital beds in the Nation, have become partners in medicare.

High standards set by medicare will raise the level of health care for all citizens—not just the aged. Compliance with title VI of the Civil Rights Act has hastened the end of racial discrimination in hospitals and has brought good medical care to many who were previously denied it.

Medicare is an unqualified success. Nevertheless, there are improvements which can be made and shortcomings which need prompt attention.

The 1.5 million seriously disabled Americans under 65 who receive social security and railroad retirement benefits should be included under medicare. The typical member of this group is over 50. He finds himself in much the same plight as the elderly. He is dependent on social security benefits to support himself and his family. He is plagued by high medical expenses and poor insurance protection.

I recommend that medicare be extended to the 1.5 million disabled Americans under 65 now covered by the social security and railroad retirement systems.

Certain types of podiatry services are important to the health of the elderly. Yet, these services are excluded under present law. I recommend that foot treatment, other than routine care, be covered under medicare whether performed by podiatrists or physicians.

Finally, medicare does not cover prescription drugs for a patient outside the hospital. We recognize that many practical difficulties remain unresolved concerning the cost and quality of such drugs. This matter deserves our prompt attention. I am directing the Secretary of Health, Education, and Welfare to undertake immediately a comprehensive study of the problems of including the cost of prescription drugs under medicare.

NURSING AND HEALTH CARE

Medicare and the medical assistance program have removed major financial barriers to health services. Federally assisted programs are developing health facilities, manpower, and services—many targeted to the needs of older Americans.

We have made progress, but serious problems remain. Although the number of agencies that provide health services to individuals in their own homes has grown to more than 1,400 throughout the country, their services are often limited in scope and quality. Many communities still have no such services available.

The great majority of nursing homes are ill equipped to provide services required for medicare and medical assistance patients. Of the 20,000 nursing homes in the country, only 3,000 have qualified for medicare. Of the 850,000 beds in nursing homes, less than half—415,000—meet Hill-Burton standards for long-term care. Many do not even meet minimum fire and safety standards.

Expenditures for nursing home care have increased by 400 percent in the past decade. They now exceed $1.2 billion annually. Federal, State, and local governments pay more than a third of these costs—and the Government share is rising rapidly.

We have learned that there is no single answer to the problem of providing the highest quality health care to the elderly. Just as their needs vary, so must the approach.

Some senior citizens can be treated in their homes, where they can be close to their families and friends. Others may need once-a-week care at a nearby outpatient clinic. When serious illness strikes, extended hospitalization may be required. When chronic disease is involved, care in a nursing home may be needed. And when postoperative care for short durations is necessary, specialized facilities may be essential.

Thus, we must pursue a wide range of community programs and services to meet the needs of the elderly—to allow them freedom to choose the right services at the right time and in the right place.

To move toward our health goal for the elderly, I propose to:

Extend the partnership for health legislation to improve State and local health planning for the elderly;

Launch special pilot projects to bring comprehensive medical and rehabilitation services to the aged;

Begin an extensive research effort to develop the best means of organizing, delivering, and financing health services needed by the aged;

Expand visiting nurses and other home health services.

I am requesting funds for more health facilities and better health care institutions for the aged, including the full authorization of $280 million for construction under the Hill-Burton program to provide new beds and to modernize existing facilities; mortgage guarantees and loans to construct nursing homes for the aged; infirmaries and nursing units in senior citizens' housing projects; intensive research to find new approaches in design and operation of hospitals, nursing homes, extended care facilities and other health institutions.

JOB OPPORTUNITIES FOR THE OLDER AMERICAN

In our Nation, there are thousands of retired teachers, lawyers, businessmen, social workers and recreation specialists, physicians, nurses, and others, who possess skills which the country badly needs.

Hundreds of thousands not yet old, not yet voluntarily retired, find themselves jobless because of arbitrary age discrimination. Despite our present low rate of unemployment, there has been a persistent average of 850,000 people age 45 and over who are unemployed.

Today, more than three-quarters of a billion dollars in unemployment insurance is paid each year to workers who are 45 or over. They comprise 27 percent of all the unemployed—and 40 percent of the long-term unemployed. In 1965, the Secretary of Labor reported to the Congress and the President that approximately half of all private job openings were barred to applicants over 55; a quarter were closed to applicants over 45.

In economic terms, this is a serious—and senseless—loss to a nation on the move. But the greater loss is the cruel sacrifice in happiness and well-being which joblessness imposes on these citizens and their families.

Opportunity must be opened to the many Americans over 45 who are qualified and willing to work. We must end arbitrary age limits on hiring. Though 23 States have already enacted laws to prohibit discriminatory practices, the problem is one of national concern and magnitude.

I recommend that—

The Congress enact a law prohibiting arbitrary and unjust discrimination in employment because of a person's age.

The law cover workers 45 to 65 years old.

The law provide for conciliation and, if necessary, enforcement through cease-and-desist orders, with court review.

The law provide an exception for special situations where age is a reasonable occupational qualification, where an employee is discharged for good cause, or where the employee is separated under a regular retirement system.

Educational and research programs on age discrimination be strengthened.

Employment opportunities for older workers cannot be increased solely by measures eliminating discrimination. Today's high standards of education, training, and mobility often favor the younger worker. Many older men and women are unemployed because they are not fitted for the jobs of modern technology; because they live where there are no longer any jobs, or because they are seeking the jobs of a bygone era.

We have already expanded training and education for all Americans. But older workers have not been able to take full advantage of these programs. In many State employment offices, there is need for additional counselors, trained to deal with the special problems of older workers.

I am directing the Secretary of Labor to establish a more comprehensive program of information, counseling, and placement service for older workers through the Federal-State System of Employment Services.

ENRICHING THE LATER YEARS

Old age is too often a time of lonely sadness, when it should be a time for service and continued self-development. For many, later life can offer a second career. It can mean new opportunities for community service. It can be a time to develop new interests, acquire new knowledge, find new ways to use leisure hours.

Our goal is not merely to prolong our citizens' lives, but to enrich them.

Congress overwhelmingly endorsed this goal, when it passed the Older Americans Act. As a result, we have launched a new partnership at all levels of government, and among voluntary and private organizations. We have established a new agency and a new impetus to promote this partnership.

Forty-one States, the District of Columbia and Puerto Rico—where more than 91 percent of our older persons live—are now engaged in providing special services for senior citizens. Two-hundred and seventy community programs have already been started. Several hundred more will begin in the next few months.

We are helping States and communities to:

Establish central information and referral services so that our older citizens can learn about and receive all the benefits to which they are entitled;

Begin or expand services in more than 65 more senior citizen centers;

Increase volunteer-service opportunities for older people;

Offer preretirement courses and information about retirement;

Support services which help older people remain in their homes and neighborhoods.

To carry forward this partnership, I recommend that—

The Older Americans Act be extended and its funding levels be increased.

Appropriations under the Neighborhood Facilities Program be increased to construct multipurpose centers to serve senior citizens with a wide range of educational, recreational, and health services, and to provide information about housing and employment opportunities.

A pilot program be started to provide nutritional meals in senior citizen centers.

Decent housing plays an important role in promoting self-respect and dignity in the later years. In the past 3 years, the total Federal investment in special housing programs for the elderly has doubled—to over $2.5 billion.

Rental housing for the elderly is one of our most successful housing programs. We have made commitments for about 187,000 units to house more than 280,000 persons. Direct loan and grant programs assist many senior citizens to improve their homes in urban renewal areas, and in areas of concentrated code enforcement where blight is worst. The new rent supplement program, enacted in 1965, promises to help thousands of low income older citizens to have good housing at reasonable rents.

I recommend that these housing programs be continued and that the full amount authorized for the 1968 rent supplement program be provided. I am directing the Secretary of Housing and Urban Development to make certain that the model cities program gives special attention to the needs of older people in poor housing and decaying neighborhoods.

The talents of elderly Americans must not lie fallow. For most Americans, the most enriching moments of life are those spent helping their fellow man. I have asked the Director of the Office of Economic Opportunity to initiate and expand programs to make a wider range of volunteer activities available to older citizens to enlist them in searching out isolated and incapacitated older people; to build on the success of the foster grandparent and medicare alert programs by using public-spirited older Americans as tutors and classroom aides in Headstart and other programs; to organize older citizens as VISTA volunteers in a variety of community efforts.

OUR OBLIGATION

These are my major recommendations to the first session of the 90th Congress on behalf of older Americans. But this message does not end our quest, as a nation, for a better life for these citizens.

I believe that these new measures, together with programs already enacted, will bring us closer to fulfilling the goals set forth in our bill of rights for older Americans.

We should look upon the growing number of older citizens not as a problem or a burden for our democracy, but as an opportunity to enrich their lives and, through them, the lives of all of us.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 23, 1967.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 376) fixing the representation of the majority and minority membership of the Joint Economic Committee.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Proposed Extension of Appalachian Regional Development Act of 1965

A communication from the President of the United States, proposing an extension of the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

Amendment of Watershed Protection and Flood Prevention Act

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Watershed Protection and Flood Prevention Act, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Working Capital Funds of Department of Defense

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on working capital funds of that Department, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Armed Services.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1966, Veterans Canteen Service, Veterans' Administration, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of procurement of foreign produced aircraft ejection-seat system, Department of Defense, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for more effective action to correct conditions disclosed by internal audits, Bureau of Employment Security, Department of Labor, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

Report on Activities of the Geological Survey in Areas Outside the National Domain

A letter from the Secretary of the Interior, reporting, pursuant to law, on activities of the Geological Survey in areas outside the national domain; to the Committee on Interior and Insular Affairs.

Report on Matters Contained in the Helium Act

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on matters contained in the Helium Act, for the fiscal year 1966 (with an accompanying report); to the Committee on Interior and Insular Affairs.

Proposed Amendments to Concession Contracts

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, proposed amendments to concession contracts in Grand Canyon National Park, Ariz., and Blue Ridge Parkway, N.C. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

The PRESIDENT pro tempore laid before the Senate the petition of Ralph Boryszewski, of Rochester, N.Y., relating to the case of Boryszewski et al., against Stephen S. Chandler, as lawyer and as chief judge of the U.S. District Court, Western District of Oklahoma; to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

AMENDMENT TO ARTICLE 109 OF THE CHARTER OF THE UNITED NATIONS—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive A, 90th Congress, 1st session, the amendment to article 109 of the Charter of the United Nations adopted by the General Assembly of the United Nations on December 20, 1965, and set forth in General Assembly Resolution 2101(XX), transmitted to the Senate today by the President of the United States, and that the amendment, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER (Mr. SPONG in the chair). Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the text of the amendment to article 109 of the Charter of the United Nations adopted by the General Assembly of the United Nations on December 20, 1965, and set forth in General Assembly Resolution 2101(XX).

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the amendment.

The sole effect of the amendment is to change the word "seven" to "nine" in paragraph 1 of article 109 of the charter, so that article 109 will be consistent with article 27 of the charter as amended. By an amendment to article 27, which was adopted by the General Assembly on December 17, 1963, and entered into force on August 31, 1965, the affirmative vote by which decisions of the Security Council should be taken as a consequence of its enlargement was increased from seven to nine. Article 109, which should have been amended at the same time, provides in paragraph 1 that a General Conference for the purpose of revising the charter "may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council."

I request that the Senate give its advice and consent to ratification of the amendment to article 109 of the Charter of the United Nations.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 23, 1967.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MORTON (for himself and Mr. COOPER):

S. 556. A bill to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Commerce.

(See the remarks of Mr. MORTON when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 557. A bill to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, and to lower from 72 to 70 years the age after which such benefits are no longer subject to deductions on account of earnings; to the Committee on Finance.

S. 558. A bill for the relief of Donald Schultze; to the Committee on the Judiciary.

(See the remarks of Mr. COTTON when he introduced the first above-mentioned bill, which appear under a separate heading.)

(NOTE.—The first above-mentioned bill was ordered to be held at the desk until January 30, 1967, for additional cosponsors.)

By Mr. PEARSON:

S. 559. A bill for the relief of Maria Lourdes Sung Garcia; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 560. A bill to eliminate discount windfalls on FHA insured mortgages, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. LAUSCHE when he introduced the above bill, which appear under a separate heading.)

(NOTE.—The above bill was ordered to be held at the desk until January 30, 1967, for additional cosponsors.)

By Mr. ERVIN (for himself and Mr. JORDAN of North Carolina):

S. 561. A bill to authorize the appropriation of funds for Cape Hatteras National Seashore; to the Committee on Interior and Insular Affairs.

By Mr. CHURCH (for himself, Mr. JORDAN of Idaho, and Mr. MAGNUSON):

S. 562. A bill to require fresh potatoes purchased or sold in interstate commerce to be labeled according to the State in which such potatoes were grown; to the Committee on Commerce.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. MONDALE:

S. 563. A bill for the relief of Laura Poblete Carbonell;

S. 564. A bill for the relief of Dr. Soon Duk Koh;

S. 565. A bill for the relief of Dr. and Mrs. Manuel S. Lina; and

S. 566. A bill for the relief of Dr. and Mrs. Alex Avestruz; to the Committee on the Judiciary.

By Mr. KENNEDY of Massachusetts:

S. 567. A bill to establish a Temporary National Commission on Intergovernmental Fiscal Needs and Resources; to the Committee on Government Operations.

(See the remarks of Mr. KENNEDY of Massachusetts when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 568. A bill for the relief of Col. Hossein Gholi Ashrafi and his wife, Mahine Ashrafi;

S. 569. A bill for the relief of Lilly Nagy;

S. 570. A bill for the relief of Maximo A. Galvez; and

S. 571. A bill for the relief of Marian Cwalinski; to the Committee on the Judiciary.

By Mr. HART (for himself and Mr. Proxmire):

S. 572. A bill to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture and Forestry.

By Mr. HILL:

S. 573. A bill to amend the Act entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in or about the construction of the Panama Canal," approved May 29, 1944, as amended, so as to provide benefits for certain persons not now covered by such act; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

S. 574. A bill to make provisions of section 232(b) of the Trade Expansion Act of 1962 inapplicable to propane gas; to the Committee on Finance.

S. 575. A bill for the relief of Dr. Fernando Regino Milanes-Alvarez; and

S. 576. A bill for the relief of Magaly Jane; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 577. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, with respect to the purposes for which surplus personal property may be donated; to the Committee on Government Operations.

S. 578. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; to the Committee on the Judiciary.

S. 579. A bill to provide for a connecting road between three units of the Theodore Roosevelt National Memorial Park, N. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HOLLAND:

S. 580. A bill to amend chapter 3 of title 18, United States Code, to prohibit the importation into the United States of certain noxious aquatic plants; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 581. A bill to add a new title VIII to the Public Works and Economic Development Act of 1965, and for other purposes; to the Committee on Public Works.

S. 582. A bill to establish a program of economic analysis and evaluation in the Federal Reserve System; to the Committee on Banking and Currency.

S. 583. A bill to amend the Internal Revenue Code of 1954 to provide an incentive for industry to establish programs to educate and train individuals in needed skills and to establish on-the-job-training programs for employees by allowing a credit against income tax for the expenses of conducting such programs; to the Committee on Finance.

S. 584. A bill to provide for the development, encouragement, and operation if necessary of centers for occupational education and training, for the strengthening and improvement of the manpower sources offered by the Department of Labor, and for other purposes; and

S. 585. A bill to provide meaningful public service employment opportunities to unemployed individuals with serious competitive disadvantages, and for other purposes; to the Committee on Labor and Public Welfare.

S. 586. A bill to provide for a census every 5 years of the Nation's urban areas; to the Committee on Post Office and Civil Service.

S. 587. A bill to amend title V of the Social Security Act to provide a special day care services program for preschool children from families whose annual income does not exceed $6,000; to the Committee on Finance.

S. 588. A bill to amend title I of the Demonstration Cities and Metropolitan Development Act of 1966; to the Committee on Banking and Currency.

S. 589. A bill to require that State plans under titles I and XVI of the Social Security Act provide for the establishment and maintenance of health and safety standards for rental housing occupied by recipients of assistance under such titles; and

S. 590. A bill to amend the Social Security Act to assist the States in conducting State health census surveys of pre-school-age children residing in the State; to the Committee on Finance.

S. 591. A bill to authorize the Secretary of Housing and Urban Development to provide financial assistance for the control of rodents in urban areas; to the Committee on Banking and Currency.

S. 592. A bill to amend the Internal Revenue Code of 1954 to include as charitable contributions those contributions made to nonprofit organizations formed to promote urban renewal; to the Committee on Finance.

S. 593. A bill to expand the provisions of title VIII of the Housing Act of 1964 to authorize matching grants with the States in aid of programs to provide special and advanced education to young persons showing unusual promise for leadership in urban affairs, and to carry out research and demonstration projects relating to the training of persons in self-help techniques for the rebuilding of their neighborhoods, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Ribicoff when he introduced the above bills, which appear under a separate heading.)

By Mr. SCOTT:

S. 594. A bill for the relief of Lamia Julian; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 595. A bill for the relief of Jose Luis Pombo Martinez; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 596. A bill to revise the Federal election laws, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (by request):

S. 597. A bill for the general revision of the copyright law, title 17 of the United States Code, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 598. A bill to grant court leave to employees of the United States when appearing as witnesses on behalf of a State in any judicial proceeding; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER (for himself and Mr. McGee):

S. 599. A bill to amend title 5, United States Code, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, for the purpose of computing a civil service annuity, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Brewster when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON (for himself, Mr. Bennett, Mr. Bible, Mr. Curtis, Mr. Dominick, Mr. Fannin, Mr. Gruening, Mr. Hruska, Mr. Jordan of North Carolina, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. Morton, Mr. Mundt, Mr. Pearson, Mr. Scott, Mr. Symington, Mr. Thurmond, Mr. Young of North Dakota, and Mr. Dodd):

S. 600. A bill to provide for the installation of an eternal flame at the site of the Tomb of the Unknowns in Arlington National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. McCLELLAN (for himself and Mr. Fulbright):

S. 601. A bill to designate a pumping plant on the St. Francis River, Ark., as the W. G. Huxtable Pumping Plant; to the Committee on Public Works.

By Mr. RANDOLPH (for himself, Mr. Cooper, Mr. Bayh, Mr. Brewster, Mr. Clark, Mr. Dodd, Mr. Eastland, Mr. Ervin, Mr. Gruening, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Hartke, Mr. Hill, Mr. Montoya, Mr. Morton, Mr. Morse, Mr. Moss, Mr. Pell, Mr. Ribicoff, Mr. Russell, Mr. Scott, Mr. Stennis, Mr. Yarborough, and Mr. Young of Ohio):

S. 602. A bill to revise and extend the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.

(Note.—The above bill was ordered to be held at the desk until February 2, 1967, for additional cosponsors.)

By Mrs. SMITH:

S. 603. A bill to provide benefits under the Civil Service Retirement Act for the surviving child of Henry C. Furstenwalde; to the Committee on Post Office and Civil Service.

By Mr. HOLLAND:

S. 604. A bill for the relief of Dr. Miguel Ramon Calzadilla; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. Magnuson):

S. 605. A bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Jackson when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 606. A bill for the relief of Man Loi Chu;

S. 607. A bill for the relief of Ah Nang Yu; and

S. 608. A bill for the relief of Koon Chew Ho; to the Committee on the Judiciary.

By Mr. COOPER:

S. 609. A bill to provide for the administration of title III of the Legislative Reorganization Act of 1946 (Federal Regulation of Lobbying Act) by the Comptroller General of the United States, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. Cooper when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN (for himself, Mr. Bennett, Mr. Bible, Mr. Byrd of Virginia, Mr. Dodd, Mr. Eastland, Mr. Ellender, Mr. Fannin, Mr. Hayden, Mr. Hickenlooper, Mr. Hollings, Mr. Lausche, Mr. Sparkman, Mr. Talmadge, Mr. Thurmond, and Mr. Young of North Dakota):

S.J. Res. 22. Joint resolution proposing an amendment to the Constitution of the United States to provide that the voluntary admission or confession of the accused in a criminal prosecution shall be admissible against him in any court sitting anywhere in the United States, and that the ruling of a trial judge admitting an admission or confession as voluntarily made shall not be reversed or otherwise disturbed by the Supreme Court or any inferior court established by Congress or under its authority if such ruling is supported by competent evidence; to the Committee on the Judiciary.

(See the remarks of Mr. ERVIN when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. ANDERSON:

S.J. Res. 23. Joint resolution authorizing the Secretary of the Interior to establish a memorial museum at Las Vegas, N. Mex., to commemorate the Rough Riders and related history of the Southwest; to the Committee on Interior and Insular Affairs.

RESOLUTION

REPORT ENTITLED "TO PROMOTE THE PROGRESS OF USEFUL ARTS" BY THE PRESIDENT'S COMMISSION ON THE PATENT SYSTEM

Mr. McCLELLAN submitted the following resolution (S. Res. 52) which was referred to the Committee on Rules and Administration:

S. RES. 52

Resolved, That the report of the President's Commission on the Patent System, entitled "To Promote the Progress of Useful Arts", be printed with illustrations as a Senate document.

SEC. 2. There shall be printed three thousand additional copies of such document for the use of the Committee on the Judiciary.

POSTPONEMENT OF DAYLIGHT SAVING PROVISIONS OF THE UNIFORM TIME ACT OF 1966

Mr. MORTON. Mr. President, I introduce, for appropriate reference, a bill to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States.

When the Congress enacted the Uniform Time Act last year, it was the intent to establish national uniformity in the dates for commencing and ending the daylight saving time in all States and jurisdictions where it is observed. The act also stipulated that each State, through action of its legislature, could exempt itself on a statewide basis from the provisions establishing daylight saving time.

It was the clear purpose of the Cotton amendment, which I supported, that each State would have a choice of determining whether to go on fast time or to remain on standard time. Unfortunately, a situation has now arisen—a situation not brought to our attention during our consideration of the legislation, but one which could have been easily and simply accommodated in the basic act.

Kentucky is one of three States—I understand the others are Virginia and Mississippi—whose State legislatures will not meet again in regular session until 1968. Kentucky, thus, is foreclosed from exercising its option provided for in the act to remain on standard time unless the legislature is called into special session.

I do not know what the Kentucky Legislature might do, but I feel very strongly that the people of the Commonwealth should have the same right as her sister States in exercising their choice through their elected representatives. The bill I introduce would merely maintain the time status quo in Kentucky until the legislature can work its will early in 1968.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 556) to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States, introduced by Mr. MORTON, was received, read twice by its title, and referred to the Committee on Commerce.

Mr. MORTON. Mr. President, I ask unanimous consent that the name of my colleague, the senior Senator from Kentucky [Mr. COOPER] be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

TO PERMIT OLDER CITIZENS TO EARN MORE WITHOUT BEING PENALIZED UNDER SOCIAL SECURITY

Mr. COTTON. Mr. President, I introduce, for appropriate reference, a bill designed to permit our older citizens the privilege of working more and earning enough to provide realistic supplementary income, without the necessity of being penalized by denial of benefits already earned under social security.

In brief, this bill would permit social security beneficiaries to earn up to $3,000 annually and still qualify for full payments. In addition, the present age at which restrictions on earnings are completely removed would be reduced to 70.

It seems to me that this proposal reflects a realistic approach to a problem that has occupied the attention of the Congress for the past several years. It is time we faced the fact that drastic change has occurred in our social and economic structure since social security was adopted originally and that, at a time of inflationary pressures, the benefit payment simply has not kept pace with the ever-spiraling cost of living. In my judgment, it is evident that something must be done, both with regard to benefit payments themselves and also with regard to unrealistic restrictions now imposed on the earning capacities of those elderly citizens who are employable and anxious to work.

In recent years, we have seen countless cases of extreme hardship where social security recipients have been forced to live on low fixed incomes, while the price of the essentials for life has continued to rise. Many have been forced to accept part-time employment or public assistance as a means of supplementing a marginal income. In many of these cases, however, earnings from employment have had the material effect of reducing benefits and thereby further penalizing the individual struggling for survival. This bill, I am certain, will do much to correct this unfortunate practice and unnecessary injustice to our older employable citizens. Those who can earn and desire to do so should be permitted the opportunity, in order that they may provide for themselves and their dependents something more than bare existence.

There is another consideration which warrants our careful attention. It seems obvious that our expanded economy has been hampered by the fact that present social security laws have had the effect of forcing many older citizens from the labor market, particularly those with skills hard to replace. If we are to meet the demands of our industrial growth, in a time of full employment, then we must permit older citizens to return to existing vacancies in industry when there is a manpower shortage requiring specific skills. Just recently, the rate of unemployment in my own State of New Hampshire reached an all-time low, and one well below the national average, of 1.3 percent. We have in our State an estimated unfilled demand for some 15,000 workers, and our economic base continues to widen. In New Hampshire at least, there is ample opportunity for the elderly worker, on a seasonal or part-time basis, in our retail establishments, in our recreational industry, and elsewhere. In short, our economy would benefit no less than the individual. It is noteworthy that in times of national emergency we have found it desirable and imperative to utilize the skills and services of our older citizens, and they have performed admirably when younger men were required to bear arms. Certainly, if this can be done in times of emergency, then with all of our American ingenuity we can integrate the skills and abilities of this great and useful labor pool in an expanding peacetime economy for the benefit of all. As a matter of fact, in terms of manpower, we are faced with a somewhat comparable situation by reason of our involvement in Vietnam as we were in World War II. This clearly means, if to a somewhat lesser degree, that all employable citizens who have the ability and desire to work should be permitted reasonable employment without penalty. That is precisely why this bill allows annual earnings up to $3,000 without reduction or loss of social security benefits.

I am convinced that this proposal will accomplish the end of raising the standard of living for a large segment of our elderly population, that it would responsibly meet requirements of our growing economy, and that it achieves these two objectives without being financially disruptive. Accordingly, it is my hope that this measure will be reported favorably at the earliest possible time and that the Senate will give its approval.

Mr. President, I ask that the bill lie on the desk for 1 week for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will be held at the desk, as requested by the Senator from New Hampshire.

The bill (S. 557) to amend title II of the Social Security Act to increase the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title, and to lower from 72 to 70 years the age after which such benefits are no longer subject to deductions on account of earnings, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on Finance.

ELIMINATION OF DISCOUNT WINDFALLS ON FHA INSURED MORTGAGES

Mr. LAUSCHE. Mr. President, I send to the desk a bill, the purpose of which is to eliminate discount windfalls enjoyed by lenders on FHA insured mortgages. There has unquestionably developed a practice of lenders making a charge in many instances of 10 percent of the capital loan as extra compensation in making the loan. The lender charges not only the regular rate of interest prevalent in the community, but also a charge most often of 10 percent and more for making the loan. The FHA insures the repayment of the mortgage loan. It has been insuring these payments not only in the actual amount loaned but also in the amount of the discount enjoyed by the lender. To illustrate, a loan of $20,000 in which the lender charges a 10-percent discount nets in cash only $18,000 for the borrower. The FHA guarantees covers not only the $18,000 but the $2,000 discount as well.

This is a bad practice. It was never intended by the Congress in my judgment that the FHA should guarantee not only the repayment of the actual money paid out, but also the enjoyment of the 10-percent or more discount. This evil and abuse must be stopped.

Mortgage lenders collect discounts as a means of increasing the income or yield on the money being loaned. The effective yield on a mortgage that has been discounted varies inversely with the term of the mortgage. If a lender who has purchased or disbursed a 30-year mortgage at a discount of five points holds the mortgage for its full term, the percentage profit represented by the five points is considerably less than it would be if the mortgage were paid in full in the early years of the mortgage term. The incentive for a lender to liquidate a discounted mortgage before the expiration of its full term is in direct proportion to the amount of discount involved. This incentive is further promoted by the fact that a lender who has acquired a mortgage at a discount receives a claim settlement from the FHA based upon the full unpaid balance of the mortgage without taking into consideration that the claimant did not actually disburse 100 percent of the original loan.

As a means of removing the lender's incentive for liquidating mortgages in the early years of the mortgage term, it is recommended that provision be made for deducting discounts realized by the lender from the amount of the FHA settlement on claims filed within the first 3 years of the insurance or guarantee. The amount of discount to be deducted should include all amounts, other than the FHA approved service charge or origination fee, paid directly or indirectly to the lender as an inducement for the making of the loan. Amounts withheld from the proceeds of the loan or realized through related financial arrangements should also be taken into consideration.

Mr. President, I ask unanimous consent that the text of my bill may be printed in full at this point in the RECORD as a part of my remarks, and that the bill be held at the desk for 1 week for additional cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, will be held at the desk, as requested by the Senator from Ohio, and will be printed in the RECORD.

The bill (S. 560) to eliminate discount windfalls on FHA insured mortgages, and for other purposes, introduced by Mr. LAUSCHE, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Title V of the National Housing Act is amended by adding at the end thereof the following new section:

"CONTROL OF DISCOUNTS

"SEC. 524. (a) Claims made for the payment of insurance on mortgages insured pursuant to commitments issued on and after the date of enactment of this section by the Secretary of Housing and Urban Development under the National Housing Act (except loans insured under Title I of the National Housing Act) shall be subject to adjustment. There shall be deducted from any such claims, made within three years after the effective date of such contracts of insurance, the total of all discounts received or realized by the mortgagee originally disbursing the mortgage loan with the exception of amounts approved at the time of insurance by the Secretary as reimbursement to such mortgagee for expenses incidental to the originating or closing of the loan transaction.

"(b) For the purpose of this section, the term 'discounts' shall include all funds received by the mortgagee or for the account of the mortgagee (1) as an inducement to make a loan, (2) as interest in addition to that provided for in the mortgage instrument, (3) as a deduction from the principal amount of the loan advanced, (4) as a service charge, or (5) as an offset against any anticipated loss to the mortgagee which may occur upon the sale of the mortgage. In addition, such term shall include any sum paid to a mortgagee other than an originating mortgagee in consideration of an agreement to purchase a mortgage from an originating mortgagee."

POTATO LABELING LEGISLATION NEEDED

Mr. CHURCH. Mr. President, at the Church household these days, we are still feasting on the ample stockpile of Idaho potatoes sent by friends at home. But along about March the bottom of the last box will be exposed and we will once again be at the mercy of eastern grocery stores. Then it will be a little like fishing in a grab bag: you can never be sure what will turn up.

Last fall, my wife and I went shopping in a nearby grocery store. A sign said, "Prime U.S. No. 1 Idaho Potatoes." The biggest one was about the size of my fist balled up, and about the same shape. When baked, it oozed water, and when opened, the skin cracked like a dry leaf. This was definitely not a "Prime U.S. Grade No. 1 Idaho Potato," yet the experience is repeated thousands of times a day as housewives prepare what they think are world famous Idaho potatoes.

For some consumers, this experience has become so routine, they do not know any better. Give them genuine Idaho's, as I have done many times, and they will tell you it must be that they have never served Idaho potatoes before.

The reason this misconception prevails is obvious. Idaho potatoes cost more in eastern markets, and the unscrupulous are anxious to make an extra profit by selling all their potatoes under an assumed "Idaho" name.

Misrepresentation will probably be more prevalent in 1967 than ever before. Last fall, a disastrous 25 million hundredweight of potatoes were lost due to decay and shrinkage, as a result of a sudden and severe frost. With a shorter supply and higher prices, trading on the Idaho reputation will be a greater temptation than ever. Potatoes will be labeled "U.S. Grade No. 1 Idaho Potatoes" which are neither up to grade nor grown in Idaho, and which bear little resemblance to our quality potato.

And such flagrant misrepresentation is not the only temptation. Idaho producers spend a great deal of money each year to advertise their product. An increasing number of packers are capitalizing upon this advertising and misrepresenting, by inference, that potatoes actually grown elsewhere come from the fields of Idaho. They try to make the word "Idaho" a designation of variety, rather than a place of origin, claiming that the term "Idaho potato" is like "Irish potato"—an entirely inappropriate analogy, as any horticulturist can verify. Potatoes are sold as "Idaho russet potatoes" or "Idaho-type potatoes" with no designation of where the potatoes were grown.

Who suffers from these two types of deception?

Obviously the Idaho grower does, and so does the Idaho shipper. It has been estimated that at least 20,000 carloads, or about half of Idaho's normal fresh shipment total, are sold under false pretenses. Some say the figure is closer to 80,000, and they could be right.

However, of late, growers all over the country, not just in Idaho, have increasingly recognized that misrepresentation injures the entire potato industry. Potato quality is generally low nationwide, because no incentive exists to maintain quality. If potatoes could be labeled by their State of origin, the incentive would be provided.

The potato growers of Idaho have laid the groundwork for acceptance of such legislation by communicating with counterpart grower organizations all over the United States. Although there may be some variance of opinion on one point or another, support for the concept of labeling has won the endorsement of growers, through their organizations, in Washington, California, Wisconsin, Florida, New York, and Maine. I am pleased to say that a Senator who has long concerned himself with the welfare of farmers in his own State, and has also been recognized as a trusted friend of the consumer, Senator WARREN MAGNUSON, of

Washington, is this year joining as a cosponsor of the State-of-origin bill.

And can anyone doubt that consumers would like to be rescued from "grab bag" buying of potatoes? Pride in the product by growers and packers will inevitably insure an upgrading of quality. When the housewife can begin to depend on the integrity of the product, she will make her own choice and an improvement in quality is sure to follow.

To this end, Senator JORDAN and I have twice introduced the State-of-origin bill, which provides that potatoes be labeled according to the State in which they are grown. As written, the bill concentrates enforcement procedures at the point where the most flagrant violations occur, the repacking terminal. Federal inspectors will not need to be dispatched to the retail level, and adequate provision is made to avoid burdening the processor as well.

Mr. President, on behalf of myself, Senator JORDAN, of Idaho, and Senator MAGNUSON, I once again introduce the State-of-orgin bill. I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 562) to require fresh potatoes purchased or sold in interstate commerce to be labeled according to the State in which such potatoes were grown introduced by Mr. CHURCH (for himself, Mr. JORDAN of Idaho, and Mr. MAGNUSON), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 562

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Potato Labeling Act".

SEC. 2. For purposes of this Act—

(a) The term "State" means the forty-eight contiguous States and the District of Columbia.

(b) The term "interstate commerce" means commerce between any State or the District of Columbia and any place outside thereof; or between points within the same State or the District of Columbia but through any place outside thereof; or within the District of Columbia.

(c) The term "potatoes" means potatoes of any variety included in the species solanum tuberosum and which are in a state generally considered as perishable, but not including potatoes which have been processed by cooking, freezing, peeling, drying, or canning, or by any other means which changes them from their natural state into a prepared food.

(d) The term "container" means the immediate container in which otherwise unpackaged potatoes are contained, including but not limited to sacks, bags, trays, crates, boxes, barrels, bulk boxes, display cases, bins, bulk cars, or trucks. Such term also means the master container in which any immediate container or containers may be packed.

(e) The term "invoice" means any written itemized list of potatoes sold, offered for sale, shipped, delivered for shipment, or consigned for selling or shipment in interstate commerce.

(f) The term "dealer" means any individual, firm, partnership, association, or corporation engaged in the buying or selling of potatoes in wholesale or jobbing quantities, but such term shall not include any individual, firm, partnership, association, or corporation which purchases potatoes solely for selling at retail if the total purchases of all perishable agricultural commodities (as defined in the Perishable Agricultural Commodities Act, as amended) made by the individual, firm, partnership, association, or corporation in the preceding calendar year did not exceed $90,000.

(g) The term "wholesale or jobbing quantities" means two thousand or more pounds of all types of potatoes purchased or sold by any dealer in any day.

(h) The term "to pack" or "packed" means the placing of potatoes into containers for the purpose of sale, shipment, or display.

(i) The term "Secretary" means the Secretary of Agriculture or his designee.

(j) The term "State of origin" means the State in which any potatoes subject to the labeling provisions of this Act were produced.

(k) The term "label" means a display of written, printed, or graphic matter upon or attached to any container of potatoes in such a manner as to be readily seen under ordinary conditions of purchase.

(l) The term "repacker" means any individual, firm, partnership, association, or corporation engaged in the packing of potatoes in containers for shipment or delivery to any wholesale or retail outlet after such potatoes have been previously shipped or delivered in containers one or more times.

SEC. 3. (a) Except as provided in subsection (d) of this section, it shall be unlawful for any dealer to—

(1) sell or offer for sale,

(2) ship or deliver for shipment,

(3) receive and having so received, sell, offer for sale, or deliver or offer for delivery, or

(4) consign for selling or shipment, any quantity of potatoes, if such transaction is in interstate commerce or directly or indirectly affects interstate commerce, unless the container in which such potatoes are packed bears a label which clearly indicates, in such manner as may be prescribed by the Secretary, the State of origin of the potatoes and the name and address of the packer or repacker, and unless the invoice for such potatoes clearly indicates the State of origin of the potatoes and the name and address of the packer or repacker.

(b) It shall be unlawful for any dealer to sell, offer for sale, ship, deliver for shipment, or consign for selling or shipment any quantity of potatoes in a container labeled with more than one State of origin.

(c) It shall be unlawful for any person to detach, alter, deface, or destroy, in whole or in part, or to do any other act with respect to any label required under the provisions of this Act to be affixed to a container in which potatoes are packed if such act may defeat the purpose of this Act.

(d) The provisons of this Act shall not apply with respect to—

(1) potatoes officially certified as seed potatoes and tagged or otherwise appropriately identified by the official State potato certifying agency of the State concerned or by any other certifying agency approved by the Secretary;

(2) potatoes which have been sold, offered for sale, shipped, delivered for shipment, or consigned for selling or shipment in interstate commerce and which, prior to being offered for sale at retail, are to be processed by cooking, freezing, drying, canning, or in some other manner so as to change them from their natural state; or

(3) the transfer or delivery of potatoes from the farm on which they are produced to a temporary storage facility or packing shed, if such temporary storage facility or packing shed is not outside the area (as defined by the Secretary) in which such potatoes are produced.

SEC. 4. For the purpose of enforcing the provisions of this Act—

(a) Officers and employees designated by the Secretary, upon presenting appropriate credentials to the person in custody of any potatoes subject to the provisions of this Act, are authorized, at reasonable times, to inspect such potatoes and the containers in which they are packed.

(b) Carriers engaged in interstate commerce, and persons selling, shipping, or receiving potatoes subject to the provisions of this Act shall, upon the request of an officer or employee designated by the Secretary, permit such officer or employee, at reasonable times, to have access to and to copy all records relating to potatoes subject to the provisions of this Act and the quantity, shippers, and consignee thereof; and it shall be unlawful for any such carrier or person to fail to permit such access to and copying of any record so requested. Evidence obtained under this subsection shall not be used in a criminal prosecution of the person from whom obtained. Carriers shall not be subject to the other provisions of this Act by reason of their receipt, carriage, holding, or delivery of potatoes in the usual course of business as carriers.

(c) Dealers shall, from time to time on request of the Secretary, report to the Secretary such information and keep such records as the Secretary finds to be necessary to enable him to carry out the provisions of this Act. Such information shall be reported and such records shall be kept in such manner as the Secretary shall prescribe. For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, the Secretary is hereby authorized to examine such books, papers, records, accounts, correspondence, contracts, documents, and memorandums as he has reason to believe are relevant and are within the control of such dealer.

SEC. 5. Any person who violates any provision of this Act or any rule or regulation promulgated under authority of this Act shall upon conviction thereof be fined not less than $100 or more than $1,000 or be imprisoned for not more than ninety days, or both; but for the second and subsequent offenses the penalty shall be a fine of not less than $500 or more than $3,000, or imprisonment for not more than one year, or both such imprisonment and fine.

SEC. 6. (a) The United States district courts shall have jurisdiction, for cause shown and subject to the provisions of rule 65 (a) and (b) of the Federal Rules of Civil Procedure to restrain violations of this Act.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(c) All criminal proceedings and all injunction proceedings for the enforcement, or to restrain violations, of this Act shall be by and in the name of the United States. Subpenas for witnesses who are required to attend a court of the United States in any district may run into any other district in any such proceeding.

SEC. 7. The Secretary is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 9. The provisions of this Act shall take effect on the first day of the first calendar month which begins more than sixty days after the date of enactment of this Act.

Mr. JORDAN of Idaho. Mr. President,

I am pleased to join my colleague as cosponsor of this bill that will be of assistance not only to Idaho and other producers of quality potatoes but American consumers as well. When a product of recognized superior quality is made available to the buying public, particularly the housewives of our Nation, we want to be sure that such a product can be properly identified and protected.

The reputation of Idaho Russett potatoes is known and respected not only in the United States but in most foreign countries. They are grown in high mountain valleys where there is a lot of sunshine during the growing period. We have a very productive soil classified principally as volcanic ash. It is light yet rich in minerals. We use irrigation, both gravity and sprinkler systems so the potato crops get moisture when they need it and in the proper amounts. These along with the use of only the best certified seed and with proper care in cultivation, harvesting, storing, and transportation keeps the quality of this fine food at a very high level. Idaho baked potatoes are light, nourishing, and have a delicious flavor.

Through this bill we will require that fresh potatoes purchased and sold in interstate commerce be labeled so that the buyer will know the State in which the potatoes are grown. This will be a challenge to potato producers in States other than Idaho. It will be an incentive to our potato growers to continually improve the quality of their products and it will give the consumer the protection of purchasing the high quality potatoes that he desires.

TEMPORARY NATIONAL COMMISSION ON INTERGOVERNMENTAL FISCAL NEEDS AND RESOURCES

Mr. KENNEDY of Massachusetts. Mr. President, I send to the desk, for appropriate reference, a bill to establish a temporary national commission on intergovernmental fiscal needs and resources. The proposed Commission, with 15 members appointed by the President from inside and outside of Government, would examine the fiscal relations among all levels of Government and would report its recommendations to Congress within 2 years.

It was exactly a year ago this week that I introduced S. 2828, an identical bill, in the 89th Congress. Since then there have been a multitude of statements, proposals, and bills on the subject of tax sharing. I am sure this session will bring more of the same. I considered S. 2828 to be an important measure last year to stimulate public discussion of tax sharing. The events of the intervening months have made its passage a matter of urgency and necessity.

First, with each new proposal it becomes clear that different people have different ideas about what is encompassed in the term "tax sharing." Is it with strings or without strings? Does it supplement Federal assistance programs or supplant them? Should it be a permanent feature of our fiscal machinery or a temporary one designed to stimulate States to strengthen their own machinery? Is it a means of achieving basic changes in intergovernmental relations or is it a means of avoiding such changes? We must have an answer to these questions. We must know exactly what the alternatives are before we can decide whether we really want to proceed with the "tax sharing" concept.

Second, there can be no doubt whatsoever that the time is not now ripe for "tax sharing" under any set of definitions or goals. The need for new State and local general fiscal resources is evident now. But the potential for the Federal revenue system as a direct source is still a latent potential. The potential for "tax sharing" arises because we have such an efficient and effective Federal revenue gathering system that the revenues available can be expected to increase at some $8 billion a year. If these increments do not find their way back into the economy they will cause what economists call a "fiscal drag." If these amounts are to be spent by the governmental sector then we will have the question of how and by whom, and this is where revenue sharing becomes relevant. Yet it is painfully obvious that neither 1967 nor 1968 can possibly pose these questions. There cannot be a question as to spending revenue increments while we are spending $2 billion every month in Vietnam, and when we find that we do not have adequate funding to attain our existing national goals in combating poverty, ignorance, and illness.

Third, it may be that on the basis of deliberate study we will conclude that some sort of revenue sharing plan is warranted. And there may come a time when the use of such a plan is fiscally appropriate. But when that time comes, we must have ready a carefully wrought design to carry it out. We must have the benefit of the advice of experts, and we must have insights from the experience of those involved in government at every level. They must not be rushed in their work. The plan which is finally adopted by the Congress must not arise suddenly out of partisan opportunism or as a public relations facade.

Mr. President, I firmly believe that the area of intergovernmental fiscal needs and resources is one which goes to the heart of our federal system, and that we must tread firmly and immediately, but cautiously and thoughtfully, through it. The proposed Commission will enable us to fulfill this responsibility.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 567) to establish a Temporary National Commission on Intergovernmental Fiscal Needs and Resources, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, and referred to the Committee on Government Operations.

ELECTION REFORM ACT OF 1967

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, the Election Reform Act of 1967.

The strength of free representative government rests squarely on public confidence in its political institutions and processes. The American people have a right to expect that elections are conducted fairly and honestly. My bill seeks to guarantee this right by requiring full disclosure and publicity of the sources and uses of political campaign funds.

My bill strengthens existing laws which govern the financing of election campaigns for Federal offices in the following significant respects:

First. It requires candidates and political committees to file periodic financial statements not only in the general elections, but in prenomination campaigns, including primaries and national conventions, as well. These statements must detail the amounts and sources of campaign funds and how they were spent.

Second. It extends its reporting requirements to political committees operating in a single State, thus closing a serious loophole in existing statutes.

Third. It assures full disclosure of campaign receipts and expenditures by establishing a Federal Elections Commission to enforce its provisions. This important responsibility is relegated under present laws to the understaffed and overburdened Clerk of the House of Representatives and Secretary of the Senate.

Fourth. It removes the unrealistic ceilings on the amount of money that candidates and political committees can spend in Federal election campaigns.

My bill also requires Members of Congress and candidates for Congress to disclose all gifts and honoraria above $100 which they received.

We urgently need to reform our laws on political finance so that the American people can have no doubt that the elections in which they exercise their precious franchise are clean and are shored up by effective legislation to that end. They deserve no less than this assurance.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 596) to revise the Federal election laws, and for other purposes, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Rules and Administration.

GENERAL REVISION OF THE COPYRIGHT LAW

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I introduce, by request of the Librarian of Congress, a bill to provide for a general revision of the copyright law, title 17 of the United States Code.

With the exception of a few minor changes of a technical nature, the bill is identical with the amended version of H.R. 4347 of the 89th Congress as reported by the House Committee on the Judiciary. I introduce this text of the bill to provide a basis for the continuation of the Senate hearings on copyright law revision. The bill does not necessarily represent my personal views on the many important issues involved in this legislation.

It is presently the hope of the Subcommittee on Patents, Trademarks, and Copyrights to schedule hearings on this bill at an early date in this session.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 597) for the general revision of the copyright law, title 17 of the United States Code, and for other purposes, introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

LEAVE TO EMPLOYEES OF THE UNITED STATES IN CERTAIN CASES

Mr. BREWSTER. Mr. President, I am today reintroducing my bill to grant court leave to employees of the United States when appearing as witnesses on behalf of a State in any judicial proceeding. This legislation would make comparable the circumstances involving Federal employees called as witnesses for the State and those involving such employees serving as witnesses for the Federal Government.

In our continuing war on the growth of crime, we try to encourage every citizen to do his part in combating the problem and to overcome his natural reluctance to participate in criminal prosecutions. However, we are also throwing roadblocks in the paths of many of our conscientious citizens who are Federal employees and who wish to assist their State in coping with the daily occurrences of lawbreaking.

Under our existing law, Federal employees are allowed to testify on behalf of Federal and District of Columbia proceedings without being penalized by having the time away from work charged against annual leave. Yet, Federal employees appearing for the State in criminal prosecutions are unfairly discriminated against as they must either take annual leave or leave without pay.

I have found the problem particularly acute in suburban Maryland courts which summon numerous Federal employees to testify for the prosecution. An employee's hesitation to testify because of the leave penalties is understandable; certainly, we should not levy a fine against those who must do their civil duty just because they are on the public payroll. It is imperative that we make court leave available so that witnesses will volunteer to enlist in the war against crime, and so that the civic-minded citizen will not be thwarted in his attempts to do the public a service.

Mr. President, court appearances are a civic and social responsibility that must be assumed by all members of our society if we are to make any headway in our efforts to quell the present trend of crime. We should encourage good citizenship—not penalize it. Increased police protection amounts to little if, after an arrest, State witnesses do not come forward and confront the accused in a court of law.

My bill will alleviate the existing restrictions against Federal employees when serving for the benefit of the State, and therefore is equally important both to combating crime and to encouraging good citizenship and cooperative attitudes toward our judicial system.

I respectfully urge my colleagues to give this legislation their support and would hope to see early action on the measure in this Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 598) to grant court leave to employees of the United States when appearing as witnesses on behalf of a State in any judicial proceeding introduced by Mr. Brewster, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

COMPUTATION OF CERTAIN SERVICE OF CIVIL SERVICE ANNUITANTS

Mr. BREWSTER. Mr. President, I am today introducing, for appropriate reference, a bill that will provide for the inclusion of certain periods of service rendered States or instrumentalities of States in the computation of civil service annuities.

My bill enumerates the 15 Federal-State cooperative programs that would be covered by this legislation. The problem has long been a matter of contention in the past, and I have received numerous communications not only from Marylanders, but from Federal employees throughout the country who have several years of service in a Federal-State cooperative capacity, yet who cannot have this tenure added to present Government service for credit toward retirement benefits.

The Federal-State cooperative instrumentality is largely a proving ground for research specialists and administrators who later join the Federal service and bring valuable firsthand knowledge and experience to Government agencies. These men and women in State operations often form the backbone of their particular field of service in the Federal Establishment. Yet the obstacle we place in the paths of those employees who wish to combine periods of State and Federal employment for retirement credit is inequitable and unjust. It hinders the movement of persons with backgrounds useful to the Government in their search for Federal careers.

We must not let our Government suffer from lack of competent, qualified personnel in any segment of its operations, particularly because of our own unwillingness to offer employees benefits to which they are justifiably entitled. The complexities of the times and our increasing specialization in the various divisions of Government services demand a high caliber of Federal workers. If we are to recruit adequately experienced, knowledgeable people for positions in the areas of government affected by this legislation, we must recognize the existing shortcomings in the treatment of these Federal employees.

I feel we must be cognizant of the needs of our employees in State instrumentalities by giving them the opportunity to pay into the retirement fund that sum, plus interest, which would have ordinarily been deducted from their base pay had they been subject to the Retirement Act during cooperative service. If we are to have responsible and respected public servants, we must afford them equitable treatment in their benefit program. If we are to fulfill our obligations and live up to the duties which we have to our employees as the Nation's number one employer, and thereby afford the public the service which it demands, we must recognize the need for this corrective legislation in the retirement limitation on employees of Federal-State cooperative programs.

Mr. President, I urge my colleagues to give this legislation their consideration and should like to express my hope that it will receive favorable action during this session of Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 599) to amend title 5, United States Code, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, for the purpose of computing a civil service annuity, and for other purposes, introduced by Mr. Brewster (for himself and Mr. McGee), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENTS TO THE LOBBYING ACT

Mr. COOPER. Mr. President, I send to the desk a bill to amend title 3 of the Legislative Reorganization Act of 1946, the "Federal Regulation of Lobbying Act." Except for one technical change, this is the identical bill that I offered in the last session of the Congress in the Rules Committee, which committee reported favorably the bill, S. 2233, to the Senate in report No. 419 on June 30, 1965, and I ask that it be referred to that committee.

My bill would place administrative responsibility in one agency, the Comptroller General, where none exists at present. The Comptroller General is selected as he is an arm of the Congress and has wide investigatory authority.

The bill would provide the Comptroller General with authority to investigate compliance with the act by ascertaining whether any person or organization has failed to file reports or statements as required by the act, or has filed incomplete or inaccurate reports or statements. If violations are discovered, the Comptroller General would be directed to report such violations to the Department of Justice for action.

The Comptroller General would be required also to transmit to Congress any recommendations to further the objectives of the act, and to file annually a complete report on the administration of the act.

Finally, the Comptroller General would be required to transmit to the Secretary of the Senate and the Clerk of the House copies of the filed registration statements so that they could be readily available for public inspection at both Houses of Congress.

Persons and organizations registering under this act are now required to file their registration statements quarterly with the Secretary of the Senate and with the Clerk of the House. One of the weaknesses of the act as presently written is that there is no body or authority to administer it, to examine the statements to determine if the terms of the statute have been complied with, and to seek inquiries and make investigations of individuals or organizations who have not filed so as to ascertain if such individuals or organizations are entitled to an exemption or are excepted from the provisions of the act, or are engaged unlawfully in lobbying.

The basis for this legislation is the testimony heard by the Senate Rules Committee in the course of the investigation of Mr. Robert Baker. It was evident that persons who should have been registered under the Lobbying Act had not done so. One witness testified that he received $50,000, he said, for representing an ad hoc trade association in legislation before the Congress, that he did not consider his activities as "lobbying" and that, therefore, he felt no need to register under the Lobbying Act. His testimony further disclosed that 2 days after the particular legislation became law he paid some $5,000 to Mr. Robert Baker through the latter's law firm.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a few of the questions I asked this witness when he appeared before the Rules Committee, and his answers.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the testimony will be printed in the RECORD.

The bill (S. 609) to provide for the administration of title III of the Legislative Reorganization Act of 1946 (Federal Regulation of Lobbying Act) by the Comptroller General of the United States, and for other purposes, introduced by Mr. COOPER, was received, read twice by its title, and referred to the Committee on Rules and Administration.

The testimony presented by Mr. COOPER is as follows:

The CHAIRMAN. Senator Cooper.

Senator COOPER. At the time you gave this check for $5,000 you had determined that you were not going to attempt to qualify yourself to practice law in the District of Columbia?

Mr. WEINER. Yes, sir.

Senator COOPER. What services did you expect the firm of Baker & Tucker would render you in the future?

Mr. WEINER. Well, sir, whenever a corporation hires an attorney on a retainer——

Senator COOPER. Would they be rendered to your public relations firm?

Mr. WEINER. Yes, sir.

Senator COOPER. Since that time have you maintained an office for your public relations firm in Washington?

Mr. WEINER. Yes, sir.

Senator COOPER. Have you had any clients?

Mr. WEINER. Yes, sir.

Senator COOPER. Has Baker or Tucker rendered you any services in connection with those clients?

Mr. WEINER. No, sir.

Senator COOPER. Not a bit?

Mr. WEINER. No, sir.

Senator COOPER. Have you called on them for advice?

Mr. WEINER. I have never called on Mr. Tucker for advice.

Senator COOPER. Have you called on Mr. Baker for advice?

Mr. WEINER. I did not have the opportunity to. That is why—I am sorry, sir.

Senator COOPER. It has been 3 years, and you have never called on Baker & Tucker?

Mr. WEINER. No, sir. This retainer was for 1 year.

Senator COOPER. In that 1 year did you call on Baker or Tucker?

Mr. WEINER. No, sir; I never had occasion to call on them for one drop of advice, and that is why the retainer was not renewed.

Senator COOPER. Who are your clients for the year following the date you gave the check to Tucker?

Mr. DONOHUE. Senator, if you press for an answer, it is really a bit unfair for a man in a profession to be asked to disclose at a public hearing of this character the identity of his clients. It is unfair to the clients, and it is certainly unfair to him, because it might well cause him to lose it.

Senator COOPER. I want to be very fair, but I don't agree with you at all.

Mr. DONOHUE. Could he supply that information——

Senator COOPER. Here is a man who comes and testifies that he had hired Baker & Tucker to give legal advice relating to future business. I think it is certainly relevant to find out if he had any business.

Mr. DONOHUE. May I ask, Senator, if you will permit him to disclose the names of his clients that he may have represented in 1961 in a written memorandum to the committee and not on the public record?

Senator COOPER. I don't agree with that. This man is testifying. He deserves credit for coming here to testify, but he admits himself that he has made contradictory statements, and our duty is to search out the truth. He himself has said he was expecting advice in the future, and he said he expected it in connection with work that he might perform for clients. I think it is important to know if he had any clients.

Mr. DONOHUE. I would say, Senator, it would certainly be apropos within the period of a year when, in which the retainer was stated to have covered from September 21, 1961, to September 21, 1962. I think it would be pertinent to ask him if he had any clients during that period of time, if on their behalf he asked the law firm of Baker and whatever the man's name is, Tucker, for any advice.

Senator COOPER. I have asked him that and he has said, "No." But I would like to know if he had any clients and to know their names. He said he had clients, and I want to find out if he had them. That can be determined by giving their names. So I will ask him again to furnish the names of the clients during the year following the issuance of the check.

Mr. DONOHUE. If the Senator presses the question, I will have to advise my client that he must answer it.

Mr. WEINER. Otis Elevator.

Senator COOPER. I would——

Mr. WEINER. Senator, I assure you I am not concealing except to protect the clients, because there is no possible involvement and no possible connection.

Senator COOPER. I know that I am right as far as the law is concerned, and so I will ask that the chairman ask him to——

Mr. DONOHUE. I would not embarrass the Senator to ask the chairman. If the Senator asks the question, my client will answer.

Senator COOPER. All right. You had clients during the one year following the date which you gave the check you expected to secure advice for from this firm. Give the names of those clients.

Mr. WEINER. Would you repeat that? I'm sorry, sir; I did not understand the last part of your question.

Senator COOPER. We had been discussing it here.

Mr. WEINER. No, sir; but I want to answer it correctly.

Senator COOPER. If you had any clients in the year following the date of the check for $5,000, will you give to the committee the names of those clients.

Mr. WEINER. Yes, sir. I represented the Otis Elevator Corp.

Senator COOPER. The what?

Mr. WEINER. The Otis Elevator Corp.

Senator COOPER. Otis Elevator?

Mr. WEINER. Yes, sir.

Senator COOPER. Anyone else?

Mr. WEINER. I am not prepared to answer that question, sir. There are other minor clients, but I do not recall their names.

Senator COOPER. Well, it is late, and I am sure he will be called back, but we would like to go through these papers, and I will ask that he furnish the committee the names of those clients. Now, in any event——

The CHAIRMAN. You will furnish that?

Mr. WEINER. Yes, sir.

Senator COOPER. In any event, Mr. Baker or Mr. Tucker did not give you any advice following your issuance of the check?

Mr. WEINER. No, sir; they did not.

Senator COOPER. Did you expect Mr. Baker to give you advice, as well as Mr. Tucker?

Mr. WEINER. Yes, sir.

Senator COOPER. Now, you said that you were rather naive about conditions here in Washington. Yet in your own venture in Washington at that time as a representative of the freight forwarders, you were quite successful. Is that correct?

Mr. WEINER. Yes; the first venture was very successful.

Senator COOPER. You represented the freight forwarders in Washington?

Mr. WEINER. Yes, sir.

Senator COOPER. You heard Mr. Barr testify?

Mr. WEINER. Mr. Barr's testimony was the absolute truth.

Senator COOPER. Mr. Barr remembers that he stated in talking to you that you convinced him and his committee that you could be successful in securing or helping to secure the freight forwarders' desired legislation. Is that correct?

Mr. WEINER. Yes, sir.

Senator COOPER. What information did you give him to assure him that you could help in the passage of this legislation?

Mr. WEINER. I didn't give him any information that procured passage of a bill, sir. I was merely able to convince them——

Senator COOPER. What?

Mr. WEINER. I was merely able to convince these gentlemen that I possibly had the ability to serve—distinguishing fact from fiction—that I would devote all of my time to this effort, even to the extent of neglecting my law practice in New Jersey.

Senator COOPER. You remember he stated that you and he were in almost daily touch and you reported to him?

Mr. WEINER. Yes, sir; several times a day.

Senator COOPER. Reporting that you were making good progress. You submitted requests for payment of your retainer of $50,000. What were you doing here to secure this progress in the passage of the bill?

Mr. WEINER. My duties here, sir, were really confined to watching and evaluating exactly what was happening and reporting back to my client. As indicated by Mr. Barr, in the previous year they had had a bill that was passed by both the House and the Senate, and then it got stuck in the conference, and because the year ended, they did not have time to go back and attempt to revise it and get together. These people were at their wits' end when I did speak to them because of the regulations imposed by the Federal Maritime Board, and it was a question that every one had to put forth the utmost effort, otherwise they would all have been out of business.

Senator COOPER. Were you an expert in this field?

Mr. WEINER. No, sir. I had no experience at all in it, and they knew it. I think they were convinced that perhaps I had——

Senator Cooper. Did you testify before commitees?

Mr. Weiner. No, sir; nor did I ever prepare a statement for anybody to use in giving testimony.

Senator Cooper. What did you do then to secure the passage of the bill?

Mr. Weiner. These gentlemen for many years——

Senator Cooper. What?

Mr. Weiner. Senator, these gentlemen, I think you understand the situation as I found it when I was approached and gained a client——

Senator Cooper. What is this?

Mr. Weiner. I think you understand fully the exact circumstances that are necessary. These people for many years have been attempting to get legislation through. At the time my services were engaged, a bill had already been introduced by Senator Yarborough and Congressman Lennon. I did not know these gentlemen, and when I was engaged I did not know any Members in either the Senate or the House of Representatives on the committees that were working on the bills that had to report them out. I was merely able to convince these people that I had the ability to perform—I guess I am a good salesman—and they did retain my services. There was no representation made by me, as was said by Mr. Barr.

Senator Cooper. The substance of your statement is then that you didn't testify at the hearings and that you are not an expert in this type of legislation?

Mr. Weiner. No, sir.

Senator Cooper. You didn't consult with any employee of the Senate or the House or any Member of the Senate or Member of the House? Is that correct?

Mr. Weiner. No sir; it is not correct.

Senator Cooper. What did you do?

Mr. Weiner. I was introduced to members on the committee after I was engaged by the freight forwarders, members that they had spoken to, members that seemed sympathetic to the cause, people that they secured to introduce the bill, people that they had convinced that the bill was worthy, and that the industry was worth saving.

Senator Cooper. Did you talk to them?

Mr. Weiner. I did, sir, after I was introduced by the freight forwarders; I spoke to no one; I, in fact, knew no one, Senator. I did not know any member of the House or the Senate committees that had these bills.

Senator Cooper. You just talked to Members.

Mr. Weiner. After I was introduced to them by the freight forwarders. I did not go up and say, "I would like to meet you, Senator. I am working on a bill." I went in the company of people that knew them.

Senator Cooper. Did you tell them that you were working on the bill?

Mr. Weiner. I was introduced, as I say, by the trade, the freight forwarders, though, and they were told I was to be the representative in Washington to watch the progress.

Senator Cooper. Did you discuss the merits of the bill with the members of the committee?

Mr. Weiner. Members?

Senator Cooper. Did you give them any literature?

Mr. Weiner. No, sir; I did not give them any literature.

Senator Cooper. Not being an expert, were you able to discuss the merits of the bill?

Mr. Weiner. Well, sir, the people that I was introduced to did not have to be convinced of the merits of the bill because the freight forwarders had done an excellent lobbying job, and they had convinced them. It was not my job to convince any Senator or Congressman to vote for this bill, nor did I attempt to.

I did, however, speak to Senators and Congressmen on the committees after being introduced to them, who had already been spoken to by the freight forwarders in the various parts of the country, and were sympathetic to the bill.

Senator Cooper. Were you registered as a lobbyist?

Mr. Weiner. No, sir; I was not lobbying.

Senator Cooper. Not lobbying? Did you talk to Mr. Baker about this bill?

Mr. Weiner. Mr. Baker knew that I was working on the bill.

Senator Cooper. Did you talk to him about it?

Mr. Weiner. No, sir.

Senator Cooper. Never did?

Mr. Weiner. Other than the fact that——

Senator Cooper. What?

Mr. Weiner. No, sir; other than the fact that this was a client I had, and what I was doing, but I did not ask for his help nor did I receive any.

Senator Cooper. How long had you known Mr. Baker?

Mr. Weiner. Well, I had met Mr. Baker, I would say, a year or so before this occurred. It was truly social.

Senator Cooper. Who introduced him to you? Do you remember?

Mr. Weiner. No. I was in a restaurant here in Washington one day when I was down on one of my visits, and I was having lunch with somebody. Obviously the person I was having lunch with did know Mr. Baker because Mr. Baker came along and said, "Hello," and he sat down, and had a drink, and that was all there was to it.

Senator Cooper. Why were you in his office so often during the time that this bill was under consideration?

Mr. Weiner. As I indicated before, sir, when up on the Hill it was a very convenient place to go, and I didn't have many friends on the Hill, and there is no explanation other than the fact that I did, sir.

Senator Cooper. And it is your statement in all this time that you never discussed with him the legislation or your interest or asked for his help in securing its passage?

Mr. Weiner. No, sir. He knew I was working on it. I did not ask for nor receive any help on this matter.

Senator Cooper. Did you also keep an apartment in the La Salle Hotel?

Mr. Weiner. I am still there, sir.

Senator Cooper. What?

Mr. Weiner. My office is in the La Salle Hotel, sir.

Senator Cooper. Now?

Mr. Weiner. Yes, sir.

Senator Cooper. Then you have this office and also an apartment that you mentioned before?

Mr. Weiner. Yes, sir; it is all in one.

Senator Cooper. What?

Mr. Weiner. It is all in one.

Senator Cooper. It is the same place?

Mr. Weiner. Yes, sir.

Senator Cooper. When you gave this check you said that you wanted to be very correct and to show what it was for and so you wrote on the check the services to be rendered. Why didn't you submit some written memorandum or why didn't you make the check out to the firm of Tucker & Baker?

Mr. Weiner. I'm sorry, sir; I did not hear the last part of your query.

Senator Cooper. You have said that you wanted to be very correct and so you wrote upon the check the purpose of the check being for legal services. Why didn't you spell it out more explicitly either in the nature of some memorandum between you and Baker & Tucker or make the check out to Baker & Tucker?

Mr. Weiner. It just was not done, sir. I had no reason to do it. If I did not trust the people to act according to their agreement I should not have engaged their services to start with, particularly as attorneys. I just did not feel that there was need for a written retainer agreement.

Senator Cooper. Mr. Weiner——

Mr. Weiner. I wish I had at this point, sir.

Senator Cooper. Counsel has read to you certain statements you have made. Of course, you have known the reason you have been interviewed and its connection with this inquiry?

Mr. Weiner. Yes, sir.

Senator Cooper. And you know that the central figure in this inquiry has been Mr. Baker; that most of the problems we have gone into have arisen from the central figure, Mr. Baker. Is that correct?

Mr. Weiner. Yes, sir.

Senator Cooper. Then why did you in your answer withhold an important central fact about which you could testify?

Mr. Weiner. I was not attempting to withhold——

Senator Cooper. What?

Mr. Weiner. Actually I was not attempting to withhold anything, Senator.

Senator Cooper. What is that?

Mr. Weiner. I was not attempting to withhold anything.

Senator Cooper. But whether you attempted or not——

Mr. Weiner. All that occurred, I was trying to keep away from this issue since I had really nothing to do with Mr. Baker except paying his firm a legal fee, and the fact that I knew him, and I was not involved in any business dealings with him or anything else that I have read in the newspapers and, as a result, I just wanted to stay away from this.

NONREIMBURSEMENT FOR RECREATIONAL PURPOSES OF BANKS LAKE ON THE COLUMBIA BASIN PROJECT

Mr. JACKSON. Mr. President, I introduce, for appropriate reference, on behalf of myself and my colleague, Senator Magnuson, a bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable.

Banks Lake is an equalizing reservoir on the Columbia Basin project. The lake is now operated for irrigation purposes alone and the water level fluctuates widely, thus making recreational use difficult, if not impossible. This bill would authorize the Secretary to stabilize the water level of the lake by permitting additional pumping. Stabilization of the water level of the lake would enhance values for recreation users of the area and would be especially beneficial for the most effective utilization of existing and planned facilities at Coulee City in the State of Washington.

I believe this legislation merits the approval of the 90th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 605) to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable, introduced by Mr. Jackson (for himself and Mr. Magnuson), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

A PROPOSED CONSTITUTIONAL AMENDMENT RELATING TO THE POWER OF COURTS OF THE UNITED STATES TO ADMIT VOLUNTARY CONFESSIONS OF GUILT IN CRIMINAL TRIALS

Mr. ERVIN. Mr. President, on behalf of myself and Mr. BENNETT, Mr. BIBLE, Mr. BYRD of Virginia, Mr. DODD, Mr. EASTLAND, Mr. ELLENDER, Mr. FANNIN, Mr. HAYDEN, Mr. HICKENLOOPER, Mr. HOLLINGS, Mr. LAUSCHE, Mr. SPARKMAN, Mr. TALMADGE, Mr. THURMOND, and Mr. YOUNG of North Dakota, I introduce, for appropriate reference, a joint resolution which would reestablish the very sensible and sound rule that the voluntary confession of an accused in a criminal case shall be admissible in evidence against him on his trial.

After years and years of increasing crime rates, I feel sure that we must all agree with the President's recent pronouncement in his state of Union message that "this Nation must make an all-out effort to combat crime." The latest crime statistics available from the Federal Bureau of Investigation indicate that serious crimes throughout the United States increased 10 percent during the first 9 months of 1966. Since 1960, the volume of crime in the United States has risen 46 percent while the population has grown only 8 percent.

In our great cities citizens are faced with increased odds that they may become the victims of muggings, vicious assaults, burglaries, and the wanton destruction of property. Last November, for example, was the 54th successive month that crime has risen in the Nation's Capital.

Of course, the problem of increasing crime is closely related to the effectiveness of law enforcement, and national commissions and Federal grants to improve the effectiveness of our law enforcement officials are important facets of our war on crime; but these useful and necessary steps do not alter the fact that we must grant our police the opportunity to do their job. Increasingly in the last decade, our law enforcement officers have been denied reasonable procedures which were once great bulwarks against crime. Recent high court rulings, particularly the case of Miranda against Arizona, have stressed individual rights of the accused to the point where the public safety has been relegated to the back row of the courtroom.

As a result of the Miranda case, the Supreme Court has erected a number of artificial rules which have the effect of excluding confessions of guilt in criminal cases no matter how voluntary such confessions may have been given. I have been concerned for years with decisions of the Supreme Court on this aspect of criminal law because such decisions have placed unjustified handicaps upon law enforcement officers and trial courts and have resulted in the freeing of multitudes of criminals of undoubted guilt.

The fundamental purpose of the criminal law is to protect society against criminals. The law desires, however, to avoid the conviction of any innocent man. To this end, it erects in favor of any persons charged with a crime a presumption of innocence, requires the prosecution to establish every essential element of his guilt beyond a reasonable doubt, secures to him the services of a lawyer, gives him the compulsory process to obtain the attendance of witnesses in his behalf, and secures to him the right to cross-examine through the agency of his lawyer the witnesses against him. These things are as they should be.

However, the recent decisions of the Supreme Court of the United States on the subject of confessions seem to be based on the theory that society needs little protection from criminals, but criminals need much protection from law enforcement officers. This theory is most unjust to the honorable law enforcement officers who frequently jeopardize and sometimes lose their lives in efforts to protect society from those who prey upon it. I agree with those who call this philosophy the "fox hunt theory of law enforcement" because it tends toward viewing the criminal law as a mere game in which the criminal, like the fox, should be given an even chance to escape.

There is no doubt that the Miranda case tilts the scales of justice in favor of those accused of crime and against the prosecution. The Court has lost sight of the fact that the accuser and society are just as much entitled to justice as the accused.

My proposed constitutional amendment provides in substance that the only test of the admissibility of the confession of guilt in a criminal case is its voluntary character, and the decision of the trial judge that a particular confession is voluntary shall not be reversed if it is supported by any competent testimony in the case. Thus, the amendment would retain the rule which the Supreme Court itself recognized as valid until recent days and which prevailed in all States whose legal systems are based on the common law.

The trial judge sees the witnesses who give testimony concerning the circumstances under which a confession is made. He has an opportunity to observe the witnesses and to determine which of them is telling the truth. The rule which I propose would exclude from evidence in criminal cases involuntary confessions irrespective of whether they may be true or false, and this is the only practical and reasonable way in which courts can deal with the confessions problems.

The sole test for the admissibility of a confession into evidence should be whether or not it was voluntarily made. The truth is that there is no stronger evidence against any man than his voluntary confession that he committed a crime which the law requires to be established by other testimony independent of his confession. By allowing a determination of whether the confession was voluntary, my amendment will afford protection to the civil liberties of suspects while allowing proper leeway to the protection of the general public interest in having the crime either prevented or solved.

Already, the effects of the Miranda case are being felt around the country. Solicited by the Subcommittee on Criminal Laws and Procedures, of which I am a member, reports from many district attorneys from all over the Nation indicate that the percentage of criminal suspects who now refuse to make confessions or statements is greater than before the Miranda case. In New York, for example, the district attorney of Brooklyn has stated that there was a 40-percent increase during recent months after Miranda in the number of suspects who refused to make statements to Brooklyn authorities in criminal cases.

I urgently appeal to you to give every consideration to this amendment. Our thousands of dedicated and honorable law-enforcement officers deserve this vote of confidence; and the people of America, sick and tired of criminals going unpunished and crime increasing, demand it.

Mr. President, I ask unanimous consent that a copy of my proposed joint resolution, together with two statements which I have recently given on the Miranda decision, be printed at this point in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and statements will be printed in the RECORD.

The joint resolution (S.J. Res. 22) proposing an amendment to the Constitution of the United States to provide that the voluntary admission or confession of the accused in a criminal prosecution shall be admissible against him in any court sitting anywhere in the United States, and that the ruling of a trial judge admitting an admission or confession as voluntarily made shall not be reversed or otherwise disturbed by the Supreme Court or any inferior court established by Congress or under its authority if such ruling is supported by competent evidence, introduced by Mr. ERVIN (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 22

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE —

"SECTION 1. Except when the Congress establishes a different test in prosecutions for crime against the United States or a district, commonweath, territory, or possession of the United States, or when the State establishes a different test in prosecutions for crime against it, the sole test of the admissibility of an admission or confession of an accused in a criminal prosecution in any court sitting anywhere in the United States shall be whether or not it was voluntarily made, and the ruling of a trial judge admitting an admission or confession in evidence as voluntarily made shall not be reversed or otherwise disturbed by the Supreme Court or any inferior court ordained and established by the Congress or under its authority if the ruling is supported by competent evidence. The provisions of this amendment shall be applicable to an admission or confession even though it was made by an accused under arrest or in custody during his interrogation by a law enforcement officer prior to the commencement of the criminal prosecution when no counsel representing him was present."

The statements presented by Senator ERVIN are as follows:

Miranda v. Arizona: A Decision Based on Excessive and Visionary Solicitude for the Accused

Mr. ERVIN. Mr. President, in its recent 5 to 4 decision, in *Miranda* v. *Arizona,* 384 U.S. 436, the Supreme Court reversed State court convictions for kidnaping, rape, and robbery, and a Federal court conviction for robbery on the ground that they were based upon voluntary confessions made by the accused while they were being questioned by law enforcement officers who had them in custody. As a result of the decision, some of these self-confessed criminals may go free.

While none of the convictions was for murder, the decision calls to mind Daniel Webster's aphorism:

"Every unpunished murder takes away something from the security of every man's life."

I wish to make some observations concerning the majority decision in the Miranda case, and its impact upon constitutional government and the capacity of our society to protect its law-abiding members from those who commit murder, rape, robbery, and other crimes.

In so doing, I shall exercise a right vouchsafed to all Americans by these words of the late Chief Justice Harlan F. Stone:

"Where the courts deal, as ours do, with great public questions, the only protection against unwise decisions, and even judicial usurpation, is careful scrutiny of their action, and fearless comment upon it."

The Constitution of the United States makes these fundamental principles as clear as the noonday sun in a cloudless sky:

First. The power to amend the Constitution of the United States, which is the power to change its meaning, belongs to Congress and the States, and not to the Supreme Court.

Second. The legislative power of the United States, which is the power to prescribe rules of conduct for the people of the United States, belongs to Congress, and not to the Supreme Court.

Third. The Supreme Court has no power in respect to the Constitution and laws of the United States except the power to interpret them, which is merely the power to ascertain and give effect to their meaning.

Fourth. The power to amend their constitutions belongs to the respective States and their people, and not to the Supreme Court.

Fifth. The legislative power of the States, which is the power to prescribe rules of conduct for their people, belongs to the lawmaking bodies of the respective States, and not to the Supreme Court.

Sixth. The Supreme Court has no power in respect to the constitutions and laws of the States except to interpret them for the purpose of determining whether they conflict with the Constitution of the United States.

Moreover, there is not a syllable in the phraseology of the Constitution of the United States which is not in accord with these self-evident truths:

First. The laws relating to crime and criminal procedure were made to protect society from those who commit murder, rape, robbery, and other offenses, and not to free self-confess criminals.

Second. The most convincing evidence of the guilt of the accused in a criminal case is his own voluntary confession that he committed the crime with which he stands charged.

My love for the law disables me to pay homage to deviations from constitutional principles and self-evident truths, even when Supreme Court Justices are responsible for the deviations. As a consequence, it constrains me to say that the majority decision in the Miranda case is incompatible with the six constitutional principles which have been enumerated, and the two self-evident truths which have been stated.

I digress momentarily to point out our country's present plight in respect to crime.

Crime is rampant and rising in our land. Since 1960, the volume of crime in the United States has risen 46 percent while the population has grown only 8 percent. The tragedy implicit in these figures is heightened by the FBI study of offenders, which reveals that over 48 percent of them repeat their offenses within 2 years after being released upon a prior charge.

I state in epitome the statistics relating to crimes committed in the United States during 1965:

Serious crimes: 2,780,000, an increase of 6 percent over 1964.

Murders: 9,850, an increase of 6 percent over 1964.

Forcible rapes: 22,470, an increase of 9 percent over 1964.

Robberies: 118,920, an increase of 6 percent over 1964.

Aggravated assaults: 206,700, an increase of 6 percent over 1964.

Burglaries: 1,173,200, an increase of 6 percent over 1964.

Grand larcenies: 762,400, an increase of 8 percent over 1964.

Automobile thefts: 486,600, an increase of 5 percent over 1964.

This catalog of crime justifies certain conclusions concerning the hour. It is no time for judges to allow an excessive and visionary solicitude for the accused to blind their eyes to the reality that the victims of crime and society itself are as much entitled to justice as the accused. It is likewise no time for judges to let an excessive and visionary solicitude for the accused prompt them to usurp and exercise power they do not possess and invent new rules to turn loose upon society self-confessed criminals.

The Miranda case is the latest step in the journey which some Supreme Court Justices began in *McNabb* v. *U.S.,* 318 U.S. 322, and *Mallory* v. *U.S.,* 354 U.S. 449, and continued in *Escobedo* v. *Illinois,* 378 U.S. 478.

The dissent of Justice White in the Escobedo case may reveal the purpose of the journey. He said:

"The decision is thus another major step in the direction of the goal which the court seemingly has in mind—to bar from evidence all admissions obtained from an individual suspected of a crime, whether involuntarily made or not."

The rulings in the McNabb and Mallory cases are not based upon constitutional grounds. In those cases, the Court seized upon a rule of criminal procedure applicable solely to arresting officers, converted it into a rule of evidence, and held that the rule as thus converted barred voluntary confessions made by the accused during a period of unnecessary delay between arrest and arraignment. Hence, the rulings in the McNabb and Mallory cases can be nullified by a simple congressional enactment.

It is otherwise, however, with respect to the rulings in the Escobedo and Miranda cases. It will require either some judicial repentance or a constitutional amendment to protect the American people from the consequences of these rulings.

The Escobedo case illustrates the truth that hard cases are the quicksands of sound law. In it, the Court considers the provision of the sixth amendment, which specifies that "in all criminal prosecutions, the accused shall enjoy the right to have the assistance of counsel for his defense," and holds by a 5-to-4 vote that the right to have the assistance of counsel for one's defense established by it antedates the beginning of a criminal prosecution, and arises whenever a law enforcement officer begins to suspect that a person in his custody might be the perpetrator of an unsolved crime which he is investigating.

The decision of the majority in the Miranda case stamps with approval the Escobedo case's ruling in respect to the sixth amendment right to have the assistance of counsel for one's defense. After so doing, the majority opinion proceeds to hold that no matter how spontaneous it may be, and no matter how intelligent or versed in law its maker may be, no voluntary confession made by a suspect in custody while being questioned by a Federal or State law enforcment officer investigating an unsolved crime can be admitted in evidence in any Federal or State Court, unless the law enforcement officer strictly observes the newly invented requirements which are laid down in the Miranda case, and which did not even exist until the majority opinion in that case was written. The majority decision undertakes to justify this holding by asserting that these requirements are implicit in the fifth amendment privilege against self-incrimination.

According to these newly invented requirements, the suspect in custody "must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney, one will be appointed for him prior to any questioning if he so desires. Opportunity to exercise these rights must be afforded to him throughout the interrogation."

The requirements provide, moreover, that even if the specified warnings are given, no subsequent voluntary confession of the suspect can be received in evidence in any court unless his attorney is present when it is made or unless he waives the right enumerated in the warning before making it. And the requirements further prescribe that the suspect can waive such rights only by expressly saying that he "is willing to make a statement and does not want an attorney." And even in that event the voluntary confession is inadmissible unless it "closely" follows the express waiver.

The majority decisions in the Escobedo and Miranda cases in respect to the sixth amendment right to have the assistance of counsel for one's defense are repugnant to the words of the Constitution and all prior cases construing them. According to the words of the Constitution, the sixth amendment right to have the assistance of counsel for one's defense does not exist except in a criminal prosecution, and hence cannot possibly arise until a criminal prosecution is commenced. A criminal prosecution is a prosecution in a court of justice in the name of Government against an individual charged with crime and involves a determination of his guilt or innocence. This being true, the informal questioning of a suspect in custody by a law enforcement officer cannot be rightly equated with a criminal prosecution.

While Congress and State legislatures may enact statutes applicable in their respective jurisdictions which enlarge the right of an individual to have the assistance of counsel, the Supreme Court is powerless to add to or take from the scope of the constitutional right to have the assistance of counsel as such right is defined in the sixth amendment. Accordingly, the majority decisions in the Escobedo and Miranda cases represent an attempt to change the meaning of the sixth amendment.

The Supreme Court virtually confesses this to be so in the subsequent case of *Johnson* v. *New Jersey* (384 U.S. 719), by refusing to apply the ruling in the Escobedo case to cases antedating it.

The majority decision in the Miranda case does even more violence to the fifth amendment privilege against self-incrimination.

This constitutional provision had its origin in a court of evidence which arose in England out of abhorrence for the notorious Court of Star Chamber, which actually forced men to be witnesses against themselves on the trial of criminal charges against them. The principle it embodies has been incorporated into the constitutions of virtually all States in the Union.

It seems appropriate to note that the Miranda case has nothing to do with involuntary confessions. Involuntary confessions have been inadmissible in criminal cases in Federal and State courts since the founding of the Republic. It is needless to inquire why this is so. It seems appropriate to observe, however, that involuntary confessions are barred from evidence in criminal cases in State courts not only by their own laws, but also by the due process clause of the 14th amendment.

The majority decision in the Miranda case is without support in any prior decision. Moreover, it is in actual conflict with a number of prior decisions which expressly reject arguments of counsel for accused that requirements similar to those invented in the Miranda case ought to bar the admission of voluntary confessions. The majority decision in the Miranda case lacks validity of these three reasons:

First. The language of the fifth amendment privilege against self-incrimination is inapplicable to voluntary confessions.

Second. The precedents and the writings of legal scholars are to the effect that the privilege against self-incrimination has no relation to voluntary confessions.

Third. The history of the privilege against self-incrimination shows that it has nothing to do with voluntary confessions.

The dissenting opinions of Justices Clark, Harlan, Stewart, and White in the Miranda case elaborate these reasons with convincing force. Consequently, I will forego detailed discussion of them and content myself with making some brief comments upon the first of them.

The fifth amendment privilege against self-incrimination is expressed in these words:

"No person shall be compelled in any criminal case to be a witness against himself."

These words apply only to compelled or forced testimony. For this reason, they cannot be rightly applied to any voluntary confession made under any circumstances because voluntary confessions are voluntarily made. Besides, the constitutional privilege against self-incrimination belongs only to a witness; that is, one who gives evidence in a cause before a court or other tribunal. Moreover, the privilege attaches itself only to a witness in a specified cause; that is, a criminal case or its equivalent. Manifestly, the interrogation of a suspect in custody by a law enforcement officer investigating an unsolved crime does not make the suspect a witness before a court or other tribunal in a criminal case or its equivalent.

While Congress and State legislatures may enact statutes applicable within their respective jurisdictions which establish conditions precedent to the admissibility of voluntary confessions similar to those delineated in the majority opinion in the Miranda, case, the Supreme Court cannot rightly do so because it is not authorized by the Constitution to change the privilege against self-incrimination as such privilege is defined in the fifth amendment.

Consequently, the majority decision in the Miranda case represents an attempt to amend the Constitution of the United States and the constitutions of the States, and to make laws for the United States and the States. The majority opinion really admits this to be true by speaking of the newly created requirements as "the principles announced today" and "the system of warnings we delineate today."

The Supreme Court corroborated this admission of the majority in the Miranda case by subsequently holding in the Johnson case that the newly invented requirements, allegedly based upon a constitutional provision dating back to June 15, 1790, have no application whatever to cases begun prior to June 22, 1964.

When one reads and ponders the majority opinion in the Miranda case, he is impelled to the abiding conviction that its rationale is as follows: That despite any protestations to the contrary, the Supreme Court Justices who join in the majority opinion believe that a substantial percent of all law enforcement officers, who investigate unsolved crimes and interrogate suspects in custody, resort to undue pressure or trickery to obtain confessions from the suspects; that in conequence, suspects in custody need protection from the law enforcement officers who interrogate them; and that the most efficacious way to give suspects in custody the needed protection is to impose upon law enforcement officers conditions precedent to interrogation which will prevent or substantially deter the suspects from making any confessions, or from even making any statements asserting their innocence

I submit that this rationale is unjust to the thousands of dedicated and honorable law enforcement officers who seek to protect the lives, the bodies, the habitations, and the other property of our people in all areas of our land from criminal depredations. All of us should remember that each year scores of law enforcement officers die in the performance of their duty in order that we might live.

To be sure some law enforcement officers abuse their authority. Some judges do likewise—especially when they attempt to amend constitutions and make laws rather than to interpret them. Hamstringing all law enforcement officers because some of them err is about on a par with padlocking all courtrooms because some judges err.

Despite some intimations in the majority opinion that confessions constitute unreliable testimony, there is no proof that they are more unreliable than other testimony which is daily received without complaint in our courts. I assert without fear of successful contradiction that experience in the administration of justice makes this plain: The rule which excludes from evidence in criminal cases involuntary confessions, irrespective of whether they be true or false, is the only practical and reasonable way in which courts can deal with this problem.

No person can be convicted of crime in any court, Federal or State, unless the prosecution proves these two things beyond a reasonable doubt:

First. That a crime has been actually committed.

Second. That the accused was the perpetrator of such crime.

The prosecution must prove the first of these things, which the law calls the corpus delicti, by independent evidence. It is permissible to use a voluntary confession of the accused only as evidence that he was the perpetrator of the crime established beyond a reasonable doubt by other testimony.

I repeat what I have said before: The most convincing evidence of the guilt of the accused in a criminal case is his own voluntary confession that he committed the crime with which he stands charged.

The trial judge, who sees the witnesses and observes their demeanor upon the stand, ordinarily has little difficulty in determining whether a confession offered in evidence was voluntarily or involuntarily made.

When I had the privilege of serving as an associate justice of the Supreme Court of North Carolina, I had occasion to describe the simple procedure by which the trial judge determines this question.

I take the liberty of quoting from an opinion which I wrote at that time in *State* v. *Rogers*, 233 N.C. 390, 64 S.E. 2d 572, 28 A.L.R. 2d 1104:

"When the admissibility of a confession is challenged on the ground that it was induced by improper means, the trial judge is required to determine the question of fact whether it was or was not voluntary before he permits it to go to the jury. In making this preliminary inquiry, the judge should afford both the prosecution and the defense a reasonable opportunity to present evidence in the absence of the jury showing the circumstances under which the confession was made. When the trial court finds upon a consideration of all the testimony offered on the preliminary inquiry that the confession was voluntarily made, his finding is not subject to review, if it is supported by any competent evidence."

The rule which prevails in most jurisdictions that the finding of the trial judge on this question is not subject to review if it is supported by any competent evidence is exceedingly wise. He has an opportunity to see the witnesses and judge their credibility. This opportunity is denied to an appellate court which is compelled to act upon the basis of printed testimony. When the testimony of the witnesses is reduced to cold type, it is not easy to distinguish the testimoney of an Ananias from that of a George Washington.

Justice Harlan appraised the majority decision in the Miranda case aright when he declared in his dissenting opinion that "the decision of the Court represents poor constitutional law and entails harmful consequences for the country at large."

It has always been recognized in our country that the questioning of suspects in custody by law enforcement officers investigating unsolved crimes constitutes a legitimate instrument of law enforcement. By the judicious use of this instrument of law enforcement, untold thousands of innocent suspects have been annually freed without trial, and untold thousands of guilty suspects, who would have otherwise gone unwhipped of justice, have been annually brought to judgment.

The drastic limitations, which the majority opinion in the Miranda case places upon the interrogation process, are well designed to induce suspects in custody to remain silent when law enforcement officers undertake to question them concerning unsolved crimes and thus destroy the effectiveness of the interrogation process itself.

As the inevitable consequence of these drastic limitations, the number of innocent suspects freed without trial will diminish, the detention of innocent suspects will be prolonged, and the number of criminal trials will be multiplied.

Moreover, multitudes of guilty suspects will escape conviction and punishment, and be turned loose upon society to repeat their crimes simply because many crimes cannot be solved without confessions. This is particularly true of burglaries, grand larcenies, and automobile thefts, which are frequently committed in secret, and of forcible rapes, which are frequently commited under such circumstances that the victim cannot identify her assistant. Like observations are true of many felony murders, robberies, and aggravated assaults.

The country ought not to suffer these harmful consequences. As a Member of the U.S. Senate, I shall try to do something to avert them. I will ask the Congress to submit to the States a proposed constitutional amendment which will provide that in the absence of congressional or State legislation to the contrary, the sole test of the admissibility of confessions in criminal cases shall be whether or not they were voluntarily made, and that the Supreme Court cannot reverse the ruling of a trial judge admitting a confession as voluntarily made, if such ruling is supported by any competent evidence.

I may not succeed in my purpose because the submission of a proposed constitutional amendment to the States requires the vote of two-thirds of both Houses of Congress, and because many Senators and Congressmen seem to believe that judicial aberrations are sacrosanct and ought to be as unalterable as the laws of the Medes and the Persians.

I shall nevertheless try because I know these things to be true: Enough has been done for those who murder and rape and rob. It is time to do something for those who do not wish to be murdered or raped or robbed.

Statement of Senator Sam J. Ervin, Jr., Before the Subcommittee on Constitutional Amendments on the Implications of the Supreme Court Decision of Miranda *v.* Arizona

Mr. Chairman, no problem more critically demands attention and action than the alarming increase in crime in this country. Last year, the President expressed great alarm that the crime rate had doubled in this country in 25 years and had increased five times faster than the population growth in the last seven years. In our great cities, citizens are faced with increased odds that they may become the victims of muggings, vicious assaults, burglaries, and the wanton destruction of property. When we consider the staggering cost of crime in terms of dollars lost, of death, injury and suffering inflicted on thousands of victims, and of fear engendered in millions of law-abiding citizens, we must agree with President Johnson that "crime is a national problem."

The series of hearings of your Subcommittee, Mr. Chairman, on the implications of the recent decision of *Miranda* v. *Arizona* will, I feel, shed valuable light on the problems posed by this decision and the action Congress can take to deal with them.

Of course, there are many ways in which crime can be fought. Poverty and substandard social conditions are part of the crime picture, but more welfare and social programs, the greatest in our country's history, have not made a dent in the crime problem. Also, the problem of increasing crime is intimately related to the effectiveness of law enforcement. Improving police administration should certainly be considered by everyone sincerely interested in fighting crime, and I feel the "Law Enforcement Assistance Act of 1965" was a great step forward in this area. The upgrading of law enforcement activities is one of the most important steps that can be taken to reduce crime and I sincerely hope that Congress will continue to look for creative approaches in this area.

This investigation, however, deals with another part of the crime picture and I think this subcommittee should face the fact that increasingly in the last decade our law enforcement officers have been limited and often hamstrung in dealing with crime by high court rulings. These rulings have drastically limited police investigative powers, have forbidden the use of voluntary confessions by the accused in many instances heretofore permitted, and have altered reasonable procedures which once were the great bulwarks against crime. Recent high court rulings have stressed individual rights of the accused to the point where public safety has often been relegated to the back row of the courtroom. In the process, police have become confused in their efforts to protect the public from acknowledged criminals. Dissenting court opinions have pointed out that investigative procedural rules are becoming unrealistic.

Civilization represents at best a delicate balance between the rights of the individual and society's rights. As Mr. Justice Cardozo explained in *Snyder* v. *Massachusetts*, 291 U.S. 97, 122 (1934), "Justice, though due to the accused, is due to the accuser, also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true."

We have not kept the balance true. Unfortunately, the Supreme Court in recent years has moved through logic shattering sentiment and stifling procedures to favor the individual to such an extent that the administration of criminal justice is defeated. Indeed, in the prosecution of crimes, we have seen the powers of the police at any level to conduct in-custody interrogation gasp in the case of *Escobedo* and, more recently, die in *Miranda*.

Basically, the Court majority held in the Miranda case that:

"The prosecution may not use statements, whether exculpatory or inculpatory, stemming from custodial interrogation of the defendant unless it demonstrates the use of procedural safeguards effective to secure the privilege against self-incrimination."

The Court majority henceforth requires that before any suspect may be questioned he must be warned that he has a right to remain silent, that anything he says may be used against him, and that he has a right to the presence of an attorney, either retained or appointed. The suspect who submits to interrogation after being so warned may terminate such interrogation himself at any time simply by indicating that he wants it stopped.

Thus did the majority for all practical purposes fulfill the prediction by Mr. Justice White of its ultimate goal "to bar from evidence all admissions obtained from an individual suspected of crime, whether involuntary made or not". *Escobedo* v. *Illinois*, 378 U.S. 478, 495 (1964).

The claimed basis for the decision was the Fifth Amendment's protection of the privilege against self-incrimination, a basis which has no support in the language of the Fifth Amendment or in the history of the privilege. The clear language of the Amendment is that "in any criminal case" no person shall be compelled "to be a witness against himself." One of the foremost legal scholars of this century, Edward Corwin, after careful study, concluded that the Amendment, when "considered in the light to be shed by grammar and the dictionary appears to signify simply that nobody shall be compelled to give oral testimony against himself in a criminal proceeding under way in which he is defendant." This construction, that the privilege applies to prohibit compelled judicial interrogations only, is firmly supported by the English authorities and the common law history of the privilege. Moreover, the dissent by Mr. Justice Harlan and Mr. Justice White convincingly demonstrated that no legal precedent existed for the application of the privilege to police interrogation, a demonstration the majority opinion never really refuted.

It requires little reflection to realize what the Court majority has done. It has not only practically eliminated confessions from trial court considerations; it has probably made impossible the ordinary practice of police interrogation itself, a result which surely entails harmful consequences for the country at large. Mr. Justice Harlan in dissent warned that although the extent of the harm wrought by the decision could not be accurately foretold; it was readily apparent that it would impair law enforcement to some extent. He said:

"We do know that some crimes cannot be solved without confessions, that ample expert testimony attests to their importance in crime control, and that the Court is taking a real risk with society's welfare in imposing its new regime on the country. The social costs of crime are too great to call the new rules anything but a hazardous experimentation."

I believe that this "hazardous experimentation" is one which we cannot afford to take in view of the grave problems that crime now poses to this country. Accordingly, I propose to introduce a Constitutional Amendment to deal with the Miranda decision. My amendment will allow the law, as it did previously, to protect suspects and defendants from having confessions and other admissions coerced from them without rendering next to impossible the solving of many crimes. By providing that any admission or confession shall be admissible in evidence if made voluntarily, my amendment will return the rule which the Supreme Court itself recognized as valid until recent days and which has prevailed in all states whose legal systems are based upon the experience of the common law. When all is said, there is no reason residing in the proposition that persons charged with crime should be protected by law against their voluntary admissions and confessions that they committed the crime with which they are charged.

Beginning with *Brown* v. *Mississippi*, 297 U.S. 278 (1936), the Court applied due process standards to questions of admissibility of confessions in court. Excluded were confessions gained by threats or imminent danger, physical deprivation, physical brutality, repeated or extended interrogation, lengthy detention and other coercive means. The goal to be achieved, as in my amendment, was "voluntariness," not in the sense of the removal of all pressure but the removal of unfair, illegal, or reprehensible pressure.

My amendment will allow a determination of whether the confession was voluntary, and, as such, will afford protection to the civil liberties of suspects while allowing leeway to protection of the general public interest in having crime either prevented or solved.

After Miranda, we have the police handcuffed. In many cases, there are no clues at the scene of the crime. There may be no witnesses or the witness may be dead or disabled. The only thing the police may have to go on is a known criminal lurking in the area, or a crime being committed in a certain pattern. If they may not bring people in and question them, the rate of crime solving is likely to drop precipitately.

If we do not seriously consider the enactment of this type of amendment, the result will be that the civil liberties of criminal suspects will be over protected while the rights and liberties of society will be seriously infringed upon.

The danger in the constant innovating drive of the majority of the court was well set out by the late Mr. Justice Jackson. He said:

"This Court is forever adding new stories to the temple of constitutional law, and the temple has a way of collapsing when one story too many is added." *Douglas* v. *Jeannette*, 319 U.S. 157, 181 (1943).

I maintain that we must act before the temple collapses.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. THURMOND. Mr. President, I commend the able Senator from North Carolina [Mr. Ervin] for taking the leadership in this important matter. I do not know of any one thing that will do more to curb crime in this country than the passage of this resolution.

Criminals today, although they confess voluntarily that they have committed crimes, are getting away free simply because a lawyer was not present or because of some technicality. If a man voluntarily confesses that he is guilty of a crime some technicality should not allow him to go free.

Mr. President, this is a most important resolution and I hope that the Senate will take prompt action on it.

AMENDMENTS TO LEGISLATIVE REORGANIZATION BILL—AMENDMENTS

AMENDMENTS NOS. 6 THROUGH 31

Mr. CLARK. Mr. President, I send to the desk 26 amendments to S. 355, the legislative reorganization bill, which will be presented to the Senate by the Senator from Oklahoma [Mr. Monroney] shortly after the disposition of the cloture motion tomorrow.

I ask unanimous consent that these proposed amendments be numbered consecutively, that they be printed in the Record seriatim, together with short explanatory notes and the text of existing or related provisions.

I further ask unanimous consent that the text and explanatory notes be set in large-size type, as if orally delivered.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments and other documents will be printed in the Record as requested.

The amendment (No. 6) submitted by Mr. Clark is as follows:

Beginning with line 9, page 7, strike out all to and including line 23, page 7.

On page 7, line 24, strike out the subsection designation "(e)", and insert in lieu thereof the subsection designation "(d)".

MOTION TO STRIKE INCREASED COMMITTEE QUORUM REQUIREMENTS, ABOLITION OF PROXY VOTING—EXPLANATION

This amendment would delete the provisions in S. 355 which abolish proxy voting in committee, and require the actual presence of a majority for a committee to take any action. Under existing law, the actual presence of a majority is required only to report. Committees and subcommittees are free to adopt rules permitting any other action to be taken by a quorum of only one-third. This amendment would preserve the existing situation.

The amendment (No. 7) submitted by Mr. Clark is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

Sec. 123. Paragraph 6(a) of Rule XVI of the Standing Rules of the Senate is amended to read as follows:

"6. (a) Three members of the following named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

"NAME OF COMMITTEE AND PURPOSE OF APPROPRIATION

"Committee on Agriculture and Forestry: For the Department of Agriculture, and related matters.

"Committee on Armed Services: For the Department of Defense.

"Committee on Aeronautical and Space Sciences: For aeronautical and space activities and matters relating to the scientific aspects thereof, except those peculiar to or primarily associated with the development of weapons systems or military operations.

"Committee on Banking and Currency: For the Department of Housing and Urban Development and the Export-Import Bank.

"Committee on Commerce: For the Department of Commerce and related activities, including the Department of Transportation.

"Committee on the District of Columbia: For the District of Columbia.

"Committee on Finance, Committee on Post Office and Civil Service: For the Department of the Treasury and the Post Office.

"Committee on Foreign Relations: For the Department of State and related agencies, and for the foreign assistance programs.

"Committee on Interior and Insular Affairs: For the Department of the Interior and related agencies.

"Committee on the Judiciary: For the Department of Justice and for the Judiciary.

"Committee on Labor and Public Welfare: For the Departments of Labor and of Health, Education, and Welfare.

"Committee on Public Works: For public works.

"Senate Members of the Joint Committee on Atomic Energy (to be selected by said Members): For the development and utilization of atomic energy."

EX OFFICIO MEMBERS OF APPROPRIATION COMMITTEE—EXPLANATION

The Senate rules presently provide for the selection of three ex officio members of the Appropriations Committee from each of eight legislative committees. These ex officio members serve on the Appropriations Committee for the limited purpose of considering annual appropriations for programs within the jurisdiction of their particular legislative committee. The revision of this rule adds six more legislative committees to this list, on the ground that they have equally valid claims to participate in appropriations decisions affecting matters within their jurisdiction. These six additional committes are: Commerce, Finance, Interior and Insular Affairs, Judiciary, Labor and Public Welfare, and Banking and Currency.

EXISTING PROVISIONS

6. (a) Three members of the following-named committees, to be selected by their respective committees, shall be ex officio members of the Committee on Appropriations, to serve on said committee when the annual appropriation bill making appropriations for the purposes specified in the following table opposite the name of the committee is being considered by the Committee on Appropriations:

NAME OF COMMITTEE AND PURPOSE OF APPROPRIATION

Committee on Agriculture and Forestry: For the Department of Agriculture.

Committee on Post Office and Civil Service: For the Post Office Department.

Committee on Armed Services: For the Department of War; for the Department of the Navy.

Committee on the District of Columbia: For the District of Columbia.

Committee on Public Works: For rivers and harbors.

Committee on Foreign Relations: For the diplomatic and consular service.

Senate members of the Joint Committee on Atomic Energy (to be selected by said members): For the development and utilization of atomic energy.

Committee on Aeronautical and Space Sciences: For aeronautical and space activities and matters relating to the scientific aspects thereof, except those peculiar to or primarily associated with the development of weapons systems or military operations.

The amendment (No. 8) submitted by Mr. Clark is as follows:

Beginning with line 12, page 14, strike out all to and including line 8, page 15, and insert in lieu thereof the following:

"(c) No standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. A motion for leave for a standing committee to sit while the Senate or the House is in session shall be a privileged motion and shall not be debatable.".

COMMITTEE MEETINGS DURING SENATE SESSIONS—EXPLANATION

Although standing committees may now sit without special leave during the period while morning business is conducted, a single Senator still has the power to prevent every standing committee and every subcommittee of a standing committee from meeting while the Senate is in session after the close of morning business. The Monroney proposal would alter this arrangement by carving out a statutory exemption for the Committee on Appropriations, and by permitting legislative committees to meet during sessions with the consent of the joint leadership, but only for the purpose of holding hearings. The Clark proposal, on the other hand, provides even handed treatment to all committees, by implementing the intention of the drafters of the Legislative Reorganization Act of 1946 by stating that a committee may obtain leave to sit without restriction as to purpose, while the Senate is in session by a privileged, nondebatable motion.

EXISTING PROVISIONS

RULE XXV

5. No standing committee shall sit without special leave while the Senate is in session after (1) the conclusion of the morning hour, or (2) the Senate has proceeded to the consideration of unfinished business, pending business, or any other business except private bills and the routine morning business, whichever is earlier.

PROPOSED MONRONEY PROVISION

COMMITTEE POWERS

Sec. 104. (a) Section 134(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190b(b)) is amended to read as follows:

"(c) Except as hereinafter provided, no standing committee of the Senate or the House shall sit, without special leave, while the Senate or the House, as the case may be, is in session. The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations of the Senate or to the following committees of the House of Representatives: the Committee on Appropriations, the Committee on Government Operations, the Committee on Rules, and the Committee on Un-American Activities. A standing committee of the Senate may conduct a hearing while the Senate is in session if consent therefor has been obtained from the majority leader and the minority leader of the Senate. A standing committee of the House of Representatives may conduct a hearing while the House is in session if consent therefor has been obtained from the Speaker and the minority leader of the House. In the event of the absence of any such officer or leader, the consent of such officer or leader may be given by a Member of that House of which such officer or leader is a Member designated by him for that purpose."

(b) Paragraph 5 of Rule XXV of the Standing Rules of the Senate is repealed.

The amendment (No. 9) submitted by Mr. CLARK is as follows:

On page 5, line 13, strike out the words "new sentences".

On page 6, line 4, strike out "meeting.'.", and insert in lieu thereof "meeting.".

On page 6, between lines 4 and 5, insert the following new paragraphs:

"The business to be considered at any meeting of a standing committee shall be determined in accordance with its rules. Any measure, motion, or matter within the jurisdiction of the committee which a majority of the members of the committee indicate their desire to consider by votes or by presentation of written notice filed with the committee clerk, shall be considered at such meeting.

"Action for the initiation, conduct, and termination of hearings by a standing committee upon any measure or matter within its jurisdiction shall be determined by majority vote of the members of the committee.

"Whenever any measure, motion, or other matter pending before a standing committee has received consideration in executive session or sessions of the committee for a total of not less than five hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, or a petition signed by a majority of the committee is presented to the chairman, and a quorum as prescribed by committee rules pursuant to paragraph 3 of rule XXX is present, it shall be submitted immediately to the committee by the chairman, and shall be determined without debate by yea and nay vote. A motion for the previous question shall be decided by a majority vote of the Senators voting. A previous question may be asked and ordered with respect to one or more pending measures, motions, or matters, and may embrace one or more pending amendments to any pending measure, motion, or matter described therein and final action by the committee on the pending bill or resolution. If the previous question is so ordered as to any measure, motion, or matter that measure, motion, or matter shall be presented immediately to the committee for determination. Each member of the committee desiring to be heard on one or more of the measures, motions, or other matters on which the previous question has been ordered shall be allowed to speak thereon for a total of thirty minutes.

"These provisions shall be applicable to meetings and procedure thereat at any meeting of any subcommittee of any standing committee.".

COMMITTEE BILL OF RIGHTS—EXPLANATION

In order to facilitate the efficient and democratic management of committee business, it is essential that a majority of the members of each standing committee be expressly authorized to convene meetings; to direct the initiation, conduct, and termination of hearings; to call up bills for consideration; and to terminate debate in committee after a measure has received adequate consideration.

The Monroney bill provides a procedure by which a majority can convene a meeting and direct that a measure be reported. This amendment complements these provisions by clarifying the right of the majority to fix the agenda; to halt filibusters in committee by terminating debate after a measure has received consideration in executive session for a total of 5 hours; and to direct the initiation, conduct, and termination of hearings.

Existing provisions: None.

The amendment (No. 10) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XXVII of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"4. A majority of the Senate members of a committee of conference shall have indicated by their votes their sympathy with the bill as passed and their concurrence in the prevailing opinion of the Senate on the matters in disagreement with the House of Representatives which occasion the appointment of the committee."

SELECTION OF CONFEREES—EXPLANATION

A majority of the Senate members of a conference committee would have to be chosen from those who indicated by their votes their concurrence with the prevailing view in the Senate on matters on disagreement with the House.

Existing provisions: None

The amendment (No. 11) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. (a) Rule III of the Standing Rules of the Senate is amended to read as follows:

"RULE III

"COMMENCEMENT OF DAILY SESSIONS

"1. The Presiding Officer having taken the chair, and a quorum being present, motions to correct any mistakes made in the entries of the Senate Journal of the preceding day shall be in order and proceeded with until disposed of, unless objected to. If objection is made, the Senator moving to correct the Senate Journal and the Senator objecting may file at the clerk's desk briefs in support of their positions. Such briefs shall be printed in the Senate Journal for the calendar day on which the motion to correct was made, together with a notice that a vote on the motion will take place on the following calendar day on which the Senate is in session at a time certain to be set by the Presiding Officer. At the designated time, the motion to correct shall be submitted to the Senate and decided without debate.

"2. Unless a motion to read the Senate Journal of the preceding day, which shall be nondebatable, is made and passed by majority vote, the Senate Journal shall be deemed to have been read without actual recitation and approved.

"3. A quorum shall consist of a majority of the Senators duly chosen and sworn."

(b) Rule IV of the Standing Rules of the Senate is amended to read as follows:

"RULE IV

"SENATE JOURNAL

"1. The proceedings of the Senate shall be accurately stated in the Senate Journal which shall be the Senate section of the CONGRESSIONAL RECORD. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate; the legislative proceedings; and, the executive proceedings in open executive sessions, shall be entered.

"2. The executive proceedings in closed sessions, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded by the Journal Clerk in a separate book."

JOURNAL—EXPLANATION

The Senate Journal is nothing more than a quaint anachronism which is never looked at by anyone and is read only for the purposes of delay. Its place has been taken, for practical purposes, by the CONGRESSIONAL RECORD. This amendment recognizes this fact, and satisfies article I, section 5, clause 3, of the Constitution, which requires each House to keep a journal of its proceedings, by stating that the Senate section of the CONGRESSIONAL RECORD shall be the Senate Journal.

Since the CONGRESSIONAL RECORD is printed and available to Senators each morning following a session, there is no need to have it read aloud, and the right to require that is abolished. Presumably any errors in the CONGRESSIONAL RECORD will be corrected informally, or by unanimous consent, as they are today. But a procedure for correcting mistakes by motion, without debate, is provided for those cases in which unanimous consent cannot be obtained. Under this procedure, the Senator seeking to make the correction, and the Senator objecting to the correction may file written briefs in support of their positions for publication in the CONGRESSIONAL RECORD in advance of the vote.

EXISTING PROVISIONS

RULE III

COMMENCEMENT OF DAILY SESSIONS

1. The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistakes made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.

2. A quorum shall consist of a majority of the Senators duly chosen and sworn.

RULE IV

JOURNAL

1. The proceedings of the Senate shall be briefly and accurately stated on the Journal. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be entered.

2. The legislative, the executive, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded in a separate book.

The amendment (No. 12) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"9. During the consideration of any measure, motion, or other matter, any Senator may move that all further debate under the order for pending business shall be germane to the subject matter before the Senate. If such a motion, which shall be nondebatable, is approved by the Senate, all further debate under the said order shall be germane to the subject matter before the Senate, and all questions of germaneness under this rule, when raised, including appeals, shall be decided by the Senate without debate."

GERMANENESS OF DEBATE—EXPLANATION

The present rule, which provides for a daily 3-hour period of germane debate, would be made more flexible by the adoption of a procedure whereby a majority of the Senate, by nondebatable motion, could require further debate on the pending business to be germane to the subject matter before the Senate until the business was disposed of.

Existing provisions: None.

The amendment (No. 13) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLI

"AMENDMENTS—GERMANENESS

"No amendment not germane or relevant to the subject matter contained in a bill under consideration shall be received; nor shall any amendment to any item or clause of such bill be received which does not directly relate thereto; and all questions of relevancy of amendments, when raised, shall be decided by the Presiding Officer, subject to appeal to the Senate to be decided without debate."

GERMANENESS OF AMENDMENTS—EXPLANATION

This provision, which is similar to the present practice of the House of Representatives, incorporates a general prohibition against nongermane amendments. Questions of germaneness are to be decided by the Presiding Officer subject to appeal to the Senate without debate.

Existing provisions: None.

The amendment (No. 14) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

Sec. 123. Rule V of the Standing Rules of the Senate is amended to read as follows:

"RULE V

"QUORUM—ABSENT SENATORS MAY BE SENT FOR

"1. No Senator shall absent himself from the service of the Senate without leave.

"2. If, at any time during the daily sessions of the Senate, a question shall be raised by the Majority Leader or the Minority Leader, or, in their absence, by the Acting Majority Leader or the Acting Minority Leader, as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

"3. Any Senator may raise the question as to the presence of a quorum but only for the purpose of seeking recognition and calling for a vote on the pending business once the presence of a quorum has been ascertained; and, declaration of such intention shall be made by such Senator immediately prior to his raising the question as to the presence of a quorum. Immediately upon the statement of such intention and the raising of such question by any Senator, the Presiding Officer shall forthwith direct the Secretary to call the roll and proceed as above provided.

"4. Whenever, during any quorum call as provided for in paragraphs 2 and 3, the Presiding Officer ascertains that a majority of the Senators are present in the chamber, he shall direct that the quorum call be halted, and declare that a quorum is present.

"5. Whenever upon such rollcall it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order."

QUORUMS—EXPLANATION

The unrestricted right of any Senator to call for a quorum has frequently been the source of great harassment and delay. This amendment circumscribes this right by requiring a Senator to declare his intention to call for a vote on the pending business once the presence of a quorum has been ascertained. Only on this condition could an individual Senator suggest the absence of a quorum. However the majority or minority leaders, or in their absence, the acting majority or minority leaders, could call for a quorum at any time. The Presiding Officer would have the duty to halt the quorum call once he ascertains the presence of a quorum in the Chamber.

EXISTING PROVISIONS

RULE V

QUORUM—ABSENT SENATORS MAY BE SENT FOR

1. No Senator shall absent himself from the service of the Senate without leave.

2. If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.

3. Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant at Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.

The amendment (No. 15) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The first sentence of paragraph 1 of Rule XIX of the Standing Rules of the Senate is amended to read as follows:

"When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized; and the Presiding Officer shall recognize the Senator who shall first address him, except that he shall first give recognition to the following Senators in the order prescribed if any of them shall also seek recognition:

"(1) The Majority Leader, or, in his absence, any Senator designated as Acting Majority Leader by the Majority Leader, and occupying the Majority Leader's desk.

"(2) The Minority Leader, or, in his absence, any Senator designated as Acting Minority Leader by the Minority Leader, and occupying the Minority Leader's desk."

ORDER OF RECOGNITION—EXPLANATION

This amendment codifies and elaborates the unwritten rule that the Chair will always give preference in recognition to the majority and minority leaders. In the absence of the leaders, it gives equivalent rights to any Senator designated to act in that capacity and occupying the leader's desk.

EXISTING PROVISIONS

RULE XIX

DEBATE

1. When a Senator desires to speak, he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him.

The amendment (No. 16) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XIX of the Standing Rules of the Senate is amended by striking out the second sentence thereof, and inserting in lieu thereof the following: "No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; *Provided, however,* That such consent shall not be required where any Senator shall raise a germane point of order that the Senator in possession of the floor has transgressed the rules of the Senate. Unless submitted to the Senate, the germane point of order shall be decided by the Presiding Officer subject to an appeal to the Senate as provided in this Rule. Any Senator against whom a germane point of order shall have been raised and any Senator raising such point of order may appeal from the ruling of the Presiding Officer, which appeal shall be open to debate. If the Presiding Officer shall sustain the germane point of order and no appeal is taken, or if upon appeal the Senate shall sustain the germane point of order, the Senator against whom it has been made shall take his seat; otherwise he shall retain possession of the floor.

"A germane point of order may be raised in respect to enforcement of this Rule.

"When a question of order has been submitted to the Senate, or a debatable appeal has been taken on a decision of the Presiding Officer as provided herein, debate on such submission or appeal shall be limited, in all, to one hour, to be divided equally between the proponents and opponents of the point of order, unless the Senate shall otherwise direct."

GERMANE POINTS OF ORDER—EXPLANATION

The revision seeks to clear up the confusing situation which presently exists with regard to the right to interrupt a Senator who has the floor for the purpose of raising a point of order. It provides that a Senator may be interrupted without his consent for the purpose of raising a point of order that the Senator in possession of the floor has committed a transgression of the rules of the Senate germane to his possession of the floor.

EXISTING PROVISION

. . . No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer. . . .

The amendment (No. 17) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"9. Upon the request of any Senator who has been recognized, his remarks upon any subject may be delivered in writing, and if so delivered shall be printed in the CONGRESSIONAL RECORD in the same manner, and in the same size print, as if those remarks had been delivered orally. The CONGRESSIONAL RECORD shall contain a notation that the material was submitted but not delivered orally."

SUBMISSION OF SPEECHES WITHOUT DELIVERY—EXPLANATION

Upon request, a Senator would be permitted to have his written remarks printed in the CONGRESSIONAL RECORD in normal size print without the requirement of full oral delivery. However, the RECORD would contain a notation to the effect that the material was submitted but not delivered orally.

Existing provisions: None.

The amendment (No. 18) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"3. When a question of order has been submitted to the Senate, or a debatable appeal has been taken on a decision of the Presiding Officer as provided herein, debate on such submission or appeal shall be limited, in all, to one hour, unless the Senate shall otherwise direct."

POINTS OF ORDER—EXPLANATION

This new provision would limit debate on questions of order submitted to the Senate, and debatable appeals from rulings of the Chair, to 1 hour, in all, unless the Senate orders otherwise.

EXISTING PROVISIONS

RULE XX—QUESTIONS OF ORDER

1. A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.

2. The Presiding Officer may submit any question of order for the decision of the Senate.

The amendment (No. 19) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. (a) Rule VII of the Standing Rules of the Senate is amended to read as follows:

"RULE VII

"MORNING BUSINESS

"1. One hour, if that much time be needed, shall be set aside for the transaction of morning business as set forth in paragraph 2 of this rule, on each legislative day at the opening of proceedings unless the Senate shall otherwise order by unanimous consent. The period for morning business may be extended for up to one additional hour, upon motion, which shall be nondebatable, approved by majority action.

"2. The Presiding Officer shall, during the period for morning business, lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer shall then call for:

"The presentation of petitions and memorials.

"Reports of standing and select committees.

"The introduction of bills and joint resolutions.

"Concurrent and other resolutions.

"Statements or comments not to exceed three minutes which may include requests for unanimous consent to insert articles and other printed matter in the Senate Journal and to submit statements.

"3. Until the morning business shall have been concluded, and so announced from the Chair, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up."

(b) Rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"9. It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator."

(c) The Standing Rules of the Senate are amended by adding at the end thereof the following new rules:

"RULE XLI

"PETITIONS AND MEMORIALS

"1. Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred to the appropriate committee without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

"2. Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.

"3. Only a brief statement of the contents of such communications as are presented under the order of business "Presentation of petitions and memorials" shall be printed in the Congressional Record; and no other portion of such communications shall be inserted in the Congressional Record unless specifically so ordered by the Senate, as provided for in rule XL, paragraph 1; except that communications from the legislatures or conventions, lawfully called, of the respective States and insular possessions shall be printed in full in the Congressional Record whenever presented, and the original copies of such communications shall be retained in the files of the Secretary of the Senate.

"4. Senators having petitions, memorials, or private bills to present after the conclusion of the morning business may deliver them to the Secretary of the Senate, indorsing upon them their names. Said petitions, memorials, or bills shall, with the approval of the Presiding Officer, be entered in the Congressional Record with the names of the Senators presenting them as having been read twice and referred to the appropriate committees.

"RULE XLII

"CALENDAR MONDAY

"1. At the conclusion of the morning business on each Monday, unless upon motion decided without debate the Senate shall otherwise order, the Senate will proceed to the consideration of the Calendar of Bills and Resolutions, and bills and resolutions that are not objected to shall be taken up in their order. An objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the conclusion of morning business, and shall take precedence of the unfinished business and other special orders."

MORNING BUSINESS—EXPLANATION

The morning hour rule would be revised extensively to abolish the confusing distinction between morning hour and morning business, and to dispense with the need for unanimous consent to make statements or comments of not more than 3 minutes' duration. There would be a daily period of 1 hour, if that much time should be needed, set aside at the opening of each new legislative day for the conduct of morning business. The Senate, by majority vote without debate, could extend the period for up to 1 additional hour. During this period, under the regular order of business, Senators would have the privilege of making 3-minute statements and could seek unanimous consent to have printed matter inserted in the Record.

EXISTING PROVISIONS

RULE VII

MORNING BUSINESS

1. After the Journal is read, the Presiding Officer shall lay before the Senate messages from the President, reports and communications from the heads of Departments, and other communications addressed to the Senate, and such bills, joint resolutions, and other messages from the House of Representatives as may remain upon his table from any previous day's session undisposed of. The Presiding Officer shall then call for, in the following order:

The presentation of petitions and memorials.

Reports of standing and select committees.

The introduction of bills and joint resolutions.

Concurrent and other resolutions.

All of which shall be received and disposed of in such order, unless unanimous consent shall be otherwise given.

2. Senators having petitions, memorials, pension bills, or bills for the payment of private claims to present after the morning hour may deliver them to the Secretary of the Senate, indorsing upon them their names and the reference or disposition to be made thereof, and said petitions, memorials, and bills shall, with the approval of the Presiding Officer, be entered on the Journal with the names of the Senators presenting them as having been read twice and referred to the appropriate committees, and the Secretary of the Senate shall furnish a transcript of such entries to the official reporter of debates for publication in the Record.

It shall not be in order to interrupt a Senator having the floor for the purpose of introducing any memorial, petition, report of a committee, resolution, or bill. It shall be the duty of the Chair to enforce this rule without any point of order hereunder being made by a Senator.

3. Until the morning business shall have been concluded, and so announced from the Chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar shall be entertained by the Presiding Officer, unless by unanimous consent; and if such consent be given, the motion shall not be subject to amendment, and shall be decided without debate upon the merits of the subject proposed to be taken up; *Provided, however*, That on Mondays the Calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the Calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.

4. Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.

5. Every petition or memorial shall be signed by the petitioner or memorialist and have endorsed thereon a brief statement of its contents, and shall be presented and referred without debate. But no petition or memorial or other paper signed by citizens or subjects of a foreign power shall be received, unless the same be transmitted to the Senate by the President.

6. Only a brief statement of the contents, as provided for in Rule VII, paragraph five, of such communications as are presented under the order of business "Presentation of petitions and memorials" shall be printed in the Congressional Record, and no other portion of such communications shall be inserted in the Record unless specifically so ordered by vote of the Senate, as provided for in Rule XXIX, paragraph one; except that communications from the legislatures or conventions, lawfully called, of the respective States, territories, and insular possessions shall be printed in full in the Record whenever presented, and the original copies of such communications shall be retained in the files of the Secretary of the Senate.

7. The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before

the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

The amendment (No. 20) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XIV of the Standing Rules of the Senate is amended to read as follows:

"RULE XIV

"BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS

"1. Every bill and joint resolution shall receive three readings previous to its passage. The first reading and the second reading may be on the same calendar day, if the Senate by majority vote without debate, shall so direct; but the third reading must be on a different calendar day. The Presiding Officer shall give notice at each reading whether it be the first, second, or third. The first or second reading of each bill, or both, may be by title only, unless the Senate by majority vote without debate shall otherwise order.

"2. Every bill or joint resolution shall immediately after second reading be referred by the Presiding Officer to the appropriate committee. Appeals from rulings of the Presiding Officer referring bills and joint resolutions to committee shall be decided by the Senate without debate. A motion to place a bill or joint resolution on the Senate Calendar immediately and not refer it to committee may be made by any Senator after such bill or joint resolution has been read twice but before it has been referred to committee, and such motion shall be decided by majority vote of the Senate after debate not to exceed a period of one hour.

"3. Every bill and joint resolution having been read twice and referred to a committee, shall, upon being reported by the committee, immediately be placed on the Calendar. Every bill and joint resolution originating in a committee shall, upon being reported by the committee, be read twice and then placed on the Calendar.

"4. The Secretary of the Senate shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and shall examine all bills and joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and date of such presentation to the Senate.

"5. All resolutions shall lie over one calendar day for consideration, unless the Senate shall by majority vote otherwise direct."

PROCEDURE FOR BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS—EXPLANATION

This rule has been extensively rewritten both to clarify its operation, and to reduce the potential for disruption of normal legislative procedures by the objection of a single Senator. The provision by which any Senator can prevent a bill from being referred to committee, and have it placed directly on the calendar after second reading, has been eliminated. However, this may be done on motion by a majority of the Senate after 1 hour of debate, equally divided between opponents and proponents. The section permitting any Senator to force a postponement of the introduction of any bill or joint resolution for 1 day has also been eliminated.

EXISTING PROVISIONS

RULE XIV

BILLS, JOINT RESOLUTIONS, AND RESOLUTIONS

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the Calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceedings thereon, be placed on the Calendar.

5. The Secretary of the Senate shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and shall examine all bills and joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and the President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States and report the fact and date of such presentation to the Senate.

6. All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

The amendment (No. 21) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

SEC. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The first paragraph of Rule XII of the Standing Rules of the Senate (relating to voting) is amended to read as follows:

"1. A demand for the yeas and nays, when seconded by eleven Senators, shall be sufficient to require a rollcall vote. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question unless excused by the Senate. Senators entering the Chamber after their names have been called may obtain recognition from the Presiding Officer and have their votes recorded prior to the announcement of the vote; but no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, except that a Senator may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent."

VOTING—EXPLANATION

Two additions have been made to the existing rule, *both for the purpose of codifying existing practice*: (1) A demand for the yeas and nays, when seconded by 11 Senators, shall be sufficient to require a roll call vote; and (2) Senators entering the Chamber after their names have been called may obtain recognition from the Presiding Officer and have their votes recorded prior to the announcement of the vote.

EXISTING PROVISIONS

RULE XII

VOTING, ET CETERA

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

The amendment (No. 22) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The Standing Rules of the Senate are amended by inserting at the end thereof the following new rule:

"RULE XLI

"DISCLOSURE OF FINANCIAL INTERESTS

"1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum, shall file with the Secretary of the Senate for that calendar year a written report containing the following information:

"(a) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

"(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

"(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

"(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate of gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

"(e) The name and address of any professional firm which engages in practice before any department, agency or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

"(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

"2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

"3. Except as otherwise hereinafter provided, each individual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Secretary of the Senate not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1964. The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Secretary of the Senate may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Secretary of the Senate a report made by any individual in compliance with paragraph 1 for any calendar year, the Secretary may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

"4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Secretary of the Senate, and shall be made in such manner and detail as he shall prescribe. The Secretary may provide for the grouping within such reports and certificate of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Secretary as public records for not less than six years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Secretary shall prescribe.

"5. As used in this rule—

"(a) The term 'asset' includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

"(b) The term 'liability' includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

"(c) The term 'income' means gross income as defined by section 61 of the Internal Revenue Code of 1954;

"(d) The term 'security' means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b);

"(e) The term 'commodity' means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2);

"(f) The term 'dealing in securities or commodities' means any acquisition, transfer, disposition, or other transaction involving any security or commodity;

"(g) The term 'officer or employee of the Senate' means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate."

DISCLOSURE OF FINANCIAL INTERESTS—EXPLANATION

This new rule would require every Senator and every Senate officer or employee compensated at a gross rate in excess of $10,000 per annum, to file a financial report each year. The report, which would be maintained as a public record by the Secretary of the Senate for a period of six years, would contain the following kinds of information:

a. Assets: The identity and fair market value of any asset having a fair market value of $5,000 or more.

b. Liabilities: The amount of each liability in excess of $5,000, and the name and address of the creditor.

c. Capital gains: Source and amount of all capital gains realized in the preceding calendar year in excess of $5,000.

d. Income: Source and amount of every item of income for the calendar year in excess of $100, including gifts other than gifts from a relative.

e. Assets belonging to a trust: assets, liabilities, capital gains, and income of a spouse; and capital gains earned through a strawman are all covered. Family homes and tax-exempt charitable entities are exempted.

f. Association with a professional firm which practices before Federal Government agencies.

g. Service as director, officer, or manager in a business enterprise.

Existing provisions: None.

The amendment (No. 23) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new Rule:

"RULE XLI

"PROHIBITED ACTIVITIES

"1. No Member of the Senate or any officer or employee of the Senate may engage or participate in any business or financial venture, enterprise, combination or transaction with any person, firm, or corporation which is—

"(a) engaged in any lobbying activity;

"(b) engaged for compensation in the practice of rendering advisory or public relations services relating to the securing of contracts with the United States or any department, agency, or instrumentality thereof; or

"(c) engaged in, or seeking to become engaged in, the performance of any construction, manufacturing, research, development, or service contract with the United States or any department, agency, or instrumentality thereof.

"2. No Member of the Senate or any officer or employee of the Senate may accept—

"(a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift or money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100; or

"(b) within any calendar year from any such individual, entity, or enterprise such gifts in an aggregate amount or having an aggregate value in excess of $100.

"3. No officer or employee of the Senate may be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation among Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate.

"4. As used in this rule—

"(a) The term 'officer or employee of the Senate' means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

"(b) The term 'lobbying activity' means any activity undertaken by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress."

RELATIONS WITH LOBBYISTS—EXPLANATION

This new rule prohibits Senators, and Senate officers and employees from engaging in joint ventures with lobbyists, and from accepting gifts worth more than $100 from lobbyists.

Existing provisions: None.

The amendment (No. 24) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLI

"OUTSIDE EMPLOYMENT

"1. No officer or employee of the Senate shall engage in any business, financial or professional activity or employment for compensation or gain unless—

"(a) such activity or employment is not inconsistent with the conscientious performance of his official duties; and

"(b) express permission has been granted by the Member of the Senate charged with supervision of such officer or employee by this rule;

"*Provided, however*, That in no event shall any officer or full-time employee of the Senate, without special leave of the Senate—

"(a) serve in any managerial capacity in any business of financial enterprise; or

"(b) engage in any regular professional or consulting practice, or maintain an association with any professional or consulting firm.

"2. For the purposes of this rule—

"(a) each Member of the Senate shall be charged with the supervision of each of his employees;

"(b) each Member of the Senate who is the chairman of a Senate or joint committee or subcommittee shall be charged with the supervision of each employee of such committee or subcommittee;

"(c) the Majority Leader shall be charged with the supervision of each officer and employee of the Majority, and the Minority Leader shall be charged with the supervision of each officer and employee of the Minority;

"(d) the Vice President shall be charged with the supervision of each of his employees; and

"(e) the President Pro Tempore shall be charged with the supervision of all other officers and employees of the Senate.

"3. As used in this rule, the term 'officer or employee of the Senate' means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate."

MOONLIGHTING BY SENATE EMPLOYEES—EXPLANATION

This rule would prohibit officers and full-time employees of the Senate from serving in any managerial capacity in any business or financial enterprise, or engaging in any regular professional or consulting practice, or maintaining an association with any professional or consulting firm without special leave of the Senate. In addition, it would permit moonlighting only if two conditions are met: (1) the activity or employment must not be inconsistent with the conscientious performance of the officer or employee's official duties; and (2) express permission must have been given by the Member of the Senate charged with the supervision of the officer or employee. For the purposes of this rule, each Senator would be responsible for supervising his own staff; chairmen of committees would supervise committee staffs; the majority and minority leaders and the Vice President would supervise their own employees; and the President pro tempore would be charged with the supervision of all other officers and employees of the Senate.

Existing provisions: None.

The amendment (No. 25) submitted by Mr. CLARK is as follows:

On page 11, strike out all in line 24, and insert in lieu thereof "committee.".

On page 11, after line 24, insert the following:

"(l) In each session of the Congress one-half of the bills making appropriations of the revenue for the support of the Government shall be introduced in the House of Representatives, and one-half of such bills shall be introduced in the Senate. The chairmen of the Committees on Appropriations of the Senate and of the House of Representatives shall determine by agreement which of such bills shall be introduced in each House. No such bill shall be introduced in more than one House of the Congress. Hearings upon each such bill shall be conducted jointly by the Committee on Appropriations of the two Houses, or by subcommittees of those committees. A member of the Committee on Appropriations of the House in which any such bill was introduced shall preside at all joint hearings upon that bill."

APPROPRIATIONS COMMITTEE PROCEDURES—EXPLANATION

House and Senate Appropriations Committees would be authorized to hold joint hearings and half of the appropriations bills each year would originate in each Chamber to expedite congressional business.

Existing provisions: None.

The amendment (No. 26) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XXXII of the Standing Rules of the Senate is amended to read as follows:

"RULE XXXII

"BUSINESS CONTINUED FROM SESSION TO SESSION

"1. At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place.

"2. The rules of the Senate shall be adopted at the beginning of each Congress on a yea and nay vote, a quorum being present. A majority of the Senators voting and present shall prevail. They may be changed at any time as provided in these rules."

ADOPTION OF RULES FOR EACH CONGRESS—EXPLANATION

The provision continuing the rules of the Senate from one Congress to the next Congress would be deleted, and a majority of Senators present and voting would be empowered to adopt rules at the beginning of each Congress.

EXISTING PROVISIONS—BUSINESS CONTINUED FROM SESSION TO SESSION

1. At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place; and all papers referred to committees and not reported upon at the close of a session of Congress shall be returned to the office of the Secretary of the Senate, and be retained by him until the next succeeding session of that Congress, when they shall be returned to the several committees to which they had previously been referred.

The amendment (No. 27) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new Rule:

"RULE XLI

"INSTRUCTIONS TO REPORT ON MAJOR LEGISLATIVE MATTERS

"1. It shall be in order at any time after the conclusion of morning business for any Senator to make a motion to denominate any measure then pending in any committee or subcommittee of the Senate as a 'major legislative matter,' and such motion shall be a privileged matter and subject to immediate consideration, provided that a notice of intention to make such a motion shall have been presented on the previous calendar day on which the Senate was in session, and printed in the CONGRESSIONAL RECORD.

"2. Debate upon such motion shall be limited to eight hours, the time to be evenly divided between the opponents and proponents of the motion.

"3. Such motion, when agreed to, shall constitute an instruction to the committee to which the measure denominated a 'major legislative matter' has been referred to report such measure to the Senate within thirty calendar days, by poll or otherwise, with the recommendation (a) that it be passed, or (b) that it not be passed, or (c) that it be passed with such amendments as shall be recommended."

INSTRUCTIONS TO COMMITTEES TO REPORT ON MAJOR LEGISLATIVE MATTERS—EXPLANATION

Although it is axiomatic that the committees of the Senate are its creatures and agents, no procedures presently exist by which the Senate can exercise its authority in a fair, orderly, and effective manner.

The rules do presently provide for a motion to discharge a committee from further consideration of a measure. But this motion cannot be used to secure committee consideration of a subject, nor does it provide a device for obtaining a committee's recommendations. Moreover, such a motion can be filibustered, since it is debatable.

This proposal remedies these defects by creating a privileged, motion to denominate any measure pending in committee or subcommittee as a "major legislative matter." This motion would be privileged, provided that a notice of intention to make such a motion had been presented on the previous calendar day, and printed in the CONGRESSIONAL RECORD.

Debate on the motion would be limited to 8 hours, the time to be divided equally between opponents and proponents. Such motion, if carried by a majority of Senators present and voting, would constitute an instruction to the committee in which the measure was then pending to report it to the Senate within 30 calendar days, by poll or otherwise, with the recommendation (a) that it be passed, or (b) that it not be passed, or (c) that it be passed with amendments, stating the recommended amendments.

Existing provisions: None.

The amendment (No. 28) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XIX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"9. Whenever a Senator has held the floor for three consecutive hours, he shall be required to yield the floor upon objection and any Senator may raise a point of order at any time thereafter that such Senator yield the floor."

THREE-HOUR RULE—EXPLANATION

Whenever a Senator has held the floor for more than 3 consecutive hours, an objection to his continued possession of the floor, if made by any Senator, would compel him to yield the floor.

Existing provisions: None.

The amendment (No. 29) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XXIV of the Standing Rules of the Senate is amended to read as follows:

"RULE XXIV

"APPOINTMENT OF COMMITTEES

"1. At the beginning of each Congress the Senate shall proceed by ballot to appoint the members of each standing committee, and unless otherwise ordered, of each other committee of the Senate. All members of each such committee so appointed shall be appointed by one ballot. A plurality of the votes cast shall be required for the appointment of the members of each such committee.

"In the event a vacancy occurs for any reason in the membership of a standing committee and of any other committee of the Senate during a session of Congress, the Senate shall proceed by ballot to fill the vacancy. A plurality of the votes cast shall be required in the filling of a vacancy.

"2. Upon the appointment of the members of each such committee at the beginning of a Congress pursuant to paragraph 1, the majority members thereof shall elect by secret ballot of the majority members of the committee one member of that committee to be chairman thereof. Such member shall be of the majority party of the Senate. A majority of the whole number of votes cast by the majority members of the committee shall be required for the election of a chairman of any such committee.

"No Senator shall be elected or shall continue to serve as chairman of a standing committee after he has attained the age of seventy years, but nothing herein contained shall prevent a Senator who has attained the age of seventy from serving as a member of any committee.

"When a permanent vacancy occurs for any reason in the chairmanship of a standing committee and of any other committee of the Senate, the vacancy in the membership shall first be filled (if necessary) as provided in paragraph 1 hereof, and a successor chairman thereafter elected as hereinabove provided.

"No Senator shall be chairman of more than one standing committee nor of more than one subcommittee of each committee of which he may be a member."

SELECTION AND RETIREMENT OF COMMITTEE CHAIRMEN—EXPLANATION

Chairmen of standing committees would be chosen by secret ballot of the majority members of the committee at the beginning of each new Congress. In addition, no Senator would be permitted to serve as chairman of a standing committee after he has attained the age of 70.

EXISTING PROVISIONS

RULE XXIV

APPOINTMENT OF COMMITTEES

1. In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed by ballot to appoint severally the chairman of each committee, and then, by one ballot, the other members necessary to complete the same. A majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee, but a plurality of votes shall elect the other members thereof. All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint.

2. When a chairman of a committee shall resign or cease to serve on a committee, and the Presiding Officer be authorized by the Senate to fill the vacancy in such committee, unless specially otherwise ordered, it shall be only to fill up the number on the committee.

The amendment (No. 30) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule IX of the Standing Rules of the Senate is amended by adding at the end thereof the following new paragraph:

"All motions to proceed to the consideration of any matter shall be debatable, unless otherwise provided in these rules; *Provided, however*, That any Senator may file, at the desk of the clerk, a notice of intention to move to consider any matter on the Senate Calendar on the following calendar day on which the Senate is in session. The filing of such notice shall operate to limit debate upon the motion to one hour, the time to be divided equally between the proponents and opponents of the motion. The notice of intent shall be printed in the CONGRESSIONAL RECORD."

MOTIONS TO TAKE UP—EXPLANATIONS

This revision would provide a means by which a Senator could convert a motion to proceed to the consideration of any measure on the Senate Calendar, which would ordinarily be debatable, into a nondebatable motion. This could be done by filing at the desk of the clerk a notice of intention to make such a motion on the following calendar day on which the Senate is in session. The notice of intention would be printed in the CONGRESSIONAL RECORD.

EXISTING PROVISIONS

RULE IX

ORDER OF BUSINESS

Immediately after the consideration of cases not objected to upon the Calendar is completed, and not later than 2 o'clock if there shall be no special orders for that time, the Calendar of General Orders shall be taken up and proceeded with in its order, beginning with the first subject on the Calendar next after the last subject disposed of in proceeding with the Calendar; and in such case the following motions shall be in order at any time as privileged motions, save as against a motion to adjourn, or to proceed to the consideration of executive business, or questions of privilege, to wit:

First. A motion to proceed to the consideration of an appropriation or revenue bill.

Second. A motion to proceed to the consideration of any other bill on the Calendar, which motion shall not be open to amendment.

Third. A motion to pass over the pending subject, which if carried shall have the effect to leave such subject without prejudice in its place on the Calendar.

Fourth. A motion to place such subject at the foot of the Calendar.

Each of the foregoing motions shall be decided without debate and shall have precedence in the order above named, and may be submitted as in the nature and with all the rights of questions of order.

The amendment (No. 31) submitted by Mr. CLARK is as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

Sec. 123. Standing Rules of the Senate.

On page 30, between lines 10 and 11, insert the following new section:

STANDING RULES OF THE SENATE

SEC. 123. Rule XXII of the Standing Rules of the Senate is amended to read as follows:

"RULE XXII

"PRECEDENCE OF MOTIONS—PREVIOUS QUESTION

"1. When a question is pending, no motion shall be received but—

"To adjourn.

"To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

"To take a recess.

"To proceed to the consideration of executive business.

"To lay on the table.

"For the previous question.

"To postpone indefinitely.

"To postpone to a day certain.

"To commit.

"To amend.

Which several motions shall have precedence as they stand arranged, except that after the previous question shall have been ordered on the passage of a bill or joint resolution, no motion to lay on the table shall be in order; and the motions relating to adjournment, to take a recess, for the previous question, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

"2. (a) Whenever any motion or amendment to a measure pending before the Senate has received consideration for a total of not less than fifteen hours, during a total of not less than three calendar days, any Senator may move the previous question with respect to such motion or amendment.

"(b) Whenever any measure pending before the Senate, together with any motions or amendments relating to it, has received consideration for a total of not exceeding fifteen calendar days, any Senator may move the previous question with respect to such measure and any or all motions or amendments relating to it.

"(c) when such a motion is made and a quorum is ascertained to be present, it shall be submitted immediately to the Senate by the Presiding Officer, without debate and shall be determined by a "yea" and "nay" vote, a majority prevailing. A previous question may be asked and ordered with respect to one or more measures, motions, amendments, or matters, and may embrace one or more amendments to any pending measure, motion or matter described therein, and the passage or rejection of the pending bill or resolution; *Provided, however*, That any or all motions or amendments not so embraced by the motion for the previous question shall be deemed rejected. If the previous question is so ordered as to any measure, motion, amendment, or matter, that measure, motion, amendment, or matter shall be presented immediately to the Senate for determination. One hour of debate, equally divided between opponents and proponents, shall be allowed on any motion, amendment, or matter, other than the passage or rejection of the measure, bill or resolution on which the previous question has been ordered; and, four hours of debate, divided in the same manner, shall be allowed on the passage or rejection of the measure, bill or resolution covered by such order.

"All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate."

PREVIOUS QUESTION—EXPLANATION

The cumbersome and unwieldy cloture provisions of rule XXII would be deleted by this revision. In their place would be substituted a split-level motion for the previous question, by which a majority of Senators present and voting could terminate debate: (1) on any motion or amendment to a measure pending before the Senate after that motion or amendment has received 15 hours of consideration on not less than 3 calendar days; or (2) on the measure itself, together with any motions or amendments relating to it, after the measure plus all related motions and amendments has received consideration for 15 calendar days.

If the previous question is ordered, 1 hour of debate equally divided between opponents and proponents, would be allowed as to any motion or amendment encompassed by the motion for the previous question, and 4 hours, divided in the same manner, would be allowed on final passage. Unlike the cloture procedure under which Senators may call up for a vote after cloture any germane amendment which has previously been presented and read, this procedure would limit consideration after the previous question had been ordered to amendments embraced by the motion. All other amendments would be deemed rejected.

EXISTING PROVISIONS

RULE XXII

PRECEDENCE OF MOTIONS

1. When a question is pending, no motion shall be received but—

To adjourn.

To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

2. Notwithstanding the provisions of rule III or rule VI or any other rule of the Senate, at any time a motion signed by sixteen Senators, to bring to a close the debate upon any measure, motion, or other matter pending before the Senate, or the unfinished business, is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by a yea-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by two-thirds of the Senators present and voting, then said measure, motion, or other matter pending before the Senate, or the unfinished business, shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the measure, motion, or other matter pending before the Senate, or the unfinished business, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

3. The provisions of the last paragraph of rule VIII (prohibiting debate on motions made before 2 o'clock) shall not apply to any motion to proceed to the consideration of any motion, resolution, or proposal to change any of the Standing Rules of the Senate.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. MONTOYA. Mr. President, I ask unanimous consent that the names of the Senator from West Virginia [Mr. Byrd]; the Senator from Massachusetts [Mr. Kennedy]; and the Senator from Alabama [Mr. Sparkman] be added as cosponsors to S. 16, a bill which I introduced on January 11, 1967, to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOGGS. Mr. President, I ask unanimous consent that at the next printing of S. 483, a bill requiring the Veterans' Administration to give advance notice before any planned closing or relocating of a facility, the name of Senator Bible, of Nevada, be added as a cosponsor. Mr. President, I also ask unanimous consent that at the next printing of S. 218, a bill to extend to volunteer fire companies reduced postage rates, the name of the junior Senator from Wyoming [Mr. Hansen] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HANSEN. Mr. President, on behalf of the Senator from Kansas [Mr. Pearson] I ask unanimous consent that at the next printing of S. 47, a bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government, the names of the Senator from Hawaii [Mr. Fong] and the Senator from Massachusetts [Mr. Kennedy] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the name of the Senator from Alaska [Mr. Gruening] may be added to Senate bill 453, the Electrical Vehicle Development Act, the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Also, Mr. President, I ask unanimous consent that at the next printing of Senate bill 438, the Disaster Relief Act, that the names of Senators Bible, Kennedy of Massachusetts, and Williams of New Jersey may be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. Jackson], I ask unanimous consent that at the next printing of the bill, S. 20, to provide for a comprehensive review of national water resource problems and programs, the names of the following Senators be added as cosponsors: Mr. Dodd, Mr. Fulbright, Mr. Hill, Mr. Stennis, and Mr. Williams of New Jersey.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Also on behalf of Senator Jackson I ask unanimous consent that at the next printing of the bill (S.J. Res. 18) to provide for the administration and development of Pennsylvania Avenue as a national historic site, the name of Senator Thomas H. Kuchel be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills, joint resolution, and resolution:

Authority of January 11, 1967:

S. 1. A bill to amend the Federal Firearms Act: Mr. Clark, Mr. Fong, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Smathers, and Mr. Tydings.

S. 8. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture: Mr. Bartlett, Mr. Kennedy of Massachusetts, and Mr. Pell.

S. 17. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs: Mr. Anderson, Mr. Bartlett, Mr. Kennedy of Massachusetts, Mr. Magnuson, Mr. McGee, Mr. McIntyre, Mr. Moss, and Mr. Pell.

S. 20. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; Mr. Boggs, Mr. Brewster, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Carlson, Mr. Hayden, Mr. Kennedy of New York, Mr. McGee, Mr. Montoya, Mr. Prouty, Mr. Proxmire, Mr. Ribicoff, Mr. Symington, and Mr. Yarborough.

S. 21. A bill to amend the national emergency provisions of the Labor-Management Relations Act, 1947, so as to provide for dissolution of injunctions thereunder only upon settlement of disputes: Mr. Bennett and Mr. Williams of Delaware.

S. 22. A bill to amend the National Labor Relations Act so as to require a Board-conducted election in representation cases: Mr. Bennett, Mr. Curtis, Mr. Ervin, Mr. Thurmond, and Mr. Williams of Delaware.

S. 25. A bill to provide for the establishment of the Great Salt Lake National Monument, in the State of Utah, and for other purposes: Mr. Gruening.

S. 36. A bill to provide a uniform closing time for polling places in certain Federal elections: Mr. Mundt and Mr. Thurmond.

S. 47. A bill for the establishment of a commission to study and appraise the organization and operation of the executive branch of the Government: Mr. Allott, Mr. Dodd, Mr. Ervin, Mr. Gruening, Mr. Hruska, Mr. Jordan of Idaho, Mr. Moss, Mr. Mundt, Mr. Nelson, and Mr. Young of Ohio.

S. 49. A bill to revitalize the American gold mining industry: Mr. Cannon, Mr. Church, Mr. Jordan of Idaho, Mr. Magnuson, Mr. McGee, Mr. Montoya, and Mr. Murphy.

S. 195. A bill to provide for the establishment of a council to be known as the "National Advisory Council on Migratory Labor": Mr. Bartlett and Mr. Pell.

S. 196. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such housing facilities: Mr. Bartlett.

S. 197. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes: Mr. Bartlett, Mr. Kennedy of Massachusetts, and Mr. Pell.

S.J. Res. 5. Joint resolution proposing an amendment to the Constitution of the United States relating to residence and physical presence requirements for voting in presidential and vice-presidential elections and for voting in elections for United States Senate and Members of the House of Representatives: Mr. Bartlett.

Authority of January 12, 1967:

S. 220. A bill to authorize the sale of certain public lands: Mr. Jordan of Idaho.

S. 277. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson: Mr. Pell.

S.J. Res. 9. Joint resolution to direct the Secretary of Labor to study the operations and adequacy of the emergency labor disputes provisions of the Labor-Management Relations Act and the Railway Labor Act and to make appropriate recommendations for improvements in such laws: Mr. Allott, Mr. Bennett, and Mr. Mundt.

S. Res. 14. Resolution establishing a standing Committee on Urban Affairs: Mr. Clark, Mr. Kuchel, Mr. Nelson, Mr. Pell, and Mr. Ribicoff.

THE STATE OF THE UNION—A REPUBLICAN APPRAISAL

Mr. KUCHEL. Mr. President, last Thursday, the distinguished Republican leader in the Senate, Everett McKinley Dirksen, of Illinois, and the distinguished Republican leader in the House of Representatives, Gerald R. Ford, spoke to the Nation on the state of the Union as seen through responsible Republican eyes. Each presented an extremely thoughtful statement, representing the kind of constructive comment which the people of this Nation seek from Republicans. The comments were those of responsible statesmen, and they contain no cry for immoderate spending, no demand for zealous expansion of untested programs.

When the leadership of this Government needed and merited the support of the American people, that support has been duly given by the Republican leadership. When constructive criticism was necessary in the public interest, that criticism has not been spared.

I ask unanimous consent that the text of the statements by Senator Dirksen and Representative Ford be placed in the Record at this point in their entirety.

There being no objection, the statements were ordered to be printed in the Record, as follows:

The State Of the Union—A Republican Appraisal

(Address of Senator Everett M. Dirksen,
minority leader of the Senate)

My Fellow-Americans:

The State of the Union—that is, the condition of our country—what is it as we stand on the threshhold of another year and another Congress? Last week the President, as the Constitution requires, presented his view of the State of the Union. It was an hour-and-ten-minute address. Tonight, we have but 27 minutes for a comparable appraisal. Time, therefore, permits but the briefest review of the matter. Mr. Ford has, very effectively, assessed the *domestic* State of the Union. Hence I shall speak only of our external relations with the world.

Perhaps Shakespeare said it all with the words he placed in the mouth of Macbeth. I paraphrase them slightly:

"We are in blood, stepp'd in so deep,
That should we wade no more,
Returning were as tedious as go oe'r."

Our operations in Southeast Asia have provoked entreaties, demands, and demonstrations to draw back, to retreat, to leave our commitments unfulfilled. That would be an unthinkable course.

We promised to heed the Macedonian cry of a small weak nation against the Red aggressors and their threats to her freedom and independence. That cry for help came. We responded. At first our response was of a token nature. But it has grown to become a vast, full-scale military and pacification operation. One way or another, about 500,000 Americans are engaged. The cost in blood and treasure has been enormous. Vietnam has become our third-largest war.

The President was both realistic and candid in his comment in this regard last week. He emphasized the probability of "more cost, more loss, more agony."

The General commanding our forces in Vietnam seeks more troops. That would also mean more supplies, more weapons, more planes, and more of everything before the aggressor withdraws or the offer of negotiations is accepted. None of these seem probable at the moment and the grim Four Horsemen continue to stalk the land.

Is there an answer to this vexing problem *other* than the classical one of enough troops, enough weapons, enough firepower to render the aggressor unable to continue his nefarious intent and design? I wonder.

Have self-inspired fears of Soviet or Red China intervention dissuaded us from a more vigorous effort on land, sea and in the air to bring this conflict to an end, including stern measures to stop the inflow of supplies, food and weapons from supposedly neutral nations? Let us make plain to the world that we mean business! We are in this war to carry out our commitments. To do less would be to break our pledge. In this grim undertaking, a teaspoonful of gospel is not enough. We must do all that is necessary until the freedom and independence of Vietnam are assured.

I hope that in the weeks and months ahead the dilemma of Vietnam will stimulate the most thoughtful discussion possible among our people of all political faiths. As we search together for a solution to Vietnam let us demonstrate to the world our unity of purpose in full, free and orderly discussion of the best ways and means to achieve it.

War spawns many evils: swollen budgets, the dislocation of young manpower, inflation, surly attitudes of other nations, restrictions on investment abroad, a perishable prosperity, and the brooding danger that our economy may be forced into the straitjacket of wage-and-price controls and perhaps higher taxes. And the evils rising from the crucible of conflict will multiply. Small wonders that the spirit of the nation is vexed and troubled!

We in the loyal opposition, with a primary accent on "loyal," while supporting to the fullest our fighting forces in Vietnam, ask—in fact, demand—that this Administration not only reinforce its determination to bring this conflict to an end in the shortest possible time but that it also look beyond the bombing and other violence of the conflict to where we shall stand and with whom we shall sit when the conflict ceases. What thought has been given thus far, not only to the exercise of far stronger military and diplomatic muscles as the war goes on, but, to the making of an eventual peace? What policy will we be asked then to support? Do we sit down at the conference table and bargain with elements other than representatives of the duly constituted government in Hanoi? To do so might mean that any agreements reached would disintegrate overnight and no line of defense would any longer exist from Saigon to Singapore if such a peace table surrender should occur. Foresight is the essence of leadership. We stand in need of it as never before.

But Vietnam is not our only migraine. Elsewhere in the world, American foreign policy and its conduct are coming, increasingly, into serious question. In Latin America, the Alliance for Progress causes us now to wonder: Where is the Alliance? Where is the Progress? The failures of economic and social reform required, under Alliance agreement, of those Latin American nations receiving our financial aid are all too visible.

In Africa, there is scarcely a country which has accepted our largess and is eager to accept more that has not become embroiled in internal or unneighborly conflicts that have resulted in a steady retreat from democracy and toward dictatorship or Red-tinted rule.

In Europe, the Common Market holds neither hope nor promise for us. NATO is withering on the vine. Supreme Headquarters of the Allied Forces has been ordered out of France and has had to find refuge in Belgium. Britain, because of pressure on the pound sterling, has foreshortened her lines of defense, diminished her troop strength and leaned ever more heavily upon us. West Germany is eyeing the Communist markets in eastern Europe but *does* wish to retain our troops—at our expense. What strange bedfellows have developed in Europe—after we have taxed our people to keep them afloat!

To all this one can add the explosiveness of the Middle East; the discouragement of American capital investment in India—unless Hindus or the Indian Government hold the controlling stock; the unpredictable attitudes of Laos, Cambodia, Indonesia; the constant, and unrelenting attacks by Soviet leaders upon our alleged imperialism.

There is virtue in the ancient admonition to "Be not weary in well-doing" but it is an aggravating experience to have the recipients of our aid and assistance bite the hand that seeks to help them.

Very pertinent now, because it will expire in June, is the Trade Expansion Act of 1962, intended, as its name suggests, to enlarge our trade abroad. It threatens, however, to do exactly the opposite. Well aware of the delicacy of our international economic position, finance ministers and trade negotiators of countless nations abroad have, for some months now, been horse-trading us out of the protection our industry and agriculture must have and have been enticing us down what begins to look like a rutted one-way street, especially as regards our farm products. It will be for the Congress, before June, to take a hard look at these proceedings, in the interest of American enterprise, the preservation of American jobs, and the continuation of the European markets for our farm products.

The current Trade Negotiations in Geneva are very important to all segments of our economy. Farmers should not be sold down the river in these Trade Negotiations. We will look with disfavor on any agricultural commodity agreement or arrangement that would limit our ability to export agricultural commodities as a substitute for a truly reciprocal trade agreement program.

When to these alarms there is added the critical problem of our endangered gold supply and the doubt now being expressed so often abroad as to the fiscal and monetary stability of the United States—never, for decades, hitherto questioned!—a clear, thorough and courageous evaluation of our foreign policy, our trade policies, and our international fiscal and monetary policies is clearly required. We call upon this Administration to agree to a bipartisan scrutiny and study—to begin *now*—conducted jointly with participants from industry, finance and agriculture.

As a point and base of beginning for such a study, let me now propose, specifically, that a detailed examination be made of the possibility of forming what I choose to call the Western Economic Union—a Common Market of the nations of the Western Hemisphere—a structure for trade and *mutual* aid designed to stimulate the production and exchange of industrial products and those of agriculture in which protective barriers will not take the form of prohibitive and self-defeating tariff walls but of economic policies of insurance against depression and want and despair from Attu to Patagonia.

As regards the Middle East, let me also add the proposal that the United States take the initiative in reconvening the conference of the Tripartite Guarantee Powers, and that these Powers—the United States, the United Kingdom, and France—use this new conference to reaffirm their "unalterable opposition to the use of force or threat of force" in the Arab-Israel area and revive their pledge to preserve the frontiers and armistice lines in the Middle East.

Of the President's plea and proposals for the "building of bridges" to the East, it can be fairly asked whether it is truly intended that this East-West trade bridge be a double-decker, capable of moving traffic in each direction or whether it will, as has been so true in the past, become a structure for the conveying of our bounty and treasure to the unfriendly and uncooperative nations without any value whatsoever received in return.

What justification can be cited for the Administration's persistent effort to liberalize and extend terms tantamount to aid to the Soviet Union and communist governments of Eastern Europe, while these nations are supplying most of the guns and missiles that are killing American soldiers and shooting down American planes in Southeast Asia?

The answer to all of this is a clear one: more attention to the conservation of our own strength and resources and less to those nations of the world who regard us as an amiable, vulnerable, jolly Santa Claus who can be slurred at will and cuffed with impunity. The international bank of good-will shows a mounting deficit where our external relations are concerned.

How truly "Hope deferred maketh the heart sick." As our problems multiply and our worries increase, the responsibility of the Executive Leadership becomes ever the greater. So, too, the responsibility of the Republicans in loyal opposition becomes ever more meaningful. As we Republicans assess the present State of the Union and appraise the progress that we know can be ours, we refuse despite the heat and burden which world affairs impose, to be dismayed or to despair. We refuse, indeed, as we look to the Seventies, to be weary in "well-doing", but we are determined that our well-doing shall, to a greater degree, be directed toward the well-being of the American family and the American nation. We realize full well that we are not only in this world but of it. For the beneficiences we have showered on this world we deserve something more than the ungrateful cry of "Yanqui, go home".

To this necessary end—with positive proposals we shall offer the nation—and to this high purpose the Republican Leadership and the Republican Party now commit themselves with a whole heart.

The State of the Union—A Republican Appraisal

(Address of Representative Gerald R. Ford, Republican of Michigan, minority leader of the House of Representatives)

Again we gather in this historic chamber, conscious of the invisible presence of great leaders of the past. This year we are reinforced by the visible presence of new leaders of the future. We welcome enthusiastically the 64 new Republican Senators and Representatives of the 90th Congress.

(New Members rise.)

Senator Dirksen and I are here to give a Republican Appraisal of the State of the Union.

November 8, the citizens of America voted on the State of the Union.

Their message came through loud and clear—a ringing vote for vigorous two-party government. It was a blunt demand for honesty and candor in public affairs. The Credibility Gap must go!

We rejoice in the mandate—a *New Direction* for America.

No era in our history began with higher hopes than the 1960's. We had bound up the Nation's wounds. We were blessed with eight years of strength, peace and progress under President Eisenhower.

As the decade dawned, all Americans were stirred by the words, "Ask not what your country can do for you; ask what you can do for your country."

The years have slipped by and now Americans in 1967 see the decade that dawned in hope fading into frustration and failure, bafflement and boredom.

The President said that the election returns did not mean that people want progress to stop.

We agree.

They want progress to start—now!

For every problem of the Sixties, this Administration has revived tired theories of the Thirties.

For the past two years, positive and practical Republican programs have been largely ignored.

Things will be different in the next two years!

We won the first round in the House of Representatives, 364 to 64, with three-quarters of the Democrats following our unanimous Republican lead.

We will win more—many more!

NEW DIRECTION, NOT COALITION

Cynics may call every Republican victory in this Congress a coalition. Let's meet that issue head-on, right now.

By definition, coalition requires advance consultation and ultimate compromise of conviction to win a legislative victory.

Republicans will make no such deals.

Republicans will give leadership to the dynamic and Constructive Center in Congress.

We welcome every Democratic vote for positive Republican programs that will give New Direction to our Nation.

We will press for creative Republican action. When New Direction demands it, we will say "No" to the old Democratic failures.

Our "No" will be particularly emphatic if we are asked to slow down progress toward the equality that is the right of every American.

Never forget, the Republican Party came into being to make real the belief that all men are created equal and endowed by their Creator with inalienable rights. It is disheartening to see evidence that the Administration is lowering the priority given to these matters in the 90th Congress.

SENSIBLE SOLUTIONS FOR THE SEVENTIES

As we look to the years ahead, Republicans see a program of Sensible Solutions for the Seventies.

That program must begin in 1967.

First priority—the growth and prosperity of our economy.

There are ominous signs of an economic slowdown this year. Unless our course is redirected decisively, we may well face the paradox of a recession with both increased inflation and increased taxation.

The Investment Tax Credit must be restored immediately.

An honest federal budget is imperative. If the Congress is to assess the needs of our economy intelligently, the Administration must not repeat its tragic error of presenting a budget of evasion, manipulation and gimmickry. This budget underestimated expenditures by at least $14 billion, over $4 billion of which was non-military.

Congress should immediately repeal the Participation Sales Act, which conceals and distorts the true budgetary situation.

When we know how much is needed for national security, the Congress can then make certain that essential domestic programs are adequately funded. Low-priority programs, desirable as they may be, must be postponed. We assure the President tonight that Republicans will move to cut nonessential spending—even if he doesn't.

In addition, billions of dollars approved by Congress in the past remain unspent. This Congress must take a hard look at those funds. We propose a Rescission Bill, withdrawing the President's authority to obligate and spend such funds that cannot meet the test of prudence of the new Congress.

The President belatedly promised to cut $3 billion from expenditures by the end of June. He should spell out for the American people where these reductions have been made—if they have been made.

With such uncertainties, the President has not made a convincing case for his tax increase.

STATE AND LOCAL RESPONSIBILITIES—TAX SHARING

One of the most significant results of the 1966 elections was the people's choice of 23 new Republican governors, and more than 700 new state legislators.

This reflects not only confidence in our party and its fine candidates but also faith in state government itself.

Republicans have faith in the constitutional concept of Federalism, which requires strong and vigorous state as well as national action on a variety of problems. Yet, seen through the Democrats' rear-view mirror of the Thirties, everything can be cured by Federal dictation and Federal funds, doled out through grants-in-aid which keep Washington as the manipulator of all strings.

There are now over 400 Federal aid appropriations for 170 separate aid programs, administered by a total of 21 Federal Departments and agencies, 150 Washington bureaus and 400 regional offices, each with its own way of passing out Federal tax dollars.

Federal aid to states and municipalities through this tangled thicket increased from $1 billion in 1946 to about $17 billion this year.

Republicans reiterate their support for a system of tax sharing to return to the states and local governments a fixed percentage of personal income taxes without Federal control. This system would promote a swift improvement in education, law enforcement, community development, mass transit, and other essentially local problems.

Smog is replacing the weather as the No. 1 topic of conversation, but no two cities have identical problems. Cities are far more diversified than states. They have one common denominator—their problems multiply as people move to the suburbs. This exodus leaves less revenue to meet more problems.

Tax sharing would restore the needed vitality and diversity to our Federal system. Revenue sharing could also be accomplished with tax credits.

Many effective measures to improve agriculture originated with the National Commission on Rural Life, established by President Theodore Roosevelt. Republicans propose a National Committee on Urban Living be created without delay.

An exaggerated example of urban problems is our own national capital. Yet a swarm of Federal experts is telling the cities how to cure their ills while the only Federal city in our Nation is a disgrace.

Republicans believe Washington, D.C., should be made a "model city" for demonstration projects and new initiatives in urban progress.

EDUCATION

Higher education and vocational education acts bear strong Republican imprints.

We will continue our efforts to provide assistance to those who bear the rising cost of higher education through tax credits.

The Elementary and Secondary Act, however, at minimum require substantial revision to simplify forms, reduce excessive paperwork and eliminate the heavy-handed Federal intrusions. All pre-school and early-school problems should be consolidated in the Office of Education. Republicans trust local school boards to formulate policy and set priorities far more than we trust bureaucrats in Washington.

Congress should take the Federal handcuffs off our local educators. The best way to do this is by tax sharing and tax credits. If the Democrats, who control Congress, refuse to consider tax sharing legislation, Republicans will seek to substitute block education grants, without Federal earmarking or controls.

We will propose new approaches to reinforce the vitality and diversity that is the genius of our educational system. It is in the school that the doors of opportunity open to all American children. We shall not deny them the best that can be given.

SOCIAL SECURITY

President Johnson proposed Social Security changes that it is estimated would cost the equivalent of a 1.6 percent Social Security payroll tax increase.

At the present tax base, this would ultimately raise the total Social Security payroll tax to 12.15 percent. The Social Security trust fund must be kept sound. Greater benefits normally involve greater taxes, particularly burdensome to our younger citizens.

As in the past, Republicans now favor an increase in permitted earnings by Social Security recipients. Present earning limitations reflect the depression mentality of the Thirties and make no sense for the Seventies. Widows benefits and minimum benefits must be brought into line with today's inflated living costs. Those still uncovered should, as soon as possible, be blanketed into the Social Security system at least by age 72.

Our older citizens must be protected from the extortions of Great Society inflation. They can't wait while we debate.

Congress should enact, retroactive to January 1, an 8 percent increase in Social Security benefits. These increased benefits can be achieved without any tax increase.

About ⅓ of the nation's poor are elderly citizens. Their situation is tragic and desperate. The Poverty War has passed them by.

In the past two years of Democratic control, basic Social Security benefits have fallen 7 percentage points behind the consumer price index.

Republicans propose Social Security benefits rise automatically with rising prices. It is time we took Social Security out of election-year politics.

VETERANS

Republicans believe those called upon to sacrifice in Southeast Asia should be treated equally with other veterans. All veterans, war widows and their dependents should be protected from skyrocketing inflation by increased benefits.

POVERTY

The greatest poverty in this country today is the poverty of realistic ideas among Poverty War generals—and sergeants. Sensible Republican proposals have been rejected arbitrarily.

Republicans will continue to press for total revamping and redirection of the Poverty War. We want an Opportunity Crusade that will enlist private enterprise and the states as effective partners of the Federal Government in this fight. We would give the children of poverty the very highest priority they deserve. As Republicans have urged for two years, Head Start requires follow-through in the early grades.

We propose a new Industry Youth Corps to provide private, productive employment and training on the job.

We propose the Republican Human Investment Act to induce employers to expand job opportunities for the unskilled.

We propose to enlarge the opportunities of low-income Americans for private home ownership.

All Americans demand a thorough airing of poverty administration, poverty publicity and poverty politics.

GOVERNMENT REORGANIZATION

The need for streamlining the national government has become even more urgent since we recommended a new Hoover-type commission a year ago. The President's only specific proposal for reorganization—to combine the Departments of Labor and Commerce—merely scratches the surface.

We believe the Post Office Department should be taken out of politics from top to bottom. Republicans favor selecting all Postmasters on merit alone.

What irony—we will probably deliver a man to the Moon before we can consistently deliver the United States Mail to its correct address on Earth.

The colossal Department of Agriculture is another executive agency that needs reform. Republicans will continue to support the concept of fair farm prices in the marketplace, without price-depressing manipulation by bureaucrats. The mass and maze of federal farm laws, rules, regulations and forms must be simplified. Every farmer knows there's enough to do in every 24-hour day on the farm without a load of federal paperwork. We applaud efforts to create more parks and seashores and will give special emphasis to the preservation of jobs and community stability.

LABOR-MANAGEMENT LAWS

A year ago President Johnson promised Congress he would soon propose new ways to handle national emergency strikes. In the interval he has made no proposals whatsoever. Incredibly, he never mentioned it in his latest State of the Union Message.

Without waiting further, Congress should choose a balanced commission of experts to make recommendations in this complex and sensitive area.

Our unswerving purpose should be to strengthen free collective bargaining between equals, without unnecessary government meddling. Congress should undertake, without delay, a full review of labor-management laws and the operations of the National Labor Relations Board.

It is unfair to both labor and management for Congress to legislate blindly in an atmosphere of crisis.

CONGRESSIONAL, CAMPAIGN, AND ELECTION REFORMS

To do our job better, Congress should act promptly on the bipartisan recommendations for congressional reorganization endorsed last session by our House Republican Policy Committee, but pigeon-holed by the Democratic majority.

We call for a strong House Ethics Committee and an investigating committee under the control of the minority.

Such reforms would restore the people's confidence in Congress and their Government.

Congress must also move ahead on the President's year-old pledge for a Clean Elections Law. Such a law must be in force before 1968.

This Clean Elections Law should guarantee full and accurate reporting of political contributions and expenditures in support of national candidates and put an end to abuses in campaign finance. Legislation also is needed to encourage an increased flow of small contributions. Republicans are proud that 69 percent of our contributions in the last Presidential campaign were in sums of less than $100.

Last year the Congress unwisely rushed through a bill which would provide as much as 60 million taxpayers' dollars to political parties for the 1968 campaign. This serious mistake should be reversed without delay.

Instead, the Congress would be wise to permit contributors an income tax deduction for political contributions up to $100.

Our antiquated Electoral College system of choosing the President should be changed to make sure the people's will prevails.

In planning for the 1968 Presidential campaign and elections, the Congress must come to grips with the foremost factor in political competition today—a factor unknown when present laws were written—television.

The biggest single campaign expense for any national candidate today is television time. Television brings the national political debate into every American home. Yet no really thorough study has been made of the public's interest in television as a *political* medium. Television channels, of necessity limited in number, really belong to all the people.

They should not be at the service of the highest bidder or the party in power. They cannot be regulated solely by the conscience or convictions of network executives and their most popular television faces.

An illogical federal law now operates to prevent television and radio stations from granting time without charge to major party candidates without making equal time available to a host of minor party candidates. We unequivocally favor nationally televised debates between future Presidential contenders.

We propose legislation requiring television and radio to provide free and equal treatment to major parties and their spokesmen not only in future campaigns, but also for the presentation of divergent political views throughout the periods between formal campaigning.

CRIME AND LAW ENFORCEMENT

Crime and violence, disregard of law and disrespect for authority, immorality and irresponsibility are on the rise. We welcome the President's recent recognition of this enlarging crisis.

Republicans in the last Congress authored legislation which created a National Commission for the Revision and Reform of Criminal Laws, a major step forward.

The House also adopted last year, although it died in the Senate, a proposal which Republicans will renew this session in a "Citizens Rights Act of 1967." The Act would make it a crime to travel from one state to another with an intent to incite riots. It would also protect individuals in the exercise of their constitutional rights.

Wiretapping and electronic eavesdropping worry all Americans who prize their privacy. Properly used, these are essential weapons to those who guard our Nation's security and wage ceaseless war against organized crime.

The Congress, the President and the Courts must promptly spell out the permissible limits of their use.

At all levels of government a massive effort should be made to reduce crime by attacking some of its basic causes: poverty, slums, inadequate education and discrimination. However, our laws and actions should never be based on the theory that a criminal is solely the product of his environment.

Fear of punishment remains an important deterrent to crime.

We call upon the independent Judicial Branch of our Government to uphold the rights of the law-abiding citizen with the same fervor as it upholds the rights of the accused.

Most Americans will resist any trend toward the establishment of a national police force or the unwarranted intrusion of Federal power into local law enforcement. Yet, there is a proper place for Federal assistance and leadership.

Within the Federal correctional system, the Work Release Program and other enlightened prisoner rehabilitation projects must be designed and expanded to reduce the number of second-time offenders.

The primary responsibility for law enforcement must remain with the states and local authorities. In the last analysis, public safety depends upon the courage and character of the policeman patrolling his beat. The Federal Government can properly help in making law enforcement a more attractive and professional career.

A National Law Enforcement Institute, similar to the successful National Institutes of Health, should be established for research and training and for the dissemination of the latest techniques in police science.

NATIONAL SECURITY

Not as Republicans but as Americans we are gravely worried about the Nation's security. This is not a partisan issue. The conflict is primarily between the Administration and the Congress.

The short-range military policies and the long-range defense posture of this country urgently demand searching re-examination and New Direction. Nothing in the President's State of the Union Message lessened our deep concern in this all-important area.

Our strategic thinking of the 1970's and beyond, the timely planning and production of advanced weapons systems, and the prudent management of our total national defense capabilities have become stalled on a dead-end street.

Republicans renew, with even greater urgency, our call for a Blue Ribbon Commission of the most able and independent Americans Congress can choose to get on with this job.

Within its Constitutional responsibility, Congress can do more.

We must take prompt action to modernize our Navy, increase our superiority in nuclear propulsion, and counter the growing threat of missile-carrying enemy submarines.

We must take prompt steps to rebuild the American Merchant Marine, already shrunken to one-fifth its former size, and regain our lost lead over the Soviet Union in modern shipbuilding. Shockingly, the U.S. is no longer a major maritime power. The Maritime Administration must be upgraded as an independent agency.

We must proceed at top speed with the development of long-delayed Advanced Manned Strategic Bombers and Improved Manned Interceptors.

We must strengthen our Reserve and National Guard forces and eliminate inequities in the Draft. Our defense posture should be tailored to our global commitments.

The Administration has finally confided in the American people that the Soviet Union has increased its Intercontinental Ballistic Missile capability and is deploying an Anti-Ballistic Missile Defense System. In anticipation of a life-and-death decision on just such a development, Congress has voted millions of dollars which the Administration did not seek and apparently has not used.

The Congress did its duty and gave the President a clear expression of its will and the means to carry it out.

Before more precious time is lost, Congress and the American people are now entitled to a clear explanation from the President of the perils and problems facing the United States in the new global balance between offensive and defensive missilery.

We too are concerned about a possible costly new round in the nuclear arms race. But the least the Nation must do now is speed up its readiness to deploy Anti-Ballistic Missiles in a hurry if our survival requires it.

Americans are properly devoted to the concept of civilian control in defense matters. This civilian control never before has meant consistent civilian disregard for professional military judgment, intimidation of dissenters and substitution of soulless computers for human experience.

The first place to close the Credibility Gap is at the Pentagon.

All Americans join in the President's earnest hopes for an honorable peace and foolproof disarmament. But they are deeply concerned that the Communists even now are intensifying both the hot and the cold wars. This worldwide test of willpower and weaponry is not of our choosing.

Nothing has higher priority, in our judgment, than the safety, strength and survival of the United States of America, our people and our posterity.

There will be no Sensible Solutions for the Seventies, Republican or Democratic, if we fail in this supreme test of a nation.

Although the Democratic Party continues to control the Senate by almost 2-to-1 and the House by 3-to-2 majorities, Republicans as a more meaningful minority will move forward as the Constructive Center of the Congress in the best interests of all Americans.

Republicans pledge their support and their leadership to preserve, protect and defend our country, whatever the cost and whatever the sacrifice.

RECOGNITION OF SENATOR RIBICOFF AT CONCLUSION OF MORNING BUSINESS

Mr. RIBICOFF. Mr. President, I ask unanimous consent that at the conclusion of morning business, the rule of germaneness notwithstanding, I be allowed to proceed for 1 hour.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

VIETNAM—THE HIGH PRICE

Mr. SYMINGTON. Mr. President, there are three legs to the platform of our national security: that of diplomacy, that of the military, and a third leg—equally important but about which there is relatively little discussion—the Nation's economy, correlated with its financial position. It is the latter about which I plan to speak briefly today.

Effective diplomacy in our relationships with the other nations of the world would appear to be the paramount force in our search for world peace; and with that premise, it is distressing to note that, primarily because of the long drawn-out struggle in Vietnam, our relations with most of the other countries have been deteriorating.

The studied enmity of General de Gaulle, recent developments in Germany, general irritation among relatively friendly nations at our continuing failure to correct our continuing unfavorable balance of payments—with the consequent steady drain on our gold supply—all are cases in point.

The latter is directly related to the high and mounting costs of this major ground war in Asia, and is coupled with the fiscal and monetary problems which these costs present.

In turn these increased costs make it increasingly difficult for this Government to recognize the importance of such domestic problems as adequate education and the deterioration of our cities.

There has been a steady 18-year loss of our gold reserves. Recently, the Vietnamese war has increased that loss; and whether we like it or not, gold is one of the two basic elements which back up our diplomatic efforts in this ungovernable world.

Starting in 1939, in effort to maintain the independence and well-being of the countries of the free world, the United States have given over $180 billion.

We have military agreements with some 40 of these countries. But only three have sent any combat troops to Vietnam.

As to one of the latter, we have more troops in their country than they have in South Vietnam, and pay for the cost of both; and the contribution of another has been negligible.

The United States has maintained many hundreds of thousands of its citizens in Europe alone for over 20 years. During that same period we have also maintained tens of thousands of our people in Japan; and for over 15 years have kept tens of thousands in Korea, plus many additional thousands in other parts of the world.

In 1949 the United States had $24.6 billion in gold bullion. At that time it owed $7.6 billion abroad, primarily to the foreign central banks.

Since 1949, we have run a continuing unfavorable balance of payments, with consequent continuing loss of our gold reserves, to the point where the gold now held by the Government is down to $13.2 billion—and $9.5 billion of this is "nonfree" monetized gold, held for the 25-percent reserve guarantee against issued Federal currency.

Today our current obligations, redeemable in gold and held abroad, again primarily by the foreign central banks, have increased to $30.4 billion.

In other words, on the basis of double-entry bookkeeping comparable to that practiced by any normal business, this Nation has some $3.7 billion of free gold to pay, if called, total obligations held abroad of over $30 billion.

Some say, "They—the foreign countries—would never call us, would never ask for our gold bullion in exchange for paper dollars."

But that is exactly what General de Gaulle has done. He has liquidated billions of our paper dollars in exchange for our gold, an action of great embarrassment to the U.S. Treasury as the latter attempts to preserve the value of the dollar.

As a result of the nature of the Bretton Woods agreement of 1944, the British pound is as synonymous with gold as is the dollar; and the pound also is currently having troubles; well summed up by Senator Paul Douglas in his recent book, "America in the Marketplace."

In that book, Senator Douglas took notice of the fact that British borrowings, including those from the International Monetary Fund, now exceed total British reserves.

When the growing problems incident to our present heavy expenditures are defended before the Congress by various Government witnesses, they attempt to justify current fiscal policy by referring to the size of our gross national product.

That size, however, is not necessarily a valid justification for these expenditures, because productive strength does not automatically either signify, or imply, comparable financial strength.

In other words, and nothing could be more important from the standpoint of what is best for the future of the United States, the productive power of a nation in no sense automatically guarantees fiscal and monetary health.

A government, as is the case with an individual, or a business, can only improve its living standards through additional borrowing so long as it is trusted by its lenders.

When one adds to the cost of our many other commitments the price incident to underwriting the heavy additional cost of the new SHAPE, presumably necessitated by the withdrawal of France from NATO, and also our additional recent commitments in Germany, one can only wonder how long the United States can continue these and its many other foreign and domestic expenditures by continuing to print paper gold.

No economy, not even that of the United States, can continue to defend such a large percentage of the free world, at the same time it finances such a large percentage of the free world, without eventually becoming financially "nonviable."

Perhaps "bankrupt" would be the better word.

The growing cost of the Vietnamese war, apparently now running between two, and two and a half billion dollars a month, supports that conviction.

BIOGRAPHIES OF REPUBLICAN SENATORS

Mr. MORTON. Mr. President, the staff of the Senate Republican Policy Committee has compiled an unusual biographical account of the Republican contingent in the Senate, and because of the interest which undoubtedly will be taken in this document I ask unanimous consent to have it placed in the body of the Record.

There being no objection, the biographical accounts ordered to be printed in the Record are as follows:

Senate Republicans, 90th Congress: GOP presents the most versatile, and the most representative Group in history (with some facts not often found in the usual biographies).

Senator George D. Aiken of Vermont . . . a former Grange Master and author of several books, is senior GOP Senator in point of service . . . an authority on U.S.-Canadian relations, U.S. agriculture, medicare, Vermont maple sirup, Vermont marble . . . last month decided to inspect some land and timber atop a mountain in Vermont . . . drove up to the end of the road, then climbed several miles in deep snow to the top with his son-in-law, a tough exhockey player who became exhausted and after the ordeal went home to rest . . . but the day was just beginning for George Aiken who drove his sedan out into the fields and on trails in the woods, chopped down Christmas trees, loaded them into the car among several bushels of apples, hay, feed, seed, and whatnot . . . unknown to Detroit, he is an expert "proving ground" driver who takes his passenger car across fields, rocks, ditches . . . by the time he's finished he'll know whether his car is "truckworthy" . . . has been termed a liberal, a moderate, a conservative . . . so to prove such terms might be misleading, had his voting record checked vote-by-vote against that of the late Senator Robert A. Taft . . . with the exception of a handful of votes on such issues as public power, the Aiken voting record was judged more conservative than Taft's! . . . a former Vermont Governor, he is still addressed as "Governor" by staff members who have been with him since the beginning . . . of Scotch-Irish descent, Senator Aiken's family came to New England in 1629.

Senator Margaret Chase Smith of Maine . . . the only lady United States Senator . . . that latest Gallup Poll once again lists Senator Smith as one of the 10 most admired women in the world . . . on the wall, and to the right as you enter the door of the reception room for her offices, there hangs a citation from the United States Senate—the only one of its kind issued in history . . . it notes the longest, consistent answering of roll call votes by any Senator of any party in the history of our Republic. . . . at the conclusion of Senate business January 19, Margaret Chase Smith has not missed a vote in 2,395 times!. . . she is an authority on the Armed Services and on Aeronautical and Space Sciences and is the ranking Republican on these committees. . . . she has the shortest Senatorial biography in the Congressional Directory, to wit: "Margaret Chase Smith, Republican". . . . actually what more is needed? . . . her name means Maine, and Maine means Margaret Chase Smith . . . and on the basis of her work, effectiveness, and influence, Republican Senators unanimously elected her Chairman of the Conference of Republican Senators this month—the highest office within the Senate ever achieved by a lady Senator, Democrat or Republican . . . being a member of the distaff side had nothing to do with the election, but Republicans want to be good and sure everyone knows she belongs to Republicans! . . . she has a long-established reputation for running an efficient office and giving prompt service . . . during vacation time for her staff she can sometimes be found using a portable typewriter atop her desk to answer constituent mail . . . every Senator will vouch for the fact she is one of the best informed Members of Congress.

Senator Bourke B. Hickenlooper. . . . the name "Hickenlooper" is a respected, vote-getting household name in Iowa. . . . the magazine New Yorker once published a poem about the man "with the gimmick in his pat-ro-nym-ic". . . . once again chosen by acclamation of his fellow Republicans this month as Chairman of the Senate Republican Policy Committee. . . . he has been a member of the Senate Foreign Relations Committee longer than any present U.S. Senator, Democrat or Republican. . . . one of the Nation's experts on atomic energy activities. . . . "charter member" of the original Senate Atomic Energy Committee which later established present Joint Committee of which he has been Chairman. . . . born on Iowa farm; science and law degrees; war veteran; served in Iowa House, also as Lieutenant Governor, Governor; elected and reelected four times to U.S. Senate; never defeated. . . . recognized authority on South American affairs and foreign policy. . . . consultant and congressional adviser on numerous occasions to various conferences abroad, including Inter-American Development Bank, Tenth Inter-American Conference in Caracas, the famed 1962 Conference of Foreign Ministers at Punta del Este, International Atomic Energy Agency in Vienna, etc. . . . the Senator's story about asafetida has become a classic not only in Iowa but in the Nation's capitol.

Senator Jacob K. Javits of New York. . . . one of the world's important Jewish lay leaders. . . . a cultivated man of wide interests—lawyer, author, historian, art critic, N.Y. State Attorney General, originator of numerous important pieces of legislation. . . . born in a New York City East Side tenement. . . . mother was born in Palestine and literally fled the country on foot during critical turmoil. . . . his father was a janitor. . . . the surname Javits was created from the first three names of one of the Senator's ancestors, the 18th century scholar and Talmudist who lived in Germany and Holland, Rabbi Jacob Ben Zebi Emden. . . . war veteran, serving in both European and Pacific areas. . . . frequently termed "the U.S. Senator for the Arts" because of his sponsorship of legislation for Government encouragement of the arts. . . . has been successful in far-reaching housing, education, labor, civil rights, health, and welfare legislation. . . . in 1956 and again in 1962, Senator Javits was elected and reelected with the greatest number of votes received by any candidate for office in the United States (excepting the presidential ticket). . . . he is also the only New York Senator whose constituents do not write him to cut his shaggy hair.

Senator John G. Tower of Texas. . . . one of the great press releases of 1966 was issued only last month. . . . it simply stated: "Seaman First Class John G. Tower (USNR) . . . was promoted today to Boatswain's Mate Third Class. Boatswain's Mate Tower's civilian job is as United States Senator for Texas." . . . thus, when he goes to Vietnam later this month on an inspection tour he will have a little more rank than on his previous investigative trips for the Senate Armed Services Committee. . . . upon his return in February it is calculated he will have spent more time with our servicemen in Southeast Asia than any Member of Congress . . . he served in the Navy during World War II, enlisting at age 18 (he was actually 17) and served 3 years. . . . first elected after 9 years as a university professor . . . second youngest GOP Senator at 41 (two months older than Senator Baker of Tennessee). . . . occupies Senate chair once occupied by LBJ . . . when first elected in 1961, Senator Tower faced 71 candidates and led the field by about 10,000 votes . . . last November he was reelected by a plurality of nearly 200,000.

Senator Thomas H. Kuchel of California . . . widely hailed by the press as one of the most courageous Senators, Tom Kuchel was unanimously elected again this month by his Republican senatorial colleagues as Republican "Whip"—Assistant Leader . . . has consistently been elected Senate Republican Whip since the 86th Congress . . . son of a weekly newspaper editor . . . lawyer, former California State Controller; war veteran . . . when last reelected, swept the State with more than 3 million votes and a plurality of more than 700,000 . . . active in international affairs, sponsor of natural resources legislation, author of Air Pollution Research Act, cosponsor of saline water field test plants, leader in fight to admit Alaska and Hawaii as States of the Union . . . during debate on the Labor-Management Act of

1959, Senator Kuchel sponsored a revised "Bill of Rights" provision which was ultimately retained in the Landrum-Griffin bill which became law (the "Griffin" in the bill's name is for former Representative and now GOP Senator Robert P. Griffin of Michigan) . . . Senator Kuchel never forgets that his grandfather was a political refugee from Europe.

Senator Howard H. Baker, Jr., of Tennessee. . . . by chance, facts about this new GOP Senator just happen to come at this point. . . . and by chance of being born 2 months later than Tower of Texas, Senator Baker, at 41, is the youngest GOP Senator . . . . and one of the seven GOP Senators 47 or younger (Baker, Tower, Griffin, Hatfield, Pearson, Brooke, Percy) . . . . Senator Baker is the first Republican in history to be elected by direct popular vote in Tennessee . . . . commanded PT boat in the Pacific Theatre of Operations at age 19 . . . . (that's right, 19) . . . . parents were both Members of Congress . . . . new Senator has famous relative in the Senate and his sister is married to a Congressman . . . . surveys taken after the November election showed that Senator Baker and the Republican Party had received 15 to 20 percent of the Negro vote, compared with 1 percent 2 years ago . . . . one of his campaign aides reported that the Senate Republican Policy Committee staff study of population trends, entitled "Where The Votes Are," published as a Senate document was a prime campaign guideline.

Senator John J. Williams of Delaware . . . . well-known duck hunter . . . . he also is one of the greatest hunters of his time in rooting out inefficiency, dishonesty, ineptness in Government and has been responsible for a change in the basic structure of the Internal Revenue Service, the publishing of tax compromises, giving the Justice Department the power to investigate the Treasury Department, and a score of others . . . . helped thousands of wage earners by seeing to it employers paid social security tax . . . . born on a farm; started own business at 19—raising chickens and farming . . . . believes most expensive type of worker is a low-paid one . . . . never addresses the Senate unless has every fact and figure backed with double or triple proof . . . . rarely, if ever, will the opposition debate him or refute his charges on budget or tax matters . . . . big favorite with staff workers; frequently has coffee or lunch with them in employee restaurants on The Hill . . . . his grandchildren once started to campaign against him (when they were tots) in an attempt to keep him home to play with them.

Senator Hugh Scott of Pennsylvania. . . . here is a man, who, in his second term in Congress, enlisted incognito as a merchant seaman on a tanker carrying octane gas to England through submarine-infested waters during World War II . . . . later he served as a U.S. naval officer . . . . drove the first Navy jeep into Tokyo . . . . his legislative achievements are widespread . . . . has been GOP National Chairman . . . . his speeches are models of clarity, wit, and substance . . . . is an author, writer of numerous magazine pieces, lawyer . . . . this spring a new book by Senator Scott will be published (Charles E. Tuttle, publishers) and will give a good example of the range of Senator Scott's interests . . . . the book's title: "The Golden Age of Chinese Art: The Lively T'ang Dynasty."

Senator Clifford P. Hansen of Wyoming. . . . great-grandparents came to America from Denmark, joining the Mormon Handcart Brigade which made its way on foot across the mountains and plains to Utah . . . . father homesteaded in Wyoming in 1897, later served in State Senate . . . . Senator Hansen born 1912, graduated from college, married, and settled at ranch near Jackson, Wyo., . . . successful rancher, cattleman, President of the Board of Trustees of the University of Wyoming, a grandfather, Governor of the State of Wyoming, good hunter, and already a hit on national TV interviews . . . in the past campaign he bested the best the LBJ Great Society politicians could throw at him all the way from Washington.

Senator Roman L. Hruska of Nebraska. . . . 1st generation Czech who is a key member of the all-around, All-American contingent of Republican Senators . . . . his immigrant father brought to this country as a baby, became a leading educator . . . . Senator Hruska is an ideal example of the oft-expressed wish of political parties to search for the right man and draft him to run—which he was, after 23 years in private law practice . . . . the leading expert on antitrust matters . . . . leader in the fight to protect the farmer against unreasonable beef imports . . . . authority on European Common Market . . . . has sharp eye on appropriations to protect taxpayers . . . . highly respected in judicial matters . . . . frequently sought out by Senators for advice . . . . reputation for (1) doing his homework; (2) effective staff work; and, (3) being forceful speaker.

Senator Karl E. Mundt of South Dakota. . . . goose hunter par excellence every single year for the past two decades at Madison, South Dakota, close by the Missouri River . . . one of the original organizers of National Forensic League in 1925, now a nationwide society . . . popular speaker, has been invited to speak in 48 States of the Union . . . also overseas in Canada, Great Britain, Scotland, France, Belgium, Holland, Norway, Finland, Russia, Poland, Czechoslovakia, Switzerland, Germany, Yugoslavia, Hungary, Greece, Turkey, Iraq, Saudi Arabia, Syria, Egypt, and Portugal . . . elected to Congress in 1938, served 10 years, elected United States Senator in 1948, reelected in 1954, 1960, and 1966 . . . still hasn't affected his gun eye.

Senator George Murphy of California . . . versatility the key descriptive word . . . . son of a famous American Olympic track coach, Mike Murphy . . . . track star himself at prep school and college; a coal miner; a star of stage and screen; a lifelong union member; twice elected President of the AFL–CIO Screen Actors Guild; for 15 years skilled negotiator in labor contract disputes . . . . received the first award presented by the National Conference of Christians and Jews; recognized for his civic contributions by the State Department, Cancer Prevention Society, American Red Cross, the Friendly Sons of St. Patrick . . . . has just been chosen as Chairman of the Republican Senatorial Campaign Committee.

Senator Peter H. Dominick of Colorado . . . . Yale Law School, World War II pilot, Distinguished Flying Cross, Air Medal and Cluster . . . . still flies his own Twin Bonanza, occasionally taking his Labrador Retriever "Zen" into the cockpit with him . . . . an activist, not a bystander . . . . horseman, fisherman, tennis player, explorer, golf player (by his own admission, a bad one), omnivorous reader, avid scuba diver . . . hard-boiled romanticist . . . over past 4 years asked to deliver more than 250 speeches in behalf of the Republican Party . . . served 4 years in Colorado House, 2 years in House of Representatives, elected U.S. Senator in 1962.

Senator Frank Carlson of Kansas . . . . "If I am dedicated to one thing, it is preservation of the opportunities for the young," he has said over and over . . . . one of the most active Senators, he sets a fast working pace for staffers . . . . served Kansas as U.S. Representative, Governor, Senator . . . . never defeated . . . . farmer, son of parents who immigrated from Sweden . . . . author of more than a dozen important laws . . . . tax expert . . . . hard worker for Government employees . . . . awards include 1964 Wheat Industry Man of the Year . . . . has been delegate to United Nations . . . . nationally prominent religious lay leader . . . . one-time Chairman of International Council for Christian Leadership . . . . established annual Presidential Prayer Breakfast . . . . termed by one Washington newspaper as one of the most popular and effective Members of Congress.

Senator Clifford P. Case of New Jersey . . . . the only Republican in New Jersey elected to statewide office since 1952 . . . . has won 12—repeat, *twelve*—successive general elections . . . . reelected in November 1960 by the largest plurality given any Republican across the country despite the fact that New Jersey—and the Nation—was carried by John F. Kennedy . . . . reelected 1966 . . . . three children, seven grandchildren . . . . citation from the Council for United Civil-Rights Leadership, "For his devoted efforts, his inspired leadership in the national interest and, above all, his dedication to American principles in helping secure passage of the historic civil rights bill of 1964." . . . . receives one of the heaviest volumes of mail in the Capitol . . . . frequently consulted by scholars from all over the Nation . . . . fighter for strict rules of conduct for all Government officials and employees . . . . author of numerous public welfare laws.

Senator Wallace F. Bennett of Utah . . . . his father, John Bennett, brought across the plains in 1868 as a child in covered wagon with group of Mormon pioneers . . . . Senator Bennett ran in 1950 against Democrat Senator Elbert D. Thomas, who, for 18 years, had been one of the key figures in the New Deal . . . . won that election, reelected 1956, again in 1962 . . . . closely identified with problems of Government finance . . . . and recognized as one of the GOP spokesmen on fiscal and monetary policies . . . . active in the Church of Jesus Christ of Latter-Day Saints (Mormon) and, since 1935, has served as national treasurer of the Church's Sunday School General Board . . . . author of two books: "Faith and Freedom" and "Why I am a Mormon." . . . . "Champion" grandfather in the Senate—25 (twenty-five) grandchildren . . . . at one time was a school principal . . . . in 1949, served as president of the National Association of Manufacturers . . . . expert on minerals and water resources . . . . zealous guardian of the taxpayer's dollar . . . . popular with young people . . . . reputation for great sincerity in all matters.

Senator Thruston B. Morton of Kentucky . . . . a seventh generation Kentuckian . . . . epitomizes the renowned political skill and judgment of the "border States. ". . . . a three-term House Member from Kentucky, resigned in 1952 to manage John Sherman Cooper's successful race for the Senate . . . . thereafter served 3 years as Eisenhower Assistant Secretary of State . . . . makes a habit of defeating Democratic celebrities . . . . in 1956, defeated Senate Whip Earle Clements for Senate . . . . in 1962, won reelection, defeating former New Deal leader and Louisville Mayor Wilson Wyatt in such decisive fashion that result was known one hour after polls closed . . . . as National Chairman, 1959–61, revitalized National Republican Party after its licking in 1958 . . . . as Senatorial Campaign Committee Chairman, 1963–66, reawoke Republican Senate taste for higher living by increasing membership from 31 to 36.

Senator Robert P. Griffin of Michigan . . . . born, grew up, educated, and married a Michigan girl—all in Michigan . . . . worked way through college as drug clerk, salesman, factory hand, reporter . . . . war veteran, lawyer . . . . five terms in U.S. House . . . . appointed to Senate last spring . . . . elected last November by plurality of nearly 300,000 . . . . . defeated former six-term Governor Soapy Williams . . . . true story of his election shows he carried 75 of Michigan's 83 counties, losing 7 of the other 8 by only a total of 1,238 votes! . . . . came within 44 votes of carrying previously heavy Democrat-controlled Macomb County . . . . received an astounding 42.1 percent of the vote in Wayne County, with heavy labor vote . . . . coauthor of famed Landrum-Griffin Act, coauthor of National Student Loan Program in National Defense Education Act, and other laws . . . . age 43.

Senator Norris Cotton of New Hampshire . . . . the White Mountain orator . . . . among the most eloquent Members of U.S. Senate . . . lawmaker with 40 years' service to State and Nation . . . . worked his way through Tilton School, Phillips Exeter Academy, Wesleyan University, The George Washington University Law School . . . . started political career at age 22 as member New Hampshire House . . . . served as county attorney, municipal judge, majority leader, Speaker of State House . . . . elected U.S. House 80th Congress . . . . served four terms . . . . elected Senator 1954 . . . . ranking Republican on Senate Commerce Committee . . . . reputation for issuing widely quoted newsletter which he personally writes . . . . marked success in legislation of help to New England.

Senator Winston L. Prouty of Vermont . . . . first public service started in 1938 when elected Mayor of his home city of Newport, Vermont . . . . twice reelected . . . . 1941 became member Vermont legislature . . . . 1948–1950, chairman Vermont Water Conservation Board . . . . elected to U.S. House of Representatives, 1952 . . . . to Senate 1958 . . . . has performed outstanding service on Labor Committee in field of education, retraining, help for elderly . . . . widely recognized as authority in these fields . . . . impressive record of legislative success in many other fields . . . . leader in saving independence of Small Business Administration . . . . reputation for doing his homework.

Senator Hiram Leong Fong of Hawaii. . . . another great all-American Republican Senator. . . . father and mother migrated from Kwantung Province, China, as an indentured cane field laborer and maidservant respectively. . . . Hiram Fong worked as an algarroba bean picker from the age of 4 to 7, then moved up to shoe shine and newspaper work on the streets of Honolulu. . . . held three jobs while working his way through the University of Hawaii, from which he graduated with honors after 3 years. . . . also a member of the Hawaiian Rifle Team at Grand National Matches, Camp Perry, Ohio, 1929. . . . received Law Degree from Harvard in 1935. . . . founder of law firm of Fong, Miho (Japanese), Choy (Korean), and Robinson (Caucasian); founder, President and Chairman of Board of eight business corporations; operates farm. . . . served 4 years in U.S. Air Force in World War II; holds reserve Colonelcy. . . . served 14 years in Hawaiian legislature. . . . in 1959, first American of Asian ancestry elected to U.S. Senate. . . . reelected in 1964, setting all-time record in senatorial elections by running 31.8 percent ahead of his Party's Presidential Candidate. . . . active in legislation concerning civil service, flood control and water development, immigration and refugees, and problems of aging.

Senator Mark O. Hatfield of Oregon. . . . has had an unbroken string of 13 political victories in the last 16 years. . . . when he ran for the Oregon State Senate, 1952, received more votes in his county than Eisenhower. . . . son of a railroad blacksmith. . . . former college professor and dean. . . . only Oregon Governor to serve two full terms in this century. . . . age 44. . . . married to the comely former Antoinette Kuzmanich, former assistant dean of women and daughter of Yugoslav immigrants. . . . as 10-year-old boy in 1932, pulled his coaster wagon around Dallas, Oregon, distributing Hoover literature. . . . supports nominee his party selects; in 1964 spoke in eight States for Goldwater, and held Republicans together in his State with result Oregon GOP was only State in 50 where GOP captured a House of the Legislature from Democrats. . . . veteran of Iwo Jima, Okinawa battles, World War II. . . . once entertained Vice Presidential Candidate Nixon at the Hatfield kitchen table (that was the best the Hatfields could do at the time).

Senator Strom Thurmond of South Carolina. . . . anyone visiting South Carolina soon discovers that Strom Thurmond is the State's most revered leader. . . . a fighter with strong convictions and principles, he symbolizes Southern courtliness. . . .82d Airborne Division, Normandy invasion. . . . five battle stars, Purple Heart, Legion of Merit. . . . first—and only—man ever elected to the United States Senate as a write-in candidate. . . . elected 1954, resigned 1956 to place the office in a primary pursuant to a promise made to the people during his 1954 campaign. . . . renominated, reelected. . . . reelected in 1966. . . . States' Rights Democratic candidate for President of the United States in 1948, carrying 4 States and receiving 39 electoral votes. . . . today, at 65, so physically fit that he is able to do more pushups than young men half his age.

Senator Jack Miller of Iowa . . . . confounded opponent by sweeping *every* county in November . . . . first statewide candidate ever to do so . . . second term Senator widely recognized as tax expert, tax lawyer . . . . political fortunes meteoric . . . . first elected Iowa State Representative for 1 term (1955–1956) then to State Senate (1957–1960) . . . . won an impressive victory over Iowa's first 2-term Democratic Governor, November 1960, and moved into Senate as State's junior Republican Senator . . . . was first (February 25, 1966) to propose all-Asian peace conference on Vietnam . . . . war veteran . . . . once a faculty member of U.S. Army Command and General Staff College . . . . onetime university professional lecturer in taxation; assistant professor of law at Notre Dame . . . . his wife's name is "Jerry," his is Jack, and each of their 4 children's first name begins with a "J"—Jaynie, Janice, Jimmy, Judy . . . thus, the Senator is the "Jack of All J's."

Senator Charles H. Percy of Illinois . . . . at 47 launches a new career after meteoric rise in the industrial world . . . . was president of Bell & Howell Company at age 29 . . . . youngest man to head major U.S. corporation . . . . showed signs of budding business and political acumen while at University of Chicago . . . . formed supply company for fraternity houses which grossed $150,000 annually by time of graduation . . . . went to work of Bell & Howell after school . . . . entered Navy as apprentice seaman, left as lieutenant (jg) . . . . back to Bell & Howell . . . . under his direction company expanded and grew . . . . Chairman of the Board and Chief executive officer of firm from 1961–1966 . . . . launched himself into politics through fund raising in 1955 . . . . became known on the national scene in 1959 when appointed chairman of Republican Committee on Program and Progress . . . . active throughout country in 1960 political campaign . . . . unsuccessfully bid for Governor of Illinois in 1964 . . . . capped a yearlong campaign for U.S. Senate with thundering victory in November . . . . among first remarks made upon arriving in Washington, D.C., was that it seemed strange to be staring into Japanese and other foreign-made cameras . . . . has already moved into field of urban problems with proposals—gaining wide GOP support—for low-income family ownership of their own homes.

Senator James B. Pearson of Kansas . . . . 46 . . . . a lawyer . . . . but first and always aviation enthusiast. . . . owned private plane before moving to Washington . . . . as Naval aviator was stationed at Olathe, Kansas . . . . fell in love with Kansas and a Kansas girl . . . . married her and has served the State ever since . . . . after World War II started as pilot trainee for American Airlines but decided to get law degree instead . . . . attended University of Virginia Law School . . . . returned to Kansas . . . . Johnson County Probate Judge . . . . City Attorney Westwood, Fairway and Lenexa, 1952–1961 . . . . appointed to Senate in 1962 . . . . elected to fill unexpired term November 1962 . . . . reelected to Senate, November 1966 . . . . deeply concerned with transportation problems . . . . instrumental in helping provide adequate boxcar fleets to move midwestern grain harvests.

Senator J. Caleb Boggs of Delaware. . . . "Cale" Boggs has successively earned in Delaware the titles of Judge, Congressman (3 terms), Governor (2, 4-year terms), and Senator (just reelected to 2d term), in civilian life, and in the U.S. Army he ranged from Pvt. to Brig. Gen. . . . decorated five times while serving through five campaigns in the European Theatre during World War II. . . . so decisive was his last Senate victory in Delaware that the Republican Party captured control of the State Legislature, the governorship, and the congressional seat . . . . impressive legislative record in agriculture, medicare, pollution control, and military policy.

Senator Gordon L. Allott of Colorado . . . . college track champ who hurdled his opposition to a 2-lap victory in the 1966 election campaign . . . . at Colorado University he was track captain, held National AAU 440-yard hurdles title . . . . selected for the All-American track team of 1929 . . . . worked hard to develop water potential of Rocky Mountain area on sound, fiscally-responsible basis . . . . long a staunch Republican he helped organize the Colorado YR's in 1935 . . . . has been politically active since . . . . known as one of the West's "Water Statesmen." . . . . as (1) effective speaker; (2) diligent homework; (3) use of able staff work.

Senator Edward W. Brooke of Massachusetts . . . . along with other new GOP Senators received major committee assignments . . . . political success came hard . . . . defeated in first three attempts for elective office . . . . but when began to win, came on like gangbusters . . . . in 1962, elected Attorney General of Massachusetts by 250,000 votes, only Republican to win statewide office that year . . . . in 1964, reelected by 750,000 margin, highest victory surplus ever received by a Republican in State . . . . made a habit of winning awards after exerting extraordinary effort . . . . for service behind enemy lines with Italian partisans, while infantry officer in World War II, received Bronze Star . . . . for academic excellence, while at Boston University Law School named editor of the Law Review . . . . for skill and devotion displayed in one of the lengthiest courtships in terms of time and space, won the hand in marriage of Remigia Ferrari Scacco, whom he had met in Italy during the war . . . . his career at age 47 represents the full circle in American history: Massachusetts sent its sons to every part of the U.S., and many of them were elected to Congress from the States they helped settle . . . . now a native son of Washington, D.C., settles in Massachusetts and represents the Bay State in the U.S. Senate . . . . one of the great purposes for which the Republican Party was established at last comes to fruition.

Senator Carl T. Curtis of Nebraska . . . reelected in November with almost 60 percent of the votes over strong Democrat effort . . . started his public life as prosecuting attorney of Kearney County, Nebraska . . . and the training stood the test during Rules Committee investigation of scandals . . . once convinced, he sticks by his guns through thick and thin . . . served eight consecutive House terms . . . entered Senate January 3, 1955 . . . flood, drought cycle of the Missouri Basin, so costly in human life, property and crops, so concerned Senator

Curtis he has spent much of his time working successfully on flood control-reclamation projects for the entire area . . . popular with Senate staffers . . . wide interests and work in Senate shown by his membership on Finance, Space, Rules, Joint Atomic Energy, and Government Operations Committees.

Senator Len B. Jordan of Idaho . . . self-made, colorful man of immense charm . . . started out an enlistee World War I . . . was commissioned . . . after war worked as laborer and ranch hand to earn his way into University of Oregon . . . continued to work on campus and as logger during summers . . . moved to Idaho's Hell's Canyon country in 1933 . . . served on State Highway Advisory Committee after World War II . . . elected Governor . . . appointed Senator to fill unexpired term August 7, 1962 . . . elected to Senate November 1962, reelected November 1966 . . . Phi Beta Kappa scholar . . . war veteran . . . expert horseman; real honest-to-goodness cowboy in his teens; now a rancher, businessman, economic adviser . . . never lost a statewide election.

Senator Paul J. Fannin of Arizona . . . businessman . . . 3-term Governor of Arizona . . . guided his State safely, smoothly through its growing pains when it was one of the fastest growing States in the Union . . . former partner in Fannin Brothers . . . dealers in liquefied petroleum gas, agricultural chemicals . . . actively interested in and instrumental to rapid growth of farm industry in Southwest . . . battled for water, for arid and semi-arid area as Governor, now as Senator . . . demonstrated leadership abilities as Governor when named chairman, Western Governors' Conference, Chairman, Committee on Roads and Highway Safety, National Governors' Conference . . . member of the Executive Committee of the Council of State Governments . . . member of National Civil Defense Advisory Council . . . although born in Ashland, Kentucky, his family undertook the rugged trip west almost immediately and they arrived in Phoenix when he was 8 months old . . . dedicated Republican . . . hard-working Senator with firm grasp of complexities of water and water problems.

Senator Milton R. Young of North Dakota . . . . here's a pleasant little secret about one of the busiest, most influential, hard-working men in Washington (and we asked special permission to at last reveal it), to wit: ever since coming to the Senate he has maintained a policy of trying to see everyone who calls at his office if he is not on the Senate floor or in Committee meeting . . . . this takes in the janitor in the basement to the Secretary of Agriculture, or anyone from North Dakota . . . . hanging on the wall in one of his offices is a unique picture . . . . it shows a North Dakota farm boy of 19, in baggy work clothes, seeding grain . . . . it is Milt Young . . . . and all his life he has been a man of the soil and is one of the outstanding authorities on agriculture . . . . many far-reaching pieces of farm legislation bear his name . . . . never defeated for reelection to public office . . . . in 1956 he was the only GOP Senate candidate who received a bigger State majority than Eisenhower . . . . he is the top Republican on the powerful Senate Appropriations Committee . . . . has been Secretary of the Senate Republican Conference since 1948 . . . . his newsletters, eagerly awaited because of facts on farm matters and foreign policy or defense developments . . . . keeps eagle eye out on North Dakota's needs and interests . . . . popular with his colleagues on both sides of the political fence.

Senator John Sherman Cooper of Kentucky . . . prepared for a spectacular legal-political-diplomatic career with a spectacular athletic career, Centre College, Kentucky, later Yale College . . . . was member of the Fabulous "Praying Colonels" of Centre . . . . beat then mighty Harvard (7–0) . . . . . five members of All-American team named from Centre—all from Senator Cooper's hometown of Somerset . . . . went to Yale . . . . captained basketball team . . . . then to Harvard Law School . . . . elected Pulaski County Judge . . . . entered World War II as enlisted man . . . . emerged a captain . . . . won bronze star . . . . cited for his successful reform of Bavarian judicial system . . . . elected Circuit Judge in Kentucky . . . . to Senate in 80th Congress . . . . served as U.S. Delegate to U.N. General Assembly . . . . as advisor to Secretary of State at London and Brussels . . . . NATO Council of Ministers . . . . Ambassador to India . . . . turned in a solid Republican victory in Kentucky in 1966.

And, in concluding these little vignettes of the All-American Republican team in the Senate, there is Senator Everett McKinley Dirksen of Illinois . . . . what more can be said of one of the great statesmen of our times that hasn't already been said? . . . . true, he's Senate Republican Leader; but to many Americans he is the Senate . . . . perhaps what he said during a Meet The Press program back about 1957 might help tell the story . . . . he asserted: "I'm just an old-fashioned garden variety of Republican who believes in the Constitution, the Declaration of Independence, in Abraham Lincoln, who accepts the challenges as they arise from time to time, and who is not unappreciative of the fact that this is a dynamic economy in which we live and sometimes you have to change your position." . . . . there has been one development in the last year or so: he has become a great favorite of the young . . . . to some he is the Al Hirt of the Senate; to others a Stern with a violin, even the avant-garde is delighted with his recording of "Gallant Men" . . . . and the Senator reciprocates the regard young folks have for him . . . . he thinks they are the best ever, more intelligent than ever . . . . and why shouldn't they be, the Senator inquires and answers:

After all, they're a product of free enterprise.

WHITHER THE DISTRICT—AN INTERVIEW WITH REPRESENTATIVE BASIL WHITENER

Mr. ERVIN. Mr. President, recently the Potomac magazine, a publication of the Washington Post, published an in-depth article concerning the District of Columbia based on an interview by Richard Lyons with Representative BASIL L. WHITENER, of North Carolina.

BASIL WHITENER is one of the most able and experienced Members of the House of Representatives, and he has for years devoted his time selflessly to the problems of the District as a member of the District of Columbia Committee. He has done this in spite of the fact that he knows there is no political reward in North Carolina for his tireless devotion to the affairs of Washington. As a Representative in Congress, he has been a longtime resident of the District and speaks as one personally familiar with its problems, and not as one crusading from the safe confines of suburbia. What BASIL WHITENER had to say, as published in the Potomac magazine, should be of great interest not only to the residents of the District of Columbia, but also to the Members of the House and Senate who are charged with the legislative responsibility for its government.

The interview is carefully thought out and carefully stated. Mr. WHITENER'S views deserve the careful consideration of all of us.

Mr. President, I ask unanimous consent that this interview, "Whither the District," appearing in the January 8, 1967, edition of Potomac magazine be printed at this point in the RECORD.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

WHITHER THE DISTRICT—A MEMBER OF CONGRESS SPEAKS HIS MIND—AN INTERVIEW WITH REPRESENTATIVE BASIL WHITENER

(Questions by Richard Lyons)

(NOTE.—If you're interested in legislation for the city of Washington, the most important man at the Capitol today is Rep. Basil Lee Whitener (D-N.C.).

(With only six years' service on the House District Committee, Whitener has emerged as its key member. In the last Congress he handled and largely shaped or killed most important District bills, including revenue, crime, home rule and the subway. His influence in the next two years should be even greater. The Committee's conservative chairman, Rep. John L. McMillan (D-S.C.), has found Whitener so reliable and willing to work that, in effect, he has made Whitener his agent and given him the important work to do.

(Whitener's background is that of a southern prosecutor. He is a lanky, 51-year-old pipe smoker from the middle-sized North Carolina textile city of Gastonia.

(In mid-December, Whitener—sitting in his second-floor walk-up law office—talked about Washington's problems and his view of the role of Congress in dealing with them.

(His only stipulation was that his remarks be considered as those of only one of the committee's 25 members. "The legislative program will be determined by the chairman and the full committee, not by any one person," he said.)

Since I have been in Congress I have always lived in the District of Columbia. I have not fled to the suburbs. I can't lecture the District of Columbia as to how it ought to run its affairs. However, I do think that the crime conditions have made living in the District of Columbia less attractive to many people, particularly folks living in the more crime-ridden areas. It will not become an attractive place of residence until something is done to abate the crime situation. You are not going to meet it by apologizing for the criminals and disregarding the interests of the good people who are the victims of the criminal. The Capitol Hill area in which I live has been very hard hit by crime. In the apartment building in which I live there have been several robberies and breakings and enterings.

I think on the basis of the record we have to acknowledge that there is an increase in crime in most metropolitan centers. Washington has had a corresponding, if not a greater, increase than has been true in cities of similar size. But I think it is defenseless to permit the Nation's Capitol to become even a contestant for first place in crime. With all the Federal and local law enforcement interests, you would think that crime would just not be tolerated in the Nation's Capitol. But it is now. Because of the publicity that Washington has had, a condition where people from our own area here (in North Carolina)—I'm sure it's true all over the country—will call this office and ask if it is safe to visit Washington. We find that while a few years ago young ladies were anxious to go to Washington to work it is now a very difficult thing to get a young lady to leave her home community and go to Washington because of this crime problem. I think it is costing the city millions of dollars a year.

Racial make-up of the city has nothing to do with it, because the record shows that the majority of the crime is committed upon members of the Negro race. I think a young Negro woman in Washington is a lot more in jeopardy than a young white woman. Former Assistant Attorney General Herbert

J. Miller recently stated that since 1950 over 80% of the rape victims in the District of Columbia have been Negro, and 80% of all victims of aggravated assault have been Negro; 76% of the persons reporting their automobiles as stolen in the District of Columbia were Negroes. So it seems to me that if there is any racial issue involved it is a question of protecting the Negroes themselves from crime because they are the principal victims of it, according to the record.

To meet the crime problem I think one of the most effective things would be to have the Omnibus Crime Bill, which we passed in the last session, written into the law of the District of Columbia. I am realistic enough to know that in the face of the veto this would not be a very likely accomplishment. To meet this problem there must be a practical approach by getting the criminal off the street. You can't do that without a change in the attitude of the courts toward the criminal and perhaps without some strengthening legislation. We particularly, I think, need to get a more realistic attitude toward the law enforcement officer and his chore by both the public and the courts.

As I stated 6 years ago when our subcommittee first held hearings on crime in the District of Columbia, there will be no improvement in the crime picture until the community itself becomes aroused and is willing to cooperate with law enforcement officers in the apprehension of criminals. Citizens must go further and insist that their courts deal firmly with criminals once they are convicted. I still think that is the situation.

I am told that Justice Department officials are now giving study to certain proposals that they will submit as their answer to the problem of crime. I can't speak for the chairman or the full House District Committee, but my personal idea is that we should receive any suggestions that anyone has—in government and out of government—and have some open hearings without legislation, receive these suggestions and then see if there is anything we can do based upon those suggestions.

That is precisely what we did before the Omnibus Crime Bill was introduced. We held joint hearings with the Senate on crime. The subcommittee met around the table, and the Omnibus Crime Bill was actually put together over the table before we ever introduced it.

There are some people who get involved in crime that you can rehabilitate. There are others who will not rehabilitate, and the only thing to do with them is to put them out of circulation.

I have sponsored a Bail Reform Act for the District of Columbia which some folks say is a soft attitude toward criminals. I don't agree with that. I have been one of the principal supporters both in the Federal system and in the District of Columbia of work-release for prisoners because I think where prisoners want to rehabilitate themselves and where they show they are worthy of consideration by the courts they should be given that consideration.

Let them work and report back in at night. But we can't lose sight of the fact that there are people who are unworthy of consideration for work-release or the Bail Reform Act and the other programs such as probation and suspended sentences.

I was prosecutor in the most populous urban area in North Carolina for eleven years before I came to Washington, and there are many folks that we dealt with who can be helped, and we tried to help them. There were others; the only thing to do with them is to protect society from them. And in Washington we find, in my opinion, too much emphasis on a dreamy-eyed attitude toward rehabilitation and no appreciable emphasis on the other side of the picture where there is no solution other than incarceration.

I would not say the number one thing is crime *legislation*. I would think a more realistic attitude on the part of the community and the courts under existing law could bring about a much greater improvement.

Question. What about your views on the makeup of the District Government?

Answer. I think one of the problems we have had in the last six years in the District of Columbia has been that the Commissioners have not been given the opportunity that previous Commissioners have had to effectively head up the government of the District of Columbia.

I think the office of Special Presidential Assistant for District Affairs has complicated the governmental process in the District of Columbia. I am not talking in terms of personalities when I say that. I would hope that in the future the District Commissioners would not be interferred with by any such Special Assistant to the President.

When you put this additional layer on government structure you downgrade the position of Commissioner and create administrative problems which you would not have without that. The President appoints the Commissioners and there seems to me to be no reason why the President of the Board of Commissioners or the three Commissioners would not be just as available to the President as a man sitting in the White House would be.

I think the District Commissioners should be empowered to make more administrative decisions without outside interference than they have been able to make in the past. I think that the District Commissioners should reduce their desires to try to legislate through administrative orders under rather nebulous authority to do so.

I think there are too many agencies in Washington that have a voice in making decisions as to the programs.

The National Capital Planning Commission, for example. I am not criticizing the Planning Commission members. They are exercising their statutory role, but I don't know that their role should exist, at least in some areas in which they seem to have statutory authority. I think you have got overlapping veto power on the part of other agencies of government such as your Park Service. There are just such a multiplicity of agencies that have their hand in making decisions which in most other cities or states would be made by one group, the governing group of the city or state. In Washington this is not true. It is a city of divided authority.

I think ways to remedy this could best be approached by a study made by some impartial committee not operating under the handicap of their own preconceived notions. Maybe some strictly disinterested group can come up with suggestions which I am sure that the Congress would hear with interest. I don't know how long it's been since there has been such a study, but it seems to me it's time that one be made. And I don't think that the Congress should undertake it because there you may find that the committee making the study would be accused of having some personal ax to grind. Some of these foundations or the Federal Government itself might well be willing to have such a study made. They have had a study group to look at the Police Department. They had a consulting group to come in and look at the highway and transportation problems, but I don't know there has been one to look at the total picture.

Meanwhile, I think the office of District Commissioner should be one which would be filled by the most able individuals that the President could find, and I am sorry that we have a situation now where good men serving as District Commissioners seem to be of the opinion that they should get out just as soon as possible. And this is not a very high compliment to the position.

I think that one of the problems you have with the Commissioner setup is the requirement that an engineering commissioner only serves a limited period of time and then moves on out. Most jurisdictions seem to find that there is real value in long service by competent people in the public works field. The military has provided fine and able men, but I am sure that if these same individuals served over a period of 10 to 12 or 20 years that they would be able to make a much greater contribution than they can in a short time.

This military engineer commissioner concept is an old one, and it came about because of conditions which developed which seemed to require at the time a non-political type individual to run the public works program in the District of Columbia. Whether that condition would ever develop again if you went to the concept of a civilian engineering commissioner I don't know, but it seems to me that it is no more likely to happen there than it is to have the same man make a career of being head of the highway or the water department or some other municipal role under the District Engineering Commissioner. But I'm not suggesting that we should right now get away from the military engineering concept. I do think that would be another thing to be covered by an outside study group that would make a survey on the District of Columbia government.

Question. What is your attitude toward Home rule?

Answer. I think the Nation's Capital is, as the Constitution says, "the seat of the government," and we should never lose sight of the fact that the basic reason for Washington, D.C., is as a place where the Federal Government has its seat. I would not favor doing anything that would impinge upon the constitutional provision that the Congress shall have exclusive legislative jurisdiction of the seat of the government. I don't, however think a locally-elected official would impinge upon it simply because he was elected by the people of the District of Columbia. But I believe if that locally-elected official undertook to exercise any legislative authority, then he would.

The question of whether there should be Congressional representation in the District of Columbia with no voting power is one that I think can well be considered. But I think if you are going to have elected members of the Congress with voting power that it should include members of both the House and the Senate. I am not saying I favor that, but if you are going to have them in one body you should have them in the other.

Question. What is your attitude toward the problems of relocation raised by urban, highway and school building programs?

Answer. I think one of the biggest problems that the lower income group and small businessmen in Washington face has been that of relocation.

On numerous occasions—in public hearings and private conversations—I suggested I thought it was indefensible to plan a highway or an urban renewal project or any other type of government activity which destroys housing and small business locations without having as a part of the overall plan an established relocation program. For example, when we were considering the rapid transit program one of the things that appealed to me so much about it was that there will be practically no dislocation of people or small business with the rapid transit system. I am not anti-highway. I am pro-highway, but I do feel strongly that a highway construction project should take into account its effect upon the homes of people and upon the small businessman who is going to be wiped out by it, a cavalier disregard of their interest in this type of situation is deplorable.

I have not found much zeal on the part of the people in the District Government for relocation. The law provides a level of payment for the expenses of relocation, but the non-real-estate-owner gets the cost of moving, in effect. That does not build him a place to go to. Now the property owner, of course, gets just compensation as the law requires. But just compensation does not always cover his future losses. Take for example, a man running a small community grocery store, which perhaps his father ran before him, and his patronage is based upon his acquaintanceship with the people in the community and his long experience of dealing with them and the confidence they have in him. You can pay him for his grocery store, but if you destroy his customers and he goes to a new community to try to set up a similar business there is no way he can come out even as a general rule.

For six years our subcommittee has urged that a more realistic attitude toward relocation be taken, and I have been very disappointed at the results. Legislatively, we have provided a more liberal program of payment of relocation costs. If we undertake to write into legislation that you couldn't build a government office building complex, or you couldn't have urban renewal projects without first building accommodations for these displaced people I think you would have an impossible situation.

So it seems to me that the solution to it will be in the administration of these programs. Local officials should approach relocation with a little more interest than they have manifested before.

Question. What about transportation?

Answer. Transportation is, pretty well established as far as rapid transit is concerned. Now I am told there will be legislation presented which would have the effect of enlarging the present rapid transit concept within the District of Columbia.

Any proposal for additional routes could present problems because of the cost. Based on previous testimony the cost per mile, including rolling stock, works out at about $25 million. So if you add many miles or many expensive new stations then you could run into a real problem getting approval. We must remember we lost the original proposal primarily because of cost.

I think too often people overlook the fact that the House District Committee is not the only committee which deals with issues which sometimes seem trivial. On the Judiciary Committee, of which I am a member, we spend a great portion of our time, probably one-fourth of our Full Committee time, in dealing with private claims, some of them amounting to $100, some to $200. You go to the Interior Committee and you find that they are constantly dealing with such considerations to determine whether or not the government should sell an acre of land to some local government or school district.

And so this matter of the District of Columbia Committee dealing with so many apparently trivial areas of legislation is true of practically every committee in the Congress. This is a part of the overall responsibility of the Congress, and you can't just deal with the major matters and let the issues which are not of great national interest and magnitude be left behind.

I spend more time on the Judiciary Committee than I do on the District of Columbia Committee although I spend a lot of time on the District of Columbia Committee.

We have the staff of the committee, and we can have assistance from other committees to help keep track of District affairs. I have never felt it was my role as a member of the District Committee to be a detective or to go out and meddle into the operation of the affairs of a particular agency, the day-to-day operations, or to go to a school and decide that some school teacher is not doing her duty.

If there is any information we need I think it is advisable to get it through the normal procedures rather than to personally meddle into all of it. If the members of our Committee undertook to do that they wouldn't get much else done.

POSSIBLE IMPERFECTION OF GENOCIDE CONVENTION—NO ARGUMENT AGAINST U.S. RATIFICATION

Mr. PROXMIRE. Mr. President, the United Nations Convention on Genocide has been the subject of continuing criticism from many sincere men of unquestioned good will. The late Secretary of State, John Foster Dulles had grave reservations about the real efficacy of the Convention on Genocide.

I do not dismiss this criticism or skepticism. But if the U.S. Senate waited for the perfect law without any flaw or shortcoming, the legislative record of any Congress would be a total blank. I am amazed that men who daily see that the enactment of any legislation is the art of the possible can captiously nit pick an international covenant on the outlawing of genocide.

Admittedly the United Nations—in 1948 when the covenant was unanimously ratified and today—is an imperfect organization. But the failings and shortcomings of the United Nations merely faithfully reflect the human condition, which is imperfection. The United Nations is above all a standard for mankind. And that standard for mankind insists—as I am certain all Senators insist—that the plan of systematic murder to destroy a people—that is genocide—has no place in civilized society.

America is conspicuous. We are conspicuous for our remarkable national record in the struggle for human rights. We are just as conspicuous for our international absence in the ratification of the United Nations Convention on Genocide. We should resolve without further hesitation or excuse this hypocritical inconsistency between domestic achievement and international indifference. The role of the uninvolved critic is not a difficult one. One can always find another "the" to change to "an" if that be his objective. Almost 70 nations have recognized this elementary fact and chosen to ratify the Convention on Genocide. I am certain that if these nations had wished they could have found phrases not to their national taste in this document, but they perceived a larger responsibility—a responsibility to mankind—to individually and collectively condemn inhuman barbarism.

Let the U.S. Senate perceive that same obligation and move as quickly as possible to condemn inhuman barbarism by ratifying the United Nations Convention on Genocide.

L.B.J. FIGHTS TO KEEP INTEREST RATES DOWN

Mr. PROXMIRE. Mr. President, last year when interest rates were rising there was continuous criticism on the floor of the Senate of the President of the United States as being responsible for the high interest rates.

I thought that criticism was unfair and said so. President Johnson has been a steady and generally very effective advocate of interest rates as low as consistent with economic stability throughout his long career.

This morning's newpapers carried a raft of articles and features all indicating that the corner seems to have been turned and the long and painful rise of interest rates may be turning around.

Mr. President, for this turnaround the President does deserve substantial credit. First, he has been a steady pleader with the independent Federal Reserve Board to ease up on the money supply so the price of money—interest—could drop. Second, he has repeatedly released Federal funds to ease the pressure on the money market, especially for long-term mortgages.

Third, he has proposed a tax increase—which I incidentally oppose—to increase Government revenues so that the Government will not have to borrow as much and will have a lesser tendency to bid up interest in doing so.

Only this weekend the President's finance minister, the Secretary of the Treasury, Henry Fowler, succeeded in persuading Britain, France, West Germany, and Italy to join us to work together to achieve lower interest rates.

Mr. President, hovering very large in opposition to our reduction of interest rates has been the fear that lower interest rates here would result in a flow of capital abroad that could worsen our already difficult balance-of-payments situation. Indeed, the very great improvement of the balance-of-payments situation in the past couple of years has been in the view of some experts the result of our tight money policy.

At any rate the New York Times reported this morning:

> The fact that the ministers got together to discuss their shared desire for easier and cheaper credit and their declaration "to cooperate" toward that end, may signal a gradual, important international shift in emphasis in dealing with économic and financial problems.

It is good to note, Mr. President, that the French were just as cooperative in this endeavor as other nations.

This conference, of course, was brought about because of U.S. initiative. President Johnson and Secretary Fowler deserve credit for this initiative and this success.

I ask unanimous consent that the article in the New York Times this morning reporting the weekend meeting at Chequers in England be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

United States and Four Nations Join To Seek Cuts in Interest Rates—Britain, Italy, West Germany and France Pledge To Work for Easier Borrowing—Tight Money Is Cited—Top Finance Officials Hold Unusual 24-Hour Meeting—British Move Likely

(By Edward Cowan)

London, January 22.—The United States, Britain, France, West Germany and Italy pledged today to work together to achieve lower interest rates.

In a communiqué issued at the end of an

unusual 24-hour conference, ministers of the five countries declared that lower borrowing costs would benefit their own economies and "the world economy as a whole."

No "contract" or plan for coordinated reductions resulted from the meeting, or was sought, sources here said.

Nevertheless, the fact that the ministers got together to discuss their shared desire for easier and cheaper credit, and their declaration "to co-operate" toward that end, may signal a gradual, important international shift in emphasis in dealing with economic and financial problems.

BANK RATE CUT WEIGHED

As the conference ended, it appeared nearly certain that the next step in efforts to cut back interest rates would be a reduction in the Bank of England's loan rate, now at a crisis level of 7 per cent.

[In Cannes, France, 60 leading financiers and businessmen from the world's major industrial powers formed a new pressure group to persuade governments to help develop financial markets to provide capital for private enterprise. Page 70.]

High interest rates have been relied on heavily, on both sides of the Continent, both to check inflation and to avoid excessive outflows of money. One official called it "a vicious cycle with competition causing a ratcheting up" of rates in various countries.

This weekend's meeting, like President Johnson's avowed intention to raise taxes temporarily, may indicate a trend away from monetary measures and toward tax-and-spending policy.

Germany, Britain and the United States are concerned about the slack in their respective economies brought about by tight money. France and Italy are concerned about induced increases in their own money rates and weakening of their exports, particularly to Germany, one of their partners in the European Common Market.

But the countries with high interest rates, particularly Britain, have hesitated to cut them partly for fear that, without companion actions elsewhere, they would suffer an outflow of money seeking a higher return abroad.

PRINCIPAL OBJECTIVE

The principal objective of this weekend's meeting, believed to be the first of its kind, was to strengthen the confidence of each participant in the others' desire to move along the same path, it was said.

The ministers gathered yesterday at Chequers, the official country residence of the Prime Minister, in the late afternoon and stayed there about 24 hours. They dined together last night, then held their first working session, which lasted until about midnight.

They conferred formally today from 10:30 A.M. until 1 P.M. lunched together and then spent an hour or so polishing the wording of the communiqué. The United States Secretary of the Treasury, Henry H. Fowler, arrived yesterday and left this evening for Washington.

Other ministers at the meeting were James Callaghan, Britain's Chancellor of the Exchequer, Michel Debré, France's Minister of the Economy and Finance; Karl Schiller, Germany's Economics Minister, and Emilio Colombo, Italy's Treasury Minister.

PROPOSED BY CALLAGHAN

Mr. Callaghan proposed the meeting last month to the United States, France and Germany. Italy was later included because Prime Minister Harold Wilson was visiting Rome last Monday when the conference was announced. The Netherlands and Canada were annoyed at being excluded.

For such diplomatic reasons, it was thought doubtful that such a Group of Five would acquire enduring status. Sources said there were no plans for a second meeting.

Mr. Callaghan has called for "international disarmament in the present level of interest rates" and a cut in the Bank of England's loan rate may be the next move in that direction. A half-point reduction, to 6½ percent, has been expected in financial circles here for some weeks and in recent days speculation has mounted that the cut, when it comes, will be a full point, to 6 percent.

GERMAN MOVE RECALLED

West Germany's central bank lowered its loan rate to 4½ percent from 5 percent earlier this month and the Bonn Government would like to see it go down more. Money-market interest rates in the United States have been easing since late summer and money is much easier to find.

Washington presumably would like to pump still more credit into the economy, following a two-month leveling off in industrial production, to encourage borrowing and to force down Banks' business loan rates.

What appeared to be the most important sentences of the communique were the following:

"The ministers welcomed recent steps by some of the countries represented to ease credit and monetary stringency, which in the past had played a useful part in moderating their domestic inflationary pressures. They agreed that in some countries some further easing would be helpful in the context of the development of their own economies and of the world economy as a whole.

"The monetary policies called for in the present situation should be adopted to the different conditions obtaining in their respective countries and should have regard to their effect on other countries. The ministers agreed that they would all make it their objective within the limits of their respective responsibilities to co-operate in such a way as to enable interest rates in their respective countries to be lower than they otherwise would be."

COOPERATE OR CONSULT?

If the word "co-operate" meant anything more than consult, and some sources suggested it did, there was no clue to such a meaning. Participants said there had been no discussion of what France might do with dollars flowing to Paris as rates in New York softened—that is, whether France might modify her practice of using surplus dollars to buy gold from the United States Treasury.

France has been obliged to suspend gold purchases for several months because her international accounts have been in deficit and she has been losing, not gaining, dollars. Mr. Debré blamed the deficit partly on lower exports to, and higher imports from, Germany. Paris has also blamed high interest rates in New York.

"No other question was dealt with at the meeting," the communiqué concluded. Informants said that included the price of gold, international liquidity and related matters.

Participants stressed that the meeting had not been "a bargaining session" and that the atmosphere was "friendly." The mood contrasted with the important differences between France and the Anglo-Americans on how to augment the world's resources for financing trade and development.

That subject will be discussed in London this week at a joint meeting of the International Monetary Fund and officials of the industrialized nations known as the Group of Ten.

ROOSA SEES BALANCE OF PAYMENTS WORSENING

Mr. PROXMIRE. Mr. President, close to the same point, we cannot assume that the recent improvement in the balance of payments will continue. Few men have won the confidence of the experts in both business and Government in their field as enthusiastically as has Robert Roosa, the former Kennedy-Johnson monetary policy expert.

Roosa is considered one of the ablest men in the world in the complex field of balance of payments. Late last week he warned that we may be in for a sharp worsening of the balance of payments in the coming year. Roosa said we may be getting in a seriously overextended position.

I ask unanimous consent that the Roosa article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star,
Jan. 19, 1967]

ROOSA SEES SHARP WORSENING IN U.S. BALANCE OF PAYMENTS

(By Lee Cohn)

Robert V. Roosa, formerly the chief architect of the administration's international financial policies, fears a sharp worsening of the U.S. balance of payments this year.

"Rapidly mounting deficits in our foreign accounts, if ignored, could make 1967 a crucial year for the dollar," Roosa warned in a gloomy speech to the New York Economic Club last night.

Financial and statistical quirks made the balance of payments look better than it really was last year, he said, and the pendulum may swing back this year.

Roosa said forthcoming figures may report the payments deficit was only about $1.5 billion in 1966—not much bigger than the 1965 deficit of $1.3 billion, despite the extra dollar drain caused by the Vietnam war.

An alternative calculation may actually show a payments surplus in 1966, he said.

The payments deficit is the excess of U.S. spending, lending, investment and gifts abroad over receipts from foreign sources. Chronic deficits have sharply reduced the U.S. gold stockpile and weakened the dollar.

As undersecretary of the Treasury for monetary affairs from 1961 through 1964, Roosa was largely responsible for the campaign to reduce the payments deficit. He now is a partner in Brown Brothers Harriman & Co., a leading banking firm, and still is influential with the Johnson administration.

Roosa said "serious deterioration" of trade and other basic elements in the balance of payments last year was hidden statistically by unusual inflows of "volatile" money.

Without these flukes, he estimated the 1966 payments deficit would have been $2 billion to $3 billion larger than the figures will show.

The special inflows of money resulted largely from tight credit policies here, Roosa said. Since the Federal Reserve is easing credit, he said, these flows may be reversed in 1967 and "the statistical deficit may be inflated . . . in the same way that it was reduced last year."

Warning against "euphoria," Roosa said it is urgent for the government to take strong action to reduce the basic payments deficit in 1967.

"We are as a nation beginning to show the early symptoms of a bank that is getting itself into an over-extended financial position," he said.

To improve the situation, he said, the "Fed" must limit the reduction of interest rates brought about through easing of monetary policy. If rates are much higher abroad than here, money tends to flow out of the United States—increasing the payments deficit.

Roosa said the Fed and the Treasury may have to revive the strategy of keeping short-term interest rates relatively high, while using special techniques to create and maintain "a general environment of ample credit availability."

He also said inflation must be checked and the pace of the domestic economy moderated to increase the surplus of exports over imports. If the economy bounces back from its present lull by mid-year, he said, the tax increases recommended by President Johnson will be needed.

And, Roosa suggested, U.S. military outlays in Europe must be curtailed.

REDUCTION OF U.S. FORCES IN EUROPE

Mr. SYMINGTON. Mr. President, never since coming into Government, some 21 years ago, have I read a more lucid or logical presentation than the one the majority leader gave the Senate last Thursday with respect to reducing the number of troops the United States has in Europe.

The majority leader made many wise points. They included the following:

First. The Senate should come to grips with this matter now.

Second. Two-thirds of our forces, plus their dependents, who are now being kicked out of France, will nevertheless be reassigned to other European countries instead of returned to the United States.

Third. Whereas the United States maintains supplies and equipment for a 90-day war, all other NATO countries maintain comparable reserves for only 10 to 30 days.

Fourth. Recent tripartite talks have taken us, if anything, further toward a unilateral underwriting of the burdens of NATO.

Fifth. British deployment in Germany has never been over 60 percent of their commitment. Nevertheless, when Britain understandably announced that they would have to reduce that to 40 percent, despite their troops being located on German soil, the German Government said it could not pick up this tab; so, in the end, as usual, it was the United States that supplied the money—$35 million.

Sixth. Only the United States has met its NATO commitments in the common defense effort.

Seventh. No member of NATO spends as much of its gross national product for defense as does the United States, despite the fact that in recent years some of these countries have increased their gold and total reserves over 600 percent; whereas the United States has lost 45 percent of its same holdings.

Eighth. No NATO member has as great a percentage of its available manpower in uniform as does the United States.

Ninth. Only three relatively small—in industrial complex—members of NATO, Portugal, Greece, and Turkey, still draft their young men for 2 years of compulsory service; in fact, Great Britain abandoned conscription in 1960.

Tenth. France not only no longer has any military in NATO, but also will not guarantee NATO forces having access to French territory.

Eleventh. West Germany has an equivalent of eight Army divisions instead of its commitment of 12.

Twelfth. Belgium as well as Great Britain wants to reduce its military commitments to NATO.

Thirteenth. Western Europe, all of it, is partially maintaining its unprecedented prosperity by doing its best to expand its commerce with Eastern Europe, the Soviet Union, and even Red China; and at the same time this goes on, some people in the United States both talk and work against our making any such sales. If we are to maintain the capitalistic system, with taxes coming from income including profits, this action is just planned economic suicide.

Fourteenth. As the majority leader so well points out, how long will it be before other nations in Europe ask us to leave their territory? I personally am convinced this would have happened long ago except for the financial benefits involved.

It is right to urge that this matter be decided now, not only because of the heavy paper gold and true gold outflow involved, but also because of all the other costly conditions around the world. I would hope, as the majority leader does, that the consultations involved do not "turn into a prolonged exercise for deferring decisions and action."

One can only agree also that—

> This resolution calls upon those who remain shackled to an outdated policy based on a Europe as it was yesterday to face up to the fact that tomorrow will always seem to be a better time to take the action which is urgently required today.

As I see it, a few troops under the American flag in West Berlin, with a division or two, plus adequate airlift, in Great Britain, would fulfill our commitments—and at the same time give us a defense of substance, rather than the one largely of form that apparently is now being contemplated as the result of the French withdrawal.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am happy to yield to the distinguished majority leader.

Mr. MANSFIELD. Unfortunately, because of commitments which I could not avoid, I did not have the opportunity to hear all of the speech of the distinguished senior Senator from Missouri, but I did hear the latter part. Without referring to what I said, which the Senator was so kind as to take cognizance of, I was a little surprised the other day, when the troops-in-Europe resolution was resubmitted, with the sponsorship of some 42 Senators, to have a Member indicate that, in his opinion, if I understood him correctly, the American forces in Europe should stay there indefinitely—in other words, permanently—and to hear another Member make reference to the fact that, because of the rise of neo-Nazism, our troops should remain there.

Frankly, I do not think that the American people or the Senate ever expected that Americans should remain in Europe as occupation troops for an indefinite or permanent period of time.

Certainly, I do not think that the forces which we have in Europe have as their purpose seeing to it that in any given country there will be no possibility of any rise of neo-Nazism or any other movement. Their only purpose is to assist in the common defense of the NATO region and it is misleading to suggest otherwise.

Frankly, I do not see, in the months ahead, the possibility of the rise of neo-Nazism. I believe the Germans, on the basis of the lessons they have learned, and the democratic attitudes they have shown, can take care of a situation of that kind. I think the time is long overdue when American divisions should be withdrawn from Europe, along the lines suggested by the distinguished senior Senator from Missouri. I make that statement on the thesis that our commitment has never meant that we must keep a certain level of U.S. troops there for an indefinite time.

We will honor our commitments to the last decimal point. However, we should face conditions as they are today, not as they were 20 years ago; and the time of the vested interest in maintaining our approximately six divisions in Western Europe is over.

Mr. SYMINGTON. I thank the majority leader for commenting on the remarks I made with respect to his superb position on this particular issue.

I would hope that not only Congress but the administration and the American people as well pay thoughtful attention to the suggestion made in this connection by the majority leader. A great American, Alfred E. Smith, once said, "Nobody ever shot Santa Claus." It is easy to understand why so many countries welcome our paternalistic efforts in military matters because, in effect, we are financing the defenses of the free world at great economic benefit to many other countries, by means of additional issuance of more paper gold dollars.

As the majority leader has stated there is no doubt but what our commitments will be honored in every way. It was Lenin who pointed out that there are many ways of losing a war, one being economic. It was Lenin also who is supposed to have said that by debauching the currency along with confiscatory taxation, one could bring about a major change in government. The more I note of the percent that we are financing and defending the free world, the more apprehensive I am about the future.

ABC-ITT MERGER

Mr. MORTON. Mr. President, I would like to comment on the recent action taken by the Justice Department regarding the FCC approved merger between ABC and ITT.

We are all familiar, I think, with the background of this merger, particularly those of us who serve on the Senate Commerce Committee. Briefly, the FCC has spent almost 1 year studying the merits of the case and the Justice Department has spent over a year investigating the ramifications and effects of the merger.

I make these comments today because, as a ranking member of the Senate Commerce Committee, I am appalled at the ill-conceived action of the Justice Department and am thoroughly shocked by the statement of one of my distinguished colleagues that President Johnson should ask for the resignation of certain members of the Federal Communications Commission.

The time has come to set the record straight. The time has come to clear the air of emotionally charged and inaccurate statements which have been made about the situation.

First, I would like to say that the Federal Communications Commission is not an irresponsible body. It is well aware of the responsibility it has to Congress, to the public, and to business, both big and small.

In this particular matter the Federal Communications Commission, operating under the rules and regulations set forth by the Congress of the United States, has discharged its obligations in a manner that is beyond reproach. Public hearings were held before the entire Commission but, during the course of these hearings, the Justice Department elected to remain aloof. It did not participate. It was given the opportunity to come forth to voice its opinion, and it elected not to do so. Incidentally, no other interested parties have voiced an objection, either. As recently as last month, the Justice Department stated in a letter to the Federal Communications Commission that it did not have sufficient grounds to stay the merger; but now, at the last possible moment, the Justice Department has embarked upon a course of action which is inexcusable for its lack of substance, lack of fact, lack of judgment, and lack of carefully considered evidence. Perhaps it is the Justice Department who should be taken to task, not the FCC.

Who are these people who have taken it upon themselves to denounce the FCC?

Who are these people who have taken it upon themselves to imply that the Congress of the United States is not fulfilling its duties to the American people by giving sufficient guidance to the FCC?

I do not know the answers to these questions, but I am sure that the record will show that the FCC has indeed carried out its charter in a manner which is above and beyond the mud slinging and name calling to which it has been subjected this past week.

The present members of the FCC were appointed by Presidents Truman, Eisenhower, Kennedy, and Johnson. The Justice Department has managed, in one thoughtless step to impugn not only the personal abilities of the Commission members and its staff, but to question the competency of Congress to supervise as well as the reputation of four U.S. Presidents who selected the Commission members.

I would like also to say a few words about the subject of innuendo. My distinguished colleague from Oregon, by innuendo, has implied that one of the corporations in this merger is, "a partner for all practical purposes with the Governments of Sweden, Denmark, and other northern European countries in their defense systems."

In that context, let me offer the following: ITT installed and now maintains the hotline between our Government and Moscow. ITT maintains the distant early warning line across the top of the world. ITT has been an active participant in the Gemini program; it furnishes communications equipment to our Armed Forces; it conducts research in the field of infrared and laser technology for the Department of Defense; it is active in almost all satellite programs; it provides ground control radar for our troops in Vietnam; it provides electronic gear for the F-111. I could go on and on. The point is this: If ITT is a partner in the defense of the free world, I welcome that partnership.

The Justice Department purports to have the best interests of the American public in mind in taking this ill-advised action. But its action certainly does not justify that position. It has lulled the American investing public into assuming that the merger would be completed without objection and yet, by its action last Thursday, it created havoc on the New York Stock Exchange and caused ABC investors to lose $67 million. Is that protection of the public interest?

Most of the allegations and the public statements made appear to me to be contrary to the American concept of justice. Two great corporations and the Federal Communications Commission have been judged guilty until proven innocent. This is not my understanding of justice.

Let us look as some of the specific charges.

The Justice Department says that the consummation of this merger will result in the possible elimination of ITT as a potential competitor in network broadcasting. This statement, at best, is speculative and, at worst, is just plain blue-sky thinking. The Justice petition also charges that the merger would result in the possible elimination of ITT as an operator of numerous and extensive CATV systems which might eventually be capable of competing with conventional network broadcasting. Once again, this is speculative and if facts are of interest, they might like to know that there are almost 2,000 CATV stations in the United States today. ITT has interests in seven. I repeat—seven. I fail to see where seven CATV networks can be considered to be capable of competing with national network broadcasting. Perhaps my colleagues could enlighten me.

The Justice petition also claims that this merger would result in the possible elimination of ITT as an independent source of basic technological development which could lead to new systems of communications which might multiply channels of access to the public and provide the basis for new entrance into network broadcasting.

This, once again, is speculative. I would remind the critics of this merger that the Radio Corp. of America is very actively engaged in research and development in the broadcasting field, the results of which have been very beneficial to all broadcasters, even though the Radio Corp. of America owns the National Broadcasting Corp. 100 percent.

Questions have also been raised about purported large cash flows which would result to ITT from the merger. I would suggest that the critics who have seized upon this statement seek financial counsel from qualified sources to obtain a clearer meaning, in their minds, of the definition of cash flow. I would suggest that such things as capital investment, dividends, depreciation, and so forth, also be evaluated in their financial appraisal. I believe they may learn something.

The question of the objectivity of ABC's news and public affairs programing has been bandied about during these discussions. Signed statements from the presidents of both corporations involved have been received by the Justice Department and the FCC which state that the news department of ABC will operate independently and will not be subjected to any editorial interference. According to these corporate officers, such action would be a violation of the American journalistic tradition. It would also be impossible because of the competitive pressure from the other networks.

By scoffing at such an explanation, the Justice Department and others are implying that the officers of two great corporations do not recognize the difference between truth and prevarication. This is a serious position to defend, and I would recommend that the interested parties in this case weigh their public statements extremely carefully before releasing them.

Finally, I would suggest that, if the Justice Department has any new and pertinent information concerning this merger, it make its information available at once. Otherwise, I strongly recommend that the merger go through as approved by the FCC and that this body and the administrative agencies of our Government get on with the work at hand.

WIESNER ON HOW TO CURB THE ARMS RACE

Mr. **PROXMIRE**. Mr. President, the most terrible and serious problem on earth is how to curb the arms race that threatens to shove us up to and over the gulf of a nuclear cataclysm that could destroy most of our population.

We discuss and debate this terrible issue too little. Unless we can solve this problem, everything else will evaporate into nothing.

But for the nondoctrinaire—the great majority of American citizens who reject alike the simple unilateral option to disarm now completely, on the one hand, and the simple decision to proceed full speed apace with the arms competition, on the other—this is a tough, agonizing, painful problem. Too many have simply become fatalists on the assumption that at least on this problem it is up to God alone and that for nuclear arms control we might as well forget that "God helps them who help themselves."

For this reason, it is good and heartwarming to read a superlative analysis by Jerome Wiesner of what nondoctrinaire people who dearly want both peace and freedom can do to activate arms control.

Mr. Wiesner is recognized as a thoroughly competent scientist, an adviser to three Presidents, and a man who has helped to develop some of the most deadly weapons.

Mr. Wiesner analyzes the problem simply and concisely. He capsulizes the Gaither report, authorized by President Eisenhower to examine our vulnerability to nuclear attack.

He discusses hopeful progress in dropping the arms race and sets forth a series of practical steps toward arms control, toward which we should work.

These proposals include steps recommended by the Panel on Arms Control and Disarmament of the White House Conference on the International Cooperation Year, of which Mr. Wiesner was Chairman. They include, in addition to the nonproliferation treaty, on which progress seems to have been made recently between the United States and the Soviet Union, pledges by the nuclear powers not to attack or threaten to attack any nonnuclear nation; a treaty among the United States, the United Kingdom, and the Soviet Union to cease production of nuclear materials; creation of nuclear-free zones in Latin America, Africa, and the Middle East; a freeze on the construction of new missiles; a one-third cut in the number of existing nuclear weapons by the major powers—leaving all of them far more than enough to serve as a deterrent against attack; and a moratorium, for at least 3 years, on developing and deploying antiballistic missile systems, which could have an immense economic impact as well as escalating the arms race. I am delighted to see that President Johnson seems to be moving in that direction.

In addition to controlling the nuclear weapons race, the Panel recommended measures to curb the conventional arms race among underdeveloped nations.

I ask unanimous consent that the splendid article by Dr. Jerome Wiesner, entitled "We Can Curb World Arms Race Now," reported by the Associated Press and published in the Milwaukee Journal, from which I took it, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WE CAN CURB WORLD ARMS RACE NOW

(By Dr. Jerome B. Wiesner)

(One of America's most renowned scientists, provost of Massachusetts Institute of Technology, science adviser to three presidents and co-developer of deadly military weapons, believes the nations of the world must achieve disarmament. In this article, written for the Associated Press, the eminent scholar outlines the steps he believes can and should be taken to ward off "history's greatest catastrophe.")

CAMBRIDGE, MASS.—Throughout the world men dread the specter of an annihilating nuclear war—yet the arms race goes on and the prospect of controlling it grows dimmer with each year. But there is still time to reverse this suicidal trend. As a scientist long concerned with the technical problems of disarmament, I am convinced that it is completely feasible to design a safe and practical system to limit and control the arms race. And we can do it without endangering our national security in any way. On the contrary, our own security will be strengthened as the world becomes a safer place in which to live.

If this is so, why don't we begin?

Unfortunately, there are formidable barriers. For instance:

Most people, in and out of government, look on disarmament as a utopian dream. If everyone believes the arms race is impossible to control, that very fear will make it impossible.

There is no effective constituency for peace. In our own congress on the councils of other governments, military interests, veterans organizations and weapons producers all have their large constituencies and powerful lobbies. No equivalent groups are pressing the cause of disarmament.

Many people who do advocate disarmament demand that it be total disarmament, all at once. But the only way we will get universal disarmament in one giant step is as a result of World War III. The survivors of a nuclear war will no doubt make it their first order of business to ensure that it doesn't happen again. I'd rather not wait.

We participate in disarmament conferences, but we don't try sufficiently to understand the attitude of other people, such as the Russians, in these complicated problems. If you can't understand what is worrying the other fellow, you will never be able to reach an agreement with him.

In our own strategy discussions, arms control measures are evaluated in terms of the most dangerous possibility, no matter how unlikely, with no consideration given to what will happen if we fail to halt the arms race.

Lastly, what started in Europe after World War II as a political confrontation between west and east has become a major military problem, a matter of controlling the arms race. As these political and military issues overlap, they prevent movement in either field. By reducing the military component of the confrontation we would immediately open up more areas for political accommodations.

But against all of these barriers in the way of disarmament we must remember that the price of failure to prevent another major war is unbelievable horror.

Wars have occurred in 20 to 30 to 40 year cycles. If we continue to rely on the traditional forms of international security arrangements, which have always failed us in the past, the odds are in favor of a major war within the next two decades.

SHIFTED ON ANTIMISSILES

In many ways, however, the situation is very different today—in good part because of the scientific revolution. I suggest that this same scientific approach can show us how to avoid war.

I came to my own interest in disarmament on purely technical grounds. It was an outgrowth, in fact, of my work on the development of military equipment.

During World War II and thereafter, I was deeply involved in the development of many types of military weapons, including air defense systems, radar, the nuclear bomb and ballistic missiles. Ironically, I played a major role in persuading the government to do research in the antiballistic missile system that I am now trying my best to keep it from deploying.

Though we have performed a major technical feat and created a system capable of intercepting ballistic missile warheads, the economics so favor the offense and there are so many ways for clever engineering to deceive the system that I have become convinced that we would gain very little security even if we installed a 10 or 20 billion dollar system.

In 1957, President Eisenhower appointed the Gaither study group to examine our vulnerability to nuclear attack. I became a member of that group.

The President's question was in effect: Assuming that a nuclear war was going to occur, what actions should the government take to protect the people and insure the survival of our society?

Put that way, the question clearly led to an answer calling for a vast shelter and active defense program.

GAITHER STUDY INSIGHTS

After careful study of the facts, however, it became clear to us that the issue was not that simple. Nuclear war was not a certainty, nor even highly likely, which meant that other questions had to be examined. What course of action had the greatest likelihood of avoiding war?

A number of insights emerged from the Gaither study.

1. No level of defense could prevent a determined and technologically capable enemy from killing vast numbers of people and destroying much of our country. If we were to spend half of our gross national product on defense preparations, we still could not keep a nuclear war from being history's greatest catastrophe.

2. A massive civil defense program, necessarily creating great public excitement, would almost certainly increase the likelihood of war.

3. The longer the arms race went on, the more convinced other nations would be that the Soviet Union and the United States could not come to an agreement. Then several other nations would start to build nuclear weapons.

4. Whatever security we might achieve in an arms race involving nuclear weapons would come from maintaining an adequate deterrent force. The Gaither panel recommended measures to insure the existence of the American deterrent force. They seemed reasonable then, but time has since proven that they were based on highly exaggerated estimates of the threat posed by the Soviet Union.

It is now evident that up until the time of Cuba, or slightly later, the Soviets were content to rely upon a kind of minimal deterrent force for their own security. They never tried to match our bombing forces or our missile forces. We were wrong in our early belief that they were preparing a first strike against the United States. Lately, there has been some evidence that the Russians are building hardened, dispersed missiles and increasing the size of their force. There is also some evidence that they may be contemplating the deployment of defenses against our missile systems.

If the Soviet leaders have now chosen to attempt to match United States force size, and we respond by trying to prevent this, the arms race could become more intense than it has been in recent years.

Many people take a gloomy view of the possibility of achieving significant disarmament agreements because of the belligerence of the Chinese leaders. While I think one of the most important tasks is to improve our relations with China, I do not think that anything in the existing situation really prevents the United States and Russia from taking major disarmament steps. Each of us is militarily very much more powerful than China.

Actually, at the moment, the problem with China is a different one. With no operational nuclear force of her own, she feels threatened by ours and by that of the Soviet Union, and her actions are dominated by these fears. Our problem is to minimize China's fears.

Ultimately, I am certain that the Chinese will want to avoid the dangers and the great costs of a continuing arms race.

TWO HOPEFUL STEPS

All of my experiences in the study of disarmament have convinced me that it is possible to design a militarily secure system of arms limitation. It must be done gradually, which does not mean that it must take 50 years.

We have already taken two steps, the test ban treaty of 1963 which forbade atmospheric testing of nuclear devices, and the agreement approved by the UN last month banning the use of outer space for military purposes.

One little understood fact about modern armaments is that it takes a long time and a great effort to change the balance of military power in any major way. It takes years to develop a new missile system, and years more before it can be produced and deployed. Defensive systems are even more difficult to develop and require even longer.

This means that the likelihood of the surprise appearance of a completely installed and operational new weapons system is vanishingly small. There is essentially no possibility that the clandestine development or production of new weapons can threaten our security before being detected and countered.

The fantastic power of the nuclear weapons provides a high degree of stability. A single one megaton bomb will devastate even the largest city; a very few bombs properly delivered will destroy the sinews of a nation. Consequently a few bombs, certain to be delivered, will constitute a powerful enough deterrent.

The large variation in deterrent force size that may be tolerated with safety and the long time required to make significant changes in weaponry—these provide an environment in which it is possible to reduce armaments with considerable self-assurance.

A year ago, I chaired the panel on arms control and disarmament of the White House Conference on International Co-operation Year. Our recommendations to President Johnson placed emphasis on measures to strengthen the United Nations.

The panel also recommended a nonproliferation treaty to prevent more nations from becoming nuclear powers. This treaty, under discussion right now, is perhaps the most important single step we could take at the moment. Blocking it, however, is the United States' confusion on the issue of sharing control over its European nuclear weapons with NATO, and the Russian refusal to sign a nonproliferation treaty if Germany, as a NATO country, shares in this control.

It appears that recently, while Soviet Foreign Minister Gromyko was in the United States, the gap between United States and Soviet positions was closed somewhat and some officials are now predicting that the two countries will soon come to an agreement on this matter.

OTHER STEPS ADVISED

Among the other initial steps recommended by the disarmament panel were:

Pledges by the nuclear powers not to attack, or threaten to attack any non-nuclear nation.

A treaty among the United States, the United Kingdom and the Soviet Union to cease production of nuclear materials.

Creation of nuclear free zones in Latin America, Africa and the middle east.

A freeze on the construction of new missiles.

A one-third cut in the number of existing nuclear weapons by the major powers—leaving all of them far more than enough to serve as a deterrent against attack.

A moratorium, for at least three years, on developing and deploying antiballistic missile systems. The prime reason for this recommendation is that a United States or Soviet ABM system would almost surely induce both superpowers to step up their respective "deterrent" capabilities. There is also a serious question of the military value of such defense systems.

In addition to controlling the nuclear weapons race, the panel recommended measures to curb the conventional arms race among underdeveloped nations.

If we could take even half of these actions, it would be a fantastically large step in the right direction.

None of these proposals would pose a security problem for the United States, or for any other nation.

The real threat lies in continuing the arms race.

HALT ARMS RACE OR FACE THREAT OF CATASTROPHIC WAR

Mr. McGEE. Mr. President, Dr. Jerome B. Wiesner, science adviser to three Presidents, has given us some food for thought in a special article written for the Associated Press and published Sunday in the Washington Evening Star. The article has been placed in the RECORD by the Senator from Wisconsin [Mr PROXMIRE] preceding my remarks.

Dr. Wiesner has written of the arms race and of mankind's need to halt it or to face the threat, within the next two decades, surely, of a catastrophic war. His article deals with the steps which can and should be taken. Some are simple, as he says, and some more difficult. But none would threaten the security of the United States for, as Dr. Wiesner writes:

> The real threat lies in continuing the arms race.

Dr. Wiesner's precise warning and careful analysis of the arms race and its solution deserves our careful attention.

CORRECTION OF THE CALENDAR OF BUSINESS

Mr. KUCHEL. Mr. President, my people came to the United States from Europe a little less than a century and a half ago. My grandfather came to California during the gold rush. My late beloved father was born in San Francisco well over a century ago; and I was born in Anaheim, Calif. My name is a good American name, like those of all the other good Americans in this Chamber—although I freely concede that many may mispronounce my name.

At any rate, Mr. President, I observe that under General Orders on the Calendar, Senate Resolution 7, which I introduced last week, purports to have been introduced by somebody whose name is spelled M-i-c-h-e-l.

Mr. President, I regret that an error may have crept into an official record of the Senate, particularly when I am quite proud that, together with some of my fellow Senators, Republican and Democrat, I sponsored Senate Resolution 7.

I therefore simply ask unanimous consent that the strange and singular name "Michel" be stricken, and that the name of the senior Senator from California be inserted in its place.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S ROLE IN CIVIL RIGHTS LEGISLATION

Mr. HART. Mr. President, I have always been impressed by the wisdom of those philosophers who argue that isolated illogic is best left uncontested.

Reasonable people who have heard the offending remarks will already have dismissed them, and unreasonable people will not be impressed by even the most irrefutable rebuttal.

But recently a voice from the other side of the aisle suggested in a speech outside this Chamber that the President needs a stern lecture on civil rights.

The President was accused of giving this issue the "once-over-lightly" treatment in his state of the Union address. It was implied that he might be abandoning leadership in this field.

And the speaker's Republican colleagues were urged to seize leadership of the civil rights movement.

The last statement is certainly not an inappropriate one. There is certainly, the record will indicate, plenty of room for expansion of the Republican effort.

But to suggest that the President's role has been an inadequate one is to ignore some significant facts.

Any examination of Republican and Democratic efforts will reveal that a Shetland and a Percheron have been in double harness on this issue and now the pony is accusing the horse of not pulling its share of the load.

That is a rather flat statement, but I think the arithmetic of the rollcalls for the past 6 years here will indicate that he was quite restrained.

Those of us in politics grow used to criticism and learn after a time not to kick about it, but in this case a well-aimed hoof seems not inappropriate.

President Johnson probably does not need my rhetoric to establish his concern for human dignity and human rights.

His record speaks far more eloquently than mere words ever could. James Howell once said:

> An acre of performance is worth a whole land of promise.

And President Johnson's leadership is based not on 1 acre, but many acres of performance.

The 1957 Civil Rights Act—the first major civil rights law in 82 years—was enacted by a Democratic Congress under Senate Majority Leader Lyndon Johnson.

The 1960 Civil Rights Act was enacted by a Democratic Congress under the leadership of Senate Majority Leader Lyndon Johnson.

The 24th amendment, which outlawed the poll tax in Federal elections, became part of the U.S. Constitution under President Lyndon Johnson.

The 1964 Civil Rights Act was signed into law by President Lyndon Johnson.

And just a year later, it was President Lyndon Johnson who signed the historic Voting Rights Act of 1965 into law.

The significance of these acts—and the diligence of their enforcement—is a matter of record. In the 17 months since the Voting Rights Act was passed, for example, Negro voter registration has risen 68 percent—from 687,000 to 1.17 million—in the five States where the act had its principal impact.

But these laws, as far reaching as they are, represent only the top of the iceberg. In every area of human welfare, Negroes have benefited from the leadership of the President: in housing, in education, in poverty programs, in health care, and in manpower retraining.

Wherever there is misery, wherever there is injustice, wherever there is despair, the Johnson administration and a Democratic Congress have acted—and acted boldly.

But now at least one Republican says we are abandoning the cause. He suggests that Democrats are drifting from the battlefield and suggests the Republicans now must take up the banner.

Well, there are enough banners to go around. We have extras we are willing and eager to issue any Republicans who want to join the skirmish line.

True, they are late on the field but they are welcome. I would be interested in knowing the numbers of reinforcements we can expect from that quarter.

I invite the critic's attention to the record—even at the risk that it will turn his exuberance into melancholia.

Four months ago, an influx of Republican troops could have saved a major civil rights bill right in this Chamber.

They could have helped us end discrimination in our jury system. They could have helped complete the desegregation of our schools. They could have helped end compulsory segregation in housing.

All these were part of the President's program in 1966. All these were in the bill that was defeated by filibuster. I am perhaps especially aware of these facts because I was floor manager of the bill, just as I was floor manager of the Voting Rights Act of 1965 and an assistant floor manager of the 1964 bill.

I would like to offer the reminder that the key vote on the 1966 bill was on a cloture motion. At that time, 67 percent of Senate Democrats voted to bring the bill to the floor and 34 percent of the Republicans joined them.

The majority of Republicans voted to kill the bill and then went home to boast about it.

When it was time for action, civil rights indeed got the "once-over-lightly treatment"—but by the Republican Party, not the Democrats.

Have they had a change of heart? Great.

There will be ample chance to demonstrate it.

The Presidential state of the Union message included a call for the continuation of the struggle against inequality, and there will be a new civil rights bill this session.

We will listen carefully then to the ayes and nays.

There have always been a few courageous fighters for civil rights on the Republican side of the aisle—but they have been few in number among their colleagues.

Are the prorights troops swelling? Are reinforcements on the way? I would be delighted to see it. And if they join the field, they will not have to stoop to pick up the banners. Because no banners have fallen.

But we have plenty of new ones ready to be handed out.

OLDER AMERICANS

Mr. MANSFIELD. Mr. President, today the President of the United States sent to the Senate a message on older Americans.

I believe that history will credit President Johnson with many great achievements. Certainly the list is already long and impressive. I am certain, moreover, that one achievement that will honor his name will be his victory over the forces of national smugness in a time of great prosperity and well-being.

He has taught us to be suspicious of the averages that document our prosperity—because for every American who brings those averages up, there is another, less fortunate, who holds them down.

He has forced us to look beneath the shining surface of our prosperity, and to discover that there are still millions among us who remain untouched by its blessings.

He has made us understand that, despite all the great advances of the past 35 years, far too many Americans still live on the outskirts of hope.

And today, this great President has nudged our consciences again. He has reminded us that the so-called golden years represent a dream that has never been achieved for millions of our older Americans.

That is a lesson we should never forget.

For there is nothing "golden" about being poor after a lifetime of honest and productive labor.

There is nothing "golden" about being alone and forgotten after a lifetime of rich companionship.

There is nothing "golden" about being too feeble to care for yourself after a lifetime of caring for others.

There is nothing "golden" about being bored after a lifetime of meaningful activity.

Mr. President, the fact is that, after more than 30 years of social security benefits and after the passage of medicare, the plight of our senior citizens remains one of the most serious problems of our generation. And I congratulate President Johnson on his stirring and comprehensive call to action.

His message on older Americans is a major social document: original, perceptive, compassionate, and bold.

It calls for the most sweeping revisions of our social security laws since they were first enacted in 1935:

For larger cash benefits which—in a single stroke—will lift nearly a million and a half Americans above the poverty line.

For extended coverage, to include farmworkers, disabled widows under 62, and Government workers not eligible for civil service retirement benefits.

For an increase in the amount of exempted earnings allowed retirees.

And for an extension of medicare to include the million and a half disabled Americans under 65 who are now covered by social security and railroad retirement.

But the President's message calls for much more, besides.

It calls for improved nursing care, for improved housing programs, for increased job opportunities, and for vastly improved services for the elderly which will do so much to help enrich their lives.

Mr. President, President Johnson has clearly demonstrated to us why, even after all the progress we have made, we must not end our quest, as a nation, for a better life for these citizens. For, as he has so eloquently stated:

> One of the tests of a great civilization is the compassion and respect shown to its elders.

I endorse the President's proposals as the best means to show that compassion and that respect. And I am confident that my colleagues will respond to those proposals in a way that will do honor to this Congress for generations to come.

THE CRISIS OF OUR CITIES

Mr. CLARK. Mr. President, no problem appears so massive and intractable for the 90th Congress as the need to find ways to deal with the crisis of our cities. The challenge, however, has begun to evoke its appropriate response. New ideas, new concepts, new approaches are being discussed and debated both outside and inside the Congress.

The contributions of Senator ROBERT KENNEDY, of New York, to this ongoing debate have been particularly noteworthy. His comments have consistently been informed and incisive; his proposals, imaginative but not unrealistic. Speaking as one who has been deeply involved in urban affairs for a good many years—and as one who had the good fortune to be the chief executive of a great city, Philadelphia, during its period of renaissance—I would hope that Senator KENNEDY's comments would be read and considered by the widest possible audience.

For that reason, I ask unanimous consent to have printed in the RECORD at this point the text of Senator KENNEDY's statement of August 15, 1966, before the Subcommittee on Executive Reorganization of the Committee on Government Operations of the U.S. Senate, and the text of his remarks of December 10, 1966, at Bedford Stuyvesant, New York.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

FEDERAL ROLE IN URBAN AFFAIRS—STATEMENT OF SENATOR ROBERT F. KENNEDY BEFORE THE SUBCOMMITTEE ON EXECUTIVE REORGANIZATION

Mr. Chairman, I appreciate the opportunity to testify before your Subcommittee today. And I congratulate you for having undertaken to hold these hearings. An inquiry of this kind, in my judgment, is long overdue. I look forward to participating over the next three weeks in the hearings, but this morning I want to place a number of thoughts before the Subcommittee as it begins its study.

To say that the city is a central problem of American life is simply to know that increasingly the cities are American life; just as urban living is becoming the condition of man across the world. Everywhere men and women crowd into cities in search of employment, a decent living, the company of their fellows, and the excitement and stimulation of urban life. .

Within a very few years, 80% of all Americans will live in cities—the great majority of them in concentrations like those which stretch from Boston to Washington, and outward from Chicago and Los Angeles and San Francisco and St. Louis. The cities are the nerve system of economic life for the entire nation, and for much of the world.

And each of our cities is now the seat of nearly all the problems of American life: poverty and race hatred, interrupted education and stunted lives, and the other ills of the new urban nation—congestion and filth, danger and purposelessness, which afflict all but the very rich and the very lucky.

To speak of the urban condition, therefore, is to speak of the condition of American life. To improve the cities means to improve the life of the American people. This is not to slight the importance of rural development. The very catalogue of problems that has accompanied the increasing urbanization of our nation bespeaks a need for renewed concentration on development outside the cities—both to ease the pressure of population growth on the cities, and to preserve the ability of our small towns and farms to contribute as they have in the past to our country's healthy growth. Rural development, then, must have a place on the national agenda; today, however, I would concentrate directly on the problems of the cities themselves and on the issues which the urban explosion has thrust before us.

What should we expect from our cities? A great historian of urban life, Lewis Mumford, has written: "What makes the city in fact one is the common interest in justice and the common aim, that of pursuing the good life." He drew in turn upon Aristotle, who wrote that the city "should be such as may enable the inhabitants to live at once temperately and liberally in the enjoyment of leisure." If we add the objective of rewarding and satisfying work, we have a goal worthy of the efforts and work of this entire generation of Americans.

Therefore the city is not just housing and stores. It is not just education and employment, parks and theaters, banks and shops. It is a place where men should be able to live in dignity and security and harmony, where the great achievements of modern civilization and the ageless pleasures afforded by natural beauty should be available to all.

If this is what we want—and this is what we must want if men are to be free for that "pursuit of happiness" which was the earliest promise of the American nation—we will need more than poverty programs, housing programs and employment programs, although we will need all of these. We will need an outpouring of imagination, ingenuity, discipline and hard work unmatched since the first adventurers set out to conquer the wilderness. For the problem is the largest we have ever known. And we confront an urban wilderness more formidable and resistant and in some ways more frightening than the wilderness faced by the pilgrims or the pioneers.

The beginning of action is to understand the problem. We know riots are a problem. We know that poverty is a problem. But underneath these problems and all the others are a series of converging forces which rip at the fabric of life in the American city.

By city we mean not just downtown, or the central city, but the whole vast sprawling organism—covering dozens of communities and crossing state lines. It is not a political unit, but a living social and economic body—extending into suburbs and beyond into tens of thousands of outlying acres, to be covered all too soon with homes and shops and factories.

One great problem is sheer growth—growth which crowds people into slums, thrusts suburbs out over the countryside, burdens to the breaking point all our old ways of thought and action—our systems of transport and water supply and education, and our means of raising money to finance these vital services.

A second is destruction of the physical environment, stripping people of contact with sun and fresh air, clean rivers, grass and trees—condemning them to a life among stone and concrete, neon lights and an endless flow of automobiles. This happens not only in the central city, but in the very suburbs where people once fled to find nature. "There is no police so effective," said Emerson, "as a good hill and a wide pasture . . . where the boys . . . can dispose of their superfluous strength and spirits." We cannot restore the pastures; but we must provide a chance to enjoy nature, a chance for recreation, for pleasure and for some restoration of that essential dimension of human existence which flows only from man's contact with the natural world around him.

A third is the increasing difficulty of transportation—adding concealed, unpaid hours to the workweek; removing men from the social and cultural amenities that are the heart of the city; sending destructive swarms of automobiles across the city, leaving behind them a band of concrete and a poisoned atmosphere. And sometimes—as in Watts—our surrender to the automobile has so crippled public transport that thousands literally cannot afford to go to work elsewhere in the city.

A fourth destructive force is the concentrated poverty and racial tension of the urban ghetto—a problem so vast that the barest recital of its symptoms is profoundly shocking:

Segregation is becoming the governing rule: Washington is only the most prominent example of a city which has become overwhelmingly Negro as whites move to the suburbs; many other cities are moving along the same road—for example, Chicago, which if present trends continue will be over 50 percent Negro by 1975. The ghettoes of Harlem and Southside and Watts are cities in themselves, areas of as much as 350,000 people.

Poverty and *Unemployment* are endemic: from ⅓ to ½ of the families in these areas live in poverty; in some male unemployment may be as high as 40%; unemployment of Negro youths nationally is over 25%.

Welfare and *dependency* are pervasive: ¼ of the children in these ghettoes, as in Harlem, may receive Federal Aid to Dependent Children; in New York City, ADC alone costs over $20 million a month; in our five largest cities, the ADC bill is over $500 million a year.

Housing is overcrowded, unhealthy and dilapidated: the last housing census found 43% of urban Negro housing to be substandard; in many of these ghettoes, ten thousand children may be injured or infected by rat bites every year.

Education is segregated, unequal and inadequate: the high school dropout rate averages nearly 70%; there are academic high schools in which less than 3% of the entering students will graduate with an academic diploma.

Health is poor and care inadequate: infant mortality in the ghettoes is more than twice the rate outside; mental retardation caused by inadequate prenatal care is more than seven times the white rate; ½ of all babies born in Manhattan last year will have had no prenatal care at all; deaths from diseases like tuberculosis, influenza, and pneumonia are two to three times as common as elsewhere.

Fifth is both cause and consequence of all the rest. It is the destruction of the sense, and often the fact, of community, of human dialogue, the thousand invisible strands of common experience and purpose, affection and respect which tie men to their fellows. It is expressed in such words as community, neighborhood, civic pride, friendship. It provides the life-sustaining force of human warmth, of security among others, and a sense of one's own human significance in the accepted association and companionship of others.

We all share things as fellow citizens, fellow members of American nation.

As important as that sharing is, nations or great cities are too huge to provide the values of community. Community demands a place where people can see and know each other, where children can play and adults work together and join in the pleasures and responsibilities of the place where they live. The whole history of the human race, until today, has been the history of community. Yet this is disappearing, and disappearing at a time when its sustaining strength is badly needed. For other values which once gave strength for the daily battle of life are also being eroded. The widening gap between the experience of the generations in a rapidly changing world has weakened the ties of family; children grow up in a world of experience and culture their parents never knew. The world beyond the neighborhood has become more impersonal and abstract. Industry and great cities, conflicts between nations and the conquests of science move relentlessly forward, seemingly beyond the reach of individual control or even understanding. It is in this very period that the cities, in their tumbling spread, are obliterating neighborhoods and precincts. Housing units go up, but there is no place for people to walk, for women and their children to meet, for common activities. The place of work is far away through blackened tunnels or over impersonal highways. The doctor and lawyer and government official is often somewhere else and hardly known. In far too many places—in pleasant suburbs as well as city streets—the home is a place to sleep and eat and watch television; but the community is not where we live. We live in many places and so we live nowhere. Long ago de Tocqueville foresaw the fate of people without community: "Each of them living apart is a stranger to the fate of all the rest—his children and his private friends constitute to him the whole of mankind; as for the rest of his fellow citizens, he is close to them, but he sees them not; he touches them but he feels them not . . . he may be said at any rate to have lost his country." To the extent this is happening it is the gravest ill of all. For loneliness breeds futility and desperation—and thus it cripples the life of each man and menaces the life of all his fellows.

But of all our problems, the most immediate and pressing, the one which threatens to paralyze our very capacity to act, to obliterate our vision of the future, is the plight of the Negro of the center city. For this plight—and the riots which are its product and symptom—threaten to divide Americans for generations to come; to add to the ever-present difficulties of race and class the bitter legacy of violence and destruction and fear.

The riots which have taken place—and the riots which we know may all too easily take place in the future—are therefore an intolerable threat to the most essential interests of every American, black or white,—to the mind's peace and the body's safety and the community's order, to all that makes life worthwhile. None of us should look at this violence as anything but destructive of self, community and nation. But we should not delude ourselves. The riots are not crises which can be resolved as suddenly as they arose. They are a condition which has been with us for 100 years and will be with us for many years more. We can deal with the crises without dealing with the underlying condition—just as we can give novacain to a man with a broken arm, without setting that arm in a splint; but the end result will only be more pain, pain beyond temporary relief, and permanent crippling of our urban society.

It is therefore of the utmost importance that these hearings go beyond the temporary measures thus far adopted to deal with riots—beyond the fire hoses and the billy-clubs; and beyond even sprinklers on fire-hydrants and new swimming pools as well. These hearings must start us along the road toward solutions to the underlying conditions which afflict our cities, so that they may become the places of fulfillment and ease, comfort and joy, the communities they were meant to be.

These hearings will of necessity examine the Federal Government's ability and will and determination to meet the domestic problems of this nation. That examination, I believe, will show that all of us have made many serious mistakes. It must nonetheless be faced with persistence and candor. For "there is no courage or discipline involved in following failure down the road to despair. Tragedy is a tool for the living to gain wisdom, not a guide by which to live."

First, it is clear that our present policies have been directed to particular aspects of our problems—and have often ignored or even harmed our larger purposes. For example, Federal housing and highway programs have accelerated the move of the middle-income families and business to the suburbs, while virtually ignoring the cities' needs for new revenue and declining tax base. Our welfare programs have helped people to subsist. But after thirty years of federal welfare programs, we have just begun our first effort to help these people become independent of welfare. But this effort—the Work Experience Program of the Economic Opportunity Act—is so new and so meager that last year it managed to spend less than half of its $160 million budget.

Our public housing has been built in the centercities, on our highest-cost land, further reinforcing the segregation of the city; in 1962, 80 percent of all Federally-assisted public housing projects were occupied solely by members of one race.

Public housing was once thought of as *the* answer to the problems of slums. Therefore it became another of those programs, addressed to some symptomatic shortcoming, which has ignored the wider problem, the other needed government action. Our housing projects were built largely without either reference or relevance to the underlying problems of poverty, unemployment, social disorganization and alienation which caused people to need assistance in the first place. Too many of the projects, as a result, become jungles—places of despair and danger for their residents, and for the cities they were designed to save. Many of them are preserved from this fate only by screening, such as is practiced in New York City, to keep the "problem" families—who of course are most in need of help—out of public housing projects, while families with incomes as high as $9,000 a year may live there.

And therefore it has been, too often, a failure. For no single program, no attempted solution of any single element of the problem, can be *the* answer.

In recent years, education has come to be regarded as the answer; and last year, Congress enacted an historic program of education for the disadvantaged. But past efforts to improve life-conditions simply by the expenditure of more money on education have not been notably successful: a recent Brookings Institution study, I am advised, finds that in only five percent of all cases is there any observable correlation between increased expenditure on education in the ghetto and better jobs later in life. And the major study prepared for the Office of Education has also found that other factors—family, home, general environment and motivation—determine whether a child can benefit at all from the best schools we provide. Education has failed to motivate many of our young people because of what they could see around them: the sharply restricted opportunities open to the people of the ghetto, whatever their education. The Negro college graduate earns, in his lifetime, no more than a white man whose education ended at the eighth grade.

Now we have begun, with project Headstart, to reach further back toward infancy, in an effort to equalize educational opportunity where it counts most—at the beginning of life. But we have not carried that insight to its point of greatest importance; the family in which the child first finds itself, its vision of the world, shaping its response to all that follows for the full threescore and ten.

We know the importance of strong families to development; we know that financial security is important for family stability and that there is strength in the father's earning power. But in dealing with Negro families, we have too often penalized them for staying together. As Richard Cloward has said: "Men for whom there are no jobs will nevertheless mate like other men, but they are not so likely to marry. Our society has preferred to deal with the resulting female-headed families not by putting the men to work but by placing the unwed mothers and children on public welfare—substituting check-writing machines for male wage-earners. By this means we have robbed men of manhood, women of husbands, and children of fathers. To create a stable monogamous family, we need to provide men (especially Negro men) with the opportunity to be men, and that involves enabling them to perform occupationally".

And here we come to an aspect of our cities' problems almost untouched by Federal action: the unemployment crisis of the Negro ghetto.

The White House Conference on Civil Rights placed employment and income problems of Negroes at the head of its agenda for action in the United States. "Negro unemployment", it said, "is of disaster proportions. Even in today's booming economy, the unemployment rate for Negroes is about seven percent—more than twice the average for whites . . . The gap between whites and nonwhites is even greater for married people and heads of households who are most in need of a job to support their families. . . . In some areas such as Watts in Los Angeles, the rate of unemployment among Negroes is as high as forty percent. . . ."

This Committee does not, in its usual jurisdiction, deal with problems of employment. But any attempt to discuss the problems of the cities, and the ghettoes which presently threaten their future, cannot ignore the findings of commission after commission, student after student, public official after public official. The McCone Commission looked into the Watts riots—and said that the most serious problem in Watts is unemployment. The Wall Street Journal looked at Oakland—and said that the core of Oakland's plight is unemployment. Kenneth Clark's pioneering Haryou study looked at Harlem—and said that Harlem's key problem is unemployment.

This should not be strange to us.

In an age of increasing complaints about the welfare state, it is well to remember that less than 25 percent of those living in poverty receive public assistance. We earn our living, support our families, purchase the comforts and ease of life with work. To be without it is to be less than a man—less than a citizen—hardly, in a real sense, to be a father or brother or son, to have any identity at all. To be without function, without use to our fellow citizens, is to be in truth the "invisible man" to whom Ralph Ellison wrote so eloquently—the man who John Adams said, a century and a half ago, suffers the greatest possible humiliation—"he is simply not seen."

The crisis in Negro unemployment, therefore, is significant far beyond its economic effects—devastating as those are. For it is both measure and cause of the extent to which the Negro lives apart—the extent to which he is alienated from the general community. More than segregation in housing and schools, more than differences in attitudes or life-style, it is unemployment which marks the Negro of the urban ghetto off and apart from the rest of us—from Negroes who have jobs (including Negro leaders) almost as much as from whites. Unemployment is having nothing to do—which means having nothing to do with the rest of us.

It is a shocking fact—but it is a fact nonetheless—that we are literally unaware even of the existence of more than a million Negro Americans. Our census system—our Social Security system—and whole array of government computers which threaten to compile on some reel of tape every bit of information ever recorded on the people in this room—this system nowhere records the names or faces or identities of a million Negro men. Seventeen percent of Negro teenagers, thirteen percent of men in the prime working age of the thirties, are uncounted in our unemployment statistics, our housing statistics: simply drifting about our cities, living without families, as if they were of no greater concern to our daily lives than so many sparrows or spent matches.

Some are "found" in later life, when they may settle down. Some reappear in our statistics only at death. Others remind us of their presence when we read of rising crime rates. And some, undoubtedly, became visible in the riots which will be much dis- other program will be the extent to which

In my judgment, the question of employment and income is central to the solution of the problems of the city. But I do not stress it so strongly here because I believe it to be the only solution, or to be a solution by itself. There are and must be many other elements to any truly comprehensive defense (we are not in an attacking position) against the ills which afflict us. Rather I stress employment here for the following reasons:

First, it is the most direct and embarrassing—and therefore the most important—of our failures. Whatever people may feel about open housing or open schools—though I myself am deeply committed to both—still there can be no argument at all, no sense for even a committed segregationist, in the maintenance of Negro unemployment. Making sure men have jobs does not by itself mean that they will live with you, or that their children will go to school with you. It does not mean, in the long run, higher taxes or welfare costs; indeed, it means far less, and lessened costs of crime and crime prevention as well. It means the use of unused resources, and greater prosperity for all. Meeting the unemployment problem can only be to the benefit of every American of every shade of opinion.

But we have not done it.

Second, employment is the only true long-run solution; only if Negroes achieve full and equal employment will they be able to support themselves and their families, become active citizens and not passive objects of our action, become contributing members and not recipients of our charity. This is not to say that education, for example, is not critical to future employment and self-sufficiency; of course it is. But it is to say that unless we achieve employment, by whatever means or programs, we will never solve the problem. People with jobs can buy or rent their own housing; people with adequate incomes can see that their children are educated; people with jobs can mark out their own relationships with their fellows of whatever color. But without employment, without basic economic security and self-sufficiency, any other help we provide will be only temporary in effect.

Third, there are government programs which seem at least to have some promise of ameliorating, if not solving, some of the other problems of the Negro and the city. But no government program now operating gives any substantial promise of meeting the problem of Negro unemployment in the ghetto. The Manpower Development and Training Act, the Vocational Education Act, the Elementary and Secondary Education Act, the Economic Development Act—these and similar efforts have been going on for five years. Yet in those same five years, while family income nationwide was increasing 14 percent, and family income of Negroes nationwide was increasing 24 percent, family income in Watts *dropped* by 8 percent. Just from last June to this, says the Labor Department, 950,000 new jobs were created for young men—but only 33,000, about 3.7 percent, went to Negroes—so that Negro youth unemployment is still, at a very minimum, 26.9 percent. A Labor Department spokesman explained that Negro youth "just don't have the connections."

That remark sums up what is wrong with our cities. It capsules as well the consequences of our past errors of omission and commission. And it sets the agenda for a program for the cities today.

The program must contain certain elements.

It must attack the fundamental pathology of the ghetto—for unless the deprivation and alienation of the ghetto are eliminated, there is no hope for the city. And it must attack these problems within a framework that cordinates action on the four central elements: employment, education, housing, and a sense of community.

This is not to say that other problems and programs are not important—questions of police relations, recreation, health and other services, and the thousands of other factors that make life bearable or a thing of joy. It is to say that these other questions can only be properly dealt with in concert with action on the major problems. A police force, for example, can exert every possible effort, and imagination, and will to better relations with the community. But it still must enforce the law. And if the conditions of the ghetto produce stealing—for which people must be arrested—or non-payment of rent—for which people must be evicted, even if they have no place to go—then the police will inevitably bear the brunt of the ghetto's resentment at the conditions which the police, through no fault of their own, enforce. For another example, recreation is good and necessary for all of us. But a donated swimming pool will not replace an absent father; nor will it produce income for that father's son, who may have to steal a pair of swimming trunks to use the pool.

Libraries are for those who can read, and sports for those strong enough to participate in them. Each strand we pick up leads us further into the central web of life, coming closer to every other thread of thought and action. The web must be grasped whole.

Earlier this year I proposed one program which I believe combines the necessary elements, satisfies the essential criteria, and offers some hope of success, in dealing with our urban condition. Many of its elements are not new; almost every facet could be carried out under existing federal authority. It is a plan which is wholly consistent with the aims of the demonstration cities bill that will come to the Senate Floor this week, the enactment of which I strongly support. That bill, more than any other legislation which has come to the floor of the Senate, is based on the need to grasp the web whole, to attack all of the problems in a coordinated, interrelated way. My proposal is one of the ways in which the demonstration cities legislation and other federal authority now existing can be put to specific and detailed use, depending on the form which local initiative takes in applying these federal programs. It is by no means the only plan that will work, or the only plan worth trying; I believe it to be one of many which we must try in the hope that some will succeed, in greater or lesser degree. Still it is a plan which I believe is eminently worth trying, and which illustrates the kind of stimulating and coordinating effort which is required under any plan.

The plan begins with a perspective: that questions of technical or surface integration are far less important now than is the building of self-sufficiency and self-determination within the Negro community; in fact, that what is too often an undifferentiated mass must be helped to form a coherent and cohesive community. Thus it is important that Negroes who have achieved financial and social security should have complete freedom to choose where to live. But it is far more important that the vast majority of Negroes be enabled to achieve basic financial and social security where they live now. It will be the work of years, and of all Americans, white and black, to decide whether most people will live in substantially homogeneous neighborhoods. But there should be no question that black neighborhoods, as well as white, should be places of security and dignity and achievement and comfort.

The plan I have proposed, then, is as follows. I describe it to the Committee in detail because, with the demonstration cities legislation now before Congress, the Committee will no doubt want to consider the priorities among its potential applications, particularly as they relate to existing programs. The Committee, I would suggest, will want to consider not only the various approaches to the Federal role in helping to revitalize the ghetto—of which my proposal is but one—but also the Federal role in dealing with the other, broader urban problems which I mentioned at the beginning of my testimony, and which I shall discuss briefly again at the conclusion. But I would concentrate now on my proposal for the ghetto.

It begins with a base of employment, in a vastly expanded and accelerated program of urban reconstruction. Our cities are in dire need of rebuilding, especially at the core: in spite of the largest slum clearance and rebuilding program in the United States, the number of unsound housing units in New York, for example, increased from 420,000 in 1960 to 520,000 in 1965. In most major cities, great stocks of housing built to accommodate the influx of migrants, from rural areas and abroad, in the early part of this century are long overdue for rehabilitation or replacement.

Our public facilities are in similar need of repair. In New York City, for example, the Commissioner of Hospitals said even before Medicare that the city-owned hospitals alone required $50 million worth of renovation in each of the next ten years; and the dozens of private hospitals are in similar need. Center city schools and colleges are notorious for the physical deterioration of their physical plant.

Our cities' beaches are polluted and parklands eroded, parks and playgrounds inadequate to the minimum demands of our people.

And in the coming years, these needs will multiply almost beyond measure. Just in the next forty years, the urban population of the United States will double—which means we must build homes and hospitals, schools and shops and factories, roads and railways and airports, equal to everything we have managed to build in the two hundred years of this republic.

The Labor Department estimates that even without major government stimulation, employment in construction will expand more rapidly than in any other field in the next ten years. Given, then, the known needs of the next four decades, it is clear that if we begin now, with proper initiative and stimulation, to repair the decay of the past and meet the needs of the future, we can create hundreds of thousands of new jobs directly, and through the new demands stimulated by this addition, millions more indirectly.

But let us not make the mistake of regarding these just as jobs; and let us not erect buildings for their own sake. Our needs, and the programs we will now undertake to meet them, are in fact an opportunity to make every government program, and many private efforts, more effective than ever before. In any program of rebuilding now begun, therefore, I urge the following:

First. Priority in employment on these projects should go to residents of the areas in which they are undertaken. The fathers and young men of Harlem need work—and this is the best kind of work we could possibly offer them.

For this is man's work—work which is dignified, which is hard and exacting, which is at the same time rewarding to the man who does it and rewarding to the community around him. Much of it is work which can be done by unskilled workers, who now have the most difficult time finding jobs; but in such a program there would be jobs of all kinds, including those requiring administrative and managerial skills.

Creating these jobs would say to the residents of Harlem that there is hope—that there is a future—that all of us are truly determined to change the conditions under which they live. In my judgment, it is not too much to say that the ready availability of jobs in Harlem would make a major change in the entire environment in which its young people grow up.

Second. Public and private training programs should concentrate their funds and their efforts in on-the-job training on these projects. Not only will job training be needed to make initial employment possible for many of the ghetto's residents; just as important, the availability of jobs will make many of our training programs more meaningful than they have been before. Construction work has traditionally been taught through a system of apprenticeship—which means a 1-to-1 teacher-student ratio, a system of learning by doing, a system in which learning has immediate rewards and the relationship of skill to increased earning power is clear. In a very real sense, these projects could be a vast new educational institution—teaching skills, but teaching pride of self and pride of craft as well.

Third. Our conventional educational system should be directly integrated with the rebuilding effort; for many of our most serious educational problems, there is real hope of solution within such a program.

The central problem of motivation, for example, would be directly confronted. Any high school student who so desired—whether for financial or other reasons—could be allowed to leave school to work on such a project. The schools would maintain jurisdiction over these students; and they would, as a condition of employment, be required to continue schooling at least part time until the requirements for graduation were met. In fact, all jobs on these projects should require part-time study to remedy educational deficiencies, and advancement on the job should be directly related to school credits gained, just as it is in the Armed Forces. Without the need to discipline unmotivated students, the schools would find it far easier to educate students who wish to learn. And the young men who work on these projects will learn that the ability to read a blueprint or a specification is worth returning to school to acquire.

Indeed, it would be possible to open up new opportunities for every level of education. A young man showing supervisory abilities, for example, should be encouraged to study business or public administration at the college level, either part time or full time. Strawbosses should be able to become superintendents, and perhaps receive engineering training. Appropriate branches of city and State universities could be established in the immediate neighborhood to allow maximum participation in this process.

Fourth. Present social service programs, particularly welfare, should be integrated with the rebuilding effort. The program I envision would make it possible for families to turn dependence into self-sufficiency; but we must work to make possibilities into fact—for example, by using a man's new employment as an aid to reuniting him with his family. For another example, the rebuilding program should focus in significant degree on unmet social needs—such as by constructing clinics and physicians' group practice facilities in the ghettos, which are notoriously short of medical services.

Using the building program as a base, occupational opportunities and training should be opened up in all related ways. As building takes place, for example, some should learn and then operate building-supplies businesses; small furniture manufacturing establishments; and other neighborhood shops. As health clinics are established young people should be trained as medical aids. Buildings should be decorated and embellished by art students; housing should contain facilities in which students of music and drama could put on entertainments.

It should be clear that the possibilities of such a program are limited only by our imagination and daring. For it does no more —and no less—than apply to the needs of the ghetto the same entrepreneurial vision which has brought the rest of us to our present state of comfort and strength.

And to fulfill that entrepreneurial vision —to bring the people of the ghetto into full participation in the economy which is the lifeblood of America—it will be necessary to create new institutions of initiative and action, responding directly to the needs and wishes of these people themselves. This program will require government assistance, just as nearly all American growth has depended on some government assistance and support. But it cannot and should not be owned or managed by government, by the rules and regulations of bureaucracy, hundreds of miles away, responding to a different constituency.

The measure of the success of this or any other program will be the extent to which it helps the ghetto to become a community—a functioning unit, its people acting together on matters of mutual concern, with the power and resources to affect the conditions of their own lives. Therefore the heart of the program, I believe, should be the creation of Community Development Corporations, which would carry out the work of construction, the hiring and training of workers, the provision of services, the encouragement of associated enterprises.

Such corporations might be financed along these lines: they would receive an initial contribution of capital from the federal government; but for their ongoing activities, they should need and receive no significantly greater subsidy than is ordinarily available to nonprofit housing corporations under present law. As with all other housing and commercial construction, the bulk of the funds would come as loans from the great financial institutions—banks, insurance companies, corporations. Government would enter by way of the common devices of loan repayment insurance, some subsidization of the interest rate, and in some cases, assistance in the acquisition of land.

These Community Development Corporations, I believe, would find a fruitful partnership with American industry; many firms, of which U.S. Gypsum is perhaps the farthest along, have actively undertaken the search for ways to bring the ghetto into the national economic market. Loans and technical cooperation from industry and commerce; trained manpower and organization from labor unions; academic and educational partnership with the Universities; funds for education and training such as those provided under many present federal programs; these would be resources thus far unknown to the ghetto, resources sufficient to mount a real attack on the intertwined problems of housing and jobs, education and income.

But a further and critical element in the structure, financial and otherwise, of these corporations should be the full and dominant participation by the residents of the Community concerned. Through purchase of cooperative and condominium apartments; through subscription to equity shares; through receiving part of their pay on these projects in equity shares, such as has been done in farsighted private enterprises such as Sears, Roebuck—in these ways, residents of the ghettoes could at once contribute to the betterment of their immediate conditions, and build a base for full participation in the economy—in the ownership and the savings and the self-sufficiency which the more fortunate in our nation already take for granted.

Such Corporations, each devoted to improving the conditions of a single community, could go far to changing, perhaps in revolutionary ways, our techniques for meeting urban needs—for developing and coordinating the many services and facilities, necessities and comforts, which community living requires. For example, there is in the entire area of Watts, not one movie theatre; and the notorious lack of public transportation between Watts and the rest of the city makes theatres elsewhere virtually unavailable to most of the area's residents. A corporation with minimal capital, engaged in and experienced in construction work, could build a theatre and either lease it out for operation or operate it as a community venture, with revenues paying off the mortgage—thus creating, at once employment and recreation for the community. For another example, medical care is a more pressing need in many ghettoes. But a Community Development Corporation could build the facilities—and carry the cost—of a physicians' group practice facility in a housing project, and rent the completely furnished offices to young, active practitioners.

The point is that—in the supposed interests of efficiency—we have thus far provided municipal services only on a city-wide basis: using the same kind of organizational structure whether the city had two thousand people or two million. This technique has proved unable to meet the special needs of the ghetto, and should now be replaced by a system which allows a recognizable community to organize and secure those services which meet its own unique needs. But we may well find that this system would have benefits for nondeprived neighborhoods within the city—allowing each to determine what kind of services, recreational facilities, perhaps even what kind of zoning and planning it will have. At least for matters of immediate neighborhood concern these Community Development Corporations might return us part way toward the ideals of community on a human scale which is so easily lost in metropolis; but as Jefferson said when describing a somewhat similar institution, "elementary republics of the wards," which he urged, "begin them only for a simple purpose; they will soon show for what others they are the best instruments."

One purpose for which they must be an instrument, however, and one purpose which must be served by every aspect of the program I have proposed, or any other program—is to try to meet the increasing alienation of Negro youth. In a sense, young urban Negroes are only a particular case of a situation which prevails all over the world—a gap between generations so broad and deep that it can lead to the most fundamental rejections of society by the young, or the most terrible revolutions in society, worked by the young. Here in America, white young people as well as Negroes are finding their own answers, their own paths to the future which is theirs. And this is as it should be; the future is theirs, though it may be very different from what we would wish for ourselves. But among Negro youth we can sense, in their alienation, a frustration so terrible, an energy and determination so great, that it must find constructive outlet or result in unknowable danger for us all. This alienation will be reduced to reasonable proportions, in the end, only by bringing the Negro into his rightful place in this nation. But we must work to try and understand, to speak and touch across the gap, and not leave their voices of protest to echo unheard in the ghetto of our ignorance.

I would here stress again that this plan holds no unique virtue; others have been and will be proposed, and all should be carefully and thoughtfully considered. I have gone into this one in detail because it is only in the careful delineation of a full program that we can begin to appreciate the infinite connections between what we are prone to think of as separate matters; and to appreciate as well the consequences of those connections for the organization of the federal government's approach to the problem. I have gone into this in detail, too, because I believe it indicates some components of the local initiative that will be required if the demonstration cities program is to have any substantial impact. And I would stress that even if my proposal were to be adopted, it would require other elements of many kinds to be successful—such as a major program of federal technical assistance to city police forces as they struggle with the critical problems of law enforcement under conditions created by a whole society.

For all these programs, of course, there is a question of cost. For if it is true that existing federal authority exists to carry out almost every part of this program, yet it is equally true that present levels of appropriations will cut back on existing programs, and leave little room for new demonstration projects. And certainly the present budget, and the shortage of building credit, contain no room for the implementation of such a program on the immediate and massive scale required. Can we then spend more?

The evidence is clear that we can—as it is clear that we must. Our gross national product, in the last year, increased by $40 billion, soaring over $720 billion. The demands of Viet Nam, purportedly responsible for the cutbacks in vital education, housing, and poverty programs, in fact still represent less than 3 percent of our national product; all military expenditures, even with the expected supplemental after the elections, still take less than 10 percent of the gross national product.

Our growth is so great that in two years, at present levels of taxation, federal tax revenues will be $10 to $14 billion greater than in 1966. By 1970, another $11 to $15 billion will be added, by 1975, a total of $50 to $75 billion over this year.

But with the growth in revenue, and even with the expenditures in Viet Nam, the federal government today is spending a smaller proportion of our gross national product than it did three years ago. If we did no more, made no greater proportional effort than we did in the early 1960's, we would add $6 billion to our annual spending immediately.

We will spend this year, for the economic development of the 15 million people of South Viet Nam, $600 million. But federal poverty, educational, and employment assistance to the same number of people in the metropolitan New York area will be less than one-sixth that amount. The people of South Viet Nam need this assistance. But so do people in the United States. And we can do both.

The financial question should be explored in this hearing, for it has the most direct and fundamental relevance to the problems of the city. Necessary as that exploration is, however, it should not be allowed to obscure the more fundamental question; do the agencies of government have the will and determination and ability to form and carry out programs which cut across departmental lines, which do not fit on organization charts, which are tailored to no administrative convenience but the overriding need to get things done? If we lack this central ability, then vast new sums will not help us. The demonstration cities proposal is a creative beginning, but it must be followed up by a demonstration of this critical ability to get things done, or the sums needed will not be forthcoming.

This has been a discussion primarily of the problems of the ghetto, since I believe that solution of those problems is essential to resolving the crisis of the cities. But the ghetto is by no means the only problem. An enormous range of action and imagination is urgently needed if we are to improve the life of urban America.

If Congress is to play its proper role in building and rebuilding the American city, we should know not only what must be done now but we must ascertain the requirements of the next decade and the years after that. And we must enact long-term legislation to give states, cities and the executive branch of the Federal government the chance to prepare long-range programs with some assurance of continued support and authority.

To prepare for this needed action, I propose that Congress request the Executive Branch, using its own resources and outside experts and scholars, to prepare a comprehensive report on urban problem areas. Senator Muskie has introduced legislation which proposes to obtain some of the information that I would seek, and his bill deserves careful consideration. The report for which I call should explain what is now being done at every level in every branch of government, describe the planned activity of the national government over the next several years, and tell us what should be done if we are to mount an effort to improve life in the cities and maintain its quality for the future. It should examine as well the appropriate relationship and division of responsibility among Federal, State and local government, and private groups. Such a report should not be limited by budgetary consideration. Although such matters are important, rather it should describe the nature and scale of the program which can do the job that needs to be done so that the Congress may share in the choice among competing demands for our national effort and resources. I personally believe we can do what is needed. I know it is of the greatest urgency to our health as a nation that we try. But even if we cannot do all that is required, we must know where we are falling short. Such a report should be presented to the Congress within the next 12 months.

The report should cover, I think, the following problems:

First, we must find a way to deal with the city as it really is—a huge and sprawling organic unit—rather than as a collection of political jurisdictions whose boundaries bear little relation to either the problems or hopes for progress. We might well consider a Marshall Plan approach to the American city. Large amounts of assistance for metropolitan needs such as schools, water supply, homes and parks would be made available to those metropolitan areas which developed long-range programs for development reconstruction, community facilities, housing and future growth designed to serve the needs of the entire metropolitan area. This does not mean eliminating the existing structure of Government. It does mean cooperation and a broad sensible program as a condition of Federal assistance. Under such an approach the Federal Government might provide training and technical asistance to help cities prepare such programs.

We would hope to emerge with a program which would tie together innumerable scattered and fragmented efforts and direct them toward a coherent program for the redevelopment and growth of the modern city. Much of the resources and some basic standards would be federal. But initiative and effort would originate at the local level with ample freedom for experiment, difference and innovation. As the Marshall Plan helped to create modern Europe, we might in this way help to create the city of tomorrow. This, in broad outline, is the aim of the metropolitan development title of the demonstration cities bill, and its passage will be a good beginning in this area.

There may be other approaches. But it is clear that we must now try to deal with the city as a living, functioning whole if it is to be a place where all the citizens can live a good life.

Second, we must learn how to accomplish increased coordination of Federal programs. Our aim is not just to build homes or schools or hospitals. It is to construct neighborhoods and communities. All of our many programs scattered through several departments of Government should be focused on the central objective. Thus the organization of the program for the cities is of urgent concern.

Third, we must find methods of land use and development to deter the frantic speculation which encourages suburban blight and often the construction of new suburban slums. We should be sure there is space for recreation and for beauty, that the integrity of the recreation areas is preserved and that transportation requirements are met. There are techniques of legislation and taxation which might well be effective in carrying out this purpose. For example, advance acquisition of undeveloped land by cities and states could be financed to insure open space as the city grows. And taxation might be keyed to real and future value so as to discourage soaring and unreal prices.

Fourth, we must discover how to coordinate and expand housing programs so that we build neighborhood communities rather than blocks and units. This may mean increased stress on rehabilitation of existing housing. It will mean that housing projects should be undertaken on a scale large enough to include facilities for recreation, health and community activities within the projects, so that much of daily life can be conducted within a circle of friends, associates and neighbors. This is one of the basic aims of the demonstration cities bill, and of the proposal for the ghetto which I outlined previously.

Fifth, we must find a way to keep our suburbs from becoming isolated and sterile islands within the larger city. It should be possible for people of every income level to choose suburban living, so these communities can be enriched by the association with some of the marvelous diversity of American life; and so that citizens are not walled off from the people and problems of their own city. This need not and should not diminish the pleasure people have found in suburban living. For if we move to assure adequate education and employment to all our people, no community could suffer by the addition of new groups of neighbors. Patterns of zoning which encourage such variety might well be part of a long-range program agreed upon by the metropolitan area.

Sixth, we should dramatically increase the scale of urban conservation, making parks and places to play freely available to all the citizens of the city, ending the ruinous poisoning of our air and water, and giving every citizen a chance for some contact with nature and beauty in his daily life. The open space program, and land and water conservation funds could be extended and expanded in their application to the cities. Whatever the approach, it should not be necessary to drive miles over congested highways to see natural beauty. Nature must be brought to the city dweller so that it is a part of his life, and not an occasional pleasure for the economic middle class.

Seventh, the proposed commission on codes, zoning, tax policy, and development standards should be activated immediately and its conclusions made a part of the report to Congress. Funds for this commission were included in the appropriation passed last week by the Senate; its work should proceed forthwith. The enormous, varied and often national pattern of housing codes, property taxes, and zoning restrictions is potentially—if both enforced and wisely drafted—one of the most powerful tools for remaking the face of urban America. Here, too, the decisions must be left, as they have historically been left, to local governments. But our cities should have a clear idea of the impact and occasional damage of existing laws on urban life, and they should receive the benefit of a thoughtful and thorough examination of how these laws can be designed to meet our common problems. It may even be possible to design a series of modern statutes—as we have done with commercial law and even with criminal codes—for the consideration of local governments which lack the resources to make such a vast study themselves.

Eighth, we must redesign our whole confused system of urban transportation so that people can travel to work, to theatres and places of recreation rapidly and efficiently. An important part of this should be revised patterns of the flow of automobiles into our cities, a flow which creates congestion and danger, eats up enormous amounts of city land and poisons the air. Either the city will master the problem of the motor car or become its slave. Suburban highways and expressways also should be planned so as to maintain the physical integrity of the community and, at the very least, make it safe for children to go outdoors to play. This is a large and complex problem. New technology is offering new possibilities. But subways, streets, buses and trains must make up a coherent system which allows people to move in relative ease at a minimum cost in the quality of the urban environment. The expanded Mass Transit program which is before the Senate this week will make funds available for the first time for some of these planning and design efforts. But the scope of the problem quite obviously transcends even the $225 million a year which that program will now be authorized to offer. The report for which I call would give us the magnitude of the entire problem as the basis for our future action.

Ninth, we should conduct research into urban problems on a scale equal to both the need and the possibilities. The Federal government has invested heavily in widening our scientific knowledge and human welfare. We have done very little to find new technologies and techniques for improving our cities. I would like to see a proposed program of research covering everything from new methods of home construction to the desirability of such bold ideas as the construction of entirely new satellite cities. We have done only a fraction of what we could do to bring the ingenuity and intelligence of this country to bear on our most vital domestic problems.

Tenth, we must find a way of coping with the severe shortage of professional urban development manpower at the local level. Without such personnel, our cities will be permanently limited in their ability to digest and utilize available federal aid. We need a permanent system to aid state and local government in training personnel. Such a program is authorized by law, but an attempt to provide adequate funds for it was defeated just last week in the Senate.

Nor should the Executive Branch be acting in a vacuum in preparing the report I have suggested. We in Congress should be prepared to consider the adequacy of our own organization to deal with urban problems. In the Senate, the matters which the New Department of Housing and Urban Development is supposed to coordinate are split among the Banking and Currency Committee, the Labor and Public Welfare Committee, and the Commerce Committee. It is time we had an Urban Affairs Committee—or at least an appropriate subcommittee—to which those who are concerned about our cities could look for Senate leadership in the development of a coordinated and rational approach to these matters. In these circumstances I believe it was particularly constructive of you, Mr. Chairman, to undertake these hearings. You have stepped into what really amounts to an organizational vacuum here in the Senate, and I congratulate you once again for your imagination and courage in having done so.

These are but a few suggestions. They are neither complete nor comprehensive, but they do give, I believe, some idea of the staggering complexity and scope of the effort needed not merely to attack the obvious afflictions but also the entire urban condition. We do not only want to remedy the ills of the poor and oppressed—though that is a huge and necessary task—but to improve the quality of life for every citizen of the city, and in this way to advance and enrich American civilization itself. I appreciate the opportunity to testify before the committee this morning, and I hope these remarks will be helpful to it as it proceeds.

Text of Remarks of Senator Robert F. Kennedy, Saturday, December 10, 1966, Bedford Stuyvesant

"If men do not build," asks the poet, "how shall they live?"

That is the question millions of men and women all over America ask themselves—ask us—every day: every day of idleness, of uselessness, every "day that follows day, with death the only goal."

That is the question, indeed, of life in the American city in years to come. In city after city, we have felt the pain of infections too long left festering—idleness and ignorance, rats and disease and hopelessness. Yet even as we become more aware of the injustice, indeed the danger of serious convulsion in our urban order, our efforts to right injustice, to open opportunity, to build better lives for all our people—all these efforts have faltered and slowed.

For our past efforts to deal with the problems of our cities have not worked; their promise failed, their purpose flagged.

We have seen families on welfare rolls, their husbands and fathers and sons idle, when we knew they should be at work—but our job-training programs too often have not resulted in jobs, and the unemployment rolls have gone up, not down, in Harlem and Watts and Southside Chicago.

We have seen housing dilapidated and deteriorating, and we knew children should not grow up in such conditions—but too often our public housing projects have turned into slums, and urban renewal relocated families into deeper misery elsewhere.

We have seen children three years behind in reading, and known that lack of education would blight the whole course of their lives—but our education bills, passed with great fanfare and hope, have not educated the children.

The Economic Opportunity Act, the War on Poverty, for all its major accomplishments, has sometimes been mired in the guerilla skirmishes of local politics, and not always relevant to the greatest needs of those it aimed to serve.

And failure and disillusionment have fed on themselves, bringing further discontent and dissatisfaction to large numbers of people throughout the country.

But even in the face of discouragement and disillusion, we must maintain our commitment to act—to dare—to try again. The plight of the cities—the physical decay and human despair that pervades them—is the great internal problem of the American nation, a challenge which must be met. The peculiar genius of America has been its ability, in the face of such challenges, to summon all our resources of mind and body, to focus these resources, and our attention and effort, in whatever amount is necessary to solve the deepest and most resistant problems. That is the commitment and the spirit required in our cities today.

And that is the spirit of this community, the spirit that is here today. Bedford Stuyvesant, like other areas in the great cities all over America, has serious problems. This is a community in which thousands of heads of families, and uncounted numbers of young people, sit in idleness and despair; a community with the highest infant mortality rate in the city, one of the highest in the nation; in which hundreds of buildings are abandoned to decay, while thousands of families crowd into inadequate apartments. This is also a community long by-passed and neglected by government—receiving almost nothing out of the hundreds of millions of dollars the federal government gave to the city over two decades, unable to secure a single urban renewal grant in ten years of trying.

But for all these difficulties, the spirit of Bedford-Stuvyesant has lived, the *community* has survived.

These are not people who give up, even through years and decades of outside neglect and unconcern. People like Pop Stewart, who has meant so much to generations of children; or Arthur Dummeyer, who testified so brilliantly before the Senate of the United States; or Claude Cain and Edith Sealy or Alfred and Pearl Pain, who sat through long hours of meetings working for urban renewal; or men like Zeke Clements, creating a community of sport here—with their spirit, any material poverty can be overcome. Here is the strength of Bedford-Stuyvesant, strength on which all of us will rely in the months and years to come.

For the last eight months, I have had the privilege of seeing and working with people like this at first hand.

Eight months ago, we found our views on the crisis before us to be in close correspondence. You through a manifesto of the Central Brooklyn Coordinating Council, and I in a series of speeches on the urban crisis, each proposed programs to meet this crisis in a comprehensive and coordinated effort, involving the resources and energies of government, of private industry, and of the community itself.

We urged that the necessary program begin with physical reconstruction—because it is needed for its own sake, to provide decent and pleasant homes and neighborhoods; but more importantly as a base and focus for the creation of jobs—well-paying, dignified work, trades and skills which will be useful for a lifetime. Indeed, we set our aim as a vital, expanding economy throughout the community—creating jobs in manufacturing and commerce and service industries.

On this basis of employment, we proposed the creation of new educational opportunities of many kinds:

Special supplementary education for workers, to help them raise their skill levels, and move into advanced career fields;

Extension courses in the area, from basic reading to college credit, so that every member of the community could reach his full potential;

And education in the basic skills of urban living—dealing with government agencies, or furniture stores, or the corner grocery.

And we urged the reconstruction of social services, and their integration with the rebuilding effort—for example, reorganizing medical services around neighborhood clinics built and managed by the people of the neighborhoods.

Through the fabric of all program components, as I emphasized in all my statements, run three critical threads:

Cooperation with the private business community in self-sustaining, economically viable enterprises;

Integration of programs for education, employment and community developments under a coordinated overall plan;

And impetus and direction to be given in these efforts by the united strength of the community, working with private foundations, labor unions, and universities, in Community Development Corporations organized for this purpose.

These, in brief, were the programs we proposed. But more important than any material component, you were determined that all this would come, these changes would happen, not by fiat from Washington; not from the offices of a President or a Senator or a Mayor; but from the work and effort of the Bedford-Stuyvesant community. You knew that what is given or granted can be taken away, that what is begged can be refused; but that what is earned is kept, that what is self-made is inalienable, that what you do for yourselves and for your children can never be taken away.

But how was all this to come about? How were the dreams and the fine plans to become reality?

That was the question we asked eight months ago—and it was the question we set out to answer. For these long months, we have met and planned and worked together, in our offices and in our homes and in the YMCA. Members of my staff, officials of government departments, university professors and dedicated volunteers—all these have come to Bedford-Stuyvesant, have gone away with new awareness of the problems we face, and have come back with constructive suggestions for plans and programs. More important, there has been a commitment by the men and women of Bedford-Stuyvesant; spending their nights and weekends and vacations working toward the revival and regeneration of this community. Outstanding in this effort, and deserving of special mention, has been Judge Thomas R. Jones, who not only furnished great leadership at every turn, but took precious time even from his own campaign for election as a delegate to the Constitutional Convention to meet and study and work on your plans.

As a result of all this—the fruit of eight months of planning and argument and exchange of views, and of ceaseless, untiring effort by many of you here today, I have the honor to announce:

First. The formation of the Bedford-Stuyvesant Renewal and Rehabilitation Corporation, under the Chairmanship of Judge Jones, and with a distinguished Board representing many elements of the community. This Corporation will assume a major role in the physical, social and economic development of the community. We expect that it will, directly and indirectly:

Act as sponsor of programs for housing rehabilitation and renewal; and community development, including the creation and management of community cultural and recreational facilities;

Work with relevant government and community agencies, ensuring that jobs created here will be filled predominantly by residents of Bedford-Stuyvesant, and that programs are created to train them for the jobs;

Facilitate the economic development of the community by providing, under appropriate contracts and agreements, necessary inducements to, and cooperation with private industry;

Sponsor, encourage, and assist all efforts for improvement of education in Bedford-Stuyvesant; and furnish such other initiative or assistance to community enterprise and efforts as is necessary or feasible.

Second. To work in closest partnership with the Renewal and Rehabilitation Corporation, there is being formed a Bedford-Stuyvesant Development and Services Corporation. This Corporation will involve, and draw on the talents and energies and knowledge of some of the foremost members of the American business community, such as:

Mr. Douglas Dillon, Former Secretary of the Treasury;

Mr. J. M. Kaplan, of the J. M. Kaplan Fund;

Mr. David Lilienthal, of the Development Resources Corporation;

Mr. Andre Meyer, of Lazard Freres & Co.

Mr. William Paley, of the Columbia Broadcasting System;

Mr. Thomas Watson, Jr., of the International Business Machines Corporation.

This Corporation will play a major role in the entire overall program, with particular attention to planning and facilitation of economic development.

Third. The Development and Services Corporation has been fortunate to secure the services on a part-time basis of Mr. Edward J. Logue, Development Administrator of the City of Boston, to take on the responsibility for its initial planning and programming activities. Mr. Logue, recently the Chairman of the study group on New York City Housing and Neighborhood improvement, will take on a principal responsibility for the overall development effort, recruitment of staff, and preparation and execution of program.

Fourth. Major private foundations have committed support to the development of

Bedford-Stuyvesant. Already, the Taconic Foundation and the Rockefeller Brothers Fund are making an important contribution through their support of community development and planning work at the Pratt Institute. Now, the Edgar M. Stern Family Fund, and the Ford Foundation have joined in an initial grant to Mr. Logue, to be administered through the Pratt Institute pending the formal incorporation of the Development and Services Corporation, to support the detailed planning and initial implementation of the development program.

Fifth. The Mayor of the City of New York, who is here today, and some of the extremely able members of his administration, notably Mr. Mitchell Svirdoff and Mr. Samuel Gans, have committed themselves and the City to doing everything possible to assure the success of this effort. We are looking forward to working with Mr. George Nicolau, Community Development Agency Commissioner, Mr. Carl McCall, Chairman of the Council Against Poverty, and with the anti-poverty agency soon to be designated for Bedford-Stuyvesant. Mr. Robert Weaver, Secretary of the Department of Housing and Urban Development, has indicated interest and cooperation; and we are particularly thankful to Mr. Robert Wood, Undersecretary of the Department, who did so much to assure the passage of President Johnson's imaginative Demonstration Cities Bill, which can do so much for the nation's urban areas, for coming from Washington to be with us today. Mr. Willard Wirtz, Secretary of Labor, and Assistant Secretary for Manpower, Mr. Stanley Ruttenberg, have worked closely and cooperatively with this project, and have pledged continued effort for its success. Mr. James Allen, the distinguished Commissioner of Education in New York State, has pledged the full cooperation of his Department in developing a truly outstanding and innovating system of education at all levels in this community. And Senator Jacob Javits, who has a deep interest in the problems of Bedford-Stuyvesant, has also been most helpful and cooperative.

Sixth. Many other organizations and individuals are contributing their energy and talent to Bedford-Stuyvesant. The Pratt Institute, under the leadership of George Raymond, is further extending its already important work. Mr. I. M. Pei, one of America's foremost architects, is working on a series of plans for physical design of the community—including plans for eliminating or reducing the intrusion and noise of the Long Island Railroad tracks. Funds and personnel from the labor union movement are already at work in the areas of medical services, development of employment in the medical field, and community organization. Thoughtful men in universities and organizations all over the country are submitting suggestions for plans and programs for the revitalization of Bedford-Stuyvesant.

Seventh. Efforts have begun to secure means of financing the necessary development. Use of government funds is being developed with relevant federal and city agencies, including those concerned with housing and urban matters, manpower development, and education. And major efforts to attract private capital are also projected.

Two months ago, Senator Javits and I were successful in one major action in this direction. (We secured an amendment to the Economic Opportunity Act to provide incentive payments for private industry to carry out development operations in areas such as Bedford-Stuyvesant.) The amendment also provides funds for hiring and training residents of areas like this in neighborhood rehabilitation and reconstruction, industrial and commercial development, and improvement of social services. We can expect that Bedford-Stuyvesant would be an early application for incentive funds under this amendment. Senator Javits' work on this provision deserves the thanks of all of us.

These are some of the steps that have been taken in the last eight months. This is, in Winston Churchill's phrase, "not the end—nor even the beginning of the end." Indeed, it is perhaps not even the end of the beginning. But it is a beginning. Bedford-Stuyvesant is on its way. That way, as I will stress again and again, is not easy. It is complex and complicated and fraught with difficulty. Ahead of us are not weeks or months of work, no quick or easy triumphs—but long years of painful effort, with many setbacks; with constant temptation to relax, to give up, to stop trying.

Still I believe that we will all persevere, that you will succeed. The members of the business community who are pledging their time and effort are doing so because they believe you can succeed. The Mayor and his administration have pledged their full and generous cooperation because they too believe in you. But if you are to succeed, we must begin, here today, to chart the steps ahead, to turn promise into performance, plan into reality.

To do this we must combine the best of community action with the best of the private enterprise system. Neither by itself is enough; but in their combination lies our hope for the future.

Community Action has been much maligned in recent months. Yet these last two years have demonstrated its essential rightness. For if there is to be any action, any true progress in a community, that community itself—men and women like you who are here today—must be prepared to take full and final responsibility for what happens—for the success or failure of any program. I have seen job-training programs, operated by the Department of Labor, in which two-thirds of the trainees dropped out before completion of a six-week course. But I have also seen, in Philadelphia, training programs run by Reverend Leon Sullivan's OIC, in which the people themselves take responsibility for the management and control of the programs—and see that the trainees understand their responsibility to the community, so that nine out of ten complete an arduous six-month training course. The people of Bedford-Stuyvesant will not blindly follow the leadership or accept the direction and control of outsiders—whether from government, or private industry, or foundations. They will follow and believe in their own leaders, their own neighbors, the people of respect in this community. And in this particular connection, we are all pleased and encouraged that Reverend Milton Galamison, Mr. Calvin Presley, and others, have taken the initiative in working for an OIC agency here in Bedford-Stuyvesant.

But for all that Community Action can do, for all the talent and energy it may liberate, still it is not enough. For it does not give the power to act: not just to petition for action, not to ask others to act—but itself to act to improve the lives of people. People can and should be trained for jobs; but after six years of job-training efforts, we know that we must do more—we must act to create jobs. People can petition for urban renewal or public housing—but they cannot petition for the money to pay the higher rentals that may result. People may ask or even protest for better community services or quality goods in the stores—but concessions wrung from an unwilling bureaucrat or absentee owner will never equal, in quality or permanence, the quality of service that can be created or bought by the united resources of a self-reliant community with the resources to act for itself.

The power to act is the power to command resources, of money and mind and skill: to build the housing, create the social and educational services, and buy the goods which this community wants and needs and deserves. The regeneration of the Bedford-Stuyvesant community must rest, therefore, not only on community action—but also on the acquisition and investment of substantial resources in this area.

That is the importance and function of the Renewal and Rehabilitation Corporation, and particularly of the Development and Services Corporation: to stimulate and facilitate the investment of resources from the private business community, in conjunction with foundation and government support, in Bedford-Stuyvesant. Such investment will have multiple benefits. It will help to build the housing and services which will make this a better place to live. And, by providing jobs for area residents, it will create a sound economic base—a foundation of self-government and dignity—for the entire community.

In the coming months, we must develop and refine specific program components: deciding what kinds of investment are required, what kinds of commercial development should be encouraged, what kind of housing we want to build. Your workshop sessions today can begin the necessary dialogue.

And as you deliberate, as you work there will be need for special attention to three guiding principles. These are: competence; internal cooperation within the community; and cooperation with others from outside the community.

The first of these—a rigid insistence on the most capable and efficient administration that can be provided—should be self-evident. Private enterprise will invest in Bedford-Stuyvesant only if it can be assured that this community, acting as a unit, is prepared to deal with private capital on a businesslike basis; that it will and can, acting through the Renewal and Rehabilitation Corporation and the Development and Services Corporation, offer: a place to locate; people willing to work and learn; programs to train the workers; and all other services necessary to operation.

Government and foundations will only provide the needed incentive and support money if they know that programs are soundly conceived and operated; that important positions are assigned on no grounds other than merit; that there is no room here for political dealing, or for jobs to be regarded as anything but the most sacred trust.

And if this is true for outside investment, it is even more true for the people of Bedford-Stuyvesant. The people of this area will be asked to make sacrifices—of time and convenience and effort. More importantly, Bedford-Stuyvesant wants to command its own destiny; and this will require direct investment by its own people. But if this is to take place, then the people must have faith in the programs and their leadership. The people of Bedford-Stuyvesant will be asked to pay their hard-earned money toward the purchase of cooperative or condominium apartments. They may be asked to buy shares in neighborhood cooperative grocery stores. They may be asked to invest in a local manufacturing company, or to send their children to a local private school, or to invest in a health clinic for their neighborhood. They will demand—they will be right to demand—that these enterprises, that the entire development structure in this community, be managed and operated on a thoroughly businesslike basis; that their money will not be wasted, that they will get a dollar's worth for every dollar spent.

The second need, for cooperation within the community, is also clear—as would be the futility of allowing our common purpose, the hope of this hour, to dissolve in factional disputes, in quarrels over position or title or organizational precedence. The purpose of the Corporations announced today is not to supplant or eliminate any worthwhile, constructive community program; rather it is to assist and work with any and all forces in Bedford-Stuyvesant which are working for the regeneration of the area.

There is work and achievement and distinction enough for every organization, every individual, in this community. Youth in Action, TRY, CBCC, and all the other groups that are working for education and housing and jobs—all are needed, all should be welcomed. We are dealing with an area of over 300,000 people, directly affecting hundreds of thousands more, indirectly perhaps influencing the hopes of millions all across the country. There will be here, in the years ahead, hundred of plans and programs, thousands of opportunities for the vigorous and dedicated, the young in spirit of every age, to grab hold of responsibility and make their mark in this community and in the wider community of the city around us. If our purpose is one, we can recognize many roads to the goal; but if each looks first to personal or factional advantage, we can never succeed.

Third is the need for cooperation between the community and all those—the businessmen, and the public officials, and the experts—who are joined with you in this effort. This community, in the last analysis, must do the job itself. Only you can mobilize the workers, enlist young people in training programs, induce others to continue or resume their education, fire the imagination and the spirit of the community. And you know this community as no outsider can.

But at the same time, we will all have to listen to and consider most carefully the advice, and the recommendations, and sometimes the absolute requirements of others. If a government program requires a certain standard of operation, that standard must be maintained. If a businessman requires a certain kind of training program to help him offer jobs to people here, then that kind of training program must be devised. If banks require a certain kind of feature in a financing arrangement before they will make loans for housing, those arrangements must be satisfactorily made. If the city needs to coordinate efforts in Bedford-Stuyvesant with efforts elsewhere, then cooperation must be given. And if others—Mr. Meyer, or Mayor Lindsay, or Mr. Pei—urge that a course of action is best for the community, then we must all listen carefully, and remember that ideas and good will—and competence—know no bounds of color or neighborhood.

We are all in this together. If there is to be a better future here, we will all have to stay together. Today on this platform and in this room, there are Democrats and Republicans, white and black, businessmen and government officials, rich and poor, and people from every part of this varied community. This is a unique effort—the only one of its kind and scope in the country. We have to show that it can be done.

But let there be no mistake. It would be easy, at this moment, to relax in the enjoyment of such progress as we have achieved in these few months. But all that is past is prelude; and all the work remains to be done. The houses are not yet rebuilt, the unemployed not yet at work, the children not yet learning, the sick not yet healed. What remains is the heart of the matter; and fulfillment will be the hardest part of the task. There will be times when progress seems ephemeral and fleeting, times of great disappointment and discouragement. Always there will be work—ceaseless, untiring effort, by none as much as the people in this room.

For this is a task of unparallelled difficulty. This is not just a question of making Bedford-Stuyvesant "as good as" someplace else. We are striking out in new directions, on new courses, sometimes perhaps without map or compass to guide us. We are going to try, as few have tried before, not just to have programs like others have, but to create new kinds of systems for education and health and employment and housing. We here are going to see, in fact, whether the city and its people, with the cooperation of government and private business and foundations, can meet the challenges of urban life in the last third of the twentieth century.

And it is Bedford-Stuyvesant that is in the vanguard—Bedford-Stuyvesant that can take the lead. If we here can meet and master our problems; if this community can become an avenue of opportunity and a place of pleasure and excitement for its people, then others will take heart from your example, and men all over the United States will remember your contribution with the deepest of gratitude. But if this effort—with your community leadership, with the advantages of participation by the business community, with full cooperation from the city administration, with the help of the outstanding men in so many fields of American life—if this community fails, then others will falter, and a noble dream of equality and dignity in our cities will be sorely tired.

But if the dangers are great, and the challenges are great, so are the possibilities of greatness. In the last months, we have come to know one another well; and I believe that we can succeed, that we can fulfill the commitment, and thereby help others to do so.

And so let us go forward: taking as our song the words of T. S. Eliot:

> "In the vacant places
> We will build with new bricks
> There are hands and machines
> And clay for new brick
> And lime for new mortar
> Where the bricks are fallen
> We will build with new stone
> Where the beams are rotten
> We will build with new timbers
> Where the word is unspoken
> We will build with new speech
> There is work together
> A Church for all
> And a job for each
> Every man to his work."

A REPORT FROM VIETNAM

Mr. CLARK. Mr. President, a most enlightening article entitled, colloquially, "You Can Tell 'Em, Buddy," by Bernard B. Fall, reporting on conditions as he found them a week or two ago in Vietnam, appears in the current issue of New Republic magazine.

I ask unanimous consent that Mr. Fall's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOU CAN TELL 'EM, BUDDY

(By Bernard B. Fall)

SAIGON.—"Looks like Tan Son Nhut got it again," said the Navy driver, as we drove off for Saigon's Tan Son Nhut airbase—the busiest in the world, allegedly, after O'Hare Field in Chicago. The airbase, though hardly four miles from downtown Saigon, has been repeatedly hit by the Viet Cong, despite acres of barbed wire, minefields, infrared detectors, etc. In fact, the Viet Cong, in accordance with its overall change of tactics of sticking close to American units in the hope of avoiding heavy aerial bombardment, now has units in close contact with the Saigon perimeter. This compels the American forces progressively to take over the defense of the Saigon area—an initial force of three battalions, to be eventually augmented to six or even nine, is devoted to this—or to fly heavy airstrikes within easy earshot of the city, thus vividly driving home the close presence of the adversary. An ambitious operation dubbed *Hop Tac* (Cooperation) two years ago, which was to clear the provinces surrounding Saigon of all VC elements, was quietly closed down a few weeks ago, a failure. But this time, the base was not hit: just a few infiltrators had been sighted.

The military waiting room at Tan Son Nhut looks like the modern version of the Great Migrations. The US Air Force runs a comprehensive airlines system throughout the country and to several "out-country" destinations (Bangkok, the Philippines, Taiwan, Okinawa). Not only do the American military travel on duty, as couriers, on leave, as replacements and what not, but the Vietnamese have caught on to the traveling frenzy and every planeload has its fair share of Vietnamese women (presumably, or hopefully, military dependents of one sort or another), traveling with tiny babies and indescribable packages. By a military subtlety which causes American Army Corps here to be known as "field forces" (reserving the word "corps" for the Vietnamese Army), these regular military flights are not known as "flights" but as "missions." The planes flying those routes usually are Lockheeds, C–123 "Providers" or C–130 "Hercules," brutes with magnificent short-takeoff characteristics but built by Lockheed in total and utter disregard of any possible human cargo. I have flown in military planes since 1944, but I believe that the C–123's internal noise level is far beyond the pain threshold. The maximum-density seating arrangement (back to back in the middle, and facing inward on the sides, with sagging cargo nets as seat backs), combined with the dismal lighting, give the whole interior an aspect of some incredible olive-drab slum. In the 99 percent humidity of the Vietnamese air, the cooling system of the aircraft gives off a dense acrid mist. "Must be *Zyklon-B*," said the man from *Time* squeezed in next to me, referring to the gas used by the Nazis in the gas chambers. It rains steadily inside the aircraft, and from all sides at once, it seems, thanks to the speed of the plane. Here you can tell the old-timers from the new arrivals: The former have their raincoats handy; the others grimly settle down to getting soaked. A new item of equipment has appeared: black insignia of rank and service. The gold-and-silver ranks and metal badges worn only a year ago have given way to black silhouettes of their former selves, a grim homage paid to the VC snipers. This has now become a fad-in-reverse, as garrison troopers who never see combat also begin to wear the black combat insignia.

The first stop is Danang, the huge airbase in central Vietnam with what seems like miles of airplanes parked in reveted alcoves. "Out-country arrivals check with USAF Customs," says a big sign. In other words, the US Air Force, not the South Vietnamese government, exercises customs-inspection prerogatives here. If a Vietnamese official was involved at all, he was invisible. The steady downpour still beats down. Contrary to popular mythology, there are *two* rainy seasons in Vietnam: a summer one in the south of the country and the mountain areas and the other (a winter monsoon lasting until February) along the coast and in the north, where it seriously hampers US air operations. At Danang begins the zone of responsibility of the US Marines. Here also, the subtleties prevail: the Marine units were first known as the "Marine Expeditionary Force" until somebody discovered that the French troops in Indochina had been known as the *Corps Expéditionnaire,* and thus the 60,000 Marines (a two-division reinforced corps) were rebaptized as the "Marines Amphibious Force" (MAF).

Further northward, beyond Dong-Ha, lies the 17th parallel, with its no longer Demilitarized Zone (DMZ), its hapless inspection post of the Indian-Canadian-Polish International Control Commission (ICC), and more Marines. This is the realm of an all-pervasive red mud covering everything at least calf-deep. It is far colder here than in Saigon, for even in this tropical country there are marked changes of temperature with rising latitudes. A road sign along National Road No. 1 is a clear reminder how different things are up here: "Saigon—1,138 km, Hanoi—582 km." Dong-Ha is the base of the American forces, mostly from the 3rd Marine Division, blocking the 17th parallel. They had borne the brunt of the year's heavy fighting in Operations "Hastings" and "Prairie," against People's Army Division 324–B and paid a heavy price for blocking its penetration into South Vietnam. That is, *if* it wanted to do that; for there are some military men here who think that the whole operation of the 324–B was a bit too overt, too blatant, for what the North Vietnamese or Viet Cong would usually do. What if the division simply had carried out a diversionary maneuver, deliberately designed to draw American troops and attention away from the more important areas deep in the South? The militarization of political thinking here (all lip service to "pacification" aside) makes it only too easy to decoy everybody and everything into a wild-goose chase after troops in the hope of yet another high "kill count." Whatever the reason, 324–B took serious losses.

ON THE ROOF

Marine headquarters in Dong-Ha is in an old French military post, with its ochre masonry walls, supplemented by American temporary barracks. "You're the guy who wants to meet all the Marines from Dallas?" says the Marine PIO (Public Information Officer). I assured him that I wasn't but that I wanted to go northward to a unit on the Demilitarized Zone for Christmas. The steady rain precluded the use even of helicopters—an interesting commentary on the foibles of airpower in this war—and the PIO suggested I try and hitch a ride with the Christmas mail truck. "But it's a hairy ride, I tell you." Before I left, I witnessed a brief ceremony in which Marines from the Reconnaissance Commandos (Recondos) were given medals. It was held in one of the French barracks which served as a chapel. In the back, vertically stacked mortar shell containers gave a striking imitation of organ pipes. The Recondos stood at attention in the darkness as the general read the citation for their work inside VC territory: "I am proud to be associated with you. . . . I know it's rough when we can't get to you as fast as we want to. . . ."

Out on the road at the checkpoint, two soggy MP's stood near a flimsy shelter covered with graffiti, one of which masterfully expressed the whole situation: "I can't relate to this environment." As flies assemble around exposed food, a handful of small Vietnamese children trooped around the checkpoint, begging. "Ho Chi Minh number 10," says a little boy in English, repeating an American-Vietnamese neologism according to which good things are "number one" and bad things scaled at 10. "Do you know where Ho Chi Minh is?" I say in Vietnamese. "No," says the child.

The mail truck. Red and yellow US mail bags. Two GI's, young, one a Negro. As we leave the checkpoint, the driver passes his rifle and ammo clips back to me. "Sir, would you mind covering my side?" It's an M–14, looking very much like its older brother, the M–1. Familiar gesture of pulling back breech, inserting the first round, learned two decades ago; of locking safety, of looking warily at jungle closing in on the road. On the right, side the other GI cradles his submachinegun on his legs propped up high on the dashboard as we pick up speed, rocking crazily on the washboard road. The roar of the engine does not entirely drown out the sound of Christmas caroling up front in the truck's cab:

Jingle bells
Mortar shells
VC in the grass
You can take your Merry Christmas
And shove it up your ——.

In the mounting darkness, we begin to climb out of the bushes and trees into a flat expanse of shrubless ground completely churned up by the tracks of tires and tank treads. The sharp outline of a tank hull mounting twin guns whizzes by.

"Home," says a voice in the truck cab. "We done made it again."

As I climb out of the truck with my pack and hand back the M–14, the voice in the truck says: "And you can tell 'em, buddy. War is ——."

This was Camp J. J. Carroll, also known as "Artillery Plateau," probably the most incredible single assemblage of groundborne firepower anywhere in the country. Commanded by the Marines, but also including Army artillery outfits, it boasts having in its inventory every ground weapon deployed in the armed forces, from infantry weapons upward to the Marine "Ontos" with its six deadly 106mm recoilless cannon, the self-propelled and brand-new 175's with their 35-foot-long tubes, and even an eight-inch gun just a shade shy of the howitzers deployed in Europe which fire atomic shells.

Sandbag bunkers and acres of barbed-wire systems (even interior positions are sealed off with barbed wire to limit any possible penetration to one position) surmounted by the menacing tubes pointing in all directions for all-around support give the whole place a weird air of *déjà-vu*: that is the way the battlefield must have looked in World War I, and that was what some of the French strongpoints in North Vietnam looked like 12 years ago, minus the immense firepower. A Dien Bien Phu with solid American teeth.

ON A CLEAR DAY

The briefing officer, in his soft Southern drawl, soon reveals the essential feature of Artillery Plateau: "On a clear day you can see the South China Sea on your right and the Laotian border on your left." The concentric circles on the acetate map overlay, indicating the artillery's maximum "reach" for each caliber, show what is meant—not only is much of the whole South Vietnamese border zone within their range, but the DMZ and parts of North Vietnam as well. Did they shoot into North Vietnam?

"No. That's left to the bombers of the Navy and Air Force. A strange distinction, if you ask me."

But tonight, Christmas Eve, the truce had begun, and Camp J. J. Carroll (a Marine captain killed accidentally by American tanks last summer during "Hastings") was humming with its own Christmas activities in a subdued way, further emphasized by the fog-laden rain. At the mess tent, the menu was the standard hash potatoes and hamburgers known to army messes the world over. But outside, a Marine choir sang carols—most of the voices were very boyish. A Santa Claus in full rig, ho-ho-hoing through a loudspeaker, rode by on a Mechanical Mule (a sort of Marine minijeep), wishing all units a Merry Christmas.

"You know," said the officer next to me, "we're going to have a helluvva time sleeping tonight without the gunfire. We fire most of our H-and-I [Harassment-and-Interdiction] missions at night and we haven't known a quiet night since we arrived here last September."

Then a single cannon shot rang out thunderously.

"Oh, that. That's nothing. Since we don't include reconnaissance among the missions prohibited by the truce, we keep firing illuminating flare shells to be sure nothing crawls around out there." The single shots would keep on ringing out at irregular intervals throughout the two nights of the truce.

On the perimeter, where the bunkers stand intermingled with the tanks, the men on watch talked more easily than usual and were more relaxed. "On other days they can get darn trigger-happy if you don't happen to have the password ready when they challenge you," said the platoon commander of one of the posts. But they were also pensive. "Here, we tell Sundays from the other days because that's the day we take our weekly malaria pills," a lance corporal said quietly. "It's not like Christmas at all, is it?"

The soldiers had built a stage with whatever materials could be scrounged, in the forlorn hope that one of the big touring attractions would come their way for Christmas. It did not, and the letdown could be clearly felt.

"The only guy who came to see us recently was one of those big-name writers that's touring the country, and he only stayed for about a half-hour. And, boy, he looked like he needed a fifth real bad."

By the morning of Christmas Day, the mud had deepened by another few inches, and the walk to the latrine, in combat boots and rain poncho, was exquisite agony. In the tent there was a mail call—the mail we had brought up the evening before—and our squad was entitled to one of those parcels made up by thousands of schools throughout the country. It contained nine sets of playing cards and about all the salacious pocket books that the neighborhood had been able to come up with. The accompanying form letter, signed by the mothers of Rosemont Elementary School in Minnesota, stated: "We hope that your effort will help the cause of democracy and help stamp out Communist aggression. . . ."

Sick call in the aid station tent. An earnest young doctor is closing a deep gash over an eye. The patient lies on a narrow table covered with an Army blanket, his boots still on his feet, under local anesthesia, as the doctor calmly stitches away under the light of a single, bare 40-watt bulb. "If they only could see me at medical school in Richmond," he says as he strips off his gloves a few minutes later.

But beyond Artillery Plateau which, with its various units, still gives the impression of spaciousness, here are other, more nightmarish places like The Rockpile and Khé Sanh. The Rockpile is a 1,200-foot near-pyramid which, though overtowered by nearby mountains, commands a view of five valleys and cost the Marines dearly last summer when they had to dislodge determined VC machinegunners from it. Its top has enough flat space for two medium-sized dinner tables. Twenty Marines and two artillery FO's (Forward Observers) live on it for weeks at a time. Its helicopter platform is composed of a series of loose planks jutting out over a 900-foot sheer drop, and through what can only be called idiotic pride, the Marines insist on using their unwieldy H–34 choppers, whose tricycle landing gear prohibits settling down on the platform; rather than using the Army's "Hueys" whose landing skids accommodate themselves easily to it. On the day I went there, a Marine returnee nearly lost his grip as a gust of wind pushed the H–34 from its landing-hover stance. For some mad seconds the man hung on by his fingertips until the door gunner and I dragged him in by his clothes. Yet this was a "good" day, because the weather permitted the landing of a chopper.

"One of the FO's once stayed for 43 solid days on The Rockpile. By the time they picked him off, he was throwing rocks at the passing jets."

Throwing rocks is a favorite pastime on The Rockpile. Sometimes the VC crawls right past the sentries of Lima Company at the base of the mountain and throws rocks at the Marines. They, in turn, throw them back. "Finally, we threw a grenade every fifth time. *That* stopped them."

SOME OTHER PROBLEMS

On so small an area, claustrophobia as well as boredom or the equally merciless sun or rain are real problems. The problem of what to do with the human excrement was almost insurmountable until a deep chimney was found to one of the uninhabited grottoes below. And then there are the monkeys, a thieving lot who often pilfer the meager rations. When the Marines routinely informed Lima Company below that they were going to shoot some of them, the reply came just as routinely: "Are they VC apes or friendlies?" Just before the truce, on December 22, the VC had made a determined probe against The Rockpile. It would not be the last.

Beyond The Rockpile lay Khé Sanh, another former French fort which had grown from a small Special Forces camp to a dug-in position with Marines and artillery. Sealed off from the outside world except for air transport, Khé Sanh had been isolated for five days around Christmas.

"Now *there's* real jungle," said a young artillery captain patiently awaiting a moment's clear weather to return to his outfit there. "On one patrol we had a man who had collected 80 leeches on his body. He died later from exhaustion and loss of blood. Another had a leech crawl through his penis into his bladder. Most of us are wearing prophylactics on patrol to prevent that, because it's painful as hell. How the VC can stay in there year in, year out, just beats me."

Hanoi Hannah, the North Vietnamese English-language radio announcer, recently informed the Khé Sanh garrison (naming units by name) that it would be destroyed. Recent intelligence reports show that elements of the 341st People's Army Division were on the move and that 17 elephants, possibly carrying heavy Soviet mortars, were somewhere near there in the deep jungle.

"All they need is a few days of bad weather when we cannot use our air power, and we're in real trouble."

Christmas dinner included all the trimmings, but no turkey. Bad weather had upset that part of the logistics, apparently. Short Christmas services were held here and there by the chaplains before small audiences. A group of GI's was lustily singing:

On the first hour of Christmas
The VC came at me
In one ambush
With two hand grenades
Three bugles blowing
Four flags a-flying
Five mortar rounds . . .

A few officers were discussing the war. *Like the proverbial atheists* who aren't supposed to be in frontline trenches, there wasn't a "hawk" among them. At 11 p.m. the message center brought a last "Merry Christmas" message from a parent unit further down along the coast. The drumming of the rain on the tents became louder as one by one the power generators closed down for the night.

At 7:15 a.m. on Monday morning, the ground started to shake as the heavy guns began to fire their first post-truce mission, unobserved H-and-I fire on targets deeply shrouded in fog, at $168 a shell.

One hour later, an enormous dull roar echoed back from the mountains to the north of us: the giant B–52 bombers from Guam had unloaded hundreds of tons of bombs on the Demilitarized Zone.

They had taken off for their mission five hours before the truce had expired.

ARCHBISHOP LUCEY GIVES CONDITIONAL APPROVAL TO PLANNED PARENTHOOD PROJECT

Mr. YARBOROUGH. Mr. President, on January 17 Archbishop Robert E. Lucey, of San Antonio, one of the outstanding churchmen of our time, gave his approval to a proposed planned parenthood program for San Antonio and Bexar County. The archbishop's approval was conditioned on the understanding that no teachings that are opposed by the church should be forced upon Catholics.

> Realizing that it is the duty of the Church not only to instruct its members on what is sinful but also on what is good and decent, we acknowledge our obligation to give necessary instruction to our people and to offer cooperation to men of good will for the well-being of our community and for the peace of conscience of our people—

Archbishop Lucey said.

> Therefore I approve of a grant of Federal funds to this (Planned Parenthood) Association.

Archbishop Lucey's action is an event of major importance, and I ask unanimous consent that an excerpt of an article from the January 18 San Antonio Light and an article from the January 20, 1967, New York Times be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 20, 1967]

Catholic Prelate Conditionally Backs Family Planning Projects

San Antonio, Tex., January 19 (UPI).—The Roman Catholic Archbishop of San Antonio approved a proposed community Planned Parenthood program yesterday on the condition that no teachings that are opposed by the church be forced on Catholics.

The Most Rev. Robert E. Lucey said:

"Human beings should be judiciously informed of scientific advances and exploration by methods by which spouses can be helped in arranging the number of their children."

A $209,000 grant from the Office of Economic Opportunity will be used to set up 12 family planning clinics in San Antonio and Bexar County.

"Planned Parenthood shares with us a desire to inform married parents of their responsibility to society in bearing children," the Archbishop said.

"We have the assurance of the officers of the association that they welcome our collaboration in their expenditure of public funds *in this field of delicate human relations and* that the religious convictions of their clients will be scrupulously respected."

Archbishop Lucey said he had been told that the clinics would be educational and would not force any beliefs or methods on the participants.

COUNCIL IS CITED

The Archbishop said the last Ecumenical Council in Rome had condemned "unnatural methods of family regulation" and said members of the Roman Catholic Church could not undertake methods regulating procreation that are contrary to the teachings *of the church.*

But Archbishop Lucey also quoted the Council as saying:

"In view of the inalienable right to marry and beget children, the question of how many children should be born belongs to the honest judgment of the parents."

The Archbishop said he hoped the clinics would help parents in this decision.

William Clark, president of Planned Parenthood, said the services and counseling would be offered exclusively to married women on a voluntary basis.

"The objectives of Planned Parenthood are to see that all families in San Antonio are extended the best medical care," he said.

Dr. William Strozier, member of the Planned Parenthood board, said all aspects offered by the clinics had been found safe.

The program will be administered by a special managing committee made up of board members, representatives of the different neighborhoods and medical and welfare delegates.

[From the San Antonio Light, Jan. 18, 1967]

Two-Million Dollars in EODC Projects Includes Family Planning Action—Lucey Approves

The EODC approved nearly $2 million worth of community action programs Tuesday night, including a $209,888 planned parenthood proposal, for submission to the Office of Economic Opportunity in Washington.

The planned parenthood proposal carried the endorsement of Archbishop Robert E. Lucey.

A statement from the archbishop was distributed to members of the EODC board of directors meeting at the Alamo National Bank assembly room.

In reference to what it called a belief by some that the Catholic Church advocates irresponsible parenthood, the statement declared, "This is not true . . . the church teaches that parents have the freedom and responsibility ultimately to pass judgment in the sight of God as to the size of their family."

The statement quoted excerpts from Vatican II in its Decree on the Church in the Modern World to support the archdiocese's position regarding "the problem of family planning."

The Lucey statement said: "The Planned Parenthood Association (sponsor of the proposal) shares with us a desire to inform married parents of their responsibility to society in bearing children. Our agreement as to how this may best be done is only partial, but we have an assurance from the officers of the association that they welcome our collaboration in their expenditure of public funds in this field of delicate human relations, and that the religious convictions of their clients will be scrupulously **respected.**

"A divine mandate has not been bestowed on Catholic citizens to prevent non-Catholics from receiving certain privileges approved by civil law. If these privileges are contrary to divine law, we may not compel our fellow Americans to renounce them.

"Realizing that it is the duty of the church not only to instruct its members on what is *sinful but also on what is good and decent,* we acknowledge our obligation to give necessary instruction to our people and to offer cooperation to men of good will for the well-being of our community and for the peace of conscience of our people.

"Therefore, I approve of a grant of federal *funds to this (Planned Parenthood)* association."

The proposal, which provides for family planning counseling and materials to be provided by the San Antonio Metropolitan Health District, stipulates only married women may be served.

An EODC priorities committee had first recommended adoption of the proposal to be financed through funds "earmarked."

Of the committee of 11 members, two did not recommend approval and rendered minority reports.

However, a ruling by OEO after the priorities committee last met withdrew the earmarked funds designation from family planning proposals, and the EODC board had to vote Tuesday on whether to place planned parenthood among the community action proposals it was submitting to Washington for funding.

The motion placing planned parenthood in the "package" carried, but the board members voted a higher priority number for other programs.

PHILANTHROPIST CURRIERS MISSING AT SEA

Mr. YARBOROUGH. Mr. President, one of the world's best-known philanthropic couples is missing at sea on a chartered airplane flight over the Caribbean, Mr. and Mrs. Stephen R. Currier.

Mr. and Mrs. Currier set up the Taconic Foundation in 1958 to finance the civil rights movement, child welfare, race relations and youth work. Their activities on the behalf of the people of this Nation are known around the world.

Mrs. Currier is a granddaughter of the late Andrew W. Mellon, the former Secretary of the Treasury, and a daughter of the U.S. Ambassador to Great Britain, David K. E. Bruce.

Mr. Currier is president of Urban America, a nonprofit organization to improve life in American cities, and a member of the U.S. Committee for the United Nations as well as a member of Mrs. Lyndon B. Johnson's beautification committee.

The U.S. Coast Guard is now conducting a search for the plane that carried the Curriers. It is my fervent hope that this search will end successfully in discovering and rescuing this outstanding couple, who have given so much of themselves to the best interests of their country.

Mr. President, I ask unanimous consent to insert in the RECORD the account from the Washington Post of Thursday, January 19, 1967, on page A3, of this tragic event.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 19, 1967]

MELLON HEIRESS, HUSBAND, LOST AT SEA

Coast Guard ships and planes conducted an intensive search of a wide area of the Caribbean last night for Mr. and Mrs. Stephen R. Currier, internationally known philanthropists, whose chartered plane disappeared Tuesday night on a flight from San Juan to St. Thomas in the Virgin Islands.

Mrs. Currier, the former Audrey Bruce, is a granddaughter of the late Andrew W. Mellon, the former Secretary of the Treasury who gave Washington the National Gallery of Art, and a daughter of the U.S. Ambassador to Great Britain, David K. E. Bruce.

Wire services reported that the couple who maintain homes in New York City and The Plains, Va., were flying to St. Thomas where they were to begin a 10-day vacation cruise in the West Indies.

Mrs. Currier, 33, is a neice of Paul Mellon, of Upperville, Va., president of the National Gallery.

Her husband Stephen, 36, is president of Urban America, a non-profit foundation to improve living in American cities, a member of the U.S. Committee for the United Nations and a member of Mrs. Lyndon B. Johnson's beautification committee.

He and his wife set up the Taconic Foundation in 1958 to finance the civil rights movement, child welfare, race relations and youth work.

The wire services said the plane, a twin-engine Piper Apache piloted by John D. Watson, of Airplane Charters, Inc., was last heard from at 7:30 p.m. Tuesday about a half hour after it had taken off from San Juan. At that time it asked for permission to fly over Culebra Island, which is used by the Navy for maneuvers. The pilot was told to fly around the island.

The flight from San Juan to St. Thomas takes about an hour and is mostly over water. The Federal Aviation Agency office in San Juan said there was no record that Watson had filed a flight plan and the search was not started until 5 a.m. yesterday after a report was made when the Curriers failed to join several yachting parties in St. Thomas as scheduled.

The Curriers were believed to be the only passengers aboard the plane, which was equipped with five life jackets and a two-passenger orange rubber raft.

The Curriers were married in Connecticut in 1955 while she was a student at Radcliffe College. He is a graduate of Harvard University. They have three children, Adria, 10; Lavinia, 9, and Michael, 6, who remained in New York.

WEBB COUNTY, TEX., EXPERIENCES FAVORABLE RESULTS WITH EDUCATIONAL PROGRAMS THAT WOULD BE ASSISTED UNDER THE BILINGUAL AMERICAN EDUCATION ACT

Mr. YARBOROUGH. Mr. President, on January 17, 1967, I introduced the Bilingual American Education Act, a bill to provide financial assistance to schools so they can deal more effectively with the educational problems of students whose mother tongue is Spanish and to whom English is a foreign language. The bill would assist schools in financing activities such as bilingual education programs, the teaching of English as a foreign language, the teaching of Spanish as a native language, and other programs designed to meet these special educational needs—mainly in five Southwestern States and also the State of New York and a few other States in the North, which have a large concentration of people of American-Mexican and Puerto Rican descent.

For the past 2 years the United Consolidated Independent School District in Webb County, Tex., has been carrying out some of the bilingual programs that would receive assistance under my bill. The initial results have been encouraging.

> Two results are obvious—

Says the program's director, Victor Cruz-Aedo.

> The Spanish-speaking pupil who formerly withdrew from the group due to his inability to understand or to be understood is now part of the class.

He feels that the English-speaking children have also benefited, not only in learning a second language but in grasping sounder English reading habits.

Many of the English-speaking students are far advanced in their reading levels and the Spanish-speaking students have improved comprehension in their reading.

The bill is open for cosponsors until Wednesday, January 25, 1967.

I ask unanimous consent that the article "He Is Handicapped If We Take Away His Language," by Ramon Garces, appearing in the December 9, 1966, Texas Observer, be printed in the RECORD. It is interesting to note that Mr. Garces said, in transmitting his article to the Observer:

> A program such as this would have helped guys like me and others who were raised on the border in a bilingual environment. I couldn't speak English until I was eight years old, and until I had struggled through first, second, and third grade without knowing why it was so hard.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"HE IS HANDICAPPED IF WE TAKE AWAY HIS LANGUAGE"

(By Ramon Garces)

LAREDO.—For years educators have believed that the best way to help Spanish-speaking students assimilate themselves into the Anglo culture is to discourage them from developing their Hispanic backgrounds. The first classroom edict that Mexican-American children hear when they enter the first grade in elementary schools, from Brownsville to El Paso, is "Don't speak Spanish." It is not unusual for a first grader to be fined a penny for every word the teacher hears him speak in Spanish. Texas has a state law prohibiting teaching in any language but English in the public schools, except in foreign language courses.

This approach has been frowned on by some educators, particularly teachers whose students are from home environments that have prevented them from learning a single word of English. In some South Texas communities there are teachers who violate the state law and teach bilingually whenever they can. "What are you going to do if you tell them 'two plus two is four' in English and they don't understand?" asked a teacher in a school near the small cattle-ranch community of Encinal in LaSalle county. "You tell them in Spanish and they get it."

Some Texas educators who became aware of the effectiveness of bilingualism in teaching English to Spanish-speaking children several years ago began to look around for a school district bold enough to experiment in this method. Two of those educators were Dr. Theodore Anderson and Dr. Joseph Michael, both of the University of Texas.

Three years ago they found the district they were searching for, located in a vast area of Webb County. The United Consolidated Independent School District's many miles embrace cattle ranches with their many Mexican-American ranch-hand families who barely speak English; a part of the Laredo Air Force Base area with numerous families transferred from the northern U.S., who speak only English; and a suburb called Del Mar Hills, made up of high income families, both Latin and Anglo.

The imaginative school administrators were willing to experiment. Concerned by the number of drop-outs in elementary school, particularly among the Spanish-speaking students, Superintendent Harold C. Brantley discussed the problem with Board President Joe Finley, Jr., manager of the huge Callaghan cattle ranch. They agreed that the children were having trouble staying in school because of language difficulties.

School Board members approached diminutive, greying school teacher Victor Cruz-Aedo, superintendent of Holding Institute, a private school which is attended by many students from Mexico. Cruz-Aedo's, program of bilingual teaching at Holding has taught English to many who are now Nuevo Laredo and Monterrey businessmen. Cruz-Aedo also had noted that most children who had received Spanish-language schooling in Mexico and who were later taught English bilingually at Holding advanced much faster than the Mexican-Americans who had been taught the three R's only in English from the beginning.

Brantley went to the Texas Education Agency and discussed the problem. He was referred to Drs. Andersson and Michael. Cruz-Aedo joined the United Consolidated District faculty and began the revolutionary bilingual program in September, 1964. It was agreed that it would be a continuing program, with bilingual teaching in the first grade the first year, adding another grade each year after that until all six elementary grades are conducted bilingually. At the beginning there were 69 first grade pupils, 17 of them English-speaking and 52 Spanish-speaking in the program; now there are 239 students and eight teachers in the first three grades.

Mrs. Dolores Earles, originally from Nuevo Laredo, Mexico, but educated in the United States, conducts one of the bilingual classes, she is one of the three original teachers in the program. The class starts with the pledging of allegiance to the flag—first in English then in Spanish. *"Esta es mi mano derecha, esta es mi mano izquierda"* (This is my right hand this is my left hand), the first graders begin in sing-song. *"Me pongo la mano derecha sobre mi corazón"* (I place my right hand over my heart). The pledge of allegiance comes out in Spanish *"Le doy mi lealtad a la bandera de los Estados Unidos de America y a la Republica que representa; una nación, bajo Dios, indivisible, con libertad y justicia para todos."*

As the class progresses, Mrs. Earles will tell a story about a lost dog. Two dark-eyed tots called to the front of the class sing, "Oh, where, oh where can my little dog be; oh, where, oh, where can he be?" But what if you're looking for the dog in Mexico? asks Mrs. Earles. Then two little blonde first graders take over in almost perfect Spanish: *"A dónde, a dónde se fue mi perrito; a dónde, a dónde se fue?"*

Mrs. Earles explains that there is no grouping of students on the basis of how much Spanish or English they know. She says that the young children have no trouble learning the alphabet in both languages. They are taught it first in English, then in Spanish. All the consonants, she points out, have the same sound in English, except some, like the "h," which is silent in Spanish, and the "j," which has an English "h" sound. The vowels are pronounced differently, and as the children learn the changes, Mrs. Earles says, they learn to put letters together to make sounds. Everything is taught bilingually, from geography to arithmetic.

What have been the results? "Two results are obvious," said Cruz-Aedo. "The Spanish-speaking pupil who formerly withdrew from the group due to his inability to understand or to be understood is now part of the class." The English-speaking children have also benefitted, he says, not only in learning a second language, but in grasping sounder English reading habits.

Mrs. Earles tells of an English-speaking child with a speech impediment. He could not pronounce an "r" in English. But when he read a word in Spanish with an "r" sound, he had no difficulty. He could even roll the "r" with an extra effort. Eventually his "r" speech difficulty in English vanished. "His mother came down to ask if we were giving him speech therapy," Mrs. Earles recalls.

There are three types of pupils, Mrs. Earles says: those who speak only English, those who speak only Spanish, and those who speak a little of both, although they are not proficient in either. "The bilingual child is a helper to the other two types of students," she says. She calls the bilingual pupil the richest student. "But he is handicapped if we take away his language."

Cruz-Aedo says that some administrators who have heard of the Webb county experiment are cool towards it, "but most of the teachers are for it because they know the problem." One of the objections raised is that bilingual teaching will hold back the English-speaking pupil. Another is that it takes more time to conduct a class bilingually. In answer, Cruz-Aedo points out that all of the three grades now underway at United are up with their curriculum schedule, and not one student has been held back. In fact, he says, many of the English-speaking students are far advanced in their reading levels. The Spanish-speaking students have a higher understanding ability in their reading. The same time is allotted to learning basic skills and concepts in bilingual teaching as in monolingual schools with the difference that in the bilingual program the time is divided between the two languages.

Cruz-Aedo said that in the beginning stages the basic skills and concepts are introduced in the mother language of each pupil. These skills and concepts are then reintroduced in the second language. "In this way the child will reinforce the concepts and skills and at the same time advance in his mastery of the second language," says Cruz-Aedo.

The importance of helping the Mexican-American schoolchild through bilingual teaching has already won the attention of state legislators and educators. Speaker of the House Ben Barnes last summer called a conference of principals and superintendents to discuss the programs for Texas. One of the first steps in beginning a bilingual program for Texas schools with predominantly Mexican-American children, many educators agree, would be to get rid of the state law which specifies that instruction should be only in English. Many school boards should also repeal policies which prohibit the speaking of Spanish in schools, the National Education Agency declares. The N.E.A. adds, in a report on bilingualism, that the Webb County program and "other similar programs that we observed in our survey—plus our own experiences and independent studies—have persuaded us beyond any doubts of the validity of bilingualism."

UKRAINIAN INDEPENDENCE

Mr. YOUNG of North Dakota. Mr. President, the 49th anniversary of the proclamation of independence of the Ukraine was observed yesterday. This is an important event for all Americans and especially for those of Ukrainian descent. Many of these descendants are outstanding citizens of my State.

For more than four decades the people of the Ukraine have been fighting, by every available means, for the reestablishment of their independence. The main purpose of this event is clearly one with which every American should be concerned. By participating in it we are demonstrating to Ukrainians and all others living behind the Iron Curtain our unity and determination to uphold the cause of freedom.

In North Dakota a number of activities are being conducted as a part of the observance this year. The president of the North Dakota branch of the Ukrainian Congress Committee of America, Dr. Anthony Zukowsky, indicated in a recent letter that these activities will include special church services, rallies, and radio programs. In addition, I believe he very effectively explains why this event is important to all of us.

Mr. President, I ask unanimous consent that Dr. Zukowsky's letter be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UKRAINIAN CONGRESS,
COMMITTEE OF AMERICA, INC.,
Steele, N. Dak., January 14, 1967.

HON. MILTON R. YOUNG,
U.S. Senator of North Dakota,
Senate Office Building,
Washington, D.C.

DEAR SENATOR YOUNG: January 22, 1967 will mark the 49th Anniversary of the Proclamation of Independence of the Ukrainian National Republic, and the 48th Anniversary of the Act of Union, whereby all Ukrainian ethnic lands were united into one independent and sovereign state of the Ukrainian nation. The independence of Ukraine was proclaimed in Kiev, the capital of Ukraine, on January 22, 1918 and the Act of Union took place a year later, on January 22, 1919, also in Kiev.

The young Ukrainian democratic republic was immediately recognized by a number of foreign governments, including that of Soviet Russia. The latter, however, almost simultaneously with recognition, declared war and began a large scale invasion of Ukraine. For 3½ years Ukrainian people waged a gallant struggle in defense of their country, alone and unaided. Eventually, in 1921 Ukraine succumbed to the superior forces of Communist Russia, and became part of the Russian Communist empire, known as the U.S.S.R.

The freedom-loving people of Ukraine have not accepted Soviet Russian domination and have been fighting for the re-establishment of their independence by all means accessible to them for the 46 years.

During World War II the Ukrainian people organized a powerful underground resistance movement, known as the Ukrainian Insurgent Army (UPA), which fought not only against the Nazi regime, but against the Soviet security troops as well. Stalin and Khrushchev unleashed bloody persecution and reprisals against the Ukrainian people in the late 1940's and it was Khrushchev himself who stated at the XX-th Congress of the Communist Party of the Soviet Union in February, 1956, that "Stalin had wanted to deport all Ukrainians, but there were too many of them and there was no place to which they could be deported".

Relentless and harsh persecutions of Ukrainians continued after the death of Stalin, and it continues now after the ouster of Khrushchev from the top leadership in the Kremlin, inasmuch as the Brezhnev-Kosygin duumvirate is bent on keeping the Soviet Russian empire intact and unified.

Briefly, the Kremlin rule in Ukraine can be described as follows:

Exploitation of Ukraine's economic resources for the benefit of Moscow and its imperialistic ventures in Asia, Africa and Latin America;

Systematic deportation of Ukrainians to Central Asia, replacing them with Russian settlers for the purpose of augmenting the Russian element in Ukraine;

Arrests and trials of "Ukrainian bourgeois nationalists," who, in fact, are Ukrainian patriots fighting for freedom of their country;

Terror and assassination of Ukrainian leaders outside Ukraine, as demonstrated by the assassination of Dr. Lev R. Rebet, a noted Ukrainian, and Stepan Bandera, head of the Organization of Ukrainian Nationalists (OUN), both of whom were slain by KGB agent Gogdan Stashynsky in Munich, in 1957 and 1959, respectively;

Persecution of all religions in Ukraine, despite the fact that Moscow claims that "religious freedom" is assured to all Soviet citizens;

Enforced Russification, aiming at the cultural and linguistic genocide of the Ukrainian people. Recently, a number of Ukrainian writers and literary critics were arrested and sentenced by the communist courts in Ukraine, most notable among them being Ivan Svitlychny and Ivan Dzyuba, who have been accused of writing anti-Soviet works and of smuggling to the West the anti-Russian work of another Ukrainian poet.

Both the U.S. Congress and the President of the United States have expressed their concern over the captive non-Russian nations in the USSR by enacting the "Captive Nations Week Resolution" in July, 1959.

The Ukrainian American community in

> this State will observe the forthcoming 49th Anniversary of Ukrainain Independence and the 48th Anniversary of the Act of Union in a fitting and solemn celebration. There will be special church services, rallies, and special Radio programs over several North Dakota network stations.
>
> We believe that our fellow American Citizens, regardless of their ethnic or cultural backgrounds, should join with us in marking this important anniversary of the freedom of Ukraine. This will demonstrate to both the captive Ukrainians and their captors, our unity and determination in upholding the cause of freedom everywhere.
>
> Sincerely yours,
>
> Dr. ANTHONY ZUKOWSKY,
> *President, UCCA, State Branch of North Dakota.*

Mr. BURDICK. Mr. President, Sunday, January 22, 1967, marked the 49th anniversary of the proclamation of independence of the Ukrainian National Republic, and the 48th anniversary of the Act of Union, whereby all Ukrainian ethnic lands were united into one independent nation. The Act of Union took place on January 22, 1919, at Kiev.

I am opposed to the use of force, violence, coercion, persecution, or intimidation by any government or any individual. Struggles against oppression and for individual liberty underscore the most moving and beautiful chapters of the world's history, and provide us with the inspiration and purpose we need in our daily lives. I applaud the efforts of people anywhere to achieve these goals. The Ukrainian people have violently resisted tyranny and oppression from both the Soviet-Russian and Nazi-German Governments and are to be commended for their spirit of freedom.

Dr. Anthony Zukowsky, president of the Ukrainian Congress Committee of America, Inc., State branch of North Dakota, upon the occasion of this anniversary said:

> The Ukrainian American community in this State will observe the forthcoming 49th Anniversary of Ukrainian Independence and the 48th Anniversary of the Act of Union in a fitting and solemn celebration. There will be special church services, rallies, and special radio programs over several North Dakota network stations. We believe that our fellow American citizens, regardless of their ethnic or cultural backgrounds, should join with us in marking this important anniversary of the freedom of Ukraine. This will demonstrate both to the captive Ukrainians and their captors our unity and determination in upholding the cause of freedom everywhere.

Mr. President, this states the case well for the Ukrainian-Americans in North Dakota.

Mr. SCOTT. Mr. President, January 22 marked the 47th anniversary of the proclamation issued at Kiev declaring the Ukraine to be a free and independent republic. All across America our many citizens of Ukrainian descent celebrate this day as Ukrainian Independence Day.

After a struggle against Russian domination which began in the mid-17th century, the proud people of the Ukraine regained their freedom on January 22, 1918. But that freedom was short lived. By 1920 Red army troops, following the imperial path of their czarist predecessors, crushed and enslaved the Ukraine. But despite more than four and one-half decades of Soviet tyranny, the minds and hearts of untold thousands of Ukrainians still burn with the passion and poetry of freedom.

Each year those of us in the free world who have called attention to this oppression have helped to keep their hope for eventual freedom alive. In recent years these expressions brought more and more violent replies from the Soviets. Indeed, I have been attacked in Pravda and in the Soviet-Ukrainian magazine Literaturna-Ukraine for my advocacy of a free and independent Ukraine. These reactions show that the Soviets are not at all secure in their hold on their vast colonial empire. It is up to us this year to declare once again that we in the United States will never recognize this oppression.

Mr. GRIFFIN. Mr. President, on January 22, 1918, the Ukrainian Rada proclaimed the Fourth Universal, declaring complete independence for the Ukrainian National Republic. Today, I am happy to join the Ukrainian Congress Committee in the commemoration of this proclamation.

For 3 all-too-brief years, Ukrainians enjoyed an independence to which they had aspired for centuries and which has been long remembered as a time of inspiration. Since 1920, Ukrainians have suffered tragically under the persecution of the Soviets, enduring cultural repression as well as economic tyranny.

During this time, Americans have always been inspired by the Ukrainian struggle and have expressed an active interest in the Ukraine. In 1959, the U.S. Congress demonstrated this interest by passing the captive nations resolution, calling upon Americans to rededicate themselves to the support of the aspirations of the captive nations. The Ukraine was among the first of the countries listed as a captive nation in this resolution.

In September 1960, Congress provided for the erection in the District of Columbia of a statue of Taras Shevchenko. To emphasize the real bond between the United States and the Ukraine, the resolution reads, in part:

> Shevchenko, the poet laureate of Ukraine, was openly inspired by our great American tradition to fight against the imperialist and colonial occupation of his native land.

On June 27, 1964, Dwight Eisenhower unveiled the 14-foot-high bronze statue, which stands boldly among the monuments to Abraham Lincoln, Thomas Jefferson, and George Washington.

Since 1940, the Ukrainian Congress Committee of America has followed an undaunted path of education and inspiration. I congratulate them on their success in nurturing the cultural heritage and strengthening the global bonds of the Ukrainian people. I am proud to join many fellow Americans in support of this 49th commemoration of the declaration of Ukrainian independence.

UKRAINIAN INDEPENDENCE DAY: A SYMBOL OF FREEDOM

Mr. PROXMIRE. Sunday, January 22, 1967, marked the 49th anniversary of Ukrainian independence, a day on which we honor the valiant Ukrainian people. They are a people who have struggled to maintain their national integrity for hundreds of years, and even now, under conditions which call for the utmost courage and faith, they persist in their fight.

This persistence is inspired by the ever-fresh memory of an independent Ukrainian state. That independence goes back to the Middle Ages, before the Ukrainians were subjected to the domination first of the Poles, and then of the Russians. Over the long centuries of subjugation, Ukrainians never lost that dream of independence, and never bowed to the yoke of oppression. Their fondest hopes were realized when, on January 22, 1918, an independent National Ukrainian Republic was proclaimed.

These hopes were soon to be dashed. The new Soviet Union, which at first recognized the Ukraine, turned on the fledgling state as soon as it felt strong enough to do so, and reconquered it. A Communist tyranny more grinding than even that of the czars, settled over this unhappy land. Many Ukrainians made their escape to more hospitable climes, but they never abandoned their love for their homeland, and their burning desire to see it free. Even today within the Ukraine itself, there are patriots who work for that freedom, and who know the significance of January 22, although they cannot celebrate it openly.

For us, in this free country, there is a particular significance on this anniversary. It reminds us forcefully that there are people in this world who cherish freedom, just as we do, and who do not cease to struggle for it under the most adverse conditions. It reminds us that the United States has always been the champion of freedom and self-determination. The Soviet Union, on the other hand, professes to believe in wars of national liberation, but refuses to liberate its own subject nationalities. I would hope there is an object lesson in this which is not lost on the newly independent countries of the world. I would further hope that our country can draw increased devotion to the spirit of freedom from the eloquent example furnished by the Ukrainian people, which is symbolized in their independence day.

TAX EXPERTS NEVER LACK FOR IDEAS

Mr. HRUSKA. Mr. President, in many State legislatures, as here in the Congress, the subject of taxation is one of the most persistent and vexing of problems.

Nebraska's Legislature has recently approved a proposal that it would be briefed by a number of out-of-State tax experts.

This development moved Mr. Emil Reutzel, Jr., in an editorial in the Norfolk Daily News to comment on the role of experts in the tax field. His conclusion:

> It should remain obvious that the spending, not collecting, is the principal tax problem.

Because I think an appreciation of the editorial is as much needed by Congress and the administration as by a State government, I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Norfolk Daily News, Jan. 16, 1967]

EXPERTS NEVER LACK FOR IDEAS

In a decision notable for its unanimity, Nebraska's legislators decided they would go back to school on the tax issue. They voted 39–0 in favor of a proposal that several out-of-state tax experts be recruited for special briefing sessions. This search for knowledge is worthwhile, if a little confusing.

Tax experts long ago suggested that property levies were the fairest and most stable sources of income so that method was widely employed and extended to anything of value whether held for income or not. Experts later concluded that a small tax on income would be wise, because income, after all, determined the ability to pay. Experts later improved on this form of taxation because the better an individual's income, the more he could afford to pay, so graduated levies became popular.

Experts concluded that the federal government enjoyed so much success with income taxes that state governments should, too, and payroll deductions would make it easier to collect. Experts concluded that sales taxes were a desirable source of income, easy to impose and so broad in their scope that all would participate in defraying the costs of government. Other experts decided that taxes on gasoline, automobile tires, telephone calls, theatre admissions, or fur coats, jewelry and other luxury items were in order.

Some tax experts concluded that rural residents paid a disproportionate share of taxes; others that city dwellers were too hard hit. Some experts said that taxes were confiscatory when a third of the nation's income was spent to pay them; others proved that man will work and earn when a half or three-quarters of his income is siphoned off in taxation.

As a result of expert opinion, most forms of taxation ever conceived have been adopted, and very few repealed.

Legislators are obviously searching for a solution and need all the facts they can get. When they are done listening to the experts, however, it should still remain obvious that spending, not collecting, is the principal tax problem—a fact often overlooked by experts.

TRIBUTE TO SENATOR MUSKIE

Mrs. SMITH. Mr. President, in the January 22, 1967 issue of the Portland, Maine, Sunday Telegram there is a very incisive and revealing report by Donald R. Larrabee, who has proved himself a very worthy successor to the beloved May Craig as the Washington correspondent of the Guy Gannett papers and who is sustaining the tradition set by his predecessor.

The report is a documentary tribute to the great stature, position, and influence of my colleague, the junior Senator from Maine, in the Senate, and especially among the Democratic Members of the Senate. I ask unanimous consent that Mr. Larrabee's article on the junior Senator from Maine be placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MUSKIE COULD HAVE MADE THIRD LEADERSHIP POSITION

(By Donald R. Larrabee)

WASHINGTON.—Sen. Edmund S. Muskie, D-Maine, could have been elected Jan. 10 to the third leadership position in the U.S. Senate's Democratic hierarchy.

The necessary votes were offered to him on the night before Congress convened. But Muskie refused to let his name be placed in nomination as secretary to the Democratic Conference.

He had given his word and pledged his support to a candidate who desperately wanted the post but who really never had a chance to win.

From various reliable Senate sources, it is now possible to piece together the tense struggle for the job that finally went to Sen. Robert C. Byrd of West Virginia, a conservative, by a reported vote of 35 to 28, even though President Johnson and Senate Leader Mike Mansfield would have preferred Muskie.

The Maine senator lost the skirmish but friends, who know the story, say he may have enhanced his long-range chances to become Democratic leader in the Senate, if Mansfield should step aside for any reason. Muskie appears to have achieved added respect among his colleagues by sticking with a commitment even when he knew he was on the losing side.

Here is the story of Muskie's ordeal in the days prior to the opening of the new Congress:

The jockeying began last November when Sen. George Smathers of Florida announced he planned to resign as Conference secretary. Reporters began speculating on a successor and Muskie was a leading contender on everyone's list because he appeals to both liberals and conservatives and had shown leadership qualities in managing some of the most controversial Great Society bills on the Senate floor during the past two years.

Other names were bandied about: Phil Hart of Michigan, Fred Harris of Oklahoma, Daniel Inouye of Hawaii, principally. Muskie returned from Maine and sought to find out the extent of their interest.

He went to Mike Mansfield to see if the Montanan, a warm friend, knew of some reason he shouldn't go after the job. Muskie did not ask Mansfield for his endorsement.

During their talk, the Senate leader assumed his usual neutrality in such matters, told Muskie the position was wide open and the caucus would make its choice. Nothing Mansfield said persuaded Muskie to dismiss the idea and the Maine senator decided to talk it over with some of his closest friends.

Meantime, Sen. Fred Harris of Oklahoma was off and running. He sent word that he was a candidate and began soliciting support. At about the same time, Sen. Robert C. Byrd was quietly lining up his Southern colleagues. And before Muskie could explore his own position fully, he found out from Hart that Joseph S. Clark of Pennsylvania, frequent critic of the Senate leadership "establishment", wanted the job in the worst way and felt he could get the votes.

Muskie and Hart had a long private session with Clark who asserted his seniority and pleaded that he could use the position to advantage in a tough re-election campaign next year in his home state. Clark, self-styled leader of a vocal but usually impotent ultra-liberal bloc in the Senate, insisted he could get all the support he needed to win.

At this juncture, Muskie had not gone far enough to see how much support might be his in any contest and both Muskie and Hart gave in to Clark's appeals although they had seen him miscount before and had strong private doubts that he could win a personality contest.

Muskie then stated publicly that he did not intend to campaign for the job. He noted the candidates of Clark, Harris and Byrd and said he was supporting Clark. Muskie no longer sought advice and made no effort to get pledges.

As the opening of Congress drew near, Harris withdrew his name from consideration. The word reached Muskie through friends that Clark, indeed, could not win and the Maine senator was under strong pressure to become a compromise choice at the eleventh-hour.

On the eve of the new Congress, four senators told Muskie they would support him in a contest with Byrd. He could have beaten Byrd 32–31 if they would let his name be placed in nomination. Muskie couldn't bring himself to go back on his word to Clark although he kicked himself for making the early commitment against his better judgment.

And so Muskie blamed himself when the results were tallied. He isn't fussing about Mansfield's neutrality or anything anyone else did. He knows that Mansfield, privately, was disappointed—and so was the man in the White House.

But Muskie doesn't seem to have lost any ground, in the process. He remains, with Hart, Inouye and Brewster of Maryland, one of the top floor assistants to Mansfield. These are the men the Senate leader calls on to take over when he can't be there. Not the Conference secretary, Byrd, or the assistant floor leader, Russell Long of Louisiana.

In the Senate cloakrooms, there is rarely any discussion of a successor to Mansfield which does not rate Muskie high on the list. The Montana senator is not up for re-election until 1970 and no one now knows whether he will run again. He could, of course, step down in the meantime, possibly in favor of the Foreign Relations Committee chairmanship, if that became available. He is next in line to Sen. Fulbright of Arkansas.

Of course, Sens. Long and Byrd may regard themselves as heirs to the throne—and there are other ambitious men in the chamber. But Muskie has strong personal supporters who were ready to go once—and probably will be the next time.

THE NEW JERSEY PARTNERS OF THE ALLIANCE

Mr. CASE. Mr. President, the members of the New Jersey Partners of the Alliance can indeed be proud of their recent efforts in securing and shipping approximately 7 tons of needed hospital equipment to their sister State of Alagoas in northeastern Brazil. Included in the shipment were sterilizers, operating-room lights, examining tables, a fluoroscope, a blood bank refrigerator, an electrocardiograph, infant cribs, and many other items.

The used but serviceable equipment was donated by 12 New Jersey hospitals in response to an appeal by the New Jersey Partners of the Alliance Committee. The appeal was made through the New Jersey Hospital Association earlier this year and the Partners committee subsequently arranged collection of the equipment with the help of donated moving services and donated temporary storage facilities in an industrial plant.

The hospital equipment is consigned to a counterpart committee of citizens in the State of Alagoas and is being handled directly to the port of Maceio, the capital and principal seaport for Alagoas, aboard the Moore-McCormack Lines freighter *Mormacpine*.

Charles C. Phillips, chairman of the New Jersey committee, recently pointed out that additional equipment still is on hand and will be sent to Alagoas as soon as more funds, to cover the costs of crating and shipping, can be raised.

The institutions, individuals, and business concerns that participated directly in the hospital equipment project and who are to be commended for their efforts are:

Englewood Hospital, Englewood.

Jersey Shore Medical Center, Fitkin Hospital, Neptune.

Helene Fuld Hospital, Trenton.

Mercer Hospital, Trenton.

Middlesex General Hospital, New Brunswick.

Perth Amboy General Hospital, Perth Amboy.

Memorial Center for Women, West Orange.

Chilton Memorial Hospital, Pompton Plains.

Passaic General Hospital, Passaic.

Memorial General Hospital, Union.

Christian Sanatorium, Wycoff.

Bogue Electronics—dispensary—division of Bogue Electric Manufacturing Co., Paterson.

Regan Brothers Tranfer & Storage Co.—Allied Van Lines—Montclair.

George B. Holman & Co., Inc.—United Van Lines—Hackensack.

Engel Brothers, Movers, Elizabeth.

Spencer-Kellogg Division, Textron, Inc., Edgewater.

Dr. J. L. Lerner, D.D.S., West New York.

Dr. Thomas J. Sperber, Teaneck.

Dr. B. Bregman, Edgewater.

ELECTRIC VEHICLES

Mr. MAGNUSON. Mr. President, the electric car is an old technology that is new. In years past, there were more electrics than internal combustion vehicles. The day when the silent, smog-free electric returns is not far off. I recently introduced S. 453 to promote this development. The Senator from Maine [Mr. MUSKIE] was cosponsor of that bill, as well as the author of his own bill, which I cosponsored. These bills show both a unanimity of opinion and the importance of the issues involved: Commerce, transportation, and air pollution. The House of Representatives is also acting on the subject of electric vehicles. Representative RICHARD OTTINGER has introduced electric car legislation and others will follow.

The January 28 Saturday Evening Post recently published an interesting article on electric vehicles. I ask unanimous consent that the entire text of the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IT CLICKS, IT HUMS—IT'S SUPERCAR!

(By Roy Bongartz)

For some reason I have always been daffy about electric cars. Maybe it's because they seem to move by magic. They don't steam, puff, roar, backfire, or spew out a jet stream. They just give a contented hum and an occasional click. As a kid I rode to its end every trolley line in Dayton, Ohio; today, if I am set at liberty near the Dodg-em cars in an amusement park, I am a loss to the outside world until the current is shut off for the night. I'm thinking of taking golf lessons, so I can ride in an electric cart. I even like slot cars.

The lovable feature of the electric is what it hasn't got: It hasn't got troubles. There is hardly anything in it or on it to wear out or go on the blink. The absence of gasoline, for example, means no tank, no gas cap or lock, no gas line that can freeze. Gone with the engine itself are motor oil, filter, pumps and pressure gauge; pistons and rings; generator, distributor (with its timing adjustments and frail points), spark plugs, air filter, radiator, water pump, hoses, antifreeze, fan and fan belt. There is no driveshaft—thus no hump in the floor—no transmission, no starter motor, no exhaust pipe, and—of course—no exhaust.

When Ford and General Motors announced this fall that they were working on new electric cars, and Senator Warren G. Magnuson (D. Wash.) introduced a bill to spend $10 million developing such a vehicle, I was galvanized into action and made Detroit my first stop. I have long wanted to buy one of these gentle smokeless carriages, but I could never find a good one. Now, I thought, my fortunes were changing.

Electric vehicles are used in various places in the United States and abroad; trucks, some of them vintage models, are used in stop-and-go delivery of many items; golf carts move such sportsmen as former President Eisenhower over the fairways. The state-owned French Renault company has an electric-car project; the city of Osaka, Japan, is converting its 1,900 buses to battery power. In England, which has 40,000 electric delivery trucks, the British Electricity Council foresees a million electric cars within 10 years—"given enterprise, courage and swift action." The Tennessee Valley Authority is testing an electric car as a potential market for electricity.

Of course, long before I got my first driver's license in 1938, the last of the old electrics had disappeared from my family's Ohio neighborhood. It wasn't until six years ago that I finally drove one myself—a Volkswagen Karmann-Ghia with its inside scooped out and replaced with half a ton of storage batteries and an electric motor. Its owner, another fanatic named H. Drake Harkins, a retired Atlantic City Electric Company executive, used to drive it tirelessly around a dirt track. He and I drove it in traffic, too, scoffing at the fuming gasoline cars, glancing haughtily at the anachronistic gas stations. The trouble was that you couldn't keep it up for long before the batteries died.

This was the trouble that killed the electric in the first place. There was little to be done about it; piling on more batteries doesn't help because a car fails to gain extra power when the weight of its batteries reaches more than 45 percent of its total weight, according to an empirically determined law of diminishing returns. Though standard lead-acid batteries are now 75 percent stronger than they were 25 years ago, they still can't give a car much range. No matter how much I loved that forthright getaway and that cheery hum, I had to face the fact that an electric just could not make it from my house to town and back—some 50 miles. Sadly I decided to forget it.

But now Ford and G.M., as well as Senator Magnuson, are talking about brand-new power sources. Fifteen Federal agencies are already paying for 86 different research projects on batteries, and Senator Magnuson wants the Government to build the electric cars to go with them.

The "glassed-in drawing room on wheels," as the electric used to be called, is waking up like Sleeping Beauty. The magic kiss may be simply the ugly fact that tons of pollutants are streaming into the American air every year. Sen. Edmund S. Muskie (D., Maine) and Representatives Richard L. Ottinger (D., N.Y.) and Paul G. Rogers (D., Fla.) have sponsored electric-car bills similar to Senator Magnuson's, and the power companies, battery firms and conservationists are also eager to bring back the electric car.

If the electric car makes a comeback, it won't be very much like the old one, which had so little power that a strong man could keep it from moving if he pushed on the hood with one hand. One oldster recalled, "It became identified with lady drivers and older people who were not concerned with dash and dreams of glory. Like its upholstery, its public image was dove gray." The first electric vehicle in the United States was a tricycle built by Philip W. Pratt in Boston in 1888. The first car was built by William Morrison of Des Moines in 1890, and within 10 years electrics outnumbered gasoline cars. They weren't all dove gray either; in 1902, Walter Baker's electric caused one of the world's first fatal car accidents: his oilcloth-and-basswood racer, the Torpedo, hit a row of spectators and killed two of them at a 1902 race on Staten Island. Undaunted, he later set the world's record of 120 miles per hour; the car hit top speed just once, and then the batteries failed.

When Senator Magnuson introduced his bill, he asked the automobile makers what, if anything, they were doing about developing the electric. First to reply was Ford president Arjay Miller, who announced a new battery "that we expect could offer tremendous improvements in range, performance and cost."

Hoping to be on hand for Sleeping Beauty's golden moment, I went to Detroit for the official presentation of Ford's sodium-sulfur battery, said to be 15 times more powerful than ordinary ones. Set up in a glass tube, a single cell made of sodium, sulfur and aluminasoda successfully spun a three-inch wheel on a stand. Ford scientists said all they had to do now was make a bigger one and put it into a car. Dr. Michael Ference Jr., vice president for scientific research, said, "The development of a feasible electrically powered vehicle will continue to be one of the primary assignments of our scientific research staff and indeed the entire Ford Motor Company." Ford has in mind a small City-Car to be designed by its British affiliate and tested with ordinary batteries next spring; a 500-pound sodium-sulfur battery should be ready for it within two years. Among the obstacles to be overcome is the danger of handling noxious sulfur and flammable sodium at 500 degrees F.

A bit let down at not having had an actual ride in an electric, I took my quest to the other automobile makers. A Chrysler spokesman said it wouldn't be worth the trouble to visit them, although they have a battery called a fuel cell, which runs a 10-inch car around a track. Their chief engineer for basic-sciences research, Dr. C. R. Lewis, said, "These present fuel cells are at the same stage of development as the piston engine was during the Wright brothers' first flight."

General Motors wasn't ready to talk when I called. Then, before a month had gone by, G.M. called me at my home in Foster, R.I., to say they had a new electric *truck*, an electric *car, and* a revolutionary battery to boot! Out to Detroit I went again. It turned out that G.M. had actually been working on electrics for two years. Executive Vice President Edward N. Cole described their display as a "milestone event." Dr. Craig Marks, assistant engineer-in-charge of the power-development department, told me about his early research on the new car: "The things we had taken for granted as advantages of an electric car became our major problems.

smooth, quiet, and reliable! We had mechanical vibrations, and electrical noises, and electronic-ciruit reliability problems such as we had never dreamed of."

Outside, a pretty blue Corvair called Electrovair II drew up alongside a lagoon, where fountains played in the wind. I got into it, and a voluble young engineer with a crew cut checked me out on the specifications—electronic controls, 115-horsepower motor weighing only 130 pounds, and parts unknown in more prosaic electrics: a cooling system of circulating oil with a pump, fan motor, fan and radiator. We pushed off in a fine swing of increasing speed, with that solid, low-keyed humming I like so much. We hit 60 in just 16 seconds—top speed is 80. Though it weighs 800 pounds more than the Corvair, the car was engineered to equal Corvair performance except in range: Electrovair II's range is only 80 miles. That would be enough to get me to town and back. But then we got out, and I looked at the batteries filling the front and rear compartments—silver-zinc batteries, worth $15,000, that wouldn't last six months in regular use.

I inspected the new lithium-chloride battery that could turn out to be 10 to 20 times more powerful than standard batteries; it, too, is in an early stage. Then came the electric truck, called the Electrovan, "the most advanced electric automotive vehicle ever built," according to Marks. It is the first road vehicle to run on a fuel cell which, instead of storing power, makes current out of fuel as needed. Hydrogen and oxygen work best. It functions silently and efficiently, with no moving parts.

Inside the Electrovan were some 2,000 cells, developed for G.M. by Union Carbide. Each is like a thin battery, a sixth of an inch thick, with a hydrogen chamber on one side and an oxygen chamber on the other. They are fueled from three spheres, two for hydrogen and one for oxygen (the end product is H_2O). The van develops 125 horsepower, has a range of 150 miles, and can go 70 miles an hour. It can hit 60 in 30 seconds; like the car, it was built to equal the performance of its model, the G.M.C. Handi-Bus, though it weighs twice as much.

It will be "ten to fifteen years before there's any wide use of these power sources," Vice President Cole said. "We have to start with what we have today—electric golf carts that make eighteen holes if you're lucky. We're not contemplating building any low-power car, without a heater or air conditioning. A lot of things are going to come before the electric car: for example, better control of emissions from gasoline engines."

Even so, I felt that things were looking up. Ford's battery, though not very big, looked promising, and my appetite for another ride in an electric was sharp. I had once met an executive of the Electric Storage Battery Company in Philadelphia, an electric-truck enthusiast named Morrison McMullan. I called him, and it turned out that he drives his own electric car to work every day. He invited me down to see it.

McMullan—"Mac" to friends—is a tall, graying man whose blue eyes, peering over half-lensed glasses, light up when he talks about electrics. And it is not just because he works at a battery factory, either; he loves them. Seated in his ground-floor office, he gazed fondly at the roof of his car just outside; he had snaked a cable from the car through the window and plugged it into an outlet beside his desk.

The car is a refitted Renault Dauphine dubbed the Henney Kilowatt by its makers, the Eureka Williams Company of Bloomington, Ill. A colleague of Mac's, Jim Norberg, has bought one too (they cost $3,500). The Kilowatt was the only electric car actually for sale to the public, but production is now suspended. Its makers say, "Tuneups are unnecessary, freezeups impossible, and motor breakdowns virtually eliminated. A major overhaul amounts only to cleaning the contact points and replacing the brushes."

Mac opened trunk and engine compartments; six batteries sat in each. The rear also held a steel cylinder about the size of a water-cooler jug—the electric motor. This is geared into the rear axle. When it is turned on, the wheels go around. Its simplicity is its beauty. The dashboard has a speedometer, a voltmeter and a tiny switch, like one on a flashlight. When the switch is in the center position the car is off; up, the car is ready to go forward; down, backward. A pedal operates standard hydraulic brakes. Steering, lights and signals are all conventional. The only tricky item is the accelerator, which Mac said I'd learn about while driving.

I got behind the wheel, Mac got in beside me, and I pressed down on the pedal. As we moved out into the busy traffic of Rising Sun Avenue, the car click-clicked forward, going *boo-bee-baa-bo-buzz* like a circumspect trolley car. (The metal-on-metal clicks come when electric relays close magnetic switches in sequence as the accelerator is pressed.) It had a kind of doughty strength as it pushed through its six power levels to a top speed of 40. We passed a car and drew no attention to ourselves; there is nothing about it to show it's an electric, except for the missing tail pipe. But Mac's wife is so proud of it that she put a sign in the rear window: ELECTRIC. The 900 pounds of batteries gave us plenty of momentum, and braking at a stoplight came a bit hard. Climbing a hill, Mac warned, "Keep it at full speed, but be sure you press the pedal slowly enough to click through each stage in order from a stop, or you'll blow the fuses."

We stopped again at a light, and everything was automatically off. Mac gave a superior look at a throbbing car beside us. The electric motor works at its very best from a dead stop; its hefty torque—power to the wheels—makes it ideal for stop-and-go use, especially now, when in the centers of large cities traffic moves no faster than the horsedrawn vehicles of another era. Going downhill the car used no power, and Mac says that electrics can be wired for "dynamic electric braking" that would very slightly recharge the batteries at every stop. At the very least this would make a nice phrase for an advertisement.

The speed kept it up with the traffic; going at full tilt is good for the electric.

Mac would like to hook up an electric drag racer with silver-zinc batteries—these are the expensive ones, but they're powerful—and run the car wide open. "I know we'd break 200 miles an hour within that quarter-mile," he says. "Then the batteries would die, but that dragster would be *famous*."

Mac figures he uses three quarters of a kilowatt-hour per mile, which can be more or less expensive than gasoline, depending upon local electric rates. He increases the 20-mile traffic-driving range by charging up during the day as well at at night. As for repairs, in two years he has replaced two light bulbs and the contact points. The batteries cost $500 and last about five years.

An odd feature of the electric is that its batteries gain back a little power when the car stands still. This is the same phenomenon that lets you run down a starting battery, wait an hour, and find it able to turn the motor over a few more times. When I asked Mac if he had ever run out of electricity, he said he had, but could use the recuperative power to get to a service station. When he gets there he asks for an outside electric outlet to "refuel my car." He offers a quarter for "a nickel's worth of current," then all business stops and everybody surrounds the car, stares at the batteries and asks question.

Mac tells of a tougher challenge. In 1960 he demonstrated an electric truck to post-office officials in Washington, D.C., on behalf of the Cleveland Vehicle Company, which at the time was making electric trucks in cooperation with the Electric Storage Battery Company. When Mac took the truck out of the garage, he found that the mechanic had forgotten to plug it in overnight. It had only half a charge. Mac set out anyway, bravely clicking and humming his way to pick up a mailman and a load of mail for a test run over a hilly suburban delivery route. Carefully timing his stops, and resting at the crests of hills, Mac finished the route just as the batteries gave up. But it was still another mile back to the post office. "I'll never leave a truck; it's very bad, psychologically, with prospective customers," he says. He got out, made a show of scratching his head, kicked the tires, and peered under the truck, where there was nothing to be seen but the underside of the floor. He suggested that the mailman hike to the top of the next hill and wait. After a few precious minutes had gone by, the truck had recharged itself enough to move again. Mac picked up the mailman, coasted to the bottom of the hill, and came to within a half a block of the post office before the truck died again. "Drive her on in," the mailman said. Mac said no, he wanted to be sure there was a parking place. This ruse—walking over to the parking lot and back—killed another two minutes. The truck then obediently made it into the lot behind the post office. Mac rushed a cable to its starving connectors. And later, post-office officials ordered five electric trucks, which are in use today in Washington, New York and Miami; more are being considered.

Vintage electric trucks are still used in various cities; their big nickel-iron batteries often last a dozen years. The only manufacturer today in the United States is Paul Hafer, who has a body shop in the Pennsylvania Dutch country, where in partnership with the Electric Storage Battery Company, he makes Battronic trucks.

Electric companies themselves are naturally interested in the future of electrics. They would more than double their output if road vehicles went electric. This could cut the rates, but eventually they would have to go up by a quarter to a third for road taxes.

By now I was tempted to give up my odyssey in search of the perfect electric. These rare Henney Kilowatts and delivery vans did not quite fill the bill for a reawakening Sleeping Beauty.

But then I recalled a challenge to the Ford battery that I had seen in the papers. It came from Gulton Industries, of Metuchen, N.J., claiming a battery twice as good as Ford's. So I invited myself down to meet Dr. Leslie K. Gulton. At 65, Gulton is a big, expansive man with a broad smile and the trace of a Viennese accent. That silver-zinc battery, because of the high price of silver, is just a curiosity, he said. The Gulton entry, a lithium-nickel halide battery, will be light in weight—lithium is twenty times lighter than the lead used in present batteries. It could run a small car 150 miles on a charge, he said, and its materials are cheap and available. "With this battery we have vindicated Edison," Gulton boasts.

Thomas Edison once had a small laboratory here on what later became the Gulton firm's grounds. Edison, in 1905, told Walter Baker, "If you continue to produce your present quality of electric automobile, and I my present battery, the gas buggy won't stand a chance." Nine years later Edison tried to build an electric with Henry Ford, but they failed at it. If perhaps Gulton hasn't yet quite vindicated Edison, maybe the Ford Company will beat him to it and vindicate Henry.

Gulton says, "Don't talk about *electric*, it won't be electric, it will be the *electronic* car." He has many ideas about this car but has no plan to build one—only the battery for it. He suggests that parking meters could be wired to recharge cars; his battery will take a quick charge. But it is still in the laboratory stage. Gulton adds, "If the Government took the interest in transportation on earth that it takes in space, we could have our electronic car, built from the ground up, in six months. There is one Government electric-car project—for travel on the moon!"

Many amateurs have built fairly successful electric-car prototypes. One, designed by an Illinois Institute of Technology graduate student named Marnie Averitt, is called "Sparky." Priced at $900, it weighs 1,000 pounds and carries an 800-pound load, plus two persons. Six-volt "golfer" batteries run its five-horsepower motor (electric motors need only a fifth to a quarter the horsepower of gasoline engines to develop the same power). Its speed is 30, range 60 miles; the cab opens from the front like a clam.

In Bethesda, Md., scientist John Hoke has adapted a two-passenger King Midget car to run on six auto batteries. It goes 40 miles an hour and costs two-thirds of a cent a mile to run.

Rules can be broken with the electric, and my head is exploding with all kinds of possibilities: self-service taxi fleets, tiny cars bundled aboard trains for vacations, exchangeable battery packs ready at every corner, highways alive with power imbedded in the concrete. But somehow I'll have to cool my impatience because for today, anyway, I still cannot buy an electric that will get me to Providence and back.

I'll be the first one to my electric-car dealer when he opens, but meanwhile I'm killing the time by looking around elsewhere. And I found out there's this steam turbine no bigger than an office typewriter that could easily outpower a modern car engine. It's built by a man named Danny Bogni up in Montpelier, Vt., and all it needs is to have money put into it. Maybe I can get to like a nice sharp, steamy hiss just as well as that monotonous old electric hum. I'm heading north tomorrow.

MINNEAPOLIS AQUATENNIAL SUMMER FESTIVAL

Mr. MONDALE. Mr. President, the annual Minneapolis aquatennial summer festival is more than a civic promotion aimed at touting community virtues. It is unique in its attempt to offer widely diverse ethnic, cultural, and national forms of entertainment to the citizens of Minnesota and the upper Midwest. In order that this noteworthy effort be brought to the consideration of the Congress, I ask unanimous consent that an explanation of the event be printed in the RECORD.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

MINNEAPOLIS AQUATENNIAL ASSOCIATION

Because of the specific theme emphasis of the festival being staged July 14 through the 22nd, it is especially appropriate for the participation of interested governments in our 1967 Minneapolis civic celebration. More than 2500 volunteers work all year to schedule, administer and execute the festival's 200-plus individual events. Some two million persons will participate in, or be spectators of, the United States' largest and best programmed civic celebration. During the past festival, representatives of 42 states and 22 foreign countries visited us.

Although the celebration retains its original image as a water festival, its events range the entertainment and cultural spectrum from water ski and boating competition, to soccer, polo and rugby matches, continuous downtown programming, two of the nation's top parades, to sculpture and art exhibitions and quality musical and entertainment features.

Aquatennial is the first major celebration to take as its objective "total festival programming with total metropolitan participation." The festival itself is staged both in the core city and in the suburban areas.

Aquatennial was also the first major civic celebration to embrace both the Festival-USA promotion sponsored by the U.S. Travel Service and Discover America, Inc. For a second year in 1967, Aquatennial will be one of five key celebrations featured in Festival-USA advertisements appearing in 42 magazines and newspapers throughout the world. Festival brochures, fact sheets and posters are supplied to U.S. Travel Service offices and to U.S. consulates around the world. In addition, informational material on Aquatennial is supplied to travel editors and writers of all major media. Particular promotional emphasis is provided in working with the media in Minnesota and the neighboring five-state area.

Our theme selection this year is an appropriate one in that 1967 has been proclaimed by the United Nations as International Travel Year. This decree has set in motion an opportunity to promote global travel on a scale never before possible. The emphasis will celebrate the international role of the tourist in the world's economy, in cultural exchanges, and in peaceful understanding among peoples and nations.

Travel is indeed a vast human enterprise and an exchange of peoples and cultures: a basic expression of international goodwill. It is appropriate that the United Nations, in proclaiming the ITY, has designated as the slogan for 1967, "Tourism, Passport to Peace."

The participation of various nations in Minneapolis' great civic celebration becomes even more valuable seen in the light of promotion of international understanding and goodwill. Minneapolis is located strategically in the heartland of our nation. This is a vital and progressive region, with an expanding cultural climate. It is also a vigorous industrial and commercial area, active both on the national and international economic scene.

Aquatennial has a unique appeal to the Minneapolis business community. The strong support of merchants and businessmen has placed Aquatennial in a select group of a few festivals which are not supported by city, county or state funds. Each year the festival stimulates the economy in terms of $6 to $80 million in new money to the Minneapolis area. Each year the festival generates local, state, national and international promotion valued at about a million and a quarter dollars.

The key to Aquatennial's role as a retail sales and business stimulus is its exciting and unique Aqua Downtown program. By way of extensive decorations, costuming, exhibits, entertainment and cultural features, Aqua Downtown in 1967 will capsule in a six-block area of downtown Minneapolis the cultural, social, ethnic and economic traditions and achievements of the countries featured. Aqua Downtown is centered along Minneapolis' fashion street, Nicollet Avenue, which this summer will be enhanced by a newly completed Mall. Aqua Downtown, then, is a festival within a festival, encompassing a panorama of the countries which include Portugal, Spain, Italy, France and Africa. The presentations will vary from block to block. The French Quarter will be presented in two blocks of Nicollet Avenue with the other participating countries being exploited in other blocks. The major retailer in each block will be the focal point of activity. The stores stand ready to implement this portion of Aqua Downtown to the best of their creative and financial resources. Thus, a ready made platform for exploitation and utilization by the various governments exists.

In addition to in-store theme implementation, participating governments may join in other Aquatennial activities, such as presentation in Aquatennial's parades and in special features such as the art and sculpture exhibition. These will be situated on the downtown Nicollet Mall and will offer works by outstanding Minnesota and American artists and sculptors as well as works by artists of other nations. Native crafts and export products would be an obvious means of acquainting Aquatennial visitors with that aspect of life. Thus, participation in Aquatennial is a many faceted matter embracing business, cultural and educational aspects. There is no question that meaningful national identification can be accomplished by utilizing fully the platform offered by Aquatennial.

The level of the civic celebration has attracted the interest and participation of such dignitaries as Vice President Hubert H. Humphrey, U.S. Cabinet Secretaries, and Mexican Ambassador Hugo Margain, among others. The Mayor of Minneapolis and Governor of Minnesota welcome this opportunity to host guests to our festival. We anticipate staging special activities which will acquaint overseas dignitaries with leaders in governmental, economic and educational affairs from the Midwest. Such programs offer an opportunity for an exchange of ideas on both an informal and formal basis. They allow for person-to-person communication with Minnesota editors and legislators as well as with business and thought leaders from the metropolitan area. Arrangements will also be made for dignitaries to meet with officials of the University of Minnesota and to observe first-hand the workings of this famed educational facility.

Mahatma Gandhi of India once said, in reference to his travels, "I have watched the cultures of all lands blow around my house, and these winds have blown the seeds of peace, for travel is the language of peace." Americans are great travelers. Both domestic and foreign travel continues to rise as Americans keep on the move. The people of Minnesota and the Upper Midwest are a friendly and inquisitive sort. They have a vast interest in world affairs and a great capacity for understanding. In this kind of climate, participation by interested African nations in the Minneapolis Aquatennial would have a dramatic impact. Hopefully, it would provide them with an unusual opportunity for exploitation for their unique contributions in a variety of fields.

U.S. POLICY IN SOUTHEAST ASIA

Mr. McGEE. Mr. President, outcries of criticism against U.S. policy in southeast Asia continue to rise from many quarters—from the Secretary General of the U.N., from distinguished editorial writers, and from distinguished scholars. The critics, as Howard K. Smith recently wrote, "invent new arguments with fertile ingenuity or they cling to old ones with weedlike persistence." Mr. Smith, for his own part, does an effective job of disposing of the irrelevant arguments. He has answered some of the critics most effectively in a column published in the Washington Evening Star, in which he proclaims the belief, which I know I share, that the United States may proceed to do what is clearly right.

Mr. President, I ask unanimous consent that the Howard K. Smith column, answering critics of our Vietnam position, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANSWERING CRITICS OF OUR VIETNAM POSITION

(By Howard K. Smith)

Critics of the American position in Vietnam manifest elemental virtues. They invent new arguments with fertile ingenuity or they cling to old ones with weed-like persistence. Their single vice is, their arguments both old and new get no closer to being relevants to the facts of life.

A new twist the other day was a columnist's plaint that we are offending the very basics of our own history: By rebuffing foreign dissenters we have discarded Jefferson's first imperative in the first sentence of our first state document—namely that we should show "a decent respect to the opinions of mankind."

The columnist misinterpreted Jefferson. In that famous declaration, he did not offer to change our course of action. He merely offered to explain it to those willing to listen, while we forged ahead regardless of how they reacted, which is what we are doing now.

U Thant the other day revived the old domino theory which, one had hoped, the critics had stopped propping up and knocking down. The Secretary General said the U.S. bases its policy on faith in the domino theory, and that the theory is wrong.

I don't know how much history it will take to make the point that our action is not based on theory but on fact; a year ago the Communists nearly took South Vietnam. They have seized two-thirds of Laos and about a fifth of Cambodia. They have attacked India twice to disable that potential focus of resistance. Little over a year ago they shipped 100,000 weapons to Indonesia to enable that Communist party to try to seize the government; the fact that they failed does not blur the clarity of their intention. They announced by radio, and began to fulfill, a plan to take over Thailand. No week passes without the newspapers of U Thant's own Burma recording Communist attacks in that country.

None of this is theoretical; it is what is happening. We must put a halt to it in Vietnam or see the world balance go so badly out of kilter that a big war will result.

U Thant also argued that U.S. interests are not involved in Vietnam. Secretary of State Rusk in response pointed out that the past four American Presidents disagreed. The Secretary might have added the name of a fifth President—Franklin D. Roosevelt. In 1941, when Japan seized what is today Vietnam, Roosevelt deployed our war fleet, absorbed the Philippine army into the U.S. Army and cut off essential exports to Japan. He made all these warlike preparations—over what is today Vietnam—and according to the Gallup poll of the time 96 percent of the nation supported him. His action led directly to Pearl Harbor. So, Vietnam has been an American interest for quite a long time.

Perhaps the most ingenious recent argument is one invented by the editorialists of the New York Times. They have argued that we should make unilateral concessions (like stopping the bombing without reciprocal concessions from the Communists) because we are a big nation, and they are small.

The principle that effective military action must be related inversely to size is certainly something new under the sun. It would give a blank check to any client state, or client front, of every international aggressor. It would have been our undoing in Greece or Turkey or Korea. The relevant facts are that we escalated in Vietnam because they had escalated enough to take over the country. When we experimented twice in de-escalation, they used the lull to escalate faster. There is no way of measuring how many additional casualties we suffered because of ceasing the bombing twice. In any case, our present offer to stop the bombing if they will use the infinite channels and ways of diplomacy to promise some reciprocal de-escalation is both generous and sensible.

The hoariest of arguments now enjoying a revival in the academic community is that by thus hitting back at a small nation we are making ourselves the world's pariahs; we shall end up with the world refusing to associate with us and we shall hate ourselves.

We have heard that argument a dozen times, most loudly in 1956, when the Russians stifled rebellion in Hungary by brute force. Well, instead of being outcasts, the Russians are being sedulously courted by everybody including us. If the Russians got by with a bad case, we shall do all right with our excellent one.

It is a fact of life that sometimes a nation must brace itself against outcries of criticism and proceed to do what is clearly right. That is what we are doing.

RESCISSION OF 1954 TARIFF INCREASE ON WATCH MOVEMENTS

Mr. MAGNUSON. Mr. President, as chairman of the Committee on Commerce, I commend the President for his decision rescinding the 1954 tariff increase on watch movements.

Congress, in adopting the Trade Expansion Act, embraced the principle that an "escape clause" tariff increase should be regarded as a temporary measure to assist a suffering domestic industry to adjust to foreign competition.

Unless extended by the President on the basis of economic evidence supplied by the Tariff Commission and advice furnished by the Commerce and Labor Departments, all "escape clause" actions were to terminate after 4 years—or 5 years in the case of preexisting "escape clause" decisions.

The "escape clause" action on watch movements endured for 12½ years, in spite of the fact that the domestic watch industry has been enjoying record prosperity. It was far and away the oldest "escape clause" action in the history of the trade agreement program.

At a time when we are engaged in vital tariff negotiations in Geneva, the United States could not in good faith maintain high tariffs on watch movements when the domestic industry had plainly made the adjustments contemplated under the law.

The only remaining question was the feeling of some that the contributions which the domestic watch manufacturers make to national defense might be jeopardized by competitive imports of commercial watch movements and parts.

Following an intensive study to which the Defense Department, the Commerce Department, the Labor Department, the Atomic Energy Commission, and the National Aeronautics and Space Administration all contributed, Director Farris Bryant, of the Office of Emergency Planning, advised the President as follows:

> I have concluded that watches, watch movements, and watch parts are not being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security. I have also concluded, based on the studies and judgments of the interested defense agencies, that the domestic watch manufacturers will be likely to continue production of defense materials for the foreseeable future, that the non-horological industry now has and will continue to have a role in the production of essential military timing devices, and that horological-type defense items will continue to be available from one source or another without regard to the level of imports of watches, movements, and parts.

Although the domestic industry would prefer to retain the advantages provided by higher tariffs, the plain fact is that we cannot expect other countries to allow U.S. firms to compete on a footing of equality with their firms if we continue to give "escape clause" protection to an industry in this country after the injury which required such protection has disappeared.

The significance of the President's action from a trade policy standpoint has already been demonstrated by the reaction in international trade circles.

The Federal Council of the Swiss Government promptly said in an official statement that the elimination of the "escape clause" increases must be taken as an important contribution of the United States to the success of those far-reaching negotiations in which the United States and Switzerland are both vitally interested.

Officials of the European Economic Community were quoted by the New York Journal of Commerce as "very pleased," and one EEC official said:

> This should enable the market to study the possibility of reciprocating on some American exports.

The watch decision is generally expected to provide a needed shot in the arm for the Kennedy round negotiations in Geneva. U.S. economic interests are vitally involved in these negotiations, and our stake in their success is very large.

The President's decision in the watch case should have practical and beneficial consequences of a very substantial character, and I commend the President for taking this important step.

I ask unanimous consent to include in my remarks the text of the White House press release announcing the President's decision.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

OFFICE OF THE WHITE HOUSE PRESS SECRETARY,
January 11, 1967.

The White House announced today that President Johnson has proclaimed the termination of escape-clause rates of duty on imports of watch movements. By restoring the rates of duty prevailing before escape-clause action was taken 12 years ago, the proclamation will have the immediate effect of reducing U.S. tariffs on watch movements by about one-third. The changes in the many particular rates of duty will vary according to the size and type of watch movement. The reductions in rates of duty from the escape-clause levels will apply to watch movements of pin-lever construction or of jewel-lever construction but containing not more than 17 jewels.

The escape-clause rates of duty that are being terminated have been in force since mid-1954. At that time, President Eisenhower increased the tariffs from the levels established in 1936 in the U.S. trade agreement with Switzerland. The 1954 increases were declared necessary to avoid serious injury to the domestic watch industry as the result of increased imports attributable to the trade-agreement concessions.

The President's decision to terminate the 1954 increases was based on a recommendation by the late Christian A. Herter, his Special Representative for Trade Negotiations, and concurred in by the Secretary of Commerce, the Secretary of Labor, and the heads of other Government agencies. Governor Herter submitted his recommendation to the President upon the completion of a review that his Office and other Government agencies had undertaken following the submission in March 1965 of a Tariff Commission report on the escape-clause case. In that report, the Tariff Commission gave its judgment as to the probably economic effects on the U.S. watch industry of a reduction or termination of the escape-clause rates of duty.

During the period of the interagency review of the escape-clause case, the Office of Emergency Planning, at the request of the President in April 1965 and with the assistance of government defense agencies and the Departments of Commerce and Labor, examined the national security aspects of trade and production in watch movements. As a result of OEP's investigation, under section 232 of the Trade Expansion Act, the Director of the Office of Emergency Planning, Farris Bryant, reported that watches, watch movements, and watch parts were not being imported in a manner which threatened to impair the national security and that horological-type defense items will continue to be available without regard to the level of imports of watches, movements, and parts.

THE POWER OF J. EDGAR HOOVER

Mr. McGEE. Mr. President, the New York Times this morning published an editorial entitled "Clear It With Hoover," which, I think, speaks for itself. But I do wish to draw the attention of Senators to it. I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Clear It With Hoover

Even after publication of the curious correspondence between Secretary of State Rusk and J. Edgar Hoover, it is far from certain that the Administration will be able to override the veto Mr. Hoover has hitherto exercised against the long-stalled Soviet-American consular treaty.

There can be few, if any, precedents for the spectacle that correspondence presents: the Secretary of State, in effect, asking a Federal police official of sub-Cabinet rank to stop blocking United States foreign policy, and then receiving a reply so cryptic and ungracious that it can only further encourage opponents of the Administration policy. It is a reminder of the magnitude of Mr. Hoover's power, with implications that go far beyond the immediate issue.

The fate of the consular treaty is crucial, and the Senate Foreign Relations Committee has acted wisely in altering its schedule to give priority to the treaty's consideration. Ratification means more than normalizing Soviet-American diplomatic relations and providing badly-needed additional protection to American citizens traveling in the Soviet Union. What happens to the treaty will foreshadow the probable outcome of the rest of the Administration's constructive program for trying to improve relations with Moscow.

If the consular pact cannot be ratified, then the East-West trade bill is probably dead and the space treaty may have been still-born. The entire direction of American foreign policy toward the Soviet Union at an extraordinarily critical moment in world history is at stake.

SMALL BUSINESS ADMINISTRATOR COMMENDED FOR BRIEFINGS OF NEW MEMBERS OF CONGRESS

Mr. McINTYRE. Mr. President, last Thursday, Hon. Bernard Boutin, the Administrator of the Small Business Administration, conducted a unique seminar on Capitol Hill.

Mr. Boutin arranged for an intensive briefing on the work of his agency to be presented to the newly elected Members of the Senate. It is my understanding that he has arranged for a similar briefing for Members of the House of Representatives this week.

As the chairman of the Subcommittee on Small Business, I attended a portion of last week's meeting. I was impressed by Mr. Boutin's evident desire to educate the newly elected Members of the Senate in the intricacies of the small business program. It is unusual for the head of any independent agency to feel a strong responsibility for maximum cooperation with Members of Congress, and it is more unusual and more commendable to offer such cooperation to freshmen Members of Congress.

I hope that in the months to come other agency heads will undertake similar briefings of Members of Congress on the activities of their agencies. I feel that Mr. Boutin's example is to be strongly commended as an outstanding example of executive branch willingness to cooperate with Congresses, and as one more example of the reasons for the fine reputation which Mr. Boutin has here as an outstanding Government administrator.

SENATOR FULBRIGHT ON "MEET THE PRESS"

Mr. GRUENING. Mr. President, yesterday on "Meet the Press," the able and distinguished chairman of the Committee on Foreign Relations [Mr. Fulbright] presented a cogent and penetrating analysis of the tragic situation which exists today in Vietnam because of the ever-escalating commitment by the United States to the conflict there.

As one of the two Senators who voted against the Gulf of Tonkin resolution, I was particularly gratified in watching this program to hear what Senator Fulbright had to say about the circumstances under which that resolution was rushed through Congress. I hope that if the occasion presents itself in the future, more Senators will join in "putting on the brakes" before voting to encourage or approve the further escalation of the tragic war in Vietnam.

Senator Fulbright's invitation to appear coincides with the publication of his book on foreign policy entitled "The Arrogance of Power," which is published today.

The importance of Senator Fulbright's appearance is that in this book he proposes a way to bring our war in southeast Asia to an end. As one who has opposed our military intervention in southeast Asia for some 3 years, and has repeatedly asserted his view that there was no justification for our invasion, that indeed it was and is the height of folly, I certainly welcome any solution that promises to put an end to the senseless slaughter not merely of our own boys but of thousands of others, including civilians—men, women, and children—and to stop the tremendous drain on our resources, which is nullifying the fine domestic program enacted by the 89th Congress under the vigorous leadership of President Lyndon Johnson.

Senator Fulbright's replies to the questioning make clear that some solution is necessary if our country is not to proceed further down the road to disaster and get deeper and deeper sunk in the southeast Asian quagmire.

The interview with Chairman Fulbright on "Meet the Press" should be "must" reading for all those who want a realistic appraisal of the facts on Vietnam as they really are and not as so many would like them to be.

I ask unanimous consent that the transcript of the interview with Senator Fulbright on "Meet the Press" on January 22, 1967, be printed in full in the Record at the conclusion of my remarks.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Guest: Senator J. William Fulbright (D., Ark.), Chairman, Foreign Relations Committee.

Panel: John Hightower, Associated Press; James Robison, NBC News; Rowland Evans, Chicago Sun-Times; Lawrence E. Spivak, Permanent Panel Member.

Moderator: Neil Boggs, NBC News.

Mr. Boggs. Our guest today on Meet the Press is the Chairman of the Senate Foreign Relations Committee, Senator J. W. Fulbright of Arkansas. Senator Fulbright's Committee will soon begin a worldwide assessment of American foreign policies and commitments. The Senator's most recent book on foreign policy "The Arrogance of Power," will be published tomorrow.

Now we will have the first questions from Lawrence E. Spivak, permanent member of the Meet the Press Panel.

Mr. Spivak. Senator Fulbright, according to report, President Johnson feels that you are now criticizing the very policy on Vietnam which you outlined in 1964 and which he is now following. Would you say that your own position today on Vietnam has pretty completely changed?

Senator Fulbright. Well, I think it has changed, my views about it, certainly, but I am not certain about '64 being the period. I tried for a number of months to persuade the President and the Administration to take a little different approach in Vietnam but failing that, it has changed. The character of the war has changed. It has escalated materially. It is much greater now than it was. Last year, as you well know, the number of people in Vietnam have doubled. We have nearly 500,000 people in and about Vietnam today.

Mr. Spivak. Senator, you mentioned '64 but your book "Old Myths and New Realities" was published in March 1964 and you said then "It seems to me that we have no choice but to support the South Vietnamese government and army by the most effective means available.

Now, have you changed your position on that?

Senator Fulbright. I have—well, the war itself has changed. I supported the effort then to support the South Vietnamese army. We had at that time I think roughly 15,000, not more than 15 or 18,000 people there. The whole concept was to assist a government, an indigenous government to defend itself. It was long before we had taken over the war. I have made it quite clear both, I think, in the book and in public statements, that the way this has developed was quite a surprise to me. I had no conception that this war would develop as it has developed.

Mr. Spivak. Now Senator, on the fundamental question of the United States, America's vital interest, didn't you in '64 believe that we had to defend our vital interests there, and that we did have vital interests there? Have you changed your position on that?

Senator Fulbright. I don't believe that I had any convictions that our interests were vital there, in the sense that we now speak of that when we justify as large an operation. I think what you have in mind perhaps is the Tonkin Bay Resolution which was submitted in the midst of the on-coming election between Mr. Goldwater and President Johnson. I then took the position that I was strongly for President Johnson and one of the principal reasons was his attitude toward the war. And when the Tonkin Bay Resolution came in, as I have said on numerous occasions, I clearly made a mistake in not recognizing the significance of it. I thought I was supporting a candidate who was strongly opposed to enlargement of the war, to the defoliation, as they used to say, of the forests and the destruction of the economy and the people of that area, and I thought that was what I was doing in supporting the Tonkin Bay Resolution. I also thought at that time that the fact of an unprovoked attack upon our people on the high seas was quite clear. Since that time I have reservations about that. There have been a number of developments since that time that have caused me to publicly state I was mistaken in not undertaking a thorough-going review of our policy then and in taking it much more seriously.

Mr. Spivak. Well, Senator, do you now think that we do or do not have vital interests in Vietnam?

Senator Fulbright. I do not think that our interests there are commensurate with what we are presently doing in the way of conducting warfare and escalating it. I think our interests there are marginal, that we have never before considered that a land warware in the land mass of Asia was justified or that a permanent position on the land mass was in our—was essential to our interests, as distinguished from our military power, our naval power on the oceans and in the island fringes along the periphery of Asia and particularly in our bases. I still think that is sound.

I may say—I mean, there is no particular excuse for it, I am not trying to excuse, I am trying to explain. I never took this war to be serious, expecting it to be as serious as it has developed. Our attention as you will recall, up until recently was more directed toward Europe as being the center of the difficulties with Russia and with the Communist bloc, and it has shifted.

Mr. Spivak. You are saying then that while our vital interests may have been involved at one time when war was small, now that there is danger of great and grave extension that our vital interests are not involved to the same extent?

Senator Fulbright. I am sorry. My capacity of communication is very limited. I am saying that our vital interests in Southeast Asia have never been involved at any time. But having a very small operation there, I didn't take it very seriously because there was a very small commitment made there and I didn't become concerned about it, and I accepted the Resolution in 1954 which seems to be the basis for the enlargement of this war as a genuine demonstration of our solidarity in the fact of what was alleged to be a violent attack upon our ships on the high seas where they had a right to be.

Mr. Hightower. Senator, if you feel there are no vital United States interests involved in the war in Vietnam, it seems to me the question arises: Could the United States afford to lose the war?

Senator Fulbright. Well, I don't recommend that it lose the war. What I try to recommend is that it extricate itself from a very difficult and dangerous situation. I do not think it is necessary to say you must either win or lose a war of this kind. I think I am trying to advocate a process of compromise, an honorable compromise in my view which would extricate us from this obligation—

Mr. Hightower. You have suggested an eight point peace plan in your new book to try to achieve that result. One of the points in that plan is that the United States should stop the bombing of North Vietnam. Do you feel that the United States should stop the bombing now without condition or qualification?

Senator Fulbright. Yes, I do, for various reasons. One is that I don't think they are of very much importance now militarily. They have not decreased the number of infiltrations. In fact the infiltrations have increased. All they have done is cost the North Vietnamese a greater effort in order to maintain the supplies, but it has not done much more than that.

Mr. Hightower. I would like to ask you, Senator, your plan deals primarily with the first stage of peace making—that is how to get into a negotiation or how to get the other side interested in negotiation?

Senator Fulbright. That is correct.

Mr. Hightower. But what do you see as the substance of compromise? What kind of issues could be traded off against each other so that each side would get something out of a settlement?

Senator Fulbright. Well, the real objective of the negotiation in my view is to return to the principles of the Geneva Conference which was agreed upon after Dien Bien Phu, and which would allow an election in South Vietnam for them to determine whatever the kind of government they can agree upon—without our dictation and under some reasonable supervision, I would presume, of the ICC.

Mr. Evans. Senator Fulbright, do you really think, sir, that the government of South Vietnam would now negotiate with the Viet Cong? That is the National Liberation Front.

Senator Fulbright. Well, we have the constituent assembly being created. There have been rumors recently that the civilian members of this are willing to talk. There was a rumor—it is a rumor only, in the press—that one of the men who was assassinated the other day may have been assassinated because he did desire to reach a settlement.

Mr. Evans. Then what you really mean, Senator, is not the present government, but the government that may come into being after the elections?

Senator Fulbright. Well, the present government if it will not do what we tell them to do—which they are very likely to do—then they can easily be changed. That government has no base. We put it in and they are our government.

Mr. Evans. You think they would negotiate with the NLF?

Senator Fulbright. Or get out.

Mr. Evans. Or get out?

Senator Fulbright. Yes.

Mr. Evans. I don't understand that, sir.

Senator Fulbright. Well, if they refuse to do this, they could get a new government. We have had a number of new governments there.

Mr. Evans. To turn to another point quickly, you say we should put no more forces into South Vietnam. Supposing the other side puts in two divisions?

Senator Fulbright. Well, I said to protect what we have there, and I don't think we need any more forces to protect what we have. We need more forces if we are going to escalate it.

Mr. Evans. Is that an absolute, Senator, in the sense that we should not reenforce regardless of what the other does?

Senator Fulbright. No, I wouldn't say any of those suggestions are absolute. If they started dropping nuclear bombs on us, we would have to respond in a different way. There are all kinds of possibilities. I don't think they are probabilities. I think the other side would like, would welcome an opportunity to bring this dreadful war to an end, if we could take the initiative to make it acceptable. I don't think either side wishes to acknowledge that it is the aggressor or that it has lost or won, by seeking a compromise.

Mr. Robinson. Senator, did you say that if the present government of Premier Ky doesn't do as we want it to do, that we should get it out?

Senator Fulbright. I think that is perfectly reasonable. He is there only because we put him in.

Mr. Robinson. He isn't exactly though, is he?

Senator Fulbright. He is our government. I mean there are no delusions about that.

Mr. Robinson. Well, he came in under a military coup d'etat, but you can't say that we arranged the military coup d'etat.

Senator Fulbright. With our support, and he couldn't last I don't think, two weeks without our support. Now they are creating a constituent assembly which I think would probably be more likely to negotiate with the other Vietnamese for some settlement, but I am not sure—I don't know what Mr. Ky would do. Mr. Ky is a Northerner, of course, from North Vietnam and he is a general and I would assume he would be subject to persuasion. If he isn't, I don't think he has much alternative because he has neither a political base of his own or any military independent support other than ours.

Mr. Robinson. Senator, you called for the essential neutralization of South Vietnam in your latest book, but for North Vietnam you merely said it would be desirable, and then you go on from that and say it is essential that all of Southeast Asia must be neutralized.

Senator Fulbright. Well, I would like to see all of it done, but I would like to take it bit by bit. I don't wish to contemplate perfection at the beginning. I think the first thing is to get over the hard place now of this continuing war. A cease fire is of course obviously the first thing I would like to see come about, as a result of a negotiation or a prospect of one, as a result of stopping our bombing.

Mr. Robinson. But don't you think, Senator, that you are imposing what you would like on these various Southeast Asian states? I should think a lot of Southeast Asian states perhaps might not want to be neutralized.

Senator Fulbright. If they don't want to they won't be. That is what the negotiation is for. May I say this: I don't think all of these procedures are particularly important at this stage. What is really important is a change in attitude on the part of our government. I would like to see our Secretary of State take a little different attitude, that he would welcome a compromise settlement rather than a surrender. That is important.

The reason I try to set out in these eight points procedures, because I—I have made many speeches about this and always the critics, of which there are many, say "He gives no alternative, he never suggests any way to approach this matter, he just leaves it up in the air," and that is the reason for the eight points. The really essential thing is for our government to change what I believe is its attitude which is now to demand surrender, that the other side stop what it is doing, and to seek a compromise, because I think the war is unjustified in the beginning, that we never should have intervened in a civil war as we have, against our traditions. Therefore I am seeking a way to extricate, not to surrender, nor to win. I don't think an outright military victory would be in our interests, contrary to what many of my colleagues think. I think a solution that might be durable is much more likely to result from a compromise settlement in which neither side is humiliated.

Mr. SPIVAK. Senator on the matter of leaving your neighbors alone and stopping the aggression, I understand you are very critical of Secretary Rusk because he keeps repeating those words.

Senator FULBRIGHT. That is right.

Mr. SPIVAK. But isn't that exactly what you said to us on Meet the Press in '65?

You said, "We wish ultimately to get a negotiation or settlement that will provide for the North Vietnamese or anyone else leaving their neighbors alone. I think this is a sound policy."

Now you once evidently thought that was a sound policy. What has led you to change your mind on the soundness of the policy? Is it the size of the war?

Senator FULBRIGHT. Well, yes that is partly it. The realization of what our policy is, there. There have been many things that have developed in the course of the last two or three years that are very involved. The statements of the Vice President in Bangkok, announcing a kind of an Asian Policy; statements that have come from various speeches by the President, the Secretary of State as well as the Vice President, indicating that: now we are undertaking what some papers have referred to as the "Johnson Doctrine." That we are becoming the paternal overseer of Asia.

I had no idea in the beginning that this could grow out of this involvement. This originally was an ordinary aid program not unlike some 60 or 70 or 80 other aid programs all over the world. I had no idea this was going to develop in the way it has. Quite different from what any of us, I think, in the Congress, thought.

Of course, I don't know what the Secretary thought but the Senators, as you know, don't give full time to this sort of thing. This is a thing where we respond in the first instance to the Executive's positions and suggestions. I don't think it is at all illogical to take quite a different view when you realize that we are embarked upon an ever-expanding, apparently, obligation, here, and with obligations not only military but economic, to remake all of Asia, which I think is beyond our capacity.

Mr. SPIVAK. But Senator, isn't our policy in Viet Nam based on the simple premise that if we stopped this aggression now we will stop a larger war, isn't that—

Senator FULBRIGHT. I think that premise is false. I think we became involved in a colonial war in 1950. A people who were seeking their independence from France. And this was a mistake, but it was so minor, at the time—and there was never any particular issue; I don't recall any action taken of any significance in Congress. We were preoccupied with the Marshall Plan, with the development of Europe, which was a major undertaking. And then later with the Korean war.

This matter went by the boards and then later, even in '54, it attracted very little attention. We didn't sign the Geneva Accords, although we were present. The Secretary of State refused to be present there and delegated it to an underling, and we were just there, we didn't sign it, and took, I thought, no responsibility. I hadn't the slightest idea that this government was instrumental in putting Mr. Diem in control of that government. In fact, I had no knowledge one way or the other. I wasn't interested.

Mr. SPIVAK. Senator, there are some people who come to the conclusion that you would be for withdrawal of our troops on almost any basis, that you really don't think our prestige is involved any more than the Russians' prestige was involved in many of the withdrawals that they made and that you don't care how we withdraw as long as we do; it wouldn't hurt our stature, it wouldn't hurt our prestige.

Would you like us to withdraw no matter what?

Senator FULBRIGHT. No, I think it should be done in an orderly manner in accordance with the procedures that are followed in such cases. The President has said he desires to withdraw himself. No one seems to contest that in open discussions. He said that at Manila. I think it should be in accordance with the procedures I have outlined very sketchily in this book which has already been referred to.

Mr. HIGHTOWER. Senator, do you see, as some things you say suggest, a difference in policy view between President Johnson and Mr. Rusk?

Senator FULBRIGHT. I think I do. It is very difficult to—it is certainly not clear-cut.

It seems to me that the President has gone much further in expressions that he is willing to reach a settlement, as he says, to negotiate without conditions and so on, without always adding the qualification "when they stop their aggression." Now sometimes he does and sometimes he doesn't. But this idea that the aggression of North Vietnam is the central—an essential characteristic of this war, which almost invariably occurs in the Secretary's statement, I think it is not always true in the President's statements and I think I have detected that the President wouldn't be quite as difficult to be persuaded to reach a compromise.

Mr. HIGHTOWER. The President's principal advisers in this field, I think most people understand, are the Secretary of State and the Secretary of Defense.

Senator FULBRIGHT. And Mr. Rostow.

Mr. HIGHTOWER. And Mr. Rostow.

Senator FULBRIGHT. That is right.

Mr. HIGHTOWER. Do you think the President should have some new advisers in this field?

Senator FULBRIGHT. Obviously we would like to see a new approach taken to this. I don't like to get into the personal side. That always overwhelms everybody's reason in Washington, because it becomes a personal vendetta.

I don't approve of the present policy, that is quite obvious, and I would like to see some new approach taken.

Mr. HIGHTOWER. May I ask it this way, sir: Do you see any possibility of a change in present policy unless, in your view, there is a change in personalities?

Senator FULBRIGHT. Probably not, but I think that the President, in my opinion, is a very competent public servant. I have supported most of his domestic programs, and most of his other programs, except Vietnam.

Now, when I become as conscious of the effect of this war on our domestic program—in my own state where small towns cannot get a sewer system or a water system because the program under which they were proceeding has been cut off under the Farmers Home Administration, I think the President is the kind of politician that will recognize the fallout of this war, and it isn't an isolated event in Europe. It is destroying our domestic program, it is allowing our cities to grow up with the most horrible conditions, as recently described by Haines Johnson here in Washington. And all over the world we are suffering I think from this. I think the President can change his mind with a little more advice.

Mr. BOGGS. Gentlemen, we have just under three minutes. Mr. Evans.

Mr. EVANS. Senator Fulbright, again to go back to two years ago in this program, you said the present conditions in Vietnam were so critical that you would not consider a public debate advisable or you would not consider an investigation by your Committee.

Do you think conditions are now that much less critical that opening up this whole question as you did last year——

Senator FULBRIGHT. I do indeed. When you consider the enormous increase in the manpower out there, the enormous increase in the money that is being spent. The request for $73 billion just for defense, plus a large deficiency, this is getting to the point where it threatens, in my opinion, the future of this country and I certainly do think——

Mr. EVANS. Well, Senator, to follow that out why would you not then vote against appropriations, why would you not carry your dissent to the point where it would really count which is to vote against appropriations for money.

Senator FULBRIGHT. That is a very difficult problem, because the reason is that the armies are there not because they wish to be there, they are not responsible for being there, they are there because of a misguided policy and such a vote would clearly be misinterpreted and anyone who does that would be branded a traitor and it is emotionally and politically unacceptable to vote against supplies for the people in the field, the young men in the field who are there, not because they wish to be there. It would not be interpreted as simply a disagreement with the policy of the President.

This was all gone through last year in the long consideration given to the deficiency appropriation, and some 18 members of the Senate who considered that, decided it was unacceptable and unwise to do that.

Mr. ROBINSON. Senator, we have seen great changes especially in the Communist world with nationalism changing and eroding communism as a structure we knew it a decade ago. Under those circumstances then we set up various military alliances: NATO, SEATO, CENTO. Do you see these alliances still primarily necessary as a part of our foreign policy?

Senator FULBRIGHT. Many of them were mistakes. This was essentially Mr. John Foster Dulles' program and I think many of them were improvident and have been less than beneficial to our policy.

Mr. ROBINSON. Should we get rid of them?

Senator FULBRIGHT. We are going to look into those. We have already gotten rid of some of them. The Middle East one went by the board, as you know. SEATO isn't functioning. SEATO for all practical purposes is a shell. We are doing this unilaterally. We are not doing it really with SEATO members. The major members of SEATO do not agree with our policy.

One of the major things that has come clear to me lately, I mean, that I don't like, is that we seem to be going it alone instead of working through the United Nations. We are in effect ignoring the United Nations, which is contrary to what I thought was our major policy.

COMMENTS ON FOREIGN POLICY SECTION OF REPUBLICAN STATE OF UNION MESSAGE

Mr. McINTYRE. Mr. President, the distinguished Senate minority leader [Mr. DIRKSEN] has spoken in the bipartisan tradition that, since the end of World War II, has enabled the Nation to carry out an extraordinarily progressive foreign policy and to survive the most perilous era in history.

In a sense, he is serving the same role that a Democratic majority leader—Lyndon B. Johnson—served during the Eisenhower administration.

Both men put the national interest above politics.

Senator DIRKSEN did, however, express the view that the military effort in Vietnam should be intensified in the hope of bringing about an early termination of the war.

It should be noted that the Senator's position is still a good many degrees to the center of that held by Mr. Richard Nixon and some other Republican leaders and may perhaps be attributed to the need to take a position somewhat divergent from that of the administration.

For President Johnson, this is a matter that involves the most vital interests of the Nation, and therefore is entirely out of the realm of political debate.

He has established a firm and positive line calculated to thread a course between doing too little—encouraging the enemy to hope our resolve will weaken—and doing too much, inviting a perilous expansion of the engagement.

Such a course is difficult. It requires guts and determination, and mature patience by all of us in the face of extreme provocation and frustration. Let none among us lightly weaken that resolve.

SAO MIGUEL'S ROAD

Mr. BAYH. Mr. President, the construction of a short stretch of secondary road in central Brazil may not at first glance appear to be a major accomplishment. However, as a community development project, encouraged by field representatives of AID and CARITAS, it represents one of the most dynamic and rewarding aspects of the Alliance for Progress.

This road, and the attendant benefits of increased communication and trade, are highly important to the community that built it. Equally gratifying, as I learned from personal observations in Brazil and other South American nations, are the cooperative spirit and increased organization that results from self-help projects of this type.

It is with some pride that I point to the fact that 14 professors from Purdue University have been serving as advisers under an AID contract to the Rural University of Minas Gerais. An article describing this project and the role played by one of the professors, John R. Foley, appeared in the November 15 issue of Front Lines. I ask unanimous consent that this brief article be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SAO MIGUEL'S ROAD: IT'S A LESSON IN SELF-HELP

Sao Miguel is a county seat in the northeastern mountains of the central state of Minas Gerais in Brazil.

But it is not very big. It is really a small village and until recently, it had no road connecting it with other small towns of the area.

Not far away is Vicosa, population 10,000, but a world in itself. Vicosa hosts the Rural University of Minas Gerais, an outgrowth of an agricultural and veterinarian school started in 1926 by an American professor P. H. Rolfs.

The university's 1077 students come from every state in Brazil. Its faculty of 190 includes 14 American professors from Purdue University working as advisors under an AID contract.

Sao Miguel's Padre Vandick Elias Gomes is a local representative of CARITAS, the Catholic welfare voluntary agency registered with AID. He keeps track of the Food for Peace supplies and distribution.

It was his idea, coupled with the interest of a few villagers, to encourage the local people to build a road—their first—that would last through the rainy season and help farmers get their produce to market.

Padre Vandick is friends with one of the American professors at Vicosa, John R. Foley. Although he is an agriculture engineer and rural extension specialist, Foley is deeply interested in rural community development.

It was natural that he should be contacted for his advice on the Sao Miguel road plan. It was also natural that Foley accepted with enthusiasm.

Padre Vandick obtained permission from CARITAS to use his Food for Peace stores as "wages" for workers on the road. Then he called for volunteers. Foley helped plan the project, then trained the volunteers to build the road without heavy equipment, as there was none available

"The response for volunteer workers was overwhelming," says Padre Vandick. Road gangs of 15 to 45 men varying in ages from 15 to 73 years, worked in eight-hour shifts two days each week. For this, they were given food rations to last their families about a week.

"The idea behind this arrangement," the Padre explains, "was for the men also to have ample time to attend to their own chores and, whenever possible, get other work payable in cash."

An old path began to take on a new appearance. Using their farm animals and sheer muscle power, the volunteer workers turned the path into a wide road. The mountain sides were graded and the weak spots secured against the ever-present threat of landslides during the rainy season.

Of equal or perhaps more importance, was the change that took place in the people of the community. Drawn together for the first time in an effort that would benefit everyone, the community experienced an almost immediate lift in spirits. "Community morale, because of prospects of a brighter future, was immeasurably higher in a scant few weeks," says Padre Vandick.

"Before long" says his trusted lieutenant, Jose Paulino de Souza, father of nine, "we will get ourselves a truck and start collecting milk and other produce from all the small farms along THE ROAD. These we will deliver to Vicosa and—who knows—perhaps even all the way to Belo Horizonte, the state capital."

The activity has had other effects. A local agricultural cooperative is in the formative stage. The people are eating better—and learning new eating habits. And—who knows—the village of Sao Miguel may someday be put on the map, because its people have something more than isolation and hospitality to offer the world.

This is just one story of what's happening in rural Latin America, given some American advice and food. But it demonstrates the Alliance for Progress basic ingredient for development—self-help—and its practical, far-reaching effects.

Says Foley, "The initiative for many development projects in Brazil comes from the people in the local communities. That's what counts."

MANY MORE MAKE THEMSELVES HEARD AGAINST THE WAR IN VIETNAM

Mr. GRUENING. Mr. President, the Ad Hoc Faculty Committee on Vietnam, under the leadership of Prof. Hilary Putnam of Harvard as chairman and Prof. S. E. Luria of the Massachusetts Institute of Technology as secretary-treasurer, published in the New York Times for January 22, 1967, a list of approximately 3,000 faculty members and other professional men who have joined this ad hoc organization in a plea to President Johnson to "Stop the Bombing" of North Vietnam. This is in addition to the list of approximately the same number of persons published in the New York Times for January 15, 1967. I hope that the pleas by these 6,000 men and women from the learned professions will have some effect on the administration and that the bombings will be halted unconditionally forthwith.

In the same edition of the New York Times there was printed "An Open Letter to the President," signed by more than 300 architects, engineers, planners, and other members of the design professions in which they said in part:

> When we see so many of our resources—men and materiels—used for destruction in Vietnam, with the danger of the war being escalated to uncontrollable magnitude, we must join with the many legislators, members of the judiciary, scientists, educators, clergymen and others who have appealed for an immediate end to the conflict.

Among those listed are Albert B. Bauer, chief architect of the Department of Public Works of the city of New York; Thomas H. Creighton, former editor of Progressive Architecture; M. Paul Friedberg, who recently won a prize for his design for a playground at the Jacob Riis housing project in New York City; Carl Koch, of Boston, designer of the Tech-Built House; and Christopher Tunnard, who is chairman of the department of city planning at Yale.

The honor roll of those who have joined in the fight to bring to an end the illegal and immoral overcommitment of the United States in the brutal war in Vietnam keeps growing, as it should.

I ask unanimous consent that the advertisements by the Ad Hoc Faculty Committee on Vietnam and the Committee of the Planning Professions to End the War in Vietnam, together with an article on the latter committees, all of which were published in the New York Times for January 2, 1967, be printed in full at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 22, 1967]

MR. PRESIDENT: STOP THE BOMBING

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[From the New York Times, Jan. 22, 1967]

CEASEFIRE IS URGED ON JOHNSON BY 300 IN FIELD OF DESIGN

A group of architects, engineers, planners and other members of the design professions has sent an open letter to President Johnson calling for an immediate ceasefire and negotiations to end the war in Vietnam.

The letter, signed by more than 300 people, appears as an advertisement on page 7 of the News of the Week in Review section of today's New York Times.

The letter says that "as members of the design professions we direct our skills towards the creation and improvements of man's environment." It points to both increased destruction in Vietnam and a reduction in spending "for housing, health, education and welfare programs in the United States and for other constructive purposes around the world."

A spokesman for the group said the letter was "a broad statement made so that the widest support among the professions could be obtained." Maxfield F. Vogel, whose Park Avenue office is listed as headquarters for the Committee of the Planning Professions to End the War in Vietnam, said that the advertisement cost $2,019.60.

"We're going to keep going. We want to increase the list to 10,000 names," Mr. Vogel added.

Among those listed at the end of the letter were Albert B. Bauer, chief architect of the City Department of Public Works; Thomas H. Creighton, former editor of Progressive Architecture; M. Paul Friedberg, who recently won a prize for his design for a playground at the Jacob Riis housing project; Carl Koch of Boston, designer of the Tech-Built House, and Christopher Tunnard, chairman of the Department of City Planning at Yale.

[From the New York Times, Jan. 22, 1967]

AN OPEN LETTER TO THE PRESIDENT

DEAR MR. PRESIDENT: As architects, engineers, planners, and other members of the design professions we direct our skills towards the creation and improvement of man's environment. We know the vast quantities of talent, materials and man hours of labor needed to produce the housing, schools, hospitals and replanning required by our towns and cities, and those all over the world.

When we see so many of our resources—men and materials—used for destruction in Vietnam, with the danger of the war being escalated to uncontrollable magnitude, we must join with the many legislators, members of the judiciary, scientists, educators, clergymen and others who have appealed for an immediate end to the conflict.

Already the budgetary commitments inherent in the conduct of a war and resulting in the destruction of farms, villages, communications systems and productive resources of both North and South Vietnam have led to a reduction of spending for housing, health, education and welfare programs in the United States and for other constructive purposes around the world.

We earnestly urge that you declare an immediate cease-fire, even if that implies some risks. We further urge that negotiations be undertaken with the participation of all combatant forces, including the National Liberation Front and that the basis for these negotiations be the Geneva Agreement of 1954.

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Committee of the Planning Professions to End the War in Vietnam,
Room 331, 101 Park Avenue, New York,
New York 10017.

THE PACEM IN TERRIS II CONVOCATION

Mr. PELL. Mr. President, I am very much pleased to take note of the announcement of plans to hold a second international convocation on the theme of pacem in terris, to be held in Geneva, Switzerland, next May 28 to 31.

Like the first pacem in terris convocation held in New York City in February 1965, this conference is being inspired by the historic encyclical of the same name which was handed down by the late Pope John XXIII and which already has done so much to alter the course of world affairs.

As one of the participants in the 1965 convocation, I found and strongly believe that these important meetings can play a vitally important role in translating the high intent of Pope John's encyclical into the practical results that were intended. Great credit is due to the sponsoring organizations, the Center for the Study of Democratic Institutions, an independent educational institution in Santa Barbara, Calif. under the aegis of the Fund for the Republic, and to its president, Robert M. Hutchins.

There is every indication the pacem in terris, II, will be an especially significant event. Its agenda will include discussion of two matters of special concern to all of us, the war in Vietnam and the East-West confrontation in Germany. Among those expected to participate are U Thant, the Secretary General of the United Nations, and our own distinguished colleague, the chairman of the Committee on Foreign Relations [Mr. Fulbright].

It is worth noting also, I believe, that invitations have been extended to the Republic of Vietnam—South Vietnam—and the Democratic Republic of Vietnam—North Vietnam—the South Vietnam National Front for Liberation—Vietcong, the Soviet Union, and the People's Republic of China.

It is not often that private, unofficial diplomacy can be conducted on such a scale, and when it is, exciting possibilities for new advances in the quest for peace are opened to us. I know that all Members of the Senate will be as interested as I am in following the progress of this notable convocation.

Mr. President, I ask unanimous consent to have printed in the Record a press announcement from the Center for the Study of Democratic Institutions and a background document on pacem in terris, II, also from the Center.

There being no objection, the announcement was ordered to be printed in the Record, as follows:

Private American Organization Arranges "Peace on Earth" Convocation in Geneva

Santa Barbara, Calif.—A privately sponsored world peace conference of official and unofficial delegates from East and West—communist, non-communist and unaligned nations—will be held in Geneva this May.

U Thant, Secretary General of the United Nations, will be a major speaker.

United States Senator J. William Fulbright (D-Ark.), chairman of the Senate Foreign Relations Committee, will attend as a participant.

Among those invited are representatives

from the Republic of Viet Nam (South Viet Nam), the Democratic Republic of Viet Nam (North Viet Nam), the South Viet Nam National Front for Liberation (Viet Cong), the United States, the Union of Soviet Socialist Republics and the People's Republic of China.

Included on the agenda for discussion will be two major obstacles to world peace—the war in Viet Nam and the East-West confrontation in Germany.

Known as *Pacem in Terris–II,* the convocation has been called for May 28–31 in the Swiss capital by the Center for the Study of Democratic Institutions, a private American organization.

Some 300 public officials and private leaders from around the globe will assemble in the Palais des Nations, once home of the League of Nations, where the United Nations Secretariat will provide simultaneous translation facilities.

The first *Pacem in Terris* convocation, which also took its name from the "Peace on Earth" encyclical of the late Pope John XXIII, who appealed for peaceful coexistence between East and West, was held in February, 1965, in New York City.

Pope Paul VI, unable to attend the opening session held in the United Nations General Assembly Hall, sent two messages to the convocation. Later, Pope Paul came to New York to address the United Nations on the theme of *Pacem in Terris.*

Attended by some 2,300 persons from throughout the world, with the major exception of Communist China, *Pacem in Terris–I* also was sponsored by the Center, an independent educational institution in Santa Barbara, California, operated by the Fund for the Republic, Inc.

Chairman of the board of the Center is United States Supreme Court Justice William O. Douglas. Honorary Chairman is Paul G. Hoffman, first Administrator of the Marshall Plan and now Administrator of the United Nations Development Program. President is Robert M. Hutchins, former president of the University of Chicago.

Executive Vice President is Harry S. Ashmore, former Pulitzer Prize-winning editor of the Arkansas *Gazette.* With another Center director, William C. Baggs, editor of the Miami (Florida) *News,* and Luis Quintanilla, former Mexican ambassador to the United States, Ashmore recently visited Hanoi to invite the North Vietnamese government to participate in *Pacem in Terris–II.*

In announcing the convocation, Hutchins said:

"It is our purpose to bring together once again a combination of political and intellectual figures in a wholly unofficial gathering where they are not limited by the necessity of speaking formally on behalf of their countries.

"*Pacem in Terris–II* is designed to consider the requirements of coexistence in the practical terms of the contemporary world.

"Largely because of the success of *Pacem in Terris-I,* the Center became recognized in both East and West as the one private organization with the stature and independence to arrange a truly representative gathering of private and public world leaders to consider seriously what is required to make Pope John's call for 'Peace on Earth' a living reality.

"Many delegates who took part in *Pacem in Terris-I* urged the Center to hold this second convocation, which will deal in greater detail with the specific requirements for peace.

"It was agreed that every effort should be made to have the Mainland Chinese, the North Vietnamese and the Viet Cong, as well as the others involved in the Viet Nam war, represented at the convocation. As a result, the Center has sent emissaries to Peking and Hanoi to urge such participation.

"We have encouraging indications that the discussants will include representatives from all the Southeast Asian countries, including North and South Viet Nam.

"We are convinced that the case of Viet Nam requires consideration of problems beyond the conditions of an armistice or temporary political settlement. So we will discuss ways and means of neutralizing the whole of Southeast Asia.

"We will give representatives from the two Viet Nams an opportunity to set forth their views to a world audience without direct involvement of the great powers. While no agreement will be sought, the discussion could shed important light on the necessary terms of a durable settlement.

"Problems left over from World War II and from the dismantling of colonial empires must be considered seriously in the light of thermonuclear weapons, the existence of military blocks and the confrontations which occur periodically as a result.

"Thus, we will discuss the many facets of the German problem beyond the immediate fact of American and Soviet confrontation and explore possibilities for a German settlement. Discussants of this topic will be drawn from the European nations directly involved.

"Finally, we will conduct a realistic evaluation of the United Nations and an examination of the non-political trends pushing nations toward interdependence.

"Our efforts in arranging the convocation in no way have been sponsored by the United States government, although the Center has kept the White House and the Department of State fully informed of its activities. It has done the same with other interested governments and the United Nations Secretariat.

"It can be truly said that this is a private initiative toward peace which is being followed with close attention by the United Nations and by all governments and individual world leaders with a stake in peaceful coexistence."

The convocation agenda will include panel discussions of "Threats to Coexistence," with Abdul Rahman Pazwak of Afghanistan, President of the United Nations General Assembly, presiding; "Intervention: The Case of Viet Nam," Chester A. Ronning, former Canadian High Commissioner in India, presiding; "Interdependence," J. Kenneth Galbraith, the American economist, presiding; "Confrontation: The Case of Germany" and "Beyond Coexistence," presiding officers yet to be selected.

Others who have accepted invitations as panel discussants include:

N. N. Inozemtsev, director, Institute of World Economics and International Relations, Academy of Sciences, USSR; Arsene A. Usher, Foreign Minister, Republic of Ivory Coast; Thanat Khoman, Foreign Minister, Thailand; Dr. Nugroho, former minister, Embassy in Washington, now with the Department of Foreign Affairs, Republic of Indonesia; Chief S. O. Adebo, Ambassador to the United Nations, Nigeria; Princess Moun Souvanna Phouma, Laos; David Horowitz, governor, Bank of Israel, State of Israel, and Joseph Hromadka, a leading Czechoslovak theologian.

Representatives of the Vatican and the World Council of Churches are expected to attend.

Background of Pacem in Terris II

The second *Pacem in Terris* (Peace on Earth) convocation will be held by the Center for the Study of Democratic Institutions on May 28–31, 1967, in Geneva, Switzerland.

Its purpose is to assemble official and unofficial delegates from countries throughout the globe—East and West, Communist and non-Communist, aligned and unaligned—to examine in specific detail the requirements for the nations of the world to coexist in peace.

Following is the background of this important event:

Into an uneasy and still largely uncompromising world atmosphere Pope John XXIII injected a profoundly significant new spirit when he presented his encyclical, *Pacem in Terris* in April of 1963.

Until this time, the concept—or possibility—of coexistence among nation states had been a Soviet idea, geared to Marxist-Leninist theory and the practical needs of the Russian state. As such, it was accorded the suspicion and rejection of the Western world, particularly of United States official diplomatic thinking. U.S. statesmen and intellectuals of widely divergent views—Harvard professor Henry A. Kissinger, psychologist Erich Fromm, diplomat-scholar George F. Kennan, to name a few—perceived contradictions and irreducible dilemmas in United States policy as it was then implemented. From a practical standpoint, however, emerging domestic criticism of American policy caused little more than a ripple on the diplomatic waters. The official United States position underwent no fundamental change. Such statements as that of General Twining's as Chairman of the Joint Chiefs of Staff, that "the struggle is too big, too vast, too deadly for compromise," illustrated United States and general Western reluctance to abandon traditional wariness or to depart from "positions of strength" and military deterrence policies.

Coming from a major *Western* institution, the Roman Catholic Church, and transcending the confines of Catholicism and Westernism by appealing to "all men of good will," the encyclical bridged in one stroke the East-West ideological gap: "All political communities are of equal natural dignity." While reaffirming Catholic belief in the right of man to individual initiative and rejecting any political or economic system based on "the mere will of human beings individually or collectively," it disengaged the Christian Catholic Church from anti-Communist political activity. In a world split into hostile segments, it committed this Western spiritual institution to the task of fostering mutual endeavor for the benefit of all humanity. Unmistakably Catholic in nature and basically moral in its appeal, the document nonetheless provided Western states with a fresh philosophical and practical approach to international problems. It created a significant new dimension to traditional thinking, Communist, Western European, and American, on what constitutes Peace on Earth. Tailored to the age of the atom, it offered practical guidelines for the development of a world community of independent and interdependent nation states where peace could mean more than a temporary absence of war.

To emphasize the immediate pertinency of the encyclical and to bring into public light the issues it raised, a private American educational enterprise, the Center for the Study of Democratic Institutions, sponsored an International Convocation on the Requirements of Peace in February of 1965. Called *Pacem in Terris* after the papal document, the convocation brought together in New York distinguished intellectuals and statesmen from the United States, Western Europe, the Soviet bloc nations, the Near East, and Asia—from the world at large (with the major exception of Communist China).

Opening the convocation, Robert M. Hutchins, President of the Center, outlined its goals and narrowed its scope to the realm of imminent possibilities:

"This is not an ecumenical council assembled to debate religious topics. This is a political meeting. The question is: How can we make peace, not peace through the medium of war, not peace through the dreadful mechanisms of terror, but peace pure, simple, and durable. If the principles of *Pacem in Terris* are sound, how can they be carried out in the world as it is? If they are unsound, what principles are sound, and how can they be realized today? What does it mean to coexist, and how can we do it?"

THE BASES OF COEXISTENCE

Consideration of the varied meanings implicit in the term "coexistence" requires prior answers to questions of its applicability to modern relationships among societies. On what bases could the intellectual and political leaders at the convocation expect to build the concept of coexistence into anything more than a lofty declaration of principles or a utopian expression of ideals?

One major basis for viewing coexistence as a practical end no less than as a moral ideal was simply that it was in effect, in a limited sense at least. The Soviet's N. N. Inozemtsev and Polish Central Committeeman Adam Schaff emphasized that the two major representatives of Marxism and capitalism were not and have never been at war. Coexistence as it had operated for nearly half a century had involved interrelationships, diplomatic, cultural, economic, and political. In the words of Philip Jessup, "The Soviet Union and the United States . . . do not coexist in a vacuum. States do not sit off, one here, and one there, and merely glare at each other." They interact. In the interaction, coexistence in the fuller sense of cooperation, agreement, and mutual respect had to some extent taken place.

A second basis for hard-headed effort to extend and solidify coexistence was stark necessity. No one at the convocation denied the climate of anxiety created by the nuclear arms race nor did anyone minimize its dangers. Impelling urgency in the face of impending disaster on a world scale provided inescapable grounds for exploring coexistence further.

A third reason was the economic plight of non-industrialized, emerging nations. The well-developed nations' "vast outlay of intellectual and economic resources" on armaments, which had been mentioned by Pope John, was contributing to an international economic instability inconsistent with either world harmony or lasting peace.

Finally, participants at the *Pacem in Terris* convocation were motivated by what Protestant theologian Paul Tillich called "the seeds of hope" in modern society from which a future state of dynamic peace could grow. The first such "seed," fear, though negative, contained the germ of positive development, Tillich thought; it brought to men of conflicting ideologies a sense of "common destiny." Tillich perceived, secondly, that the conquest of space had drawn together men from many nations in common technical endeavors; possibly this unity of interest would provide a wedge for alleviating inbred hostilities and promoting mutual appreciation. Thirdly, Dr. Tillich found encouragement in the multiplying areas of supranational endeavor—in the cultural and scientific exchanges, in the mutual attempts at solutions to problems of over-population, nutrition, and the like. A final "seed of hope" lay in the existing international judicial structure, imperfect and inadequate as it admittedly was. With added impetus and sufficient dedication, Dr. Tillich foresaw the possible emergence of a vehicle capable of ensuring some degree of permanent peace.

THE MEANING OF COEXISTENCE

Among the more formidable barriers to an amicable world climate was a fundamental disagreement on the meaning of coexistence. Interpretations at the convocation ranged from acceptance of the minimal condition of combustible status quo *detente* to insistence on the maximal position of peaceful cooperation in all matters.

Basic to all the discussions were the concepts put forward in the Papal encyclical. Even here a variety of interpretations occurred. What, precisely, did Pope John say on nuclear war? on revolution? on the relations between states? on the world community? on the bases for lasting peace? That Pope John rejected the practicality, the humanity, or the justice of nuclear warfare was incontrovertible: ". . . It is hardly possible to imagine that in the atomic era war could be used as an instrument of justice." He noted the implicit dangers of having "the arms of war . . . ready at hand"; he emphasized the role that chance or accident might play in setting off a nuclear holocaust; he deplored the atmosphere of fear engendered by the nuclear arms race; and he pointed out the possible lethal consequences attendant on nuclear testing itself. He climaxed his appeal for an end to this dangerous competition by reiterating the warning of his predecessor Pius XII: "Nothing is lost by peace. Everything may be lost by war."

The Pope went further. Nowhere in the encyclical did he make a distinction between "coexistence" and "peace." He ruled out force of arms as a means of settling differences between states on the grounds that the elimination of war in all its forms not only satisfies the greatest human desire everywhere but brings benefits to all peoples.

In the same spirit, he denounced violent revolution as an instrument of social change. Recognizing that injustice breeds unrest, he cautioned against the impatience that gives revolution its allure. Quoting his predecessor, he left no room for misinterpretation:

"Pius XII proclaimed: 'Salvation and justice are not to be found in revolution, but in evolution through concord. Violence has always achieved only destruction, not construction . . .' "

Emphasizing the inevitability of contention and confrontation if nations pursue their own advantage, with power as their objective, Pope John spurned "deceit or trickery," the oft-used tools of power diplomacy, and urged instead that nations commit themselves to the common good and harmonize their relationships "in truth, in justice, in a working solidarity, in liberty." He averred that states can no longer act in isolation and independence: whatever one state does must now affect the well-being of all others. His desire was that all nations, for their mutual benefit, voluntarily support a world authority and give it proper means to carry out the common objective. Mutual consent, not violent coercion, must be the cornerstone of allegiance to such world authority.

Few of the *Pacem in Terris* deliberants accepted *in toto* the philosophy of Pope John. Representatives of vastly different ideological and political backgrounds nonetheless responded sympathetically to his call for a fundamental change in the world atmosphere. Such divergent voices as those of U.S. author-critic-entertainer Steve Allen, the United Nations' U Thant, and the U.S.S.R.'s Yevgenyi Zhukov proclaimed the common aim of coexistence: to abandon the world of discord, antagonism, and violence for an international atmosphere of harmony, justice, and free competition toward the common good. Russia's Inozemtsev found in the discordant world picture a basis for optimism: ". . . ours is not just an epoch of sinister dangers looming over mankind . . . but an era of radiant hopes and possibilities." Participants concurred unanimously with Vice-President Humphrey of the United States that "since that day at Alamogordo when man acquired the power to obliterate himself from the face of the earth, war has worn a new face." Foreign Minister Paul-Henri Spaak of Belgium spoke for Communist and capitalist countries alike when he declared that the nations of the world must accept the challenge to coexist in an era when there can be no victor and no vanquished, when mutual destruction will be the only result of nuclear exchange.

Disagreement on the scope of coexistence short of nuclear exchange, however, forecast the difficulties that a quest for specific solutions might encounter. Unlike Pope John, a great variety of delegates failed to rule out the justice and efficacy of certain limited wars or to accept the immediate practicality of peaceful settlement in all disputes.

Unable to accept the philosophical reasoning of the Pontiff, the chief representatives of the Communist bloc nations nevertheless exhibited little or no divergence on the implications of coexistence. To them it meant negotiation instead of armed conflict to settle international disputes; "competition in bringing happiness to mankind and in meeting its material and spiritual needs"; and a peaceful ideological contest "for the hearts and minds of men." While categorically opposing the export of both revolution and counter-revolution—the first as anti-Marxist and impractical, the second as unwarranted aggression—they tacitly sanctioned spontaneous revolution as an instrument of justice. Further, they favored non-military economic and spiritual support for socialist revolutionaries in their struggle to overthrow capitalist societies.

United States opinion embraced a much wider range. A number of U.S. panelists displayed cautious reluctance to abandon all non-nuclear agents of force. At one end of the philosophical spectrum, Herman Kahn, Director of the Hudson Institute, while admitting the impracticality of nuclear war, accepted coercion as the sometimes necessary means to justice; when inequities demanded correction, he saw both internal civil violence and externally applied force as occasionally useful. Claremont Professor Fred Warner Neal was inclined to accept the Soviet analysis that revolutions are usually indigenous and a secondary rather than a primary concern of coexistence. He saw the key to coexistence in a reorientation of the two great nuclear powers toward each other, with particular need for the United States to alter its estimate of Soviet aggressive intentions in the light of historical reality. Former President Eisenhower's Disarmament Advisor, Harold E. Stassen, stressed how wide is the gap between theoretical concepts of a peaceful world community and the hostile actualities; he advocated a step-by-step approach to each area of existing dissension, with the President of the United States taking the initiative in closing the gap.

Even among those American participants who concurred with the Pope in rejecting force entirely, full agreement was lacking. To the University of Chicago's Hans Morgenthau, the hope for coexistence lay in rapid transition from a world community of obsolescent sovereignties to a genuine United States of the World. Paul Ramsey, Princeton theologian, saw nothing either in the encyclical or in world trends to indicate the obsolescence of nation states. He interpreted coexistence as demanding a revision not of political institutions but of basic attitudes. "There can [not] be a consolidation of the peace of the world on the basis of what . . . might be called 'the community of fear.'" Chief Justice Earl Warren and Judge of the International Court Philip C. Jessup defined coexistence in terms of world law: Warren in the need to define and perfect international law, Jessup in the concept that international law, never a panacea for all man's ills, grows effective one step at a time on a foundation of smaller accords.

From non-Communist Europe came further variations. West Germany's Carlo Schmid saw three requirements inherent in minimal coexistence: respect for existing governments; peaceful negotiations within the territorial status quo; and freedom to align. Historian Arnold Toynbee of Great Britain replied that "the status quo cannot be frozen, and we ought not to try to freeze it . . . because constant change is of the essence of life." Robert Buron of France temperately commented that realisms too are subject to change; unrealistic though the destruction of nuclear stockpiles might seem in 1965, this might soon become the ultimate in realism.

Each participant brought to the interpretation of coexistence his country's specific needs and aspirations, his own deep cultural heritage, and his ideological bias. But it is of significance that these conversations, the first of their kind on an international level, revealed an agreement of aim and a unanimity of concern more profound than any divergence of means. Abba Evan, Deputy Prime Minister of Israel, speaking on the nature of the problem confronting the world, expressed the prevailing mood at the convocation: "It is not inevitable that we march in hostile and separated hosts into the common abyss. There is another possibility—an ordered world, illuminated by reason and governed by law. If we cannot yet touch it with our hands, let us, at least, grasp it in our vision."

THE CONDITIONS OF COEXISTENCE

What were the philosophical soft-spots threatening to spread decay and disintegration throughout the world community? On what moral foundations could the requirements of lasting peace be built? Pope John believed that any change from peace-by-deterrence to peace-by-accord must arise from an "inner conviction" that anxiety and negative expectation could no longer substitute for the principles of "justice . . . right reason and humanity." In this vein Paul Tillich called for a cessation of what Madame Pandit of India termed prevailing "violence of the mind and heart." Tillich saw no alternative but to foster a spirit of "communal *eros*." Transcending narrow interests and legal processes as well, "communal *eros*" would result in love by the people of each nation for all other communities of people. This peace-oriented attitude Tillich considered essential to replace current disruptive intercultural suspicion. Israel's Abba Eban developed this theme still further, proposing that "those qualities which a nation holds uniquely to itself, its special memories and dreams, may well be its distinctive gift to human culture." Jordan's Rifa'i, Ghana's Quaison-Sackey, America's Pauling, Poland's Schaff and many more joined in urging a new spirit of coexistence embracing the heart as well as the mind, an international emotional acceptance of love, morality, and tolerance.

In what climate could such a spirit of reciprocal empathy mature and flourish? As a first step toward fruitful negotiations, Belgium's Spaak suggested that diplomats leave room for some margin of error in their discussions. He asked them to realize that in negotiations between states, as in individual arguments, each story has two sides, each utterance its reason. He called on every diplomat to regard his counterparts in other countries as "associates" not as "adversaries": and to think only of what he is willing to give, not of what perhaps he can take. The Soviet Union's Zhukov added that coexistence presumes interchange of ideas between diplomats on equal footing, not between the dominators and the dominated.

Pope John had advanced as a primary requisite of peace that men use modern communications not for propagandistic distortion but to help the nations of the world understand each other. United States Senator J. William Fulbright suggested as one avenue to international *rapport* that each ideological group adjudge itself, seeking out its own limitations as well as its strengths. From candid self-appraisal could emerge a sympathetic understanding of the good in other philosophies. If men expected to replace destructive fanaticism with fruitful commitment to ideals, he encouraged them to enrich healthy skepticism with humor, compassion, and tolerance.

Closely related to the question of propaganda was the part played by ideological conflict in spawning international disturbances. Participants for the most part accepted Zhukov's proposition that for one nation to try to impose its ideological system on another could be nothing less than "senseless" and was probably "utterly dangerous" in the atomic era. Abba Eban suggested that countries use "the human community as the focus of the teaching of history" since a good deal of ideological misunderstanding could be traced to the universal practice of stressing nationalistic history.

Pope John had also decried racism as incompatible with an atmosphere of mutual trust. To Spaak an end to racism meant more than a negative ceasing to hate; it implied positive acceptance of all men as members of the human family. True acceptance, to Dr. Tillich's mind, involved in addition a respect for the rights and aspirations of men in ancient Oriental cultures where individual dignity is not of supreme value as it is in the Christian and humanist traditions.

A wide range of panelists found the persistence of out-moded habits of thinking a major obstacle to coexistence. Biologist Hudson Hoagland ascribed this lag to a failure of cultural-social mechanisms to adapt to a rapidly evolving modern society. A human tendency to ascribe only the worst motives to the "foreign" adversary; an inability to grasp the correlation between nationalistic self-interest and common human interests; the failure of each nation to understand fully that far-removed economic and health problems eventually affect its own well-being; a lingering proclivity to view the world as a white man's planet with a colored fringe, ignoring the reverse actuality—these remnants of pre-technological, pre-atomic colonial thinking were responsible, many delegates thought, for much faulty perception in the modern world.

Obsolete vocabulary alone, author-critic Marya Mannes pointed out, stifled efforts to cope intelligently with current peace problems. As long as "negotiation" meant "surrender and appeasement," "socialism" connoted "the end of freedom," and "honor" was equated with "retaliation," world leaders would remain to a large extent prisoners of their own terms and preconceptions.

Combine these ingredients with an unrealistic assessment of the security-military strength relationship, and a war-disposing international climate resulted. As Professor Takayanagi of Japan emphasized, "The anesthesia of nuclear deterrence has produced a fatal drift toward tolerance of the ultimate intolerance," nuclear war. Obsolete and fugitive thinking had produced concrete situations compatible only with an uneasy, fragile *detente*, never with permanent peace. Of special concern were instances of revolution and counter-revolution. Taking no issue with the Soviet analysis of revolution as the expression of deep social unrest, Harold Stassen nevertheless saw in any kind of violence the seeds of nuclear conflict. Dr. Tillich explored this possibility step by step: natural and rightful resistance to injustice leads often to rebellion; from rebellion grows revolution; revolution can escalate into full-scale war; "and history leaves no doubt that the wars over contrasting ideas of justice are the most cruel, most insistent, and most devastating ones."

From the Soviet viewpoint, outside intervention in internal strife offered more threat to coexistence than the strife itself. Citing "hotbeds of danger" like Vietnam, the Congo, and the Caribbean, Inozemtsev urged a world-wide policy of military non-interference whenever and wherever civil strife erupted. Historians H. Stuart Hughes and Arnold Toynbee found it difficult to support or condemn either revolution or intervention in the abstract. Hughes saw great need, however, for the United States to clarify its "defense of freedom" policy. Citing the case of Vietnam, he described the nearly inescapable tendency of a nation defending "freedom" to creep into active, unjustifiable interference. When any nation appoints itself an international vigilante, economist Stanley Sheinbaum noted, the result is often a disastrous laying waste in the areas of contention with concomitant alienation of the countries involved.

Left-over problems from World War II had created multiple threats to coexistence: the unresolved German question in a politically divided, restless Europe; the presence of two Chinas in Asia; the governmental vacuum left with the break-up of colonial empires; and the emergence of aspiring, underdeveloped nations in Africa, Asia, and the American hemisphere. Still nationalistically oriented, sovereign powers continued the habit of sending their own troops, instead of U. N. troops, to trouble spots. James Farmer, National Director of the Congress of Racial Equality, added another serious source of trouble—the lack that oppressed nations feel of any alternative to violence in their fight for justice. He suggested world-wide support from the "haves," in the form of sanctions, subsidies, and investments, to encourage the "have-nots" in non-violent resistance.

The panelists gave critical scrutiny to two principles still guiding the actions of the great powers and undoubtedly contributing to world instability in the guided missile age. George Kennan called for a reevaluation of the concept of "first use" of mass destruction weapons, a line of reasoning he felt directly responsible for nuclear proliferation and certain to lead to "eventual use." America's Bayard Rustin, Italy's Pietro Nenni, and Japan's Takayanagi emphatically questioned the place of "spheres of influence" and "balance of power" precepts in the present era. In Rustin's words, "the dominant powers—the United States, China, and Russia—while mouthing freedom, are determined that the small nations of the world, including those in Asia and Africa who have recently emerged, shall be in their sphere of influence come hell or high water or atomic war." All three saw in the perpetuation of these concepts a continuing paralysis of supranational authority and the possible collapse of even minimal coexistence.

The convocation found a basic correlation between the economic needs of countries large and small and general political tension. Problems of balance of trade among the large powers, unstable international monetary policies affecting all countries, the urgent needs of less well-developed nations old and new, each contributed a share to international unrest. Famine and starvation, particularly in the Pacific Basin, were, according to National Farmers' Union President James Patton, fanning fires of resentment against well-fed, opulent societies. "It is among hungry, desperate, oppressed peoples where the potential lies for a local war to escalate into a major war."

Ex-President Lleras Camargo of Peru dealt a sharp rebuke to the non-nuclear powers which had failed to champion human rights or to voice vigorous support for social justice; instead they had contributed nothing to peace, content to "perform as the chorus in a tragedy that could unfold at any moment . . ." Mrs. Vida Tomsic, Foreign Affairs Committeewoman from Yugoslavia, also cautioned against this fearful, do-nothing attitude on the part of the non-nuclear powers; recognizing the responsibility of developed countries to avoid further exploitations, she advocated simultaneous strenuous effort by the smaller nations to focus attention on urgent worldwide political and economic needs.

Jordan's Abdul Monem Rifa'i called for a reevaluation of foreign aid programs that they might strengthen, not stultify, the new-found independence of emerging nations. Chief Adebo of Nigeria added the warning that "a Great Society for one country alone is impossible, unless, together, we provide for the 'Great Society' on the international level."

For many, though not all, the solution to world tensions could lie only in some supranational control capable of curbing and redirecting man's aggressive tendencies. Many at the convocation favored enlarging and strengthening the United Nations. Some went well beyond. Describing the prevailing international atmosphere as "a precarious balance of terror," lawyer Grenville Clark advocated genuine world government inspired by strong leadership and endowed with power to control any and all destructive national tendencies. James Patton sought for a means to abolish the Security Council, which he described as "a big-power complex sitting upon the small nations of the world." Mexico's Luis Quintanilla urged that the U.N. be a truly representative governmental body with universal membership, proportional representation in the Assembly and an enlarged Security Council. He also suggested giving the U.N. exclusive control of nuclear weapons and abolishing veto rights.

Others were more cautious. Sir Muhammad Zafrulla Khan of Pakistan defended the worth of sovereignties and their right to cede, or not cede, their authority to a world power; he urged use of peaceful instruments like arbitration and judicial referral in addition to negotiation. Former State Department Advisor Abram Chayes and Britain's Lord Caradon preferred working with the U.N. Charter as it stood, making gradual improvement and greater national support the goal.

While no agreement was sought, the discussions at the convocation thus brought to light areas of accumulated tension, resentment, and misery liable to momentary spontaneous combustion. Largely the heritage of the nineteenth century aristocratic regimes, of the age of colonialism and of World War II, these current problems menaced such coexistence as was operating and blocked further world accord. Revolution and counter-revolution, "spheres of influence," "balance of power" and "first-use" doctrines, defense of "freedom" and defense of "liberation" policies, gross economic inequality—these concrete realities perpetuated conditions incompatible with peace and dangerous to coexistence. Many members of the convocation saw the solution to these problems only in world-wide rededication to the human values of tolerance, cooperation, mutual respect, and reciprocal appreciation; in a concerted, open-minded effort to apply these values to the unresolved problems; and in a determination to extend and strengthen these principles into a workable supranational political fabric.

THE FUTURE OF COEXISTENCE

With few exceptions, participants at the convocation spoke of coexistence and meant peace—peace in small entering wedges, peace step by step, or peace through sweeping reform, but always peace. Following the directive of Convocation Chairman Robert M. Hutchins, participants had attempted to forge beyond the immediacy of two hostile camps and explore the requirements of peace "on a level somewhere between apathy and panic, and this side of the irrelevance of propaganda." From these explorations there emerge one central question, an issue still unresolved: Is the doctrine of coexistence a solid framework on which to build peace or is it a stop-gap remnant of the age-old philosophy of "victory through war"?

In the span of its life from the time of Lenin to the present coexistence had meant not peace but survival. It had ensured continued life for differing political, economic, and social systems, and a postponement of obliteration for most of the world's peoples. Numerous conflagrations, including World War II, the Korean conflict, eruptions in the Suez and in Hungary, open warfare in Vietnam, and border clashes in every hemisphere had thrust the prospects for international peace through coexistence in the shadow of grave doubt. Would the future of coexistence be the razor-edge path of survival or the road to productive accord?

Many of the convocation's participants saw hope for peace through coexistence only if its "shape," as Adam Schaff put it, altered sufficiently to bring conflicting interests and ideologies into closer and closer cooperative endeavor. To the minds of a significant number of speakers and panelists, as long as the principles of national sovereignty and the pursuit of purely nationalistic interests prevailed, coexistence could expect a conflict-torn future.

To give impetus to a new and broader interpretation of coexistence, Abba Eban suggested that the heads of state for one week each year divert themselves from national problems and devote their consideration to the human problems of over-population, malnutrition, illiteracy, gross inequality of income, and the damage man has done to the face of the earth.

Professor of Psychiatry Jerome Frank saw a need for fresh ideas and fresh solutions if coexistence were to survive and work, not to eliminate conflict but to channel and control it. He suggested that these solutions might emanate from society itself rather than from government. Dr. Frank detected a particularly positive opening in the Gandhian method of doing battle by non-resistance, a form of conflict that juxtaposes traditional concepts of courage and cowardice and thwarts the tendency of men to dehumanize their enemies.

Although he agreed with Dr. Frank that "the prophet of the atomic age is surely Mahatma Gandhi," Arnold Toynbee found little to recommend in coexistence itself as a pattern for the future. With the emergence of major world-scale problems like pollution and overpopulation, Toynbee saw less inherent risk in mutual trust than in the Cold War coexistence practiced by the U.S. and the U.S.S.R.

Closing the convocation, U.N. Secretary General U Thant asked his now famous question: "What element, then, is lacking, so that, with all our skill and all our knowledge, we still find ourselves in the dark valley of discord and enmity?" Men lacked neither the aspiration nor the structure for peacekeeping, he asserted. They lacked the confidence to give of their trust, the foresight to release old-fashioned precepts in a world with a new face, the persistence to strive unceasingly, and the will to face the future squarely.

AFTER THE CONVOCATION

The Center disseminated the material of the convocation in various forms. The proceedings themselves, edited by Edward Reed, Director of Publications of the Center, were published by Pocket Books in a paper-back book entitled *Pacem in Terris/Peace on Earth*. The Center published several pamphlets: ". . . Therefore Choose Life," five papers commenting on the encyclical itself; "To Live as Men: An Anatomy of Peace," six addresses as given at the convocation; and three Occasional Papers covering different subjects discussed in the convocation: "On Coexistence," "On the World Community," and "On the Developed and the Developing." (Copies of the Pocket Book are available from the Center at 95 cents each; a sample copy of any of the pamphlets is available without charge.)

In the months that followed the convocation, world events deepened doubts that coexistence could insure survival, much less peace. The war in Vietnam escalated. The People's Republic of China renewed its efforts toward major nuclear capability and at the same time tightened its philosophic commitment to militant communism. Unrest erupted into sporadic violence over the face of Central and South America. Violent incidents spotted the globe. Sovereignties displayed a seeming disposition to force their wills by coercion, in the teeth of the nuclear threat.

In the shadow of this gravely deteriorating international situation, the Center for the Study of Democratic Institutions held a small, informal conference in June of 1965 at its headquarters in Santa Barbara, California. Participants were foreign diplomats and international experts, including several ambassadors to the United Nations, officials of the U.N. Secretariat, and members of the staff of the Center. (See Appendix for list of participants.) The purpose of the conference was to evaluate the accomplishments of the Center's *Pacem in Terris* convocation in New York and to explore the usefulness of further international conversations in the quest for avenues to world peace.

The participants felt that it was both desirable and necessary to focus further worldwide attention on the present dangers to the peace and their possible catastrophic implications for the future. It was the unanimous view that the broadening intervention of the United States in the Vietnamese conflict had served to freeze normal channels of diplomacy and that the only hope for renewing the East-West dialogue lay in the hands of a non-official organization of demonstrated independence and competence. The group assembled at Santa Barbara urged the Center to explore the possibilities of a second convocation to be held outside the United States where even more universal participation might be assured, including representation from the People's Republic of China. The general feeling was that this second convocation, using for its base the broad themes developed in the first convocation, might focus on more concrete foreign policy proposals.

Accordingly, the Center called a preliminary planning session at the Palais des Nations in Geneva, Switzerland, May 30–June 2, 1966. An invitation to send participants or observers was transmitted to Peking; receipt was acknowledged, but there was no further response, and the People's Republic of China was not represented. (See Appendix for list of participants.)

At the opening of the planning conference, Robert M. Hutchins posed a basic question: Could a convocation dealing with broad questions of coexistence have meaning in the face of the continuing Vietnam war? It was unanimously agreed that the Vietnam conflict, in one sense a diversion, made such a convocation all the more essential. As United States Senator GORE pointed out, mankind's greatest need was for communication among men of good will. N. N. Inozemtsev of the Soviet Union felt that a second convocation could profitably consider the general international situation in terms of those problems which worsen it, like Vietnam, and those ideas which might improve it, like disarmament. Professor Lachs of Poland saw no contradiction in seeking solutions to larger political problems and at the same time making efforts toward a Vietnam settlement. U.S. Justice Douglas felt that the Vietnam conflict, as a symptom of international disorder, argued for the importance of having a second convocation. Participants agreed unanimously with Japan's Professor Cho that this should be a convocation aimed at bridging gaps, especially between the United States and China.

Questions of participation at a second convocation centered around the inclusion of the People's Republic of China. Without exception, the participants at the planning conference agreed on the great desirability of having Chinese delegates and urged the Center to pursue every possible avenue of approach to include representatives from Peking. All agreed that the impact of the convocation would be in proportion to its world-wide representation and that delegates from North Vietnam and the National Liberation Front should be invited to participate.

The Center was urged to select a site where universal participation would be possible.

PACEM IN TERRIS II

In response to the unanimous recommendation of the planning conference at Geneva and the encouragement of officials at the United Nations, the Center for the Study of Democratic Institutions will accordingly sponsor a second International Convocation on the Requirements of Peace, *Pacem in Terris II,* in Geneva, Switzerland, May 28–31, 1967. The participants will include leading political and intellectual figures from every part of the world, representing all possible ideologies and political persuasions.

That the concept of coexistence is still the minimal hope for survival in the atomic era is unquestionable. That it can adjust to the imperative needs of the future is uncertain. *Pacem in Terris II* will study these questions and will seek solutions compatible with the needs of all men and all nations. The subjects for panel discussion, as presently projected, will include the following:

The Threats to Coexistence.

Intervention: The Case of Vietnam.

Confrontation: The Case of Germany.

Beyond Coexistence.

Interdependence.

APPENDIX

THE PRELIMINARY CONFERENCE

In the court of a series of discussions at the Center on the practical, secular implications of Pope John XXIII's encyclical, Fred Warner Neal, Professor of International Relations at Claremont Graduate School, suggested the possibility of a major convocation focused on *Pacem in Terris.* Accordingly, on May 17–19, 1964, at Wingspread, the Johnson Foundation conference center at Racine, Wisconsin, the Center convened a small planning session to consider the feasibility of such an undertaking.

Robert M. Hutchins served as chairman, with Harry S. Ashmore as his deputy, as they did for all the conferences. The other participants were:

S. O. Adebo, Representative of Nigeria to the United Nations.

Ahmad Al Nakib, Deputy to the Ambassador to the United Nations from Kuwait.

Livingston Biddle, Special Assistant to Senator Claiborne Pell of Rhode Island.

Father John F. Cronin, S.S., Assistant Director, Social Action Department, National Catholic Welfare Conference.

Maitre Xavier Deniau, Deputy for Loiret, French National Assembly.

Marian Dobrosielski, Counselor of the Polish Embassy, Washington, D.C.

Nelson Glueck, President, Hebrew Union College-Jewish Institute of Religion.

Brooks Hays, Eagleton Institute of Politics, Rutgers University, consultant to President Lyndon B. Johnson.

Hudson Hoagland, President, American Academy of Arts and Sciences.

Joseph E. Johnson, President, Carnegie Endowment for International Peace.

Georgi Kornienko, Minister Counselor of the Soviet Embassy, Washington, D.C.

Msgr. Luigi Ligutti, Permanent Observer of the Holy See to FAO, Vatican City.

Senator George McGovern, South Dakota.

Hans J. Morgenthau, Center for the Study of American Foreign Policy, University of Chicago.

C. V. Narasimhan, Executive Office of the Secretary General, United Nations.

Fred Warner Neal, Professor of International Relations and Government, Claremont Graduate School.

Senator Gaylord Nelson, Wisconsin.

Leslie Paffrath, President, Johnson Foundation.

Josip Presburger, Counselor of the Yugoslav Embassy, Washington, D. C.

Eugene Rabinowitch, Editor, *Bulletin of Atomic Scientists.*

Rashid Al Rashid, Ambassador to the United Nations from Kuwait.

Andrew Shonfield, Director of Studies, The Royal Institute of International Affairs, England.

John Tomlinson, Director of Mission and World Service Liaison for the National Council of Churches.

Sir Muhammad Zafrulla Khan, Judge of the International Court.

PACEM IN TERRIS I

The Center's convocation on the Requirements of Peace, based on the encyclical *Pacem in Terris,* was held in New York City February 18-20, 1965. At the opening session in the Assembly Hall of the United Nations, the principal speaker was Vice-President Hubert H. Humphrey. In the plenary sessions that followed at the Hilton Hotel, before an invited audience of some 2,500, panel discussions and individual addresses were directed to these topics:

A European settlement. *The Main Issues: Military Confrontation; Germany and Berlin; Nuclear Proliferation.*

The institutional structure. *The Main Issues: National Sovereignty; International Organization; The Rule of Law; Peace-Keeping.*

The non-nuclear powers. *The Main Issues: National Independence vs. International Dependence; Alignment vs. Non-Alignment—Economic Disparities—Political Instability.*

The terms of coexistence: Mutual interest and mutual trust. *The Main Issues: Ideology and Intervention; The Limits of Non-Military Conflict; Change vs. the Status Quo.*

Paul G. Hoffman, director of the United Nations Development Program and honorary chairman of the Center's Board of Directors, presided at the opening session at the United Nations. Robert M. Hutchins served as chairman of the convocation, with Harry S. Ashmore as his deputy, Leslie Paffrath, President of the Johnson Foundation, as secretary general, and Fred Warner Neal as program consultant. Other participants at the plenary sessions were:

S. O. Adebo, Representative of Nigeria to the United Nations.

Robert Buron, Chairman, National Committee on Productivity, Republic of France.

Alberto Lleras Camargo, Former President of Colombia.

Lord Caradon, Minister of State for Foreign Affairs, United Kingdom.

Xavier Deniau, French National Assembly.

William O. Douglas, Associate Justice, United States Supreme Court, and Chairman, Board of Directors, Center for the Study of Democratic Institutions.

Abba Eban, Deputy Prime Minister of Israel.

Senator J. William Fulbright, Chairman, Foreign Relations Committee, United States Senate.

George H. Guilfoyle, Archdiocese of New York.

N. N. Inozemtsev, Director, Institute of World Economics and International Relations, Academy of Sciences, U.S.S.R.

Philip C. Jessup, Judge, International Court of Justice.

George F. Kennan, former United States Ambassador to the U.S.S.R. and to Yugoslavia.

Edward Lamb, President, Lamb Industries and Member of the Board of Directors, Center for the Study of Democratic Institutions.

M. D. Millionshchikov, Vice-President, Academy of Sciences, U.S.S.R.

Pietro Nenni, Deputy Prime Minister of Italy.

Madame Vijaya Lakshmi Pandit, Governor of Maharashtra, India, and former President of the United Nations General Assembly.

Linus Pauling, Nobel Science Laureate and Nobel Peace Laureate, Center for the Study of Democratic Institutions.

Alex Quaison-Sackey, Representative of Ghana to the United Nations, and President of the United Nations General Assembly.

Luis Quintanilla, former President of the Council, Organization of American States, and Ambassador of Mexico.

Abdul Monem Rifa'i, Representative of Jordan to the United Nations.

Adam Schaff, Member of the Central Committee, United Workers' (Communist) Party of Poland.

Carlo Schmid, Vice-President of the Bundestag of the Federal Republic of Germany.

Paul-Henri Spaak, Vice Premier and Foreign Minister of Belgium.

Adlai E. Stevenson, Representative of the United States to the United Nations.

Kenzo Takayanagi, Chairman of the Constitution Revision Commission of Japan.

U Thant, Secretary General of the United Nations.

Paul Tillich, John Nuveen Professor of Theology, University of Chicago.

Mrs. Vida Tomsic, Member of the Committee for Foreign Affairs, Federal Assembly of Yugoslavia.

Arnold Toynbee, Historian, Great Britain.

Miss Barbara Ward, economist and author, Great Britain.

Earl Warren, Chief Justice of the United States.

Sir Muhammad Zafrulla Khan, Judge, International Court of Justice.

Yevgenyi Zhukov, Director of the Institute of History, Academy of Sciences, U.S.S.R.

In addition to the participants in the plenary sessions, special panels of United States foreign policy experts were assembled to discuss and analyze each day's proceedings. They were:

Steve Allen, author, critic and television personality; Eugene Burdick, professor of political science, University of California; Abram J. Chayes, former legal adviser to the Department of State; Grenville Clark, attorney and co-author of *World Peace Through World Law;* John Cogley, Center for the Study of Democratic Institutions; Norman Cousins, editor, *Saturday Review;* James Farmer, national director, Congress of Racial Equality; Jerome Frank, professor of psychiatry, Johns Hopkins University Medical School; Hudson Hoagland, executive director, Worcester Foundation for Experimental Biology; H. Stuart Hughes, professor of history, Harvard University; Herman Kahn, director, Hudson Institute; Henry R. Luce, editorial chairman, Time, Inc.; Marya Mannes, author and critic; Eugene J. McCarthy, United States Senator from Minnesota; George McGovern, United States Senator from South Dakota; Walter Millis, Center for the Study of Democratic Institutions; Hans J. Morgenthau, Director, Center for the Study of American Foreign and Military Policy, University of Chicago; James G. Patton, president, National Farmers Union; Claiborne Pell, United States Senator from Rhode Island; Gerard Piel, editor and publisher, *Scientific American;* R. Paul Ramsey, Harrington Spear Paine, professor of religion, Princeton University; Elmo Roper, public opinion analyst; Bayard Rustin, executive secretary, War Resisters League; William Fitts Ryan, Representative from New York, U.S. Congress; Stanley K. Sheinbaum, Center for the Study of Democratic Institutions; George N. Shuster, assistant to the president, University of Notre Dame; Harold E. Stassen, disarmament adviser to President Eisenhower; Carl F. Stover, executive director, National Institute of Public Affairs; Mrs. Dagmar Wilson, founder, Women Strike for Peace.

AFTER PACEM IN TERRIS I: THE CONFERENCE AT SANTA BARBARA

At this evaluation session in June, 1965, the result of which was a recommendation to hold a second convocation, the participants were:

S. O. Adebo, Representative of Nigeria to the United Nations.

Joseph A. Amter, Chairman, Committee for Research on the Development of International Relations.

Patrick Armstrong, Secretary General of Parliamentary Group, House of Commons, London, England.

Ralph Bunche, Under Secretary for Special Political Affairs, United Nations.

Ritchie Calder, University of Edinburgh, Scotland.

Michael Comay, Ambassador of Israel to the United Nations.

Joseph W. Drown, Member of the Board of Directors of the Center for the Study of Democratic Institutions.

Ahmed Houman, University of Tehran, Tehran, Iran.

Sir Muhammad Zafrulla Khan, Judge, International Court of Justice.

Stuart Mudd, World Academy of Art and Science, Philadelphia, Pennsylvania.

C. V. Narasimhan, Chef de Cabinet, United Nations.

Fred Warner Neal, Claremont Graduate School.

Linus Pauling, Center for the Study of Democratic Institutions.

Luis Quintanilla, former President of the Council, Organization of American States, ambassador of Mexico.

E. R. Richardson, Ambassador of Jamaica to the United Nations.

José Rolz-Bennett, Under Secretary, United Nations.

Piero Vinci, Ambassador of Italy to the United Nations.

Harold Willens, Member of the Board of Directors, Center for the Study of Democratic Institutions.

THE GENEVA PLANNING CONFERENCE

Individuals from ten countries attended the meeting May 30–June 2, 1966, at which initial plans were made for *Pacem in Terris* II. They were:

H. E. Sonn Voeunsai, Ambassador of Cambodia to France.

Pierre Mendès-France, former Premier of France.

Jean Chauvel, Ambassador and Diplomatic Counselor to the Government of France.

Maitre Xavier Deniau, French National Assembly.

Alastair Buchan, Director, Institute for Strategic Studies, England.

C. V. Narasimhan, Chef de Cabinet, United Nations.

Mrs. Kiyoko Cho, Professor, International Christian University, Tokyo.

Luis Quintanilla, Former Ambassador of Mexico.

Manfred Lachs, Warsaw University.

Mohammed El-Zayyat, Under-Secretary for Foreign Affairs, United Arab Republic.

William O. Douglas, Associate Justice, United States Supreme Court and Chairman of the Board, Center for the Study of Democratic Institutions.

Albert A. Gore, United States Senator from Tennessee.

George S. McGovern, United States Senator from South Dakota.

William C. Baggs, Member of the Board of Directors, Center for the Study of Democratic Institutions.

Edgar Snow, author and journalist.

Nikolai N. Inozemtsev, Director, Institute of World Economics and International Relations, Academy of Sciences, U.S.S.R.

Dmitri D. Muravyev, Secretary-General, Institute of Soviet-American Relations, U.S.S.R.

HENRY ALDOUS DIXON

Mr. BENNETT. Mr. President, I was saddened this morning to learn of the untimely death of my good friend and colleague, former Representative Henry Aldous Dixon. He passed away yesterday after suffering a heart attack at his family home in Ogden, Utah.

Although short of stature, he will be remembered as a giant among men by the thousands of students, teachers, and friends he made during the more than 40 years he spent in the field of education, and during the 6 years he served as a Representative in the House from Uath's First Congressional District.

It was my privilege to work with Henry Aldous Dixon for more than 30 years on the General Sunday School Board of the Church of Jesus Christ of Latter-day Saints. I knew him many years before that when he was a cashier at a bank in Provo, Utah.

Dr. Dixon began his career as an instructor at Weber College in Ogden, Utah, after graduating from Brigham Young University in 1914. He served two different terms as president of Weber College from 1919 to 1920 and again from 1937 until 1953. He also served as superintendent of Provo City, Utah, schools from 1920 to 1924 and again from 1932 until 1937. He mixed his academic career with an active interest in business and served from 1924 until 1932 as the managing vice president of the Farmers and Merchants Bank of Provo, Utah. He also served several terms as president of the chambers of commerce in both Provo and Ogden, Utah. He was active in the Rotary Club and many other scholastic, fraternal, and church organizations.

In 1953, Dr. Dixon was appointed president of Utah State University, at Logan, Utah. He served in this capacity until he was overwhelmingly elected by the people of Utah to serve in Congress. After serving for three terms, he chose to retire and devote his remaining years to his first love—education— and to enjoy the abundant good fishing and hunting in Utah's streams and hills. He was an avid sportsman and loved the great out of doors almost as much as he did the warmth of a good discussion in the classroom or on the floor of the House of Representatives.

Henry Aldous Dixon will be sorely missed by his family and friends, but his many contributions to education, business, and politics will long be remembered by the people of Utah and by his friends throughout the Nation.

THE MEANS TO COMBAT CRIME

Mr. TYDINGS. Mr. President, one of the most serious and urgent problems with which this Congress must deal is the problem of devising effective means to combat crime. During the past year, in consultation with State and local law enforcement officers, I have been developing a number of proposals for action to improve the training of police and correctional officers, to provide local and State officials with improved technology to combat crime, and to provide educational benefits for law enforcement officers. In the near future, I will introduce a bill embodying those proposals.

In the meantime, I have been heartened by the fact that a number of the ideas I will propose in that bill have gained significant endorsement. The President mentioned a number of them in his state of the Union address, Then, last Thursday, January 19, the junior Senator from New York [Mr. Kennedy] delivered before the Columbia Law School Forum an address entitled "Crime in the Cities: Improving the Administration of Criminal Justice." I am pleased to see that, in many ways, Senator Kennedy's thinking closely parallels mine. For that reason, I commend his address to the attention of the Senate, and ask unanimous consent that its text be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Crime in the Cities: Improving the Administration of Criminal Justice

(Address by Senator Robert F. Kennedy, Columbia Law School Forum, Columbia Law School, New York City, January 19, 1967)

I. INTRODUCTION

St. Thomas Aquinas once said that "freedom is willing obedience to law". There is, of course, no better way to start an argument in a law school than to put forth a simple declarative statement which contains two words like "freedom" and "law". But one of the principal issues facing our society today is just this simple relationship—between law and freedom, justice and order—and the subject matter of your classroom debates is also the center of political debate, the most pressing immediate concern for millions of individual Americans, a matter of literal life and death.

For these people—that is, for the 70 percent of Americans who live in cities—freedom is threatened most of all by the spreading incidence of crime. The most elementary freedoms of all—against arbitrary interference with one's bodily security or property—are in growing jeopardy. As a result, a deepening concern over law enforcement pervades urban society—in the ghettoes of Harlem no less than in the row houses of Queens.

This concern is justified. Fear and freedom go ill together.

In the past five years alone, the rate of serious crimes reported across the country has risen by over one-third. Even allowing, as we should, for improved crime reporting methods, the problem is grave. On an average day in the United States in 1965, a robbery occurred every five minutes, an aggravated assault every three minutes, and a car theft every minute. And there are indications that many more such crimes go totally unreported and are therefore not reflected in these statistics.

Concern over crime in cities is of course not new. In the early years of this century, police would not enter Hell's Kitchen except in groups of six. The editors of the *New Republic* charged in 1925 that "the administration of criminal justice has broken down in the United States". In 1933, Senator Royal Copeland of New York, heading a special Senate investigation, stated that "the cost of crime is steadily advancing. . . . The administration of justice has fallen down." This history is a useful rejoinder to those who imply that crime is a recent development caused by court decisions or civil rights demonstrations—as is the fact that all crime is not increasing: the homicide rate now is actually lower by about fifty percent than it was thirty years ago.

But no amount of history, no comparison with other times and places, can alleviate our concern, for the problem of crime is greater now than it has been at any time in the past. Ours is a more complex and interdependent society, therefore more vulnerable to disorder; **and** mobility and instant public communications spread crime—its fact, its example, and its political consequences—more rapidly than ever before.

Therefore, I come before you to discuss crime, and particularly crime in our cities, because you have a special responsibility in this area. Some of you will serve directly, as judges and prosecutors and defense attorneys.

All of you will have a responsibility—to lead public understanding of the delicate balance between private liberty and public order.

And, most immediately, it will be your responsibility as lawyers to press for and participate in the revamping of a set of law enforcement processes—from arrest to trial to imprisonment—that has not been fundamentally revised for decades.

Due to shortages of money, time, imagination, effort and commitment—and a shortage of cooperation from the community it serves—our law enforcement system has been deficient in preventing crime. It has thereby contributed to an atmosphere in which, all too often, it appears to the potential offender that the risks of crime are worth taking.

Re-examination of the process has begun. President Johnson focused attention on the problem in his State of the Union message. The District of Columbia Crime Commission has released a thorough and constructive set of recommendations for across-the-board action in the District. The President's Crime Commission, at work more than a year, will soon release a report that all of us await with interest. But far more remains to be done, far more effort will have to be made in translating recommendations into law, before the course of reform is complete.

Today I would like to discuss with you some of the revisions which must be accomplished. But before proceeding, I would make two observations.

First, it is clear that reducing crime involves far more than reform of the law enforcement system. Over the long run it involves the building of a society in which people do not want to and do not feel the need to violate the law—a society where equal opportunity for all is a reality, a society where self-respect and self-esteem are not commodities reserved for the economically advantaged. And that effort in turn requires that we vastly multiply our efforts against poverty, for education, for jobs, for fundamental justice in the economic and social relations between men.

But the new order will not be with us for some time, and the longer the war in Viet Nam persists, the longer that time will be. So immediate improvements in our law enforcement system are important.

Effective law enforcement is also critical in the sense that, even if we achieved total affluence at some distant time, crime would still be with us—as we can see from the recent increases in crime in our comfortable suburbs. Crime is a disease that is never totally cured. It exists under socialism as under capitalism, in primitive and advanced cultures, under all political forms. All societies have alienated and disaffected members; and some proportion of men will always prefer to act outside the rules to achieve personal advantage. This does not mean that crime cannot be reduced by reforming society; of course it can. It does mean that it cannot be eliminated, and that law enforcement will always be needed.

Second—an observation which must color our whole perspective—crime is principally a problem of young people. In 1965, almost three quarters of those arrested for serious crimes were between 13 and 29. Historically, increases in crime in this country have been closely related to increases in the size of the 13 to 29 age group; our recent increases in crime rates are in direct proportion to the "baby boom" of recent years; and, as the youth population continues to grow, we can expect a serious continued growth of crime in the next decade and beyond. Thus our proposals must be shaped by the problem—by its character as a phenomenon of the teenager and the young adult.

II. IMPROVING POLICE ADMINISTRATION

A. Crime prevention and the apprehension of criminals

The policeman is the law enforcement system's representative on the street—and his very presence, the extent to which he is in evidence at any time, can deeply affect the amount of crime that is committed. Thus in Chicago, for example, putting more police cars into several high crime precincts, even with only one man inside each instead of the usual two, significantly reduced crime rates. Here in New York City, putting police on motor scooters in Central Park and Prospect Park in 1964 caused a 30 percent and a 40 percent drop, respectively, in muggings in a few months time.

These experiments bore fruit not just because potential violators saw the police or knew they were likely to be nearby, although that is certainly part of the reason. The point is far more basic, and it is particularly important in deterring young people from committing crime.

Claude Brown tells us that the young people of Harlem who spent their lives on the streets made their own rules and lived by their own code. They did so because there was no other security, no other enforced set of rules. The lack of a consistent, conscientious, even-handed authority—in other words, the lack of law enforcement in Harlem when Claude Brown was growing up—had a profound effect on his contemporaries. It caused them to substitute the rules of the streets for the rule of the law. As Brown notes, "I was growing up now, and people were going to expect things from me. I would soon be expected to kill a man if he mistreated me."

Adequate police presence on the streets is, therefore, no less fundamental than the social contract itself. It says to the young people: you can obtain security by making the law enforcement bargain. You can avoid the need for self-protective resort to the rules of the street by mutually agreeing to the rule of law. And it says also: you cannot expect to succeed by making your own rules.

Here, then, is a need which can be met only in one way: by putting more police on the street.

The first need is to obtain enough good policemen who can do the job well. Almost no large city police force is adequate in size. New York City, for example, told a National League of Cities survey last year that it needed 6,300 more officers, an increase of almost 25 percent over the number of police it then had. The average need for increased manpower reported by all 284 responding cities was ten percent.

One basic cause of these recruitment difficulties is salary—the typical starting salary in a large city is only $5,800, and in smaller cities it is far less. About half the cities responding to the National League of Cities survey still pay less than $5,000 as a beginning salary, and a sixth still have maximum salaries for patrolmen of under $5,000. The average yearly wage in manufacturing in the United States is over $5,600. Clearly, men of the calibre sought for law enforcement can find other employment at much higher pay.

Another major barrier to recruitment stems from the fact that police work lacks professional status in the eyes of much of the community. This is partly a reflection of the fact that police salary scales are low, and partly a reflection of inadequacies in the training process. More fundamentally, however, I think the organization of our police departments has limited the prestige of the job. Their structure is ordinarily such that promotion is unavailable to many qualified men. Enough higher-level positions just are not available. As a result, men on the force for ten and fifteen years are still patrolmen, making little more money and bearing only marginally more responsibility than when they began. The idea of police work as a professional career in the public's mind is bound to suffer, to say nothing of the frustrating and deadening effect on the policemen involved.

Nor are most policemen, once recruited, adequately trained. The International Association of Chiefs of Police says 200 hours of classroom instruction is a bare minimum, and by no means an ideal. Yet barely a quarter of the nation's police agencies provide that much training. Large cities do far better than smaller ones, and the IACP reports that generally speaking, cities of less than 50,000 just do not have the capability by themselves of providing more than token training. As a result of these deficiencies, the rookie cop is often insufficiently prepared and highly impressionable when he hits the street. He is then taken in hand, usually, by a veteran policeman who has not received anywhere near the kind of in-service training that he in turn ought to have had to expand his capabilities—probably less than three days yearly—though experts recommend at least two weeks of special courses yearly for working policemen. Only New York City maintains a College of Police Science to provide educational courses and award degrees to working police officers.

Improving recruitment and training will depend primarily on State and local initiative, but the Federal government also has an important role to play in aiding this process. For example, the Department of Labor and the Neighborhood Youth Corps have funded extensive programs in New York City, Baltimore, Los Angeles, Newark, and St. Louis to recruit and train educationally-disadvantaged young people for police careers—thus offering the possibility both of more integrated police forces, and of policemen, recruited from inside the city, who are more intimately acquainted with the city and the people they will serve and protect. This illustrates one way in which the Federal government can be helpful, and it is the kind of effort that must be expanded and multiplied.

I believe the Federal government should assist in the development of a series of regional police training centers at interested universities around the country—to aid in educating recruit training instructors, in packaging and distributing courses to be given the recruits at the local level, and in providing courses and programs of study for men at all levels of police work. A regional system of university centers would, I believe, raise police standards everywhere.

Beyond increased training, we must explore a variety of ways to improve the status of police work. One—already begun by many police departments—is to hire civilian personnel to perform basically clerical jobs formerly handled by policemen. In connection with this, we should also consider ways in which the policeman's job can be lightened by having citizens serve as eyes and ears for the police in their own neighborhoods. There are always problems in trying to cloak ordinary citizens with any aspect of police responsibility, but the idea of a citizen patrol could, in my judgment, be quite constructive and should be explored.

More broadly, we should encourage the recruitment of many men who now do not consider police work at all—for example, most college graduates. About 50 percent of all high school graduates now go on to college, and the proportion is increasing every year. Thus, if the present pattern of police recruitment is maintained, we will be restricting ourselves to the lower half of our population for one of our most difficult and vital jobs. In the past, when education was more restricted and police pensions offered unique security, there was far more competition, among a wider range of people, for places on the force; now most young men do not consider it.

One way to draw from a broader spectrum would be to recruit some proportion of patrolmen on a relatively short-term basis—say, for two, three, or four years. Short-term service might well be encouraged by providing a specific draft exemption in return for a definite number of years of police service. The matter would require careful study, to insure that the gains to the police manpower pool would outweigh, in their value to the community, the losses to the military manpower pool as a result of effectively freeing all new policemen from having to serve in the armed forces. But the basic point remains sound—a draft exemption for policemen would express both the public's concern over the need to attract more men to police work, and its respect for the worth of the police calling and for the dangerous service they perform.

Similarly, we might explore the possibility of a partial government subsidy for the college education of young men who agree to spend a designated number of years after graduation doing police work—just as we now do for officers in the Armed Services.

To the extent that approaches like these would attract men who would choose not to make police work a career, vital strength at the patrolmen level would be expanded without making the competition for promotion any more frustrating than it already is. Moreover, a new link to the community at large would be forged through these men who had served in the police force for a short period of time. And these trained but discharged officers might form the nucleus of a police reserve—an emergency force which could be called upon in time of disaster or civil disorder to augment the regular force. Such a force would certainly provide society with a more flexible and less drastic weapon than the National Guard.

Second, crime prevention can be enhanced and criminals apprehended more effectively if modern technology is used to deploy limited police manpower resources more efficiently.

For example, electronic data processing equipment—connected with a statewide computer network—can supply us with instantaneous information about criminal suspects. Chicago credits computer equipment as being a major factor in helping to decrease the city's crime rate in 1963 and 1964. New York City police have effectively used computers to help trace stolen cars and track down traffic ticket violators. Nevertheless, only 29 percent of the cities answering the National League of Cities survey had electronic data processing equipment although 45 percent more indicated it would improve their data handling procedures.

As another example, modern technology might also be an instrument in assuring the integrity—and therefore the true efficiency—of police interrogations. Video tape or film equipment might be used to record questioning, thus protecting both the police and the accused from false claims by the other at trial or on collateral attack of a conviction. Police Commissioner Leary told the Ribicoff Subcommittee in December that his department is undertaking just such an experiment, using sound recordings for some interrogations, layman observers for others, and film or video tape for still others. We shall await the results with interest.

In my judgment, federal funds should be made available to help finance all of these improvements in technology—including the development of a national network of computers and the acquisition of other needed capital equipment such as motor vehicles. Since these are in large part one-time expenditures which are beyond the capacity of many localities, Federal aid on an appropriate matching basis would seem entirely justified.

At the same time, however, we must act to assure that the new technology serves us properly and does not invade the privacy of the individual. The time has come for Congress to enact new legislation to reform completely our approach to wiretapping and to eavesdropping. I am now in the process of putting some proposals in this area into the form of legislation which I shall introduce in Congress shortly.

Third, more effective crime prevention also depends upon the reorganization and consolidation of local police departments. Some 40,000 separate and often overlapping police agencies now exist around the country. Fifty-four different police forces serve the six counties of metropolitan Detroit. Chicago and its environs encompass over 150 local police jurisdictions. There are 39 separate police departments in Westchester County. These situations are wasteful of scarce resources, and too often result in poor coordination in preventing crime and capturing criminal offenders.

We long ago consolidated school districts in rural areas, and many of our metropolitan areas have combined to meet sewage and transit and other area-wide problems collectively. I believe we should now move in the same direction in the organization of our police forces. This is not to suggest that we must make wholesale changes which destroy police familiarity with local conditions, or the responsiveness that they can offer to the needs of the people they serve. But the Kansas City area, for example, has a five-county area metropolitan squad, composed of 120 officers from 40 different law enforcement agencies in both Missouri and Kansas, which is activated when major crimes are committed in its zone of coverage. That is the kind of reorganization we should explore, at the very least. The result can only be better deployment of resources and better service to the public.

Reorganization within cities is needed as well. Precinct maps in many cities were drawn when communications were far slower and policemen far less mobile. In these cities a significant saving in desk-bound manpower and paperwork could be achieved by precinct consolidation and a greater centralization of headquarters functions.

In all of this the Federal Government has already begun to play a role. The recently-created Office of Law Enforcement Assistance in the Department of Justice has funded committees in six states which have been formed to examine and reorganize their law enforcement systems. Other applications for similar aid are being processed now. The D.C. Crime Commission engaged the International Association of Chiefs of Police to study the organization of the District's Police Department, and received in return a thoughtful and constructive report. These various efforts should be expanded, and I believe that federal assistance should be made available to enable other local police departments to obtain the kind of evaluation that was so helpful in Washington. The Federal government must also be prepared—as President Johnson pointed out in his State of the Union message—to bear a certain percentage of the additional costs that result when states establish master plans for combatting crime. Our goal is the creation of efficient and organized police forces, for such forces are critical if crime is to be prevented.

The policeman's job is difficult, hazardous, and often thankless. He is the sole representative of the governing authority on many streets of the city, and as such he is called upon daily to make decisions and take actions which may spell the difference between public safety and heightened tension and insecurity. If we want to make our streets safe and more secure, we owe it to ourselves to make the effort at all levels of government that will be required to recruit, train, and equip our police forces in a manner which gives them the tools they need to do the job.

B. Police-community relations

At the same time, improved crime prevention has another element. The job our police are able to do will be shaped significantly by their own reactions and beliefs about the community they serve, and these attitudes will be shaped in turn by the attitude of the public and the level of cooperation within the community. I am in favor of any system or device for improving these relationships—open meetings between police and neighborhood representatives, establishment of public advisory councils, police participation in community activities; all these are important. But to these conventional approaches I would add two more basic points.

First, we hear a great deal in the press about problems in police-community relations arising out of the concern of ghetto residents about police brutality and racism. These are serious concerns, to be sure. But the overriding problem of ghetto residents—their abiding need—is for physical security, and thus for more police protection.

The John Kraft organization has conducted a number of polls in Negro and Puerto Rican neighborhoods in New York City, in which it asked people to list their problems. Crime came out "at the head of the list." What the people want, the Kraft group concludes, is "more police protection." And, the Kraft report continues, "Problems of 'police brutality'—in all these surveys—are conspicuous by their absence." What people want is more police presence rather than less.

When the statistics on crime are studied, this desire becomes very understandable. Although serious crimes are committed to a disproportionate extent by the poor, it is too often forgotten that these serious crimes are also committed in poor neighborhoods and the victims are generally the law-abiding citizens who live there. In general, crimes of violence are not the acts of stranger against stranger; rather they are normally committed by offenders who are known to the victims. Eighty percent of all murders are perpetrated by the family, friends or acquaintances of the deceased; over two-thirds of all aggravated assaults and rapes are committed by the same categories of offenders. And most crime is not interracial. A study in Detroit has shown that while 78 percent of the identified perpetrators of assults were Negro, 76 percent of the victims were also Negro. A five-year study of homicides in Philadelphia revealed that only about 6 percent of the crimes were interracial, and of these, Negroes were the victims almost as often as they were the offenders.

I pointed out earlier the importance of a conscientious, consistent, even-handed police presence in preventing the young people of the ghetto from turning to crime. What I add here is really the other side of that coin—a capable and efficient police force is critical to the protection of the entire ghetto community, and it remains the indispensable element in developing community understanding and cooperation.

Second, however much we enjoin policemen to understand the problems of the slum and its people, we must realize and fulfill the obligations the rest of the community owes to the individual patrolman. He will never win anyone's confidence so long as he is sent to enforce unjust laws. Smile as he will, he will be no one's friend so long as he has to be a party to evictions by slum landlords. The key to police-community relations in the end is that there be justice in the relations of the people of the ghetto to the rest of the community. Then the deck will be shuffled fairly when the individual police officer comes in to do his job. And the assurance that justice is a concept applicable to the entire community is especially important to the youth of the ghetto—for whom the discrepancy between the American dream and the nightmare of everyday reality has become so vivid. The alienation of these young people has reached alarming proportions, so that, as elsewhere, it is in relation to the young that the need for action is most urgent.

III. IMPROVING THE TRIAL PROCESS

Improving police administration is, of course, just one aspect of the task ahead. After the arrest, the next step is the prosecution, and deficiencies in that process can also contribute to increased crime. Justice delayed is, after all, justice denied—in a variety of ways. The undue delay of a prosecution means that witnesses may die or forget or leave the jurisdiction, and, if a defendant escapes conviction on that account, the result is inevitably a decreased respect for the law, and an increased chance that others will think it worth the risk to commit a crime. Moreover, during a long delay before trial, the defendant who is out on bail or on recognizance, may get a job and settle down, only to be uprooted from his self-achieved rehabilitation—or he may commit another crime. Either way, respect for law suffers.

And the fact is that we have failed to modernize and expand our prosecutorial and judicial processes as an increasing population has made their caseloads heavier and heavier.

As in the case of police administration, at least part of the problem comes from a failure to commit sufficient resources. Salary scales for local district attorneys begin as low as $1,200 a year in some states. As a consequence, the job of district attorney, in over four-fifths of the states, is only a part-time occupation that supplements private practice. In New York City, Assistant District Attorneys in three of the five Boroughs are permitted to have some private clients.

Meanwhile, criminal court dockets continue to lengthen. In some states, it can take as long as two years to bring a felon to trial. Even persons charged with misdemeanors often have to wait several months to be tried. In some states the number of cases getting to court is actually on the decline. In Washington, D.C., for example, the U.S. District Court handled 39 percent fewer felony cases in 1965 than it did in 1950.

This congestion and slowness in the handling of serious felony cases leads many prosecuting attorneys to accept pleas of guilty to lesser crimes than those originally charged, and to drop cases where the crime does not seem too serious or the evidence is less than overwhelming. Inevitably, unsupervised plea bargaining, reduced charges, and dropped cases lead to decreases in deterrence as it appears more and more likely to the potential offender that even if he is arrested, he may not be prosecuted or may receive a disproportionately light sentence.

And in too many criminal trials, efficiency is either lost or converted into a substitute for fairness. Numerous continuances and the failure to establish computerized scheduling of cases produce annoying waits for witnesses and lost time for police officials. In some police courts, judges try to make up for lost time and clear their calendars by hearing anywhere from 50 to 100 cases in a day. Innocence and guilt, justice and injustice are usually muddled in the process. As criminal law scholar Edward Barrett has pointed out, "How can we expect respect for the law . . . . from citizens generally, when their personal involvement with courts is in mass-production settings where even individual explanations by defendants must be discouraged in order to clear up overcrowded calendars."

One prescription for improvement is monetary—a greater commitment of financial resources to the hiring of more able prosecutors and court administrative personnel. Another is careful re-examination of the kinds of matters now treated in the criminal process. It is at present clogged with offenses involving derelicts and vagrants and with essentially administrative problems like building code and traffic violations. It is astonishing, for example, that almost one-third of the non-traffic arrests made in our cities relate to public intoxication and that in our nation's capital, this figure reached 50 percent in 1965. If our courts, and, for that matter, our police forces as well, are to deal effectively with serious crime, they must be relieved of the responsibility for keeping chronic alcoholics off the street. Instead, we must follow the example now being set in such cities as St. Louis, Washington, Boston and New York and begin taking the alcoholic completely out of the criminal process. Our overcrowded jail cells must be replaced by clinics and drying-out centers. If we can begin to treat those offenses which are really public health problems as such, and those offenses which are really administrative matters as such, we will have taken a giant step toward freeing our courts to deal expeditiously with serious crime.

Finally, we must begin to evaluate and to reform the juvenile court systems that exist in every State. Many of the problems in these courts are similar to those that mark the entire judicial process—inefficiency, insufficient personnel and inadequate facilities. But the juvenile court system, because it is based on the theory that defendants should be dealt with informally, raises fundamental problems of procedural fairness—problems which no longer plague the courts in which adult offenders are tried.

Reform of the juvenile courts is critical because such a high percentage of serious crime is committed either by adolescents or by adult offenders who were involved with the law when they were adolescents. The first law enforcement officer normally seen by the serious offender is the youth specialist, and the first courtroom that he enters is for juvenile offenders. Whether this youngster is deterred from future crimes or simply moves on to more serious offenses may be determined by what happens in these first contacts he has with the law enforcement system.

It is clear that from a crime prevention standpoint these first contacts are unsatisfactory as things now stand. To see just how unsatisfactory they are, one need only look to the rate of recidivism for adolescent criminals. The District of Columbia Crime Commission reported, for example, that more than 50 percent of the convicted adult offenders in Washington in 1965 had records as juvenile offenders.

There is much that we can and must do to improve our juvenile court systems. We should wipe out the arbitrariness that produces unsupervised dismissals of charges by arresting officers, special youth division police officer, and by the social service divisions of the juvenile courts. We should ensure that the juvenile offender who is not brought to trial because his act was not serious enough to warrant judicial proceedings does not simply return to the same environment under the same circumstances. If we do not wish to see this adolescent emerge again as the violator of a more basic norm of conduct, then we must establish a full range of remedial services to which he can be referred after running afoul of the law for the first time. Further, we need to eliminate the delays in adjudication which in cities like Washington may be for as long as six months and which can only convince the youth that we are not really concerned about his offense. As Court of Appeals Judge E. Barrett Prettyman notes, "If you bring a child into court six months after he committed the offense . . . you might as well not bring him there." Finally, we must end the unfairness that marks the juvenile proceedings in all too many of our states. Rules that deny to the adolescent his right to be represented by counsel, or to appeal, or to the privilege against self-incrimination, or to know the exact facts supporting the allegation of delinquency, should be changed. Such violations of fundamental fairness—whatever their "advantages" in flexibility—do not teach young people that the game is worth playing by the rules.

IV. IMPROVING THE PROBATION AND INCARCERATION PROCESSES

We have now brought the defendant through arrest, trial, and conviction, and have seen what might be done to improve these processes so as to serve the end of preventing crime. But what of the processes that follow conviction? In brief, our efforts to rehabilitate convicted criminals, particularly young people, and reintegrate them into the community, have been deficient. The result has been a rate of recidivism that is inexcusably high.

We know only too well that urban crime is not distributed evenly by social and economic class. The offenders themselves are normally the poor and the alienated; they are the young people we have failed to integrate into American life. The possibility that a boy from the poorest area of a city will turn to crime is something like twenty times the chance that a boy from wealthy circumstances will do so.

A recent study in Atlanta revealed that over 57% of the city's juvenile delinquents came from the lowest income group, comprising only 24% of the population.

We know that crime is associated with lack of jobs and lack of skills. The number of totally unskilled laborers in the prison population is almost three times the national average. Over 75% of the men in federal prisons lacked steady employment during the two years before they went to jail. Over 85% of them have no savings. As Daniel Glaser notes in his classic work on prisons: "Regular work during imprisonment for even as little as one year, would be the longest and most continuous employment experience that most prisoners, and especially the younger prisoners, have ever had."

We know that crime is associated with lack of education. For example, the Atlanta study found that the typical boy sent to a state training school was 3.4 years behind his contemporaries in basic skills like reading and writing, and that almost 40% of those appearing in juvenile courts were 5 years behind the average youngster. In the age group from 25 to 34, 23% of the American public has attended at least one year of college and over 57% have graduated from high school. Less than 5% of those in prison have had any college training and only 17%—less than ⅓ the national average—have finished high school. Although possessing normal intelligence, the average federal prisoner has the knowledge equivalent to that of a fifth grader. Various studies reveal that between 10 and 30% of all federal prisoners must be classified as functional illiterates.

But despite all this knowledge, we have done very little to offer education opportunities and meaningful job training to convicted criminals or to help probationers and releasees from prison achieve gainful employment.

We should now undertake to modernize our sentencing and incarceration processes. What are some of the specific reforms that should be introduced?

A. Probation

We must make new efforts to expand and improve our use of probation. At present, only about one-third of those convicted of felonies in this country are placed on probation, although experts tell us that this figure could be doubled without endangering the safety of the community. In 11 states no probation services at all exist for persons convicted of misdemeanors. In the rest of the states such services exist on a spotty basis at best. And, in over 20 percent of the nation's counties, probation services for juvenile offenders are either non-existent or fragmentary.

Several advantages would accrue from increasing the use of probation. For one, it would reduce the expense of dealing with convicted criminals. The average cost of maintaining a man on probation is anywhere from one-third to one-tenth the cost of imprisoning him. It would also alleviate the overcrowding of prison facilities and make it possible for those who are in prison to receive more adequate care and treatment. And probation, by keeping a young man out of prison, can keep the casual offender from being turned into a hardened criminal. Most significantly, probation, if properly administered, can serve as society's first step in reclaiming the young law breaker. With supervision, help, and encouragement, the probationer can return to school or find employment. He can grow to understand the causes of his previous behavior and learn to work out his problems without resorting again to crime. He can, in short, become a useful citizen.

But unfortunately, we have never done what was necessary to ensure that probation would mean positive rehabilitation.

To begin with, we have failed to provide adequate supervision for probationers. At a minimum, an efficiently run service requires one officer to every 50 probationers. Rarely has any jurisdiction in this nation approached that ratio.

Currently, a probation officer's usual caseload ranges from 100 to 200 men. Even within the federal system, the ratio of officers to probationers averages one to 75. In Washington, D.C., a juvenile court probation officer handles an average of 92 cases. At best he sees his charges once every two or three weeks for 10 to 15 minutes.

We have also failed to ensure that our probation personnel have the training and the understanding to handle their complex functions.

Worst of all, we have made little effort to link the probation officer with the rest of the community. The rehabilitation of released offenders cannot succeed unless probation officers have close working contacts with schools, job training programs, and public and private employment services. Federally financed job training programs have been as deficient as any others in this respect.

The availability of probation has been too sharply restricted as well. Many states place absolute bans on probation where the offender has a previous record of conviction or imprisonment. Often the list of crimes for which probation is unavailable encompasses virtually the entire range of urban crime. And in cases where probation is granted, our courts have often attached excessive and degrading conditions that neither relate to the treatment of the probationer nor to the protection of the public. For example, many states require the posting of a property or surety bond—a condition that makes supervised release impossible for the youthful offender who may most deserve and need it. Further, it is all too common for judges to condition probation on a prior period of detention in a county jail. Such a prerequisite serves only to provide the convicted offender with a taste of the incarceration that he has already been found not to require. As one commentator has noted, "If a man is . . . a good risk for probation at the expiration of a county jail sentence, he is an even better risk without such a sentence."

Finally, many courts, as a matter of course, prohibit probationers from driving cars, changing jobs, entering establishments that sell intoxicating liquor, or seeing old friends who have been in trouble with the law. Often these prohibitions are not essential to the rehabilitation of the offender. They serve only to make him feel totally estranged from his community. The more he tries to fit into his surroundings, the more likely he is to violate the conditions of release and have his privileged status revoked.

The use of probation and supervised release as an alternative to jail sentences is an essential ingredient in any law enforcement system striving to rehabilitate and reintegrate criminal offenders back into the community. We must therefore increase our commitment to it and seek to reduce the disparities and restrictions in its use. For example, the Federal District Court in the Eastern District of Michigan has established a Sentencing Council where all members of the court meet with members of the probation department and exchange views on pending sentences. The judges of the Eastern District of New York do the same thing in three-judge panels. Through these efforts, greater uniformity in sentencing has been achieved and the use of prison terms has been considerably diminished. This same innovation could well be introduced in other federal courts and in state court systems, particularly those courts which sit within the boundaries of large cities.

But if we do increase the use of probation, we must also take the necessary steps to guarantee its success in a higher percentage of individual cases. We must make sure that our probation services work, or the net result of increasing the use of probation will be that we turn more people loose to commit more crimes. Thus, more and better trained personnel will be required at all levels—federal, state, and local. Efforts to link probation services with school systems, job training programs, and employment agencies must be undertaken. If the financial burdens are too great for local government, then the federal government must contribute toward the cost. To stint in applying our resources in the field of probation is to rob many of our young people of the chance for a decent and significant life.

B. Local jail conditions

We must also change the appalling conditions that exist in the more than 3,000 county and nearly 10,000 town jails in this country. Over one million people are held in these institutions for some period of time each year. At any particular time, a typical jail population is composed of pre-trial detainees who could not meet or were ineligible for bail, probationers serving their prescribed incarceration periods, and convicted petty offenders. Some of these people are innocent of any crime; others are hardened or habitual offenders. Some are physically or mentally ill; others are degenerates.

Most significantly, many of these prisoners are young. In 1965, approximately 100,000 children under the age of 18 spent some period of time in jails. In many jurisdictions, the age, physical condition, and past criminal behavior of the detainees make no difference; all are thrown together in the same cells.

Many of these jails are in deplorable condition. More than 40 percent of them were built before 1920. Most of them are outmoded. They are dirty, overcrowded, and devoid of adequate facilities. Training and educational programs are virtually nonexistent. Barely 5 percent of their personnel devote their time to treatment and training.

We must come to realize how inverted we have allowed the entire incarceration process to become. The worst felon who goes to prison at least receives some minimal care and attention. It is the suspect and the petty offender who are thrown into decaying and demeaning local jail cells.

Through the use of release on recognizance, fines, suspended sentences, and probation, we must pare down the jail population. Children must never be detained in jails, and young adults—especially those who have committed minor offenses or are only criminal suspects—should be kept apart from the more hardened inmates. We must make every effort to separate out the sexual pervert, the physically ill, and the mentally deficient and provide them with specialized treatment. For those who must remain in jail for some period of time we must provide short-term vocational opportunities and learning experiences. If our cities and towns cannot bear the immediate expense of remodeling and enlarging their incarceration facilities, then state and federal funds should be made available. Grants combined with long-term loans and subsidies for hiring trained personnel could do a great deal toward relieving our jail problem. Perhaps VISTA volunteers and members of the Teacher Corps could be utilized to run vocational and educational programs.

Regardless of the methods we employ to improve jail conditions, the important consideration is that we do improve them. Even if we ignore the humanitarian and philosophical reasons for instituting these changes, let us, at least, not ignore the pragmatic one, for jails as they presently exist are too often nothing more than subsidized schools for crime.

C. Prison reform

To improve the incarceration process, this nation must reform not only its jails, but its prisons as well. Our prison population presently is comprised of 211,000 men and women, almost all of whom will be released some time. If our present recidivism rate continues, then at least one out of three of these people will be convicted again and be returned to prison. Still others will violate parole and find themselves back in prison.

A significant proportion of this recurrent pattern of crime could be prevented if our prison system did a better job of preparing its inmates to lead productive and useful lives.

To begin with, we need better-trained staffs in prisons and juvenile detention facilities. In the entire nation, our adult correctional institutions are served by a total of only 50 full-time psychiatrists and 100 psychologists. The ratio of teachers and vocational instructors to inmates is about one to 400 and, as the study for the District of Columbia reveals, these same disturbing figures appear again when we turn to the institutions in which juveniles are incarcerated. Less than 8 percent of those employed in the field of corrections have received any professional education.

Poor pay convinces most correctional employees to change to other jobs. As a consequence, most prisons face a yearly turnover of up to half of their personnel.

And what of the institutions that these men run? Many have inferior facilities; others are simply overcrowded. Severe physical punishment is too often the prescribed way to cope with recalcitrant prisoners. Just this summer, a federal court proceeding in California brought to light the existence of a "strip cell" in Soledad, the state's new "model" medium security correctional facility. To those who followed the case, it was shocking to read that, in a progressive state like California, men could be placed in cells encrusted with excrement that had no furnishings, no running water, no flush toilets, no heat, no ventilation—cells where men might remain for days or weeks without a shower and with only two cups of water a day.

But then it is almost as shocking to find that in our federal prisons only about 50 percent of the inmates are receiving some vocational training, and that less than 10 percent of the men are learning skills.

As for actual employment in federal prison industries, less than 25 percent of the men are employed daily. Their wages average only $40 monthly and range as low as $10—a sum which is high compared to some states where prisoners earn only 4 cents a day. In every state, statutes passed during the depression strictly limit the goods that prisoners can produce to those used by the government and to certain agricultural tools and supplies.

Most of the work done by prisoners takes little skill and rarely do inmates receive training that will help them upon release. Initial studies of released federal convicts reveal that of those who find jobs, only 17 percent have employment related to their work in prison.

In 1965, Congress passed a Rehabilitation Study Act to make possible a three-year examination of the methods for attacking the shortage of qualified manpower in correctional rehabilitation. The Office of Law Enforcement Assistance has already appropriated some $600,000 for correctional projects. The Manpower Development Training Act now authorizes the establishment of demonstration job training programs in our prisons. These acts are a beginning, but that is all. We must now make a commitment great enough to ensure that no person emerges from a state or federal prison without the educational and vocational training needed to obtain a decent job and support himself and his family.

In reaching this goal, our state and private universities can be of great assistance. At present, few of them have made any attempt either to train correctional personnel or place their own students in internship programs at prisons. A study done by the National Council on Crime and Delinquency shows that of some 149 universities offering programs related to crime, only ten were placing any of their students in correctional institutions, and that less than 10 percent were training any prison personnel. Out of a random sample of 362 universities not offering a course of study on problems of criminology, only 9 percent said they were considering some new program on either corrections or law enforcement. The only encouraging sign was that 31 of the 50 responding Graduate Schools of Social Work had placed at least a few of their students in our prisons as guidance counselors.

The ties between our universities and our prisons must be broadened. What better way exists for young teachers and doctors and engineers, for social workers and criminologists and attorneys to learn about the problems of the poor and to test their skills, than by working in the prisons? And why should not industry and labor pool their talents to set up various facilities in all of our prisons—facilities where inmates can receive not only specialized training but earn decent wages and a guarantee that satisfactory performance will mean a job upon release? I believe it would be very helpful if a blue-ribbon Presidential Task Force composed of leading educators, industrial managers, and union representatives could study the status of prison vocational training and then outline a national program which, through combined private and public efforts, could be put into effect. It would also be useful if an appointed study group could examine not only the feasibility of increased family contacts through conjugal visitations both off and on the prison grounds, but also the ways for balancing more evenly the needs for prison order and individual fulfillment. In short, the possibilities for improving our incarceration facilities are virtually unlimited. With creative thinking and imaginative planning, we can turn our correctional institutions into training schools from which productive and useful citizens will emerge.

D. The post-incarceration process

We must drastically change our faulty handling of the post-incarceration process. The task of rehabilitating the offender—in particular the youthful offender—only begins when he leaves prison. The parolee or the convict who has fully served his sentence needs assistance if he is to adjust successfully to society. At present, too little of this assistance is available.

We have known about work-release programs—programs in which pre-release convicts hold jobs outside the prison during the day and return to it at night—since the turn of the century. The five states that have instituted work-release programs have had great success with them. The same is true for the recently begun federal program which now has some 475 prisoners participating in it. Not only does work-release re-accustom convicts to dealing with society, but it helps men to support their families and to build up savings. Nevertheless, most jurisdictions are as unwilling now as they were 50 years ago to undertake such programs.

We know how necessary pre-release orientation is. Still, we have made little progress in putting such orientation plans into effect.

We know that pre-release centers and half-way houses are not only relatively inexpensive but extremely useful in helping the adolescent or the adult offender make the difficult transition from a completely supervised to a relatively unregulated existence. But only five states run any half-way homes and within the federal system little effort has been made to expand the system of pre-release centers for youthful offenders which we established while I was Attorney General.

This startling gap between knowledge and the implementation of knowledge appears in virtually every phase of the post-incarceration process. We know that upon his release, the ex-convict needs funds to purchase food and clothing and shelter. But where will he get these funds? He has little savings because he has earned relatively little while in prison. Gratuities from the state normally consist of a suit of clothes, a train ticket, and perhaps $10 to $20 in cash. In all but ten states, public loans are unavailable, and even in the ten, the sums obtainable are extremely small.

We know that it is important for the ex-convict to find steady employment paying decent wages as soon after his release as possible. Yet large-scale state employment services to assist him are non-existent. A majority of those who obtain work beginning immediately after prison do so with private and not public assistance. And meaningful jobs at decent pay are hard to find. Most wages barely reach the subsistence level. The average federal offender earns less than $200 a month during the period immediately following his release. Only 25 percent of all federal releasees work even 80 percent of the time during their first months out of prison, and only 40 percent obtain this much work within the first three months. During this same period, nearly 20 percent of the releases have found no work at all.

Everywhere he turns, the young ex-convict finds that the government which has urged him to pursue a normal, law-abiding life is the same government that bars the way to that pursuit. In some states, licensing requirements may prevent the releasee from becoming a barber or an embalmer—to mention only a few of the existing prohibitions. By reason of various state statutes, certain manufacturers cannot employ convicted felons. Other businessmen will not employ them because the state has taken no action to help the ex-convict obtain an employment bond. Public employment remains virtually closed to the releasee. He cannot even qualify for unemployment insurance because he has not earned a sufficient amount of money during the preceding year. And all of this takes no account of the natural barriers that stand in the ex-convict's way because he has had little opportunity for education or job training while he was in prison.

Under these circumstances, the ex-convict must normally turn to friends or to family for assistance. If he is rejected by them, then his next step is a welfare mission on skid row. At any point along the way it may simply be easier for him to return to crime.

This nightmarish world must be changed if we are to prevent the large-scale recurrence of crime. We can and we must make the road of the released prisoner an easier one to travel. I believe it is time for the federal government and the states to undertake a partnership to establish a system of work-release programs and pre-release centers and half-way houses of meaningful scope. I believe, too, that government agencies should begin studying the possibility of encouraging firms which contract with the government to hire some qualified ex-convicts. At the same time, I suggest that government must lower its own employment barriers. Four months ago, the United States Civil Service Commission eradicated the requirement that an applicant for federal employment state whether he had ever been arrested. This is a step in the right direction, but the applicant may still be ineligible for employment if he has ever been convicted of an offense after he reached the age of 21. Not all employment within the federal system requires security clearance, and ex-convicts must not be arbitrarily excluded from jobs for which they qualify. We must also expand the demonstration bonding programs now being run by the Department of Labor. Similarly, it would seem a relatively simple task to amend our unemployment laws and establish public loan funds to help the ex-convict make the transition back to the world of freedom. In short, we can no longer afford to spend over $2,000 a year to incarcerate each convicted criminal and then terminate our expenditure the moment he is released. A penny-wise and pound-foolish post-incarceration process inevitably produces the recidivism that we loudly denounce but quietly refuse to prevent.

V. CONCLUSION

All of these matters are vital to any effort aimed at reducing this nation's high rate of crime. And the salient point is that we must start now. If we do not help our police, unclog our courts, and reform our incarceration process, we can expect even worse problems than we now face.

Yet, even as we undertake the specific tasks of reform, we must understand that there is more to discouraging crime and apprehending criminals than improving law enforcement or even providing that all of our young people are adequately educated and can obtain jobs.

There is the matter of the spirit as well—of public attitudes, of our values, and our support for law enforcement.

Crime is not just in the streets. It is in the suburbs too. It is in white-collar offices and business. And it is organized.

Too often there is a tendency to dismiss tax evasion or stock fraud as unimportant, or as the miscalculation of one who was not clever enough to stay within the law. But the public attitudes which condone fixing—of prices or of traffic tickets—are attitudes which undermine respect for law throughout the society.

Crime in the streets is directly related to these attitudes, and especially to public apathy about organized crime. The young man in the ghetto who decides to steal rather than make that extra effort to find work is unquestionably influenced by the success which the numbers runner down the block has had. The bookmaker or the narcotics pusher is all too often the only conspicuous figure of success in the ghetto, the one who has demonstrated how to beat the system and gain wealth and prominence. Similarly, the worker who belongs to a corrupt union, or the businessman who must pay protection to keep his business or his life, are taught every day—as are their children—that our legal system has nothing to offer them. As long as the public cares too little about the racketeers who control the gambling and the narcotics and the prostitution that feed upon the poor and the weak, there will be youngsters who see the gangster's way as the model, the path to follow.

Anomalies of public attitude also impede the course of legislation which would aid in reducing crime.

For example, where is the public outcry for more effective gun laws? Every year, thousands of Americans are killed by firearms—5,634 in 1965 alone. During the last six years, 278 law enforcement officers have been killed by criminals—and of these 96 percent died because of wounds from firearms. Of the weapons-users responsible for these deaths, 66 percent had been convicted of crimes before acquiring the murder weapon. Each year over one million inexpensive mail order weapons pass unchecked across state lines. Many of these guns go to juveniles, individuals with criminal records, and emotionally unstable persons. How many mass murders by firearms will the public need before it demands stronger national and local legislation to control their sale and possession.

The field of narcotics is another example. It is only in recent years that we have been able to gain public recognition that the addict should not be punished in the same way as the wholesale pusher, that addiction is a medical problem and should be treated as such. Even so, the 1966 federal legislation authorizing civil commitment of addicts accused of crime is so saddled with limitations as to be unavailable to those who might profit most from medical care. As long as we just run addicts though our prisons and back out onto the street, we cannot hope to have much impact on the rate of crime associated with the necessity of stealing enough money to buy drugs. The broadening of the medical treatment aspects of last year's legislation should be high on our list of priorities.

Still another example relates to car theft. The public approves, it appears, of heavy penalties against car theft, without realizing that literally thousands of such thefts every year are by teenagers whose motive is no worse than wanting to take their girl for a ride. It would be better if we concentrated our efforts on making it more difficult to take the car—on developing jump-proof ignitions and enacting legislation to punish the manufacture for mailing of master ignition keys.

Finally, public attitudes impede the course of law enforcement. Incidents like the slaying of Kitty Genovese, which occur, tragically, in one form or another almost daily attest to the public's lack of support of the police—in the last analysis, of an almost complete breaking of the bonds of community. In the end, we can never demand very much from our law enforcement system if we cannot cooperate with it and with our brothers in society.

Tom Paine once boasted that America had a message to tell the world and that message was that we stood as a nation "where the law is king." The task today, tomorrow, and of the years to come, is to transform this statement into reality.

WELCH, W. VA., MEETS ADM. DAVID McDONALD

Mr. BYRD of West Virginia. Mr. President, I was instrumental in arranging for Adm. David L. McDonald, Chief of Naval Operations, U.S. Navy, to visit Welch, W. Va., to address the Veterans' Day conclave there on November 11 of last year.

I was greatly impressed by Admiral McDonald's remarks and his depth of understanding of the economic and industrial facts regarding the State of West Virginia. I already knew of his personal stature as a military leader, but I witnessed a very pleasant and happy establishment of rapport between Admiral McDonald and the people of the Mountain State who were present for the Veterans' Day activities at Welch. I am pleased to have been instrumental in having Admiral McDonald's views presented to my fellow citizens, and I ask that the Admiral's December 1, 1966, letter and November 11 remarks be printed in the Record at this point.

There being no objection, the items were ordered to be printed in the Record, as follows:

Chief of Naval Operations,
December 1, 1966.

Hon. Robert C. Byrd,
U.S. Senate,
Washington, D.C.

Dear Senator Byrd: I am very privileged and honored that you should wish to insert my Welch speech in the Congressional Record and I am pleased to furnish the copy you requested.

Although I very much appreciate your kind remarks, as well as those I have received from many citizens of Welch and McDowell County, they really are superfluous, because nothing I contributed can possibly match my own enjoyment of the day I spent in Welch. I shall never forget the warmth and contagious enthusiasm of the people of that small town and county in their celebration of our national holiday. Their pride and patriotism have given me refreshed faith in the true strength of the American people and a deep reassurance that those things which made our nation great endure in the hearts of its citizens.

It was a privilege—a very heartfelt privilege—to share that day with them, and with you. Both Mrs. McDonald and I thank you for the opportunity which made that possible for us.

Sincerely,
David L. McDonald.

Remarks by Adm. David L. McDonald, USN, Chief of Naval Operations on Veterans' Day at Welch, W. Va.—November 11, 1966

Ladies and Gentlemen:

I am delighted to have this opportunity to visit West Virginia and particularly to come to Welch. Some might wonder why the Chief of Naval Operations comes to an area which is so far from the sea to talk about the Navy. First of all, I came because I was invited by your good friend and mine—Senator Robert C. Byrd, second, your celebration is a demonstration of patriotism rarely, if ever, surpassed anywhere; and finally the mere fact that you are an inland area in no way indicates what I know is your interest in our country's Navy.

Your state and the products of your state have a very close association with the Navy. For instance, today there are more than 8,000 West Virginians in our Navy; you have provided us with 23 Admirals—three of which are still on active duty. Furthermore, eight West Virginians have been awarded the Congressional Medal of Honor while serving on active duty in the naval establishment—four in the Navy and four in the Marine Corps.

And I wonder if you realize that even though West Virginia produces only about 40 per cent of the coal mined in the United States, you provide between 80 and 90 per cent of all the coal which our country exports, with almost all of it travelling by sea. And, of course, McDowell County is West Virginia's top coal producing area. As a matter of fact, the U.S. Chamber of Commerce in West Virginia estimates that the present annual export value of West Virginia products is more than $350,000,000, and again I say almost all of this travels through the medium which your Navy is charged with protecting; namely, the free oceans of the world.

Today, I think it most appropriate for an active duty military man—talking on Veterans' Day—to talk about South Vietnam; an operation which is increasing the population of U.S. veterans. Although all of us wish that conflict was not necessary, we believe that what we are doing in Vietnam simply must be done, and I know that you share my pride in those young men who are today devoting their lives to their country in combat. I can assure you, you would be even prouder if you were able to see them and see the job they are doing.

I returned from Vietnam just day before yesterday. While I was out there I placed decorations for valor and purple hearts for combat inflicted injuries upon the breasts of 17 Servicemen. I was reminded then how unfortunate it is that with all of the progress which has been made in this world, men haven't yet learned to live at peace with each other. On the other hand as I presented these decorations it was a source of comfort and pride to realize that our young men of this generation are demonstrating the same courage which their forefathers exhibited in making our country what it is today. I talked to large numbers of both officers and enlisted personnel. The general impression that I got was that they felt that they were engaged in a most worth-while effort, and they were doing their very best to discharge their responsibilities to the maximum of their capabilities. As a matter of fact, I talked to many individuals who live not far from here. Among those with whom I talked was Chief Storekeeper John Megelich from Bluefield, and James L. Skeens from Princeton—both of whom are serving on the aircraft carrier Coral Sea. Not far away, and steaming in that same South China Sea aboard the aircraft carrier Constellation, I talked to Jerry Mosley, who is from Glen Rogers; to Richard Blankenship, who is a Third Class Boatswain's Mate from Panther, West Virginia; Kenneth Browning from Justice; William A. Kidd from Huntington, and a young man named Whittington from Nitro. Upon leaving SVN and prior to coming back to Washington, I visited one of the Navy's most important bases in the Far East, and that is the one located at Subic Bay in the Philippines. That entire complex is today under the command of Rear Admiral Gilkeson, who was appointed to the Naval Academy at Annapolis from Bluefield, and from that same Bluefield, I also talked with Lieutenant H. S. Tyree, Jr., who today is flying Navy multi-engine patrol planes throughout the Southeast Asian area in connection with our combat operations in South Vietnam. All of these men are busily engaged in our overall effort to insure that the South Vietnamese can have the kind of government they themselves want.

Now I would like to outline for you some of the U.S. Navy's participation in Vietnam today. In doing that, I think I should begin by pointing out that our participation really started when the Navy was the first to carry out the two initial decisions that involved U.S. Forces in actual combat; that is, the bombing of North Vietnam and the landing of combat forces in South Vietnam.

I wonder how many people realize that, when the decision was made to launch air strikes against North Vietnam in retaliation for attacks on our ships and barracks, those strikes were flown by Navy airplanes from the decks of Navy aircraft carriers. Why was that? Well, it was for a number of reasons. It was because the carriers were *there*. It was because they were *ready*. And here is a very important point—since those ships were really U.S. sovereign territory operating on the free high seas, they could be used at the order of our President, at any time, in any manner he chose, without involving such things as base rights in another country.

For similar reasons—the first U.S. combat forces sent into South Vietnam were the United States Marines. Within a very short time after the decision was made to commit our troops, more than 20,000 Marines were landed in full combat strength from Navy amphibious ships under the cover of the guns and airplanes of the Navy's Seventh Fleet. And although no opposition was encountered at that time, it was reassuring to know that the Navy-Marine Corps team could have put those men successfully ashore in the face of any conceivable opposition they could have encountered. I think the Viet Cong knew that, and I think they were smart enough not to even try to oppose them.

From those beginnings, the Navy's participation in Vietnam has expanded considerably.

For example, when the war started, we had three aircraft carriers in the Western Pacific, but as the need for air strikes grew faster than air bases could be built, we rapidly committed four, and then five aircraft carriers. We are still keeping five attack aircraft carriers in the Western Pacific, with three in continuous combat operations. From these carriers approximately 50 per cent of all the air strikes into North Vietnam are being launched.

There is another part connected with the air war in Vietnam that I want to mention to you, and that is the rescue force stationed just off North Vietnam in the Tonkin Gulf. As of yesterday, Navy ships and helicopters—together with Air Force amphibious planes—had rescued a total of *228* U.S. pilots and aircrewmen from the waters of that Gulf. Of course, a number of others have been rescued from the territory of North Vietnam itself. That is really a *fantastic* accomplishment—one that is terribly important to all our pilots and their families, and to the nation itself, since each trained pilot represents about a half-million dollar investment that is almost irreplaceable today.

Those are some of the highlights of the Navy's participation in the air war in Vietnam, but of course, they are only a fraction of our overall efforts out there. For instance, the carriers belong to and are supported by the entire Seventh Fleet, which consists of about 140 ships and 70,000 men. Not all of them are in action at once, of course, but dozens of the Seventh Fleet ships are on station every day from almost as far north as Haiphong, in North Vietnam, all the way down around the tip of South Vietnam and into the Gulf of Siam.

One of the most direct contributions those ships make to the war in South Vietnam is gunfire support. This may be in direct support of troops—including the U.S. Marines and Army, the South Vietnamese, the Koreans, or the Australians—or it may be in the destruction of Viet Cong camps and supplies—but every single day, ships of the Seventh Fleet fire more than 1000 rounds of shore bombardment. That firepower is something the Viet Cong have really come to respect.

The Navy also has a substantial commitment within South Vietnam itself and in the waters just off shore. In fact, there are more than 22,000 Navy men actually stationed in South Vietnam today. About 3000 of them are the doctors, dentists, chaplains and hospital corpsmen serving with the Marines. In addition, about 6000 Navy construction men—we call them Seabees—are building airfields and base facilities in various areas.

The other 13,000 personnel are spread among many different commands and activities, but there are two particular Navy efforts in South Vietnam that I want to mention. One is an operation we are conducting with the Vietnamese Navy to prevent the Viet Cong from receiving any reinforcements or supplies from the sea. Now that might not sound like a very big job, but let's look at a similar problem we had here at home one time. We called it "Prohibition." The coastline of South Vietnam is just about the same length as the coastline of the United States between Boston and Cape Kennedy, and the U.S. Coast Guard once had the job of cutting off all liquor traffic in that area. The force they needed grew until it included: 25 destroyers; 16 cutters; 226 patrol boats; nine major shore bases; five floating bases; and 240 beach patrol stations with 3840 men.

In World War II, the anti-spy network along that same coastline included the same weight of effort, plus 1353 dogs, 2415 horses, and 13,151 men—and every mile was in friendly hands!

Compare that with South Vietnam, where we are dealing with 40 to 50,000 junks along a coastline that is held by the enemy in many places. It was—and still is—a major effort to patrol it effectively. However, our force—which now includes everything from motorized junks up to destroyers and patrol aircraft—is continuously sweeping the area from the shore out to 40 miles at sea, and there is evidence to indicate that the Viet Cong are no longer receiving any appreciable amount of men or material by sea. Another effort in SVN is our endeavor to interrupt the Viet Cong logistic and taxation practices in which they engage along the river water ways. This is a difficult and hazardous undertaking but I believe that it will soon be paying off.

There is another aspect about the sea and the war in Vietnam that should never be forgotten. It *is* not a strictly Navy operation, but it is a Navy responsibility, and it is *very* important. I am talking about sealift—the unrewarding, backbreaking, frustrating, and often dull task of getting the equipment and supplies to the fighting men of the United States and her allies *wherever* they may be fighting. Because, ladies and gentlemen, if we cannot do that, we can no longer fight anywhere in the world except on this North American continent. That is a very simple, very fundamental fact, but too few people appreciate it.

Maybe one reason is that so many advances have been made in aviation that somehow ships don't seem so important anymore. Well, aviation *has* made advances—tremendous advances—in the past 20 years, and there are more coming. I should know because I first soloed an airplane in 1929 and I've been either in or around aviation ever since. But even in this air age, 98 per cent of all the material going to Vietnam still goes by sea. This includes *all* the heavy equipment, *all* the food, most *all* the ammunition, *all* the construction materials, and *all* the fuel—including the aviation fuel necessary to fly the transport planes back home after they reach Vietnam. Right now, ships owned or chartered by the Military Sea Transportation Service are landing more than 900,000 tons of dry cargo in South Vietnam every month. That's dry cargo alone; it doesn't include any fuels; and to do that, the number of ships carrying cargo to Vietnam has increased from 60 to 393 in the last 18 months. We in the Navy must not only provide the means of delivering this cargo, but—even more important—we must also have the means of making certain that these ocean lifelines are never closed to the United States.

These things which I have related are, I think, the highlights of the Navy's participation in the war in Vietnam. But someday that war is going to end; and after Vietnam what? I don't propose to have all the answers as to what might happen when the Vietnam operation has been successfully concluded, but I do have some definite ideas as to the role or roles which the Navy can continue to play even after Vietnam.

I am certain that our nuclear powered, ballistic missile carrying Polaris submarines will continue to be a most important asset in our country's nuclear deterrent arsenal. Their great survivability will always make them uniquely valuable. I also believe that in the future, we will probably continue to have situations like those which have arisen in the last 15 years at Suez, the Tachen Islands, Lebanon, the Cuban affair, and the recent problem in the Dominican Republic. Therefore, I see no reason why the Navy shouldn't play just as important a role in these situations in the future as it has in the past. And, if perchance we should have problems with respect to obtaining base rights on foreign soil or overflights of other countries, the striking forces of the Navy with their mobile air power will be more important still because—after all—a ship is United States sovereign territory and its free movement upon the high seas, together with its built-in self-sufficiency, makes it a most vital weapons system in the hands of our President.

The foregoing items which I have projected into the future are really no more nor less than what we have experienced in the past. There is, however, one thing the future might hold for us with which we haven't been too concerned in the past. With the advancement of the ocean sciences and deep ocean exploration, we may well run into a new problem in the area of national sovereignty with respect to those areas of the seabed which we have been able to develop. Today, each country has sovereignty over the bottom of the ocean out to the edge of the continental shelf. But as our explorations go deeper and deeper we might consider who will exercise sovereignty over these ocean depths. Will a nation which has sovereign rights over a particular portion of what is now the free oceans' seabed control the waters above that seabed the way a nation now controls the airspace above the sovereign land mass? If so, will the sea continue to be free? When the time comes for such problems to be settled at the international conference table, we must make certain that we have the power to make our voices heard and, perhaps more importantly, we must make certain that we have the power—the seapower—to enforce any agreements which may be reached in such matters.

I hope that all of us will never forget that our way of life depends—among other things—upon our country's ability to both export and import, and that almost all of the things which are exported and imported travel by sea, and that in order to ensure that these ocean highways remain available to us—both in peace and war—an adequate Navy is most essential.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

The PRESIDING OFFICER. The Chair lays before the Senate the pending business.

The Senate resumed consideration of the motion of the Senator from South Dakota [Mr. McGovern] to proceed to the consideration of the resolution (S. Res. 6), amending the Standing Rules of the Senate.

ORDER FOR ADJOURNMENT AND VOTE ON CLOTURE MOTION

Mr. MANSFIELD. Mr. President, because of the fact that a William Randolph Hearst dinner for youth will be held tomorrow at midday, and because two students from each State will be present there, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow, that there be a period for the transaction of routine business from 12 o'clock noon to 12:30 p.m. tomorrow, and that the vote on the cloture motion now at the desk take place 1 hour thereafter, or at 1:30 p.m.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. **MANSFIELD.** Mr. President, that order will take care of the dinner and the vote. While I dislike very much to set a precedent relative to abrogation of the rules as set down in the book, I feel, after discussion with certain interested Senators, that this is the best way in which to handle the situation.

Mr. **MANSFIELD** subsequently said: Mr. President, I ask unanimous consent that, beginning at 12:30 p.m. tomorrow, the time be equally divided between the majority and the minority leaders, or whomever they may designate.

Mr. **LONG** of Louisiana. Mr. President, reserving the right to object, has the Senator discussed this matter with the Senator from Georgia [Mr. RUSSELL] and with other Senators?

Mr. **MANSFIELD.** I have not, but I have discussed it with the minority leader, and we thought that an equal division of the time was quite fair. It has been done before.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. **MANSFIELD.** Mr. President, at the conclusion of that time limitation, at 1:30 p.m., the vote will take place on the cloture motion.

The **PRESIDING OFFICER.** There is a prior order to that effect.

THE COMPETENT CITY: AN ACTION PROGRAM FOR URBAN AMERICA

Mr. **RIBICOFF.** Mr. President, I introduce for appropriate reference a number of bills dealing with urban affairs, which I shall discuss this afternoon.

Mr. President, the Subcommittee on Executive Reorganization of the Government Operations Committee held 6 weeks of hearings last year on the Federal role in urban affairs. We heard the testimony of 75 witnesses—Federal and local government officials, representatives of industry, labor, finance, universities, foundations, private organizations, and the ranks of the citizens themselves.

Our inquiry was wide ranging. We proceeded from the premise that the appropriate organization of the Federal Government's efforts—and therefore the direction of our national efforts—to solve the continuing problems of American cities should be determined by examining the nature of the problems themselves.

Our witnesses described urban America. We examined both sides of the urban coin. On one side we found the highest standard of living known to man, a strong and growing economy, high wages, and record employment.

The other side of the urban coin is etched with the acid of despair. There is an urban America seething with discontent, erupting in violence, rotting at the core of its cities, bound with the chains of problems too long unsolved and too massive to be ignored.

Witnesses recited a long series of statistics, calculated to demonstrate the magnitude of the crisis—but so familiar that we have become immune to their significance.

We heard from witnesses, too, who live with—and are—the statistics. They described the hopelessness that comes from cycle after cycle of frustration and despair—from dangling on the cliff between unemployment and underemployment. Their children attend schools described by educators as custodial—not educational—institutions. And they spend a far greater proportion of their meager incomes than the rest of us on the basic necessities—food, shelter, and clothing.

Sixteen million poor live in our metropolitan areas—10 million in the central cities of America. Another 26 million live in the shadowland of deprivation—with incomes above the minimum poverty level, but below what most authorities define as "adequate" means.

But it would be a tragic mistake to regard our poor and near-poor as basically different from the rest of us—with different hopes and different dreams. Like all Americans, they want a decent job and a home in a decent environment. The urban poor want to participate in the American free enterprise system. This system has worked for most Americans—now we must make it work for all.

The crisis in the American city is a crisis of doubt—doubt that the promise of America can be kept. It is the danger that exists when a legitimate hope is frustrated and aspirations destroyed. For when men cannot accomplish their goals in acceptable ways, they resort to shortcuts—and far too often, violence is the shortcut chosen.

Violence is self-defeating. It cannot result in true progress. But one of the tragic lessons of last summer's riots was that violence—the last alternative—often accomplished short-term results where reasoned approaches and orderly protest failed. Riots seemed to produce results—from sprinklers on fire hydrants to increase job opportunities.

Law and order must be maintained. But punishment alone is no answer. Orderly cities cannot be based on the passive order of a citizenry bowed into submission. They must be built on the order of a democracy working together for the common good.

Trucks, tanks, troops, and guns can restrain violence. But only citizens can maintain democracy—citizens with the self-respect that comes from participation in the society and the recognition of the rewards of initiative. Citizens denied the chance to achieve self-respect—economic, social, and moral—are denied fundamental justice.

How, then, shall we attain this justice? Not by talk. We have talked a great deal about the problems of our cities. To solve them, we have too often resorted to rhetoric—our most abundant resource.

Nor will we attain our objectives by continuing on our present course. The temptation to do so is great. We are at war in southeast Asia. We have committed the lives of our men and the material of our industry to the defense of a nation thousands of miles away. And when foreign battle threatens, domestic efforts slow. We are tempted, then, to trust to good luck and fortune to muddle through—to keep on doing what we have done, but a little slower and a little less.

I submit that to take that road is to dissipate our resources. It assumes that our domestic programs are fully relevant to the problems of today, that they are properly organized for an effective attack on these problems, and that—if our foreign commitments were reduced—we would achieve automatic success in our cities.

That simply is not the case. For our current approach to solving social problems is programmatic—not systematic—in nature. For 35 years we have acted as if each individual problem in our society—large or small—could be solved by passing a new program. In view of the progress we have made in this Nation, it often is difficult to understand the need for a new approach at the Federal level.

Consider, for example, that since 1935 our gross national product has climbed 843 percent; per capita disposable income—in constant dollars—has increased 125 percent; unemployment has been reduced by seven times to a current rate of 3.7 percent. Examine the profits of corporations, which reached a new level of $48.2 billion in 1966—an increase of 1,612 percent since the bleak days of 1935.

Our people are both better educated and better employed. As late as 1940, the median education level in America was between the eighth and ninth grade. Today, it is close to a full high school education—a jump from 8.4 years of learning to 11.8 years.

Back in 1930, only 14.2 percent of our labor force was employed in managerial and professional capacities—while 19.8 percent were unskilled laborers. By 1965, the proportion of managerial and professional people in the labor force had risen to nearly 40 percent—and our unskilled labor force had dropped to 11.3 percent.

For more than three decades, and through the administrations of five Presidents, we have educated the young, cured the sick, protected the aged, and promoted industrial growth. And there can be no question that our efforts were crowned with a success beyond the highest dreams of those who worked in the New Deal to found a new concept of government. Yet even the programs of the Great Society represent the end—not the beginning—of an era.

Our society has changed—and so our task has changed. We have moved from a nation staggering in the depths of a great depression to a nation of great affluence—from a society in which the bond between man and neighbor was forged of crying need and common desperation—to a society capable of living in large measure apart from the tragedy of our inner cities.

But we cannot continue to move ahead—to eliminate the slums of America today and build the competent city tomorrow—unless we change our tools and our techniques. For these are the most massive and complex domestic goals this Nation has ever set.

The hearings before the Subcommittee on Executive Reorganization demonstrated the magnitude of the task ahead. It is enormous—as large as life itself—for we are speaking of the future life of an urban nation.

The cost of the task has been estimated as $1 trillion—but that number can cause as much fear as concern. Let us examine that awe-inspiring figure.

One of the best analyses was included in, "Capital Requirements for Urban Development and Renewal," by John W. Dykman and Reginald R. Isaacs. The authors estimate the capital requirements to accomplish the rehabilitation of America's cities at nearly one thousand billion dollars over a 12-year period. They define rehabilitation as:

> The total of all public and private actions which must be taken to provide for the continuous sound maintenance and development of urban areas.

Under their assumption, there would be—

> safety and comfort in housing, highways, and public places, and availability of full utilities and community facilities, including police, fire and health protection. . . . All slums would be cleared and all existing structures would be replaced, renovated or repaired, and all new structures maintained in standard condition.

It is self-evident that the job is too big to be accomplished by government alone. Dykman and Isaacs believe the ratio of private to public investment should be 7 to 1. In testimony before the subcommittee, David Rockefeller, president of the Chase Manhattan Bank, stated that five private dollars should be involved to every one governmental dollar.

So let us not think of a trillion dollars of Federal money. Let us rather approach the subject systematically—as a question of assembling capital investment—something we have done in this Nation time and again. In times of war—in the assault on space—in the construction of a supersonic transport—even when we decided to lay rails across the continent, we have taken public actions to generate response by the private sector. So we must take public actions today to aid the cities where most Americans live.

There is no gimmick—no slogan—no simple mechanism called "Comsat" or anything else—that will automatically generate private investment in the rebuilding of our cities. Rather, there is a need for commitment—a commitment of time, money and talent—a commitment sufficient to shape the future. We must make that commitment and take constructive and selective actions to carry it out.

Imagine, for a moment, that all the problems of the cities were contained in a large, heavy, and irregularly shaped rock. We want to move that rock—to get our cities and their problems off dead center. One strategy would be to strike the rock with a massive force. We could commit $1 trillion of new Federal money to solving the problems. That would be both unrealistic and inefficient. Another strategy would be to try and move the rock by throwing many smaller stones at it—by continuing our present programs. That would only chip away at the surface.

Obviously, there is a more effective way. We can determine the key pressure points and then move the rock by applying leverage in the right places. We must apply leverage at the pressure points in our cities, so that private investment will multiply the original force of public investment.

Rebuilding our cities is a task of great magnitude—a difficult task which challenges our sense of responsibility as citizens. Assembling capital to build mechanical devices—whether they are trains or spacecraft—is far less complex and formidable a job than assembling the resources necessary to rebuild people's lives.

Since we are dealing with people, since we must understand the forces at work in the city and our society, then we must look at the people, not the houses; at the individual, not the group—at what a man wants, not what someone else tells him he needs.

An age symbolized by the computer and the megalopolis carries with it the threat of a nation of anonymous individuals—a lonely crowd of people without personal identities. Our policies must reflect the conviction that the larger our society becomes, the more we are dutybound to pay attention to its smaller units—the individual and the neighborhood.

The need is for Federal programs flexible enough to allow for local decisions and local control by the citizens who participate in them. We must measure our successes not in terms of conformity, but in terms of concrete impact on the life of the individual.

I have described the Great Society as the successful end of the New Deal, and the beginning of a new era. Fundamentally, the New Deal was a major innovation in the organization of the Federal Government—an innovation in scope and scale. Agencies and departments were reorganized and created to deal with the monumental problems of the depression.

Those problems are in large part solved. Now we have another set of problems, equally challenging. Yet our Federal agencies continue to administer programs in the time-honored traditions of the 1930's.

As the problems of the 1930's forced the Federal Government to reorganize, so the problems of the second half of the 20th century demand that the Government be modernized again.

It was Franklin Delano Roosevelt who said:

> The principal object of every Government all over the world seems to have been to impose the ideas of the last generation on the present one. That is all wrong.

We should heed this call to change today.

And so I propose a five-point program to improve life in our cities—a program that offers no single solution, because there is none—a program to provide:

First. Guaranteed job opportunities for all;

Second. A home in a decent environment;

Third. Maximum encouragement for private investment in rebuilding our cities;

Fourth. Involvement of the individual and an emphasis on neighborhood development; and

Fifth. Reorganization in the executive branch to meet the challenges of today with the techniques of the present—not the methods of yesterday.

GUARANTEED JOB OPPORTUNITIES

The most obvious fact in America is that a good job at an adequate wage is the key to providing self-respect for an individual and progress for a nation.

We have known this lesson for years. Yet our overall manpower situation still troubles us—and in the central cities it depresses us—economically and psychologically.

Unemployment in the central cities is twice the national rate. Men in the prime working years—25 to 54—have an unemployment rate three times greater than their counterparts in the Nation at large. One out of every four teenagers in the central city cannot find a job.

Even these statistics are incomplete. They include only those we know about. Hundreds of thousands who live in our cities are never counted.

Because we define "unemployed" as "actively looking for work and unable to find it," we overlook the men and women who have lost out so often they no longer seek a job. These are our most serious cases of unemployment—but we have little information about these people.

To rebuild and rehabilitate the American city, we must find out how many Americans we have in our cities; who they are; how many of them are working—and at what kind of jobs.

As the Reverend Leon Sullivan, whose opportunities industrialization centers have had huge success in training poor people and then placing them in good jobs, told us:

> Begin to rehabilitate a people and you begin to rehabilitate a city. Structures do not make democracies or civilizations. Only attitudes and the spirits and desires of men to promote a change for their own betterment can do this. . . . Poor people . . . want a skill to prepare themselves for a job in order that they might be able to stand on their own feet.

The goal is clear: a job for every American capable of working, as well as adequate salaries and training programs so our people do not find themselves trapped in underemployment and unemployment.

I believe our society is capable of reaching that goal—and we should begin that effort in the central city. That is where the unemployment and the poverty, the crushed hopes, the alienation and the anger, the apathy and the despair are concentrated.

We begin there for two very important reasons: First, we want to break the cycle of hopelessness; and second, it is to our economic advantage to do so.

Reverend Sullivan's program in Philadelphia is an example. In its 2 years of operation, more than 2,500 men and women—most of them unemployed, the rest underemployed—have been trained and placed in new productive jobs. They have added $6 million a year in new purchasing power to the economy *of the city of Philadelphia and saved* the Commonwealth of Pennsylvania a welfare cost of $1 million a year—an overall gain of $7 million. And this has happened with people whose median age is 27 and whose average level of schooling is below the ninth grade. This *surely bears out another witness,* Dr. Robert Coles, a psychiatrist, told us:

> There is nothing in the minds of any group of Americans that necessarily compels our present problems to continue.

A fuller employed and a better employed nation—a nation of cities that function as complete human environments with enough jobs, accessible jobs, for all—will be a more financially and socially sound nation than one that concentrates its poor and near poor in one area and its jobs in another.

For this—the separating of the people from the jobs—is a major characteristic of American cities.

The central city as an economic unit is getting weaker and weaker. More than the middle class moves away. The jobs and factories disappear, too.

In the low-income neighborhoods of an earlier generation, a man could walk to work. But between 1960 and 1965, three-fifths of all new industrial plants were going up outside the central cities. In some cities, the percentage of new plants being built away from the areas of unemployment has been as high as 85 percent. This occurred at a time when local transit fares reached record heights and when wages did not consider the fact that a low-income person often had to travel twice as far to get to work.

Thus, when we look at our central cities in terms of manpower, we find that our current statistics are misleading in many ways. They do tell us that Negro unemployment is disastrous—twice the national average, and reaching the largest levels since the depression in some places. And they tell us that in terms of sheer numbers, there are more white unemployed in our central cities than Negro because there are more poor whites than poor Negroes.

But employment and manpower are constantly shifting factors. When men can slide into poverty very quickly, there is always a fear of layoffs and underemployment.

When we look at the city in these terms, we find that the poverty risk is greatest in the city—70 percent greater than outside the central cities.

We learn that families of service workers in the central city have an average income of 11 percent less than their counterparts outside the city in the same kind of jobs.

Work alone is no guarantee of a decent living standard. City families whose main breadwinner was a service worker earned 18 percent less than comparable families outside the city. For laborers, the figure was 23 percent less.

And we still have not begun to consider the tragedy of teenage unemployment—and what happens when young people suddenly learn that their education has not opened any doors. Where will they turn then?

When we contemplate this waste in *human resources and financial productivity,* how true is the observation of Gunnar Myrdal, the distinguished Swedish observer of the American scene:

> Never before in the history of America has there been a greater and more complete identity between the ideals of social justice *and the requirements of economic progress.*

EXPANDED EMPLOYMENT OPPORTUNITIES IN THE PRIVATE SECTOR

Our job is to put people to work in our cities. We must involve in this endeavor all the resources of the Nation, public and private.

Our first task is to expand private employment opportunities in our cities. This is basically a responsibility of the private sector. The availability of employment depends on the location of the plant, business or store—and that, as it should be, is a private decision, freely arrived at, by American business and industry.

I believe that American business would locate, and relocate, in the cities again. It must be given the proper incentives—the proper assurances—and the clear understanding that government—be it Federal, State, or local—is willing to do its share and fulfill its commitment.

We cannot expect private businesses to locate in areas of unemployment out of the simple kindness of their hearts. We cannot ask the private sector to undertake a commitment that the public sector either has not made or has made halfheartedly. The private sector must be encouraged to locate where unemployment and underemployment prevail. Here the Federal Government can proceed in a number of ways.

THE ROLE OF THE ECONOMIC DEVELOPMENT ADMINISTRATION

We should begin with an examination of the role of the Economic Development Administration—EDA—the only Federal agency created for the specific purpose of providing new job opportunities in areas of high unemployment or low family income. One would think that this would be the ideal agency to move into a high unemployment or underemployment area of a city in order to generate economic development in the area, new plant location and the like.

The EDA program is described in the "catalog of Federal programs for individual and community improvement" as one "designed to provide new industry and permanent jobs in areas where they are most needed. The single primary objective of the act is to create a climate conducive to the development of private enterprise in economically distressed communities." Has that meant help for Hough, or Harlem, or Watts? No—it has not, because those communities are parts of Cleveland, New York, or Los Angeles, and the cities are not economically distressed. But the jobless are in Watts, Hough, and Harlem. That is where the discontent breeds. That is where the poor live. That is where EDA should be operating at full speed.

Many have made suggestions about this vitally important proposition. I propose the addition of a new title VIII, entitled "Urban Redevelopment Areas," to the Public Works and Economic Development Act of 1965. The amendment would enable the Economic Development *Administration to provide financial* assistance under title II of the act to public works and business loan projects in order that additional vitally needed job opportunities may be created to benefit the areas of concentrated unemployment *now existing within the Nation's* larger urban areas. Under the amendment, urban areas having a minimum population of 20,000 persons could be designated as urban redevelopment areas. The amendment contains a mandatory requirement of interagency coordination between the Secretaries of Commerce, Labor, Housing and Urban Development, and the Director of the Office of Economic Opportunity.

It is not enough simply to qualify core city areas for EDA title II assistance. We must examine the availability of that aid to determine its adequacy. Under existing law, EDA is authorized to make direct loans for 65 percent of the cost of industrial and commercial enterprises. Though an annual authorization of $170 million is available for this program, we appropriated last year $56 million—about one-third the authorized amount.

Experts estimate $10,000 as the average amount of private investment needed to create one job. The $56 million appropriated last year thus committed the Nation to the creation of 5,600 jobs—and hardly one was in a major city. How can we expect private enterprise to take Government seriously when we pass bills and administer them with great ballyhoo and little followthrough? We should greatly increase this program and fund it accordingly. At least $1 billion a year should be made available for this direct loan assistance.

But the Federal Government need only be the lender of last resort. Direct loans are important—but we should also encourage private business and industry to locate in distressed areas through other, less costly means. To do this, we need to look at both the borrower and the lender.

INTEREST SUBSIDIZATION

First, how do we encourage the borrower—the businessman willing to locate in unemployment areas—to seek private financing before coming to the Government? One way is through the principle of interest subsidization, proposed by the administration in 1965 but not enacted by Congress. Under this proposal—called "interest rate rebate"—the Federal Government would reduce by two percentage points the interest costs incurred by the private business borrower who was able to find financing for his plant or business from private sources. This is a feature of some of our existing housing laws, which should be made applicable to private business investment as well as private housing.

The system works in Belgium and West Germany. It could well be the kind of inducement a business needs to locate in an area of high unemployment rather than in some other area. Assuming a $5 million first year cost of such a program over a 10-year period, because of amortization only $30 million will be expended—an average of $3 million annually. According to testimony before the Senate Banking and Currency Committee, this amount of money would generate $2.5 billion of loans.

A Federal investment of $30 million over a decade that generates $2.5 billion of private investment is money well spent—especially when you consider the millions poured down the drain on programs. I will introduce such a proposal.

GUARANTEED LOANS

Interest subsidization helps the borrower—but we must also encourage the private lender, so that direct Government loans are truly loans of last resort. A program of Government guarantees—whereby the Federal Government reduces the risk to the lender by undertaking to guarantee repayment of principal—could generate private loans in a ratio of 20 to 1 to appropriated Federal funds.

I will propose the establishment of a program of guaranteed loans by private lenders to businesses willing to locate in areas defined as "economically distressed" by the criteria—including a new title VIII—of the Economic Development Act of 1965. I propose that $100 million in Federal funds be appropriated to establish a capital reserve, sufficient to guarantee $2 billion in private loans and new investment capital.

REGIONAL ECONOMIC DEVELOPMENT PROGRAMS

Finally, I would establish a system to encourage regional economic development programs, as suggested by the National Commission on Technology, Automation and Economic Progress. As pointed out in the Commission's report:

> Federal Reserve Districts have several advantages as bases for regional development programs: The Federal Reserve Districts approximate existing regional economies; they are already established; and, since the Federal Reserve System is closely associated with private banking institutions, it could effectively stimulate the application of private funds to the development of local and regional economies.

The Commission's entire recommendation relating to venture capital banks and technical institutes is far reaching and requires further study. But I do believe that the suggestion relating to a program of economic analysis operated through the Federal Reserve System is sound. This should be pursued by amending the Federal Reserve Act by adding a new section 13(b), establishing a program of economic analysis and evaluation within each Federal Reserve district, and establishing in each district an Advisory Council for Economic Growth.

IMPROVED TRAINING AND MANPOWER PROGRAMS

The involvement of the private sector requires more than direct Federal loans, interest rate rebates, loan quarantees, and economic planning in the Federal Reserve System. The practical businessman knows that all his good intentions coupled with the good intentions of government will not create job opportunities, if there are no trained men and women to fill the jobs when they are created. The lack of trained and skilled workers is one of the most important obstacles to locating plants in the core city.

While the educated and skilled moved to the suburbs, the poorly educated and unskilled were migrating to the central city. The former Administrator of EDA, Eugene Foley, put it well:

> In theory of course, the blue-collar workers in these needy urban areas should have followed the blue-collar jobs out of the city. But in practice this hasn't happened, and there is no indication that it is about to happen. The blue-collar workers in these areas either do not have the motivation—and for very understandable human reasons—to move, or else they do not have the money to move, or some may be barred by discrimination from living near these jobs outside the city. * * * In other words, they do not have easy access to employment at best, and no access at worst.

Therefore, while we encourage the private sector to locate in unemployment areas in our cities, we must also take steps to assure the necessary work force to fill the jobs we are trying to create. Unless we do this we lose credibility with business. The private sector must have confidence in the public official, the public agency, and the public program, if we expect the private sector to play a meaningful role.

MANPOWER DEVELOPMENT IN THE PUBLIC SECTOR

Private enterprise itself can play a meaningful role. American business and industry can engage in massive training and basic education programs, both on the job and communitywide. I will introduce legislation to encourage such activity by permitting industry to claim as a credit against their taxes the direct costs of such training programs.

GOVERNMENT'S RESPONSIBILITIES

Still in all, the kind of massive training and basic education we need in this country is the responsibility of the public sector. How is this responsibility being carried out? Since 1961, federally supported manpower programs have increased eightfold and cost $2.1 billion annually. The Department of Labor, the Department of Health, Education, and Welfare and the Office of Economic Opportunity now administer manpower programs in 10 separate organizational units. According to Secretary of Labor Willard Wirtz:

> There are fifteen to thirty separate manpower programs administered by public and private agencies, all supported by Federal funds, in each major U.S. metropolitan area.

One would think that with such a large expenditure of funds we would have a national manpower program in this country. But we do not. Only about one out of every 10 Federal dollars is spent on programs operated by agencies of the Federal Government. The rest is spent through grants and contracts to encourage and assist State and local governments and private institutions to provide employment-related services.

Attempts to coordinate these wide-ranging programs at the Federal level have failed. Until we have a unified manpower program in a unified manpower agency we will continue to dissipate much of the good that flows from our existing training and education efforts. If we learned nothing else during the 6 weeks of hearings, we learned it is not how much you spend that counts—it is how you spend it.

To coordinate our training and education programs at the Federal level, I shall introduce legislation to bring all Federal manpower programs into a single agency located in the Department of Labor. This proposal, which grew out of discussions by the National Manpower Policy Task Force, has been advanced by Sar Levitan and Garth Mangum of the Upjohn Institute for Employment Research. It makes good sense. As they say in their recent paper entitled "Making Sense of Federal Manpower Policy":

> The proposal is not just to bring existing programs under one roof, but to combine all Federal support for manpower programs into one Federal agency, dissolving the current individual programs, but perpetuating their functions in a single integrated program. The new agency should absorb the budgets of the existing programs and with them provide support for state and local proposals concerned with preparation for jobs requiring less than a college education, placement of people within these jobs, provision of employment opportunities to persons unable to compete effectively for existing jobs, experimentation with new approaches, and the gathering and analysis of labor market information. In doing so, all the current functions could be supported more rationally and with less administrative overhead, thus providing more effective administration as well as a "bigger bang for the buck".

A unified, rational, one-stop training program at the Federal level will help local communities, private organizations, and industry to use local funds and training agencies effectively and efficiently. And it will move us further down the road with the private sector in helping to solve the job crisis in our central cities.

COMMUNITY TRAINING CENTERS

The unified manpower program at the Federal level needs a counterpart at the local level. Each community should have a center to provide 2-year technical courses in a wide range of specialities; short, more specialized vocational training courses for those unable or unwilling to undertake the more demanding 2-year program; adult education courses—both to provide basic skills and prepare for specialization; and prevocational guidance and orientation.

Both full-time and part-time courses to upgrade the skills of employed persons should also be available. Those who wish to improve their skills, as well as those with no skills, should be welcomed.

Mr. Levitan, Mr. Mangum, and the National Manpower Policy Task Force deserve a great deal of credit for their proposals, which are worthy of our most serious consideration. I shall introduce legislation to establish a program of community training centers—combining the functions of the community college and the area vocational school with the "skill centers" already underway in some cities—like Hartford and New Haven, in my own State of Connecticut.

But even if we create new job opportunities in the private sector and establish better training programs, there will continue to be those left by the wayside and outside the mainstream of American life.

A compassionate and sensible society must provide assistance for those unable to compete successfully in the free job market.

Some have spoken of a guaranteed annual wage—a negative income tax—or a family allowance. Such proposals may have merit when advanced to assist the aged, the blind, the disabled, the mothers of families—those unable to work.

But I am convinced that the vast majority of Americans—in every income category, of all races, in every part of the Nation—want jobs; not relief. They want employment—not handouts.

"THE EMPLOYER OF LAST RESORT"

Just as the Government can be a "lender of last resort" to the entrepreneur who cannot get investment capital in the private sector for such projects, so the Government can be an "employer of last resort" for men and women who cannot find jobs in the private sector.

The National Commission on Technology, Automation, and Economic Progress advanced this concept and it was recommended in the report following the recent White House Conference on Civil Rights. Said the Commission:

> In terms of our image of the labor market as a queue, fiscal and monetary policies begin at the front of the queue and work toward the rear. Education and training and labor market policies affect not only relative places in the line, but the depth to which general economic policies can reach without generating inflation. Yet when all that is done, there remains another possibility: to begin at the rear of the line and create employment opportunities tailored to the abilities of those with serious competitive disadvantages.

"At the rear of the line" we see those left behind in an otherwise prosperous economy. We see the paradox—excessive unemployment in a society burdened with a huge backlog of public service needs—in its parks and streets—and slums and countryside; in schools and colleges, libraries, hospitals, nursing homes, public buildings; indeed, throughout the public and nonprofit sectors of the economy.

Estimating that there is a potential of 5.3 million new public service jobs, the Commission pointed out the opportunities in medical institutions with health services, educational institutions, national beautification work, welfare and home care, public protection, urban renewal and sanitation. In the Commission's words: "employing the unemployed is, in an important sense, almost costless. The unemployed consume; they do not produce. To provide them meaningful jobs increases not only their income but that of society."

PUBLIC SERVICE EMPLOYMENT OPPORTUNITIES ACT

I will propose a "Public Service Employment Opportunities Act" to implement the Commission's recommendations. The legislation would establish a 5-year program, with an initial appropriation of $2 billion, to provide about 500,000 additional full-time public service jobs.

Mr. President, I ask unanimous consent that the bill of Public Service Employment Opportunities be referred to the Committee on Labor and Public Welfare.

The **PRESIDING OFFICER.** The bill will be received and, without objection, will be referred as requested.

The bill (S. 585) to provide meaningful public service employment opportunities to unemployed individuals with serious competitive disadvantages, and for other purposes, was received, read twice by its title, and, by unanimous consent, was referred to the Committee on Labor and Public Welfare.

Mr. RIBICOFF. Mr. President, the wages paid under the act would be no lower than the Federal minimum wage; the program would be linked closely with basic education, training, and counseling—provided in large measure by the proposed Community Training Centers. Such training would be designed to raise the productivity of employees and assist them in moving on to better jobs.

Society needs these jobs done in its medical institutions, its schools and colleges, its beautification projects. Men and women want to learn new and useful jobs. No element of make-work is involved, only commonsense and constructive action.

Therefore, I propose a major national effort to find meaningful work for all Americans able to work and anxious to work, but unable to find jobs—whether their handicap is racial, physical, or educational. I propose guranteed employment, not a guaranteed dollar. This would bring that dignity and self-respect that comes only from self-sufficiency.

FIVE-YEAR URBAN CENSUS

The more we focus on jobs and the city, the more obvious our lack of information becomes. Employment projections are based on sample surveys conducted at the national, regional—or at best, metropolitan—level. The core of the problem is in the central city and its smaller units—the neighborhoods and the blocks.

Without adequate data, neither the Federal Government nor the local governments can make the most informed policy decisions, especially in a highly mobile society. For as Richard Scammon, former director of the U.S. Census Bureau, told us:

> I think it is fair to presume that in 1966 over half of the American population lived in a different house than it did when the 1960 Census count was taken.

So that we do not base our policies on out-of-date information, I shall propose legislation to undertake an urban census every 5 years. We already have a rural census every 5 years. The last one was taken in 1964 at a cost of $25 million.

SOCIAL SECURITY REFORM AND DAY CARE CENTERS

There are millions of dependent Americans who cannot work. They are the very old, the very young, the blind, the permanently and totally disabled; they comprise well over 6 million of the 7½ million people now receiving public assistance payments. No one expects a woman in her eighties, or a little child, or a severely disabled needy person to go out and find a job.

My point is that those dependent adults who could work toward independence—no matter what their number—should be given the opportunity to do so. Those who could gain new freedom and fulfillment from vocational rehabilitative services should be able to get such rehabilitation. And we must work out new, dignified, humane ways of helping other dependent Americans who simply can no longer compete in the labor market. A rational compassionate society can pursue no other goals.

Fortunately, we have a practical way of achieving these goals at hand. Significant changes and revisions in the social security system will be proposed today by the President. I am confident that Congress will respond to constructive suggestions with bipartisan support.

In addition, the programs established by the public welfare amendments of 1962 will expire this year. These programs constitute a major part of our basic public welfare laws; revisions and improvements will be thoroughly considered. The intervening years have brought many changes, not only in our cities, not only in our Government, but in our whole society.

Serious attention should be given to the advisability of transferring the aged, blind, and disabled recipients of public welfare from the welfare rolls to the social security system. As a member of the Finance Committee, I intend to give the matter careful study.

There are now about 1.1 million parents of needy children on the public welfare rolls. The vast majority are women heading households. These women, and other needy mothers not on welfare rolls, should have the opportunity to gain independence through gainful employment. Now most do not have this opportunity because they have no safe, healthy place where they can leave their children, and no responsible person to care for these children.

Therefore, I propose that this Nation undertake a realistic, effective day-care program. Just as we cannot belabor the businessman to locate in the central city unless we assure him a competent work force, so we cannot tell the woman who heads a household to "get a job" unless we assure her competent day care. Such competent day care, like a competent work force, would serve as an investment for the future, preventing juvenile delinquency, crime, and needless accidents.

Right now, we have day-care facilities for about 310,000 children, though we estimate that we have 2.7 million boys and girls in desperate need of day care. I propose that we amend our social security laws to provide an additional $500 million authorization for day care. This would start us up the proper road, for it would be earmarked for needy young children.

A DECENT ENVIRONMENT

Mr. President, too frequently, our discussions of housing narrow down to a statistical rehashing of the number of units needed to house our growing population. We are constantly reminded that in the next 34 years, the United States must build more new housing than exists today in the entire country; that there are currently 58.3 million dwelling units; that by the year 2000, the projected need is 68 million additional units, an average of 2 million a year; that we are currently building at the rate of 1.5 million a year; and that this is 25 percent less than needed to keep up with the basic demand.

This is useful information. But this kind of information does not tell us enough about the people we are housing.

The risk of relying too heavily on large-scale statistics is that we overlook the diversity of our society and the need of the individual. For it is the people—and not the buildings—that define an environment. We learned this lesson best from Johnnie Scott, a young author from Watts, who described the ghetto this way:

> The ghetto is not the houses. It is the people.

So let us put a rein on our discussion of the year 2000 and look at the realities of today. Let us think in terms of the living environment as well as the living room with a bath and a half. We must think in terms of real goals and objectives—where people are taken into account—not in statistical scorekeeping about how many units we are building or not building.

What are some of the goals and objectives encompassed in a decent environment? They fall into three main categories—physical, social, and planning.

Our physical goal should be to create a clean and attractive environment. We should remove structurally unsound buildings, relieve overcrowding, provide open spaces, improve both the street and mass transportation systems, provide community facilities, remove refuse and vermin and improve the overall appearance of our neighborhoods and cities.

Our social goal should be to improve the quality of that environment. We should offer a variety of housing to choose from, improve health, education, and recreation facilities; provide employment; direct welfare assistance or social service referral according to a person's need; reduce or prevent segregation, encourage community participation by individual citizens and their organizations, and reduce tension and violence in the community.

Our planning goals should tie together our first two goals—to build an attractive America and improve the quality of that America. We need to develop large areas of our cities and include in these endeavors plans for sound, complete and compassionate relocation programs. We must devise systematic programs that achieve several goals simultaneously, that improve the cost-benefit ratios, that strengthen local government, and foster technological advance. In sum, we must effect a major change in both the character and the quality of our environment.

Bearing all this in mind, we turn our attention first to the most serious and most definable aspect of our housing problem—the urban ghetto—those 4½ million substandard urban dwelling units that are the shame of our Nation. For we must do in housing what we did in employment—go to the end of the line to start rebuilding. Because that is where and what the ghetto is—at the end of the line.

MODEL NEIGHBORHOOD ACTION PROGRAM

Our vehicle for the eradication of the ghetto over the next decade is the model cities program now in operation. But first, I would change its name to model neighborhood program, because that is what it is. The bill passed last year by Congress does not deal with cities. It deals with neighborhoods. So let us call it that to insure that we focus our efforts in the right direction.

And second, I think we must realize that it establishes a competition among cities that is basically unfair. A city that can comply with the requirements would be eligible. But as the program now stands, we are going to make some hairline decisions in choosing the few over the many.

So I propose that we reshape the program. We should spend the next 3 years preparing for our brick and mortar requirements in the 1970's by using the entire amount now authorized and uncommitted in this program—$924 million—for planning, experimentation, and small demonstrations.

With this amount of planning money we can help all urban areas prepare for the elimination of substandard housing and ghettos in an orderly, intelligent fashion rather than experience another pell-mell dash to Washington before the Federal dollars run out. We should say to the local leaders of America, the planners, and the people themselves, that our war on the ghetto is one war that will be backed up by a sound strategy. In the long run, we will save money and time. We may even be able to reduce the cost of this gigantic effort if we go about it systematically.

And the cost is gigantic. An investment of $50 billion over a 10-year period is required to eliminate substandard housing in urban areas. This is not a haphazard figure. It has been closely calculated, based on a standard area of 80,000 people living in 24,000 dwelling units and shopping at 500 places of business. All costs are included—acquisition, demolition, new housing replacement, rehabilitation, relocation, improvement of business establishments, administration and planning, and community participation.

The gross cost excludes—and this must be clearly understood—the construction costs of new schools, community buildings, health centers, and the other associated services and facilities essential to the well-being of the people of the area. For when we talk about wiping out the ghetto, it is more meaningful to present the housing and social costs independently of the associated services costs.

Thus, we can determine that the total cost of the physical and social effort needed to eliminate substandard housing in the central cities alone is roughly $27 billion—a figure that does not include the less direct costs of associated services and facilities.

Extending the same program to the entire metropolitan area increases the cost by $16 billion to $43 billion. And extending it to include all our urban areas will raise the cost to a final figure of $50 billion.

I propose, therefore, that in 1970—after 3 years of careful planning—we begin spending this money at the rate of $5 billion a year. We should start and continue until all substandard housing is erased from the land and replaced with decent living accommodations. We can eliminate all poor urban housing in a decade at this pace—rid ourselves of the ghetto cancer that destroys so many of our cities and our people.

HOMEOWNERSHIP FOR LOW AND MODERATE INCOME

But, Mr. President, we have another basic housing need in this Nation—one that has not been spotlighted as the ghetto has been. And that is homeownership for low and moderate income individuals. The truly overlooked individual in our housing market is the $5,000 to $8,000 wage earner. He is priced out of most of the decent housing market and is ineligible for direct Government help or subsidy.

Nothing really helps him—not even the laws already on the books designed to assist private industry in providing housing for low and moderate income families.

But these laws—either already on the books or with minor modification—can help this middle group become homeowners if they are given substance, direction, and proper administration.

Take, for example, the Housing Act's below market rate program for low and moderate income housing—section 221 (d)(3). A merger of more guaranteed special assistance money from the Federal National Mortgage Association with the principles of 221(d)(3) and other sections of our housing law can result in excellent housing for people to buy and to live in—for less than $90 a month. And that covers principle, interest, taxes, insurance, and utilities.

I intend to seek the enactment of legislation that will allow an individual in the $5,000 to $8,000 income category to obtain 3-percent mortgage money so he can buy a home of his own. We already grant similar terms to a builder who constructs rental units for this individual. The time has come to let the occupant buy a house if he wishes instead of renting, and on the same terms.

We should make available each year at least $270 million to guarantee mortgages for construction of below market rate 221(d)(3) low and moderate income single family dwelling units. The program for homeownership would operate through the private lending institutions as regular mortgage guarantee programs do now. It would offer an important choice to an often overlooked middle group of our society—either to rent or to own in decency and dignity.

PUBLIC ASSISTANCE HOUSING STANDARDS

We must make certain that through our public assistance programs we are not subsidizing the slums of America. Estimates are that today, 30 percent of the total welfare dollar is spent on shelter—most of it on housing that clearly is below standards and that comes, Mr. President, to some $2 billion of Federal, State, and local funds. In one city, building inspectors found that almost 50 percent of the housing units of persons on public assistance were either deteriorated or dilapidated.

The establishment of minimum housing standards in our Federal welfare laws has been proposed. Some States—such as Pennsylvania—have begun to withhold rent from landlords who refuse to repair substandard buildings occupied by public assistance families. Some cities—such as Baltimore—are starting pilot projects to move families in substandard housing to more adequate homes.

All these efforts deserve the support of the Federal Government. And I will introduce such legislation.

PERSONAL SECURITY

A decent environment includes more than the inside of a person's home. It includes all his physical surroundings and the peace of mind to enjoy those surroundings without fear. He needs security and safety as well.

In many of our urban areas, the environment seems ready made for crime. Dark and poorly lit streets breed crime. Automatic elevators and enclosed stairwells in high-rise buildings often are the scenes of assaults and robberies. So are dark and isolated parking lots that adjoin otherwise attractive apartments. Conversely, the location of walkways inside and outside of buildings can make a difference in detecting possible criminal activities. So our architects and planners have a responsibility to understand these problems when they design new living areas.

But basically, controlling crime is a matter of police protection. And this is what all our citizens want—no matter where they live. The Kraft report—a survey by the John F. Kraft, Inc., research organization on attitudes in Harlem and Watts—found that the people in these communities were as concerned about police protection as they were about police brutality. They wanted more—not less—police.

We understand why many people turn to crime. We heard about it from Claude Brown and Arthur Dunmeyer. But they did not recommend it as a way of life—and we do not condone it. A knowledge of the causes of crime can help control and reduce crime. We can work to eliminate the conditions that cause crime—and we can strengthen and improve our law enforcement agencies.

Our police forces have been neglected for too long and blamed for too much. We ask our policemen to be supermen—to run the gamut from delivering babies to arresting dangerous criminals—without any increase in compensation, status or training. And we expect them to do all this, as Judge George Edwards, of the U.S. Sixth Circuit Court said, "with the wisdom of Solomon, the concern of a social worker and the prompt courage of a combat soldier."

Although the policeman is responsible for only part of the administration of justice—the courts and the correction institutions must bear their share as well—we blame him when the system breaks down because he is the visible part of the machinery.

So we ask him to be a scapegoat as well—at a median salary of $5,843 a year in cities with a population of 25,000 or more and at a salary of $4,920 in cities where the population is between 10,000 and 25,000.

President Johnson, in his state of the Union message, made a meaningful statement in support of the police and their job. His program deserves the understanding and the support of Congress and the country.

THE HEALTH OF OUR CITIZENS

America is the richest country in the world—but still it lags behind other countries in many areas of personal health. In particular, we have far less information on the health of our young people than we should.

With the exception of some antipoverty programs such as Headstart and the Job Corps, we must rely exclusively on the Selective Service System for this information.

Not until a young man is 18 years old do we find many defects that should have been identified and treated when he was a child. And we still are missing knowledge about the health of our young women.

NATIONAL CHILD HEALTH CENSUS

We should do better. We need to learn the extent of our health problems so we can provide the resources to treat sickness and disease. One-third of the chronic conditions that handicap children could be corrected in early life if they were discovered.

I propose, therefore, a national child health census to remedy this intolerable situation. My bill would provide grants to the States to conduct a health census survey of preschool children in community centers and schools. Medical teams in mobile units could travel within a single community—the same technique so successful in our fight against polio. I believe $5 million would be more than enough to start the operation.

Perhaps the most important health question we face in our urban areas is that of delivery of health services. Many who need health services most, cannot get them in an efficient and effective way. Their plight must receive continued and careful consideration. One example of the inadequacy of existing programs is the fact that despite the $2.5 billion we have expended on hospital construction since 1947, there is still no hospital in Watts.

III. ENCOURAGING PRIVATE INVESTMENT

Our hearings demonstrated that rebuilding American cities is a massive undertaking—far beyond the capacity of Government alone. The testimony also showed that private enterprise—already involved in building and construction—will invest in the cities, if public policy establishes the appropriate conditions and a climate of partnership.

As David Rockefeller testified:

> Many of my businessmen friends tell me that they would be glad to get their companies into the field of city problems, but they say government units seem to want that field all to themselves. They get the impression that many government officials tend to look upon them as rivals in competition rather than partners in progress.

The question, then, is this: How do we encourage the involvement of the private sector in the large social problems confronting us?

Let us recognize, first, that there is no simple mechanism—no magic organization—that will automatically generate a significant role of private enterprise in rebuilding our cities. No slogan—no single device—will attract the private sector into what is basically a public function.

Let us recognize, second, that the private sector is already at work building houses, apartments and facilities to accommodate a significant part of the current need—1,600,000 housing units a year.

And let us keep in mind the dual role of private industry in our Nation—its role as private entrepreneur, and its role as contractor to Government. Private industry, acting as contractor to the Federal Government in a public market, is building the spacecraft to take Americans to the moon. Private enterprise is also manufacturing 9 million autos a year to take Americans around the country to shopping, to work, and on pleasure trips—autos which fill a private market's needs.

Similarly, American industry can participate in the rebuilding of our cities.

With guaranteed jobs, millions of Americans will move from consumers of public funds to consumers of private goods and services. Guaranteed employment will create new purchasing power—a new market—for American industry. Since one of the major talents of our free enterprise system is its ability to supply new markets, and since one of the primary needs of people is shelter, it is reasonable to expect that American industry will make new efforts to provide and sell adequate housing to those newly able to afford it.

The action program I have proposed to rebuild the ghettos of America would create a second market for private enterprise. The $20 billion we have committed to conquer space created an aerospace industry out of the aircraft electronics, and associated industries. The $50 billion we should commit to wiping out the cancer of our ghettos could create a "cities industry" in addition to disparate segments of what is today a "building industry,"—bring greater efficiency and better organization to a highly scattered current effort, and encourage private enterprise to develop new products and techniques. Few Americans would buy the rockets developed in aerospace; a great number of Americans would buy the better houses in our cities.

But we must make Government activity believable to the private sector. The private businessman must have confidence that when he works with the Government cooperatively in a private-public endeavor, the public official or agency knows what it is doing and where it is going. We do not build that kind of trust—that sort of relationship—with the outmoded, inefficient, directionless, and redtape snarled programs of today.

So we must streamline, improve, and tighten Government procedures and techniques, organizing ourselves in the public sector as the private sector must organize itself in our highly competitive free enterprise system. Much remains to be done—a job which the executive branch and the Congress, working together, must do.

INSTITUTE OF URBAN DEVELOPMENT

An important element in the partnership between Government and business can be the effective transfer of research results and development techniques from Government-sponsored efforts to private enterprise use. We need, therefore, a substantial research and development effort in the Department of Housing and Urban Development.

Millions of American families cannot live in decent houses or apartments because they cannot afford them. One element of the problem is, of course, the income of the families themselves. Jobs for those able to work will accomplish much to bring income near need.

But the other element of the problem is cost—the cost of shelter still built with the materials and methods of the 1920's, in an age of technology and science. Responsible experts estimate that the cost of housing could be cut in half—from $16,000 per unit to $8,000—by applying modern techniques to increase productivity.

Low-income families are most seriously affected by high costs and poor housing. But middle and upper income families are also paying more for their housing than they should have to pay.

Existing Federal programs have failed to meet this need. Fiscal aids—like FHA, Veterans' Administration efforts, federally supported below-market interest rates—are important. But they cannot alone solve the housing problem. Housing costs continue to rise more rapidly than cost levels in the rest of the economy.

We must focus on housing and other building construction the same research techniques used so successfully in other industries. In fact, no other single field in America holds greater promise for the application of organized research and product development than housing.

The major effort in research and development must be sponsored by the Federal Government. As is well known, the building industry is made up of many small businesses, with even the largest builders unable to spend the kind of money on comprehensive research that needs to be spent.

Even the largest suppliers of building materials are not interested generally in the house as an entity. Each—supplying siding and roofing, or plumbing fixtures, or flooring, or any of the countless other elements of a house—fears that change will make present products obsolete.

Labor should also understand that constructive change would result in more jobs and steadier work, and at the same time lower the cost of housing to everyone including their own union members.

Similarly, the matter of building codes deserves our careful and considered study and evaluation—which it will receive from the Temporary National Commission on Codes, Zoning, Taxation, and Development Standards. I am highly pleased that our former colleague, Senator Paul Douglas, of Illinois, has been appointed Chairman of this Commission.

Congress recognized the need for additional research and development in the Demonstration Cities Act of 1966, authorizing the expenditure of $5 million in fiscal year 1967 and $10 million in fiscal year 1968 for research and development carried out by the Department of Housing and Urban Development.

This research and development effort already authorized is the ideal task for the Institute of Urban Development—first proposed in early 1965, but still being "structured" in the Bureau of the Budget. The Institute could be established tomorrow by administrative action. I think we have waited long enough for the executive branch to act. I will propose, therefore, the creation of an Institute of Urban Development in the Department of Housing and Urban Development by specific legislation. I would hope enactment of my bill would not be necessary and that the executive branch will act promptly.

BUSINESS ADVISORY COMMITTEE FOR HUD

In addition to an Institute for Urban Development, there should be established in HUD a Business Advisory Committee, as recommended at the hearings by David Rockefeller. He suggested that a group from the business and financial community, similar to the Advisory Committee on International Monetary Arrangements in Treasury, be set up to work closely with the Secretary of HUD.

According to Mr. Rockefeller:

> Such a high-level panel could bring fresh insight to the deliberations of HUD, as well as practical expertise in many areas that are vital to its success—areas such as financial policy, management organization, audit and control, and the like. Beyond this, an advisory group of this kind would be able to represent a sector of our economy that is pivotally important to the solution of city problems, and one that does not feel that its views are being given an adequate hearing at present.

This is an eminently sound proposal, which I shall introduce. If we are saying to the private sector that we expect it to invest $7 for every dollar of Federal investment, then the Federal agency most involved in city rebuilding must be in the mainstream of American economic life. As Mr. Rockefeller points out:

> The towering problems that beset our cities . . . cannot—indeed, they should not—be relegated exclusively to government. These are problems calling for action on a broad front and for participation by the entire citizenry, including the business community.

The Institute of Urban Development and the Business Advisory Council in HUD will help foster and create that "better communication and cooperation between our business leaders and our political leaders" called for by the chairman of the board of General Electric, Gerald E. Phillipe, when he testified.

NEW TOWNS

While the Federal Government has a major responsibility in urban problems—especially ghetto elimination and low-income housing—I believe that the private sector has a primary developmental responsibility: new town development. But even the Federal Government can also lend a helping hand.

One of the most interesting witnesses during our 6 weeks of hearings was Mr. James Rouse, the developer of Columbia—a "new town" to be located between Washington and Baltimore. Mr. Rouse was accompanied by representatives of the Connecticut General Life Insurance Co. who invested some of the original seed money for Columbia—$25 million private venture capital.

Our existing urban centers, even when revitalized and rebuilt, cannot accommodate all the urban Americans of the next generation. I think we should all be willing to think not only about clearing up our mistakes of the past—the ghetto—but about the new towns of the future. With three million new residents added each year to our present urban population, new communities, and new patterns of land use are inevitable, as the world-renowned city planner, Constantinos Doxiadis, testified.

While new town development is the basic responsibility of the private sector, there are certain "threshold" problems and costs which may fall to the public sector. These may include assistance in land assembly and help in providing capital requirements, particularly in community facilities and initial land purchase; assistance to local governments in the areas involved to plan in anticipation of the impact of new towns; encouraging the development of equal opportunities and helping to solve marketing problems; by coordinating the location of government installations and assuring adequate economic bases for the communities.

"New towns" give government and the private sector another opportunity to work together in a meaningful way on a new venture—at the head of the line—rather than locking horns over who is to blame for the failures of the past. I am preparing legislation to establish a joint Federal-private sector "new town" development program containing, among other things, establishment of State and Federal development corporations. Their purpose is to solve some of the more difficult problems of land assembly and reduce the possibility of unwarranted land speculation; technical assistance in planning, to assure the best quality of design and execution now available; deferred interest charges on loans to reduce the critical start-up costs of such enterprises; and special arrangements for the timely provision of community facilities under existing grant programs.

IV. INVOLVEMENT OF THE INDIVIDUAL AND AN EMPHASIS ON NEIGHBORHOOD DEVELOPMENT

New major outlays, Federal and private, to fund major housing construction and job development in the slums are necessary. But our hearings also showed that any new national effort in our cities must involve the people of the neighborhoods. It is not enough to have new national programs and new major endeavors by private industry if they are simply to rebuild the slums from the top down. To succeed, such programs must involve the people in their neighborhoods.

A new word has entered the picture of urban crisis—neighborhood. We must focus on the neighborhood, a practical human unit of planning and management within our cities. Witnesses such as Doxiadis, Leon Sullivan, and David Rockefeller emphasized greater neighborhood involvement. Milton Kotler, in his testimony on the ECCO project in Columbus, Ohio, gave his entire attention to the fundamental problem of building neighborhood corporations of local decision and management in our cities.

Senator ROBERT F. KENNEDY is also engaged in an imaginative and promising neighborhood corporation development effort in the Bedford-Stuyvesant area of New York. His program is based on the same premise: That effective programs of change and new hope—no matter how ingeniously they may employ private industry, private capital and Federal help—must ultimately rest on the people's involvement in decision at the neighborhood level.

We must rebuild our cities for new dignity and prosperity—and in order to make the resources of private enterprise work, we must join grass roots support to their efforts. We must rebuild our slums from the bottom up. This insight is based on our own historic experience of democracy—not only as a shining ideal, but also as a practical way of getting the job done.

We have become so bureaucratic in our thinking—so concerned with metropolitan, regional and national scale—that we have forgotten about the neighborhood and the people who live there.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. KUCHEL. Mr. President, I recall with a great deal of pleasure the hearings which were chaired last year by my able friend, the Senator from Connecticut, on the general subject of the plight of the urban American.

I congratulate the Senator today on the excellent and provocative statement which he is making to the Senate.

There can be no question that the trend toward urbanization in this country is not going to stop and that the dreadful plight of the municipality in the Nation constitutes a basic problem for all American people and all American society.

My able friend has made an excellent comment with respect to the need of the "private sector" to participate with American government in solving the problem.

As far as I am concerned, I recognize the Senator as a leader in this field.

I shall study very carefully the recommendations he makes.

I salute him as a fellow Senator today for the contribution he makes toward this crucially important public problem.

Mr. RIBICOFF. I thank the Senator.

The Government cannot do the job by itself. There is no question in my mind that this task is so vast that the Government by itself does not have the money, the capacity, the ability, or the techniques with which to do the job.

We must involve the private sector. We must involve private banking, private industry, private builders, and private insurance to do this job. It is a job that must be done.

We have talked about $1 trillion. That is a lot of money. It is one thousand billion dollars. I estimate that about $200 billion of this amount will be Government funds. The rest of it will come from the private sector. In involving the private sector, we will be giving America a new age of prosperity such as it has never seen, because the needs are there, and private industry will need to supply an additional 2 million units of housing a year.

Our population is growing so rapidly that in the next 14 years an additional 53 million people will be living in our urban areas. By the year 2000, 95 percent of all Americans will be living in urban America.

This is why I say that we are faced with an urgent problem, because each passing year and each delay compounds the problems—and makes solving the problems that much more difficult.

Mr. KUCHEL. The Senator is eminently correct.

I simply repeat to the Senator on this occasion that the series of bills which he intends to introduce merit the respectful consideration of all Senators. Surely, until we face up to the problem of the cities as the Senator has suggested, the basic obstacle to the success of our way of life will remain.

Mr. RIBICOFF. I thank the Senator.

Today, some of our cities are larger than our whole Nation was at the time we won independence. Our Founding Fathers drew a constitution to govern people's lives that recognized the need for self-government and local diversity. Authority was given to States; the States spread authority to counties and municipalities—so people would have the means to shape their locality in a way that expressed their particular values.

Today it is said our cities are unmanageable. We can begin to make them manageable by recognizing the diversity that exists within them. We can begin setting up the means for new kinds of local participation in our cities.

NEIGHBORHOOD DEVELOPMENT CORPORATIONS

I believe that the neighborhood community must be corporately strengthened to cooperate with the public sector and private enterprise. I am therefore proposing new legislation to establish a program of neighborhood development corporations to build neighborhood oriented programs for economic and social improvement.

The neighborhood development corporations would be set up as territorially defined units, not exceeding 50,000 people. With adequate funding, which I propose be administered by the Office of Economic Opportunity, the neighborhood development corporations would be organized as legal structures on the basis of articles of incorporation and bylaws, dedicated to self-help and rebuilding their local areas. The ECCO project in Columbus, Ohio, is a shining example of the neighborhood development corporation—and an illustration that, in the neighborhoods of our cities, town meetings can work.

The corporation would bring each interested resident into the direct and responsible task of determining the life and public face of his community. With funding to set up these neighborhood development corporations and pay for their administration for a limited period of 2 years the corporation could, through their committees and employed professionals, help develop the kinds of programs they know will work in their neighborhoods. These programs would then be submitted to various agencies—public and private—for funding.

Certain existing Federal programs, especially in manpower training, basic education, vocational rehabilitation, small business assistance, and the like, might need to be amended so that funds from these programs could be made available to neighborhood development corporations—either directly or under arrangements of municipal approval or sponsorship. The neighborhood and the city, cooperating together in rebuilding the neighborhoods, should be the new basis of justice, prosperity, and order in urban America.

TAX INCENTIVES FOR COMMUNITY DEVELOPMENT

The neighborhood organization efforts of ECCO in Columbus and the work of the Reverend Leon Sullivan in Philadelphia are just two examples of responsible activity at the local level. Other ideas have been advanced—such as the Greater Hartford Housing Development Fund, Inc., a nonprofit corporation established to eliminate blight and promote "opportunity housing" in the city of Hartford. The goals and work of this group—and similar groups throughout the country—are impressive. I shall introduce legislation making contributions to such organizations deductible as contributions under our tax laws.

BLOCK GRANTS

We must enhance the capability of individuals—acting for themselves—to solve their own problems. We should also help local governments to build up their ability to administer complex programs and deal with the problems of an urban society.

Here is an ideal opportunity to combine an old problem with a new, experimental solution. In its simplest terms, the problem is how to finance local government. As pointed out by Joseph A. Pechman of the Brookings Institution:

> In the past, state and local needs have been met in part by Federal grants-in-aid for particular purposes. These specific Federal grants have helped to finance programs in which the national interest was particularly strong. But it is now clear that the states and local governments also need help to meet the needs of their citizens in areas of traditional state-local responsibility.

It is obvious that State and local governments need help. Between 1953 and 1963 State and local expenditures increased from $27.9 billion to $64.8 billion, an increase of 132.2 percent. State and local government debt in the same period went from $33.8 billion to $87.5 billion. The fiscal pressure shows no sign of easing.

Many solutions have been offered—including tax rebates from the Federal level to the States. The so-called "block grant" approach makes sense.

The block grant concept takes a little of the past and some of tomorrow—and arrives at a meaningful and understandable method of helping State and local governments function. The block grant is not as rigidly constricted as the usual grant with Federal standards, forms, requirements, and redtape. The block grant would be used to accomplish generally defined goals—such as paying for municipal operating expenditures. The block grant could be described as "general aid" to provide what are considered basic local services—such as police and fire protection, sewerage and sanitation, local parks and recreation.

Federal block grants to urban municipalities would allow local governments to decide priorities of needs. Each city would decide for itself where it should bolster its own system of services. The Federal Government would not dictate which needs of the local government should be met. But the responsibility of deciding which city governments are most in need of aid—and how much should be apportioned to them from available program funds—would remain with the Federal Government. The block grant approach reflects the changing times—it is a reasonable approach between the usual categorical grant method followed since the 1930's and the outright rebate concept advanced by some. Our distinguished colleague, Senator Edmund Muskie, chairman of our sister Subcommittee on Intergovernmental Relations, has done an outstanding job of exploring the intricacies of this entire matter. His work on Federal grants-in-aid program management has laid the foundation for all programs in this field.

THE ROLE OF URBAN UNIVERSITIES

The hearings clearly demonstrated the need for more trained manpower in municipal and local government. We cannot turn over funds and ask local officials to administer programs without providing the training and skills they need to make sense out of problems and progress in programs.

Senators Muskie and Clark have done yeoman service in bringing this need to the attention of the Senate, the Government, and the Nation. We must have adequate funding for the urban training programs already authorized for the Department of Housing and Urban Development.

Both Dr. James Hester, president of New York University, and Prof. William Doebele of Harvard University, emphasized in their testimony the need for trained manpower and the role of the urban university.

The urban university can play a major role in filling the need for trained manpower—through graduate fellowships for study in community planning; through special advanced education for young people who show promise for leadership in urban affairs; through urban research in areas of local concern. I shall introduce legislation to establish Federal support for such programs.

The role of the urban university is vital in a city rebuilding effort. There is much the university can do by expanding current efforts and starting new ones.

First. The urban university should offer a program of study that is relevant to the world outside and that will attract the most committed—as well as the most intelligent—young people of our Nation. For many years, Einstein has been our academic model. We still need our Einsteins. But we also need our men of action who can apply their knowledge to the immediate task at hand. That is the first point.

Second. Our universities should offer degree programs in urban studies—in areas in which we will need an increasingly large number of trained personnel in the years ahead. We have just begun to study the whole problem of who will organize and manage our cities and their services.

Third. The university should develop urban extension programs to meet the immediate and pressing needs in a community or a neighborhood. One of the great tragedies of our cities is that we tend to write off a whole generation of adults—those who live in the slums and gray areas—as a lost generation. We have programs for their children, but little beyond the basic literacy courses for the parents.

Fourth. The university should offer refresher, inservice training programs to public officials who want to improve their skills and learn new techniques of administration as well as new theories and discoveries about human behavior.

Fifth. The university should conduct research into the major issues of the day—issues such as crime and violence, pollution, and transportation. The application of systems analysis—used so successfully in our space program—has great potential in the urban area. We must understand that a social system and a large-scale human environment are much more complex than a space capsule environment and a missile system.

Sixth. Our urban universities should pool their research efforts and establish urban action centers in all our major metropolitan areas. The model already is before us—in both the Center for Urban Education and in the Cooperative Project for Educational Development in New York City. These two projects—consortiums of the major institutions of higher learning in the New York area—are making important advances in our knowledge of the educational needs of the poor, and in developing new ways to train both teachers and administrators for our school systems.

V. REORGANIZATION OF THE FEDERAL GOVERNMENT

We began the hearings last August on the "Federal Role in Urban Affairs" to determine how the Federal Government is organized to deal with what has become—not a problem of the cities alone—but of the Nation as well. For the term "urban" no longer holds its old meaning. It no longer means just the city. It no longer has only a geographic connotation.

No matter where we live, we live today in a nation rapidly becoming totally urban—with an urban mentality, an urban society, and overwhelmed with urban problems. As Doxiadis put it:

> By the end of the century the structure of our society will be different. Ninety-one percent of the population will be urban, and this percentage will continue to rise. The remaining 9 percent will have many characteristics of an urban population. This entitles us to say that by the end of the century, 95 percent of the population will belong to an urban society, and this percentage will continue to increase. We are heading towards a completely urban society, and we overlook this fact.

So our hearings soon became a look into the very mirror of our national life—past, present, and future. And what we saw was not always pleasant. In the words of Secretary of Health, Education, and Welfare John Gardner:

> Some of the city's troubles are physical—transportation, water and sewage, pollution, slum dwellings, lack of open space, and so on. But the most menacing ills of the city are at bottom not physical, but social. One could recite the familiar list of specific social ills—crime, poverty, segregation. But beneath and behind all of these we are faced with problems of social organization, of governance, of politics in the Aristotelian sense of the word. . . .

Neither the programs nor the organization of the thirties can cope with problems of such magnitude. Yet we find ourselves facing the problems of today and tomorrow with the programs, policies, and procedures of the past. We need to reorganize for the future or our efforts will be in vain.

HOUSING AND URBAN DEVELOPMENT

In my view, we need a new and reorganized and reoriented Department of Housing and Urban Development. No longer the insurance office of the past, looking on people as credit risks—good or bad—rather than human beings needing decent housing, HUD has a fundamental stake in the social advances this Nation is capable of making. We are not going to rebuild America if our eye is constantly on FHA's reserve strength. HUD must begin to think and act anew. With men like Secretary Robert Weaver, Under Secretary Robert Wood, Assistant Secretaries Charles Haar, Ralph Taylor, and many others, it has the necessary leadership. But we must strengthen the regional and field offices—the basic working core of the Department. And we must strengthen that core in all other agencies of Government as well.

No matter how good its intentions, HUD is topheavy with brick and mortar, and weak in the social aspect of housing and community development. This is of special concern in view of the fact that the existing model cities program—and the model neighborhood program I have proposed—anticipates not only physical, but social change in the model area. But HUD is not equipped to deal with this phase of rebuilding the city and community.

I recommend, therefore, the eventual transfer of the community action program of OEO to the Department of Housing and Urban Development, to operate in close coordination with the model neighborhood program. In short, I believe we must humanize the HUD program.

But for the present we must recognize that OEO needs an effective program to reach into the communities and neighborhoods of the Nation. The community action program should not, therefore, be transferred to HUD until the new neighborhood development corporation program has been established in OEO.

In the meantime, strong liaison should be established immediately between HUD's model city program and the ongoing community action program—so that meaningful social services are planned for and developed in the model city program.

In addition to a new Institute of Urban Development and a Business Advisory Council, there should be established in HUD a Council on Interdepartmental Coordination, staffed by a Director of Community Program Coordination, to insure that the Federal Government's efforts in improving the physical quality of urban life are run in a coordinated and efficient manner. I would also transfer out of HUD the college housing program and place it in the Office of Education.

I will introduce legislation to reorganize HUD in the manner I have described.

DEPARTMENTS OF COMMERCE AND LABOR

The President's proposal to create a single department out of what are now the Departments of Labor and Commerce requires our careful study. Such a department existed from 1903 until 1913 when two separate departments were created by President Woodrow Wilson.

The employment opportunity programs I have proposed should strengthen the authority of both the Department of Labor and the Department of Commerce. I have long felt that both agencies have been underutilized as makers and movers of public policy and programs. They have been relegated instead to the role of statistical gathering and reporting.

My proposals contemplate transferring to the Department of Labor programs under titles I, II, and V of the Economic Opportunity Act and manpower training and work-relief programs now in HEW. The Department of Labor would then be able to embark on a massive and meaningful manpower development program—and become a vitally important factor in the years ahead.

So, too, should we strengthen the Department of Commerce. Under my proposals it would become both "the lender of last resort" and "the employer of last resort" in an effort to expand economic opportunity and development in this Nation. Once the Department of Commerce is established as a truly effective arm of economic development, consideration can be given to transferring out of it certain environmental science programs—more logically connected with departments and agencies engaged in similar work.

OFFICE OF ECONOMIC OPPORTUNITY

I have suggested taking from the Office of Economic Opportunity some of its operating functions. The Job Corps, work training, work study, work experience, and adult basic education programs would be transferred to the Department of Labor. Employment and investment incentives authorized under title IV could be transferred to the Department of Commerce. Rural programs under title III could be transferred to the Department of Agriculture. The community action program would be eventually transferred to the Department of Housing and Urban Development to work in conjunction with the model neighborhood program in that Department.

One might ask: Why not scrap OEO altogether once its major operating functions have been transferred to other agencies?

OEO should not be scrapped. OEO has been a great success. The programs started there 3 years ago on an experimental basis now have become fully established action programs. Now they are ready to be transferred to the departments with associated functions. We achieve two important goals by this move. First, we avoid an excessive and destructive fragmentation of our urban programs. Second, we free OEO to continue what it can do better than any other agency of Government: innovate and experiment—test new ideas and new techniques before they are put on a full-scale operational basis.

New techniques and new ideas are necessary to accommodate the requirements of our changing society—but the change we seek can only come from the community and the neighborhood. We cannot neatly package and pay for progress in Washington.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. RIBICOFF. I yield.

Mr. RANDOLPH. I fully agree with the statement that "new techniques and new ideas are necessary to accommodate the requirements of our changing society."

My able colleague the Senator from Connecticut presents a very comprehensive picture in his statement today. The Senator underscores the problem in its many facets, and they are real, and we need to know more about them in this forum and throughout the country.

The Senator from Connecticut indicates that he would wish that the bill which he would present actually would not be passed, but that within the structure of the executive branch we might do something without another legislative measure. Is that correct?

(At this point, Mr. HART assumed the chair.)

Mr. RIBICOFF. The Senator is correct. In my opinion, much of the reorganization I have recommended could be done administratively, through reorganization plans, without the passage of additional legislation.

Mr. RANDOLPH. Mr. President, I make this further comment because ofttimes we think only new and creative ideas come from this period in which we live. Senators probably will recall the words of Abraham Lincoln when he said:

> The dogmas of the quiet past are inadequate for the stormy present. We must think anew. We must act anew. We must disenthrall ourselves.

If Abraham Lincoln could say that then, we should be saying it now, as the Senator from Connecticut is saying so well.

Mr. RIBICOFF. Mr. President, by funding neighborhood development corporations, OEO would help develop self-managed local organizations to help people begin defining and dealing with their own problems in their own way—and thus continue its role as innovator.

But OEO is not only the "innovator" at the local neighborhood level. It should perform that task at the very highest Federal level as well.

So as new ideas are developed and new techniques discovered, the Office of Economic Opportunity should be the national agency to test their worth. The Office of Economic Opportunity was also charged with the responsibility of insuring that all Federal programs related to poverty are carried out in a coordinated manner. But we learned in our hearings that although "coordination" is subject to a great deal of talk in the executive branch, little actually exists. We were told about coordinators and convenors and interagency groups until it appeared that what was needed most in the executive branch was a coordinator of the coordinators.

But we have not accomplished effective coordination at the Federal level—and the coordination function given OEO has largely been ignored. We cannot exactly ascertain why this happened, but one thing is certain: Once OEO became the administrator of massive national projects, it became in the eyes of other agencies not the coordinator but a competitor. And so a statutory coordinator at the Federal level was lost.

So we also need OEO because only that agency is empowered by Congress to exercise the kind of coordination needed today to assure the effectiveness of the massive Federal effort in our cities. A close reading of the 1964 act discloses a grant of more coordinating authority to a unit of government than ever before in our history. That function has never been adequately performed. OEO has become so identified as an independent agency that many are unaware that the act creating it states: "There is hereby established in the Executive Office of the President"—that is OEO's base of power, and it is a greater power than exists in any other agency—it is a greater power than the authority to administer huge sums of grant money. It is the power and prestige of the White House itself that gives OEO its advantage in the Federal bureaucracy. It is time OEO was used to provide direction, and coordination, and effectiveness to the programs Congress has enacted since the New Deal.

OFFICE OF LEGISLATIVE EVALUATION

The question now becomes: How do we evaluate our efforts? What methods do we have beside taking the word of the department or agency involved that we are succeeding in our social goals?

As Daniel P. Moynihan testified at the hearings:

> Up until now the executive branch of the Federal government, and the executive branch in American government in general, has had a virtual monopoly on the product of evaluation research. Congress, the State legislatures, the City Councils, are simply told what have been the results of such research. They do not have to agree, but they are hard put to disagree.

> There is nothing sinister about this state of affairs. Serious evaluation research as I have said, is only just reaching the state of a developed, as against an experimental, technique. Inevitably it has been sponsored in the first instance by executive departments. However, because the findings of such research are not neutral it would be almost dangerous to permit this imbalance to persist. There are a number of reasons. First and most importantly, the Congress and other legislative bodies are put at a considerable disadvantage. A major weapon in the "arsenal of persuasion" is in effect denied them. Second, the executive is exposed to the constant temptation to release only those findings that suit its purposes; there is no one to keep them honest. Third, universities and other private groups which often undertake such research on contract are in some measure subject to constant if subtle pressure to produce "positive" findings. The simple fact is that a new source of knowledge is coming into being; while it is as yet an imperfect technique, it is likely to improve, and if it comes to be accepted as a standard element in public discourse it is likely to raise considerably the level of that discourse. This source of knowledge should not remain an executive monopoly.

To correct this situation, Moynihan suggested the creation of an Office of Legislative Evaluation. He compared the function of this new office to the function of the General Accounting Office and contended that the GAO, "has in its 45 years of activity raised the level of financial honesty in the programs of the Federal Government to the point that it is no longer even a remote obstacle to Federal legislation. Federal money may get wasted, but it does not get stolen."

This proposal speaks directly to the cogent issue raised by the distinguished majority leader, MIKE MANSFIELD, in his letter to committee chairmen last December calling for a "concentrated Senate exercise of the oversight function" and for a "major re-examination of new and old Government programs."

As Senator MANSFIELD said:

> Few if any of these older legislative structures have had a thorough-going, second-look for many years. These, too, it seems to me, might profitably be subject to complete re-study by the Senate. That kind of study could provide not only a basis for adjustments of legislation, as necessary, to the current needs of the nation but also a check on the equity and efficacy of the administrative interpretations and practices which have developed.

A concerted effort by Congress in the exercise of its oversight function is needed—and needed now. Over the long range, however, Congress needs an agency to perform the task of systematically evaluating the results of the social and economic programs it has enacted and paid for out of public moneys, just as 45 years ago it needed an agency to routinely audit the fiscal activities of Federal agencies.

I propose that we establish an Office of Legislative Evaluation to make sure our money is not wasted and that our programs accomplish their goals. We should place the office in GAO and change that agency's name to the Bureau of General Accounting and Legislative Evaluation. I shall introduce a bill to this effect.

The majority leader has spelled out the need for Congress to exercise its legislative oversight responsibilities. I am confident that the Committee on Government Operations, under the able leadership of Chairman JOHN MCCLELLAN, will continue to assume its proper role in assuring that the programs of the Federal Government are carried out in an efficient, economical, and well-coordinated manner. Few other Senators are as cognizant as Chairman MCCLELLAN of the need for effective organization in Government, and the changing requirements of Government in our times.

I make this speech on the floor of the Senate as a Senator from Connecticut who has had the privilege of chairing a subcommittee of the full Committee on Government Operations. Needless to say, the programs I recommend and the proposals I advance are my personal beliefs and are not the report of the subcommittee. That report will be forthcoming after the members of the subcommittee have had a chance to review the record in detail.

Inasmuch as the distinguished chairman of the committee Senator MCCLELLAN, is in the Chamber, I wish to take this opportunity to publicly and personally thank him for the warm encouragement he has given me throughout our efforts to achieve sound reorganization in the Federal branch. The chairman of the committee has an excellent staff, and I wish to pay tribute to the head of the staff and all the men working on the staff for their encouragement, dedication, and assistance. In connection with everything I have asked to do and wanted to do, the chairman and the staff have been there.

I wish to say to the distinguished chairman of the committee that no matter how many years I am a Senator I will always be most appreciative and grateful for his kindness, generosity, encouragement, and understanding.

Mr. McCLELLAN. I thank the distinguished Senator from Connecticut [Mr. RIBICOFF], who is a member of the committee. I assure him that it is and will always be the purpose of the chairman to invite and cooperate with the members of the committee in the study of the Government, with the purpose of determining where reorganizations will promote efficiency and economy. I wish to add that the distinguished Senator from Connecticut performed yeoman service on the committee. He is dedicated to the task, the hope, and purpose of finding solutions to many of our organization problems.

With respect to the Committee on Government Operations, the work that we do is tedious. Much of it is not spectacular. It involves much detail, study, search, research, and evaluation, and any progress that we make toward reorganizing our Government and dealing with some of these vital problems is of immense importance to us.

I appreciate the services of the Senator and his friendship.

Mr. RIBICOFF. I thank the distinguished chairman.

CONCLUSION

Mr. President, when we speak of the city we speak of the oldest and newest of mankind's experiments.

It is the oldest because this experiment began thousands of years ago when men first came together in settlements to increase their opportunities by sharing their talents and resources.

It is the newest because the style of urban life has changed constantly throughout history as men have sought to articulate new hopes and dreams and give concrete shape to those hopes and dreams.

Thus, the fundamental aspect of urban life is the concept of change.

The change I have spoken of today is not limited to our large cities—it is occurring in every city and town, large and small, across this land. For when we build new houses, we build them in Chisholm, Minn., as well as in New York City. When we develop new industries and new job opportunities, we develop them in Excelsior Springs, Mo., as well as in Los Angeles. When we seek a deep commitment to individual worth and citizen participation in the community, we seek this commitment in Baker, Oreg., as well as in Chicago.

The most vivid reflection of change in our society may occur in our large cities. But the fastest growing settlement in America today is the city with a population between 10,000 and 50,000.

Tradition teaches us that we are a rural nation. But history shows our basic unit of common destiny has been the small town—what one observer has called the "city upon a hill."

As we attempt to absorb and control the rapid change of the 1960's and the 1970's, let us remember that the society we seek to build is the society based on the principles of the small town—that "city upon a hill"—and the technology of our new megalopolis.

We can achieve this goal—if our starting point is the individual human being. He is the key pressure point in our system. When he moves, society moves. When he can do the job, society can do the job. When he is a competent citizen, our communities become competent communities, our cities become competent cities, and our society becomes a competent society.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. RIBICOFF. I am pleased to yield to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I rise to commend with great enthusiasm the Senator from Connecticut [Mr. RIBICOFF]. He has delivered an excellent speech. In my judgment, his speech is one of the three or four most significant speeches I have heard in the 10 years I have been in the Senate.

The Senator from Connecticut addressed himself to a major problem that faces this country: the cities; a problem that many people feel is insolvable.

Mr. President, I submit that there are few people in the United States who are better qualified to talk about this problem than the Senator from Connecticut [Mr. RIBICOFF], who has been a distinguished Congressman, an outstanding Governor of a heavily urban State, a man with rare experience in urban problems in the Cabinet of President Kennedy as the Secretary of Health, Education, and Welfare, and an outstanding Senator.

I think that what should be stressed about this speech is its unique quality. It does not simply take programs we have had in the past and suggest that they be polished up and shifted in a different direction. It does not just shift people around in the executive branch.

The Senator from Connecticut has sketched a most ambitious program. He talked in new terms—the "competent" city—and the "model neighborhood." He proposes "guaranteed jobs," a far more congenial concept to the overwhelming majority of Senators than guaranteed annual income, yet striking at the same vital and difficult problem of long-term unemployment.

He has talked about an interest subsidization program which may be shocking to many but could provide a great deal of good housing for a small investment and 100 percent private ownership. I think the Senator from Connecticut has given it a new explanation and a new understanding that is most helpful to us. He has talked about loan guarantees, economic planning through the Federal Reserve districts, the availability of 3-percent housing money for those with incomes between $5,000 and $8,000; and also research—research to get at the very heavy cost of housing; research which we have not had that we should have and must have, and which will save itself money many times over in the process of developing cheaper methods of producing homes.

Above all, the Senator from Connecticut has given us a rationalized Government reorganization proposal. He has shown how, in spite of the fact that we have competent Presidents who have been deeply concerned with this problem, our urban agencies have grown like Topsy and need the firm touch of the Senator from Arkansas, chairman of the Government Operations Committee, as well as the specific and particular understanding which the Senator from Connecticut brings to this problem.

I should like to ask the Senator two very brief questions. I know that the Senator from Virginia has been waiting, but I shall not take very long.

A series of figures has been given, and I think it would be helpful if we could have them clarified a little more.

As I understand it, the Senator proposes a program of $50 billion over a 10-year period, beginning in 1970 or 1971—$5 billion a year—for the purpose of providing for new housing. As I understand it, this would be the cost of—what is it?—the Federal Government's, the overall cost?

Mr. RIBICOFF. This is to be the overall cost of supplying the new housing to wipe out 4½ million substandard housing units in all the slums and rundown neighborhoods of America.

Mr. PROXMIRE. And the portion of the Federal Government's outlay would be substantially less than this?

Mr. RIBICOFF. It would be less, but since much of this housing would be on a nonprofit basis, one could assume that the major portion would be Federal, but it would go on the basis of the model cities program which we passed in demonstration cities, in which is provided that the Federal Government would pay up to 80 per cent to the cities. The cities' contribution would also contemplate investments by private enterprise, but I would assume, in order to do the job right, in fairness to the Senate—that the $50 billion would be $50 billion of Federal funds to do this job and do it right, and on a Federal basis we should be prepared to contribute $5 billion each year for 10 years.

Mr. PROXMIRE. The Senator cited the overall urban cost for housing and everything else over a period of 12 years, which would be something like $1 trillion which is, of course, a thousand billion dollars—a fantastic sum of money. He said that approximately 20 percent, as I understand it, of that money, would be Federal funds. As I understand it, the Senator has the notion—with which I believe many economists would wholeheartedly agree—that this $200 billion of Federal funds would be seed money and would involve $800 billion expenditures by private enterprise; that this would nurture great economic growth which would result in an enormous increase in income and, therefore, in greater revenues by the Federal Government; that the net cost would be far less than $200 billion and we would very possibly, not necessarily, have to increase tax rates. This is because the urban investment would increase incomes of individuals and business growth with a corresponding increase in Federal revenues. Is this correct?

Mr. RIBICOFF. I believe that the Senator is correct. One of the most distinguished bankers in the United States, David Rockefeller, president of one of the largest banks, Chase Manhattan—if it is not the largest bank in America—estimated that it would involve $5 of private money for every $1 of Federal Government money. Other economists have put the ratio at 7 to 1—that is, $7 private money to every $1 of Government money.

The Senator from Wisconsin is absolutely correct. We should keep in mind—and we must keep in mind—that the gross national product has reached the $750 billion mark. By 1973, the economists estimate that the gross national product will then reach $1 trillion.

Thus, we are generating a fantastic, rapidly growing economy. This rapidly growing economy will certainly generate a substantial amount of Federal revenue, even based on the present rate of growth and that a major portion of the program, starting in the year 1970, when I am hopeful—I pray, and I am sure that all of us pray—that the crisis in Vietnam will be over, will free approximately $25 billion which we are now spending there out of Federal resources. Thus, it could be done without additional taxes. Whether it can be done without additional taxes, naturally, will depend on many other basic problems which America will face. What those commitments will be at that time we cannot foresee, of course, at this time—which I must say in all honesty.

Mr. PROXMIRE. One last question, one on which the Senator from Connecticut may or may not wish to comment—that is this notion of the guaranteed job. This is not quite so shocking as the guaranteed annual income, which is something to which I am almost instinctively or automatically opposed—but the guaranteed job carries the notion that everyone will get a job whether he is competent or whether he is willing to work hard or whether he is willing to deserve it on merit.

I am sure this is not the position of the Senator from Connecticut because I know how strongly he feels on this matter. At the same time, it does raise certain very difficult questions. It is a new concept. It would be most helpful, I think, to explain this, in view of the guaranteed annual income which has great appeal but is not acceptable.

Mr. RIBICOFF. There has been much debate about it and a great deal of writing in the intellectual community concerning the so-called negative income tax, the guaranteed annual income, and the family allowance. Let me say that I am against all three. I think that what the people in the slums and the people on welfare need and want most is self-respect, their individual worth.

It was most interesting that during the course of hearing testimony, Dr. Kenneth Clark, himself a Negro, chairman of the City College of New York and an outstanding sociologist, was bitterly opposed to the guaranteed income, or the negative income tax concept. The Reverend Leon Sullivan, who has done such yeoman work in Philadelphia told us:

> Our people want their self-respect. Do not destroy it. Anything you give to the people on a handout basis, no matter what the sum, will take away their self-respect, will take away their feeling of worth.

This is something we should avoid at all costs. But the guaranteed job, where we say to any man who is able, any man who is employable, any man who is trainable in an employable job of some sort or another, where he earns the dollars he receives, which is the real American concept, that is what our obligation should be as Americans, to come up with a program to guarantee everyone who wants to work a job.

I am unalterably opposed to giving a handout to people either through the negative income tax, the family allowance, or the guaranteed annual income, if they themselves are employable.

It becomes another problem if they are aged, or sick, or cannot work. Then it becomes another problem which we must look at.

Mr. PROXMIRE. I want to say to the Senator from Connecticut that I am impressed and informed by his outstanding speech today. Let me say, incidentally, regarding the Employment Act of 1946, that it provides for high employment. This has been interpreted by many Members of Congress and many economists as providing some basis for an approach to the notion of the guaranteed job.

I think that the fact that the Senator from Connecticut is on that committee will help us greatly in working out some of the ideas which can advance this program, and advance it swifty.

As the Senator stated in his speech, quoting Johnnie Scott:

> A young author from Watts * * * described the ghetto this way: "The ghetto is not the houses. It is the people."

The way to improve this situation is to improve the opportunity for these people to maintain their self-respect.

I thank the Senator from Connecticut.

Mr. RIBICOFF. I thank the Senator from Wisconsin.

Mr. President, I yield the floor.

Mr. MUSKIE. Mr. President, the distinguished Senator from Connecticut [Mr. Ribicoff], has made a thoughtful speech dealing with the problems of our cities. I appreciate the opportunity and the privilege I have had of reading it in advance of its delivery today.

The Senator is deeply concerned about the problems of urban America, has devoted long hours to the arduous task of exploring them, and has attracted widespread and useful public attention to them. I congratulate him upon these efforts and will certainly give thoughtful consideration to the specific proposals which he advances to deal with these problems.

I appreciate the thoughtful references which the able Senator makes to the work of my own Subcommittee on Intergovernmental Relations, which has been involved since its creation in the operation of the federal system and the relationships of the Federal, State, and local levels of government.

The work of the two subcommittees—Senator Ribicoff's dealing with the organization of the Federal Government and mine, dealing with interlevel organization—is obviously complementary.

The Subcommittee on Intergovernmental Relations, in its staff studies, inquiries to Federal, State, and local officials, hearings, and legislative proposals, has explored the problems of administering Federal grant-in-aid programs, improving the coordination of cooperative Federal-State-local programs, improving the quality of personnel at the State and local level, providing uniform policies in relocation assistance under various Federal aid, strengthening regional and metropolitan planning operations, programs, and developing an improved mechanism for policy planning and coordination of Federal aid programs in the executive branch. All of these areas are intimately concerned with the viability of our metropolitan centers. Some of our recommendations were incorporated in the Demonstration Cities and Metropolitan Development Act of 1966.

Senator Ribicoff's concern, and the concern of his Subcommittee on Government Reorganization, has been more directly involved with the internal organization of the Federal departments and agencies with responsibilities for Federal programs affecting our urban areas. I am glad that he is pursuing this concern and I look forward to continued cooperative efforts in this area.

In closing, Mr. President, I want to compliment the distinguished Senator from Connecticut for this thoughtful and idea-packed presentation. His speech today should stimulate a continuation of the effort to build a better America in our cities.

Mr. KENNEDY of New York. Mr. President, I wish to compliment the Senator from Connecticut on his comprehensive statement. He has made a number of constructive proposals which deserve the close attention and careful consideration of Congress.

These are not proposals for the distant future. They are not the proposals of a visionary academic, but rather a sober assessment of some hard necessities of life by one of America's most capable public officials. We cannot postpone action. The issues which we face in our cities go to the question of the survival of our society. They deserve the highest priority consideration.

Senator Ribicoff's statement today is a culmination of an effort over the last 6 months in which he has really educated the entire Nation. The hearings on urban problems which he conducted will be required reading for an understanding of the problems of our cities for years to come. We heard the city and its problems examined from every angle—the Federal officials who have urban responsibilities, mayors of cities large and small, scholars from a variety of different fields, and the people of the cities themselves.

I think every American who is interested in understanding why our cities have staggering financial problems, why they seem to fall further and further behind in dealing with problems of slum housing and inadequate schools, air and water pollution and traffic congestion, and why we have failed to bring millions of Americans into the mainstream of our society was educated by the hearings which Senator Ribicoff conducted.

We now know much more than we knew before about the nature of the problem, and Senator Ribicoff, with his thoughtful speech today, offers us some useful suggestions as to what we must do to meet these problems. I was glad to be associated with the Senator from Connecticut in the hearings on urban problems and I am delighted to associate myself with his remarks today on the Senate floor.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the bills referred to in my remarks be printed in the Record at the conclusion of my speech.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the Record.

The bills, introduced by Mr. Ribicoff, were received, read twice by their titles, appropriately referred, and ordered to be printed in the Record, as follows:

S. 581

[Referred to the Committee on Public Works]

A bill to add a new title VIII to the Public Works and Economic Development Act of 1965, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Public Works and Economic Development Act of 1965 is amended by adding a new Title VIII—

TITLE VIII—URBAN REDEVELOPMENT AREAS

Sec. 801. (a) In order that additional vitally needed job opportunities may be provided to benefit the areas of concentrated unemployment now existing within the Nation's urban areas, the Secretary is authorized—

(1) to designate as "urban redevelopment areas" those urban areas having a minimum population of 20,000 persons which the Secretary, after consultation with the Secretary of Housing and Urban Development and the Director of the Office of Economic Opportunity, determines manifest the greatest degree of economic distress on the basis of objective criteria which he shall from time to time publish by regulation. In establishing or revising such criteria, the Secretary shall first consult with the Secretaries of Labor and of Housing and Urban Development and the Director of the Office of Economic Opportunity and shall otherwise actively seek the advice and counsel of interested departments and agencies of the Federal Government in ascertaining the most effective means of carrying out the program authorized under this Title within urban areas.

(2) to provide financial assistance in accordance with the authority and criteria of Title II of this Act, except as may be herein otherwise provided, if he finds that (A) the project is located in or near such area and will primarily or substantially benefit the residents of such area by providing new employment opportunities or by substantially furthering the objectives of the Economic Opportunity Act of 1964, and (B) such assistance is consistent with a comprehensive plan or program which includes such area and which provides assurance of activities or services which will complement or be complemented by such projects. Before providing such financial assistance, the Secretary shall consult with the Secretary of Housing and Urban Development and the Director of the Office of Economic Opportunity to insure that the comprehensive plan or program, and the project for which the financial assistance is requested, is consistent with any urban development or antipoverty that may exist in such area.

(b) The Secretary may waive the requirements of this Act pertaining to overall economic development programs with respect to areas designated or projects approved under the title.

(c) Section 402, but not section 401, of this Act shall apply to urban redevelopment areas designated under this section, except as herein otherwise provided.

(d) As used in this Act, the term "urban redevelopment area" refers to any area within the United States which has been designated by the Secretary as an urban redevelopment area.

Sec. 2. Section 202(a) of the Public Works and Economic Development Act of 1965 is amended—

(1) by striking out "and (2)" and inserting in lieu thereof "(2)"; and

(2) by striking out the period and inserting in lieu thereof the following: "; and (3) to enter into contracts to pay, and to pay annually, for not more than ten years, to or on behalf of private business entities amounts sufficient to reduce by 2 percentage points the interest paid by such entities on loans which are not obtained from Government sources or guaranteed by any Government agency, provide for annual amortization of principal, and the proceeds of which are used for purposes for which the Secretary is authorized to purchase evidences of indebtedness or make loans under this section; except that, subject to limitations in annual appropriation Acts, the annual cost of new contracts entered into under this clause in any one year shall not exceed $5,000,000,"

Sec. 3. Section 201(c) of the Public Works and Economic Development Act of 1965 is further amended by striking out all that follows "1966" and inserting in lieu thereof the following: "and shall not exceed $1 billion for the fiscal year ending June 30, 1967 and for each fiscal year thereafter through the fiscal year ending June 30, 1970."

S. 582

[Referred to the Committee on Banking and Currency]

A bill to establish a program of economic analysis and evaluation in the Federal Reserve System

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Reserve Act is amended by adding after section 13a. a new section as follows:

"Sec. 13b. (a) Each Federal Reserve bank shall undertake on a continuing basis a program of analysis and evaluation of the economic problems and opportunities existing within its district with a view to providing a readily accessible and current source of data to assist in the economic growth and development of the district, the formulation of economic goals for the district, and the shaping of policies necessary for the implementation of such goals.

"(b) There is hereby established in each Federal Reserve district an advisory council for economic growth, to be appointed by the Federal Reserve bank for such district, subject to the approval of the Board of Governors of the Federal Reserve System, and to be composed of not less than 12 persons who, by experience or training, are eminently well qualified to render service on the council. Insofar as practicable the interests of government, business, labor, the academic community, and the public shall be represented in such council. Each member appointed thereto shall serve without compensation but shall be entitled to receive from the Federal Reserve bank of such district his necessary expenses while engaged in the business of such council, or a per diem allowance in lieu thereof to be fixed by such bank with the approval of the Board of Governors of the Federal Reserve System. Such council shall analyze and interpret economic factors affecting such district and submit to the Federal Reserve bank, from time to time, such reports and recommendations as it determines to be desirable in furtherance of the economic growth and development of the district. Such bank shall cause any such reports and recommendations to be distributed to interested persons and organizations, public and private."

S. 583

[Referred to the Committee on Finance]

A bill to amend the Internal Revenue Code of 1954 to provide an incentive for industry to establish programs to educate and train individuals in needed skills and to establish on-the-job-training programs for employees by allowing a credit against income tax for the expenses of conducting such programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"Sec. 40. Expenses of education and training programs.

"(a) General Rule.—Subject to the provisions of subpart C, there shall be allowed as a credit against the tax imposed by this chapter for the taxable year the amount of education and training program expenses paid or incurred during the taxable year.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

Sec. 2. Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"SUBPART C—RULES FOR COMPUTING CREDIT FOR EXPENSES OF EDUCATION AND TRAINING PROGRAMS

"Sec. 51. Limitation on amount of credit.

"Sec. 52. Definitions.

"Sec. 53. Special rules.

"Sec. 51. Limitation on amount of credit.

"(a) Limitation Based on Amount of Tax.—

"(1) In general.—The credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for tax for the taxable year as does not exceed $25,000, plus

"(b) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(2) Liability for tax.—For purposes of paragraph (1), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax-exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax) or by section 541 (relating to personal holding company tax) shall not be considered tax imposed by this chapter for such year.

"(3) Married individuals.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (1) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no education and training program expenses for, and no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(4) Affiliated groups.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (1) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"(b) Carryback and Carryover of Unused Credits.—

"(1) Allowance of credit.—If the amount of the credit determined under section 40 for any taxable year exceeds the limitation provided by subsection (a)(1) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'), such excess shall be—

"(A) an education and training program credit carryback to each of the 3 taxable years preceding the unused credit year, and

"(B) an education and training program credit carryover to each of the 7 taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 for such years, except that such excess may be a carryback only to a taxable year beginning after December 31, 1966. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the 10 taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried and then to each of the other 9 taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(1) for such taxable year exceeds the sum of—

"(A) the credit allowable under section 40 for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"(3) Effect of net operating loss carryback.—To the extent that the excess described in paragraph (1) arises by reason of a net operating loss carryback, subparagraph (A) of paragraph (1) shall not apply.

"Sec. 52. Definitions.

"(a) Education and Training Program Expenses.—

"(1) In general.—For purposes of this subpart, the term 'education and training program expense' means only an expense which, but for the provisions of section 53(a), is allowable as a deduction under this chapter and which—

"(A) is incurred by the taxpayer in providing one or more approved education and training programs and is directly attributable to such a program, or

"(B) is incurred by the taxpayer in providing one or more approved employee training programs and is directly attributable to such a program.

"(2) Limitations.—An expense shall not be treated as an education and training program expense if such expense would have been incurred by the taxpayer in the conduct of his trade or business without regard to any approved education and training program or approved employee training program provided by him. An expense incurred by the taxpayer in providing an approved employee training program shall not be treated as an education and training program expense to the extent such expense is incurred with respect to an employee who has received training under such program for more than one year.

"(b) Approved Education and Training Programs.—

"(1) In general.—For purposes of this subpart, the term 'approved education and training program' means only a program which—

"(A) is designed to afford education or training, or both, in trade, business, industrial, technological, or scientific skills, and

"(B) has been approved by the Secretary of Labor as fulfilling the standards, requirements, and conditions prescribed by him for purposes of this subpart.

"(2) Limitations.—The Secretary of Labor shall not approve any education and training program—

"(A) unless such program is made available (within the limitations of the facilities in which such program is conducted) to all qualified applicants,

"(B) if any fee or charge of any kind is required of individuals applying for or participating in the program; or

"(C) if, in selecting participants in the program, any preference of any kind is given to employees or prospective employees of the taxpayer.

"(2) Withdrawal of approval.—The Secretary of Labor shall withdraw his approval of an education and training program previously approved by him if he determines that such program—

"(A) no longer fulfills the standards, requirements, and conditions prescribed by him for purposes of this subpart, or

"(B) is being conducted contrary to any provision of paragraph (2).

"(c) Approved Employee Training Programs.—

"(1) In general.—For purposes of this subpart, the term 'approved employee training program' means only a program of an employer which—

"(A) is designed to afford training on the job, or to afford education in basic subjects, or both, to his employees, and

"(B) has been approved by the Secretary of Labor as fulfilling the standards, requirements, and conditions prescribed by him for purposes of this subpart.

"(2) Withdrawal of approval.—The Secretary of Labor shall withdraw his approval of an employee training program previously approved by him if he determines that such program no longer fulfills the standards, requirements, and conditions prescribed by him for purposes of this subpart.

"Sec. 53. Special rules.

"(a) Denial of Deduction for Education and Training Expenses.—For purposes of the tax imposed by this chapter, no deduction shall be allowed under section 162 (relating to trade or business expenses) or under any other provision of this chapter for any education and training program expense.

"(b) Subchapter S Corporations.—In the case of an electing small business corporation (as defined in section 1371)—

"(1) the education and training program expenses for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any education and training program expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense.

"(c) Estates and Trusts.—In the case of an estate or trust—

"(1) the education and training program expenses for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each,

"(2) any beneficiary to whom any education and training program expense has been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer with respect to such expense, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 51(a) (1) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the education and training program expenses allocated to the estate or trust under paragraph (1) bears to the entire amount of the education and training program expenses.

"(d) Limitations With Respect to Certain Persons.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (sec. 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(e) Cross Reference.—

"For application of this subpart to certain acquiring corporations, see section 381(c) (24)".

Sec. 3. (a) The table of subparts for part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following:

"Subpart C. Rules for computing credit for expenses of education and training programs."

(b) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out

"Sec. 40. Overpayments of tax."

and inserting in lieu thereof

"Sec. 40. Expenses of education and training programs.

"Sec. 41. Overpayments of tax."

(c) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for education and training program expenses.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect of the distributor or transferor corporation."

Sec. 4. The amendments made by this Act shall apply with respect to taxable years beginning after December 31, 1966.

S. 584

[Referred to the Committee on Labor and Public Welfare]

A bill to provide for the development, encouragement, and operation if necessary of Centers for Occupational Education and Training, for the strengthening and improvement of the manpower sources offered by the Department of Labor, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Manpower Services and Educational Opportunity Act".

TITLE I—DEPARTMENT OF LABOR MANPOWER SERVICES

Transfers from the Office of Economic Opportunity

Sec. 101. (a) The functions of the Director of the Office of Economic Opportunity under part A (relating to the Job Corps), part B (relating to the Neighborhood Youth Corps), part D (relating to special impact programs) of title I and title V (relating to Work Experience programs) of the Economic Opportunity Act of 1964 are transferred to the Secretary of Labor.

(b) All personnel, property, records, obligations, commitments and unexpended balances of appropriations, allocations, and other funds, which the Director of the Bureau of the Budget determines are used primarily with respect to any function transferred under the provisions of this section, are transferred to the Department of Labor.

Transfer matters

Sec. 102. All laws relating to any office, agency, or function transferred under this Act shall, insofar as such laws are applicable, remain in full force and effect. Any transfer of personnel pursuant to this Act shall be without change in classification or compensation, except that this requirement shall not operate to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned. All orders, rules, regulations, permits, or other privileges made, issued, or granted by any office or agency or in connection with any function transferred by this Act, and in effect at the time of the transfer, shall continue in effect to the same extent as if such transfer had not occurred, until modified, superseded, or repealed. No suit, action, or other proceeding lawfully commenced by or against any office or agency or any officer of the United States acting in his official capacity shall abate by reason of any transfer made pursuant to this Act, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the appropriate office or agency or officer of the United States.

Authorization

Sec. 103. The Secretary of Labor shall carry out the programs under title I and title V of the Economic Opportunity Act of 1964, which are transferred under section 102 of this title, for the period ending June 30, 1968, and for the two succeeding fiscal years.

Effective date

Sec. 104. The provisions of this title shall take effect upon the expiration of the first period of sixty calendar days following the date on which this title is approved by the President, or on such earlier date as the President shall specify by Executive Order.

TITLE II—CENTERS FOR OCCUPATIONAL EDUCATION AND TRAINING

Statement of purpose

Sec. 201. It is the purpose of this title to develop, encourage, and where necessary operate, Centers for Occupational Education and Training for the purpose of developing and improving the skills of individuals who would benefit thereby and who desire to participate in programs offered by such Centers.

Authority of secretary

Sec. 202. (a) In order to carry out the purpose of this title, the Secretary of Labor (hereinafter in this title referred to as the "Secretary") shall develop, encourage, and assist programs for Centers of Occupational Education and Training, and where necessary establish, operate, and maintain such Centers.

(b) Programs under subsection (a) shall include—

(1) the development of plans for the establishment of such Centers in metropolitan areas:

(2) the encouragement of State or local public agencies or private nonprofit institutions to participate in the development and operation of such Centers in accordance with the provisions of this title;

(3) the development of financial assistance criteria for such agencies or institutions based upon the relative need of the metropolitan area for such a center and the relative ability of any such agency or institution to offer such training and education, and the furnishing of such assistance upon conditions which are consistent with this title;

(4) the establishment, operation, and maintenance of programs (including the lease or construction of necessary facilities and the acquisition of necessary equipment) for such Centers in accordance with the provisions of this title through agreements with such agencies or institutions;

(5) the establishment, operation or maintenance of such Centers, directly, whenever the Secretary determines that it is necessary because agreements with such an agency or institution is not practicable;

(6) the providing of the following services and activities by such Centers—

(A) educational courses equivalent to the two-year community college curricula, and one or two year vocational or occupational training programs, designed to cover the widest possible range of technical and subprofessional skills;

(B) short training courses designed to develop or improve the skills of individuals unable or unwilling to complete formal education and training;

(C) adult education courses designed to assist individuals to prepare for vocational or occupational training;

(D) prevocational training for individuals who need such training to develop their capacities to choose an appropriate vocation; and

(E) such other activities and services (including guidance, counseling, referral, and health training) as the Secretary deems appropriate for such Centers; and

(7) such other activities and services as the Secretary deems appropriate to carry out the purposes of this title.

Limitations

SEC. 203. No funds appropriated pursuant to section 208 of this title may be used for any such Center of Occupational Education and Training unless—

(1) the State or local public agency or private nonprofit institution establishing, operating or maintaining such Center will assure that such agency or institution will pay the non-Federal share, if any, of the cost of a program for such Center;

(2) no tuition or other fees will be charged for individuals participating in any program offered by such Center; and

(3) no entrance requirements except enrollment and regular attendance will be imposed for such Center;

(4) such agency or institution will furnish such reports and follow such fund accounting procedures as the Secretary deems necessary;

(5) where practical and appropriate, residential facilities will be provided at such Center for such individuals as the Secretary determines cannot commute to such Center; and

(6) the activities and services of such Center will be coordinated to the extent possible with any programs of referral, guidance, counseling, training and placement deemed appropriate by the Secretary, particularly programs for which such individuals may be eligible under the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933, the Manpower Development and Training Act of 1962, the Smith-Hughes Vocational Education Act, the Vocational Education Act of 1946, the Vocational Education Act of 1963, the Economic Opportunity Act of 1964, and the Adult Education Act of 1966.

Administration

SEC. 204. (a) The Secretary may delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Department of Labor and Manpower Services.

(b) In administering the provisions of this Act the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or non-profit agency or institution, in accordance with agreements between the Secretary and the head thereof.

(c) Whenever the Secretary establishes, operates, or maintains a Center for Occupational Education and Training in accordance with section 202 (b) (5), he may exercise any or all of the functions necessary to the establishment, maintenance and operation of such Center in accordance with the provisions of this title.

Advisory Committee on Centers for Occupational Education and Training

SEC. 205. (a) The President shall appoint a National Advisory Committee on Centers for Occupational Education and Training consisting of the Secretary who shall be chairman and nine other members appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and solely on the basis of their fitness to perform the duties of the Committee under this title. At least six of the members so appointed shall be representative of the fields of business, labor, and education.

(b) The Committee shall advise the Secretary with respect to (1) the development and preparation of the plans for Centers for Occupational Education and Training, particularly recommendations concerning the encouragement of State and local public agencies and private nonprofit institutions establishing such Centers, (2) review the administration of this title, and (3) make recommendations for the improvement of the administration of this title.

(c) The Committee shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this Act) to the President not later than March 31 of each calendar year. The President shall transmit each such report to the Congress together with his comments and recommendations.

(d) Members of the Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the President, but not exceeding $75 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in government service employed intermittently.

Labor standards

SEC. 206. All laborers and mechanics employed by contractors on construction projects which are federally assisted in whole or in part under this title shall be paid wages at rates not less than those prevailing on similar construction the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Definitions

SEC. 207. As used in this title—

(a) The term "State" means the several States of the Union and the District of Columbia.

(v) The term "metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate for the purposes of this title.

Appropriations authorized

SEC. 208. There is authorized to be appropriated to carry out the provisions of this title such funds as may be necessary.

S. 585

[Referred to the Committee on Labor and Public Welfare]

A bill to provide meaningful public service employment opportunities to unemployed individuals with serious competitive disadvantages, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Service Employment Opportunity Act".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress finds that there is a critical need to create employment opportunities for unemployed individuals with serious competitive disadvantages; that at a time of unusual economic prosperity the number of such individuals is increasing at an alarming rate; and that at the same time a huge backlog of public service needs in parks, streets, slums, countryside, schools and colleges, hospitals, nursing homes and rest homes has developed in the United States.

(b) It is therefore the purpose of this Act to provide meaningful job opportunities in the public service field for unemployed individuals with serious competitive disadvantages.

PUBLIC SERVICE EMPLOYMENT ADMINISTRATION

SEC. 3. (a) The Secretary of Commerce (hereinafter referred to as the "Secretary") shall carry out the provisions of this Act through a "Public Service Employment Administration" (hereinafter referred to as the "Administration") which he shall establish in the Department of Commerce.

(b) The Administration shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate prescribed for Level IV of the Federal Executive Salary Schedule under section 5315 of title 5 of the United States Code. The Administrator shall perform such duties relating to the administration of this Act as are delegated to him by the Secretary.

PUBLIC SERVICE EMPLOYMENT PROGRAM

SEC. 4. (a) In order to carry out the purposes of this Act, the Secretary shall initiate, develop and conduct programs to increase meaningful public service employment opportunities for unemployed individuals with serious competitive disadvantages. Such programs shall include—

(1) the development, by means he determines to be appropriate, of public service employment opportunities in Federal, State and local governmental agencies and any other public and private nonprofit agencies;

(2) the development of financial assistance criteria for such agencies and provisions for extending financial assistance (or transfers in the case of a Federal agency) to such agencies;

(3) the encouragement of the submission of proposals by such agencies to carry out the purposes of this Act;

(4) the development and carrying out of proposals by such agencies which contain provisions to assure, that, to the extent practical, such agency will—

(A) share the financial burden of the program proposed;

(B) provide for integrating such individuals into the regular work schedule, and enforcing normal performance standards;

(C) provide for the payment of prevailing wages, but in no case less than the minimum wage prescribed by the Fair Labor Standards Act of 1938; and

(D) provide such information, including fund accounting procedures, as the Secretary determines appropriate;

(5) the effective coordination of all activities carried out under the authority of this Act with such other programs designed to assist the referral, training, recruiting, and placement of such individuals as the Secretary determines will be beneficial; and

(6) such other activities or services as the Secretary may deem appropriate to carry out the purposes of this Act.

(b) (1) The Secretary may delegate any of his functions under this Act to any officer or employee of the Administration.

(2) In administering the provisions of this Act the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

STUDY OF HARD-CORE UNEMPLOYMENT

SEC. 5. The Secretary in cooperation with the Secretary of Defense, the Secretary of Labor, the Secretary of Health, Education and Welfare, the Secretary of Housing and Urban Development, and after consultation with appropriate governmental agencies, private organizations and individuals, shall conduct a thorough study and investigation of the nature and cause of hard-core unemployment, which shall include case studies of unemployed individuals. The Secretary shall report not later than January 31, 1969, the results of such investigation together with such recommendations for additional action (including recommendations for amendments to this Act) as he determines will increase public service employment opportunities for such individuals.

ADVISORY COUNCIL ON PUBLIC SERVICE IMPROVEMENT OPPORTUNITIES

SEC. 6. (a) The President shall appoint a National Advisory Council on Public Service Employment Opportunities consisting of the Administrator who shall be chairman and nine other members appointed without regard to the civil service laws on the basis of their fitness to perform the duties of the Council under this Act. At least six of the members so appointed shall be representative of the fields of business, labor and social welfare.

(b) The Council shall (1) advise the Administrator with respect to the development of programs and activities designed to carry out the purposes of this Act, including recommendations concerning the study authorized by section 5, (2) review the administration of this Act, and (3) make recommendations for the improvement of the programs and activities carried on pursuant to this Act with particular attention to the encouragement of new public service improvement opportunities.

(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this Act) to the President not later than March 31 of each calendar year. The President shall transmit each such report to the Congress together with his comments and recommendations.

(d) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $75 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

APPROPRIATIONS AUTHORIZED

SEC. 7. There is hereby authorized to be appropriated to carry out the provisions of this Act $2,000,000,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the fiscal year ending June 30, 1969, through June 30, 1973, inclusive.

S. 586

[Referred to the Committee on Labor and Public Welfare]

A bill to provide for a census every five years of the Nation's urban area

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 5 of title 13, United States Code, is amended by adding after section 142 a new section as follows:

"§ 143. URBAN AREAS

"The Secretary shall, in the year 1967 and every five years thereafter, take a census of the Nation's urban areas. Each such census shall include, data on population, housing, employment, welfare recipients, community health facilities, and such other matters as the Secretary shall, after consultation with the Secretary of Housing and Urban Development and the Secretary of Health, Education, and Welfare, deem appropriate."

SEC. 2. The analysis of subchapter II of chapter 5 of title 13, United States Code, is amended by adding thereto a new item as follows:

"143. Urban areas.".

S. 587

[Referred to the Committee on Finance]

A bill to amend title V of the Social Security Act to provide a special day care services program for pre-school children from families whose annual income does not exceed $6,000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part 3 of title V of the Social Security Act is amended by inserting after section 526 thereof the following:

"SPECIAL DAY CARE SERVICE PROGRAM

"SEC. 527. (a) In order to assist States which have plans for child-welfare services which have been developed as provided in the provisions of this part (other than this section) to provide day care services under such plans with respect to children under 6 years of age who come from families with an annual income not in excess of $6,000, there is authorized to be appropriated for the fiscal year ending June 30, 1968, and for each fiscal year thereafter, the sum of $500,000,000.

"(b) The sum appropriated pursuant to subsection (a) for each fiscal year shall be allotted by the Secretary for use by cooperating State public welfare agencies, which have plans developed jointly by the State agency and the Secretary, as follows: He shall allot to each State an amount which bears the same ratio to the sum so appropriated for such year as the special need preschool population (as defined in subsection ——) bears to the special need preschool population of all the States.

"(c) The amount of any allotment to a State under subsection (b) for any fiscal year which the State certifies to the Secretary will not be required for the purposes for which allotted shall be available for reallotment from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines (1) have need in carrying out such purposes for sums in excess of those previously allotted to them under subsection (a), and (2) will be able to use such excess amounts during such fiscal year. Such reallotments shall be made on the basis of the need for additional funds in carrying out such purposes, after taking into consideration the special need preschool population, and the per capita income of each State as compared with the special need preschool population, and the per capita income of all such States with respect to which such a determination by the Secretary has been made. Any amount so reallotted to a State shall be deemed part of its allotment under subsection (b).

"(d) From the sums appropriated under subsection (a) and allotment available under this part, the Secretary shall from time to time pay to each State that has, in connection with its plan for child-welfare services which has been developed as provided in the provisions of this part (other than this section), a plant for day care services for special need preschool children developed as provided in this section an amount determined under the following sentence of the total sum expended under the plan developed as provided in this section (including the cost of administration of such plan). Amounts paid under this section shall be paid in like manner to that provided for the payment of amounts under section 523 and under like conditions (except to the extent that the Secretary shall otherwise by regulations provide whenever he deems such conditions to be inconsistent with the purposes of this section); except that, with respect to expenditures to carry out the purposes of this section, the Federal share of each State shall be 90 per centum.

"(e) For purposes of this section, the term 'special need preschool population' means the population which consists of children under six years of age who are from families with an annual income which does not exceed $6,000."

S. 588

[Referred to the Committee on Banking and Currency]

A bill to amend title I of the Demonstration Cities and Metropolitan Development Act of 1966.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by adding at the end thereof the following: "In the planning of any such program the city demonstration agency shall conduct studies and research (including the undertaking of specific projects on a trial basis) leading to the development of a comprehensive city demonstration program which will provide for maximum utilization of advanced technology, cost reduction techniques, and such other new and innovative concepts and procedures as may be pertinent to the effective and economical implementation of such program."

SEC. 2. (a) Section 111(a) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended by striking out "$12,000,000 for the fiscal year ending June 30, 1968" and inserting in lieu thereof "$304,000,000 for each fiscal year commencing after June 30, 1967, and ending prior to July 1, 1970".

(b) Section 111(b) of such Act is amended by striking out all that follows "107," and inserting in lieu thereof the following: "not to exceed $5,000,000,000 for each fiscal year commencing after June 30, 1970, and ending prior to July 1, 1980."

S. 589

[Referred to the Committee on Finance]

A bill to require that State plans under titles I and XVI of the Social Security Act provide for the establishment and maintenance of health and safety standards for rental housing occupied by recipients of assistance under such titles

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2(a)(10) of the Social Security Act is amended by striking out "and" at the end of clause (B) and by inserting after clause (C) the following new clause:

"(D) provide for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards of health and safety for the quarters or other premises in which recipients of such assistance reside and which are secured on a rental basis; and".

(b) Section 1602(a) of such Act is amended by redesignating paragraphs (15), (16), and (17) as paragraphs (16), (17), and (18), and by inserting after paragraph (14) the following new paragraph:

"(15) provide for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards of health and safety for the quarters or other premises in which recipients of aid to the aged, blind, disabled and dependent children reside and which are secured on a rental basis; and".

(c) The amendments made by this section shall become effective July 1, 1968.

S. 590

[Referred to the Committee on Finance]

A bill to amend the Social Security Act to assist the States in conducting State health census surveys of pre-school-age children residing in the State

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That the Social Security Act is amended by adding after title XIX thereof the following:

"TITLE XX—GRANTS TO STATES TO CONDUCT HEALTH CENSUS SURVEY OF PRE-SCHOOL-AGE CHILDREN

"Appropriation

"SEC. 2001. For the purpose of enabling each State to conduct a continuing program of health census surveys of pre-school-age children, there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the provisions of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary of Health, Education, and Welfare, State plans for a continuing program of health census surveys of pre-school-age children in such State.

"State plans for health census surveys

"SEC. 2002. (a) A State plan for health census surveys of pre-school-age children must—

"(1) provide that the plan will be in effect in all political subdivisions of the State;

"(2) provide for financial participation by the State;

"(3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan;

"(4) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods, and including provision for utilization of professional medical and other health-care personnel in the administration of the plan) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"(5) provide that health census surveys will be conducted among the pre-school-age children of each community within the State periodically (but not less often than once during each twelve-month period);

"(6) provide that, in carrying out such census surveys, the children who are the subject thereof shall be examined for conditions of vision, hearing, mental retardation, and such other health conditions or defects as the Secretary shall by regulations require;

"(7) provide that the parent of (or other person standing in loco parentis to) any child who is the subject of any health census survey conducted under the State plan shall be apprised of the health condition of such child, as revealed by such survey; and

"(8) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports.

"(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which excludes any child residing in the State from any health census survey authorized under such plan because such child is not a citizen of the United States, is not a citizen of such State, or has not resided for any prescribed length of time within such State.

"Payment to States

"SEC. 2003. (a) From the sums appropriated therefor, the Secretary shall pay to each State which has a plan approved under this title, for each quarter, beginning with the quarter commencing January 1, 1967, an amount equal to 80 per centum of the sums expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan.

"(b)(1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under subsection (a) for such quarter, such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with such subsection, and stating the amount appropriated or made available by the State for expenditures to carry out the State plan in such quarter, and if such amount is less than the State's proportionate share of the total sum necessary to carry out such plan (in accordance with subsection (a)), the source or sources from which the difference is expected to be derived, and (B) such other investigations as the Secretary may find necessary.

"(2) The Secretary shall then pay, in such installments as he may determine, to the State the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"(3) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.

"Operation of State plans

"SEC. 2004. If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this title, finds—

"(1) that the plan has been so changed that it no longer complies with the provisions of section 2002; or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provision;

the Secretary shall notify such State agency that further payments will not be made ot the State (or, in his discretion, that payments will be limited to categories under or parts of the State plan not affected by such failure), until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall make no further payments to categories under or parts of the State plan not affected by such failure."

SEC. 2. (a) Section 1101(a)(1) of the Social Security Act is amended by striking out "XVI, and XIX" and inserting in lieu thereof "XVI, XXI, and XX".

(b) Section 1116(a)(1) of such Act is amended by striking out "XVI, or XIX" and inserting in lieu thereof "XVI, XIX, or XX".

(c) Section 1116(a)(3) of such Act is amended by striking out "1604, or 1904" and inserting in lieu thereof "1604, 1904, or 2004".

(d) Section 1116(b) of such Act is amended by striking out "XVI, or XIX" and inserting in lieu thereof "XVI, XIX, or XX".

(e) Section 1116(d) of such Act is amended by striking out "XVI, or XIX" and inserting in lieu thereof "XVI, XIX, or XX".

S. 591

[Referred to the Committee on Banking and Currency]

A bill to authorize the Secretary of Housing and Urban Development to provide financial assistance for the control of rodents in urban areas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Housing and Urban Development is authorized to make grants to States and local public bodies to assist in carrying out local programs for rodent control in urban areas. The Secretary shall establish criteria for such programs to assure that each program represents a significant and effective community effort which will provide more than a temporary alleviation of the social and economic ills caused by rodents. Such criteria may include provision for the training of personnel in the use of new and improved rodent-control methods and materials. Grants under this section shall not exceed 50 per centum of the amount by which the cost of the activities carried on by the applicant during a fiscal year under an approved program exceeds its usual expenditures for comparable activities.

(b) As used in this section—

(1) The term "States" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States.

(2) The term "local public bodies" includes municipalities and other political subdivisions of States; and public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States.

(c) There are authorized to be appropriated for grants under this section such sums as may be necessary.

S. 592

[Referred to the Committee on Finance]

A bill to amend the Internal Revenue Code of 1954 to include as charitable contributions those contributions made to nonprofit organizations formed to promote urban renewal

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 170(c) of the Internal Revenue Code of 1954 (relating to definition of charitable contribution) is amended by inserting after paragraph (5) the following new paragraph:

"(6) A corporation or organization which is exempt from tax under section 501(a) and—

"(A) which is created or organized in the United States or in any possession thereof, or under the law of the United States, any State, the District of Columbia, or any possession of the United States;

"(B) which is organized and operated exclusively to promote or assist urban renewal; and

"(C) no part of the net earnings of which inures to the benefit of any private shareholder or individual.

A contribution or gift shall be deductible by reason of this paragraph only if it is to be used within the United States or any of its possessions exclusively to promote or assist urban renewal."

(b) Section 170(b)(1)(A) (relating to contribution which qualify for 30 percent limitation rule) is amended by striking out "subsection (c)(2)" in clause (vi) and inserting in lieu thereof "subsection (c)(2) or (c)(6)".

(c) The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1966.

S. 593

[Referred to the Committee on Banking and Currency]

A bill to expand the provisions of title VIII of the Housing Act of 1964 to authorize matching grants with the States in aid of programs to provide special and advanced education to young persons showing unusual promise for leadership in urban affairs, and to carry out research and demonstration projects relating to the training of persons in self-help techniques for the rebuilding of their neighborhoods, and for other purposes

FEDERAL-STATE TRAINING PROGRAMS

SECTION 1. (a) Section 801 of the Housing Act of 1964 is amended to read as follows:

"FINDINGS AND PURPOSE

"SEC. 801. (a) The Congress finds that the rapid expansion of the Nation's urban areas and urban population has caused severe problems in urban and suburban development and created a national need to (1) provide special training in skills needed for economic and efficient community development, and (2) develop new or improved methods of dealing with community development problems.

"(b) It is the purpose of this part to assist and encourage the States, in cooperation with public or private universities and colleges and urban centers, to (1) organize, initiate, develop, and expand programs which will provide special training in skills needed for economic and efficient community development to those technical and professional people who are, or are training to be, employed by a governmental or public body which has responsibilities for community development, (2) organize, initiate, develop, and expand special programs for advanced training of young persons showing unusual promise for leadership in urban affairs, (3) support State and local research that is needed in connection with housing programs and needs, public improvement programing, code problems, efficient land use, urban transportation, and similar community development problems, and (4) support State and local research, including demonstration projects to determine the most effective way of training residents of deteriorated or deteriorating urban areas in self-help techniques for rebuilding their physical environments."

(b) Section 802(a) of such Act is amended to read as follows:

"MATCHING GRANTS TO STATES

"SEC. 802. (a) Subject to the provisions of this part and in accordance with regulations prescribed by him, the Secretary may make matching grants to States to assist in—

"(1) (A) organizing, initiating, developing, or expanding programs to providing training in a variety of skills needed for economic and efficient community development to those technical and professional people who are, or are training to be, employed by a governmental or public body which has responsibilities for community development; and

"(B) supporting State and local research that is needed in connection with housing programs and needs, public improvement programing, code problems, efficient land use, urban transportation, and similar community development problems, and collecting, collating, and publishing statistics and information relating to such research;

"(2) organizing, initiating, developing, or expanding special programs to provide advanced training for young persons showing unusual promise for leadership in urban affairs; and

"(3) supporting State and local research, including demonstration projects, to determine the most effective way of training residents of deteriorated or deteriorating urban areas in self-help techniques for the rebuilding of their physical environments, and publishing statistics and information relating to such research and projects."

(c) Section 802(d) of such Act is amended to read as follows:

"(d) (1) There is authorized to be appropriated for grants to assist training and research activities described in subsection (a) (1) of this section not to exceed $10,000,000.

"(2) There is authorized to be appropriated for grants to assist training activities described in subsection (a) (2) not to exceed $5,000,000 for each fiscal year commencing after June 30, 1967, and ending prior to July 1, 1972.

"(3) There is authorized to be appropriated for grants to assist research and demonstration projects described in subsection (a) (3) not to exceed $5,000,000 for each fiscal year commencing after June 30, 1967, and ending prior to July 1, 1972.

"(4) Appropriations authorized under this subsection shall remain available until expended."

(d) Section 803 of such Act is amended by striking out "the total" and inserting in lieu thereof "any".

(e) Section 804 of such Act is amended by striking out "Administrator" in inserting "Secretary".

(f) Section 805(a) of such Act is amended by striking out all that follows the semicolon and inserting in lieu thereof "and the term 'Secretary' means the Secretary of Housing and Urban Development.".

FELLOWSHIPS FOR CITY PLANNING AND URBAN STUDIES

SEC. 2. Section 810 of the Housing Act of 1964 is amended by—

(1) striking out the first sentence of subsection (a) and inserting in lieu thereof the following: "There is hereby authorized to be appropriated not to exceed $10,000,000 annually to be used by the Secretary of Housing and Urban Development for the purpose of providing fellowships in urban studies, including the graduate training of professional city planning and urban and housing technicians and specialists.";

(2) striking out "Housing and Home Finance Administrator" in subsection (b) and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(3) striking out "the Administrator" in subsection (b) and inserting in lieu thereof "the Secretary".

URBAN ENVIRONMENTAL STUDIES

SEC. 3. Section 1011(e) of the Demonstration Cities and Metropolitan Development Act of 1966 is amended to read as follows:

"(e) There is authorized to be appropriated not to exceed $50,000,000 to carry out the provisions of this section. At least one-half of the funds so appropriated shall be available only for studies, surveys, research, and analysis to be carried out under contract with public or private universities or colleges. All funds appropriated under this subsection shall remain available until expended."

SENATOR RIBICOFF'S REAFFIRMED SUPPORT OF HUMAN INVESTMENT CONCEPT APPLAUDED

Mr. PROUTY. Mr. President, I rise to commend the Senator from Connecticut [Mr. RIBICOFF] for his comprehensive presentation of "an action program for urban America," and in particular for his advocacy of tax credits to encourage job training by private business and industry.

In the 89th Congress I had the honor of being the Senate sponsor of the Human Investment Act, carefully conceived and drafted over a period of nearly a year to encourage high quality job training by private business through tax credits. Some 22 other Senators joined me in sponsoring the act. The Senator from Connecticut had his own bill along the same lines. In the other body, 85 Members joined Representative THOMAS B. CURTIS in introducing a companion measure. I am proud to state, Mr. President, that all 12 members of the joint Senate-House Republican leadership have introduced the Human Investment Act, and that it has won the support of the Republican coordinating committee.

I applaud the reaffirmed support of the Senator from Connecticut for this important concept. I have now completed an improved and refined version of the Human Investment Act and expect to introduce it in a few days. I intend to seek a wide base of sponsorship for the new bill, and hope that my friend from Connecticut will lend it his very influential support.

RESOLUTION BY ARKANSAS LAW ENFORCEMENT OFFICERS ASSOCIATION

Mr. McCLELLAN. Mr. President, at the annual meeting of the Arkansas Law Enforcement Officers Association at Hot Springs, Ark., on December 1, a resolution was adopted stating the association's position in the following areas:

First. Deploring decisions of the U.S. Supreme Court which have rewritten the Bill of Rights in favor of the criminal and drastically limiting the rights and freedoms of law-abiding citizens.

Second. Commending my work and the work of others who have waged a fight against such decisions and practices which seriously handicap law enforcement.

Third. Urging fellow law enforcement officers to point out to the law-abiding public that they are the real victims of the bludgeon which is being wielded indiscriminately by the Nation's highest court over the heads of the Nation's police forces.

Fourth. Joining with law enforcement organizations across the country in a campaign to point up to Congress that it has the duty and power to curb the U.S. Supreme Court's extremism which is hampering the fair, efficient, effective, and impartial administration of justice.

Mr. President, I commend this association for its long history of outstanding work and service to the administration of justice in Arkansas and for its wisdom which is so ably reflected in this resolution.

As evidence that the fourth point of the above resolution is having an effect, the Arkansas Association of Chiefs of Police enacted a resolution similar to the one above on January 5, 1967. Later in the week, I shall make a speech on the Senate floor on our national crime problem and shall make further reference to this resolution.

Mr. President, I ask unanimous consent to have the resolution of the Arkansas Law Enforcement Officers Association inserted in the CONGRESSIONAL RECORD as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, a series of rulings during the past nine years by the U.S. Supreme Court has progressively handcuffed the police and made an impossible farce at times, of the American justice, all to the immense benefit of criminals, and

Whereas, on June 13, 1966, the Court went further than ever before in an overhasty trespass into the legislative area by announcing a new interpretation of the 175-year-old Fifth Amendment which requires law enforcement officers, in questioning suspects, not only first to warn them of their right to silence, but even to furnish him a lawyer to sit in on the interrogation if the suspect wishes, and

Whereas, the ruling makes it mandatory upon the police to stop questioning the suspect if the suspect indicates in any manner that he does not desire to be questioned, and

Whereas, the Court is pursuing defensible doctrines beyond the realm of rationality and common sense, causing such extremism to spread through the Federal and State Appellate Courts, and

Whereas, holdups, purse-snatchings and muggings have now increased 305 percent in Washington, D.C., and the rate of success of police in solving crimes has been cut in half since the infamous Mallory decision which effectively handcuffed federal officers,

Now, therefore be it resolved by the executive committee of the Arkansas Law Enforcement Officers Association that we:

1. Go on record as deploring decisions of the U.S. Supreme Court which have re-written the Bill of Rights in favor of the criminal and drastically limiting the rights and freedoms of law-abiding citizens.

2. Commend U.S. Senator John L. McClellan and others who have waged a fight against such decisions and practices which seriously handicap law enforcement and place our people at the mercy of criminals.

3. Urge our fellow law enforcement officers to point out to the law-abiding public that they are the real victims of the bludgeon which is being wielded indiscriminately by the nation's highest court over the heads of the nation's police forces.

4. Join with law enforcement organizations of Arkansas and other states in a campaign to point up to Congress that it has the duty and power to curb the U.S. Supreme Court's extremism which is hampering the fair, efficient, effective and impartial administration of justice.

Adopted this First Day of December, 1966, at Hot Springs National Park, Arkansas.

Signed:

FRED HAYES,
President.

Attest:

CARL L. MILLER,
Secretary.

"WORLD AIR TRAVEL IN THE FUTURE"—SPEECH BY JOHN C. BRIZENDINE

Mr. McCLELLAN. Mr. President, on October 27, 1966, at the Second International Congress on Air Technology at Hot Springs, Ark., Mr. John C. Brizendine, vice president for engineering of the Douglas Aircraft Division, spoke on world air travel in the future.

His remarks indicate that we are truly on the threshold of a revolutionary age in supersonic transportation. Knowledge of the contents of the speech will be a necessity to any Senator who is concerned with our ever-shrinking world and the closeness in time to which we have been brought by our supersonic travel to literally every part of the globe.

Mr. President, I ask unanimous consent that Mr. Brizendine's speech be inserted in the CONGRESSIONAL RECORD as a part of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WORLD AIR TRAVEL IN THE FUTURE

The attendance at this Congress is impressive, and heartening.

It is heartening because this Congress recognizes that air technology has become a vital force in world social and economic development.

The fact that all of you could take the time to come here and participate in this forum is a tribute to our common interest.

We are able to be here because we are the recipients of the gift of time—made possible by air technology.

Today we are concerned with air transportation. And for our purposes today, it is irrelevant whether we are transporting people, or cargo, or communications.

For one viewpoint we could say our ultimate product is time—time gained through air transportation.

Our progress in improving this product has been remarkable. And perhaps just as remarkable is the fact that, when we compare our achievements with the promises air transportation holds for the future, we are still in a somewhat primitive stage.

Suppose, for instance, I opened my remarks today with these words:

Gentlemen, as I said in my talk in Tokyo tomorrow . . .

Fantastic?

It certainly sounds fantastic, that a man could quote today from a talk he had already given tomorrow on the other side of the globe.

But it is not impossible. It is not even improbable.

The air vehicle that could sustain such a remark already is pretty well defined conceptually. It is an orbital-global rocket transport that could take you anywhere on earth in less than 1 hour.

This rocket transport, which we call Pegasus, would cut the Los Angeles-Tokyo trip time to 30 minutes, making it possible to leave the United States on Monday, conduct business in Tokyo on Tuesday, and arrive back in the United States on Monday, before—according to the calendar—you had kept your appointments in Tokyo.

But there is much more history of "World Air Travel in the Future" to be written before we step into a Pegasus transport.

And since it is the intent of this Congress to focus on the time period thru 1975, it will help our perspective to consider that, over the next decade, more than ninety-nine per cent of all air passengers will travel on subsonic aircraft.

A large portion of the profits the air transportation industry needs to grow and develop will come from subsonic aircraft for many years following that period.

But we must plan for the Pegasus age. To deny it is coming would be to deny progress.

We must plan for it within the framework of today's economic and technological realities, and with an eye to the more immediate needs bearing strongly on world air travel's future.

The impact of air travel on the world today—social, industrial, economic—is in itself strong testimony to the progress we have made in equipment, in airports, in operations, in new concepts, in regulation, and in gaining and maintaining public confidence and support.

In the United States and other industrially advanced countries, air travel has become a compatible and complementary communications mode, enhancing business and social advancements that have sprung from earlier railroad and highway systems of communications.

On the lesser developed continents and in the emerging nations, the railroads and highways which made our great development possible simply do not exist.

In Africa, for example, air transportation will become the primary communications medium in the movement of people and goods—the catalyst to stimulate economic and social development.

It is evident from the immediate past and from the current trends in the field of air transportation that this medium will play an ever-increasing role of importance in the future development of all the world's areas.

Let's consider briefly what is happening in the technology side:

Short and medium range jetliners are bringing jet travel to many of our smaller cities with an efficiency that was not thought possible a few years ago.

Within a few weeks, huge new DC–8 Series 60 jetliners with 250 passenger capacity will be entering airline service. This is about double the number of passengers DC–8's and 707's carried when they were first introduced only eight years ago.

Before the end of the 1960's a new generation of subsonic jets will double the capacity again to 500 passengers. The day of the 1000 passenger transport is not waiting on technology—but on a number of other things.

Giant cargo airplanes, already on the drawing boards, will move freight across continents and oceans overnight, hundreds of tons at a time.

Before 1975 will come the supersonic transport which is of prime interest to this congress—and after them the hypersonic transports—six, seven, ten times the speed of sound, with new kinds of engines using hydrogen for fuel.

Also will come more exotic propulsion techniques, including use of nuclear energy and electrically charged particles.

And the Pegasus will come too.

Gentlemen, we are going to do all of these things I have mentioned.

(After all, to ridicule Dick Tracy and Diet Smith today is to risk putting oneself in the same position as those who made fun of the Buck Rogers and space travel in earlier comic strip days!)

In fact, we already have the technological capability to do most of them. And according to a formula developed by our educators, our total store of knowledge will grow as much in the next five years as it did in the first one thousand, seven hundred fifty years of our current calendar.

I am convinced that nothing can stop us technically. I am convinced that time is the only pacing element in our scientific advance.

Competition is likely to guarantee that the advances that serve us in air travel will be economical, efficient, comfortable, safe and profitable. And this competition, between individuals, companies, nations—all types of groups—is the catalyst of our progress.

But there comes a place in the scheme of our advance where we must operate as a group rather than as competitors, just as we are doing at this Congress, in order to attack and overcome some of the obstacles in the path of the advancement of air transportation.

Most of our modern technical advances have come about as a result of cooperation—a result of cross-feed of information. It is only the specific applications of these advances that become proprietary to individuals and companies.

Finding solutions to our non-technical problems will be just as important to the future of world air travel as any individual advances we make in equipment design and development.

Ours is the most rapidly growing major industry in the world, yet the world may not be prepared to cope with its growth. If we intend to continue to grow and advance, we must see to it that our environment keeps pace with the rate of change.

There is much evidence in recent history that should warn us that a great deal of teamwork will be required of all of us if we are to meet successfully the challenges our future poses.

In the United States alone, all the airlines combined flew about seven billion passenger miles in 1947. In 1965 this passenger mile total for the United States was 52 billion.

Nearly half of the total growth over that 18-year period occurred in the last four years.

Current forecasts of United States domestic air passenger miles indicate that the 52 billion total for 1965 will double before 1975 and quadruple by 1980. How would you like to have to fight your way through some of today's crowded terminals with four times as many people in them?

And these growth projections are considered conservative by some in the industry.

Another interesting facet of the growth picture is that world passenger traffic outside the United States is growing even more rapidly than United States domestic traffic.

The world picture is this:

The International Civil Aviation Organization world passenger mile total including the United States, which was just over 100 billions in 1965, will grow some 400 per cent by 1975.

All of this relates to certificated air carrier traffic. It does not include the rapidly growing executive aircraft use—which is the subject of other sessions of this Congress.

The problems that this rapid growth poses for us are many. Some are technical; some have social and political implications. All require good management and foresight to gain the most from our available resources.

There are broad problem areas which can be defined, in which all of us here have a common interest in solving.

Major among these are community noise problems; the limiting effects of weather; saturation of airports; congestion of the airways, and need for rapid transportation between city centers and airports.

Again, we have been making, and we are making, progress in all of these areas.

We are attacking the noise problem on a cooperative industry-government basis.

Less than three per cent of scheduled flights are cancelled or diverted by weather.

The capacity and efficiency of our modern airports have been vastly increased in recent years.

The Federal Aviation Agency and similar agencies abroad are performing extraordinary feats in the control and development of airways traffic.

Experiments and studies are under way which may lead to varied acceptable solutions to the city center-airport movement problem.

But still, our progress must be accelerated. The growth is outpacing us.

Just one of the world's major airlines now boards more than 60,000 air travelers each day. Five years from now this one airline expects to be boarding more than 120,000 passengers a day. And this rate of growth is not out of line with the average rate of growth for the world industry.

How will the airlines board and debark up to 2000 people at a time on a single airplane turn-around in the future?

Despite our modern airports and despite laudable airline efficiency, airport saturation is common and occurs in several manifestations at our major terminals.

At New York's John F. Kennedy Airport, during peak traffic, incoming flights may have to hold as much as an hour to get clearance to land, even in clear weather.

Have you been on a jet taxiing out on-time for take-off, only to find your airplane is 33rd in line?

Or how long have you had to wait on the field at Chicago for a terminal gate vacancy for your flight to park and unload?

About three weeks ago, Los Angeles radio stations announced that the airport parking lot was completely filled and cars were backed-up for a mile in all directions. The condition was expected to continue for 24 hours. This was an ordinary weekend, with the cause thought to be L.A. residents traveling to Palo Alto for football game.

These examples only illustrate the marginal capacity of some of the major U.S. terminals today. Heathrow, Schipol and Orly may also face such narrow margins, often complicated by weather.

These problems are not the fault of these cities and their airport authorities. They are the result of very rapid, almost explosive growth.

This growth is continuing, and it will continue to magnify the problems for the future—problems for which we should be planning solutions now.

Where will the airports, already crowded and restricted by metropolitan growth, be located when Chicago reaches all the way to Buffalo, New York covers the entire Northeast seaboard, and Los Angeles stretches all the way from San Diego to San Francisco? Or when London and Tokyo have doubled in size?

Will traffic lights and reciprocal agreements among nations allow the development of new routes, new city pairs, new gateways?

The airlines have demonstrated their belief in the future by placing orders for over three billion dollars worth of new aircraft.

Unit revenues are being held stable and even decreasing, while costs continue to rise, yet the airline operators still must manage the capital for a future rate of expansion in both passenger and cargo movement that will make our present-day boom look small by comparison.

And air cargo traffic is growing even faster than passenger traffic, while many of our cargo handling facilities and processing procedures remain in a relative horse-and-buggy stage.

It is true that much is being done now to modernize these facilities and procedures. But it also is true that current improvements, generally, represent attempts to catch up with demand rather than attempts to anticipate—and take full advantage—of demand. And the air cargo side of the industry has only begun to grow.

By 1980 air cargo revenues may very well surpass passenger revenues, and thereby create an industry eight times its size today—and I believe it will, provided we create an environment in which it can continue to thrive.

These few specific growth pains are representative of the myriad of obstacles, affecting many segments of our society, which must be removed as we progress in world air transportation. And we have in attendance at this Congress representatives of almost every team we need to win this common battle.

We have an international gathering of government officials. This group must provide us with a sympathetic political climate.

By this I mean well-planned, progressive national and international travel agreements, regulations and legislation that will accommodate the overall growth of air commerce.

We have local government executives. This group must stimulate development of the airports, land use concepts around their airports, and local transportation facilities and services.

We have airline and other travel executives. This group must continue its improvement of equipment and operations within existing facilities, and continue to support immediate development of new facilities and handling procedures.

For example, Mr. George Keck, President of United Airlines, said recently in California that this nation alone will need at least 200,000 feet (40 miles) of new runways and 335,000 feet (over 60 miles) of runway extensions in the next five years. This amounts to 500 million dollars worth of runway construction alone, and Mr. Keck estimates that total airport construction costs by 1980 would approach five billion dollars.

At this Congress, we have manufacturers, such as I represent. This group does not simply build the equipment that carries people and cargo. In addition to providing more technical progress for such purposes as overcoming weather delays, improving noise levels and constantly enhancing overall operational safety, we, the manufacturers, must take an active lead in working with Federal agencies, local airport authorities and airline operators to plan for and accommodate the growth of which we are a part.

We have an international military contingent at this Congress, and the group it represents has done a great deal to enhance the progress to our current status. This group's leadership in technological and conceptual innovation must be continued, for its pioneering developments are basic to our technology for future application for public benefit. Above all, this military group must provide us with a workable peace, without which orderly progress of any kind is impossible.

We have educators in this gathering, and they have what is perhaps the toughest job. Not only must they pace our thinking, they must provide us with the human raw materials through which the rest of us perpetuate our progress.

The young men and women that the educators shape for us must be not only more competent specialists than ever before, they also must be capable of rising above their specialties to positions of stronger, more effective leadership in general fields than we have been able to develop to date.

And we have with us the press and other informational media, without whom we would be trying to function in a vacuum. These journalists, and the organizations they represent, are important in removing the obstacles to our progress, for they also represent the public.

Abraham Lincoln's words on this subject could hardly be applied more appropriately than to the solution of the problems facing air travel. To quote Mr. Lincoln:

"With public support, anything is possible; without it, nothing is possible."

As individuals, as groups, as companies, as states and as nations, we are making progress on the individual and the collective, the specific and the general problems we face.

But we are going to have to accelerate this progress in all fields if we are to keep pace with the growth of world air transportation.

There is no doubt that technology is important, that it is essential. But if society is to realize the progress and benefits technology can offer, we as leaders of large segments of society also must display increasing unity of purpose in striving to overcome the major environmental problems that are common to all of us.

To some it may seem that these problems are too fragmented, too varied and too numerous for an organized, united approach. This feeling could be a result of looking at the problems themselves, rather than looking at the desired solutions.

When our industrial and scientific might is directed toward a major, complex undertaking such as a space program, we start by defining our objective. We then must back away and examine the critical path to successfully accomplishing our objective. We must plan and schedule thousands of events—or problem solutions—which lie on this critical path, each related to the previous event in terms of time and accomplishment and each related to the overall project in terms of objective.

There is no reason why we can't plan our attack—and solve our common problems relating to the future of world air transportation in a similar manner.

Certainly each of the groups represented here has broad and often overlapping responsibilities. Some coordination of effort, obviously, is required.

But we have, in existence, the organizations and agencies necessary to handle this coordination.

Where can we find the focal point necessary to the planning we must do?

When President Johnson called upon the Congress of the United States to establish a Department of Transportation, he said the purpose was, and I quote, in part:

"To modernize and streamline . . . to bring together our transportation activities . . . to serve the growing demands of this great Nation . . . to serve the needs of industry, and the right of the taxpayer to full efficiency and real frugality."

I am not suggesting that we should drop our problems in the lap of the government. The responsibility is ours, and we must step up to it. But it is entirely possible that such a department could serve as that focal point we need for our teamwork in the United States. Perhaps ICAO can serve in a similar role internationally.

The more effective our teamwork is, the sooner our joint efforts will accommodate the explosive growth of air transportation.

You have heard repeatedly at this Congress, forecasts of air traffic growth and technology advancements of magnitudes that tax the imagination. But our perspective is relative.

When the airline pilots saw DC–3's for the first time little more than 30 years ago, their reactions were almost unanimous:

"Fantastic." "The thing's too big." "It'll never fly."

The word "fantastic" also could be applied to the number of events that lie on the critical path toward realization of the full potential of air transportation.

But there is no reason why we should let the number of these events stagger us. Nor is there any reason why we should be content to allow these events to occur haphazardly or out of phase with orderly development.

Each event can be accomplished in its proper time, and in proper conformity to our common whole objective.

And we, the groups represented here today, have the brainpower, the motivation and the machinery to handle this job.

A good effort, on our part now, will assure the future environment for world air travel.

As to the future technology of world air travel, Donald W. Douglas summed it up recently. I quote Mr. Douglas:

"The future of flight is as broad as any man's dream, and as capable of being brought to reality as that man's ability to translate his dream into a successful and competitive design."

Thank you.

SPEECH BY LAURENCE K. WALRATH, INTERSTATE COMMERCE COMMISSIONER, BEFORE SOUTHEAST SHIPPERS ADVISORY BOARD.

Mr. McCLELLAN. Mr. President, for several years the Senate has been struggling with the many problems of the tranportation industry. Last year the Congress created a new Cabinet level Department of Transportation in an attempt to secure an overall coordinated Federal approach to our many forms of transportation.

On December 7, in a speech before the Southeast Shippers Advisory Board in Orlando, Fla., Interstate Commerce Commissioner, Laurence K. Walrath, outlined the role Congress has played in developing a uniform transportation policy. Mr. Walrath said:

I believe the new Department of Transportation will prove to be as significant to the economy of our nation as was the original act to regulate commerce in 1887. Like that act the Department of Transportation is, doubtless, only a beginning—not a panacea in itself for all our problems.

He speaks very highly of the man the Senate recently confirmed to become the first Secretary of Transportation, Alan Boyd.

I commend this speech to the attention of every Senator who is searching for an enlightened overall view of our past and present transportation policy, and also for knowledgeable insight for the potential which the new Department of Transportation holds.

Mr. President, I ask unanimous consent to have Mr. Walrath's speech inserted in the CONGRESSIONAL RECORD as a part of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ALL 10 YEARS AND TOMORROW, TOO

Ten years ago your Board gave me the privilege of speaking to you at a time when I had scarcely warmed my ICC chair. Many of the same problems are with us today—which for you add up to "the problem of car supply." Tonight I prefer to emphasize the affirmatives, as did Stuart Saunders when he addressed your national board meeting in Pittsburgh on October 19th.

You will recall he highlighted the improved atmosphere and dialogue between shippers, carriers, and government. He was even generous in his references to the *enlightened* attitudes of the Interstate Commerce Commission—and at that point I felt like giving him resounding applause!

I believe he was substantially correct on all counts. At the same time, there are some negatives which should not be overlooked if we are to gain the most from our national transportation system. You in the Southeast have a special stake in sound resolution of these problems—which could be called "frustrations"—of the past decade.

Most, if not all, of the "plus" factors in transportation have been realized as the result of more effective communication and understanding at all levels. This had its real impetus in Congress during the 1958–60 period, under the leadership of Warren Magnuson as Chairman of the Senate Committee on Commerce and George Smathers as the able and effective Chairman of the Subcommittee on Surface Transportation, together with their House colleagues under the Chairmanship of Oren Harris. You will recall that 1958 was the year in which the nation recognized the then "deteriorating common carrier system." From this evolved a clear record that excessive taxation, too rigid regulation, adverse court decisions and the mushrooming of unregulated carriage were combining toward ultimate destruction or nationalization of our railroad industry and even threatening motor common carriers. Some significant steps were taken in an effort to stem the trend.

As an interim measure, the rail loan-guaranty law was passed and eased cash crises for some whose commercial credit was strained.

The Congress next rolled back the court-expanded exemptions on highly processed, frozen, and imported agricultural commodities, so that these items which had lost their identity as the direct produce of farmers again became available for fair competition.

In the same 1958–1960 period, recognizing the drain on rail revenues from many obsolete passenger operations, the Congress passed the well-known amendments to Section 13 of the Interstate Commerce Act. Since then passenger deficits have been reduced from three quarters of a billion dollars annually to something around half that amount.

In 1958, a significant amendment to the rule of ratemaking became law. Still highly controversial, through hard-fought evolution and court construction, this rule now provides carrier management with greater flexibility in adjusting rates to meet both competition and shipper requirements. Today, a proper cost record can win rate adjustments which would not even have been proposed 10 years ago.

Following these legal changes the Senate proved its concern for the future by authorizing intensive staff study of transportation and publication of the *Doyle* report in 1961. I recommend this report for intensive study in the light of developing *new* problems. In many respects General Doyle's report was prophetic.

The next great breakthrough indicating government's concern for the future was President Kennedy's 1962 special message on transportation in which he urged changes in the law to achieve "*equality of competitive opportunity*" as between all surface transport modes. That message pointed to the inequities which spring from existing agricultural commodity and water bulk exemptions. You are all familiar with his expressed preference for *deregulation* as a solution, as well as his suggested alternative of rollback or *repeal* of the exemptions. It is not my purpose tonight to deal with the merits of these choices, but rather to document the fact that in the past decade government at *every* level has become fully aware of the necessity for improvements and planning for the future.

The next 3 years saw a frustrating battle in Congress over conflicting views. President Johnson affirmed the importance of the issues—but the legislative attempt failed despite a real effort on the part of Oren Harris' House Committee to effect a compromise of divergent views.

I am sure that the search for *equality of competitive opportunity* is not forgotten, but my guess is that nothing affirmative will be done until the new Department of Transportation is organized and has had an opportunity to restudy the situation. We have been assured the basic issues are pushed no further than the "back burner."

I believe the new Department of Transportation will prove to be as significant to the economy of our nation as was the original Act to Regulate Commerce in 1887. Like that Act, DOT is, doubtless, only a begining—not a panacea in itself for all our problems.

If any of us had any remaining doubts as to the wisdom of the DOT bill, the President removed most of them when he named the new Secretary-to-be. Virtually every trade and financial journal spontaneously acclaimed Alan Boyd as the best qualified man to tackle the formidable job. His task will not be easy, even for a man who is as knowledgeable, unshakable (once he feels he is right), and respected as he is; nor will progress be possible, unless all transportation interests lay aside petty self-concern and actively assist him.

The new Secretary starts with uniquely clear basic premises. His several public addresses and press conferences since he was "tapped" are revealing:

(1) His first year will be devoted largely to organization, internal coordination, research and planning. No policy changes or legislative proposals from that source are expected until the responsible views of all interested parties have been obtained and carefully weighed.

(2) He intends the Department to assume a major role of leadership in preserving, promoting and strengthening the country's private-enterprise transport system. DOT, at least under his leadership, will not become a "Big Daddy" (his phrase) to "take over" transportation in any sense.

(3) DOT will not try to insert its "prejudices" (again his term) in current merger cases. It *may* participate as a party of record in future major merger cases, but will

do this by offering in evidence broad economic studies directed toward policy issues. It will stop short of supporting or opposing particular mergers unless broad public policy issues are apparent. DOT may or may not interest itself in future rate adjustments, depending again. I suppose, on the impact its studies show they may have on the national economy and viability of our national transportation system.

(4) DOT will develop a labor-economist staff so that the Secretary may be aware of and forecast the impact of labor development on private-enterprise carrier operations. It will not usurp functions of existing mediation agencies (but my prediction is that these agencies will find DOT's views helpful and persuasive).

(5) When asked whether he favored "less regulation" or "more regulation," Secretary Boyd wisely refused to be pinned down. He likened that issue to mergers, and in his words, "There are some good mergers and some that are not good, but you can't *generalize* on it."

(6) When asked if the ICC and CAB should route their legislative recommendations through DOT, his answer was: "* * * No, I think the CAB and ICC, the FMC, are independent agencies and they should act as independent agenices."

Later asked if he favored eventual transfer of ICC, Maritime and CAB to his department, the Secretary-to-be closed the subject with a resounding "No, sir."

(7) As a final key to his basic views, he answered questions on the subjects of user charges and on compensatory toll levels for the St. Lawrence Seaway. He favors both, but is realistic enough to qualify in this fashion:

"My philosophy of transportation is that to the extent possible, those who benefit from the system should pay the cost of providing the service. . . ."

Clearly, Secretary Boyd's forthright statements on these questions—key questions as far as you and I are concerned—give us no excuse for withholding affirmative support and wholehearted assistance.

One final thought on the "pluses" before turning to some old and new "negatives." We are making measurable advances in the area of chronic freight car shortages. Some of that progress, strangely, lies in some of the divergent views which have been expressed on the record in our Ex Parte proceedings Nos. 241 and 252. For example, cross-examination of the Commission staff witness has concentrated on certain alleged inaccuracies in the statistical data received. To the extent valid, this will point the way to more accurate reporting for the future.

The record in Ex Parte 252 (which now contains almost as many divergent views as there are witnesses, should at least challenge the nation's railroads to resolve many of their differences by self-help. If so, we expect to be aided by their voluntary agreements, and thus our ultimate decision will be more palatable than it otherwise might. Does this sound like Bureaucratic double talk? It is, but only to a point.

The very fact that the railroads have these proceedings hanging overhead by the proverbial thread has, in itself, begun to produce more responsiveness to shippers' requirements. There are ground swells to indicate the railroads may offer some new approaches in three key areas:

(1) A practical formula for determining adequacy of ownership by each railroad of various types of cars. (Ex Parte 241)

(2) A basis for promulgation of fair, uniform and enforceable car service rules designed to achieve maximum utilization of equipment whether on or off the owner's line.

We are hopeful such rules, if soundly conceived, can avoid the routine issuance of numerous service orders. This is not to say it would render ICC orders unnecessary, but, hopefully, they could be used sparingly and be of shorter duration to meet specific peak crises. Logically, too, we should better be able to avoid inadvertent injury to shippers in areas other than the critical spots. (Ex Parte 241)

(3) A completely new approach to per diem charges *may* be developed—perhaps even a sliding percentage formula of depreciated value, rather than a fixed charge, but with the percentage high enough to include an incentive to encourage most efficient utilization by all and continued upgrading of cars by owner lines. (Ex Parte 252)

These generalizations are not in any sense a prejudgment nor a reflection of Commission views—our hearings are far from finished and new ideas, all deserving of careful consideration, are being presented almost daily. We continue to have open and receptive minds, so if any of you have a flash of genius, please—in some way—get it on our record before we must make a decision.

I am aware of the "record" position of the Shippers Advisory Boards in Ex Parte 241, but I believe even you will agree that railroads are truly being given a fair chance to correct their own problems. There is no power or desire, on my part, to tell them in what specific equipment they must invest. Our only concern is that they satisfy your reasonable requirements as shippers. I'd much prefer that they wear the good guys' "white hats."

You have recently had clear proof in a car shortage crisis that a mutually happy result can be achieved if—but only if—we all work together. The men in this audience who this year faced up to the cotton situation in the late summer and early fall will vouch for this. With little warning you suddenly were confronted with government pressures (not ICC) to move out a tremendous amount of warehoused cotton during a 30-day period. The early indications were that each of many shippers would order *all* of the rail cars needed for his total movement at the earliest date shipments were to start. There was also evidence that some would request *more* cars than needed in order to assure that *enough* were spotted. From the outset it was obvious the rail carriers simply could not respond.

Instead of issuing service orders right and left to meet an alleged shortage—(artificial, as history reveals)—my esteemed colleague, Commissioner Murphy, who spent a career in the cotton and textile industry, came down personally and talked directly with the people he knew best—cotton *shippers* (not the carriers) and convinced you that discretion in asking *only* for such cars as could be loaded on a particular day—and spreading total car orders over the full 30-day period—would give the carriers a reasonable chance of meeting the demands.

I have oversimplified the story, but, as you know even better than I, your needs *were* met, we issued *no* service orders, and no railroad was required to deny a single shipper his minimum requirements. Within the past several weeks southeastern soybean shippers have, in similar fashion, avoided a potential crisis. The moral, I think, is so clear I need not elaborate. In past years in numerous similar situations involving almost any other volume commodity you could mention (except "Yak Fat"!) we have been besieged by Congressmen, Senators, trade associations and irate citizens to punish the railroad who fails to provide at the time requested *all* cars ordered by shippers. When our orders were violated, we did just this but collecting penalties from railroads after the fact doesn't help the shipper. The cotton and soybean shippers of the Southeast this year have demonstrated what *can* be done when they, the ICC and the carriers calmly worked together in harmony. No one gets hurt.

Recent research in the areas of piggyback and containerization compel me to the conclusion that there is a rapidly growing need for increased use of these innovations—not just in domestic transportation, but also in foreign commerce as a necessary means of expanding outlets for American goods. I wish time permitted a thorough discussion because there can be no longer any doubt that we must move quickly to resolve the knotty problems of standardization of sizes and hardware thereby to permit flexible interchange of containers between trucks, railroads, water carriers and aircraft. In many respects the Dutch, Belgians, Scandinavians, and Japanese—just to mention a few—appear to be moving in this direction more than we.

On the subject of piggyback and container shipping the printed report of your Chattanooga meeting was fascinating reading, and your scheduled agenda for today's session indicates the Southeast is on top of its regional problems. But what gives me concern is that most of the study and research being done involves go-it-alone efforts by railroads, truckers, airlines and water carriers to serve their own competitive challenges—and we may well end up with interchange problems comparable to those of the South's 19th century railroads before standardization of track gauge. Then, too, if we finally achieve uniformity, another major problem concerns *who* is to own this vast pool of containers for domestic and international use. Alan Boyd has indicated DOT intends to give both these issues close attention.

A new problem looms on the horizon as the result of a recent court decision concerning for-hire transportation by agricultural cooperatives. This problem was intensified when the Department of Defense announced on the 8th of November that, beginning December 1, 1966:

"Farm cooperative trucks will be used. . . . *when their use would result in the lowest overall cost to the government.*" (Emphasis supplied)

DOD added that Farm Co-ops already have submitted rates on military traffic "lower than the rates of regulated common carriers."

Considering that military transportation provides now an annual gross revenue of more than 600 million to rail and motor common carriers, the potential diversion could have a severe impact on our national transportation system. If, to stem this diversion your carriers resort to lower and lower Section 22 quotations to DOD, the effect their reduced revenues could have on commercial shippers' rates is something you could ponder better than I. The transportation industry and the ICC generally feel that remedial clarifying legislation is urgently needed. Here, too, we may have to hope that DOT will eventually take the lead. Meanwhile, I recommend that your Advisory Boards give this priority consideration before the next Congress convenes.

We've covered a multitude of subjects and you have been a most patient audience. I can only hope that all we've talked about is of interest to some and that some of it is of interest to all.

As Mr. Saunders said to you in Pittsburgh, the present is better than the past and the future promises improved rail service to shippers, more efficient utilization of cars, and better profits for both carriers and shippers. Third quarter rail records for 1966 reveal the best net-revenue picture in 13 years, with nationally improved operating ratios, now averaging 75.5. As *Railway Age* this week stated it: "If railroad men cannot be heartened by such a year as '66 has been, what in the world does it take?" The Southern Region has made the most dramatic improvement of all—moving from 78.8 in 1965 down to 75.6 for 1966.

But, as indicated, some of the old problems have continued and some disturbing new ones have appeared. These, coupled with rising costs, possible tax increases, and the current moratorium on investment tax credits, could in 1967 adversely affect the rosy outlook of 1966. So, if there be an underlying text to this "sermon," I'd express it this way: "Give thanks for our many blessings, work more closely together in brotherly love, but *man the outposts!*"

"PERSPECTIVE FOR COMMUNITY DEVELOPMENT" — SPEECH BY MARVIN HURLEY, EXECUTIVE VICE PRESIDENT, HOUSTON CHAMBER OF COMMERCE

Mr. McCLELLAN. Mr. President, on November 17, 1966, at the 38th anniversary meeting of the Arkansas State Chamber of Commerce and the Associated Industries of Arkansas in Hot Springs, Ark., Mr. Marvin Hurley, the executive vice president of the Houston Chamber of Commerce, gave a speech entitled "Perspective for Community Development."

Mr. Hurley points out that in this day and time it is very easy for us to lose our perspective for community development. Among the realities which he indicates must be reckoned with are:

First. Fantastic compression of time and space.

Second. The "information revolution," which is best summed up by noting that some educators indicate that 50 percent of what we are now teaching in college will not be true 5 years from now.

Third. A rebellion of rising expectations in which emerging nations are finding that independence and nationalism are not automatic cures for poverty, illiteracy, illness, and bad government—that freedom from imperial yoke may be a luxury some of them can yet ill afford.

Fourth. The population explosion; a reality best brought home for the fact that there are 1 billion more people in the world today than there were in 1945.

Mr. Hurley then goes into an extremely well conceived analysis of the need for foresight and planning for the fantastic growth of urban development which is now upon us.

Mr. President, I ask unanimous consent to have Mr. Hurley's speech inserted in the CONGRESSIONAL RECORD as a part of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

PERSPECTIVE FOR COMMUNITY DEVELOPMENT

(By Marvin Hurley, executive vice president, Houston Chamber of Commerce)

I appreciate this opportunity to be back home in Arkansas, and to visit with so many old friends who are leaders in community and economic development—the architects of this State's tomorrow.

As a third-generation Arkansan, I have had a life-long interest in the affairs of this state—and more especially since 1923 when my father represented Pope County in the State Legislature.

In more recent years, I have watched the economic, social and recreational progress here with pride and admiration. (Razorbacks) On every hand I see evidence of the revolution that has focused the attention of an interested nation on Arkansas. The total value added by manufacture here is now three times what it was when I went to Houston in 1945; and during this decade, you are joining the ranks of the urban states. By 1970, you will be well over 50 per cent urban.

It's good to be back in Hot Springs. My first visit here was in mid-1928, for the notification ceremonies for Senator Joseph T. Robinson as the Democratic nominee for Vice President of the United States. (And, may I remind you, incidentally, that he was nominated in Houston.)

Senator Robinson and Al Smith lost their race; and not many months later, I lost my heart right here in Hot Springs—to a beautiful little 16-year-old blonde. When she got old enough, she became my wife; and to this day retains all the endearing qualities I found in her at Sweet Sixteen.

Coming home is always a sentimental journey. Home is truly the seminary of all other institutions and the rallying place of the affections.

It is well known to my acquaintances throughout the country that my home town is Hector, Arkansas. That little Pope County community does not have a Chamber of Commerce; but, long ago, I volunteered my services—until they can do better.

The Arkansas Gazette said in a feature story last fall that Hector is a place where a traveler finds "something of the past that is lost for all purposes to the Twentieth Century". The implication was that time has passed my home town by.

To be perfectly frank, Hector has *not* experienced a *really* explosive growth situation. When I left there 40 years ago, the population was 281—and today it is just under 300. (That may not reflect much dynamism, but it represents tremendous stability.)

Hector has little knowledge of traffic congestion, smog, sonic booms and topless waitresses. And it has not seriously missed these accoutrements of our urbanized and motorized and industrialized society. It *has* retained the beauty of its countryside, the impressiveness of its mountain vistas, the serenity of its community environment, and the reserved friendliness of its people. These have not changed—but Hector *has* changed.

When I left there, the row-crop economy was largely based on cotton and corn, but now the economy is based more on livestock and poultry, with a number of the people of the community commuting to jobs in the industrial plants in Russellville. Then Hector had coal-oil lamps and woodburning fireplaces, but now it has electric lights and butane heating. Then it had a two-room school, and now it has a consolidated high school serving much of northern Pope County. Then, it had a party-line telephone system, and now it has an automatic dial system. Then, its roads were largely unimproved, but now it has connections with the world, over all-weather roads.

Our generation, as a matter of fact, has experienced the most dynamic period in the long history of mankind. Since 1945, for example, we have found ourselves living in a new economic and social world, marked by mechanization, large-scale organization and remorseless change. The atomic age has already proven its arresting portent, and the peaceful uses of atomic energy are mushrooming beyond all forecasts. The space age, born within this decade, is already revealing some of the age-old mysteries of the universe, as we probe the only limitless frontier. Oceanography is opening up the frontier of the seas that cover 70 per cent of the earth's surface, giving us a new horizon of promise not only for the production of potable water but also for mining the resources of the seas for food, minerals and other essentials of our civilization. We have seen mass markets develop for jet travel, television, air conditioning, miracle drugs, frozen foods, synthetic fibres and electronic devices.

Every generation, I suppose, has felt it was living in a revolutionary period, but we in our time are especially aware of fundamental change. It is not surprising to find those who feel that the Twentieth Century began in 1945, and that the period of two world wars with the intervening depression was in reality the liquidation of the nineteenth century. Today's technological revolution forecasts even greater miracles and more revolutionary changes in the decades ahead than we have experienced during the past decisive decades.

The history of our civilization has brought a variety of periods—the Dark Ages, the Reformation, the Age of Enlightenment, and so on. It is entirely possible that when the historians of the future evaluate our interval of history, they may call this the Age of Concern. We are truly living in a period when the forces of ill-will are working overtime to foster distrusts, dissension and division.

We meet today in an environment of harmony and good will, but our daily lives are spent in an atmosphere of uncertainty. Although the lands and the peoples are strangers to us, we find ourselves deeply involved in the affairs of a hopelessly troubled Southeast Asia. Science has given us a new world in which we are not sure we are yet equipped to live. We have learned to control elemental forces before we have learned to control ourselves. A rising tide of immorality and violence suggests that we are living in a period of moral fatigue. We have draped the sordid life of the criminal with an artificial cloak of glamor, with mawkish sentimentality and hollow romance.

We are living in a cynical age. It seems increasingly unpopular to find anything good in our country or in our people. While this cynical attitude is disturbing, there may be a constructive reason for it. In the long run, it may be a normal response to conditions that are not improving as fast as are the standards we consider acceptable.

This is a period when we have to adopt our concepts, our goals and our methods to the harsh realities of the changing world in which we are living. Whether our work is with a unit of government, a commercial enterprise, an educational institution or a voluntary association, it has become increasingly difficult to keep geared to the requirements of today and to anticipate the needs of tomorrow. For this reason, I have elected to use the subject: "Perspective for Community Development".

The future seems to have arrived ahead of schedule—before we have been able to put out the welcome mat to tomorrow. It is a time when it is very easy for us to lose our perspective. This is an age when we have to be conditioned but not calloused to change, and our perspective must continually be adjusted to changing conditions.

One of the realities of our changing world is the fantastic compression of time and space. With near-instant sight and sound linking people everywhere, and with the supersonic age at hand for the transportation of people and goods, we have just about abolished the barriers of geography and distance. We share a shrinking world neighborhood with strangers, and the boundaries of our day-to-day contacts have been expanded enormously. We are closer in time today to three continents of the world than Hot Springs was to Houston when Senator Robinson was nominated for the vice presidency. Our industrial markets are not restricted geographically as they once were. As a matter of fact, Arkansas has an improving location to produce for national and world markets.

A second current reality is an information revolution. At times I wonder if we are not arming the students in our schools and colleges of *today* with the *facts* of yesterday to cope with the needs of *tomorrow.* It has been said that 50 per cent of what we are now teaching in college will not be true five years from now. Unfortunately, we do not have the faintest idea which 50 per cent this is. The fruitful years since World War II have seen man's knowledge expanded with more daring success than during all known history before our time. It is increasingly difficult for any of us to keep current on the information we need in our daily responsibilities. It is increasingly important for every person to maintain a continuing program of education and personal development. But, still, if some of us fed our stomachs as we do our minds, we would soon die of starvation or stomach ulcers.

Our economy here in the Southwest is increasingly science oriented. We have to give the same thought today to attracting brains to our communities as we do to the attraction of new industries; and we have to stop, and reverse, the "brain drain" of some of our brightest young people to other regions. Industry locations are increasingly geared to human resources. During the years ahead, industries will survive and regional economies will prosper substantially in proportion to their utilization of scientific and technological discoveries. We are going to have to train more scientists and engineers to advanced degrees in our colleges and universities. We are going to have to develop more opportunities for creative minds, and we are going to have to develop conditions more attractive to scholars and scientists.

One able and creative individual may have more economic worth to a community than a new industry. The opportunities of many with less educational attainments will depend increasingly upon the number we train to the limits of their scientific knowledge—those with the vision and creativity and knowledge to capture ideas and to devise inventions that offer opportunity of gainful employment for others. There was a time when we could be reasonably sure that we could prepare students for lifetime careers. Most jobs and their requirements were fairly constant. But, because of the rate of change in contemporary business and industry, it is increasingly difficult to prepare students for specific classifications of jobs.

A third reality of our time can be termed a rebellion of rising expectations. Long submerged nations and races are engaged in an almost hysterical drive for their place in the sun. Emerging nations are finding that independence and nationalism are not automatic cures for poverty, illiteracy, illness and bad government—that freedom from imperial yoke may be a luxury some of them can yet ill afford. Yet the nations of the world are multiplying in terms so great that the recently emerged countries already hold a numerical balance of power in world councils. We are no longer isolated from developments in remote parts of the world.

Neither the Southwest nor any other region can longer ignore the rights of minority groups. We find ourselves already experiencing the agony of trying to find ways to guarantee human rights to all citizens without jeopardizing states' rights, property rights and other human rights. We will never, though, achieve the goal of an understanding and workable common unity of races, colors and creeds by statements and actions that intensify group prejudices. The extremism of either "black power" or "white supremacy" does not solve anything. We build effective understanding and unity by working together in mutually helpful teamwork toward common objectives. The final decisions on civil rights must be made in human hearts and not in the streets.

We are dealing with a changing concept of what constitutes a satisfactory way of life. With the highest standard of living in history, we are more concerned about poverty than ever before. With the highest percentage of employment in history, we are more concerned about unemployment. No country in the world has anything like our educational level, and yet we are more concerned about the quality of education than ever before. We expect the city of today to meet more fully our needs and to satisfy more completely our wants than did the residents of cities in the past. Much of our urban concern today results from this revolution in our expectations and not from any degeneration from some prior urban utopia.

A fourth reality of our age is a world population explosion. We have a billion more people in the world today than we had in 1945. Population is growing faster than production in many countries, and the hungry two-thirds of the world are getting hungrier. The population problem is one of quality as well as quantity. Quality considerations include such problems as illegitimacy and the disproportionate rate of reproduction on the part of economically and socially irresponsible persons. We may be breeding poverty and delinquency faster than we have the ability in money, personnel, or know-how to cope with them. Arkansas will feel increasingly the pinch of the population problem.

A fifth reality of our changing world is the fantastic rate of urbanization. To people who move to town from the country, the growth of the city soon brings a realization that an increasing number of problems of the individual and of the family become problems of the community. Life in the city calls for a greater sense of mutual responsibility and a greater capacity for teamwork effort. Here in the Southwest, our change from country living to city living has been so recent that many of our people still demonstrate in many ways their rural origins. Many have not yet been educated to city life, to the art of living beneficially in close proximity to other people. They have little commitment to their responsibilities for personal conduct, noise conditions, care of waste, respect for neighbors and the like.

We will have at least 140 million more urbanites in this country by the year 2000, and that is little more than 33 years away. Such an increase is the equivalent of building a city the size of Hot Springs every four days for the next 33 years. It will cost between $2,000 billion and $3,000 billion of private and public investment to house these additional Americans, and to provide them with roads, schools, and places to work. At the same time, we will have to rebuild practically the entire physical plant of our existing cities. Our plans in Houston are projected on taking care of a doubling of our population, not in 33 years, but in 15 years.

Urbanization is easily our most important domestic issue because it more directly affects more people in more different ways. The character and shape of our cities is determined by many forces, but we are only beginning to develop an overall strategy for our urban times. A city brings together within a limited space a diverse and varied community of people so they may achieve a better life through the teamwork of a common unity. The future of our cities and towns is a matter of such pressing concern because 90 per cent of our people are destined to live out their days under urban conditions. Urban development and industrial development are so closely related that they cannot be considered independently. This, I am sure, needs no elaboration here in Arkansas where municipalities have had such a key role in industrial development.

Urbanization brings new categories of problems. We have to think in terms of revitalizing entire areas of blight and slums; of overcoming the ugliness and smells of the city; of preventing overcrowding; and of combatting the indifferent and selfish disregard for esthetics that can destroy community values. We have to think in terms of proper provision for public services and facilities, and for encouraging high standards of civic participation, education, ethics and morality. Neither the pattern of local government nor the methods of local taxation have kept pace with the changing urban pattern.

The easiest part of urban development is the tabulation of our urban problems and needs. Almost as easy is the enumeration of possible solutions for these needs. More difficult, however, is the analysis necessary to determine which of these solutions give the greatest promise of being effective. And still more difficult is the process of putting these solutions into effect. The technical problems and capital costs involved in many answers to urban needs are so formidable that they seem beyond the innovating spirit, the financial capacity or the legal scope of existing agencies.

The changing pattern of the city makes it more necessary than ever before for people to identify themselves with the metropolis as a whole—to the totality of their environment, as well as with their own neighborhoods and groups. Every community should be vitally concerned economically and socially about the welfare of the entire region in which it is located.

It is no longer possible for individual cities and towns in an urbanized area to make separate provision for all of their needs. It is wholly impractical for each separate jurisdiction in a metropolitan area to attempt to handle its problems with complete independence from neighboring areas that will be affected by such action. You will feel this situation increasingly at the state grows in population density and urbanization, although you still have a chance to avoid many of the problems of our older cities.

The haphazard and isolated approach to community and area development that got some results in the past is no longer suited to the more complicated needs of today. The complexities and inter-relationships of urban development are so involved that despite all the present-day concern about them, the solutions for urban problems continue highly elusive. In part, at least, this is due to a failure to comprehend the relationship of specific needs or possibilities to a total concept of urban development.

The Apostle Paul, centuries ago, made effective use of the human body to illustrate the totality of a concept. This same illustration can be applied to the urban body. We can think in terms of four major categories of physical systems in the urban body in your home town—systems that are not fragmented by jurisdictional boundaries.

There is a structural system of buildings, houses, schools, churches, factories, and the like.

There is a circulatory system of freeways and streets, railroads and transit, sidewalks and waterways, elevators and escalators.

There is a nervous system of telephone, electrical and natural gas distribution lines, traffic control signals, street signs, and the like.

And, there is a digestive system consisting of a network that brings in food, water, and supplies, and another network that removes garbage, sewage, and trash, and other forms of air, water and land pollutants.

But the total concept of the urban body is not limited to these four systems. Working through this combination of physical systems, we have an economic system, an educational system, a political system, and various aspects of a life-support system. These systems, in turn, are qualified by such influences as public attitude, including philosophical, moral, religious and other emotion-related qualities. The entire urban complex, with all its systems and influences, is interdependent and interrelated.

Thus, it is important to recognize the totality of the urban environment in our community development efforts as well as the relationships within an urbanized area. The interactions among all these urban systems and influences are continuous. Therefore, any master plan for a city or any system of goals should be developed on the basis of such a total concept. The implementation of an urban development program must be done in parts and in stages, but goals and plans should truly be based on this total concept, and not be developed as partial patches on the urban entity. Band-aid treatment of urban ills is a cosmetic approach that does not get to basic causes.

Urban development is nothing like as impossible, though, as some people become impossible in trying to cope with it. In the broader framework, the race is not between renewal and obsolescence in our communities. The real no-man's-land lies between *what can be done* and *what will be done*. The most significant factor is not our knowledge of techniques and technology but rather it is *what we will do*. The challenge is not met by complaint, concern, and criticism, but rather by recognizing the total situation as it is and by having the will to meet the issue.

The lines of responsibility for urban development are quite clearly drawn, and there should be no confusion, but often there is. There are basically three sectors of responsibility that share the obligations for urban development. We have the public sector, which we call government. We have the private sector, which we call our enterprise economy. And we have a volunteer sector, in which individuals share their time, talents and means unselfishly in the public interest.

No one of these can fill the role of either of the others. For a dynamic system, in the building of a community, we need strength and effectiveness in all three of these sectors. We need the desire for power or influence that fundamentally motivates the public sector, or government. We need the desire for profit that motivates the private or commercial sector. And we need the desire to serve others, which, in its purest form, motivates the volunteer sector.

The public sector is playing an increasing role in the affairs of our communities. Evidence is conclusive that we are experiencing the effects of a new federalism in our urban affairs; but now, as in the past, local initiative is still the decisive factor in the future of our communities. Our urban future does not rest in our national and state capitols as much as it does along our own city streets. No matter how much we share in federal or state programs, the initiative has to begin at home.

The great cities of the past have been built by governments with the power and the will to impose any social regulations and any land-use restrictions they wished on their servile people. Many of the urban treasures we travel the world to see were built by methods mankind will no longer condone. Many of the finer features of our American cities, such as art museums and music halls and libraries, were built with funds amassed by methods now frowned upon by federal and state laws and regulations.

We must build greatness into our cities and towns, however, under currently approved democratic processes. The private sector of business and industry as well as the active efforts of volunteer groups such as the Chamber of Commerce have important responsibilities in these processes. Yet the strength and will of local government must still be sufficient to cope with unpalatable developments in our urban environment. Any plan that seeks to control the growth of the city must have the support of government with the strength and will to resolve conflicts with self-serving vested interests. If local government does not meet such responsibilities, the new federalism will be-cause there is a ground-swell among the people for improvement.

The private sector of business and industry has a basic role in the future of our communities. Without the profits of our enterprise economy, there would be no funds for private investment and no expansion of tax revenue for essential public works and services. The forgotten element in many urban master plans is the necessity for people to make a living. No alternative has proved nearly as effective as the profit motive in stimulating and regulating economic activity.

Since industry is the segment of our creative wealth group that offers the most substantial expansion possibilities, the industrial climate becomes an increasingly important factor in the state's future. Industrial climate is the sum total influence of the attitude of citizens toward business and industry and the reflection of such attitudes in government controls, regulations and taxes.

The volunteer sector meets its public responsibility primarily through the teamwork of voluntarily organized action. Its dimensions are far greater than most people realize, in such organizations as the Chamber of Commerce, churches, trade and professional groups, labor unions, welfare agencies, fraternal and service groups, private foundations, and a thousand-and-one other classifications.

Through the application of voluntary teamwork at the local level, the Chamber of Commerce provides a mechanism for demonstrating democracy in action. It is a voluntary association of public spirited people who are willing to invest some of their personal services and resources to help build a greater community and a more prosperous area. The basic purpose of the city has not changed—it is still to provide a better life for a growing population. Neither has the basic purpose of the Chamber of Commerce changed—it is still to supply much of the initiative, the continuity of effort and the unifying influence to accomplish community goals. It harnesses the talent and imagination of community leaders in planning and performing sound programs for the economic and civic well-being of the community. The Chamber of Commerce is the vehicle through which voluntary manpower in effective teamwork helps to make our communities better places to live and work.

I stressed change in my opening remarks, and this fact of change is a constant challenge in the field of Chamber of Commerce service. Progress comes through change, and in providing the teamwork for voluntary effort in our communities, the Chamber of Commerce is a partner in this progress. If C. of C.'s are to continue to be effective, we must be shapers of change rather than caretakers of emergencies resulting from change. We have to be able to cope with change and turn it to the benefit of our communities.

Evidence of the changing role of the Chamber of Commerce is found in its increasing emphasis on long-range planning. We know the faster we drive an automobile, the farther down the road we have to look to avoid disaster. To meet the accelerating rate of change in today's world, we have to look farther ahead in our community goal-setting.

Evidence of the changing role of the Chamber of Commerce is also found in its increasing emphasis on area-wide coordination. Community issues are no longer confined to the boundaries of local governmental jurisdictions. The Chamber of Commerce has to provide leadership for finding area-wide answers for area-wide needs. Few community problems can be solved today in municipal isolation.

Evidence of the changing role of the Chamber of Commerce is found, third, in the increasing depth of our activities. The muckrakers of the past pictured the Chamber of Commerce as a publicity-seeking, booster type of organization characterized by empty claims. Today we have changed to such an extent that we have been defined as "the organizations which do those things for their communities that most people think just happen". Research, statistics, investigation, analysis, and problem-solving are typical of our current bag of tricks.

Evidence of the changing role of the Chamber of Commerce is found, fourth, in our more sustained efforts to achieve long-range goals. Long-range planning is one thing, but sustained efforts to achieve the goals established through long-range planning is something else. It is not unusual for a Chamber of Commerce to work through a half-dozen different city administrations in the achievement of some major community objective.

Out of the wealth of your resources and the skills of your people, Arkansas has brought to fulfillment many of the dreams of yesterday's leaders. Now it is for you, rather than for your children or their children, to determine what kind of a place this State and your communities will be in the future. Failure to meet this challenge most likely will condemn those who follow you to spreading problems of congested decadence, because you will grow in population and you will become more urbanized.

I know you have better hopes for your children than to have them impoverished by decadent business and industry, than to have their health periled by polluted water and air and inadequate sanitation, than to have their culture and character stunted by crowded schools, uninspired music and art, and churches lacking leadership and programs.

In summary, we are living in a new urbanized industrial age under rapidly changing conditions. But it should still be our goal to build our communities with vision and understanding, to give them nobility, safety and beauty, as well as utility, comfort and convenience. To do this, we have to believe in things of the spirit as well as in material things—in ideals, principles and character as well as in science, inventions and skyscrapers—in the willing acceptance of responsibility, not merely in the calm assumption of rights—in sympathy, love and understanding rather than in pride, arrogance and bigotry.

A community is people, and its development will largely result from the attitude, ability and action of its people.

VIETNAM

Mr. BYRD of Virginia. Mr. President, the dominant problem facing the United States today is Vietnam.

We now have within the border of that small Asian nation more than 400,000 Americans. If naval units are included, the number is 500,000.

Besides these, 300,000 have returned from service there.

The United States has suffered 44,000 casualties.

The lives of all young Americans—and their parents—are being seriously affected by the Vietnam war.

During the past 12 months the number of American military personnel in Vietnam has more than doubled.

Let us examine, briefly, the U.S. troop involvement in Vietnam.

A little less than 5 years ago, in March 1962, we had only 6,000 troops there—as military advisers. By the end of 1964 the total was only 23,300. But in mid-1965—less than 2 years ago—our commitment was sharply increased and at year's end the total stood at 181,000. Only 3 months later that number had grown to 240,000.

In fact, in one short year, from March 1965 to April 1966, U.S. troop commitments increased nearly tenfold—from 29,000 to 240,000. Within the last week we have seen this figure ominously pass the 400,000 mark.

I review these figures to show that no one can say what the future holds for us in additional troop commitments. But we can say, unpleasant though it may be, that the Nation is involved in a full-scale war. Already we have more troops in Vietnam than we had in Korea at the height of that war.

I, along with the Congress, have voted for every dollar asked in behalf of the American soldier in Vietnam. Men asked to risk their lives in the cause of freedom deserve every ounce of support their Nation can give them. Although I feel that the handling of the taxpayers' money is important, it is not the money that causes me concern; it is the lives of American troops that does.

But, while Congress has provided the dollars for the military supplies, the food, the medical necessities, our men require, we do not find this full support of the American soldier on every front.

This lack of support is reflected in Executive decisions that find our military commanders restricted in their efforts to cut the supply lines supporting the enemy on Vietnam battlegrounds and, also, in the councils of our allies who continue to trade with that enemy.

Is it the plan of our Government for us to continue in 1967 as we did in 1966?

Do we plan to send more and more troops to Vietnam and simultaneously prevent the military commanders in the field from taking adequate steps to cut off the supplies, the petroleum, the ammunition, the weapons, and eliminate the steel mills and the enemy airfields?

While the great buildup of American manpower in Vietnam was taking place, let us see what was taking place in regard to shipping into North Vietnam.

During the latter months of 1965, when the number of American troops in South Vietnam was being increased from 60,000 to 181,000, 44 allied ships, of which 35 were British, entered North Vietnam harbors during the months of October, November, and December.

Mr. President, it was not until the spring of 1966, and I submit as a result of speeches made on the floor of the Senate, including speeches by the Senator from Virginia, that there was any appreciable decrease of this allied shipping into the North Vietnamese harbors.

But as late as this past November—December figures are not available—ships flying the flag of Great Britain still were carrying cargo into and out of Haiphong.

Now, let us consider the role of the United Nations and our representative to the United Nations.

First, let me say this: The facts show that the appointment of Ambassador Goldberg to the U.S. Supreme Court and to the United Nations had my approval. My feeling about the United Nations has been recorded many times: Having returned from Okinawa to San Francisco at the time the United Nations was formed, it held for me high hopes that another generation of Americans would not be called upon to offer their lives for their country in war.

Now, let us consider the attitude of the United Nations toward American involvement in Vietnam.

The Senator from Virginia recently put this question to Ambassador Goldberg:

> Is the war in Viet Nam a United Nations war, or as it a United States war only?

Ambassador Goldberg's reply said this:

> The war in Viet Nam is neither a United Nations war nor a "United States only" war.

And then he added:

> While we are making the major contribution, substantial contributions have been made by a number of South Viet Nam's closest neighbors who are most directly concerned with the conflict. Some 50,000 men are in the field from five of these nations.

Let us analyze the 50,000 troops of "Vietnam's closest neighbors who are most directly concerned with the conflict."

The total figure, other than Americans, as of January 19, 1967, is 52,450. Of these, 45,440 come from Korea.

The other troops involved in Vietnam are as follows: Australian, 4,700; Philippines, 4,000; and New Zealand, 150.

According to the President of the United States in his message to the Congress, the United States has 500,000 men involved in Vietnam. Four other nations have a total of 52,450, of which 45,440 are Korean. I do not belittle the efforts of the four nations; I praise them for taking a stand alongside the United States.

A second question I put to Ambassador Goldberg is this:

> Does the United Nations consider North Vietnam an aggressor nation?

He replied that the United Nations "has taken no formal position on the Vietnamese war."

My next question to Ambassador Goldberg:

> Has the delegation of the United States to the United Nations officially sought United Nations military help in Vietnam?

Ambassador Goldberg replied thusly:

> Because of the sharply divided opinions of United Nations members, it is not realistic to seek a United Nations military role.

So the U.S. Government, while committing hundreds of thousands of troops to Vietnam, and while paying 31 percent of the cost of the United Nations, has not persisted in efforts to brand North Vietnam an aggressor nation saying: It is not realistic to seek military help from the United Nations.

Our representative does not even ask for United Nations help. He does not take to the floor of the U.N. Assembly or stand in the councils of the United Nations Security Council and officially demand that this world organization, which was designed to keep the peace, give some help to the United States.

The next question the Senator from Virginia asked Ambassador Goldberg was this:

> Has the United States delegation advocated economic sanctions against North Vietnam?

His answer amounted to "No."

The U.S. representative to the United Nations has, however, demanded economic sanctions against Rhodesia.

Our Government has not sought sanctions against North Vietnam through whose ports flow many of the war materials killing Americans in South Vietnam. No, we have not done that.

But our representative in the United Nations has demanded sanctions against the peaceful little country of Rhodesia. The Socialist Government of Great Britain cracked the whip and the representative of the U.S. Government at the United Nations jumped to his feet and demanded that sanctions be applied against Rhodesia, whose crime is that she is seeking independence from Great Britain, the crime that the United States itself committed in 1775.

In discussing this, Ambassador Goldberg said:

> The United Kingdom, which has primary responsibility for this problem, has turned to the United Nations for assistance.

I ask this question Mr. President: Why does not the United States seek United Nations assistance in Vietnam?

Because, Mr. Goldberg says, of "sharply divided opinions of United Nations members" concerning Vietnam.

So, because of "sharply divided opinions of United Nations members" our representative remains officially silent about economic sanctions against North Vietnam, yet speaks out for economic sanctions against a country that is threatening no other nation.

Is it logical to demand sanctions against a country at peace while being unwilling to demand the same sanctions against a country at whose hands the American people have suffered 44,000 casualties and whose sons' very lives are involved?

While a worldwide embargo has been put on the flow of oil to Rhodesia, the oil for war continues to flow freely to North Vietnam.

Perhaps this makes sense, but the Senator from Virginia is finding it difficult to reach that conclusion.

Another question I put to Ambassador Goldberg was this:

> Does the United States delegation to the United Nations think the United Nations should adopt sanctions against North Viet Nam?

Ambassador Goldberg said, "We would naturally welcome" such a decision, "but as a practical matter we know that this cannot be done."

I say, Mr. President, that whether or not this objective can be accomplished, Mr. Goldberg has an obligation to strive constantly for it.

But why does not he stand up in council and demand a rollcall vote? Let us see where Great Britain stands. Let us see if Great Britain is willing to vote sanctions against North Vietnam after demanding that we vote sanctions against Rhodesia. British ships, as I mentioned earlier, carried on a brisk trade with North Vietnam during the year 1966.

Why should not the other U.N. members be called on to cast a vote of "yea" or "nay" on a proposal to adopt sanctions against North Vietnam?

Maybe Mr. Goldberg can not accomplish this objective in the United Nations, but I am inclined to think that if he would spend half the time trying to help the American military effort in Vietnam that he did in seeking sanctions against Rhodesia, then the American people and their sons would be better off.

In arguing the case in favor of sanctions against Rhodesia, Ambassador Goldberg said this:

> What is happening in Rhodesia now is an effort to perpetuate the control of 6% of the population over the other 94%. . . .

Is it not a fact that in the Soviet Union the members of the Communist Party, comprising about 1 percent of the population and acting through a few leaders, control the other 99 percent of the people of that nation of nearly 200 million?

Is it not a fact that a handful of men control the destinies of all the people of Albania?

Is it not a fact that a handful of men control all the people in Bulgaria and in Rumania and in Yugoslavia?

Is it not a fact that Fidel Castro almost singlehanded, operating through a small Communist cadre, controls the lives and fortunes of nearly 7 million Cubans?

Is it not a fact that in the world's largest nation, China, the lives of nearly 700 million persons are controlled by a small Communist dictatorship?

Does Mr. Goldberg plan to advocate economic sanctions against any of these Communist countries?

I think the American people should be aware of this fact: That during 1966, 240 ships flying the flags of members of the United Nations carried cargo to and from the North Vietnamese port of Haiphong.

When I returned from Okinawa to San Francisco on that day in May in 1945 on which the United Nations was born, I had in my heart a hope that such a world organization would make it unnecessary for another generation of Americans to risk their lives overseas.

Yet, today, 22 years later, we find the United Nations concerning itself not with the aggressions of a nation killing Americans, but rather confining its activities to a nation at peace.

I speak not as one who is unfriendly to the British people. They have, in ages past and in the 20th century, given the world a full measure of the lesson of real democracy.

But I am alarmed over events in Vietnam. I am deeply concerned because every day more and more Americans die there. And while that conflict increasingly becomes an American war, the rest of the world, our friends included, are indifferent or even hostile.

The extent of its American nature was dramatized just this month by the removal of 100,000 South Vietnamese troops from our fighting ranks in their own country. They were given more peaceful roles; their replacement in combat are Americans.

I have three purposes in this speech today:

First, to put together in one place certain facts I feel the people of the United States should know.

Second, I feel, so long as we have great masses of American troops in Vietnam, that more freedom must be given our military leaders in determining how best to protect American troops and to bring the war to an early and honorable conclusion.

Third, I feel the time has come for the American people and their representatives to speak frankly and strongly in seeking military support from other nations. Too long has the United States submitted to pressure from other nations for help from us, but never do we seem willing to apply pressure in our behalf.

DEFERMENT OF HIGHWAY CONSTRUCTION

Mr. RANDOLPH. Mr. President, the United States of America, as has been said by several Senators earlier today, is in a period of rapid and challenging change. Those of us in the Senate, who are responsible for giving very careful attention to our highway construction programs, have the responsibility to rise on the floor of the Senate and speak to a problem that has arisen in the past several months; namely, the deferment by the President of the United States of the highway construction program.

I think it important at the outset to state, Mr. President, that we are a little more than halfway through the program of 41,000 miles of interstate and defense highways in the United States of America.

Although it was the largest public works program, in the history of the world, the job involves a program that is still to be brought to fruition.

I share the concern expressed by Members of the Senate over the November announcement freezing the obligation of Federal highway funds at a level of $3.3 billion during fiscal year 1967. Representatives of the American highway construction industry have placed the industry's case before the newly confirmed Secretary of Transportation, the Honorable Alan S. Boyd, who will now be substantially responsible for the Nation's road program. As a matter of fact, the huge highway obligation deferment was the subject of much discussion at Mr. Boyd's confirmation hearing on January 11.

Our concern is shared by Governors, by State highway officials, by those who represent the American Automobile Association, and by those who speak for the unions involved in highway construction. Unfortunately, it is not within my power to make the problems created by this action disappear with a wave of the hand. But I can and do express my concern and call for corrective actions

The decision to cut back the obligation of highway funds was made at the highest level of the executive branch of Government. The President's decision was, he announced, based on the state of our economy. The President has indicated that the action taken was necessary to ease the inflationary pressures which have resulted from our involvement in Vietnam and the resulting competition for available materials and labor.

The members of our Public Works Committee share the distress of the highway team over the fund deferments. Individually and collectively they have expressed their interest in doing something to alleviate this problem. I have counseled with the President three times, as recently as last Thursday night in a White House conference. I dispatched two messages to him from which I will quote.

Both Senate and House Public Works Committees will call for testimony from Federal Government representatives responsible for administration of our national highway system. We will discuss with them the ramifications of the deferment decision in an effort to determine the economic and program impacts of the President's orders.

The following brief message was sent to the President on Friday:

> THE PRESIDENT,
> *The White House.*
>
> DEAR MR. PRESIDENT: As stated at the White House last night, the November Executive Order freezing obligation of Federal-Aid Highway funds at a 3.3 billion dollar level, and the proposed additional 400 million dollar deferment of highway fund obligations have become sources of deep concern to members of the Senate. A substantial number of them have expressed their concern to me and to other members of the Public Works Committee and its Subcommittee on Roads, both of which I chair.
>
> It was helpful to have had the opportunity to discuss this subject again with you and the Director of the Budget. I appreciated your understanding attitude, and I feel reassured that the period of effectiveness of the highway obligation deferments will be held to a minimum.
>
> Nevertheless, it is incumbent to convey to you the feeling of many persons in both public and private sectors of highway programming and construction that severe damage to the program impends.
>
> Those who tooled up in response to the Federal admonition that the national system of Interstate and Defense Highways be completed as expeditiously as possible, feel frustrated and discouraged in degree.
>
> Our highways are vital to the long range economic development of the United States and to its growing population. Progress in highway program expansion and in highway construction technology are also essential in reducing the traffic accident and fatality rates.
>
> The Senate Public Works Committee will hold public hearings on this matter in late February. The Committee will desire that officials of the Executive Branch responsible for the highway program be available for discussions and counseling.
>
> JENNINGS RANDOLPH,
> *Chairman, Public Works Committee.*

In a more detailed communication to the executive department we anticipate expressing these views:

We have studied the transcript of the President's press conference No. 94, held Tuesday, January 17, 1967, in the President's Office, the White House. He discussed what he described as "the deferments and the withholding that we indicated to Chairman MILLS and others back in September we would attempt to make from last year's authorizations and appropriations." In the transcript, I read these explanations:

> We stated at that time that we would attempt * * * to withhold or defer or stretch out and postpone the equivalent of $3 billion, or at least $3 billion. It was $3 billion in Federal programs, and not expenditures.

The President pointed out that most of the newspaper and periodical articles referred to $3 billion in expenditure postponement or deferment, rather than to program withholding or stretch out. He emphasized that there is much difference between actions on slowing down programs and deferring expenditures. I note the comment that "in order to get the $3 billion in expenditures, it was necessary to go to $5 billion-plus in programs," and "we are still working to that end." By way of further explanation, the President said:

> We propose to reduce the program level not by $3 billion, but by $5.3 billion. We propose to reduce the expenditures by $3 billion.

Those explanations afford us a better insight into the background of the administration's efforts to defer $5.3 billion of Federal program, equivalent to approximately $3 billion in expenditures.

The President mentioned that "One of the bigger items is the obligation for roads," and reiterated that "we do plan definitely to withhold $1.1 billion, or to defer it" for "how long I don't know, but that depends on the economic situation."

Then the President added what I believe to be too much further uncertainty to the highway situation by stating:

> We have under consideration an additional $400 million.

Presumably—I am not sure that I am correct—this means $400 million of highway obligation deferments in addition to the $1.1 billion previously announced and reiterated at the Tuesday news conference.

There is encouragement in the statement that this contemplated $400 million "is not included in any of these figures"—the $5.3 billion of reductions in program level and the deferred expenditures in the amount of $3 billion.

The President stated further that "no determination has been made on it"—namely, the possible $400 million of additional highway obligation deferments.

As a Member of Congress, I have been made thoroughly cognizant, as have other Members of Congress, of our country's highway problems, status, and needs, through lengthy service on the old Committee on Roads in the House and now on the Subcommittee on Roads of the Senate Committee on Public Works—both of which I chair—and I doubt the need for the original $1.1 billion program of deferments. In my judgment, it is an unfortunate action. Accordingly, I feel it would be even more unfortunate and equally as unnecessary to defer obligations authorized for the States in an additional amount of $400 million. I urge that this further reduction be dropped. I do not believe the state of the economy makes these deferments necessary.

I am not convinced that the state of the economy demands the dislocations, delays, and depreciation that the proposed program and expenditure deferments will cause.

It is my belief that the proposed new surtax at a 6-percent rate, or some other suitable rate, would be a means of deflating an inflated economy without the need to interfere with progress toward meeting our Nation's highway needs. Those who advocate the so-called cutbacks on public works, or their deferment for unspecified periods, are not programing wisely, in my opinion.

Willingness on my part to support the surtax proposals—or any other new taxes—would be offset and perhaps discouraged by deferment of such programs so vital to America as keeping current with highway needs. We cannot safely defer attacking, through highway construction, the pyramiding problems of traffic density, urban area congestion, and traffic safety.

The argument is made that the authorized and appropriated funds affected by the program and expenditure deferments will accrue eventually to the programs and the projects for which the expenditures were authorized. Insofar as this argument is used to seek to justify highway construction deferments I believe it to be in error.

The deferrals and possible later massive restarts will create chaotic problems for highway administrators, engineers, road builders, contractors, labor unions, suppliers, and numerous other elements of both the public and private sectors of the economy. These conditions will illogically and adversely affect orderly progress, and may also create economic recession.

The President also stated:

> In case we wanted to, or in case we needed to, if the men should come home (from military service) and if we should have a need for extra jobs, we could immediately come up to Congress and say, "You have already authorized this. Give us some money now." He will come in with a supplemental for it. "We are now prepared," he said, "In case we do need jobs for our men, we will have projects that are available to them. We will not have to work them up over night."

I commend this purpose and this explanation, but it is difficult to rationalize a necessity to defer highway progress so extensively now in order to make jobs later. There are millions on millions of dollars involved in projects in public works and economic development program files which can be brought into being to make jobs without cutting back on highways.

The paradox of this cutback is that it comes at a time when the money being spent buys fewer miles of roads. And it occurs during a period when we seem to be falling behind in meeting our highway needs. In addition, the full economic effect of the withholding of these funds will not be felt until late this year and in early 1968.

The total highway program, which this year was expected to maintain the $15 billion level reached last year, will be 4½ percent under expectations. It is less than the level of activity for which plans had been made. However, it is not a precipitously sharp reduction. Hence, with proper adjustments, the lag could be overcome. I cannot predict an early termination of the cutback as long as there continues to be inferences from the White House that there will be additional withholding of highway funds from the states as anti-inflation measures.

Once the "freeze" is lifted, the highway team will have a responsibility to help place the Nation's highway program back on a reasonable schedule. As it is now, the program cannot be completed by the original target date. I do not need to tell my colleagues how important it is in terms of safety and human life, in national growth, and in public convenience that we complete the interstate highway program portion as soon as possible.

In the closing minutes, I would recall to Senators, as the Senator from Washington [Mr. Magnuson] has done in conversations with other Senators, that these funds are now within the highway trust fund, committed for highway construction. These funds have come into being through taxes which the highway users pay on tires, gasoline, oil, or other accessories. These funds are the funds of the people. They are committed to the orderly development of highways.

I hope that our hearings, beginning late in February, will be penetrating in nature and that Senators generally will assist members of the Committee on Public Works and the Subcommittee on Roads in doing a constructive, objective, but necessary job in connection with this greatest of all public works programs. We must insure the development of a highway system commensurate with the strength, growth, and the future well-being of the United States.

Mr. MAGNUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. Bartlett in the chair). Does the Senator yield?

Mr. RANDOLPH. I yield to the able Senator from Washington.

Mr. MAGNUSON. Mr. President, I am in complete and thorough agreement with much of what has been said by the distinguished Senator from West Virginia [Mr. Randolph]. Many of us have discussed this subject with him within the past 2 or 3 weeks.

I believe the reference of the Senator to the fact that this is a trust fund is true. The words literally mean "trust." We intended it to be a trust fund. These funds are not funds of the Federal Government in the sense that they are deposited in the Treasury, to be used according to the policymakers on the budget of Government expenditures or reflected in what should be done about Government taxes. These funds were deposited in the Treasury for trust keeping. In a sense they are not Government funds. They are funds of the people.

Mr. RANDOLPH. The Senator is correct.

Mr. MAGNUSON. Every person who drives a car pays, and he has a definite understanding that the money will be used to make better traveling conditions, as far as roads are concerned.

I derived a little more encouragement from the colloquy at the White House with the President on this matter than I did after the statement was issued. The Senator from West Virginia will recall that at the hearings in connection with the appointment of Alan Boyd to be Secretary of Transportation this matter was gone into by members of the Committee on Commerce. A statement was made that the reason for freezing the trust fund—putting it in a temporary freeze, so to speak—was so that the Government could borrow on the fund at a very low interest rate.

Is it the understanding of the Senator from West Virginia, as it is my understanding, that the President and the Director of the Budget gave us some assurance last Thursday night that there has been no intention to borrow from these funds? I got that understanding. I got the understanding that even though they might be putting them in the temporary freeze, or the icebox, as it were, no one was going to touch the fund, in that respect.

I believe that is encouraging, for if the Treasury gets into the habit of borrowing from the trust fund at a low interest rate, it could encourage the duration of the freeze.

The Senator has made a contribution in that respect. I believe that all of us are happy that the subcommittee of which the Senator is chairman is going to hold hearings on this matter, because keeping up with roadbuilding in this country is a most difficult problem.

There are several Senators who will appear to discuss the Interstate Highway System with the distinguished committee, wherein there may be a little problem, sometimes involving less than 50 miles in order to make the Interstate Highway a much more efficient one, due to the fact that many of the programs laying out the Interstate Highway System were submitted 10 or 12 years ago. Populations may have shifted and conditions may be different, and we may be coming in to ask for modest, very modest extensions.

Mr. RANDOLPH. Extensions of 1,000 miles perhaps.

Mr. MAGNUSON. Perhaps 1,000 miles would take care of the matter; perhaps 41,000 miles instead of 42,000 miles. The Senator from Alaska indicated that he would like 1 mile in Alaska, and we said we would give 2, which would mean an increase of 100 percent.

There is a serious problem in that respect and it is going to be much more difficult to settle if there is no light at the end of the tunnel; that is, that we are going to use these funds for the purpose for which it was stated they were going to be used.

I do not think that we can keep up with the traffic problem. We are always behind. Thus, I compliment the Senator on his talk. I think he is doing a sevice to point out the unique character of the highway funds. They are a little different from ordinary taxpayers' funds.

Mr. RANDOLPH. As the Senator has said so well, the President is concerned—as are we—about this situation.

Mr. MAGNUSON. Yes.

Mr. RANDOLPH. I would think that if they borrowed from the highway trust fund, if contemplated, and the President indicated that it was not, that would defeat the anti-inflationary feature.

Mr. MAGNUSON. Yes, I agree. Of course, it would be getting money at a much cheaper rate.

Mr. RANDOLPH. That is right.

Mr. MAGNUSON. It would be limited to the short term, but the Senator and I know, after all these years in the Senate, that once we start to find sources of cheaper money, it will be difficult to get the trust fund to open up again. Too often it might be used for that purpose. But, however, I am encouraged. I think the Senator from West Virginia understands that we can get this matter taken care of.

Mr. RANDOLPH. Yes. I think that section 209(e), of the Trust Fund Act requires that. It allows the Government to borrow money at a low rate of interest for other purposes.

Mr. MAGNUSON. Yes. I think it was emphatic that there was no intention to do that. I hope that they carry it out.

Mr. RANDOLPH. I am sure that we can find areas of affirmative action, even though the order of November has caused concern among Members of the Senate with respect to the continuation of the highway building programs in their States.

INTRODUCTION OF BILL—APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

Mr. RANDOLPH. Mr. President, I introduce, for appropriate reference, on behalf of myself, Senator JOHN SHERMAN COOPER, and other Members, a bill to supplement and amend the Appalachian regional development program. This legislation is designed to reauthorize the programs developed to assist in the economic revival of the 12-State region known as Appalachia.

What we are proposing is an authorization on the same scale as that which was approved by Congress in 1965. At that time, excluding the Appalachian highway system, we authorized $252,400,000 to carry out the program. This year we will consider a bill which would authorize the expenditure of $263,150,000. These authorizations would cover fiscal years 1968 and 1969.

The concept of Appalachia as a working partnership between the States and the Federal Government has proven itself in the 2 years the program has been in existence. Experience has indicated the need for certain changes.

The bill, which we introduced today, is designed to effect changes within the framework of original legislation. There are certain additional Federal programs which will be included under the umbrella of the Appalachian Regional Commission. Among these are low-income housing under the provisions of section 221 of the Housing Act of 1954, the extension of the availability of planning money under section 701 of the Housing Act of 1954 to the so-called local development districts, and planning under the Elementary and Secondary Education Act of 1965.

Pursuant to a recent note of the State members of the Commission 26 counties located in Mississippi would be added to the definition of the term "Appalachian Region."

The major change which we are presenting for comment would provide that the appropriation of funds for Appalachian regional development would be made directly to the Commission.

Based on the experience of the past 2 years, especially in view of the modest nature of the program when broken down into its constituent elements, the inclusion of appropriation requests for particular Appalachian programs in the larger budgets of executive departments which are responsible for implementing the individual programs, has deprived the Commission of the ability to propose, prepare, present and fight for the money it needs to make the total program work.

Another suggested amendment which would give the Commission itself the authority to approve programs likewise appears necessary if the program is to fulfill the promise it now holds for the revitalization of the Appalachian region. The partnership which I mentioned before is such that once any State involved has requested a particular project—and the Commission, including the Federal Cochairman—reviews and recommends it, it seems unnecessary and somewhat cumbersome for the agency carrying out the Federal portion of the program to have the final word on whether or not the program will in fact become a reality.

We undertook this program in 1965, in part, as an experiment in creative federalism. We looked to it as a test of the ability of State and local governments to more adequately meet their needs. If they are to do this, it seems to sponsors that we must give them the final word. The Federal interests in these programs will be properly and fully protected by the Federal cochairman, as has been so ably demonstrated by Federal Cochairman John Sweeney.

The Special Subcommittee on Economic Development will begin hearings on this legislation next week. These hearings will begin on January 24, and extend through January 25, 26 and 31, and February 1 and 2.

We will hear from the State cochairman of the Appalachian Regional Commission, the Honorable Hulett Smith, Governor of West Virginia, and from the Honorable John Sweeney, the Federal Cochairman, Members of the Senate, as well as from representatives of the Federal agencies who are involved in the Appalachian effort. These representatives, I might add, will be those members of the agencies who have the direct line responsibilities for carrying out the projects which heretofore have been recommended by the Appalachian Regional Commission. In addition, we will hear from a number of interested private citizens and groups.

The committee looks forward to these hearings as an opportunity to measure the success of the program, to test its strengths and to review its weaknesses. When we have completed our deliberations, we will report legislation which we are hopeful will enlist the full support of Members of the Senate.

Mr. President, we are glad that the President formally recommended such an extension of the Appalachian Regional Development Act, in a message to the Congress last week, and I ask unanimous consent to have a copy of the President's letter to the Vice President printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
January 20, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I recommend that the Congress extend the Appalachian Regional Development Act of 1965.

The Act was conceived in a true spirit of partnership. It was originated by the Governors of the Appalachian states. It was formed in close cooperation with the Executive Branch. And it was approved by the Congress of all the people.

That partnership has flourished. Working together through the Appalachian Regional Commission, the 12 Governors and the Federal Co-Chairman are bringing new hope—human and economic—to the 18 million people who live in Appalachia.

Today, there is a spirit of opportunity and purpose in a region where once prospects were bleak and hopes were dim.

Because of the work done by the Commission and cooperating Federal, state and local agencies—

51 hospitals have been completed or are under construction;

52 vocational education schools are being built;

Work is underway on 790 miles of the development highway system;

New libraries, airports, college classrooms and water resource projects are being pursued to completion;

Thousands of workers have been trained, hired and added to the payrolls.

During the past 2 years, the Appalachian partnership has proved the wisdom of cooperative Federal-state relationships. Let us continue that partnership for there is still much to be done to bring into Appalachia a full share of America's prosperity.

I therefore urge an extension of the Appalachian program in substantially the same form as it was enacted in 1965. I hope that the Commission's success in the past will insure its continuance in the future.

In my State of the Union Message, I expressed by intention to submit to the Congress a proposal to merge the present Deaprtments of Commerce and Labor into a single Cabinet-level Department. When that proposal is forwarded to the Congress, it will contain a recommendation that Federal activities relating to regional economic development and depressed areas be coordinated through the new Department. This Department would then have the basic responsibility for the Federal government's efforts in all of the regional commissions that have been or soon will be established, including the Appalachian Regional Commission.

In the meantime, I urge the Congress to extend the authorization for the Appalachian regional program.

Sincerely,

LYNDON B. JOHNSON.

Mr. **RANDOLPH**. Mr. President, I also ask that the bill lie on the desk for 10 days for additional cosponsors.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, will be held at the desk for 10 days, as requested by the Senator from West Virginia.

The bill (S. 602) to revise and extend the Appalachian Regional Development Act of 1965, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. **COOPER**. Mr. President, I am glad to join in introducing the Appalachian Regional Development Act Amendments of 1967 with my good friend the Senator from West Virginia [Mr. RANDOLPH], who has exercised great leadership in this field, not only on behalf of his own State and for the people of the Appalachian region, but also as a member and now chairman of the Senate Committee on Public Works.

A great deal of the support which led to the Appalachian regional development program came from Kentucky, and following the report of the President's Appalachian Regional Commission to President John F. Kennedy, containing the recommendations of the Governors, legislation was recommended, which I cosponsored with the Senator from West Virginia, and which was passed by the Senate in 1964.

President Johnson has taken great interest in the problems of the region, and we are glad that he has given the Appalachian development program full support. In 1965, I again joined Senator RANDOLPH in introducing S. 3, the Appalachian Regional Development Act, which was cosponsored by 45 other Members of the Senate, and which became law March 9, 1965.

The Appalachian program has brought new hope to the people of the region, and stands today as an outstanding example of State initiative, and cooperation with the Federal Government. In Kentucky work is already underway on 341 miles of roads within the Appalachian development highway system, of which 61 miles is in construction, and for which $60 million of the $300 million appropriated for this system has been allocated to Kentucky.

There has also been approved for Kentucky nearly $6 million in supplemental grant funds for vocational education, hospitals, libraries and other projects. The State has chosen to devote chief emphasis under the Appalachian program to construction of vocational educational facilities, and is also participating effectively in the land stabilization, conservation, and erosion control program.

One of the greatest accomplishments under the act, I think, is its demonstration that a group of States, different in many characteristics but having problems in common, can work so effectively, through their Governors, toward the solution of those problems with Federal cooperation and assistance.

The Appalachian Regional Development Act of 1965 included authorization for 6 years for its principal program, the Appalachian development highway system. However, authorization for appropriations through June 30, 1967, was provided for the other programs to be carried out under the act. Therefore, it is necessary to renew that authorization this year, and the Public Works Committee has scheduled hearings to begin tomorrow on the extension of the Appalachian program.

The bill Senator RANDOLPH and I introduce today, entitled "The Appalachian Regional Development Act Amendments of 1967," will continue for 2 years the programs for demonstration health facilities; land stabilization, conservation and erosion control; mining area restoration; vocational educational facilities; sewage treatment works, and grant-in-aid supplements. It proposes an authorization of $263 million, compared to $252 million authorized for the first 2 years, for these and all other programs under the act, except the highway system.

The second chief effect of the bill would be to provide that the appropriation of funds would be made directly to the Appalachian Regional Development Commission, which would then transfer funds to the operating agencies which carry out its programs.

The bill as it has been prepared proposes certain other changes, to be considered during the hearings and by our committee, and I ask unanimous consent that a brief explanation of the proposed bill and a summary of Appalachian program funds be printed in the RECORD following my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **COOPER**. Mr. President, the Appalachian regional development program is directed to a great and evident need, recognized by the Congress and the people of our country. The 18 million people living in the hills and valleys in the Appalachian region of a dozen States—including eastern Kentucky—have already seen the first results of this program providing support for transportation and flood protection, and for education and community development. As the Congress gives evidence of its continued support for this program, we know they will continue to work to make their contribution, and achieve a level of productivity and of living in which they and the Nation will take pride.

I am grateful to my friend from West Virginia, Senator RANDOLPH, for his work and for his kind words. I will join him in the Public Works Committee, and during the hearings of our Special Subcommittee on Economic Development, to secure full consideration of these proposals, and to bring a bill before the Senate.

I hope that other Members of the Senate will again join us in support of the Appalachian regional development program. It will benefit the Appalachian States, it is true, but it will also benefit the Nation.

EXHIBIT 1

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1967

The bill would—

1. Authorize appropriations for the period ending June 30, 1969, for all programs under the Act except the Appalachian Development Highway System—in effect continuing for two years financial assistance for Demonstration Health Facilities (Sec. 202); Land Stabilization, Conservation, and Erosion Control (Sec. 203); Timber Development Organizations (Sec. 204); Mining Area Restoration (Sec. 205); Vocational Educational Facilities (Sec. 211); Sewage Treatment Works (Sec. 212), and Supplements to Federal Grant-in-Aid Programs (Sec. 214).

The new authorization proposed for Section 401, which provides funds for these programs, is $263,150,000. This compares to $252,400,000 authorized for the period ending June 30, 1967.

2. Increase from 2,350 to 2,700 miles the length of the Appalachian development highway system, and from 1,000 to 2,000 the mileage of local access roads to be constructed. (Appropriation authority for this program is already provided in Sec. 201, effective through June 30, 1971 when the Act terminates.) The existing authorization of $840 million would be increased $175 million by providing, in addition to the $300 million already appropriated, specific fiscal year authorizations as follows: 1968—$110 million; 1969—$255 million; 1970—$245 million; 1971—$105 million.

The 350 miles added to the development highway system would provide for a highway corridor in New York State (added to the Region following a Senate amendment), and a connecting link in Pennsylvania. $140 million of the new authorization is for this purpose; the remaining $35 million is for the local access roads.

3. Authorize the Appalachian Regional Development Commission to approve for assistance the programs and projects authorized by the Act, and to advance funds appropriated under the Act to the departments and agencies implementing those programs and projects.

Applications for programs and projects are now approved for assistance by the Commission, following approval by the State member (Sec. 303). Programs and projects may not be implemented until plans for them have been recommended by the Commission, submitted to and approved or modified by the President or his designate (Sec. 223).

The amendments would permit the Commission to testify to the appropriations for the Appalachian program (now within the agency budgets at Commerce, HEW, Agriculture and Interior) by directing the appropriation to the Commission, which would then advance funds for its programs to the operational agencies.

4. Authorize a loan program under Section 221 of the National Housing Act, limited to $5 million of the funds authorized by Section 401, to be deposited in a revolving fund.

5. Add 26 counties in Mississippi to the Appalachian region.

6. Also include provisions to: Authorize the States to construct segments of the development highway system in advance of appropriations. Provide Commission employees certain Federal service credits. Reimburse the cost of attracting, training and retaining personnel at a demonstration health project. Add abandoned oil and gas wells, waste piles, and land acquisition costs, to the mining area restoration authority. Add "equipment" to the vocational educational facilities grant authority. Make local development districts eligible for planning grants under Section 701 of the Housing Act of 1954. Authorize grants under the Elementary and Secondary Act of 1965 to local education agencies and the Commission for educational planning and research. Transfer from the Secretary of Commerce to the Commission the authority to make grants for administrative expenses (and technical services) of local development districts.

(Summary prepared for Senator Cooper.)

Appalachian program funds (except development highways)

[In millions of dollars]

	Authorized, first 2 years [1]	Appropriated	Proposed, next 2 years [2]
Sec. 105. Administration	2.4	2.39	2
Sec. 202. Demonstration health facilities	69.0	23.5	70
Sec. 203. Land stabilization, conservation, erosion control	17.0	10	17
Sec. 204. Timber development organizations	5.0	1	4
Sec. 205. Mining area restoration	36.5	24.85	39.15
Sec. 206. Water resource survey	5.0	3.3	2
Sec. 207. Housing	--------	--------	5
Sec. 211. Vocational education facilities	16.0	16	18
Sec. 212. Sewage treatment works	6.0	6	6
Sec. 214. Grant-in-aid supplements	90.0	75	90
Sec. 302. Local development districts	5.5	5.25	10
Total under sec. 401	252.4	167.29	263.15

[1] Authorized by act of Mar. 9, 1965, for period through June 30, 1967.

[2] Proposed by amendments of 1967, for period through June 30, 1969

NOTE.—Does not include 6-year total of $840,000,000 for development highway system authorized by act of 1965 proposed to be increased $175,000,000 by amendments of 1967.

(Prepared for Senator Cooper.)

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

Mr. HOLLINGS. Mr. President, at the advent of Telstar, someone remarked, Was it not a shame that the greatest breakthrough in communications in the history of man should come at a time when man had nothing to say?

Called upon to make my maiden address, it also comes at a time when I have nothing to say that has not been said before—far more eloquently and with greater authority.

One significant thing should be observed first, however, and that is that the Presiding Officer, the Vice President of the United States, has put to rest the doubt with respect to the U.S. Senate being a continuing body.

It has been stated that the entire matter of rule XXII began with the introduction by the Senator from South Dakota [Mr. McGOVERN], of Resolution 6. However, I should like to think that the controversy really began on December 20 of last year, in a memorandum prepared by the American Law Division of the Library of Congress, entitled "Revision of Senate Rules at the Opening of a New Congress," and signed by Vincent A. Doyle, legislative attorney, referring to the fact that the Presiding Officer could really rule that the Senate could set aside, by majority vote, its present rules of itself being a continuing body without the Presiding Officer taking a stand.

Referring to the memorandum, it states on page 1:

> You have asked what procedures and suggested rulings seem to be most defensible and logical for placing before the Senate at the opening of a new Congress the question of the constitutional right of the majority to terminate debate on modification of Rule XXII. There is general agreement that the Presiding Officer cannot and should not decide the constitutional issue. There is, however, some disagreement about whether, in the absence of a unanimous consent agreement, there is any way, short of adopting a cloture petition, for the Senate to decide the issue unless the Presiding Officer simply puts the question to the Senate for a vote without debate.
>
> There are some who argue that any ruling of the Chair which permits a vote on the constitutional issue without following Rule XXII is in effect a decision by the Chair on the constitutional issue.

Not so, says the memorandum.

Mr. President, I ask unanimous consent to have the entire memorandum printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

THE LIBRARY OF CONGRESS,
Washington, D.C., December 20, 1966.

From: American Law Division.

Subject: Revision of Senate Rules at the Opening of a New Congress.

You have asked what procedures and suggested rulings seem to be most defensible and logical for placing before the Senate at the opening of a new Congress the question of the constitutional right of the majority to terminate debate on modification of Rule XXII. There is general agreement that the Presiding Officer cannot and should not decide the constitutional issue. There is, however, some disagreement about whether, in the absence of a unanimous-consent agreement, there is any way, short of adopting a cloture petition, for the Senate to decide the issue unless the Presiding Officer simply puts the question to the Senate for a vote without debate.

There are some who argue that any ruling of the Chair which permits a vote on the constitutional issue without following Rule XXII is in effect a decision by the Chair on the constitutional issue. Not so. Given an opportunity to vote, the majority might decide that Rule XXII was not unconstitutional. A ruling that debate must continue until cloture be invoked under Rule XXII is more nearly characterized as a decision by the Chair on the constitutional issue because it might effectively prevent the Senate from deciding the issue. Ideally, however, the parliamentary situation should develop so that the Vice President need give no ruling, nor even an opinion, on the constitutional issue. Such a development seems possible, though, to be sure, a new trail would be blazed. It is a trail, however, marked by some favorable precedents.

One parliamentary fact of life sometimes overlooked is that the Rule XXII procedure is not the only one available for limiting or terminating debate on a matter. Watkins and Riddick in *Senate Procedure* list 27 nondebatable matters (S. Doc. No. 44, 88th Cong., 1st Sess., pp. 325–327). If the constitutional issue were so framed that the Senate could vote upon it as a non-debatable matter, there would be no need for a decision of the Chair on the issue. In his remarks at the opening of the 85th, 86th and 87th Congresses, Vice President Nixon pointed the way. Perhaps the most significant of his comments were made in 1959:

"If, for example, during the course of the debate on the motion of the Senator from Texas, which deals with changing the rules, a Senator believes that action should be taken and debate closed, such Senator at that time could, in the opinion of the Chair, raise the constitutional question by moving to cut off debate. The Chair would indicate his opinion that such a motion was in order but would submit the question to the Senate for its decision." CONGRESSIONAL RECORD, volume 105, part 1, page 9.

And later in that session he said:

"A constitutional question would be presented if the time should come during the course of the debate when action on changing the rules should seem unlikely because of extended debate. At that point any Member of the Senate, in the opinion of the Chair, would have the right to move to cut off debate. *Such a motion would be questioned by raising a point of order.* At that point the Chair would submit the question to the Senate on the ground that a constitutional question had been raised because of the Chair's opinion that the Senate, at the commencement of a new Congress, has the power to make its rules. That power, in the Chair's opinion, cannot be restricted even by action of the Senate itself, which would be the case where the membership of the

Senate in one Congress has attempted to curtail the constitutional right of the membership of the Senate in another Congress to adopt its rules." CONGRESSIONAL RECORD, volume 105, part 1, page 103 (emphasis added).

Although these statements pointed the way, we cannot know for certain where Vice President Nixon's path might have led because that year the Senate voted on a resolution to amend Rule XXII under the terms of a unanimous consent agreement. The Nixon path was not followed in 1961 because the rules change resolution was referred to committee and by the time it reached the floor again Vice President Johnson was in the Chair and a vote to invoke cloture failed by a vote of 37–43.

The Senate proceedings in 1963, in connection with S. Res. 9, deserve careful consideration. As the situation was described by Joseph L. Rauh in his memorandum of October 14, 1966, prepared for the Leadership Conference on Civil Rights:

"In January *1963*, the times were ripe for victory. A clear majority of the Senators favored changing Rule XXII at the opening of the Senate of the 88th Congress. With this majority behind him, Senator Anderson, the floor leader of the effort to change Rule XXII, moved to close debate under the Constitution and the Nixon advisory rulings; this move was frustrated when Vice President Johnson put the Anderson motion to close debate to the Senate for *debate* instead of *for a vote* (as Vice President Nixon had indicated he would have done). Putting the Anderson motion to close debate to the Senate *for debate*, of course, had the effect of killing the motion; this forced the supporters of a change in Rule XXII to a cloture motion which was lost 54–42 (less than two-thirds)." Rauh memo, *supra*, p. 3.

There are at least two observations to be made about this account. First, from Vice President Nixon's remarks, it is not at all certain that he would have proceeded to put the motion to close debate to an immediate vote. What he said at CONGRESSIONAL RECORD, volume 105, part 1, page 103 was that when the motion to cut off debate was made, *"Such a motion would be questioned by raising a point of order"* (emphasis added). Second, what Vice President Johnson did in 1963 was to decide himself that the Anderson motion raised a constitutional question rather than wait for a Member of the Senate to make a point of order against the motion. Senator Anderson sent the following motion to the desk:

"I move under the Constitution that without further debate the Chair submit the pending question to the Senate for a vote." (The pending question was the motion to proceed to the consideration of S. Res. 9 to amend Rule XXII).

Immediately, the Vice President spoke as follows:

"The VICE PRESIDENT. This motion raises explicitly a constitutional question. There have been 38 previous occupants of this chair, and the Parliamentarian informs me that all of the decisions have been uniform, that the Presiding Officer does not have the authority to rule on a constitutional matter. The Chair is in full agreement with those precedents, because the Vice President cannot make a decision for 100 Senators, unless he has previously been granted the authority to make that decision. . . .

"This the Senate can do by a majority vote. Therefore, the Chair submits the question:

"Does a majority of the Senate have the right under the Constitution to terminate debate at the beginning of a session and proceed to an immediate vote on a rule change notwithstanding the provisions of existing Senate rules?" CONGRESSIONAL RECORD, volume 109, part 1, page 1214.

The Vice President was not required to make his own determination that the Anderson motion presented a constitutional question. He could have, and on many occasions other Presiding Officers have, waited until a Senator had made a point of order against the motion. Had he waited for a point of order, the question submitted to the Senate (for debate because points of order submitted to the Senate are ordinarily debatable) would have been something like:

"Shall the point of order against the Anderson motion on the grounds that it is authorized by neither the Constitution nor he rules of the Senate be sustained?"

This difference in the manner in which the question arises and the way it is framed for the Senate's decision makes all the difference in the world in what a majority can decide. As you know, a motion to table is not debatable. A motion to table a question like that presented to the Senate in 1963 is in effect a motion to table the Anderson motion. A motion to table the point of order against the Anderson motion, if successful, however, would in effect be a rejection by the Senate of the point of order. As Senator Russell said in 1957, after Vice President Nixon had submitted to the Senate for debate and decision a point of order made by Senator Russell and had ruled that a motion to table would be in order:

"I wish to make it perfectly clear that there is a rule, of course, that when a point of order to a ruling is pending, if a motion to table is made and the motion prevails, it is the sense that the point of order was not well taken and the precedent would be established against the point of order." CONGRESSIONAL RECORD, volume 103, part 7, page 9817.

His colloquy with the Vice President continued:

"The Chair rules, as I understand, that were the Chair by his own action has submitted a point of order to the Senate for determination, that a motion to table would lie?

"The VICE PRESIDENT. Under Rule XXII, in the opinion of the Chair, that is a question to which a point of order would lie.

"Mr. RUSSELL. When the motion is made, a Senator could protect himself by a point of order against a motion to table. Is that correct?

"The VICE PRESIDENT. A Senator can always appeal from the decision of the Chair, if that is what the Senator from Georgia refers to."

If we assume that debate on a rules change at the beginning of the 90th Congress proceeds as it did in the 89th Congress, a different result can be reached if a proponent of the change makes a motion something like:

I move that the Senate, immediately and without further debate (or with a specific time for debate, perhaps allowing one hour for each Senator) direct the Chair to submit to the Senate for a vote the following questions:

1. Shall the Senate adopt the X amendment to the Y substitute for the Z motion to change the Senate rules? (majority of those present and voting);

2. Shall the Senate adopt the Y substitute (as amended or not by the preceding vote) to the Z motion to change the Senate rules? (constitutional majority);

3. Shall the Senate adopt the Z motion (as amended or not by the preceding votes) to change the Senate rules? (three-fifths of those present and voting);

and, that the Senate further direct the Chair to put to the Senate for a vote the question on the adoption of this motion, without further debate, immediately after the Senate has decided that this motion is proper by refusing to sustain a point of order against it, whether by approving a motion to table the point of order or otherwise.

Immediately after the motion was made, the Vice President could recognize a Senator whom he knew would make a point of order against the motion in language something like:

I make the point of order that this motion is improper and not authorized by the Constitution or rules of the Senate.

The Vice President would submit the point of order to the Senate for debate because it raises a constitutional question. The question he would submit is: "Shall the point of order that the motion is improper because not authorized by the Constitution or rules of the Senate be sustained"?

To parliamentary inquiries, the Vice President would reply that the majority of the Senate by failing to sustain the point of order would be directing him to proceed as the motion provides.

After debate had proceeded for some time a proponent of the rules change would make a motion to table. "A motion to lay on the table a point of order submitted to the Senate is in order and not debatable." Watkins and Riddick, *supra*, p. 473 As Senator Russell acknowledged (CONGRESSIONAL RECORD, vol. 103, pt. 7, p. 9817), "if a motion to table is made and the motion prevails, it is the sense that the point of order was not well taken, and the precedent would be established against the point of order." If a point of order were made against the motion to table, the Vice President would rule the point of order not well taken, for which ruling there is precedent as indicated above. If an appeal were taken from the Vice President's ruling, any subsequent questions of order would be decided without debate and "any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer". Rule XX, par. 1.

If the motion to table the point of order against the motion to vote on the rules without further debate (or with limited debate) prevailed, the Vice President would then proceed as the motion, which the Senate had decided was not improper, directed him to proceed. The Senate would have decided the constitutional question and the Vice President would not have had to give an opinion upon it, nor would he have had to make any ruling not grounded in Senate precedents.

[From hearings, Senate Committee on Rules and Administration, 82d Cong., 1951]

WRITTEN STATEMENT FROM THE LIBERAL PARTY OF NEW YORK STATE RESPECTING ITS POSITION ON PROPOSALS TO AMEND THE SENATE CLOTURE RULE

The 1951 national legislative program of the Liberal Party is founded upon the conviction that our country is in a total emergency and that we are confronted with a struggle for survival and for the preservation of our democratic way of life. It is the further profound belief of the Liberal Party that it would be the height of folly and danger to regard the communist aggression in Korea as a self-contained phenomenon. On the contrary, we view the Communist adventure in Korea as a symptom of and testimony to the entire Soviet program of expansionism toward world domination. It is upon the basis of these convictions that we have urged upon our government a program of total preparedness. To us this means a mobilization of our spiritual as well as our material resources.

Very properly, we are endeavoring to secure allies in our ideological battle between the democracy in which we believe and the totalitarian philosophy of communism. This means we must practice democracy to the fullest possible extent or our preachments will be to no avail. It behooves us therefore, to strengthen our democratic structure by shoring up such weak spots as still exist. One such weakness is evident in Senate cloture rules to date which through the years have proved unsuccessful in breaking filibusters thereby preventing Senate action on the merits of various legislative proposals. We cannot hope to convince the rest of the world of the greatness of our democratic forms in the face of a situation in which the world sees the Senate of the United States unable to function on important occasions because of filibustering tactics.

The Liberal Party would jealously guard the right of a minority of the Senate to adequate time within which to present its side of every issue and toward this end sufficient safeguards must be a part of any Senate rule to limit debate. Adequate debate, however, does not mean interminable debates. The former is necessary to preserve our democratic institutions. The latter not only reflects unfavorably upon the prestige of the Senate and its members, but causes irreparable moral, spiritual and economic harm to our country.

We have consistently called for a majority cloture rule applicable to procedural and legislative measures alike. Among the four resolutions under consideration, we support Senate Resolution No. 105 which, if adopted, would serve to break filibusters, while at the same time providing for full and adequate time for debate. Limiting debate by a majority of those Senators present and voting 14 days after a petition for cloture has been filed by 16 Senators, and thereafter allowing an additional 96 hours of debate on the basis of 1 hour of relevant debate for each Senator, appears to us to be fair and equitable to both the minority and majority points of view on any given issue.

Respectfully yours,

MARX LEWIS,
Chairman, National Legislative Committee, Liberal Party.

BEN DAVIDSON,
Executive Director, Liberal Party.

SUPPLEMENTAL WRITTEN STATEMENT SETTING FORTH TWO PROPOSALS FOR BREAKING FILIBUSTERS BY A SIMPLE MAJORITY VOTE

(Presented by Walter P. Reuther, president and director of the fair practices and antidiscrimination department, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW–CIO)

During my testimony before this committee October 3, 1951, in the course of which I had presented a statement and brief supporting our contention that Senate rule XXII violates the Constitution of the United States by—

(1) Substituting minority rule for the majority rule intended by the Constitution, and

(2) Attempting to bind the present Senate and future Senates with the dead hand of past Senates and to deprive them of their constitutional rulemaking power,

it was asked as to how the Senate could rid itself of the guaranty of unlimited debate provided in rule XXII for all discussions of motions to take up proposed changes in this or any other Senate rule.

In compliance with the chairman's request made then for a supplemental statement regarding the two proposals offered by me as to methods whereby the Senate by simple majority vote can get itself out of the dead end of filibuster alley, we present the following matter for inclusion in the record of the hearings.

On October 2, while Senator Humphrey was testifying in support of limiting debate by simple majority vote, as provided in the Morse-Humphrey and Lehman resolutions, Senator Benton observed that "the logic is on your side; the guns are on the other side."

We do not believe the filibusterers have the only guns. We believe it possible to disarm them. This can be done whenever the majority of the Senate and the President of the Senate make up their minds to do so.

We believe that the surest and most powerful weapon, the Constitution of the United States, is on the side of those who want action by majority vote, not talk by a minority of Senators that vetoes necessary action and dictates unsatisfactory and dangerous compromises.

Majority rule can be made an operating fact in the United States Senate whenever a majority of the Senate, assisted by the President of the Senate, decide they want majority vote.

In the following restatement of the proposals made by me October 3, 1951, which were based on the contention in our brief that the present rule XXII contains the two fatal constitutional defects described above, we have met some of the questions raised in the October 3 discussion and, recognizing one obstacle pointed out by Senator Monroney, we are suggesting a way to avoid it.

Proposal No. 1.—When the new Senate of the Eighty-third Congress convenes January 3, 1953, the following procedure can be adopted:

(1) After the credentials have been submitted and accepted, a Senator can rise and move the adoption of the Rules of the Senate of the Eighty-third Congress which he will then submit to the body. These rules may include a new rule XXII providing for limitation of debate by majority vote. He may state, in making his submission, that there are no existing rules of the Senate because the rules of one Senate cannot bind a succeeding Senate. Also, he may point out that, until adoption of rules, there is no committee to which his motion can be referred.

(2) It can be expected that a point of order will be made that the motion is out of order since, it will be contended, there are existing rules which can only be amended as provided through the present rule.

(3) The President of the Senate must rule on this point of order.

(4) His ruling, if he rejects the point of order,[1] is subject to an appeal. Under general parliamentary rules, which would be in effect during the period prior to the adoption of specific rules, the appeal can be debated, although most parliamentary authorities limit the debate to one speech by each person.

Should the minority group attempt to turn the debate on the appeal from the ruling of the Chair into a filibuster, the debate can be cut off either by a motion to lay on the table or by moving the previous question. A majority vote in favor of the motion to table would operate to affirm the Chair's ruling. A majority vote in favor of the call for the previous question would permit an immediate vote on the appeal.

(5) If the ruling of the Chair is sustained by a majority vote, the Senate will be able to adopt rules for the Senate of the Eighty-third Congress by regular parliamentary procedure of majority vote. If a filibuster should be attempted at this point, it can again be dealt with by the parliamentary device of moving the previous question outlined in step 4, above. It is significant that the Speaker of the House, at the time of an attempt to prevent the adoption of rules by repeated dilatory motions, ruled that he would not refuse to recognize Members attempting these delaying tactics as they were interfering with the constitutional right of the House to determine its rules (Cannon, Precedents, vol. 5, secs. 5706, 5707).

Proposal No. 2.—This committee has had eloquent warnings that it cannot wait until 1953 to solve vital problems before the Nation.

The world is looking to us for evidence of our sincerity on the issue of human freedom and equality.

As set forth in our statement, our manpower needs in defense mobilization and production and equal justice require the establishment and enforcement, without further delay, of fair employment practices.

Action should be taken now. A way to do so is as follows:

(1) The Senate Rules Committee should report out a new rule XXII providing for majority cloture. In so doing, it would state that the present rule XXII is unconstitutional; therefore, it would report, not an amendment to that rule, but a new rule.

(2) A motion is made to take up the proposed majority cloture rule.

(3) A point of order that there is an existing rule can be expected.

(4) The President of the Senate must rule on this point of order.

(5) His ruling, if he rejects the point of order [2] is subject to an appeal. That appeal would be governed by Senate rule XX, and, under that rule, any abuse of debate could be ended by a motion to lay the appeal on the table. This motion, if carried, would be an affirmance of the Chair's ruling.

(6) the motion to take up the consideration of the cloture rule now being in order, a filibuster will, in all probability, commence against the motion to take up the rule.

(7) There being no rule on cloture, normal parliamentary practices will prevail in determining what the cloture rule should be. The new cloture rule could be adopted by a majority vote and the regular parliamentary devices of a motion to close debate or motion for the previous question would be available to cut off any attempt to filibuster the adoption of the new rule.

These two proposals are made on these basic assumptions:

(1) That a majority of the Senate and its President want an effective cloture rule, want cloture to be determined by majority vote, want the Senate to be able to come to a vote on the crucial issues facing it today; and

(2) That the American people want the Senate to be an acting, not talking legislative body and that in 1953, if not now, there will be a majority of the Senate ready to take necessary steps such as those we have outlined for ending rule by a Senate minority and for procuring an effective cloture rule that will make possible the establishment and practice of majority rule in the United States Senate.

We recommend and urge a trial of proposal No. 2 in the present Senate, accompanied by full delineation of the grave constitutional crisis that exists and the important substantive issues, such as civil rights legislation, that are at stake.

Should the attempt succeed, the Senate by majority vote will have cured itself of its own infirmity which the Eighty-first Senate unconstitutionally sought to impose upon all future Senates to the end of time.

Should the attempt fail, the American people will have a clear understanding of the great fundamental issues at stake; they will have a roll call for use in the 1952 political campaign.

In any event, whether the attempt succeeds, fails, or is not made in the present Senate, we recognize and welcome the fact that majority rule in the Senate of the United States is now and will be the No. 1 civil rights issue in the 1952 campaign and elections.

This is as it should be. For both major political parties, to continue to give lip serv-

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[1] If the Vice President should support the point of order, thereby declaring rule XXII adopted by the 81st Senate binding upon the 83rd Senate, there would be the possibility of unlimited debate on the appeal, as Senator Monroney pointed out in the hearings October 3. Such a ruling, together with a filibuster, could prevent the majority from expressing its will. For practical purposes, the 83rd Senate would be deprived of the rule-making power assigned to it by art. I, sec. 5 of the Constitution. (See pp. 19–20 of our brief.)

[2] See footnote 1.

> ice to civil rights legislation, including FEPC, antilynch, anti-poll-tax, and other long overdue measures while acquiescing in continued strangulation of such legislation by veto of a minority under the unconstitutional rule XXII would be to continue a colossal hoax upon the American people; they would continue to condone costly and tragic economic and political injustice for Negroes and members of other minority groups whose sons fight and die to defend freedoms and rights they do not now have in full and equal measure.
>
> Majority rule must be established in the United States Senate. A rule that will make it possible must be substituted for the present antidemocratic, unconstitutional rule XXII adopted by the Eighty-first Senate and presumptuously intended to bind and limit all future Senates.
>
> A Vice President and a majority of the Senate determined to use majority rule to put into practice the oft-repeated pledges of civil rights in the platforms of both the Republican and Democratic Parties can accomplish that end.

Mr. HOLLINGS. Mr. President, referring, again, to page 2:

> Given an opportunity to vote, the majority might decide that Rule XXII was not unconstitutional. A ruling that debate must continue until cloture be invoked under Rule XXII is more nearly characterized as a decision by the Chair on the constitutional issue because it might effectively prevent the Senate from deciding the issue. Ideally, however, the parliamentary situation should develop so that the Vice President need give no ruling, nor even an opinion, on the constitutional issue. Such a development seems possible, though, to be sure, a new trail would be blazed. It is a trail, however, marked by some favorable precedents.

The author concludes in the final paragraph:

> If the motion to table the point of order against the motion to vote on the rules without further debate (or with limited debate) prevailed, the Vice President would then proceed as the motion, which the Senate had decided was not improper, directed him to proceed. The Senate would have decided the constitutional question and the Vice President would not have had to give an opinion upon it, nor would he have had to make any ruling not grounded in Senate precedents.

I am pleased, that the Vice President did not see fit to duck the issue, as was suggested by those who were trying to change in a unique fashion the rules of the Senate and the precedents of the Senate itself as a continuing body.

But, rather, on January 18, on page 925 of the Congressional Record, there appears a statement made by me at the time that the Chair had made a ruling on the point of order by the distinguished Senator from Georgia as to a division of the question, that the Chair ruled in accordance with rule XVIII and that subsequently, during the morning, the Chair ruled in confirming rule XX of the Standing Rules of the Senate.

When I asked what the position of the Chair was as to whether this body was presently operating under the Standing Rules of the Senate, the Vice President ruled as follows:

> The answer to the Senator's question is that the rules of the Senate shall continue from one Congress to the next unless changed as provided in these rules.

Obviously, this was a ruling in support of rule XXXII as to the Senate being a continuing body; and, having once ruled that way, it must be agreed that the various gaps in the rulings of Vice President Nixon and other Presiding Officers, as referred to in the memorandum of Mr. Doyle, have now been filled. The Presiding Officer, at the beginning of a session, when the subject was raised, and while a point of order as to the constitutionality of a particular section was raised, answered that rule XXXII held and controlled; that is, that the Senate is a continuing body and that the rules could be changed only in accordance with the provisions of the rules.

It is certainly obvious that a Senator cannot merely amend a single rule by saying, "I raise a constitutional question, Mr. President, as to the constitutionality of rule I"—or rule XV, or rule XXII.

Obviously, the Standing Rules of the Senate were enacted in accordance with section I, article 5, of the U.S. Constitution; and if any one of the rules is constitutional, then all the rules are constitutional; and the way to amend or change those rules at the beginning of a session is in accordance with those rules.

I am proud that the Presiding Officer saw fit to rule on January 18 as he did and filled in the gap in the understanding of the proponents that the rules could be changed merely by raising a constitutional question. It has also been so held by the Senate, by a substantial vote of 61 to 37, raised on the question as to whether or not a majority of this body believes, constitutionally or not, that a single change can be made in the rules only by a temporary majority. It found that is not constitutional, and accordingly, now we are at the point of the proposed rule change to change the rule from a requirement of two-thirds to a three-fifths majority of Senators present and voting.

The most respected Senator from Georgia, Richard Russell, at the beginning of this debate emphasized that all the arguments employed over the years for advocating the change of rule XXII have now been answered. The proponents have no civil rights bill to point to—that the rights of the individual have been lost in a parlimentary maze. And the Senator has also pointed out with equal eloquence the fact that on the one hand no legislation can be pointed to as having been blocked by rule XXII. On the other hand, in his 30 years' experience, precipitous action on the part of our Government has been avoided by the safeguard of rule XXII of this body.

With the on-rush of speed in communications in everyday life, I hope in my remarks to emphasize rule XXII as a safeguard to precipitous action. I would emphasize the rules as a safeguard to minority rights and freedom of speech. And I would emphasize the history of this Senate as a continuing body, and its value as a continuing body.

I was for freedom of speech, the right to talk and—on behalf of new Members—the right to listen.

I had pledged, in becoming a Member of the Senate, as all new Members are told, to listen and to get the feeling of things.

We respect the experience of our senior colleagues, and it is very interesting that in the early days I would be asked to talk in an effort to protect that right to listen, because here in the Senate we are separated by seniority and by party. Unless this right of free speech is protected, how else can a new Member on my side of the aisle know the feelings of the people in Kentucky, California, Delaware, or Kansas?

If in the beginning days we had a temporary majority controlling, debate would easily have been cut off before these Senators could have heard these speeches and represented their States; and the primary duty of a U.S. Senator to reflect the feeling of his State and vote for the good of the entire country would have been somewhat stultified because there were many things that, in the normal course of doing business in this wonderful body, a newcomer or one separated by party could not have heard from other sections of this Nation.

For if by simple majority rule the proponents prevail today, then a temporary majority can create havoc and cut off practically half of the Senate from being heard at any time. The right of that minority to represent their States would be eliminated. Their views would not be heard. And the paramount duty of acting for the good of the country could never be done. A temporary majority, restless of "wasting time," could call for a vote and a vote there would be, and States not represented in the combine would never be heard. I would like to listen to these States.

But even the realization that whatever I say has been said better does not diminish the need I feel for defending what I genuinely believe to be a basic premise upon which this U.S. Senate and, indeed, this Nation as a whole is predicated—majority leadership assured, but never at the expense of minority rights.

The remarks of the distinguished senior Senator from my sister State on last Thursday expressed brilliantly the position I believe to be the only constitutionally sound one.

Senator Russell said:

> It has been demonstrated that they (the majority) can pass their bills under the present rules. Not only that, but a determined majority in the Senate has passed every bill they desired to pass when in the hearts and minds of the majority of the Senators they wanted the bill, since I became a Member of this body.

Why, then? Why, when the proof of the possible is so evident for anyone to see? Why, when the weight of evidence contradicts so forcefully the contentions of the opponents to minority guarantees must we sit now and genuinely fear for the preservation of so sacred a principle?

One of the proponents of changing rule XXII has said on the floor of the Senate within the past week that the Constitution of the United States provides for majority rule—not by a majority of the whole body—but by a majority of those present and voting.

I submit, Mr. President, that this is wrong. I submit that this interpretation of the intent of the sacred document that has guided all the actions of all Senators since the inception of this great body cannot be justified.

As I read the Constitution, Mr. President, it says in the very first amendment:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances * * * or abridging the freedom of speech.

That phrase demands special attention because no phrase in all of our history has more universally been discussed, defended, rediscussed, and redefended.

I submit, Mr. President, that just as politics is our forte, so words and semantics are the game of the staff that comprises the G. & C. Merriam Co., which writes what must surely be the official dictionary of the Federal Government, and indeed the entire Nation—Webster's Unabridged.

That book, Mr. President, defines "abridge" as "(1) (a) to deprive; (1) (b) to diminish (as a right) by reducing; (2) to shorten in duration. To shorten or cut down in extent."

I believe, then, that the Constitution itself specificially prohibits total rule by a simple majority and the deprivation of anyone's right to full expression, and I believe those who fought the first battle—the framing of an acceptable document to weld a jealous, loosely knit set of far-flung colonies together—recognized this. There is ample evidence that this is so.

They provided in many instances for votes requiring a majority of two-thirds.

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present. That can be found in article I, section 3.

Each House, with the concurrence of two-thirds, may expel a Member. That, too, is in article I, section 5.

In section 7 of this same article, it is provided that a bill returned by the President with his objections may be repassed by each House by a vote of two-thirds.

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. The Constitution provides for this in article II, section 2.

The Constitution further provides that Congress shall call a convention for proposing amendments to this document on the application of two-thirds of the legislatures of the several States.

The 12th amendment to the Constitution provides that when the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union. This same amendment further provides that a quorum of the Senate when choosing a Vice President shall consist of two-thirds of the whole number of Senators.

So, Mr. President, I say again, to argue that the Constitution of these United States provides for rule by a simple majority is not found within the provisions of the Constitution itself.

There are too many instances where much more than a simple majority was specifically required for constitutional acceptance for this not to be so. If the framers of the Constitution—men who spent much more time than we in debating the merits and demerits of each word, every phrase and every idea—had intended that a simple majority should rule, they would have said so.

What, then are the arguments of those who would silence the sound of the few, in order to more quickly magnify the voice of the many?

The Constitution says "no" to their charade.

The basic choice of right from wrong cries "no" to their demands.

The precedents set by those who have traveled the long road we now embark upon refute the claims of the impatient ones among us who feel that their beliefs must prevail now, that their will must be worked without interference from those of a different will.

Mr. President, I, as did all of those who now sit in this august body, worked hard to get here. I do not maintain that my will shall be done, but I do maintain that my thoughts, my beliefs, my ideas, and my position on the important issues we will confront have just as much right to full expression as those of any Member of this Senate.

I have traveled my State well over these past 12 months. I have talked with my people. They have talked genuinely to me about the principles they feel must be defended by us in the Senate; and I intend to see that their confidence in me, their trust in my ability to guarantee expression of those principles, is justified.

Some years ago before I presided in the senate of the State of South Carolina, the ruling had been made—and as presiding officer I was able to sustain the precedent—that the senate of the State of South Carolina was a continuing body, as the Senate of the United States is a continuing body. It cannot be said that in the senate of the State of South Carolina we have a substantial liberal bloc. Whether this situation is good or bad is another question. Other bodies of the several colonies, and later States, of this great Union, following the precedents made in the Senate of the United States, have ruled that their State senates are continuing bodies, without reference to a conservative or liberal wing, thought, or influence.

A great but obscure writer once said that the strength of this great Nation lies not in the views of her manageable majority but in the ideas of her unmanageable minority.

Somewhere, Mr. President, there must be a solid line of defense against total rule by a simple majority.

There must be a safeguard somewhere to assure that the strength of an emotional majority can be tempered with the reflections of a differing minority.

It makes no difference, Mr. President, what the issue is or who constitutes the minority. That consideration is irrelevant to this discussion.

I would defend just as vigorously the right of minorities who differ with me to engage in extended debate as I would the rights of those who agree with me.

I cannot help recalling the conflicts that raged in this Chamber on the one-man, one-vote principle; on section 14 (b) of the Taft-Hartley Act; on the so-called prayer amendment. All of these, Mr. President, are issues I personally would have supported and would have wanted to vote upon. And they are issues upon which I would have diligently tried, after an acceptable period of time, to generate sufficient support to invoke cloture and terminate debate.

But never, never, Mr. President, would I have supported an attempt to reduce the number of Senators necessary to terminate that debate through the invocation of cloture.

I do not believe that the Senate could devise a rule which better insures both full and free debate and the possibility of bringing to a vote legislation supported by a genuine consensus of the American people than does rule XXII.

The framers of the Constitution regarded the power to make laws as a power to be exercised only with the greatest deliberation. They understood that government ought to govern by the consent of the people, rather than by force. They understand that laws, to be truly effective, must take effect in the minds of the people through their recognition of what is just. They understood that laws must, therefore, express a consensus—a general agreement about what is just and right—among people everywhere in our great country. They wished to preclude the danger to order and tranquility of radical, sweeping, arbitrary legislation unsupported by a matured consensus among the people and rammed through the legislative branch without the adequate consideration which would have revealed that people everywhere in the country were not with it. For the framers knew that laws which do not command the consent of people through their recognition of what is just must be given effect, if at all, by force or threat of force.

When we say that democracy presupposes a great faith in the people, we mean that democracy is founded on the belief that people are truly capable of a moral and political consensus, an agreement about what is just and right. If this faith in the popular conscience is without foundation, then democracy—government by the people—is without foundation.

Laws have been passed from time to time having great bearing upon the lives of the people which nevertheless have not commanded the consent of people everywhere and which have been effected by force or threat of force. At such a time the cry is raised that the law ought to be obeyed because it is the law. I agree wholeheartedly that law should be obeyed because it is law. I suggest, nevertheless, that it is a bad sign for democracy, for government by the consent of the governed, when it is necessary to enjoin respect for law as law because the purpose of the law does not elicit the moral recognition of the people. In proportion as laws can be executed only by means of calling for obedience to law for no better reason than that it is the law, we can be sure that a general, popular consensus is lacking and that the threat of force is imminent.

Careful, thorough, and prolonged debate in the Senate provides the best insurance that laws, which must be obeyed, correspond with the prevailing judgment of people in all parts of the country about what men owe to other men.

Those who urge modification of rule XXII may say that the majority of the people give their mandate at every election for certain policies and programs and that rule XXII permits a minority of Senators to obstruct the popular will expressed at the polls.

To this dangerous contention I should like to say that the parliamentary process in Congress is not merely a procedure to be used by the majority to register its will on the assumption that its will has a popular mandate and should not therefore encounter effective opposition within the legislative chamber. American democracy is representative in essence. Specific, legislative issues are not, and cannot, be decided directly by the voters in voting for the candidates of their choice. Discussion of issues in political campaigns is not meant to replace full debate and consideration of such issues in Congress. It is quite alien to our political tradition that a majority of lawmakers should feel justified in denying to the minority means of effective opposition on the theory that the majority is carrying out the will of the people expressed at election time. This theory is operative in other countries, and has made it possible for a parliamentary majority to cut off almost all debate on its legislative program and to make profound changes in its country's legal order overnight.

I hope that we shall never permit this possibility to develop in America. We shall not so long as we preserve inviolate the right to full and free debate in the Senate. Such debate allows for the explicit confrontation of opposing claims represented by different Members. Through such confrontation of opposing claims, through extended and thorough arguments for and against such claims, Members may come to recognize rights which they had not sufficiently considered before. And when argument on both or all sides of an issue elicits recognition of differing claims, adjustment by law of opposing interests may be achieved and a more comprehensive level of justice realized.

This is the business of the Senate. And in this connection, I should like to mention that one right of every Senator which must be defended is the right to listen, the right to hear both or all sides of an issue argued with the maximum of thought and the minimum of haste. The right to listen is particularly indispensable to me as a new Member. I suspect that other Senators beginning their first terms may feel as I do. Those of us who are new to the Senate must feel the tremendous responsibility which our constituents have given us— the responsibility to represent their rights in the legislative process. I know, for my own part, that I have a great deal to learn before I can be an effective participant in the legislative process. To modify the rules of debate in the Senate would deny to those of us who are new the right to listen and the right to learn.

Mr. President, the primary argument made by those who wish to make it easier to close off debate in the Senate is that no minority should be able to hinder the majority in carrying through its legislative will.

Against this contention, I should like to point out that the framers of the Constitution did not mean to establish that kind of government which would best facilitate the unobstructed rule of a national majority or of a parliamentary majority. Indeed, they deliberately placed obstacles in the way of majority despotism. They intended, rather, to establish a government designed to give security to the rights of people. And they knew that the greater number does not make right because it is the majority. Law is meant to secure to every man what belongs to him, and no majority on earth has the right to take from him what is his own.

As I see it, Mr. President, legislators on every level of government, Federal, State, and local—represent not merely numbers of nameless and homogeneous people. Legislators are meant to represent the rights and legitimate interests of their constituents. Rights ought to be represented in the legislative process and secured by law because they are rights and not merely because of the numbers of people whose rights and interests they are.

The present requirement for cloture under rule XXII insures that a minority of Senators shall not be denied the right to represent the legitimate interests of their constituents in opposition to a numerical majority determined to effect its will in disregard of those interests. Surely, any Member who hesitates to assert that the majority makes right must hesitate likewise to facilitate cloture by modifying rule XXII.

Before any change in the present cloture rule is made, I suggest that Members consider also that they, as Senators, represent the people in a somewhat different way than do Members of the House of Representatives. Seats in the House are apportioned among the States on the basis of population, and the House may be said therefore to represent the American people as such, on a national basis. The Senate also represents the people, but it represent the people of the States, and the people of each one of the States have the same number of Senators to represent them as the people in every other one of the States. The Senate is not only a national, but also a Federal, body. It is representative at once of the people and of the States as States.

Every Member knows that communities of interest arise within geographical areas such as counties, cities, and States. It seems to me, then, that Senators have the duty to represent the communities of interest in their States. There are genuine, important, and very different interests throughout our country. Freedom of debate in the Senate should insure that each of these interests receives due consideration in the business of making national laws affecting those having such interests. No national majority should have power to override minority rights. The freedom of Senators to speak on behalf of the rights and interests which concern the people of their States should make possible the salutary defense of minority rights against majoritarian despotism.

I said a moment ago that I am concerned that the Senate preserve for its Members the right to listen and the right to learn. I said that these rights are particularly important to new Members with less experience. But the very fact that it is the business of Congress to formulate legislation for the entire country, and the fact that Members' experience and knowledge are primarily of the interests of the people in their States, mean that the right to listen and the right to learn are indispensable for every Member. Is there any Senator possessed of such detailed and comprehensive knowledge of every section of our country that without further education of a kind—the kind of education to be derived from exhaustive debate—he can give full consideration to interests shared by people in States of the East and West, North and South? Is there any Senator who would presume to propose laws binding on the people of a State far distant from his own without giving careful and patient attention to Senators from that State who have the most direct and intimate knowledge of the problems and needs and achievements of the people whom they represent?

Or should any group of Senators, because they are in the majority or because the combined numbers of people they represent are a majority of the Nation feel justified on the basis of numbers in denying to other Senators freedom to make known to the majority the points of view and the communities of interest shared by people in their own States?

The framers of the Constitution wisely undertook to counterbalance and limit every kind of power which the Constitution grants. Legislative authority is limited by enumeration of the powers of Congress and is counterbalanced by the executive and judicial branches. These latter branches are likewise limited and balanced.

But there remains another kind of power which must also be limited—the power of the majority. Limitation of majority power is more urgent today than ever before, perhaps, because there appears to be an increasing number of people today who take the term "liberalism" to mean the right to free use of political power.

It seems to be more and more an accepted proposition, for example, that the President, because he is elected, in reality, by a national majority, should have his own legislative program carried through Congress with a minimum of opposition. Those who may oppose one or another part of the President's program render themselves open to the charge of defying the Nation's will.

At the same time, the indispensable regulation and limitation of debate in the House facilitate control over the course of business by the majority leadership so that the minority can offer less effective opposition than can a minority in the Senate. In this connection, I should like to quote a statement which the distinguished Senator from Georgia [Mr. Russell] made several years ago and which appeared in the Congressional Digest of February 1953. He said:

> If the majority had the power, such as you have in your House of Representatives, to come in with a rule, that even prevents an amendment to a bill, that the debate shall be very limited on a bill, and permit a bare majority to jam through such a proposal, not only would the Senate lose its value as a bulwark of individual liberty in this country, but it would be subordinated completely to the will of the party in power.

The many are not always right. Just as they are not always wrong. All I ask is a safeguard to insure that when they are wrong and the few are right that the ideas of the few have time to be heard, to be planted and to grow.

As James Roscoe Day said:

> The individual champion of a cause is more likely to have thought seriously and safely that the blind followers of partisan leaders. The world's history is strewn thick with such incidents. Nearly all of the great issues have been lamentably in the minority and the men who have stood in the front of them have had to bear abuse.
>
> The great consideration is not the voices of today but the voices of the tomorrows into which will be streaming the light of accomplished facts.
>
> It is safe to assume that the voice of progress will be vindicated by the ages. To protest small concepts, to champion great proportions is sure prophecy. It is out in that direction that we find the purpose and plans of God. It is out in that direction that we follow the orbit of large and noble human events.
>
> The right to be heard is inherent in man and fundamental in his free land. The right to be followed must depend upon what reason and sound arguments he makes known.
>
> If no age, neither his own nor any succeeding one, hears him, he has spoken in vain. If he utters truth and wisdom, somewhere at some time it will accomplish that whereunto it is sent. It will not return void. If it proves to be a mistake, nevertheless he who speaks his convictions has the ennobling satisfaction of having obeyed the command of duty as he saw it.

It has been argued, Mr. President, that our governmental system and its two-thirds rule are wrong because no other corresponding body in any other country adheres to this principle.

That argument is invalid.

Given the position of the United States in the world today, it would be my position that perhaps other nations should be copying what we do rather than our looking to them for precedents and procedures.

When all is said and done, Mr. President, when the heady haze of oratory clears away, we find ourselves in debating this issue, face to face with one, simple basic question. Will we continue to guarantee that a group of men in the U.S. Senate—whomever they may be and whatever the issue—shall have the right to defend their position within reasonable limits to the best of their ability.

As one who has watched this body with great respect and admiration from afar for many years, and who now is fortunate enough to join in its councils, I prayerfully hope so.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, I commend the Senator from South Carolina for the very fine and able speech he is making on this subject.

The Senator from Louisiana hopes before this debate is concluded that he will have an occasion to address himself to this subject also.

When I first came to the Senate, there was a fight over a change in the rules, in 1949. It was my privilege to serve on the Committee on Rules and Administration at that time, and to stand for the position for which the Senator from South Carolina is contending at this time.

It certainly entailed a great deal of hard work and diligence on the part of the Senator from South Carolina to study this matter to the extent he has done in order to make his views available to the Senate.

I commend the Senator for his very diligent efforts to prepare himself and for the very fine speech he has made on this occasion.

Mr. HOLLINGS. Mr. President, I am very grateful to the distinguished Senator from Louisiana for his remarks.

THE PROPOSED MERGER OF AMERICAN BROADCASTING CO. AND INTERNATIONAL TELEPHONE & TELEGRAPH CO.

Mr. LONG of Louisiana. Mr. President, this country has had an opportunity to have the remarks of the Senator from Kentucky [Mr. Morton] with respect to the proposed merger of the American Broadcasting Co. and International Telephone & Telegraph Co.

Many times I have been critical of the Justice Department for not actively and more vigorously pursuing the antitrust laws of this Nation. In this instance, however, I believe the Justice Department is in error. As a matter of conscience and consistency, I feel I should make my position clear with regard to this matter.

I served as chairman of the Monopoly Subcommittee of the Select Committee on Small Business for so many years that I have almost forgotten when it started. Last year I resigned that seat in order that one of our distinguished colleagues, the Senator from Wisconsin [Mr. Nelson], might make a contribution more fully in that field.

Over many years it has been my feelings that the purpose of the antitrust laws should be to stimulate vigorous competition rather than to stifle it in any respect.

The action of the Federal Communications Commission, on which that Commission acted properly, in my opinion, would make it possible for a third network, ABC, which up until now has had difficulty in competing with the other two giants, National Broadcasting Co. and Columbia Broadcasting System, to merge with a large company, acquiring able management, a better corporate structure, and putting the corporation in a position where it could more effectively compete with National Broadcasting Co., which, as we all know, is owned by Radio Corp. of America.

It would seem to me that if this merger were permitted to go into effect, it would mean the capital structure of that third network would be parallel to that of the other two networks.

Most people share the belief that at this time American Broadcasting Co. is not in any position to give very effective competition to CBS, much less NBC.

Speaking only as one Senator, and I mean to cast no reflection, on a Sunday night, for example, one may turn the TV dial to that beautiful color of NBC and just leave it there. Once in a while the Columbia Broadcasting Co. may come through with a program such as "The Honeymooners," with "The Jackie Gleason Show," for which they undoubtedly pay a huge sum of money, and put it in a position to have some people turn their dial away from channel 4. I regret to say that very seldom on prime time are there many people who turn to channel 7, which is the ABC outlet.

What American Broadcasting Co. and the International Telephone & Telegraph seek to do is to join and present such strength that they can have parallel organizations to the other two major national broadcasting companies.

In my judgment, if the proposed merger were permitted to go into effect, the competition would be more vigorous, and as a result of the more vigorous competition the public would get better performances.

Many Senators are aware of what has happened with regard to the televising of sports. There has been tremendous bidding to televise great sports programs. Because there has been so much available in the way of showing sports over television for the public to view, there has been outstanding showing of sports. This has been of tremendous help to colleges, professional football, and professional baseball, so much so that the income from television is the most important source of income to professional football and a major item of income to professional baseball teams.

In my view, as one who has spent a great many years studying antitrust problems, it would be in the public interest to have a third network, compete fully a network which does not have complete nationwide coverage now. Approval of the merger would permit this company to more effectively compete with the two major networks.

In saying that, so far as the Senator from Louisiana is concerned, I would have no objection if the Federal Communications Commission wanted to permit a fourth or fifth or sixth network to be able to engage in such competition as can be generated. But it seems strange that the Justice Department would have sat idly by while the National Broadcasting Co. grew as a part of Radio

Corp. of America, while the Federal Communications assigned NBC what at that time was a monopoly of color television rights, and waited a long time before it began to approve others in that field and to open color television to other networks; permitted all the strength of that network to grow, and now is not permitted to let a third network merge with a company so that it can have a parallel organization so that it can compete with the two broadcasting giants.

We all saw when I.T. & T., bought the Avis car rental concern, and how it became more competitive with the Hertz car rental concern. Hertz is still No. 1, but as a result of that merger, Avis has become a more effective No. 2 car rental service, right behind the Hertz Car Rental Service. The Avis people have been able to improve their service, and they have been able to offer much more vigorous competition to Hertz, all in the public interest, by stimulating more competition rather than less.

It seems to me to be well that we proceed in that direction, and I must say, having reviewed the remarks of the Senator from Kentucky [Mr. MORTON], that I do agree with him about this matter. I think it is extremely unfortunate that the Department of Justice would have done as it did; and when I refer to Justice, I am, in my judgment, talking about only one man—Mr. Turner, the Assistant Attorney General in charge of the Antitrust Division.

If those pepole intended to make a big antitrust case against this proposed merger, they certainly should have done it a long time ago, prior to the time that the merger was announced, and without having the $69 million unfavorable impact upon the stock of International Telephone & Telegraph and ABC. So I feel it is sad and unfortunate that Mr. Turner would come into this operation so very late, and seek to reverse the decision, when it was clear that the board knew about it and knew his views when the Federal Communications Commission acted on the proposal.

There is a new member on the Board, Mr. Johnson, who was transferred over from Maritime. In that area, Mr. President, Mr. Johnson made himself so unpopular with the maritime industry that his removal from that position was dictated by virtue of the fact that he had made countless enemies, both for himself and the Johnson administration, from top to bottom of that industry. It would certainly seem unfortunate if Mr. Johnson should now proceed to make himself equally as unacceptable to the communications industry as he was to the maritime industry. But now it seems he is trying to equal that record on the Federal Communications Commission. I certainly hope that will not be the case, but one gains that impression.

SOCIAL SECURITY AND PUBLIC WELFARE

Mr. LONG of Louisiana. Mr. President, I noted with great interest the President's message with respect to the social security program and the public welfare program. I have not had a chance to do it justice, although I have studied it with a more or less cursory observation.

In general, it is my judgment that the President's recommendations are in the public interest, and that they make good sense, provided we can afford the money that would be required by this proposed increase in social security benefits, and with regard to the improvements of our public welfare program. It is extremely appropriate that we should extend medicare benefits to disabled persons, as is proposed in the message, and the increase in benefits, I am told, will remove 1.5 million people from the poverty brackets.

In addition to that, it would be of great benefit to an additional 4 million retired citizens, as well as a considerable number of widows who would receive this benefit.

There is a question whether we can afford the tax increase which is a necessary part of that. Assuming the House acts on this bill sometime within the next few months, as I am sure it will, we will certainly study it and see if it is necessary to increase taxes, particularly by the rate recommended by the President. Perhaps it might be better to simply extend the tax up to a higher bracket, rather than increase the rate to the extent recommended here.

But on the whole, Mr. President, I feel, and I think most Senators feel, that this is a better way to attack poverty than some of the other programs we have tried in this country—to provide adequate social security and retirement benefits so that persons who have worked for a lifetime and have earned retirement will not have to apply to be part of the welfare burden of their States, but that their income from social security sources will be adequate to provide for the needs of such persons.

Undoubtedly, as we go along with the bill, there will be suggestions both to reduce the tax recommended by the President and also to provide for additional benefits. The Senate has consistently voted to increase benefits on social security in the past, when we have had a social security bill before us. The Senator from West Virginia [Mr. BYRD] has, for a number of years, been trying to do something about the retirement age for men, feeling that there are a considerable number of men beyond age 60, but not having attained the age of 65, who, for one reason or other, feel it necessary to retire, even though they are not disabled. In many instances, they have lost a job and simply cannot find other employment, and retirement is pushed upon them against their will.

The Senator from West Virginia will undoubtedly offer his amendment again, if he has not already done so. Seeing him here, I hasten to assure him that the committee will certainly consider his proposal. The Senators knows we have accepted that amendment in earlier years in other bills, and when we have a social security bill before us, I certainly will urge the committee to consider the matter.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. BYRD of West Virginia. I have offered such an amendment, and I am very pleased to have the assurance of the Senator from Louisiana today that that amendment will be carefully and favorably considered. I feel, as does he, that there are many individuals who, having reached the age of 60 years and being disabled to a point, are unable to find employment, and yet they are not disabled to the extent that they can qualify for disability benefits under the social security program.

So this amendment would permit them to retire at age 60 and accept an actuarially reduced benefit, and thus have an income, and not be forced to rely upon some welfare program in order to make ends meet until they reach the age of 62 or 65.

I thank the Senator for his consideration, and for yielding to me.

Mr. LONG of Louisiana. I had rather anticipated that such a recommendation would be in the President's message, because it does contain merit. It has had the confidence of the Senate expressed in it a number of times, and it was somewhat surprising to me it was not included in the President's suggestions.

But, as the Senator so well knows, the President has done what he thinks he ought to do. He has discharged his duty as the good Lord gives him the light to see it, and we now have our duty. The President proposes in this case, and it will be up to us to dispose of it.

We will undoubtedly pass a social security bill. We will undoubtedly increase benefits. We will increase them as much as we think we can afford to increase social security benefits, the tax part of it being a major item in the minds of a great number of us.

It is my hope, Mr. President, that we can continue to follow the sound procedure which we have followed in years gone by, in dealing with social security bills. We in the Senate have never voted a social security increase in benefits without providing whatever tax may be necessary to finance it. It is urged by some that some benefits could be increased without increasing the social security tax. We will, of course, consider their views when that measure is before us.

I suspect, however, that the Senate will be disposed to go much farther than those who hold such views. We have done so in earlier years, and the probabilities are that the Senate will not recommend something that costs a great deal less than the President has suggested.

In doing so, I hope very much that we shall be able to avoid any greater tax increase than is absolutely necessary.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 17 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, January 24, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 23 (legislative day of January 19), 1967:

IN THE AIR FORCE

The following officers for appointment in the Air Force Reserve to the grade indicated, under the provisions of chapter 35 and sections 8373 and 8376 title 10 of the United States Code:

To be major generals

Brig. Gen. John S. Bagby, FV406530, Air Force Reserve.

Brig. Gen. Robert F. Goldsworthy, FV398709, Air Force Reserve.

Brig. Gen. John A. Lang, Jr., FV569020, Air Force Reserve.

Brig. Gen. John S. Patton, FV1851377, Air Force Reserve.

To be brigadier generals

Col. James E. Fain, Jr., FV571605, Air Force Reserve.

Col. Samuel P. Goddard, Jr., FV561102, Air Force Reserve.

Col. Ben J. Mangina, FV490249, Air Force Reserve.

Col. Robert B. Mautz, FV1820787, Air Force Reserve.

Col. Jack R. Miller, FV352874, Air Force Reserve.

Col. Leon C. Packer, FV432101, Air Force Reserve.

Col. Kenneth C. Spengler, FV385107, Air Force Reserve.

Col. Frank H. Spink, Jr., FV562106, Air Force Reserve.

The following officers for appointment as Reserve commissioned officers in the U.S. Air Force to the grade indicated, under the provisions of sections 8218, 8351, 8363, and 8392, title 10 of the United States Code:

To be major generals

Brig. Gen. Edward G. Johnson, FG421750, Oklahoma Air National Guard.

Brig. Gen. Donald J. Strait, FG796042, New Jersey Air National Guard.

To be brigadier generals

Col. Robert E. Buechler, FG666236, Missouri Air National Guard.

Col. Doyle W. Hastie, FG722064, Oklahoma Air National Guard.

Col. Paul E. Hoover, FG2083068, Ohio Air National Guard.

Col. Victor F. Kilkowski, FG824646, Maryland Air National Guard.

Col. Joe F. Meis, FG2006856, Colorado Air National Guard.

Col. Peter R. Phillipy, FG701154, Pennsylvania Air National Guard.

Col. Oliver S. Ryerson, FG680085, Wisconsin Air National Guard.

Col. Alfred C. Schwab, Jr., FG727560, Minnesota Air National Guard.

Col. Marvel M. Taylor, Jr., FG739362, California Air National Guard.

Col. Edwin Warfield III, FG829783, Maryland Air National Guard.

Col. Rodger D. Young, FG2043130, Montana Air National Guard.

Col. Joseph D. Zink, FG825058, New Jersey Air National Guard.

IN THE ARMY

The following-named officers under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

*Lt. Gen. Theodore John Conway, O19015, Army of the United States (major general, U.S. Army).

To be lieutenant general

*Maj. Gen. Arthur Sylvester Collins, Jr., O21260, Army of the United States (brigadier general, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. George Stafford Eckhardt, O19766, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Vernon Underwood, Jr., O20679, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Woodrow Wilson Stromberg, O20728, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Howard Skeldon, O20831, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Jay Hayes III, O20134, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. Leonard Copeland Shea, O20231, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Nels Redling, O31516, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frederick James Clarke, O20572, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Henry Walker, O20617, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Stuart O'Malley, Jr., O20682, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edward Chrysostom David Scherrer, O20690, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Andrew Enemark, O20879, Army of the United States (brigadier general, U.S. Army).

To be brigadier general

*Col. William Ambrose Hamrick, O38878, U.S. Army.

IN THE MARINE CORPS

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade of major general:

Douglas J. Peacher

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade of brigadier general:

John R. Blandford
William J. Weinstein

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*Indicates ad-interim appointment.

EXTENSIONS OF REMARKS

Ukrainian Independence Day

EXTENSION OF REMARKS
OF

HON. JAMES J. HOWARD

OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, January 23, 1967

Mr. HOWARD. Mr. Speaker, 49 years ago, on January 22, 1918, a land became free, and a magnificent people rejoiced that dreams harbored for hundreds of years had been realized. That land was the beautiful Ukraine, beloved homeland of more than 40 million people. Today we observe the anniversary of a glorious day in their history.

The independence celebrated so proudly on that January day proved fleeting, for the Ukraine was soon set upon from all directions by those covetous of her abundant natural resources and strategic geographic location. Germany and Austria-Hungary were among the first to invade, installing a puppet ruler to oversee the land. After defeat in the war, Germany and Austria-Hungary withdrew, leaving a power vacuum at once filled by France. Poland invaded in an attempt to annex Ukrainian land west of the Dneiper River. White Russians and Bolsheviks turned the lovely little land into a bloody battlefield. Finally, in November 1922, the Ukrainians witnessed the sad ending to a chapter in their heroic struggle for national independence. Only a few short years after their magnificent triumph, they were forced to bow to Russian tyranny.

Yet through all the dark years of foreign subjugation the Ukrainian people have carefully preserved their national heritage. They have never forgotten that wonderful yet fleeting moment of independence. They have never ceased to revere the words of the poet laureate of the Ukraine, Taras Shevchenko, who pled for a Ukrainian national leader to arise, who, as the American leader George Washington, would bring his people out of bondage:

> When will we receive our Washington,
> With a new and righteous law? *And receive him we will some day* . . !

We then may all take inspiration from the wonderful example of the Ukrainian people, who never flinch in the face of adversity, who triumph over hardship, and who have never lost their undying will to be free. On this, their independence day, we salute them and join with them in the prayer that they may soon realize their goal of freedom.

Fino Renews Fight for Lower Social Security Age

EXTENSION OF REMARKS
OF

HON. PAUL A. FINO

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, January 23, 1967

Mr. FINO. Mr. Speaker, I am today reintroducing legislation to provide that full benefits under social security shall be paid to men at age 60 and to women at age 55. I hope the House will favor this important legislation.

I feel strongly that it would be a wise move to make social security benefits available to men at 60 and women at 55. Not only is such a move warranted by considerations of allowing our senior citizens to commence their leisure years at an earlier date, but it is suggested by technological evolution.

If we lower the retirement age, we will create new job opportunities for younger workers. decrease the hardships of unemployment for older workers, and modernize our system and its vital protection in a very important way. It is becoming clear that technological evolution is reducing the number of hours a day that the average worker must work so that the total work force may meet society's needs. Why should not the number of years be decreased as well, so that our workers may retire at an earlier age, to reap the fruits of their past labors? I strongly urge the Congress to make this possible.

Ukrainian Independence

EXTENSION OF REMARKS
OF
HON. WILLIAM D. FORD
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, January 23, 1967

Mr. WILLIAM D. FORD. Mr. Speaker, yesterday marked the 49th anniversary of Ukrainian independence, which was proclaimed in 1918 in the tradition of our own American Revolution.

This precious independence was short lived. By 1920, the new nation had become one of the first victims of Soviet expansion, which had followed the Russian Bolshevik revolution of 1917.

Today, the 45 million Ukrainians constitute the largest minority group in the sprawling Soviet empire. These hardy people have been subjected to Soviet rule for 47 years, but have never lost the Ukrainian spirit of independence.

The Ukraine is the breadbasket of the Soviet Union. The leaders of Russia, czarist as well as Communist, have recognized this fact, and this explains why Russia robbed Ukrainia of its national independence only 2 years after earning it.

The Ukraine is called a "republic," but it is a republic in name only. It is really a province of the Soviet Union.

Fortunately, neither the Kremlin tyrants, nor their minions in the Ukraine, have succeeded in extinguishing the spirit of freedom and of independence which all liberty-loving Ukrainians claim as their birthright.

As long as that noble spirit is kept alive; as long as the ideal of national freedom is cherished by the people of the Ukraine, no dictatorship or tyranny can rob the Ukrainians of their real freedom—the independence of their hearts and souls.

So long as they retain that ideal, they will continue their resistance to Soviet domination On the 49th anniversary of their independence day, I wish them patience and fortitude in their fight for freedom.

Senator Nelson Strikes at the Heart of the Water Pollution Menace

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, January 23, 1967

Mr. REUSS. Mr. Speaker, much has been written about the manifold sources of water pollution that are threatening the existence of both our urban and our rural areas. An excellent article published recently on the subject appears in the February issue of the Progressive. Written by the Senator from Wisconsin [Mr. Nelson], this article, "The National Pollution Scandal," not only strikes at the heart of the problem, but offers numerous constructive suggestions on how to attack this growing menace.

The text of the article follows:

The National Pollution Scandal

(By Senator Gaylord A. Nelson)

The natural environment of America—the woods and waters and wildlife, the clear air and blue sky, the fertile soil and the scenic landscape—is threatened with destruction. Our growing population and expanding industries, the explosion of scientific knowledge, the vast increase in income levels, leisure time, and mobility—all of these powerful trends are exerting such pressure on our natural resources that many of them could be effectively ruined over the next ten or fifteen years.

Our overcrowded parks are becoming slums. Our birds and wildlife are being driven away or killed outright. Scenic rural areas are blighted by junkyards and billboards, and neon blight soils the outskirts of most cities. In our orgy of expansion, we are bulldozing away the natural landscape and building a cold new world of concrete and aluminum. Strip miners' shovels are tearing away whole mountains and spreading ugly wastes for miles around. America the affluent is well on the way to destroying America the beautiful.

Of all these developments, the most tragic and the most costly is the rapidly mounting pollution of our lakes and streams.

Perhaps the pain is more intense for a Senator from a state like Wisconsin, bordered on three sides by the Great Lakes and the Mississippi, blessed wtih 8,000 inland lakes and hundreds of rivers and trout streams. Actually, our state seems rather fortunate at the moment. A yachtsman on Lake Superior can raise a bucket of water still crystal-clear and cold enough to drink with delight. Canoeists on the St. Croix or Wolf Rivers still shoot through frothing rapids of sparkling water, and catch fish in the deep, swirling pools.

But the bell is tolling for Wisconsin just as for all the nation. A recent survey of twelve major river basins in southeastern Wisconsin found not a single one fit even for the partial body contact involved in fishing or wading. A competent governmental agency concluded that 754 miles of rivers in this region had been turned into open sewers. Beaches along Lake Michigan, a vast blue sea with seemingly limitless quantities of fresh water, are being closed to swimmers. A sordid ocean of pollution is pouring into the Mississippi from the Minneapolis-St. Paul urban complex. The first serious signs of pollution are soiling Lake Superior, and our small inland lakes are, one by one, becoming murky and smelly and choked with algae.

Elsewhere, all across the nation, the same tragedy is being enacted, although in many areas the curtain already has come down. The waters are already ruined.

Every major river system in America is seriously polluted, from the Androscoggin in Maine to the Columbia in the far Northwest. The rivers once celebrated in poetry and song—the Monongahela, the Cumberland, the Ohio, the Hudson, the Delaware, the Rio Grande—have been blackened with sewage, chemicals, oil, and trash. They are sewers of filth and disease.

The Monongahela, which drains the mining and industrial areas of West Virginia and Pennsylvania, empties the equivalent of 200,000 tons of sulfuric acid each year into the Ohio River—which in turn is the water supply for millions of people who use and re-use Ohio River water many times over.

National attention has been centered on once beautiful Lake Erie, the great lake which is the recreational front yard of Buffalo, Cleveland, Toledo and Detroit, and which supplies water for ten million Americans.

A Public Health Service survey of Lake Erie made the shocking discovery that, in the 2,600 square mile heart of the lake, there was no dissolved oxygen at all in the water. The lake in this vast area could support no desirable aquatic life, only lowly creatures such as bloodworms, sludgeworms, sowbugs, and bloodsuckers.

Along with the germs and industrial acids which pour into Lake Erie are millions of pounds of phosphates, a major ingredient in detergents. Each pound of phosphate will propagate 700 pounds of algae. Beneath the waters of this great lake, largely hidden from sight, a hideous, cancer-like growth of algae is forming. As algae blooms and dies, it becomes a pollutant itself. It robs the lake of still more oxygen—and it releases the phosphate to grow another crop of algae.

Lake Erie is a product of its tributaries. A Public Health Service study of these American sewers is horrifying to read.

The Maumee River flows from Fort Wayne, Indiana, through Defiance and Napoleon, Ohio, and on to Toledo, where it joins the lake. Even as far upstream as Fort Wayne, the river has insufficient oxygen to support anything but trash fish and lower organisms, and as it flows toward Lake Erie conditions get steadily worse. The count of coliform bacteria runs as high as 24,000 times the allowable maximum under Federal drinking water standards. The concentration of carbolic acid, a byproduct of steelmaking, runs up to 137 times the allowable maximum. A packing company dumps 136 pounds of oil per day into the Maumee River. A plating company dumps thirty-eight pounds of cyanide per day. Defiance, Ohio, closes its sewage plant entirely for one to two months each year, and all its raw sewage goes directly into the Maumee.

Below Defiance, a foundary dumps cinders and ashes into the river. The Maumee is joined by the Auglaize River, which is even more polluted than the Maumee, and is especially rich in ammonia compounds.

At Napoleon, Ohio, the city draws its drinking water from the sordid Maumee, and a soup company draws off ten million gallons a day for soup processing. (The firm assures me that its modern water treatment plant, complete with carbon filters, can "polish the water to a high quality.")

Below Napoleon, things get really bad. Forty per cent of samples taken by the Public Health Service showed presence of salmonella, an intestinal bacteria that can cause severe illness. As the Maumee flows into Lake Erie at Toledo, it gets its final dose of pollution—the effluent from the Toledo sewage plant and what the Public Health Service describes as "oil, scum, metallic deposits, and toxic materials."

Another Lake Erie tributary—the Cuyahoga—which flows into the lake at Cleveland, is described by the Public Health Service as "debris-filled, oil-slicked, and dirty-looking throughout." It is loaded with coliform bacteria and salmonella. It is so polluted with oil that it frequently catches fire. Structures known as "fire breaks" have been built out into the river to fight these blazes. In the Cleveland harbor, the Public Health Service could find virtually no conventional aquatic life. However, the sludgeworms which thrive on organic matter were well represented—400,000 per square meter on the harbor bottom.

That is the story of Lake Erie, and although it is so shocking and disgusting as to deserve urgent national attention, it is not unique. Southern Lake Michigan, ringed with oil refineries, steel mills, and municipal sewage outfalls, may be even worse. Scientists estimate that it would take 100 years to replace the polluted water of southern Lake Michigan, and some consider the pollution in this area irreversible.

We have our own Wisconsin pollution scandal in Green Bay, a magnificent recreational body of water in northeastern Wisconsin, widely known as a yachtsman's paradise and site of a multimillion dollar resort industry. This "Cape Cod of Wisconsin" is threatened with ruin by a tide of pollution which is moving up the bay at the rate of more than one mile per year. The pollution comes from rivers such as the Fox, the Peshtigo, the Oconto, and the Menominee, which drain large areas of Wisconsin and northern Michigan.

The experience in Lake Erie, Lake Michigan, and Green Bay has convinced many experts of this chilling fact: It is a definite possibility that the Great Lakes—the greatest single source of fresh water in the world—could be effectively destroyed by pollution in the years ahead. If this were to happen, it would be the greatest natural resource disaster in modern history.

That is the outline of this new American tragedy. The obvious question now is, what can be done about it?

First, I think we must learn what a complex and widespread problem we face in water pollution. Like crime, like death on the highway, pollution is a social problem which extends throughout our society. There is no single villain, and there is no simple answer. It must be attacked for what it is—a sinister byproduct of the prosperous, urbanized, industrialized world in which we live.

We must take care not to ride off in pursuit of just one villain—such as city sewage, or industrial waste, or detergents, or toilet wastes from boats; this is a battle which must be fought with skill and courage on many different fronts. Nor should we be fooled by the strategy of many polluters, who argue, in effect: "The pollution which we cause is minor compared to the big, nationwide problem. Why not leave us alone and go after the big offenders?" Even some of the lesser offenders in the pollution crisis could ruin us in time.

The primary sources of pollution are these:

Municipal sewage—Despite heroic efforts and heavy investments by many cities, our municipal sewage treatment plants are woefully inadequate. Some cities have no treatment at all; others remove only part of the pollutants found in sewage. As a result, the effluent discharged by our cities today (treated and untreated) is equivalent to the *untreated* sewage from a nation of seventy-five million people.

Industrial pollution—is roughly twice as big a problem as municipal sewage. Despite tremendous investments in research and treatment plant construction by some industries, the overall record is terrible. Some industries feel they cannot remain competitive if they spend heavily for treatment plants. Communities and States are reluctant to push them too far. As a result, industrial wastes (treated and untreated) now discharged into our waters are presently equal to the *untreated* sewage of a nation of 165 million people.

Septic tanks—Vast sections of the nation have no sewer collection or treatment system at all. In such areas, underground septic tanks, often poorly made and undersized, are expected to distribute wastes into the soil. They overflow into natural watercourses, they leak bacteria and detergents into underground wells, and they are destroying lakes by filling them with nutrients that foster heavy growths of algae.

Ships and marine terminals—In selected areas, the discharge of toilet wastes, oil, garbage, and rubbish from ships and shoreline installations is a major problem. For some reason, this form of pollution is widely tolerated and enforcement of laws forbidding it is virtually nonexistent.

Pesticides—The terrifying prospect of spreading poison all over the globe confronts us. We now use more than 700 million pounds a year of synthetic pesticides and agricultural chemicals of 45,000 varieties. This volume is expected to increase tenfold in the next twenty years. Many of these poisons persist forever in the environment, and their concentration builds up geometrically as they progress through the food chain (water, seaweed, fish, birds, mammals). DDT residue has been discovered in penguins in Antarctica, in reindeer in Alaska, in seals, and in fish caught in remote areas of the Pacific Ocean. One part of DDT in one billion parts of water will kill blue crabs in eight days.

Silt—One of the most serious pollutants all over the world is the dirt which washes into our waters from off the land. This somewhat natural problem is disastrously aggravated by contemporary trends—widespread clearing of land for subdivisions and shopping centers; construction of highways and parking lots (which cause rapid runoff) and the intensive development of lakeshores and riverbanks. Controlling surface runoff and the siltation which it causes is complicated by our patchwork of political boundaries and the lack of coordinated government planning.

Detergents, fertilizers, and other chemicals—Some of these commonly used substances pass through even good waste treatment systems and become persistent pollutants. Such pollution can be eliminated only by changing the composition of such substances, regulating their use, or devising new removal techniques.

Obviously, any nation-wide problem made up of so many elements is extremely difficult to attack. Yet I believe that the rapidly accelerating destruction of our natural resources is our number one domestic problem, and the greatest of all our resource problems is water pollution. If we are to meet this pollution threat, if we are to save the waters of America and preserve this most indispensable part of our natural environment, we must make the war on pollution a high priority matter at every level of government—local, state and Federal—and we must insist that private industry do likewise.

Baffling and complicated as the pollution problem is, it is not insoluble. There is no reason in the world why a great and prosperous nation, with the money and know-how to shoot man to the moon, cannot prevent its lakes and rivers from being destroyed and its life-giving water supplies endangered.

Just as there is no single cause of pollution, so is there no single solution to the problem.

Consider the question of what to do about municipal sewage and industrial wastes. Why do we tolerate a situation where these two sources alone pour into our waters each year the equivalent of the completely untreated sewage of a nation of 240 million persons?

In the case of municipal sewage, it is largely a matter of lack of money, aggravated in some cases by a shocking lack of public concern. There are now more than 1300 communities which have sewer systems but discharge their wastes into the waters without any treatment at all. These communities have a population of more than eleven million people. How such a condition could exist in the year 1966—when it is generally illegal to throw a gum wrapper out of a car window—is inconceivable.

We have another 1300 communities—with almost seventeen million population—which treat their wastes but in a completely inadequate manner. In most cases, these are communities which use what is known as "primary" treatment. They screen their sewage and let the solids settle out, but they do not remove dissolved solids, salts, chemicals, bacteria, and special problems such as detergents. Every community should have what is known as "secondary" treatment, under which sewage—after primary treatment—is held in holding tanks, brought into contact with air and biologically active sludge, so that bacteria have a chance to consume the pollutants.

The Conference of State Sanitary Engineers estimates that it would cost $1.8 billion to provide adequate sewage collection and treatment for these communities which now have no treatment or completely inadequate treatment.

But even this would still leave us with a massive municipal pollution problem. Even good secondary treatment removes only eighty per cent to ninety per cent of the pollutants. Chicago, for instance, with a good secondary treatment plant, discharges treated effluent which is equivalent to the untreated, raw sewage of one million people. It dumps 1,800 tons of solids per day into the Illinois waterway. At the rate the pollution load is increasing it is estimated that even if all communities have secondary treatment plants by 1980, the total amount of pollutants reaching watercourses would still be the same as today. Obviously, we need a massive program to build highly effective city sewage treatment plants.

It is also obvious that local property taxes cannot support such a gigantic investment, and that if we wait for communities to do this on their own, it will never be done. Most state budgets also are severely strained, so much of this burden is going to have to be borne by the Federal government—if we want the job done early enough to be effective.

The Senate Air and Water Pollution subcommittee estimates that it will cost $20 billion to provide secondary treatment in plants serving eighty per cent of the population and more advanced treatment in plants serving the other twenty per cent. We have had a Federal program to assist communities in building such treatment plants for the past ten years, but it has been inadequate. It has recently been greatly improved, but it is still inadequate. In the past it has provided grants of up to thirty per cent within the limits of available funds. The most recent act—the Clean Waters Restoration Act of 1966—authorizes a total of about $3.6 billion over the next five years ($150 million in 1967, $450 million in 1968, $700 million in 1969, $1 billion in 1970, and $1.25 billion in 1971). A community can get a grant for up to fifty percent of the cost of a project, provided the state pays twenty-five per cent and provided water quality standards have been established.

New York needs an estimated $1.7 billion for new sewage plants. The new law would give it a total of only $307 million. Ohio needs $1 billion and would get $180 million. Wisconsin needs $286 million and would get $75 million.

If we are serious about the Federal government paying fifty percent of the cost of eliminating municipal pollution, then Washington must provide $10 billion—not $3.6 billion—and even then we will be expecting our hard pressed states and communities to come up with another $10 billion.

Personally, I think it is unrealistic to expect the states and localities to assume a burden of this size. And I do not think the nation can sit by and wait while its communities struggle to build up the financial resources and the political courage needed to do the job. I think we should get sewage treatment plants built the way we are getting interstate highways built—by offering ninety per cent Federal financing. I have introduced legislation which would establish such a program.

The municipal sewage problem is complicated by another problem—combined storm and sanitary sewers. By combining storm water and human wastes in one sewer system, many cities build up such a tremendous load during rainstorms that their sewage treatment plants cannot handle it. They have had to install automatic devices which divert the combined sewer load directly into lakes or streams whenever it gets above a certain level. In this manner, sixty-five billion gallons of raw, untreated sewage goes into our lakes and rivers each year.

Most cities are separating storm and sanitary sewers in new subdivisions, but the task of separating the sewers in the older areas is a staggering one. Complete separation would cost an estimated $30 billion. It would cost $160 per resident in Washington, D.C., $215 in Milwaukee, $280 in Concord, New Hampshire. It would cost Wisconsin an estimated $186 million, Indiana $496 million, Michigan $970 million, New York and Illinois about $1.12 billion each. These are only general estimates of the direct costs and they do not take into account the disruption of traffic and the local economy caused by ripping up miles of underground sewers.

In the hope af avoiding such costs, the Federal government has underwritten several research projects to see if this problem cannot be met in some other way—through temporary underground storage of sewer overflows, for instance, or by building smaller sanitary sewer pipes inside existing storm sewers.

The staggering problem of *industrial* pollution is virtually untouched today by our Federal anti-pollution programs, even though industry contributes twice as much pollution to our waters as do municipalities. If we do not step up our industrial waste treatment plant construction, the pollution effect of industrial wastes alone by 1970 will be equal to the untreated, raw sewage from our entire population.

Industries are widely criticized for dumping wastes into our waters, and this criticism is often justified. They are pressured by local, state, and Federal officials. But some industries are able to avoid a serious crackdown against them by threatening to move. Most industries argue—sometimes effectively—that they cannot be expected to make massive investments in treatment plants if their competitors—often in different parts of the country—are not forced to do so.

I have come to the conclusion that the threat of enforcement alone is not going to solve our industrial pollution problem. We must provide direct financial assistance to see to it that the plants are built. I have introduced legislation to provide both loans and grants of up to 50 per cent to industries whose size and economic circumstances prevent them from assuming the full burden of providing their own facilities. I think such assistance should be carefully limited and should be for a short period, but I do not think we can avoid it. We are going to pay the cost of industrial pollution in one way or another—in the cost of the manufactured product, in taxes, or in ruined water resources.

But massive construction programs alone are not going to solve our municipal and industrial pollution problems. We need a tremendous expansion of Federally supported research to find completely new answers. Our whole waste disposal system, from the household toilet to the municipal sewage treatment plant, is a holdover from another era. The system should be studied and redesigned, using the latest scientific techniques, and fitted into a coordinated, nationwide system of waste disposal. Research grants should be made to private industry and universities to develop new methods and devices to refine, use, neutralize, or destroy pollutants. We should compute what our present waste disposal systems are costing us—including the loss in natural resources destroyed—and what alternative systems would cost.

Compared with municipal and industrial pollution, the other pollution problems I have mentioned are statistically small. For that reason, they are often ignored. But we cannot safely do that. Even if we managed to contain the flood of municipal and industrial pollution, the other sources could do fatal damage to our environment.

Septic tanks must be controlled at the state and local level, and in many areas I think we must forbid new installations and work to replace existing ones with sewer systems. For instance, once an inland lake is ringed with cottages with septic tanks, it is doomed. Septic tanks must drain somewhere and in most lakeshore settings the natural drainage flow is into the lake. At the very least, this drainage will fertilize the lake, cause the rapid growth of algae, and turn the lake into a murky, foul smelling mess.

Ship pollution is certainly serious enough to justify Federal action, even though such suggestions cause howls of protest from those who insist it "isn't practical." Why is it practical to install retention facilities on buses, house trailers, and aircraft but not on boats and ships? Obviously, we are willing to allow wastes to be dumped into our water supplies which we would never tolerate being dumped onto the land. We need Federal laws to require suitable facilities on all vessels using our navigable waters, and we need a better enforcement system to crack down on such disgraceful practices as dumping oil and pumping out oily ballast tanks on the Great Lakes and in our rivers.

The siltation problem can be controlled only through strict zoning and land use controls. We have got to prevent intensive development of our shorelines if we are to save our waters. Once a large portion of the natural vegetative cover is destroyed, the water resource is in danger. I believe that the Federal government should provide financial assistance to those willing to carry out soil conservation practices along our lakes and streams on a scale large enough to be meaningful.

Pesticides, detergents, and exotic new chemicals will plague us for years to come. New treatment systems may offer some hope for removing these substances, but I think they must be controlled directly. Those which cannot be removed safely in normal treatment processes, and those which have chemical structures which cause them to persist in our environment and to threaten fish, wildlife, and human health, should be banned or their use strictly regulated.

In speeches in some twenty-three states in the past four years, I have called for an emergency, crash program to fight water pollution. I have offered my estimate of the cost of conquering water pollution as $50 to $100 billion over the next decade. It now appears I may have been conservative. The Public Health Service now estimates that it will cost some $20 billion to clean up the Great Lakes alone, and the total national cost is now estimated at $100 billion.

But everywhere I have gone I have found the public willing to pay this cost to save their waters. In fact, I think the public is far ahead of local, state, and Federal officials in facing up to this crisis. I think that citizens in most communities would support a sharp crackdown on local polluters of every variety. I think they want their states to establish high water quality standards, and then enforce them. I think they can be shown the need for bold regional action to deal with those vast interstate pollution problems (such as on the Mississippi and the Great Lakes) which obviously are too big for any community or any state to handle.

And I think that the citizens of America now recognize that the destruction of the major river networks of the nation, the threatened destruction of the Great Lakes, and the slow ruination of our treasured inland lakes and trout streams is a calamity of such gigantic proportions as to deserve the urgent attention of all citizens and prompt action by the national government.

Ukrainian Independence

EXTENSION OF REMARKS
OF
HON. WILLIAM B. WIDNALL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, January 23, 1967

Mr. WIDNALL. Mr. Speaker, it is important that we who are fortunately endowed with freedom each year remind ourselves of the great numbers of fellow men throughout the world who do not enjoy the fruits of liberty that we have so abundantly been granted.

Yesterday marked the 49th anniversary of the day that the Ukrainian Republic was established as an independent nation. The Ukrainian people's independence did not long endure. In 1920 they became the first to be engulfed in the brutal tide of Communist conquest. We shall not forget that the citizens of the Ukraine still yearn for freedom and their right of self-determination.

Therefore, it is fitting that we pause to reflect on the heroic struggle that these people are waging in their own manner to resist Communist domination. We again express our hope that at a future day these people will be able to exercise their love for freedom and respect for the inherent dignity of man. In doing so, I am sure that we are in some small measure helping to sustain and encourage the spirit of freedom among the Ukrainian people as well as the people of all other captive nations.

SENATE

TUESDAY, JANUARY 24, 1967

The Senate met at 12 o'clock meridian, and was called to order by Hon. WILLIAM PROXMIRE, a Senator from the State of Wisconsin.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God over all, blessed for evermore: amid the seething strife which mars the earth and builds its walls of separation, whate'er problems we face in this volcanic day, this white altar reared at the gates of the morning speaks to us ever of our final reliance on those supreme spiritual forces, faith and hope, and love, which alone abide and on which our salvation in the end depends. As the toil of a new day opens before us, we lay before Thee the meditations of our hearts; may they be acceptable in Thy sight.

Prepare us for the role committed to our fallible hands in this appalling day. May we follow the gleam of the highest and best we know, as it leads o'er moor and fen and crag and torrent till the evening comes and the fever of life is over, and our work is done.

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 24, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM PROXMIRE, a Senator from the State of Wisconsin, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. PROXMIRE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 23, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

THE BUDGET—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 15)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the President's budget message. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Appropriations, as follows:

To the Congress of the United States:

A Federal budget lays out a two-part plan of action:

It proposes particular programs, military and civilian, designed to promote national security, international cooperation, and domestic progress.

It proposes total expenditures and revenues designed to help maintain stable economic prosperity and growth.

This budget for fiscal year 1968 reflects three basic considerations:

In Vietnam, as throughout the world, we seek peace but will provide all the resources needed to combat aggression.

In our urgent domestic programs we will continue to press ahead, at a controlled and reasoned pace.

In our domestic economy we seek to achieve a seventh year of uninterrupted growth, adopting the fiscal measures needed to finance our expenditures responsibly, permit lower interest rates, and achieve a more balanced economy.

In recent years, the American economy has performed superbly. Since 1963, our Nation's output has risen at an average rate of 5.5 percent a year; 5.3 million more people are employed and 1.2 million fewer unemployed. Industrial capacity has grown by 18 percent, and far less of it is idle than was the case 3 years ago.

During this past calendar year alone:

Our Nation's gross national product—apart from price changes—has grown by nearly 5.4 percent.

The unemployment rate has remained at or below 4 percent for the first time in 13 years.

More than 3 million additional jobs were found in nonagricultural employment, the largest yearly gain experienced since 1942.

Corporate profits and personal income have each grown about 8 percent to record levels.

We have at the same time become engaged in a major effort to deter aggression in southeast Asia. Some $19.9 billion of the Nation's resources will go to support that effort in the current fiscal year and $22.4 billion in 1968. This past year our economy met these requirements with minimum strain and disruption.

We have also embarked upon a series of new programs to lift the quality of American life in the fields of health, education, urban development, pollution control, and the war on poverty. Yet the productivity and vitality of our economy is such that the total Federal budget in 1968, including the full costs of the Vietnam conflict, the new programs, and all of the various Federal trust funds, will account for only 1½ percent more of our gross national product than it did 3 years ago. Since the gross national product rose sharply over these 3 years, we have been able to meet our increased commitments abroad, move forward with urgent social programs at home, and still provide a massive expansion in goods and services available for private consumption and investment.

During the year and a half since the decision to send troops to Vietnam, consumer prices have risen 4.5 percent in spite of efforts to hold them down. We have, nevertheless, had considerably better success than in similar periods during World War II and the Korean conflict. Then, prices rose 13.5 percent and 11 percent, respectively, even with the imposition of price and wage controls which we have avoided.

The economic performance of the past 3 years did not just happen. It grew out of the ingenuity, hard work, and imagination of all parts of American society. But the one element which provided a catalyst for all the rest was the imaginative and flexible use of Federal fiscal policy.

In 1964, and again in 1965, tax reductions were enacted which gave a strong stimulus to the economy. Idle capacity came into operation, new capacity was built, and both the numbers and productivity of the Nation's workforce rose sharply.

In late 1965 and early 1966, however, as the economy rapidly approached full capacity operation, inflationary pressures began to develop.

On two occasions, I proposed, and the Congress promptly enacted, tax changes aimed at dampening those pressures. At the same time I made every effort to postpone, stretch out, or eliminate all but the most essential Federal expenditures. Cutbacks totaling over $5 billion in program levels and $3 billion in expenditures are being undertaken by Federal agencies during the current year. These actions contributed to a welcome moderation of inflationary pressures in the latter part of 1966.

FISCAL PROGRAM FOR 1968

In the budget for 1968, I am again proposing a fiscal program tailored to meet responsibly the needs of an expanding economy. This program will require a measure of sacrifice as well as continued work and resourcefulness.

In the year ahead, defense expenditures will continue to rise as we carry out our obligations in Vietnam. After a rigorous review of civilian programs and a sharp paring of spending requests, a modest increase in domestic expenditures will be required as we press forward to meet our obligations at home. Equity also demands that we increase substantially social security benefits for our older citizens so that they share in the Nation's growing income which their own past work and investment helped to bring about. And finally, during the coming year, we must take every reasonable step to permit a continuation of the move toward easier monetary conditions and lower interest rates which is now clearly underway.

Under these circumstances, I am proposing a temporary 6-percent surcharge on both corporate and individual income taxes. I also ask that individuals in the lower income brackets be exempt from the surcharge. The tax should remain in effect for 2 years, or for such period as may be warranted by our unusual expenditures in Vietnam. I will not hesitate to recommend an earlier expiration date, however, if the fiscal requirements of our commitments in Vietnam permit such action. In addition, I recommend legislation to provide a further acceleration of certain corporate tax payments.

With these new measures, and the expenditures I am proposing, the Federal budget deficit as measured in the national income accounts will be $2.1 billion in fiscal year 1968, compared to $3.8 billion in fiscal year 1967.

The national income accounts budget is the measure developed and used for over three decades by economists and fiscal experts to judge the impact of the Federal budget on the flow of income and production in the economy. Its measures of total Federal receipts and expenditures are the same as those used in recording the receipts and expenditures of business firms and individuals. Together with data on business and individuals, the national income accounts budget is used to build up official statistics on gross national product and national income.

Unlike the more traditional administrative budget, the national income budget: Includes the large expenditures and receipts of the Federal Government's trust funds, but excludes Federal loans and receipts from the sale of loans, since these are not recorded as income or expenditures in the accounts of business firms or individuals.

I am emphasizing the national income accounts as a measure of Federal fiscal activity because the traditional administrative budget is becoming an increasingly less complete and less reliable measure of the Government's activities and their economic impact. For example, trust fund-financed activities not reflected in the administrative budget now approximate one-third of that budget. More specifically, the fiscal year 1968 administrative budget excludes $48.1 billion of trust fund receipts and $44.5 billion of trust fund expenditures.

In addition, the treatment of lending as equivalent to spending in both the administrative and cash budgets is not suitable for an analysis of the budget's impact on the flow of national production and income.

To permit a higher 1968 budget deficit than the $2.1 billion involved in my fiscal recommendations would, I believe, be unacceptable. We would run substantial risks of choking off the much-desired move toward lower interest rates by placing too much of our stabilization effort on the shoulders of monetary policy, and renewing inflationary pressures, particularly in the latter half of this year.

On the other hand, to seek a lower deficit or a surplus through a more restrictive fiscal program would be unwarranted and self-defeating under present economic conditions. Such a fiscal policy could depress economic activity, reduce the incomes of individuals and corporations, and thereby fail to secure the revenues it was designed to achieve.

Summary of Federal receipts and payments

[Fiscal years. In billions]

Description	1966 actual	1967 estimate	1968 estimate
FEDERAL RECEIPTS			
National income accounts receipts—Federal sector	$132.6	$149.8	$167.1
Deduct: Timing adjustment (cash versus accrual)	−1.2	−3.9	.4
Add: Loans repaid, differences in coverage, and other adjustments	.7	1.0	1.4
Total cash receipts from the public	134.5	154.7	168.1
Deduct: Trust fund receipts	34.9	44.9	48.1
Add: Intragovernmental transactions and other adjustments	5.1	7.2	7.0
Administrative budget receipts	104.7	117.0	126.9
FEDERAL PAYMENTS			
National income accounts expenditures—Federal sector	132.3	153.6	169.2
Deduct: Timing adjustment (cash versus accrual)	−.3	.2	.4
Add: Loans, differences in coverage, and other adjustments	5.2	7.5	3.6
Total cash payments to the public	137.8	160.9	172.4
Deduct: Trust fund expenditures	34.9	40.9	44.5
Add: Intragovernmental transactions and other adjustments	4.0	6.8	7.1
Administrative budget expenditures	107.0	126.7	135.0
EXCESS OF RECEIPTS (+) OR PAYMENTS (−)			
National income accounts—Federal sector	+.3	−3.8	−2.1
Receipts from and payments to the public	−3.3	−6.2	−4.3
Administrative budget	−2.3	−9.7	−8.1

The economy, the budget, and the aims of our society would be jeopardized by either a larger tax increase or by large slashes in military or civilian programs. I have reviewed these programs carefully. Waste and nonessentials have been cut out. Reductions or postponements have been made wherever possible. The increases that are proposed have been carefully selected on the basis of urgent national requirements.

The Congress through the appropriations process, will, of course, subject these programs to a searching examination. I welcome that examination. But it is my judgment that major cuts cannot be made without serious impairment to vital national objectives—in defense, in education, in health, in the rebuilding of our cities, and in the attack on poverty.

This Nation is healthy and growing. It can—and, I believe, must—continue to move forward: In the defense of freedom against aggression; in the search for international peace and cooperation; and in the effort to improve the quality of American life. At this juncture in our history we have two choices: To stand still and mark time; or to press ahead responsibly and confidently.

For my part, I have chosen the latter course. That choice is reflected in my budgetary and fiscal proposals.

BUDGET SUMMARY

Federal expenditures, as measured in the national income accounts will rise from $153.6 billion in fiscal year 1967 to $169.2 billion in 1968. That increase is composed of four major elements: $5.8 billion for Vietnam and other national defense outlays; $6.2 billion in benefits under the Federal Government's social security and other trust funds, two-thirds of which results from the new social security legislation I am proposing; $1 billion for the cost of military and civilian pay increases, to keep abreast of rising salaries in private industry; and $2.6 billion for all other programs of the Federal Government.

Federal revenues will increase more rapidly than expenditures, from $149.8 billion in fiscal year 1967 to $167.1 billion in 1968, reflecting both the growth in the economy and the effect of the tax legislation I am recommending. The Federal deficit, as measured in the national income accounts will, therefore, decline between 1967 and 1968 from $3.8 billion to $2.1 billion.

While the national income accounts budget is the most appropriate measure of the overall economic impact of the Federal budget, a discussion of individual Federal programs is best carried out in terms of the more conventional administrative budget and the various Federal trust funds.

Administrative budget expenditures will amount to $126.7 billion in 1967 and $135 billion in 1968. In these 2 years, revenues in the administrative budget are estimated to rise from $117 billion to $126.9 billion. As a result, the budget deficit will fall from $9.7 billion in the current fiscal year to $8.1 billion in 1968.

Administrative budget expenditures in fiscal year 1967 are $13.9 billion higher than the expenditures I estimated in my budget message a year ago; $9.6 billion of the increase is accounted for by the enlarged military program. Another $3 billion results from the impact of tight money on the Federal budget, and $1.3 billion from expenditure reestimates, as workloads increased in such programs as public assistance, medicare, and the postal service. Potential further expenditures of $2.6 billion, from congressional additions to my 1967 authorization and appropriation recommendations, were roughly offset by the budget reductions I instituted last fall. Of the $3 billion expenditure reductions, $2.6 billion will occur in administrative budget programs and about $0.4 billion in the trust funds.

In 1968, defense outlays will account for $75.5 billion, or 56 percent, of the total budget. Of the remaining expenditures, some $29.4 billion, or 22 percent, are spent on programs under which payments are fixed by law or are otherwise uncontrollable—interest on the public debt, veterans compensation and pensions, public assistance, Federal general revenue contributions to medicare, and the like. Another $15.3 billion or 11 percent will be spent in 1968 to complete contracts or obligations entered into in prior years—the purchase of mortgages under earlier commitments, the completion of construction begun in 1966 or 1967, and so forth.

The remaining $14.9 billion, or 11 percent of the budget, may be considered as "controllable" expenditures in 1968. And even these include such indispensable programs as law enforcement, the collection of taxes and customs, the upkeep of our national parks, and the operation of the Nation's air navigation facilities.

Administrative budget expenditures

[Fiscal years. In billions]

Type of controllability	1966 actual	1967 estimate	1968 estimate
National defense	$57.7	$70.2	$75.5
Relatively uncontrollable civilian expenditures:			
Major programs	24.1	28.3	29.4
Interest	12.1	13.5	14.2
Veterans pensions, compensation, and insurance	4.2	4.7	4.9
Public assistance grants	3.5	3.9	4.2
Farm price supports (Commodity Credit Corporation)	1.3	1.6	1.6
Postal public service costs and revenue deficit (existing law)	.8	1.1	1.1
Health insurance payments to trust funds	--------	1.0	.9
Legislative and judiciary	.3	.4	.4
Other	1.8	2.2	2.3
Payments on prior contracts and obligations	11.5	14.3	15.3
Relatively controllable civilian expenditures	13.6	13.9	14.9
Proposed pay increases	--------	--------	1.0
Sale of financial assets	−3.0	−3.9	−5.3
Other	16.6	17.8	19.2
Total administrative budget expenditures	107.0	126.7	135.0

In the 1968 budget I have sought to recommend increases only where these are vitally necessary to meet the needs of a growing society. I have given particular, but selective, attention to programs designed to bring into the mainstream of American life those to whom opportunities are now denied.

At the same time, my 1968 budget incorporates substantial economies in operations. New projects under many Federal construction programs will be held to a modest level, well below the average of prior years and below the level to which they can rise when our fiscal problems are less urgent.

By 1966, Federal civilian agencies had achieved improvements in operations which netted a saving in that year of $1.7 billion compared to their level of efficiency 2 years earlier. The Defense Department's cost reduction program begun in 1961 yielded savings of $4.5 billion in 1966. Those efforts will continue in fiscal years 1967 and 1968.

The effect on the Federal budget of selective expansions in high priority programs combined with economies in operation are summarized in the accompanying table.

Civilian administrative budget expenditures

[Fiscal years. In billions]

	1966 actual	1967 estimate	1968 estimate	Change, 1967 to 1968
Total civilian	$49.3	$56.5	$59.5	+$3.0
Major education programs	2.8	4.0	4.6	+.6
Major health programs	2.5	4.3	4.8	+.5
Other major social programs:				
Welfare, labor, and economic opportunity programs	5.1	6.1	6.5	+.4
Housing and community development, regional development, and pollution control	1.2	2.0	2.4	+.4
Interest	12.1	13.5	14.2	+.6
Proposed pay increases	--------	--------	1.0	+1.0
Sale of financial assets	−3.0	−3.9	−5.3	−1.4
All other civilian expenditures	28.4	30.5	31.3	+.8

In the 1968 budget I am proposing to sell $5 billion in participation certificates. These certificates are a means by which Federal credit programs can be financed, and point up the role of the Federal Government as an intermediary, assisting borrowers to find sources of credit. The sale of these certificates also has the advantage of making the cash and administrative budgets more closely akin to the national income accounts budget since, in effect, it removes the impact of new lending from the cash and administrative budget totals.

My detailed budget plans provide for the possible sale of $5,750 million of these certificates. The overall budget totals, however, make an allowance for a possible shortfall of $750 million in the actual sales of these certificates. While this tends to raise the reported deficit in the administrative budget, I have made such an allowance in order to present more conservative estimates to the Congress, taking into account the uncertainty of future conditions.

NEW OBLIGATIONAL AUTHORITY

New obligational authority recommended for fiscal year 1968 in the administrative budget totals $144 billion. This is an increase of $4.4 billion over the current estimate for fiscal year 1967, of which $2.5 billion is for the Department of Defense and the military assistance program combined.

Of the total new obligational authority estimated for 1968, the Congress will have to act this year on $126.5 billion. The remaining $17.5 billion will become available under "permanent" authorizations without further congressional action; interest on the public debt represents 80 percent of this amount. Most of the $50.2 billion in new obligational authority estimated for 1968 for trust funds represents revenues from special taxes which are also appropriated automatically.

Apart from defense and military assistance, the 1968 new obligational authority recommended for congressional action in the administrative budget will amount to $51.3 billion. The proposed amounts result from a thorough evaluation and review of program levels and needs and have been held to the minimum that will assure orderly progress in meeting national program objectives.

Major increases in new obligational authority, other than for the Department of Defense, include $1.2 billion for the Department of Housing and Urban Development, including the newly enacted model cities program; $1 billion for proposed civilian and military pay increases; $0.9 billion for the Department of Health, Education, and Welfare, mainly for public assistance, education, medicaid, and various other health activities; $0.6 billion for the permanent appropriation for interest on the public debt.

Major decreases include $1.8 billion for the Department of Agriculture, largely due to the reduced capital needs of the Commodity Credit Corporation and the proposal to establish revolving funds for the Rural Electrification Administration; $1 billion for the Tennessee Valley Authority since its needs for bond-issuing authority for the next several years were met by an increase of this amount granted in fiscal year 1967; $0.6 billion for the Post Office, reflecting proposed postal rate increases.

The 1967 estimate in the administrative budget includes $14.3 billion in recommended supplemental appropriations which the Congress is being requested to enact this year. Of this total, $12.3 billion is for support of military operations in southeast Asia. The remaining supplemental amounts are needed mainly (1) to provide adequate financing for certain relatively uncontrollable costs which are based on eligibility and demand for services under provisions of existing law—such as for public assistance grants, postal services, and veterans' compensation and pensions and (2) to cover part of the cost of military and civilian pay increases and new programs which were enacted last year but for which appropriations were not provided. The estimates presented in this budget reflect fully this additional new obligational authority for the current year and the related expenditures.

New obligational authority

[Fiscal years. In billions]

Description	1966 actual	1967 estimate	1968 estimate
Total authorizations requiring current action by Congress:			
Administrative budget funds	$110.9	$123.9	$126.5
Trust funds	.5	5.1	1.7
Total authorizations not requiring current action by Congress:			
Administrative budget funds	15.5	15.7	17.5
Trust funds	36.2	45.8	48.6
Total new obligational authority:			
Administrative budget funds	126.4	139.6	144.0
Trust funds	36.7	50.8	50.2

FEDERAL PROGRAMS AND EXPENDITURES

Military forces able to defend the cause of freedom in Vietnam and to counter other threats to national security require substantial resources.

Yet we cannot permit the defense of freedom abroad to sidetrack the struggle for individual growth and dignity at home. Under my budget proposals, we will move forward at a reasonable rate the programs to broaden opportunities for the poor or disadvantaged and continue the steady advance in their effectiveness achieved in the last 3 years.

Payments to the public

[Fiscal years. In billions]

Function	1966 actual	1967 estimate	1968 estimate
Administrative budget expenditures:			
National defense	$57.7	$70.2	$75.5
Excluding special Vietnam	(51.9)	(50.8)	(53.6)
International affairs and finance	4.2	4.6	4.8
Excluding special Vietnam	(3.9)	(4.1)	(4.3)
Space research and technology	5.9	5.6	5.3
Agriculture and agricultural resources	3.3	3.0	3.2
Natural resources	3.1	3.2	3.5
Commerce and transportation	3.0	3.5	3.1
Housing and community development	.3	.9	1.0
Health, labor, and welfare	7.6	10.4	11.3
Education	2.8	3.3	2.8
Veterans benefits and services	5.0	6.4	6.1
Interest	12.1	13.5	14.2
General government	2.5	2.7	2.8
Allowances:			
Civilian and military pay increase	----------	----------	1.0
Possible shortfall in asset sales	----------	----------	.8
Contingencies	----------	.1	.4
Interfund transactions (deduct)	.6	.8	.7
Total, administrative budget expenditures	107.0	126.7	135.0
Trust fund expenditures:			
Health, labor, and welfare	26.4	31.5	37.1
Commerce and transportation	3.8	3.7	3.7
National defense	.8	1.1	1.4
Agriculture and agricultural resources	1.2	1.4	1.2
Housing and community development	3.2	3.0	1.0
Veterans benefits and services	.6	.8	.6
All other	−.2	.1	.3
Interfund transactions (deduct)	.8	.7	.7
Total trust fund expenditures	34.9	40.9	44.5
Intragovernmental transactions and other adjustments (deduct)	4.0	6.8	7.1
Total payments to the public	137.8	160.9	172.4

To assure that the budget fully covers all the costs which we might reasonably expect in the coming year, the total includes $2.2 billion in special allowances to provide for: First, proposed increases in the pay of military and civilian personnel, including postal employees; second, the possibility of some shortfall in planned sales of financial assets; and third, unforeseen contingencies and the possible costs of programs on which definite decisions have not yet been made, such as the development of a prototype supersonic air transport and a nuclear space rocket.

The highlights of the proposed Government program for 1968 follow:

National defense: Today, our military requirements are dictated by two fundamental realities. We must continue to counter aggression in South Vietnam. We must also continue to enhance our ability to meet changing threats to our freedom and security elsewhere. The 1968 budget will insure that our forces remain equal to both these tasks.

Though small in relation to the Nation's total economic activity, the cost of honoring our commitment to South Vietnam is nevertheless substantial. Expenditures necessary to support military operations in southeast Asia will total $21.9 billion in 1968, about three-tenths of budget expenditures for national defense. A year ago we were in the midst of a rapid buildup of our forces in Vietnam. Rather than submit a budget to the Congress based on highly uncertain estimates, I requested funds sufficient to finance the conflict through fiscal year 1967. At the present time the situation is different. While unforeseen events can upset the most careful estimate, we are in a much better position to determine our future requirements in Vietnam. As a consequence, my 1968 budget provides for those requirements on a continuing basis, including the possibility of an extension of combat beyond the end of the fiscal year.

In 1968, we will:

Continue intensive development of Nike X but take no action now to deploy an antiballistic missile—ABM—defense; initiate discussions with the Soviet Union on the limitation of ABM deployments; in the event these discussions prove unsuccessful, we will reconsider our deployment decision. To provide for actions that may be required at that time, approximately $375 million has been included in the 1968 budget for the production of Nike X for such purposes as defense of our offensive weapon systems.

Maintain our decisive strategic superiority by initiating procurement of the advanced Poseidon submarine-launched missile, improving our present stategic missiles, and further safeguarding our capacity to direct our forces in the event of attack.

Provide our forces in Vietnam with all the weapons and supplies they need and add to our war reserves at the same time.

Add to the mobility and effectiveness of our general purpose forces by increasing the firepower of our ground forces, enlarging our helicopter strength, pursuing a vigorous shipbuilding and conversion program, and purchasing additional modern tactical aircraft.

Increase our airlift and sealift capabilities by further procurement of the giant C–5A transport plane, and procurement of five fast-deployment logistics ships.

Continue the vigorous research and development programs vital to maintaining the most modern, versatile, and potent forces in the world.

These sizable increases in our capabilities for nuclear, conventional, or countersubversive conflict are necessary and prudent. Nevertheless, security needs will continue to be met without waste or extravagance. Our defense programs must be conducted as efficiently and economically as possible. In 1968, the defense cost reduction program will continue to produce significant savings.

International affairs and finance: In the long run, greater opportunities and security for our own citizens will be possible only if other peoples also share in progress toward a better and more secure life. To this end, our international programs in the coming year will emphasize helping the less developed nations to increase their food production, expand their educational opportunities, and improve the health of their citizens.

Based on a thorough review of our economic assistance objectives and programs, I will recommend new legislation and specific actions to—

Require more effective self-help measures by recipient countries as a condition for U.S. aid;

Increase the amount of assistance for the key sectors of agriculture, health, and education;

Support regional arrangements and

make greater use of multilateral channels through which other nations cooperatively share the costs of economic development;

Encourage greater participation by private enterprise in the development process; and

Concentrate our aid in those countries where successful development is most probable.

We are gratified by the achievements of the Alliance for Progress and shall continue to work closely with our hemispheric neighbors to help build schools and homes, create new jobs, and improve health and nutrition. But much remains to be done. I shall be meeting shortly with the chief executives of the other American governments to review the goals and progress of the Alliance. At that time we will consider new cooperative programs to accelerate growth in critical areas.

In South Vietnam, we will increase our economic assistance for projects directly aiding people in the villages and hamlets. This stepped-up effort is urgently needed to help these people construct their farms and houses in safety and build the foundation for a better life in that strife-torn country.

To pursue the war on hunger more effectively, our assistance to agriculture and our food-for-freedom shipments will encourage and support efforts by the developing nations to increase their own food production. In cooperation with other nations, we will also carry out a pioneer program to find ways to utilize the vast unexploited food resources of the sea.

The International Development Association, which is managed by the World Bank, has proven an effective means of international cooperation to promote economic development. Its current resources, however, will soon be exhausted. Following the successful conclusion of negotiations between the IDA and the developed nations of the world, I will request authorization for the United States to pledge its fair share toward an additional contribution to this organization in ways consistent with our balance-of-payments policy. I also intend to propose legislation which will permit us to join other members in a replenishment of the Inter-American Development Bank's Fund for Special Operations.

To enable the Export-Import Bank to fulfill its role of assisting our export trade, which is so vital to our balance of payments, I am recommending that its lending authority be increased and its life extended for another 5 years.

Space research and technology: In 1961, this Nation resolved to send a manned expedition to the moon in this decade. Much hard work remains and many obstacles must still be overcome before that goal is met. Yet, in the last few years we have progressed far enough that we must now look beyond our original objective and set our course for the more distant future. Indeed, we have no alternative unless we wish to abandon the manned space capability we have created.

This budget provides for the initiation of an effective follow-on to the manned lunar landing. We will explore the moon. We will learn to live in space for months at a time. Our astronauts will conduct scientific and engineering experiments in space to enhance man's mastery of that environment.

The Surveyor and Orbiter projects, in photographing the moon, have demonstrated dramatically the value of unmanned spacecraft in investigating other objects in the solar system. Accordingly, we are proceeding with the development of the Voyager system for an unmanned landing on Mars in 1973. We will also continue other unmanned investigations nearer the earth.

In recent years the National Aeronautics and Space Administration and the Atomic Energy Commission have jointly undertaken the development of nuclear rocket propulsion technology. We are now considering whether that effort should be expanded to the development of the rocket itself. The overall budget totals allow for the possibility of proceeding if an affirmative decision is reached.

These new ventures are the result of careful planning and selectivity. We are not doing everything in space that we are technologically capable of doing. Rather, we are choosing those projects that give us the greatest return on our investment.

To support these new projects and to maintain our existing programs, an increase of $82 million is requested in new obligational authority for the National Aeronautics and Space Administration for 1968. Expenditures, however, will decline by $300 million in the coming year, primarily because of reduced requirements for the manned lunar landing program.

Agriculture and agricultural resources: Rising domestic and foreign demands have highlighted the importance of maintaining a healthy and productive agricultural economy. During the past year our surplus commodity stocks have been substantially reduced. As a result, restrictions on the production of wheat and feed grains have been eased in order to allow the Nation to maintain adequate reserves.

The increasing demand for agricultural commodities provides a favorable outlook for many of our commercial farmers. However, a large number of rural people cannot achieve an adequate income even with a prosperous agriculture. Labor requirements on the Nation's farms have declined drastically in the last quarter of a century. Unemployment and underemployment in rural areas have resulted. Consequently, rural communities are often unable to provide and maintain essential public services—good schools, modern hospitals, and other necessary community facilities—to meet today's needs.

I have directed the Secretary of Agriculture to take the lead in helping rural people achieve a quality of living comparable to other segments of our population. To this end, the Department of Agriculture will work with State and Federal agencies and with local groups to help rural communities make the best use of all existing governmental programs. In addition, legislation is needed to encourage establishment of pilot multicounty development districts.

To assure modern and efficient electric and telephone services for rural people, legislation should be enacted promptly to provide new sources of private financing for Rural Electrification Administration borrowers, while minimizing Federal outlays.

Natural resources: My recommendations in this budget for natural resource conservation and development will help meet the most urgent needs of our people and the requirements for economic growth.

Action must be taken now to—

Reduce water pollution in our lakes, rivers, and estuaries.

Insure an adequate supply of pure water.

Preserve scenic areas of irreplaceable natural beauty—scenic rivers, the Redwoods, North Cascades in the State of Washington, and the historic Potomac Valley.

Forestall the escalation of land prices in the acquisition of Federal lands for recreational use.

The continued pollution of our rivers, lakes, and estuaries is one of the major resource problems facing this Nation. The transfer last year of the Federal Water Pollution Control Administration to the Department of the Interior now permits a major attack on the problems of water pollution in entire river basins. In 1968, the Department will also give major emphasis to reviewing and approving State standards required by the Water Quality Act of 1965.

Many regions of the country are facing increasingly critical problems of adequate supply and efficient use of water. I urge prompt enactment of legislation to establish a National Water Commission to assess our major water problems and develop guidelines for the most effective use of available water resources.

I also recommend legislation to enable the Department of the Interior to participate with the Metropolitan Water District of Southern California and the Atomic Energy Commission in developing and constructing a large prototype power and desalting plant. This will be a major step toward the development of economical projects for conversion of sea water to fresh water.

This budget provides for continued investment in the development and improvement of our vital water resources. Last fall, however, in order to help relieve inflationary pressures on the economy, I directed Federal agencies to slow down or defer construction projects wherever possible in fiscal year 1967. For 1968, I am recommending that a small number of new water resources projects be started. Advance planning will begin on a number of projects to be constructed in later years.

Authorized recreation areas must be acquired as promptly as possible to avoid speculative increases in land prices. Accordingly, I propose that an advance appropriation be made to the Land and Water Conservation Fund for this purpose.

A significant advance in research on the fundamental structure of matter will be made possible with the construction of a 200-billion-electron-volt accelerator by the Atomic Energy Commission. This research machine, to be located near Chicago, Ill., is expected to provide U.S. physicists with the world's highest energy proton beam. Design funds are provided in the 1968 budget.

Commerce and transportation: A strong and balanced national economy requires: Accurate and timely information; efficient transportation facilities; rapid communication; and special aids to lagging regions and sectors of the Nation.

Accordingly, the Federal Government will augment significantly its investment in commerce and transportation programs in the year ahead. The 1968 budget provides funds to:

Increase technical services and other aids to business;

Undertake a special sample survey to pinpoint the social and economic needs of our people;

Give added impetus to our efforts to encourage travel to the United States and our export promotion programs to improve our balance of payments;

Support a world weather watch to improve long-range weather forecasting;

Explore means for modifying the weather and examine the implications of this new science;

Strengthen our effort to encourage regional economic development; and

Improve our transportation facilities and services under the leadership of the new Department of Transportation.

Our transportation programs in 1968 will include an all-out attack to reduce the alarming carnage on the Nation's highways, using the tools made available in the highway safety legislation enacted last year. We are currently considering the construction of a prototype civil supersonic transport. The allowance for contingencies is adequate to cover the possible costs of this effort, should an affirmative decision be made to proceed.

Special emphasis will be placed on improved management and acquisition of modern facilities and equipment to increase the efficiency of our postal system, one of the largest business operations in the world. To provide improved services, to cover proposed pay increases for postal workers and largely offset the remaining postal deficit, a postal rate increase is both necessary and desirable. As required by law, I am proposing such an increase. The budget reflects $700 million in postal revenues from this source.

Housing and community development: The problems of the American city are great and vexing. They involve the entire physical and social fabric of deteriorating central cities and rapidly growing suburbs. Trapped in the declining centers of our cities are the poor and the victims of discrimination—who lack the resources to solve their problems without outside help.

This budget provides funds to help meet these needs. Outlays for grants and loans for programs directed specifically at community development will total an estimated $1.3 billion in 1968, triple the level in 1963. Moreover, other programs providing aid to urban areas will make substantial additional amounts available.

I have directed that community development programs emphasize aids for the poor. The recently enacted program of rent supplements is an essential element in helping the needy obtain adequate housing facilities and increasing their freedom of choice as to where they can live. To carry on this important program, I am requesting the full amount authorized for rent supplements for 1968, and urge the Congress to act favorably on this request.

To be effective, concerted attacks on city problems must be planned by the cities themselves. The new model cities program is now the primary incentive provided by the Federal Government to accomplish this objective. Special grants will be made to help transform entire blighted areas into attractive and useful neighborhoods. To receive these grants, cities must: Develop imaginative and comprehensive plans of action; and enlist Federal, State, local, and private resources in a concerted effort to bring their plans to fruition.

Many cities are now planning their programs. It is essential that the funds I am requesting for these special grants be available in 1968 when these cities are ready to begin the task.

Under a new program enacted last year, further encouragement will be given to the planned development of entire metropolitan areas. Supplementary Federal grants will be made under 10 Federal aid programs in those metropolitan areas which demonstrate that they are carrying out through joint planning efforts all activities which affect metropolitan development. I urge enactment of the appropriations requested for this program.

One of the most serious difficulties in solving city problems is our inadequate knowledge about the roots and nature of these problems. I urge that sufficient funds be provided the Department of Housing and Urban Development to start a systematic research effort to acquire needed information on the causes and possible solutions for the housing and urban problems which we face today.

To be effective, our aids for community development must be put to use by competent, well-trained local employees. I am therefore requesting the appropriation of funds to initiate the authorized program for grants to States to help them provide training for State and local employees in community development programs.

The problems of the city are many; the resources, limited. More resources are essential if we are to build better cities for the future. We must start now to provide them.

Health, labor, and welfare: The 89th Congress enacted a far-reaching series of programs to improve the health and well-being of American citizens—particularly the less fortunate.

In the year ahead we must proceed to carry out these programs effectively, and seek the revisions and additions needed to maintain our progress. This budget so provides.

Health: The specter of inadequate health care is being removed from the aged and needy as we move ahead with the new medicare and medicaid programs, and with other activities aimed at bringing comprehensive modern treatment to all. With expanded Federal aid, more medical resources will become available, including medical facilities and qualified health personnel. The Nation's system for providing health care—public and private—will be improved to make it more efficient and to insure use of the latest advances of medical science.

In 1968, we will—

Strengthen our partnership with the States in health planning and in using broader and more flexible grants to fill gaps in health services.

Begin operating the new regional medical programs which will narrow the gap between the advanced methods used at university hospitals and day-to-day medical practice in the community.

Continue research and development to prevent or control diseases.

Expand programs to increase efficiency in hospitals, clinics, nursing homes, and neighborhood health centers.

Additional measures are needed and will be proposed to:

Extend medicare to disabled workers.

Expand child health services, including dental care.

Reduce the menace of air pollution which is a threat to the health and safety of our citizens.

Labor and manpower: My budget proposals provide increased opportunity for the disadvantaged to participate in and contribute productively to our expanding economy.

I am recommending funds for 280,000 trainees under the Manpower Development and Training Act, an increase of 30,000 over the current year.

Programs under that act and those of the U.S. Employment Service will continue to emphasize serving the severely disadvantaged.

In addition, under programs financed by the Office of Economic Opportunity, 355,000 jobs and training will be made available for youths in the Neighborhood Youth Corps. An estimated $328 million will be provided for expanded work-training programs, primarily for adults, with special emphasis on reaching the hard-core unemployed and underemployed in slum areas.

Economic opportunity programs: Poverty remains an ugly scar on the Nation's conscience. The war against it will be long, difficult, and costly. But we are making headway.

The $2.1 billion of new obligational authority included in the 1968 budget for the Office of Economic Opportunity will enable us to expand programs which help people rise out of poverty. The increase of $448 million over the 1967 level will be used largely for community action programs, for training programs, and for new Headstart followup efforts.

In addition to those helped by the work-training programs described above, the budget will provide for: 737,000 children in Headstart; $135 million for improving primary school services as a followup to Headstart; 38,000 enrollees in the Job Corps; 6.5 million persons to be served through other activities by 1,100 community action programs.

Benefits and services which aid the poor are being provided by a number of Federal agencies. In total, 10 agencies will devote $25.6 billion in 1968 to help the more than 31 million poor people in our Nation. This represents an increase of $3.6 billion or 16 percent from the current year, of which $2 billion will be from trust funds.

Federal aid to the poor

[Fiscal years. In billions]

Category	1960 actual	1963 actual	1967 estimate	1968 estimate
Education and training	$0.3	$0.3	$3.1	$3.8
Health	.7	1.0	3.6	4.2
Cash benefit payments	8.3	10.4	12.8	14.6
Services, economic and community development, and other	.7	1.2	2.5	3.1
Total funds	9.9	12.9	22.0	25.6

Social security and public assistance programs: More than a third of our citizens receiving social security exist on incomes below the poverty level. Cash assistance to welfare recipients generally fails to meet even State standards of need, which are often unrealistically low. And many of the poor are not even eligible for this meager assistance. As a step toward correcting these inequities, I will propose legislation to:

Provide an overall 20-percent increase in social security benefits for retired workers and their survivors, with a 59-percent increase at the bottom of the scale;

Assure that the public assistance program provides incentives for work and training and more nearly meets economic need;

Assure public assistance support and work training opportunities for unemployed fathers in impoverished families with dependent children.

Education: Our Nation's greatness depends upon the full development of the talents and abilities of its citizens.

The 89th Congress wrote a memorable record in education legislation. The Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 marked a significant advance in Federal support to help improve and enlarge educational opportunities at all levels. Our task now is to use this authority in an imaginative, creative, and responsible way.

New obligational authority for education will total $5.2 billion in 1968, $622 million more than in 1967. These funds will be used to—

Assist the disadvantaged by increasing grants to improve elementary and secondary education for about 8½ million less fortunate children from low-income families and by providing new grants for education of handicapped children;

Encourage creative change through an increase of almost 80 percent in grants for supplementary centers and other special projects designed to introduce better teaching and innovation in our educational programs.

Widen higher educational opportunities by providing more than $1.1 billion in scholarships, loans, and part-time work for students, a 22-percent increase over 1967; and

Improve teacher training through additional funding and amendments providing for a more flexible use of legislative authority.

I will propose legislation to—

Extend and enlarge the Teachers Corps;

Initiate experimental projects to improve vocational education, particularly for the disadvantaged and those not planning to attend college;

Extend and expand Federal support for educational television; and

Strengthen education program planning and evaluation by State governments and localities.

Veterans benefits and services: This Nation continues to recognize a particular obligation to those who have served in the Armed Forces. Special programs have long been available to aid the veteran and his dependents in the event of disability, death, ill health, or old age.

More recently, following World War II and the Korean conflict, extensive programs were enacted to assist the veteran in his readjustment to civilian life. In the second session of the 89th Congress, this type of assistance was again provided, through enactment of the third major veterans readjustment benefit program or GI bill. Upon leaving the Armed Forces, young men of recent military service will find their readjustment made easier through the availability of substantial education, training, medical, and home loan benefits.

In addition, the 1968 budget continues the improvements of the past few years in hospital staffing and the provision of new medical services and facilities. The objective is to provide both a higher quality of care and to reduce the duration of hospitalization, enabling the veteran to return sooner to his home and job.

Certain gaps currently exist in the benefits available to veterans of service in Vietnam relative to those for veterans of previous active military operations. I will propose legislation to fill these gaps so that fair and equitable treatment is provided for those who bear the brunt of the struggle in southeast Asia. I will also submit proposals to the Congress to remove or modify certain longstanding but outmoded or inequitable provisions of law governing veterans programs.

General government: This administration is determined to help our States and cities reduce crime in America. Significant strides have already been taken. The Law Enforcement Act of 1965, the Bail Reform Act of 1966, and the Prisoner Rehabilitation Act of 1965 have helped to strengthen law enforcement agencies, establish more equitable bail procedures in Federal courts, and improve the effectiveness of prisoner rehabilitation programs.

However, still greater efforts must be made. In 1965, I appointed a Commission of prominent citizens to study law enforcement and the administration of justice. With the aid of its findings, I will propose legislation for a major new program to help strengthen State and local government law enforcement and criminal justice systems.

District of Columbia citizens should have a voice in their own affairs. Our commitment to democracy demands no less. I again urge the Congress to grant home rule to the Nation's Capital.

PUBLIC DEBT

On the basis of the receipts and expenditures estimated in this budget, the public debt on June 30, 1967, will be $327.3 billion, and will increase to $335.4 billion on June 30, 1968.

The temporary limit of $330 billion on the public debt under present law will expire on June 30, 1967. If no action is taken, the limit will revert on that date to the permanent ceiling of $285 billion.

The present temporary debt limit, enacted last June, was based on an estimated administrative budget deficit for fiscal year 1967 of $1.8 billion. The request then made to the Congress was for a temporary debt limit of $332 billion. In reducing this request by $2 billion, the Congress indicated that if increased costs for Vietnam or other contingencies required reappraisal of this tight limit, the Congress would take whatever action is necessary.

The increase in the 1967 deficit, coupled with the tightness of the current limit on the outstanding debt, make an immediate increase imperative. Without such an increase, management of debt operations and other fiscal policies will be seriously hampered.

Later this year, when the fiscal requirements for 1968 are more precisely known, specific recommendations will be presented for modifications in the temporary limit for that year. The exact amounts of the revisions in the temporary limit will depend not only on the specific outlook for the fiscal year as a whole, but also on the time pattern of receipts and expenditures in prospect.

Public debt at end of year

[Fiscal years. In billions]

Description	1965 actual	1966 actual	1967 estimate	1968 estimate
Owned by Federal agencies and trust funds	$63.0	$66.5	$74.9	$80.0
Owned privately and by Federal Reserve banks	254.8	253.8	252.4	255.4
Total	317.9	320.4	327.3	335.4

NOTE.—For further details see table 11 in pt. 2 of this document.

Both for 1967 and 1968 the debt limits requested will provide the margin of flexibility necessary to manage the debt most prudently—to permit the Treasury to take full advantage of the most favorable market conditions and thus avoid unnecessary interest costs or adverse effects on the economy.

IMPROVING GOVERNMENT MANAGEMENT

In the past few years, the Federal Government has undertaken an unprecedented number of forward-looking programs which promise to enrich the quality, the justice, and the opportunity of American society to an extent no one would have dared hope only a few short years ago.

But our responsibilities to the American people are not discharged with the enactment of new programs which meet the needs of the Nation. There exist two other closely related obligations of equal gravity:

First, we are obligated to assure effective and economical management of governmental programs—both old and new. Effective management of government activities enhances the benefits of those programs. Economical management releases resources for the people's use.

Second, we are obligated to maintain close and harmonious working relationships with State, county, and local governments—our partners in a new and creative federalism.

Government organization: We have made significant strides in the last 2 years to improve Government organization—

By creating the Departments of Transportation and of Housing and Urban Development.

By transferring the Community Relations Service to the Department of Justice and the Federal Water Pollution Control Administration to the Department of the Interior.

By reorganizing the Public Health Service of the Department of Health, Education, and Welfare, the scientific programs of the Department of Commerce, and the Bureau of Customs.

But additional action to improve the management of the Federal Government is necessary. One of the Government's major objectives is the promotion of a vigorous and growing economy. While there are many ways in which the Government pursues this objective, there are a number of highly interrelated activities now carried on separately by the Departments of Labor and Commerce and several other agencies:

Planning and execution of manpower programs designed to increase the skills and productivity of the labor force;

Promotion of the economic development of depressed areas and regions, to help them achieve balanced economic growth;

Provision of technical and other services to business and labor;

Collection, dissemination, and analysis of data about economic conditions of the Nation, its various industries, and its geographic areas;

Advising the President and carrying out national policies for improved labor-management relations.

The Secretaries of Commerce and Labor have recommended to me, and I strongly agree, that the President, the Congress and the Nation will best be served by bringing together these closely related operations into one institution headed by a single responsible official of Cabinet rank. I will, therefore, propose legislation to merge the Departments of Labor and Commerce and the functions of several related agencies into a new Department of Business and Labor.

Federal-State-local cooperation: Our agenda must give high priority to a stronger and more effective federal system of government in the United States. To meet urgent and growing needs, the Federal Government is providing a wide range of programs to assist State and local governments. Now the chief task is to manage these programs efficiently at every level of government to assure the most effective public services. This effort will require support and action by the Congress.

At the national level the Federal Government has a responsibility to examine and improve the grant-in-aid system, making it more flexible and responsive to State and local fiscal realities. Last year we began a new partnership in health program through which numerous separate grant programs are being brought together. The model cities legislation enacted last year will also help to integrate the wide range of Federal aids available to communities. In the coming year we will examine other areas of Federal aid to determine whether additional categorical grants can be combined to form a more effective tool for intergovernmental cooperation.

Another aspect of the problem of intergovernmental cooperation has been the process of consultation with elected officials of State and local governments on matters concerning the development and administration of Federal assistance programs. Governors and local chief executives are responsible for the management of their units of government. The Federal Government should take all practical steps to increase the role of these executives in the administration of federally aided programs. I recently instructed Federal officials to work directly with State and local chief executives to accomplish this objective.

The Federal Government has a vital stake in the workings of our federal system. Federalism is not a one-sided partnership, and the States and local governments do not exist simply to carry out programs on behalf of the National Government. When we lose sight of these facts the federal system suffers, governments work at cross-purposes, and the programs fail to achieve their objectives. Our task now is to improve Federal programs and administration, while we do more to help State and local governments strengthen their machinery for planning and management.

At the same time, State and local governments must help themselves. Serious problems of modernization in State and local governments can be solved only by the people directly concerned. The Federal Government cannot and should not seek to remedy their internal deficiencies of organization or obsolete restraints on financing and executive direction. The Federal Government can, however, increase its technical assistance to general units of government. As one example, we can work with State and local executives to improve budgeting and management. In a similar way, the Federal Government stands ready to cooperate with the States in developing more adequate general systems of comparative statistics—an area where State governments have great needs.

Capable personnel are essential for effective service to the public at the State and local level no less than at the national level. I am recommending legislation to broaden educational and training opportunities for students planning careers in the public service and for public employees who desire to improve their skills. Provision will also be made for financial and technical assistance to strengthen State and local personnel management and to permit interchange of personnel between the Federal Government and State and local governments.

Some States have created special offices concerned with community development, which focus their organizational and financial resources on urban problems within their borders. The work of these offices can be made more effective, and other States can be encouraged to make similar efforts, by the new program authorized last year for grants by the Department of Housing and Urban Development to States to support technical assistance and information services to their local communities. I urge the Congress to stimulate such improvements by providing the funds I am requesting for this new program.

Budgetary concepts: As I have already made clear in this message, some of our traditional budget concepts do not adequately portray the Federal Government's activities. The conventional administrative budget, for example, excludes the expenditures and receipts of the trust funds. Both the administrative and cash budgets treat repayable loans in the same way as nonrepayable grants or purchases. While the national income accounts budget has been carefully formulated to measure Federal activities in relation to the flow of income and production in the economy, it is not now well suited for an analysis of individual Federal programs.

For many years—under many administrations—particular aspects of the overall budget presentation, or the treatment of individual accounts, have been questioned on one ground or another.

In the light of these facts, I believe a thorough and objective review of budgetary concepts is warranted. I, therefore, intend to seek advice on this subject from a bipartisan group of informed individuals with a background in budgetary matters. It is my hope that this group can undertake a thorough review of the budget and recommend an approach to budgetary presentation which will assist both public and congressional understanding of this vital document.

PLANNING-PROGRAMING-BUDGETING SYSTEM

Our most comprehensive effort to improve the effectiveness of Government programs is taking place through the planning-programing-budgeting system. This system, which was initiated throughout the executive branch a little over a year ago, requires all agencies to—

Make explicit the objectives of their programs and relate them carefully to national needs;

Set up specific proposed plans of work to attain those objectives; and

Analyze and compare the probable costs and benefits of these plans against those of alternative methods of accomplishing the same results.

The system is primarily a means of encouraging careful and explicit analysis of Federal programs. It will substantially improve our ability to decide among competing proposals for funds and to evaluate actual performance. The full effects of this effort will not be felt until next year and later, as the necessary data are gathered and analyses now in progress are completed.

A few examples of the kind of work which is in progress indicate the wide range of matters to which organized analysis and programing can be applied.

Disease control: The Department of Health, Education, and Welfare has completed an analysis of the relative cost and effectiveness of selected disease control programs. Cost per life saved and other criteria of relative effectiveness were developed. These programs are being reviewed and funding priorities are being reexamined in light of these findings.

Child health: The Department of Health, Education, and Welfare completed an analysis of alternative programs aimed at reducing infant mortality and improving child health. This analysis led to the legislative program focused on early identification and treatment of needy handicapped children and experimental projects aimed at improving delivery of medical care to children.

Urban planning: Experimental projects in urban planning designed to link planning with budgeting are underway at the local level. These efforts should produce a more effective allocation not only of Federal outlays but also of local resources.

Agricultural research: On the basis of a long-range study conducted by the Department of Agriculture and the land grant universities, a new set of priorities for agricultural research has been established. Increasing emphasis is being given to research on improvement of nutrition and health, efficient low-cost housing, improved community services, and other means which can help directly in raising the level of rural living.

Tax administration: As a result of intensive analyses of the tax administration system, Internal Revenue Service programs have been steadily improved to produce higher tax collections per dollar of cost, while strengthening the emphasis on equity and voluntary compliance on which our tax administration is based.

With its emphasis on developing better methods of accomplishing program objectives, the new planning-programing-budgeting system is also helping our Government-wide cost reduction program. We will continue to offset a significant part of increased costs of important new programs by increasing efficiency throughout the Federal Government. Savings from this source have been substantial during the past year under our drive for cost reduction. I have made it clear to the heads of all departments and agencies that they are to continue their emphasis on cost reduction in the coming year.

The careful research and analysis which is required under the planning-programing-budgeting system does not just happen. It requires the efforts of intelligent and dedicated men and women. The number of analysts required is not large—but the need for them is great. I urge the Congress to approve the funds requested in the budgets of the various Federal agencies to make possible this improvement in the management of Federal resources.

CONCLUSION

Our Nation is stronger today than ever before. We need not, indeed we dare not, forsake our basic goals of peace, prosperity, and progress.

The pursuit of peace is essential for the continued advancement of our Nation and all mankind.

Prosperity and progress will lead us toward a society where all can share in the bounty of nature and the products of man's ingenuity and creativity.

At various times in the past, democracies have been criticized for their seeming inability to make hard choices—for seeking soft, easy answers to critical problems. This Nation has proven the doubters wrong time and again, and will not fall prey to such weakness now.

We can afford to achieve our goals. Let us not retreat from the task, no matter how demanding it may be.

This budget represents a careful balance of our abundant resources and our awesome responsibilities. As President, I have weighed the alternatives and made the hard choices as best I could. The responsibility for similar action now rests with the Congress. I urge your support for the goals and programs embodied in this budget for the coming fiscal year.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *January 24, 1967.*

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Maurice Cecil Mackey, Jr., of Alabama, to be an Assistant Secretary of Transportation, which was referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 712 (a) (2) of the Defense Production Act of 1950 (title 50, Appendix, United States Code, sec. 2162(a) (2)), the Speaker has appointed Mr. PATMAN, of Texas, Mr. MULTER, of New York, Mr. BARRETT, of Pennsylvania, Mr. WIDNALL, of New Jersey, and Mr. FINO, of New York as members of the Joint Committee on Defense Production, on the part of the House.

ENROLLED BILL SIGNED

The message announced that the Speaker had affixed his signature to the enrolled bill (S. 376) fixing the representation of the majority and minority membership of the Joint Economic Committee, and it was signed by the Vice President.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, is a unanimous-consent agreement at the desk?

The ACTING PRESIDENT pro tempore. There is; and routine morning business will be conducted until 12:30 p.m., under the 3-minute limitation.

APPROPRIATION TO ATOMIC ENERGY COMMISSION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes which, with an accompanying paper, was referred to the Joint Committee on Atomic Energy.

INVESTIGATIONS INTO THE EFFICIENCY AND ECONOMY OF OPERATIONS OF ALL BRANCHES OF GOVERNMENT—REPORT OF A COMMITTEE

Mr. McCLELLAN, from the Committee on Government Operations, reported the following original resolution (S. Res. 53); which was referred to the Committee on Rules and Administration:

S. Res. 53

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof is authorized from February 1, 1967, through January 31, 1968, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided,* That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government.

Sec. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1967, to January 31, 1968, inclusive, to conduct an investigation and study to the extent to which criminal or other improper practices or activities are, or have been engaged in in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

Sec. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1967, to January 31, 1968, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State and, further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

Sec. 4. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1968, and shall, if deemed appropriate, include in its report specific legislative recommendations.

Sec. 5. (a) For the purposes of this resolution, the Committee on Government Operations or any of its duly authorized subcommittees, from February 1, 1967, to January 31, 1968, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions recesses, and adjournment periods of the Senate; (4) administer such oaths; (5) take such testimony, either orally or by sworn statement; (6) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (7) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee or subcommittee: *Provided further,* That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee.

(b) For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from February 1, 1967, to January 31, 1968, inclusive, is authorized, in its or his or their discretion, as may be deemed advisable, to require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents.

Sec. 6. Expenses of the committee under this resolution, which shall not exceed $450,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY AND INTERNATIONAL OPERATIONS—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported the following original resolution (S. Res. 54); which was referred to the Committee on Rules and Administration:

S. Res. 54

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1967, through January 31, 1968, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills;

(3) the adequacy of present intergovernmental relationships between the United States and international organizations of which the United States is a member; and

(4) legislative and other proposals or means to improve these methods, processes, and relationships.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided,* That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES—REPORT OF A COMMITTEE

Mr. MUSKIE, from the Committee on Government Operations, reported the following original resolution (S. Res. 55); which was referred to the Committee on Rules and Administration:

S. Res. 55

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(g)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–380, approved by the President on September 24, 1959, as amended by Public Law 89–733, approved by the President on November 2, 1966.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $140,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 610. A bill for the relief of Lilliana Grasseschi Baroni; to the Committee on the Judiciary.

By Mr. PASTORE (by request):

S. 611. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. PROXMIRE (for himself, Mr. Jordan of Idaho, Mr. Young of North Dakota, Mr. Long, of Missouri, Mr. Carlson, Mr. Hartke, Mr. McCarthy, Mr. Jackson, Mr. McGovern, Mr. Morse, Mr. Curtis, Mr. Thurmond, Mr. Mundt, Mr. Magnuson, Mr. Miller, Mr. Burdick, Mr. Nelson, Mr. Mondale, Mr. Brewster, Mr. Gruening, Mr. Dominick, Mr. Hruska, Mr. Hart, and Mr. Allott):

S. 612. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 3, 1967 for additional cosponsors.)

By Mr. SMATHERS:

S. 613. A bill for the relief of Manuel Rodriguez-Fernandez; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 614. A bill to amend section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff point for stock and securities acquired by the liquidating corporation; to the Committee on Finance.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. McGOVERN (for himself, Mr. Bartlett, Mr. Bible, Mr. Cannon, Mr. Dominick, Mr. Fannin, Mr. Metcalf, Mr. Montoya, and Mr. Mundt):

S. 615. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.)

By Mr. SYMINGTON:

S. 616. A bill for the relief of Albert L. Chapman; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 617. A bill to authorize the State of Washington to use the income from certain lands for the construction of facilities for schools and other public institutions; to the Committee on Interior and Insular Affairs.

By Mr. LONG of Missouri:

S. 618. A bill for the relief of Dr. Chandrasekarapurm Narayanan; his wife, Yamuna Narayanan; and their three children, Manoj Narayanan, Vinodh Narayanan, and Pramilla Narayanan; to the Committee on the Judiciary.

By Mr. GORE (for himself and Mr. Baker):

S. 619. A bill to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Gore when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 620. A bill to consolidate and reenact certain of the shipping laws of the United States, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. METCALF:

S. 621. A bill to provide for certain jury trials in condemnation proceedings in district courts of the United States; to the Committee on the Judiciary.

S. 622. A bill to amend the act entitled "An Act to authorize the Secretary of the Air Force to establish land-based air warning and control installations for the national security, and for other purposes", approved March 30, 1949, in order to clarify the intent of Congress with respect to the procurement of communication and power services necessary to carry out the provisions of such act; to the Committee on Armed Services.

By Mr. FULBRIGHT:

S. 623. A bill to give the consent of Congress to the construction of certain international bridges; to the Committee on Foreign Relations.

By Mr. FULBRIGHT (by request):

S. 624. A bill to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes; and

S. 625. A bill to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bills, which appear under separate headings.)

By Mr. LONG of Missouri (for himself, Mr. Hart, and Mr. Kennedy of New York):

S. 626. A bill to establish the Office of Ombudsman in the District of Columbia; to the Committee on the District of Columbia.

(See the remarks of Mr. Long of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 627. A bill to increase the membership of the Board of Visitors to the Naval Academy, and for other purposes; to the Committee on Armed Services.

By Mr. LONG of Missouri (for himself, Mr. Carlson, Mr. Holland, Mr. Pearson, Mr. Scott, Mr. Symington, and Mr. Tower):

S. 628. A bill to amend the antitrust laws to provide that the refusal of nonprofit blood banks and of hospitals and physicians to obtain blood and blood plasma from other blood banks shall not be deemed to be acts in restraint of trade, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Long of Missouri when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE (for himself, Mr. Muskie, and Mr. Bennett):

S. 629. A bill to amend the Tariff Schedules of the United States with respect to the rates of duty on certain fabrics containing wool and silk; to the Committee on Finance.

By Mr. HARTKE:

S. 630. A bill for the relief of Kenrick Hamilton Vernon, Sylvia Louise Vernon, Francis Mclaudie Vernon, Carrie Hellouise Vernon, Richard Seymour Bickham Vernon, Marion Rosalee Vernon, Marie Elizabeth Vernon, and Elvet Anthony Vernon; and

S. 631. A bill for the relief of Harold Albert, Lona Sarah, Karen Therese, and Bruce Alex Arnold; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 632. A bill to provide for a highway bridge across the Little Missouri River at the Garrison Reservoir; to the Committee on Public Works.

By Mr. PELL:

S. 633. A bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps; to the Committee on Foreign Relations.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 634. A bill to strengthen the security of the United States, lessen a burden on interstate commerce, and protect the right of privacy by prohibiting eavesdropping; to the Committee on the Judiciary.

(See the remarks of Mr. Eastland when he introduced the above bill, which appear under a separate heading.)

By Mr. BAYH:

S. 635. A bill to change the name of the lakeshore known as the Indiana Dunes National Lakeshore to the Henry F. Schricker National Lakeshore; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

INVESTIGATIONS INTO THE EFFICIENCY AND ECONOMY OF OPERATIONS OF ALL BRANCHES OF GOVERNMENT

Mr. McCLELLAN, from the Committee on Government Operations, reported an original resolution (S. Res. 53) authorizing the Committee on Government Operations to make investigations into the efficiency and economy of operations of all branches of Government, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. McClellan, which appears under the heading "Reports of Committees.")

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY AND INTERNATIONAL OPERATIONS

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 54) to study certain aspects of national security and international operations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JACKSON, which appears under the heading "Reports of Committees.")

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

Mr. **MUSKIE**, from the Committee on Government Operations, reported an original resolution (S. Res. 55) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MUSKIE, which appears under the heading "Reports of Committees.")

STUDY OF THE PROBLEMS OF SMALL AND INDEPENDENT BUSINESSES

Mr. **SMATHERS** (for himself and Mr. JAVITS) submitted the following resolution (S. Res. 56); which was referred to the Committee on Banking and Currency:

S. RES. 56

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended and supplemented, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

DAIRY IMPORT ACT OF 1967

Mr. **PROXMIRE**. Mr. President, today it is my pleasure to introduce for myself and Senators JORDAN of Idaho, YOUNG of North Dakota, LONG of Missouri, CARLSON, JACKSON, MCGOVERN, MORSE, CURTIS, THURMOND, MUNDT, MAGNUSON, MILLER, BURDICK, NELSON, MONDALE, BREWSTER, GRUENING, DOMINICK, HRUSKA, HART, HARTKE, MCCARTHY, and ALLOTT, the Dairy Import Act of 1967.

This proposed legislation would place strict but sensible controls on the importation of all dairy products containing 5 percent or more butterfat, nonfat milk solids, or a combination of the two. It would do this by permitting imports in an amount equivalent to the 1961–65 average. It would also allow imports to share in any growth in domestic consumption. Finally, it would give the President the power to authorize additional imports if he felt they were in the national interest. However, if domestic market prices were less than parity the Secretary of Agriculture would have to purchase an amount of domestic dairy prices corresponding to the amount authorized to be imported by the Presidential order.

Why is such a bill necessary? Part of the answer to this question lies in the nature of the commodity. Fluid milk is perhaps the most perishable farm commodity produced today. The milk our children drink cannot be shipped in its fluid form from one continent to another without deteriorating substantially.

Congress has recognized this perishable attribute as well as the value of the product by authorizing the creation of a milk marketing order system. The system arose out of the economic facts of life in the milk industry. Because fluid milk is so perishable and because it is essential in the diet of our youth a standby supply, or surplus, must always be available to meet possible increases in demand. This necessary surplus, however, dampens prices because it means supply always will outstrip demand. Milk marketing order areas are geographical territories in which the effects of this constant surplus are alleviated by assured prices arrived at by general agreement. The alternative would be prices so low that a great number of dairy farmers would be driven out of business. In the long run this would mean sky high prices to the consumer as a result of very low milk production. This is the boom-or-bust approach that milk marketing orders are meant to remedy.

It is also the type of problem, on an international scale, that the Dairy Import Act of 1967 is meant to remedy. Ever-increasing imports destroy the balance between supply and demand with resulting lower prices to dairy farmers. As more and more dairy farmers go out of business because of high imports and lower prices the supply of fluid milk contracts. Ultimately, this will mean higher prices for the consumer because the supply of fluid milk will not be able to meet demand, and fluid milk is too perishable to be imported.

The adverse impact on domestic milk production of excessive imports was recognized by the Federal Government back in 1953 when Presidential proclamation 3019 limited the entry of certain dairy products into the United States. Unfortunately, for too long these existing dairy import quotas have been circumvented by blatant attempts to doctor dairy products to escape the letter of the law. For example, when butteroil was placed under a quota, evasion of the quota took the form of butterfat-sugar mixtures. The first product of this kind, Exylone, was barred by a regulation applying only to mixtures containing 45 percent or more of butterfat. Almost immediately Junex, containing 44 percent butterfat, started to pour into the country.

My legislation, as I have already indicated, tightens existing controls by setting a 5-percent butterfat or nonfat milk solids limitation on items that can be imported into the United States without restriction. This is essential to the stability of the dairy industry at a time when total imports of dairy products are 12 times as great as the amount authorized under import quotas.

In the short run, it might be argued, continually increasing dairy imports will mean lower prices, even if they result in higher prices over the long haul. Even this argument does not hold water. In past years each pound of butter and cheese imported from abroad has compelled the Government to purchase an equal amount of the domestic product under the price support laws. This means, it is important to note, that under present conditions any advantage the consumer gains through lower import prices is offset by the expenditure of tax dollars through the Federal Government's purchase of domestic dairy products which have been displaced by imports. Thus my bill would cost the consumer nothing. Yet it would hold milk prices at a reasonable level in the long run.

Mr. President, I ask unanimous consent that an excellent analysis of this issue prepared by the National Milk Producers Federation be inserted in the RECORD at the conclusion of my remarks. I also ask that this bill be laid on the table for additional cosponsors through Friday, February 3, and that the bill be printed in the RECORD.

The **PRESIDING OFFICER** (Mr. TYDINGS in the chair). The bill will be received and appropriately referred; and, without objection, the bill and the analysis will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Wisconsin.

The bill (S. 612) to regulate imports of milk and dairy products, and for other purposes, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 612

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Dairy Import Act of 1967."

SEC. 2. No imports of dairy products shall be admitted into the United States for consumption except pursuant to authorizations issued by the Secretary of Agriculture in accordance with the provisions of this Act.

SEC. 3. No authorization for imports of dairy products shall be issued by the Secretary which would result in total imports for consumption in any calendar year of butterfat or nonfat milk solids, in any form, in excess of the respective average annual quantities thereof which were admitted for consumption during the five calendar years 1961 through 1965.

SEC. 4. In the event that total annual domestic consumption of milk and milk products in any calendar year shall be greater or less than the average annual domestic consumption of milk and milk products during the five calendar years 1961 through 1965, the total volume of imports for such calendar year authorized under Section 3 shall be increased or decreased by a corresponding percentage. For the purposes of this Act, the Secretary may estimate such total annual domestic consumption on a quarterly basis and reflect adjustments of such estimates in the level of imports authorized in subsequent quarters or in the subsequent year. In computing or estimating such annual domestic consumption under this Act, milk and milk products used in Federal distribution programs shall be excluded.

SEC. 5. The President may permit, if he finds such action is required by overriding economic or national security interests of the United States, additional quantities of imports of any dairy product. Additional imports permitted under this section shall be admitted for consumption under special authorizations issued by the Secretary. No additional imports shall be admitted for consumption under this section at a time when prices received by dairy farmers for milk on a national average as determined by the Secretary are at a level less than parity, unless the Secretary shall, at the time such imports are authorized, remove from the domestic market, in addition to and separate from other price support purchases and operations, a corresponding quantity of dairy products. The cost of removing such dairy products from the domestic market shall be separately reported and shall not be charged to any agricultural program.

SEC. 6. "Dairy products" for the purpose of this Act includes all forms of milk and dairy products, butterfat, nonfat milk solids, and any combination or mixture thereof, and includes also any article, compound, or mixture containing 5 percent or more of butterfat, or nonfat milk solids, or any combination of the two.

SEC. 7. The Secretary may prescribe such rules and regulations as he deems necessary for the effective administration of this Act.

SEC. 8. Nothing contained in this Act shall be construed to repeal section 22 of the Agricultural Adjustment Act or any import limitation established thereunder; but the total annual quantitative limitations on imports of butterfat and nonfat milk solids prescribed by this Act shall prevail, and all imports authorized under said section 22 or any other law shall be included in computing such total.

The analysis, presented by Mr. PROXMIRE, is as follows:

INVASION BY EVASION: IMPORTS AND THE DAIRY FARMER

(Published by the National Milk Producers Federation, Washington, D.C.)

INVASION BY EVASION

The most important dairy farmer need in 1967 is the strengthening of import controls on foreign produced dairy products. Ever since quotas were first invoked in 1953 they have been continuously enlarged and eroded. The one remaining recourse is legislation.

To achieve remedial legislation will require the coordinated efforts of every member association of the National Milk Producers Federation. It will need the wide understanding and support of every dairy farmer in America. The facts are clear and unmistakable. They are summarized in this brochure. Your reading time will be well invested.

IMPORT CONTROLS ARE INDISPENSABLE

Effective control of dairy imports is indispensable to dairy farmers and of vast long-range importance to the general public.

Effective import controls are necessary in order that farmers may have an opportunity to achieve parity prices for their milk and butterfat. Achievement of parity prices as a goal of national public policy is clearly set forth in all major agricultural legislation, including the Agricultural Adjustment Act of 1933, the Agricultural Marketing Agreement Act of 1937, and the Agricultural Act of 1949. This parity price goal cannot be attained if large scale imports are permitted because they either will (1) render the price support program ineffective, or (2) involve the government in the purchase of such large volumes of imported products so as to cause the discontinuation of the program.

Effective import controls are necessary to provide dairy farmers a level of income commensurate with that received by other segments of our economy, and to enable farmers to maintain a strong and progressive industry in the face of ever-increasing costs. Prices to farmers for milk and butterfat last reached the parity level in 1952. Since that time they have been considerably below parity. In four of the last five years they have barely been above 75 percent of parity.

Effective import controls are necessary also to assure an adequate supply of fluid milk and other dairy products for our growing population, to meet our needs for national defense and security, to meet the critical needs of our government for use in foreign nations as an integral part of our foreign policy, and to provide for essential uses within the United States. If imports are allowed to impair our production capacity, it cannot be quickly restored.

Effective import controls are necessary to provide an opportunity for U.S. dairy farmers operating in our high-price and high-wage economy to compete free from inroads of large supplies of foreign products made cheap through subsidy arrangements. In the common market countries minimum import prices for butter range from a low of 70 cents per pound in the Netherlands to 94 cents per pound in Belgium and Luxembourg. Such prices are maintained by import levies. These same nations export butter at prices as low as 20 cents per pound.

Effective import controls are necessary to neutralize the great pressures which are generated by the vast difference in subsidized world market prices and the prices which public policy demands be received by American dairy farmers.

BRIEF HISTORY OF DAIRY IMPORTS

Imports will show an increase of 567 percent—almost 7 times above 1953—if U.S.D.A. estimates of dairy products imports for 1967 are realized. Last year imports showed a startling increase. Whereas from 1953–1965 the increase in imports was 75 percent, in 1966 this jumped to 433 percent.

The first dairy proclamation under Section 22, issued in 1953, established annual quotas equal to 189 *million* pounds of milk equivalent in the form of dairy products. In that year total imports were 525 *million* pounds. U.S.D.A. estimates that in excess of 3½ *billion* pounds of milk equivalent will be imported in 1967.

Import quotas established by Presidential Proclamation No. 3019, effective July 1, 1953, and milk equivalent (fat basis)

[In pounds]

Product	Quota	Milk equivalent
Cheese:		
Cheddar	2,780,100	27,244,980
Blue mold	4,167,000	37,890,531
Italian	9,200,100	73,416,798
Edam and Gouda	4,600,200	34,869,516
Total cheese	20,747,400	173,421,825
Butter	707,000	15,235,850
Dried cream	500	9,300
Malted	6,000	15,900
Dried whole milk	7,000	51,450
Dried skim milk	1,807,000	
Dried buttermilk	496,000	709,280
Total milk equivalent of quotas		189,443,605

INVASION BY EVASION

Quotas intended to limit entry of dairy products into the U.S. were established July 1, 1953, by Presidential Proclamation 3019. The proclamation reasonably could have been expected to have established maximum quantities of dairy products which may be imported.

The ink on the proclamation was scarcely dry, however, before exporters abroad and importers within the U.S. quickly discovered that import quotas were easy to circumvent and reprisals by the executive branch would not result from such circumvention. It was soon found that any product—irrespective of whether it had ever been imported or even existed—could be imported in unlimited amounts. Such imports establish a "history of imports" which was useful to foreign exporters and U.S. importers in later establishment or enlargement of quotas.

The first overt circumvention of established quotas involved the splitting of "loaves" of Italian-type cheese. The original quotas specified *in original loaves*. As a consequence, Italian-type cheees began entering the U.S. as "split" loaves. Also, varieties of cheese, not specified in the original proclamation, entered the market. The import quotas as established were not full or effective since cheese imports outside the quotas exceeded those permitted by a ratio of 3 to 2 the first year.

The tug of war over cheese imports continues to this day. At present the big noncontrolled item is Colby cheese, a product practically identical to Cheddar cheese. Colby cheese is entering the country at a rate ten times the volume established as a quota for cheddar.

When Section 22 of the Agricultural Adjustment Act was invoked July 1, 1953, imports of butter were limited to 707,000 pounds annually, but this was circumvented immediately by the importation of butteroil, a product not previously imported. After much urging and a hearing, the Tariff Commission established an import quota on butteroil at 1,200,00 pounds annually. Total imports of butterfat (as butter and butteroil) thus became nearly three times as great as intended when the 707,000-pound quota was established.

Once the quota for butteroil was made effective, evasion and circumvention of such quotas took the form of butterfat-sugar mixtures.

Exylone, the first product of this type to be imported, was used principally in the ice cream trade as a replacement for domestic cream. The domestic cream, of necessity, was churned into butter for sale to the government under the price support program at lower returns to dairy farmers.

The Tariff Commission held another hearing. This time, however, it relied upon a representative period predating imports of Exylone, and established a quota for Exylone at zero.

In barring imports of Exylone, however, the regulation applied only to products containing 45 percent or more of butterfat. The dairy industry argued that this limitation would merely invite new imports in mixtures containing less than 45 percent butterfat. This happened at once.

A new mixture, called Junex, promptly made its appearance. Junex contained 44 percent butterfat and 55 percent sugar. In 1966 alone, 104.5 million pounds entered the United States, dwarfing the quota on butter and butteroil to meaningless terms.

As a substitute for action under Section 22, the executive branch negotiated with Australia, Ireland, and New Zealand, limiting imports for Colby cheese, cream and butterfat-sugar mixtures, all nonquota products, in 1962 through 1964. These agreements could not bind nonsignatory countries. As shipments from the latter countries increased, the agreements were abandoned. In mid-1966 the Secretary of Agriculture promulgated regulations under the Sugar Act limiting the importation of products containing 25 percent and more of sugar.

This regulation, too, proved ineffective. Mixtures containing 44 percent butterfat, 24 percent sugar, and 31 percent nonfat milk solids were at sea before the regulation was issued. In 1966 imports of butterfat-sugar mixtures displaced a market for U. S. dairy farmers equal to 10 percent of total ice cream production.

Imports of dairy products thus continued to increase. The U. S. Department of Agriculture predicts that the total of imports in 1967 will approximate 3.5 billion pounds of milk (calculated on a butterfat basis). This level of imports is 12 times the total authorized by import quotas.

LEGAL BACKGROUND OF IMPORT CONTROLS

In earlier years the dairy industry in the United States was largely self-sufficient, and the small differences in domestic and foreign prices were offset by modest tariffs.

Following World War I, the butter tariff was increased from 2.5 cents to 12 cents per pound to reflect increasing price differentials. The Tariff Act of 1930 set the tariff rate at 14 cents per pound on butter with corresponding rates on other dairy products. Although these were fixed rates, they operated effectively for several years.

These tariff rates were subsequently reduced to inadequate levels under the trade agreement acts. The reduced tariffs were unrealistic in that they failed to take into account the substantial price differences which were developing between domestic and world price levels for dairy products.

The tariff reductions were not correlated with the programs of the Department of Agriculture and the results were at cross purposes. Moreover, ready use by foreign nations of heavy export subsidies, currency devaluation, exchange manipulations, and similar practices operated to render fixed tariff rates practically meaningless and to require the use of import quotas.

Import quotas were imposed on major dairy products in 1942 under the Second War Powers Act. This was done primarily to keep fats needed in the allied countries from being drawn to the high-priced American market, and to help carry out an international allocation of dairy products.

These controls continued in part through 1948. Later, in the 1949–51 period, imports of butter were controlled under special legislation to permit the orderly liquidation of stocks the government had acquired under the support program.

To prevent excessive imports from resulting in unnecessary expenditures under the price support program, Congress in 1951 authorized import quotas in Section 104 of the Defense Production Act. These controls were maintained until 1953, when they were shifted to Section 22 of the Agricultural Adjustment Act.

Section 22 of the Agricultural Adjustment Act was enacted back in 1935 as a part of the agricultural programs designed to provide fair returns to agricultural producers as measured in terms of parity prices. Its purpose was to assure that the government programs would not be rendered ineffective by imports. It was materially strengthened in 1951 when Congress amended it to state clearly and forcefully that the protection which it had authorized for the agricultural programs would take precedence over the trade agreements.

Although Section 22 has been available since 1935, it was not until 1953 that use of it was made to protect the agricultural programs provided by Congress for dairy farmers.

Since that time, the controls set up in 1953 have been continuously eroded because administration of the section has been weak and ineffective.

Particularly in more recent years, evasion of the import controls has become a popular and profitable pastime for importers and foreign nations. Huge quantities of imports are being brought into the country in open and flagrant evasion of the import quotas.

These have resulted in millions of dollars of added and unnecessary cost to the dairy price support program, and they are interfering substantially with the attainment of the goal of the program which is parity prices in the market place.

"DAIRY IMPORT ACT OF 1967"

The National Milk Producers Federation, after careful study and consultation with members of Congress, developed a new import control program which was incorporated in a bill introduced last year by Senator Proxmire and 21 other Senators. Numerous similar bills were introduced in the House.

Legislation has now been introduced in the new Congress, and the Federation will make an all-out fight for its passage. This will not be an easy task, since it must be assumed that there will be strong opposition. The bill should be supported because it sets a fair guideline under which government and industry can operate.

Opposition will arise in spite of action by other nations, such as those in the European Common Market, to protect their own agriculture, and in spite of tremendous differences between our domestic prices and world export prices which make free trade concepts with respect to dairy products completely visionary and unrealistic.

The legislation proposed would use as a base the average annual quantities of butterfat and nonfat milk solids imported during the five calendar years 1961–65. 1966 would not be included in the base because it was not a normal year. Heavily subsidized exports of surplus production in foreign nations, coupled with price increases in this country needed to stop a dangerous decline in domestic production, resulted in abnormally large volumes of imports of evasion-type products during 1966. The same condition threatens serious harm to American dairy farmers in 1967, unless Congress acts to fix a limit on imports under this legislation.

The 1961–65 average would be an automatic control and would not require lengthy and unsatisfactory Tariff Commission proceedings as under present law.

The controls would be flexible as between products and countries, subject to the overall limitation that the annual total of all dairy-product imports could not exceed the 1961–65 average. This would permit recognition of any legitimate new dairy products which might be developed while at the same time preventing evasion.

Provision is made to permit the President to authorize additional imports in the national interest. If additional imports are admitted under this provision, at a time when dairy farmer prices are below parity, a corresponding quantity of dairy products would be removed from the domestic market. This would permit the market to respond to domestic market forces and help attain the goal of the agricultural program authorized by Congress, which is parity prices in the marketplace for American dairy farmers.

The bill also provides that as the domestic market expands due to population or other factors, the import total would increase in the same ratio.

Thus foreign countries would share in the growth of the United States market in the same relative proportion as our own farmers, but their exports to this country could not grow by displacing domestic production. This would prevent serious impairment of our dairy industry which is much too important to our national economy and national security to be sacrificed for concepts of free trade which, so applied to the dairy industry, are unrealistic and impractical.

Most important, the new bill would put an end to the subterfuge and evasion practiced under the present inadequate import controls.

Furthermore, a definite and known level of imports would be established to which the market could adjust and on which our own farmers and foreign countries could make sound future plans.

A BILL TO REGULATE IMPORTS OF MILK AND DAIRY PRODUCTS, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Dairy Import Act of 1967."

SEC. 2. No imports of dairy products shall be admitted into the United States for consumption except pursuant to authorizations issued by the Secretary of Agriculture in accordance with the provisions of this Act.

SEC. 3. No authorizations for imports of dairy products shall be issued by the Secretary which would result in total imports for consumption in any calendar year of butterfat or nonfat milk solids, in any form, in excess of the respective average annual quantities thereof which were admitted for consumption during the five calendar years 1961 through 1965.

SEC. 4. In the event that total annual domestic consumption of milk and milk products in any calendar year shall be greater or less than the average annual domestic consumption of milk and milk products during the five calendar years 1961 through 1965, the total volume of imports for such calendar year authorized under section 3 shall be increased or decreased by a corresponding percentage. For the purposes of this Act, the Secretary may estimate such total annual domestic consumption on a quarterly basis and reflect adjustments of such estimates in the level of imports authorized in subsequent quarters or in the subsequent year. In computing or estimating such annual domestic consumption under this Act, milk and milk products used in Federal distribution programs shall be excluded.

SEC. 5. The President may permit, if he finds such action is required by overriding economic or national security interests of the United States, additional quantities of imports of any dairy product. Additional imports permitted under this section shall be admitted for consumption under special authorizations issued by the Secretary. No additional imports shall be admitted for consumption under this section at a time when prices received by dairy farmers for milk on a national average as determined by the Secretary are at a level less than parity, unless the Secretary shall, at the time such imports are authorized, remove from the domestic market, in addition to and separate from other price support purchases and operations, a corresponding quantity of dairy products. The cost of removing such dairy products from the domestic market shall be separately reported and shall not be charged to any agricultural program.

SEC. 6. "Dairy products" for the purpose of this Act includes all forms of milk and dairy products, butterfat, nonfat milk solids, and any combination or mixture thereof, and includes also any article, compound, or mixture containing 5 percent or more of butterfat, or nonfat milk solids, or any combination of the two.

SEC. 7. The Secretary may prescribe such rules and regulations as he deems necessary for the effective administration of this Act.

SEC. 8. Nothing contained in this Act shall be construed to repeal section 22 of the Agricultural Adjustment Act or any import limitation established thereunder; but the total annual quantitative limitations on imports of butterfat and nonfat milk solids prescribed by this Act shall prevail, and all imports authorized under said section 22 or any other law shall be included in computing such total.

AMENDMENT OF SECTION 333 OF INTERNAL REVENUE CODE OF 1954

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill amending section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, securities acquired by the liquidating corporation.

It is and has been for a number of years the established policy of Congress to encourage liquidation of personal holding companies. Provisions to this end were first made by enactment of section 112(b)(7) of the Revenue Act of 1938. Twice thereafter the provision was restored to permit additional liquidations within limited periods of time. When section 333 of the 1954 code was adopted it was expressly recognized that encouragement of such liquidations had permanent value and should be made a regular part of the Internal Revenue Code. See Senate Report No. 1622, 83d Congress, second session, page 256—1954.

Section 333 and its predecessors have facilitated liquidation by postponing until disposition by individual shareholders capital gains tax on securities that have appreciated in value while held by the liquidated corporation.

On the other hand, cash distributed is immediately taxed as a dividend. In order to prevent this conversion of cash into securities to avoid the tax imposed, it has been provided that stock and securities acquired after a specified date should be treated as money. The cutoff date set in 1954 was December 31, 1953.

With the passage of time, the cutoff date has rendered the section increasingly obsolete. There are few corporations whose securities were all acquired more than 12 years ago. If section 333 is to have the permanent effect intended at the time of enactment, it is essential that the cutoff date be advanced.

It should be emphasized that the effect of this proposal on the revenue is not a material consideration since it has been noted in reports of the Senate Finance Committee that any revenue loss resulting from an updating of section 333 is "negligible." See Senate Report No. 781, 82d Congress, first session, 61—1951.

In view of the changes made by the Revenue Act of 1964 in the rules relating to taxation of personal holding companies, Congress should, in the interests of fair administration, provide again the same opportunity for liquidation of existing holding companies that has been recognized for more than 25 years.

My bill would provide a reform in our basic tax structure that has long been needed. Such updating of section 333 has been widely recognized by such bodies as the American Bar Association and the American Institute of Certified Public Accountants.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 614) to amend section 333 of the Internal Revenue Code of 1954 to bring up to December 31, 1962, the cutoff point for stock and securities acquired by the liquidating corporation, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Finance.

TRANSFER OF CERTAIN PROPERTY TO MEMPHIS STATE UNIVERSITY

Mr. GORE. Mr. President, I introduce, for appropriate reference, a bill and ask that it lie on the desk for the remainder of the day in the event another Senator wishes to add his name as a cosponsor.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Tennessee.

The bill (S. 619) to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn., introduced by Mr. GORE (for himself and Mr. BAKER), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. GORE. Mr. President, this bill provides authority and direction for the transfer of certain property now known as the Kennedy Hospital, a property under the jurisdiction of the Veterans' Administration, to Memphis State University.

Mr. President, I realize that we have established procedures for the disposition of property surplus to the needs of the U.S. Government. I am well aware, too, that the bill I have just introduced provides an exception.

Mr. President, I wish to indicate why I think an exception is justified in this instance. An exception is justified first, because of an urgent educational need. Memphis State University now has an enrollment of more than 14,000 students. The curriculum of the university has been expanded to meet the needs of the student body, and the student body is constantly growing. It is anticipated that by 1970 this will be a university of more than 20,000 students. Memphis is one of the large and one of the most rapidly growing cities in America.

Both the city and the university are truly of importance to the entire mid-South. This is a regional school and is rapidly becoming more so.

Naturally, those who first established the campus and the physical layout of the university did not envision—indeed, who could have envisioned, then?—that this would become a university of truly major proportions.

Nevertheless, the problem is upon us. It is not just a local problem but a State and regional problem as well; therefore, it is a national problem.

The urgency of the need, the good purposes to be served and the need for expeditious action, would justify this exception to which I have referred.

Mr. President, I should like to address a few remarks to the Senate about the need for expedition.

There are a number of unused buildings on the property at the present time. The university can make considerable use of these buildings, particularly if they are acquired before further deterioration takes place. Therefore, upon reference of this bill to the committee, I shall hope to appear and request those who share my views in this regard to join in a request that the committee act expeditiously in dealing with what I regard as an urgent and fully justified need.

I have asked that the bill lie on the desk for further sponsorship for the remainder of the day. I should add that I have spoken to the three Members of the other body representing congressional districts in west Tennessee about the bill and have, as an act of courtesy, supplied them with a copy.

I would hope that Representatives and Senators from Arkansas and Mississippi would likewise join in this effort because, as I have said, it is truly a regional university, soon to become even more so in its importance and its magnitude.

CONSOLIDATION AND REENACTMENT OF CERTAIN SHIPPING LAWS

Mr. MAGNUSON. Mr. President, I introduce, for appropriate reference, a bill to consolidate and reenact certain shipping laws of the United States, and for other purposes.

For a number of years the Committee on Commerce, and others interested in promoting the American merchant marine have been conscious of the need to organize rationally and reenact the multitude of statutes affecting the U.S. shipping and maritime programs.

The U.S. laws relating to the merchant marine, Coast Guard, Customs, and admiralty are collected and organized under about 30 chapters in title 46: Shipping of the United States Code. The Bureau of Customs and the Coast Guard have undertaken a comprehensive revision of about 20 chapters of title 46. This bill brings up to date the other 10 chapters dealing with the U.S. merchant marine.

Many of the laws are of ancient origin. Chapter 17, for example, requires certain fishermen and masters to sign a written agreement on length of time of employment by season or voyages and provides severe penalties for fishermen who desert without leave of the master. The difficulty of relying on the United States Code in this area has also prompted a need for consolidation and compilation.

The project involved the collection of all merchant marine laws, the reorganization of the law, and the rewording of the law after all amendments were incorporated and repealed sections drafted.

During the last Congress, the Senate adopted a resolution authorizing funds to the committee for compilation and revision of the maritime statutes. The committee, under this authorization, contracted with a private consultant, Pike & Fischer, Inc., of Washington, D.C., to prepare the initial draft of the revision. A directive was given that no amendment to the substantive law should be made unless required by recent organizational changes or similar requirements. This work was accomplished in an excellent manner and made available to the committee on schedule in December of 1965. The draft was printed, after careful review by the committee staff, and distributed to Government agencies, maritime industry, labor, and interested persons generally. Numerous comments were received by the committee from all segments of the merchant marine and from all agencies that have an interest and responsibility for our merchant marine policy. On the basis of these comments, legislation was prepared which I introduced in the second session of the 89th Congress.

The bill received wide support and was subsequently passed by the Senate. However, the House of Representatives failed to act upon the bill before adjournment.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 620) to consolidate and reenact certain of the shipping laws of the United States, and for other purposes, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

CERTAIN INCREASES IN ANNUITIES FROM THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

Mr. FULBRIGHT. Mr. President, I introduce, by request, a bill to provide for cost-of-living increases in the annuities payable from the Foreign Service retirement and disability fund.

The provisions of this bill are similar to those of S. 3247, approved by the Senate on October 5, 1966, but not acted on in the House of Representatives.

I ask unanimous consent to have printed at this point in the RECORD a letter to the Vice President from Assistant Secretary of State Douglas MacArthur II, the text of the bill, and certainly explanatory material concerning it.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill letter, and explanatory material will be printed in the RECORD.

The bill (S. 624) to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 624

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Foregin Service Annuities Adjustment Act of 1967.

SEC. 2. Each annuity payable from the Foreign Service Retirement and Disability Fund on January 1, 1967 shall be increased effective on that date by 5.7 per centum. No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

SEC. 3. Effective January 2, 1967, section 882 of the Foregin Service Act of 1946, as amended (22 U.S.C. 1064(b), is amended to read as follows:

"Whenever a cost-of-living annuity adjustment is made in annuities payable from the Civil Service Retirement Fund pursuant to 5. U.S.C. 8340, as amended by P.L. 89–205, such increase shall apply in the same manner to annuities payable from the Foreign Service Retirement Fund."

The letter and explanatory material presented by Mr. FULBRIGHT are as follows:

DEPARTMENT OF STATE,
Washington, January 6, 1967.

THE VICE PRESIDENT,
U.S. Senate.

DEAR MR. VICE PRESIDENT: Enclosed is draft legislation to provide cost-of-living increases in annuities payable from the Foreign Service Retirement and Disability Fund that would establish and continue equity between the Civil Service and Foreign Service retirement systems with respect to cost-of-living adjustments.

A recommendation to this end made by the Cabinet Committee on Federal Staff Retirement Systems was endorsed by the President on March 7, 1966.

Under the current provisions of the cost-of-living adjustment formula applicable to Foreign Service annuities, adjustments now lag 5.7 percent behind adjustments that have been made in Civil Service annuities. Unless this proposed bill is enacted early in the 1st session of the 90th Congress, it is not anticipated that a cost-of-living adjustment will become effective for Foreign Service annuitants until April 1, 1968, and even then equity between Civil Service and Foreign Service may not be established.

Provisions for the establishment of and continuance of equity between Civil Service and Foreign Service cost-of-living adjustments were included in S. 3247, a bill passed by the Senate on October 5, 1966. This bill did not receive House action before adjournment of the 2nd session, 89th Congress.

Early action by the Senate on this important legislation is urgently requested.

The Department has been informed by the Bureau of the Budget that there would be no objection, from the standpoint of the Administration's program, to the presentation of this draft legislation to the Congress for its consideration.

Sincerely yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations
(For the Secretary of State).

EXPLANATION OF BILL

This bill is regarded as emergency legislation to establish and continue equity between the Civil Service and Foreign Service Retirement Systems with respect to cost-of-living adjustments.

P.L. 89–205, commonly known as the "Daniels bill", provided a 6.1 percent cost-of-living adjustment in Civil Service annuities effective December 1, 1965. Under an improved cost-of-living formula also in P.L. 89–205, Civil Service annuitants are receiving a 3.9 percent cost-of-living adjustment effective January 1, 1967.

Under the provisions of the current cost-of-living adjustment formula applicable to Foreign Service annuities, a 4.3 percent increase was effective April 1, 1966. Under the provisions of this same Foreign Service cost-of-living formula Foreign Service annuitants are not expected to be eligible for another cost-of-living increase until April 1, 1968.

The President's Cabinet Committee on Federal Staff Retirement Systems recommended in 1966 that steps be taken to provide for the equitable application of cost-of-living annuity adjustments. It is the objective of this bill to match for Foreign Service annuitants those adjustments provided for Civil Service annuitants in December 1965 and January 1967 and to provide that future cost-of-living annuity adjustments for Civil Service annuitants will trigger identical adjustments for Foreign Service annuitants.

The 4.3 percent cost-of-living annuity adjustment received by Foreign Service annuitants on April 1, 1966 left them 1.8 percent below the 6.1 percent cost-of-living annuity adjustment received by Civil Service annuitants effective December 1965. By adding this 1.8 percent adjustment to the 3.9 percent adjustment which became applicable to Civil Service annuities on January 1, 1967, we arrive at the total 5.7 percent increase sought in this bill.

COST ESTIMATES

The first year cost of this 5.7 percent Foreign Service annuity increase would be $565,000.

This compares to a first year cost of $67,000,000 for the 3.9 percent Civil Service annuity increase which became effective January 1, 1967. Increases in the unfunded liability for the two systems are as follows:

Increase in unfunded liability:	
Annuity increase (5.7 percent FS)	$7,200,000
Annuity increase (3.9 percent CS)	739,000,000
Annual interest cost at 4 percent:	
Annuity increase (5.7 percent FS)	288,000
Annuity increase (3.9 percent CS)	29,560,000

It should be noted that in comparing the cost of the Foreign Service and Civil Service benefits the 1.8% benefit previously approved for Civil Service annuitants has not been included.

JANUARY 1967.

PERMISSION FOR MEMBERS OF THE ARMED FORCES TO ACCEPT FELLOWSHIPS, SCHOLARSHIPS, OR GRANTS OFFERED BY A FOREIGN GOVERNMENT

Mr. FULBRIGHT. Mr. President, I introduce, by request, a bill to amend title 10 of the United States Code to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government.

The proposed legislation has been requested by the Department of the Army.

I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comment.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when it is considered by the Committee on Foreign Relations.

In this connection, I can perceive of no valid reason why the scope of the bill should be limited to members of the Armed Forces. It seems to me that if the acceptance of fellowships and scholarships offered by foreign governments is a good thing and to be authorized by law, the authority to accept them should also extend to civilian employees of the U.S. Government. Moreover, since the proposed legislation involves relations with foreign governments, I think it would be more appropriate if the program were carried out under the auspices of the Mutual Educational and Cultural Exchange Act of 1961, as amended, and administered by the Department of State.

Mr. President, I ask unanimous consent that the proposed bill may be printed in the Record together with the letter received from the Department of the Army.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the Record.

The bill (S. 625) to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 625

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2603(a) of title 10, United States Code, is amended to read as follows:

"Notwithstanding any other provision of law, the benefits of any fellowship, scholarship, or grant which may be offered by a foreign government, or by a corporation, fund, foundation, or educational institution that is organized and operated primarily for scientific, literary, or educational purposes to any member of the Armed Forces, may, under regulations to be prescribed by the President, be accepted by him—

"(1) in recognition of outstanding performance in his field;

"(2) to undertake a project that may be of value to the United States; or

"(3) for development of his recognized potential for future career service."

The letter presented by Mr. Fulbright is as follows:

Department of the Army,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: There is forwarded herewith a draft of legislation "To amend title 10, United States Code, to permit members of the armed forces to accept fellowships, scholarships, or grants offered by a foreign government."

This proposal is a part of the Department of Defense Legislative Program for the 90th Congress, and the Bureau of the Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this proposal for the consideration of the Congress. The Department of the Army has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The purpose of this proposal is to amend Section 2603 of title 10, United States Code, to provide that members of the armed forces may accept appropriate scholarships, fellowships, or grants offered by a foreign government.

Section 2603 of title 10, United States Code, permits qualified members of the armed forces to accept, from nongovernmental sources, scholarships, fellowships, or grants offered by a corporation, fund, foundation, or educational institution that is organized and operated primarily for scientific, literary, or educational purposes. Typical of these are the Rhodes and Fulbright scholarships, and the Ford, Carnegie, Sloan, and Guggenheim fellowships.

Article I, section 9, clause 8 of the Constitution states in part ". . . And no Person holding any Office of Profit or Trust . . . shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State." This provision prevents acceptance of scholarships granted by a foreign government, such as those under the Marshall Scholarship Program sponsored by the British Government as an expression of gratitude for assistance from the United States Government. The reasons which prompted the present provision of law have equal applicability to this proposal—that members of the armed forces may benefit from opportunities to seek higher education which will be an advantage to the Government, and that further education will assist in qualifying persons for greater military responsibilities and enhance the prestige of its personnel among Government, civilian, and foreign people.

Section 2603 of title 10, United States Code, places a limitation on applicable benefits and prescribes a mandatory period of active service upon completion of education or training. There will be no change in these provisions if the attached proposal is enacted.

COST AND BUDGET DATA

The enactment of this legislation will result in no additional cost to the United States.

Sincerely,

David E. McGiffert,
Acting Secretary of the Army.

OMBUDSMAN FOR THE DISTRICT OF COLUMBIA

Mr. LONG of Missouri. Mr. President, as many of my colleagues know, the Senate Subcommittee on Administrative Practice and Procedure, of which I am chairman, has been looking into the subject of ombudsman. Ombudsman is a form of citizens' defender against maladministration or misadministration by Government agencies; ombudsman is the one who fights city hall.

The institution was first established in Sweden in 1809. Other Scandinavian countries have recently become interested in the concept and today there are ombudsmen in Norway, Finland, and Denmark. New Zealand recently created an ombudsman; West Germany has a military ombudsman, and Great Britain is about to create a similar office.

Since the Congress adjourned last year, there have been several recent developments which I believe merit the attention of my colleagues. In New York City, following the defeat of the civilian review board which Mayor Lindsay had created, several influential groups in the city—including the Bar Association of the City of New York, the American Civil Liberties Union, and the Patrolmen's Benevolent Association—have diligently been studying various proposals for a New York City ombudsman. There seems to be considerable support for such an ombudsman and Mayor Lindsay has given it his endorsement.

Mr. President, I ask unanimous consent to insert, at this point in the Record, two editorials from the New York Times discussing the value of an ombudsman for the city of New York.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, Nov. 18, 1966]

Protector of the Public

The concept of an ombudsman, or public protector, is much more than a suddenly agreeable substitute for the now dead Civilian Complaint Review Board in the Police Department. It isn't that simple. The bandwagon enthusiasm for an instant device to assure all citizens that they have the right of redress is commendable; but it needs to be channeled into a thorough study lest the controversy that ended the review board be renewed in another form.

At the moment, all citizen complaints to Box 100 at City Hall concerning city employes and all the critical telephone calls are referred to the Commissioner of Investigation. These are parceled out for answer and action to the agencies involved. Except for some highly successful conciliation of misunderstandings between police and public by the short-lived civilian board, the proceedings by the Commissioner of Investigation and the police are essentially accusatory and disciplinary.

But the ombundsman idea, as established and developed in the Scandinavian countries, works quite differently. The ombudsman is a sort of super-official, a kind of untouchable grievance committee chairman, appointed to look into citizen complaints about action or inaction by public servants.

He recommends whatever steps he thinks necessary. He may suggest improvements in procedures, he may reject the complaint, or he may propose some specific action. He does not attempt to judge individual guilt or innocence. The agency concerned handles its own discipline, if that is necessary. The ombudsman does not participate as an adversary at any time.

The first ombudsman in this country was appointed in Nassau County in July to protect the public against "inefficiency, maladministration, arrogance and abuse on the part of government." Although the principal weapon of the office is public exposure, no publicity has been needed or used in the 110 complaints handled so far. The complaints have included grievances of government employees as well as civilians.

Is New York City too large, its government too diffuse, for one individual public protector? These are questions for careful investigation.

Several points are already clear. All citizens must be entitled to a definite chance for complaint and redress, an opportunity particularly important for minority groups. The ombudsman fills this need.

Many police believed that establishment of a civilian review board singled them out unfairly. The proposed ombudsman would be for all city employes.

By eliminating the accusatory aspects of complaints, the ombudsman has an opportunity to look for the reasons behind complaints, the hows and whys. This could be his most significant contribution to the welfare of the community.

[From the New York (N.Y.) Times, Nov. 26, 1966]

The Available Ombudsman

Two members of a committee to advise the Board of Supervisors of Nassau County on the question of making permanent the office of ombudsman there, the only one in the nation, have warmly endorsed the idea on their return from Scandanavia, home of the public protector. But the two did not agree on details.

One, Nassau County District Attorney William Cahn, says the ombudsman should not have jurisdiction over the police, the courts or the D.A.'s office. Garden City Attorney

Joseph Marino says the police should be included, explaining that Scandanavian police chiefs to whom he talked said that the existence of an ombudsman increased confidence in the police.

Certainly an ombudsman in New York City without authority to receive criticism of police actions would not be acceptable here. It was because many citizens, particularly Negroes and Puerto Ricans, felt such uneasiness in this very area of police-civilian relations that the civilian review board was established in the first place. An ombudsman must look at all phases of government and must be available to all citizens.

It is important now not to lose the momentum of the consensus on basic principles that followed the demise of the civilian review board. Spokesmen for board supporters and for the Patrolmen's Benevolent Association agreed then on application of the ombudsman idea to all arms of municipal government.

Such an experiment "would be unlikely to succeed without topnotch personnel, some understanding support (journalists among them), and a public service that, if not altogether friendly, is at least not actively antagonistic," writes Walter Gellhorn, Columbia law professor, in his new book, "When Americans Complain." These conditions appear to exist here.

Mr. LONG of Missouri. In late November, the Harvard University Press published two books by Walter Gellhorn, distinguished Betts professor of law at Columbia University. These books are entitled "Ombudsman and Others," a review of ombudsman and ombudsmen-like offices in various countries of the world, and "When Americans Complain," an excellent summary of the problems which our American citizens face when they complain to their local, State, and Federal Government officials.

Mr. President, I urge my colleagues to read both of these fine studies, and ask unanimous consent to insert, at this point in the Record, a book review which I wrote for the New York Times.

There being no objection, the book review was ordered to be printed in the Record, as follows:

[From the New York Times, Nov. 27, 1966]

PUBLIC DEFENDER

"Ombudsman and Others." 450 pp. $6.95. "When Americans Complain." 196 pp. $3.95. By Walter Gellhorn. Cambridge, Mass.: Harvard University Press.

(By Edward V. Long)

Ombudsman. What an interesting word and an even more striking concept. Translated literally from Swedish, Ombudsman simply means "one who represents someone." But, as the Scandinavians know, and as Walter Gellhorn has written, it really means a whole lot more. In those nations that have created the Ombudsman, the system has come to be a combination of red-tape cutter, external critic and "institutionalized public conscience." In the words of Mr. Gellhorn, the Ombudsmen have become "society's family doctors, binding up relatively minor wounds, prescribing for discomforts not likely to become disasters, and pointing paths to healthful living."

Walter Gellhorn, Betts Professor of Law at Columbia University, is in a unique position, for he is perhaps the only man who has met all the Ombudsmen in the world. This is not an easy task, for they occupy the far corners of this complaining earth. Mr. Gellhorn and his wife spent 15 months interviewing and observing in nine countries; "Ombudsmen and Others" is the result of this work.

All the Scandinavian countries—Sweden, Norway, Denmark and Finland—have Ombudsmen; New Zealand has recently created an Ombudsman and Great Britain's Parliament is currently appraising the institution. Japan has an Administrative Management Agency, Yugoslavia a Bureau of Petitions and Proposals, while the Soviet Union has a Procurator General. Call them what you will, all are designed to handle citizen grievances against bureaucracy.

Earlier this year, my Senate Subcommittee on Administrative Practice and Procedure was privileged to hold a public hearing with Alfred Bexelius, the distinguished Ombudsman from Sweden. This was, to my knowledge, the first public Congressional hearing in this area. And quite frankly, until that time, I was unsure of the exact role of an Ombudsman. During the hearing, we were most impressed as Mr. Bexelius explained the simplicity of his function (to help a citizen to exercise his rights) and the complexity of his task.

In my opening statement at the hearing, I pointed out that "any new idea meets with immediate opposition. It is too early to say whether the institution of Ombudsman can work here in the United States; we do not even know how it operates in other countries." Mr. Gellhorn's first book, "Ombudsmen and Others," goes a long way toward answering the second point "When Americans Complain," his second book should become indispensable in analyzing our first problem: Do we need an Ombudsman here in the United States?

Before we begin to tackle this question, let us start with a basic assumption. We are not unhappy with our system of government or generally with our government employees. On the contrary, it is my belief that we have a very workable system. Our Federal civil servants are, with some exceptions, a most dedicated and effective group. It is true, of course, that there are many complaints, but the existence of complaints does not prove their validity.

Woven through Mr. Gellhorn's two books is one central theme: Ombudsmen cannot work where government is generally corrupt, or where officials are not highly and ideally motivated. If statistics prove anything, let us look to Sweden, Denmark or New Zealand where 80 to 90 per cent of all citizens' complaints are unfounded (although made in all sincerity). The net result is to turn the Ombudsman into a "bureaucrats' defender" as well as a "citizen's defender."

One should not read "When Americans Complain" without being familiar with "Ombudsmen and Others." But, concerned as we are with citizen grievances at all levels on the American scene, the former book presents some formidable issues which must be explored.

"When Americans Complain" presents a comprehensive and quantitative analysis of citizen complaints at all levels of government—national, state and local. Gellhorn treats each level with equal care and length, and makes the significant but often overlooked observation that "the individual is much more frequently touched by local and state governmental operations than by national." Statistically again, whereas the national government employs a little more than 2.5 million civilians, state and local governments carry nearly seven million on their payrolls.

On the Federal scene, Gellhorn catalogues for us the many watchmen in Washington, including of course the Congress, General Accounting Office, Bureau of the Budget, and self-policing by the agencies themselves.

Perhaps the largest number of citizen complaints are received by Congress. We call these complaints "casework," and in this area Gellhorn himself has a complaint. "Too much reliance is being placed on an unperfected critical device," he says. While Gellhorn and I agree on goals—the establishment of some form or forms of Ombudsman—I cannot agree that casework does not work because it is unperfected. In my opinion, casework works best because it is unperfected. It differs from state to state and from complaint to complaint—and differ it must. What is good for the State of Missouri may not be applicable for the State of New York.

I recognize that this reasoning may lead me to conclude that we cannot have one national Ombudsman empowered to handle all complaints from all citizens. Perhaps it would be better to compartmentalize our Ombudsman. One such example would be the so-called "tax Ombudsman" bill, which Senator Warren Magnuson of Washington and I sponsored this last session of Congress. This bill, which incidentally was co-sponsored by 51 other Senators, would create regional Tax Commissioners who would have authority to negotiate and settle tax problems under $2,500.

In the final analysis, however, agreement is reached with Mr. Gellhorn when he asks the question: What have we to lose by experimenting with a national Ombudsman? It would cost us very little money; it would take no organizational restructuring. And, happily enough, says Gellhorn, "The external critic is one of those promising experiments that can be tried without committing its proponents so deeply they can never afterward bear to admit failure."

One further watchdog must be considered before we leave the Federal level—the Administrative Conference of the United States. Permanently created by the Congress in August, 1964, this conference was to be for the governmental agencies what the Judicial Conference has been for the courts. It is to be composed of the heads of major administrative bodies, other administrators, and persons who can broadly represent "the views of private citizens and utilize diverse experience"—practicing lawyers and scholars in administrative law. This conference, according to Gellhorn, might very possibly become a "sort of American Ombudsman for broad aspects of administrative functioning while Congressional casework might continue to salve individual hurts."

Here might be our solution. It would remove the Gellhorn objections to Congressional casework and at the same time preserve to our constituents one of their basic democratic rights—the right to have their man in Washington. But good things come in exceedingly small packages. More than two years have passed and the Administrative Conference has not been activated for want of an appropriate head. Would that Mr. Gellhorn would assume this post.

On the state and local level, "When Americans Complain" clearly shows the need for some kind of Ombudsman. There are today over 7,800 state legislators, many of whom do not have their own desk from which to work. Governors and other elected officials vainly try to handle citizens' complaints, but often they bog down in their own red-tape. In the best of circumstances, Gellhorn suggests, "haphazard complaint-handling by legislators, gubernatorial officers and other public officials gives slight assurance that a grievance will be fully investigated." Here, at these levels, we can import the Scandinavian Ombudsman. Here, then, is where he can be most effective.

It is for this very reason that Senators Hart of Michigan, Kennedy of New York and I recently co-sponsored legislation to create an Ombudsman for the District of Columbia. Many of us would have preferred to let a city council authorize such a D.C. Ombudsman, but the Congress has not yet willed to grant the District home rule. That being so, we introduced the bill and hearings should be held early next year.

One omission is notable in both books: Mr. Gellhorn clearly shows the value of trying the Ombudsman here in the United States. But what shall we call this external critic? Many have objected to importing the name along with the institution; the word "Ombudsman," they say, is too esoteric, too difficult, too foreign. Perhaps it is for these very reasons that my own preference is for it. I readily confess uncertainty as to whether my pronunciation is correct or my accent is proper. I do know, however, the Ombudsman is the man who will help the citizen stand on an equal footing with his government.

Mr. LONG of Missouri. During the month of December, as State legislatures throughout the country were preparing for their upcoming legislative sessions, it was reported in the press that several ombudsman bills were being contemplated. It is my understanding that bills have already been introduced, or will be introduced, in the State legislatures of Alaska, California, Illinois, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and Utah. I am pleased to learn that a similar bill will soon be introduced in the legislature of my own great State of Missouri.

Mr. President, on behalf of myself, the senior Senator from Michigan [Mr. HART] and the junior Senator from New York [Mr. KENNEDY], I today introduce for appropriate reference a bill to create and ombudsman for the District of Columbia. This ombudsman would be appointed by the President, with the advice and consent of the Senate. He shall be appointed without reference to political affiliations and solely on the basis of his or her fitness to perform the duties of the office. The ombudsman shall be learned in the process of law and government and shall have a distinguished intellectual standing in the legal profession. I was extremely impressed by Swedish Ombudsman Bexelius' background which included nearly 30 years as a judge in the various law courts of Sweden.

The ombudsman shall hold office for a period of 3 years. He may be reappointed, but in no case shall he hold the office for more than four full terms, or a total of 12 years. According to the provisions of the bill which I introduce, the ombudsman shall receive compensation equal to that of the chief judge of the District of Columbia Court of Appeals; it is my understanding that this salary is now set at $25,000 per year.

Basically, the ombudsman shall have jurisdiction to investigate any oral or written complaints submitted by any resident of the District of Columbia, where the complaint relates to an action or inaction taken by any agency of the government of the District of Columbia. The bill specifically excludes from the jurisdiction of the ombudsman the courts, any entity of the Federal Government, any multistate government entity or compact, and the District of Columbia Commissioners and their personal staff.

When the ombudsman investigates a complaint, he shall have authority not only to hold private hearings with both the complaining individual and agency officials, but also where necessary to enter and inspect the premises of an agency, and to make inquiries and obtain any and all information from the agency or agencies as the ombudsman thinks fit. The ombudsman shall inform the complainant of the results of his investigation. Furthermore, the ombudsman is required to present his opinions and recommendations to the Commissioners of the District of Columbia, to the District Committees of the Senate and House of Representatives, and to the public.

The ombudsman shall not have authority to correct the situation on his own motion. The ombudsman does not have authority to change agency actions. The ombudsman does not have authority to bend the law. The ombudsman only has authority to take a complaint, fully investigate it, and report to an appropriate official what suggestions and changes may be necessary to help the individual resident of the District of Columbia.

In short, he shall have broad investigatory powers but narrow enforcement authority.

Mr. President, as I informed my colleagues when this bill was introduced in the Senate late last year (S. 3783), we are introducing this bill to create an ombudsman for the District of Columbia for two reasons. First, the residents of the District of Columbia need this citizens' defender, this public protector. Additionally, the concept of ombudsman is a most fascinating one. Soon, I shall introduce a bill to create a form of administrative ombudsman with authority to investigate citizen complaints against the Internal Revenue Service, the Social Security Administration, the Veterans' Administration, and the Bureau of Prisons. The Subcommittee on Administrative Practice and Procedure intends to continue its study of the concept of ombudsman, and shall follow with interest the development of the District of Columbia ombudsman.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 626) to establish the Office of Ombudsman in the District of Columbia, introduced by Mr. LONG of Missouri (for himself, Mr. HART, and Mr. KENNEDY of New York), was received, read twice by its title, and referred to the Committee on the District of Columbia.

BLOOD BANKS AND ANTITRUST

Mr. LONG of Missouri. Mr. President, it is a well-known adage that the wheels of justice grind slowly but they also grind exceedingly fine.

As true as this is of justice meted out in the court system, it is even more true of justice as dealt with by the administrative agencies, especially the regulatory agencies.

Some of my constituents, both individual and corporate, in Kansas City have—to their great sorrow and expense—become enmeshed in the web of one of the most ponderous of all Federal agencies, the Federal Trade Commission.

These constituents have been enmeshed for 5 or 6 years, although they are not merchants of any kind and do not engage in what most of us ever think of as "trade" or "commerce." In fact, they are medical doctors and pathologists who organized a nonprofit community blood bank for the greater Kansas City area.

You might well ask what has this got to do with the Federal Trade Commission. Just enough, apparently, for the Commission to disrupt the activities of the blood bank for 5 years and with no end in sight.

When I first heard of this problem, I knew little or nothing about blood banks. In order to educate myself with respect to blood bank problems, I asked the National Institutes of Health if they could supply me with a listing and description of the various blood banking organizations throughout the country. They sent me an inch-thick publication by the American Association of Blood Banks which contained much helpful factual information on more than 6,000 separate organizations which collect, store, and dispense blood and blood products.

These 6,000 organizations range from huge ones, such as the Red Cross, to minuscule ones that deal with very small quantities of blood. The vast majority range between the two extremes.

These 6,000 organizations range from those organized wholly for profit to those which are wholly nonprofit. Again, there are many banks which fall between the two extremes.

These 6,000 organizations range from those having the highest medical standards to those with very low standards. Control of these standards by NIH is very sketchy.

The result of the American system of organization—or, more accurately, lack of organization—of blood banking is utter chaos.

Every year there are untold numbers of cases of infections through inadequate medical controls over blood banks.

Every year, there are a sizable number of needless deaths due to the low medical standards in many blood banks.

Rare types of blood are frequently difficult to get and often unattainable in a particular community.

Blood is often extremely expensive and too often of low quality.

Much blood is wasted by nonuse, as whole blood can be stored for only 21 days.

The major effort to replace the existing chaos with some degree of order and efficiency has come from a number of communitywide or metropolitanwide nonprofit blood banks.

As I said previously, my interest in this subject has been heightened by the situation in Kansas City, an early example of communitywide nonprofit blood banking. Until the mid-1950's, the situation in Kansas City was similar to that in New York. There were a multitude of separate blood banking facilities, some large, some small, some for profit, some nonprofit. Each hospital in the area had its own separate blood banking facility. These varied widely in size and in services.

Beginning in about 1955, a number of Kansas City's leading doctors and a number of other civic-minded citizens began organizing a communitywide nonprofit blood banking system. There was merged into this system almost all of the separate blood banking facilities in the Kansas City area including those of all of the hospitals in the area. The area's pathologists joined in the effort. In time, the system became known as the Kansas City Community Blood Bank.

It had the most modern equipment and a most distinguished medical staff. Its medical standards were as high as those of any blood banking organization in the country. It was truly a model of communitywide nonprofit blood banking. The people of Kansas City took great pride in this system, and it gave promise of setting an example for establishing similar organizations throughout the country.

Yet, today, this community blood bank in Kansas City is in the process of being torn apart. And it is being torn by, of all things, a Federal agency which, obstensibly, is trying to preserve competition in our free enterprise system of economy. It is being torn apart by the Federal Trade Commission.

Not only is it being torn apart—which is terrible in itself—the FTC also reveals in the process its own decrepitude and utter inefficiency.

The complaint was filed on July 5, 1962. It took from then until June 19, 1964, for a tentative decision by the trial examiner. And then—and this is the astounding part—it took the Commission itself an additional 2 years to reach a decision.

No matter what they do, one would think that the Commission could affirm or deny the examiner's tentative opinion in a fraction of 2 years.

In addition to a great waste of time on the part of both the Government and the defendants, the legal fees have been immense—enough to put most organizations out of business, whether guilty as sin or pure as the driven snow.

This is a perfect example, if another one were needed, for passage of a revised Administrative Procedure Act to speed up the administrative process. And our distinguished minority leader and I have reintroduced a bill very similar to S. 1336 of the 89th Congress which passed the Senate on June 21, 1966, and which is designed for this very purpose.

To get back to blood banking, you may ask what has community blood banking in Kansas City got to do with American free enterprise, and why is the Federal Trade Commission trying to throttle this civic enterprise.

The answer is not simple, but the FTC action against the Kansas City Community Blood Bank arose out of complaints made by two small commercial blood banks which remained in Kansas City after the organization of the community blood bank. In its complaint, the FTC charges that the participating doctors and hospitals of the community system are "conspiring" to drive the private blood banks out of business. The FTC is charging that this "conspiracy" is a violation of the antitrust laws. I seriously question, first, if the Federal Trade Commission has jurisdiction over nonprofit blood banks, or second, if blood is an article of commerce as that term is used in the antitrust laws.

These same problems worried the two FTC Commissioners who dissented in the 3-to-2 order of October 26, 1966. As Commissioner Philip Elman put it:

> This commission was not established to sit as a board of review over professional medical judgments made by doctors in course of their practice.

The following are a few quotes from Commissioner Elman's opinion:

> It is not for us to decide whether the respondents were exercising sound medical judgment in insisting on higher standards for the blood to be used in treating *their* patients. If a group of doctors have concluded not to use certain blood because of genuine doubts as to its safety and reliability, they should not be compelled by order of the Federal Trade Commission to accept such blood. This Commission was not established to sit as a board of review over professional medical judgments made by doctors in the course of their practice.
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> Under the Commission's order in this case the respondent doctors will *not* be free to exercise their own professional medical judgment, as they see fit, in accepting or rejecting blood from commercial blood banks. They will *not* be free to meet, discuss, and recommend the use or non-use of such blood. If there should be any such meetings or discussions and if any doctor should refuse to accept blood from a commercial blood bank, he will be subject to $5,000-a-day penalties for violation of the order. The right of the respondent doctors to practice medicine is thus seriously restricted by the order, which deprives them, individually and collectively, of the freedom to exercise a professional medical choice in accepting or rejecting blood to be used in treating their patients.
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> This case is atypical, to the point of freakishness, of the kind of proceedings this Commission is equipped to bring in the restraint of trade area. It does not involve monopoly or competition in the usual sense. It does not involve conduct having commercial motives or ends; the participants are not business concerns actuated by the profit motive. What this case really involves is an acrimonious private controversy, professional and personal in character and origin, between the pathologists and the commercial blood bankers in Kansas City. The Commission, whose mandate and function is to foster and protect the competitive process, should not intrude itself in such controversy. If there is need for governmental intervention in this matter, the State of Missouri has ample authority to take such regulatory measures as protection of the public interest may require. We should stick to our own job: the elimination of unfair methods of competition in interstate commerce. Regulating the professional conduct of doctors is not our business.

However, the point I wish to emphasize is that the FTC should not have jurisdiction over community blood banks, and blood should not be considered an article of commerce for purposes of the antitrust laws. We should have a specific statute on the books to this effect, because, if the FTC wins its argument on the question of jurisdiction, and if it wins its argument on the question of blood being an article of commerce, and if it finds a conspiracy on the part of the Kansas City Community Blood Bank, then the whole effort to replace confusion with order in the field of blood banking will go straight down the drain.

Community blood banks cannot survive and flourish if the FTC can force them to "hold an umbrella" over any merchant of blood for profit who wishes to operate in their area.

There is no question about the fact that the FTC's case against Kansas City is a test case. If the FTC wins this case, the nonprofit facilities and systems in a large number of communities across the country will be put in grave danger of being crippled or put out of business. I have a partial list of such nonprofit facilities which is as follows:

Nonprofit Facilities Listed as Members of the American Association of Blood Banks

Aurora Area Blood Bank, Aurora, Ill.
Bay County Blood Bank, Inc., Panama City, Fla.
Beaumont Blood Center, Inc., Beaumont, Tex.
Becker County Blood Bank, St. Mary's Hospital, Detroit Lakes, Minn.
Belle Bonfils Memorial Blood Bank, Denver, Colo.
Bender Blood Bank, Albany, N.Y.
Bergen Community Blood Bank, Paramus, N.J.
Blood Bank of Hawaii, Honolulu, Hawaii.
Blood Bank of San Bernardino-Riverside Counties, San Bernardino, Calif.[1]
Blood Bank of the Alameda-Contra Costa Medical Association, Oakland, Calif.[1]
Blood Center of Mount Sinai Medical Research Foundation, Chicago, Ill.
Boulder Blood Bank, Boulder, Colo.
Broome County Blood Center, Binghamton, N.Y.[1]
Carter Blood Center, Fort Worth, Tex.
Central Blood Bank, Inc., South Bend, Ind.
Central Blood Bank of Pittsburgh, Falk Clinic, Pittsburgh, Pa.[1]
Central California Blood Bank, Fresno, Calif.[1]
Central Florida Blood Bank, Inc., Orlando, Fla.[1]
Cerro Gordo County Medical Society Blood Bank, Mason City, Iowa.[1]
City of Kingston Laboratory Blood Bank, Kingston, N.Y.[1]
Community Blood Bank, Norton, Va.
Community Blood Bank, Inc., St. Petersburg, Fla.[1]
Community Blood Center, Inc., Appleton, Wis.
Community Blood Council of New York.
Delta Blood Bank, Stockton, Calif.
Des Moines County Medical Society Blood Bank, Inc., Burlington, Iowa.[1]
Dubuque Blood Bank Association, Dubuque, Iowa.[1]
Elks Blood Bank, Danville, Ill.
Escambia Blood Bank, Inc., Pensacola, Fla.[1]
Essex County Blood Bank, Inc., East Orange, N.J.[1]
Hamilton Blood Bank, Inc., Hamilton, Ohio.
Hospital Blood Service, Inc., Detroit, Mich.
Houchin Community Blood Bank, Bakersfield, Calif.[1]
Inter-County Blood Banks, Inc., Jamaica, N.Y.[1]
Irwin Memorial Blood Bank of San Francisco Medical Society, San Francisco, Calif.[1]
J. K. and Susie L. Wadley Research Institute & Blood Bank, Dallas, Tex.[1]
Jacksonville Blood Bank, Inc., Jacksonville, Fla.
Jacob Blumberg Memorial Blood Bank of Lake County Medical Society, Inc., Waukegan, Ill.
John Elliott Blood Bank of Dade County, Miami, Fla.[1]
John Henry Thomas Memorial Blood Bank, Alachua General Hospital, Gainesville, Fla.[1]
Kenosha County Blood Bank, Inc., Kenosha, Wis.[1]
King County Central Blood Bank, Inc., Seattle, Wash.[1]
Lane Memorial Blood Bank, Eugene, Oreg.[1]
Leon County Blood Bank, Inc., Tallahassee, Fla.[1]
Lewiston Clarkston Blood Bank, Inc., St. Joseph's Hospital, Lewiston, Idaho.[1]
Lorain County Blood Bank, Elyria Memorial Hospital, Elyria, Ohio.[1]

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[1] Blood banks similar in operation to the Community Blood Bank of the Kansas City Area, Inc.

Lower West Coast Blood Bank, Memorial Hospital, Sarasota, Fla.[1]
Manatee County Blood Bank, Inc., Bradenton, Fla.[1]
Marathon County Blood Bank, Inc., Wausau, Wis.
Marion County Blood Bank, Munroe Memorial Hospital, Ocala, Fla.[1]
Michael Reese Research Foundation Blood Center, Chicago, Ill.
Milwaukee Blood Center, Inc., Milwaukee, Wis.[1]
Minneapolis War Memorial Blood Bank, Minneapolis, Minn.[1]
Northern & Northeastern Michigan Blood Bank, Bay City, Mich.
Northern California Community Blood Bank, Eureka, Calif.[1]
Northern Illinois Blood Bank, Inc., Rockford, Ill.[1]
Oklahoma City Community Blood Bank, Inc., Oklahoma City, Okla.
Palm Beach Blood Bank, Inc., West Palm Beach, Fla.
Peninsula Memorial Blood Bank, Burlingame, Calif.[1]
Polk County Blood Center, Inc., Lakeland, Fla.[1]
Potter County Memorial Blood Center, Amarillo, Tex.
Putnam County Blood Bank, Palatka, Fla.
Sacramento Medical Foundation Blood Bank, Sacramento, Calif.[1]
St. John's County Blood Bank, Inc., St. Augustine, Fla.[1]
San Diego Blood Bank, San Diego, Calif.[1]
Scott County Medical Society Blood Bank, Inc., Davenport, Iowa.[1]
Shreveport Emergency Blood Bank, Inc., Shreveport, La.
Skagit County Blood Bank, Skagit Valley Clinical Laboratory, Inc., Mount Vernon, Wash.[1]
Snohomish County Blood Bank Association, Inc., Santa Rosa, Calif.[1]
Southeast Iowa Blood Bank, Ottumwa, Iowa.
Southern Michigan Blood Center, Inc., Detroit, Mich.
Southwest Blood Banks, Inc., Scottsdale, Ariz.
Southwest Florida Blood Bank, Inc., Tampa General Hospital, Tampa, Fla.[1]
Spokane and Inland Empire Blood Bank, Spokane, Wash.[1]
Superior-Douglas County Community Blood Bank, Superior, Wis.
Tacoma-Pierce County Blood Bank, Inc., Tacoma, Wash.[1]
Topeka Blood Bank, Inc., Topeka, Kansas.
Tri-Counties Blood Bank, Inc., Santa Barbara, Calif.[1]
University of Cincinnati Blood Transfusion Service, Cincinnati General Hospital, Cincinnati, Ohio.[1]
Upper Pinellas County Blood Bank, Inc., Clearwater, Fla.[1]
Virginia Blood Bank, Inc., Richmond, Va.
W. E. Stewart Blood Bank, Inc., Tyler, Tex.

When the basic antitrust laws were enacted, there were no equivalents of blood banks. If there had been such organizations in existence in those early days, I do not believe that the Congress would have evidenced a desire to include them within the operation of those laws.

Equally, today, I do not believe it is the sense of the Congress that such valuable, communitywide, nonprofit blood banks should be subject to FTC harassment under the antitrust laws. In view of the FTC's dogged determination to push the Kansas City case to an eventual conclusion, notwithstanding the civic result of such action, I think we have no alternative except a statutory amendment to the antitrust laws giving a specific exemption to those community organizations. Therefore, I am introducing for appropriate reference a bill for this purpose and ask that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 628) to amend the antitrust laws to provide that the refusal of nonprofit blood banks and of hospitals and physicians to obtain blood and blood plasma from other blood banks shall not be deemed to be acts in restraint of trade, and for other purposes, introduced by Mr. LONG of Missouri (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 628

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be deemed to be an act in restraint of trade under any law of the United States for any nonprofit blood bank, nonprofit reservoir of other human tissue or organs, any hospital or any physician to refuse, or to join together with others in refusing, to obtain from or to accept delivery of blood, blood plasma, other tissues or organs from any other such blood bank or reservoir.

Mr. LONG of Missouri. I am honored to have as cosponsors on this bill, Senators CARLSON, HOLLAND, PEARSON, SCOTT, SYMINGTON, and TOWER.

You will note that the bill refers not only to blood banks but additionally to banks for other tissues and organs of the body. Although banking of other tissues and organs is in its infancy, there are many indications that these repositories will become quite common in the future. I believe that the Congress should encourage their organization on a community nonprofit basis, rather than on a private commercial basis. The addition of repositories of organs and tissues—other than blood—was made at the suggestion of a number of distinguished doctors and I believe it is a worthy addition to the original draft of the bill.

USIA PERSONNEL BILL

Mr. PELL. Mr. President, I introduce, for appropriate reference, a bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system through the establishment of a Foreign Service Information Officer Corps.

Near the close of the last session, I offered an identical bill, S. 3907, as an alternative to the proposal that 697 of the U.S. Information Agency's top Foreign Service officers be blanketed into the Foreign Service of the United States. I believe that USIA will be able to implement its mission more successfully by having a separate personnel system in which its Foreign Service officers may be trained, developed, and promoted as professionals in the field of public persuasion; but it should also be a system which is closely enough related to that provided by the Foreign Service Act of 1946 so that the officers of USIA and the Department of State may work smoothly together both in Washington and overseas. This bill is designed to meet all these requirements.

During this period of our history, hundreds of thousands of our young men are devoting critical years of their early manhood to the military service of their country. I deem it wrong to lose sight of their sacrifice when they are mustered out and have to compete for civilian careers. Therefore, in the final paragraph of the bill, I have stipulated that the principle of veterans' preference be applied during the recruiting stage of this proposed new career service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 633) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps, introduced by Mr. PELL, was received, read twice by its title, and referred to the Committee on Foreign Relations.

PROTECTION OF RIGHT OF PRIVACY BY PROHIBITING EAVESDROPPING

Mr. EASTLAND. Mr. President, I introduce, for appropriate reference, a bill to strengthen the security of the United States, lessen a burden on interstate commerce, and protect the right of privacy by prohibiting eavesdropping.

Although I realize this bill goes much further than any similar legislation yet introduced, I do not believe it goes too far.

My bill runs not only against wiretapping, but against all forms of eavesdropping through the use of mechanical or electronic aids of any kind, except normal hearing aids used by persons with hearing deficiencies. The prohibitions of this bill would cover wiretapping, the placement of "bugs" or any other electronic listening devices, the use of parabolic sound reflectors, "black light" beams, or any other method of eavesdropping which has been devised or which may be devised.

Exceptions would be permitted in national security cases, but only when authorized and supervised by the Attorney General. In organized crime cases, a Federal judge could issue a warrant based upon a proper showing of probable cause, by affidavit, which would authorize maintenance of specified surveillance for a period up to 6 months. In other crime cases, similar warrants could be issued, to be valid for not more than 72 hours. Warrants issued in crime cases could be renewed upon a proper showing of continuing probable cause. These are the only exceptions in which eavesdropping of any kind would be permitted under the terms of my bill.

One of the big problems in drafting antiwiretapping legislation in the past has been the difficulty of defining the proposed crime without violating the due process clause of the fifth amendment through vagueness, or indefiniteness.

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[1] Blood banks similar in operation to the Community Blood Bank of the Kansas City Area, Inc.

I believe we have solved that problem, and I feel sure my bill will withstand a judicial test on the due process issue.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 634) to strengthen the security of the United States, lessen a burden on interstate commerce, and protect the right of privacy by prohibiting eavesdropping, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on the Judiciary.

THE HENRY F. SCHRICKER NATIONAL LAKESHORE

Mr. BAYH. Mr. President, I introduce, for appropriate reference, a bill to change the name of the Indiana Dunes National Lakeshore, which was established by act of Congress—Public Law 89–761—last year, to the Henry F. Schricker National Lakeshore. I do this because of the widespread veneration in my State for Mr. Schricker, the only two-term Governor in the history of Indiana, who died on December 28, 1966, after a long and honorable life as a public servant.

Few men command the respect, admiration and affection of the people to the degree that belonged to Henry Schricker. Born in 1883 to immigrant parents in a small, rural town of Indiana, he rose through the ranks of business and politics to become a legend in his time. He was a man of the people, one who spoke their language and was always available to them. He was noted for his honesty, forthrightness, thriftiness, and courage. His contributions to his community, his State, and to his Nation were many and enduring.

Henry Schricker's career was marked by a slow but steady rise from humble beginnings to his post as chief executive of his State. As a young lad he clerked in his father's grocery store, then, following high school, worked in the Starke County clerk's office. Not being able to attend law school, he read law at night and was admitted to the bar. After losing his first political race for county clerk, he turned to banking and newspaper work, serving both as cashier and as editor. He became the president of the Indiana Democratic Editorial Association, but was defeated in his first attempt to become a member of the Indiana General Assembly.

In his home community he was a leader in many civic activities—member of the school board, chief of the volunteer fire department, head of the liberty loan drive in World War I, president of the chamber of commerce, and numerous other positions of responsibility.

His career in state politics began in 1932 with his election to the State senate. Four years later he was nominated and elected Lieutenant Governor, and in 1940 he was chosen Governor of Indiana. During his first term he faced a legislature which, under the control of the opposing party, adopted a series of "ripper" laws which attempted to take away much of the powers of the chief executive. Although his veto of these bills was overridden by the legislature, they were later held unconstitutional by the State supreme court.

As Governor during much of World War II, Mr. Schricker devoted his energies selflessly to the task of leading the people of Indiana during those trying times. His spotless white hat soon became a symbol or trademark, recognized throughout the State. He was forced into temporary retirement from politics in 1945 by the provision of the Indiana constitution which prohibits any Governor to succeed himself. The great confidence which the people placed in this man, however, was demonstrated in 1948 when be became the only person to be elected again to the office of Indiana Governor. He was also nominated by his party for U.S. Senator, but was defeated in a close election.

Mr. President, the people of my State loved Henry Schricker. Although he was a Democrat, he drew support from both parties and from all areas of the State. He was a man of many virtues and talents, one who believed firmly in democracy, and a dedicated public servant. He had a strong sense of duty and adhered strongly to his principles. To him public office was a public trust in every sense of the word, and no one ever charged him with shirking his duty or hesitating to act according to his convictions.

Mr. President, no more fitting memorial to this great American could be devised than designating the new national park in Indiana the Henry F. Schricker National Lakeshore. He loved his native State; he was a resident of the northwestern section. Although he had retired from active governmental office before Congress established the park, he did much in his day to promote conservation and to develop the natural resources of Indiana. In view of his long, devoted record of public service, I urge that serious consideration be given to this proposal.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 635) to change the name of the lakeshore known as the Indiana Dunes Lakeshore to the Henry F. Schricker National Lakeshore, introduced by Mr. BAYH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

IMPROVEMENT OF OPERATION OF LEGISLATIVE BRANCH OF THE FEDERAL GOVERNMENT—AMENDMENT

AMENDMENT NO. 32

MICROPHONES IN THE SENATE

Mr. JAVITS. Mr. President, on behalf of myself, the Senator from Pennsylvania [Mr. CLARK], and the Senator from California [Mr. MURPHY], I send to the desk an amendment to S. 355, and ask that it be printed.

The Senate will be considering the resolution as the next order of business after the order of business which will be voted on today.

By this amendment, I seek—at long last—to have installed in the Senate a suitable electronic public address system, including microphones to be placed on the desk of the Presiding Officer and on the desk of each Senator.

There have been many instances of misquotation in the Press Gallery. The ladies and gentlemen of the press all suffer from very serious ear strain because it is practically impossible to delineate clearly what is said on the floor, notwithstanding the tremendous gift for ad hoc debate in this Chamber, which is an ornament of the Senate.

One of its principal ornaments, in that regard, our distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], sits at his desk right now.

Mr. President, the men and women in the Press Galleries often cannot follow the speeches being made, unless a Senator has taken the precaution of having it written out and sent up to them, or they will chase down after him when he has made his speech in order to be sure that they have quoted him correctly. If there is any difference, well, that is one of those very difficult situations.

It is interesting that the distinguished Senator from California [Mr. MURPHY] brought a small electronic device into the Senate the other day in order to make himself heard, because momentarily his voice is not equal to the task.

I hope very much the Senate will give this matter consideration and will modernize itself so that at least the microphones are consistent with the snuff boxes.

Last year, I introduced Senate Resolution 65 which called for the installation of microphones in the Senate. This measure was cosponsored by 15 Senators, and is similar to a measure I introduced in 1957 during my first term in this body. At that time, the Architect of the Capitol was directed to look into the feasibility of the plan, but found that a great many Senators objected to the proposal on the ground that large, unsightly microphones would mar the appearance of the Senate Chamber. During the 10 years which have elapsed since that survey, the science of electronics has been improved to a substantial degree making it possible, for example, to have powerful microphones of a small size installed inconspicuously—perhaps in the little used inkwells which adorn our desks.

The House of Representatives has a public address system in its Chamber and, as a result, Members have not been confused because of difficulty in hearing the Presiding Officer or another Member—as occasionally happens—and the public and the press are able to follow the debate more fully.

In order to give the original cosponsors of this resolution an opportunity to join me in offering this amendment, I ask unanimous consent that the amendment remain at the desk until the close of business tomorrow.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table; and, without objection, the amendment will be printed in the RECORD, and held at the desk, as requested by the Senator from New York.

The amendment (No. 32) is as follows:

On page 80, line 3, insert the following new subsection:

"(a) In order to insure that debates of the Senate may be heard in all parts of the Senate Chamber and in the galleries thereof, the Committee on Rules and Administration is authorized and directed to take such action as may be required for the installation and operation within the Senate Chamber of a suitable electrical public address system, including a microphone placed at the desk of the Presiding Officer and at the desk of each Senator.

"(b) To the extent authorized by law, the expenses incurred for the installation and operation of such public address system may be defrayed from the contingent fund of the Senate."

UNANIMOUS-CONSENT REQUEST—S. 5

Mr. PROXMIRE. Mr. President, on January 11 I introduced S. 5, the truth in lending bill, and requested that it be held at the table until January 25 for additional cosponsors. I ask unanimous consent that the final printed version of S. 5 be amended, as follows:

Under section 2, following the words "would be enhanced," insert the words "and that competition among the various financial institutions and other firms engaged in lending or the extension of credit would be strengthened."

The purpose of this technical change is to make clear that the basic purpose of the bill is to insure competition among financial institutions as well as to promote economic stabilization.

The PRESIDING OFFICER. Without objection it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTIONS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills, joint resolution, and resolutions:

Authority of January 11, 1967:

S. 15. A bill to amend the Internal Revenue Code of 1954 to permit a deduction for certain amounts paid by individuals for the support of their parents and other relatives who have attained the age of 65: Mr. Baker, and Mr. Hruska.

S. 23. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes: Mr. Allott, Mr. Bartlett, Mr. Bennett, Mr. Church, Mr. Gruening, Mr. Hansen, Mr. Jordan of Idaho, Mr. McGee, and Mr. Moss.

S.J. Res. 4. Joint resolution authorizing the President to proclaim "National CARIH Asthma Week": Mr. Bennett, Mr. Bible, Mr. Case, Mr. Cooper, Mr. Curtis, Mr. Dodd, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Hansen, Mr. Harris, Mr. Hickenlooper, Mr. Hruska, Mr. Inouye, Mr. Jackson, Mr. Mansfield, Mr. McGee, Mr. Monroney, Mr. Nelson, Mr. Pearson, Mr. Prouty, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Sparkman, Mr. Tower, Mr. Tydings, and Mr. Young of North Dakota.

Authority of January 12, 1967:

S. 273. A bill to provide for the issuance by the Secretary of Agriculture of a 25-cent-per-bushel export marketing certificate on wheat for the 1967, 1968, and 1969 crops of wheat: Mr. Long of Missouri, Mr. McCarthy, and Mr. Mondale.

S. 275. A bill to provide full and fair disclosure of the nature of interests in real estate subdivisions sold through the mails and instruments of transportation or communication in interstate commerce, and to prevent frauds in the sale thereof, and for other purposes: Mr. Bible.

S. Res. 16. Resolution to amend rule XXV to create a Committee on Veteran's Affairs: Mr. Bible, Mr. Brewster, Mr. Gruening, Mr. Harris, Mr. Inouye, Mr. Long of Missouri, Mr. Mondale, Mr. Montoya, Mr. Ribicoff, and Mr. Talmadge.

Authority of January 18, 1967:

S. 467. A bill to provide for a study with respect to the utilization of systems analysis and management techniques in dealing with problems relating to unemployment, public welfare, education, and similar problems: Mr. Fong, Mr. Griffin, Mr. Jordan of Idaho, Mr. Murphy, and Mr. Prouty.

NOTICE OF HEARINGS ON S. 275, THE INTERSTATE LAND SALES FULL DISCLOSURE ACT

Mr. WILLIAMS of New Jersey. Mr. President, I would like to announce that the Subcommittee on Securities of the Banking and Currency Committee will begin hearings on Tuesday, February 28, on S. 275, the Interstate Land Sales Full Disclosure Act. The hearings will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Stephen Paradise, assistant counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225–3921.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, January 24, 1967, he presented to the President of the United States the enrolled bill (S. 376) fixing the representation of the majority and minority membership of the Joint Economic Committee.

SENATOR DIRKSEN AND HIS STATE OF THE UNION APPRAISAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent to insert at this point in the Record a statement which I made relative to the state of the Union appraisal by the distinguished minority leader, Senator Dirksen.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The distinguished Minority Leader in the Senate (Mr. Dirksen) in his Republican appraisal of the State of the Union, has, indeed, in his own phrase and actions, demonstrated the meaning of loyal opposition.

On the gravest of the issues before us, Viet Nam, Senator Dirksen has stood substantially with the President and where he has differed, he has done so constructively. He has called for "full, free and orderly discussion" of the best ways and means to seek a solution to that conflict.

I am sure the President appreciates his view that we must look ahead to negotiations and beyond negotiations to the kind of Asia we hope will emerge in the years ahead. Beginning with the Johns Hopkins speech in Baltimore in April 1965, the President has taken very active steps in that direction and I am sure he would be glad to give consideration to any other such steps which the Minority Leader might suggest.

Elsewhere in the world the Minority Leader sees problems and difficulties. He raises questions and points to problems. I would only say most respectfully that while the problems are real, more progress is being made than Senator Dirksen suggests.

In Latin America, for example, the Alliance for Progress moves forward. For three years in a row—1964, 1965, 1966—the countries of Latin America have moved forward in real terms at or close to 2.5% per capita in gross national product. Some 12 countries in Latin America in 1966 transferred power peacefully through free elections. The inner security of most Latin American countries appears to have improved and the threat of aggression has diminished. Inter-American trade is expanding rapidly. In Central America, and throughout Latin America, the concept of mutually beneficial Common Markets seems to be taking hold.

In Africa there are indeed grave difficulties; but they are hardly of our making or, in any great measure, amenable to our resolution. In Africa, as in the case of other continents, the Africans themselves will be primarily responsible for what happens. I am sure that the Minority Leader is not suggesting that we substitute ourselves and take on the responsibilities which properly rest with the Africans.

In Europe there is ferment and change. The concept of NATO still prevails, however, and there are some welcome tendencies to a lessening of tension which the distinguished Minority Leader will help to encourage, I am sure, by the sober and non-political consideration which he will give the East-West trade and other questions of European relations, if and when they reach the floor.

Yes, there are points of danger. This is not a simple world with which we have to deal. But we remain a strong and prosperous nation. Under the President's leadership, we will make our contributions and seek to have others make contributions so that the underlying tide in the world will flow towards the things we stand for, not away from them.

I am sure that any constructive suggestions which were made or may be made in the future by the distinguished Minority Leader will be examined most seriously and given every consideration by President Johnson.

VIETNAM

Mr. MANSFIELD. Mr. President, many commentators, columnists, and editorial writers see the issue of the Vietnam war in shades of black and white with no great gray areas in between Under their terms of definition, a person is classified either as a dove or a hawk; and, according to some, if a person raises questions about the war, he is considered suspect, and if he does not, he is considered secure. The same reasoning works in reverse, because there are dogmatic columnists, commentators, and editors at both poles of this question.

We are, however, very fortunate in having people in the news profession who try to see the whole picture of Vietnam, to consider it against a background of all colors of the spectrum and, on that basis, set down their views either orally or in writing. One in the latter group is Robert Sherrod, a distinguished combat correspondent of World War II, who, since that time, has served as chief Time-Life correspondent in the Far East, and has covered the Pentagon in Washington. Since 1952 Mr. Sherrod's career has included assignments with the Saturday Evening Post. He began his service on that publication as a Far Eastern reporter and later became the managing editor as well as editor and editor at large. Then he was named vice president and editorial coordinator of the Post's parent company, Curtis Publishing.

Mr. Sherrod has now returned to Life magazine and to reporting. In the January 27 issue he has written a most worthwhile article entitled "Notes on a Monstrous War." Bob Sherrod has tried to do, and in my opinion has done, a straight and honest job of reporting on the war and Vietnam. In his article he points to some factors in the Vietnamese situation which may be hard for us to swallow; but his reporting is not only first rate, his views and observations are also well thought out and worthy of the consideration of the Senate, the administration and, most important of all, the American people. I ask unanimous consent, Mr. President, that this article by Bob Sherrod be incorporated at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Notes on a Monstrous War

(By Robert Sherrod)

Why go to Vietnam? I asked myself that question a dozen times before starting my semi-circumnavigation of the globe. (How many times had I crossed the Pacific? Was it 31? Or 32?) After all, there were already 500 correspondents present, half of them Americans—surely enough to tell everything worth mentioning about the war in this Florida-sized corner of Southeast Asia. Despite the generally incredulous attitude of many Americans, one heard the same question asked in New York as in Chicago or San Francisco, "What's really going on out there?"—and I did not expect to discover anything new or astonishing about this war which started so small and grew into one of the most historic and traumatic episodes of our era. No censorship hid vast and overwhelming events, such as the deadly kamikaze attacks of World War II, which in six months sank or damaged more than 300 American naval vessels before a word about them was allowed to appear in the American press.

Nonetheless, out of a consuming curiosity I was glad to be going to Vietnam. I had seen the war almost from the beginning, just after the Viet Minh, as the Vietcong were then called, attacked Hanoi on Dec. 19, 1946, and I had seen it near the last, demoralized gasp of the French regime, just before Dien Bien Phu was overrun in 1954. At that time I had written an article speculating on the possibility that one day American blood might be spilled in Indochina, but in my wildest dreams I never imagined that within a dozen years half a million of us would be locked in a death struggle with an inferior force of litle men who didn't even have any artillery. How could such a monstrous situation have come to pass? Why couldn't we win this war into which we had drifted, willy-nilly, and sunk deeper throughout the years? Why?

At the outset I heard the fear expressed which would arise in every conversation I had with the men who run the war. En route to Vietnam I stopped in Pearl Harbor to see Admiral U.S. Grant Sharp, commander-in-chief of the Pacific, eighth in line of succession to the late, great Chester Nimitz. Admiral Sharp said, "The only thing that can defeat us is for the American people to get tired of the war." This was not only known to the enemy; it formed the basis of his strategy. Ho Chi Minh has said he can hold out for 10 years because he knows very well the American people will not stand for another decade of war in Vietnam.

As my plane sailed in from Hong Kong, I looked once again upon the red tile roofs and the palm trees of Saigon. During the next two months I recorded some random impressions of this war we never expected to have to fight.

We moved inch by inch through the unspeakable traffic and the blue fumes of the five-mile, 45-minute drive from Tan Son Nhut, preposterously the busiest airport in the world, to Saigon, a city meant to hold 200,000 people which today festers with more than two million. "I had a dream the other night," said the colonel sitting beside me. "I dreamt the war here in Vietnam cost us more than World War II." That would be something over $350 billion.

Nothing I had read, no photographs I had seen prepared me for the immensity of the American effort. It is impressive enough to read that we have committed more troops to Vietnam than were necessary to fight the North Koreans and Chinese combined in 1950 and to realize that each American soldier carries six times the firepower he had in World War II. But the fantastic expense of Vietnam—$20 billion last year, $10 billion beyond the estimate—can only be comprehended in the viewing.

Literally everything is Texas-sized, from the new "Pentagon West" ($25 million), which will provide offices for most of the 68 American generals stationed in Saigon, to a cantonment for 60,000 troops under construction at Long Binh ($90 million). Both projects should be ready for occupancy this fall.

In World War II the engineers or Seabees would level a 3,000-foot strip of topsoil, lay some pierced steel plank and report the airfield ready to receive planes. With jet planes it's different. Jets need dust-free, 10,000-foot strips of aluminum or concrete—which cost $5 million or more. We have built nine new jet landing fields between Da Nang and Saigon. The total number of airfields in South Vietnam is now 282, one of the highest in the world. Will these become the Stonehenges—or, more appropriately, the Angkor Wats—of Vietnam, the relics of a civilization which passed that way? Or will the Vietnamese dig up the concrete so that rice can be planted here again?

In less than two years the number of American troops based on Vietnamese soil has leaped from 25,000 to more than 400,000. To support them 150 cargo vessels are always on the seas or at the docks. The trouble was the lack of docks, which often forced ships to wait a month to unload at Saigon. Okay, build deep-water piers. Saigon has three, and nearby New Port will have four. The big Marine Corps base at Da Nang had no piers; all supplies had to be unloaded by lighter. So we dredged channels and built three piers which, with attached facilities such as a four-lane concrete bridge, will cost $120 million. Development of the great natural harbor at Cam Ranh Bay, the site of President Johnson's visit last November, will come cheaper—only $110 million.

One evening I flew from the demilitarized zone down to Saigon, about three quarters of the length of this 900-mile string bean of a country. Much of the coast was lit up by flares; artillery shells twinkled in 40 or 50 different spots. No battles were being fought that night but the Vietcong, if present, presumably were being kept awake and the interdicting fire prevented them from traveling certain routes in case they intended going that way. This lavish use of firepower, whether effective or not, contributes to the cost of killing the enemy, which is calculated at $400,000 per soldier—including 75 bombs and 150 artillery shells for each corpse.

The diplomat was dressed all in blue—pale-blue suit, medium-blue shirt, dark-blue tie. He slumped in a leather chair, stretching his long legs halfway across his air-conditioned office.

"I pity the poor bastard who takes the 5:07 to Larchmont and tries to understand this war on the basis of his service in Europe," he said. "It's like the difference between the Middle Ages and World War II."

How long will the war last? Foremost Dairies has a contract (for $18 million) with the Navy to build and operate a plant at Chu Lai and one at Da Nang which will produce each day for the U.S. armed forces 9,000 gallons of reconstituted milk, 2,500 gallons of ice cream and 3,000 pounds of cottage cheese. The contract expires in 1971.

Things look more optimistic at the Saigon offices of the great consortium known as Raymond Morrison-Knudsen Brown & Root and J. A. Jones, whose $1 billion contract (the biggest in history) for airfields, piers and other heavy construction will be completed sometime in 1968.

The most striking aspect of the Vietnamese war is the professionalism of the whole operation. In spite of the arrival of many thousands of draftees in the past few months, one doesn't get the impression that this is yet a war of civilians in uniform. I did not meet a single battalion commander, Army or Marine, who wasn't a regular officer. Most of the Air Force, Navy and Marine Corps fliers are either regulars or reserves who intend to become regulars. The tenor of the war is as professional as the banana war the Marines fought in the Nicaraguan and Haitian jungles in the 1920's, which were the nearest precedent—on a minuscule scale—we have had to Vietnam.

One can hardly blame President Johnson and Secretary McNamara for resisting demands that the reserves be called up and the National Guard mobilized. What they have in Vietnam is a smoothly functioning machine that does its job with the detachment of a surgeon in an accident ward. It is a war without songs, slogans or humor.

Morale is unquestionably good, with less griping in a month than one used to hear in a day. For once the military pychiatrists are underemployed. Said one of them, "If you count the combat-fatigue factor in World War II as 25, the Korean war as five, then the Vietnamese war would be one."

What are the reasons for this phenomenal decline in crackups? Most important is a man's guarantee that he will be sent home after 12 months (13 in the case of the Marines); he receives a card with his return date on it even before he leaves the States for Vietnam. Every soldier I met could tell me precisely how many days he had left in Vietnam.

There are other factors. In Vietnam there is no such thing as spending long weeks "in the line." Most battles last only a few hours. Then, too, in this war the troops have no fear of enemy artillery or bombs or tanks. The hundred-a-week killed-in-action rate is militarily acceptable (though this is small consolation to those platoons which occasionally must take heavy casualties).

One finds few of the gung-ho glory hunters who turned up in great numbers in the war against Japan. The argument that this is a holy crusade against Communism is sometimes put forth by officers, but I observed that it usually fell flat. On the other hand, the deep doubts that affect some American college students do not seep into the ranks, possibly because so few of these soldiers ever got beyond high school.

There is little doubt that this is a poor boy's war, with a heavy percentage of Negroes (up to 30% in some extra-pay airborne units). The boys are taller, stronger and neater than their World War II counterparts, because the Army can pick and choose when it is only one-eighth the size it was a quarter century ago. What we have achieved in Vietnam is the equivalent of a half-million-man Foreign Legion.

As professionals our troops don't flinch from the unpleasant duty of killing a 90-pound underdog. One day I asked Marine Corporal Tony de Vargas from Espanola, New Mexico how he felt on this point. He replied, "Charlie may be little, but he carries a big gun."

Without a Pearl Harbor to remember, what motivates the men who must do the killing? The foremost incentive, I believe, is revenge on the cunning, ruthless enemy who kills a man's friends or blows their legs off with booby traps. This comradeship factor probably has been underestimated in previous wars and should be ranked above flag, honor, duty or mom's apple pie.

All good military units cultivate this one-for-all, all-for-one spirit, of course. In Vietnam a soldier can take pride in belonging to the finest outfits in American military history, such as the 1st Infantry Division ("the Big Red One"), the airmobile 1st Cavalry Division ("the First Team"), the 101st and the 173rd Airborne brigades. Nearly a third of the combat battalions in Vietnam belong to the Marines, who long ago claimed the patent on *esprit de corps*.

One finds many officers who are serving their second tour in Vietnam usually in the advisory teams attached to the South Vietnamese army; I found a few who are in the country for a third time. A colonel with the Vietnamese IV Corps in the Mekong Delta said one day, "I was one of those who told McNamara in 1964 that the war would be over by the end of 1965; I swear I thought it would be. But don't you dare print my name."

From a helicopter I watched a sharp, two-hour fight in the Mekong Delta in which three battalions of South Vietnamese soldiers landed in a rice paddy and attacked a battalion of Vietcong just beyond the tree line. Our chopper arrived back at a division headquarters as other machines were hauling in our side's dead (23) and wounded (86), who were covered with a mixture of their own blood and the putrid slime of the paddy.

My companion, Colonel Charles Davis, USA, who has seen a lot of combat in his time—he won a Medal of Honor at Guadalcanal in 1943—looked upon the miserable pile of human cargo and said, "Whether it's a big war or a small war, when you're dead, you're very dead."

Other Vietnamese soldiers arrived with stretchers and lifted the casualties into Red Cross-marked ambulances. I was startled to see that this transfer was accomplished without even a modicum of diagnosis—on one stretcher lay a stone-dead soldier; the man beside him, a big hole in his back, waved his arms weakly and tried to talk. Then I realized I was back in the Orient, where death is commonplace and Western niceties frequently go unobserved.

Nothing amazes me more than the smooth and swift integration of the U.S. armed forces. One day at Dong Ha, near the North Vietnam border, I talked to a group of Marines from the force reconnaissance company, an outfit that is qualified in both parachute jumping and submarine landings. Thirteen of them, including four Negroes, had just returned, their faces camouflaged green and black, from a three-day jungle patrol—a dangerous mission that by its nature requires every man to rely completely on every one of his comrades. All of them, it developed, came from different states except two of the white boys who were from Alabama—Kenneth Carlisle from Selma, Larry Smith from Montgomery.

Seventy-five years have passed since Rudyard Kipling penned his cynical lament about the white man's problems east of Suez:

Now it is not good for the Christian's health
to hustle the Aryan brown,
For the Christian riles and the Aryan smiles
and he weareth the Christian down;
And the end of the fight is a tombstone white
with the name of the late deceased,
And the epitaph drear: "A fool lies here
who tried to hustle the East."

One day, while flying at 20,000 feet from Pleiku to Saigon, I found that General William Westmoreland, the trim, jut-jawed commander of U.S. forces in the country, knew the Kipling quote very well indeed.

General Westmoreland, an Episcopalian, would be less than human if he didn't get a bit riled occasionally. From Phan Thiet, a provincial capital on the South China Sea, he helicoptered not long ago to a nearby Special Forces camp on the edge of a village that had been frightened by the Vietcong. After the camp was established, the villagers began to trickle back, demonstrating their confidence in the change of command.

The captain in the green beret said, "The Catholics in the village have cooperated completely. But the Buddhists are still sitting on the fence. The chief *bonze* wants a bribe; he says dig him a well and give him 10,000 *piastres* [about $85]." The general frowned, but diplomatically said nothing.

At lunch in Saigon one day several old Asia hands were discussing the perennial subject: how could we have avoided this war? Is it really Lyndon Johnson's war? What would Kennedy have done? Suppose Eisenhower had tried to save Dien Bien Phu by American intervention in 1954, as advocated by Chairman of the Joint Chiefs of Staff Admiral Arthur Radford?

A Catholic priest with a quarter century's experience in Asia spoke up: "We had two chances. In 1916 if we had got tough with the French about colonialism, as we did with the Dutch and the British, Ho Chi Minh would have come in on our side. Despite some evidence to the contrary, I believe Ho would have been a Tito even before Tito told off Stalin.

"Our last chance was 1949–1950, when we ought to have cut off all aid to the French; remember they were fighting this colonial war with American weapons. At that time Ho was still scared of the Chinese; he didn't take much comfort from the Communists taking over China. After 1950 the French defeat became inevitable and American involvement inevitably followed."

The President of the United States in 1946 and 1950 was Harry S. Truman. He had other things on his mind—such as rescuing France herself from chaos and possibly Communism.

Nothing in 1966 caused more surprise than the collapse of the Buddhist leaders' rebellion, which almost tore South Vietnam apart last spring. One evening Prime Minister Ky told a group of Americans that his success against the Buddhist dissidents was due to his grandmother-in-law. "She is a Buddhist nun and she told me, 'Now you can attack them,'" he said. "That's when I attacked."

Dr. Nguyen Huu Chi, one of two province chiefs among Vietnam's 45 who are civilians, holds a Ph.D. in political science from Michigan State University. Since the Quan Nam provincial capital, Hoi An, is only 15 miles from Da Nang, I arranged to visit Dr. Chi there one morning and set out with Marine Staff Sergeant Knight in a jeep.

Halfway between Da Nang and Hoi An we stopped at an American advisers' camp. "Goddlemighty," said the Army sergeant stationed there, "you can't drive to Hoi An. The Vietcong killed three Vietnamese in a truck on this road last night and wounded the American driver. It happens all the time."

This put a different light on my proposed visit, so I decided to try to reach Dr. Chi on the radio-telephone. This proved about as easy as building a space capsule out of baling wire, but I finally got through. "Nonsense, the road is perfectly safe—until four o'clock, anyway," said Dr. Chi.

The adviser provided us with reinforcements in the person of a tiny Vietnamese rifleman so Sergeant Knight and I proceeded to Hoi An and lunched with Dr. Chi (chicken and rice and the universal sauce called *nuoc mam*, which is made of rotten fish and tastes good). An AID official offered me a tour of the province in his white helicopter, so I deserted Sergeant Knight, leaving him to go it alone with his elfin bodyguard. I was relieved to learn later that he made it back to Da Nang within the prescribed time limit.

Sure enough, at 4:30 p.m. that afternoon a Vietcong land mine blew up another American truck on the Hoi An-Da Nung road. I'll credit Dr. Chi with the gift of prophecy—but he was cutting it pretty fine, in my opinion.

Aboard carriers during World War II, aircraft which were badly damaged on landing were simply pushed over the side. "Jeezus" we used to say, "there goes $40,000." One day on the carrier I was riding 40 miles off the North Vietnamese coast we lost an F–4 Phantom. Cost $2.5 million.

For every military operation that gets into the newspapers or on the home television screens, a dozen more never rate a mention because they turned out to be dry—or insignificant—runs. One morning I flew in an F–100F with a 26-year-old Air Force pilot, Captain Dave Anderson, the first combat mission I had undertaken in a jet and, to tell the truth, my first combat mission of any kind since 1945. Anderson, a stocky, phlegmatic young man, had already flown one mission a few hours earlier; he had also been shot down by enemy ground fire several weeks before but, since a helicopter had rescued him within minutes, he shrugged it off.

Our mission was to fly from the air base at Bien Hoa and help prepare a zone about 30 miles east of Saigon where a battalion of the 173rd Airborne Brigade could land. Our three-plane flight would drop bombs around the edges of the chosen zone in order to protect the helicopters as they hovered near the ground bringing in the infantrymen. Anderson and I donned 60 pounds of gear apiece—helmet with built-in microphone, parachute, G-suit, oxygen mask, survival vest containing drinking water, a pistol, a knife and a wonderful small radio which could be switched on to give off either an automatic beep or detailed instructions from ground to air.

The ground crew armed our plane by slinging two 250-pound bombs and two 750-pound napalm tanks under the wings. After I climbed into the jet's rear seat, Anderson showed me how to pull out the red pins which would detach me, along with my parachute, in case it became necessary to eject. He pointed to a red button which would fire the ejection charge. "Don't forget to slide back the canopy first," he said. "You don't have to pull a ripcord or anything. The parachute will open itself."

Our three planes, with Major Leslie Leavoy in the lead, hustled along the concrete and lifted smoothly into the air. To our left, beyond the snakelike Saigon River, lay Tan Son Nhut, its airfield cluttered with hundreds of planes and helicopters, its approaches choked with thousands of jeeps, cars, trucks, motorcycles and bicycles. Like a thousand mirrors, the paddies shimmered in the noonday sun. Here and there a peasant in a conical straw hat and hitched-up black trousers worked his tiny, waterlogged plot, possibly conscious that all of our jets, our napalm and bombs and soldiers and Marines were only part of an effort to persuade him over to our side.

One flight sailed easily, almost silently, at 460 knots between sky and paddy.

Our target was as sharply outlined as a bull's-eye, a patch of light green shaped like a baseball diamond, 500 yards between bases, set in the dark green of the surrounding jungle. We knew from intelligence reports that three battalions of Vietcong had been located within one to five miles of the landing zone.

The Forward Air Controller, a 34-year-old Texan named Eric Miller, was flying his little Bird Dog light plane far beneath us, just over the 75-foot-high jungle, marking the targets with white phosphorus. On his instructions our planes began their descent in single file. When our turn came, FAC Miller radioed to Anderson, "Put yours due east of the last one, in the heavy woods."

Half a mile from the designated area Anderson started our dive from 5,500 feet; the speedometer needle spun clockwise, up to 700 knots; the altimeter twirled in the other direction. When we reached 2,600 feet, a dull klunk under the right wing told us that Anderson had released a bomb. Going down was fun, like riding on a roller coaster, but the pull-out at 5½ Gs—five and one-half times gravity—was a new, unearthly sensation for me. The upsweep tied my stomach into a hard knot and my legs felt as if they had been transformed into iron. Then I understood what the gravity suit was for; it had automatically inflated to act as a tourniquet around my thighs, damming the flow of blood from its rush to my legs and thereby preventing a blackout.

The FAC gave us a "Good hit!" on our drop. But he added, "A little long."

In World War II we used to make one dive, drop our bombs and head for home. But I soon realized we were dropping our bombs one at a time, which meant that we would repeat the process until we had laid all four of our eggs. It was quite a morning for an overage war correspondent.

After the last bomb run, the artillery—105s and 175s—opened up, firing from five and 10 miles to the north. Then 10,000 feet beneath us the helicopters (Hueys) swam into view, like so many minnows in a tank. The first 10 choppers hovered over the landing area for about 60 seconds, until the 173rd's soldiers jumped out and started running toward the woods. Then 10 more Hueys arrived, and 10 more, until the full battalion had landed. Everything seemed to go off smoothly, so we headed back to Bien Hoa.

General Westmoreland's communiqué the next day gave one sentence to our landing and the newspapers didn't use a word of it.

It was two weeks before I had a chance to visit the 173rd Airborne to find out what had actually happened on the ground. By then the landing zone had lapsed back into Vietcong control and I couldn't visit the scene of our operation, but the 173rd's First Battalion commander, Lt. Colonel Lewis Goad, a weather-beaten professional, told me the story.

"We didn't have any opposition; only three snipers fired at us all day," said Goad. "We've been chasing that V.C. regiment for three or four weeks. These people aren't going to stand up and fight until they have an overwhelming advantage. I can't say I blame them. They know every inch of every trail; they can cover in 15 minutes what would take us four hours, so they just melt into the heavy woods."

The Vietcong had been in the vicinity all right, just as the captured maps indicate. On the second day Colonel Goad's men found a tunnel 200 yards long, 20 feet underground, that even contained a surgery room about 15x30 feet. The First Battalion blew it up with the V.C.'s own TNT, of which they captured about 300 pounds. The Americans also captured 400 Communist Chinese mortar rounds, about 5,000 rounds of rifle ammunition, a ton of rice and "one typewriter, one notebook, two gallons of kerosene, one pair of crimpers." The only casualty on either side in this unsung operation was Pfc. Tommy Traxler Jr., 18, of Crystal Springs, Miss., killed by a sniper on the fifth, and next-to-last, day.

"I don't doubt they have a dozen caches in this area for every one we have destroyed," said Colonel Goad gloomily. "The Vietnamese believe there may be underground factories around here."

Could we have surprised the enemy? Colonel Goad's soldiers found warm ashes around the landing zone. The fact that the enemy left so much equipment behind also indicated that he departed in a hurry.

"A couple of times we've gone into the landing zones without prep, and we got shot up badly," said Colonel Goad. "It's expensive to pave the way with artillery and bombs—we're sitting ducks if there's somebody waiting around to shoot at us."

Thus, as the Australian jungle fighters are quick to point out, we drive away the enemy while simultaneously trying to lure him into combat—a dilemma that never confronted U.S. troops in the more orthodox wars we fought on the Pacific islands and in Korea. We learned how to fight the Japanese in the islands, the North Koreans and Chinese on a peninsula. The Asian continent is something else again.

"This is not a military war; its a political war," said Goad. "If the villagers will tell us who the Vietcong are, things will get better." War in Vietnam wears many faces, and one of these belongs to Senior Captain Dang Doan, who commanded the 93rd Battalion of the 2nd Vietcong Regiment until he was captured in 1966. It is a haughty face, more expressive than most Orientals', exuding fanatical self-confidence. After he was wounded in a battle in Binh Dinh province early last year, Senior Captain Doan told his American captors, "Our men may die, but our children will carry on. We can take it."

A large color photograph of Doan adorns the office of Brig. General J. A. McChristian, chief intelligence officer to General Westmoreland. He keeps it simply as a reminder that he is up against a grimly determined enemy.

The Vietcong's resolution bewilders other American soldiers. A lieutenant in the 25th Division shook his head and said, "I just don't understand what motivates these people." I was to hear the same remark dozens of times throughout Vietnam.

Oddly enough, no special ideology appears to inspire the V.C. in the fashion, for example, that reverence for the emperor impelled the Japanese to fight to the last man. Most of the Vietnamese people couldn't care less about Communism. Rather, say the experts, the Vietcong's success against overwhelming odds stems from superb organization perfected over the last 25 years. American intelligence officers marvel at the ability of guerrillas to organize whole villages, convince the inhabitants that the Americans are no better than the French were and persuade them to hate the white men enough to join in the killing of them.

The American leaders believe that to win the war it will be necessary to root out the guerrilla "infrastructure" and expose its falsity. But that job isn't likely to be completed this year—or next.

And then I stole all courtesy from heaven,
And drest myself in such humility
That I did pluck allegiance from men's hearts.
—*King Henry IV, Part One.*

When he first sets foot on Vietnamese soil, the American in uniform is handed a wallet-size card labeled "Nine Rules," exhorting *him to be nice to the people.* Rule No. 1: "Remember we are guests here: we make no demands and seek no special treatment." Rule No. 5: "Always give the Vietnamese the right of way."

General Westmoreland, who travels the length of his command frequently, tells a newly arrived battalion: "Your mission is to help the Vietnamese people and to defeat the enemy. Never before in history have soldiers been called upon to help build a nation while fighting."

The result is to make the soldiers fantastically native-conscious. Almost every man has a theory about what to do about the Vietnamese, which more often than not adds up to the words: "We've got to change these people's minds." Scratch a soldier and find an evangelist.

A Marine Corps civil affairs officer: "Most of the people in my area are pro-North Vietnamese. We have to find a way to change their attitudes."

A battalion commander: "How are you going to get democracy to these people? They have no sense of nationality, they think only of the village that they have always lived in."

A U.S. information officer: "Their education is still French-oriented. We've got to end the *lycée* system."

A private in Saigon: "The only thing to do is to kill everybody in the country over five years old."

A sergeant in Cu Chi: "We ought to take over the country— the hell with these Vietnamese generals and politicians—win the war, then give it back, like we did in Korea."

An AID man in Quang Nam province: "We can't even slow down the Vietnamese truck drivers. How can we expect to change the generals and province chiefs?"

A sailor in My Tho: "Pretty soon we'll have the country paved over. Then we won't have to worry about it any more."

A facetious reporter: "General Westmoreland, there are 15 million people in South Vietnam. We put that many people in uniform in World War II. Why not mobilize enough troops to give every South Vietnamese a personal American bodyguard?

To change any Oriental's ways of thinking—or, as Kipling put it, to hustle the East—is a major undertaking. Vietnam's complexities make it the most difficult task we have ever tackled in foreign relations.

The country's political instability left it without a father figure like Syngman Rhee in Korea or Chiang Kai-shek in Taiwan. Its political and religious divisiveness lead into a bewildering tangle of Buddhists of many stripes, Catholics, Montagnards, Hoa Hao, the Cham and such an outlandish, two-million-member sect as the Cao Dai (who worship God in the from of an eye). Their colonial legacy left most of the country's leaders speaking French in preference to their own tongue but, almost alone in the Far East, Vietnam is virtually without English. The South Vietnamese armed forces, notably excepting elite units like the marines, paratroopers and Rangers, have proved poor in performance and in motivation, so their army is being relegated to rural pacification (which is probably the worst place to put them; they systematically steal from the peasants).

The performance of the South Vietnamese army provides the single greatest disappointment of the war. It was the hope we placed in this army which prompted President Johnson to declare honestly in 1964 that we would not "supply American boys to do the job that Asian boys should do." If our Asian boys had lived up to their American advisers' estimates, we wouldn't be involved in South Vietnam now, of course.

One expert who began his first Vietnam tour 10 years ago estimates that the ARVN (Army of the Vietnamese Republic) operates at only 15% efficiency. Why? A question of leadership which would inspire grass-roots support of the army, he says.

"These are good soldiers," one hears on all sides, "when they are properly led." Alas, the leadership from lieutenants to generals is too often based on political favor instead of merit, and the Vietnamese are extremely touchy about American interference in their internal organization, political or military. General Westmoreland is ever conscious that he is not a supreme commander; this title still is Commander of the Military Assistance Command, Vietnam. He has managed to institute a few important reforms, such as setting up an officers' training school for the Vietnamese whereby 100 talented peasant soldiers might rise from the ranks.

"I wish we had the North Vietnamese on our side," said a civilian political officer one day. He had a point. The French always used to say that the northerners had more energy—when the French wanted laborers for their New Caledonia nickel mines, they chose Tonkinese from the Hanoi region—and more intelligence, too. It's not surprising that the northern refugees, like Prime Minister Ky, dominate the South Vietnamese government. The southerners, on the other hand, never had to work very hard in their bountiful, more tropical climate. They were dogged by absentee landlordism—only one eighth of the arable land was owned by smallholders—and American prodding has produced sluggish reaction to reform, which is necessary to gain support among the peasants. In postwar Japan the United States was in a favorable position to insist upon land reform; in Vietnam, no.

Nevertheless, the Americans wade firmly into this Augean stable with characteristic determination, working seven 10-hour days a week (Vietnamese government officials take the weekends off), dispensing love, good Western advice and dollars by the ton. U.S. economic aid came to $600 million in 1966, which sounds like a lot of money, though it amounts only to $39 per South Vietnamese, compared to $1,400 for the military effort in behalf of each inhabitant of the country, counting those under Vietcong control.

Those figures include only the amounts allocated by the U.S. AID mission, which imports rice for the Vietnamese, trains 5,000 of them at a time in trade schools, teaches them more modern farming methods and enlists the services of medical teams from 10 different countries.

Some of AID's projects work out better than others. It recruited U.S. police officers to train the national police force, which was being enlarged from 27,000 to 72,000 men. But the plan has been only half successful because the pay is so low ($20 per month) and the Vietnamese army refuses to exempt the police from the draft. AID printed 14 million schoolbooks, but many rural teachers believe that books diminish their authority over students, so a high percentage of the books remains stacked in closets.

U.S. Deputy Ambassador William Porter, who is in charge of civilian programs, says candidly, "Only the United States would undertake this thing. The diplomats here think we're nuts. But we had to start somewhere."

Every U.S. military outfit has its own private charities. The 25th Division's "Helping Hand" warehouse, filled by residents of the division's home base back in Hawaii, holds boxes of clothing, school supplies, sewing machines and soybean oil.

Marine Corps Reserves in the U.S. set up a CARE program last year and collected $286,000, which was passed out by Marines in Vietnam in the form of carpenters' tool kits ($8 each), children's school kits (50¢) and similar items. One of the most touching sights in Vietnam is a makeshift hospital set up by two young doctors for treating emaciated children, whose beds are simply boxes nailed to the walls. Here children are wormed ("they all have worms") and introduced to soap. When they are not treating wounded Marines, doctors of "A" Medical Company in Phu Bai specialize in harelip operations, of which hundreds have been performed—to the delight of those Vietnamese otherwise condemned to a life of ugliness.

But charity in Vietnam, as elsewhere, badly needs supervising. Last year the Marines in Vietnam distributed nearly a million pounds of soap, but it had a way of reappearing on the black market. Now the Marines hand out smaller bars.

Once in a while one hears an American official say, "Maybe we're doing too much for these people; we're overwhelming them. We've got to do more toward helping them to help themselves." But I observed that American impatience too often prevails, and the Americans find themselves taking over, just as they have taken over most of the fighting.

One meets few doves in Vietnam. Nearly every man appears to believe in what he is doing, whether it is killing Vietcong or teaching a peasant how to use a better fertilizer. The most vociferous dove I encountered was a doctor from a British Commonwealth country who treated Vietnamese civilians in one of the provincial hosiptals.

"I work in a 400-bed hospital," he said, "and it generally has 600 patients at a time, which means a lot of doubling up. Most of the patients have been wounded, and 90% of the wounds are caused by American and South Vietnamese artillery, bombs and naval gunfire.

"Pity the poor peasant. The villagers are supposed to be warned to get out before the bombing starts, but it is a lie to say that this is done even half of the time. Besides, what are they to do? If they leave their villages, they go to refugee camps where they're supposed to get enough money to live on, but the *piastres* disappear into someone's pocket. If they stay and miraculously survive the bombing and shelling, the infantry comes in and shoots them as V.C.

"One old woman in the hospital has been wounded three times in two years. One man came in last year with his right leg gone; he's back again with his left arm amputated.

"I've learned some Vietnamese and I speak French. I'd say 80% of my province sympathizes with the Vietcong. Even the contractor who is building a hospital annex says he wishes the Americans would go away because it's humiliating to have them here.

"I'm sick of the corruption I see everywhere, from the lowliest hospital workers to the Vietnamese doctors to the heads of the government. If a man comes in with his pants shot off, it's the Americans who furnish new pants. If he needs food, the Americans furnish it, though Vietnamese funds have been appropriated for the purpose. God knows where the money goes. Vietnam will never get well unless the Americans take over or the Vietcong take over."

After nearly two months in Vietnam I find this the most hateful war we have ever fought. Surely, we never would have got into it if we had known how deep was the well, but we are the victims of one tragic miscalculation after another. We find ourselves supporting a government of mandarins with little basis of popular support, fighting for an army that has little inclination to do its own fighting.

Yet in all candor I see nothing to do except continue on the course we now pursue, hoping that a merciful Providence will show us a way out. We have committed our national honor to defend our policy and our allies. The key question is the one asked so often by Lyndon Johnson, "What would *you* do?" At this point it makes no sense to say "Give up," or to ask "Why did *you* do what you did?"

Mr. MANSFIELD. Also, Mr. President, in a similar vein of highly competent reporting, there is an article in the January 28 issue of the Saturday Evening Post by the well-known correspondent Stewart Alsop, which I read with great interest. I think Mr. Stewart Alsop's comments and analysis are sober and highly responsible and worthy of the same consideration which pertain to the Sherrod story. I ask unanimous consent that Mr. Alsop's article be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Vietnam: Whose War?

(By Stewart Alsop)

Saigon.—The young Buddhist leader from Saigon University had a big bush of black hair, and an air of quiet authority.

"Among the intellectuals in the city, like those in this room," he said, "it is understood that the presence of the Americans is a necessary evil." He waited calmly while his words were translated, and then continued: "But among the simple people, the peasants in the countryside, the Americans are of course hated and feared by ninety percent—by all those who do not work for them, or profit from them in some way."

At this point an argument broke out in Vietnamese. There were seven other "student leaders" from Saigon University in the living room of the cultural attaché of the American embassy. All the boys were products of Vietnam's tiny ruling class. They had to be, for only the children of the ruling class have much chance of being admitted to Saigon University and thus exempted from military service. The parents of seven worked for the government, or had close connections with it. The eighth came from an old mandarin family.

The argument had started when a Catholic student leader objected that the Americans were not hated and feared by as many as 90 percent of "the simple people." There was much discussion, and finally the young Buddhist conceded that it might be more accurate to say that the Americans were hated and feared by "more than half" of the simple people. Then he continued to speak, in the tone of one who lectures a backward student.

The Americans, he said, are of course responsible themselves for the danger of a Communist takeover. As everyone knew, the Americans had placed the dictator Ngo Dinh Diem in power when the French left. If the Americans had not interfered, South Vietnam would have developed into a stable, independent state. But the inevitable revolt against Diem's misrule left a vacuum, and the Americans, having installed Diem in the first place, had no choice but to fill the vacuum.

No one seemed inclined to dispute this version of history. A second boy complained that the Americans were too weak, that they had failed to use their power to give Vietnam the economic and social reforms that were needed. There was much nodding of heads. A third boy agreed, and added that the Americans also interfered too much in the internal affairs of Vietnam. As a result, most Vietnamese now regarded the Americans as colonialists, like the French. Again there was much nodding of heads, and no one seemed aware of any contradiction between what the second and third boys had said.

As the talk proceeded, one thing became abundantly clear. Not one of those eight young men—not even the Catholics—felt any sense of commitment to the war against the Communists in their own country. The war, in their eyes, was the business of the Americans.

How could the war be ended? This question stimulated another spirited argument in Vietnamese. A Buddhist boy had said that there ought to be direct negotiations with the National Liberation Front, and a couple of Catholics had protested that he ought not to say such a thing in front of Americans, but he insisted. Then another boy suggested mildly that the only way to end the war was for the Americans to to go war with Communist China. Yes, said another, that was true, and of course it was the only reason the

Americans were in Vietnam—they were planning to attack China, but they had not yet found a pretext.

Was the election in September a meaningful event? It was a small but useful step in the direction of democracy, said a Catholic student. It was a farce said the Buddhist who wanted direct negotiations with the Communists. The returns were faked by the government, and he had refused to vote. Another Buddhist said that he had voted, "but only because otherwise I might have been sent to military school." Several heads nodded in sympathy.

As the polite good-byes were said, it struck me that there was something very sad about these young men, with their graceful hairless arms and their charming smiles. They are at the age of idealism and they have nothing to be idealistic about. They know too much about the Viet Cong to be pro-Communist. But they know too much about their own government and social system to find any inspiration or allegiance there. So they end up against everything—against, above all, the Americans who are fighting their war for them.

A few "student leaders" from Saigon University no more represent Vietnamese national opinion than the "student leaders" of Berkeley represent American opinion. On the other side of the ledger must be placed the "Popular Forces"—the undersized, underarmed, undertrained local boys who often defend their villages against the V.C. with remarkable bravery. Without them the war would long since have been lost.

And yet that talk in the attaché's living room seemed to me significant in one way. It helped to explain why South Vietnam has so dismally failed to produce what South Vietnam so desperately needs—a political leadership with a genuine national following.

To an extent very little understood in the United States, the Vietnamese ruling class is identified with the French colonial regime. The people who run the government and the army—the military, the *fonctionnaires,* the landowning and *bourgeois* families—come from a class created by French colonialism. *All* the generals in the ruling junta fought on the side of the French before Dienbienphu, and all but one (Premier Ky, who was too young) wear French decorations. The vast majority of province and district chiefs are also products of French colonialism.

This makes it easy for the Communists to picture all those who resist them as "puppets" of American "neo-colonialism." Far more than the British system, moreover, the French colonial system created a ruling class alienated from "the simple people"—*i.e.,* those not similarly privileged. This phenomenon of alienation is visible in all the former French colonies. Indeed, it was visible in France itself during World War II, when the French ruling class remained until the last moment studiously aloof from the mass resistance to the Nazis. Inevitably, moreover, the Vietnamese ruling class has inherited all the more unlovable French characteristics—notably the tendency to blame all their troubles on anyone but themselves, and to resist all change not clearly to their personal advantage.

"It is *their* war," President Kennedy said before he died. "They are the ones who have to win it or lose it." The amiable young men in that apartment did not regard it as "their war" at all. The war will never be won by such as they. And the genuine national leadership which South Vietnam must have, if the war is ever to be won, will not come from the tiny, alienated, French-created ruling class which produced those sad young men.

Mr. MANSFIELD. Again, Mr. President, I wish to call the attention of both articles to my colleagues in the Senate. I repeat, there is a great deal to think about in what these two very capable reporters have had to say.

BUDGET MESSAGE MAY "KISS OFF" SUPERSONIC TRANSPORT

Mr. PROXMIRE. Mr. President, I am glad to see in the budget message language that apparently cuts the supersonic transport out of the 1968 budget. This may be the beginning of the end for Federal spending on the supersonic transport. The President's budget message does say that the President is "currently considering the construction of a prototype civil supersonic transport," but that the "allowance for contingencies is adequate to cover the possible cost if an affirmative decision to proceed should be made."

This language could be the "goodby kiss" to Federal subsidy of a commercial supersonic venture. Prototype construction would take $40 million a month. The President's language would seem to cut this off on June 30 of this year. Of course, it can be resumed when budget pressure eases. But that could easily be 2 or 3 years from now.

With the prospective cost of this proposal at a whopping $4 billion and with evidence cascading that the economic payoff is increasingly dubious, this moratorium could mean the end of the program as it is presently constituted.

Technological advances in aviation will proceed apace and in unpredictable directions during this supersonic moratorium. And a year or two from now, the President and Congress may have a far different view of the wisdom of subjecting the taxpayer to the risk of huge loss involved in the present proposal.

So the President's budget language may mean a multibillion dollar saving to the American taxpayer for this single item.

SENATE RATIFICATION OF POLITICAL RIGHTS OF WOMEN IMPERATIVE

Mr. PROXMIRE. Mr. President, the struggle for human rights—throughout recorded history—has been a continuing battle against that lethal enemy of reason and decency: discrimination. No nationality, no religious sect, no race, no people in history has been subjected to the oppressive and dehumanizing discrimination that has been visited upon women.

In every epoch—no matter how glorious or how gross—the blight of inequality of women has persisted. At the time of the signing of the United Nations Charter, women were granted political rights in only half of the sovereign countries of the world.

The United States—where the political equality of women is constitutionally established—has failed to ratify the United Nations Convention on the political rights of women. Four long years ago President Kennedy sent this treaty to the Senate, asking ratification, but for 4 years this Senate has failed to act. We, a nation which has disclaimed and disdained almost the last vestige of discrimination from our statutes, have again remained internationally mute on one of the vital issues of our time.

Here in America—where women have made momentous contributions to our national life as Senators, jurists, cabinet officers, scientists, university presidents, and ambassadors—we have proved not only the wisdom but also the inherent value of full equality of women. I doubt that any one of my male colleagues, be he bachelor or benedict, does not bear daily witness to this fact of American life.

The time has arrived for the United States to join China, Japan, India, Nigeria, Lebanon, Turkey, Thailand, Pakistan, and the 37 other members of the United Nations in ratifying the convention of the political rights of women.

Again: Let the record of the United States in human rights serve as a beacon for the old nations as well as the new—demonstrating for all mankind that the elimination of all forms of discrimination is more than worth the labor and the pains. I once again ask my colleagues to join me in seeking immediate ratification of the human rights conventions on political rights of women, on slavery, on forced labor, and on genocide.

ARCHITECT OF THE CAPITOL WHO IS NOT AN ARCHITECT

Mr. YOUNG of Ohio. Mr. President, it is shocking that the so-called Architect of the Capitol, J. George Stewart, recently purchased at a cost of more than $21,000 of taxpayers' money a scale model of the Capitol as it would appear if his proposed scheme for extending the west front were permitted to be perpetrated. There is no doubt that this model, which is now on display in Statuary Hall in the Capitol, is the Nation's most expensive dollhouse.

Mr. President, the Capitol is one of our greatest national possessions, an irreplaceable monument in our national heritage. Surely, any decision to change its design should be given the utmost consideration.

The proposed grandiose scheme of the Architect of the Capitol would add 4½ acres of floor space to the Capitol. It would provide additional offices for Members of the Congress, provide two auditoriums, two cafeterias, and four dining rooms. It would virtually make the Capitol of the United States into a gigantic king-sized Howard Johnson's. There is no pressing need for these additional facilities which cannot be readily met without the desecration of the Capitol.

If the old adage, "Experience keeps a dear school, but a fool will learn in no other," has any meaning, then it would be sheer folly to follow this most recent of Stewart's recommendations. One has only to look at the Rayburn House Office Building, in all probability the most stupendous architectural monstrosity of all time, to realize the ineptness of the so-called Architect of the Capitol. It is ugly. It is wasteful. Its Mussolini-style pomp and embellishment and its vulgarization of classical architecture make it the outstanding example of the "corrupt classic" school of architecture.

It is quite possibly the worst building costing the most money in the history of the construction of public buildings anywhere in the world. It took more than 7 years to build, costing at least $22 million more to complete than originally estimated, largely as a result of expensive miscalculations. This functional monstrosity is nothing more than sheer mass and boring bulk.

Now, this same Architect, so-called, recommends the defacement of the west front of the Capitol. What are J. George Stewart's qualifications for the position in which he has supervised the spending of more than $200 million of taxpayers' money? The answer is, no qualifications.

He served in the House of Representatives from 1935 to 1937. This certainly does not qualify him as an architect. He attended the University of Delaware, class of 1911, and received his bachelor of science degree in civil engineering in 1958, 47 years later. In other words, as an alumnus, he was honored nearly half a century after he attended classes. He served as a member of the staff of the Senate District of Columbia Committee from 1947 to 1951. Immediately prior to his appointment in 1954 by President Eisenhower as Architect of the Capitol, he was head of the Speaker's Bureau of the Republican National Committee.

None of this experience—absolutely none—qualifies him for the important post which he has held for the past 12 years, and in which he has supervised the spending of millions and millions of taxpayers' dollars.

Mr. President, not one cent should be appropriated for this boondoggle until the most careful and detailed engineering study has been made to determine if this is the only manner in which the west front can be guaranteed against further deterioration. Frankly, I believe that qualified engineers and architects will report that the walls can be braced and strengthened without doing damage to the historic building. The architectural profession, represented by the American Institute of Architects, has traditionally been and is now opposed to changing the west front of the Capitol, and has stated that if reconstruction is strictly necessary it should be carried out in strict accordance with the present design. The Fine Arts Commission has called the proposed reconstruction a national tragedy and has stated that the old walls can be repaired in their present location. It would be a sacrilege, in fact well-nigh criminal, to permit J. George Stewart to perpetrate what he has in mind without the most searching investigation by qualified architects and engineers.

The Capitol is a national shrine. As a man does not live by bread alone, neither does a nation. We must preserve our cherished buildings and monuments as well as our God-given national heritage. It would be virtual sacrilege to destroy the noble west front of the Capitol with its classic walls and its cascading staircases without the most impelling reasons for doing so. The Capitol of our country is a stirring sight, no matter how many times viewed, and we must not desecrate this historic edifice.

Mr. President, I express the earnest hope that we will not permit the Architect of the Capitol to lead us into this monumental blunder. The appropriation of the $34 million requested during the last Congress for this purpose and renewed during this Congress would be not only an economic extravagance, but senseless vandalism on a national monument, and should be denied.

ACTION ON "TITLE V—REGULATION OF LOBBYING" SHOULD BE DEFERRED TO AWAIT TRANSMITTAL TO CONGRESS BY THE PRESIDENT OF A MESSAGE AND RECOMMENDATION ON THIS SUBJECT

Mr. HRUSKA. Mr. President, this body will shortly consider the Legislative Reorganization Act which is on the calendar.

Very briefly, I should like to advance the proposal that action on title V of that act be deferred to await the transmittal to Congress of a message by the President and his recommendations on this subject.

The state of the Union message included "tightening our laws regulating lobbying" in the list of which the President said:

> . . . I will propose these measures to the 90th Congress.

In the appropriate Department material is now being readied for presentation to the Congress in due time and at an early date.

It would be wise to await its arrival before undertaking to debate and act on amendments to the present Lobbying Act.

A REVISION IS NECESSARY

No doubt exists that a revision is necessary to impart real meaning and effectiveness to the present statute. Its litigated history indicates this.

It was held constitutional by the Supreme Court in the case of *United States v. Harriss*, 347 U.S. 612 (1953). However, the grounds for the decision were labored and somewhat strained. It was a 5 to 3 decision, one Justice not participating. Dissent was vigorous. Justice Douglas in his dissent commented on the view adopted by the Court:

> The difficulty is that the Act has to be rewritten and words actually added and subtracted to produce that result.

In his dissent, Justice Jackson stated on this point:

> . . . I recall few cases in which the Court has gone so far in rewriting an Act.

And in the closing sentences of that dissent is the following:

> . . . I think we should point out the defects and limitations which condemn this Act so clearly that the Court cannot sustain it as written, and leave its rewriting to Congress. After all, it is Congress that should know from experience both the good in the right of petition and the evils of professional lobbying.

This is not the time or place to judge the ultimate merits of the opinion or dissents. The purpose of setting out the foregoing quotations is to emphasize that to reach the real evils of lobbying without cutting into real and substantial constitutional rights is a difficult and delicate task; and one which was not executed very satisfactorily in the law's present form.

Congress should address itself to a rewriting. But it should await the President's recommendations before doing so.

AMENDMENTS IN S. 355 ARE NOT ADEQUATE

Some of the changes contained in S. 355 have undoubted merit and will very likely find their way into the final legislative product. They show a good appreciation for need of improvement in the existing statute. However, even a casual reading of the Harriss case discloses many troublesome and substantial points which are not included in the bill as it is now written. The greater likelihood is that the text and content of the President's proposal will be much more comprehensive than that which presently pends in Congress.

When the President's recommendations do arrive, it would be well to process them in a manner commensurate with the importance and difficulty they inherently possess. Not only are there serious constitutional implications, but they constitute a criminal measure with substantial penalties.

The opinion and the testimony of the Attorney General, the Comptroller General, and of other interested parties should be sought. The present record does not include such material now. Yet it is necessary to gain a clarity of the things and acts which will be prohibited, those which will be required, and which will not impinge upon constitutional rights of those involved.

FURTHER EDITORIALS IN SUPPORT OF SENATE JOINT RESOLUTION 9—BIPARTISAN RESOLUTION TO REQUIRE THE ADMINISTRATION'S EMERGENCY STRIKE LAW RECOMMENDATIONS

Mr. JAVITS. Mr. President, since the introduction on January 12, 1967 of Senate Joint Resolution 9—which would require the administration to make a complete study of the operations and adequacy of our emergency strike laws and to give the Congress a report including recommendations for improving such laws—a number of respected newspapers have printed editorials in support of this resolution. I have already inserted in the RECORD the editorials of the New York Times, the Washington Post, and the Washington Evening Star.

All of these editorials emphasize the vacuum in our law, which in the opinion of all the editorial writers jeopardizes the health, security, and the position of our country.

Therefore, Mr. President, I urge adoption of this resolution, which does nothing but request the administration to come forward with proposals now, as the President promised he would come forward a year ago.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorials appearing in Newsday, the Tampa Tribune of January 16, 1967, as well as a column published on the front page of the Christian Science Monitor of January 19, 1967.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From Newsday, Jan. 16, 1967]

A DANGEROUS OMISSION

This year, even more than last, the nation needs new laws dealing with strikes against the public interest. But President Johnson made no mention of any legislative program in this area in his State of the Union Message to the Congress last week. This was a dangerous omission.

It is not that the President is unaware of the need for new laws. In his State of the Union Message a year ago, the President took specific note of the problem and said he would present a legislative program that "will enable us effectively to deal with strikes which threaten the public interest." He never made good on that statement. And his silence on the issue in his latest message to the Congress suggests that he has abandoned the matter.

Events, however, may well force him to reconsider. For this year there are urgent and compelling reasons why the President should be preparing to attack the problem rather than apparently retreating from it.

Unions representing more than 2,500,000 workers will be involved in contract negotiations this year. This is just about twice the number of workers covered by negotiations last year. The industries are ones in which strikes could quickly have an impact on the total economy. Contracts with 8,000 trucking lines are being negotiated by the Brotherhood of Teamsters on behalf of 450,000 union members. And 16 railroad unions, representing more than 600,000 workers, are talking contract with the carriers. In addition, there will be negotiations involving large groups of workers in auto manufacturing, construction, meat packing and heavy manufacturing.

These negotiations are coming at a time when inflation is putting pressure on union leaders to come up with fatter pay envelopes and on management to raise prices. The clouds on the horizon are thunderheads.

In the Senate, Jacob Javits (R-N.Y.) and Wayne Morse (D-Ore.) have read the storm signals and are attempting, with 14 co-sponsors, to prod the administration into action through the passage of a resolution that would require the secretary of labor to make a study of the existing law and produce recommendations for changes within 120 days. Their action is timely and appropriate.

In approaching this complex and politically sensitive question, the President and the Congress should keep in mind the realities of contemporary collective bargaining, the true picture of what often happens today in encounters between big labor and big management.

Too often these two forces only appear to be at loggerheads. Their public protestations are generally followed by wage and price increases that pass those costs along to the consumer who has neither the political leverage nor the monopoly power of the labor-management interests.

The power of a major industry to ignore the national interest was demonstrated only last week when four major aluminum companies raised their prices despite strong objections voiced by the chairman of the President's Council of Economic Advisers.

Faced with such strong aggregations of labor and industry power, the nation must develop a way to assure equity for all parties in the movement of wages and prices. The best method would be the establishment of a national board that would set wages and prices on the basis of fairness and the national interest. This board, completely free of politics, would be composed of distinguished citizens representing the interests of industry, labor and the general public. It would be an effective curb on the immense power now wielded by big labor and big management. For today, that power is all too often exercised in cynical and short-sighted self interest.

[From the Tampa (Fla.) Tribune, Jan. 16, 1967]

CORRECTING AN OMISSION

To U.S. Senators Jacob K. Javits and Wayne Morse, one of the most important things about President Johnson's State of the Union address was an omission.

The omission, Senator Javits told the Senate, was "the need to remedy one of the most glaring deficiencies in our laws—the absence of means to protect the public interest when a national emergency strike—or a lockout—occurs after all 'cooling off' periods have been exhausted."

As a result, Javits and Morse, joined by 14 other Senators of both parties, have reintroduced a joint resolution to require the Department of Labor to make "appropriate recommendations" for such a law within 90 days.

The two Senators, both liberals, three times last year introduced a similar proposal. It got nowhere, even though the President's 1966 State of the Union message made this promise: "I also intend to ask the Congress to consider measures which, without improperly invading state and local authority, will enable us effectively to deal with strikes which *threaten irreparable damage to the national interest.*"

The need existed in 1966, it is even greater in 1967. This year probably has more major labor contracts expiring than any single previous year in history—and recent inflation plus the President's talk of an income tax surtax virtually guarantee that union negotiators will make greater efforts toward larger pay increases than in recent years.

Based on the 1967 calendar of contract negotiations it is conceivable that strikes could knock out the nation's clothing manufacturing, truck transportation, telephone service, paper, rubber, processed food, machinery and automobile production and meat-packing some time during the year.

Some of these will threaten "irreparable damage to the national interest" more than others. But even those that do not pose a direct threat can do so indirectly—if they establish a wage pattern which leads union leaders in a key industry to make demands that over-reach the ability of that industry's management to meet.

And despite the certain opposition of organized labor, strike-curbing legislation probably would draw wide public support. Citizens' temper was shortened considerably last year by the airlines strike, and a Gallup Poll in August found the public favoring by a 3 to 2 ratio compulsory arbitration of any strike which lasted more than seven days.

The fact of such public support, the clear evidence last year of how crippling the airline strike was to the nation's economy, and the outlook for major labor contract negotiations this year all support the thesis that some method of protecting the public from strike-induced national emergency should be enacted soon.

Perhaps the President, in his forthcoming economic message, will correct his State of the Union omission. If he does not, Congress should proceed promptly to repair his omission by adopting the Javits-Morse resolution.

[From the Christian Science Monitor, Jan. 19, 1967]

OMISSION: SENATORS CRITICIZE JOHNSON FOR SILENCE ON STRIKES

(By William C. Selover)

Washington.—Something President Johnson left out of his state-of-the-Union message is causing mild consternation among senators.

He didn't say how he would deal with strikes against the national interest.

"It is regrettable," Sen. Jacob Javits (R) of New York told his colleagues, "that the President neglected to include in his state-of-the-Union message the need to remedy one of the most glaring deficiencies in our laws—the absence of means to protect the public interest when a national-emergency strike or a lockout occurs. . . ."

Now a bipartisan group of senators wants to force Mr. Johnson to say something. "We want to prod the President into prodding the Congress to act," says a spokesman for the group.

Last year, in his message to Congress, Mr. Johnson promised he would submit some proposals. But as the months dragged on, he failed to produce anything at all.

And in this year's message, he didn't even mention it.

MATTER OF TIMING?

Informed sources say the President is trying to come up with a "consensus" of top opinion on what should be done. "But you never get a consensus on labor legislation" contends these sources. Thus, the delay, according to this version.

Still, White House sources insist Mr. Johnson hasn't dropped the idea. It's just a matter of timing, they say.

However, some 22 senators, from both parties and both wings of both parties, are tired of waiting. They want action.

Here is their proposal.

Senators Javits and Wayne Morse (D) of Oregon coauthored a joint resolution to force the Secretary of Labor to "commence immediately a complete study of the operations and adequacy" of labor law in this area. They want the secretary "to report to the Congress no later than 120 days . . . the findings of such a study together with appropriate recommendations. . . ."

Senators Morse and Javits, joined by such other sponsors as Senators Brewster, Dominick, Fong, Hatfield, Kuchel, Monroney, Percy, and Thurmond, are especially concerned that the months ahead will be filled with costly strikes.

MANY NEGOTIATIONS DUE

Senator Javits told the Senate that "the nation this year will face an unusually large number of difficult labor-management negotiations in industries crucial to the health and safety of the country."

These senators don't want to wait until the middle of a strike before coming up with solutions. They made that mistake last year during the airline strike, they say.

Yet, nobody seems much interested in legislation when the strike is over.

"The public gets upset only when there is a strike," explains a Senate source. "The President gets upset only when the public is upset; and you can't legislate during a strike."

But without the President pushing for such legislation, chances of its passage are considered slim.

"There are excellent chances of getting some antistrike legislation if the President asks Congress to act," explains the Senate source. "But if he doesn't, there is not much chance."

HOUSE DROPPED RIDER

Last year, a proposal identical to the Javits-Morse resolution passed the Senate as part of legislation to deal with the airline strike. But it died there when the strike was settled.

Later, the same proposal was attached as a rider to the Senate version of the minimum wage bill. But it was dropped in conference at the insistence of House Democrats.

Senators Javits and Morse then wrote a strong letter to Lister Hill, chairman of the Senate Labor and Public Welfare Committee, urging him to put discussion of the proposal on the committee agenda. This he finally did, listing it last of ten items on the agenda of the last committee meeting of the session.

After the other nine items were disposed of, the committee Democrats staged a walkout, depriving the committee of a working quorum. The proposal got shelved.

Now its sponsors are hoping Senator Hill will again move to take up the proposal. But the chairman is by no means sympathetic.

Senator Javits believes his proposal is "a fair way to proceed," because it "does not prejudice anything." He says: "We ask only for the administration's best judgment."

Of course, Senator Javits has some ideas of his own how such strikes should be handled.

For 15 years, he has called for a plan which he considers "fairest to labor."

According to his plan, if everything else fails, the government seizes the property to protect the public health and safety.

PROTECTION ASSURED

"This is the only proposal to protect the public interest without interfering with free, collective bargaining," says an advocate of this proposal. Senators Thomas H. Kuchel (R) of California and Fred R. Harris (D) are cosponsors.

It is being sponsored in the House by Rep. Ogden R. Reid (R) of New York and cosponsored by Richard D. McCarthy (D) and Richard L. Ottinger (D), both of New York, and James J. Howard (D) of New Jersey.

Still, they hope the President will come up with something of his own.

"We in the Congress," Senator Javits told the Senate, "owe it to the American people first, to demand that the administration take a stand, one way or the other; and second, to move deliberately to enact legislation to prevent a repetition of the sorry spectacle of last year, with Congress desperately seeking a solution to the airline dispute, and the administration absolutely powerless under existing law, and absolutely unwilling to ask for new laws, and equally unwilling to say that it did not want new laws."

PROGRAM FOR SENIOR CITIZENS

Mr. SMATHERS. Mr. President, the President yesterday offered to Congress a program for brightening the lives of our senior citizens. This program reflects an understanding that the problems and opportunities of the elderly are many and varied, and that they must be approached from many angles. Accordingly, the President has not only proposed to meet the income needs of the elderly through increases in social security and public assistance benefits, he has also recognized the needs of senior citizens in the areas of health, housing, employment, and life enrichment, and has made recommendations in all these areas.

While I, together with every other Member of Congress, should reserve the right to withhold judgment on the details of the President's recommendations, I commend the President and those who advised him on this message. They have created a program which points the way to improving our national approach to the problems and opportunities of older Americans. We have an opportunity in considering the President's program to establish patterns of action in aging which will improve life in the United States not only for today's elderly but also for the future old age of today's youth and that of generations yet unborn.

Nevertheless, the factor of cost must be determined in any of these efforts.

It is for this reason that I prefer my own proposed social security amendments which would provide a 10-percent increase in benefits without requiring additional contributions by employer or employee.

I am sure that in the days ahead, however, we will give careful study to all of the President's message, in the awareness of the human needs toward which the President has extended a helping hand.

TEXAS HOUSE OF REPRESENTATIVES PASSES RESOLUTION SUPPORTING YARBOROUGH BILL TO CREATE BIG THICKET NATIONAL PARK IN EAST TEXAS

Mr. YARBOROUGH. Mr. President, on January 16, 1967, the Texas House of Representatives unanimously passed a resolution endorsing S. 4, my bill to create the Big Thicket National Park in east Texas. During my tenure in the Senate I have been fortunate enough to have been involved in the creation of two of Texas' three national parks. In 1962, Congress passed my bill to create the Padre Island National Seashore, and last year saw the enactment of my bill creating the Guadalupe Mountains National Park. This is the first time, however, that the House of Representatives of Texas has felt so strongly about the importance of a proposed national park that it has taken the unprecedented action of unanimously passing a special resolution endorsing the proposal. This action of the Texas Legislature is indicative of the interest which has been aroused since the original introduction of this bill in the 89th Congress.

The population of our country is increasing rapidly. As a result, each day sees the loss of more wilderness land which, once destroyed, is gone forever.

In the 75,000 acres of the Big Thicket proposed in this bill is to be found a profusion of wildlife unmatched anywhere in the country for its richness. Plant and animal life abound. At some places the growth is so luxuriant that one has to cut his way through with a machete.

I commend the Texas House of Represenatives for their unanimous endorsement of my proposal to preserve the Big Thicket National Park for future generations of Americans, and I thank them for their kind words about the senior Senator from Texas.

This is the most encouraging support that I have ever received for any national park bill. I am hopeful that Congress will take action to establish the Big Thicket National Park in view of such strong statewide sentiment favoring it. This resolution indicates support is growing for this park.

I ask unanimous consent that H.S.R. 20, sponsored by Representative Glenn Vickery of Houston, and passed by the Texas House of Representatives be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

H.S.R. 20—RESOLUTION

Whereas, This body has come to know the many problems, frustrations and congestions engulfing our metropolitan areas, such as Harris County, and realize the importance and necessity of large green areas surrounding these heavily populated areas for recreation and outdoor enjoyment; and

Whereas, The members of this body appreciate and accept Senator Ralph Yarborough for his efforts and sacrifices in the behalf of our posterity, evidenced by the fact that he was instrumental in bringing about the establishment of Padre Island National Seashore and Guadalupe Mountains National Park; and

Whereas, The members of this body encourage Senator Yarborough in his effort to bring about a better life for all by the setting aside of these vast areas remaining of our rapidly diminishing enclaves of nature's unspoiled beauty, leaving them for the enjoyment of future generations; now, therefore, be it

Resolved, That the members of the Texas House of Representatives go on record commending the senior Senator from Texas, Ralph Yarborough, for his introducing a bill in the Senate of the United States to bring about the creation of a national park to be named the Big Thicket National Park consisting of some 75,000 acres of land located in the southeast portion of this great state; and be it further

Resolved, That this Resolution be printed in the House Journal and that copies of this Resolution be sent to Senator Ralph Yarborough with our deep personal respect and admiration.

Glenn Vickery, State Representative, District 23, Place 1; Abraham, Allen of Harris, Allen of Gregg, Allred, Archer, Armstrong, Atwell, Atwood, Barton, Bass of Bowie, Bass of Harris, Bass of Van Zandt, Beckham, Birkner, Blaine, Blanton, Braecklein, Braun, Bridges, Burgess, Cahoon, Cain, Caldwell, Calhoun, Carrillo, Cavness, Clark of Dallas, Clark of Harris, Clayton, Cole, Cory, Crews of Montgomery, Cruz of Harris, Cummings, Davis, Dickson, Doran, Dramberger.

Duggan, Field, Finck, Finnell, Finney, Floyd of Bexar, Floyd of Harris, Fondren, Foreman, Garwood, George, Gladden, Graves, Haines of Brazos, Hairgrove, Hale, Hand, Hannah, Harding, Harris, Hawkins, Haynes of Orange, Head, Heatly, Hendricks of Collin, Hendryx of Brewster, Hinson, Holland, Holmes, Howard, Hull, Jamison, Johnson of Bell, Johnson of Bexar, Johnson of Harris, Jones of Lubbock, Jones of Taylor, Jungmichel, Kilpatrick.

Knapp, Kohler, Ligarde, Lockridge, Lombardino, Longoria, Lovell, McDonald, McKissack, McLaughlin, Miller, Moore of Hill, Moore of Dallas, Moreno, Moyer, Muniz, Murphy, Murray, Musgrove, Mutscher, Neugent of Galveston, Newman, Nowlin, Nugent of Kerr, Ogg, Orr, Parker, Peeler, Pendleton, Pickens, Pickett, Pipkin, Price, Quilliam, Rapp, Ratcliff, Ray, Richardson, Rosson.

Salter, Santiesteban, Schiller, Schulle, Scoggins of Nueces, Scoggins of El Posa, Semos, Joe Shannon of Tarrant, Tommy Shannon of Tarrant, Sherman, Simpson, Slack, Slider, Smith, Solomon, Stewart, Stroud, Swanson, Tarbox, Thomas, Traeger, Vale, Vance, Vickery, Ward, Wayne, Weldon, Whatley, Wieting, Williams, Williamson, Wright, Ben Barnes, Speaker of the House.

I hereby certify that H.S.R. No. 20 was adopted by the House on January 16, 1967.

DOROTHY HALLMAN,
Chief Clerk of the House.

IN DEFENSE OF OUR ASIA POLICY

Mr. McGEE. Mr. President, I invite the attention of Senators to the view of Asia given us by Prof. Edwin O. Reischauer, former Ambassador to Japan, about which Columnist Richard Wilson wrote in the Evening Star yesterday. Wilson, using Reischauer's recent article to point the way, summarizes the educated view of what is happening in Asia and what can develop, particularly if we tread the middle course between dangerous escalation and disastrous withdrawal in Vietnam, as we are today doing.

I ask unanimous consent that Mr. Wilson's column, entitled "Some Points in Defense of Our Asia Policy," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOME POINTS IN DEFENSE OF OUR ASIA POLICY

(By Richard Wilson)

Since President Johnson's successful trip to Asia last fall the detractors have been having their day. It was an ill-conceived journey, they say, and better to be forgotten. The President's aims in Asia were windy and vacuous and unrelated to our true national interests.

So runs the steady drip-drip of criticism which is part of the general critique that we have no business in Asia, especially in Vietnam, that we should liquidate the military intervention there, and let China slowly but inexorably extend the influence of Mao communism throughout Asia and its Pacific environs.

This doctrine has been badly shaken by events in China itself where it is now being demonstrated that Mao communism is unable to manage its own internal affairs successfully, to say nothing of the remainder of the Asiatic world.

But the Asia-last group is unimpressed and remains bemused by its mystical conviction that because there are 700 million or 800 million people in China it is historically inevitable that some government will emerge some day to envelop all of Asia, or at least East Asia, and we had better relax and let it happen.

Therefore it is fortunate that Edwin O. Reischauer, former ambassador to Japan and now a professor at Harvard, chose the world's leading mass circulation magazine, Reader's Digest, for the expression of a truly educated view on the nature of our vital interests in Asia. Reischauer could as easily have written his views for Foreign Affairs Quarterly and thus limited his lesson to the academics and intellectuals who have prior convictions.

He wrote, however, so that many millions in many countries of the world can read and understand why "time is on our side in Asia." Professor Reischauer cannot be faulted as an intellectual nor as a successful diplomat. This makes what he has to say all the more confounding for the campus-bound, desk-tied and ideologically frozen theoreticians on Asia, and especially those with archaic ideas about our ties to the motherland of Europe.

Reischauer makes more points than can be briefed in this space, but here are a few of them:

1. Asia has so little power today as to pose no immediate menace to the rest of the world, but the modern, industrialized Asia of the future could be a very great threat if it were unified through communism, or even if it remained an unstable, disruptive half of humanity. That alone is why we should not abandon Asia but continue to help it develop in a healthy way.

2. Nationalism is the most powerful force in an Asia which wants no domination from Russia, China or its former Colonial masters, and this nationalism works in favor of America's interests.

3. We make a bad mistake in overemphasizing the importance of China because of its size. It is an extremely poor and backward country, on the whole. In spite of its nuclear development and because of its economic and political mess internally and internationally, "China's claim to represent the wave of the future is fast fading." It will continue to fade "unless we commit the folly of abandoning the field in Vietnam to Communist subversion."

4. We underestimate the promise of Japan which is more than ever before the "economic giant" of Asia, setting the pace and leading the way for the creation of an industrialized and politically coherent Asia with which we can live in peace and mutual profit.

5. Reischauer also makes the point that news reporting (and he might have added the domestic commentary on Asian news) emphasizes the pessimistic and unpleasant aspects of the Asian problem without noting the progress that is slowly being made.

Reischauer concludes that a complex of conditions combines in our favor in Asia, and if we were more optimistic we could find the courage to persevere in a middle course in Vietnam between dangerous escalation and disastrous withdrawal. He believes we are wise enough to learn to use our strength to help the countries of Asia move more rapidly toward becoming healthy and stable units in a peaceful and prosperous world.

This is what President Johnson and his speech writers have been trying to say. They have done so in the evangelical tone which is not too persuasive in the modern world. But this does not change the fact that there is a very strong case to be made for the Asian involvement and especially for persistence in pursuing it. Persistence is unquestionably the key to a successful outcome of President Johnson's policy in Asia.

OMBUDSMAN

Mr. LONG of Missouri. Mr. President, the concept of ombudsman is gaining wide support here in the United States. At the State level some nine bills have already been introduced in State legislatures across the country calling for the creation of some form of citizens' defender. At the local municipal level, New York City—following the defeat of the Civilian Review Board—is seeking new approaches to the problem of raising the citizen to an equal footing with his city hall. On the national level, there is also considerable interest, as illustrated by Congressman HENRY REUSS' introduction of a congressional form of ombudsman.

This month's issue of the American Bar Association Journal carries an editorial entitled "Ombudsman: The People's Champion." I ask unanimous consent to have printed, at this point in the RECORD the article from the January 1967 issue of the American Bar Association Journal.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OMBUDSMAN: THE PEOPLE'S CHAMPION

It has been said that during the last year or so the Swedish vocabulary of most Americans has increased by 50 per cent. Whereas the words "skoal" and "smorgasbord" were previously familiar to almost everyone in this country, now the term "ombudsman" has been added.

Although the institution of Ombudsman originated in Sweden in the early nineteenth century and has there enjoyed great success, it has become generally recognized elsewhere and adopted in some other countries only within the past ten or fifteen years.

The Ombudsman, a term best translated "representative", is an official appointed by the Swedish parliament for a term of four years to represent the citizen in cases of arbitrary action or abuse of power on the part of government law enforcement officers and administrative agencies—in short, against abuses on the part of government itself. The protection afforded is over and above, and in addition to, redress afforded the citizen by his regular rights of appeal to higher governmental authority or through the courts.

The aggrieved citizen in Sweden has ready access directly to the Ombudsman. No lawyer or other intermediary is necessary to handle his complaint. The function of the Ombudsman is to investigate the facts in each case complained of. His jurisdiction extends to everything that may happen to a citizen in his dealings with governmental authorities. The Ombudsman may demand and is entitled to receive an explanation from any authority or official as to any action or decision. All governmental officials are bound to give him assistance in any investigation he wishes to make. He may hold hearings and call in the parties involved. All files and minutes are open to him. Documents on the basis of which decisions are reached in any case are open to inspection by the Ombudsman and by not only the aggrieved citizen but also any member of the public, including the press. If, for instance, a citizen feels he has been discriminated against, he has the right to see the documents in other cases to compare his case with others.

In Sweden the Ombudsman's position is completely independent. No one may instruct him as to what cases are or are not to be investigated by him, nor may he be influenced as to his actions in any case. When a legitimate issue is raised, neither the government nor parliament (which appoints him) can stop the Ombudsman from investigating. In his reports of investigation he has the power to comment on the performance of officials, even to the extent of reprimanding them. It is his independence that is largely responsible for giving the Ombudsman his power. Although he has no authority to change any decision of a court or administrative body, his reports are given great weight, sometimes even to the point of bringing about a change by an agency in its own ruling or decision. If a complaint filed with him is determined by the Ombudsman to be unfounded, it is his duty to report this and why it is unfounded, and it is his duty to notify the complainant in each case.

In the reports he makes annually of his stewardship he may include recommendations as to changes in practices and procedures followed by officials of government, and often these reports result in effectuating changes by the agencies or officials themselves. It frequently occurs that his criticism of incorrect procedures may have wide significance, not only in disclosing faulty procedures in the case it applies to, but also in preventing faulty procedures in other cases as well.

The Ombudsman is particularly effective in dealing with arrogance of public officials and with abuses of discretion and arbitrary action. The fact that his investigations and reports are publicized gives to the Ombudsman through the press the backing of public opinion.

In Sweden the Ombudsman investigates some 1,200 cases a year, in which perhaps 10 per cent of the complaints he has received are found to be justified.

The success of the institution of the ombudsman in the Scandinavian countries where it originated has resulted in the introduction of bills in Congress and even in the legislatures of five of our states for the establishment of a similar office in this country. Because of differences between the Swedish form of government and our own, there would have to be some corresponding differences in the functions of such an official in our country.

Questions have been raised as to the need for such an office in the United States. It occurs to us that in some cases agencies in making rulings state inadequately or not at all the reason back of them, or in some cases citizens fail to understand the rulings of such agencies. The rulings of Selective Service boards as to deferments or exemptions, for example, occasionally may appear to work injustices. It would be desirable to have an agency to make it clear to citizens why rulings that appear unfair on their face are justified. If, in fact, the rulings are unfair, it would be salutary to expose this to the public. This would undoubtedly lead to the exercise of more care in the future.

As columnist Clayton Fritchey pointed out some months ago, special interest in the institution of the ombudsman in this country was aroused with the introduction of companion bills in the United States Senate and in the House of Representatives by Senator Claiborne Pell of Rhode Island and Representative Henry Reuss of Wisconsin to establish in this country a somewhat analogous office. In these bills the term "ombudsman" was not used, but instead the name "Administrative Counsel of the Congress" was applied to an official whose function would generally resemble that of the ombudsman.

At hearings before a Senate committee on this legislation Dr. Alfred Bexelius, the Ombudsman of Sweden, testified. He summed up his view that through the ombudsman "society thus keeps an institution with the task of protecting citizens against society's own shortcomings". But Mr. Fritchey wrote that the great interest aroused by the introduction of these bills and the testimony of Dr. Bexelius might have waned shortly thereafter had it not been for several cases that aroused public interest at about the same time.

He cited the case of a Central Intelligence Agency agent who was paid to spread the word that an Estonian *émigré* was a Communist spy. This resulted in a slander suit against the CIA agent; but he never had to answer the suit or defend his veracity, since the CIA simply intervened and claimed privilege for the agent. This denied the Estonian *émigré* any chance to clear his name of the charges of disloyalty. Such unfairness might well be investigated and reported on by an ombudsman.

Another case mentioned by Mr. Fritchey was that of one Bert Adams, who during World War II offered to the Army a battery he had invented. Although the experts advised the Army the battery would not work, the Government secretly had it copied and ordered at least a million of them to be made. In 1966, Adams, now $200,000 poorer, received a favorable ruling on his claim by the Supreme Court of the United States, but as yet he had not been paid for the pirating of his invention.

Other matters an ombudsman might look into would be cases of wire tapping carried on both officially and unofficially by government agents.

Although an ombudsman might in many cases serve as no more than a crying towel for citizens who felt they were unjustly treated, we believe it would be a healthy development to provide this independent official to investigate seeming injustices, even if, as in Sweden, no more than 10 per cent of the cases were found to justify investigation.

PROGRESS ON SOIL CONSERVATION

Mr. SYMINGTON. Mr. President, with the recent attention to the need for developing all our agricultural potential, we in Missouri are proud of the progress these last 10 years by the U.S. Soil Conservation Service in our State.

As presented in the 1966 progress report issued on December 26 by Howard C. Jackson, our U.S. soil conservationist, there are today 71 operating soil and water conservation districts—39 more than 10 years ago, 28 more than 5 years ago, six more than 1 year ago.

For many years our State was almost a desert on the USDA Soil Conservation Service maps. Thanks now, however, to the interest of farm people in many of our counties, and the cooperation of State and Federal agencies, Missouri is moving ahead in this important work.

Mr. President, I ask unanimous consent that the progress report be printed at this point in the RECORD.

There being no objection, the progress report was ordered to be printed in the RECORD, as follows:

THE 1966 PROGRESS REPORT

A significant milestone was passed by another Missouri Soil and Water Conservation District this year when the Clay County District Board celebrated the signing of their 1000th cooperating landowner, emphasizing that Soil and Water Conservation work in Missouri continues its upward swing, says Howard C. Jackson of Columbia, State Conservationist for the U.S. Soil Conservation Service in Missouri.

Nine of Missouri's 71 Soil and Water Conservation Districts now have gained the distinct status of having signed over 1000 cooperators each. They are: Lafayette with 1,664 cooperators, Johnson with 1,351 cooperators, Harrison with 1,347 cooperators, New Madrid with 1,343 cooperators, DeKalb with 1,082 cooperators, Cape Girardeau with 1,029 cooperators, Nodaway with 1,019 cooperators, Pemiscott with 1,011 cooperators, Clay with 1,002 cooperators.

Six new Soil and Water Conservation Districts were organized this year by local landowners in Oregon, Polk, Taney, Sullivan, Cass and Bates counties, emphasizing that more and more, all people are realizing that our rapidly growing population is dependent on wise land and water use, says Mr. Jackson and that Missouri Soil and Water Conservation Districts are helping everyone—both rural and urban with this important job.

1966 saw Missouri's first Resource Conservation and Development project planned, approved and work started. The project covers nearly 3 million acres of the five south central Missouri counties of Dent, Howell, Shannon, Oregon, and Texas. This approximately 55 million dollar project is expected to yield nearly 400 million dollars over the next 20 years through resource use, development and conservation. Sponsors expect the project to create 15,000 new jobs for Missouri citizens. A second Resource Conservation and Development application from local sponsors in nine southwest Missouri districts covering 3.4 million acres is pending approval.

1966 progress in Missouri watersheds included completion of preliminary investigations on 800,000 acres. Twenty-three watershed structures were built which added 235 acres of new water area. The Missouri State Legislature raised their appropriations from $30,000 to $60,000 to supplement watershed planning funds of the Soil Conservation Service. River basin studies received additional emphasis and the studies are progressing well on the Upper Mississippi, Missouri, White, and Osage River Basins. The Meramec River Basin Study was completed.

Recreation land use planning was done with individual landowners and agencies in response to increased demand for outdoor recreation. The Missouri Department of Conservation joined with local district cooperators and the S.C.S. in developing a 73 acre lake in the Nodaway District and the Farmers Home Administration loaned money to purchase a 1,200 acre lake in the Putnam District which was planned with Soil Conservation Service help. We enjoyed the cooperation from other USDA, State, county, and local agencies in this field, says Mr. Jackson.

One hundred thousand acres of soil surveys for city planning was made for the Planning Commission of Kansas City. They contributed funds for the survey.

During the past year more than 4,000 landowners became cooperators with their local districts. Over 1,800 landowners were assisted in the preparation of complete conservation plans for their land. Districts provided SCS help to 17,250 people of which 9,500 applied one or more conservation practices. SCS serviced ACP cost sharing referrals on more than 7,000 farms for the Agriculture Stabilization and Conservation Service.

Today in Missouri there are: 71 operating Soil & Water Conservation Districts—39 more than 10 years ago, 28 more than 5 years ago, 6 more than 1 year ago.

Soil surveys cover 14¾ million acres.

20,582 conservation plans developed and operating.

Conservation practices applied during fiscal year 1966:

Contour farming (acres)	30,000
Multipurpose dams	115
Diversions (miles)	200
Farm ponds	1,300
Grade stabilization structures	370
Grassed waterway or outlet (acres)	2,371
Irrigation systems	340
Land grading, smoothing, leveling (acres)	24,000
Drainage mains or laterals (miles)	230
Pasture and Hayland renovation and planting (acres)	15,000
Drainage field ditches (miles)	161
Terraces (miles)	950
Cropland converted to grassland (acres)	30,000

Thirty-eight new businesses and industries employing 191 people have located in Missouri Soil and Water Conservation Districts since 1960 as a result of Soil and Water Conservation improvement work. One hundred and thirty-nine other industries and businesses employing 370 additional people have expanded as a result of Soil and Water work. Forty-two thousand new visitor days of recreation have been provided by Missouri watershed projects since 1962.

EDUCATION PROGRAMS—1968 BUDGET RECOMMENDATIONS

Mr. METCALF. Mr. President, education is increasingly vital to the welfare of the individual and of the society. The individual requires education and training to break into the labor force and to participate in the cultural life of his community. Employers need highly trained workers to maintain rising productivity and profits in a competitive economy. The American people place a high value on education. The remarkable record of the 89th Congress on education legislation testifies to the rising concern about education at the national level.

President Johnson's 1968 budget responds to these national needs and concerns for enlarging educational opportunity. It is the largest and most constructive Federal education budget in history. It provides $4,055 million in appropriations for the Office of Education for fiscal year 1968, $137 million more than in 1967; $526 million in appropriations for the education and basic research programs of the National Science Foundation, $46 million more than in 1967; a total of $5,245 million of appropriations for all the various programs classified in the "education" category of the budget; $622 million more than in 1967 and $930 million more than in 1966.

Many other programs which serve special agency missions and are not classified as "education," nevertheless finance education, training, and related activities. They include the Headstart program in OEO, the GI bill benefits of the VA, and technical civilian-type training of military personnel. A comprehensive special analysis issued with the 1968 budget shows that the President's recommendations for education, training, and related programs for 1968: total $12.3 billion, $1.2 billion over 1967, will devote $1 out of every $10 of Federal nondefense cash payments to education, training, and related purposes.

The far-reaching significance of the President's 1968 recommendations is indicated by the number of Americans who will be aided in fiscal 1968. They include: 737,000 Headstart children plus many additional thousands in the new Headstart follow-through program; 8.5 million children from low-income families in nearly 20,000 school districts to be aided by title I grants under the Elementary and Secondary Education Act; about 400,000 youths who will receive work-training opportunities through the Job Corps and Neighborhood Youth Corps; 280,000 individuals who will be in training through the Manpower Development and Training program; the undergraduate college students who will receive 2.2 million grants and loans totaling $1.1 billion from Federal programs or federally insured programs; 137,000 graduate and professional students who will receive fellowships, traineeships, and research assistantships.

The 1968 budget is truly a major milestone in the advance of educational opportunities in the United States.

RATIFICATION OF CONSULAR CONVENTION AN IMPORTANT ISSUE

Mr. McGEE. Mr. President, editorials in last evening's Evening Star and this morning's Washington Post sum up the position I feel this body should take on an important issue before us. "The Consular Convention" is the title of the Post editorial. "Let's Ratify It," urges the Star. I ask unanimous consent that the editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Jan. 23, 1967]

LET'S RATIFY IT

It must be hoped that the new hearings before the Senate Foreign Relations Committee will result in ratification, at long last, of the Soviet-American consular treaty. Although signed in 1964 and overwhelmingly approved by the committee a year later, the treaty has remained inoperable for a simple reason: The administration has been reluctant to submit it to a test in the Senate, out of fear that it might be defeated.

That fear, however, now has been brushed aside. Secretary of State Rusk and others have taken the offensive, and Senator Fulbright's committee can be counted upon to back them up by once again approving the treaty. Still, the opposition continues to be strong. Outside of Congress, its hard core is a band of ultra-conservatives who seem to feel that FBI Director J. Edgar Hoover should have a veto of sorts over American foreign policy.

These extremists—John Birchers and members of the so-called Liberty Lobby—have waged a massive letter-writing campaign in the past, and they can be expected to do so again, on the basis of Hoover's March, 1965, testimony before a House appropriations subcommittee. In that testimony, the FBI chieftain suggested that he was opposed to the consular pact because it would open up Soviet consulates in a number of big American cities and thus complicate his counterespionage task. But correspondence between him and Rusk indicates that he does not really presume to tell the Secretary of State, or the President of the United States, how to conduct diplomatic relations with the Soviet Union.

Actually, of course, regardless of Hoover's misgivings, the consular pact has a great deal to be said for it. The acquisition of a few consulates is not going to give Soviet espionage any great new weapon in our open society, which is already easy pickings for the snoopers of any nation. On the other hand, under the treaty's quid-pro-quo provisions, the United States might well have more to gain from the pact than the Kremlin—both in terms of gathering intelligence and protecting the rights of its citizens in the Soviet Union's closed society.

We trust that the Fulbright committee will expedite its hearings, reaffirm approval of the treaty and recommend that the Senate as a whole vote resoundingly to ratify. This seems to us to be the dictate of common sense in a world where Soviet-American relations are of transcendent importance.

[From the Washington (D.C.) Post, Jan. 24, 1967]

THE CONSULAR CONVENTION

The Consular treaty between the United States and the Soviet Union, signed in 1964, and not yet ratified by the Senate, ought to be promptly approved.

Hearings before the Senate Foreign Relations Committee have made it clear that the new treaty is needed to protect the rights and privileges of Americans who travel in the Soviet Union and who, in the absence of these protections, have been denied their rights. They have made it equally clear that the establishment of added consular offices in the United States does not constitute any added threat to our security with which the authorities are incapable of dealing. The Senate has it on the word of F.B.I. Director J. Edgar Hoover that his establishment would incur no responsibilities with which it could not deal. All such agreements, of course, have mutual advantages—or they would not be signed by the contracting parties. In this case, the greater advantage surely lies with the United States which gains better access to information in the Soviet Union, without much altering the access of the Soviet Union, to the facts about our more open society.

The issue is plainly one of accepting this convention or rejecting it. Modification or amendment, obviously, would have the same effect as rejection. Far more than this treaty, of course, is at issue. If a proposition on which the advantages so largely lie with the United States cannot be approved, there is not much chance, in the Senate, for the other measures that look toward an East-West bridge and diminution of the cold war.

PROPOSED MERGER OF ABC AND I.T. & T.

Mr. SCOTT. Mr. President, the behavior of the Department of Justice toward the proposed merger of the American Broadcasting Co. and the International Telephone & Telegraph Corp. raises the question of the proper relationship between an independent regulatory body and the executive branch of the Government.

The proposal to merge these two entities of the communications industry was not sprung on an unwitting public without warning. Indeed, the Department of Justice had an opportunity to present its views on the proposal at a hearing of the Federal Communications Commission last September. It chose not to avail itself of this opportunity, assertedly because the complexity of the case did not afford ample time to prepare a brief. When the Department finally took a position on the proposed merger, it announced it at the last minute on December 20, just before the Commission's vote on the proposal, and in the form of a letter from the Assistant Attorney General in charge of the Antitrust Division.

The Commission approved the proposed merger by a vote of four to three. Although that is a narrow margin, it is a decision honestly and openly reached by a majority after open hearings and due deliberation.

Now the Department of Justice seeks to substitute its judgment for that of the Commission. Last week, Assistant Attorney General Turner petitioned the Commission for reconsideration of its decision and asked for an evidentiary hearing. In view of what appears to be a blatant effort to switch one vote by a last-minute blitz, the Acting Attorney General might well be asked: "How do you construe the word independence as applied to a regulatory agency created by Congress to exercise independent judgment in administering laws within its jurisdiction?"

One does not have to support the proposed merger in suggesting to the Acting Attorney General that if he has a case against it, he should go to court and argue it on its merits. Instead, in this instance, he has chosen by subterfuge to sway the judgment of an independent agency.

Mr. President, let the Acting Attorney General be advised that he ought not to use monopoly power to curb what he alleges to be monopoly power.

The Commission has acted. He should go to court if he is not happy with its decision.

RESTRICTIONS ON MOVEMENT OF DEFENDANTS FREED ON BAIL

Mr. BREWSTER. Mr. President, last week, I introduced a bill which would allow District of Columbia judges, under certain conditions, to place restrictions on the movement of highly dangerous criminal defendants freed on bail. My bill would, in specified exceptional circumstances, allow pretrial detention of up to 30 days, for defendants who pose a high risk to the safety of the community.

On Saturday, a judge of the District of Columbia Court of General Sessions complained bitterly about the present bail law, which required him to release on bail a man whom he felt posed a serious danger to society.

Judge DeWitt S. Hyde made this complaint, noting:

> We could have a raving maniac who might go out and kill people on the streets, but we would have to turn him loose.

Since this incident—which has occurred on many occasions before—has considerable relevance to S. 484, my proposed amendment to the Bail Reform Act, I ask unanimous consent that the newspaper account published in the Washington Post be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUSPECT'S RELEASE ON BAIL RILES JUDGE

(By Jim Hoagland)

A 38-year-old man charged with rape and robbery was released on personal recognizance yesterday by a General Sessions judge who said the Bail Reform Act forced him to let the defendant go.

Judge DeWitt S. Hyde was sharply critical of the Act as he released Arthur L. Daniels of 1311 L st. se. Daniels, who did not have to post any bond, promised to return for a preliminary hearing on the felony charges on Feb. 1.

"Under this Act, we could have a raving maniac who might go out and kill people in the streets, and we would have to turn him loose," Hyde said. "I don't know what in the world people were thinking about when they passed this Act."

The U.S. Attorney's Office had asked for a $5000 bond in the robbery case and urged Hyde to hold Daniels without bond on the rape charge, a capital offense.

Under the Bail Reform Act, which went into effect Sept. 20, only defendants likely to flee before trial can be held on bond. Danger to the community alone is not a decisive factor in the question of a defendant's release.

The exception is capital offenses, where a judge is not required to admit the defendant to bail.

Daniels' attorney, Bernard W. Kemp, said Daniels had lived in Washington all his life, was married and had held the same job for the past seven years.

"We have to hold people charged with hitting somebody over the head with a sponge, and release others on these charges," Hyde said.

The D.C. Bail Agency had recommended Daniels' release because of his community ties.

Hyde's comments added more fuel to a controversy that has been raging since the Act passed Congress last June. Many judges and prosecutors have publicly criticized the bill, which they feel frees persons who will be able to commit more crimes.

AIR TRANSPORTATION: ESSENTIALS AND EXPEDIENTS

Mr. BREWSTER. Mr. President, I have just finished reading a speech, entitled "Air Transportation: Essentials and Expedients," which was given on January 19 by George E. Keck, president of United Airlines, before the International Aviation Club of Washington, D.C. As a member of the Commerce Committee who is intensely interested in all phases of transportation, and particularly with those of the commercial air transportation industry and all of its great problems as it prepares to move into the supersonic age, I found Mr. Keck's remarks extremely interesting.

Mr. Keck, who has a quarter of a century experience in the air transport industry with United Airlines, and who has been president of this fine company since 1963, has emerged as one of the most respected, knowledgeable new leaders in this industry.

Because I think that my colleagues will find Mr. Keck's remarks interesting and constructive, I request that his speech before the International Aviation Club be inserted in the RECORD at this point, and urge my colleagues to read it. I respectfully suggest that we in the Congress should be informed as to all points of view on the problems of commercial air transportation, and their proposed solutions, before we are called upon to make legislative decisions.

While I would not expect that every Senator would be in agreement with all that Mr. Keck said, I do think that his views were cogently and effectively presented. We should bive them most careful consideration, whether we fully agree with them or not.

Mr. President, I ask unanimous consent that Mr. Keck's statement be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AIR TRANSPORTATION: ESSENTIALS AND EXPEDIENTS

(An address by G. E. Keck, president, United Air Lines, International Aviation Club, Washington, D.C., Jan. 19, 1967)

Over the years dozens of inventors have come to this city in search of government support for their plans and projects. This strange parade has included starry-eyed incompetents, inspired mechanics, eccentric tinkers and brilliant scientists. Some have found support and some have been turned away, the good with the impossible, the feasible with the impractical.

At one time or other, as we know from history, Congress has been skeptical and slow to recognize the significance of such transportation advances as the steamboat, the locomotive and the airplane. In pointing this out, I don't wish to imply that the nation's lawmakers have been less progressive or less discerning than the general population. They've merely reflected the doubts and hesitancy we normally feel when confronted with something genuinely new.

Most of us apparently prefer to believe there just can't be anything new under the sun. Our first reaction is to recoil from things which have no antecedents in the store of human experience. Deep down, we're fearful and suspicious. And in the past, more so than now, the creators of new machines were often regarded as oddballs and crackpots.

When Samuel Morse demonstrated the telegraph at the city in 1842, a Senator who stood by later reported, "I watched his countenance closely to see if he was not deranged."

People often reassure themselves about a new and portentous element by pretending that it's little more than an extension of something already known and familiar. When this comforting attitude is adopted, a revolutionary advance can be neatly pigeonholed as just another addition to the established fixtures of the social order. The fact that a particular advance may radically change the social order can then be conveniently ignored.

This kind of self-deception is evident in some of the names that have been applied to major inventions. The locomotive was called the Iron Horse, and of course, it merely pulled a series of stagecoaches. And several generations later, when the automobile chugged onto the scene, it was known as the Horseless Carriage.

The Iron Horse galloped over the land as no other horse in history, pursued by lawmakers who belatedly realized that this unusual beast required special legislative harnessing. And in subsequent decades when the Horseless Carriage began kicking up its heels, the nation suddenly learned that more was involved than the decline of livery stables.

The pretense that something new is just an extension of the familiar often leads to a further bit of make-believe. This consists of assuming that existing customs and procedures can be satisfactorily applied to new developments. As a general illustration, some of the early railroadmen blew horns to dispatch trains, because a horn had always been used to signal the departure of stagecoaches. If this seems quaint, we have only to consider the handy application of the Railway Labor Act to the air transport industry.

The use of established forms to control and manage new forces generally requires patchwork, sooner or later. And it's often necessary to improvise, to adopt expedients and quick cures without due regard for long-range consequences.

Our times are particularly subject to improvisation because of the outpouring of technological advances, including, of course, jet aircraft. This remarkable means of transportation is a prime force in creating a new kind of world environment. In less than a decade the jet has enmeshed itself with world politics, commerce and economics to a far greater extent than any previous mode of transport. It has eliminated distance as a factor in the separation of peoples and that, alone, has startling implications. It has stimulated international travel as never before in man's history. I think it's reasonable to say that jets are serving as the greatest coalescent force ever introduced in world affairs.

To most people, however, both in and out of the industry, jets are just a faster way of going somewhere—more glamorous perhaps, but already taken for granted as an addition to the established conveniences. In a certain sense, that's what we've worked to achieve but viewed in another way it may have disadvantages. For one thing, it probably means the public will not regard our problems as special problems but merely as ordinary everyday problems which will be resolved somehow in the same old ordinary fashion.

It should be eminently clear to the most casual observer that something out of the ordinary is involved, if only in the matter of vigorous growth. Dr. Adolph Berle has pointed out, for example, that world air transport is expanding at a rate five times as fast as world motor transport and some twenty times as fast as marine transport. And, with a touch of understatement, he adds that this scale is not adequately realized.

Economic surveys disclose that since 1950 the strongest growing key industries in the Free World have slightly more than tripled their production. In comparison, world airline production—as measured in revenue ton miles—is seven times what it was in 1950. Here at home we've witnessed a tremendous upsurge in the last five years. The annual growth rate of passenger traffic has averaged about 16 per cent. And the outlook for further expansion is very promising, with forecasts which range from a doubling to tripling of present traffic volume by 1975.

As a result of great growth, various facilities—airports, passenger and cargo terminals, traffic control—are becoming inadequate. The pressure of expansion has even begun to affect the air space over the North Atlantic. Last year a proposal was made to reduce the lateral separation of transatlantic flights from 120 miles to 90. Objections were raised, primarily by the pilot's union, if I remember correctly, and the proposal was shelved.

In contrast with the brisk rate of airline traffic growth, ground preparations to accommodate that growth are generally proceeding at an unhurried stately pace. All too often, imminent problems are being approached in a slow, leisurely manner suited to other times when problems developed at a slow, leisurely rate. This criticism isn't directed at the agencies and personnel involved but at the procedures they're obliged to follow. Financing of airport expansion, for example, can drag on for many months, even years, depending upon the mandatory procedures. They may have been excellent in an agricultural society but horse-and-buggy speed is out of place in the Jet Age.

I'm pleased to say that preparations to provide sufficient aircraft capacity for future growth are realistic. Capital outlays for new flight equipment in the ten years, 1966 through 1975, are estimated to exceed $11 billion. That's a huge investment by any standard and for any industry. Obviously, the airlines must maintain respectable profit levels to attract further infusions of capital. And in that regard, downward pressure on fares isn't exactly the kind of attraction that makes investors come running. It can, in fact, prompt them to run in a different direction.

Earlier I referred to the tendency to apply established forms and customs to essentially new and more complex forces. And, as I've indicated, some facets of air transportation are subject to this approach. In its regulatory agencies at the Federal level, however, the industry has fortunately escaped the clutch of tradition. Instead of being under the bumbling jurisdiction of some obscure bureau originally created for another purpose, the airlines, as we know, are regulated by agencies established for their specific guidance.

The Civil Aeronautics Board and the Federal Aviation Agency have excellent records and their work is of great value to the nation. Rather than have you accept my judgment alone, there's the fact that the U.S. air transport system is recognized as the best in the world. This is not to say, however, that I'm in complete accord with every single regulatory action.

A few minutes ago I mentioned that in our times there's considerable improvisation without due consideration of ultimate consequences. The CAB, no less than other decision-making bodies, is in my opinion occasionally affected by the prevailing atmosphere of expediency.

Some of the best legal minds in the industry are still bewildered by the Board's sudden venture into labor relations in last summer's strike. As you may recall, the nonstruck carriers were informed that, meeting certain conditions, they could operate over the routes of the strike-bound airlines. This unprecedented move accomplished two things, both of which I consider unfortunate. First, it shattered the protective qualities which route certification had always been assumed to guarantee. Second, it relieved some of the public pressure that had kept union and airline representatives hard at work, trying to settle the strike, which ultimately lasted 43 days.

Of course, it's possible to say an emergency existed and this justified a very unorthodox procedure. But later on, at least one government spokesman indicated there wasn't much of an emergency, after all—in fact, it was more like a passing inconvenience, a mere ripple on the national scene. The economic wastage of that "ripple", in terms of lost airline revenues, lost wages, lost taxes, lost business for shippers and others, has been estimated at more than a billion dollars.

There's another matter of concern—the proposed rule-making that would authorize local service carriers to operate nonstop flights in medium-haul, high-density markets. This would be done in hopes that the financial position of such carriers would improve to the point where subsidy payments could be reduced, if not eliminated.

I believe that the cure would be worse than the ailment. It could destroy logical division in the types of air service and eventually homogenize the industry.

When the possibility of granting permanent authority to local service carriers was investigated a generation ago, the CAB Examiner warned the Board that such carriers would be inclined to reach out for big city traffic. He said this inclination should be discouraged at the outset and that the discouragement should be in the nature of skip-stop and nonstop limitations.

This man clearly understood that small communities needed local service carriers that were local service carriers rather than potential trunklines. If he had to add anything today, in the light of subsequent events, he would perhaps recommend discouraging local service carriers from acquiring aircraft better suited for nonstop intermediate operations than for short hops.

In commenting on the investigation that led to permanent certification of local service carriers, our company made a prophetic statement in 1944, which I'll quote: "They will seek to expand into the type of operations now conducted by existing carriers and thereby depart from their avowed function of serving small-city short-haul traffic." End of quotation, except to repeat "and thereby depart from their avowed function of serving small-city short-haul traffic."

This confusing redefinition of local service carriers and the adverse effects on the industry's basic structure would be done, as I've said, in hopes of reducing subsidy payments. Let's put that subsidy into perspective. In the fiscal year ending June 30, 1966, subsidy payments to local service carriers totaled $61,500,000. For the same period, subsidy granted by the Federal Maritime Administration was $209,000,000; by the Treasury Department, $269,000,000; by the Department of Labor, $620,000,000; and by the Department of Agriculture, $4,904,000,000.

What did $61,500,000 in subsidy to local service carriers accomplish? Well, over-all, it kept many small communities in the mainstream of American life. It provided air mail service; it brought sons home swiftly from military outposts; it served local businessmen and manufacturers; it gave small towns a boost toward future growth and prosperity. In short, it was worth it.

If reduction of subsidy is the goal, let me point out that non-stop operations in medium-haul high-density markets are no guarantee of profits. Some of these markets currently have trunkline competition and further leaning out of whatever profits there are would not benefit anyone. And some of the markets without trunkline competition are decidedly marginal and their contribution toward reducing local service subsidy would be unlikely.

I appreciate the fact that subsidy poses a problem for the CAB but I question its possible solution at the risk of disrupting the existing system of balance in the industry. The local service airlines were designed to complement the trunklines—not to engage in conflict with them. I'm sure the problem can be solved in a way that would end subsidy and still preserve the basic divisions which assure both large and small communities of scheduled air service.

The CAB's liberalized view on the operations of supplemental carriers is well merited in so far as it aids the military lift to Vietnam. But, here again, it is necessary to make sure that today's exigencies do not become tomorrow's problems. What happens when the war is finally over and the supplemental carriers, possessed of an over-abundance of aircraft, seek business elsewhere? Has the Board already forgotten its period of nonsked travail?

I raise these questions in a constructive spirit, hoping they have been fully explored by persons more knowledgeable than myself and found non-detrimental to the industry's future health. I refuse to believe that expediency has overridden the fundamental imperative of establishing and administering long-term plans, based on fixed classification of the carriers in relation to the various kinds of service required by the traveling and shipping public.

In discussing these areas of concern, I've perhaps over-simplified and there could be factors with which I'm unfamiliar. If so, I welcome enlightenment. On the surface, however, it seems that the prevailing philosophy, somewhat crudely stated, is this: the trunklines have become fat cats and they won't miss some of their cream. That's, of course, a narrow view which makes much of the moment and ignores the past and the future. Over the years, as the record will show, the trunklines have frequently been thin cats, subsisting on skimmed milk. And now, if cream has improved their diet, I suggest restraint in syphoning it off, because the demands of the Seventies—the new technology and the expansions to accommodate growth—will require great strength and ample resources.

Strength and resources of the various carriers should be fully considered in deliberation of the Transpacific Service Case. Obviously, the national interest is deeply involved in the Far East. Additional airline service to that area, in my opinion, should hinge on the ability of a carrier to provide the best possible lift, regardless of how meager the returns may be at the outset. Along with the capability, the carrier should have the experience, imagination and drive to develop markets to the point of producing satisfactory economic results in a reasonably brief time.

As a final word, I would say that air transportation is infinitely more than an aircraft proceeding from airport to airport. It is the sum of efforts by very dissimilar groups, ranging from manufacturers to municipal officials. It is the distillation of work by bakers, bankers and buffet builders—the list goes on and on. It is the essence of modern science and technology. And I would remind you that the element which brings together all the parts and details into a workable system is cooperation.

THE PRESIDENT'S BUDGET

Mr. YOUNG of North Dakota. Mr. President, many words are being said and printed this week about the Nation's budget which has now been released by the President for fiscal year 1968.

An examination of the record over the past years must lead to the conclusion that the President cannot be sure just what the fiscal position of this country will be in the next year and one-half.

As we look back at the record and look ahead, just one or two examples will make my point. Last year when the fiscal 1967 budget was presented, we were told the deficit for the year would be $1.8 billion, and the President estimated that the Government's income for that year would be $145.5 billion. Now we know differently. Our economy is generating an estimated income to the Government for this fiscal year of $154.7 billion, which is $9.2 billion more than the President anticipated. However, even with this increased income we are now told that the deficit for this fiscal year will not be $1.8 billion as previously estimated but will be $9.7 billion. Spending for the year has been increased by $17.1 billion. Can we now be sure that the now predicted $9.7 billion deficit for this fiscal year of 1967 is accurate?

To mention one item upon which income estimates are based, the President had predicted several billions of dollars of income from the sale of Government-owned mortgages. We now know that only $1.1 billion in participation sales have been made to date. But the President's budget for fiscal year 1968 predicts income of $5 billion from sales of participation certificates. I suggest this may be overoptimistic.

The fiscal year 1968 budget also predicts an increase in Government income of $17.3 billion over fiscal year 1967. We can only hope that the national income will reach this increased level or even surpass it.

Lastly, I would call attention to the constant increase in the public debt which the President plans to increase by $8.1 billion in fiscal year 1968, to a total of $335.4 billion. Interest on the debt will exceed $14 billion for the fiscal year 1968.

In conclusion, I express the hope that the Congress, in cooperation with the President, will make a concerted effort to cut both Government expenditure and new obligational authority in the light of the fiscal pressures facing our Nation.

OPERATION AND ADMINISTRATION OF FARM PROGRAMS

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD the text of a letter from me to Mr. Charles B. Shuman, president of the American Farm Bureau Federation, dated January 24, 1967, in which I have asked for Mr. Shuman's comments regarding agricultural programs now in effect.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON
AGRICULTURE AND FORESTRY,
January 24, 1967.

Mr. CHARLES B. SHUMAN,
President, American Farm Bureau Federation,
Merchandise Mart Plaza,
Chicago, Ill.

DEAR MR. SHUMAN: It is the intention of the Senate Committee on Agriculture and Forestry to have the Secretary of Agriculture appear before it in about ten days to two weeks to review the operation and administration of the many farm programs for which he is responsible.

As you know, the Food and Agriculture Act of 1965 covers most of the major commodities and will be effective through the crop year 1969. The Food for Peace Program enacted last year will be in effect through 1968. Both of these laws give the Secretary of Agriculture considerable flexibility in the development of individual programs. As a result, I do not anticipate any major changes before they expire. However, a complete review of administrative procedures does seem desirable.

The purpose of this letter is to secure your cooperation in providing the Committee with a list of any problems or complaints with which your organization is familiar regarding the programs now in effect. These will be brought to the attention of the Secretary for clarification and review when he appears before the Committee.

I would appreciate receiving an answer as expeditiously as possible.

With kindest regards and best wishes, I am,

Sincerely yours,
ALLEN J. ELLENDER,
Chairman.

FUNDS FOR AIR FORCE OPERATIONS IN SOUTHEAST ASIA

Mr. CANNON. Mr. President, Congress has received today a request for some $12 billion for supplemental appropriations for the balance of fiscal year 1967.

These funds are designed almost entirely in support of our military operations in southeast Asia. These operations are on land and sea. These operations are also in the air, and it is on this part I wish to say a few words today.

Over one-quarter of the request is for the aircraft account alone. Of this, over $1.5 billion is for the important line item of "combat attrition." Let me recall the words of the President last Thursday when he presented the first Air Force Medal of Honor to Maj. Bernard F. Fisher. Said the President:

> I would like through all these gallant men to honor the men of the United States Air Force who are serving us in Vietnam and in that area.
>
> Those men in that Air Force are helping us to win a very difficult war.
>
> They are helping us to defeat a very treacherous enemy.
>
> They are helping a young nation to be free, to be born, and to be independent.
>
> They are helping their own Nation, the United States of America, to honor a pledge, to keep a commitment, to make its word good, and to be treated, trusted, and respected in its alliances.
>
> They deserve the best their Nation can offer them because they are the best of this Nation.

By prompt enactment of the fiscal year 1967 supplemental, Congress can do its part to see that our airmen truly do get the best.

SUFFER THE LITTLE CHILDREN

Mr. GRUENING. Mr. President, Martha Gellhorn, the well-known journalist and reporter, continues the job being done by a few outstanding writers in bringing to the attention of the American people the frightful burning and maiming of innocent people in the Vietnam war. Miss Gellhorn's account in the January 1967 issue of the Ladies' Home Journal is entitled "Suffer the Little Children." It is one of the most harrowing accounts of destruction visited on the children of Vietnam by our unjust and immoral war in that country.

To the question, Why do you make such a big thing out of injuries to children? Miss Gellhorn provides an appropriate answer:

> Children are killed or wounded by napalm because of the nature of the bombings. Close air support for infantry in combat zones is one thing. The day and night bombing of hamlets, filled with women, children and the old, is another.
>
> Bombs are mass destroyers. The military targets among the peasants—the Viet Cong—are small, fast moving individuals. Bombs cannot identify them. Impartially, they mangle children, who are numerous, and guerrilla fighters, who are few. The use of fire and steel on South Vietnamese hamlets, because Viet Cong are reported to be in them (and often are not), can sometimes be like destroying your friend's home and family because you have heard there is a snake in the cellar.

Of course, injuries are caused by Vietcong attacks. But does that justify the mutilation we inflict? We have already saturated Vietnam with a greater quantity of explosives than we dumped on Germany during all of World War II. This rain of death exceeds by a thousandfold the explosive destruction which the Vietcong can bring to bear. We can no more escape responsibility for the consequences of our leveling the South Vietnamese countryside than we can for the bombing of civilian areas in North Vietnam, which honest and intrepid reporters visiting the North have now begun reporting to give lie to the Pentagon's assertion that we bomb only "concrete and steel."

Only the American forces possess napalm—the Vietcong not having yet developed the sophistication of more "civilized" countries to manufacture and deliver on target this deadly explosive. Here is how Miss Gellhorn describes one victim of our napalm attack:

> In the children's ward of the Qui Nhon provincial hospital I saw for the first time what napalm does. A child of seven, the size of our four-year-olds, lay in the cot by the door. Napalm had burned his face and back and one hand. The burned skin looked like swollen, raw meat; the fingers of his hand were stretched out, burned rigid. A scrap of cheesecloth covered him, for weight is intolerable, but so is air. His grandfather, an emaciated old man half blind with cataract, was tending the child. A week ago, napalm bombs were dropped on their hamlet. The old man carried his grandson to the nearest town; from there they were flown by helicopter to the hospital. All week, the little boy cried with pain, but now he was better. He had stopped crying. He was only twisting his body, as if trying to dodge his incomprehensible torture.

I ask unanimous consent that Miss Gellhorn's article in the January 1967 issue of the Ladies' Home Journal be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Ladies' Home Journal, January 1967]

SUFFER THE LITTLE CHILDREN

(By Martha Gellhorn)

We love our children. We are famous for loving our children, and many foreigners believe that we love them unwisely and too well. We plan, work and dream for our children; we are tirelessly determined to give them the best of life. "Security" is one of our favorite words; children, we agree, must have security—by which we mean devoted parents, a pleasant, settled home, health, gaiety, education; a climate of hope and peace. Perhaps we are too busy, loving our own children, to think of children 10,000 miles away, or to understand that distant, small, brown-skinned people, who do not look or live like us, love their children just as deeply, but with anguish now and heartbreak and fear.

American families know the awful emptiness left by the young man who goes off to war and does not come home; but American families have been spared knowledge of the destroyed home, with the children dead in it. War happens someplace else, far away. Farther away than ever before, in South Vietnam, a war is being waged in our name, the collective, anonymous name of the American people. And American weapons are killing and wounding uncounted Vietnamese children. Not 10 or 20 children, which would be tragedy enough, but hundreds killed and many more hundreds wounded every month. This terrible fact is officially ignored; no Government agency keeps statistics on the civilians of all ages, from babies to the very old, killed and wounded in South Vietnam. I have witnessed modern war in nine countries, but I have never seen a war like the one in South Vietnam.

My Tho is a charming small town in the Mekong Delta, the green rice bowl of South Vietnam. A wide, brown river flows past it and cools the air. Unlike Saigon, the town is quiet because it is off-limits to troops and not yet flooded with a pitiful horde of refugees. Despite three wars, one after the other, the Delta peasants have stayed in their hamlets and produced food for the nation. Governments and armies come and go, but for 2,000 years peasants of this race have been working this land. The land and their families are what they love. Bombs and machine-gun bullets are changing the ancient pattern. The Delta is considered a Viet Cong stronghold, so death rains from the sky, fast and indiscriminate. Fifteen million South Vietnamese live on the ground; no one ever suggested that there were more than 279,000 Viet Cong and North Vietnamese in all of South Vietnam.

The My Tho children's hospital is a gray cement box surrounded by high grass and weeds overgrowing the peacetime garden. Its 35 cots are generally filled by 55 little patients. One tall, sorrowing nun is the trained nurse; one Vietnamese woman doctor is the medical staff. Relatives bring their wounded children to this hospital however they can, walking for miles with the children in their arms, bumping in carts or the local buses. Organized transport for wounded civilians does not exist anywhere in South Vietnam. Once the relatives have managed to get their small war victims to the hospital, they stay to look after them. Someone must. The corridors and wards are crowded; the children are silent, as are the grown-ups. Yet shock and pain, in this still place, make a sound like screaming.

A man leaned against the wall in the corridor; his face was frozen and his eyes looked half-mad. He held, carefully, a six-month-old baby girl, his first child. At night, four bombs had been dropped without warning on his hamlet. Bomb fragments killed his young wife, sleeping next to her daughter; they tore the arm of the baby. As wounds go, in this war, it was mild—just deep cuts from shoulder to wrist, caked in blood. Yesterday he had a home, a wife, and a healthy, laughing daughter; today he had nothing left except a child dazed with pain and a tiny mutilated arm.

In the grimy wards, only plaster on child legs and arms, bandages on heads and thin bodies were fresh and clean. The children have learned not to move, because moving hurts them more, but their eyes, large and dark, follow you. We have not had to see, in our own children's eyes, this tragic resignation.

Apparently children are classified as adults nowadays if they are over 12 years old. During a short, appalled visit to the big My Tho provincial hospital, among hundreds of wounded peasants, men and women, I noted a 13-year-old girl who had lost her left foot (bomb), sharing a bed with an old woman whose knee was shattered; a 14-year-old girl with a head wound (mortar shell); a 15-year-old girl with bandages over a chest wound (machine-gun bullet). If you stop to ask questions, you discover frequently that someone nearby and loved was killed at the same time, and here is the survivor, mourning a mother or a little brother; loneliness added to pain. All these people suffer in silence. When the hurt is unbearable, they groan very softly, as if ashamed to disturb others. But their eyes talk for them. I take the anguish, grief, bewilderment in their eyes, rightly, as accusation.

The Red Cross Amputee Center in Saigon is a corrugated tin shed, crowded to capacity and as comfortable in that heavy, airless heat as an oven. Two hundred amputees in relays, have lived here. Now 40 Vietnamese peasants, male and female, ranging in age from six to 60, sit on chromium wheelchairs or their board beds or hobble about on crutches and, though you might not guess it, they are lucky. They did not die from their wounds, they are past the phase of physical agony, and in due course they will get artificial arms or legs.

The demand for artificial arms and legs in South Vietnam may be the greatest in the world, but the supply is limited; for civilians it had run out completely when I was there. These maimed people are content to wait; Saigon is safe from bombs, and they are fed by the Red Cross. To be certain of food is wonderful good luck in a country where hunger haunts most of the people.

A girl of six had received a new arm, ending in a small steel hook to replace her hand. Bomb fragments took off the lower half of her arm and also wounded her face. She has a lovely smile, and a sweet little body, and she is pitifully ugly, with that dented, twisted skin and a lopsided eye. She was too young to be distressed about her face, though she cannot have felt easy with her strange arm; she only wore it to have her picture taken.

An older girl, also a bomb victim, perhaps aged 12, had lost an eye, a leg and still had a raw wound on her shoulder. She understood what had happened to her. Since the Vietnamese are a beautiful people, it is natural that they should understand beauty. She hid her damaged face with her hand.

A cocky, merry small boy hopped around on miniature crutches, but could not move so easily when he strapped on his false, pink-tinted leg. Hopefully he will learn to walk with it, and meanwhile he is the luckiest person in that stifling shed, because the American soldiers who found him have not forgotten him. With their gifts of money he buys food from street vendors and is becoming a butterball. I remember no other plump child in South Vietnam.

A young Red Cross orderly spoke some French and served as interpreter while I asked these people how they were hurt. Six had been wounded by Viet Cong mines. One had been caught in machine-gun cross fire between Viet Cong and American soldiers, while working in the fields. One, a sad reminder of the endless misery and futility of war, had lost a leg from Japanese bombing in World War II. One, the most completely ruined of them all, with both legs cut off just below the hip, an arm gone, and two fingers lopped from the remaining hand, had been struck down by a hit-and-run U.S. military car. Thirty-one were crippled for life by bombs or artillery shells or bullets. I discussed these figures with doctors who operate on wounded civilians all day, and day after day. The percentage seems above average. "Most of the bits and pieces I take out of people," a doctor said, "are identified as American."

In part, it is almost impossible to keep up with the facts in this escalating war. In part, the facts about this war are buried under propaganda. I report statistics I have heard or read, but I regard them as indications of truth rather than absolute accuracy. So: there are 77 orphanages in South Vietnam and 80,000 registered orphans. (Another figure is 110,000.) No one can guess how many orphaned children have been adopted by relatives. They will need to build new orphanages or enlarge the old ones, because the estimated increase in orphans is 2,000 a month. This consequence of war is seldom mentioned. A child, orphaned by war, is a victim, wounded forever.

The Govap orphanage, in the miserable rickety outskirts of Saigon, is splendid by local standards. Foreign charities have helped the gentle Vietnamese nuns to construct an extra wing and to provide medical care such as intravenous feeding for shriveled babies, nearly dead from starvation. They also are war victims. "All the little ones come to us sick from hunger," a nun said, in another orphanage. "What can you expect? The people are too poor." The children sit on the floor of two big, open rooms. Here they are again, the tiny war wounded, hobbling on crutches, hiding the stump of an arm (because already they know they are odd): doubly wounded, crippled and alone. Some babble with awful merriment. Their bodies seem sound, but the shock of war was too much for their minds; they are the infant insane.

Each of the 43 provinces in South Vietnam has a free hospital for civilians, built long ago by the French when they ruled the country. The hospitals might have been adequate in peacetime; now they are all desperately overcrowded. The wounded lie on bare board beds, frequently two to a bed, on stretchers, in the corridors, anywhere. Three hundred major operations a month were the regular quota in the hospitals I saw; they were typical hospitals. Sometimes food is supplied for the patients; sometimes one meal; sometimes none. Their relatives, often by now homeless, must provide everything from the little cushion that eases pain to a change of tattered clothing. They nurse and cook and do the laundry and at night sleep on the floor beside their own wounded. The hospitals are littered with rubbish; there is no money to spend on keeping civilian hospitals clean. Yet the people who reach these dreadful places are fortunate; they did not die on the way.

In the children's ward, of the Qui Nhon provincial hospital I saw for the first time what napalm does. A child of seven, the size of our four-year-olds, lay in the cot by the door. Napalm had burned his face and back and one hand. The burned skin looked like swollen, raw meat; the fingers of his hand were stretched out, burned rigid. A scrap of cheesecloth covered him, for weight is intolerable, but so is air. His grandfather, an emaciated old man half blind with cataract, was tending the child. A week ago, napalm bombs were dropped on their hamlet. The old man carried his grandson to the nearest town; from there they were flown by helicopter to the hospital. All week, the little boy cried with pain, but now he was better. He had stopped crying. He was only twisting his body, as if trying to dodge his incomprehensible torture.

Farther down the ward, another child, also seven years old, moaned like a mourning dove; he was still crying. He had been burned by napalm, too, in the same village. His mother stood over his cot, fanning the little body, in a helpless effort to cool that wet, red skin. Whatever she said, in Vietnamese, I did not understand, but her eyes and her voice revealed how gladly she would have taken for herself the child's suffering.

My interpreter questioned the old man, who said that many had been killed by the fire and many more burned, as well as their houses and orchards and livestock and the few possessions they had worked all their lives to collect. Destitute, homeless, sick with weariness and despair, he watched every move of the small, racked body of his grandson. Viet Cong guerrillas had passed through their hamlet in April the old man said, but were long since gone. Late in August, napalm bombs fell from the sky.

Napalm is jellied gasoline, contained in bombs about six feet long. The bomb, exploding on contact, hurls out gobs of this flaming stuff, and fierce fire consumes everything in its path. We alone possess and freely use this weapon in South Vietnam. Burns are deadly in relation to their depth and extent. If upwards of 30 percent of the entire thickness of the skin is burned, the victim will die within 24 to 48 hours, unless he receives skilled constant care. Tetanus and other infections are a longtime danger, until the big, open-wound surface has healed. Since transport for civilian wounded is pure chance and since the hospitals have neither staff nor facilities for special burn treatment, we can assume that the children who survive napalm and live to show the scars are those who were least burned and lucky enough to reach a hospital in time.

Children are killed or wounded by napalm because of the nature of the bombings. Close air support for infantry in combat zones is one thing. The day and night bombing of hamlets, filled with women, children and the old, is another. Bombs are mass destroyers. The military targets among the peasants—the Viet Cong—are small, fast-moving individuals. Bombs cannot identify them. Impartially, they mangle children, who are numerous, and guerrilla fighters, who are few. The use of fire and steel on South Vietnamese hamlets, because Viet Cong are reported to be in them (and often are not), can sometimes be like destroying your friend's home and family because you have heard there is a snake in the cellar.

South Vietnam is somewhat smaller than the state of Missouri. The disaster now sweeping over its people is so enormous that no single person has seen it all. But everyone in South Vietnam, native and foreign, including American soldiers, knows something of the harm done to Vietnamese peasants who never harmed us. We cannot all cross the Pacific to judge for ourselves what most affects our present and future, and America's honor in the world; but we can listen to eyewitnesses. Here is testimony from a few private citizens like you and me.

An American surgeon, who worked in the provincial hospital at Danang, a northern town now swollen with refugees and the personnel of an American port base: "The children over there are undernourished, poorly clothed, poorly housed and being hit every day by weapons that should have been aimed at somebody else. . . . Many children died from war injuries because there was nobody around to take care of them. Many died of terrible burns. Many of shell fragments." Since the young men are all drafted in the Vietnam Army or are part of the Viet Cong, "when a village is bombed, you get an abnormal picture of civilian casualties. If you were to bomb New York, you'd hit a lot of men, women and children, but in Vietnam you hit women and children almost exclusively, and a few old men. . . . The United States is grossly careless. It bombs villages, shoots up civilians for no recognizable military objective, and it's terrible."

An American photographer flew on a night mission in a "dragon ship"—an armed DC-3 plane—when Viet Cong were attacking a fortified government post in the southern Delta. The post was right next to a hamlet; 1,400 is the usual number of peasants in a hamlet. The dragon ship's three guns poured out 18,000 bullets a minute. This photographer said: "When you shot so many thousand rounds of ammo, you know you're gonna hit somebody with that stuff . . . you're hitting anybody when you shoot that way . . . a one-second burst puts down enough lead to cover a football field . . . . I was there in the hospital for many days and nights. . . . One night there were so many wounded I couldn't even walk across the room because they were so thick on the floor. . . . The main wounds came from bombs and bullets and indiscriminate machine-gunning."

A housewife from New Jersey, the mother of six, had adopted three Vietnamese children under the Foster Parents Plan, and visited South Vietnam to learn how Vietnamese children were living. Why? "I am a Christian. . . . These kids don't ask to come into the world—and what a world we give them. . . . Before I went to Saigon, I had heard and read that napalm melts the flesh, and I thought that's nonsense, because I can put a roast in the oven and the fat will melt but the meat stays there. Well, I went and saw these children burned by napalm, and it is absolutely true. The chemical reaction of this napalm does melt the flesh, and the flesh runs right down their faces onto their chests and it sits there and it grows there. . . . These children can't turn their heads, they were so thick with flesh. . . . And when gangrene sets in, they cut off their hands or fingers or their feet; the only thing they cannot cut off is their head. . . ."

An American physician, now serving as a health adviser to the Vietnamese Government: "The great problem in Vietnam is the shortage of doctors and the lack of minimum medical facilities. . . . We figure that there is about one Vietnamese doctor per 100,000 population, and in the Delta this figure goes up to one per 140,000. In the U.S., we think we have a doctor shortage with a ratio of one doctor to 685 persons."

The Vietnamese director of a southern provincial hospital: "We have had staffing problems because of the draft. We have a military hospital next door with 500 beds and 12 doctors. Some of them have nothing to do right now, while we in the civilian hospital need all the doctors we can get." (Compared to civilian hospitals, the military hospitals in Vietnam are havens of order and comfort. Those I saw in central Vietnam were nearly empty, wasting the invaluable time of frustrated doctors.) "We need better facilities to get people to the hospital. American wounded are treated within a matter of minutes or hours. With civilian casualties it is sometimes a matter of days—if at all. Patients come here by cart, bus, taxi, cycle, sampan, or perhaps on their relatives' backs. The longer it takes to get here, the more danger the patient will die."

There is no shortage of bureaucrats in South Vietnam, both Vietnamese and American. The U.S. Agency for International Development (A.I.D.) alone accounts for 922 of them. In the last 10 years, around a billion dollars have been allotted as direct aid to the people of South Vietnam. The results of all this bureaucracy and all this money are not impressive, though one is grateful that part of the money has bought modern surgical equipment for the civilian hospitals. But South Vietnam is gripped in a lunatic nightmare: the same official hand (white) that seeks to heal wounds inflicts more wounds. Civilian casualties far outweigh military casualties.

Foreign doctors and nurses who work as surgical teams in some provincial hospitals merit warm praise and admiration. So does anyone who serves these tormented people with compassion. Many foreign charitable organizations try to lighten misery. I mention only two because they concentrate on children. Both are volunteer organizations.

Terre des Hommes, a respected Swiss group, uses three different approaches to rescue Vietnamese children from the cruelties of this war: by sending sick and wounded children to Holland, Britain, France and Italy for long-term surgical and medical treatment; by arranging for the adoption of orphans; and by helping to support a children's hospital in Vietnam—220 beds for 660 children. This hospital might better be called an emergency medical center, since its sole purpose is to save children immediately from shock, infection and other traumas.

In England, the Oxford Committee for Famine Relief (OXFAM) has merged all its previous first-aid efforts into one: an OXFAM representative, a trained English nurse, is in Vietnam with the sole mission of channeling money, medicine, food, clothing and eventually toys (an unknown luxury) to the thousands of children in 10 Saigon orphanages.

Everything is needed for the wounded children of Vietnam, but everything cannot possibly be provided there. I believe that the least we can do—as citizens of Western Europe have done before us—is to bring badly burned children here. These children require months, perhaps years, of superior medical and surgical care in clean hospitals.

Here in America there are hopeful signs of alliance between various groups who feel a grave responsibility for wounded Vietnamese children. The U.S. branch of Terre des Hommes and a physicians' group called The Committee of Responsibility for Treatment in the U.S. of War-Burned Vietnamese Children are planning ways and means of caring for some of these hurt children in the United States. Three hundred doctors have offered their skills to repair what napalm and high explosives have ruined. American hospitals have promised free beds, American families are eager to share their homes during the children's convalescence, money has been pledged, U.S. military planes, which daily transport our young men to South Vietnam, would carry wounded Vietnamese children back to America—and a chance of recovery.

The American Government is curiously unresponsive to such proposals. A State Department spokesman explains the official U.S. position this way: Let's say we evacuate 50 children to Europe or the United States. We do not question that they would receive a higher degree of medical care, but it would really not make that much difference. On the other hand, the money spent getting those 50 children out could be better used to help 1,500 similarly wounded children in Vietnam. It seems more practical to put our energies and wherewithal into treating them on the scene in Vietnam." The spokesman did not explain why we have not made more "energies and wherewithal" available to treat the wounded children, whether here or in Vietnam. Officially, it is said that children can best be cured in their familiar home environment. True; except when the home environment has been destroyed and there is no place or personnel to do the curing.

We cannot give back life to the dead Vietnamese children. But we cannot fail to help the wounded children as we would help our own. More and more dead and wounded children will cry out to the conscience of the world unless we heal the children who survive the wounds. Someday our children, whom we love, may blame us for dishonoring America because we did not care enough about children 10,000 miles away.

THE BAHAMIAN ELECTION

Mr. SMATHERS. Mr. President, a development of profound significance has taken place in the Bahamas Islands, where the Honorable Lynden O. Pindling has been designated Premier and is thereby the first Negro chief executive in the history of the islands.

I recently had the opportunity to meet Mr. Pindling, and I must say that I was very favorably impressed by the new Premier. He is a young lawyer, just 36 years old, with a fine educational background in London and a man of apparent energy and broad outlook.

The continued friendship of the Bahamas to the United States is a matter that I view as essential.

It is for this reason that I have accepted an invitation by the Honorable Turner Blair Shelton, consul general of the United States for the Bahamas, to attend ceremonies honoring Premier Pindling this Saturday at the Governor's Club.

I believe that Mr. Pindling has a tremendous opportunity to improve life for the majority of the inhabitants of the Bahamas, as well as to continue the close and warm relationship of the islands to the United States.

I was encouraged to note that Mr. Pindling informed the press that he intended to explore the possibility of a future "association" with Britain, Canada, or the United States as an alternative to a fully independent course.

The direction that the new Bahamas Government takes henceforth should be of deep concern to us all.

The press has already taken note of Mr. Pindling's election, and many commentators have analyzed this event.

Television station WTVJ in Miami and its enterprising vice president in charge of news, Ralph Renick, have, I think, summed up the Bahamas developments forthrightly and accurately.

Mr. President, I ask unanimous consent to have printed in the body of the Record two editorials by WTVJ, dated January 11, 1967, and January 12, 1967, appraising the Bahamian elections.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

What the Bahamian Election Means

In the neighboring Bahamas a way of political and economic life has come to an end. The Negro Progressive Liberal Party, The PLP, seems assured of taking control of the government based on yesterday's election upset.

Negroes outnumber Whites by four to one in the Bahamas. But, in the past, by limiting suffrage to property owners the Whites were able to retain control.

This time each man had a vote.

The P.L.P. faces a great challenge. The Bahamian tourism business, the mainstay of the economy, must be preserved while at the same time a crumbling school system and absence of adequate public and social planning must be dealt with. The P.L.P. hopes that more tourist profits will trickle down to improve the lot of the Negroes in the Islands.

The Bahamas enters a new era. There's a lot to be done and undone. But unlike many emerging peoples in other parts of the world, the Bahamians have won their fight for internal control of government at the ballot box instead of by self-destructive violence and revolution.

Bahamian Situation Draws World Attention

Nobody really knows for sure what's ahead for the Bahamas. In Nassau today I talked to ten people and got ten differing opinions, but generally I found deep concern among the White population that the Bahamian economy will be adversely affected, at least in the year ahead.

The new government, which will probably be formed tomorrow or Saturday, will be made up of legislators and ministers who will be fresh to their roles of new responsibility.

It will take time for confidence to be placed in the new regime. In the meantime, there is the possibility that outside investors, both in the United States and Europe will be cautious in making large-scale capital expenditures in the islands.

The new government would be wise to do everything possible to prove that it is stable, fair and responsible. Lynden Pindling, the PLP party leader and most certainly the man to be tapped as premier, has the opportunity to prove that peoples when lifted through the power of the right to vote from years of autocratic rule, can nonetheless effectively assume the reigns of government control.

The experiment which begins this week in the Bahamas can be an example to the world.

Pindling and his party now have the power they have sought through the ballot box.

The world will watch with interest to see if the Bahamian growth will continue unabated while, at the same time, the basic needs of the islands' people will be adequately met and their way of life improved. To accomplish both is the highest order a government can aspire to.

DETERMINED LADIES CRUSADE TO MAKE INDIANAPOLIS SAFE

Mr. BAYH. Mr. President, I believe that it was Edmund Burke who once said:

> The only thing necessary for the triumph of evil is for good men to do nothing.

In the past decade we have witnessed an alarming increase in the rate of crime; we have been shocked by the senseless and violent attacks on the unsuspecting citizen.

In Congress various committees have held hearings on many aspects of the subject. The Subcommittee on Executive Reorganization is probing the variety of problems festering in the cities. The Juvenile Delinquency Subcommittee, of which I am a member, is studying alternatives for the destructive youth in the Nation; and in the Subcommittee on Constitutional Amendments, of which I am Chairman, we continue to weigh and measure the rights of the general public. In his State of the Union Message, President Johnson noted the forthcoming report being prepared by the National Crime Commission.

However, the people in the country have not waited for national investigations and Federal directives. Today I would like to draw the attention of my colleagues to an extraordinary, spontaneous crusade in my home State of Indiana, where a group of concerned citizens are making a personal effort not only to curb the rate of crime, but to weed out the causes.

On March 22, 1962, indignant women were gathered together by Margaret Moore of the Indianapolis News to respond to a cruel event which had occurred the preceding night, when a teenager mugged an 80-year-old woman on her way home from church. As the luncheon progressed, this small nucleus of 30 women vowed themselves to a personal fight against the elements which produce an environment conducive for criminal activity. They did not take time to write bylaws, collect dues, or establish membership requirements—they simply armed themselves with brooms and determination and began to clean up the streets.

Their action plan required do-it-yourself persistence in three areas: lighting the streets, clearing the slums, and reaching the teenager who was headed for juvenile court.

By January 1, 1967, the original 30 women had exploded into 50,000 "crimestoppers" who have the vigorous support of 102 local civic organizations. The results of their unique action have been impressive and commendable.

The city of Indianapolis has spent one and a half million dollars on new street lights; the clean-up campaign, organized by block committees from the neighborhood, netted 42,000 tons of trash; and "the Directory for Teenage Volunteer Service" published by a group of young people has recruited over 3,000 teenagers to work in community clinics, social organizations, et cetera. As for the overall purpose, crime dropped 2.2 percent in 1966 in Indianapolis while it climbed another 6 percent in the Nation. The organization has only printing expenses and these are absorbed by the Indianapolis News. Their homemade methods for successfully demanding action from the city to help stop crime are being spread across the country by a United Press International wire story, by the magazine Nation's Business, the National Association of Manufacturers, and Kiwanis International.

With great admiration for the work of these truly responsible citizens, who refused to nurture crime by being "good men doing nothing," I ask unanimous consent, Mr. President, that the wire service story of January 8, 1967, entitled "Determined Ladies Crusade To Make Indianapolis Safe," be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Determined Ladies Crusade To Make Indianapolis Safe

Indianapolis (UPI).—The day after a little old lady of 80 got whacked on the head by a teenager, 30 indignant ladies of Indianapolis met for lunch. Their aim: make the streets safe for women.

They literally picked up their brooms to start the fight.

Today, four years later, the anti-crime crusaders number 50,000. And the crime rate of Indianapolis took a dive of 2.2 per cent, in a year when the national crime rate rose 6 per cent.

This most unorthodox of all women's clubs (no membership cards, no dues, no minutes, no by-laws) did it without a penny of tax money, in the typical do-it-yourself fashion of Indiana.

POLLED TABLE

They spent their first few minutes electing a housewife, Mrs. Marshall Lincoln, as chairman. Then they polled the table for no-nonsense, housewifely practical suggestions.

One: More light on the streets. Right away the ladies began to ride police cars at night, then surveyed the city to spot high-crime areas, high nighttime accident spots, centers of nighttime activity.

Charts in hand, they got themselves appointed to the lighting advisory committee of the board of public works. During 1966 the city's 1,700 miles of streets got $1½ million worth of new lights. Their advice to the more than 200 cities which have consulted them: "Get the facts. Then keep harping until everybody sees you as a lamppost."

FREE HOTDOGS

Two; simple housekeeping in the slum areas. The ladies went to one of the dirtiest blocks, knocked on doors, swept up enthusiasm. Then they called city hall and got trucks and tree-trimmers; brought in a station wagon loaded with rakes and brooms, and began sweeping. Sixty teenagers, lured by free hotdogs, joined them, sweeping down the block while housewives, doing their spring cleaning dumped junk in front of them. When the city sprinkler drove by, they had collected six truckloads of debris.

The past year 500 citizens' forum block clubs, organized by Mrs. Mattie Coney, a Negro schoolteacher, swept up 42,000 tons of debris. "People make slums," said Mrs. Coney when she received the Freedoms Foundation Award for her work. "Bad neighborhoods develop because individuals fail."

EYES ON COURTS

Another suggestion that first day: watch the courts. The first "court watchers" had to go to the Indiana Supreme Court to prove their right to sit. Now more than a thousand women take turns watching the courts, just sitting there making notes charting what they see.

Patterns soon showed up. Too often arresting officers didn't appear to press charges; or judges were late. The ladies took their charts to five judges and asked questions. Court procedures were tightened up.

As they birddogged the juvenile courts, they kept hearing, "I don't know why I did it—I just didn't have anything else to do."

YOUTH CRUSADE

So the women drafted a youth crusade. The teenagers put together a "Directory for Teenage Volunteer Service." To date 3,000 teenagers have been recruited to work in agencies, clinics and social organizations.

The women noted many young offenders did not know they had broken laws. So they mimeographed the laws, asked police to visit the schools. Youth crusaders edited a booklet, "What is the Law?" This year it will be distributed across the nation by the Optimist Club International.

As the ladies sat in courts, they noted many juvenile offenders were high school dropouts. They began a pilot project of 28 women who took 28 dropouts on a person-to-person basis, furnishing tutoring help, encouragement, books, even clothes and carfare. When 26 of the first 28 went back to school, they expanded their stay-in-school project. By now 2,000 dropouts have been helped back to school.

CLOTHING CENTER

They set up a clothing center at the YWCA; drafted men's service clubs and community groups to find part-time jobs; coaxed scores of clubs, church groups, sororities to stage chili suppers, book review benefits and apron sales to raise the $7 to $12 per pupil cost that provides lunch money, glasses, books, even alarm clocks.

Like good housekeepers, the crusaders poke their brooms into every cranny of the city. If they see smutty literature on a newstand, they talk to the newsdealer. They lobby for legislation, assist prison programs, work with juvenile court judges on individual cases, agitate for police pay raises, drive for a new home for girls now sent to the reformatory.

ONLY EXPENSES

"They didn't know what to think of us at first," admits Mrs. Margaret Moore, Indiana's "Mother of the Year" in 1965, and the one who, at the request of Eugene S. Pulliam of the Indianapolis News, called that first luncheon (The News still picks up their only expenses—their printing bills.)

"Everybody thought we were a bunch of old fuddy duddies, with our brooms and our knitting in the courts. We started out in little ways, with little things that made sense to women. And we've accomplished a lot with just our brains and hands."

Today the Indianapolis women's crusade to "make streets safe for women" is sweeping the country. The National Association of Manufacturers has distributed their stay-in-school program nationally; the General Federation of Women's Clubs adopted their lighting program for its 11 million membership; Buffalo, N.Y., copied the entire crusade; Dallas, Tex., copied the "Turn Lights on Crime" program; and volunteer women's groups in 400 cities and towns are using parts of their crusade.

POVERTY PROGRAMS: 1968 BUDGET RECOMMENDATIONS

Mr. WILLIAMS of New Jersey. Mr. President, poverty is a blight the United States can neither afford nor tolerate. This country is rich enough to wipe out poverty.

The President's 1968 budget has good news for 32.7 million poverty-stricken Americans. In spite of meeting present national defense requirements, the budget provides for major growth in the war on poverty. More than $1 out of every $4 for Federal nondefense programs in 1968 will be for help to the poor people.

The programs of the Office of Economic Opportunity are the key to a successful effort against poverty. The 1968 budget recommends a 28-percent increase in appropriations for the OEO. This increase of $448 million will raise the fiscal year 1968 budget of OEO to $2,060 million, which includes increases of $247 million for all community action programs. The CAP programs in 1968 will total $1,022 million, including $472 million for Headstart and Headstart followup, and $550 million for all other CAP activities. Both rural and urban areas will benefit; $210 million for work and training programs, which will total $944 million in 1968. Included is a major increase for adult work training and special impact programs, which will rise from $98 million in 1967 to $258 million in 1968 to provide intensive manpower services for severely disabled jobseekers.

The increased 1968 budget for OEO will support 1,100 local community action agencies in 1968, which will render services to 6½ million people; Headstart services to 737,000 children plus Headstart followup services for many additional thousands; NYC work training opportunities for 355,000 youths; 38,000 youths on the average in the Job Corps; an increase in VISTA enrollment to 4,200 volunteers.

Poverty is a many-sided problem. The 1968 budget mobilizes the programs of 10 different Federal agencies to assist poor people. Federal benefits and services for the poor will total $25.6 billion in 1968, an increase of $3.6 billion, or 16 percent, over the funds provided in 1967, and 2½ times the level in 1960. The total increase of $3.6 billion in 1968 specifically for the poor includes increases of $0.7 billion for education, $0.5 billion for health, $1.8 billion for income maintenance, and $0.6 billion for all other community and economic development activities. Many of these programs will provide payoffs by helping children, youths, and adults to become self-sufficient. The 20-percent increase in social security benefits which the President has proposed will remove immediately an estimated 1.4 million individuals from poverty in 1958.

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

The Senate resumed the consideration of the motion of the Senator from South Dakota [Mr. McGovern] to proceed to the consideration of the resolution (S. Res. 6), amending the Standing Rules of the Senate.

The PRESIDING OFFICER. The hour of 12:30 p.m. having arrived, under the previous unanimous-consent agreement the time between now and 1:30 p.m. will be equally divided and controlled between the majority leader and the minority leader or whomsoever they may designate.

Mr. McGOVERN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator yield time from the majority?

Mr. McGOVERN. I wish to yield 10 minutes to the distinguished majority leader.

The PRESIDING OFFICER. Is the Senator yielding time for the quorum?

Mr. McGOVERN. Mr. President, I ask unanimous consent that the time for the quorum call be taken equally out of both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. Mr. President, all 100 Senators are involved today in a luncheon honoring the participants in the Senate youth program, and it is regrettable that we must proceed on the pending matter under those circumstances. It is my hope that, at about a quarter to one, I shall be able to yield to the distinguished majority leader [Mr. Mansfield] to speak on the pending cloture matter, but I ask unanimous consent that in the meantime I be permitted to speak very briefly on another matter.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

GOLD MINES ASSISTANCE ACT OF 1967

Mr. McGOVERN. Mr. President, on behalf of myself and Senators Bartlett, Bible, Cannon, Dominick, Fannin, Metcalf, Montoya, and Mundt, I introduce, for appropriate reference, a bill to preserve the domestic gold mining industry and to increase the domestic production of gold.

This measure is very similar to one

which I introduced during the 89th Congress, S. 2562. It provides for financial assistance payments to present and potential domestic gold producers based upon cost of production experience. Its purpose is to stabilize and increase the life of existing gold properties, provide financial inducement sufficiently attractive to reopen our dormant gold mines, and stimulate an agressive search for new gold ore reserves.

As I have stated on numerous occasions in the past, I believe the time has arrived for the Congress to recognize the fact that due to almost constant escalating costs of production our once thriving domestic gold industry is facing extinction.

I earnestly hope that we will take early and affirmative action on the remedial legislation which I am introducing today.

Mr. President, I send the measure to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 615) to preserve the domestic gold mining industry and to increase the domestic production of gold, introduced by Mr. McGovern (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

SENATE RULES—AMENDMENT OF RULE XXII, RELATING TO CLOTURE

The Senate resumed the consideration of the motion of the Senator from South Dakota [Mr. McGovern] to proceed to the consideration of the resolution (S. Res. 6), amending the Standing Rules of the Senate.

Mr. McGOVERN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Under the same conditions that the Senator previously indicated?

Mr. McGOVERN. Under the condition that the time be counted equally against both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. I now yield 10 minutes to the distinguished majority leader, Mr. Mansfield.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, at 1:30 the Senate will vote whether there has been sufficient debate on the motion to proceed to the consideration of Senate Resolution 6. An affirmative vote simply will mean that the Senate will at last get on with the business of debating the merits of Senate Resolution 6. This procedural question totally lacks any complication. I strongly feel that the question of a rules change must be faced; to do so requires it be made the pending business of the Senate. An affirmative vote for cloture today should not necessarily reflect the attitude of any Senator on the merits of the resolution itself. His vote today will demonstrate whether he will acquiesce in a germane discussion of Senate Resolution 6 on the Senate floor.

It so happens that I strongly favor the substance of Senate Resolution 6. I believe that a decision by three-fifths of this body—when the debate on any issue has been sufficient, when a debate has become dilatory, when the Senate should come to grips with the merits of an issue which involves conflicting and deeply felt convictions—affords ample protection to any minority and to the deliberate character of the Senate.

There is nothing magical about the choice of three-fifths. I am well aware that the three-fifths formula can be found nowhere in the Constitution or in the rules of this body. But in my opinion that fact makes it no less desirable. I simply believe that by adopting three-fifths, a proper balance would be struck between the competing interests and attitudes on an issue while still protecting the rights of a minority and the unique character of the Senate as an institution.

But the question before us is not Senate Resolution 6; it is not a proposal to change rule XXII; it is simply whether the Senate shall ever permit germane discussion on such a proposal. The question before us is the motion to proceed to the consideration of Senate Resolution 6. It is difficult for me to appreciate deep feeling or strong conviction on the simple procedural question of whether we should debate Senate Resolution 6.

However strongly emotions and convictions may run on the merits of the present rule XXII, or on how that rule would be changed by Senate Resolution 6, they are certainly misplaced at this time; we are one step removed from Senate Resolution 6.

The fact is, Mr. President, that the Senate has never been given an opportunity to pass upon this issue on its merits. The Senate has instead engaged and is still engaging in a nongermane debate, which most favorably can be described as premature and probably more accurately should be described as dilatory.

This biennial dispute for a change in the rules has plagued us for nearly 20 years. The Senate has never been willing to face up to its merits. I believe we have an obligation and a responsibility to do so now. On occasion in the past the Senate has been accused of not acting wisely; it should never be accused of not acting responsibly.

We decided last week by an overwhelming vote that the uniqueness of this body should be maintained; that reflection and deliberation should be assured on all proposals from whatever quarter. The choice last week was in my opinion a wise choice. A majority of the Senate could have decided otherwise. A majority failed to adjudge abuses under the present rules sufficient to justify an extraordinary method to effect a change in the rules. Our vote last Wednesday implied that the Senate was capable of coming to grips with significant issues.

Today's vote on this simple procedural issue will reflect greatly on the genuineness of those arguments and the validity of that judgment. Today's vote will be significant evidence to future majorities in future Congresses.

Already nearly 2 weeks of this Congress have been used up on this very simple procedural question. Over the years, countless weeks have been consumed on virtually the same question. I feel certain that if the Senate reaches this issue this year and decides the issue on its merits, whether there is a change in the rules or not, we will not be plagued by any serious effort to change the rules in the foreseeable future.

I add only that debate will not be choked off by voting for cloture today. Unlimited debate will then be available on the question of changing rule XXII. A vote for cloture today means only that at long last the Senate has shown a willingness to discuss openly and properly the merits of a rules change. I know the Senate is capable of handling such a debate; I hope its vote today will permit it.

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. Mr. President, I yield 5 minutes to the distinguished senior Senator from New York [Mr. Javits].

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, the Senator from Montana has stated, probably, the most broadly appealing "consensus" answer to the question we have today when he said that this motion is not a restriction of debate on the proposed change in rule XXII.

The motion is a motion to take up. It is not amendable, and it is, indeed, somewhat unusual that such a motion should be contested.

There are two things which I think are critically important in the consideration of this matter.

We who are on the side of changing this rule are generally referred to as the so-called liberal side. Whether that is true or not, those words are becoming rather outworn now. We have made our case that at the opening of every Congress a majority has the right to act to change a rule.

The Senate has turned us down. That is a historic decision.

We must say in fairness to the Vice President that he was the first Vice President who was able to put the matter to the Senate in a way which would give a decision on the basic constitutional issue.

We know enough about the operation of the Senate to know that when one loses, he loses. We are bound by the rule that debate can be stopped only by a two-thirds vote. That decision is ex cathedra, from the Chair. There we are, and we have to live with it.

The leadership has told us in unequivocal terms—and especially the majority leader—that when the majority of the Senate wants something it can get it.

Even if we cannot get two-thirds majority on this vote today—and I hope that we can—if there is a decisive majority, as I believe there will be, that wants to go into the matter of changing rule XXII, we may perhaps be able to see a demonstration of this idea of action. If a determined majority really wants to get something done here, if they have a case—and that is about the only way we know they have a case, is if a real majority wants it, it can be done.

I hope, therefore, that my friend, the Senator from South Dakota [Mr. McGovern], will persist in his effort, should that prove to be the vote, and that we will really try.

No other business is really pressing right now, anyway.

I am hopeful that we will really try to ascertain here if, when a decided majority wants something to be done here, it will be done.

My office has analyzed the cloture votes since rule XXII was adopted, to ascertain whether any of them would have been changed by a three-fifths rule. As far as we can determine, none of them would have been changed.

If the votes would not have been changed, what then is the significance of the three-fifths rule? The significance is that it is not as big a gun to be held at the head of the majority as is the two-thirds rule. It is more susceptible of being conditioned to allow this Chamber an opportunity to express itself.

To that extent, it is an improvement, and any inching up on this situation is an improvement.

I hope very much by the confluence of those two factors—first, that the three-fifths rule would not have affected any previous vote, and that it is not therefore an earth-shattering matter; and second that we will have an opportunity to determine whether, if a majority wants something done, it can be done—many Senators who may have some question about the matter itself will at least let us take it up or determine whether to take it up.

Senators may be convinced that the rule should be amended. Even though we do not have the necessary two-thirds majority but do have a decided majority of the Senate expressing itself favorably on that matter, I hope that we may determine whether a decided majority which expresses itself affirmatively on a matter can work its will.

Mr. McGOVERN. Mr. President, I yield 1 minute to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, during the last week or so of debate on the proposals to amend rule XXII, I have not been an active participant. This has not stemmed from any weakening of my belief in the absolute necessity of modifying what to many of us is a severe rule. My belief in the need for change in rule XXII is no less today than it was in 1953 when I first took a significant role in the effort to reform the cloture procedure. I have been gratified over the years since then to see an increase in the ranks of Senators who favor a more liberal cloture rule.

I know that some opponents of a change in the rule come from the less populous States; their position is rooted in a concern that the rights of small States might be overrun without the protection of unlimited debate.

Mr. President, I come from a State that has only a little over 1 million people, and I do not fear that their rights will be any less secure if we modify rule XXII. Apparently a number of other Senators from States with smaller populations share my feeling. The Senator from South Dakota is a cosponsor of the three-fifths proposal—a reform which the distinguished majority leader, the Senator from Montana, has said he favored. I am happy to see a substantial group of western Senators supporting reform in the cloture procedure.

I believe we are involved in an important effort to improve procedures by which the Senate conducts its business, while protecting the right of Senators to fully debate all issues.

Soon we will have before us the plan of the Senator from Oklahoma [Mr. Monroney] for reorganizing the operation of Congress. The Joint Committee on the Organization of the Congress has put in long months of effort in order to help make the Congress a smoother functioning and better equipped instrument of government. But as we all know, the Monroney-Madden committee was specifically precluded from doing anything about the rules. That responsibility thus falls directly on the full Senate. Rule XXII, as it presently stands, is a barrier to efficient representative government. It is a device for abusing free and full debate. We today must take the vital step to make our rules more effective servants of democratic government.

I intend to vote to invoke cloture so that the Senate can exercise its constitutional right to change its rules.

Mr. McGOVERN. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be divided equally between both sides.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. I now yield 2 minutes to the distinguished Senator from Tennessee [Mr. Gore].

The PRESIDING OFFICER. The Chair recognizes the Senator from Tennessee.

Mr. GORE. Mr. President, last week I opposed, with considerable vigor and deep conviction, the odd hypothesis, by way of advisory ruling, of the President of the Senate. I would again oppose, with whatever rules of the Senate were available to me, such stricture upon parliamentary procedure in the U.S. Senate.

Also, Mr. President, I am opposed to cloture being imposed upon the Senate by less than a two-thirds majority. Ample precedents are contained in the Constitution for action requiring two-thirds majority.

On the other hand, Mr. President, I am willing that a majority of the Senate eventually, after deliberate consideration, work its will with respect to the rules of procedure of the Senate.

With these views in mind, I shall today vote for cloture. I hold that the subject has been amply debated. I feel that eventually the Senate, by majority action, should be free to work its will with respect to its rules of procedure. I am prepared, and I believe other Senators have sufficiently considered the matter to be adequately prepared, to face that issue.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. Mr. President, I yield 1 additional minute to the Senator from Tennessee.

Mr. GORE. In view of the convictions that I entertain with respect to this issue, I have taken this brief period to state the reasons for the action which I shall take later today.

Mr. McGOVERN. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER. The Senator from South Dakota has 7 minutes remaining.

Mr. McGOVERN. Mr. President, I yield 2 minutes to the distinguished Senator from Kentucky, the cosponsor of the resolution.

Mr. MORTON. Mr. President, at this late hour, I take this action to appeal to many of my colleagues who voted in good conscience last week, when those of us who want to see some moderate change in the rules were defeated. I do not consider this a defeat for our position, because many Senators who voted as they did, did so because of what they, in their conscience, felt would be the establishment of a dangerous precedent in the Senate. The situation today is quite different.

For the past 8 years, I have either been sponsor or cosponsor of a measure to change the rules so that three-fifths, in effect, could terminate debate, after the necessary preliminary steps. I have always maintained that moderate changes are best in a legislative system.

Certainly, as one who has served in the minority during all but 2 years of my 18 years in Congress, I desire to see the minority position protected. I also feel that a majority has certain rights; and I trust that those who voted as they did last week will recognize the fact that entirely different issues are involved with respect to the vote we are about to take today.

I would trust that this issue, for which the Senator from New Mexico and I have fought for years, and which is now sponsored by the Senator from South Dakota, can be brought to a vote. I intend to vote for cloture. If cloture is obtained and a substitute motion is offered for the 51 percent aspect, I shall vote against it; because I do not believe that we should take extreme steps in establishing rules for our great legislative body, the Senate of the United States.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. Mr. President, I yield 1 additional minute to the Senator.

Mr. HOLLAND. Does not the distinguished Senator realize that if cloture were voted, we would surely then be faced with the proposal to substitute cloture by a mere majority for the cloture by 60 percent, which the Senator advocates?

Mr. MORTON. I realize that fully, and I am confident that we have the votes to defeat the 51 percent.

I yield back the remainder of my time.

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the distinguished Senator from New Hampshire.

Mr. COTTON. Mr. President, it was not my intention even to ask for this amount of time, but I wish to leave one point in the RECORD.

All through the debates that have taken place on this subject, both since the opening of this session and, to a great extent, in other sessions, the emphasis has been entirely on the matter of limiting or closing off debate. In my opinion, one point has not been emphasized sufficiently, and that is that whatever rule the Senate decides in its wisdom to adopt, when you provide the means of terminating debate, you are at the same time terminating the consideration of a measure by amendment, other than those amendments that have already been offered and have been read and have been frozen into consideration by the Senate.

I am well aware of the answer to this statement: Senators can file their amendments. I am also aware that if amendments are allowed after cloture has been invoked, although the 1-hour rule for each Senator would prevail, there could be rollcalls that would consume some time on amendments.

However, I well remember, when I voted for cloture in 1965, that I had an amendment which had been read before the Senate, and the distinguished majority leader, in his kindness and courtesy, made sure that the amendment could be considered. I discovered, however, that the amendment, which to me was most important, by a slight modification might well have been adopted. But the majority leader, in performing his duty—and he had to do it—objected when I asked for unanimous consent.

Consequently, amendments which Senators file, perhaps days and weeks in advance, are frozen; and when the gavel falls and cloture is invoked, the Senate has its hands tied, not only in the matter of making speeches—which is not, in my opinion, quite so important—but also in the matter of improving and amending and working the will of the Senate on legislation. It is a straitjacket.

It will be recalled that at the close of the last session, for reasons which were amply justified—I certainly am not criticizing the Senator—the majority leader laid a question before the Senate, and also a cloture motion the same day. It occurred at the end of the week. Many Senators were out of town; and, as I recall, only one or two Senators were present and were able to get their amendments filed and read to the Senate in time to be considered.

I almost made up my mind in 1965 that I would never vote for cloture again, because of what it did to the power of improving and amending a bill. However, that is not my determination. I stand ready to vote for cloture when the time comes that I am convinced it is necessary. But I do not intend to vote to relax the rules and make cloture easier, and my main reason is that it freezes the real consideration of legislation and the amending and the improving of measures before the Senate.

I yield back the remainder of my time.

Mr. McGOVERN. Mr. President, I yield 1 minute to the distinguished senior Senator from Minnesota [Mr. McCARTHY].

Mr. McCARTHY. Mr. President, I question whether the Senate has a constitutional right to require two-thirds vote on cloture to end debate on a matter which, under the Constitution, can be settled by a majority vote.

Mr. President, I also question whether this resolution is in order since I question whether rule XXII is in effect. This rule has been challenged by the Senator from South Dakota [Mr. McGOVERN], and, consequently, there has been no positive act of acquiescence so far as I read the proceedings of the Senate.

If the majority leader and the minority leader introduce de novo a resolution providing for the same procedure that is provided under rule XXII, this would then properly be before the Senate.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. Mr. President, I ask unanimous consent that the Senator may proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. But, Mr. President, since this resolution was introduced under rule XXII I believe the case can be made that it is out of order and that there ought not be a vote either for or against cloture under the resolution, at least until the Senate does give acquiescence to rule XXII. We really should refrain from voting on this resolution on the ground that it is out of order and should not be before the Senate, and I will support it only reluctantly.

Mr. McGOVERN. Mr. President, today is the 24th day of January. The Senate has been in session for 2 weeks. During most of that time the pending matter has been a simple motion made by the junior Senator from South Dakota that the Senate proceed to the consideration of Senate Resolution 6.

That resolution, which we are asking the Senate to consider, was introduced by the distinguished Senator from Kentucky [Mr. MORTON] and me on the opening legislative day of the session. It provides that after a reasonable period, debate could eventually be terminated by the votes of three-fifths of the Senate instead of the present requirement of two-thirds.

There is nothing revolutionary or radical or even very liberal about this proposal. Indeed, its chief characteristic is its caution and its conservatism. As the editor of the Washington Post put it in an editorial on January 13:

> The most striking aspect of the antifilibuster fight in the Senate is the extreme conservatism of the reforms offered.

Mr. President, on last Wednesday, the Vice President, while fully respecting the dignity, the constitutional rights, and the regular procedures of the Senate, made it clear that in his judgment there is a parliamentary method under which the Senate can work its will to terminate extended debate if a majority wishes to do so at the beginning of a new Senate.

The Vice President cannot be faulted by either liberals or conservatives for the manner in which he presided over our deliberations last week. The day may come when Senators are sufficiently fed up by some long and empty filibuster so that they will take advantage of the procedure outlined by the Vice President.

I ask unanimous consent that the conclusion of my remarks, an editorial in the Sunday Washington Post of January 22 relative to the exemplary conduct of the Vice President as presiding officer be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. But for whatever reason, the Senate decided last week that it did not want to use the procedure which was suggested at that time, so we now have no other recourse except to try to terminate debate under rule XXII, which requires the votes of two-thirds of those Senators present and voting.

I do hope that those who argued last week that they were interested only in the right of the minority to be heard and were not attempting to block orderly procedures in the Senate will recognize that the time has now come to terminate debate. After all, the present move for cloture seeks only to permit us to make the resolution of the Senator from Kentucky and me the pending business. We are asking only for the right that our proposal be considered.

Even if this cloture motion carries, there will be additional debate on the substance of the three-fifths resolution.

Frankly, Mr. President, I do not understand how those who believe in democracy can insist on forever blocking the right of a majority of the Senate to work its will. I was amazed by the bluntness with which some Senators attacked and ridiculed the concept of majority rule in their remarks on this floor last week. There seemed to be more reverence and loving care lavished on the rights of the minority than on the rights of the majority. I believe, too, that the minority should have a right to be heard. But the whole theory of democracy is that after the minority has spoken and all sides have been heard that we then abide by what the majority decides.

Webster's unified dictionary says of democracy:

> It is government with the consent of the governed, limited only by the fact that the laws and circumstances of the governed must accord with the wishes of the majority as expressed through the vote.

Frankly, I believe that the prestige and public respect for the Senate has been damaged more by the filibuster than any other single practice of the Senate. It makes us frequently the laughing stock of the country. How much better it would be for democracy, for the public interest, and for the dignity of this body if, after a reasonable period of debate, there were a procedure whereby three-fifths of the Senators, as proposed by Senator MORTON and me, or a constitutional majority of 51, as proposed by Senator KUCHEL and his cosponsors, were able to bring debate at long last to a close so that the Senate could work its will.

When Senators talk about this procedure for terminating debate as a gag rule, I would suggest that the real gag on the Senate is the power of a small number of Senators to paralyze this body with a filibuster. The real gag on the Senate is not majority rule, but the lack of it and the power of a handful of the Senate to frustrate the wishes of the majority.

The present rule requiring two-thirds of the Senators to terminate a filibuster was adopted in 1917. In a brief on the history of the limitation of debate in the U.S. Senate, prepared by Dr. George B. Galloway, senior specialist in American Government at the Library of Congress, we read these words:

> The cloture rule of 1917 was drafted by a conference committee of 5 Democrats and 5 Republicans named by their respective party organizations. This committee stated that its purpose was to formulate a rule that would "terminate successful filibustering."

Dr. Galloway continues:

> If the purpose of the cloture rule is to terminate successful filibustering, experience shows that it has failed to achieve its purpose in 23 out of 28 times.

The distinguished minority leader in his usual effective way reminded us that Columbus had been jeered by the majority. I would only like to point out that if a filibuster had prevailed in the court of Queen Isabella, Columbus would never have been given the opportunity to present his petition in the first place.

Both major political parties have endorsed reform of rule XXII. The 1960 Republican platform reads in part:

> We pledge our best efforts to change present rule XXII of the Senate and other appropriate congressional procedures that often make unattainable proper legislative implementation of constitutional guarantees.

The Democratic Party platform for 1964 reads:

> The Congress of the United States should revise its rules and procedures to assure majority rule after reasonable debate and to guarantee that major legislative proposals of the President can be brought to a vote after reasonable consideration in committee.

I strongly urge my colleagues on both sides of the aisle to vote in favor of cloture so that the modest proposal which Senator MORTON and I are offering may be made the pending business of the Senate.

Exhibit 1

Open Door: Balky Horse

The failure of the Senate to end minority rule within its walls is the more deplorable because the way to this long-awaited reform was so clearly marked out for it. The procedure followed was, as Senator Javits described it, an "historic break-through." It was firmly rooted in a sound constitutional argument. Yet it failed for want of majority support.

Credit for the strategy which led to the vote goes largely to Vice President Humphrey. This was recognized by Senator Javits in the debate on the floor when he said:

"It is the Vice President's procedure. He has given the Senate an opportunity, in a very astute manner . . . to get out from under an impossible situation. He has given us the opportunity to debate. On the other hand, he has given the majority the right to reach a decision at last. That fact appears to have been overlooked this afternoon."

In criticizing the Vice President for his failure to speak out clearly on the unconstitutionality of Rule 22 this newspaper did not sufficiently acclaim the notable contribution his ruling made. Our comment was directed solely at the absence of any explicit statement by the Vice President on the principles involved. This he left to others, feeling that, as the presiding officer of the Senate, it was not his function to expound upon the convictions underlying his action. The absence of a clear statement by the Vice President about the principle at stake was magnified, of course, by the inexcusable hostility of Majority Leader Mansfield to the concept of majority rule.

We persist in thinking that if the issue is properly defined and emphasized before the country Rule 22 must go. Senator Morse forcefully stated one reason why this is so. "With all that is going on in the world and in our country," he said, "we cannot, as Senators, justify continuing a rule that permits a willful minority in the Senate to block the welfare of the country, according to their minority sights."

The other reason why unlimited filibustering is no longer tolerable is that it offends the basic principles of American constitutional government. In effect the Senate has amended the Constitution so as to require a two-thirds vote for the passage of highly controversial legislation.

The fight for removal of this cancerous growth in our political system must go on. If the Senate can invoke Rule 22 on Tuesday to cut off debate on Senator McGovern's proposal for three-fifths cloture in future contests, that compromise will be a step in the right direction. But it will not, of course, be a final answer.

Every citizen who believes in the elementary principles of democracy will need to keep bearing down upon the Senate until it is ready to listen to reason. Fortunately, the Vice President's ruling will stand as a precedent. It means that the antifilibuster forces are free to press a motion for majority cloture at the beginning of any Senate session, that when a point of order is made against such a motion it can be voted down by a simple majority, and that the motion for cloture reform would then become the pending question. This is more than an invitation to continue the struggle. It is an open door to victory as soon as a majority in the Senate can find the courage to stand for the constitutional principle of government by the majority.

Mr. DIRKSEN. Mr. President, may I be made aware of the time that is remaining?

The PRESIDING OFFICER. The Senator from Illinois has 15 minutes remaining.

Mr. DIRKSEN. Mr. President, in all of the conferences we had last week when this matter was before the Senate I did offer to sign a cloture motion if there was comfort to be had from the prestige that the names of the two leaders might bring to the motion. However, I made no commitment and I felt that I made it abundantly clear that I did not intend to vote for the cloture motion, and I shall resist it today. I do so for the very simple reason that I am opposed to cloture by a majority, I am opposed to cloture by 60 percent, and I am opposed to cloture by any other means than that which exists in rule XXII at the present time. Now I take that position for a reason. In the first place it is not necessary to change this rule because nearly everything over the years that the Senate had to accomplish was finally accomplished despite the requirement of two-thirds.

There have been 7 times out of 36 endeavors since 1919 when an effort has been made to get cloture. They were successful on seven occasions but that did not mean that the subject matter and the legislation involved did not ultimately succeed because the footnotes that legislative counsel have prepared in getting up this little brochure on the subject of the cloture rule indicates that in all except three cases there was ultimately favorable action upon that legislation whether there was a single bill or a group of measures relating to a single part of the subject matter. So no one can say that the will of the Senate or the Congress was finally denied simply because of that cloture rule.

Mr. President, what happened was that the appropriate modifications were made, and rightly so. It then committed itself to the good thinking of the Senate and was finally engrossed on the statute books of the country.

If there is needed a classic example, the distinguished Senator from Florida sits in the Chamber now. Four times when I was in the House of Representatives I voted for outlawing the poll tax. I did it in the Senate notwithstanding the fact that the great leader, Bob Taft, of Ohio, who used to sit in this chair, said, "You have to do it by constitutional amendment." But the distinguished Senator from Florida undertook to pursue that course. What happened? In a jiffy, as constitutional amendments go, it went to the country. It was ratified by the necessary legislatures and that took care of the poll tax. Do not let anybody say that under the procedures today in this body that these things cannot be accomplished. The trouble is that too often it depends on whose ox is being gored.

There are on the cloture motion now two names of those in this body who participated in a filibuster on the satellite communications bill. We were at it for some 33 days, strangely enough. They did not want to be shut off at that time, but when it does not serve their purpose they would like to see that somebody else be shut off. On this side of the aisle 34 out of 36 Senators voted for cloture on that bill. Why? Because that bill had the endorsement of the President and three departments of Government. It had the endorsement of four senatorial committees. On this side there were only two who opposed cloture in order to get favorable action. On that side of the aisle the vote was 29 to 25. There is a clear example of whether you can get cloture when you have a case. But we have to have a case and very rightly so.

Mr. JAVITS. Mr. President, will the Senator from Illinois yield for a question or two?

Mr. DIRKSEN. I yield.

Mr. JAVITS. I have two questions I should like to ask the Senator. First, since the Senator said "when it commends itself to the Senate," does that not in effect mean when it commends itself to two-thirds of the Senate present and voting, rather than to any other size or number of Senators to whom it commends itself?

Mr. DIRKSEN. That is true.

Mr. JAVITS. Is that, in the Senator's view, compatible with the Constitution which states that a quorum of each House shall be adequate for the conduct of business——

Mr. DIRKSEN. It is.

Mr. JAVITS. Including a declaration of war?

Mr. DIRKSEN. There is a ruling to that effect. As a practical matter, I point out to my good friend from New York that had we not had the rule which is on the books today, repeal of section 14(b) would have been jammed through the Senate as it was through the House by twisting the arms of those tender, young Representatives, 47 in number.

What happened? Those Representatives either did not run again, they were defeated in the primaries, or they were defeated in the general election.

The repeal of section 14(b) could not be rammed through the Senate. The reason they could not do so was that we kept it alive until the country became aware of what was involved in the bill. That is when the mail by the millions began to hit the Senate, and where as many nonunion members as union members participated in that great flow of mail, to let the Senate know how they felt about repealing section 14(b).

If we had not had the two-thirds rule, it would have been a different story. Thus, it is a protective device not merely for the Senate but also for the people of the United States of America. That is the only way the people can be informed on an issue which is recondite or so obscure that sometimes even Senators do not quite know what the score is. It is only by belaboring it day after day after day that we protect the national interest. That is precisely what rule XXII does in its present form.

Mr. MILLER. Mr. President, will the Senator from Illinois yield?

Mr. JAVITS. Mr. President, I have one more question.

Mr. DIRKSEN. I yield to the Senator from New York.

Mr. JAVITS. I had two questions. I have one more I wish to ask and I will be only a few seconds.

Is it not a fact that this thing is as broad as it comes, that the communications satellite filibusterers would be shut off just as fast as other filibusterers? Is it not also a fact that the Senator presents us with a paradox that will never be resolved, because of the two-thirds rule, whether a majority was or was not for repeal of section 14(b); and therefore, that this is merely suspending the Constitution in favor of a Senate rule, which is not a feasible argument?

Mr. DIRKSEN. This is a rule of feasibility if I ever read one because, after all, this is still the people's country and it is in proportion as they become informed and we abide by their judgment that we preserve the nature of our Government. That is our great legacy today.

Mr. JAVITS. Many people believe that the Senator's viewpoint takes something away from them by the two-thirds rule instead of a majority which the Constitution says it should be.

Mr. DIRKSEN. A lot of people. But, let me remind the Senator, he classifies them as to economic groups who come in here and want something out of the Federal Treasury. That is quite a different matter.

Mr. JAVITS. It still can be less than a majority, I can assure the Senator.

Mr. MILLER. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I am happy now to yield to the Senator from Iowa.

Mr. MILLER. I thank my leader.

Mr. President, at the time Senate Joint Resolutions 6 and 7 were introduced, I stated that I would offer an amendment to each of them which would provide that cloture could be invoked by a three-fifths vote, provided—and this proviso is essential—a majority of the Senators from each of the two political parties present and voting also were included in the three-fifths vote.

I pointed out at the time these amendments were filed—and they are now on the desk of my colleagues—I felt that the present two-thirds rule was defective in that it provides a foundation whereby members of the majority party can, under conditions such as existed during the 89th Congress, put a time limitation on members of the minority party. Accordingly, the present rule is not satisfactory. It seems to me that progress can be made by slightly relaxing the number required to vote for cloture; namely, a reduction from two-thirds to three-fifths, while at the same time protecting the rights of the minority and insuring bipartisanship in the support of any issue underlying a Senate filibuster.

I would point out to my colleagues that in the seven instances that cloture has been invoked, a majority of Senators from the two major political parties present and voting did, in fact, vote for cloture. All my amendment would do would insure continuation of this bipartisanship.

I regret that there has been no firm indication from the proponents of Senate Resolution 6 that if cloture is now invoked they would accept my amendment. If this indication were forthcoming, so that we could be assured of voting for Senate Resolution 6, with the added proviso that a majority of the Senators from the two major parties present and voting also join in the vote, then I would be inclined to vote for cloture today.

In the absence of this assurance, I regret that I cannot do otherwise than vote against cloture.

I thank the Senator from Illinois for yielding to me.

Mr. DIRKSEN. Mr. President, the clock on the wall gives me a few moments to make my final observations.

This is the 90th Congress. As a parliamentary and legislative body, it is the oldest on the face of the earth which has undergone no significant change in that time. It has endured in peacetime and in wartime.

In this hemisphere, in one of the large countries in Latin America, the Government was also patterned on the Government of this country. But one thing they forgot to do. They forgot to safeguard their own proceedings, so that today when the President of that country does not like any delay on the part of the congress of that country, he can by fiat or by decree put into effect even a thing like censorship, so that no newspapers in that country can even discuss an issue such as inflation.

It is only because we have protected our procedures, particularly in this day and age, that this Congress has functioned as effectively as it has, and has served all the people.

We hear no great outcry from the people of this country to change the two-thirds rule. We hear it from the groups who want it made much easier to ram through the Senate panaceas and laws, bills and resolutions, which are usually self-serving rather than serving the public interest.

The pending motion should be voted down.

The **PRESIDING OFFICER.** Two minutes remain. Who yields time?

Mr. MANSFIELD. Mr. President, if no other Senator wishes any more time, I suggest the absence of a quorum to be called until 1:30 o'clock p.m., when it will be automatically terminated.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The hour of 1:30 p.m. having arrived, under the previous unanimous-consent agreement the Senate will now vote on the pending cloture motion. The pending question is: Is it the sense of the Senate that debate on the motion to proceed to the consideration of Senate Resolution 6, amending the Standing Rules of the Senate, shall be brought to a close?

Under rule XXII, the clerk will call the role to ascertain the presence of a quorum.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. DIRKSEN. A "nay" vote is in effect a vote against Resolution 6. Is that correct?

The **PRESIDING OFFICER.** A "nay" vote is a vote against cloture.

The clerk will call the roll to ascertain the presence of a quorum.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 6 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney

Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Oklahoma [Mr. Harris] is absent because of the death of his grandmother.

The VICE PRESIDENT. A quorum is present.

Under rule XXII, a yea-and-nay vote is required.

The pending question is: Is it the sense of the Senate that debate on the motion to take up Senate Resolution 6, amending the Standing Rules of the Senate, shall be brought to a close?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Oklahoma [Mr. Harris] is absent because of the death of his grandmother.

I further announce that, if present and voting, the Senator from Oklahoma [Mr. Harris] would vote "yea."

The result was announced—yeas 53, nays 46, as follows:

[No. 7 Leg.]

YEAS—53

Aiken
Allott
Anderson
Bayh
Boggs
Brewster
Brooke
Burdick
Case
Church
Clark
Cooper
Dodd
Dominick
Fong
Gore
Griffin
Hart
Hartke
Hatfield
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
Metcalf
Mondale
Montoya
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—46

Baker
Bartlett
Bennett
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Fannin
Fulbright
Gruening
Hansen
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Inouye
Jordan, N.C.
Jordan, Idaho
Lausche
Long, La.
McClellan
McGee
Miller
Monroney
Mundt
Murphy
Prouty
Russell
Smathers
Sparkman
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NOT VOTING—1

Harris

The VICE PRESIDENT. Under the provisions of rule XXII, two-thirds of the Senators present and voting not having voted in the affirmative, the motion is rejected.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is my intention to move to adjourn the Senate upon the completion of its business today. An adjournment of the Senate will automatically dispose of the motion to proceed to the consideration of Senate Resolution 6. That resolution would thus remain on the Senate Calendar.

The size of today's cloture vote reveals the futility as well as the frustration of proceeding any further with this matter at this time. The Senate has made its judgment, and the leadership will abide by it.

Our next order of business is the reorganization plan. No discussion of that bill will take place by its manager, the distinguished senior Senator from Oklahoma [Mr. Monroney], until tomorrow at the earliest. In that regard, and to put all Senators on notice of this next order of business, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 2 (S. 355), the legislative reorganization plan.

Mr. JAVITS. Mr. President, reserving the right to object, will the majority leader yield to me?

Mr. MANSFIELD. I yield.

Mr. JAVITS. May I ask the majority leader this question? We have had a vote on a constitutional issue, and we have had a vote on cloture, which a majority has voted for now. I ask the majority leader whether it is not more fair to the Senate, because of the fact that we have said here time and again that if a majority really wants something it can get it done, to persevere in this matter. The Senate is not that busy. The only other piece of legislation on the calendar is that of the Senator from Oklahoma [Mr. Monroney]. Rather than to pass immediately from this matter, considering that a majority wants it considered, to some other, because we are frustrated by the fact that two-thirds have not voted for it—serving to confirm what so many of us feel, that the Constitution has now been amended to provide for two-thirds rule—may I ask the Senator whether he would not permit us to try the cloture route once more, say next Thursday, and then dispose of this whole question this week, so that we may really see what the vote might be on reconsideration by Senators who have seen that a majority wants to consider this matter, and may therefore feel that perhaps the Senate can be more vindicated on that basis, by its perseverance in deciding the constitutional question, if we do allow debate to go forward at least on the merits?

Mr. MANSFIELD. Before I yield, on his request, to the distinguished minority leader, I know that the distinguished senior Senator from New York is well aware of the fact that what he proposes would be an exercise in futility and continued frustration. I do not wish to take the time of the Senate, unless there is a possibility of success.

I had been prepared, had the vote been reasonably close, to submit a second cloture motion today. But I think it would be a sham, a fake, and a phony thing to do, in view of the vote just taken.

I yield to the minority leader.

Mr. JAVITS. Will the Senator yield further to me?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I do not know, and I do not believe that that is true. I think this is a serious enough matter—I am only affirming my own bona fides—that the Senate ought to have a right to choose. Therefore, I ask the majority leader, would he mind, if we are to lay this aside and proceed to another matter, making such a motion, so that the Senate may vote whether it wishes to do that, rather than seeking unanimous consent?

Mr. MANSFIELD. No. I think that we are following the regular procedure, if the Senator does not mind, and if he does not know the futility of submitting another cloture motion today and voting on Thursday, then I must say respectfully that he is the only Member of this body who does not know it, because the facts speak for themselves.

I know of no Senator on this side who is prepared to change his mind, and I know of no Senator on the other side who is prepared to do so, either.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, here is an answer to my good friend the Senator from New York. This morning there came from the bill clerk's office 26 amendments to the Reorganization Act.

These amendments were all submitted by the very distinguished Senator from Pennsylvania [Mr. Clark].

Here is one to amend rule XXII.

Here is one to amend rule XIX.

Here is one to amend rule IX.

Here is an amendment to amend rule XXIV.

Here is another amendment to amend rule XXIV.

Here is one to amend rule XXXII.

Why, we will have rules discussions running out of our ears if we are going to exhaust all of these amendments submitted by my lovable friend the Senator from Pennsylvania [Mr. Clark].

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield to the distinguished Senator from South Dakota, the author of Senate Resolution 6.

Mr. McGOVERN. Mr. President, I asked the distinguished majority leader to yield so that I might make one observation. When the distinguished majority leader says that it would be a sham and a fake and a phony to try to continue this effort under the existing rules, it would certainly——

Mr. MANSFIELD. No. I said in view of the vote.

Mr. McGOVERN. Yes. When the majority leader said that in view of the vote it would be a sham and a fake and a phony to try to continue this effort under the existing rules, it would be equally true to say that it would be a sham and a fake and a phony to suggest that the majority of the Senate is now working its will.

Mr. MANSFIELD. In a sense, the Senator is correct because a majority of the Senate has voted to limit debate on the motion to proceed to the consideration of Senate Resolution 6, but, under the rules, we do not have the required two-thirds. Consequently, because of the wide disparity between those in favor and those necessary to cut off further debate, I cannot see by any stretch of the imagination anywhere near a sufficient change in votes to make it palatable to submit another cloture motion at this time.

Mr. McGOVERN. It does simply point up the frustration and paralysis that exist under the two-thirds rule that we are apparently consigned to operate under.

Mr. MANSFIELD. It does, to a degree.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Montana has the floor. To whom does he yield?

Mr. MANSFIELD. Mr. President, I yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I point out that even if the resolution of the distinguished Senator from South Dakota had been in effect, he would not have invoked cloture on this vote. He would have missed it by seven votes.

Mr. CASE. Mr. President, only six votes would have to be changed in order to prevail on another cloture motion, and knowing the Senators who voted as they did, I know that those six votes are potential votes; they are there.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, there you have the confession.

Mr. PASTORE. Mr. President, may we have order?

The VICE PRESIDENT. Let there be order in the Chamber.

Mr. DIRKSEN. Mr. President, they are just bargaining for time to carry on a campaign. What is involved here is whether we will do that at the expense of the time of all other Senators.

We have not put on a campaign. We let it stand for what it was.

If we had a three-fifths rule, they still would not have had enough votes.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, I call attention to the poor mathematics of the distinguished Senator from New Jersey, because it would take a change of 13 votes at the very best to diminish the 46 votes against cloture to 33, which is the maximum that could be voted without cloture being obtained.

Mr. President, I have heard just about as much concerning this so-called failure of majority rule as I am able to stand without commenting that the Senate, without a rule at all, but by long precedent, extending back to the earliest days of the Senate, has obeyed the two-thirds rule required for waiver of the rules, which is deeply imbedded in the precedents of the Senate.

Nobody has claimed that a majority should prevail in such a matter.

I think that the distinguished Senators have become involved so much in this matter that they have made it a kind of fetish.

The Senate has from its earliest days had the two-thirds requirement, for the waiver of the rules, not by rule, but by precedent of the Senate, adopted in the first instance by the consent of the body which wanted to get things done.

I wanted this statement to be in the RECORD before we terminated this debate.

Mr. CASE. Mr. President, I was in error in my computation. Thirteen votes need to be changed, not six. I still feel that I was right, in that there are 13 potential votes, after further debate, in favor of cloture, and that the Senate should continue to consider the matter.

Mr. JAVITS. Mr. President, I must say that all of these arguments are being made by those who oppose the rule change, and they are begging the question that the majority of the Senate apparently wants to consider the matter.

Talk about frustration and an abdication of constitutional process, that is it if I ever saw it.

I have always cooperated with the majority leader insofar as any human being could, and I shall always do so.

I must say, however, with all due respect, that I just felt in deep conscience that I could not sit here and let a unanimous-consent request go through in that way and throw the majority—53 Senators of the United States—out of the window. What are we? We are thrown out of the window by unanimous consent to go on to something else.

So, Mr. President, I object.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana. [Putting the question.]

The motion was agreed to; and (at 1 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, January 25, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 24, 1967:

DEPARTMENT OF TRANSPORTATION

Maurice Cecil Mackey, Jr., of Alabama, to be an Assistant Secretary of Transportation (new position).

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 24, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Rest in the Lord and wait patiently for Him; fret not thyself.—Psalm 37: 7.

Eternal God, our Father, who hast made us for Thyself so that our hearts are restless until they find rest in Thee, we pause in silence before Thee as we begin the duties of another day. We would quiet our spirits in Thy presence and find rest in the support of Thy sustaining strength.

Forgive our folly and our excuses, our coldness to human suffering, our indifference to those treasures of the spirit which are light and life, and our neglect of Thy wise and gracious laws. So change our minds and turn our thoughts unto Thee that we may walk in the way of Thy commandments and with courage serve our Nation, with compassion help our brethren, and with confidence keep our lives committed to Thee.

In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Vice President, pursuant to Public Law 86–420, appointed Mr. SPARKMAN, Mr. MANSFIELD, Mr. FULBRIGHT, Mr. MORSE, Mr. MOSS, Mr. MONTOYA, Mr. CHURCH, Mr. HOLLINGS, Mr. GRUENING (alternate), Mr. AIKEN, Mr. FANNIN, Mr. JORDAN of Idaho, Mrs. SMITH, and Mr. HANSEN (alternate) to be members of the U.S. group of the Mexico-United States Interparliamentary Group to attend the meeting to be held in Oaxaco, Mexico, February 8–15, 1967.

CARROLLTON'S MAN OF THE YEAR FOR 1966—ROBERT D. TISINGER

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, earlier this month the Honorable Robert D. Tisinger, of Carrollton, Ga., was elected Carrollton's Man of the Year for 1966 at that city's annual chamber of commerce meeting.

This award is significant at this time because Bob Tisinger, as much as any single person, has devoted his time, talents, and abilities to continuing the development and improvement of west central Georgia. He has been a tireless worker in behalf of soil and water conservation and a national pioneer in the development of legislation for the betterment of rural life in the United States as is shown in his activities in behalf of the rural electrification program.

Bob Tisinger has lived in Carroll County, Ga., most of his life on land acquired by members of his family over a hundred years ago. He is well known and highly respected by those who know him best.

At this point in the RECORD, I insert an editorial from the January 19, 1967, edition of the Carroll County Georgian which expresses the feelings of the people who have bestowed this high honor on an outstanding citizen of their community:

A SALUTE TO CARROLLTON'S MAN OF THE YEAR

R. D. (Bob) Tisinger has received the honor of Carrollton's Man of The Year for 1966 and most of this editorial will be devoted to a salute to this worthy citizen of this county.

But before the focus is turned upon the

one who was chosen, this newspaper would like to point the spotlight upon all six who were nominated.

One finds it hard to resist the observation that Georgia should have had as esteemed a group from which to elect a Governor.

The six nominees were: W. L. Lomason, F. M. Chalker, Rev. R. O. Flinn, Roy Richards, Howard Rinn and R. D. Tisinger. Now if you don't think it was difficult to make a choice from this group you just don't know the men. The choice was made in a secret, democratic, vote in the civic clubs of Carrollton.

It is assumed that every reader of this newspaper knows something about each of these men, but just a sentence or two about each must be included here.

Rev. R. O. Flinn—Probably the best known and the most loved Presbyterian pastor in Georgia; a guiding light of the Service Council, Oak Mountain Academy and Oak Mountain Chapel; a friend to every soul who needs a friend.

Roy Richards—Industrialist, business leader, a native of this county who has developed the county's largest payroll at Southwire; the only chairman Tanner Memorial Hospital has ever had; a man dedicated to progress of the people with whom he associates.

W. K. Lomason—Head of Douglas & Lomason Co., one of Carrollton's finest industries; contributor of over $100,000 in 1966 to provide the local funds for construction of a regional library.

F. M. Chalker—Superintendent of Carrollton's School System for 22 years; a leading layman in the First Methodist Church; past president of the Lions Club.

Howard Rinn—The only chairman Carrollton's Recreation Commission has ever had; past president of the Chamber of Commerce, Rotary, Service Council and a leader in most civic undertakings in this community.

Now we come to the winner, R. D. Tisinger, a man who makes his home in the Victory community on land that was purchased by his family before the Civil War.

The others will likely be nominated again and will be honored. All of them know it is a distinct tribute to their service to be nominated. We congratulate them all.

Educated in the Bowdon schools, the A & M College and Atlanta Law School, he has spent most of his 57 years in humble service to Carroll County.

Mr. Tisinger was one of the founders of the Rural Electric program for the county and for the nation. He still serves as national attorney for this organization. He was the architect of the Soil and Water Conservation programs of this county and continues to serve on these committees.

It was largely through his legal guidance and efforts that Tanner Memorial Hospital became the first hospital in Georgia to be constructed with the help of the Hill-Burton Act, and has been enlarged twice. He has always been a member of the Hospital Authority.

A staunch supporter of education at all levels, he has been in the front ranks of those who wanted to build better educational systems. He is attorney for the County School Board.

In business and industry, Bob Tisinger has always been ready and able to represent his county in any audience and before any group with a desire to provide more and better jobs in Carroll County.

Here is a man who is highly capable, brilliant in the law, with an enviable record behind him but still so humble and modest that he was actually amazed that his people should so honor him.

Bob Tisinger is the kind of man who would argue all day that any of the other nominees should have received the honor. The people of this city and county know that all the nominees were most worthy of the honor but in 1966 Bob Tisinger is our Man of The Year.

THE 100TH ANNIVERSARY OF SERVICE OF RICH'S DEPARTMENT STORE, ATLANTA, GA.

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, today Rich's Department Store in Atlanta, Ga., will celebrate its 100th anniversary of service to the consumers of Atlanta and the State of Georgia.

In commemoration of this occasion, Miss Celestine Sibley, a well-known columnist of the Atlanta Constitution and an accomplished author, has written a new book which will be released tomorrow, entitled "Dear Store—An Affectionate Portrait of Rich's." The publishers say:

> To celebrate the 100th anniversary of Rich's, Celestine Sibley, an Atlanta institution herself, has written a heart-warming, informative, and at times, very amusing account of the store that married a city and their century of happy life together.

Mr. Speaker, the successful growth of Rich's has been an exciting story. Currently one of the largest department stores in the United States, Rich's was founded in 1867 with a $500 borrowed investment.

This week, Richard H. Rich, grandson of the store's founder and present chairman of the board, announced a $115 million expansion plan to be carried out over the next 10 years. The plan is based on projections that the store's volume will grow from $150 million annually in 1967 to $200 million annually by 1977.

Mr. Speaker, the announced expansion and celebration of 100 years of service by a great Georgia institution are a tribute to Rich's management and further attest to the faith that all Georgians have in the continued growth prosperity, and development of our State.

There is a statue in our Nation's Capital which bears the inscription, "What Is Past Is Prologue." A taxi driver was asked by a visitor to Washington what that meant, and he quite appropriately replied, "It means, 'you ain't seen nothing yet.' "

The first century of Rich's has been great, and I predict, with my taxi driver friend, that the second century will prove that "you ain't seen nothing yet."

I join in congratulating the management and the employees of Rich's on a job well done.

HON. SAMUEL H. SHAPIRO

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, it is a distinct pleasure to have this opportunity to join my Illinois colleagues in paying tribute to our beloved Lt. Gov. Samuel H. Shapiro. That the Jewish National Fund has selected him as its man of the year comes as no surprise. The "Mr. Sam" of Illinois government, Lieutenant Governor Shapiro has distinguished himself in the legal profession, the State legislature, and the executive branch. His humanitarian efforts in the field of mental health have rightfully earned him the title "Mr. Mental Health."

I am proud to count Sam Shapiro as my good friend. Those of us who do so consider him a man of rare qualities. A devoted public servant who has great talent and proven abilities "Mr. Sam" has played a vital role in the tremendous strides that Illinois State government has made during the two administrations of Gov. Otto Kerner and Lt. Gov. Sam Shapiro. Those of us know him and have had the opportunity to work with him consider it a privilege.

It is appropriate that Sam Shapiro should receive the coveted Keter Shem Tov—the Crown of Good Name Award—at the January 31 dinner. His unselfish deeds on behalf of his fellow man deserve recognition. The symbolic religious citation which the Keter Shem Tov represents is a fitting honor for this great man.

To Sam and his lovely family I wish them every success and continued good fortune for the future.

DEPARTMENT OF JUSTICE ATTEMPT TO BLOCK FEDERAL COMMUNICATIONS COMMISSION APPROVAL OF THE ABC-ITT MERGER

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, the 11th-hour attempt by the Department of Justice to block the Federal Communications Commission's approval of the ABC-ITT merger should cause serious concern to all Members of the House of Representatives.

I am convinced the entire regulatory process is endangered by this late action. The FCC was established by the Congress and operates under its strict surveillance. After a year's study the merger was approved. And it was only approved after the Department of Justice indicated that it had failed to turn up evidence conclusive enough to warrant the filing of an antitrust suit.

I believe the FCC by its exhaustive study of the merger is in the best position to judge whether the merger is in the public interest and this it has done. What the Department of Justice is in effect saying to the FCC is that we do not have a case but we think you should reverse your decision. There is positively no basis for this action and I believe that the duties, responsibilities, and integrity of the members of the FCC must be upheld.

I would also like to include in my remarks the editorial from the January 23 issue of Broadcasting:

A Word From the Department of—What?

"It is hard to believe that the Department of Justice was acting wholly on its own initiative when it asked the FCC last week to reopen the ABC–ITT case. That the department would wait so long to apply for entry as a participant suggests that it was pushed into an action that it had been unwilling to take when earlier invitations were extended.

For the time being, however, the motivation of the department may only be conjectured, and indeed it is secondary in importance to the effects that could flow from the kind of procedure that the department has proposed. What Justice is attempting here is a short-cut to enforcement of its current antitrust philosophy, without going through the difficult course of prosecution in the courts under the antitrust laws. If this short-cut leads to Justice's desired ends, it could easily become the road to nowhere for any large company that seeks to enter broadcasting through the acquisition of existing properties.

The Justice Department has based its petition to the FCC entirely upon what it regards as potential injuries to competition in broadcasting. It implies that if admitted to the case, it will attempt to persuade the FCC to deny the merger on the grounds that the anticompetitive effects would be against the public interest.

Undeniably, the FCC has broad powers to grant or refuse broadcast licenses according to its appraisal of the public's interest in the outcome. It may even have the legal power to do what Justice asks. But in this case it is being urged to reverse its own decision that the public interest would be served by a union of ABC and ITT. And it is being urged to change directions on a very narrow interpretation of the nation's antitrust policy.

Now antitrust law is very complicated—so complicated that the Justice Department itself, the government agency that is most expert in the subject, loses a good many cases that it prosecutes. Neither by design nor practice is the FCC competent to sit as a court in the trial of an antitrust matter. And that may be the very reason for the Justice Department's selection of the FCC as the forum for attacking the merger of ABC & ITT.

By Justice's own admission, the department has been investigating the merger for more than a year. By now it ought to know whether it has a case that would stand up in the orderly procedure of a federal court trial. If it thought it had one, it could have filed in federal court an appropriate suit to enjoin their merger.

There is every indication, however, that Justice would prefer to queer this deal without risking embarrassment in court. Last Nov. 3 Donald Turner, the antitrust chief, asked the FCC to defer action on their merger until the department could complete investigation. Mr. Turner said the investigation "indicates a sufficient possibility of significant anticompetitive effects to indicate that substantial antitrust questions are presented." On Dec. 20, Mr. Turner advised the FCC that there were anticompetitive problems that the FCC ought to consider, but he said his department had failed to turn up evidence conclusive enough to justify the filing of an antitrust suit. Last week's petition to the FCC suggests no accumulation of new evidence.

It will take uncommon courage for the four-man majority of the FCC that approved the merger last month to stick by its position, but stick by it it must. The essentials of the case before the FCC have in no way been changed by the Justice Department's earlier letters or its petition of last week. Justice's own actions have been only a hindrance to the commission's disposition of the matter.

If Justice truly believes that the merger violates the antitrust laws, it can test its belief in the forum that the law provides, the federal court system.

MODERNIZING CUSTOMS CHARGES FOR AIRCRAFT AND MARINE VESSELS

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, I am today introducing a bill designed to largely eliminate user charges assessed to airplane pilots and boat operators when they require customs service after regular hours.

Under the present system, there exists confusion and inequitable treatment. Operators of small aircraft and maritime vessels entering the United States at times other than weekday business hours are caught in a strange game of chance that frequently proves more costly than entertaining. This element of chance involves who will check them across the border: a customs officer, or an immigration officer. The winners of this game are those inspected by immigration officers. They are charged no extra fee. But those inspected by customs officers are the losers, as they are charged for the officers' overtime wages. This cost can run as high as $60.

Aside from the confusion and understandable resentment that exists because of this inconsistency, the overtime charges, themselves, are—in my judgment—discriminatory in that such charges are not made of people crossing the border by land.

I believe it is in the best interests of the growing number of pilots and marine vessel operators, as well as in the best interests of the economies of the comunities located along our national borders to revise this present system.

Much mail has commented on the detrimental economic effect of these customs charges. The statement of the Bellingham, Wash., Chamber of Commerce said:

> Because of the necessity for paying this overtime Customs service, those utilizing Bellingham Airport claim the airport usage has been reduced and held back. This, in turn, has served to affect the economy and progress of Whatcom County and Bellingham.

The Snohomish County, Wash., Airport Commission passed a resolution stating, in part:

> Whereas, the Snohomish County Airport Commission is vitally concerned with the continuing development of aviation and aviation commerce to the betterment of the community, and whereas, the Commission believes United States' overtime charges are detrimental to aviation development and aviation commerce [we believe] the abolition of these overtime charges will assist the Snohomish County Airport Commission in encouraging and promoting aviation and the aviation industry in Snohomish County and surrounding areas.

George C. Petrie, has written, saying:

> As Manager of the Snohomish County Airport, I feel the present overtime charges by the United States Customs Service has a detrimental effect on general aviation. This airport is located only 67 nautical miles from the Canadian border, and I feel the inequities of the overtime charges restrict flying activity between the United States and Canada. Snohomish County is attempting the further development of aviation in our area.

I have also received letters supporting this bill from the Anacortes Chamber of Commerce and the port of Bellingham, among others in my district.

Further, outcry against the present regulations from throughout the Nation demonstrates this is not a problem restricted to the Pacific Northwest.

With this bill I am introducing today, we are recognizing that off-hour border crossings are no longer a strange exception. In 1911, there were few aircraft, and fewer still engaged in international flights. Today, there are more than 100,000 private aircraft and hundreds of thousands of individuals who are licensed to fly them.

The growth of boating throughout the Nation has been astounding. The Puget Sound area is the "Pleasure-Boating Capital of the World." The vast area of navigable waters open to boaters lies on both sides of the international border. But present regulations hamper convenient international boating on weekends when boating activity is at its peak. And boaters in areas of the country other than the Northwest are hampered by present regulations.

It is not unreasonable for boaters and private pilots to require service on Sundays, holidays, and during the early evening hours. These are, in fact, the very times that private boaters and pilots would most reasonably be expected to need the service: the times when they are on weekend and holiday outings.

The basic reason so many people are concerned about present policy is that it requires exorbitant charges for service at "eminently reasonable" times; namely, on their "days off." Commerce and travel in the United States today are not simply an 8-to-5, week day proposition, and administration of services required by the Government should reflect that fact.

The present regulations were established in 1911—when such boat and aircraft travel was very limited. This is 1967, and I believe it is obvious that the present regulations are unreasonable. They need to be revised.

FEDERAL SAVINGS AND LOAN ASSOCIATION ACT OF 1967

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, today I am introducing a piece of legislation that

I believe will be of significant value to the whole structure of our economy. The Federal Savings and Loan Association Act of 1967 is similar to legislation that I sponsored in the 89th Congress, and I am hopeful that the 90th Congress will give this bill the full and clear hearing it deserves.

The legislation I am introducing today amends section 5 of the Home Owners Loan Act of 1933 by providing that in addition to withdrawable savings accounts, a Federal savings and loan association can raise capital by issuing guarantee stock to its savers representing the total value of the reserve of the institution. The association would also be permitted to sell an additional amount of stock to its shareholders or the general public. This nonwithdrawable stock will constitute additional reserves for losses, and its owners will be the last to participate in the event of losses.

In addition the legislation will allow associations complete conversion privileges providing for conversion from State to Federal charters, or Federal to State, and conversion from mutual to capital stock or vice versa.

The need for such legislation was prompted by Congress when in 1962 it passed the Revenue Act that in effect imposed a tax levy on the savings industry which has materially affected the operations of Federal associations and will continue to do so in the years ahead.

Presently, federally chartered associations are organized exclusively as mutual institutions and must rely on current earnings to meet the cost of increased reserve and tax requirements. Since reserve allocations are based on the growth of the association there is a practical limit on the expansion of a Federal association since the institution must for all practical purposes rely on current earnings to finance its growth. This practical inequity would be relieved in that an association would have an additional method to increase its capital.

A number of major benefits would accrue from the passage of this legislation. First, Federal associations would be given a rightful opportunity to take advantage of growth prospects. This bill would provide the needed flexibility to allow a Federal association to raise capital enough to make it possible to grow rapidly when the time is right.

Second, the machinery outlined in the bill will help in providing associations with incentives for better management and more efficient employees. Those officers connected with the association and own stock are in a position to increase their own worth if the quality of their service results in the association's increased growth and profits.

Third, stock corporations are more easily explained and understood by the American public than the type of mutual institutions that we now operate through. It is doubly difficult since mutual associations are really not "mutual," and the dividends we pay are really not dividends.

Fourth, it will enable associations to increase their reserves. A stock association can better accommodate to regulations related to growth and asset quality. They are also more flexible in meeting the capital needs of the communities they serve.

These are just a few of the major advantages that would become reality if this legislation is passed. As I pointed out last year when I introduced a similar version of this bill, holders of more than 20 million savings accounts with Federal associations throughout the United States could receive the benefit of a cash dividend if this legislation were to be adopted and all existing institutions put the plan into effect. The obvious benefit to the Nation's economy would be far reaching.

THE PRESIDENT'S MESSAGE ON OLDER AMERICANS

Mr. KARSTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. KARSTEN. Mr. Speaker, President Johnson enunciated a vital proposition in his message yesterday on older Americans which I would like to support wholeheartedly. He told us of his concern for those aged who are now destined to spend the final years of their lives under constant care and attention in hospitals and nursing homes. He pointed out that we can lighten the burden of these people through more forceful community action to provide services, not in institutions, but in their neighborhoods, in their own communities.

Institutions are necessary, important, and vital for the care of those too sick or feeble to help themselves. And they should not be burdened with citizens who, with a little supporting service from the community, could be happy and well cared for in their own homes.

Every community in the country that can afford to build and support nursing home beds can support alternative community services. It costs no more. In hundreds of communities over the country, home care services are operating to keep old people out of hospitals at a cost that is a fifth or a tenth of hospital costs. How much better would it be to invest that money that would go into bricks and mortar into people?

Imaginative leadership in every community could provide meals to the sick or old at home, hot meals once or twice a day, and the friendly visitor who brings the meal and sits and chats for a few minutes will make the difference between the old person at home and an old person in an institution.

Homemaker services can provide shopping, baby sitting, cooking, even some home nursing service, and keep old people in their homes.

Mr. Speaker, for the sake of the dignity of the old people, to lighten and cheer their last years, to keep them comfortable and happy, we must do everything possible to keep them out of institutions and in the community. We can have day hospitals for those who need some medical care or physical therapy, and transportation to take them back and forth to clinics. We can provide nursing care at home, homemaker, and meal services.

The benefits will be for all of us. We will rejoice that our old people—fathers, mothers, aunts, and uncles—will not be lost in the shadows of institutional neglect. We will provide increased opportunities for employment to workers in the health occupations in these relatively unskilled services for community care. We will be sharing the heavy load of scarce professional workers caught up in institutional work, freeing them for more important duties. And we will be using the communities' moneys effectively, efficiently, and economically.

Finally, Mr. Speaker, the major social security benefits increases the President has recommended will go a long way toward underpinning the security and dignity of our older citizens. Too many of them are poor, or almost poor. These increases are a great step toward bringing them up to a realistic and decent standard of living.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that the Committee on Science and Astronautics be allowed to meet this afternoon in connection with its scientific panel now in session.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MEETING WITH SPACE OFFICIALS

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the house for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, the coming year will be a year of significant achievement in our Nation's space program. It will also be the year in which we shall reach the peak of our efforts in many of the important projects being carried out by the National Aeronautics and Space Administration.

Consequently, I have arranged for a meeting for the new Members of this 90th Congress to talk to NASA Administrator James E. Webb, Dr. Wernher von Braun, one of our astronauts, and other senior officials of NASA to help them get acquainted with the space program. This meeting is scheduled for Wednesday, February 1, at 10 o'clock in the committee hearing room in the Rayburn Building.

We have an interesting program planned. Also there will be an opportunity to ask any questions of concern about the space program. I am sure that those new Members who have not had an opportunity to get a first-hand appraisal of the program and have not had a chance to meet these distinguished men will find this to be an enlightening and memorable session. I urge all of our new Members to attend.

Invitations are being sent to the new Members with an agenda for the meeting. I hope all of them will come.

THE LATE HONORABLE BRADY GENTRY

Mr. FISHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, our former colleague, Brady Gentry, passed away on November 9, 1966. He served with distinction in this body from January 1953 to January of 1957, and voluntarily retired from Congress after the two terms.

Even though he was in the House for a relatively brief period, during that time he established an enviable record as a man of strong convictions, sound thinking, and courageous action. He was a man of great ability, and while here made a valuable contribution to the cause of good government.

Born March 25, 1896, in Van Zandt County, Tex., Brady Gentry was educated at East Texas State College and at Cumberland University. He served in Europe during World War I, was made captain of infantry, and was gassed during combat. Gentry served as county attorney of Smith County, Tex., then as county judge, as chairman of the Texas Highway Commission for a period of 6 years.

Mr. Speaker, Brady Gentry was one of the most sincere and devoted statesmen who has ever served in this body. He left his mark here. A bighearted man, he concerned himself with the well-being of the rank and file. The poor and the unfortunate always found a friend in Brady Gentry. Many of us were proud to be considered among his host of personal friends.

Mr. Speaker, as part of my remarks, I include an editorial from the November 11, 1966, issue of the Tyler, Tex., Courier-Times:

BRADY GENTRY, PUBLIC SERVANT

In the death of Brady Gentry, Tyler has lost one of its most distinguished public servants. His achievements for the public good were numerous and on many levels, from local to national.

He was notably successful in leading the way to systems of improved highways, first in Smith County and then in Texas. He was recognized as a national authority on highway administration and in 1943 was chosen as president of the American Association of Highway Officials. During his two terms in Congress he was a member of the Committee on Highways and Roads.

The highway network he developed in Smith County has been described as a model *that served in helping create the Texas system.* And it was under his direction as chairman of the State Highway Commission that the farm-to-market road system came into being.

As a member of the House in Washington, he became known as a well informed congressman on legislative matters and one who dared vote his convictions regardless of party lines.

Shortly Mr. Gentry retired from Congress, Rep. Clark Fisher of San Angelo described him as "the most interesting person I have met in Congress during the 14 years I have served."

Fisher added: "Never a party hack or narrow party-liner, Brady Gentry always put the good of the country ahead of political considerations as he cast his votes. What greater tribute can be paid any man? His stature rises high above the run of party politics and back-scratching techniques."

Such qualities marked the career of Brady Gentry in all levels of his public service. They earned for him the high respect of the people over the many years, including the many friends who now mourn his passing from the human scene.

HON. BRADY GENTRY

Mr. FISHER. Mr. Speaker, I ask that the gentleman from Texas [Mr. ROBERTS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROBERTS. Mr. Speaker, in 1935, as a part of the National Youth Administration I moved to Tyler, Tex., and first became friends with the then County Judge Brady Preston Gentry. Judge Gentry later became Congressman Gentry from the Third Congressional District of Texas. He was one of the most unusual men ever to serve in Congress. Though a quiet man by nature, when he spoke people listened, and they learned. He was a man of high ideals and would not hesitate to place principle above party when in his opinion the situation called for it.

His election to the 83d Congress in 1952 was the crowning moment in an already brilliant public career. He was a combat veteran of the First World War, rising to the rank of captain of infantry. After serving a term as county attorney of Smith County, Tex., he became county judge, serving from 1931 to 1939. As chairman of Texas State Highway Commission from 1939 to 1945, he distinguished himself as one of the Nation's foremost authorities on highways and public roads.

In 1954, the people of the Third District reelected him to the 84th Congress over strong and dedicated opposition, thereby giving him a much deserved vote of confidence.

He did not seek reelection at the end of his second term of Congress, but returned to his native Tyler and resumed the practice of law.

In private life, Congressman Gentry never married. However, the number of boys and girls he helped to educate and give a start in life is untold and perhaps even unknown, except by those who were the beneficiaries of his benevolence.

On November 9, 1966, he lost the battle of this life and won the battle for eternal life. East Texas, Texas, and the Nation will long mourn and forever remember Brady Preston Gentry.

TALK OF CUTTING THE NONDEFENSE SPENDING IN THE 1968 BUDGET

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, there has been much talk of cutting the nondefense spending in the 1968 budget. Some say, if we do this we can avoid a tax increase.

With all due respect to the advocates of this idea, I believe it warrants a few minutes of examination. First, $4.7 billion, the amount estimated to be obtained by the President's tax proposal is a very large sum to cut from nondefense expenditures. Where can we get that much? Obviously, most of it will have to come from places where the big money is. Places like—

Agriculture with its rural electrification loans, soil and water conservation, loans and grants for farmers to improve their homes and to buy needed farm machinery, and other programs designed to raise the income level of the farmer;

Health, education, and welfare programs, which means cutting back on health research, aids to schools and students, help for the needy, the aged, and the infirm;

Housing and urban development programs, while our communities are crying out for help to stem the urban blight where crimes festers because of poor living conditions;

Antipollution programs designed to diminish the filth in our streams and rivers, to abate smog, and build modern sanitation facilities;

Antipoverty programs to improve the lot of the unemployed and the underemployed;

And from a lot of other programs which the Congress has authorized over the years which have helped to make us the great Nation we are.

I have heard it said that our space program and the foreign aid programs could be sharply slashed. Perhaps that is so, but, and it is a mighty big but, you just cannot cut enough out of those programs to make up $4.7 billion.

So let us not delude ourselves into thinking it will be easy to achieve a $4.7 billion reduction. And when we make speeches about cutting that much out of nondefense spending we should be honest enough to identify where, what, and by how much we would cut specific programs.

NEEDED—AN UNDERSTANDABLE POLICY IN VIETNAM

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, an understandable American policy in Vietnam is urgently needed. We do not have one—or at least if we do it is perhaps the No. 1 best kept secret both at home and abroad. Many people believe that our participation in an undeclared war, 10,000 miles away in Vietnam, is the wrong kind of war, at the wrong time and in the wrong place. Certainly a land war on the continent of Asia in a hostile environment with a supply line reaching halfway around the world is the wrong place in the judgment of every trained military man, be he five-star general or buck sergeant.

But—and it is a big "but"—we are now heavily committed by the Johnson administration in Vietnam, rightly or wrongly, to the extent of nearly half a million American lives. We cannot now simply walk out on these men. We cannot now pull back to enclaves on the beachheads. We cannot now, having gone this far, say to the Communist aggressor, we will go no farther; we will sit here until you negotiate or we are destroyed.

Such indecisiveness is not a policy worthy of the name. It is chaotic and confused, as well as a virtual betrayal of every man in uniform in Vietnam. It invites attrition, guarantees eventual defeat, and exhibits to the world a weakness in American government which is the proper relationship of civilian political control over the military in time of war. Surely the Joint Chiefs of Staff are not responsible for, and want no part of, the sometimes inadequate military tactics that have characterized much of the American performance in Vietnam to date. Examples are legion, but only two need be mentioned. First, leaving the port of Haiphong unmolested while supplies used in killing Americans are received and handled on a daily basis in huge quantities; and second, sending the cream of America's pilots to battle will-o'-the-wisps and jungle swamps to a point where they are publicly begging to be given "half a chance to win."

Even if we could get our entire 450,000 men back home without a further casualty we could not abandon the courageous South Vietnamese to the tender mercies of the Vietcong. Eighty percent of these brave people voted for freedom at the risk of life and limb. We promised them that we would underwrite their independence when we should instead have helped the French to defend Vietnam against the Communist Ho Chi Minh on condition that a timetable spell the end of colonialism and assure the eventuality of independence for all of Vietnam. Then it was France in the frontline, asking for our help and we said no. Now it is us in the frontline, virtually alone, asking not only the help of France but of the entire remaining free world and they say no.

Something must be radically wrong with our position in Vietnam when we continue to fight on almost alone. What is it?

With every passing day of this sorry war we go further into monstrous debt, lose more and more frontline planes, wear out more and more carrier decks, lose more and more combat pilots, sap the reserve strength of more and more home based divisions—all while the Soviet Union grows relatively stronger, and the free world is appalled that the mighty America cannot even win a war in an area no larger comparatively in terms of world affairs than a football field.

So, Mr. Speaker, since we cannot now withdraw with honor, and we must not condemn our loyal troops to slow attrition in the swamps by a mere holding operation, there is but one policy that has validity at this hour, a policy which transcends political considerations and ought to be supported by Republicans and Democrats alike in the interests of getting this abominable war over with as soon as possible.

This policy is for our President to announce to the Vietcong and to North Vietnam that their continuing aggression against South Vietnam must be stopped. That to do this means to effectively cut off their supplies, and that the United States is first declaring a blockade of Haiphong and if this fails will block the entranceway to Haiphong, and if this fails will, as a last resort, destroy the port facilities at Haiphong.

That the United States will proceed to destroy the airstrips and Sam sites of North Vietnam and that if the North Vietnamese deliberately locate these in the middle of civilian populations, they must realize that this will not shield them.

That the United States will not use atomic weapons, or bugs or chemicals, but that the independence of South Vietnam will be attained and a beachhead of freedom established and maintained in southeast Asia.

And, finally, that they and the world should now know that unless the Communist aggression is ended it will mean such destruction of North Vietnam as is necessary to win and end this war.

Mr. Speaker, here is a policy our Armed Forces and the world can understand. Here is a policy that will mean independence for South Vietnam. Here with such a policy will be marked the resurgence of America's declining leadership in a deteriorating situation. Here is a policy that will unite, inspire and highly motivate the South Vietnamese who know so bitterly that the source of their scourge is North Vietnam.

Actually, there is no other choice. The demand to negotiate now falls on deaf ears. And why not? For it is we who are losing in Vietnam, blood and billions and staggering commitments of reserves.

The Communists know this. It is to their advantage to keep us thus committed—indefinitely if they can.

Our present indecision means just this. It is playing into the enemy's hands. It is unfair to our troops and downright deceitful to the concerned families back home.

Let us lead in Vietnam. Let us get this war over with. Let us for once do something because it is right and necessary and not because it might or might not mean some votes on some future election day.

After all, we are on God's side, and there can be no greater cause than freedom and independence and eventual genuine peace, everywhere in the world.

This can never happen in our lifetime if Communist aggression succeeds in South Vietnam.

WHICH WAY SOCIAL SECURITY, MR. PRESIDENT?

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, later this week I expect to introduce legislation to improve benefits under social security and to provide automatic cost-of-living increases whenever there are increases in the cost of living.

But in view of the fact that the President has submitted his message on this general subject, there are some statements in the President's message that ought not go unchallenged.

Much of the President's remarks were directed at the problems of the aging in general, but even then the President used a broad brush treatment leaving an implication that all our aging suffer from such things as "poor health facilities, inferior recreation, and rehabilitation services," and poor income.

The President says social security benefits today are grossly inadequate but by failing to define what he regards as inadequate he leaves the impression that the social security system was designed, of and by itself, to provide an "adequate" income, when in fact it is intended to be a floor and not to relieve individuals of their obligation to plan, to save, and to supplement.

He proposes including as eligible for social security, new classes of people who have never made any contribution to the system, and who therefore would be drawing benefits rightfully belonging to others who have contributed to the system.

He proposes a substantial three-step increase in the wage base and the tax base in spite of indications that this is unfair to millions of younger Americans who under this schedule will receive far less in their retirement years than they contribute to the system. Also I wonder whether he has perceived that this sharp increase in the wage base, is a penalty imposed on those employers who pay higher wages for it is they who will have to pay a higher employer's contribution, while employers whose wage rates are low will be rewarded, tax wise, for so doing.

The President suggests more rigid Federal standards for the various States to comply with, ignoring complaints from many Governors—including the Democrat Governor of Missouri—that States should not be forced into any program through Federal legislation that imposes upon its citizens additional State taxes, to which they or their elected representatives have not consented—see attachment.

The President makes the bland statement that before medicare, many older Americans needlessly suffered and died because they could not afford proper health care. Such a statement is patently false and I doubt that it can be supported by any responsible studies. It is indeed an old "bromide."

The President says that opportunities must be opened to many Americans over 45 who are qualified and willing to work, and says we must end arbitrary age limits on hiring. If the President is to practice what he preaches, he should look first at the present hiring policies of the Federal Government, for surely it is more arbitrary in this respect than most private agencies. If anyone does not believe this, let them reach the age of, say 50, and then apply for normal civil service employment.

Mr. Speaker, the Republican proposal for an 8-percent increase in benefits falls within the framework of available financing without increases in taxes. Let us look at some of the changes which show what a problem this has become.

When the program was started a quarter of a century ago, projections were made for a payout of $2 billion for the year 1967. The payout this year will total $26.3 billion.

When the program started, the original plans called for a 6-percent annual tax on the first $3,000 of income for the year 1967. Workers and employers this year will pay 8.8 percent on the first $6,600 of earnings.

It was originally projected that the fund would take in $2.8 billion during 1967. It will actually take in $25.9 billion this year, $400 million behind the payout.

It was originally planned for the trust fund to hit $54 billion this year. It is now at $23 billion, less than 1 year's payout.

Already, social security has left the present wage earner behind. The Tax Foundation points out that a 21-year-old man putting in 44 years of work, at today's tax levels, will have paid in $32,496 including taxes and simple interest, to the fund. Based on a life expectancy of 13 years after he reaches 65, he will collect only $19,704 in benefits. This difference will increase if the President's proposals are adopted in their present form.

I suggest, Mr. Speaker, that the Congress has two choices before it:

It can pass responsible legislation, to raise the floor to the new level which Johnson inflation has made necessary, and maintain that level by incorporating "cost-of-living" increases thereafter, which require no tax increase.

Or, it can destroy the very system it created by creating new stresses, by attempting to do too much for too few now and challenging the credibility of the whole system in the eyes of those who now work and contribute to the fund.

I hope Congress will have the wisdom and the willpower to do the former and not the latter. Otherwise we will fail in our obligations not only to the older citizen, but to all citizens who have such a vital stake in a sound social security program.

The article referred to follows:

[From the Springfield (Mo.) Leader & Press, Jan. 21, 1967]

NEW CLASH WITH LBJ—HEARNES WARY OF "MEDICAID"

ST. JOSEPH, MO.—Gov. Warren E. Hearnes said Friday night he is wary and concerned about the so-called "Medicaid" provisions under Title 19 of the Medicare law.

He said he has written all members of Congress from Missouri and all governors about the dangers of the costs to the states of the mandatory requirements in the bill for care of the medically indigent.

Hearnes has been critical of the Johnson administration before. He was one of two governors who refused to endorse the President's original request for approval of his Viet Nam policies.

Hearnes, a West Pointer, said he didn't know enough about the foreign situation to express an opinion.

Johnson carried Missouri in 1964 but many Democratic leaders, Hearnes included, say that as of now they doubt whether he could carry it again.

In a speech prepared for the Northwest Missouri Press Association, the governor noted that he has recommended expanded medical care for welfare recipients costing more than $33 million the first year.

"I know this legislature will respond as the 73rd General Assembly did—with intelligent benefits for more people," he said.

"But the legislature and I also must remember and always keep in mind the financial stability of the state and the ability of Missouri taxpayers to meet the cost of improved medical services—including those directed by Title 19 to persons as capable of paying for hospital insurance and for medical bills as the average citizen.

"I also believe, and I repeat again tonight, that Missouri—or any other state—should not be forced into any program through federal legislation which would impose upon its citizens additional State taxes to which they, or their elected representatives, have not consented.

"I decry the idea, and I deny the theory, that a state and its citizens are not capable of determination as to what is most beneficial and most practical for the neighbors they see every day of each week and every month of every year.

"I also do not believe this effort on the part of the federal government to dominate vital programs is truly 'creative federalism'. I furthermore do not believe such efforts push outward the horizons of a 'Great Society'."

He cited the federal government's demands for highway beautification bills as "an increasingly common threat of federal penalties which eventually wear thin the expected cooperation between state governnors, state legislatures, the federal agencies and the Congress."

Once again he urged a cautious approach to embracing the requirements of the Medicaid law. Under present conditions, he said, the "medically indigent" or "near needy" could include a third of Missouri's population at an astronomical and unestimated cost.

"I favor medical aid for those unable to pay for it," he said. "I view dimly the provision of state funds to pay for medical aid for those able to face this inevitable fact of life with difficulty—and this includes most of us here tonight."

He said the record shows "that the legislature and I are not immune, callous or innocent of the needs of those requiring medical aid, but who lack funds.

"But I also do not intend to recommend unalterable entrance into full-scale participation in a program which may be altered drastically by Congress tomorrow, next week or next month."

AMENDMENT TO THE UNIFORM TIME ACT OF 1966

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks?

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, the dimension of time has long been a great mystery to man. He has discovered that he can allot it, beat it, change it, devote it, do it, gain it, have it, keep it, kill it, make it, mark it, occupy it, prescribe it, race it, serve it, spare it, take it, tell it, waste it, and watch it. However it was in the area of saving time that the 89th Congress concentrated its attention when it passed the Uniform Time Act of 1966.

This act was passed only after heated debate. There can be little doubt that the State's prerogatives in this area were greatly curtailed. Be that as it may, the act is now the law of the land. What must be done now, is to amend the act so as to make it fair and equitable to all segments of the population.

In this regard and toward improving the Uniform Time Act, Mr. Speaker, I am today submitting a bill whereby daylight saving time would not commence until the Sunday following Memorial Day, and then would cease the Sunday following Labor Day. Why should not daylight saving time begin when summer—unofficial—begins for the overwhelming majority of our population, around Memorial Day, and therefore end following the last holiday of the summer season, which is Labor Day? Is there any logical reason why daylight saving time should begin so early in the spring and end so late in the fall? I know of none.

Under the present act in many "climes" and time zones, children are forced to go to bed during the school year while the light of day still shines through their bedroom windows. Mr. Speaker, I am sure that you, as well as most Members of this body, are quite aware of how difficult this task is. Probably the only way to remedy this situation is by the use of a ball-bat or by the use of tranquilizers, depending on the degree of frustration. This problem is then compounded in that during certain parts of the school year these same children must get up in the morning greeted by a pitch black and dark world. Surely, there is enough confusion facing our schoolchildren in our troubled world without adding anymore.

Not only have our children been placed under the adverse and confusing pressure of this expanded daylight saving time, but so have the remainder of the population. I have received copies of resolutions from the City Council of Carthage, Mo., the City Council of Joplin, Mo., and the City Council of Carl Junction, Mo., requesting that daylight saving time be confined to the summer season between Memorial Day and Labor Day.

I cannot overemphasize the urgency of this problem since the fourth Sunday in April is rapidly approaching. A just and equitable amendment, like the one I have introduced, must be acted upon at once, so that our citizens may truly enjoy our impending summer holiday season.

Therefore, Mr. Speaker, let us take time, to devote time, to truly save time.

PROVIDING TAX INCENTIVES TO ENCOURAGE INDUSTRY TO INSTALL POLLUTION CONTROL FACILITIES

Mr. BETTS. Mr. Speaker, I ask unanimous consent to extend his remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BETTS. Mr. Speaker, I am today introducing a bill providing tax incentives to encourage industry to install pollution control facilities. Our modern industrial society has produced great advantages for all of our citizens, but unfortunately air and water pollution has sometimes been a byproduct of this tremendous progress.

Private industry is making an attempt to meet its responsibilities in this area. Their preventative self-help measures must be an important part of any national program to attack pollution of our water and atmosphere. These industries are familiar with the specialized nature of their various operations and the problems involved in installing antipollution devices in their plants. By providing tax incentives to reduce the tremendous costs involved in installing industrial antipollution devices, the Government is enlisting the cooperative efforts of those individuals and concerns most able to abate pollution of our environment caused by industrial production.

In the last Congress, a multi-billion-dollar governmental program was enacted in the field of antipollution. It would indeed be incongruous to enact a governmental program of this magnitude while failing to enlist the vast resources of private industry in an attack on this problem.

Last fall, Republicans led a successful effort to exempt pollution control facilities from the suspension of the 7-percent investment credit. My bill provides that this 7-percent credit will be doubled to a total of 14 percent on the date of enactment.

My bill also provides that depreciable air and water pollution control facilities may be written off currently or over a period of 5 years.

Mr. Speaker, the problem of pollution in our environment is becoming of increasing concern to all our citizens. Clear air and pure water are of vital concern to our young and the old alike, the rich and the poor together. The hour is late and the need is great. I urge all Members of Congress to support my bill. I am hopeful that it will be enacted as expeditiously as possible.

DR. CLARK KERR HAS RESPECT AND CONFIDENCE OF HOMETOWN CITIZENS

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, I join with my colleagues who yesterday paid tribute to Dr. Clark Kerr, an outstanding educator who was fired from his position as president of the University of California through the efforts of Gov. Ronald Reagan.

Dr. Kerr is a native of my home city of Reading, the Sixth District of Pennsylvania, where he is held in the highest esteem.

We were shocked to learn that this attack on Dr. Kerr and free education could happen in the once progressive State of California.

Mr. Speaker, I include with my remarks a column by John F. Walsh published in the Reading Eagle of January 22:

DR. CLARK KERR

(By John F. Walsh)

It will be "old home week" for Dr. Clark Kerr, president of the University of California, until his ouster by university regents on Friday, when he delivers commencement addresses at Reading High School, June 8 and at Exeter High School June 9.

On these occasions the controversial ex-president of America's largest university may recall the last commencement address he made in this area—at Albright College in June 1960.

The Albright commencement address turned out to be both a triumph and a disappointment to Dr. Kerr, a native of Berks County, who spent his boyhood in this area.

The disappointment was in the size of the audience. But this was beyond his control. The heavy rain of the preceding day plus the hot, humid weather of Sunday, June 5, 1960, conspired to hold down the attendance in the Albright College Field House.

The triumph was in receiving an honorary doctor of laws degree from Albright and in seeing many old friends, including a beloved elementary teacher, sitting in the audience.

In introducing the hometown boy who made good, Dr. Harry V. Masters, then president of Albright and now president emeritus, asserted: "For seven years we have made an effort to secure Dr. Kerr as our commencement speaker . . . Dr. Kerr is a graduate of Reading High School . . . He is an outstanding educator . . ."

There was happiness, pride and humility in the clear, ringing voice of Dr. Kerr that hot Sunday afternoon as he told the audience: "I see before me some former graduates of Reading High School, a number of relatives and some friends. One of the friends I see is 'Miss Elba'—a model of a devoted teacher.

" 'Miss Elba' (the former Elba Greenawald, who in 1960 as Mrs. John L. Babb was residing at 316 S. 17th St.) taught me for five years in a little, one-room schoolhouse at the end of Spook lane. She taught me how to read, but never how to write."

After pausing for a moment, he continued, with an affectionate chuckle: " 'Miss Elba' told me that if I did not learn to write, I would never amount to anything."

But the commencement speaker did not tell the audience of his kindness to his old school teacher—that he not only had visited her in the Babb home before the graduation exercises, but that "Miss Elba" had attended, at Dr. Kerr's invitation, his elevation to the presidency of the University of California at Berkeley almost two years before.

This part was filled in for Walsh shortly after the commencement address by "Miss Elba," who taught the young Clark Kerr many years ago in the Seitz elementary school, located on Friedensburg road at Spook lane in Pennside, which in 1960 was the administration building for the Mount Penn-Lower Alsace Joint School System.

In September 1958, she journeyed to California for the inauguration with the new university president's sister, Charlotte Kerr, R.N., then director of the Reading School District's practical nurses training program.

"Charlotte Kerr and I had a wonderful time at Berkeley," she said. "He (Dr. Kerr) treated me like I was somebody. It was wonderful to know he hadn't forgotten his old home, his friends and his old teacher."

In his early school years, "Miss Elba" remembered Clark Kerr as "a brilliant boy with a capacity for comprehension even at an early age. He had a wonderful home background. His parents were wonderful people. His father (the late Samuel W. Kerr of Jacksonwald) taught for many years at Reading High School."

She also remembered that Dr. Kerr had attended Northeast Junior High School before going on to Reading High, where he not only was editor of the school newspaper, "The Red and Black," but he was graduated with honors in 1928. As for his writing. "It was legible," she said.

As a former honor student at Reading High, it warmed the heart of Dr. Kerr to learn that graduates from his old alma mater, who comprised only a small percentage of the Albright student body, had practically swept the "honor-roll sweepstakes" at the 1960 commencement.

Eight out of the 11 Albright seniors graduating with honors, who filed past Dr. Kerr in black caps and gowns to pick up diplomas, were graduates of Reading High—seven from the class of 1956 and one of 1948.

Several months after Dr. Kerr delivered the commencement address at Albright, has face graced the front of Time Magazine, which said of him in part: ". . . Scholar Kerr first reached Berkeley in 1934 as a doctoral student. He had grown up on a Pennsylvania farm near Reading, gone to a one-room school. Clark's farmer-father had an academic bent himself. First of his Scots-Irish line to go to college (Franklin and Marshall), Samuel Kerr spoke Latin, Greek, German, French and owned a master's degree from the University of Berlin. He spent his life raising apples, and his after hours stimulating and rolling young minds. Recalls Clark: 'He believed that nothing should be unanimous. If he found everybody else for something he'd be against it on principle.' "

There will be some sad and some happy memories facing Dr. Clark Kerr when he returns to Berks in June to deliver commencement addresses. His sister, Charlotte, who died in May 1965, is now gone, but "Miss Elba," who now lives with her husband at 117 E. Main St., Fleetwood, hopes to be on hand to greet her star pupil once again.

PAY REFORM IN H.R. 3383

Mr. OLSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN. Mr. Speaker, when Public Law 68 was enacted in 1955, it was the first attempt at a complete reclassification of postal positions. Since it was necessary to place the law into effect in a short time, many inequities were created. In addition, many factors are now present that were not forseeable in 1955. This is especially true of such items as automation and mechanization, as well as a new concept in employee management relations.

It is also true that, in 1955, the principle of comparability was not considered. An example of this is the fact that the top salary for foreman—level 7—was more than $1,000 less than the average salary for first-line supervisors in industry. It was not until 1962 when Public Law 87–793 was enacted that the principle of comparability became law.

This bill is an attempt to bring about comparability through reclassification. All levels are raised except levels 1, 2, and 20. Since the studies show that levels 1 and 2 have attained comparability, they are retained in the same levels. Level 20 employees, who are now the regional directors in the 15 regions, are retained in that level since the ceiling of the postal field service schedule has just about reached the floor of executive levels.

This bill would increase all other positions by one salary level. In addition, there is a new salary chart increasing the salaries by 5 percent. This combination will bring about actual comparability in most positions.

In addition, the bill provides that in cases where revenue units are important in evaluating a position, credit should be given for mail received without postage from Government agencies and the military services.

The bill also provides for 1-year step increases through all steps instead of being limited to the first seven steps. Under the present conditions with 3-year intervals above step 7, many employees, especially those promoted, can never reach the top step.

This bill would also make it mandatory to pay higher level pay for employees detailed to higher level positions, beginning with the first day of such detail. The Post Office Department has signed agreements with the rank and file organizations under which many positions are listed where the higher level salaries are paid immediately upon such detail. This should be extended to all positions since it was never intended that employees should work in higher level positions for the lower level pay.

This bill is not basically a salary increase, but is intended to comply with Public Law 87–793 which states that salaries should be comparable with similar salaries in industry and does not state that such adjustments should not be brought nearer than the present 1, 2, or 3 years behind actual comparability.

TRIBUTE TO THE HONORABLE JOHN W. McCORMACK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, we in this House who have had the honor of serving with JOHN McCORMACK know and appreciate the magnificent accomplishments he has made not only on behalf of the House but of our beloved country. Those who do not actually serve from day to day with our beloved Speaker can have no conception of the affection in which he is held by Members of the House or the extent to which he has earned our gratitude and admiration. It was heartening for me to learn from the January 19 issue of the South Boston Gazette that his lifelong neighbors, his hometown, if you please, share our love and admiration for him. Those who know JOHN McCORMACK best appreciate him most.

Under unanimous consent heretofore obtained, I insert the South Boston Gazette's article. The tribute to our beloved Speaker, written by William H. Flanagan, follows:

SOUTH BOSTON'S SPIRIT OF 75

(By William H. Flanagan)

In the process of writing a book tentatively titled "Everything is Politics", mounds of material have been gathered relative to the sterling qualities imbedded in the character of our town's most outstanding holders of high office.

It is the author's desire to have the foreword in that history written by the one whom he most admires as our town's leader of leaders in our nation's capital.

Our number one statesman could have been Mayor, Governor, United States Senator, Cabinet Member and Justice of the Supreme Court of the United States. Passing up all these opportunities for advancement, he unselfishly chose to continue his career by rendering outstanding service in the office to which his immediate neighbors had elected him almost four decades ago.

The advisor to five of our Presidents, and confidante of four, is but two of the high honors that he has justifiably attained. He had first earned the respect and admiration of his colleagues in both parties.

He soon became the northern protege of the southern Speaker of the House, an unheard of, improbable, and, up to that time impossible alliance of trust between two of the same party whose members' togetherness had been in name only.

He became Chairman of Committees that successfully launched legislation too numerous to mention, benefiting many, and far in advance of all others.

As another great American once said "Lets look at the record":

A truly Self-made man, U.S. Army Veteran, member of Mass. and Federal Bars when but a youth, elected to the Constitutional Convention on May 1, 1917, served through 1918; elected to the Mass. House of Representatives on Nov. 2 1920; elected to the Mass. Senate on Nov. 7, 1922, served through 1926, the last two years as his party's floor leader.

On Nov. 6, 1928, he was elected a Member of Congress. On that same day he was chosen to fill the unexpired term of his deceased predecessor, and at the same time he was elected to serve a full term beginning the following January. His constituents, in their wisdom, have kept him there ever since.

In 1956, without lifting a finger, he easily won his party's nomination as his Commonwealth's favorite son for President of the United States. Yet, once again he disclaimed any ambition to aspire for, what to others, would be higher office.

Time has proved him right. He has been able to accomplish more, for the people, as Whip, Majority Leader and Speaker of the National House of Representatives than any previous holder of those offices.

He has been, and continues to be a workhorse for his country. At 75 years of age he has more vigor than most men twenty-five years younger. All his waking hours are working hours. He is the "Man of the Century" to the youth, the aged, the sick, the veterans, the poor and the workers.

The first Catholic Speaker of the House, a tower of strength in 1963 and 1964 when but one heartbeat away from the presidency of the United States, and now, second in line for that world's most powerful office.

This writer has no doubt that if a vacancy occurred in the office of Chief Justice of the United States Supreme Court, the first man to whom our President would offer the position would be he who has FAME in his name, our own Honorable John W. McCormack.

INSURANCE AND OTHER PROGRAMS FOR FINANCIAL ASSISTANCE TO FLOOD VICTIMS

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DE LA GARZA. Mr. Speaker, yesterday I introduced H.R. 3244 to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance.

In my district, basically an agricultural area, while we are blessed by the good Lord in terms of climate and usually excellent crop growing conditions, we are also, on the other hand, prone to lose much by national disasters. Last year during the latter part of the 89th Congress, my congressional district was barely missed by Hurricane Inez. While the brunt of the damage was borne by Mexico, it is not always thus. Had Inez swept a little farther north through Brownsville, Tex., there would be the same devastation, the same wake of ruin, as has hit my district during other hurricanes that did not miss—as has hit many other areas throughout our great country. Many of us here in the Congress, especially those of us who represent particularly vulnerable districts, are keenly aware of the need of legislation to provide for a national program of flood insurance to help these areas get back on their feet. Indeed, I believe all of us in the Congress realize adoption of such legislation would be a step toward relief to flood victims presently unable to secure adequate insurance, and as such is desperately needed.

It is my hope that the recommendations contained in my bill will provide a base for reasonable and responsible corrective measures which may be looked upon favorably by my distinguished colleagues and will ultimately provide an adequate flood disaster insurance program on a nationwide scale.

CHRISTIAN A. HERTER

(1895–1966)

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, very recently this country lost one of its eminent servants—a man of great wisdom, a man of great sweetness, and of deep understanding, not only of us here in America, but of people in other countries.

I was associated with him for a great many years, particularly in the School for Advanced International Studies, which he started.

Chris Herter was a man we all loved and whom we can ill spare. He was a great sufferer so that even though we miss him tragically, we are so glad that he is relieved of the anguish and pain and the horror that he was really going through, with a smile on his face—always kind, always gentle—but firm.

Mr. Speaker, I include with my remarks, the remarks made by Dean Francis O. Wilcox before the faculty and students of the Johns Hopkins School of Advanced International Studies in Washington on January 5, 1967:

CHRISTIAN A. HERTER (1895–1966)

(Remarks made by Dean Francis O. Wilcox before the Faculty and students of the Johns Hopkins School of Advanced International Studies, in Washington on January 5, 1967)

We have come together today to honor the memory of a great American whose life and works constructively and helpfully affected the lives of millions of people both at home and abroad. Most of you are aware of the splendid contribution Christian A. Herter made to the public service, to his state and his nation, and to the cause of world order. Some of you may not know about his indispensable role in the creation and the development of the School of Advanced International Studies.

Chris Herter's record of public service is almost without parallel in our time. It includes a short period with the Foreign Service, duty under Herbert Hoover with the European Refugee Council, service in the Massachusetts Legislature, ten years as Representative from that state to the Congress of the United States, four years as Governor, five years as Under Secretary and then Secretary of State, and more recently as Special Assistant to the President in charge of our trade negotiations.

Rare qualities of courage, imagination, human understanding and integrity were brought by Christian Herter to all these tasks. In Europe he earned the respect and affection of thousands of refugees whom he helped and befriended. As a member of the Foreign Affairs Committee of the House of Representatives he was among those primarily responsible for the successful launching and implementation of the Marshall Plan. As Governor of Massachusetts he earned a reputation for good government and for leadership based upon high moral principles. During his terms as Under Secretary and Secretary of State, as one of the leaders of the free world, he made many important decisions which advanced human liberty and promoted the cause of world peace.

Chris Herter had the rare good fortune to live during one of the most exciting eras of our nation's history. As President Johnson has said: his career "spanned a period which saw this Nation emerge from a century of isolation to take a place in the leadership on the world scene.

"From the day in 1916 when he took up a post as attache in the American Embassy in Berlin, to the leadership of the Kennedy Round negotiations to expand and liberalize world trade—which he was exercising to the day of his death—he participated in the events of our time and shaped them."

His vision and his imagination led him to recognize early in World War II the vital role the United States would inevitably play in world affairs. To enable coming generations of Americans to help meet these vast new responsibilities, he took the lead in establishing the School of Advanced International Studies here in the Nation's capital. With this new and exciting idea he went from one corporation to another seeking the funds necessary to achieve his objective. He was successful in raising $500,000 in pledges to be paid over a five-year period, and in 1944 the doors of the new School were opened for business. Incidentally, I believe it is accurate to say that he was one of the first people in this country to secure substantial corporation support for an institution of higher learning.

In those early days the School's Advisory Council, under Mr. Herter's able chairmanship, met every week. They approved the budget of the School, watched over faculty appointments, and were in almost daily touch with the School's activities. When the furnace blew up the staff immediately called Mr. Herter for help. His prestige and influence had to be put on the line in order to secure the high priority materials needed to repair the furnace in a war-time economy.

This keen interest in the work of the School—although interrupted by his periods of service as Governor of Massachusetts and later as Secretary of State—continued until last Friday afternoon when he signed a number of letters on behalf of the Advisory Council. During the last two months he visited three potential donors in the Washington area seeking funds for the completion of our library on the seventh floor and for two endowed chairs. I am hopeful that these three visits will bring the School at least a million dollars in endowment funds—support that we sorely need to meet the ever-increasing costs of graduate education.

I recall vividly one incident, in which I was personally involved, that demonstrated Mr. Herter's continuing interest in our program. Early in 1960, while I was serving as Assistant Secretary of State, Milton Eisenhower invited me to become the Dean of the School. I went to Mr. Herter who was then Secretary of State to seek his advice about leaving the State Department. Since I am a rather vain person, I assumed, of course, that he would insist that I remain in the Department in order to help him discharge his heavy responsibilities there. Quite the contrary! When I told him what was on my mind he threw up his hands and exclaimed: "Wonderful! That's a great school and I'm delighted you're going to be associated with it." My chagrin subsided somewhat when I discovered the long-range interest he had in the School and its work.

Certainly there can be no doubt about Mr. Herter's deep dedication to the task of training young people in the vital field of diplomacy and international relations. During his career on Capitol Hill and in the Department of State he was instrumental in bringing about a number of important reforms in the Foreign Service. Later he served as Chairman of at least two important national commissions created for the purpose of analyzing our Foreign Service and prescribing training programs for young people interested in careers in the field of international relations.

Those of us who knew him well had tremendous admiration for his will to carry on and serve his country despite the painful arthritis that constantly assailed him. His crutches were his ever-present companion during his later years, but he accepted them as gracefully as any person possibly could. When he made speeches he delivered them sitting down, and he consumed more Bufferin tablets in one day than most of us find it necessary to take in a year. Never once did I hear him complain. His thoughts always seemed to be centered on more important matters.

One of the finest tributes I could pay to any man is to say that he is a gentleman. Chris Herter was certainly a gentleman in every sense of that word. He was thoughtful and considerate of others and he was deeply interested in doing what he could to promote the welfare of the common man. His kindly smile and his warm and friendly manner endeared him to all those who knew him well. He was always willing to listen with patience and respect to points of view that differed from his own. He approached life with a humility that was refreshing, an interest in human-kind that was inspiring, and a cooperative spirit that was reassuring. With the help of a charming and devoted wife he carved an enviable place in the hearts and minds of his countrymen.

In one of his most beautiful poems, William Cullen Bryant has reminded us that we should—

> "So live, that when thy summons comes to join
> The innumerable caravan which moves
> To that mysterious realm, where each shall take
>
> His chamber in the silent halls of death
> Thou go not, like the quarry-slave at night,
> Scourged to his dungeon, but, sustained and soothed
> By an unfaltering trust, approach thy grave,
> Like one that wraps the drapery of his couch
> About him, and lies down to pleasant dreams."

There can be no doubt that Christian Herter has lived the kind of life that will enable him to approach his God with the serenity of spirit and the unfaltering trust about which William Cullen Bryant and the psalmists of the Old Testament have written so beautifully.

When one for whom we have great admiration and affection is taken from our midst it is only natural that we should give way to sorrow. Yet when that individual has lived a rich and full life, when he has, by his thoughtfulness and his good deeds, helped to make the world a better place for us all, then we should rejoice that we have been privileged to share his friendship. We should express our gratitude for the splendid contribution he has made to the well-being of his fellow man and to the cause of peace among the nations. There can be no finer achievements than these.

Despite his many contributions to our national life, I am convinced that in the long run the School of Advanced International Studies will stand as the greatest monument to the imagination, the idealism and the ability to Christian A. Herter. Inspired by his friendship and his devotion we shall do our utmost here at SAIS to meet the high standards he would want us to maintain and to move towards the goals he helped us establish. Certainly the thousands of young people who will graduate from this institution in the future—and who will move into the vital field of international relations—could do no better than to try to emulate those splendid qualities which characterized his life and works.

Mr. O'HARA of Illinois. Mr. Speaker, I join with my distinguished colleague from Ohio [Mrs. BOLTON] in the tribute of an admiring heart to the memory of the late Honorable Christian Herter. I was enriched by his personal friendship and our association in the Congress. No Secretary of State was ever closer to the members of the Committee on Foreign Affairs. A former member of our committee we felt, when he was Secretary of State and came before us, that he was still one of us. When he came to the high office of Secretary of State he was not in the best of health, and in the later months of his administration he was painfully crippled up, but he performed his duties with the same high order of ability, mental grasp and dedication that had marked his long and brilliant public career. Christian Herter followed Secretary of State Dulles, whose influence in foreign policy was all powerful, and his tenure of the office was relatively brief and his health was not good; toward the end the pain must have been unbearable. Under other circumstances Christian Herter well may have gone down in history as one of our greatest Secretaries of State.

Mr. MORSE of Massachusetts. Mr. Speaker, it is with profound sadness that I join my colleagues today in paying tribute to one of the finest public servants of this or any century. Christian Herter brought humility, courage, intelligence, and distinction to every office he held—from the State legislature in Massachusetts to Secretary of State. When lesser men would have chosen to let the arduous duties of public service pass him by, Christian Herter without fail rose to the challenge of political and administrative duty.

It was my great privilege to be associated with Chris Herter from time to time during his public career. I was chairman of the Republican City Committee of Lowell, Mass., when he ran for Governor and had the honor to introduce him to my friends in that community.

I always admired his statesmanship, never more so than when after a difficult term as Secretary of State under President Eisenhower, he once again responded to his President's call and took up the post of Special Representative for Trade Negotiations under Presidents Kennedy and Johnson.

Christian Herter exemplified what is best in a public man; he was a warm and humble private man as well. We all join his fine family in mourning his passing.

Mr. BATES. Mr. Speaker, in addition to what I have already said about our late beloved colleague, the Honorable Christian A. Herter, I wish to present the following newspaper account:

[From the Gloucester (Mass.) Daily Times, Jan. 3, 1967]

HERTER JOINED MANCHESTER IN MANY SUMMER EVENTS

MANCHESTER.—Former Secretary of State and Massachusetts Governor Christian A. Herter, 71, who died Friday evening at his home in Washington, D.C., was a longtime summer resident of this town. He had a house on Proctor St.

Before he became Secretary of State he took part in community activities in the summer, and many residents had a nodding acquaintance with him.

One year he was the speaker at the 50th anniversary celebration of the Manchester Club. He has ridden in parades and appeared at many events.

A five-term congressman before he upset the Democrat Paul A. Dever in the 1952 gubernatorial race, Herter was a special aide to Presidents Kennedy and Johnson on trade negotiations since 1962.

The son of ex-patriate artists, he was born in Paris and graduated from Harvard College. He later helped Herbert Hoover with the American Relief Administration following World War I.

Widely recognized for his organizational skill while in Congress, Herter was noted for combining "the organizational and investigational ability of Hoover with the humane international outlook of Wendell Wilkie."

He was among those who influenced Gen. Eisenhower to run for the presidency in 1952 and four years later turned aside a movement led by Harold Stassen to make him vice president. Herter nominated Richard M. Nixon at the 1956 Republican convention.

After Herter turned down a chance to run for a third term as governor in 1956, he became undersecretary of state to John Foster Dulles, succeeding Dulles upon his death.

Herter served as Secretary of State for 21 of the stormiest months in post-World War II history. There was the U–2 incident, the emergence of Communism in Cuba, Nikita Khrushchev's visit to the United Nations and riots in Japan which forced President Eisenhower to cancel a proposed visit.

In 1962, he accepted the special trade negotiations post from President Kennedy and had stayed at the post until his death.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks on the life, character, and services of our late beloved colleague, Christian Herter.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

REPORT ON TRICONTINENTAL CONFERENCE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, at the recent Republican conference for new House Members, held at Airlie House in Warrenton, one of the specialists who addressed us was Mr. Richard V. Allen, senior staff member and editor of the Yearbook on International Communist Affairs.

A few days ago I received a letter from Mr. Allen, pursuing further the topic of the increasing Communist activity in Latin America. He enclosed a pertinent report on the significance of the Tricontinental Conference, a report which has received all too scant publicity in our country. This report, which is of interest to all of us, follows:

SPECIAL OAS COMMITTEE RECOMMENDS MEASURES AGAINST COMMUNISM

WASHINGTON, D.C. (PAU).—The Council of the Organization of American States (OAS) approved a resolution expressing its thanks for the report submitted by its Special Committee responsible for study of the First Tricontinental Conference and its projections, and resolved to transmit the report to the member states and to authorize the Secretary General of the OAS to send it to the Secretary-General of the United Nations.

The resolution also urges the member states, on the basis of the Committee's recommendations and in accordance with their respective national constitutions and laws, to take the measures necessary to counteract the policy of intervention and aggression emanating from the Havana conference.

The Special Committee of the OAS Council concluded that the Tricontinental Conference marks a new stage in communist world strategy, with the creation of permanent organizations aimed primarily at providing support to armed subversive movements, in order to bring about the overthrow of existing governments and establish communist governments dependent upon extracontinental communist powers.

The Special Committee, presided over by Ambassador Juan Bautista de Lavalle of Peru, was established in accordance with Resolution I of the Eighth Meeting of Consultation, held in Punta del Este, Uruguay, in January 1962. That resolution requested the Council "to maintain all necessary vigilance, for the purpose of warning against any acts of aggression, subversion, or other dangers to peace and security, or the preparation of such acts, resulting from the continued intervention of Sino-Soviet powers in this hemisphere, and to make recommendations to the governments of the member states with respect thereto.'" Other Committee members are the representatives of Argentina, Colombia, the Dominican Republic, El Salvador, Guatemala, Panama, and the United States.

The study states that the Conference was "inspired, organized, and directed at the initiative and with the active support of the governments of the Soviet Union, Communist China, and Cuba, together with other communist governments and certain noncommunist governments cooperating with this movement."

The interest of these governments in the Conference, the study adds, "was demonstrated by the composition of their delegations, which was made up of government officials, representatives of official parties, and other persons intimately connected with these governments . . ." Of the 82 delegations attending the Conference, the most numerous and active were those of Cuba (41 members), the Soviet Union (40), Communist China (34), and the United Arab Republic (21).

The permanent organizations cited by the study are the Afro-Asian-Latin American Peoples' Solidarity Organization (AALAPSO), with its Executive Secretariat and a planned "Liberation Committee," and the Latin American Solidarity Organization (LASO), with its Organizing Committee, all based in Havana, which were created for the purpose of fomenting, assisting, and coordinating subversive movements, with the participation of "national committees" in each country. The report also mentions the Second Tricontinental Conference, scheduled to meet in Cairo in 1968, in order to formalize the definitive structure of the AALAPSO.

The study states that aid provided by the Soviet Union, Communist China, and other communist countries to these subversive movements, with Cuba as the principal base in this hemisphere, is nothing new; what is new is "the declaration of this interventionist policy, so openly expressed; the identification of major targets and final objectives, so clearly stated; and even more important, the creation of an organization to give this effort an aspect of tricontinental support and to serve as a coordinating body, not only for the assistance provided, but also for directing the various subversive movements in the form of a united struggle on the three continents." It describes this movement and the Conference as "a new instrument of communist imperialism. . . ."

The aggressive and interventionist character of the Conference, the study continues, is revealed by the "strong attacks against numerous free countries on all continents and against many international organizations," such as the Organization of American

States (OAS), the United Nations (UN), the "Organisation Commune Africaine et Malagache" (OCAM), the North Atlantic Treaty Organization (NATO), the Southeast Asia Treaty Organization (SEATO), the European Common Market the Alliance for Progress, the World Bank (IBRD), the International Monetary Fund (IMF) and the Inter-American Development Bank (IDB). The study also cites 24 countries in the Western Hemisphere 19 in Africa, 16 in Asia and the Pacific, and 12 in Europe, a total of 71 independent countries attacked and condemned by resolutions of the Tricontinental Conference.

The study adds that the interventionist character of the Conference is also manifested by the "open incitation to rebellion and the exhortation that all types of support—moral, political, financial and material, including the supplying of arms and munitions—be provided to armed and subversive movements on the three continents, with special emphasis on . . . Latin America . . ."

The participation in the Tricontinental Conference of official or officially sponsored delegations from member countries of the United Nations, it continues, "constitutes a flagrant violation of the principles of the United Nations Charter, and especially of the principle of nonintervention reaffirmed in Resolution 2131 (XX) of the United Nations General Assembly . . ." Likewise, the continued official or semi-official participation of these countries in AALAPSO and of Cuba in LASO constitute violations of the same principle.

With regard to Cuba, the study observes that the Government of Cuba "has officially assumed its responsibility in the activities carried on from that capital by the new organization of the international communist movement to overthrow independent governments of member states of the Organization of American States and of the United Nations," and that that nation "continues to be the principal focus and agent in the subversive and interventionist campaign sponsored by the communist powers against member states of the OAS," thus acting to promote intervention and aggression.

In its study the Committee makes a number of recommendations regarding the Tricontinental Conference, such as careful vigilance over the activities of AALAPSO, LASO, and their respective executive committees, and over the formation of the "national committees" of the two organizations in each country, in order to counteract their actions.

It further recommends that the member governments of the OAS should consider possible additional representations they could make with respect to those countries that had official or officially sponsored delegations at the Tricontinental Conference, in order to insist that "they do not persist in violation of Resolution 2131 (XX) of the United Nations General Assembly"—referring to the principle of nonintervention—through their participation in the activities of the Tricontinental Organization, including the Executive Secretariat and the planned "Liberation Committee" of AALAPSO, as well as the Second Tricontinental Conference, which will meet in Cairo.

It recommends that the governments should renew their efforts to secure the cooperation of friendly non-member states in the application of the measures against the Government of Cuba concerning the suspension of trade with and sea transportation to Cuba, approved at the Ninth Meeting of Consultation of Ministers of Foreign Affairs; it encourages the governments of member states of the OAS to strengthen their internal security in order to confront communist-inspired subversion and insurgency, and recommends that they should continue to be vigilant in the application of the measures directed against aggression and subversion arising from the continuing interventions in the hemisphere by the Soviet Union. Communist China, and their allies, and especially the measures directed against the Government of Cuba, approved at the Eighth and Ninth Meetings of Consultation of Ministers of Foreign Affairs.

In additions to the foregoing recommendations, the study suggests that the governments of member states that face serious problems of actual or potential communist-inspired insurrection should undertake programs of subregional cooperation with neighboring countries that share their problems, particularly for the exchange of information and experience and the coordination of activities in border areas, taking into account the existing system of cooperation among the Central American countries and Panama.

It also recommends measures to prevent the movement of subversives between member countries and Cuba and other communist countries, including those persons traveling through third countries, and that the governments take measures to prevent the movement to their respective countries of funds, propaganda, and arms coming from Cuba and other communist countries.

It adds that the governments should insist that the communist countries cease their broadcasts inciting the peoples of this hemisphere to subversion and insurrection. These broadcasts originate in the Soviet Union, Cuba, and other communist countries, and include programs in Spanish, Portuguese and Quechua.

Finally, it recommends that in view of the aims enunciated at the Tricontinental Conference, the governments adopt strict measures of reciprocity with respect to the presence and activities in their territories of diplomatic agents, as well as technicians, experts and other persons from the communist countries.

In addition to its conclusions and recommendations, the study contains chapters on the background, the Conference itself, and subsequent developments and activities, emphasizing the establishment of the permanent organizations mentioned. As an example of these subsequent developments, it refers to a news release from the Executive Secretariat of AALAPSO dated November 18, 1966, announcing the receipt of favorable replies from the governments of North Korea and Cuba with respect to the establishment in their territories of schools for training political cadres for revolutionary movements in three continents.

COMMUNIST ACTIVITIES IN AFRICAN COUNTRIES

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, occasionally the press reports on Communist activities in African countries. There is evidence that Communist policy is to expand operation wherever they can. In view of the administration's recent overtures to increase trade and other relations with Communist East Europe and Soviet Russia, I should like to make two reports on African developments available to my colleagues. The reports which follow are, first from Welt, January 4, 1967, "A Conflict Zone Against White Africa Is Established"—a translation from the German; and, second from the Evening Star, January 12, 1967, "Major Cuba Effort Seen To Stir Trouble in Africa":

A CONFLICT ZONE AGAINST WHITE AFRICA IS ESTABLISHED

(A political concept is hidden behind the attack on the Benguela railway)

For the first time since 1961 the continual guerrilla war on the borders of Portuguese Africa has taken on the form of a regular battle. It was reported that almost an entire regiment of rebel troops from the Congo pushed ten kilometers deep into Portuguese territory and overran the posts along the Benguela railway. Portuguese units from Teixeira de Sousa repulsed the rebel attack. An Army bulletin said that 200 of the invaders and 6 Portuguese civilians were killed in the attack.

Actual Portuguese casualties may have been higher; but what is important is that for the first time the rebels attacked a well-fortified military station. They dynamited a section of the Benguela Railway, causing the Portuguese Foreign Minister to issue a threat to close the border [between Angola and the Congo]. But, most important, the rebels damaged the Congo and Zambia, both of whom make their ore shipments to the Atlantic port of Lobito by means of the Benguela Railway.

An authoritative Portuguese source said that Holden Roberto, the native Angolan political leader in exile who announced the attack in a press conference, must have acted senselessly on his own initiative and without the knowledge of Congolese and Zambian authorities. Both countries have given him asylum, and it has been in the Congo that his troops have received the bulk of their military training.

Now, it can be assumed that the responsible economic officials of the Congo and Zambia will condemn the dynamiting of the railway, but it cannot be assumed that Holden Roberto (or whoever is really responsible for the attack) acted "senselessly." The new activity along the borders of Angola must certainly be considered in light of a meeting of Angolan politicians in exile which took place last summer.

At this Conference, in which a number of Communist-bloc "specialists" took part (above all, representatives of Fidel Castro), the political strategy for the next twelve months was established. It was reported that Holden Roberto, whose anti-Portuguese opposition was originally a genuine African independence movement, had been overshadowed by such pro-Red Chinese forces as Dr. Agostinho Neto and the ideologue Mario Pinto de Andrade. Roberto was said to have merely lent his name to the movement, but no longer has the power to determine the political line of the exile regime and its guerrilla army.

The attack on Teixeira de Sousa was designed to create a sensation and attract world-wide attention to the cause of the rebels. In addition, it was designed to weaken the vital arteries of Zambia, which depends upon Portuguese territory in both directions, east and west. Zambia is to be pushed slowly toward dependence upon Tanzania. Then, with the help of those countries which have interests in Zambian copper, and even with the help of international development funds, the new railway which has been designed by the Red Chinese at Tanzanian request will be built. In the future, Zambian ore is to be transported exclusively to Dar-es-Salaam by this railway, and then from the Indian Ocean—and not through the Portuguese ports of Beira in Mozambique and Lobito in Angola. The Congo is also to be slowly forced to eliminate its dependence on Portuguese aid and support facilities.

The whole affair is not "senseless." The attack on Teixeira de Sousa is part of a large-scale strategic conception in which several spheres of interest are involved. These spheres of interest are all directed against the West, and they can lead to a new conflict point in international politics.

When in September 1964 rebel groups of the Maconde tribe started fomenting unrest along the northern border of Mozambique, it was assumed that it was primarily a matter of an internal political opposition of a warlike nomadic tribe. Since then, this rebellion has taken on the features of a continuing guerrilla war. In the summer of 1966 the real meaning became clear, as guerrilla troops increased their activities along the northern borders of both Mozambique and Angola, pushing deeper into the heartland of the continent.

In recent months the Portuguese have been forced to increase their troops in Africa from 75,000 to 100,000, extend the period of obligatory military service, and weaken their economy. They have discovered that the Macondes, who are trained in Tanzania by Red Chinese officers, have become better fighters, and now have the most modern Chinese weapons at their disposal.

The strategic plan to create a conflict zone through the Continent from the Indian Ocean to the Atlantic can no longer be overlooked. In the east, in Tanzania, the bridgehead is being prepared by Red Chinese forces, in the West by Cuban forces. According to reports from Cuban exile sources in Madrid and Miami, there are now more than 1,000 Cuban instructors in Congo-Brazzaville alone. Brazzaville has become the new headquarters for anti-Portuguese activity.

The conflict zone is directed against "white Africa," and above all against Angola and Mozambique, for it is here that a [Western] policy directed toward better understanding [between black and white Africans] could counteract the efforts of the black "anti-imperialist liberation front." The Portuguese, who do not acknowledge racial barriers, have given the natives equal status with the white since the troubles of 1961. Economic growth, and above all the educational efforts (which, according to United Nations statistics have lifted Angola to second place in the entire continent) have been demonstrable successes. This could counteract the African policy of rejecting out of hand the "white West," a policy whose ideological foundations are furnished by China and the Soviet Union.

[From the Evening Star, Jan. 12, 1967]

MAJOR CUBA EFFORT SEEN TO STIR TROUBLE IN AFRICA

(By Jeremiah O'Leary)

Cuba, frustrated by failure of her efforts to export Marxist revolution in the Western Hemisphere, is now engaged in what diplomatic sources regard as a major effort to stir up trouble in seven African nations.

Political and military agents of Fidel Castro now are operating in Morocco, Algeria, Egypt, Mali, Guinea Tanzania and the Brazzaville Congo Republic. Expenditure for arms shipments, military missions, technical training and political activity is now estimated at $10 million a year.

This represents a tremendous outlay for a Caribbean country that is quarantined from all her near neighbors except Mexico, is stuck with a deteriorating home economy and is dependent on the Soviet Union for survival. Observers note that the Cuban expenditure each year to keep the pot boiling in Africa is very close to the $1 million a month in aid Havana receives from the USSR.

The largest Cuban presence is in Brazzaville where between 600 and 700 Cuban troops of Negro origin are the main prop of the anti-U.S. government of President Alphonse Massamba-Debat.

However, informed sources also say Cuban soldiers have sent both arms and military advisers to aid the maverick government of President Sekou Toure in Guinea and the permissive government of President Julius Nyerere in Tanzania.

TRAINING ROLE

In both these countries, Guinea on the West Coast of Africa and Tanzania on the east, one of the functions of the Cuban missions is to equip and train anti-Portuguese rebels for attacks against Portuguese Guinea and Mozambique. Africans in undetermined numbers also are sent to Cuba for military, technical and political training, all of it oriented to the export of the Marxist revolutionary concept.

Admittedly this militant role is more in line with the political philosophy of Red China than of the Soviet Union. Nevertheless, although Castro is dependent on the Russians for money, weapons and economic assistance, the makeup of the Foreign Relations Committee of the Communist Party in Havana is heavily weighted to the Maoist theory of revolution by violence rather than by political evolution.

The three-man committee consists of Osmani Cienfuegos, a top-notch guerrilla veteran; Manual Pinero, director-general of intelligence, and Foreign Minister Raul Roa. Dr. Justo Carrillo, a career diplomat who was named deputy foreign minister last June, was fired recently because of his opposition to the committee's determination to continue exporting revolution.

Why does a nation of about 7 million that is barely able to feed itself persist in the costly business of trouble-making in Africa, let alone Latin America? Observers here believe it is partly a result of the psychosis Castro and his supporters are suffering from their isolation in the Western Hemisphere. It is also believed the African leaders who accept their support prefer Cubans to Russians or Chinese because they feel more secure with emissaries who are less likely to become permanent guests.

According to diplomatic sources, Castro's aims are to support rebel groups trying to overcome existing moderate governments as in the former Belgian Congo, Ghana and Cameroon; to support extremists already in power as in Brazzaville Congo, Mali, Guinea and Tanzania, and to ingratiate themselves with regimes they think can help stir up trouble for the west, as in Egypt, Algeria, Iraq and Syria.

The effort is bolstered by broadcasting anti-western propaganda from Cuba to Africa in English, French and Swahili to the tune of 95 hours a week. Cuba gives scholarships and sends medical teams as well as arms, military missions and political agents.

Headquarters in each of the seven African countries is said to be the Cuban embassy. Pinero and Cienfuegos control the staffing and operations of the embassies in Africa, not Roa. Two-thirds of every embassy staff reportedly is involved in political action.

In Morocco, where the United States also has base rights, the connection is largely commercial. Cuba has a deal to send 500,000 tons of sugar to Morocco in exchange for phosphates.

In Algeria the Cuban effort has decreased since the fall of the Ben Bella regime. The military mission, which even sent a tank unit into action in the short Algerian-Moroccan war, is now gone, but there is a 50-man medical mission in the service of the Boumedienne government.

In Cairo, the Cuban embassy is the main support base for all the Havana effort in black Africa although the embassy staff is limited to six.

In Bamako, capital of Mali, the Cubans' main concern is to cement ideological relations with the radical government of President Modeiba Keita, a man much in the radical mold of Guinea's Toure.

TONS OF ARMS

In Conakry, Guinea the Cuban ambassador, Oscar Oramas Oliva, is a well known DGI agent. The Cuban military mission, which may be 100-men strong, serves the double role of training Toure's 1,000-man Milice Popular military force and supply arms and training to rebels assailing Portuguese Guinea. The chief military adviser is Maj. Flavio Bravo Pardo, who was trained in Red China, North Korea and North Vietnam. Thousands of tons of arms have been sent to Guinea since last June.

Observers note that Ghana was once the scene of a large Cuban aid effort but the Cubans were thrown out when Kwame Nkrumah was overthrown. Now Nkrumah is in Guinea where Toure styles him as co-president and has vowed to help restore him to control in Ghana.

In Tanzania, the Cubans have run operations against the Congo (Kinshasa) government and operate armed boats in Lake Tanganyika. In December, the Cubans sent a mission to Zanzibar to reorganize the Tanzanian medical service. Part of the contribution was a shipment of 900 machine guns.

In Dares Salaam, capital of Tanzania, the third secretary of the Cuban Embassy, Colman Ferrer Figueroa, is in charge of subversion. Under his control, the Cubans maintain training camps in southern Tanzania for the rebel war against Portuguese Mozambique.

THE 49TH ANNIVERSARY OF INDEPENDENCE OF UKRAINE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, last Sunday, January 22, marked the 49th anniversary of the independence of Ukraine. Unfortunately the anniversary will not be observed officially in Ukraine, because within 3 years of the independence day the Communists had overrun the country and imposed imperialism once again.

This year we will be reading a great deal about the 50th anniversary of the conquerors of Ukraine and, I fear, too little about the brave Ukrainians. In spite of harsh captivity, these sturdy, determined people have preserved their rich national culture. Their churches have been harassed, defiled, destroyed. Their language was replaced by an alien tongue. Today one can find little of their art and literature in Ukraine. Thousands of their civic leaders and peasants have been deported or annihilated, yet their dream of peace and freedom has not waned. Their hope for nationhood is strong.

It is interesting to me to discover that on March 14, 1918, Stalin wrote in Izvestia:

> The war in Ukraine may grow into a war by Russia against the West. Therefore, it is obvious, that there, in Ukraine, the main knot of the whole present international existence is being tied—the knot of the workers' revolution, started by Russia, and the knot of imperialistic counter-revolution moving from the West.

Had we in the United States made a firm, clarion protest in 1918, we might

States (OAS), the United Nations (UN), the "Organisation Commune Africaine et Malagache" (OCAM), the North Atlantic Treaty Organization (NATO), the Southeast Asia Treaty Organization (SEATO), the European Common Market the Alliance for Progress, the World Bank (IBRD), the International Monetary Fund (IMF) and the Inter-American Development Bank (IDB). The study also cites 24 countries in the Western Hemisphere 19 in Africa, 16 in Asia and the Pacific, and 12 in Europe, a total of 71 independent countries attacked and condemned by resolutions of the Tricontinental Conference.

The study adds that the interventionist character of the Conference is also manifested by the "open incitation to rebellion and the exhortation that all types of support—moral, political, financial and material, including the supplying of arms and munitions—be provided to armed and subversive movements on the three continents, with special emphasis on . . . Latin America . . ."

The participation in the Tricontinental Conference of official or officially sponsored delegations from member countries of the United Nations, it continues, "constitutes a flagrant violation of the principles of the United Nations Charter, and especially of the principle of nonintervention reaffirmed in Resolution 2131 (XX) of the United Nations General Assembly . . ." Likewise, the continued official or semi-official participation of these countries in AALAPSO and of Cuba in LASO constitute violations of the same principle.

With regard to Cuba, the study observes that the Government of Cuba "has officially assumed its responsibility in the activities carried on from that capital by the new organization of the international communist movement to overthrow independent governments of member states of the Organization of American States and of the United Nations," and that that nation "continues to be the principal focus and agent in the subversive and interventionist campaign sponsored by the communist powers against member states of the OAS," thus acting to promote intervention and aggression.

In its study the Committee makes a number of recommendations regarding the Tricontinental Conference, such as careful vigilance over the activities of AALAPSO, LASO, and their respective executive committees, and over the formation of the "national committees" of the two organizations in each country, in order to counteract their actions.

It further recommends that the member governments of the OAS should consider possible additional representations they could make with respect to those countries that had official or officially sponsored delegations at the Tricontinental Conference, in order to insist that "they do not persist in violation of Resolution 2131 (XX) of the United Nations General Assembly"—referring to the principle of nonintervention—through their participation in the activities of the Tricontinental Organization, including the Executive Secretariat and the planned "Liberation Committee" of AALAPSO, as well as the Second Tricontinental Conference, which will meet in Cairo.

It recommends that the governments should renew their efforts to secure the cooperation of friendly non-member states in the application of the measures against the Government of Cuba concerning the suspension of trade with and sea transportation to Cuba, approved at the Ninth Meeting of Consultation of Ministers of Foreign Affairs; it encourages the governments of member states of the OAS to strengthen their internal security in order to confront communist-inspired subversion and insurgency, and recommends that they should continue to be vigilant in the application of the measures directed against aggression and subversion arising from the continuing interventions in the hemisphere by the Soviet Union. Communist China, and their allies, and especially the measures directed against the Government of Cuba, approved at the Eighth and Ninth Meetings of Consultation of Ministers of Foreign Affairs.

In additions to the foregoing recommendations, the study suggests that the governments of member states that face serious problems of actual or potential communist-inspired insurrection should undertake programs of subregional cooperation with neighboring countries that share their problems, particularly for the exchange of information and experience and the coordination of activities in border areas, taking into account the existing system of cooperation among the Central American countries and Panama.

It also recommends measures to prevent the movement of subversives between member countries and Cuba and other communist countries, including those persons traveling through third countries, and that the governments take measures to prevent the movement to their respective countries of funds, propaganda, and arms coming from Cuba and other communist countries.

It adds that the governments should insist that the communist countries cease their broadcasts inciting the peoples of this hemisphere to subversion and insurrection. These broadcasts originate in the Soviet Union, Cuba, and other communist countries, and include programs in Spanish, Portuguese and Quechua.

Finally, it recommends that in view of the aims enunciated at the Tricontinental Conference, the governments adopt strict measures of reciprocity with respect to the presence and activities in their territories of diplomatic agents, as well as technicians, experts and other persons from the communist countries.

In addition to its conclusions and recommendations, the study contains chapters on the background, the Conference itself, and subsequent developments and activities, emphasizing the establishment of the permanent organizations mentioned. As an example of these subsequent developments, it refers to a news release from the Executive Secretariat of AALAPSO dated November 18, 1966, announcing the receipt of favorable replies from the governments of North Korea and Cuba with respect to the establishment in their territories of schools for training political cadres for revolutionary movements in three continents.

COMMUNIST ACTIVITIES IN AFRICAN COUNTRIES

Mrs. **BOLTON**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. **BOLTON**. Mr. Speaker, occasionally the press reports on Communist activities in African countries. There is evidence that Communist policy is to expand operation wherever they can. In view of the administration's recent overtures to increase trade and other relations with Communist East Europe and Soviet Russia, I should like to make two reports on African developments available to my colleagues. The reports which follow are, first from Welt, January 4, 1967, "A Conflict Zone Against White Africa Is Established"—a translation from the German; and, second from the Evening Star, January 12, 1967, "Major Cuba Effort Seen To Stir Trouble in Africa":

A CONFLICT ZONE AGAINST WHITE AFRICA IS ESTABLISHED

(A political concept is hidden behind the attack on the Benguela railway)

For the first time since 1961 the continual guerrilla war on the borders of Portuguese Africa has taken on the form of a regular battle. It was reported that almost an entire regiment of rebel troops from the Congo pushed ten kilometers deep into Portuguese territory and overran the posts along the Benguela railway. Portuguese units from Teixeira de Sousa repulsed the rebel attack. An Army bulletin said that 200 of the invaders and 6 Portuguese civilians were killed in the attack.

Actual Portuguese casualties may have been higher; but what is important is that for the first time the rebels attacked a well-fortified military station. They dynamited a section of the Benguela Railway, causing the Portuguese Foreign Minister to issue a threat to close the border [between Angola and the Congo]. But, most important, the rebels damaged the Congo and Zambia, both of whom make their ore shipments to the Atlantic port of Lobito by means of the Benguela Railway.

An authoritative Portuguese source said that Holden Roberto, the native Angolan political leader in exile who announced the attack in a press conference, must have acted senselessly on his own initiative and without the knowledge of Congolese and Zambian authorities. Both countries have given him asylum, and it has been in the Congo that his troops have received the bulk of their military training.

Now, it can be assumed that the responsible economic officials of the Congo and Zambia will condemn the dynamiting of the railway, but it cannot be assumed that Holden Roberto (or whoever is really responsible for the attack) acted "senselessly." The new activity along the borders of Angola must certainly be considered in light of a meeting of Angolan politicians in exile which took place last summer.

At this Conference, in which a number of Communist-bloc "specialists" took part (above all, representatives of Fidel Castro), the political strategy for the next twelve months was established. It was reported that Holden Roberto, whose anti-Portuguese opposition was originally a genuine African independence movement, had been overshadowed by such pro-Red Chinese forces as Dr. Agostinho Neto and the ideologue Mario Pinto de Andrade. Roberto was said to have merely lent his name to the movement, but no longer has the power to determine the political line of the exile regime and its guerrilla army.

The attack on Teixeira de Sousa was designed to create a sensation and attract world-wide attention to the cause of the rebels. In addition, it was designed to weaken the vital arteries of Zambia, which depends upon Portuguese territory in both directions, east and west. Zambia is to be pushed slowly toward dependence upon Tanzania. Then, with the help of those countries which have interests in Zambian copper, and even with the help of international development funds, the new railway which has been designed by the Red Chinese at Tanzanian request will be built. In the future, Zambian ore is to be transported exclusively to Dar-es-Salaam by this railway, and then from the Indian Ocean—and not through the Portuguese ports of Beira in Mozambique and Lobito in Angola. The Congo is also to be slowly forced to eliminate its dependence on Portuguese aid and support facilities.

The whole affair is not "senseless." The attack on Teixeira de Sousa is part of a large-scale strategic conception in which several spheres of interest are involved. These spheres of interest are all directed against the West, and they can lead to a new conflict point in international politics.

When in September 1964 rebel groups of the Maconde tribe started fomenting unrest along the northern border of Mozambique, it was assumed that it was primarily a matter of an internal political opposition of a warlike nomadic tribe. Since then, this rebellion has taken on the features of a continuing guerrilla war. In the summer of 1966 the real meaning became clear, as guerrilla troops increased their activities along the northern borders of both Mozambique and Angola, pushing deeper into the heartland of the continent.

In recent months the Portuguese have been forced to increase their troops in Africa from 75,000 to 100,000, extend the period of obligatory military service, and weaken their economy. They have discovered that the Macondes, who are trained in Tanzania by Red Chinese officers, have become better fighters, and now have the most modern Chinese weapons at their disposal.

The strategic plan to create a conflict zone through the Continent from the Indian Ocean to the Atlantic can no longer be overlooked. In the east, in Tanzania, the bridgehead is being prepared by Red Chinese forces, in the West by Cuban forces. According to reports from Cuban exile sources in Madrid and Miami, there are now more than 1,000 Cuban instructors in Congo-Brazzaville alone. Brazzaville has become the new headquarters for anti-Portuguese activity.

The conflict zone is directed against "white Africa," and above all against Angola and Mozambique, for it is here that a [Western] policy directed toward better understanding [between black and white Africans] could counteract the efforts of the black "anti-imperialist liberation front." The Portuguese, who do not acknowledge racial barriers, have given the natives equal status with the white since the troubles of 1961. Economic growth, and above all the educational efforts (which, according to United Nations statistics have lifted Angola to second place in the entire continent) have been demonstrable successes. This could counteract the African policy of rejecting out of hand the "white West," a policy whose ideological foundations are furnished by China and the Soviet Union.

[From the Evening Star, Jan. 12, 1967]

MAJOR CUBA EFFORT SEEN TO STIR TROUBLE IN AFRICA

(By Jeremiah O'Leary)

Cuba, frustrated by failure of her efforts to export Marxist revolution in the Western Hemisphere, is now engaged in what diplomatic sources regard as a major effort to stir up trouble in seven African nations.

Political and military agents of Fidel Castro now are operating in Morocco, Algeria, Egypt, Mali, Guinea Tanzania and the Brazzaville Congo Republic. Expenditure for arms shipments, military missions, technical training and political activity is now estimated at $10 million a year.

This represents a tremendous outlay for a Caribbean country that is quarantined from all her near neighbors except Mexico, is stuck with a deteriorating home economy and is dependent on the Soviet Union for survival. Observers note that the Cuban expenditure each year to keep the pot boiling in Africa is very close to the $1 million a month in aid Havana receives from the USSR.

The largest Cuban presence is in Brazzaville where between 600 and 700 Cuban troops of Negro origin are the main prop of the anti-U.S. government of President Alphonse Massamba-Debat.

However, informed sources also say Cuban soldiers have sent both arms and military advisers to aid the maverick government of President Sekou Toure in Guinea and the permissive government of President Julius Nyerere in Tanzania.

TRAINING ROLE

In both these countries, Guinea on the West Coast of Africa and Tanzania on the east, one of the functions of the Cuban missions is to equip and train anti-Portuguese rebels for attacks against Portuguese Guinea and Mozambique. Africans in undetermined numbers also are sent to Cuba for military, technical and political training, all of it oriented to the export of the Marxist revolutionary concept.

Admittedly this militant role is more in line with the political philosophy of Red China than of the Soviet Union. Nevertheless, although Castro is dependent on the Russians for money, weapons and economic assistance, the makeup of the Foreign Relations Committee of the Communist Party in Havana is heavily weighted to the Maoist theory of revolution by violence rather than by political evolution.

The three-man committee consists of Osmani Cienfuegos, a top-notch guerrilla veteran; Manual Pinero, director-general of intelligence, and Foreign Minister Raul Roa. Dr. Justo Carrillo, a career diplomat who was named deputy foreign minister last June, was fired recently because of his opposition to the committee's determination to continue exporting revolution.

Why does a nation of about 7 million that is barely able to feed itself persist in the costly business of trouble-making in Africa, let alone Latin America? Observers here believe it is partly a result of the psychosis Castro and his supporters are suffering from their isolation in the Western Hemisphere. It is also believed the African leaders who accept their support prefer Cubans to Russians or Chinese because they feel more secure with emissaries who are less likely to become permanent guests.

According to diplomatic sources, Castro's aims are to support rebel groups trying to overcome existing moderate governments as in the former Belgian Congo, Ghana and Cameroon; to support extremists already in power as in Brazzaville Congo, Mali, Guinea and Tanzania, and to ingratiate themselves with regimes they think can help stir up trouble for the west, as in Egypt, Algeria, Iraq and Syria.

The effort is bolstered by broadcasting anti-western propaganda from Cuba to Africa in English, French and Swahili to the tune of 95 hours a week. Cuba gives scholarships and sends medical teams as well as arms, military missions and political agents.

Headquarters in each of the seven African countries is said to be the Cuban embassy. Pinero and Cienfuegos control the staffing and operations of the embassies in Africa, not Roa. Two-thirds of every embassy staff reportedly is involved in political action.

In Morocco, where the United States also has base rights, the connection is largely commercial. Cuba has a deal to send 500,000 tons of sugar to Morocco in exchange for phosphates.

In Algeria the Cuban effort has decreased since the fall of the Ben Bella regime. The military mission, which even sent a tank unit into action in the short Algerian-Moroccan war, is now gone, but there is a 50-man medical mission in the service of the Boumedienne government.

In Cairo, the Cuban embassy is the main support base for all the Havana effort in black Africa although the embassy staff is limited to six.

In Bamako, capital of Mali, the Cubans' main concern is to cement ideological relations with the radical government of President Modeiba Keita, a man much in the radical mold of Guinea's Toure.

TONS OF ARMS

In Conakry, Guinea the Cuban ambassador, Oscar Oramas Oliva, is a well known DGI agent. The Cuban military mission, which may be 100-men strong, serves the double role of training Toure's 1,000-man Milice Popular military force and supply arms and training to rebels assailing Portuguese Guinea. The chief military adviser is Maj. Flavio Bravo Pardo, who was trained in Red China, North Korea and North Vietnam. Thousands of tons of arms have been sent to Guinea since last June.

Observers note that Ghana was once the scene of a large Cuban aid effort but the Cubans were thrown out when Kwame Nkrumah was overthrown. Now Nkrumah is in Guinea where Toure styles him as co-president and has vowed to help restore him to control in Ghana.

In Tanzania, the Cubans have run operations against the Congo (Kinshasa) government and operate armed boats in Lake Tanganyika. In December, the Cubans sent a mission to Zanzibar to reorganize the Tanzanian medical service. Part of the contribution was a shipment of 900 machine guns.

In Dares Salaam, capital of Tanzania, the third secretary of the Cuban Embassy, Colman Ferrer Figueroa, is in charge of subversion. Under his control, the Cubans maintain training camps in southern Tanzania for the rebel war against Portuguese Mozambique.

THE 49TH ANNIVERSARY OF INDEPENDENCE OF UKRAINE

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The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

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> The war in Ukraine may grow into a war by Russia against the West. Therefore, it is obvious, that there, in Ukraine, the main knot of the whole present international existence is being tied—the knot of the workers' revolution, started by Russia, and the knot of imperialistic counter-revolution moving from the West.

Had we in the United States made a firm, clarion protest in 1918, we might not have had a Communist regime off the coast of Florida nor been fighting the Communists in Vietnam today. Let us not neglect exposing Communist domination of Ukraine for what it is in 1967. I join with my colleagues in the hope that freedom will soon be restored to the courageous people of that proud land.

CALL OF THE HOUSE

Mr. **HALL**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

Abbitt
Arends
Ashley
Aspinall
Battin
Blackburn
Bolling
Bow
Brademas
Brasco
Bray
Broomfield
Button
Cahill
Clark
Collier
Conyers
Corbett
Cramer
de la Garza
Derwinski
Diggs
Donohue
Dorn
Dwyer
Eckhardt
Edwards, Calif.
Evans, Colo.
Fallon
Feighan
Flood
Giaimo
Gude
Halleck
Hansen, Wash.
Helstoski
Herlong
Holifield
Hosmer
Hull
Jarman
Kastenmeier
Kluczynski
Leggett
McCulloch
McEwen
McFall
Macdonald, Mass.
MacGregor
Mailliard
Martin
Mathias, Calif.
May
Miller, Calif.
Morton
Moss
O'Konski
Ottinger
Passman
Pelly
Philbin
Pucinski
Quillen
Reifel
Rogers, Fla.
Ronan
Roybal
Ruppe
St Germain
Scheuer
Shipley
Sikes
Sisk
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stephens
Thompson, N.J.
Van Deerlin
Vanik
Watkins
Whalley
Willis
Wilson, Bob
Wyatt
Yates

The **SPEAKER**. On this rollcall 344 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

BUDGET MESSAGE OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 15, PART 1)

The **SPEAKER** laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

To the Congress of the United States:

A Federal budget lays out a two-part plan of action:

It proposes particular programs, military and civilian, designed to promote national security, international cooperation, and domestic progress.

It proposes total expenditures and revenues designed to help maintain stable economic prosperity and growth.

This budget for fiscal year 1968 reflects three basic considerations:

In Vietnam, as throughout the world, we seek peace but will provide all the resources needed to combat aggression.

In our urgent domestic programs we will continue to press ahead, at a controlled and reasoned pace.

In our domestic economy we seek to achieve a seventh year of uninterrupted growth, adopting the fiscal measures needed to finance our expenditures responsibly, permit lower interest rates, and achieve a more balanced economy.

In recent years, the American economy has performed superbly. Since 1963, our Nation's output has risen at an average rate of 5.5 percent a year; 5.3 million more people are employed and 1.2 million fewer unemployed. Industrial capacity has grown by 18 percent, and far less of it is idle than was the case 3 years ago.

During this past calendar year alone:

Our Nation's gross national product—apart from price changes—has grown by nearly 5.4 percent.

The unemployment rate has remained at or below 4 percent for the first time in 13 years.

More than 3 million additional jobs were found in nonagricultural employment, the largest yearly gain experienced since 1942.

Corporate profits and personal income have each grown about 8 percent to record levels.

We have at the same time become engaged in a major effort to deter aggression in southeast Asia. Some $19.9 billion of the Nation's resources will go to support that effort in the current fiscal year and $22.4 billion in 1968. This past year our economy met these requirements with minimum strain and disruption.

We have also embarked upon a series of new programs to lift the quality of American life in the fields of health, education, urban development, pollution control, and the war on poverty. Yet the productivity and vitality of our economy is such that the total Federal budget in 1968, including the full costs of the Vietnam conflict, the new programs, and all of the various Federal trust funds, will account for only 1½ percent more of our gross national product than it did 3 years ago. Since the gross national product rose sharply over these 3 years, we have been able to meet our increased commitments abroad, move forward with urgent social programs at home, and still provide a massive expansion in goods and services available for private consumption and investment.

During the year and a half since the decision to send troops to Vietnam, consumer prices have risen 4.5 percent in spite of efforts to hold them down. We have, nevertheless, had considerably better success than in similar periods during World War II and the Korean conflict. Then, prices rose 13.5 percent and 11 percent, respectively, even with the imposition of price and wage controls which we have avoided.

The economic performance of the past 3 years did not just happen. It grew out of the ingenuity, hard work, and imagination of all parts of American society. But the one element which provided a catalyst for all the rest was the imaginative and flexible use of Federal fiscal policy.

In 1964, and again, in 1965, tax reductions were enacted which gave a strong stimulus to the economy. Idle capacity came into operation, new capacity was built, and both the numbers and productivity of the Nation's work force rose sharply.

In late 1965 and early 1966, however, as the economy rapidly approached full capacity operation, inflationary pressures began to develop.

On two occasions, I proposed, and the Congress promptly enacted, tax changes aimed at dampening those pressures. At the same time I made every effort to postpone, stretch out, or eliminate all but the most essential Federal expenditures. Cutbacks totaling over $5 billion in program levels and $3 billion in expenditures are being undertaken by Federal agencies during the current year. These actions contributed to a welcome moderation of inflationary pressures in the latter part of 1966.

FISCAL PROGRAM FOR 1968

In the budget for 1968, I am again proposing a fiscal program tailored to meet responsibly the needs of an expanding economy. This program will require a measure of sacrifice as well as continued work and resourcefulness.

In the year ahead, defense expenditures will continue to rise as we carry out our obligations in Vietnam. After a rigorous review of civilian programs and a sharp paring of spending requests, a modest increase in domestic expenditures will be required as we press forward to meet our obligations at home. Equity also demands that we increase substantially social security benefits for our older citizens so that they share in the Nation's growing income which their own past work and investment helped to bring about. And finally, during the coming year, we must take every reasonable step to permit a continuation of the move toward easier monetary conditions and lower interest rates which is now clearly underway.

Under these circumstances, I am proposing a temporary 6-percent surcharge on both corporate and individual income taxes. I also ask that individuals in the lower income brackets be exempt from the surcharge. The tax should remain in effect for 2 years, or for such period as may be warranted by our unusual expenditures in Vietnam. I will not hesitate to recommend an earlier expiration date, however, if the fiscal requirements of our commitments in Vietnam permit such action. In addition, I recommend legislation to provide a further acceleration of certain corporate tax payments.

With these new measures, and the expenditures I am proposing, the Federal budget deficit as measured in the national income accounts will be $2.1 billion in fiscal year 1968, compared to $3.8 billion in fiscal year 1967.

The national income accounts budget is the measure developed and used for over three decades by economists and fiscal experts to judge the impact of the Federal budget on the flow of income and production in the economy. Its measures of total Federal receipts and expenditures are the same as those used in recording the receipts and expenditures of business firms and individuals. Together with data on business and individuals, the national income accounts budget is used to build up official statistics on gross national product and national income.

Unlike the more traditional administrative budget, the national income budget includes the large expenditures and receipts of the Federal Government's trust funds, but excludes Federal loans and receipts from the sale of loans, since these are not recorded as income or expenditures in the accounts of business firms or individuals.

I am emphasizing the national income accounts as a measure of Federal fiscal activity because the traditional administrative budget is becoming an increasingly less complete and less reliable measure of the Government's activities and their economic impact. For example, trust fund-financed activities not reflected in the administrative budget now approximate one-third of that budget. More specifically, the fiscal year 1968 administrative budget excludes $48.1 billion of trust fund receipts and $44.5 billion of trust fund expenditures.

In addition, the treatment of lending as equivalent to spending in both the administrative and cash budgets is not suitable for an analysis of the budget's impact on the flow of national production and income.

To permit a higher 1968 budget deficit than the $2.1 billion involved in my fiscal recommendations would, I believe, be unacceptable. We would run substantial risks of choking off the much-desired move toward lower interest rates by placing too much of our stabilization effort on the shoulders of monetary policy, and renewing inflationary pressures, particularly in the latter half of this year.

On the other hand, to seek a lower deficit or a surplus through a more restrictive fiscal program would be unwarranted and self-defeating under present economic conditions. Such a fiscal policy could depress economic activity, reduce the incomes of individuals and corporations, and thereby fail to secure the revenues it was designed to achieve.

Summary of Federal receipts and payments

[Fiscal years. In billions]

Description	1966 actual	1967 estimate	1968 estimate
FEDERAL RECEIPTS			
National income accounts receipts—Federal sector	$132.6	$149.8	$167.1
Deduct: Timing adjustment (cash versus accrual)	−1.2	−3.9	.4
Add: Loans repaid, differences in coverage, and other adjustments	.7	1.0	1.4
Total cash receipts from the public	134.5	154.7	168.1
Deduct: Trust fund receipts	34.9	44.9	48.1
Add: Intragovernmental transactions and other adjustments	5.1	7.2	7.0
Administrative budget receipts	104.7	117.0	126.9
FEDERAL PAYMENTS			
National income accounts expenditures—Federal sector	132.3	153.6	169.2
Deduct: Timing adjustment (cash versus accrual)	−.3	.2	.4
Add: Loans, differences in coverage, and other adjustments	5.2	7.5	3.6
Total cash payments to the public	137.8	160.9	172.4
Deduct: Trust fund expenditures	34.9	40.9	44.5
Add: Intragovernmental transactions and other adjustments	4.0	6.8	7.1
Administrative budget expenditures	107.0	126.7	135.0
EXCESS OF RECEIPTS (+) OR PAYMENTS (−)			
National income accounts—Federal sector	+.3	−3.8	−2.1
Receipts from and payments to the public	−3.3	−6.2	−4.3
Administrative budget	−2.3	−9.7	−8.1

The economy, the budget, and the aims of our society would be jeopardized by either a larger tax increase or by large slashes in military or civilian programs. I have reviewed these programs carefully. Waste and nonessentials have been cut out. Reductions or postponements have been made wherever possible. The increases that are proposed have been carefully selected on the basis of urgent national requirements.

The Congress through the appropriations process, will, of course, subject these programs to a searching examination. I welcome that examination. But it is my judgment that major cuts cannot be made without serious impairment to vital national objectives—in defense, in education, in health, in the rebuilding of our cities, and in the attack on poverty.

This Nation is healthy and growing. It can—and, I believe, must—continue to move forward in the defense of freedom against aggression; in the search for international peace and cooperation; and in the effort to improve the quality of American life.

At this juncture in our history we have two choices: to stand still and mark time; or to press ahead responsibly and confidently.

For my part, I have chosen the latter course. That choice is reflected in my budgetary and fiscal proposals.

BUDGET SUMMARY

Federal expenditures, as measured in the national income accounts will rise from $153.6 billion in fiscal year 1967 to $169.2 billion in 1968. That increase is composed of four major elements: $5.8 billion for Vietnam and other national defense outlays; $6.2 billion in benefits under the Federal Government's social security and other trust funds, two-thirds of which results from the new social security legislation I am proposing; $1 billion for the cost of military and civilian pay increases, to keep abreast of rising salaries in private industry; and $2.6 billion for all other programs of the Federal Government.

Federal revenues will increase more rapidly than expenditures, from $149.8 billion in fiscal year 1967 to $167.1 billion in 1968, reflecting both the growth in the economy and the effect of the tax legislation I am recommending. The Federal deficit, as measured in the national income accounts will, therefore, decline between 1967 and 1968 from $3.8 billion to $2.1 billion.

While the national income accounts budget is the most appropriate measure of the overall economic impact of the Federal budget, a discussion of individual Federal programs is best carried out in terms of the more conventional administrative budget and the various Federal trust funds.

Administrative budget expenditures will amount to $126.7 billion in 1967 and $135 billion in 1968. In these 2 years, revenues in the administrative budget are estimated to rise from $117 billion to $126.9 billion. As a result, the budget deficit will fall from $9.7 billion in the current fiscal year to $8.1 billion in 1968.

Administrative budget expenditures in fiscal year 1967 are $13.9 billion higher than the expenditures I estimated in my budget message a year ago; $9.6 billion of the increase is accounted for by the enlarged military program. Another $3 billion results from the impact of tight money on the Federal budget, and $1.3 billion from expenditure reestimate, as workloads increased in such programs as public assistance, medicare, and the postal service. Potential further expenditures of $2.6 billion, from congressional additions to my 1967 authorization and appropriation recommendations, were roughly offset by the budget reductions I instituted last fall. Of the $3 billion expenditure reductions, $2.6 billion will occur in administrative budget programs and about $0.4 billion in the trust funds.

In 1968, defense outlays will account for $75.5 billion, or 56 percent, of the total budget. Of the remaining expenditures, some $29.4 billion, or 22 percent, are spent on programs under which payments are fixed by law or are otherwise uncontrollable—interest on the public debt, veterans compensation and pensions, public assistance, Federal general revenue contributions to medicare, and the like. Another $15.3 billion or 11 percent will be spent in 1968 to complete contracts or obligations entered into in prior years—the purchase of mortgages under earlier commitments, the completion of construction begun in 1966 or 1967, and so forth.

The remaining $14.9 billion, or 11 percent of the budget, may be considered as "controllable" expenditures in 1968. And even these include such indispensable programs as law enforcement, the collection of taxes and customs, the upkeep of our national parks, and the operation of the Nation's air navigation facilities.

Administrative budget expenditures

[Fiscal years. In billions]

Type of controllability	1966 actual	1967 estimate	1968 estimate
National defense	$57.7	$70.2	$75.5
Relatively uncontrollable civilian expenditures:			
Major programs	24.1	28.3	29.4
Interest	12.1	13.5	14.2
Veterans pensions, compensation, and insurance	4.2	4.7	4.9
Public assistance grants	3.5	3.9	4.2
Farm price supports (Commodity Credit Corporation)	1.3	1.6	1.6
Postal public service costs and revenue deficit (existing law)	.8	1.1	1.1
Health insurance payments to trust funds	----------	1.0	.9
Legislative and judiciary	.3	.4	.4
Other	1.8	2.2	2.3
Payments on prior contracts and obligations	11.5	14.3	15.3
Relatively controllable civilian expenditures	13.6	13.9	14.9
Proposed pay increases	----------	----------	1.0
Sale of financial assets	−3.0	−3.9	−5.3
Other	16.6	17.8	19.2
Total administrative budget expenditures	107.0	126.7	135.0

In the 1968 budget I have sought to recommend increases only where these are vitally necessary to meet the needs of a growing society. I have given particular, but selective, attention to programs designed to bring into the mainstream of American life those to whom opportunities are now denied.

At the same time, my 1968 budget incorporates substantial economies in operations. New projects under many Federal construction programs will be held to a modest level, well below the average of prior years and below the level to which they can rise when our fiscal problems are less urgent.

By 1966, Federal civilian agencies had achieved improvements in operations which netted a saving in that year of $1.7 billion compared to their level of efficiency 2 years earlier. The Defense Department's cost reduction program begun in 1961 yielded savings of $4.5 billion in 1966. Those efforts will continue in fiscal years 1967 and 1968.

The effect on the Federal budget of selective expansions in high priority programs combined with economies in operation are summarized in the accompanying table.

Civilian administrative budget expenditures

[Fiscal years. In billions]

	1966 actual	1967 estimate	1968 estimate	Change, 1967 to 1968
Total civilian	$49.3	$56.5	$59.5	+$3.0
Major education programs	2.8	4.0	4.6	+.6
Major health programs	2.5	4.3	4.8	+.5
Other major social programs:				
Welfare, labor, and economic opportunity programs	5.1	6.1	6.5	+.4
Housing and community development, regional development, and pollution control	1.2	2.0	2.4	+.4
Interest	12.1	13.5	14.2	+.6
Proposed pay increases	----------	----------	1.0	+1.0
Sale of financial assets	−3.0	−3.9	−5.3	−1.4
All other civilian expenditures	28.4	30.5	31.3	+.8

In the 1968 budget I am proposing to sell $5 billion in participation certificates. These certificates are a means by which Federal credit programs can be financed, and point up the role of the Federal Government as an intermediary, assisting borrowers to find sources of credit. The sale of these certificates also has the advantage of making the cash and administrative budgets more closely akin to the national income accounts budget since, in effect, it removes the impact of new lending from the cash and administrative budget totals.

My detailed budget plans provide for the possible sale of $5,750 million of these certificates. The overall budget totals, however, make an allowance for a possible shortfall of $750 million in the actual sales of these certificates. While this tends to raise the reported deficit in the administrative budget, I have made such an allowance in order to present more conservative estimates to the Congress, taking into account the uncertainty of future conditions.

NEW OBLIGATIONAL AUTHORITY

New obligational authority recommended for fiscal year 1968 in the administrative budget totals $144 billion. This is an increase of $4.4 billion over the current estimate for fiscal year 1967, of which $2.5 billion is for the Department of Defense and the military assistance program combined.

Of the total new obligational authority estimated for 1968, the Congress will have to act this year on $126.5 billion. The remaining $17.5 billion will become available under "permanent" authorizations without further congressional action; interest on the public debt represents 80 percent of this amount. Most of the $50.2 billion in new obligational authority estimated for 1968 for trust funds represents revenues from special taxes which are also appropriated automatically.

Apart from defense and military assistance, the 1968 new obligational authority recommended for congressional action in the administrative budget will amount to $51.3 billion. The proposed amounts result from a thorough evaluation and review of program levels and needs and have been held to the minimum that will assure orderly progress in meeting national program objectives.

Major increases in new obligational authority, other than for the Department of Defense, include $1.2 billion for the Department of Housing and Urban Development, including the newly enacted model cities program; $1 billion for proposed civilian and military pay increases; $0.9 billion for the Department of Health, Education, and Welfare, mainly for public assistance, education, medicaid, and various other health activities; $0.6 billion for the permanent appropriation for interest on the public debt.

Major decreases include: $1.8 billion for the Department of Agriculture, largely due to the reduced capital needs of the Commodity Credit Corporation and the proposal to establish revolving funds for the Rural Electrification Administration; $1 billion for the Tennessee Valley Authority since its needs for bond-issuing authority for the next several years were met by an increase of this amount granted in fiscal year 1967; $0.6 billion for the Post Office, reflecting proposed postal rate increases.

The 1967 estimate in the administrative budget includes $14.3 billion in recommended supplemental appropriations which the Congress is being requested to enact this year. Of this total, $12.3 billion is for support of military operations in southeast Asia. The remaining supplemental amounts are needed mainly (1) to provide adequate financing for certain relatively uncontrollable costs which are based on eligibility and demand for services under provisions of existing law—such as for public assistance grants, postal services, and veterans' compensation and pensions, and (2) to cover part of the cost of military and civilian pay increases and new programs which were enacted last year but for which appropriations were not provided. The estimates presented in this budget reflect fully this additional new obligational authority for the current year and the related expenditures.

New obligational authority

[Fiscal years. In billions]

Description	1966 actual	1967 estimate	1968 estimate
Total authorizations requiring current action by Congress:			
Administrative budget funds	$110.9	$123.9	$126.5
Trust funds	.5	5.1	1.7
Total authorizations not requiring current action by Congress:			
Administrative budget funds	15.5	15.7	17.5
Trust funds	36.2	45.8	48.6
Total new obligational authority:			
Administrative budget funds	126.4	139.6	144.0
Trust funds	36.7	50.8	50.2

FEDERAL PROGRAMS AND EXPENDITURES

Military forces able to defend the cause of freedom in Vietnam and to counter other threats to national security require substantial resources.

Yet we cannot permit the defense of freedom abroad to sidetrack the struggle for individual growth and dignity at home. Under my budget proposals, we will move forward at a reasonable rate the programs to broaden opportunities for the poor or disadvantaged and continue the steady advance in their effectiveness achieved in the last 3 years.

Payments to the public

[Fiscal years. In billions]

Function	1966 actual	1967 estimate	1968 estimate
Administrative budget expenditures:			
National defense	$57.7	$70.2	$75.5
Excluding special Vietnam	(51.9)	(50.8)	(53.6)
International affairs and finance	4.2	4.6	4.8
Excluding special Vietnam	(3.9)	(4.1)	(4.3)
Space research and technology	5.9	5.6	5.3
Agriculture and agricultural resources	3.3	3.0	3.2
Natural resources	3.1	3.2	3.5
Commerce and transportation	3.0	3.5	3.1
Housing and community development	.3	.9	1.0
Health, labor, and welfare	7.6	10.4	11.3
Education	2.8	3.3	2.8
Veterans benefits and services	5.0	6.4	6.1
Interest	12.1	13.5	14.2
General government	2.5	2.7	2.8
Allowances:			
Civilian and military pay increase	----------	----------	1.0
Possible shortfall in asset sales	----------	----------	.8
Contingencies	----------	.1	.4
Interfund transactions (deduct)	.6	.8	.7
Total, administrative budget expenditures	107.0	126.7	135.0
Trust fund expenditures:			
Health, labor, and welfare	26.4	31.5	37.1
Commerce and transportation	3.8	3.7	3.7
National defense	.8	1.1	1.4
Agriculture and agricultural resources	1.2	1.4	1.2
Housing and community development	3.2	3.0	1.0
Veterans benefits and services	.6	.8	.6
All other	−.2	.1	.3
Interfund transactions (deduct)	.8	.7	.7
Total trust fund expenditures	34.9	40.9	44.5
Intragovernmental transactions and other adjustments (deduct)	4.0	6.8	7.1
Total payments to the public	137.8	160.9	172.4

To assure that the budget fully covers all the costs which we might reasonably expect in the coming year, the total includes $2.2 billion in special allowances to provide for (1) proposed increases in the pay of military and civilian personnel, including postal employees, (2) the possibility of some shortfall in planned sales of financial assets, and (3) unforeseen contingencies and the possible costs of programs on which definite decisions have not yet been made, such as the development of a prototype supersonic air transport and a nuclear space rocket.

The highlights of the proposed Government program for 1968 follow:

National defense: Today, our military requirements are dictated by two fundamental realities. We must continue to counter aggression in South Vietnam. We must also continue to enhance our ability to meet changing threats to our freedom and security elsewhere. The 1968 budget will insure that our forces remain equal to both these tasks.

Though small in relation to the Nation's total economic activity, the cost of honoring our commitment to South Vietnam is nevertheless substantial. Expenditures necessary to support military operations in southeast Asia will total $21.9 billion in 1968, about three-tenths of budget expenditures for national defense. A year ago we were in the midst of a rapid buildup of our forces in Vietnam. Rather than submit a budget to the Congress based on highly uncertain estimates, I requested funds sufficient to finance the conflict through fiscal year 1967. At the present time the situation is different. While unforeseen events can upset the most careful estimate, we are in a much better position to determine our future requirements in Vietnam. As a consequence, my 1968 budget provides for those requirements on a continuing basis, including the possibility of an extension of combat beyond the end of the fiscal year.

In 1968, we will:

Continue intensive development of Nike X but take no action now to deploy an antiballistic missile (ABM) defense; initiate discussions with the Soviet Union on the limitation of ABM deployments; in the event these discussions prove unsuccessful, we will reconsider our deployment decision. To provide for actions that may be required at that time, approximately $375 million has been included in the 1968 budget for the production of Nike X for such purposes as defense of our offensive weapon systems.

Maintain our decisive strategic superiority by initiating procurement of the advanced Poseidon submarine-launched missile, improving our present strategic missiles, and further safeguarding our capacity to direct our forces in the event of attack.

Provide our forces in Vietnam with all the weapons and supplies they need and add to our war reserves at the same time.

Add to the mobility and effectiveness of our general purpose forces by increasing the firepower of our ground forces, enlarging our helicopter strength, pursuing a vigorous shipbuilding and conversion program, and purchasing additional modern tactical aircraft.

Increase our airlift and sealift capabilities by further procurement of the giant C–5A transport plane, and procurement of five fast-development logistics ships.

Continue the vigorous research and development programs vital to maintaining the most modern, versatile, and potent forces in the world.

These sizable increases in our capabilities for nuclear, conventional, or countersubversive conflict are necessary and prudent. Nevertheless, security needs will continue to be met without waste or extravagance. Our defense programs must be conducted as efficiently and economically as possible. In 1968, the defense cost reduction program will continue to produce significant savings.

International affairs and finance: In the long run, greater opportunities and security for our own citizens will be possible only if other peoples also share in progress toward a better and more secure life. To this end, our international programs in the coming year will emphasize helping the less-developed nations to increase their food production, expand their educational opportunities, and improve the health of their citizens.

Based on a thorough review of our economic assistance objectives and programs, I will recommend new legislation and specific actions to:

Require more effective self-help measures by recipient countries as a condition for U.S. aid;

Increase the amount of assistance for the key sectors of agriculture, health, and education;

Support regional arrangements and make greater use of multilateral channels through which other nations cooperatively share the costs of economic development;

Encourage greater participation by private enterprise in the development process; and

Concentrate our aid in those countries where successful development is most probable.

We are gratified by the achievements of the Alliance for Progress and shall continue to work closely with our hemispheric neighbors to help build schools and homes, create new jobs, and improve health and nutrition. But much remains to be done. I shall be meeting shortly with the chief executives of the other American governments to review the goals and progress of the Alliance. At that time we will consider new cooperative programs to accelerate growth in critical areas.

In South Vietnam, we will increase our economic assistance for projects directly aiding people in the villages and hamlets. This stepped-up effort is urgently needed to help these people construct their farms and houses in safety and build the foundations for a better life in that strife-torn country.

To pursue the war on hunger more effectively, our assistance to agriculture and our food-for-freedom shipments will encourage and support efforts by the developing nations to increase their own food production. In cooperation with other nations, we will also carry out a pioneer program to find ways to utilize the vast unexploited food resources of the sea.

The International Development Association, which is managed by the World Bank, has proven an effective means of international cooperation to promote economic development. Its current resources, however, will soon be exhausted. Following the successful conclusion of negotiations between the IDA and the developed nations of the world, I will request authorization for the United States to pledge its fair share toward an additional contribution to this organization in ways consistent with our balance-of-payments policy. I also intend to propose legislation which will permit us to join other members in a replenishment of the Inter-American Development Bank's Fund for Special Operations.

To enable the Export-Import Bank to fulfill its role of assisting our export trade, which is so vital to our balance of payments, I am recommending that its lending authority be increased and its life extended for another 5 years.

Space research and technology: In 1961, this Nation resolved to send a manned expedition to the moon in this decade. Much hard work remains and many obstacles must still be overcome before that goal is met. Yet, in the last few years we have progressed far enough that we must now look beyond our original objective and set our course for the more distant future. Indeed, we have no alternative unless we wish to abandon the manned space capability we have created.

This budget provides for the initiation of an effective follow-on to the manned lunar landing. We will explore the moon. We will learn to live in space for months at a time. Our astronauts will conduct scientific and engineering experiments in space to enhance man's mastery of that environment.

The Surveyor and Orbiter projects, in photographing the moon, have demonstrated dramatically the value of unmanned spacecraft in investigating other objects in the solar system. Accordingly, we are proceeding with the development of the Voyager system for an unmanned landing on Mars in 1973. We will also continue other unmanned investigations nearer the earth.

In recent years the National Aeronautics and Space Administration and the Atomic Energy Commission have jointly undertaken the development of nuclear rocket propulsion technology. We are now considering whether that effort should be expanded to the development of the rocket itself. The overall budget totals allow for the possibility of proceeding if an affirmative decision is reached.

These new ventures are the result of careful planning and selectivity. We are not doing everything in space that we are technologically capable of doing. Rather, we are choosing those projects that give us the greatest return on our investment.

To support these new projects and to maintain our existing programs, an increase of $82 million is requested in new obligational authority for the National Aeronautics and Space Administration for 1968. Expenditures, however, will decline by $300 million in the coming year, primarily because of reduced requirements for the manned lunar landing program.

Agriculture and agricultural resources: Rising domestic and foreign demands have highlighted the importance of maintaining a healthy and productive agricultural economy. During the past year our surplus commodity stocks have been substantially reduced. As a result, restrictions on the production of wheat and feed grains have been eased in order to allow the Nation to maintain adequate reserves.

The increasing demand for agricultural commodities provides a favorable outlook for many of our commercial farmers. However, a large number of rural people cannot achieve an adequate income even with a prosperous agriculture. Labor requirements on the Nation's farms have declined drastically in the last quarter of a cenutry. Unemployment and underemployment in rural areas have resulted. Consequently, rural communities are often unable to provide and maintain essential public services—good schools, modern hospitals, and other necessary community facilities—to meet today's needs.

I have directed the Secretary of Agriculture to take the lead in helping rural people achieve a quality of living comparable to other segments of our population. To this end, the Department of Agriculture will work with State and Federal agencies and with local groups to help rural communities make the best use of all existing governmental programs. In addition, legislation is needed to encourage establishment of pilot multi-county development districts.

To assure modern and efficient electric and telephone services for rural people, legislation should be enacted promptly to provide new sources of private financing for Rural Electrification Administration borrowers, while minimizing Federal outlays.

Natural resources: My recommendations in this budget for natural resource conservation and development will help meet the most urgent needs of our people and the requirements for economic growth.

Action must be taken now to—

Reduce water pollution in our lakes, rivers, and estuaries.

Insure an adequate supply of pure water.

Preserve scenic areas of irreplaceable natural beauty—scenic rivers, the Redwoods, North Cascades in the State of Washington, and the historic Potomac Valley.

Forestall the escalation of land prices in the acquisition of Federal lands for recreational use.

The continued pollution of our rivers, lakes, and estuaries is one of the major resource problems facing this Nation. The transfer last year of the Federal Water Pollution Control Administration to the Department of the Interior now permits a major attack on the problems of water pollution in entire river basins. In 1968, the Department will also give major emphasis to reviewing and approving State standards required by the Water Quality Act of 1965.

Many regions of the country are facing increasingly critical problems of adequate supply and efficient use of water. I urge prompt enactment of legislation to establish a National Water Commission to assess our major water problems and develop guidelines for the most effective use of available water resources.

I also recommend legislation to enable the Department of the Interior to participate with the Metropolitan Water District of Southern California and the Atomic Energy Commission in developing and constructing a large prototype power and desalting plant. This will be a major step toward the development of economical projects for conversion of seawater to fresh water.

This budget provides for continued investment in the development and improvement of our vital water resources. Last fall, however, in order to help relieve inflationary pressures on the economy, I directed Federal agencies to slow down or defer construction projects wherever possible in fiscal year 1967. For 1968, I am recommending that a small number of new water resources projects be started. Advance planning will begin on a number of projects to be constructed in later years.

Authorized recreation areas must be acquired as promptly as possible to avoid speculative increases in land prices. Accordingly, I propose that an advance appropriation be made to the land and water conservation fund for this purpose.

A significant advance in research on the fundamental structure of matter will be made possible with the construction of a 200 billion electron volt accelerator by the Atomic Energy Commission. This research machine, to be located near Chicago, Ill., is expected to provide U.S. physicists with the world's highest energy proton beam. Design funds are provided in the 1968 budget.

Commerce and transportation: A strong and balanced national economy requires accurate and timely information; efficient transportation facilities; rapid communication; and special aids to lagging regions and sectors of the Nation.

Accordingly, the Federal Government will augment significantly its investment in commerce and transportation programs in the year ahead. The 1968 budget provides funds to:

Increase technical services and other aids to business;

Undertake a special sample survey to pinpoint the social and economic needs of our people;

Give added impetus to our efforts to encourage travel to the United States and our export promotion programs to improve our balance of payments;

Support a world weather watch to improve long-range weather forecasting;

Explore means for modifying the weather, and examine the implications of this new science;

Strengthen our effort to encourage regional economic development; and

Improve our transportation facilities and services under the leadership of the new Department of Transportation.

Our transportation programs in 1968

will include an all-out attack to reduce the alarming carnage on the Nation's highways, using the tools made available in the highway safety legislation enacted last year. We are currently considering the construction of a prototype civil supersonic transport. The allowance for contingencies is adequate to cover the possible costs of this effort, should an affirmative decision be made to proceed.

Special emphasis will be placed on improved management and acquisition of modern facilities and equipment to increase the efficiency of our postal system, one of the largest business operations in the world. To provide improved services, to cover proposed pay increases for postal workers, and largely offset the remaining postal deficit, a postal rate increase is both necessary and desirable. As required by law, I am proposing such an increase. The budget reflects $700 million in postal revenues from this source.

Housing and community development: The problems of the American city are great and vexing. They involve the entire physical and social fabric of deteriorating central cities and rapidly growing suburbs. Trapped in the declining centers of our cities are the poor and the victims of discrimination—who lack the resources to solve their problems without outside help.

This budget provides funds to help meet these needs. Outlays for grants and loans for programs directed specifically at community development will total an estimated $1.3 billion in 1968, triple the level in 1963. Moreover, other programs providing aid to urban areas will make substantial additional amounts available.

I have directed that community development programs emphasize aids for the poor. The recently enacted program of rent supplements is an essential element in helping the needy obtain adequate housing facilities and increasing their freedom of choice as to where they can live. To carry on this important program, I am requesting the full amount authorized for rent supplements for 1968, and urge the Congress to act favorably on this request.

To be effective, concerted attacks on city problems must be planned by the cities themselves. The new model cities program is now the primary incentive provided by the Federal Government to accomplish this objective. Special grants will be made to help transform entire blighted areas into attractive and useful neighborhoods. To receive these grants, cities must:

Develop imaginative and comprehensive plans of action; and

Enlist Federal, State, local, and private resources in a concerted effort to bring their plans to fruition.

Many cities are now planning their programs. It is essential that the funds I am requesting for these special grants be available in 1968 when these cities are ready to begin the task.

Under a new program enacted last year, further encouragement will be given to the planned development of entire metropolitan areas. Supplementary Federal grants will be made under 10 Federal aid programs in those metropolitan areas which demonstrate that they are carrying out through joint planning efforts all activities which affect metropolitan development. I urge enactment of the appropriations requested for this program.

One of the most serious difficulties in solving city problems is our inadequate knowledge about the roots and nature of these problems. I urge that sufficient funds be provided the Department of Housing and Urban Development to start a systematic research effort to acquire needed information on the causes and possible solutions for the housing and urban problems which we face today.

To be effective, our aids for community development must be put to use by competent, well-trained local employees. I am therefore requesting the appropriation of funds to initiate the authorized program for grants to States to help them provide training for State and local employees in community development programs.

The problems of the city are many; the resources, limited. More resources are essential if we are to build better cities for the future. We must start now to provide them.

Health, labor, and welfare: The 89th Congress enacted a far-reaching series of programs to improve the health and well-being of American citizens—particularly the less fortunate.

In the year ahead we must proceed to carry out these programs effectively, and seek the revisions and additions needed to maintain our progress. This budget so provides.

Health: The specter of inadequate health care is being removed from the aged and needy as we move ahead with the new medicare and medicaid programs, and with other activities aimed at bringing comprehensive modern treatment to all. With expanded Federal aid, more medical resources will become available, including medical facilities and qualified health personnel. The Nation's system for providing health care—public and private—will be improved to make it more efficient and to insure use of the latest advances of medical science.

In 1968, we will:

Strengthen our partnership with the States in health planning and in using broader and more flexible grants to fill gaps in health services.

Begin operating the new regional medical programs which will narrow the gap between the advanced methods used at university hospitals and day-to-day medical practice in the community.

Continue research and development to prevent or control diseases.

Expand programs to increase efficiency in hospitals, clinics, nursing homes, and neighborhood health centers.

Additional measures are needed and will be proposed to:

Extend medicare to disabled workers.

Expand child health services, including dental care.

Reduce the menace of air pollution which is a threat to the health and safety of our citizens.

Labor and manpower: My budget proposals provide increased opportunity for the disadvantaged to participate in and contribute productively to our expanding economy.

I am recommending funds for 280,000 trainees under the Manpower Development and Training Act, an increase of 30,000 over the current year.

Programs under that act and those of the U.S. Employment Service will continue to emphasize serving the severely disadvantaged.

In addition, under programs financed by the Office of Economic Opportunity, 355,000 jobs and training will be made available for youths in the Neighborhood Youth Corps. An estimated $328 million will be provided for expanded work-training programs, primarily for adults, with special emphasis on reaching the hard-core unemployed and underemployed in slum areas.

Economic opportunity programs: Poverty remains an ugly scar on the Nation's conscience. The war against it will be long, difficult, and costly. But we are making headway.

The $2.1 billion of new obligational authority included in the 1968 budget for the Office of Economic Opportunity will enable us to expand programs which help people rise out of poverty. The increase of $448 million over the 1967 level will be used largely for community action programs, for training programs, and for new Headstart followup efforts.

In addition to those helped by the work-training programs described above, the budget will provide for 737,000 children in Headstart; $135 million for improving primary school services as a followup to Headstart; 38,000 enrollees in the Job Corps; 6.5 million persons to be served through other activities by 1,100 community action programs.

Benefits and services which aid the poor are being provided by a number of Federal agencies. In total, 10 agencies will devote $25.6 billion in 1968 to help the more than 31 million poor people in our Nation. This represents an increase of $3.6 billion or 16 percent from the current year, of which $2 billion will be from trust funds.

Federal aid to the poor

[Fiscal years. In billions]

Category	1960 actual	1963 actual	1967 estimate	1968 estimate
Education and training	$0.3	$0.3	$3.1	$3.8
Health	.7	1.0	3.6	4.2
Cash benefit payments	8.3	10.4	12.8	14.6
Services, economic and community development, and other	.7	1.2	2.5	3.1
Total funds	9.9	12.9	22.0	25.6

Social security and public assistance programs: More than a third of our citizens receiving social security exist on incomes below the poverty level. Cash assistance to welfare recipients generally fails to meet even State standards of need, which are often unrealistically low. And many of the poor are not even eligible for this meager assistance. As a step toward correcting these inequities, I will propose legislation to:

Provide an overall 20-percent increase in social security benefits for retired workers and their survivors, with a 59-percent increase at the bottom of the scale;

Assure that the public assistance program provides incentives for work and training and more nearly meets economic need;

Assure public assistance support and work training opportunities for unemployed fathers in impoverished families with dependent children.

Education: Our Nation's greatness depends upon the full development of the talents and abilities of its citizens.

The 89th Congress wrote a memorable record in education legislation. The Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 marked a significant advance in Federal support to help improve and enlarge educational opportunities at all levels. Our task now is to use this authority in an imaginative, creative, and responsible way.

New obligational authority for education will total $5.2 billion in 1968, $622 million more than in 1967. These funds will be used to:

Assist the disadvantaged by increasing grants to improve elementary and secondary education for about 8½ million less fortunate children from low-income families and by providing new grants for education of handicapped children;

Encourage creative change through an increase of almost 80 percent in grants for supplementary centers and other special projects designed to introduce better teaching and innovation in our educational programs.

Widen higher educational opportunities by providing more than $1.1 billion in scholarships, loans, and part-time work for students, a 22-percent increase over 1967; and

Improve teacher training through additional funding and amendments providing for a more flexible use of legislative authority.

I will propose legislation to:

Extend and enlarge the Teachers Corps;

Initiate experimental projects to improve vocational education, particularly for the disadvantaged and those not planning to attend college;

Extend and expand Federal support for educational television; and

Strengthen education program planning and evaluation by State governments and localities.

Veterans benefits and services: This Nation continues to recognize a particular obligation to those who have served in the Armed Forces. Special programs have long been available to aid the veteran and his dependents in the event of disability, death, ill health, or old age.

More recently, following World War II and the Korean conflict, extensive programs were enacted to assist the veteran in his readjustment to civilian life. In the second session of the 89th Congress, this type of assistance was again provided, through enactment of the third major veterans readjustment benefit program or "GI bill." Upon leaving the Armed Forces, young men of recent military service will find their readjustment made easier through the availability of substantial education, training, medical, and home-loan benefits.

In addition, the 1968 budget continues the improvements of the past few years in hospital staffing and the provision of new medical services and facilities. The objective is to provide both a higher quality of care and to reduce the duration of hospitalization, enabling the veteran to return sooner to his home and job.

Certain gaps currently exist in the benefits available to veterans of service in Vietnam relative to those for veterans of previous active military operations. I will propose legislation to fill these gaps so that fair and equitable treatment is provided for those who bear the brunt of the struggle in southeast Asia. I will also submit proposals to the Congress to remove or modify certain long standing but outmoded or inequitable provisions of law governing veterans programs.

General government: This administration is determined to help our States and cities reduce crime in America. Significant strides have already been taken. The Law Enforcement Act of 1965, the Bail Reform Act of 1966, and the Prisoner Rehabilitation Act of 1965 have helped to strengthen law enforcement agencies, establish more equitable bail procedures in Federal courts, and improve the effectiveness of prisoner rehabilitation programs.

However, still greater efforts must be made. In 1965, I appointed a Commission of prominent citizens to study law enforcement and the administration of justice. With the aid of its findings, I will propose legislation for a major new program to help strengthen State and local government law enforcement and criminal justice systems.

District of Columbia citizens should have a voice in their own affairs. Our commitment to democracy demands no less. I again urge the Congress to grant home rule to the Nation's Capital.

PUBLIC DEBT

On the basis of the receipts and expenditures estimated in this budget, the public debt on June 30, 1967, will be $327.3 billion, and will increase to $335.4 billion on June 30, 1968.

The temporary limit of $330 billion on the public debt under present law will expire on June 30, 1967. If no action is taken, the limit will revert on that date to the permanent ceiling of $285 billion.

The present temporary debt limit, enacted last June, was based on an estimated administrative budget deficit for fiscal year 1967 of $1.8 billion. The request then made to the Congress was for a temporary debt limit of $332 billion. In reducing this request by $2 billion, the Congress indicated that if increased costs for Vietnam or other contingencies required reappraisal of this tight limit, the Congress would take whatever action is necessary.

Public debt at end of year

[Fiscal years. In billions]

Description	1965 actual	1966 actual	1967 estimate	1968 estimate
Owned by Federal agencies and trust funds	$63.0	$66.5	$74.9	$80.0
Owned privately and by Federal Reserve banks	254.8	253.8	252.4	255.4
Total	317.9	320.4	327.3	335.4

NOTE.—For further details see table 11 in pt. 2 of this document.

The increase in the 1967 deficit, coupled with the tightness of the current limit on the outstanding debt, make an immediate increase imperative. Without such an increase, management of debt operations and other fiscal policies will be seriously hampered.

Later this year, when the fiscal requirements for 1968 are more precisely known, specific recommendations will be presented for modifications in the temporary limit for that year. The exact amounts of the revisions in the temporary limit will depend not only on the specific outlook for the fiscal year as a whole, but also on the time pattern of receipts and expenditures in prospect.

Both for 1967 and 1968 the debt limits requested will provide the margin of flexibility necessary to manage the debt most prudently—to permit the Treasury to take full advantage of the most favorable market conditions and thus avoid unnecessary interest costs or adverse effects on the economy

IMPROVING GOVERNMENT MANAGEMENT

In the past few years, the Federal Government has undertaken an unprecedented number of forward-looking programs which promise to enrich the quality, the justice, and the opportunity of American society to an extent no one would have dared hope only a few short years ago.

But our responsibilities to the American people are not discharged with the enactment of new programs which meet the needs of the Nation. There exist two other closely related obligations of equal gravity:

First, we are obligated to assure effective and economical management of governmental programs—both old and new. Effective management of government activities enhances the benefits of those programs. Economical management releases resources for the people's use.

Second, we are obligated to maintain close and harmonious working relationships with State, county, and local governments—our partners in a new and creative federalism.

Government organization: We have made significant strides in the last 2 years to improve Government organization—

By creating the Departments of Transportation and of Housing and Urban Development.

By transferring the Community Relations Service to the Department of Justice and the Federal Water Pollution Control Administration to the Department of the Interior.

By reorganizing the Public Health Service of the Department of Health, Education, and Welfare, the scientific programs of the Department of Commerce, and the Bureau of Customs.

But additional action to improve the management of the Federal Government is necessary. One of the Government's major objectives is the promotion of a vigorous and growing economy. While there are many ways in which the Government pursues this objective, there are a number of highly interrelated activities now carried on separately by the Departments of Labor and Commerce and several other agencies:

Planning and execution of manpower programs designed to increase the skills and productivity of the labor force;

Promotion of the economic development of depressed areas and regions, to help them achieve balanced economic growth;

Provision of technical and other services to business and labor;

Collection, dissemination, and analysis of data about economic conditions of the Nation, its various industries, and its geographic areas;

Advising the President and carrying out national policies for improved labor-management relations.

The Secretaries of Commerce and Labor have recommended to me, and I strongly agree, that the President, the Congress, and the Nation will best be served by bringing together these closely related operations into one institution headed by a single responsible official of Cabinet rank. I will, therefore, propose legislation to merge the Departments of Labor and Commerce and the functions of several related agencies into a new Department of Business and Labor.

Federal-State-local cooperation: Our agenda must give high priority to a stronger and more effective federal system of government in the United States. To meet urgent and growing needs, the Federal Government is providing a wide range of programs to assist State and local governments. Now the chief task is to manage these programs efficiently at every level of government to assure the most effective public services. This effort will require support and action by the Congress.

At the national level the Federal Government has a responsibility to examine and improve the grant-in-aid system, making it more flexible and responsive to State and local fiscal realities. Last year we began a new partnership in health program through which numerous separate grant programs are being brought together. The model cities legislation enacted last year will also help to integrate the wide range of Federal aids available to communities. In the coming year we will examine other areas of Federal aid to determine whether additional categorical grants can be combined to form a more effective tool for intergovernmental cooperation.

Another aspect of the problem of intergovernmental cooperation has been the process of consultation with elected officials of State and local governments on matters concerning the development and administration of Federal assistance programs. Governors and local chief executives are responsible for the management of their units of government. The Federal Government should take all practical steps to increase the role of these executives in the administration of federally aided programs. I recently instructed Federal officials to work directly with State and local chief executives to accomplish this objective.

The Federal Government has a vital stake in the workings of our federal system. Federalism is not a one-sided partnership, and the States and local governments do not exist simply to carry out programs on behalf of the National Government. When we lose sight of these facts the federal system suffers, governments work at cross purposes, and the programs fail to achieve their objectives. Our task now is to improve Federal programs and administration, while we do more to help State and local governments strengthen their machinery for planning and management.

At the same time, State and local governments must help themselves. Serious problems of modernization in State and local government can be solved only by the people directly concerned. The Federal Government cannot and should not seek to remedy their internal deficiencies of organization or obsolete restraints on financing and executive direction. The Federal Government can, however, increase its technical assistance to general units of Government. As one example, we can work with State and local executives to improve budgeting and management. In a similar way, the Federal Government stands ready to cooperate with the States in developing more adequate general systems of comparative statistics—an area where State governments have great needs.

Capable personnel are essential for effective service to the public at the State and local level no less than at the national level. I am recommending legislation to broaden educational and training opportunities for students planning careers in the public service and for public employees who desire to improve their skills. Provision will also be made for financial and technical assistance to strengthen State and local personnel management and to permit interchange of personnel between the Federal Government and State and local governments.

Some States have created special offices concerned with community development, which focus their organizational and financial resources on urban problems within their borders. The work of these offices can be made more effective, and other States can be encouraged to make similar efforts, by the new program authorized last year for grants by the Department of Housing and Urban Development to States to support technical assistance and information services to their local communities. I urge the Congress to stimulate such improvements by providing the funds I am requesting for this new program.

Budgetary concepts: As I have already made clear in this message, some of our traditional budget concepts do not adequately portray the Federal Government's activities. The conventional administrative budget, for example excludes the expenditures and receipts of the trust funds. Both the administrative and cash budgets treat repayable loans in the same way as nonrepayable grants or purchases. While the national income accounts budget has been carefully formulated to measure Federal activities in relation to the flow of income and production in the economy, it is not now well suited for an analysis of individual Federal programs.

For many years—under many administrations—particular aspects of the overall budget presentation, or the treatment of individual accounts, have been questioned on one ground or another.

In the light of these facts, I believe a thorough and objective review of budgetary concepts is warranted. I therefore intend to seek advice on this subject from a bipartisan group of informed individuals with a background in budgetary matters. It is my hope that this group can undertake a thorough review of the budget and recommend an approach to budgetary presentation which will assist both public and congressional understanding of this vital document.

PLANNING-PROGRAMING-BUDGETING SYSTEM

Our most comprehensive effort to improve the effectiveness of Government programs is taking place through the planning-programing-budgeting system. This system, which was initiated throughout the executive branch a little over a year ago, requires all agencies to:

Make explicit the objectives of their programs and relate them carefully to national needs;

Set out specific proposed plans of work to attain those objectives; and

Analyze and compare the probable costs and benefits of these plans against those of alternative methods of accomplishing the same results.

This system is primarily a means of encouraging careful and explicit analysis of Federal programs. It will substantially improve our ability to decide among competing proposals for funds and to evaluate actual performance. The full effects of this effort will not be felt until next year and later, as the necessary data are gathered and analyses now in progress are completed.

A few examples of the kind of work which is in progress indicate the wide range of matters to which organized analysis and programing can be applied.

Disease control: The Department of Health, Education, and Welfare has completed an analysis of the relative cost and effectiveness of selected disease control programs. Cost per life saved and other criteria of relative effectiveness were developed. These programs are being reviewed and funding priorities are being reexamined in light of these findings.

Child health: The Department of Health, Education, and Welfare completed an analysis of alternative programs aimed at reducing infant mortality and improving child health. This analysis led to the legislative program focused on early identification and treatment of needy handicapped children and experimental projects aimed at improving delivery of medical care to children.

Urban planning: Experimental projects in urban planning designed to link planning with budgeting are underway at the local level. These efforts should produce a more effective allocation not only of Federal outlays but also of local resources.

Agricultural research: On the basis of a long-range study conducted by the Department of Agriculture and the land-grant universities, a new set of priorities for agricultural research has been established. Increasing emphasis is being given to research on improvement of nutrition and health, efficient low-cost housing, improved community services, and other means which can help directly in raising the level of rural living.

Tax administration: As a result of intensive analyses of the tax administration system, Internal Revenue Service programs have been steadily improved to produce higher tax collections per dollar of cost, while strengthening the emphasis on equity and voluntary compliance on which our tax administration is based.

With its emphasis on developing better methods of accomplishing program objectives, the new planning-programing-budgeting system is also helping our Government-wide cost reduction program. We will continue to offset a significant part of increased costs of important new programs by increasing efficiency throughout the Federal Government. Savings from this source have been substantial during the past year under our drive for cost reduction. I have made it clear to the heads of all departments and agencies that they are to continue their emphasis on cost reduction in the coming year.

The careful research and analysis which is required under the planning-programing-budgeting system does not just happen. It requires the efforts of intelligent and dedicated men and women. The number of analysts required is not large—but the need for them is great. I urge the Congress to approve the funds requested in the budgets of the various Federal agencies to make possible this improvement in the management of Federal resources.

CONCLUSION

Our Nation is stronger today than ever before. We need not, indeed we dare not, forsake our basic goals of peace, prosperity, and progress.

The pursuit of peace is essential for the continued advancement of our Nation and all mankind.

Prosperity and progress will lead us toward a society where all can share in the bounty of nature and the products of man's ingenuity and creativity.

At various times in the past, democracies have been criticized for their seeming inability to make hard choices—for seeking soft, easy answers to critical problems. This Nation has proven the doubters wrong time and again, and will not fall prey to such weakness now.

We can afford to achieve our goals. Let us not retreat from the task, no matter how demanding it may be.

This budget represents a careful balance of our abundant resources and our awesome responsibilities. As President, I have weighed the alternatives and made the hard choices as best I could. The responsibility for similar action now rests with the Congress. I urge your support for the goals and programs embodied in this budget for the coming fiscal year.

LYNDON B. JOHNSON.

JANUARY 24, 1967.

THE PRESIDENT'S BUDGET MESSAGE

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. MAHON] is recognized for 30 minutes.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD on the subject of the President's budget immediately following my remarks and the remarks of the gentleman from Ohio [Mr. BOW].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAHON. Mr. Speaker, the annual budget of the President is our focal point for the consideration of fiscal matters. It is a mass of figures and information. It is extremely complex. It brings the whole range of governmental activities into focus as they compete for financial support. It represents a drawing of the line, so to speak, from the President's viewpoint between national wants and national necessities. The President has drawn the line where and how he thinks it should be drawn. It is now our responsibility to study and dispose of the countless budget recommendations and to redraw the lines as we see fit.

Mr. Speaker, it is the duty of the Congress to look with a skeptical eye on any budget and go through it with a fine toothcomb so to speak, and try to make reductions in spending wherever they can safely and logically be made.

The President's budget just submitted to us will be no exception.

A budget is a plan for the year—an estimate—an educated guess—and should be considered as such.

In no instance has a Federal budget predicted precisely what actually happened during the fiscal year for which the budget was prepared, nor could it. I would say that President Johnson's budget estimates for the fiscal years 1964, 1965, and 1966 have, in the overall, been more accurate in projecting what actually did happen with respect to year-end deficit figures than those of any of his modern predecessors.

I can pledge to the House that its Committee on Appropriations, in accordance with its duty and responsibility, will screen the budegt requests as thoroughly as possible, recommend reductions wherever they appear warranted, and present appropriation bills to the House as expeditiously as can be done, with the view of passing all of the regular appropriation bills through the House prior to July 1, the beginning of the new fiscal year.

It does seem to me that for the first time in several years there is good reason to hope for an early adjournment, and by early I mean some time prior to August 1.

Of course, many of the appropriation bills or portions of them will have to be authorized before Congress can enact appropriations, but I am confident that the legislative committees will bring up for consideration as early as possible the various authorization legislation which will be required.

With further respect to the budget, I would say that we cannot, on short notice, judge the validity of the items in the budget or anticipate the actions which Congress may take after a searching study of the countless recommendations.

The President has made some hard choices, hard decisions. It is now up to Congress to evaluate the President's decisions and make hard decisions of its own. Congress has the final responsibility as to how much money will be granted for expenditure. This is a part of our system.

When we are in an inflationary period and the budget is out of balance, it is especially imperative that we take a critical look at all phases of the budget and cut everything that we safely and logically can.

The President's administrative budget for expenditures is, of course, $135 billion. That is the money that he estimates will be spent from appropriations now requested and from carryover balances of appropriations made in previous years. The work that Congress will undertake in the field of appropriations this session will relate not so much to the $135 billion spending figure but to a figure of $165 billion, roughly, the amount requested in new appropriations.

This is the amount of obligational authority, stated in traditional appropriation terms, which the President has requested in the budget which has just been submitted to us.

I would like to make a statement which I believe may be a bit shocking to some, and which certainly should be sobering to us as we consider authorizations and appropriations. Two years ago we increased appropriations over the previous year by some $13 billion. Last year, we increased appropriations over the previous year by nearly $25 billion. This year, we are being requested to increase appropriations over last year by roughly $21 billion. So we can see how rapidly appropriations have escalated in the last 2 years and what we are confronted with in our considerations during this session.

Of course, the war has had a very tremendous impact on Government spending. It is fair to say that we were well on the way to a balanced budget, and in my judgment we would have achieved a balanced budget, except for the war. But, of course, the war is the number one problem before the Nation. It is a matter of the greatest concern. It is the war that is primarily responsible for the budget being out of balance for the fiscal year 1968.

As was said last week in a discussion on the floor of the House, a President can always submit a balanced budget by a few strokes of the pen. The President's budget is not only made up of traditional appropriation requests and estimated expenditures, but it is also made up of revenue proposals.

There is a tendency on the part of the Congress and the public in discussing a budget to overlook the revenue proposals and to think only of the spending proposals in evaluating what the budget really contains. Failure to enact revenue proposals contained in the budget would be a significant factor to consider in projecting income and outgo. There is no way for us to know at this time whether the revenue proposals will be adopted and what will be done by Congress with appropriations requests.

The administrative budget deficit for the forthcoming fiscal year is estimated by the President to be $8.1 billion, but if we do not pass the proposed increase in postage rates, for example, the deficit will be $700 million more.

If we do not approve the program for financing certain projects by the participation sales method, the deficit will be very much more indeed. We could go through the entire budget and balance revenue-raising proposals with spending proposals and better evaluate what the true situation may be when the end of the session has arrived.

Mr. Speaker, I ask unanimous consent to include certain tabulations when I revise my remarks. In the revision of my remarks I shall undertake to insert some material which will bear on the tremendous problem which will be confronting us every day of the session as to how much we shall authorize the Executive to spend as a result of the actions of the session of Congress in the calendar year of 1967.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. FLYNT. Mr. Speaker, I associate myself with the remarks which have just been made by the chairman of the Appropriations Committee relating to the budget message which has just been received and read in the House of Representatives. I find myself in concurrence and in accord with virtually everything the chairman of our committee has had to say about this. I respect his knowledge of budgetary matters. I, of course, respect his ability to present the matters which come before the House from the Committee on Appropriations.

I should merely like at this time to call the attention of the House to House Concurrent Resolution 63, introduced by the gentleman from Georgia on January 16, which would express the sense of the Congress that the funds derived from special highway user taxes not be withheld from expenditure in such a matter as would interfere with the orderly construction of the interstate and other Federal aid highway programs under a long-range planned program. That program has certainly demonstrated that the idea of long-range highway construction planning has been both in the interest of economy and of efficiency.

It has always been my position, and still is, that the revenues from the special highway user taxes go into a trust fund account which cannot be used for any other purpose and should not be delayed or deferred from use in highway construction as intended.

I certainly hope that the substance of the provisions of House Concurrent Resolution 63 will be concurred in by the chairman of the Committee on Appropriations.

Mr. MAHON. I should like to respond to the remarks made by the gentleman from Georgia.

As the House knows, last year the President announced a policy of slowing down expenditures of funds made available in order to reduce the spending of the Government, in order to relieve some of the inflationary pressure. He stated that he would undertake to curtail programs by $3 billion, in an effort to reduce the rate of spending. This was to a very considerable extent a proposed stretching out, or a postponement. This was not held out to be a real saving of money.

Among the expenditures which the President proposed we stretch out were those having to do with the highway construction program.

I believe we are all in favor of a good road system and an adequate highway program.

There is some talk that additional funds in the highway program may be withheld from expenditure. Just what may be recommended by the executive branch on the matter of withholding an additional $400 million I do not know. I myself would think it unwise to withhold additional funds, and I believe we need to look carefully into the withholding of funds for the highway program as has already been advocated by the President.

I would not undertake to prejudge this matter at this time.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, this budget was at least 6 months in the making, and it has been available to us in the legislative branch only a few short hours. Therefore, I have not had an opportunity to give it the study I believe it deserves before I make any extended analysis of it or any lengthy comments about it.

However, I should like to say that I am satisfied this budget can be cut, and I believe it can be cut by a sufficient amount of money to obviate the necessity of increasing taxes.

As a member of the Appropriations Committee serving under the distinguished gentleman from Texas, I pledge to him and to the House and to the country a maximum effort to find places where this budget can be cut without sacrificing national security.

I have never seen a budget that could not be cut.

It has been my pleasure and privilege to serve on this committee for some 12 or 14 years. Recently a compilation was made which shows that during that period of time the House Committee on Appropriations cut budgets submitted by four Presidents by a total of more than $50 billion.

These cuts did not stand up because the House did not go along with all of the recommendations of the committee. And as you know we have another body that has to have its word on appropriations also. I mention this only to prove that budgets can be cut if there is a will to cut them.

The thing that worries me about this budget, from my casual examination of it thus far, is that I see no evidence of any major effort on the part of the executive branch of the Government to cut back on nondefense spending. As a matter of fact, the only nondefense areas in which budget cuts are proposed occur in three fields; namely, in space exploration where a very modest reduction of $300 million is set forth out of a $5 billion appropriation item, in commerce and transportation where there is a small reduction of $400 million, in education where there is a reduction of $500 million, and $300 million in veterans services. Throughout all of the rest of the Government there are no major reductions proposed. I think in view of the fact that we face a critical situation in Vietnam with ever-increasing costs and with no prospect of any end in sight soon, all of us, ought to make a really serious effort to cut back on nondefense spending. I think this can be accomplished, and I am going to be very greatly disappointed at our efforts in the House Committee on Appropriations if we do not come up at the end of this current session with appropriation recommendations substantially under those recommended by the President. I think we can cut a sufficient amount to obviate the necessity of increasing taxes and without sacrificing any essential activity and without impairment to national defense. I intend to devote my efforts in that direction.

Mr. MAHON. I would say to the gentleman that he is eminently correct in saying that any budget can be reduced, can be cut. The President made some hard choices resulting in reductions below what some agencies requested. Of course, there are some who want to go far beyond the figures he has submitted with regard to various programs. We all know this. Certain people in the country and some Members of Congress want to go far beyond anything proposed by the President. There are many of us who do not want to go as far as the President proposes.

I believe that the House of Representatives should and will make reductions in the President's budget in appropriation bills. Last year, in the calendar year 1966, we made reductions in appropriation bills in the sum of $883 million. This year I would hope we can do better than that. We must make recommendations for reduction in view of the very difficult fiscal situation confronting us. We have an estimated budget deficit in the sum of $9.7 billion for the current fiscal year and in the sum of $8.1 billion estimated for the next fiscal year even with a tax increase of $4.7 billion and other revenue-increasing proposals which have been and will be made.

Mr. ALBERT. Mr. Speaker, will the gentleman yield to me?

Mr. MAHON. I yield to the distinguished majority leader.

Mr. ALBERT. First of all, I want to congratulate the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. Mahon], and, of course, the distinguished gentleman from North Carolina [Mr. Jonas], who are among the most able and knowledgeable Members of the House. It is the duty of the Committee on Appropriations to go over the budget every year with a fine-tooth comb. After all, the business of appropriating money is primarily a legislative matter in this country.

Also, Mr. Speaker, I agree with what the gentleman from Texas has had to say about the further stretching-out of the highway funds. However, I would like to state, in addition to what the distinguished gentleman from North Carolina [Mr. Jonas] said with reference to not cutting where actual defense is concerned, that there are fixed obligations of the Government and it is important that the House of Representatives know how the various cuts on every item will affect the total economy and the Nation as a whole.

Mr. Speaker, I think some of the gentlemen who have expressed such serious concern with the size of the budget we received today should pause and consider the fact that more than three-fourths of the budget expenditures are for programs that are virtually uncontrollable. Five of every nine dollars estimated to be spent by the Government in 1968 will be for national defense. More than $14 billion will be paid out as interest on the public debt. Nearly $5 billion more will be spent for veterans pensions, compensation, and insurance. Public assistance grants to States account for more than $4 billion. A total of more than $6 billion will be spent for such essential items as operation of the postal system, farm price supports, Federal contributions to medicare, and a number of other smaller but equally necessary and equally uncontrollable type of programs.

If we exclude all of these uncontrollable expenditures, there is only about $30 billion remaining to be spent on the tremendously vital but relatively controllable items such as law enforcement, tax collection, operation of our national parks, aids to education, operation of the Patent Office, control of air and water pollution, and operation of the Federal air navigation system. Furthermore, of this $30 billion to be allocated among a large number of important activities, about half will be spent for payment of obligations incurred in previous years. In other words, after making allowance for expenditures for uncontrollable items such as national defense, interest and veterans pensions, as well as for money to be spent to fulfill existing contracts and commitments, there remains only about $15 billion of 1968 expenditures that are really controllable. When put in its proper perspective, and after considering in all fairness the tremendous amount of uncontrollable spending necessary to operate the Government. I think it is a remarkable achievement that the budget is not considerably larger.

I note that many of the more necessary and socially desirable programs show increased budgets for 1968, yet the total amount budgeted for all activities that are controllable in the budget year is the same in 1968 as in 1967.

All of this evidences to me a sincere effort by the President to continue and increase spending for high priority programs which benefit the taxpayer the most, while at the same time cutting and slowing the less essential activities of the Government. I think this budget sets forth a wise program, truly reflecting the relative priorities of the many activities of the Government.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I shall yield to the gentleman from Missouri very shortly.

Mr. Speaker, I thank the distinguished majority leader, the gentleman from Oklahoma [Mr. Albert], for his comments.

Mr. Speaker, the President has discharged his statutory responsibility. He has submitted his budget plans. He has made some hard choices, and now it is up to the Congress to make the hard choices and it is up to us to determine—and we have the sole responsibility—just what we shall do about the budget, and making cuts thereon. But when cuts are made in a program, take for example a military housing program, and I use this only for illustration—we can cut the amount of money but when we cut the amount of money we reduce the number of houses. In short, at some point we have to face up to the fact that we cannot have the same number of houses if we cut deeply.

What I am saying is that we must make decisions not only as to money, but also as to programs and what we wish to achieve by reductions we may make.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, I have a few observations which I would like to make with respect to this subject.

First, Mr. Speaker, I want to say that I concur in the remarks which have been made by the gentleman from North Carolina [Mr. Jonas] when the gentleman said that we have just received this budget message. Of course, Mr. Speaker, this is a document which takes considerable effort in order to get to the bottom of the items contained therein. So, we on this side shall be, I hope, making a more determined effort and undertaking a more detailed response with reference to the President's budget. There are some things which I feel need to be said at this point. However, if I might say to the gentleman from Texas when he responded, there are some who want to go even beyond the President in his proposals for nondefense expenditure contained in this budget.

All I can say referring to the President's message containing his proposals for social security benefit increases is that if they are indicative of the kind of proposals that are incorporated in this budget, then I defy anyone to go beyond the President's proposals. I cannot imagine anything that could be more irresponsible than the President's request—in the message we just received yesterday.

Mr. MAHON. Well, if the President——

Mr. CURTIS. Let me finish, please, and I shall be happy to hear the gentleman's response.

Mr. MAHON. Mr. Speaker, how much time do I have remaining of the 30 minutes?

The **SPEAKER** pro tempore. The gentleman from Texas has 6 minutes remaining.

Mr. MAHON. The gentleman from Missouri can obtain his own time for further elaboration, but I yield further to the gentleman from Missouri.

Mr. CURTIS. Mr. Speaker, let me say to the gentleman from Texas [Mr. Mahon], that I, of course, could obtain my own time. But, if we are to have a colloquy then let us engage in it. Frankly, I do not like the business—on an important message like this—of Members simply inserting their remarks in the Record, when people reading them the next day, or the following day, have no knowledge as to whether those remarks have been submitted to the possible rebuttal of Members of the House who might disagree with them. That is why I like to engage in a live colloquy.

Mr. MAHON. Mr. Speaker, I, too, enjoy a live colloquy. Debate on these important questions is necessary. However, I would like to say at this point—while the gentleman from Missouri said it is unbelievable that anyone would want to go beyond this——

Mr. CURTIS. That is right.

Mr. MAHON. I was not limiting my reference to any one single proposal. I am speaking generally. The mayor of the city of New York has suggested, as I understand it, that about $50 billion of Federal assistance might be required for the city of New York in the next 10 years. I feel certain that there are many political figures of both the Democratic and Republican political faith, and many citizens otherwise, who feel that the President's budget is wholly inadequate in some respects. I believe the gentleman from Missouri knows this as well as I do.

Mr. CURTIS. If the gentleman means that these proposals would be in complete disregard for the revenue aspects of the budget, and I would say this budget, just handed to us, is almost in complete disregard for the revenue aspects and for the economic consequences of financing programs at this time through further deficits. If the gentleman from Texas means this, then I can agree that every one of us can conceive of additional areas where we could spend money. But I thought our discussion of the budget was in context with what one might say is within reason. To have a budget presented such as this and then to suggest going beyond the President's expenditure requests is unthinkable, that was what I was saying; it is very difficult for me to believe that anyone would seriously suggest increasing the President's expenditure requests.

Mr. MAHON. Mr. Speaker, may I say that I appreciate the gentleman's position.

I myself feel that this country, during a period of a high level of employment and with a gross national product now approaching $800 billion, could and should pay its own way.

Mr. CURTIS. That is right.

Mr. MAHON. Especially in view of the fact that the war effort in Vietnam is requiring less than 5 percent of the gross national product—I am referring to the war; I am not talking about the cost of the entire Defense Department.

It is for this reason that I feel so strongly that we should do the best possible job in bringing appropriations into line with revenues.

Mr. CURTIS. Let me say to the gentleman that I could not agree with that approach more. I feel deeply that this is so. I think this country most needs a balanced budget at this time. And we can have a balanced budget. Granted, it would be austere. We would start with the fixed charges.

I think we can all agree that the costs of defense would have to be included. The gentleman is right in saying, and the President has boasted about the fact, that this war is costing less as a measure of the gross national product than any war before. But we would put our defense needs in and then see what is left—I might say there would be considerable left—and then fit the rest of the programs into the remaining moneys.

I think the key to the future of this country lies in getting a balanced budget.

Let me say this, Mr. Speaker, that the Committee on Ways and Means, beginning Monday, is going to be involved in this area of expenditures long before the Committee on Appropriations will be involved, because the respect to increase debt ceiling is coming up. The President's lack of estimates on revised expenditures at the time he requested an increased debt ceiling last year and again when he presented his proposal for a suspension of the 7-percent investment tax credit to the Committee on Ways and Means has brought about a situation where I believe there is a violation of the law going on right now on the part of the Executive in order to escape the discipline of the debt ceiling; namely, putting participation certificates into the social security trust fund. This is one way, of course, of getting around the debt ceiling.

So, indeed, hopefully, beginning next Monday, we will have before the Committee on Ways and Means some data which will shed light on the matter. I hope that members of the Committee on Appropriations will come before the Ways and Means Committee to suggest where the budget for 1968 might be revised and cut down, and also the budget of 1967, which has been expanded considerably beyond the original presentation last year. We can, hopefully, develop a recision bill. This is something that this country has never heard of before, but it is certainly possible to take some of this $125 billion carryover power to spend that the President has, go over it and see where we might be able to cut back.

Let me remind the Members of the House that the President says that he is doing this rescinding of his own accord. He has boasted about the fact that he has. Certainly the Congress can do it, too. What is happening is that the President is exercising an item veto. The President decides where he wants to cut back in a certain program, or where he wishes to put some program on the shelf. But the Congress has not been brought into this operation as to what priorities should be established in cutting. Congress can and should be brought into this process. Congress can do something about the expenditures right now, as of right now.

I thank the gentleman for yielding me this time.

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas may be allowed to proceed for an additional 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. CURTIS. Mr. Speaker, reserving the right to object, may we extend that for 10 minutes, because I do have a couple of other points I would like to cover.

Mr. HALEY. Mr. Speaker, I then ask unanimous consent that the gentleman from Texas be allowed to proceed for an additional 10 minutes.

The SPEAKER pro tempore. The Chair will remind the gentleman that there are other special orders pending.

Without objection, the gentleman from Texas is recognized for an additional 10 minutes.

There was no objection.

Mr. MAHON. Mr. Speaker, before yielding further to my colleague, my good friend from Missouri, I would like to say I think it is fortunate for the Congress that the Committee on Ways and Means must in the very near future give consideration to the overall fiscal picture. This will be brought about when consideration is given to the question of raising the debt ceiling. This has been called to our attention as one of the vital questions before this session of the Congress which undoubtedly will be considered.

I would not at all agree that the President has not sought to hold the spending level down. Apparently, the President is successfully not spending funds available to him in the sum of $3 billion during this fiscal year. I do not believe it is correct or proper to ascribe any violation of the law or procedure to what the Executive is seeking to do.

Mr. CURTIS. Let me say to the gentleman that this is an intellectual discussion and I hope that when I say that something in my judgment is not constitutional or is illegal that I am not impugning the motives of the President.

The President has a letter from the Attorney General saying that this is legal. I question this legal opinion. I am calling attention to just one element of the problem. During the debate on the participation certificates, we offered an amendment on this side to make these participation certificates subject to the debt ceiling. And in the wisdom, or the lack thereof, on the part of the House, this amendment was defeated. So these participation certificates are outside of the debt ceiling.

The social security law was carefully written. I think it was—the way I read it, it was, to see that the only securities which could be purchased for the trust funds were in effect Government obligations which were under the debt ceiling and were in a complete way guaranteed by the full faith and credit of the United States.

So let us keep this on this level. I am making a serious charge—I agree—but I am not impugning any motives when I am trying to describe it. I certainly think it is a quite serious situation.

Let me say to the gentleman, the only way that we can understand this budget for 1968 fiscal year and in particular I am talking about the revisions of fiscal year 1967 which are set out in it is to take this 1968 budget and compare it with the 1967 budget we were presented in 1966. Let me compare some of the tables.

I want to call attention to page 413 of the 1968 budget, "Table B–9—Gross Expenditure of Government Administered Funds in Millions of Dollars."

This includes both what we call the administrative budget and the budget which includes various trust funds.

Take column 2 on this page where you see the 1967 expenditure estimates. Now go to the document of the 1967 budget presented last January, page 394 and we find an identical "Table B–9—Gross Expenditures of Government Administered Funds in Millions of Dollars." In the final column there are the 1967 expenditure estimates.

Now here is something—because these are estimates on the same subject matter made a year apart. National defense in the first is $63 billion—and national defense in the revised one of 1967 is $73 billion.

In other words, there was a $10 billion increase just in revision.

Now we get the total. It is $175 billion in the 1967 estimate of 1967 expenditures and it is $192 billion in this new document—making a difference of $16.7 billion.

So the estimates on defense increases are $10 billion.

The estimates on nondefense expenditures have increased $6.7 billion. This is something that the country needs to know because we have been hearing a lot about how all of this increased Government cost is because of the war. The gentleman has pointed out, as I have said, that we can have guns and butter—but not rancid butter. But we have to start looking carefully and establishing priorities in the butter area.

But this clearly shows in the first revision a revising upward of $6.7 billion in nondefense expenditures, and let me remind everyone that the estimates last January were by no means skimpy. That was a lush budget and the $6.7 billion is on top of it.

Very little has been done, I might say, to hold expenditures by the Executive.

One final point on this subject—I tried to find out last year during the interrogation of the Secretary of the Treasury and the Director of the Bureau of the Budget twice, once on the debt ceiling and the other one when we suspended the investment tax credit, where was this $3 billion cut in expenditures they boasted about? And the record is still open for the administration to document it. I shall frankly state again that I do not believe they can, because I do not think there was any $3 billion cut. I think that was just rhetoric. There was a $6.7 increase. The more we get into this budget I know we are going to find a great deal more to have been rhetoric, and we are going to find many funny figures.

Let me refer to one other thing——

Mr. MAHON. Let me make one comment.

Mr. CURTIS. I have one final comment, but go ahead.

Mr. MAHON. I would like to point out that while all Presidents are required to make projections, an educated guess, present a budget, this administration, I believe, has done the best job of estimating differences between spending and revenues of any administration in recent years.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. Let me finish first——

Mr. CURTIS. Let me make this one point, and then you can respond to the point. You mentioned that before, but you are talking about deficits. One reason the deficit might have been less is because of the misestimation of revenues. Let us refer to the estimated expenditures.

Mr. MAHON. Here is the point I am trying to make: You pay off on the deficit or the surplus, the relationship between outgo and revenues. This administration has, as I said, done the best job of any administration in modern history in estimating the amount of the deficit. I shall insert at this point in the RECORD information which will corroborate that statement:

Variations in administrative budget projections, 1955–66

[In billions of dollars]

Fiscal year	Budget receipts			Budget expenditures			Surplus or deficit		
	Original	Actual	Swing	Original	Actual	Swing	Original	Actual	Swing
1955	62.5	60.2	−2.3	65.4	64.4	−1.0	−2.9	−4.2	−1.3
1956	59.7	67.8	+8.1	62.1	66.2	+4.1	−2.4	+1.6	+4.0
1957	65.0	70.6	+5.6	64.6	69.0	+4.4	+.4	+1.6	+1.2
1958	73.1	68.6	−4.5	71.2	71.4	+.2	+1.8	−2.8	−4.6
1959	74.0	67.9	−6.1	73.6	80.3	+6.7	+.5	−12.4	−12.9
1960	76.4	77.8	+1.4	76.3	76.5	+.2	+.1	+1.2	+1.1
1961	83.3	77.7	−5.6	79.1	81.5	+2.4	+4.2	−3.9	−8.1
1962	82.3	81.4	−.9	80.9	87.8	+6.9	+1.5	−6.4	−7.9
1963	93.0	86.4	−6.6	92.5	92.6	+.1	+.5	−6.3	−6.8
1964	86.9	89.5	+2.6	98.8	97.7	−1.1	−11.9	−8.2	[1] +3.7
1965	93.0	93.1	+.1	97.9	96.5	−1.4	−4.9	−3.4	[1] +1.5
1966	94.4	104.7	+10.3	99.7	107.0	+7.3	−5.3	−2.3	[1] +3.0

[1] Original deficit projection decreased by this amount.

But it is true that there was an underestimate of the cost of the war. We must bear in mind that the budget is submitted 18 months in advance of the end of the fiscal year for which it is submitted. That is one of the reasons why original budgets are sometimes off the mark. The President underestimated the cost of the war and he also underestimated the amount of revenues. So this would seem to have been an action in all good faith. Otherwise the President might have estimated revenues far beyond what he did in order to make himself look better at the beginning of the session when the estimates were first submitted.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. CURTIS. It will be very interesting to go over those tables.

Mr. MAHON. Before we get into that subject, one other thing: The President had said originally that he would reduce the programs, if possible, during this fiscal year to the extent of $3 billion. Actually he has now translated that statement and said that he would undertake to, or would reduce "expenditures" by $3 billion, which is an entirely different matter from reducing program. So I think we can document many reductions that can be made. Some of the enumerated reductions in program were not very well founded, in my judgment. We do not have time to go into all those details, but I think a substantial amount of money is being withheld and will be withheld in order to reduce expenditures during the current fiscal year.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. CURTIS. I want to say to the gentleman that I am anxious to see that documentation. Let me make one other point. One of the reasons for the lower amount of deficits compared with expenditures is that the administration has been selling off capital assets and, as the gentleman knows, under the funny kind of bookkeeping, of the Federal Government, not peculiar to this administration, but peculiar to all of them, sale of capital assets goes in as a reduction of expenditures instead of, as it should, an increase in revenues. The sale of capital assets, selling off capital in order to make a showing for the time being, I do not regard as very accurate bookkeeping or sound fiscal policy.

One final point, if I may make it. In attempting to understand where the Congress can do something so far as expenditures for this fiscal year is concerned, I refer to carryover powers to spend. How this can affect the debt may be seen by looking at the chart, table 8 on page 49 of this budget. Then take a look at the comparable chart on page 47 of the 1967 budget. There we see the new authority to spend requested by the President coupled with the carryover balances to spend previously granted by the Congress but unspent, to make the grand total of power to spend. For fiscal 1968 it would be $144 billion—NOA—plus $125.6 billion carryover or $269.6 billion of which the President says he will spend $135 billion in fiscal year 1968.

This Congress can cut in two ways. It can cut carryover balances to spend through recession bills. A cut in carryover balances will affect expenditures for both the rest of fiscal year 1967—that is until June 30, 1967, and for the full fiscal year 1968. Then the Congress can cut in the appropriation bills this year the requests for new power to spend made by the President. Both will hit at expenditure levels.

The SPEAKER pro tempore. The time of the gentleman has once again expired.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that I may proceed for an additional one-half minute.

The SPEAKER pro tempore. Is there objection? The Chair hears none. The gentleman is recognized for one-half minute.

Mr. MAHON. Mr. Speaker, I believe it is very wholesome for us to discuss the fiscal picture confronting the country and to try to excite interest throughout the country and take steps to do something meaningful about bringing outgo and income into balance, making reductions wherever safely they can be made in defense and in nondefense spending as this session of Congress unfolds.

Under permission to revise and extend my remarks I will include at this point data which, hopefully, will be useful in understanding some of the ramifications of the 1968 budget.

WHICH SPENDING BUDGET?

It is desirable to discuss the matter of which budget we will act upon at this session. There will be confusion on this point.

The big headlines this evening and tomorrow may say that the President's budget is $135,033,000,000. If one will thumb through today's budget, he can find that figure in several places. It is the total of the so-called administrative expenditure budget. It is the amount the President mentioned in his state of the Union message. It is the checks-to-be-issued budget. It relates only to the 12 months of fiscal year 1968, not to this calendar year session of Congress. It is important, but it is not the budget Congress will process this session.

GROSS EXPENDITURES

In reviewing the budget document, one may be shocked to find what could be called a conglomerate budget that totals $210,222,000,000. It is the gross expenditures budget for all Government administered funds. You will find it on page 413. It is an arresting total and a revealing figure, but it is not the budget Congress will process this session.

THE CASH BUDGET

At another place, one finds a spending figure of $172,403,000,000. That represents the cash budget—or more precisely, receipts from and payments to the public. It combines the administrative budget with the various trust funds such as social security. And like the administrative budget, it is essentially on a disbursements basis. The President projects the cash budget for fiscal 1968 in deficit by some $4.3 billion, in contrast to the projected administrative expenditure budget deficit of $8.1 billion for 1968. While some new social security recommendations are before us for consideration as a result of the President's message yesterday, the cash budget is not the budget Congress will process this session. Most trust fund expenditures take place automatically under permanent laws enacted in earlier years.

NATIONAL INCOME ACCOUNTS BUDGET

Another budget—one on which the message puts considerable stress—is the so-called national income accounts budget, called at times the NIA. It is not too dissimilar from the cash budget, in that it includes trust funds, but it excludes the lending operations of the Government. It shows estimated expenditures of $169,200,000,000 for fiscal 1968, and is estimated to be in deficit by $2.1 billion. It is the budget especially useful in connection with decisions designed to influence the operation of the economy. But it is not keyed to individual budget items and it is not the budget Congress will process this session.

NEW OBLIGATIONAL AUTHORITY

The congressional action budget—the spending authority budget before the Congress for consideration is the "appropriations" or "new obligational authority" budget based on authority to obligate the Government to pay out money. The requested new obligational authority for fiscal year 1968 totals $143,994,000,000. Appropriation bills are stated on this general concept. Authorization bills are stated on this concept. It is from this budget that administrative budget "expenditures" flow in due course.

The grant of authority to obligate is the significant point of legislative decision. The act of drawing the checks to pay the obligations—whether done in the same year the obligation was made or in some future year—is immaterial to the fundamental decision. Approximately 29 percent, involving about $39.3 billion, of today's administrative "expenditure" budget of $135 billion for fiscal 1968, for example, represents estimated disbursements in fiscal 1968 from carryover balances of appropriations or new obligational authority voted earlier.

CONGRESSIONAL SESSION ACTION

The appropriation or new obligational authority budget to be processed this session has to do not only with fiscal 1968 that begins July 1 next, but it also contains sizable recommendations with respect to the current fiscal year 1967. The session is the "business year" of the Congress.

Today's budget not only presents new obligational authority requests aggregating $143,994,000,000 for fiscal 1968 but an additional $14,308,000,000 for fiscal 1967—a total of $158,302,000,000 for consideration in this session on the new obligational basis. I should say that $17,453,000,000 of that total has already been authorized in earlier Congresses for what are known as permanent appropriations. They recur automatically without any further action by Congress. Interest on the debt, of some $14 billion, is the principal item. So, more precisely speaking, on the basis of today's budget, we are asked to take action at this session on some $140,849,000,000 in administrative budget spending authority.

Allowing for the few variations that result from differences in the "appropriations" and "new obligational authority" concepts, I would roughly translate the $158.3 billion NOA session total to be about $165 or $166 billion under the conventional "appropriations" method of counting, which is the way Congress keeps accounts. The gross postal service appropriations of $6 billion, plus, for example, rather than just the net postal deficit included in NOA, are counted in the "appropriations" figures. And appropriations to "liquidate prior contract obligations"—of roughly $1.8 billion in 1968—are also omitted from 1968 NOA since the contract authority was counted as NOA when first granted. Thus, the "appropriations" requests before us are about $22 billion, more or less, above the approximately $144 billion of appropriations enacted in the session last year.

These are the general dimensions of what we are asked to authorize and appropriate in the administrative budget at this session—$158.3 billion on the "new obligational authority" basis and roughly $165 or $166 billion on the "appropriations" basis.

The following may be helpful in focusing on grand totals of the administrative spending authority budget before us for action this session:

Administrative spending and new obligational authority budgets—The portions subject to action in the 90th Cong., 1st sess.

	Administrative budget estimate of expenditures (disbursements)	Administrative budget requests for new obligational authority
Relating to fiscal 1968:		
1. Totals proposed, President's budget, Jan. 24, 1967	$135,033,000,000	$143,994,000,000
2. Deduct estimate of expenditures in fiscal 1968 against obligational authority made available in prior sessions (and therefore not before the present session for action)	−39,328,000,000	
3. Deduct amounts applicable to permanent appropriations recurring automatically without necessity for action in this session (several items, interest on the public debt is by far the largest; expenditure figure here may negligibly duplicate some (small) part of item 2, but not enough to distort)	−17,453,000,000	−17,453,000,000
Amount relating to fiscal 1968 involved in proposals for direct consideration and action in this session	78,252,000,000	126,541,000,000
Relating to fiscal 1967:		
4. Supplementals for fiscal 1967 as shown in the President's 1968 budget, Jan. 24, 1967, for direct consideration and action in this session	6,811,000,000	14,308,000,000
Totals for this session:		
5. Totals proposed, President's budget, Jan. 24, 1967 (items 1 and 4)	141,844,000,000	158,302,000,000
6. Totals for direct consideration and action in this session (item 5, less items 2 and 3 which arise out of actions taken in prior sessions)	85,063,000,000	140,849,000,000

NOTES

Item 2, in the "expenditure" figure, would include some amounts applicable to activities subject to annual scrutiny under the Corporation Control Act, which would largely result, however, from new obligational authority granted in previous sessions.

Item 3, "expenditure" figure is a bit arbitrary, because a few relatively small items cannot be separately identified.

Source: The Budget for 1968.

BUDGETARY CONTINGENCIES AND ASSUMPTIONS

Processing all features and all sides of the annual Federal budget in Congress involves the work of many hands, of several committees of the House to one extent or another, and the minds of all Members who bring to bear many conflicting interests and philosophies. This 1968 budget is no exception. The tentatively projected administrative budget deficit of $8.1 billion hinges on countless decisions and assumptions, many of which will be changed or will otherwise not turn out as projected.

REVENUES

On the revenue side, this budget assumes that the economic expansion of the past 6 years will continue, with some easing of inflationary pressures. The gross national product is assumed to increase by some $47 billion over last year; last year's GNP was some $58 billion higher than calendar 1965. The Joint Economic Committee will be evaluating this assumption and reporting its judgment to the House in late March.

The new 6-percent surcharge tax proposal in today's budget is valued at $4.7 billion in budget revenue for fiscal 1968. If that proposition were not in the budget, the currently projected 1968 administrative deficit would theoretically be $12.8 billion. This tax proposal is a matter for initial consideration by the Committee on Ways and Means.

There is a further proposition for accelerating corporation tax payments into the Treasury, for which $800 million additional in 1968 is accrued in the budget. This would also require legislation out of the Committee on Ways and Means; without it, the projected deficit would be $800 million deeper.

There are a number of user charge tax proposals, mainly in the transportation area, some of which are resubmissions that Congress did not see fit to adopt from earlier budgets. They do not weigh heavily in the totals but they do affect them. They would entail consideration by various legislative committees.

There is a proposal requiring new legislative action that would create a beauty-safety highway trust fund and transfer 2 percent excise tax on automobiles from the administrative budget to fund it. That involves an estimated $400 million in 1968; if that were not adopted, the projected administrative deficit would be considerably less, but not $400 million lower, because the programs would have to be continued under the general fund budget.

The propositions in some earlier budgets to put Rural Electrification Administration and the power marketing agencies operations of the Department of the Interior on revolving fund financing arrangements are again submitted and will be before the appropriate legislative committees. They have the budget effect of reducing both administrative receipts and expenditures equally—by some $279 million—and thus have no bearing on the deficit.

Legislation to shift the financing of forest and public land highways to the highway trust fund that was proposed but not adopted in earlier sessions is resubmitted in today's budget. The 1968 administrative budget reflects reduced expenditures of $43 million on account of it; failure of the proposition would present the question of adding that much to the 1968 administrative budget spending.

SPENDING

While the great bulk of the outgo side of the budget is processed through the annual appropriation bills, a fairly long list of budget items are first considered by the appropriate legislative committees. There are the annual reauthorization bills for a number of continuing programs. There are the propositions for new legislation in today's budget that must first be authorized by bills out of legislative committees before being eligible for appropriation; the number of such new proposals, dollarwise, is quite small this year. There are still a scattering of so-called back-door bills. And there are the so-called permanent appropriations that will recur automatically under previous law as I mentioned earlier.

BUDGET CONTINGENCIES

Propositions of new legislation, that is, involving new undertakings or enlarging the dimensions of existing law or programs, are programed in the budget for fiscal 1968. The list is not long. It includes several items designed to diminish new obligational authority and expenditures chargeable to the administrative budget—and, in fact, the grand total of the list reflects a minus effect. I will include the list later in my remarks.

For example, there is an allowance of $1,000,000,000 in today's budget for civilian and military pay increases for which authorizing legislation would first be necessary. That is one item on the list.

A postal rate increase is also in the list. It will require legislation out of the Committee on Post Office and Civil Service—$700,000,000 is figured in the 1968 budget for this.

Some $36,730,000,000, or about 30 percent of the fiscal 1968 new obligational authority requested in the administrative budget, on which action must be taken in the session, is involved in the 8 principal annual reauthorization bills that must be brought out by various legislative committees before the related appropriations would be in order on the floor of the House. I am referring to the Coast Guard, the antipoverty program, foreign aid, the Peace Corps, defense procurement and research, military construction, the atomic energy program, and the space agency. Action on these bills has a direct bearing on the budget because they authorize the maximum amounts that can be appropriated for the year.

There are budget requests for other programs for which authorization is expiring and which will need further legislative underpinning if Congress wishes them to be continued. The food stamp program, economic development assistance, the Teachers Corps, and several others are involved.

There are some $5,000,000,000 of proposals in this budget for additional sales of certificates of participation in pools of Goverment-owned loans held by a number of agencies. These were authorized by Congress last session in the Participation Sales Act. It was the subject of some controversy. Translated into budgetary terms, which count these sales as offsets to administrative budget expenditures rather than as receipts, the $135 billion expenditure budget for 1968, and thus the $8.1 billion projected deficit, would increase by $5 billion if these additional sales are not authorized. We shall, of course, want to carefully examine these propositions.

I repeat what I said earlier that, in no instance, has a Federal budget predicted precisely what actually happened during the fiscal year for which the budget was prepared, nor could it.

The President always predicates his budget on the assumption that Congress will take the legislative actions recommended in the budget. Rarely, if ever, however, does Congress take the legislative actions in every detail which are assumed in the President's budget presentation.

It is interesting to speculate on the various combinations of events which must come to pass in order for the estimates made in the budget to become realities. I am inserting a brief tabulation illustrative of some of the possible results of varying actions on these contingencies:

Selected major contingencies surrounding the administrative budget for 1968 (a partial lis only)

	Amount
1. Administrative budget deficit as projected by President	$8,096,000,000
2. If proposed 6-percent surtax is not adopted	4,700,000,000
Then the projected 1968 deficit would be	−12,796,000,000
3. If the proposed postage rate increase is not adopted	700,000,000
Then the projected 1968 deficit would be	−13,496,000,000
4. If the proposal to further accelerate corporate tax payments is not enacted	800,000,000
Then the projected 1968 deficit would be	−14,296,000,000
5. If it were not for the offsetting effect of sales of "participating certificates," shown in the budget for 1968, and treated as offsets to expenditures rather than receipts, of	5,000,000,000
Then the projected 1968 deficit would be	−19,296,000,000
6. On the other hand, if the proposals in the budget for pay raises were not enacted	- 1,000,000,000
Then the projected 1968 deficit would be (this is a partial listing only. Other considerations enter)	−18,296,000,000

NOTE.—Perhaps the most important single contingency that could affect the tentatively projected budget picture—and it is not tabulated above—would be if the general performance of the economy in calendar 1967 were to vary significantly from the economic assumptions underpinning the budget. And of course, large unforeseen military requirements could introduce some turbulence.

BUDGET PROJECTIONS VERSUS RESULTS

Mr. Speaker, in six of the last 12 administrative budgets, actual revenues were less than the original January projections—for a number of reasons. In six they exceeded the original figures. Largely because of the great surge of revenues in fiscal 1966, the net result of the 12 years was a net plus of $1.9 billion.

In nine of the last 12 administrative budgets, actual spending exceeded the original January estimates. Spending was less than estimated in only 3 years. But in total, original estimates were exceeded by some $28.7 billion.

As a result, instead of a 12-year deficit of $18.5 billion shown in the original budgets, there was a net deficit of $45.4 billion.

The comparison on the new obligational authority budget requests is even more arresting. In 11 of the 12 years, more NOA was finally enacted than was shown in the original January budgets. After the original budget, supplemental requests were submitted. And Congress made changes—both up and down. Over the 12-year period, the aggregate excess was some $63,200,000,000.

I am inserting a table summarizing the totals for the 12 years 1955–66:

Variations in the administrative budgets—Original projections versus final results (using the last 12 budgets, 1955–66)

[Rounded amounts used]

Net budget receipts:		
Original January budget projections	$943,663,000,000	
Final results (when the years were over)	945,551,000,000	
Revenues went higher by		+$1,888,000,000
(NOTE.—In 6 of the 12 years, revenues were less than the original budget; in 6 they were more.)		
Net budget expenditures:		
Original January budget projections	962,189,000,000	
Final results	990,942,000,000	
Expenditures went higher by		+28,753,000,000
(NOTE.—In 9 of the 12 years, actual spending exceeded the original budget. In 3 years, it was less.)		
So, in total, there was a deviation of		+26,865,000,000
Budget surplus (+) or deficit (−):		
Original January budget projections	−18,526,000,000	
Final results	−45,391,000,000	
So, in total, instead of a total deficit of $18.5 billion over the 12 years as originally projected, there was a deficit of $45.4 billion—a change for the worse of		−26,865,000,000
New obligational authority (the forerunner of actual expenditures):		
Original January budget proposals from the President (which he not infrequently amends and supplements from time to time)	980,600,000,000	
Final amounts enacted	1,043,800,000,000	
Final amounts enacted exceeded the original budget proposals by		+63,200,000,000
(NOTE.—In 11 of the 12 years, the final amount enacted exceeded the original January budget proposal for the year.)		

Source: Budget documents.

MAJOR APPROPRIATION AREAS AND TRENDS

Mr. Speaker, Federal spending creeps upward. As heretofore pointed out, the last budget was higher than the one of a year before, and so were appropriations and estimated expenditures. Growth of the population and growth of the country virtually ordain some growth in public services, that is, over the long stretch of time.

For example, there are 2,180,000 more Americans this morning than when the previous budget came last January 24. And when it came a year ago, there were some 2,308,000 more Americans than there were when the preceding budget came down from the President.

President Eisenhower recognized this phenomenon in his budget message to Congress in 1960:

> Moreover, inescapable demands resulting from new technology and the growth of our Nation, and new requirements resulting from the changing nature of our society, will generate Federal expenditures in future years. * * * We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

The key factor, gross national product, measuring the economy's total production of goods and services, grew by some $58 billion last year, and today's budget projects a further growth in the current calendar year of some $47 billion—which, in conjunction with the 6 percent surtax proposal, is the basis of much of the anticipated rise of nearly $10 billion in administrative budget revenues during fiscal 1968 over fiscal 1967.

It may be helpful in considering the fiscal business of the session, to glance at the major areas of spending of recent years.

Over the last 12 to 14 years, from 70 to 85 percent of Federal budget spending went for broad functions and objects carried on at the Federal level since the early days of the country. These would be national defense; conduct of foreign affairs; the postal service; aid to veterans; interest on the debt; collecting internal revenue; and administration of justice. The current percentage for those functions is nearly 75 percent of the whole administrative budget.

National defense is, of course, the largest single functional area. In the 1968 administrative budget, the new obligational authority request of $77.9 billion is not immune to the knife, but great cuts are not practicable under present circumstances.

Interest—principally on the debt—is, of course, obligatory, and has risen greatly in recent years as the debt has gone up and as interest rates have risen sharply. It is estimated at $14.1 billion in today's budget.

Veterans service obligations are budgeted at $6.7 billion.

Postal services are reflected on a net basis in the administrative budget; that is, net of postal revenues and even with the $700 million rate increase figures in, there is a net change, estimated, of $651 million. Gross postal appropriations are budgeted at over $6.6 billion. A growing country probably means no significant reduction in this area, though greater efficiencies may help hold the line.

Public assistance grants are budgeted at $3.1 billion and are essentially mandatory under existing laws.

I cite these few illustrations merely to sketch a rough indication of the general characteristics of some big segments of the budget. There are, of course, many other essential functions, aside from the question of the precise level of funding.

In essence, prior commitments—more or less binding commitments—and world conditions ordain a great deal of the budget. As a matter of fact, over the years the greatest controversy tends to surround a relatively small percentage of the total in any given year. I am speaking generally.

RECENT BUDGET TRENDS

Notwithstanding recent growing defense expenditures and enlarging nondefense outlays, a rising tide of revenues from the unprecedented general national economic boom of recent years enabled the Government to make big strides toward balancing income and outgo. In each of the last 3 fiscal years the administrative expenditure budget deficit has been reduced from the prior year:

	Millions
Deficit, 1964	$8,226
Deficit, 1965	3,435
Deficit, 1966	2,251

The administrative budget of last January, for the current fiscal year 1967, projected a further reduction in the deficit, to $1.8 billion. A sharp upswing—now estimated to be $6 billion—in revenues for 1967 above the projections in the original budget, was more than offset by military operations in southeast Asia and certain other outlays. The original estimate of administrative spending is now increased by some $13.9 billion, thus reversing the trend to a budget balance.

Today's budget could be in the black for both 1967 and 1968 were it not for war costs. Some $19.4 billions of expenditure for 1967 and $21.9 billions for 1968 are identified as special support of Vietnam operations.

The revised 1967 administrative budget spending also reflects an outlay for interest on the debt $600 million higher than originally foreseen in last January's budget. Veterans expenditures are $700 million higher. There are a number of other revisions—as there usually are—in the spending items that make up the $13.9 billion overall upward adjustment.

NEW PROPOSITIONS OF LEGISLATION WITH NOA AND EXPENDITURE AMOUNTS IN BUDGET OF 1968

Mr. Speaker, as I indicated earlier, some portions of the new budget relate to legislative propositions for new undertakings or expansion or revision of existing laws. They must first be taken up in bills from the legislative committees before any related appropriations can be considered. A striking feature of this year's budget is the much smaller number of such propositions, in contrast to some recent budgets. It is worth noting that there are a handful in the current list designed to diminish rather than increase administrative budget totals. Thus, failure to enact them would result in elevating the totals.

For general information, I am inserting a tabulation prepared by the Budget Bureau:

1968 budget—Proposed legislation for separate transmittal

[In thousands of dollars]

	1967 new obligational authority	1967 expenditures	1968 new obligational authority	1968 expenditures
Funds appropriated to the President, expansion of defense production: To cancel interest on Treasury borrowings				−52,563
Agriculture:				
To place certain plant and animal disease and pest control activities on a self-supporting basis			−1,536	−1,536
To finance certain marketing services on a fee basis and for repeal of certain acts			−11,526	−10,800
To permit REA loan receipts to be used to reduce new obligational authority and expenditures		−193,500	−399,200	−201,000
Total, agriculture		−193,500	−412,262	−213,336
Defense, military:				
Liberalize quarters and dislocation allowances for personnel without dependents			24,000	23,000
Provide Federal employee status for civilian technicians of the Army and Air National Guard			18,000	17,000
Total, defense, military			42,000	40,000
Health, Education, and Welfare:				
Sale of participation certificates for NDEA student loans			2,000	−100,000
Vocational education innovation grants			30,000	12,000
Expand partnership for health			*25,000*	*20,000*
Extend social security benefits			*24,000*	*24,000*
Improvements in cash assistance (medicaid)			60,000	58,000
Revisions in medical assistance (medicaid)			−35,000	−35,000
Child health			38,000	33,000
Extend Federal support for educational television			20,000	12,000
Comprehensive educational planning grants			15,000	10,000
Total, Health, Education, and Welfare			179,000	34,000
Interior:				
Capital improvements in the trust territory			12,500	5,400
To permit receipts from sale of power to be used for Bonneville, Southeastern, and Southwestern Power Administrations	−48,431	−73,631	−52,798	−77,998
Provide for financial participation in a large non-Federal electric power generating and desalting plant in Los Angeles			8,000	3,500
Further improvements of programs for Indian people			30,000	15,000
Total, Interior	−48,431	−73,631	−2,298	−54,098
Justice: State grants to plan and improve systems of criminal justice			31,000	20,000
Labor: User charges for the maritime industry			−3,320	−3,320
Post Office: Increase in postal rates			−700,000	−700,000
Transportation:				
Transfer various activities to trust funds:				
To highway trust fund:				
Forest highways			−33,000	−33,000
Public lands highways			−16,000	−10,000
To beauty-safety trust fund:				
Highway beautification			−1,750	−72,066
Traffic and highway safety			−32,555	−23,000
State and community highway safety			−100,000	−100,000
Total, transportation			−183,305	−238,066
Treasury: Fund mint operations through a revolving fund		−26,000	−16,100	−22,013
Veterans' Administration:				
Compensation, pension, education, and medical benefits for Vietnam veterans			86,000	86,000
Refinement of legislation on various benefits (arrested TB, burial benefits, railroad retirement as base for pension)			−89,000	−89,000
Total, Veterans' Administration			−3,000	−3,000
District of Columbia:				
To fix payment authorization at 25 percent of local general fund revenues			10,600	10,600
To base loan authorization on the ability of the District to repay from available revenues			34,200	
Total, District of Columbia			44,800	10,600
Allowance for civilian and military pay increases			1,000,000	1,000,000
Grand total	−48,431	−293,131	−23,485	−181,796

DEFENSE AND NONDEFENSE COMPARISONS

Mr. Speaker, it may be useful to our consideration of the new budget requests to see something of the trend of new obligating authority granted over a period of time. I am inserting a table on that point, dividing the total between national defense, and nondefense functions.

I am also including a table showing the broad division of administrative budget expenditures as between national defense and nondefense over a period back to the Korean war.

In addition to the basic amounts, the expenditure table shows that the new budget total would continue to preempt about the same percent of the gross national product as have budgets of the last 12 to 15 years. And it further shows that national defense spending still takes less than 10 percent of the GNP.

Administrative budget new obligational authority—Defense and nondefense for fiscal years 1953–68

[Rounded amounts used]

Fiscal year	National defense functions	Other than national defense	Total new obligational authority
1953 enacted (Korean war year)	$57,298,000,000	$23,010,000,000	$80,308,000,000
1954 enacted (1st post-Korean year)	39,471,000,000	23,294,000,000	62,765,000,000
1955 enacted	33,656,000,000	23,420,000,000	57,076,000,000
1956 enacted	35,903,000,000	27,295,000,000	63,198,000,000
1957 enacted	40,365,000,000	29,814,000,000	70,179,000,000
1958 enacted	40,512,000,000	35,833,000,000	76,345,000,000
1959 enacted	45,586,000,000	35,779,000,000	81,365,000,000
1960 enacted	44,832,000,000	34,742,000,000	79,574,000,000
1961 enacted	45,994,000,000	40,681,000,000	86,675,000,000
Increase in level, 1961 over 1954	+6,523,000,000	+17,387,000,000	+23,910,000,000
1962 enacted	52,414,000,000	40,448,000,000	92,862,000,000
1963 enacted	54,323,000,000	47,960,000,000	102,283,000,000
1964 enacted	53,762,000,000	47,341,000,000	101,103,000,000
1965 enacted	53,198,000,000	53,410,000,000	106,608,000,000
1966 enacted	67,364,000,000	59,075,000,000	126,439,000,000
1967: Enacted in the last session	62,224,000,000	63,029,000,000	125,253,000,000
Proposed supplementals in current session	12,884,000,000	1,425,000,000	14,309,000,000
Total proposed, 1967	*75,108,000,000*	*64,454,000,000*	*139,562,000,000*
1968 total now proposed (as shown in 1968 budget)	[1] 77,851,000,000	[2] 66,143,000,000	143,994,000,000
Comparisons: [3]			
1968 total proposed compared to 1961 enacted	+31,857,000,000	+25,462,000,000	+57,319,000,000
1968 total proposed compared to 1966 enacted	+10,487,000,000	+7,068,000,000	+17,555,000,000
1968 total proposed compared to 1967 enacted last session	+15,627,000,000	+3,114,000,000	+18,741,000,000
1968 total proposed compared to 1967 total proposed	+2,743,000,000	+1,689,000,000	+4,432,000,000

[1] This is understated by some unspecified portion of the $1,000,000,000 lump-sum allowance for proposed legislation for pay raises of both military and civilian personnel in fiscal 1968.

[2] This is overstated by some unspecified portion of the $1,000,000,000 lump-sum allowance for proposed legislation for pay raises of both military and civilian personnel in fiscal 1968.

[3] *See footnotes 1 and 2.*

Note.—Data in this table corresponds to the classification used in the 1968 budget. "National defense functions" include Department of Defense military functions, including foreign military assistance; Atomic Energy Commission; stockpiling of strategic and critical materials; Selective Service System; expansion of defense production; and civil defense and emergency preparedness activities.

Source: Budget documents.

Administrative budget Defense and non-Defense expenditures for the fiscal years 1953–68

[Dollars in millions]

Fiscal year	National defense functions			Other than national defense			Total budget expenditures	
	Amount	Percent of budget totals	Percent of GNP	Amount	Percent of budget totals	Percent of GNP	Total	Percent of GNP
1953 actual (Korean war year)	$50,442	68.1	14.1	$23,678	31.9	6.6	$74,120	20.7
1954 actual (1st post-Korean war year)	46,986	69.6	13.0	20,551	30.4	5.7	67,537	18.7
1955 actual	40,695	63.2	10.7	23,694	36.8	6.3	64,389	17.0
1956 actual	40,723	61.5	10.0	25,501	38.5	6.2	66,224	16.2
1957 actual	43,368	62.9	10.1	25,598	37.1	5.9	68,966	16.0
1958 actual	44,234	62.0	10.0	27,135	38.0	6.2	71,369	16.2
1959 actual	46,483	57.9	9.9	33,859	42.1	7.2	80,342	17.1
1960 actual	45,691	59.7	9.3	30,848	40.3	6.2	76,539	15.5
1961 actual	47,494	58.3	9.4	34,021	41.7	6.7	81,515	16.1
Increase in level, 1961 over 1954	+508	+1.1		+13,470	+65.5		+13,978	
1962 actual	51,103	58.2	9.4	36,684	41.8	6.8	87,787	16.2
1963 actual	52,755	56.9	9.2	39,887	43.1	7.0	92,642	16.2
1964 actual	54,181	55.5	8.9	43,503	44.5	7.1	97,684	16.0
1965 actual	50,163	52.0	7.8	46,344	48.0	7.1	96,507	14.9
1966 actual	57,718	54.0	8.1	49,260	46.0	6.9	106,978	15.0
1967 (current estimate in 1968 budget)	70,222	55.4	9.2	56,507	44.6	7.4	[1] 126,729	16.6
1968 (as shown in 1968 budget)	[2] 75,487	55.9		[3] 59,546	44.1		135,033	
Comparisons: [4]								
Increase in level, 1968 estimate over 1961	+27,993	+58.9		+25,525	+75.0		+53,518	
Increase in level, 1968 estimate over 1966	+17,769	+30.8		+10,286	+20.9		+28,055	
Increase in level, 1968 estimate over 1967 current estimate	+5,265	+7.5		+3,039	+5.4		+8,304	

[1] Includes $6,811,000,000 applicable to fiscal 1967 supplementals estimated to be submitted for action in the current session.

[2] This is understated by some unspecified portion of the $1,000,000,000 lump-sum allowance for proposed legislation for pay raises of both military and civilian personnel in fiscal 1968.

[3] This is overstated by some unspecified portion of the $1,000,000,000 lump-sum allowance for proposed legislation for pay raises of both military and civilian personnel in fiscal 1968.

[4] See footnotes 2 and 3.

Note.—Data in this table corresponds to the classification used in the 1968 budget. "National defense functions" include Department of Defense military functions, including foreign military assistance; Atomic Energy Commission; stockpiling of strategic and critical materials; Selective Service System; expansion of defense production; and civil defense and emergency preparedness activities.

Source: Budget documents.

THE NATIONAL DEBT

Mr. Speaker, no résumé of our fiscal situation could be complete without some statistics on the national debt.

On December 31, it was $329,813,892,966.68, but it is estimated to decline to about $327.3 billion at June 30, 1967, which, however, is considerably above the figure of a year earlier, $320.4 billion on June 30, 1966.

If every projection on every side of today's budget materialized exactly, the debt at June 30, 1968—the end of the budget year of 1968—would rise to $335.4 billion. The economic burden of the debt, as measured in relation to the size of the growing economy, continues to decline, according to the budget figures.

The debt ceiling problem will, of course, be early on the schedule of fiscal business in this session.

I include an excerpt from the December Treasury statement:

Summary of direct and guaranteed debt on significant dates

[Based upon statement of the public debt published monthly; consequently all figures are stated as of the end of a month]

Date	Classification	Total debt (including interest-bearing debt, matured debt on which interest has ceased, and debt bearing no interest)				General fund balance [2]
		Direct debt (gross)	Guaranteed debt [1 2]	Total direct and guaranteed debt	Per capita [3]	
	WORLD WAR I					
Mar. 31, 1917	Prewar debt	$1,282,044,346.28		$1,282,044,346.28	$12.36	$74,216,460.05
Aug. 31, 1919	Highest war debt	26,596,701,648.01		26,596,701,648.01	250.18	1,118,109,534.76
Dec. 31, 1930	Lowest postwar debt	16,026,087,087.07		16,026,087,087.07	129.66	306,803,319.55
	WORLD WAR II					
June 30, 1940	Debt preceding defense program	42,967,531,037.68	$5,529,070,655.28	48,496,601,692.96	367.08	1,890,743,141.34
Nov. 30, 1941	Pre-Pearl Harbor debt	55,039,819,926.98	6,324,048,005.28	61,363,867,932.26	458.47	2,319,496,021.87
Feb. 28, 1946	Highest war debt	279,213,558,897.10	550,810,451.19	279,764,369,348.29	1,989.75	25,960,900,919.30
June 30, 1946	Debt at end of year in which hostilities ceased	269,422,099,173.26	476,384,859.30	269,898,484,032.56	1,908.79	14,237,883,295.31
Apr. 30, 1949	Lowest postwar debt [4]	251,530,468,254.82	22,851,485.16	251,553,319,739.98	1,690.29	3,995,156,916.79
	SINCE KOREA					
June 30, 1950	Debt at time of opening of hostilities in Korea (hostilities began June 24, 1950)	257,357,352,351.04	19,503,033.97	257,376,855,385.01	1,696.74	5,517,087,691.65
Dec. 31, 1952		267,391,155,979.65	53,969,565.31	267,445,125,544.96	1,687.90	6,064,343,775.84
Nov. 30, 1966	Highest debt [5]	329,411,297,586.82	494,535,950.00	329,905,833,536.82	[6] 1,667.91	4,798,603,142.83
Dec. 31, 1965	Debt a year ago	320,904,110,042.04	455,241,200.00	321,359,351,242.04	[7] 1,641.00	6,582,097,195.90
Nov. 30, 1966	Debt last month	329,411,297,586.82	494,535,950.00	329,905,833,536.82	[6] 1,667.91	4,798,603,142.83
Dec. 31, 1966	Debt this month	329,319,249,366.68	494,643,600.00	329,813,892,966.68	[6] 1,666.01	6,011,249,121.82

[1] Does not include securities owned by the Treasury.

[2] Includes outstanding matured principal of guaranteed debt of U.S. Government agencies for which cash to make payments is held by the Treasury of the United States in the general fund balance.

[3] Based upon estimates of the Bureau of the Census.

[4] Represents the lowest point of the debt at the end of any month following World War II. The lowest point of the debt on any day following that war was on June 27, 1949, when the debt was as follows:

Direct debt (gross)	$251,245,889,059.02
Guaranteed debt of U.S. Government agencies	23,876,001.12
Total direct and guaranteed debt	251,269,765,060.14

[5] Represents the highest point of the debt at the end of any month. The highest point of the debt on any day was on Dec. 19, 1966, when the debt was as follows:

Direct debt (gross)	$329,655,180,927.18
Guaranteed debt of U.S. Government agencies	494,736,000.00
Total direct and guaranteed debt (includes $266,205,234.53 not subject to statutory limitation)	330,149,916,927.18

[6] Subject to revision.

[7] Revised.

CONCLUSION

Mr. Speaker, may I just close by saying that the Committee on Appropriations is scheduled to discuss the overall features of the budget with the Secretary of the Treasury and the Director of the Budget on February 7.

We welcome any and all constructive suggestions about the important business at hand. As I said initially, it seems to me that it is the duty of Congress to look with a skeptical eye on any budget and go through it with a fine-tooth comb. When we are in an inflationary period and the budget is in the red, it is especially imperative that we take a critical look at all phases of the budget and make such reductions as we safely can.

Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOW. Mr. Speaker, for the past 7 months several hundred executive branch employees have been busily engaged in preparation of the President's budget for fiscal 1968. We received it just 24 hours ago. In that limited time, it has not been possible to give the budget the detailed analysis that is demanded by the present Federal fiscal situation and by existing economic conditions. We have, however, rather hurriedly perused the budget and have some comments to make with respect to some of its provisions. We shall devote a great deal of time and attention to it in the weeks ahead and we certainly shall share our further analysis of the budget with Members of the House.

Continuing, Mr. Speaker, with what our distinguished chairman, the gentleman from Texas [Mr. Mahon] has said about the proposed budget for fiscal 1968, I would certainly want to add that:

First. It is not the austere budget which our war commitments demand.

Second. It does not establish a system of priorities for those programs we can afford and those we cannot afford in a wartime economy.

Third. It does not even stretch out or hold the line on nondefense spending, much less propose substantial cutbacks in programs that could be delayed until the war is won.

What then is the proposed budget for fiscal 1968? As I see it, the budget is an enigma proposing, on the one hand, something for almost everybody, and on the other hand, moving to gobble up our economic resources and dull the will of private enterprise to invest and expand and create the jobs that are needed to maintain stable economic progress and full employment.

In short, it embodies a modern-day version of the Greek fable about the man who killed the goose to acquire its stock of golden eggs. It seems to me, that if the Federal Government continues to grasp at more than its due, it may sorely impair the taxpaying capacity of individuals and corporations and thereby destroy its supply of golden eggs.

As was the case in last year's budget, this one contains fiscal gimmicks and proposals which the 89th Congress did not approve and which this Congress probably will let fall by the wayside.

In so far as I am concerned, Congress owes it to the American people to give this budget a most detailed and critical examination for the purpose of determining where it can be cut and how we can get the Federal Establishment back on the road to thrift, prudence and fiscal responsibility.

I have never seen a budget that could not be cut and this one certainly is no exception.

THE CONFUSION AND EFFECT OF THREE BUDGETS

The executive branch utilizes three budgets to portray Federal fiscal affairs. For a good many years they used only two—the administrative budget and the cash budget—but, in recent years, they have added the national income accounts budget. This year the emphasis is on the latter budget because by adding trust fund revenues in the cash budget to those of the administrative budget and then eliminating Federal loans and receipts from the sales of Federal loans and loan participation certificates, the resulting anticipated deficit is ever so much smaller than it will be in either the administrative or the cash budget.

Let me give you a brief explanation of these three budgets and what each estimates our fiscal situation to be in fiscal 1968:

The administrative budget covers the receipts and expenditures of funds owned by the Federal Government. In this budget, the President proposes spending $135 billion in fiscal 1968—up from the current estimate of $126.7 billion for fiscal 1967—against which he expects budget revenues to approximate $126.9 billion—up from $117 billion currently estimated for this year—which will result in a budget deficit of $8.1 billion—down from $9.7 billion currently estimated for this year.

Just a year ago at this time, the administration estimated fiscal 1967 expenditures at $112.8 billion, revenues at $111 billion, and the deficit at $1.8 billion. Thus, we can all see that revenues are estimated to be $6 billion higher than the estimate of last January. That increase is occasioned principally by inflation and growth in the economy. Expenditures for 1967 are now estimated at $126.7 billion, or $13.9 billion higher than the original estimate of a year ago. Of this increase, $9.6 billion is for military activities—principally in southeast Asia—and $4.3 billion is for nondefense activities.

While we all recognize that defense expenditures necessarily rise with escalation of the war effort in Vietnam, it is obvious that defense and nondefense spending for 1967 were grossly underestimated in the original budget of last January. If this comparison of currently estimated spending in 1967 with the original budget for that year is any indication of the administration's ability to accurately forecast expenditures, then I am afraid that the spending proposed for 1968 may also be grossly—yes, even capriciously—underestimated.

What is even more alarming is the fact that a comparison of proposed spending in fiscal 1968—$135 billion—with the original estimate for 1967—$112.8 billion—reveals an increase—an incredible increase—of $22.2 billion, or 20 percent.

The cash budget covers all receipts and payments to the public, including transactions in the various trust funds—social security, highway, and so forth.

In the cash budget, the President expects to spend $172.4 billion—up from $160.9 billion currently estimated for 1967—against which he foresees receipts from the public of $168.1 billion—up from $154.7 billion for 1967, which will result in a deficit of $4.3 billion.

The national income accounts budget includes actual cash receipts and expenditures and the accruals of receipts and obligations but it eliminates Federal loans and receipts from the sale of loans.

In this budget, the President estimates expenditures at $169.2 billion—up from $153.6 billion currently estimated for 1967—against which he anticipates receipts of $167.1 billion—up from $149.8 billion in 1967—and a deficit in these accounts of $2.1 billion.

Last year, the administration followed the usual practice of emphasizing the traditional administrative budget since it forecast a modest deficit of $1.8 billion for fiscal 1967. This year, since the deficits in the administrative and cash budgets are estimated to be $8.1 billion and $4.3 billion, respectively, in fiscal 1968, the administration has placed its emphasis upon the national income accounts budget where the deficit is expected to be only $2.1 billion.

In his budget message the President said:

> I am emphasizing the national income accounts as a measure of Federal fiscal activity because the traditional administrative budget is becoming an increasingly less complete and less reliable measure of the Government's activities and their economic impact.

What the President said may very well be true with respect to the sophisticated measuring devices that have been developed under the "new economics," but we here in Congress are concerned with actual cash receipts and expenditures. They, too, are the only measure generally understood by the public, and they certainly should be what is emphasized in this or any other Government budget. The President also said:

> To permit a higher 1968 budget deficit than the $2.1 billion involved in my fiscal recommendations would, I believe, be unacceptable. We would run substantial risks of:
>
> Choking off the much-desired move toward lower interest rates by placing too much of our stabilization effort on the shoulders of monetary policy, and renewing inflationary pressures, particularly in the latter half of this year.

Well, I wonder at this moment, and I am sure others do, too, what effect the $8.1 billion administrative budget deficit and the $4.3 billion cash budget deficit will have on interest rates and on inflationary pressures. It seems to me that deficit financing of Federal activities in periods of relatively high economic activity is of itself inflationary in nature and tends to force prices and interest rates upward. So, the very conditions—higher interest rates and more inflation—which the President hopes to avert may be further generated if Congress blindly follows his fiscal recommendations.

ANTICIPATED BUDGET RECEIPTS

Let us look for a moment at the principal sources which are expected to produce the $9.9 billion increase in administrative budget revenues, from the $117 billion currently estimated for this year to the $126.9 billion anticipated in fiscal 1968.

The President's major tax proposals include a 6-percent surcharge on the income tax liabilities of individuals and corporations, to be in effect for 2 years from next July 1. This surcharge is expected to produce additional tax collections in fiscal 1968 of $3.4 billion from individuals and $1.3 billion from corporations. A further acceleration of corporation income tax payments is estimated to produce $800 million in fiscal 1968.

The $5.5 billion of revenue expected from these sources in 1968 will be offset by $500 million which represents a net reduction from a variety of revenue and expenditure proposals involving excise taxes, user charges, and the establishment of revolving funds for the Rural Electrification Administration and Department of the Interior power marketing agencies. After eliminating this resulting $5 billion from the $9.9 billion increase in revenues in 1968 over 1967, there remains $4.9 billion which must come either from inflation or from growth in the economy. But that is not all the increased revenue that must come from those sources. To the $4.9 billion increase must be added the $5 billion collected in 1967 from one-shot revenue sources which will not be available in fiscal 1968 and later years. It follows then that the economy must grow sufficiently to produce $10 billion more Federal revenues in 1968 that it is expected to produce in 1967.

In light of the present downward trend in the private sector of the economy, coupled with the depressing effect of the President's tax proposals and the potential cost-push effect of this year's wage and fringe benefit settlements, I think this estimate in revenue growth is very optimistic.

If Congress does not elect to approve all of the President's revenue producing proposals and if the economy should fail to grow as fast as is projected, Federal revenues would fall short of their estimated goals and the budget deficit would increase. Congress has refused to approve some of these proposals in prior years and it may refuse again this year. Moreover, if the present economic downturn is not reversed, and who can say with certainty that it will be, revenues could fall a good many billions short of the estimates.

PROPOSED SPENDING

With respect to planned spending in fiscal 1968, the budget fails to reveal that any major effort has been made by the administration to cut back or even halt the rise of nondefense spending. The table that follows reflects the administrative budget increases and decreases in estimated spending in 1967 and 1968 over actual expenditures in fiscal 1966, which ended just 7 months ago:

[In billions of dollars]

	1966 actual	1967 estimate	1967 versus 1966	1968 estimate	1968 versus 1966	1968 versus 1967
National defense	57.7	70.2	+12.5	75.5	+17.8	+5.3
Excluding Vietnam	(51.9)	(50.8)	(−1.1)	(53.6)	(+1.7)	(+2.8)
International affairs	4.2	4.6	+.4	4.8	+.6	+.2
Excluding Vietnam	(3.9)	(4.1)	(+.2)	(4.3)	(+.4)	(+.2)
Space research	5.9	5.6	−.3	5.3	−.6	−.3
Agriculture	3.3	3.0	−.3	3.2	−.1	+.2
Natural resources	3.1	3.2	+.1	3.5	+.4	+.3
Commerce and transportation	3.0	3.5	+.5	3.1	+.1	−.4
Housing and community development	.3	.9	+.6	1.0	+.7	+.1
Health, labor, and welfare	7.6	10.4	+2.8	11.3	+3.7	+.9
Education	2.8	3.3	+.5	2.8		−.5
Veterans	5.0	6.4	+1.4	6.1	+1.1	−.3
Interest	12.1	13.5	+1.4	14.2	+2.1	+.7
General government	2.5	2.7	+.2	2.8	+.3	+.1
Pay increases				1.0	+1.0	+1.0
Shortfall in asset sales				.8	+.8	+.8
Contingencies		.1	+.1	.4	+.4	+.3
Total	107.6	127.5	+19.9	135.7	+28.1	+8.2
Less interfund transactions	.6	.8	.2	.7	.1	+.1
Total	107.0	126.7	+19.7	135.0	+28.0	+8.3

In the nondefense area, the table indicates that it is only in space research and technology and in agriculture and agricultural resources that reductions in spending below 1966 are planned for 1967 and 1968. All other items reflect increases, some of which are very substantial. In comparing the estimates for 1968 with those for 1967, there are anticipated reductions only in space research and technology, $300 million; commerce and transportation, $400 million; education, $500 million; and veterans benefits and services, $300 million.

These proposed reductions totaling $1.5 billion hardly represent very much effort on the part of the administration to curtail nondefense spending and even that modest goal may not be reached.

Furthermore, the budget contains a number of tenuous assumptions which materially affect budget expenditures. The accomplishment of these assumptions is contingent upon the administration's success in implementing them and upon Congress' willingness to enact authorizing legislation.

Some proposed expenditure and new obligational authority reductions in this budget are similar to proposed reductions in earlier budgets. Those reductions cannot be effected in the absence of authorizing legislation—legislation which Congress has not seen fit to enact heretofore and may not enact this year. The major proposals in this area follow:

Establishment of revolving funds	Proposed reductions in—		
	New spending authority	Expenditures	
		1967	1968
Rural Electrification Administration	$399,200,000	$193,500,000	$201,000,000
Bonneville Power Administration	89,219,000	42,831,000	46,388,000
Southeastern Power Administration	2,000,000	26,200,000	26,200,000
Southwestern Power Administration	10,010,000	4,600,000	5,410,000
Total	500,429,000	267,131,000	278,998,000

The administration has also proposed the imposition of user fees for services performed by Agriculture's Consumer and Marketing Service and the establishment of a revolving fund in connection with these user charges. This proposal is expected to reduce 1968 new obligational authority by $11,526,000 and expenditures by $10,800,000. Congress refused last year to authorize user charges to finance meat and poultry inspection.

Other user charges, which would reduce 1968 expenditures by $3,320,000, are proposed for operation of the maritime safety program and for administration of the Longshoremen's and Harbor Workers' Compensation program.

A $700 million postal rate increase is proposed as a means of reducing the budget expenditures stemming from the deficit operations of the Post Office Department.

Legislation is proposed to transfer the costs of our forest and public lands highways to the highway trust fund. This proposal would reduce 1968 budget expenditures by $43 million.

It is also proposed to establish a "beauty-safety" trust fund which would finance the highway beautification and safety programs. If enacted, this proposal would reduce 1968 budget expenditures by $195,066,000.

Establishment of a revolving fund to finance operations of the Bureau of the Mint is proposed. This proposal would be expected to reduce budget expenditures by $26 million in 1967 and $22,013,000 in 1968.

A proposal is made to cancel the interest payments made by the Defense Production Administration to the Treasury for funds borrowed from the Treasury to finance Government purchase of strategic materials for our stockpiles. This proposal would reduce administrative budget expenditures by $52,563,000 but, at the same time, miscellaneous receipts of the Treasury would be reduced by a like amount.

The administration also proposes to sell in 1968, notes and mortgages held by it as a result of its lending operations. Outright sales are expected to total $275 million. Sales of certificates of participation are expected to total $5,750 million, but a shortfall in these sales of $750 million has been provided for in the event the administration is not able to market the total amount proposed. In no recent year has the administration been able to market all of its loan paper proposed for sale. At the moment, nothing has happened which would lead anyone to believe that its sales goal will be reached in 1968. Moreover, the present tight money market dims the prospect that they can reach the 1967 sales goal set at $3,922 million. In 1965 the administration was able to market only $2.961 million in loan paper.

To the extent that Congress refuses to enact any of the foregoing proposals, and no one can say with certainty that it will not reject some of them, and to the extent that the administration cannot fulfill what it proposes to do on its own, administrative budget expenditures and the deficit will increase.

WHERE HAVE THE SPENDING INCREASES OCCURRED?

In this and the 1967 budget, the administration has alluded to our necessary war spending as the principal culprit causing the ever-increasing size of the administrative budget's expenditure estimates and requests for new spending authority. That reference, and the emphasis placed upon it by the administration and the press, is unfair to the public because the percent of growth in nondefense activities has exceeded the percent of growth in defense—and very substantially so in the 8 years since fiscal 1960, which was the last year of the Eisenhower administration and the last year in which the budget was balanced.

The table that follows reflects a comparison of expenditures for 1968 with those of 1960 and those of 1968 with 1963, the last Kennedy year, and 1963 with 1960. An examination of the table reveals that while defense spending increased 65.2 percent in the years from 1960 to 1968, nondefense spending—exclusive of interest—increased by 97.2 percent. And there was a 76.4-percent increase in spending overall. In the years from 1963 to 1968, defense spending increased 43.1 percent, and nondefense spending rose by 44.4 percent. From 1960 to 1963, the last Kennedy year, defense spending rose by only 15.5 percent, but nondefense spending went up by 36.5 percent.

Expenditures

[Dollar amounts in millions]

	1960	1963	1968	Comparison, 1968 with 1960		Comparison, 1968 with 1963		Comparison, 1963 with 1960	
				Amount	Percent	Amount	Percent	Amount	Percent
National defense	$45,691	$52,755	$75,487	+$29,796	+65.2	+$22,732	+43.1	+$7,064	+15.5
Interest	9,266	9,980	14,152	+4,886	+52.7	+4,172	+41.8	+714	+7.5
Nondefense	22,277	30,419	43,925	+21,648	+97.2	+13,506	+44.4	+8,142	+36.7
Civilian and military pay increase			1,000	+1,000		+1,000			
Possible shortfall in asset sales			750	+750		+750			
Allowance for contingencies			400	+400		+400			
Interfund transactions	−694	−513	−682	+12		−169		+181	
Total, administrative budget	76,539	92,642	135,033	+58.494	−76.4	+42,391	+45.8	+16,103	+21.0

NOTE.—Details do not add because of rounding.

With respect to new obligational authority—spending authority—the table that follows reflects that the growth in defense spending authority from 1960 to 1968 is 73.7 percent but the growth in nondefense spending authority—exclusive of interest—is 97 percent. Comparing 1968 with 1963 reveals the growth in defense to be 43.3 percent and growth in nondefense to be a relatively modest 32.1 percent. From 1960 to 1963 the defense spending authority rose only 21.2 percent while nondefense went up 49.1 percent.

New obligational authority

[Dollar amounts in millions]

	1960	1963	1968	Comparison, 1968 with 1960		Comparison, 1968 with 1963		Comparison, 1963 with 1960	
				Amount	Percent	Amount	Percent	Amount	Percent
National defense	$44,832	$54,323	$77,851	+$33,019	+73.7	+$23,528	+43.3	+$9,491	+21.2
Interest	9,266	9,980	14,153	+4,887	+52.7	+4,173	+41.8	+714	+7.7
Nondefense	25,476	37,981	50,191	+24,715	+97.0	+12,210	+32.1	+12,505	+49.1
Civilian and military pay increases			1,000	+1,000		+1,000			
Contingencies			800	+800		+800			
Total, administrative budget	79,574	102,283	143,994	+64,420	+81.0	+41,711	+40.8	+22,709	+28.5

NOTE.—Details do not add because of rounding.

CREDIBILITY AND THE BUDGET PROCESS

At a press conference last November 29, the President announced that he had approved recommendations of his Cabinet and agency heads for a fiscal 1967 budgetary cutback of $5.3 billion in Federal programs. With that program cutback, the President said his administration planned to achieve a $3 billion reduction in Federal spending during the remaining 7 months of this fiscal year.

I did then and I do now commend the President for this effort to cut back on those domestic programs which can be delayed. I was especially gratified by the President's announcement because what his administration is attempting to do in reducing domestic spending follows the goal of the Bow expenditure limitation amendment, which was rejected five times last year by an overwhelming majority of the President's own party here in the House.

Among those savings listed in the administration's "Summary of 1967 Budget Cuts" was one item of $898 million identified as "increased congressional authorizations for which we do not plan to request appropriations." This item was expected to cut 1967 expenditures by $579 million.

Now, Mr. Speaker, the President obviously was misled with respect to the effect of this item on 1967 expenditures. As a matter of fact, his advisers crossed the borders of absurdity when they indicated to the President that this item would reduce 1967 expenditures by almost $600 million. The administration never had the $898 million—no, not even the $579 million because Congress provided no such appropriations. So, I ask you in all candor and sincerity, how in Heaven's name can the administration save what they never were given?

The only way in which the administration could reduce 1967 expenditures for this item would be for Congress to appropriate the funds and then the administration impound them.

Mr. Speaker, the context in which this $600 million "expenditure reduction" was detailed by the Budget Bureau leads me to believe that it was intended to deceive. And, I for one, feel the President's advisers do him, the Congress, and the public a distinct disservice when they resort to such practices. It is just such items as this one, the reported savings in defense costs because the Defense Department did not do something it might have done, the gimmick proposals in the 1967 and 1968 budgets, and the administration's failure to request adequate funding of our war effort in the regular defense appropriation bills that have nurtured questions of credibility with respect to its fiscal and budgetary procedures.

A RECESSION WITH INFLATION?

Throughout all of calendar 1966 the economy was plagued with the pressures of demand-pull inflation. Federal dollars being expended for the war and for domestic purposes were chasing goods and services around the marketplace in vigorous competition with private spending. When it finally dawned on the administration that this competition was overheating the economy and inflating prices, did the administration take any steps to materially curtail nondefense spending to ease the situation? No, not at all. Instead, the administration proposed and the Congress approved suspension of the investment tax credit and accelerated depreciation for new buildings as a means of cooling the economy.

For some time past, there have been developing indications of a slowdown in the economy generally and in the job-creating investments in plant and equipment. The housing industry has suffered a genuinely serious setback in construction and sales because of our tight money market; the trend in production and sales is downward for the automobile, appliance and steel industries, and downward for retail sales generally. In the light of these indications of an economic slowdown, the adoption by Congress of the President's 6-percent surcharge on individual and corporate income tax liabilities may trigger a recession of substantial magnitude.

Wage contract negotiations that are in the offing for over 2 million workers in 8 major industries, as well as for workers in other segments of the economy, certainly can be expected to result in wage increases averaging 5 percent or more. Inevitably, these wage increases will exert cost-push pressures on prices all along the line and we may find ourselves in a serious recessionary period with prices climbing as rapidly as they did in 1966.

Such a situation will only serve to hurt those persons—the disadvantaged, the retired, and the employed on relatively fixed incomes—whom the administration seeks to help through the ill-conceived Federal largess that is embodied in a number of its domestic programs.

WILL CONGRESS REDEEM ITS PLEDGE TO THE PUBLIC?

Mr. Speaker, do you suppose that this might be the year in which Congress will redeem its 1964 pledge to the American people? All of us who were here then well remember section 1 of the Revenue Act of 1964 but let me cite its provisions for the benefit of those who have come to the House since that time:

> SECTION 1. DECLARATION BY CONGRESS.—It is the sense of Congress that the tax reduction provided by this Act through stimulation of the economy will after a brief transitional period, raise (rather than lower) revenues and that such revenue increases should first be used to eliminate the deficits in the administrative budgets and then to reduce the public debt. To further the objective of obtaining balanced budgets in the near future, Congress by this action, recognizes the importance of taking all reasonable means to restrain Government spending and urges the President to declare his accord with this objective.

This provision was written into the act by the House, it was stricken by the Senate, and it was restored by the House-Senate conference because the declaration in section 1 was a most important consideration in the House's approval of the act.

On February 24 when the House adopted the conference report on the Revenue Act of 1964, our distinguished and able chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], had the following comments to make with respect to the act:

> In enacting this revenue bill, as I emphasized last September, we are choosing tax reduction as the road toward a larger, more prosperous economy and we are rejecting the road of expenditure increases. We do not intend to try to go along both roads at the same time. If we fail to limit the growth of Federal expenditures, we will be leaving the tax reduction road. Even a 1-year detour may make it extremely difficult to get back on it.
>
> A major and impressive beginning has been made in bringing the expenditures of the Federal Government under the tight control needed to justify this tax reduction and those we should look forward to in the future. All of us will have to cooperate in extending these economies, in making them the fiscal habit of this Nation. We must not fail to do so if we are to keep the tax reduction avenue open.

Following those remarks by the gentleman from Arkansas, I commented that he had pointed the way to a sound fiscal policy, that minority members of the Appropriations Committee applauded his foresight, and that we on this side of the aisle would exert every effort to hold the spending line.

During the 88th Congress, the administration and the Congress followed reasonably well the provisions of section 1 of the Revenue Act of 1964. Appropriation requests were cut substantially and budget spending slipped from $97.7 billion in fiscal 1964 down to $96.5 billion in fiscal 1965.

But, what happened in the 89th Congress? With the advent of the Great Society, the administration and the majority party in the Congress abandoned any pretense of honoring the pledge of 1964. The administration formulated expansive and expensive legislative proposals and budget requests, most of which Congress approved—some at even higher spending levels than the administration dared suggest.

As a consequence, nondefense spending increased by leaps and bounds and our fiscal situation was further complicated by rapidly rising defense expenditures on behalf of the war in Vietnam. Federal spending leaped up $10.4 to $106.9 billion in fiscal 1966 from the $96.5 billion level of 1965. It is expected to accelerate even more rapidly this year to $126.7 billion, or $19.8 billion above the $106.9 billion of 1966. While the rate of climb is expected to decline somewhat in fiscal 1968, spending then will still be $8.3 billion higher than this year since 1968 expenditures are now pegged at $135 billion. Time alone will tell whether the 1968 estimate is accurate.

Remember, the distinguished gentleman from Arkansas said:

> If we fail to limit the growth of Federal expenditures, we will be leaving the tax reduction road. Even a 1-year detour may make it extremely difficult to get back on it.

I am sad to say that we have now been on a 2-year detour—a detour which has obviously driven us from the tax reduction road since we are now asked to increase the tax burden on individuals and corporations by 6 percent of their income tax liabilities.

I urge the distinguished gentleman from Arkansas to use his influence to convince the big spenders in Congress that it is imperative for us to get back on the road to expenditure control, balanced budgets, and debt reduction—and get back without further increases in taxes.

FISCAL EXCESSES AND A CALL FOR RESTRAINT

At a chamber of commerce meeting in Lubbock, Tex., last October 25, our distinguished chairman, [Mr. MAHON], expressed some reflective and thoughtful concern over the spending binge of the 89th Congress. His speech was reproduced almost in its entirety in the November 7 issue of U.S. News & World Report. I commend a thoughtful reading of his remarks to all Members of the House but I commend it especially to the big spenders on the other side of the aisle.

Let me quote briefly some excerpts from the chairman's comments:

> They [new programs and concepts adopted by Congress] will contribute to changing the course of the Nation. And, my friends, they will be expensive—very expensive.
>
> Nor do I need to remind you that they all add up to bigger Government; to higher budgets: and to more taxes—or more debt.
>
> I know that we must continue to strive to improve our country and the lives of the people in every State, but, in my opinion, the Federal Government must not be permitted to intrude too far into our lives. Some new legislation tends to permit such intrusion. Moreover, we cannot possibly raise taxes high enough to finance every noble idea that somebody dreams up.
>
> Congress not only adopted many of the Great Society programs; it even outdid the President in some respects by going further than he recommended on a number of proposals. At times, we galloped when we should have walked or stood still. That applies to the President and it also applies to Congress.
>
> In consequence of all this, we are suffering from some legislative indigestion; from too much government, from too much spending, and from too much inflation.

I could not agree more sincerely with the gentleman from Texas. What the administration and the Democrat majority in Congress accomplished in the last 2 years has in fact, first, changed the course of our Nation; second, irresponsibly increased Federal spending and added unconscionable burdens on the people with a prospective increase in income taxes and in the insidious hidden tax of inflation; third, intruded immeasurably into the lives of Americans everywhere; and fourth, triggered a case of legislative indigestion which will require a Herculean effort by Congress and a massive fiscal purgative if the affairs of our Federal Establishment are ever to be put in order again.

And, what did our distinguished chairman conclude was the answer to this financial dilemma in which we now find ourselves? He said:

> The ultimate answer is only partly in Congress; it is only partly in the White House. More importantly, control of public spending rests with the people who create public sentiment and elect officials of Government. . . . Congress is not going to practice restraint unless the message comes through loud and clear from the people generally.

To his conclusion, I would add my amen and point out that following our chairman's speech the public did, on November 8, express a demand for restraint and for elimination of the fiscal excesses of the administration and the 89th Congress.

I now express the sincere hope that the gentleman from Texas can this year convince his colleagues on the other side of the aisle that they erred grievously on fiscal matters during the 89th Congress. I want him and the membership of the House to know that we on this side of the aisle will do all within our power to right these fiscal wrongs. So, let us join together in a devoted and unstinting effort to restore a course of fiscal responsibility in Federal affairs which the electorate has demanded.

Finally, I would express the hope that an aroused and thoughtful public will continue to demand no less a course of action from the administration and from the Congress.

Mr. EVINS of Tennessee. Mr. Speaker, the distinguished and able chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON], has commented at length on the President's budget just presented to the Congress.

Chairman MAHON has pointed out that we must continue to build up our military strength—support our military forces—meet our international commitments—at the same time—provide for a system of priorities in domestic affairs.

The real problem facing the Congress in considering the budget is the matter of setting priorities on programs that need to be funded.

We must find the answers to these hard questions:

Which programs shall have the highest priority at home—and which can be deferred?

Which programs can be scaled down and reduced?

Which projects are essential and which can be delayed?

Which programs can be curtailed or stretched out?

It seems to me, that we can do one of two things.

We can increase taxes and finance the entire budget as recommended—or—

The Appropriations Committee and the Congress can carefully examine the budget—take a good hard look at what the President is proposing—make cuts and reductions—and avoid the necessity of a tax increase.

It is my feeling that cuts and reductions can be made—and should be made—that priorities must be set.

We are faced with the fact of the Vietnam war.

It is here.

It is costly.

It has first priority—and certainly should have first priority—in our national commitment.

We do not know how long the struggle will last—or what the ultimate cost of the war will be.

With the large amounts recommended by the President for our defense effort—$73 billion in fiscal 1968—we must be realistic.

Other items such as interest on the national debt—veterans pensions and compensation—social security payments—are fixed costs and cannot be reduced.

I repeat—our problem then is to adjust our domestic programs to the war effort.

We must set some priorities.

This is the sensible approach.

This is expected.

This is what the American people expect of their elected Representatives in Congress.

This is the approach I urge—as we begin consideration of the President's budget proposals.

Mr. LAIRD. Mr. Speaker, President Johnson's announcement that he intends to establish a bipartisan commission to review budgetary concepts in order to "assist both public and congressional understanding of this vital document" is certainly welcome at this time. The President should be commended for recognizing the importance of and the need for truth in budgeting in order that the fiscal and monetary affairs of our country can be handled responsibly.

There is perhaps no greater example of the need for such a bipartisan commission than the fiscal year 1968 budget submitted to the Congress today. Its various elements lend themselves to wide and diverse conclusions depending on how you analyze it.

For example, depending on your perspective, the President's fiscal year 1968 budget is going up, going down, or just moving sideways.

It is going up if you look at spending. Total expenditures are on the rise on any basis—defense, nondefense—cash, administrative budget, or national income accounts.

Mr. Speaker, in at least one respect, however, it seems to be going down. At least the deficit forecast for fiscal year 1968—$8.1 billion—is smaller than the estimated deficit for fiscal year 1967—$9.7 billion. This is not too difficult to appreciate when one sees that the 1967 deficit—whether you figure it on a cash basis, a national income accounts basis, or an administrative budget basis—is the highest in 8 years.

In still another respect, however, the budget is moving sideways. The Federal share of gross national product—GNP—for fiscal 1968 is forecast to be the same as in 1961—11 percent. That is slightly higher than in the last few years.

The upshot of all this, of course, is that this budget for fiscal year 1968 is a highly confusing document. Some might wish that it had been submitted in advance to the Food and Drug Administration to determine if it would pass appropriate labeling and packaging tests.

In the very brief time that has been available to study this document, I have attempted to recast the highlights of the budget figures to show more accurately its results in deficit terms. Obviously, this in no way is a complete analysis on my part but rather an attempt to get things started along the lines of needed budget improvement.

The key problem of budget credibility arises, of course, from the administration's confusion between assets and liabilities. The fiscal 1968 budget assumes that some $5 billion of special I O U's will be issued by the Government in fiscal year 1968. These are very special I O U's because they do not show up in the public debt but rather as a revenue item. The accompanying table adjusts for this confusion in what might be termed the Johnson administration's "new accounting" which seems to go hand in glove with its pursuit of the "new economics."

Specifically, the sales of certificates of participation in Federal loan programs are treated as purchases of assets by the private buyers and should but are not treated by the Treasury as a liability for future payment by the Government. Adjusting for this one item as well as one even more technical item, gives a better indication of the true magnitude of the expected Federal deficit.

Federal cash budget

[In billions of dollars]

	Fiscal year		
	1966	1967	1968
Cash deficit (as stated in budget document)	−3.3	−6.2	−4.3
Some needed adjustments:			
Debt issuances which have been treated as program receipts (sales of certificates of participation)	−2.6	−3.6	−5.0
Unexplained swing in receipts of Government-sponsored enterprises (Federal Home Loan Bank Board)	-----	-----	−1.5
Cash deficit with necessary adjustments	−5.9	−9.8	−10.8

Source: The Budget of the United States Government for the Fiscal Year Ending June 30, 1968.

It should be realized that to private investors—PC's—are very much like Treasury securities insofar as they increase the magnitude of Government demand for investment funds and Government competition with private borrowers. In light of the President's concern with high-interest rates expressed in his state of the Union message, it is surprising to find such a large offering of PC's contemplated in his budget since this will exert even stronger upward pressures on interest rates.

The second adjustment item in the table is the essentially unexplained swing from net expenditures to net revenues on the part of the Federal Home Loan Bank. This may seem like a very minor technical matter except for the fact that it reduces the deficit by $1.5 billion in fiscal year 1968.

In his budget message, the President talks about cutting out waste and nonessentials and about limiting increases to urgent national requirements.

Mr. Speaker, unfortunately, there is no statement of priorities by which to guide the Congress or the public. Therefore, we can only infer them from the items which are reduced as compared to those for which the President has programed increases.

The major civilian areas that show increases include international aid, agriculture, interest, General Government, natural resources, housing and, of course, labor, health, and welfare.

The major areas that show decreases are rather interesting to note. They include veterans, commerce and transportation, and NASA. The single, biggest area of apparent reduction or cutback will be a surprise to many Americans. It is the area of education which shows a decrease of some $500 million.

Of course, this paper reduction is achieved by proposed sales of PC's on college housing loans, a good example of how PC's are used in the budget to confuse the true expenditure picture.

In contrast, the budgeted increases in natural resources and General Government may be even more surprising. The administration still has not adopted a policy of no new starts on civilian public works. You may recall we had such a policy during the Korean war. We do not now. On the basis of the very quick review that I have been able to make of the budget in the short time available to me, I came across 21 new projects being started in the 1968 budget.

Although the total defense budget shows an increase overall, serious questions should be raised about cutbacks in areas other than southeast Asia activities. For example, the budget shows that total inventory of Air Force aircraft goes down from 1967 to 1968, that this budget contains one less wing of B-52's, that there will be four fewer squadrons of fighters and of C-124 transports although the transports are offset in the budget by the addition of one additional squadron of modern military transports.

The question of our capabilities in the whole defense area as we look down the road to the period of the 1970's and beyond will, of course, be given close attention by the Defense Appropriations and Armed Services Committees of both Houses in the weeks and months ahead. In the meantime, it is to be hoped that the President will recognize the need for establishment of a Blue Ribbon Commission on Defense as has been proposed by the minority members of the House Defense Appropriations Committee.

Mr. Speaker, proper packaging and proper labeling in Government operations is a crucial necessity in a democracy. Hopefully the President's determination to seek advice from a top-level, bipartisan Commission on the Budget will insure that the fiscal 1969 budget will be a much more accurate and more easily understood statement of the fiscal plan of the administration.

Mr. EDWARDS of Louisiana. Mr. Speaker, the President today transmitted to the Congress the proposed supplemental appropriations for fiscal year 1967 to support the Department of Defense.

The vast bulk of these funds are directly related to southeast Asia. But I take this occasion to note that the request underlines the attention that this administration and Congress give to the welfare and morale of our personnel everywhere who are serving valiantly in the cause of freedom.

I call to this body's particular attention that almost 5 percent of the request, some $600 million, will provide necessary funds for pay increases, implementation of dependents' medicare, and homeowners assistance which were enacted during the second session of the rightly much-lauded 89th Congress.

The Military Medical Benefits Amendments Act of 1966, signed into law by the President on September 30, 1966, authorized certain additional medical benefits to dependents of Armed Forces members on active duty. The homeowners assistance program will provide relief to Department of Defense personnel who, as a result of base closings, have to sell their homes in a depressed area.

These two programs stand as examples of our continued interest in the welfare of Department of Defense personnel and their families—an interest we can unmistakably show by enactement of the requested appropriations.

Mr. EDMONDSON. Mr. Speaker, the 1968 budget shows once again the President's belief in both the prudent hand and the open mind: A prudent hand in cutting out fat and waste, and open mind to the needs of the people. The budget message contains abundant documentation for these efforts.

The President reports that cost reductions and greater operating efficiency led to savings last year in the civilian agencies totaling $1.7 billion. On the defense side, the savings over the past 5 years reached $4.5 billion in 1966. In other words, without the hard work that has gone into cost reduction, the budget would probably be several billion dollars more than it is.

Obsolete Government organization means spinning wheels and waste of money and manpower. For this reason the President has overhauled Federal agencies, secured establishment of two new departments and proposed to merge two others. He will also submit several other reorganization proposals to improve the efficiency and economy of the executive branch.

Now the President is taking a completely fresh look at the budgeting process itself. He wants better and keener tools for getting at the true costs of Government programs. He seeks better methods for analyzing the costs and benefits of public expenditures—for examining less costly alternatives. Therefore, he proposes to introduce the new planning-programing-budgeting system into all departments and agencies at the earliest possible time.

These three major strategies: Cost reduction, Government reorganization, modern budget methods, are clear evidence of the President's concern for the wise and effective use of the public's dollars.

These are progressive steps to sound budgeting and better government.

WORK EXPERIENCE AND TRAINING PROGRAM UNDER TITLE V OF ECONOMIC OPPORTUNITY ACT

The SPEAKER pro tempore. Under previous order of the House the gentleman from Kentucky [Mr. PERKINS] is recognized for 20 minutes.

Mr. PERKINS. Mr. Speaker, it is never pleasant to inform the House of misfortune. But I believe I have a duty to report to you and to the country that a particularly hurtful blow has fallen upon many good and deserving people in my district of eastern Kentucky as a result of action taken by the Congress last year.

This misfortune extends far beyond the boundaries of my district. It affects the constituents of many other Members of this House.

It is, simply stated, that 36,000 heads of families and their 108,000 dependents are being denied the opportunity to improve themselves under a Federal program already existing—the work experience and training program under title V of the Economic Opportunity Act.

This, Mr. Speaker, is more than misfortune. It is tragedy. And it is all the more distressing to realize that it is unnecessary.

This unhappy situation comes as a direct result of Congress decision to cut funds for title V operations to a level 33⅓ below the President's budget of 1966.

I submit that this is neither a fair nor sensible reward for a program that has been among the best directed, the most effective, and the most successful in our broad-scale attack on poverty in America.

The work experience and training program undertakes to provide education, special training, and practical on-the-job experience for the hard-core unemployed—those of low-income and no-income families who are unable to obtain jobs to support themselves and their dependents, and those who are present or potential recipients of public assistance.

It has had much success in taking the "unemployables" and turning them into jobholding, wage-earning, family-supporting citizens.

In the 2 years since the title V programs went into operation in December 1964, approximately 133,000 persons have participated in it. Of the approximately 66,300 who have passed through or are no longer in the program, half have been helped toward achieving self-sufficiency as a direct result of their participation.

Some 22,000 persons immediately found employment upon leaving title V projects. Another 3,500 heads of families received sufficient upgrading and educational improvement to qualify for Manpower Development and Training Act and other advanced vocational educational training as a step toward better paying jobs. And another 6,700 persons who did not find employment immediately upon leaving the program were in a more competitive situation in the labor market because of the instruction they received.

These three groups of title V trainees make up a better-than-50-percent success level achieved by title V in its first 2 years.

That is an outstanding achievement, Mr. Speaker, and the Congress should be proud of it. But because of authorization cuts made last fall, the level of operation must be sharply curtailed.

The work experience and training program received an appropriation of $150 million for the 1966 fiscal year. In his budget message last January, the President asked for $160 million to operate the program during fiscal 1967. Congress cut this request by $60 million and we wound up with an appropriation of only $100 million: This is $50 million less than it had the previous year.

Now, instead of being able to fund 74,800 training spaces, the program will be held down to 46,200. The effect of this cutback of 28,000 spaces is already being felt.

Many projects have been reduced in size and 75 more projects will be phased out.

Except in unusual circumstances, it will be impossible to approve new projects in areas greatly in need of the benefits that title V can achieve with the hard-core unemployed of America.

Some of the projects that have already ended or are in the process of being ended are Fulton County, Ga.; Yell County, Ark.; Lake County, Calif.; Bucks, Berks, Chester, Montgomery, and Westmoreland Counties, Pa.; and St. Lawrence County, N.Y.

As of December 31, there were pending 24 project proposals totaling more than $20 million. These include three counties in Minnesota, two counties in Nebraska, 10 counties in New Mexico, four counties in Oklahoma, two counties in Texas, three counties in Virginia, and single counties in Wisconsin, Montana, and New York, and for an Indian reservation in South Dakota.

It is unlikely that any title V funds will be available this year for funding these and other new project proposals. It is difficult to calculate and painful to consider the tremendous potential in human resources that will go to waste because we in the Congress failed to provide funds for these projects. And it is sad to contemplate the burden of future welfare costs we are strapping onto the back of American taxpayers because, in this instance, we have taken a very short-range view of economy.

It is false economy that counsels us to cut $60 million from the budget today only to spend many times that sum tomorrow supporting those people and their children who are handicapped by lack of training and experience to become independent, self-supporting members of society.

What I tell you today about title V is not hearsay. I have seen it in operation and I know it produces results.

Since the establishment of the title V program in a group of eastern Kentucky counties, more than 9,000 fathers plus some 31,500 dependent children have been helped by the program.

More than 1,500 of these participants have been graduated to full-time employment with wages ranging from $1.25 to $3 an hour in a wide variety of occupations, such as stock clerk, counter salesman, automotive repairman, welder, road equipment operator, gardener, and electrician.

All participants who are found deficient in education are enrolled in adult basic education which extends through the eighth grade level.

At least 900 eastern Kentucky fathers have completed eighth grade work under the title V program, and 600 others have completed high school equivalency.

The Governor of Kentucky, the Honorable Edward T. Breathitt, recently praised this program for keeping thousands of young Kentuckians in school and for reducing the dropout rate. He noted that bridges have been built by the fathers, streams have been cleared, roads have been built to bring school buses to the hollows where children had been required to walk for miles to get to school. These, said the Governor, are quiet miracles.

I wish it were possible for all of you to read the many letters I have received from fathers in my district who are enrolled in the title V program.

Written on lined tablet paper with stubby pencils, many with imperfect grammar and original spelling, they tell the story of title V's success in frank, direct sentences of little children. But these letters glow with the honesty and pride of men who are accomplishing something, who are gaining in confidence and self-respect, and who are determined that this one last chance for independence shall not slip away. And perhaps the most touching thing of all is the concern they show for the education and future of their children.

Listen to these random sentences:

"There a lot a people around here that cant read or write and you no without an education its hard to find employment."

"This has helpt me and my famely to keep my children in school and has helpt me to improve my own condition in school so help us to keep the school going please."

"But the greatest help about the program is the help I get to send my children to school. I have two boys in high school and three in grade school. Without the help from the program I could not send my children to school."

"The people that needs it most of all, us old miners, is nocked out and cant get a job and I hope it goes on. It helps me keep my children in school."

"I hope it goes on for it is the only way

I have got to send my kids to school. It is the best thing we have had."

"You have helped me get something i didn't have the chance to get when i was young. That is school, and most of all i do thank you for this program that i can support my family better and give my children more school and better food and warm clothes to wear to school. Mr. Perkins this program is the wonderfulest thing you could have done for the poor people."

"I am willing to work and go to school and do my best so I can feed and clothe my family. Please, Mr. Perkins, help us. It gets so dark and cold here on Middle Creek. I lay awake wondering how I am going to keep my family from starving. I have 11 kids, 7 in school."

"The program is helping me give my children a good education. My medical card has helped me give my children proper medical care when needed. I got glasses which I've needed for a long time but couldn't afford to buy. The children have had their teeth filled. I am an abled bodied man 39 years old with six kids, and I've found it hard to make a decent living here in Menifee county."

"You have kept many poor child from a hungry hour while in school. Many men has put their children in school that couldn't have if it wouldn't for your help."

"It has helped to keep my child in school and it has helped us all to get more schooling."

"It has been a great help to me and my family in sending my children to school."

"I have learned well in school and my kids has had good lunches because I have been able to pay for them."

"I couldnt even write my name when this school started."

"The whole community responded to this program. It has done more to create a community spirit and educate the people and to help the poor to feel a part of the whole program than anything else has ever done. This is the key to help people to understand what our government is trying to do for its people."

While these men are improving their educational status, they are learning something else very important to their future as wage earners. The program stresses basic habits: Punctuality, persistence, dependability, personal neatness, and pride in workmanship.

In my State, the program is operated under regulations that have teeth in them. If participants do not show up for the work assigned them, they do not get paid. Repeated absences result in their being dropped from the program.

And in the words of a program supervisor in my State:

> This provides an incentive to maintain regular work habits thus setting a good example for their children.

Some of the most eloquent praise for the program comes from a respected teacher in Menifee County, who had great misgivings about the educational program when she was drafted to teach in one of the early courses. This letter which I would like to insert in the Record in full is her testimony:

Menifee County High School,
Frenchburg, Ky., January 11, 1967.

Hon. Carl D. Perkins,
Washington, D.C.

Dear Mr. Perkins: In October of 1965 my superintendent called and asked if I could teach Level 1 in our basic adult education course here at Menifee County High School. As you know Level 1 is the first three grades. I said I would and then almost panicked. What could I teach these men ranging from 19 years of age to 57. When I saw them I wondered even more, for they were dirty, unshaved and I feared of very low morals.

But you know, Mr. Perkins, I could never have been more wrong. I have been in the teaching profession 21 years and I've never been shown more respect than these boys show. They feel their inability to read and write so acutely. They actually feared trying.

Now they are so anxious to show me each week what they recall from last week. Since I teach the lowest level I've had nearly all our boys that are in the program here and they have nearly all been eager to learn and are so proud that they can sign their names, that they can earn money and that their children can have the necessities of life and even sometimes a treat. They come neat and clean now that they have money for clothes and seem to take great pride in their appearance.

But the improvement does not stop with the fathers, I have several of their children in my general science class in our high school—their attendance is better, their appearance just like the other boys and girls, and their appearance shows the result of being able to eat well for maybe the first time in their lives. Their medical cards are being used too.

Some call them "Happy Pappies," and why shouldn't they be happy? They are not being given charity but are being given a chance to earn a living and at the same time an education. I could almost write a book on the change I've seen in our Happy Pappies, and it's all been good. I hope you can use your influence to help us keep this program in Menifee County. We have no industry here.

Sincerely,
Mrs. Emogene Combs.

Now, Mr. Speaker, after all of the progress we have made it has been necessary to reduce the size of the title V project in eastern Kentucky. It will receive almost $4 million less this year than it had in fiscal 1966. That means that more than 1,500 men—heads of families with wives and dependent children—will have to be dropped from the program. We cannot begin to assess the loss of hope and the reduced economic circumstances which again face those 1,500 families who were beginning the upward climb to self-sufficiency and self-respect.

Let me quote the words of a group of title V participants in eastern Kentucky in a petition addressed to the President of the United States:

> We respectfully represent that the continuation of the employment program is essential to the welfare of every man who is participating in it, and to their families. We submit that it is the first opportunity for most of these men, many of them past the prime of life, to achieve minimum education standards so necessary to the acquisition of jobs in the economy of this region; and it enables families, and more particularly the children of these men to acquire a basic measure of freedom from hunger which most of them have known throughout their lives.

Because we are faced with this severe cutback, it is incumbent upon all of us to search for alternate ways of reaching the hard-core unemployed of America.

I have recently asked the Secretary of Labor, Mr. Willard Wirtz, to see if it is possible to transfer some of the potential cutoffs from the title V program to training projects under the Scheuer-Nelson program, or to the Neighborhood Corps for the Elderly.

I include my letter to Secretary Wirtz for the Record:

December 30, 1966.

Hon. W. Willard Wirtz,
Secretary of Labor,
Department of Labor,
Washington, D.C.

Dear Mr. Secretary: I am very much concerned about the cutback in funds under Title V of the Economic Opportunity Act from the budget figure of $160 million to the actual authorization figure of $100 million. This will affect several thousand needy families who are receiving useful work experience and training under Title V in eastern Kentucky. Approximately 6,000 people are affected and these are the real hard core unemployed, the people who for all intents and purposes are unable to feed their families and purchase the necessities of life. In fact, they cannot feed their families under the subsistence provided under the MDTA program.

According to the testimony of Mr. Ruttenberg before my Vocational Subcommittee last fall, we have barely touched the hard core unemployed under MDTA. To my personal knowledge, many applications are now pending that have not been funded for eastern Kentucky, but these pending applications do not involve the hard core unemployed who will be affected by the cutoff under Title V.

I am wondering whether you will be able to take on several hundred of these hard core unemployed who will within a few months be cut off of the Title V program. It would appear to me that some relief could be afforded under the Nelson-Scheuer or the Neighborhood Corps for the Elderly. I have discussed this subject matter with several of the area directors of the community action programs in eastern Kentucky and have requested that they submit Nelson-Scheuer applications to take up some of the slack from the cutoff.

I will appreciate your immediate consideration of this request inasmuch as several thousand people will be affected by early spring in eastern Kentucky and at that time, unless other programs assume the responsibility of Title V, their families will be faced with starvation. Thought I would call this to your attention in order that your manpower people and other experts may have time to survey the situation thoroughly before the cutoff date.

With best wishes for the New Year,
Sincerely,
Carl D. Perkins,
Member of Congress.

Dr. Ellen Winston, the Commissioner, Welfare Administration, Department of Health, Education, and Welfare, has been greatly concerned about the potential cutoff of title V participants in my State, as elsewhere in the Nation.

I also include for the record an exchange of correspondence between Dr. Winston and Commissioner C. Leslie Dawson of the Kentucky Department of Economic Security, Frankfort, Ky.:

Department of Health,
Education, and Welfare,
December 27, 1966.

Mr. C. Leslie Dawson,
Commissioner, Department of Economic Security, Capitol Office Building, Frankfort, Ky.

Dear Mr. Dawson: This is in reply to your further correspondence under date of December 14, 1966, regarding the Kentucky Title V work experience and training project.

It is an unfortunate circumstance if, as you say, the level of prevailing wages is lower than the amount determined by the State to be necessary for a minimum standard of living. However, this is not a justification for falling below the State's standard. Congressional intent that State standards be adhered to in assistance payments under Title V projects is stated on page 20 of H.R. No.

1568 of the 89th Congress, 2d Session, as follows:

"Finally, HEW will continue to make certain that all participants have funds to secure sufficient food, clothing, shelter, and other living necessities to derive maximum benefits from the program. The standard of sufficiency is the full amount of the State's relevant definition of needed assistance."

Since a waiver was granted previously to permit assistance payments under the Kentucky project to be made on the basis of full need up to a monthly family maximum of $250, this same condition will be approved for the third year renewal.

While we do not agree that the problem can be solved by reducing the level of assistance payments, we certainly share your concern about the families who will have to be removed from the project because of the 12½ percent ceiling. In the absence of a general assistance program we urge that serious consideration be given to implementing the existing legislation in your State which authorizes payment of aid to families with dependent children in need as a result of unemployment of the parents. Our records indicate that this legislation was passed in 1964 to become effective July 1, 1964, in 39 countries and to be extended Statewide by July 1, 1965. An AFDC–UP demonstration project under Section 1115 of the Social Security Act was funded for the period from December 1, 1963, through June 30, 1964, by the Welfare Administration for nine Kentucky counties in the amount of about $400,000. As of July 1, 1964, when the special project funds under Section 1115 terminated, the State law was implemented and payments were made in the nine counties under the regular Federal matching provisions for AFDC–UP for the balance of the year. Because State funds were becoming depleted, a work experience and training project was approved under the provisions of Title V of the Economic Opportunity Act effective January 1, 1965, for the original nine counties and later extended to 19 counties. A total of $32,325,245 in Federal funds has been granted to Kentucky under the work experience and training program to date.

Federal financial participation under the regular AFDC–UP program again would be available if Kentucky provided the necessary matching funds to implement the State legislation passed in 1964. Economic conditions must be more favorable now than in 1964 when the State found it possible to match AFDC–UP payments for a number of months. If it is not possible for the State to provide matching funds for an AFDC–UP program on a Statewide basis, approval could be given for a waiver to operate the program in a designated number of counties with regular Federal matching. In many States, the Governor has discretionary or emergency funds that can be drawn upon for special purposes.

We are deeply concerned over the hardship and suffering of persons who must be terminated during the winter months. Also, in order to conserve the investment that has already been made, every effort should be made to continue the program at its present level. A number of gains have been made in the program such as strengthening the training component, establishing a labor mobility demonstration project, provision of adult basic literacy and high school equivalency courses, and training of crew foremen to improve the quality of the work experience provided. It is regrettable if the momentum that has thus been gained must now be lost.

If no State matching funds can be made available, you have proposed that the reduction in the Title V project be made by terminating trainees who have been on the program for longer than two years. This proposal is not approvable for the reason that over the past two years a sizeable proportion of trainees have been brought to the point where they are now able to move into advanced training or relocate in other areas where jobs are available for which they have been trained. To drop them from the project would deprive them of services at the point where the program's investment is about to pay off.

Further, a 24-month cutoff is contrary to the direction given by Congress in the 1966 Amendments to the Economic Opportunity Act. Section 503(b) as amended provides "that participation of individuals in such programs will not ordinarily exceed 36 months * * *" This provision was enacted by Congress in recognition of the severe deficiencies and needs of the group served. Many of the trainees require a substantial period of time to bring them to the point where they can secure and hold regular employment in a competitive labor market.

As stated in my letter of December 5, 1966, it is our belief that within the present budgetary constraints "the renewal for a third year should provide emphasis on the training component for a small number of participants in a more circumscribed geographic area. Limiting the project to a smaller number of counties should make for a more efficient and economical operation with a concentration of needed services including those related to labor mobility." In phasing out the program in any county, trainees should be allowed to finish vocational training programs and high school equivalency courses. It is my understanding that 670 trainees out of the total of 750 enrolled in vocational training programs or high school equivalency courses are located in the original nine counties covered by the initial Title V project. This suggests that consideration be given to continuing the program in these counties and terminating it in counties that were added later, if it proves impossible to find State funds for Federal matching as suggested above.

Sincerely,

ELLEN WINSTON, *Commissioner.*

COMMONWEALTH OF KENTUCKY,
DEPARTMENT OF ECONOMIC SECURITY,
Frankfort, December 14, 1966.

DR. ELLEN WINSTON,
Commissioner, Welfare Administration, Department of Health, Education, and Welfare, Washington, D.C.

DEAR DR. WINSTON: In your reply of December 5 to my letter of November 22, you indicated that you could find no justification for reducing the level of payments for Work Experience and Training Program participants to the level of the regular AFDC program (86.5% of deficit, with family maximums of $180 for families of fewer than 7 persons and $220 for families of 7 or more persons). In light of the tremendous hardship which the reduction in Kentucky's allocation will produce in this program in East Kentucky, I request that you reconsider this decision.

At this point we have made every decision that could conceivably be made which would reduce the number of participants that would have to be cut off the program and still the cut will be extreme. For those who would be removed from this program during this winter season there is no type of assistance available to them other than food stamps for which they are already eligible and it will produce hardships that will be difficult for many of us to explain. I have no argument with any of the department's policies which are calculated to produce a higher standard of living for the disadvantaged. We are both attempting to achieve the same goals but in this instance, it is essential that the hardships produced by a reduction in appropriation be minimized. I suggest that a consideration be given to a grant reduction as previously suggested, for at least a year's period until the program can be adjusted.

The greatest criticism which has been leveled at this program in East Kentucky has been that the grant payments are in excess of what small industries could conceivably be expected to pay for unskilled employees. This criticism has been bitter and has come not only from small industries but from the large and powerful coal mining industry. Even though we do not agree with much of this criticism, this does not offset the fact that it exists and has had a great deal to do with reducing the effectiveness of the program,

There are over 28,000 people in this 19-county area where the WET program is in operation that are not on public assistance of any type and yet are below the $3,000 federal poverty standard relative to income. This group, of course, is also critical of the program because they are attempting to get by without the benefit of the program by working for many of the small businesses located in that area, such as sawmills, garages, farming, etc. At the present time unemployment in Appalachia, by our figures, is running at about 4.2% and in the rest of the State it is running between 1.6% and 1.7%.

The federal poverty standard of $3,000 cannot logically be used in this situation as the reason for not minimizing the required reduction in the Work Experience and Training program. The number of participants to be removed must be held to a minimum or the program loses much of what it has already accomplished with many of these people and it certainly will lose a great deal of support among many sponsors here in Kentucky.

I have enclosed a letter received in November by Mr. Aaron Paul from the U.S. Shoe Corporation relative to the grant structure and also an article which appeared in the Courier-Journal in July of this past year as well as copies of two other articles relating to the program which contain comments from the coal mining industry.

Regardless of how you or I feel, these opinions have had an effect on Congress.

Yours very truly,

C. LESLIE DAWSON.

Because I have dwelt on the effects of a cutback of title V funds in Kentucky, I hasten to tell you that the effects elsewhere across the Nation are also damaging.

In California, for instance, the title V program will receive $3,300,000 less than it had previously received for work experience and training for unemployed heads of families and other needy persons. This cut will mean that projects in 9 of the 21 presently participating counties must be terminated. About 4,000 trainees with 12,000 dependents may no longer share the hope and the promise of a brighter future unless Congress acts to correct its mistake of last year.

Of course, title V will continue even with reduced funds, but the achievement will be much smaller than it could be. Fewer of the hard-core unemployed will be made employable. Fewer unemployed parents will be qualified to take advanced vocational instruction under MDTA. Fewer parents will be moved into the competitive labor market.

Title V will have to reduce the size of projects such as the concerted services activities it shares with other Government agencies in fighting poverty in rural areas—projects like those in St. Francis County, Ark.; Todd County, Minn.; and Sandoval County, N. Mex.

Nor will funds be available for special projects to meet the particular needs of the hard-core unemployed in urban areas.

It seems to me to be especially unfortunate that this cutback in title V comes at a time when a little more basic education, training, counseling, work experience and supportive services, including medical care, can make so many persons employable at a time when there are so many job opportunities.

It is nothing short of a tragic loss that 28,000 new persons are not going to have an opportunity of participating in the title V program this year. And it is nothing short of cruel that 21,000 persons who are part way through their training will have to be dropped.

These people are not alone the losers. The Nation is the loser if this unhappy situation is permitted to stand.

That is why, Mr. Speaker, I am asking for the immediate authorization and appropriation of an additional $60 million this fiscal year to bring this important and worthwhile program up to the level of operation sought by the President in his last budget message.

It is important that this worthwhile program be adequately financed so that in the future, we will not be running into the disruption and the demoralizing uncertainty we are experiencing now.

PROPOSED INCREASE IN SOCIAL SECURITY BENEFITS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I want to compliment President Lyndon B. Johnson for his message asking that social security benefits be increased by an average of 20 percent.

If Congress carries out the President's request, the recipients of social security will receive a much-needed assist in their struggle to provide themselves with the necessities of life. I am glad the President has fixed on the figure of 20 percent. I am introducing legislation based on that figure.

What Congress does to carry out the President's proposal will be the measure of our willingness to make the social security system serve the purpose for which it was created—which is to free elderly people of the fear of want and need when they no longer are able to make their own way in life.

It is not enough for any single Member, for any political party to rest content with the workings of the social security system as we have known it in the past. We must keep it up to date to meet the changing needs of our people.

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, I submit for the Record a letter addressed to Speaker McCormack about age discrimination in the Employment Act of 1967:

U.S. Department of Labor,
Office of the Secretary,
Washington, January 23, 1967.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: I have the honor to transmit to the Congress herewith a draft bill for an "Age Discrimination in Employment Act of 1967" as recommended by the President in his Older Americans Message of January 23, 1967.

The bill would establish as a matter of national policy the elimination of arbitrary age discrimination in employment. The legislation would provide minimum standards barring arbitrary age discrimination for workers between the age of 45 and 65 with authority in the Secretary of Labor to adjust these limits upwards or downwards in order to effectuate the purposes of the Act. At the same time it would preserve and encourage State legislation for coping with this problem.

The bill would be administered by the Secretary of Labor.

The prohibitions of the legislation would be directed to arbitrary discrimination by employers, employment agencies, and labor organizations in industries affecting commerce. The prohibitions would be enforceable through administrative proceedings conducted by the Secretary of Labor.

Such proceedings could be initiated by aggrieved persons or someone acting on their behalf, or by the Secretary of Labor, subsequent to informal efforts to eliminate any discriminatory practices by conference, conciliation, and persuasion. Any administrative adjudications would be subject to judicial review and enforcement.

The legislation would clearly indicate that the prohibitions are designed to bar arbitrary age discrimination. Reasonable differentiations not based solely on age, including but not limited to bona fide occupational qualifications which may be reasonably necessary to the normal operation of a particular business, would not fall within the proscription. In addition, the Secretary of Labor would be given authority to establish reasonable exemptions as he finds necessary and proper in the public interest.

The legislation also provides for attention to be given to institutional arrangements which work to the disadvantage of older workers, including those giving rise to involuntary retirement. Research would be undertaken and promoted with a view to reducing barriers to the employment of older workers.

The legislation contemplates that the United States Employment Service and the affiliated State services would take action to increase the availability of work for older workers. The services constitute the basic operating resource for getting this job done. Fostering job opportunities and potentials for older workers through the public employment service system is expressly provided for in the draft bill.

In addition, a beginning would be made by cultivating understanding and communicating information to employers, labor organizations, and other interested persons concerning the abilities and talents of older persons. Finally, there would also be a positive program for cooperating with employers, employment agencies, and labor organizations and affording technical assistance to them in developing plans and methods for progress toward the elimination of age discrimination.

I urge prompt enactment of this legislation.

Sincerely,

W. Willard Wirtz,
Secretary of Labor.

THE MIDDLE EAST ARMS RACE: DANGER AHEAD

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Halpern] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I rise to express my profound concern over recent developments in the Middle East. The Senate minority leader correctly spoke of the "explosiveness" of the situation in the Republican state of the Union address last Thursday.

In this troubled region, U.S. policy has become enmeshed in the always mysterious and uncertain fate of political rivalries. Given the fact of massive Soviet aid, particularly weapons, one cannot hold that this involvement is categorically evil or contrary to our interests. For the Soviets quite obviously are infiltrating the area, backing certain horses, with the hope of establishing positions of strength and influence.

As events unfold we are inevitably made to react. This is producing a sort of myopia. I am concerned lest our preoccupation with the daily ebb of affairs blinds us to the crucial importance of finding long-range and basic solutions to the bitter problems in the Middle East.

Our piecemeal attempts to shore up friendly Arab regimes reflect this preoccupation. At this time I am not questioning specific arms agreements with Arab governments, although in perspective, their validity is a matter of legitimate debate. Rather, I simply want to point out that this pattern of schizophrenic effort is frequently unintelligible. Keen observers will tell you that things are seldom what they seem in Arabia. This is probably true. We must be flexible. But what is our long-range objective in the Middle East? Are our daily decisions tuned to this objective? Have we got a proper grasp of the key factors involved, and are our endeavors geared to laying the basis for a peaceful settlement between Israel and the Arabs?

I have no doubt that officials will answer me with a resounding "Yes." But I am skeptical. In the first instance, a policy wholly absorbed in the practical necessity of maintaining a power balance and restricting Soviet machinations is inherently negative and self-propelling. I am not suggesting that we should ignore these immediate considerations. I am saying that our attention must focus primarily upon the longer term.

The spiraling arms race in the Middle East is, of course, an offshoot of conflicting national ambitions and the Arab-Israel confrontation. With arms and other inducements, the great powers compete for influence and allegiance. It is a perilous situation.

In order to stem this contest, the United States should, through normal diplomatic channels or other means, seek an agreement with the Soviet Union for the limitation of arms shipments into the Middle East. This is the substance of a recent letter I addressed to the Secretary of State, which I will include in the RECORD at the conclusion of these remarks.

I am in full accord with suggestions that there be a reconvening of the Tripartite Guarantee Powers, for the purpose of reconsidering the threat to peace and security in the Middle East. In this connection, I wish to remind the House that this point was stressed by the distinguished Senate minority leader in his foreign policy presentation last Thursday.

Such a reassertion of previously stated commitments by the three governments—United States, Great Britain, and France—would be helpful.

But Russia and the United States are the principle powers concerned. Britain will soon be withdrawing from the Aden base, and the position of France is ambiguous at best.

It is my hope that the United States will press this matter vigorously with Soviet officials at the earliest opportunity.

The letter mentioned above follows:

JANUARY 20, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I want to express my profound anxiety over recent developments in the Near East. The United States has a vital stake in the maintenance of peace in the area, but I am concerned now that restraining influences are giving way to a rising extremist temper which could erupt in open conflict.

For the past several years, the United States has attempted to maintain a balance between opposing forces, believing that this represented the best hope of averting aggression. The influx of Soviet arms into the region, and unmistakable evidence of Soviet military incursion, has also influenced us to conclude piece-meal armament agreements wtih various nations.

It is my impression that United States policy has failed to take the larger view of political and military developments in the Middle East. I do not wish to question here the validity of specific American actions. What concerns me most is an apparent over-emphasis upon short-run considerations, leading to a naive expediency which frequently has the effect of inflaming local passions rather than easing tensions and furthering prospects for an amicable settlement between the parties concerned.

For this reason, as I have previously suggested, our primary concern must be to explore with the Soviet Union the possibility of mutually limiting arms shipments to the Middle East. In the last ten years, the Soviets have earmarked over two billion dollars' worth of arms toward Arab countries. We ourselves have contracted numerous bilateral agreement's.

There is every indication, today, that the Russians are pressing their objective to achieve footholds in this volatile region, chiefly through economic and military aid. The United States has an interest in opposing these schemes, and hence we can expect an accelerating arms race unless the United States and Soviet Russia can come to an early understanding to deescalate this tragically wasteful and perilous infusion of weapons.

Basic to an accord of this nature is the realization, in both Washington and Moscow, that this exportation of weaponry is most probably self-defeating in long-range terms. To the extent that an arms deal buys leverage, the other side will quickly react in an effort to offset the adventage. Any presumed gain is temporary and elusive at best, particularly in the Middle East where, historically, attempts to influence the destiny of changing Arab leaderships have met with measurable failure.

I strongly urge the Department, through normal diplomatic channels or other means, to renew initiatives with the Soviet Government in an effort to control and reduce this dangerous arms race.

SEYMOUR HALPERN,
Member of Congress.

TRIBUTE TO THE LATE HONORABLE CHARLES A. BUCKLEY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GILBERT] is recognized for 60 minutes.

Mr. GILBERT. Mr. Speaker, as the senior Democratic Congressman from the Bronx, it is my sad duty to inform this Chamber of the death of our former Member, Hon. Charles A. Buckley, of New York. Mr. Buckley represented the 23d Congressional District of the Bronx with distinction for 30 years. During 12 of these years, he served as chairman of the Public Works Committee.

Charlie Buckley began his political career when he was elected to the Board of Aldermen of New York City in 1918. He was appointed State tax appraiser and later New York City chamberlain. He was elected to Congress in 1934.

Our vast Federal highway program, improvement of our rivers and harbors, flood control programs throughout our country, came into being under Congressman Buckley's chairmanship of the House Public Works Committee.

The people of New York owe him deep gratitude for the many public works projects authorized for our State. Through his efforts our harbors, our waterways, parks and beaches, have been improved; we have the St. Lawrence Seaway, the Niagara power project, and Hudson River improvements, the Major Deegan Expressway and New England Thruway.

He worked hard for the authorization of a new Federal building in the Bronx. Within a short time, we will see that building go up. It will house Federal agencies, including the Bronx Post Office, and will provide more efficient Federal service to the people of the Bronx.

Perhaps Congressman Buckley's foresight and determination were most dramatically displayed in his early recognition of the presidential potential of John F. Kennedy. Congressman Buckley was one of the first to see President Kennedy as the great man most of us subsequently found him to be. He brought to bear the powers of his leadership in John F. Kennedy's behalf and was one of the men most influential in President Kennedy's ultimate nomination. For this alone, he won the appreciation of the country.

Charlie Buckley was a political leader frequently maligned and much misunderstood. It must never be forgotten, however, that to every position which he held he was duly and properly elected. Charlie Buckley had a great capacity for leadership and it was this which won him both public and party offices. He was a modest and honest man dedicated to the people of his district, the city of New York, and the United States. He gave himself to his people and his country without reserve.

I was honored to serve in the House of Representatives with this great American, who will be remembered for his unselfish dedication to the welfare of the people of New York and for his courageous and eminent leadership to the Democratic Party.

Mrs. Gilbert joins with me in extending condolences to Mrs. Buckley and the family.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I am happy to yield to my colleague from New York.

Mr. CELLER. It is always sad to know that a Member of the House or a former Member has passed away.

I knew Charley Buckley for a great many years. It was always a pleasure to serve with him.

Of all the qualities that were made manifest by him, the outstanding one was his loyalty—his loyalty to his country, his loyalty to his party, and his loyalty to his friends. He never deserted his country, his friends, or his party.

Despite the fact that he was ofttimes beset by critics, he stood stanch and firmly entrenched. He never dipped his colors and never allowed anyone to gainsay him when he was fighting for what he deemed to be his principles.

We mourn his loss. The good Lord has placed his finger upon him, and he sleeps.

Our condolences go out to his dearly beloved wife and the dear ones that Charley leaves behind.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I am happy to yield to my colleague from the Bronx.

Mr. BINGHAM. Mr. Speaker, I thank the gentleman for yielding.

I have the honor to represent the people of the 23d District of New York which Charles A. Buckley represented for 30 years. On behalf of the people of that district and especially of those thousands who knew Mr. Buckley and his family personally, I want to join today in these expressions of grief at his passing and of sympathy to his family.

Although Mr. Buckley and I had political differences, I respected him as a faithful supporter of Democratic Presidents and Governors and as one who—as my colleague from the Bronx [Mr. GILBERT] has said—had a great deal to do with the nomination of John F. Kennedy for President in 1960.

Charles A. Buckley was a hard fighter and a man who lived his convictions.

Others here can speak better than I of his contributions here in the House, but I do know from my 4 years as secretary to Averell Harriman, when he was Governor of the State of New York, that Congressman Buckley was always ready to respond to requests from the Governor and to carry them out, especially where the interests of New York State were concerned.

Mr. Buckley was a devoted husband, father, and grandfather.

Although not unexpected, his passing

is a grievous loss for his family and especially for Mrs. Buckley.

My wife and I and my family join in extending our deepest sympathy to them.

Mr. FINO. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I yield to my distinguished colleague from the Bronx [Mr. Fino].

Mr. FINO. I want to thank the gentleman for yielding to me.

Mr. Speaker, I was deeply saddened this weekend by the death of a beloved colleague of yesteryear, the Honorable Charles A. Buckley, of New York.

Charlie Buckley is a symbol of a bygone era. There will never be another Charlie Buckley. Nor will there ever be another Bronx era like the era of Charlie Buckley. Some say this is progress. I disagree.

To me, Charlie Buckley was a colleague in two ways. We were both Members of Congress, but we were more—we were both chairmen of our respective party committees in Bronx County.

I remember when I was a college student, back during the 1930's. Charlie was a junior Congressman, just beginning his climb on the ladder of congressional seniority. The Bronx was a different place in those days. The Democratic organization, of which Charlie was a part, ruled supreme throughout the Bronx. In those days, Charlie Buckley's Bronx was the "banner" Democratic county in this Nation—north of the Mason-Dixon line at least.

I remember those days very well. People were poor, but nobody was "deprived." People were thin with hunger and blue with cold, but nobody thought to riot. Policemen were respected in those days.

In recent years, this has changed. And other things have changed, too. Impatient "reformers" clutching half-baked sociology books have come to the Bronx, and they have spewed out a lexicon of "deprivation," "social action," and "reform." Reform of what? Reform of the respect for law and order that was part of the old Bronx? Reform of pride in self-help? Yes, that too. Reform of respect for a man's word and character?

Charlie Buckley's Bronx has been displaced by the inroads of "reform." Now we have people who are "deprived." Now we have rioters. The Bronx will miss Charlie Buckley. We will regret his passing—and the passing of his era.

As I said, Charlie and I were not just congressional colleagues, we were each chairman of our respective county political organizations. In recent years, our Republican Party has made gains in the Bronx at the expense of our Democratic friends. Many of the stalwarts of the old Democratic era have joined us, fleeing the hypocrisy of "reform." They are more than welcome.

We Bronxites, whatever our party, will miss Charlie. We will miss his rugged candor, his character, and his integrity. The Bronx will not be the same without him.

Mrs. Fino joins me in extending our deepest condolences to the family of the late Charles A. Buckley. The Bronx will not forget him.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, Monday's news stories informed us of the passing of a distinguished former Member of this body, beloved by many Members of the House who served with him at some point during the 30 years he represented the 23d District of New York City. Charles A. Buckley, as has been said many times, was a politician of the old school, who placed loyalty to country, to constituents, to friends and political party, at the top of his list of personal values.

Mr. Buckley rose from humble circumstances to positions of prestige and leadership. He served his district with devotion over many years, years during which he also formed friendships and bonds of affection with his colleagues.

I deeply regret the death of my old friend. I was happy to number him among many fine and loyal friends I have made as a Member of this House. As chairman of the great Committee on Public Works he was a friend of many Members—he favored us in many ways.

Charles Buckley was a strong believer in party. He was a strong supporter of President Johnson and of President Kennedy, for whom he was a tireless worker and of whom he was a dedicated friend.

Mr. Speaker, I shall miss our old friend. To his wife, his children and loved ones, Mrs. Albert and I extend our deepest sympathy.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I am happy to yield to my distinguished colleague, the gentleman from New York [Mr. Carey].

Mr. CAREY. I thank my colleague, the gentleman from New York [Mr. Gilbert], for yielding to me at this time.

Mr. Speaker, I sympathize with my colleague, the gentleman from New York [Mr. Gilbert], in his deep sense of loss upon the occasion of the passing of our former colleague, Representative Charles Buckley, of the Bronx.

I had the honor and the fond memory of serving with Representative Buckley from 1960 until he left this body.

I recall as a young Member, and as a new Member of this body, that Charles Buckley took a very great interest in the career of those coming to this House from the State of New York and was helpful to them in every respect.

I feel at this time that we should extend to the members of the staff of the Committee on Public Works who served with our departed colleague our condolences upon their loss, because I believe that those who knew him best will recall that he was a fair and a good employer and one who used his committee power in a most judicious way for the good of the State of New York and for the good of our country.

Also, Mr. Speaker, I know, as has been said here earlier, that he had much to do—perhaps more than any politician we can remember—with the making of John Fitzgerald Kennedy as our President. If he had done nothing else, that would stand to his memory as a great mark in history.

I feel it should be said that Charles Buckley brought to this position of great trust good judgment and a special quality. Mr. Buckley's wit was as laconic and as sharp as a whip's crack. He was as succinct as a sphinx with lockjaw. He never used one more word than was necessary to convey his message. His language was also very clear. It is my opinion that those who serve today in this, the 90th Congress, on this side of the aisle, should recall what that message was. It was:

> Be Democratic; vote Democratic; live Democratic; and die Democratic.

Thus, Mr. Speaker, he has gone but I feel that in the celestial heavens the Democratic Party departed today finds a new gem in its diadem in the person of Charles Buckley.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I am glad to yield to the distinguished gentleman from New York.

Mr. FARBSTEIN. Mr. Speaker, I thank the gentleman from New York [Mr. Gilbert] for yielding to me at this time.

Mr. Speaker, I want to join my colleague, the gentleman from New York, Representative Gilbert, in saying a few words today in extending my feelings and reactions upon the passing of a good Democrat and my former colleague, Charles Buckley.

Mr. Speaker, I knew Charles Buckley well. He was a forthright individual. His word was his bond. He was admired not only by his colleagues, but by all whose privilege it was to know him.

Mr. Speaker, I extend to his family my sincere condolences.

I think it was Jim Farley who made the immortal observation that "one man's boss is another man's leader." Charley Buckley was called a lot of things in his long life—most frequently a "boss." I prefer to remember him as a leader, because he was truly a leader. He was democratically elected to all the posts which he held and he conducted himself well in each of them.

We here in the House particularly remember him as an excellent chairman of the Public Works Committee. While Charley Buckley was being denounced for alleged indifference to his congressional responsibilities, we in this body knew he ran an excellent operation on the committee level. The members of the committee, as well as its staff, respected him and held his judgment in high esteem. He was no tyrant, no boss in his committee. On the contrary, he delegated authority skillfully and to good purpose. Under Charley Buckley, the Public Works Committee passed much landmark legislation. When it came his time to leave this body—as indeed it must for all of us—he left his committee in such good shape that the transition of leadership was, as I understand it, effected without the slightest trouble. Perhaps that is the best testimony to his effectiveness as a Congressman.

But may I note something else, for which Charley Buckley deserves to go down in history. He was among the very first to recognize the leadership capacities of John F. Kennedy and to support him for the Presidency. In his capacity as county leader of the Bronx, Buckley used his influence to help bring the nomination to Kennedy. This was not bossism; it was the legitimate use of his leadership prerogatives. It was more. It was his responsibility. Charley Buckley saw the making of a great President in John Kennedy and he helped to put him on the road to the White House. For that, we can all, as Americans, feel grateful.

Charley Buckley lost his place among us in a fair fight. He hated to give up the seat he loved so much, and it is very understandable that he did. When he left, Congress was a less colorful, less friendly and, I daresay, less effective place. Now Charles A. Buckley, after a long and honorable career, is dead. We remember him fondly and we shall miss him.

Mr. DORN. Mr. Speaker will the gentleman yield?

Mr. GILBERT. I yield to my distinguished colleague from South Carolina.

Mr. DORN. Mr. Speaker, I would like to join with my distinguished colleague from New York in expressing my deepest sympathy on the passing of the former chairman of our great Committee on Public Works, Mr. Buckley.

I might say, Mr. Speaker, that the great interstate highway system, the development of the Nation's rivers and harbors, will be monuments to the dedication, devotion, and ability of this great American. Charles Buckley was an outstanding committee chairman. He earned the love, respect, esteem, and admiration of those of us who served with him. Though from the very heart of the great city of New York Mr. Buckley was just as interested in soil conservation, water conservation, recreation, and development throughout the Nation as in the development of his own district. This Nation is a better country and the cause of freedom more secure because of the service to his fellow countryman of this great American. Mrs. Dorn joins me in my deepest sympathy to Mrs. Buckley, to his wonderful family, and to his people, whom he served so ably and well.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I am happy to yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Speaker, I join my colleagues in paying tribute to a man who served his God, his country, and his constituents to the best of his ability. To all of these he was loyal and devoted. I refer to our late colleague Charles A. Buckley, who served as a Member from New York in the House of Representatives for 30 long, long years.

His devotion to God, to his country, and to his constituents was well known. His devotion to his family and friends was of equal renown. Last night I joined with his many friends in paying my last respects to him and at that time, I expressed my sympathy to his devoted wife, son, and daughter. There were thousands of mourners at the funeral home. This carried evidence of the fact that he was good to many, many people. His goodness was challenged by some, but—like many others—the challengers often did not understand the man.

Charles Buckley, it is true, was strong willed and determined. He expressed these qualities in his efforts to seek the objectives in which he believed, and which were the culmination of his just judgments. Right or wrong, Charles Buckley was a devoted member of the Democratic Party. Is there anything wrong with this when our forefathers based the system of our Government on a party system? He was a political strategist who had great concern for the common good which he felt was the standard of all worthy politicians. Among the mourners who surrounded him last night were many whom he assisted in public service because of their merit and the devotion to their country and party.

As the national committeewoman of the Democratic Party, I add—to my personal tribute—a tribute to him as a loyal leader of the Democratic Party of the State of New York. We will miss our friend—Charles A. Buckley.

Even the New York Times had to give the late Charles A. Buckley a few words of praise, but those few words sum up the tribute that we owe to the man whose passing we mourn today. He earned a coveted reputation, said the editorial in today's Times:

> He was loyal and he kept his word,

He had a natural aptitude for politics and came to positions of party leadership early in life. When he was only a 21-year-old, a district captain, he formed a political club in the Bronx. Soon he was a precinct captain, then a Democratic county committeeman. When he was only 26 he was elected an alderman of the city of New York.

In 1953 he became the Democratic leader of the Bronx.

He won his congressional seat in 1934 and remained in the House of Representatives until 1964. His long service in the House brought him to the chairmanship of the Public Works Committee. He was credited with obtaining for New York City and the State of New York no less than 255 projects for the construction of Federal buildings, rivers and harbor improvements, highways, and other useful and necessary undertakings. Yet in his roll of Public Works Committee chairman he never discriminated against other parts of the country.

He was outspoken in a way that is not often encountered nowadays, and once laid down the challenge:

> I'd like to have you point out one item that Buckley put through for New York that could be called Pork-Barrel Legislation. I think we might as well spend money in this country as give it to countries all over the world that turn out to be ingrates.

On another occasion, when asked why he raised horses he replied that at least when he took good care of them they did not talk back to him. Outspokenness like his will be missed in a day when public relations have become a matter of casting spells and creating images.

He was extremely helpful to me as a fellow member of the New York congressional delegation. I feel genuine grief at his passing.

Mr. CASEY. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Speaker, I thank the gentleman from New York for yielding.

It was indeed a sad announcement that I heard the gentleman from New York make this morning. Until that time I was unaware of the loss of a friend of mine. I did consider him a friend. He was a controversial figure, but most men who render great service, and who take strong points of view are controversial figures.

Mr. Speaker, I think it is a tribute indeed to the man himself, when one considers that he served for 30 years in the Congress of this country—during 30 years of very turbulent times.

Mr. Speaker, we in Texas have had the privilege of having his charming daughter and family reside in the city of Houston. They are a great asset to their community.

I wish to join the gentleman from New York and our other colleagues in expressing deepest sympathy to the family of the great late Charles Buckley.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I yield to our distinguished whip, the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I join with my many colleagues in expressing my deep regret at the passing of our late distinguished former Member of this body.

Charlie Buckley was a straightforward man. He was a man who stood by those things in which he fervently believed. He was a man whose position was always well known on every issue. He always sought to uphold the dedication which he had to this body, to his country, and to his party. I found in the years that I served here with him that he was invariably on the side of progress. In his magnificent work on the Committee on Public Works, he was the architect of such programs as the vast Interstate Highway System, land reclamation, flood control, navigation, beach erosion prevention, hurricane protection, and countless other programs of inestimable value to all of the people of our country.

The State of New York has indeed lost one of its great leaders and our country has suffered that loss as well.

Mr. Speaker, Mrs. Boggs and I extend to his devoted family our sincere sympathy.

Mr. GILBERT. Mr. Speaker, I yield to the distinguished gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, I appreciate the tribute that the gentleman from New York is paying to our distinguished former Member of the House of Representatives, the Honorable Charles Buckley.

The House Committee on Public Works was headed for many years by Charles Buckley. I had the opportunity of serving with him on that committee and observing the fine qualities of leadership which he brought to that position as chairman of the committee.

He was a keen judge of men. I think his judgment in that respect is demonstrated by the fine members of the staff of that committee who were brought to the service of the House of Representatives by Charles Buckley.

As chairman he played a major role in some of the great legislative developments of this century.

Our rivers and harbors, our highways, our public buildings were substantially improved during his period of service as chairman of the Committee on Public Works.

He was not a grandstander—he was not a man looking for headlines in connection with different pieces of legislation which were handled by the House of Representatives during the period of his chairmanship of the great Committee on Public Works. He was a man who preferred to work behind the scenes advancing legislation which was solid and constructive and progressive.

I think this was his trademark as a member of the House Committee on Public Works and as its leader.

He was an effective and able leader of men—a loyal and dependable friend and a man whose word was his bond.

Mr. Speaker, my deepest sympathy is extended to his beloved wife and to his family in their great loss.

Mr. GILBERT. Mr. Speaker, I yield to our distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, Charlie Buckley and I were very close to each other. Our friendship was very deep and intense—a sincere friendship and, yes, a permanent one.

Charlie Buckley was one of those rare men you meet in the journey of life who took advantage of the opportunities in America and who against great difficulties went ahead and succeeded.

He was a man with an understanding mind—a man with an intense love of his fellow man. He was a man who always wanted to help someone else—a man who was always trying to do something good. He was a man of rough exterior—and some people misinterpreted that—but he was a man who was warm in his feelings toward his fellow human beings. This was particularly evident on many occasions where the sick, the afflicted, the poor, and the underprivileged were involved.

Charlie Buckley possessed a quality of loyalty that is indeed rare. How often is that quality lacking in the world of today as we encounter evidences of lack of loyalty in the minds of some people?

Charlie Buckley was loyal to his friends, to his district, to his party, and to our country. Loyalty is always modern. It was only in the minds of some who do not appreciate or understand the meaning and significance of loyalty who thought that a man like Charlie Buckley was old fashioned. Because one who is loyal to his friends and loyal to those things that he believes in and stands for is always modern.

Charlie Buckley served for 30 years approximately in this great legislative body. He was always present on important votes—and we had many tight votes—on important progressive legislation during the years he served. On progressive legislation he had a favorable 100-percent voting record going back to the Roosevelt days.

Mr. Buckley has left a heritage in that respect that Mrs. Buckley and her loved ones can well be proud of. It was his sense of loyalty to the things he believed in and to his friends that endeared him in the minds of those who knew the meaning and significance of loyalty.

Charlie Buckley will always be remembered not only for the other wonderful traits he possessed but particularly for that strong and intense feeling of loyalty of which he was possessed.

Charlie Buckley was also a man of deep faith. He lived by the spiritual truths in which he believed. He never did so for the purpose of attracting attention, but out of a deep sense of belief in the spiritual truths that actuated his mind and his life.

So we are talking about a human being who took the journey of life and who is now dead. He had his friends and he had his enemies. I think he will be well remembered for the friends he had rather than his enemies. I am inclined to believe that if those who opposed him bitterly had only paused for a moment and thought about Charlie Buckley and what he stood for, they would have felt entirely different toward him.

In any event, Charlie Buckley was admired and respected by his colleagues in this body. I admired him very much and entertained for him a strong feeling of friendship. I extend to Mrs. Buckley and her loved ones my deep sympathy in their bereavement.

Mr. GILBERT. I thank my distinguished Speaker.

I now yield to the distinguished gentleman from Minnesota, my colleague [Mr. BLATNIK].

Mr. BLATNIK. Mr. Speaker, I thank the gentleman from New York. It was in the very early days of the 20 years it has been my privilege, honor, and responsibility to serve on the House Public Works Committee I got to know Mr. Buckley, and later came to know him extremely well.

At the outset I felt he was a rather contradictory person. On the surface he looked gruff; he even sounded gruff. His was certainly not the demeanor that would encourage familiarity on the part of a freshman, a relatively junior member of that committee. But it did not take us young men very long to realize that here was a man of tremendous understanding, with deep insight and a warm heart. He was always ready to extend a helping hand.

Interestingly enough we found him to be a shy man, a fact that may seem hard to believe in view of some of the publicity that focused on him later on.

As our relationships continued, he became chairman of that important committee. We found that inevitably his judgment on fundamental issues was the right one, and that after listening to his aids and lieutenants, to senior Members of the House and the leadership, and consulting with the President, when Mr. Buckley gave the green light and determined a course of action, it was "All systems A-OK; go ahead."

He did, of course, make a tremendous contribution to his own State, and justifiably so, because he came from one of the most populous, and perhaps wealthiest, States of the Union. Programs he sponsored certainly improved New York Harbor and the Hudson River, among others.

Nationwide we can scarcely point to a major watershed or public works area in the entire United States where we will not find the imprint—and a large print—of Chairman Buckley, because it was his belief that any undertaking that helped any part of the country in any way at all—that contributed, by proper utilization, to the upgrading of the public resources and facilities of that area—contributed in turn across the board to the general upgrading of the United States as a whole.

For example, he was one of the first to support the St. Lawrence Seaway, at a time when it was not politically advisable or expedient for him to do so, when perhaps on a parochial or regional basis he should have opposed it. He brought to reality, under a Republican administration, one of the largest waterway systems of the world on the seacoast of the United States. He initiated the straightening out of the Mississippi Delta in the South, helping those in Minnesota, where the Mississippi begins and those in the South where it terminates, as well as those in the Ohio and the Missouri Basin areas that feed the Mississippi. He helped with projects for the west coast, for the Southwest, throughout the New England area, the Great Lakes area which I have mentioned, the gulf coast in Florida, the southeast coast, Sea Island, Ga.—name it, and we will see the footprints and fingerprints of a man who knew his job and who was dedicated, who had a sense of conviction and duty and who did his job in a most modest and phlegmatic way.

He was not a talker. I remember the scarcely two or three speeches, very brief ones, that he ever made in the well of this House. Equally seldom did he speak in the committee. But he was a doer. Thinking back to the many conferences we had on the monumental undertakings of our time, I can recall so vividly his leading role in the restoration of the entire White House, the extension of the east front of the Capitol, the St. Lawrence Seaway which I have already mentioned, the Great Lakes channels and harbors, river improvements and flood control projects, irrigation, and the Water Pollution Control Act.

Mr. Buckley's truly great, courageous, and visionary leadership was never more effectively demonstrated than in the development of the Niagara Falls power project. At a time when a majority of Members on both sides of the House had honest doubts that perhaps this was only a local issue, Mr. Buckley could see the need for a public facility for future generations and he gave it his full go ahead, a full green light. Though it was twice defeated in committee he reopened the issue yet a third time, and his thoughtful and considerate but firm and persistent manner he persuasively advocated the proposal and by one single vote it passed that committee. Today the Niagara Falls power project is one of the most popular and widely supported public programs in the United States, holding tremendous significance not only for the State of New York but for the entire power-starved New England area.

He was dedicated to Long Island, and to the resolution of that area's problems, among which was the ocean's merciless gnawing away of the beaches. Out of this concern came his leadership in initiating beach erosion projects as part of the rivers and harbors program. These projects are now universally supported by both parties, and recognized as a valuable and necessary part of our public works facilities.

When we came to consider programs for the more than 1,200 distressed areas throughout the United States, this so-called big-city man, a big contractor, a millionaire—although one would never guess it by looking at him—understood the problems and responded with great feeling and determination, leading the fight to bring hope to the disadvantaged of America. He realized and remembered what it meant to be poor, and up to the very closing months of his great tenure in Congress he was concerned about people in need, no matter who they were or from where they came.

Nor did Mr. Buckley shirk when he served on the New York City Council, back in earlier years, and through his great skill and ability became one of the lieutenants of that bright shining star, the then Governor of New York, Roosevelt, who later became our beloved F.D.R., President of the United States.

I am truly privileged, and frankly deeply moved, to be permitted to join the delegation from New York, our Speaker, and Mr. Buckley's many, many friends in paying tribute to a great American.

To his widow, to his daughter, and to his family I extend my heartfelt condolences.

Mr. GILBERT. I thank my distinguished colleague.

Mr. ROONEY of New York. Mr. Speaker, will the gentleman yield?

Mr. GILBERT. I yield to my distinguished colleague from New York.

Mr. ROONEY of New York. Mr. Speaker, I thank the distinguished gentleman from New York [Mr. GILBERT] for yielding to me at this time so that I may briefly but nonetheless sincerely express my sympathy to Mrs. Buckley and their son and daughter on the passing of our distinguished former colleague, the Honorable Charles A. Buckley, of New York.

Charley Buckley has been very accurately described here on the floor this afternoon in the many beautiful eulogies. As has been pointed out the outstanding thing about Charley Buckley was that he was a man whose word literally was his bond. Today, it is sad to note, this is a tribute not held by so many as it was in the years gone by.

Charley Buckley had the respect of every Member of this House, and as chairman of the great House Committee on Public Works he carved a niche for himself in the history of the United States insofar as many and highly important public works and public improvements are concerned.

When he passed away last Sunday, New York City lost one of her great men who for 30 years was a Member of this body. And for those 30 years he was, to many of us, New York City personified—hard and cutting when need be, warm and affectionate if given the chance, and always loyal. We, his friends, will sorely miss him as will our city, State, and Nation.

My heart goes out to Mrs. Buckley. I well remember the time, in the House Public Works Committee room, with Mrs. Buckley present, there was unveiled a beautiful oil painting of her husband.

I extend my deepest sympathy and prayers upon the passing of my friend Charles Buckley.

Mr. GILBERT. I thank my colleague.

Mr. ADDABBO. Mr. Speaker, it was with deep sorrow that I learned of the passing of our former colleague from the 23d Congressional District of New York, Charles A. Buckley, a man who could rightfully and truthfully be called a diamond in the rough.

In certain political circles and appearances, Charlie probably would have been considered rough and tough, but he also had a great love of the arts and was a great lover of nature and animals, being one of the foremost breeders of trotting horses in the country. He always spoke lovingly of his horses and his farm. His brilliance was also shown through his great foresight, for he shall long be remembered as the man who first saw greatness in our beloved President, John F. Kennedy, being one of the prime movers of President Kennedy's candidacy.

There are living memorials to Charlie Buckley's foresight in the great public works he has given to this Nation during his chairmanship of the great Committee on Public Works. New York City and New York State, as well as many other States and cities, are better places in which to live because of the foresight of Charlie Buckley in giving life to new roads, new waterways, and other public works projects.

I shall long remember Charles Buckley, and I think history will also remember him. Mrs. Addabbo and I extend to his wife and family our deepest sorrow and prayers for their comfort in their and the Nation's great loss.

Mr. HALPERN. Mr. Speaker, I wish to join my colleagues in paying tribute to the late Charles A. Buckley, of New York, a former U.S. Representative who, as we all know, served for many years as chairman of our House Public Works Committee.

While I had occasion to differ with him politically and on many issues of the day, Charles Buckley was my friend and I cherish his memory. He served his Bronx constituency well. He was a strong personality, a man of conviction and integrity. The political history of the day will reserve for him a large place, and rightly so.

I have always prized individuality. Each Member of the House is unique in his own way, and stamps our institution and its procedures with his personal style and outlook. Charles Buckley was no exception.

I wish to extend my profound sympathy to the family of our late colleague. Our words, of course, cannot assuage their sorrow, nor fill the void he leaves. I value Charles Buckley's service in the House, to New York, and the Nation at large.

Mr. WRIGHT. Mr. Speaker, it was with sad hearts that we learned of the passing of our former colleague, the Honorable Charles Buckley.

For a period of some 10 years, I had the privilege of serving under Mr. Buckley while he was chairman of the House Committee on Public Works.

He was consistently fair and considerate of his colleagues in every way, helpful to me and to others who worked together with him on the committee, and uniformly devoted to his principles of right and wrong.

With his passing from the American political scene, we mark now an almost complete transformation in the mores and habits of American politics.

Charles Buckley was of the old school. The Bronx of New York was his love, and toward it he felt a special kind of responsibility. The sidewalks of New York produce a vastly different political environment than the plains of Texas, and in the days when Charles Buckley first began as a practitioner of the democratic arts, that environment was much different than it is today.

One of the rich and rewarding experiences of serving in the Congress is the knowledge which one slowly gains of the vast panorama of the American scene which, even with its marked and vivid contrasts, produces an amalgam, an alloy which is stronger and more resilient than any of the metals we individually pour into the caldron.

Through my association with Charles Buckley, I have been enriched, as many others from my general environmental origins have been, to discover that beneath the superficial differences in style and mode of practice, there pulsates a sameness in love of country and devotion to its weal.

Charles Buckley truly loved America. He loved his State, and he loved the Bronx. His life, like a thread woven into a fabric, is part and parcel of its tradition, inseparable from its history and integral to its future.

To his survivors, we would express as best our inadequate words can our sorrow at his passing, our sympathy for them in their bereavement, and our gratitude for the privilege of having known and worked with him in the constructive works over which he presided in this continuing job of building the public infrastructure of the Nation.

Mr. KLUCZYNSKI. Mr. Speaker, the local press of New York City reports an outpouring of grief, affection, and admiration by many thousands of persons at the passing of our former colleague Charles A. Buckley, of the Bronx. Even there surprise is evident because these many thousands of men, women, and children stand in line to pay last tribute to a fallen leader, but more so to an engaging personality and a genuine benefactor to uncounted numbers of citizens.

In an era that tends to suppress individualism and puts a premium on conformity to some questionable standards, Charles A. Buckley reared above the horizon in public life for 57 years. He became a public figure, simply by being himself, honest, outspoken, forthright, and proudly proclaiming himself a politician. The man simply refused to use language to cover meaning. Charley Buckley was a man who did things, but he never shied away from explaining in colorful, forceful words why he did them. Such a phenomena in our day was bound to attract critics.

It is not known now, and I doubt if it ever was here in Washington what a power for good, Charley Buckley was in New York City. He was a politician of the old school, which meant that the two offices he maintained in his Bronx district, opened their doors early in the day and remained open until late at night, until the last person seeking some kind of help was gone. It was not alone those who wanted help in some dealings with governmental bureaus, but the poor, the deprived, and the bewildered who came for counsel and often some ready cash.

The best his critics could come up with is that it paid off in votes. It certainly did, but is not there a place in politics for simple gratitude? Nobody can deny that New Yorkers are among the most astute and politically aware among our national electorate. To those of his Bronx district he was "Charley" to all of them and they returned him to this House for 14 terms. Some called him "The Boss," in his completely honest fashion he admitted he was and he was admired for his candor.

I spent many years as a coworker with Charley Buckley on the Public Works Committee and served under him as its chairman. From his private life and business he brought to this Congress a wealth of practical knowledge and experience which carried over into public affairs. He was an expert in construction of all types, real estate, insurance, and transportation, which made him especially qualified for membership and his later chairmanship of our committee. He pioneered in effecting great public works everywhere and these are monuments to his memory.

But he has a greater memorial in the affections of hundreds of thousands in his own New York City, who really knew the man and loved him. It may surprise some that this affection is now being revealed in last rites for a great and good man, but not us here who discovered that the affection we gave him was well placed.

Mr. MULTER. Mr. Speaker, it is my sad privilege to join our colleagues in expressing our grief upon the passing of our most able and distinguished former colleague, Charles A. Buckley.

I was happy to number Charlie as one of my dear and longtime friends. He served his city, State, and Nation long and well. His hallmark was loyalty—loyalty to God, to country, to family, and friends—in fact to all mankind. His word was his bond. He was never a doubletalker. If he did not agree with you, you knew it very quickly. If he pledged you his support, you could bank on it. His loyalty was exceeded only by his love for his family.

Charlie will be missed by all who knew him but most of all by his loved ones. I join our colleagues in extending to his wife, Marie, and to his children and grandchildren my heartfelt sympathy.

May his memory be for a blessing forever.

Mr. DELANEY. Mr. Speaker, I join with my colleagues in expressing profound sorrow at the loss of my good friend, Charley Buckley, with whom many of us were privileged to serve in this House.

I knew Charley for over a quarter of a century, and was always greatly impressed by one of his most outstanding virtues, which shone like a beacon in the often cynical world of politics: his word was his bond.

Although he achieved a large measure of success in the business world, he worked longest and hardest in mastering the art of politics. He was recognized as a professional in an era of amateurs, and attracted a large and loyal group of supporters who sent him to represent his constituency in Congress for 30 years. Historically, it is likely that he will longest be remembered as one of the three or four men most responsible for the election of one of this Nation's greatest Presidents, John F. Kennedy.

We have lost a good friend, an able legislator, and a great politician of the old school. An age passes with him. I join his many, many friends in expressing sentiments of deepest sympathy to his wife and family.

Mr. GRAY. Mr. Speaker, I want to join my colleagues in the House and particularly those of us who had the honor of serving with Charlie Buckley, the distinguished chairman of the Public Works Committee, from New York, in paying our deepest respect at his passing. Charlie Buckley was a kind and gentle man. Although he wielded great political power, he was always ready, willing, and able to sit down and talk to any Member about their problems. All of us who knew this great man from the Bronx, will indeed miss him, and I want to join my colleagues in expressing our deepest sympathy to the members of his family.

Mr. HORTON. Mr. Speaker, it is a privilege to join my colleagues in honoring the memory of a departed former Member of the New York State delegation to the House of Representatives. While I served but one Congress, the 88th, in the company of Mr. Buckley, I always have been aware of his prominent role in politics and government. He made his mark not only by dint of his position as a Congressman and political leader, but also in terms of the countless public works projects that he helped to nurture and which now are providing benefits across the length and breadth of our Nation. To his family, I extend my sincere sympathy in their hour of loss.

Mr. FALLON. Mr. Speaker, it was my privilege to know Charles A. Buckley, of New York, from the first day I became a Member of this body. I knew him as a distinguished colleague, as chairman of the Committee on Public Works and as a dear and close personal friend. Charles A. Buckley was an unusual man. There was no pretense about Charlie Buckley. One always knew where he stood with him. He was a man of his word, a man who got things done, a man who stood on the side of his friends and worked vigorously throughout his long and illustrious political career for what he believed was right. For many years in the Committee on Public Works, I worked shoulder to shoulder with Charley Buckley and I am proud to say that serving with him, the Committee on Public Works created one of the greatest records of accomplishment in the history of the Congress of the United States. The long list of achievements that can be credited to the chairmanship of Charlie Buckley, the highways that were built, the dams constructed, the polluted rivers cleaned up, the public buildings erected, the economic aid through public works given to our needy citizens throughout the country are a real memorial to his work as a Member of the Congress. He was a man whose like we shall not see again. His accomplishments are many but I think his greatest accomplishment is the fact that on this day through all sections of this great country from the Nation's Capital to the streets of New York all of us who knew him mourn most sincerely and deeply one we could call a true friend and, above all, a man in the real sense of the word.

May I on behalf of Mrs. Fallon and myself and his colleagues on both sides of the aisle of the Committee on Public Works who knew him, extend to Mrs. Buckley and his children our heartfelt sympathy on his passing.

Mr. JOHNSON of California. Mr. Speaker, the Members of Congress were saddened when they learned of the death of their former colleague, the Honorable Charles A. Buckley, of New York, who served his State and the Nation so ably from the 74th Congress through the 88th Congress.

As a freshman Member of Congress, I was helped greatly by this able Representative because my first committee assignment was to the Committee on Public Works, under the chairmanship of Mr. Buckley. Through his leadership and his guidance I learned the ins and outs of committee procedures, at the Federal level.

With his knowledge of operations and techniques in construction and real estate, Mr. Buckley as a member of the House Public Works Committee is credited with bringing order out of chaos in the consideration of legislation which guided the vast programs of public works, including private housing, which were launched under the New Deal. This was possible because he was able to discuss with builders and contractors the pending projects in their own terms and language. No problem was too great or too small for him to be concerned with and at all times he was considerate of and helpful to the members of his committee and his colleagues.

Congressman Buckley as chairman of the Committee on Public Works always took a great interest in the problems of California and especially as they related to flood control development and I was proud to serve with him at a time when the committee and the Congress recommended construction of the New Melones project which now is actually being funded. California is indeed deeply indebted to Chairman Buckley for the enlightened flood control program which was developed and authorized under his leadership.

Chairman Buckley's interest and efforts, of course, were extended to all types of public works and included one which is of tremendous value to California's national forest areas. This relates to the roads and trails program. Through the leadership and encouragement of Chairman Buckley we on the Public Works Committee were successful in correcting a very serious deficiency in this area and I am very pleased to say that this legislation was accepted and the road and trail development has broadened into a major program which is returning substantial dividends to the Nation.

The Nation and the State of New York have suffered a great loss, as have all of us who were privileged to serve with him in the Congress of the United States. He may have left us but his memory will linger on in the many fine programs which he sponsored and worked for during his long years of service. These are living memorials to a great man.

To the family of this dedicated servant of the people, Mrs. Johnson and I extend our deepest sympathy.

Mr. O'HARA of Illinois. Mr. Speaker, soon after my coming to the Congress my acquaintance with the Honorable Charles A. Buckley commenced and it ripened into a close and treasured friendship. I have missed our frequent chats together since his retirement from the House and now that he has gone and those times of warm companionship have passed forever mine is a poignant realization of the void.

Charlie Buckley and the late beloved Tom O'Brien of Chicago were of the same mold. Neither ever broke his word or forgave when another had broken his word to him. Loyalty was the creed of Charlie Buckley as it was the creed of Tom O'Brien as well as of other leaders of a colorful political era, now closing, during which America marched forward. Loyalty to party and loyalty to friend, such as Charlie Buckley and Tom O'Brien and their kind practiced, surely are not the least of the virtues in a democratic society.

To the loved ones of Charlie Buckley go my deep sympathy.

Mr. WOLFF. Mr. Speaker, my colleagues from New York and I mourn the loss of the late and beloved Charles A. Buckley, who for 30 years served in this House as a Representative from New York's 23d District. He served with distinction representing not only his constituents most ably but guided the Public Works Committee as its chairman.

One of his longtime friends and associates, Mr. John Hagan, has written a very fine letter about the Honorable Charles Buckley, and I wish to call it to the attention of my distinguished colleagues by having it inserted in the RECORD.

HAGAN PAYS TRIBUTE TO CHARLES BUCKLEY

Hon. LESTER L. WOLFF,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN WOLFF: I know that you, just as I, received the sad news of the death of a longtime friend and associate, the Honorable Charles Buckley, who for 30 years represented the good people of New York's 23d District.

Through his efforts our harbors, our waterways, parks and beaches, have been improved; we have the St. Lawrence Seaway, the Niagara power project, and Hudson River improvements, the Major Deegan Expressway and New England Thruway. He worked hard for these and many, many more projects which benefited not only the citizens of New York but all Americans.

Charley was a truly loyal and dedicated American. His loss is mourned, and his family has my deepest sympathy.

Sincerely,

JOHN G. HAGAN.

Mr. JONES of Alabama. Mr. Speaker, I read with great sadness of the passing of our distinguished former colleague, the Honorable Charles A. Buckley.

It was my distinct personal privilege to be able to serve with Congressman Buckley on the House Committee on Public Works for several years.

As chairman of the Committee on Public Works for 12 years, Charles A. Buckley earned the gratitude and respect of all the people of this Nation by his sincere and devoted interest in the building and development of all sections of the country.

He very ably represented a district from New York City, but his outlook and his energies were directed toward a better and stronger United States.

Through his chairmanship of the Committee on Public Works, he was responsible for an impressive array of vital Government activities.

He was sincerely interested in and worked to promote improvement of the Nation's rivers and harbors for the benefit of all the people.

He took a special interest in flood control projects which protect the life and property of people in our vast river basins. These projects also provided hydroelectric power and recreation benefits throughout the land.

Mr. Buckley showed great concern for the multibillion-dollar Federal highway program and through his leadership the Committee on Public Works authorized the 41,000-mile Interstate System—the greatest single public works program in the history of the world—which will link all our major cities when completed. This program provided billions of dollars into our economy at a time of need and has provided jobs for untold numbers of men in all sections of the country. It has also revitalized the vast automobile industry and its companion industries such as steel, concrete, asphalt, and rubber.

Charles Buckley showed a special interest in my section of the country—a thousand miles from his home in New York. He was forceful in his leadership for the development of the Tennessee Valley Authority which has continued to bring prosperity to the Tennessee Valley and has been essential in providing electric power for our great space center at Redstone Arsenal in Huntsville, Ala., as well as for new and developing industries from one end of the valley to the other.

His concern and leadership was also responsible for developing a program to prevent beach erosion and create thousands of new beaches along our Nation's coastline.

A detailed account of the vital work of Charles A. Buckley for the development of his country would require pages. He exhibited foresight and determination in presenting innumerable worthwhile improvements throughout the country.

For this, Americans in all States owe Mr. Buckley a large debt of gratitude.

We will continue to benefit from his leadership and direction for years to come.

It was a great personal privilege for me to be able to know Charles A. Buckley and to serve with him on the Committee on Public Works.

My deepest sympathies go out to his family in this time of their great loss.

GENERAL LEAVE

Mr. GILBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the life and service of the Honorable Charles A. Buckley.

The **SPEAKER** pro tempore (Mr. MATSUNAGA). Without objection, it is so ordered.

There was no objection.

A RESPONSIBLE SOCIAL SECURITY INCREASE PROPOSAL

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I am introducing today a bill designed to promote a positive, responsible approach to the immediate needs of our elderly citizens through an increase in social security payments by 8 percent, and provision for an automatic increase in the future in relation to the rise in the cost of living.

This is not the first evidence of concern over the impact of inflation upon elderly citizens, either by myself or by other Republicans. Last year, together with more than 60 Republican House Members, I introduced a bill which would have provided for automatic increases in social security benefits in accordance with the rising cost of living. A 3-percent increase in the price index, reviewed quarterly, would automatically raise social security benefits. It is significant to note that had this bill been enacted last year, these increases would have already been triggered into action. Since passage of the last social security increase in 1965, the Consumer Price Index has shot up by 5.3 percent. Yet the administration prevented action on my bill, and on other Republican efforts last fall to provide additional social security benefits.

Instead, the President contented himself with making a suggestion last October of a 10-percent increase that would not go into effect until 1968. Under the pressure of a concerned Republican minority in Congress, the President has now upped the figure to 20 percent in his state of the Union message; a figure repeated in his message on older Americans yesterday. To finance this proposal, which he suggests should go into effect on July 1 of this year, he asks for an increase in the amount of annual earnings used as a base for the tax up to $10,800 in 1974 and an increase in the scheduled tax rate itself. Neither the income base nor the higher rate, however, will go into effect before 1968 or 1969.

Social security taxes already are scheduled to go up this year by 11.3 percent. It is my understanding that preliminary estimates by the House Ways and Means Committee staff indicate a tax rate of more than 14 percent and an increase in the tax base to $9,000 or more immediately, to finance the President's proposal. This is in contrast to the President's approach. It should also be remembered that a former Secretary of Health, Education, and Welfare under President Kennedy, testified during the 88th Congress and seriously questioned the wisdom of increasing social security taxes over the 10-percent level.

The need of our elderly is immediate. Nevertheless, this does not excuse Congress or the administration from taking a reasoned and deliberate look at the financing necessary for the President's proposal. Based on information previously furnished by the chief actuary of the Social Security Administration, it is possible to have an immediate 8-percent increase in benefits without any need for increased taxes.

My proposal, therefore, has several advantages. Its enactment need not be delayed pending a study of the financing of it, since no new taxes would be needed. The automatic increase provision would protect the elderly against future inflationary excesses, a problem the President has repeatedly ignored. At the same time, its enactment would provide Congress with the time to give measured consideration to the President's proposal and the means to finance it. We have reached a point in the history of the social security system where calm deliberation, not politically expedient action, is necessary to preserve the soundness of the system, meet the needs of our elderly citizens, and avoid undue impact on the tax levels of our younger citizens who are paying the bill.

Similar legislation has already been introduced by the ranking minority member of the Ways and Means Committee, my Republican colleague from Wisconsin, Representative JOHN BYRNES, who is an acknowledged expert in this field. The provision on cost-of-living increases is patterned after similar provisions already contained in the civil service and military retirement laws. There can be no doubt of its practicality. I hope that such legislation will be the first order of business for the committee this year.

CONGRESSIONAL REFORM

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, to provide a means of improving the structure and procedures of the Congress, I rise in support of House Concurrent Resolution 52, which would extend the life of the Joint Committee on the Organization of the Congress.

Congressional reform is needed. Modernization has come to nearly every place in our society except the Halls of Congress. The volume of legislation has greatly increased in recent years; the number of constituents each of us serves is growing rapidly; and the Federal bureaucracy over which we must exercise legislative oversight and review is expanding even more rapidly. Only by the temporary continuation of the Joint Committee on the Organization of Congress will we be able to achieve passage of the needed reforms which developed from the joint committee's work during the 89th Congress.

I join with the gentleman from Missouri [Mr. CURTIS] in urging prompt passage of this resolution.

CONSCRIPTION AND COMMITMENT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, the existing Selective Service System is defective in many respects. The gentleman from Missouri [Mr. CURTIS], and I have sponsored a proposal to create a joint committee to consider all methods of meeting U.S. military manpower requirements. I believe that the study of the feasibility of a voluntary system by the proposed joint committee may prove fruitful, and could result in major changes in the present Selective Service System.

The following article concerning the draft, which was authored by the distinguished gentleman from Missouri, discusses this important question:

CONSCRIPTION AND COMMITMENT

(Article by Representative THOMAS B. CURTIS)

The American Military Establishment is blessed with a vast array of the most sophisticated weapons that the world has ever seen, yet it persists in processing its most important weapon—manpower—through a system that has proved itself inefficient, inequitable and undemocratic.

The draft, with its 4061 local and autonomous draft boards and its antiquated machinery, is an anachronism in the Cold War era, a relic of an earlier time when vast quantities of raw manpower were thrown onto the battlefields of Europe and Asia to overcome by their very numbers the killing power of cannon, machine gun and tank. In the age of the skilled technician, the Armed Forces of the United States still rely on the Selective Service System, a World War Two expedient, to supply them with bewildered, untrained, often poorly educated youth. Immune to technological change and changing population structure, the draft has become the weakest link in our national security system and an unnecessary burden on our society. It is within our means to eliminate compulsory military service; that we have not done so, or begun to do so, is an announcement of our failure to adapt to the changing conditions of modern society.

Criticism of the draft, from parents, students, educators, civil rights workers, veterans' organizations and Congressmen, has reached crisis proportions in recent months; but the symptoms of obsolescence appeared long ago. The population explosion, which has affected every facet of our society, has taken its toll on the Selective Service System as well. The number of draft-eligible young men has grown from about 20,000,000 in 1951, when the present system went into effect, to 39,000,000 today, an increase of 95 percent. As a result, the proportion of men who are actually called upon to serve has declined sharply—from 70 percent in 1958 to 46 percent today. Assuming normal peacetime military strengths, it will drop to about 34 percent by 1974. Thus, many more men are allowed to escape from service altogether, and those compelled to serve feel they are being screwed by an uncaring, invisible and often unapproachable bureaucracy that calls itself "selective" but usually isn't.

The two major sources of the inequities that plague the draft are this failure to realize the effect of the manpower boom and the almost total autonomy of the local boards. Manpower procurement is a national problem; the supply of skilled manpower is limited and must be carefully allocated between the military and our booming civilian economy. Yet local boards, usually manned by "patriotic" retired veterans, see the problem only from the narrow perspective of their often idealized military experience and their often capricious assessment of national needs and priorities. The national Selective Service headquarters has attempted to promulgate some vaguely defined standards for classification and deferment, but these standards are merely advisory, and the local boards can ignore them, modify them or interpret them as they see fit.

As a result, deferments are not granted on the basis of equity but on the degree of pressure placed on the boards by Defense Department demands for manpower. When draft calls were low, as they were before the current build-up for the war in Vietnam, deferments were easy to come by. A man taking one night course was given a "student deferment"; married men were deferred across the board by Presidential order; and "occupational" deferments were liberally handed out to anyone who could claim even a faint relationship with the national security program. Today, with calls nearly at the Korean War level—46,200 for last October—standards for deferment have been reduced until the squeeze has been felt by the student, the father and the less-educated, who were previously placed low on the priority list. Many who thought they were free from the draft's reach now find their lives disrupted.

Loosely drawn standards and local autonomy produce widely varying interpretations of Selective Service regulations. One worker at a St. Louis defense plant is drafted, while his working partner, registered with a New Jersey board, receives an occupational deferment. A farmer, whose father is totally blind and whose mother supports a family of five on $350 a month, is drafted—while a Hollywood actor receives a "hardship" deferment on his $200,000 annual income. The cases are legion.

In addition, where one lives is often more important than what one does, because draft calls are distributed among the states on the basis of the number of men actually classified 1-A, not on the number of potential draftees. Thus, Michigan, with 4.2 percent of the nation's draft-eligible men, was called upon to supply 17,006 draftees in the first six months of 1966, while Texas, with 5.4 percent of the potential draftees, was tapped for only 14,990 men, according to figures obtained by Michigan Senator Robert Griffin. Obviously, Michigan draft boards are more conscientious in classifying registrants, and its young men are thus unwillingly more "patriotic" than their Texas colleagues.

Many of the problems created by local autonomy could be alleviated by automating Selective Service procedures and centralizing the selection process; but Lewis B. Hershey, the glib, folksy retired Army general who has headed Selective Service since the 1930s, refuses to trust the computer. He was willing to put up with the mistakes of the local board, he told the House Armed Services Committee last June. Despite the disparity in draft-board criteria and the paper log jams that kept 522,472 men out of 641,958 in the 1-A pool unavailable in January 1966, because their records were not processed. General Hershey insists that computers have no "compassion." For the married man or graduate student who was forced into uniform because his draft board had too many men in this "paper mill," Hershey's words have an ironic ring.

An oft-heard charge that the draft is racially and economically discriminating comes from the Negroes and the poverty-stricken, who see the wealthy (and usually white) and college-educated deferred while the poor are drafted. This argument, however, is not entirely supported by the facts, which show that 56 percent of the men who have attended college eventually see service, while only 46 percent of noncollege men serve (Selective Service statistics, June 1966). Noncollege men have a far higher rejection rate for mental and physical reasons than college men and thus are more likely to be exempted from the draft altogether.

The charge that Negroes are drafted at a higher rate than whites is also unsubstantiated. While it is true that there is a higher proportion of Negroes in the Army—14 percent as opposed to a Negro population of 11.7 percent nationally—this is due to the higher enlistment rates among Negroes, who see more job and educational opportunities in the military than they can find in civilian life. The re-enlistment rate for Negroes in the Army is 49.3 percent, compared with an 18.5 percent rate for whites. Advocates of the racial-discrimination argument point to Selective Service statistics that show that 13.4 percent of inductees in May 1966 were nonwhite—a higher percentage than their proportion in the national population—to document their charges. But the statistics fluctuate; in June 1966, the nonwhite induction rate was down to 10.4 percent.

Last June, Representative William F. Ryan told the House Armed Services Committee that there were no Negroes on any draft boards in Georgia, Alabama and Mississippi, and revealed that one member of a New Orleans draft board was "the head of the local Ku Klux Klan." Despite this indication of possible discriminatory draft selection in the South, Ryan could not cite any figures that would show that Negroes were being drafted at a higher rate in the South than they were elsewhere.

However, draft standards, common to most local boards, that set a minimum of 15 hours of classroom study for the 2–S student deferment do discriminate against the young man who is forced to work his way through school. The part-time student, supporting a family and going to school at night, is not deferred; therefore, money does have its advantages in dealing with the Selective Service's college deferments. Also, the much-maligned College Qualification Test, a six-hour "comprehensive" examination given to over 1,000,000 college students last spring as a "guide" to local boards in granting 2–S deferments, is slanted toward the scientific-minded student. General Hershey admits that science and mathematics students would have an advantage on the tests because questions in these fields "are easier to grade." Combined with a rank-in-class standard, which gives the student at a poorer-quality school an advantage over his intellectual equal—or superior—at one of the more prestigious schools, the College Classification Test must be rated a farce, a farce that is denounced by almost all of our nation's distinguished educators, including Yale's Kingman Brewster and Princeton's Robert Goheen. Brewster said the result of this deferment system had been "to encourage a cynical avoidance of service, a corruption of the aims of education and a tarnishing of the national spirit."

A group of 142 Midwestern university professors began a campaign last April "to discourage the use of the institutions of higher learning as instruments of the Selective Service System," and student sit-ins at Oberlin, the University of Chicago and City College of New York, among other places have dramatized the dissatisfaction of both students and faculty with the college-deferment system.

The social costs of the draft include far more than an inequitable distribution of the military obligation among our nation's youth. Professor John Kenneth Galbraith stated these social costs succinctly when he said, "The draft survives principally as a device by which we use compulsion to get young men to serve at less than the market rate of pay. We shift the cost of military service from the well-to-do taxpayer, who benefits by lower taxes, to the impecunious young draftee. This is a highly regressive arrangement that we would not tolerate in any other area. Presumably, freedom of choice here as elsewhere would be worth paying for."

The draft has served as a crutch for the military services, a means of avoiding the development of sounder personnel policies. As Professor Galbraith states, the young draftee is forced to suffer relative poverty in order that the Army can procure cheap labor. Yet our modern Army requires specialists and technicians, not automatons with rifles; so the military services must then waste millions of dollars training these draftees in skills they will never use in later life and skills they will forget once their tour of duty is over.

Military pay in the lower grades is lower in the United States than in any of the other NATO powers, including those, such as France and West Germany, that have compulsory service. According to Bruce Chapman, whose book *The Wrong Man in Uniform* documents the case against the draft, an Army private's pay is "less than that of a peasant on a collective farm in Communist Rumania." A private E–1 in the United States makes approximately $90 a month—hardly enough to support himself, much less a wife and family, even considering allowances. With an increasingly lower average age for marriage in this country, it is not surprising that many married draftees are forced to depend on relief payments to support themselves. For example, in 1964, the Air Force alone found over 5000 cases of men who are receiving relief support. Such economic facts hardly encourage volunteering and certainly discourage re-enlistment.

Department of Defense figures reveal that only about 8 percent of draftees stay in the service and only 25 percent of first-term volunteers re-enlist. In 1964, the re-enlistment rate for inductees was down to 2.8 percent, and it has never been greater than 20 percent. Thus, approximately 80–95 percent of all the manpower obtained by the draft is temporary—and the skills of these men, which took about $6000 per draftee to develop, are wasted in the process. The cost, in wasted training and lost skills alone, is approximately $2.4 billion a year—for the privilege of depending on compulsion to secure manpower. This cost must be borne by Professor Galbraith's "well-to-do taxpayer"; it is the penalty we pay for our inefficient manpower-procurement system.

In addition, the draft ignores the basic changes that have occurred in the technology of war during the past two decades. Back in 1957, a report prepared by a "blue-ribbon" commission, headed by Ralph Cordiner, former president of General Electric, observed that "It is foolish for the Armed Services to obtain highly advanced weapons systems and not have men of sufficient competence to understand, operate and maintain such equipment. . . . The solution here, of course, is not to draft more men to stand and look helplessly at the machinery. The solution is to give the men already in the Armed Forces the incentives required to make them want to stay in the Service long enough and try hard enough to take these higher responsibilities, gain the skill and experience levels we need and then remain to give the Services the full benefit of their skills."

But it is precisely these skilled personnel who leave the military services for higher-paying, more satisfying jobs in civilian life. The Cordiner Report showed an inverse relationship between degree (and cost) of skills obtained and re-enlistment. "Reduced to its simplest terms," the Report stated, "the personnel problem appears to be a matter of quality as opposed to quantity." By relying on the draft, we have sacrificed quality for manpower and reduced the effectiveness of our military establishment.

This sacrifice becomes more obvious when we consider the misuse of skills and talents that permeates the current military, personnel policies. On August 30, 1962, Senator William Proxmire read into the Congressional Record a study prepared by a former Army engineer that showed that "the effective utilized time of the enlisted scientists or engineer spent on work commensurate with his qualifications is ten percent." This waste of scientific talent was confirmed by the Army's Adjutant General's Office, and illustrates the inability of the military services to use civilian-trained skills in a system where 80–90 percent of college-trained men remain in service for only the minimum two to three years.

In addition, the military has a unique talent for trying to fit square pegs into round holes. A General Accounting Office study, noted by Senator Gaylord Nelson in 1964, revealed that at least 35,000 soldiers were employed in the wrong jobs, wasting some $48,000,000. Helicopter pilots were serving as dog handlers, and airplane mechanics as military policemen. The GAO described the Army's handling of men as a "personnel system that generates misassignments."

This talent drain can be more clearly seen if it is compared with the personnel policies of the Navy Seabees during World War Two. In the Seabees, it was the practice to take trained bulldozer operators, engineers and other skilled personnel and place them immediately in jobs with which they were familiar. This resulted in large savings in training time and costs—and encouraged enlistments, because the enlistee was guaranteed the opportunity to make use of his previous skills in a job he wished to perform. Unfortunately, even the Seabees have dropped this policy today.

Instead of utilizing the vast number of job-training programs available in the civilian sector, many of them financed by Federal funds under the Manpower Development and Training Act of 1962, the military establishment persists in maintaining duplicate training facilities. Even though 80 percent of military jobs are congruent with jobs in the civilian economy (according to the Department of Labor statistics), the Armed Forces continue to ignore the skilled civilian labor market in favor of untrained youths who can be "molded" into military material. These attitudes, products of the ingrained tradition of the free world's biggest bureaucracy, are motivating factors behind the military's strong reluctance to consider alternatives to the draft.

The draft's inefficiency has equally profound effects on the civilian economy, effects that are often ignored by draft boards composed of retired veterans with little or no training in economics. The current military build-up in Vietnam has intensified these pressures, as revealed in a June 1966 survey in *Personnel Management—Policies and Practices*, a trade journal published by Prentice-Hall. The Prentice-Hall study of 192 American business firms showed that 35 percent of these firms faced serious employment shortages because of the draft. A large number of companies have initiated new job-training programs but now cannot find young workers to train. Even in peacetime, the draft constricts the labor supply by forcing many companies to restrict their hiring to men over 26, or men who have fulfilled their draft obligation. Thirty-nine percent of draftees between the ages of 22 and 25, reported the Department of Defense during the June House hearings, were refused jobs in the civilian economy because of their draft liability. Even when manpower is plentiful, the draft restricts hiring and contributes to unemployment in the draft-liable 20–26 age group.

The final area of military mismanagement and inefficiency that can be attributed to military reliance on the draft is the patent neglect of the Reserve and the National Guard. Originally established by Congress in 1955 to serve as a ready source of trained manpower in the event of a build-up, the Reserve has become a repository for overaged ex-Servicemen and young men seeking to avoid the draft. For the most part, Reserve units are untrained—a study prepared by the Governors' Advisory Committee on the National Guard indicated that 90,000 men, or 30 percent of the total strength of the Guard, had never received training. General Hershey stated to the Armed Services Committee in June that 50,000 Reservists were in "control units" and had never received training. The Army recently completed a program whereby selected Reserve units were given updated training in order to bring them to combat readiness. These Selected Reserve Force Units were produced by "a redistribution of the personnel and material resources of the remaining approximately 70 percent of the Army National Guard," said the Governors' Committee. To get a few Reserve units ready for call-up, the Army let all other Reserve and Guard units deteriorate.

There is a reason for this mess, and it again exemplifies the total lack of coordination between the military and the civilian sectors. In 1961, the Reserve was called up to meet the Berlin Wall crisis. The result was chaos in many communities; essential employees and fathers were called away from their jobs. The same situation would result today; for example, at Lambert Airport in St. Louis, many of the key employees are Reservists. A call-up would shut down this important military and civilian airport. The same deadly results would occur in many industries across the nation. Thus, the Reserve is relegated to the backwater of military planning, and the Army is content to draft and train 500,000 new men to fill its expanded rosters.

This long history of inept handling of men and inequitable distribution of the burden of military service should lead us to welcome and encourage moves to end the draft and work toward a modern, career military force. Such a force—sustained by volunteers through increased pay and other benefits—would have a higher morale, would be better trained and more able to meet immediate military threats to our security.

The essential elements of a career force would include the following:

1. Better pay, better housing and other benefits that would make military life comparable with civilian jobs employing the same skills.

2. Coordination between military and civilian sectors in the training and use of available manpower, including using civilian personnel in military jobs as much as possible and making full use of civilian training and educational establishments in producing military technicians, scientists and skilled workers.

3. Lowering physical standards where appropriate to utilize less than A-1 physical specimens in noncombat jobs.

4. Improving the capabilities of Reserve units so that they may serve as a means of retaining and maintaining needed skills for potential military usage, and coordinating Reserve organizations with the civilian society.

5. Revising the Uniform Code of Military Justice to include only those personnel engaged in combat or training for combat, and restricting its application to combat occupations.

These factors can produce a vastly different and—I would argue—superior military establishment. And yet they have never received the detailed study necessary to initiate them. The Defense Department, steeped in the traditional resistance to change that marks every bureaucratic establishment, stops short on the first point. The Department claims it would cost too much to rely entirely on volunteers. Its latest cost estimates—taken from a report offered by Assistant Defense Secretary Thomas D. Morris at the June draft hearing—range from 4 billion dollars to 17 billion dollars. However, the Department bases its figures, which are almost so vague as to be ridiculous, on its estimates of what it would cost to "hire" 500,000 new men annually without any other changes in military policies. The Department later wrote me that "no estimates were made for the draft study of the combined effects of improvement in fringe benefits upon the rate of volunteering . . . since these benefits—with the exception of training and educational opportunities—were not found to be effective inducements for *initial* enlistment" (emphasis added). Thus, the military establishment has erected an artificial monetary barrier to a volunteer Army, for it has failed to consider the large increase in re-enlistments and concomitant savings that would result from improvements in pay and other benefits.

Bruce Chapman, using 1965 figures leaked from the Pentagon study, has estimated that a pay increase totaling three billion dollars would reduce—through higher re-enlistments—the number of new Army personnel needed each year from 500,000 to 150,000. Greater fringe benefits and other improvements in military life could bring the number down even further. At the same time, the military would save at least 2.1 billion dollars in annual training costs by retaining the 350,000 men who otherwise would have left after their first hitch.

Further savings would result from using existing civilian training establishments, including college campuses, vocational schools and on-the-job training programs, to train military personnel. As nearly 90 percent of the technical skills used by the military are also employed by the civilian economy, military training programs could be reduced to the training of only the 10–20 percent of combat and combat-support jobs (field maintenance, ordnance, battalion-level supply, etc.) that need military, as opposed to vocational, training. The resultant savings for the military could be extensive. Such a program would also be a stimulus to increased business investment in our manpower resources and could produce a greater number of skilled workers for the civilian economy.

A career military force would open up more job opportunities for those in our society who are now most disadvantaged—the Negro, the less-educated and those who are presently unemployed as a result of automation. The Department of Defense statistics used in the draft study reveal that the highest rate of enlistment under the present system is found in Southern and South Atlantic states where median annual income is only $2,441 and $2,849, respectively, and unemployment rates are the highest in the nation. Improvement of career opportunities would further increase the rate of enlistment among the disadvantaged and would provide real opportunities for those youths now unemployed because of their inability to get the vocational and technical education our automated industries require.

Furthermore, civilian personnel could be substituted for military personnel in many cases. Under a program begun by Secretary of Defense McNamara in 1965, 74,300 military jobs were replaced by 60,500 civilian positions. This substitution resulted in an over-all decrease of 13,800 jobs—since trainees and trainers could be eliminated entirely for the civilian positions. The military is limited in a replacement program of this type by the requirement that many military positions be retained in order to rotate combat troops into Stateside jobs, but extensive reductions can still be carried out.

Improving the Reserve should be one of our first priorities, since the Reserve provides a way to retain crucial skills for military use. An effective Reserve program would be coordinated with the civilian economy, so that a call-up would not endanger important industries, and Reservists under such a program would be supplied with the latest equipment and training. Such a ready Reserve could be employed in time of crisis much more rapidly than a conscript Army, which takes a year or more to develop and train. American military theory has always centered on a relatively small standing Army with a strong Reserve, and this strategy could be achieved through a voluntary Army of the present peacetime size of 2,700,000 men, plus a well-trained Reserve of 1,000,000. The neglect of the Reserve is one of the major reasons for today's enlarged draft calls.

The question that must be asked, of the military and of Congress, is, "Why not such a system now?" The answer lies in the resistance to change that is entrenched in the military services, and the ingrained prejudices about the draft that have developed in Congress and in large segments of the public. In part, this is a generational difference; the draftees and volunteers of World War Two are now the decision-making generation in America, and their experiences are the basis from which current attitudes on the draft have developed. Changing social and economic conditions have rendered these experiences obsolete, but the old attitudes persist.

Chief among these attitudes is the feeling that "If I had to serve in the Army, then everybody else should have to, also." General Hershey summed up this feeling when he told the House Committee, "I enlisted in the National Guard in Indiana when I was sixteen years old, and there were a thousand kids that didn't, and there was nothing fair about the fact that I assumed voluntarily a responsibility they ought to share." This attitude is reflected in the opinions of the Congressmen and veterans' organizations advocating "universal military training." The feeling is understandable in a generation that fought World War Two, but it is not in tune with technological and demographic changes that have reduced the need for raw manpower while making more of it available. The persistence of this feeling has created a wide gulf between our nation's youth—who face the draft firsthand—and the older generation that is living with memories of the past.

Similarly, the attitude that military training is good for everyone, that it makes better citizens, reduces juvenile delinquency and, in fact, is a panacea for all the ills of our society, is rooted in the experiences of the World War Two generation. Those days of sacrifice and heroics are fondly remembered, and all the horrors and follies of those experiences are erased by time. The experiences of World War Two gave birth in 1951 to the Universal Military Training and Service Act, which was intended by its proponents to lead to actual UMT. However, after the National Security Training Commission brought forth its report on UMT in 1951, Congress decided not to accept it, and UMT has been largely discredited since then. Nonetheless, the attitude remains, and men such as Hershey still believe in it. Hershey again advocated UMT at this year's draft hearings, and L. Mendel Rivers, the chairman of the House Armed Services Committee, expressed his support of the principle. It is the persistence of this feeling that has been a primary factor in the opposition to a volunteer, career Army.

Universal Military Training and its "liberal" substitute, "universal national service"—which would allow Peace Corps work or similar service to satisfy the military obligation—are abhorrent to our democratic society. Senator Robert A. Taft said in 1940, "The compulsory draft is far more typical of totalitarian nations than of democratic nations. The theory behind it leads directly to totalitarianism. It is absolutely opposed to the principles of individual liberty which have always been considered a part of American democracy." America has long mistrusted military authority and has rejected compulsion in favor of individual freedom. The draft has only been justifiable as a measure of necessity; now that it is no longer necessary, it is no longer justifiable.

Yet the proponents of UMT, intent on realizing their past experiences in the younger generation, fail to see that these goals transgress the American value system. When General Hershey says, "I think we have gone hog wild on individual rights in this country," or when Chairman Rivers adds his "God bless you" to Hershey's advocacy of drafting Vietnamese war protesters, we must be concerned about the maintenance of our system of values. Solutions, such as UMT or "universal national service," inappropriate to our value system may pose a greater threat to our way of life than the dangers they are expected to dispel.

The voluntary system I have proposed has as one of its purposes the reduction of military authority over the lives of our citizens. The military establishment, of course, strongly objects to such concepts as replacement of military with civilian personnel, limitation in the scope of military law and the use of civilian training establishments for the Armed Forces. It is in the nature of bureaucracies, especially military bureaucracies, to attempt to extend their control over as many people as possible. This tendency exists in a democratic society, as well as in a totalitarian one, and should be resisted as strongly as possible.

Unfortunately, the civilian chiefs in the Department of Defense and the Administration are not in a position to resist. The Defense Department is a part of the bureaucratic structure, and the Executive is limited by bureaucracy. There have been many studies of military manpower procurement—the National Security Training Commission in 1951; the Cordiner study in 1957; the Gorham study in 1964; the recent Department of Defense study of the draft; and now the Presidential Advisory Commission on Selective Service, headed by Burke Marshall, former Assistant Attorney General. Each of these committees has suffered from the same lack of democratic procedures—open hearings, free testimony, rebuttal and surrebuttal opinion and published records—that characterizes all special executive committees. These commissions and study groups are also captives of the department they are created to serve. Senator Richard Russell, chairman of the Senate Armed Services Committee, said of a proposed draft study in 1959, "Usually we end up getting the same recommendations from the commissions that we have had from the Department of Defense on the same subject. It is really a new way of asking for the views of the Department of Defense."

The President's involvement in the draft is also political, as military policy is an offshoot of foreign policy. President Johnson, committed in Vietnam, will not allow the draft, associated in the public mind with the war effort, to be debated in Congress. In 1964, three days before 24 Republicans presented their demands for a Congressional draft study, the President announced the formation of his Defense Study Group. The results of this executive study were kept secret until last summer, when the House Armed Services hearings forced the subject into the open. Then, Assistant Secretary of Defense Thomas Morris released the results of this study in a brief and nonfactual report, and immediately the President named a new commission to study the same subject. The results of the new commission's work will be ready early this year; but it will be too late for any independent study by Congress before the draft law expires at the end of June 1967.

Executive efforts have been inhibiting factors in reforming and modernizing the draft, but Congress' failure in this area is even more reprehensible. Senator Russell said in 1959 that "Congress cannot dodge or eliminate that responsibility [to study the draft]," but Congress has done just that. The current draft law has been extended three times since 1951 with only cursory debate. Vigorous attempts by Republicans such as Robert Ellsworth, Bradford Morse and myself, and Democrats such as Robert W. Kastenmeier and William Ryan to get Congress to take up this responsibility have been in vain. The draft has been a political football, booted back and forth between Executive commissions and Congressional committees. It is revealing that the draft-extension bills have always come up in nonelection years. General Hershey remarked in 1955, "Let us hope, pray or what not that this thing expires in a year that is not divisible by two." Politics, not sincere concern for the welfare of our draft-age youth or the development of a modern Army, has motivated many Congressmen to oppose changes in the draft.

The principal responsibility for the failure of Congress in this area must rest with the Armed Services Committee, in whose jurisdiction military manpower procurement falls. Members of the Armed Services Committee have usually acted as if they were spokesmen for the military services themselves, fighting the eternal war against the civilian heads of the Defense Department. As such, they listen only to the military point of view and resist "encroachments" on their jurisdiction from other members of Congress or from the public.

The problem of manpower procurement is more than a military one, and the arguments I have advanced over the past 15 years for a voluntary Army affect the civilian sector, our American value system and the whole universe of military and civilian life. Therefore, it is imperative that the draft issue be studied in its broadest aspects before we decide on concrete proposals. I have insisted that a Congressional draft study must include members from the House Education and Labor and Senate Labor and Public Welfare committees, as well as members whose specialties and interests are more general. Only in this way can we focus on the totality of the manpower-procurement problems. The parochial jealousies, narrow viewpoints and political fears that mark the attitudes of some of our Congressional leaders toward the draft are tragic. Congress is the only body that can evaluate the draft, informing and involving the public in its hearings and debate; its failure to act is an indictment of the whole Congressional process.

The draft is obsolete and can be dispensed with; but politics, misty visions of a 20-years-past experience, ingrained bureaucratic obstinance and a refusal to face the changed condition of an automated, overpopulated society continue to give it life. For the sake of what we have labeled "security," America has sacrificed some of its liberty, has subjected its youth to the confusion and irrationality of a system long past its prime and has neglected its opportunity to streamline and modernize our military forces. We should ignore labels and prejudices to seek viable answers to a problem that affects so dearly the life of our society. We can no longer afford to be complacent, because a new generation, charged with an idealism and a purpose we have often forgotten, will not wait. If we must send this generation to war, we in Congress and in the public at large must also meet our responsibilities to make our society and its institutions as democratic, as equitable and as strong as we can.

QUESTION IS NOT WHETHER TO WHACK, BUT WHERE

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, last November the President ordered a $1.1 billion cutback in the Nation's federally aided highway building program effective for the remainder of the fiscal year ending next June 30. State highway departments were told it was necessary to cut back the amount of Federal highway funds which can be obligated by the States during fiscal 1967 to reduce inflationary pressures caused by Government spending for the war in Vietnam.

In Minnesota, this cutback represents over $40 million or 28 percent of the program that was originally planned. It means delaying many worthy roadbuilding projects throughout our State, including the completion of Interstate Route 90 in southern Minnesota. It also means postponing work on State Trunk Highway 60 in Blue Earth County.

Mr. Speaker, I must take exception to these extensive cutbacks because the question is not whether to whack, but where. Like many others, I am committed to reduced Federal spending to control inflation and in preference to a tax increase. However, in selecting the highway program, the President has chosen one of the worst possible areas to wield the budget ax. Here is why:

Virtually everyone uses our public roads while few Americans benefit from certain other Federal programs of immense cost, such as our space effort;

The National Highway Users Conference has stated because of the long leadtime between obligations and expenditures, the highway funds cutback will have little effect on current inflationary trends.

Federal roadbuilding is done with the

proceeds of gasoline and other highway users' taxes which go into a special trust fund and not with the appropriated money in the regular budget. Therefore, the President's action does not reduce our huge deficit by so much as a penny.

The cutbacks will retard construction of better, safer highways at a time when highway fatalities are at a record high in Minnesota and elsewhere in the Nation. Minnesota Good Roads, Inc., reports one life per year is saved for every 5 miles of interstate completed. It has been reported the Interstate System is experiencing 50 percent less accidents and 25 percent less fatalities than the routes it replaces.

The cutbacks will adversely affect the construction industry, already in a state of decline. Unemployment may well be worsened.

For all these reasons, I am introducing a House concurrent resolution expressing the sense of Congress that the Federal-aid highway program should proceed as rapidly as available revenues to the highway trust fund permit. The resolution also makes it clear that the integrity of the highway trust fund should be preserved. In introducing this measure, I believe we are really only asking for something we have already paid for.

Mr. Speaker, it is only fair to point out that these highway cutbacks could easily be foreseen to create the public furor which has resulted. The press has widely speculated that there likely was a political design involved—namely, to build up public resistance to further cutbacks in pet White House programs, and to pave the way for an unpopular tax increase.

Whether this speculation is correct or not, I hope this Congress will fully exercise its authority to reduce spending in nonessential domestic programs while resisting misguided efforts to cut back sensible programs in the public interest. Congress should not allow itself to be put in the position of straining at a gnat while swallowing a camel.

BUDGETARY FLIMFLAM

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, every year around this time the American public is subjected to the annual fiscal shell game in which economic sleights-of-hand are used to make the budget more palatable. For years I have been protesting the various devices used to hide the anticipated spending program of the Federal Government. Back-door spending and other fiscal gimmicks have been employed in the past, with a new arrival, the sale of participation certificates, adding to the list.

The David Lawrence column which appeared in the Columbus Dispatch on January 18, 1967, is a good case in point, and for this reason I insert it in the RECORD at this point:

ACTUAL U.S. BUDGET DEFICIT LIKELY TO BE $18.8 BILLION—TWICE L.B.J. ESTIMATE

(By David Lawrence)

If the head of a business saw that his financial operations were going into the red and he then included money derived from the sale of assets as a part of profit, the stockholders would call this misrepresentation and the auditors of the Securities and Exchange Commission would throw it out as inaccurate.

But this is what the government itself is doing today in estimating the actual deficit for the fiscal year that ends on June 30.

For instead of the red figure of $9.7 billion which President Johnson used in his "State of the Union" message to Congress, the real deficit appears to be at least $18.8 billion.

This sum includes some of the items to which GOP Sen. John J. Williams of Delaware—a member of the finance committee—called attention.

Here is the list taken from government sources:

	Billions
Deficit estimated by President after new taxes	$9.7
Accelerated tax payments by corporations	3.2
Speedup of individual withholding tax payments and excise taxes	4
Graduated individual withholding taxes	4
Income from reduced silver content of coins	1.0
Sales of "participation certificates"	4.1
Real deficit	18.8

What are "participation certificates"? They are, in effect, a form of government security.

When sold to the public, the funds can be classified as the same as money received from the sale of savings bonds or any other government securities.

These certificates are tied definitely to assets on which originally there were mortgage loans issued by banks or by savings and loan associations.

Also by speeding up tax payments of corporations and individuals, the Treasury takes in money this year from sources that will not be available for the same purpose next year.

The administration must have known three years ago that it would have a hard time balancing the budget, and yet income-tax rates and excise taxes were substantially reduced.

The question now is why the administration cut down the taxes and created a boom while it kept on spending at higher and higher levels, and as a result now finds itself today actually with the biggest red figure in recent years.

What will the situation be, moreover, in the fiscal year 1968 which begins July 1, 1967? How many devices, such as the sale of "participation certificates," will be used again?

One of the supposed advantages of borrowing through these federal certificates is that this doesn't have to be shown as a part of the "public debt" and hence Congress doesn't need to raise the existing debt limit just to cover such borrowings.

It's bad enough to run deficits of $8 or $9 billion based on acknowledged liabilities and on sums that under proper bookkeeping can be legitimately called "income," but when there are "gimmicks" used that hide the true nature of the red figure, confidence in the dollar is bound to be affected.

Maybe that's why the stock market suddently rose after the President delivered his message.

It was probably assumed that high spending by the government and indifference to the wage-and-price spiral would be continued, that the inflationary curve would go still higher, and that the value of the dollar would be further diminished.

MANCHESTER'S BOOK IS TAINTED

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the much publicized book on the assassination of President Kennedy, "The Death of a President," by William Manchester, is currently the subject of much debate both in the press and, it is assumed, in private circles. The average American reader is at a decided disadvantage to appraise Manchester's work, for he has neither the time nor the facilities to devote to such an exacting job. Consequently, the column which appeared in the Columbus Citizen-Journal of January 16 of this year entitled "Manchester's Book Is Tainted," by the syndicated columnist, Henry J. Taylor, provides much food for thought. I insert it in the RECORD at this point:

FABRICATION?—MANCHESTER'S BOOK IS TAINTED

(By Henry J. Taylor)

In Look Magazine's first extract from "The Death of a President," Author William Manchester is guilty of presenting the most distorted picture of Lee Harvey Oswald I ever read—utterly inexcusable if you respect the truth.

Manchester relies absolutely on the public's ignorance. Can I, for one, expect that not to be the pattern of this whole commissioned opus?

Let me start with an example and tell you what I mean.

Manchester pictures Oswald on the eve of the assassination: "We know that the fire storm in Lee Oswald's head ignited on the evening of Nov. 21."

Actually we know nothing of the kind.

". . . He was going mad . . . the total eclipse of his reason occurred shortly before 9 p.m. that evening," writes Manchester.

On the record, this is completely false. Manchester has no proof of this—exactly the reverse. Yet look how he dresses up his fabrication to make it sound factual and impressive.

I recently wrote three documented articles about Oswald, two from New Orleans, one from Dallas. And if I could get the truth, so could Manchester.

Oswald's long and unremitting Communist record in New Orleans continues to the end in Dallas, documented not by opinion, not by debatable testimony, but by Oswald himself.

Oswald's own written declarations during the fall that he killed the President, the fact sheet he provided (Sept. 27) the Cuban embassy in Mexico City, his memorandum to "Comrade Kostin" at the Soviet embassy there, his letters to the Soviet embassy in Washington as late as Nov. 9, the forgeries and innumerable incriminating documents in Oswald's own handwriting—all show this assassin was a drilled, dedicated, obedient, cool and canny Communist.

Yet Manchester has the unmitigated gall to pass up all the evidence and call Oswald crazy!

In order to create that false picture, and also to blame Oswald on Dallas, Manchester has some trouble with known dates. He'd painted himself into a corner. Let me show you how Manchester gets out of it. No wonder he had to work so hard on his book.

Obviously, Oswald wasn't crazy in New Orleans in August. Chief of Police Joseph I. Giarrusso, who reopened Oswald's Aug. 8 arrest file there for me, simply would laugh off Manchester as Baron Munchausen. And, obviously, Oswald was not crazy at the time of his WDSU radio debate in New Orleans Aug. 21, fully recorded and easily available from the Information Council of the Americas by writing P.O. Box 53371.

So Manchester contrives a neat little picture of "paranoia," of which he says "madness does not strike you all at once" and then elects to have it strike Oswald on the eve of the assassination.

That leaves Manchester faced by the evidence of Oswald's condition after—after—the assassination. Remember, Oswald was quizzed night and day after he allegedly killed the President. Manchester fixes that by completely ignoring the testimony of the U.S. postal inspector, FBI, CIA, Secret Service and other interrogators.

U.S. Postal Inspector Harry D. Holmes' words summarize the interrogators' statements, not alone those I talked with but the others whose official testimony is in the appendices of the Warren report:

"Oswald had a disciplined mind and reflexes. He unhesitantly answered questions he wanted to, skillfully parried the others, and lied instantly whenever cornered."

Here we have Manchester's so-called research revealed to be utterly phony and selected to serve his purpose.

More than a hundred times Manchester cribs minutely and at length out of the Warren report without attributing the detailed pretense of his text to the report. He knows the public has not read the immense record with its 17 appendices and surely has not encountered the testimony of Holmes, et al. That typifies what I mean by Manchester relying on the ignorance of the public.

The Kennedys should never have commissioned a book about the assassination in the first place. There are more acceptable ways to keep our memories active about President Kennedy. And when more and more people who are informed read what was produced for the Kennedys—suing selectively as they did about "personal and sentimental matters" when the whole pitch of the book is a self-serving travesty on history—this fabricated literary chicken will come home to roost.

Both the Kennedy purpose and the Manchester product are tainted from start to finish.

TEN REASONS AGAINST UNITED STATES-U.S.S.R. CONSULAR TREATY

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, this week the astute Senator from Arkansas [Mr. Fulbright] has resumed again his attempt to railroad through the Senate Committee on Foreign Relations the Consular Convention with the Soviet Union, to which the Senate will be asked to give its advice and consent.

It is interesting to note that in the summer of 1965 a treaty containing such vast implications slipped through after one executive hearing, one public hearing, and one executive session of the committee. The only witnesses to be heard at both the executive and public hearing were the Secretary of State, Mr. Rusk, and his legal adviser, Mr. Leonard C. Meeker. To the best of my knowledge, no other Government officials were invited to appear, and individuals and organizations of citizens were denied the opportunity to express their opinions before the committee. This episode is being repeated by the current maneuver.

There are significant threats to the United States in the acceptance of this treaty, the most obvious being the Soviet practice of using consulates for espionage purposes. In addition, Communist governments have been known to use their consular activities for forms of bribery and pressure on U.S. citizens who have relatives in Communist lands or who have inherited property therein.

Furthermore, the question of establishing consulates obviously jeopardizes the policy whereby our Government does not recognize the forcible incorporation of Lithuania, Latvia, and Estonia into the U.S.S.R. If we should, for example, establish consulates in any of the Baltic States, it would represent a de facto recognition of Soviet control which would be an international triumph for communism. Two other major cities in the U.S.S.R. where the Russians might suggest we would establish a consulate are Minsk, the capital of Byelorussia, and Kiev, the capital of Ukraine.

These two states have voting rights at the United Nations. It would be a mockery of justice to consider consular offices there. I call the attention of the House to the bill I am introducing to express the sense of the Congress that the U.S. Government should establish direct diplomatic relations with the Governments of the Ukrainian Soviet Socialist Republic and the Byelorussian Soviet Socialist Republic, as a means of dramatizing the Soviet captivity of those lands.

Furthermore, during the hearing staged in 1965, it was disclosed that the Soviet Union does not maintain any consulate in the Western Hemisphere. The acquiescence of the United States to Soviet consulates would set an obvious precedent that would soon find the Communist rulers of Moscow spreading their influence in Latin America by means of consular activities. What Latin American Government could refuse the request for a consulate after the leader of the free world has extended this benefit to the rulers of the Kremlin?

Mr. Speaker, although the ratification of a treaty is the prerogative of the Senate, this is no valid reason for concerned Members in the House to sit back and watch a treaty being railroaded through the Senate Foreign Relations Committee for blind ratification by the other body. For over 2½ years the chairman of the Senate Foreign Relations Committee avoided the obligation of public hearings on the vital consular convention with the U.S.S.R. and then, in an arbitrary and undemocratic manner, curbed the hearings and railroaded the convention through the Senate committee in 1965. He is attempting to do it again now.

There is far more to this treaty than hits the eye. Senate objections so far voiced in opposition to it have been largely marginal in substance. In railroading the treaty proponents have been negatively counting on such marginal objections to obtain a quick Senate ratification. For over 2 years they feared exposing the treaty to open public hearings where more substantial criticisms of this Moscow-pleasing treaty could be heard.

There is still a chance to correct this wrong, if, in the event the Foreign Relations chairman has his way, the responsible Members of the Senate vote to return the treaty to the Senate Foreign Relations Committee for an open and frank discussion of this poorly drawn and ill-conceived convention. Without all aspects of this defective treaty carefully discussed and debated, a blind ratification by the Senate would only compound the wrong already committed.

Mr. Speaker, in view of the very perfunctory manner in which the Senate Foreign Relations Committee studied this consular convention, I am asking the chairman of the House Foreign Affairs Committee to conduct a full-scale inquiry into the impact the ratification of the treaty might have on United States-Soviet relations, as well as the complications it would cause in the free world.

Mr. Speaker, I further point out that the Soviet Union is aggressively engaged in aiding the Communist war effort in South Vietnam. We are aware that Soviet-manned missiles are in North Vietnam and presumably are responsible for shooting down American aircraft.

Evidently in return for direct Soviet involvement against our boys in Vietnam, we will reward the Kremlin by permitting them to establish consulates in this country, and, may I point out, grant their consular officials diplomatic immunity.

This is the wrong time for this treaty. There is much less emphasis from Moscow these days on peaceful coexistence. Moscow's features, as far as they face the West and specifically the United States, are obviously an unconcealed scowl. Moscow's voice—except, so far, on economic and commercial matters—is becoming harsh and growling.

We further recognize, Mr. Speaker, that there cannot be any legitimate trade as we know it with the Soviet Union. Their persistent disrespect for patent and copyright laws, their desire for items to help their military and heavy industry, their disregard for the consumer demands of their own citizens, their willingness to dump items at a loss on the world market—all give evidence of the impracticality of basic trade relations with the Moscow dictatorship. Obviously, this consular convention cannot be of commercial value to us.

May I point out to the House that millions of Americans have close relatives in Latvia, Lithuania, and Estonia, Armenia, Ukraine, Byelorussia and other non-Russian nations of the Soviet Union. All Communist governments have shown a disrespect for property and inheritance rights of U.S. citizens. The failure to extract effective concessions or to obtain a guarantee of a change in policy by the U.S.S.R. in this consular convention renders it meaningless in this area. The possibility of coercion, bribery, even blackmail are evident if Soviet consular officials have the freedom to roam throughout the United States.

Let us recall that in the brief hearing held in the Senate in 1965, the Secretary of State naively explained that the location for possible consulates had not been discussed. I found this statement impossible to believe. According to Mr. Rusk, preliminary discussions were held in 1961 and serious discussion must have been held as to where the Soviets hoped to place their consular offices. Now we are told that Leningrad is the first likely spot. The treaty does not even specify strict reciprocity in the number of consular locations. It appears that a credibility gap exists here, too.

It might well be, Mr. Speaker, that the Soviets will request permission to establish a consulate in Cocoa, Fla.; Columbus, Ga.; and Los Alamos, N. Mex., where they could not only conduct "commercial activities" but be adjacent to our facilities at Cape Kennedy, Fort Benning, and Los Alamos Proving Grounds.

Mr. Speaker, may I quote the Secretary of State:

> And to the extent, sir, that we can build some peace in the world and establish normal relations, the problems raised by espionage diminish. It is in periods of tension and crisis and controversy and rivalry and armed confrontations where the problem of espionage grows.

If I understand administration explanations properly, the problem of armed confrontation and the controversy in Vietnam grow as Soviet support of the Communist forces there increases. Therefore, by Secretary Rusk's own words, this is the wrong time for us to enter into this consular convention.

Mr. Speaker, an excellent background to this issue is furnished by the National Captive Nations Committee which has consistently called for open and honest hearings on this treaty. The committee again appealed to Mr. FULBRIGHT for open and fair public hearings. I insert an incisive article written by the committee's chairman, Dr. Lev E. Dobriansky of Georgetown University, titled "Ten Reasons Against the United States-U.S.S.R. Consular Treaty," to be printed as part of my remarks:

TEN REASONS AGAINST THE UNITED STATES-U.S.S.R. CONSULAR TREATY

(By Lev E. Dobriansky)

There are ten soild reasons why the U.S. Senate should emphatically not ratify the US-USSR Consular Treaty which the Committee on Foreign Relations reported out favorably last August. Most of these reasons were scarcely touched upon in the somewhat superficial public discussion that was precipitated by the committee's sudden action. This condition, however, should be no cause for wonderment. Since the signing of this Second Treaty of Moscow on June 1, 1964, every attempt has been made to keep the convention out of the arena of public discussion as much as possible.[1]

When the consummate attempt was made to railroad this seemingly innocuous pact through the Senate, numerous legislators and organizations joined in a strong protest against its blind ratification. Interestingly enough, some of the press distorted this fact into some sort of right-wing opposition. One paper, for example, painted it in terms of a deluge of letters inspired by the "Liberty Lobby and other right-wing organizations," though these groups expressed themselves marginally and in the final phase of last summer's episode.[2] An editorial in another organ supporting the treaty observed with guarded overtones, "most of the opposition seems to be made up of organized letter-writing members of such ultra-conservative groups as the John Birch Society and the Liberty Lobby."[3] Employing this same smear tactic, a third proponent of the convention showed little esteem for the general intelligence of the Senate when it recklessly charged that the Senate was scared off by the Liberty Lobby which "saw to it that the Senators were bombarded with protest letters . . ."[4]

Anyone who has followed closely the developments surrounding the treaty even before it was signed, cannot but view such reporting and editorializing as crassly inaccurate and misleading. As early as March, 1964, the National Captive Nations Committee publicly opposed this pact, three months before it was signed in Moscow.[5] In June of that year several national ethnic organizations declared their opposition to the pact. When a number of Senators and others joined this growing chorus of bi-partisan protest to the pact's ratification, the chairman of the Foreign Relations Committee decided not to consider the convention until the next Congress.

With the new 89th Congress in being for its first session, periodic inquiries were made as to the scheduling of open, public hearings on the treaty. Some serious discussion of it was being fostered by interested parties.[6] The consistent reply given to the inquiries was that no hearings were as yet being set.[7] As late as July the same position was maintained.[8] In that month, however, citizen groups observing the Seventh Captive Nations Week Observance throughout the nation registered their strong opposition to the treaty, and again the call was raised for public hearings. At about this time it was announced that the Senate Foreign Relations Committee had authorized the chairman to schedule public hearings.[9] The now-on-now-off treatment caused one committee member to assert that this latest action came "as a complete surprise to me."

Contrary to the quoted press reports and editorials, the opposition to the treaty was markedly cross-sectional, including liberals as well as conservatives, Democrats as well as Republicans. Objectively speaking, the reasons offered by so-called ultra-right-wing groups should be evaluated on their own merits rather than substituting for them labels of invidious distinction. The same rule in objective reasoning would apply to any stand taken by their counterparts on the left. Moreover, what was not generally known about the 1964 summer episode was the quiet effort of a concerned Congressman who apprised 57 Senators of the defects in the treaty and even threatened to have the House Foreign Affairs Committee conduct open and fair hearings on the issue.

Examples of the replies to the Congressman's initiative make for perspective reading. Thanking him for his critical observations, one Senator adds, "I have not as yet had an opportunity to study this treaty carefully, but my present inclination is to vote against it." Another prominent Senator states, "You find me in complete agreement with your views on this most important subject. It is my intention not only to vote against the Convention when it is considered by the Senate but to do all that I can to persuade others to vote against it." Concerning the critical material given him, a third Senator reflects the aroused interest of scores of others in the Senate when he comments, "It will help me to better evaluate the Treaty when it comes up for a vote in the Senate."

These facts should be adequate to convince one of the slanted reporting indulged in by a few newspapers that clamored for the treaty's ratification without even open and fair public hearings on the issue. Evidently, they were stunned by the outcome last August and had no other recourse but to wade in the muck of invidious labelism. Now for the ten reasons.

I. NO PUBLIC HEARINGS

Viewing this whole development in all its aspects, any objective observer would have to conclude that the deliberate attempt to preclude open, public hearings on the issue is cause enough for the rejection of the convention. Every significant treaty requiring Senate ratification has been accorded this normal, democratic procedure so that legislators may weigh the various arguments surrounding it. Those who claim that the consular pact is an ordinary and insignificant treaty are either unaware of its basic significance and thus would profit from such hearings or employ this contention to abet the possibility of a blind ratification. By all evidence the proponents of the pact have displayed a morbid fear of public hearings and wide discussion on the issue.

The evidence also shows quite clearly that an attempt was made toward the close of the last session of Congress to railroad the treaty through the Senate. Fortunately, the maneuver was thwarted by the alert action of numerous groups and individuals. For example, in a press release the National Captive Nations Committee called for "open and frank public hearings" on the convention and protested against "the maneuver of ramming this ill-advised and harmful treaty down the throats of our people without fair and open hearings."[10] Representative Edward J. Derwinski of Illinois performed an invaluable service in his persistent charges against the railroading of this treaty.[11] A striking editorial in one critical paper began "Details are now at hand concerning the swift railroad job, with Senator Fulbright as chief engineer, which was done to get the Soviet Consular Treaty out of the Senate Foreign Relations Committee some days ago."[12]

Not to have the maneuver appear too crude and arbitrary, the committee heard testimony from Secretary of State Dean Rusk and several State Department associates. The committee print that followed contains all the marks of swift maneuver and haphazard publication. For example, the title of the pamphlet is *Consular Convention With*

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[1] For a detailed background on this see Lev E. Dobriansky, "The Second Treaty of Moscow," CONGRESSIONAL RECORD, vol. 111, pt. 2, pp. 2160–2163.

[2] E. W. Kenworthy, "Rightists Oppose Pact With Soviet," *The New York Times*, August 19, 1965.

[3] "The Consular Treaty," *The Evening Star*, August 24, 1965.

[4] "Scared Off," editorial, *The Washington Post*, August 23, 1965.

[5] Communication to Chairman of Senate Foreign Relations Committee, March 10, 1964.

[6] "New Myths, Old Realities," editorial, *The Richmond News Leader*, February 16, 1965.

[7] E.g. "No Hearings Set On U.S.-Soviet Consular Treaty," *The Evening Star*, February 15, 1965.

[8] "Senators Delay Consular Pact With Russians," *The Evening Star*, July 12, 1965.

[9] "Hearings Due On Russian Consular Pact," *The Washington Post*, July 22, 1965.

[10] "Fulbright Urged to Hold Open and Frank Hearings on Consular Convention," August 3, 1965.

[11] E.g. William Moore, "Derwinski Hits Plan for Russ Consulates," *Chicago Tribune*, August 10, 1965.

[12] "Normal Relations," *The Richmond News Leader*, August 13, 1965.

The Soviet Union, but on page 3 a caption reads "Consular Convention With Russia." If at this stage of American understanding the concepts of Soviet Union and Russia are held to be synonymous, then we are in real trouble with respect to some reasoning on this issue.

To mention another example among the many, the dialogue between the chairman and Senator Hickenlooper makes for absorbing reading. In his opening statement Senator Fulbright lets the cat out of the bag by stating "The committee met in executive session July 20, 1965, to consider the convention and *decided* at that time to take it up formally and submit it to the Senate for its advice and consent."[13] Senator Hickenlooper follows by stating, "I want to correct a misunderstanding. I understood you to say in the opening statement that the committee had decided to submit this to the Senate for confirmation."[14] Contrary to his opening statement, the chairman covers himself by replying "The committee would have to vote on it after we have had *committee hearings.*" Then, in the print, the dialogue is interrupted by the insertion of the President's message and the convention itself, and fifteen pages later Senator Fulbright further contradicts his original, plain statement by saying "We had decided to proceed with hearings if the committee so voted. That is what I meant to say."[15] His words scarcely reveal such meaning.

Despite much talk about hearings at this point, only one staged hearing was held. Secretary Rusk was heard on points emphasizing the protection Americans in the USSR would receive, the little difference between this treaty and other consular conventions, the risks of espionage we have to assume in our open society, the inadequacies of our embassy in Moscow, the need for normalizing relations, mutual understanding, the improvement of communications, and other equally vague generalities. As the writer stated in a letter criticizing one of our papers, "by virtue of his antiquated and misleading conceptions of the Soviet Union, which even the late Adlai E. Stevenson tactfully repudiated in November 1961, Secretary Rusk can scarcely be regarded as the sole, adequate witness."[16] These salient points in the Rusk testimony will be answered in the remaining reasons against the ratification of the treaty.

How much of all this was pitifully misinterpreted can be gleaned from this statement of a Senator supporting a blind ratification of the pact: "Those writers are ignorant of the fact that hearings were held."[17] The official publication of the committee is accurately titled *Hearing,* but the Senator insists hearings, governmental or public, were held. He also believes the treaty is with Russia. Moreover, some verbal legerdemain was detected in the distinction drawn between the treaty and the actual opening of consulates. According to the State Department, one shouldn't be too concerned with the treaty because "the question of opening consulates . . . will be the subject of separate negotiations."[18] Why then all these pressure tactics concerning the treaty's ratification? Actually, the formal and legal basis provided by the treaty is most essential to the question of opening consulates. It is also worthwhile to note the haste on the part of the Department in exacting appropriations from Congress for a consulate in Leningrad with several $500 water coolers, extra bedrooms for single girl secretaries and what have you.[19]

Again, this first reason is reason enough to justify a rejection of the treaty. Its proponents apparently fear a full and open examination of it in the public forum. Without open, public hearings, a ratification of the pact would be an arbitrary and blind one. The democratic staging of such hearings would necessitate thoughtful consideration for the nine remaining reasons.

II. A DIPLOMATIC AFFIRMATION OF MOSCOW'S INNER EMPIRE

The second reason for rejecting the treaty is that it constitutes a diplomatic affirmation, a stamp of approval and acceptance of Moscow's inner empire. I'm aware of the fact that most Americans cling to the myth that the Soviet Union is Russia, that the USSR is a country like ours, indeed, that this inner empire of many nations is a nation like ours. One superficial account of last August's episode misleads readers in this fashion, "If ratified, it would be the first bilateral treaty between the two nations."[20]

We can allow for such ignorance in an ordinary newspaper article, but for our leaders of state to believe that the USSR is a nation is plainly unpardonable. If we should ever lose the Cold War, it would be basically because of this fundamental gap in our understanding of the USSR as an empire-state, a prison house of many captive nations, the inner and basic sphere of the present Soviet Russian Empire. Despite other objectives and purposes, both Napoleon and Hitler lost hot wars in this area of Eastern Europe because of substantially the same gap in understanding.

This fallacious notion of the USSR as a "country" and other basic myths are reflected in the convention, which of course cannot but satisfy the propaganda and psychopolitical efforts of Moscow to the utmost. The treaty is founded on the mythical conception that the USSR is a nation-state comparable in character to ours. American consulates in any of the non-Russian nations in the USSR would tangibly reinforce this myth, needlessly abet Russian policies aimed at unifying this primary imperium, and thus nullify any leverage for peace we may have in at least recognizing the freedom goals of the captive non-Russian nations in the USSR.

In the past forty-five years the United States has committed many shortsighted errors bolstering and strengthening this inner empire of Soviet Russia. Ratification of this treaty would add another chapter to this sordid record. In a letter to Senator Fulbright, the writer emphasized this point when he stated, "a blind ratification of the Convention would form another chapter in our long, inept dealings with the Russians and expose us to the charge of being a nation of hypocrites when the President and others proclaim our 'devotion to the just aspirations of all people for national independence and human liberty.' This treaty is a confirmation of Russia's imperio-colonialism within the USSR and further evidence of our diplimatic ineptitude in the Cold War, not to say our grave lack of understanding of America's prime enemy."[21] In terms of power and ambition, we delude ourselves if we think Peiping rather than Moscow is the prime enemy.

Before taking action on the treaty it would profit each Senator to read a recent official study prepared for one of the Senate's own committees on the empire within the USSR. "Western scholars of Soviet affairs," it observes, "agree on the imperial-colonial character of the USSR."[22] Commendable as it is, even this study doesn't cover all aspect of Soviet Russian imperio-colonialism in the USSR. For succinct, deep insights into this inner empire each Senator would do well to read Adlai Stevenson's remarkable memorandum on the subject in the United Nations.[23] After reading these he would have to ask himself, "Could I as a Senator, representing people in a democracy and republic dedicated to principles of national independence and self-determination, vote for a treaty which explicitly and implicity misrepresents a state and in effect places a stamp of approval on a tyrannical empire?" Each in his own conscience would have to answer this question.

This reason for not ratifying the treaty is basic to all others. It hinges on the most fundamental issue of the contemporary struggle—Soviet Russian imperio-colonialism versus freedom and national independence. It offers us another opportunity to fill in the gap of American understanding of the USSR. The first was Congress' Captive Nations Week Resolution (Public Law 86–90) in 1959, which for the first time recognized the freedom aspirations of all the captive non-Russian nations in th USSR. Ratification of the treaty would contradict the very essence and spirit of the resolution. Also, Secretary Rusk and others argue that the treaty would improve communications between the two "countries." Aside from the rudimentary fact that it is hardly within the purview of consular activity to communicate or negotiate between countries, what improvement in communications could be achieved between the U.S. and the many nations in the USSR under a treaty which slights and ignores the presence of all but one of these nations? To our own detriment, the very opposite would be achieved.

III. LEGAL INVALIDITIES OF THE TREATY

A third substantial reason for rejecting the treaty is its numerous legal invalidities. If *some of our lawmakers in the Senate still* find the second reason difficult to grasp at this point, surely the legal contradictions and invalidities of the pact would fall more readily within their immediate attention. In a court of law any patent misrepresentation of parties to a contract or blatant contradictions to fact would be sufficient to throw the case out of court. The consular treaty is pitted exactly in this situation.

Throughout the text of the treaty one reads about "a national of the sending state."[24] This makes sense in the case of the United States, a citizen of a nation generally called about the world "an American." Who is the national of the Soviet Union? A Russian, Lithuanian, Georgian and so forth? If language and words have any meaning, a "national" is an individual member of a given nation. On the impregnable basis of all evidence provided by Moscow itself, the Soviet Union is no nation but rather a so-called union of many nations. Legally, there is no such animal as a "Soviet national" other than a fictional image in the minds of some who wallow in the myths of the USSR being a nation or anyone in the USSR—worse still "Russia"—being a "Soviet," which is a council of workers and peasants.

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[13] *Consular Convention With The Soviet Union,* Hearing, Committee on Foreign Relations, United States Senate, 1965, p. 1.

[14] Ibid. p. 2.

[15] Ibid. p. 17.

[16] "Consular Convention With the USSR," CONGRESSIONAL RECORD, vol. 111, pt. 16, pp. 21093–21094.

[17] "Proposed Consular Convention With Soviet Union More to Advantage of United States Than to Russia," Mr. Young of Ohio, CONGRESSIONAL RECORD, vol. 111, pt. 15, p. 20606.

[18] John C. Guthrie, *Communication,* May 14, 1964.

[19] Daniel Rapaport, *UPI* story, May 8, 1965.

[20] Murrey Marder, "U.S.-Soviet Treaty," *The Washington Post,* August 20, 1965.

[21] *Communication,* August 4, 1965.

[22] *The Soviet Empire,* Committee on the Judiciary, 1965, p. 166.

[23] U.S. Ambassador to the United Nations. Memorandum to U.N. Delegations, *The United Nations,* November 25, 1961.

[24] E.g. *Consular Convention With The Soviet Union,* p. 8, 9, 10 etc.

Clearly, if some can extricate themselves from the unreasoned, semantic mess indicated here, they would begin to see that the convention contradicts the very essence of the USSR Constitution, which though largely semantic is nonetheless a nominal compromise with the non-Russian nations in the USSR. By this kind of misrepresentative language the pact violates also the authenticity of every official map of the USSR and contradicts reams of official Moscow pronouncements on the multi-national composition of the USSR. In their desire to reap the psycho-political advantages of the treaty the Muscovite rulers would prostitute anything and, as in everything else, accuse the other party of the perversions. By allowing this to take place we exhibit our own psycho-political immaturity.

Further examples of legal invalidity are, in the case of the Soviet Union, provisions for "the national flag of the sending state" and "the national coat-of-arms of the sending state." [25] Of course, in objective circumstance there is no such flag or *coat-of-arms* for the USSR. Each republic has its own flag and emblem. The flag and coat-of-arms of the USSR shown at any Moscow-established consulate in the United States would be another perversion of fact permitted by the legal invalidity of the treaty.

Speaking of legalities, no one has raised the question of accumulated legacies left by Russian emigres and others in behalf of known or unknown parties in the Soviet Union. How many millions of dollars is colonialist Moscow seeking to acquire under Article 10 of the treaty? The Russians are employing every trick, including "the economic independence of the *satellites,*" to build up their stock of foreign currencies; the treaty is another means. It would be interesting to see what the Department of State can furnish on these accumulated legacies. Mr. Rusk and others vaguely argue that the pact would abet "mutual understanding." *With whom? The imperio-colonialists* in Moscow? What of the various nations and peoples in the USSR? How would all these allowed perversions and open risks mould our bonds of mutual understanding with them? In the long run, they will prevail, not the ruling Russian *totalitarians.*

IV. AN AMERICAN ASSIST TO RUSSIFICATION

The fourth objection to the treaty is that its provisions engender an American assist to Russification within and outside the USSR. The provision in the pact for the use of the Russian language to process the fictitious Soviet national is in every sense an inadvertent assist to the well-known Russification policies of Moscow.[26] In effect, here too we would be buttressng Moscow's colonialist policy of enforcing the use of the captor's language among the non-Russian nations in the USSR.

Here, too, before he casts his vote on the treaty it would do well for each Senator to scan another recent Congressional study on cultural Russification and linguacide in the USSR.[27] Do we want to be placed in the position of confirming and abetting this vicious genocidal tendency further? It is bad enough that functional necessity compels us to accede to it on the ambassadorial level, though this could be rectified, too, by a diplomatic alternative of a more realistic nature.

With a premium on verbal generality Mr. Rusk and others argue for the treaty because it would "normalize relations." What are they seeking to normalize? The inner Soviet Russian Empire, Soviet Russian imperio-colonialism, or Moscow's Russification policies? The treaty would abnormally relate us to these ugly phenomena in the seeming position of even accepting them as "normal." Aside from the essential factor of comparative advantage in the Cold War, what a political posture we are asked to assume by ratifying this treaty. The nation of the American revolution and all the perennial principles this implies is urged in the name of normalization to place stamps of diplomatic approval on the worst institutional hallmarks of its basic enemy. Also, what is most curious is that those who talk loudly today about "the liquidation of the Communist monolith," "growing nationalism in Eastern Europe," "a world of diversity," and "good Communists and bad ones" are normally those who, for whatever reasons, stop at the borders of the USSR, the determining inner empire itself, with these supposedly new notions.

V. THE VERY DIFFERENT DIPLOMATIC IMMUNITY

The preceding three reasons for non-ratification of the pact received far less attention last August than the next two. Yet in the broader context of understanding the contemporary struggle, its prime sources of tension and long-run dangers to world peace, they carry greater weight than the next two objections, which by themselves, of course, are adequate to justify non-ratification. It is noteworthy how much more adept and knowledgeable the Chinese Reds are in utilizing essential facts concerning the inner Soviet Russian Empire, Soviet Russian imperio-colonialism, Moscow's Russification program, and the captive status of the non-Russian nations in the USSR than we are.[28] Their ends are different, but they at least do not accommodate the Russian totalitarians in their worst features.

Contrary to the baseless contention that this consular convention is no different or is even slightly different *from other* conventions, the pact is very different not only in its relation to our prime enemy in the Cold War but also in its incredible provision of diplomatic immunity to consular personnel for all crimes, including espionage.[29] It is sad enough that the treaty's assumptions and contents *seriously depreciate our general* political posture as a democratic Free World leader, but this provision is an open invitation to Red subversion of our nation. Every other existing convention grants immunity only from punishment for misdemeanors. The reader can now understand why I entitled an article on this subject "The Second Treaty of Moscow." The pact was made to order—in Moscow. Even our allies don't enjoy this unprecedented consular privilege.

In view of the concentrated discussion on this point last August, it is unnecessary to belabor it further. Mr. Leonard C. Meeker, the State Department's legal adviser, admitted in unqualified terms that this immunity from criminal jurisdiction "is not present in other consular conventions to the same extent." [30] Mr. Meeker, who is under the illusion that some "Soviet national" animal exists, tried to moderate the immunity provision by pointing out that it "will extend only to those consular officers and employees who are agreed to by the two governments." [31] As though in actual practice this would make any significant difference.

The views expressed by opponents to the treaty in the Senate Foreign Relations Committee are quite firm on this immunity provision.[32] Publicized discussion of the point led many to the conclusion which one Senator put in these words: "It is this last section that is inimical with the best interests of the United States. It is the last section that clearly indicates that this convention was negotiated by the Soviets, not as a bilateral pact for improving Soviet-American relations, but as a cold war maneuver to enhance and expand the intelligence gathering network of the USSR." [33]

Mr. Rusk and others argue that the treaty would offer greater protection for Americans touring and visiting in the USSR. This protection argument, covering some 12,000 Americans annually, is supposed to counterbalance the lapse in it as concerns the immunity provision. Much is made of the notification and access provisions regarding arrests. Actually, this so-called Russian concession should have been demanded long ago on the purely ambassadorial level, and should be so demanded on the simple principle of reciprocity. USSR representatives and tourists are accorded the privileges and benefits of our democratic criminal code; pure reciprocal relations would demand the same for our people. To hook the notification and access provisions as a notable Russian "concession" to the consular treaty indicates that our negotiators had already walked into the bear trap. It is as much a concession as a thief giving up stolen property.

VI. INTENSIFIED POLITICAL WARFARE IN THE UNITED STATES

Espionage was the leading word for the next popular objection to the treaty last August. Our FBI Director, J. Edgar Hoover, was quoted at length in support of this criticism. In earlier testimony before the House Appropriations Committee, Mr. Hoover had emphasized that USSR "consulates in many parts of the country . . . will make our work more difficult." [34] A later statement by him stressed the following: "One Soviet intelligence officer in commenting on the agreement spoke of the wonderful opportunity this presented his service and that it would enable the Soviets to enhance their intelligence operations." [35] So effective were these points that the President subsequently issued a directive to officials to support Administration policies, aiming it particularly at Hoover.[36]

There are several aspects to this sixth reason for non-ratification that need some clarification. First, though public hearings were barred, it obviously behooved the Foreign Relations Committee to invite Mr. Hoover, as another government witness, to testify on the pact. Surely he is far more qualified to discuss the likely espionage effects of the treaty than is Secretary Rusk. Second, it is certainly no strain on one's imagination to envisage the expanded opportunities for Soviet Russian espionage with consulates ranging cross-country from New York to Chicago and San Francisco.

However, considering the huge spy apparatus now maintained by Moscow in this country, one can rationally allow for only a relatively small increase in overall effectiveness with the presence of consulates. The economic law of diminishing return applies in this field as in others. Doubtless the establishment of consulates would make Hoover's work more difficult, but it is doubtful that the condition as concerns espionage activity would be unmanageable. Moreover, as I argued elsewhere, spying is a two-way street. On the other hand, since alternatives for different diplomatic arrangements exist, there is no reason whatsoever to accommodate the Russians in this risky respect.

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[25] Ibid. p. 11.

[26] Ibid. p. 8.

[27] See *Nations, Peoples, and Countries in the USSR,* Study of Population and Immigration Problems, House Committee on the Judiciary, 1964.

[28] See "Sino-Soviet Border Potential Powder Keg," *The Ukrainian Bulletin,* New York, April 1–15, 1965, p. 35.

[29] *Consular Convention With The Soviet Union,* p. 12.

[30] Ibid. p. 22.

[31] Ibid. pp. 34–35.

[32] *Consular Convention With The Soviet Union,* Minority Views, August 10, 1965.

[33] Senator Norris Cotton, "The Consular Convention With the Soviet Union," CONGRESSIONAL RECORD, vol. 111, pt. 16, p. 22000.

[34] *Consular Convention With The Soviet Union,* Minority Views, p. 2.

[35] Ibid.

[36] "LBJ Policy Edict Tied To Hoover," *The Washington Post,* August 21, 1965.

Especially is this so when a broader view is taken of Soviet Russian activity in this country. The problem entails more than just espionage. It can best be described as one of intensified political warfare, signs of which have already appeared in civil rights riots, campus agitation, peace demonstrations, overt USSR embassy propaganda on the Watts riot,[37] and a variety of actions striking against civil and political authority. Strategically situated consulates would not only be additional spy nests but also active sources of conspiracy, propaganda, blackmail and intimidation against those with relatives in the Red Empire, and media for undermining ethnic and other anti-Communist groups. With the type of immunity offered them, they should make bold efforts along these lines.

Mr. Rusk and others talk glibly about our "open society" and the espionage risks we have to take. They fail to see the broader problem involved here, with longarm ramifications extending to our actions in Viet Nam, the Dominican Republic, and almost everywhere else. Regarding espionage solely, a more naive observation by the Secretary cannot be found than when he testified, "I do hope that the Convention will reduce misunderstandings and particularly be of assistance in not letting private citizens, tourists, businessmen, exchange people, and others get caught up in the atmosphere in which this other type of problem arises." [38] Projected into the future, this type of uncritical thinking would virtually guarantee the closing of our open society.

VII. BASIS FOR INTENSIFIED POLITICAL WARFARE IN LATIN AMERICA

Speaking of ramifications emerging from a short-sighted ratification of the treaty, the next four reasons for non-ratification indicate what we can expect from this further appeasement of Soviet Russian desires. It should be evident now to the reader that all of these reasons against ratification are integrally related, though any one is sufficient cause for rejecting the treaty. To the recurring distinction made between the treaty as a body of guidelines for consular activity and the actual establishment of the consulates, which some even suggest the State Department might act upon devoid of any treaty, one can reasonably maintain the virtual inseparability of the two and the political certainty of no consulates if these many reasons, individually, in combination or as an integral whole, lead to a Senate rejection of the pact.

Thus, the seventh reason for non-ratification is that a Senate confirmation of this treaty would open up a Pandora's box of Soviet Russian pressure against every free government in Latin America. The immediate objective would be similar consular conventions; the ultimate objective would be a really intensified political warfare in the area. This at a time when many of our own officials have been warning us to expect stepped-up Red subversion throughout the continent!

Strangely enough, this reason against ratification was scarcely brought up in the August discussion. Few even knew that as of now no USSR consulates exist in the Western Hemisphere. In a cogent rebuttal to a newspaper editorial, Congressman Derwinski stated the case eloquently: "Acquiescence of the United States to Soviet consulates would set an obvious precedent that would soon find the Communist rulers of Moscow spreading their influence in Latin America by means of consular activities. What Latin American government could refuse the request for a consulate after the leader of the free world has extended this benefit to the rulers of the Kremlin?" [39]

Need more be said on this point of consular proliferation for extended Red subversion in the Western Hemisphere? The ratification of the treaty would create a solid basis for intensified Russian political warfare in Latin America. As in the area of trade with the Red Empire, our lack of firm and consistent policy will be another government's rationalization for its actions under pressure.

VIII. A TRADE WEDGE

Another reason for not ratifying the pact is the obvious use made of this treaty as a diplomatic wedge to liberalize and increase trade with the Soviet Union and the Red Empire in general. Time and time again in his testimony Mr. Rusk spoke of the prospect of "increasing trade between our two countries." [40] At times it appears this argument of dollars and cents carried more weight with him than the argument of humane protection for Americans in the USSR.

The issue of increased trade with the USSR and the Red Empire is a controversial problem in and of itself. This writer has pointed out in testimony and in emphatic terms that any such liberalized trade would not be the first time the United States has contributed myopically to the economic strengthening of the Soviet Russian Empire—always, of course, in the interests of "peace," "normal relations," "relaxation of tensions" and other self-legitimations.[41] Up to now those seeking such East-West trade have been careful to distinguish between our trading more liberally with the captive states in Central Europe and that with the USSR. The former is supposed to unlatch these Red totalitarian states from the chains of Russian domination, though for years Moscow itself has pursued the Empire policy of division of national labor.

Now, curiously enough, we see Secretary Rusk injecting the trade issue into this consular one with evident abandon of the distinction mentioned above. Our fighting men in South Viet Nam should take great comfort in this switch since economic-trade support of the USSR should in turn bolster Moscow's support of Hanoi for an even more challenging conflict in that area.

The fragmented policy of our government conduces to many blatant contradictions. This tactic of arguing for the treaty on the basis of trade prospects which in turn would facilitate the economic means of Moscow's global cold war operations against our interests is a gem of policy-making fragmentism. It's cause enough to reject the treaty as a trade wedge.

IX. THE MOST-FAVORED-NATION SIEVE

As in the area of trade with the Red Empire, the most-favored-nation sieve exists in consular agreements. This ninth reason for not ratifying the treaty was emphasized by several scrutinizing Senators who wisely oppose the extension of the immunity privilege to twenty-seven other nations and states, including Yugoslavia and Rumania.[42] As they pointed out, as many as 400 consular personnel would be eligible under the treaty and their covering conventions with the most-favored-nation clause for immunity from prosecution for all crimes.

On this point Secretary Rusk affirmed that "others would have the right to raise with us establishing various privileges, but only on a basis of reciprocity." [43] It is interesting that this concern for reciprocity shows itself here but not with the protection of American citizens in the USSR on the ambassadorial or full diplomatic level. With this sieve the risks mentioned earlier become all the more magnified. Also, Red governments with no consular agreements at present would seek the inclusion of the most-favored-nation clause in any future conventions.

The snowball effects of the treaty's provisions are thus not difficult to determine. They all point to a substantial net disadvantage for us. Recently, for example, our officials have uttered some tart remarks with regard to Japan's apathy toward the Viet Nam war and its warm behavior toward the Red Empire. Encouraged by our action, Japan, too, is on the road to signing a consular agreement with the USSR.[44] If in short time it judges the USSR to be a far greater threat to the Free World than Red China could possibly be in the next decade, it would have a self-legitimating basis for establishing similar and probably closer relations with Peiping.

X. THE BALTIC DILEMMA

A final reason for non-ratification bears on the Baltic dilemma to which the treaty exposes us. This reason is logically a derivative of the second reason we considered, as well as being based on an act of U.S. policy. The United States does not recognize the forced incorporation of Lithuania, Estonia, and Latvia in the USSR. Yet despite the silent treatment proferred by the State Department's legal counsel, any consular activity in these republics cannot but in practice and in time constitute de facto recognition.[45] With the allowable establishment of consular districts there, this condition would become crystal clear. At least Secretary Rusk admitted, "We do have a bit of a dilemma there, Senator." [46]

In conclusion, there are many dilemmas, contradictions, and risks posed by this consular convention. From Moscow's viewpoint, as an instrument of the Cold War it is fraught with innumerable advantages—imperial legitimacy, propaganda, legacies, political warfare penetrations, espionage and so forth. Our viewpoint is already so beclouded that many cannot see a real diplomatic alternative to this disadvantageous arrangement which would satisfy most of the reasons given for ratification of the convention, including the inadequacy of our embassy in Moscow, and yet realize a substantial net advantage.

Before alternatives can be examined, the treaty itself should be subjected to full, critical examination. This has not as yet been done. The question is a simple one: blind ratification or open public hearings?

QUALIFICATIONS FOR SUPREME COURT JUSTICES

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

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[37] "Top Soviet Intellectuals Castigate U.S. on Riots," *The Washington Post*, August 22, 1965.

[38] *Consular Convention With The Soviet Union*, p. 29.

[39] Edward J. Derwinski, "The Consular Treaty," *The Evening Star*, Washington, D.C., August 27, 1965.

[40] E.g. *Consular Convention With The Soviet Union*, p. 33.

[41] Lev E. Dobriansky, "Five Perspectives on East-West Trade," *East-West Trade*, Hearings, Part II, Senate Committee on Foreign Relations, 1965, pp. 94–104.

[42] *Consular Convention With The Soviet Union*, Minority Views, p. 4.

[43] *Consular Convention With The Soviet Union*, p. 23.

[44] "Japan, Russia Are Negotiating," *Reuters*, Moscow, June 10, 1965.

[45] *Consular Convention With The Soviet Union*, p. 26.

[46] Ibid. p. 25.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GURNEY. Mr. Speaker, every American has the right to expect that he will be represented and governed by the most qualified and responsible people that this great land has to offer. Through the legislation that I am introducing today, I seek to insure that our expectations do not end in disappointment.

The joint resolution that I propose calls for an amendment to the Constitution requiring that Supreme Court Justices have prior judicial experience, and further, that they be chosen from the best qualified of both political parties.

While the people elect both the President and the Congress, the courts are in the unique position of being appointed. Having faith in the President, the founders of this country trusted in his wisdom to chose astute and intelligent jurists. They left him relatively free to appoint as he saw fit.

It is a difficult task to steer a steady course in the name of justice. It requires minds free to prejudice, of varied backgrounds and viewpoints, and well disciplined in the workings of the law. It takes men of principle and conviction, but men who are also farsighted enough to see the potentials of new ideas. Although we cannot expect a man to be void of political belief, we can assure an objective court if there is a reasonable balance of viewpoints represented by its members.

The American people have a right to expect that the Justices who serve them on their Supreme Court be more than old political cronies who have never before served on the bench. We have in our lifetime seen the Court packed in favor of a particular political philosophy. It has been our misfortune to see Presidents who were not so wise and just as those envisioned by the framers of the Constitution.

Under the language of the amendment I propose, a Justice must have had at least 2 years of service on a Federal or highest State appellate court, or 4 years on a Federal district court. In addition, appointments must be made in such a way as to maintain a balance of political affiliation. No party should have a majority of more than one Justice. This would give us a court with a 5-to-4 split.

Although this will not guarantee that the President will choose the wisest men possible, it will at least require, by law, that he meet certain essential criteria.

I am hopeful that the Congress and the American people will join in support of this measure to strengthen our federal system by assuring that the Court will not become a political tool.

NATIONAL CARIH ASTHMA WEEK

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Brotzman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, today I have introduced a joint resolution authorizing and requesting the President to issue a proclamation designating the week beginning May 1, 1967, as National CARIH Asthma Week, inviting the Governors of the States, and territories of the United States to issue proclamations for like purposes and recognizing the outstanding contributions being made in asthma treatment, care, and research by the Children's Asthma Research Institute and Hospital—CARIH—which is located in Denver, Colo.

The Children's Asthma Research Institute and Hospital—CARIH—is the only institution in the United States carrying on a combined program of clinical care and research in the field of allergenic diseases, of which asthma is the most severe. Only children with intractable asthma are eligible for the free care and treatment offered at CARIH. Selection of applicants is based on the severity of the disease and a number of other factors, including need.

The research center at CARIH is attempting to solve many of the still unanswered questions surrounding asthma and allergenic diseases. It is carrying on a basic research program exclusively devoted to asthma. Nearly five and a half million Americans suffer from asthma. The answer to their suffering may be found at CARIH.

The fine work carried on by CARIH deserves our strongest support and encouragement.

PROPOSAL TO EASE REQUIREMENTS FOR PENSIONS FOR WIDOWS OF VETERANS OF THE CIVIL WAR

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Goodell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GOODELL. Mr. Speaker, I am today proposing legislation which would ease the requirements for a pension for widows of veterans of the Civil War.

It may come as a surprise to many to learn that there are a number of these widows yet with us. As of the end of September 1966, more than a thousand in the United States were receiving pensions. There are others who are not eligible because they did not marry the veteran prior to June 27, 1905, or were married for less than 5 years.

Under my bill, Mr. Speaker, the date requirement would be removed and the 5-year period would be reduced to 3.

It is my hope that we can help these ladies with this legislation.

PROPOSED HOUSE SELECT COMMITTEE ON EXPORT CONTROL

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Denney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DENNEY. Mr. Speaker, today I am introducing a resolution to establish a House Select Committee on Export Control. This resolution is a companion to House Resolution 67, previously introduced by my distinguished colleague the gentleman from California [Mr. Lipscomb]. I commend for reading to all the Members his well-documented remarks as set forth in the January 17, 1967 Congressional Record. Even a cursory reading of his remarks cannot help but cause any thoughtful Member to pause and consider our Nation's current policies on trading with Communist countries.

Although I am in favor of improving communications and cultural exchanges with Communist nations, I fail to see how the enhancement of the Soviet Union's warmaking potential by aid to that country and its satellites would decrease world tensions. Even if we were assured that the Fiat automobile plant that is being sponsored by the Export Bank would be used for peaceful purposes, which we are not, the net effect of this transaction and others is to provide additional capital to Communist countries for arms and munitions to be used against American fighting men in Vietnam.

Based on the foregoing, Mr. Speaker, the need for the speedy implementation of this resolution is self-evident. If the Members of this body are true to the oath we all took on the opening day of this session, then I submit that expeditious action on this resolution should and must be taken.

FOR THE RELIEF OF THEODOR AVITAHL

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am today introducing a private bill for the relief of Mr. Theodor Avitahl, conductor for the Philharmonic Society of St. Louis, Mo.

Mr. Avitahl, a native of Rumania, became a stateless United Nations refugee in 1961. He then spent a year in Belgium and then came to the United States on April 23, 1962, with a parolee-refugee visa. When Mrs. Avitahl came to the United States the latter part of 1963 as a permanent resident, she requested an adjustment in status for her husband. However, since this adjustment was March 2, 1964, he is not eligible for naturalization until March 2, 1969.

In order to supplement his income as conductor for the Philharmonic Society of St. Louis, Mr. Avitahl has accepted guest conductor engagements in Europe.

However, he would like—and in many countries feels the need for—the protection of an American citizen's passport. He would indeed be an excellent representative abroad for this country and I respectfully submit this bill for the consideration of the Committee on the Judiciary.

THE IRONY OF UNEMPLOYMENT: MANY CAN'T FIND WORK, WHILE JOBS GO BEGGING

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, at a time when we must hold Government spending down, and some call for cuts in the "war on poverty," it is important to note that there is a relatively inexpensive way the Government can assist in the total effort of the society to reduce unemployment and alleviate economic hardship. I am speaking specifically of a program to gather statistics across the country on job vacancies. The rationale for such an approach to unemployment and poverty is simple: if we can identify the need for manpower by skill or profession, and by area, we can find workers to fit the vacant jobs or, alternatively, train them to qualify for such employment.

As old as this idea is, and as appropriate to our present inflationary predicament, the administration continues to drag its feet. Despite the fact that the 1962 Manpower Development and Training Act called upon the Secretary of Labor to develop a system of job vacancy statistics, little progress has been made beyond the experimental stage. Although private organizations, such as the National Industrial Conference Board, have had encouraging success developing job vacancy data, the Federal Government has hardly got its project off the ground.

The importance of collecting job vacancy statistics has been recognized by the Subcommittee on Economic Statistics of the Joint Economic Committee. In a unanimous subcommittee report released last June the subcommittee recommended that "the program of regular collection of vacancy data proceed as rapidly as possible." The subcommittee added, "it is time to expand the program further."

An article in the September 1966 Nation's Business is a good explanation of where we now stand in this area and why more should be expected than has been so far produced. Under unanimous consent I place the article in the RECORD at this point:

AMERICA'S POOR: WHERE THEY CAN GET JOBS

We could virtually eliminate unemployment in America.

But politicians and union leaders are keeping the unemployed from filling hundreds of thousands of jobs which you and other employers have open.

The policies of this political-union coalition, in fact, have helped create a costly new leisure class of nonworkers.

The federal government, in statutes and statistics, focuses its concern on the nation's unemployed. But repeatedly over many years, Washington policy makers have shunted aside the idea of gathering data concerning job vacancies.

The whole issue is especially important today when jobs of all kinds are going begging all over the country. Instead of launching a massive program to collect, analyze and make available to the unemployed information on job openings, organized labor and some Administration officials still wring their hands over the "millions of unemployed" who can't find jobs and who must be supported with antipoverty subsidies.

Certainly there are many unfortunate persons in America today who have no job skills or education and are discouraged and handicapped. However, many Americans are jobless not only because they don't know what jobs are open but because they have heard over and over again from their government that they are among the unemployed, the "disadvantaged." They feel permanently assigned to that tragic leisure class.

Once a month the Bureau of Labor Statistics holds a press conference at which it releases data on employment and unemployment. No data concerning job vacancies are released.

The AFL–CIO doesn't want any mention of job openings and apparently neither does the Democratic leadership in Washington.

To examine this large and almost unbelievable situation, you have to step back for a full view.

It's well known that most Americans, even unskilled unemployed, in large numbers have declined to accept stoop-labor jobs in agriculture.

Much more complicated is voluntary joblessness in the nonfarm area of the work force. How many jobs stand open today? We cannot be sure. The U.S. Employment Service admits there are 1.3 million openings, and says that this figure is about 30 per cent of the total. Private job-finding agencies would add many more to the list of vacancies, and still more openings are not listed at all. Congressman Tom Curtis of Missouri, who has studied the subject, estimates that whenever there are 3 million unemployed in the U.S., there are probably 3.5 million jobs that could more than absorb the unemployed.

No knowledgeable economist would pretend that there is a job vacancy for every potential job applicant. But a favorable job market does exist.

So does the opportunity for all but eliminating the specter of unemployment in America, along with the fears and accusations that free enterprise doesn't provide enough livelihoods.

Our national policy, in good times and bad, is to have a full employment economy. In 1956, which was a good time, Chairman Arthur Burns of the Council of Economic Advisers urged the Bureau of Labor Statistics to find out whether companies kept records on their job needs. The Labor Department was immediately aware of hostility from the AFL–CIO and the United Auto Workers, which want all attention placed on unemployment, not job opportunities. The Department did not extend the inquiry.

But President Kennedy in 1961 was curious enough to appoint a committee under Professor Robert A. Gordon of the University of California to look into the feasibility of open-job statistics. Gordon reported back a year later that the demand for such data was "frequently voiced" and indicated that valid information could be obtained.

But the foot-dragging continued under Labor Secretary Goldberg, formerly a labor union attorney. In fiscal 1963–64, the Labor Department contented itself with studying only foreign experiences in the collection of job vacancy data. Amid this atmosphere of official do-nothing, in June, 1964, the National Industrial Conference Board obtained a Ford Foundation grant and went to work on a survey of Monroe County (Rochester), N.Y. Pressed by this solo example, Secretary Wirtz, in August, ordered his long-delayed troops into action.

The NICB sampling covered 400 employers in the period of February to August, 1965, and produced some arresting results. The job-vacancy rate at three percent was higher than the unemployment rate at 2.7 percent, and 8,000 jobs were open.

Over half were open to persons with no related work experience, though 12 years of schooling was desirable. From 36 to 45 percent of the jobs, however, were available to persons without a high school diploma, and from 16 to 22 percent did not require either the diploma or experience. Astonishingly, 27 percent had been open for three months and 12 percent for six months.

Moreover, the public response to this sort of probing was highly affirmative.

One third of the companies felt the information was directly useful to them; 72 percent felt it was valuable to the community. And the community, through its schools and other civic organizations, "stated emphatically" that job vacancy data would help carry out the local programs, the report found.

What about the opposition? Congressman CURTIS, who has been pushing the project for years, says that it has been balked by two closely related vested interests. One is a combination of labor bosses and urban political bosses. The other is a hard-core liberal "experiment" group who believe that Government action is the only means of assuring full employment.

The labor bosses like to keep public attention focused on unemployment figures. Any notion that jobs are lying around loose would be bad for their membership drives, and might force the craft unions to instigate more apprenticeship programs. The political bosses need the Federal welfare programs for the unemployed as a form of patronage.

The liberal intellectuals, typified by Americans for Democratic Action, are the expansionists. They argue that unemployment should be attacked by continuously raising the Federal investment, so that it will create more money and more demand for goods and services. The expansionists regard inflation as a necessary evil in job-making. They are opposed by those who favor painstaking and continuous research to find where the economy is hurting and to apply an appropriate remedy.

Rep. Curtis put Walter Reuther, Secretary Wirtz and R. Sargent Shriver, the poverty war czar, in the expansionist category. He charges: "They don't really want to succeed at job-finding because it would kill all their arguments. Shriver and company have been no help to all in trying to find where the jobs are. If they'd analyze the situation that exists today, they'd see that it's impossible to conduct a war on unemployment without collecting the intelligence and making use of it."

Pending legislation, the Manpower Services Act of 1966, tells the Labor Department to:

Scour the nation to locate job openings and relay this information to job seekers.

Make it easier for the unemployed to go to other areas, or other states, where work awaits them.

Actually, this authority is not all brand new. Congressman Curtis points out:

"The 1962 Manpower Development and Training Act called upon the Secretary of Labor to develop a system of job vacancy statistics.

"In 1966, four years later, I asked the Secretary of Labor where these statistics were. He responded that Congress had not yet appropriated the $2.5 million necessary to get this data.

"I asked him then, and I still wonder, why an Administration that spends $110 billion a year is unwilling to spend $2.5 million in this vitally important area."

Rep. Curtis rattles off many examples where private enterprise (including a few unions) has taken opportune note of job vacancies.

A few years ago the Pacific Bell Telephone Co., in automating from operators to dial, set up training for soon-to-be-displaced girls. Several airplane companies, forced into cancellation of government contracts, have entered into arrangements with other firms for the location of jobs. Rep. Curtis feels that the government could work out an effective job location system if it would publish a running index on job vacancies.

Instead, he maintains, government keeps getting in the way of persons who do seek jobs.

The Labor Department dallied 16 years (1949–65) in bringing out a new edition of the Dictionary of Occupational Titles, although the needs for specific skills are constantly changing.

Rep. Curtis has a bill that would grant deductions to job hunters and job changers, thereby encouraging a needed unemployment remedy—mobility of workers. He has proposed a loose-leaf edition of the Dictionary of Occupational Titles to record instantly changes in skill demands.

The limited statistics available from private and local sources bear out the need for mobility. Vacancies are reported at every skill level, but these vary from area to area.

Some months ago, for example, Charlestown, W. Va., and Providence, R.I., had unmatching problems. In Charlestown, 50 per cent of the vacancies were for professional-managerial workers and only five per cent for semiskilled workers. In Providence, the reverse was roughly true. About half the open jobs were for semiskilled, and five per cent for professional-managerial personnel.

A national clearinghouse for this information could have helped to transfer nonworkers between these cities.

Belatedly the government has undertaken some mobility projects under the Manpower Development and Training Act of 1962. Last year some 1,200 workers and their families were moved where the jobs were. But in the Department report which discussed the success of mobility, Secretary Wirtz complains that "up till now, information of comparable detail about job vacancies has not been available. . . . With information about both job vacancies and job seekers, the Department of Labor could serve more effectively. . . ."

What goes on here, anyhow? The supposed friends of the workingman squabble while Americans sit around and jobs go begging. And why aren't these job opportunities made known to the public? Help-wanted ads in daily newspapers are there to read. The U.S. Employment Service has offices in all the big cities.

Certainly it can be no secret in California that field work could take up most of the unemployment in the Watts district, and the existence of 8,000 relatively easy-to-get jobs in Rochester must have been known to some people.

The Labor Department recently conducted an opinion survey among its job trainees and found this amazingly frank revelation:

"When asked to comment on the unemployment problem, more trainees blamed unemployment on unwillingness to work than on the lack of jobs, bad luck or discrimination."

That candid admission throws much light on the motivation of many nonworkers. Americans do not seek jobs they consider disagreeable or stigmatized as socially undesirable.

The Labor Department, in a survey of 16 labor areas covering 20 per cent of the nation's employment, discovered that about half the openings for semiskilled workers had been vacant for at least a month. These were hard-work openings in transportation equipment, warehousing and construction. More than half of the unskilled jobs went unclaimed for a month. These were service jobs, such as waitresses, kitchen workers, porters, hospital attendants.

Why aren't Americans more skeptical about the buildup of a mammoth anti-poverty program in times of prosperity? Why do we permit welfare-squatting and other outrages against the public purse? If there is any excuse for voluntary unemployment, it is at least partially ignorance. If any large number of people, over a long period of time, are unaware of the work opportunities, it is because public officials have apparently suppressed job information.

A once-a-month revelation of work opportunities, spread as it would be in the newspapers and over the airways, would either abolish most joblessness or expose it to public scrutiny.

Sen. William Proxmire (D., Wis.), a comember with Rep. Curtis on the Joint Congressional Economic Committee, has noted that his subcommittee's interest in data on job vacancies goes back nearly five years. In a report on "Employment and Unemployment" of January, 1962, the unit said:

"Research should be undertaken toward development of a regular monthly survey of job opportunities or vacancies. . . ."

The Labor Department finally did begin making a survey of job vacancies on a limited basis "to get some experience and insight" as the project is explained by Irvin Wingeard, special advisor on job vacancy statistics with the Bureau of Labor Statistics. The department now is seeking $2.5 million to expand the meager operation.

But the unions so far have managed to block the job vacancy index by cutting off its funds. When the request for $2.5 million to continue the survey reached the House Appropriations subcommittee, Rep. John Fogarty (D., R.I.), a former bricklayer, apparently talked his fellow Democrats into killing it. The Democrats, bolstered by information that President Johnson reportedly approved their move, voted to strike down the fund.

Someday, perhaps, we will be able to compile this valuable information. Then voluntary unemployment will have less excuse to exist.—Holmes Alexander.

FOR THE RELIEF OF JAMES M. YATES

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am again introducing a private bill for the relief of James M. Yates, a former officer in the U.S. Army.

The occasion for the introduction of this legislation is the alleged overpayment of Mr. Yates by the Department of the Army during his second and third years of training in the Reserve Officers' Training Corps while Mr. Yates attended Washington University as a graduate student. The Army maintains that when the sophomore and junior years of ROTC training are compressed the student shall be considered as only a second year student and therefore not eligible for commutation of expenses as if he were considered to be a third-year student. After his second year of training without payment, the student advances to the fourth year, where he is eligible for such commutation of expenses.

The first point for consideration is that Mr. Yates was neither a sophomore nor a junior, but was in fact a graduate student in a program of 3, rather than 4, years. Second, Mr. Yates indicated that there was no reduction in ROTC class time or assignments as a result of this so-called compression. Third, the Army has since changed the regulations—AR 145–350, section 31—so that the regulations regarding "compression" are no longer worded in terms of junior and senior years, and so forth, but rather in terms of the "period of concurrent training." This change went into effect on May 15, 1963, and does not affect Mr. Yates who at the time of his "compression" was under the previous provisions in terms of junior, senior years, and so forth.

The amount paid to Mr. Yates during the period of his "compression" was $238.50. The Army withheld $39.75 per month from Mr. Yates' monthly salary of $222.40 as a second lieutenant. I am now introducing legislation to relieve Mr. Yates of this alleged indebtedness of $238.50 to the Department of the Army, and to have the Army return any sums which may have been deducted from Mr. Yates' monthly salary.

PARTICIPATION SALES AND THE BUDGET DEFICIT

Mr. ERLENBORN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mrs. DWYER. Mr. Speaker, it is becoming increasingly clear that one of the major issues to be resolved by the 90th Congress will be the administration's continued use of "participation certificates" under the Participation Sales Act of 1966 as a means of financing more and more of its programs without direct recourse to the Treasury and outside normal budgetary controls.

Ever since it was railroaded through the Congress in the spring of last year, my minority colleagues on the Banking and Currency Committee and I have continued to express the opposition we first exerted during our committee's too-brief consideration of the legislation. We have warned that the sale of participation certificates was driving up interest rates and drying up scarce capital. And our fears were confirmed when these very conditions forced the President last fall to suspend temporarily the sale of these certificates.

Regrettably, the President has reversed this wise decision. And, speaking for Republican Members of the House, our distinguished minority leader [Mr. FORD] has reiterated the minority's strong opposition to the Participation Sales Act and has demanded its repeal, a demand in which I join wholeheartedly.

With the submission today of the President's proposed budget for fiscal 1968, the significance of the budgetary juggling in which the administration is engaging is once again apparent. By planning to sell $5 billion worth of participation certificates in fiscal 1968, the President is enabled to show an estimated administrative budget deficit of $8.1 billion instead of the more accurate estimate of $13.1 billion and a cash deficit of $4.3 billion instead of the more realistic $9.3 billion.

The effects of this deception are nearly all harmful, Mr. Speaker. In addition to its impact on interest rates and capital markets, the sale of participation certificates tends to mislead the Congress and the public about real trends in Government spending, limits the effectiveness of normal budgetary controls, and results in a significantly higher cost of financing Government operations.

In anticipation of congressional action in this area, Mr. Speaker, I include as a part of my remarks one of the most comprehensive and convincing assessments of the participation certificate device which I have seen, and I earnestly recommend it to our colleagues. The article was published in the October 1966 issue of the Morgan Guaranty Survey.

WHAT FUTURE FOR FEDERAL AGENCY PC'S?

In the brief span of just 34 days last spring (from April 20 to May 23), the Participation Sales Act of 1966 went through the full cycle of Presidential recommendation, Congressional action, and Presidential signature into law. As enacted, this measure authorized six federal credit agencies to sell private investors a multi-billion dollar total of "participation certificates"—debt instruments that enable agencies to reduce their dependence on U.S. Treasury funds and that give a purchaser a "beneficial interest" in an earmarked pool of agency assets, such as a grouping of mortgages or loans.

The six agencies made eligible to participate in the PC program were: the Small Business Administration, the Department of Housing and Urban Development (including the Federal National Mortgage Association), the Veterans Administration, the Export-Import Bank, the Farmers Home Administration (only for land acquisition loans, rural housing loans, and crop production loans), and the Office of Education (only for loans made for the construction of academic facilities).

The Administration had initially proposed that all federal agencies be authorized to participate. Congress, however, narrowed the coverage, thereby excluding the possibility—at least for the present—of having PC's sold, for example, against the government's large portfolios of foreign-aid loans and farm price-support loans.

The speed with which the law was completed was remarkable even if full allowance is made for the fact that in the years from 1962 through 1965 there had been considerable experimentation with sales of participation certificates by both the Export-Import Bank and federal housing agencies. The 1966 proposal was much broader in scope than previous authorizing legislation of this kind. It also involved much larger sums of money potentially. And it came at a time when the nation's capital markets were in radically different condition than in the earlier years of experimentation.

Under these circumstances, the ordinary expectation would have been for extended deliberation and debate. This was especially true because of a suspicion in many quarters that the principal motivation behind the Administration's desire to step up the scale of participation sales was grounded in the purely statistical effect of such sales in reducing the reported size of the administrative budget deficit. Last January's official projection of the fiscal 1967 budget deficit was $1.8 billion. But had it not been for the inclusion of planned PC sales in the calculation, the figure would have been $6 billion. The difference comes about because under long-standing accounting procedures the proceeds of agency flotations in capital markets are offset against agency drawings from the Treasury and thus have the consequence of reducing the reported total of agency budget expenditures.

That the measure sailed through both the House and the Senate with the speed that it did despite such considerations appears to be testimony primarily to the Administration's skill in winning the advance cooperation of key Congressional leaders. The House Banking and Currency Committee, for example, over the strenuous objections of minority members, conducted a total of only three hours of public hearings on the proposal (on the day immediately after the Administration sent its formal proposal to Capitol Hill) and listened to no opposition witnesses.

Frustrated though a number of critics were last spring, they now have had the satisfaction of seeing the Administration declare a temporary moratorium on federal agency flotations of the kind authorized by the Participation Sales Act of 1966. The call-off, announced by President Johnson on September 8, was a direct response to the mounting evidence that the PC technique was contributing in a major way to price weakness for debt issues generally. Sales of such certificates had totaled $1.7 billion during the first half of 1966 and were scheduled at $4.2 billion for the fiscal year which began July 1. Such a volume of actual and prospective flotations by federal agencies, involving a type of debt instrument relatively new to many investors, was bound to be a major depressant in capital markets—especially so in the context of exceptionally heavy borrowing by others.

The moratorium declared by the President on September 8, however, clearly does not signal a permanent end of agency financing via the PC route. Rather, Administration spokesmen have made plain that sales of PC's will be resumed as soon as capital market conditions are more propitious. Officials in fact are now at work trying to figure out ways to improve the design and marketability of such instruments so as to smooth their market impact and reduce their interest cost when sales begin again.

A TIME FOR REASSESSMENT

The question of whether PC's are a sensible and prudent means of helping to finance the activities of federal credit agencies is thus very much alive. And the period of their dormancy provides a good opportunity for a less hurried look at both their rationale and their budgetary implications than was possible when the authorizing legislation was rushed through Congress last spring.

Basic to an understanding of the issues involved is an appreciation of the working of federal credit programs. These, of course, have assumed very large dimensions in the postwar period, reflecting an enormous expansion of both the federal government's loan insurance and loan guarantee activities and its direct lending programs. As of June 30, 1965, private loans insured or guaranteed by federal agencies stood at more than $91 billion, while direct federal loans outstanding amounted to about $33 billion, exclusive of loans made by federal trust funds, mixed ownership enterprises, and other public agencies operating in whole or in part with private money. The credit activities of these latter agencies (examples being the Federal Land Banks, the Federal Intermediate Credit Banks, the Federal Home Loan Banks, and the Federal Reserve Banks) are typically excluded from direct loan totals because these bodies operate outside the administrative budget framework and ordinarily do not receive funds from the U.S. Treasury. One of the largest and most important agencies in the federal credit field—the Federal National Mortgage Association—does not fit neatly into any single category, since some of its programs involve the use of Treasury funds and some are financed by the sale of notes, debentures, and stock to private investors. In making up the $33-billion total of direct government loans, only those Fanny Mae loans made with Treasury funds were included.

The government's role as insurer and guarantor, although of tremendous economic importance (particularly in the area of housing), has had minimal impact historically on the federal budget. This, of course, is because the funds received by borrowers are extended by private lenders, with the government's role essentially that of a catalyst. The only budget costs arising from these activities are restricted to administrative expenses and to excesses of realized losses over insurance and guarantee fees.

By contrast, direct lending by federal credit agencies (other than the quasi-public bodies referred to above) can have a significant impact on the budget. How big that effect is in any particular fiscal year depends on the extent to which agencies draw on the U.S. Treasury in order to finance their loan operations. Typcally the budget impact is likely to be less than the total of new loans extended, since a flow of repayments to agencies from loans made in prior years will be available for relending. Agencies also can make outright sales of portions of their loan portfolios to private parties, thus further supplementing their total of operating funds.

BUDGETARY BLUR

The opportunity which federal credit agencies have to finance some portion of their activities from non-Treasury sources complicates evaluation of over-all budget trends. This can be so even if the volume of new lending activity remains relatively stable from year to year. Confusion can be introduced simply if federal agencies collectively vary their financing mix as between Treasury and non-Treasury sources. If, for example, after several years of substantial reliance on self-financing by means of the sale of assets and the use of loan repayments, federal credit agencies suddenly shift to major reliance on the Treasury as a source of funds, the effect will be to push up the budget's expenditure total. Conversely, a sudden increase in the proportion of loans which are self-financed will result in a downward push on budget expenditures. Neither of these occurrences will necessarily be of much significance in terms of government's over-all spending and lending impact on the economy. But that fact is not generally appreciated. It is quite likely that the average citizen, whose knowledge of budgetary trends comes chiefly from general news coverage of simple budget totals, will often gain an erroneous impression as to the economic impact of the government's financial operations.

It is obvious that the PC technique has added significantly to the possibility of confusion—and on a major scale, since of the

$33-billion total of direct loans that were outstanding on June 30, 1965, approximately one-third were in the portfolios of agencies presently eligible to participate in the PC program. The PC technique represents a further means by which agencies can acquire funds without going to the Treasury, one which is free of some of the important limitations that attach to present methods of self-finance.

Except in the case of federal housing agencies, attempts to sell private investors individual loans held in agency portfolios have not been notably successful in the past for two principal reasons. Agencies, first of all, have faced a formidable marketing problem in seeking out buyers who would have an interest in the specific terms (maturity dates, paydown rates, and so on) associated with a particular loan. More importantly, the very fact that many of the direct loans made by federal agencies fall short of meeting customary standards of creditworthiness has caused private buyers to be relatively disinterested in them.

The PC device, which doesn't involve the sale of assets as such but only a "beneficial interest" in them, suffers from neither of these handicaps. The marketing problem is easier because there is no comparable need to match buyer preferences as to terms with thousands and thousands of dissimilar loans in agency portfolios. Participation certificates in effect standardize the differences among the individual items in a pool of assets, since the terms on which PC's are offered are not in any significant way conditioned or limited by the terms attached to the underlying loans. This standardization obviates the need for individual negotiations with potential buyers and instead opens up the possibility of mass distribution via the established underwriter-dealer facilities of capital markets.

HOW PC'S ARE BACKED

Moreover, the quality of the loans in any particular pool—something that would be crucially important if the loans as such were being sold—is not of practical importance to the buyer of the PC. This is because the "timely" payment of every participation certificate's principal and interest is guaranteed by the Federal National Mortgage Association, which has been designated by law as trustee in the sale of all PC's. And Fanny Mae does not have to rely on its own resources in making good on this guarantee, since under law it in turn can borrow—and indeed has pledged that it will borrow—from the U.S. Treasury to effect timely payment of either principal or interest if that should become necessary. The Attorney General of the United States has in fact formally stated that Fanny Mae's guarantee of a PC "brings into being a general obligation of the United States backed by its full faith and credit." PC holders, according to the Attorney General, are in a position to reach beyond the assets of Fanny Mae to the United States for payment, if necessary. The Participation Sales Act of 1966 specifically anticipates that the Treasury will ordinarily have to subsidize interest payments to holders of those PC's that are issued against pools of low-interest rate loans.

An alternative to increasing agency self-finance by the PC route would have been for the Administration to have requested Congress to grant a range of federal agencies authority to sell notes or debentures in capital markets in the same way that quasi-public credit institutions now do. Getting Congress to grant issuing authority where none exists, however, probably would have been a far more difficult and cumbersome procedure than was the achievement of more generalized borrowing authority in PC form. Moreover, even if Congress had acted case-by-case, formidable marketing problems would in all likelihood have been encountered by agencies such as the Office of Education that have had no previous borrowing experience. The problem of achieving investor familiarity and receptivity would have been more serious than in the case of PC's, which—despite their relative novelty—gain some stature with investors from the fact that they are marketed through Fanny Mae, an agency that has had considerable exposure in capital markets. The decision to channel all PC offerings through Fanny Mae also avoids the marketing disorder that might arise if a variety of federal agencies all tried to step up their offerings without a coordinated sales effort.

All these factors emphasize that the PC device—particularly because of the full faith and credit consideration—is a powerful new tool for enabling agencies to achieve a degree of self-finance that has not been possible in the past. Actually, individual agencies have the potential for taking in more funds from PC sales in particular years than they utilize in loan extensions. Such excesses would be employed to pay off previously incurred agency indebtedness to the Treasury, thus creating a situation in which the agency was helping to finance the Treasury rather than vice versa, as is usual. These things mean that, whenever PC sales are being made in appreciable volume, the task of evaluating trends in the regular administrative budget will be even more difficult than in the past. The fact that projected PC sales made a difference of $4.2 billion in the original estimates of the fiscal 1967 budget deficit emphasizes the leeway that exists for misinterpretation. Indeed, a good many critics have charged that in reality the PC device is nothing more than a gimmick by which officials can manipulate the budget deficit to make it seem smaller than it actually is.

THE PRIVATE-CREDIT RATIONALE

Administration spokesmen sharply deny the validity of this contention and assert instead that the motivation for PC sales is of entirely different nature. Essentially, they justify the new technique with a claim that they are seeking to substitute private credit for public credit in the financing of the federal government's lending activities. Under Secretary of the Treasury Joseph W. Barr and Budget Director Charles L. Schultze, who spearheaded the Administration drive in Congress for the PC legislation, both emphasized over and over again that the government should be an "intermediary" that extends credit to worthy borrowers that can not find accommodation in normal channels but that then disposes of its loans as quickly as possible. The government, they argued, should not function as a "bank," which progressively builds its loan portfolio to a higher and higher level.

In their Congressional testimony, the two officials repeatedly sought to trace the lineage of PC's back to the 1961 Report of the Commission on Money and Credit and to the 1963 Report of President Kennedy's Committee on Federal Credit Programs, chaired by former Treasury Secretary Douglas Dillon. Both of these studies argued that the role of public credit in the economy should be primarily residual (geared chiefly to filling "gaps" in the private credit structure) and that in the main federal credit aids should be designed to encourage and supplement private lending activities rather than to substitute for them. And going back even further in time, the Under Secretary and the Budget Director sought to portray the sale of PC's essentially as an extension of the Eisenhower Administration's emphasis on the desirability of selling financial assets, such as mortgages, whenever this could be done at reasonable prices. Indeed, President Johnson in transmitting his PC recommendations to Congress in April contended that he was building not only on the CMC and Dillon Committee reports but also "on the outstanding work" of General Eisenhower's Administration.

Despite this elaborate effort to outfit PC's in orthodox garb, the notion that they really constitute a means of substituting private for public credit becomes exceedingly fuzzy and tenuous when scrutinized at all closely. Whereas the Eisenhower Administration placed emphasis primarily on the sale of financial assets themselves—something that where successful involved an actual transfer of assets to a private buyer—the sale of PC's gives a buyer only a beneficial interest in a grouping of assets. And this distinction is crucial. Legal title to the items in a PC pool remains with the government—specifically with Fannie Mae as trustee—and the originating agency, meanwhile, retains custody of the loans and continues to service them. The total of loans outstanding on the books of federal credit agencies is precisely the same before and after a sale of PC's. The "banking" role of the government in extending and holding loans is in no meaningful way changed. Instead of being sold to private parties, the assets themselves serve essentially as collateral for the PC's. And the importance of even this function can be questioned, since in practical terms the safety of the PC's from the standpoint of the person buying them depends principally on Fannie Mae's guarantee as to the timely payment of principal and interest and on their ultimate backing by the Treasury. What is being sold, therefore, is in realty the credit of the United States.

Presumably no one would seriously contend that a loan extended by a federal credit agency to, say, a small business involved private credit if the funds used had originated with the sale of a Treasury bond to a private investor. Instead, agreement would be general that the lending activity was being carried on with public funds. And precisely the same thing is true if, alternatively, the funds employed originate with the sale of PC's. All the money used by government and its agencies, whether it is tax money or borrowed money, has to originate privately, but that in itself provides no basis for alleging that governmental activities are in any significant sense private activities.

FAULTY TRANSLATION

The point that was made by both the CMC and Dillon Committee reports about the desirability of substituting private for public credit has somehow become twisted in translation. Basically, those documents asserted that, wherever feasible, ultimate borrowers should be accommodated by private credit facilities and that governmental credit aids should be withdrawn or scaled down in areas where impediments to private lending activity eventually disappear. Emphasis was placed in both reports on the "seasoning" role of federal credit aids in producing an evolution in various areas toward conditions where private lending activity, once infeasible, becomes practical. The PC technique, however, has no relevance to any of these considerations. It holds no promise whatever of increasing the appetite of private lenders for loans of the kinds that government agencies typically make.

Stripped of the private-credit rationale, the case for selling PC's—as compared with the alternative of selling ordinary Treasury obligations—becomes very weak. This is particularly so because of the way in which PC sales distort the administrative budget and also because of the fact that they entail interest costs to the government and in turn to taxpayers that are higher than those that would be incurred if Treasury issues were sold. Currently, outstanding PC's are typically changing hands in markets at yields about 50 basis points higher than is true in the case of regular government obligations of the same maturity. This, however, undoubtedly overstates somewhat the "normal" yield spread, since the supply of longer-term Treasury obligations has been kept artificially low by the legal prohibition against selling new Treasury issues at an interest rate above 4¼%. A true "normal" probably would be closer to 25 basis points—a figure that Administration spokesmen think can be approached as buyers become more familiar with PC's and as they come to appreciate the strength of the guarantee behind them. In figuring the added cost to government entailed in the issuance of PC's, it needs to be appreciated that any interest-rate differential between PC's and Treasuries is cumulative, that is, it is incurred not just in the year of issue but is repeated year after year as long as the PC's are outstanding. If federal credit agencies for example, succeeded in building up PC's outstanding to, say, the $10-billion level, the added cost to government over the period of a decade would be $250 million, if calculations are made using 25 basis points as the differential There would also be some underwriting costs which are not present in regular Treasury financing. In an era of inflated budgets, the extra expenses involved in PC sales may seem trifling. Nevertheless, it is a sound rule to insist that no cost be undertaken, however small, unless it can be shown to have a meaningful purpose.

And there are two additional reasons for questioning the advisability of issuing PC's. The very attractive yields that investors have been able to realize in acquiring them during the past year have unquestionably contributed to the reduction in the flow of savings through customary channels. Some savings that normally would have gone into mutual savings banks and savings and loan associations have gone instead to government, and, indeed, financial institutions themselves have bought significant amounts of PC's, utilizing funds that might otherwise have been available, say, to finance housing activity. Thus, ironically, Fanny Mae—which exists primarily to strengthen mortgage markets—has in its capacity as the marketer of PC's contributed to the serious strains that have developed in housing over the past year.

Another worrisome aspect of PC financing is that it may tend to make it easier for government credit agencies to expand lending programs, irrespective of their basic merit. This could be so, for example, if the private-credit justification gained acceptance in Congress, for in that circumstance there would be a tendency for the legislators to measure the scale of a particular agency's activities not by total loans outstanding but rather by total loans minus PC's. Fortunately, at the request of minority members of the House Banking and Currency Committee, the Administration's original draft of the enabling legislation was amended to require that all PC offerings gain the prior approval of Congressional appropriations committees. This was the minority's major accomplishment in Congress' deliberations, and potentially it provides the machinery for effective Congressional limitation on PC activity and, in turn, on a major source of funds to lending agencies. How well that machinery works, however, will depend in part on whether the members of the appropriations committees perceive the illogic of the private-credit rationale.

Despite the many points that can be scored against the PC device, there remains one possible justification for its use. It does provide the government with a way around the arbitrary interest-rate limit of 4¼% that Congress long ago placed on regular Treasury issues of more than five years' maturity. To the extent that debt-management considerations point to the desirability of lodging some portion of government's new borrowing in the long-term area, PC's can perhaps be viewed as an expedient made necessary by Congressional intransigence. But this is no reason to close one's eyes to the additional costs that are involved nor to delude oneself that a way has been found to substitute private for public credit in the government's lending programs.

PROPOSED EXTENSION OF MEDICARE BENEFITS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. KING], is recognized for 5 minutes.

Mr. KING of California. Mr. Speaker, I was proud in 1965 to be the author of H.R. 1, which was the basis for medicare. It was a long fight. And after so many years I am very glad to see this landmark legislation has been put quickly into effective operation. Across the country, older Americans who once faced the prospect of being impoverished by illness are now having their hospital and medical bills paid. For them, life has become more secure; their retirement years happier and more dignified; they need no longer turn to charity or put undue strain upon their families.

I am very pleased to see that the President has now proposed to extend medicare benefits to those who receive social security disability payments.

The present medicare law extends coverage to persons 65 and over. Under the legislation proposed in the President's older Americans message, medicare benefits would be extended to another group in our population just as much in need of this health insurance protection as our Nation's elderly citizens. These are the almost one and a half million people who are receiving disability benefits under social security and who meet the present definition of disability in the social security law. These beneficiaries include 1.2 million disabled workers, 100,000 disabled widows, and 200,000 disabled adults most of whom have never worked because of a disability they have had since childhood. In more than 65 percent of the social security cases involving adults disabled since childhood—the sons or daughters of insured workers—the problem of mental deficiency is a major factor.

Like the aged, the seriously disabled have a higher than average need for health care. They are hospitalized frequently and, in many cases, their hospital stays are long. In addition, totally disabled people, like the elderly, have difficulty in obtaining private health insurance.

As was the case with many older people before medicare, the disabled person often has no alternative but to seek financial help with his medical expenses either from public welfare or from his children and relatives who are usually ill-prepared to meet these expenditures.

The logical answer to this situation is to extend medicare coverage to the disabled. By adding hospital and medical insurance to the monthly benefits these disability beneficiaries now receive from social security, the disabled person could have the assurance that his medical needs would be met without his having to become a burden on his family or the community.

It has also been suggested that medicare be broadened to include prescription drugs. The medicare law presently does not cover prescription drugs used by the patient outside a hospital or extended care facility.

One of the proposals the President has made in his older Americans message is that a study be undertaken of the feasibility of covering prescription drugs under medicare.

As we all realize, however, the costs of prescription drugs can take a disproportionate share of the low-income aged person's meager resources.

In 1965, the elderly are estimated to have spent close to a billion dollars on drugs and related items, of which at least $600 million was spent on prescription drugs.

There are many practical difficulties, however, in broadening medicare to cover prescription drugs. There are, as President Johnson has pointed out, the problems of cost, therapeutic equivalents, formularies, and other complex matters to be considered.

All of these questions need to be explored in greater depth, and for this reason, I urge that we give support to the President's proposal for a special study.

Finally, Mr. Speaker, I want to congratulate the President on recommending a meaningful increase in social security cash benefits.

Too often we forget that a great many of our older citizens live on small, fixed incomes, at levels which barely meet minimum standards of decency. I am therefore extremely pleased to see that the President has proposed to bring benefits more in line with present-day needs, and that he has proposed a large increase for those people at the low end of the benefit scale.

TRIBUTE TO WILLIS G. LIPSCOMB UPON RETIREMENT FROM PAN AMERICAN AIRWAYS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. HARDY] is recognized for 5 minutes.

Mr. HARDY. Mr. Speaker, I would like to call attention to 20 years of outstanding service which a distinguished Virginian, Willis G. Lipscomb, has just completed with his retirement from Pan American Airways as a senior vice president. Mr. Lipscomb became associated with Pan American in 1947, having worked prior to that with American Airlines and its predecessor companies and with the tobacco and coal industries. In his initial year with Pan-Am he was elected vice president in charge of traffic and sales. In 1960 he was elected to the board of directors and, in 1964 received the title of senior vice president of the company.

Virginia is proud of Mr. Lipscomb as a native son and I am proud to have been associated with him as a classmate at Randolph-Macon College. Willis Lipscomb's distinguished career in business was climaxed by his achievements in the field of aviation sales. He was a leading figure in commercial aviation for nearly four decades and pioneered the development of low fares for international travel. It was largely through his efforts that the low tourist fares and later, the still lower economy fares, were established.

I salute my friend Willis Lipscomb as a champion of the free enterprise system and for his accomplishments in the field of aviation.

SUPPORT FOR OUR TROOPS IN VIETNAM

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Oklahoma [Mr. ALBERT] is recognized for 10 minutes.

Mr. **ALBERT.** Mr. Speaker, this Chamber is—and God grant that it may always remain—a Chamber dedicated to free discussion, to frank debate, and where required, to vigorous dissent.

But there are some issues which are beyond partisanship, and on which this House stands agreed simply because we are all Americans.

Such an issue, indeed, the issue before all others, is the issue of this Nation's security.

That is our first concern in this Chamber. And that is our final concern.

For if we neglect the security of this Nation, what shall it matter what other goal we seek?

If that be true in time of peace, how much more true is it in time of war.

We are today at war, at war half a world away, in a torn and tortured land that seeks only sufficient freedom from subversion and aggression to stand securely on its own feet, and fashion its own future.

It is a war we did not seek, and a burden we do not find pleasant to bear.

But our troops stand today in South Vietnam because we have pledged our word to these beleaguered millions of citizens who have sought our assistance, and who depend in their hour of trial on our integrity in keeping that word.

The war is costly—as war always is. Costly in material. Costly in effort. But most of all, costly in casualties.

Indeed, it is beyond cost itself. For who can put a price on the limbs or lives of our young Americans who so valiantly risk both to carry out their duty?

That they are doing their duty with a degree of dedication unsurpassed in the entire military history of this Nation is the testimony of their superb commander: General Westmoreland.

That their morale matches their mission is evident to every visitor, including many from this Chamber, who have toured the battle areas of South Vietnam.

That their determination stands undiminished in spite of every difficulty of terrain and tactics is undisputed even by the critics of this conflict.

What, then, is to be our response to the President's urgent request that we support in full measure the material requirements of these magnificient fighting men?

Is there any one in this Chamber, whatever his political or partisan persuasion, who can doubt for a moment where our duty lies with respect to this request?

Our troops require, and deserve, the fullest measure of our material support to carry on with their task.

We cannot and we must not deny to these brave men in uniform the means they require.

We have pledged them our support. And they expect it.

Our troops do not ask to be relieved from the daily danger that is their lot. They only ask to be given the arms and resources to carry out the task that the Nation has committed itself to perform.

Who will argue that these amounts requested are too high? Who will say that we can find shortcuts to our men's safety? Who will cavil with costs that concern the very life or death of our troops?

Now is the time, by prompt and decisive action, to demonstrate to our men the sincerity of our support.

Now is the time to display the full measure of our pride in their performance.

Now is the time to signify our gratitude for their sacrifices.

But there is yet another task that is ours.

And that is that we must make clear a message to our adversaries as well.

For it is not merely our own men who look to what we do in this Chamber. Our enemies look as well.

And they look to see not merely what we do, but what we say. Not merely whether we vote this appropriation; but in what manner we do so. Not merely whether we give our troops what they require; but how willingly we give it.

For our adversaries in Vietnam can no longer hope to defeat us in the field. But they clearly do not desist in hoping that ultimately they can erode and finally erase our determination and persistence here at home.

They have come to be fully aware of the superiority of our military power. But they continue to harbor doubts about our staying power.

They look eagerly for signs that we are wearying here at home; that debate and dissent have turned to disillusionment and despair; that our perseverance is failing; that our will is weakening.

Let this Chamber's response to the supplemental appropriation before us be our answer to our adversaries' cynical hope that our purpose and patience is faltering.

Let us not merely pass this bill, but pass it in such a way as to show the world at large that our resolve stands unflinchingly firm.

OLDER AMERICANS

Mr. **KAZEN.** Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. McFALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **McFALL.** Mr. Speaker, I want to endorse President Johnson's message on older Americans. I am particularly impressed by his recommendations for changes in social security, and especially the extension of the program to additional farmworkers.

No area of our economy has seen more changes in the last two decades than agriculture, and no workers in our economy have been more seriously affected by changes than agricultural workers. Yet there are still a great many agricultural workers with no social security protection, and many others who get social security credit for only part of their work.

Farmworkers generally have low earnings and can save little for their declining years. Surely no citizens today are more in need of improved social security protection than those who depend mainly on farm employment for their livelihood. And yet their work, in whole or in part, is excluded from social security protection under present law.

It is possible to provide protection for, or increase the protection of, half a million farmworkers without bringing under the program the bulk of the short-term workers who do some agricultural work but who do not depend on such work for their livelihood.

That is what the President proposes to do.

These changes are needed in addition to other recommended improvements in the program, improvements that will automatically result in increased benefits for those agricultural workers who are now able to qualify for only minimum benefit amounts.

I urge your support for these long overdue improvements in the protection of farmworkers and their families.

EXTENSION OF APPALACHIAN ACT OF 1965

Mr. **KAZEN.** Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVINS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **EVINS** of Tennessee. Mr. Speaker, I am preparing for introduction a bill to extend the Appalachian Regional Development Act of 1965—a progressive and significant act which is opening doors of opportunity to the people of the 12-State area in the Appalachian region.

This bill will propose authorizing and extending the Appalachian highway development program through June 30, 1969.

The Appalachian program is a significant program, an important program, a vital program in the growth, progress, and development of the areas in the 12 States included under the act.

This program has proved itself in my State of Tennessee and in the Fourth Congressional District which I am honored to represent in the Congress.

I have seen this progress in its beginning stages as the program creates and builds and as it touches our area and provides new opportunities for our people.

The act is only beginning to work and should be extended.

This program is in line with the President's state of the Union message which calls for cooperation by the Federal Government with State and local agencies of Government in regional undertakings. The Appalachian development program is a partnership of shared responsibility.

My bill will propose an authorization of $263,150,000 for the programs extended to June 30, 1968. It also includes authorizations for the Highway development program to June 30, 1971. The initial highway authorization proposed is $110 million for the fiscal year ending June 30, 1968.

This amendment also will provide for extension of assistance in construction of hospital facilities; the control and prevention of erosion under the 10-year contracts with farmers; timber development, restoration of mining areas, a water resource study, vocational education assistance, sewage treatment assistance, and supplements for various basic Federal grant-in-aid programs, among others.

This act also would establish a more orderly and direct appropriations process with appropriations made directly to the Appalachian Regional Development Commission for allocation for projects and programs, rather than to a number of departments or agencies, as the bill originally provided.

This program already is opening up our Appalachian area for development with new highways and new access roads.

At this time 800 miles of development highway system is under construction.

Thousands of workers have been trained and added to private payrolls.

Fifty-one hospitals have been completed or are under construction and 52 vocational education schools are being built under assistance from the Appalachian program.

New libraries, airports, college classrooms, and water resource projects are underway under this program.

Economic development is accelerating in the Appalachian area as public facilities are improved and more and better access provided.

This is a worthwhile program, a vital program, and a program that must be retained and continued. I urge extension of the Appalacian Regional Development Act by the Congress.

MERGE THE NEW HAVEN

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, the Interstate Commerce Commission is presently conducting hearings in New York City on the proposed merger of the New York Central Railroad with the Pennsylvania Railroad subject to the inclusion in the new rail system of the New York, New Haven & Hartford Railroad.

I support this merger and I ask unanimous consent that the text of my statement submitted to the ICC in support of the merger be included in the RECORD, as follows:

In a statement before the Interstate Commerce Commission on January 11, 1966, I opposed a petition by the New York, New Haven and Hartford Railroad to drop all passenger service due to continued losses. At that time I said, "It is unthinkable that the State of Connecticut with its population of more than 2½ million people should be without passenger train service." While this statement is as relevant today as it was a year ago, we must face the reality that something other than simply shoring up the railroad must be done about the circumstances under which the New Haven Railroad presently exists.

That is why I welcomed the I.C.C. order of April 27, 1966, approving the Penn-Central merger on condition that the new eastern system be required to include the New Haven in its operations. I viewed this proposal as a realistic way of "saving" the bankrupt New Haven Railroad and ensuring adequate passenger service to the citizens of the four state area in which it operates.

The importance of "saving" the New Haven Railroad cannot be stressed too much. The livelihood of countless thousands of commuters depends on adequate passenger service in Connecticut, Massachusetts, Rhode Island and New York. The fact that freight service is lucrative and passenger service is presently unprofitable should not outweigh the public interest consideration involved in this question. If the operation of the free market cannot sustain an adequate passenger service, then governments both state and federal, have legitimate roles to play helping to sustain this needed service.

The Federal Government, Connecticut and New York have recognized the importance of the New Haven Railroad and the vital role they can play in revitalizing it by contributing millions of dollars toward sustaining the operation.

Furthermore, I submit that passenger service need not necessarily be a losing proposition. Technological advances in train and engine design have made high speed rail transportation a reality and have brought with them the possibility of increased consumer demand and large operational savings. In the 89th Congress I introduced legislation authorizing a three-year, $90 million program of research and demonstration projects for development of high speed intercity railroad transportation. The enactment of this legislation marked a step closer to a Washington-to-Boston passenger service with trains traveling up to 160 miles per hour.

Thus, with the advent of high speed trains and their resultant operational economies, and considering the tremendous strangulating burdens already placed on air and road traffic, the prospects for the profitable operation of passenger service are brighter today than previously.

With these points in mind, we cannot allow the abandonment of passenger service. Indeed we must do all in our power to retain such service, not only because it is in the public interest, but also because the economic rewards of passenger service in the future look brighter and the advantages to our economy may be substantial.

Shortsightedness and narrow thinking must be avoided in this situation. I, therefore, urge prompt approval and speedy implementation of the ICC's order of April 27th, approving the Penn-Central merger with the inclusion of the New Haven Railroad in the new system as a prerequisite.

BUSINESSMEN URGED TO USE RESEARCH FACILITY AT UK

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. WATTS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WATTS. Mr. Speaker, the University of Kentucky, my alma mater located in my district, is offering increased services to all segments of Kentucky's economy. The latest offer of aid comes from the Bureau of Business Research as the article below from the Lexington Leader indicates. I believe it would be of interest to my colleagues and the universities in their States.

The article follows:

Dr. John L. Fulmer, director of the University of Kentucky Bureau of Business Research, urges Kentucky Businessmen to make more use of the Bureau's facilities.

"Active participation by business firms in the Bureau's program," Dr. Fulmer said, "not only will increase the output of valuable research, but will accelerate economic development while improving the climate for business and industry."

He says there is the businessman who, because of his limited resources or because he has always considered himself as his best idea man, says, "Please, I'd rather do it myself," when he faces problems of new product research and development.

Other executives will say: "I employ an advertising agency because they view my product development program from a divorced point of view."

The UK Bureau of Business Research is a common ground upon which these apparently irreconcilable viewpoints can meet—and have met—profitably, Dr. Fulmer says.

Although the UK agency is one of many practitioners of the "divorced" type of research and development, its many activities are aimed at helping industry and business find answers to present and anticipated problems.

The Bureau includes on its working staff experts in many fields, and is able to call upon other specialists within the University.

"These are eager men and women who consider limitation as a challenge to search beyond the immediate and the obvious," Dr. Fulmer adds. "They are thoroughly trained thinkers who have learned that a stagnant situation is simply the starting gun for a deep probe."

Some of the research titles to emanate from the Bureau in recent months are varied: Analysis of Market Potentials for New Products and Services; New Product Analysis; Market Introduction; Techniques of Sales Organization and Management; Financing Methods for Small Businesses; Reception and Utilization of Data Flow in Companies; Communication Science in Management, plus dozens of others.

The Bureau was organized in 1928 as a part of the UK College of Commerce. An advisory committee of eight facility members assists in determining objectives and research plans. Working with the agency are doctoral candidates and professors from other departments of the University.

Service to state and local governments as well as to the business community has been provided by the Bureau during its 38 years at UK. Much private counsel has been given to industry and business on special problems.

Published studies from the Bureau's own research, as well as a wide selection of studies performed in other parts of the country, are available in the Bureau's offices.

The library is open to businessmen from 8 a.m. to 5 p.m. daily, Monday through Friday, Dr. Fulmer said. It is located on the fourth floor of UK's Commerce Building.

NEED TO REVISE SELECTIVE SERVICE LAW—VIII

Mr. **KAZEN.** Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **KASTENMEIER.** Mr. Speaker, the Selective Service System operated fairly well in the 1950's when the low birth rates of the 1930's and of World War II were reflected in the number of youths entering the draft pool. At that time, only about 1 million males reached the age of 18 each year.

Now, however, the Nation is experiencing the effects of the postwar baby boom. As I stated earlier, approximately 1.8 million young men are entering the 18½ to 26 group annually. This pool is currently expanding at the rate of one-third every 6 or 7 years. In the 1970's about 2 million a year will be added. About two-thirds of them will be found mentally and physically fit for military service under present standards. But, the demands of the Military Establishment will not require anything like 1.3 million new men annually. Mathematically, this creates inequity, for when there are twice as many eligible men as needed, the method of selection, by necessity, becomes more selective, and in the process, deteriorates into a potluck operation.

General Hershey and his associates were very loathe to accept what was occurring. They held to the official fiction that every eligible registrant was bound to be called sooner or later. When, however, only 46 percent of the 26-year-old men had seen military service in 1966, as compared to 70 percent in 1958, the general and his staff were forced to reevaluate the situation.

Not wishing, however, to entirely abandon their position, they then had to devise a suitable rationale for the apparently large discrepancy between those eligible to serve, and those actually serving in the Armed Forces. While still clinging to the anachronistic notion, which in essence has turned out to be a myth, that all men are equally liable for the draft, Hershey, however, began to justify the deferment policy which distinguishes between those men who will serve and those who will avoid military service altogether. One of the important factors in determining whether a deferment is to be granted is, if it will be "in the national interest." The manner in which this term is defined and who does the defining, however, contributes immeasurably to the deterioration of the selective service process, for it is here that the seed of discrimination, in large part, is sown.

The necessity of examining what are our national goals, and who determines them, is yet another reason why the present Selective Service System must be revised.

MEXICO'S ECONOMIC UPTURN HAMPERED BY U.S. IMPORT RESTRICTIONS

Mr. **KAZEN.** Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **GONZALEZ.** Mr. Speaker, the 89th Congress, which produced so much good legislation, made the sad mistake of doing an economic injustice to our neighbor to the south and one of our closest friends in the Western Hemisphere, Mexico. It is ironic that while we still suffer from a balance-of-payments problem in our international trade relations, Mexico is the one nation with which we have a favorable balance of trade. Yet, the 89th Congress tightened up and restricted import regulations for goods coming across the Mexican border. A few of us, myself included, fought the import restrictions and predicted that they would do harm to our trade relations and to the Mexican economy. Unfortunately, this prediction has already proven true.

An article in last Monday's New York Times, January 23, 1967, summarizes the Mexican economic performance for 1966. Generally speaking, the Mexican economy surged forward and showed overall growth of about 6 percent, as compared with a 5.1-percent growth rate for 1965. Both the public and private sectors showed an upturn, and there was some improvement in the Mexican balance-of-payments problem.

But, according to the Times article, the Mexicans had a number of complaints about the United States. Significantly, and in the words of the Times article:

> One of them concerned United States import restrictions.

Mexico is one of the relatively few Latin American nations where we have come to expect political stability and social peace. Yet, although it may be characterized as a progressive and democratic nation, it is still largely an underdeveloped one. The problems of underdevelopment are so great and so far removed from the American experience that most of us cannot even conceive their true nature. There is no foreign assistance program for Mexico, but, it seems to me, the least we can do for our neighbor and close ally is to lend a helping hand across the Rio Grande by helping her and encouraging her to sell us her goods and trade with us. We should not be throwing stumbling blocks at Mexico.

With unanimous consent, I am inserting the article from the New York Times, January 23, 1967, by Henry Giniger:

Mexico: Conservative Planners Loosening the Purse Strings To Spur Development—Economic Upturn Stirs Optimism—Industrial Output Climbs as Nation Takes Step To Aid Lagging Farm Sector

(By Henry Giniger)

MEXICO CITY.—Having paused for breath in 1965, the Mexican economy put on an impressive show in 1966 and faced the new year in an aura of optimism.

The Government and Government-run businesses, decisive factors in Mexican life, heightened their activities considerably. The result was that instead of a rather mediocre advance of 5.1 per cent in 1965 in over-all growth, all signs point to an increase of more than 6 per cent in gross national product, the sum of all the goods and services produced.

Practically every index in both the public and private industrial and commercial sectors showed an upturn, and even the chronically weak spots seemed a little less weak. The trade deficit, for example, began to show the beneficial effect of the drive to increase exports. Nature contributed abundant rains while the Government and private banks stepped up credits to relieve the poverty of the rural sector.

This sector, however, continued to nag everyone concerned about Mexico's future. The rural population accounts for half of the country, and there is unanimous agreement that it is not getting its share of the country's increasing wealth.

President Gustavo Diaz Ordaz took note of this in his annual report to the nation in September. He promised "priority" consideration to agriculture and a program of regional development that will spread the wealth beyond the few urban centers where it now has a tendency to concentrate.

GROWTH GOAL: 6 PERCENT

The goal of development set forth for the country has been 6 per cent a year. The country's population has been growing at the rate of about 3 per cent a year with no signs of slackening and no signs of any Government willingness to make it slacken. The question arises whether a net growth rate of about 3 per cent, and possibly a little less than that, is sufficient.

The administration has shown itself to be conservative in financial policy, but as it enters its third year it is beginning to loosen up on the purse strings. The Government has indicated great concern about the strength and stability of the peso, its credit position abroad and price stability. In all three fields, the picture continued to be favorable, although there were signs of pressure on retail and wholesale prices that were likely to become aggravated in 1967.

Political stability and social peace also continued to be major factors in internal and external confidence. The picture was not altogether flawless in 1966 as students showed varying degrees of unrest in universities in Mexico City and in the provinces. The Government took a tough stand in some cases, notably where there were indications of extreme leftist subversion.

RECORD FOREIGN INVESTMENT

One result of this confidence was an inflow of over $200 million in foreign investment, a record. The great majority of this was American. Another result was a 10 per cent increase in tourists, whose expenditure of well over $800-million constituted the country's biggest export.

During the first nine months of last year, exports of goods were up 14.7 per cent, according to official figures, while imports rose by only 1.4 per cent. Mexico made significant gains in exports to her partners of the Latin American Free Trade Area and to the United States.

However, the Mexicans had a number of complaints about the United States, their principal trading partner. One of them concerned United States import restrictions, another the increased tendency by American-controlled companies here to repatriate profits and to go to local banks for credit. In cash outflow, the country registered a deficit in the first six months of the year of more than $100-million, compared with not quite $2-million in the same period of 1965.

Much of this reflected the tight money situation in the United States, but Mexicans, particularly those who have to compete for the relatively limited credit resources of local banks, were inclined to believe that the United States was being unfair to a developing country that needed all the capital it could get.

Some of this cash outflow was Mexican money seeking havens or investment opportunities abroad. Former President Lazar Cardenas, at a luncheon in December, denounced "the rich who send their millions abroad." He said that with this money Mexico could solve her economic problems without having to resort to foreign loans.

On the American side, there was considerable questioning about official Mexican investment policy.

In his annual message the President gave direct investment a relatively low order of desirability, and there was increasing pressure to "Mexicanize" foreign concerns, i.e., to give Mexicans majority control.

The budget presented in December for 1967 called for a 6 per cent increase in spending next year. However, total public spending will rise by 20 per cent, according to Finance Minister Antonio Ortiz Mena, through loans from abroad. This is the preferred form of foreign investment in Mexico. An example is a new loan from the Inter-American Development Bank of $24-million for irrigation and rural development in the Northwest, a project that will cost a total of $50-million.

However, the Government is placing the principal burden of investment in the next few years on private enterprise.

BUREAU OF OLDER WORKERS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LONG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, during the 89th Congress I introduced H.R. 2062, to establish a Bureau of Older Workers within the Department of Labor. The need for such a bureau was made clear to me at a Conference on Job Barriers Against Older Workers, at which representatives of business and labor agreed that many qualified people as young as 35 or 40 are refused employment because of their age.

The Manpower and Development Training Amendments of 1966 provided for a special program of testing, counseling, selection, and referral of older workers for occupational training and further schooling designed to meet special problems encountered by older workers in the labor market.

However, only a systematic and sustained attack, led by a Bureau of Older Workers, promises hope of eventual solution of the older worker problems. The job of such a bureau would be to sell employers on the desirability of hiring older workers, carry out research and demonstration programs, develop new seniority and pension programs, strengthen training and education programs, and coordinate the activities of all Federal agencies to prevent discrimination in employment because of age. The Bureau of Older Workers would spearhead the drive to lower the age barriers now confronting the older worker in search of a job.

Mr. Speaker, I am including the text of my bill at this point in my remarks for the attention of my colleagues:

H.R. 2062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Department of Labor a Bureau of Older Workers.

SEC. 2. It shall be the duty of the Bureau of Older Workers to provide leadership in increasing the employment of men and women over forty years of age by formulating standards and policies to promote the welfare of older workers, remove arbitrary and artificial job barriers, and otherwise advance opportunities for profitable employment,

SEC. 3. (a) The Bureau shall conduct educational programs on the availability and usefulness of older workers to industry, by holding conferences for employers, union leaders, and others interested in promoting the employability of older workers, by visiting employers to convince them that hiring older workers is good business, and by other available means.

(b) The Bureau shall investigate and report on the ways in which tax policies, pension programs, wage systems, collective bargaining agreements, and widespread misconceptions about efficiency of workers over forty, may discourage their employment. The Director of the Bureau may from time to time publish the results of these investigations in such a manner and to such an extent as the Secretary of Labor may prescribe.

(c) In cooperation with other agencies of the Department of Labor, the Department of Health, Education, and Welfare, and the Office of Economic Opportunity, the Bureau shall—

(i) assist in the reemployment of older workers whenever a major dislocation by reason of plant shutdown occurs, and

(ii) evolve tests for older workers to determine their skills and aptitudes and develop retraining programs for such workers to increase their employability.

(d) The Bureau shall stimulate development by local communities of voluntary, nonprofit, employment counseling and assistance for workers over forty.

(e) The Bureau shall coordinate the activities of all Federal agencies to prevent discrimination in the employment of older workers by the Federal Government. The Bureau shall also encourage employment of older workers by State and local public agencies and private nonprofit organizations.

SEC. 4. The Bureau of Older Workers shall be under the direction of a chief to be appointed by the President by and with the advice and consent of the Senate.

SEC. 5. This Act shall take effect and be in force from and after the date of its passage.

TRADE WITH RUSSIA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NIX. Mr. Speaker, while the atmosphere is clearing for commerce with Eastern Europe, American businessmen cannot expect much of an increase in volume without action on President Johnson's trade proposals.

The Philadelphia Evening Bulletin has called attention to a Soviet invitation to U.S. firms to advertise in Soviet journals. It also refers to recent efforts by private groups to promote trade with Iron Curtain countries as a sign of the evolving times.

Russia's interest in trade would not have been expressed without the administration's announced desire to open the doors of East-West business, the Bulletin remarks. But it asserts that unless the administration's most-favored-nation proposals are adopted, U.S. exporters seeking to enter the doors will do so under a handicap.

I include the Bulletin's editorial on trade with Russia in the RECORD:

TRADE WITH RUSSIA

Many are still alive who never thought they would live to see a Communist government lauding the virtues of advertising, the "evil" handmaiden of capitalism. But there it is, two full pages of advertising in the New York Times inviting United States firms to advertise in Soviet newspapers and periodicals and unashamedly stating that there are no bans on commercials on TV or radio.

Complete details on where and how and why one should advertise in the Soviet Union give an inkling of the transformation taking place in the Russian economy, with the introduction of a modified form of the profit motive. Foreign advertising in Russia previously had no purpose, for foreign trade is a state monopoly. It remains that, but now a host of users down the line with an eye to cost accounting and to producing what will sell to the masses are making the prime decisions as to what to buy abroad.

Following President Johnson's big pitch for trade with Russia and Eastern Europe last October, there was a strange silence in Moscow. But it now seems obvious that the silence did not mean disapproval, and the two-page ad would not have appeared without the Administration's plugging for open doors.

Coinciding with this development was the announcement that the Rockefeller-operated International Basic Economy Corporation had joined hands with Tower International, Inc., a Cyrus Eaton enterprise, which has been busy promoting trade with Iron Curtain countries. IBEC which has specialized in underdeveloped countries outside the Communist orbit now will participate in Tower International's east-west trade activities. This also is a sign of the evolving times.

But as Cyrus S. Eaton, Jr., has warned, American exporters should not expect to just walk in and sew up contracts, whether or not they advertise in Soviet periodicals. They will meet stiff competition from British, West German, French and Italians seeking the same business.

Without the most favored nation clause that the Administration is pressing a cool Congress to extend to east-west trade, U.S. exporters seeking to enter the opening door will be under a handicap.

TERROR IN VIETNAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER pro tempore.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **NIX.** Mr. Speaker, two recent incidents in South Vietnam give a hollow ring to the pious protests we hear against bombings in the north.

The Baltimore News American, a Hearst newspaper, reports a Vietcong grenade attack in a Saigon cafe that killed a Vietnamese child and an American soldier and wounded five other Americans.

Similarly, the Philadelphia Inquirer tells how the Vietcong used Vietnamese civilians as human battle shields. At least 10 children were killed.

The shame of it is that these acts of terrorism are not out of the ordinary. They have been so frequent as to become routine news. Yet, as both newspapers ask, Where are the cries of protest from those who bewail our bombing of military targets in North Vietnam?

I ask the same question as I offer these two editorials for inclusion in the RECORD:

[From the Baltimore (Md.) News American, Jan. 6, 1967]

ROUTINE TERROR

It happened Tuesday in Saigon, but it was such a routine occurrence in the Vietnam War that the daily news roundups gave it only one short paragraph at the end. Vietcong terrorists entered a cafe and tossed a hand grenade that killed a Vietnamese child and an American soldier and wounded five other Americans. The terrorists escaped.

It was a comparatively small thing, perhaps, but not when hundreds of similar or far worse acts of terror are being committed every week by the Vietcong throughout South Vietnam. Most of these horrors are perpetrated on helpless villages and they have become so standard they are seldom reported at all in our newspapers except in special feature stories.

Thousands of lives have been taken by the Vietcong in their continuing reign of deliberate terror by explosives, wanton executions, and torture . . . lives, mostly civilians, destroyed not by accident but as part of a coldly routine campaign to destroy morale.

Day after day comes the enemy propaganda: The war cannot end until the U.S. stops its bombings. It comes from Hanoi, from Peking, from Moscow. It is echoed by De Gaulle and U Thant. It is spread by our own left-wing war critics with an ever-increasing drumfire of persistency: Stop the bombings in the name of humanity—helpless civilians have been hit!

What do these same voices have to say about the thousands upon thousands of helpless civilians who are being terrorized and murdered by the Vietcong in cold-blooded deliberation? They say nothing at all.

They have said nothing at all and they can be expected to say nothing at all.

[From the Philadelphia Inquirer, Jan. 10, 1967]

WAITING FOR THE PROTESTS

Voices of outrage and indignation are raised against the United States whenever there is a report of civilian casualties in Vietnam resulting from American bombs or gunfire, however unintentional and accidental the circumstances producing these deaths or injuries might be.

Will the same voices be raised now in protest against the Communist Vietcong who seized South Vietnamese civilians, mostly children, and used them as human shields in a Red attack on South Vietnamese troops?

At least ten children were killed; some 25 women and children were wounded.

There was nothing accidental or unintentional about this murderous barbarity committed by the Communists against defenseless civilians. It was a coldly calculated atrocity, brutal and unmerciful. It was, in fact, on a par with the kind of cruelties deliberately inflicted upon civilians of all ages by Communist terrorists every day and night in the villages of South Vietnam. Civilians are the main target of the Vietcong.

We are waiting to hear the voices of protest.

TRIBUTE TO JOHN F. KENNEDY

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NIX. Mr. Speaker, I am honored to present for the consideration of the Members of the House an inspiring and beautiful poem by one of my outstanding constituents.

This poem is in tribute to President John F. Kennedy:

He stood erect, with youthful smile—
  Wise far beyond his years;
His words instilled in young and old
  The strength to conquer fears.

He gave his heart and soul to aid
  Mankind in time of strife,
And then, as if 'twere not enough,
  He gave his only life!

Whisked from our arms, he left his mark
  Upon the nation's heart;
Heaven wept, also—tears and rain
  Could scarce be told apart.

Of what great magnitude, his love,
  That from lands far-and-wide
Came leaders, shedding differences
  To stand, bowed, side by side!

All grieved as one, despite their creed
  Or color of their skin,
He proved in death his theme in life:
  That all men are akin.

His voice, though stilled, can yet be heard
  In freedom's vibrant song,
Echoing hope's eternal plea
  That Right shall conquer Wrong.

For, like the sun which disappears
  Behind the clouds at night,
Great men are never really gone,
  But only out of sight.

By MARILYN KRANTZ.

(The above poem was awarded First Prize in the annual Poetry Contest sponsored by the Phila. Regional Writer's Conference)

HELP FOR INDIA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NIX. Mr. Speaker, President Johnson's dispatch of Under Secretary of State Eugene V. Rostow on a food assistance mission has drawn the approval of the Philadelphia Inquirer.

The President, as we know, has instructed Mr. Rostow to seek the aid of other nations in meeting India's food deficit. To the Inquirer, it amounts to a warning that the problem is too immense for the United States to handle alone.

If America supplies only half of India's need for 11 million tons of grain this year from outside sources, the newspaper reports, we would have very little left for other deserving countries.

As the Inquirer declares in an editorial which I introduce herewith for the RECORD, Uncle Sam cannot be expected to shoulder the world's food requirements by himself.

[From the Philadelphia Inquirer, Jan. 16, 1967]

WE NEED HELP IN HELPING INDIA

The President's dispatching of Eugene V. Rostow, Undersecretary of State for Political Affairs, on a fast tour of eight world capitals to solicit assistance in meeting India's continuing food deficit is as clear a signal as the United States can give that the problem is getting too big for us to handle.

It may be hard for some foreigners to believe, nurtured as they have been, on the myth of the perpetually overflowing granaries of America—to which, in times past, we have ourselves subscribed occasionally—but it is time for them and for us to face the hard facts.

India will need 11 million tons of grains this year from other than her own resources. America should be able to supply about half of that, and even then will have very little left for other deserving countries.

We are currently sending 900,000 tons on a "crash" basis to help avert drought-caused famine this spring; Russia has contributed an unusual 200,000 tons (and may be good for 500,000); Canada is sending 250,000. A total of 2.6 million tons by June is our "share."

So Mr. Rostow is on his way, first, to New Delhi to check his figures, then to Tokyo, Rome, Bonn, Paris, The Hague, Brussels and London. Some of these capitals do have surplus food at their disposal, all can at least contribute machinery or fertilizer to help India meet its own requirements. None is notably going out of its way to be generous and it's about time some did—or there will be famine.

One cannot envy Mr. Rostow his trip, but it is essential. Uncle Sam can no longer be mistaken for Hercules; he cannot and should not be expected to carry the whole world on his one and only—and weary—back.

DEVELOPMENT OF PUERTO RICO

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Puerto Rico [Mr. POLANCO-ABREU] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, during the last session of Congress I spoke on several occasions about the remarkable economic transformation which the Commonwealth of Puerto Rico is undergoing. I am very pleased that over the holidays a good number of my esteemed colleagues in this Chamber had the opportunity to witness personally the growth and development of our island. I know that they will understand why I talk about Puerto Rico with pride and enthusiasm.

We have come a long way since the initiation of our economic recovery programs in 1940, but the road ahead is still long and arduous. We have not and cannot cease to expend less than our entire human, financial, and governmental resources on our operation bootstrap programs. Nor can we stop searching for new ways and means to bring economic and social well-being to our people. Our fight against economic and social deprivation has been intensified, and will continue to be waged on greater scales until we can safely say that our people are full sharing in the affluence of 20th-century America.

Recently, the executive director of the Continental Operations Branch of the Puerto Rico Economic Development Administration delivered a speech which excellently summarizes the philosophy and goals of the Commonwealth government with respect to our economic recovery program. I request that the text of this speech be printed with my remarks at this point in the RECORD:

WELCOMING REMARKS BY DANILO ONDINA, EXECUTIVE DIRECTOR, ECONOMIC DEVELOPMENT ADMINISTRATION, CONTINENTAL, OPERATIONS BRANCH, COMMONWEALTH OF PUERTO RICO, AT THE 35TH INTERNATIONAL CONFERENCE OF FINANCIAL EXECUTIVES INSTITUTE, SAN JUAN, OCTOBER 13, 1966

It is a great pleasure to all of us in Puerto Rico, and a deeply-felt honor, to have such a pre-eminent group as the Financial Executives Institute hold its 35th International Conference among us. And it is a source of personal gratification to me to welcome you to our Island. I am most happy to have this chance to greet you all formally, in the name of the people and government of Puerto Rico, and I hope that we shall have an opportunity to meet more informally, either here or in the States.

Some of you, I'm sure, are associated with firms that have manufacturing operations in Puerto Rico and are already acquainted with the pleasures and profits we like to look upon as being among our prime attractions. I welcome you as I welcome your colleagues who have yet to learn of our Island.

I hope that during the next few days all of you will have a chance to see why the late President Kennedy called the Commonwealth "America's showcase of democracy." I have had the honor of being associated with our Operation Bootstrap program for 15 years now and, if asked to say in one sentence what has made Puerto Rico what it is today, I would have to say it has been our belief in the idea that there is no better way to develop a society than through the full and imaginative application of the free enterprise system.

Because of the way this idea has worked here, Puerto Rico today has come to assume an importance in the world far out of proportion to its size.

Geographically, it is, as you know, a natural bridge to Latin America and to the expanding markets developing there.

Symbolically, it represents to the underdeveloped nations of the world a hope, a model for, their emergence into the 20th Century.

In a world in which change is necessary for survival, and in which change—on a large social scale at least—is so often accompanied by violence and revolution, Puerto Rico has demonstrated that the transformation from underdeveloped land to 20th Century industrialization can be accomplished peaceably and under democratic processes.

The impact of what has happened here in only a few decades should not be minimized or misunderstood. In the last dozen years more than 24,000 officials and observers from over a hundred countries have visited Puerto Rico to study our development process. In our New York office alone we have briefed officials from lands as diverse as Formosa and Nigeria. Advisory missions have been sent from Puerto Rico to countries in Latin America and the Caribbean and to nations as distant as Scotland and Morocco, and many of our Government people have been granted leaves of absence in order that they might work in other lands.

The importance of the Puerto Rico experience was, I think, underscored by the selection of the Commonwealth as the site of the largest of all the Peace Corps training schools and camps.

This is why I say what happened here—and what will happen here tomorrow—is important to the United States and to the peaceful development of the underdeveloped nations of the world.

What happened—in a very small nutshell—is that Puerto Rico, an impoverished, underdeveloped "sugar island," as the expression goes, by a supreme effort of our entire government and people, shook off the inertia of four and a half centuries and in less than two decades created an economic growth rate second only to Japan's.

We have created 80,000 direct jobs for our people, improved education, raised the standard of living, increased life expectancy from 46 to 70 years. On the industrial side, some 1300 manufacturing operations, with value over a billion dollars, have been established. Most of these, of course, are affiliates of branches of U.S. firms.

All this could not have been accomplished, of course, without the generous understanding of the Federal government in Washington and the confidence of the U.S. industrial community.

Having limited natural resources, we have to offer incentives to industry: free access to the U.S. mainland; an ample, willing, highly productive labor force; training grants and assistance in recruiting workers; availability of industrial buildings at low rentals; development loans; working capital loans; equity participation, among others. And exemption from taxes for periods ranging from 10 to 17 years, depending on location, 100 percent tax exemption—corporate, municipal, property, real, licensing.

Above all, our program is flexible, pragmatic, non-ideological. We need jobs; we need industry to create these jobs. The Commonwealth government will do all in its power to cooperate with private enterprise toward this goal. Our only reservation is that our growth should not come at the expense of communities in the States. Puerto Rican law prohibits the granting of tax exemption and the incentives of Bootstrap to runaway industry.

The results of this attitude, this dynamic relationship between government and private industry, are, in part, visible even to those of you who have been here only one day. And you must remember that it is hardly one decade since net income from manufacturing here surpassed agricultural net income. Since then, since 1955, manufacturing activity has grown to yield two and one half times as much income as agriculture.

This may be cause for jubilation, but not complacence. Progress is not necessarily prosperity. Our problems, our challenges, are very great. We have passed an important milestone, but we stand now at a crucial crossroads.

On the one side, the increasing rhythm of industrial promotion, the amazingly rapid developments in the formulation of new petrochemical projects, the pressures to extend the period of education are all factors which help us to create new jobs. However, our unemployment rate is still three times the mainland level. The new yearly entrants to the labor force—33,000 a year—the increasing mechanization of agriculture, the people leaving farms to seek jobs in the cities, the rapid decline in home needlework industry, the slowdown of outward migration all add up to a need for preserving and creating jobs opportunities at a greater rate than ever before.

In the light of these facts it must be remembered that our industrial revolution is 15 years old, not 150, as is the case in the mainland U.S. Ours is still a developing economy. This has to be understood and appreciated not only here but in Washington, before such measures as across-the-board raises in minimum wages are applied indiscriminately. Without massive monetary aid, we have made progress where it was said progress was impossible and we have moved ahead more rapidly than anyone dreamed, but it would be tragic as well as ironic if our success were to be misunderstood and become an excuse for the destruction of what we have achieved.

The basis of Puerto Rico's progress has been Commonwealth status, which was established under the terms of a bi-lateral compact between the people of Puerto Rico and the U.S. Congress in 1952. Within its framework we were able to meet the problems that confronted us as we changed from an agrarian to an industrial economy. Now, however, there are new problems and for this reason we are seeking to broaden and improve the Commonwealth relationship. In the same way that our unique new status made it possible for us to start our work against great odds, we believe that the perfection of this status, especially in relation to such crucial areas as minimum wages, will enable us to better apply judgment and imagination in the task remaining before us.

As always, we believe that problems are solved by men who are willing to work hard. It is a simple formula, but it has been proved here and will be proved anew.

This is the Puerto Rico I hope you will see and remember and return to.

Once again, I welcome each of you to Puerto Rico in the name of the people. I offer you our hospitality and wish you a successful conference as well as a pleasant and rewarding stay.

Thank you.

RETIREMENT PAY OF MEMBERS OF UNIFORMED SERVICES

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE. Mr. Speaker, I am introducing legislation today that will correct a gross inequity in the pay of men and women who served this country bravely and well and have now retired from the military service.

My bill would amend title 10, United States Code, to equalize the retirement pay of all members of the uniformed services of equal rank and years of service.

Under present law military personnel who retired prior to 1962 are being deprived of the benefits of subsequent pay raises which have been given to other military personnel. The legislation which I have introduced would recompute the pay of military personnel who retired without the benefit of these recent increases. Even though their service may have been as long, and their rank as high, they are now paid considerably less than those who have retired under higher pay scales. Many of the military personnel who will benefit from this legislation are veterans of both World War II and Korea.

My west Texas district is privileged to count many of these veterans among its residents. I would like to join in urging the approval of this measure by the 90th Congress which will show our appreciation in a most practical manner to those who have loyally protected our Nation.

NEWS FROM ASIA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, recently, the Baltimore News American, a Hearst newspaper, carried an editorial, which, I believe, is worthy of note. It reports a prevailing attitude that North Vietnam will never negotiate a settlement of the war, but that when Hanoi realizes our determination, the war will "just fizzle out."

I request permission to insert this editorial in the Record.

[From the News American, Jan. 16, 1967]

NOT NEWS TO US

So-called "news" reports from Asia that North Vietnam will never be forced militarily to the conference table leave us, and many others, singularly unimpressed.

They seem designed to convince us that North Vietnam can take any kind of punishment the United States can dish out, and still keep fighting.

Sorry, but we just don't buy it.

The whole notion about North Vietnam refusing formally to negotiate an end to the war just is not news at all. Long before the current reports were being disseminated, the Hearst Task Force was apprised of such a possibility in Bangkok. There, the leaders of Thailand's firmly pro-West government expressed the view that the Vietnam War would "just fizzle out," principally through Hanoi's eventual realization of the facts of life.

Ambassador Henry Cabot Lodge has long expressed the same view, too, speculating that the end will come with a gradual dwindling of combat as North Vietnamese troops are progressively withdrawn and as infiltration from North to South dries up. This, of course, would still leave the formidable "main force" of the Vietcong in South Vietnam. But with the abandonment of the Vietcong by its patron in the North, there is considerable hope the South Vietnamese Army and other Asian forces could eliminate or contain the threat of Communist conquest.

So statements from—or through—Hanoi that force will never lead to negotiations should be taken with a grain of salt, or maybe rice.

Meanwhile, let's keep applying that force.

EASING THE WAY

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, the Baltimore Sun has added its endorsement to President Johnson's action in reducing the tariffs on certain glass and watch imports.

I am particularly pleased to note that the President has announced concessions in watch imports from Switzerland because this will have a healthy effect on the economy of Maryland. For many years, Switzerland has purchased most of Maryland's best grade tobacco but they have threatened to discontinue such purchases if the U.S. maintained its high tariffs on Swiss watches.

These are highly strategic cuts which should relax the deadlock which has seemed, on occasion, to threaten failure of the Kennedy round of trade negotiations.

In fact, they should ease the way to a happy ending of the Kennedy round.

With hope that the newspaper's assessment is correct, I offer its editorial comment for the Record:

[From the Baltimore Sun, Jan. 15, 1967]

EASING THE WAY

Prime time is almost up and the seasoned viewer knows that if the heroine is to be rescued at all then the good guys had better show up now. The Trade Expansion act lapses at the end of June, and unless there is agreement among the commercial nations by that time the fair prospect of more fluid trade may be lost for years. So it is at just this critical point that the President throws two highly strategic tariff cuts into the Geneva debate over trade obstructions. Friends of the one kind of international intercourse which has been uniformly successful will hope they achieve their purpose.

Their purpose, obviously, is to relax the deadlock that has seemed at times to threaten failure of the Kennedy Round—so called because President Kennedy sponsored the soon-expiring trade law. Bearing in mind that the reductions are supported on solidly objective economic grounds, they also radiate political and diplomatic overtones. There are, after all, two major groupings of commercial nations in western Europe which, with Japan and the United States is the main arena of trade in the modern world. Both the European Economic Community and the European Free Trade Association, are ahead of schedule in reducing trade obstructions between their member states. Both are willing to reduce external tariffs if a *quid* is offered for their *quo*.

Now the President has reduced rates on glass imports of particular interest to the Belgians, whose capital is Brussels, which is also the capital of the E.E.C. (Common Market). And he has announced concessions on watch imports, watches being one of the mainstays of Swiss enterprise, and Switzerland being a member of special influence in the E.F.T.A. These concessions have an obvious good-guy quality and should ease the way to a happy ending of the Kennedy round.

WHY WE ARE THERE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, there has been reported in the press a good deal of genuine doubt in the minds of professors and students alike, regarding justification for our policy in Vietnam.

The Baltimore News American recently ran an editorial quoting Secretary of State Dean Rusk, which I would like to call to the attention of all Americans who question U.S. policy in Vietnam.

I ask unanimous consent at this point to have it inserted in the Record.

[From the Baltimore (Md.), News American, Jan. 10, 1967]

SUM-UP FOR STUDENTS

A group of college student leaders wrote President Johnson recently questioning U.S. policy in Vietnam and asking how that policy can be justified.

Secretary of State Dean Rusk, in a letter of response, has now given the answer in one sentence:

"We are involved in Vietnam because we have learned from painful experience that the minimum condition for order on our planet is that aggression must not be permitted to succeed."

Those students would do well to memorize this brief but vital lesson. Millions have died in the course of trying to make its simple truth clear to free men and women everywhere.

FURTHER SUBSTANTIATION OF THE EXCELLENCE OF PERFORMANCE OF THE UNIVERSITY OF CALIFORNIA, BERKELEY

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Waldie] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WALDIE. Mr. Speaker, the controversy that has plagued the Nation's greatest university for several years, not only continues to swirl unabated, but, in recent days because of a precipitous, unwise and politically motivated firing of the president of that university, has accelerated. It is necessary, Mr. Speaker, to continually call to the attention of the public that despite this unfortunate climate of student and faculty unrest, the standards of the university under the administration of its recently fired president, Clark Kerr, have remained exceptionally high. I only hope, Mr. Speaker, though I have great misgivings on this matter, that the recent action of the new Governor in firing President Kerr will not alter this magnificent record of performance.

Mr. Speaker, I submit an editorial from the Independent, a major newspaper in my district, that clearly and compellingly puts this matter of the excellence of the university in performance of its trust, the education of our young adults, in proper perspective.

The editorial follows:

[From the Richmond (Calif.) Independent, Jan. 19, 1967]

PORTRAIT OF TYPICAL UNIVERSITY OF CALIFORNIA, BERKELEY, STUDENT

At a time when the siege guns have been leveled at the University of California at Berkeley, it might be appropriate to consider what kind of students this embattled campus attracts—the off-beat with his pre-occupation with demonstration or the serious-minded young man or woman who is seeking an education.

One indication of the excellence of the Berkeley student is contained in a finding by the UC Counseling Center that freshmen at Berkeley this year scored the highest of any freshman class in learning-ability tests in the history of the campus.

Nationally they looked good too. They emerged among the upper 10 per cent in aptitude ratings for college freshmen across the United States. The results moved Mrs. Barbara A. Kirk, director of the center, to term the findings: "Remarkable!"

Lest any suspect that the tests were given to a selected few to gain a stacked statistic, the examinations were taken by 2,620 freshmen, nearly three-quarters of the class.

This sober, researched finding distinguishes the Berkeley university.

Recently, the American Council on Education, composed of top education and professional men, declared the university is the "best balanced distinguished university in the country."

The "country" takes in quite a bit of territory. It includes, to name only a few other institutions in competition for that distinction, Harvard, Stanford, Columbia, Illinois, Yale, Princeton, Michigan, the California Institute of Technology, the Massachusetts Institute of Technology and the University of Chicago.

With all of the expressed concern over the university—its direction, its leadership, its finances, its politics—it ought to be eternally recalled that the University of California at Berkeley has been singled out, time and again, as one of the great institutions of learning in the world.

Judge it not by its exceptions—deal with these, yes—but by its "average" student, and this could be most any one of the 27,000 on the campus—hard-working, bright, ambitious, as American as apple pie, and a credit to their generation.

GOVERNMENT EMPLOYEE BENEFITS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced legislation which will provide greater productivity for the Federal Government and also will reward those faithful employees who have refused to abuse the sick leave provision in the Federal law.

At the present time Federal employees are allowed 13 days a year of sick leave, which they may accumulate indefinitely against the day when some catastrophic illness may overtake them. Many employees use a considerable amount of sick leave before retirement from the service. On the other hand, there are thousands of employees who are fortunate enough to enjoy good health, and when they reach the retirement age they have a large amount of accumulated sick leave.

Just as an example, when the Daniels bill liberalized the retirement annuity for those who retired by December 30, 1965, approximately 11,000 employees retired from the postal service. The average number of hours lost by these retirees was 885. Many employees turned back more than 3,000 hours of unused sick leave.

This bill would provide incentive for accumulating sick leave by crediting the unused number of hours in the retirement annuity computations, or giving the employee the option of being paid half the rate for the unused leave.

This approach would save money for the Government, especially since it is usually necessary to replace those absent on sick leave. The experienced man is often replaced by another employee who has less experience and this can lead to inefficiency.

Those who really need the sick leave and use it for that purpose would still be permitted to do so. Many employees are extremely conscientious and report for duty on days when they are not in 100 percent health, and it is at times like these when some additional incentive is needed. Actually, giving credit for sick leave, as provided in this bill, would cost the Government less money, would lead to greater efficiency, and would be an equitable incentive and award for the conscientious employees who are by far in the great majority in the Government service.

HEALTH BENEFITS BILL

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DANIELS. Mr. Speaker, the history of the Government's obligation with respect to its sharing of the premium costs to provide Federal employees and annuitants a comprehensive health benefits program has obviously been one of "too little and too late."

In developing a health benefits program for the Federal work force in 1959, its sponsors started with the fundamental premise that, ideally, premium costs should be equally shared by the employer and the employee. Upon evolvement of the program into actual operation in 1960, subsequent to its enactment, the contributions made by the Government equaled not 50 percent of the rate charges, but an average of 38 percent.

As medical and health care costs rose steadily and substantially during the ensuing years, the law placed the entire burden of such increases upon the employee. Not until 6 months ago, when the Government's share of the total premium rates had declined to as little as one-fourth of the costs, did the Congress restore its contributions to the initial 38-percent level.

While that action was the least that a model employer might reasonably be expected to take, its effect has been short lived indeed. Within the short span of these past few months, increased premiums have already depreciated the Government's participation to one-third of the average charges.

With a continuing trend of higher health care costs, early remedial action in this area is essential. To attain the original objectives of the minimal ideal of equal sharing of costs, and to advance the relative position of Federal workers to that enjoyed by most employees in the private sector, I am proposing a bill to require the Government to share half the costs of all plans and options in which employees may enroll. Let us not continue to neglect this ever-present problem—let us face it realistically, and immediately.

BILL BAGGS REPORTS—PARTS IV AND V

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FASCELL. Mr. Speaker, again I would like to call the attention of my colleagues to an exclusive series of articles by Bill Baggs, Miami News editor. The first article in this series appears in the RECORD of January 17, and the second and third appear in the RECORD of January 23. The fourth and fifth articles, dateline Nam Dinh and My Trung, North Vietnam, follow.

The unique feature of these articles is emphasis. Mr. Baggs does not report the military accomplishments, but rather focuses on the human element in limited warfare—the loss that civilians will invariably experience:

[From the Miami News, Jan. 19, 1967]

A NORTH VIET CITY DEVASTATED BY BOMBS—MOST PEOPLE ARE EVACUATED

(By Bill Baggs)

NAM DINH—(Delayed).—Most of the travelers move during the night at North Vietnam. They wish to avoid the attention of the American bombers, and thus the road to this city, about 75 miles south of Hanoi, is a nocturnal traffic jam.

The road is crowded in the darkness.

Bicycles, pedalled with great industry, abound on the road. Men and women, some of them very old, pump their bikes south, and almost every bicycle is loaded with cargo.

The designation of this road is Highway No. 1, and it is, at broadest, barely two lanes, and it degenerates into what is merely a one-lane road. Often you simply stop in the auto, stalled behind a wagon, groaning under a high stack of thatch, drawn by oxen, and, on other occasions, you find yourself in the middle of an army convoy headed south. The headlights of the car reveal a company of infantry marching smartly on the narrow shoulders of the road.

The American bombers have visited this road many times. Detours are frequent hosts. You come upon a bridge which has been bombed out, and the car heaves over the detour of a dirt road, steep and narrow, and you see what is a symbol of the ingenuity of these people. The temporary bridge, down river, is made of wooden planks and bamboo. It was built overnight. It is not very handsome, but it gets you across the river.

Nam Dinh is the third largest city in North Vietnam. The population was more than 90,000 before the bombing started. Now it is pretty much an evacuated city. At least half of the large wooden doors to the homes, huddled close together on narrow streets, are closed and padlocked.

Nam Dinh is a city which has been bombed often. It is a textile center. Most of the cloth you find in the Hanoi shops comes from here, and a power plant squats on the edge of the city.

We reached Nam Dinh shortly after 7 in the morning. And no other cars were seen on the streets. The common scenery is the bicycle, wheeled along the streets of Nam Dinh, and so too are the wagons, piled with husk, used to fertilize the rice fields, and quite a few walkers and all of them carrying cargo of some nature.

In Hanoi, you hear that down South, in Nam Dinh, the American bombers come with a steady frequency, and that is the reason we traveled here. And what you hear in Hanoi appears to be true.

TWO AIR RAID ALERTS

Indeed, the air alert sounded at 8:03 in the morning, and an American visitor looked down into one of the concrete holes in the ground which serves as a shelter. At least a foot and a half of water, dirty and cold water, stood in the bottom of the hole, and you clutched the sentiment that you would take your chances lying flat on the ground instead of lowering yourself into the wet shelter.

This, and another alert later in the morning, proved false. The American planes passed overhead, headed for another target.

Here in Nam Dinh, the Nursery School is pretty much destroyed. The School is a large building, and bombs have reduced one-half of it to rubble. A nearby building, which has a two-story housing facility, has been riddled by rockets. And 34 pocks in the exterior walls, where the rockets struck, were counted.

You do not report what you hear at North Vietnam. Too much propaganda shrouds reality in any country at war. So you only report what you can see and feel and examine. But the complaint of the people in Nam Dinh, that many civilian neighborhoods, with no military function, have been bombed, appears to be a valid complaint.

A kilometer away from the power plant, presumably a military target, and a block away from Ninh-Binh Street, is a patch of three to four acres of ruins. These were homes and now they are rubble.

On the other side of the city from the power plant, on Hang Thad Street, where, it was said, more than 17,000 persons lived before the bombings, the destruction covers more than six square blocks. The attack on this neighborhood came April 14, 1966.

Four blocks have been utterly destroyed on Phan-Dinh-Phung Street. Only a shattered section of a single wall remains in the rectory of the Catholic Church in this neighborhood. The people who live here, grumbling, take you to the neighborhood pagoda which has been absolutely bombed to the ground. The attack on Phan-Dinh-Phung Street came on May 15, 1966.

On both sides of Dhan Dinh Pheng Street, the greater part of nine square blocks is either demolished or heavily destroyed. This is a community of private homes.

The Department of Defense has announced that only targets of military value are being bombed in Vietnam. But the people here in Nam Dinh do not believe the declaration of policy from Washington. They point to the rubble which once was their homes. And they question the American reporter among them. It is at least a fair statement that they are unmoved when you explain that bombs stray in a war. And all this is understandable from people who have been bombed out of their homes.

[From the Miami News, Jan. 20, 1967]

RICE, RIFLES IN N. VIET BACK COUNTRY

(By Bill Baggs)

MY TRUNG, NORTH VIETNAM—(Delayed)—The way to the village lies over a narrow dirt causeway. Indeed, the road, winding through watery rice fields, is not much broader than the width of an automobile.

A mist in the darkness challenged the vision of the driver. Now and then, a tire kicked pebbles on the edge of the causeway into the water. Once we stalled, everyone got out and examined our predicament, and then we all joined in the democratic pleasure of pushing the car. It was late in the evening when we reached the village.

BAGGS VISITS FARM AREA

My Trung is in the back reaches of North Vietnam, it is almost 80 miles south of Hanoi, and it is farming country. The rice they eat in Hanoi is grown here and elsewhere in the Nam Ha province.

Now the rice harvest is over, and you see stacks of paddy plunked down by the sides of the roads. The morning light reveals a green and wet country. Bananas and tangerines and oranges and papayas decorate the landscape. Pigs are a crop here, and the water buffalo, strong and moving deliberately across a field, is called "the living tractor."

Not much industry hums in the Nam Ha province. There is a factory which cans fruit, a glassware plant and a factory which produces farm implements. Otherwise it is all farming, so you come here to study the agriculture of North Vietnam.

The old worry of the north has been not enough rice. For centuries, North Vietnam got more than half its rice from the south, but the war down there has cut off the supply.

Some foods come in from China, but an intense campaign has begun to grow enough rice here for the population of the country.

When the French governed Indo-China, there was only one rice crop a year. After World War II the government headed by Ho Chi Minh seized the old lands and distributed them into collectives. Each farmer got a small plot for his personal use, such as to grow fruits and vegetables and flowers for his family. An ambitious scheme to control the water was started with the construction of many dikes.

Now there are two rice harvests each year, but Nguyen Viet Ca, who lives in the province and keeps records on agriculture for the government, said larger rice crops are needed. With water control and an extra harvest, and improved techniques, he said, the crops today are three to four times as heavy as when the French ruled.

But more rice is a necessity if the country is going to be independent of foreign sources.

HERE, TOO, THE BOMBS FELL

The government has set a norm of five tons of paddy a year per hectare (almost two and one-half acres). And 31 of the approximate 400 villages in North Vietnam are exceeding the norm he said. Many other villages are meeting it.

Here, too, you hear the familiar stories about the American bombers and we had three air alerts during a 2-day visit in the province. The men and women who do the same work in the fields are trained to fire rifles or machine guns, or both, at the aircraft.

The complaints become bitter when these farmers accuse the Americans of trying to bomb their dikes and destroy the water control system.

Viet Tung, a newspaperman from the Nam Dinh, the only city in the province, said that a 1,000 pound bomb was dropped Dec. 6 last year on the dike at the village of Xuan Tien, along the Ninh Co River. He produced a picture of a dike and said the portion destroyed, clearly visible in the photograph, was 24 meters long (about 26 yards) and 9 meters deep (almost 10 yards).

This reporter explained to Viet Tung that he had talked to persons in the American government who said the policy is not to bomb dikes, but military targets, and that any bombing of dikes is a mistake which is all too common in any war. Viet Tung's reaction is to show you the photograph again.

At lunch in the farmhouse where we stayed, our host, Vu Cong Thuyet, asked if we had ever seen a rice field. A companion, Harry S. Ashmore, chairman of the executive committee of the Center for the Study of Democratic Institutions, said that rice was grown in several neighborhoods of America. Ashmore went on to explain that we farmed rice with machines in the United States. He described the modern technique, and the North Viets around the long wooden table listened with an intense interest.

REPUBLICAN PROGRAMS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BROOKS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, in his Republican state of the Union message last Thursday night, the distinguished minority leader stated:

> For the past two years, positive and practical Republican programs have been largely ignored.

This distressed me.

Since then I have spent considerable time worrying about this. I want to be fair. I think most Democrats do.

Now we did ignore many Republican positions.

We ignored their opposition to medicare.

We ignored their opposition to minimum wage increases.

We ignored their opposition to our education bills.

We ignored their opposition to our poverty programs.

We ignored their opposition to civil rights.

We ignored their opposition to our housing and slum programs. These we admit to. We not only ignored them; we overrode them.

But the gentleman from Michigan [Mr. FORD] did not say Republican positions. He said positive and practical Republican programs. And for the life of me, I cannot remember what these could have been. I fear there were none.

Woodrow Wilson once said:

> The trouble with the Republican Party is that it has not had a new idea for 30 years.

He made that statement 50 years ago, but it is just as true today as it ever was.

SUPPLEMENTAL APPROPRIATION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, the fiscal 1967 supplemental appropriation request has been presented by the President to the Congress.

We are engaged in a historic struggle to combat aggression against the people of South Vietnam. The supplemental appropriation is witness to the fact that our soldiers, our sailors, our marines, and our airmen have all grown in number in our struggle to meet this threat. Almost $1.4 billion of this supplemental request will go to these men and women who are entered in the Armed Forces in defense of freedom.

We find over half a billion dollars will go toward ammunition—the heart and sinew of war. This ammunition for our soldiers and marines on the ground, ammunition for sailors on warships and in the air, ammunition for our airmen over South and North Vietnam. We find almost a like amount for construction activities in southeast Asia. We find over $100 million in research and development for limited war.

This is a time for Congress to be counted—a time when we can show that we shall and will support our men at the frontier of freedom in southeast Asia.

FEDERAL ANTICRIME ACTIVITIES IN 1968 BUDGET

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, one of the toughest problems facing our Nation today is the rising incidence of crime. It strikes at every fiber of our society—its effect on our economy is enormous.

The administration is determined to help reverse the trend of crime in America. The need to make our homes and streets safe for all of our citizens has been repeatedly stressed by the President in his crime messages in 1965 and 1966; in his recent state of the Union message; in his establishment of both the National and District of Columbia Crime Commissions in July 1965; in his legislative proposals to the 89th Congress.

The budget that President Johnson has sent to us today calls for a sharply stepped-up effort in the fight against crime. A major thrust against the cancer of crime was described by the President in his state of the Union message when he said he would recommend to this Congress the Safe Streets and Crime Control Act of 1967. The President's budget calls for a 17-percent increase in the Department of Justice law enforcement operations, increasing programs already applied to the problem, and providing initial funds to get this major new effort underway.

Under this new program, our States and cities will receive major assistance in fighting crime. Although the Federal Government has a legitimate interest in law enforcement at all levels, the President has emphasized that the major responsibility for controlling the types of crime most likely to affect you and me must remain with the States, cities, and other local law enforcement officials. The efforts already underway and to be extended and expanded under the proposed safe streets and crime controll bill, will be an appropriate and effective development of creative federalism, tackling a serious problem that is uppermost in the minds of so many Americans.

I am certain that Members on both sides of the aisle will welcome the special emphasis that the President's budget places on striking at crime in our country.

THE BUDGET AND RURAL AMERICA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PURCELL. Mr. Speaker, the President's forward-looking budget for 1968 includes many recommendations and funds to strengthen programs to help rural America. Not only will the budget provide a wide range of services for rural America, it will also assure a plentiful food supply for people here and abroad.

Many of the programs benefiting rural America are in the Department of Agriculture budget, but important programs of benefit to rural people are included in other parts of the budget.

The President has directed the Secretary of Agriculture to take the lead in helping rural people achieve a higher standard of living. To this end the Department of Agriculture will work with State and Federal agencies and with local groups to help rural communities make the best use of existing programs.

For the Department of Agriculture, the budget provides an increase in expenditures of $296 million, bringing the total to $6 billion in 1968, much of which will be to aid rural people and rural communities.

I would like to call attention to some of the programs in this budget that will help rural people raise their standards of living.

The annual commodity programs for wheat, cotton, feed grains, and other crops will help maintain farm incomes at a high level. These programs, along with land-use adjustment programs, will help retire land not suited for agriculture, while allowing good agricultural land to be brought back into production of wheat and feed grains.

The Farmers Home Administration's direct and insured housing loans to individuals with low to moderate incomes will increase by $100 to $404 million in 1968. Loans for farm labor housing will be raised 50 percent above the 1967 level, as will loans for rental housing. Overall, the Farmers Home Administration will make loan commitments of $1.5 billion in 1968, 42 percent more than in 1966.

This year a new program will provide breakfasts for children in low-income area schools and in rural areas where they must travel long distances to reach school. Program expenditures will go from $2 million in 1967 to $6.5 million in 1968. Research will be emphasized that enhances consumer health and nutrition, and that raises the level of living of rural people. The Extension Service will expand services to low-income families and disadvantaged youths.

Another aspect of improving the quality of rural life is better community services. Here the Farmers Home Administration will increase its direct and insured loans for water, sewer, and recreation facilities by some $44 million over 1967. The Rural Electrification Administration is continuing to provide loans for new and improved telephone and electric services. The budget provides for new loans of $515 million, an increase of $61 million over 1967. There will be planning assistance for 15 new resource conservation and development area pilot projects, with work to start on eight of these projects in fiscal year 1968. Extension Service will provide additional multicounty agents to help accelerate economic growth and adjustment in rural areas.

In addition the Farmers Home Administration will increase rural renewal loans for initial planning in depressed rural areas. Also, river basin and watershed planning efforts which benefit rural areas and small communities will be continued in 1968. Funds recommended in the budget provide for starting construction of 80 small watershed protection projects and beginning planning on 100 other projects.

To help extend to rural people the assistance available under various Federal programs, the Rural Community Development Service staff will review and seek better program execution. A strengthened Farmers Home Administration field staff, working through the existing technical action panels, rural development committees, and by other means, will be used in this effort at the State and local level.

FREEDOM FOR WHOM?

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, another newspaper has ripped holes in that recent statement to an American editor in which Ho Chi Minh said his people "never will surrender our independence and freedom for the sake of peace."

If Ho refers to the North Vietnamese, points out the New York World Journal Tribune, they have already surrendered their freedom. And their independence is in no danger from the United States.

If he refers to the Vietnamese as a whole, the newspaper continues, he should consider the forceful manner in which he has been rejected by those south of the 17th parallel.

We have no intention of infringing on North Vietnam's independence. What we fight for is to insure freedom of choice for the South.

I insert this World Journal Tribune response to Ho in the Record:

[From the World Journal Tribune, Jan. 18, 1967]

Freedom for Whom?

Another American newspaperman has reached Hanoi. And Bill Baggs, editor of the Miami News, was able to have an interview with Ho Chi Minh, himself.

Unhappily, in the published accounts at least, the discussion was not very enlightening. So far as its applicability to the problem of peace in Viet Nam is concerned, it boiled down to a repeated insistence by Ho that his people "never will surrender our independence and freedom for the sake of peace."

But just who are Ho's people? If he means the North Vietnamese, they have already surrendered their freedom, and their independence is in no danger from the United States. That has been made very clear by every authorized spokesman for American policy.

If, however, Ho means the Vietnamese people as a whole, that is another matter. A majority south of the 17th Parallel have rejected him in the kind of elections Ho never dared call.

And just as the United States will not infringe upon North Vietnamese independence, so it is fighting to insure freedom for the South—freedom of choice.

CIVIL RIGHTS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Thompson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, the budget which President Johnson has sent to us today reflects his resolve, which has clearly never flagged, to take those steps, deliberately and firmly, which will lead us to the enjoyment of equal rights and equal justice for all.

Great strides have been made by this administration in securing equal rights for all citizens. Steps forward include:

Virtual elimination of discrimination in public accommodations in most areas.

A more than threefold increase in the number of Negro children attending desegregated schools.

Significant progress in the elimination of segregation in public facilities.

A doubling of the number of Negroes registered to vote in the Southern States.

Expansion in the number and variety of job opportunities open to Negroes in both the public and private sectors of the economy and the development of greater opportunities for promotion.

Enactment of the Economic Opportunity Act which has already been of inestimable benefit to the poor.

To continue progress toward equal opportunity as well as equal rights, this budget includes increased funds to:

Equalize opportunity in programs carried on by recipients of Federal financial aid and among Federal contractors.

Investigate criminal violations of civil rights.

Enable the Commission on Civil Rights to investigate complaints, hold hearings, and make studies of civil rights problems.

Conciliate and resolve disputes in communities across the country.

Achieve equal opportunity in private employment.

Aside from legislative proposals which the President will later transmit to the Congress, the continually advancing budget levels for enforcement in the civil rights area serve major notice that he and his administration remain unswervingly dedicated to the strengthening of all programs authorized under present law.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 376. An act fixing the representation of the majority and minority membership of the Joint Economic Committee.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Mahon, for 30 minutes, today, immedately following the reading of the budget message of the President, and to revise and extend his remarks and to include tabular material.

Mr. Hardy (at the request of Mr. Albert), for 5 minutes, today; and to revise and extend his remarks.

Mr. King of California (at the request of Mr. Albert), for 5 minutes, today; and to revise and extend his remarks.

Mr. Albert, for 10 minutes, today; and to revise and extend his remarks.

Mr. Jonas, for 1 hour, on Tuesday, January 31; to revise and extend his remarks and to include extraneous matter.

Mr. Curtis (at the request of Mr. Erlenborn), for 60 minutes, on February 2; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Collier.

Mr. Rhodes of Arizona.

Mr. Fino and to include extraneous matter.

(The following Members (at the request of Mr. Erlenborn) and to include extraneous matter:)

Mr. Zwach.

Mr. McClory.

Mr. Cleveland.

Mr. Laird.

Mr. Wydler.

All Members (at the request of Mr. Kazen) for 5 legislative days, to revise and extend their remarks on the President's budget message.

(The following Members (at the request of Mr. Kazen) and to include extraneous matter:)

Mr. Joelson.

Mr. Anderson of Tennessee.

Mr. Moss.

Mr. Blatnik.

ADJOURNMENT

Mr. KAZEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Wednesday, January 25, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

245. A communication from the President of the United States, transmitting a supplemental request for new obligational authority for the support of military operations in southeast Asia, for fiscal 1967 (H. Doc. No. 42); to the Committee on Appropriations and ordered to be printed.

246. A letter from the Comptroller General of the United States, transmitting a report of audit of Farm Credit Administration and certain banks of the farm credit system, fiscal year 1966 (H. Doc. No. 43); to the Committee on Government Operations and ordered to be printed.

247. A letter from the Comptroller General of the United States, transmitting a report of examination of financial statements, fiscal year 1966, Federal Prison Industries, Inc., Department of Justice (H. Doc. No. 44); to the Committee on Government Operations and ordered to be printed.

248. A letter from the Comptroller General of the United States, transmitting a report of review of the administration of the District of Columbia Nonresident Tuition Act, Board of Education, District of Columbia government; to the Committee on Government Operations.

249. A letter from the Deputy Assistant Secretary of the Interior, transmitting copies of proposed amendments to certain concession contracts, pursuant to the provisions of 70 Stat. 543; to the Committee on Interior and Insular Affairs.

250. A letter from the Assistant Secretary of the Interior, transmitting a report on matters contained in the Helium Act (Public Law 86–777), pursuant to the provisions of 74 Stat. 918; 50 U.S.C. 167; to the Committee on Interior and Insular Affairs.

251. A letter from the Chairman, Interstate Commerce Commission, transmitting drafts of proposed legislation; to the Committee on Interstate and Foreign Commerce.

252. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report on aliens conditionally entering the United States, pursuant to the provisions of section 203(f) of the Immigration and Nationality Act; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BETTS:

H.R. 3536. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing an additional tax credit for expenditures incurred in constructing such facilities and by permitting the immediate deduction of such expenditures; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 3537. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3538. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DERWINSKI:

H.R. 3539. A bill to provide that U.S. payments to the United Nations shall not be used for programs contrary to the policies of the United States; to the Committee on Foreign Affairs.

By Mr. EILBERG:

H.R. 3540. A bill to amend section 1114 of title 18, United States Code, so as to extend its protection to postmaster, officers, and employees of the field service of the Post Office Department; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 3541. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. FLYNT:

H.R. 3542. A bill to encourage the creation of original ornamental designs of useful articles by protecting the authors of such designs for a limited time against unauthorized copying; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 3543. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 3544. A bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education; to the Committee on Ways and Means.

By Mr. GOODELL:

H.R. 3545. A bill to amend title 38 of the United States Code to liberalize the provisions relating to the payment of pensions to widows of veterans of the Civil War; to the Committee on Veterans' Affairs.

By Mr. HALL:

H.R. 3546. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mr. HANNA:

H.R. 3547. A bill to authorize an additional method for Federal savings and loan associations to raise capital, and for other purposes; to the Committee on Banking and Currency.

H.R. 3548. A bill to add a new title XII to the National Defense Educational Act of 1958; to the Committee on Education and Labor.

H.R. 3549. A bill to provide that certain functions with respect to housing loans shall be performed by the Federal Housing Administration; to the Committee on Veterans' Affairs.

By Mr. HUTCHINSON:

H.R. 3550. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 3551. A bill to amend the Federal Unemployment Tax Act to provide an exemption for certain short-term employment at agricultural or horticultural fairs; to the Committee on Ways and Means.

By Mr. KING of New York:

H.R. 3552. A bill to amend the Internal Revenue Code of 1954 to exempt servicemen from the excise tax on transportation by air; to the Committee on Ways and Means.

By Mr. KLEPPE:

H.R. 3553. A bill to designate the Oahe Reservoir on the Missouri River in the States of North Dakota and South Dakota as Lake Oahe; to the Committee on Interior and Insular Affairs.

By Mr. LATTA:

H.R. 3554. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. LONG of Maryland:

H.R. 3555. A bill to establish a Bureau of Older Workers in the Department of Labor; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 3556. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. MORGAN:

H.R. 3557. A bill to amend the Older Americans Act of 1965 to provide for an Older Americans Community Service Corps; to the Committee on Education and Labor.

H.R. 3558. A bill to provide compensation for damages to certain facilities rendered inoperative or otherwise adversely affected as a result of the modernization of the Monongahela River navigation project; to the Committee on Public Works.

H.R. 3559. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

H.R. 3560. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 3561. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

H.R. 3562. A bill to amend the Social Security Act to provide that, for the purpose of old-age and survivors insurance benefits, retirement age shall be 60 years; to the Committee on Ways and Means.

By Mr. MURPHY of Illinois:

H.R. 3563. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. NELSEN:

H.R. 3564. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 3565. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 3566. A bill to provide for the award of the Good Conduct Medal to certain veterans of World War I; to the Committee on Armed Services.

H.R. 3567. A bill to postpone the application of daylight saving provisions of the Uniform Time Act of 1966 in certain States; to the Committee on Interstate and Foreign Commerce.

H.R. 3568. A bill to provide for the appointment of one additional district judge for the eastern district of Kentucky; to the Committee on the Judiciary.

H.R. 3569. A bill to amend the Civil Service Retirement Act to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3570. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ROONEY of Pennsylvania:

H.R. 3571. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. THOMPSON of Georgia:

H.R. 3572. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. WHITE:

H.R. 3573. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. ZWACH:

H.R. 3574. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. ANDERSON of Tennessee:

H.R. 3575. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 3576. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. BARING:

H.R. 3577. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

H.R. 3578. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

H.R. 3579. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 3580. A bill to amend section 407 of the Social Security Act to make permanent the existing temporary authority to provide aid to families with dependent children in cases where the parent is unemployed; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 3581. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

Mr. DE LA GARZA:

H.R. 3582. A bill to amend the tariff schedules of the United States to increase the exemption from duty for returning residents from $100 to $200, and for other purposes; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 3583. A bill to amend the Clean Air Act to provide for more effective prevention, control, and abatement of air pollution through the establishment of air regions and standards applicable thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. DOW:

H.R. 3584. A bill to amend section 702 of the Housing and Urban Development Act of 1965 to permit grants after construction is commenced for basic water and sewer facilities which qualify for such grants but cannot receive them prior to construction because of the unavailability of funds; to the Committee on Banking and Currency.

By Mr. FARBSTEIN:

H.R. 3585. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 3586. A bill to authorize the sale of certain public lands; to the Committee on Interior and Insular Affairs.

By Mr. HÉBERT:

H.R. 3587. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HOWARD:

H.R. 3588. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 3589. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 3590. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 3591. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 3592. A bill to provide uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mrs. MINK:

H.R. 3593. A bill to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii; to the Committee on Veterans' Affairs.

H.R. 3594. A bill to amend section 228 of the Social Security Act to provide benefits at age 72 for certain additional uninsured individuals, and to exclude the first $50 per month of any governmental pension in determining whether an individual's benefits under such section are subject to reduction; to the Committee on Ways and Means.

H.R. 3595. A bill to prevent reduction of certain widows' benefits under title II of the Social Security Act; to the Committee on Ways and Means.

H.R. 3596. A bill to amend section 312 of the Immigration and Nationality Act to exempt certain additional persons from the requirements as to understanding the English language before their naturalization as citizens of the United States; to the Committee on the Judiciary.

H.R. 3597. A bill to amend section 301(b) of the Immigration and Nationality Act to provide that any person who is a national and citizen of the United States at birth under section 301(a)(7) of that act shall not lose his nationality and citizenship if the alien parent is naturalized while such person is under the age of 16 years and such person begins residing in the United States permanently while under the age of 16 years; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 3598. A bill to provide that the next cruiser commissioned in the U.S. Navy shall be named the *Brooklyn*; to the Committee on Armed Services.

H.R. 3599. A bill to amend the Small Business Act; to the Committee on Banking and Currency.

H.R. 3600. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 3601. A bill to confer jurisdiction upon the Court of Claims to review de novo claims for benefits and payments under laws administered by the Veterans' Administration; to the Committee on the Judiciary.

H.R. 3602. A bill to amend the act entitled "An act to promote export trade, and for other purposes," approved April 10, 1918, to provide that no export trade association shall restrict any foreign buyer from dealing, directly or through an agent of his own selection, with any producer, manufacturer, or seller; to the Committee on the Judiciary.

H.R. 3603. A bill to amend sections 512 and 513 of the Servicemen's Readjustment Act of 1944 to provide direct loan funds, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3604. A bill to amend title 38 of the United States Code to increase the funeral expenses payable with respect to certain veterans from $250 to $500; to the Committee on Veterans' Affairs.

H.R. 3605. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 3606. A bill to exempt from income tax, annuities and pensions paid by the United States to its employees; to the Committee on Ways and Means.

H.R. 3607. A bill to repeal part I of subchapter G of chapter 1 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 3608. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 3609. A bill to amend paragraph 1798 (c)(2) of the Tariff Act of 1930 to eliminate the present temporary reductions in the exemption from duty enjoyed by returning residents in cases where the articles involved were obtained with foreign currencies purchased from the United States, and for other purposes; to the Committee on Ways and Means.

H.R. 3610. A bill to amend the Social Security Act to permit the use of social security records to aid in locating runaway parents; to the Committee on Ways and Means.

H.R. 3611. A bill to amend title II of the Social Security Act to provide that certain military service of a veteran entitled to a civil service retirement annuity may be counted for social security purposes if he irrevocably elects to exclude such service from the computation of such annuity; to the Committee on Ways and Means.

H.R. 3612. A bill to amend the Tariff Act of 1930 to provide that any article of medical equipment or machinery imported by a State or its political subdivision for certain purposes shall be free of duty; to the Committee on Ways and Means.

H.R. 3613. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on transportation of persons by air; to the Committee on Ways and Means.

H.R. 3614. A bill to provide income tax exemptions for members of the Armed Forces serving outside the United States; to the Committee on Ways and Means.

H.R. 3615. A bill to amend title II of the Social Security Act to provide that a child shall be deemed dependent on his natural or adopting parent, for purposes of determining his eligibility for child's insurance benefits, if such parent is a fully insured individual at the time required for such eligibility; to the Committee on Ways and Means.

H.R. 3616. A bill to amend title II of the Social Security Act to provide an alternative method of crediting earnings for purposes of determining an individual's insured status and benefit amount; to the Committee on Ways and Means.

H.R. 3617. A bill to equalize income tax revenues, and for other purposes; to the Committee on Ways and Means.

H.R. 3618. A bill to establish reciprocal import quotas upon the importation of confectionery and chocolate into the United States from foreign countries which impose quotas upon imports of confectionery and chocolate from the United States; to the Committee on Ways and Means.

H.R. 3619. A bill to designate judicial precedents which shall be binding in the administration and enforcement of the internal revenue laws; to the Committee on Ways and Means.

H.R. 3620. A bill to amend the Internal Revenue Code of 1954 so as to impose a graduated tax on the taxable income of corporations; to the Committee on Ways and Means.

H.R. 3621. A bill to amend the Internal Revenue Code, act of February 10, 1939; to the Committee on Ways and Means.

H.R. 3622. A bill to provide that communications relating to income tax which are mailed to a taxpayer shall not bear on the outer covering any markings which disclose information concerning such taxpayer's income or tax liability; to the Committee on Ways and Means.

H.R. 3623. A bill to amend section 103 of the Internal Revenue Code of 1954, to provide that the interest on certain obligations shall not be tax exempt; to the Committee on Ways and Means.

H.R. 3624. A bill to amend the Internal Revenue Code of 1954 to provide that, in the case of stock options issued or granted in whole or in part for services rendered, the gain therefrom shall be treated as ordinary income, and for other purposes; to the Committee on Ways and Means.

H.R. 3625. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for a tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 3626. A bill to amend section 4001 of title 38, United States Code, to prescribe qualifications for members of the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 3627. A bill to amend title 38 of the United States Code to provide that the Veterans' Administration shall provide complete medical services for any veteran totally disabled from a service-connected disability; to the Committee on Veterans' Affairs.

H.R. 3628. A bill to amend title 38 of the United States Code to provide that certain veterans who were prisoners of war shall be deemed to have a service-connected disability of 50 percent; to the Committee on Veterans' Affairs.

H.R. 3629. A bill to increase from $600 to $750 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age and blindness); to the Committee on Ways and Means.

H.R. 3630. A bill to mend the Anti-Dumping Act, 1921; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 3631. A bill to provide for the dedication of certain streets on the Agua Caliente Indian Reservation and to convey title to certain platted streets, alleys, and strips of land; to the Committee on Interior and Insular Affairs.

By Mr. UDALL:

H.R. 3632. A bill to provide for the conveyance of certain real property of the United States situated in the State of Arizona; to the Committee on Agriculture.

By Mr. WALDIE:

H.R. 3633. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Kellogg unit, Delta division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WIDNALL:

H.R. 3634. A bill to amend title II of the Social Security Act to provide an 8-percent, across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. YOUNGER:

H.R. 3635. A bill to amend the Communications Act of 1934 to establish a statutory policy governing the broadcasting of views on controversial issues; to the Committee on Interstate and Foreign Commerce.

H.R. 3636. A bill to provide for the adjustment of the basic salaries of postal field service employees on a regional basis in accordance with prevailing wage rates; to the Committee on Post Office and Civil Service.

By Mr. ULLMAN:

H.R. 3637. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEDS:

H.R. 3638. A bill to promote the domestic and foreign commerce of the United States by modernizing practices of the Federal Government relating to the inspection of persons, merchandise, and conveyances moving into, through, and out of the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. JARMAN:

H.R. 3639. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Florida:

H.R. 3640. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H.R. 3641. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WATTS:

H.R. 3642. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HULL:

H.R. 3643. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS:

H.R. 3644. A bill to amend title 5, United States Code, to require Government contributions toward health benefits plans equal to 50 percent of rate charges; to the Committee on Post Office and Civil Service.

By Mr. DOW:

H.R. 3645. A bill to amend the Housing and Urban Development Act of 1965 to increase from $200 million to $500 million the amount of the annual appropriations authorized thereunder for grants for basic water and sewer facilities; to the Committee on Banking and Currency.

By Mr. EVINS of Tennessee:

H.R. 3646. A bill to revise and extend the Appalachian Regional Development Act of 1965; to the Committee on Public Works.

By Mr. HOLIFIELD (by request):

H.R. 3647. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. McMILLAN:

H.R. 3648. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

By Mr. PERKINS:

H.R. 3649. A bill to extend the provisions of law providing Federal assistance for elementary and secondary education; to the Committee on Education and Labor.

H.R. 3650. A bill to increase the authorization of appropriations for work experience and training programs; to the Committee on Education and Labor.

H.R. 3651. A bill relative to age discrimination in employment; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI:

H.R. 3652. A bill to suspend for a temporary period the import duty on manganese ore (including ferruginous ore) and related products; to the Committee on Ways and Means.

By Mr. RYAN:

H.R. 3653. A bill to appropriate funds to carry out section 402 of the Narcotic Addict Rehabilitation Act of 1966; to the Committee on Appropriations.

By Mr. SAYLOR:

H.R. 3654. A bill to provide for fair representation of all areas of the United States in the House of Representatives; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.J. Res. 201. Joint resolution authorizing the President to proclaim National CARIH Asthma Week; to the Committee on the Judiciary.

By Mr. GOODELL:

H.J. Res. 202. Joint resolution to provide for the establishment of a Commission on National Defense Policy; to the Committee on Armed Services.

By Mr. GURNEY:

H.J. Res. 203. Joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. HOSMER:

H.J. Res. 204. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JACOBS:

H.J. Res. 205. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.J. Res. 206. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of Amerigo Vespucci; to the Committee on Post Office and Civil Service.

By Mr. LONG of Maryland:

H.J. Res. 207. Joint resolution to direct the Librarian of Congress to transfer certain documents to the Hall of Records Commission of the State of Maryland; to the Committee on House Administration.

By Mr. MORGAN:

H.J. Res. 208. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J. Res. 209. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RANDALL:

H.J. Res. 210. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. DERWINSKI:

H. Con. Res. 85. Concurrent resolution relating to freedom for Baltic States; to the Committee on Foreign Affairs.

By Mr. NELSEN:

H. Con. Res. 86. Concurrent resolution expressing the sense of Congress that highway trust funds should not be withheld; to the Committee on Ways and Means.

By Mr. DENNEY:

H. Res. 169. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. FINO:

H. Res. 170. Resolution expressing the sense of the House of Representatives with respect to the withdrawal of American troops from Europe; to the Committee on Foreign Affairs.

By Mrs. REID of Illinois:

H. Res. 171. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. TEAGUE of California:

H. Res. 172. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. WOLFF:

H. Res. 173. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. BERRY:

H. Res. 174. Resolution expressing the sense of the House of Representatives that no further expenditures for highway beautification should be made until the Vietnam war is terminated; to the Committee on Public Works.

MEMORIALS

Under clause 4 of rule XXII,

3. The SPEAKER presented a memorial of the Legislature of the State of Colorado, relative to Vietnam, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 3655. A bill for the relief of Pasquale Morsello; to the Committee on the Judiciary.

H.R. 3656. A bill for the relief of George Apostolopoulos; to the Committee on the Judiciary.

H.R. 3657. A bill for the relief of Leowidas Kotsasiannis; to the Committee on the Judiciary.

H.R. 3658. A bill for the relief of Stavras Soukas; to the Committee on the Judiciary.

H.R. 3659. A bill for the relief of Cologero Armandini; to the Committee on the Judiciary.

H.R. 3660. A bill for the relief of Eleftherios Ekonomou; to the Committee on the Judiciary.

H.R. 3661. A bill for the relief of Giovanni Maranzano; to the Committee on the Judiciary.

H.R. 3662. A bill for the relief of Serafem J. Loucas; to the Committee on the Judiciary.

H.R. 3663. A bill for the relief of Mr. and Mrs. Dimosthenis Fokas and their minor child, Anastos Fokas; to the Committee on the Judiciary.

H.R. 3664. A bill for the relief of Antonino Eterno; to the Committee on the Judiciary.

H.R. 3665. A bill for the relief of Francesco Scalice; to the Committee on the Judiciary.

H.R. 3666. A bill for the relief of Vassiliki and Athanasios Levantis; to the Committee on the Judiciary.

H.R. 3667. A bill for the relief of Antonio Zambianchi; to the Committee on the Judiciary.

H.R. 3668. A bill for the relief of Calogera Tranchina; to the Committee on the Judiciary.

H.R. 3669. A bill for the relief of Salvatore and Domitella Barone and minor child, Josephine Barone; to the Committee on the Judiciary.

H.R. 3670. A bill for the relief of Salvatore and Vincenza Coico and minor children, Francesca and Luigi Coico; to the Committee on the Judiciary.

H.R. 3671. A bill for the relief of Vincenzo Turriciamo; to the Committee on the Judiciary.

H.R. 3672. A bill for the relief of Andrea Spitaleri; to the Committee on the Judiciary.

H.R. 3673. A bill for the relief of Panagiotis Leontaritis; to the Committee on the Judiciary.

H.R. 3674. A bill for the relief of Chrisoula Aglamisi; to the Committee on the Judiciary.

H.R. 3675. A bill for the relief of Pasquale Troia; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 3676. A bill for the relief of Jerssie T. Ramirez Wong; to the Committee on the Judiciary.

By Mr. CAREY:

H.R. 3677. A bill for the relief of Mrs. Traiani Lissitsi; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 3678. A bill for the relief of Dr. Sophocles Sakellariou; to the Committee on the Judiciary.

H.R. 3679. A bill for the relief of Nunsia (Nancy) Francesca Badali; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 3680. A bill for the relief of Kazimerz Sosnowski; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 3681. A bill for the relief of James M. Yates; to the Committee on the Judiciary.

H.R. 3682. A bill for the relief of Theodor Avitahl; to the Committee on the Judiciary.

By Mr. DOW:

H.R. 3683. A bill for the relief of Saidi Parseghian de Malumian; to the Committee on the Judiciary.

H.R. 3684. A bill for the relief of Young Il Park; to the Committee on the Judiciary.

H.R. 3685. A bill for the relief of Kazimierz Wiercinski; to the Committee on the Judiciary.

H.R. 3686. A bill for the relief of Mrs. Carmela Mancuso and her daughter, Filippa Mancuso; to the Committee on the Judiciary.

H.R. 3687. A bill for the relief of Hanna Lerner; to the Committee on the Judiciary.

H.R. 3688. A bill for the relief of Sister Mary Sylvana (Maria Mattozi); to the Committee on the Judiciary.

H.R. 3689. A bill for the relief of Maria D'Ascola Ferrara; to the Committee on the Judiciary.

H.R. 3690. A bill for the relief of Demir Alp Barker, Mufide Barker, and Ali Halim Barker; to the Committee on the Judiciary.

H.R. 3691. A bill for the relief of Sun On Ng; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 3692. A bill for the relief of Dr. Nahit Esen; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 3693. A bill for the relief of Carmello Stancanelli; to the Committee on the Judiciary.

H.R. 3694. A bill for the relief of Esther Joseph; to the Committee on the Judiciary.

H.R. 3695. A bill for the relief of Giuseppe (Joseph) Gagliano; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 3696. A bill for the relief of Remigio Bernardi; to the Committee on the Judiciary.

H.R. 3697. A bill for the relief of Rosario Toria; to the Committee on the Judiciary.

H.R. 3698. A bill for the relief of Marianna Galati; to the Committee on the Judiciary.

H.R. 3699. A bill for the relief of Lucio Maugeri; to the Committee on the Judiciary.

H.R. 3700. A bill for the relief of Vincenzo Zomparelli; to the Committee on the Judiciary.

H.R. 3701. A bill for the relief of Raffaele and Franceschina Piscitelli; to the Committee on the Judiciary.

H.R. 3702. A bill for the relief of Domenico Surleti; to the Committee on the Judiciary.

H.R. 3703. A bill for the relief of Newton Dowden and Shirley Agnes Dowden; to the Committee on the Judiciary.

H.R. 3704. A bill for the relief of Michele Ponte-Affronti; to the Committee on the Judiciary.

By Mr. HAYS:

H.R. 3705. A bill for the relief of Sun On Ng; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 3706. A bill for the relief of Christina von Renner; to the Committee on the Judiciary.

H.R. 3707. A bill for the relief of Dr. and Mrs. Kaddusi Gazioglu and sons, Orhon and Mehmet; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 3708. A bill for the relief of Ladislao Toth and Tsuzsanne Patkos de Toth; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 3709. A bill for the relief of Christopher Bugarchich; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 3710. A bill for the relief of Dr. Lolita Lerma; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 3711. A bill to provide for the issuance of a license to practice the healing art in the District of Columbia to Giovanni Di Chiro, M.D.; to the Committee on the District of Columbia.

H.R. 3712. A bill for the relief of Rear Adm. Arthur A. Ageton, U.S. Navy, retired; to the Committee on the Judiciary.

H.R. 3713. A bill for the relief of William H. Morning; to the Committee on the Judiciary.

H.R. 3714. A bill for the relief of Frank J. Kreysa; to the Committee on the Judiciary.

H.R. 3715. A bill for the relief of Charles J. Arnold; to the Committee on the Judiciary.

H.R. 3716. A bill for the relief of Edward G. Beagle, Jr.; to the Committee on the Judiciary.

H.R. 3717. A bill for the relief of Mrs. M. M. Richwine; to the Committee on the Judiciary.

H.R. 3718. A bill for the relief of Antonio Gonzalez-Mora, and his wife, Natalia Sandoval Gonzalez-Mora; to the Committee on the Judiciary.

H.R. 3719. A bill for the relief of Giuseppe Ippoliti, and his wife, Marcella Ippoliti, and their children, Miss Stafania Ippoliti and Master Franco Ippoliti; to the Committee on the Judiciary.

H.R. 3720. A bill for the relief of Panagiota and Konstantinos Karras; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 3721. A bill for the relief of Mrs. Tai Koo Ng; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 3722. A bill for the relief of Associated Engineers & Contractors, Inc.; to the Committee on the Judiciary.

H.R. 3723. A bill for the relief of Mrs. Kameyo Nakamura; to the Committee on the Judiciary.

H.R. 3724. A bill for the relief of Mrs. Saku Hiratsuka; to the Committee on the Judiciary.

H.R. 3725. A bill for the relief of Lt. Col. Marcelino C. Guiang; to the Committee on the Judiciary.

By Mr. MORGAN:

H.R. 3726. A bill for the relief of Delia Pili; to the Committee on the Judiciary.

H.R. 3727. A bill for the relief of Elpidio and Natividad Damazo; to the Committee on the Judiciary.

H.R. 3728. A bill for the relief of Theodora Papadopalis Ivanov; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 3729. A bill for the relief of Modestino Calazza; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 3730. A bill for the relief of the estate of Charley Conley; to the Committee on the Judiciary.

H.R. 3731. A bill for the relief of James D. Stephens; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 3732. A bill for the relief of Luis Donato Rodrigues; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H.R. 3733. A bill for the relief of Dr. Hu Yong Lee; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 3734. A bill for the relief of Giuseppe De Stefano; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 3735. A bill for the relief of Evangelos Perrakis; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 3736. A bill for the relief of Stephen H. Clarkson; to the Committee on the Judiciary.

H.R. 3737. A bill to provide for the free entry of a carillon for the use of the University of California at Riverside; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 3738. A bill for the relief of Carmen Yaciofano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

13. By the SPEAKER: Petition of Capitol Hill Southeast Citizens Association, Washington, D.C., relative to crime and anticrime legislation; to the Committee on the District of Columbia.

14. Also, petition of Clarence E. Whaley, San Jose, Calif., relative to impeachment of the Chief Justice of the Supreme Court; to the Committee on the Judiciary.

15. Also, petition of Roger D. Kaiser, Lompoc, Calif., relative to confinement of Alaskan prisoners; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Tribute to Judge Minard E. Hulse

EXTENSION OF REMARKS
OF
HON. ROBERT McCLORY
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 24, 1967

Mr. McCLORY. Mr. Speaker, this past December, Judge Minard E. Hulse, one of Illinois' great jurists, retired from the Lake County circuit court.

Judge Hulse occupies a high place in the hearts and minds of all of us who have known him. My association with Judge Hulse has been both personal and professional and spans many years. I knew him first as a family friend and fellow member of the bar; then, as a jurist, before whom I frequently appeared as a practicing attorney. And, again, when I was a member of the Illinois State Senate and he came to me with recommendations for changing the laws affecting his court.

Judge Hulse's primary concern is with people, knowing that only by helping the individual is it possible to benefit society itself. He has always recognized the institution of the American family as the basic ingredient to the successful development of the individual and the community, and the need to rehabilitate wherever possible the young people who are the victims of poor judgment or poor environment, or lack of parental supervision and advice. He backed legislation—now law in Illinois and in some other States—permitting husbands and fathers to be released from custody during daytime hours for full-time employment, returning to custody at night to fulfill their sentences, thus contributing not only to their own welfare but to that of their families and society.

A great lawyer and a great judge, yes—but, above all, Judge Hulse is a great humanitarian, a man of the big heart and of the wise decision. He is a man of the firm resolve that the key to improved human behavior lies in human decisions for the right, and that in all things, divine guidance alone can enable man to attain a higher place in the esteem of his fellow man and his Creator.

This is the place Judge Hulse occupies today. In that high estate, I salute him, his faithful and beloved Evelyn, and their wonderful family.

Mr. Speaker, I am proud to pay this tribute to Judge Hulse in the House of Representatives, and to call to the attention of my colleagues the high regard in which he is held by the citizens of Lake County and of Illinois.

Hon. Gordon Browning; Distinguished Tennessean and a True Servant of the People

EXTENSION OF REMARKS
OF
HON. WILLIAM R. ANDERSON
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 24, 1967

Mr. ANDERSON of Tennessee. Mr. Speaker, you and many other Members of the House will recall as your friend the Honorable Gordon Browning, of Tennessee, who served with distinction in the House of Representatives during several terms some years ago and who later served so ably as Governor of Tennessee. Military men and civilians alike will recall the great record of military service of Gordon Browning during both World War I and World War II. He is a man who has devoted himself since childhood to serving the people—service in the most honorable and dedicated form. I share the pride of millions who have been inspired by the selfless devotion to public service of this great American. His heart and his courage are as big as Tennessee itself, from Smoky Mountains to Mississippi plain.

Some who have not seen Governor Browning for some years might bring forth the question, "What is Gordon Browning doing now?" And then, those who know him well would realize that this question has but one answer, "Gordon Browning is serving the people." He is today, despite pain and physical affliction, in contact, town to town in Tennessee, delivering to thousands a valiant message on the responsibilities we all have to God and country, and as Democrats, to our party and to its ideals. As a fellow Tennessean, I salute him.

Tax Relief Offered for Employee Moving Expenses

EXTENSION OF REMARKS
OF
HON. JAMES C. CLEVELAND
OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, January 24, 1967

Mr. CLEVELAND. Mr. Speaker, I have reintroduced legislation to exclude from taxable income certain reimbursed moving expenses of employees who are transferred.

Under existing law, only the bare essentials of moving expenses are excludable from taxable income for these employees. These excludable expenses cover only the actual cost of moving the employee's possessions, and his transportation along with that of his family. All other moving expenses, when reimbursed to him by his company, are counted as personal income and the law requires the employer to withhold Federal income tax on such reimbursements.

Last year, the 89th Congress enacted into law provisions for the Federal Government to reimburse its employees for certain expenses incurred in moving as a result of a Government-requested transfer.

It is manifestly inconsistent for the Government to recognize the legitimacy of these expenses for reimbursement on the one hand, while taxing payments for these same expenses on the other hand. In effect, the tax law works against the very principle of full-expense reimbursement which the Congress adopted for the Federal Government last year.

In addition, this unfairness creates a hardship on employees and severely penalizes them through no fault of their own. It is time this situation is corrected.

My bill would exclude from income many costs in addition to the bare essentials excluded under existing law. Excluded would be such legitimate and necessary expenses as storage expenses; house-hunting trips; meals and lodging while the employee and his family are occupying temporary quarters at the new location; travel between the old and new location; and expenses incurred in connection with disposing of the old residence.

The 49th Anniversary of Ukrainian Independence

EXTENSION OF REMARKS

OF

HON. JOHN W. WYDLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. WYDLER. Mr. Speaker, today when many speak of building bridges between the East and the West, establishing further contacts with East European nations to induce their further liberalization and their faltering, hesitant expression of limited independence from Soviet control, it is easy to become discouraged by the minimal effectiveness of such a policy. Far more frustrating however, is the realization that some of the Captive Nations are beyond the reach of the engineers of these bridges. I wish to call attention to one of those nations in particular which lay beyond the bridge span possibilities—the Ukraine. For the Ukraine and other nations like it have fallen prey to the direst Soviet colonialization. The Soviet Union has incorporated the Ukraine within the geographical boundaries of the Soviet Union, as though to obliterate from history the previous existence of the Ukraine as a nation. Thus the Soviet Union has eliminated any possible contact, any possible construction of bridges, between the West and the Ukraine as a national entity. The Soviet Union denies national identity to the Ukrainian people, claiming they form an integral part of Russia.

Yet the Soviet Union will never succeed in erasing the memory of national existence from the hearts of the Ukrainian people. Nor will it ever succeed in extinguishing the fervent passion for independence which smolders in Ukrainian souls. Proof of these two statements lies in the previous failure of the Russians' attempt to incorporate the Ukraine. For this is the second Soviet-executed tragedy to befall the Ukraine. The first Russian incorporation attempt with regard to the Ukraine covered a period of nearly 250 years, ending with the Ukrainian declaration of independence on January 22, 1918. On that glorious date in Ukrainian history, the Ukrainian people seized upon the opportunities afforded them by Russian internal strife to achieve the restoration of their own independence.

However the Ukrainian nation was to have only a brief respite from Soviet domination. Within barely 2 years the Soviet Union had reconquered the Ukraine. Again the Ukrainian people were to be subjected to Russian incorporation efforts.

Today on the anniversary of Ukrainian independence, we as Americans wish to extend moral encouragement to the Ukrainian people in deepest respect for their commitment to the principles of freedom and liberty they have so undeniably demonstrated throughout their history.

The Dedicated Service of Ronald Gall

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. JOELSON. Mr. Speaker, I was pleased to learn that the Navy Department has awarded a Certificate of Appreciation to my distinguished constituent, Ronald Gall, for his outstanding service to the U.S. Navy.

Formal presentation of the commendations to Mr. Gall was made on Tuesday, January 10, by Rear Adm. B. M. Strean, Deputy and Assistant Chief of Naval Personnel at the Navy Department in Washington.

The work for which Mr. Gall was cited was his support, as corporate director of public relations of the Curtiss-Wright Corp., of Navy recruiting advertising and publicity programs. It covers the period of the last 5 years.

In an accompanying letter of commendation, Adm. B. J. Semmes, Chief of Naval Personnel, said:

> You have devoted your time, energy, and ability to create and to place a series of Navy recruiting advertisements of sustained excellence. The response to these advertisements has been outstanding. The Recruiting Aids Division has received over 4,000 replies to the advertisement sponsored by Curtiss-Wright in 1965. In response to this year's advertisement, the Recruiting Aids Division has received over one thousand inquiries during the first week of its exposure.
>
> I want to commend you for the warm hospitality and personal attention which you have given to the young naval officers who worked with you during these years. You have acted as their mentor and have given freely of yourself and your vast knowledge of advertising and the media.
>
> Thank you for your devoted public service to the U.S. Navy and I know that you have achieved genuine satisfaction in accomplishing a job well done.

Mr. Gall has been active for years in the Navy support programs. He is a long-time member of the Navy League of the United States and presently is a vice president and director of its Passaic-Bergen Council. Recently, he served on the Advisory Committee of Adm. John Bergen, chairman of the Committee of the New York Navy League Council which commemorated the 50th anniversary of Naval Reserve Aviation at a dinner held on October 26 at the Waldorf-Astoria, attended by approximately 1,500 people.

I am proud that he is my constituent and my friend.

Ukrainian Independence

EXTENSION OF REMARKS

OF

HON. HAROLD R. COLLIER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. COLLIER. Mr. Speaker, last Sunday was the 49th anniversary of Ukrainian independence. It was on January 22, 1918, that Ukraine declared its independence from Russia.

Prior to the declaration of independence, the Ukrainians were under the domination of the czars. The Romanoff dynasty was overthrown in 1917; eventually Russia was taken over by the forces of communism.

The freedom of Ukraine was short-lived. Whether the larger country was run by the czars or by the commissars made no difference to the Ukrainian people, who were once more, in 1920, taken over by the Russians.

Since the end of World War II, no less than 61 nations have gained their independence. Forty-three of the 61 are smaller geographically than Ukraine, which is 232,046 square miles in area.

Only 3 of the 61 countries have populations that exceed Ukraine's 45 million. The Maldive Islands, which achieved independence in 1965, have 115 square miles of territory and 97,000 inhabitants.

Certainly, like all lovers of freedom, liberty, and independence, I have rejoiced when the peoples of new nations severed the ties that had previously bound them to colonial empires such as those held by Belgium, France, Great Britain, Italy, the Netherlands, and Portugal. I was pleased when the Philippines were granted their independence by the United States.

We hear a great deal these days about more treaties, increasing trade, cultural exchanges, increased communication and travel, a lessening of tensions, and coexistence with the Soviet Union. If the past has any meaning, most of these supposedly reciprocal agreements will turn out to be one-sided affairs.

The next time the Soviet Union asks us to sign any sort of treaty, convention, or other agreement, let us insist, as part of the bargain, that she demonstrate her good faith by granting independence to Ukraine. As President Lyndon B. Johnson told the Congress in his state of the Union message in 1966:

> The . . . most important principle of our foreign policy is support of national independence—the right of each people to govern themselves and to shape their own institutions . . . We follow this principle by encouraging the end of colonial rule.

Under leave to extend my remarks, I include a table which lists the countries that have secured their freedom since World War II, together with the dates of independence, areas, and populations:

Nation	Date of independence	Area (square miles)	Population
Algeria	1962	919, 591	[1] 12, 000, 000
Botswana	1966	275, 000	559, 000
Burma	1948	261, 789	24, 732, 000
Burundi	1962	10, 739	[1] 2, 780, 000
Cambodia	1953	69, 898	[1] 6, 200, 000
Cameroon	1960	183, 591	5, 150, 000
Central African Republic	1960	241, 313	1, 352, 000
Ceylon	1948	25, 332	11, 600, 500
Chad	1960	490, 733	4, 000, 000
Congo (ex-Belgian)	1960	905, 562	15, 625, 000
Congo (ex-French)	1960	134, 749	[1] 826, 000
Cyprus	1960	3, 572	591, 000
Dahomey	1960	43, 483	2, 244, 000
East Germany	1949	41, 816	17, 065, 600
Gabon	1960	102, 317	465, 000
Gambia	1965	4, 361	330, 000
Ghana	1957	92, 100	7, 740, 000
Guinea	1958	94, 925	3, 500, 000
Guhana	1966	83, 000	636, 000
Indonesia	1949	735, 268	160, 000, 000
Israel	1948	7, 993	2, 561, 400
Ivory Coast	1960	124, 502	[1] 3, 750, 000
Jamaica	1962	4, 232	1, 800, 000
Jordan	1946	37, 737	1, 935, 440
Kenya	1963	224, 960	9, 365, 000
Kuwait	1961	5, 800	567, 422
Laos	1949	91, 428	3, 000, 000
Lesotho	1966	11, 716	858, 000
Libya	1951	679, 536	1, 617, 000
Malagasy Republic	1960	230, 035	6, 262, 000
Malawi	1964	45, 747	4, 000, 000
Malaysia	1963	128, 338	[1] 9, 245, 491
Maldive Islands	1965	115	97, 000
Mali	1960	463, 947	4, 576, 000
Malta	1964	122	319, 476
Mauritania	1960	397, 683	1, 000, 000
Mongolia	1946	604, 247	1, 087, 200
Morocco	1956	174, 471	13, 323, 000
Niger	1960	459, 073	3, 328, 000
Nigeria	1960	356, 669	[1] 56, 400, 000
North Korea	1948	46, 540	[1] 10, 900, 000
North Vietnam	1949	60, 156	17, 700, 000
Pakistan	1947	365, 529	102, 876, 000
Philippines	1946	115, 707	32, 345, 000
Rhodesia (de facto)	1965	150, 333	4, 216, 000
Rwanda	1962	10, 169	2, 903, 071
Senegal	1960	76, 124	3, 490, 000
Sierra Leone	1961	27, 925	[1] 2, 200, 000
Singapore	1965	225	1, 844, 000
Somalia	1960	246, 155	2, 500, 000
South Korea	1948	38, 004	28, 754, 000
South Vietnam	1955	66, 280	16, 124, 000
Sudan	1956	967, 491	13, 540, 000
Tanzania	1961	362, 844	10, 578, 100
Togo	1960	21, 853	1, 642, 000
Trinidad and Tobago	1962	1, 980	975, 000
Tunisia	1956	63, 378	4, 675, 000
Uganda	1962	91, 134	7, 551, 000
Upper Volta	1960	105, 869	4, 858, 000
Western Samoa	1962	1, 097	130, 000
Zambia	1964	290, 587	3, 710, 000

[1] 1964; all others 1965, except Indonesia, Jamaica, Lesotho, and Mauritania which are 1966.

Ukrainian Independence

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. RHODES of Arizona. Mr. Speaker, 48 years ago on January 22, a nation was formed by the union of the Ukrainian National Republic and the Western Ukrainian National Republic. The Ukrainian people breathed freedom for barely 2 years before falling to the imperialism and tyranny of Communist Russia.

It is fitting during this Ukrainian independence week that the American people rededicate ourselves toward working for renewed freedom of all captive nations.

With Americans dying in the jungles and on the plains of Vietnam, defending those embattled people against communism's terrors, we should vow to regain freedom for the Ukrainians who have suffered so much for so long.

During our efforts, let us recall the words of a great American spoken about our own fight for freedom, for they apply equally to the people of the captive nations:

> For what avail the plough or sail, or land or life, if freedom fail?

Fino Urges Troop Withdrawal From Europe

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. FINO. Mr. Speaker, today I have reintroduced my resolution, last year the first in the House of Representatives, to declare the sense of the House that American military commitments in Europe be revised so as to enable the withdrawal of such American troops as might be withdrawn consonant with national security.

I originally introduced this resolution in February 1966, out of concern with the U.S. war effort and the U.S. balance-of-payments position. It is likely that the Senate will pass some resolution regarding our European troop strength during 1967.

Passage of my resolution would lead to freeing more troops for service on the home front and in southeast Asia. I am not urging escalation or de-escalation. I am proposing measures which show Europe that we mean business. I hope that the House will not default to the Senate in such vigilance.

Our European commitment clearly interferes with our troop rotations in Vietnam. I would also hasten to point out that our European military commitment is very costly. The billions we are spending in Europe could be trimmed to bring our budget closer to balance, and help head off the need for the proposed 6-percent tax increase.

Not only is our commitment costly in budget terms, but it is costly in balance-of-payments terms. In 1965, in the middle of the administration's much heralded war on balance-of-payments difficulties, this country lost $1.6 billion in gold. This was the biggest loss of gold since 1960. France, Germany, and Spain, directly or indirectly, have bilked us of $5 billion worth of gold since 1960. Now France is after gold again. We have almost 300,000 troops stationed in Germany and Spain, and the dollars paid to support these troops, many of which wind up in French hands, constitute a high proportion of the dollars traded in for U.S. gold.

The American military commitment keeps our taxes high and holds out the promise of even higher taxes. But what does it do for Europe? It keeps European taxes low. It eases the strain on European budgets through minimizing defense expenditures. The reduced European taxes subsidize European industry, making European exports more competitive with American exports. This hurts our trade situation.

Another reason to reduce U.S. troop commitment in Europe is the fact that some of our NATO allies are trading with North Vietnam. How can we expect diplomats to take our war effort seriously while we tolerate a heavy strain in keeping up the military protection of those who encourage or trade with our enemies?

If we shift some troops from Europe to Vietnam, we can meet our heavy military needs in Vietnam without resort to the draft of college students and other young Americans in unusual number. As long as we are keeping troops in Europe that could better be used on behalf of American interests in Vietnam, we are making our boys face a military draft so that America can protect Europe, while Europe's youth escape the service Europe might otherwise require of them. I do not want American students in rice paddies while American soldiers keep Europe's young people free for wine, women, and song.

What exactly is wrong with Europe protecting Europe? Our strategies which say otherwise are based on postwar military psychologies which have ceased to be realistic now that the great Communist threat is China—at least for the moment. I do not urge the withdrawal of any troops in Europe who are clearly protecting our interests. Let us withdraw those who are protecting European and not American interests.

Dr. Edward G. Locke, Director, Forest Products Laboratory, Madison, Wis.

EXTENSION OF REMARKS

OF

HON. MELVIN R. LAIRD

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. LAIRD. Mr. Speaker, Dr. Edward G. Locke, internationally known research administrator and director of the U.S. Forest Products Laboratory in Madison, Wis., since 1959 passed away last December 19. He had been ill for the past year.

Dr. Locke was a frequent visitor to Washington, a man I knew as a friend and as an eminently qualified director of the outstanding Forest Products Laboratory in Madison. He was the sixth Director in the 56-year history of the Laboratory which is maintained in Madison by the Forest Service, U.S. Department of Agriculture, in cooperation with the University of Wisconsin. Mr. Speaker, Dr. Locke was a tireless worker and lifetime friend of the wood and paper products industry. Death cut short his career at the time he neared attainment of one of his most cherished goals—a goal that brought him to Washington and to Congress on many frequent occasions—the first major expansion of the world-famed Laboratory's physical plant in 35 years.

Mr. Speaker, to the many friends and relatives whom Dr. Locke has left behind, I extend my deep condolences.

Time for a New Hoover Commisison

EXTENSION OF REMARKS

OF

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. ZWACH. Mr. Speaker, for nearly 12 full months I have been telling the people of Minnesota's Sixth Congressional District that the Congress must insist upon getting more mileage out of every single tax dollar before we agree to any new tax that might be proposed by the Johnson administration. I promised the people in Minnesota that if I were elected I would take immediate action to tighten up the expenses of running this Nation.

Today I am introducing a bill which I expect to help achieve that important goal.

I have proposed that we establish a commission of the executive branch to make a comprehensive study of all Federal operations. It is clear that the population explosion coupled with the rapid pace of technological change, especially in the fields of transportation, communication, and production, have expanded the duties and functions of government. But it is imperative that a constant and sincere reevaluation of these functions be pursued. This commission, modeled after the two successful Hoover Commissions, would make such an evaluation and propose recommendations for change wherever appropriate.

The commission would be authorized to determine the amount of duplication and inefficiency in any area of government; to study the problem of communication among the various units; to examine jurisdictional conflicts and inconsistencies; and to recommend ways to coordinate programs and policies among units with similar responsibilities, suggesting redefinitions of those duties wherever they are required.

The growth of bureaucracy in the past 25 years has been astounding; today there are over 2½ million employees under civil service. Today there are about 215 grant-in-aid programs administered by more than 20 different Federal departments and agencies. The cost of these programs alone has tripled in one decade.

It is incumbent upon the Congress to demand the highest degree of efficiency possible in the operation of our Government. This commission, composed of 14 members, would gather the Nation's best experts to make recommendations toward that goal. It would include two Congressmen, two Senators, two Governors, two members from the executive branch, and six from outside the Government.

Passage of this bill would prove to the American citizen that we intend to streamline Government organization, and will reduce duplication and inefficiency. It could put our Government once again on a sound businesslike basis.

Blatnik Salutes Outgoing Cabinet Member Connor

EXTENSION OF REMARKS

OF

HON. JOHN A. BLATNIK

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. BLATNIK. Mr. Speaker, Mr. President, I wish to add my voice to the chorus of tributes to John T. Connor, the outgoing Secretary of Commerce, that we have heard in public and private in the past several days.

Secretary Connor's outstanding talents as a creative, inspired leader and administrator have been clearly apparent across the broad range of responsibilities entrusted to the Department of Commerce.

Under him, the Department has been a major force in meeting the urgent and diverse problems of our times at home and abroad.

He has played a primary role in keeping the dollar strong as an architect and major participant in President Johnson's balance-of-payments program, under which our bankers and businessmen have made sizable contributions in the past 2 years to supplement the Government's own significant efforts.

He has headed an export expansion program that has helped bring the Nation's overseas trade to historic record levels, with resultant benefits to workingmen throughout the Nation no less than to their employers and to the Nation's balance-of-payments goals.

He has made farsighted and far-seeing contributions to the economic development of the less-developed sections of our own Nation through distinguished and progressive leadership, and the establishment of regional development commissions, within terms of the Public Works and Economic Development Act of 1965.

The related Appalachia program operating through Secretary Connor has, as you know, been highly successful thus far and holds vast promise for the future both in its own 13-State area and as a pioneer effort in the field of cooperative Federal-State regional development.

Another critical problem area for this Nation is automobile and traffic safety, where accidents take far more lives than are lost in Vietnam. Today the Nation's highways and motor vehicles are becoming safer, and will continue to become safer in the years ahead, because of safety programs initiated and inaugurated and now being pursued under Secretary Connor's leadership.

And if safeguarding the lives of Americans must always be our primary concern, the goal of safeguarding the land itself for this generation and for posterity certainly also holds an extremely high priority. Under Secretary Connor, the Department of Commerce undertook an energetic program of landscaping and scenic enhancement of our roads even before passage of the important Highway Beautification Act of 1965, and is now carrying forward this program with distinction.

I believe these few examples of major programs emphasize Secretary Connor's deep involvement and devoted leadership in meeting the problems of our times, ranging from the domestic economy to international affairs to the safety of our people and the quality of our lives.

But the sum of Secretary Connor's contributions in these years is, of course, far greater than simply the sum of these and all the other programs and policies and actions with which he has been concerned.

It lies, in a larger sense, in the qualities he brought to bear through these 2 years in service in an extremely demanding position of public trust: breadth of vision, balanced perspective, seasoned competence, an informed and cultivated intelligence, and most of all, an absolute determination to serve the public good.

One of the most distinguishing attributes of an outstanding leader, it is often said, is his ability to select and train a worthy successor. Clearly, Secretary Connor has done this. Alexander B. Trowbridge, who has served as Assistant Secretary of Commerce and whom President Johnson has now named Acting Secretary of Commerce, is a fine and competent and able successor who will assure continuity in the forward thrust of this important Department. Secretary Trowbridge's appointment underlines once again the extremely high quality of leadership in the executive department in general, and the Commerce Department in particular, under the administration of President Johnson.

As Secretary Connor prepares to leave Washington, I am certain that all of us—and all of the American people—join in wishing him and his family the continued happiness and success they so richly deserve in the years to come.

Secretary Connor has indeed earned a grateful and sincere "Well done" from us all.

The Future of the Federal Power Program

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 24, 1967

Mr. MOSS. Mr. Speaker, Secretary of the Interior Stewart L. Udall wrote an interesting and informative article in the January 1967 issue of Public Power. Entitled "Future of the Federal Power Program," the article discusses present and projected plans to meet the electricity needs of the Nation. Secretary Udall explained in the article:

> The role of the Federal Government in the Nation's electric power industry is changing—but its goal is not. The goal continues to be an abundant supply of low-cost power for all our people.

Citing the importance of joint action among electric utilities and the necessity of reliability, Secretary Udall predicted that in 25 years, the United States would still "have the finest, most efficient and most reliable power system in the world."

In one of his recommendations the Secretary states:

> The Commission (FPC) should have the power to assure that the giant new EHV transmission networks which are developing throughout the land are best adapted to the needs of the regions they serve, and that they do not become tools of discrimination against other utilities or service areas.

The provisions of my measure—H.R. 2311—would enhance, substantially, the orderly development to which Secretary Udall refers. The entire article follows:

FUTURE OF THE FEDERAL POWER PROGRAM

(By Stewart L. Udall, Secretary of the Interior)

The role of the Federal Government in the Nation's electric power industry is changing—but its goal is not. The goal continues to be an abundant supply of low-cost power for all our people.

In the past the Federal Government has developed multipurpose river projects, sold hydro power at wholesale to preference customers, and thus provided a yardstick for power rates and helped prevent monopoly.

We shall continue to develop new multipurpose river projects and sell power to preference customers. But the fact is that while electric loads are doubling every 10 years we are running out of undeveloped river projects to meet preference customer load growth. In the Columbia River Basin, for example, the Bonneville Power Administration has assured hydro resources to meet preference customer load growth only until about 1980, and possibly not even that long. BPA foresees a regional need for a one million-kw thermal plant as early as 1973, and a thermal plant that big or bigger each year starting in 1975.

SHARING TECHNOLOGY

In the future Federal hydro will be used more and more for peaking, and as the good hydro sites are developed, the Federal role in the West more and more will be to assure access for all to new technology as compared with actual provision of the energy in the past.

Fortunately, mounting pressures of load growth are quickening the pace of new technology and new techniques in the power field. Power pooling, both for planning and operating purposes, is the natural outgrowth of these pressures. To encourage establishment of pools and to participate in them in various ways increasingly is becoming one of the most important aspects of the changing Federal role.

If each public agency or cooperative which traditionally has relied heavily on Federal multipurpose projects could supplement its supply by building its own thermal plant, the problem might easily be solved. But this is not a practical solution. The most efficient thermal plants are big—one million kw and larger. Whether publicly or privately owned, few utilities acting alone can finance, build and utilize the output of a plant this size.

So the challenge comes into focus; how to bring together publicly and privately-owned utilities to plan, finance, build and share the benefits of the most efficient generating plants and EHV transmission lines American engineers can design; how to integrate these large new plants and lines with the valuable hydro peaking plants owned by the Federal Government; and how to accomplish all of this in such a way that the identities of individual systems, large and small, public and private, are not destroyed?

PATTERNS EMERGING

I believe the patterns are beginning to emerge, all over America but particularly in the West.

Just this past summer the Interior Department helped to work out a series of agreements with members of a new planning organization in the Pacific Southwest called Western Energy Supply and Transmission Associates. WEST, as it is commonly known, is now comprised of 11 private companies, eight public and municipally owned systems and three G&T cooperatives.

Under the auspices of WEST, two large 750-megawatt, coal-fired steam plants and over 1,000 miles of associated EHV transmission are being built by utilities in the Southwest. Additional steam plants are in the planning stages. Public agencies will share in the output. Negotiations are seeking to provide a basis for integrating WEST-sponsored plants with Federal hydro capacity.

Our agreements provide for water supply, utilization of Indian-owned coal and transmission rights of way across Indian and Federally-owned lands. For the first time in agreements of this nature, the utilities agree to abate air and water pollution caused by operation of coal-fired steam electric generating plants.

From the conservation standpoint, these are very important stipulations. But equally important, in terms of the Federal Government's changing role in the Nation's power picture, we did not agree to the arrangements until WEST broadened its membership to include additional public agencies and three REA-financed G&T cooperatives. We believe that consumer-owned utilities must have the opportunity to participate in the economies of large-scale generation and transmission projects.

Regardless of their ownership—public, cooperative or private—electric utilities have one basic job: to serve the people in the most economical, efficient and reliable way possible. Each system, each segment of the industry, has a very important job to perform, and the benefits of new planning techniques, new technology, pooling and interconnections must be available to all.

IMPROVED POOLING

Happily, the concept of pooling of both generation and transmission is being accepted in the industry. During the past five years many significant pooling arrangements have been consummated. TVA has reached agreement with some 19 Southwest utilities for construction of 500-kv a.c. lines which will ultimately increase the load-carrying capability of both TVA and the combined systems by 1½ million kw. In the Upper Midwest the Missouri Basin Systems Group is a unique pool of over 100 preference systems and the Bureau of Reclamation. In much the same region we now have the Mid-Continent Area Power Planners (MAPP), which is another pool consisting of private utilities and some preference customers.

The Pacific Northwest-Pacific Southwest Intertie is another example of the changing role of the Federal Government in the Nation's power business. In that, the Nation's largest single transmission undertaking, the Bonneville Power Administration and the Bureau of Reclamation are joined by the City of Los Angeles and a group of privately-owned utilities in building four giant lines—two 500-kv a.c. and two 750-kv d.c.—that will spread power benefits through 11 western states. Some 250 publicly owned systems will benefit to one degree or another.

In this instance, the Federal Government is pioneering—along with the City of Los Angeles and Southern California Edison Co.—in direct current technology. To pioneer in technology will continue to be part of the Federal Government's role.

INTERCONNECTIONS AND RELIABILITY

Eventually the entire Nation will be interconnected. In early 1967 we will move closer to that goal, when the eastern and western power systems of the U.S. and Canada will be test-interconnected by the closing of three 230-kv interconnections and one 161-kv interconnection in the Missouri River Basin system (PUBLIC POWER, Dec., page 38). If serious problems are encountered, the ties will be reopened while the problems are resolved prior to going on a full operational basis.

A total of 209 major public and private power systems with capacity of nearly 245 million kw and 265,000 miles of main transmission line will be tied together when the interconnection is operational. This capacity will represent about 40% of the world's total and will form the largest interconnected power system grid the world has ever known.

But while these interconnections will represent an important step forward, we must recognize that they are merely the forerunners to the stronger ties needed in the future. It must be a national goal to beef up these small interconnections until they are as strong, for example, as the Pacific Northwest-Pacific Southwest Intertie will be.

The Northeastern blackout of November 9, 1965, marked a dramatic and rather sudden change of emphasis on strong interconnections from economy to reliability, although the former is still very important and strong interconnections are essential to both. Where the original National Power Survey of the Federal Power Commission was heavily oriented toward the economies of scale, it is now being updated with the emphasis on reliability aspects of the Nation's bulk power supply.

REGIONAL PLANNING

The blackout pointed up a lack of regional thinking and planning. While the Pacific Northwest and the Tennessee Valley have been planning their electric systems regionally for many years and several holding companies in the north central and southern states have been doing likewise, power planning until recently has been a rather fractionated, company-by-company thing. For example, the Northeast power failure revealed that the interconnected Northeast companies had no program for load-shedding or intersystem tie line tripping under emergency conditions. Vital decisions affecting proper service to one-sixth of the Nation were left in the hands of company dispatchers who had only moments to consider them and whose control room instruments could not be relied upon during those critical moments. This was hardly a regional approach to power planning.

Regional power planning, admittedly, is not easy. The objective, if each region is to have the most reliable and efficient electric system that engineers can design, must be that the many independent utility systems so coordinate their activities that they build and operate their electric properties as though they were, in fact, only one utility system. By no means am I suggesting the desirability of single ownership. Diversity of ownership improves the conditions for political liberty and this is a goal we place higher than efficiency and reliability. I believe we can have both.

We must plan and pool not only our generating and transmission resources but our financial strength, our know-how and in some cases our purchasing. We must provide mutual assistance—line crews, equipment, power supply—in time of emergency or catastrophe. There will be complicated problems of engineering, economics, finance, law and politics. Each utility, whether publicly or privately owned, may have to forego the exercise of part of its traditional sovereignty. The industry may have to seek advice and assistance from experts in other disciplines, for example, systems analysis experts from the space and aeronautical industry.

While I would be the last to argue that the best power planning for every region of our country can be done in Washington, D.C., there are important and essential types of planning that can be done on a National level. The division of the U.S. into appropriate regions for power planning, the establishment of criteria for reliable and efficient system design and operation, the encouragement of research and development work, the coordination of the work of various regional utility groups and studies of the advantages of interregional power transfers are examples of power planning that perhaps can best be done on a national basis.

ROLE OF FPC

The Federal Power Commission, which took the leadership in preparing the monumental National Power Survey, probably is the most logical Federal agency to provide leadership in organizing the National effort. I suspect that only a Federal agency could hope to bring together on either a voluntary or compulsory basis the many diverse and sometimes antagonistic elements of our Nation's electric utility industry.

The efforts of the FPC are particularly vital to the protection of the interests of small public agencies through wholesale rate jurisdiction which the FPC has, in the past several years, exercised with vigor. The Commission's power to order interconnections can also be a valuable tool in safeguarding the small utility. But this, like other areas of FPC authority, needs strengthening if the agency is to be of maximum effectiveness in protecting the public interest in an era of expanding technology and growing complexity in the electric power industry. The Commission should have the power to assure that the giant new EHV transmission networks which are developing throughout the land are best adapted to the needs of the regions they serve, and that they do not become tools of discrimination against other utilities or service areas.

NEW PATHS OF POWER PROGRESS

In the Pacific Northwest, where the Bonneville transmission system has served as the backbone grid for the Pacific Northwest Power Pool since World War II, some of the most important decisions affecting the future of the Federal power program are in the making. That region is just now beginning to plan for the transition from an all hydro power supply to one of hydro and thermal combined.

The Federal Government—BPA in this case—does not propose to build the necessary thermal plants. But BPA has the transmission and the hydro peaking and the reserves necessary to make thermal plants highly efficient and reliable. It intends to make these services available, under appropriate arrangements, to non-Federal builders of thermal plants. BPA also proposes to share in the output of the thermal plants built by others, either through exchange arrangements or direct purchase. In this manner BPA will be able to continue to serve the load growth of preference customers and industry in the Northwest; depending on the arrangements worked out, it could even continue to supply a portion of private utilities' loads if they so desire.

Precisely how all of this is to be accomplished is still to be determined. For public and private agencies there are important legal as well as technical and operating problems. Administrator David S. Black has appointed a Task Force within BPA to work with representatives of all the utilities in the region in solving these problems (Public Power, Nov, page 42). He also has signed a contract with a consulting firm, Battelle-Northwest, for a study of potential nuclear steam plant sites in the Northwest. So here, again, the Federal Government is exercising leadership and pioneering new paths of power progress.

NEW ERA IN NORTHEAST

While the role of the Federal Government in the development of the West is legend, there has never been a Federal power program in New England. Rates in New England are nearly 30% higher than in any other part of the country. But now the Dickey-Lincoln School Project on the Upper St. John River has been authorized as a Federal project, and we have $1.1 million for advance planning. This project will contribute about 800,000 kw of capacity and over one billion kwh of energy. It will provide between 75,000 kw and 100,000 kw of 8-mill energy to municipalities and cooperatives in Maine who now pay from 15 to 21 mills per kwh for their power supply. And while the first shovel of earth is yet to be turned for this project, the Federal yardstick is already being felt in New England. The utilities there are now busily planning big nuclear plants, pumped storage projects and interconnections, all of which promise lower costs of production. The Dickey-Lincoln School Project could open the way for development of an EHV system in the region, linking the hydro capacity of Canada's Maritime Provinces with New England and New York. With such a system there could be exchanges of energy, great diversity gains, improved reliability and opportunities to tap new resources, such as Churchill Falls in Canada.

DUAL-PURPOSE PIONEERING

The Federal Government is helping pioneer yet another promising field, that of gigantic nuclear-powered plants for the dual purpose of water desalinization and steam electric generation. We have agreed, subject to Congressional authorization and appropriations, to join in the construction of the world's largest such plant at a site just off the southern California coast. With the Atomic Energy Commission and the Metropolitan Water District of Southern California we will participate in financing the desalting part of the plant. The Los Angeles Department of Water and Power, the Southern California Edison Co. and San Diego Gas and Electric Co. will finance and build the electric generating facilities.

The $444-million project is expected to produce 150 million gallons of fresn water daily at a delivered cost of about 27 cents per thousand gallons and 1,800,000 kw of power at costs competitive with alternative sources of power. The Interior Department is to put up $57.2 million toward capital and operating costs for the desalinization features of the plant and the AEC $15 million.

I view Interior's participation as another example of our leadership role by assuming part of the risk in the application of new technology. Never before has a plant of such magnitude been built, or even proposed. Interior is buying technical know-how by participating in a large-scale operation from which we expect to learn much. At the same time we expect this plant to contribute significantly to both the water and power needs of the region.

Joint participation of so many agencies permits a much bigger dual-purpose plant producing vastly more steam at greatly lowered steam costs. A project of this magnitude simply could not have been put together without the broad-based support it enjoys. Being part of a joint venture in this vast undertaking further is in keeping with the cooperative approach we urge on the industry, and which Interior intends to pursue.

There are many areas of the U.S. and the world where both water and power are in short supply. The marriage into a single operation of facilities to produce both water and power offers economic advantages to both, and the efforts of the Federal Government in this field will be intensified.

A MORE BEAUTIFUL AMERICA

There is another and more subtle challenge that our power programs must meet in the years ahead. It is the challenge to make the supplying of electricity to cities and farms compatible with a beautiful America. The people of our country have always been practical, first-things-first, developers. When most of the farms of America had no central station electric service and even the cities had unreliable and expensive service, our efforts were concentrated on getting a reliable supply of low-cost electric power to every consumer. Now that job, as regards today's needs, is pretty well mastered—so much so that the public takes it for granted. But the public can be very demanding and today there is growing insistence that electric generating stations, lines and substations be designed so as not unnecessarily to mar the rural landscape or clutter urban areas. Increasingly there is public insistence that new distribution lines; and even some transmission lines, be placed underground in cities. Planning authorities are requiring better air and water pollution control measures at generating stations, and attractive planning for substations in suburban and business areas. From now on our programs and policies will reflect this basic concern for the protection and enhancement of our environment.

In this connection, I have recommended to the President a $30-million research and development program over a five-year period to advance the technology of placing power transmission lines underground. This proposed program grew out of the President's instructions to Cabinet members to review recommendations of the 1965 White House Conference on Natural Beauty for possible Federal implementation. I expect significant reductions in the cost of placing lines underground to result from this effort, and look forward to the cooperation of the entire utility industry and the manufacturers.

NEW METHODS

Finally, we must move into new methods of electric generation. Geothermal steam must be put to work and the development of fuel cells expedited. Other exotic forms of energy must be explored: thermoelectric generators, thermionic converters, magnetohydrodynamics (MHD), the fusion reactor. Solar energy research must be pushed.

How well the Federal Government performs its role will help determine where our Nation's power system stands 25 years from now. Will we then still have the finest, most efficient and most reliable power system in the world? The answer must and will be yes, for such a system is vital to our National security and the welfare of our children and generations yet to come.